

**Tuesday June 11, 2019**  
**Medway Planning and Economic Development Board**  
**155 Village Street**  
**Medway, MA 02053**

<b>Members</b>	<b>Andy Rodenhiser</b>	<b>Bob Tucker</b>	<b>Tom Gay</b>	<b>Matt Hayes</b>	<b>Rich Di Iulio</b>
<b>Attendance</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>

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

**ALSO PRESENT:**

Susy Affleck-Childs, Planning and Economic Development Coordinator  
Barbara Saint Andre, Director of Planning and Economic Development

The Chairman opened the meeting at 7:00 p.m.

There were no Citizen Comments.

**BOARD REORGANIZATION**

**Chairman:**

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

**Vice Chairman:**

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

**Clerk:**

**On a motion made by Bob Tucker and seconded by Matt Hayes, the Board voted unanimously to elect Tom Gay as the Clerk of the Planning and Economic Development Board.**

**ANR – 81 LOVERING STREET:**

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

- ANR Application dated 5-28-19 from Michael Larkin, buyer of the subject property.
- Email memo dated 5-29-19 from Attorney Stephen Pisini.
- ANR Plan review letter from Gino Carlucci dated 6-4-19
- ANR Plan dated 5-24-19, revised 6-5-19

The Board is in receipt of an ANR application and plan submitted for endorsement by Michael Larkin. The current owner is the Leonore Wilson Revocable Trust. The plan was prepared by Colonial Engineering and is dated May 24, 2019. The plan shows the division of the 4.5 acre lot

into 4 lots of 2.956 acres, 22,523 sq. ft., 22,503 sq. ft., and 22,602 sq. ft. Consultant Carlucci noted that the plan meets the substantive and technical requirements for ANR endorsement. It was noted that Section 3.2.1 of the *Subdivision Rules and Regulations* requires that Scenic Roads be indicated on ANR plans. Lovering Street is a Scenic Road between Winthrop and Summer Streets, but not in front of the subject parcel.

Mr. Larkin explained that the wetland resource flagging has been reviewed by the Conservation Commission. The intention is to maintain the existing home and garage. He will need to go to Historical Commission to remove the existing barn.

Susy Affleck-Childs asked the applicant to consider installation of roof rains for stormwater management for all of the houses. He was agreeable.

**On a motion made by Bob Tucker and seconded by Matt Hayes, the Board voted unanimously to endorse the ANR Plan for 81 Lovering Street dated 6-5-2019 as presented.**

### **MEDWAY GREEN (Main & Mechanic Streets)**

#### **Field Change for Benches**

The Board was made aware that at the last meeting, Medway Green Developer Mark Heavner was concerned about the public's use of the benches at the southwest corner of the property at the corner of Main and Mechanic Streets. The Board is in receipt of the drawing received 6-10-19. (**See Attached**) He proposes to grass the area of concern and relocate the benches to two other locations on the site. Mr. Heavner noted that the shrubbery will remain the same. He is proposing three benches instead of the four. The locations were noted on the plan.

The Board asked if the DRC had reviewed this change. Susy Affleck-Childs indicated she had not forwarded it to the DRC as the information had just been supplied the day before.

**On a motion made by Rich Di Iulio and seconded by Bob Tucker, the Board voted unanimously to approve the field change for Medway Green as noted on revised plan dated June 10, 2019.**

#### **Performance Security**

The second item discussed was the performance security. The Board had approved a \$167,625 bond estimate for this project in January 2019. The developer decided to complete more work before providing the performance security. However, the stormwater system is not complete; the rain garden needs to be installed. Tetra Tech provided a revised bond estimate in the amount of \$103,125 dated June 5, 2019. (**See Attached**)

With traditional subdivisions, the Board requires that the stormwater system be functional before building permits are issued. It is the recommendation to have the stormwater system installed before Occupancy Permits are issued.

The applicant indicated the grass and shrubbery need to be in so that the silt does not have

to be cleaned out on a daily basis. It is his intent to make sure the rain garden is installed and functioning as intended. The Chairman made a recommendation to install the sod in this area.

The applicant asked if a few of the units could be released for occupancy since he needs some of the sale funds to finish the other items. He informed the Board that it was his hope to have the affordable unit sold sometime next month but the paperwork to complete the process for this is taking longer than expected. The paperwork for the affordable unit takes up to 75 days once the LIP is signed by the Board of Selectmen. This document will be signed at the June 17, 2019 BOS meeting at which point the document then goes to the Mass Department of Housing and Community Development. The lottery process would then take 60 days. There is a scheduled closing for two market rate units on September 15, 2019.

**On a motion made by Matt Hayes and seconded by Rich Di Iulio, the Board voted unanimously to authorize the setting of the bond amount at \$103,125.00 and to allow Occupancy Permits for two market rate units and one affordable unit but to not release any further units until the stormwater system is complete.**

### **PUBLIC HEARING EVERGREEN VILLAGE:**

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

- Public Hearing Continuation Notice
- Letter dated June 6, 2019 from Attorney William Pezzoni
- Letter dated June 7, 2019 from Attorney William Pezzoni
- Comment letter from abutter Marilyn Cowan, 31B Evergreen Street, received June 10, 2019.

The applicant Maria Varicchione was present at the meeting. She requests the Board's approval to withdraw without prejudice, the application for the multifamily special permit. They are also seeking an extension of the Board's action deadlines for the site plan approval and the stormwater and land disturbance permit to July 23, 2019. The applicant informed the Board that the wetlands flagging has been done on the site and the report is expected by the end of the week.

The Chairman is concerned that the historic building is going to be demolished and the intent of this part of the bylaw is not being upheld.

**On a motion made by Rich Di Iulio and seconded by Andy Rodenhiser, a motion was made to approve the applicant's request to withdraw the special permit application with prejudice. After clarification of the wording of the motion, on a motion made by Rich Di Iulio, and seconded by Andy Rodenhiser, the motion was withdrawn.**

**On a motion made by Tom Gay and seconded by Matt Hayes, the Board voted to grant the applicant's request to withdraw without prejudice the Special Permit application for Evergreen Village. (Motion passes 3 to 2).**

**On a motion made by Matt Hayes and seconded by Bob Tucker, the Board voted unanimously to have Susy Affleck-Childs file a notice with the Town Clerk of the Board's approval of the applicant's request to withdraw without prejudice the Special Permit application for Evergreen Village.**

**On a motion made by Matt Hayes and seconded by Tom Gay, the Board voted unanimously to extend the deadlines for the site plan application, scenic road, and stormwater permits to July 23, 2019.**

One resident asked if they could be notified when the water services are shut off when the house is being demolished. The resident was informed that when there is service on the water lines or if the water is shut off, it is done through the Department of Public Services.

There was a comment that the applicant is working around the established rules.

The Chairman responded that what the applicant is doing is within her rights.

Consultant Carlucci asked how the board can consider a site plan when there would be no Special Permit attached to it.

The Chairman asked the applicant to withdraw the site plan and other permits and refile.

The applicant wanted to know if the fees she applied would be reimbursed. She would like time to consult with her attorney regarding this matter.

Susy Affleck-Childs indicated that there have been some funds expended and research needs to be completed to see what has been spent to date.

**On a motion made by Matt Hayes and seconded by Tom Gay, the Board voted unanimously to continue the public hearing for 22 Evergreen Village to Tuesday, June 18, 2019 at 7:00 pm.**

Resident, Rich Cantor 26 Evergreen Street asked if the owner can now do anything they want with the house. The resident also asked that the neighborhood be notified when the house is scheduled for demolition.

### **SITE PLAN RULES AND REGULATIONS:**

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

- Revised draft dated June 3, 2019 with additional comments from Barbara Saint Andre date June 6, 2019.

The following bullets were comments and recommendations from the Board members:

Include a summary of operating procedures.

Page 3: 202.3 Requirements for Site Plan Review:



- Barbara and Town Counsel feel this paragraph is not needed since it is already in the ZBL and it is repetitive. Susy would like to keep it in even though it is repetitive since it is linked to the site plan section of the Zoning Bylaw. The Board recommended keeping it in.

Page 3: 202-4 Definition of Agent

- There needs to be clarity on what does “carry out the Rules and Regulations” mean? There was also discussion about “Agent”. Does this mean any person appointed as an agent of the Board may review plans, and observe and inspect construction and administer the Rules and Regulations, or is it a separate agent for each activity? It was suggested to keep “Agent” and remove the rest.

Page 4: 202.5 Waivers of Site Plan and Rules and Regulations:

- Recommendation and agreed to take out #1 about the Rule or Regulation being waived as it is excessively burdensome.

Page 5: 203-2 Pre-Application Review:

- Barbara commented that the regulations should not specify what Town staff can do. It was recommended and agreed to remove this paragraph.

Page 8: 204-3 – Traffic Impact Assessment:

- Susy reached out to Tetra Tech for comments and those will be incorporated into the final draft. Dan Merrikin noted in his comments that a higher threshold be provided to require a full traffic study.

Page 9: 204 – 3 Environmental Impact Assessment:

- In the comments from Dan Merrikin he indicated that the threshold seems inconsistent with the items 1 and 2 and recommends this be increased to 30,000 or 40,000 sq. ft to be consistent with the parking and building thresholds. The Board would like to include the reference to the 20,000 sq. ft as noted in the state regulation and have the language tie back to the Stormwater Bylaw reference.

Page 17: 204.7 B – Public Hearing:

- Barbara suggested that the requirements of Chapter 40 A be followed without any additional requirements in order to be consistent with state law. The Board agrees.

Page 18: 204-8 C - Decision:

- This is a new recommendation which would require the applicant to provide the Board a written document specifically describing how the proposed development satisfies the site plan decision criteria. The Board agrees with this recommendation.

Page 21: 204.8 H – Decision:

- Recommended to remove the five-day requirement for the Notice of Decision to be mailed to abutters.

Page 21: 204-10 C. - Plan Endorsement:

- The Board discussed what happens when the Conservation Commission has not completed its review or approval within the Board’s 90-day review and approval window. Barbara Saint Andre commented that the applicant can seek an extension. The decision can also have language which references that the Board will not endorse the plan until the Conservation Commission’s review is complete.

Page 28: 206-4 Standards for Site Plan Preparation:

- There was discussion about how the “Administrative Team” reviews the application without a duly posted meeting.

Page 28: 206-5 Site Plan Contents

- There needs to be a simpler list for the administrative site plan projects; the current language is too burdensome. The stormwater aspects of the applications would be reviewed by the stormwater team which has recently been put together. The current problem with site plan is that the applicant comes in and the Board never sees them again unless they want to upgrade. There needs to be an improvement to this process. There should be language that if the lighting is updated to the building, then a permit would need to be secured from the Building Department.

Page 29: 206-9 Review Process Plan Endorsement:

- Barbara Saint Andre commented that Administrative Site Plan Project Review Team has never endorsed plans; this is not their role. There was a suggestion to have something noted that the Administrative Team reviewed the plan but do not use the term “endorse”.

Page 30: Article 7 – Development Standards:

- The current language is “The development projects should be designed to the greatest extent feasible to comply....” All agreed that this language is subjective and should be removed.

Page 31: 207-9 Earth Filling & Grading:

- There was discussion about the reuse of concrete materials for fill. For the Salmon site, the applicant is bringing in virgin material since they would need to complete testing proof of every 500 yards of soil brought in which is extremely expensive. The intent is to have non contaminated soil brought in. The state regulations dictate the requirements. The discussion of prohibited building materials would include ray bar, marble, and granite. The permitted fill materials should include concrete which is certified clean. The material is currently available and certified clean.

Page 32: 207-9 – Finish Elevations and Grading:

- Dan Merrikin suggested that the text as noted in document should be stricken. He also believes that the second sentence should be taken out since it is inconsistent with the other provisions of the rules and regulations. The Board agrees that the first sentence should be taken out.

Page 33: 207-11 Pedestrian & Bicycle Access and Sidewalks:

- There was a comment about what the term “safe pedestrian connections” entails. The Board wants this language to be reworked and be sure that there is the inclusion of the requirement for ADA compliance.

Page 36: 207.12 B:

- There was discussion about the how driveway aprons should be paved. The Board would like Matt to help provide information about the driveway materials.

Page 37: 207.12 H. Parking Spaces:

- The verbiage in this section about the number of parking spaces is covered in the Zoning Bylaw. It can be taken out.

Page 38: 207-13 K. Electric Vehicle Charging Stations:

- Susy Affleck-Childs communicated that she looked at other town’s bylaws about electric vehicle charging stations. There was a recommendation to include a ratio. Member Tucker will speak with the Town of Middleboro about such regulations for private developments.

Page 39: 207.15 Stormwater Management:

- There was discussion that Section C and D are covered within the DEP Stormwater Handbook.

Page 43: Tree replacement G.:

- The Board would like to provide a formula for replacement trees. The on-site trees should be evaluated for line of site, shade and sometimes based on abutters requests.

Page 44: 208-1 Preconstruction Administration:

- Dan Merrikin noted in a comment that he has not seen a requirement for site filling in excess of two thousand cubic yards. It is his opinion that 2,000 cubic yards is not a lot of soil. He was also questioning what value an LSP brings to the process. This needs to be consistent in all areas throughout the document.

Page 45: 208-3 Modification to Approved Site Plans and Decision:

- The Board would like consistency with terms such as construction changes versus field changes. One term needs to be used throughout document. It is also confusing in Section A above and Section 3.5.2.C with the words “Substantial or Insubstantial”.

There was a recommendation to hold the public hearing on July 30, 2019.

**CTS SITE PLAN – BOND ESTIMATE:**

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

- Tetra Tech – Revised Bond Estimate dated June 25, 2019 for \$24,125.
- Draft – Performance Security Agreement

Consultant Bouley conducted a site visit at CTS, 9 Trotter Drive and prepared an updated bond estimate. It was noted that the electrical service was not underground on the parcel as shown on the approved site plan. The applicant also was notified that the electrical service needed to be placed underground prior to his paving of the parking lot, but the applicant went ahead and the contractor paved the area knowing this. The applicant communicated that there was a cost savings by going from 400 to 200 amp service. The 200 amp service does not necessitate the underground installation per the electric company and contractor. So they never thought this would be a problem. The applicant also did not seek a modification from the Board to do overhead electrical instead of underground. The Chairman would like to send a letter to the applicant that the Board will not approve the lower bond amount and seek clarification on when this work will be completed. The pad mounted transformer was installed; this is also a modification to the plan. Susy Affleck-Childs indicated that there is no performance security for this project in place at this time.

The Chairman would like the applicant to come in and speak with the Board in the near future.

**On a motion made by Bob Tucker and seconded by Rich DiIulio, the Board voted unanimously to approve the original bond estimate (April 30, 2019) for \$112,159.00 and to communicate to the Building Inspector to not extend the temporary occupancy permit until all the work is completed per the plan.**

### **CONSTRUCTION REPORTS:**

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

- Tetra Tech – Williamsburg #37 – June 4, 2019
- Tetra Tech – Salmon #6 – May 9, 2019
- Tetra Tech – Salmon #7 – May 16, 2019
- Tetra Tech – Salmon #8 – May 23, 2019
- Tetra Tech – Salmon #9 – May 30, 2019
- Tetra Tech – Salmon #10 – June 5, 2019
- Coneco – Salmon SWPPP – May 24, 2019
- Coneco – Salmon SWPPP – May 31, 2019
- Beals & Thomas – Exelon #21

### **PEDB MEETING MINUTES:**

#### **May 14, 2019:**

**On a motion made by Andy Rodenhiser and seconded by Matt Hayes, the Board voted unanimously to approve the minutes from the May 14, 2019 PEDB meeting.**

#### **May 28, 2019:**

**On a motion made by Andy Rodenhiser and seconded by Matt Hayes, the Board voted unanimously to approve the minutes from the May 28, 2019 meeting with noted revisions provided by Matt Hayes.**

### **ZBA PETITIONS:**

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

- 19 Broad Acres Farm Road – Accessory Family Dwelling Unit Special Permit Application.
- 14-16 R Franklin Street – Variance and two-family special permit application.

The Board is in receipt of an email from Stefany Ohannesian requesting comments on a Special Permit application for construction of an Accessory Family Dwelling Unit onto the existing home at 19 Broad Acres Farm Road.

The Board is in receipt of an email from Stefany Ohannesian requesting comments on a special permit application to construct a duplex at 14-14R Franklin Street and a variance for frontage relief.

The Board decided to discuss these applications at its next meeting on June 18<sup>th</sup>.

### **OTHER BUSINESS:**

#### **Committee Liaison Assignments:**

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

- 6-5-19 memo from Susy Affleck-Childs with a list of the Boards and Committees on which the PEDB has representatives or with which it liaises.

**On a motion made by Matt Hayes and seconded by Bob Tucker, the Board voted unanimously to keep the current liaison positions for Fiscal Year 2020.**

### **NEXT MEETING:**

- Tuesday July 23, 2019

### **ADJOURN:**

**On a motion made by Rich DiIulio and seconded by Bob Tucker, the Board voted unanimously to adjourn the meeting at 10:15 pm.**

Respectfully Submitted,



Amy Sutherland  
Recording Secretary

Reviewed and edited by,



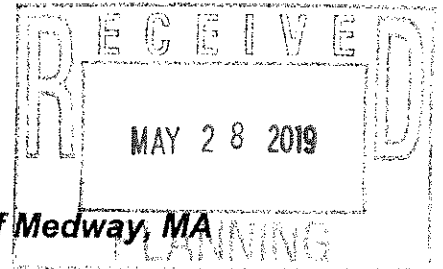
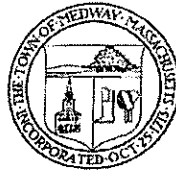
Susan E. Affleck-Childs  
Planning and Economic Development Coordinator



**June 11, 2019**  
**Medway Planning & Economic Development Board**  
**Meeting**

**ANR – 81 Lovering Street**

- ANR Application dated 5-28-19 from Michael Larkin, buyer of the subject property
- Email memo dated 5-29-19 from Attorney Stephen Pisini representing the Lenore Wilson Revocable Trust, the current property owner
- ANR plan review letter from Gino Carlucci dated June 4, 2019
- ANR Plan dated May 24, 2019, revised June 5, 2019



Planning & Economic Development Board - Town of Medway, MA

## LAND SUBDIVISION – FORM A

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

#### **INSTRUCTIONS TO APPLICANT/OWNER**

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

Submit two (2) signed originals of this ANR Application, two copies of the ANR Plan, an electronic version (PDF) of the ANR plan, two Project Explanations, and the appropriate ANR application/filing fee checks to the Medway Planning and Economic Development office, 155 Village ST, Medway, MA 02053.

