

July 11, 2017
Medway Planning and Economic Development Board
155 Village Street
Medway, MA 02053

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

Also Present:

Susy Affleck-Childs, Planning and Economic Development
Gino Carlucci, PGC Associates
Sean Reardon, Tetra Tech

The Chairman opened the meeting at 7:01pm.

There were no Citizen Comments.

Election of Officers and Reorganization:

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

- A memo from Susy Affleck-Childs regarding the Board and Committee Assignments.

Chairman:

On a motion made by Matt Hayes and seconded by Tom Gay, the Board voted unanimously to appoint Andy Rodenhiser as the Chairman of the Planning and Economic Development Board.

Vice Chairman:

On a motion made by Matt Hayes and seconded by Rich Di Iulio, the Board voted unanimously to appoint Bob Tucker as the Vice Chairman of the Planning and Economic Development Board.

Other Officers:

On a motion made by Matt Hayes and seconded by Rich Di Iulio, the Board voted unanimously to appoint Tom Gay as Clerk of the Planning and Economic Development Board

The Board was made aware that Eric Arbeene has resigned from the EDC and has become Chairman of the Zoning Board of Appeals. The Chairman thanked him for his service on the EDC.

Committee Appointments/Liaisons:

On a motion made by Rich Di Iulio and seconded by Bob Tucker, the Board

voted unanimously to keep the various committee representative and liaison appointments as they have been with the exception of the Economic Development Committee on which Rich Di Iulio will serve as the Board’s representative instead of Andy Rodenhiser.

Susy Affleck-Childs stated that she would arrange for all member to receive meeting agendas of the various boards/committees.

Public Hearing Continuation - Merrimack Building Supply:

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

- 6/30/2017 Public Hearing Continuation Notice
- Revised draft decision dated 7/7/17

The applicant was present and the draft decision was reviewed and provided to all.

The owner Bill Donegan indicated that he objects to the construction observation expense of \$16,766.00. He feels this is an excessively high cost and that these services are not needed as he is having Guerriere and Halnon providing project oversight. Mr. Donegan distributed a list of the services Guerriere and Halnon will be providing. (See Attached)

The Chairman noted that the Board’s engineering consultant is utilized to look out for the interests of the Town. The applicant controls the inspections by making sure the work is done on time and per plan. This is standard operating procedure. It was suggested to have all representatives at the preconstruction meeting so that all entities are on the same page.

Findings:

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

Waivers:

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

Decision:

On a motion made by Matt Hayes and seconded by Rich Di Iulio, the Board voted unanimously to accept the Decision as written with conditions and modifications.

Close Hearing:

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

Construction Estimate:

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

Public Hearing Continuation - O’Brien and Sons - Site Plan and Groundwater Protection Special Permit:

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

- 6/15/17 Site Plan Public Hearing Continuation Notice to 7/11/17.
- Ground Water Protection District Special Permit Application
- 6/19/2017 Ground Water Protection District Public Hearing Notice
- Meridian Associates letter dated 6/13/17 (response to Tetra Tech)
- Meridian Associated letter dated 6/13/17 (response to PGC Associates)
- Tetra Tech response letter dated July 6, 2017
- Meridian Engineer letter dated July 6, 2017 summarizing the revised LM progress plan
- Email memo from DPS Director Dave D'Amico dated July 11, 2017

The Chairman opened the groundwater protection special permit public hearing and the continued site plan hearing.

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

Engineer Beaudry explained the updates made since the previous meeting. These included the following:

- Signature block has been updated.
- In lieu of wheel stops a full 6" curbing is provided.
- Revised to not include compact parking spaces.
- Increased sidewalk width
- There will be white fencing to screen the proposed dumpster.
- Proposed curb radii and traffic pattern markings will be added to plan.

The members are in receipt of an email dated July 11, 2017 from Dave Damico. The email noted that the cul-de-sac land area of the Alder Street right of way layout could be split off and conveyed to O'Brien & Sons or a permanent easement would be needed. This will need to be decided by the Town.

It was indicated that the work will include the installation of 10,200 s.f. of pavement with 12" of subgrade soil within the limits of the proposed driveway along with the installation of a stormwater subsurface storage/recharge systems and open detention basins. All run off from impervious areas will be captured and treated to remove the required oil, grease and sediment prior to being recharged through the infiltration system. A low "turn over" of spaces for parking is anticipated. Using the reduced parking stall sizes helps to minimize impervious coverage which is appropriate within the groundwater protection district. A sump and hooded outlet will be added to the trench drain and a forebay added at the basin inlet. A treatment unit will be added at the driveway inlet prior to the basin to provide pretreatment in excess of 44% at the basin adjacent to the driveway.

Consultant Reardon would like the applicant to address the following items: Provide an auto turn template.

- Landscape inventory
- Confirmatory test pit at the time of construction.

The applicant indicated that they will be meeting with Conservation Commission on Thursday, July 13, 2017.

Engineer Beaudry indicated that the wall was redesigned to be a 4 ft. high terrace wall is not for a green slope look and will be closed to patio area. It was recommended that the Design Review Committee review this change.

Consultant Reardon responded in relation to the stormwater that it is intricate. There are six Different basins. There will be further follow-up to understand the methodology used.

The Board discussed the request for a waiver from preparing a landscape inventory. The applicant indicated that there is nothing of significant caliber. The Board would like to have the applicant put together landscape inventory which notes hardwood trees greater than 18 inches and note the location.

Susy will forward information about calipers of trees to the applicant based on what the Board had asked for with the Salmon project.

The Board would like to get guidance from Town Counsel about the pros and cons of an easement versus conveyance in relation to having O'Brien be able to use the cul-de-sac portion of the Alder Street right of way.

Continuation:

On a motion made by Bob Tucker and seconded by Matt Hayes, the Board voted unanimously to continue the public hearing for the O'Brien & Sons project to July 25, 2017 at 7:15 pm.

Susy reminded all that the revised plans need to be submitted as soon as possible in order to provide Tetra Tech with sufficient time to review.

Public Hearing - Paul Revere Estates Definitive Subdivision Plan

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

- Public Hearing Notice
- Definitive Subdivision Plan Submittal
- PGC review letter dated July 5, 2017
- TT review letter dated July 6, 2017

The Chairman opened the hearing for Paul Revere Estates.

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

Engineer Dan Merrikin was present on behalf of the applicant. He reviewed slides of the proposed project. The owner proposes to develop a 5 lot residential subdivision on an 11.31 acre parcel. The plan shows the division of land into five residential lots and one drainage parcel and the construction of an approximately 571' roadway intended to be an accepted street. The project will include installation of municipal water and sewer service. A portion of the site is in a wetland resource area and the groundwater protection district. The stormwater will be infiltrated through use of an infiltration basin located within the subdivision. The basin will be completed at the same time as the roadway in order to minimize the impact of the additional impervious

surface. Slope stability will be maintained with vegetation. There will be one Town owned street light at the entrance of the subdivision which will have minimal energy consumption. No wetlands will be altered as part of the project. There will be a 6' sidewalk along one side of the street as well as around the cul-de-sac.

The tree inventory was discussed and Sean recommended a complete tree inventory to establish what is out there on site. This inventory will also assist in establishing the no cut zone. Susy will provide the documentation regarding the size of trees to be inventoried. Engineer Merrikin noted that the site is currently disturbed.

The following waivers are sought:

- 5.7.6 – Contents of Definitive Subdivision Plan Set – Landscape Inventory
- 7.7.2.p – Stormwater Management (35 foot requirement)

Tetra Tech provided the following recommendations:

- Site distance computations have not been provided and should be included
- Locus plans do not extend 700'
- Add inventory of trees with a diameter of one foot or greater.
- Clarity on Parcel D – is this proposed open space.
- Paved width 20 feet – “neighborhood” roadway.
- Street light is within 25' of intersection.
- Provide test pit information to determine depth to estimated season high groundwater.
- Final plans wet stamped

There was a question about who will be maintaining the island (landscaping). Mr. Merrikin indicated that the burden could be placed on a particular homeowner. There was also a suggestion to keep the landscaping around the retention areas naturalized.

Public Comments:

Matthew Rymanowski, 29 Main Street:

This resident wanted to know if they will be clearing the trees in the buffer area and where the outward water flow from the basin will go.

Mr. Merrikin responded that they are not clearing trees within the buffer. In regards to the outflow, it will be designed to maintain the current water flow rates into the wetland. There will be no more water in the site than was previously there.

It was suggested that a street light be placed on the opposite side of the crosswalk.

Consultant Reardon suggested that the limit of work be shown.

There is a no cut zone around the perimeter. There was a question about how this is enforced by the homeowners. Could this be added to the various deeds?

Mr. Merrikin will make the recommended revisions.

On a motion made by Bob Tucker and seconded by Matt Hayes, the Board voted unanimously to continue the hearing to August 22, 2017 at 7:15 pm.

ANR Plan 78- Fisher Street:

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

- ANR application and explanation
- ANR Plan
- PGC review letter dated June 29, 2017
- SAC email to Attorney Stephen Kenney dated July 7, 2017

Attorney Stephen Kenney was present. It was explained that the ANR plan submitted by Alfred Fraser proposes to divide a parcel of 71,840 sq. ft. into two lots of 44,001 and 27,839 sq. ft. Attorney Kenney states that a variance was granted in 1996 and was exercised by recording it.

Consultant Carlucci referenced the “Cornell” case. He recommends not endorsing the ANR as presented as he believes the recording of the variance does not constitute it being “exercised”.

The Town Attorney has also supplied a confidential email to the Board which concurs with Consultant Carlucci.

Mr. Kenney withdrew the application.

Millstone ARCPUD - Bond Reduction:

The Board is in receipt of the following:

- Tetra Tech Bond Reduction estimate for phase I and II June 27, 2017
- Construction Services invoice dated July 6, 2017 for \$6,930.00
- Series of emails between SAC and Steve Venincasa regarding bond reduction

Mr. Venincasa was present at the meeting.

The members were informed that the bond estimate shows an overall reduction for Phases I and II to \$385,510. This is from the last combined amount of \$619,306.

Tetra Tech provided recommendations for bond reductions for Phases I and II. There was an added item for the trails. The reduction for Phase I is recommended to \$26,906 and for Phase II to \$225,305. The supplemental trail work estimate was \$133,299. This totals \$385,510.

Mr. Venincasa stated he is totally opposed to this.

Susy indicated that Tetra Tech has also estimated that an additional \$6,930 will be needed for continued construction inspection services.

Susy asked Mr. Venincasa if the conservation restriction has been filed with the State.

Mr. Venincasa responded that he is not sure and will need to follow-up.

Susy requested that Mr. Venincasa follow-up with a written response to the Board about the steps which have been taken regarding the conservation restriction.

The Board was made aware that the 5 remaining affordable units are being marketed for \$20,000 more than the original agreement which was made with the Board of Selectmen.

Mr. Venincasa responded that his affordable housing representative has advised him that he is allowed to do this since the cost for construction and cost of living has gone up.

Doug Havens, Affordable Housing Coordinator, was present and indicated that there was a regulatory agreement which was entered into when these units were being proposed. The affordable units were to be priced at \$174,700. The proposed increase is \$23,000. The concern is that seniors are on set incomes. It was noted that any amendment would need to be agreed upon by all the parties involved including the Board of Selectmen. Any change to the regulatory agreement would also need to be reviewed by Town Counsel.

Mr. Venincasa will follow-up with his representatives.

The Chairman responded that there is a legal process to follow in regards to the pricing of the units.

The Board agrees these are separate issues.

The issues are:

1. Conservation Restriction
2. Affordable Housing Cost per unit
3. Infrastructure Status

Steve Venincasa does not think it is fair to add a line item to the bond estimate for \$133,000 for the trail.

Susy indicated that the boardwalk work and crossings will require an Order of Conditions from Conservation Commission. The additional costs are based on what the bids came in for the Town's trail work elsewhere in Town that also needed Con Com's permission.

Paul Atwood from the Trail Task Force was present and indicated that there was a good meeting this afternoon with Mr. Venincasa. The Trail Task Force wants to work with Mr. Venincasa to assist him in this trail work. This still needs to be discussed further.

On a motion made by Tom Gay and seconded by Bob Tucker, the Board voted unanimously to reduce the Millstone bond by a total of \$233,796. This reflects the reductions for Phases 1 and 2 and the addition of funds for the trail work.

NOTE – The new bond amount would be \$385,510.

Mr. Venincasa will also be provided with an invoice for construction observation services which will need to be paid prior to the refund of bond.

Wingate Farm Subdivision – Construction Observation

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

- Tetra Tech Construction Services estimate date 7-7-17
- Series of emails between SAC and Paul Yorkis
- Wingate Farm Modified Subdivision Certificate of Action dated April 28, 2005.

This pertains to a long standing incomplete subdivision on property owned by Gene Walsh and Karyl Spiller Walsh off of Holliston Street. This is a 4 lot subdivision. No homes have been constructed. There is no bond. The last inspections occurred in 2007 and were conducted by VHB. Funds are needed in the construction account for Tetra Tech to become familiar with the project, do a site visit and prepare a punch list. It was noted that Mr. Paul Yorkis is representing the owner/developer.

On a motion made by Bob Tucker and seconded by Rich Di Iulio, the Board voted unanimously to approve the estimated construction services fee of \$4,998.00.

Member Tucker would like to discuss at a future meeting what constitutes a change needing a plan modification.

Susy responded that anything that would change the roadway layout or adjust the lotting plan would always be a formal modification. Other items are determined as matters come up.

PEDB Meeting Minutes:

June 13, 2017:

On a motion made by Rich Di Iulio and seconded by Matt Hayes, the Board voted unanimously to accept the minutes from the June 13, 2017 meeting.

June 13, 2017 Executive Session:

On a motion made by Rich Di Iulio and seconded by Matt Hayes, the Board voted by roll call vote to accept the minutes from the June 13, 2017 Executive Session.

Roll Call:

Tom Gay	aye
Matt Hayes	aye
Andy Rodenhiser	aye
Bob Tucker	aye
Rich Di Iulio	aye

Member Tucker left the meeting at 10:20 pm.

June 27, 2017 Regular Meeting:

On a motion made by Rich Di Iulio and seconded by Matt Hayes, the Board voted unanimously to accept the minutes from the June 27, 2017 meeting.

June 27, 2017 Executive Session:

On a motion made by Rich Di Iulio and seconded by Matt Hayes, the Board voted by roll call vote to accept the minutes from the June 27, 2017 Executive Session.

Roll Call:

Tom Gay	aye
Matt Hayes	aye
Andy Rodenhiser	aye
Rich Di Iulio	aye
Bob Tucker	absent

Other Business:

Zoning Work Fall 2017:

- This will be tabled until next meeting.

Oak Grove/Urban Renewal Plan - MEPA Review:

- There was a review meeting held last week where representatives from DHCD and the EOEEA visited the site. They are soliciting letters of support for the Urban Renewal Plan.

On a motion made by Matt Hayes and seconded by Tom Gay, the Board voted unanimously to have Susy draft a letter of support.

REMINDER - There will be a joint meeting with the Planning and Economic Development and the Design Review Committee for an informal, pre-application discussion with CBA Associates for the EPFRAC playground plans for Choate and Oakland Parks.

Adjourn:

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

The meeting was adjourned at 10:30 pm.

Respectfully Submitted,



Amy Sutherland
Recording Secretary

Reviewed and edited by,



Susan E. Affleck-Childs

Planning and Economic Development Coordinator



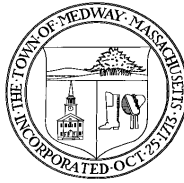
July 11, 2017

**Medway Planning & Economic Development Board
Meeting**

Election of Officers and Reorganization

You need to elect officers – Chairman, Vice-Chairman and Clerk.

You also need to determine who will serve on or liaise with other boards/committees. See attached June 5, 2017 memo from Susy Affleck-Childs re: Board and Committee assignments



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

June 5, 2017

TO: Planning & Economic Development Board Members
FROM: Susy Affleck-Childs
RE: Board Reorganization - Board/Committee Representatives and Liaisons

It is that time of year for the PEDB to elect its officers and to select PEDB members to serve on or function as liaisons to other Town boards and committees for fiscal year 18 (July 1, 2017 – June 30, 2018). Please review the list below and be prepared to discuss your interests at the 6/13/2017 PEDB meeting.

Presently Assigned

FY 18

***The PEDB has official representation on the following committees.
This involves regular attendance at meetings.***

Community Preservation Committee	Matt Hayes	_____
Design Review Committee	Tom Gay	_____
Street Naming Committee	Susy Affleck-Childs	_____
Economic Development Committee	Andy Rodenhiser	_____
Energy Committee	Bob Tucker	_____
Open Space & Rec. Plan Update Task Force	Matt Hayes	_____
Sign Bylaw Review Task Force	Tom Gay	_____

Board/Committee Liaisons

Affordable Housing Committee & Trust	Andy Rodenhiser	_____
Agricultural Commission	Bob Tucker	_____
Board of Assessors	Andy Rodenhiser	_____
Board of Health	Andy Rodenhiser	_____
Board of Water/Sewer Commissioners	Andy Rodenhiser	_____
Capital Improvements Planning	Matt Hayes	_____
Conservation Commission	Bob Tucker	_____
Finance Committee	Bob Tucker	_____
Historical Commission	Matt Hayes	_____

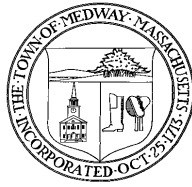
508-533-3291

planningboard@townofmedway.org

Open Space Committee	Rich Di Iulio	_____
Redevelopment Authority	Andy Rodenhiser	_____
Route 109 Reconstruction	Matt Hayes	_____
SWAP	Rich Di Iulio	_____
Town Administrator/Board of Selectmen	Andy Rodenhiser	_____
Zoning Board of Appeals	Bob Tucker	_____

Other Groups

Medway Business Council	Andy Rodenhiser	_____
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July 11, 2017
Medway Planning & Economic Development Board
Meeting

**Merrimack Building Supply – Site Plan and
Groundwater Protection Special Permit**

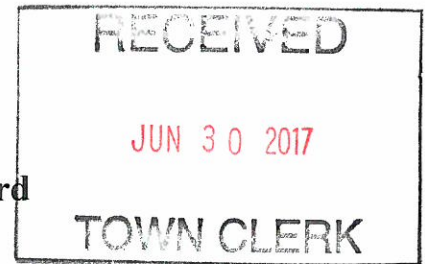
- 6/30/17 Public Hearing Continuation Notice
- Revised draft decision dated 7/7/17

Please review this revised decision. You need to vote it during the hearing on Tuesday night and then close the hearing. Our deadline for filing the decision with the Town Clerk is Friday, July 14th.

I have emailed this version of the decision to Merrimack owner Bill Donegan and project engineer Peter Lavoie and asked them to come to the meeting prepared with any questions or comments.



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

June 30, 2017

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

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

RE: **Public Hearing Continuation: Merrimack Building Supply (20 Trotter Drive)**
Major Site Plan & Groundwater Protection Special Permit
Continuation Date: Tuesday, July 11, 2017 at 7:05 p.m.
Location: Medway Town Hall – Sanford Hall, 155 Village Street

At its meeting on June 27, 2017, the Planning and Economic Development Board voted to continue the public hearing on the applications of Merrimack Building Supply of Medway, MA for major site plan approval and a groundwater protection special permit for a proposed building expansion project at its facility at 20 Trotter Drive. **The continued public hearing will take place on Tuesday, July 11, 2017 at 7:05 p.m. in Sanford Hall at Medway Town Hall, 155 Village Street.**

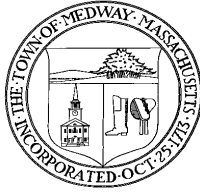
The subject property is 10.73 acres and is located at the southwest end of Trotter Drive in the Industrial III zoning district (Map 64 - Parcel 002). It is owned by Medway Trotter, LLC. The site includes wetland resources, a small portion of Stall Brook, and is located within the groundwater protection district.

The applicant proposes to construct a 19,500 sq. ft. addition to the existing 10,000 sq. ft. building adding warehouse space and a new customer entrance, expanded parking, a new loading dock and paved area for truck access to the loading dock, installation and relocation of utilities to accommodate the new addition, abandonment of the existing septic system and connection to Town sewer, installation of a stormwater drainage system for the entire site, and site landscaping and lighting. The plan is titled *Merrimack Building Supply Site Plan for 20 Trotter Drive*, is dated March 10, 2017 with the latest revisions dated April 25, 2017, and was prepared by Guerriere and Halnon of Milford, MA and Cubic Architects Inc. of Plymouth, MA.

The applications, site plan, stormwater report, and other documents are on file with the Medway Town Clerk and at the office of the Planning and Economic Development Board at Medway Town Hall, 155 Village Street and may be reviewed during regular business hours. The applications, plan, report and other documents are also posted at the Planning and Economic Development Board's web page at:
<http://www.townofmedway.org/planning-economic-development-board/pages/merrimack-building-supply-expansion-%E2%80%93-major-site-plan-gpd>

The Board's review of this project is drawing to a close. The Board will vote its decision at the July 11th meeting.

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 – July 7, 2017

***Major Site Plan Review and Groundwater Protection District
Special Permit Decision
Merrimack Building Supply – 20 Trotter Drive Ellen Realty
with Waivers and Conditions***

Decision Date: _____

Name/Address of Applicant: Merrimack Building Supply
20 Trotter Drive
Medway, MA 02053

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

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

Site Plan: *Merrimack Building Supply Site Plan of Land for 20 Trotter Drive*
Dated March 14, 2017, last revised June 15, 2017 by Guerriere and
Halnon of Milford, MA and Cubic Architects, Inc. of Plymouth,
MA

Location: 20 Trotter Drive

Assessors' Reference: 64-002

Zoning District: Industrial III and Groundwater Protection District

I. PROJECT DESCRIPTION – The proposed project includes construction of a 19,500 sq. ft. addition to the existing 10,000 sq. ft. structure, a new customer entrance, expanded parking for a total of 40 parking spaces, construction a new loading dock and paved area for truck access to the loading area, installation or relocation of utilities to accommodate the building addition, abandonment of the existing septic system and connection to Town sewer, installation of a stormwater drainage system where none presently exists, and installation of site lighting and landscaping. Site access from Trotter Drive remains the same.

The site includes wetland resources, a small portion of Stall Brook, and is located within Medway's Groundwater Protection District.

II. VOTE OF THE BOARD – After reviewing the application and information gathered during the public hearing and review process, the Medway Planning and Economic Development Board, on _____, 2017, on a motion made by _____ and seconded by _____ **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 a _____ and site improvements at 20 Trotter Drive as shown on _____ dated _____, last revised _____ to be further revised as specified herein.

The vote was approved 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. March 13, 2017 - Site plan application and associated materials filed with the Medway Planning & Economic Development Board and the Medway Town Clerk
- B. March 21, 2017 – Groundwater protection district special permit application filed.
- C. March 22, 2017 – Public hearing notice filed with the Town Clerk and posted at the Town of Medway web site.
- D. March 23, 2017 - Public hearing notice mailed to abutters by certified sent mail.
- E. March 23, 2017 – Site plan information distributed to Town boards, committees and departments for review and comment.
- F. March 28 and April 3, 2017 - Public hearing notice advertised in *Milford Daily News*.
- G. April 11, 2017 - Public hearing commenced. The public hearing was continued to April 25, May 23, June 13 and 27, and July 11, 2017 when the hearing was closed and a decision rendered.

IV. INDEX OF SITE PLAN DOCUMENTS

- A. The site plan and special permit applications for the proposed Merrimack Building Supply expansion project included the following plans, studies and information that were provided to the Planning and Economic Development Board at the time the applications were filed:
1. Site Plan Application and Special Permit Application dated March 14, 2017 with Project Description, property ownership documentation, certified abutters' list, and requests for waivers.
 2. *Merrimack Building Supply Site Plan of Land for 20 Trotter Drive* dated March 14, 2017, prepared by Guerriere and Halnon, Milford, MA
 3. Building Floor Plans and Elevations dated November 10, 2016, prepared by Cubic Architects, Plymouth, MA
 4. *Hydrologic & Hydraulic Report*, 20 Trotter Drive in Medway, MA dated March 10, 2017, prepared by Guerriere and Halnon, Milford, MA
 5. *Requests for Waivers from the Medway Site Plan Rules and Regulations*, dated March 14, 2017 prepared by Guerrier and Halnon
- B. During the course of the review, a variety of other materials were submitted to the Board by the applicant and its representatives:
1. *Merrimack Building Supply Site Plan of Land for 20 Trotter Drive* dated March 14, 2017, revised April 25, 2017, revised May 31, 2017, revised June 6, 2017, last revised June 15, 2017, prepared by Guerriere and Halnon, Milford, MA
 2. Building Floor Plans and Elevations dated November 10, 2016, revised April 24 and May 11, 2017 prepared by Cubic Architects, Plymouth, MA
 3. *Hydrologic & Hydraulic Report*, 20 Trotter Drive in Medway, MA dated March 10, 2017, revised April 25, 2017, revised May 25, 2017, revised June 19, 2017 prepared by Guerriere and Halnon, Milford, MA
 4. Letter dated May 2, 2017 from Peter Lavoie, P.E. of Guerriere and Halnon in response to Tetra Tech's April 20, 2017 review comments.
 5. Letter dated May 18, 2017 from Peter Lavoie, P.E. of Guerriere and Halnon in response to PGC's April 5, 2017 review comments.
 6. Letter dated May 31, 2017 from Peter Lavoie, P.E. of Guerriere and Halnon in response to Tetra Tech's May 18, 2017 review comments.
 7. Letter dated May 31, 2017 from Peter Lavoie, P.E. of Guerriere and Halnon in response to PGC's May 18, 2017 review comments.
 8. Letter dated June 19, 2017 from Peter Lavoie, P.E. of Guerriere and Halnon in response to Tetra Tech's June 12, 2017 review comments.

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:

- Sean Reardon, P.E. of Tetra Tech, Inc., the Town's Consulting Engineer – Site plan review letters dated April 20, May 18, June 12, and June 21, 2017 and commentary throughout the public hearing process.

- Gino Carlucci, PGC Associates, the Town's Consulting Planner – Site plan review letters dated April 5 and May 18, 2017 and commentary throughout the public hearing process.
- Bill Donegan, Merrimack Building Supply, applicant
- Peter LaVoie, P.E. of Guerriere and Halnon, engineering consultant
- Review letter from the Medway Design Review Committee dated May 24, 2017
- Email note from Fire Chief Jeff Lynch dated April 24, 2017
- Letter dated June 19, 2017 from Fire Chief Jeff Lynch.
- Memorandum from Police Sergeant/Safety Officer Jeff Watson dated April 23, 2017
- Email communications dated April 10 and, 2017 from Kelly Rice of 1 Lost Hill Drive

VI. FINDINGS – The Planning and Economic Development Board must determine whether the proposed project constitutes a suitable development based on conformance with the various site development standards and criteria set forth in the *Site Plan Rules and Regulations*.

The Planning and Economic Development Board, at its meeting on _____ on a motion made by _____ and seconded by _____ voted to _____ the following **FINDINGS** regarding the site plan and special permit applications for 20 Trotter Drive. The motion was _____ by a vote of _____ in favor and _____ opposed.

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?

Ingress and egress is off a cul-de-sac and does not present a safety issue. The driveway provides access to 2 separate off-street parking lots so there is no backing onto a public way. The only queuing issue is delivery trucks parked in the cul-de-sac awaiting opening of the business. A gate is being located well into the driveway in order to allow waiting trucks to pull into the driveway rather than park in the cul-de-sac. Access via the residential portion of Alder Street is minimized through signage and instructions to employees and delivery personnel.

- (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 addition and site are in an industrial style, scale and materials similar to other buildings within the industrial park. Existing vegetation at the front of the site and within the street right-of-way is being retained to help screen the building addition and parking lot. The design has been reviewed by the Design Review Committee and is acceptable for its location.

- (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 off the end of a cul-de-sac and the project is an addition to an existing building so building location was already fixed. As stated above, vegetation at the front of the site will remain to reduce visual intrusion. A rain garden is planned in front of the smaller parking lot and the building and the vegetation on the remainder of the site will help screen the larger parking lot and outdoor storage areas from public view and nearby residential properties.

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

Access for fire and service equipment is provided on three sides of the combined original building and addition. The Fire Chief has reviewed the plan and has found the site design to be acceptable for safety access purposes.

- (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.

As a previously-developed site, the volume of new cut and fill is minimal. The only trees to be cut are those that are necessary to accommodate the building addition, expanded parking and new drainage system. The trees to the front of the site and within the right-of-way will be left intact. The trees left will also screen the visual prominence of the building and parking lots and reduce their visibility from Trotter Drive and Alder Street. The drainage system has been reviewed by the Town's Consulting Engineer and has been determined to be adequate to protect waterways and environmental resources. 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. Appropriate soil pollution and erosion controls have been incorporated into the plan. No extraordinary noise will be generated by the operation of the building supply business.

- (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 Trotter Drive to the site and from the parking lots to building entrances.

- (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 as conditioned (See Condition #__) does not produce glare to adjoining properties and minimizes light pollution by using cut off lenses.

- (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 since it avoids the wetlands buffer zone and extends just beyond the existing disturbed area on the site.

Groundwater Protection District Findings

- (10) New construction is a permitted use, subject to certain restrictions, within the Groundwater Protection District. As conditioned, and as noted below, the project will comply with those restrictions.
- (11) Storage of hazardous materials is prohibited unless in a free-standing container within a building. As conditioned, any hazardous materials that will be used at the facility will be identified and a list provided to the Board (**See Condition #__**). All storage and use of hazardous materials will be contained within the building. Any accidental spillage will also be contained within the building and any that enters the sewer system will be treated prior to being discharged to the municipal sewer system.
- (12) Fertilizers will be used on landscape material but will be the minimum necessary (**See Condition #__**). All storage will be contained within the building.
- (13) Any use of hazardous materials will occur within the building.
- (14) There will be no earth removal within six feet of the historical high groundwater level.
- (15) 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.
- (16) The Town's Consulting Engineer has reviewed the planned stormwater management facilities to ensure that groundwater recharge that does not degrade groundwater quality.
- (17) As required by Section 5.6.F. 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 to ensure that no adverse impacts on the quality or quantity of water available within the Groundwater Protection District, and that disturbance of the soils, topography, drainage, vegetation and other characteristics is minimized. The proposed facility will reduce impacts on the quality of water available within the Groundwater Protection District.

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 Zoning Bylaw, shall make findings on all of the applicable criteria specified below:

- (18) 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 within the Industrial III zoning district that specifically allows such industrial uses.
- (19) Adequate and appropriate facilities will be provided for the operation of the proposed use.
As documented above in the Findings pursuant to the Site Plan Rules and Regulations, adequate and appropriate facilities have been provided for the operation of the facility. Its internal roadway and parking system and stormwater management system have been reviewed by the Town's Public Safety staff and the Board's Consulting Engineer and found to be adequate. Furthermore, the septic system serving the existing building will be abandoned and the building will be connected to the municipal sewer system, thus removing a source of potential contamination from the Groundwater Protection District.
- (20) The proposed use as developed will not create a hazard to abutters, vehicles, pedestrians or the environment.
*As conditioned, the proposed facility will remove an existing hazard to abutters by providing an area within its entrance driveway for freight trucks to park when they arrive during the facility's off hours. The industrial park road system is adequate to handle the minimal increase in traffic. While pedestrian access is expected to be minimal, a sidewalk will be provided from Trotter Drive to the building entrance as well as between the parking areas and the entrances. Primary access is from Route 109 and Trotter Drive and **Condition** #__ requires the business owners to take steps to discourage use of Alder Street by its employees, suppliers and customers.*
- (21) The proposed use will not cause undue traffic congestion or conflicts in the immediate area.
The industrial park roadway system is adequate to handle the small increase in traffic resulting from this expansion.

- (22) 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 and has ensured that there will be no light trespass, and that existing vegetation in the front of the site and within the right-of-way will remain to reduce visual impacts. A dumpster is provided for refuse and it is located on the opposite side of the building considerably away from the residential area. 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.

- (23) 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 expanded use on the site will not adversely affect the surrounding neighborhood or change the character of the 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. Adequate measures have been taken to reduce the impacts on the residential neighbors.

- (24) 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 which is allowed by right in the Industrial III district and therefore is in harmony with the Zoning Bylaw.

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

The proposed facility is in compliance with Goals 1 and 6 of the Economic Development Goals and Objectives as follows: Goal 1: Maximize the area's economic resources and Goal 6: Attract new (and retain existing) businesses and increase the industrial/ manufacturing base.

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

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 so it is not detrimental to the public good.

VII. WAIVERS – At its _____ 2017 meeting, the Planning and Economic Development 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 Planning and Economic Development Board's action and reasons for granting each waiver request are listed below. All waivers are subject to the *Special and General Conditions of Approval*, which follow this section. The motion was approved by a vote of _____ in favor and _____ opposed.

1. **Section 204 – 3. A. Development Impact Statement** – The applicant shall provide a written *Development Impact Statement* which shall describe the potential and anticipated impacts of the proposed development, identify all positive and adverse impacts, and propose an acceptable program to prevent or mitigate adverse impacts. A *Development Impact Statement* shall address traffic, environmental, community and parking 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 Board APPROVES the applicant's request to waive the requirement for submission of a Development Impact Statement due to the existing use of the property for industrial uses and the nature of the planned development for additional storage/warehouse space.

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 proposed [REDACTED] parking spaces for the site and has requested that the requirement for a traffic impact assessment be waived as the project's scope will generate only employee and delivery traffic. The preparation of a traffic impact assessment is not expected to reveal any useful information related to the site or the project's impacts. Therefore, 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 as the site has been used for many years for Merrimack Building Supply and is already disturbed. There are no trees or landscaping in the proposed work area. There is no value in preparing an inventory of the existing landscape given the existing condition of the already cleared site. Therefore, the Board APPROVES this waiver request.

4. **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 proposes the use of Cape Cod berm instead where no curbing presently exists. The applicant believes the proposed alternative curbing material is an appropriate method to delineate the boundary of the proposed parking lot, is consistent with the general

industrial park area and will appropriately improve the site. The Board concurs with this assessment and APPROVES this waiver request.

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

SPECIFIC CONDITIONS OF APPROVAL

- A. **Plan Endorsement** - Within sixty (60) days after the Board has filed its *Decision* with the Town Clerk, the site plan for the Merrimack Building Supply expansion project at 20 Trotter Drive dated March 10, 2017 last revised June 15, 2017 prepared by Guerriere and Halnon of Milford, Ma and Cubic Architects of Plymouth, MA shall be further revised to reflect all Conditions and required revisions, including those as follows, and shall be submitted to the Planning and Economic Development Board to review for compliance with the Board's *Decision*. (*Said plan is hereinafter referred to as the Plan*). 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 June 15, 2017 site plan set shall be revised to remove the reference to waiver requests from Section 205-3 D and Section 205-9 F of the *Site Plan Rules and Regulations* and to identify that the other waiver requests were approved.
- C. **Other Plan Revisions** – Prior to plan endorsement, the following plan revisions shall be made to the June 15, 2017 Site Plan set.
 - 1. Per the Design Review Committee's review letter dated May 24, 2017, the plan should be revised to include a detail of the planned continuation of an existing stone wall along the building façade. The Applicant shall provide information to the DRC regarding the material selected for the stone wall for its approval prior to plan endorsement.
 - 2. Per the Design Review Committee's review letter dated May 24, 2017, the plan should be revised to include a detail for an opaque enclosure around the outside dumpster. The enclosure shall fully screen the height of the dumpster.
 - 3. Per the Medway Police Department's review letter dated April 23, 2017, the plan shall be revised to indicate that the No Parking Signs to be installed on Trotter Drive shall also state No Idling.
 - 4. The building elevation plan by Cubic Architects shall be revised as follows and added to the plan set:
 - a) specify materials, etc. finishes, etc. of the building facades
 - 5. The photometric plan (Sheet 6) shall be revised to show no light spillage off the property.

- D. **Wetlands Protection** – Prior to plan endorsement, the Applicant is required to provide the Planning and Economic Development Board with a copy of the *Order of Conditions* from the Medway Conservation Commission.
- E. **Use Limitations** – Parking or use of the parking area at 20 Trotter Drive shall be limited only to vehicles for Merrimack Building Supply employees, deliveries and customers. The parking area may not be leased or made available to any other businesses for any purposes.
- F. **Conditions Pertaining to Groundwater Protection District Special Permit**
1. Storage of 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. All use of hazardous materials shall be contained within the building. 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 shall be contained within the building.
 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 use of pesticides, herbicides, fungicides or insecticides anywhere on the site.
 5. Deicing materials shall be limited to calcium chloride or other deicer material approved by the Medway Department of Public Services.
 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 or rain garden.
 7. The rain garden shall be maintained in accordance with the stormwater operations and maintenance plan.
 8. 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.
 9. The Town reserves the right to periodically inspect the site to ensure compliance with these conditions.
- G. **Site Access** – Access to the site is provided from Route 109 and Trotter Drive. The applicant shall instruct employees, delivery companies and customers to use 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

GENERAL CONDITIONS OF APPROVAL

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

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

- B. **Other Permits** – This permit does not relieve the applicant from its responsibility to obtain, pay and comply with all other required federal, state and Town permits. The contractor for the applicant or assigns shall obtain, pay and comply with all other required Town permits.
- C. **Document/Plan Recording** - Within thirty (30) days of recording the Decision and the associated Plan, the Applicant or his assign shall provide the Board with a receipt from the Norfolk County Registry of Deeds indicating that all documents have been duly recorded, or supply another alternative verification that such recording has occurred.
- D. **Restrictions on Construction Activities** – During construction, all local, state and federal laws shall be followed regarding noise, vibration, dust and blocking of town roads. The applicant and its contractors shall at all times use all reasonable means to minimize inconvenience to abutters and residents in the general area. The following specific restrictions on construction activity shall apply.
1. **Construction Time** - Construction work at the site and in the building and the operation of construction equipment including truck/vehicular and machine start-up and movement shall commence no earlier than 7 a.m. and shall cease no later than 6 p.m. Monday – Saturday. No construction shall take place on Sundays or legal holidays without the advance approval of the Inspector of Buildings.
 2. **Neighborhood Relations** – The applicant shall notify neighbors in the general area around the site when site work and construction are scheduled to begin and provide a phone number for them to use for questions and concerns that arise during construction.
 3. The applicant shall take all measures necessary to ensure that no excessive dust leaves the premises during construction including use of water spray to wet down dusty surfaces.

4. There shall be no tracking of construction materials onto any public way. Daily sweeping of roadways adjacent to the site shall be done to ensure that any loose gravel/dirt is removed from the roadways and does not create hazardous or deleterious conditions for vehicles, pedestrians or abutting residents. In the event construction debris is carried onto a public way, the Applicant shall be responsible for all clean-up of the roadway which shall occur as soon as possible and in any event within twelve (12) hours of its occurrence.
5. The Applicant is responsible for having the contractor clean-up the construction site and the adjacent properties onto which construction debris may fall on a daily basis.
6. All erosion and siltation control measures shall be installed by the Applicant prior to the start of construction and observed by the Planning and Economic Development Board's consulting engineer and maintained in good repair throughout the construction period.
7. *Construction Traffic/Parking* – During construction, adequate provisions shall be made on-site for the parking, storing, and stacking of construction materials and vehicles. All parking for construction vehicles and construction related traffic shall be maintained on-site. No parking of construction and construction related vehicles shall take place on adjacent public or private ways or interfere with the safe movement of persons and vehicles on adjacent properties or roadways.
8. *Noise* - Construction noise shall not exceed the noise standards as specified in the *Medway Zoning 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 Inspector of Buildings shall conduct an initial inspection of the landscaping to determine whether and which landscape items need replacement or removal and provide a report to the Board. At any time subsequent to this initial inspection, the Town's Consulting Engineer or the Inspector of Buildings may conduct further inspections of the landscaping to determine whether and which landscaping items need replacement or removal and provide a report to the Board. The Board may seek enforcement remedies with the Inspector of Buildings/Zoning Enforcement Officer to ensure that the comprehensive landscaping plan is maintained.

F. *Snow Storage and Removal*

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

G. *Construction Oversight*

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

least on a monthly basis. The engineer shall prepare a written report of each inspection and provide a copy to the Planning and Economic Development Board within 5 days of inspection.

H. *Modification of Plan and/or Decision*

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

I. *Compliance with Plan and Decision*

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

J. *Performance Security*

1. No occupancy permit for the planned addition shall be granted until the Planning and Economic Development Board has provided a written communication to the Inspector of Buildings/Zoning Enforcement Officer that the project, as constructed, conforms completely and fully to the approved site plan and that any conditions including construction of any required on and off-site improvements, have been satisfactorily completed

OR that suitable security/performance guarantee has been provided to the Town of Medway, to the Planning and Economic Development Board's satisfaction, to cover the cost of all remaining work.

2. The applicant shall propose a form of performance security which shall be of a source and in a form acceptable to the Planning and Economic Development Board, the Treasurer/Collector and Town Counsel. The Board may require that the performance guarantee be accompanied by an agreement which shall define the obligations of the developer and the performance guarantee company including:
 - a) the date by which the developer shall complete construction
 - b) a statement that the agreement does not expire until released in full by the Planning and Economic Development Board
 - c) procedures for collection upon default.
3. The amount of the performance guarantee shall be equal to 100% of the amount that would be required for the Town of Medway to complete construction of the site infrastructure including installation of stormwater management facilities, utilities, services, pedestrian facilities and all site amenities as specified in the 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 Planning and Economic Development Board based on an estimate provided by the Town's Consulting Engineer based on the latest weighted average bid prices issued by the Mass Highway Department. The estimate shall reflect the cost for the Town to complete the work as a public works project which may necessitate additional engineering, inspection, legal and administrative services, staff time and public bidding procedures. The estimate shall also include the cost to maintain the infrastructure in the event the developer fails to adequately perform such and the cost for the development of as-built plans. In determining the amount, the Board shall be guided by the following formula in setting the sum: estimate of the Town's Consulting Engineer of the cost to complete the work plus a twenty-five percent (25%) contingency.
5. Final release of performance security is contingent on project completion.

K. Project Completion

1. Site plan approval shall lapse after one (1) year of the grant thereof if substantial use has not commenced except for good cause. Approved site plans shall be completed by the applicant or its assignees within two (2) years of the date of plan endorsement. Upon receipt of a written request by the applicant filed at least thirty (30) days prior to the date of expiration, the Planning and Economic Development Board may grant an extension for good cause. The request shall state the reasons for the

extension and also the length of time requested. If no request for extension is filed and approved, the site plan approval shall lapse and may be reestablished only after a new filing, hearing and decision.

2. Prior to issuance of a final occupancy permit, the Applicant shall secure a ***Certificate of Site Plan Completion*** from the Planning and Economic Development Board and provide the ***Certificate*** to the Inspector of Buildings. The ***Certificate*** serves as the Planning and Economic Development Board's confirmation that the completed work conforms to the approved site plan and any conditions and modifications thereto, including the construction of any required on and off-site improvements. The ***Certificate*** also serves to release any security/performance guarantee that has been provided to the Town of Medway. To secure a ***Certificate*** of Site Plan Completion, the applicant shall:

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

- L. ***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.

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

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

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

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**Medway Planning and Economic Development Board
SITE PLAN and SPECIAL PERMIT DECISION
Merrimack Building Supply, 20 Trotter Drive**

Approved by the Medway Planning & Economic Development Board: _____

AYE:

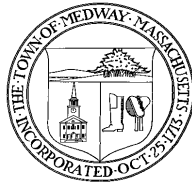
NAY:

ATTEST:

Susan E. Affleck-Childs
Planning & Economic Development Coordinator

Date

COPIES TO: Michael Boynton, Town Administrator
David D’Amico, DPS Director
Bridget Graziano, Conservation Agent
Donna Greenwood, Assessor
Beth Hallal, Health Agent
Jeff Lynch, Fire Chief
Jack Mee, Inspector of Buildings and Zoning Enforcement Officer
Stephanie Mercandetti, Director of Community and Economic Development
Joanne Russo, Treasurer/Collector
Jeff Watson, Police Department Safety Officer
Bill Donegan, Merrimack Building Supply
Peter Lavoie, Guerriere and Halnon
Steven Bouley, Tetra Tech
Gino Carlucci, PGC Associates



July 11, 2017
Medway Planning & Economic Development Board
Meeting

Merrimack Building Supply
Construction Services Estimate

- Tetra Tech Construction Services estimate dated 6-21-17

NOTE – I forwarded this estimate to Merrimack Building Supply owner Bill Donegan. He called me Friday morning. Bill objects to this expense. He feels it is an excessively high cost and that these services are not needed as he will be having Guerriere and Halnon provide project oversight. He plans to speak with you about his concerns.

**TETRA TECH**

**Merrimack Building Supply
Construction Administration Budget
June 21, 2017**

Item No. ¹	Inspection	Site Visits	Hrs/Inspection ²	Rate	Total
1	Erosion Control/Sedimentation	5	3	\$95	\$1,425
2	Site Demolition/Pavement Reclamation	1	3	\$95	\$285
3	Subgrade/Staking	1	3	\$95	\$285
4	Drainage: Rain Garden	1	3	\$95	\$285
5	Drainage: Piped Infrastructure	3	3	\$95	\$855
6	Drainage: Swales/Forebay/Infiltration Basin	3	3	\$95	\$855
7	Sewer Main	2	3	\$95	\$570
8	Sewer Main Testing	1	3	\$95	\$285
9	Retaining Walls	2	3	\$95	\$570
10	Site Subbase Gravel/Fine Grading	1	3	\$95	\$285
11	Site Grading	1	3	\$95	\$285
12	Binder Course Paving	1	8	\$95	\$760
13	Curb/Berm	1	4	\$95	\$380
14	Sidewalk	1	3	\$95	\$285
15	Top Course Paving	1	8	\$95	\$760
16	Landscape/Plantings	2	3	\$140	\$840
17	Bond Estimates	2	4	\$140	\$1,120
18	Stormwater Inspections	5	3	\$140	\$2,100
19	Punch List Inspections ³	2	4	\$140	\$1,120
20	As-Built Plans ⁴	2	4	\$140	\$1,120
21	Meetings	4	2	\$140	\$1,120
22	Admin	3	2	\$63	\$378
Subtotal					\$15,968
Expenses				5.0%	\$798
TOTAL					\$16,766

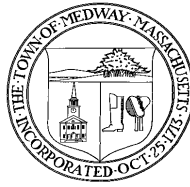
Notes:

¹ Each item includes site visit, inspection and written report. If construction extends beyond June 30, 2018, this estimate will be revised to utilize updated TT/Town of Medway contract hourly rates.

