

Tuesday January 28, 2020
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

The meeting is being broadcast and recorded by Medway Cable Access.

ALSO PRESENT:

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

The Chairman opened the meeting at 7:00 pm

There were no Citizen Comments.

PEDB MEETING MINUTES:

January 14, 2020:

On a motion made by Rich Di Iulio and seconded by Matt Hayes, the Board voted unanimously to accept the minutes from January 14, 2020.

21 Trotter Drive /Marzilli Site Plan Endorsement:

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

- Revised Site Plan dated 1-20-20
- Email note from Steve Bouley dated 1-23-20
- 21 Trotter Drive Site Plan decision dated 11-12-19
- Certificate of No Appeal dated 1-8-20
- Status on taxes paid dated 1-24-20
- Letter from Sergeant Watson dated 1-27-20

The Board was made aware that the plan has been revised for endorsement based on the decision. Project Engineer Peter Beemis will be adding a detail to the back of the plan set regarding the signage which was specified by Sergeant Watson. The plan is recommended to be endorsed.

On a motion made by Rich Di Iulio and seconded by Matt Hayes, the Board voted unanimously to endorse the Marzilli Site Plan for 21 Trotter Drive.

NOTE – The Board endorsed the Marzilli site plan at the end of the meeting.

Salmon Site Plan Modification:

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

- Revised Salmon Site Plan Modification with necessary details for recording at the Norfolk County Registry of Deeds.

The Board was made aware that they endorsed a paper set of plans for the Salmon project on January 7, 2020. This document was rejected by the Registry since it did not have the Registry recording box. A new set of mylars and paper plans have been provided for the Board's signature.

On a motion made by Matt Hayes and seconded by Rich Di Iulio, the Board voted unanimously to re-endorse the Salmon Site Plan Modification.

NOTE – The Board re-endorsed the modified Salmon site plan at the end of the meeting.

Choate Trail Way Definitive Subdivision Plan and Scenic Road Work Permit:

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

- Public Hearing Continuation Notice
- Mullin Rule Certification for Andy Rodenhiser for the 12-10-19 hearing
- Note from 38 Highland Street abutter 12-11-19
- Deputy Chief Mike Fasolino comments 1-02-20
- Scenic Road Work Permit application 1-3-20
- Scenic Road Intersection Plan
- Scenic Road Public Hearing Notice 1-7-20
- Revised Choate Trail Way Plan – Connorstone Response Letter 1-13-20
- Revised Definitive Subdivision Plan – Choate Trail Way 1-13-20
- PGC Comments on revised Choate Trail Way Definitive Plan 1-23-20
- Tetra Tech Comments on Revised Choate Trail Way Subdivision Plan 1-23-20
- Email from Conservation Agent Bridget Graziano 1-27-20

The Chairman opened the continued public hearing for Choate Trail Way and also opened the public hearing for the Scenic Road Work Permit.

On a motion made by Bob Tucker, and seconded by Rich Di Iulio, the Board voted unanimously to waive the reading of the Scenic Road public hearing notice.

Tree Warden Steve Carew from Medway DPW joined the Board for the Scenic Road public hearing.

Vito Colonna from Connorstone Engineering was present to explain the aspects of the proposed work in the right-of way of Highland Street, a Medway scenic road. The existing site frontage along Highland Street includes a low stone wall and mixed trees of various sizes. There are three existing cuts in the stone wall for the existing driveway, walkway and cart path. The proposed work within the Highland Street right-of-way includes the construction of the roadway entrance/intersection for the new roadway off of Highland Street. This will require the removal of seven trees within the right of way and removal of portions of the stone wall for the roadway.

There are limited alternatives for the road location due to the existing wetlands on site. The proposed mitigation will be to reuse all stones removed from the existing walls to create stone wall roundings at either side of the proposed roadway entrance. The applicant is open to making a payment in lieu of on-site plantings.

It was explained that Conservation Agent Bridget Graziano has indicated that the Conservation Commission would like to remove the requirement for a sidewalk on the western side of the roadway in order to preserve the wetland buffer area. The Commission also supports reducing the tree removal on the individual lots. The applicant noted that certain trees can be flagged.

Steve Carew, Park Superintendent and Tree Warden, was present to discuss his recommendation for the tree mitigation. His recommendation was for a payment in lieu of tree planting. There is a concern about planting this time of year. He is also concerned with the plant availability. He communicated that the site does not warrant the number of replacement trees that would be required per the formula included in the Scenic Road Rules and Regulations. He also indicated that there are no specific locations in town which need trees at this time. The trees which are coming down are four Maple trees which are not significant in size. These Maple trees have not been showing foliage and are showing signs of decline. There are also some dead trees which need to come down anyway. The site does not have the room for the recommended number of tree replacements. There could be the installation of other plantings but not trees. Mr. Carew will provide a written recommendation. Susy would like to see if there are locations around town which could use plantings. The Conservation Agent communicated that there could be some plantings added to wetland areas.

Resident Lynda Bannon, 38 Highland Street:

Ms. Bannon does not want a sidewalk where the stone wall is. She does not believe the road is wide enough. This would take away the scenic value of Highland Street.

Resident Joanna Waige, 38 Highland Street:

Abutter Joanna Waige is concerned about the right of way access across their property. This was an old horse and buggy cart trail. The angle of the path is not shown on the property. This easement would run across their backyard. There was a trade done with the previous owner who is now deceased. This agreement was that the others could go through the Jordan's property. This was how the path came in as an access.

The plan shows a new streetlight at the intersection of the new road with Highland Street along with individual post lights for each house lot. There was a question if there is a need for this much lighting. The Board would like to get input from the DPW about the lighting in this area. The Board also communicated that all utilities are to be underground. There is a policy of maximizing opportunities for pedestrian connections and that this is at the discretion of the Board in regard to easements across lots within the subdivision to connect to nearby trails, schools, etc. The applicant prefers not to provide an easement. At a minimum, the right-of-way on adjacent property that end at the rear of Lot 4 should be extended across the corner of Lot 4 to town property. In the email from the Conservation Agent it was suggested that the existing trail at the High School and the "opening" to Lot 2 be shown on the plans to determine the proposed placement of a trail connection.

Resident Amy Jordan, 42 Highland Street:

Ms. Jordan wanted to know if funds could be put aside to inspect the subsurface stormwater drainage system. The resident was informed that this will be the responsibility of the Homeowner's Association.

The public was made aware that the next Conservation Commission meeting is scheduled for February 13, 2020.

On a motion made by Rich Di Iulio and seconded Matt Hayes, the Board voted unanimously to continue the public hearing and scenic road permit hearing for Choate Trail Way to February 25, 2020 at 7:15 pm.

William Wallace Village Multi-Family Housing Special Permit and Site Plan (274 Village Street)

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

- Public Hearing Continuation notice
- DRC Review Letter – William Wallace Village Final 1-21-2020.
- William Wallace Decision – Revised Draft 1-24-20.
- Order of Conditions Medway Conservation Commission 1-28-2020.

The Chairman opened the continued public hearing for William Wallace Village

Project engineer Dan Merrikin was present. He explained that the Conservation Commission voted last week to issue an amended Order of Conditions and Land Disturbance Permit to reflect the revised site plan for a 12 unit development. That was issued today. The Board had also requested a letter from the Design Review Committee at the last meeting. The Board is now in receipt of this letter dated January 21, 2020.

The Board reviewed the revised decision dated January 24, 2020.

The following will be added to this decision:

- Page 5 of decision information relative to the Order of Conditions.
- Page 19 language was about Affordable Housing requirements.
- Inclusion of conditions of the DRC as noted in letter.
- Page 29 the information of the limited number of bond reductions. The Board would like to stay consistent not lowering a bond to less than \$40,000.00 and not allowing more than 3 bond reductions.

Conditions and Decision:

On a motion made by Matt Hayes, and seconded by Tom Gay, the Board voted to approve the amended conditions as discussed and approve the decision. (4 aye, 1 nay)

Close Public Hearing

On a motion made by Rich Di Iulio and seconded by Matt Hayes, the Board voted unanimously to close the public hearing.

PUBLIC HEARING CONTINUATION EVERGREEN VILLAGE:

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

- Public Hearing Continuation Notice

- Email dated 1-10-20 from application Maria Varrione requesting a continuation of the hearing to after February 3, 2020.

On a motion made by Rich Di Iulio and seconded by Matt Hayes, the Board voted unanimously to continue the hearing for Evergreen Village to February 25, 2020 at 8:00 pm.

20 BROAD STREET-MULTI-FAMILY DEVELOPMENT SPECIAL PERMIT, SITE PLAN, AND GROUNDWATER SPECIAL PERMIT:

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

- Public Hearing Continuation Notice
- Mullins Rule Certificate for Andy Rodenhiser for the 12-10-19 hearing
- REVISED Architectural Plans for 20 Broad St. 12-16-19
- DPW Memos re: Broad Street sidewalk 12-23-19
- Tetra Tech sidewalk construction estimate 1-2-20
- Email from abutter Lisa Mitchell 1-16-20
- DRC Review Letter for 20 Broad Street 1-21-20
- 20 Broad Street revised draft decision 1-23-20

Rob Truax from GLM Engineering and applicant Steve Brody were present to discuss the remaining issues and review the draft decision dated January 24, 2020. The Board made the following recommendations.

- Page 16: L. Sidewalk/Patio: There was a question asked if the sidewalk requirement falls under the regulations. Susy showed the applicant where the requirement was noted in the Site Plan section of the Zoning Bylaw. The estimate for the sidewalk based on Tetra Tech unit prices was for \$9,774. The applicant stated that the DPW has indicated that they do not want the sidewalk replaced or repairs done since this will be redone by the Town in a few years, possibly as soon as 2022. The applicant indicated that he is willing to make a payment in lieu into the sidewalk fund. He needs to get this project started since his construction loan is for 18 months. There was a question about why there is a contingency number of 25% on the sidewalk estimate. The Board agrees that this is not needed. The amount noted on the estimate should be reduced by the contingency amount to \$7,819. The Board agrees that this would be the amount needed for the sidewalk fund and this would need to be paid by November 20, 2020.
- Page 16: O. Fire Protection: The Board would like this to be something determined by State Code and the Fire Chief/Building Inspector.
- Page 17: There will be a section added with language about the land disturbance permit and the reporting requirements.
- Page 25: M. (2) – The language needs to be changed from twelfth to second dwelling unit.
- The applicant needs to provide an updated photometric plan.
- Abutter Scott Salvucci would like findings/condition about the off-street parking as noted in the previous email from abutter.
- The email from abutter Lisa Mitchell dated January 16, 2020 was entered into the record.
- Place the DRC letter in as a condition.
- The Board went back to reference page 13 Section 205-9. F. Landscaping -Tree Replacement. This information will be further clarified from GLM. They plan to plant 4

deciduous and 3 Evergreen trees along with 7 additional plants on site. There will be the removal of 15. Susy would like to know what the total diameter is of all plantings to see what the offset between the two is. A revised landscape plan is needed.

Continuation:

On a motion made by Rich Di Iulio, and seconded by Matt Hayes, the Board voted unanimously to continue hearing for 20 Broad Street to February 11, 2020 at 8:30 pm.

NEO ORGANICS (4 Marc Road) CONTINUATION HEARING:

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

- Public hearing continuation notice
- Revised Draft Decision dated 1-27-2020
- MA DEP Noise Policy
- Revised Con Com Order of Conditions dated 1-14-2020
- Installation Guide for sound walls

The Chairman opened the continued public hearing.

Applicant Jaime Lewis and Noise Control Engineering consultant Jeff Komrower was present.

The Board was made aware that Susy worked with Noise Control Engineering consultant Jeff Komrower on the language for the draft decision to address both the Town's noise standards and the MA DEP noise policy. The revised draft decision has been provided to the applicant Jaime Lewis and to abutter John Lally.

The revised draft decision was reviewed, and the following comment and recommendations were noted:

- Page 7 (D) - There will be 7 receptor residential locations at second story building height.
- Page 7 (G) - This is a new section per recommendation from consultant Komrower.
- Page 10 (12) - The applicant will provide a sworn statement disclosing the owners' interests in the various companies involved. Jaime Lewis indicated that she will provide this.
- Page 12 #5(c) – Typo correction from mad-made to man-made.
- Page 19 - There was a new section Noise Management which was included. The DEP policy was also inserted. This also includes language addressing the establishment of ambient levels. It was also communicated by the Consultant that Acentech indicated that they have the background levels, but a request needs to be provided to release those since 2 Marc Road paid for this work.
- The supplemental information on the sound wall was entered into the record.
- Page 20. 2.(a) – It is recommended that the ambient background levels shall be established without the influence of any noise emanating from the CommCan facility at 2 Marc Road.
- Page 22. 4. - Remove this section regarding annual certification.

Resident John Lally had the following recommendations:

- Have the background noise time be when traffic is at its peak. The bylaw stipulates the times.

Vote Findings:

On a motion made by Bob Tucker and seconded by Tom Gay, the Board voted unanimously to approve the Findings as written.

Vote Waivers:

On a motion made by Bob Tucker and seconded by Rich Di Iulio, the Board voted unanimously to approve the Waivers as written.

Vote Decision:

On a motion made by Tom Gay and seconded by Bob Tucker, the Board voted unanimously to approve the Decision with revisions as written.

Vote Close:

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

ZBA PETITIONS:

The Board is in receipt of the following petitions to the ZBA. (See Attached)

- 4 Quail Drive
- 79 Lovering Street

The application for 4 Quail Drive is for an Accessory Family Dwelling Unit Special Permit. The Board has no comments to present to the ZBA on this application.

The application for 79 Lovering Street is to modify the previously issued 2 family special permit granted by the ZBA on 10-6-19. The Board has no comments to present to the ZBA on this application.

FUTURE MEETING:

- Tuesday, February 4, 2020

ADJOURN:

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

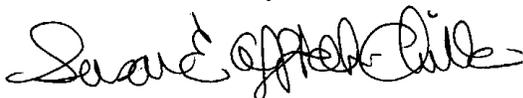
The meeting was adjourned at 10:05 pm.

Prepared by,



Amy Sutherland
Recording Secretary

Reviewed and edited by,



Susan E. Affleck-Childs
Planning and Economic Development Coordinator



January 28, 2020
Medway Planning & Economic Development Board
Meeting

21 Trotter Drive/Marzilli Site Plan
Endorsement

- Revised Site Plan dated 1-20-20
- Email note from Steve Bouley dated 1-23-20
- 21 Trotter Drive Site Plan decision dated 11-12-19
- Certificate of No Appeal dated 1-8-20
- Status on Taxes Paid dated 1-24-20
- Letter from Sergeant Watson dated 1-27-20

The plan has been revised per the decision for your endorsement. Project Engineer Peter Bemis will be adding a detail to the back of the plan set regarding the signage specified by Sergeant Watson. I will have that set for you for Tuesday night. I recommend endorsement.

21 TROTTER DRIVE

A SITE PLAN

IN

MEDWAY, MASSACHUSETTS

(NORFOLK COUNTY)

OWNER/APPLICANT:
 21 TROTTER DRIVE LLC
 21A TROTTER DRIVE
 MEDWAY, MASSACHUSETTS 02053

ENGINEER:
 ENGINEERING DESIGN
 CONSULTANTS, INC.
 32 TURNPIKE ROAD
 SOUTHBOROUGH, MASSACHUSETTS 01772

APPROVED REQUESTS FOR WAIVERS:

- SECTION 204-5 B. SITE CONTEXT SHEET IS REQUIRED AS PART OF THE PLAN SET. TO NOT INCLUDE A SITE CONTEXT SHEET.
- SECTION 204 - 3. A. 7.A. TRAFFIC IMPACT ASSESSMENT - A TRAFFIC IMPACT REPORT IS REQUIRED IF A DEVELOPMENT PROJECT INVOLVES THE ADDITION OF 30 OR MORE PARKING SPACES. TO NOT INCLUDE A TRAFFIC IMPACT ASSESSMENT
- 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. TO IDENTIFY TREES WITH A DIAMETER OF 18 INCHES OR MORE AT 4 FEET ABOVE GRADE ONLY WITHIN THE LIMIT OF WORK AREA, NOT THROUGHOUT THE ENTIRE 11 ACRE SITE. AS CONDITIONED HEREIN (CONDITION C), THE SITE PLAN WILL BE REVISED TO SHOW THIS PARTIAL INVENTORY ON THE EXISTING CONDITIONS SHEET.

SITE PLAN DEVELOPMENT STANDARDS

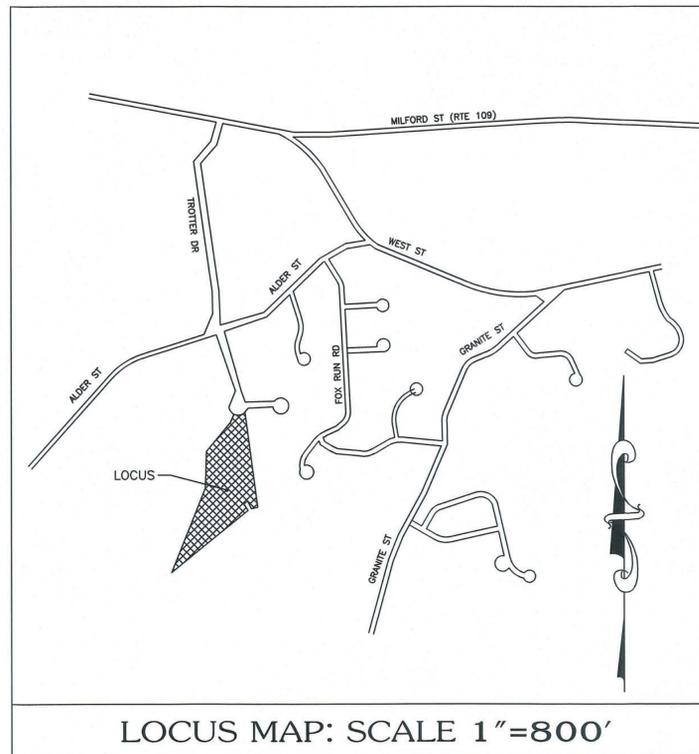
- SECTION 205-3 B. 6 INTERNAL SITE DRIVEWAYS - THE PERIMETER OF THE DRIVEWAY SHALL BE BOUNDED WITH VERTICAL GRANITE CURB OR SIMILAR TYPE OF EDGE TREATMENT. TO USE BITUMINOUS BERMS ALONG ALL TRAVEL LANES AND PARKING LIMITS.
- SECTION 205-6 PARKING. G. PARKING SPACE/STALLS, 3. A) CAR PARKING SPACES/STALLS SHALL BE TEN (10) FEET BY TWENTY (20) FEET, EXCEPT THAT HANDICAP STALLS SHALL BE IN ACCORDANCE WITH THE CURRENT ADA STANDARDS. TO ALLOW STALLS AT A SIZE OF 9' BY 18'. THIS IS THE ALLOWED STANDARD PARKING SPACE SIZE PER SECTION 7.1.1. E. 3. A. OF THE ZONING BYLAW AND IS SUITABLE FOR 24' WIDE TWO-WAY TRAFFIC AISLES.
- SECTION 205-6 G. 3. B) - PARKING SPACES AND STALLS - WHEEL STOPS ARE REQUIRED AT THE HEAD OF EACH CAR STALL WHERE A SPACE/STALL ABUTS A WALKWAY, PEDESTRIAN WAY, OR SPECIAL SITE FEATURE SUCH AS AN ABRUPT CHANGE IN GRADE. ACCEPTABLE MATERIALS INCLUDE PRE-CAST CONCRETE, GRANITE, OR LIKE MATERIALS. ALL WHEEL STOPS SHALL BE PROPERLY ANCHORED INTO THE GROUND AND LOCATED APPROXIMATELY TWENTY-FOUR (24) INCHES FROM THE HEAD OF A CAR SPACE/STALL. TO ALLOW USE OF CAPE COD BERM, AND INTEGRATED CONCRETE WALKS AND CURBING.
- SECTION 205-6 G. 4. B) - PARKING SPACES AND STALLS - STALLS SHALL NOT BE LOCATED WITHIN 15' OF THE FRONT, SIDE OR REAR PROPERTY LINES. TO ALLOW A 10' SETBACK ON THE WESTERN SIDE OF THE SITE.
- SECTION 205-6 H. CURBING - THE PERIMETER OF THE PARKING AREA SHALL BE BOUNDED WITH VERTICAL GRANITE CURB OR SIMILAR TYPE OF EDGE TREATMENT TO DELINEATE THE PARKING LOT. TO USE BITUMINOUS BERMS ALONG ALL TRAVEL LANES AND PARKING LIMITS.
- SECTION 205-9. B. LANDSCAPE BUFFERS - THE USE OF PROPORTIONALLY SIZED LANDSCAPED BUFFERS AND BERMS BETWEEN THE STREET AND STRUCTURES, BETWEEN THE STREET AND PARKING FIELDS, BETWEEN THE SITE AND ITS NEIGHBORS, AND THROUGHOUT PARKING LOT ISLANDS IS ENCOURAGED TO PROVIDE FOR MORE IMMEDIATE VISUAL SCREENING AND IMPROVED TOPOGRAPHICAL VARIATION. TO ALLOW NO LANDSCAPE BUFFER ALONG THE WESTERN PROPERTY LINE.
- SECTION 205-9 F. F. TREE REPLACEMENT - THE TOTAL DIAMETER OF ALL TREES OVER TEN (10) INCHES IN DIAMETER THAT ARE REMOVED FROM THE SITE SHALL BE REPLACED WITH TREES THAT EQUAL THE TOTAL BREAST HEIGHT DIAMETER OF THE REMOVED TREES. THE REPLACEMENT TREES MAY BE PLACED ON OR OFF SITE AS RECOMMENDED BY THE PLANNING BOARD. THE BOARD HAS PREVIOUSLY AGREED TO LIMIT THE INVENTORY OF TREES TO BE REMOVED FROM THE SITE TO ONLY THOSE OVER 18" IN DIAMETER IN THE WORK LIMIT AREA. TO PROVIDE A SUITABLE BUFFER FOR THE ADJACENT RESIDENTIAL NEIGHBOR AT 2 LOST HILL DRIVE, FOUR WHITE PINE TREES ARE TO BE REMOVED; EACH IS 20 - 24" IN DIAMETER FOR A TOTAL OF 80 AND 96" OF REQUIRED TREE REPLACEMENT. THE REPLACEMENT PLANTING PLAN FOR THIS AREA IS ROBUST; IT SHOWS 23 GIANT GREEN ARBORVITAE (14' - 20' TALL) AND 9 NORWAY SPRUCE TREES (14' - 20' TALL). THE PROPERTY OWNER AT 2 LOST HILL DRIVE IS SATISFIED WITH THE PROPOSED LANDSCAPED BUFFER.

CERTIFICATE OF VOTE

SEE CERTIFICATE OF VOTE FOR SITE PLAN APPROVAL DATED, NOVEMBER 12, 2019 FOR PLAN ENTITLED, '21 TROTTER DRIVE, MEDWAY MASSACHUSETTS,' FROM THE MEDWAY PLANNING BOARD, VOTED TO APPROVE WITH STANDARD CONDITIONS.

ORDER OF CONDITIONS

SEE ORDER OF CONDITIONS FROM MEDWAY CONSERVATION COMMISSION DATED, SEPTEMBER 30, 2019 AND LAST AMENDED JANUARY 23, 2019 FOR DEP FILE NO. 216-0937.

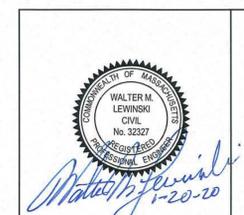


APRIL 8, 2019

REVISED: JULY 25, 2019
 REVISED: AUGUST 6, 2019
 REVISED: AUGUST 28, 2019
 REVISED: OCTOBER 8, 2019
 REVISED: JANUARY 20, 2020

APPROVED BY:
 MEDWAY PLANNING & ECONOMIC
 DEVELOPMENT BOARD

 DATE: _____



LEGEND

BIT CONC	BITUMINOUS CONCRETE
⊕	BORING
CB	CATCHBASIN
CB/PLUG	CONCRETE BOUND/PLUG
CC	CONCRETE CURB
CCB	CAPE COD BERM
CO	CLEAN OUT
CONC	CONCRETE
CONC	CONCRETE
CS	CURB STOP
CW	CROSSWALK
D	DRAINLINE
DCB	DOUBLE CATCH BASIN
DI	DUCTILE IRON
DMH	DRAIN MANHOLE
E	ELECTRIC
ECB	EROSION CONTROL BARRIER
EMH	ELECTRIC MANHOLE
FD	FOUNDATION DRAIN
FE	FLARED END
G	GAS LINE
GG	GAS GATE
GV	GATE VALVE
HC	HANDICAPPED RAMP
HCC	HAUNCHED CONCRETE CURB
HYD	HYDRANT
ID	INTERCEPTOR DRAIN
INV	INVERT
LP	LIGHT POLE
MH	MANHOLE
PV	POST INDICATOR VALVE
PVC	PERFORATED POLY-VINYL-CHLORIDE
PVC	POLY-VINYL-CHLORIDE
RCP	REINFORCED CONCRETE PIPE
RD	ROOF DRAIN
S	SEWER LINE
S	SIGN
SB	SPEED BUMP
⊕SB/DH	STONE BOUND/DRILLHOLE
⊕SB/DH(TBS)	STONE BOUND/DRILLHOLE(TO BE SET)
SOC	SLOPED GRANITE CURB
SMH	SEWER MANHOLE
SWBL	SINGLE WHITE BROKEN LINE
SWSL	SINGLE WHITE SOLID LINE
⊕	TEST PIT
T24	24" TREE
TD	TRENCH DRAIN
TELE	TELEPHONE LINE
TMH	TELEPHONE MANHOLE
TRANS	TRANSFORMER
TS	TRANSITION STONE
UD	UNDERDRAIN
VGC	VERTICAL GRANITE CURB
W	WATER LINE
WG	WATER GATE
WF #A-50	WETLAND FLAG

SHEET LIST:

SITE PLANS

- COVER SHEET
- EXISTING CONDITIONS
- PROPOSED LAYOUT
- GRADING & UTILITIES
- LIGHTING & LANDSCAPING
- DETAILS

STORMWATER PLANS

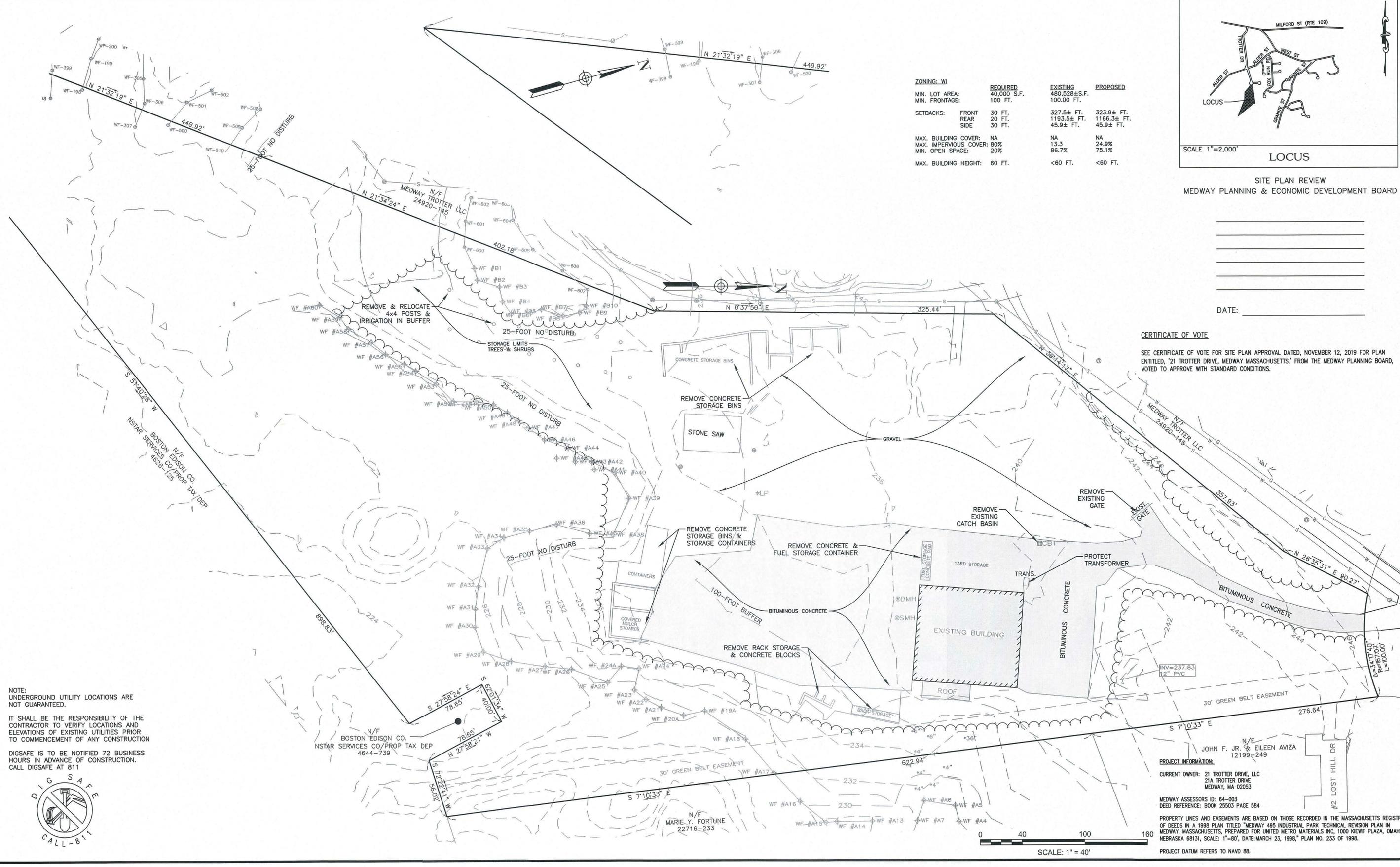
- STORMWATER (SWPPP) PLAN

ARCHITECTURAL PLANS

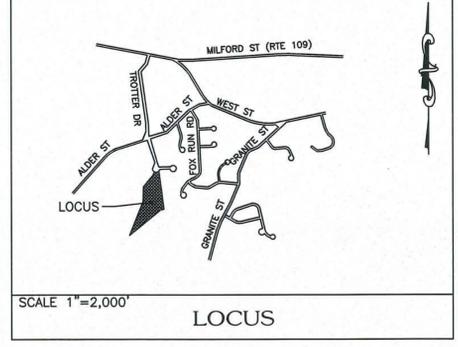
- FLOOR PLAN
- FLOOR PLAN
- RENDERINGS

X:\MEDWAY\TROTTER DRIVE\3588 -- 21 TROTTER DRIVE\AUTOCAD FILES\3588 SITE PLAN (2019-12-10)

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NO PART OF THIS DOCUMENT MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC, MECHANICAL, PHOTOCOPYING, RECORDING OR OTHERWISE WITHOUT THE PRIOR WRITTEN PERMISSION OF ENGINEERING DESIGN CONSULTANTS, INC. ANY MODIFICATION TO THIS DOCUMENT WITHOUT THE WRITTEN PERMISSION OF ENGINEERING DESIGN CONSULTANTS, INC. SHALL RENDER THEM INVALID AND UNUSABLE.



ZONING: W1	REQUIRED	EXISTING	PROPOSED
MIN. LOT AREA:	40,000 S.F.	480,528±S.F.	100.00 FT.
MIN. FRONTAGE:	100 FT.		
SETBACKS:			
FRONT	30 FT.	327.5± FT.	323.9± FT.
REAR	20 FT.	1193.5± FT.	1166.3± FT.
SIDE	30 FT.	45.9± FT.	45.9± FT.
MAX. BUILDING COVER:	NA	NA	NA
MAX. IMPERVIOUS COVER:	80%	13.3	24.9%
MIN. OPEN SPACE:	20%	86.7%	75.1%
MAX. BUILDING HEIGHT:	60 FT.	<60 FT.	<60 FT.



SITE PLAN REVIEW
MEDWAY PLANNING & ECONOMIC DEVELOPMENT BOARD

DATE: _____

CERTIFICATE OF VOTE
SEE CERTIFICATE OF VOTE FOR SITE PLAN APPROVAL DATED, NOVEMBER 12, 2019 FOR PLAN ENTITLED, '21 TROTTER DRIVE, MEDWAY MASSACHUSETTS,' FROM THE MEDWAY PLANNING BOARD, VOTED TO APPROVE WITH STANDARD CONDITIONS.

NOTE:
UNDERGROUND UTILITY LOCATIONS ARE NOT GUARANTEED.

IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY LOCATIONS AND ELEVATIONS OF EXISTING UTILITIES PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION

DIGSAFE IS TO BE NOTIFIED 72 BUSINESS HOURS IN ADVANCE OF CONSTRUCTION. CALL DIGSAFE AT 811



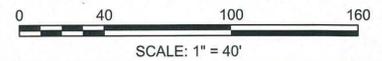
N/F
BOSTON EDISON CO.
NSTAR SERVICES CO/PROP TAX DEP
4644-739

N/F
MARIE-Y. FORTUNE
22716-233

PROJECT INFORMATION:
CURRENT OWNER: 21 TROTTER DRIVE, LLC
21A TROTTER DRIVE
MEDWAY, MA 02053

MEDWAY ASSESSORS ID: 64-003
DEED REFERENCE: BOOK 25503 PAGE 584

PROPERTY LINES AND EASEMENTS ARE BASED ON THOSE RECORDED IN THE MASSACHUSETTS REGISTRY OF DEEDS IN A 1998 PLAN TITLED "MEDWAY 495 INDUSTRIAL PARK TECHNICAL REVISION PLAN IN MEDWAY, MASSACHUSETTS, PREPARED FOR UNITED METRO MATERIALS INC, 1000 KIEWIT PLAZA, OMAHA NEBRASKA 68131, SCALE: 1"=80', DATE: MARCH 23, 1998," PLAN NO. 233 OF 1998.
PROJECT DATUM REFERS TO NAVD 88.



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ENGINEERING DESIGN CONSULTANTS, INC.'S LIABILITY FOR THIS PLAN IS LIMITED TO THE EXTENT OF ITS FEE LESS THIRD PARTY COSTS.

REV	DATE	DESCRIPTION
5	1/20/20	PLANNING BOARD ENDORSEMENT & CONCOM ORDER
4	10/8/19	ADDRESS DESIGN/PLANNING/PEER COMMENTS
3	8/28/19	ADDRESS TETRA TECH 8/8/19 COMMENTS
2	8/6/19	REVISED INFILTRATION/RETENTION BASIN
1	7/25/19	ADDRESS CONCOM COMMENTS
0	4/8/19	SITE PLAN REVIEW

DRWN BY: ZRB
CHKD BY: PSB
APPD BY: WML

REV	DATE	DESCRIPTION
5	1/20/20	PLANNING BOARD ENDORSEMENT & CONCOM ORDER
4	10/8/19	ADDRESS DESIGN/PLANNING/PEER COMMENTS
3	8/28/19	ADDRESS TETRA TECH 8/8/19 COMMENTS
2	8/6/19	REVISED INFILTRATION/RETENTION BASIN
1	7/25/19	ADDRESS CONCOM COMMENTS
0	4/8/19	SITE PLAN REVIEW

PREPARED BY:

Engineering Design Consultants, Inc.
32 Turnpike Road
Southborough, Massachusetts
ph:(508) 480-0225 fax:(800)832-5781

PROJECT:

SITE PLAN
21 TROTTER DRIVE
MEDWAY, MASSACHUSETTS 02053

TITLE:

EXISTING CONDITIONS
21 TROTTER DRIVE, LLC
21A TROTTER DRIVE
MEDWAY, MASSACHUSETTS 02053

OWNER/APPLICANT:

21 TROTTER DRIVE, LLC
21A TROTTER DRIVE
MEDWAY, MASSACHUSETTS 02053

FILE NO: 3588
EXISTING CONDITIONS
DATE: APRIL 8, 2019
PLAN NUMBER: 2 of 6
2

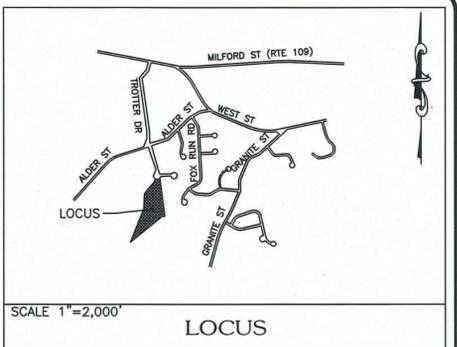
CERTIFICATE OF VOTE (CONDITION VIII.C.10)

TROTTER DRIVE REDUCED SPEED SIGNS ARE AS AGREED TO WITH MEDWAY POLICE DEPARTMENT AND INDICATED ON EDC EXHIBIT SKETCH ENTITLED SPEED LIMITING SIGN PLAN DATED JANUARY 20, 2020.

ZONING: WI	REQUIRED	EXISTING	PROPOSED
MIN. LOT AREA:	40,000 S.F.	480,528±S.F.	
MIN. FRONTAGE:	100 FT.	100.00 FT.	
SETBACKS:			
FRONT	30 FT.	327.5± FT.	323.9± FT.
REAR	20 FT.	1193.5± FT.	1166.3± FT.
SIDE	30 FT.	45.9± FT.	45.9± FT.
MAX. BUILDING COVER:	NA	NA	NA
MAX. IMPERVIOUS COVER:	80%	13.3	24.9%
MIN. OPEN SPACE:	20%	86.7%	75.1%
MAX. BUILDING HEIGHT:	60 FT.	<60 FT.	<60 FT.

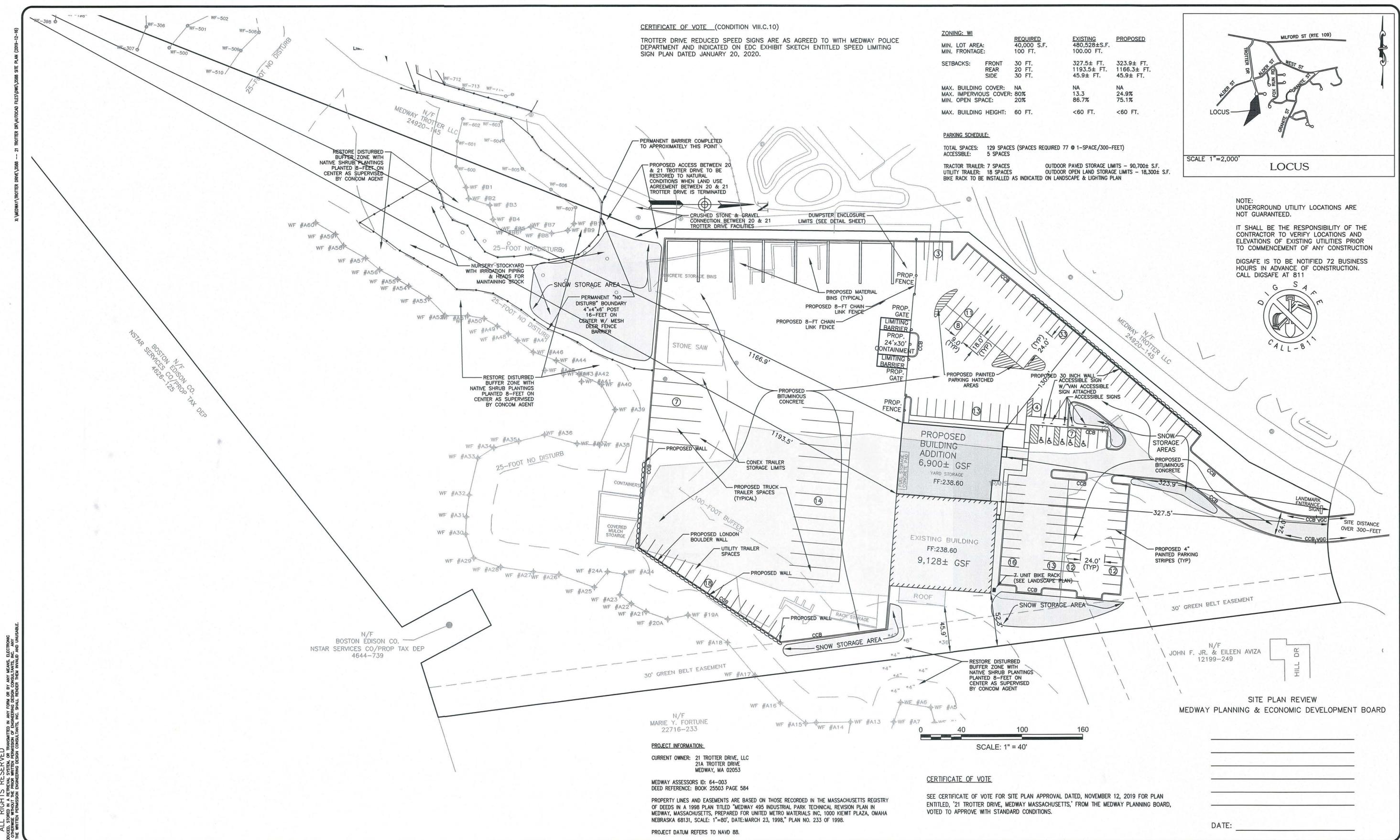
PARKING SCHEDULE:

TOTAL SPACES: 129 SPACES (SPACES REQUIRED 77 @ 1-SPACE/300-FEET)
 ACCESSIBLE: 5 SPACES
 TRACTOR TRAILER: 7 SPACES
 UTILITY TRAILER: 18 SPACES
 BIKE RACK TO BE INSTALLED AS INDICATED ON LANDSCAPE & LIGHTING PLAN
 OUTDOOR PAVED STORAGE LIMITS - 90,700± S.F.
 OUTDOOR OPEN LAND STORAGE LIMITS - 18,300± S.F.



SCALE 1"=2,000'
 LOCUS

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



SCALE: 1" = 40'

PROJECT INFORMATION:
 CURRENT OWNER: 21 TROTTER DRIVE, LLC
 21A TROTTER DRIVE
 MEDWAY, MA 02053
 MEDWAY ASSESSORS ID: 64-003
 DEED REFERENCE: BOOK 25503 PAGE 584
 PROPERTY LINES AND EASEMENTS ARE BASED ON THOSE RECORDED IN THE MASSACHUSETTS REGISTRY OF DEEDS IN A 1998 PLAN TITLED "MEDWAY 495 INDUSTRIAL PARK TECHNICAL REVISION PLAN IN MEDWAY, MASSACHUSETTS, PREPARED FOR UNITED METRO MATERIALS INC, 1000 KIEWIT PLAZA, OMAHA NEBRASKA 68131, SCALE: 1"=80', DATE: MARCH 23, 1998, PLAN NO. 233 OF 1998.
 PROJECT DATUM REFERS TO NAVD 88.

CERTIFICATE OF VOTE

SEE CERTIFICATE OF VOTE FOR SITE PLAN APPROVAL DATED, NOVEMBER 12, 2019 FOR PLAN ENTITLED, '21 TROTTER DRIVE, MEDWAY MASSACHUSETTS', FROM THE MEDWAY PLANNING BOARD, VOTED TO APPROVE WITH STANDARD CONDITIONS.

DATE: _____

SITE PLAN REVIEW
 MEDWAY PLANNING & ECONOMIC DEVELOPMENT BOARD

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REV#	DATE	DESCRIPTION
5	1/20/20	PLANNING BOARD ENDORSEMENT & CONCOM ORDER
4	10/18/19	ADDRESS DESIGN/PLANNING/PEER COMMENTS
3	8/28/19	FUEL STORAGE & DISPENSING LIMITS
2	9/6/19	REVISED INFILTRATION/RETENTION BASIN
1	7/25/19	ADDRESS CONCOM COMMENTS
0	4/8/19	SITE PLAN REVIEW

PREPARED BY:

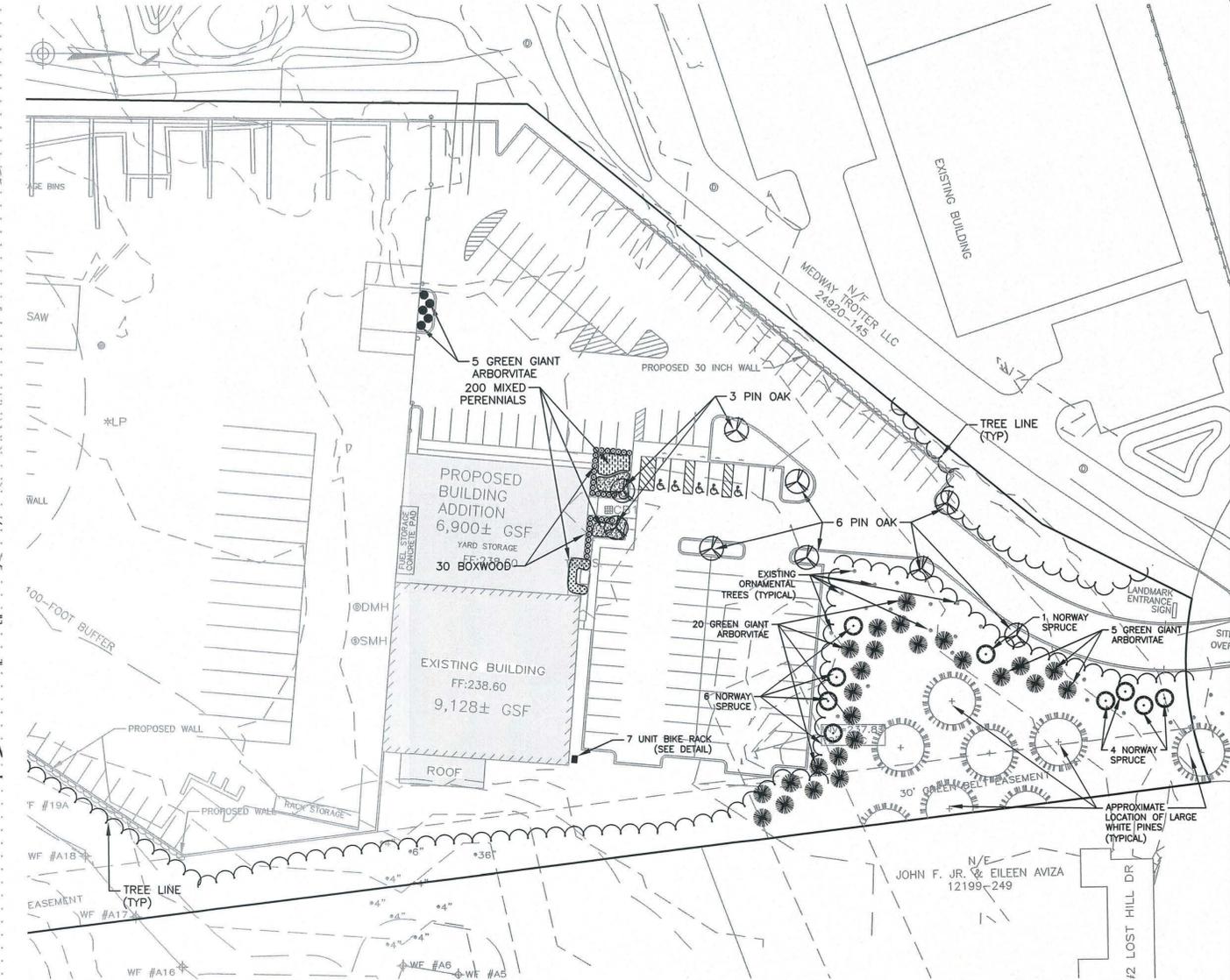
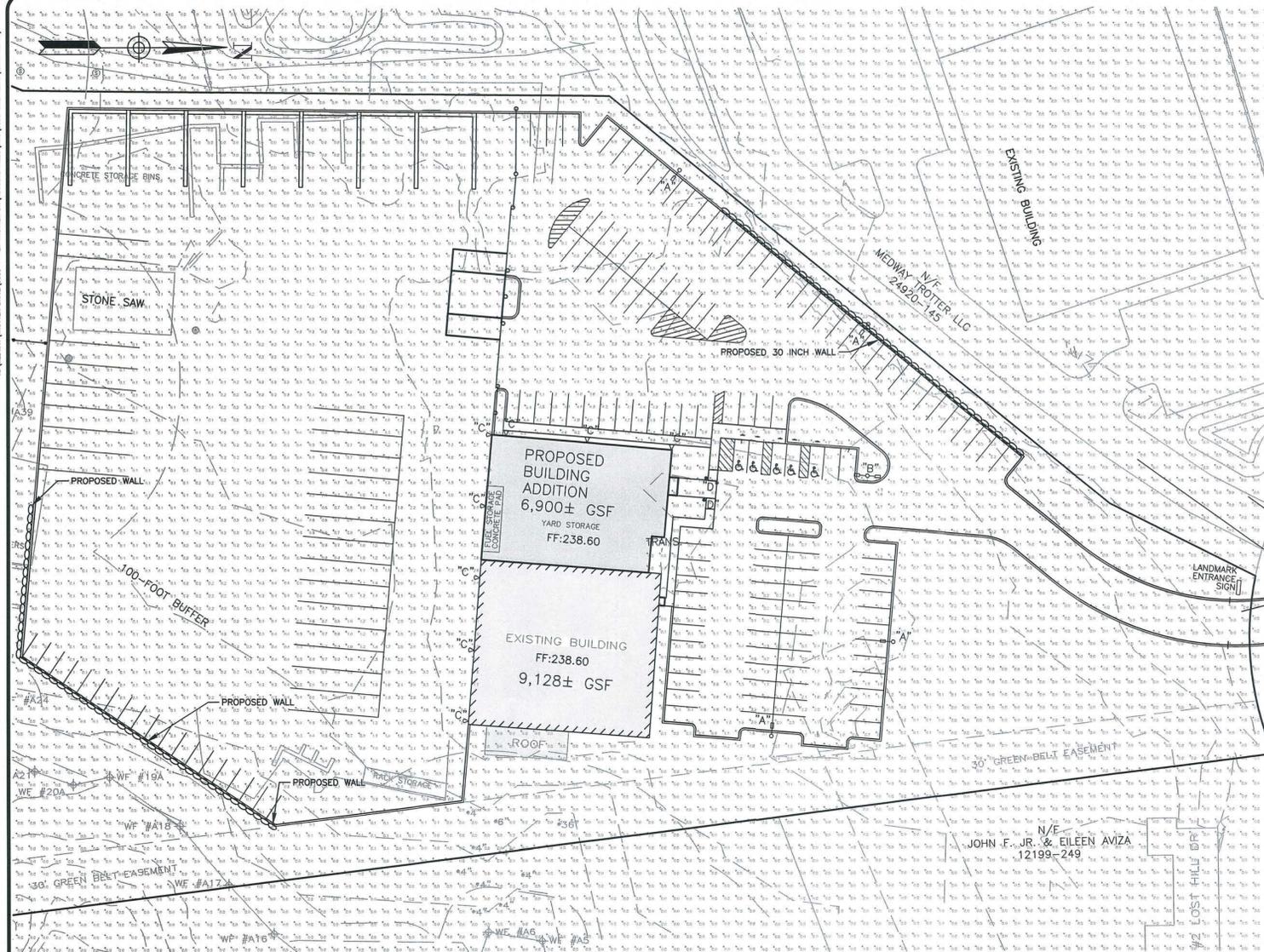
 Walter M. Lewinski
 1-20-20

Engineering Design Consultants, Inc.
 32 Tumpike Road
 Southborough, Massachusetts
 ph:(508) 480-0225 fax:(800)832-5781

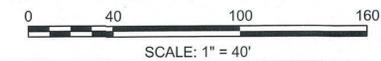
PROJECT:
SITE PLAN
 21 TROTTER DRIVE
 MEDWAY, MASSACHUSETTS 02053

TITLE:
PROPOSED LAYOUT
21 TROTTER DRIVE
 21 TROTTER DRIVE, LLC
 21A TROTTER DRIVE
 MEDWAY, MASSACHUSETTS 02053

FILE NO: 3588
 PROPOSED LAYOUT
 DATE: APRIL 8, 2019
 PLAN NUMBER:
 3 of 6
3



LIGHTING



Label	Quantity	Manufacturer	Catalog Number	Description	Lamp	Number Lamps	Lumens Per Lamp	Light Loss Factor	Wattage
A	4	Lithonia Lighting	DSX0 LED P4 40K TFTM MVOLT HS	DSX0 LED P4 40K TFTM MVOLT with houseside shield	LED	1	8243	0.9	92
B	2	Lithonia Lighting	DSX0 LED P4 40K T5M MVOLT HS	DSX0 LED P4 40K T5M MVOLT	LED	1	8243	0.9	92
C	8	Lithonia Lighting	DSX0 LED P4 40K T5M MVOLT	DSX0 LED P4 40K T5M MVOLT	LED	1	10961	0.9	92
D	2	Lithonia Lighting	DSXB LED	BOLLARDS	LED				

NOTE: POLE LIGHTS ARE MOUNTED ON POLES THAT ARE SET AT A HEIGHT OF 20 FT HIGH.

SEAL FOR LANDSCAPING DETAILS ONLY

Statistics

Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
Parking Area	+	1.5 fc	3.0 fc	0.5 fc	6.0:1	3.0:1
Spill	+	0.1 fc	2.9 fc	0.0 fc	N/A	N/A

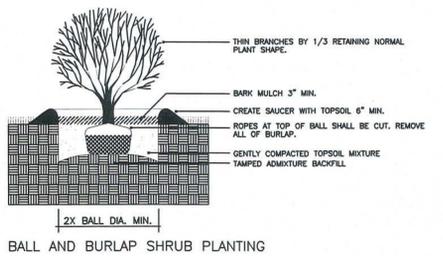
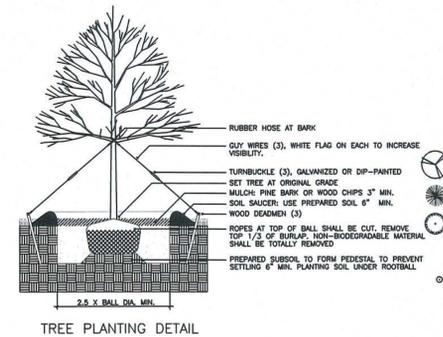
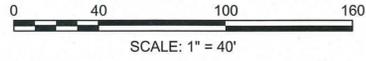
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DIGSAFE IS TO BE NOTIFIED 72 BUSINESS HOURS IN ADVANCE OF CONSTRUCTION. CALL DIGSAFE AT 811



LANDSCAPING



PLANT LIST

QUANTITY	COMMON NAME	LATIN NAME	SIZE
9	PIN OAK	QUERCUS PALUSTRIS	2.5"-3.0" CAL.
30	GREEN GIANT ARBORVITAE	THUJA PLICATA	14'-20'
12	NORWAY SPRUCE	PICEA ABIES	14'-20'
37	BOXWOOD	BUXUS SEMPERVIRENS	18"-24" B/B
200	MIXED PERENNIAL		2 GALLON

NOTES:
1. SOIL MIX SHOULD BE A MIXTURE OF SAND, COMPOST AND SOIL.
- 40% SAND
- 20-30% TOPSOIL
- 30-40% COMPOST

SAND COMPONENT

Sieve Size	Percent Passing
2-inch	100
3/4-inch	70-80
1/4-inch	50-80
U.S. No. 40	15-40
U.S. No. 200	0-3

CERTIFICATE OF VOICE

SEE CERTIFICATE OF VOICE FOR SITE PLAN APPROVAL DATED, OCTOBER 24, 2017 FOR PLAN ENTITLED, 'SITE PLAN, COUNTRY COTTAGE CHILDREN'S CENTER, MEDWAY MASSACHUSETTS,' FROM THE MEDWAY PLANNING BOARD, VOTED TO APPROVE WITH STANDARD CONDITIONS.

SITE PLAN REVIEW
MEDWAY PLANNING & ECONOMIC DEVELOPMENT BOARD

DATE: _____

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ENGINEERING DESIGN CONSULTANTS, INC.'S LIABILITY FOR THIS PLAN IS LIMITED TO THE EXTENT OF ITS FEE LESS THIRD PARTY COSTS.

REVISIONS

NO.	DATE	DESCRIPTION
5	1/20/20	PLANNING BOARD ENDORSEMENT & CONCOM ORDER
4	10/8/19	ADDRESS DESIGN/PLANNING/PEER COMMENTS
3	8/26/19	NO CHANGE TO THIS SHEET
2	8/6/19	REVISED INFILTRATION/RETENTION BASIN
1	7/25/19	ADDRESS CONCOM COMMENTS
0	4/8/19	SITE PLAN REVIEW

PREPARED BY:

WALTER M. LEWINSKY
CIVIL
No. 32327

Engineering Design Consultants, Inc.
32 Tumpike Road
Southborough, Massachusetts
ph:(508) 480-0225 fax:(508)832-5781

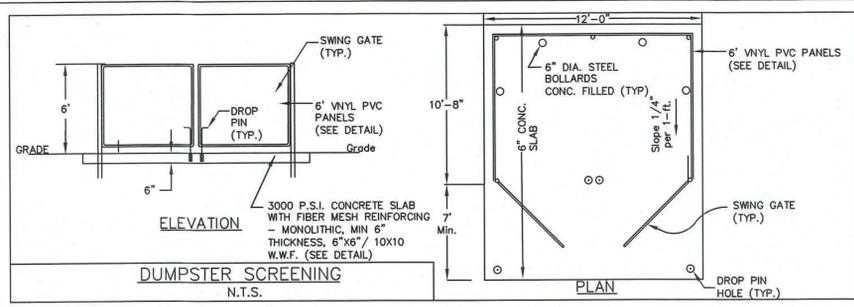
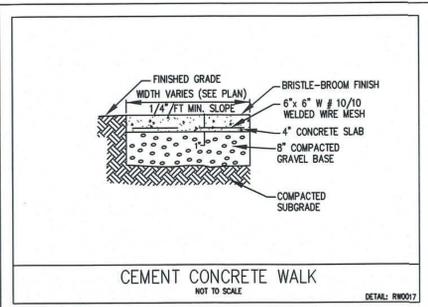
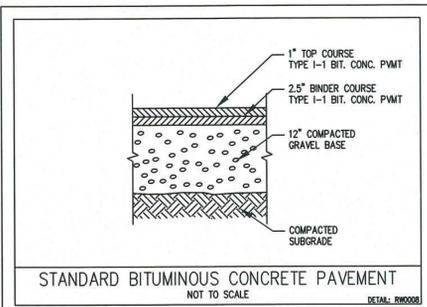
SITE PLAN
21 TROTTER DRIVE
MEDWAY, MASSACHUSETTS 02053

LIGHTING & LANDSCAPING
21 TROTTER DRIVE, LLC
21A TROTTER DRIVE
MEDWAY, MASSACHUSETTS 02053

FILE NO: 3588
LIGHTING & LANDSCAPING
DATE: APRIL 8, 2019
PLAN NUMBER: 5 of 6

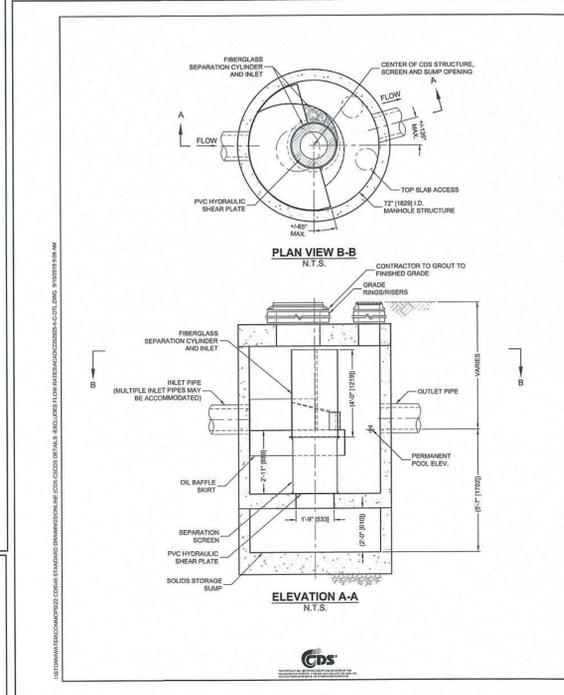
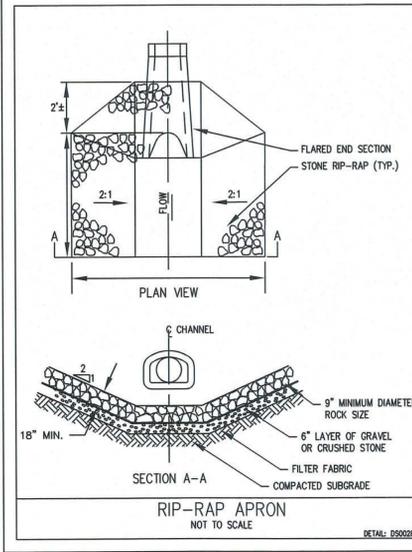
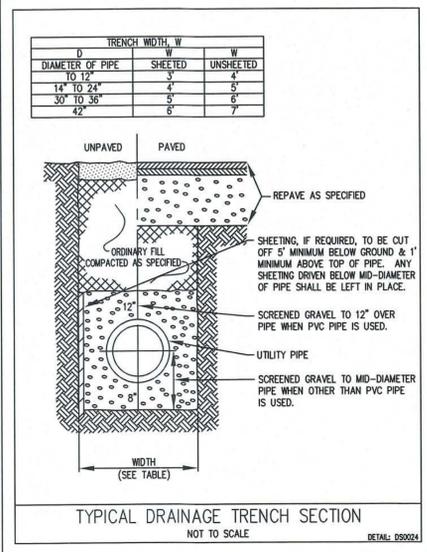
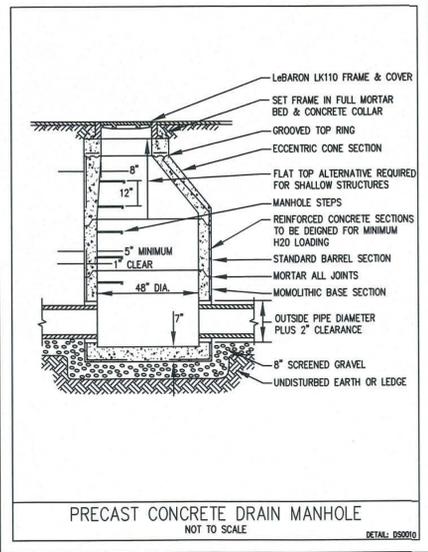
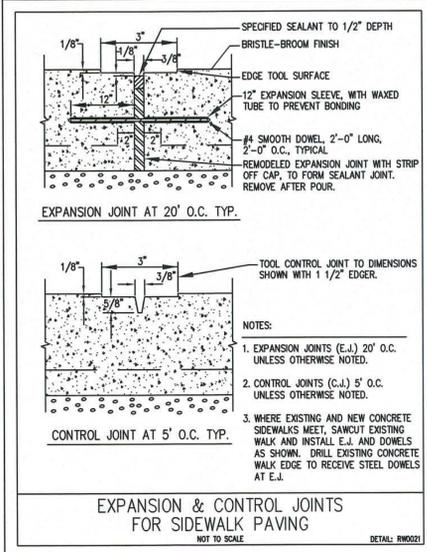
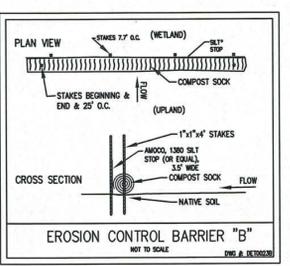
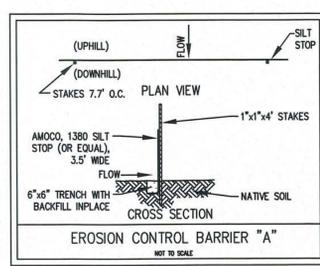
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X:\MEDWAY\TROTTER DRIVE\3588 - 21 TROTTER DRIVE\AEC\DWG\3588 SITE PLAN (2019-12-18)



SEDIMENTATION & EROSION CONTROL METHODS & PROCEDURES
DETAIL: EC0002

- EROSION CONTROL MEASURES (SEE DETAILS) SHALL BE INSTALLED PRIOR TO COMMENCEMENT OF CONSTRUCTION AS INDICATED.
- MEASURES SHALL BE TAKEN TO LIMIT THE TRACKING OF MATERIAL FROM THE SITE ONTO TROTTER DRIVE.
- DUST SHALL BE CONTROLLED BY SPRINKLING OR OTHER APPROVED MEASURES AS NECESSARY.
- THROUGHOUT CONSTRUCTION, ALL DISTURBED AREAS SHALL BE LOAMED AND SEEDED AND MULCHED AS SOON AS PRACTICABLE IN ORDER TO AVOID OVERLAND TRANSPORT OF SEDIMENT.
- EROSION CONTROL MEASURES ARE TO BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD AND PARTICULARLY AFTER SIGNIFICANT RAINFALL. DILAPIDATED HAYBALES AND SILT STOP SHALL BE REPLACED AS REQUIRED TO MAINTAIN THE INTEGRITY OF THE BARRIER.
- WITH SLOPES STABILIZED AND FINAL INSPECTION COMPLETE, THE EROSION CONTROL BARRIER SHALL BE REMOVED AND PROPERLY DISPOSED OFF-SITE.



CDS2025-6-C DESIGN NOTES

THE STANDARD CDS2025-6-C CONFIGURATION IS SHOWN. ALTERNATE CONFIGURATIONS ARE AVAILABLE AND ARE LISTED BELOW. SOME CONFIGURATIONS MAY BE COMBINED TO MEET SITE REQUIREMENTS.

CONFIGURATION DESCRIPTION

GRADED INLET ONLY (NO INLET PIPES)	
GRADED INLET WITH INLET PIPE OR PIPES	
CURB INLET ONLY (NO INLET PIPES)	
CURB INLET WITH INLET PIPE OR PIPES	
SEPARATE OIL BAFFLE (GRAVEL INLET PIPE REQUIRED FOR THIS CONFIGURATION)	
SEDIMENT TRAP FOR FLOPPY INLET (CONFORMING LISTS)	

SITE SPECIFIC DATA REQUIREMENTS

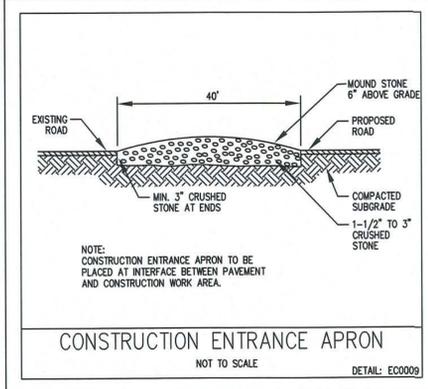
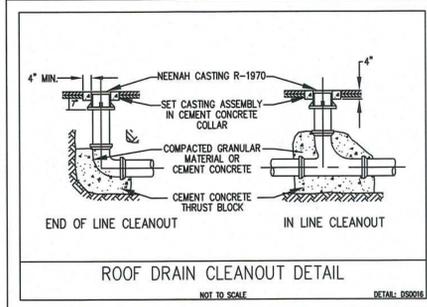
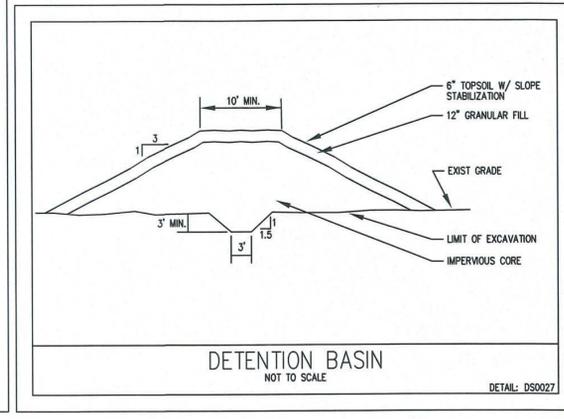
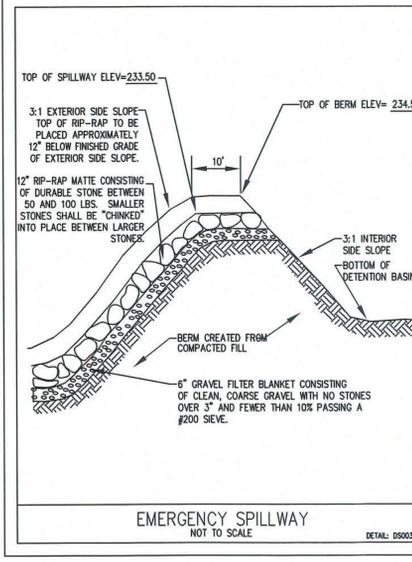
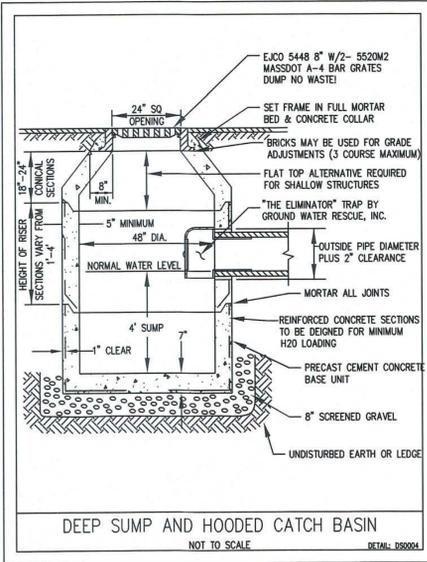
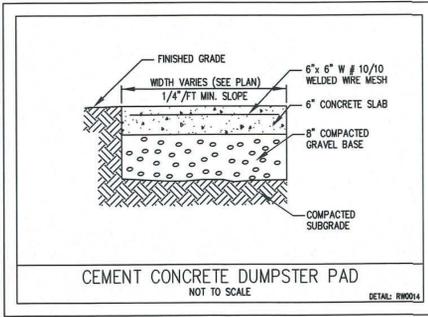
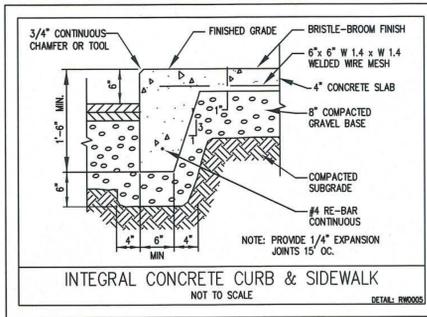
STRUCTURE	WATER QUALITY FLOW RATE (CFS OR L/S)	PEAK FLOW RATE (CFS OR L/S)	RETURN PERIOD OF PEAK FLOW (YRS)	SCREEN CAPTURE (CFS OR L/S)
PIPE DATA	I.E.	MATERIAL	DIAMETER	
INLET PIPE 1				
INLET PIPE 2				
OUTLET PIPE				
RIM ELEVATION				
ANTHROPOMETRIC BALLAST	WIDTH	HEIGHT		

GENERAL NOTES

- ANY SUBBASE, BACKFILL, DEPTH, AND/OR ANTI-FILTRATION PROVISIONS ARE SITE-SPECIFIC DESIGN CONSIDERATIONS AND SHALL BE SPECIFIED BY ENGINEER OF RECORD.
- CONTRACTOR TO PROVIDE EQUIPMENT WITH SUFFICIENT LIFTING AND HOIST CAPACITY TO LIFT AND SET THE CDS MANHOLE STRUCTURE.
- LIFTING CLUTCHES PROVIDED.
- CONTRACTOR TO PROVIDE ALL NECESSARY ALL STRUCTURE SECTIONS, AND ASSEMBLY STRUCTURE.
- CONTRACTOR TO PROVIDE, INSTALL, AND GROUT PIPES. MATCH PIPE INVERTS WITH ELEVATIONS SHOWN.
- CONTRACTOR TO TAKE APPROPRIATE MEASURES TO ASSURE UNIT IS WATER TIGHT, HOLDING WATER TO FLOWLINE INVERT MINIMUM. IT IS SUGGESTED THAT ALL JOINTS BELOW PIPE INVERTS ARE GROUTED.

CONTECH ENGINEERING SOLUTIONS LLC
www.contecheng.com
9021 Cedar Pointe Dr., Suite 400, West Chester, OH 45386
937-338-1222 937-645-7000 937-645-7897 FAX

CDS2025-6-C
INLINE CDS
STANDARD DETAIL



SITE PLAN REVIEW
MEDWAY PLANNING & ECONOMIC DEVELOPMENT BOARD

DATE: _____

CERTIFICATE OF VOTE

SEE CERTIFICATE OF VOTE FOR SITE PLAN APPROVAL DATED, NOVEMBER 12, 2019 FOR PLAN ENTITLED, '21 TROTTER DRIVE, MEDWAY MASSACHUSETTS,' FROM THE MEDWAY PLANNING BOARD, VOTED TO APPROVE WITH STANDARD CONDITIONS.

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ENGINEERING DESIGN CONSULTANTS, INC.'S LIABILITY FOR THIS PLAN IS LIMITED TO THE EXTENT OF ITS FEE LESS THIRD PARTY COSTS.

DRAWN BY: ZRB
CHECKED BY: PSB
APPROVED BY: WML

REVISIONS	DATE	DESCRIPTION
5	1/20/20	PLANNING BOARD ENDORSEMENT & CONCOM ORDER
4	10/8/19	ADDRESS DESIGN/PLANNING/PEER COMMENTS
3	8/28/19	ELIMINATED FUEL STORAGE DETAIL
2	8/6/19	REVISED INFILTRATION/DETENTION BASIN
1	7/25/19	ADDRESS CONCOM COMMENTS
0	4/8/19	SITE PLAN REVIEW

PREPARED BY:

WALTER M. LEWINSKI
CIVIL
No. 92327
REGISTERED ENGINEER

PROJECT:

Engineering Design Consultants, Inc.
32 Tumpike Road
Southborough, Massachusetts
ph:(508) 480-0225 fax:(508)532-5781

TITLE:

SITE PLAN
21 TROTTER DRIVE
MEDWAY, MASSACHUSETTS 02053

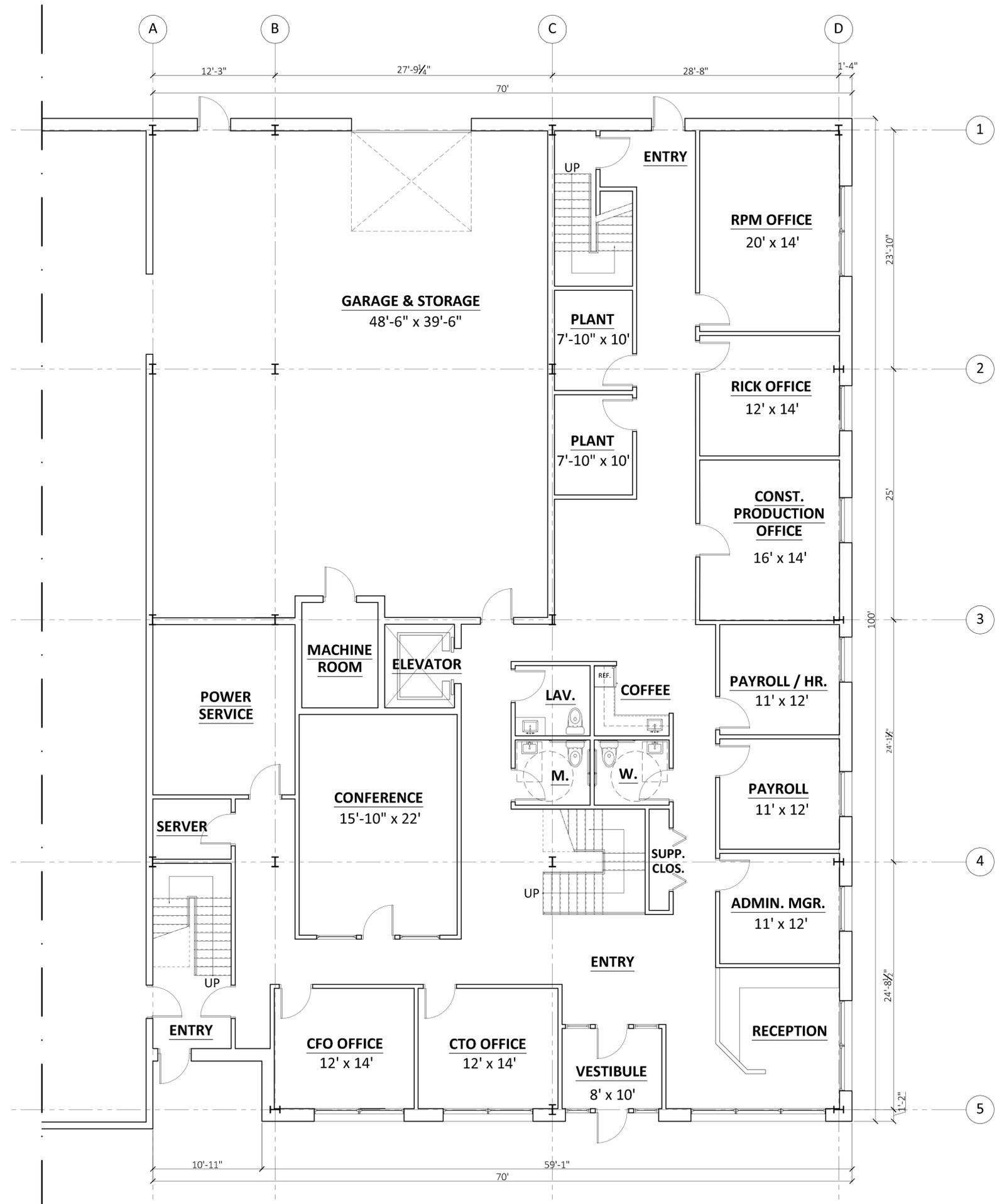
OWNER/APPLICANT:

21 TROTTER DRIVE, LLC
21 A TROTTER DRIVE
MEDWAY, MASSACHUSETTS 02053

FILE NO: 3588

DATE: APRIL 8, 2019

PLAN NUMBER: 6 OF 6



PROPOSED FIRST FLOOR
SCALE: 3/16" = 1'-0"

SET DATE: OCTOBER 31, 2019

Revisions:

No.	Date	Description

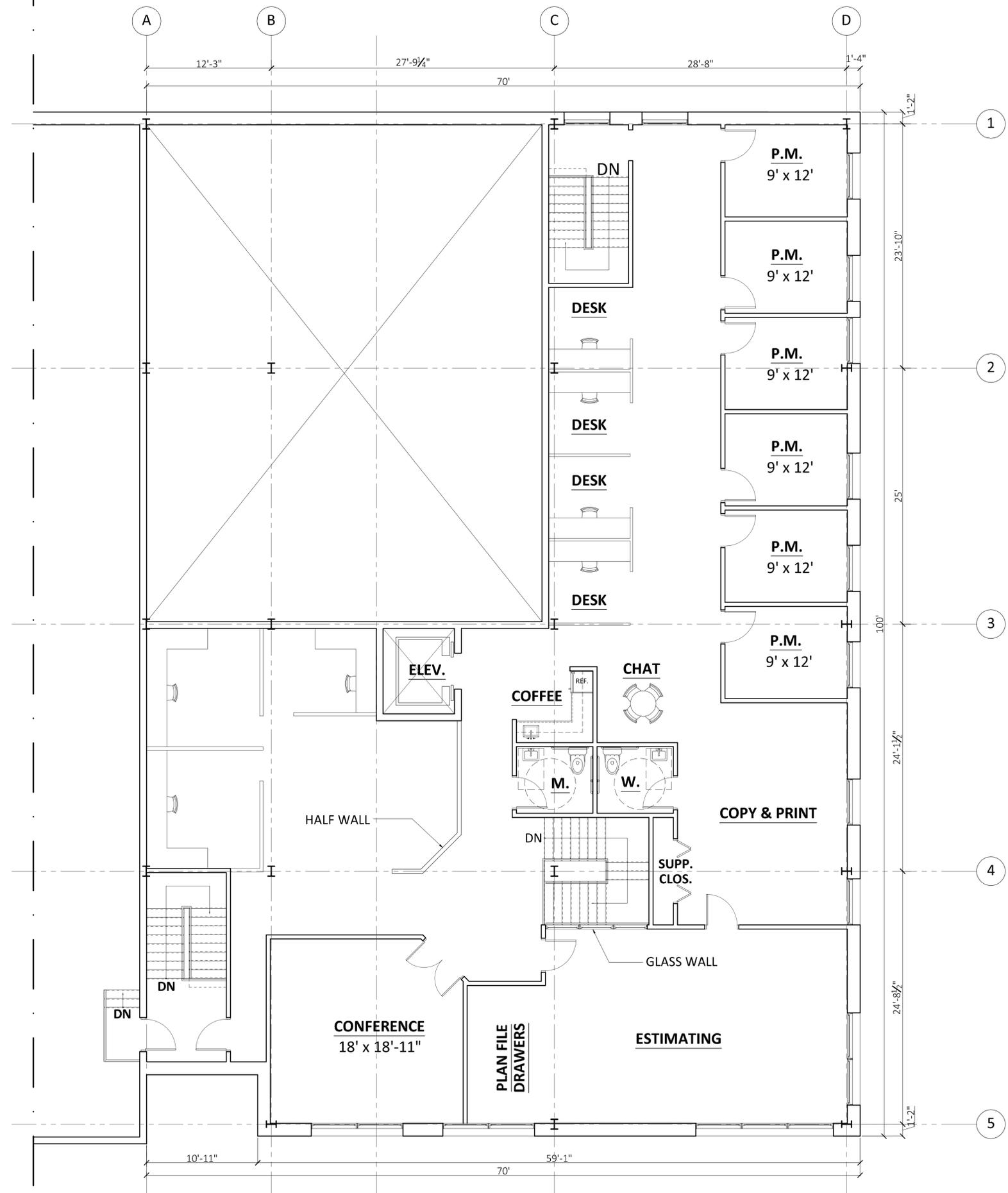
Project:

R.P. MARZILLI BUILDING
21A TROTTER DRIVE
MEDWAY, MA.

Title:
FLOOR PLANS

Scale: 3/16" = 1'-0"
Drawn By: [Name]

A1



PROPOSED SECOND FLOOR
SCALE: 3/16" = 1'-0"

SET DATE: OCTOBER 31, 2019

Revisions:

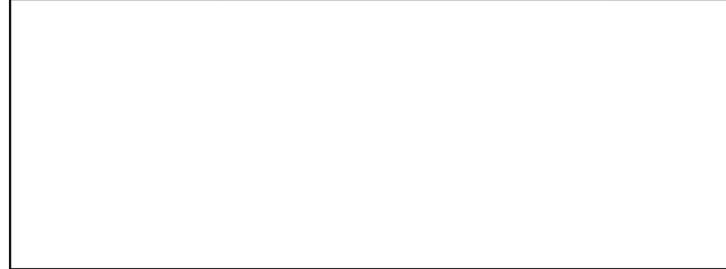
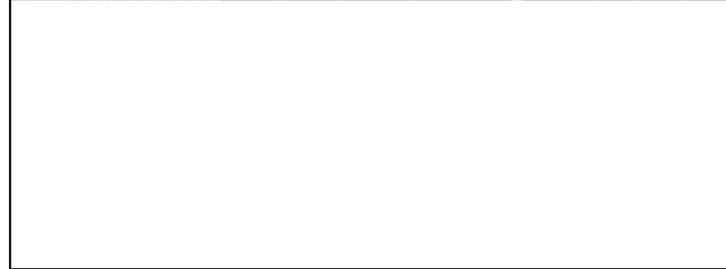
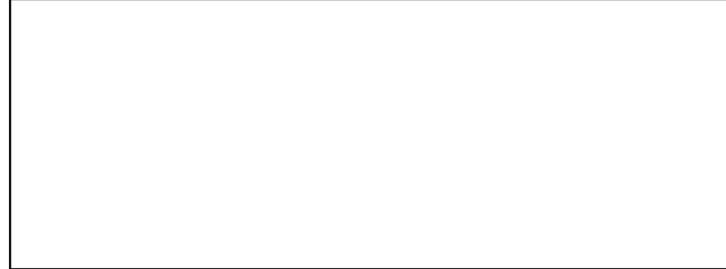
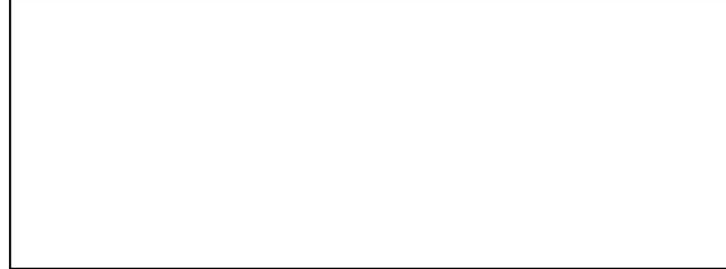
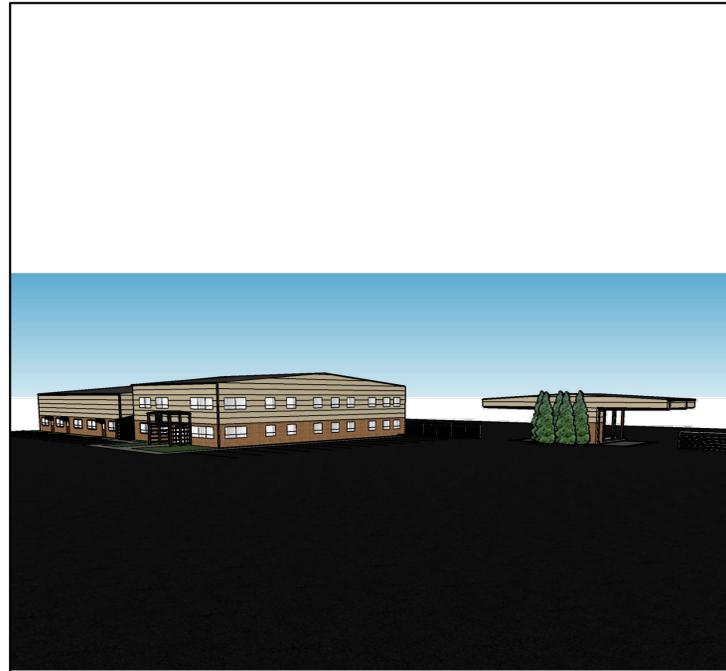
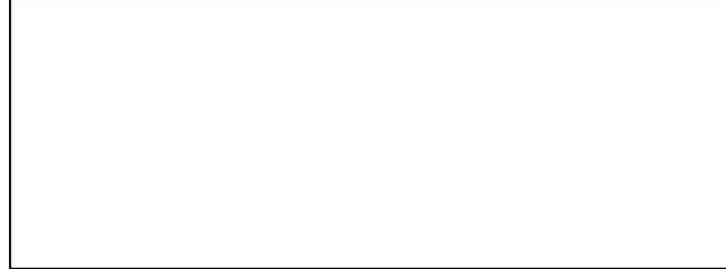
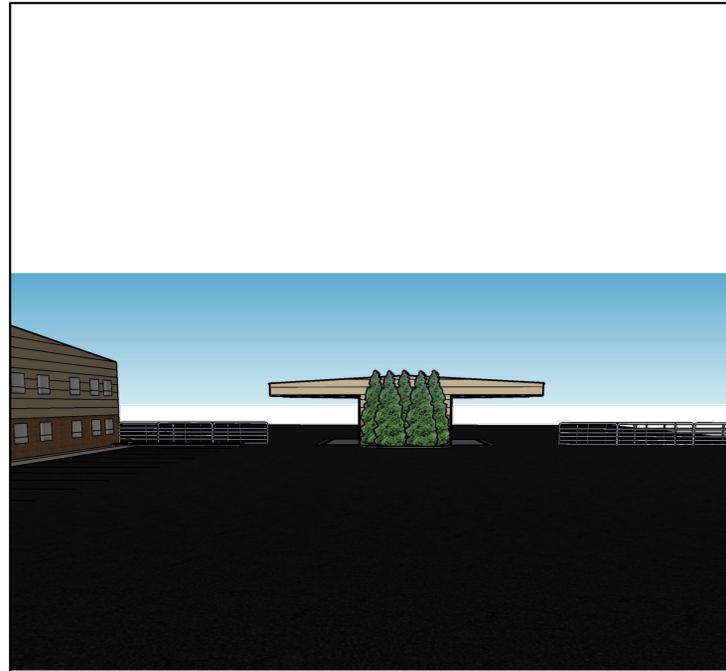
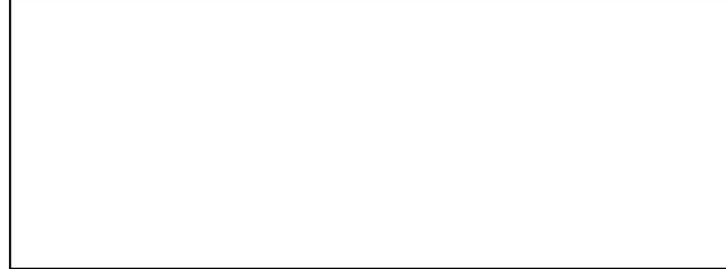
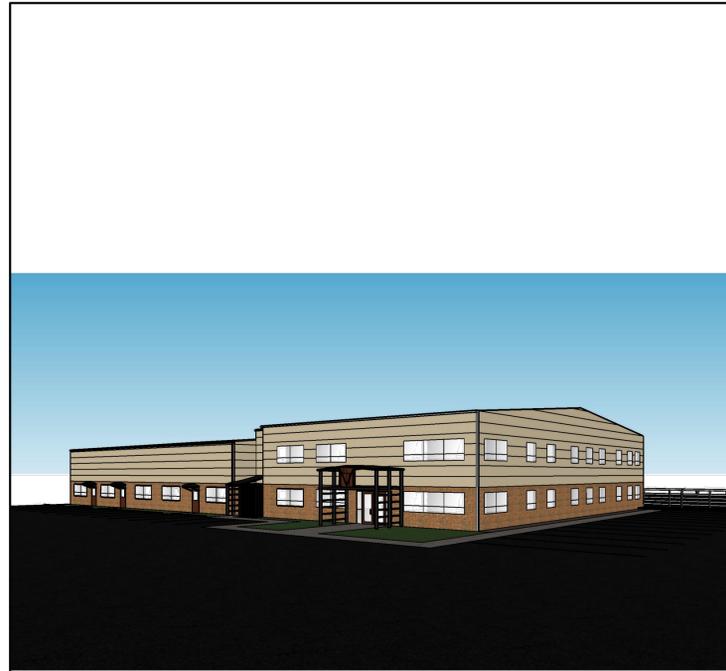
No.	Date	Description

Project:

R.P. MARZILLI BUILDING
21A TROTTER DRIVE
MEDWAY, MA.

Title:
FLOOR PLANS

Scale: 3/16" = 1'-0"
Drawn By: [Name]



SET DATE: OCTOBER 31, 2019

Revisions:

No.	Date	Description

Project:

R.P. MARZILLI BUILDING
21A TROTTER DRIVE
MEDWAY, MA.