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. Revisions to the plan may be needed.

**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 the Board's review and decision.

May 28, 2019, 20\_\_\_\_

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.

#### **PROPERTY INFORMATION**

ANR Location Address(es): 81 LOVERING STREET

The land shown on the plan is shown on Medway Assessor's Map # 21 Parcel(s) # 057

Total Acreage of Land to be Divided: 4.74 ACRES

Subdivision Name (if applicable): N/A

Medway Zoning District Classification: AR II

Frontage Requirement: 150 Area Requirement: 22,500

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: LENORE B. WILSON to LENORE B WILSON REVOCABLE TRUST dated 5-8-2013 and recorded in Norfolk County Registry of Deeds, Book 31310 Page 166 or Land Court Certificate of Title Number \_\_\_\_\_, Land Court Case Number \_\_\_\_\_, registered in the Norfolk County Land Registry District Volume \_\_\_\_\_, Page \_\_\_\_\_.

### **ANR PLAN INFORMATION**

Plan Title: SUBDIVISION OF LAND IN MEDWAY - 81 LOVERING STREET, MEDWAY, MA

Prepared by: COLONIAL ENGINEERING, INC.

P.E. or P.L.S registration #: 30466 Plan Date: MAY 15, 2019

### **APPLICANT INFORMATION**

Applicant's Name: MICHAEL LARKIN

Address: 383 MAIN STREET, MEDFIELD, MA 02052

Telephone: 978-658-0333

Email: MICHAEL@LAWLARKIN.COM

### **PROPERTY OWNER INFORMATION**

*(If different than the applicant or if the plan shows a land swap between two adjacent properties)*

Property Owner's Name: STEPHEN C. PISINI, TRUSTEE OF LENORE B. WILSON REVOCABLE TRUST

Address: 730 MAIN STREE, SUITE 2B, MILLIS, MA 02053

Telephone: 508-478-9700

Email: PisiniS@MOLLOYLAW.COM

### **ENGINEER or SURVEYOR INFORMATION**

Name: COLONIAL ENGINEERING, INC.

Address: 11 AWL STREET, MEDWAY, MA 02053

Telephone: 508-533-1644

Email: COLONIAL.ENG@VERIZON.NET

### **ATTORNEY INFORMATION**

Name: MICHAEL LARKIN, ESQ.

Address: 383 MAIN STREET, MEDFIELD, MA 02052

Telephone: 978-658-0333

Email: MICHAEL@LAWLARKIN.COM



## OFFICIAL REPRESENTATIVE INFORMATION

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

## PROJECT EXPLANATION

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

## APPROVAL NOT REQUIRED JUSTIFICATION

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

- XX 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 LOVERING STREET (name of way(s), which is:
- XX a. A public way. Date of street acceptance: 11-3-1857
- \_\_\_\_\_ 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: \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_



## Susan Affleck-Childs

---

**From:** Steve Pisini <pisinis@molloylaw.com>  
**Sent:** Wednesday, May 29, 2019 11:02 AM  
**To:** Susan Affleck-Childs  
**Subject:** RE: ANR Plan for 82 Lovering Street

Dear Susan,

Thank you.

This will confirm that I, in my capacity as Trustee of the Lenore B Wilson Revocable Trust, signed the application for the division of 81 Lovering Street into four lots as shown on the attached plan dated 5/24/19 prepared by Colonial Engineering, Inc.

It is my understanding that this will be placed on your agenda for the June 11<sup>th</sup> meeting.

Please let me know if you need further authorization.

-Steve Pisini

*Stephen C. Pisini, P.C.*  
[Pisinis@molloylaw.com](mailto:pisinis@molloylaw.com)

Pisini Law Group  
730 Main Street, Suite 2B  
Millis, MA 02054  
Tel. (508) 478-9700  
Fax.(508) 478-9872

In accordance with IRS Circular 230, we advise you that any tax advice in this email (including attachments) is not written or intended to be used, and cannot be used, by any recipient for the avoidance of penalties under federal tax laws, or for promoting, marketing or recommending to another party any tax-related matters addressed herein.

This message, along with any attachments, may be confidential and legally privileged. If you are not the designated recipient of this message, please destroy it and notify the sender of the error by return email or by calling 1-508-478-9700.

---

**From:** Susan Affleck-Childs [mailto:sachilds@townofmedway.org]  
**Sent:** Tuesday, May 28, 2019 3:01 PM  
**To:** pisinis@molloylaw.com  
**Subject:** RE: ANR Plan for 82 Lovering Street

Hi Steve,

Here you go!

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

---

**From:** Susan Affleck-Childs  
**Sent:** Tuesday, May 28, 2019 2:51 PM  
**To:** 'pisinis@molloylaw.com'  
**Subject:** FW: ANR Plan for 82 Lovering Street

Here you go.

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

---

**From:** Susan Affleck-Childs  
**Sent:** Tuesday, May 28, 2019 11:26 AM  
**To:** 'pisinis@malloylaw.com'  
**Subject:** ANR Plan for 82 Lovering Street

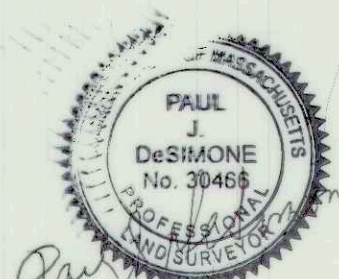
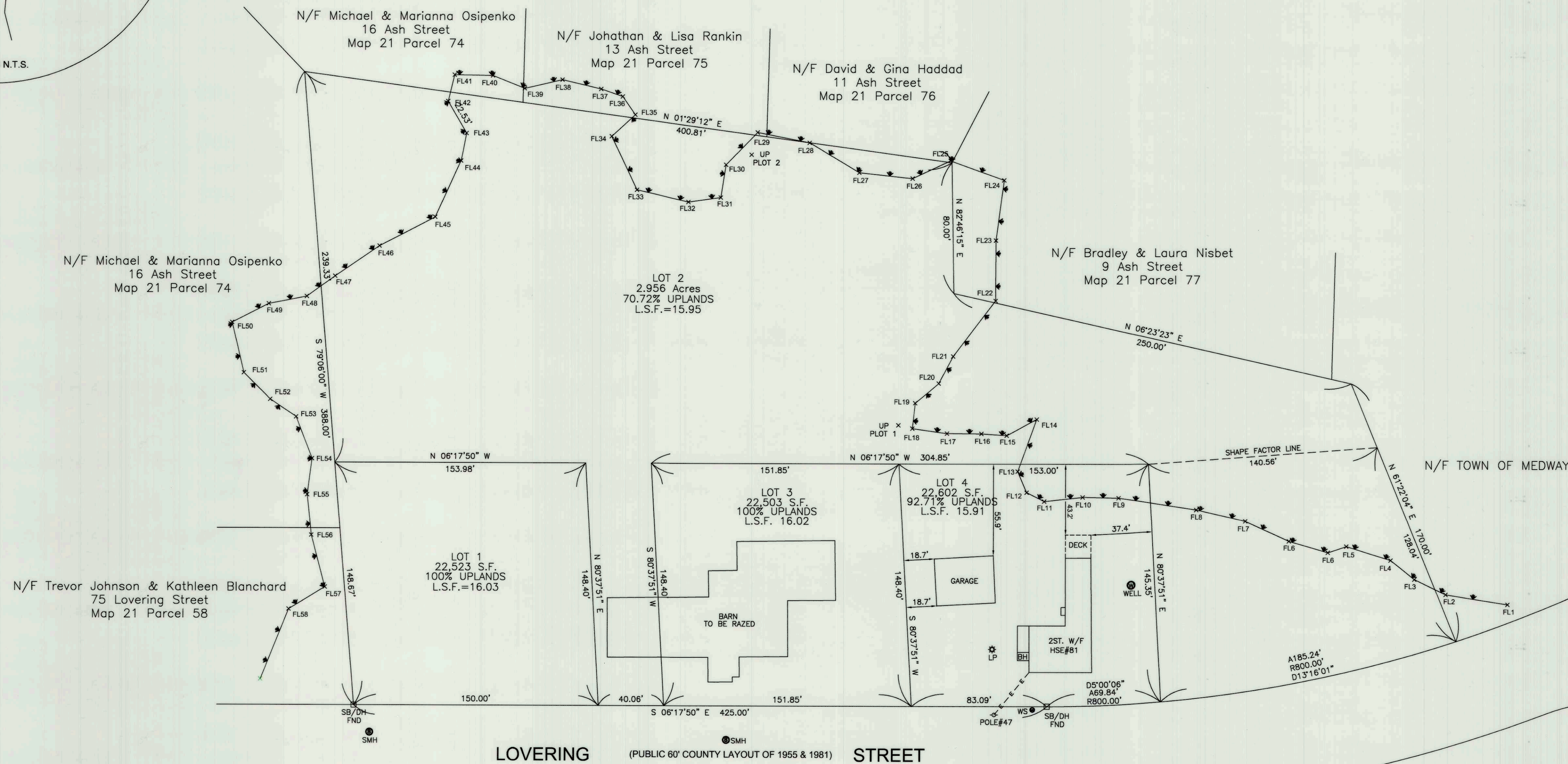
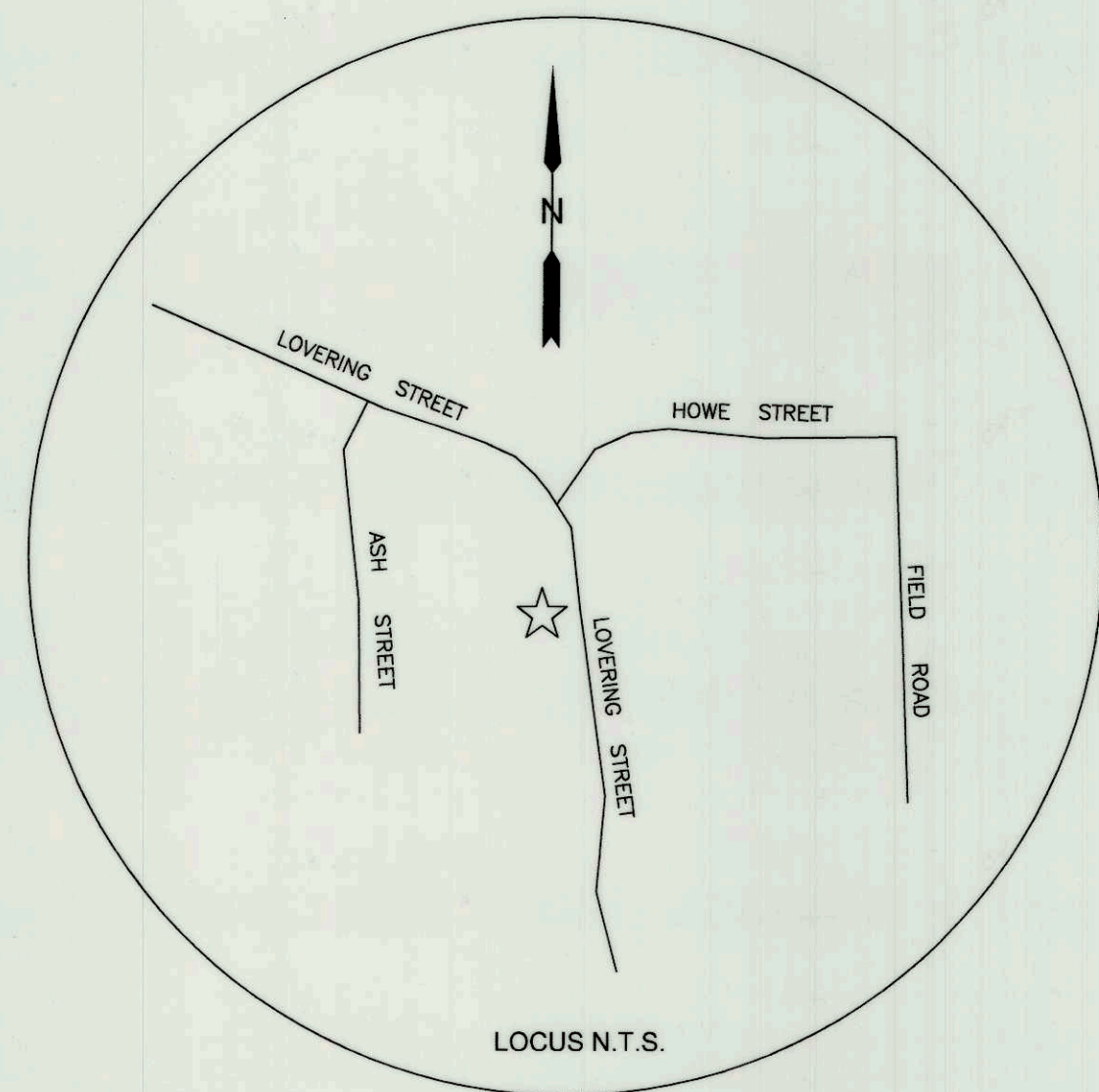
Hi Stephen,

Thanks for speaking with me. Per our phone conversation, please email me to verify that you, in your capacity as Trustee of the Lenore B. Wilson Revocable Trust, have signed the ANR application for the division of 81 Lovering Street into 4 lots.

Best regards,

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





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

DATE: JUNE 5, 2019

APPROVAL UNDER SUBDIVISION CONTROL  
LAW NOT REQUIRED.  
DATE ENDORSED:

TOWN OF MEDWAY PLANNING BOARD

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

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

ZONE AR II  
AREA 22,500 S.F.  
FRONTAGE 150.00  
SETBACK 35'  
SIDEYARD 15'  
REARYARD 15'  
BUILDING LOT COVERAGE 30%  
IMPERVIOUS LOT COVERAGE 40%  
NOT WITHIN THE G.P.D.

HOWE STREET

PLAN OF LAND  
IN  
MEDWAY, MA.

SCALE: 1"=40' MAY 24, 2019  
REVISED JUNE 5, 2019

MAP 21 PARCEL 57  
OWNER: LENORE B. WILSON REVOCABLE TRUST  
81 LOWERING STREET  
MEDWAY, MA. 02053

COLONIAL ENGINEERING INC.  
11 AWL STREET MEDWAY, MA.  
508-533-1644





---

**PGC ASSOCIATES, LLC.**

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

---

**MEMO TO:** Medway Planning and Economic Development Board

**FROM:** Gino D. Carlucci, Jr.

**DATE:** June 4, 2019

**RE:** 81 Lovering Street ANR

---

I have reviewed the ANR plan submitted for endorsement by Lenore B. Wilson Revocable Trust. The plan was prepared by Colonial Engineering, Inc. of Medway, and is dated May 24, 2019. The plan proposes to divide a lot of 4.5 acres into 4 lots of 2.956 acres, 22,523, 22,503 and 22,602 square feet respectively.

I have comments as follows:

1. The plan meets the substantive and technical requirements for ANR endorsement.
2. Section 3.2.1 requires that the Assessors Map and Parcel number be shown on the plan. This information is provided for the abutters but not for the subject parcel.
3. Section 3.2.7 requires that Scenic roads be indicated. Lovering Street is a Scenic Road between Winthrop and Summer Streets, but not in front of the subject parcel.

I recommend that the Map and Parcel be added as a note and that the plan be endorsed by the Board.



**June 11, 2019**  
**Medway Planning & Economic Development Board**  
**Meeting**

**Medway Green – Field Change**

**UPDATED**

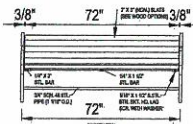
At the last meeting, you talked with Medway Green developer Mark Heavner about possible changes to the southwest corner of the property at the corner of Main and Mechanic Streets. You will recollect he was concerned about the public's use of benches on private property. See attached Sheet L-1.1 from the endorsed plan.

Mark indicated he would have an alternative design drawn up for that corner for your consideration. I spoke with him Thursday afternoon. He expects to have that on Monday. I will forward that to you upon receipt. **See attached drawing received 6-10-19. He proposes to grass the area of concern and relocate benches to two other locations on the site.**

## ENDORSED PLAN

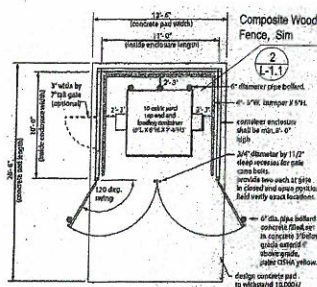
[illegible]

1. AFTERMARKET LIGHT SHIELDS WILL BE ADDED TO SELECTED LUMINAIRES TO REDUCE LIGHT SPILLAGE LEVELS TO COMPLY WITH THE *MEDWAY ZONING BYLAW*.



7 **PARK BENCH**  
NOT TO SCALE

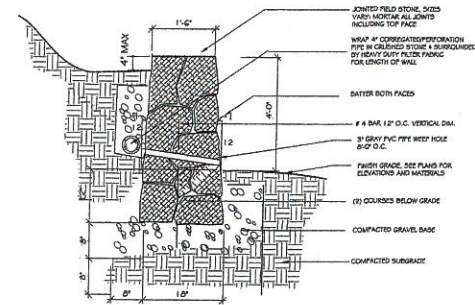
NOTE: COMPONENTS TO MATCH EXISTING  
BENCHES IN THE PARK ACROSS THE STREET



CONTAINER ENCLOSURE PLAN

NOTE: ENCLOSURE DIMENSIONS WILL BE ADJUSTED TO CONFORM TO THE TRASH DISPOSAL VENDOR'S SPECIFICATIONS.