² If installation schedule is longer than that assumed by engineer for any item above, or if additional inspections are required due to issues with the contract work, additional compensation may be required.

³ Punch List Inspections include a substantial completion inspection and punch list memo provided to the town. It also includes one final inspection to verify that comments from the punch list have been addressed and one revision to the Punch List if required.

⁴ This item includes review of As-Built Plans, review letter and coordination with the applicant to address any issues on the plans.



July 11, 2017
Medway Planning & Economic Development Board
Meeting

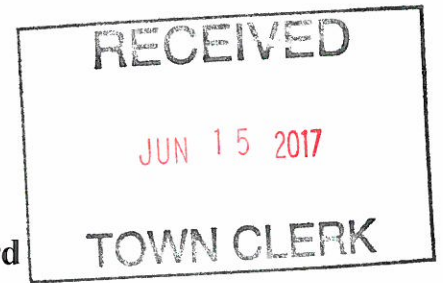
**O'Brien and Sons – Site Plan and
Groundwater Protection Special Permit**

- 6/15/17 Site Plan Public Hearing Continuation Notice to 7/11/17
- Ground Water Protection District Special Permit Application
- 6/19/17 Ground Water Protection District Public Hearing Notice
- Meridian Associates letter dated 6/13/17 in response to Tetra Tech's 6/12/17 review letter.
- Meridian Associates letter dated 6/13/17 in response to PGC's 6/6/17 review letter.
- Tetra Tech's response letter dated 7/6/17 in response to Meridian's Layout & Materials (LM) progress plan dated 6/22/17
- Meridian Engineering letter dated 7/6/17 summarizing the revised LM progress plan and the revised Grading, Drainage & Utilities (GRU) progress plan both dated 7-6-17

Tuesday's meeting will incorporate the first night of the public hearing on the needed groundwater protection district special permit.



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

June 15, 2017

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

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

RE: **Public Hearing Continuation: O'Brien and Sons (17 Trotter Drive)**
Major Site Plan
CONTINUATION DATE: Tuesday, July 11, 2017 at 7:15 p.m.
LOCATION: Medway Town Hall – Sanford Hall, 155 Village Street

At its meeting on June 13, 2017, the Planning and Economic Development Board voted to continue the public hearing on the application of Bottle Cap Lot LLC of Medfield, MA for major site plan approval for a proposed building construction project at 17 Trotter Drive to Tuesday, July 11, 2017 at 7:15 p.m. in Sanford Hall at Medway Town Hall, 155 Village Street.

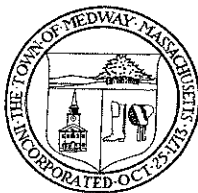
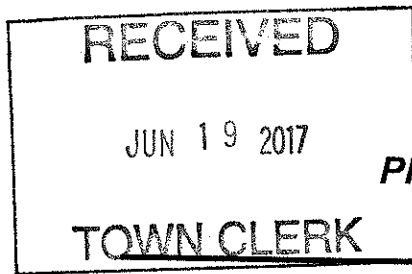
The subject property is 1+ acres and is located at the northeast corner of Trotter Drive and Alder Street in the 495 Business Park in the Industrial III zoning district. The parcel, shown on the Medway Assessors Map as Parcel #54-004-0001, is owned by Marguerite and Anthony Mele of Medway, MA. A portion of the site lies within the 100' buffer zone of wetlands resources and is also subject to review by the Medway Conservation Commission.

The proposed project includes construction of a 10,531 sq. ft. one-story building for offices, storage space used primarily for product literature, and related office functions for M. E. O'Brien & Sons. Its primary business is the design and supply of outdoor playgrounds and landscape elements to municipalities and private clients throughout New England. The company is relocating from Medfield to Medway. Additional information about M. E. O'Brien & Sons can be obtained at its web site: <http://www.obrienandsons.com>

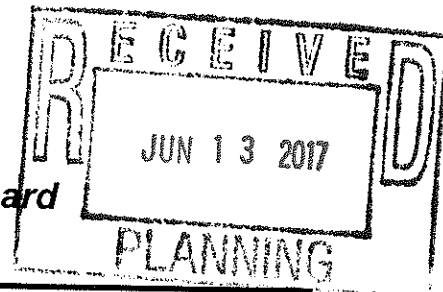
The application, site plan, stormwater report, and other documents are on file with the Medway Town Clerk and at the office of the Planning and Economic Development Board at Medway Town Hall, 155 Village Street and may be reviewed during regular business hours. The application and site plan are also posted at the Planning and Economic Development Board's web page at: <https://www.townofmedway.org/planning-economic-development-board/pages/me-o%E2%80%99brien-sons-%E2%80%93-major-site-plan>

If you have not yet reviewed the proposed development and wish to provide comments, please forward them to me by July 5th so that I can share them with the Board and applicant.

Pease contact me if you have any questions. Thanks.



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



Application for Approval of Special Permit

INSTRUCTIONS TO APPLICANT/OWNER

This Application is made pursuant to the Medway Zoning Bylaw.

*The Town's Planning and Engineering Consultants will review the Application and associated submittals and provide review letters to the Planning and Economic Development Board.
A copy of those review letters will be provided to you in advance of the meeting.*

You and/or your duly authorized Agent/Official Representative are expected to attend the Board meeting at which your Application will be considered to answer any questions and/or submit such additional information as the Board may request.

Your absence may result in a delay the Board's review of the special permit application.

_____, June, 12, 2017

APPLICANT INFORMATION

Applicant's Name: Bottle Cap Lot, LLC; M.E. O'Brien Parent Company

Mailing Address: 93 West Street, Medfield, MA 02052

Name of Primary Contact: Erin O'Brien

Telephone: _____
Office: 508-359-4200
Cell: _____

Email address: erino'brien@obrienandsons.com

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

PROPERTY INFORMATION

Location Address: 17 Trotter Drive

The land shown on the plan is shown on Medway Assessor's Map # 54 as Parcel # 004

Size of Development Parcel(s): 47,757± S.F.

Development Name: O'Brien & Sons Corporate Office

General Description of Property: A 47,757 s.f., undeveloped, wooded lot located in the Industrial III zoning district at the intersection of Trotter Drive and Alder Street in Medway.

Medway Zoning District Classification: Industrial III, Groundwater Protection District

TYPE OF SPECIAL PERMIT

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

5.6.3. E.3.e. Groundwater Protection District (over 15% impervious) _____

PROPERTY OWNER INFORMATION (if not applicant)

Property Owner's Name: Anthony & Margurite Mele

Mailing Address: 203 Main Street, Medway, MA 02053

Primary Contact: Please see Authorization letter attached _____

Telephone:

Office: _____ Cell: _____

Email address: _____

OFFICIAL REPRESENTATIVE INFORMATION

Name: Meridian Associates - Mark Beaudry

Address: 69 Milk Street

Westborough, MA 01580

Telephone:

Office: 508-871-7030 Cell: 978-804-9036

Email address: mbeaudry@meridianassoc.com

SIGNATURES

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

I hereby certify, under the pains and penalties of perjury, that the information contained in this application is a true, complete and accurate representation of the facts regarding the property under consideration.

(If applicable, I hereby authorize Meridian Associates _____ to serve as my Agent/Official Representative to represent my interests before the Medway Planning & Economic Development Board with respect to this application.)

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

see Authorization letter
Signature of Property Owner

Date

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

6/13/17
Date

[Signature] FOR MERIDIAN ASSOC, INC.
Signature of Agent/Official Representative

6/13/17
Date

SPECIAL PERMIT APPLICATION/FILING FEES

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

SPECIAL PERMIT APPLICATION CHECKLIST

It is understood that the applicant shall also file a corresponding application for Site Plan Review and Approval.

- ☒ Narrative on how the proposed development project meets the special permit criteria included in the Medway Zoning Bylaw, SECTION 3.4 Special Permit Criteria AND any criteria included in the specific section of the Zoning Bylaw for which a special permit is sought.

Groundwater Protection District Special Permit - Project Narrative
O'Brien & Sons, Inc. -17 Trotter Drive

O'Brien & Sons is proposing the construction of an office and storage building at 17 Trotter Drive in Medway, Massachusetts (Site). This site is located within the Groundwater Protection District and proposes to construction impervious areas totaling more than 15% of the lot (47% proposed). To supplement the attached Special Permit Application, the information enclosed herein summarizes existing conditions and proposed work.

The Site is located at the intersection of Trotter Drive and Adler Street. Access to the Site is achieved from driveways on Trotter Drive and Adler Street. The property gently slopes from the southwest to northeast towards wetland resource areas across Trotter Drive to the west and north of the site which consists of previously undeveloped land.

The proposed development will be the corporate office of O'Brien & Sons, Inc., the largest supplier of outdoor recreation equipment in New England, who are currently located in Medfield. This development will comprise of a new 10,531 s.f. office, and catalogue storage building for 17 employees. The proposed work includes all work associated with the site preparation and development of a previously undeveloped parcel of land. This work will include the installation of 10,200 s.f. of pavement with 12" of subgrade soil within the limits of the proposed driveway and associated parking areas along newly paved areas, as well as the installation of a stormwater subsurface storage/recharge systems and open detention basins. All runoff from impervious areas will be captured and treated to remove the required oil, grease and sediment prior to being recharged through the infiltration systems. The design approach fully complies with, and in some cases, exceeds the DEP's Stormwater Management regulations for peak flow mitigation, treatment and recharge of runoff from areas of new development. Peak rates of runoff will be buffered to existing condition rates or less for all portions of the site. Additionally, the post-development volume of runoff from the site will also be reduced via implementation of the proposed recharge basins (both open and subsurface). These systems will be properly maintained by the owner by following the approved Operation & Maintenance Plans as submitted to the Planning & Economic Development Board and Conservation Commission for project approvals.

All work fully complies with the requirements of the Town of Medway Wetlands Regulations relative to setbacks from resource areas.

MAY 18, 2017

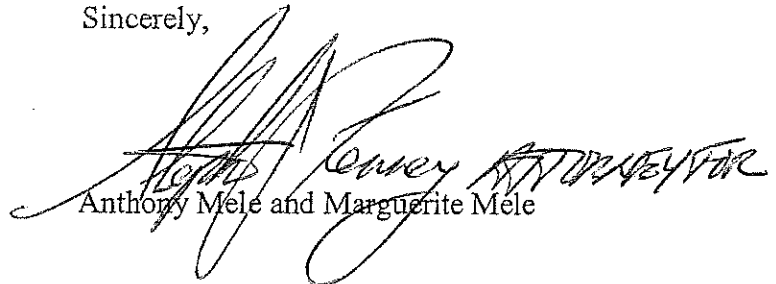
Town of Medway
Attn: Planning & Economic
Development Board
155 Village Street
Medway, MA 02053

Re: Letter of Authority
18 Alder Street, a/k/a Lot 5 Trotter Drive, Medway, MA

Dear Members of the Planning and Economic Development Board:

I am writing relative to the above referenced property. We are the owners of the property, and we hereby authorize the Bottle Cap Lot, LLC and its representatives to apply for any and all necessary permits from the Board required for their specific building purposes. We also authorize you to communicate with them, release information to them, and issue permits to them as the Board deems appropriate.

Sincerely,



Anthony Mele and Marguerite Mele



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

June 19, 2017

M.E. O'Brien & Sons – 17 Trotter Drive
Groundwater Protection District Special Permit
NOTICE OF PUBLIC HEARING – July 11, 2017

In accordance with the Medway Zoning Bylaw, Section 3.5 Site Plan Review and Section 5.6.3 Groundwater Protection District, and certain provisions of Chapter 40A, Massachusetts General Laws, notice is given that the ***Medway Planning and Economic Development Board will conduct a Public Hearing on Tuesday, July 11, 2017 at 7:15 p.m. at Medway Town Hall, 155 Village Street, Medway, MA to consider the application of Bottle Cap Lot LLC of Medfield, MA for approval of a groundwater protection district special permit for a building construction project at 17 Trotter Drive.*** The public hearing will be combined with the continued site plan public hearing for the same property and project.

The subject property is 1+ acres and is located at the northeast corner of Trotter Drive and Alder Street in the 495 Business Park in the Industrial III zoning district. The parcel, shown on the Medway Assessors Map as Parcel #54-004-0001, is owned by Marguerite and Anthony Mele of Medway, MA. A portion of the site lies within the 100' buffer zone of wetlands resources and is therefore subject to review by the Medway Conservation Commission. A portion of the property is also located within Medway's Groundwater Protection District and requires special permit review.

The proposed project includes construction of a 10,531 sq. ft. one-story building for offices, storage space used primarily for product literature, and related office functions for M. E. O'Brien & Sons. Its primary business is the design and supply of outdoor playgrounds and landscape elements to municipalities and private clients throughout New England.

The site plan shows 23 parking spaces, extensive landscaping, stormwater drainage facilities, and connection to municipal water and sewer. The plan is titled *O'Brien & Sons Corporate Office*, is dated May 23, 2017 and was prepared by Gorman Richardson Lewis Architects of Hopkinton, MA and Meridian Associates Civil Engineering and Landscape Architecture of Westborough, MA.

A groundwater protection district special permit is needed as the project's planned construction including the building, driveways and parking areas renders 47% of the site to be impervious surface.

The application, proposed site plan, stormwater report and other supporting documents were filed with the Town on May 23, 2017 and are on file with the Medway Town Clerk and the Planning and Economic Development office at Medway Town Hall, 155 Village Street, Medway, MA and may be reviewed Monday - Thursday from 7:30 a.m. to 4:30 p.m. and Fridays from 7:30 a.m. to 12:30 p.m. The plans and application documents will be available for viewing at the Board's web page at: <https://www.townofmedway.org/planning-economic-development-board/pages/recent-development-applications>.

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

Andy Rodenhiser, Chairman



June 13, 2017

Mr. Andy Rodenhiser, Chairman
Medway Planning & Economic Development Board
155 Village Street
Medway, Massachusetts 02053

Re: Bottle Cap Lot, LLC (O'Brien & Sons Corporate Office)
17 Trotter Drive, Medway, Massachusetts
MAI Project No. 8477

Dear Chairman Rodenhiser and Members of the Board:

On behalf of the Applicant Bottle Cap Lot, LLC, Meridian Associates, Inc. (MAI) is pleased to provide responses to comments provided by Tetra Tech in a letter dated June 12th, 2017 regarding the proposed site development project entitled "O'Brien & Sons Corporate Office". Responses are provided utilizing the same categories and numbering contained in the Tetra Tech letter as follows:

Site Plan Review Regulations:

- 1) The site plans as submitted were stamped by Mark Beaudry, a Professional Engineer with MAI.
- 2) The signature block has been updated as requested.
- 3) A locus plan taken from Medway GIS is enclosed to represent the Site Context Sheet. Other required information can be found on the Existing Conditions Plan (sheet C-1).
- 4) No response required.
- 5) A waiver was requested for the existing landscape inventory due to the lack of significant landscape features or specimen trees on the site.
- 6) Proposed curb radii and traffic pattern markings, where appropriate, will be added to the Layout & Materials Plan (sheet C-2).
- 7.) Wooden stockade-type fencing and gate will be provided to screen the proposed dumpster area.



- 8.) Architectural color rendering and elevations were provided with the Site Plan Review submittal (see GRLA cover and sheet A3.1).
- 9) A building floor plan was provided with the Site Plan Review submittal (see sheet A1.0).
- 10) A proposed lighting plan will be provided.
- 11) Horizontal sight distances will be added to the Existing Conditions Plan.
- 12) At the Technical Review meeting, a representative from the Medway Fire Department was present. At that time the existing hydrant location was pointed out. No additional hydrants were requested.
- 13) A driveway centered on the parking field was part of an early design for the site. Site grading, which was dictated by the stormwater design, prohibited this driveway approach in that an accessible route from Trotter Drive to the building would not be possible without providing a significant accessible ramp. The layout with the driveway long the north property line allowed a driveway sloped at a maximum grade of 5 percent that provides an accessible route to the building in conformance with ADA/AAB requirements.
- 14) The parking stall size waiver is requested given that the majority of the proposed parking is intended to accommodate employees. Therefore, a low “turn over” of spaces is anticipated. Utilizing reduced parking stall sizes helps to minimize impervious coverage which is appropriate within the Groundwater Protection District.
- 15) In lieu of wheel stops, which complicate snow removal operations and are a maintenance issue, a full 6” reveal curbing is provided. Further, light bollards are proposed along the sidewalk area to further protect the building. Pedestrian traffic and space turn-over will be minimal as the majority of users will be employees.
- 16) Granite curbing is proposed at Trotter Drive with precast concrete curbing internal to the site. A waiver is hereby requested to allow the use of precast concrete curbing.

MADEP Stormwater Standards:

- 17) A sump and hooded outlet will be added to the trench drain and a forebay added at the basin inlet. These two BMPs in series will provide the 44% pretreatment required for the open basin to the south. Secondly, a treatment unit will be added at the driveway inlet, prior to the basin, to provide pretreatment in excess of 44% at the basin adjacent to the driveway.
- 18) A rubber roof is proposed for the new building.



Town Stormwater Regulations:

- 19) Pipe sizing calculations will be provided for the 25-year storm, including roof drain laterals.

General Stormwater Comments:

- 20) Soil testing was provided before the stormwater basin design was completed. Testing was provided within 40 to 50 feet to the north and south of the central subsurface infiltration basin. The sandy soils observed were consistent in both test pits (and throughout the site), with both test pits yielding an estimated seasonal high groundwater (ESHGW) elevation of 248.0. Therefore, it can be inferred that the soils and ESHGW would also exist below the basin area. If required, a confirmatory test pit could be performed at the time of construction.
- 21) The ESHGW elevation in the test pits closest to the stormwater basins (#1 and #4) was found to be at elevation 248.0. The bottom elevation of the two open basins and the bottom of stone in the central chamber system are all proposed at elevation 250.0 (2' above ESHGW).
- 22) ESHGW was based on soil mottling as observed by a licensed Soil Evaluator for the Geotechnical Engineer and confirmed by the writer (also a licensed Soil Evaluator). The soil logs will be revised to indicate the mottling elevations.
- 23) Tail water conditions resulting from the HydroCAD analysis are accounted for as all of the basins are all linked in series within the model. MAI will consult with Tetra Tech to confirm the analysis approach.
- 24) A high point is proposed at the end of the driveway (at Trotter Drive) to prevent street flow from leaving the gutter and entering the site. This high point will act as a weir, separating the gutter from the low point in the driveway adjacent to the driveway basin. Any overflow of the basin will pond the driveway low point and flow over the weir to the gutter.
- 25) The metes and bounds are shown on the approved ANR plan that was recently endorsed by the Planning & Economic Development Board (PEDB). MAI's PLS prefers not to depict bearings on a boundary that we did not produce. Instead, the Existing Conditions Plan references said ANR plan.
- 26) The Zone II / Groundwater Protection District will be noted on the plans.
- 27) The use of the Alder Street partial cul-de-sac area was discussed at the recent informational meeting with the PEDB. The applicant agrees to post "No Left Turn" signs,



P&EDB – Tetra Tech Response
17 Trotter Drive
June 13, 2017
Page 4

and communicate directly with truck drivers, to ensure that trucks do not utilize the narrow residential portion of Alder Street. It should be noted that only a small number of large trucks will be making deliveries to the building each year.

28) Tapping sleeves and valves will be used to connect to the town water main and will be reflected on the plans. All work will comply with the Medway Dept. of Public Services requirements.

Thank you for your consideration of these responses. We look forward to discussing the project in more detail with the Board this evening.

Sincerely,

MERIDIAN ASSOCIATES, INC.

Mark E. Beaudry, PE
Senior Associate

Copy: Gorman Richardson Lewis Architects
Bottle Cap Lot, LLC

8477LT01 TT



June 13, 2017

Mr. Andy Rodenhiser, Chairman
Medway Planning & Economic Development Board
155 Village Street
Medway, Massachusetts 02053

Re: Bottle Cap Lot, LLC (O'Brien & Sons Corporate Office)
17 Trotter Drive, Medway, Massachusetts
MAI Project No. 8477

Dear Chairman Rodenhiser and Members of the Board:

In response to comments provided from PGC Associates, LLC in a letter dated June 6th, 2017 to the Planning and Economic Development Board (PEDB) regarding the Site Plan set (Plans) entitled "O'Brien & Sons Corporate Office" dated May 23, 2017, Meridian Associates, Inc.

Meridian Associates, Inc. provides the following responses; utilizing the same categories and numbering contained in the PGC Associates letter:

Zoning

- 1) No response required.
- 2) The parking calculations were discussed during the Tech Review meeting and it was indicated that the 23 spaces, with the number of compact spaces provided, should be more than adequate for the use proposed as outlined in the project documentation included with the submission. A waiver has been requested for the number of compact spaces. PGC Associates states that the PEDB does not have the authority to waive this provision. This will be confirmed and then an application will be filed with the appropriate board. This would be an appropriate and acceptable condition of PEDB approval.
- 3) A proposed lighting plan will be provided to ensure no light is trespassing onto any abutting street or lot.
- 4) The Zoning Summary table on sheet C-2 has been updated (53% Open Space provided).
- 5) A design for the monument sign will be provided by the project architect, Gorman Richardson Lewis Architects (GRLA).



- 6) A Groundwater Protection Special Permit application has been submitted as the proposed impervious area exceeds 15% (47% impervious area proposed).

Site Plan Rules and Regulations

- 3) No response required.
- 4) A locus plan taken from Medway GIS has been prepared to represent the Site Context Sheet. Other required information can be found on the Existing Conditions Plan (sheet C-1).
- 5) We concur with the PGC Associates statement and no response required.
- 6) Proposed dimensions of proposed improvements (curb radii, travel widths, traffic pattern markings, etc.) will be added to the Layout & Materials Plan (sheet C-2).
- 7) The Landscape Plan provided was stamped by Jacqueline Trainer, RLA (MA #1526).
- 8) A design and details for the project signage will be provided by GRLA.
- 9) A proposed lighting plan will be provided by GRLA.
- 10) Horizontal sight distances will be added to the Existing Conditions Plan (sheet C-1).
- 11) At the Tech. Review meeting a representative from the Medway Fire Dept. was present. At that time GRLA discussed fire suppression approach (the building will be sprinklered) and the existing hydrant location was pointed out. No additional hydrants were requested.
- 12) Please see response to Tetra Tech comment for more information.
- 13) An existing sidewalk is located on the opposite side of Trotter Drive. The intent is to provide a crosswalk from the public sidewalk to the project site driveway where the accessible route to the building can be accessed. The applicant does not anticipate many visitors by vehicle or on foot, so it is our opinion that an additional sidewalk on the project side of the road is not warranted. We request a waiver from this requirement if applicable.
- 14) Please see response to Tetra Tech comment for more information.
- 15) No response required.



- 16) Vertical granite curb is also proposed at the main entrance and will be clearly labeled on the Layout & Materials Plan (sheet C-2). Vertical precast curbing is proposed elsewhere on the site.
- 17) It is the opinion of our Landscape Architect that the four proposed trees provide shade to the parking or loading areas and meets the intent of the regulation.

General Comments

- 18) No response required.

Thank you for your consideration of these responses. We look forward to discussing the project in more detail with the Board this evening.

Sincerely,

MERIDIAN ASSOCIATES, INC.

Mark E. Beaudry, PE
Senior Associate

Copy: Gorman Richardson Lewis Architects
Bottle Cap Lot, LLC



June 13, 2017

Mr. Andy Rodenhiser, Chairman
Medway Planning & Economic Development Board
155 Village Street
Medway, Massachusetts 02053

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17 Trotter Drive, Medway, Massachusetts
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Zoning

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- 3) A proposed lighting plan will be provided to ensure no light is trespassing onto any abutting street or lot.
- 4) The Zoning Summary table on sheet C-2 has been updated (53% Open Space provided).
- 5) A design for the monument sign will be provided by the project architect, Gorman Richardson Lewis Architects (GRLA).



- 6) A Groundwater Protection Special Permit application has been submitted as the proposed impervious area exceeds 15% (47% impervious area proposed).

Site Plan Rules and Regulations

- 3) No response required.
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- 12) Please see response to Tetra Tech comment for more information.
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- 14) Please see response to Tetra Tech comment for more information.
- 15) No response required.



- 16) Vertical granite curb is also proposed at the main entrance and will be clearly labeled on the Layout & Materials Plan (sheet C-2). Vertical precast curbing is proposed elsewhere on the site.
- 17) It is the opinion of our Landscape Architect that the four proposed trees provide shade to the parking or loading areas and meets the intent of the regulation.

General Comments

- 18) No response required.

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Sincerely,

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Bottle Cap Lot, LLC



June 13, 2017

Mr. Andy Rodenhiser, Chairman
Medway Planning & Economic Development Board
155 Village Street
Medway, Massachusetts 02053

Re: Bottle Cap Lot, LLC (O'Brien & Sons Corporate Office)
17 Trotter Drive, Medway, Massachusetts
MAI Project No. 8477

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June 12, 2017
(Revised July 6, 2017)

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

**Re: O'Brien & Sons Corporate Office
Major Site Plan Review
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 18 Trotter Drive (Lot 1) in Medway, MA on approximate 1.09 acre parcel located within the groundwater protection district. Proposed construction includes a 10,500± s.f. building, proposed parking and loading dock area, new utilities and proposed stormwater infrastructure to mitigate the increase in impervious area at the site.

TT is in receipt of the following materials:

- A plan (Plans) set titled "Site Plan Review Submittal, O'Brien & Sons Corporate Office, 18 Alder Street, A/K/A 18 Trotter Drive (Lot 1) (Map 54, Parcel 1), Medway Massachusetts 02053", dated May 23, 2017, prepared by Meridian Associates, Inc. (MAI).
- A stormwater management report (Stormwater Report) titled "Stormwater Management Report, O'Brien & Sons Corporate Offices, 18 Alder Street, a/k/a 18 Trotter Drive (Lot 1), Medway Massachusetts" dated May 23, 2017, prepared by MAI.
- A Cover Letter regarding "18 Alder Street, a/k/a 18 Trotter Drive (Lot 1) – Site Plan Review Application, dated May 23, 2017, prepared by Gorman Richardson Lewis Architects (GRLA).
- A Major Site Plan Approval application form dated May 23, 2017, prepared by GRLA.

The Plans, Stormwater Report and accompanying materials were reviewed for conformance with Chapter 200 of the Town of Medway PEDB Rules and Regulations (Regulations), MA DEP Stormwater Management Standards (Standards) and good engineering practice. Review of the project for zoning and wetland related issues was not completed as these reviews are conducted by separate consultants/town agencies.

TT 7/6/17 Update

MAI has supplied TT with a revised submission addressing comments provided in our previous letter including the following site-related documents submitted by the applicant:

- A progress plan titled "Layout & Materials Plan, O'Brien & Sons Corporate Offices, 17 Trotter Drive, Medway, Massachusetts", dated May 23, 2017, revised (progress) June 22, 2017, prepared by MAI.
- A Response to Comments letter dated June 13, 2017 prepared by MAI.

At this time a full review of the Plans and Stormwater Report against of our initial comments is not possible due to the lack of available information. However, we have updated our comments accordingly to reflect this submission. Text shown in gray represents information contained in previous correspondence while new information is shown in black text.

The following items were found to be inconsistent with current Town of Medway PEDB Site Plan Review Regulations (Chapter 200). Reference to applicable regulation requirement is given in parentheses following each comment.

- 1) Plans require stamp from a Massachusetts licensed Professional Engineer. (Ch 200 §204-4.A)
 - *MAI 6/13/17 Response: The site plans as submitted were stamped by Mark Beaudry, a Professional Engineer with MAI.*
 - TT 7/6/17 Update: Site plans as provided in the original submission to the town were not stamped. Future submissions shall include a stamp on all sheets provided.
- 2) Signature block should reference "Planning and Economic Development Board".
 - *MAI 6/13/17 Response: The signature block has been updated as requested.*
 - TT 7/6/17 Update: TT has not received an updated Plans set. We will comment further as plans are provided.
- 3) Plan set is missing "Site Context Sheet". (Ch 200 §204-5.B)
 - *MAI 6/13/17 Response: A locus plan taken from Medway GIS is enclosed to represent the Site Context Sheet. Other required information can be found on Existing Conditions Plan (sheet C-1).*
 - TT 7/6/17 Update: We recommend the applicant add this information to the cover sheet of the Plans to ensure all information is included in one set. All information in the above-referenced sections of Chapter 200 of the Regulations is required.
- 4) Site plans are required to be drawn at a scale of 1"=40' (Ch. 200 §204-4.B). Given the size of the site, applicant's use of 1"=20' is appropriate.
 - *MAI 6/13/17 Response: No response required.*
 - TT 7/6/17 Update: This item has been addressed to our satisfaction.
- 5) An existing landscape inventory has not been provided (Ch. 200 §204-5.C.3). A waiver has been requested with no justification noted.
 - *MAI 6/13/17 Response: A waiver was requested for the existing landscape inventory due to the lack of significant landscape features or specimen trees on the site.*
 - TT 7/6/17 Update: Existing landscape inventory is required to help maintain natural/mature trees at the site to the maximum extent practicable. Addition of mature trees on the existing conditions plan assists the board in determining if these features are existing on site as well as if they can be saved or utilized for screening purposes. We are opposed to the board granting this waiver.
- 6) The plans do not show proposed curb radii or traffic pattern markings for parking areas. (Ch. 200 §204-5.D.2)
 - *MAI 6/13/17 Response: Proposed curb radii and traffic pattern markings, where appropriate, will be added to the Layout & Materials Plan (sheet C-2)*
 - TT 7/6/17 Update: TT has not received an updated Plans set. We will comment further as plans are provided.

- 7) No screening is shown for the proposed dumpster location. (Ch. 200 §204-5.D.6)
- *MAI 6/13/17 Response: Wooden stockade-type fencing and gate will be provided to screen the proposed dumpster area.*
 - TT 7/6/17 Update: TT has not received an updated Plans set. We will comment further as plans are provided.
- 8) Architectural plan and color rendering of the project has not been provided. (Ch. 200 §204-5.D.8,9)
- *MAI 6/13/17 Response: Architectural color render and elevations were provided with the Site Plan Review submittal (see GRLA cover and sheet A3.1).*
 - TT 7/6/17 Update: This item has been addressed to our satisfaction.
- 9) Building floor plan has not been provided. (Ch. 200 §204-5.D.10)
- *MAI 6/13/17 Response: A building floor plan was provided with the Site Plan Review submittal (see Sheet A1.0).*
 - TT 7/6/17 Update: This item has been addressed to our satisfaction.
- 10) Proposed lighting/photometric plan has not been provided. (Ch. 200 §204-5.D.13)
- *MAI 6/13/17 Response: A proposed lighting plan will be provided.*
 - TT 7/6/17 Update: TT has not received an updated Plans set. We will comment further as plans are provided.
- 11) Horizontal sight distances are required to be shown on the plans. (Ch. 200 §204-5.D.14)
- *MAI 6/13/17 Response: Horizontal sight distances will be added to the Existing Conditions Plan.*
 - TT 7/6/17 Update: TT has not received an updated Plans set. We will comment further as plans are provided.
- 12) We recommend the applicant confirm with the Medway Fire Chief if additional hydrants are required to meet demands of the new building. (Ch. 200 §204-5.D.16)
- *MAI 6/13/17 Response: At the Technical Review meeting, a representative from the Medway Fire Department was present. At that time the existing hydrant location was pointed out. No additional hydrant were requested.*
 - TT 7/6/17 Update: This item has been addressed to our satisfaction.
- 13) The site driveway is located within 15' from a side lot line. (Ch. 200 §205-3.B.2) A waiver has been requested. It is unclear why the waiver is justified given the entrance could align directly with parking drive aisle.
- *MAI 6/13/17 Response: A driveway centered on the parking field was part of an early design for the site. Site grading, which was dictated by the stormwater design, prohibited this driveway approach in that an accessible route from Trotter Drive to the building would not be possible without providing a significant accessible ramp. The layout with the driveway along the north property line allowed a driveway sloped at a maximum grade of 5 percent that provides an accessible route to the building in conformance with ADA/AAB requirements.*

- TT 7/6/17 Update: TT has not received an updated Plans set. We will comment further as plans are provided.
- 14) Proposed parking stalls are significantly smaller than the 10'x20' minimum specified in regulation. (Ch. 200 §205-6.G.3.a) A waiver has been requested but no justification provided.
 - *MAI 6/13/17 Response: The parking stall size waiver is requested given that the majority of the proposed parking is intended to accommodate employees. Therefore, a low "turn over" of spaces is anticipated. Utilizing reduced parking stall sizes helps to minimize impervious coverage which is appropriate within the Groundwater Protection District.*
 - TT 7/6/17 Update: TT has not received an updated Plans set. We will comment further as plans are provided.
- 15) Wheel stops are required at the head of parking stalls that abut pedestrian sidewalk but are not included on the plans. (Ch. 200 §205-6.G.3.b) A waiver has been requested but no justification provided.
 - *MAI 6/13/17 Response: In lieu of wheel stops, which complicate snow removal operations and are a maintenance issue, a full 6" reveal curbing is provided. Further, light bollards are proposed along the sidewalk area to further protect the building. Pedestrian traffic and space turn-over will be minimal as the majority of users will be employees.*
 - TT 7/6/17 Update: TT has not received an updated Plans set. We will comment further as plans are provided.
- 16) The applicant is proposing precast concrete curb in parking areas instead of vertical granite curb as specified in the regulation. (Ch. 200 §205-6.H)
 - *MAI 6/13/17 Response: Granite curbing is proposed at Trotter Drive with precast concrete curbing internal to the site. A waiver is hereby requested to allow use of precast concrete curbing.*
 - TT 7/6/17 Update: TT has no objection to the use of precast concrete curbing throughout the site.

The following items were found to not be in conformance with MA DEP Storm Water Management Standards and/or Town stormwater standards.

MA DEP Stormwater Management Standards

- 17) Site is located in the Zone II area and requires 44% TSS removal prior to discharge to any of the proposed infiltration basins (Standard 3). No pretreatment is provided for flows originating from loading dock and for flows entering directly from the access drive. In addition TSS removal sheets do not accurately reflect pretreatment shown on the plans. Please address.
 - *MAI 6/13/17 Response: A sump and hooded outlet will be added to the trench drain and a forebay added at the basin inlet. These two BMPs in series will provide the 44% pretreatment required for the open basin to the south. Secondly, a treatment unit will be added at the driveway inlet, prior to the basin, to provide pretreatment in excess of 44% at the basin adjacent to the driveway.*

- TT 7/6/17 Update: TT has not received an updated Stormwater Report. We will comment further as information is provided.
- 18) Metal roofs are not permitted for use in Zone II areas unless roof runoff is properly pre-treated prior to discharge to an infiltration BMP. Please confirm roof materials and compliance with requirement.
- *MAI 6/13/17 Response: A rubber roof is proposed for the new building.*
 - TT 7/6/17 Update: This item has been addressed to our satisfaction.

Town Stormwater Regulations (Ch. 200 §205-4)

- 19) Pipe sizing calculations should be provided for the 25-year storm event. Please include sizing information for roof drain laterals. (Ch. 200 §205-4.E.1)
- *MAI 6/13/17 Response: Pipe sizing calculations will be provided for the 25-year storm, including roof drain laterals.*
 - TT 7/6/17 Update: TT has not received an updated Stormwater Report. We will comment further as information is provided.

General Stormwater Comments

- 20) A test pit is required in the proposed location of the main subsurface recharge system.
- *MAI 6/13/17 Response: Soil testing was provided before the stormwater basin design was completed. Testing was provided within 40 to 50 feet to the north and south of the central subsurface infiltration basin. The sandy soils observed were consistent in both test pits (and throughout the site), with both test pits yielding an estimated seasonal high groundwater (ESHGW) elevation of 248.0. Therefore, it can be inferred that the soils and ESHGW would also exist below the basin area. If required, a confirmatory test pit could be performed at the time of construction.*
 - TT 7/6/17 Update: We recommend the PEDB condition approval for the applicant to provide a confirmatory test pit at the time of construction.
- 21) The proposed design does not provide the minimum 2' of separation from estimated seasonal high groundwater (eshg).
- *MAI 6/13/17 Response: The ESHGW elevation in the test pits closest to the stormwater basins(#1 and #4) was found to be at elevation 248.0. The bottom elevation of the two open basins and the bottom of stone in the central chamber system are all proposed at elevation 250.0 (2' above ESHGW)*
 - TT 7/6/17 Update: TT has not received an updated Stormwater Report. We will comment further as information is provided.
- 22) ESHG was "estimated" based on observed groundwater conditions and not by soil mottling. Given the proposed design's proximity to groundwater additional information is requested to substantiate determination of ESHGL. Please refer to accepted methods listed under 310 CMR 15.00
- *MAI 6/13/17 Response: ESHGW was based on soil mottling as observed by a licensed Soil Evaluator for the Geotechnical Engineer and confirmed by the writer (also a licensed Soil Evaluator). The soil logs will be revised to indicate the mottling elevations.*

- TT 7/6/17 Update: TT has not received an updated Stormwater Report. We will comment further as information is provided.
- 23) Basins are modeled assuming a free discharge. This is not the case since downstream basins will create tail water condition. Please provide justification for this modeling approach.
- *MAI 6/13/17 Response: Tail water conditions resulting for the HydroCAD analysis are accounted for as all of the basins are all linked in series within the model. MAI will consult with Tetra Tech to confirm the analysis approach.*
 - TT 7/6/17 Update: We recommend the applicant utilize the Dynamic Storage-Indication method when modeling the proposed basins. This allows the program to respond to tailwater conditions in the model. We will comment further as information is provided.
- 24) Discharge from Basin P310 is modeled as a broad crested weir when it is constructed along a sloped gutter condition. Additionally, runoff from driveway bypasses the P310 inlet which is not accurately reflected in stormwater analysis. Please review and address as these changes may result in exceeding the pre-development discharge rate.
- *MAI 6/13/17 Response: A high point is proposed at the end of the driveway (at Trotter Drive) to prevent street flow from leaving the gutter and entering the site. This high point will act as a weir, separating the gutter from the low point in the driveway adjacent to the driveway basin. Any overflow of the basin will pond the driveway low point and flow over the weir to the gutter.*
 - TT 7/6/17 Update: TT has not received an updated Plans set. We will comment further as plans are provided.

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

- 25) Metes and bounds should be shown on the site plan.
- *MAI 6/13/17 Response: The metes and bounds are shown on the approved ANR plan that was recently endorsed by the Planning & Economic Development Board (PEDB). MAI's PLS prefers not to depict bearings on a boundary that we did not produce. Instead, the existing Conditions Plan references said ANR plan.*
 - TT 7/6/17 Update: We recommend the applicant include the ANR plan in the Plans set to ensure all relevant plans are included in one set.
- 26) The sites location within the Zone II of a public drinking water supply should be noted on the plans.
- *MAI 6/13/17 Response: The Zone II/Groundwater Protection District will be noted on the plans.*
 - TT 7/6/17 Update: TT has not received an updated Plans set. We will comment further as plans are provided.
- 27) Trucks accessing the loading dock will need to utilize portions of the Alder Street Right of Way for turning movements.
- *MAI 6/13/17 Response: The use of Alder Street partial cul-de-sac area was discussed at the recent informational meeting with the PEDB. The applicant agrees to post "No Left Turn" signs, and communicate directly with truck drivers, to ensure that trucks do not utilize the narrow residential portion of Alder Street. It should be noted that only a small number of large trucks will be making deliveries to the building each year.*

- TT 7/6/17 Update: TT has not received an updated Plans set. We will comment further as plans are provided.

28) Please indicate the proposed method of connection to the town water main.

- *MAI 6/13/17 Response: Tapping sleeves and valves will be used to connect to the town water main and will be reflected on the plans. All work will comply with the Medway Dept. of Public Services requirements.*
- TT 7/6/17 Update: TT has not received an updated Plans set. We will comment further as plans are provided.

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

Very truly yours,



Sean P. Reardon, P.E.
Vice President



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

P:\21583\143-21583-17006 (O'BRIEN & SONS PLAYGROUND SITE PLAN REVIEW)\DOCS\O'BRIEN-PEDBREV(2017-07-06).DOCX



July 6, 2017

Mr. Andy Rodenhiser, Chairman
Medway Planning & Economic Development Board (PEDB)
155 Village Street
Medway, Massachusetts 02053

Re: Bottle Cap Lot, LLC (O'Brien & Sons Corporate Office)
17 Trotter Drive, Medway, Massachusetts
Revised Layout Summary
MAI Project No. 8477

Dear Chairman Rodenhiser and Members of the Board:

On behalf of the Applicant Bottle Cap Lot, LLC, Meridian Associates, Inc. (MAI) revised the design layout for the site in response to comments provided by the PEDB and peer reviews regarding the proposed site development project entitled "O'Brien & Sons Corporate Office". The Layout & Materials Plan (sheet C-2) and Grading, Drainage & utility Plan (C-3) are enclosed showing these changes. A summary of these revisions are provided below as follows:

- a) Shift the main driveway, parking area and building approximately 15 feet south.
 - This shift allows the main driveway to meet the 15 foot setback requirement
 - Increases the parking stall sizes so that all are 9'Wx18'L (no compact spaces)
 - Increases sidewalk width to 7 feet in lieu of wheel stops (waiver requested)
 - Increase in compact parking width required increase in 1:1 sloped vegetated wall area
- b) 22 parking spaces now proposed/required (based on net office space provided)
- c) Pavement removed within portion of Alder Street cul-de-sac
 - "Potential" lot line alteration shown
- d) Drainage improvements per Tetra Tech comments (final review not completed)
- e) Curbing types, bike racks, enclosed dumpster, and EV station conduit added.
- f) Retaining wall behind building changed to two 4 foot high terraced walls with stone veneer.



P&EDB
17 Trotter Drive
July 6, 2017
Page 2

The intention of these changes are to improve the overall layout of the project, while reducing the need for waivers and addressing some concerns expressed at the initial hearing. We look forward to discussing these layout changes to the project in more detail with the Board at our continued hearing on July 11th. We intend to submit a full revised set of plans and drainage calculations soon to address all peer review and PEDB comments.

Sincerely,

MERIDIAN ASSOCIATES, INC.

Mark E. Beaudry, PE
Senior Associate

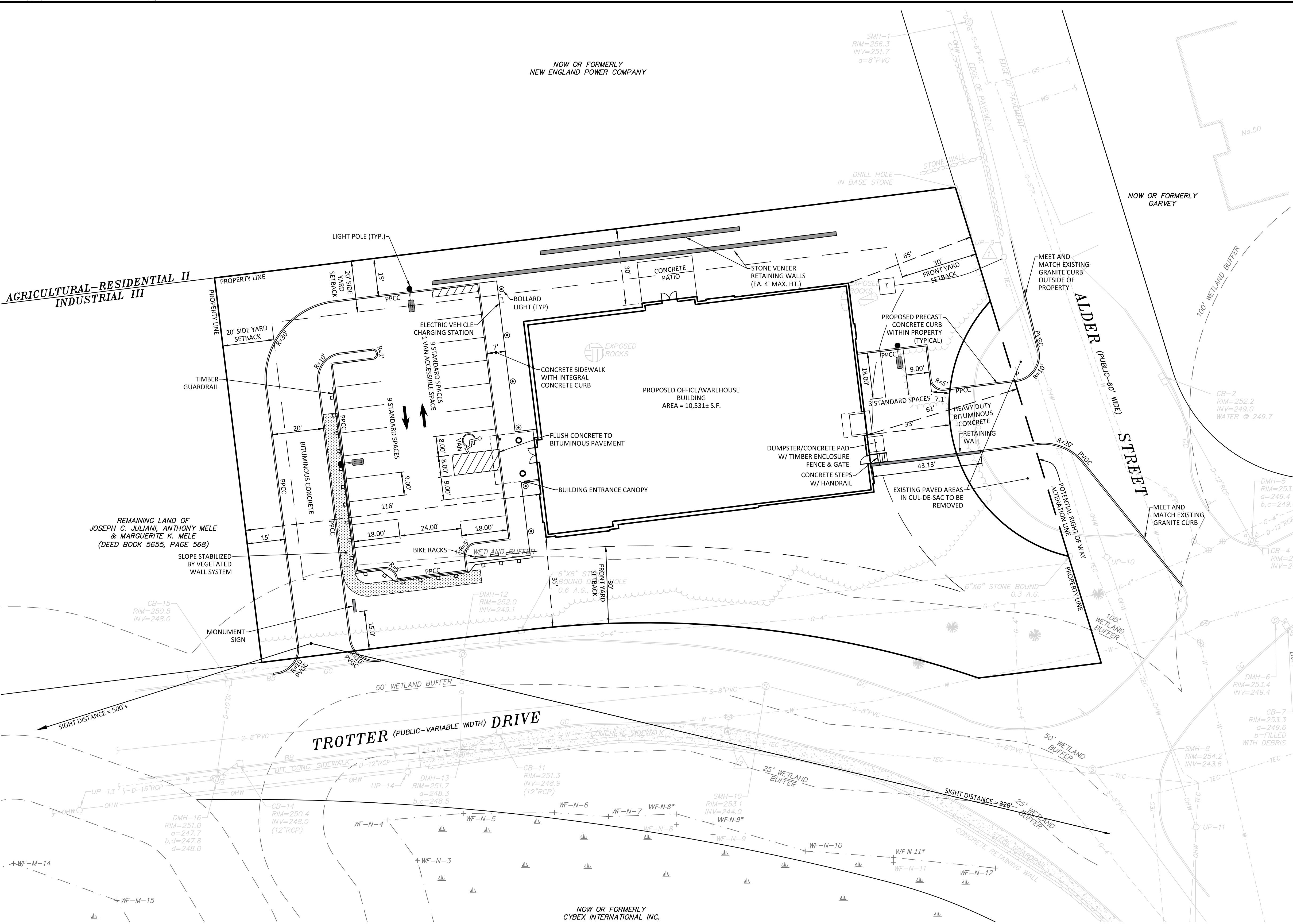
Copy: Gorman Richardson Lewis Architects
Bottle Cap Lot, LLC

8477LT03

Plotted: 7/7/2017 11:14 AM
G:\18477 MEDWAY\DWG\8477 SITE2.DWG

NOW OR FORMERLY
NEW ENGLAND POWER COMPANY

AGRICULTURAL-RESIDENTIAL II
INDUSTRIAL III



PROPOSED CONDITIONS LEGEND

- | | | | | | |
|--|-------------------------|--|-----|--|-----------------------------------|
| | PROPERTY LINE | | DCB | | CATCH BASIN |
| | BUILDING | | OCS | | OUTLET CONTROL STRUCTURE |
| | RETAINING WALL | | FE | | FLARED END SECTION |
| | EROSION CONTROL BARRIER | | IB | | RIP RAP APRON/ IMPACT BASIN |
| | LIMIT OF WORK | | WG | | WATER LINE (1" IF NOT SPECIFIED) |
| | ELEVATIONAL CONTOUR | | PIV | | WATER GATE VALVE |
| | SPOT GRADE | | ETC | | POST INDICATOR VALVE |
| | HIGH POINT/LOW POINT | | T | | ELECTRIC, CABLE & TELEPHONE LINE |
| | TOP/BOTTOM WALL | | G | | ELECTRIC TRANSFORMER PAD LOCATION |
| | DRAIN MANHOLE | | GG | | NATURAL GAS LINE |
| | DRAINAGE LINE | | GM | | GAS GATE |
| | ROOF DRAINAGE LINE | | S | | GAS METER |
| | CATCH BASIN | | SMH | | SEWER LINE (4" IF NOT SPECIFIED) |
| | | | | | SEWER MANHOLE |

NOW OR FORMERLY
CYBEX INTERNATIONAL INC.