Title:

RENDERINGS

Scale: 3/16" = 1'-0"

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Susan Affleck-Childs

From: Bouley, Steven <Steven.Bouley@tetrattech.com>
Sent: Thursday, January 23, 2020 10:47 AM
To: Susan Affleck-Childs
Subject: RE: 21 Trotter Drive - FINAL PLAN for endorsement

Hi Susy,

We reviewed the plan and have the following comments:

1. Bike rack and detail have been placed on the Landscaping Plan but have not been shown on the layout plan. There's a note on the layout sheet directing to the landscape plan. (Condition VIII.C.1)
2. No specific location for the dumpster shown on the plan. There is a note saying it will be behind the site fence and will not be visible from the street and will be surrounded with 6' high fence. Detail of dumpster screening shown on Sheet 6. (Condition VIII.C.3)
3. Landscape Plan not stamped by a registered landscape architect. (Condition VIII.C.6)
4. Detail of material for the access between the 20-21 properties is not provided. (Condition VIII.C.9)
5. Trotter Drive reduced speed signs not provided. (Condition VIII.C.10)

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

Steve

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

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From: Susan Affleck-Childs <sachilds@townofmedway.org>
Sent: Wednesday, January 22, 2020 3:58 PM
To: Bouley, Steven <Steven.Bouley@tetrattech.com>
Subject: FW: 21 Trotter Drive - FINAL PLAN for endorsement

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

Hi Steve,

Please review the attached and let me know if everything has been included per the decision, also attached.

Would like to have the PEDB endorse next Tuesday night.

Thanks.

Susan E. Affleck-Childs
Planning and Economic Development Coordinator
Town of Medway
155 Village Street
Medway, MA 02053
508-533-3291

From: Peter Bemis [<mailto:pbemis@edcma.com>]
Sent: Wednesday, January 22, 2020 3:52 PM
To: Susan Affleck-Childs
Subject: RE: 21 Trotter Drive

Attached is the Final Site Plan Set for Marzilli 21 Trotter, we have incorporated all the necessary plan changes and made up an A3 sheet for the renderings in order to advance the building design intent - thanks

Peter Bemis
Engineering Design Consultants, Inc.
32 Turnpike Road
Southborough, MA 01772

(508)480-0225 Ext. 11

From: Susan Affleck-Childs <sachilds@townofmedway.org>
Sent: Tuesday, January 21, 2020 5:49 PM
To: Peter Bemis <pbemis@edcma.com>
Subject: 21 Trotter Drive

Hi Peter,

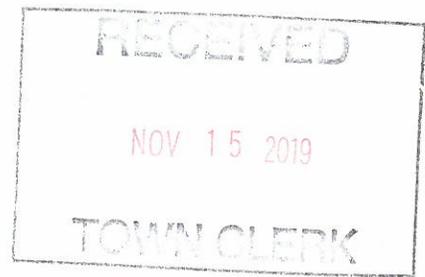
I understand you called earlier this afternoon.

Yes, we will need MYLARS for the 1-28-20 meeting. But I also need the final plan in pdf form NOW so I can have Tetra Tech review it per the decision conditions. Please email that to me asap so we can look at it and give you enough time to make any further edits if needed.

It will be on the agenda for the 1-28 meeting but without a specific time. The Board signs plans at the end of the meeting. You don't need to attend.

WE need to review the other items on the pre-endorsement checklist . . .

Susan E. Affleck-Childs
Planning and Economic Development Coordinator
Town of Medway
155 Village Street
Medway, MA 02053
508-533-3291



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

November 12, 2019

***Major Site Plan Review and Groundwater Protection District
Special Permit***

***Trotter Drive LLC – 21 Trotter Drive
APPROVED with Waivers and Conditions***

Decision Date:

***Name/Address of Applicant:
And Permittee*** Trotter Drive LLC
21 Trotter Drive
Medway, MA 02053

Name/Address of Property Owner: Trotter Drive LLC
21 Trotter Drive
Medway, MA 02053

Engineer: Engineering Design Consultants, Inc.
32 Turnpike Road
Southborough, MA 01772

Site Plan: 21 Trotter Drive Site Plan
Dated April 8, 2019, last revised October 8, 2019

Location: 21 Trotter Drive

Assessors' Reference: 64-003

Zoning District: West Industrial and Groundwater Protection District

I. PROJECT DESCRIPTION – The proposed project includes construction of an approximately 6,900 sq. ft. addition to the existing building at 21 Trotter Drive occupied and used by R.P. Marzilli & Company for its professional offices and installation of associated site improvements including parking for 129 vehicles, stormwater management facilities, lighting, landscaping, an outside materials storage area, and a vehicle refueling facility. R.P. Marzilli & Company is a full service landscape contractor which has operated at this site since 1998. The property is 11.03 acres in size. The site’s access from the existing curb cut at the end of Trotter Drive will remain in place. The existing building is set back approximately 320’ feet from Trotter Drive. The project also includes paved parking for a total of 129 parking spaces for employees, visitors, and company vehicles. The planned improvements are shown on *21 Trotter Drive Site Plan dated August 6, 2019, last revised October 8, 2019, prepared by Engineering Design Consultants, Inc. of Southborough, MA.*

The site includes wetland resources under the jurisdiction of the Medway Conservation Commission and is located within Medway’s Groundwater Protection District. Pursuant to Medway General Bylaws, Article XXVII – Stormwater Management and Land Disturbance, the Conservation Commission also has jurisdiction over the stormwater management of the site.

The proposal requires site plan review and approval subject to Section 3.5 of the Medway *Zoning Bylaw* (the “Bylaw”), and a groundwater protection district special permit pursuant to Sections 5.6.3 and 3.4 of the Bylaw.

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 (the “Board”), on November 12, 2019, on a motion made by Robert Tucker and seconded by Rich Di Iulio, **voted to GRANT with CONDITIONS a groundwater protection special permit and to APPROVE with WAIVERS and CONDITIONS** as specified herein, a site plan for the construction of an approximately 6,900 sq. ft. building addition and site improvements at 21 Trotter Drive as shown on 21 Trotter Drive Site Plan prepared by Engineering Design Consultants, Inc. of Southborough, MA dated August 6, 2019, last revised October 8, 2019, to be further revised as specified herein.

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

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

III. PROCEDURAL HISTORY

- A. August 15, 2019 - Site plan application and associated materials filed with the Board and the Medway Town Clerk on August 19, 2019.
- B. August 19, 2019 – Groundwater protection district special permit application filed.
- C. August 19, 2019 – Public hearing notice filed with the Town Clerk and posted at the Town of Medway web site’s master meeting calendar.

- D. August 19, 2019 – Site plan information distributed to Town boards, committees and departments for review and comment.
- E. August 20, 2019 - Public hearing notice mailed to abutters by certified sent mail.
- F. August 26, and September 3, 2019 - Public hearing notice advertised in *Milford Daily News*.
- G. September 10, 2019 - Public hearing commenced. The public hearing was continued to October 1, October 22, November 5, and to November 12, 2019 when the hearing was closed and the *Decision* rendered.

IV. INDEX OF SPECIAL PERMIT AND SITE PLAN DOCUMENTS

- A. The site plan and special permit applications for the proposed R.P. Marzilli & Company building expansion and site improvement project included the following plans, studies and information that were provided to the Board at the time the applications were filed:
 - 1. Site Plan Application dated August 15, 2019, project description letter, certified abutters' list, development impact statement, and requests for waivers from the *Site Plan Rules and Regulations*
 - 2. *21 Trotter Drive – A Site Plan in Medway, MA* dated April 8, 2019, revised August 6, 2019 prepared by Engineering Design Consultants, Inc. of Southborough, MA
 - 3. Groundwater Protection District special permit application dated August 19, 2019 with Memorandum in support of the special permit application.
 - 4. Stormwater Calculations for 21 Trotter Drive prepared by Engineering Design Consultants, Inc. of Southborough, MA
 - 5. Building improvement and addition floor plans and elevations by Arch Consulting, Inc. of Norwell, MA, Sheet A-1, dated January 16, 2019
 - 6. Building improvement and addition elevation options by Spencer Beebe, Sheet L1.01, dated August 15, 2019.
- B. During the course of the Board's review, a variety of other materials were submitted to the Board by the Applicant and its representatives:
 - 1. *21 Trotter Drive – A Site Plan in Medway, MA* dated April 8, 2019, last revised October 8, 2019 prepared by Engineering Design Consultants, Inc. of Southborough, MA
 - 2. Groundwater Protection District special permit Supplemental Memorandum in support of the special permit application, received September 30, 2019
 - 3. Email dated October 24, 2019 from Peter Bemis, Engineering Design Consultants
 - 4. Revised building elevations and renderings, undated and unattributed, received September 23, 2019
 - 5. Revised building elevations and renderings, undated and unattributed, received October 7, 2019.
 - 6. Revised building elevations and renderings, undated and unattributed, received October 30, 2019.

7. R.P. Marzilli Building Addition – REVISED Perspectives and Section, dated September 4, 2019 by Spencer Beebe.
 8. Letter dated October 30, 2019 from Walter Lewinski, P.E. of Engineering Design Consultants, Inc.
 9. Letter dated November 1, 2019 from Robert P. Coluccio, P.E. of Web Engineering Associates, Inc.
- C. During the course of the Board’s review, a variety of other materials were submitted to the Board by its staff, consultants, and other Town Boards and Committees.
1. Medway Zoning Board of Appeals variance and special permit decision for R.P. Marzilli & Company issued August 13, 1998.
 2. Conservation Commission Order of Conditions and Land Disturbance Permit dated September 30, 2019

V. TESTIMONY - In addition to the site plan and special permit application materials as submitted and provided during the course of the Board’s review, the Board also received verbal or written testimony from:

- Steve Bouley, P.E. of Tetra Tech, Inc., the Town’s Consulting Engineer – Site plan review letter dated September 5, 2019, site plan review letter dated November 5, 2019, stormwater review letter for the Conservation Commission dated August 8, 2019, September , 2019, and commentary throughout the public hearing process.
- Gino Carlucci, PGC Associates, the Town’s Consulting Planner – Site plan review letter dated September 5, 2019, email dated October 1, 2019 re: groundwater protection requirements, and commentary throughout the public hearing process.
- Robert Marzilli, owner of R.P. Marzilli & Co.
- Peter Bemis of Engineering Design Consultants, Inc. the Applicant’s engineering consultant
- Zoning review letter from Medway Building Commissioner Jack Mee dated September 5, 2019
- Review letter from the Medway Design Review Committee dated October 28, 2019
- Email note from Deputy Fire Chief Michael Fasolino dated September 10, 2019.
- Email from Deputy Fire Chief Michael Fasolino dated November 7, 2019
- Email from Police Sergeant/Safety Officer Jeff Watson dated November 12, 2019
- Email from Fire Chief Jeff Lynch dated November 12, 2019
- Greg Bliss, 26 Fox Run Road
- John Aviza, 2 Lost Hill Road
- Shirley Bliss, 26 Fox Run Road
- Bruce Carbone, 24 Fox Run Road

VI. FINDINGS – The Board, at its meeting on November 12, 2019, on a motion made by Robert Tucker and seconded by Matthew Hayes, voted to approve the following **FINDINGS** regarding the site plan and special permit applications for 21 Trotter Drive. The motion was approved by a roll call vote of five in favor and none opposed.

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

Site Plan Rules and Regulations Findings – The Board shall determine whether the proposed development is in conformance with the standards and criteria set forth in the *Site Plan Rules and Regulations, as amended December 3, 2002*, unless specifically waived.

In making its *Decision*, the Board shall determine the following:

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

The proposed use is an expansion of an existing operation. The project will not change traffic patterns to access the site which is located at the cul-de-sac terminus of Trotter Drive, the major roadway within the 495 Business Park. Access is from Trotter Drive so traffic on minor side streets is not necessary. However, subject to Condition F, employees, company vehicles, delivery companies and customers will be directed to use Trotter Drive from Route 109 to access the site instead of Alder Street to Trotter Drive. Internal site circulation is improved with a rebuilt driveway and better organized parking for employees, visitors and construction vehicles used in the business. The site plan has been carefully evaluated for truck maneuverability and has been found to be satisfactory. The site includes turnaround areas so there will be no backing out onto a public way. Neighborhood residents identified speeding traffic on Trotter Drive as a concern. The Applicant has agreed to install reduced speed signs on Trotter Drive to address this concern; see Condition C-10.

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

The proposed building is in an industrial/office building style; its scale and materials are suitable for the site and use. The design has been positively reviewed by the Design Review Committee and is acceptable for its location. The building and on-site operations are located well off Trotter Drive and are mostly not visible from the public way. Existing vegetation at the front of the site is being retained. There are no distinguishing buildings in the vicinity with which the proposed buildings would conflict in terms of character, materials and scale.

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

The proposed addition to the building and the upgrading of the site is almost entirely not visible from the public way or from nearby residential premises. Additional landscape buffering has been provided to screen the site from the adjacent residential property at 2 Lost Hill Drive. Therefore, the proposal is reasonable.

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

Access for fire and service equipment is provided with paved surfaces on three sides of the combined existing building and planned addition. The Fire Department has reviewed the plan and determined that access in and around the building is acceptable as is the location of the planned fuel storage facility.

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

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

The proposed stormwater drainage system has been reviewed by the Town's Consulting Engineer and the Conservation Commission; an Order of Conditions and Land Disturbance Permit were issued September 30, 2019. Appropriate soil pollution and erosion controls have been incorporated into the plan. No extraordinary noise will be generated by the operation of the facility. Visibility is minimal from Trotter Drive. No stone walls are being removed. The construction area was previously disturbed and the portion of the site close to wetlands is being restored to its natural state. Since the site is located within a Groundwater Protection District, this approval also includes a special permit that ensures it will not adversely affect groundwater.

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

The entrance and egress to the site and its parking and loading facilities have been designed for safe operation and to minimize conflict. Walkways are provided from the parking area adjacent to the building entrances. Due to the nature of the site and its uses, pedestrian access to the site is not desired or encouraged. The site plan shows the provision of bicycle racks to accommodate employees who may wish to cycle to work.

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

There are no visually prominent natural or historic features on site.

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

The lighting plan was reviewed by the Board's consulting planner and engineer. The planned site lighting minimizes light pollution by using cut off lenses and there is no light spillage off site.

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

The limit of work is reasonable and it protects sensitive environmental resources. The project has been reviewed by the Conservation Commission and an Order of Conditions has been issued. The installation of a stormwater management system reduces the current impacts of presently untreated stormwater discharge to sensitive environmental resources located on the property.

Miscellaneous Findings

1. *The Zoning Board of Appeals authorized the use of the property at 21 Trotter Drive for a landscape construction business in a special permit and use variance granted August 13, 1998. This approval included a new building for offices, equipment and garage and the temporary storage of trees, shrubs, mulch, and stone products.*
2. *The Groundwater Protection Overlay District and the corresponding provisions of the Zoning Bylaw were adopted in 2004. 21 Trotter Drive is located within the Groundwater Protection District.*
3. *Installation of a diesel fueling system on the premises at 21 Trotter Drive occurred in 1999 as documented by Northeastern Petroleum Service and Supply Inc. Further, Holliston Oil Service has provided documentation that it has delivered diesel fuel to the property since April 2000.*
4. *Outdoor Storage – As indicated on Sheet 3 of the October 8, 2019 site plan, 90,700 sq. ft. of the site will be used for outdoor storage on a paved surface; 18,300 sq. ft. of the site will be used for outdoor storage on land. Combined, this comprises 109,000 sq. ft. (2.5 acres).*

Groundwater Protection District Findings – Section 5.6.3 of the Zoning Bylaw

- E. 1. **Permitted Uses** – *The proposed use shown on the site plan is an expansion of the existing use of the premises which includes a building for professional offices for R.P. Marzilli & Company and the accessory outdoor storage of landscape materials and parking of vehicles and equipment associated with the business operating on the premises. This use was initially authorized by decision of the Zoning Board of Appeals on August 13, 1998. Enlargement of an existing structure and new construction are permitted uses, subject to certain restrictions,*

within the Groundwater Protection District. As conditioned herein, the project will comply with those restrictions.

- E. 2. **Prohibited Uses** – *“Storage of liquid petroleum products” is a prohibited use and a new fuel storage tank system is proposed for the site. However, a diesel fuel storage and dispensing system has existed on the site since 1999 for fueling. The new system is a replacement and upgrade of a previously allowed use. The Town’s Groundwater Protection District regulations did not go into effect until 2004. Further, Section 5.6.3 E.3.a. of the Bylaw allows for the alteration or expansion of existing uses that do not conform to the Groundwater Protection District regulations by special permit. The Bylaw authorizes the Board to exercise its discretion to allow for an enlargement or alteration of existing uses that do not conform to the Bylaw’s current language.*

The proposed new fueling facility includes two, fixed mounted, above ground fuel storage tanks with a concrete pad underneath to accommodate containment for 5,300 gallons. One tank will have a 2,500 gallon capacity and the other has a 2,000 gallon capacity. The system includes double walled tight tanks, a concrete containment dike, concrete limiting barrier, overhead canopy, and other safety measures that represent a significant improvement over the existing fueling operation which has been in place since 1999. There is no increase in fuel storage capacity above that for the existing system. During the course of the public hearing, the location of the proposed fuel storage facility was moved approximately 80’ to the north placing it approximately 260’ away from the closest wetland limit and significantly outside the wetland buffer area. Pursuant to the Conservation Commission Order of Conditions, item #23, the Applicant shall submit information to the Conservation Agent and/or Commission, prior to the commencement of operations of the fueling facility, showing that the proposed fueling operation meets the requirements of the Massachusetts Stormwater Management Handbook and submit a Spill Prevention, Control, and Countermeasure (SPCC) Plan for the fueling station in accordance with US EPA requirements for a Tier II facility. The Applicant has retained Web Engineering of Scituate, MA to prepare the SPCC. See Condition G.

E.3. Uses and Activities Requiring a Special Permit – Specific to this project, the following uses and activities are allowed only upon the issuance of a special permit.

- a. *Enlargement or alteration of existing uses that do not conform to the Groundwater Protection District. The installation of a new fueling system for the company’s vehicles does not conform to the list of permitted uses. However, the proposed new system is an improvement over the pre-existing fueling system which has been in place since 1999, well before the establishment of the Groundwater Protection District by the Town in 2004.*
- b. *Any use which will render impervious more than 15% or 2,500 square feet of any lot, whichever is greater. The proposed building expansion and site improvements at 21 Trotter Drive would increase the extent of impervious surface from 13.3% to 24.9%, thus triggering the need for a Groundwater Protection special permit.*

F. Special Permits

1. *The Board of Appeals is the designated special permit granting authority for the Groundwater Protection District. However, the Bylaw (Section 3.5. Site Plan Review, 4. a.) provides that authority to the Planning and Economic Development Board when both site plan approval and a special permit are needed so as to consolidate the review process. The Board has notified the Board of Health, the Conservation Commission, and the Medway Department of Public Works of the groundwater special permit application and sought their counsel and input as required by the Bylaw.*

1. a. The proposed use must not adversely affect the existing or potential quality or quantity of water that is available in the Groundwater Protection District.

The project has been reviewed by the Conservation Commission and the Town's Consulting Engineer to ensure that the planned stormwater management facilities and the associated groundwater recharge does not degrade groundwater quality. The Commission approved an Order of Conditions and Land Disturbance Permit on September 30, 2019 which specifies suitable measures to protect groundwater. This includes a requirement that the proposed addition and fueling station shall not include any form of untreated metal roofing and that any metal roof on the existing building shall be pretreated and painted with protective coating so as to prevent stormwater runoff from a metal roof of a building location in a Zone II watershed area. Further, a comprehensive stormwater management system has been approved for this site where there are currently no stormwater facilities whatsoever. The stormwater design provides for the required reduction of total suspended solids off of the paved surfaces through the use of sub-surface drainage structures, deep sump catch basins and an infiltration detention basin for treatment, infiltration and recharge; the total suspended solids removal rate will be 95%. Peak stormwater flows will now be managed for all peak storm events. This is a considerable improvement over current conditions where untreated stormwater is presently flowing to the receiving wetland areas on the site.

To further protect groundwater, the project is conditioned as included herein; see Condition E.

1. b. The proposed use shall be designed to avoid substantial disturbance of the soils, topography, drainage, vegetation, and other water-related natural characteristics of the site to be developed.

The location of the proposed addition to the west of the existing building is in an area that has historically been used primarily for yard storage of plant materials and vehicles. A significant portion of the site will remain in its natural state; after construction, 75.1 % of the property will remain impervious. This is considerably more than the 20% minimum impervious requirement of the Bylaw.

2. *The Board finds that the Applicant has provided sufficiently detailed, definite, and credible information to support positive findings in relation to the*

standards for a Groundwater Protection special permit as documented in the application materials and additional information provided during the course of the public hearing.

3. *The submission requirements and public hearing procedures have been conducted in accordance with Section 3.4 of the Bylaw and the Board's Site Plan Rules and Regulations including the posting of a public hearing notice with the Town Clerk, abutter notification, and legal advertisement. Information about the project has also been posted to the Board's web page and review and comments have been sought from the Board of Health, Conservation Commission, Sewer and Water Commission and the Department of Public Works.*

The Board finds that the adverse effects of the proposed use will not outweigh its beneficial impacts to the Town or neighborhood.

Special Permit Findings - Unless otherwise specified herein, special permits shall be granted by the special permit granting authority only upon its written determination that the adverse effects of the proposed use will not outweigh its beneficial impacts to the town or the neighborhood, in view of the particular characteristics of the site, and of the proposal in relation to that site. In making its determination, the special permit granting authority, in addition to any specific factors that may be set forth in other sections of the Bylaw, shall make findings on all of the applicable criteria specified below:

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

The site is an appropriate location for the proposed use since it is an expansion of an existing building and is located in the 495 Business Park within the West Industrial zoning district where the proposed uses are allowed by right and by special permit.

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

As documented in the Findings pursuant to the Site Plan Rules and Regulations, adequate and appropriate facilities have been provided for the operation of the expanded facility. The proposed stormwater management system has been reviewed by the Board's Consulting Engineer and found to be adequate.

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

The existing office and tool, equipment and landscape materials storage uses have operated on the premises for many years without creating a hazard to abutters, vehicles, pedestrians or the environment. The proposed building expansion and site improvement project will not materially change that operation but will improve operational efficiency in terms of movement of equipment and fueling. There is no planned increase in the number of employees. The planned improvements will positively impact the environment through the installation of a stormwater management system where none present exists. There will also be improved safety measures at the new fuel storage facility as compared to the present operation. Primary access to the site is from Route 109 and Trotter Drive

and Condition F. requires the business owner to take steps to discourage use of Alder Street by its employees, suppliers, and customers to access the site.

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

The driveway entrance to the site already exists and will be upgraded as part of the planned site improvements. The industrial park's roadway system is adequate to handle the small increase in traffic resulting from this expansion.

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

The Board considered the comments of abutters in the adjoining residential neighborhood. The plans document that there is no light trespass. The landscaping plan shows landscape buffering provided at the northeast corner of the property to screen the adjacent residential property at 2 Lost Hill Drive. No extraordinary noise, vibration dust or other operational attributes are expected from the proposed expanded use and no evidence of such impacts from the existing operation has been suggested. In addition to the new addition, the façade of the existing building is also being improved and overall, these changes will present a more positive visual appearance.

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

As conditioned, the proposed building expansion on the site will not adversely affect the surrounding neighborhood or change the character of the West Industrial zoning district. The use is allowed by right in the district, and the building addition is in character with other industrial buildings in the area. There is no change in use of the property from what presently exists. Adequate measures have been taken to reduce the impacts on nearby residential neighbors.

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

The proposed use is an expansion of an existing use within the West Industrial District where such uses are allowed so the character of the district will not change as a result of this planned expansion. The West Industrial district is designed to accommodate this type of use subject to certain conditions to limit any adverse impacts.

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

The proposed facility is in compliance with the Economic Development Goals of the Medway Master Plan – “to encourage commercial/industrial development” and “attract new (and retain existing) businesses and increase the industrial/manufacturing tax base”.

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

As documented in the application, plan and associated materials submitted during the public hearing process, the proposed use helps achieve the goals the Medway Master Plan by providing an expanded tax base and preserving and increasing jobs while incorporating measures to protect the environment and neighboring residences. The Applicant has been contributing to the tax base of Medway for more than 20 years and the granting of the special permit will provide further financial benefit to the Town. For all of these reasons, the project is not detrimental to the public good.

VII. WAIVERS – At its November 12, 2019 meeting, the Board, on a motion made by Robert Tucker and seconded by Matthew Hayes, voted to grant waivers from the following provisions of the *Rules and Regulations for the Submission and Approval of Site Plans, as amended December 3, 2002*. The 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 roll call vote of five in favor and none opposed.

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

Site Plan Submittal Requirements/Plan Contents

1. **Section 204-5 B. Site Context Sheet is required as part of the plan set.** The Site Context Sheet shall include the following information:

- A locus plan showing the site and its boundaries in relation to all surrounding streets within two thousand (2,000) feet of the perimeter of the site. The plan shall be at a maximum scale of one (1) inch equals one thousand (1,000) feet. Scenic roads shall be noted.
- Abutters' names and addresses with assessor's reference.
- Lot lines with dimensions and easement areas.
- Existing topography at two (2) foot intervals from USGS survey maps or actual land survey.
- All easements (*utility, conservation and other*) and rights-of-way.
- Zoning district boundaries including groundwater protection district, wetlands, and flood plain zones.

A separate Site Context Sheet has not been provided as part of the plan set. However, the information specified to be included on a Site Context Sheet is included on the Cover Sheet and Existing Conditions Sheet. For the foregoing reason, the Board APPROVES this waiver as being consistent with the purpose and intent of the Site Plan Rules and Regulations which will have no significant detriment to the achievement of any of the purposes of Site Plan Review and Approval.

2. **Section 204 – 3. A. 7.a. Traffic Impact Assessment** – A traffic impact report is required if a development project involves the addition of 30 or more parking spaces.

The Applicant has requested a waiver from this requirement. The site plan shows paving to accommodate 129 parking spaces for the site, many of which are for company vehicles and has requested that the requirement for a traffic impact assessment be waived. As the current parking is neither paved nor striped, it is difficult to determine if there will be a net increase of 30 or more parking spaces. The nature of the business does not generate much consumer traffic and the proposed building expansion will not translate into an increased number of employees over current conditions. The preparation of a traffic impact assessment is not expected to reveal any useful information related to the site or the project's impacts. For the foregoing reasons, the Board APPROVES this waiver as being consistent with the purpose and intent of the Site Plan Rules and Regulations which will have no significant detriment to the achievement of any of the purposes of Site Plan Review and Approval.

3. **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 as the site has been used for many years by R.P. Marzilli & Company (landscape construction) and is already considerably disturbed. The Board has requested and the Applicant has agreed to identify trees with a diameter of 18 inches or more at 4 feet above grade only within the limit of work area, not throughout the entire 11 acre site. As conditioned herein (Condition C), the site plan will be revised to show this partial inventory on the Existing Conditions Sheet. For the foregoing reasons, the Board APPROVES this waiver request as being consistent with the purpose and intent of the Site Plan Rules and Regulations which will have no significant detriment to the achievement of any of the purposes of Site Plan Review and Approval.

4. **Section 204-5 D. 3) Proposed Site Plan Information Sheets** - The Site Plan shall show the location and dimensions of proposed improvements such as facilities for waste disposal and storage . . .

R.P. Marzilli & Company relies upon dumpsters and containers for storing and handling materials both long and short term onsite and this takes place behind the building and throughout the rear portion of the site. Outside storage bins for landscape materials are located along a portion of the western edge of the site as shown on the plan. The Applicant has requested that strict interpretation of this provision be waived. However, this requirement also pertains to the provision of facilities for the standard collection and storage of office waste and trash from routine office operations. The Board finds that an enclosed dumpster facility should be provided and located on the plan. For the foregoing reason, the Board DENIES this waiver.

Site Plan Development Standards

5. **Section 205-3 B. 6 Internal Site Driveways** - 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 has proposed to use bituminous berms along all travel lanes and parking limits. Berm is an upgrade over the current conditions where no curbing is provided. Such berm is a suitable product for the site of a landscaping contractor business in this location and will serve to direct stormwater as needed. For the foregoing reasons, the Board APPROVES this waiver request as being consistent with the purpose and intent of the Site Plan Rules and Regulations which will have no significant detriment to the achievement of any of the purposes of Site Plan Review and Approval.

6. **Section 205-6 Parking. G. Parking Space/Stalls, 3. a)** Car parking spaces/stalls shall be ten (10) feet by twenty (20) feet, except that handicap stalls shall be in accordance with the current ADA standards.

The Applicant has requested waiver from this regulation and has proposed parking space stalls at a size of 9' by 18'. This is the allowed standard parking space size per Section 7.1.1. E. 3. a. of the Zoning Bylaw and is suitable for 24' wide two-way traffic aisles. Smaller sized parking spaces reduces the amount of impervious coverage which is appropriate in a Groundwater Protection District. For the foregoing reasons, the Board APPROVES this waiver request as being consistent with the purpose and intent of the Site Plan Rules and Regulations which will have no significant detriment to the achievement of any of the purposes of Site Plan Review and Approval.

7. **Section 205-6 G. 3. b) – Parking Spaces and Stalls** - Wheel stops are required at the head of each car stall where a space/stall abuts a walkway, pedestrian way, or special site feature such as an abrupt change in grade. Acceptable materials include pre-cast concrete, granite, or like materials. All wheel stops shall be properly anchored into the ground and located approximately twenty-four (24) inches from the head of a car space/stall.

The Applicant has requested a waiver from this requirement for the spaces abutting the walkways and has proposed use of Cape Cod berm, and integrated concrete walks and curbing. The installation of wheel stops creates obstructions within the parking area and makes snowplowing difficult. In lieu of using wheel stops, the Board asked for wider sidewalks to be provided where the parking areas abut a sidewalk to accommodate the overhang of vehicles and provide sufficient space for pedestrians; that change is shown on the October 8, 2019 plan set. For the foregoing reasons, the Board APPROVES this waiver request as being consistent with the purpose and intent of the Site Plan Rules and Regulations which will have no significant detriment to the achievement of any of the purposes of Site Plan Review and Approval.

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

The Applicant has requested a waiver from the full extent of this requirement for the parking area located within 15' along the western edge of the site. An approximately 10' setback is proposed for the 36 parking spaces in this area instead of the standard 15' setback. This area abuts the driveway for Merrimack Building Supply at 20 Trotter Drive for about 300'. A retaining wall along that boundary is proposed to provide some screening to the abutting property. For the foregoing reasons, the Board APPROVES this waiver request as being consistent with the purpose and intent of the Site Plan Rules and Regulations which will have no significant detriment to the achievement of any of the purposes of Site Plan Review and Approval.

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

The Applicant has requested a waiver from this requirement and has proposed to use bituminous berms along all travel lanes and parking limits. Berm is an upgrade over the current conditions where no curbing is provided. Such berm is a suitable product for the site of a landscaping contractor business in this location and will serve to direct stormwater as needed. For the foregoing reasons, the Board APPROVES this waiver request as being consistent with the purpose and intent of the Site Plan Rules and Regulations which will have no significant detriment to the achievement of any of the purposes of Site Plan Review and Approval.

10. **Section 205-9. B. Landscape Buffers** - The use of proportionally sized landscaped buffers and berms between the street and structures, between the street and parking fields, between the site and its neighbors, and throughout parking lot islands is encouraged to provide for more immediate visual screening and improved topographical variation.

Landscape buffering is not planned along the western property line of the subject site abutting the adjacent Merrimack Building Supply property at 20 Trotter Drive. Portions of the area along the western boundary of 20 Trotter Drive are to be used for parking and outdoor materials storage for R.P. Marzilli & Company. Further, there is a driveway connection between the two industrial sites. A substantial landscape buffer is planned along that portion of the eastern property line which abuts a residential property at 2 Lost Hill Drive. For the foregoing reasons, the Board APPROVES this waiver request as being consistent with the purpose and intent of the Site Plan Rules and Regulations which will have no significant detriment to the achievement of any of the purposes of Site Plan Review and Approval.

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

The Board has previously agreed to limit the inventory of trees to be removed from the site to only those over 18" in diameter in the work limit area. To provide a suitable buffer for the adjacent residential neighbor at 2 Lost Hill Drive, four white pine trees are to be removed; each is 20 – 24" in diameter for a total of 80 and 96" of required tree replacement. The replacement planting plan for this area is robust; it shows 25 giant green arborvitae (14' – 20' tall) and 9 Norway spruce trees (14' – 20' tall). The property owner at 2 Lost Hill Drive is satisfied with the proposed landscaped buffer. For the foregoing reasons, the Board APPROVES this waiver request as being consistent with the purpose and intent of the Site Plan Rules and Regulations which will have no significant detriment to the achievement of any of the purposes of Site Plan Review and Approval.

VIII. CONDITIONS The *Special and General Conditions* included in this *Decision* shall assure that the Board's approval of this site plan is consistent with the *Site Plan Rules and Regulations*, the Bylaw (Section 3.4 Special Permits) and (Section 5.6.3 Groundwater Protection District), 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 Board's issuance of a special permit and site plan approval is subject to the following conditions.

SPECIFIC CONDITIONS OF APPROVAL

- A. **Plan Endorsement** - Within sixty (60) days after the Board has filed the *Decision* with the Town Clerk, the site plan for the R.P. Marzilli & Co building expansion project at 21 Trotter Drive dated April 8, 2019, last revised October 8, 2019, prepared by Engineering Design Consultants, Inc. of Southborough, MA shall be further revised to reflect all Conditions and required revisions and additions, including those as follows, and shall be submitted to the Board to review for compliance with the Board's *Decision*. (*Said plan is hereinafter referred to as the Plan*). The Applicant shall provide a Mylar set of the revised Plan in its final form to the Board for its signature/endorsement. All Plan sheets shall be bound together in a complete set.
- B. **Cover Sheet Revisions** – Prior to plan endorsement, the cover sheet of the October 8, 2019 site plan set shall be revised as follows:
 - 1. Add a list of the approved requests for waivers from the *Site Plan Rules and Regulations*.
 - 2. Add a line with the signature box for Endorsement Date
 - 3. Expand the Sheet List to include the architectural drawings and elevations
- C. **Other Plan Revisions** – Prior to plan endorsement, the following plan revisions shall be made to the October 8, 2019 Site Plan set.
 - 1. Include sufficient bicycle racks pursuant to Section 7.1.1. I. Bicycle Parking of the Bylaw. Note on Layout Sheet and add a bike rack detail.
 - 2. Addition of notes to indicate regular locations of outdoor storage trailers and Conex type containers.

3. Show a location and detail for a dumpster for office use and suitable enclosure acceptable to the Board.
4. Include on the Existing Conditions sheet the inventory of trees 18" or larger in diameter located within the work limit area. Identify which trees are to be removed.
5. Add 6 deciduous shade trees of a minimum 2½" caliper in diameter in the parking areas to the Landscape Plan and include in the plant list table.
6. Have the Landscape Plan stamped by a landscape architect registered in the Commonwealth of Massachusetts
7. Show vertical granite curbing along the radius of the driveway opening from Trotter Drive for at least 12 feet beyond the gutter line.
8. Labels will be added to denote the locations for trailers and conex type containers.
9. Show the driveway connection between 20 and 21 Trotter Drive and specify its material and dimensions.
10. Show locations for reduced speed signs on Trotter Drive after consulting with Sergeant Jeff Watson on location and sign content.

D. *Use Limitations*

1. Parking or use of the parking areas at 21 Trotter Drive shall be limited only to vehicles for R.P. Marzilli & Co. employees, deliveries and customers. The parking area shall not be leased or made available to any other businesses for any purposes.
2. Outdoor storage shall be limited only to materials, vehicles and equipment actively used by R.P. Marzilli & Co. The outdoor storage areas shall not be leased or made available to any other business or organization for any purposes. The land area devoted to outdoor storage shall not exceed 30% of the lot area. The property is limited to the use of six conex type containers which shall be located behind the building and not in public view.

E. *Conditions Pertaining to Groundwater Protection District Special Permit*

1. Storage of hazardous materials and other hazardous materials is prohibited unless in a free-standing container within a building. Any hazardous materials that will be used at the facility shall be identified and a list provided to the Board. Any accidental spillage shall also be contained within the building and any that enters the sewer system shall be treated prior to being discharged to the municipal sewer system.
2. Any fertilizers used on landscape material anywhere on the site shall be the slow-release organic granular type, and only the absolute minimum necessary. All storage of fertilizers must be in a free-standing container within a building, have adequate secondary storage capacity or be within a facility designed to prevent the generation and escape of contaminated runoff or leachate. Application of fertilizers on site must be done in a manner to minimize adverse impacts on groundwater.

3. Outdoor storage anywhere on the site shall consist only of non-hazardous materials. Metal materials stored outside shall be under cover of a building or structure to prevent leaching of the metal into the groundwater.
 4. There shall be no outdoor storage of pesticides, herbicides, fungicides or insecticides anywhere on the site. Any such products shall be stored inside.
 5. Deicing materials shall be limited to calcium chloride or other deicer material approved by the Medway Department of Public Works.
 6. Plowed snow for the site shall be stored only in the designated areas shown on the plan or taken off site in times of substantial storms. No snow shall be disposed of in the stormwater detention basin.
 7. All vehicles shall be parked/stored on the paved surface to ensure treatment of any leaks of fluids from the vehicles. There shall be no outdoor maintenance or cleaning of vehicles.
 8. There shall be no earth removal within six feet of the historical high groundwater level.
 9. The Town reserves the right to periodically inspect the site to ensure compliance with these conditions.
- F. **Site Access** – Vehicular access to the site is provided from Route 109 and Trotter Drive. The Permittee shall instruct employees, delivery companies and customers to use Route 109/Trotter Drive and not Alder Street to access the property. Any printed or electronic company materials that provide directions to the site shall indicate the Route 109/Trotter Drive route.
- G. **Fueling Facility**
1. The Permittee shall submit the *Spill Prevention, Control, and Countermeasure (SPCC) Plan* prepared by Web Engineering of Scituate, MA to the Board before an occupancy permit is issued for the building addition.
 2. As specified by the Medway Fire Department, the fuel storage facility shall comply with 527 CMR 1 Massachusetts Comprehensive Fire Safety, specifically Chapter 66.
 3. The Permittee shall also secure the necessary permits from the Medway Fire Department for the decommissioning of the existing fuel storage tanks prior to the installation of the new fueling facilities.
- H. **Buffer Zone** – The Permittee shall maintain the 30’ greenbelt easement along the eastern edge of the property as shown on the site plan and as required by the Bylaw for the West Industrial zoning district.
- I. **Signage** – Any changes to the existing monument sign for R. P. Marzilli & Company and any new building signage shall comply with Section 7.2 of the Bylaw.

- J. **Fire Hydrant** – Before a building permit is issued, the Permittee shall secure written communication from the Medway Fire Department indicating whether the existing fire hydrant located at the Trotter Drive cul-de-sac is sufficient for the planned expansion or whether an additional hydrant is needed within the site. The Permittee is required to provide the Fire Department with the necessary flow testing and other documentation needed to make this determination. If an additional hydrant is required, it will be handled as a field change to the site plan and be reflected on the as-built plan submitted at the conclusion of the project.
- K. **Utilities** – All electric, telephone, cable TV and other utilities shall be located underground. No overhead utilities are permitted.
- L. **Snow Storage** – Snow storage areas as shown on the plan are located within the 100 foot buffer zone to a wetland resource area. Prior to plan endorsement, the Permittee shall provide the Board with written authorization from the Conservation Commission to do so or revise the plan to show an alternative location for snow storage.
- M. The provisions and conditions of the 1998 ZBA decision remain in effect.

GENERAL CONDITIONS OF APPROVAL

- A. **Fees** - Prior to site plan endorsement by the Board, the Permittee 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 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 business licenses, water/sewer bills, etc.

The Permittee’s failure to pay these fees in their entirety shall be reason for the 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 Permittee or assigns shall obtain, pay and comply with all other required Town permits.
- C. **Document/Plan Recording** - Within thirty (30) days of recording the *Decision* and the associated Plan, the Permittee or his assign shall provide the Board with a receipt from the Norfolk County Registry of Deeds indicating that all documents have been duly recorded, or supply another alternative verification that such recording has occurred.
- D. **Restrictions on Construction Activities** – During construction, all local, state and federal laws shall be followed regarding noise, vibration, dust and blocking of Town roads. The Permittee and its contractors shall at all times use all reasonable means to minimize inconvenience to abutters and residents in the general area. The following specific restrictions on construction activity shall apply.

1. *Construction Time* - Construction work at the site and in the building and the operation of construction equipment including truck/vehicular and machine start-up and movement shall commence no earlier than 7 a.m. and shall cease no later than 6 p.m. Monday – Saturday. No construction shall take place on Sundays or legal holidays without the advance approval of the Building Commissioner. These rules do not apply to interior construction work such as carpentry, installation of drywall, flooring, electrical and HVAC systems, painting, etc.
2. *Neighborhood Relations* – The Permittee shall notify neighbors in the general area around the site when site work and construction are scheduled to begin and provide a phone number for them to use for questions and concerns that arise during construction.
3. The Permittee shall take all measures necessary to ensure that no excessive dust leaves the premises during construction including use of water spray to wet down dusty surfaces.
4. There shall be no tracking of construction materials onto any public way. Daily sweeping of roadways adjacent to the site shall be done to ensure that any loose gravel/dirt is removed from the roadways and does not create hazardous or deleterious conditions for vehicles, pedestrians or abutting residents. In the event construction debris is carried onto a public way, the Permittee shall be responsible for all clean-up of the roadway which shall occur as soon as possible and in any event within twelve (12) hours of its occurrence.
5. The Permittee is responsible for having the contractor clean-up the construction site and the adjacent properties onto which construction debris may fall on a daily basis.
6. All erosion and siltation control measures shall be installed by the Permittee prior to the start of construction and observed by the Board’s consulting engineer and maintained in good repair throughout the construction period.
7. *Construction Traffic/Parking* – During construction, adequate provisions shall be made on-site for the parking, storing, and stacking of construction materials and vehicles. All parking for construction vehicles and construction related traffic shall be maintained on site. No parking of construction and construction related vehicles shall take place on adjacent public or private ways or interfere with the safe movement of persons and vehicles on adjacent properties or roadways.
8. *Noise* - Construction noise shall not exceed the noise standards as specified in the *Bylaw*, SECTION V. USE REGULATIONS, Sub-Section B. Area Standards, Paragraph 2. b).

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 occupancy permit is issued, the Town's Consulting Engineer or the Building Commissioner shall inspect 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 Building Commissioner 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 Building Commissioner/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 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*** – Board members, its staff, consultants or other designated agents of the Town shall have the right to enter the property at any time to ensure continued compliance with the terms and conditions of this special permit and the endorsed site plan.

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 Permittee shall establish a construction account with the Board. The funds may be used at the Board's discretion to retain professional outside consultants to perform the items listed above as well as the following other tasks - inspect the site during construction/installation, identify what site plan work remains to be completed, prepare a bond estimate, conduct other reasonable inspections until the site work is completed and determined to be satisfactory, review as-built plans, and advise the Board as it prepares to issue a *Certificate of Site Plan Completion*.
 - b) Prior to plan endorsement, the Permittee shall pay an advance toward the cost of these services to the Town of Medway. The advance amount shall be determined by the Board based on an estimate provided by the Town's Consulting Engineer.
 - c) Depending on the scope of professional outside consultant assistance that the Board may need, the Permittee shall provide supplemental payments to

the project's construction inspection account, upon invoice from the Board.

- d) Any funds remaining in the Permittee's construction inspection account after the *Certificate of Site Plan Completion* is issued shall be returned to the Permittee.
2. 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 Works will conduct inspections for any construction work occurring in the Town's right-of way in conjunction with the Town of Medway Street Opening/Roadway Access Permit.
4. The Permittee shall have a professional engineer licensed in the Commonwealth of Massachusetts conduct progress inspections of the construction of the approved site improvements. Inspections shall occur at least on a monthly basis. The engineer shall prepare a written report of each inspection and provide a copy to the Board within 5 days of inspection.

I. *On-Site Field Changes*

1. During construction, the Permittee may be authorized to make limited, minor, on-site field changes to the approved plan based on unforeseen site or job conditions, situations, or emergencies necessitated by field conditions or due to practical considerations. These field changes shall not alter items which may affect the site's compliance with this *Decision* and the Bylaw nor conflict with a specific condition of the *Decision*. Field changes shall not substantially alter the intent, layout or design of the endorsed site plan.
2. Prior to undertaking such field changes, the Permittee and/or contractor shall discuss the possible field changes with the Town's Consulting Engineer and submit a letter and drawings to the Planning and Economic Development Coordinator and the Building Commissioner describing the proposed changes and what conditions, situations, or emergencies necessitate such changes. In accordance with Section 3.5.2.C of the Bylaw, the Building Commissioner may determine that the field change is insubstantial, authorize the change, and so notify the Board. Otherwise, the Board shall review the proposed field changes at a public meeting and determine whether the proposed field changes are reasonable and acceptable based on the unforeseen conditions, situations, or emergencies and whether other options are feasible or more suitable. A written authorization of field change will be provided. Any approved field change shall be reflected in the as-built plan to be provided at project completion.

J *Modification of Plan and/or Decision*

1. Proposed modifications, not included on-site field changes, to the *Decision* or endorsed plan shall be subject to review by the Board.

2. This site plan and special permit approval is subject to all subsequent conditions that may be imposed by other Town departments, boards, agencies or commissions. Any changes to the site plan that may be required by the decisions of other Town boards, agencies or commissions shall be submitted to the Board for review as site plan modifications.
3. Any work that deviates from the approved site plan or this *Decision* shall be a violation of the *Bylaw*, unless the Permittee requests approval of a plan modification pursuant to Section 3.5.2.A.3.c. and such approval is provided in writing by the Board.
4. The request for a modification to a previously approved site plan shall be subject to the same application and review process including a public hearing. Whenever additional reviews by the Board, its staff or consultants are necessary due to proposed site plan modifications, the Permittee shall be billed and be responsible for all supplemental costs including filing fees, plan review fees and all costs associated with another public hearing including legal notice and abutter notification. If the proposed revisions affect only specific limited aspects of the site, the Board may reduce the scope of the required review and waive part of the filing and review fees.
5. The Board shall issue a modification decision, file such with the Town Clerk, and provide copies to the Building Commissioner and other Town officials and the Permittee. Any modification approved by the Board shall be made a permanent part of the approved site plan project documents and shall be shown on the final as-built plan.

K. *Compliance with Plan and Decision*

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

L. *Performance Security*

1. No occupancy permit for the planned addition shall be granted until the Board has provided a written communication to the Building Commissioner/Zoning Enforcement Officer that the project, as constructed, conforms completely and fully to the approved site plan and that any conditions including construction of any required on and off-site improvements, have been satisfactorily completed OR that suitable security/performance guarantee has been provided to the Town of Medway, to the Board's satisfaction, to cover the cost of all remaining work.

2. The Permittee shall propose a form of performance security which shall be of a source and in a form acceptable to the Board, the Treasurer/Collector and Town Counsel. The Board requires that the performance guarantee be accompanied by an agreement which shall define the obligations of the Permittee and the performance guarantee company including:
 - a) the date by which the Permittee shall complete construction
 - b) a statement that the agreement does not expire until released in full by the Board
 - c) procedures for collection upon default.
3. The amount of the performance guarantee shall be equal to 100% of the amount that would be required for the Town of Medway to complete construction of the site infrastructure including installation of stormwater management facilities, utilities, services, pedestrian facilities and all site amenities as specified in the approved Site Plan that remain unfinished at the time the performance guarantee estimate is prepared if the developer failed to do so.
4. The security amount shall be approved by the Board based on an estimate provided by the Town's Consulting Engineer based on the latest weighted average bid prices issued by the Mass Highway Department. The estimate shall reflect the cost for the Town to complete the work as a public works project which may necessitate additional engineering, inspection, legal and administrative services, staff time and public bidding procedures. The estimate shall also include the cost to maintain the infrastructure in the event the Permittee fails to adequately perform such and the cost for the development of as-built plans. In determining the amount, the Board shall be guided by the following formula in setting the sum: estimate of the Town's Consulting Engineer of the cost to complete the work plus a 30% contingency.
5. Final release of performance security is contingent on project completion.

M. ***Project Completion***

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

construction of any required on and off-site improvements. The *Certificate* also serves to release any security/performance guarantee that has been provided to the Town of Medway. To secure a *Certificate* of Site Plan Completion, the Permittee shall:

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

IX. APPEAL The Board and the Applicant have complied with all statutory requirements for the issuance of this *Decision* on the terms set forth herein. A copy of this *Decision* will be filed with the Medway Town Clerk and mailed to the Applicant/Permittee and notice will be mailed to all parties in interest as provided in G.L. c. 40A §15.

Any person aggrieved by the *Decision* of the Board may appeal to the appropriate court pursuant to Massachusetts General Laws, Chapter 40A, §17, and shall be filed within twenty days after the filing of this *Decision* in the office of the Medway Town Clerk.

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

###

MEDWAY TOWN CLERK

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-3204 • Fax: (508) 533-3287
mwhite@townofmedway.org

MARYJANE WHITE, CMMC

CERTIFIED MASSACHUSETTS MUNICIPAL CLERK

JUSTICE OF THE PEACE

NOTARY PUBLIC

CERTIFICATE

*I, Maryjane White, Town Clerk of the Town of Medway, hereby certify that the notice of the Major Site Plan Review and Groundwater Protection District of the Medway Planning and Economic Development Board, has been received in the matter of
It was received and filed in this office on the following:*

Nov. 15, 2019

*Trotter Drive LLC
21 Trotter Dr
Medway, Ma 02053*

And no appeal was received during the next twenty days after such receipt and recording of said decision.

Dated at Medway, MA Jan. 8, 2019

A true copy
ATTEST.....

Maryjane White

Town Clerk



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

**Request for Medway Treasurer/Collector's
Verification of Status of Paid Taxes**

Date: January 24, 2020

Applicant's Name: RP Marzilli & Company

Subject Property Address: 21 Trotter Drive

Map/Parcel Number(s): 64-003

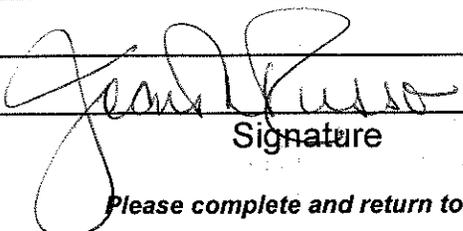
Property Owner: Trotter Drive LLC

Project Name: Marzilli Addition Site Plan

Type of Permit: Major Site Plan & Groundwater Protection Special Permit
Plan Endorsement

Please indicate the status of taxes/fees owed to the Town:

- By checking this box and with my signature below, I verify that all taxes and fees owed the Town of Medway **for the subject property** are paid in full as of this date for the subject property noted above.
- By checking this box and with my signature below, I verify that all taxes and fees owed the Town of Medway **for other properties owned by the applicant** noted above are paid in full as of this date.
- By checking this box and with my signature below, I verify that the **Town is owed taxes or fees** on properties owned by the above noted applicant. Briefly explain on the lines below. Please attach a report that indicates the property address, what taxes are owed, and the respective amounts.


Signature

1-24-2020
Date

Please complete and return to the Planning and Economic Development office.



Medway Police Department

315 Village Street
Medway, MA 02053

Phone: 508-533-3212
FAX: 508-533-3216
Emergency: 911

Allen M. Tingley
Chief of Police

January 27, 2020

To: Susan Affleck-Childs
Planning & Economic Development
Coordinator

From: Jeffrey W. Watson
Sergeant/Safety Officer
Medway Police Department

Ref: Marzilli Landscape 21A Trotter Dr.

On January 27, 2020 I spoke with Robert Marzilli in regards to the installation of two speed limit signs to be erected on Trotter St. as part of their construction project. I looked at the map and location showing the proposed signage and location. The Medway Police Department would request two 20 MPH Speed limit signs. One be placed on the West side of Trotter Dr. across from Alder St. just before the side walk. The second sign should be placed on the East side of Trotter Drive 100 feet from the intersection of Lost Hill Dr.

All signage must conform with the Manual on Uniform Traffic Control Devices as well as the Medway Department of Public Works.

If you have any questions please let me know.



January 28, 2020
Medway Planning & Economic Development Board
Meeting

RE-ENDORSEMENT
Salmon Site Plan Modification

- Revised Salmon Site Plan Modification with necessary details for recording at the Norfolk County Registry of Deeds.

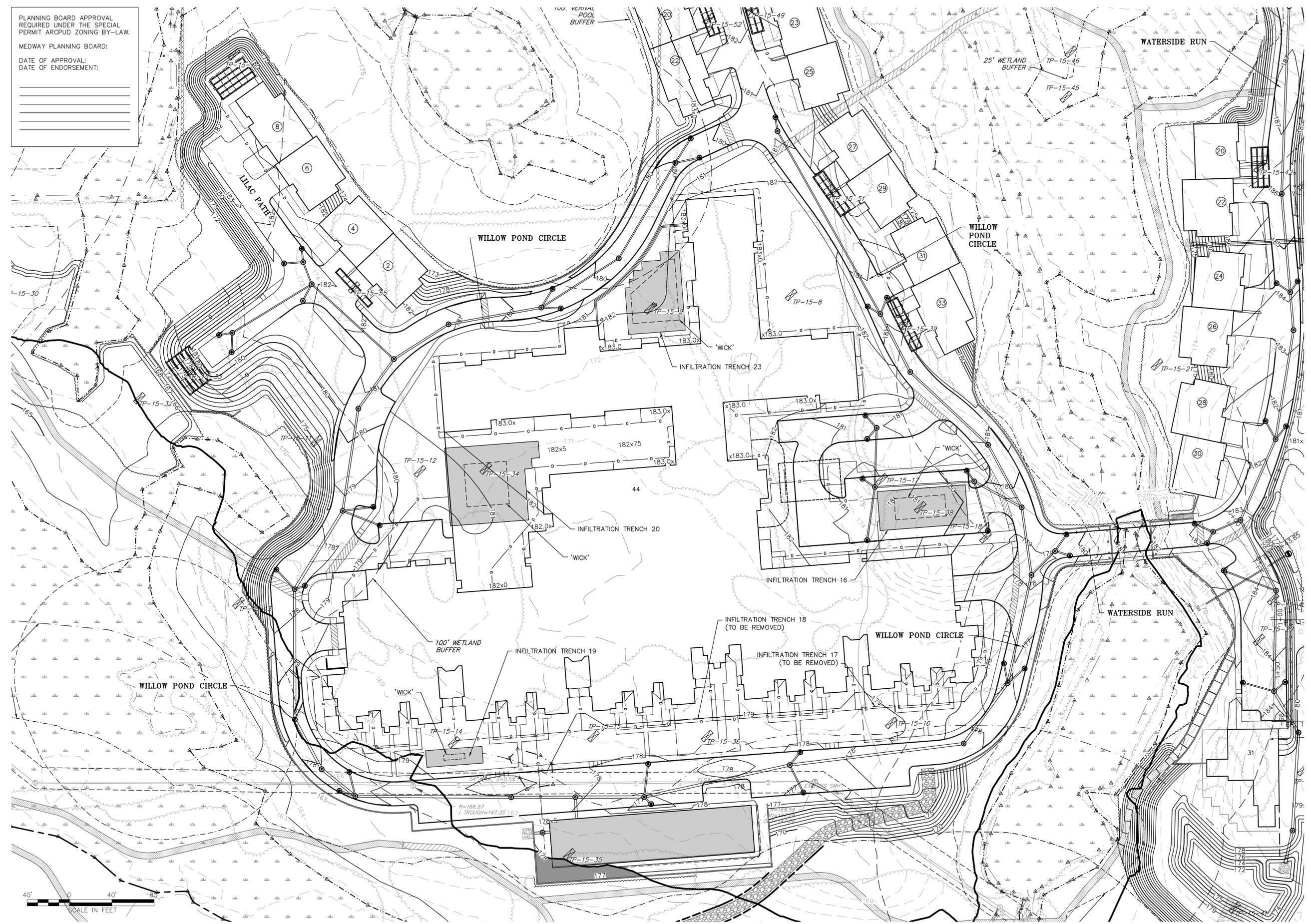
You endorsed a paper set of plans on January 7, 2020. . We had understood that the plan was recordable in paper form when attached to the decision. However, the Registry declined to accept them in paper form. So, the plan has been revised to include the required Registry recording box and has been provided in MYLAR format for your signature.

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

MEDWAY PLANNING BOARD:

DATE OF APPROVAL: _____

DATE OF ENDORSEMENT: _____



NO.	DATE	DESCRIPTION	DR/CK

PREPARED FOR:
 CONTINUING CARE MANAGEMENT, LLC
 1 LYMAN STREET
 WESTBOROUGH, MASSACHUSETTS 01581

DRAWING:
 CAMPUS DRAINAGE

PROJECT:
 SALMON HEALTH AND RETIREMENT
 COMMUNITY
 259, 261, 261R AND 263 VILLAGE STREET
 MEDWAY, MASSACHUSETTS 02053

PLAN SET:
 CONSTRUCTION
 DOCUMENTS

CONESCO
 Engineers & Scientists

4 FIRST STREET, BRIDGEWATER, MASSACHUSETTS 02324
 PHONE: 508-697-3191 OR 800-548-3355 FAX: 508-697-5996
 WEBSITE: www.conesco.com

DATE: 10/22/2019

DESIGNED: JEN CHECKED: JEN

DRAFTED: DJD IN CHARGE: JEN

SCALE: 1"=40'

PROJECT NO. 8548.0

SHEET NO. 1

SHEET 1
SHEET 3

NOTES:

1. REFER TO DRAINAGE SCHEDULE ON SHEET C28 FOR DRAINAGE STRUCTURE RIMS AND INVERTS, PIPE LENGTHS AND SLOPES, AND INFILTRATION SYSTEM ELEVATIONS.
2. SLOPE STABILIZATION TO BE USED ON ALL SLOPES GREATER THAN 3:1.
3. ALL 2:1 SLOPES INSIDE OF THE 25' WETLAND BUFFER TO USE SLOPE STABILIZATION BLANKET (SEE DETAIL) AND TO BE SEEDED WITH A CONSERVATION/WILDFLOWER MIX OR APPROVED EQUAL.
4. ALL 2:1 SLOPES OUTSIDE OF 25' WETLAND BUFFER TO USE GEOWEB SLOPE STABILIZATION OR APPROVED EQUAL (SEE DETAIL).
5. CONTRACTOR TO INSTALL INFILTRATION CHAMBER AND PROPRIETARY SEPARATOR PER SHOWN MANUFACTURES OR APPROVED EQUAL.

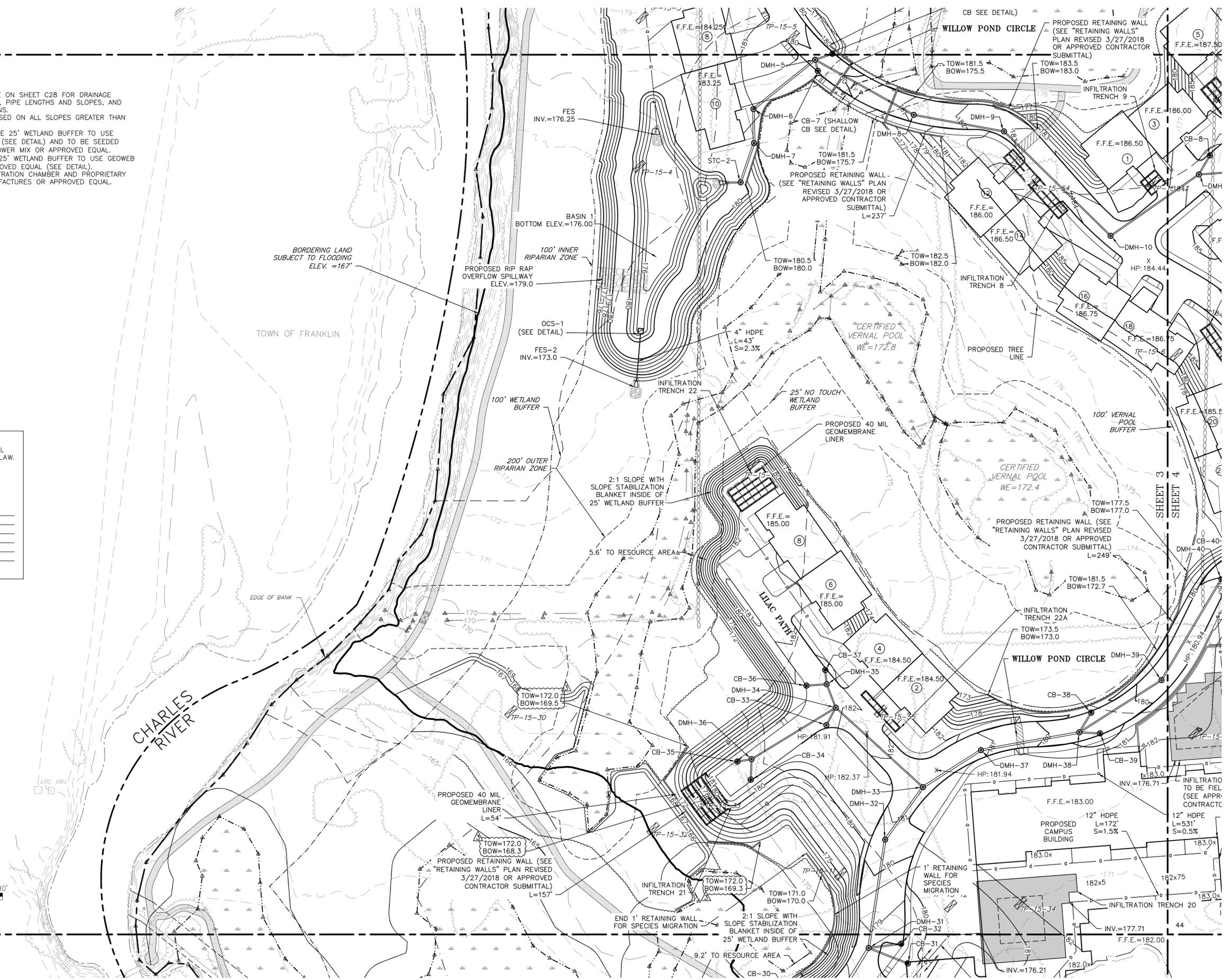
PLANNING BOARD APPROVAL
REQUIRED UNDER THE SPECIAL
PERMIT ARCPUD ZONING BY-LAW.

MEDWAY PLANNING BOARD:

DATE OF APPROVAL:
DATE OF ENDORSEMENT:



SHEET 3
SHEET 5



REVISIONS	
NO.	DESCRIPTION
1	CONSTRUCTION MODIFICATIONS
2	CONSTRUCTION MODIFICATIONS
3	RETAINING WALL HEIGHT MODIFICATION

PREPARED FOR:
CONTINUING CARE MANAGEMENT, LLC
1 LYMAN STREET
WESTBOROUGH, MASSACHUSETTS 01581

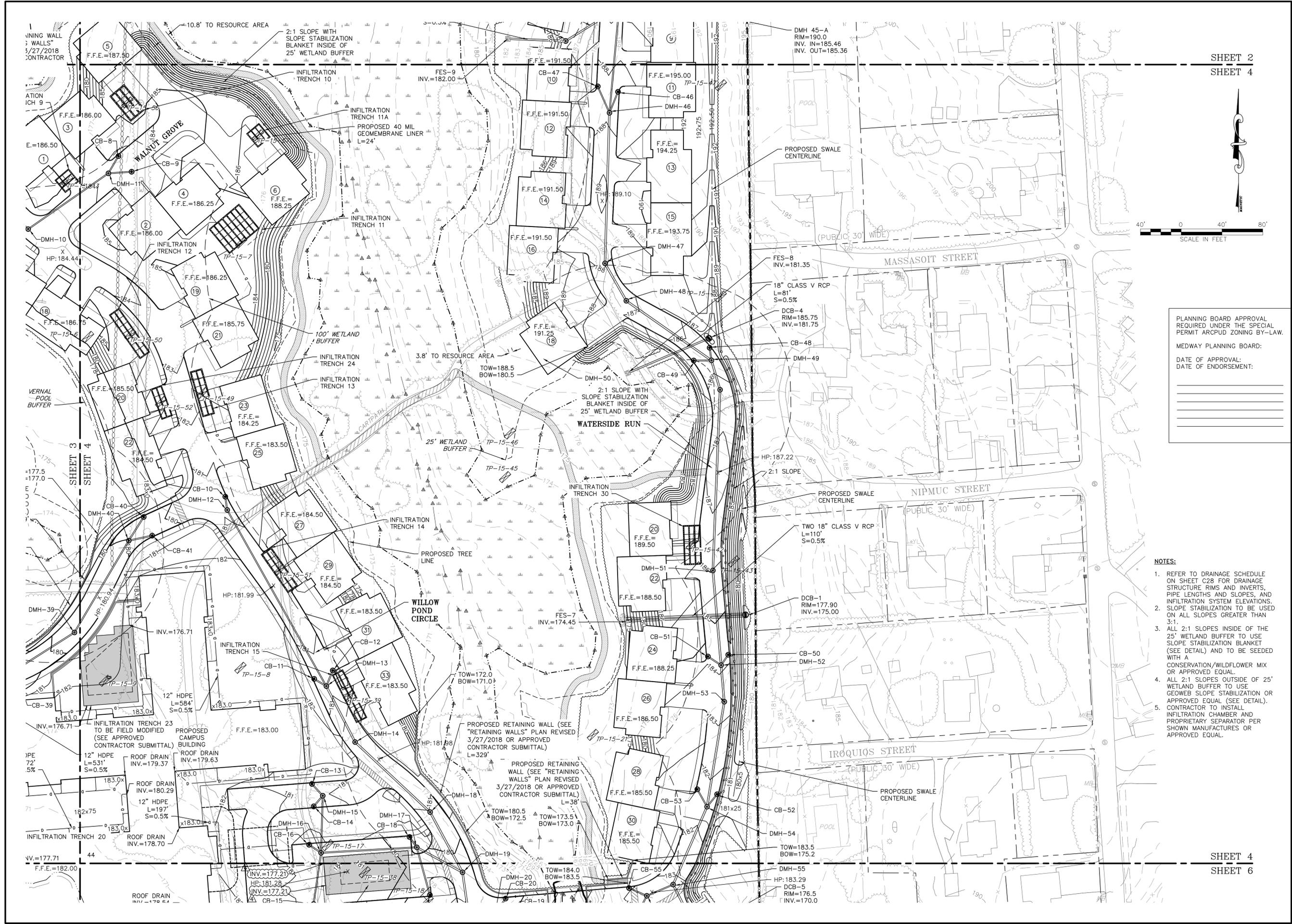
PROJECT:
SALMON HEALTH AND RETIREMENT
COMMUNITY
259, 261, 261R AND 263 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053

CONECO
Engineers & Scientists

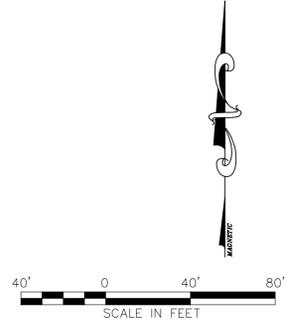
4 FIRST STREET, BRIDGEWATER, MASSACHUSETTS 02324
PHONE: 508-697-3191 OR 800-548-3355 FAX: 508-697-5996
WEBSITE: www.coneco.com

DATE: 6/18/2018
DESIGNED: JEN CHECKED: TLD
DRAFTED: DJD IN CHARGE: SMO
SCALE: 1"=40'
PROJECT NO. 8548.0
SHEET NO. C24

GRADING & DRAINAGE
SHEET 3 OF 6



SHEET 2
SHEET 4



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

MEDWAY PLANNING BOARD:

DATE OF APPROVAL:
DATE OF ENDORSEMENT:

- NOTES:**
- REFER TO DRAINAGE SCHEDULE ON SHEET C28 FOR DRAINAGE STRUCTURE RIMS AND INVERTS, PIPE LENGTHS AND SLOPES, AND INFILTRATION SYSTEM ELEVATIONS. SLOPE STABILIZATION TO BE USED ON ALL SLOPES GREATER THAN 3:1.
 - ALL 2:1 SLOPES INSIDE OF THE 25' WETLAND BUFFER TO USE SLOPE STABILIZATION BLANKET (SEE DETAIL) AND TO BE SEEDED WITH A CONSERVATION/WILDFLOWER MIX OR APPROVED EQUAL.
 - ALL 2:1 SLOPES OUTSIDE OF 25' WETLAND BUFFER TO USE GEOWEB SLOPE STABILIZATION OR APPROVED EQUAL (SEE DETAIL). CONTRACTOR TO INSTALL INFILTRATION CHAMBER AND PROPRIETARY SEPARATOR PER SHOWN MANUFACTURES OR APPROVED EQUAL.

REVISIONS	
NO.	DESCRIPTION
1	CONSTRUCTION MODIFICATIONS
2	CONSTRUCTION MODIFICATIONS

PREPARED FOR:
CONTINUING CARE MANAGEMENT, LLC
1 LYMAN STREET
WESTBOROUGH, MASSACHUSETTS 01581

DRAWN BY:
GRADING & DRAINAGE
SHEET 4 OF 6

PROJECT:
SALMON HEALTH AND RETIREMENT COMMUNITY
259, 261, 261R AND 263 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053

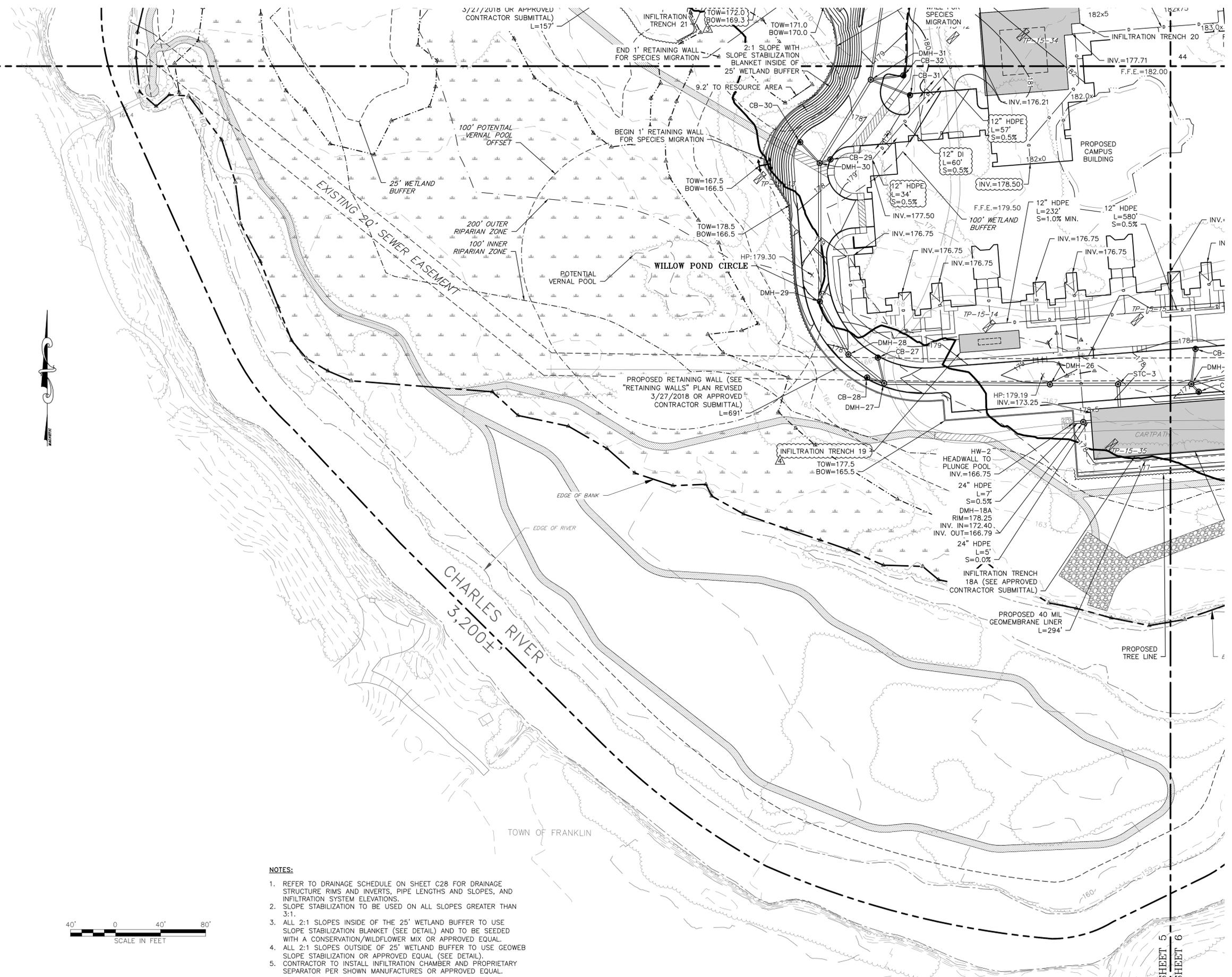
PLAN SET:
CONSTRUCTION DOCUMENTS

CONECO
Engineers & Scientists

4 FIRST STREET, BRIDGEWATER, MASSACHUSETTS 02324
PHONE: 508-697-3191 OR 800-548-3355 FAX: 508-697-5996
WEBSITE: www.coneco.com

DATE	6/18/2018
DESIGNED: JEN	CHECKED: TLD
DRAFTED: DJD	IN CHARGE: SMO
SCALE:	1"=40'
PROJECT NO.	8548.0
SHEET NO.	C25

SHEET 3
SHEET 5



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

MEDWAY PLANNING BOARD:

DATE OF APPROVAL: _____
DATE OF ENDORSEMENT: _____



- NOTES:**
- REFER TO DRAINAGE SCHEDULE ON SHEET C28 FOR DRAINAGE STRUCTURE RIMS AND INVERTS, PIPE LENGTHS AND SLOPES, AND INFILTRATION SYSTEM ELEVATIONS.
 - SLOPE STABILIZATION TO BE USED ON ALL SLOPES GREATER THAN 3:1.
 - ALL 2:1 SLOPES INSIDE OF THE 25' WETLAND BUFFER TO USE SLOPE STABILIZATION BLANKET (SEE DETAIL) AND TO BE SEEDED WITH A CONSERVATION/WILDFLOWER MIX OR APPROVED EQUAL.
 - ALL 2:1 SLOPES OUTSIDE OF 25' WETLAND BUFFER TO USE GEOWEB SLOPE STABILIZATION OR APPROVED EQUAL (SEE DETAIL).
 - CONTRACTOR TO INSTALL INFILTRATION CHAMBER AND PROPRIETARY SEPARATOR PER SHOWN MANUFACTURES OR APPROVED EQUAL.

REVISIONS

NO.	DATE	DESCRIPTION	DR/CK
1	04/29/19	CONSTRUCTION MODIFICATIONS	MSD/EN
2	08/09/19	CONSTRUCTION MODIFICATIONS	MSD/EN
4	09/05/19	BULLETIN 4	JEN/EN

PREPARED FOR:
CONTINUING CARE MANAGEMENT, LLC
1 LYMAN STREET
WESTBOROUGH, MASSACHUSETTS 01581

DRAWN:
GRADING & DRAINAGE
SHEET 5 OF 6

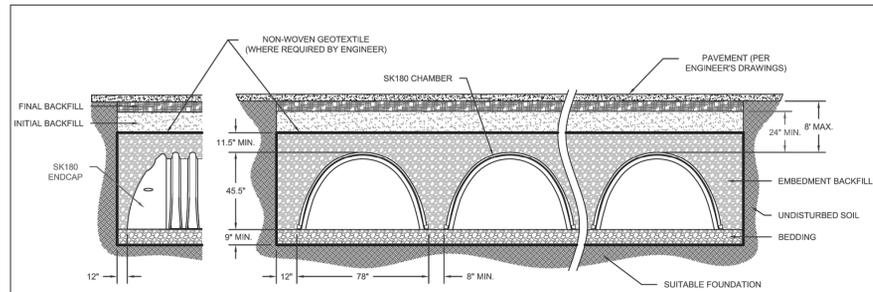
PROJECT:
SALMON HEALTH AND RETIREMENT
COMMUNITY
259, 261, 261R AND 263 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053

PLAN SET:
CONSTRUCTION
DOCUMENTS

CONECO
Engineers & Scientists

4 FIRST STREET, BRIDGEWATER, MASSACHUSETTS 02324
PHONE 508-697-3191 OR 800-548-3355 FAX 508-697-5996
WEBSITE: www.coneco.com

DATE	6/18/2018
DESIGNED: JEN	CHECKED: TLD
DRAFTED: DJD	IN CHARGE: SMO
SCALE:	1"=40'
PROJECT NO.	8548.0
SHEET NO.	C26



- NOTES:**
- CHAMBER SYSTEMS SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S LATEST INSTALLATION GUIDELINES.
 - FOUNDATION: TRENCH BOTTOMS WITH UNSTABLE OR UNYIELDING MATERIAL SHALL BE EXCAVATED TO A DEPTH DIRECTED BY THE ENGINEER AND REPLACED WITH SUITABLE MATERIAL. FOR UNSTABLE MATERIALS, GEOTEXTILE MAY BE USED TO STABILIZE THE TRENCH BOTTOM, IF DIRECTED BY THE ENGINEER. THE DESIGN ENGINEER IS RESPONSIBLE FOR VERIFYING FOUNDATION SUITABILITY.
 - GEOTEXTILE: A 6oz NON-WOVEN GEOTEXTILE FILTER FABRIC SHOULD BE USED TO PREVENT NATIVE SOIL FROM MIGRATING INTO THE INITIAL BACKFILL MATERIAL.
 - BEDDING: SUITABLE MATERIAL SHALL BE A 3/4" - 2" INCH CLEAN, CRUSHED ANGULAR STONE OR AASHTO M43 SIZES (3, 357, 4, 467, 5, 56, 57) WITH CLEAN, CRUSHED, ANGULAR STONE ADDED TO THE GRADATION, e.g., CLEAN, CRUSHED, ANGULAR #3 (AASHTO M43) STONE. MINIMUM BEDDING THICKNESS SHALL BE 9 INCHES. COMPACTION SHOULD BE DONE IN LIFTS OF NO MORE THAN 9 INCHES TO A DENSITY OF 95% STANDARD PROCTOR DENSITY.
 - EMBEDMENT BACKFILL: SUITABLE MATERIAL SHALL BE A 3/4" - 2" INCH CLEAN, CRUSHED ANGULAR STONE OR AASHTO M43 SIZES (3, 357, 4, 467, 5, 56, 57) WITH CLEAN, CRUSHED, ANGULAR STONE ADDED TO THE GRADATION, e.g., CLEAN, CRUSHED, ANGULAR #3 (AASHTO M43) STONE. MINIMUM BEDDING THICKNESS SHALL BE 9 INCHES. EMBEDMENT BACKFILL SHALL EXTEND FROM TOP OF BEDDING TO NOT LESS THAN 11 1/2" INCHES ABOVE THE TOP OF THE CHAMBER. NO COMPACTION IS REQUIRED BUT AN EFFORT SHOULD BE MADE TO HAND KNIFE STONE INTO ALL CORRUGATIONS.
 - INITIAL BACKFILL: SUITABLE MATERIAL SHALL BE A GRANULAR, WELL GRADED SOIL WITH LESS THAN 35% FINES OR AASHTO M43 SIZES (3, 357, 4, 467, 5, 56, 57, 6, 67, 68, 7, 78, 8, 89, 9, 10) WITH CLEAN, CRUSHED, ANGULAR STONE ADDED TO THE GRADATION. INITIAL BACKFILL SHALL EXTEND FROM TOP OF EMBEDMENT BACKFILL TO NOT LESS THAN 24 INCHES ABOVE THE TOP OF THE CHAMBER. COMPACTION SHOULD BE BROUGHT TO A MINIMUM OF 95% STANDARD PROCTOR DENSITY.
 - FINAL BACKFILL: SUITABLE MATERIALS SHALL BE ANY SOIL DIRECTED BY THE ENGINEER. FINAL BACKFILL SHALL EXTEND FROM TOP OF INITIAL BACKFILL TO NO MORE THAN 8 FEET ABOVE THE TOP OF THE CHAMBER. COMPACTION LEVELS SHOULD FOLLOW ENGINEERS RECOMMENDATIONS.
 - MINIMUM COVER: FOR UP TO H-25 TRAFFIC APPLICATIONS A MINIMUM COVER OF 24 INCHES IS REQUIRED, MEASURED FROM THE TOP OF THE CHAMBER TO THE BOTTOM OF THE FLEXIBLE PAVEMENT. ADDITIONAL COVER MAY BE REQUIRED FOR CONSTRUCTION LOADS OR WHERE RUTTING MAY TAKE PLACE.
 - MAXIMUM COVER: A COVER HEIGHT OF OVER 8 FEET IS NOT RECOMMENDED. COVER HEIGHT IS MEASURED FROM THE TOP OF THE CHAMBER TO THE TOP OF THE PAVEMENT.

THIS DETAIL DEPICTS RECOMMENDED INSTALLATION PRACTICES AND IS NOT INTENDED TO SUPERSEDE ANY NATIONAL, STATE OR LOCAL SPECIFICATIONS. LANE ENTERPRISES, INC. BEARS NO RESPONSIBILITY FOR ANY ALTERATIONS, REVISIONS AND/OR DEVIATION FROM THIS STANDARD DETAIL. LANE ENTERPRISES, INC. HAS NOT PERFORMED ANY ENGINEERING OR DESIGN SERVICE FOR THIS PROJECT. THE DESIGN ENGINEER SHALL REVIEW THESE DETAILS PRIOR TO CONSTRUCTION TO VERIFY SUITABILITY.

LANE

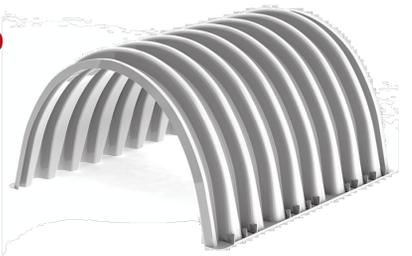
DESIGNED BY: JAJ
DATE: 12/17/2014
SCALE: N.T.S.
SHEET: 1 OF 1

TYPICAL CROSS SECTION SK180 CHAMBER



StormKeeper SK180

The StormKeeper SK180 is the highest quality and structurally sound stormwater chamber available on the market. The StormKeeper family of chambers are designed utilizing the most sophisticated and comprehensive techniques to meet the stringent AASHTO LRFD and ASTM requirements. Intended for use under traffic and nontraffic areas, StormKeeper provides a truly cost-effective and structurally superior system to provide underground stormwater storage, saving valuable land and protecting the environment.



StormKeeper SK180
Nominal Dimensions

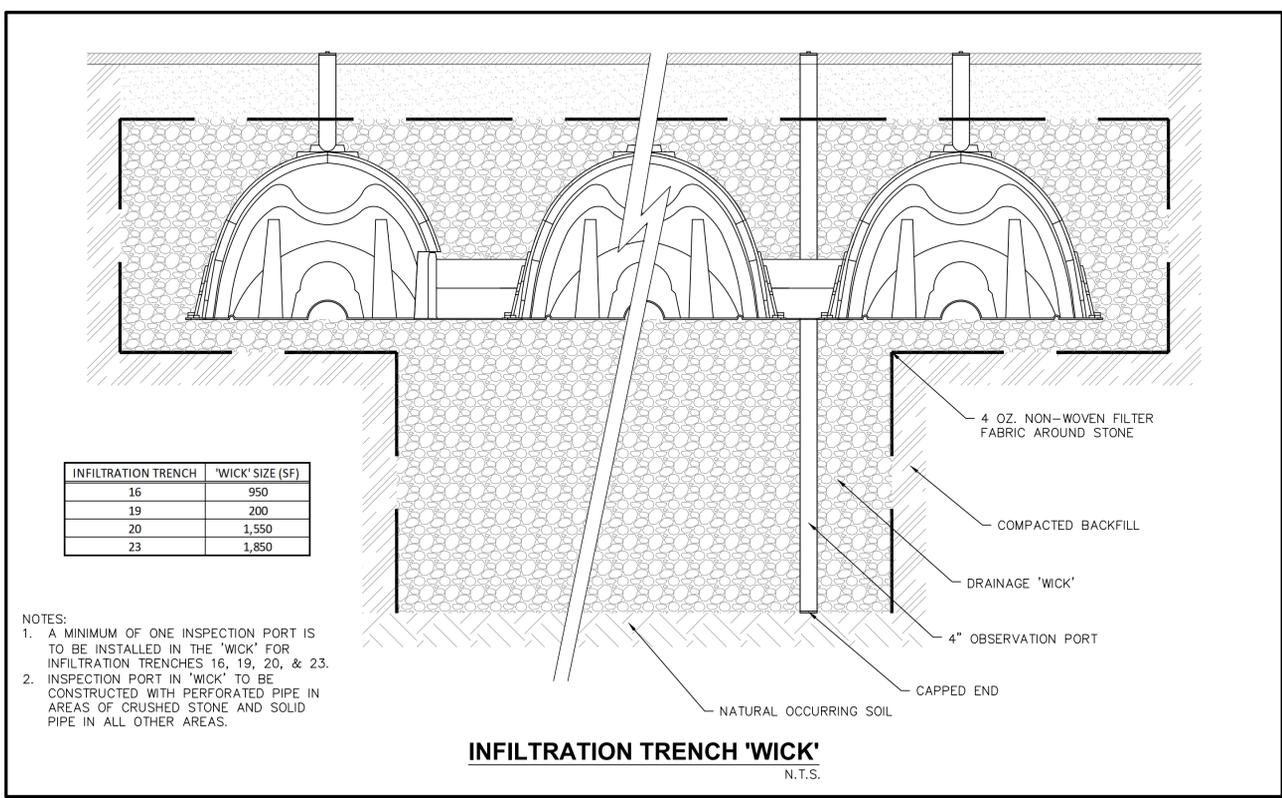
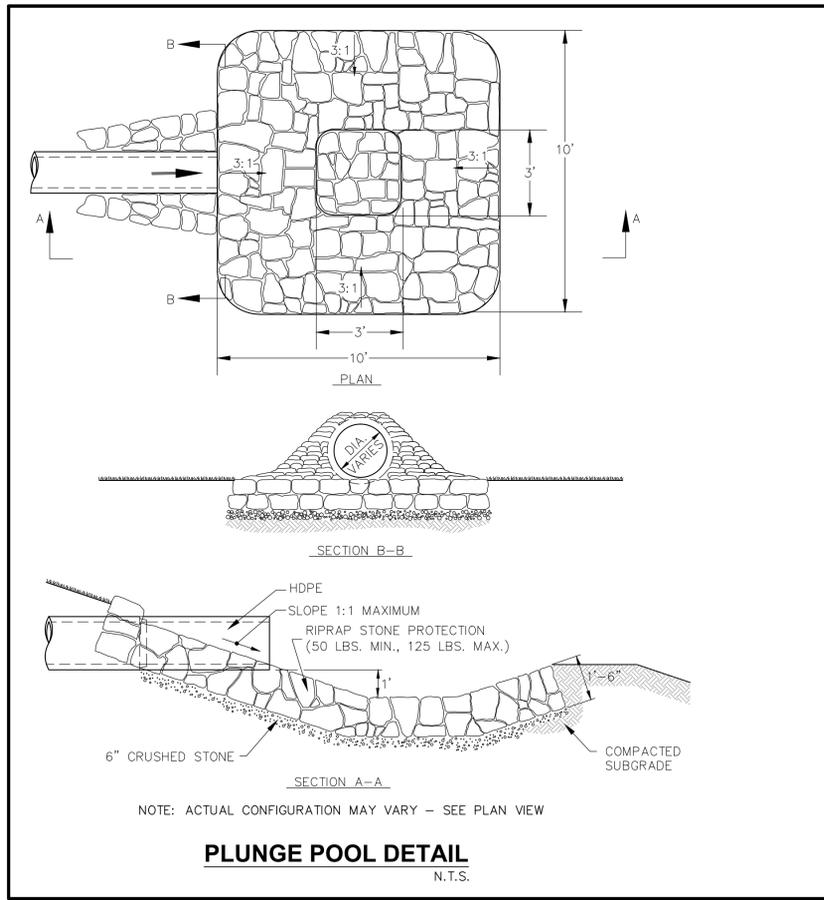
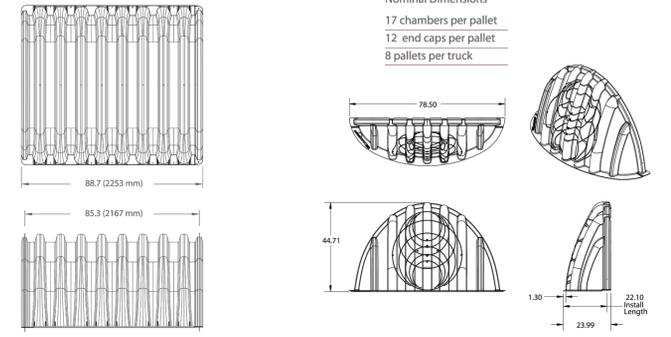
Size (L x W x H)	88.7" x 77.8" x 45.5"
Chamber Storage	113.6 cf
Min. Installed Storage	180.0 cf
Weight	127 lbs

StormKeeper SK180 End Caps
Nominal Dimensions

Size (L x W x H)	23.99" x 78.5" x 44.71"
End Cap Storage	15.3 cf
Min. Installed Storage	41.8 cf
Weight	52 lbs

Shipping
Nominal Dimensions

- 17 chambers per pallet
- 12 end caps per pallet
- 8 pallets per truck



- NOTES:**
- A MINIMUM OF ONE INSPECTION PORT IS TO BE INSTALLED IN THE 'WICK' FOR INFILTRATION TRENCHES 16, 19, 20, & 23.
 - INSPECTION PORT IN 'WICK' TO BE CONSTRUCTED WITH PERFORATED PIPE IN AREAS OF CRUSHED STONE AND SOLID PIPE IN ALL OTHER AREAS.