— CONCRETE PAD SHALL BE 6" MIN. DEPTH,  
3,500 PSI CONCRETE WITH WWM, PLACED ON  
A 12" DENSE GRADED CRUSHED STONE BASE



1 FIELDSTONE RETAINING WALL

1 NOT TO SCALE



2 6' COMPOSITE PRIVACY FENCE

2 NOT TO SCALE



2 LP1 PARKING LOT LIGHT FIXTURE

3 NOT TO SCALE



4. LP2 WALKWAY LIGHT FIXTURE

4 —————  
NOT TO SCALE



LP3 BOLLARD LIGHT FIXTURE.

5 — NOT TO SCALE

PERMIT

**LANDSCAPE ARCHITECT:**  
**Hammer + Walsh Design Inc.**  
Landscape Architecture + Master Planning + Urban Design  
281 Summer Street, 6th Floor, Boston, MA 02210-1538  
(617) 439-0125 [www.hammerwalsh.com](http://www.hammerwalsh.com)

CLIENT:

**176 MAIN STREET LLC**  
12 Haven Street  
Dover, MA

NOTES:

4-25-2017

REVISIONS		
No.	DATE	DESCRIPTION
1	04-10-2017	Planning Board Revisions

STAMP



PROJECT:

176 MAIN STREET  
MEDWAY, MA

TITLE:

LANDSCAPE  
PLAN

DATE: 4/10/17

**DRAWN BY:**

NRH

CHECKED BY:

DMW

DRAWING NO.:

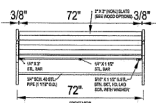
L-1.1

SCALE:  
1" = 10'-0"



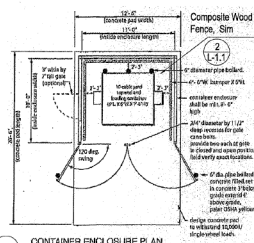
176 MAIN STREET, MEDWAY PLANT LIST		
PLANT NAME	QUANTITY	SIZE
1. 176 Main Street	1	12" O.C.
2. 176 Main Street	1	12" O.C.
3. 176 Main Street	1	12" O.C.
4. 176 Main Street	1	12" O.C.
5. 176 Main Street	1	12" O.C.
6. 176 Main Street	1	12" O.C.
7. 176 Main Street	1	12" O.C.
8. 176 Main Street	1	12" O.C.
9. 176 Main Street	1	12" O.C.
10. 176 Main Street	1	12" O.C.
11. 176 Main Street	1	12" O.C.
12. 176 Main Street	1	12" O.C.
13. 176 Main Street	1	12" O.C.
14. 176 Main Street	1	12" O.C.
15. 176 Main Street	1	12" O.C.
16. 176 Main Street	1	12" O.C.
17. 176 Main Street	1	12" O.C.
18. 176 Main Street	1	12" O.C.
19. 176 Main Street	1	12" O.C.
20. 176 Main Street	1	12" O.C.
21. 176 Main Street	1	12" O.C.
22. 176 Main Street	1	12" O.C.
23. 176 Main Street	1	12" O.C.
24. 176 Main Street	1	12" O.C.
25. 176 Main Street	1	12" O.C.
26. 176 Main Street	1	12" O.C.
27. 176 Main Street	1	12" O.C.
28. 176 Main Street	1	12" O.C.
29. 176 Main Street	1	12" O.C.
30. 176 Main Street	1	12" O.C.
31. 176 Main Street	1	12" O.C.
32. 176 Main Street	1	12" O.C.
33. 176 Main Street	1	12" O.C.
34. 176 Main Street	1	12" O.C.
35. 176 Main Street	1	12" O.C.
36. 176 Main Street	1	12" O.C.
37. 176 Main Street	1	12" O.C.
38. 176 Main Street	1	12" O.C.
39. 176 Main Street	1	12" O.C.
40. 176 Main Street	1	12" O.C.
41. 176 Main Street	1	12" O.C.
42. 176 Main Street	1	12" O.C.
43. 176 Main Street	1	12" O.C.
44. 176 Main Street	1	12" O.C.
45. 176 Main Street	1	12" O.C.
46. 176 Main Street	1	12" O.C.
47. 176 Main Street	1	12" O.C.
48. 176 Main Street	1	12" O.C.
49. 176 Main Street	1	12" O.C.
50. 176 Main Street	1	12" O.C.
51. 176 Main Street	1	12" O.C.
52. 176 Main Street	1	12" O.C.
53. 176 Main Street	1	12" O.C.
54. 176 Main Street	1	12" O.C.
55. 176 Main Street	1	12" O.C.
56. 176 Main Street	1	12" O.C.
57. 176 Main Street	1	12" O.C.
58. 176 Main Street	1	12" O.C.
59. 176 Main Street	1	12" O.C.
60. 176 Main Street	1	12" O.C.
61. 176 Main Street	1	12" O.C.
62. 176 Main Street	1	12" O.C.
63. 176 Main Street	1	12" O.C.
64. 176 Main Street	1	12" O.C.
65. 176 Main Street	1	12" O.C.
66. 176 Main Street	1	12" O.C.
67. 176 Main Street	1	12" O.C.
68. 176 Main Street	1	12" O.C.
69. 176 Main Street	1	12" O.C.
70. 176 Main Street	1	12" O.C.
71. 176 Main Street	1	12" O.C.
72. 176 Main Street	1	12" O.C.
73. 176 Main Street	1	12" O.C.
74. 176 Main Street	1	12" O.C.
75. 176 Main Street	1	12" O.C.
76. 176 Main Street	1	12" O.C.
77. 176 Main Street	1	12" O.C.
78. 176 Main Street	1	12" O.C.
79. 176 Main Street	1	12" O.C.
80. 176 Main Street	1	12" O.C.
81. 176 Main Street	1	12" O.C.
82. 176 Main Street	1	12" O.C.
83. 176 Main Street	1	12" O.C.
84. 176 Main Street	1	12" O.C.
85. 176 Main Street	1	12" O.C.
86. 176 Main Street	1	12" O.C.
87. 176 Main Street	1	12" O.C.
88. 176 Main Street	1	12" O.C.
89. 176 Main Street	1	12" O.C.
90. 176 Main Street	1	12" O.C.
91. 176 Main Street	1	12" O.C.
92. 176 Main Street	1	12" O.C.
93. 176 Main Street	1	12" O.C.
94. 176 Main Street	1	12" O.C.
95. 176 Main Street	1	12" O.C.
96. 176 Main Street	1	12" O.C.
97. 176 Main Street	1	12" O.C.
98. 176 Main Street	1	12" O.C.
99. 176 Main Street	1	12" O.C.
100. 176 Main Street	1	12" O.C.

- LIGHTING NOTES:
1. AFTERMARKET LIGHT SHIELDS WILL BE ADDED TO SELECTED LUMINAIRES TO REDUCE LIGHT SPILLAGE LEVELS TO COMPLY WITH THE MEDWAY ZONING BYLAW.
  2. ALL LIGHT FIXTURES WILL BE PROVIDED WITH LED LAMPS.



7 PARK BENCH  
NOT TO SCALE

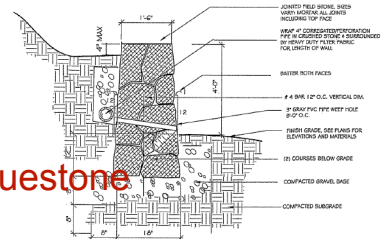
NOTE: COMPONENTS TO MATCH EXISTING BENCHES IN THE PARK ACROSS THE STREET



6 CONTAINER ENCLOSURE PLAN

NOTE: ENCLOSURE DIMENSIONS WILL BE ADJUSTED TO CONFORM TO THE TRASH DISPOSAL VENDOR'S SPECIFICATIONS.

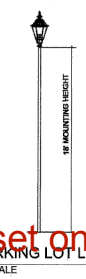
CONCRETE PAD SHALL BE 6" MIN. DEPTH, 3,500 PSI CONCRETE WITH W/M, PLACED ON A 12" DENSE GRADED CRUSHED STONE BASE



1 FIELDSTONE RETAINING WALL  
NOT TO SCALE



2 6' COMPOSITE PRIVACY FENCE  
NOT TO SCALE



3 10' MOUNTING HEIGHT LIGHT FIXTURE  
NOT TO SCALE



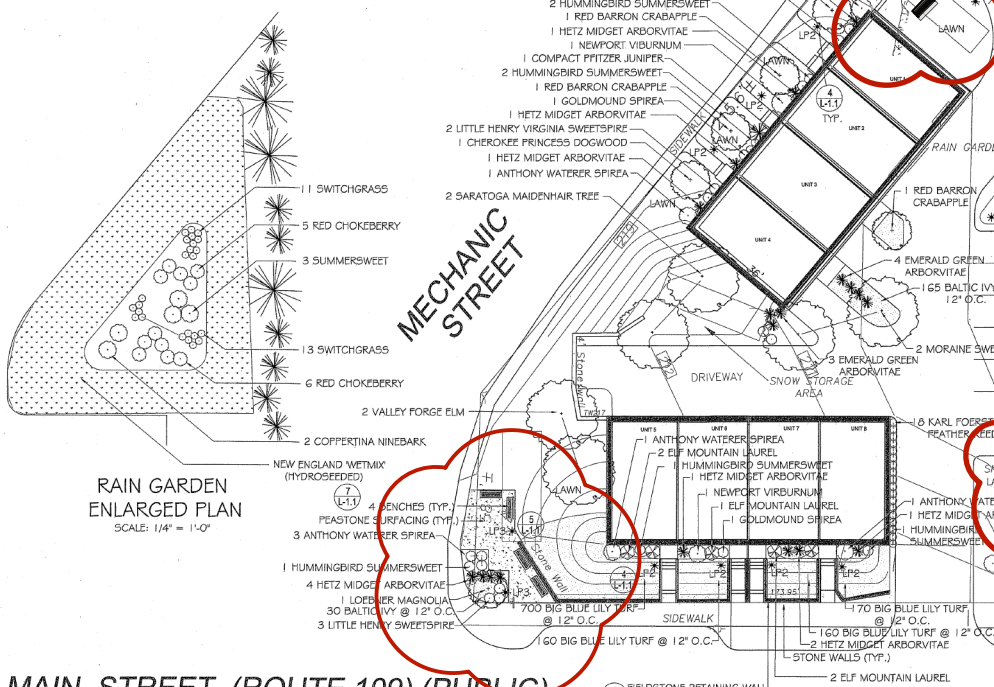
4 6' MOUNTING HEIGHT LIGHT FIXTURE  
NOT TO SCALE



5 42\"/>

Park Bench set on bluestone

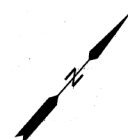
2 park benches set on bluestone



RAIN GARDEN ENLARGED PLAN  
SCALE: 1/4" = 1'-0"

MAIN STREET (ROUTE 109) (PUBLIC)

Delete benches and peastone surface. Extend lawn area around plantings extended to sidewalks



PERMIT

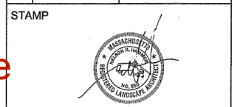
LANDSCAPE ARCHITECT:  
**Hammer + Walsh Design Inc.**  
Landscape Architecture • Master Planning • Urban Design  
281 Summer Street, 8th Floor, Boston, MA 02210-1539  
(617) 439-0123 www.hammerwalsh.com

CLIENT:

**176 MAIN STREET LLC**  
12 Haven Street  
Dover, MA

NOTES:  
*[Handwritten signature]*  
4-25-2017

REVISIONS		
No.	DATE	DESCRIPTION
1	04-10-2017	Planning Board Revisions



PROJECT:  
176 MAIN STREET  
MEDWAY, MA

TITLE:  
LANDSCAPE  
PLAN

DATE: 4/10/17	DRAWING NO.:
DRAWN BY: NRH	L-1.1
CHECKED BY: DMW	
SCALE: 1" = 10'-0"	

**TETRA TECH**

**Bond Estimate  
Medway Greens  
Medway, Massachusetts  
June 5, 2019**

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

DESCRIPTION	QUANTITY	UNIT	UNIT COST <sup>1</sup>	ENGINEERS ESTIMATE
Mobilization	1	LS	\$5,000.00	\$5,000
Rain Garden/Swale	1	LS	\$8,000.00	\$8,000
Sewer Cleanout	1	EA	\$200.00	\$200
Concrete Curb	0	FT	\$42.00	\$0
Dumpster Pad/Enclosure	0	LS	\$4,000.00	\$0
Point Curb	1	LS	\$500.00	\$500
Repair Asphalt (Mechanic Street)	0	LS	\$2,500.00	\$0
Top Course Paving	80	TON	\$120.00	\$9,600
Stop Signage and Markings	1	LS	\$1,200.00	\$1,200
Lighting	1	LS	\$25,000.00	\$25,000
Irrigation Well	0	LS	\$10,000.00	\$0
Replace ADA Ramp	0	LS	\$3,000.00	\$0
Slope Repair/Fence	0	LS	\$5,000.00	\$0
Landscaping	1	LS	\$23,000.00	\$23,000
6' Composite Fence	0	FT	\$50.00	\$0
Loam Borrow	0	CY	\$50.00	\$0
Seed	750	SY	\$2.00	\$1,500
Remove Erosion Controls	1	LS	\$500.00	\$500
As-Built Plans	1	LS	\$5,000.00	\$5,000
Legal Services	1	LS	\$3,000.00	\$3,000
<b>Subtotal</b>				\$82,500
<b>25% Contingency</b>				\$20,625
<b>Total</b>				<b>\$103,125</b>

**Notes:**

<sup>1</sup>Unit prices are taken from the latest information provided on the MassDOT website. They utilize the MassDOT weighted bid prices (Combined - All Districts) for the time period 6/2018 - 6/2019. Quantities which are too small for accurate representation using the weighted bid pricing were estimated based on industry construction experience.

<sup>2</sup>Items highlighted in gray have changed since our previous inspection.



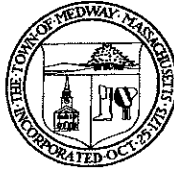
**June 11, 2019**

**Medway Planning & Economic Development Board  
Meeting**

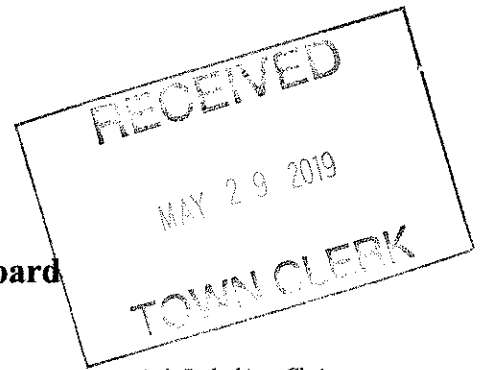
**Evergreen Village Multifamily Housing  
Special Permit – Public Hearing  
Continuation**

**UPDATED**

- Public Hearing Continuation Notice
- Letter dated June 6, 2019 from attorney William Pezzoni on behalf of applicant Maria Varicchione, seeking the Board's approval for them to withdraw, without prejudice, the multifamily special permit application for Evergreen Village.
- **Letter dated June 7, 2019 from attorney William Pezzoni on behalf of the applicant requesting extension of the Board's action deadlines and public hearings on the applications for site plan approval, stormwater and land disturbance permit, and scenic road work permit to July 23, 2019.**
- **Abutter comment letter received 6-10-19 from Marilyn Cowan, 31 B Evergreen Street**



**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**

May 29, 2019

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

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

RE: **Public Hearing Continuation: Evergreen Village Multifamily Development**  
**(22 Evergreen Street)**

**CONTINUATION DATE: Tuesday, June 11, 2019 at 7:15 p.m.**

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

At its meeting on May 28, 2019, the Planning and Economic Development Board (PEDB) voted to continue the public hearing on the applications of Sampson Pond LLC of Medway, MA for a multifamily housing special permit and major site plan approval to develop a twelve unit townhouse condominium community and associated site improvements at 22 Evergreen Street to the next regular PEDB meeting to be held on Tuesday, June 11, 2019 at 7:15 p.m. in Sanford Hall at Medway Town Hall, 155 Village Street. The meeting room is accessible via elevator to persons with physical disabilities.

The proposed development would include construction of six, 2-unit, 2½ story townhouse buildings; four 2-bedroom units and eight 3-bedroom units are proposed. One affordable dwelling unit will be included within the development. Access will be from Evergreen Street. A total of 24 off-street parking spaces will be provided. Sub-surface stormwater management facilities will be installed on site as will landscaping, lighting, an open space area, and a gardening area. Connections will be made to the existing Town sewer and water services in Evergreen Street. The site plan entitled *Evergreen Village* and dated March 15, 2019 was prepared by Ronald Tiberi, P.E. of Natick MA.

The applications, site plan and associated documents for the proposed Evergreen Village townhouse development are on file with the Medway Town Clerk and at the Community and Economic Development Department at Medway Town Hall, 155 Village Street, Medway, MA and may be reviewed during regular business hours. The materials have also been posted to the Planning and Economic Development Board's page at the Town's web site at <https://www.townofmedway.org/planning-economic-development-board/pages/current-applications-pedb-0>.

If Town staff, boards and committees wish to provide comments on the proposed development and site plan, please do so by June 6<sup>th</sup> so that I can share them with the Board and the applicant and enter them into the public record during the hearing on June 11<sup>th</sup>.

Please contact me if you have any questions. Thanks.

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

**WILLIAM M. PEZZONI**  
Attorney at Law

One International Place  
Boston, MA 02110  
T: (617) 345-4777 F: (617) 206-9339  
wpezzoni@daypitney.com

June 6, 2019

Andy Rodenhiser, Chairman  
Planning & Economic Development Board  
Town of Medway  
156 Village Street  
Medway, MA 02053

Attn: Susan E. Affleck-Childs, Planning & Economic Development Coordinator  
(sachilds@townofmedway.org)

Re: Evergreen Village Multi-Family Housing Special Permit Petition - 22 Evergreen Street, Medway, MA

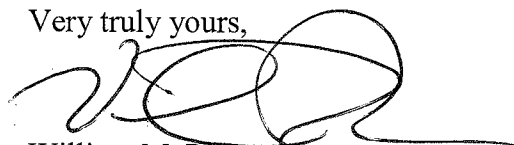
Dear Mr. Rodenhiser:

As you are aware this office represents the Applicant, Sampson Pond LLC regarding the above referenced Special Permit Application presently before your Board. Pursuant to our discussions at the last Planning Board meeting on May 28, 2019, and based upon the tenor of those discussions, please accept this correspondence as my client's request to withdraw without prejudice the Special Permit Application presently before your Board.