- | | |
|--|-----------------------|
| | SEWER CLEANOUT |
| | TRAFFIC CONTROL SIGN |
| | VERTICAL GRANITE CURB |
| | PRECAST CONCRETE CURB |
| | DUMPSTER PAD |
| | SNOW STORAGE AREA |
| | APPROXIMATE TREELINE |

ZONING SUMMARY

ZONING DISTRICT: INDUSTRIAL III, GROUNDWATER PROTECTION DISTRICT		
BULK & DIMENSIONAL REQUIREMENTS	REQUIRED	PROVIDED
MINIMUM LOT AREA (S.F.)	40,000	47,757
MINIMUM LOT FRONTAGE (FT)	100	546
MINIMUM FRONT YARD (FT)	30	35
MINIMUM SIDE YARD (FT)	20	30
MINIMUM REAR YARD (FT)	30	N/A
MAXIMUM BUILDING HEIGHT (FT)	60	20
MAXIMUM LOT COVERAGE (%)	N/A	22
MAXIMUM IMPERVIOUS COVERAGE (%)	80	47
MINIMUM OPEN SPACE (%)	20	53

PARKING SUMMARY

BUILDING USES	BUSINESS/OFFICE/ RETAIL (1 : 300SF)	WAREHOUSE (1 : 2 SHIFT EMP. + 1 : 1,000 S.F.)
PARKING REQUIRED	22*	0**
PARKING PROVIDED	22***	0

*6,600 SF OFFICE / 300 = 22 SPACES

**3,931 SF STORAGE = 0 SPACES (NO ADDED EMPLOYEES FOR STORAGE AREAS)

***21 STANDARD & 1 VAN ACCESSIBLE SPACE

LAYOUT AND MATERIALS NOTES:

ALL WORK CONDUCTED WITHIN PUBLIC RIGHT-OF-WAYS SHALL CONFORM TO THE REQUIREMENTS AND SPECIFICATIONS OF THE TOWN OF MEDWAY DEPARTMENT OF PUBLIC WORKS AND MASS HIGHWAY.

ALL ACCESSIBLE ROUTES, RAMPS AND PARKING SPACES TO COMPLY WITH THE AMERICANS WITH DISABILITIES ACT (ADA) ACCESSIBILITY GUIDELINES AND THE MASSACHUSETTS ARCHITECTURAL ACCESS BOARD (AAB).

THE FOLLOWING LAYOUT CRITERIA SHALL CONTROL UNLESS OTHERWISE NOTED ON THE PLAN:
DIMENSIONS FROM BUILDING ARE FROM FACE OF BUILDING.
DIMENSIONS ARE TO FACE OF CURB AT GUTTER LINE.
DIMENSIONS ARE TO THE CENTER OF PAVEMENT MARKINGS.
ALL TIES TO PROPERTY LINES ARE PERPENDICULAR TO THE PROPERTY LINE UNLESS OTHERWISE NOTED.

SEE ARCHITECTURAL DRAWINGS FOR EXACT BUILDING DIMENSIONS AND ALL DETAIL CONTIGUOUS TO THE BUILDING INCLUDING ENTRANCES, DOORWAY PADS, ETC.

ALIGN WALKWAYS CENTERED ON BUILDING EXIT DOORS UNLESS OTHERWISE NOTED.

ALL LINES AND DIMENSIONS ARE PARALLEL OR PERPENDICULAR TO THE LINES FROM WHICH THEY ARE MEASURED UNLESS OTHERWISE INDICATED.

COORDINATE THE LOCATION OF ALL SITE LIGHT STANDARDS WITH IMPROVEMENTS SHOWN ON THESE DRAWINGS.

CONTRACTOR SHALL REPORT SIGNIFICANT CONFLICTS TO THE OWNER OR HIS REPRESENTATIVE FOR RESOLUTION.

THE CONTRACTOR SHALL FURNISH AND SET ALL LINES AND GRADES REQUIRED AND PROTECT ALL PERMANENT BENCHMARKS OR MONUMENTS. DAMAGED MONUMENTS SHALL BE REPLACED BY A LICENSED SURVEYOR AT NO COST TO THE OWNER.

PAVEMENT MARKINGS SHALL CONFORM TO SECTION M7.01.05 OF THE COMMONWEALTH OF MASSACHUSETTS DEPARTMENT OF PUBLIC WORKS "STANDARD SPECIFICATIONS FOR HIGHWAYS AND BRIDGES".
ALL BITUMINOUS CONCRETE PAVING SHALL COMPLY WITH THE MASSACHUSETTS DEPARTMENT OF PUBLIC WORKS "STANDARD SPECIFICATIONS FOR HIGHWAYS AND BRIDGES, 1988 EDITION AS AMENDED. THE CONTRACTOR SHALL SUBMIT A JOB MIX FORMULA DEMONSTRATING COMPLIANCE WITH THESE SPECIFICATIONS. THE CONTRACTOR SHALL SUPPLY THE ENGINEER WITH A CERTIFICATE OF COMPLIANCE SUPPLIED BY THE PAVING CONTRACTOR.

ALL CONCRETE WORK SHALL COMPLY WITH ACI301, "SPECIFICATION FOR STRUCTURAL CONCRETE," AND ACI 316R, "UNLESS MODIFIED BY THE CONTRACT DOCUMENTS. COMPLY WITH CRSI'S "MANUAL OF STANDARD PRACTICE" FOR FABRICATING, PLACING, AND SUPPORTING REINFORCEMENT. COMPLY WITH ACI 306.1 FOR COLD WEATHER PROTECTION, AND FOLLOW RECOMMENDATIONS IN ACI 308R FOR HOT WEATHER PROTECTION DURING CURING. COMPLY WITH ACI 304 "GUIDE FOR MEASURING, MIXING, TRANSPORTING, AND PLACING CONCRETE."

BITUMINOUS CONCRETE PAVEMENT: CLASS I, TYPE I-1 CONFORMING TO THE STANDARD SPECIFICATIONS, SECTIONS 420 AND 460, AND M3.11.03 FOR BINDER COURSE AND TOP COURSE JOB MIX FORMULAS.

SAW-CUT EXISTING PAVEMENT WHERE NEW BITUMINOUS CONCRETE PAVEMENT IS TO COME IN CONTACT. PRIME COAT THE CUT EDGE PRIOR TO PLACEMENT.

FACE OF GUARDRAILS TO BE LOCATED TWO FEET SIX INCHES (2.5') FROM FACE OF CURB OR BACK OF WALK UNLESS OTHERWISE NOTED.

PAVEMENT REMOVAL WITHIN THE ALDER STREET CUL-DE-SAC SUBJECT TO MEDWAY DEPT. OF PUBLIC SERVICES APPROVAL.

REVISIONS

NO.	DATE	DESCRIPTION	BY
1	6/8/17	WETLAND FLAGS	MEB
2	7/6/17	LAYOUT CHANGE / TOWN COMMENTS	RB
			MEB
			CHOD

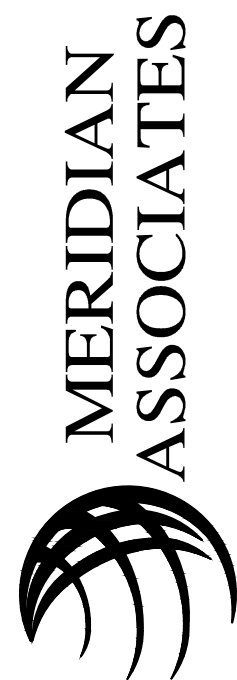
LAYOUT & MATERIALS PLAN
O'BRIEN & SONS CORPORATE OFFICES

17 TROTTER DRIVE
MEDWAY, MASSACHUSETTS 02053

Prepared for:

BOTTLE CAP LOT, LLC
93 West Street

Medfield, Massachusetts 02052



500 CUMMINGS CENTER, SUITE 500
WEST BURLINGTON, VT 05405
TELEPHONE: (888) 871-7000

Date:
MAY 23, 2017
(See Revisions)

Scale:

1"=20'

Project No.

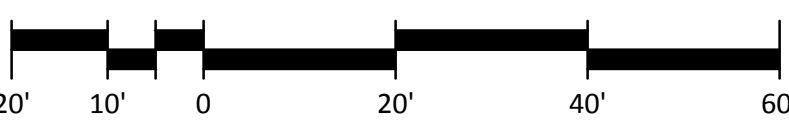
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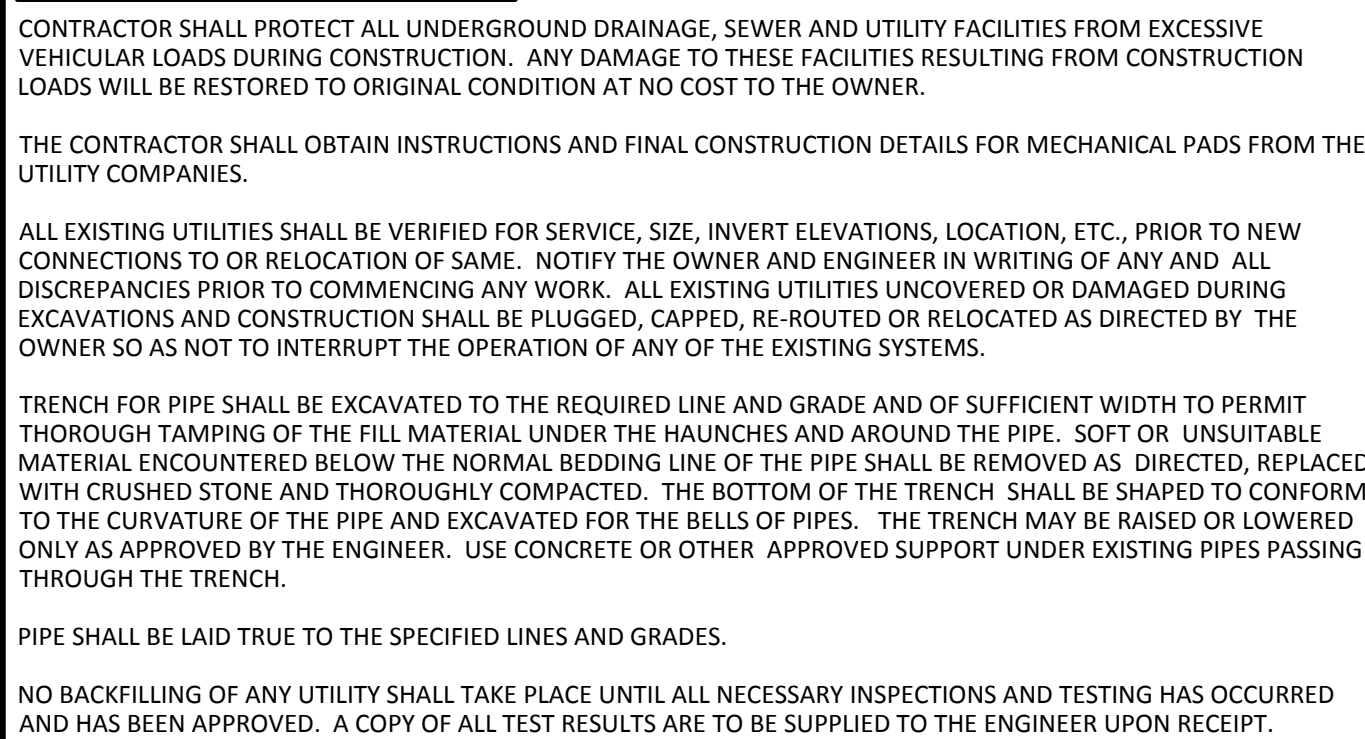
Sheet No.

C-2



SCALE: 1" = 20'





THE CONTRACTOR SHALL ALTER THE MASONRY OF THE TOP SECTION OF ALL EXISTING DRAINAGE STRUCTURES AS NECESSARY FOR CHANGES IN GRADE, AND RESET ALL WATER AND DRAINAGE FRAMES, GRATES AND BOXES TO THE PROPOSED FINISH SURFACE GRADE.

TESTING OF SANITARY SEWERS AND SEWER MANHOLES SHALL BE IN CONFORMANCE WITH ALL TOWN OF MEDWAY DEPARTMENT OF PUBLIC WORKS REQUIREMENTS.

INSTALLATION AND MATERIALS OF DATA/COMMUNICATION AND ELECTRICAL SUPPLY DUCT BANKS AND MANHOLES SHALL CONFORM TO UTILITY COMPANY REQUIREMENTS AND SPECIFICATIONS.

PROVIDE UNDERGROUND ELECTRIC CONDUIT FOR SITE LIGHTS AS APPROPRIATE.

THE CONTRACTOR SHALL COORDINATE ALL WORK ON UTILITY DUCTS WITH THE APPROPRIATE UTILITY COMPANY INCLUDING WORK BY UTILITY COMPANY FORCES, SERVICE CONNECTIONS AND INSPECTIONS.

PRE-CAST CONCRETE STRUCTURES INCLUDING TANKS, BARREL SECTIONS, CATCHBASINS AND BASES SHALL CONFORM TO ASTM C478 AND AASHTO H520-44. PLACEMENT SHALL BE IN ACCORDANCE WITH MANUFACTURER INSTRUCTIONS. ALL PRE-CAST STRUCTURES INCLUDING JOINTS, SEALS, OPENINGS, ETC. MUST BE WATERTIGHT. BITUMINOUS DAMP-PROOFING SHALL BE PROVIDED ON THE EXTERIOR WALLS OF ALL SANITARY SEWER AND WATER QUALITY INLET STRUCTURES.

UTILITY / MANHOLE INSTALLATIONS SHALL CONFORM TO UTILITY COMPANY REQUIREMENTS.

ANY WORK NOT MEETING THE APPROVED STANDARDS SHALL BE IMMEDIATELY REMOVED AND REPLACED AT THE FULL RESPONSIBILITY AND COST/EXPENSE OF THE CONTRACTOR.

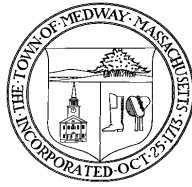
SCALE: 1" = 20'

A graphic scale bar with tick marks at 20', 10', 0, 20', 40', and 60'. The segments between 20' and 10', 10' and 0, 0 and 20', 20' and 40', and 40' and 60' are all the same length, representing 10 feet each.

BLEND NEW EARTHWORK SMOOTHLY INTO EXISTING.

ALL DRAIN LINES SHOWN SHALL BE 12" DIAMETER UNLESS OTHERWISE NOTED.

[illegible]



July 11, 2017
Medway Planning & Economic Development Board
Meeting

PAUL REVERE ESTATES
Definitive Subdivision Plan Public Hearing

- Public Hearing Notice
- Definitive Subdivision Plan submittal including application, development impact report, waiver requests, and subdivision plan
- PGC Review Letter dated July 5, 2017
- TT Review letter dated July 6, 2017



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

NOTICE OF PUBLIC HEARING
Tuesday, July 11, 2017
Paul Revere Estates Definitive Subdivision Plan

In accordance with the provisions of Chapter 41, Section 81A – 81GG, Massachusetts General Laws and the Medway Planning Board's *Rules and Regulations for the Review and Approval of Land Subdivisions*, notice is given that ***the Medway Planning & Economic Development Board will conduct a public hearing on Tuesday, July 11, 2017 at 8:00 p.m. in the Sanford Room of Town Hall, 155 Village Street, Medway, MA to consider the application of Notwen Realty Trust of Norfolk, MA for approval of the Paul Revere Estates Definitive Subdivision Plan.*** The plan is dated June 9, 2017 and was prepared by Merrikin Engineering LLP of Millis, MA.

The applicant/owner proposes to develop a 5 lot, residential subdivision on an 11.31 acre parcel located south and east of 39 Main Street (*a recently divided portion of Medway Assessors Map 41, Parcel 35*) in the Agricultural Residential I zoning district. The property is bounded on the north by Main Street/Route 109 and properties owned by Newton and Cruz; on the east by properties owned by Newton and Rymanowski; on the west by properties owned by Newton, Riggs and Henault; and on the south by property owned by Boczanowski. The plan shows the division of land into five residential lots and one drainage parcel, the construction of an approximately 571' roadway intended to be an accepted Medway street, and the installation of municipal water and sewer service. A portion of this site is in a Wetlands Resource Area and the Groundwater Protection District. This proposal is for a "by right" use in this zoning district.

The *Paul Revere Estates Definitive Subdivision Plan* is on file with the Medway Town Clerk at Medway Town Hall, 155 Village Street, Medway, MA and may be inspected during regular business hours. It is also available for review at the Medway Planning and Economic Development office at Town Hall. It will be posted to the Town's web site: <https://www.townofmedway.org/planning-economic-development-board/pages/recent-development-applications>.

Interested persons or parties are invited to review the plan, attend the public hearing, and express their views at the designated time and place. Written comments are encouraged and may be sent to planningboard@townofmedway.org. For additional information, please contact the Medway Planning and Economic Development office at 508-533-3291.

Andy Rodenhiser
Chairman

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

Merrikin Engineering, LLP

Consulting Engineers

730 MAIN STREET
SUITE 2C

MILLIS, MA 02054

TELEPHONE (508) 376-8883
FAX (508) 376-8823

June 14, 2017

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

Ref: Definitive Subdivision Application
Paul Revere Estates
39 Main Street

Dear Members of the Board:

On behalf of the applicant, Notwen Realty Trust, we are pleased to submit the enclosed application for a Definitive Subdivision located at 39 Main Street. Please find the following enclosed in support of the application:

- Two original Form C - Subdivision applications;
- One original Form D - Designer's Certificate;
- One original Form E - Certified abutters list;
- One Form F - Development Impact Report;
- One original Form Q - waiver request for each proposed waiver;
- One copy of the property deed and related affidavit and successor trustee certificate;
- A letter regarding the street fee;
- 3 full-size plan sets;
- 10 11x17 plan sets (a .pdf version of the plans will be submitted electronically);
- Two copies of the Stormwater Report, which includes both the stormwater analysis and long-term O&M plan for the drainage and stormwater facilities;
- A check in the amount of \$3,927.25 made payable to the Town of Medway for the Town's subdivision filing fee; and
- A check in the amount of \$2,500.00 made payable to the Town of Medway as an advance on the plan review fee.

Medway Planning & Economic Development Board
June 14, 2017
Page 2 of 2

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

Sincerely,

Daniel J. Merrikin P.E.

cc: File

Notwen Realty Trust (by email)

Medway Town Clerk (Forms C & F, Plans)

Medway Board of Health (Form C, Plans, Soil Survey)

LAND SUBDIVISION – FORM C

Application for Approval of a Definitive Subdivision Plan

Planning & Economic Development Board - Town of Medway, MA

INSTRUCTIONS TO APPLICANT/OWNER

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

The Town's Planning and Engineering Consultants will review the Application and Definitive Subdivision Plan. You or your duly authorized Agent/Official Representative are expected to attend the Board meetings at which your Application will be considered to answer any questions and/or submit such additional information as the Board may request.

Your absence at meetings may result in a delay in reviewing and acting on the application.

June 14, 20 17

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

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

DEFINITIVE SUBDIVISION PLAN INFORMATION

Title of Plan: Paul Revere Estates Definitive Subdivision Plan of Land in Medway, MA

Prepared by: Daniel Merrikin, P.E.

Of: Merrikin Engineering, LLP

Plan Date: June 9, 2017

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

If filed, the date of filing of the Preliminary Subdivision Plan was: _____

Date when the Preliminary Subdivision Plan was reviewed by the Board: _____

The Preliminary Subdivision Plan was:

____ discussed
____ approved as presented
____ approved with the following modifications/conditions: _____

____ disapproved for the following reasons: _____

PROPERTY INFORMATION

Location Address: Behind 39 Main Street, Medway, MA

The land shown on the plan is shown on Medway Assessor's Map 41 Parcel # 035 (Portion of)

Total Acreage of Land to be Divided: 11.31 Acres

General Description of Property: The site is a mostly wooded vacant parcel within an AR-I zoning district.

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

Frontage Requirement: 180' (Ft.) Area Requirement: 44,000 (Sq. Ft.)

Scenic Road

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

_____ Yes X No If yes, please name: _____

Wetlands

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

 X Yes No

Groundwater Protection

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

X	Yes	No
---	-----	----

Flood Plain/Wetland Protection District

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

X	Yes	No
---	-----	----

The owner's title to the land that is the subject matter of this application is derived under deed from: Paul R. Newton and Margaret B. Newton to Notwen Realty Trust dated February 25, 1992 and recorded in Norfolk County Registry of Deeds, Book 9237 Page 439 or Land Court Certificate of Title Number _____, Land Court Case Number _____, registered in the Norfolk County Land Registry District Volume _____, Page _____.

SUBDIVISION INFORMATION

Subdivision Name: Paul Revere Estates

This is a: ☒ Residential Subdivision ☐ Non-Residential Subdivision

The plan shows the division of land into 5 building lots numbered 1-5 and
1 parcel not intended for building thereon.

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

N/A	as frontage for lot(s)
-----	------------------------

as frontage for lot(s)

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

Road A	as frontage for lot(s)	1-5
--------	------------------------	-----

as frontage for lot(s)

Total Length of Proposed New Roadway(s): 570.89 feet

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

☒ Public ☐ Permanent Private Way

Proposed Utilities:

☒ water ☐ well

☒ sewer ☐ septic

APPLICANT INFORMATION

Applicant's Name: Notwen Realty Trust

Applicant's Address: 33 Fruit Street
Norfolk, MA 02056

Name of Primary Contact: Paul F. Newton

Telephone: 508-528-0812 FAX: n/a

Email address: n/a

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

PROPERTY OWNER INFORMATION (if not applicant)

Property Owner Name: Same

Address: _____

Primary Contact: _____

Telephone: _____ FAX: _____

Email: _____

CONSULTANT INFORMATION

ENGINEER: Merrikin Engineering, LLP

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

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

Telephone: 508-376-8883 Fax: n/a

Email: dan@me-llp.com

SURVEYOR: Colonial Engineering

Address: 11 Awl Street
Medway, MA 02053

Primary Contact: Paul DeSimone

Telephone: 508-533-1644 Fax: n/a

Email: colonial.eng@verizon.net

OFFICIAL REPRESENTATIVE INFORMATION

Name: Merrikin Engineering, LLP

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

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

Telephone: 508-868-8353 Fax: n/a

Email: dan@me-llp.com

SIGNATURES

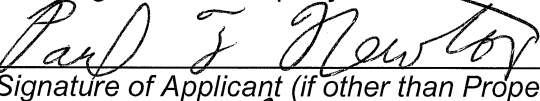
I hereby certify, under the pains and penalties of perjury, that the information contained in this application is true, accurate and complete to the best of my knowledge and belief. If applicable, I hereby authorize Daniel J. Merrikin to serve as my Agent/Official Representative to represent my interests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

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

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


Signature of Property Owner

6/14/2017
Date


Signature of Applicant (if other than Property Owner)

6/14/2017
Date


Signature of Agent/Official Representative

2017-06-14
Date

DEFINITIVE SUBDIVISION PLAN FEES

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

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

Fee Schedule Approved: 11/9/09

FOR PED OFFICE USE ONLY:

Date Form C and Definitive Subdivision Plan Recvd by Medway PED office: _____

Definitive Subdivision Plan Filing Fee Paid: Amount: _____ Check # _____

Advance on Plan Review Fee Paid: Amount: _____ Check # _____

Date Form C & Definitive Subdivision Plan
Received by Town Clerk

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

DEFINITIVE SUBDIVISION PLAN SUBMITTAL DOCUMENTS CHECKLIST

Town Clerk

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

Board of Health

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

Planning & Economic Development Board

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

LAND SUBDIVISION - FORM D

Designer's Certificate

Planning Board – Town of Medway, MA

June 9, 2017

TO: The Planning Board of the Town of Medway, Massachusetts

In preparing the plan entitled Paul Revere Estates Definitive Subdivision and dated June 9, 2017, I hereby declare that the above named plan and accompanying data is true and correct to the accuracy required by the current Medway Planning Board *Subdivision Rules and Regulations* and required by the rules of the Massachusetts Registries of Deeds. My source of information about the location of boundaries shown on said plan was one or more of the following:

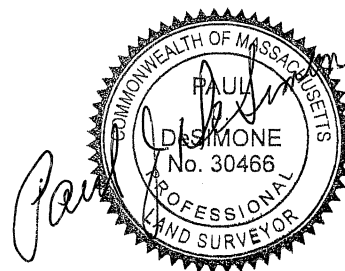
1. Deed from Paul R. Newton and Margaret B. Newton to Notwen Realty Trust dated February 25, 1992 and recorded in the Norfolk County Registry of Deeds, Book 9237, Page 439.
2. Other deeds and plans, as follows: n/a
3. Oral information furnished by: n/a
4. Actual measurements on the ground from a starting point established by: Colonial Engineering
PO Box 9, MA 02053

Signed _____
(Registered Land Surveyor)

Paul DeSimone
PO Box 9
Medway, MA 02053

Registration No. 30466

(Seal of Surveyor)

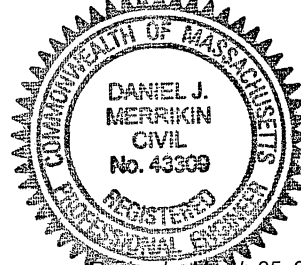


Signed _____
(Registered Professional Engineer)

Daniel J. Merrikin P. E/ Merrikin Engineering, LLP
730 Main Street, Suite 2C
Millis, MA 02054

Registration No. 43309

(Seal of Engineer)



Revised March 25, 2005

LAND SUBDIVISION - FORM E

Certified List of Abutters & Owners within 300'

PLANNING BOARD – Town of Medway, MA

June 12, 20 17

TO: The Planning Board of the Town of Medway, Massachusetts

The undersigned, being an applicant for approval of a preliminary definitive (please circle the stage of plan you are submitting) plan of a proposed subdivision entitled:

Paul Revere Estates Definitive Subdivision of Land in Medway, MA

and dated June 9, 2017, hereby submits the following abutter information:

- ✓ 1. The attached sketch of the land (*Assessor's Map*) in and around the proposed subdivision listing the names of all adjoining/abutting owners and all other owners of land within three hundred feet (300') of the land shown on the plan, in their relative positions, including and across adjoining ways.
- ✓ 2. The attached names and addresses of all parties adjoining/abutting and owning land within three hundred feet (300') of the proposed subdivision. (*See reverse side of this Form for instructions on preparing a Certified Abutters List.*) The name and address information has been certified as accurate and dated by the Town of Medway Assessor's Office and by the Assessor of any adjacent town(s) in which land within three hundred feet (300') of the boundaries of the proposed subdivision is located.

In submitting this information I hereby certify that to the best of my ability and knowledge, the list of names and addresses is complete and includes all adjoining/ abutting owners of property and all owners within three hundred feet (300') of the boundaries of the proposed subdivision.

Paul F. Newton Trustee, Notwen Realty Trust

Applicant's Name (PRINT)

Paul F. Newton
Applicant's Signature

Daniel J. Merrikin, P.E.

Preparer's Name (if different than applicant)

Daniel J. Merrikin
Preparer's Signature

Date Form E Received by the Planning Board: _____

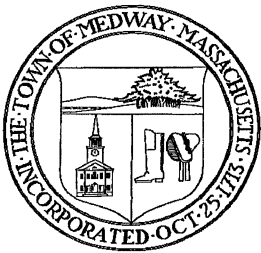
Information provided:

_____ Sketch of land with names of all adjoining/abutting owners and all other owners within 300'

_____ List of names and addresses of adjoining/abutting owners and all other owners of land within 300' certified as correct by the Medway Assessor's office.

_____ List of names and addresses of adjoining/abutting owners of land and all other owners within 300' in any adjacent community certified as correct by the respective municipal Assessor's office.

Revised – March 29, 2005



TOWN OF MEDWAY
BOARD OF ASSESSORS
155 VILLAGE STREET
MEDWAY, MA 02053
PHONE: 508-533-3203 FAX: 508-321-4981
www.townofmedway.org

RECEIVED
APR 03 2017
MEDWAY ASSESSORS
MEDWAY, MA 02053

REQUEST FOR ABUTTERS

Date of Request: 4/3/2017
Property owner: Notwen Realty Trust
Property location: 39 Main Street
Parcel (property) ID: 41-035

Please specify: 100', 300' or 500' from subject parcel: 300'

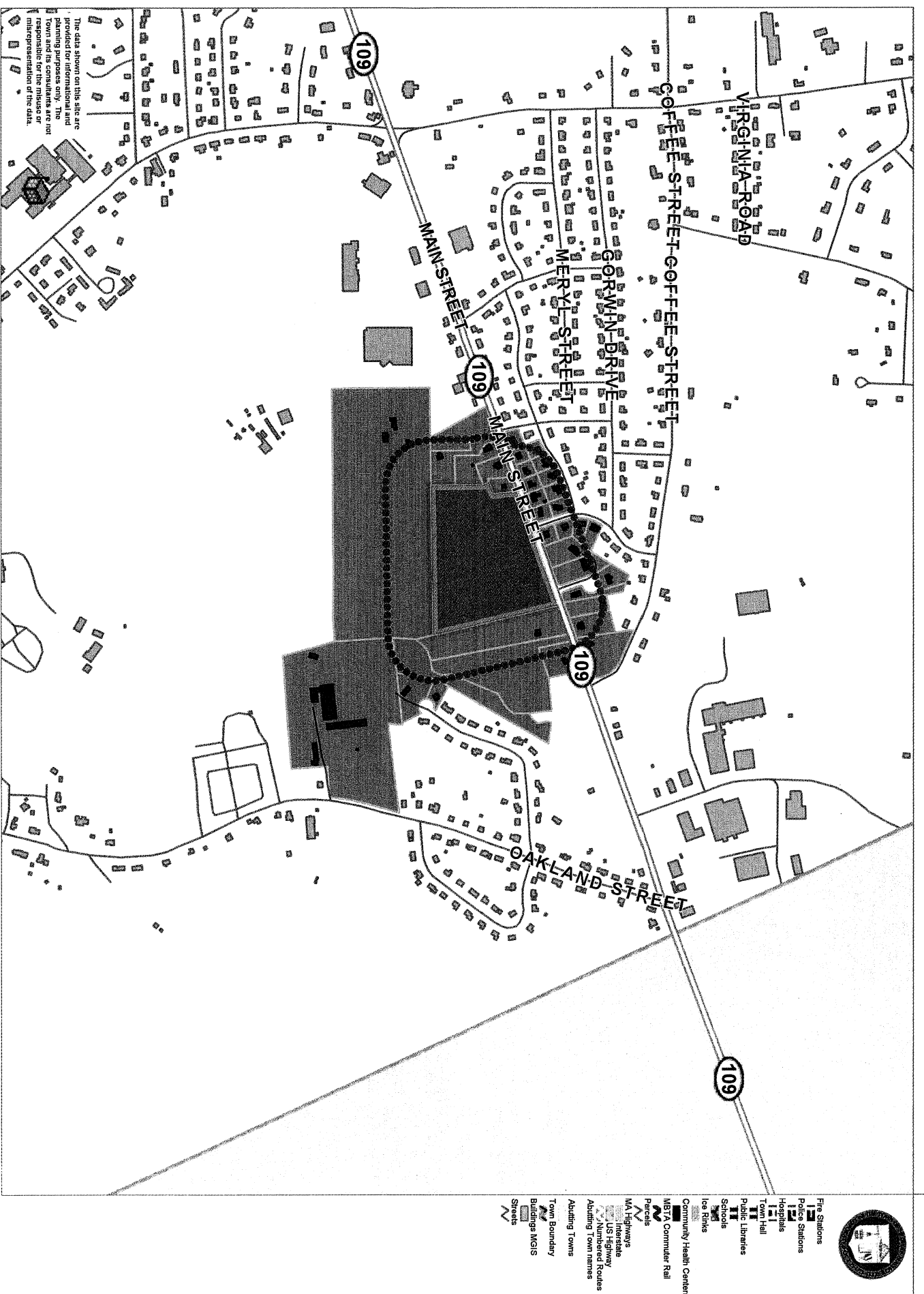
THIS LIST IS REQUESTED FOR:

☒ Planning & Economic Development Board
☐ Zoning Board of Appeals
☐ Conservation Commission

REQUESTER INFORMATION:

Name: Cynthia A. Merrikin Email address: cynthia@me-llp.com
Address: Merrikin Engineering LLP
730 Main Street, Millis MA
Phone: 508-376-8883

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, MA GIS

Parcel ID: 41-035
NEWTON PAUL TRUSTEE
NEWTON MARGARET TRUSTEE
33 FRUIT STREET
NORFOLK, MA 02056

Parcel ID: 32-033
RED WING PROPERTIES
25 MAIN STREET
MEDWAY, MA 02053

Parcel ID: 32-038
ROONEY JAMES
ROONEY JAMES EDMUND JR
26 MAIN ST.
MEDWAY, MA 02053

Parcel ID: 32-039
TRUFANT TRUSTEE SANDRA
28 MAIN STREET REALTY
28 MAIN ST.
MEDWAY, MA 02053

Parcel ID: 32-040
JOHNSON CHANTAL MONTREVIL
30 MAIN ST.
MEDWAY, MA 02053

Parcel ID: 32-041
LANNAN STEVEN J
2 THUNDER HILL RD.
MEDWAY, MA 02053

Parcel ID: 32-042
MCCONVILLE, JR MATTHEW J
MCCONVILLE BRENDA L
3 THUNDER HILL RD.
MEDWAY, MA 02053

Parcel ID: 32-043-C04A
HIGGINS DEBORAH S
4-A THUNDER HILL RD.
MEDWAY, MA 02053

Parcel ID: 32-043-C04B
HOPKINS KENNETH R
HOPKINS KAREN M
4-B THUNDER HILL RD.
MEDWAY, MA 02053

Parcel ID: 32-044-C01A
MORGAN BRENDA C
1-A THUNDER HILL RD.
MEDWAY, MA 02053

Parcel ID: 32-044-C01B
MATTHEWS DAVID W
RACIN JULIA
1B THUNDER HILL RD.
MEDWAY, MA 02053

Parcel ID: 32-045
SALVATORE MARY E.
P.O. BOX 69
MEDWAY, MA 02053

Parcel ID: 32-046
GATELY BARBARA E
2 LEE LN.
MEDWAY, MA 02053

Parcel ID: 32-047
REARDON KAREN
4 LEE LN.
MEDWAY, MA 02053

Parcel ID: 32-048
GRIMES DONALD F
GRIMES CATHERINE
6 LEE LN.
MEDWAY, MA 02053

Parcel ID: 32-053
REARDON JUDITH
20 KAREN AVE.
MEDWAY, MA 02053

Parcel ID: 32-054
CREEDEN JOHN F.
CREEDEN DONNA L.
22 KAREN AVE.
MEDWAY, MA 02053

Parcel ID: 32-055
BEECHER PETER M
BEECHER JANET L.
24 KAREN AVE.
MEDWAY, MA 02053

Parcel ID: 32-056
MCDANIEL RICHARD D
MCDANIEL BARBARA
26 KAREN AVE.
MEDWAY, MA 02053

Parcel ID: 32-057
LUCCIO DYANA V
1 LEE LN.
MEDWAY, MA 02053

Parcel ID: 32-058
SHEEDY TIMOTHY M
SHEEDY LOURDES C
38 MAIN ST.
MEDWAY, MA 02053

Parcel ID: 32-059
PELLEGRINI ROGER
PELLEGRINI LINDA
40 MAIN STREET
MEDWAY, MA 02053

Parcel ID: 32-060
HANLEY KEVIN P.
SAWTELLE HOLLY
42 MAIN ST.
MEDWAY, MA 02053

Parcel ID: 32-061
RUND ROBERT B.
RUND DEBORAH L.
44 MAIN ST.
MEDWAY, MA 02053

Parcel ID: 32-062
MITCHELL NICOLE A
46 MAIN ST.
MEDWAY, MA 02053

Parcel ID: 32-063
WOOD KENNETH J
WOOD JULIE A
48 MAIN ST.
MEDWAY, MA 02053

Parcel ID: 40-051-0002
MECOBA PROPERTIES, INC.
70 MAIN ST.
MEDWAY, MA 02053

Parcel ID: 41-030
BOCZANOWSKI JOANNE
BOCZANOWSKI DEBORAH
43 MAIN ST.
MEDWAY, MA 02053

Parcel ID: 41-031
HENAULT MICHAEL T
HENAULT TIFFANY M
49 MAIN STREET
MEDWAY, MA 02053

Parcel ID: 41-032
RIGGS CRAIG W
47 MAIN ST.
MEDWAY, MA 02053

Parcel ID: 41-033
SOCOBY LAWRENCE DANA
45 MAIN ST.
MEDWAY, MA 02053

Parcel ID: 41-034
CRUZ STEPHEN A
41 MAIN ST.
MEDWAY, MA 02053

Parcel ID: 41-036
RYMANOWSKI MATTHEW
29 MAIN ST.
MEDWAY, MA 02053

Parcel ID: 41-037
BOCZANOWSKI JOANNE
BOCZANOWSKI DEBORAH
43 MAIN ST.
MEDWAY, MA 02053

Parcel ID: 42-001
SIA SILVIO CHARLES
P.O. BOX 310
PINELAND, FL 33945

Parcel ID: 42-007
PROULX STEPHEN M
PROULX CHRISTINE
24 VERNON RD.
MEDWAY, MA 02053

Parcel ID: 42-008
HODGSON TRUSTEE GARY D
HODGSON TRUSTEE DEBORAH L
68 TUSCANY DR
FRANKLIN, MA 02038

Parcel ID: 42-028
LOMBARD TINA J ET AL/TR
LOMBARD FARMS REALTY
PO BOX 675
MEDWAY, MA 02053-0675



THIS IS A CERTIFIED ABUTTERS LIST FROM THE TOWN OF MEDWAY.
WE CERTIFY THAT AT TIME OF LAST ASSESSMENT, THE NAMES AND
ADDRESSES OF ALL PROPERTY OWNERS, ARE ACCURATE.

Andrew F. Lyden 4/3/17
Office of the Board of Assessors Date

LAND SUBDIVISION - FORM F

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

OVERVIEW

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

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

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

June 9, 2017

Date

1. Name of Proposed Subdivision: Paul Revere Estates
2. Location: 39 Main Street, Medway, MA (Assessors Parcel 41-035)
3. Name of Applicant (s): Notwen Realty Trust
4. Brief Description of the Proposed Project: Proposed 5-lot single family
residential subdivision.

5. Name of Individual Preparing this DIR Daniel J. Merrikin, P.E

Address: 730 Main Street, Millis, MA Phone: 508-376-8883

Professional Credentials: Professional Civil Engineer No. 43309

SITE DESCRIPTION

6. Total Site Acreage: +/-11.31 acres

Approximate Acreage	At Present	After Completion
Meadow/brushland (<i>non-agricultural</i>)	1.19	
Forested	5.61	
Agricultural (<i>includes orchards, croplands, pasture</i>)	0	
Wetlands	4.50	
Water Surface Area	0	
Flood Plain	4.53	
Unvegetated (<i>rock, earth or fill</i>)	0	
Roads, buildings and other impervious surfaces	0.01	
Other (<i>indicate type</i>)	0	
TOTAL	11.31	

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

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

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

Zoning District	Percentage
Agricultural-Residential I (AR-I)	100%
Ground Water Protection District	40%
Flood Plain/Wetland Protection	40%

9. Predominant soil type(s) on the site: Swansea Muck, Canton, Hinckley

Soil Drainage

(Use the U.S. Soil Conservation Service's definition)

Soil Type	% of Site
Well drained	57%
Moderately well drained	0%
Poorly drained	43%

10. Are there any bedrock outcroppings on the site? _____ Yes X No

If yes, specify: _____

11. Approximate percentage of proposed site with slopes between:

Slope	% of Site
0 – 10%	86%
10 – 15%	5%
Greater than 15%	9%

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

Zone(s) II Proximity to a public well: >2,500 feet

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

If yes, specify: _____

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

_____ Yes X No

If yes, specify: _____

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

If yes, please specify: _____

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

If yes, please specify: _____

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

If yes, please specify: _____

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

If yes, please specify: The site has wetlands on the easterly side

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

If yes, please specify: _____

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

If yes, please specify: _____

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

If yes, please specify: _____

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

If yes, please describe: _____

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

If yes, please describe: _____

CIRCULATION

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

Average weekday traffic	48 ave. trips
Average peak hour volumes – morning	4 ave. trips
Average peak hour volumes - evening	5 ave. trips

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

Please specify: Main St. (Route 109)

26. Existing intersection(s) within 1000 feet of any access to the proposed development. Please specify intersection names: Lee Lane, Thunder Hill Road

and Carole Ave.

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

line Main Street directly across and beyond the proposed site.

28. Location of proposed sidewalks and their connection to existing sidewalks:
One side walk proposed and will connect to existing sidewalks with a crosswalk.

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

 Yes ^X No

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

 Yes No

If yes, please describe:

If no, please explain why:

UTILITIES AND MUNICIPAL SERVICES

30. What is the total number of dwelling units proposed? 5

31. What is the total number of bedrooms in the proposed subdivision? 20

32. Stormwater Management

A. Describe the nature, location and surface water body receiving current surface water of the site: The property sheds uncontrolled runoff

eastward into wetlands bordering an unnamed tributary of the Great

Black Swamp.

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

The existing and additional stormwater runoff will be collected into catch
through a stormwater basin.

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

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

34. Schools

- A. Projected number of new school age children: 5

- B. Distance to nearest elementary school: 1 mile

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

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

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

MEASURES TO MITIGATE IMPACTS

FORM F NO. 35-55

35. Maximize stormwater infiltration and groundwater recharge

Stormwater will be infiltrated through use of an infiltration basin located within the subdivision. This basin will be completed at the same time as the roadway in order to minimize the impact of the additional impervious surface. In addition, each new dwelling will be provided with a roof runoff infiltration system.

36. Prevent surface and groundwater contamination

Construction-stage erosion and sediment controls will be provided as specified in the SWPPP. In addition, a stormwater management system comprised of a series of Best Management Practices, will be implemented in order to treat stormwater runoff.

37. Reduce detrimental impacts to water quality

As noted above, construction stage erosion and sediment controls will be provided to prevent construction-stage impacts. The stormwater management system will mitigate long-term water quality impacts.

38. Maintain slope stability and prevent erosion

Slope stability will be maintained with vegetation in accordance with the EPA Construction General Permit and the submitted SWPPP.

39. Conserve energy

There will only be one additional municipally owned street light at the entrance of the subdivision, which will have minimal energy consumption.

40. Preserve wetlands

No wetlands will be altered as part of the project. In addition, wetlands located on the site will be protected with no disturbance buffer zones. Sediment and erosion controls will prevent construction-stage impacts.

41. Preserve wildlife habitats, outstanding ecological or botanical features

40% of the land within the subdivision lies within wetlands and will be left undisturbed. Further land will also be preserved by selective cut zones, which border each proposed lot.

42. Protect scenic views

There are no existing scenic views on the property.

43. Retain natural landscape features

The proposed subdivision will not disturb more than 40% of the property, retaining the natural wetlands that are on the site. Selective cut zones are also provided along the border of each lot.

44. Design street layouts to facilitate southern orientation of houses

The shape of the property constrains road orientations but the road layout sweeps westward in order to better facilitate southern orientation of houses.

45. Use curvilinear street patterns

The proposed road incorporates a curve and minimizes straight lengths.

46. Promote pedestrian and bicycle access and safety

The subdivision includes a 6' sidewalk along one side of the street, as well as around the length of the cul-de-sac. The sidewalk will be connected to the existing Main Street sidewalk by a proposed crosswalk.

47. Reduce the number of mature trees to be removed

The number of mature trees to be removed will be reduced by the selective cut zones bordering each lot.

48. Provide green belt/buffer areas

Buffer areas are provided by the selective cut zones along the border of each lot. Land along and within wetlands areas will also remain undisturbed.

49. Preserve historically important structures and features on the site

There are no historically important structures or features on the site.

50. Retain natural valley flood storage areas

The flood plain will remain unaltered and therefore retain the same level of storage pre- and post-construction.

51. Minimize the extent of waterways altered or relocated

No waterways will be altered or relocated for the construction of this subdivision.

52. Reduce the volume of cut and fill

The proposed roadway grade closely follows existing grades and therefore minimizes proposed cuts and fills.

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

The proposed roadway will be lined with trees, and the selective cut zones will screen each respective lot.

54. Minimize municipal maintenance frequency and costs

All infrastructure components to be operated by the Town will be built to meet or exceed the requirements of the Subdivision Specifications.

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

No new lots in the subdivision will face or have driveway egresses onto primary or secondary streets.