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

MEDWAY PLANNING BOARD:

DATE OF APPROVAL: _____
DATE OF ENDORSEMENT: _____

REVISIONS

NO.	DATE	DESCRIPTION
1	04/28/19	CONSTRUCTION MODIFICATIONS
2	08/09/19	CONSTRUCTION MODIFICATIONS
4	09/05/19	BULLETIN 4
5	11/19/19	MODIFIED DETAILS

PREPARED FOR:
CONTINUING CARE MANAGEMENT, LLC
1 LYMAN STREET
WESTBOROUGH, MASSACHUSETTS 01581

DRAWING:
CONSTRUCTION DETAILS
SHEET 8 OF 12

PROJECT:
SALMON HEALTH AND RETIREMENT
COMMUNITY
259, 261, 261R AND 263 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053

PLAN SET:
CONSTRUCTION DOCUMENTS

CONECO
Engineers & Scientists

4 FIRST STREET, BRIDGEWATER, MASSACHUSETTS 03324
PHONE 508-697-3101 OR 800-548-3355 FAX 508-697-5996
WEBSITE: www.coneco.com

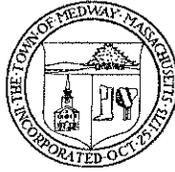
DATE	6/11/2018
DESIGNED BY: JEN	CHECKED: TLD
DRAFTED: DJD	IN CHARGE: SMO
SCALE:	N.T.S.
PROJECT NO.	8548.0
SHEET NO.	C58



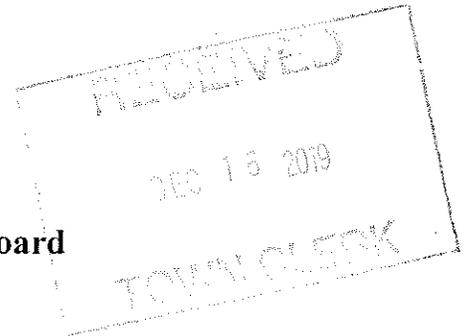
January 28, 2020
Medway Planning & Economic Development Board
Meeting

Public Hearing Continuation – Choate
Trail Way Subdivision and Scenic Road
Work Permit Public Hearing

- Public Hearing Continuation Notice
- Andy Rodenhiser Mullin Rule Certification 12-10-19 meeting
- Note from 38 Highland Street abutter 12-11-19
- Deputy Chief Mike Fasolino comments 01-02-2020
- Scenic Road Work Permit application 01-03-2020
- Scenic Road Intersection Plan
- Scenic Road Public Hearing Notice 01-07-2020
- REVISED Choate Trail Way Plan – Connorstone Response Letter 01-13-2020
- REVISED Definitive Subdivision Plan – Choate Trail Way 01-13-2020
- PCG Comments on Revised Choate Trail Definitive Plan 01-23-2020
- Tetra Tech Comments on Revised Choate Trail Plan 01-23-2020



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



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

MEMORANDUM

December 16, 2019

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

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

RE: **Public Hearing Continuation:** **Choate Trail Way Definitive Subdivision Plan**
(42 and 42R Highland Street)
Continuation Date: **Tuesday, January 28, 2020 at 7:05 p.m.**
Location: **Medway Town Hall – Sanford Hall, 155 Village Street**

At its meeting on December 10, 2019, the Planning and Economic Development Board (PEDB) voted to continue the public hearing on the application of The Residences at Choate Trail, LLC of Nashua, NH for approval of a definitive subdivision plan for a proposed 4 lot residential subdivision to be located at 42 and 42R Highland Street. The hearing will take place at 7:05 p.m. on Tuesday, January 28, 2020 in Sanford Hall at Medway Town Hall, 155 Village Street, Medway, MA.

Owned by The Residences at Choate Trail, LLC, the 5.88 acre parcel (*Medway Assessors Map 37, Parcels 67 & 64*) is located on the north side of Highland Street in the Agricultural Residential I zoning district. The *Choate Trail Way Definitive Subdivision Plan* is dated November 8, 2019 and was prepared by Connorstone Engineering, Inc. of Northborough, MA. The plan shows the division of the property into four residential lots, one lot with the existing house at 42 Highland Street, and three new house lots with frontage on a proposed, 578' long permanent private road. The property includes wetlands under the jurisdiction of the Medway Conservation Commission which shall also review the proposed development for a Land Disturbance Permit

The application, definitive subdivision plan and associated documents for the proposed Choate Trail Way subdivision are on file with the Medway Town Clerk and at the Community and Economic Development Department at Medway Town Hall, 155 Village Street, Medway, MA and may be reviewed during regular business hours. The materials have also been posted to the Planning and Economic Development Board's page at the Town's web site at: <https://www.townofmedway.org/planning-economic-development-board/pages/choate-trail-way-definitive-subdivision-plan>

Please review the plan and provide comments to me at your earliest convenience. Please don't hesitate to contact me if you have any questions. Thanks.



RECEIVED
JAN - 8 2020
TOWN CLERK

Town of Medway, Massachusetts

**CERTIFICATION
PURSUANT TO G.L. c. 39, Section 23D
OF PARTICIPTION IN A SESSION OF AN
ADJUDICATORY HEARING
WHERE THE UNDERSIGNED MEMBER MISSED
A SINGLE HEARING SESSION**

Note: This form can only be used for missing a single public hearing session.
This cannot be used for missing more than one hearing session.

I, Andy Rodenhiser (name), hereby certify under the pains and penalties of perjury as follows:

- I am a member of Medway Planning & Economic development
- I missed a public hearing session on the matter(s) of: See Agenda

which was held on 12/10/19

- I have reviewed all the evidence introduced at the hearing session that I have missed which included a review of (initial which one(s) is/are applicable):
 - audio recording of the missed hearing session; or
 - video recording of the missed hearing session; or
 - a written transcript of the missed hearing session.

This certification shall become part of the record of the proceedings in the above matter.

Signed under the pains and penalties of perjury this 6th day of January, 2020.

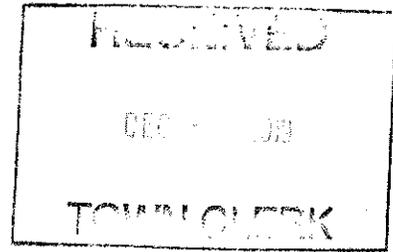
[Signature]
(Signature of Board Member)

Received as part of the record of the above matter:

Date: January 7, 2020

By: Susan E. [Signature]

Position: Community & Dev. 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, December 10, 2019 @ 7 p.m.

Medway Town Hall – 155 Village Street

This meeting will be broadcast live and recorded by Medway Cable Access.
 The meeting may also be viewed online at: <https://livestream.com/MedwayCableAccess/events/7583840>

AGENDA

CALL TO ORDER

CITIZEN COMMENTS

APPOINTMENTS – None

PUBLIC HEARINGS

- 7:00 p.m. Medway Place Shopping Plaza site plan (98, 108 and 114 Main Street)
- 7:30 p.m. 2 Marc Road Site Plan Modification
- 8:00 p.m. Choate Trail Way Definitive Subdivision Plan (42 and 42R Highland Street)
- 8:30 p.m. Continuation – Evergreen Village Multi-Family Housing Development Special Permit, Site Plan and Scenic Road Work Permit (22 Evergreen Street)
- 9:00 p.m. Continuation – 20 Broad Street Multi-Family Housing Development Special Permit and Site Plan

OTHER BUSINESS

1. Consider planning consultant services proposal from PGC Associates
2. Applegate Subdivision – Authorization of Contractor Invoices
3. Consider minutes of the November 26, 2019 PEDB meeting
4. Reports – Staff, Consultants and Committee Liaisons
5. PEDB Members' Comments and Concerns
6. Review Correspondence/Communications
7. 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.*

UPCOMING REGULAR PEDB MEETINGS
 Tuesday evenings
 January 14 & 28, February 11 & 25, March 10 & 24, April 14 & 28, May 12 & 26, 2020 @ 7 pm

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

Susan Affleck-Childs

From: Johanna Madge <yoyomadgey@gmail.com>
Sent: Wednesday, December 11, 2019 8:13 PM
To: Susan Affleck-Childs
Subject: Right of Way concern

Dear Susan,

Our names are Johanna Madge and Lynda Bannon. We are the owners of 38 Highland Street and we have lived here since 1997. We have been attending all the meetings over the property and impending building project at 42 Highland. Last night at the Planning Board Committee meeting there was mention by the planning board to have the builders provide an access to the high school/trails. We weren't concerned until there was mention of using the right of way that literally runs through the middle of our backyard lawn and then across our driveway into our neighbors (40 Highland) property. Today I went and spoke with Barbara Saint Andre who said I should write an email to the Planning Board. Our understanding is that this right of way is for private use only, not for public access. We are researching the records to better understand the ROW. If I am misinterpreting what was said last night at the meeting, I apologize. Please let us know if that is the case. I just want to make sure you realize that the ROW does go completely through the middle of our backyard lawn and driveway. We would like the Planning Board to include us if you have any other information on this or if there are any further discussions about this ROW.

Thanks so much,
Johanna & Lynda

Sent from my iPad

Susan Affleck-Childs

From: Mike Fasolino
Sent: Thursday, January 02, 2020 2:43 PM
To: Susan Affleck-Childs
Cc: Robert Pace; Matthew Silverstein; Jeff Lynch
Subject: RE: Choate Trail Way Definitive Subdivision Plan - Public Hearing begins December 10th - Comments Requested

Hi Susan,

Here are additional comments In regards to the above subdivision plan.

1. The turning radius at the end of the cul-de-sac must be accommodate our ladder truck through their engineer.
2. Hydrants shall be installed and operating prior to any building construction.
3. The private way shall be paved and maintained prior to building construction. It should be able to withstand 70,000 lbs

From: Susan Affleck-Childs
Sent: Tuesday, December 03, 2019 1:16 PM
To: Michael Boynton; Barbara Saint Andre; Bridget Graziano; Joanne Russo; Jack Mee; David Damico; Jeff Lynch; Mike Fasolino; Chief Tingley; Beth Hallal; Donna Greenwood; Peter Pelletier; Jeff Watson; Elizabeth Taglieri
Subject: Choate Trail Way Definitive Subdivision Plan - Public Hearing begins December 10th - Comments Requested

Hi,

The Planning and Economic Development Board has received an application from the Residences at Choate Trail, LLC of Nashua, NH for approval of a definitive subdivision plan for a proposed 4 lot, private way subdivision at 42 and 42R Highland Street.

The Board will begin the required public hearing on Tuesday, December 10th at 8:00 p.m. Sanford Hall at Medway Town Hall.

The *Choate Trail Way Definitive Subdivision Plan* is dated November 8, 2019 and was prepared by Connorstone Engineering, Inc. of Northborough, MA. The plan shows the division of the 5.88 acre property into four residential lots, one lot with the existing house at 42 Highland Street, and three new house lots with frontage on a proposed 578' long permanent private roadway. The development will connect to Town water. The properties will include individual private septic systems. The property also includes wetlands under the jurisdiction of the Conservation Commission necessitating a Notice of Intent application and an application for Land Disturbance permit. The project may also be subject to the Town's *Scenic Road Rules and Regulations*.

The subdivision plan, application and associated documents are available for viewing and downloading at:
<https://www.townofmedway.org/planning-economic-development-board/pages/choate-trail-way-definitive-subdivision-plan>

Please review the definitive subdivision plan and provide any comments to me by Tuesday, December 10, 2019 so they can be distributed to the Board, included in the public hearing record, and shared with the applicant and project engineer.

I have extra sets of the subdivision plan in my office and would be glad to provide one to you to assist in your review.

The Board's consulting engineer and consulting planner are reviewing the plan and will provide comments to the Board.

Thanks for your help and please let me know if you have any questions.

Susy

**Susan E. Affleck-Childs
Planning and Economic Development Coordinator
Town of Medway
155 Village Street
Medway, MA 02053
508-533-3291**

RECEIVED

RECEIVED
PLANNING

MEDWAY SCENIC ROAD WORK PERMIT APPLICATION – Part

Medway Planning and Economic Development Board
155 Village Street, Medway, MA 02053
508-533-3291

JAN - 3 2020

JAN - 3 2020

TOWN CLERK

This application for a Scenic Road Work Permit is made pursuant to the Planning Board's *Rules and Regulations for Review and Issuance of Scenic Road Work Permits* (adopted July 16, 2002). Please refer to the *Rules and Regulations* for specific definitions of all *italicized* words included in this application.

Date: 1/3/2020

1. Applicant/Location Information:
Location/Address on Scenic Road: 42 Highland Street
Name of Applicant: The Residences at Choate Trail LLC
Primary Contact: Robert Pace
Mailing Address: 11 Tanglewood Drive, Nashua, NH 03062
Telephone: 603-584-9990 Email address: rpace100@outlook.com

2. Describe the *repair, maintenance, paving or reconstruction* work you wish to do in the Town's *right-of-way* on the above noted Scenic Road: Work required to construct and pave a new subdivision roadway entrance.

3A. Is there a *stone wall(s)* in the Town's *right-of-way* of the Scenic Road where you propose to undertake some *repair, maintenance or reconstruction work*? **You must contact the Medway Department of Public Works at 45 Holliston Street (Medway Middle School - Door #9) to answer this question. A representative of the DPW must visit the site to answer Questions 3A and 3B and sign below. You may contact the DPW at 508-533-3275.**

YES - If YES, please answer 3B NO - If NO, skip 3B and go to 4A

[Signature]
Signature of Medway DPW Representative

01/03/20
Date

3B. If you answered YES to item 3A, does the proposed work to *repair, maintain, reconstruct or pave* in the Town's *right-of-way* of the Medway Scenic Road involve the *tearing down or destruction of a stone wall or any portion thereof*? YES NO

4A. Are there any *tree(s)* located within the Town's *right-of-way* of the Scenic Road? **You must contact Medway Tree Warden Steve Carew to visit the site and answer Questions 4A and 4B and sign below. You may reach him at 508-533-3275.**

YES - If YES, please answer 4B NO - If NO, skip 4B and go to 5

[Signature]
Signature of Medway Tree Warden

01/03/2020
Date

4B. If you answered YES to item 4A, does the proposed work to *repair, maintain, reconstruct or pave* in the Town's *right-of-way* of the Medway Scenic Road involve the *cutting or removal of a tree(s)*?

YES NO

5A. If item 3B OR 4B was answered YES, a Scenic Road public hearing and Work Permit are required. You must complete the remainder of this application and submit to the Planning and Economic Development office at Medway Town Hall, 155 Village Street.

5B. If you answered NO to both questions 3B AND 4B, a Scenic Road public hearing and Work Permit are NOT required. You do NOT need to complete the rest of this application. Please sign below and file this application with the Medway Planning and Economic Development office. No further action is needed on your part.

[Signature]
Signature of Applicant

~~1/3/19~~
~~Date~~

MEDWAY SCENIC ROAD WORK PERMIT APPLICATION – Part 2

Medway Planning and Economic Development Board
155 Village Street, Medway, MA 02053
508-533-3291

If you answered YES to Question 3B or 4B, a Scenic Road Public Hearing and Work Permit are required. Please complete the rest of this application. Prepare the following items as attachments. Sign below and file this application with all required supplemental materials with the Medway Planning and Economic Development Board, 155 Village Street, Medway, MA 02053. Submit the original application and 2 copies of each item A – E noted below along with a pdf of all documents, plans and drawings.

X A) Written description and plans/drawings showing the location of the proposed disturbance area (where work is proposed involving the cutting or removal of trees or the tearing down or destruction of stone walls), the location of trees and stone walls, the boundaries of the Town's right-of-way, and your plan for reconstructing, modifying or adding a stone wall.

X B) Written statement explaining the purpose and need to cut or remove tree(s) or tear down or destroy stone walls, or portions thereof.

X C) Written statement outlining alternatives, proposed compensatory actions (such as the planting of replacement trees or the reconstruction of stone walls) and mitigation measures (payment in lieu of new tree planting) to the proposed cutting or removal of tree(s) or the tearing down or destruction of stone walls.

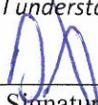
X D) Photographs of all stone walls and trees within and adjacent to the proposed disturbance area.

X E) Any other explanatory material that you believe may be useful to the Planning and Economic Development Board in evaluating your project.

X F) A list of abutters, certified by the Board of Assessors. (For purposes of Scenic Roads, abutters are defined as owners of land immediately adjacent to and directly opposite from the proposed disturbance area land on any public or private street or way.)

X G) Scenic Road Permit Application Fee - \$150.00 plus \$25 per tree to be removed if the project involves a tree(s) and \$150 if the project involves a stone wall(s); (Please make check payable to the Town of Medway.)

I hereby submit this application for a Scenic Road Work Permit to the Medway Planning and Economic Development Board. I acknowledge that I have read the Rules and Regulations for Review and Issuance of Scenic Road Work Permits (adopted July 16, 2002). I understand that, in addition to the Scenic Road Work Permit Application Fee, I am responsible for the additional expense of advertising the public hearing as specified in the Rules and Regulations. If my project involves a stone wall, I will post notice of the public hearing at least seven (7) days before by temporarily affixing a ribbon or other flagging material to the stone wall such that it is visible from the road. If my project involves a tree(s), I understand the Tree Warden will post a notice directly on the tree(s) at least seven (7) days before the public hearing. I will abide by the decision of the Medway Planning and Economic Development Board regarding restoration and/or compensatory measures as described in the Rules and Regulations. I understand that I may be fined if I violate these Rules and Regulations.



Signature of Applicant

1/3/20

Date

Updated - December 17, 2019

Scenic Road Narrative

Existing Conditions

The existing site consists of a 5.88 acre parcel at 42 Highland Street and is shown on Assessor's map 37 as parcels 64 and 67. The lot is currently developed with a single family house close to Highland Street with the rear areas being wooded.

Highland Street is listed as a scenic road under the Bylaws. The existing site frontage along Highland Street includes a low stone wall and mixed trees of various sizes. There are three (3) existing cuts in the stone wall for the existing driveway, walkway, and cart path.

Proposed Conditions

The proposed project provides for a four lot residential subdivision. This includes construction of a 578 foot long cul-de-sac roadway to provide the required access and lot frontage. Work within the Highland Street right of way includes the construction of the roadway entrance/intersection for the new roadway with Highland Street. This will require the removal of seven (7) trees within the right of way removal of 55 feet of stone wall.

The trees to be removed include:

- 12" dead tree
- 5" Maple
- 5" Maple
- 26" Oak
- 7" Maple
- 9" Maple
- 14" Hickory

The alternatives for the road location are limited to the proposed location due to the existing on-site wetlands. In order to avoid the wetlands the road must be placed along the south property line. The proposed mitigation measures include re-use of all stones removed from the existing walls to create stone walls at either side of the proposed roadway entrance. Mitigation for the tree removal would be discussed with the Board, but could include payment in lieu of on-site planting.

Photos of the subject area have been attached.



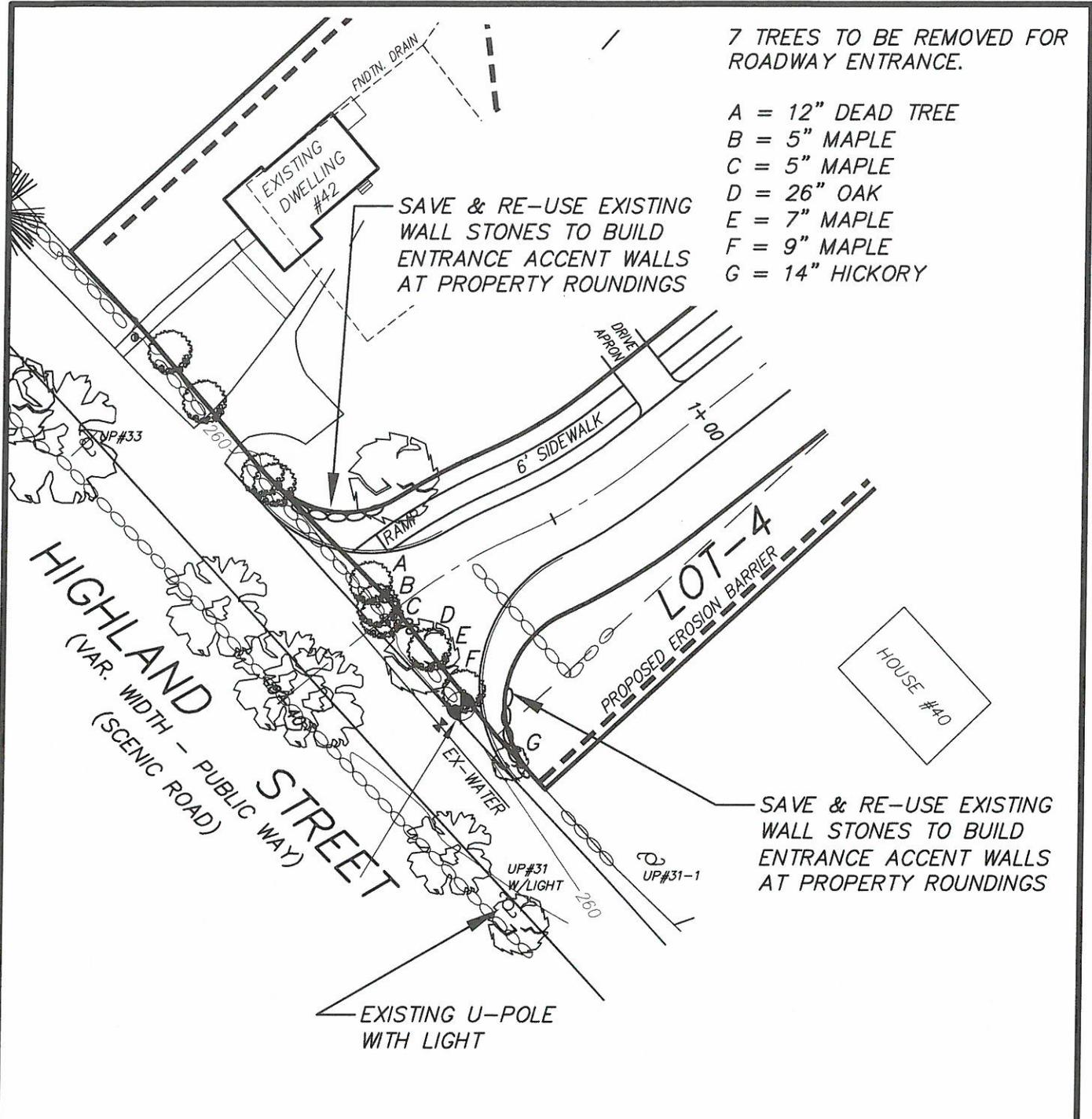
Photo 1: Existing Stone Wall



Photo 2: Existing Condition at Road Entrance



Photo 3: Existing Condition to left of Road Entrance (trees and wall shown to remain).



7 TREES TO BE REMOVED FOR ROADWAY ENTRANCE.

- A = 12" DEAD TREE
- B = 5" MAPLE
- C = 5" MAPLE
- D = 26" OAK
- E = 7" MAPLE
- F = 9" MAPLE
- G = 14" HICKORY

SAVE & RE-USE EXISTING WALL STONES TO BUILD ENTRANCE ACCENT WALLS AT PROPERTY ROUNDINGS

SAVE & RE-USE EXISTING WALL STONES TO BUILD ENTRANCE ACCENT WALLS AT PROPERTY ROUNDINGS

SCENIC ROAD INTERSECTION PLAN

CHOATE TRAIL WAY

IN

MEDWAY, MASS.

CONNORSTONE
ENGINEERING INC.

SCALE: 1"=40'



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

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

January 7, 2020

SCENIC ROAD PUBLIC HEARING
Choate Trail Way Subdivision – 42 and 42R Highland Street

In accordance with the provisions of Massachusetts General Law, Chapter 40, Section 15C (*the Scenic Roads Act*) and Chapter 87, Section 3 (*the Public Shade Tree Act*), and the Town of Medway Planning Board *Rules and Regulations for the Review and Issuance of Scenic Road Work Permits*, notice is hereby given that the Medway Tree Warden and the Planning and Economic Development Board will conduct a public hearing on Tuesday, January 28, 2020 at 7:05 p.m. in the Sanford Room of Town Hall, 155 Village Street, Medway, MA to consider the application of The Residences at Choate Trail LLC of Nashua, NH for a Scenic Road Work Permit.

The planned construction work in the Town's right-of way at 42 and 42R Highland Street, a designated Medway Scenic Road, pertains to the proposed development of a 4 lot, private way, residential subdivision. The construction work in the right-of way includes removing seven trees and approximately 55 linear feet of stone walls to construct the roadway and entrance to the subdivision.

The application materials are on file with the Planning and Economic Development office and at the Town Clerk's office at Medway Town Hall, 155 Village Street and may be inspected during normal business hours. The information is also posted at the Board's web page at: <https://www.townofmedway.org/planning-economic-development-board/pages/current-applications-pedb-0>.

Interested persons or parties may attend the public hearing and express their views at the designated time and place. Written comments are encouraged.

This notice shall be posted on the seven affected trees and at the fieldstone wall locations at least seven (7) days before the public hearing.

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

Andy Rodenhiser
Planning and Economic Development Board Chairman

To be published in the *Milford Daily News*
Tuesday, January 14, 2020 and Monday, January 20, 2020

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



CONNORSTONE ENGINEERING, INC.

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

Medway Planning & Economic Development Board
Town of Medway
155 Village Street
Medway, MA 02053

January 14, 2020

**Re: 42 Highland Street (Choate Trail Way)
Definitive Subdivision Review**

Dear Ms. Affleck-Childs:

On behalf of the applicant please find the enclosed plans related to the definitive subdivision application for Choate Trail Way. The plans have been revised based upon review comments provided by Tetra Tech (12/10/2019), PGC Associates (12/4/2019), and emailed comments from the Fire Department. Specific responses to each on the comments are provided below.

PGC Associated, LLC Review Comments – 12/4/2019 Letter

1. The proposed lots comply with zoning for area, frontage and lot shape factor. The lots also appear to meet the 50% upland requirement, but a calculation should be done for Lot 1 to document this.

Response: The upland area calculation has been added to the land plans for Lots 1 and 2.

2. The intersection with Highland Street is offset more than 150 feet from the Highland Street intersection with Summer Street.

Response: None Required

3. Section 5.7.6 requires the Existing Conditions sheet to locate trees with a diameter greater than 12 inches. This was not done.

Response: The Existing Conditions Plan has been updated to include all trees on-site greater than 12 inches in diameter.

4. Section 5.7.15 requires easements on the subject parcel and abutting land as well as their purpose. A 20' wide right-of-way is shown on three abutting lots, but the purpose is not clear.

Response: The purpose of right of way on the abutting property is not clear at this time. Additional information may be provided at the meeting as research is performed.

5. Section 7.9.6 (c) requires that subdivisions provide an extension to abutting undeveloped land. The Town of Medway owns the abutting land so a roadway extension is not necessary but a pedestrian extension to provide access to Choate Park should be considered. No such pedestrian path is shown on the plan. Understanding that the road is to remain private, a private easement and connection to Choate Trail for the residents of the subdivision could still be desirable.

Response: As noted in the comment, the abutting land is owned by the Town and an extension would not be necessary. As discussed at the previous meeting, a private trail easement is not preferred by the applicant.

6. Section 5.7.16 requires waiver requests to be listed on the cover page. This was not done.

Response: A list of requested waivers has been added to the Cover Sheet.

7. Section 5.7.28 requires existing and proposed streetlight locations to be shown. This was not done. Section 7.21.1 requires streetlights at intersections and other places where the Traffic Safety Officer deems they are needed (end of cul-de-sac?). Section 7.21.7 encourages applicants to include individual post lights.

Response: The plans have been updated to include a street light at the intersection and individual post lights.

8. Section 5.11 requires subdivisions with frontage on scenic roads to comply with Scenic Road regulations. This appears to be the case, but a public hearing is required (which could be simultaneous with the subdivision hearing).

Response: The applicant has submitted a Scenic Road Application for alteration of stone walls and tree removal.

9. Section 7.13.3 requires sidewalks along the frontage of existing Town ways as well as within the subdivision. No sidewalk is proposed along the Highland Street frontage.

Response: The applicant has requested a waiver from the sidewalk requirement along Highland Street. There are currently no sidewalks along Highland Street to allow for a connection and there is limited space in the right of way.

10. Section 7.22 notes the Board policy of maximizing opportunities for pedestrian connections and that the Board has the discretion to require easements across lots within the subdivision to connect the subdivision to nearby schools, playgrounds, parks or other areas (See Comment #5). Section 7.24.3 specifies that such easements shall be at least 20 feet wide.

Response: As discussed at the previous meeting, a private trail easement is not preferred by the applicant.

Tetra Tech Review Comments – 12/10/2019 Letter

1. The Applicant has not supplied a Development Impact Report. (Ch. 100 Section 5.5.11)

Response: The DIR was attached in the original application package.

2. The Applicant has not supplied the required ANRAD determination from the Medway Conservation Commission (Conservation). (Ch. 100 Section 5.5.14)

Response: The applicant has submitted a Notice of Intent and Stormwater Application with the Conservation Commission to review the project

CONNORSTONE ENGINEERING, INC.

3. A Certified List of Abutters within seven hundred feet (700') of the boundaries of the land shown in the subdivision has not been provided. (Ch. 100 Section 5.7.5)

Response: The required Certified List of Abutters was included with the application. Section 5.7.5 required showing abutters as listed on Form E, which is specifically defined as abutters within 300 feet, and then all other land within 700 feet. This information is shown on the project locus map.

4. Applicant has not provided zoning district information that falls within the locus of the plan. Zoning districts AR-I and AR-II are present along Highland Street, please add zoning districts if visible within the locus limit. (Ch. 100 Section 5.7.13)

Response: The zoning district boundary is located to the south of Highland Street, and has been added to the locus map.

5. The Applicant has not provided a cover sheet for the project with the required waiver requests shown. (Ch. 100 Section 5.7.16)

Response: The requested list of waivers has been added to the cover sheet.

6. The Board signature block shall be titled "Planning and Economic Development Board". (Ch. 100 Section 5.7.18)

Response: The signature block has been updated as noted.

7. Provisions for street lighting have not been proposed. (Ch. 100 Section 5.7.28)

Response: The proposed street lighting has been added to the plans to include one light at the intersection and then individual post lights.

8. Proposed driveways have not been shown on the Plans. (Ch. 100 Section 5.7.30)

Response: The proposed driveways and aprons have been provided on the plans.

9. The project will meet the threshold of the Town of Medway Article XXVI - Stormwater Management and Land Disturbance Bylaw and will be required to address items listed in the Subdivision Regulations under the Bylaw. (Ch. 100 Section 7.3.1)

Response: A Stormwater Application has been filed with the Conservation Commission.

10. The proposed water main is located under the landscaped island which is prohibited. (Ch. 100 Section 7.6.2)

Response: The water main has been updated to route around the island.

11. Notes shall be added to the Plans which ensure that no dwelling units can be constructed without first coordinating with the Medway Board of Health for the proposed septic systems. (Ch. 100 Section 7.6.2.e)

Response: A note had been provided on sheet 3, and an additional note has been added on sheet 2.

12. Utility poles are located on the opposite side of Highland Street and will require trenching and installation of the crossing of Highland Street below grade. The Plans shall specifically note that all electric/tel/data shall be installed underground including connections to existing utility poles. (Ch. 100 Section 7.6.2.g)

Response: The initial feedback from the utility company would be to locate a pole on the locus property and then once on-site drop to underground service.

13. The Applicant has not proposed a spare conduit for the proposed electric/tel/data installation. (Ch. 100 Section 7.6.2.h)

Response: A spare conduit has been added on the typical cross section.

14. The proposed project is creating four lots, the Regulations state a maximum of three lots shall be permitted for permanent private ways. (Ch. 100 Section 7.9.1.e)

Response: The project had been designed in accordance with the Neighborhood Street Standards, which allows up to five (5) lots.

15. The Applicant has not supplied curb radii at roadway intersection with Highland Street. (Ch. 100 Section 7.9.2.d)

Response: The proposed curb radii has been labeled at the intersection.

16. A level slope area is required for the first 100-feet of roadway. The proposed roadway changes grade within the first 100-feet. (Ch. 100 Section 7.9.5.c)

Response: A waiver has been requested to allow a vertical curve within the leveling area. This curve transitions from a -2% slope to a +2% slope so the maximum grade will never be over 2%. This curve is required to minimize earthwork, land disturbance, and fill requirements.

17. The Applicant has not provided curb along the entire length of the roadway. Curb is shown in the plan view at the radii along the roadway alignment but does not appear to be included in the tangent sections. (Ch. 100 Section 7.10.2)

Response: Sloped granite curbing was proposed throughout the subdivision except at the intersection with Highland Street and cul-de-sac entrance roundings. Additional notes have been added for clarify.

18. The driveway apron for Lot 4 is proposed within 14 feet of a catch basin. (Ch. 100 Section 7.11.2)

Response: The driveway apron has been adjusted to provide the required 14 feet.

19. Proposed sidewalk ends at the intersection of Highland Street and does not extend across the frontage of Lot 1 and Lot 4. (Ch. 100 Section 7.13.3)

Response: A waiver has been requested from this requirement.

20. The Applicant has not proposed street lighting and should coordinate with Medway Public Safety Officer to determine if they are required. (Ch. 100 Section 7.21)

Response: Street lighting has been provided through a light at the intersection and individual post lights.

21. The applicant is proposing a dead-end water line at the end of the cul-de-sac. Applicant or design engineer should coordinate with Medway Department of Public Services to show that enough flow will exist to maintain water quality and adequate fire protection at the dead-end hydrant.

Response: The DPW has been contacted and plans provided. Feedback or comment have not been received, but any input provided by DPW would be incorporated into the plans.

22. The Applicant shall confirm with Medway DPW if proposed tapping sleeve is an acceptable connection to the existing water main in Highland Street. In past projects a valve tree has been required at all new connections.

Response: The DPW has been contacted and plans provided. Feedback or comment have not been received, but any input provided by DPW would be incorporated into the plans.

23. The Applicant shall coordinate with the Medway Public Safety Officer to determine if a painted "STOP" and stop line are required to be proposed.

Response: A painted "STOP" and stop line has been added to the plans.

24. Sheet 4 of the Plans shows 4 dashed polygons within the proposed roadway that do not have any description. If the polygons are proposed inlet protection, please relocate to show the polygons over the proposed catch basins.

Response: The inlet protection symbols have been adjusted.

Should you have any questions please contact our office at 508-393-9727.

Sincerely,
Connorstone Engineering, Inc.



Vito Colonna, PE

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

Project Name:	Choate Trail Way
Property Location:	42 Highland Street
Type of Project/Permit:	Definitive Subdivision
Identify the number and title of the relevant Section of the Subdivision Plan Rules and Regulations from which a waiver is sought.	Section 7.9.5(c) Streets and Roadway - 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?	Waiver from the "Fixed Slope" requirement within the first 100 feet.
What do you propose instead?	Allow a vertical curve from a 2% down to 2% up roadway grade.
Explain/justify the waiver request. Why is the waiver needed? Describe the extenuating circumstances that necessitate the waiver request.	The request would maintain a maximum slope of 2% in the first 100 feet, but would include a vertical curve to transition the grade up and down to better match the existing topography and reduce earthwork.
What is the estimated value/cost savings to the applicant if the waiver is granted?	If a +2% fixed slope were held the road would be 2 feet taller at the entrance with a cost of approximately \$14,000.
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?	The waiver would reduce the overall earthwork, reduce the required land disturbance, and better match the existing topography. Strict compliance would increase the height of the roadway well above the surrounding area.
What is the impact on the development if this waiver is denied?	Strict compliance would not provide any greater vehicular safety. The proposed plan maintains a slope at, or below, 2% over the entire road.
What are the design alternatives to granting this waiver?	Increasing the height of the road to provide a "fixed slope."
Why is granting this waiver in the Town's best interest?	To better match the existing topography of the site and surrounding area.
If this waiver is granted, what is the estimated cost savings and/or cost avoidance to the Town?	The waiver would be cost neutral to the Town.
What mitigation measures do you propose to offset not complying with this particular Rule/Regulation?	Maintaining a maximum 2% leveling area, but just including a vertical curve.
What is the estimated value of the proposed mitigation measures?	n/a
Other Information?	
Waiver Request Prepared By:	Connorstone Engineering, Inc.
Date:	1/13/2020
Questions?? - Please contact the Medway PED office at 508-533-3291.	
<i>Updated 10-23-18</i>	

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

Complete 1 form for each waiver request

Project Name:	Choate Trail Way
Property Location:	42 Highland Street
Type of Project/Permit:	Definitive Subdivision
Identify the number and title of the relevant Section of the Subdivision Plan Rules and Regulations from which a waiver is sought.	Section 7.13.3 Sidewalks
Summarize the text of the relevant Section of the Rules and Regulations from which a waiver is requested.	Sidewalks shall be provided along the entire frontage of the subdivision parcel along existing Town ways (Highland Street).
What aspect of the Regulation do you propose be waived?	Waiver the requirement of installing 140 linear feet of sidewalk along Highland Street
What do you propose instead?	Contribution to the Town sidewalk fund
Explain/justify the waiver request. Why is the waiver needed? Describe the extenuating circumstances that necessitate the waiver request.	Highland Street does not currently contain sidewalks to allow a connection point. The right of way is also narrow and would require scenic road tree and wall removal. The equivalent funding could be used more effectively in other locations in town.
What is the estimated value/cost savings to the applicant if the waiver is granted?	140 linear feet of sidewalk, to be evaluated by the Town's consultant.
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?	The waiver would reduce clearing of scenic road trees and walls to keep the rural character of the roadway.
What is the impact on the development if this waiver is denied?	None, strict compliance would not provide any greater pedestrian circulation.
What are the design alternatives to granting this waiver?	Contribution to the sidewalk fund.
Why is granting this waiver in the Town's best interest?	To preserve the scenic road features and allow sidewalk improvements where needed elsewhere in Town.
If this waiver is granted, what is the estimated cost savings and/or cost avoidance to the Town?	The waiver would be cost neutral as an equivalent contribution would be provided.
What mitigation measures do you propose to offset not complying with this particular Rule/Regulation?	Equivalent contribution to the sidewalk fund.
What is the estimated value of the proposed mitigation measures?	To be determined by the Town's consultant.
Other Information?	
Waiver Request Prepared By:	Connorstone Engineering, Inc.
Date:	1/13/2020
Questions?? - Please contact the Medway PED office at 508-533-3291.	
<small>Updated 10-23-18</small>	

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

DATE: _____

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

ABUTTERS LIST:

Parcel ID: 37-064 LOCK IT UP LLC 56 CENTRAL AVE UNIT 1 NEWTON, MA 02460	Parcel ID: 37-064-0001 MEDWAY TOWN OF MUNICIPAL 155 VILLAGE ST. MEDWAY, MA 02053	Parcel ID: 37-065 BANNON LYNDIA MADGE JOHANNA 38 HIGHLAND ST. MEDWAY, MA 02053
Parcel ID: 37-066 JORDAN TRST JOSEPH E JORDAN TRST AMY L 40 HIGHLAND ST. MEDWAY, MA 02053	Parcel ID: 37-067 LOCK IT UP LLC 56 CENTRAL AVE UNIT 1 NEWTON, MA 02460	Parcel ID: 37-068 BABINEAU JR JAMES E BABINEAU MELISSA A 46 HIGHLAND ST. MEDWAY, MA 02053
Parcel ID: 37-069 HASSAN WILLIAM A. HASSAN SHEILA 50 HIGHLAND ST. MEDWAY, MA 02053	Parcel ID: 37-070 HAMM JOSEPH H & ALLYSON 48 HIGHLAND ST. MEDWAY, MA 02053	Parcel ID: 37-071 SEVEN R'S REALTY TRUST STEVEN & KERRI 165 VILLAGE ST. MEDWAY, MA 02053
Parcel ID: 37-073 BERARD COLETTE M TR BERARD NICOLE S TR 45 HIGHLAND STREET MEDWAY, MA 02053	Parcel ID: 38-011 MEDWAY TOWN OF CONSERVATION 155 VILLAGE ST. MEDWAY, MA 02053	Parcel ID: 38-012 COTE ERIC H. COTE ANDREA L. 36 HIGHLAND ST. MEDWAY, MA 02053
Parcel ID: 38-013 MEDWAY TOWN OF MUNICIPAL 155 VILLAGE ST. MEDWAY, MA 02053	Parcel ID: 46-021 NARCISSE JEAN BERNARD 64 SUMMER ST MEDWAY, MA 02053	Parcel ID: 46-022 MCMULLIN DANIEL B MCMULLIN STEPHANIE P O BOX 197 MEDWAY, MA 02053
Parcel ID: 46-023 DAVIS JR FRANCIS B C/O MARY FREEMAN 77 KERRY DRIVE SPRINGFIELD, MA 01118	Parcel ID: 46-040 NICKERSON DENNIS A NICKERSON SUSAN I 62 SUMMER ST. MEDWAY, MA 02053	Parcel ID: 37-033 SISTRAND JR. DAVID E SISTRAND RENEE 67-R SUMMER ST. MEDWAY, MA 02053
Parcel ID: 37-034 TENANT CHERYL ANN 67 SUMMER ST. MEDWAY, MA 02053	Parcel ID: 37-035 MARSHALL WAYNE E MARSHALL SHEILA A 65 SUMMER ST. MEDWAY, MA 02053	Parcel ID: 37-036 LINDSEY LINDA A. 68 SUMMER ST. MEDWAY, MA 02053

WAIVER LIST:

- SECTION 7.13.3 WAIVER FROM THE REQUIREMENT OF PROVIDING A SIDEWALK ALONG THE FRONTAGE WITH HIGHLAND STREET.
- SECTION 7.9.5.6 WAIVER TO ALLOW A VERTICAL CURVE WITH THE 200' LEVELING AREA.

I HEREBY CERTIFY THAT THIS PLAN
WAS PREPARED IN CONFORMANCE WITH
THE RULES AND REGULATIONS OF THE
REGISTERS OF DEEDS.
[Signature] 1/13/20
VAROUJAN H. HAGOPIAN, P.L.S. 49665



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



- GENERAL NOTES:**
- OWNERS OF ADJOINING PROPERTIES ARE SHOWN ACCORDING TO CURRENT TOWN OF MEDWAY ASSESSORS RECORDS.
 - THIS PLAN IS BASED ON AN ON-THE-GROUND SURVEY BY CONNORSTONE ENGINEERING INC. PERFORMED IN MARCH 2018.
 - LEGAL STATUS OF EASEMENTS AND WAYS, NOT DETERMINED BY THIS SURVEY.
 - WETLANDS SHOWN HEREON WERE FLAGGED BY THREE OAKS ENVIRONMENTAL WETLAND CONSULTING AND LOCATED ON-THE-GROUND BY CONNORSTONE ENGINEERING INC.

- SITE CONSTRUCTION NOTE:**
- ALL IMPROVEMENTS SHALL BE CONSTRUCTED IN ACCORDANCE WITH MASS HIGHWAY HANDICAP REQUIREMENTS AND THE CURRENT ADA/AB REQUIREMENTS IN EFFECT AT THE TIME OF CONSTRUCTION.

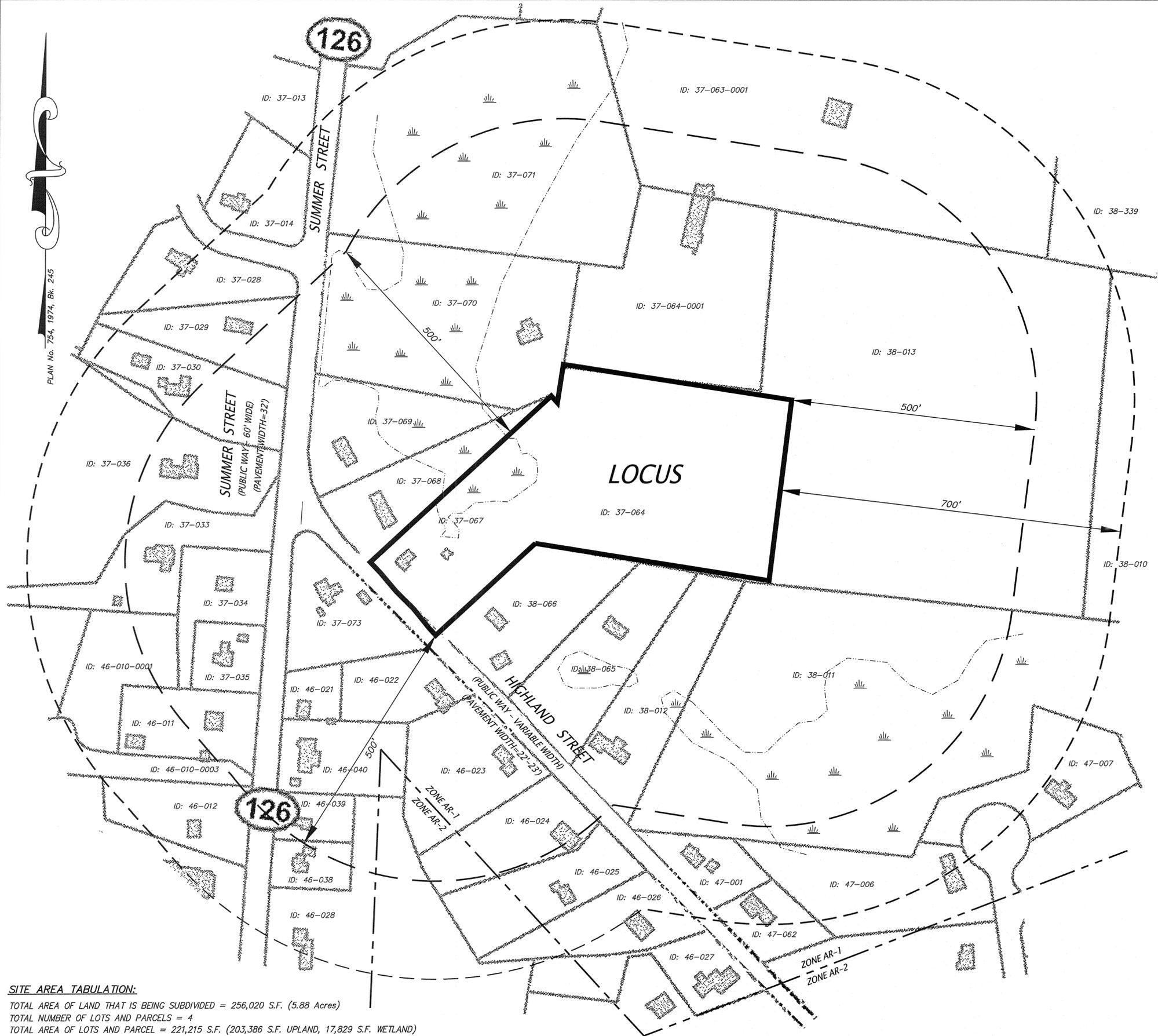
ZONED: AR-1
AREA = 44,000 sf
FRONTAGE = 180 feet
SETBACKS: FRONT = 35 feet
SIDE = 15 feet
REAR = 15 feet

ASSESSOR MAP 37, LOT 67
OWNER / APPLICANT:
THE RESIDENCES AT CHOATE TRAIL, LLC
17 GOLDFINCH LANE
NASHUA, NH 03062

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

**DEFINITIVE SUBDIVISION PLAN
COVER SHEET
CHOATE TRAIL WAY
IN
MEDWAY, MASS.**

1/13/2020	REVIEW COMMENTS
1/3/2020	REVIEW COMMENTS
REVISED:	DESCRIPTION:
DRAWN BY: REM	CHECK BY: VC
DATE: NOVEMBER 8, 2019	
SCALE: AS SHOWN SHEET 1 OF 2	

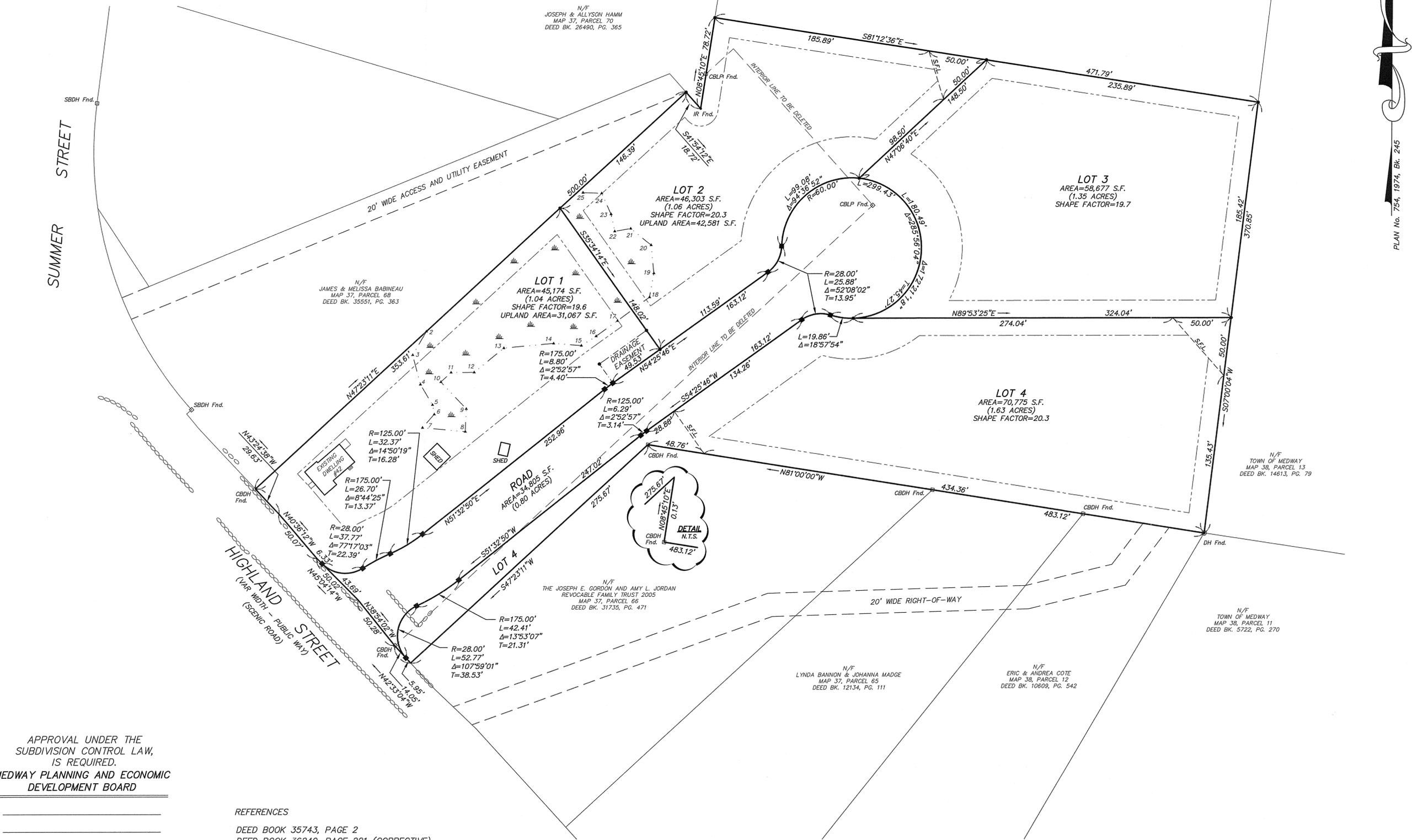


SITE AREA TABULATION:
TOTAL AREA OF LAND THAT IS BEING SUBDIVIDED = 256,020 S.F. (5.88 Acres)
TOTAL NUMBER OF LOTS AND PARCELS = 4
TOTAL AREA OF LOTS AND PARCEL = 221,215 S.F. (203,386 S.F. UPLAND, 17,829 S.F. WETLAND)
TOTAL AREA DEDICATED FOR STREET PURPOSES = 34,805 S.F.
TOTAL AREA NOT INCLUDED FOR STREETS, LOTS OR PARCELS
DEDICATED FOR DRAINAGE, SEWER, OR UTILITY EASEMENTS = 0 S.F.
TOTAL AREA RESERVED FOR OPEN SPACE, PARKS, SCHOOLS AND OTHER PUBLIC USE = 0 S.F.
SUMMARY: 221,215 S.F. + 34,805 S.F. + 0 + 0 = 256,020 S.F.

PLAN No. 754, 1974, BK. 245

MONUMENTS

- SBDH Fnd. STONE BOUND W. DRILL HOLE FOUND
- CBDH Fnd. CONCRETE BOUND W DRILL HOLE FOUND
- IP Fnd. IRON PIPE FOUND
- IR Fnd. IRON ROD FOUND
- CONCRETE BOUND TO BE SET
- IRON ROD/CAP TO BE SET



- GENERAL NOTES:**
- OWNERS OF ADJOINING PROPERTIES ARE SHOWN ACCORDING TO CURRENT TOWN OF MEDWAY ASSESSORS RECORDS.
 - THIS PLAN IS BASED ON AN ON-THE-GROUND SURVEY BY CONNORSTONE ENGINEERING INC. PERFORMED IN MARCH 2018.
 - LEGAL STATUS OF EASEMENTS AND WAYS, NOT DETERMINED BY THIS SURVEY.
 - WETLANDS SHOWN HEREON WERE FLAGGED BY THREE OAKS ENVIRONMENTAL WETLAND CONSULTING AND LOCATED ON-THE-GROUND BY CONNORSTONE ENGINEERING INC.

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

ASSESSOR MAP 37, LOT 67
 OWNER / APPLICANT:
 THE RESIDENCES AT CHOATE TRAIL, LLC
 17 GOLDFINCH LANE
 NASHUA, NH 03062

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

DEFINITIVE SUBDIVISION PLAN
LAND PLAN
CHOATE TRAIL WAY
IN
MEDWAY, MASS.

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

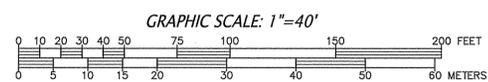
DATE: _____
 THIS PLAN IS SUBJECT TO A COVENANT TO BE RECORDED HEREWITH.

- REFERENCES**
- DEED BOOK 35743, PAGE 2
 - DEED BOOK 36240, PAGE 221 (CORRECTIVE)
 - PLAN NUMBER 754 OF 1974, PLAN BOOK 245
 - PLAN NUMBER 715 OF 1976, PLAN BOOK 257
 - PLAN NUMBER 246 OF 1995, PLAN BOOK 429
 - PLAN NUMBER 248 OF 1980, PLAN BOOK 280
 - PLAN NUMBER 841 OF 1995, PLAN BOOK 435
 - PLAN NUMBER 842 OF 1995, PLAN BOOK 435
 - NORFOLK COUNTY REGISTRY OF DEEDS

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED IN CONFORMANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS.
 VAROUJAN H. HAGOPIAN, P.L.S. 49665



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



1/13/2020	REVIEW COMMENTS
1/3/2020	REVIEW COMMENTS
REVISED:	DESCRIPTION:
DRAWN BY: REM	CHECK BY: VC
DATE: NOVEMBER 8, 2019	
SCALE: 1"=40'	SHEET 2 OF 2.

LEGEND

- DRAIN MAN HOLE
- DRAINAGE LINE
- CATCH BASIN
- SEWER LINE
- SEWER MAN HOLE
- BITUMINOUS CURBING
- EDGE OF PAVEMENT
- GUARD RAIL
- APPROX. WATERLINE
- HYDRANT
- WATERGATE
- APPROX. GAS LINE
- GAS GATE
- UTILITY POLE & GUY WIRE
- CHAIN LINK FENCE
- LIGHTPOST
- HANDICAP SPACE
- ELECTRIC TRANSFORMER
- SIGN
- VERTICAL BENCHMARK
- TREELINE
- SPOT GRADE
- WETLAND LINE
- TELEPHONE MAN HOLE
- MAPLE TREE >12"
- PINE TREE >12"
- OAK TREE >12"
- DECIDUOUS TREE >12"

MONUMENTS

- SBDH Fnd. STONE BOUND W. DRILL HOLE FOUND
- CBDH Fnd. CONCRETE BOUND W DRILL HOLE FOUND
- IP Fnd. IRON PIPE FOUND
- IR Fnd. IRON ROD FOUND

ROAD

D-1 (11/7/19)	EL.=255.5	D-3 (11/7/19)	EL.=256.0
0-5" Ap	SANDY LOAM 10193/2	0-10" Ap	SANDY LOAM 10193/2
8-20" Bw	LOAMY SAND 10195/8	10-20" Bw	LOAMY SAND 10195/8
28-62" C1	LOAMY SAND 2.515/4	28-62" C1	LOAMY SAND 2.515/4
NOTES AT 35" REFUSAL AT 62"		NOTES AT 42"	

D-2 (11/7/19)	EL.=254.8	D-4 (11/7/19)	EL.=254.0
0-5" Ap	SANDY LOAM 10193/2	0-8" Ap	SANDY LOAM 10193/2
8-30" Bw	LOAMY SAND 10195/8	8-30" Bw	LOAMY SAND 10195/8
30-70" C1	LOAMY SAND 2.515/4	30-40" C1	LOAMY SAND 2.515/4
70-88" C2	SANDY LOAM 2.515/4	NOTES AT 10" WATER AT 64"	
NOTES AT 26" WATER AT 32"			

LOT 1

DNH-9 (7/8/19)	0-5" Ap	SANDY LOAM 10193/2
0-5" Ap	SANDY LOAM 10193/2	
8-20" Bw	LOAMY SAND 10195/8	
28-62" C1	LOAMY SAND 2.515/4	
NOTES AT 41" NO REFUSAL		

LOT 2

DNH-10 (7/8/19)	0-5" Ap	SANDY LOAM 10193/2
0-5" Ap	SANDY LOAM 10193/2	
8-20" Bw	LOAMY SAND 10195/8	
28-62" C1	LOAMY SAND 2.515/4	
NOTES AT 84" NO REFUSAL		

LOT 3

DNH-11 (7/8/19)	0-5" Ap	SANDY LOAM 10193/2
0-5" Ap	SANDY LOAM 10193/2	
8-20" Bw	LOAMY SAND 10195/8	
28-62" C1	LOAMY SAND 2.515/4	
NO NOTILES OR WATER REFUSAL AT 100"		

LOT 4

DNH-12 (7/8/19)	0-5" Ap	SANDY LOAM 10193/2
0-5" Ap	SANDY LOAM 10193/2	
8-20" Bw	LOAMY SAND 10195/8	
28-62" C1	LOAMY SAND 2.515/4	
NOTES AT 65" NO REFUSAL		

DNH-2 (7/8/19)	0-17" FILL	
17-35" Bw	LOAMY SAND 10195/8	
35-58" C1	LOAMY SAND 10196/4	
58-97" C2	SANDY LOAM 2.515/4	
NOTES AT 45" REFUSAL AT 97"		

DNH-13 (7/8/19)	0-5" Ap	SANDY LOAM 10193/2
0-5" Ap	SANDY LOAM 10193/2	
8-20" Bw	LOAMY SAND 10195/8	
24-83" C1	SANDY LOAM 2.515/4	
NOTES AT 84" NO REFUSAL		

DNH-14 (7/8/19)	0-6" Ap	SANDY LOAM 10193/2
0-6" Ap	SANDY LOAM 10193/2	
6-35" Bw	LOAMY SAND 10195/8	
35-105" C1	LOAMY SAND 2.515/4	
NO NOTILES OR WATER REFUSAL AT 105"		

DNH-5 (7/8/19)	0-5" Ap	SANDY LOAM 10193/2
0-5" Ap	SANDY LOAM 10193/2	
6-20" Bw	LOAMY SAND 10195/8	
20-113" C1	LOAMY SAND 2.515/4	
NOTES AT 65" NO REFUSAL		

DNH-3 (7/8/19)	0-9" FILL	
9-23" Bw	LOAMY SAND 10195/8	
23-92" C1	SANDY LOAM 2.515/4	
NOTES AT 45" REFUSAL AT 92"		

DNH-11 (7/8/19)	0-5" Ap	SANDY LOAM 10193/2
0-5" Ap	SANDY LOAM 10193/2	
6-24" Bw	LOAMY SAND 10195/8	
24-83" C1	SANDY LOAM 2.515/4	
NOTES AT 84" NO REFUSAL		

DNH-10 (7/8/19)	0-6" Ap	SANDY LOAM 10193/2
0-6" Ap	SANDY LOAM 10193/2	
6-35" Bw	LOAMY SAND 10195/8	
35-104" C1	SANDY LOAM 2.515/4	
NO NOTILES OR WATER REFUSAL AT 104"		

DNH-8 (7/8/19)	0-5" Ap	SANDY LOAM 10193/2
0-5" Ap	SANDY LOAM 10193/2	
6-20" Bw	LOAMY SAND 10195/8	
20-81" C1	FINE SAND 10197/1	
81-116" C2	LOAMY SAND 2.515/4	
NOTES AT 77" WATER AT 102" NO REFUSAL		

DNH-4 (7/8/19)	0-10" Ap	SANDY LOAM 10193/2
0-10" Ap	SANDY LOAM 10193/2	
10-20" Bw	LOAMY SAND 10195/8	
20-44" C1	LOAMY SAND 10196/4	
44-113" C2	SANDY LOAM 2.515/4	
NOTES AT 37" NO REFUSAL		

DNH-12 (7/8/19)	0-5" Ap	SANDY LOAM 10193/2
0-5" Ap	SANDY LOAM 10193/2	
5-31" Bw	LOAMY SAND 10195/8	
31-85" C1	SANDY LOAM 2.515/4	
NO NOTILES OR WATER REFUSAL AT 81"		

DNH-10 (7/8/19)	0-6" Ap	SANDY LOAM 10193/2
0-6" Ap	SANDY LOAM 10193/2	
6-27" Bw	LOAMY SAND 10195/8	
27-87" C1	LOAMY SAND 2.515/4	
NO NOTILES OR WATER REFUSAL AT 81"		

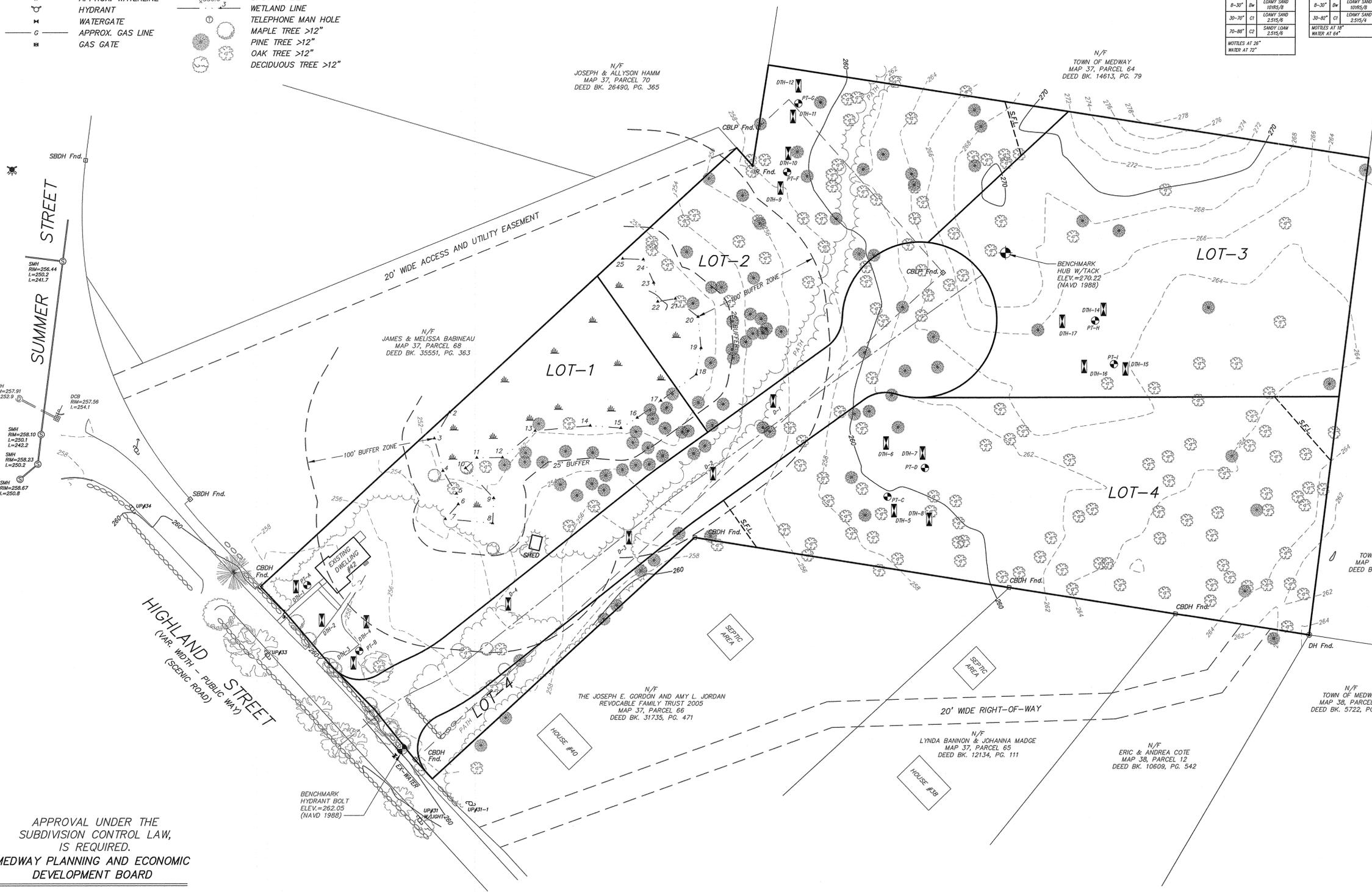
DNH-8 (7/8/19)	0-5" Ap	SANDY LOAM 10193/2
0-5" Ap	SANDY LOAM 10193/2	
5-26" Bw	LOAMY SAND 10195/8	
26-81" C1	FINE SAND 10197/1	
81-116" C2	LOAMY SAND 2.515/4	
NOTES AT 77" WATER AT 102" NO REFUSAL		

PT-A (7/8/19)	DEPTH 68"	6 MP
PT-B (7/8/19)	DEPTH 52"	4 MP

PT-F (7/8/19)	DEPTH 68"	6 MP
PT-G (7/8/19)	DEPTH 48"	6 MP

PT-H (7/8/19)	DEPTH 48"	4 MP
PT-I (7/8/19)	DEPTH 64"	2 MP

PT-C (7/8/19)	DEPTH 48"	2 MP
PT-D (7/8/19)	DEPTH 61"	5 MP



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

ASSESSOR MAP 37, LOT 67
 OWNER / APPLICANT:
 THE RESIDENCES AT CHOATE TRAIL, LLC
 17 GOLDFINCH LANE
 NASHUA, NH 03062

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

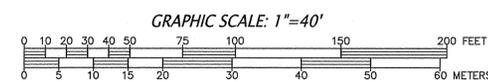
DEFINITIVE SUBDIVISION PLAN
 EXISTING CONDITIONS
 CHOATE TRAIL WAY
 IN
 MEDWAY, MASS.

1/13/2020	REVIEW COMMENTS
1/3/2020	REVIEW COMMENTS
REVISED:	DESCRIPTION:
DRAWN BY: REM	CHECK BY: VC
DATE: NOVEMBER 8, 2019	
SCALE: 1"=40'	SHEET 1 OF 7

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

DATE: _____
 THIS PLAN IS SUBJECT TO A COVENANT
 TO BE RECORDED HEREWITH.

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



PLAN No. 754, 1974, Bk. 245

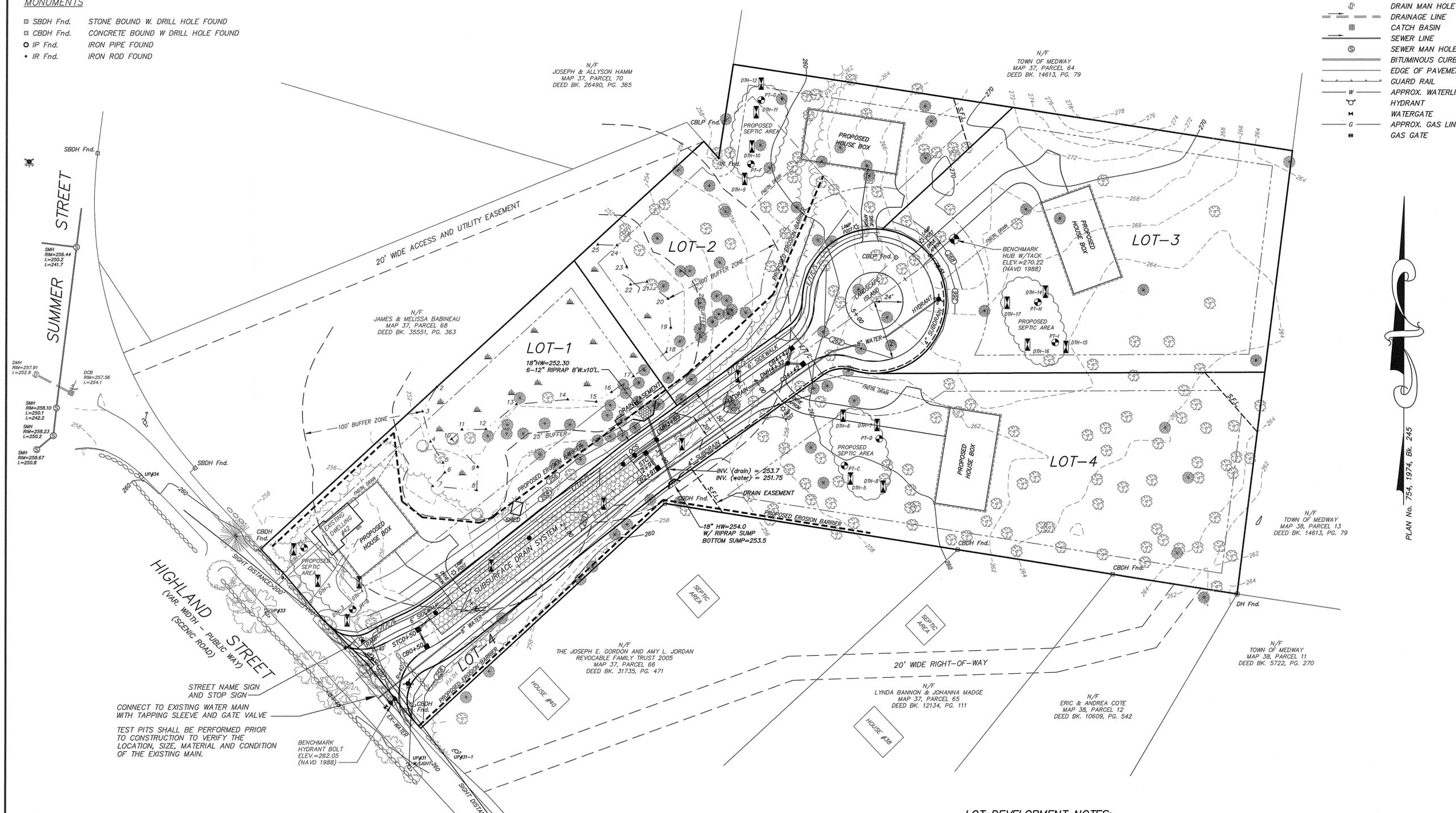


MONUMENTS

- SBDH Fnd. STONE BOUND W. DRILL HOLE FOUND
- ▣ CBDH Fnd. CONCRETE BOUND W DRILL HOLE FOUND
- IP Fnd. IRON PIPE FOUND
- IR Fnd. IRON ROD FOUND

LEGEND

- ⊕ DRAIN MAN HOLE
- DRAINAGE LINE
- ⊞ CATCH BASIN
- SEWER LINE
- ⊕ SEWER MAN HOLE
- BITUMINOUS CURBING
- EDGE OF PAVEMENT
- GUARD RAIL
- W APPROX. WATERLINE
- HYDRANT
- WATERGATE
- C APPROX. GAS LINE
- GAS GATE
- UTILITY POLE & GUY WIRE
- CHAIN LINK FENCE
- LIGHTPOST
- HANDICAP SPACE
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- SIGN
- VERTICAL BENCHMARK
- TREELINE
- SPOT GRADE
- WETLAND LINE
- TELEPHONE MAN HOLE
- MAPLE TREE >12"
- PINE TREE >12"
- DECIDUOUS TREE >12"



PLAN No. 754, 1974, Bk. 245



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

ASSESSOR MAP 37, LOT 67

OWNER / APPLICANT:
 THE RESIDENCES AT CHOATE TRAIL, LLC
 17 GOLDFINCH LANE
 NASHUA, NH 03062

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

**DEFINITIVE SUBDIVISION PLAN
 CONSTRUCTION PLAN
 CHOATE TRAIL WAY
 IN
 MEDWAY, MASS.**

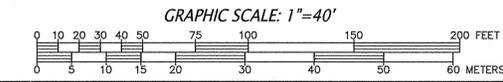
LOT DEVELOPMENT NOTES:

1. HYDRANTS ARE TO BE INSTALLED PRIOR TO BUILDING CONSTRUCTION.
2. ROADWAY TO BE PAVED AND MAINTAINED PRIOR TO BUILDING CONSTRUCTION.
3. EACH LOT SHALL BE PROVIDED WITH A POST LIGHT AT THE DRIVEWAY ENTRANCE.
4. EACH LOT SHALL PROVIDE ROOF DRAIN DRYWELLS (SEE DETAIL).
5. NO DWELLING UNITS CAN BE CONSTRUCTED WITHOUT FIRST COORDINATING WITH THE MEDWAY BOARD OF HEALTH FOR THE PROPOSED SEPTIC SYSTEMS.

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

DATE: _____
 THIS PLAN IS SUBJECT TO A COVENANT TO BE RECORDED HEREWITH.

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



LOT DEVELOPMENT NOTES:

- HYDRANTS ARE TO BE INSTALLED PRIOR TO BUILDING CONSTRUCTION.
- ROADWAY TO BE PAVED AND MAINTAINED PRIOR TO BUILDING CONSTRUCTION.
- EACH LOT SHALL BE PROVIDED WITH A POST LIGHT AT THE DRIVEWAY ENTRANCE.

APPROVED STREET TREES:
 SHADEMASTER, HONEY AND SKYLINE LOCUST
 SUGAR MAPLE
 WHITE, SCARLET, PIN AND NORTHERN RED OAK,
 BRADFORD AND ARISTOCRAT PEAR,
 LONDON PLANE TREE

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

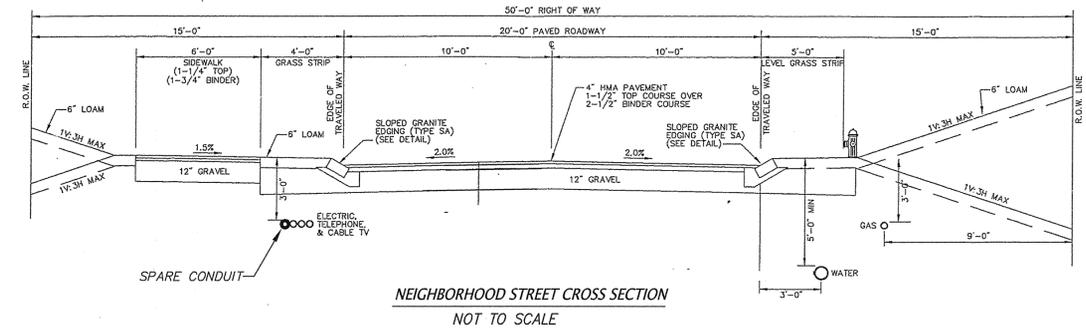
ROADWAY PLAN VIEW:
 1"=40' HORIZONTAL

SLOPED GRANITE CURBING
 THROUGHOUT EXCEPT AS
 NOTED AT ROUNDINGS

LOT 2

LOT 3

LOT 4



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

DATE: _____

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

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

ASSESSOR MAP 37, LOT 67

OWNER / APPLICANT:
 THE RESIDENCES AT CHOATE TRAIL, LLC
 17 GOLDFINCH LANE
 NASHUA, NH 03062

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

DEFINITIVE SUBDIVISION PLAN
 ROADWAY PLAN & PROFILE
 CHOATE TRAIL WAY
 IN
 MEDWAY, MASS.

1/13/2020	REVIEW COMMENTS
1/3/2020	REVIEW COMMENTS
REVISED:	DESCRIPTION:
DRAWN BY: REM	CHECK BY: VC
DATE: NOVEMBER 8, 2019	
SCALE: 1"=40'	SHEET 3 OF 7.

PLAN No. 754, 1974, Bk. 245

HIGHLAND STREET
 (VAR. WIDTH - PUBLIC WAY)
 (SCENIC ROAD)

PAINTED "STOP" & STOP LINE
 CONNECT TO EXISTING WATER MAIN
 WITH TAPPING SLEEVE AND GATE VALVE
 TEST PITS SHALL BE PERFORMED PRIOR
 TO CONSTRUCTION TO VERIFY THE
 LOCATION, SIZE, MATERIAL AND CONDITION
 OF THE EXISTING MAIN.

BENCHMARK
 HYDRANT BOLT
 ELEV.=262.05
 (NAVD 1988)

VERTICAL GRANITE CURB
 AT ENTRANCE ROUNDINGS R.=40'
 RELOCATE HYDRANT TO
 ROAD SHOULDER
 PROPOSED OVERHEAD
 LINES TO NEW POLE

PROPOSED STREET TREES
 (SEE NOTE ABOVE)

CONNECT TO EXISTING
 WATER MAIN WITH
 TAPPING SLEEVE AND
 GATE VALVE

CONSTRUCTION NOTES:

1. EXISTING UTILITY LINES SHOWN ON THIS DRAWING ARE FROM AVAILABLE INFORMATION AND ARE APPROXIMATE LOCATIONS. THE ENGINEER DOES NOT GUARANTEE THEIR ACCURACY OR THAT ALL UTILITIES AND SUBSURFACE STRUCTURES ARE SHOWN. THE CONTRACTOR SHALL VERIFY SIZE, LOCATION AND INVERT ELEVATIONS OF THE UTILITIES AND STRUCTURES, AS REQUIRED PRIOR TO THE START OF CONSTRUCTION. ANY DISCREPANCIES WITH RECORD DATA SHALL BE REPORTED TO THE ENGINEER IMMEDIATELY. THE CONTRACTOR SHALL CONTACT DIG SAFE: 1-800-344-7233 (72 HOURS BEFORE DIGGING), AND TOWN DPW FOR UTILITY LOCATIONS PRIOR TO EXCAVATION. TEST PITS SHALL BE UTILIZED FOR UTILITY CONNECTIONS.

2. ALL MATERIALS AND CONSTRUCTION PRACTICES SHALL BE IN CONFORMANCE WITH THE STANDARDS AND SPECIFICATIONS MEDWAY DEPARTMENT OF PUBLIC WORKS, OR THE LATEST EDITION OF THE MASSACHUSETTS HIGHWAY DEPARTMENT (MHD) CONSTRUCTION STANDARDS AND THE MHD "STANDARD SPECIFICATIONS FOR HIGHWAYS AND BRIDGES", WHICHEVER IS MORE STRINGENT.

3. THE LAYOUT AND INSTALLATION OF ELECTRIC, GAS, TELEPHONE AND CATV UTILITY CONNECTIONS AND SERVICES SHALL IN ACCORDANCE WITH THE REQUIREMENTS OF THE RESPECTIVE UTILITY.

4. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO COORDINATE HIS WORK WITH THE APPROPRIATE HIGHWAY & UTILITY DEPARTMENTS. CONTRACTOR SHALL MAINTAIN ALL EXISTING AND NEWLY INSTALLED UTILITIES IN GOOD WORKING ORDER AND SHALL PROTECT THEM FROM DAMAGE AT ALL TIMES UNTIL THE WORK IS COMPLETED AND ACCEPTED.

5. WORK WITHIN THE HIGHWAY LAYOUT, IF APPLICABLE, SHALL CONFORM TO THE CONDITIONS OF THE PERMIT ISSUED BY THE MASSACHUSETTS HIGHWAY DEPARTMENT AND/OR LOCAL AUTHORITY AS APPROPRIATE.

6. THE CONTRACTOR SHALL UTILIZE ALL MEASURES AND MATERIALS NECESSARY TO ENSURE THE SAFETY OF ALL PERSONS AND PROPERTIES AT THE SITE DURING CONSTRUCTION. ALL EXCAVATIONS SHALL CONFORM TO CURRENT OSHA STANDARDS.

7. ALL SIGN SIZES AND MATERIAL SHALL CONFORM TO THE "MANUAL ON UNIFORM TRAFFIC DEVICES" (MUTCD) AND THE OFFICE OF TRAFFIC OPERATIONS, FEDERAL HIGHWAY ADMINISTRATION, U.S. DEPARTMENT OF TRANSPORTATION.

8. ALL RAMPS, CURB CUTS, SIDEWALKS, AND ACCESSIBLE SPACES SHALL COMPLY WITH THE AMERICANS WITH DISABILITIES ACT REGULATIONS AND WITH ARCHITECTURAL ACCESS BOARD REGULATIONS (521 CMR 1-47).

9. ALL EXCAVATION AND EARTHWORK SHALL BE PERFORMED IN ACCORDANCE WITH THE LATEST EDITION OF THE MASSACHUSETTS HIGHWAY DEPARTMENT (MHD) STANDARD SPECIFICATIONS FOR HIGHWAYS AND BRIDGES, SECTIONS 120, 140, 150, AND 170.

WATER SYSTEM NOTES:

WATER MAINS, WITH HYDRANTS, VALVES AND OTHER FITTINGS, SHALL BE CONSTRUCTED AND INSTALLED WITHIN THE SUBDIVISION AS NECESSARY TO PROVIDE TO ALL LOTS THEREIN ADEQUATE WATER SUPPLY FOR DOMESTIC AND FIRE PROTECTION USE. WATER FACILITIES MUST CONFORM TO THE MEDWAY WATER RULES AND REGULATIONS, WHICH ARE UNDER THE JURISDICTION OF THE WATER AND SEWER DEPARTMENT. PROPER CONNECTIONS SHALL BE MADE WITH EXISTING PUBLIC WATER SYSTEMS. WATER LINES SHALL BE AT LEAST 8-INCH DIAMETER CEMENT-LINED DUCTILE IRON, CLASS 52 OR GREATER, OR AS CURRENTLY REQUIRED BY THE TOWN OF MEDWAY WATER AND SEWER DEPARTMENT AND SHALL BE FURNISHED WITH ADEQUATE VALVES AND APPURTENANCES TO THE SPECIFICATIONS OF THE TOWN OF MEDWAY WATER AND SEWER DEPARTMENT. MINIMUM FIVE FEET OF COVER SHALL BE PROVIDED OVER ALL PROPOSED WATER MAINS AND SERVICES. APPROPRIATE THRUST BLOCKING SHALL BE INSTALLED.

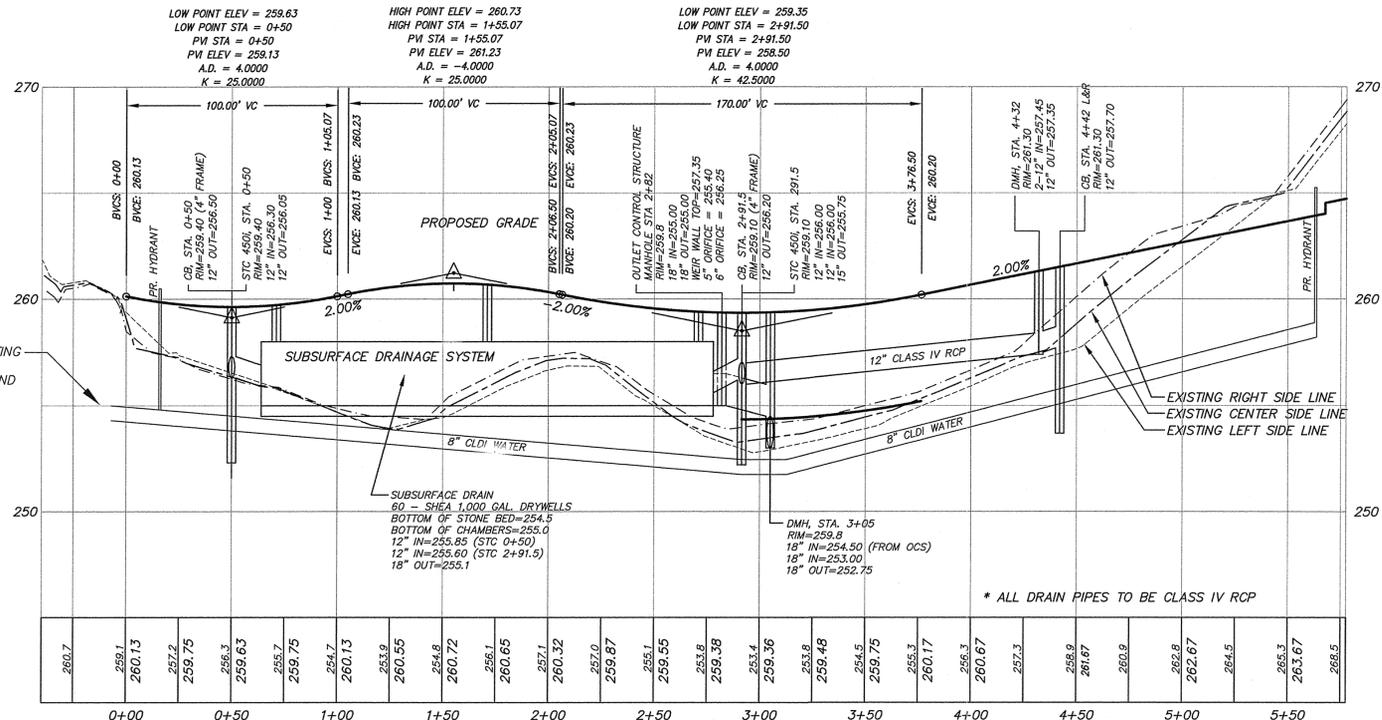
IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR, TO KEEP ACCURATE MEASUREMENTS / RECORDS OF THE WATER MAIN AND SERVICE INSTALLATION INCLUDING DEPTH, LOCATION, MATERIALS, ETC.

BOARD OF HEALTH NOTES:

NO DWELLING WILL BE CONSTRUCTED ON ANY LOT WITHOUT FIRST SECURING FROM THE BOARD OF HEALTH THE DISPOSAL WORKS CONSTRUCTION PERMIT REQUIRED BY TITLE 5 OF THE STATE ENVIRONMENTAL CODE

ADA / AAB REQUIREMENTS:

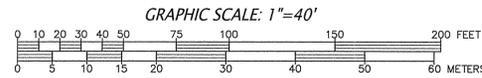
ALL IMPROVEMENTS, RAMPS, CURB CUTS, SIDEWALKS, AND DRIVEWAY CROSSINGS SHALL COMPLY WITH THE AMERICANS WITH DISABILITIES ACT REGULATIONS AND WITH ARCHITECTURAL ACCESS BOARD REGULATIONS (521 CMR 1-47) IN FORCE AND EFFECTIVE AT THE TIME OF CONSTRUCTION.



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

MONUMENTS

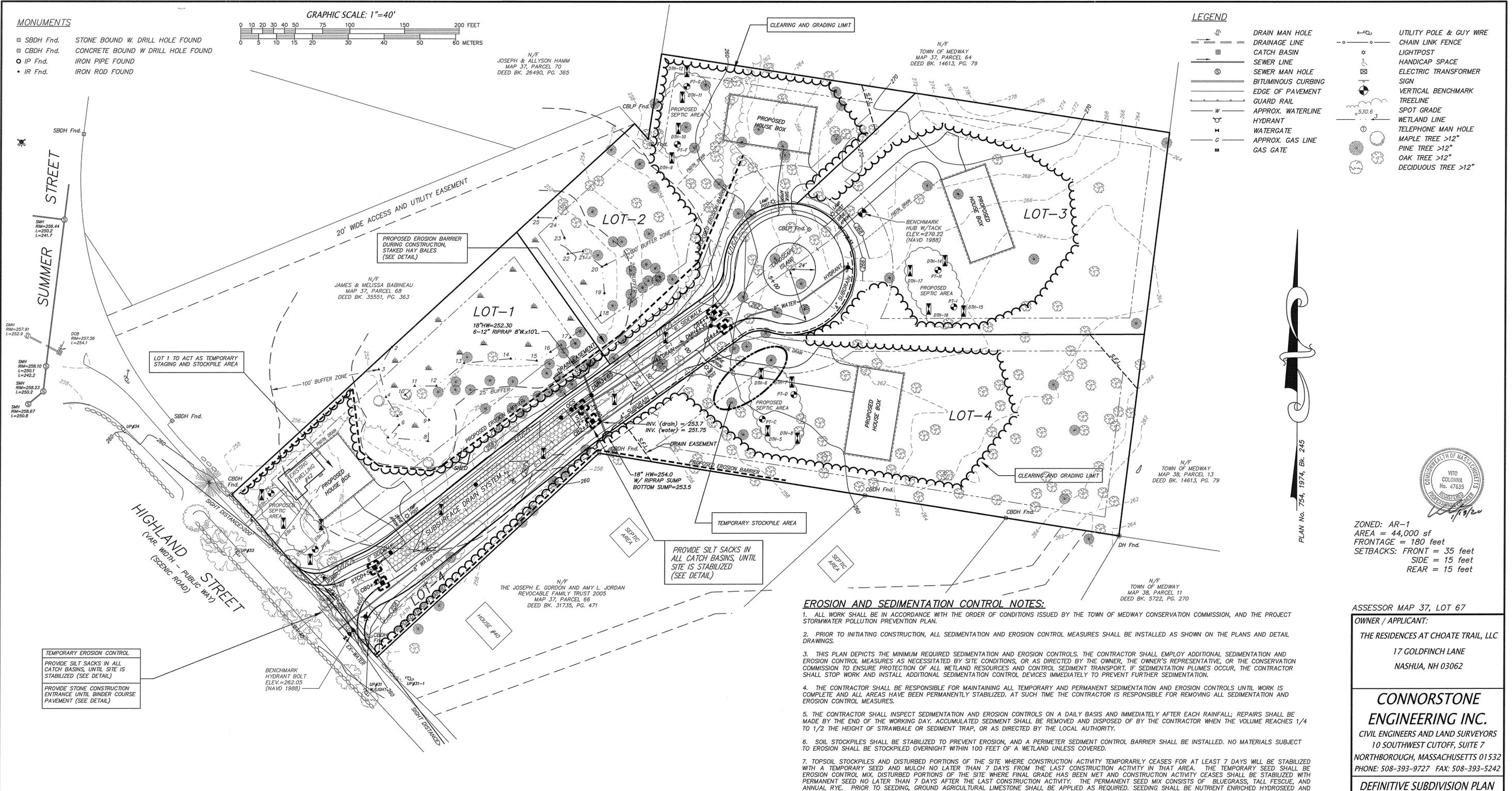
- SBDH Fnd. STONE BOUND W. DRILL HOLE FOUND
- CBDH Fnd. CONCRETE BOUND W DRILL HOLE FOUND
- IP Fnd. IRON PIPE FOUND
- IR Fnd. IRON ROD FOUND



N/F
JOSEPH & ALLYSON HAMM
MAP 37, PARCEL 72
DEED BK. 26490, PG. 365

LEGEND

- DRAIN MAN HOLE
 - DRAINAGE LINE
 - CATCH BASIN
 - SEWER LINE
 - SEWER MAN HOLE
 - BITUMINOUS CURBING
 - EDGE OF PAVEMENT
 - GUARD RAIL
 - W — APPROX. WATERLINE
 - HYDRANT
 - WATERGATE
 - G — APPROX. GAS LINE
 - GAS GATE
- UTILITY POLE & GUY WIRE
 - CHAIN LINK FENCE
 - LIGHTPOST
 - HANDICAP SPACE
 - ELECTRIC TRANSFORMER SIGN
 - VERTICAL BENCHMARK
 - TREELINE
 - SPOT GRADE
 - WETLAND LINE
 - TELEPHONE MAN HOLE
 - MAPLE TREE >12"
 - PINE TREE >12"
 - OAK TREE >12"
 - DECIDUOUS TREE >12"



TEMPORARY EROSION CONTROL
 PROVIDE SILT SACKS IN ALL CATCH BASINS UNTIL SITE IS STABILIZED (SEE DETAIL)
 PROVIDE STONE CONSTRUCTION ENTRANCE UNTIL BINDER COURSE PAVEMENT (SEE DETAIL)

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

DATE: _____
 THIS PLAN IS SUBJECT TO A COVENANT TO BE RECORDED HEREWITH.