I thank you for your attention to this matter and please advise relative to your vote which we expect will occur at your next meeting scheduled for Tuesday, June 11, 2019.

Thank you for your anticipated cooperation in this matter.

Very truly yours,



William M. Pezzoni

WMP  
cc: Maria Varrichione  
(dreamhomesmv@gmail.com)

*Kenney & Kenney*  
ATTORNEYS AT LAW

STEPHEN J. KENNEY  
PAUL V. KENNEY

181 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
TEL: (508) 533-6711  
FAX: (508) 533-6904  
EMAIL: [kenney@kenney-law.com](mailto:kenney@kenney-law.com)

PETER J. KENNEY (1973-1980)

June 6, 2019

Via Email

Andy Rodenheiser, Chairman  
Planning and Economic Development Board  
Town of Medway  
Attn: Susan Affleck-Childs Planning and Economic Development Board Coordinator  
([schildts@townofmedway.org](mailto:schildts@townofmedway.org))  
155 Village Street  
Medway, MA 02053

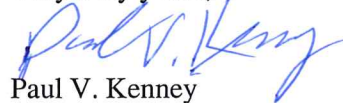
Re: Evergreen Village Multi-Family Housing Special Permit Petition  
22 Evergreen Street, Medway, MA

Dear Mr. Rodenheiser

This office represents John T. Shea and Cynthia A. Shea, the owners of the above referenced property in connection with the Special Permit Petition of Sampson Pond, LLC. My clients hereby join in the applicant's request to withdraw without prejudice the Special Permit Application presently before your Board.

Thank you for your attention to this matter.

Very truly yours,

  
Paul V. Kenney

cc. Mr. & Mrs. John T. Shea (email)  
William M. Pezzoni, Esq. (email)

Pvk/mb

**WILLIAM M. PEZZONI**  
Attorney at Law

One International Place  
Boston, MA 02110  
T: (617) 345-4777 F: (617) 206-9339  
wpezzoni@daypitney.com

June 7, 2019

Andy Rodenhiser, Chairman  
Planning & Economic Development Board  
Town of Medway  
156 Village Street  
Medway, MA 02053

Attn: Susan E. Affleck-Childs, Planning & Economic Development Coordinator  
(sachilds@townofmedway.org)

Re: Evergreen Village Multi-Family Housing Special Permit Petition - 22 Evergreen Street, Medway, MA

Dear Mr. Rodenhiser:

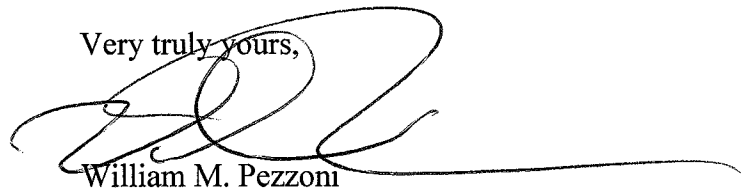
As you are aware this office represents the Applicant, Sampson Pond LLC regarding the above referenced Special Permit Application and other related permits presently before your Board. Pursuant to our discussions at the last Planning Board meeting on May 28, 2019, and subsequent conversations with Ms. Affleck-Childs please continue and extend the time to act on following permits to and including July 23, 2019:

- (i) Scenic Road Application;
- (ii) Site Plan Application; and
- (iii) Land Disturbance Stormwater Permit Application.

I thank you for your attention to this matter and please advise relative to your vote which we expect will occur at your next meeting scheduled for Tuesday, June 11, 2019.

Thank you for your anticipated cooperation in this matter.

Very truly yours,



William M. Pezzoni



Andy Rodenhiser

June 7, 2019

Page 2

WMP

cc: Maria Varrichione  
(dreamhomesmv@gmail.com)



31 B Evergreen Street  
Medway, MA 02053

Medway Planning Board  
155 Village St.  
Medway, MA 02053

Dera Members of the Medway Planning Board,

I am a concerned citizen of the town of Medway. I have lived in Medway since 1990. I raised my two children in Medway. My daughter attended school with Andy Rodenhiser's daughter! I have been a previous neighbor to the esteemed Bob Tucker. I am proud to be a resident in this green and forward thinking community.

The Evergreen Village proposed project is not at all in keeping with our town's landscape. The proposal requests six buildings to be constructed on 1.44 acres. Evergreen Street is a narrow street without sidewalks posing a major concern with increased traffic. In addition, there is only one entrance in and out of the complex, posing a safety concern. The light pollution in the neighborhood will greatly increase as well.

The concerns that have been expressed by the abutters regarding water issues are not unfounded even if the land at 22 Evergreen Street is not declared wetlands. The nearby new home at 5 Elm St. was greatly elevated on its piece of land undoubtedly because of water and drainage issue in the neighborhood.


The antique home of the Shea's that is being demolished to build the multifamily complex is a heartbreaking concept. A once deemed historical piece of Medway will disappear. Only months ago it was considered to be a valuable historical building! The building is still habitable and not an eyesore. I understand building in the name of progress and the admirable goals outlined in the affordable housing document. I don't believe, however, that the town of Medway aspires to become like the now city of Framingham. Our town is at a risk of losing its small town feel. I believe many residents specifically chose Medway as their home because of its small community feel!

I understand it is a homeowner's right to tear down their existing home and build another. In the Evergreen neighborhood, the proposal of another condex, at most two such buildings on the proposed project site would be a much wiser consideration. Building six units on 1.44 acres of land is not a "value added" for the surrounding neighborhood or the town. Alternatively, a single family home would seem to be a much wiser and reasonable option.

Thank you for time and dedication to your work and for your attention.

Respectfully,

Marilyn Cowan

 June 1, 2015



**June 11, 2019**  
**Medway Planning & Economic Development Board**  
**Meeting**

**Site Plan Rules and Regulations**

- Revised draft dated June 3, 2019 with additional comments from Barbara Saint Andre dated June 6, 2019.

Let's try to set a date for a public hearing.

**REVISED DRAFT**  
**June 3, 2019**  
[BJS Edits](#)

# **TOWN OF MEDWAY**

## **Planning & Economic Development Board Rules and Regulations**

### **Chapter 200 - Site Plans**

#### **Rules & Regulations for Submission, Review and Approval of Site Plans**

*Approved and Adopted by the Medway Planning Board  
April 14, 1998*

*Amended: April 28, 2000*

*Amended: March 13, 2001*

*Amended: November 1, 2001*

*Amended: July 9, 2002*

*Amended: December 3, 2002*

*Amended: \_\_\_\_\_*

### **Medway Planning and Economic Development Board**

*Andy Rodenhiser, Chairman*

*Robert K. Tucker, Vice-Chairman*

*Thomas A. Gay, Clerk*

*Richard Di Iulio*

*Matthew J. Hayes, P.E.*

**Medway Planning and Economic Development Board  
Site Plan Rules and Regulations**

**TABLE OF CONTENTS**

**ARTICLE I – AUTHORITY**

- 201 – 1 Adoption

**ARTICLE II – GENERAL PROVISIONS**

- 202 – 1 Purpose  
202 – 2 Scope of Site Plan Review  
202 – 3 Requirement for Site Plan Review  
202 – 4 Definitions  
202 – 5 Waivers of *Site Plan Rules and Regulations*  
202 – 6 Permit Coordination  
202 – 7 Validity

**ARTICLE III – SITE PLAN APPLICATION PROCEDURES**

- 203 – 1 Eligible Applicants  
203 – 2 Pre-Application Review  
204 – 3 Official Receipt of Site Plan Application  
204 – 4 Completeness Review  
204 – 5 Use of Outside Consultants

**ARTICLE IV – MAJOR SITE PLAN REVIEW**

- 204 – 1 Applicability  
204 – 2 Town Clerk Submittals  
204 – 3 Planning and Economic Development Board Submittals  
204 – 4 Standards for Site Plan Preparation  
204 – 5 Site Plan Contents  
204 – 6 Review by Town Officials  
204 – 7 Public Hearing  
204 – 8 Decision  
204 – 9 Appeal  
204 – 10 Plan Endorsement  
204 – 11 Recording

**ARTICLE V – MINOR SITE PLAN REVIEW**

- 205 – 1 Applicability  
205 – 2 Town Clerk Submittals  
205 – 3 Planning and Economic Development Board Submittals  
205 – 4 Standards for Site Plan Preparation  
205 – 5 Site Plan Contents  
205 – 6 Review by Town Officials  
205 – 7 Public Review  
205 – 8 Decision  
205 – 9 Appeal  
205 – 10 Plan Endorsement

## **ARTICLE VI – ADMINISTRATIVE SITE PLAN REVIEW**

- 206 – 1 Applicability
- 206 – 2 Designated Agent for Administrative Site Plan Review
- 206 – 3 Administrative Site Plan Submittals
- 206 – 4 Standards for Site Plan Preparation
- 206 – 5 Site Plan Contents
- 206 – 6 Review Process
- 206 – 7 Decision
- 206 – 8 Appeal
- 206 – 9 Plan Endorsement

## **ARTICLE VII – DEVELOPMENT STANDARDS**

- 207 – 1 Design Principles
- 207 – 2 Site Design
- 207 – 3 Architecture
- 207 – 4 Energy Efficiency and Sustainability
- 207 – 5 Environmental Considerations
- 207 – 6 Erosion and Sediment Control
- 207 – 7 Site Clearing and Grubbing
- 207 – 8 Earth Filling and Grading
- 207 – 9 Site Maintenance During Construction
- 207 – 10 Pedestrian and Bicycle Access and Sidewalks
- 207 – 11 Traffic and Vehicular Circulation
- 207 – 12 Parking
- 207 – 13 Loading and Unloading
- 207 – 14 Drainage and Stormwater Management
- 207 – 15 Water Supply and Sewage Disposal
- 207 – 16 Utilities
- 207 – 17 Solid Waste Removal
- 207 – 18 Outdoor Lighting
- 207 – 19 Landscaping
- 207 – 20 Site Amenities
- 207 – 21 Snow Removal
- 207 – 22 Outdoor Storage
- 207 – 23 Site Maintenance During Construction
- 207 – 24 Post Construction Maintenance of Site Improvements

## **ARTICLE VIII – ADMINISTRATION**

- 208 – 1 Preconstruction
- 208 – 2 Construction Reporting
- 208 – 3 Modification to Approved Site Plans and Decisions
- 208 – 4 Compliance
- 208 – 5 Project Completion

## **ARTICLE IX – FEES**

- 209 – 1 Fee Structure
- 209 – 2 Payment of Fees

# TOWN OF MEDWAY

## Planning and Economic Development Board

### Rules and Regulations

#### Chapter 200 - Site Plans

#### Rules & Regulations for Submission, Review and Approval of Site Plans

##### ARTICLE I AUTHORITY

s. 201 – 1 **Adoption** - The Planning and Economic Development Board of the Town of Medway hereby adopts these *Rules and Regulations* to govern the submission, review, approval and modification of site plans pursuant to Section 3.5.5 of the *Zoning Bylaw*.

##### ARTICLE II GENERAL PROVISIONS

s. 202 – 1 **Purpose** – These *Rules and Regulations* provide for the uniform procedural and substantive requirements of Section 3.5 Site Plan Review of the *Zoning Bylaw*. Their purpose is to guide Applicants, Town officials and boards, and others involved in the preparation, processing and review of site plans and the issuance of site plan approval and modifications thereto. These *Rules and Regulations* address the process for submission, review and processing of site plan applications including the delegation of administrative review to the Board's designee for review of small-scale projects; site development standards; review and approval criteria; issuance of site plan approvals; project conditions, limitations, safeguards and mitigation measures; procedures for modifying approved site plans; and decisions and fees.

s. 203 – 2 **Scope of Site Plan Review** – The *Zoning Bylaw* provides for three levels of Site Plan Review: Major Site Plan Review, Minor Site Plan Review, and Administrative Site Plan Review. See Section 3.5.3 of the *Zoning Bylaw* for applicability.

s. 202 – 3 **Requirement for Site Plan Review** – No building permit shall be issued for any use, site, or building alteration, or other improvement subject to Section 3.5 of the *Zoning Bylaw* unless an application for Site Plan Review has been prepared in accordance with the requirements of these *Rules and Regulations*, and unless such application has been approved by the Planning and Economic Development Board or its administrative designee in the case of projects subject to Administrative Site Plan Review.

s. 202 – 4 **Definitions** – Terms used in these *Rules and Regulations* shall have the meanings as set forth in the *Medway Zoning Bylaw* and G.L. c. 40A. Additional terms are defined below:

*Agent*: Individual(s) authorized by the Board to review plans and/or observe and inspect construction, and carry out these Rules and Regulations.

##### Commented [A1]:

Barbara and Town Counsel feel this paragraph is not needed as it repeats what is already in the ZBL

**Commented [A2]:** Does this mean that any person appointed as an agent of the Board may review plans, and observe and inspect construction, and administer the Rules and Regulations? Or will there be separate agents, one to review plans and one to observe and inspect construction? What does "carry out these Rules and Regulations" mean?

*Alteration of Existing Parking Area:* Includes installation, removal or relocation of any curbing, traffic channelization island, driveway, travel lanes, storm drainage, lighting, landscaping or similar facilities, but does not include resurfacing, striping or restriping pavement markings on existing parking or storage areas.

*Applicant:* See definition in SECTION II Definitions of this *Zoning Bylaw*.

*Board:* The Planning and Economic Development Board of the Town of Medway.

*Design Review Guidelines:* A written document produced by the Design Review Committee and adopted by the Medway Planning and Economic Development Board.

*Developer:* The individual or organization which will carry out the approved and endorsed site plan.

*Rules and Regulations:* Medway Planning and Economic Development Board *Rules and Regulations for Submission, Review and Approval of Site Plans*.

*Team:* Administrative Site Plan Review Team established by the Town Administrator and the Board.

**s. 202 – 5      *Waivers of Site Plan Rules and Regulations***

A. The Board [and the Administrative Site Plan Review Team](#) may authorize waivers from strict compliance with these *Rules and Regulations* if it determines that:

- 1) the Rule or Regulation requested to be waived is excessively burdensome to the Applicant; or
- 2) the Rule or Regulation requested to be waived does not apply to the particular site or situation under review; or
- 3) that a waiver would permit a superior design; or
- 4) that a waiver would allow construction which will have no significant detriment to the achievement of any of the purposes of Site Plan Review and approval as set forth herein; or
- 5) that a waiver is in the best interests of the Town; or
- 6) that a waiver is consistent with the purpose and intent of the *Zoning Bylaw* and these *Rules and Regulations*.

B. The Applicant for Site Plan Review shall submit a written request for waivers from the *Rules and Regulations* at the time of application on a Waiver Request form to be provided by the Board. Supplemental Waiver Requests may be submitted during the course of the Site Plan Review process. If an oral request for a waiver is made during the course of the Board's review, it shall also be submitted to the Board as a written request.

**s. 202 – 6      *Permit Coordination*** – When a development project requires other permits from the Board such as a special permit, land disturbance permit, or a scenic road work permit, the Board's review may be consolidated and run concurrently.

s. **202 - 7    *Validity*** – If, in any respect, any provision of these *Rules and Regulations* in whole or in part, shall prove to be invalid for any reason, such invalidity shall only affect the part of such provisions which shall be held invalid. In all other respects these *Rules and Regulations* shall stand. In the event of a conflict between these *Rules and Regulations* and the *Zoning Bylaw*, the provisions of the *Zoning Bylaw* shall control.

### **ARTICLE III     SITE PLAN APPLICATION PROCEDURES**

s. **203 - 1     *Eligible Applicants*** - An Applicant for Site Plan Review shall be as defined in the *Zoning Bylaw*. In the case where the Applicant is a person other than the record owner of the property, the Applicant shall submit, as part of the application, a written certification executed by the record owner of the property that the application is submitted with the knowledge and consent of the record owner.

s. **203 - 2     *Pre-Application Review***

A.   ***Consultation with Town Staff*** – A pre-application consultation between a prospective Applicant and the Town's Community and Economic Development staff is recommended. The purpose of any pre-application consultation is to provide the Applicant with an opportunity to discuss the design concept of the proposed development during the early stages of the design process and to avoid unnecessary technical deficiencies in the application with a view toward promoting efficiency in the forthcoming processing and review of the proposed development project.

1) *Scope of Town Staff Review* - It is not intended that Town staff will be used as design consultants during a pre-application consultation. Town staff will limit their review to evaluating the technical issues appropriate to their area of expertise and assessing whether the project in question adequately addresses major issues of concern to the Town or neighborhood, such as traffic or environmental impacts. Staff may also review a proposed application for its thoroughness and correctness. However, Town staff are not responsible for assuring the accuracy, correctness or thoroughness of any application provided for review during a pre-application consultation.

2) Any opinion given to the Applicant by employees of the Town during a pre-application consultation is advisory only and shall not be binding on the Board or the Town.

B.   ***Interdepartmental Project Review***

1) Prior to filing a site plan Application with the Board, prospective Applicants for Major Site Plan Review shall, and prospective Applicants for Minor Site Plan Review may, request that the Director of Community and Economic Development schedule a meeting with the Applicant and the Town's interdepartmental project review team. The purpose of such meeting is for the Applicant to brief representatives of Town departments on the proposed project and to help the Applicant better understand the permitting procedures of various Town agencies. This meeting also allows Town officials to identify project issues and opportunities which may benefit from further municipal attention, coordination or assistance.

**Commented [A3]:** Can PEDB in its regulations direct Town staff?



- 2) *Scope of Town Staff Review* - Any opinion or information given to the Applicant by employee of the Town shall be considered advisory only and shall not be binding on the Board or the Town.