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

Project Name:	<i>Paul Revere Estates</i>
Property Location:	<i>39 Main Street</i>
Type of Project/Permit:	<i>Definitive Subdivision</i>
Identify the number and title of the relevant Section of the applicable Rules and Regulations from which a waiver is sought.	5.7.6 - Contents of Definitive Subdivision Plan Set
Summarize the text of the relevant Section of the Rules and Regulations from which a waiver is requested.	The existing conditions sheet shall include locations of single free-standing trees with a diameter of one foot (1') or greater at twenty-four inches (24") above grade
What aspect of the Regulation do you propose be waived?	Location of trees
What do you propose instead?	Ommittance of tree locations
Explanation/justification for the waiver request. Why is the waiver needed? Describe the extenuating circumstances that necessitate the waiver request.	The locating of large free-standing trees requires extensive costly survey work.
What is the estimated value/cost savings to the applicant if the waiver is granted?	Approximately \$2,000
How would approval of this waiver request result in a superior design or provide a clear and significant improvement to the quality of this development?	It is not anticipated that the ommittance of tree locations will provide a significant improvement to the quality of the development.
What is the impact on the development if this waiver is denied?	Cost implications
What are the design alternatives to granting this waiver?	None
Why is granting this waiver in the Town's best interest?	Given the construction/design requirements for the road, the tree locations will not provide useful information
If this waiver is granted, what is the estimated cost savings and/or cost avoidance to the Town?	None
What mitigation measures do you propose to offset not complying with the particular Rule/Regulation?	The proposed subdivision includes large areas of unaltered woodlands that will preserve the natural landscape and wildlife habitat.
What is the estimated value of the proposed mitigation measures?	These mitigation measeures will not require action.
Other Information?	None
Waiver Request Prepared By:	Merrikin Engineering, LLP
Date:	9-Jun-17
Questions?? - Please contact the Medway PED office at 508-533-3291.	

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

Project Name:	Paul Revere Estates
Property Location:	39 Main Street
Type of Project/Permit:	Definitive Subdivision
Identify the number and title of the relevant Section of the applicable Rules and Regulations from which a waiver is sought.	7.7.2.p - Stormwater Management
Summarize the text of the relevant Section of the Rules and Regulations from which a waiver is requested.	Stormwater basins are to be no closer than thirty feet from lot/parcel lines and any right-of way.
What aspect of the Regulation do you propose be waived?	Thirty foot requirement
What do you propose instead?	Twenty feet
Explanation/justification for the waiver request. Why is the waiver needed? Describe the extenuating circumstances that necessitate the waiver request.	In order to meet Stormwater design standards, the basin size needs to be increased to beyond the thirty foot setback requirement.
What is the estimated value/cost savings to the applicant if the waiver is granted?	None
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 stormwater treatment systems will be able to meet all design standards for both Massachusetts and the Town of Medway.
What is the impact on the development if this waiver is denied?	Stormwater system impacts/undesireable lot configurations
What are the design alternatives to granting this waiver?	Lot layout alterations.
Why is granting this waiver in the Town's best interest?	It will provide adequate stormwater management with reasonable setbacks to the newly constructed houses
If this waiver is granted, what is the estimated cost savings and/or cost avoidance to the Town?	None
What mitigation measures do you propose to offset not complying with the particular Rule/Regulation?	Selective cut zones along lot boundaries will keep the basin from view.
What is the estimated value of the proposed mitigation measures?	None
Other Information?	None
Waiver Request Prepared By:	Merrikin Engineering, LLP
Date:	9-Jun-17
Questions?? - Please contact the Medway PED office at 508-533-3291.	

June 9, 2017

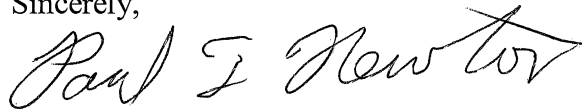
Medway Planning and
Economic Development Board
Town of Medway
155 Village Street
Medway, MA 02053

Ref: 39 Main Street
Paul Revere Estates

Dear Members of the Board:

Notwen Realty Trust will retain the fee in the street shown on the plan and upon construction of the street and installation of services, will grant to the Town the fee in such street; and will grant to it any drainage or other easements shown on the plan.

Sincerely,

A handwritten signature in cursive script that reads "Paul F. Newton". The signature is written in dark ink and is positioned below the word "Sincerely,".

Paul F. Newton, Trustee
Notwen Realty Trust

24902

We, PAUL R. NEWTON and MARGARET B. NEWTON, husband and wife as tenants by the entirety, both

RECORDED
NORFOLK COUNTY, MASSACHUSETTS
DEED BOOK 439
PAGE 439
GARYT. MARION, REGISTER

of Medway,

Norfolk County, Massachusetts,

in consideration ofx paid and amounting to under One Hundred and no/100 (\$100.00) Dollars

grant to PAUL R. NEWTON and MARGARET B. NEWTON, Trustees of NOTWEN REALTY TRUST under an Indenture of Trust dated February 25, 1992 to be recorded herewith

of Medway, Massachusetts

with quitclaim covenants

~~the land~~ A certain parcel or tract of woodland in "Black Swamp" so called, together with the buildings thereon, in Medway, Norfolk County, Massachusetts, on the Southerly side of Main Street, containing twenty-three (23) acres and four (4) rods of land, bounded and described as follows:

Beginning at the northwest corner thereof on said street, at land formerly of Wyman Adams; thence

NORTHERLY 80° 59' EAST	One Hundred twenty-five (125) rods and ten and 1/2 (10½) links on said street to a corner; thence
SOUTH 2° 15' EAST	Fifty (50) rods and four (4) links to a corner; thence
NORTH 80° 30' WEST	Ninety-seven (97) rods and twenty-two (22) links to the end of a wall; thence
NORTH 79° 30' WEST	Twenty-four (24) rods sixteen (16) links to a stake and stones; thence
NORTH 27° 22' WEST	Eleven (11) rods and one (1) link to the point of beginning.

For title see deed recorded with Norfolk Deeds in Book 4145, Page 667.

Excepting from the above described premises those several pieces or parcels of land conveyed to Thomas B. and Pauline A. Heavey in Norfolk Deeds at Book 2724, Page 551, Easement to Josephine Boczanowski recorded in Norfolk Deeds at Book 2814, Page 256, Deed to Donald A. Newton and Elaine E. Newton recorded in Norfolk Deeds at Book 2886, Page 51, Deed to Charles G. Wilson and Eunice M. Wilson recorded in Norfolk Deeds at Book 2925, Page 150, Deed to Charles G. Wilson and Eunice M. Wilson recorded with Norfolk Deeds at Book 3078, Page 50, Deed to Ernest J. Bell recorded with Norfolk Deeds at Book 3206, Page 31, Deed to Richard J. and Joan T. Newton recorded with Norfolk Deeds at Book 3807, Page 624, Deed to Josephine Boczanowski duly recorded with Norfolk Deeds Book 3992, Page 305.

The property is further subject to an outstanding Agreement to Extend Water to the Town of Medway as recorded in Book 3190, Page 143 and to the Sewer Easements as recorded in Norfolk Deeds, Book 6719, Page 606.

Location: 39 Main Street, Medway, Norfolk County, Massachusetts

Gen. Joe
Property

92 MAR -6 AM 9:58

RECEIVED
RECORDED

440

Executed as a sealed instrument this 25th day of February 1992

Paul R. Newton

Margaret B. Newton

The Commonwealth of Massachusetts

Norfolk,

SS.

February 25, 1992

Then personally appeared the above named Paul R. Newton and Margaret B. Newton

and acknowledged the foregoing instrument to be their free act and deed.

Before me,

Lee G. Ambler

Notary Public

My commission expires

Dec. 21,

1995

RECEIVED AND RECORDED
NORFOLK COUNTY
REGISTRY OF DEEDS
DEDHAM, MA

CERTIFY

William P. O'Donnell
WILLIAM P. O'DONNELL, REGISTER

AFFIDAVIT
M.G.L. c.65C, §14(a)

RE: Margaret B. Newton ("Decedent")

late of Medway, MA

Date of Death: November 9, 2013

I, Paul F. Newton, after first being duly sworn, do depose
and say that:

1. I am a person in actual or constructive possession of property of the Decedent, qualified as a person entitled to give this Affidavit because I am the son of the decedant.
2. At the time of her death, the Decedent owned an interest in real estate situated at 39 Main Street, Medway, Norfolk County, Massachusetts, as more particularly described in a certain deed from Paul R. Newton and Margaret B. Newton to Paul R. Newton and Margaret B. Newton, Trustees of NOTWEN REALTY TRUST dated February 25, 1992 and recorded in the Norfolk County Registry of Deeds at Book 9237, Page 439.
3. The gross estate of the decedent does not necessitate a federal or Massachusetts estate tax filing.

4. This Affidavit is given pursuant to and in accordance with the provisions of Massachusetts General Laws Chapter 65C, Section 14(a).

Executed under the pains and penalties of perjury this 30th day of January, 2014.

Paul F. Newton
Paul F. Newton

COMMONWEALTH OF MASSACHUSETTS

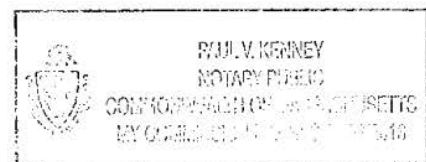
Norfolk, SS.

January 30, 2014

On this 30th day of January, 2014, before me, the undersigned notary public, personally appeared Paul F. Newton and proved to me through satisfactory evidence of identification, which was a driver's license, to be the person whose name is signed on the preceding or attached document, and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of his knowledge and belief.

Paul Kenney
Notary Public

My commission expires:



CERTIFY

William P. O'Donnell
WILLIAM P. O'DONNELL, REGISTER

NOTWEN REALTY TRUST
Certificate of Appointment of Successor Trustee

We, Paul F. Newton and Jane Newton, being the beneficiaries holding 100% of the beneficial interest of NOTWEN REALTY TRUST, u/d/t dated February 25, 1992, recorded with Norfolk Deeds Book 9237, Page 428, do hereby certify that:

1. The original Trustees, Paul R. Newton and Margaret B. Newton are both deceased;
2. Pursuant to Paragraph 4(a), Paul F. Newton has been appointed Successor Trustee by the beneficiaries holding 100% of the beneficial interest of said trust.

Executed as a sealed instrument this 30th day of January, 2014.

Paul F. Newton
Paul F. Newton, Beneficiary

Jane E. Newton
Jane Newton, Beneficiary

Commonwealth of Massachusetts

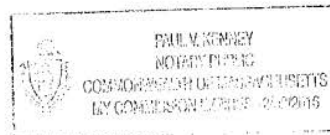
Norfolk, SS.

January 30, 2014

On this 30th day of January, 2014, before me, the undersigned notary public, personally appeared Paul F. Newton and Jane Newton, proved to me through satisfactory evidence of identification, which were driver's licenses, to be the persons whose names are signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose.

Paul M. Kenney
Notary Public

My commission expires:



PROPERTY ADDRESS: 39 MAIN STREET, MEDWAY, MA 02053

RECEIVED AND RECORDED
NORFOLK COUNTY
REGISTRY OF DEEDS
DEDHAM, MA

CERTIFY

William P. O'Donnell
WILLIAM P. O'DONNELL, REGISTER

NOTWEN REALTY TRUST
Acceptance by Trustee

I, Paul F. Newton, hereby accept appointment as Successor Trustee pursuant to Paragraph 4(b) of NOTWEN REALTY TRUST u/d/t dated February 25, 1992, recorded with Norfolk Deeds Book 9237, Page 428.

Executed as a sealed instrument this 30th day of January, 2014.

Paul F. Newton
Paul F. Newton

Commonwealth of Massachusetts

Norfolk, SS.

January 30, 2014

On this 30th day of January, 2014, before me, the undersigned notary public, personally appeared Paul F. Newton, proved to me through satisfactory evidence of identification, which was a driver's license, to be the person whose name is assigned on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose.

Paul F. Newton
Notary Public

My commission expires:



PAUL REVERE ESTATES

DEFINITIVE SUBDIVISION

PREPARED BY:
MERRIKIN ENGINEERING, LLP
730 MAIN STREET, SUITE 2C
MILLIS, MA 02054

PLAN
JUNE 9, 2017

PREPARED FOR:
NOTWEN REALTY TRUST
33 FRUIT STREET
NORFOLK, MA 02056

FOR REGISTRY USE

SUBDIVISION STATISTICS

TOTAL LAND AREA: 492,621 S.F. ±
NUMBER OF LOTS: 5
NUMBER OF PARCELS: 1
TOTAL LOT/PARCEL AREA: 459,670 S.F. ±
LOT 1: 47,121 S.F. ±
LOT 2: 53,534 S.F. ±
LOT 3: 49,933 S.F. ±
LOT 4: 47,965 S.F. ±
LOT 5: 44,128 S.F. ±
PARCEL C: 216,988 S.F. ±
TOTAL WETLAND AREA: 195,933 S.F. ±
TOTAL UPLAND AREA: 296,688 S.F. ±
TOTAL STREET AREA: 32,951 S.F. ±
TOTAL OPEN SPACE: 0 S.F.

SUBDIVISION NOTES:

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

WAIVER REQUESTS:

- 5.7.6 CONTENTS OF DEFINITIVE SUBDIVISION PLAN SET TO EXCLUDE THE LOCATIONS OF EXISTING TREES WITH A DIAMETER OF ONE FOOT (1') OR GREATER AT TWENTY-FOUR INCHES (24") ABOVE GRADE.
- 7.7.2.p STORMWATER MANAGEMENT TO REDUCE THE SETBACK LIMIT OF STORMWATER BASINS FROM THIRTY FEET (30') TO TWENTY FEET (20').

PAYMENTS TO BE MADE:

- 7.13.3 SIDEWALKS
A PAYMENT WILL BE MADE TO THE TOWN OF MEDWAY IN LIEU OF SIDEWALK CONSTRUCTION ALONG EXISTING TOWN WAYS.
- 7.17.1 FIRE PREVENTION AND PROTECTION MEASURES
A PAYMENT WILL BE MADE TO THE TOWN OF MEDWAY IN LIEU OF INSTALLING A FIRE ALARM SYSTEM WITHIN THE SUBDIVISION.



LOCUS
SCALE: 1" = 80'

ZONING DISTRICT:
AGRICULTURAL RESIDENTIAL I

ASSESSORS PARCEL:
MAP 41, PARCEL 35

OWNER/APPLICANT:
NOTWEN REALTY TRUST
33 FRUIT STREET
NORFOLK, MA 02056

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

TOWN CLERK

DATE

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.

I CERTIFY THAT THIS SURVEY AND PLAN CONFORMS TO THE ETHICAL, PROCEDURAL AND TECHNICAL STANDARDS FOR THE PRACTICE OF LAND SURVEYING IN THE COMMONWEALTH OF MASSACHUSETTS.

PROFESSIONAL LAND SURVEYOR

CONDITIONALLY APPROVED IN ACCORDANCE WITH M.G.L. CHAPTER 41, SECTION 81U, BY DECISION DATED _____ AND FILED WITH TOWN CLERK ON _____, AND SUBJECT TO COVENANTS, CONDITIONS AND RESTRICTIONS SET FORTH IN A COVENANT DATED _____ TO BE RECORDED HEREWITH.

DATE APPROVED: _____

DATE ENDORSED: _____

TOWN OF MEDWAY PLANNING BOARD

PLAN SCALE: AS NOTED

PLAN DATE: JUNE 9, 2017

PAUL REVERE ESTATES
DEFINITIVE SUBDIVISION
COVER SHEET
PLAN OF LAND IN
MEDWAY, MA



Digitally signed by Daniel J. Merrikin, P.E.
Date: 2017.06.14 11:04:29 -04'00'

MERRIKIN
ENGINEERING, LLP

730 MAIN STREET, SUITE 2C
MILLIS, MA 02054
ph. 508-376-8883 fax 508-376-8823

D104-01

SHEET 1 OF 11

GENERAL NOTES:

1. SURVEY & PLAN REFERENCES:
A. PROPERTY LINE AND TOPOGRAPHICAL SURVEY BY COLONIAL ENGINEERING AND ARE THE RESULT OF AN ON-THE-GROUND SURVEY.
B. REGISTRY REFERENCES:
PLAN REFERENCES:
PLAN BOOK 599, NO. 13
DEED REFERENCES:
BOOK 9237, PAGE 439
C. DATUM: NAVD83
D. A.N.R. PLAN DATED MAY 4, 2017 BY COLONIAL ENGINEERING, INC.
2. EXISTING UTILITY INFORMATION IS BASED ON BEST AVAILABLE RECORDS AND VISIBLE SURFACE FEATURES SUCH AS MANHOLES, CATCH BASINS, UTILITY POLES, HYDRANTS, VALVE BOXES, ETC... EXISTING UTILITY INFORMATION DEPICTED ON THESE PLANS ARE NOT WARRANTED TO BE CORRECT AND THE CONTRACTOR SHALL BE RESPONSIBLE FOR FIELD VERIFYING ALL LOCATIONS PRIOR TO COMMENCEMENT OF WORK.
3. FEATURES OUTSIDE OF THE SUBDIVISION SUCH AS ADJACENT STRUCTURES ARE APPROXIMATE ONLY AND BASED ON AVAILABLE AERIAL PHOTOGRAPHY.
4. THE DEVELOPER SHALL RETAIN FEE INTEREST IN THE ROADWAY RIGHT-OF-WAY AND WILL GRANT TO THE TOWN THE FEE IN SUCH ROADWAY RIGHT-OF-WAY AND DRAINAGE EASEMENTS.

CONSERVATION NOTES:

1. WETLANDS BOUNDARIES WERE DELINEATED BY RUSSELL WALDRON AND HAVE NOT BEEN APPROVED BY THE CONSERVATION COMMISSION AS OF THE DATE OF THIS PLAN.

CONSTRUCTION NOTES:

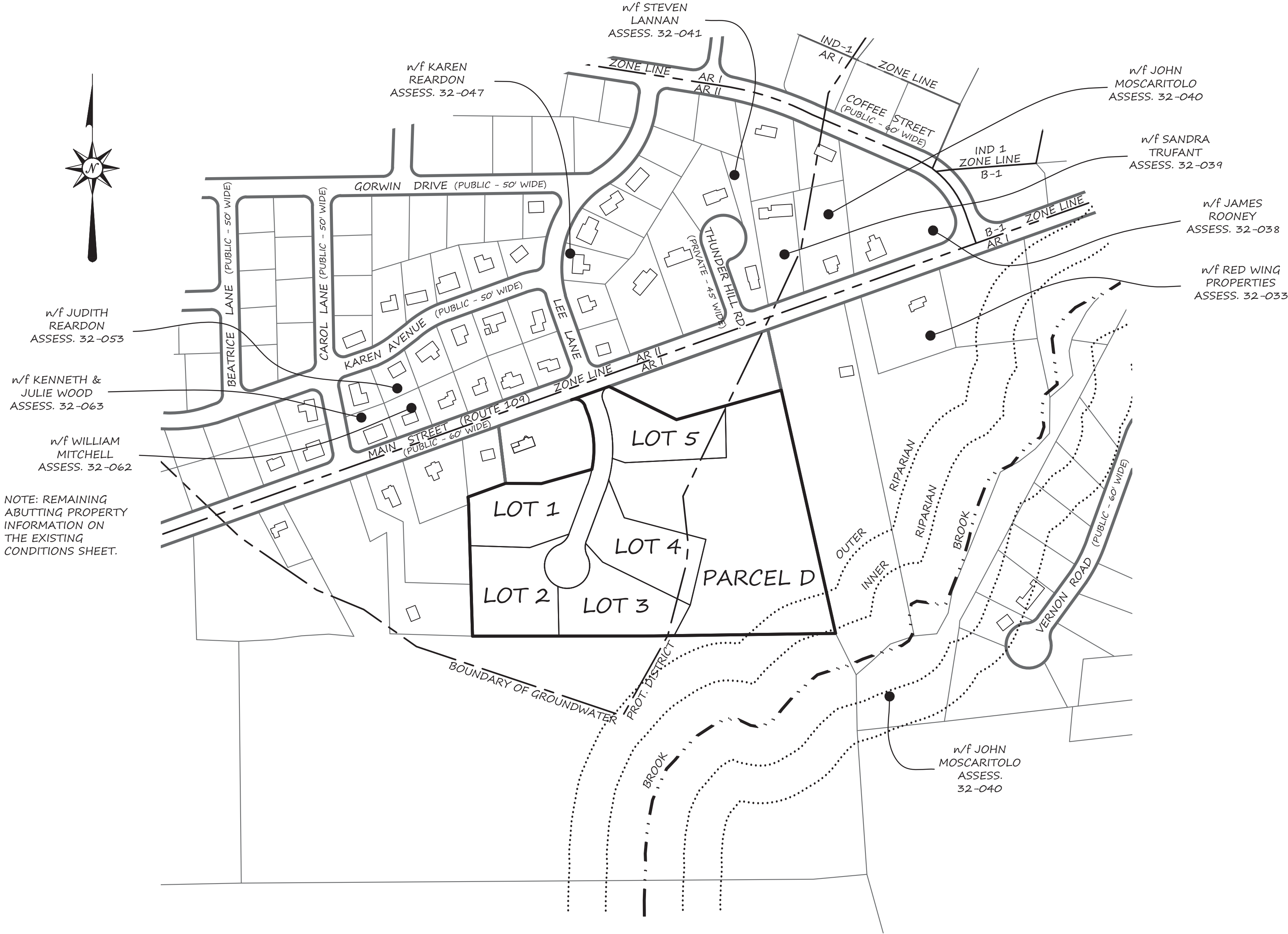
1. THE CONTRACTOR SHALL CONTACT DIGSAFE AT 811 PRIOR TO ANY EXCAVATION ACTIVITIES.
2. THE DEVELOPER SHALL OBTAIN A STREET OPENING PERMIT FROM THE TOWN OF MEDWAY, IF REQUIRED.
3. THE DEVELOPER SHALL BE RESPONSIBLE FOR PROVIDING THE REQUIRED STREET NAME AND STOP SIGNS IN ACCORDANCE WITH TOWN STANDARDS.
4. UNLESS OTHERWISE WAIVED IN THE DEFINITIVE SUBDIVISION APPROVAL, ALL CONSTRUCTION SHALL CONFORM TO THE SUBDIVISION REGULATIONS.
5. GRANITE THROAT STONES SHALL BE INSTALLED WITH ALL CATCH BASINS AGAINST A ROADWAY GUTTER/CURB LINE.
6. GRANITE TRANSITION STONES SHALL BE PROVIDED BETWEEN ALL VERTICAL GRANITE (INCLUDING THROAT STONES) AND SLOPED BERM.
7. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE DESIGN OF ANY STRUCTURAL RETAINING WALLS (WALLS WITH AN EXPOSED FACE OF GREATER THAN 4'). DESIGN SHALL BE BY A REGISTERED STRUCTURAL ENGINEER AND SHALL BE STAMPED ACCORDINGLY.

CONSTRUCTION SEQUENCE AND SCHEDULE:

1. DEPENDING ON FINANCING AND OTHER MARKET CONDITION ISSUES, CONSTRUCTION IS EXPECTED TO COMMENCE IN THE FALL OF 2017 WITH ROADWAY CONSTRUCTION COMPLETED TO BINDER COURSE BY THE SPRING OF 2018. HOUSE CONSTRUCTION IS EXPECTED TO OCCUR FROM THE SPRING OF 2018 THROUGH THE SPRING OF 2020, WITH FINAL ROADWAY CONSTRUCTION OCCURRING IN 2020-2021.
2. REFER TO THE NPDES SWPPP FOR A MORE DETAILED CONSTRUCTION SEQUENCE, WHICH IS GENERALLY AS FOLLOWS:
 - 2.1. INSTALLATION OF EROSION CONTROLS
 - 2.2. FLAGGING OF TREES FOR REMOVAL
 - 2.3. TREE CLEARING AND GRUBBING
 - 2.4. TOPSOIL STRIP AND STOCKPILE
 - 2.5. CUTS AND FILLS TO SUBGRADE
 - 2.6. INSTALLATION OF STORMWATER SYSTEM AND INFILTRATION BASIN
 - 2.7. INSTALLATION OF ROADWAY UTILITIES
 - 2.8. SUBGRADE AND INSTALL ROADWAY AND SIDEWALK GRAVEL
 - 2.9. INSTALL BINDER COURSE PAVEMENT, LOAM AND SEED SHOULDERS
 - 2.10. COMMENCE HOUSE CONSTRUCTION
 - 2.11. INSTALL TOP COURSE PAVEMENT

UTILITY NOTES:

1. ALL PIPELINE LINEAR FOOTAGES REFERENCED IN THESE PLANS ARE HORIZONTAL DISTANCES AND DO NOT REFLECT THE SLOPED DISTANCE OF THE PIPELINE.
2. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE DESIGN OF ALL UNDERGROUND FIRE ALARM, GAS, ELECTRICAL, TELEPHONE, AND CABLE DISTRIBUTION SYSTEMS WITHIN THE ROADWAY RIGHT-OF-WAY. DESIGN SHALL INCLUDE THE APPROPRIATE CONDUIT RUNS AND JUNCTION BOX LOCATIONS. JUNCTION BOXES HAVE BEEN APPROXIMATELY SHOWN ON THE LOT CORNERS BUT SUCH LOCATIONS MAY BE CHANGED BY THE ELECTRIC COMPANY AT THE TIME OF CONSTRUCTION.
3. WATER MAINS SHALL BE CLASS 52 CEMENT LINED DUCTILE IRON PIPE. ALL BRASS GOODS FOR POTABLE WATER SYSTEMS TO BE LEAD FREE.
4. UNLESS OTHERWISE NOTED, DRAIN PIPING WITHIN THE RIGHT-OF-WAY SHALL BE CLASS IV REINFORCED CONCRETE PIPE (RCP) WITH O-RING SEAL JOINTS.
5. SEWER MAIN TO BE SDR35.
6. ALL WATER MAIN AND SERVICE COMPONENTS TO BE IN ACCORDANCE WITH THE TYPICAL REQUIREMENTS OF THE MEDWAY DPW.



LOCUS PLAN
SCALE: 1" = 200'

DRAWING INDEX:

- SHEET 1 - COVER SHEET
- SHEET 2 - NOTES, LOCUS, LEGEND
- SHEET 3 - EXISTING CONDITIONS PLAN
- SHEET 4 - LAYOUT PLAN
- SHEET 5 - GRADING PLAN
- SHEET 6 - ROAD PLAN & PROFILE
- SHEET 7 - STORMWATER BASIN
- SHEET 8 - DETAILS
- SHEET 9 - DETAILS
- SHEET 10 - DETAIL
- SHEET 11 - DETAIL

LEGEND & ABBREVIATIONS

- CB: EXISTING CATCH BASIN
- CB: PROP. SINGLE-GRATE CATCH BASIN
- CB: PROP. DOUBLE-GRATE CATCH BASIN
- STC: STORMCEPTOR TREATMENT UNIT
- DMH: DRAIN MANHOLE
- TR. DR.: TRENCH DRAIN
- INFIL. TR.: INFILTRATION TRENCH
- X" D: DRAIN PIPELINE
- RCP: REINFORCED CONCRETE PIPE
- PVC: POLYVINYL CHLORIDE PIPE
- SMH: SEWER MANHOLE
- X" S: SEWER PIPELINE
- CO: SEWER SERVICE CLEANOUT
- X" W: WATER MAIN
- HYD: HYDRANT
- G.V.: WATER GATE VALVE
- C.S.: WATER SERVICE CURB STOP
- M.B.: WATER SERVICE METER BOX
- G: GAS PIPELINE
- L.P.: LIGHT POLE
- U.P.: UTILITY POLE
- G.Y.: GUY WIRE
- S.F.: TRAFFIC SIGNAL POLE
- 252: EXISTING CONTOUR
- 252: PROPOSED CONTOUR
- E.O.P.: EDGE OF PAVEMENT
- C.C.B.: INTEGRAL SLOPED BIT. BERM
- V.B.B.: VERTICAL BITUMINOUS BERM
- S.G.C.: SLOPED GRANITE CURB
- V.G.C.: VERTICAL GRANITE CURB
- V.C.C.: VERTICAL CONCRETE CURB
- E.C.S.: EDGE CONCRETE SLAB
- G.V.: GATE VALVE
- C.L.F.: CHAIN LINK FENCE
- W.S.F.: WOOD STOCKADE FENCE
- P.P.F.: PVC PICKET FENCE
- G.R.: GUARD RAIL
- C.C.: HANDICAP CURB CUT

ZONING DISTRICT:
AGRICULTURAL RESIDENTIAL I

ASSESSORS PARCEL:
MAP 41, PARCEL 35

OWNER/APPLICANT:
NOTWEN REALTY TRUST
33 FRUIT STREET
NORFOLK, MA 02056

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

TOWN CLERK

DATE

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.

I CERTIFY THAT THIS SURVEY AND PLAN CONFORMS TO THE ETHICAL, PROCEDURAL AND TECHNICAL STANDARDS FOR THE PRACTICE OF LAND SURVEYING IN THE COMMONWEALTH OF MASSACHUSETTS.

PROFESSIONAL LAND SURVEYOR

CONDITIONALLY APPROVED IN ACCORDANCE WITH M.G.L. CHAPTER 41A, SECTION 81U, BY DECISION DATED AND FILED WITH TOWN CLERK ON AND SUBJECT TO COVENANTS, CONDITIONS AND RESTRICTIONS SET FORTH IN A COVENANT DATED TO BE RECORDED HEREWITH.

DATE APPROVED:

DATE ENDORSED:

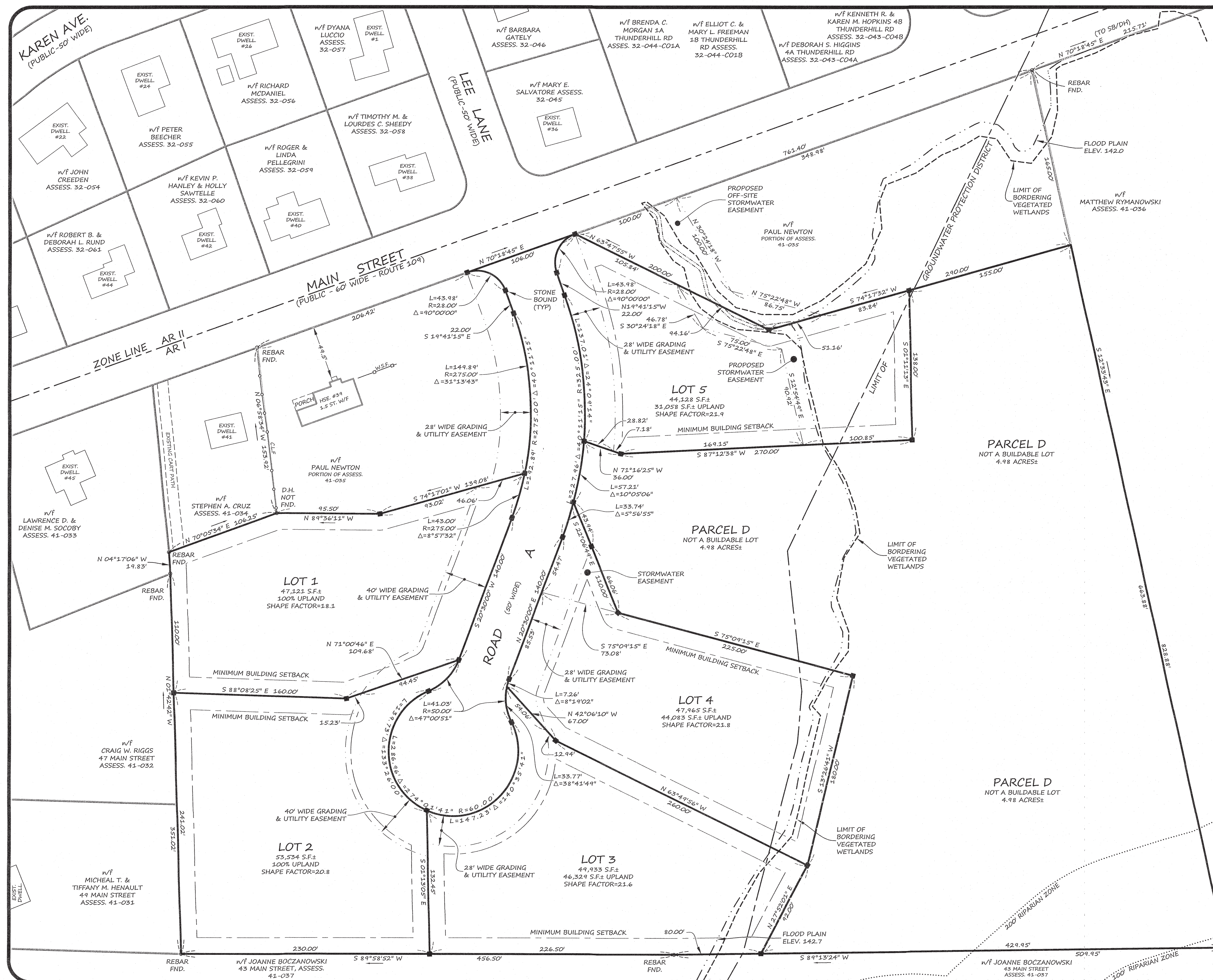
TOWN OF MEDWAY PLANNING BOARD



MERRIKIN ENGINEERING, LLP

730 MAIN STREET, SUITE 2C
MILLIS, MA 02054
ph. 508-376-8883 fax 508-376-8823

D104-01 SHEET 2 OF 11



FOR REGISTRY USE

ZONING DISTRICT:
AGRICULTURAL RESIDENTIAL I

ASSESSORS PARCEL:
MAP 41, PARCEL 35

OWNER/APPLICANT:
NOTWEN REALTY TRUST
33 FRUIT STREET
NORFOLK, MA 02056

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PROFESSIONAL LAND SURVEYOR

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SECTION 81U, BY DECISION DATED
_____ AND FILED WITH TOWN
CLERK ON _____, AND
SUBJECT TO, COVENANTS, CONDITIONS
AND RESTRICTIONS SET FORTH IN A
COVENANT DATED _____ TO BE
RECORDED HEREWITH.

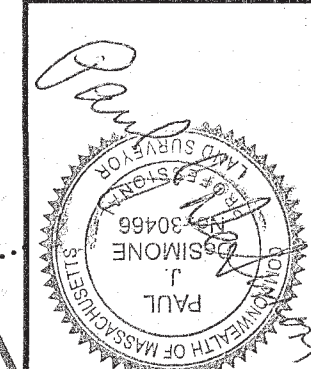
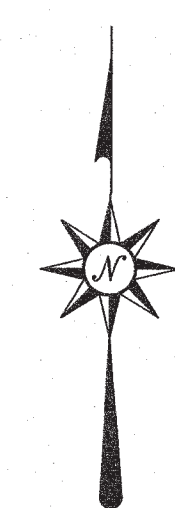
DATE APPROVED:

DATE ENDORSED:

TOWN OF MEDWAY PLANNING BOARD

[illegible]

PAUL REVERE ESTATES
DEFINITIVE SUBDIVISION
LAYOUT
PLAN OF LAND IN
MEDWAY, MA



MERRIKIN
ENGINEERING, LLP

730 MAIN STREET, SUITE 2C
MILLIS, MA 02054
ph. 508-376-8883 fax 508-376-8823

D104-01

SHEET 4 OF 12

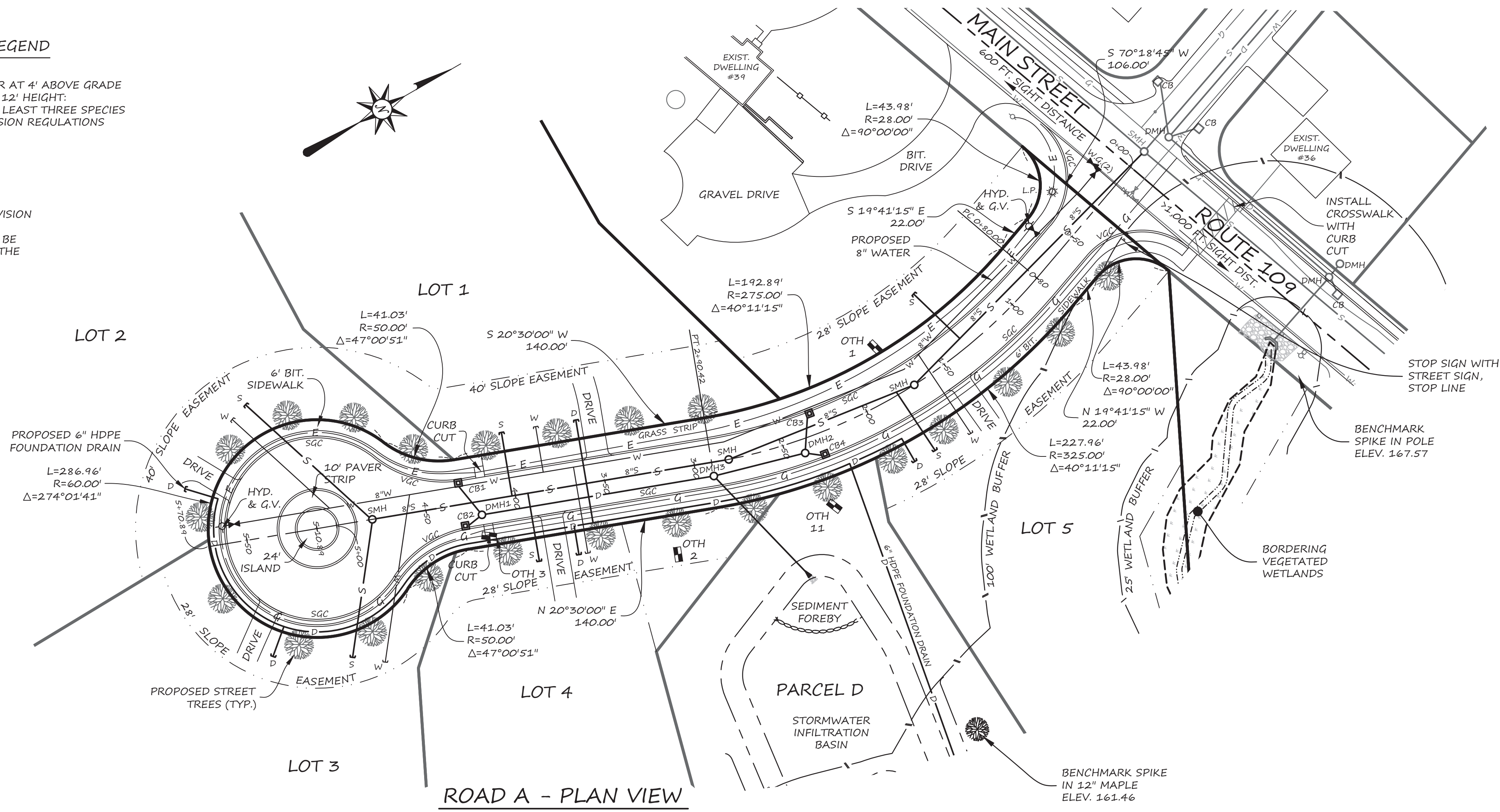
LANDSCAPE LEGEND



PROPOSED 2.5" CALIPER AT 4' ABOVE GRADE
DECIDUOUS TREE, MIN. 12' HEIGHT;
STAGGERED MIX OF AT LEAST THREE SPECIES
LISTED IN THE SUBDIVISION REGULATIONS
(SECTION 7.1.9.4).

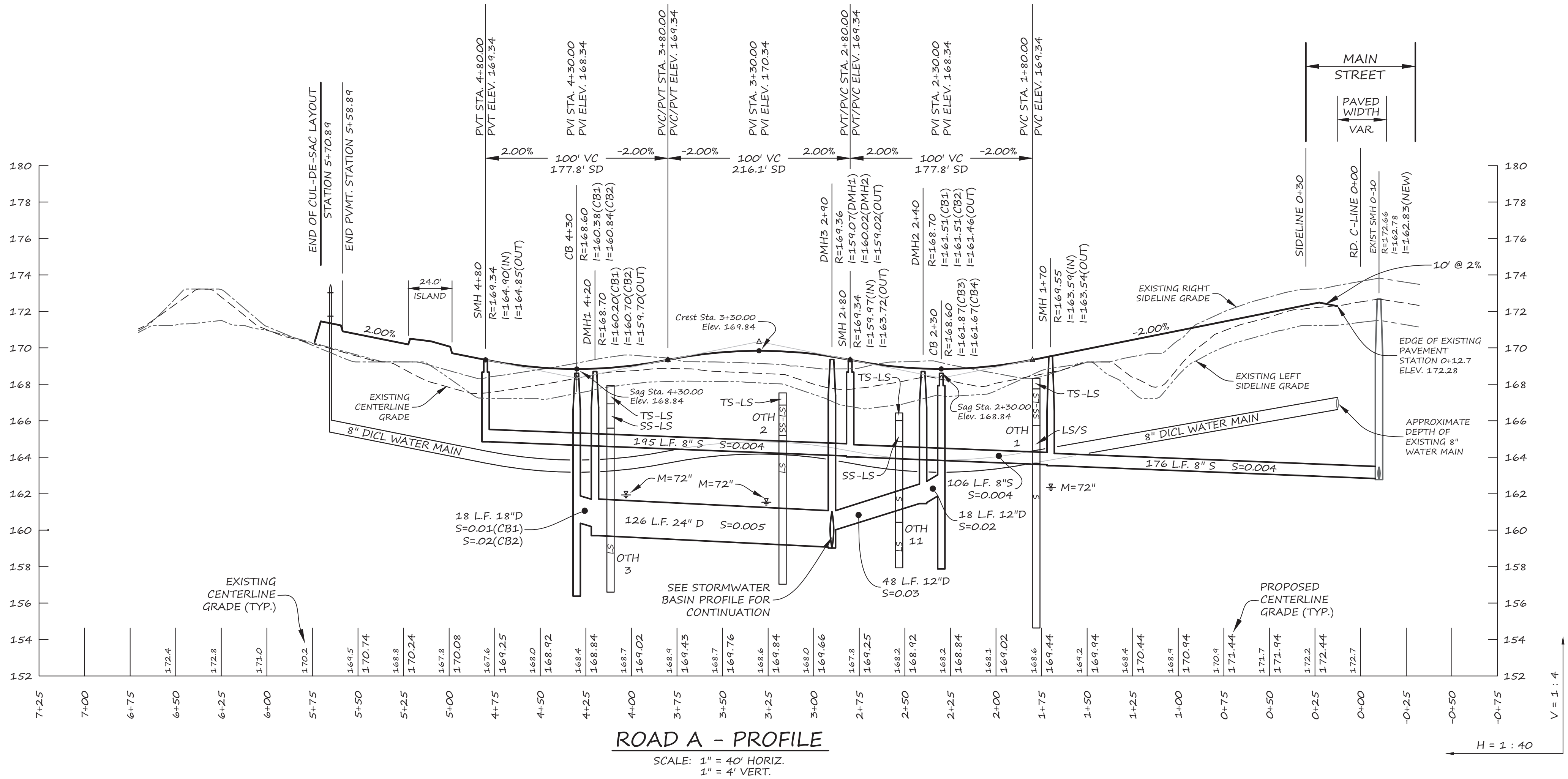
LANDSCAPE NOTES:

- TREES SHALL BE INSTALLED IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS.
- ALTERNATE TREE SPECIES MAY BE SUBSTITUTED IF APPROVED BY THE TREE WARDEN.



ROAD A - PLAN VIEW

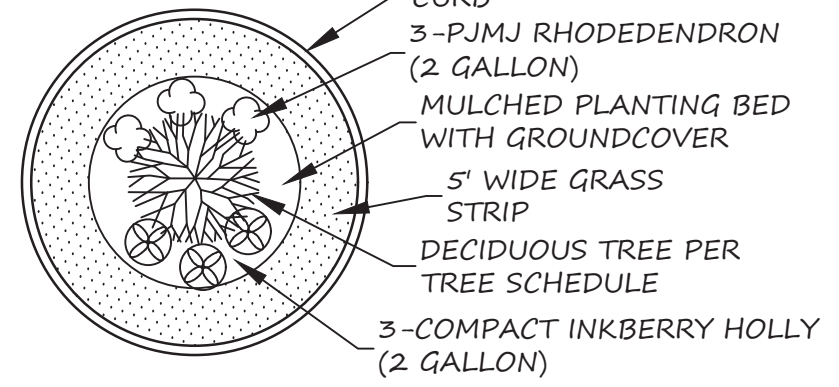
SCALE: 1" = 40'



ROAD A - PROFILE

SCALE: 1" = 40' HORIZ.
1" = 4' VERT.

CUL-DE-SAC ISLAND PLANTINGS:



FOR REGISTRY USE

ZONING DISTRICT:
AGRICULTURAL RESIDENTIAL I

ASSESSORS PARCEL:
MAP 41, PARCEL 35

OWNER/APPLICANT:
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33 FRUIT STREET
NORFOLK, MA 02056

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AND RESTRICTIONS SET FORTH IN A
COVENANT DATED TO BE
RECORDED HEREWITH.

DATE APPROVED:

DATE ENDORSED:

TOWN OF MEDWAY PLANNING BOARD

PROFILE LEGEND

ABBREV.