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

EROSION AND SEDIMENTATION CONTROL NOTES:

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

PLAN No. 754, 1974, Bk. 245



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

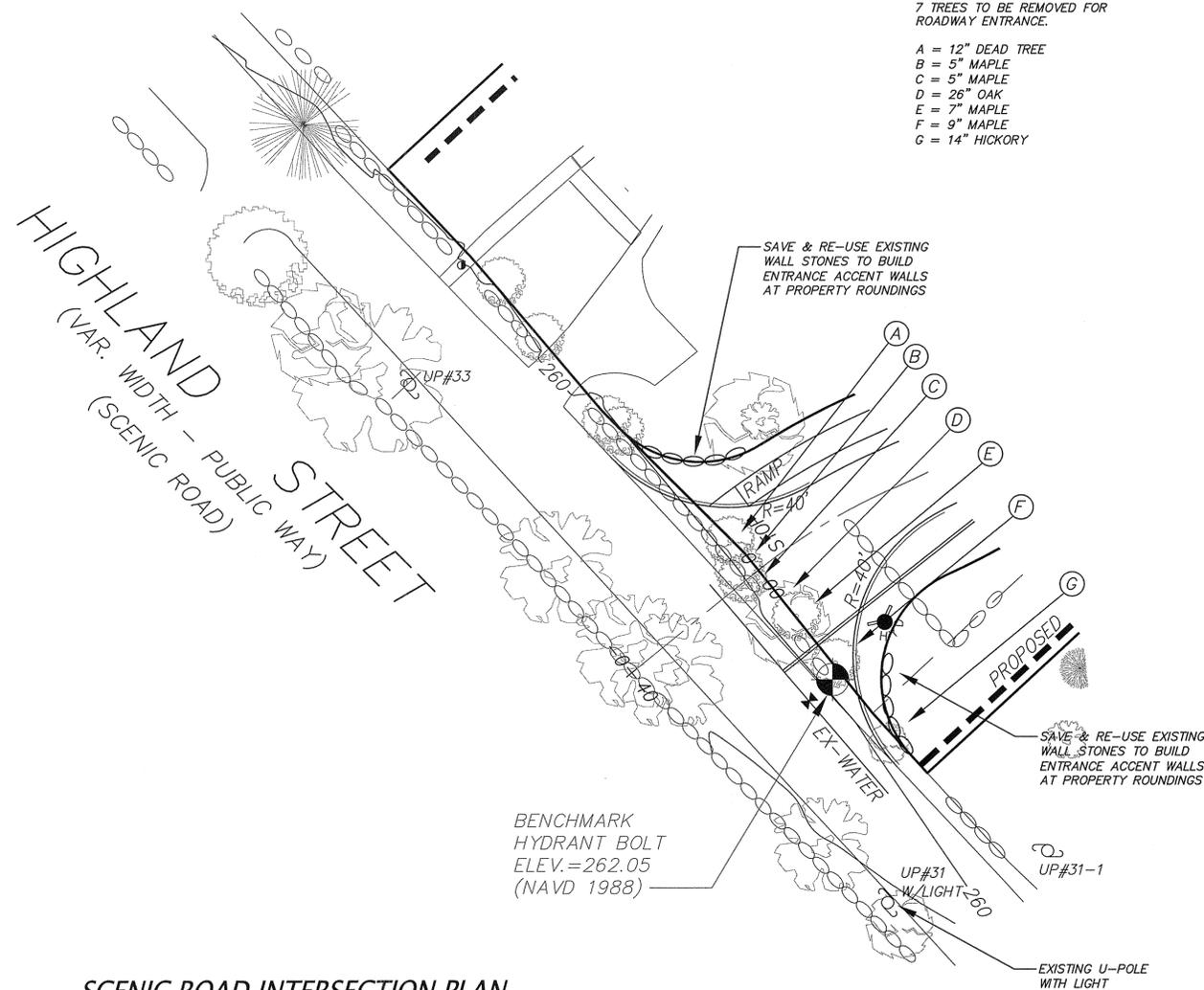
ASSESSOR MAP 37, LOT 67

OWNER / APPLICANT:
 THE RESIDENCES AT CHOATE TRAIL, LLC
 17 GOLDFINCH LANE
 NASHUA, NH 03062

CONNORSTONE ENGINEERING INC.
 CIVIL ENGINEERS AND LAND SURVEYORS
 10 SOUTHWEST CUTOFF, SUITE 7
 NORTHBOROUGH, MASSACHUSETTS 01532
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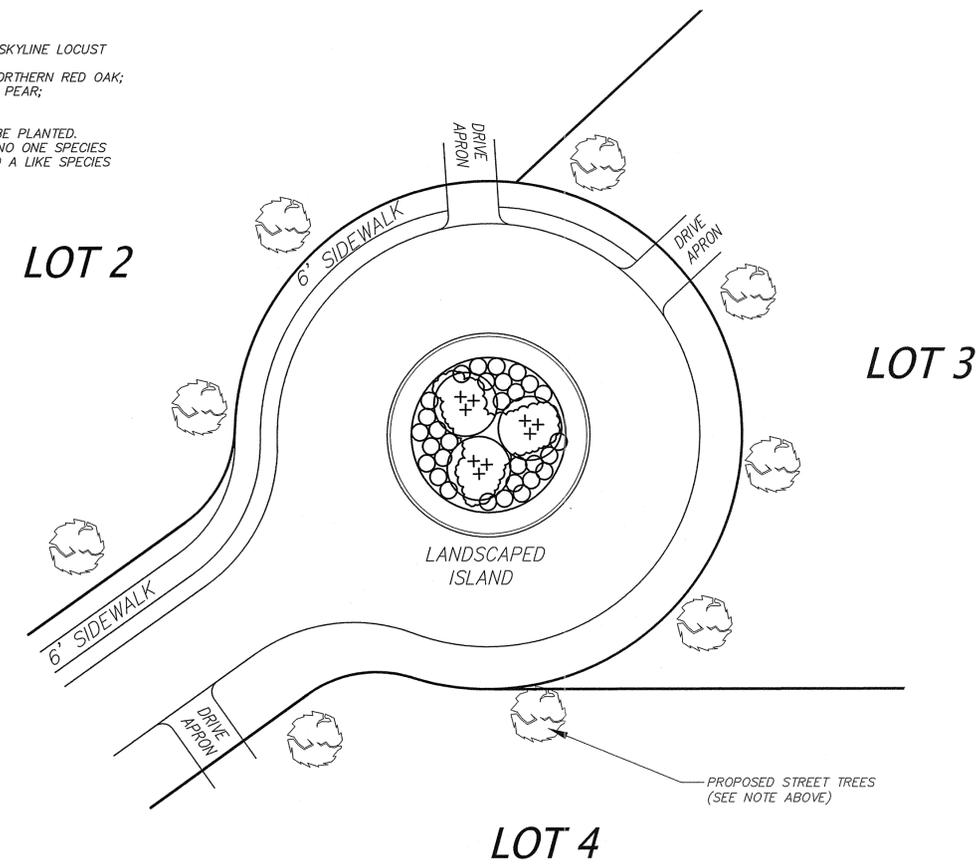
**DEFINITIVE SUBDIVISION PLAN
 EROSION CONTROL PLAN
 CHOATE TRAIL WAY
 IN
 MEDWAY, MASS.**

1/13/2020	REVIEW COMMENTS
1/3/2020	REVIEW COMMENTS
REVISED:	DESCRIPTION:
DRAWN BY: REM	CHECK BY: VC
DATE: NOVEMBER 8, 2019	
SCALE: 1"=40'	SHEET 4 OF 7.



APPROVED STREET TREES:
SHADEMASTER, HONEY AND SKYLINE LOCUST
SUGAR MAPLE;
WHITE, SCARLET, PIN AND NORTHERN RED OAK;
BRADFORD AND ARISTOCRAT PEAR;
LONDON PLANE TREE

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



Qty	Botanical Name	Common Name	Size
CUL-DE-SAC ISLAND			
3	Syringa reticulata	Japanese Tree Lilac	Multi-10-12'
24	Ilex verticillata 'Red Sprite'	Red Sprite Winterberry	2-2.5'
6	Ilex verticillata 'Jim Dandy'	Jim Dandy Winterberry	2-2.5'
tbd	Heimerocallis 'Happy Returns'	Longblooming Daylily	#1 pot

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

DATE: _____
THIS PLAN IS SUBJECT TO A COVENANT TO BE RECORDED HEREWITH.



ZONED: AR-1
AREA = 44,000 sf
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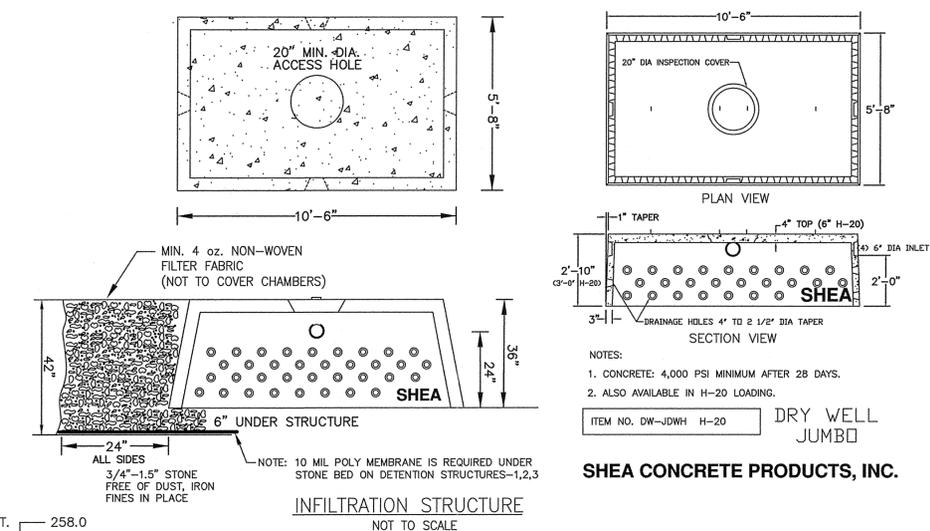
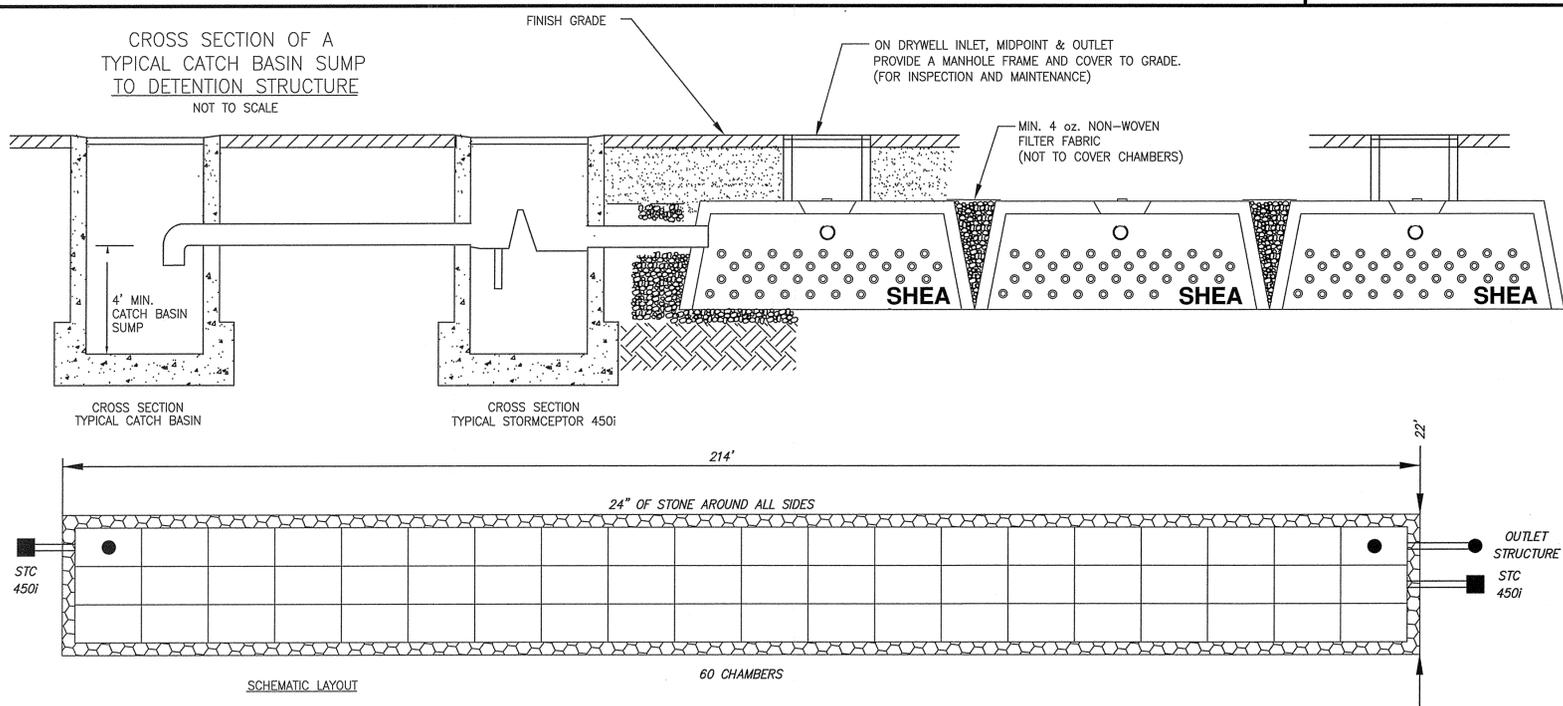
ASSESSOR MAP 37, LOT 67

OWNER / APPLICANT:
THE RESIDENCES AT CHOATE TRAIL, LLC
17 GOLDFINCH LANE
NASHUA, NH 03062

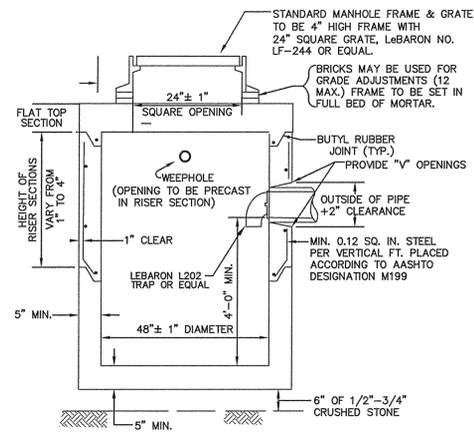
CONNORSTONE ENGINEERING INC.
CIVIL ENGINEERS AND LAND SURVEYORS
10 SOUTHWEST CUTOFF, SUITE 7
NORTHBOROUGH, MASSACHUSETTS 01532
PHONE: 508-393-9727 FAX: 508-393-5242

DEFINITIVE SUBDIVISION PLAN
SITE DETAIL PLAN
CHOATE TRAIL WAY
IN
MEDWAY, MASS.

DATE	REVIEW COMMENTS
1/13/2020	REVIEW COMMENTS
1/3/2020	REVIEW COMMENTS
REVISED:	DESCRIPTION:
DRAWN BY: REM	CHECK BY: VC
DATE: NOVEMBER 8, 2019	
SCALE: 1"=40'	SHEET 5 OF 7.



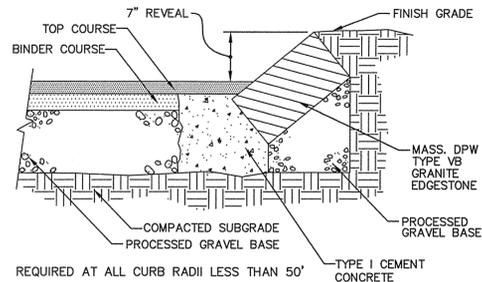
I, _____ CLERK OF THE TOWN OF MEDWAY RECEIVED AND RECORDED APPROVAL FROM THE PLANNING BOARD OF THIS PLAN ON _____ AND NO APPEAL WAS TAKEN FOR TWENTY (20) DAYS THEREAFTER.



NOTE: NO BELL ENDS IN CATCH BASIN. CONNECTIONS TO BE TIGHTLY SEALED WITH MORTAR.

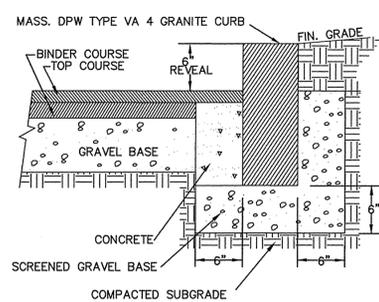
PRECAST CONCRETE DRAIN CATCH BASIN DETAIL

NOT TO SCALE



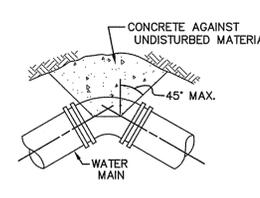
SLOPED GRANITE EDGING

NOT TO SCALE

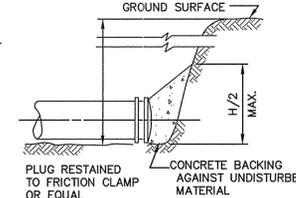


VERTICAL GRANITE CURB

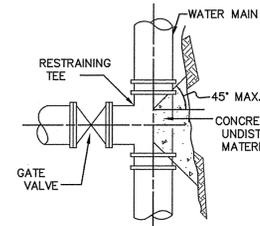
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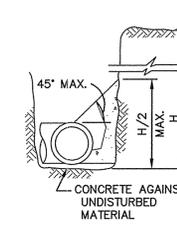
TYPICAL BEND



TYPICAL PLUG



TYPICAL TEE & VALVE



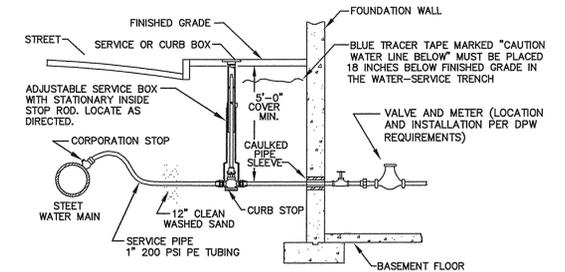
TYPICAL SECTION

NOTE: CONCRETE FOR THRUST BLOCKS SHALL BE NO LONGER THAN THE RATIO OF 2 1/2 : 5 1/2 AND SHALL HAVE A MINIMUM COMPRESSION STRENGTH OF 2000 PSI (SO THAT FLANGES AND BOLTS ARE ACCESSIBLE.)

PIPE SIZE INCHES	1/4 BEND	1/8 BEND	1/16 BEND OR LESS	PLUG TEES
6 AND 8	8	8	8	8
10 AND 12	22	13	8	16

TYPICAL THRUST BLOCK DETAIL

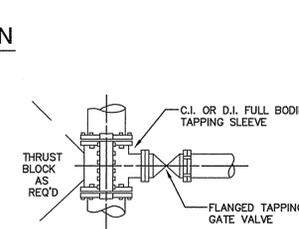
NOT TO SCALE



NOTES:
PLASTIC 200 PSI TUBING SHALL MEET AWWA SPEC. AND BE 200 PSI (MIN.)
ALL CONSTRUCTION METHODS AND MATERIALS INCLUDING CURB STOP, CORPORATION STOP, SERVICE PIPE, SERVICE BOX, VALVES, AND METER SHALL BE IN ACCORDANCE WITH THE TOWN OF NORTHBOROUGH DPW STANDARDS AND SPECIFICATIONS.

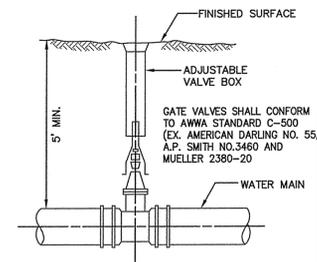
TYPICAL WATER SERVICE CONNECTION

NOT TO SCALE



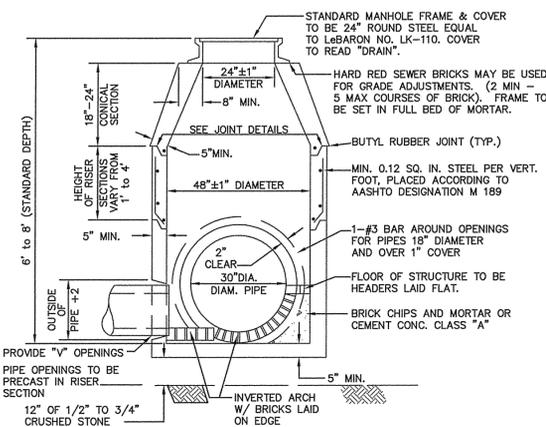
TAPPING SLEEVE AND VALVE DETAILS

NOT TO SCALE



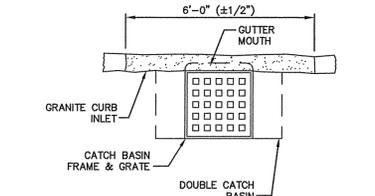
TYPICAL GATE VALVE

NOT TO SCALE



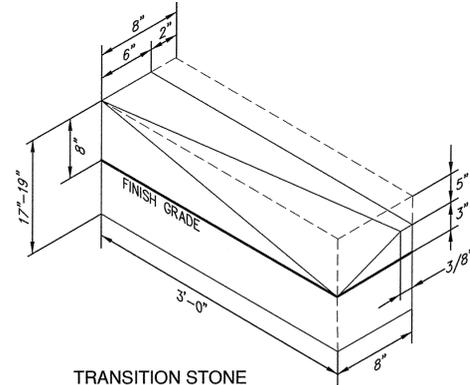
PRECAST CONCRETE DRAIN MANHOLE DETAIL

NOT TO SCALE



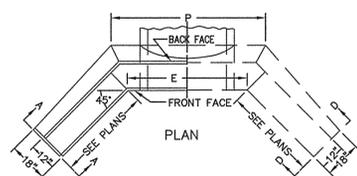
GRANITE CURB INLET

NOT TO SCALE



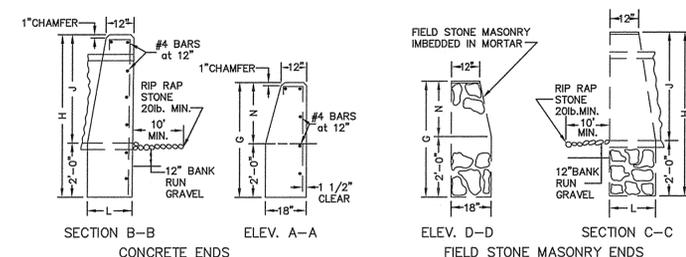
TRANSITION STONE

NOT TO SCALE



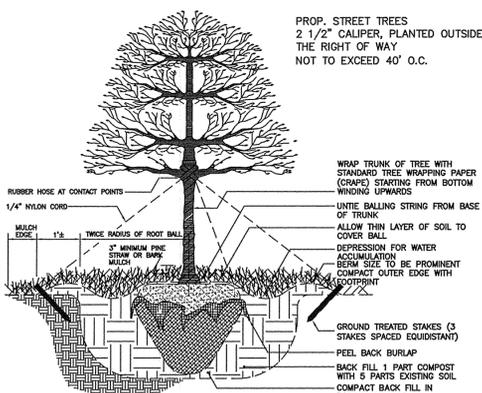
CONCRETE AND FIELDSTONE MASONRY HEADWALL \ WINGWALL DETAILS

NOT TO SCALE



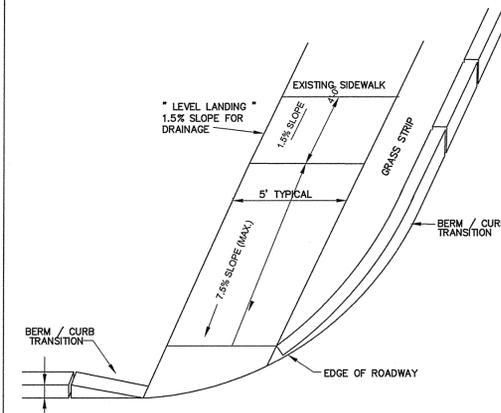
CONCRETE AND FIELDSTONE MASONRY HEADWALL \ WINGWALL DETAILS

NOT TO SCALE



STAKING AND PLANTING TREE DETAIL

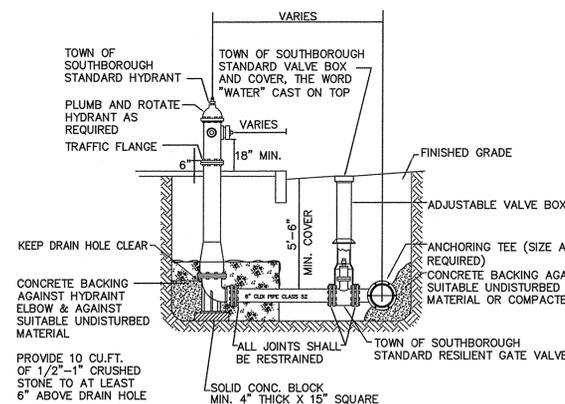
NOT TO SCALE



WHEEL CHAIR RAMP

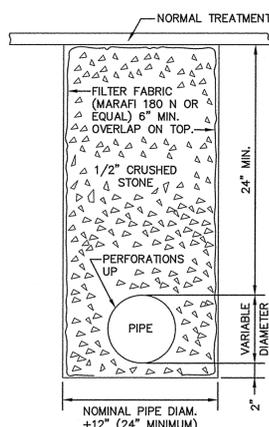
FOR SIDEWALK UP TO 8' WIDE

NOT TO SCALE



TYPICAL HYDRANT & VALVE DETAIL

NOT TO SCALE



SUBDRAIN DETAILS

NOT TO SCALE

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

DATE: _____
THIS PLAN IS SUBJECT TO A COVENANT
TO BE RECORDED HEREWITH.

OWNER / APPLICANT:
THE RESIDENCES AT CHOATE TRAIL, LLC
17 GOLDFINCH LANE
NASHUA, NH 03062

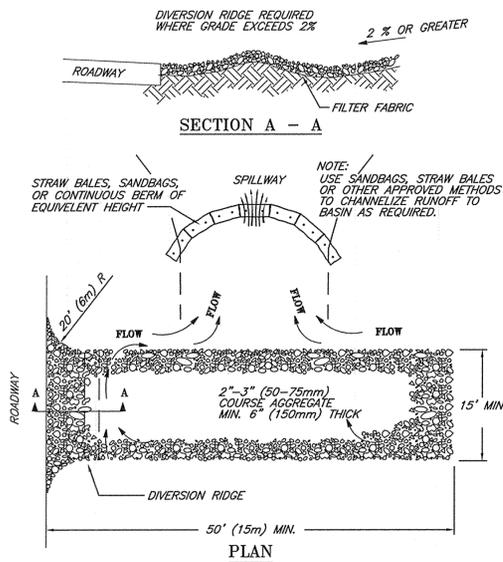
CONNORSTONE ENGINEERING INC.
CIVIL ENGINEERS AND LAND SURVEYORS
10 SOUTHWEST CUTOFF, SUITE 7
NORTHBOROUGH, MASSACHUSETTS 01532
PHONE: 508-393-9727 FAX: 508-393-5242

DEFINITIVE PLAN CONSTRUCTION DETAILS
OF
CHOATE TRAIL WAY
IN
MEDWAY, MASS

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

DATE	REVISION / COMMENTS
1/13/2020	REVIEW COMMENTS
1/3/2020	REVIEW COMMENTS
REVISED:	DESCRIPTION:
DRAWN BY: RM	CHECK BY: VC
DATE: NOVEMBER 8, 2019	
SCALE: NONE	SHEET 6 OF 7.

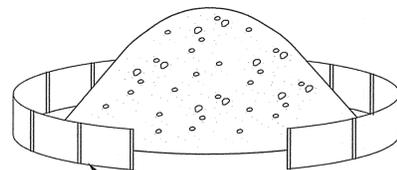




- NOTES:
1. THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION THAT WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHT-OF-WAYS. THIS MAY REQUIRE TOP DRESSING, REPAIR AND/OR CLEANOUT OF ANY MEASURES USED TO TRAP SEDIMENT.
 2. WHEN NECESSARY, WHEELS SHALL BE CLEANED PRIOR TO ENTRANCE ONTO PUBLIC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

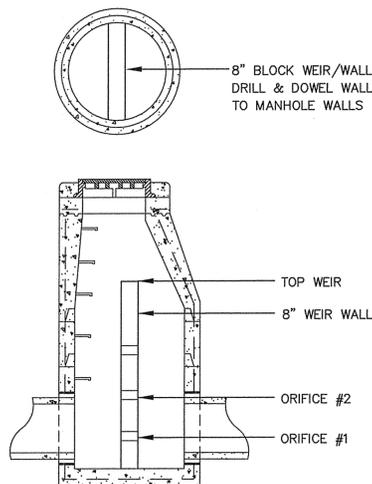
TEMPORARY GRAVEL CONSTRUCTION ENTRANCE/EXIT

© 1994 JOHN MCDULLAH

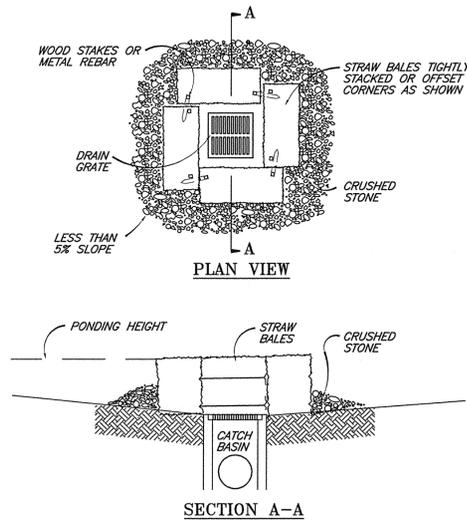


- NOTES:
1. NO MATERIALS SUBJECT TO EROSION SHALL BE STOCKPILED OVERNIGHT WITHIN 100 FEET OF A WETLAND UNLESS COVERED.
 2. STOCKPILES SHALL BE LOCATED ON DRY STABLE AREAS.
 3. STOCKPILES TO REMAIN FOR GREATER THAN SEVEN DAYS SHALL BE STABILIZED WITH A TEMPORARY SEED MIXTURE.

SOIL STOCKPILE DETAIL
NOT TO SCALE

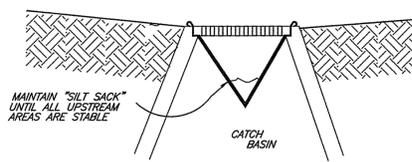


OUTLET CONTROL STRUCTURE WEIR WALL DETAIL
NOT TO SCALE



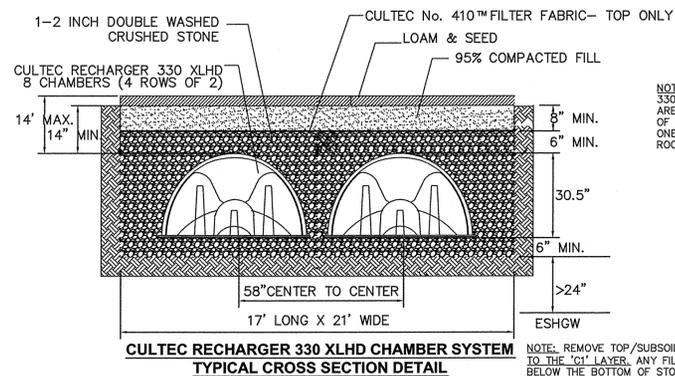
- NOTES:
1. SEDIMENT BARRIERS ARE TO BE USED FOR SMALL, NEARLY LEVEL DRAINAGE AREAS. (LESS THAN 5%)
- PLACE BALES WITH ENDS TIGHTLY ABUTTING. STONE BACKFILL WILL PREVENT EROSION OR FLOW AROUND THE BALES.

STRAW BALE/GRAVEL SEDIMENT BARRIER AT CATCH BASINS
NOT TO SCALE

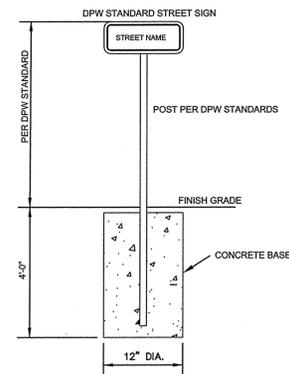


- NOTES:
1. SILT SACKS ARE TO BE INSPECTED WEEKLY DURING CONSTRUCTION AND IMMEDIATELY AFTER STORM EVENTS.
 2. IF SILT SACKS ARE MORE THAN 1/3RD FULL, THEY SHALL BE EMPTIED IMMEDIATELY. CAPTURED SILT SHALL BE RETAINED ON SITE AND REUSED.

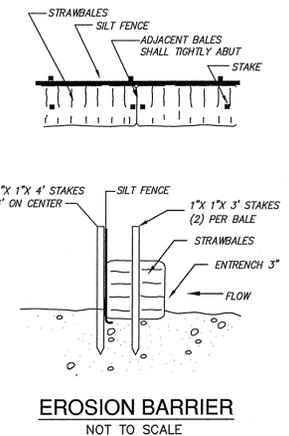
SILT SACK OR EQUAL SEDIMENT CONTAINMENT SYSTEM
NOT TO SCALE



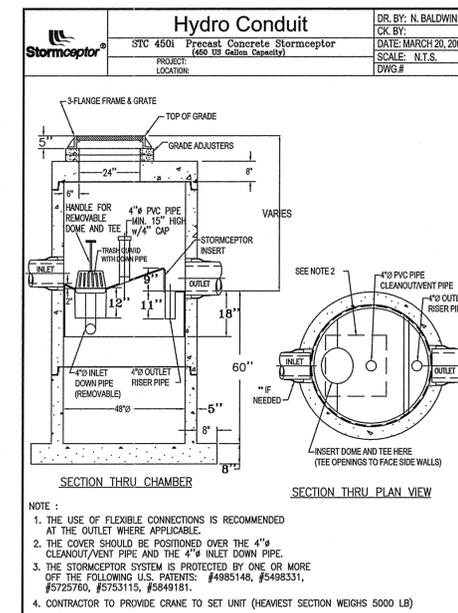
- NOTE: DRYWELLS CONSIST OF 8 CULTEC 330XL CHAMBERS WITH CAPACITY FOR A ROOF AREA OF 3,200 SQUARE FEET. FINAL DESIGN OF HOUSES SHALL PROVIDE FOR AT LEAST ONE CHAMBER PER 400 SQUARE FEET OF ROOF AREA.
- NOTE: REMOVE TOP/SUBSOIL BELOW DRYWELL TO THE 'C1' LAYER. ANY FILL REQUIRED BELOW THE BOTTOM OF STONE SHALL BE FREE-DRAINING CLEAN SAND PER TOWN REQUIREMENTS.



SIGN POST DETAIL
NOT TO SCALE



EROSION BARRIER
NOT TO SCALE



- NOTE :
1. THE USE OF FLEXIBLE CONNECTIONS IS RECOMMENDED AT THE OUTLET WHERE APPLICABLE.
 2. THE COVER SHOULD BE POSITIONED OVER THE 4" CLEANOUT/VENT PIPE AND THE 4" INLET DOWN PIPE.
 3. THE STORMCEPTOR SYSTEM IS PROTECTED BY ONE OR MORE OF THE FOLLOWING U.S. PATENTS: #4985148, #5468351, #5725760, #5753115, #5849181.
 4. CONTRACTOR TO PROVIDE CRANE TO SET UNIT (HEAVIEST SECTION WEIGHS 5000 LB)



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NASHUA, NH 03062

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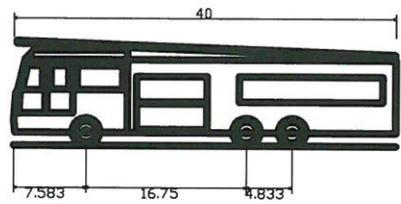
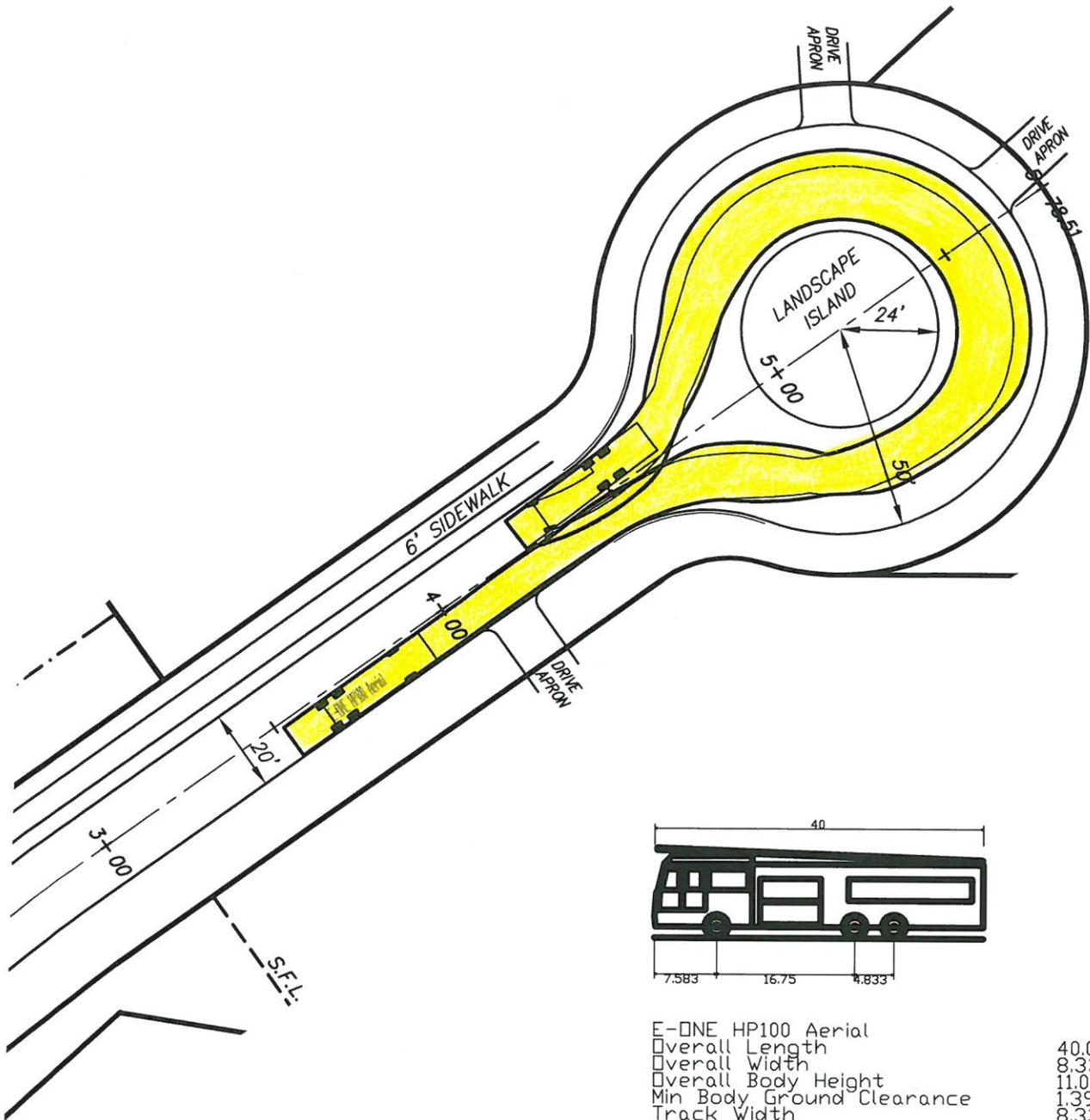
DEFINITIVE PLAN CONSTRUCTION DETAILS
OF
CHOATE TRAIL WAY
IN
MEDWAY, MASS

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

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

DATE: _____
THIS PLAN IS SUBJECT TO A COVENANT TO BE RECORDED HEREWITH.

1/13/2020	REVIEW COMMENTS
1/3/2020	REVIEW COMMENTS
REVISED:	DESCRIPTION:
DRAWN BY: RM	CHECK BY: VC
DATE: NOVEMBER 8, 2019	
SCALE: NONE	SHEET 7 OF 7.



E-ONE HP100 Aerial	
Overall Length	40.000ft
Overall Width	8.333ft
Overall Body Height	11.000ft
Min Body Ground Clearance	1.393ft
Track Width	8.333ft
Lock to Lock Time	6.00s
Max Wheel Angle	45.00°

SCALE 1"=40'

**TRUCK TURNING TEMPLATE
CHOATE TRAIL WAY
IN
MEDWAY, MASS.**

PGC ASSOCIATES, LLC

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

January 23, 2020

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

RE: Choate Trail Definitive Subdivision Plan

Dear Mr. Rodenhiser:

I have reviewed the revised definitive plan submitted by owner/applicant Lock it Up, LLC of Newton. The proposed work is to construct a neighborhood street in the form of cul-de-sac with 4 lots. The plan was prepared by Connorstone Engineering, Inc. of Northborough of and is dated November 8, 2019 with revision dates of January 3 and 13, 2020. I have repeated the comments from my December 4, 2019 letter with new comments in **bold** as follows:

1. The proposed lots comply with zoning for area, frontage, and lot shape factor. The lots also appear to meet the 50% upland requirement, but a calculation should be done for Lot 1 to document this. **The calculation has now been added to the plans.**
2. The intersection with Highland Street is offset more than 150 feet from the Highland Street intersection with Summer Street. **OK**
3. Section 5.7.6 requires the Existing Conditions sheet to locate trees with a diameter greater than 12 inches. This was not done. **This has now been done.**
4. Section 5.7.15 requires easements on the subject parcel and abutting land as well as their purpose. A 20' wide right-of-way is shown on three abutting lots, but the purpose is not clear. **The purpose of the right-of-way is still not clear, but the applicant is continuing to research it.**
5. Section 7.9.6 (c) requires that subdivisions provide an extension to abutting undeveloped land. The Town of Medway owns the abutting land so a roadway extension is not necessary but a pedestrian extension to provide access to Choate Park should be considered. No such pedestrian path is shown on the plan. Understanding that the road is to remain private, a private easement and connection to Choate Trail for the residents of the subdivision could still be desirable. **The applicant states that he would prefer not to provide such an easement. At a minimum, the right-of-way on adjacent property that terminates at the rear of Lot 4 should be extended across the corner of Lot 4 to the Town property.**
6. Section 5.7.16 requires waiver requests to be listed on the cover page. This was not done. **The waivers have now been added to the cover sheet.**

7. Section 5.7.28 requires existing and proposed streetlight locations to be shown This was not done. Section 7.21.1 requires streetlights at intersections and other places where the Traffic Safety Officer deems they are needed (end of cul-de-sac?). Section 7.21.7 encourages applicants to include individual post lights. **The applicant now proposes a streetlight at the intersection and post lights on the subdivision lots.**
8. Section 5.11 requires subdivisions with frontage on scenic roads to comply with Scenic Road regulations. This appears to be the case, but a public hearing is required (which could be simultaneous with the subdivision hearing. **An application for a Scenic Road Act hearing has now been submitted. The stone wall in front of the property is minimal and there is little to no stone wall visible on abutting properties. The applicant proposes to save and reuse the removed stones to construct curved walls to highlight the entrance.**
9. Section 7.13.3 requires sidewalks along the frontage of existing Town ways as well as within the subdivision. No sidewalk is proposed along the Highland Street frontage. **The applicant has applied for a waiver of this requirement. There is a sidewalk on Summer Street to connect to a short distance away. However, such a sidewalk would require tree removal and significant grading.**
10. Section 7.22 notes the Board policy of maximizing opportunities for pedestrian connections and that the Board has the discretion to require easements across lots within the subdivision to connect the subdivision to nearby schools, playgrounds, parks, or other areas (See Comment #5). Section 7.24.3 specifies that such easements shall be at least 20 feet wide.

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

Sincerely,



Gino D. Carlucci, Jr.



December 10, 2019
(revised January 23, 2020)

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

**Re: 42 Highland Street (Choate Trail Way)
Definitive Subdivision Review (Permanent Private Way)
Medway, Massachusetts**

Dear Ms. Affleck-Childs:

Tetra Tech (TT) has performed a review of the proposed Site Plan for the above-mentioned Project at the request of the Town of Medway Planning and Economic Development Board (PEDB). The proposed Project is located at 42 Highland Street in Medway, MA. Proposed Project includes the development of a 4-lot residential subdivision, appurtenant roadway, utilities, and stormwater drain infrastructure.

TT is in receipt of the following materials:

- A plan set (Plans) titled "Definitive Subdivision Plan, Choate Trail Way in Medway, Mass.", dated November 8, 2019, prepared by Connorstone Engineering, Inc (CEI).
- An Application for Approval of a Definitive Subdivision Plan, dated October 15, 2019.
- A stormwater report (Report) titled "Stormwater Report for Choate Trail Way Off Highland Street, Medway, MA" dated November 8, 2019, prepared by CEI.
- A Stormwater Pollution Prevention Plan (SWPPP) prepared by CEI.
- NRCS Soil Mapping and Test Pit Results prepared by CEI.

The Plans and accompanying materials were reviewed for conformance with Chapter 100 of the Town of Medway PEDB Rules and Regulations (Regulations) and good engineering practice. Review of the project for zoning, stormwater and wetland related issues was not completed as these reviews are conducted by other consultants/town permitting authorities.

TT 1/23/2020 Update

The Applicant has supplied TT with a revised submission addressing comments provided in our previous letter including the following documents:

- A plan (Plans) set titled "Definitive Subdivision Plan, Land Plan, Choate Trail Way in Medway, Mass." dated November 8, 2019, revised January 13, 2020, prepared by CEI.
- A Response to Comments letter with waivers dated January 14, 2020, prepared by CEI.

The revised Plans and supporting information were reviewed against our previous comment letter (December 10, 2019) and comments have been tracked accordingly. Text shown in gray represents information contained in previous correspondence while new information is shown in black text.

DEFINITIVE SUBDIVISION REVIEW

1. The Applicant has not supplied a Development Impact Report. (Ch. 100 Section 5.5.11)
 - *CEI 1/14/2020 Response: The DIR was attached in the original application package.*
 - TT 1/23/2020 Update: In our opinion, this item has been resolved.
2. The Applicant has not supplied the required ANRAD determination from the Medway Conservation Commission (Conservation). (Ch. 100 Section 5.5.14)
 - *CEI 1/14/2020 Response: The applicant has submitted a Notice of Intent and Stormwater Application with the Conservation Commission to review the project.*
 - TT 1/23/2020 Update: No action necessary until Conservation Commission review is complete.
3. A Certified List of Abutters within seven hundred feet (700') of the boundaries of the land shown in the subdivision has not been provided. (Ch. 100 Section 5.7.5)
 - *CEI 1/14/2020 Response: The required Certified List of Abutters was included with the application. Section 5.7.5 required showing abutters as listed on Form E, which is specifically defined as abutters within 300 feet, and then all other land within 700 feet. This information is shown on the project locus map.*
 - TT 1/23/2020 Update: In our opinion, this item has been resolved.
4. Applicant has not provided zoning district information that falls within the locus of the plan. Zoning districts AR-I and AR-II are present along Highland Street, please add zoning districts if visible within the locus limit. (Ch. 100 Section 5.7.13)
 - *CEI 1/14/2020 Response: The zoning district boundary is located to the south of Highland Street and has been added to the locus map.*
 - TT 1/23/2020 Update: In our opinion, this item has been resolved.
5. The Applicant has not provided a cover sheet for the project with the required waiver requests shown. (Ch. 100 Section 5.7.16)
 - *CEI 1/14/2020 Response: The requested list of waivers has been added to the cover sheet.*
 - TT 1/23/2020 Update: In our opinion, this item has been resolved.
6. The Board signature block shall be titled "Planning and Economic Development Board". (Ch. 100 Section 5.7.18)
 - *CEI 1/14/2020 Response: The signature block has been updated as noted.*
 - TT 1/23/2020 Update: In our opinion, this item has been resolved.
7. Provisions for street lighting have not been proposed. (Ch. 100 Section 5.7.28)
 - *CEI 1/14/2020 Response: The proposed street lighting has been added to the plans to include one light at the intersection and the individual post lights.*
 - TT 1/23/2020 Update: It appears the proposed light pole is located behind the proposed signage which may screen the signs from being seen by vehicles exiting the development.

Additionally, we recommend the Applicant provide type of light fixtures proposed throughout the subdivision and expected photometrics plan showing light dispersal.

8. Proposed driveways have not been shown on the Plans. (Ch. 100 Section 5.7.30)
 - *CEI 1/14/2020 Response: The proposed driveways and aprons have been provided on the plans.*
 - TT 1/23/2020 Update: In our opinion, this item has been resolved.
9. The project will meet the threshold of the Town of Medway Article XXVI - Stormwater Management and Land Disturbance Bylaw and will be required to address items listed in the Subdivision Regulations under the Bylaw. (Ch. 100 Section 7.3.1)
 - *CEI 1/14/2020 Response: A Stormwater Application has been filed with the Conservation Commission.*
 - TT 1/23/2020 Update: No action necessary until Conservation Commission review is complete.
10. The proposed water main is located under the landscaped island which is prohibited. (Ch. 100 Section 7.6.2)
 - *CEI 1/14/2020 Response: The proposed water main has been updated to route around the island.*
 - TT 1/23/2020 Update: In our opinion, this item has been resolved.
11. Notes shall be added to the Plans which ensure that no dwelling units can be constructed without first coordinating with the Medway Board of Health for the proposed septic systems. (Ch. 100 Section 7.6.2.e)
 - *CEI 1/14/2020 Response: A note has been provided on sheet 3, and an additional note has been added on sheet 2.*
 - TT 1/23/2020 Update: In our opinion, this item has been resolved.
12. Utility poles are located on the opposite side of Highland Street and will require trenching and installation of the crossing of Highland Street below grade. The Plans shall specifically note that all electric/tel/data shall be installed underground including connections to existing utility poles. (Ch. 100 Section 7.6.2.g)
 - *CEI 1/14/2020 Response: The initial feedback from the utility company would be to locate a pole on the locus property and the once on-site drop to underground service.*
 - TT 1/23/2020 Update: We do not recommend this approach as it provides additional overhead crossing of Highland Street. All services must be located underground per required PEDB regulations. Additionally, the proposed utility pole is located on private property and may also impact sight lines for vehicles exiting the development.
13. The Applicant has not proposed a spare conduit for the proposed electric/tel/data installation. (Ch. 100 Section 7.6.2.h)
 - *CEI 1/14/2020 Response: A spare conduit has been added on the typical cross section.*
 - TT 1/23/2020 Update: In our opinion, this item has been resolved.

14. The proposed project is creating four lots, the Regulations state a maximum of three lots shall be permitted for permanent private ways. (Ch. 100 Section 7.9.1.e)
 - *CEI 1/14/2020 Response: The project had been designed in accordance with the Neighborhood Street Standards, which allows up to five (5) lots.*
 - TT 1/23/2020 Update: In our opinion, this item has been resolved.
15. The Applicant has not supplied curb radii at roadway intersection with Highland Street. (Ch. 100 Section 7.9.2.d)
 - *CEI 1/14/2020 Response: The proposed curb radii has been labeled at the intersection.*
 - TT 1/23/2020 Update: In our opinion, this item has been resolved.
16. A level slope area is required for the first 100-feet of roadway. The proposed roadway changes grade within the first 100-feet. (Ch. 100 Section 7.9.5.c)
 - *CEI 1/14/2020 Response: A waiver has been requested to allow a vertical curve within the leveling area. This curve transitions from a -2% slope to a #2% slope so the maximum grade will be over 2%. This curve is required to minimize earthwork, land disturbance, and fill requirements.*
 - TT 1/23/2020 Update: No action necessary until PEDB decision on Waivers.
17. The Applicant has not provided curb along the entire length of the roadway. Curb is shown in the plan view at the radii along the roadway alignment but does not appear to be included in the tangent sections. (Ch. 100 Section 7.10.2)
 - *CEI 1/14/2020 Response: Sloped granite curbing was proposed throughout the subdivision except at the intersection with Highland Street and cul-de-sac entrance roundings. Additional notes have been added for clarify.*
 - TT 1/23/2020 Update: In our opinion, this item has been resolved.
18. The driveway apron for Lot 4 is proposed within 14 feet of a catch basin. (Ch. 100 Section 7.11.2)
 - *CEI 1/14/2020 Response: The driveway apron has been adjusted to provide the required 14 feet.*
 - TT 1/23/2020 Update: In our opinion, this item has been resolved.
19. Proposed sidewalk ends at the intersection of Highland Street and does not extend across the frontage of Lot 1 and Lot 4. (Ch. 100 Section 7.13.3)
 - *CEI 1/14/2020 Response: A waiver has been requested from this requirement.*
 - TT 1/23/2020 Update: No action necessary until PEDB decision on Waivers.
20. The Applicant has not proposed street lighting and should coordinate with Medway Public Safety Officer to determine if they are required. (Ch. 100 Section 7.21)
 - *CEI 1/14/2020 Response: Street lighting has been provided through a light at the intersection and individual post lights.*
 - TT 1/23/2020 Update: See TT Update at item 7.

GENERAL COMMENTS

21. The applicant is proposing a dead-end water line at the end of the cul-de-sac. Applicant or design engineer should coordinate with Medway Department of Public Services to show that enough flow will exist to maintain water quality and adequate fire protection at the dead-end hydrant.
- *CEI 1/14/2020 Response: The DPW has been contacted and plans provided. Feedback or comment have not been received, but any input provided by DPW would be incorporated into the plans.*
 - TT 1/23/2020 Update: No action necessary until Medway DPW returns comments/recommendations.
22. The Applicant shall confirm with Medway DPW if proposed tapping sleeve is an acceptable connection to the existing water main in Highland Street. In past projects a valve tree has been required at all new connections.
- *CEI 1/14/2020 Response: The DPW has been contacted and plans provided. Feedback or comment have not been received, but any input provided by DPW would be incorporated into the plans.*
 - TT 1/23/2020 Update: No action necessary until Medway DPW returns comments/recommendations.
23. The Applicant shall coordinate with the Medway Public Safety Officer to determine if a painted “STOP” and stop line are required to be proposed.
- *CEI 1/14/2020 Response: A painted “STOP” and stop line has been added to the plans.*
 - TT 1/23/2020 Update: In our opinion, this item has been resolved.
24. Sheet 4 of the Plans shows 4 dashed polygons within the proposed roadway that do not have any description. If the polygons are proposed inlet protection, please relocate to show the polygons over the proposed catch basins.
- *CEI 1/14/2020 Response: The inlet protection symbols have been adjusted.*
 - TT 1/23/2020 Update: In our opinion, this item has been resolved.

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

Very truly yours,



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



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

P:\21583\143-21583-20008 (PEDB 42 HIGHLAND ST)\DOCS\42HIGHLAND-PEDBREV(2020-01-23).DOCX

Susan Affleck-Childs

From: Bridget Graziano
Sent: Monday, January 27, 2020 11:57 AM
To: Susan Affleck-Childs
Subject: 42 and 42R Highland Street - roadway and stormwater/4 lot subdivision

Susy,

The Conservation Commission had it's first hearing for the proposed project at 42 and 42R Highland Street on Thursday, January 23, 2020. The following items were discussed to be presented to the Planning and Economic Development Board(PEDB);

1. Sidewalk –The Commission would like to respectfully support the removal of the requirement for a sidewalk on the western portion of the site. The Commission's reasoning for this is that there is valuable buffer zone that the Commission would like to protect the wetland by preserving as much as the buffer zone on this side of the development as possible. The Commission has requested the applicant work to reduce impacts to trees, shrubs and vegetation within the buffer zone, reduce the amount of impervious surfaces on the site and provide for LID such as these requests.
2. Trees (and vegetation) – The Commission supports the efforts of the Planning and Economic Development Board in requiring the applicant maintain as much as the native natural vegetation during development as possible, this includes the old ways of clear cutting the lots and planting non-native and now instead working to encourage a more thoughtful development by maintaining the natural vegetation where reasonable and planting of native species (no cultivars). The Commission will work to this standard as well, but is constrained by the jurisdiction of the wetlands regulations. The culture of removing trees and other vegetation and replacing with non-native or cultivars which cannot propagate or provide the needed food and habitat for the native wildlife is becoming a concerning problem. IF PEDB determine that a number of trees must be retained, it is suggested that the drip lines are flagged now instead of prior to construction to see if the site work can actually not kill the tree. This happened a number of times at the Salmon project. So I would like to be ahead of the request to remove trees that were requested to be kept. The Commission has requested the drainage outlet me amended to reduce impacts to trees and vegetation noted on the tree plan. The Commission would also encourage reducing the tree removal on the individual lots, where unnecessary. Of course this continues to be a matter of opinion.
3. Sub Surface Infiltration System- The Commission noted concerns with regards to the drainage system being under the proposed private roadway, although there are no known restrictions, it should be clear if the system requires repairs or replacement, the only roadway in to the development will be ripped up. This should be a consideration in costs for home owners association it is not just the replacement of the system, it work that required to access within the roadway. Additionally, it should be noted that the proposed system will be sitting in fill materials, so testing fill to meet the same infiltration rate as the soils tested for the design of the system is important to the functionality of the system.
4. Trail -The Commission discussed the possibility of the trail system connection to the High School and the developer/applicant did not seem in favor of it. Agents recommendation - If this is something that will be pursued it is suggested that the existing trail at the High School and the "opening" to Lot 2 be shown on the plans to determine the proposed placement.
5. Fill - The Commission reviewed the proposal for importing of fill materials, while the Commission will regulate the import for jurisdictional areas. Our office is providing the requirements for testing and suggestion for sole source to streamline the approvals for fill sources.

Thank you. Please let me know if there are additional questions.

**Bridget R. Graziano
Conservation Agent
Town of Medway
155 Village Street
Medway, MA 02053
(508)-533-3292**



January 28, 2020

**Medway Planning & Economic Development Board
Meeting**

**William Wallace Village Multi-Family
Housing Special Permit and Site Plan –
Public Hearing Continuation**

- William Wallace Village Public Hearing Continuation Notice
- DRC Review letter – William Wallace Village Final 01-21-2020
- William Wallace Village Decision – Revised draft 01-24-2020



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

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

MEMORANDUM

January 15, 2020

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

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

RE: **Public Hearing Continuation: William Wallace Village Multifamily Development (274-276 Village Street)**

CONTINUATION DATE: Tuesday, January 28, 2020 at 7:50 p.m.

LOCATION: Medway Town Hall – Sanford Hall, 155 Village Street

At its meeting on January 14, 2020, the Planning and Economic Development Board (PEDB) voted to continue the public hearing on the applications of DTRT, LLC of Truro, MA for a multi-family housing special permit and major site plan approval for William Wallace Village, a proposed townhouse condominium community with associated site improvements at 274 & a portion of 276 Village Street, to the next regular PEDB meeting to be held on Tuesday, January 28, 2020 at 7:50 p.m. in Sanford Hall at Medway Town Hall, 155 Village Street. The meeting room is accessible via elevator to persons with physical disabilities.

The applicant has submitted a revised proposal for a 12 unit development (instead of 15 units) with 11 townhouse style residential dwellings including one triplex building and four duplexes; the existing single family building on the premises will be retained. One affordable dwelling unit will be included within the development. Access will be from Village Street. A total of 52 off-street parking spaces will be provided. Surface and sub-surface stormwater management facilities will be installed on site as will landscaping, lighting, and an open space area. Connections will be made to existing Town sewer and water services. The site plan entitled *William Wallace Village*, dated July 1, 2019, last revised December 27, 2019, was prepared by Legacy Engineering LLC of Millis, MA.

The applications, site plan and associated documents for the proposed William Wallace Village are on file with the Medway Town Clerk and at the Community and Economic Development Department at Medway Town Hall, 155 Village Street, Medway, MA and may be reviewed during regular business hours. The materials are also posted at the Planning and Economic Development Board's page at the Town's web site at <https://www.townofmedway.org/planning-economic-development-board/pages/william-wallace-village-274-village-street>

The Board is in receipt of the revised site plan dated 12-27-2019 showing the revised development concept. That plan has been posted to the Board's web page. The Board will vote its decision at the 1-28-20 meeting. Please forward any final comments to me by January 22. Thanks.



Town of Medway
DESIGN REVIEW COMMITTEE
155 Village Street
Medway MA 02053
508-533-3291
drc@townofmedway.org

January 21, 2020

TO: Medway Planning and Economic Development Board
FROM: Matthew Buckley, Chairman
RE: DRC Comments –William Wallace Village - Site plan review
274-276 Village Street

Dear Members of the Medway Planning and Economic Development Board

The Medway Design Review Committee [DRC] is pleased to provide a final comment letter for the proposed multi-family residential development at 274-276 Village Street. The DRC met with representatives of this project during four meetings, the most recent on October 7th, and December 16th, 2019. During the December 16th meeting, the DRC reviewed a presentation of updated site plans dated 11/26/2019 and perspective renderings of the proposed buildings in all new styles.

The DRC is satisfied that the building designs align with the Medway *Design Review Guidelines*. The new building styles are the most successful forms that have been presented and are the most appropriate to the surrounding neighborhood.

The applicant indicated a desire to construct a stone wall from reclaimed granite curbing along the southeast corner of the site adjacent to unit #1 and parallel to Village Street. The DRC discussed the details of the plan and provided recommendations. The DRC requested that a formal plan be submitted. As a record, the general plan for this stone wall is:

- Reclaimed granite slabs with “live” edges will be laid lengthwise along the border with Village Street.
- They will be set with 12” of reveal above ground facing the street and the reverse side will meet the grade close to the top of the slab.
- At intervals, vertical granite posts approximately 12” square in size will be placed between the slabs to provide a visual break to the long wall and provide a more natural appearance.
- A planting bed will be placed along the back edge of the wall.
- Similar vertical posts will be placed closer to unit #1 on the north side of the detention swale.
- At the left end of the wall, near to the entryway, a sign with a hanging shingle style sign will be placed to name the site.

The DRC is pleased with the overall design of the proposed buildings and site. The DRC remains available to review any of these changes and will gladly provide feedback in the most effective manner that will assist these proceedings.

Sincerely,

A handwritten signature in black ink that reads "Matthew Buckley". The signature is written in a cursive style with a large, stylized initial "M".

Matthew Buckley
Chairman



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

REVISED DRAFT – January 24, 2020

MULTI-FAMILY HOUSING SPECIAL PERMIT
and SITE PLAN DECISION
William Wallace Village – 274 & a portion of 276 Village Street
with Waivers and Conditions

Decision Date: TBD

Name of Applicant/Permittee: DTRT, LLC

Address of Applicant: DTRT, LLC
PO Box 95
Truro, MA 02666

Name/Address of Property Owners: DTRT, LLC
PO Box 95
Truro, MA 02666
Keith and Judith Spinney
276 Village Street
Medway, MA 02053

Engineer: Daniel Merrikin, P.E.
Legacy Engineering, LLC
730 Main Street
Millis, MA 02054

Site Plan: *William Wallace Village*
Dated July 1, 2019, last revised December 27, 2019 by Legacy
Engineering of Millis, MA

Location: 274 and a portion of 276 Village Street

Assessors' Reference: Map 55, Parcel 55 and a portion of Parcel 54

Zoning District: Agricultural Residential II
Multi-Family Housing Overlay District

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

I. PROJECT DESCRIPTION – The Applicant proposes to develop a 12-unit residential condominium community at 274 Village Street and a small portion of 276 Village Street which is to be conveyed to the Applicant. The combined area of the site is 158,077 sq. ft. The project includes construction of one 3-unit building, four duplex buildings and the renovation of the existing single family house; the units will range in size from 2 – 4 bedrooms. One dwelling unit shall be available for sale to a low or moderate income household and comply with the requirements for inclusion on the Subsidized Housing Inventory (“SHI”) compiled by the Massachusetts Department of Housing and Community Development (“DHCD”) pursuant to Massachusetts General Laws, Chapter 40B, §§20-23 (the “affordable housing units”).

Access to the development will be from Village Street via a permanent, private roadway to be known as Sterling Circle. A total of 52 parking spaces will be provided (2 in the garage and 2 in the driveway for each of the 12 units plus 4 spots for visitors and guests). The existing gym building at 274 Village Street will be demolished. Sub-surface stormwater management facilities will be installed on site as will landscaping and lighting. Connections will be made to the existing Town sewer and water services on Village Street.

The proposed use requires a multi-family housing special permit pursuant to Sections 5.6.4 and 3.4 of the Town of Medway *Zoning Bylaw* (the “Bylaw”) and site plan review and approval pursuant to Section 3.5 of the *Bylaw*.

The property includes resources under the jurisdiction of the Medway Conservation Commission and is subject to the provisions of Article XXVII of the Medway General Bylaws, Stormwater Management and Land Disturbance.

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 (the “Board”), on _____, on a motion made by _____ and seconded by _____, *voted to _____ with CONDITIONS a Multi-Family Housing Special Permit to DTRT, LLC of Truro, MA (hereafter referred to as the Applicant or the Permittee) and to _____ with WAIVERS and CONDITIONS as specified herein, a site plan for the construction of a twelve unit, condominium development and associated site improvements on the property at 274 and a portion of 276 Main Street as shown on the plan titled William Wallace Village dated July 1, 2019, last revised December 27, 2019 to be further revised as specified herein before endorsement and recording.*

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

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

III. PROCEDURAL HISTORY

- A. July 1, 2019 – Special permit and site plan applications and associated materials filed with the Board and the Medway Town Clerk

- B. July 2, 2019 – Public hearing notice filed with the Town Clerk and posted at the Town of Medway web site.
- C. July 8, 2019 - Public hearing notice mailed to abutters by certified sent mail.
- D. July 9, 2019 – Site plan information distributed to Town boards, committees and departments for review and comment.
- E. July 8, 2019 and July 16, 2019 - Public hearing notice advertised in *Milford Daily News*.
- F. July 23, 2019 - Public hearing commenced. The public hearing was continued to August 27, September 10, September 24, October 22, November 5, and December 3, 2019 and to January 14 and January 28, 2020 when the hearing was closed and a decision rendered.

IV. INDEX OF SITE PLAN/SPECIAL PERMIT DOCUMENTS

- A. The special permit application for the proposed William Wallace Village condominium development included the following plans, studies and information that were provided to the Board at the time the application was filed:
 - 1. Multifamily Housing Special Permit application dated July 1, 2019 with Special Permit Narrative prepared by Daniel Merrikin, P.E., Legacy Engineering, LLC of Millis, MA.
 - 2. Major Site Plan application dated July 1, 2019 with Site Narrative prepared by Daniel Merrikin, P.E., Legacy Engineering, LLC of Millis, MA.
 - 3. *William Wallace Village site plan*, dated July 1, 2019 prepared by Daniel Merrikin, P.E., Legacy Engineering, LLC of Millis, MA.
 - 4. Certified Abutters List from Medway Assessor's office dated May 29, 2019
 - 5. *Development Impact Statement* for William Wallace Village, dated June 25, 2019, prepared by Legacy Engineering, LLC.
 - 6. Requests for Waivers from *Site Plan Rules and Regulations* dated June 25, 2019, prepared by Legacy Engineering, LLC.
 - 7. Quit Claim deed dated March 31, 2019 conveying 274 Village Street from McKenna/Dowley to DTRT, LLC.
 - 8. *Stormwater Report* for William Wallace Village, dated June 25, 2019, prepared by Legacy Engineering, LLC.
 - 9. Building architectural plans including elevations and floor plan, undated, unattributed, received July 1, 2019.
- B. During the course of the Board's review, revised plans and a variety of other materials were submitted to the Board by the Applicant and its representatives:
 - 1. *William Wallace Village* site plan, revised September 4, 2019, prepared by Daniel Merrikin, P.E. Legacy Engineering, LLC.
 - 2. *William Wallace Village* site plan, revised October 7, 2019, prepared by Daniel Merrikin, P.E., Legacy Engineering LLC.
 - 3. *William Wallace Village* site plan, revised October 22, 2019, prepared by Daniel Merrikin, P.E., Legacy Engineering LLC.

4. *William Wallace Village* revised concept plan/progress print dated November 26, 2019, prepared by Daniel Merrikin, P.E., Legacy Engineering, LLC.
5. *William Wallace Village* site plan, revised December 27, 2019, prepared by Daniel Merrikin, P.E., Legacy Engineering, LLC.
6. *Stormwater Report* for William Wallace Village, revised September 4, 2019, prepared by Legacy Engineering, LLC.
7. *Stormwater Report* for William Wallace Village, revised October 7, 2019 prepared by Legacy Engineering, LLC.
8. *Stormwater Report* for William Wallace Village, revised October 22, 2019 prepared by Legacy Engineering, LLC.
9. *Stormwater Report* for William Wallace Village, revised December 27, 2019 prepared by Legacy Engineering, LLC.
10. *Landscape Plan for William Wallace Village*, dated August 9, 2019, prepared by Cosmos Associates, Landscape Architects and Site Planners, Natick, MA.
11. *Landscape Plan for William Wallace Village*, revised September 11, 2019, prepared by Cosmos Associates, Landscape Architects and Site Planners, Natick, MA.
12. *Landscape Plan for William Wallace Village*, revised November 2, 2019, prepared by Cosmos Associates, Landscape Architects and Site Planners, Natick MA.
13. *Landscape Plan for William Wallace Village*, revised January 8, 2020 prepared by Cosmos Associates, Landscape Architects and Site Planners, Natick MA.
14. Email communication dated July 29, 2019 from Daniel Merrikin, P.E., Legacy Engineering LLC. re: applicability of *Scenic Road Rules and Regulations* to the subject site.
15. Response letters dated September 5, 2019, October 7, and October 22, 2019 from Daniel Merrikin, P.E., Legacy Engineering LLC. to the plan review letters from Tetra Tech and PGC Associates.
16. Revised architectural plans including elevations, floor plans and renderings, undated, unattributed, received September 23, 2019.
17. Revised architectural plans including elevations, floor plans and renderings, undated, unattributed, received November 27, 2019.
18. Revised architectural plans including elevations, floor plans and renderings, undated, unattributed, received December 10 and 11, 2019.
19. Revised architectural plans including elevations, floor plans and renderings, undated, unattributed, received January 8, 2020
20. Resubmission letters dated October 23, 2019 and December 27, 2019 from Daniel Merrikin, P.E., Legacy Engineering LLC. with revised site plans.
21. Additional Requests for Waivers from *Site Plan Rules and Regulations* dated September 2 and September 4, 2019, prepared by Legacy Engineering, LLC.
22. Sewer Calculations dated August 21, 2019 prepared by Daniel Merrikin, P.E., Legacy Engineering, LLC.

23. William Wallace Village *Fire Circulation Plan of Land* dated September 4, 2019 prepared by Legacy Engineering, LLC.
24. Email communication dated October 17, 2019 from applicant Larry Rucki
25. Letter dated November 4, 2019 from Daniel Merrikin, P.E., Legacy Engineering summarizing proposed additional site landscaping
26. DRAFT waiver pursuant to M.G.L. c 40A, §6 regarding compliance with changes to the *Bylaw* approved November 18, 2019.
27. Email from Larry Rucki dated January 4, 2020 requesting the Board's authorization to allow construction on one duplex building while the infrastructure is being installed.
28. Letter dated January 14, 2020 from Daniel Merrikin, P.E., Legacy Engineering summarizing proposed site landscaping pursuant to the revised site plan dated December 27, 2019 with 12 units.

C. Other documentation submitted to the Board during the course of the public hearing:

1. PGC Associates plan review letters dated August 1, 2019 and September 23, 2019
2. Tetra Tech plan review letters dated July 31, 2019 and September 15, 2019
3. ANR Plan of Land dated July 15, 2019, revised July 19, 2019, prepared by Colonial Engineering, Inc. of Medway, MA, endorsed by PEDB on July 30, 2019. The ANR plan shows the splitting off a 5,858 sq. ft. portion of 276 Village Street to be conveyed by owners Keith and Judith Spinney to DTRT, LLC and the splitting off a 2,924 sq. ft. portion of 274 Village Street to be conveyed by DTRT, LLC to Keith and Judith Spinney.
4. Design Review Committee comment memorandum dated September 10, 2019
5. Design Review Committee comment memorandum dated October 21, 2019.
6. Review comment letter dated July 11, 2019 from Medway Police Safety Officer Sergeant Jeffrey Watson.
7. William Wallace Village site plan mark-ups from DPW Director Dave D'Amico dated July 11, 2019
8. Memorandum from Community and Economic Development Director Barbara Saint Andre dated August 1, 2019 regarding definition of a multi-family development.
9. Email from Fire Chief Jeff Lynch dated October 18, 2019
10. Email from DPW Water and Sewer Superintendent Barry Smith dated October 22, 2019 re: sewer connection
11. Order of Conditions and Land Disturbance Permit dated October 28, 2019 issued by the Medway Conservation Commission
12. **REVISED** Order of Conditions and Land Disturbance Permit dated _____ issued by the Medway Conservation Commission
13. Email dated 11-5-2019 from Steve Bouley, P.E., Tetra Tech, dated 11-5-2019.
14. Email from dated 11-5-2019 from DPW Director Dave D'Amico re: sewage treatment capacity

Commented [SA1]: Expected to be issued by the Conservation Commission on 1-23-20

15. Project review letter from Matthew Buckley, Design Review Committee Chairman dated January 21, 2010.
16. Sales price information for townhouse type units in Medway from December 2017 – May 2019, by Medway Assessors' office, compiled 1-14-2020.

V. TESTIMONY - In addition to the special permit and site plan review application materials as submitted and provided during the course of its review, the Board heard and received verbal testimony from:

- Steve Bouley, P.E. of Tetra Tech, Inc., the Town's Consulting Engineer – Commentary provided throughout the public hearing process.
- Gino Carlucci, PGC Associates, the Town's Consulting Planner – Commentary provided throughout the public hearing process.
- Daniel Merrikin, P.E., Legacy Engineering, LLC, engineer for the Applicant – Commentary provided throughout the public hearing process
- Larry Rucki, Applicant
- Abutter James Rucki, 1 Bedelia Lane
- Abutter Wayne Brundage, 268 Village Street
- Abutter Scott Peterson, 6 Forest Road
- Abutter Patricia Muratori, 8 Forest Road

VI. FINDINGS - The Board, at its meeting on January 14, 2020, on a motion made by Matthew Hayes and seconded by Richard Di Iulio, voted to approve the following **FINDINGS** regarding the site plan and special permit applications for the proposed William Wallace Village located at 274 and a portion of 276 Village Street. The motion was approved by a vote of four in favor (Di Iulio, Gay, Hayes and Rodenhiser) and one opposed (Tucker).

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

Applicability

- 1) Location - *The site is within the Multifamily Housing Overlay District (Section 5.6.4) and thus eligible for the multifamily housing proposal.*
- 2) Traffic capacity - *Village Street is a major artery within the town and has sufficient capacity to handle the traffic from the 12 units that are proposed. The 12 units do not rise to the level of triggering the requirement of a traffic study.*
- 3) Parcel size & frontage – *Following the land swap proposed for Parcels A and B, the site will consist of 3.62 acres, which exceeds the minimum area requirement of 22,500 square feet. The site has more than 50 feet of frontage on Village Street, so it meets the frontage requirement of Section 5.6.4.B(1) of the Bylaw.*

Dimensional

- 4) Dimension adjustments – *The dimensional requirements of the underling AR-II zoning district apply to the project, as set forth in Table 2 of Section 6 of the Bylaw. The plan shows a front building setback of 73.6 feet from Village Street. The minimum front setback for the AR-II district is 35 feet. The plan shows a side setback of 16' where the minimum required is 15'. The plan shows a rear setback of 36.2 feet*

where a 15' minimum is required. The plans indicate that the project complies with maximum building coverage requirements (15% provided vs. 30% maximum allowed) and the maximum impervious surface standards (35% provided vs. 40% allowed).

- 5) Building Height - As noted on the plans, the height of the six buildings will be approximately 26 feet, less than the maximum 40 feet allowed.

Density

- 6) Density - The maximum density for multifamily projects is 8 units per whole acre. With 3.62 acres, the site could include a maximum possible 24 dwelling units. With 12 units, the project is well under the allowed maximum.

Special Regulations

- 7) Affordable housing - At 12 units, 10% (or 1.2 units) must be affordable in accordance with Section 8.6.C. of the Bylaw. The Applicant has decided to provide one affordable housing unit on site and make a cash payment to the Medway Affordable Housing Trust in an amount equal to 20% of the median sales price of Medway market-rate homes comparable in type, size and number of bedrooms over a period of eighteen months prior to the date of application (December 2017 – May 2019). That median sales price is \$425,919. The 20% payment amount = \$85,184.
- 8) Open Space - A minimum of 15% of the parcel must be open space or yard area. This requirement is met with 51% open space provided.
- 9) Parking spaces - Two off-street spaces per unit (24 spaces) are the minimum required per Section 5.6.4 E. 3 of the Bylaw and 52 off-street parking spaces are provided (4 per unit plus 4 visitor spaces).
- 10) Town water and sewer service - The project will be served by Town water and sewer.
- 11) Number of units - The number of units proposed (12) is less than the 36 unit maximum possible allowed under the Bylaw.
- 12) Historic Properties - Existing buildings on the site will be razed but they are not designated as "historically significant buildings" by the Medway Historical Commission.

Decision Criteria

- 13) Meets purposes of Multi-family Housing section of the Bylaw (Section 5.6.4) and the Site Plan Rules and Regulations - The project meets the following purposes of the Multifamily Housing section of the Bylaw: (1) It provides a diversity of housing types in the form of townhouse style units, and (2) increases the number of affordable housing units in the community. It also meets the purpose of the Site Plan Rules and Regulations. The plans have been reviewed by Town officials, the Consulting Engineer and Consulting Planner to ensure that the health, safety and welfare of Town residents is protected. Impacts on traffic, parking, drainage, environmental quality, community economics and community character were considered.
- 14) Consistent with the Medway Housing Production Plan - The project is consistent with Medway's Housing Production Plan in that it includes one new affordable housing unit. The development also meets the implementation strategies of

encouraging the use of the Multifamily Housing special permit provision of the Bylaw and providing additional options for duplexes and multifamily housing.

- 15) *Impact on abutting properties and adjacent neighborhoods - The impact on abutting properties and adjacent neighborhoods has been addressed through vegetative screening, elimination of a possible driveway connecting William Wallace Village to the adjacent property on Bedelia Lane, provision of plentiful, on-site guest parking, and the aesthetics of the buildings.*
- 16) *Variety of housing stock - The development increases the variety of housing stock in the community by providing four duplex buildings, and one 3-unit building.*
- 17) *Designed to be reflective of or compatible with the character of the surrounding neighborhood - The surrounding neighborhood includes a mix of housing types including single family, multi-family, and a complex of independent living cottages and assisted living units currently under construction. Therefore, the proposed development is compatible with the surrounding neighborhood.*

SPECIAL PERMIT DECISION CRITERIA – Unless otherwise specified herein, special permits shall be granted by the special permit granting authority only upon its written determination that the adverse effects of the proposed multifamily housing use will not outweigh its beneficial impacts to the town or the neighborhood, in view of the particular characteristics of the site, and of the proposal in relation to that site. The Board makes the following findings in accordance with Section 3.4 of the *Bylaw*. In making its determination, the special permit granting authority, in addition to any to any specific factors that may be set forth in other sections of the *Bylaw*, shall make findings on all of the applicable criteria specified below:

- 1) *The proposed site is an appropriate location for the proposed use. The property abuts an existing multi-family building to the west (Anderson Village), a two-family building and private way to the east, and an abandoned railroad bed to the north. The proposed use is a multifamily development within the Multi-Family Housing Overlay District as approved by Town Meeting. Therefore the proposed use is in an appropriate location.*
- 2) *Adequate and appropriate facilities will be provided for the operation of the proposed use. As documented in the plans and associated materials, and conditioned herein, adequate and appropriate facilities will be provided for the operation of the proposed uses. Town officials, the Town's Consulting Engineer and Consulting Planner have all reviewed the proposed facilities. The project will be serviced by Town water and sewer systems. Private electric and gas utilities will be provided. And the stormwater management system has been designed in accordance with the applicable regulations.*
- 3) *The proposed use as developed will not create a hazard to abutters, vehicles, pedestrians or the environment. The proposed use adds 11 residential units off a major through street and it is estimated that the development will generate less traffic than the most recent previous use of the Property as a gym. The entrance to the site has more than adequate sight distance and does not create a hazard to abutters, vehicles, or pedestrians. Suitable sidewalk facilities exist on Village Street and within the new development. The proposed stormwater management system has been*

reviewed by the Town's Consulting Engineer and will not present a hazard to the environment.

- 4) *The proposed use will not cause undue traffic congestion or conflicts in the immediate area. Village Street has the capacity to handle the traffic from 12 residential units. The development is expected to generate less traffic than the most recent previous gym use. The entrance has been designed for maximum sight distance so the development will not cause undue traffic congestion or conflicts.*
- 5) *The proposed use will not be detrimental to the adjoining properties due to lighting, flooding, odors, dust, noise, vibration, refuse materials or other undesirable visual, site or operational attributes of the proposed use. The Applicant has provided documentation reviewed by the Town's Consulting Engineer and the Conservation Commission that its stormwater management plan is adequate to prevent flooding. The development will utilize residential style driveway lanterns instead of traditional parking lot lighting. The plans also document that there is no light trespass. Household refuse will be disposed of by curb-side pickup along the private roadway by private collection service. There will be no detrimental impact on abutters due to odors, dust, noise, vibration, refuse materials or other undesirable impacts.*
- 6) *The proposed use as developed will not adversely affect the surrounding neighborhood or significantly alter the character of the zoning district. The proposed use is within the Multi-Family Housing Overlay District. It is adjacent to a two-family building and multifamily development (Anderson Village) and is nearby an independent and assisted living development currently under construction (Salmon Willows) and thus will not alter the character of the neighborhood*
- 7) *The proposed use is in harmony with the general purpose and intent of the Zoning Bylaw. The Multi-Family Housing Overlay District was established to accommodate this type of use subject to certain conditions to limit adverse impacts. The proposed use is in harmony with the general purpose and intent of the Bylaw.*
- 8) *The proposed use is consistent with the goals of the Medway Master Plan. The proposed use is consistent with the Master Plan goals of identifying housing needs and implementing projects to meet those needs such as increasing housing diversity and the number of affordable housing units.*
- 9) *The proposed use will not be detrimental to the public good. As documented in the plans and application, and the findings and conditions of this decision, the proposed use is in accordance with the goals of the Master Plan while protecting against potential adverse impact. The proposed development has reasonable and appropriate density in a suitable location.*

For all of the above reasons, the Board finds that the beneficial impacts of the proposed William Wallace Village outweigh the effects of the proposed use on the Town and neighborhood.

SITE PLAN RULES AND REGULATIONS FINDINGS – The 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 Board makes the following findings in accordance with Section 204-8 of the

Site Plan Rules and Regulations, as amended December 3, 2002, and Section 3.5 of the Bylaw:

- 1) Has internal circulation, queuing and egress been designed such that traffic safety is protected, access via minor streets servicing residential areas is minimized, and traffic backing up into the public way is minimized? *The plan has been thoroughly reviewed by Town officials, the Consulting Engineer and Consulting Planner. No access from minor streets is necessary or available, there is no backing onto a public way, and Village Street is adequate to safely handle the additional traffic from the 11 new housing units.*
- 2) Does the site plan show designs that minimize any departure from the character, materials, and scale of buildings in the vicinity as viewed from public ways and places? *The proposed buildings are residential and their scale and materials are suitable for the site and use. The design has been reviewed by the Design Review Committee and is acceptable for its location. The buildings are located well off Village Street and are mostly not visible from the public way. There are no distinguishing buildings in the vicinity with which the proposed buildings would conflict in terms of character, materials and scale.*
- 3) Is reasonable use made of building location, grading and vegetation to reduce the visible intrusion of structures, parking areas, outside storage or other outdoor service areas (e.g. waste removal) from public views or from (nearby) premises residentially used and zoned. *The buildings are mostly set back off Village Street and are a residential use so there is no outside storage, large intrusive parking lots, or dumpsters. Appropriate vegetation is proposed to screen the development from abutting residences.*
- 4) Is adequate access to each structure for fire and service equipment provided? *The proposed structures are accessible from the driveways and are located relatively close to the street. The Fire Chief has reviewed the plans and not identified any access issues. All buildings will have sprinklers installed.*
- 5) Will the design and construction minimize, to the extent reasonably possible, the following environmental impacts?
 - a) the volume of cut and fill;
 - b) the number of trees to be removed with particular care taken with mature trees and root systems;
 - c) the visual prominence of man-made elements not necessary for safety;
 - d) the removal of existing stone walls;
 - e) the visibility of building sites from existing streets;
 - f) the impacts on waterways and environmental resource areas;
 - g) soil pollution and erosion;
 - h) noise.

The proposed stormwater drainage system has been reviewed by the Town's Consulting Engineer and the Conservation Commission. Appropriate soil pollution and erosion controls have been incorporated into the plan. No extraordinary noise will be generated by the residential neighborhood. Visibility is limited from Village Street. No stone walls are being removed. The subject site was previously disturbed so the impact on the environment is minimal.

- 6) Is pedestrian and vehicular safety both on the site and egressing from it maximized? *The proposed use adds 11 residential units off a major street. The entrance to the site has adequate sight distance and does not create a hazard to abutters, vehicle, or pedestrians. There is sidewalk along the north side of Village Street adjacent to the subject property. Within the site are 690 linear feet of sidewalk.*
- 7) Does the design and will the construction incorporate, to the maximum extent possible, the visual prominence of natural and historic features of the site? *There are no visually prominent natural or historic features on site.*
- 8) Does the lighting of structures and parking area avoid glare on adjoining properties and minimize light pollution within the town? *The lighting plan was reviewed by the Board's Consulting Planner and Engineer. The planned site lighting is residential in scale and minimizes light pollution. There is no light spillage off site.*
- 9) Is the proposed limit of work area reasonable and does it protect sensitive environmental and/or cultural resources? *The site plan as designed should not cause substantial or irrevocable damage to the environment, which damage could be avoided or ameliorated through an alternative development plan or mitigation measures. The limit of work is reasonable and it protects sensitive environmental resources. The stormwater management system reduces impacts on the sensitive environmental resources.*

VII. WAIVERS – At its January 14, 2020 meeting, the Board, on a motion made by Thomas Gay and seconded by Matthew Hayes, voted to grant waivers from the following provisions of the *Rules and Regulations for the Submission and Approval of Site Plans, as amended December 3, 2002*. The Board's action and reasons for granting each waiver request are listed below. All waivers are subject to the *Special and General Conditions of Approval*, which follow this section. The motion was approved by a vote of four in favor (Di Iulio, Gay, Hayes and Rodenhiser) and one opposed (Tucker).

SITE PLAN SUBMITTAL REQUIREMENTS/PLAN CONTENTS

- 1) **Section 204 – 3.A. 7. A. Traffic Impact Assessment** - A full *Traffic Impact Assessment* is needed if the project involves one or more of the following characteristics:
 - (a) proposes an additional thirty (30) or more parking spaces;
 - (b) contains frontage or proposes access on a public way.

The Applicant has requested a waiver from this requirement due to the relatively small size of this proposed development (12 units). Instead, the Applicant has provided a general traffic overview as part of the project narrative submitted with the applications. The traffic overview was prepared by project engineer Daniel Merrikin, P.E. of Legacy Engineering and reviewed by Tetra Tech, the Town's Consulting Engineer, which does not believe that a full traffic impact assessment is merited. The development's proposed access and egress is on a straight portion of Village Street that offers more than 1,000 feet of sight distance to the west and more than 500 feet to the east. The estimated traffic generation from the proposed development (5.86 trips per day per dwelling unit) is less than the estimated

traffic generated by the most recent active use of the Property for a gym and one single family home. The location is served by a sidewalk on the north side of Village Street, the same side as the proposed development, and provides safe pedestrian access to and from the site. **For the foregoing reasons, the Board approves this waiver request.**

- 2) **Section 204 – 3 A. 7. B. Environmental Impact Assessment** - An *Environmental Impact Assessment* is needed if the project involves one or more of the following characteristics:
- (a) proposes an additional thirty (30) or more parking spaces;
 - (b) proposes a building footprint of fifteen thousand (15,000) square feet or greater;
 - (c) proposes to disturb thirty thousand (30,000) square feet of land or greater.

The Applicant has requested a waiver from this requirement. Due to the presence of wetlands on the property, a Notice of Intent has been filed with the Medway Conservation Commission and the Massachusetts Department of Environmental Protection for site work in the buffer zone of the wetland resources. The Applicant has also filed an application for a Land Disturbance Permit with the Conservation Commission. The site is already disturbed due to its most recent past uses as a single family dwelling and a gym with paved parking at the front of the site. The site had formerly been used for poultry farming and there are a number of abandoned concrete slabs from previously demolished buildings; these will be removed. Given the highly disturbed nature of the site, it does not contain substantive undisturbed animal habitats nor are there any endangered species on the site. Movement of wildlife will not be impeded by the development as there are no large parking areas and the landscaping will include native trees, grasses and bushes. For the foregoing reasons, the Board approves this waiver request.

- 3) **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 because all trees need to be removed from the site to accommodate the proposed development. Locating the trees on site would be an unnecessary additional expense as there will be no opportunity to retain the existing trees in the interior of the site given the scope of the proposed development. Undertaking this task provides no added value. For the foregoing reasons, the Board approves this waiver request.

SITE PLAN DEVELOPMENT STANDARDS

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

The Applicant has requested a waiver from this requirement as it pertains to the location of the main roadway into the development from Village Street. It borders, in part, the eastern boundary of 276 Village Street. The location of the proposed roadway is where the current driveway to the site has been located for many

years, an existing condition. Moving the driveway 15 feet easterly would eliminate the driveways in front of seven of the residential units, resulting in an inferior site design with parking located on portion of the property facing Village Street. The affected abutter at 276 Village Street (and co-applicant) is satisfied with the driveway location and overall site design as it reflects a land swap with the Applicant and an associated easement over the roadway that will give the abutter access to the rear portion of their property. **The Board approves this waiver request as being consistent with the purpose and intent of the Site Plan Rules and Regulations which will have no significant detriment to the achievement of any of the purposes of Site Plan Review and Approval.**

- 2) **Section 205-6 Parking G. 3. a) Parking Spaces/Stalls** - Car parking spaces/stalls shall be ten (10) feet by twenty (20) feet

The Applicant has requested a waiver from this requirement seeking authorization for 9' x 18' parking spaces which is consistent with the parking space size provisions of the Bylaw. The Board approves this waiver request as being consistent with the purpose and intent of the Site Plan Rules and Regulations which will have no significant detriment to the achievement of any of the purposes of Site Plan Review and Approval.

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

The Applicant has requested a waiver from this requirement and proposes to use Cape Cod berm in lieu of vertical granite curbing on the perimeter of the parking areas. The curbing elsewhere on the property will be Cape Cod berm. Granite curbing shall be retained for use at the roundings of the entrance and exits to the site. The Board approves this waiver request as being consistent with the purpose and intent of the Site Plan Rules and Regulations which will have no significant detriment to the achievement of any of the purposes of Site Plan Review and Approval.