C. ***Informal Pre-Application Meeting with the Board*** – Prior to filing a site plan Application with the Board, prospective Applicants for a Major or Minor Site Plan Review may request an informal, pre-application meeting with the Board to review conceptual plans and discuss permitting procedures. The requested pre-application meeting shall occur during a regularly scheduled Board meeting. This meeting provides the Applicant and the Board with the opportunity to discuss the project's objectives, preliminary conceptual plan for the site, building design, and site amenities; review the Town's site plan process and *Rules and Regulations*; identify possible requests for waivers from these *Rules and Regulations*; clarify what submittal items are required based on the scope of the project; and develop a preliminary schedule for application submittal and plan review. Requests for a pre-application meeting with the Board shall be made through the Planning and Economic Development office. A pre-application meeting shall not serve as a substitute for any public hearing or meeting required for the development project. Any opinion or information given to the Applicant by an individual Board member or its consultants shall be considered advisory only and shall not be binding on the Board or the Town.

s. **203 – 3 *Official Receipt of Site Plan Application*** –The official site plan submission date is the date the site plan application is filed with the Board or Team, and the Town Clerk and is deemed complete in accordance with **s. 203-4** of these *Rules and Regulations*, whichever is later.

s. **203 - 4 *Completeness Review*** - The Board or its Agent may, within twenty-one days of the date of receipt of a major or minor site plan application or the Team, within five days of receipt of an administrative site plan application, reject the application upon a determination that it does not satisfy the submission requirements of these *Rules and Regulations*. The Board or its Agent, or the Team shall provide the Applicant with a written explanation as to the specific reasons for the determination of incompleteness with a citation of the specific provisions of these *Rules and Regulations* where the application is lacking. The Board or its Agent, or the Team shall provide a notice of its determination to the Town Clerk. When brought into conformity with the requirements of these *Rules and Regulations*, a site plan application previously deemed incomplete may be resubmitted for consideration by the Board or the Team without prejudice. Upon receipt of all required items, the application shall be deemed complete and filed with the Town Clerk.

s. **203 - 5 *Use of Outside Consultants***

A. The Board, at its sole discretion, may determine that the assistance of outside consultants such as engineers, lawyers, planners, urban or landscape design professionals, environmental consultants or other appropriate professionals is warranted due to the size, scale, or complexity of the proposed project or its potential impact on the Town and community. It is the Board's standard practice to do so. The Board may engage the services of outside consultants to assist the Board in reviewing the application and associated project documents to ensure compliance with all relevant laws, bylaws, and regulations and to address technical, legal or other issues. The Board shall have full

authority to select the outside consultants. If the Board determines that such services are required, the Applicant shall pay a *Site Plan Review Fee* as authorized in **s. 209 – 1 B.** of these *Rules and Regulations*.

- B. The minimum qualifications for outside consultants shall consist of either an educational degree in or related to the field at issue or three or more years of practice in the field at issue or in a related field.
- C. The Applicant may appeal the selection of a particular outside consultant to the Board of Selectmen. The grounds for such an appeal shall be limited to claims that the selected consultant has a conflict of interest or does not possess the minimum required qualifications. The Applicant shall identify the specific grounds which the Applicant claims constitute the conflict of interest or how the consultant does not meet the minimum required qualifications. If no decision is made by the Board of Selectmen within thirty days following the filing of an appeal, the Board's consultant selection stands.

#### **ARTICLE IV MAJOR SITE PLAN REVIEW**

**s. 204 - 1 Applicability** – See Section 3.5.3 A of the *Zoning Bylaw*.

**s. 204 – 2 Town Clerk Submittals** - The Applicant shall deliver in hand, or by registered or certified mail, the following submittals to the Town Clerk during regular business hours:

- A. The Major Site Plan Application form signed by the Applicant, property owner(s), and designated representative, if any, on a form provided by the Board.
- B. One set of the site plan (24" x 36") prepared in conformance with these *Rules and Regulations* including all items as specified in **s. 204 – 5** of these *Rules and Regulations*.

**s. 204 – 3 Planning and Economic Development Board Submittals** - The Applicant shall deliver in hand, or by registered or certified mail, the following submittals to the Board:

- A. The Major Site Plan Application form signed by the Applicant, property owner(s), and designated representative, if any, on a form provided by the Board.
- B. Two sets of the site plan (24" x 36") and one reduced set of the site plan (11" x 17") prepared in conformance with these *Rules and Regulations* including all items as specified in **s. 204 – 5** of these *Rules and Regulations*.
- C. One written *Project Narrative* regarding the proposed development. At a minimum, the Narrative shall include the following information wherever applicable:
  - 1) current and proposed uses;
  - 2) description of proposed site improvements including paving, stormwater management, landscaping, sidewalks, refuse storage and disposal facilities, site amenities, fencing, lighting, water and sewer service, open space, etc.;
  - 3) description of proposed building construction, renovation, façade improvements, and/or demolition including the size of the proposed building(s) or additions;
  - 4) projected water and sewer demand;

- 5) expected number of employees and/or occupants;
- 6) proposed hours of operation;
- 7) existing and proposed means of vehicular and pedestrian access and egress;
- 8) number of parking spaces required and how this number was determined;
- 9) calculation of proposed lot coverage and impervious surface;
- 10) timetable for project completion;
- 11) proposed mitigation measures;
- 12) list of other required local, state and federal permits and the status of each; and
- 13) any other information the Applicant believes will assist the Board in reviewing and understanding the site plan application.

D. One copy of the stormwater drainage report prepared in conjunction with the Post-Construction Stormwater Management Plan. The report shall be prepared in accordance with the most current standards of the MA Department of Environmental Protection (DEP) Stormwater Management Policy and Handbook and in conformance with Medway General Bylaws, Article XXVI, Stormwater Management and Land Disturbance. The drainage calculations shall be based on the rainfall data from the National Oceanographic and Atmospheric Administration (NOAA) Atlas 14, as may be revised.

E. One list of all parties ~~of~~<sup>in</sup> interest as defined in G.L. c. 40A, §11 within three-hundred feet of the subject site as appearing on the most recent tax records list maintained by Assessor's office. The list shall be certified by the Board of Assessors of all applicable communities.

F. One copy of all relevant approvals received to date from other Town boards and committees (ZBA, Conservation Commission, Board of Health, etc.) and federal or state government agencies.

G. 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, reduce or mitigate adverse impacts.

The *Development Impact Statement* shall consist of the following four elements:

1) *Traffic Impact Assessment*

- a) A brief analysis of existing traffic safety and capacity issues and a summary of anticipated traffic impacts; or
- b) A full *Traffic Impact Assessment* is required if the project:
  1. proposes an additional ~~twenty~~ or more parking spaces; and
  2. contains frontage or proposes access on a public way; and

**Commented [A4]:**

Dan Merrikin notes that this a low threshold and will require full traffic studies for many projects. He suggests that a higher threshold would be more appropriate.

3. includes uses expected to generate an additional one hundred trips per day based on the most recent edition of the Institute of Traffic Engineers publication *Trip Generation*.

The Board may require an Applicant to prepare a full *Traffic Impact Assessment* even if the project does not meet all of the above criteria, if the Board finds that such information is necessary for it to complete its review.

c) The *Traffic Impact Assessment* shall:

1. document existing traffic volumes, capacities, controls, sidewalk and road conditions, roadway geometrics, hazards and level of service on the site and streets adjacent to the site and intersections near the site including but not limited to conditions within one-quarter mile of the proposed project; and
2. describe the volume and effect of projected traffic generated by the proposed project (total and peak hour) and post project level of service (LOS); and
3. identify traffic management and structural improvements and mitigation measures, both on and off the site, to reduce any adverse impacts of the proposed project on traffic. These could include demand management strategies, traffic control measures as well as capacity enhancements.

2) *Environmental Impact Assessment*

a) An *Environmental Impact Assessment* shall be required if the project involves one or more of the following characteristics:

1. proposes an additional thirty or more parking spaces; or
2. proposes a building footprint of fifteen thousand square feet or greater; or
3. proposes to disturb twenty thousand square feet of land or greater.

b) The *Environmental Impact Assessment* shall describe the impacts of the proposed development with respect to on-site and off-site environmental quality including:

1. air and water quality;
2. surface water and groundwater;
3. flooding potential;
4. increases in impervious surfaces;
5. potential for erosion and proposed or existing control measures;
6. noise levels;
7. harmful or noxious emissions;
8. damage or threat to wetlands and flood plain;
9. smoke;
10. odors;

**Commented [A5]:**

Dan Merrikin notes that this threshold seems inconsistent with items 1. and 2. Above. If a 15,000 sq. ft. building was being constructed along with driveways, parking, utilities, stormwater, etc. it would definitely disturb more than 20,000 sq. ft. He suggested increased this to 30,000 or 40,000 sq. ft. which would be more consistent with the parking and building thresholds.

11. vibration;
12. waste disposal; and
13. off-site environmental drainage impacts.

- c) If the Applicant is required to file a full Massachusetts Environmental Policy Act (MEPA) certification with the Massachusetts Department of Environmental Protection, that document may serve to replace the *Environmental Impact Assessment* as may be required herein.

3) *Neighborhood Impact Assessment*

- a) A *Neighborhood Impact Assessment* evaluates the impacts of the proposed development on the adjacent neighborhood.
- b) A *Neighborhood Impact Assessment* shall identify the project's impacts to:
  1. the neighborhood's visual, architectural and historical character;
  2. the goals of existing community plans (master plan, open space plan, housing production plan, etc.) applicable to the neighborhood;
  3. the quality of life of its residents; and
  4. the expected demand for municipal services.

4) *Parking Impact Assessment*

- a) A *Parking Impact Assessment* is required if the proposed project includes the addition of thirty or more parking spaces.
- b) The *Parking Impact Assessment* shall document existing parking conditions, evaluate off-site impacts of the proposed parking, and propose measures to mitigate any adverse parking impacts on the adjacent neighborhood.
- c) The *Parking Impact Assessment* shall:
  1. identify existing off-site and on-street neighborhood parking conditions including streets likely to be affected by the development;
  2. identify the expected impact of proposed parking on the neighborhood; and
  3. propose mitigation measures including screening, creative parking lot design, use of alternative paving materials, and planting of trees for shading and buffer.

- H. A *Construction Management Plan* (CMP) which includes the proposed construction sequence, timetable and methods for managing the construction process and minimizing the impacts of construction on public ways and to abutters. The CMP shall identify areas for parking, staging and stockpile areas for construction materials and earth removed from or brought onto the site. Such areas shall be located as far from existing private and public ways as practicable and visually screened to the maximum extent possible from such ways and surrounding residences or other buildings. The CMP shall note hours of construction and deliveries associated with construction.

- I. *Earth Removal Calculations* of the estimated volume of soil, sod, loam, gravel, sand or other earth materials to be removed from the site which shall be prepared by and show the seal of a licensed Professional Engineer certified to practice in the Commonwealth of Massachusetts. A removal schedule shall be provided. This schedule shall state the size of the trucks or other vehicles to be used, their gross vehicle weight, the estimated number of trips per day for each removal vehicle, and the travel routes to be taken by removal vehicles and their approximate proposed hours of operation and the clearing procedures to be used.

NOTE - The extent of planned earth removal may be subject to Article IX, Removal of Earth Products of the Medway *General Bylaws*.

- J. *Earth Fill Estimates* of the volume of topsoil, borrow, rock, sod, loam, peat, humus, clay, sand, gravel and other earth materials to be brought on site which shall be prepared by and show the seal of a licensed Professional Engineer certified to practice in the Commonwealth of Massachusetts.
- K. A copy of an Order of Resource Area Delineation (ORAD) from the Medway Conservation depicting the approved wetland resource affecting the proposed project or a Determination of Applicability with a finding from the Conservation Commission that the proposed project is not within its jurisdiction.
- L. A copy of the latest recorded deed to the property(s) comprising the proposed development site to document proof of ownership.
- M. Requests for Waivers from these *Rules and Regulations* with specific reference to the applicable section(s) of these *Rules and Regulations* for which a waiver is requested, provided on the Site Plan Waiver Request form supplied by the Board.
- N. ALL APPLICATION MATERIALS (including forms, plans, reports, and attachments) SHALL ALSO BE SUBMITTED IN A SEARCHABLE ELECTRONIC FORMAT via email, on a portable electronic storage device, or to a central cloud repository on the internet. The email for such submittals is [planningboard@townofmedway.org](mailto:planningboard@townofmedway.org)
- O. Copies of any previously issued land use permits or decisions from other Town boards or committee such as variances, special permits, orders of condition, demolition delay determinations, etc.
- P. A *Major Site Plan Filing Fee* as authorized by **s. 209 – 1 A.** of these *Rules and Regulations*.
- Q. A deposit toward the *Major Site Plan Review Fee* as authorized by **s. 209 – 1 B.** of these *Rules and Regulations*.

**s. 204 – 4 Standards for Site Plan Preparation**

- A. The site plan shall be prepared, stamped, signed and dated by qualified professionals including a Registered Professional Engineer, a Registered Land Surveyor, a Registered Architect, and/or a Registered Landscape Architect or other professional, registered in the Commonwealth of Massachusetts.

- B. The site plan shall be drawn at a scale of one inch equals forty feet or one inch equals thirty feet or one inch equals twenty feet or such other scale that has been approved in advance by the Board and that clearly and adequately represents the proposed improvements.
- C. All existing and proposed elevations shall refer to the North American Vertical Datum of 1988 (NAVD88).
- D. All site plan sheets shall be bound together in a complete set including building elevation plans.
- E. All site plan sheets shall contain a referenced north arrow, sheet number, plan dates and plan revision dates, name of project, name of plan, plan scale, legend, stamp of registered professional responsible for the content of said sheet, applicable notes, the Board's signature block, including *Decision* and plan endorsement dates, and the Town Clerk's no appeal certification.

s. **204–5 Site Plan Contents** – To be considered complete, a major site plan submitted pursuant to these *Rules and Regulations* shall include the information listed below. The Board may require additional information, if necessary, to complete its review.

- A. *Cover Sheet* – The cover sheet shall include the project name, name and address of owner, name and address of Applicant, name and address of engineer and other professional firms responsible for the plan, plan date, list of plan revision dates, project street address, project Assessor's Map and Parcel number, zoning district classification, list of requested waivers from these *Rules and Regulations*, Board Signature Block, and a complete index of drawings.
- B. *Site Context Sheet*
  - 1) A locus plan showing the site and its boundaries in relation to all surrounding streets within two thousand feet of the perimeter of the site. The plan shall be at a maximum scale of one inch equals one thousand feet. Scenic roads shall be noted. Streets, buildings, brooks, streams, rivers, wooded areas, protected open spaces, recreation fields, landmarks and public facilities shall be shown on the locus plan with sufficient clarity to be easily discernable.
  - 2) Abutters' names and addresses with assessor's map/parcel references for properties within 300' of the development site
  - 3) Lot lines with dimensions and easement areas for the development site.
  - 4) Existing topography at two foot intervals from USGS survey maps or actual land survey of the development site.
  - 5) All easements (utility, conservation and other) and rights-of-way on the development site.
  - 6) Zoning district boundaries including groundwater protection district and flood plain zones on the development site.
- C. *Existing Conditions Sheet(s)*

- 1) The location of all *existing man-made features and infrastructure* on the site shall be delineated including but not limited to buildings and structures, streets, bridges, utility poles, utilities and underground infrastructure including water, gas, electric, cable, and telephone, fire hydrants and fire alarm boxes, wells, septic systems, sanitary sewers, utility easements and other property encumbrances, sidewalks, driveways, trails, farm roads, stone walls, fences, monuments, historic markers, milestones, wells, and stormwater drainage infrastructure including basins, sub-surface systems, leaching galleys, swales and other methods to dispose of stormwater; refuse and solid waste storage and disposal facilities, and all entrances and exits on the site and within one hundred feet of the site.
- 2) Location and delineation of all *existing natural features* of the development site including but not limited to ledge or rock outcroppings, cliffs, sinkholes, ditches, all wetland resources as defined by the Wetlands Protection Act and Article 21 of the Medway General Bylaw including their associated buffers per state and local laws, and natural drainage courses and swales.
- 3) An *Existing Landscape Inventory* including a “mapped” overview of existing landscape features and structures including the specific identification of existing trees with a diameter of eighteen inches or greater at four feet above grade and any trees that will be beneficial for screening, all in order to determine their value for preservation.
- 4) Locations of all historically significant sites or structures on the site including but not limited to barns, other buildings, cellar holes, stone walls, earthworks, graves, any structure over 50 years of age, and any property listed on the National Register of Historic Places or included in a National Register Historic District or recognized by the Massachusetts Historical Commission

D. *Site Plan Information Sheets* – NOTE, site plan information sheets may be combined.

- 1) Location and dimensions of proposed buildings and structures including building setbacks from front, side and rear lot lines.
- 2) *Parking Plan* - Location and dimensions of proposed parking, including lot line setbacks, loading and unloading areas with traffic patterns, access lanes and curb radii. The Parking Plan shall be in conformance with the provisions of Section 7.1.1 of the *Zoning Bylaw*.
- 3) *Site Improvements* - Location and dimensions of proposed improvements and site amenities including but not limited to travel ways, roads, driveways, maneuvering spaces and aisles, fire lanes, parking areas, loading and unloading areas, utility boxes, curbs, curb cuts, wheel stops, bollards, bumpers, decorative and retaining walls, fences, outdoor lighting, open space areas, recreational areas, pedestrian areas, service entries, snow storage areas, facilities for waste disposal and storage, sidewalks, pedestrian and bike pathways with cross sections, design and materials details and dimensions, and easements.



- 4) *Site Grading* - Topography showing proposed grading contours at two foot intervals, limit of work, and limit of clearing.
- 5) *Erosion and Sediment Control Plan* – Erosion control measures shall be specified including sedimentation barriers, construction entrances, stabilizing materials to be used on site during and after construction, and temporary blocking of entrances when construction is not active. The *Erosion and Sediment Control Plan* shall be as specified in Section 26.7 of *Medway General Bylaws*, ARTICLE XXVI, Stormwater Management and Land Disturbance.