M-XX"
WT-XX"
WP-XX"
NW-XX"
R-XX"
TS
SS
S
LS
SL

DESCRIPTION

REDOX (MOTTLES) AT XX-INCHES
STANDING WATER AT XX-INCHES
WEeping WATER AT XX-INCHES
NO GROUNDWATER INDICATORS
REFUSAL AT XX-INCHES
TOPSOIL
SUBSOIL
SAND
LOAMY SAND
SANDY LOAM



Digitally signed by Daniel J.
Merrikin, P.E.
Date: 2017.06.14 11:01:50 -0400



730 MAIN STREET, SUITE 2C
MILLIS, MA 02054
ph. 508-376-8883 fax 508-376-8823

D104-01 SHEET 6 OF 11

PAUL REVERE ESTATES
DEFINITIVE SUBDIVISION
PLAN & PROFILE
PLAN OF LAND IN
MEDWAY, MA

PLAN DATE: JUNE 9, 2017

BY

DATE

REVISION

DATE

BY

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REVISION

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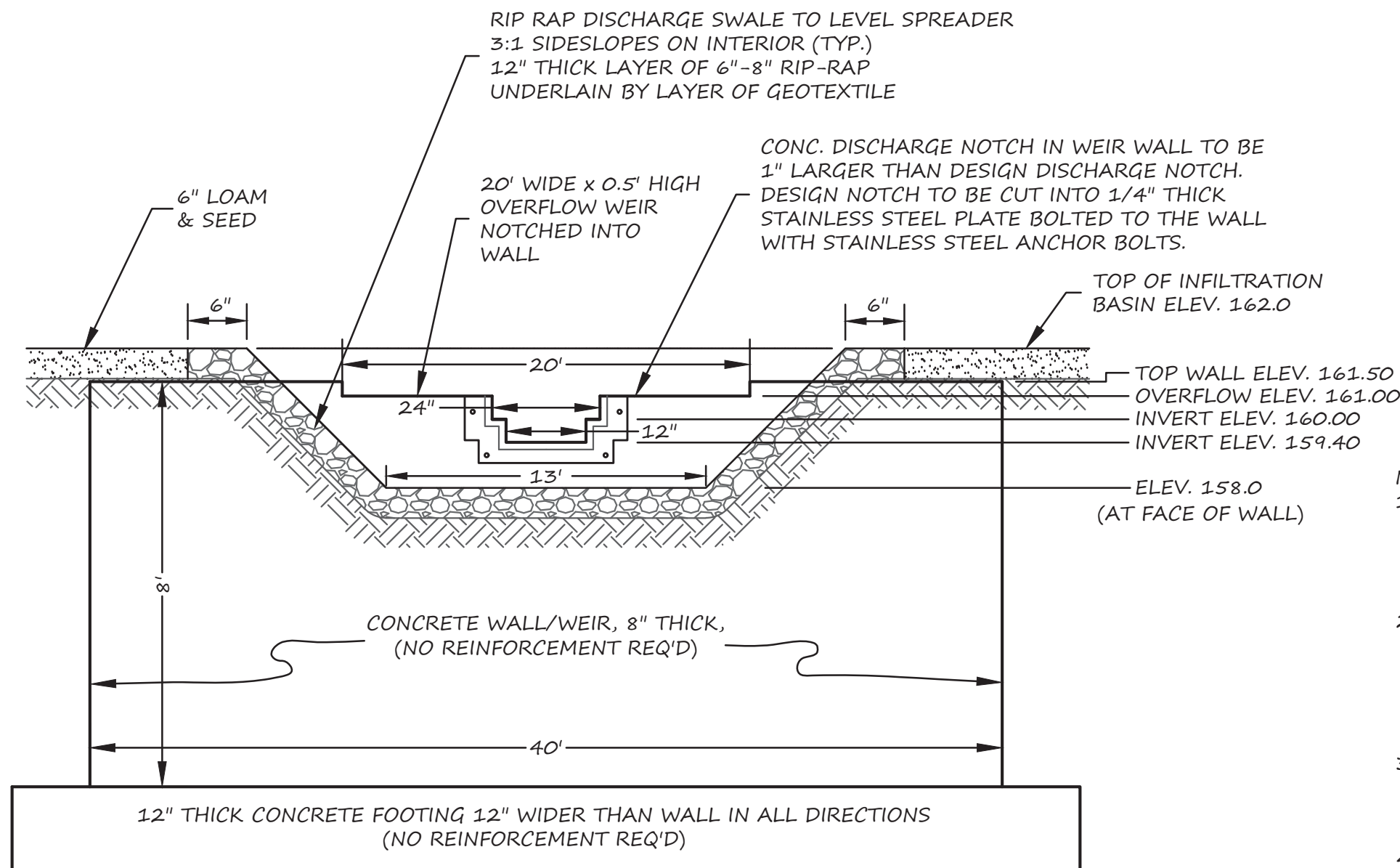
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REVISION

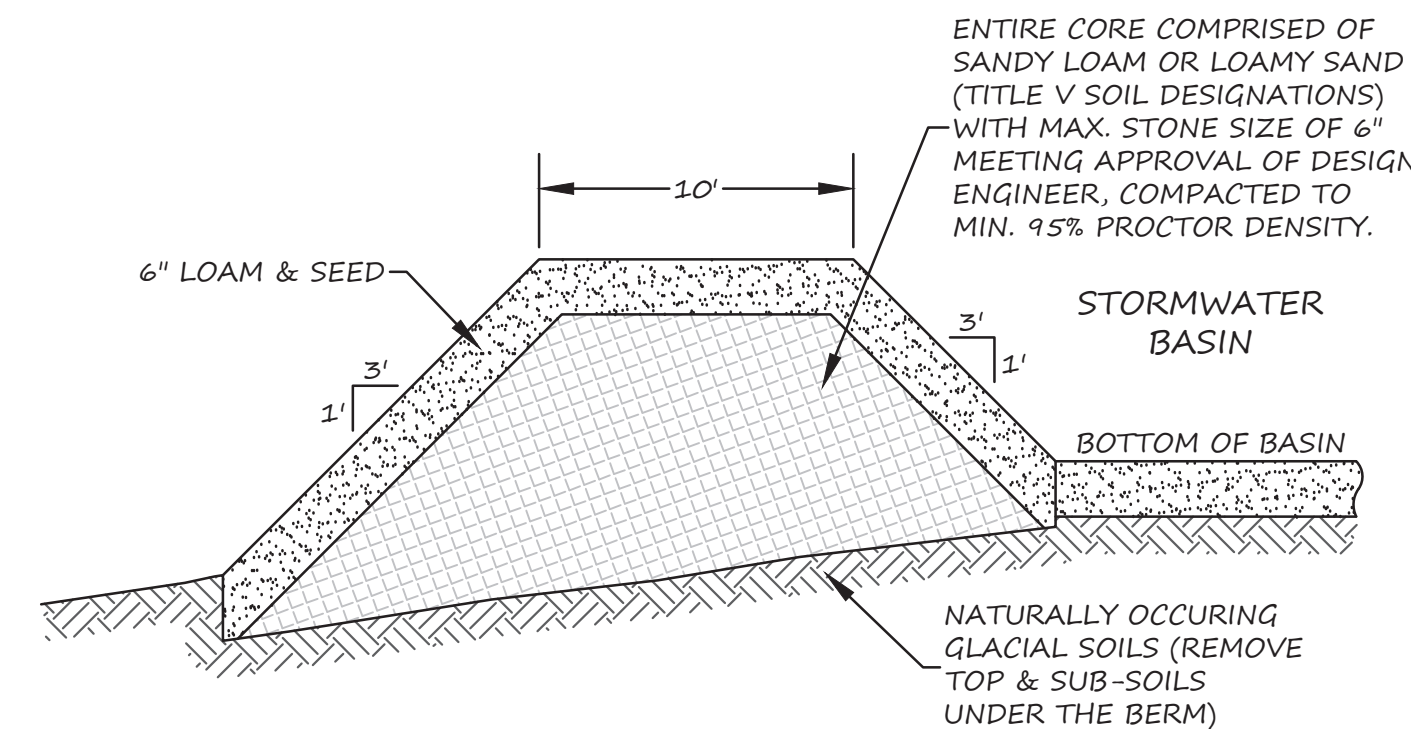
DATE

BY

DATE



- NOTES:
- SEE GRADING SHEETS AND PROFILE SHEETS FOR SIZE OF INLETS AND OUTLETS. OUTLET STRUCTURE SPECIFICATIONS, ELEVATION OF BOTTOM OF BASIN, ELEVATION OF TOP OF BASIN, SLOPE OF SIDESLOPES, AND OTHER DIMENSIONAL REQUIREMENTS FOR EACH BASIN.
 - ALL TOPSOIL AND SUBSOIL BELOW THE BOTTOM OF THE BASIN SHALL BE REMOVED PRIOR TO BASIN CONSTRUCTION. FILL MATERIALS UNDER THE BASIN BOTTOM SHALL BE SAND OR LOAMY SAND MEETING THE APPROVAL OF THE DESIGN ENGINEER. FILL FOR BERMS MAY BE SAND, LOAMY SAND OR SANDY LOAM MEETING THE APPROVAL OF THE DESIGN ENGINEER. (TITLE V CLASSIFICATIONS).
 - BERM AREAS SHALL BE REMOVED OF ALL TOP AND SUB-SOIL AND OTHER UNSUITABLE SOILS. BERM CORE SHALL CONSIST OF ORDINARY BORROW INSTALLED IN 12-INCH LIFTS TO A MINIMUM 93% PROCTOR DENSITY.
 - BOTTOM OF INFILTRATION BASINS TO BE FLAT AT THE SPECIFIED ELEVATIONS.



INFILTRATION BASIN BERM DETAIL

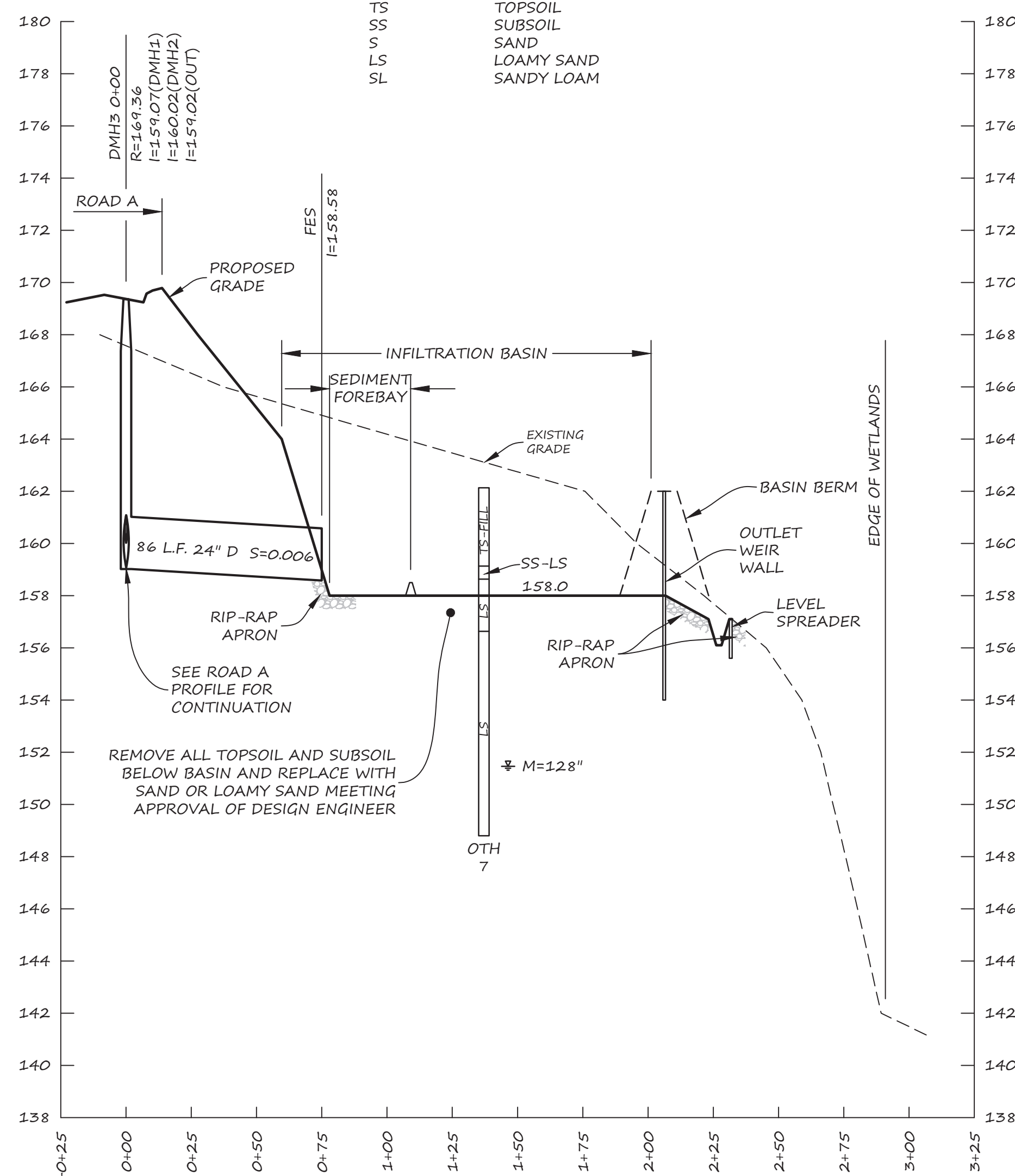
NOT TO SCALE

INFILTRATION BASIN OUTLET WEIR AND RIP-RAP SWALE DETAIL

NOT TO SCALE

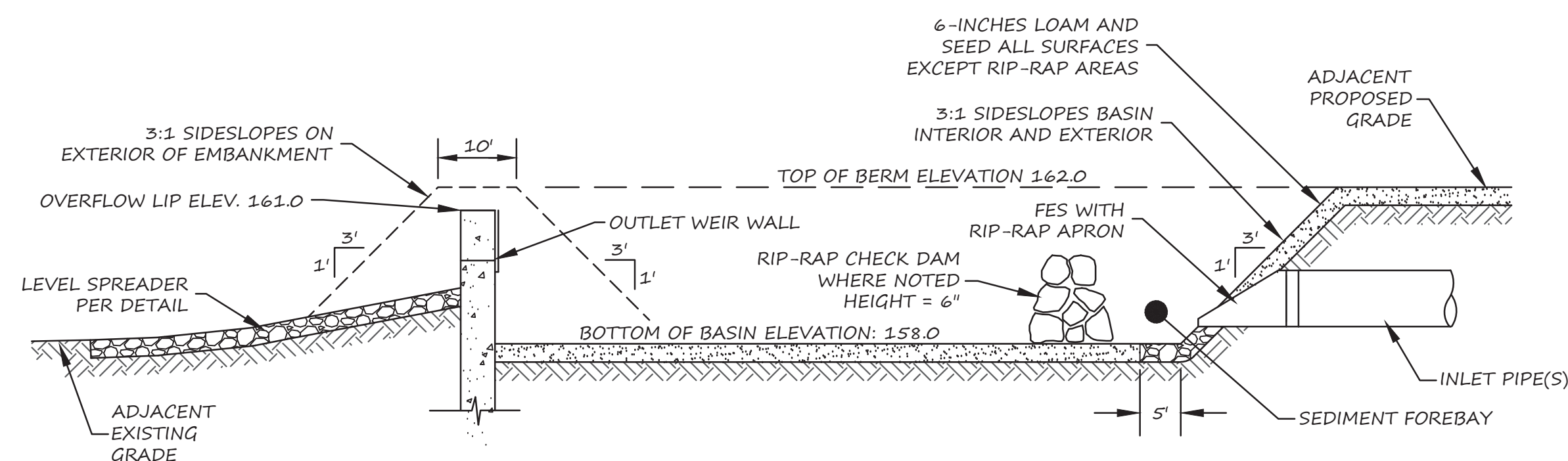
PROFILE LEGEND

ABBREV.	DESCRIPTION
M-XX"	REDOX (MOTTLES) AT XX-INCHES
WT-XX"	STANDING WATER AT XX-INCHES
WP-XX"	WEeping WATER AT XX-INCHES
NW-XX"	NO GROUNDWATER INDICATORS
R-XX"	REFUSAL AT XX-INCHES
TS	TOPSOIL
SS	SUBSOIL
S	SAND
LS	LOAMY SAND
SL	SANDY LOAM



STORMWATER BASIN - PROFILE

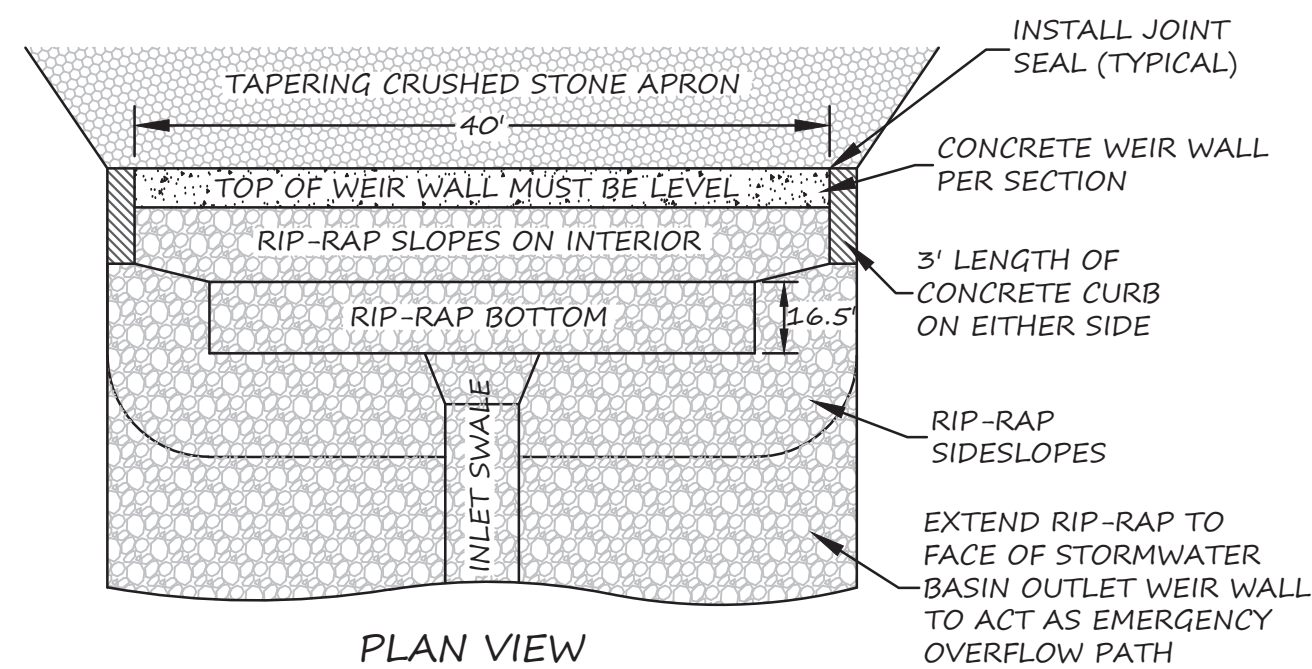
SCALE: 1" = 40' HORIZ.
1" = 4' VERT.



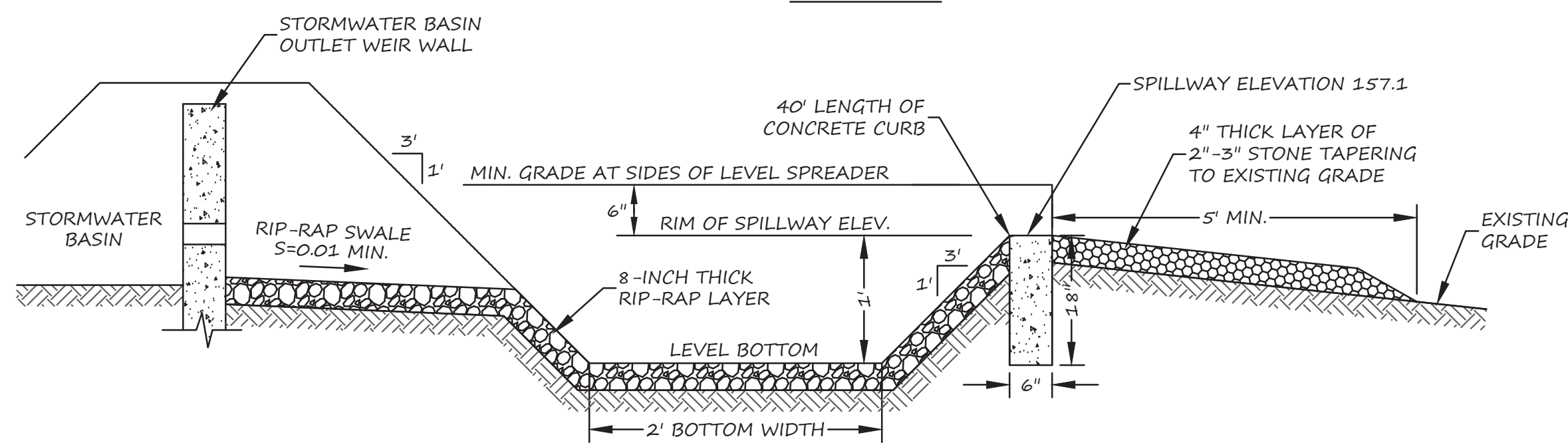
TYPICAL BASIN CROSS SECTION

NOT TO SCALE

- NOTES:
- WEIR LIP SHALL FOLLOW EXISTING GRADES AS CLOSELY AS POSSIBLE.



PLAN VIEW



LEVEL SPREADER DETAIL

NOT TO SCALE

ZONING DISTRICT:
AGRICULTURAL RESIDENTIAL I

ASSESSORS PARCEL:
MAP 41, PARCEL 35

OWNER/APPLICANT:
NOTWEN REALTY TRUST
33 FRUIT STREET
NORFOLK, MA 02056

I CERTIFY THAT 20 DAYS HAVE ELAPSED
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AND NO APPEAL HAS BEEN FILED IN THIS
OFFICE.

TOWN CLERK

DATE

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PROFESSIONAL LAND SURVEYOR

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AND RESTRICTIONS SET FORTH IN A
COVENANT DATED TO BE
RECORDED HEREWITH.

DATE APPROVED:

DATE ENDORSED:

TOWN OF MEDWAY PLANNING BOARD



Digitally signed by Daniel J.
Merrikin, P.E.
Date: 2017.06.14 11:01:04
-04'00'

MERRIKIN
ENGINEERING, LLP

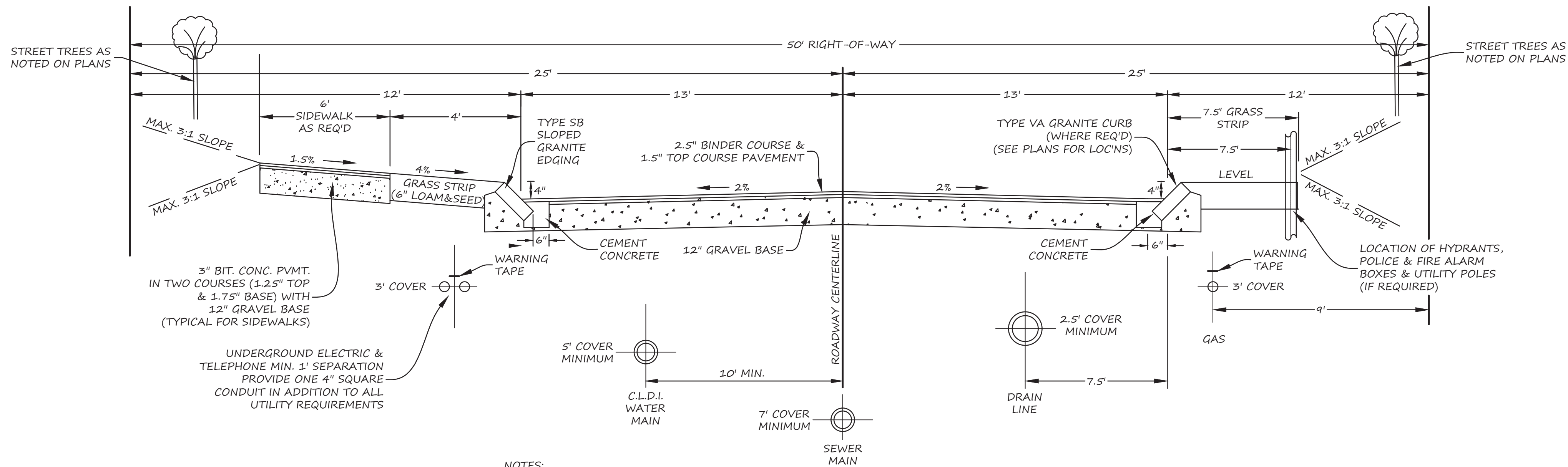
730 MAIN STREET, SUITE 2C
MILLIS, MA 02054
ph. 508-376-8883 fax 508-376-8823

D104-01

SHEET 7 OF 11

PLAN SCALE: N.T.S.

PAUL REVERE ESTATES
DEFINITIVE SUBDIVISION
STORMWATER BASIN
PLAN OF LAND IN
MEDWAY, MA

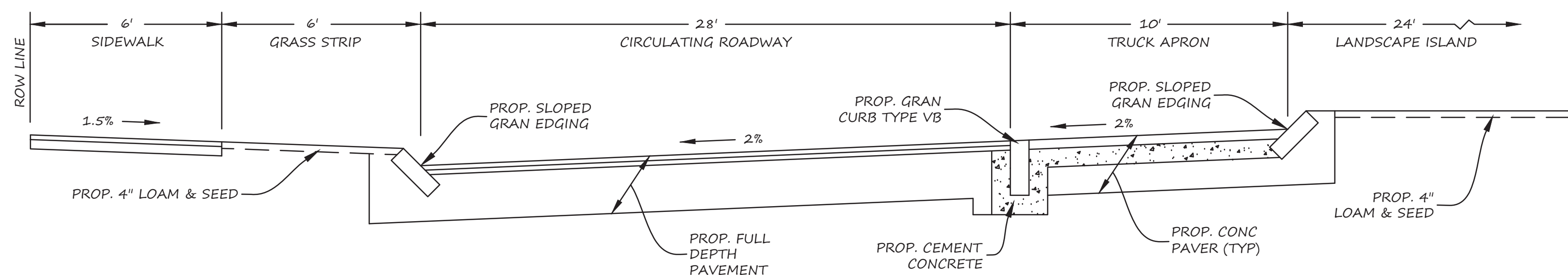


NOTES:

1. UTILITY LOCATIONS WILL VARY ACCORDING TO LAYOUT. THIS DETAIL PRESENTS STANDARD DEPTHS AND SEPARATIONS.
2. SIDESLOPE SPECIFICATIONS ARE TYPICAL AND WILL VARY IF OTHERWISE NOTED ON THESE PLANS.
3. COMPACTION REQUIREMENTS OF THE SUBDIVISION REGULATIONS MUST BE ADHERED TO.

TYPICAL ROADWAY CROSS SECTION

(NOT TO SCALE)

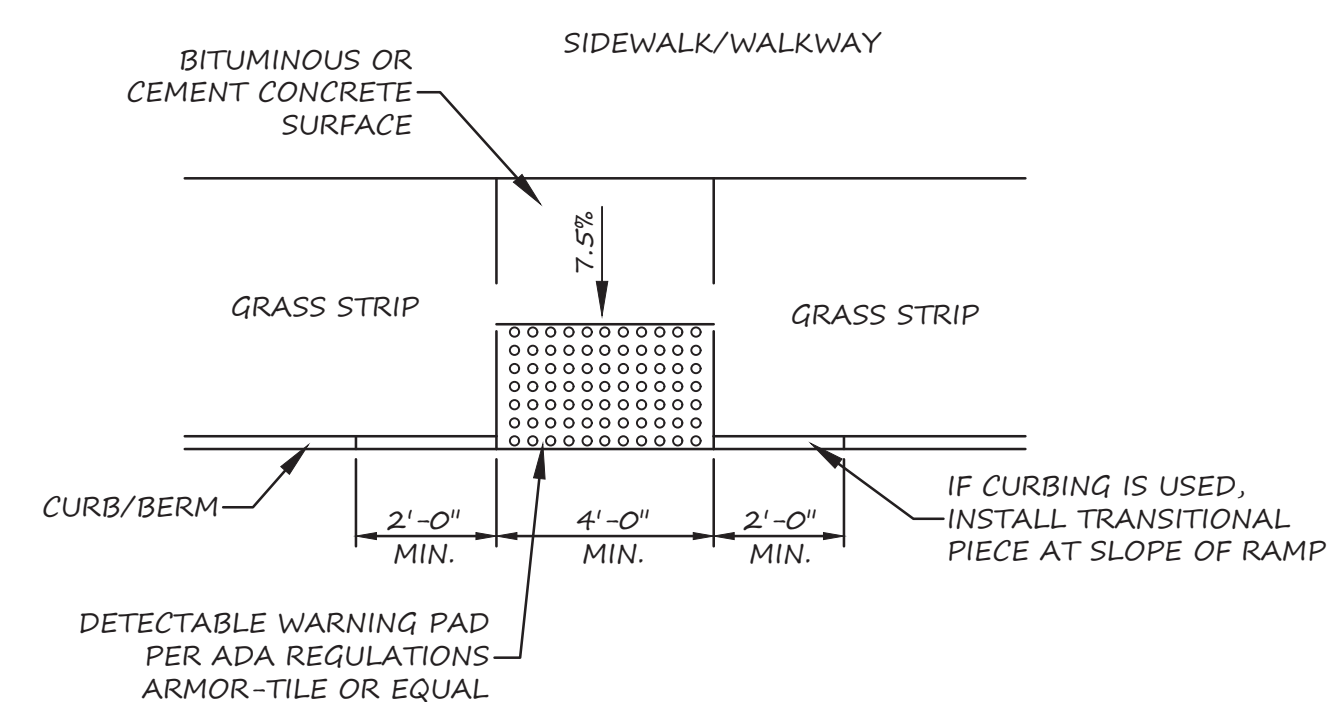


NOTES:

1. CENTRAL ISLAND TO BE LANDSCAPED PER SUBDIVISION REGULATIONS.
2. COMPACTION REQUIREMENTS OF THE SUBDIVISION REGULATIONS MUST BE ADHERED TO.

TYPICAL CUL-DE-SAC CROSS SECTION

(NOT TO SCALE)

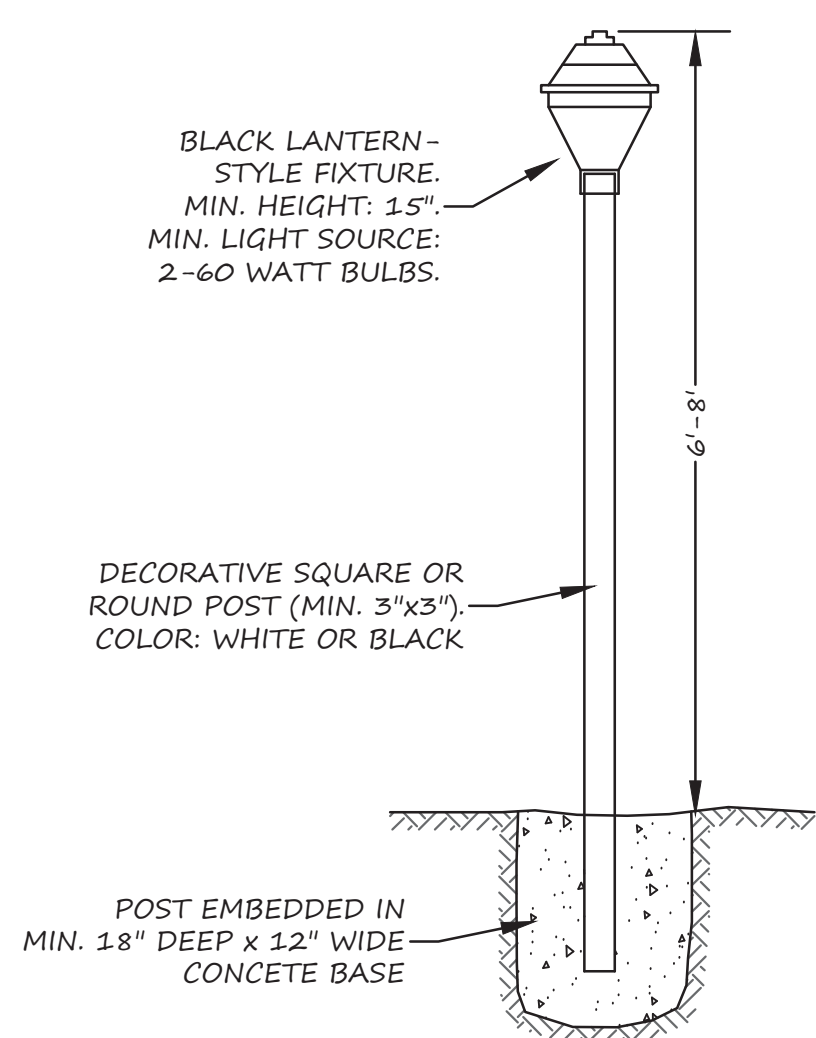


NOTES:

1. WHEEL CHAIR RAMPS SHALL COMPLY WITH CURRENT ARCHITECTURAL ACCESS BOARD REQUIREMENTS AT THE TIME OF CONSTRUCTION.

TYPICAL SIDEWALK RAMP DETAIL

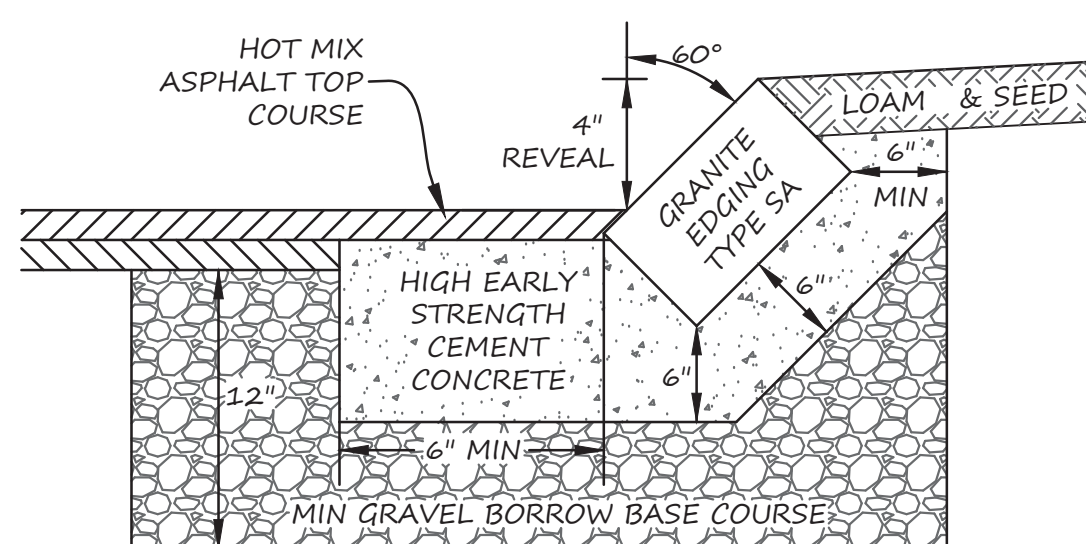
(NOT TO SCALE)



NOTE: EACH LOT TO MAINTAIN ONE LIGHT POLE WITHIN 10 FEET OF THE STREET LAYOUT ADJACENT TO ITS DRIVEWAY.

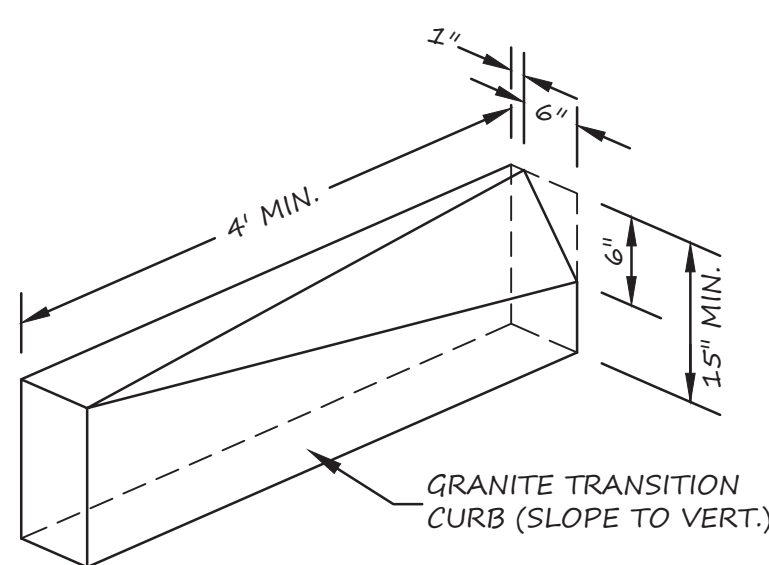
DRIVEWAY LIGHT POLE DETAIL

NOT TO SCALE



SLOPED GRANITE EDGING

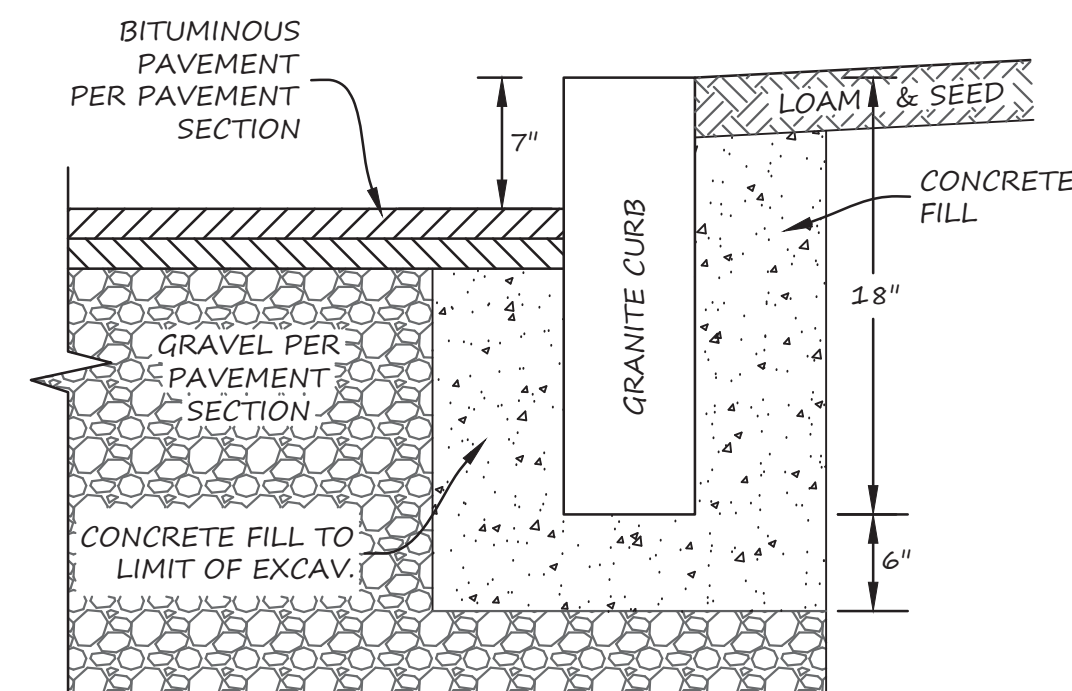
(NOT TO SCALE)



NOTE: TRANSITION CURBS ARE REQUIRED BETWEEN ALL SLOPED CURBING/BERM AND ALL VERTICAL GRANITE CURBING AND GRANITE THROAT STONES.

GRANITE TRANSITION CURB DETAIL

(NOT TO SCALE)

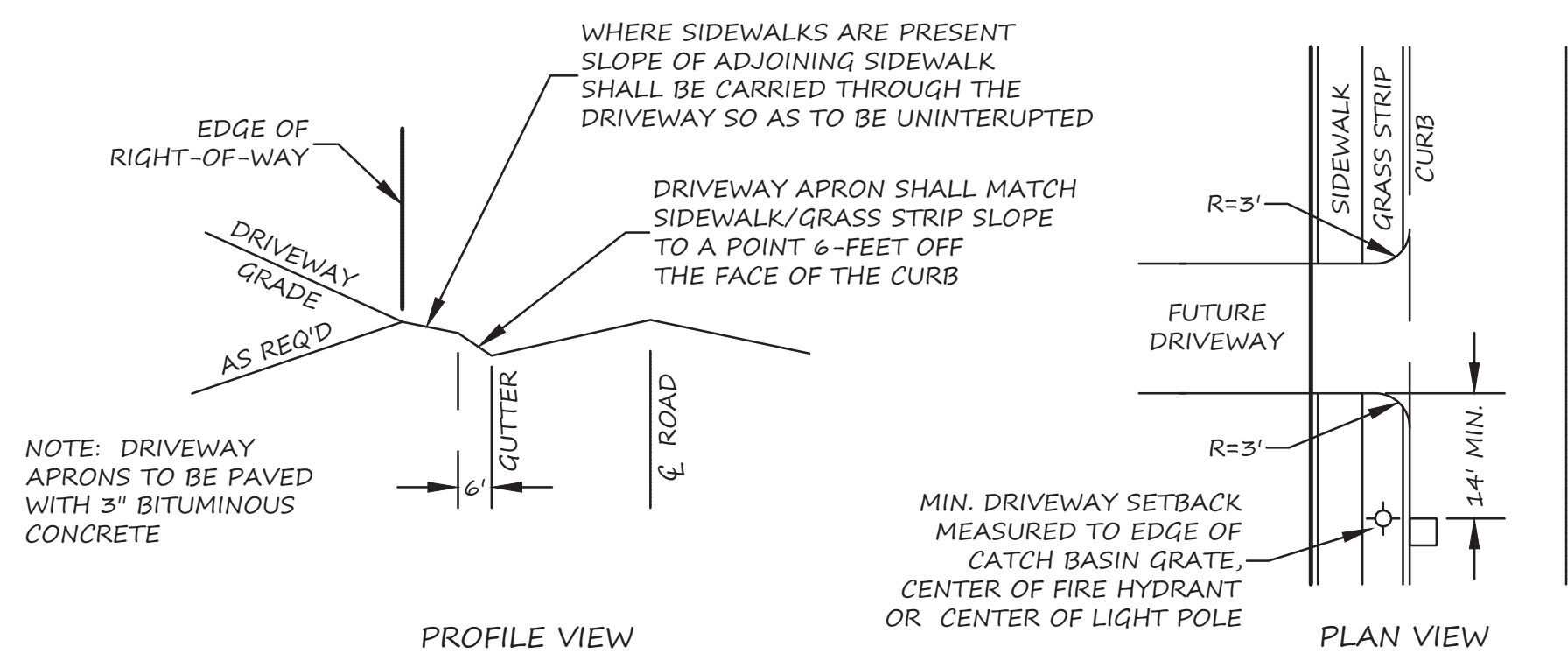


NOTES:

1. ALL RADII 50' AND SMALLER TO BE CONSTRUCTED USING CURVED SECTIONS.

VERTICAL GRANITE CURB DETAIL

(NOT TO SCALE)

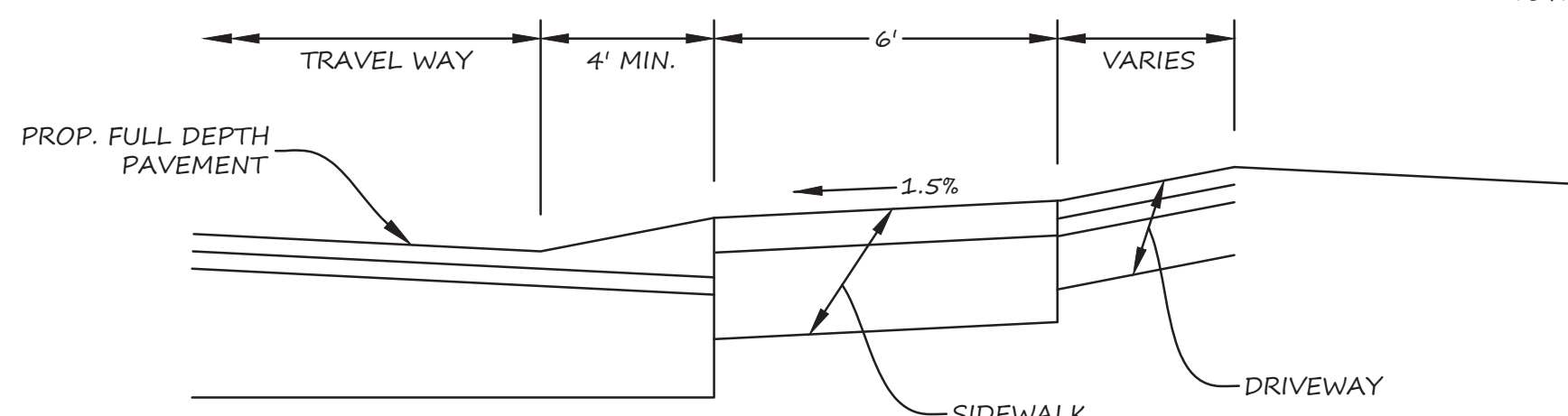


PROFILE VIEW

PLAN VIEW

TYPICAL DRIVEWAY APRON DETAIL

(NOT TO SCALE)



NOTE: DRIVEWAY SHALL BE SLOPED TO MEET BACK OF SIDEWALK FINISHED GRADE.

TYPICAL DRIVEWAY WITH SIDEWALK

NOT TO SCALE

ZONING DISTRICT:
AGRICULTURAL RESIDENTIAL I

ASSESSORS PARCEL:
MAP 41, PARCEL 35

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NOTWEN REALTY TRUST
33 FRUIT STREET
NORFOLK, MA 02056

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PROFESSIONAL LAND SURVEYOR

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DATE APPROVED: _____

DATE ENDORSED: _____

TOWN OF MEDWAY PLANNING BOARD

PLAN SCALE: N.T.S.