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

The Applicant has requested a waiver from this standard due to the extensive land clearance which is needed for the site, the consequent extent of tree removal, and the demands of meeting this standard. A general tree inventory performed by Legacy Engineering LLC found that 45 existing trees over 10" in diameter at breast height need to be cleared; the approximate total diameter of those 45 trees is 620". Based on the revised landscape plan dated January 8, 2020, 112 new deciduous trees (ornamental and clump style) and evergreen trees are planned for an estimated total of 253 caliper inches of replacement trees. In addition, 165 shrubs in the common areas are planned throughout the site along with 240 shrub plantings and 333 perennial plants, ornamental grasses and groundcover plantings around building foundations. The Board approves this waiver request

as being consistent with the purpose and intent of the Site Plan Rules and Regulations which will have no significant detriment to the achievement of any of the purposes of Site Plan Review and Approval.

VIII. CONDITIONS The *Special and General Conditions* included in this Decision shall assure that the Board's approval of this site plan complies with the *Bylaw*, Section 3.4 (Special Permits) and Section 5.6.4 (Multi-Family Housing), 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. The Board's issuance of a special permit and site plan approval is subject to the following conditions:

SPECIFIC CONDITIONS OF APPROVAL

- A. Notwithstanding any future amendment of the *Bylaw*, G.L. c.40A, or any other legislative act:
1. The maximum number of dwelling units to be developed under this special permit shall be twelve (one unit in the existing building and eleven new units).
 2. The tract(s) of land on which this multi-family development will be located shall not be altered or used except:
 - a) as granted by this special permit;
 - b) substantially as shown on the site plan entitled *William Wallace Village* dated July 1, 2019, last revised December 27, 2019, 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 William Wallace Village 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 William Wallace Village dated July 1, 2019, last revised December 27, 2019, prepared by Daniel Merrikin, P.E, of Legacy Engineering LLC. including a landscaping plan by Cosmos Associates and architectural drawings including building elevations, floor plans and renderings, shall be further revised to reflect all Conditions and required revisions, including those as follows, and shall be submitted to the Board to review for compliance with the Board's *Decision*. (*Said plan is hereinafter referred to as the Plan*). Upon approval, the Applicant shall provide the revised Plan in its final form to the Board for its endorsement prior to recording at the Norfolk County Registry of Deeds along with this decision. All Plan sheets shall be bound together in a complete set.
- C. **Cover Sheet Revisions** – Prior to plan endorsement, the cover sheet of the December 27, 2019 site plan shall be revised as follows:
1. Include the list of APPROVED Requests for Waivers

2. Add reference to the architectural elevations, floor plans and renderings to the Legend
 3. Include a new plan revision date
 4. Add language that the development is subject to a performance security Covenant to be executed by the Board and recorded with the special permit and plan.
 5. Add a reference to the Long Term Stormwater Operations and Maintenance Plan to the Legend
 6. **Any other plan revisions needed??**
- D. **Other Plan Revisions** – Prior to plan endorsement, the following plan revisions shall be made to the December 27, 2019 Site Plan.
1. Change all references to “driveway” on all sheets of the plan to “Sterling Circle”
 2. Show the access easement across Sterling Circle for the benefit of Keith and Judith Spinney of 276 Village Street; approximately 25’ wide and 230’ long.
 3. Change “Bedelia Way” to “Bedelia Lane” on all applicable plan sheets.
 4. Denote the elimination of the driveway for Keith and Judith Spinney of 276 Village Street that presently exists on what will become Sterling Circle.
 5. Add information to specify the color and type of the Versa-Lok blocks for the retaining wall to run along approximately 80’ along the western edge of Sterling Circle, both to be approved by the Design Review Committee.
 6. Change the detail for the type of fencing planned for installation adjacent to the 276 Village Street property from a stockade style to be vinyl with a natural, non-glossy wood tone.
 7. Revise information on the building siding color palette pursuant to the October 21, 2019 DRC memorandum, said revised color palette to be approved by the Design Review Committee.
 8. Per the recommendation of the Design Review Committee, the building elevations shall be revised to show consistently square columns on the building units’ front porches/entryways and side porches and the gas stove-bump out on the south façade of unit #1 shall be removed. The building elevation drawings shall also indicate that Clopay Gallery garage doors shall be used on all garages. The plans shall also be dated and attributed to the designer.
 9. A sheet shall be added to the plan set to document the property’s Long Term Stormwater Operations and Maintenance Plan.
 10. Street addresses, as assigned by the Assessor’s office, shall be added to the plan set in addition to the existing unit numbers.
- E. **Other Documentation** - Prior to plan endorsement, the Applicant shall provide the following additional documentation to the Board:
1. Revised color palette for building siding as recommended by the Design Review Committee in its October 21, 2019 letter, to be approved by the Design Review Committee

2. Proposed color and type of Versa-Lok stones for retaining wall along western edge of Sterling Circle, to be approved by the Design Review Committee.
3. Copy of the deed conveying the portion of 276 Village Street from Keith B. and Judith M. Spinney, shown as Parcel A on the ANR Plan, to the Permittee and a copy of the deed conveying the portion of 274 Village Street from the Permittee to Keith B. and Judith M. Spinney, shown as Parcel B on the ANR Plan. NOTE - Said deeds are to be recorded prior to recording this Decision and endorsed plan.
4. Copy of the access easement across Sterling Circle from the Permittee for the benefit of Keith and Judith Spinney of 276 Village Street in a form suitable for recording at the Registry of Deeds or Land Court, as may be applicable.
5. Copy of the Performance Security Covenant to be executed by the Permittee and the Board in a form acceptable to the Board and suitable for recording at the Registry of Deeds or Land Court, as may be applicable, for review, comment, amendment and approval by Town Counsel.
6. Copy of the Restrictive Covenant from the William Wallace Estates Condominium Association (Bedelia Lane) for an approximately 10' wide by 180' long, permanent "no cut zone" along the western edge of the adjacent William Wallace Estates (Bedelia Lane) property behind Units 4-7 of the William Wallace Village property, in a form suitable for recording at the Registry of Deeds or Land Court, as may be applicable, for review, comment, amendment and approval by Town Counsel.
7. Copy of the stormwater and sewer easements from the William Wallace Estates Condominium Association (Bedelia Lane) for the benefit of the Permittee and assigns, in a form suitable for recording at the Registry of Deeds or Land Court, as may be applicable, for review, comment, amendment and approval by Town Counsel.
8. Copy of the Long Term Stormwater Management Operations & Maintenance Plan prepared by Legacy Engineering.
9. Copy of a sample deed to be used to convey each dwelling unit for review, comment, amendment and approval by Town Counsel. The deed shall clearly state that the William Wallace Village Condominium Trust shall own and be responsible for the maintenance and upkeep of development's private roadway (Sterling Circle), the stormwater management system, and all other infrastructure.
10. Written communication from the owners of 1 and 3 Bedelia Lane agreeing, in principle, to the granting of stormwater and sewer easements on the William Wallace Estates Condominium property (Bedelia Lane) and the establishment of a restrictive covenant for a 10' no cut zone along the western edge of the William Wallace Estates Condominium property (Bedelia Lane) in the area behind units 4-7 of William Wallace Village.

F. **Recording of Plans and Documents**

1. The Plan of Record associated with this special permit is titled: *William Wallace Village*, dated July 1, 2019, last revised December 27, 2019 to be further revised as specified herein, prepared by Daniel Merrikin, P.E., Legacy Engineering, LLC. of Millis, MA with additional sheets provided by other building, design and landscape architectural consultants.

2. No construction shall begin on the site and no building permit for any of the new units shall be issued before the following documents are recorded at the Norfolk County Registry of Deeds:
 - a) This special permit decision with the Plan of Record endorsed by the Board
 - b) Performance Security Covenant with the Board
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 the first occupancy permit for the development.
 - a) William Wallace Village Condominium Master Deed
 - b) Declaration of Trust of William Wallace Village Condominium Association
 - c) Access easement on Sterling Circle granted by the Permittee to Keith and Judith Spinney of 276 Village Street to allow access to the rear of the 276 Village Street property.
 - d) A stormwater and sewer easement through the adjacent William Wallace Estates Condominium (Bedelia Lane) property granted to the Permittee from the William Wallace Estates (Bedelia Lane) Condominium Association.
 - e) A restrictive covenant by the William Wallace Estates Condominium Association (Bedelia Lane) for a 10' wide by approximately 180' long "no cut zone" zone along the western edge of the adjacent William Wallace Estates condominium property (Bedelia Lane) behind Units 4-7 of the William Wallace Village property.
4. The following documents which shall be in compliance with the conditions of this decision shall also 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 Permittee or its assigns or successors shall provide the Board with a receipt from the Norfolk County Registry of Deeds indicating that the specified documents have been duly recorded, or supply another alternative verification that such recording has occurred.

G. Open Space/Yard Area

1. At least 15% of the site shall be retained as open space and/or yard area in perpetuity. This is an ongoing obligation of the William Wallace Village Condominium Association. 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 may include a play area or other communal recreational space, subject to plan modification requirements. The no-cut

zone on western edge of the adjacent William Wallace Estates Condominium property (Bedelia Lane) shall not be included in the minimum required 15% open space area.

2. The Permittee has agreed to convey an easement of that portion of the railroad right of way (Medway Assessors Map 51, Parcel 26) that is north of and adjacent to the William Wallace Village property, to whatever extent the land is under ownership of the Permittee or its successors, to the Medway Conservation Commission pursuant to G.L. c. 40 for conservation and passive recreation purposes.

H. ***Ownership/Maintenance of Common Areas***

1. Sterling Circle, the stormwater drainage facilities, and all other infrastructure shall be owned and maintained by the William Wallace Village Condominium Trust. It is the intent of the Board that these facilities will not be accepted by the Town of Medway.
2. The Board requires that the following aspects of the development shall be and shall remain forever private, and that the Town of Medway shall not have, now or ever, any legal responsibility for operation or maintenance of same:
 - a) Sterling Circle and parking areas
 - b) Stormwater management facilities
 - c) Sidewalks
 - d) Snowplowing/sanding
 - e) Landscaping
 - f) Street lights

I. ***Building Permits***

1. For the First Building - The Board authorizes the applicant to apply for a building permit to begin construction of the first building (Units 1 & 2) prior to installation of the base coat of paving (binder course) on the development's roadway, Sterling Circle. One of the units will be used as a model home for the development.
2. For the Remaining Buildings - Before the Board will authorize a building permit for the second structure, the following items, at a minimum must be installed and inspected and approved by the Board:
 - a) Roadway and parking area gravel sub-base (excluding unit driveways)
 - b) Roadway and parking area binder course (excluding unit driveways)
 - c) Drainage system completed to the proposed outfall with frame and grates set to binder grade, as well as stormwater basins, swales, infiltrations systems or any other stormwater management facilities.
 - d) As-built plan of each stormwater basin and forebay and all critical elevations and details of the associated structures, pipes and headwalls.
 - e) Street name signs in a size and form as specified by the Medway Department of Public Works, and all regulatory signs as specified on the approved Plan.
 - f) Stop line pavement markings.

- g) Provisions for fire prevention and protection. Private water main/service to be constructed, installed and functional.
- J. **Buffer** – The Applicant has agreed to work with the adjacent William Wallace Estates Condominium Association (Bedelia Lane) to the east to establish a permanent 10’ wide by approximately 180’ long “no cut zone” along a portion of the western edge of the William Wallace Estates Condominium property (Bedelia Lane) behind Units 4-7 of the William Wallace Village property. Prior to plan endorsement, the Permittee shall provide a suitable easement or comparable restriction to the Board for review.
- K. **Patios** – To not increase stormwater runoff, all patios to be constructed in the development shall be fabricated with pervious paving materials as patio surface areas are not included in the impervious coverage calculations for stormwater.
- L. **Sidewalk Construction** – Any damage to the sidewalk on the north side of Village Street along the subject site’s frontage resulting from site infrastructure and building construction work, shall be repaired or replaced to the satisfaction of the Medway Department of Public Works before the occupancy permit is issued for the 6th condominium unit.
- M. **Easements**
- 1) The Applicant has agreed to grant an access easement across the William Wallace roadway to Keith and Judith Spinney of 276 Village Street to provide access to the rear of the 276 Village Street property.
 - 2) The William Wallace Estates Condominium Association (Bedelia Lane) will grant an easement(s) to the Permittee and his assigns for stormwater and sewer access through a portion of the adjacent William Wallace Estates Condominium property (Bedelia Lane)
- N. The Declaration of Trust for the William Wallace Village Condominium shall include the following language: *“The construction and operation of the condominium is authorized by a Multi-family Housing Special Permit and Site Plan approval granted by the Medway Planning and Economic Development Board on _____ 2020, 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.*
- O. **Affordable Housing**
1. In accordance with the *Bylaw*, Section 8.6 Affordable Housing, 1.2 dwelling units within William Wallace Village shall be “Affordable” and comply with the requirements for inclusion on the Town’s Subsidized Housing Inventory as maintained by the MA Department of Housing and Community Development (DHCD). All provisions of Section 8.6 shall apply to William Wallace Village. To fulfill its affordable housing responsibilities under the *Bylaw*, the Applicant shall provide one affordable housing unit on site and make a cash payment to the Medway Affordable Housing Trust in an amount equal to 20% of the median sales price of Medway market-rate homes comparable in type, size and number of bedrooms over a period of eighteen months prior to the date of application

(December 2017 – May 2019). Based on data provided by the Medway Assessor's office, that median sales price is \$425,919. The 20% payment amount = \$85,184. The payment schedule shall be as follows: 1/11 of that amount (\$7,744) shall be paid at or prior to the closing on the sale of each market rate unit except that the total amount shall be paid in full before the Town issues a building permit for the last market rate unit.

2. Within 180 days after the Decision and Plan are recorded at the Norfolk County Registry of Deeds, the Applicant shall apply to DHCD's Local Initiative Program (LIP) for inclusion of the proposed Affordable Housing Unit as Local Action Unit on the Town's Subsidized Housing Inventory and thereafter shall diligently pursue DHCD approval of the LIP/Local Action Unit Application. Prior to submitting the LIP Application to DHCD, the Applicant shall meet with the Medway Board of Selectmen and the Medway Affordable Housing Committee and Trust for purposes of securing their support for the LIP/LAU application including the proposed marketing plan and local preference guidelines.
3. The Affordable Housing Unit shall 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. One Affordable Housing Unit shall to be located within the development as required by DHCD for approval of the project's LIP application. The location of the affordable housing unit shall comply with the provisions of Section 8.6 Affordable Housing of the *Bylaw*, F. Location and Comparability of Affordable Housing Units. The Applicant has proposed condominium unit #11 as the Affordable Housing Unit. The unit location must be approved by DHCD. Upon direction by DHCD or request of the Permittee (*without effect to the Subsidized Housing Inventory eligibility*), the Board shall permit a change in the location of the Affordable Housing Unit. In the event that DHCD does not approve of the project's eligibility under the Subsidized Housing Inventory, the Applicant shall work diligently with the Town to take any action necessary to ensure the unit is included on the Town's Subsidized Housing Inventory.
5. 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 Permittee shall prepare or cause to be prepared and submit to DHCD, before an occupancy permit is issued for the first dwelling unit, an Affordable Housing Regulatory Agreement to be executed by the Town of Medway, the Permittee (DTRT, LLC or its successors/assigns) and the Massachusetts DHCD. After such submittal to DHCD, the Permittee shall diligently pursue DHCD approval of the Regulatory Agreement. Upon execution, the Regulatory Agreement shall be recorded 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.

6. The Permittee shall select and compensate a Lottery Agent to prepare the LIP/Local Action unit application and Regulatory Agreement, and manage the marketing and initial sale of the Affordable Housing Unit. Any such Lottery Agent must meet DHCD's experience requirements so that the Affordable Housing Unit may be counted on the Town's Subsidized Housing Inventory. The Permittee and/or the William Wallace Village Condominium Trust shall identify such Lottery Agent to the Board and any changes thereto.
7. DHCD shall oversee the initial sale of the Affordable Housing Unit pursuant to the LIP/LAU program in conjunction with the selected Lottery Agent.
8. The ongoing Monitoring Agent for the affordable unit shall be DHCD. 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.
9. The William Wallace Village Condominium Master Deed and all legal documents related to the Affordable Housing Units 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 meet the 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 on the Town's Subsidized Housing Inventory;
 - e) that the Affordable Housing Unit is subject to a use restriction; and
 - f) that the Affordable Housing Unit shall not be encumbered for any financing purposes beyond the original mortgage amount without the express advance written permission of the Monitoring Agent.
10. Timing of construction of affordable units
 - a) No building permit for units other than Units 1 and 2 shall be issued until the Board of Selectmen has approved the Affordable Housing Regulatory Agreement and the Permittee has submitted it to DHCD.
 - b) The building permit for the 7th dwelling unit shall not be issued until the Affordable Housing Regulatory Agreement is approved by DHCD and recorded with the Norfolk County Registry of Deeds.
 - c) The building permit for the 8th market rate unit shall not be issued before the building permit for the affordable dwelling unit is issued.
 - d) The occupancy permit for the 10th market rate unit shall not be issued before the affordable unit is determined to be occupiable by the Building Commissioner.

11. Comparability of construction of affordable housing units
- a) The Permittee shall construct the affordable housing units to be indistinguishable from other units in the development from the exterior including the provision of garages and parking spaces. The units shall be equivalent to the market-rate units in terms of design, quality of construction and workmanship, mechanical, plumbing, heating and cooling systems, roofing, insulation, windows and energy efficiency.
 - b) The affordable housing units shall contain complete living facilities and include an equivalent quantity of cabinets, countertops, appliances, lighting, kitchen and bathroom plumbing fixtures, closets, and washer/dryer hookups, and heating and air conditioning equipment to those provided for market rate units. The affordable units shall contain good quality and highly durable interior finishes, flooring, lighting and plumbing fixtures that are consistent with contemporary standards for new housing and installed with equivalent workmanship to the market rate units.
 - c) Product and system warranties for the affordable housing units shall be equivalent to those supplied for market rate units.
- P. **Fire Protection** – In lieu of providing a secondary access to the site, the Applicant has agreed to install sprinklers in all 12 of the dwelling units on the property in accordance with the Fire Chief’s request/approval.
- Q. **Underground Utilities** - All electric, telephone, cable TV, and other utilities shall be located underground.
- R. **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 MA Department of Environmental Protection. The Permittee shall incorporate the following water conservation measures for construction of the development:
1. private well water for landscape irrigation
 2. rain-gauge controlled irrigation systems
 3. low flow household fixtures
 4. water efficient appliances (dishwashers, washer/dryers, toilets, etc.)
- S. **Addresses** – The addresses for the William Wallace Village units shall be as determined by the Medway Assessor’s office upon consultation with the Medway Fire and Police Departments.
- T. **Development Signage** – Any future development signage for this project shall comply with the sign regulations of the *Bylaw* and is subject to review by the Design Review Committee.
- U. **Stormwater Management**
1. Until transferred to the William Wallace Village Condominium Trust, the Permittee shall be responsible for keeping the constructed stormwater drainage system in a clean and well-functioning condition, and shall do nothing which would alter the drainage patterns or characteristics as indicated on the Plan approved herein without the express written

approval of the Board.

2. The stormwater drainage system, water and sewer systems shall be maintained by the Permittee, its successors and assigns, and the William Wallace Village Condominium Trust and shall not be dedicated to the Town. It is the intent of the Board and the Applicant that these systems shall not be accepted by the Town.
3. The Permittee and its successors and assigns shall maintain the stormwater management system in accordance with the long term 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 Permittee, its successors and assigns, its agent, and the William Wallace Village Condominium Trust fail to maintain the stormwater management system in accordance with the applicable guidelines for operation and maintenance, the Town may conduct such maintenance or repairs as the Town determines in its sole discretion are reasonably necessary, and the Applicant hereby consents to allow the Town and its agents, employees and contractors entry onto the Property to implement the measures set forth in such guidelines. In the event the Town conducts such maintenance or repairs, the Applicant shall promptly reimburse the Town for all reasonable expenses associated therewith; if the Applicant fails to so reimburse the Town, the Town may place a lien on the site or any unit therein to secure such payment.

- V. **Order of Conditions** - Prior to plan endorsement, the Applicant shall provide the Board with a copy of any and all “*Order of Conditions*” as issued by the Conservation Commission or other appropriate agency, and recorded by the Applicant, pursuant to the Massachusetts Wetlands Protection Act and the Medway General Bylaws. Any changes to the William Wallace Village Plan that may be required under the “*Order of Conditions*” shall be presented to the Board by the Applicant, for review and approval as a plan modification. The Board reserves the right to work with the issuing authority to accomplish any mutually acceptable modifications to the “*Order of Conditions*” that may be deemed appropriate by the Board and the Town’s Consulting Engineer. After the public hearing and acceptance of the modifications to the plan, the Board shall take action on the modified plan, reporting said action to the Town Clerk. The statutory notification of the expiration of the twenty (20) day appeal period must be received from the Town Clerk’s office before the Board endorses the plan modification. The Applicant shall provide this plan for endorsement by the Board and shall provide a receipt from the Registry of Deeds indicating that the endorsed amended plan has been duly recorded.

Commented [SA2]: We will probably be able to delete this section if the Conservation Commission voted a new Order of Conditions at its 1-23-20 meeting.

GENERAL CONDITIONS OF APPROVAL

- A. **Fees** - Prior to plan endorsement by the Board, the Permittee 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 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 Permittee's failure to pay these fees in their entirety shall be reason for the Board to withhold plan endorsement.

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

- C. **Restrictions on Construction Activities** – During construction, all local, state and federal laws shall be followed regarding noise, vibration, dust and blocking of town roads. The Permittee and its contractors shall at all times use all reasonable means to minimize inconvenience to abutters and residents in the general area. The following specific restrictions on construction activity shall apply.

1. **Construction Time** - Construction work at the site and in the building and the operation of construction equipment including truck/vehicular and machine start-up and movement and construction deliveries 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 and federal and state legal holidays without the advance approval of the Building Commissioner. These rules do not apply to interior construction work such as painting, installation of drywall, flooring, etc.
2. The Permittee shall take all measures necessary to ensure that no excessive dust leaves the premises during construction including use of water spray to wet down dusty surfaces.
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 Permittee shall be responsible for all clean-up of the roadway which shall occur as soon as possible and in any event within twelve (12) hours of its occurrence.
4. The Permittee is responsible for having the contractor clean-up the construction site and the adjacent properties onto which construction debris may fall on a daily basis.

5. All erosion and siltation control measures shall be installed by the Permittee prior to the start of construction and observed by the Board's consulting engineer and maintained in good repair throughout the construction period.
 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 *Bylaw, SECTION V. USE REGULATIONS, Sub-Section B. Area Standards, Paragraph 2. b).* as may be amended.
- D. ***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 Building Commissioner 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 Building Commissioner 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 Building Commissioner/Zoning Enforcement Officer to ensure that the comprehensive landscaping plan is maintained.
- E. ***Snow Storage and Removal***
1. On-site snow storage shall not encroach upon nor prohibit the use of any parking spaces required by the *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.
- F. ***Right to Enter Property*** – Board members, its staff, consultants or other designated agents of the Town shall have the right to enter upon the common areas of the William Wallace Village Condominium to inspect the site at any time, to ensure continued compliance with the terms and conditions of this special permit and the endorsed plan.

G. 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 Permittee shall establish a construction account with the Board. The funds may be used at the Board's discretion to retain professional outside consultants to perform the items listed above as well as the following other tasks - inspect the site during construction/installation, identify what site plan work remains to be completed, prepare bond estimates, conduct other reasonable inspections until the site work is completed and determined to be satisfactory, review as-built plans, and advise the Board as it prepares to issue a *Certificate of Site Plan Completion*).
 - b) Prior to plan endorsement, the Permittee shall pay an advance toward the cost of these services to the Town of Medway. The advance amount shall be determined by the Board based on an estimate provided by the Town's Consulting Engineer.
 - c) Depending on the scope of professional outside consultant assistance that the Board may need, the Permittee shall provide supplemental payments to the project's construction inspection account, upon invoice from the Board.
 - d) Any funds remaining in the Permittee's construction inspection account after the *Certificate of Site Plan Completion* is issued shall be returned to the Applicant.
2. The Department of Public Works will conduct inspections for any construction work occurring in the Town's right-of way in conjunction with the Town of Medway Street Opening/Roadway Access Permit and the sewer and water connection permits.
3. The Permittee shall have a professional engineer licensed in the Commonwealth of Massachusetts conduct progress inspections of the construction of the approved site improvements. Inspections shall occur at least on a monthly basis. The engineer shall prepare a written report of each inspection and provide a copy to the Board within 5 days of inspection. Failure of the Permittee to provide these reports may be reason to withhold building or occupancy permits.

H. On-Site Field Changes

1. During construction, the Permittee may be authorized to make limited, minor, on-site field changes to the approved plan based on unforeseen site or job conditions, situations, or emergencies necessitated by field conditions or due to practical considerations. These field changes shall not alter items which may affect the site's compliance with this decision and the *Bylaw* nor conflict with a specific condition of the decision. Field changes shall not substantially alter the intent, layout or design of the endorsed site plan.

2. Prior to undertaking such field changes, the Permittee and/or contractor shall discuss the possible field changes with the Town’s Consulting Engineer and submit a letter and drawings to the Planning and Economic Development Coordinator and the Building Commissioner describing the proposed changes and what conditions, situations, or emergencies necessitate such changes. In accordance with Section 3.5.2.C of the *Bylaw*, the Building Commissioner may determine that the field change is insubstantial, authorize the change, and so notify the Board. Otherwise, the Board shall review the proposed field changes at a public meeting and determine whether the proposed field changes are reasonable and acceptable based on the unforeseen conditions, situations, or emergencies and whether other options are feasible or more suitable. A written authorization of field change will be provided. Any approved field change shall be reflected in the as-built plan to be provided at project completion.
- I. **Plan Modification**
1. Proposed modifications (not including on-site field changes) to the endorsed plan shall be subject to review by the Board.
 2. 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 Board for review as site plan modifications.
 3. Any work that deviates from an approved site plan shall be a violation of the *Bylaw*, unless the Permittee requests approval of a plan modification and such approval is provided in writing by the Board.
 4. The request for a *Modification* to a previously approved plan shall be subject to the same application and review process including a public hearing including the payment of plan modification filing fee and plan review fee and all costs associated with another public hearing including legal notice advertising. The Board shall issue its *Modification Decision*, file such with the Town Clerk, and provide copies to the Building Commissioner, other Town officials and the Permittee. Any modifications approved by the Board shall be made a permanent part of the approved site plan project documents and shall be shown on the final as-built plan.
- J. **Plan Compliance**
1. The Permittee shall construct all improvements in compliance with the approved and endorsed plan and any modifications thereto.
 2. The Board or its agent(s) shall use all legal options available to it, including referring any violation to the Building Commissioner/Zoning Enforcement Officer for appropriate enforcement action, to ensure compliance with the foregoing Conditions of Approval.
 3. The Conditions of Approval are enforceable under Section 3.1. F. of the *Bylaw* (non-criminal disposition) and violations or non-compliance are subject to the appropriate fine.

K. Performance Security

1. *Covenant* - Prior to plan endorsement, the Permittee shall sign a *Covenant*, on a form provided by the Board, to be reviewed and approved by Town Counsel, to secure construction of the roadway and all related infrastructure and installation of utilities and services, sidewalks and site amenities as specified in the approved Plan. Reference to the *Covenant* shall be noted on the cover sheet of the Approved Plan. The *Covenant* shall specify that no unit except Units 1 and 2 may be occupied or conveyed until such services are completed or an alternative form of security is provided. The *Covenant* shall specify that the roadway and parking area (excluding unit driveways) and all infrastructure including the stormwater management system shall be constructed and all utilities and services shall be installed to the satisfaction of the Board within **three years** of the date of plan endorsement. The *Covenant* shall be recorded at the Norfolk County Registry of Deeds at the same time the Decision and Plan are recorded.
2. *Alternative Performance Security*
 - a) At such time as the Permittee wishes to secure a building permit for the second building within the development, or secure an occupancy permit for any dwelling unit, the security provided by the *Covenant* shall be replaced by one of the types of performance guarantees set forth in M.G.L. Ch. 41, Section 81U, which method or combination of methods may be selected and from time to time varied by the Applicant, in a sufficient amount, source and form acceptable to the Board, the Treasurer/Collector and Town Counsel. The performance guarantee shall be accompanied by an agreement which shall define the obligations of the Permittee and the performance guarantee company including:
 - 1) the date by which the Permittee shall complete construction
 - 2) a statement that the agreement does not expire until released in full by the Board
 - 3) procedures for collection upon default.
 - b) *Amount* - 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 roadway and installation of stormwater management facilities, utilities, services, pedestrian facilities and all site amenities as specified in the Decision and Plan that remain unfinished at the time the performance guarantee estimate is prepared if the Permittee failed to do so. The security amount shall be approved by the Board based on an estimate provided by the Town's Consulting Engineer based on the latest weighted average bid prices issued by the Mass Department of Transportation. 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 roadway and infrastructure in the event the Permittee fails to adequately perform such. In determining the amount, the Board

shall be guided by the following formula in setting the sum: estimate of the Town's Consulting Engineer of the cost to complete the work plus a 30% contingency. A performance security agreement shall be executed by the Permittee, the Board and the selected surety.

3. *Adjustment of Performance Guarantee* – At the Permittee's written request, the amount of the performance guarantee may be reduced from time to time over the course of the construction project by vote of the Board upon the partial completion of the roadway and infrastructure improvements as defined herein. In order to establish the amount to adjust the performance guarantee, the Town's Consulting Engineer shall prepare an estimate of the current cost for the Town to complete all work as specified on the approved Plan that remains unfinished at the time the estimate is submitted to the Board. The estimate shall be based on unit prices in the latest Weighted Average Bid Prices issued by the Mass Department of Transportation. 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 fees, staff time and public bidding procedures. The estimate shall also include the cost to maintain the roadway and infrastructure in the event the Permittee fails to adequately perform such. In determining the amount of the adjustment of the performance guarantee, the Board shall be guided by the following formula to determine the reduction amount: the estimate of the Town's Consulting Engineer of the cost to complete the work; plus a 30% contingency.
4. *Final Release of Performance Security* - Final release of performance security is contingent on project completion.

L. **Project Completion**

1. Special permit approval shall lapse after two years of the grant thereof if substantial use has not commenced except for good cause. The approved site plan shall be completed by the Permittee or its assignees within three years of the date of plan endorsement. Upon receipt of a written request by the Permittee filed at least thirty (30) days prior to the date of expiration, the Board may grant an extension for good cause. The request shall state the reasons for the extension and also the length of time requested. If no request for extension is filed and approved, the site plan approval shall lapse and may be reestablished only after a new filing, hearing and decision.
2. Prior to issuance of the occupancy permit for the twelfth dwelling unit, the Permittee shall request a *Certificate of Site Plan Completion* from the Board. The *Certificate* serves as the Board's confirmation that the completed work conforms to the approved site plan and any conditions and modifications thereto, including the construction of any required on and off-site improvements. The *Certificate* also serves to release any security/performance guarantee that has been provided to the Town of Medway. To secure a *Certificate of Site Plan Completion*, the Permittee shall:

Commented [SA3]: Do you want to include a limit on the number of bond reductions?? Or state that you will not reduce the bond below x amount.

- a) provide the Board with written certification from a Professional Engineer registered in the Commonwealth of Massachusetts that all building and site work has been completed in substantial compliance with the approved and endorsed site plan, and any modifications thereto; and
 - b) submit an electronic version of an As-Built Plan, prepared by a registered Professional Land Surveyor or Engineer registered in the Commonwealth of Massachusetts, to the Board for its review and approval. The As-Built Plan shall show actual as-built locations and conditions of all buildings and site work shown on the original site plan and any modifications thereto. The 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 *Bylaw*, the *Bylaw* shall apply.

IX. APPEAL

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

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

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

###

**Medway Planning and Economic Development Board
SITE PLAN and SPECIAL PERMIT DECISION
William Wallace Village – 274 and a portion of 276 Village Street**

Approved by the Medway Planning & Economic Development Board: _____

AYE:

NAY:

_____	_____
_____	_____

ATTEST:

Susan E. Affleck-Childs
Planning & Economic Development Coordinator

Date

- COPIES TO:** Michael Boynton, Town Administrator
David D’Amico, Department of Public Works
Bridget Graziano, Conservation Agent
Donna Greenwood, Assessor
Beth Hallal, Health Agent
Jeff Lynch, Fire Chief
Jack Mee, Building Commissioner and Zoning Enforcement Officer
Joanne Russo, Treasurer/Collector
Barbara Saint Andre, Director of Community and Economic Development
Jeff Watson, Police Department
Larry Rucki
Dan Merrikin, Legacy Engineering
Steven Bouley, Tetra Tech
Gino Carlucci, PGC Associates

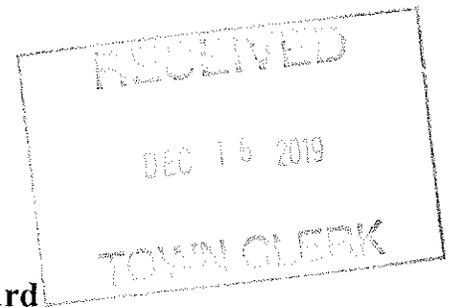
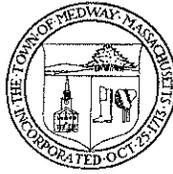


January 28, 2020
Medway Planning & Economic Development Board
Meeting

Public Hearing Continuation –
Evergreen Village

- Public Hearing Continuation Notice
- Email dated 1-10-2020 from applicant Maria Varrichione requesting a continuation of the hearing to after February 3rd.

I have emailed Maria to ask if she would prefer the February 11th or February 25th PEDB 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 Hayes, P.E.
Richard Di Iulio*

MEMORANDUM

December 16, 2019

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

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

RE: **Public Hearing Continuation: Evergreen Village Multi-Family Development
(22 Evergreen Street)**
Continuation Date: Tuesday, January 28, 2020 at 7:45 p.m.
Location: Medway Town Hall – Sanford Hall, 155 Village Street

At its meeting on December 10, 2019, the Planning and Economic Development Board (PEDB) voted to continue the public hearing on the applications of Sampson Pond LLC of Medway, MA for a multi-family housing special permit, major site plan approval, and a scenic road work permit to develop a seven unit, townhouse condominium community and associated site improvements at 22 Evergreen Street to the January 28, 2020 PEDB meeting at 7:45 p.m. in Sanford Hall at Medway Town Hall, 155 Village Street.

The proposed development has been revised to include construction of two 3-unit townhouse buildings on the 1.44 acre site. One affordable dwelling unit will be provided. Access will be from a single curb cut from Evergreen Street. A total of 12, off-street parking spaces will be provided plus each unit will have a 2 car garage. Sub-surface stormwater management facilities will be installed on site as will landscaping, lighting, and a gardening area. Connections will be made to the existing Town sewer and water services in Evergreen Street. Construction work in the Town's Evergreen Street right-of way to create the new curb cut involves reconstructing portions of the existing stone wall. The site contains wetland resources under the jurisdiction of the Conservation Commission which will also handle the stormwater review. The site plan entitled *Evergreen Village* dated September 5, 2019, last revised November 20, 2019 was prepared by Ronald Tiberi, P.E. of Natick MA.

The applications, site plan and associated documents for the proposed Evergreen Village townhouse development are on file with the Medway Town Clerk and at the Community and Economic Development Department at Medway Town Hall, 155 Village Street, Medway, MA and may be reviewed during regular business hours. The materials have also been posted to the Planning and Economic Development Board's page at the Town's web site at: <https://www.townofmedway.org/planning-economic-development-board/pages/20-broad-street-multifamily-housing-development>

The Board will begin work on a draft decision at the January 28th hearing.

Please contact me if you have any questions. Thanks.

Susan Affleck-Childs

From: Maria Varrichione <dreamhomesmv@gmail.com>
Sent: Friday, January 10, 2020 3:38 PM
To: Susan Affleck-Childs
Subject: Evergreen

Hi Susan, Last nights Concom meeting was extended to Feb 3, they needed more time to review. At this point until we have input from them we should probably extend planning board to after 2/3.

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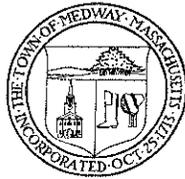
Maria Varrichione
dreamhomesmv@gmail.com
Mobile- 508-561-6048
RE/MAX Executive Realty
Platinum Club, Hall of Fame
& Lifetime Achievement Award Recipient



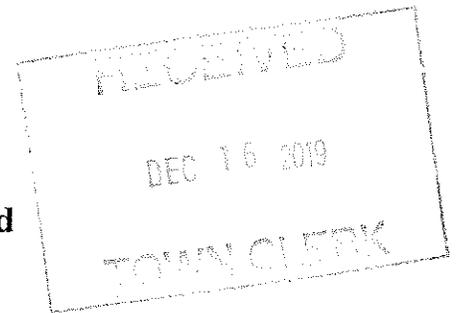
January 28, 2020
Medway Planning & Economic Development Board
Meeting

Public Hearing Continuation – 20 Broad
Street Multi-Family Development
Special Permit, Site Plan, and
Groundwater Special Permit

- Public Hearing Continuation Notice
- Andy Rodenhiser Mullin Rule Certificate 12-10-19 meeting
- REVISED Arch. Plans 20 Broad St 12-16-19
- DPW Memos re: Broad St sidewalk 12-23-19
- Tetra Tech Sidewalk estimate 01-02-2020
- Email from Lisa Mitchell 01-16-2020
- DRC Review Letter 20 Broad St 01-21-2020
- 20 Broad St draft decision 01-23-2020



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



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

MEMORANDUM

December 16, 2019

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

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

RE: **Public Hearing Continuation: 20 Broad Street Special Permit and Site Plan**
CONTINUATION DATE: Tuesday, January 28, 2020 at 8:30 p.m.
LOCATION: Medway Town Hall – Sanford Hall, 155 Village Street

At its meeting on December 10, 2019, the Planning and Economic Development Board (PEDB) voted to continue the public hearing on the applications of Village District Development LLC of Medway, MA for approval of a major site plan, a land disturbance permit, a multi-family housing special permit, and a groundwater protection district special permit to January 28, 2020 at 8:30 p.m.

The applicant proposes to develop a 6 unit apartment at 20 Broad Street in the Village Commercial Zoning District. The property is also located in the Multi-Family Overlay District and the Groundwater Protection District. The 23,109 sq. ft. property (*Medway Assessors Map 60, Parcel 232*) is owned by Village District Development, LLC of Medway, MA.

The proposed development will include renovation of the existing three family building including a 270 sq. ft. addition and construction of a new three-family building for a total of six residential units. Access will be from a single curb cut from Broad Street. A total of 12 off-street, paved parking spaces will be provided. 40.9% of the site will have impervious surfaces. Stormwater management facilities will be installed. Landscaping and site lighting are also proposed. Connections will be made to the existing Town sewer and water services in Broad Street. The site plan entitled *Site Development Plan 20 Broad Street, Medway, MA* dated September 16, 2019, last revised November 22, 2019, was prepared by GLM Engineering Consultants of Holliston, MA.

The permit applications, site plan, and other associated documents are on file with the Medway Town Clerk and at the office of the Planning and Economic Development Board at Medway Town Hall, 155 Village Street and may be reviewed during regular business hours. The materials have also been posted to the Planning and Economic Development Board's web page at: <https://www.townofmedway.org/planning-economic-development-board/pages/20-broad-street-multifamily-housing-development>

A revised site plan was received on 11-26-19 and has been posted to the Board's web page above. Please review that revised plan set. The Board will begin reviewing a draft decision at the next hearing.

Please contact me if you have any questions. Thanks.

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



RECEIVED
JAN - 8 2020
TOWN CLERK

Town of Medway, Massachusetts

**CERTIFICATION
PURSUANT TO G.L. c. 39, Section 23D
OF PARTICIPTION IN A SESSION OF AN
ADJUDICATORY HEARING
WHERE THE UNDERSIGNED MEMBER MISSED
A SINGLE HEARING SESSION**

Note: This form can only be used for missing a single public hearing session.
This cannot be used for missing more than one hearing session.

I, Andy Rodenhiser (name), hereby certify under the pains and penalties of perjury as follows:

- 1. I am a member of Medway Planning & Economic development
- 2. I missed a public hearing session on the matter(s) of: See Agenda

which was held on 12/10/19

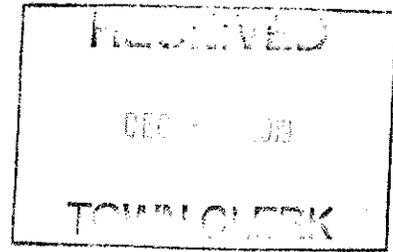
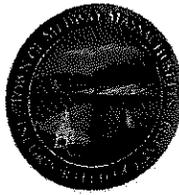
- 3. I have reviewed all the evidence introduced at the hearing session that I have missed which included a review of *(initial which one(s) is/are applicable)*:
 - a. audio recording of the missed hearing session; or
 - b. video recording of the missed hearing session; or
 - c. a written transcript of the missed hearing session.

This certification shall become part of the record of the proceedings in the above matter.

Signed under the pains and penalties of perjury this 6th day of January, 2020.
[Signature]
(Signature of Board Member)

Received as part of the record of the above matter:

Date: January 7, 2020
By: [Signature]
Position: Community & Dev. 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, December 10, 2019 @ 7 p.m.

Medway Town Hall – 155 Village Street

This meeting will be broadcast live and recorded by Medway Cable Access.
 The meeting may also be viewed online at: <https://livestream.com/MedwayCableAccess/events/7583840>

AGENDA

CALL TO ORDER

CITIZEN COMMENTS

APPOINTMENTS – None

PUBLIC HEARINGS

- 7:00 p.m. Medway Place Shopping Plaza site plan (98, 108 and 114 Main Street)
- 7:30 p.m. 2 Marc Road Site Plan Modification
- 8:00 p.m. Choate Trail Way Definitive Subdivision Plan (42 and 42R Highland Street)
- 8:30 p.m. Continuation – Evergreen Village Multi-Family Housing Development Special Permit, Site Plan and Scenic Road Work Permit (22 Evergreen Street)
- 9:00 p.m. Continuation – 20 Broad Street Multi-Family Housing Development Special Permit and Site Plan

OTHER BUSINESS

1. Consider planning consultant services proposal from PGC Associates
2. Applegate Subdivision – Authorization of Contractor Invoices
3. Consider minutes of the November 26, 2019 PEDB meeting
4. Reports – Staff, Consultants and Committee Liaisons
5. PEDB Members’ Comments and Concerns
6. Review Correspondence/Communications
7. 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.*

UPCOMING REGULAR PEDB MEETINGS
 Tuesday evenings
 January 14 & 28, February 11 & 25, March 10 & 24, April 14 & 28, May 12 & 26, 2020 @ 7 pm

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



B T A
 BRETT THIBAUT ARCHITECT
 28 VINCENT ROAD
 MENDON, MA 01756
 BRETT@BTARC.COM
 (508) 634 8401



18022
 20 BROAD STREET
 MEDWAY, MA 02053

DRAWING TITLE:
 LIGHTING PHOTOMETRIC PLAN

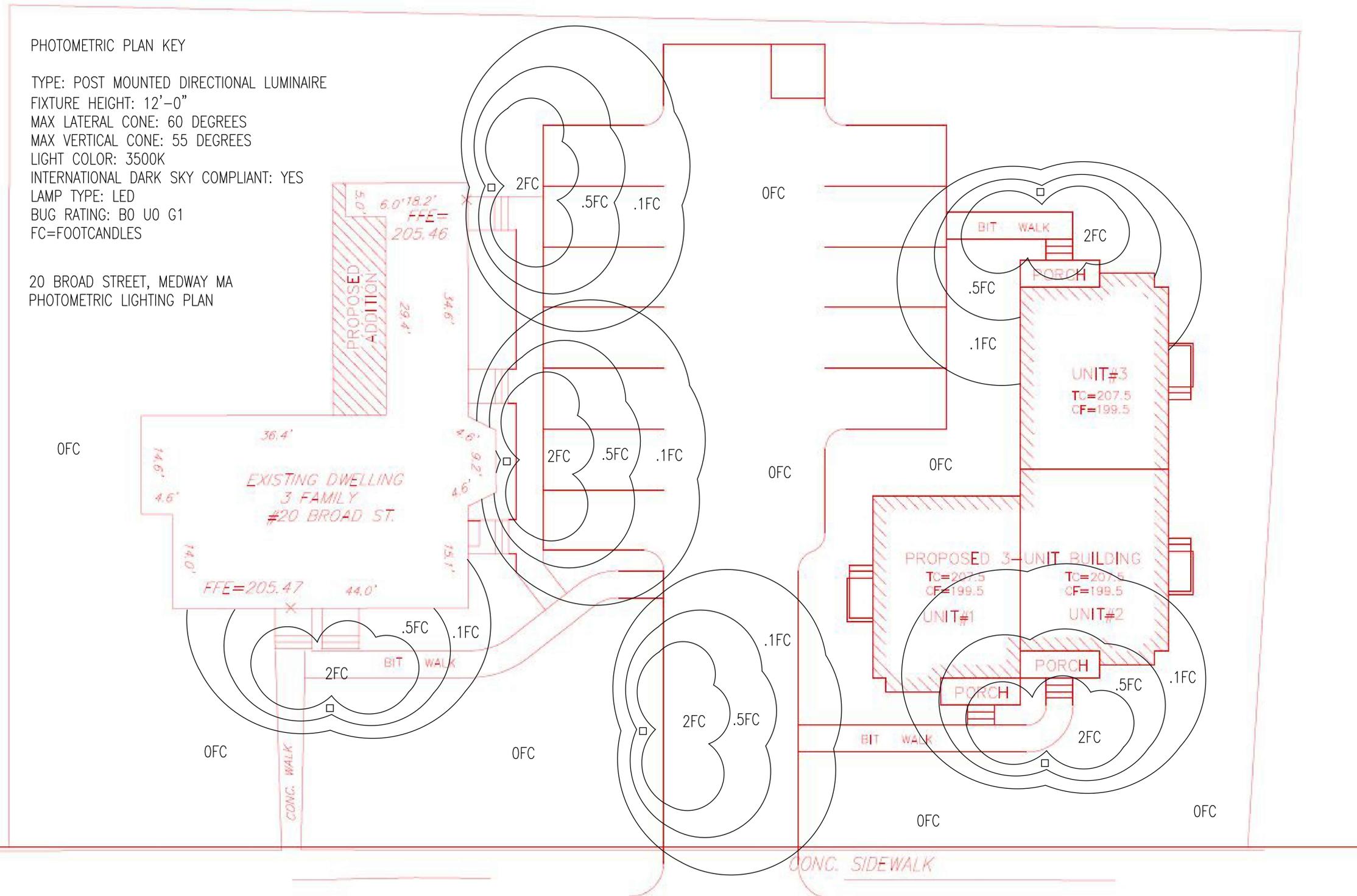
REVISED:	REVISED:	REVISED:	REVISED:	REVISED:	REVISED:
ISSUE	APP				
SCALE	NTS				
DATE	9/19/2019				

LP

PHOTOMETRIC PLAN KEY

TYPE: POST MOUNTED DIRECTIONAL LUMINAIRE
 FIXTURE HEIGHT: 12'-0"
 MAX LATERAL CONE: 60 DEGREES
 MAX VERTICAL CONE: 55 DEGREES
 LIGHT COLOR: 3500K
 INTERNATIONAL DARK SKY COMPLIANT: YES
 LAMP TYPE: LED
 BUG RATING: B0 U0 G1
 FC=FOOTCANDLES

20 BROAD STREET, MEDWAY MA
 PHOTOMETRIC LIGHTING PLAN





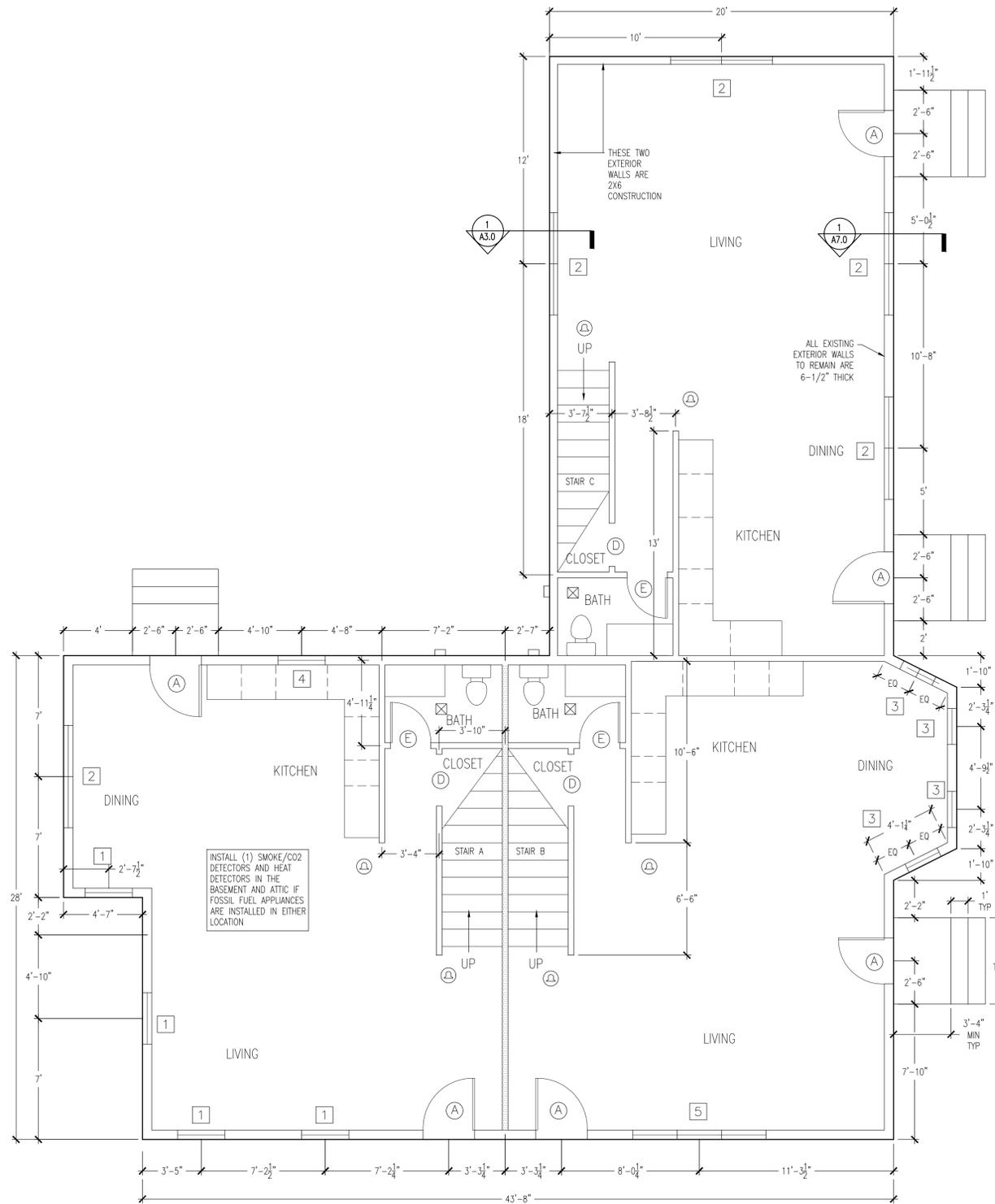
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 BRETT THIBAUT ARCHITECT
 28 VINCENT ROAD
 MENDON, MA 01756
 BRETT@BTARC.COM
 (508) 634 8401

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 20 BROAD STREET
 MEDWAY, MA

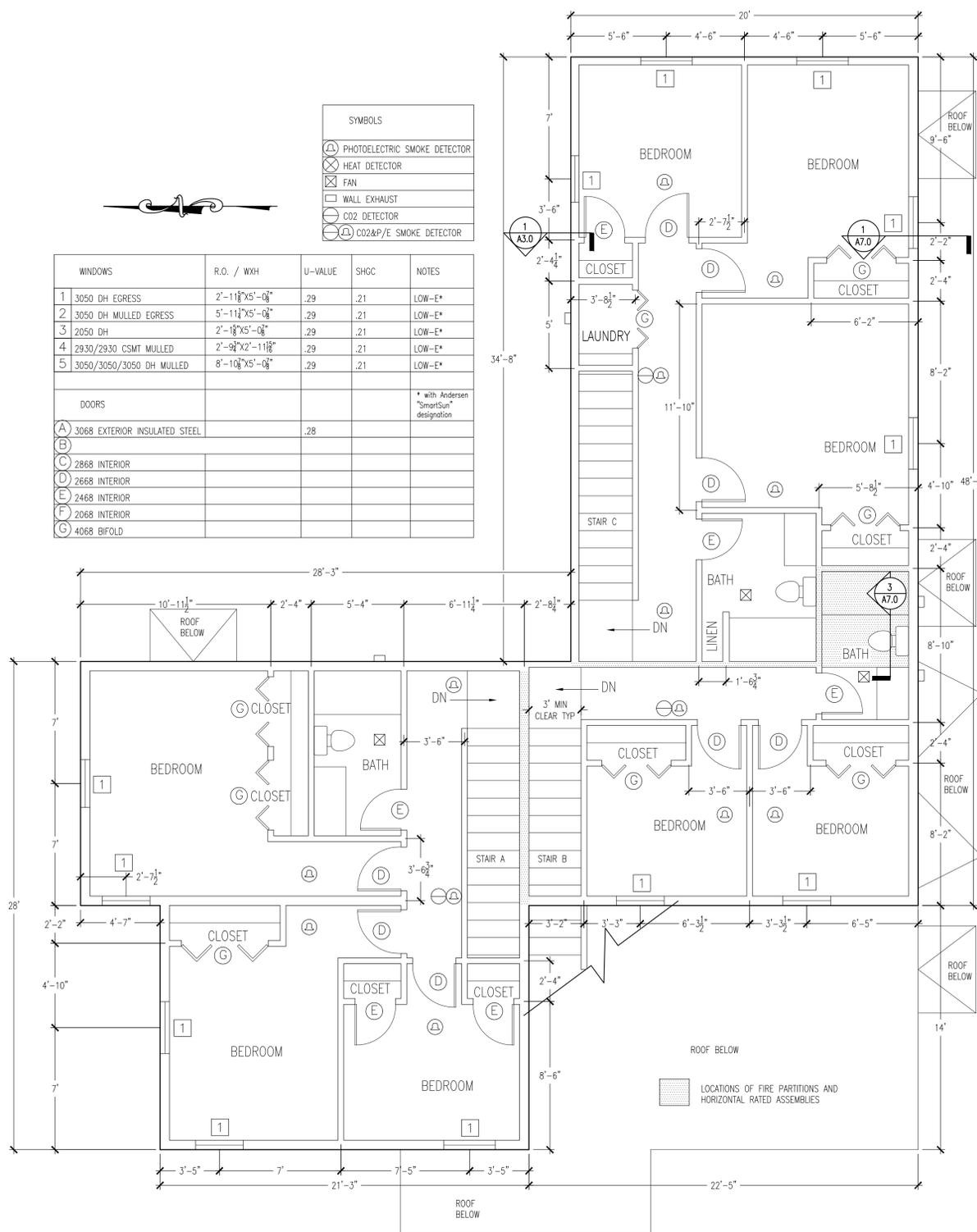
DRAWING TITLE:
 FLOOR PLANS

REVISION	REVISION	REVISION	REVISION	REVISION
ISSUE	SCHEMATIC			
SCALE	AS NOTED			
DATE	12/16/2019			

P



1 FIRST FLOOR PLAN
 1/4" = 1'-0"



2 SECOND FLOOR PLAN
 1/4" = 1'-0"

SYMBOLS

	PHOTOELECTRIC SMOKE DETECTOR
	HEAT DETECTOR
	FAN
	WALL EXHAUST
	CO2 DETECTOR
	CO2&P/E SMOKE DETECTOR

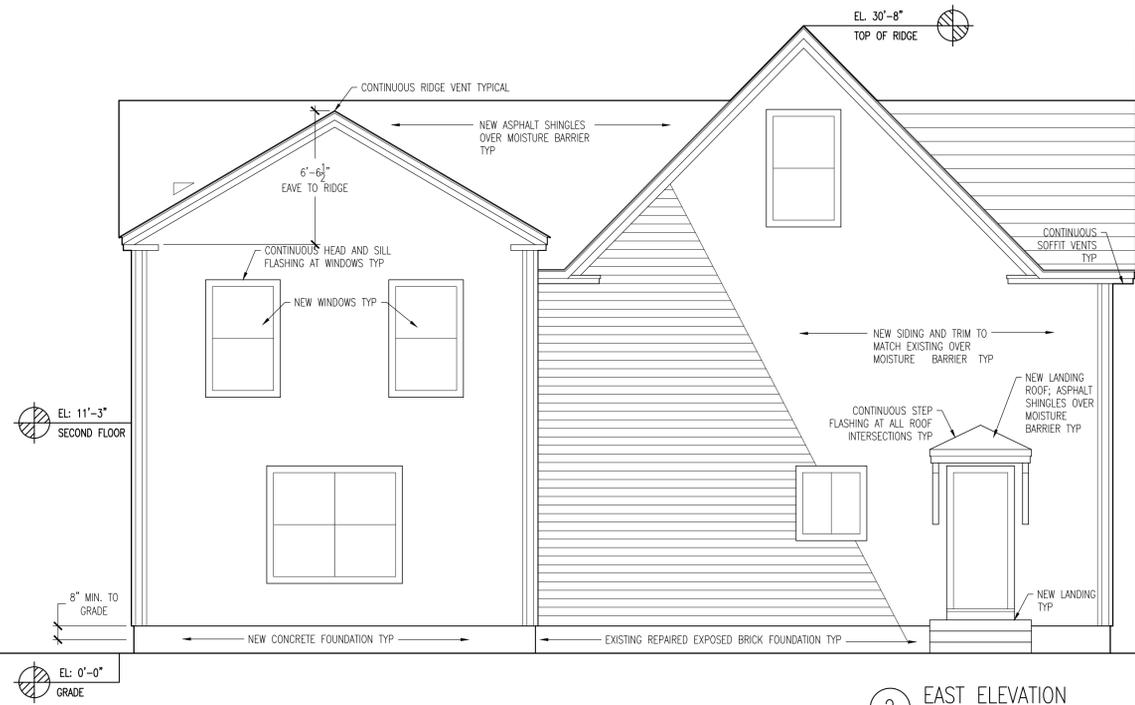
WINDOWS	R.O. / WXH	U-VALUE	SHGC	NOTES	
1	3050 DH EGRESS	2'-11 1/8" X 5'-0 1/2"	.29	.21	LOW-E*
2	3050 DH MULLED EGRESS	5'-11 1/4" X 5'-0 1/2"	.29	.21	LOW-E*
3	2050 DH	2'-1 1/8" X 5'-0 1/2"	.29	.21	LOW-E*
4	2930/2930 CSMT MULLED	2'-9 1/2" X 2'-11 1/8"	.29	.21	LOW-E*
5	3050/3050/3050 DH MULLED	8'-10 1/8" X 5'-0 1/2"	.29	.21	LOW-E*
DOORS					* with Andersen "SmartSun" designation
A	3068 EXTERIOR INSULATED STEEL		.28		
B	2868 INTERIOR				
C	2668 INTERIOR				
D	2468 INTERIOR				
E	2068 INTERIOR				
F	4068 BIFOLD				



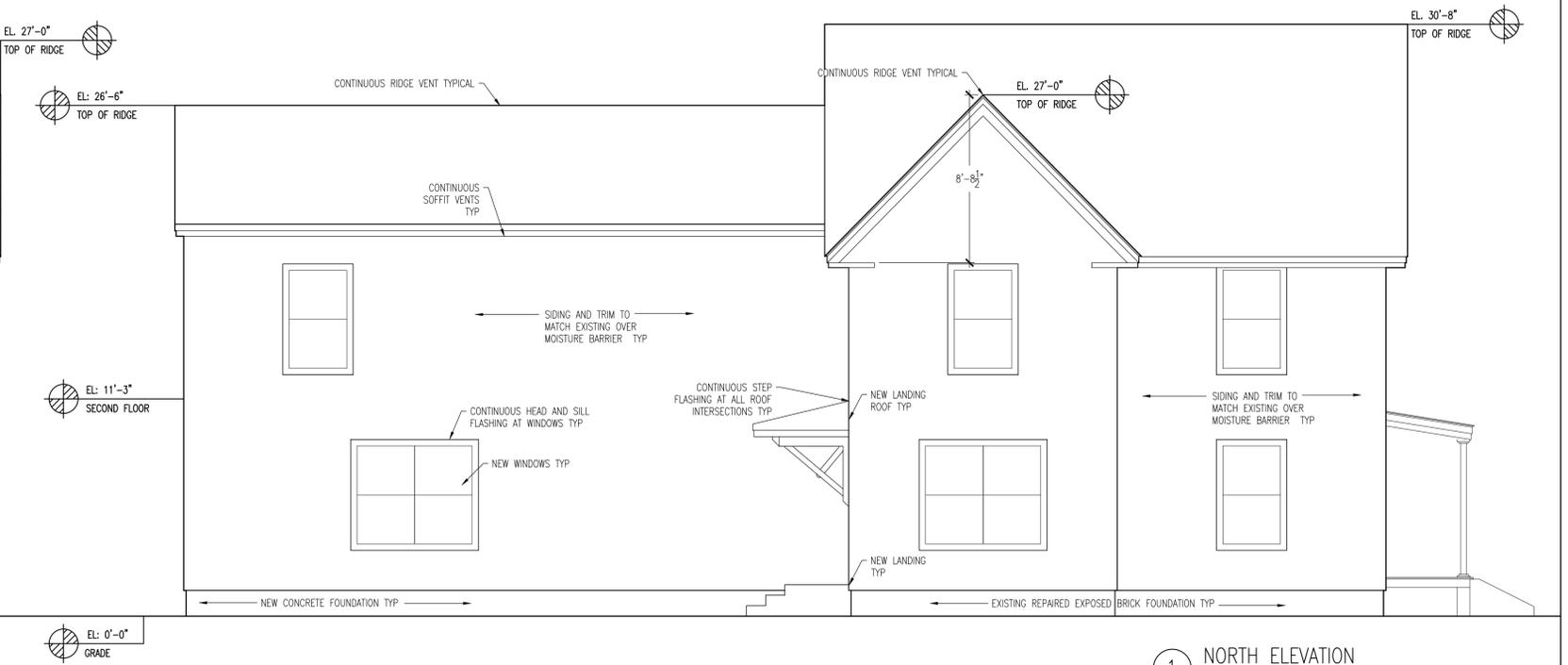
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BRETT THIBAUT ARCHITECT
28 VINCENT ROAD
MENDON, MA 01756
BRETT@BTARC.COM
(508) 634 8401

18022

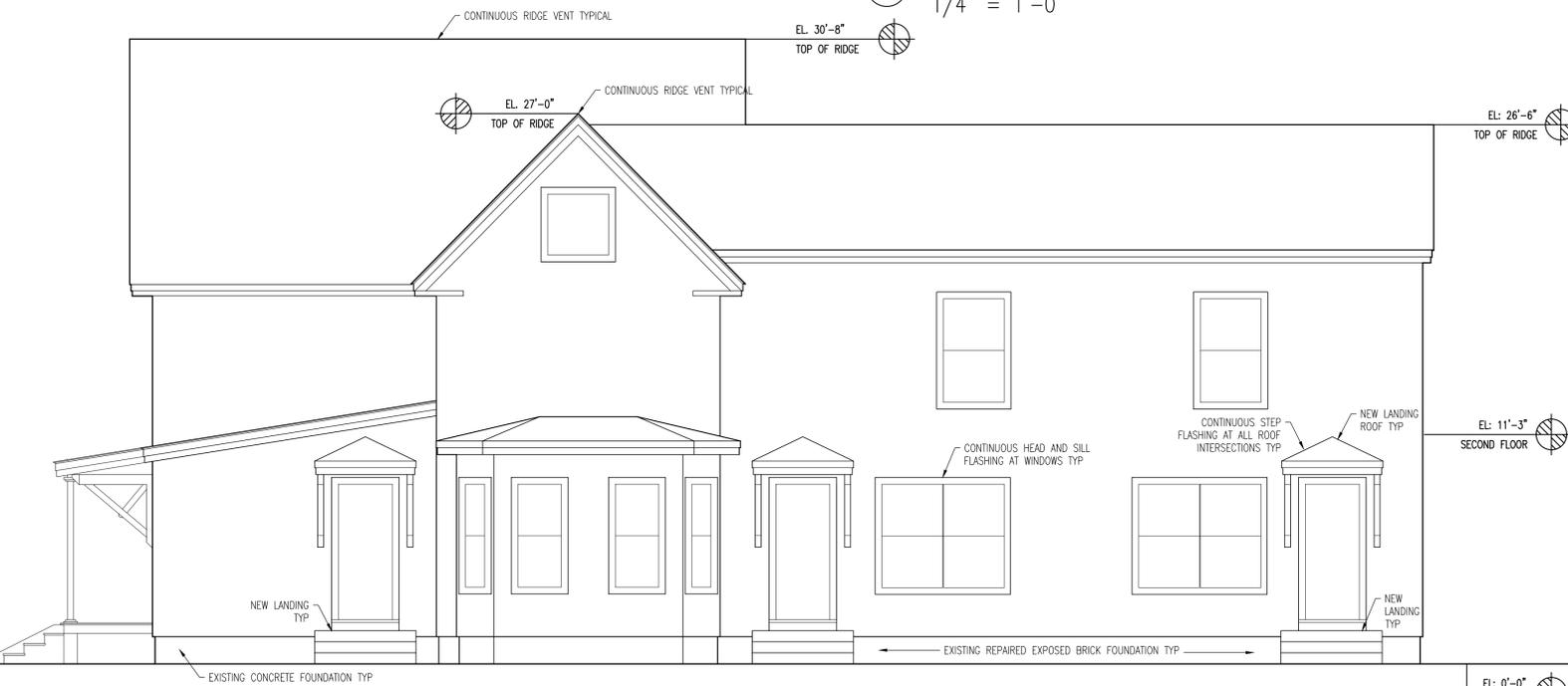
20 BROAD STREET
MEDWAY, MA



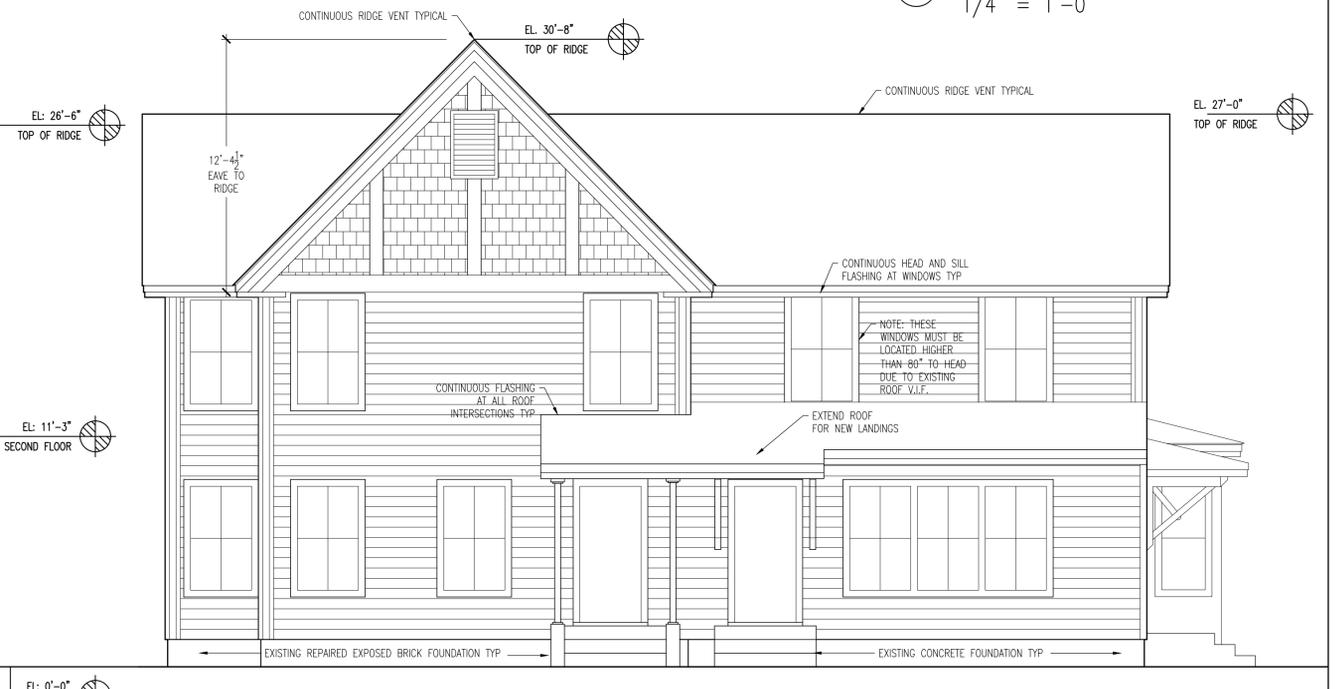
2 EAST ELEVATION
1/4" = 1'-0"



1 NORTH ELEVATION
1/4" = 1'-0"



1 SOUTH ELEVATION
1/4" = 1'-0"



3 WEST ELEVATION
1/4" = 1'-0"

DRAWING TITLE:
PROPOSED ELEVATIONS

REVISED:	REVISED:	REVISED:	REVISED:	REVISED:
ISSUE	SCHEMATIC			
SCALE	AS NOTED			
DATE	12/16/2019			

E



B T A
 BRETT THIBAUT ARCHITECT
 28 VINCENT ROAD
 MENDON, MA 01756
 BRETT@BTARC.COM
 (508) 634 8401



18022

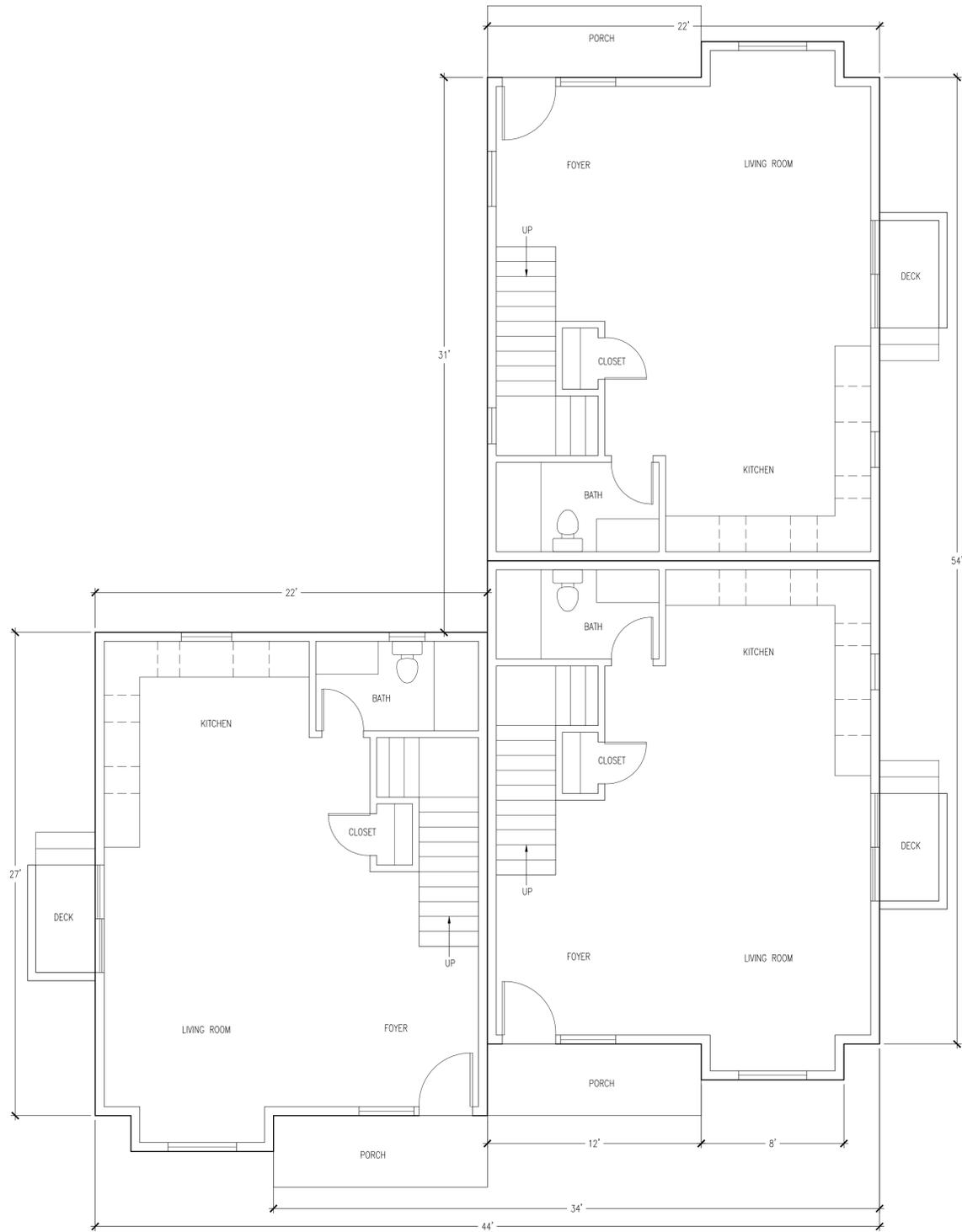
20 BROAD STREET
 MEDWAY MA



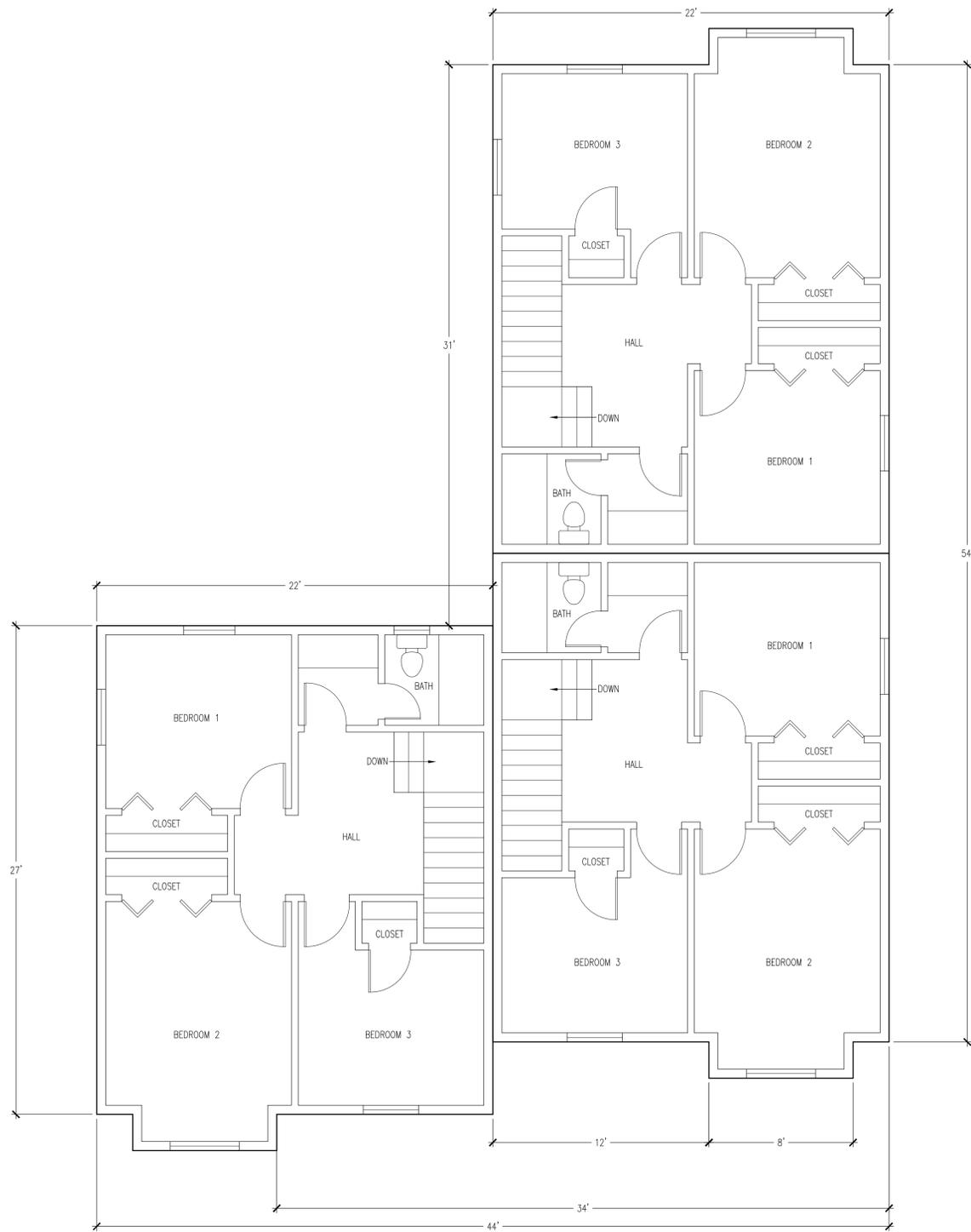
DRAWING TITLE:
 FLOOR PLANS -- PROPOSED TRIPLEX

REVISED:	REVISED:	REVISED:	REVISED:	REVISED:	REVISED:
ISSUE	SCHEMATIC				
SCALE	AS NOTED				
DATE	12/16/2019				

P



20 BROAD STREET, MEDWAY MA. FIRST FLOOR PLAN SCALE: 1/4" = 1'-0"



20 BROAD STREET, MEDWAY MA. SECOND FLOOR PLAN SCALE: 1/4" = 1'-0"



B T A
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 MENDON, MA 01756
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 (508) 634 8401

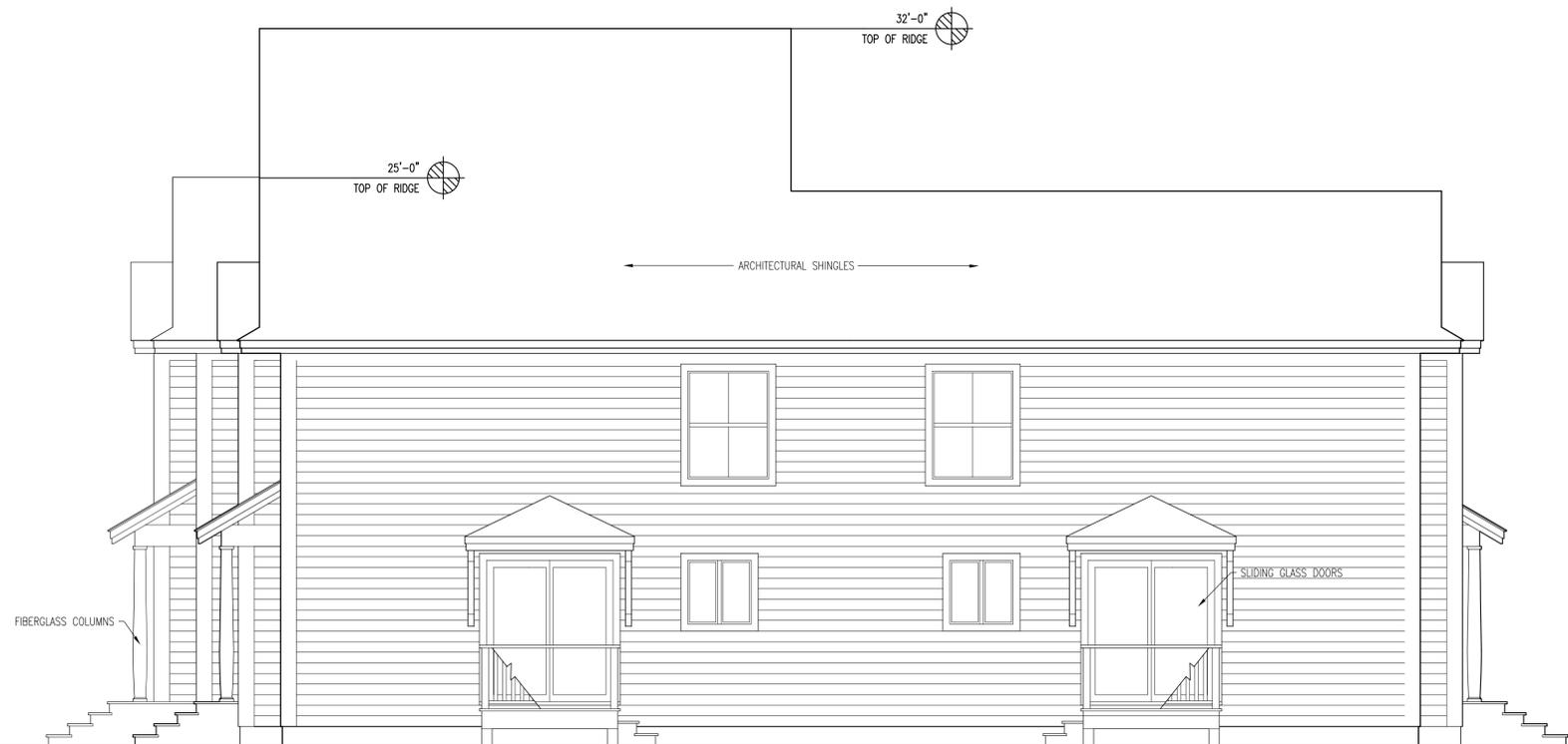
18007

ACCESSORY ADDITION
 153 HOPEDALE STREET
 HOPEDALE, MA 01747

DRAWING TITLE:
 FOUNDATION AND FRAMING PLANS,
 KEY AND NOTES

REVISION	DATE	BY	APP
REVISOR	DATE	BY	APP
ISSUE	PERMIT		
SCALE	AS NOTED		
DATE	06/25/2018		

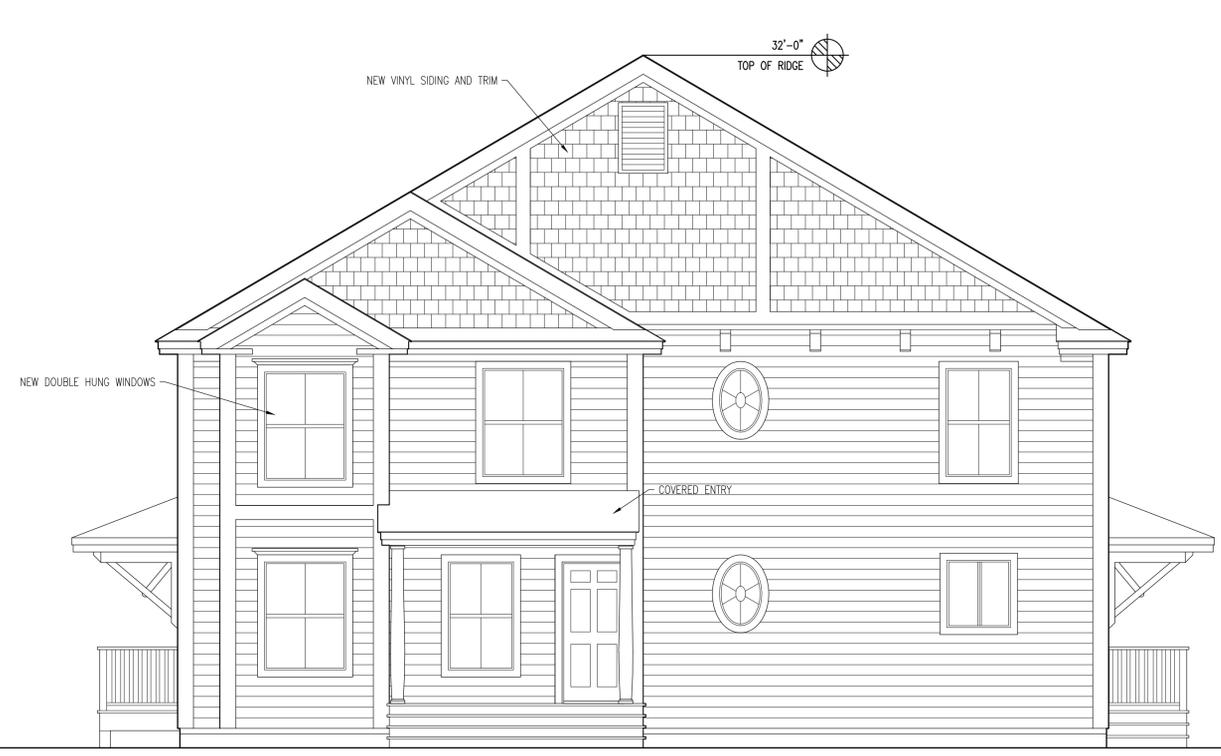
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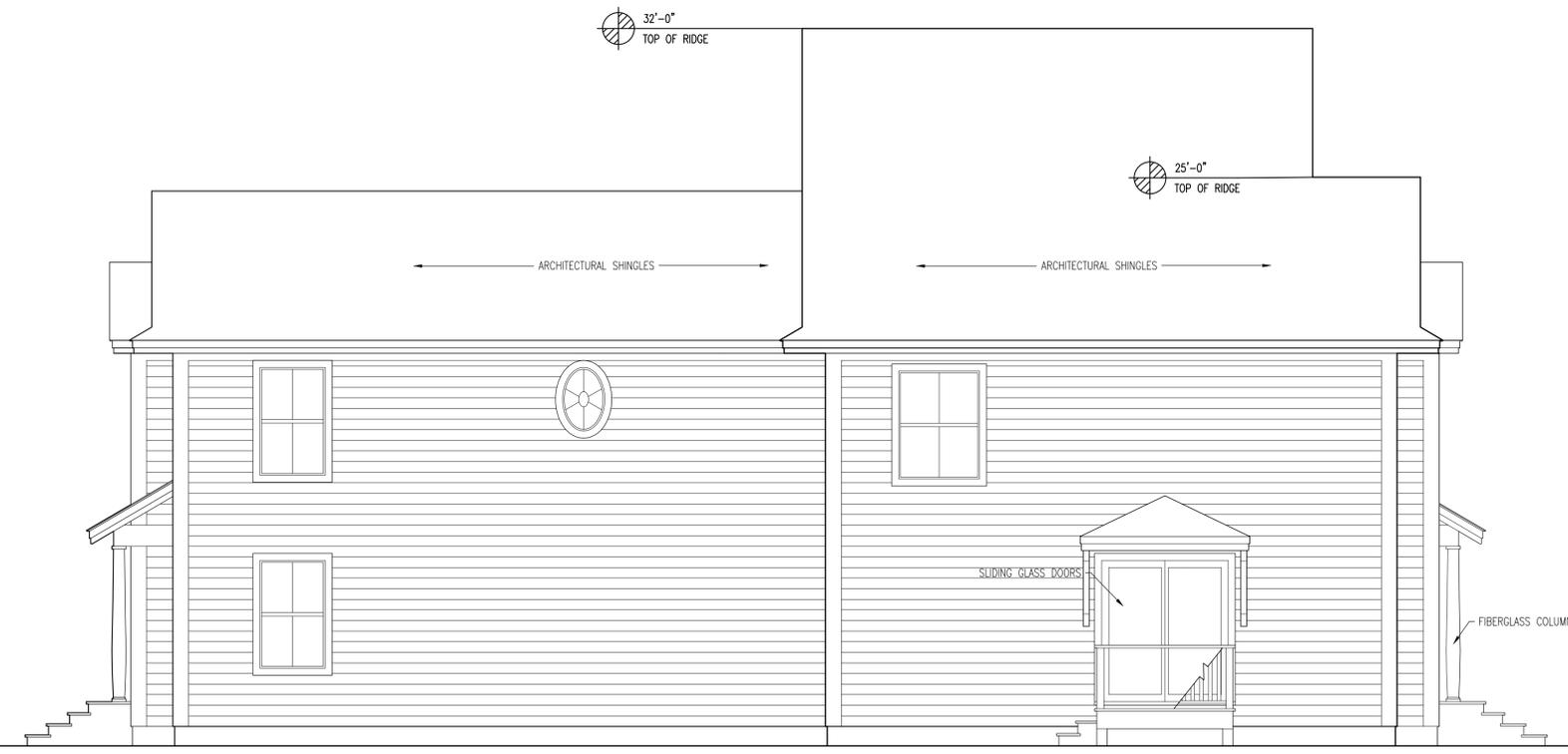
1 SOUTH ELEVATION
 1/4" = 1'-0"



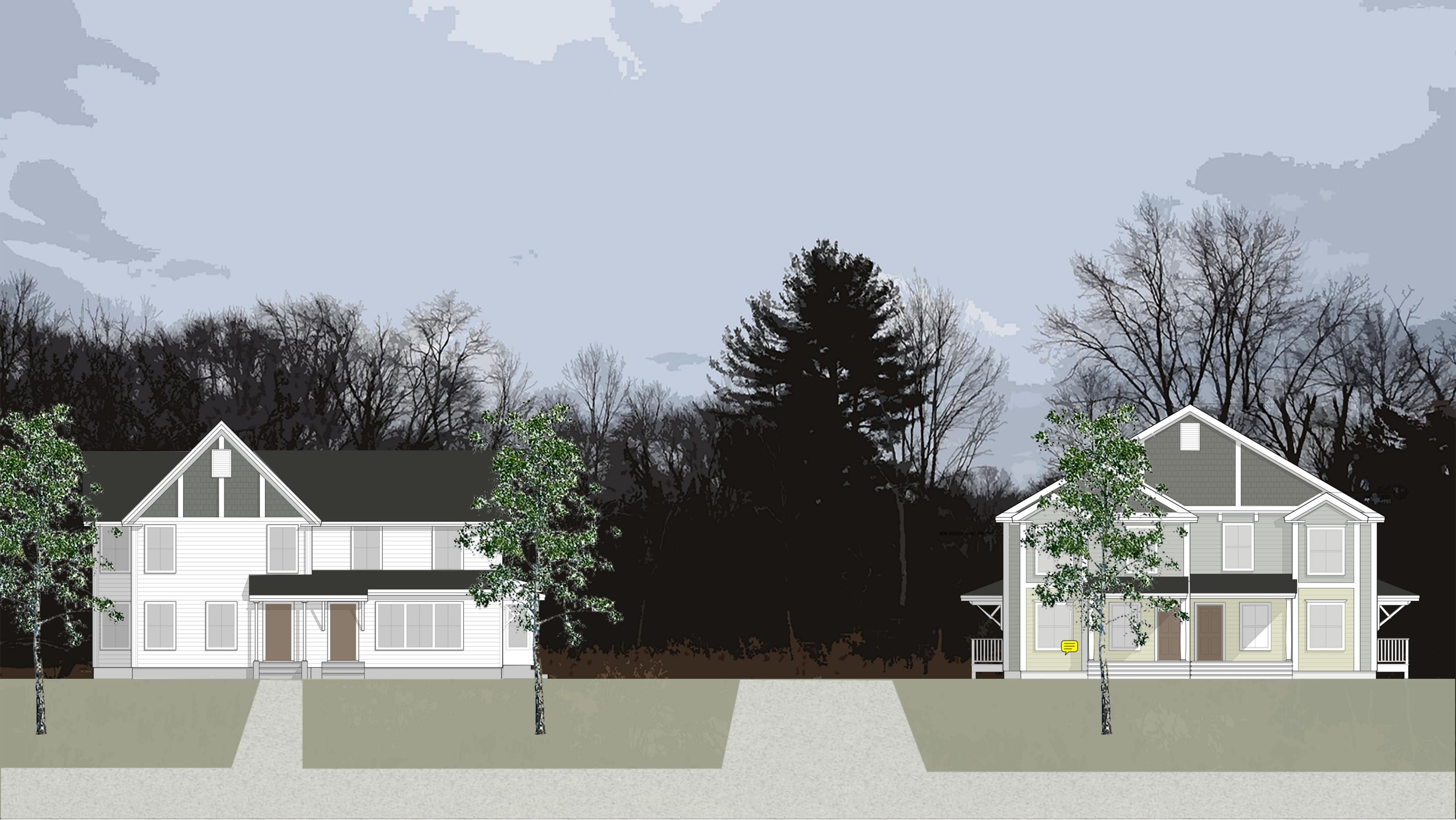
1 WEST ELEVATION
 1/4" = 1'-0"



1 EAST ELEVATION
 1/4" = 1'-0"



1 NORTH ELEVATION
 1/4" = 1'-0"



Susan Affleck-Childs

From: David Damico
Sent: Monday, December 23, 2019 2:24 PM
To: Peter Pelletier; Susan Affleck-Childs
Subject: RE: 20 Broad Street

Susy,

To go a step further, I don't want to be in the position of "dealing" with developers unless we're talking about an equal value swap of some kind. The Board is certainly able to waive or adjust as they see fit. In my mind, the rules are published and the developer knows the rules going in. The decision to ask for and grant waivers goes outside of our jurisdiction unless we need to be consulted for need and necessity. Values are established by Tetra Tech in consult with us and the Board typically. I just can't have someone say that people we know get a better deal than those we don't. We really don't operate that way.