NOTE – If the proposed development also needs to file a Notice of Intent with the Medway Conservation Commission for an Order of Conditions, the Erosion and Sediment Control Plan shall be submitted to and be reviewed and acted on by the Conservation Commission and not to the Board as specified in ARTICLE XXVI, Stormwater Management and Land Disturbance of the *Medway General Bylaws*.

- 6) *Post-Construction Stormwater Management Plan* - The plan and the associated Long Term Operations and Management Plan shall comply with the requirements of Section 26.8 of *Medway General Bylaws*, ARTICLE XXVI, Stormwater Management and Land Disturbance; the Massachusetts DEP Stormwater Management Standards, and EPA's National Pollutant Discharge Elimination System (NPDES) requirements if applicable.

NOTE - If the proposed development also needs to file a Notice of Intent with the Medway Conservation Commission for an Order of Conditions, the above noted *Post Construction Stormwater Management Plan* shall be submitted to and be reviewed and acted on by the Conservation Commission and not the Board as specified in ARTICLE XXVI, Stormwater Management and Land Disturbance of the *Medway General Bylaws*.

- 7) *Site Utilities Plan* – All proposed utilities, mechanisms, materials and layouts for refuse and trash disposal systems, water, electricity, gas, cable, fire hydrants, and telephone service, sewage disposal and methods of solid waste storage and disposal.

- 8) *Landscape Plan*

- a) A *Landscape Plan* shall be prepared by a Registered Professional Landscape Architect licensed to practice in the Commonwealth of Massachusetts or a Massachusetts Certified Landscape Professional.
- b) The *Landscape Plan* shall be prepared as an overlay of the existing conditions sheets and shall incorporate, whenever possible, the significant features of the existing site and topography, particularly existing trees with a diameter of eighteen inches or greater at four feet above grade.
- c) The *Landscape Plan* shall indicate the areas of proposed excavation; any woodlands, trees or other existing features or structures to be retained; all new plantings by common and Latin name including their proposed

locations and sizes at the time of installation. Plan graphics for tree canopies shall reflect, as closely as possible, the actual canopy dimension of proposed tree plantings at the time of installation with a screened graphic used to represent expected tree canopy at maturity.

- d) The *Landscape Plan* shall specify a suitable maintenance program to ensure the viability and longevity of the landscape installation.
- 9) *Building Elevations and Architectural Plan* with dimensions and details of façade designs of each building from all directions including specifications on building style, architectural features, materials, and colors including awnings.
- 10) *Site Amenities Details* for benches, trash containers, dumpster enclosures, bollards, planters, fences, walls, bike racks, and any other form of outdoor site amenities to be installed.
- 11) *Color Renderings* of the project and buildings shall be provided from at least four directions depicting proposed structures, signage, landscaping, site amenities, and common views of the completed project as viewed from a public way and adjacent properties. These may include 3D views of the site, buildings, and site improvements.
- 12) *Building Layout or Floor Plan* with the use of all areas labeled.
- 13) *Entry and Exit to Structures.* All means of entry and exit (main, service, emergency and mechanical) from the building including steps and ramps, designation of the primary entrance (front entrance) and loading docks and other access ways shall be shown.
- 14) *Master Signage Plan* with preliminary proposed designs, locations, materials, dimensions, and lighting for:
  - a) the proposed development sign and all business identification signage, both freestanding and attached; and
  - b) standards for tenant signs.
- 15) *Lighting Plan* prepared in conformance with Section 7.1.2 of the *Zoning Bylaw*.
- 16) Horizontal sight distances on the public way(s) at all entrances and exits in both directions.
- 17) A table outlining the proposed development's conformance with the *Zoning Bylaw* requirements including lot area, continuous frontage, lot depth, lot width, front, side, and rear setbacks, building height, lot coverages, gross floor area, open space calculations, maximum seating capacity, number of employees, and number of parking spaces including handicapped and employee spaces, and other items as appropriate for the applicable zoning district and proposed uses.
- 18) Locations of proposed fire hydrants, fire lanes and access for equipment shall be provided to the satisfaction of the Fire Department.

- 19) Information quantifying on-site generation of noise and odors, if applicable.
- 20) Any proposed off-site roadway and traffic management improvements.
- 21) Other information the Board may determine as necessary.

**s. 204 – 6 Review by Town Officials**

- A. Within fourteen days of the official site plan submission date, the Board shall transmit the site plan to the following boards, departments and committees, inform them of the public hearing schedule, and request their review and preparation of an advisory report to assist the Board with its review.
  - 1) Building Department;
  - 2) Conservation Commission;
  - 3) Fire Department;
  - 4) Police Department;
  - 5) Assessors' Office;
  - 6) Board of Health;
  - 7) Department of Public Works;
  - 8) Design Review Committee; and
  - 9) Other departments and committees as determined to be appropriate depending on the nature of the project including but not limited to the Economic Development Committee and Historical Commission.
- B. Said departments, boards, and committees may, at their discretion, evaluate the site plan and submit an advisory report or recommendation to the Board. If no report is submitted to the Board within thirty days of distribution, this shall be deemed lack of opposition thereto. The advisory report may include an assessment of the project's impact on the community, the status of any meetings or actions the respective board, committee or department has already taken or is taking regarding the project, and any recommended conditions or remedial measures needed to avoid, accommodate or mitigate the expected impacts of the proposed development. All reports shall be entered into the public record during the public hearing.
- C. Review by Zoning Enforcement Officer – The Building Commissioner shall review the application and associated materials for compliance with the *Zoning Bylaw* and provide a written communication to the Board, prior to the first public hearing date, to identify any current zoning violations existing at the site which may be addressed through the site plan review process.

**s. 204 – 7 Public Hearing**

- A. The Board shall conduct a public hearing on the major site plan application in accordance with the provisions of G.L. c. 40A and the *Zoning Bylaw*. The public shall have the opportunity to be heard, in person, or by agent or attorney, or in writing during the hearing.
- B. *Public Notice* - The Board shall prepare the public hearing notice and post such notice in accordance with the provisions of G.L. c. 40A and the *Zoning Bylaw*. The Board shall notify all ~~adbutters and~~ parties ~~of~~ in interest of the time, date and location of the public

hearing as provided in G.L. c. 40A, §11. ~~Said notification shall be sent by certified sent mail at least fourteen days prior to the date of the public hearing.~~

**Commented [A6]:** The reason I recommend following the requirements of chapter 40A, without additional requirements, is that such additional requirements become a "trap for the unwary". Sending out notices 14 days before the hearing is a good practice, but requiring it means that, if the notices are not sent out until the 13<sup>th</sup> day, there is a potential defect in the hearing. Uniform procedures minimizes the risk of a mistake.

- C. *Appearance of Applicant at Public Hearing* – An Applicant may appear on his own behalf or be represented by a designated representative. It is the responsibility of the Applicant or the designated representative to present the site plan to the Board and public during the public hearing. Failure to appear at a public hearing could jeopardize approval of an application. In the absence of an appearance by the Applicant or designated representative, the Board may decide the matter using the information it has received.
- D. The Board may continue the public hearing to other dates as may be needed.
- E. *Coordination with Other Permitting Authorities* – The Board shall make every reasonable effort to coordinate its review with other Town boards, committees or officials which have jurisdiction over other permits and approvals required for the project to proceed. If requested by the Applicant, coordinated or joint public hearings may be conducted to the extent allowed by law, recognizing that each permitting authority is subject to specific statutory decision requirements and that all such decision periods may not coincide.
- F. *Additional Information*
- 1) During the course of the public hearing, the Board may require the Applicant to provide additional information if it finds that such information is necessary to properly act upon the application in question.
  - 2) Any items or plan revisions submitted by an Applicant in support of a previously filed application shall be submitted to the Board no less than ten business days before the date of the continued public hearing. However, in no case shall the Board allow new evidence or testimony to be admitted after the public hearing is closed.
  - 3) The Board may enter information into the record of the public hearing including but not limited to reports of outside consultants and comments from Town staff, boards and committees.
- G. The Board may keep the public hearing open during the preparation and deliberation of its *Decision*. However, the public hearing shall be closed after the Board's vote and before the *Decision* is filed with the Town Clerk.

**s. 204 – 8 Decision**

- A. *Deadline to File Decision* - Following the Board's review, the Board shall prepare and file its written site plan *Decision* with the Town Clerk within ninety calendar days from the official date of site plan application. Failure of the Board to take final action by filing its *Decision* with the Town Clerk within the prescribed time period shall be deemed constructive approval of the application. A copy of the *Decision* shall also be provided to the Building Commissioner and other Town officials.

- B. *Deadline Extension* - The deadline by which the Board shall file its *Decision* may be extended upon mutual agreement of the Board and Applicant when the Applicant or its representative requests such an extension in writing and the Board agrees thereto. Notice of the Board's acceptance of the Applicant's request for a deadline extension shall be provided in writing by the Board to the Town Clerk.
- C. Before the Board begins its deliberations on the *Decision*, the Applicant shall provide the Board a written document specifically describing how the proposed development, as revised during the public hearing process, satisfies the site plan decision criteria established in **s. 204 – 8 F.** of these *Rules and Regulations*.
- D. *Decision Options* - The Board may approve, approve with conditions, limitations, safeguards and mitigation measures, or disapprove a site plan application in accordance with Section 3.5.4 G. of the *Zoning Bylaw*. The Board's *Decision* to disapprove a site plan shall state the reasons for such disapproval.
- E. *Voting* - An affirmative vote of a simple majority of the membership of the Board shall be sufficient for the *Decision*.
- F. *Approval Criteria Findings* – In making its *Decision*, the Board shall consider the following criteria as applicable to the particular proposal:
- 1) The proposed buildings, uses and site improvements are appropriately located on the development site in relation to the terrain and the location and scale of buildings and site features on abutting sites.
  - 2) The construction and/or renovation of buildings and site improvements and amenities are designed to reflect or be compatible with the *Medway Design Review Guidelines*.
  - 3) Building and site designs reflect the character, materials and scale of existing buildings in the vicinity as well as *Master Plan* goals for the area.
  - 4) Reasonable use is made of building location, grading and landscaping and other site features to reduce the visible intrusion of structures, parking areas, and outside facilities for the storage, handling and disposal of sewage, refuse and other solid wastes resulting from the normal operation of the establishment(s) from public views or from adjacent residential properties.
  - 5) Private drives are properly designed and constructed to serve the intended use and provide an adequate level of service in relation to the traffic to be generated by the development.
  - 6) Internal circulation, queuing and egress promote traffic safety, access via minor streets servicing residential areas is minimized, and traffic backing up into the public way is avoided.
  - 7) Convenient and adequate access for fire-fighting and emergency vehicles is provided to each structure and throughout the site.

**Commented [A7]:** This seems burdensome on paper, has this been done in the past?

- 8) Design and construction minimize, to the extent reasonably practical, 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 impacts on waterways and environmental resource areas;
  - f) soil erosion and pollution; and
  - g) noise.
- 9) Pedestrian ways, access driveways, loading areas and vehicular and bicycle parking facilities are properly designed for public convenience, accessibility, and safety of customers, employees and the general public.
- 10) Design and construction, to the maximum extent feasible, preserve and incorporate the visual prominence of the site's natural and historic features (i.e. hills, water bodies, wetlands, trees, tree groves, wooded areas, rock outcrops, native plants, stone walls, wildlife habitats, and other areas of aesthetic or ecological interest).
- 11) Lighting on the site complies with Section 7.1.2 of the *Zoning Bylaw*.
- 12) The proposed limit of work area is reasonable and protects sensitive environmental and/or cultural resources on the site and on adjacent parcels. The project as designed will not cause substantial or irrevocable damage to the environment, which damage could be avoided or ameliorated through an alternative development plan or mitigation measures.
- 13) The project's impact on abutting residential neighborhoods has been adequately mitigated. Adjacent and neighboring properties are protected from nuisance and harmful effects caused by noise, traffic, noxious or harmful fumes, and the glare of headlights and other light sources generated by uses on the development site.
- 14) The project is compatible with the existing and potential future development of the surrounding area and with the character of adjacent residential neighborhoods.
- 15) Off-street loading facilities and methods for unloading vehicles, goods, products, materials and equipment incidental to the normal operation of the establishment(s) to be located on the site are conveniently and safely provided while the visual intrusion thereof is appropriately screened from public view.
- 16) The project complies with the requirements of Section 26.8 of Medway *General Bylaws*, ARTICLE XXVI, Stormwater Management and Land Disturbance; the Massachusetts DEP Stormwater Management Standards, and EPA's National Pollution Discharge Elimination System requirements.
- 17) The effects and the impacts of the proposed use of land or structures on vehicular and pedestrian traffic, municipal services and utilities, roadways, parking,

drainage, environmental quality, water resources, signage, lighting, and the community's character, values, amenities and appearance have been identified and evaluated and reasonable conditions, limits, safeguards and mitigation measures are established pursuant to **s. 204-8 G** of these *Rules and Regulations*.

G. *Approval Conditions, Limitations & Safeguards* - In a *Decision* to approve a site plan, the Board may waive provisions of these *Rules and Regulations* in accordance with **s. 202-5** of these *Rules and Regulations*. The Board may also require plan modifications, conditions, mitigation measures, limitations and safeguards which the Board finds are consistent with Town bylaws, regulations, and standards, which may include but are not limited to the following measures:

- 1) Plan revisions;
- 2) Site and building design modifications;
- 3) Controls on the location and type of access to the site;
- 4) Controls on the number, type and time that service vehicles access the site;
- 5) Provision for open space or preservation of views;
- 6) Limitations on the hours of operation;
- 7) Donation and/or dedication of land for right-of-way to provide for roadway and/or intersection widening or improvements related to the development;
- 8) Conditions to minimize off-site impacts and environmental quality during construction;
- 9) Requirements for screening parking facilities from adjoining premises or from the street by walls, fences, plantings or other devices to mitigate adverse impacts;
- 10) Conditions to mitigate adverse impacts on the neighborhood and abutters, including but not limited to adverse impacts caused by noise, dust, fumes, odors, lighting, headlight glare, hours of operation, or snow storage;
- 11) Compliance measures including but not limited to construction observation and inspection, performance guarantees, and as-built plan submittals;
- 12) *Mitigation Measures* – Pursuant to Section 3.5.4 I. of the *Zoning Bylaw*, the Board may require reasonable mitigation measures to offset adverse impacts of the development on the community including off-site improvements up to a maximum value of six percent of the total development cost the proposed project to improve the capacity and safety of roads, intersections, bridges, pedestrian access, water, sewer, drainage, and other public facilities and infrastructure including traffic signals and controls, or municipal services, sufficient to service the development project. This may also include donation and/or dedication of land for necessary right-of-way improvements.

H. *Distribution of Notice of Site Plan Decision* - The Board will prepare and mail a Notice of site plan *Decision* to all parties ~~of~~<sup>in</sup> interest by first class mail within five business days after the *Decision* is filed with the Town Clerk.

s. **204 – 9 Appeal** - Any person aggrieved by the Board's *Decision* may appeal to the appropriate court within twenty days of the date the *Decision* is filed with the Town Clerk, as provided in G.L. c. 40A, section 17.

s. **204 – 10 Plan Endorsement**

A. In cases where the Board has approved or conditionally approved the proposed site plan, the Applicant, within ninety days after the Board has filed its *Decision* with the Town Clerk, shall revise and submit a final site plan reflecting all required changes, if any, to the Board for endorsement. The deadline for plan endorsement may be extended upon mutual agreement when the Applicant or its designated representative requests such an extension in writing and the Board agrees thereto.

B. The Board shall not endorse a site plan until it is brought into compliance with the Board's *Decision* and the twenty day appeal period has elapsed following the filing of the Board's *Decision* with the Town Clerk and the Clerk has notified the Board that no appeal has been filed. If an appeal is properly filed, plan endorsement shall not occur until after the court's decision sustaining the Board's site plan *Decision*.

C. If the Conservation Commission is the permitting authority for the Stormwater Management and Land Disturbance Permit required under Article XXVI of the Medway General Bylaws, the site plan presented for the Board's endorsement shall include the stormwater design as approved by the Conservation Commission.

D. The Applicant shall provide an original of the revised site plan for endorsement by the Board.

E. After endorsement, the Applicant shall provide two paper copies of the endorsed site plan to the Board. The Applicant shall also provide the endorsed plan in portable document format (PDF) format and in shape files compatible with MASS GIS requirements. The Board shall retain a copy of the endorsed site plan and shall distribute copies to the Town Clerk, the Building Commissioner, the Department of Public Works, the Assessor's office, and the Town's Consulting Engineer.

s. **204 – 11 Recording** – The Applicant shall record the *Decision* at the Registry of Deeds and submit evidence of such recording to the Board and the Building Commissioner. No construction shall be allowed to begin at the subject site until such recording verification is presented.

## ARTICLE V. MINOR SITE PLAN REVIEW

s. **205 - 1 Applicability** – See Section 3.5.3 A of the *Zoning Bylaw*.

s. **205 – 2 Town Clerk Submittals** - The Applicant shall deliver by hand, or by registered or certified mail the following submittals to the Town Clerk during regular business hours:

**Commented [A8]:** See comment above re: imposing additional procedural requirements beyond those found in chapter 40A. Again, not saying that mailing the notice within 5 business days is not a good practice, but making it a requirement

**Commented [A9]:** What if the Conservation Commission has not completed its review or approved a design within Board's 90 days review and approval window?



- A. The Minor Site Plan Application form signed by the Applicant, property owner(s), and designated representative, if any, on a form provided by the Board.
- B. One set of the Site Plan prepared in conformance with these *Rules and Regulations* including all items as specified in **s. 204 – 5** of these *Rules and Regulations*.