PLAN DATE: JUNE 9, 2017

PAUL REVERE ESTATES
DEFINITIVE SUBDIVISION
DETAILS
PLAN OF LAND IN
MEDWAY, MA

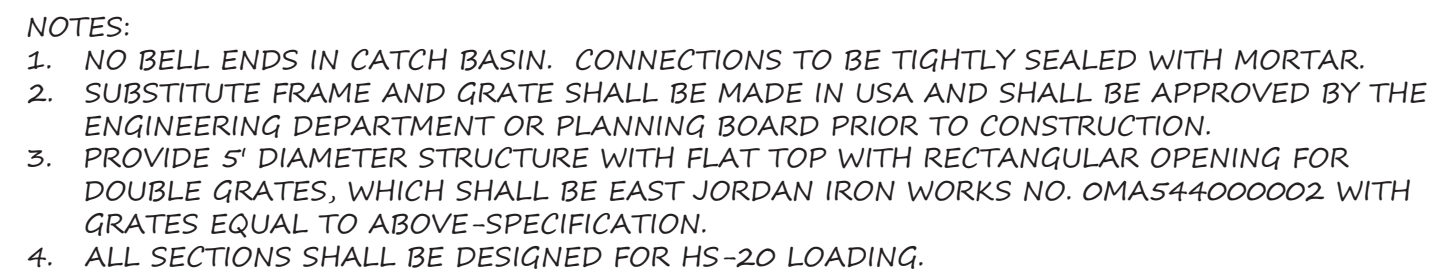


Digitally signed by Daniel J. Merrikin, P.E.
Date: 2017.06.14 11:00:26 -0400

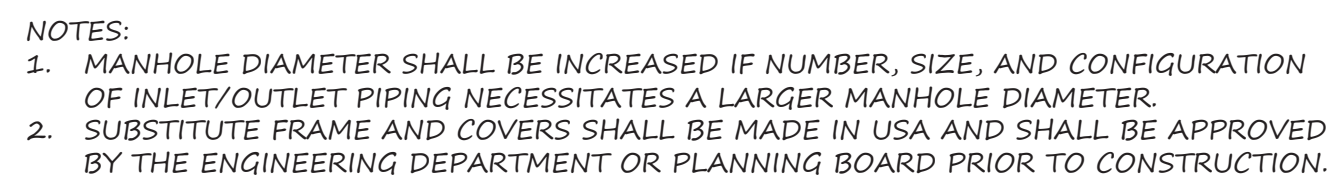


730 MAIN STREET, SUITE 2C
MILLIS, MA 02054
ph. 508-376-8883 fax 508-376-8823

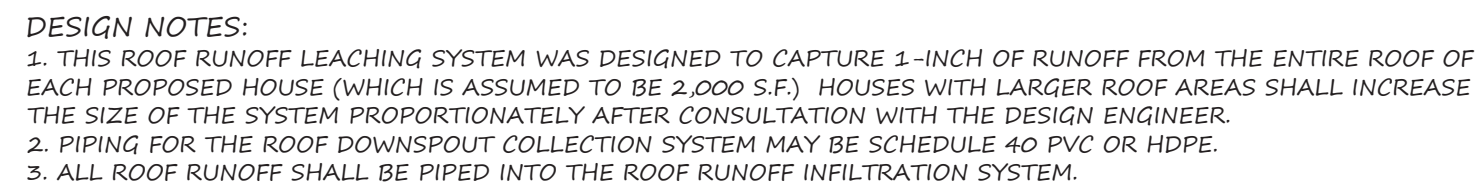
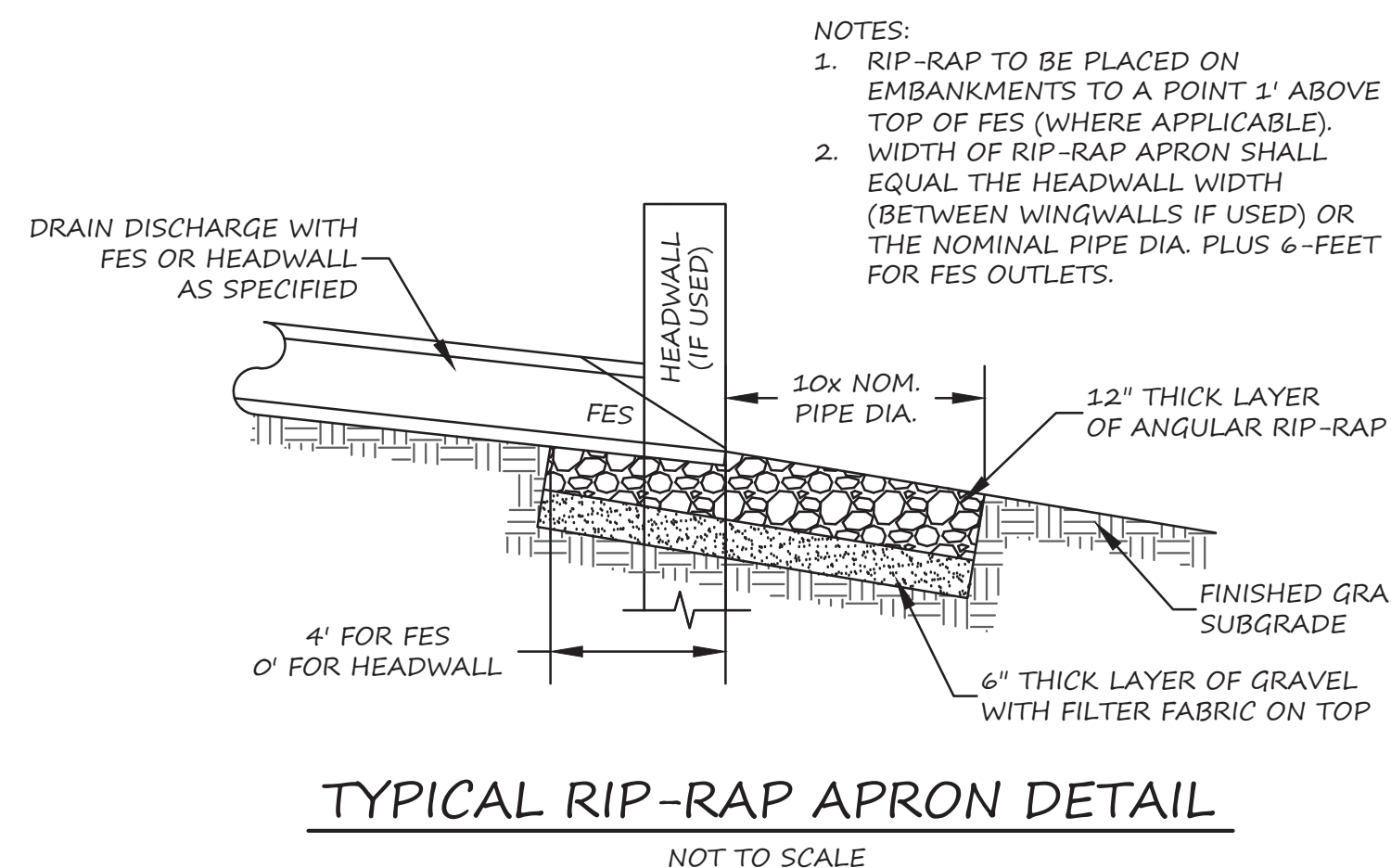
D104-01 SHEET 8 OF 11



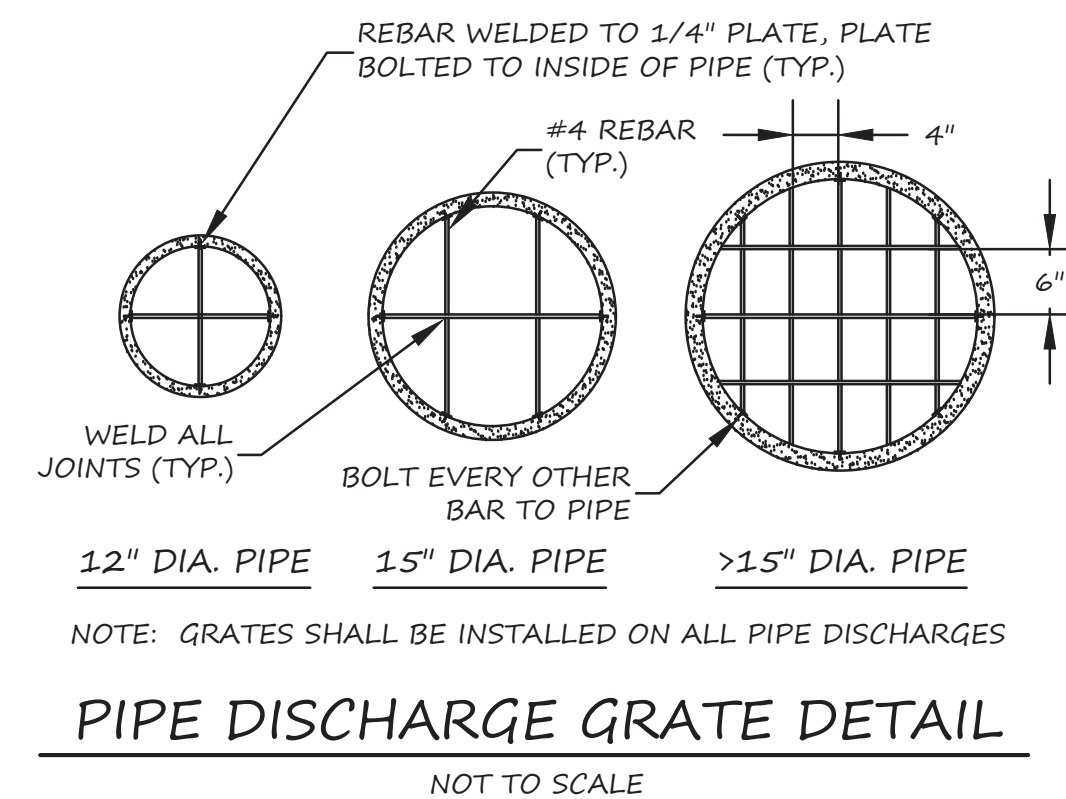
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NOT TO SCALE



NOT TO SCALE

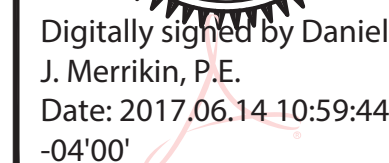


FOR REGISTRY USE

PLAN SCALE: N.T.S.

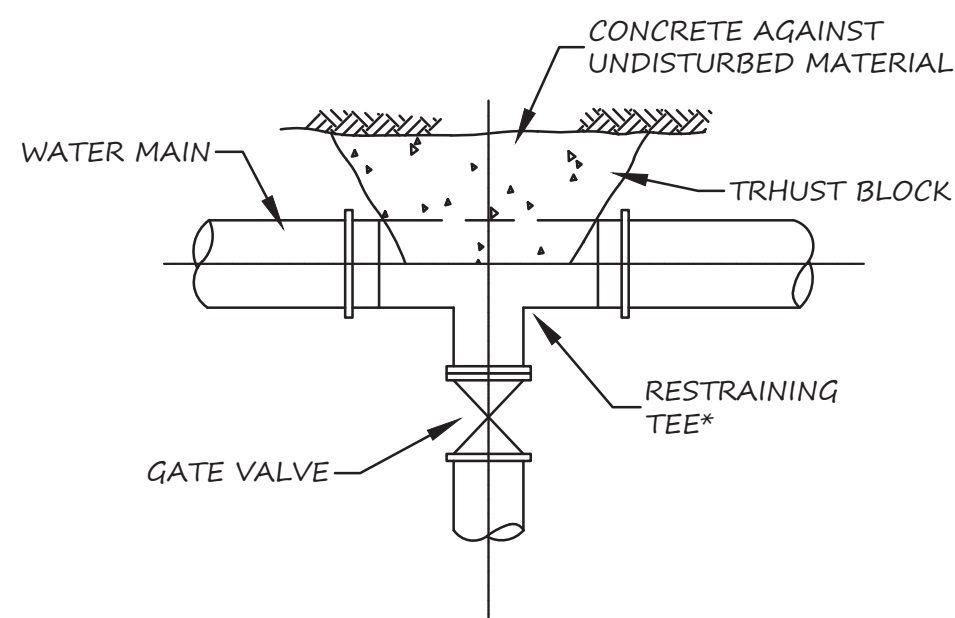
PLAN DATE: JUNE 9, 2017

PAUL REVERE ESTATES
DEFINITIVE SUBDIVISION
DETAILS
PLAN OF LAND IN
MEDWAY, MA



D104-01	SHEET 9 OF 11
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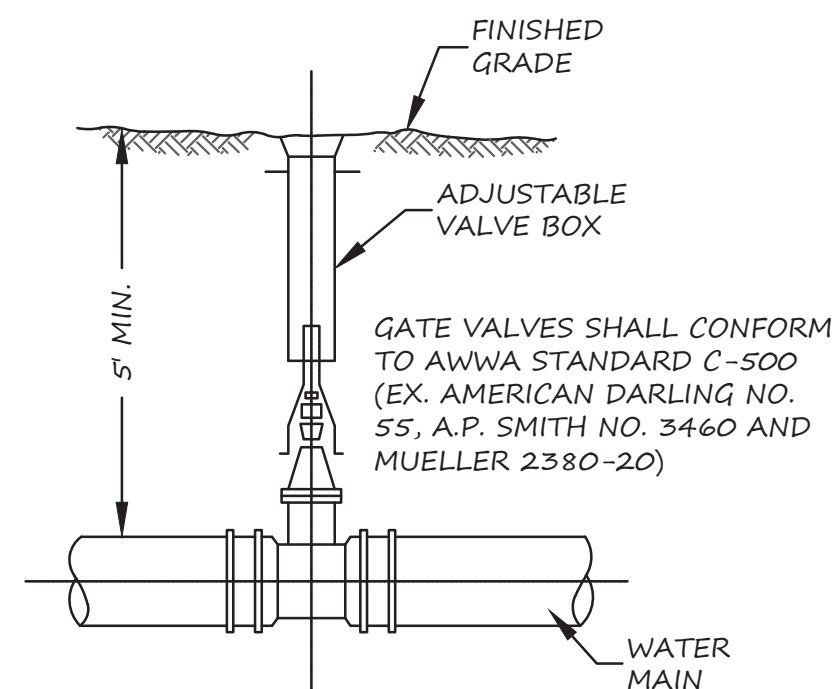
D104-01	SHEET 9 OF 11
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NOTE: MECHANICAL JOINT RESTRAINT SYSTEMS SUCH AS "MEGALUG" MAY BE USED SUBJECT TO APPROVAL BY THE DEPARTMENT OF PUBLIC WORKS/ENGINEERING DEPT.

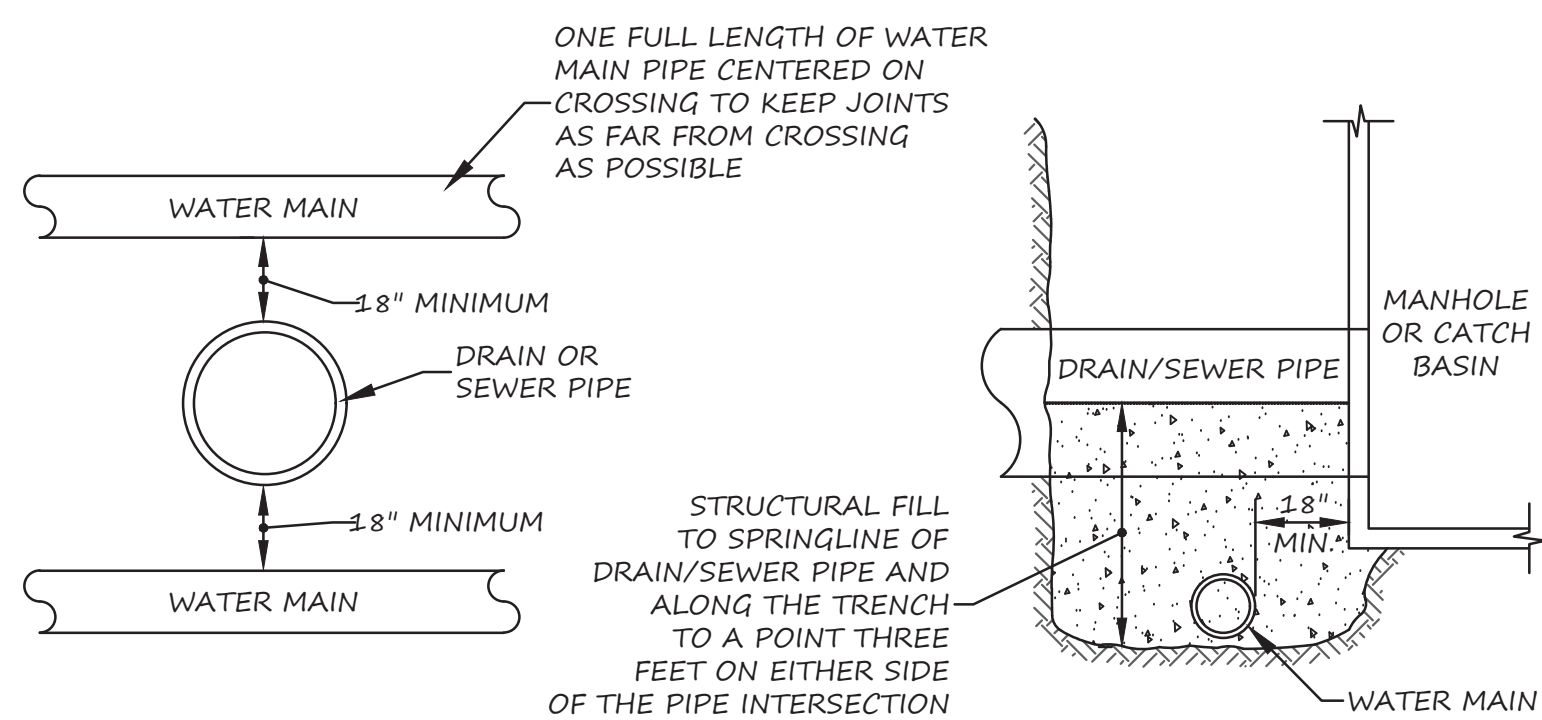
TYPICAL LATERAL GATE VALVE CONNECTION DETAILS

NOT TO SCALE



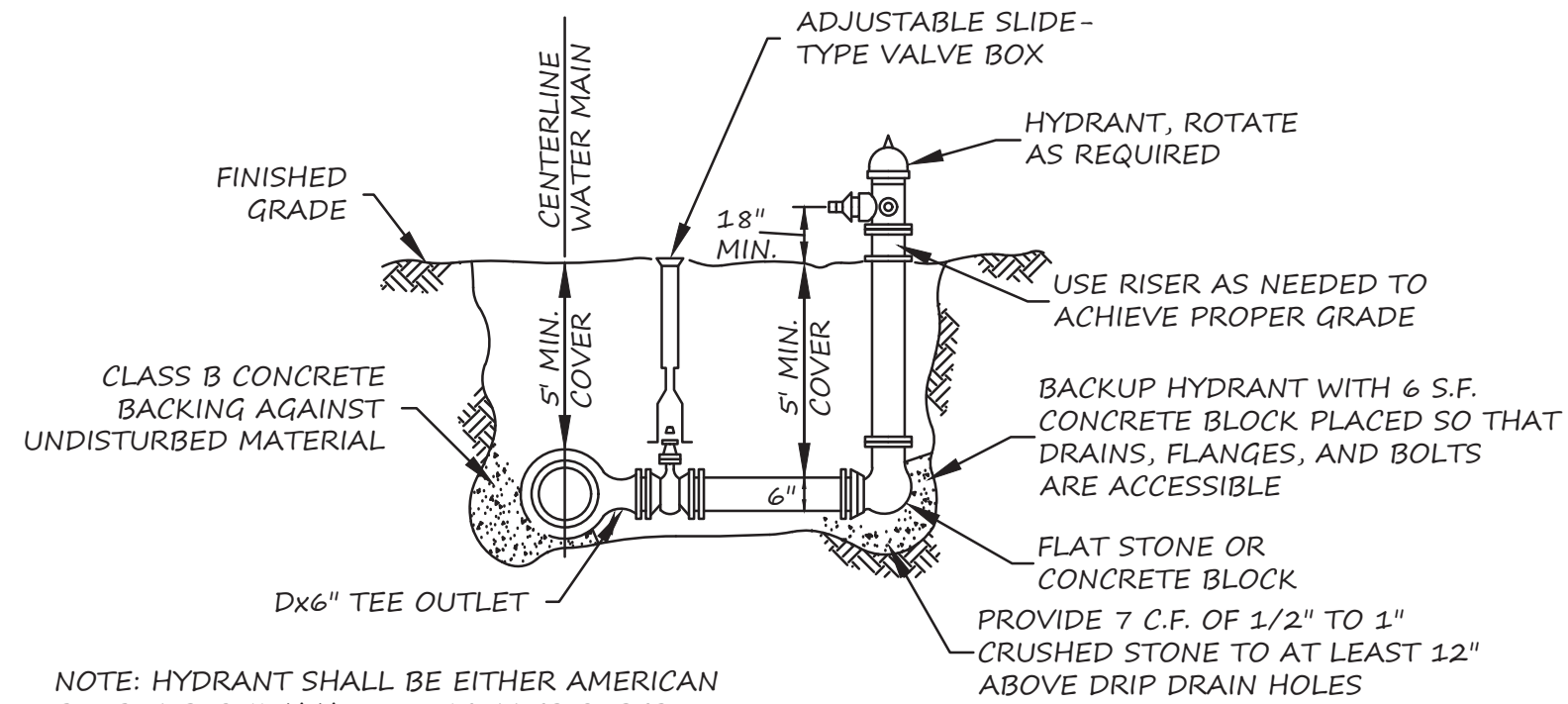
TYPICAL GATE VALVE

NOT TO SCALE



WATER MAIN CROSSING DETAIL

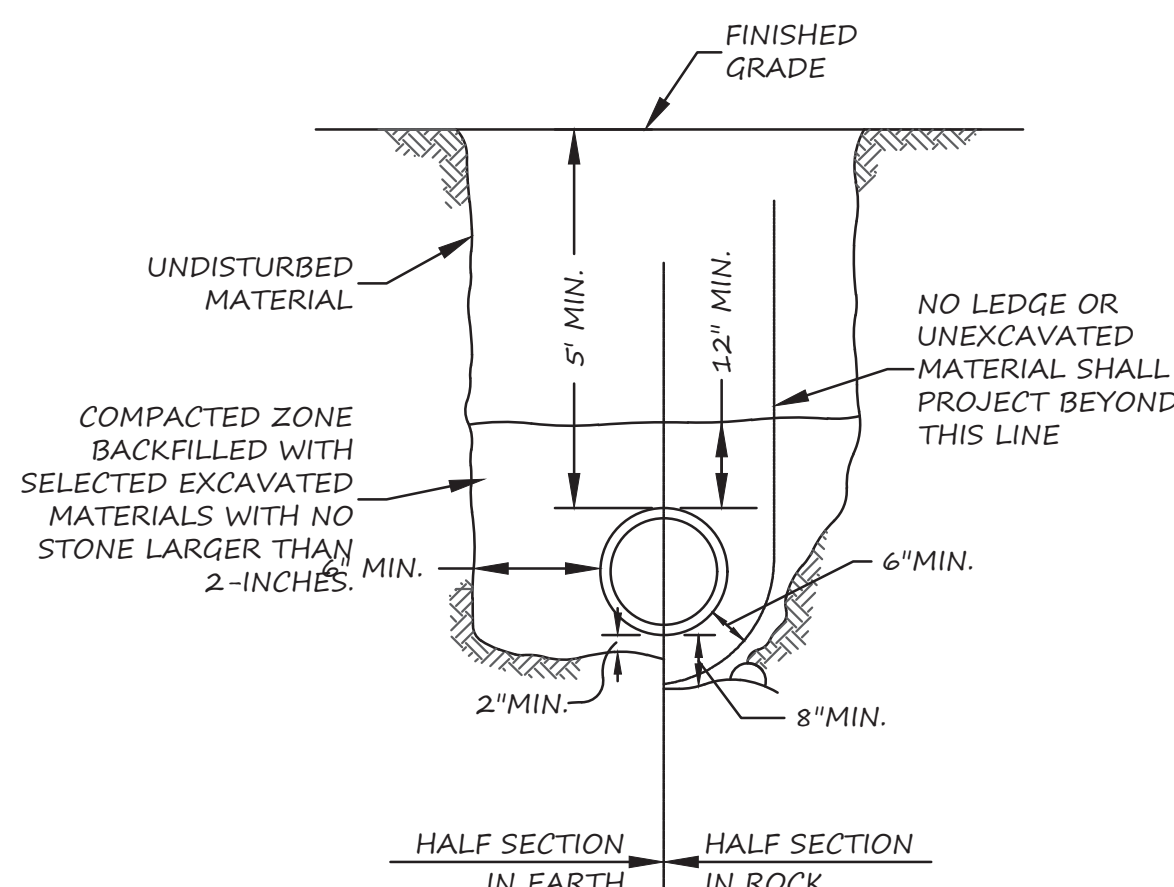
NOT TO SCALE



NOTE: HYDRANT SHALL BE EITHER AMERICAN B62B, A.P. SMITH H-205, MUELLER SUPER CENTURIAN 250, OR APPROVED EQUAL

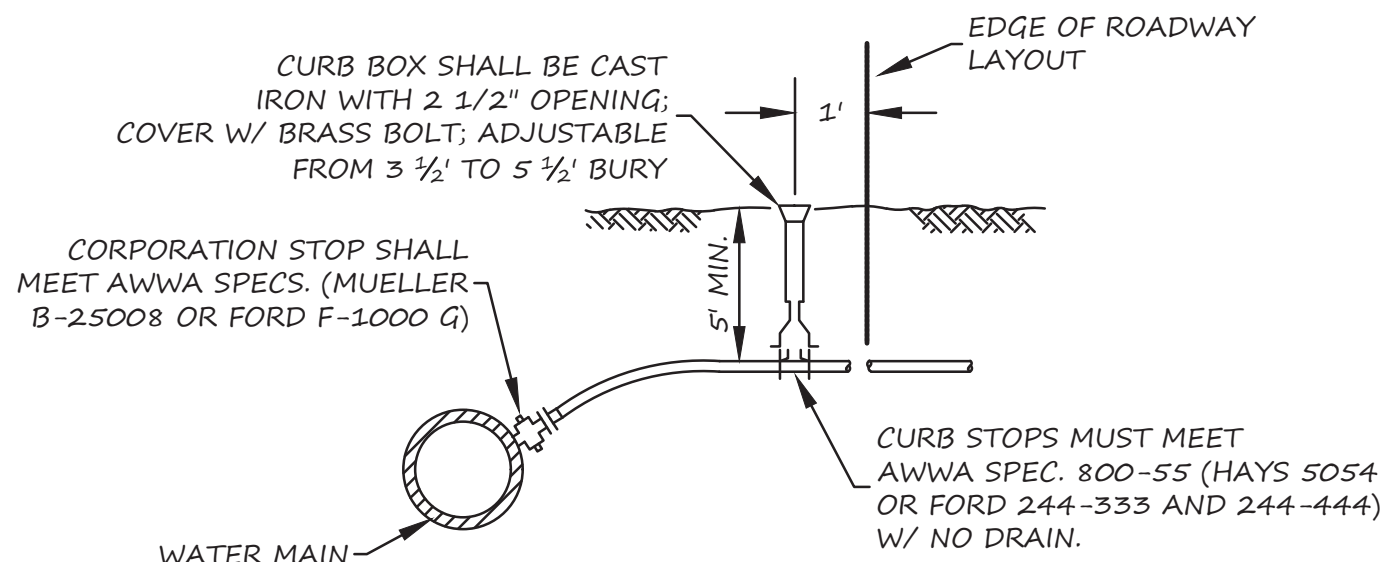
TYPICAL HYDRANT ASSEMBLY DETAIL

NOT TO SCALE



WATER MAIN TRENCH DETAIL

NOT TO SCALE

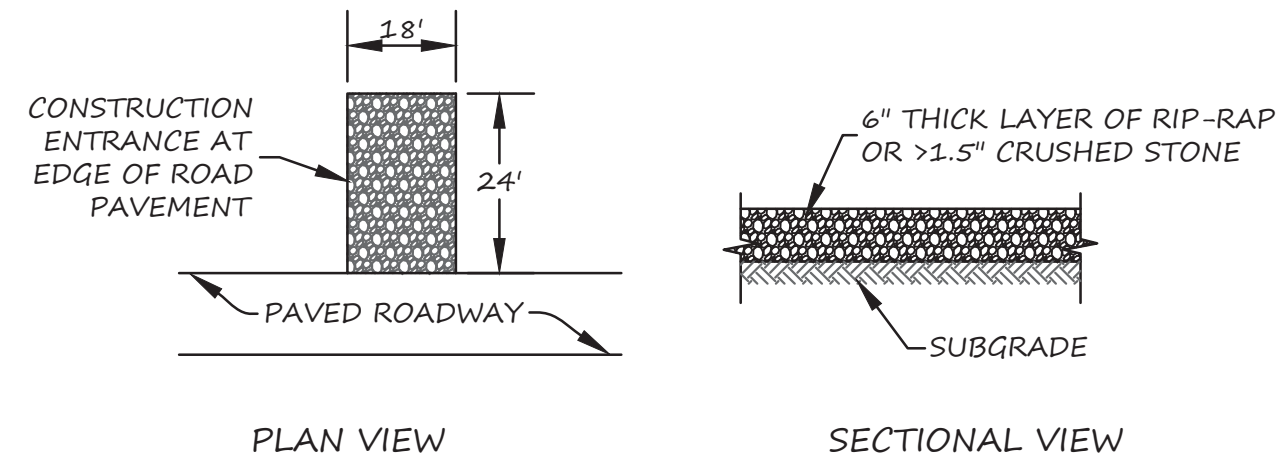


NOTES:

1. COPPER TUBING SHALL MEET AWWA SPEC. 76-CR TYPE K OR FEDERAL SPEC. WWT-799 TYPE K.
2. 1 1/2-INCH AND LARGER SERVICES SHALL BE INSTALLED WITH A SADDLE.

TYPICAL WATER SERVICE CONNECTION

NOT TO SCALE

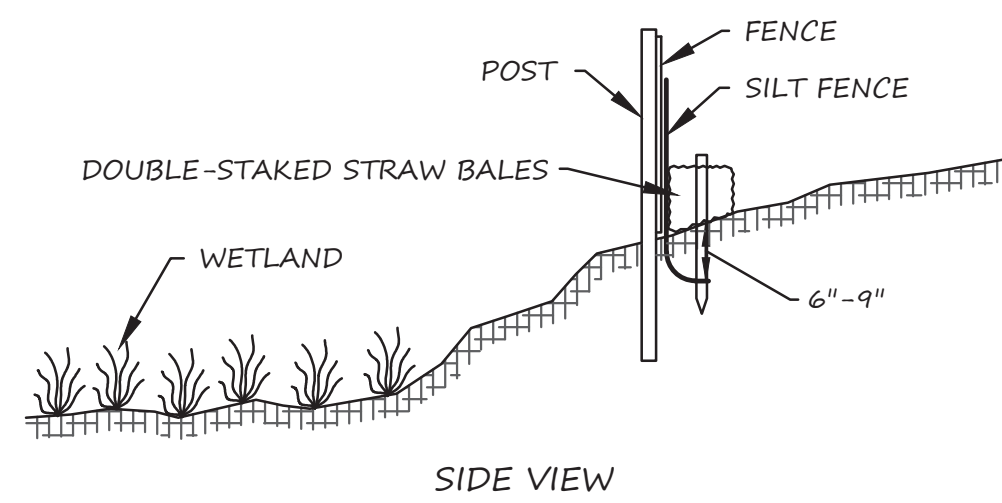
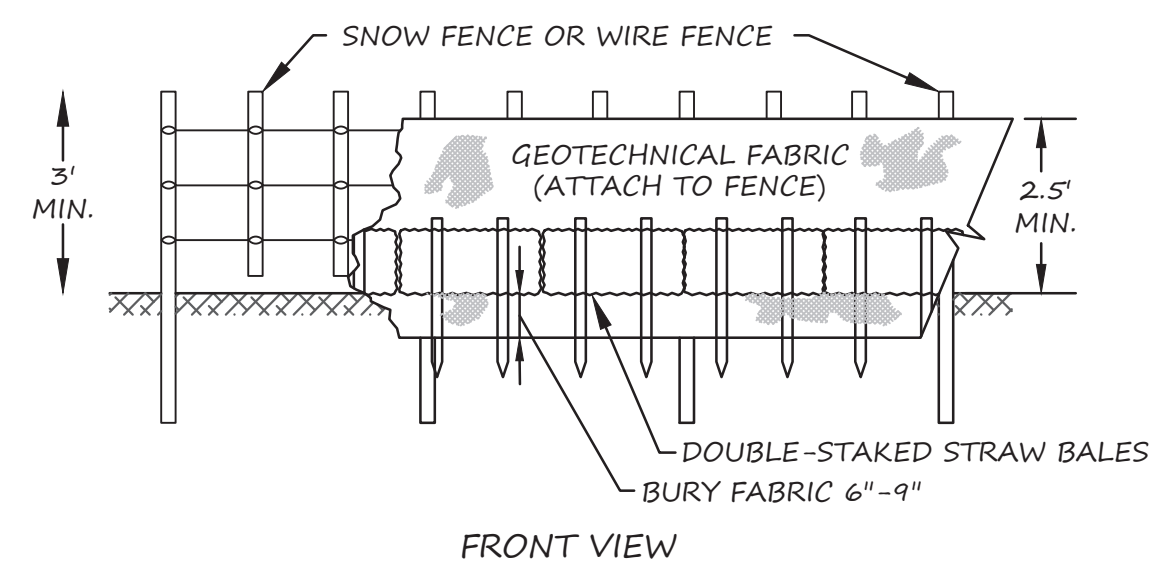


NOTES:

1. ENTRANCE SHALL BE INSTALLED BEFORE ANY EXCAVATION WORK OCCURS ON-SITE.
2. ENTRANCE SHALL BE MAINTAINED IN GOOD CONTITION UNTIL A PAVED DRIVEWAY IS INSTALLED. REPLACE ENTRANCE IF FILLED WITH SOILS OR IF SOILS ARE BEING TRACKED ONTO ADJACENT ROADWAYS.

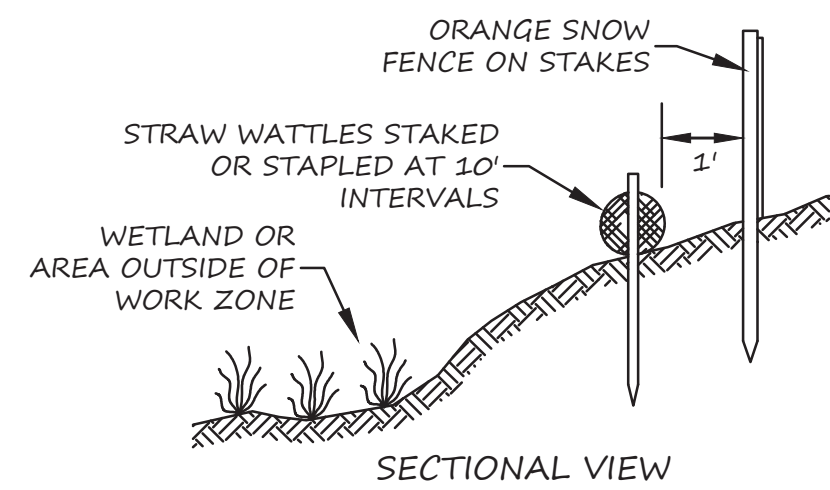
CONSTRUCTION ENTRANCE DETAIL

NOT TO SCALE



SILT FENCE & STRAW-BALES DETAIL

NOT TO SCALE



NOTE: NON-BIODEGRADABLE SOCK SHELL FILLED WITH FILTER MEDIA (BIODEGRADABLE OR OTHERWISE). JOINTS SHALL BE OVERLAPPED BY AT LEAST TWO FEET. ORANGE SNOW FENCE IS ONLY NEEDED IF THERE IS EVIDENCE OF THE COMPOST SOCK BEING BURIED BY CONSTRUCTION ACTIVITIES.

EROSION CONTROL DETAIL (COMPOST SOCK)

NOT TO SCALE

ZONING DISTRICT:
AGRICULTURAL RESIDENTIAL I

ASSESSORS PARCEL:
MAP 41, PARCEL 35

OWNER/APPLICANT:
NOTWEN REALTY TRUST
33 FRUIT STREET
NORFOLK, MA 02056

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

TOWN CLERK

DATE

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.

I CERTIFY THAT THIS SURVEY AND PLAN CONFORMS TO THE ETHICAL, PROCEDURAL AND TECHNICAL STANDARDS FOR THE PRACTICE OF LAND SURVEYING IN THE COMMONWEALTH OF MASSACHUSETTS.

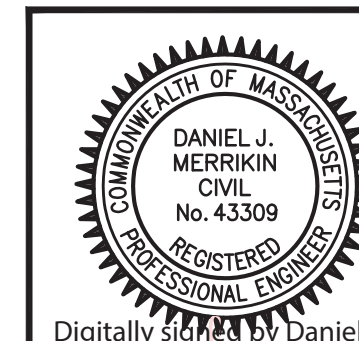
PROFESSIONAL LAND SURVEYOR

CONDITIONALLY APPROVED IN ACCORDANCE WITH M.G.L. CHAPTER 41, SECTION 81U, BY DECISION DATED _____ AND FILED WITH TOWN CLERK ON _____, AND SUBJECT TO COVENANTS, CONDITIONS AND RESTRICTIONS SET FORTH IN A COVENANT DATED _____ TO BE RECORDED HERewith.

DATE APPROVED: _____

DATE ENDORSED: _____

TOWN OF MEDWAY PLANNING BOARD



Digitally signed by Daniel J. Merrikin, P.E.
Date: 2017.06.14 10:59:20 -04'00'

MERRIKIN ENGINEERING, LLP

730 MAIN STREET, SUITE 2C
MILLIS, MA 02054
ph. 508-376-8883 fax 508-376-8823

D104-01 SHEET 10 OF 11

PLAN SCALE: N.T.S.

PAUL REVERE ESTATES
DEFINITIVE SUBDIVISION
DETAILS
PLAN OF LAND IN
MEDWAY, MA

PGC ASSOCIATES, INC.

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

July 5, 2017

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

Re: Paul Revere Estates Definitive Subdivision Plan

Dear Mr. Rodenhiser:

I have reviewed the definitive subdivision plan submitted by Notwen Realty Trust of Norfolk for property off Main Street. The plan was prepared by Merriken Engineering LLP of Millis, and is dated June 9, 2017. The site is within the AR-I district and is partially within the Groundwater Protection District.

The plan proposes to construct a 540-foot cul-de-sac to create 5 lots and a parcel on which a detention basin will be located. The new lots would have areas ranging from 44,128 to 53,534. The detention basin parcel has an area of 4.98 acres. The Groundwater Protection District is not directly impacted by the proposed construction except that the detention basin overflow is at its edge.

I have comments as follows:

Zoning

1. The proposed lots meet the area, frontage and lot shape factor to comply with the zoning bylaw. They also all exceed 50% uplands in accordance with the bylaw.

Subdivision Rules and Regulations

2. Since it is under 20 lots, a traffic study is not required (Section 5.5.12).
3. Section 5.7.6 requires an existing conditions sheet, including locating trees of more than 24" in caliper. The existing conditions sheet has been provided but a waiver is requested to not require the large trees be shown. Also, the erosion controls are shown on the existing conditions plan, which is a bit odd since they do not exist yet. It may not be a problem due to the simplicity of the site.
4. Section 5.7.8 requires streets, ways, lots, lot numbers or other designation be shown. This has been done. However, I suggest that the road be described and listed as a separate parcel. The applicant has stated the intent to reserve the fee interest in the road and describing it as a separate parcel facilitates that process.

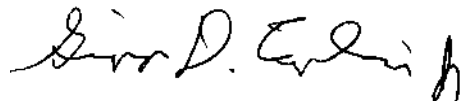
5. Section 5.7.9 requires that existing wells and septic systems on, and within 100 feet of, the property be shown. Nearby cesspools are shown on the plans.
6. Section 5.7.12 requires that the ROW and pavement width of streets within 700 feet of the subdivision be provided. The pavement for nearby streets is shown though dimensions are not provided.
7. Section 5.7.23 requires stormwater information including a long-term operations and maintenance plan to be shown on the plans. The O&M plan is included in the Stormwater Report.
8. Section 5.7.27 requires that street and traffic control signs be shown on the plans. This was not done.
9. Section 5.7.32 requires cul-de-sac landscaping. An island is shown but no landscaping details have been provided.
10. Section 5.7.35 requires that clearing and grading limits be shown on the plan and stockpile areas be marked. A limit of work marked by a snow fence and a stockpile area have been shown.
11. Section 7.7.2 (p) requires detention and retention basins to be on a separate parcel and at least 30 feet from any lot line. The basin is on a separate parcel but is less than 30 feet from the right-of-way and adjacent lots. A waiver is requested to allow the setback to be 20 feet from lot lines.
12. Section 7.9.6 does not permit cul-de-sacs unless the land would be rendered undevelopable otherwise. The current parcel does not meet frontage requirements on its own, but could meet the requirement with the abutting parcel under the same ownership and just recently separated.

General Comments

13. Section 7.9.1 states that neighborhood construction standards are to be used in subdivisions up to 5 lots. Neighborhood streets only require a 20-foot road width while 26 feet is proposed (the standard for a local street).

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

Sincerely,

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

Gino D. Carlucci, Jr.



July 6, 2017

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

**Re: Paul Revere Estates
Definitive Subdivision Review
Medway, Massachusetts**

Dear Ms. Affleck-Childs:

Tetra Tech (TT) has performed a review of the proposed Definitive Subdivision Plan for the above-mentioned Project at the request of the Town of Medway Planning and Economic Development Board (PEDB). The proposed Project includes subdivision of existing house lot located at 39 Main Street in Medway, MA into three parcels, two ANR lots and an 11.31 acre Parcel C with frontage along Main Street and partially located within the groundwater protection district with wetlands located on the eastern portion of Parcel C. The Project includes subdividing Parcel C into five house lots, a drainage parcel (Parcel D) and proposed right-of-way with appurtenant stormwater and utility infrastructure to serve the lots.

TT is in receipt of the following materials:

- A plan (Plans) set titled "Paul Revere Estates, Definitive Subdivision Plan", dated June 9, 2017, prepared by Merrikin Engineering, LLP (ME).
- A stormwater management report (Stormwater Report) titled "Stormwater Report for Paul Revere Estates, 39 Main Street, Medway, MA 02053" dated June 9, 2017, prepared by ME.
- A Development Impact Report (DIR) - Form F dated June 9, 2017, prepared by ME.
- A Request for Waiver - Form Q from the Medway PEDB Rules and Regulations dated June 9, 2017, prepared by ME.
- An Application for Approval of a Definitive Subdivision Plan – Form C dated June 14, 2017, prepared by ME

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

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

- 1) Sight distance computations have not been provided. (Ch. 100 §5.5.13)
- 2) Anticipated name of the proposed roadway has not been provided. (Ch. 100 §5.7.1)
- 3) Locus Plans provided do not extend 700' (Ch. 100 §5.7.5)

- 4) Existing conditions plan does not include inventory of trees with a diameter of one-foot (1') or greater. The town requires exploring the conservation of larger mature trees on-site to the maximum extent practicable as referenced by several additional regulations speaking to inventory of mature trees. (Ch. 100 §5.7.6, 7.2, 7.3.1.c and 7.4.1)
- 5) Existing roadway centerline included in the profile view of the proposed roadway shall be shown as fine black solid line. (Ch. 100 §5.7.20)
- 6) Street lighting provided only at entrance to the subdivision. However, the applicant has proposed driveway lighting at the end of each driveway. We recommend the board review this proposal with Medway Public Safety to determine if proposed lighting is sufficient. (Ch. 100 §5.7.28)
- 7) It is unclear if Parcel D is proposed as open space. Please confirm and clarify on plan. (Ch. 100 §5.7.31)
- 8) Project meets the requirements (5 or less house lots) of a "neighborhood" roadway with a paved width of twenty feet. The applicant should consider reducing the roadway width to further reduce impervious cover for the Project. (Ch. 100 §7.9.1.f)
- 9) Street light is within 25' of intersection. (Ch. 100 §7.21.3)

The following items were found to not be in conformance with MA DEP Storm Water Management Standards and/or Town stormwater standards.

MA DEP Stormwater Management Standards

- 10) We recommend the applicant provide additional test pit information to determine depth to estimated season high groundwater (eshgw) at the location of the proposed infiltration basin due to inconsistencies in two test pits adjacent to the proposed basin. The applicant proposes to cut the basin down approximately 6 feet from grade to bottom elevation 158.00. The nearest test pit (OTH 11) depth is 8.5 feet from grade with a bottom elevation of 157.93 and no signs of mottling or groundwater infiltration into the test pit. In the next closest test pit (OTH 2) mottling was observed at elevation 161.53 which is approximately the same distance from the basin as OTH 11. Additional eshgw information is required at the proposed infiltration basin location to determine proper separation is provided in the design. (Standard 3)

Town Stormwater Regulations (Ch. 100 §7.7)

- 11) A plan for screening of the proposed infiltration basin shall be provided. (Ch. 100 §7.7.2.r)

General Stormwater Comments

- 12) Inflow areas and subsequent flow rates to catch basin structures CB1 and CB3 are greater than ± 2 cfs that a catch basin grate can pass without flooding adjacent roadway. We recommend the applicant propose additional catch basins or double catch basin grates to ensure flooding does not occur along the roadway.
- 13) Existing (13.407 ac) and Proposed (13.411 ac) watershed areas do not match. Please provide commentary on difference in areas.
- 14) The applicant shall provide a note on the "Stormwater Basin – Profile" detail on Sheet 7 to prevent compaction of subsoils during removal and replacement of soils within the limits of the proposed

infiltration basin. Furthermore, proposed basin should not be used during construction as a temporary sedimentation basin to prevent choking of voids in subsoils by sediment.

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

- 1) The applicant should confirm sewer capacity is available to serve the proposed subdivision. Town-wide sewer moratorium remains in effect at the time of this submittal.
- 2) Please clarify the boundary of the parcel subject to review and distinguish from non-project property lines by line type and weight. It is unclear if Main Street frontage lots are considered part of this application. Project work is shown extending onto these parcels.
- 3) We do not support waiver of tree inventory requirement. Given the latitude available to particular houses the Board may wish to condition the approval to maintain particular trees which necessitates the inventory.
- 4) We do not have any objections to the waiver request for stormwater setback.
- 5) The plans have an electronic endorsement. We recommend plans be wet stamped.
- 6) Please modify signature block to read "Planning and Economic Development Board" instead of "Planning Board".
- 7) Provide scale bar where drawing scale is called out.
- 8) Grading extends beyond erosion controls shown on Sheet 3.
- 9) Please clarify the purpose of grading and utility easements shown on Sheet 4.
- 10) What is the status of Parcel D? Who will be responsible for maintenance of proposed stormwater management infrastructure once roadway is accepted?
- 11) Sewer lateral from Lot 5 flows opposite to direction of flow in main at connection.
- 12) Please clearly distinguish existing from proposed utilities.
- 13) Runoff in the gutter line of Main Street will flow into subdivision. Please provide detail on how gutter line flow in Main Street will be maintained past the site or include flows from Main Street in stormwater calculations
- 14) Sewer main has a proposed slope of 0.4%. Please provide calculations showing how minimum velocities will be maintained.
- 15) Water services should come off main at 90 degrees and terminate at a curb stop or similar shut off at the limit of the right-of-way. Method of connection and size of service should be shown as well.
- 16) Sewer lateral inverts, slope, size and material should be labeled.
- 17) We do not recommend installing any type of grating on the downstream end of drain pipes. If grating is needed, install on upstream end only.
- 18) We recommend the applicant provide a stop line and the word "STOP" clearly shown on the Plans.

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

Very truly yours,

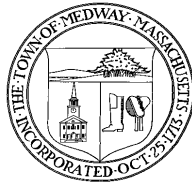
A handwritten signature in blue ink, appearing to read "S.P. Reardon", with a long horizontal flourish extending to the right.

Sean P. Reardon, P.E.
Vice President

A handwritten signature in blue ink, appearing to read "Steven Bouley", with a long horizontal flourish extending to the right.