Thanks,

Dave
Medway DPW Director
508-533-3275
Check us out on-line at www.townofmedway.org

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The information in this e-mail, including attachments, may contain privileged and confidential information intended only for the person(s) identified above. If you are not the intended recipient, you are hereby notified that any dissemination, copying or disclosure of this communication is strictly prohibited. Please discard this e-mail and any attachments and notify the sender immediately.

From: Peter Pelletier
Sent: Monday, December 23, 2019 11:14 AM
To: Susan Affleck-Childs
Cc: David Damico
Subject: 20 Broad Street

Susy,

I spoke to Dave and we are in agreement that it does not make much sense to us to have Steve make interim repairs when we are going to be coming in and redoing whatever he does. It is the opinion of the DPW that the board ask Tetra Tech for a cost estimate for the section of sidewalk Steve would be responsible for and ask Steve to make a contribution to the sidewalk fund. The sidewalk would need to be 5' minimum width, with ramps at the driveway for both sides. The sidewalk would go up to a cape cod berm, which would eliminate the grass strip that currently exists. Let me know if you need anything more from me.

Thanks
Pete

Peter Pelletier
Deputy Director of Public Works
45B Holliston Street
Medway, MA 02053
Office: 508-533-3275
Mobile: 774-277-5712

Check us out on-line at www.townofmedway.org

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Sidewalk Estimate
20 Broad Street
Medway, Massachusetts
January 2, 2020

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

DESCRIPTION	QUANTITY	UNIT	UNIT COST ¹	ENGINEERS ESTIMATE
Mobilization	1	LS	\$1,000.00	\$500
Excavation	23	CY	\$35.00	\$805
Gravel Borrow	24	CY	\$45.00	\$1,080
Fine Grading & Compacting	92	SY	\$5.50	\$506
HMA Binder	9	TON	\$120.00	\$1,080
Cape Cod Berm	165	FT	\$11.00	\$1,815
Accessible Ramps	7	SY	\$100.00	\$700
HMA Top	7	TON	\$117.00	\$819
Loam	8	CY	\$55.00	\$440
Seed	37	SY	\$2.00	\$74
			Subtotal	\$7,819
			25% Contingency	\$1,955
			Total	\$9,774

Notes:

¹Unit prices are taken from the latest information provided on the MassDOT website. They utilize the MassDOT weighted bid prices (Combined - All Districts) for the time period 01/2019 - 01/2020. Quantities which are too small for accurate representation using the weighted bid pricing were estimated based on industry construction experience.

²Sidewalk quantities based on estimated length of proposed sidewalk along frontage of the property. HMA Sidewalk Dimensions: Excavation Depth/Width=6 in./7.5 ft., Gravel Depth/Width=8 in./5 ft., Curb Length=165 ft., Sidewalk Width=5 ft., Loam Depth/Width=6 in./2 ft., Seed Width=2 ft.

Susan Affleck-Childs

From: Lisa Mitchell <LMitchell@radiofrequency.com>
Sent: Thursday, January 16, 2020 10:51 PM
To: Susan Affleck-Childs
Subject: 20 Broad Street Development Proposal

1/16/2020

If I understood correctly from the last planning board meeting, the board will give its decision on granting a variance for 20 Broad to Steven Brody for adding a second structure – to be a 3-family multi-unit structure each a 3-bedroom. The existing home is supposedly already permitted as a 3-family home, also each to be 3 bedrooms. The lot would also include a central parking lot allowing for 12 off-street parking spaces. This would nearly completely cover the entire lot. I understand that the developer wishes to maximize the income potential of the lot in this manner. Although having the existing derelict structure rehabilitated can only improve the neighborhood, I don't see doubling the structures, along with the parking, as any kind of benefit/improvement to the neighborhood. The neighborhood is already overburdened with ill-kept rental property and a decreasing number of owner occupied dwellings.

I realized when I purchased my home that there were already, including my own home, odd "grandfathered" lots on the street. There was already (25 years ago when I bought my home) a significant number of rental properties in poor condition. I had hoped the neighborhood would improve, but as the town of Medway has evolved Broad street has not. I had also hoped a developer would purchase this lot and rebuild the home and garage as a single family since the lot has one of the few decent yards on the street. I would see this as an improvement to the neighborhood. When the builder who rehabilitated my home went for his permits he was required to move my house back from the street onto a new foundation. He hadn't planned on having that expense – but it certainly was an improvement for the home and for the neighborhood not having this odd-ball home only a few feet back from the street edge. In the reverse, allowing this variance to further add to the crammed structures on the street, and parking, would not be an improvement. It would also set a precedent for other developers to do likewise with some of the other remaining properties, currently owner occupied, turning the neighborhood into a tenement row.

Mr. Brody owns two other rental properties in the close neighborhood. And although I will take him at his word he made improvements inside, of course these would be the "money-makers", he himself admits the externals of the homes have not had the same attention. But then that is not where he'd make his money on the rent, and not where his renters would be interested in either. This also does not give me any good feeling that either the best materials will be used in the construction of the buildings (as would be with a developer looking to sell the home) nor that as time and wear deteriorated the buildings that repairs would be any more quickly made than as shown on the buildings he already rents.

The street already has a water drainage issues. And although the highly objectionable drainage ditches (referred to as "rain gardens") have been removed from the plans, I know a number of homes on the street have issues with water in the basement and that further disrupting the drainage by adding a second building with parking lot can only exacerbate the situation for the homes "downstream". I attended both earlier meetings as you know objecting to the variance and still do, even after Mr. Brody made the effort to speak to me about his plans, his actual performance with the 2 existing rental properties was more convincing. I hope these concerns are given consideration in your decision making.

Lisa Mitchell
25 Broad St.
508-533-4192
Cell: 508-430-0739





Town of Medway
DESIGN REVIEW COMMITTEE
155 Village Street
Medway MA 02053
508-533-3291
drc@townofmedway.org

January 21, 2020

TO: Medway Planning and Economic Development Board
FROM: Matthew Buckley, Chairman
RE: DRC Comments – Village District Development LLC - Site plan review
20 Broad Street

Dear Members of the Medway Planning and Economic Development Board,

The Medway Design Review Committee [DRC] is pleased to provide an updated status letter for the proposed multi-family residential development at 20 Broad Street. The DRC met with property owner Steve Brody and project architect Brett Thibault on October 7th and December 16th, 2019. During the recent meeting, the DRC reviewed updated plans dated 12/16/19 and a presentation of building elevations and site plan.

The DRC is satisfied that the current building designs and amenities align with the Medway *Design Review Guidelines*. The building styles are cohesive to one another and appropriate in form to the surrounding neighborhood. At the time of the presentation several details had not been completed.

- A complete landscape plan was not shown but the applicant indicated that it was forthcoming and would provide it for the DRC's review.
- A fence is proposed for both the dumpster enclosure and around the perimeter of the sides and rear of the site. The DRC recommended that the dumpster enclosure be of sufficient height to conceal the entire dumpster. The fence style should have a natural color and a non-reflective surface. The lengthy runs of the perimeter fence should be broken with periodic vegetative plantings.

The DRC is pleased with the overall design of the proposed buildings and site. The DRC remains available to review any of these changes and will gladly provide feedback in the most effective manner that will assist these proceedings.

Sincerely,

Matthew Buckley
Chairman



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

DRAFT – January 24, 2020

**MULTI-FAMILY HOUSING SPECIAL PERMIT,
GROUNDWATER PROTECTION SPECUAL PERMIT, LAND
DISTURBANCE SPECIAL PERMIT and SITE PLAN DECISION**
20 Broad Street
with Waivers and Conditions

Decision Date: TBD

Name of Applicant/Permittee: Village District Development, LLC

Address of Applicant: Village District Development, LLC
9A North Street
Medway, MA 02053

Name/Address of Property Owners: Village District Development, LLC
9A North Street
Medway, MA 02053

Site Plan: *Site Development Plan – 20 Broad Street*
Dated September 16, 2019, last revised November 22, 2019 by
GLM Engineering Consultants, Inc.

Location: 20 Broad Street

Assessors' Reference: Map 60, Parcel 232

Zoning District: Village Commercial
Multi-Family Housing Overlay District
Groundwater Protection District

I. PROJECT DESCRIPTION – The Applicant proposes to develop a 6-unit residential apartment community at 20 Broad Street. The area of the site is .53 acres (23,109 sq. ft.). The project includes construction of one 3-unit building and the renovation of the existing three-family building with a 270 sq. ft. addition. All six apartment units will have 3 bedrooms.

Access to the development will be from a single curb cut from Broad Street. A total of 12 off-street parking spaces will be provided. Sub-surface stormwater management facilities will be installed on site as will landscaping and lighting. Connections will be made to the existing Town sewer and water services on Broad Street.

The proposed use requires a multi-family housing special permit pursuant to Sections 5.6.4 and 3.4 of the Town of Medway *Zoning Bylaw* (the “*Bylaw*”), site plan review and approval pursuant to Section 3.5 of the *Bylaw* and the Board’s *Site Plan Rules and Regulations* as amended December 3, 2002, a groundwater protection special permit pursuant to Section 5.6.3 of the *Bylaw*, and a Land Disturbance Permit pursuant to Medway General Bylaws, Article XXVII.

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 (the “Board”), on _____, on a motion made by _____ and seconded by _____, voted to _____ with **CONDITIONS a Multi-Family Housing Special Permit, a groundwater protection special permit, and a land disturbance permit to Village District Development, LLC of Medway, MA (hereafter referred to as the Applicant or the Permittee) and to _____ with WAIVERS and CONDITIONS as specified herein, a site plan for the development of a six unit, residential apartment community and associated site improvements on the property at 20 Broad Street as shown on the plan titled Site Development Plan for 20 Broad Street, dated September 16, 2019, last revised November 22, 2019 to be further revised as specified herein before endorsement and recording.**

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

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

III. PROCEDURAL HISTORY

- A. September 19, 2019 – Special permit and site plan applications and associated materials filed with the Board.
- B. September 24, 2019 - Special permit and site plan applications and associated materials filed and the Medway Town Clerk
- C. October 1, 2019 – Public hearing notice filed with the Town Clerk and posted at the Town of Medway web site.

- D. October 1, 2019 - Public hearing notice mailed to abutters by certified sent mail.
- E. October 1, 2019 – Site plan information distributed to Town boards, committees and departments for review and comment.
- F. October 7 and 15, 2019 - Public hearing notice advertised in *Milford Daily News*.
- G. October 22, 2019 - Public hearing commenced. The public hearing was continued to November 26 and December 10, 2019, to January 28, 2020 and to _____ when the hearing was closed and a decision rendered.

IV. INDEX OF SITE PLAN/SPECIAL PERMIT DOCUMENTS

- A. The various applications for the proposed multi-family development at 20 Broad Street included the following plans, studies and information that were provided to the Board at the time the application was filed:
 - 1. Multifamily Housing Special Permit application dated September 19, 2019.
 - 2. Major Site Plan application dated September 19, 2019.
 - 3. Groundwater Protection Special Permit application dated September 19, 2019
 - 4. Land Disturbance Permit application dated September 16, 2019
 - 5. *Site Development Plan, 20 Broad Street*, dated September 16, 2019 prepared by Paul Truax, P.E. and Joyce Hastings, PLS, of GLM Engineering Consultants, Inc. of Holliston, MA.
 - 6. Certified Abutters List from Medway Assessor's office dated September 12, 2019.
 - 7. Requests for Waivers from *Site Plan Rules and Regulations* dated September 16, 2019 prepared by GLM Engineering Consultants, Inc.
 - 8. Quit Claim deed dated December 16, 2017 conveying 20 Broad Street from Harold L. Adams to Village District Development, LLC of Medway, MA.
 - 9. *Stormwater Management Report for Site Plan of Land, 20 Broad Street* dated September 16, 2019, prepared by GLM Engineering Consultants, Inc.
 - 10. Building architectural plans including elevations and floor plan, dated August 15, 2018 and September 19, 2019, by Brett Thibault Architect, Mendon, MA
 - 11. Photometric plan dated September 19, 2019, by Brett Thibault Architect, Mendon, MA
- B. During the course of the Board's review, revised plans and a variety of other materials were submitted to the Board by the Applicant and its representatives:
 - 1. Groundwater Protection District Description, letter dated October 1, 2019 from Rob Truax, GLM Engineering
 - 2. *Site Development Plan, 20 Broad Street, dated September 16, 2019, revised November 22, 2019* prepared by Paul Truax, P.E. and Joyce Hastings, PLS, of GLM Engineering Consultants, Inc. of Holliston, MA.

2. *Stormwater Management Report for Site Plan of Land, 20 Broad Street* dated September 16, 2019, revised November 22, 2019 prepared by GLM Engineering Consultants, Inc., including a Stormwater Operations and Maintenance Plan.
3. Response and resubmission letter dated November 22, 2019 from Rob Truax, GLM Engineering to the plan review letters from Tetra Tech and PGC Associates.
4. REVISED building architectural plans including elevations and floor plan, dated December 16, 2019 by Brett Thibault Architect, Mendon, MA

C. Other documentation submitted to the Board during the course of the public hearing:

1. PGC Associates plan review letters dated October 16 and December 4, 2019
2. Tetra Tech plan review letters dated October 18 and December 4, 2019
3. Email dated October 2, 2019 from Fire Chief Jeff Lynch
4. Design Review Committee comment memorandums dated October 24, 2019 and January 21, 2020.
5. Emails dated November 5, 2019 and December 23, 2019 from Medway DPW Director Dave D'Amico
6. Email dated December 23, 2019 from Medway DPW Deputy Director Pete Pelletier
7. Emails dated November 24, 2019 and January 16, 2020 from abutter Lisa Mitchell, 25 Broad Street

V. **TESTIMONY** - In addition to the special permit and site plan review application materials as submitted and provided during the course of its review, the Board heard and received verbal testimony from:

- Steve Bouley, P.E. of Tetra Tech, Inc., the Town's Consulting Engineer – Commentary provided throughout the public hearing process.
- Gino Carlucci, PGC Associates, the Town's Consulting Planner – Commentary provided throughout the public hearing process.
- Rob Truax, GLM Engineering Consultants, Inc. for the Applicant – Commentary provided throughout the public hearing process
- Stephen Brody, Applicant
- Jason Burns, 18 Broad Street
- Scott Salvucci, 17 Broad Street
- Tracy Batchelor, 24 Broad Street
- Lisa Mitchell, 25 Broad Street

VI. **FINDINGS** - The Board, at its meeting on _____2020, on a motion made by _____and seconded by _____, voted to _____the following **FINDINGS** regarding the site plan, land disturbance application and special permit applications for the proposed multi-family development at 20 Broad Street. The motion was _____by a vote of ___in favor and ___ opposed.

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

Applicability

- 1) Location - *The site is within the Multifamily Housing Overlay District (Section 5.6.4) and thus is eligible for the multifamily housing proposal.*
- 2) Traffic capacity – *Broad Street is a local street off of Village Street, one of Medway’s major east/west streets, and has sufficient capacity to handle the traffic from the 6 units that are proposed. This is an increase of 3 units beyond the current 3 family structure on the property. The 6 units do not rise to the level of triggering the requirement for preparation of a traffic study.*
- 3) Parcel size & frontage – *The site consists of .53 acres (23,109 sq. ft.) which exceeds the minimum area requirement of 10,000 square feet for the Village Commercial zoning district. The site has 184.29 feet of frontage on Broad Street, so it meets the minimum 50 foot frontage requirement of Section 5.6.4.B(1) of the Bylaw.*

Dimensional

- 4) Dimension adjustments – *The dimensional requirements of the underling Village Commercial District apply to the project, as set forth in Table 2 of Section 6 of the Bylaw. The plan shows a front building setback of 21 feet from Broad Street; the minimum front setback for the VC district is 20 feet. The plan shows a side setback of 13.7 feet where the minimum required is 10 feet. The plan shows a rear setback of 25 feet where a 10 foot minimum is required. The plans indicate that the project complies with maximum building coverage requirements (17.5% provided vs. 80% maximum allowed). There are no impervious standards for the VC district; the site will be 40.9% impervious upon completion of the building and site improvement construction.*
- 5) Building Height - *As noted on the plans, the height of the six buildings will be approximately 30.8 feet, less than the maximum 40 feet allowed.*

Density

- 6) Density – *Pursuant to the Zoning Bylaw in effect at the time of applications, the maximum possible density for multi-family projects is 12 units per whole acre. With .53 acres, the site could include a maximum possible 6 dwelling units. With 6 units proposed, the project meets the allowed density.*

Special Regulations

- 7) Affordable housing - *At 6 units total including only 3 new units, the project is not required to provide an affordable housing unit pursuant to Section 8.6.C. of the Bylaw.*
- 8) Open Space - *A minimum of 15% of the parcel must be open space or yard area. This requirement is met with [redacted] % open space provided.*
- 9) Parking spaces - *Two off-street spaces per unit (12 spaces) are the minimum required per Section 5.6.4 E. 3 of the Bylaw and 12 paved, off-street parking spaces are provided.*
- 10) Town water and sewer service - *The project will be served by Town water and sewer service presently located in Broad Street*

Commented [SA1]: Requested this info from GLM.

- 11) Number of units - *The number of units proposed (6) equals the 6 unit maximum possible allowed under the Bylaw.*
- 12) Historic Properties – *The existing 1880 building on the site will be renovated as part of the development plan and will include 3 apartment units.*

Decision Criteria

- 13) Meets purposes of Multi-Family Housing section of the Bylaw (Section 5.6.4) and the Site Plan Rules and Regulations - *The project meets the following purposes of the Multifamily Housing section of the Bylaw: (1) It provides a diversity of housing types in the form of apartment units; (2) promotes pedestrian oriented development as the subject property is located within an older, walkable neighborhood; (3) encourages the preservation of older and architecturally significant properties. It also meets the purpose of the Site Plan Rules and Regulations. The site plan has been reviewed by Town officials, the Consulting Engineer and Consulting Planner to ensure that the health, safety and welfare of Town residents is protected. Impacts on traffic, parking, drainage, environmental quality, community economics and community character were considered.*
- 14) Consistent with the Medway Housing Production Plan - *The development meets the HPP's implementation strategy of encouraging the use of the Multifamily Housing special permit provision of the Bylaw and providing additional options for multi-family housing.*
- 15) Impact on abutting properties and adjacent neighborhoods - *The impact on abutting properties and adjacent neighborhoods has been addressed through vegetative screening, and the positive aesthetics of the building to be renovated and the building to be constructed.*
- 16) Variety of housing stock - *The development increases the variety of housing stock in the community by providing a total of six rental apartments to the town's housing stock.*
- 17) Designed to be reflective of or compatible with the character of the surrounding neighborhood - *The surrounding neighborhood includes a mix of housing types including single family, two-family and multi-family residences. Therefore, the proposed development is compatible with the surrounding neighborhood.*

GROUNDWATER PROTECTION FINDINGS – The subject property at 20 Broad Street is located within the Groundwater Protection District which is an overlay district superimposed on the underlying zoning districts. Therefore, it is subject to the requirements of Section 5.6.3 of the Bylaw. The overlay district requirements apply to all new construction, reconstruction of existing buildings and new or expanded uses.

- E. 1. **Permitted Uses** – *The proposed use shown on the site plan is an expansion of the existing residential use of the premises which includes a 3-family residential building which will be renovated and have a modest addition built onto it. Additionally, a new building will be constructed to create 3 residential apartments. Enlargement of an existing structure and new construction are*

permitted uses, subject to certain restrictions, within the Groundwater Protection District. As conditioned herein, the project will comply with those restrictions.

E.3. Uses and Activities Requiring a Special Permit – Specific to this project, the following uses and activities are allowed only upon the issuance of a special permit.

- b. Any use which will render impervious more than 15% or 2,500 square feet of any lot, whichever is greater. A system for groundwater recharge must be provided which does not degrade groundwater quality. *The proposed building expansion and site improvements at 20 Broad Street would increase the extent of impervious surface from 4,035 sq. ft. (17.5% of the site) to 9,446 sq. ft. (40.9% of the site), thus triggering the need for a Groundwater Protection special permit.*

F. Special Permits

1. *The Board of Appeals is the designated special permit granting authority for the Groundwater Protection District. However, the Bylaw (Section 3.5. Site Plan Review, 4. a.) transfers that authority to the Planning and Economic Development Board when both site plan approval and a special permit are needed so as to consolidate the review process. The Board has notified the Board of Health, the Conservation Commission, and the Medway Department of Public Works of the groundwater special permit application and sought their counsel and input as required by the Bylaw.*

1. a. The proposed use must not adversely affect the existing or potential quality or quantity of water that is available in the Groundwater Protection District.

The project has been reviewed by the Town's Consulting Engineer to ensure that the planned stormwater management facilities and the associated groundwater recharge does not degrade groundwater quality. This decision includes suitable measures to protect groundwater. A comprehensive stormwater management system has been designed for this site where there are currently no stormwater facilities whatsoever. The stormwater design provides for the required reduction of total suspended solids off of the paved surfaces through the use of sub-surface drainage structures, deep sump catch basins and an infiltration detention basin for treatment, infiltration and recharge; the total suspended solids removal rate will be 95%. Peak stormwater flows will now be managed for all peak storm events. This is a considerable improvement over current conditions where untreated stormwater is presently flowing to out to Broad Street.

To further protect groundwater, the project is conditioned as included herein; see Condition _____.

1. b. The proposed use shall be designed to avoid substantial disturbance of the soils, topography, drainage, vegetation, and other water-related natural characteristics of the site to be developed.

The location of the proposed addition to the existing building and the location of the new building are in areas that have been used primarily as a yard for the

Commented [SA2]: Check these details with GLM.

existing residential building. 59.1% of the site will be impervious after construction which complies with the Dimensional Regulations represented in Table 2 of the Bylaw.

2. The Board finds that the Applicant has provided sufficiently detailed, definite, and credible information to support positive findings in relation to the standards for a Groundwater Protection special permit as documented in the application materials and additional information provided during the course of the public hearing including a redesign of the stormwater system. The proposed stormwater drainage system will provide groundwater recharge through the use of underground infiltration systems to capture roof runoff. The runoff from the paved surfaces will be directed to subsurface stormwater facilities to provide treatment before recharge.

3. The submission requirements and public hearing procedures have been conducted in accordance with Section 3.4 of the Bylaw and the Board's Site Plan Rules and Regulations including the posting of a public hearing notice with the Town Clerk, abutter notification, and legal advertisement. Information about the project has also been posted to the Board's web page and review and comments have been sought from the Board of Health, Conservation Commission, Sewer and Water Commission and the Department of Public Works.

The Board finds that the adverse effects of the proposed use will not outweigh its beneficial impacts to the Town or neighborhood.

SPECIAL PERMIT DECISION CRITERIA FINDINGS – Unless otherwise specified herein, special permits shall be granted by the special permit granting authority only upon its written determination that the adverse effects of the proposed multifamily housing use will not outweigh its beneficial impacts to the town or the neighborhood, in view of the particular characteristics of the site, and of the proposal in relation to that site. The Board makes the following findings in accordance with Section 3.4 of the Bylaw. In making its determination, the special permit granting authority, in addition to any to any specific factors that may be set forth in other sections of the Bylaw, shall make findings on all of the applicable criteria specified below:

- 1) The proposed site is an appropriate location for the proposed use. *The proposed use is a multi-family development within the Multi-Family Housing Overlay District as approved by Town Meeting. Therefore the proposed use is in an appropriate location.*
- 2) Adequate and appropriate facilities will be provided for the operation of the proposed use. *As documented in the plans and associated materials, and conditioned herein, adequate and appropriate facilities will be provided for the operation of the proposed uses. Town officials, the Town's Consulting Engineer and Consulting Planner have all reviewed the proposed facilities. The project will be serviced by Town water and sewer systems. Private electric and gas utilities will be provided. And the stormwater management system has been designed in accordance with the applicable regulations.*
- 3) The proposed use as developed will not create a hazard to abutters, vehicles, pedestrians or the environment. *The proposed use adds 3 residential units on a local street off of Village Street, a major through street. The entrance to the site has*

adequate sight distance and does not create a hazard to abutters, vehicles, or pedestrians. Sidewalk facilities in front of the subject site exist, although they are not in superb condition. The proposed stormwater management system has been reviewed by the Town's Consulting Engineer and will not present a hazard to the environment.

- 4) The proposed use will not cause undue traffic congestion or conflicts in the immediate area. Broad Street has the capacity to handle the traffic from the additional 3 residential units. The entrance has been designed for maximum sight distance so the development will not cause undue traffic congestion or conflicts. As conditioned herein (____), the development is not permitted to have additional resident parking on Broad Street.
- 5) The proposed use will not be detrimental to the adjoining properties due to lighting, flooding, odors, dust, noise, vibration, refuse materials or other undesirable visual, site or operational attributes of the proposed use. The Applicant has provided documentation reviewed by the Town's Consulting Engineer that its stormwater management plan is adequate to prevent flooding. The development will utilize residential style driveway lanterns. The plans also document that there is no light trespass. Household refuse will be disposed of by an on-site dumpster that will be enclosed and collected by a private service. There will be no detrimental impact on abutters due to odors, dust, noise, vibration, refuse materials or other undesirable environmental impacts.
- 6) The proposed use as developed will not adversely affect the surrounding neighborhood or significantly alter the character of the zoning district. The proposed use is within the Multi-Family Housing Overlay District. The surrounding neighborhood includes other multi-family buildings in the neighborhood and thus this development will not alter the character of the neighborhood. The new building has been designed to be compatible with and reflective of the architecture of the existing building.
- 7) The proposed use is in harmony with the general purpose and intent of the Zoning Bylaw. The Multi-Family Housing provisions of the Bylaw were specifically established to encourage this type of use subject to certain conditions to limit adverse impacts. The proposed use is in harmony with the general purpose and intent of the Bylaw.
- 8) The proposed use is consistent with the goals of the Medway Master Plan. The proposed use is consistent with the Master Plan goals of identifying housing needs and implementing projects to meet those needs such as increasing housing diversity.
- 9) The proposed use will not be detrimental to the public good. As documented in the plans and application, and the findings and conditions of this decision, the proposed use is in accordance with the goals of the Master Plan while protecting against potential adverse impacts. The proposed development has reasonable and appropriate density in a suitable location.

For all of the above reasons, the Board finds that the beneficial impacts of the proposed apartment development for 20 Broad Street outweigh the effects of the proposed use on the Town and neighborhood.

Commented [SA3]: Check this. . .

Commented [SA4]: An updated photometric plan is needed to document no light trespass.

SITE PLAN RULES AND REGULATIONS FINDINGS – The 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 Board makes the following findings in accordance with Section 204-8 of the *Site Plan Rules and Regulations*, as amended *December 3, 2002*, and Section 3.5 of the *Bylaw*:

- 1) Has internal circulation, queuing and egress been designed such that traffic safety is protected, access via minor streets servicing residential areas is minimized, and traffic backing up into the public way is minimized? *The plan has been thoroughly reviewed by Town officials, the Consulting Engineer and Consulting Planner. There is no backing onto a public way from the subject site, and Broad Street is adequate to safely handle the additional traffic from the 3 new housing units.*
- 2) Does the site plan show designs that minimize any departure from the character, materials, and scale of buildings in the vicinity as viewed from public ways and places? *The proposed building is residential and its scale and materials are suitable for the site and use. The design of the new building has been guided by the architecture of the existing building on the site and has been reviewed by the Design Review Committee and is acceptable for its location. The new building does not conflict with the other nearby buildings in terms of character, materials and scale.*
- 3) Is reasonable use made of building location, grading and vegetation to reduce the visible intrusion of structures, parking areas, outside storage or other outdoor service areas (e.g. waste removal) from public views or from (nearby) premises residentially used and zoned. *The buildings include a residential use so there is no outside storage or large intrusive parking lots. An on-site dumpster for household trash will have an enclosure constructed around it. Appropriate vegetation is planned on the perimeter of the property to screen the development from abutting residences.*
- 4) Is adequate access to each structure for fire and service equipment provided? *The proposed structures are accessible from the driveway and are located close to the street. The Fire Chief has reviewed the plans and not identified any access issues. Both buildings will have sprinklers installed*
- 5) Will the design and construction minimize, to the extent reasonably possible, the following environmental impacts?
 - a) the volume of cut and fill;
 - b) the number of trees to be removed with particular care taken with mature trees and root systems;
 - c) the visual prominence of man-made elements not necessary for safety;
 - d) the removal of existing stone walls;
 - e) the visibility of building sites from existing streets;
 - f) the impacts on waterways and environmental resource areas;
 - g) soil pollution and erosion;
 - h) noise.

Commented [SA5]: Check with Jack Mee on this. He will check with Fire Chief.

The proposed stormwater drainage system has been reviewed by the Town's Consulting Engineer. Appropriate soil pollution and erosion controls have been incorporated into the plan. No extraordinary noise will be generated by the residential development. No stone walls are being removed. There are no wetland resources on the premises. The subject site was previously disturbed so the impact on the environment is minimal.

- 6) *Is pedestrian and vehicular safety both on the site and egressing from it maximized? The proposed use adds 3 residential units on a local street. The entrance to the site has adequate sight distance and does not create a hazard to abutters, vehicle, or pedestrians. There is sidewalk along the east side of Broad Street adjacent to the subject property.*
- 7) *Does the design and will the construction incorporate, to the maximum extent possible, the visual prominence of natural and historic features of the site? There are no visually prominent natural features on site. The existing building, built circa 1880, will be renovated as part of the project.*
- 8) *Does the lighting of structures and parking area avoid glare on adjoining properties and minimize light pollution within the town? The lighting plan was reviewed by the Board's Consulting Planner and Engineer. The planned site lighting is residential in scale and minimizes light pollution. There is no light spillage off site.*
- 9) *Is the proposed limit of work area reasonable and does it protect sensitive environmental and/or cultural resources? The site plan as designed should not cause substantial or irrevocable damage to the environment, which damage could be avoided or ameliorated through an alternative development plan or mitigation measures. The limit of work is reasonable. There are no sensitive environmental or cultural resources on the site.*

Commented [SA6]: Check this. An updated photometric plan has not been submitted.

LAND DISTURBANCE PERMIT FINDINGS – Medway General By-Laws, Article XXVI

- 1) The Board finds that the work proposed for the 6 unit multi-family housing development with associated parking, landscaping and stormwater management facilities was presented at a public hearing where the applicant presented evidence sufficient to demonstrate that the proposed activity meets the provisions of Medway General By-Laws, Article XXVI – Stormwater Management and Land Disturbance.

VII. WAIVERS – At its _____, 2020 meeting, the Board, on a motion made by _____ and seconded by _____, voted to grant waivers from the following provisions of the *Rules and Regulations for the Submission and Approval of Site Plans, as amended December 3, 2002*. The Board’s action and reasons for granting each waiver request are listed below. All waivers are subject to the *Special and General Conditions of Approval*, which follow this section. The motion was _____ by a vote of _____ in favor and _____ opposed.

SITE PLAN SUBMITTAL REQUIREMENTS/PLAN CONTENTS

- 1) **Section 204 – 3.A. 7.** - A Development Impact Statement
*The Applicant has requested a waiver from this requirement due to the relatively small size of this proposed development (6 residential apartments). A traffic impact assessment is not needed as the project scope does not trigger this requirement. There are no wetland resources on the property. **The Board approves this waiver request as being consistent with the purpose and intent of the Site Plan Rules and Regulations which will have no significant detriment to the achievement of any of the purposes of Site Plan Review and Approval.***

- 2) **Section 204-5 D.7** – The landscape plan shall be prepared by a Licensed Landscape Architect.
*The Applicant has requested a waiver from this requirement. Personnel from GLM Engineering have considerable experience in landscape design. Further, the applicant is an experienced landscape contractor with considerable knowledge of landscape materials. **The Board approves this waiver request as being consistent with the purpose and intent of the Site Plan Rules and Regulations which will have no significant detriment to the achievement of any of the purposes of Site Plan Review and Approval.***

SITE PLAN DEVELOPMENT STANDARDS

- 1) **Section 205-6 Parking G. 3. a) Parking Spaces/Stalls** - Car parking spaces/stalls shall be ten (10) feet by twenty (20) feet.
*A waiver is needed from this requirement as the Applicant plans to include 9' x 18' parking spaces. This size complies with the parking space size provisions of the Bylaw and results in less impervious surface area. **The Board approves this waiver request as being consistent with the purpose and intent of the Site Plan Rules and Regulations which will have no significant detriment to the achievement of any of the purposes of Site Plan Review and Approval.***

- 3) **Section 205-6 Parking H. Curbing** – The perimeter of the parking area shall be bounded with vertical granite curb or similar type of edge treatment to delineate the parking lot.
*The Applicant has requested a waiver from this requirement and proposes to construct the paved parking area with no curbing. Granite curbing shall be retained for use at the roundings of the driveway to the site. **The Board approves this waiver request as being consistent with the purpose and intent of the Site***

Plan Rules and Regulations which will have no significant detriment to the achievement of any of the purposes of Site Plan Review and Approval.

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

A tree inventory performed by GLM Engineering found that 18 existing trees over 10" in diameter at breast height need to be cleared; the approximate total diameter of those trees is ____". Based on the revised landscape plan dated November 22, 2019, ____ new deciduous trees and evergreen trees are planned for an estimated total of ____ caliper inches of replacement trees. In addition, ____ shrubs are planned throughout the site. **BOARD Decision**

Commented [SA7]: I have asked GLM to fill in this information.

Commented [SA8]: Is this enough tree planting.

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 *Bylaw*, Section 3.4 (Special Permits), Section 5.6.4 (Multi-Family Housing), and Section ____ (Groundwater Protection) and 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. The Board's issuance of a special permit and site plan approval is subject to the following conditions:

SPECIFIC CONDITIONS OF APPROVAL

- A. Notwithstanding any future amendment of the *Bylaw*, G.L. c.40A, or any other legislative act:
1. The maximum number of dwelling units to be developed under this special permit shall be six (3 units in the existing building and 3 units in one new building).
 2. The tract(s) of land on which this multi-family development will be located shall not be altered or used except:
 - a) as granted by this special permit;
 - b) substantially as shown on the site plan entitled *Site Development Plan – 20 Broad Street*, dated September 16, 2019, last revised November 22, 2019 by GLM Engineering Consultants, Inc. to be modified as referenced herein; and
 - c) in accordance with subsequent approved plans or amendments to this special permit.
 3. The tract of land and buildings comprising the 20 Broad Street development 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 Development Plan for 20 Broad Street* dated September 16, 2019, last revised November 22, 2019, prepared by GLM Engineering Consultants, Inc. and architectural drawings by Brett Thibault

Architect including building elevations, floor plans and renderings, shall be further revised to reflect all Conditions and required revisions, including those as follows, and shall be submitted to the Board to review for compliance with the Board's *Decision*. (*Said plan is hereinafter referred to as the "Plan"*.) Upon approval, the Applicant shall provide the revised Plan in its final form to the Board for its endorsement prior to recording at the Norfolk County Registry of Deeds along with this decision. All Plan sheets shall be bound together in a complete set.

- C. **Cover Sheet Revisions** – Prior to plan endorsement, the cover sheet of the November 22, 2019 site plan shall be revised as follows:
1. Include the list of APPROVED Requests for Waivers
 2. Add reference to the architectural elevations, floor plans and renderings to the Sheet Index
 3. Include a new plan revision date
 4. Add a Registry box
 4. Add language that the development is subject to a performance security Covenant to be executed by the Board and recorded with the special permit and plan.
 5. Add a reference to the Long Term Stormwater Operations and Maintenance Plan to the Sheet Index
 6. Any other plan revisions needed??
- D. **Other Plan Revisions** – Prior to plan endorsement, the following plan revisions shall be made to the *Site Development Plan for 20 Broad Street* dated September 16, 2019, last revised November 22, 2019.
1. An updated photometric plans shall be provided showing no light trespass off the subject property to comply with Section 7.1.2 (Outdoor Lighting) of the *Bylaw*.
 2. Include a sheet providing the Long Term Stormwater Operations and Maintenance Plan.
 3. Provide a Site Context sheet in accordance with Section 204-5 B. 1 of the *Site Plan Rules and Regulations*.
 4. Subsurface stormwater infiltration system shall include a separator row with an appropriate access manhole to ensure the system can be actively maintained.
 5. Change the detail for the type of fencing planned for the dumpster enclosure from a stockade style to be vinyl with a natural color and non-reflective surface, and be of a height to completely conceal the entire dumpster.
 6. An updated and detailed landscaping plan shall be provided for the Design Committee's review and approval and incorporated into the site plan set for endorsement.
 7. Add the Long Term Stormwater Operations and Maintenance Plan to the plan set presented for endorsement.
- E. **Other Documentation** - Prior to plan endorsement, the Applicant shall provide the following additional documentation to the Board:
1. Third party testing of the proposed proprietary stormwater units for review and approval of the Board's Consulting Engineer.

2. Copy of the Performance Security Covenant to be executed by the Permittee and the Board in a form acceptable to the Board and suitable for recording at the Registry of Deeds or Land Court, as may be applicable, for review, comment, amendment and approval by Town Counsel.

F. **Recording of Plans and Documents**

1. The Plan of Record associated with this special permit is titled: *Site Development Plan – 20 Broad Street*, dated September 16, 2019, last revised November 22, 2019 by GLM Engineering Consultants, Inc. and the corresponding architectural drawings by Bret Thibault Architects to be further revised as specified herein, with additional sheets provided by other building, design and landscape architectural consultants.
2. No site improvement construction shall begin on the site and no building permit for the new building shall be issued before the following documents are recorded at the Norfolk County Registry of Deeds:
 - a) This special permit decision with the Plan of Record endorsed by the Board
 - b) Performance Security Covenant with the Board
3. Within thirty days of recording, the Permittee or its assigns or successors shall provide the Board with a receipt from the Norfolk County Registry of Deeds indicating that the specified documents have been duly recorded, or supply another alternative verification that such recording has occurred.

G. **Open Space/Yard Area**

1. At least 15% of the site shall be retained as open space and/or yard area in perpetuity. This is an ongoing obligation of the owner. 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 may include a play area or other communal recreational space, subject to plan modification requirements.

H. **Ownership/Maintenance of Site Improvements**

1. The stormwater drainage facilities, and all other infrastructure shall be owned and maintained by the property owner. It is the intent of the Board that these facilities shall not be accepted by the Town of Medway.
2. The Board requires that the following aspects of the development shall be and shall remain forever private, and that the Town of Medway shall not have, now or ever, any legal responsibility for operation or maintenance of same:
 - a) Parking areas
 - b) Stormwater management facilities
 - c) Sidewalks
 - d) Snowplowing/sanding
 - e) Landscaping
 - f) Street lights

I. **Building Permits**

1. For the Existing Building - The Board authorizes the Applicant to apply for a building permit to begin renovation of the existing building prior to installation of the approved site infrastructure improvements.
- J. **Occupancy Permits**
1. For the New Building - Before the Board will authorize an occupancy permit for the renovations of the existing building, the following items, at a minimum must be installed and inspected and approved by the Board:
 - a) Driveway way and parking area gravel sub-base
 - b) Driveway and parking area binder course
 - c) Drainage system completed to the proposed outfall with frame and grates set to binder grade, as well as stormwater basins, swales, infiltrations systems or any other stormwater management facilities.
 - d) As-built plan of each stormwater basin and forebay and all critical elevations and details of the associated structures, pipes and headwalls.
 - e) All regulatory signs as specified on the approved Plan.
 - f) Stop line pavement markings if required
 - g) Provisions for fire prevention and protection. Private water main/service to be constructed, installed and functional.
- K. **Patios** – To not increase stormwater runoff, any future patios shall be fabricated with pervious paving materials as patio surface areas are not included in the impervious coverage calculations for stormwater.
- L. **Sidewalk Construction/Replacement on Broad Street** – How are we going to handle this? Payment in lieu of? Amount? Timing?
- M. **Underground Utilities** - All electric, telephone, cable TV, and other utilities shall be located underground.
- N. **Water Use and Conservation**
1. The development is relying on the Town's public water system and the Town is being held to its Water Management Act Permit with the MA Department of Environmental Protection. The Permittee shall incorporate the following water conservation measures for construction of the development:
 - a. private well water for landscape irrigation
 - b. rain-gauge controlled irrigation systems
 - c. low flow household fixtures
 - d. water efficient appliances (dishwashers, washer/dryers, toilets, etc.)
 2. The Permittee shall not use Town water for irrigation of the site's lawn and landscaping.
- O. **Fire Protection** – hydrant, sprinklers in both buildings?
- P. **Addresses** – The addresses for the 20 Broad Street apartments shall be as determined by the Medway Assessor's office upon consultation with the Medway Fire and Police Departments.

Q. **Development Signage** – Any future development signage for this project shall comply with the sign regulations of the *Bylaw* and is subject to review by the Design Review Committee.

R. **Stormwater Management - Post Construction**

1. The Applicant shall be responsible for keeping the constructed stormwater drainage system in a clean and well-functioning condition, and shall do nothing which would alter the drainage patterns or characteristics as indicated on the Plan approved herein without the express written approval of the Board.
2. The stormwater drainage system, water and sewer systems shall be maintained by the Applicant, its successors and assigns, and shall not be dedicated to the Town. It is the intent of the Board and the Applicant that these systems shall not be accepted by the Town.
3. The Permittee and its successors and assigns shall maintain the stormwater management system in accordance with the *Post Construction Period Operations and Maintenance Plan* dated November 22, 2019 prepared by GLM Engineering.
4. The applicant shall submit annual reports of inspections and maintenance of all stormwater management structures included in the site plan to the Board and the Medway Department of Public Works Compliance Officer starting one year after the Certificate of Site Plan Completion is issued.
5. In the event a management company is engaged by the owner, the stormwater maintenance and operation plan shall be incorporated by reference in the management contract.
6. In the event that the Applicant, its successors and assigns, or its agent fail to maintain the stormwater management system in accordance with the applicable guidelines for operation and maintenance, the Town may conduct such maintenance or repairs as the Town determines in its sole discretion are reasonably necessary, and the Applicant hereby consents to allow the Town and its agents, employees and contractors entry onto the Property to implement the measures set forth in such guidelines. In the event the Town conducts such maintenance or repairs, the Applicant shall promptly reimburse the Town for all reasonable expenses associated therewith; if the Applicant fails to so reimburse the Town, the Town may place a lien on the site or any unit therein to secure such payment.

Look at standard language from Bridget's land disturbance permit including reporting requirements

S. **Conditions Pertaining to Groundwater Protection District Special Permit**

Commented [SA9]: These are the standard conditions we have included in decisions for other properties located within the Groundwater Protection District. Not sure if all of them should be included or are appropriate for this project.

1. Storage of hazardous materials and other hazardous materials is prohibited unless in a free-standing container within a building. Any hazardous materials that will be used at the facility shall be identified and a list provided to the Board. Any accidental spillage shall also be contained within the building and any that enters the sewer system shall be treated prior to being discharged to the municipal sewer system.
2. Any fertilizers used on landscape material anywhere on the site shall be the slow-release organic granular type, and only the absolute minimum necessary. All storage of fertilizers must be in a free-standing container within a building, have adequate secondary storage capacity or be within a facility designed to prevent the generation and escape of contaminated runoff or leachate. Application of fertilizers on site must be done in a manner to minimize adverse impacts on groundwater.
3. Outdoor storage anywhere on the site shall consist only of non-hazardous materials. Metal materials stored outside shall be under cover of a building or structure to prevent leaching of the metal into the groundwater.
4. There shall be no outdoor storage of pesticides, herbicides, fungicides or insecticides anywhere on the site. Any such products shall be stored inside.
5. Deicing materials shall be limited to calcium chloride or other deicer material approved by the Medway Department of Public Works.
6. Plowed snow for the site shall be stored only in the designated areas shown on the plan or taken off site in times of substantial storms. No snow shall be disposed of in the stormwater detention basin.
7. All vehicles shall be parked/stored on the paved surface to ensure treatment of any leaks of fluids from the vehicles. There shall be no outdoor maintenance or cleaning of vehicles.
8. There shall be no earth removal within six feet of the historical high groundwater level.
9. The Town reserves the right to periodically inspect the site to ensure compliance with these conditions.

GENERAL CONDITIONS OF APPROVAL

- A. The term “Applicant” and “Permittee” as used in this decision and permit refers to the owner, any successor in interest, title or successor in control of the property referenced in the applications, supporting documents and this decision and permit. The Board shall be notified in writing within 30 days of all transfers of title of any portion of the property that take place prior to issuance of a Certificate of Site Plan Completion.
- B. **Fees** - Prior to plan endorsement by the Board, the Permittee 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 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 Permittee’s failure to pay these fees in their entirety shall be reason for the Board to withhold plan endorsement.

- C. **Other Permits** – This permit does not relieve the Permittee from its responsibility to obtain, pay and comply with all other required federal, state and Town permits. The contractor for the Permittee or assigns shall obtain, pay and comply with all other required Town permits.
- 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 Permittee and its contractors shall at all times use all reasonable means to minimize inconvenience to abutters and residents in the general area. The following specific restrictions on construction activity shall apply.
1. **Construction Time** - Construction work at the site and in the building and the operation of construction equipment including truck/vehicular and machine start-up and movement and construction deliveries 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 and federal and state legal holidays without the advance approval of the Building Commissioner. These rules do not apply to interior construction work such as painting, installation of drywall, flooring, etc.
 2. The Permittee shall take all measures necessary to ensure that no excessive dust leaves the premises during construction including use of water spray to wet down dusty surfaces.

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 Permittee shall be responsible for all clean-up of the roadway which shall occur as soon as possible and in any event within twelve (12) hours of its occurrence.
4. The Permittee is responsible for having the contractor clean-up the construction site and the adjacent properties onto which construction debris may fall on a daily basis.
5. All erosion and siltation control measures shall be installed by the Permittee prior to the start of construction and observed by the Board's consulting engineer and maintained in good repair throughout the construction period.
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 *Bylaw, SECTION V. USE REGULATIONS, Sub-Section B. Area Standards, Paragraph 2. b).* as may be amended.
8. *Stormwater Management* – During construction, the Applicant shall maintain the site and installed stormwater management facilities in accordance with the *Construction Period Operations and Maintenance Plan* dated November 22, 2019 prepared by GLM Engineering.

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 Building Commissioner 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 Building Commissioner 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 Building

Commissioner/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 *Bylaw*.
2. The Applicant shall inform snow removal operators of the approved locations for on-site snow storage.
3. 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*** – Board members, its staff, consultants or other designated agents of the Town shall have the right to enter upon the subject property to inspect the site at any time, to ensure continued compliance with the terms and conditions of this special permit and the endorsed plan.

H. ***Construction Oversight***

1. Pre-Construction Meeting – At least seven days prior to the start of any site preparation or construction, the Applicant shall meet with the Town’s Consulting Engineer, the Planning and Economic Development Coordinator, the Medway Department of Public Works, the Medway Conservation Agent (if applicable), the contractors and Applicant’s project engineer for a pre-construction meeting. The construction schedule shall be reviewed and the procedures for inspections discussed.
2. Construction Account
 - a) Inspection of infrastructure and utility construction, installation of site amenities including landscaping, and the review of legal documents by Town Counsel is required. Prior to plan endorsement, the Permittee shall establish a construction account with the Board. The funds may be used at the Board’s discretion to retain professional outside consultants to perform the items listed above as well as the following other tasks - inspect the site during construction/installation, identify what site plan work remains to be completed, prepare bond estimates, conduct other reasonable inspections until the site work is completed and determined to be satisfactory, review as-built plans, and advise the Board as it prepares to issue a *Certificate of Site Plan Completion*).
 - b) Prior to plan endorsement, the Permittee shall pay an advance toward the cost of these services to the Town of Medway. The advance amount shall be determined by the Board based on an estimate provided by the Town’s Consulting Engineer.
 - c) Depending on the scope of professional outside consultant assistance that the Board may need, the Permittee shall provide supplemental payments to the project’s construction inspection account, upon invoice from the Board.
 - d) Any funds remaining in the Permittee’s construction inspection account after the *Certificate of Site Plan Completion* is issued shall be returned to the Applicant.

3. The Department of Public Works will conduct inspections for any construction work occurring in the Town's right-of way in conjunction with the Town of Medway Street Opening/Roadway Access Permit and the sewer and water connection permits.
4. The Permittee shall have a professional engineer licensed in the Commonwealth of Massachusetts conduct progress inspections of the construction of the approved site improvements. Inspections shall occur at least on a monthly basis. The engineer shall prepare a written report of each inspection and provide a copy to the Board within 5 days of inspection. Failure of the Permittee to provide these reports may be reason to withhold building or occupancy permits.

I. ***On-Site Field Changes***

1. During construction, the Permittee may be authorized to make limited, minor, on-site field changes to the approved plan based on unforeseen site or job conditions, situations, or emergencies necessitated by field conditions or due to practical considerations. These field changes shall not alter items which may affect the site's compliance with this decision and the *Bylaw* nor conflict with a specific condition of the decision. Field changes shall not substantially alter the intent, layout or design of the endorsed site plan.
2. Prior to undertaking such field changes, the Permittee and/or contractor shall discuss the possible field changes with the Town's Consulting Engineer and submit a letter and drawings to the Planning and Economic Development Coordinator and the Building Commissioner describing the proposed changes and what conditions, situations, or emergencies necessitate such changes. In accordance with Section 3.5.2.C of the *Bylaw*, the Building Commissioner may determine that the field change is insubstantial, authorize the change, and so notify the Board. Otherwise, the Board shall review the proposed field changes at a public meeting and determine whether the proposed field changes are reasonable and acceptable based on the unforeseen conditions, situations, or emergencies and whether other options are feasible or more suitable. A written authorization of field change will be provided. Any approved field change shall be reflected in the as-built plan to be provided at project completion.

J. ***Plan Modification***

1. Proposed modifications (not including on-site field changes) to the endorsed plan shall be subject to review by the Board.
2. 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 Board for review as site plan modifications.

3. Any work that deviates from an approved site plan shall be a violation of the *Bylaw*, unless the Permittee requests approval of a plan modification and such approval is provided in writing by the Board.
4. The request for a *Modification* to a previously approved plan shall be subject to the same application and review process including a public hearing including the payment of plan modification filing fee and plan review fee and all costs associated with another public hearing including legal notice advertising. The Board shall issue its *Modification Decision*, file such with the Town Clerk, and provide copies to the Building Commissioner, other Town officials and the Permittee. Any modifications approved by the Board shall be made a permanent part of the approved site plan project documents and shall be shown on the final as-built plan.

K. **Plan Compliance**

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

L. **Performance Security**

1. *Covenant* - Prior to plan endorsement, the Permittee shall sign a *Covenant*, on a form provided by the Board, to be reviewed and approved by Town Counsel, to secure construction of the driveway, parking area, stormwater management facilities and related infrastructure and site improvements as specified in the approved Plan. Reference to the *Covenant* shall be noted on the cover sheet of the Plan. The *Covenant* shall specify that no unit may be occupied until such services are completed or an alternative form of security is provided. The *Covenant* shall specify that the roadway and parking area (excluding unit driveways) and all infrastructure including the stormwater management system shall be constructed and all utilities and services shall be installed to the satisfaction of the Board within three years of the date of plan endorsement. The *Covenant* shall be recorded at the Norfolk County Registry of Deeds at the same time the Decision and Plan are recorded.
2. *Alternative Performance Security*
 - a) At such time as the Permittee wishes to secure a building permit for the second building within the development, or secure an occupancy permit for any dwelling unit, the security provided by the *Covenant* shall be replaced by one of the types of performance guarantees set forth in M.G.L. Ch. 41, Section 81U, which method or combination of methods may be selected and from time to time

varied by the Applicant, in a sufficient amount, source and form acceptable to the Board, the Treasurer/Collector and Town Counsel. The performance guarantee shall be accompanied by an agreement which shall define the obligations of the Permittee and the performance guarantee company including:

- 1) the date by which the Permittee shall complete construction
- 2) a statement that the agreement does not expire until released in full by the Board
- 3) procedures for collection upon default.

- b) *Amount* - 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 roadway and installation of stormwater management facilities, utilities, services, pedestrian facilities and all site amenities as specified in the Decision and Plan that remain unfinished at the time the performance guarantee estimate is prepared if the Permittee failed to do so. The security amount shall be approved by the Board based on an estimate provided by the Town's Consulting Engineer based on the latest weighted average bid prices issued by the Mass Department of Transportation. 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 roadway and infrastructure in the event the Permittee fails to adequately perform such. In determining the amount, the Board shall be guided by the following formula in setting the sum: estimate of the Town's Consulting Engineer of the cost to complete the work plus a 30% contingency. A performance security agreement shall be executed by the Permittee, the Board and the selected surety.

3. *Adjustment of Performance Guarantee* - At the Permittee's written request, the amount of the performance guarantee may be reduced from time to time over the course of the construction project by vote of the Board upon the partial completion of the roadway and infrastructure improvements as defined herein. In order to establish the amount to adjust the performance guarantee, the Town's Consulting Engineer shall prepare an estimate of the current cost for the Town to complete all work as specified on the approved Plan that remains unfinished at the time the estimate is submitted to the Board. The estimate shall be based on unit prices in the latest Weighted Average Bid Prices issued by the Mass Department of Transportation. 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 fees, staff time and public bidding procedures. The estimate shall also include the cost to maintain the roadway and infrastructure in the event the Permittee fails to adequately perform such. In determining the amount of the adjustment of the performance guarantee, the Board shall be guided by the following formula to determine the reduction amount: the estimate of the Town's Consulting Engineer of the cost to complete the work; plus a 30% contingency.

Commented [SA10]: Do you want to include a limit on the number of bond reductions?? Or state that you will not reduce the bond below x amount.

4. **Final Release of Performance Security** - Final release of performance security is contingent on project completion.
- M. **Project Completion**
1. Special permit approval shall lapse after two years of the grant thereof if substantial use has not commenced except for good cause. The approved site plan shall be completed by the Permittee or its assignees within three years of the date of plan endorsement. Upon receipt of a written request by the Permittee filed at least thirty (30) days prior to the date of expiration, the Board may grant an extension for good cause. The request shall state the reasons for the extension and also the length of time requested. If no request for extension is filed and approved, the site plan approval shall lapse and may be reestablished only after a new filing, hearing and decision.
 2. Prior to issuance of the occupancy permit for the twelfth dwelling unit, the Permittee shall request a **Certificate of Site Plan Completion** from the Board. The **Certificate** serves as the Board's confirmation that the completed work conforms to the approved site plan and any conditions and modifications thereto, including the construction of any required on and off-site improvements. The **Certificate** also serves to release any security/performance guarantee that has been provided to the Town of Medway. To secure a **Certificate of Site Plan Completion**, the Permittee shall:
 - a) provide the Board with written certification from a Professional Engineer registered in the Commonwealth of Massachusetts that all building and site work has been completed in substantial compliance with the approved and endorsed site plan, and any modifications thereto; and
 - b) submit an electronic version of an As-Built Plan, prepared by a registered Professional Land Surveyor or Engineer registered in the Commonwealth of Massachusetts, to the Board for its review and approval. The As-Built Plan shall show actual as-built locations and conditions of all buildings and site work shown on the original site plan and any modifications thereto. The final As-Built Plan shall also be provided to the Town in CAD/GIS file format per MASS GIS specifications.
- N. **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.
- O. **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 *Bylaw*, the *Bylaw* shall apply.

IX. APPEAL

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

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

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

###

**Medway Planning and Economic Development Board
20 Broad Street MULTI-FAMILY and GROUNDWATER PROTECTION SPECIAL
PERMITS, LAND DISTURBANCE PERMIT and SITE PLAN DECISION
20 Broad Street**

Approved by the Medway Planning & Economic Development Board: _____

AYE:

NAY:

_____	_____
_____	_____
_____	_____
_____	_____

ATTEST:

Susan E. Affleck-Childs
Planning & Economic Development Coordinator

Date

- COPIES TO:** Michael Boynton, Town Administrator
David D'Amico, Department of Public Works
Bridget Graziano, Conservation Agent
Donna Greenwood, Assessor
Beth Hallal, Health Agent
Jeff Lynch, Fire Chief
Jack Mee, Building Commissioner and Zoning Enforcement Officer
Joanne Russo, Treasurer/Collector
Barbara Saint Andre, Director of Community and Economic Development
Jeff Watson, Police Department
Stephen Brody
Rob Truax, GLM Engineering Consultants
Steven Bouley, Tetra Tech
Gino Carlucci, PGC Associates



January 28, 2020

**Medway Planning & Economic Development Board
Meeting**

**Public Hearing Continuation – Neo
Organics Special Marijuana Special
Permit, Groundwater Protection Special
Permit and Site Plan – 4 Marc Road**

- Public Hearing Continuation Notice
- Revised Draft Decision dated 1-27-2020
- MA DEP Noise Policy
- Revised ConCom Order of Conditions dated 1-14-2020

The revised draft decision includes language prepared by Jeff Komrower of Noise Control Engineering to address both the Town's noise standards and the MA DEP noise policy. I have provided the draft to applicant Jaime Lewis. I have asked Mr. Komrower to attend but have not yet learned whether he is able to do so; instead of attending, he may be able to be available via telephone.



RECEIVED
JAN 15 2020
TOWN CLERK

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

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

MEMORANDUM

January 15, 2020

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

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

RE: **Public Hearing Continuation: Neo Organics, LLC - 4 Marc Road**
CONTINUATION DATE: Tuesday, January 28, 2020 at 9:00 p.m.
LOCATION: Medway Town Hall – Sanford Hall, 155 Village Street



At its meeting on January 14, 2020, the Planning and Economic Development Board (PEDB) voted to continue the public hearing on the applications of Neo Organics LLC of Sudbury, MA for approval of a special use permit to operate an adult recreational marijuana cultivation and processing establishment at 4 Marc Road, a groundwater protection special permit, and the associated minor site plan to Tuesday, January 28, 2020 at 9:00 p.m. The hearing will take place during the next regular meeting of the PEDB meeting to be held in Sanford Hall at Medway Town Hall, 155 Village Street.

The applicant proposes to use the existing 29,718 sq. ft. industrial manufacturing building at 4 Marc Road (Map 32, Parcel 026) for the cultivation, manufacturing, processing, and packaging of marijuana for adult recreational use and the delivery of such products off site to retail marijuana establishments in other communities. A retail marijuana operation open to the public is NOT proposed for this property.

The 6.68 acre property, currently owned by NEK, LLC of Camas, WA, is located on the north side of the Marc Road cul-de-sac in the East Industrial zoning district. The subject property is west and north of property owned by Ellen Realty Trust and south and east of property owned by John and Anne Lally. A portion of the property is located within the Town’s Groundwater Protection District. The site includes wetland resources in its northeast corner which are under the jurisdiction of the Medway Conservation Commission. After site improvements, 24.5% of the site will be impervious surface, thus necessitating a Groundwater Protection District special permit.

The planned scope of work includes interior renovations to the existing building to accommodate the new use, construction of a 3,000 sq. ft. outside concrete mechanical pad to house some HVAC and odor control equipment with associated noise mitigation measures, construction of a dumpster pad with associated fencing, installation of a series of stormwater management measures (recharge/infiltration system and sub-surface stormwater treatment units), maintenance excavation and clean-up of the existing manmade drainage ditch, and installation of associated erosion and sedimentation controls during construction. The planned work is shown on *Permit Site Plan for 4 Marc Road*, dated August 6, 2019, last revised October 24, 2019, prepared by DGT Associates Surveying and Engineering of Framingham, MA.

The permit applications, site plan, noise and odor mitigation plans, and other associated documents are on file with the Medway Town Clerk and at the office of the Planning and Economic Development Board at Medway Town Hall, 155 Village Street and may be reviewed during regular business hours. **The Applicant has submitted a revised site plan dated December 13, 2019 to address safety and access concerns identified by the Fire Department.** All materials have been posted to the Planning and Economic Development Board's web page at: <https://www.townofmedway.org/planning-economic-development-board/pages/neo-organics-4-marc-road-marijuana-special-permit>.

The Board will continue to review a draft decision for this project at the January 28th hearing and expects to finalize the decision that evening. Please forward any further comments or recommendations to me by January 22.

Please contact me if you have any questions. Thanks.



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*

REVISED DRAFT - January 28, 2020

**Adult Recreational Marijuana Special Permit, Groundwater
Protection Special Permit and Site Plan Decision**
NeoOrganics, LLC - 4 Marc Road
with Conditions

Decision Date: January 28, 2020

Name/Address of Applicants: Neo Organics LLC
365 Boston Post Road, # 184
Sudbury, MA 01776

NEK, LLC
20533 SE Evergreen Highway
Camas, WA 98607

Name/Address of Property Owner: NEK, LLC
20533 SE Evergreen Highway
Camas, WA 98607

Location: 4 Marc Road
Assessors' Reference: 32 – 026
Zoning District: East Industrial

Site Plan: *Permit Site Plan for 4 Marc Road, Neo Cultivation and Manufacturing,*
dated August 6, 2019, last revised December 13, 2019, prepared by DGT
Associates Surveying and Engineering of Framingham, MA

I. PROJECT DESCRIPTION

The Applicants seek a Special Permit pursuant to sub-section 8.10 of the Medway *Zoning Bylaw*, a Groundwater Protection Special Permit pursuant to sub-section 5.6.3 of the *Zoning Bylaw*, and site plan approval pursuant to Section 3.5 of the *Zoning Bylaw*, to use the existing 29,718 sq. ft. (more or less) industrial building at 4 Marc Road, (*Medway Assessors' Parcel 32-026* on the north side of Marc Road in the East Industrial zoning district for the cultivation, processing, manufacturing, and packaging of marijuana for adult recreational use by Neo Organics, LLC of Sudbury, MA. The proposed scope of work includes interior renovations to accommodate the new use, construction of a 3,000 sq. ft. outside concrete mechanical pad to house HVAC and odor control equipment, construction of a dumpster pad with associated fencing, installation of stormwater management measures to supplemental those presently on site, clean-up of the existing manmade drainage ditch, and construction of a 17' wide fire lane along the west side of the building. The property includes wetlands resources which are under the jurisdiction of the Medway Conservation Commission. Because a portion of the site is located within the Town's Groundwater Protection District and 24% of the improved site will have impervious surface, a Groundwater Protection special permit is also required.

II. VOTE OF THE BOARD – After reviewing the application and information gathered during the public hearing and review process, including statements of the Applicant and its representatives, comments offered by the public, and comments provided by the Board's consultants and Town staff, the Medway Planning and Economic Development Board, on _____, on a motion made by _____ and seconded by _____, voted to _____ with CONDITIONS and WAIVERS as specified herein a recreational marijuana establishment special permit, a groundwater protection special permit, and a site plan for 4 Marc Road in Medway, MA.

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

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

III. PROCEDURAL HISTORY

- A. August 6, 2019 – Special permit application filed with the Board; filed with the Town Clerk on August 7, 2019
- B. August 9, 2019 – Public hearing notice filed with the Town Clerk and posted at the Town of Medway web site.
- C. August 9, 2019 - Public hearing notice mailed to abutters by certified sent mail.
- D. August 13 and August 20, 2019 - Public hearing notice advertised in *Milford Daily News*.

- E. August 27, 2019 - Public hearing commenced. The public hearing was continued to September 24, October 8, November 12 and 26, 2019 and to January 14, 2020 when the hearing was closed and a decision rendered.

IV. INDEX OF DOCUMENTS

- A. The following documents were provided at the time the applications were filed with the Board:

Site Plan Application

- Application for Minor Site Plan Approval dated August 6, 2019 with Project Description
- *PERMIT SITE PLAN - Neo Cultivation & Manufacturing*, dated August 6, 2019, prepared by DGT Associates of Framingham, MA
- Requests for Waivers from Medway *Site Plan Rules and Regulations*
- Purchase & Sale Agreement dated February 8, 2019, between NEK, LLC (property owner) and Pangea Realty LLC (buyer), pertaining to the sale of the 4 Marc Road property.
- *Stormwater Management Design and Runoff Calculations Report for 4 Marc Road*, dated July 25, 2019, prepared by DGT Associates of Framingham, MA
- Schematic Design (floor plan), Sheet A1.2, 4 Marc Road, by Anderson Porter Design, Cambridge, MA

Marijuana Special Permit Application

- Marijuana Special Permit Application dated August 6, 2019 with Project Description
- Odor Mitigation Plan received August 6, 2019, unattributed
- Noise Mitigation Plan received August 6, 2019, unattributed
- Security Plan received August 6, 2019, unattributed
- Transportation of Marijuana Guidelines received August 6, 2019, unattributed

Groundwater Protection Special Permit

- Groundwater Protection Special Permit Application dated August 8, 2019 with Project Description

- B. During the course of the review, a variety of other materials were submitted to the Board by the Applicant and its representatives and consultants:

- Updated Noise Mitigation Plan dated September 27, 2019 with Noise Mitigation Plan letter from Andy Caballerira of Acentech, Inc. dated September 25, 2019
- Updated Odor Mitigation Plan by Impact Engineering dated September 12, 2019.
- Revised site plans from DGT Engineering Associates dated September 19, 2019, October 24, 2019 and December 13, 2019.
- Plan revision submittal letter from DGT Engineering Associates dated September 19, 2019
- Response letter from DGT Engineering Associates dated September 26, 2019 to Tetra Tech review comments dated August 22, 2019.

- Response letter from DGT Engineering Associates dated October 23, 2019 to Tetra Tech comments dated September 27, 2019
 - Revised floor plans from Anderson Porter Design dated September 9, 2019
 - Photometric plan by Illuminate dated September 23, 2019
 - NeoOrganics security plan, unattributed, received September 19, 2019
 - Assignment of interest in the purchase and sale agreement from Pangea, LLC to 4 Marc Road LLC dated March 1, 2019
 - Lease dated May 3, 2019 between Neo Organics, LLC and 4 Marc Road LLC for 4 Marc Road.
 - Additional request for a waiver from *Site Plan Rules and Regulations*, dated September 10, 2019.
 - Proposed sound wall information received November 8, 2019
 - *Land Disturbance Area Plan* dated September 27, 2019, revised October 22, 2019 and December 13, 2019, prepared by DGT.
 - *Stormwater Management Design and Runoff Calculations Report for 4 Marc Road* dated July 25, 2019, revised September 19, 2019, last revised December 13, 2019, prepared by DGT Associates of Framingham, MA.
- C. During the course of the review, a variety of other materials were submitted to the Board by the Board’s consultants and Town staff:
- Plan review letters and emails from Gino Carlucci, PGC Associates, dated August 20, 2019, October 3, 2019 and October 31, 2019
 - Plan review letters from Tetra Tech to the Board dated August 22, 2019, September 27, 2019 and October 28, 2019
 - Noise mitigation plan review letters from Ron Dempsey, Noise Control Engineering, dated August 21, 2019, October 3, 2019 and October 23, 2019
 - Odor mitigation plan review letters from Bruce Straughan, Straughan Forensic dated August 21, 2019 and October 2, 2019.
 - Host Community Agreement dated March 4, 2019 between Neo Cultivation MA, LLC and Neo Manufacturing MA, LLC and the Town of Medway.
 - Letter dated August 16, 2019 from Building Commissioner Jack Mee
 - Review letter dated October 7, 2019 from Police Chief Allen Tingley
 - Email memo dated August 12, 2019 from Treasurer/Collector Joanne Russo
 - 2 Marc Road CommCan recreational marijuana special permit decision dated February 26, 2019
 - Email memo dated November 26, 2019 from Deputy Fire Chief Mike Fasolino
 - Email memo dated December 12, 2019 from Fire Chief Jeff Lynch.
 - Plan review letter from Tetra Tech to the Conservation Commission dated December 16, 2019.
 - Revised Conservation Commission Order of Conditions dated January 14, 2020.
 - **MA Department of Environmental Protection EP Noise Policy and associated Noise Regulations (310 CMR 7.10).**
- D. Abutter Comments

- Email communication dated October 8, 2019 (with attachments) from abutter John Lally, 35 Coffee Street
- Email communication dated November 12, 2019 (with attachments) from abutter John Lally, 35 Coffee Street
- Email communication dated December 4, 2019 (with attachments) from abutter John Lally, 35 Coffee Street

E. Other Documentation

1. Mullins Rule Certification dated September 10, 2019 for Board member Matthew Hayes pertaining to the August 27, 2019 hearing.
2. Mullins Rule Certification dated October 22, 2019 for Board member Robert Tucker pertaining to the October 8, 2019 hearing.
3. Mullins Rule Certification dated October 17, 2019 for Board member Thomas Bay pertaining to the October 8, 2019 hearing.

V. **TESTIMONY** – During the course of the public hearing, the Board heard and received verbal testimony from:

- Gino Carlucci, PGC Associates, the Town’s Consulting Planner – Commentary throughout the public hearing process.
- Steve Bouley, P.E, Tetra Tech – Commentary throughout the public hearing process
- Ron Dempsey, Noise Control Engineering LLC, acoustic sound consultant for the Town.
- Jaime Lewis, Neo Organics
- Andy Carballeria, Acentech Inc., acoustic sound consultant for the Applicant.
- Bert Corey and Joe Losanno, DGT Associates, engineering consultant for the Applicant.
- Resident and abutter John Lally, 35 Coffee Street
- Resident and neighbor Edward Burns, 43 Coffee Street

VI. **FINDINGS**

The Planning and Economic Development Board, at its meeting on _____, 2019, on a motion made by _____ and seconded by _____, voted to _____ the following **FINDINGS** regarding the site plan and special permit applications for 4 Marc Road. The motion was _____ by a vote of _____ in favor and _____ opposed.

GENERAL FINDINGS from PUBLIC HEARING TESTIMONY

(1) **NOISE ISSUES**

- A. Pursuant to Section 7.3.C.2. of the *Zoning Bylaw*, the “Maximum permissible sound pressure levels measured at the property line nearest to the noise source for noise radiated continuously from the noise source between 10 PM and 7 AM shall be as follows.”

Frequency Band (Cycles per Second)	Sound Pressure Level (Decibels 43 0.0002 Dyne/CM2)
2-72	69

75-150	54
150-300	47
300 - 600	41
600 – 1,200	37
1,200 – 2,400	34
2,400 - 4,800	31
4,800 – 10,000	28

“For noise levels between 7 A.M. and 10 P.M., and if the noise is not smooth and continuous, the following corrections shall be added to each of the decibel levels given above:

- Daytime operation only: +5
- Noise source operated at less than 20% of any 1-hour period: +5”

B. Earlier in 2019, during the Board’s review of the recreational marijuana establishment special permit application for 2 Marc Road, the Board along with the Board’s sound consultant (Noise Control Engineering) and that applicant’s sound consultant (Acentech, Inc.) agreed that the frequency band range form of noise measurement specified in the Medway *Zoning Bylaw* is outdated. The consultants concurred that noise measurements in accordance with the *Zoning Bylaw*’s standards are neither ideal nor typical today. The Board acknowledged that frequency band ranges presently included in the *Zoning Bylaw* do not accurately reflect contemporary sound measurement standards and provide challenges to interpretation and enforcement of the applicable provisions of the *Zoning Bylaw*. The Board was willing to allow a conversion to more modern standards, but only as long as the conversion was more, not less restrictive.

Noise Control Engineering converted the *Zoning Bylaw*’s frequency band noise levels to octave bands for noise measurement purposes. The method used was based on the frequency span of the octave bands and is consistent with the conversion documented in the 1980 EPA document *905-R-80-117 Noise Legislation Trends and Implications*. The table below shows the conversion of the *Bylaw*’s frequency band noise standards to the modern octave band noise standards with the nighttime and daytime adjustments.

Octave Band Center Frequency (Hz)	Medway <i>Zoning Bylaw</i> Sound Pressure Level, (dB re 20 micro-Pa) Nighttime	Medway <i>Zoning Bylaw</i> Sound Pressure Level, (dB re 20 micro-Pa) Daytime
63	67	72
125	55	60
250	48	53
500	42	47
1000	38	43
2000	35	40
4000	32	37
8000	28	33

C. The Applicant’s preliminary noise mitigation plan was submitted to the Board on August 6, 2019 with the special permit application. The Board retained Noise Control Engineering (NCE) of Billerica, MA to review that preliminary noise mitigation plan. NCE provided an email communication dated August 21, 2019 with comments and recommendations of additional information needed.

D. The Applicant prepared an updated noise mitigation plan which was submitted to the Board on September 27, 2019. The Applicant also retained sound consultant Acentech, Inc. of Cambridge, MA to evaluate the anticipated levels of noise producing equipment to be installed at the 4 Marc Road facility and provide recommendations for suitable noise control measures. Acentech developed a computer model of the facility’s sound using CadnaA, an acoustic modeling software. The noise producing equipment includes a 300 kw generator, transformer, air handling units (AHU), a variety of condensing units, and rooftop exhaust fans. Acentech determined that the proposed noise generating equipment, absent any noise mitigation measures, will not comply with the noise regulations included in Section 7.3.C.2. of the *Zoning Bylaw* at all property lines of 4 Marc Road. To mitigate the excessive noise from certain of the noise producing sources, Acentech recommended placing sound barriers around the condensing and air handling units and to select a generator and enclosure that would meet the *Zoning Bylaw*’s sound requirements.

Acentech then calculated the expected noise levels, with the planned noise control measures applied, at 14 receptor locations at the property lines of 4 Marc Road and at 7 receptor residential locations at second story building heights. Acentech found that the estimated sound levels created by the noise generating equipment, with the added noise mitigation measures recommended by Acentech, would be below the Town’s noise standards (converted from frequency band to octave band) as described in Item B.

Commented [SA1]: NCE recommends checking this.

E. The Board retained Noise Control Engineering, LLC (NCE) to evaluate the Applicant’s proposed noise mitigation plan for the 4 Marc Road property. NCE provided an email communication dated October 3, 2019 and personal testimony by NCE personnel was provided during the November 12, 2019 hearing.

F. The Board is in receipt of written and verbal testimony of abutters and nearby residents in the vicinity of 4 Marc Road expressing serious concerns and objections to the excessive noise emanating from the existing marijuana facility operating at 2 Marc Road. Concern was expressed that similar issues would occur with the 4 Marc Road facility.

G. The Applicant has represented that the 4 Marc Road facility, as part of its permitting with the Massachusetts Cannabis Control Commission, is required to comply with the MA DEP Noise Policy and associated Noise Regulations (310 CMR 7.10). These regulations state that a source of sound violates the regulation if the source:

Commented [SA2]: This is all new.

1. Increases the broadband sound level by more than 10dB above ambient, or
2. Produces a “pure tone” condition which occurs when any octave band center frequency sound pressure level exceeds the two adjacent center frequency sound pressure levels by 3 decibels or more.

The MA DEPT Noise Policy and Regulations state that these criteria are measured both at the property line and at the nearest inhabited residence. “Ambient” is defined as the background A-weighted sound level that is exceeded 90% of the time (the L₉₀ metric) measured during equipment operating hours.

(2) **ODOR ISSUES**

- A. Pursuant to Section 7.3.D. of the *Zoning Bylaw*, “In all districts, no emissions of odorous gases or odoriferous matter in such quantities as to be discernible outside the property line shall be permitted. Any industrial process which may involve the creation and/or emission of any odors shall be provided with a secondary safeguard system. No objectionable odor greater than that caused by 0.001201 oz. per thousand cubic feet of hydrogen sulfide or any odor threshold as defined in Table III in Chapter 5 of Air Pollution Abatement Manual (copyright 1951 by manufacturing Chemists Assoc., Inc., Washington, DC) shall be permitted.”
- B. The Applicant’s preliminary odor mitigation plan was submitted to the Board August 6, 2019 with the special permit application. The Board retained Straughan Forensic, LLC of Arvada, CO, to review that preliminary odor mitigation plan. Straughan Forensic provided review letters dated August 21, 2019 with comments and recommendations of additional information needed.
- C. The Applicant retained Impact Engineering Inc. of Castle Rock, CO to prepare an updated odor mitigation plan which was submitted to the Board on September 19, 2019. At the Board’s request, Straughan Forensic, LLC evaluated the Applicant’s updated odor mitigation plan for the 4 Marc Road property and provided a review letter dated October 2, 2019.

- (3) **HOURS OF OPERATION** – The applicant has informed the Board that as a marijuana growing facility, the establishment will operate 24 hours a day/7 days a week. The Applicant anticipates that the facility will be occupied by a maximum of twenty-five employees. Occupancy will be generally limited to the hours of 7 am to 7 pm, Sunday – Saturday.

**RECREATIONAL MARIJUANA ESTABLISHMENT SPECIAL PERMIT
FINDINGS (Sub-section 8.10 of the Zoning Bylaw)**

- (1) The recreational marijuana cultivation and processing establishment will operate inside the existing building at 4 Marc Road, a permanent, stand-alone building which does not include residential units or doctors’ offices. The site includes driveways, parking areas, utility systems, and stormwater management facilities.

- (2) None of the uses listed in Section 8.10 E. 4. of the *Zoning Bylaw* (public or private school serving students in grades K-12) are located within 500 feet of the site of the proposed facility.
- (3) As conditioned herein and as required by the *Zoning Bylaw*, smoking, burning and consumption of marijuana or marijuana-infused products on the premises is not allowed.
- (4) No drive-through service is proposed. It is not needed as a retail operation is not planned for the site nor does the *Zoning Bylaw* allow for a drive-through facility.
- (5) As conditioned herein, any signage for the facility shall comply with Section 8.10.F and Section 7.2 of the *Zoning Bylaw*.
- (6) As conditioned herein, the Applicant shall provide the contact information for management staff and key holders of the facility.
- (7) As conditioned herein, the Board finds that the recreational marijuana establishment will not create a nuisance to abutters or to the surrounding area or create any hazard. Both the Applicant and the Town have contracted with noise and odor consultants. The Applicant has prepared a noise mitigation plan which has been reviewed by the Town's noise consultant. It will be implemented in accordance with Condition _____. The Applicant has also provided an odor control plan which will be implemented in accordance with Condition _____.

The Board is requiring on-going noise and odor monitoring to ensure compliance with the Town's requirements. See Conditions _____. The Building Commissioner, in consultation with the Health Agent, and the Town's noise and odor consultant(s), will confirm compliance with the noise and odor requirements of the *Zoning Bylaw* after the required noise and odor mitigation measures are installed. As conditioned herein, any non-compliance will be addressed through zoning enforcement.

- (8) The existing building meets the requirements for "openness of premises" since no activities within the building or displays of products are visible from the exterior of the building and the front of the building, which includes the primary entrance to the facility, is fully visible from the site's frontage. All operations are within the restricted building and there is no direct consumer access as no retail sales are allowed pursuant to the *Zoning Bylaw*.
- (9) The special permit authorizes only the following adult recreational marijuana establishment activities: cultivation, manufacturing, processing and packaging of marijuana and marijuana products, and the transport and delivery of such to other recreational marijuana establishments. Retail sales and marijuana social establishments are not allowed pursuant to the *Zoning Bylaw*.
- (10) As conditioned herein, copies of required licenses and permits issued by the Commonwealth will be provided upon approval by the Massachusetts Cannabis Control Commission. The recreational marijuana operation will be operated in strict compliance with Massachusetts Cannabis Control Commission regulations.

- (11) Applicant, NEK, LLC is the record owner of the property as shown on the Medway Assessor’s records and the seller on a purchase and sale agreement with Pangea Realty LLC dated February 8, 2019. On March 1, 2019, Pangea Realty LLC assigned its interest in the purchase and sales agreement to 4 Marc Road, LLC which will own the 4 Marc Road property.

The Applicant, Neo Organics, LLC will be a tenant in the subject property and building pursuant to a lease dated May 3, 2019 with 4 Marc Road, LLC. Accordingly, the Applicant has the right to use the site for a registered marijuana establishment.

- (12) A sworn statement disclosing the owner’s or other similarly situated individuals’ interest in the registered marijuana establishment has been provided.
- (13) A certified list of all abutter and parties of interest was provided. The Planning and Economic Development office coordinated the production and mailing of the required public hearing notice for the Special Permit and Site Plan applications to the required parties.
- (14) A site plan was submitted and has been revised pursuant to comments from the Board’s consultants and the Conservation Commission. A detailed floor plan of the premises showing the functional areas of the facility has also been provided. The facility’s security plan including lighting, fencing, gates and alarms was submitted and provided to the Police Chief during the permitting process.
- (15) A copy of the policies and procedures for the transfer, acquisition, or sale of adult recreational marijuana between approved marijuana establishments was provided as part of the special permit application.
- (16) A comprehensive noise mitigation plan prepared by the applicant’s noise consultant, Acentech, Inc. was submitted and reviewed by Noise Control Engineering, the Board’s noise consultant. The plan was revised, re-submitted, and re-reviewed. The planned noise mitigation measures are expected to enable the facility to meet the Town’s noise standards as included in Section 7.3 of the *Zoning Bylaw*. As conditioned herein, any non-compliance will be addressed through zoning enforcement.
- (17) A comprehensive odor mitigation plan prepared by the applicant’s odor consultant, Impact Engineering, Inc, was submitted to the Board and reviewed by Straughan Forensic, LLC, the Board’s odor consultant. The odor mitigation plan was revised, re-submitted and re-reviewed. As conditioned herein, any non-compliance will be addressed by the Building Commissioner through zoning enforcement.
- (18) The required public hearing and review process for this special permit application has been followed.
- (19) The adult recreational marijuana establishment, as conditioned herein, has been designed to minimize adverse visual or economic impacts on abutters and other parties in interest. No changes in the existing building or site are proposed other

Commented [SA3]: This has been requested but not yet submitted.

than the described site improvements and possible additional measures to address potential noise and odor impacts if such occur in the future.

- (20) As conditioned herein, the proposed facility will meet all the permitting requirements of all applicable agencies within the Commonwealth of Massachusetts and will be in compliance with all applicable state laws and regulations.
- (21) As conditioned herein, the Applicant has satisfied the conditions and requirements of this Section 8.10 and Section 3.4 of the *Zoning Bylaw*.

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

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

The site is within an industrial park which is accessed directly from Route 109 so there is no access through minor streets serving residential areas. There is no backing up onto a public way.

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

The existing building and site are of an industrial style, with the scale and materials similar to other buildings within the industrial park. No exterior building façade renovations are planned.

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

The site is heavily wooded at its access driveway from Marc Road. The parking areas are along the driveway and behind the building. There is no outside storage of materials. An outdoor dumpster is included but it will be located at the back of the site and will have an enclosure around it. As the site is already developed, considerable landscaping is already provided. The building is set back approximately 110' from the western boundary line of the subject property.

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

The site plan has been revised pursuant to feedback from the Medway Fire Department to now include construction of a fire lane on the west side of the building. Fire Chief Jeff Lynch, in an email dated December 12, 2019, approved the revised site plan as suitable access to the building will be provided.

- (5) Will the design and construction minimize, to the extent reasonably possible, the following environmental impacts?
- a) the volume of cut and fill; *Since this is an existing developed site, the volume of cut and fill is minimal to adapt the site for a new use. The project scope is limited primarily to cleaning out and upgrading an existing drainage system and the installation of a new equipment pad and sound barrier on the west side of the building.*
 - b) the number of trees to be removed with particular care taken with mature trees and root systems; *This is an existing developed site so tree removal is minimal to accommodate the construction of an equipment pad and a fire access road.*
 - c) the visual prominence of man-made elements not necessary for safety; *The only added man-made visual element to the site is the equipment pad and associated sound barrier. While necessary to protect abutters from excessive noise, it is not visible from Marc Road and it is screened from the westerly abutter by a slope with existing trees on it.*
 - d) the removal of existing stone walls; *No existing stone walls are being removed.*
 - e) the visibility of building sites from existing streets; *The current building is located off Marc Road, up a hill and the site includes trees between the road and building such that only the entrance driveway and sign are visible from Marc Road. This is not being changed for the new use.*
 - f) the impacts on waterways and environmental resource areas; *A small portion of the site is within the 100-foot wetlands buffer zone and in the Town's Groundwater Protection District. The only work proposed within this area consists of improvements to the stormwater management system which is upgraded throughout the site to comply with current standards so the impacts on waterways and environmental resource areas is positive. The project has also been reviewed by the Conservation Commission and an Order of Conditions has been issued.*
 - g) soil pollution and erosion; *The submitted plans include an Erosion and Sediment Control Plan, which has been reviewed and approved by the Town's Consulting Engineer. The Conservation Commission has also issued an Order of Conditions.*
 - h) noise. *The possibility of noise impacts on abutters has been the issue of most concern and has generated the most discussion at the public hearings. A comprehensive noise control plan was required and submitted to the Board. The Board's noise engineering consultant reviewed the initial plan and considered supplemental information submitted by abutters. Changes to the initial noise mitigation plan were made, including the addition of significant noise barriers with noise baffling features to contain the noise generated by the exterior mechanical*

equipment. The plan as approved will have minimal noise impacts and those impacts will be monitored once the building attains its full operating status and any needed adjustments will be required accordingly.

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

There is no significant pedestrian use anticipated since no public access to the building is allowed. Pedestrian safety within the parking lot is standard and is adequate due to minimal vehicular traffic. Sidewalk improvements are planned to modify the existing concrete walkway to provide for handicap accessibility. The existing sight lines at the driveway for exiting traffic will be increased through the clearing of some trees (9" diameter and less) to the east of the driveway and some regarding.

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

There are no historic features on site.

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

A photometric plan has been submitted that demonstrates that there is no light trespass or glare off site.

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

The limit of work is reasonable. It makes use of an already developed site and provides a comprehensive stormwater management system to address the existing facility and proposed site improvements.

GENERAL SPECIAL PERMIT FINDINGS (Sub-section 3.4 of the Zoning Bylaw)

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

Section 8.10 of the Zoning Bylaw (Recreational Marijuana) and Table 1 – Schedule of Uses specifies that non-retail recreational marijuana establishments are allowed by special permit in the East and West Industrial zoning districts. The subject site at 4 Marc Road is located within the East Industrial zoning district and is therefore an eligible location for the proposed use. Further, the site is not located within 500 feet of any of the uses from which marijuana establishments are prohibited (existing public or private school serving students in grades K-12). The site includes an existing industrial building constructed in 1984; the property has been used for industrial purposes for 35 years.

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

The recreational marijuana cultivation and processing uses will occur within the existing industrial building at 4 Marc Road. Suitable parking is available with access from Marc Road. As documented in the findings under Site Plan Rules and Regulations above, adequate and appropriate facilities have been provided for the operation of the facility. The site's internal driveways and stormwater management system have been reviewed by the Board's Consulting Engineer and found to be adequate.

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

The existing site contains suitable driveways, parking areas and stormwater management systems. Pedestrians are not expected to access the site as no retail marijuana operation is permitted. As conditioned herein, the Applicant is required to meet the Town's noise and odor standards as specified in Section 7.3 of the Zoning Bylaw and provide additional noise and odor mitigation measures if needed in the future.

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

The proposed facility is expected to have 25 employees. The available on-site parking exceeds the number of parking spaces required. As the facility will not have a retail operation, non-employee traffic to the site will be minimal. The Industrial Park Road system is adequate to handle the routine employee traffic. Marc Road was recently reconstructed as part of the approval of an adjacent business facility at 2 Marc Road, so the adjacent roadway quality leading to the property is excellent. Furthermore, the site's access is via Marc Road from Industrial Park Road from Main Street/Route 109, a major east-west arterial roadway, so there is no traffic impact on local residential roadways.

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

Site plan review has addressed each of these potential impacts on adjoining properties. A photometric plan for the lighting has been submitted; it documents that lighting will not spill over onto adjoining properties. The stormwater management plan has been reviewed and approved; stormwater will not result in flooding on adjoining properties. An odor control plan, specific to the property's use as a marijuana cultivation facility, has been submitted by the Applicant and reviewed by a firm specializing in odor mitigation. Any dust generated from the operation of the business shall be contained within the building. Noise has especially been carefully evaluated with the assistance of a noise consultant, and the final noise control plan has been accepted. Also, noise generation will be monitored following full operation of the facility. No vibration is expected to be

generated by the operation of the business. Refuse materials will be contained within a locked dumpster area for security purposes. Any other undesirable visual, site or operational attributes of the facility shall either be the same as existing conditions or improved from the previous business operation on the premises.

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

The proposed use is manufacturing and is therefore consistent with the character of the East Industrial Zoning District in which the subject property is located. This application proposes to produce marijuana for adult recreational use within the existing building. The proposed use will not significantly alter the character of the East Industrial zoning district.

The Board heard testimony from residential abutters and neighbors about their concerns regarding adverse noise and odor conditions which may emanate from the proposed facility. These concerns result from their experience of noise and odor issues related to the existing marijuana cultivation and manufacturing operation at the adjacent 2 Marc Road marijuana facility. The Applicant made repeated verbal commitments during the public hearing that they will address neighbor concerns through reasonable noise and odor mitigation measures. Furthermore, as noted above, the Board paid particular attention to the noise and odor concerns and contracted with outside consultants specializing in noise and odor control to review and provide guidance as to how to minimize such concerns. The final plans include maximum measures to ensure that the impacts are minimal at best. The Applicant will be held to the environmental standards included in Section 7.3 of the Zoning Bylaw. The Cannabis Control Commission requires the Applicant to also meet the MA DEP noise standards. Measures to address other types of potential impacts (lighting, flooding, dust, vibration, refuse materials, etc.) have also been provided. As conditioned herein, the Board finds that reasonable measures will be taken such that this particular industrial use will not adversely affect the surrounding neighborhood.