**s. 205 – 3 Planning and Economic Development Board Submittals** - The Applicant shall deliver in hand, or by registered or certified mail the following submittals to the Board:

- A. The Minor Site Plan Application form signed by the Applicant, property owner(s), and designated representative, if any, on a form provided by the Board.
- B. Two sets of the site plan (24" x 36") and one set of the site plan (11" x 17") prepared in conformance with these *Rules and Regulations* including all items as specified in **s. 205 – 5** of these *Rules and Regulations*.
- C. One written *Project Narrative* regarding the proposed development. At a minimum, the Narrative shall include the following information:
  - 1) current and proposed uses;
  - 2) description of proposed site improvements including paving, stormwater management, landscaping, sidewalks, refuse storage and disposal facilities, site amenities, fencing, lighting, water and sewer service, open space, etc.;
  - 3) description of proposed building construction, renovation, façade improvements, and/or demolition including the size of the proposed building(s) or additions;
  - 4) projected water and sewer demand;
  - 5) expected number of employees and/or occupants;
  - 6) proposed hours of operation;
  - 7) existing and proposed means of vehicular and pedestrian access and egress;
  - 8) number of parking spaces required and how this number was determined;
  - 9) calculation of proposed lot coverage and impervious surface;
  - 10) timetable for project completion;
  - 11) proposed mitigation measures;
  - 12) list of other required local, state and federal permits and the status of each; and
  - 13) any other information the Applicant believes will assist the Board in reviewing and understanding the site plan application.
- D. A *Stormwater Drainage Evaluation* report signed and stamped by a Professional Engineer licensed in the Commonwealth of Massachusetts. This report shall:
  - 1) Describe the existing stormwater drainage patterns ~~and~~ system on the site; and
  - 2) Identify how the proposed site improvements will impact the existing stormwater drainage patterns and system; and
  - 3) Describe the location and design of proposed stormwater management measures to be used for the on-site disposal of added surface water resulting from the proposed site changes.

The Board may require more extensive drainage information (up to and including complete drainage system design and calculations) depending on the extent of the proposed site changes and the sensitivity of the site and its abutting properties. At the

Board's discretion, it may require the Applicant to provide a full stormwater drainage analysis and design as specified in **s. 204-3 D.** of these *Rules and Regulations*.

- E. One list of all parties in interest as defined in G.L. c. 40A, §11 as appearing in the most recent tax records list. The list shall be certified by the Board of Assessors of all applicable communities.
- F. One copy of the latest recorded deed to the property(s) comprising the proposed development site.
- G. One copy of all relevant approvals received to date from other Town boards and committees (ZBA, Conservation Commission, Board of Health, etc.) and other federal and state government agencies.
- H. Requests for waivers from these *Rules and Regulations* with specific reference to the applicable section(s) of these *Rules and Regulations* for which a waiver is requested, provided on the Site Plan Waiver Request form supplied by the Board.
- I. ALL APPLICATION MATERIALS (including forms, plans, reports, and attachments) SHALL ALSO BE SUBMITTED IN A SEARCHABLE ELECTRONIC FORMAT via email, on a portable electronic storage device, or to a central cloud repository on the web. The email for such submittals is [planningboard@townofmedway.org](mailto:planningboard@townofmedway.org)
- J. A *Minor Site Plan Filing Fee* as authorized in **s. 209-1 A.** of these *Rules and Regulations* and as specified in the Board's *Fee and Bond Schedule*.
- K. A deposit toward the *Minor Site Plan Review Fee* as authorized in **s. 209 – 1 B.** of these *Rules and Regulations* and as specified in the Board's *Fee and Bond Schedule*.

**s. 205 – 4 Standards for Site Plan Preparation** – See **s. 204 – 4** of these *Rules and Regulations*.

**s. 205 – 5 Site Plan Contents** – To be considered complete, a minor site plan submitted pursuant to these *Rules and Regulations* shall include the information listed below. The Board may require additional information, if necessary, to complete its review.

- A. *Cover Sheet* - The cover sheet shall include the project name, name and address of owner, name and address of Applicant, name and address of engineer and other professional firms responsible for the plan, plan date, list of plan revision dates, project street address, project Assessor's Map and Parcel number, zoning district classification, list of requested waivers from these *Rules and Regulations*, Board Signature Block, and an index of drawings.
- B. *Site Context Sheet*
  - 1) A locus plan showing the site and its boundaries in relation to all surrounding streets within two thousand feet of the perimeter of the site. The plan shall be at a maximum scale of one inch equals one thousand feet. Scenic roads shall be noted. Streets, buildings, brooks, streams, rivers, wooded areas, protected open spaces, recreation fields, landmarks and public facilities shall be shown on the locus plan with sufficient clarity to be easily discernable.

- 2) Abutters' names and addresses with assessor's references for properties within 300' of the development site.
  - 3) Lot lines with dimensions and easement areas for the development site.
  - 4) Existing topography at two foot intervals from United States Geological Survey (USGS) survey maps or actual land survey of the development site.
  - 5) All easements (utility, conservation and other) and rights-of-way located on the development site.
  - 6) Zoning district boundaries including groundwater protection district and flood plain zones on the development site.
- C. *Existing Conditions Sheet* – A plan showing all bearings and distances of property lot lines and existing structures and buildings; topography; easements; existing uses of land; freestanding signs; driveways, parking spaces and walkways; utilities; fences and walls; trash disposal facilities; impervious surfaces; significant landscape and natural features, and wetlands and other natural resources under the jurisdiction of the Medway Conservation Commission, all at a minimum scale of one inch equals one hundred feet.
- D. *Plot Plan*, certified by a land surveyor, indicating total land area boundaries, angles, and dimensions of the site and a north arrow.
- E. *Site plan*, at a minimum scale of one inch equals forty feet, showing the following:
- 1) Property boundaries, dimensions of the site and a north arrow;
  - 2) Proposed use(s) of land and buildings;
  - 3) Dimensions of proposed building(s) or other structures including height, setbacks from front, side and rear lot lines, total square footage of building area;
  - 3) Design features of the construction or renovation of buildings (s) and structures, including building elevations, materials, colors, etc.;
  - 4) For non-residential buildings and for non-residential uses in any building, the total square footage of building area on each floor or the total square footage occupied on a given floor by non-residential uses;
  - 5) Site grading;
  - 6) Locations and dimensions of any proposed easements, public or private rights-of-way, or other encumbrances;
  - 7) All parking and loading areas, including surface parking lots, showing the number, location, and dimension of parking and loading spaces, driveways, travel aisles, sidewalks and the like;
  - 8) Horizontal sight distances on the public way(s) at all entrances and exits in both directions;
  - 9) Proposed site improvements including, but not limited to walls, fences, signs, utilities, trash disposal facilities, landscaping, utilities, lighting, utility boxes, snow storage areas, etc.;
  - 10) Erosion and sediment control measures;

- 11) Stormwater management facilities as noted in **s. 205 – 3 D.** of these *Rules and Regulations*; and
- 12) A table outlining the proposal's conformance with the zoning requirements including lot area, continuous frontage, lot depth, lot width, front, side and rear setbacks, building height, lot coverages, gross floor area, open space calculations, and the number of parking spaces.

**s. 205 – 6    *Review by Town Officials***

- A. Within fourteen days of the official site plan submission date, the Board shall transmit one copy of the site plan to the following boards, departments and committees, inform them of the public review meeting with the Board, and request their review and preparation of an advisory report to assist the Board in its review.
  - 1) Building Commissioner
  - 2) Conservation Commission
  - 3) Fire Department
  - 4) Police Department
  - 5) Assessor's Office
  - 6) Board of Health
  - 7) Department of Public Works
  - 8) Design Review Committee
  - 9) Others as determined to be appropriate depending on the nature of the project including but not limited to the Economic Development Committee and Historical Commission
- B. Said departments, boards, and committees may, at their discretion, evaluate the site plan and submit an advisory report or recommendation to the Board. If no report is submitted to the Board within fourteen days of distribution, this shall be deemed lack of opposition thereto. The advisory report may include an assessment of the project's impact on the community, the status of any meetings or actions the respective board, committee or department has already taken or is taking regarding the project, and any recommended conditions or remedial measures needed to avoid, accommodate or mitigate the expected impacts of the proposed development. All reports shall be entered into the public record during the public hearing.
- C. Review by Zoning Enforcement Officer – The Building Commissioner shall review the application and associated materials for compliance with the *Zoning Bylaw* and provide a written communication to the Board, prior to the first public hearing date, to identify any current zoning violations existing at the site which may be addressed through the site plan review process.

**s. 205 – 7    *Public Review***

- A. *Board Meeting* – Within thirty calendar days of the official site plan submission date, the Board shall consider the proposed Minor Site Plan Application as an agenda item at a duly posted Board meeting at which the Applicant shall present their proposed site plan and the public shall have an opportunity to be heard, in person, or by agent or attorney,

or in writing. The Board may continue its review and consideration to other meetings as may be needed.

- B. *Abutter Notice* - At least fourteen days prior to the date of the public meeting, the Board shall send, by first class mail, a notice of the time, date and location of the public review meeting to all parties in interest as defined in G.L. c. 40A, §11. The notice shall include a brief description of the site plan project.
- C. *Public Review Notice* – At least fourteen days prior to the date of the public meeting, the Board shall file the public review notice with the Medway Town Clerk for official posting.

**Commented [A10]:** Is the only difference between the public hearing for major site plan and the public review for minor site plan that the notice is not published in the newspaper?

**s. 205 – 8 *Decision***

- A. *Deadline to File Decision* - Following the Board's review, the Board shall prepare and file its *Minor Site Plan Decision* with the Town Clerk within sixty calendar days from the official date of site plan submission. Failure of the Board to take its final action by filing its *Decision* within such sixty day period shall be deemed constructive approval of said application. A copy of the *Decision* will also be provided to the Building Commissioner and other Town officials.
- B. *Deadline Extension* – See s. 204-8, B. of these *Rules and Regulations*.
- C. The Board may approve, approve with conditions, limitations, safeguards and mitigation measures or disapprove a site plan application in accordance with Section 3.5.4 G. of the *Zoning Bylaw*. The Board's *Decision* to disapprove a site plan shall state the reasons for such disapproval.
- D. *Voting* - An affirmative vote of a simple majority of the membership of the Board shall be sufficient for the site plan *Decision*.
- E. *Approval Criteria Findings* – In making its site plan *Decision*, the Board shall consider the criteria as set forth in s. 204-7 F. of these *Rules and Regulations*.
- F. *Approval Conditions, Limitations and Safeguards* – See Section 204-7, G. of these *Rules and Regulations*.

**s. 205 – 9 *Appeal*** - Any person aggrieved by the Board's *Minor Site Plan Decision* may appeal to the appropriate court within twenty days of the date the *Decision* is filed with the Town Clerk as provided in G.L., c. 40A, section 17.

**s. 205 – 10 *Plan Endorsement***

- A. In cases where the Board has approved or conditionally approved the proposed site plan, the Applicant, within sixty days after the Board has filed its *Decision* with the Town Clerk, shall revise and submit a final site plan reflecting all required changes, if any, to the Board to review for compliance with the Board's site plan *Decision*, before the Board endorses the site plan. The deadline for plan endorsement may be extended upon mutual agreement when the Applicant or its designated representative requests such an extension in writing and the Board agrees thereto.

- B. The Board shall not endorse the site plan until it is brought into compliance with the provisions of the Board's *Decision* and a twenty day appeal period has elapsed following the filing of the *Decision* with the Town Clerk and the Clerk has notified the Board that no appeal has been filed. If an appeal is properly filed, plan endorsement shall not occur until after the court's decision sustaining the Board's *Decision*.
- C. The Applicant shall provide an original of the revised site plan for endorsement by the Board.
- D. The Board shall retain a copy of the endorsed site plan and shall distribute copies to the Town Clerk, the Building Commissioner, the Department of Public Works, the Assessor's office, and the Town's Consulting Engineer.

## ARTICLE VI. ADMINISTRATIVE SITE PLAN REVIEW

s. **206 - 1** *Applicability* – See Section 3.5.3 A of the *Zoning Bylaw*.

s. **206 – 2** *Designated Agent for Administrative Site Plan Review* – Pursuant to Section 3.5.5. A. 2. of the *Zoning Bylaw*, the Town Administrator and the Board have established an *Administrative Site Plan Project Review Team* to be comprised of the following Town employees: Building Commissioner, Director of Community and Economic Development, and Planning and Economic Development Coordinator. The *Team* may consult with other Town employees on a case by case basis depending on the nature of the proposed site plan project.

s. **206 - 3** *Administrative Site Plan Project Submittals* - The Applicant shall deliver in hand, or by registered or certified mail the following submittals to the Medway Community and Economic Development Department office and the Town Clerk [during regular business hours](#).

- A. Two Administrative Site Plan Review Application forms with original signatures.
- B. Two sets of the site plan (24" x 36") and three reduced size (11" x 17") sets of the site plan prepared in conformance with these *Rules and Regulations* including all applicable items as specified in ~~s. 205-6~~ **s. 205-5** of these *Rules and Regulations* plus an electronic version.
- C. One written *Project Description* of the proposed development including: current and proposed uses, proposed site improvements, construction, and demolition; existing and proposed means of vehicular and pedestrian access and egress; anticipated number of employees and occupants; methods and hours of operation; and timetable for project completion. The *Project Description* shall include but not be limited to building construction, renovation, paving, drainage, retaining walls, landscaping, refuse storage and disposal facilities, sidewalks, handicap access, site amenities, outdoor lighting, and proposed mitigation measures.
- D. *Stormwater Drainage Evaluation* as specified in **s. 205-3 D** of these *Rules and Regulations*.
- E. One copy of all relevant approvals received to date from other Town boards and commissions (ZBA, Conservation Commission, Board of Health, etc.) and other government agencies.

- F. A list of waivers being requested by the Applicant with specific reference to the applicable section(s) of these *Rules and Regulations* for which a waiver is requested, on a form provided by the Board.
- G. ALL APPLICATION MATERIALS (including forms, plans, reports, and attachments) SHALL ALSO BE SUBMITTED IN A SEARCHABLE ELECTRONIC FORMAT via email, on a portable electronic storage device, or to a central cloud repository on the web. The email for such submittals is [planningboard@townofmedway.org](mailto:planningboard@townofmedway.org)
- H. A *Site Plan Filing Fee* as authorized in **s. 209 - I A.** of these *Rules and Regulations* and as specified in the Board's *Fee Schedule*.
- I. Filing of the application and plan does not, of itself, constitute the official receipt date. The Team shall review the application for completeness and notify the Applicant of any missing items within five business days of submission. In such a case, the application will be deemed to not to have been submitted. Upon receipt of all required items, the application shall be deemed complete and filed with the Town Clerk.
- s. 206 - 4 ***Standards for Site Plan Preparation*** - See **s. 204 - 4** of these *Rules and Regulations*.
- s. 206 - 5 ***Site Plan Contents*** - See **s. 205 - 5** of these *Rules and Regulations*.

**Commented [A11]:** How does the Team review the application without a duly posted meeting?

**Commented [A12]:**  
We need to provide a simpler list for adm site plan projects .  
.. This is way too much. Unreasonable and burdensome.

A. *Existing Conditions Sheet* – A plan showing name and address of owner, name and address of Applicant, name and address of engineer and other professional firms responsible for the plan, plan date, list of plan revision dates, project street address, project Assessor's Map and Parcel number, zoning district classification, all bearings and distances of property lot lines and existing structures and buildings; topography; easements; existing uses of land; freestanding signs; driveways, parking spaces and walkways; utilities; fences and walls; trash disposal facilities; impervious surfaces; significant landscape and natural features, and wetlands and other natural resources under the jurisdiction of the Medway Conservation Commission, all at a minimum scale of one inch equals one hundred feet.

B. *Site plan*, at a minimum scale of one inch equals forty feet, showing the following:

- 1) Property boundaries, dimensions of the site and a north arrow;
- 2) Dimensions of proposed building(s) or other structures including height, setbacks from front, side and rear lot lines, total square footage of building area;
- 3) Site grading;
- 4) Locations and dimensions of any proposed easements, public or private rights-of-way, or other encumbrances;
- 5) All parking and loading areas, including surface parking lots, showing the number, location, and dimension of parking and loading spaces, driveways, travel aisles, sidewalks and the like;
- 6) Proposed site improvements including, but not limited to walls, fences, signs, utilities, trash disposal facilities, landscaping, utilities, lighting, utility boxes, snow storage areas, etc.;

- 7) Erosion and sediment control measures;
- 8) Stormwater management facilities as noted in **s. 205 – 3 D.** of these *Rules and Regulations*; and
- 9) A table outlining the proposal's conformance with the zoning requirements including lot area, continuous frontage, lot depth, lot width, front, side and rear setbacks, building height, lot coverages, gross floor area, open space calculations, and the number of parking spaces.

**s. 206 - 6 Review Process** - Within fourteen calendar days of the official site plan submission date, the *Team* shall consider the administrative site plan application at a duly posted meeting at which time the Applicant may present its plan. The *Team* may consult with other Town officials and continue its review and consideration to other meetings as may be needed.

**s. 206 - 7 Decision** - Following the *Team's* review, the *Team* shall prepare and file its *Administrative Site Plan Decision* with the Town Clerk within twenty-one calendar days from the official date of site plan submission. Failure of the *Team* to take its final action within the twenty-one day period shall be deemed constructive approval of said application. A copy of the *Decision* shall be provided to the Applicant. The deadline by which the *Team* shall file its *Decision* may be extended upon mutual agreement when the Applicant or its designated representative requests such an extension in writing and the *Team* agrees thereto. Notice of the *Team's* acceptance of the Applicant's request for a deadline extension shall be provided in writing by the *Team* to the Town Clerk.

**s. 206 - 8 Appeal** - Any person aggrieved by the *Decision* of the *Administrative Site Plan Project Review Team* for a site plan project subject to Administrative Site Plan Review may appeal such *Decision* to the Board in writing within twenty days after the *Decision* is filed with the Town Clerk. The appeal shall be considered as an agenda item at a duly posted meeting of the Board at which the Applicant's appeal shall be heard.