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

P:\21583\143-21583-17008 (PAUL REVERE ESTATES)\DOCS\PAULREVERE-PEDBREV(2017-07-06).DOCX



July 11, 2017
Medway Planning & Economic Development Board
Meeting

ANR Plan – 78 Fisher Street

- ANR Application and Explanation
- ANR Plan
- PGC Review Letter dated June 29, 2017
- SAC email to Attorney Stephen Kenney dated July 7, 2017

RECEIVED

JUN 23 2017

LAND SUBDIVISION – FORM A

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

TOWN CLERK

Planning & Economic Development Board - Town of Medway, MA

INSTRUCTIONS TO APPLICANT/OWNER

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

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

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

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

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

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

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

June 6, 2017

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

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

ANR PLAN INFORMATION

Plan of Land in Medway, MA, Scale 1"=20', Date: July 26, 2016, Revised February 8, 2017,
Plan Title: Revised March 9, 2017

Prepared by: Paul J. DeSimone, P.L.S., 403 Mahan Circle, Medway, MA

P.E. or P.L.S registration #: 30466 Plan Date: July 26, 2016, Revised Feb. 8, 2017,
Revised March 9, 2017

PROPERTY INFORMATION

ANR Location Address: 78 Fisher Street, Medway, MA 02053

The land shown on the plan is shown on Medway Assessor's Map # 35 Parcel # 37

Total Acreage of Land to be Divided: 71,840 S.F. or 1.63 Acres

Subdivision Name (if applicable): N/A

Medway Zoning District Classification: ARI

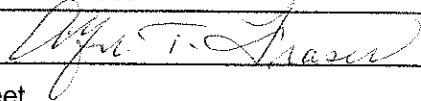
Frontage Requirement: 180' Area Requirement: 44,000 S.F.

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

The owner's title to the land that is the subject matter of this application is derived under deed from: Fraser Fish Ltd. to Alfred T. Fraser dated April 24, 2003 and recorded in Norfolk County Registry of Deeds, Book _____ Page _____ or Land Court Certificate of Title Number 164686, Land Court Case Number 966705, registered in the Norfolk County Land Registry District Volume _____, Page _____.

APPLICANT INFORMATION

Applicant's Name: Alfred T. Fraser

Applicant's Signature: 

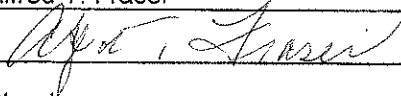
Address: 78 Fisher Street
Medway, MA 02053

Telephone: (508)533-2914 Email: _____

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

PROPERTY OWNER INFORMATION (if different than applicant)

Property Owner Name: Alfred T. Fraser

Owner's Signature: 

Address: 78 Fisher Street
Medway, MA 02053

Telephone: (508)533-2914 Email: _____

ENGINEER or SURVEYOR INFORMATION

Name: Paul J. DeSimone

Address: 403 Mahan Circle
Medway, MA 02053

Telephone: (508)533-2914 Email: _____

ATTORNEY INFORMATION

Name: Stephen J. Kenney Kenney & Kenney

Address: 181 Village Street
Medway, MA 02053

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

PROJECT EXPLANATION

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

APPROVAL NOT REQUIRED JUSTIFICATION

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

- ☐ 1. The accompanying plan does not show a division of land.
- ☐ 2. Every lot shown on the plan has frontage as required by the Medway Zoning Bylaw. The frontage required by the Zoning Bylaw is located on _____ (name of way(s), which is:
- ☐ a. A public way. Date of street acceptance: _____
- ☐ b. A way certified by the Town Clerk as being maintained and used as a public way. (Attach Town Clerk's certification)
- ☐ c. A way shown on a definitive subdivision plan entitled _____
- that was previously endorsed by the Planning and Economic Development Board on _____ and recorded at the Norfolk County Registry of Deeds on _____
- Provide detailed recording information: _____
- ☐ d. A private way in existence on the ground before 1952 when the Subdivision Control Law was adopted in the Town of Medway, which has, in the opinion of the Planning & Economic Development Board, adequate width, suitable grades, and adequate construction to provide vehicular access to the lot(s) for their intended purpose of _____ and to permit the installation of municipal services to serve the lot(s) and any buildings thereon.
- ☒ 3. The division of land shown on the accompanying plan is not a "subdivision" for the following reasons: The land being divided fronts on a public way, Fisher Street, in the Town of Medway. One of the lots has required frontage and area and the other lot has the benefit of a Variance granted May 9, 1997 recorded July 1, 1997 at Norfolk County Registry of Deeds, Registered Land Section as Document No. 765870, Book 608, Page 15.

ANR PLAN FILING FEE

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

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

Fee approved 11-2-06

APPLICATION CHECKLIST – All items must be submitted

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

Date Form A, ANR Plan, and Project Explanation Received by Planning & Economic
Development Board: 6-23-17

ANR Application/Filing Fee Paid: Amount: \$95- Check # 257880
\$155- Check # 257879

**Project Explanation for ANR Plan Application of Alfred T. Fraser 78
Fisher Street, Medway, MA**

The subject parcel of land which originally contained 71,840 square feet or 1.63 acres is to be divided into two lots, Lot 3 containing 27,839 square feet and having the benefit of a Variance granted May 9, 1997 recorded with Norfolk County Registry of Deeds, Registered Land Section, as Document No. 765870, Book 608, Page 15 and Lot 4 which contains 44,001 square feet and has frontage of 180 feet on Fisher Street. The petitioner's present residence sits upon what will be Lot 4 on the new plan. Lot 4 has 100% uplands and a lot shape factor of 16.51.

The rights exercised pursuant to the Variance required by M.G.L. ch.40A §10 was the act of recording the Variance decision by the Petitioner with the Norfolk County Registry of Deeds as the Variance request was to simply divide a lot into two lots and the Variance grant was to divide the subject lot to create two lots at 78 Fisher Street, Medway, MA.

765870

30.

Norfolk County Registry District
RECEIVED FOR REGISTRATION
JUL - 1 1997

11 O'CLOCK 26 m A M
NOTED ON CERTIFICATE NO. 121415
IN REGISTRATION BOOK 608 PAGE 15



TOWN OF MEDWAY

MEDWAY, MASSACHUSETTS 02053

TEL. (508) 533-6059

Town Clerk
Maryjane White

C E R T I F I C A T I O N

I, Town Clerk of the Town of Medway, hereby certify that notice of the decision of the Zoning Board of Appeals of the Town of Medway in the matter of:

ALFRED FRASER

.....

was received and filed in this office on May 9,1997.
and no appeal was received during twenty days next after
such receipt and recording of said decision.

Dated at Medway, Massachusetts July 1,1997.

ATTEST:*Maryjane White*.....

Town Clerk

OPINION OF THE BOARD

This is a proceeding of the Zoning Board of Appeals of the Town of Medway, MA (hereinafter the Board) acting under the Zoning By-Laws of the Town of Medway, MA 02053 and the Massachusetts General Law C40A, as amended, in which the petitioner, Alfred Fraser, requests a Variance to divide a lot into two lots at 78 Fisher St., Medway, MA 02053.

Following the giving of notice as required by law, a public hearing was held on April 16, 1997, in Sanford Hall, Medway Town Hall, Medway, MA 02053.

Mr. and Mrs. Fraser, along with surveyor, Paul DeSimone, came before the Board to request relief from zoning requirements to divide their lot at 78 Fisher St. in the ARI district for the purpose of building a single family, handicap accessible home. Mrs. Fraser walks with a cane and suffers from Post Polio Syndrome, a recurrence and progression of the polio effects of fatigue and loss of muscle control first contracted in 1955. She has undergone several major spinal operations and has been advised to avoid all stair climbing. She has further been advised that one floor living is a must as dependency on a wheelchair is inevitable. Mrs. Fraser has been determined to be totally disabled by the United States Government's Department of Social Services. The applicants existing home is a large colonial type which sits on a lot consisting of 71,846 SF with 284.33 frontage on Fisher Street. The Fraser's propose to divide the lot in order to build a single family, handicap accessible home as the cost to renovate their existing home is prohibitive. The Plan of Land presented to the board dated March 10, 1997 shows a division of the lot with Lot #3 to be 27,845 SF and 104.33 feet of frontage on Fisher Street. It is this lot on which the applicant proposes to build the new home. The existing home is shown on Lot #4 and conforms to zoning requirements with 44,001 SF and 180 feet of frontage. Many properties along Fisher Street do not meet current zoning requirements. The septic system will be designed to new Title V standards and the proposed structure will meet all zoning set-back requirements. Further, perk tests performed in October of 1995 were favorable.

At the hearing, two persons spoke in favor of the proposed, one of which was Mrs. Fraser's chiropractor who spoke first hand of Mrs. Fraser's medical problems. No one spoke in opposition.

During deliberation the Board found there to be substantial hardship. The applicant clearly displays evidence of an incurable medical condition which requires a handicap accessible residence. The residence could only be created at an inordinate expense at their existing premises. Further, in view of the size and shape of the surrounding lots, a variance to area and frontage would not impose a detriment in that the lot created would not be substantially out of character with the area; nor would the proposed derogate from the intent or purpose of the By-Law. Therefore, in a majority decision of the five members (four in favor, one opposed), the Board voted to grant the variance to Alfred Fraser to divide the lot at 78 Fisher St., Medway, MA 02053 to create two lots as follows:

1. One lot to conform to zoning regulations for ARI.
2. A second lot, upon which one single family home is to be constructed, to consist of 27,845 ± square feet and not less than 104 feet of frontage on Fisher Street. The set-back requirements (front, side and rear) will be met.

The Board hereby makes a detailed record of its findings and proceedings relative to this petition, sets forth its reasons for its findings and decision, incorporates by reference any plan or diagram received by it, directs that this decision be filed in the office of the Town Clerk and be made a public record and that notice and copies of its decision be made forthwith to all parties or persons interested.

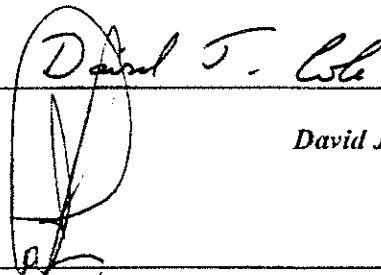
**IN ACCORDANCE WITH MASSACHUSETTS GENERAL LAW, CHAPTER 40A,
SECTION 11 NO VARIANCE, SPECIAL PERMIT OR CONSTRUCTIVE GRANT
OF A VARIANCE TAKES EFFECT UNTIL RECORDED IN THE REGISTRY OF
DEEDS.**



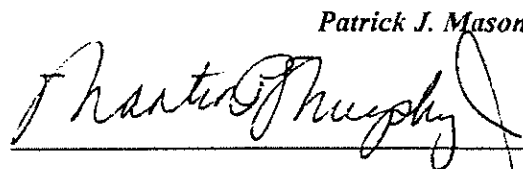
David E. D'Amico, Acting Chairman



Stephen J. Reding, Clerk



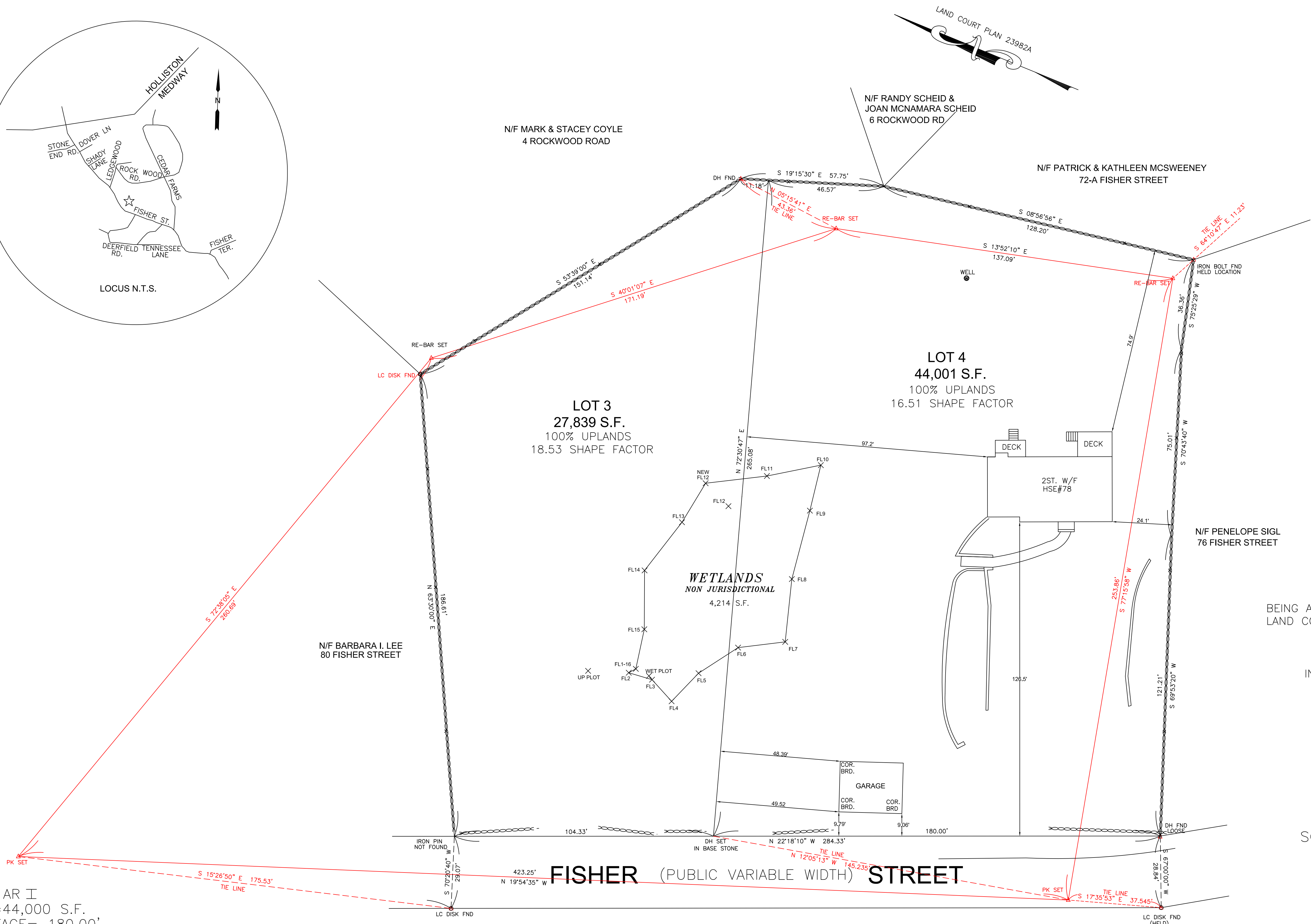
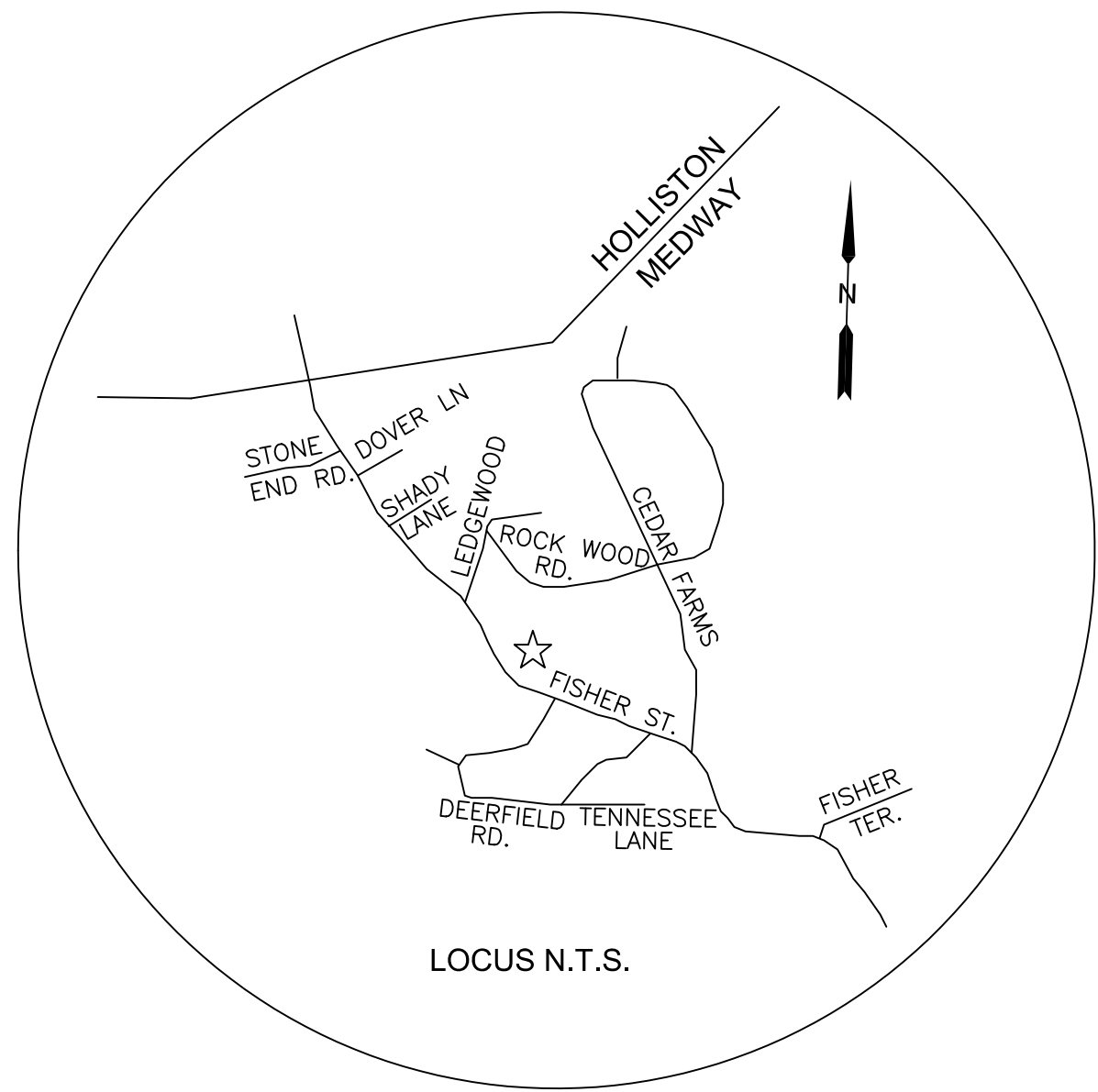
David J. Cole



Patrick J. Mason

Martin P. Murphy

A True Copy
Attest: Marylene White
Town Clerk Medway



I CERTIFY THAT THIS ACTUAL SURVEY
WAS MADE ON THE GROUND IN ACCORDANCE
WITH THE LAND COURT INSTRUCTIONS OF 2006.
BETWEEN JUNE 20, 2016 & APRIL 1, 2017.

REGISTERED LAND SURVEYOR
DATE: JUNE 21, 2017

PRECISION RATIO= 1' IN 172,012'
UNADJUSTED LINEAR ERROR
OF CLOSURE = 0.0027'
DIRECTIONAL ERROR OF
CLOSURE = S 21°49'42.5" W
EDM TOPCON GTS 225
ACCURACY +/- (5MM + 5PPM)

OFFSETS TO STRUCTURES TAKEN
AT THE CORNERBOARDS.

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

TOWN OF MEDWAY PLANNING BOARD

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

NOTE: PROPERTY SHOWN ON THIS
PLAN IS NOT CLASSIFIED AS
CHAPTER 61A OR 61B.

BEING A SUDIVISION OF LOT 2 SHOWN ON
LAND COURT PLAN 23982A DATED 11/09/1953

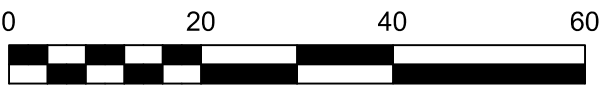
SEE VARIANCE GRANTED AND
RECORDED AS DOC. NO. 765870
IN NORFOLK DEEDS LC BOOK 608 PG. 15

MAP 35 PARCEL 37
LC #23982B
PLAN OF LAND
IN
MEDWAY, MA.

SCALE:1"=20' DATE: JULY 26, 2016
REVISED FEBRUARY 8, 2017
REVISED MARCH 9, 2017

OWNER: Alfred T. Fraser
78 Fisher Street
Medway, Ma. 02053

Paul J. DeSimone P.L.S.
403 Mahan Circle
Medway, Ma. 02053



ZONE AR I
AREA=44,000 S.F.
FRONTAGE= 180.00'
FRONT SETBACK= 35.00'
SIDE SETBACK= 15.00'
REAR SETBACK= 15.00'
SHAPE FACTOR= 22.00
NOT IN GROUNDWATER PROTECTION DISTRICTS
NOT WITHIN THE FLOOD PLAIN.

PGC ASSOCIATES, LLC

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

MEMO TO: Medway Planning Board

FROM: Gino D. Carlucci, Jr.

DATE: June 29, 2017

RE: Fraser ANR on Fisher Street

I have reviewed the ANR plan submitted for endorsement by Alfred T. Fraser of Medway. The plan proposes to divide a parcel of 71,840 square feet into two lots of 44,001 and 27,839 square feet respectively. The plan was prepared by Paul J. DeSimone of Medway and is dated July 26, 2016 with revision dates of February 8 and March 9, 2017. I have comments as follows:

1. The application states a variance was granted in 1996 for the lot with insufficient area and frontage. However, while the applicant's attorney states that the variance was "exercised" by recording it. However, a variance must be recorded to "take effect" and then exercised by using the rights granted by the variance. The Supreme Judicial Court in *Cornell v. Board of Appeals of Dracut* (72 Mass.App.Ct. 390) ruled in a very similar case that such rights granted by the variance must be exercised within a year or it lapses.

In the Cornell case, the variance was not recorded but the ruling was that since it was not recorded it could not "take effect" and therefore could not have been exercised. In the Fraser situation, the variance "took effect" by virtue of the recording, but the rights granted by the variance were not exercised and therefore the variance has lapsed.

2. Section 3.2.7 requires that scenic roads be identified. Fisher Street is a scenic road.

Except for #2 above, the plan meets the technical requirements for ANR endorsement. However, Lot 3 does not comply with the frontage or area requirements of zoning. Therefore, not "every lot within the tract so divided" has sufficient frontage on a public way and it does not meet the substantive requirements for ANR endorsement. I recommend denial unless either: of the following actions is taken by the applicant:

1. That the plan be revised to add the words "Not a separate building lot" to Lot 3, OR
2. That the plan be withdrawn without prejudice and a new variance from the ZBA be sought prior to resubmitting the plan for endorsement.

Susan Affleck-Childs

From: Susan Affleck-Childs
Sent: Friday, July 07, 2017 11:15 AM
To: 'Stephen Kenney'
Subject: RE: ANR for 78 Fisher Street
Attachments: 78 Fisher Street ANR - Fraser (PGC Review 6-29-17).pdf

Hi Steve,

See attached review letter from Gino Carlucci re: the ANR plan for 78 Fisher Street. There are some issues that the recording of the previously issued variance for this property does not constitute "exercising" the uses and rights authorized by the variance. In his opinion, the variance has technically lapsed.

I have this on the agenda for next Tuesday's PEDB meeting at 8:45 p.m.

Please advise as to how you would like to proceed. Thanks.

Susy

Susan E. Affleck-Childs
Planning and Economic Development Coordinator

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

Town of Medway – *A Massachusetts Green Community*

Please remember when writing or responding, the Massachusetts Secretary of State has determined that e-mail is a public record.

The information in this e-mail, including attachments, may contain privileged and confidential information intended only for the person(s) identified above. If you are not the intended recipient, you are hereby notified that any dissemination, copying or disclosure of this communication is strictly prohibited. Please discard this e-mail and any attachments and notify the sender immediately.

From: Stephen Kenney [mailto:sjk@kenney-law.com]
Sent: Thursday, June 29, 2017 9:09 AM
To: Susan Affleck-Childs
Subject: RE: ANR for 78 Fisher Street

Susy yes I believe that is their plan I'll check on that steve

From: Susan Affleck-Childs [mailto:sachilds@townofmedway.org]
Sent: Wednesday, June 28, 2017 6:26 PM
To: Stephen Kenney <sjk@kenney-law.com>
Subject: RE: ANR for 78 Fisher Street

Received the pdf of the ANR plan. Thanks.

So, are the Frasers now going to build the house on the lot for which the 1997 variance was granted!?

Susy

Susan E. Affleck-Childs
Planning and Economic Development Coordinator

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

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From: Stephen Kenney [<mailto:sjk@kenney-law.com>]
Sent: Wednesday, June 28, 2017 8:48 AM
To: Susan Affleck-Childs
Subject: RE: ANR for 78 Fisher Street

Susy will do thanks steve

From: Susan Affleck-Childs [<mailto:sachilds@townofmedway.org>]
Sent: Wednesday, June 28, 2017 8:06 AM
To: Stephen Kenney <sjk@kenney-law.com>
Subject: ANR for 78 Fisher Street

Hi Steve,

I have received the ANR application for 78 Fisher Street. However, did not receive it in time for last night's PB meeting.

I will put it on the agenda for the 7/11 meeting.

I need a pdf of the plan. Could you arrange for that to be emailed to me?

Thanks.

Susy

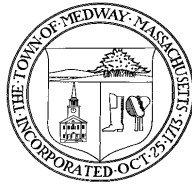
Susan E. Affleck-Childs
Planning and Economic Development Coordinator

Town of Medway
155 Village Street
Medway, MA 02053
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sachilds@townofmedway.org

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July 11, 2017
Medway Planning & Economic Development Board
Meeting

MILLSTONE ARCPUD – Bond Reduction

- Tetra Tech Bond Reduction Estimates for Phase I and II – June 27, 2017
- Construction Services invoice dated July 6, 2017 for \$6,930
- Series of emails between Susy Affleck-Childs and Steve Venincasa re: bond reduction



Bond Estimate
Millstone Village (Phase I NEW²)
Medway, Massachusetts
June 27, 2017

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

DESCRIPTION	QUANTITY	UNIT	UNIT COST	ENGINEERS ESTIMATE
HMA Top Course-Main Road	0	TON	\$110.00	\$0
HMA Top Course-Common Road	0	TON	\$110.00	\$0
HMA Top Course-Sidewalk	0	TON	\$110.00	\$0
HMA Binder Course-Sidewalk	0	TON	\$110.00	\$0
Gravel Borrow-Sidewalk	0	CY	\$40.00	\$0
Adjust Castings	0	EA	\$375.00	\$0
Vertical Granite Curb	0	FT	\$50.00	\$0
Cape Cod Berm	0	FT	\$6.00	\$0
Rehandled Topsoil	0	CY	\$30.00	\$0
Seed	0	SY	\$2.00	\$0
Sloped Granite Curb	0	FT	\$45.00	\$0
Line Striping (Binder)	0	LS	\$500.00	\$0
Line Striping (Top) ³	1	LS	\$4,000.00	\$4,000
Signage	0	EA	\$300.00	\$0
Landscaping ³	0	LS	\$20,000.00	\$0
Stormwater System Maintenance	1	LS	\$5,000.00	\$5,000
As-Built Plans	2,505	LF	\$5.00	\$12,525
Subtotal				\$21,525
25% Contingency				\$5,381
Total				\$26,906

Notes:

1. Unit prices are taken from the latest information provided on the MassDOT website and have been updated since our previous bond estimate submission. They utilize the MassDOT weighted bid prices (Combined - All Districts) for the time period 6/2016 - 6/2017. Quantities for Items shown in gray have changed since our previous bond estimate.
2. This bond estimate is based upon Phasing of the project as shown on updated Phasing Plan dated April 2, 2014.
3. This item has been updated to reflect current project Phasing as shown on updated Phasing Plan dated April 2, 2014.

**TETRA TECH**

Bond Estimate
Millstone Village (Phase II NEW²)
Medway, Massachusetts
 June 27, 2017

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

DESCRIPTION	QUANTITY	UNIT	UNIT COST	ENGINEERS ESTIMATE
Millstone Construction				
HMA Top Course-Main Road	346	TON	\$110.00	\$38,060
HMA Top Course-Common Road	117	TON	\$110.00	\$12,870
HMA Top Course-Sidewalk	71	TON	\$110.00	\$7,810
HMA Binder Course-Common Road	0	TON	\$110.00	\$0
HMA Binder Course-Sidewalk	42	TON	\$110.00	\$4,620
Gravel Borrow-Common Road	0	CY	\$40.00	\$0
Gravel Borrow-Sidewalk	162	CY	\$40.00	\$6,480
Fine Grading and Compacting	0	SY	\$4.00	\$0
Frame and Grate	0	EA	\$800.00	\$0
Frame and Cover	0	EA	\$750.00	\$0
Adjust Castings	41	EA	\$375.00	\$15,375
6" HDPE Pipe	0	FT	\$60.00	\$0
Electrical Services ³	0	LS	\$30,000.00	\$0
Vertical Granite Curb	132	FT	\$50.00	\$6,600
Cape Cod Berm	1,905	FT	\$6.00	\$11,430
Sloped Granite Curb	0	FT	\$45.00	\$0
Rehandled Topsoil	431	CY	\$30.00	\$12,930
Seed	2,587	SY	\$2.00	\$5,174
Line Striping (Top)	1	LS	\$2,000.00	\$2,000
Line Striping (Binder)	0	LS	\$2,000.00	\$0
Signage	3	EA	\$300.00	\$900
Landscaped Cul-De-Sac Island	1	LS	\$5,000.00	\$5,000
Landscaping ³	1	LS	\$30,000.00	\$30,000
Stormwater System Maintenance	1	LS	\$10,000.00	\$10,000
As-Built Plans	2,199	LF	\$5.00	\$10,995

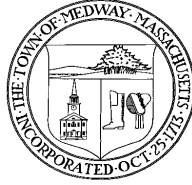
Subtotal \$180,244
25% Contingency \$45,061
Total \$225,305

Openspace Footpath/Parking Area				
Erosion & Sediment Controls	1	LS	\$5,000.00	\$5,000
Clearing & Grubbing ⁴	0.98	A	\$12,000.00	\$11,760
Openspace-Woodchip Trail	946	SY	\$11.50	\$10,879
Openspace-Gravel Parking Area	1	LS	\$18,000.00	\$18,000
Footbridge	122	LF	\$500.00	\$61,000

Subtotal \$106,639
25% Contingency \$26,660
Total \$133,299

Notes:

1. Unit prices are taken from the latest information provided on the MassDOT website and have been updated since our previous bond estimate submission. They utilize the MassDOT weighted bid prices (Combined - All Districts) for the time period 6/2016 - 6/2017. Quantities for Items shown in gray have changed since our previous bond estimate.
2. This bond estimate is based upon Phasing of the project as shown on updated Phasing Plan dated April 2, 2014.
3. This item has been updated to reflect current project Phasing as shown on updated Phasing Plan dated April 2, 2014.
4. Openspace-Grass Trail is included in this item. Existing grass meadow shall be mowed to delineate the proposed walking trail.



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

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

July 5, 2017

Mr. Steve Venincasa
Elite Home Builders, LLC
P.O Box 1205
Westborough, MA 01581

RE: Millstone Village ARCPUD - Construction Account

Dear Steve,

I have recently updated the Millstone Village ARCPUD special permit construction account records. As you know, funds in the Millstone Village Construction Account are used primarily to pay for Tetra Tech's services including:

- Pre-construction meetings/consultations
- Site inspections during construction
- On-going inspections of stormwater system
- Preparation of inspection reports
- Meetings with developer and/or contractors as needed
- Development of bond estimates and reductions
- Attendance at Planning & Economic Development Board mtgs. as needed
- Consultations with residents/neighbors during construction if needed
- Inspections for punch list and project completion
- Review of as-built plans
- Other meetings as appropriate
- Expenses - travel, telephone, copying, blueprints, etc.

The current balance in the Millstone construction account is \$4,075.66 as of April 21st; it does not reflect the recent costs for Tetra Tech's site inspection, punch list and bond reduction estimate. See attached spreadsheet. Tetra Tech has estimated that an additional \$6,930 will be needed for continued construction inspection services, bond reductions, review of as-built plans, and project close out. Enclosed, please find an invoice for \$6,930.

We expect this is a reasonable estimate of funds needed to see Millstone through to project completion. However, you are responsible for providing additional Construction

Steve Venincasa – Millstone Village

July 5, 2017

Account funds if the Town's costs for outside consultants is greater than the fees you have paid into the account. The Planning and Economic Development office will keep you apprised of the status of the Millstone Village Construction Account. We will invoice you for additional funds when necessary. Any balance remaining at the end of the project will be refunded to you.

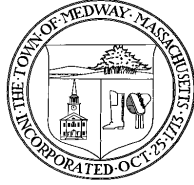
Thank you for your attention to this matter. The Board would appreciate payment of this invoice as soon as possible.

Please contact me if you have any questions.

Sincerely,

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

Susan E. Affleck-Childs
Planning and Economic Development Coordinator



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*

INVOICE

July 5, 2017

Mr. Steve Venincasa
Elite Home Builders, LLC
P.O Box 1205
Westborough, MA 01581

RE: Millstone Village ARCPUD - Construction Account

For consulting services to be provided by Tetra Tech and Petrini Associates for the Millstone Village ARCPUD development.

Total \$ 6,930

Amount Due & Payable: \$ 6,930

Make check payable to: Town of Medway

Mail or drop off to: Medway Planning and Economic Development office
155 Village Street
Medway, MA 0203

ARCPUD - CONSTRUCTION OBSERVATION ACCOUNTING												
PROJECT NAME: Millstone Village												
DATE: June 25, 2017												
Date				Date	Consultant's		Consultant's		Time	Date		
Check				Submitted to	Construction	Consultant's	Invoice	Invoice	Period	Submitted to		
Received	Amount	Check #	Payment Source	Treasurer	Observation Fee	Name	Date	Number	Covered	Town Act.	Balance	
7/22/2014	\$10,000.00	10581	Elite Home Builders									\$10,000.00
					\$189.00	Petrini	8/12/2014	30519	7/1/2014			\$9,811.00
			NOTE - This is a partial payment on the last plan review invoice		\$200.00	Tetra Tech	8/22/2014	50827456	thru 8/1/2014	9/10/2014		\$9,611.00
												\$9,611.00
					\$2,380.50	Tetra Tech	9/26/2014	50837781	thru 9/12/14			\$7,230.50
					\$879.75	Tetra Tech	9/26/2014	50837788	thru 9/12/14			\$6,350.75
					\$4,635.56	Tetra Tech	10/24/2014	50848905	thru 10/10/14			\$1,715.19
					\$210.00	Petrini	10/6/2014	30683	thru 9/30/14			\$1,505.19
					\$168.00	Petrini	11/11/2014	30844	thru 10/30/14			\$1,337.19
					\$6,986.25	Tetra Tech	11/20/2014	50858427	thru 11/7/14			-\$5,649.06
12/1/2014	\$9,944.00	1054	Millstone Builders LLC	12/1/2014								\$4,294.94
					\$210.00	Petrini	12/2/2014	30982	thru 11/30/14			\$4,084.94
					\$5,640.75	Tetra Tech	12/18/2014	50867897	thru 12/12/14			-\$1,555.81
1/22/2015	\$4,366.81	1094	Millstone Builders LLC									\$2,811.00
					\$207.00	Tetra Tech	1/20/2015	50876549	thru 1/9/15	1/29/2015		\$2,604.00
					\$96.50	Petrini	2/5/2015	31372	thru 1/30/15	2/25/2015		\$2,507.50
					\$126.00	Petrini	3/3/2015	31525	thru 2/28/15	3/11/2015		\$2,381.50
					\$84.00	Petrini	4/3/2015	31663	thru 3/31/15	4/7/2015		\$2,297.50
					\$273.00	Petrini	5/7/2015	31942	thru 4/30/15	5/11/2015		\$2,024.50
					\$315.00	Petrini	6/2/2015	32114	thru 5/30/15	6/5/2015		\$1,709.50
6/23/2015	\$10,195.00	10015	Millstone Builders LLC	6/24/2015								\$11,904.50
					\$105.00	Petrini	7/2/2015	32213	thru 6/30/15	7/6/2015		\$11,799.50
					\$1,685.17	Tetra Tech	7/24/2015	50940363	thru 7/10/15			\$10,114.33
					\$150.50	Petrini	8/4/2015	32309	thru 7/31/15	8/11/2015		\$9,963.83
					\$2,659.09	Tetra Tech	9/25/2015	50962930	thru 9/18/15	10/8/2015		\$7,304.74
					\$1,513.05	Tetra Tech	10/23/2015	50975837	thru 10/16/15	11/4/2015		\$5,791.69
												\$5,791.69
PHASE II begins												\$5,791.69
11/3/2015	\$17,181.00	10038	Millstone Builders LLC	11/4/2015								\$22,972.69
					\$1,394.95	Tetra Tech	11/13/2015	50984215	thru 11/4/15	12/8/2015		\$21,577.74
					\$8,233.41	Tetra Tech	12/24/2015	51000376	thru 12/11/15	1/13/2016		\$13,344.33
					\$2,766.10	Tetra Tech	1/22/2016	51009682	thru 1/15/16	1/29/2016		\$10,578.23
					\$124.20	Tetra Tech	3/25/2016	51030550	thru 3/18/16	4/5/2016		\$10,454.03
					\$2,696.24	Tetra Tech	6/30/2016	51065838	thru 6/30/16	???		\$7,757.79
					\$2,183.92	Tetra Tech	10/28/2016	51110181	thru 10/14/16	11/4/2016		\$5,573.87
					\$424.36	Tetra Tech	12/23/2016	51130516	thru 12/16/15	1/3/2017		\$5,149.51
					\$326.04	Tetra Tech	1/27/2017	51141884	thru 1/13/17	2/6/2017		\$4,823.47
					\$489.06	Tetra Tech	2/24/2017	51151135	thru 2/10/17	3/3/2017		\$4,334.41
					\$258.75	Tetra Tech	4/28/2017	51173866	thru 4/21/17	5/8/2017		\$4,075.66
	\$51,686.81				\$47,611.15							\$4,075.66
	Total				Total							Balance
	Paid by				Cons. Obsrvtn.							
	Applicant				Fees							

Susan Affleck-Childs

From: Susan Affleck-Childs
Sent: Thursday, July 06, 2017 9:42 AM
To: 'Steven Venincasa'
Cc: Andy Rodenhiser ; Steve Bouley ; 'Leo'; Brian Clarke (brian-clarke@live.com)
Subject: RE: Millstone bond reduction
Attachments: TT Bond Estimates Millstone _2017-06-27.pdf

Hi Steve,

Sorry for my delay in getting back to you.

Items in the Millstone bond estimate have been revised/updated to reflect cost information that is now available to us about what the required trails in the Millstone development area and the open space area will actually entail. This is based on a Town trail project that recently had to go through Conservation Commission review and bidding for wetlands crossings. ConCom's review will be needed for portions of the Millstone trails so we believe these are reasonable cost standards. We are also modifying the bond estimate costs based on the most recent Mass DOT weighted bid prices and to include maintenance of the Millstone stormwater system.

Attached is the updated bond estimate from Tetra Tech. The bond estimate shows an overall reduction for Phases I and II to \$385,510. This is from the last combined bond amount of \$619,306.

The Board discussed this at last week's meeting but did not take any action. It will be on the agenda for next Tuesday's meeting at 9 pm. I would encourage you to attend so that you may discuss any concerns with the Board.

Please let me know if you have any questions.

Best regards,

Susy

Susan E. Affleck-Childs
Planning and Economic Development Coordinator

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

Town of Medway – *A Massachusetts Green Community*

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copying or disclosure of this communication is strictly prohibited. Please discard this e-mail and any attachments and notify the sender immediately.

From: Steven Venincasa [mailto:sv@casarealty-builders.com]
Sent: Monday, June 26, 2017 8:44 AM
To: Susan Affleck-Childs
Cc: Leo Leo; Brian Clarke
Subject: Re: Millstone bond reduction

I don't think that it is fair or appropriate to add line items every time I ask for a bond reduction due to work completed.

Sent from my iPad

On Jun 25, 2017, at 5:03 PM, Susan Affleck-Childs <sachilds@townofmedway.org> wrote:

Hi Steve,

This matter will be considered at Tuesday's meeting. You have an 8:45 pm appointment. Tetra Tech is in the process of modifying their bond reduction estimate. It is also being revised to include a more accurate estimate of the cost of the trails to be constructed in the development and open space areas.

Also, the Board will be considering my recommendation of invoicing you for additional Tetra Tech construction service fees. The estimate is for an additional \$6,930. Attached is a financial report on the account.

Susy Affleck-Childs

Susan E. Affleck-Childs
Planning and Economic Development Coordinator

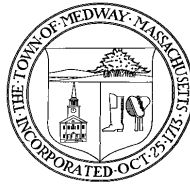
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<Millstone ARCPUD Project Accounting.pdf>



July 11, 2017
Medway Planning & Economic Development Board
Meeting

Wingate Farm Subdivision Merrimack
Construction Services Estimate

- Tetra Tech Construction Services estimate dated 7-7-17
- Series of emails between Susy Affleck-Childs and Paul Yorkis
- Wingate Farm Modified Subdivision Certificate of Action dated April 28, 2005

NOTE – This pertains to a long-standing, incomplete subdivision on property owned by Karyl Spiller-Walsh and her husband Gene Walsh. This is a 4 lot subdivision and includes the lot where Karyl and Gene reside with their extended family. No homes have been constructed. There is no bond. The last inspections occurred in 2007 and were conducted by VHB, the Board's previous engineering consultant.



July 7, 2017

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

**Re: Wingate Farm
Subdivision Review
Medway, Massachusetts**

Dear Ms. Affleck-Childs:

We are pleased to submit this Proposal to the Town of Medway Planning and Economic Development Board (the Client) for professional engineering services associated with the review of Wingate Farm Subdivision in Medway, Massachusetts (the Project). The objective of our services is to review the approved subdivision plans and supporting documentation against completed construction at the site and provide the Client with a punch list, bond estimate and construction services through Project close-out.

Scope of Services

The following specifically describes the Scope of Services to be completed:

Task 1 Documentation Review

- A. Review the approved plans and supporting documentation;
- Budget Assumption: $\frac{1 \text{ hour @ } \$140/\text{hr} = \$140}{\text{Total} = \$140}$

Task 2 Punch List/Bond Estimate

- A. Perform a Punch List Inspection of the site using the approved plans and supporting documentation in order to determine what has been completed and what remains to be constructed for the Project and incorporate items into a Punch List Memo in item B below;
- Budget Assumption: $\frac{4 \text{ hours @ } \$140/\text{hr} = \$560}{\text{Total} = \$560}$
- B. Prepare a Punch List Memo describing deficiencies in completed work and work that has yet to be completed as compared to the approved subdivision plan and supporting documentation;
- Budget Assumption: $\frac{4 \text{ hours @ } \$140/\text{hr} = \$560}{\text{Total} = \$560}$
- C. Prepare a Bond Estimate for items which remain to be constructed or existing items which are deficient as compared to the approved subdivision plan and supporting documentation;
- Budget Assumption: $\frac{4 \text{ hours @ } \$140/\text{hr} = \$560}{\text{Total} = \$560}$
- D. Revisions to the Punch List Memo and Bond Estimate for any potential bond estimate reductions the applicant may request. This item is exclusive to one (1) follow-up Punch List Inspection, one (1) revised Punch List Memo and one (1) revised Bond Estimate.
- Budget Assumption: $\frac{8 \text{ hours @ } \$140/\text{hr} = \$1,120}{\text{Total} = \$1,120}$

Task 3 As-Built Review

- A. Review the as-built plan against the approved subdivision plan and supporting documentation and provide comment letter to the Client;
- Budget Assumption: $\frac{6 \text{ hours @ } \$140/\text{hr} = \$840}{\text{Total} = \$840}$
- B. Coordinate with the applicant on revised submissions based on comments received during our initial review and provide revised comment letter to the Client based on revised as-built submission. This item is exclusive of one (1) revised as-built review and comment letter;
- Budget Assumption: $\frac{3 \text{ hours @ } \$140/\text{hr} = \$420}{\text{Total} = \$420}$

Task 4 Meeting Attendance

- A. Participate in two (2) hearings/meetings with the Town of Medway Planning and Economic Development Board.
- Budget Assumption: $\frac{2 \text{ Meetings (assume 2 hours per meeting)}}{4 \text{ hours @ } \$140/\text{hr} = \$560}$
Total = \$560

Cost

Our cost for the above Scope of Services will be on a time and expenses basis in accordance with Tetra Tech's and existing Town of Medway contract rates. Direct expenses will be billed at a fixed fee of five (5) percent of labor costs. We suggest that you establish a budget identified below for these services, which will not be exceeded without your approval. Please be advised that this estimate is based on our current understanding of the Project needs and is for budget purposes only. The total cost of our services will depend greatly on the completeness and adequacy of the information provided.

The breakdown of this fee by task is as follows:

Task	Task Description	Fee
Task 1	Documentation Review	\$140
Task 2	Punch List/Bond Estimate	\$2,800
Task 3	As-Built Review	\$1,260
Task 4	Meeting Attendance	\$560
	Labor Subtotal	\$4,760
	Expenses (5%)	\$238
Total Fee		\$4,998

Schedule

We are prepared to begin work immediately upon receipt of this executed Proposal. We recognize that timely performance of these services is an important element of this Proposal and will put forth our best effort, consistent with accepted professional practice, to comply with the project's needs. We are not responsible for delays in performance caused by circumstances beyond our control or which could not have reasonably been anticipated or prevented.

General Terms and Conditions

This Proposal is subject to the existing Terms and Conditions signed by Tetra Tech and the Town of Medway. Should this proposal meet with your approval, please sign and return a copy to us for our files. Your signature provides full authorization for us to proceed. We look forward to working with you on this Project. Please contact us with any questions, or if you require additional information.

Very truly yours,



Sean P. Reardon, P.E.
Vice President



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

Date Approved by Medway Planning and Economic Development Board_____

Certified by:

Susan E. Affleck-Childs
Medway Planning and Economic Development Coordinator

Date

M:\SITE\BOULEY\MEDWAY_PEDB_WINGATE FARM PUNCH LIST_2017-07-07.DOCX

Susan Affleck-Childs

From: Susan Affleck-Childs
Sent: Thursday, July 06, 2017 8:50 AM
To: 'Paul G. Yorkis'
Cc: Andy Rodenhiser ; Stephanie Mercandetti
Subject: Wingate Farm - Next steps

Hi Paul,

Thanks for the update.

Please keep in mind that the lot that the house is on is technically part of the subdivision.

The balance in the Wingate Farm construction account is \$2,092.79. The account was first established in 2005 in the amount of \$4,767. VHB, the Board's engineering consultant at the time, conducted inspections in 2006 and 2007. There has been no inspection activity since then.

Tetra Tech has never been involved with Wingate Farm and will need to become familiar with the development. This will entail their review of the plan, a site visit, and preparation of a punch list and corresponding bond estimate per your request. Accordingly, the Wingate Farm construction account needs to be replenished. I have asked Tetra Tech to prepare a cost estimate for their services and upon receipt, I will prepare an invoice to the Walshes. Once those funds are paid, I will authorize Tetra Tech to begin work.