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

The Recreational Marijuana section of the Zoning Bylaw (Section 8.10) was adopted by the Town in May 2018 with the specific intent of allowing the establishment of non-retail recreational marijuana establishments at limited locations in Medway. The stated purpose of Section 8.10 is to address possible adverse public health and safety consequences and impacts on the quality of life related to this type of facility by providing for them in appropriate places and under strict conditions. As the proposed facility is located within one of the designated zoning districts, it meets the purpose of the Zoning Bylaw.

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

The existing facility and the expanded use of the facility is in compliance with Goals 1 and 6 of the Economic Development Goals and Objectives section of the Medway Master Plan as follows:

- *Goal 1: Maximize the area's economic resources*
- *Goal 6: Attract new (and retain existing) businesses and increase the industrial/manufacturing base.*

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

As a facility in compliance with state and local law, consistent with the goals of the Medway Master Plan, and as thoroughly conditioned herein, the proposed use will not be detrimental to the public good.

GROUNDWATER PROTECTION DISTRICT SPECIAL PERMIT FINDINGS (Sub-Section 7.3 of the Zoning Bylaw) – A portion of the 4 Marc Road site is located within the Town's Groundwater Protection District, therefore a groundwater protection special permit is required.

- (1) Maintenance, repair and enlargement of any existing structure and new construction are permitted uses, subject to certain restrictions, within the Groundwater Protection District. As conditioned, and as noted below, the project will comply with those restrictions.
- (2) As conditioned herein, storage of hazardous materials, as defined in Massachusetts General Laws, c. 21E, is prohibited unless enclosed in a free standing container within a building. Any accidental spillage will also be contained within the building and any that may enter the municipal sewer system will be treated prior to being discharged to the municipal sewer system.
- (3) As conditioned herein, any commercial fertilizers, as defined in Massachusetts General Law, c. 128, §64, used for the growing of marijuana plants will be stored within containers and kept inside the 4 Marc Road building.
- (4) The facility will handle toxic and hazardous materials. All use of hazardous materials will be contained within the building and as the risk of spillage during deliveries is low, the facility qualifies for a special permit. Operation and maintenance procedures are in place to prevent any accidental outdoor spillage from reaching groundwater.
- (5) Water control devices are prohibited unless they can be shown to prevent adverse impacts on groundwater. The stormwater management plans have been reviewed by the Town's Consulting Engineer to ensure that no adverse impacts will result.
- (6) The facility and associated site improvements will render more than 71,000 square feet of the site impervious. The Town's Consulting Engineer has reviewed the stormwater management plan to ensure that groundwater recharge does not degrade groundwater quality.
- (7) As required by Section 5.6.F. 1. of the *Zoning Bylaw*, the plans have been provided to the Board of Health, Conservation Commission, Water and Sewer

Commission, and Department of Public Services for review and consultation to evaluate whether the proposed project will adversely impact the quality or quantity of water available within the Groundwater Protection District, and to determine that disturbance of the soils, topography, drainage, vegetation and other characteristics is minimized.

VII. WAIVERS – At its _____ 2019 meeting, the Board, on a motion made by _____ and seconded by _____, voted to grant waivers from the following provisions of the *Rules and Regulations for the Submission and Approval of Site Plans, as amended December 3, 2002*. The Board’s action and reasons for granting each waiver request are listed below. All waivers are subject to the *Special and General Conditions of Approval*, which follow this section. The motion was _____ by a vote of ____ in favor and ____ opposed.

SITE PLAN SUBMITTAL REQUIREMENTS/PLAN CONTENTS

Section 204-3 A. 7. - Development Impact Statement. A written Development Impact Statement shall be provided to describe the potential and anticipated impacts of the proposed development, identify all positive and adverse impacts, and propose an acceptable program to prevent or mitigate adverse impacts. At its discretion, the Planning Board, upon written request of the applicant, and based on the Board’s preliminary assessment of the scale and type of development proposed, may waive or modify the requirements for submission of any of the elements of the *Development Impact Statement*. The *Development Impact Statement* shall consist of the following four elements: traffic, environmental, community and parking.

The Applicant has requested a waiver from this requirement. The site is already developed and has been used for industrial purposes since 1984. The proposed site improvement work is minimal. Traffic is not expected to increase beyond previous occupants. The preparation of traffic, environmental, community and parking impact assessments is not expected to reveal any useful information related to the site or the project’s impacts. The recreational marijuana facility use is highly regulated by the Massachusetts Cannabis Control Commission and is subject to a special use zoning permit from the Board. For the foregoing reasons, the Board APPROVES this waiver as being consistent with the purpose and intent of the Site Plan Rules and Regulations which will have no significant detriment to the achievement of any of the purposes of Site Plan Review and Approval.

Section 204-4 B - Site Context Sheet. A Site Context Sheet including the following items shall be submitted.

- 1) A locus plan showing the site and its boundaries in relation to all surrounding streets within two thousand (2,000) feet of the perimeter of the site. The plan shall be at a maximum scale of one (1) inch equals one thousand (1,000) feet. Scenic roads shall be noted.
- 2) Abutters' names and addresses with assessor's reference.
- 3) Lot lines with dimensions and easement areas.
- 4) Existing topography at two (2) foot intervals from USGS survey maps or actual land survey.
- 5) All easements (*utility, conservation and other*) and rights-of-way.
- 6) Zoning district boundaries including groundwater protection district, wetlands, and flood plain zones.

The Applicant has requested a waiver from this requirement. A separate Site Context Sheet has not been provided as part of the plan set. However, the information specified to be included on a Site Context Sheet is included on other sheets included in the plan set. For the foregoing reason, the Board APPROVES this waiver as being consistent with the purpose and intent of the Site Plan Rules and Regulations which will have no significant detriment to the achievement of any of the purposes of Site Plan Review and Approval.

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

The Applicant has requested a waiver from this requirement. The site is large (6.68 acres) and is mostly wooded in nature. The existing building will be reused. Site improvements are minimal and will not result in a large land disturbance area. A 32” pine tree located in the southeast corner of the property is specifically identified to remain and be protected during construction. Locating the all trees with a diameter of one foot or greater at four feet above grade throughout the site would be an unnecessary additional expense and provide no added value to the site design or development. For the foregoing reasons, the Board APPROVES this waiver as being consistent with the purpose and intent of the Site Plan Rules and Regulations which will have no significant detriment to the achievement of any of the purposes of Site Plan Review and Approval.

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

The applicant has requested a waiver from this requirement as no new landscaping is proposed for this already developed site. Any marijuana facility is subject to a permit from the Massachusetts Cannabis Control Commission which has strict requirements that prohibit shrubs and trees from being planted in proximity to marijuana establishments in order to promote safety in and around the facility. For the foregoing reasons, the Board APPROVES this waiver as being consistent with the purpose and intent of the Site Plan Rules and Regulations which will have no significant detriment to the achievement of any of the purposes of Site Plan Review and Approval.

Section 204-5 D. 12 – Signage Plan - A Signage Plan shall be submitted which includes the design, location, materials, dimensions and lighting for:

- (a) the proposed development and all building identification signage, both freestanding and attached; and

- (b) standards for tenant signs.

The applicant has requested a waiver from this requirement. The applicant intends to reuse the existing monument sign from the prior occupant to display only the property address. No other signage is planned for the building. For the foregoing reasons, the Board APPROVES this waiver as being consistent with the purpose and intent of the Site Plan Rules and Regulations which will have no significant detriment to the achievement of any of the purposes of Site Plan Review and Approval.

VIII. CONDITIONS The *Special and General Conditions* included in this Decision shall assure that the Board’s approval of this special permit is consistent with the *Zoning Bylaw* and that the comments of various Town boards and public officials have been adequately addressed, and that concerns of abutters and other town residents which were aired during the public hearing process have been carefully considered. These conditions are binding on the Applicant.

SPECIFIC CONDITIONS OF APPROVAL

- A. All standard requirements included in Section 8.10 Recreational Marijuana of the *Zoning Bylaw* apply to this special permit. These include but are not limited to:

1. Upon approval and prior to commencing operations on the property to cultivate and process marijuana for adult recreational use, the Applicant shall provide the Building Commissioner, Health Agent, Fire Chief, Police Chief, and the Board with a copy of the applicable state adult recreational marijuana establishment licenses, permits, and approvals from the Massachusetts Cannabis Control Commission.
2. The Applicant shall provide an annual report of Neo Organics, LLC’s operations to the Board and other Town officials no later than January 31st of each year, including a copy of all current state licenses and demonstrating continued compliance with the conditions of this special permit. Any change in ownership of Neo Organics, LLC or change in management staff and key holders shall also be reported.
3. This special permit is not transferrable to another party. It shall remain exclusively with the Applicant, Neo Organics, LLC, as the operator of an adult recreational marijuana establishment on the premises.
4. Smoking, burning and consumption of marijuana or marijuana infused products on the premises is prohibited.

B. Noise Management

1. The Applicant shall install and maintain at all times effective noise reduction equipment for the property to comply with Section 7.3 of the *Zoning Bylaw* as well as the Massachusetts Department of Environmental Protection (MA DEP) noise requirements as established in 310 CMR 7.10. The Applicant will achieve compliance through industry best practices and suitable noise abatement measures. The Applicant shall ensure proper maintenance of all

noise abatement equipment to ensure maximum efficiency and effectiveness and ongoing compliance.

2. Prior to the issuance of an occupancy permit for the 2 Marc Road facility, the Applicant shall provide the Building Commissioner, Health Agent, and Board with a noise study measuring ambient sound levels without the external mechanical equipment in operation, the sound at each of the 4 Marc Road property boundaries during full operating conditions, and the sound at the locations of existing residential receptors and expected future residential receptors. The purpose is to determine if the facility complies with Section 7.3 of the *Zoning Bylaw* as well as the MA DEP noise requirements as established in 310 CMR 7.10. The Board, Building Commissioner or Health Agent may forward the noise study to the Town's noise consultant for peer review and comment, at the Applicant's expense.

a. Establishment of Ambient Noise Levels – Ambient background levels shall be established without the influence of any noise emanating from the CommCan facility at 2 Marc Road. If background noise levels at 2 Marc Road have been previously established prior to operation of the CommCan facility and are acceptable to the Board, they may be used. If not, new measurements to establish background noise levels will be performed by the Applicant. Any noise sources from 2 Marc Road that may contribute to background noise levels should be turned off during the attended measurements to establish the background noise levels. If unattended monitoring is used, the noise contribution from 2 Marc Road can be established by shutting down the noise sources during a specified time period and calculating the difference in L₉₀ levels during on and off times. If it is absolutely not possible to take ambient measurements with the 2 Marc Road facility shutdown, ambient measurements should be taken in an area with similar ambient conditions (i.e. similar distance from major roads or other noise sources) which is far enough from the 2 Marc Road facility so that the 2 Marc Road facility does not significantly influence the measures. If an alternative method for establishing the background levels is proposed, a test plan shall be submitted to the Board for acceptance of the alternative method. The Board may seek guidance from its noise consultant.

Separate background noise levels shall be established for daytime hours (7 am to 10 pm) and nighttime hours (10 pm to 7 am).

Background noise levels can be established either by attended measurements (with the sample time at each measurement location to be not less than 10 minutes) or by unattended measurements for a period of at least 3 days. It will be sufficient to establish the background noise levels at representative locations at the property line.

- b. Measurement of Operational Noise Levels – The operational sounds measurements will consist of attended daytime and nighttime noise measurements at the facility property line and the residential receptors for

a period of at least ten minutes. If the equipment is expected to produce higher noise levels at operating conditions other than the full load, those conditions shall be measured as well.

The measurements shall be taken at the same locations as evaluated in the September 27, 2019 Acentech study. These include:

- 14 receptor locations the property lines of 4 Marc Road ~~to the north, south (behind the Coffee Street residents), southwest (near 35 Coffee Street), and west (on the County Layout/private way that abuts the industrial park to the west of 4 Marc Road);~~ and
 - 7 residential receptor locations at second story building window heights.
- c. All sound measurements shall be conducted by a qualified acoustical consultant (INCE board certification or equivalent experience) in accordance with industry best practices.
- d. Measurement instrumentation shall comply with Class 1 in accordance with IEC 61678, and should be capable of measuring A-weighted and octave-band sound levels. The acoustic descriptor for reporting shall be the L₉₀ sound level ~~for background noise levels, to minimize the influence of transient sound.~~ If operational data is steady state, the L₉₀ metric can also be used for operational data. Otherwise the L_{eq} or higher metric should be used. Sound level meters shall be provided with windscreens and their calibration shall be field-checked before and after the measurements.
- e. The Board, Building Commissioner or Health Agent may require the Applicant to implement additional noise mitigation measures if the noise study indicates that the facility is non-compliant with Section 7.3 of the *Zoning Bylaw* or the MA DEP Noise Policy.
3. Approximately six months after beginning operations under this Special Permit, the Applicant shall provide a supplemental noise study. These measurements shall be carried out to the same standards and methods as the initial study. The scope and methods of the study shall be the same as in the initial study described above.

The Applicant shall submit that study to the Building Commissioner, Health Agent and Board so as to determine continued compliance with the *Zoning Bylaw* and any conditions set forth herein as to noise. The Building Commissioner, Health Agent or Board may forward the plan to the Town's noise consultant for review and comment, at the Applicant's expense. The Applicant shall be required to implement additional noise mitigation measures if the facility is non-compliant with the *Zoning Bylaw* and the **MA DEP Noise Policy**.

Commented [SA4]: All abutting properties in all directions including industrial uses to the east or just residential?

4. For each of the two successive years following occupancy, the Applicant shall annually submit a certification by a registered professional mechanical engineer that there are no changes in the installed mechanical equipment which may impact the noise emanating from the facility. Such certification shall be provided to the Building Commissioner, Health Agent and the Board.
5. The Building Commissioner, in enforcing the conditions contained herein, may require the Applicant to provide additional noise studies by a qualified noise consultant and/or implement additional mitigation measures should legitimate concerns or complaints develop in the future about noise generation from the facility. The Applicant may further be required to address such issues with the Board to its satisfaction.

Commented [SA5]: How long do you want them to provide an annual certification?

C. Odor Management

1. The Applicant shall install and maintain at all times effective odor control technology to remove odors from the facility's exhaust system to comply with Section 7.3 of the *Zoning Bylaw*. The Applicant will complete this through industry best practices and suitable building filtration systems including a secondary safeguard system as required by the *Zoning Bylaw*. The Applicant shall maintain all odor migration equipment to ensure maximum efficiency and effectiveness and ongoing compliance.
2. The presented Odor Mitigation Plan dated September 12, 2019 does not include mechanical drawings for the odor management system. At such time as the mechanical drawings are available, they shall be submitted to the Board for review by the Board's odor consultant, at the applicant's expense, to determine if they comply with the Odor Mitigation Plan.
3. The October 2, 2019 review letter of Straughan Forensic, LLC, the Board's odor consultant, identifies a number of issues and information missing from the Odor Mitigation Plan. The Straughan Forensic letter dated October 2, 2019 is attached and made a part of this decision. These items shall be fully addressed and included in the odor plans submitted to the Massachusetts Cannabis Control Commission for approval. The submittal to the Cannabis Control Commission shall indicate that the odor control system must comply with Section 7.3 of the *Zoning Bylaw*.
4. The Applicant shall provide the odor plan approved by the Massachusetts Cannabis Control Commission to the Board.
5. Prior to the issuance of an occupancy permit by the Medway Building Department, the Applicant shall review the approved odor control system as installed with the Building Commissioner and demonstrate that the measures specified in the approved odor control, abatement and mitigation plan including the secondary safeguard system have been implemented. The Applicant shall provide a certification made by a licensed engineer that the odor mitigation measures included in the approved plan have been installed. Additional odor mitigation measures may be required if determined to be necessary by the Building Commissioner.

6. For each of the two successive years following occupancy, the Applicant shall annually submit a certification by a registered professional engineer that there have been no changes in the mechanical equipment that has been installed to control the odor emanating from the facility. Such certification shall be provided to the Building Commissioner, Health Agent and the Board.
7. The Building Commissioner, in enforcing the conditions herein, may require additional odor investigations and/or odor mitigation measures should legitimate concerns and complaints develop in the future about odor generation from the facility. The Applicant may further be required to address such issues with the Board to its satisfaction.

D. Conditions Pertaining to Groundwater Protection District Special Permit

1. Storage of hazardous materials and other hazardous materials is prohibited unless in a free-standing container within a building. Any hazardous materials that will be used at the facility shall be identified and a list provided to the Board. Any accidental spillage shall also be contained within the building and any that enters the sewer system shall be treated prior to being discharged to the municipal sewer system.
2. Any fertilizers used on landscape material anywhere on the site shall be the slow-release organic granular type, and only the absolute minimum necessary. All storage of fertilizers must be in a free-standing container within a building, have adequate secondary storage capacity or be within a facility designed to prevent the generation and escape of contaminated runoff or leachate. Application of fertilizers on site must be done in a manner to minimize adverse impacts on groundwater.
3. Outdoor storage anywhere on the site shall consist only of non-hazardous materials. Metal materials stored outside shall be under cover of a building or structure to prevent leaching of the metal into the groundwater.
4. There shall be no outdoor storage of pesticides, herbicides, fungicides or insecticides anywhere on the site. Any such products shall be stored inside.
5. Deicing materials shall be limited to calcium chloride or other deicer material approved by the Medway Department of Public Works.
6. Plowed snow for the site shall be stored only in the designated areas shown on the plan or taken off site in times of substantial storms. No snow shall be disposed of in the stormwater detention basin.
7. All vehicles shall be parked/stored on the paved surface to ensure treatment of any leaks of fluids from the vehicles. There shall be no outdoor maintenance or cleaning of vehicles.
8. There shall be no earth removal within six feet of the historical high groundwater level.

9. The Town reserves the right to periodically inspect the site to ensure compliance with these conditions.

E. **Stormwater Management - Post Construction**

1. The Applicant shall be responsible for keeping the constructed stormwater drainage system in a clean and well-functioning condition, and shall do nothing which would alter the drainage patterns or characteristics as indicated on the Plan approved herein without the express written approval of the Board.
2. The stormwater drainage system, water and sewer systems shall be maintained by the Applicant, its successors and assigns, and shall not be dedicated to the Town. It is the intent of the Board and the Applicant that these systems shall not be accepted by the Town.
3. The Permittee and its successors and assigns shall maintain the stormwater management system in accordance with the *Post Construction and Long-Term Maintenance Plan* included in the *Stormwater Management Design and Runoff Calculations Report for 4 Marc Road*, dated July 24, 2019, last revised December 13, 2019 prepared by DGT Associates Surveying and Engineering.
4. The applicant shall submit annual reports of inspections and maintenance of all stormwater management structures included in the site plan to the Board and the Medway Department of Public Works Compliance Officer starting one year after the Certificate of Site Plan Completion is issued.
5. In the event that the Applicant, its successors and assigns, or its agent fail to maintain the stormwater management system in accordance with the applicable guidelines for operation and maintenance, the Town may conduct such maintenance or repairs as the Town determines in its sole discretion are reasonably necessary, and the Applicant hereby consents to allow the Town and its agents, employees and contractors entry onto the Property to implement the measures set forth in such guidelines. In the event the Town conducts such maintenance or repairs, the Applicant shall promptly reimburse the Town for all reasonable expenses associated therewith; if the Applicant fails to so reimburse the Town, the Town may place a lien on the site or any unit therein to secure such payment.

- F. **Utilities** – All electric, telephone, cable TV and other utilities shall be located underground. No overhead utilities are permitted.

G. **Water Use and Conservation**

1. The development is relying on the Town's public water system and the Town is being held to its Water Management Act Permit with the MA Department of Environmental Protection. The Permittee shall incorporate

the following water conservation measures for construction of the development:

- a. private well water for landscape irrigation
 - b. rain-gauge controlled irrigation systems
 - c. water efficient appliances (dishwashers, washer/dryers, toilets, etc.)
2. The Permittee shall not use Town water for irrigation of the site’s lawn and landscaping.

- H. **Signage** – Any changes to the existing sign or proposed new signs shall comply with Section 7.2 of the *Zoning Bylaw*.
- I. The permit holder shall notify the Building Commissioner, Health Agent, Fire Chief, Police Chief, and the Board in writing within forty-eight hours of the cessation of operation of the marijuana business or the expiration or termination of the license holder’s certificates or registration with the Massachusetts Cannabis Control Commission.
- J. There shall be a valid Host Community Agreement with the Town of Medway in effect at all times during the operation of the marijuana establishment.
- K. **Limitations** - This special permit is limited to the operation of a recreational marijuana cultivation and processing facility at 4 Marc Road. This permit does not authorize operation of a retail outlet for the sale of adult recreational marijuana products, or the operation of a marijuana social establishment, or the operation of a marijuana testing facility on the premises.

GENERAL CONDITIONS OF APPROVAL

- A. **Fees** - Prior to filing the special permit and site plan decision with the Town Clerk, the Applicant shall pay:
1. the balance of any outstanding project review fees owed to the Town for review of the application by the Town’s engineering, planning, noise, odor or other consultants;
 2. an advance on fees for the continued review services to be provided by outside noise and odor consultants as approved by the Planning and Economic Development Board;
 3. any other outstanding expenses or obligations due the Town of Medway pertaining to this property, including real estate and personal property taxes and business licenses.
- B. **Other Permits** – This special permit does not relieve the Applicant from its responsibility to apply for, obtain, pay for, and comply with all other required federal, state and Town permits, licenses and approvals. The Applicant or agent shall apply for, obtain, pay for, and comply with all other required Town permits.
- C. **Restrictions on Construction Activities** – During construction, all local, state and federal laws shall be followed regarding noise, vibration, dust and blocking of

Town roads. The Permittee and its contractors shall at all times use all reasonable means to minimize inconvenience to abutters and residents in the general area. The following specific restrictions on construction activity shall apply.

1. *Construction Time* - Construction work at the site and in the building and the operation of construction equipment including truck/vehicular and machine start-up and movement shall commence no earlier than 7 a.m. and shall cease no later than 6 p.m. Monday – Saturday. No construction shall take place on Sundays or legal holidays without the advance approval of the Building Commissioner. These rules do not apply to interior construction work such as carpentry, installation of drywall, flooring, electrical and HVAC systems, painting, etc.
2. *Neighborhood Relations* – The Permittee shall notify neighbors in the general area around the site when site work and construction are scheduled to begin and provide a phone number for them to use for questions and concerns that arise during construction.
3. The Permittee shall take all measures necessary to ensure that no excessive dust leaves the premises during construction including use of water spray to wet down dusty surfaces.
4. There shall be no tracking of construction materials onto any public way. Daily sweeping of roadways adjacent to the site shall be done to ensure that any loose gravel/dirt is removed from the roadways and does not create hazardous or deleterious conditions for vehicles, pedestrians or abutting residents. In the event construction debris is carried onto a public way, the Permittee shall be responsible for all clean-up of the roadway which shall occur as soon as possible and in any event within twelve (12) hours of its occurrence.
5. The Permittee is responsible for having the contractor clean-up the construction site and the adjacent properties onto which construction debris may fall on a daily basis.
6. All erosion and siltation control measures shall be installed by the Permittee prior to the start of construction and observed by the Board’s consulting engineer and maintained in good repair throughout the construction period.
7. *Construction Traffic/Parking* – During construction, adequate provisions shall be made on-site for the parking, storing, and stacking of construction materials and vehicles. All parking for construction vehicles and construction related traffic shall be maintained on site. No parking of construction and construction related vehicles shall take place on adjacent public or private ways or interfere with the safe movement of persons and vehicles on adjacent properties or roadways.
8. *Noise* - Construction noise shall not exceed the noise standards as specified in the *Zoning Bylaw*, SECTION V. USE REGULATIONS, Sub-Section B. Area Standards, Paragraph 2. b).

9. **Stormwater Management** – During construction, the Applicant shall maintain the site and installed stormwater management facilities in accordance with the Construction Period Stormwater Operation and Maintenance Plan included in *Stormwater Management Design and Runoff Calculations Report for 4 Marc Road*, dated July 24, 2019, last revised December 13, 2019 prepared by DGT Associates Surveying and Engineering.

D. Construction Oversight

1. Pre-Construction Meeting – At least seven days prior to the start of any site preparation or construction, the Applicant shall meet with the Town’s Consulting Engineer, the Planning and Economic Development Coordinator, the Medway Department of Public Works, the Medway Conservation Agent (if applicable), the contractors and Applicant’s project engineer for a pre-construction meeting. The construction schedule shall be reviewed and the procedures for inspections discussed.
2. Construction Account
 - a) Inspection of infrastructure and utility construction, installation of site amenities including landscaping, and the review of legal documents by Town Council is required. Prior to plan endorsement, the Permittee shall establish a construction account with the Board. The funds may be used at the Board’s discretion to retain professional outside consultants to perform the items listed above as well as the following other tasks - inspect the site during construction/installation, identify what site plan work remains to be completed, prepare a bond estimate, conduct other reasonable inspections until the site work is completed and determined to be satisfactory, review as-built plans, and advise the Board as it prepares to issue a *Certificate of Site Plan Completion*.
 - b) Prior to plan endorsement, the Permittee shall pay an advance toward the cost of these services to the Town of Medway. The advance amount shall be determined by the Board based on an estimate provided by the Town’s Consulting Engineer.
 - c) Depending on the scope of professional outside consultant assistance that the Board may need, the Permittee shall provide supplemental payments to the project’s construction inspection account, upon invoice from the Board.
 - d) Any funds remaining in the Permittee’s construction inspection account after the *Certificate of Site Plan Completion* is issued shall be returned to the Permittee.
3. Board members, its staff, consultants or other designated Town agents and staff shall have the right to inspect the site at any time, for compliance with the endorsed site plan and the provisions of this *Decision*.

4. The Department of Public Works will conduct inspections for any construction work occurring in the Town’s right-of way in conjunction with the Town of Medway Street Opening/Roadway Access Permit.
5. The Permittee shall have a professional engineer licensed in the Commonwealth of Massachusetts conduct progress inspections of the construction of the approved site improvements. Inspections shall occur at least on a monthly basis. The engineer shall prepare a written report of each inspection and provide a copy to the Board within 5 days of inspection.

E. On-Site Field Changes

1. During construction, the Permittee may be authorized to make limited, minor, on-site field changes to the approved plan based on unforeseen site or job conditions, situations, or emergencies necessitated by field conditions or due to practical considerations. These field changes shall not alter items which may affect the site’s compliance with this *Decision* and the *Zoning Bylaw* nor conflict with a specific condition of the *Decision*. Field changes shall not substantially alter the intent, layout or design of the endorsed site plan.
2. Prior to undertaking such field changes, the Permittee and/or contractor shall discuss the possible field changes with the Town’s Consulting Engineer and submit a letter and drawings to the Planning and Economic Development Coordinator and the Building Commissioner describing the proposed changes and what conditions, situations, or emergencies necessitate such changes. In accordance with Section 3.5.2.C of the *Zoning Bylaw*, the Building Commissioner may determine that the field change is insubstantial, authorize the change, and so notify the Board. Otherwise, the Board shall review the proposed field changes at a public meeting and determine whether the proposed field changes are reasonable and acceptable based on the unforeseen conditions, situations, or emergencies and whether other options are feasible or more suitable. A written authorization of field change will be provided. Any approved field change shall be reflected in the as-built plan to be provided at project completion.

F. Modification of Plan and/or Decision

1. Proposed modifications, not included on-site field changes, to the *Decision* or endorsed plan shall be subject to review by the Board.
2. This site plan and special permit approval is subject to all subsequent conditions that may be imposed by other Town departments, boards, agencies or commissions. Any changes to the site plan that may be required by the decisions of other Town boards, agencies or commissions shall be submitted to the Board for review as site plan modifications.
3. Any work that deviates from the approved site plan or this *Decision* shall be a violation of the *Zoning Bylaw*, unless the Permittee requests approval of a plan modification pursuant to Section 3.5.2.A.3.c. and such approval is provided in writing by the Board.

4. The request for a modification to a previously approved site plan shall be subject to the same application and review process including a public hearing. Whenever additional reviews by the Board, its staff or consultants are necessary due to proposed site plan modifications, the Permittee shall be billed and be responsible for all supplemental costs including filing fees, plan review fees and all costs associated with another public hearing including legal notice and abutter notification. If the proposed revisions affect only specific limited aspects of the site, the Board may reduce the scope of the required review and waive part of the filing and review fees.
5. The Board shall issue a modification decision, file such with the Town Clerk, and provide copies to the Building Commissioner and other Town officials and the Permittee. Any modification approved by the Board shall be made a permanent part of the approved site plan project documents and shall be shown on the final as-built plan.

G. Compliance with Plan and Decision

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

H. Performance Security

1. No occupancy permit shall be granted until the Board has provided a written communication to the Building Commissioner/Zoning Enforcement Officer that the project, as constructed, conforms completely and fully to the approved site plan and that any conditions including construction of any required on and off-site improvements, have been satisfactorily completed OR that suitable security/performance guarantee has been provided to the Town of Medway, to the Board's satisfaction, to cover the cost of all remaining work.
2. The Permittee shall propose a form of performance security which shall be of a source and in a form acceptable to the Board, the Treasurer/Collector and Town Counsel. The Board requires that the performance guarantee be accompanied by an agreement which shall define the obligations of the Permittee and the performance guarantee company including:
 - a) the date by which the Permittee shall complete construction
 - b) a statement that the agreement does not expire until released in full by the Board
 - c) procedures for collection upon default.

3. The amount of the performance guarantee shall be equal to 100% of the amount that would be required for the Town of Medway to complete construction of the site infrastructure including installation of stormwater management facilities, utilities, services, pedestrian facilities and all site amenities as specified in the approved Site Plan that remain unfinished at the time the performance guarantee estimate is prepared if the developer failed to do so.
4. The security amount shall be approved by the Board based on an estimate provided by the Town’s Consulting Engineer based on the latest weighted average bid prices issued by the Mass Highway Department. The estimate shall reflect the cost for the Town to complete the work as a public works project which may necessitate additional engineering, inspection, legal and administrative services, staff time and public bidding procedures. The estimate shall also include the cost to maintain the infrastructure in the event the Permittee fails to adequately perform such and the cost for the development of as-built plans. In determining the amount, the Board shall be guided by the following formula in setting the sum: estimate of the Town’s Consulting Engineer of the cost to complete the work plus a 30% contingency.
5. Final release of performance security is contingent on project completion.

I. **Project Completion**

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

- b) submit an electronic version of an As-Built Plan, prepared by a registered Professional Land Surveyor or Engineer registered in the Commonwealth of Massachusetts, to the Board for its review and approval. The As-Built Plan shall show actual as-built locations and conditions of all buildings and site work shown on the original site plan and any modifications thereto. The As-Built Plan shall also show all utilities found during the construction process. The final As-Built Plan shall also be provided to the Town in CAD/GIS file format per MASS GIS specifications.
- J. **Right to Enter Property** – Board members, its staff, consultants or other designated agents of the Town shall have the right to enter the property at any time to ensure continued compliance with the terms and conditions of this special permit and the endorsed site plan.
- K. **Recording** - Within thirty days of recording the Decision, the Applicant shall provide the Board and the Building Commissioner with a receipt from the Norfolk County Registry of Deeds indicating that the Decision and Plan have been duly recorded, or supply another alternative verification that such recording has occurred.
- L. **Conflicts** –If there is a conflict between this Decision and the *Zoning Bylaw*, the *Bylaw* shall apply.

IX. APPEAL – The Board and the Applicant have complied with all statutory requirements for the issuance of this Decision on the terms set forth herein. A copy of this Decision will be filed with the Medway Town Clerk and mailed to the Applicant, and notice will be mailed to all parties in interest as provided in G.L. c. 40A §15.

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

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

###

APPROVED by the Medway Planning & Economic Development Board: _____

AYE:

NAY:

_____	_____
_____	_____
_____	_____
_____	_____

ATTEST:

Susan E. Affleck-Childs
Planning & Economic Development Coordinator

Date

COPIES TO:

- Michael Boynton, Town Administrator
- Dave D’Amico, DPW Director
- Bridget Graziano, Conservation Agent
- Donna Greenwood, Assessor
- Beth Hallal, Health Agent
- Jeff Lynch, Fire Chief
- Jack Mee, Building Commissioner and Zoning Enforcement Officer
- Joanne Russo, Treasurer/Collector
- Barbara Saint Andre, Director of Community and Economic Development
- Alan Tingley, Police Chief
- Jeff Watson, Police Department
- Chad Blair, Neo Organics and 4 Marc Road Realty, LLC
- Jaime Lewis, Neo Organics
- Jordan Naydeuov, NEK, LLC
- Bert Corey, DGT Associates
- Steven Bouley, Tetra Tech
- Gino Carlucci, PGC Associates



The Commonwealth of Massachusetts
Executive Office of Environmental Affairs
Department of Environmental Quality Engineering
Division of Air Quality Control
One Winter Street, Boston 02108

February 1, 1990

DAQC Policy 90-001

DIVISION OF AIR QUALITY CONTROL POLICY

This policy is adopted by the Division of Air Quality Control. The Department's existing guideline for enforcing its noise regulation (310 CMR 7.10) is being reaffirmed.

P O L I C Y

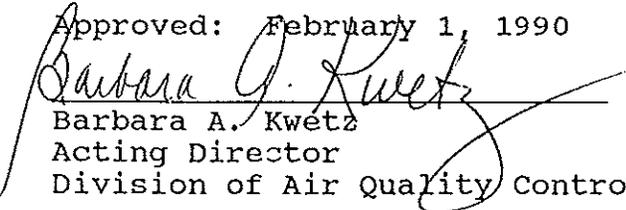
A source of sound will be considered to be violating the Department's noise regulation (310 CMR 7.10) if the source:

1. Increases the broadband sound level by more than 10 dB(A) above ambient, or
2. Produces a "pure tone" condition - when any octave band center frequency sound pressure level exceeds the two adjacent center frequency sound pressure levels by 3 decibels or more.

These criteria are measured both at the property line and at the nearest inhabited residence. Ambient is defined as the background A-weighted sound level that is exceeded 90% of the time measured during equipment operating hours. The ambient may also be established by other means with the consent of the Department.

Approved: February 1, 1990

Effective: Immediately


Barbara A. Kwetz
Acting Director
Division of Air Quality Control

MEDWAY CONSERVATION COMMISSION



**Sanford Hall, Town Hall
155 Village Street, Medway, MA 02053**

January 14, 2020

NEO Alternatives, LLC
c/o Chad Blair
365 Boston Post Road #184
Sudbury, MA 01776

Dear Mr. Blair,

Enclosed please find the Amended Order of Conditions, DEP File No. 216-0943 issued by the Medway Conservation Commission on January 14, 2020, this document is a record that reflects the approval of your proposal in response to your Request to Amend the Order of Conditions for 4 Marc Road. It is required that this document be recorded with the Norfolk County Registry of Deeds after the ten day appeal period from the date of issuance has elapsed. Please send a check made payable to Norfolk County Registry of Deeds for \$76.00 to the Town of Medway (as shown below) for the recording. If you do not wish us to record the document, please complete the recording yourself and send our office confirmation of this recording to:

Town of Medway
c/o Conservation Commission
155 Village Street
Medway, MA 02053

The Medway Conservation Commission staff would be glad to set up an appointment to review the Order of Conditions with you prior to the commencement of proposed work. Our office is open Monday - Thursday 7:30 am – 4:30 pm and Friday 7:30 am - 12:30 pm or by appointment. You may contact the Conservation office with any questions you may have at (508) 533-3292.

Thank you,

Bridget R. Graziano, Conservation Agent
Medway Conservation Commission



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
 216-0943
 MassDEP File #
 eDEP Transaction #
 Medway
 City/Town

A. General Information

Please note:
 this form has been modified with added space to accommodate the Registry of Deeds Requirements

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



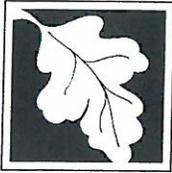
1. From: Medway
 Conservation Commission

2. This issuance is for (check one):
 a. Order of Conditions b. Amended Order of Conditions

3. To: Applicant:
Chad Blair
 a. First Name b. Last Name
NEO Alternatives, LLC
 c. Organization
365 Boston Post Road #184
 d. Mailing Address
Sudbury MA 01776
 e. City/Town f. State g. Zip Code

4. Property Owner (if different from applicant):
same
 a. First Name b. Last Name
 c. Organization
 d. Mailing Address
 e. City/Town f. State g. Zip Code

5. Project Location:
4 Marc Road Medway
 a. Street Address b. City/Town
32 026
 c. Assessors Map/Plat Number d. Parcel/Lot Number
 Latitude and Longitude, if known: 42d15m87s 71d9m71s
 d. Latitude e. Longitude



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
216-0943
MassDEP File #

eDEP Transaction #
Medway
City/Town

A. General Information (cont.)

6. Property recorded at the Registry of Deeds for (attach additional information if more than one parcel):
Norfolk

a. County	b. Certificate Number (if registered land)
21910	102
c. Book	d. Page

7. Dates: July 25, 2019 November 14, 2019 November 18, 2019
 a. Date Notice of Intent Filed b. Date Public Hearing Closed c. Date of Issuance

8. Final Approved Plans and Other Documents (attach additional plan or document references as needed):
Permit Site Plan 4 Marc Road Medway, MA

a. Plan Title	b. Certificate Number (if registered land)
DGT Associates	Bert Corey No.48423
b. Prepared By	c. Signed and Stamped by
DEcember 13, 2019	1" = 40'
d. Final Revision Date	e. Scale
Stormwater Management Design	December 13, 2019
f. Additional Plan or Document Title	g. Date

Amendment approved 1/11/2020

B. Findings

1. Findings pursuant to the Massachusetts Wetlands Protection Act:

Following the review of the above-referenced Notice of Intent and based on the information provided in this application and presented at the public hearing, this Commission finds that the areas in which work is proposed is significant to the following interests of the Wetlands Protection Act (the Act). Check all that apply:

- | | | |
|---|--|---|
| a. <input type="checkbox"/> Public Water Supply | b. <input type="checkbox"/> Land Containing Shellfish | c. <input checked="" type="checkbox"/> Prevention of Pollution |
| d. <input type="checkbox"/> Private Water Supply | e. <input type="checkbox"/> Fisheries | f. <input checked="" type="checkbox"/> Protection of Wildlife Habitat |
| g. <input checked="" type="checkbox"/> Groundwater Supply | h. <input checked="" type="checkbox"/> Storm Damage Prevention | i. <input checked="" type="checkbox"/> Flood Control |

2. This Commission hereby finds the project, as proposed, is: (check one of the following boxes)

Approved subject to:

- a. the following conditions which are necessary in accordance with the performance standards set forth in the wetlands regulations. This Commission orders that all work shall be performed in accordance with the Notice of Intent referenced above, the following General Conditions, and any other special conditions attached to this Order. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, these conditions shall control.



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
 216-0943
 MassDEP File # _____
 eDEP Transaction # _____
 Medway
 City/Town

B. Findings (cont.)

Denied because:

- b. the proposed work cannot be conditioned to meet the performance standards set forth in the wetland regulations. Therefore, work on this project may not go forward unless and until a new Notice of Intent is submitted which provides measures which are adequate to protect the interests of the Act, and a final Order of Conditions is issued. **A description of the performance standards which the proposed work cannot meet is attached to this Order.**
- c. the information submitted by the applicant is not sufficient to describe the site, the work, or the effect of the work on the interests identified in the Wetlands Protection Act. Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides sufficient information and includes measures which are adequate to protect the Act's interests, and a final Order of Conditions is issued. **A description of the specific information which is lacking and why it is necessary is attached to this Order as per 310 CMR 10.05(6)(c).**
3. Buffer Zone Impacts: Shortest distance between limit of project disturbance and the wetland resource area specified in 310 CMR 10.02(1)(a) _____ a. linear feet

Inland Resource Area Impacts: Check all that apply below. (For Approvals Only)

Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
4. <input checked="" type="checkbox"/> Bank	48 a. linear feet	48 b. linear feet	48 c. linear feet	48 d. linear feet
5. <input checked="" type="checkbox"/> Bordering Vegetated Wetland	324 a. square feet	324 b. square feet	324 c. square feet	324 d. square feet
6. <input type="checkbox"/> Land Under Waterbodies and Waterways	_____ a. square feet	_____ b. square feet	_____ c. square feet	_____ d. square feet
	_____ e. c/y dredged	_____ f. c/y dredged		
7. <input type="checkbox"/> Bordering Land Subject to Flooding	_____ a. square feet	_____ b. square feet	0 c. square feet	0 d. square feet
Cubic Feet Flood Storage	_____ e. cubic feet	_____ f. cubic feet	0 g. cubic feet	0 h. cubic feet
8. <input type="checkbox"/> Isolated Land Subject to Flooding	_____ a. square feet	_____ b. square feet		
Cubic Feet Flood Storage	_____ c. cubic feet	_____ d. cubic feet	_____ e. cubic feet	_____ f. cubic feet
9. <input type="checkbox"/> Riverfront Area	_____ a. total sq. feet	_____ b. total sq. feet		
Sq ft within 100 ft	_____ c. square feet	_____ d. square feet	_____ e. square feet	_____ f. square feet
Sq ft between 100-200 ft	_____ g. square feet	_____ h. square feet	_____ i. square feet	_____ j. square feet



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
 216-0943
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 eDEP Transaction # _____
 Medway
 City/Town

B. Findings (cont.)

Coastal Resource Area Impacts: Check all that apply below. (For Approvals Only)

	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
10. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below			
11. <input type="checkbox"/> Land Under the Ocean	_____ a. square feet	_____ b. square feet		
	_____ c. c/y dredged	_____ d. c/y dredged		
12. <input type="checkbox"/> Barrier Beaches	Indicate size under Coastal Beaches and/or Coastal Dunes below			
13. <input type="checkbox"/> Coastal Beaches	_____ a. square feet	_____ b. square feet	_____ cu yd c. nourishment	_____ cu yd d. nourishment
14. <input type="checkbox"/> Coastal Dunes	_____ a. square feet	_____ b. square feet	_____ cu yd c. nourishment	_____ cu yd d. nourishment
15. <input type="checkbox"/> Coastal Banks	_____ a. linear feet	_____ b. linear feet		
16. <input type="checkbox"/> Rocky Intertidal Shores	_____ a. square feet	_____ b. square feet		
17. <input type="checkbox"/> Salt Marshes	_____ a. square feet	_____ b. square feet	_____ c. square feet	_____ d. square feet
18. <input type="checkbox"/> Land Under Salt Ponds	_____ a. square feet	_____ b. square feet		
	_____ c. c/y dredged	_____ d. c/y dredged		
19. <input type="checkbox"/> Land Containing Shellfish	_____ a. square feet	_____ b. square feet	_____ c. square feet	_____ d. square feet
20. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, Inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above			
	_____ a. c/y dredged	_____ b. c/y dredged		
21. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	_____ a. square feet	_____ b. square feet		



B. Findings (cont.)

* #22. If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.5.c (BVW) or B.17.c (Salt Marsh) above, please enter the additional amount here.

22. Restoration/Enhancement *:

a. square feet of BVW

b. square feet of salt marsh

23. Stream Crossing(s):

a. number of new stream crossings

b. number of replacement stream crossings

C. General Conditions Under Massachusetts Wetlands Protection Act

The following conditions are only applicable to Approved projects.

1. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Order.
2. The Order does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of private rights.
3. This Order does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.
4. The work authorized hereunder shall be completed within three years from the date of this Order unless either of the following apply:
 - a. the work is a maintenance dredging project as provided for in the Act; or
 - b. the time for completion has been extended to a specified date more than three years, but less than five years, from the date of issuance. If this Order is intended to be valid for more than three years, the extension date and the special circumstances warranting the extended time period are set forth as a special condition in this Order.
5. This Order may be extended by the issuing authority for one or more periods of up to three years each upon application to the issuing authority at least 30 days prior to the expiration date of the Order.
6. If this Order constitutes an Amended Order of Conditions, this Amended Order of Conditions does not extend the issuance date of the original Final Order of Conditions and the Order will expire on 11/18/21 unless extended in writing by the Department.
7. Any fill used in connection with this project shall be clean fill. Any fill shall contain no trash, refuse, rubbish, or debris, including but not limited to lumber, bricks, plaster, wire, lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles, or parts of any of the foregoing.
8. This Order is not final until all administrative appeal periods from this Order have elapsed, or if such an appeal has been taken, until all proceedings before the Department have been completed.



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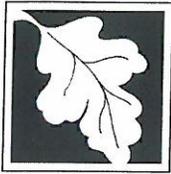
Medway

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C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

9. No work shall be undertaken until the Order has become final and then has been recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land upon which the proposed work is to be done. In the case of the registered land, the Final Order shall also be noted on the Land Court Certificate of Title of the owner of the land upon which the proposed work is done. The recording information shall be submitted to the Conservation Commission on the form at the end of this Order, which form must be stamped by the Registry of Deeds, prior to the commencement of work.
10. A sign shall be displayed at the site not less than two square feet or more than three square feet in size bearing the words,

"Massachusetts Department of Environmental Protection" [or, "MassDEP"]
"File Number 216-0943 "
11. Where the Department of Environmental Protection is requested to issue a Superseding Order, the Conservation Commission shall be a party to all agency proceedings and hearings before MassDEP.
12. Upon completion of the work described herein, the applicant shall submit a Request for Certificate of Compliance (WPA Form 8A) to the Conservation Commission.
13. The work shall conform to the plans and special conditions referenced in this order.
14. Any change to the plans identified in Condition #13 above shall require the applicant to inquire of the Conservation Commission in writing whether the change is significant enough to require the filing of a new Notice of Intent.
15. The Agent or members of the Conservation Commission and the Department of Environmental Protection shall have the right to enter and inspect the area subject to this Order at reasonable hours to evaluate compliance with the conditions stated in this Order, and may require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.
16. This Order of Conditions shall apply to any successor in interest or successor in control of the property subject to this Order and to any contractor or other person performing work conditioned by this Order.
17. Prior to the start of work, and if the project involves work adjacent to a Bordering Vegetated Wetland, the boundary of the wetland in the vicinity of the proposed work area shall be marked by wooden stakes or flagging. Once in place, the wetland boundary markers shall be maintained until a Certificate of Compliance has been issued by the Conservation Commission.



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C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

18. All sedimentation barriers shall be maintained in good repair until all disturbed areas have been fully stabilized with vegetation or other means. At no time shall sediments be deposited in a wetland or water body. During construction, the applicant or his/her designee shall inspect the erosion controls on a daily basis and shall remove accumulated sediments as needed. The applicant shall immediately control any erosion problems that occur at the site and shall also immediately notify the Conservation Commission, which reserves the right to require additional erosion and/or damage prevention controls it may deem necessary. Sedimentation barriers shall serve as the limit of work unless another limit of work line has been approved by this Order.

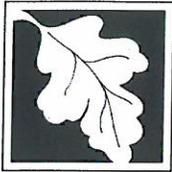
NOTICE OF STORMWATER CONTROL AND MAINTENANCE REQUIREMENTS

19. **The work associated with this Order (the “Project”) (1) is (2) is not subject to the Massachusetts Stormwater Standards. If the work is subject to the Stormwater Standards, then the project is subject to the following conditions:**

a) All work, including site preparation, land disturbance, construction and redevelopment, shall be implemented in accordance with the construction period pollution prevention and erosion and sedimentation control plan and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollution Discharge Elimination System Construction General Permit as required by Stormwater Condition 8. Construction period erosion, sedimentation and pollution control measures and best management practices (BMPs) shall remain in place until the site is fully stabilized.

b) No stormwater runoff may be discharged to the post-construction stormwater BMPs unless and until a Registered Professional Engineer provides a Certification that:

- i.* all construction period BMPs have been removed or will be removed by a date certain specified in the Certification. For any construction period BMPs intended to be converted to post construction operation for stormwater attenuation, recharge, and/or treatment, the conversion is allowed by the MassDEP Stormwater Handbook BMP specifications and that the BMP has been properly cleaned or prepared for post construction operation, including removal of all construction period sediment trapped in inlet and outlet control structures;
- ii.* as-built final construction BMP plans are included, signed and stamped by a Registered Professional Engineer, certifying the site is fully stabilized;
- iii.* any illicit discharges to the stormwater management system have been removed, as per the requirements of Stormwater Standard 10;
- iv.* all post-construction stormwater BMPs are installed in accordance with the plans (including all planting plans) approved by the issuing authority, and have been inspected to ensure that they are not damaged and that they are in proper working condition;
- v.* any vegetation associated with post-construction BMPs is suitably established to withstand erosion.



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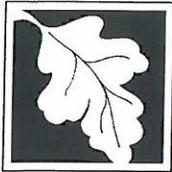
C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

c) The landowner is responsible for BMP maintenance until the issuing authority is notified that another party has legally assumed responsibility for BMP maintenance. Prior to requesting a Certificate of Compliance, or Partial Certificate of Compliance, the responsible party (defined in General Condition 18(e)) shall execute and submit to the issuing authority an Operation and Maintenance Compliance Statement ("O&M Statement") for the Stormwater BMPs identifying the party responsible for implementing the stormwater BMP Operation and Maintenance Plan ("O&M Plan") and certifying the following: *i.*) the O&M Plan is complete and will be implemented upon receipt of the Certificate of Compliance, and *ii.*) the future responsible parties shall be notified in writing of their ongoing legal responsibility to operate and maintain the stormwater management BMPs and implement the Stormwater Pollution Prevention Plan.

d) Post-construction pollution prevention and source control shall be implemented in accordance with the long-term pollution prevention plan section of the approved Stormwater Report and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollution Discharge Elimination System Multi-Sector General Permit.

e) Unless and until another party accepts responsibility, the landowner, or owner of any drainage easement, assumes responsibility for maintaining each BMP. To overcome this presumption, the landowner of the property must submit to the issuing authority a legally binding agreement of record, acceptable to the issuing authority, evidencing that another entity has accepted responsibility for maintaining the BMP, and that the proposed responsible party shall be treated as a permittee for purposes of implementing the requirements of Conditions 18(f) through 18(k) with respect to that BMP. Any failure of the proposed responsible party to implement the requirements of Conditions 18(f) through 18(k) with respect to that BMP shall be a violation of the Order of Conditions or Certificate of Compliance. In the case of stormwater BMPs that are serving more than one lot, the legally binding agreement shall also identify the lots that will be serviced by the stormwater BMPs. A plan and easement deed that grants the responsible party access to perform the required operation and maintenance must be submitted along with the legally binding agreement.

f) The responsible party shall operate and maintain all stormwater BMPs in accordance with the design plans, the O&M Plan, and the requirements of the Massachusetts Stormwater Handbook.



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C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

- g) The responsible party shall:
1. Maintain an operation and maintenance log for the last three (3) consecutive calendar years of inspections, repairs, maintenance and/or replacement of the stormwater management system or any part thereof, and disposal (for disposal the log shall indicate the type of material and the disposal location);
 2. Make the maintenance log available to MassDEP and the Conservation Commission ("Commission") upon request; and
 3. Allow members and agents of the MassDEP and the Commission to enter and inspect the site to evaluate and ensure that the responsible party is in compliance with the requirements for each BMP established in the O&M Plan approved by the issuing authority.
- h) All sediment or other contaminants removed from stormwater BMPs shall be disposed of in accordance with all applicable federal, state, and local laws and regulations.
- i) Illicit discharges to the stormwater management system as defined in 310 CMR 10.04 are prohibited.
- j) The stormwater management system approved in the Order of Conditions shall not be changed without the prior written approval of the issuing authority.
- k) Areas designated as qualifying pervious areas for the purpose of the Low Impact Site Design Credit (as defined in the MassDEP Stormwater Handbook, Volume 3, Chapter 1, Low Impact Development Site Design Credits) shall not be altered without the prior written approval of the issuing authority.
- l) Access for maintenance, repair, and/or replacement of BMPs shall not be withheld. Any fencing constructed around stormwater BMPs shall include access gates and shall be at least six inches above grade to allow for wildlife passage.

Special Conditions (if you need more space for additional conditions, please attach a text document):

See attached for Findings and Conditions adopted under the MA Wetlands Protection Act (MGL. Ch. 131 S. 40) & the Medway General Wetlands Protection Bylaw (Article XXI).



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D. Findings Under Municipal Wetlands Bylaw or Ordinance

1. Is a municipal wetlands bylaw or ordinance applicable? Yes No
2. The Medway Conservation Commission hereby finds (check one that applies):

- a. that the proposed work cannot be conditioned to meet the standards set forth in a municipal ordinance or bylaw, specifically:

1. Municipal Ordinance or Bylaw _____ 2. Citation _____

Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides measures which are adequate to meet these standards, and a final Order of Conditions is issued.

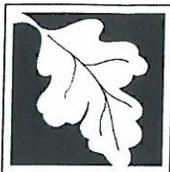
- b. that the following additional conditions are necessary to comply with a municipal ordinance or bylaw:

Medway General Bylaw _____ Article XXI
 1. Municipal Ordinance or Bylaw _____ 2. Citation _____

3. The Commission orders that all work shall be performed in accordance with the following conditions and with the Notice of Intent referenced above. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, the conditions shall control.

The special conditions relating to municipal ordinance or bylaw are as follows (if you need more space for additional conditions, attach a text document):

See attached for Findings and Conditions adopted under the MA Wetlands Protection Act (MGL. Ch. 131 S. 40) & the Medway General Wetlands Protection Bylaw (Article XXI).



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E. Signatures

This Order is valid for three years, unless otherwise specified as a special condition pursuant to General Conditions #4, from the date of issuance.

Please indicate the number of members who will sign this form.

This Order must be signed by a majority of the Conservation Commission.

The Order must be mailed by certified mail (return receipt requested) or hand delivered to the applicant. A copy also must be mailed or hand delivered at the same time to the appropriate Department of Environmental Protection Regional Office, if not filing electronically, and the property owner, if different from applicant.

1/14/2020

1. Date of Issuance

5

2. Number of Signers

Signatures:

Dayna Gill Dayna Gill

Ken McKay

Brian Snow Brian Snow

David J. Blackwell David J. Blackwell

by hand delivery on

by certified mail, return receipt requested, on

Date

Date

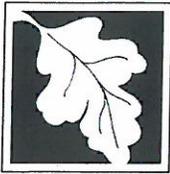
1/14/2020

F. Appeals

The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land subject to this Order, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate MassDEP Regional Office to issue a Superseding Order of Conditions. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed Request of Departmental Action Fee Transmittal Form, as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Order. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.

Any appellants seeking to appeal the Department's Superseding Order associated with this appeal will be required to demonstrate prior participation in the review of this project. Previous participation in the permit proceeding means the submission of written information to the Conservation Commission prior to the close of the public hearing, requesting a Superseding Order, or providing written information to the Department prior to issuance of a Superseding Order.

The request shall state clearly and concisely the objections to the Order which is being appealed and how the Order does not contribute to the protection of the interests identified in the Massachusetts Wetlands Protection Act (M.G.L. c. 131, § 40), and is inconsistent with the wetlands regulations (310 CMR 10.00). To the extent that the Order is based on a municipal ordinance or bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department has no appellate jurisdiction.



**Massachusetts Department of Environmental Protection
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G. Recording Information

Prior to commencement of work, this Order of Conditions must be recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land subject to the Order. In the case of registered land, this Order shall also be noted on the Land Court Certificate of Title of the owner of the land subject to the Order of Conditions. The recording information on this page shall be submitted to the Conservation Commission listed below.

Conservation Commission

Detach on dotted line, have stamped by the Registry of Deeds and submit to the Conservation Commission.

To:

Medway

Conservation Commission

Please be advised that the Order of Conditions for the Project at:

4 Marc Road

Project Location

216-0943

MassDEP File Number

Has been recorded at the Registry of Deeds of:

Norfolk

County

Book

Page

for:

Property Owner

and has been noted in the chain of title of the affected property in:

Book

Page

In accordance with the Order of Conditions issued on:

Date

If recorded land, the instrument number identifying this transaction is:

Instrument Number

If registered land, the document number identifying this transaction is:

Document Number

Signature of Applicant

MEDWAY CONSERVATION COMMISSION
AMENDED ORDER OF CONDITIONS – PART II
FINDINGS AND CONDITIONS UNDER THE MASSACHUSETTS WETLANDS PROTECTION
ACT AND THE MEDWAY GENERAL WETLANDS PROTECTION BYLAW (ARTICLE XXI)
PROJECT SITE: 4 Marc Road, Map 32 Lot 026
DEP # 216-0943
MEDWAY, MASSACHUSETTS
ORIGINAL DATE OF ISSUANCE: November 18, 2019
AMENDMENT ISSUED: January 14, 2020

Project Description: The applicant proposes to complete improvements to the existing commercial building including the installation of a 3,000 square foot concrete pad, also including proposed improvements to parking areas, stormwater management systems, and proposed removal of sediments from the existing wetland resource totaling 24 linear feet), identified as an Intermittent Street, and upgrading of utilities. The proposed amendments include to include a 17' vehicular road for fire access and stormwater management system upgrades. The site is currently forested with portions along the north to easterly side being Bordering Vegetated Wetlands. The applicant has submitted the following documents which have been accepted as part of the final record and decision for the proposed project referenced above.

Amended documents

1. Letter titled, "4 Marc Road (NEO Organics, LLC)" by DGT Associates, dated October 23, 2019
2. Plans titled, "Permit Site Plan 4 Marc Road, Medway, Massachusetts 02053" by DGT Associates, dated October 24, 2019, final revision December 13, 2019
3. Document titled, "Stormwater Operations and Maintenance Plan for 4 Marc Road, Medway, Massachusetts 02053" (Appendix 5 of the "Stormwater Management Design and Runoff Calculation Report for 4 Marc Road, Medway, Massachusetts 02053" by DGT Associates, revised December 13, 2019)
4. Document titled, "Stormwater Calculations – Recharge, 4 Marc Road, Medway, MA" by DGT Associates, dated October 8, 2019, revised December 3, 2019
5. Document titled, "Rational Method Calculations of Roof Drains and Concrete Pad Area Drains" by DGT Associates
6. HydroCAD print titled, "25457-Proposed Conditions-FOR SWALE" by DGT Associates
7. Stormwater Drainage Report titled, "Stormwater Management Design and Runoff Calculations Report for 4 Marc Road, Medway, Massachusetts 02053", by DGT Associates, dated September 19, 2019, final revision December 13, 2019
8. Document Titled, "Long Term Pollution Prevention Plan for 4 Marc Road, Medway Massachusetts 02053" (Appendix 2 of the "Stormwater Management Design and Runoff Calculation Report for 4 Marc Road, Medway, Massachusetts 02053" by DGT Associates, dated September 19, 2019, final revision December 13, 2019)
9. Exhibit Plan titled, "Land Disturbance Area Plan" by DGT Associates, dated October 22, 2019 final revision December 13, 2019

Findings:

The Medway Conservation Commission makes the following findings relative to the Notice of Intent Application and Request for Amendment to the Order of Conditions DEP File # 216-0943:

- a) The boundaries of Wetland Resource Areas considered under this Notice of Intent and accepted as depicted on approved plans.
- b) The Commission hereby finds that the amended proposal for work which includes a 17' vehicular fire access road with upgrades to the stormwater management system was presented at this public hearing where the applicant presented evidence sufficient to demonstrate that the proposed activity meets the

provisions under 310 CMR 10.02 (2)(b) & (3), 310 CMR 10.02(5), 310 CMR 10.05(6)(k-o), 310 CMR 10.54 (4)(a), 310 CMR 10.55(4), and Medway General Bylaw Article XXI Regulations and the performance standards under Section 3.01, 3.02, 3.03, 3.04, and Section 5.

- c) Additionally, the Commission finds that the previously approved the work for installation of a concrete pad, upgrades to the existing site, including improvements to parking areas, the existing stormwater management system, and wetland resources (impacted by sediments from stormwater discharge), meets the abovementioned regulations.
- d) The Commission has granted a waiver of the 0-25' No Alteration Zone under Section 7 of Article XXI Regulations for work to remove sediment from the wetland resource, as sediment has accrued over the years from the discharge of the Stormwater Management System.
- e) It was noted that all conditions of this Order must be met in order to meet the above mentioned provisions. The Commission additionally finds that the work must be conditioned to protect all interests of the MA Wetlands Protection Act and the Medway General Wetlands Protection Bylaw.
- f) Additionally, the Medway Conservation Commission finds that the following conditions are necessary in order to protect the wetland resource for the duration of this proposed project. The Commission orders that all work shall be performed in accordance with said conditions and with the Notice of Intent referenced in the Special Conditions, section of this Order.
- g) To the extent that the following conditions modify or differ from the plans, specifications or other proposals submitted with the Notice of Intent, the conditions shall control.
- h) Following review of the above-referenced Notice of Intent and based on the information provided in this application and presented at the public hearing, this Commission finds that the area in which work is proposed is significant to the following interests of the Medway Wetlands By-Law:
 - 1. Groundwater Supply
 - 2. Flood Control
 - 3. Storm Damage Prevention
 - 4. Prevention of Pollution
 - 5. Protection of Flora and Fauna and their Habitats
 - 6. Erosion Prevention
- f) Furthermore, the Medway Conservation Commission hereby finds that the proposed project is:

Approved, subject to the findings and conditions contained herein.

- A. The Medway Conservation Commission based its decision to approve the proposed project upon the information provided in the Notice of Intent referenced in the WPA Form 5 – Order of Conditions (“Part I”) issued concomitantly with this Part II OOC for the project, together with all of its contents and attachments, including the plans and documents identified in Part I, Sec. A, para. 8, the findings and conditions contained in this Part II, and the information presented and discussed at the public hearing.
- B. The Medway Conservation Commission further finds the following:
 - 1. Wetland Resource Areas and Boundaries: The site contains the following wetland resource areas protected by the Massachusetts Wetlands Protection Act and the Medway Wetlands By-Law:
 - i. 25'- 100' buffer zone of Bordering Vegetated Wetlands
 - ii. 0-25' No Alteration Zone for access to the Bordering Vegetated Wetland and Intermittent Stream
 - iii. Bordering Vegetated Wetland
 - iv. Intermittent Stream

2. Additional General Findings:
 - i. This Order protects the interests specified in the Wetlands Protection Act and the Medway Wetlands By-Law. The Wetland resource areas on the lot are identified on the Plan.
 - ii. The Commission accepts the resource areas as depicted on the above-referenced Plan.
3. Wildlife Habitat: The Commission finds that the project area is currently not within an estimated habitat for state-listed rare wetland wildlife as depicted on the most recent Estimated Habitat Map provided by the Natural Heritage and Endangered Species Program. The Commission further finds that the project is not within an Area of Critical Environmental Concern.
4. Stormwater Management: The Commission finds that the project is subject to the Department of Environmental Protection's Stormwater regulation and policy.

I. General Conditions

1. A Conservation Commissioner, agent of the Commission or the Department of Environmental Protection reserves the right to enter and inspect the property at all reasonable times to evaluate compliance with this Order of Conditions, the Act, 310 CMR 10.00 and may acquire any information, measurements, photographs, observations, and/or materials, or may require the submittal of any data or information deemed necessary by the Commission for that evaluation. Further, work shall be halted on the site if a Commissioner, agent or DEP determines that any of the work is not in compliance with this Order of Conditions. Work shall not resume until the Commission is satisfied that the work will comply, and has so notified the applicant in writing.
2. This Order shall apply to any successor in control or successor in interest of the property described in the Notice of Intent and accompanying plans. These obligations shall be expressed in covenants in all deeds to succeeding owners of all or any part of or share (in fact) of the property.
3. The term "Applicant" as used in this Order of Conditions shall refer to the owner, any successor in interest, title or successor in control of the property referenced in the Notice of Intent, supporting documents and this Order of Conditions. The Commission shall be notified in writing within 30 days of all transfers of title of any portion of property that take place prior to issuance of the Certificate of Compliance.
4. No filling of Bordering Vegetated Wetland as defined in 310 CMR 10.55 is authorized by this Order.
5. It is the responsibility of the applicant to procure all other applicable federal, state and local permits and approvals associated with this project.
6. All waste products, refuse, debris, grubbed stumps, slash, excavate, construction materials, etc. associated with the proposed construction shall be contained and ultimately deposited at an appropriate off-site facility and shall not be incorporated in any manner into the project site. No mulch shall be placed in wetland resource areas.
7. The form provided at the end of this Order shall be completed and stamped at the appropriate Registry of Deeds, after the expiration of the 10-day appeal period and if no request for appeal has been filed with the Department of Environmental Protection. Any Order not recorded by the applicant before work commences may be recorded by the Commission at the applicant's expense.
8. With respect to all conditions, the Conservation Commission designates the Conservation Agent as its agent with full powers to act on its behalf in administering and enforcing this Order.
9. All work shall be conducted in accordance with the approved site plan titled, "Permit Site Plan 4 Marc Road, Medway, Massachusetts 02053" by DGT Associates, final revision December 13, 2019 (hereafter referred to as the Approved Site Plan), document titled "Stormwater Calculations – Recharge, 4 Marc Road, Medway, MA" by DGT Associates, final revision December 3, 2019, Stormwater Drainage Report titled, "Stormwater Calculations – Recharge, 4 Marc Road, Medway, MA" by DGT Associates, final revision December 13, 2019 (hereafter known as Stormwater Report), document titled "Stormwater Operations and Maintenance Plan for 4 Marc Road, Medway, Massachusetts 02053" (Appendix 5 of the "Stormwater Management Design and Runoff Calculation Report for 4 Marc Road, Medway, Massachusetts 02053" by DGT Associates, final revision December 13, 2019) (hereafter referred to as the

O&M Plan), and the document titled, "Long Term Pollution Prevention Plan for 4 Marc Road, Medway Massachusetts 02053" (Appendix 2 of the "Stormwater Management Design and Runoff Calculation Report for 4 Marc Road, Medway, Massachusetts 02053" by DGT Associates, dated final revision December 13, 2019) (hereafter known as the LTPPP) and the conditions of this Order. Copies of applicable documents listed above shall be kept on site at all times while the site is under construction.

10. This document shall be included in all construction contracts, subcontracts, and specifications dealing with the work proposed and shall supersede any conflicting contract requirements. The applicant shall ensure that all contractors, subcontractors and other personnel performing the permitted work are fully aware of this Order's terms and conditions. Thereafter, the Applicant, the contractors, and subcontractors will be held jointly liable for any violation of this Order resulting from failure to comply with its conditions. The Applicant shall ensure that all contractors, subcontractors and other personnel performing the permitted work are fully aware of this OOC's terms and conditions. Nothing in this paragraph shall limit or restrict the liability of the Applicant for violations of this OOC.
11. If any changes are made in the approved plan(s) which may or will alter an area subject to protection under the Wetlands Protection Act or any change(s) in activity subject to regulations under G.L. Ch. 131 §40 or the Medway General Bylaw Article XXI, the applicant shall inquire from this Commission in writing, prior to their implementation in the field, whether the change(s) is significant enough to require the filing of a new Notice of Intent, or a Request To Amend this Order of Conditions. Any errors in the plans or information submitted by the applicant shall be considered changes and the above procedures shall be followed.
12. The Commission reserves the right to amend this Order of Conditions after a legally advertised public hearing if plans or circumstances are changed or if new conditions or information so warrant.
13. Should issuance of additional permits result in a change in the project, the provisions of condition #12 apply, regarding the process for plan amendments.
14. All waste products, refuse, debris, construction materials, etc. shall be contained and then disposed of post-construction, deposited at an appropriate off-site facility.
15. There shall be no underground storage of fuel, oil, or hazardous substance on the property within the buffer zones or Wetland Resource Areas.
16. Removal and storage of hazardous substances, hazardous waste, or hazardous material if in an area subject to protection under Massachusetts Wetlands Protection Act:
 - a. Shall be conducted only when approved and directed by the Department of Environmental Protection, Environmental Protection Agency or other applicable state or federal agency under which removal or remedial activities are directed and shall be conducted in the manner specified in the Notice of Intent and appropriate agency directives.
 - b. All hazardous materials, hazardous substances, and hazardous waste produced, stored or removed must be handled, treated and disposed of in accordance with local, state and federal law regulating such materials and must be located outside of the buffer zone to wetland resource areas, unless specifically authorized by the Order of Conditions and appropriate state and federal licensing and permitting agencies.
 - c. No hazardous materials, substances, or wastes shall be introduced or discharged into or toward wetland resource areas.
 - d. No hazardous materials, substances, or wastes shall be introduced or discharged into the sanitary or sewage systems in such a manner which will result in an impact to wetland resource areas unless approved by the Conservation Commission, Board of Health, Massachusetts Department of Environmental Protection and/or the United States Environmental Protection Agency.
 - e. Identification of all types of hazardous materials, hazardous substances, or hazardous wastes used, produced, or stored on the site shall be submitted to the Conservation Commission in writing.
17. In the case of a conflict between a specific condition in this Order and a referenced document, the condition shall prevail.

18. Prior to any fill being brought onto the premises from any off property sources, the Medway Conservation Commission requires that any soil, including loam, brought into the resource areas, buffer zones, or other jurisdictional area should be free of trash and deleterious material and free of any chemical contaminants in excess of Massachusetts Contingency Plan (MCP 310 CMR 40.0000) RCS-1 Reportable Concentrations. Soil should also be free of invasive species. While the MCP as a regulation at the State level may or may not apply to the project, soil characterization shall be completed in a manner consistent with this regulation. Prior to delivering to the project soil, material should be characterized by sampling the soil as outlined below and a certification shall be provided to the Conservation Commission or its agent. The certification shall include a letter signed by a Licensed Site Professional (see MCP) describing the Site history of the originating soil location and certifying sampling collection procedures, quality control, results, compliance with RCS-1 Standards, and compliance with the requirements of this condition. Soil containing concentrations of contaminants in Exemptions from reporting outlined in the MCP including but not limited to lead paint, emmissions, arsenic, and ash, shall not be allowed in jurisdictional areas. Sampling and classification of soils shall also be consistent with MassDEP Policy # COMM-97-001.

Required soil testing is outlined below:

One soil sample shall be collected from material at each originating location or soil type. One soil sample shall be collected for every 500 cubic yards of soil.

- Volatile Organic Compounds (VOCs) by EPA Method 8260
- SemiVolatile Organic Compounds (SVOCs) by EPA 8270
- Polychlorinated Biphenyls (PCBs) by EPA Method 8082
- Total Petroleum Hydrocarbons (TPH) by EPA Method 8015 or 8100M.
- Substitute MassDEP VPH/EPH for TPH allowed
- pH
- Priority Pollutant 13 Metals (total) Sb, As, BA, Be, Cd, Cr, Pb, Ni, Se, Ag, Ti, V, Zn.
- Any other analyses determined by the Conservation Commission, MassDEP, or the LSP necessary to properly characterize the soil for relocation.

Exceptions:

Washed Stone Materials (The Commission may elect to require sampling of these materials if materials are suspect when inspected by the Commission or its Agent)

Alternative Sampling Plans;

The Commission may consider alternative sampling plans or soil materials at its sole discretion. Approval of the commission or its agent is required for alternate plans. These may include management of soils consistent with MassDEP WSC#-13-500, Similar Soils Provision Guidance. These may also include originating facilities that are known to the Commission based on previous certifications, historical operations, and sampling to produce soils below RCS-1.

19. The applicant shall supply all costs associated with services provided by a Consulting Engineer for the review and oversight related to, but not limited to, the following construction Services – Inspection of all site work related to the construction of the storwmater management system by the Town’s Consulting Engineer is required. The Consulting Engineer will document compliance with the OOC and report findings to the Commission. The Applicant shall pay a construction services/consultant peer review fee to the Town of Medway for such inspections. The amount shall be determined by the Medway Conservation Commission based on an estimate provided by the Town’s Consulting Engineer based on the scope of the project. The Applicant shall provide supplemental payments to the Town of Medway for reasonable additional construction services upon invoice from the Medway Conservation Commission, until the road construction and stormwater drainage system and other utilities are completed and the as-built and a Certificate of Compliance has been granted determining the infrastructure to be satisfactory in compliance with this Order. Funds for such account shall be replenished upon notice from the Conservation

Commission and/or Agent. If funds are not replenished within fourteen (14) days of request all work within jurisdictional areas shall be suspended until such time when it is replenished.

II. Prior to Construction

20. Prior to the Pre-Construction Meeting and any work commencing on the site, a sign of minimum size two-feet by two-feet shall be displayed so as to be clearly visible from the street showing DEP file No. 216-0943.
21. Emergency Contacts – The applicant shall provide to the Commission the identity and 24-hour contact information for one or more persons who will act as emergency contacts in the event of an environmental problem that occurs outside of normal working hours. The applicant shall be responsible for insuring that adequate, round-the-clock coverage including holidays, vacations, weekends, etc. is provided by an adequate number of persons so that a qualified person is always available, and that appropriate contact information has been provided to the Commission. The emergency contact person(s) shall have the authority to expend resources, including necessary manpower, materials, and required subcontracted services, to alleviate any environmental problems at the site in short order. The applicant shall be responsible for immediately notifying the Commission of any change in the identity or contact information for the Emergency Contact persons.
22. Prior to the Pre-Construction Meeting and commencement of any activity on this site, the approved erosion control and limit of work lines shall be staked, by survey. The location of erosion controls shall be adjusted, if necessary, during the pre-construction meeting.
23. No clearing of vegetation, including trees, or disturbance of soil shall occur prior to the Pre-Construction Meeting. Minimal disturbance of shrubs and herbaceous plants shall be allowed prior to the Pre-Construction Meeting if absolutely necessary in order to stake the approved erosion control and limit of work lines where required.
24. Prior to the commencement of any activity on this site other than the marking of locations for erosion controls and limits of work, there shall be a **PRE-CONSTRUCTION MEETING** between the project supervisor, the contractor responsible for the work, and a member of the Conservation Commission or its Agent to ensure that the requirements of the Order of Conditions are understood. The staked erosion control line shall be adjusted, if necessary, during the pre-construction meeting to comply with the approved plans. The applicant shall contact the Conservation Commission office at 508-533-3292 at least three (3) business days prior to any activity to arrange for the pre-construction meeting.
25. Prior to the commencement of work, the applicant shall designate an approved location for concrete washout. This location shall be approved by the Agent and/or the Commission.
26. Immediately after the Pre-Construction Meeting, all erosion controls and limits of work lines shall be installed along the approved and staked line. Erosion controls and limits of work lines shall be installed with minimal disturbance to vegetation. Where possible, erosion controls should go *around* trees, shrubs, and other vegetation, on the uphill side.
27. Immediately after installation of erosion controls, the Conservation Commission shall be contacted in order to conduct a follow-up inspection to ensure that erosion controls and limits of work lines have been properly installed. No work shall be conducted in any jurisdictional area of the site until the Commission or its Agent has inspected and approved of the installation of the erosion controls.
28. Prior to commencement of construction on site, the Bordering Vegetated Wetlands lines shall be flagged with surveyor's tape numbered to correspond to the wetland delineation on the approved plans and shall remain in place during construction.
29. The applicant shall notify the Conservation Commission in writing at least five (5) business days prior to commencement of construction activity on the site and shall advise the Commission of the name(s) and telephone number(s) of the person(s) responsible on site for compliance with this Order. The applicant shall be responsible for immediately notifying the Commission of any change in the identity or contact information for the on-site person responsible for compliance with the Order.
30. The Project Manager will supervise the contractor and will inspect the site regularly whenever construction in or within 100 feet of a bordering vegetated wetland is in progress. The Project Manager will provide inspection reports to the Commission every two weeks and after storm events over 0.5", and will respond to

required inspected the next day or 24 hours whichever is sooner after storm events of over 0.5", so as to take responsibility for the proper functioning of drainage systems for the project. The applicant shall provide that person's phone number for the Commission. Failure to provide above reports may result in cessation of all work on site until the applicant can meet with the Conservation Commission at a regularly scheduled meeting to explain and rectify their absence.

31. Prior to commencing any work on the site, the applicant shall submit the following to the Conservation Commission:

- A set of **photographs** depicting the project site in pre-construction condition.
- A **project/construction-sequencing plan**
- A **statement** signed by the applicant, owner of the property and all persons responsible for the construction of the project that such individuals understand the terms and conditions as specified in the Order and that such persons agree to comply with the provisions of the Wetlands Protection Act and this Order.

III. Erosion Control Inspection and Monitoring

32. It shall be the responsibility of the applicant and his successors to conduct monitoring, maintenance, and repair of erosion control measures, as well as to take any other additional measures necessary to control erosion from the site such that wetland impacts do not occur. The erosion control measures designated on the site plans and described in this Order of Conditions shall be considered a minimum standard for compliance.

IV. Staging Areas

33. Prior to construction the general contractor shall designate a **construction staging area**, located outside all resource areas and outside the 25' buffer zone. All construction trailers, portable sanitary facilities, material storage and overnight parking of equipment shall be in the staging area. The perimeter of the staging area shall be protected as necessary with silt fence and the ground surface shall be protected with washed stone or another suitable non-erosive material.

34. An **area for cleanup and or maintenance of construction equipment** shall be designated prior to construction.

- a. Applicant shall designate wash out areas which will be located over 25' from any wetland resource and surrounded by siltation controls or some other form of protection approved by the Commission
- b. Any runoff resulting from the washing of trucks or construction equipment shall neither be directed to, nor dumped in, any on-site drainage system or in any area subject to protection under the Mass. Wetlands Protection Act. Any such washing shall occur in a designated area, protected by washed stone, outside of all resource areas. All construction vehicles exiting the property shall be cleaned of soil prior to traveling on public streets within the Town of Medway.
- c. Any leakage or spillage of oil, hydraulic fluid, gasoline, or other pollutants must be cleaned up immediately and disposed of off the site. All fueling of equipment shall be performed outside of wetland resource areas and buffer zones. The Commission shall be notified immediately in the event of any spillage.

35. All **construction equipment** employed in the resource areas or buffer zones thereto shall be **properly maintained** and precautions shall be taken to prevent any leakage or spillage of oil, gasoline, hydraulic fluids, etc. If this is not recommended based on the site conditions, it shall be agreed to remove this requirement by the Agent and/or the Commission and the Project Supervisor.

36. **No fuel, oil, or other pollutants shall be stored** in any resource area or the buffer zone thereto, unless specified in this Order of Conditions.

V. Stormwater Management

37. During construction all stormwater management systems shall be inspected after a 0.5" rainfall and bi-monthly during construction. Structures shall be maintain and cleaned as prescribed within the O &M Plan and the LTPPP.

38. All construction and post-construction stormwater management shall be conducted in accordance with the plans and specifications approved by the Commission in this Order of Conditions, including final plans, Operation and Maintenance Plan, LTPPP, and the Department of Environmental Protection Stormwater Management Standards.
39. All Stormwater best management practices shall be maintained and inspected as specified in the Operation and Maintenance Plan submitted with the Notice of Intent and incorporated in the Order of Conditions.
40. During construction, all drainage structures shall be inspected on the same schedule as the erosion controls and cleaned as necessary.
41. The Conservation Commission shall be notified in writing, when any maintenance functions that may impact the wetlands, such as, but not limited to, replacing backfill and repairing drains and terraces, are to be performed.
42. Evidence of maintenance of the Stormwater Management system shall be provided to the Commission on a semi-annual basis during construction.
43. The Conservation Commission shall be notified in writing, when any maintenance functions that may impact the wetlands, such as, but not limited to, replacing backfill and repairing drains and terraces, are to be performed.
44. The applicants, owners, and their successors and assignees shall maintain all culverts, collection basins, traps, retention and detention ponds, outlet structures, and other elements of drainage systems, in order to avoid blockages and siltation which might cause failure of the system and/or detrimental impacts to on-site or off-site resource areas, and shall maintain the integrity of vegetative cover on the site.
45. Beginning with the construction of the drainage system, and continuing in perpetuity thereafter, the owner(s) of the roadway shall maintain the roadway and drainage system in accordance with the following schedule:
 - a. **Parking area sweeping and snow plowing** – Roadway and sidewalks shall be swept, preferably with a vacuum sweeper, in the early spring immediately after snow melt.
 - b. **Deep Sump Catch basins (except #1 and 7)** - Accumulated sediments shall be removed from sumps and floatable wastes shall be removed from the surface of every catch basin at least two times per year. Sediments and wastes shall be disposed of in accordance with all applicable federal, state, and local laws. Any component of a catch basin that becomes damaged shall be repaired or replaced immediately upon discovery.
 - c. **Drain pipes** – All drain pipes shall be inspected at least two times per year. Sediments and debris shall be removed and disposed of in accordance with all applicable federal, state, and local laws. Any pipe which becomes damaged shall be repaired or replaced immediately upon discovery.
 - d. **Water Quality Unit (CDS Unit)** – Units shall be inspected on a monthly basis and after a major storm events for the first year or when sediment levels reach 8” of depth. Hydrocarbons removal must be completed by a hazardous waste disposal contractor.
 - e. **Sub-surface infiltration system** – shall be inspected twice annually, approximately 2-4 days after rainfall event to ensure the water is not still in the field. If water fails to infiltrate sufficiently, the system shall be excavated and replaced.

All maintenance of stormwater management units shall be conducted as prescribed under O&M Plan. The Conservation Commission members and the Commission Agent shall have the right to enter the property to inspect for compliance with all sub conditions of this condition.

46. Catch basins shall be equipped with sumps, oil and gas traps, and shall be inspected and cleaned as outlined in the stormwater operation and maintenance plan submitted with the NOI. After each inspection and cleaning, the inspector shall provide to the Commission written confirmation that the inspection and cleaning were conducted.
47. All stormwater BMP's maintenance logs as prescribed under the Attachment A and Attachment D- Operations and Maintenance Plan shall be kept on site and shall be provided to the Conservation Commission upon request and annually or Planning Board upon request, this includes but is not limited to

street sweeping logs and receipts.

48. All Stormwater best management practices shall be maintained as specified in the O & M Plan submitted with the Notice of Intent and incorporated in the Order of Conditions. Evidence of maintenance of the Stormwater Management system shall be provided to the Commission on an annual basis post construction, but Stormwater BMP's shall be checked and cleaned according to the schedule prescribed within the O & M Plan. This condition shall be noted on the Certificate of Compliance and shall continue in perpetuity.
49. Catch Basins shall be inspected after a 0.5" storm event and on a weekly basis during construction. Post-Construction: the catch basins shall be inspected and cleaned on a quarterly basis. Post- construction all inspection and cleaning dates shall be provide to the Commission written confirmation that the inspections and cleanings were conducted, this shall be provided annually. This condition shall be noted on the Certificate of Compliance and shall continue in perpetuity.
50. During construction, all drainage structures shall be inspected regularly and cleaned as necessary as prescribed under the O & M.
51. There shall be no sedimentation into wetlands or water bodies from discharge pipes or surface runoff leaving the site.
52. The applicant and its successors, upon the completion of the entire project, prior to submitting a Request for Certificate of Compliance shall provide to the Commission and/or its Agent receipts of all inspections to the stormwater management system as prescribed under the Operations and Maintenance Plan. These receipts shall refer to but are not limited to, catch basin cleaning, vegetation management (removal or mowing of swales, infiltration basins or other structures requiring mowing), and inspection and cleaning of proprietary separator, water quality units or other stormwater management system components.

VI. During Construction

53. The applicant shall not place stockpiles closer than 25' to any wetland resource and all stockpiles shall be within the limit of work approve by the Commission.
54. If unforeseen problems occur during construction which may affect the statutory interests of the Wetlands Protection Act, upon discovery by either the Conservation Commission, its agent, or the applicant, the Commission shall immediately be notified, and an immediate meeting shall be held between the Commission or its agent, the applicant, and other concerned parties to determine the correct measures to be employed. The applicant shall then act to correct the problems using the corrective measures agreed upon. Subsequent to resolution, the activity and resulting actions shall be documented in writing.
55. All equipment shall be operated, parked, and maintained so as to limit impacts to resource area and buffer zone to those areas clearly identified on the plans and demarcated in the field by the flagging and construction barriers installed. No equipment is to enter or cross wetland resource areas at any time unless the location of disturbance is marked on the plans referenced in this Order and flagged in the field.
56. During construction, Town personnel shall exercise extreme care when onsite fueling is underway during construction or storms. Spill kits as required herein shall be maintained at the fueling system during all stages of construction. Any spill of fuel shall be immediately reported to the Medway Fire Department, Police Department and Conservation Commission.
57. All existing and proposed catch basins and water quality inlets on the site or within the parcel that receive runoff from or contributes runoff to the project site shall be cleaned of sediment prior to commencement of work and be protected by Silt Sacks or equivalent to prevent sediment from entering the drainage system. Silt Sacks and sumps shall be maintained and regularly cleaned of sediments until all areas associated with the work permitted by this Order have been permanently stabilized and the Commission and/or its Agent has formally approved their removal.
58. All equipment shall be inspected regularly for leaks. Any leaking hydraulic or other fluid lines, cylinders, containers of any kind, or any other components shall be repaired immediately.
59. A copy of this Order of Conditions, construction plans, and copies of the documents and reports cited in this Order shall be on the site upon commencement and during any site work for contractors to view and adhere to.

Erosion Control:

60. Appropriate erosion control devices shall be in place prior to the beginning of any phases of construction, and shall be maintained during construction in the wetland areas and buffer zone. The erosion control specifications provided in the Notice of Intent and the erosion control provision in the Order will be the minimum standards for this project; additional measures may be required by the Commission. These will be maintained until the Erosion Control Inspector and a member or agent of the Conservation Commission agree that they are no longer needed, at which time they will be removed, using removal procedures that the Commission finds satisfactory. All sedimentation barriers shall be maintained in good repair until all disturbed areas have been fully stabilized with vegetation or other means. At no time shall sediments be deposited in a wetland or water body. During construction, the applicant or his designee shall inspect the erosion controls on a daily basis and shall remove all sediment when accumulated to a depth of two inches or greater. The applicant shall immediately control all erosion on the site, and shall immediately notify the Commission of any breaches of the erosion control barriers by sediment or silt-laden water.
61. Placement of erosion controls shall be directed at the site by the Erosion Control Inspector in order to ensure that no sedimentation will reach wetland resource areas and the erosion and sedimentation controls achieve the specifications specified as part of the Notice of Intent and these Orders of Conditions. Choice of suitable silt fence materials should be based on the design specifications listed by various manufacturers, and in accordance with the approved Site Plans and Details.
62. Dewatering activities shall be conducted in accordance with best management practices and with a plan to be submitted for Commission approval prior to any activity on the site. Dewatering activities shall be monitored daily to ensure that sediment laden water is not discharged toward the wetland resource areas. With the exception of dewatering effluent discharged into a settling basin, no discharge of water is allowed directly or indirectly into an area subject to jurisdiction of the Wetlands Protection Act. If emergency dewatering requirements arise, the applicant shall submit a contingency plan to the Commission for approval, which provides for the pumped water to be contained in a settling basin, to adequately reduce turbidity prior to discharge into a resource area. Additional monitoring requirements may be imposed on any such discharge approved, to ensure adequacy of the sediment removal measures.
63. An adequate stockpile of erosion control materials shall be on site at all times for emergency or routine replacement and shall include materials to repair or replace silt fences, hay bales, erosion control blankets, stone riprap, filter berms or any other devices planned for use during construction.
64. The Commission reserves the right to impose additional conditions on portions of this project to mitigate any impacts which could result from site erosion, or any noticeable degradation of surface water quality discharging from the site. For example, installation of erosion control measures may be required in areas not shown on the plan(s) referenced in this Order of Conditions. Should such installation be required by the Commission, they shall be installed within 48 hours of the Commission's request.
65. Within thirty days of completion of construction on any given portion of the project, all disturbed areas in the completed portion of the site shall be permanently stabilized with rapidly growing vegetative cover, using sufficient top soil, or the proposed surface treatments as indicated on the approved plans to assure long-term stabilization of disturbed areas. Where necessary, the loam and seeding shall be held in place with jute netting. Outside of the growing season, exposed soil finish grade surfaces shall be stabilized with a layer of mulch hay until climate conditions allow for seeding. During construction, any area of exposed soils that will be left idle for more than 30 days shall be stabilized with a layer of mulch hay or other means approved by the Conservation Commission. Temporary stabilization methods may include, but not be limited to, hydro-seeding, straw mats, jute netting, sod, or other Commission approved method. A minimum of four to six inches of organic top soil, and a USDA Natural Resource Conservation Service-approved seed mixture should be used in accordance with the measures outlined in "Vegetative Practices in Site Development: Massachusetts Conservation Guide, Volume II", or other stabilization method the Commission deems acceptable. Continued maintenance of this area in a manner which assures permanent stabilization and precludes any soil erosion shall be the responsibility of the applicant.
66. Subsequent to seeding, disturbed areas will be covered with a hay mulch, erosion control blanket or netting or other suitable material in order to provide an adequate surface protection until seed germination. Preference should be given to erosion control netting with biodegradable stitching.
67. All existing and proposed catch basins and oil traps on the site that receive runoff from the project site and/or within Medway shall be protected by Silt Sacks or equivalent to prevent sediment from entering the drainage system. Silt Sacks shall be maintained and regularly cleaned of sediments until all areas

associated with the work permitted by this Order have been permanently stabilized and the Commission and/or its Agent has formally approved their removal.

68. Cement trucks shall not be washed out in any wetland resource or buffer zone area, or into any drainage system. Any such deposit of cement or concrete products into a buffer zone or wetland resource area shall be immediately removed.
69. All stockpiles of soils existing for more than seven days shall be surrounded by 8"-12" compost socks, or entrenched silt fence, and shall be covered when requested by Agent and/or the Commission or if current conditions for precipitation warrant which may be determined by the Project Supervisor.
70. Erosion control devices shall remain in place and properly functioning until all exposed soils have been stabilized with final vegetative cover and the Conservation Commission and/or its Agent has authorized their removal.

Grading/Landscaping/Slope:

71. Landscaping shall not include exotic invasive species identified on the most current listing of the Massachusetts Division of Fisheries and Wildlife.

VII. Wetland Resource and Buffer Zone Restoration

72. The applicant complete the removal of sediment from the Bordering Vegetated Wetland not to exceed 324 square feet and 48 linear feet of bank.
73. The applicant shall restore any altered 0-100' buffer zone to its preconstruction condition. This shall be determined to be complete by the Agent and/or the Commission.

VIV. After Construction / In Perpetuity

74. The applicant and its successors shall submit annual reports of inspections of all stormwater management structures as prescribed in Long Term Pollution Prevention Plan to the Conservation Commission. Annual report shall be submitted to the Commission no later than December 1st of every year. ***This condition shall remain in perpetuity.***
75. Snow storage areas shall be clearly marked on site and all snow removal operators shall be made aware of approved locations on site for storage. Excess snow shall be removed from the site and disposed of in accordance with applicable regulations. ***This condition shall apply in perpetuity.***
76. Upon completion of construction and final soil stabilization, the applicant shall submit the following to the Conservation Commission to request a Certificate of Compliance (COC):
 - (1) A Completed Request for a Certificate of Compliance form (WPA Form 8A)
 - (2) A letter from a Registered Professional Engineer certifying compliance of the property with this Order of Conditions, and detailing any deviations that exist, and their potential effect on the project. A statement that the work is in "substantial compliance" with no detailing of the deviations shall not be accepted.
 - (3) An "As-Built" plan or plans signed and stamped by a Registered Professional Engineer or Land Surveyor showing post-construction conditions within all areas under the jurisdiction of the Massachusetts Wetlands Protection Act. This plan shall include at a minimum:
 - (a) All wetland resource area boundaries with associated buffer zones and regulatory setback areas taken from the plans approved in this Order of Conditions;
 - (b) Locations and elevations of all stormwater management conveyances, structures and best management designs, including foundation drains, constructed under this Order within any wetland resource area or buffer zone;
 - (c) Distances from any structures constructed under this Order to wetland resource areas - "structures" include, but are not limited to, all buildings, septic system components, wells, utility lines, fences, retaining walls, and roads/driveways;

- (d) A line delineating the actual limit of work - "work" includes any filling, excavating and/or disturbance of soils or vegetation, whether or not approved under this Order;
 - (e) The limit of work approved under this Order.
- (4) Post-construction photographs demonstrating compliance with this Order, including established vegetation where required.
77. If the completed work differs from that in the original plans and/or conditions listed in this Order, a report must be submitted to the Commission thirty (30) days prior to completion specifying how the work differs, at which time the applicant shall first request a modification to the Order. Upon review, and if approved by the Commission, the applicant may request in writing a Certificate of Compliance as described above.
78. No herbicides, pesticides or fertilizers shall be used on this site. Only organic slow release granular, low phosphate fertilizers shall be used on lawns within the buffer zone and all lawns within the entire site. ***This condition shall remain in perpetuity.***
79. There shall be no snow storage or dumping of excess snow within 100' of Bordering vegetated Wetlands unless within parking or storage areas. Snow shall not be pushed into forested buffer zones. ***This condition shall remain in perpetuity.***

Perpetual Conditions:

80. Dumping Prohibited: There shall be no burning or dumping of leaves, grass clippings, brush, or other debris in or into the 100' Buffer Zone, Bordering Vegetated Wetland, or any component of the Stormwater Management System.
81. Additional Alteration Prohibited: There shall be no additional alterations of areas under Conservation Commission jurisdiction without the required review and permit(s) under state and local wetlands protection laws and regulations.
82. The maintenance or repair of infiltration basins, supporting drainage systems, stormwater management best management practices, other than those in the public way shall be the responsibility of the applicant/property owner and its successors. The design capacity, storm water management treatment capacity and structural integrity of these facilities must be maintained.
83. The Applicant shall have the O & M Plan and the LTPPP, and Conditions in Perpetuity after this Order has received a Certificate of Compliance, made part of the all contracts for maintenance work that effects jurisdictional areas.
84. Snow storage shall be done according to the LTPPP (in perpetuity). Snow storage areas shall be clearly marked on site and all snow removal operator shall be made aware of approved locations on site for storage.
85. All deicing chemical must be stored in a cover location, outside the 100' buffer zone, the wetland resource area and all areas where stormwater BMP's are located.



Atlantic Industries Limited



Installation Guide

AIL Tuf Barrier and Silent Protector Sound Walls

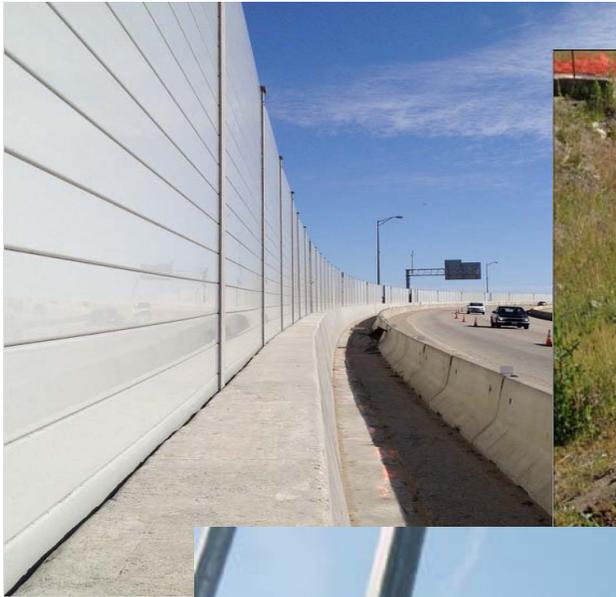




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Sound Wall Assembly and Installation Guide



1.0 Introduction

1.1. PURPOSE

The purpose of this manual is to provide the Owner, Engineer, Contractor & Inspection Staff the necessary information to properly install AIL Sound Walls. This installation guide shall be used in conjunction with the plans, specifications and contract documents. The procedures explained in this manual are based on past experience, and are not intended to limit the contractor to only these practices.

1.2. PLANS & SPECIFICATIONS

The Contractor must ensure that on-site personnel have the most recent “approved for construction” plans and specifications relevant to the installation. These are sent electronically to the buyer and may also be obtained from an AIL representative.

1.3. RESPONSIBILITY

It is the responsibility of the Contractor to erect the wall according to the plans, specifications and contract documents. All quality control shall be the responsibility of the contractor unless otherwise directed in the contract documents.

It is the responsibility of the Contractor to inspect all materials against the packing slip upon arrival at the site to ensure complete delivery in good order. Any damaged materials must be set aside and AIL shall be notified immediately.

An Atlantic Industries Limited representative may be available to provide on-site assistance if required. The representative will **not** be responsible for inspection or quality control.

Sound Wall Assembly and Installation Guide



2.0 Materials, Tools & Equipment

2.1. COMPONENTS, MATERIAL & TOOLS SUPPLIED BY AIL

- 1) Engineering & Shop drawings of Sound Wall
- 2) Sound Wall panels
- 3) Galvanized posts
- 4) Steel C Channel
- 5) Panel Retention Bolts
- 6) Anchor rods (if required)
- 7) Flange covers (if required)
- 8) Post caps (if required)
- 9) On-Site assistance at a per diem rate



Figure 1- Bundle of Panels



Figure 2- Panel Bundle Label



Figure 3- Galvanized Posts



Figure 4- Anchor Rod Assemblies

Sound Wall Assembly and Installation Guide



Figure 5 – Steel C Channel Bundles



Figure 6 – Post Flange Covers

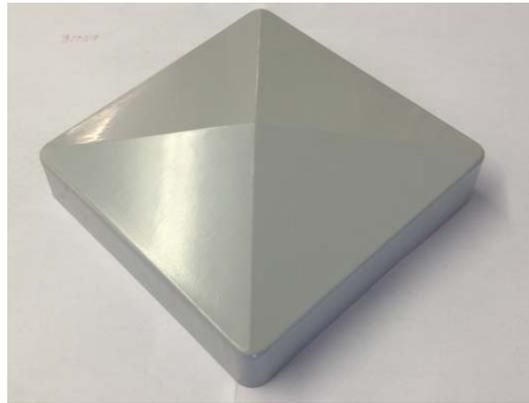


Figure 7 - Post Cap

2.2. EQUIPMENT SUPPLIED BY CONTRACTOR:

Equipment supplied by the contractor should include, but not limited to:

- 1) A crane used to lift and handle steel posts during installation.
- 2) Equipment to effectively auger foundations.
- 3) Excavation equipment to remove spoils throughout augering process.
- 4) Lifting equipment to off load material from delivery trucks.
- 5) Man-lift to install panels in higher wall sections.

Sound Wall Assembly and Installation Guide



2.3. TOOLS SUPPLIED BY THE CONTRACTOR

Properly rated nylon slings are required to lift the steel posts. Steel chains should not be used to avoid damaging the galvanizing coat on the steel.

A Forklift will be required to unload panels and steel posts at the job site. Materials will be delivered on pallets.

Standard wood construction materials will be required in the case of anchor rod assemblies. Wood serves the purpose of bracing anchor rod assemblies and posts during installation.

Additional tools that are required include:

- 1) Wrenches to tighten nuts on anchor rods
- 2) Four foot levels (magnetic is helpful)
- 3) Total Station to ensure accurate layout
- 4) Wood or steel bracing
- 5) Vertical laser level (Recommended)
- 6) Plumb bob
- 7) Compound miter saw with fine tooth blade for cutting PVC
- 8) Saw capable of cutting steel channel (as required)
- 9) Concrete drill for structure mounted walls (if applicable)
- 10) String line
- 11) Drill with 3/8" drill bit and No. 8 Robertson screw drive head

Materials to be supplied by contractor include:

- 1) Concrete for foundations
- 2) Reinforcement for foundations
- 3) Anchor rod templates
- 4) Sonotubes
- 5) Wood (for bracing)
- 6) Galvanizing paint for touchups
- 7) Anchor rods for structure mounted applications

2.4. TYPICAL CREW INCLUDES

- 1) One working foreman
- 2) One excavator/crane/drill rig operator
- 3) Two laborers** to:
 - Assemble reinforcing cages
 - Place concrete
 - Erect steel
 - Install panels
 - Attach panel retention device

Sound Wall Assembly and Installation Guide



** Additional laborers can be added as necessary to speed installation up especially in reinforcing cage assembly and during installation of the panels if steel posts are all installed.

2.5. HANDLING STEEL POSTS

The steel posts are typically delivered on a Flat Deck or Super B tractor-trailer. The Contractor must provide an area for post unloading that is easily accessible and in close proximity to the wall site. Posts are typically delivered in various size bundles depending on post height and post weight. Posts must be unloaded with a forklift. Bundles are lifted independent of each other. Caution must be taken when unloading the posts as they may have shifted during transport. It is IMPORTANT to handle posts with care throughout unloading and transporting process as not to compromise the galvanized coating. Scratches can compromise of the coating and expose the steel to oxidization which results in corrosion. Any damage that occurs to the steel can be repaired with two coats of zinc rich galvanized paint meeting Canadian and American Standards.

2.6. HANDLING SOUNDWALL PANELS

The panels are typically delivered on a flat deck or super B tractor trailer. Panels are on pallets and forks or slings are required for unloading. Panels are typically stacked 2 bundles high and it is recommended that this is the maximum stacking height. Arrangement can be made to ensure that panels are delivered to the site in the order required. It is the responsibility of the Contractor to let AIL know the order in which they intend to construct the wall. A level area adjacent to the site is required to store panels during construction. Panels should NOT be lifted using strapping or chains and instead must be lifted using a forklift device. It is recommended to move the panels the shortest distance possible and handle as infrequently as possible during construction to minimize risk of damage.

Typically, there is a two-hour unloading time limit for each shipment of panels.

Table of Panel Information				
Panel Size (mm/ft)	Weight (kg/lbs)	L (m/in)	W (m/in)	H (m/in)
2438 / 8	915 / 2018	2.44 / 96	1.22 / 48	1.22 / 48
3048 / 10	1142 / 2518	3.048 / 120	1.22 / 48	1.22 / 48
3657 / 12	1371 / 3024	3.658 / 144	1.22 / 48	1.22 / 48
Acrylic	Varies	Varies	Varies	Varies

Table 1 – Panel Bundle Information

Sound Wall Assembly and Installation Guide



3.0 Layout

Layout should be carried out by a licensed professional surveyor to ensure accurate mapping of the project site. The surveyor should work in accordance to the approved drawings issued by AIL engineers.

It is possible to curve the AIL sound wall system without designing specific posts to do so. The system has the ability to turn a 4-5 degree angle without having to fabricate a special post. Thus, large sweeping curves are possible without much effort as shown below.



Figure 8 - Curved Wall

4.0 Post Assembly Options

There are various types of foundations available for projects. This manual will discuss the installation of the following types:

- Ground mounted on drilled shafts
- Ground mounted on grade beam
- Structure mounted on an existing structure
- Structure mounted on a new structure

Prior to any underground work, contractor shall locate and confirm location of all underground services. Should relocation of any post be required, the contractor shall contact AIL for direction on how to proceed.

4.1. GROUND MOUNTED POSTS

The construction and installation of a ground mounted sound wall structure is a straight forward process when planned correctly. The process begins with the project site layout and preparation. This is followed by drilling of drilled shafts, excavation along the length of the wall (if required), placement of reinforcement in the foundation (if required), setting of the anchor rod assemblies (if required) and placement of concrete.

4.1.1. Drilled Shafts

Drilling the footings require the use of conventional methods. Drill foundations to match the diameter, depth, and location outlined in the engineered shop drawings. A sleeve may be required to act as reinforcement for the foundation walls in order to prevent soil from collapsing into the drilled shaft during drilling.

The contractor is responsible for verifying that existing soil conditions meet the design requirements laid out in the shop drawings. Any deviations from the shop drawings required as a result of differing site conditions, shall be immediately discussed with the design engineer prior to any changes to the design.

It is recommended a sonotube be used at the top 600 mm (24") of the top of the foundation. A sonotube will help control the final elevation of the concrete at the top of the footing. This will prevent any issues with horizontal panel alignment in future steps.



Figure 9 - Sonotube

Sound Wall Assembly and Installation Guide



4.1.2. Flange Mounted Posts

If your project does not have flange mounted posts, please proceed to next section.

Assemble the reinforcing cages and place into drilled shaft providing required concrete cover on the reinforcement.

Anchor rods will require assembly on site. Contractor shall assemble the anchor rod assemblies as laid out in the shop drawings. Anchor rod templates will be required to ensure consistent anchor rod positioning. Anchor rod templates can be constructed from steel or plywood. The template must have satisfactory strength to hold the anchor rods in a vertical position during concrete placement. The template holes shall be drilled vertically and 1.5 mm (1/16") larger in diameter than the anchor rod to prevent the anchors from misalignment during the next stages. Insert anchor assemblies into template and adjust to correct elevation as required. Set templates laterally and vertically in the correct position as per shop drawings. Secure such that they do not move during the placement of concrete. Double check alignment of anchor rods and ensure they are vertical.



Figure 10- Anchor Rod Template

Anchors shall be installed with a tolerance of 1.5 mm (1/16") from the center of the desired location. Anchor rod groups shall be installed +/- 6 mm (1/4") from the specified center. A maximum accumulation of delineation of 6 mm per 30 meters (1/4" per 100 ft) along the line of multiple anchor groups but shall not exceed a total of 25 mm (1").

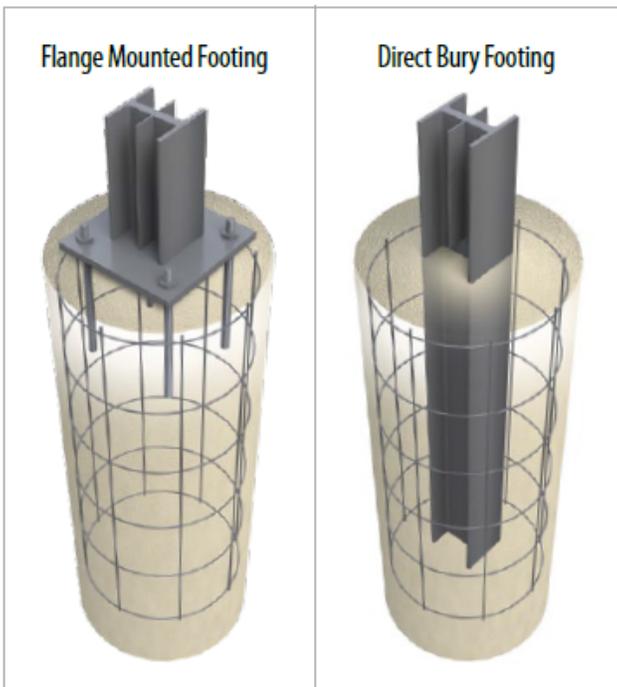


Figure 11- Ground Mounted Posts Options

4.1.3. Direct Bury Posts

If your project does not have direct bury posts, please proceed to next section.

Assemble the reinforcing cages and place into drilled shaft providing required concrete cover on the reinforcement if required.

Align the steel post in the correct location (laterally and vertically) and secure into place as ensuring the steel post is vertical using a 1.2 meter (4 foot level) as shown in Figure 11.

4.1.4. Concrete Placement

Once all reinforcing and anchor installation or post alignment is completed per sections 4.1.2 or 4.1.3, it is time to place the concrete. All concrete work is to conform to standard concrete placement practices and specifications in Canada and the United States. The concrete placement shall continue until the desired elevation of each foundation is achieved. Tolerance of the concrete placement shall be ± 3 mm (1/8") from finished elevation. The top of the concrete shall be trowel finished with a flat area a minimum of 75 mm (3") from the post in between the web of the post. The remainder of the top shall be sloped away from the post to promote the movement of water away from the post.

Concrete placed in cold weather shall be done in accordance with the specifications and procedures laid out in the notes section of the shop drawings.

4.2. STRUCTURE MOUNTED POSTS

Structure mounted posts can be mounted to an existing structure or a newly proposed structure. When installing on an existing structure, it is the contractor's responsibility to ensure the existing structure can resist the loads applied to it from the sound wall. AIL can provide the contractor with the loads that need to be transferred to the structure.

4.2.1. Proposed New Concrete Structure

For a flange mounted application on top of the concrete structure, the anchor rod layout, anchor rod placement, and concrete placement is completed in the same manner as section 4.1.2.

For side mounted applications, the procedure is also similar to section 4.1.2, only the anchors are horizontally arranged. The steel reinforcing and the anchor rods shall be installed prior to the concrete being placed (unless otherwise stated in the shop drawings) utilizing similar techniques used in section 4.1.2.

Anchors shall be installed with a tolerance of 1.5 mm (1/16") from the center of the desired location. Anchor rod groups shall be installed ± 6 mm (1/4") from the specified center. A maximum accumulation of delineation of 6 mm per 30 meters (1/4" per 100 ft) along the line of multiple anchor groups but shall not exceed a total of 25 mm (1").



Figure 12- Structure Mounted Anchors

Sound Wall Assembly and Installation Guide



4.2.2. Existing Concrete Structure

Typically, sound walls that are attached to existing structures are done utilizing a side mounting system. This is covered below. If the shop drawings call for a top mounted system, consult you AIL representative for further instruction.

On a side mounted application, identify the elevation and location of each hole to be drilled in the existing concrete structure using the approved shop drawings. It is advised a template is created to ensure consistency in the alignment of the proposed anchors. Drill holes to the specification required by the manufacturer of the anchors being used. Clean holes and set anchors according to the anchor manufacturer's requirements.

Anchors shall be installed with a tolerance of 1.5 mm (1/16") from the center of the desired location. Anchor rod groups shall be installed +/- 6 mm (1/4") from the specified center. A maximum accumulation of delineation of 6 mm per 30 meters (1/4" per 100 ft) along the line of multiple anchor groups but shall not exceed a total of 25 mm (1").

5.0 Steel Erection

If your application is a direct bury option, go to next section for instruction on panel placement.

Concrete shall reach a minimum of 70% of the maximum strength but not less than 25 MPa (3,500 psi) before erection of steel posts can commence. For epoxy anchor applications, refer to manufacturer's recommendations on cure time prior to erecting the posts.

It is recommended that each foundation elevation is taken and recorded. In a flange mounted application, there is a maximum allowable distance between the underside of the base plate and the top of the concrete foundation outlined on the shop drawings. The contractor shall set the elevation of the base plates such that all posts can be erected and the measurement between the underside of the base plate and the top of the concrete foundation does not exceed this value while at the same time keeping the alignment of the sound wall panels horizontal and level.

Using a crane or excavator, erect each post into place. Ensure the posts are erected according to the shop drawings keeping in mind; orientation, location, and length. Posts shall be installed plumb within +/- 10 mm (3/8"). The posts shall be located to the lines and grades specified on the drawings.

Tightening of nuts on a flange mounted post shall be done as follows: After installation and levelling of the base plate, install all four top nuts and tighten them to snug-tight. Add 1/3 turn to each nut, "Turn-of-Nut" method. No use of impact gun is permitted.

Tightening of nuts on an epoxy installed anchor shall be done according to the manufacturer of the epoxy anchor.

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Figure 13- Erected Steel Posts

In the case that the anchor rods or epoxy anchors have been damaged or are not in the correct locations, please contact AIL representative for reparation method. This may involve additional cost.

Depending on the design, it may be required to grout the space between the base plate and the top of the foundation. The grout should be installed prior to the stacking of sound wall panels and should be given the required time to cure. Grout requirements are to the specification on the shop drawings.

Any galvanizing that is damaged or scratched should be sprayed with a zinc rich paint which meets Canadian and American standards.

6.0 Flange Covers

Projects that require flange covers shall have the flange covers installed prior to the installation of the panels. Flange covers are installed by sliding the flange cover post over the flange from one end. When taller posts are utilized, it is recommended to put the flange covers on before the erection of the post, though care needs to be taken when lifting the post, not to damage the flange cover.

7.0 Panel Erection

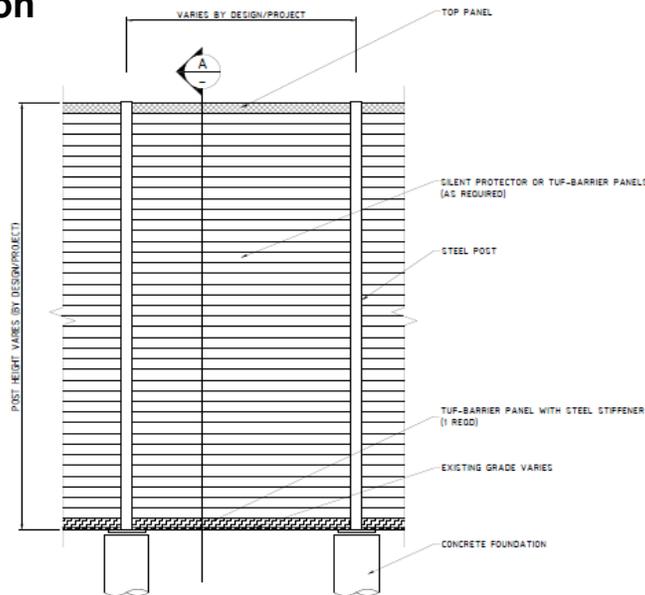


Figure 14 – Standard Completed Panel Erection

Sound Wall Assembly and Installation Guide



7.1. BOTTOM PANEL

The first panel installed is installed between the steel flat bar that is welded to the post web and the post flange. The first panel is a TUF-Barrier panel (solid panel) reinforced with a steel “C” channel. Slide the steel channel into the cavity of the panel. Typically, the steel “C” channel is approximately 12 mm (1/2”) shorter than the length of the panel. Select the Tuf Barrier panel in the color as specified on the shop drawings. Cut the panel and the C channel as required on the shop drawings. The panel should be installed so that it is completely seated at the base and level from end to end. The panel must be installed so that the tongue of the panel extends upwards.

7.2. REMAINING PANELS

The second and subsequent panels to be installed shall be of the color and type specified on the contract documents. They shall be installed with the tongue portion facing upwards and assembled tight to the panel below it. The tongue and groove joints shall mesh fully and be free from foreign material and there should not be any visible gaps. Add steel “C” channel in the panels as required in subsequent layers at the specified locations on the shop drawings.

7.3. TOP PANEL

This is the final panel of the sound wall to be installed and serves as the cap unit. This is a special panel that does not have a tongue portion on the top. The cap unit shall be installed with the groove joint meshed fully with the tongue of the panel below and be free from foreign material and should not have any visible gaps.

7.4. PANEL RETENTION BOLT

At the top of the sound wall post (W100x19 and W4x13 excluded), there is a hole that is fabricated approximately 20 mm (3/4”) below the top of the flat bar. Using a 6 mm (1/4”) x 50 mm (2”) galvanized steel bolt and nut (provided by AIL) insert the bolt such that the long end of the bolt extends above the top panel like shown in Figure 15. Secure bolt by tightening nut with wrench. Post caps (if required) are screwed or glued into place as shown on the shop drawings.

If no hole is provided in the post then field drilling is required. Cover any exposed steel with two coats of zinc rich galvanizing paint meeting Canadian and American standards.



Figure 15- Installed Retention Bolt

7.5. CUTTING PANELS

Panels may be cut on site as required by design or shop drawings. It is recommended that panels are cut individually on a compound miter saw. The saw blade should have as many teeth per inch as possible to avoid tearing the PVC (like a plywood blade).

It is important to limit the number of cuts in a Silent Protector panel. Panels should not be cut through the perforations unless otherwise detailed on the shop drawings. Panels should not be cut at both ends through the perforations. When Silent Protector panels are cut through the perforations, additional steel reinforcing is required in the cut end of the panel. There should be no less than 75 mm (3") of un-perforated surface at the end of each Silent Protector panel once cut otherwise additional reinforcement is required as outlined on the shop drawings.

If cutting through the perforations, insert 150 mm (6") long piece of steel "C" channel in the cut end of each piece.

7.6. PANEL FIT

Panels shall have enough room at the ends to expand and contract. There is approximately 6 to 12 mm (1/4" to 1/2") of expansion and contraction that can occur in the panel (depending on the length of the panel). The size of the finished panel is affected by the temperature of the panel at the time of cutting. If a panel is cut to the exact space on a very cold winter day, there will be no room for it to expand on a hot summer day. As a general rule, a panel at 20 degrees Celsius (70 degrees Fahrenheit) should have between 6 and 10 mm (1/4" to 3/8") of free movement back and forth between the posts but shall not exceed 25 mm (1"). The panel should be cut considering the panel will expand or contract approximately 6 mm (1/4") depending on the direction of the temperature change. At no time should the gap at each end exceed 25 mm (1"). Should this occur, a longer panel is required.

7.7. STEPS IN THE BASE

When panels are required to step between steel posts, a 150 mm (6") piece of panel can be cut and inserted as shown on Figure 16. For steps greater than 150 mm (6") the post will be fabricated to accommodate a larger step.



Figure 16– Cut panel Used as Step

7.8. GATES AND DOORS

When required by design, gates and doors can be integrated into the sound wall. This is completed on a site specific basis and its design and fabrication shall be done according to the shop drawings. Installation of such will be detailed in the shop drawings as well. Typically gates and doors are fabricated for relative easy installation once received on site.



7.9. PENETRATIONS AND OPENINGS (FIRE HOSE ACCESS, CABLE TRAYS, PIPES, ETC.)

Penetrations and openings through the wall shall be detailed on the shop drawings. Larger openings such as fire hose access ports will be designed and fabricated as a part of the shop drawing package. Smaller penetrations of 150 mm (6”) or less can be done on site. It is important to note that the panels above and below the penetration will require reinforcement by use of a steel “C” channel in these panels.

8.0 Final Grading and Drainage

In order to protect the wall panels and anchor connection from damage of and to allow the free flow of ground water, the contractor shall place free draining material on each side of the wall. Dimensions of the free-draining strip shall be determined by others, but shall not be less than 200 mm (8”) on each side of the wall.

It is important to note that at no time should the final grade be higher on one side of the wall than the other when completing grading. The final grade on each side of the sound wall must be the same elevation.

9.0 Dismantling Panel Sections

Sections of panels can be dismantled and reassembled by simply reversing the steps taken to assemble the walls (removing the panel retention device, then removing the panels, etc.). Care should be taken to ensure panels do not get scratched and that the acoustic mineral wool is not lost during removal.

10.0 Maintenance

AIL Sound Walls are low maintenance systems requiring little maintenance. Below are a few items that can be checked on a two year cycle to ensure the long term performance of the wall.

10.1. GRAFFITI REMOVAL / WALL WASHING

AIL sound walls are resistant to graffiti as well as other forms of tagging. Since PVC has low permeability therefore paints, etc. do not penetrate the surface of the material as well as they do on other materials (concrete, wood, steel, etc.). Graffiti can be removed through the use common detergents and or light chemicals designed for use on PVC. For small areas, the wall can be scrubbed with a rag and a detergent. For larger areas, we recommend the use of a power washer to make the job easier. Again, a light detergent or PVC friendly chemical will likely be required to remove the graffiti.

The walls can also be washed with a pressure washer at any time to remove dirt and debris if required. Care should be taken not to direct the power washer nozzle at the perforated surface to avoid damaging the acoustic mineral wool.



10.2. ANCHOR ROD AND STEEL POST INSPECTION

Anchor rods and steel posts shall be visually inspected for corrosion on a two year cycle. Any corrosion areas shall be cleaned with a steel wire brush and coated with two coats of zinc rich paint per ASTM or CSA standards. Areas of excessive corrosion shall be brought to the attention of a structural engineer for review of anchor rod/post condition. Anchor rods shall have the nuts checked for tightness and ensure they continue to meet the required torque specification on the shop drawings. Anchor rods should also be inspected to ensure that no anchor rod nuts have been removed or are missing.

10.3. PANEL INSPECTION

Panels shall be visually inspected for defects that may affect structural performance every two years. Damaged panels shall be removed and replaced.



January 28, 2020
Medway Planning & Economic Development Board
Meeting

ZBA Petitions

- 4 Quail Drive – Application for an Accessory Family Dwelling Unit Special Permit
- 79 Lovering Street – Application to modify the previously issued 2 family special permit granted by the ZBA on 10-16-19. This is needed so that the decision on record correctly refers to the adjusted lot lines as shown on the ANR plan endorsed by the PEDB on 11/26/19. The applicant also clarifies that the 2 family building will include walk out basements in the rear of the units instead of bulkheads as originally envisioned.



TOWN OF MEDWAY

ZONING BOARD OF APPEALS

155 Village Street
Medway MA 02053

Phone: 508-321-4915 | zoning@townofmedway.org
www.townofmedway.org/zoning-board-appeal

NOTE: THE APPLICATION WILL NOT BE CONSIDERED "COMPLETE" UNLESS ALL NECESSARY DOCUMENTS, FEES, & WAIVER REQUESTS ARE SUBMITTED. A GENERAL APPLICATION FORM MUST BE COMPLETED FOR ALL APPLICATIONS.

TO BE COMPLETED BY THE APPLICANT

Applicant/Petitioner(s):	Application Request(s):
Property Owner(s):	Appeal <input type="checkbox"/>
	Special Permit <input type="checkbox"/>
Site Address(es):	Variance <input type="checkbox"/>
	Determination/Finding <input type="checkbox"/>
	Extension <input type="checkbox"/>
	Modification <input type="checkbox"/>
Parcel ID(s):	Comprehensive Permit <input type="checkbox"/>
Zoning District(s):	
Registry of Deeds Book & Page No. and Date or Land Court Certificate No. and Date of Current Title:	

TOWN CLERK STAMP

TO BE COMPLETED BY STAFF:

Check No.: _____

Date of Complete Submittal: _____

Comments: _____

APPLICANT/PETITIONER INFORMATION

The owner(s) of the land must be included as an applicant, even if not the proponent. Persons or entities other than the owner may also serve as co-applicants in addition to the owner(s), however, in each instance, such person shall provide sufficient written evidence of authority to act on behalf of the owner(s). For legal entities such as corporations, LLCs, etc., list the type and legal status of ownership, the name of the trustees/officer members, their affiliation, and contact information. Please provide attachment for information if necessary.

Applicant/Petitioner(s):	Phone:
	Email:
Address:	
Attorney/Engineer/Representative(s):	Phone:
	Email:
Address:	
Owner(s):	Phone:
	Email:
Mailing Address:	

Please list name and address of other parties with financial interest in this property (use attachment if necessary):

Please disclose any relationship, past or present, interested parties may have with members of the ZBA:

I hereby certify that the information on this application and plans submitted herewith are correct, and that the application complies with all applicable provisions of Statutes, Regulations, and Bylaws to the best of my knowledge, and that all testimony to be given by me during the Zoning Board of Appeals public hearing associated with this application are true to the best of my knowledge and belief.

Signature of Applicant/Petitioner or Representative *Date*

Signature Property Owner (if different than Applicant/Petitioner) *Date*

APPLICATION INFORMATION

		YES	NO
Applicable Section(s) of the Zoning Bylaw:	Requesting Waivers?	Y	N
	Does the proposed use conform to the current Zoning Bylaw?	Y	N
Present Use of Property:	Has the applicant applied for and/or been refused a building permit?	Y	N
	Is the property or are the buildings/ structures pre-existing nonconforming?	Y	N
Proposed Use of Property:	Is the proposal subject to approval by the BOH or BOS?	Y	N
	Is the proposal subject to approval by the Conservation Commission?	Y	N
Date Lot was created:	Is the property located in the Floodplain District?	Y	N
Date Building was erected:	Is the property located in the Groundwater Protection District?	Y	N
Does the property meet the intent of the Design Review Guidelines?	Is the property located in a designated Historic District or is it designated as a Historic Landmark?	Y	N
Describe Application Request:			

FILL IN THE APPLICABLE DATA BELOW

Required Data	Bylaw Requirement	Existing	Proposed
A. Use			
B. Dwelling Units			
C. Lot Size			
D. Lot Frontage			
E. Front Setback			
F. Side Setback			
G. Side Setback			
H. Rear Setback			
I. Lot Coverage			
J. Height			
K. Parking Spaces			
L. Other			

FOR TOWN HALL USE ONLY	
<i>To be filled out by the Building Commissioner:</i>	
_____ Date Reviewed	_____ Medway Building Commissioner
<i>Comments:</i>	

After completing this form, please submit an electronic copy to zoning@townofmedway.org and 4 paper copies to the Community & Economic Development Department.



TOWN OF MEDWAY

ZONING BOARD OF APPEALS

155 Village Street
Medway MA 02053

Phone: 508-321-4915 | zoning@townofmedway.org
www.townofmedway.org/zoning-board-appeal

NOTE: THE APPLICATION WILL NOT BE CONSIDERED "COMPLETE" UNLESS ALL NECESSARY DOCUMENTS, FEES, & WAIVER REQUESTS ARE SUBMITTED. A GENERAL APPLICATION FORM MUST BE COMPLETED FOR ALL APPLICATIONS.

TO BE COMPLETED BY THE APPLICANT

Please provide evidence regarding how the Special Permit Decision Criteria, outlined below, is met. Please write "N/A" if you believe any of the Criteria is Not Applicable. Provide attachments if necessary.

1. The proposed site is an appropriate location for the proposed use:
2. Adequate and appropriate facilities will be provided for the operation of the proposed use:
3. The proposed use as developed will not create a hazard to abutters, vehicles, pedestrians, or the environment:
4. The proposed use will not cause undue traffic congestion or conflicts in the immediate area:
5. The proposed use will not be detrimental to the adjoining properties due to lighting, flooding, odors, dust, noise, vibration, refuse materials, or other undesirable visual, site, or operational attributes of the proposed use:
6. The proposed use as developed will not adversely affect the surrounding neighborhood or significantly alter the character of the zoning district:

<p>7. The proposed use is in harmony with the general purpose and intent of this Zoning Bylaw:</p>
<p>8. The proposed use is consistent with the goals of the Medway Master Plan:</p>
<p>9. The proposed use will not be detrimental to the public good:</p>

Signature of Applicant/Petitioner or Representative

Date

TREASURER/COLLECTOR CERTIFICATION



TOWN OF MEDWAY

ZONING BOARD OF APPEALS

155 Village Street
Medway MA 02053

Phone: 508-321-4915 | zoning@townofmedway.org
www.townofmedway.org/zoning-board-appeal

TO BE COMPLETED BY THE APPLICANT

Applicant/Petitioner(s): RICHARD + Joscelyn Catalano
Property Owner(s): same
Site Address(es): 4 Quail DRIVE MEDWAY, MA 02053
Parcel ID(s): 37-053
Registry of Deeds Book & Page No. and Date or Land Court Certificate No. and Date of Current Title:


12/27/19

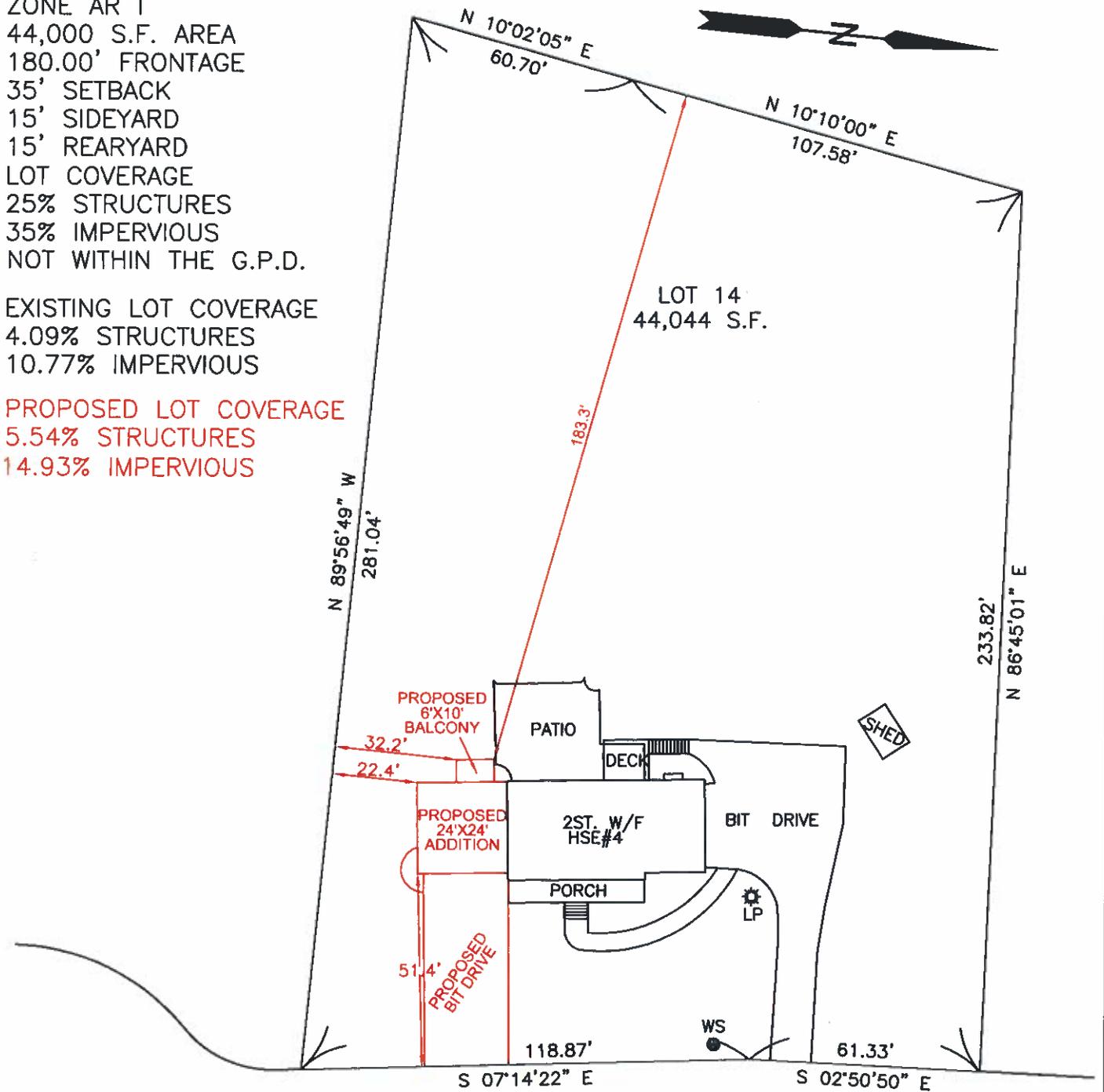
 Signature of Applicant/Petitioner or Representative Date

FOR TOWN HALL USE ONLY To be filled out by the Treasurer/Collector:	
12/27/19 _____ Date Reviewed	 _____ Medway Treasurer/Collector
Tax Delinquent: <input checked="" type="checkbox"/> Y <input type="checkbox"/> N Comments:	

ZONE AR I
 44,000 S.F. AREA
 180.00' FRONTAGE
 35' SETBACK
 15' SIDEYARD
 15' REARYARD
 LOT COVERAGE
 25% STRUCTURES
 35% IMPERVIOUS
 NOT WITHIN THE G.P.D.

EXISTING LOT COVERAGE
 4.09% STRUCTURES
 10.77% IMPERVIOUS

PROPOSED LOT COVERAGE
 5.54% STRUCTURES
 14.93% IMPERVIOUS



QUAIL (50' WIDE) DRIVE

PHEASANT RUN

I CERTIFY THAT THE PROPOSED ADDITIONS
 SHOWN ON THIS PLAN CONFORMS TO THE
 ZONING BY-LAWS OF THE TOWN OF MEDWAY
 MA. AND DOES NOT LIE WITHIN THE FLOOD
 PLAIN.

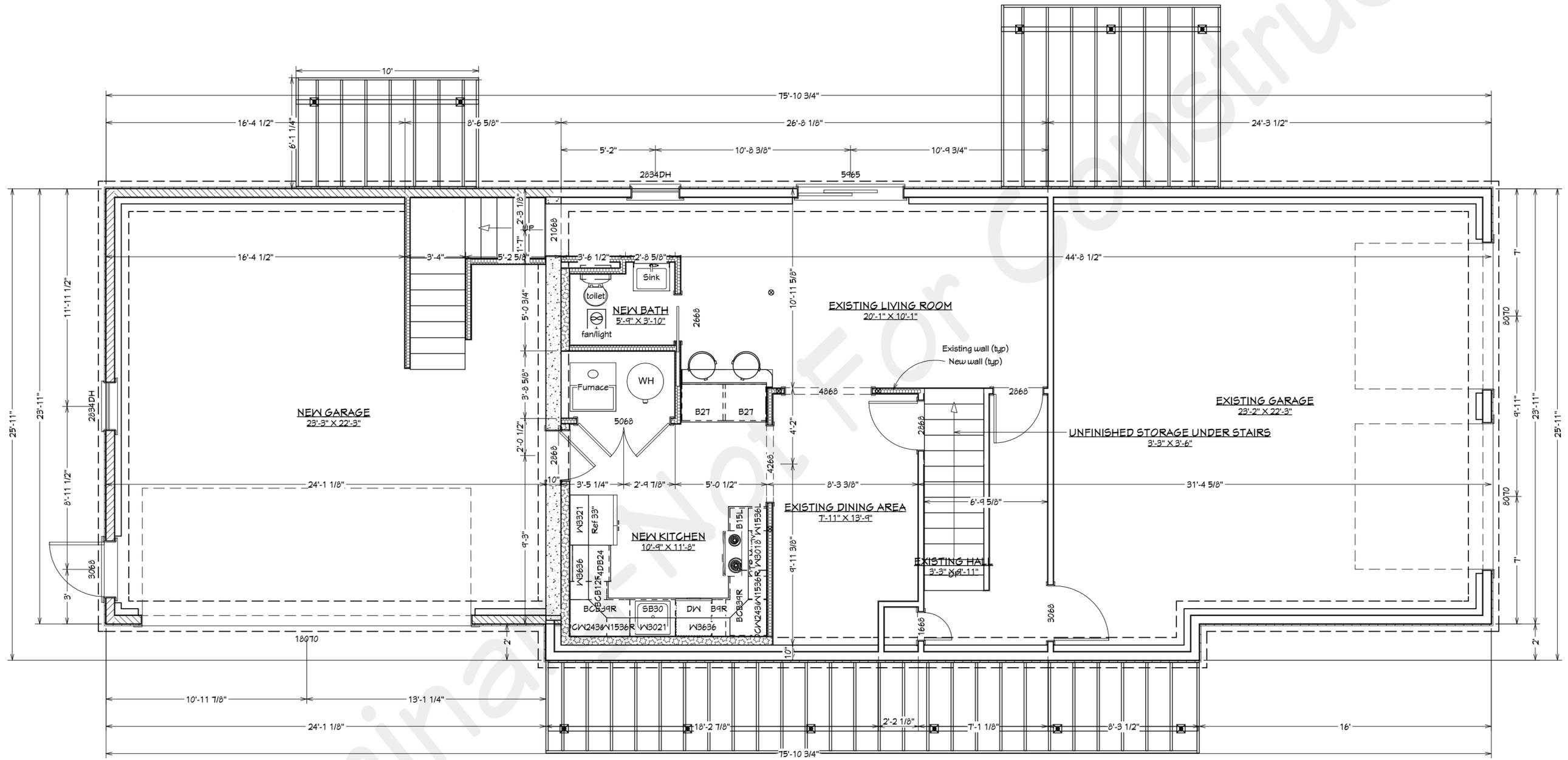


PROPOSED ADDITION
 PLAN OF LAND
 IN
 MEDWAY, MA.

SCALE: 1" = 40' DEC. 19, 2019

OWNER: Richard & Joscelyn Catalano
 4 Quail Drive
 Medway, Ma. 02053

COLONIAL ENGINEERING INC.
 11 AWL STREET MEDWAY, MA.
 508-533-1644



PROJECT AREA
200 SQ. FT.

NEW
EXISTING

NO.	DESCRIPTION	BY	DATE

Foundation/Garage Plan
'Proposed'

Catalano Residence Addition
4 Quail Dr
Medway, MA

DRAWN FOR:
Carpentry Solutions
Milford, MA
774-217-0204

DATE:

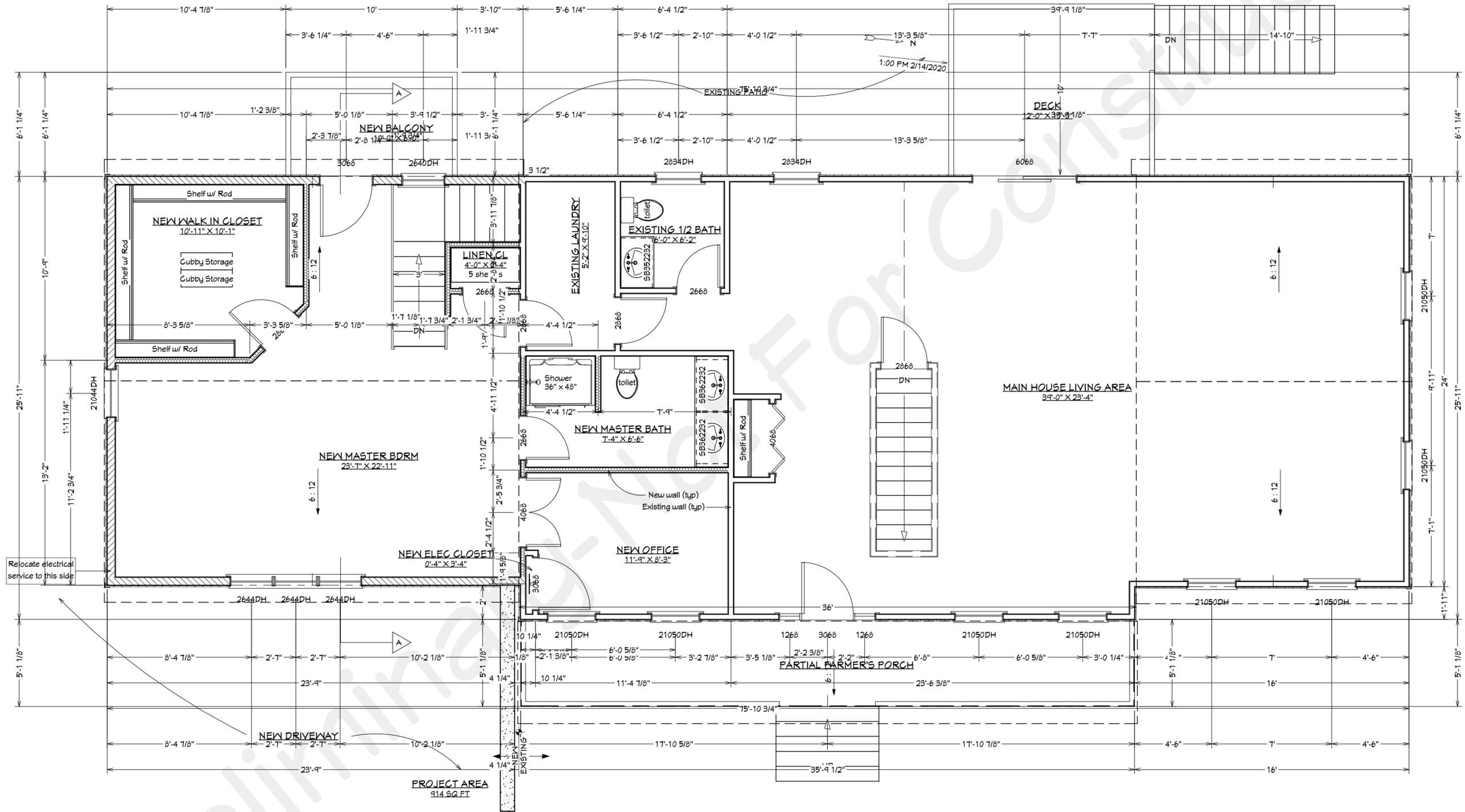
1/7/2020

SCALE:

1/4" = 1'-0"

SHEET:

1/



NO.	DESCRIPTION	BY	DATE

1st Floor Plan
'Proposed'

Catalano Residence Addition
4 Quail Dr
Medway, MA

DRAWN FOR:
Carpentry Solutions
Milford, MA
774-217-0204

DATE:

1/7/2020

SCALE:

1/4" = 1'-0"

SHEET:

2/



NO.	DESCRIPTION	BY	DATE

Partial Section A-A
'Proposed'

Catalano Residence Addition
4 Quail Dr
Medway, MA

DRAWN FOR:
Carpentry Solutions
Milford, MA
774-217-0204

DATE:

1/7/2020

SCALE:

1/4" = 1'-0"

SHEET:

3/



































TOWN OF MEDWAY
 ZONING BOARD OF APPEALS

155 Village Street
 Medway MA 02053

Phone: 508-321-4915 | zoning@townofmedway.org
 www.townofmedway.org/zoning-board-appeal

TOWN CLERK STAMP

NOTE: THE APPLICATION WILL NOT BE CONSIDERED "COMPLETE" UNLESS ALL NECESSARY DOCUMENTS, FEES, & WAIVER REQUESTS ARE SUBMITTED. A GENERAL APPLICATION FORM MUST BE COMPLETED FOR ALL APPLICATIONS.

TO BE COMPLETED BY THE APPLICANT

Please attach the decision in question. Please provide attachments detailing the Reason(s) for requesting a modification to the existing decision and citation(s) of the portion(s) of the decision to be modified. Please provide any additional waiver requests as needed.

Applicant/Petitioner(s): Medway Meadows LLC	Previous Decision was for:
c/o Michael Larkin	Variance <input type="checkbox"/>
Property Owner(s):	Special Permit <input checked="" type="checkbox"/>
Medway Meadows LLC	Comprehensive Permit <input type="checkbox"/>
Site Address(es): 79 Lovering Street	Appeal <input type="checkbox"/>
Parcel ID(s):	Date of Previous Decision: 8-26-2019
21-057-0002	
Zoning District(s): AR-II	

1-12-2020

Signature of Applicant/Petitioner or Representative
Date

Signature Property Owner (if different than Applicant/Petitioner)
Date



TOWN OF MEDWAY

ZONING BOARD OF APPEALS

155 Village Street
Medway MA 02053

Phone: 508-321-4915 | zoning@townofmedway.org
www.townofmedway.org/zoning-board-appeal

NOTE: THE APPLICATION WILL NOT BE CONSIDERED "COMPLETE" UNLESS ALL NECESSARY DOCUMENTS, FEES, & WAIVER REQUESTS ARE SUBMITTED. A GENERAL APPLICATION FORM MUST BE COMPLETED FOR ALL APPLICATIONS.

TO BE COMPLETED BY THE APPLICANT

Applicant/Petitioner(s): Medway Meadows, LLC	Application Request(s):	
c/o Michael Larkin		
Property Owner(s): Medway Meadows, LLC	Appeal	<input type="checkbox"/>
c/o Michael Larkin	Special Permit	<input type="checkbox"/>
Site Address(es): 79 Lovering Street	Variance	<input type="checkbox"/>
	Determination/Finding	<input type="checkbox"/>
	Extension	<input type="checkbox"/>
	Modification	<input checked="" type="checkbox"/>
Parcel ID(s): 21-057-0002	Comprehensive Permit	<input type="checkbox"/>
Zoning District(s): AR-II		
Registry of Deeds Book & Page No. and Date or Land Court Certificate No. and Date of Current Title: Norfolk Registry of Deeds Book 36947, Page 448 recorded July 9, 2019		

TOWN CLERK STAMP

TO BE COMPLETED BY STAFF:

Check No.: _____

Date of Complete Submittal: _____

Comments: _____

APPLICANT/PETITIONER INFORMATION

The owner(s) of the land must be included as an applicant, even if not the proponent. Persons or entities other than the owner may also serve as co-applicants in addition to the owner(s), however, in each instance, such person shall provide sufficient written evidence of authority to act on behalf of the owner(s). For legal entities such as corporations, LLCs, etc., list the type and legal status of ownership, the name of the trustees/officer members, their affiliation, and contact information. Please provide attachment for information if necessary.

Applicant/Petitioner(s): Medway Meadows, LLC c/ Michael Larkin, Mgr.	Phone: 978-658-0333
	Email: michael@lawlarkin.com
Address: P.O. Box 129, Medfield, MA 02052	
Attorney/Engineer/Representative(s): Colonial Engineering INc.	Phone: 508-533-1644
	Email: colonial.eng@verizon.net
Address: 11 Awl Street, Medway, MA 02053	
Owner(s): Medway Meadows, LLC c/o Michael Larkin, Mgr.	Phone: 978-658-0333
	Email: michael@lawlarkin.com
Mailing Address: P.O. Box 129, Medfield, MA 02052	

Please list name and address of other parties with financial interest in this property (use attachment if necessary):

Patrick Larkin, member of Medway Meadows, LLC

Please disclose any relationship, past or present, interested parties may have with members of the ZBA:

None

I hereby certify that the information on this application and plans submitted herewith are correct, and that the application complies with all applicable provisions of Statutes, Regulations, and Bylaws to the best of my knowledge, and that all testimony to be given by me during the Zoning Board of Appeals public hearing associated with this application are true to the best of my knowledge and belief.

Signature of Applicant/Petitioner or Representative 1-12-2020
Date

Signature Property Owner (if different than Applicant/Petitioner) Date

APPLICATION INFORMATION

		YES	NO
Applicable Section(s) of the Zoning Bylaw:	Requesting Waivers?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.4 Special Permits, 5.4 Table of Uses	Does the proposed use conform to the current Zoning Bylaw?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Present Use of Property: Vacant land	Has the applicant applied for and/or been refused a building permit?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Is the property or are the buildings/ structures pre-existing nonconforming?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Proposed Use of Property: Two family/duplex	Is the proposal subject to approval by the BOH or BOS?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Is the proposal subject to approval by the Conservation Commission?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Date Lot was created: 11-22-2019	Is the property located in the Floodplain District?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Date Building was erected: N/A	Is the property located in the Groundwater Protection District?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does the property meet the intent of the Design Review Guidelines? Yes	Is the property located in a designated Historic District or is it designated as a Historic Landmark?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Describe Application Request:			
<p>Applicant is requesting a modification of the decision granted by the Board issued August 26, 2019 and recorded at the Norfolk Registry of Deeds at 37357, Page 526.</p> <p>The Applicant was approved for an ANR plan August 13, 2019. This was the plan that was submitted with the ZBA application.</p> <p>Subsequently, the applicant modified the ANR plan and received approval for a lot line modification on 11-26-2019 by the Medway Planning Board to amend the lot line for 79 Lovering Street. The amendment squared off Lot 3B, 81 Lovering Street. 79 Lovering Street area stated practically the same.</p> <p>The applicant has also included in this modification the final architectural plans for the unit. There was no changes to the front elevations. The applicant requests a modification to include a walkout basement in the rear of the units to work with the actual grade elevation change.</p>			

GENERAL APPLICATION FORM

FILL IN THE APPLICABLE DATA BELOW

Required Data	Bylaw Requirement	Existing	Proposed
A. Use			
B. Dwelling Units	Two family	Vacant Land	Two family
C. Lot Size	30,000 s.f.	121,227.48 s.f.	121,358.16 s.f.
D. Lot Frontage	150'	185.24'	185.24'
E. Front Setback	35'	n/a	203.82'
F. Side Setback	15'	n/a	144.92'
G. Side Setback	15'	n/a	36.34'
H. Rear Setback	15'	n/a	95.13'
I. Lot Coverage	30%	n/a	<10%
J. Height	35'	n/a	35'
K. Parking Spaces	n/a	n/a	n/a
L. Other			

FOR TOWN HALL USE ONLY	
<i>To be filled out by the Building Commissioner:</i>	
_____	_____
Date Reviewed	Medway Building Commissioner
<i>Comments:</i>	

After completing this form, please submit an electronic copy to zoning@townofmedway.org and 4 paper copies to the Community & Economic Development Department.

TREASURER/COLLECTOR CERTIFICATION



TOWN OF MEDWAY

ZONING BOARD OF APPEALS

155 Village Street
Medway MA 02053

Phone: 508-321-4915 | zoning@townofmedway.org
www.townofmedway.org/zoning-board-appeal

TO BE COMPLETED BY THE APPLICANT

Applicant/Petitioner(s):
Michael Larkin
Property Owner(s):
Medway Meadows, LLC
Site Address(es):
79 Lovering Street
Parcel ID(s):
057-0002
Registry of Deeds Book & Page No. and Date or Land Court Certificate No. and Date of Current Title:
Book 31310, Page 166

[Handwritten Signature]

1-8-2020

Signature of Applicant/Petitioner or Representative

Date

FOR TOWN HALL USE ONLY	
<i>To be filled out by the Treasurer/Collector:</i>	
<u>1/8/20</u> Date Reviewed	<u>Maureen Skutt</u> Medway Treasurer/Collector
Tax Delinquent: Y N	
Comments:	



TOWN OF MEDWAY
BOARD OF ASSESSORS
155 VILLAGE STREET
MEDWAY, MA 02053
PHONE: 508-533-3203 FAX: 508-321-4981
www.townofmedway.org

REQUEST FOR ABUTTERS

Date of Request: 1-8-2020

Property owner: Medway Meadows LLC

Property location: 79 Lovering Street, Medway

Parcel (property) ID(S): 057-0002

Please specify: 100', 300' or 500' from subject parcel: 300'

THIS LIST IS REQUESTED FOR:

- Planning & Economic Development Board
- Zoning Board of Appeals
- Conservation Commission
- Historical Commission

REQUESTER INFORMATION:

Name: Michael Larkin

Email address: michael@lawlarkin.com

Address: P.O. Box 129

Medfield, MA 02052

Phone: 978-658-0333

**Please Return to MEDWAY ZBA
Community and Economic Development Department**

THERE IS A FEE OF \$15.00 PER PARCEL DUE AT THE TIME OF REQUEST. THE LIST IS VALID FOR 90 DATE OF CERTIFICATION DATE. **THE BOARD OF ASSESSORS RESERVES 10 WORKING DAYS TO PROVIDE ALL CERTIFIED LISTS OF ABUTTERS.** ***IF YOU WISH TO HAVE THE LISTS MAILED BACK TO YOU, YOU MUST PROVIDE A SELF ADDRESSED STAMPED ENVELOPE LARGE ENOUGH FOR THREE SETS OF LABELS.***



Town of Medway
ZONING BOARD OF APPEALS
155 Village Street, Medway MA 02053
(508) 321-4915

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

Legal Notice Billing Agreement Form

The Zoning Board of Appeals will prepare and submit a legal notice to be published in the *Milford Daily News*. This legal notice will appear in two consecutive issues of the newspaper, at least 14 days prior to the date of your hearing. The cost varies based upon the applicant request and information required for the notice. The Zoning Board of Appeals will forward the ad proof with the total to be paid by the applicant.

Medway Meadows, LLC

Applicant Name

79 Lovering Street, Medway

Property Address

978-658-0333

Telephone Number

057-0002

Parcel ID

michael@lawlarkin.com

Email Address

AR-II

Zoning District

I hereby agree to provide a check in the sum of the ad proof total provided by the Zoning Board of Appeals for the required legal notice for a public hearing before the Zoning Board of Appeals.

A handwritten signature in black ink, appearing to be "Michael Larkin", written over a horizontal line.

Applicant Signature

1-8-2020

Date

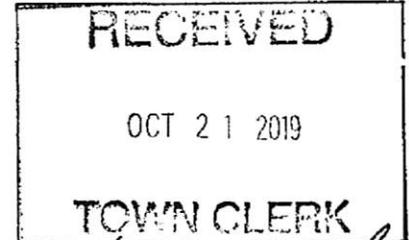
Please Note: This form must be returned to the Zoning Board of Appeals when submitting your application.



N O T T o w n o f M e d w a y N O T
O F F I C I A L O F F I C I A L
C O P Y C O P Y
ZONING BOARD OF APPEALS
155 Village Street, Medway, MA 02053

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

**DECISION
SPECIAL PERMIT
79 LOVERING STREET
(AKA 81 LOVERING STREET LOT 2A)**



Date Application Filed: August 26, 2019

Applicant(s): Medway Meadows, LLC c/o Michael Larkin ("the Applicant")
P.O. Box 129
Medfield, MA 02052

Location of Property: 79 Lovering Street (AKA 81 Lovering Street Lot 2A) (Assessor Parcel ID: 21-057-0002)

Approval Requested: Special Permit under Section 3.4, and Table 1 of the Zoning Bylaw to construct a two-family house that has the exterior appearance of a single-family dwelling on the lot.

Members Participating: Rori Stumpf (Chair), Brian White (Vice Chair), Gibb Phenegar (Clerk), Christina Oster (Member), Tom Emero (Member), Brian Cowan (Associate Member), Carol Gould (Associate Member)

Members Voting: Brian White (Vice Chair), Gibb Phenegar (Clerk), Tom Emero (Member), Brian Cowan (Associate Member), Carol Gould (Associate Member)

Hearing Opened: September 18, 2019

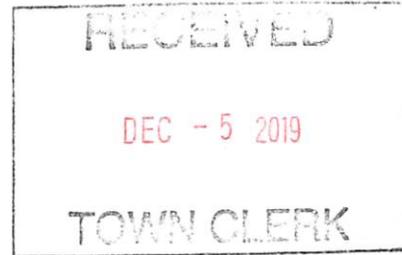
Hearing Closed: October 16, 2019

Date of Decision: October 16, 2019

Decision: GRANTED

RECEIVED AND RECORDED
NORFOLK COUNTY
REGISTRY OF DEEDS
DEDHAM, MA

CERTIFY
William P. O'Donnell
WILLIAM P. O'DONNELL, REGISTER



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

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

Memorandum

December 2, 2019

TO: Maryjane White, Town Clerk
FROM: Susy Affleck-Childs, Planning & Economic Development Coordinator
RE: **REVISED ANR (Subdivision Approval Not Required) Plan – 77 – 81 Lovering Street**

At its November 26, 2019 meeting, the Planning and Economic Development Board considered an application and Subdivision Approval Not Required (ANR) Plan as described below:

Name of Plan: Plan of Land in Medway, MA
Location/Address: 77 – 81 Lovering Street
Assessor's Reference: Map 21, Parcels 57, 57-0002, and 57-0003
Zoning District: AR-II
Property Owners: Medway Meadows LLC
383 Main Street
Medfield, MA 02052
Applicant: Medway Meadows LLC
383 Main Street
Medfield, MA 02052
Plan Date: October 2, 2019, last revised November 22, 2019
Prepared by: Paul J. DeSimone, PLS
Colonial Engineering, Inc.
11 Awl Street
Medway, MA 02053
Scale: 1 inch = 40 feet

An ANR plan dated October 2, 2019, an ANR application, and associated documents were filed with the Planning and Economic Development office on November 4, 2019. The ANR plan is a revision of an ANR plan dated July 27, 2019 and previously endorsed by the Board on August 13, 2019. This new plan adjusts the lot lines among three parcels. A triangular shaped portion of the former Lot 3A is transferred to new Lot 2B, now with 2.786 acres. The resulting

Telephone: 508-533-3291

Fax: 508-321-4987

planningboard@townofmedway.org

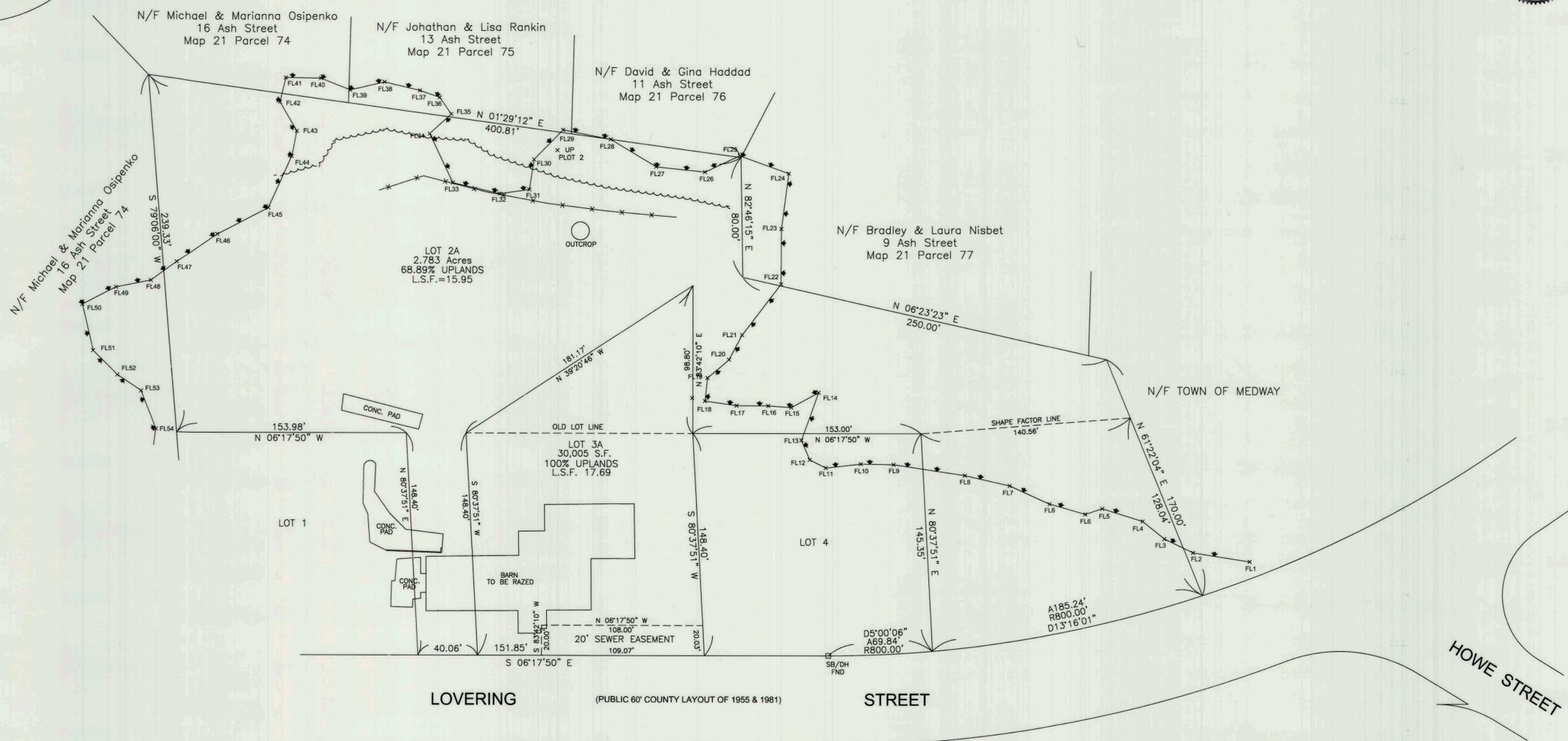
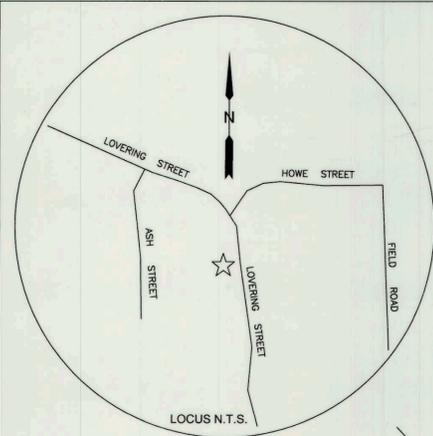
new Lot 3B will have an area of 22,503 sq. ft. Another triangular shaped piece of land, this one a portion of former Lot 2A, is transferred to new Lot 4A for a total of area of 30,007 sq. ft.

The ANR plan was reviewed by Gino Carlucci, the Board's planning consultant. He provided a review memorandum dated November 7, 2019. Mr. Carlucci indicated that the ANR plan was missing two minor informational items; he recommended the Board endorse a revised plan after the corrections were made. A further revised plan dated November 22, 2019 was submitted and determined to be complete.

The Planning and Economic Development Board determined that the subject *Plan of Land DID NOT* show a subdivision as the subject parcels had frontage on an existing public way (Lovering Street) and suitable access. At its November 26, 2019 meeting, the Board voted to endorse the submitted *Plan of Land in Medway, MA* (for 79 – 81 Lovering Street) dated October 2, 2019, last revised November 22, 2019. The endorsed plan is provided for the Town Clerk; the electronic version of the plan is attached.

Please note that the lot adjustment does not take effect until the plan is recorded at the Norfolk County Registry of Deeds.

Copies to: Donna Greenwood, Principal Assessor
Jack Mee, Building Commissioner
David D'Amico, DPS Director
Michael Larkin, Medway Meadows, LLC
Paul DeSimone, Colonial Engineering



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: JULY 29, 2019

APPROVAL UNDER SUBDIVISION CONTROL LAW NOT REQUIRED. DATE ENDORSED: August 13, 2019

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.

ZONE AR II
 AREA 22,500 S.F.
 FRONTAGE 150.00
 SETBACK 35'
 SIDEYARD 15'
 REARYARD 15'
 BUILDING LOT COVERAGE 30%
 IMPERVIOUS LOT COVERAGE 40%
 NOT WITHIN THE G.P.D.

BEING A SUBDIVISION OF LOTS 2 AND 3 ON PLAN BY COLONIAL ENGINEERING INC. DATED MAY 24, 2019 AND RECORDED IN NORFOLK DEEDS PLAN BOOK 683 PAGE 23.

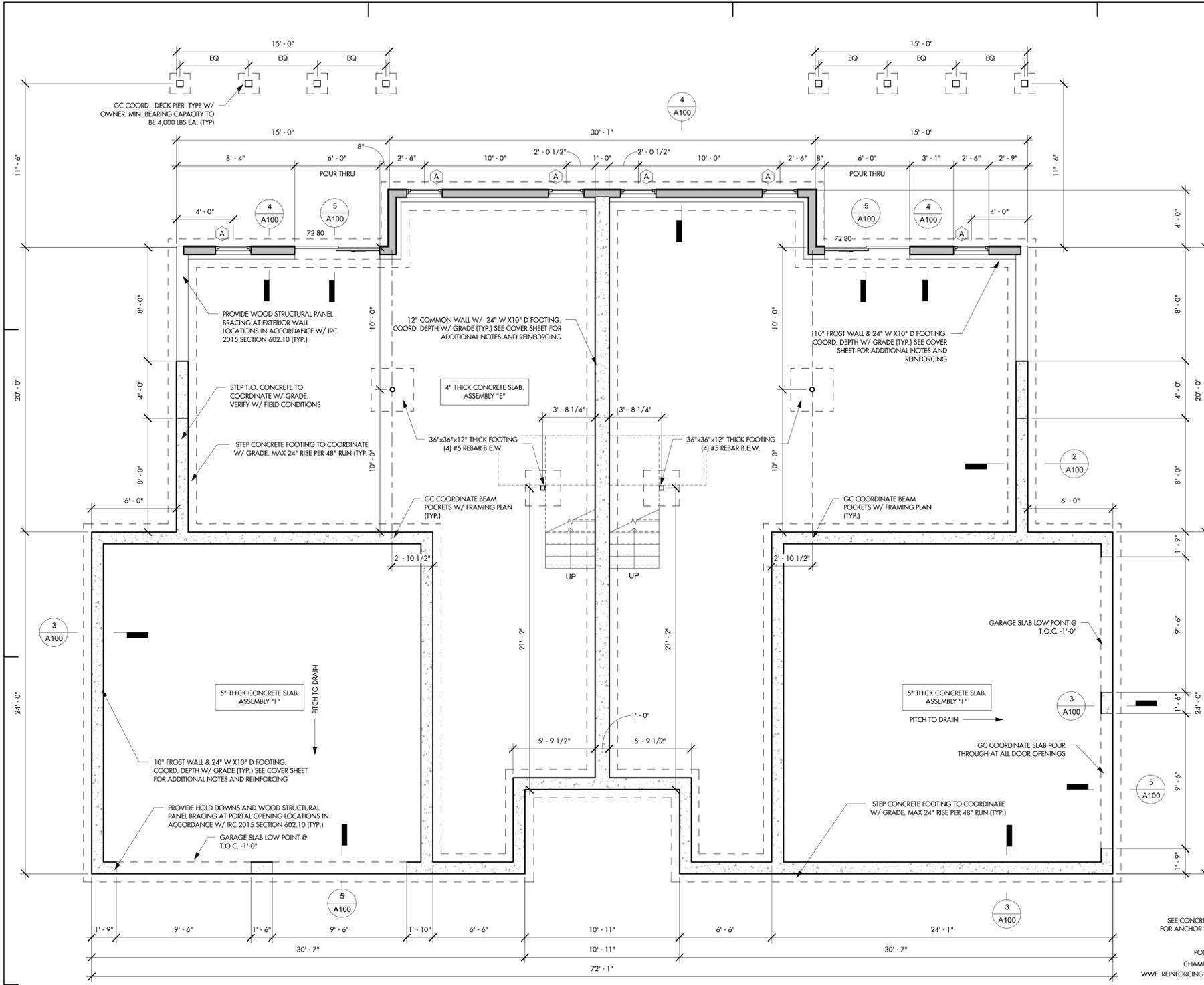
PLAN OF LAND
 IN
MEDWAY, MA.

SCALE: 1" = 40' JULY 27, 2019

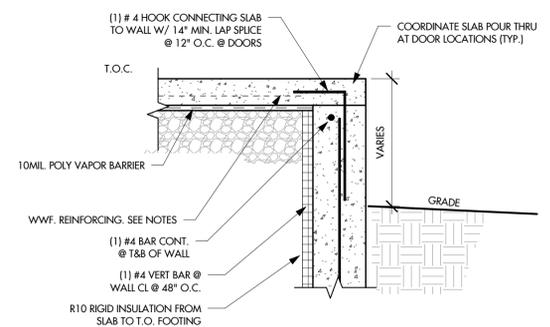
MAP 21 PARCEL 57
 OWNER: Medway Meadows LLC
 383 Main Street
 Medfield, MA. 02052

COLONIAL ENGINEERING INC.
 11 AWL STREET MEDWAY, MA.
 508-533-1644

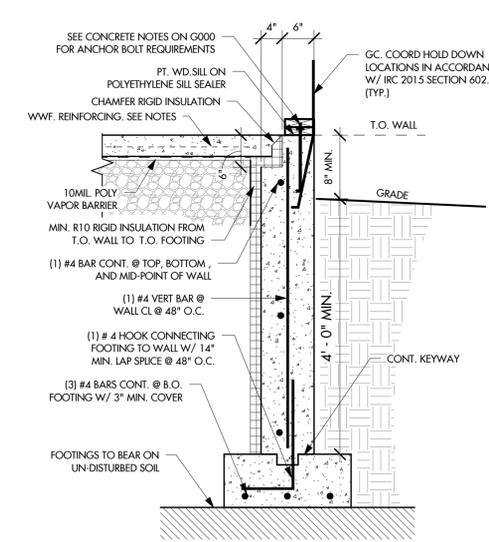




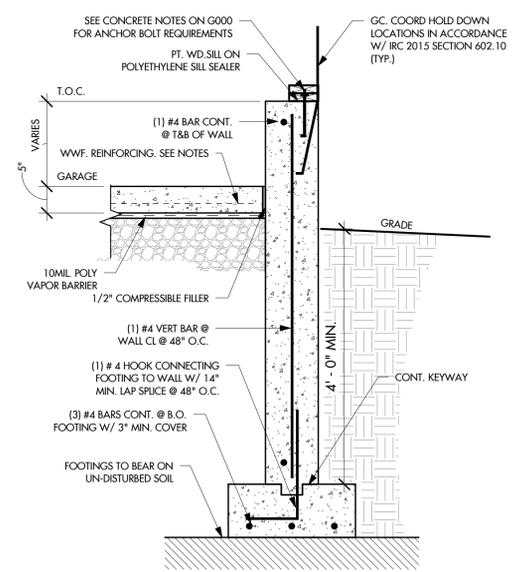
1 FOUNDATION LAYOUT / BASEMENT
1/4" = 1'-0"



5 SLAB POUR THRU
3/4" = 1'-0"

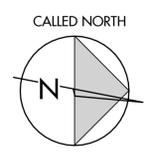
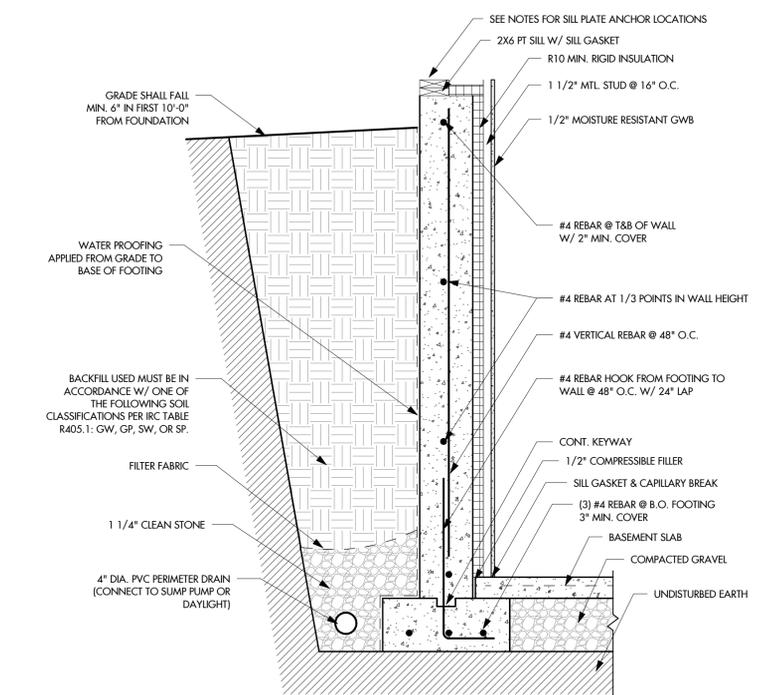


4 FND SECTION-SLAB ON GRADE
3/4" = 1'-0"



3 FOUNDATION SECTION-GARAGE
3/4" = 1'-0"

2 FOUNDATION SECTION-FINISHED BASEMENT
3/4" = 1'-0"



FLOOR PLAN LEGEND			
	EXISTING WALLS		SOFFIT / CEILING CHANGE OR CABINETS ABOVE
	DEMO WALLS		SPOT ELEVATION
	NEW WALLS	Room name	ROOM NAME AND NUMBER
	DOOR & DOOR TAG DOOR HEIGHT (INCHES) DOOR WIDTH (INCHES)	101	101
	WINDOW & WINDOW TAG		REVISION
	WALL SECTION NUMBER AND SHEET		BUILDING SECTION NUMBER AND SHEET
	1 A100		1 A101

NOTE:

- SEE COVER SHEET FOR CONCRETE AND FOUNDATION NOTES.
- REFER TO ELEVATION SHEET A201 FOR T.O.C. AND SLAB ELEVATIONS.

Damon McQuaid Architect
Architecture - Interiors - Land Planning
49 Brookview Terr. Lunenburg, MA 01462
dm@dmquaidarchitect.com
978-340-5922

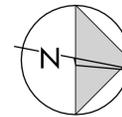
LOWERING STREET DUPLEX
MEDWAY, MA

FOUNDATION & BASEMENT PLANS

prepared for: LARSON REALTY
Location: 29 HOSPITAL RD MEDFIELD, MA 02052
Date: 2019-11-20
Scale: As indicated
Job No: 190909
Sheet No: A100

Mark	Date	Revisions
	2019-11-20	

CALLED NORTH

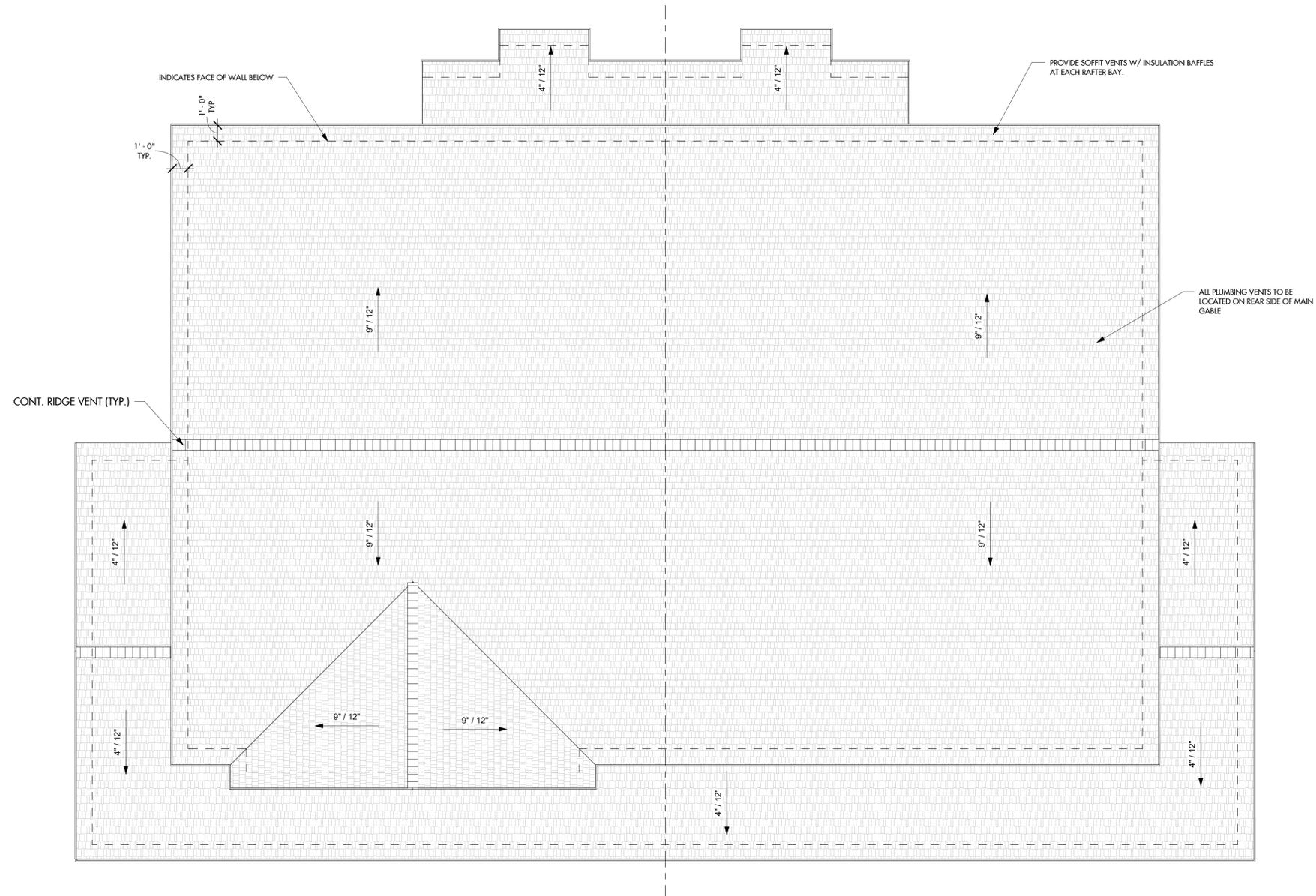


FLOOR PLAN LEGEND

	EXISTING WALLS		SOFFIT / CEILING CHANGE OR CABINETS ABOVE
	DEMO WALLS		SPOT ELEVATION
	NEW WALLS	Room name 	ROOM NAME AND NUMBER
	DOOR & DOOR TAG DOOR HEIGHT (INCHES) DOOR WIDTH (INCHES)		REVISION
	WINDOW & WINDOW TAG		WALL SECTION NUMBER AND SHEET
	SIM		BUILDING SECTION NUMBER AND SHEET

ROOF PLAN NOTES

- ROOFING SHALL BE 25 YEAR ARCHITECTURAL SHINGLES. COORDINATE STYLE AND COLOR W/ OWNER.
- 3/8" WIDE ICE & WATER SHIELD @ EAVE, VALLEY, @ RIDGE.
- INSTALL 15# FELT BELOW SHINGLES.
- INSTALL CONTINUOUS ROOF/WALL FLASHING FROM EAVE TO RIDGE AT CHEEK WALLS. SIDING SHALL START 1" ABOVE ROOF DECK.
- PROVIDE & INSTALL ALUMINUM DRIP EDGE EAVE AND GABLE.
- PROVIDE & INSTALL FLASHING BOOTS FOR ALL ROOF PENETRATIONS.
- PROVIDE & INSTALL CONTINUOUS RIDGE VENT & CONTINUOUS SOFFIT VENTS & CAVITY BAFFLES FOR AIR FLOW.
- COORDINATE GUTTERS AND RAIN LEADERS W/ OWNER AND FIELD CONDITIONS.



1 ROOF PLAN
1/4" = 1'-0"

Damon McQuaid
Architect
Architecture - Interiors - Land Planning
Terr. Lunenburg, MA 01462
49 Brookview Terr.
dm@dmquaidarchitect.com
978-340-5922

**LOVERING STREET
DUPLEX**
MEDWAY, MA

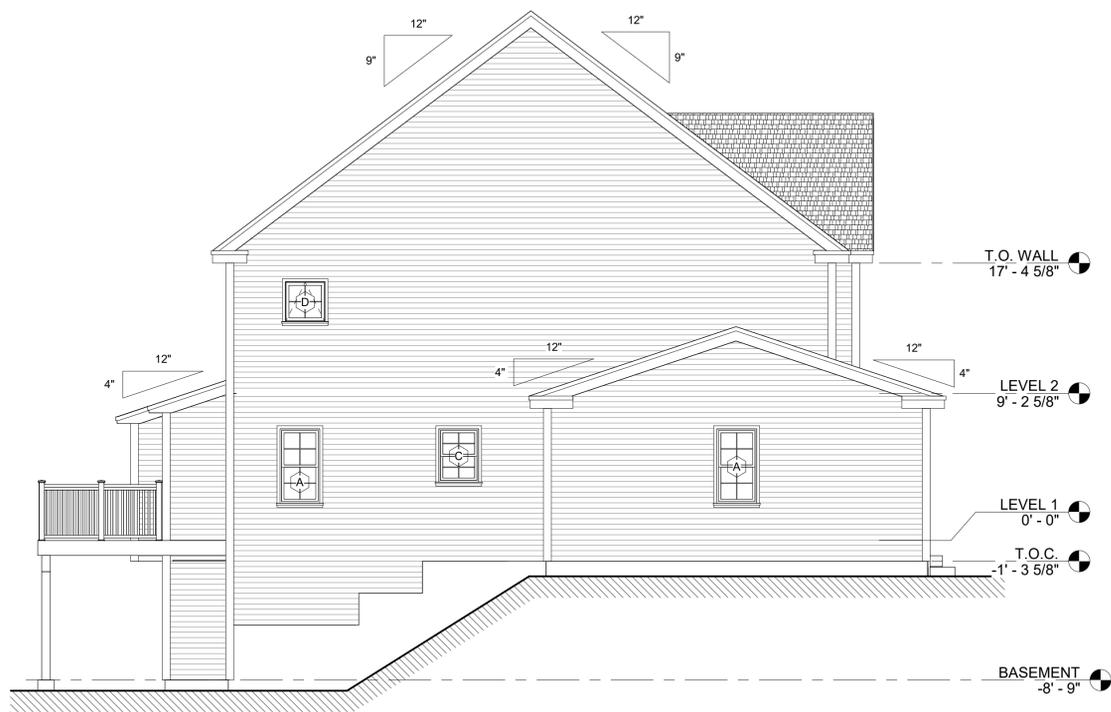
ROOF PLAN

prepared for: LABRON REALTY
Location: 29 HOSPITAL RD MEDFIELD, MA 02052
Title:

DMA 2019
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Mark	Date	Revisions

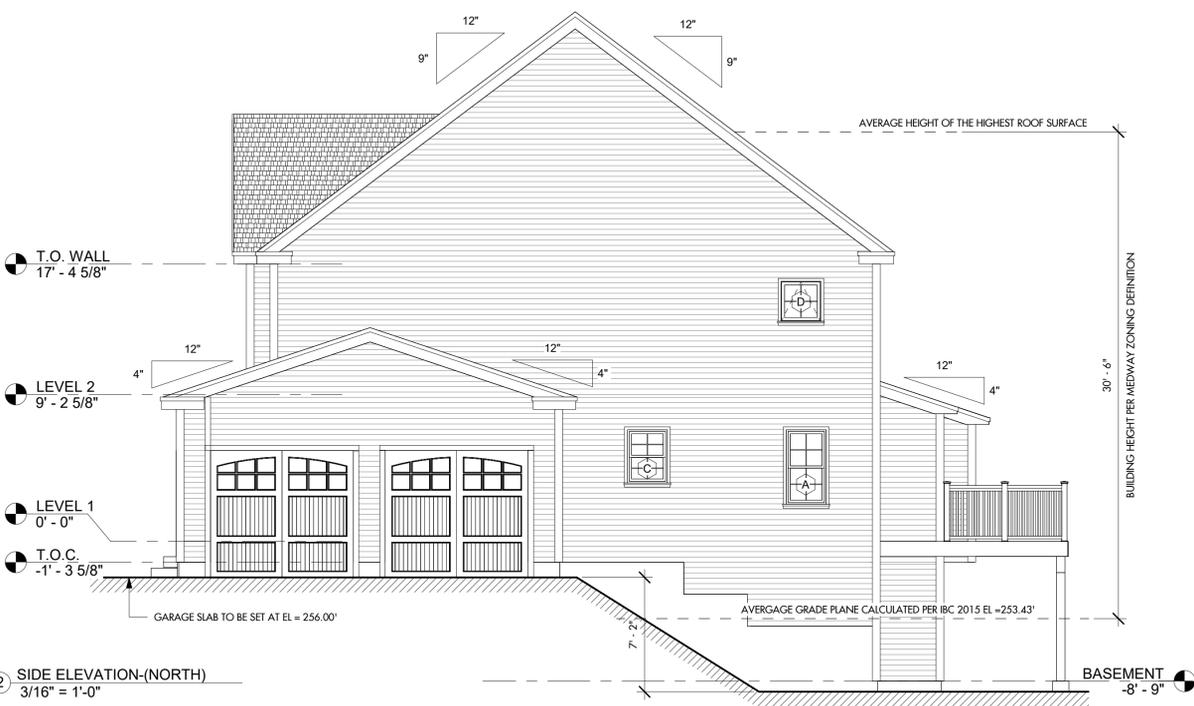
Date: 2019-11-20
Scale: 1/4" = 1'-0"
Job No: 190909
Sheet No: **A104**



4 SIDE ELEVATION-(SOUTH)
3/16" = 1'-0"



1 STREET ELEVATION-(EAST)
3/16" = 1'-0"



2 SIDE ELEVATION-(NORTH)
3/16" = 1'-0"



3 REAR ELEVATION-(WEST)
3/16" = 1'-0"

Mark	Date
Revisions	
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Scale	3/16" = 1'-0"
Job No.	190909
Sheet No.	