Please let me know if you have any questions.

Best regards,

Susy

Susan E. Affleck-Childs
Planning and Economic Development Coordinator

Town of Medway
155 Village Street
Medway, MA 02053
508-533-3291
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-----Original Message-----

From: Paul G. Yorkis [mailto:pgyorkis@gmail.com]
Sent: Wednesday, July 05, 2017 4:33 PM
To: Susan Affleck-Childs
Subject: Re: Information Needed

Hello.

Hope you had a wonderful 4th of July holiday.

They have not decided if they are going to sell the subdivision and keep the house or sell individual lots.

I and they do not know the status of funds, if any, in the inspection account. They do need to know what a bond amount would be.

There is a lot of infrastructure completed.

I am not aware of a modification to the subdivision.

Any information and guidance you can provide would be helpful.

Paul G. Yorkis
Patriot Real Estate, Inc.
Cell 508-509-7860

> On Jun 28, 2017, at 4:50 PM, Susan Affleck-Childs <sachilds@townofmedway.org> wrote:

>

> Hi Paul,

>

> Thanks for your note. I have been away for a week and am trying to catch up.

>

> I will be back in touch.

>

> You mentioned in your phone message that Karyl wants to sell. Does she want to sell the entire area of the subdivision including her house, or is she talking about wanting to sell off some individual lots? My response about what needs to be done depends on the answer to that question.

>

> Here are a few basics . . . The last inspection of her property was in early 2007.

>

> I believe there may need to be a modification to the subdivision plan as I understand she did some site work that is not consistent with the endorsed subdivision plan.

>

> There is no bond on this property as she never requested lot releases.

>

> Susy

>

> Susan E. Affleck-Childs

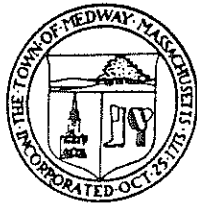
> Planning and Economic Development Coordinator

>

> Town of Medway

> 155 Village Street

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>
>
> -----Original Message-----
> From: Paul G.Yorkis [mailto:pgyorkis@gmail.com]
> Sent: Wednesday, June 28, 2017 11:16 AM
> To: Susan Affleck-Childs
> Subject: Information Needed
>
> Good morning.
>
> I am trying to learn what actions need to be taken to move forward on the project approved by the Planning and Economic Development Board on the property know as Wingate Farm.
>
> Specifically, what actions are required in terms of a bond, if any; documentation, plans, notices, etc.
>
> The owners are anxious to move forward and I am unsure at this time what may be required to do so.
>
> Thanks in advance for your assistance.
>
> Paul G. Yorkis
> Patriot Real Estate, Inc.
> Cell 508-509-7860



*Wingate Farm
Definitive Plan
Modification*

TOWN OF MEDWAY

APR 29 2005

TOWN CLERK

TOWN OF MEDWAY

Planning Board

155 Village Street
Medway, Massachusetts 02053

Daniel J. Hooper, Chairman
Matthew J. Hayes, P.E., Vice-Chairman
Alan DeToma, Clerk
Karyl Spiller-Walsh
Eric Alexander

April 28, 2005

CERTIFICATE OF ACTION **WINGATE FARM DEFINITIVE SUBDIVISION PLAN - MODIFICATION** *(Approved with Waivers and Conditions)*

- I. APPLICANT:** Eugene and Karyl Walsh
Medway, MA
- II. LOCATION:** The 5-acre parcel is located at 168 Holliston Street in the ARI zoning district.
- III. PROJECT HISTORY:** On May 23, 2000, the Medway Planning Board approved with waivers and conditions, the original Wingate Farm Definitive Subdivision Plan. It was endorsed on August 22, 2000. That plan provided for the subdivision of an approximately 5 acre parcel into 4 lots to be serviced by a 530 foot, single-access public road with a 60' cul-de-sac radius, 22' paved width within a 45' right of way, with a 5.5' sidewalk on one side of Wingate Farm Road. The plan, originally dated November 20, 1997 and last revised May 25, 2000, was prepared by DeSimone Survey Service, Inc. of Medway, MA.
- IV. DISCLOSURE:** Karyl Walsh is a member of the Medway Planning Board. During the Planning Board's review of this application, she recused herself, as a Planning Board member, from the public hearings and Board deliberations on this project. Eugene Walsh and their daughter Rachel Walsh represented the application and plan before the Planning Board. On occasion, Ms. Walsh would answer questions regarding the proposed modification.
- V. DESCRIPTION OF PROPOSED MODIFICATION:** The proposed modification to the Wingate Farm Definitive Subdivision Plan includes changes in the design and construction of the subdivision's roadway and drainage system. The road is to become an 18-foot T-Base fabricated permanent private way without curbing or sidewalks. The detention pond design has been modified to include a more naturalized shape. No change is proposed in the number or configuration of the previously approved lots. However, the Applicant plans to construct a 12,000 sq. foot horseback-riding arena on Lot #3 instead of using that lot for a single family home.

VI. PROCEDURAL SUMMARY: With respect to the proposed modification to the *Wingate Farm Definitive Subdivision Plan*, the Planning Board hereby certifies that:

- A. on August 27, 2004, it received an application from Eugene and Karyl Walsh of Medway, MA to modify the previously approved, endorsed and recorded Wingate Farm Definitive Subdivision Plan;
- B. the proposed modification to the Wingate Farm Definitive Subdivision Plan, originally dated August 20, 2004 and last revised April 22, 2005, and the drainage study dated September 1, 2004 were prepared by the Consolidated Design Group of Hudson, MA;
- C. on September 15, 2004, the Planning Board submitted a copy of the proposed modification to the Wingate Farm Definitive Subdivision Plan to the Medway Board of Health, which has not provided a written report on the plan. This is deemed as approval as more than forty-five (45) days have elapsed since the date the plan was distributed to the Board of Health;
- D. on September 15, 2004, the Planning Board circulated a copy of the proposed plan modification to the Board of Selectmen, Board of Assessors, Building Inspector/Zoning Enforcement Officer, Conservation Commission, Department of Public Services, Design Review Committee, Disability Commission, Fire Department, Police Department, Tree Warden and the Water/Sewer Department and requested their review and comments;
- E. on October 12, 2004, the Planning Board commenced a public hearing on this plan. The public hearing was duly noticed in the *Milford Daily News* on September 27 and October 4, 2004. Abutter notice was sent by certified mail on September 24, 2004. The Planning Board continued the public hearing to October 26, November 23, and December 14, 2004, and to January 11, February 8 & 22, March 22, April 12 and 26, 2005 when it was closed at the applicant's request;
- F. on November 23, 2004, the Planning Board approved the Applicant's request to extend the deadline for Planning Board action from November 25, 2004 to January 14, 2005. On October 26, 2004, the deadline was further extended to January 15, 2005. On January 11, 2005, the deadline was extended to February 28, 2005. On February 22, 2005, the deadline was extended to April 30, 2005. In each case, the Applicant requested the deadline extension.

VII. PUBLIC HEARING SUMMARY: The Planning Board conducted the public hearing over the course of ten (10) meetings during which the application and all related materials were presented and reviewed. Specified below is a list of application materials, public comments, consultant and town review documents, and supplemental information filed by the Applicant. All information is on file with the Planning Board and is available for public review.

Modification to Wingate Farm Definitive Subdivision Plan – Consolidated Design Group.

Original Date – August 20, 2004
Revised – November 8, 2004
Revised – December 28, 2004
Revised – February 7, 2005
Revised – March 7, 2005
Revised – March 30, 2005
Revised – April 22, 2005

Wingate Farm Drainage Study – Prepared by Consolidated Design Group

Original Date - April 2, 2004

Revised – October 6, 2004

Revised – November 10, 2004

Revised - January 3, 2005

Operation and Maintenance Plan – Stormwater Management Facilities – Wingate Farm

Original Date – October 6, 2004

Revised - November 10, 2004

Revised – January 3, 2005

Revised – February 8, 2005

Citizen Comment Letters – None

Citizen/Resident Testimony – None

Medway Departmental/Board Review Comments

Fire Chief Wayne Vinton – February 20, 2005 memo

Fire Chief Wayne Vinton – March 7, 2005 memo

Fire Chief Wayne Vinton – April 12, 2005 memo

Fire Chief Wayne Vinton – April 25, 2005 memo

Police Safety Officer Jeffrey Watson – March 22, 2005 memo

Engineering Review Letters – VHB, Inc.

Mark Louro, P.E. – September 30, 2004 re: 8-20-04 plans & 4-2-04 drainage study

Mark Louro, P.E. – November 19, 2004 re: 11-8-04 revised plans

Mark Louro, P.E. – January 19, 2005 re: 12-28-04 revised plans

Mark Louro, P.E. – February 17, 2005 re: 2-7-05 revised plans

Mark Louro, P.E. – March 17, 2005 re: 3-7-05 revised plans

Mark Louro, P.E. – April 10, 2005 re: 3-30-05 revised plans

Plan Review Letters – PGC Associates

Gino Carlucci, Jr. October 12, 2004 re: August 20, 2004 plans

Gino Carlucci, Jr. April 25, 2005

Notes of VHB meetings with Applicant - None

Supplemental Applicant Submittals

Letter from Steve Poole, Consolidated Design Group – November 22, 2004 requesting a series of waivers from the *Subdivision Rules and Regulations*

Letter from the Walsh family – November 23, 2004 in support of waiver requests

Letter from the Walsh family – April 26, 2005 re: sidewalk construction waiver

Information from Aggregate Industries – March 22, 2005 re: T-Base product

Other Information

ZBA Opinion – October 20, 2004 re: Applicant's request for special permit and variance

Responses to VHB Engineering Review Letters

Steve Poole, Consolidated Design Group, Inc. - February 14, 2005 letter in response to VHB's plan review letter of January 19, 2005

Steve Poole, Consolidated Design Group, Inc. - April 1, 2005 letter in response to VHB's plan review letter of March 17, 2005.

Steve Poole, Consolidated Design Group, Inc. - April 22, 2005 letter in response to VHB's plan review letter of April 10, 2005.

VIII. ACTION ON REQUEST FOR WAIVERS OF SUBDIVISION RULES & REGULATIONS

– The proposed modification to the Wingate Farm Definitive Subdivision Plan necessitates waivers from the following sections of the *Medway Planning Board Subdivision Rules and Regulations*, as revised October 1999 and further amended in April 2000.

Section 4.1.2 – “Unless otherwise specified, all work and materials used in the work to be done shall conform with the Commonwealth of Massachusetts, 1988 edition and of the Massachusetts Highway Department Standard Specifications for Highway and Bridges, hereinafter referred to as the Standard Specifications, as amended and included hereinafter.”

Description – The roadway authorized in 2000 by the original subdivision plan was intended to be a public way. With this plan modification, the Applicant requests permanent private way designation for Wingate Farm Road. The applicant seeks private way status because they plan to construct the roadway using considerably reduced roadway standards in an effort to develop a rural, agricultural enclave vs. a typical suburban subdivision. Private way status requires the property owner, not the Town, to maintain the road, drainage system and all related infrastructure.

Finding re: Waiver from Section 4.1.2: At a duly called and properly posted meeting held on January 11, 2005, the Medway Planning Board made the following Finding regarding the Applicant's request for a waiver from Section 4.1.2. of the *Subdivision Rules and Regulations* pertaining to conformance with the Mass Highway Department Standard Specifications.

The Planning Board finds that permanent private way designation is appropriate for Wingate Farm Road considering its intended use as access for a 4-lot rural residential horse farm compound. This subdivision is an expansion of an existing farm use. At this time, only two of the lots are planned for residential development; one lot will be used for the owner's existing residence and another lot will be available for new residential construction. A third lot will be used for the existing paddock/outdoor riding ring area, although it may be used in the future for residential development. The fourth lot will be used for the proposed indoor riding arena facility with 8 horse stalls. The Applicant understands that they, not the Town of Medway, are responsible for all roadway and infrastructure maintenance and that future street acceptance by the Town will not occur. Such shall be specified in a required *Declaration of Protective Covenants & Restrictions Governing Wingate Farm* to be recorded and referenced in all property deeds for the subdivision's 4 lots. The Planning Board finds that private way status is not detrimental to the Town of Medway as a private way reduces the financial burden on the Town for routine maintenance and long-term upkeep. (*Finding approved by a vote of 4 in favor – 0 opposed.*)

Action on Waiver Request re: Section 4.1.2 - At a duly called and properly posted meeting held on January 11, 2005, a motion was made by Eric Alexander and seconded by Alan DeToma to approve the Applicant's request for a waiver from Section 4.1.2. of the Subdivision Rules and Regulations. The motion was approved by a vote of 4 in favor and 0 opposed. The waiver request re: Section 4.1.2 was approved.

Section 4.1.8 - Requires that " at the time the street or portion thereof is ready for acceptance and to facilitate acceptance by the Town of Medway, the applicant shall have prepared and certified by a Registered Land Surveyor a "Plan of Acceptance"

Description – With a private way, the Town does not accept the road, thus eliminating the need for an official "Street Acceptance Plan." Instead, the Applicant will provide an "As-Built Plan" which will certify that the construction work was done in accordance with the approved modified definitive subdivision plan.

Finding re: Waiver from Section 4.1.8 – At a duly called and properly posted meeting held on January 11, 2005, the Medway Planning Board made the following Finding regarding the Applicant's request for a waiver from Section 4.1.8 of the Subdivision Rules and Regulations pertaining to the preparation of a Street Acceptance Plan..

The Planning Board finds that its allowance of a private way makes a Street Acceptance plan unnecessary. An As-Built Plan prepared pursuant to the Rules and Regulations is sufficient. As the Town will not be accepting Wingate Farm Road as a public way, there is no need to prepare the legal street acceptance plan. Instead, the applicant will provide an as-built plan to certify to the Planning Board that the subdivision infrastructure (roadway, drainage system, etc.) was constructed in accordance with the approved modified definitive subdivision plan. (Finding approved by a vote of 4 in favor – 0 opposed.)

Action on Waiver Request re: Section 4.1.8 - At a duly called and properly posted meeting held on January 11, 2005, a motion was made by Alan DeToma and seconded by Eric Alexander to approve the Applicant's request for a waiver from Section 4.1.8. of the Subdivision Rules and Regulations. The motion was approved by a vote of 4 in favor and 0 opposed. The waiver request re: Section 4.1.8 was approved.

Section 4.2 - DESIGN AND CONSTRUCTION STANDARDS – Streets and Roadways
To waive all construction standards for a typical roadway and allow the proposed way to be constructed as shown on the drawing included in the approved modified definitive subdivision plan.

Section 4.2.2.2 – Alignment - The minimum horizontal centerline radii of a minor street shall be one-hundred fifty feet (150').

Description – The plan modification shows one horizontal curve with a 141' radius. Use of this radius at this particular curve is to maximize preservation of existing mature trees on the parcel.

Findings - At a duly called and properly posted meeting held on April 26, 2005, the Medway Planning Board made the following Finding regarding the Applicant's request for a waiver from Section 4.2.2.2 of the *Subdivision Rules and Regulations* pertaining to roadway alignment.

The Planning Board finds that the preservation of existing trees is in the best interest of the Town. The Applicant has adjusted the plan to align the radii elsewhere on the site to comply. (*Finding approved by a vote of 4 in favor – 0 opposed.*)

Action on Waiver Request re: Section 4.2.2.2 - At a duly called and properly posted meeting held on April 26, 2005, a motion was made by Eric Alexander and seconded by Matthew Hayes to approve the Applicant's request for a waiver from Section 4.2.2.2 of the *Subdivision Rules and Regulations*. The motion was approved by a vote of 4 in favor and 0 opposed. The waiver request re: Section 4.2.2.2 was approved

Section 4.2.3.1 – Width - *The minimum width of any minor or secondary street right-of-way, including dead-end streets, will be fifty feet (50'), except for streets in non-residential zoned areas where the minimum right-of-way will be sixty feet".*

Description – The roadway created by the original definitive subdivision plan in 2000 was approved with a 45' right of way. The Applicant seeks to maintain the same forty-five foot (45') right-of-way and eliminate the unusual bulge in the ROW at the Holliston Street entrance to the subdivision.

Findings - At a duly called and properly posted meeting held on April 26, 2005, the Medway Planning Board made the following Finding regarding the Applicant's request for a waiver from Section 4.2.3.1 of the *Subdivision Rules and Regulations* pertaining to width of the street right-of-way.

The Planning Board finds that a 45' right of way for Wingate Farm Road is sufficient for the scale of the neighborhood and suitable for the road's use as a private way providing access only to the existing house at 168 Holliston Street and the 3 new lots. There appears to be no possibility for further roadway extension and consequently, the volume of expected use would be low. The 45' right of way provides for the same site distance as was previously approved in 2000. (*Finding approved by a vote of 4 in favor – 0 opposed.*)

Action on Waiver Request re: Section 4.2.3.1 - At a duly called and properly posted meeting held on April 26, 2005, a motion was made by Alan DeToma and seconded by Eric Alexander to approve the Applicant's request for a waiver from Section 4.2.3.1 of the *Subdivision Rules and Regulations*. The motion was approved by a vote of 4 in favor and 0 opposed. The waiver request re: Section 4.2.3.1 was approved.

4.2.4.3 - Grade – *"... 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 one percent (1%) ..."*

Description – The Applicant proposes a vertical curve on Wingate Farm Road that transitions from 2% to 4% within the first 100 feet of Holliston Street.

Findings - At a duly called and properly posted meeting held on April 26, 2005, the Medway Planning Board made the following Finding regarding the Applicant's request for a waiver from Section 4.2.4.3 of the *Subdivision Rules and Regulations* pertaining to the grade of the fixed slope area.

The Planning Board finds that this change conforms more closely to the existing grade and allows for a flatter grade along the remainder of the roadway length. The 2% grade slightly reduces the sight lines along Holliston Street. (*Finding approved by a vote of 4 in favor – 0 opposed.*)

Action on Waiver Request re: Section 4.2.4.3 - At a duly called and properly posted meeting held on April 26, 2005, a motion was made by Alan DeToma and seconded by Matthew Hayes to approve the Applicant's request for a waiver from Section 4.2.4.3 of the *Subdivision Rules and Regulations*. The motion was approved by a vote of 3 in favor and 1 opposed (Hooper). The waiver request re: Section 4.2.4.3 was approved.

4.2.6.7 – “Roadway Construction - Pavement Width - “... The minimum width of a minor street and dead end street shall be twenty-six feet (26').”

Description – The previously approved definitive subdivision plan was authorized for a 22-foot wide asphalt paved roadway. The Applicant now proposes an 18-foot T-Base fabricated roadway with a 4-foot grass swale on each side of the roadway.

Findings – At a duly called and properly posted meeting held on April 26, 2005, the Medway Planning Board made the following Findings regarding the Applicant's request for a waiver from Section 4.2.6.7 of the *Subdivision Rules and Regulations* pertaining to pavement width.

The Planning Board finds that the reduced roadway width from the standard 26 feet to 18 feet is adequate to serve the riding arena, stable and single family homes and will provide for acceptable emergency vehicle access when needed. A 4-foot grass swale on each side of the roadway provides for an additional eight (8) feet of width in emergency situations. The reduced width is reasonable considering the expected low volume of use. Fire Chief Wayne Vinton has determined that the roadway plan meets all requirements for emergency vehicle access. With the reduced roadway width, the development will appear to be more farm related as compared to a typical subdivision. The reduced width allows the roadway to be somewhat flexible in its alignment to minimize tree loss during construction and maintain the rural character of the area. The equestrian compound would help to preserve Medway's agricultural tradition. (*Finding approved by a vote of 4 in favor – 0 opposed.*)

Action on Waiver Request re: Section 4.2.6.7 - At a duly called and properly posted meeting held on April 26, 2005, a motion was made by Eric Alexander and seconded by Matthew Hayes to approve the Applicant's request for a waiver from Section 4.2.6.7 of the *Subdivision Rules and Regulations*. The motion was approved by a vote of 4 in favor and 0 opposed. The waiver request re: Section 4.2.6.7 was approved.

4.2.6.8 – “Roadway Construction - Paving Material - “ Pavement for roadways in subdivisions shall be Class I bituminous Concrete Pavement Type I-1.”

Description – The Applicant wishes to use T-Base, a recycled asphalt material for the roadway construction in lieu of bituminous concrete pavement.

Findings – At a duly called and properly posted meeting held on April 26, 2005, the Medway Planning Board made the following Findings regarding the Applicant’s request for a waiver from Section 4.2.6.8 of the *Subdivision Rules and Regulations* pertaining to pavement construction materials.

- A. The Planning Board finds that this surface is suitable to the subdivision’s planned horse related environment. The T-Base material will provide a surface that is compatible with the riding of horses. It is very similar in appearance to a typical farm road, which is the atmosphere the applicant seeks to achieve. *(Finding approved by a vote of 4 in favor – 0 opposed.)*
- B. The Planning Board finds that the information and testimonial provided by the Applicant regarding the T-Base material, its use and maintenance is inconclusive given the potential long-term use of the roadway for a 4 lot residential subdivision. *(Finding approved by a vote of 4 in favor – 0 opposed.)*

Action on Waiver Request re: Section 4.2.6.8 - At a duly called and properly posted meeting held on April 26, 2005, a motion was made by Matthew Hayes and seconded by Eric Alexander to approve the Applicant’s request for a waiver from Section 4.2.6.8 of the *Subdivision Rules and Regulations*. The motion was approved by a vote of 3 in favor and 1 opposed (Hooper). The waiver request re: Section 4.2.6.8 was approved.

SECTION 4.2.7 – CURBS and BERMS – “Vertical granite curbing shall be installed at intersection roundings, cul-de-sac entrances, catch basins (including transitions) and curb/driveway openings. The curb shall be installed with concrete block on both sides. Bituminous concrete Cape Cod style berms of six inches (6”) in height having a four inch (4”) reveal and twelve inches (12”) in width shall be provided along each side of the roadway where vertical granite curbing is not required.”

Description - The original subdivision approved in 2000 authorized the use of Cape Cod berm curbing. The applicant now seeks approval of a roadway design with no curbing along the edge of the roadway.

Findings - At a duly called and properly posted meeting held on April 26, 2005, the Medway Planning Board made the following Findings regarding the Applicant’s request for a waiver from Section 4.2.7 of the *Subdivision Rules and Regulations* pertaining to curbs and berms.

The Planning Board finds that with proper maintenance of the roadway and drainage systems, the absence of curbing is not detrimental to the subdivision’s stormwater management design. With the

use of grass swales and T-Base as the roadway materials, curbing is not needed. The alternative use of swales will channel the water to the catch basins. The sides of the swales will be bermed to prevent water from overtopping the swales. *(Finding approved by a vote of 3 in favor – 1 opposed (Hooper).)*

Action on Waiver Request re: Section 4.2.7 - At a duly called and properly posted meeting held on April 26, 2005, a motion was made by Eric Alexander and seconded by Alan DeToma to approve the Applicant's request for a waiver from Section 4.2.7 of the Subdivision Rules and Regulations. The motion was approved by a vote of 3 in favor and 1 opposed (Hooper). The waiver request re: Section 4.2.7 was approved.

4.2.8 – "CURB CUTS – " Driveways shall be at least ten (10) feet wide and have a vertical granite curb return at the roadway of three feet (3') in radius. The maximum residential curb cut shall be 20 feet, measured at the gutter line from start of radius to end of radius and commercial curb cut 32 ft."

Description – The Applicant requests a waiver from all requirements regarding the construction of driveway curb cuts for each lot.

Findings - At a duly called and properly posted meeting held on April 26, 2005, the Medway Planning Board made the following Findings regarding the Applicant's request for a waiver from Section 4.2.8 of the Subdivision Rules and Regulations pertaining to curb cuts.

The Planning Board finds that granite curb returns at the driveways are unnecessary as the roadway is to be constructed without curbing. The roadway is continuous through the riding arena/stable area. The driveways serving each lot conform to the 20' width requirement. *(Finding approved by a vote of 4 in favor – 0 opposed.)*

Action on Waiver Request re: Section 4.2.8 - At a duly called and properly posted meeting held on April 26, 2005, a motion was made by Matthew Hayes and seconded by Alan DeToma to approve the Applicant's request for a waiver from Section 4.2.8 of the Subdivision Rules and Regulations. The motion was approved by a vote of 3 in favor and 1 opposed (Hooper). The waiver request re: Section 4.2.8 was approved.

4.2.9.1 – "SIDEWALKS - Sidewalks shall be constructed within the subdivision, and shall have pedestrian ramps to conform to the latest regulations of the Americans with Disabilities Act and State Building Code. "

4.2.9.2 – "SIDEWALKS - The sidewalks shall extend the full length of the street and around the entire perimeter of the cul-de-sac, with curb cuts at both sides of the cul-de-sac entry, and shall be five feet – six inches (5'6") on one side along a minor street. They shall also be provided along any Town street for the entire length of frontage of the applicant on said street including any lots separated from the subdivision within five (5) years prior to the submission of the Subdivision Plan.

Description – The original definitive subdivision plan was approved with a waiver to provide a 5.5 foot sidewalk on only one side of Wingate Farm Road. The Applicant now seeks a waiver from all sidewalk requirements.

Findings – At a duly called and properly posted meeting held on April 26, 2005, the Medway Planning Board made the following Findings regarding the Applicant's request for a waiver from Section 4.2.9.1 and 4.2.9.2 of the *Subdivision Rules and Regulations* pertaining to sidewalks.

The Planning Board finds that minimal expected use of Wingate Farm Road by vehicular traffic and with only one additional residence proposed for construction at this time, the need for sidewalks is reduced. Given the alignment and cross section of the proposed roadway, sidewalk construction on Wingate Farm Road is not feasible. Wingate Farm Road will adequately serve pedestrian and horse traffic. This shared use of roads by vehicles, horses and pedestrians is typical in a rural area. Sidewalk construction along the parcel's frontage on the east side of Holliston Street is not feasible at this time. In lieu of the required sidewalk construction, the Applicant will provide a payment to the Town of Medway of \$5,500 in lieu of sidewalk construction along the 550 foot length of Wingate Farm Road. *(Finding approved by a vote of 4 in favor – 0 opposed.)*

Action on Waiver Request re: Section 4.2.9.1 and 4.2.9.2 - At a duly called and properly posted meeting held on April 26, 2005, a motion was made by Matthew Hayes and seconded by Eric Alexander to approve the Applicant's request for a waiver from Sections 4.2.9.1 and 4.2.9.2 of the *Subdivision Rules and Regulations*, conditioned on a \$5,500 payment in lieu of sidewalk construction. The motion was approved by a vote of 4 in favor and 0 opposed. The waiver request re: Section 4.2.9.1 and 4.2.9.2 was approved.

Section 4.9.1 – "STREET LIGHTS - High efficiency street lights shall conform to the type and style in general use in the Town of Medway . . ."

Description - The Applicant requests a waiver from all street light regulations and proposes use of residential style post lights on each lot.

Findings – At a duly called and properly posted meeting held on April 26, 2005, the Medway Planning Board made the following Findings regarding the Applicant's request for a waiver from Section 4.9.1 of the *Subdivision Rules and Regulations* pertaining to street lights.

The Planning Board finds that street lighting in conformance with the *Rules and Regulations* is not necessary due to the low volume of residential use during the evening and the primarily daytime use of the riding arena. The applicant proposes use of residential style post lights on each lot. This will be included in the *Declaration of Protective Covenants & Restrictions Governing Wingate Farm* *(Finding approved by a vote of 4 in favor – 0 opposed.)*

Action on Waiver Request re: Section 4.9.1 - At a duly called and properly posted meeting held on April 26, 2005, a motion was made by Eric Alexander and seconded by Alan DeToma to approve the Applicant's request for a waiver from Section 4.9.1 of the *Subdivision Rules and Regulations*. The motion was approved by a vote of 4 in favor and 0 opposed. The waiver request re: Section 4.9.1 was approved.

Section 4.11.1 – “Street Trees – *Deciduous street trees shall be planted on each side of each street in the subdivision, except in those locations where the Board has approved certain trees to be retained which are healthy and are of adequate size and species. Such trees shall be located outside of the right-of-way at approximately sixty foot (60') intervals. Trees shall be at least twelve feet (12') in height, two inches (2") in caliper measured four feet (4') above the approved grade.”*

Description - The Applicant requests a waiver from all street planting requirements as the parcel is heavily wooded.

Findings – At a duly called and properly posted meeting held on April 28, 2005, the Medway Planning Board made the following Findings regarding the Applicant’s request for a waiver from Section 4.11.1 of the *Subdivision Rules and Regulations* pertaining to street trees.

The Planning Board finds that street tree planting in conformance with the *Rules and Regulations* is not necessary due to the existing highly wooded nature of the lot. The applicant has made a concerted effort to preserve trees wherever possible on the site. The plan includes extensive landscaping around the detention pond on Lot #4. To protect the existing wooded areas, a 30’ selective cutting zone will be added to the perimeter of Lots 2, 3 and 4 and shown on the plan. (*Finding approved by a vote of 4 in favor – 0 opposed.*)

Action on Waiver Request re: Section 4.11.1 - At a duly called and properly posted meeting held on April 28, 2005, *a motion was made by Matthew Hayes and seconded by Eric Alexander to approve the Applicant’s request for a waiver from Section 4.11.1 of the Subdivision Rules and Regulations. The motion was approved by a vote of 4 in favor and 0 opposed.* The waiver Request re: Section 4.11.1 was approved.

IX. GENERAL FINDINGS & MITIGATION PLAN

Compared to the original Wingate Farm Definitive Subdivision Plan approved in 2000, the proposed modified subdivision plan has less impact on the parcel and surrounding properties. The revised subdivision design reflects the rural, agricultural character that the Applicant seeks to achieve and which the Town of Medway wishes to encourage. With substantial tree preservation, there is less clearing and less visual impact on abutting neighbors. The redesign of the stormwater detention pond results in a more naturalized appearance that complements the site’s topography. The pond will also provide an attractive wetland area and enhance the natural beauty of the highly wooded land. The use of lower impact construction standards for the road and stormwater infrastructure in creating this residential/equestrian compound will help preserve and enhance an existing horse farming area, maintain rural character, and promote stormwater infiltration. The status of Wingate Farm Road as a private way reduces the financial burden on the Town of Medway for maintenance and upkeep. The Applicant’s intended use of two lots for horse farming activities instead of for single-family house development, lessens the immediate fiscal burden on the Town.

Mitigation Plan

1. In lieu of constructing a sidewalk on Wingate Farm Road, the Applicant shall provide \$5,500 to the Town of Medway for sidewalk construction in the community.
2. The Applicant shall fund the preparation of a professional independent review/analysis of the roadway construction and drainage system maintenance one year after completion as determined by the Town's Consulting Engineer.

At a duly called and properly posted meeting held on April 28, 2005, a motion was made by Eric Alexander and seconded by Alan DeToma to approve the above described General Findings and Mitigation Plan regarding the proposed modification to the Wingate Farm Definitive Subdivision Plan, dated August 20, 2004, and last revised April 22, 2005. The motion was approved by a vote of 4 in favor and 0 opposed.

X. DECISION – At a duly called and properly posted meeting of the Medway Planning Board held on April 28, 2005, a motion was made by Eric Alexander and seconded by Alan DeToma to approve the proposed modification to the Wingate Farm Definitive Subdivision Plan, dated August 20, 2004 and last revised April 22, 2005 with Conditions as specified herein and with Waivers from the following sections of the Subdivision Rules and Regulations: 4.1.2, 4.1.8, 4.2.2.2, 4.2.3.1, 4.2.4.3, 4.2.6.7, 4.2.6.8, 4.2.7, 4.2.8, 4.2.9.1, 4.2.9.2, 4.9.1, and 4.11.1. The motion was approved by a vote of 3 in favor (Alexander, DeToma, & Hayes) and 1 opposed (Hooper). The modification to the Wingate Farm Definitive Subdivision Plan, dated August 20, 2004 and last revised April 22, 2005 is hereby approved.

XI. CONDITIONS

Specific Conditions

1. It is expressly understood that this subdivision is authorized for no more than 4 single-family house lots. As a permanent condition of this plan, no further subdivision will be allowed.
2. The Applicant shall construct the roadway and all related infrastructure including the stormwater management system, and install municipal services as shown on the definitive subdivision plan, to the satisfaction of the Planning Board within three (3) years of the date of endorsement of the plan.
3. Plan Revisions - Prior to endorsement, ALL plan sheets shall be revised to include the following references:
 - a. *Modification to Wingate Farm – Private Way Definitive Subdivision Plan*
 - b. Present and future owners are subject to the *Declaration of Protective Covenants & Restrictions Governing Wingate Farm*, to be recorded with the definitive subdivision plan.
 - c. Plan Book, Page and Date of recording of the original Wingate Farm Definitive Subdivision Plan at the Norfolk County Registry of Deeds

The plan shall be also revised to address all Conditions as specified in this Certificate and in the following documents attached hereto and made a part hereof:

- d. VHB's letter dated April 10, 2005;
- e. Memorandum dated March 22, 2005 from Safety Officer Jeffrey Watson regarding required signage.

The Applicant shall provide such revised plan to the Planning Board and the Town's Consulting Engineer for review and approval. All comments and conditions must be addressed to the satisfaction of the Town's Consulting Engineer and the Planning Board before the Board will endorse the plans.

- 4. *Selective Cutting Zone* – The plan shall be revised to show a thirty-foot (30') Selective Cutting Zone on the perimeter of lots 2, 3 and 4. In the Selective Cutting Zone, no disturbance shall occur other than for the installation of the approved drainage system and underground utilities. In addition, living and growing vegetation shall be retained and may not be removed except for the installation of the approved drainage system and underground utilities. Dead or damaged vegetation may be removed from the Selective Cutting Zone.
- 5. *Declaration of Protective Covenants & Restrictions Governing Wingate Farm* - Prior to endorsement, the Applicant shall provide a proposed *Declaration of Protective Covenants & Restrictions Governing Wingate Farm* (which shall apply to all present and future owners of the property included on this subdivision plan) to be reviewed and approved by Town Counsel and the Planning Board. At a minimum, such *Declaration* shall:
 - a. include a requirement for the installation of light posts on each lot and may include other requirements as deemed appropriate by the Applicant;
 - b. state that the Applicant shall retain ownership of Wingate Farm Road and shall be responsible for the upkeep and maintenance of the roadway and stormwater management system;
 - c. state that upon conveyance by the Applicant of Lot 1, the ownership and responsibility for the maintenance of Wingate Farm Road and the stormwater management system shall be transferred to a Wingate Farm Homeowners Association to consist of the owners of Lots 1, 2, 3 and 4. The lot owners' rights to enforce maintenance under Chapter 84, Section 12 of MGL shall not be abrogated;
 - d. include the minimum maintenance responsibilities as specified in the Operations and Maintenance Plan for the roadway and stormwater management system as indicated on Sheet 8 of 8.
- 6. *Status and Ownership of Wingate Farm Road* – It is understood that Wingate Farm Road shall remain private in perpetuity. There is no intention or expectation that the Town of Medway will ever accept Wingate Farm Road as constructed pursuant to this modified definitive subdivision plan. It is further understood that the applicant, Eugene and Karyl Walsh, shall have exclusive ownership of the 45' right-of-way of Wingate Farm Road in its entirety. The road shall be established as a separate parcel. The deed for the road shall clearly state that adjacent property to the south of 168 Holliston Street shall not have any use or frontage rights to Wingate Farm Road unless a new definitive subdivision plan is submitted to the Planning Board for approval under the Subdivision Control Law.

7. *Lot Deeds* – Prior to endorsement, the Applicant shall provide copies of the proposed lots deeds to the Planning Board for its review, comment, amendment and approval. The deeds shall indicate the Applicant's initial ownership of the roadway and all easements shown on the subdivision plan. The deeds conveying lots 2, 3 and 4 shall be clear that the owners have the right to use and pass on Wingate Farm Road, but do not have any ownership interest in or maintenance responsibility for the road or the stormwater management system. However, the deeds shall specify that a Homeowners Association is to be created to own and maintain the road and drainage system upon conveyance of Lot 1. Each deed shall refer to and be accompanied by a Lot Plan to be recorded with each deed. The Lot Plan shall depict all easements and the Selective Cutting zone. The deed text shall include descriptive language specifying all easements, boundary delineations, specific usages and purpose. Each deed shall refer to the *Declaration of Protective Covenants and Restrictions Governing Wingate Farm*.
8. *Easements* – Prior to endorsement, the Applicant shall provide the Planning Board with a copy of the document pertaining to each easement shown on the definitive subdivision plan.
9. *Maintenance of Roadway and Stormwater Management System* – The use of T-Base product for the roadway surface and the absence of any curbing on the roadway necessitate more frequent maintenance and upkeep of the road and stormwater management system. The Applicant's compliance with the Operations and Maintenance Plan shall be monitored during construction observation/inspections by the Town's Consulting Engineer.

The Applicant shall contract for a professional, independent review/analysis of the roadway construction and drainage system to be conducted after one year of use (*as determined by the Town's Consulting Engineer*) to demonstrate to the Town the merits and pitfalls of the alternative construction method. The cost for such study shall not exceed \$1,200. The Applicant will deposit the funds to an escrow account established with the Town of Medway prior to the Board's approval of any Release of Covenant for building permit purposes.

The Applicant shall provide for snow plowing, sanding and full maintenance of Wingate Farm Road and all related stormwater management infrastructure throughout the entire construction process and in perpetuity thereafter until Lot 1 is conveyed, at which time a Homeowner's Association shall be established and become responsible. The rights of lot owners to enforce maintenance under Chapter 84, Section 12 shall not be abrogated

10. *Lot Development* – Prior to the issuance of any building permits for lots 2, 3 and 4, all subdivision construction work as specified in the plan shall be completed, or the Applicant shall provide sufficient security to ensure its completion in the form of a deposit of money in a bank account with the Town of Medway. The amount of said deposit shall be established by the Planning Board and shall be based on an estimate provided by the Town's Consulting Engineer of the amount that would be required for the Town of Medway to complete the work if the Applicant failed to do so.
11. *Sidewalk Construction* – In lieu of constructing approximately 550 feet of sidewalk along Wingate Farm Road, the Applicant shall contribute to the Town of Medway, within one year of the date of plan endorsement, an amount equal to \$5,500 as estimated by VHB, Inc., the Town's Consulting Engineer, based on the most recent average statewide price published by the Massachusetts Highway Department for sidewalk construction, said funds to be used by the Town of Medway for sidewalk construction in the community.

12. *T-Base Specifications* – Prior to plan endorsement, the plan shall be revised to include a detailed T-Base specification as provided by the manufacturer.

General Conditions

13. *Expiration of Appeal Period* - Prior to endorsement, the Planning Board must receive the statutory notification of the expiration of the twenty (20) day appeal period from the Town Clerk's office.
14. *Payment of Balance of Fees* - Prior to endorsement, the Applicant shall pay the balance of any outstanding plan review services by any outside consultants retained by the Planning Board and any other outstanding expenses, obligations or fees due the Town of Medway pertaining to these properties. The Applicant shall provide proof from the Medway Town Treasurer/Collector that all real estate taxes are current for all property included in this subdivision.
15. *Establishment of Security Account* - Prior to endorsement, the Applicant shall establish a passbook savings account (*with the Town of Medway*) at an area financial institution into which the Applicant shall place a deposit of money and shall provide the Medway Treasurer with a signed withdrawal slip from said account. The passbook and withdrawal slip shall be retained by the Medway Treasurer.
16. The Applicant shall specifically reserve to itself/himself/herself ownership of the fee in Wingate Farm Road and all easements shown on the definitive subdivision plan in any deeds or other conveyances or transfers pertaining to Lots 2, 3 and 4. At such time as Lot 1 is conveyed, the fee in Wingate Farm Road and all easement shall then be conveyed to a Wingate Farm Home Owners Association.
17. *Subdivision Covenant* - Prior to endorsement, the Applicant shall sign a *Subdivision Covenant*, on a form acceptable to the Planning Board, to be reviewed and approved by Town Counsel, to secure construction of the ways and all related infrastructure and installation of municipal services as specified in the approved definitive subdivision plan. Reference to the *Covenant* shall be noted on the cover sheet of the Definitive Subdivision Plan. The *Covenant* shall specify that the roadway and all relevant infrastructure including the stormwater management system shall be constructed and all municipal services shall be installed to the satisfaction of the Planning Board within three (3) years of the date of plan endorsement.
18. *Order of Conditions* - Prior to endorsement, the Applicant shall provide the Planning Board with a copy of any and all "*Order of Conditions*" as issued by the appropriate agency, and recorded by the Applicant, pursuant to the Massachusetts Wetlands Protection Act. Any changes to the Definitive Subdivision Plan that may be required under the "*Order of Conditions*" shall be presented to the Planning Board by the Applicant, for review and approval as a modification to the Definitive Subdivision Plan. The Planning Board reserves the right to negotiate with the issuing authority any mutually acceptable modifications to the "*Order of Conditions*" that may be deemed appropriate by the Planning Board and the Town's Consulting Engineer. After the public hearing and acceptance of the modifications to the plan, the Planning 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 Planning Board endorses the plan modification.

Additionally, upon issuance of any "*Order of Conditions*" requiring further individual filings under the Massachusetts Wetlands Protection Act, the Applicant shall prepare an amended plan clearly identifying the lots requiring further action under the Wetlands Protection Act. The Applicant shall provide this plan for endorsement by the Planning Board and shall provide a receipt from the Registry of Deeds indicating that the endorsed amended plan has been duly recorded.

19. *Construction Observation* - The Applicant agrees to construction observation inspections by the Town's Consulting Engineer and shall pay construction observation fees to the Town of Medway for such inspections. The amount shall be determined by the Planning Board based on an estimate provided by the Town's Consulting Engineer. A construction observation account shall be established with the Medway Planning Board prior to plan endorsement. The Applicant shall provide supplemental payments to the Town of Medway, for reasonable construction inspection services, upon invoice from the Planning Board, until the road construction and stormwater drainage system are completed, municipal services are installed, and the as-built plan has been reviewed and determined to be satisfactory to the Planning Board.
20. *Document/Plan Recording* - Within thirty (30) days of recording the endorsed definitive subdivision plan, the easements, the *Subdivision Covenant, and Declaration of Protective Covenants and Restrictions Governing Wingate Farm* with the Norfolk County Registry of Deeds, the Applicant or his assign shall provide the Planning 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. The Planning Board shall not authorize any Lot Releases to allow the issuance of building permits until the Applicant has provided proof or verification of recording with the Norfolk County Registry of Deeds.
21. Within thirty (30) days of plan endorsement, the Applicant shall provide the Town with a set of the approved plan in 11" x 17" paper format. The Applicant shall also provide the approved plan in CAD format compatible with the Medway GIS and acceptable to the Medway Board of Assessors (archinfoshape file - .shp). The Applicant shall pay any reasonable associated costs, as may be determined by the Board of Selectmen, to update the Medway GIS/Assessor's maps relative to this subdivision.
22. *Security Payments* - Prior to the Planning Board's approval of the *Release of Covenant* for the first building lot, the Applicant shall deposit certified funds in the already established passbook account in an amount equal to 100% of the bond amount approved by the Medway Planning Board to cover the cost of all uncompleted construction improvements and infrastructure maintenance.
23. *Proof of Taxes Paid* - Prior to the Planning Board's approval of the *Release of Covenant* for the first building lot, the Applicant shall provide proof from the Medway Town Treasurer/Collector that all real estate taxes are current to that date for all property included in this subdivision.
24. *As-Built Plans* - The Applicant agrees to prepare and provide as-built construction plans prepared in accordance with the approved subdivision plan and with the *Subdivision Rules and Regulations* in effect at the time the as-built plans are submitted, to the satisfaction of the Planning Board. The Applicant shall provide the final as-built plan in CAD format compatible with the Medway GIS and acceptable to the Medway Board of Assessors (archinfoshape file -

.shp). The Applicant shall pay any reasonable associated costs, as may be determined by the Board of Selectmen, to update the Medway GIS/Assessor's maps relative to this subdivision.

41. *Compliance* - All construction shall be as specified in the approved definitive subdivision plan and in full compliance with the *Subdivision Rules and Regulations* and all applicable local, state and federal laws, including but not limited to the Americans with Disabilities Act, the NPDES permit requirements, the Massachusetts Department of Environmental Protection (DEP) Stormwater Management Policy requirements, MEPA requirements, the Massachusetts Wetland Protection Act (Chapter 131, Section 40, M.G.L.) and the regulations of the Massachusetts Architectural Access Board for handicap accessibility.

This decision is subject to appeal in accordance with M.G.L. ch. 41, section 81BB within 20 days after his decision is filed with the Town Clerk.

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MEDWAY PLANNING BOARD

Approved April 28, 2005

AYE

Matthew J. Hayes
Matthew J. Hayes

Alan DeToma
Alan DeToma

Eric Alexander
Eric Alexander

NAY:

Daniel J. Hooper, Chairman
Daniel J. Hooper, Chairman

Date Signed:

4/28/2005

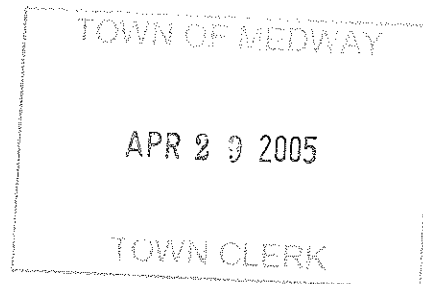
Attest:

Susan E. Affleck-Childs
Susan E. Affleck-Childs, Planning Board Assistant

4-28-05

Date

Date Filed with the Town Clerk:



Certified Mail Copy to: Eugene and Karyl Walsh
168 Holliston Street

Date: 4-29-05

Certified Mail #: 7004 1350 0004 9766 0040

Copies To: Greg Balukonis, Town Administrator
Susan Bouchard, Disability Commission
David D'Amico, Public Services
Ron Dolloff, Tree Warden
Bill Fisher, Board of Health
Mark Flaherty, Water/Sewer Board
Britt Hall, Assessors
Gary Jacob, Design Review Committee
Al Pater, Treasurer/Collector
Robert Speroni, Inspector of Buildings/Zoning Enforcement Officer
David Travalini, Conservation Commission
Wayne Vinton, Fire Chief
Jeffrey Watson, Police Safety Officer
Gino Carlucci, PGC Associates
Mark Louro, VHB Engineering
Steve Poole, Consolidated Design Group