**s. 206 - 9 Plan Endorsement**

- A. In cases where the *Administrative Site Plan Project Review Team* approved or conditionally approved the proposed site plan, the Applicant, within sixty days after the *Decision* is filed with the Town Clerk, shall revise and submit a final site plan reflecting all required changes, if any, to the *Team* to review for compliance with the *Decision*, before the *Team* endorses the site plan.
- B. The *Team* shall not endorse the site plan until it is brought into compliance with the provisions of the *Decision* and a twenty day appeal period has elapsed following the filing of the *Decision* with the Town Clerk. If appeal is made, endorsement shall not occur until after the Board's *Decision* addressing the appeal of the *Team's* site plan *Decision*.
- C. The Applicant shall provide an original of the revised site plan for endorsement.
- D. The *Team* shall retain a copy of the endorsed site plan and shall distribute copies to the Town Clerk, the ~~Inspector of Buildings~~ Commissioner, the Department of Public ~~Works Services~~, the Assessor's office, and the Town's Consulting Engineer.

**Commented [A13]:** Does the Team really do this? I don't recall endorsing plans.

**Commented [A14]:** Apparently, this change has not been approved by the state yet. Not completely sure which term to use.



**ARTICLE VII. DEVELOPMENT STANDARDS** – Development projects requiring Site Plan Review shall be designed to the greatest extent feasible to comply with the following development standards. These standards are intended to achieve well designed projects without discouraging creative and/or innovative solutions to each site’s particular features and challenges. These standards are not to be considered exhaustive, and specific additional standards may be applied for individual projects, if the Board determines they are necessary. Projects which do not meet these Standards are required to submit Waiver Requests with the application

**Commented [A15]:** This seems to inject some subjectivity for review of a project that may be allowed as of right. Regulations need to be drafted in such a way that an applicant knows what is expected of it.

**s. 207 - 1 Design Principles**

- A. Commercial/Business Zoning Districts – See *Medway Design Review Guidelines*, Section 2 - Commercial Zone Guidelines, Sub-Section B. Principles and Intentions
- B. Industrial Zoning Districts - See *Medway Design Review Guidelines*, Section 3 – Industrial Zone Guidelines, Sub-Section B. Principles and Intentions
- C. Residential Zoning Districts - See *Medway Design Review Guidelines*, Section 4 – Residential Zone Guidelines, Sub-Section B. Principles and Intentions

**s. 207 – 2 Site Design**

- A. Commercial/Business Zoning Districts – See *Medway Design Review Guidelines*, Section 2 - Commercial Zone Guidelines, Sub-Section C. 1. Site Composition and C. 2. Building Orientation
- B. Industrial Zoning Districts - See *Medway Design Review Guidelines*, Section 3 – Industrial Zone Guidelines, Sub-Section C. 1 Site Composition and C. 2. Building Orientation
- C. Residential Zoning Districts - See *Medway Design Review Guidelines*, Section 4 – Residential Zone Guidelines, Sub-Section C. 1 Site Composition and Building Orientation

**s. 207 – 3 Architecture**

- A. Commercial Zoning Districts – See *Medway Design Review Guidelines*, Section 2 - Commercial Zone Guidelines, Sub-Section D. Architectural Guidelines
- B. Industrial Zoning Districts - See *Medway Design Review Guidelines*, Section 3 – Industrial Zone Guidelines, Sub-Section D. Architectural Guidelines
- C. Residential Zoning Districts - See *Medway Design Review Guidelines*, Section 4 – Residential Zone Guidelines, Sub-Section D. Architectural Guidelines

**s. 207 – 4 Energy Efficiency and Sustainability**

- A. New buildings should be positioned on the site to take advantage of the existing terrain and solar gains. Where possible, elongate the buildings' plan on the east/west axis, maximize north and south exposures for daylighting, minimize east and west facing windows, and orient the most populated areas of a building to the north and south. Incorporate green roofs are encouraged.

B.

C.

**s. 207 - 5 Environmental Considerations**

- A. *General* - Environmental elements relating to the prevention of soil pollution and erosion, protection of significant vistas, preservation of trees, protection of water courses and water resources, topography, soil and noise shall be reviewed. The design of the proposed development shall minimize the destruction of trees and unique natural features and the site plan shall show measures to minimize any adverse impacts on these elements.
- B. *Low Impact Development (LID)* – Applicants should utilize Low Impact Development (LID) management practices in site design and incorporate environmentally sensitive design in site landscape improvements and buildings when practicable.
- C. *Nuisance* - The proposed development shall not create any significant emission of light, noise, dust, fumes, odors, noxious gases, radiation, or water pollutants, or any other similar significant adverse environmental impacts without suitable mitigation measures.
- D. *Water Reuse* –

**Commented [A16]:** Should this be part of site plan regs?

**s. 207 – 6 Erosion and Sediment Control**

- A. Erosion and sediment control measures shall comply with ARTICLE XXVI Stormwater Management and Land Disturbance of the Medway *General Bylaws*, Section 26.7.
- B. The final slope of the land shall not exceed one foot vertical to three feet horizontal, unless retaining walls or other suitable stabilization methods as determined by the Board are provided.
- C. Permanent vegetation and other erosion control measures shall be installed as soon as possible after construction ends.
- D. All disturbed areas shall be permanently stabilized within six months of occupancy.

**s. 207 – 8 Site Clearing and Grubbing** – See Section 7.4 of the *Medway Subdivision Rules and Regulations*.

**s. 207 – 9 Earth Filling & Grading**

- A. *Prohibited materials*. No solid or hazardous waste, refuse, junk, industrial waste, volatile, explosive or flammable materials, ~~garbage~~, **building materials**, construction and demolition debris, glass, metal, toxic, infectious, radioactive, corrosive or reactive materials or waste may be used as fill. Fill material shall have no concentration of oil or hazardous material, toxic substance or infectious biological material greater than federal, state or local reportable or action criteria or materially greater than pre-fill conditions prevailing in the area to be filled. Fill material shall also be free from organic material

**Commented [A17]:** What about reuse of concrete materials for fill. Is this OK??

such as trees, stumps, and garbage, building materials, and construction and demolition debris and shall contain fifteen percent or less of total organic carbon by lab analysis.

**Commented [A18]:** Redundancies.

- B. *Permitted fill materials.* Fill materials shall include only clean sand, gravel, clay, stone, quarried rock, topsoil, borrow, rock, sod, loam, peat, humus, or other subsurface products free from solid waste, with an aggregate size of twelve inches or less.
- C. *Final cover.* All filling shall be covered with a minimum of four inches of organic topsoil and shall be seeded and mulched to stabilize the fill material. Where filling is incidental to facilitate parking of vehicles, the fill material shall be covered by a suitable binding material to prevent airborne dust and erosion.
- D. *Finish elevations and grading.* The Board may specify the finished grades, elevations and contour intervals which filling will conform to. To the maximum extent possible, final grades should conform in contour, slope, and elevation to the natural topography of the surrounding area or the site's preexisting contours as evidenced by historical maps or photographs, to the maximum extent possible. Final grading shall incorporate stabilization measures and slopes of no more than fifteen percent to prevent erosion, structural failure of fill materials, ponding of water, or excessive stormwater drainage onto abutting properties. Finish elevations and grading shall be shown on the as-built plan.
- E. *Additional Conditions.* The Board may set reasonable conditions including but not limited to hours of the day during which filling may take place, maximum load sizes, truck routes to be used to access the site, and grasses, shrubs and trees to be planted. The Board may also impose requirements for monitoring the type and distribution of fill on the subject site.
- F. Development sites shall not be used for the temporary storage of fill materials intended for use elsewhere.
- G. Projects involving site filling in excess of two thousand cubic yards shall submit a Soil Management Plan prepared by a Massachusetts Licensed Site Professional (LSP) to the Board prior to the pre-construction meeting for review by the Town's Consulting Engineer. The Soil Management Plan shall include the following:
- Agreement that bills of lading in the form specified by the Board will be exclusively used for the transport and acceptance of earth materials for fill;
  - Complete descriptions of pre-fill environmental conditions and findings and sample locations;
  - Procedures for verification of fill material origin and acceptance;
  - Record keeping practices;
  - Site security, fill operation inspection and site control;
  - Transport routes, times and days of operation, locations of equipment parking and storage, and duration of fill activities;
  - Qualifications of applicant personnel responsible for adhering to the soil management plan;
  - Erosion, dust and stormwater controls and inspection and maintenance thereof;
  - Effects of the filling on groundwater recharge;
  - Quality assurance and quality control procedures;

**Commented [A19]:**

Dan Merrikin suggests that the text from this point on should be stricken. He says he has no idea what the first sentence is requiring an applicant to do. The second sentence is inconsistent with other provisions of the rules and regs (and standard engineering practice) that allow up to 3:1 slopes (33%).

**Commented [A20]:**

Dan Merrikin notes he has not seen such a requirement before. He says 2,000 cubic yards of dirt is not a lot of soil. He also asks what value a LSP brings to this?

**Commented [A21]:** Testing and certifications?

- k) Emergency response and notification procedures, including telephone numbers and contact individuals and firms;
- l) Total proposed earth material fill volume;
- m) Daily personnel procedures and operation management procedures, including types, numbers, locations and hours of operation of any processing equipment on site;
- n) Environmental monitoring plan to maintain protection of human health, public safety, welfare and the environment during and following fill operations; and
- o) Cover material, revegetation, erosion and pollution control, and monitoring and maintenance plan.

s. **207 – 10 Site Maintenance During Construction**

- A. The Board ~~shall~~may include specific site maintenance requirements in the *Decision* including but not limited to construction timing, management of dust, rubbish and construction debris, maintenance of erosion and siltation control measures, maintenance of stormwater management facilities, daily site clean-up, tracking of construction materials off-site, and management of construction traffic.
- B. Any construction site is required to have a stone mat construction entrance for a minimum of fifty feet or as site constraints allow. The stone mat shall be maintained regularly to allow for proper reduction of sediment tracking onto adjacent roadways. In events where excessive mud is generated at the site, wheel washing stations may be required to further prevent sediment tracking onto Town ways.
- C. Construction of the approved development shall not create any significant emission of light, noise, dust, fumes, odors, noxious gases, radiation, or water pollutants, or any other similar significant adverse environmental impacts without suitable mitigation measures and remedies.
- D. Construction projects meeting the eligibility requirements of the U.S. Environmental Protection Agency (EPA) for a National Pollutant Discharge Elimination System (NPDES) Construction General Permit (CGP) and the associated Stormwater Pollution Prevention Plan (SWPPP) shall file with the EPA and provide documentation of that filing to the Board. The SWPPP shall be retained on the construction site. Developers of approved site plan projects shall fulfill all responsibilities pertaining to their NPDES CGP and provide copies of all inspection and corrective action reports to the Board.
- D. Upon completion of all work on the ground, the Developer shall remove from the site and adjoining property, all temporary structures, all surplus material, debris, tree stumps, loose rocks, silt fences and synthetic erosion control measures unless authorized by an Order of Conditions to be left in place, and such rubbish which may have accumulated during construction, and shall leave the work site in a neat and orderly fashion.

**Commented [A22]:** This is not really worded as a standard, maybe move to Section 407-8.G.

s. **207 – 11 Pedestrian & Bicycle Access and Sidewalks**

A. *Pedestrian and Bicycle Access*

- 1) Safe pedestrian connections shall be provided along sidewalks, ~~and~~ in front of buildings, stores and within the site.

**Commented [A23]:** Not sure what "safe pedestrian connections" entails.

- 2) For pedestrian safety and site design enhancement, on-site crosswalks between parking areas and the building (s) and where possible, on adjacent roadways shall be provided and have a change in materials and/or color, texture or pattern.
- 3) Pedestrian and bicycle circulation shall be maximized on and off site and shall be separated from motor vehicle circulation as much as practicable. Safe pedestrian and bicycle access to the site shall be provided by walkways or other means which ensure protection and separation from vehicular traffic.
- 4) Existing pedestrian ways shall be maintained or improved.
- 5) Where no pedestrian ways exist, the Applicant should create pedestrian ways and connections between streets, the proposed development, surrounding neighborhoods, adjacent commercial developments and other surrounding uses.
- 6) Pedestrian ways and connections shall ~~be designed to~~ comply with the requirements of the Americans with Disabilities Act (ADA).

B. *Sidewalks*

- 1) Five foot wide sidewalks shall be provided within parking areas. Where sidewalks abut parking areas, the sidewalk width may be increased by two feet to accommodate vehicular bumper overhang so as to not impede foot traffic.
- 2) For buildings where tenants may wish to use interior site sidewalks for temporary outdoor display purposes, sidewalks shall be increased in width such that at least five feet is maintained for ~~safe~~ pedestrian passage.
- 3) Pursuant to Section 5.5.4. I, c. of the *Zoning Bylaw*, sidewalks shall be provided along the entire frontage of the subject property along existing public ways. See the *Zoning Bylaw* language for additional details.

s. **207–12 Traffic and Vehicular Circulation** - The site plan must address safety and convenience of vehicular and pedestrian movement within the site as well as in relation to adjacent streets, properties or improvements.

A. *Site Access - Curb Cuts, Entrance and Egress*

- 1) The site shall be evaluated as a whole to determine the number of curb cuts to be allowed.
- 2) Curb cuts on public ways shall be minimized.
  - a) Curb cuts for contiguous commercial areas may be limited to one per street frontage unless compelling safety benefits or other siting considerations are demonstrated by the Applicant.
  - b) Wherever possible, existing driveways should be combined.
  - c) All proposed curb cuts within a commercial district or a contiguous commercial area shall be designed to enhance traffic flow on major

streets and to minimize additional traffic circulation on neighboring residential streets in order to maximize safe vehicular movement and pedestrian safety.

- 3) The entrance shall be clearly delineated by granite curbing or other approved material along the entire radius of the opening, and extend at least twelve feet beyond each side along the gutter line of the road, and at least the first twenty-five feet of a driveway, and sloped at the end to prevent a vertical obstruction to exist.
- 4) The site design shall allow ~~Vehicles shall be able~~ to enter, park and exit the property without difficulty. ~~Entrance from public ways shall be clearly delineated. Multiple entrances are discouraged and generally will not be allowed. Arrows, or signs, ground signs, building signs and/or pavement markings to control the traffic flow may be required.~~ Consideration shall be given to site access for delivery vehicles and the ability of these vehicles to maneuver on site. Passenger vehicles and delivery vehicles should be segregated where possible.
- 5) Where possible and as appropriate to site conditions, curb cuts should be aligned with curb cuts on the opposite side of the road to create common junctions.
- 6) Curb cuts for entrance and exit driveways shall be located and designed so as to achieve maximum practicable distance from existing and proposed access connections from adjacent properties.
- 7) Where a site occupies a corner of two intersecting roads, curb cuts shall be located to the maximum distance practicable from the intersection. At a minimum, a curb cut should be located at least fifty feet from the point of tangency of the intersection. ~~The Board may consider current minimum AASHTO standards in evaluating specific site conditions.~~
- 8) Driveways shall be located so as to afford maximum safety, convenient ingress and egress and minimize conflict with the flow of off-site traffic.
- 9) ~~Driveways shall be located and designed to discourage the routing of vehicular traffic to and through residential streets.~~
- 10) Driveways shall be located to maximize sight distances where the proposed driveway meets an existing way. Sight distances for turning movements to and from the development shall meet current minimum AASHTO standards and shall be clearly shown on the site plan.
- 11) Left-hand egress turns should be minimized.
- 12) Driveways should intersect the road at an angle of ninety degrees.
- 13) No part of any driveway shall be located within fifteen feet of a side property line when the property abuts a residential use.

**Commented [A24]:** Redundant, see above.

**Commented [A25]:** See below.

**Commented [A26]:** Redundant

- 14) ~~Driveway entrance materials shall be vertical granite or cement concrete curbing appropriate for the site and shall be installed for at least the first twenty five feet of the driveway.~~

**Commented [A27]:** See above.

- 15) The slope of the paved entrance way should not exceed two percent for the first twenty-five feet measured perpendicular from the front property line.

**B. Internal Site Circulation and Driveways**

- 1) Where possible, adjoining parcels shall have unified access and promote inter-parcel circulation.
- 2) The perimeter of driveways shall be bounded with vertical granite curb or similar type of edge treatment.
- 3) Internal driveway width - Two way driveways shall be twenty-four feet wide. The width of one-way driveways shall be as determined by the Board based upon the angle of appurtenant parking.
- 4) Driveway materials – Asphalt bituminous or cement concrete or other durable materials shall be used for driveway paving. Pervious pavers or similar materials may be used for fire lanes. The first        feet of the driveway shall be       .
- 5) Provision shall be made for safe and convenient pedestrian and vehicular traffic movements within the site with emphasis on the layout of parking and off-street loading and unloading areas, and the movement of people goods, and vehicles on access roads, on driveways and between buildings or structures within the site.
- 6) Provision should be made for safe and convenient pedestrian and traffic movement to connect with the adjacent commercial sites.

**Commented [A28]:** Board wants to discuss this more.

**Commented [A29]:** Not sure about this, Fire Chief may want to comment.

- D. *Emergency Vehicle Access* - The site shall be designed to provide adequate accessibility by fire, police, and emergency personnel, equipment and vehicles to each building. The access shall be maintained and kept in passable condition at all times.

- E. *Mitigation* - The Board may require the Applicant to provide mitigation where project-related increased traffic volume will create unsafe, or poor level of service conditions based on findings of the traffic study. Mitigation measures include but are not limited to the implementation of turning lanes, traffic signal installation and improvements, roadway improvements, sidewalks, and acceleration and deceleration lanes.

**s. 207 – 13 Parking**

- A. Parking shall be provided in full compliance with Section 7.1.1 of the *Zoning Bylaw*.
- B. Parking should ~~not be visible from outside of the site~~ ~~be hidden~~ to the maximum extent possible and located to the side and rear of the site. Placement of parking areas should not be near a high volume of traffic where it can obstruct traffic flow. Parking should not create a hazard to abutters, vehicles or pedestrians. Where parking is proposed adjacent to the street, plantings or appropriate fencing should be incorporated to screen parking



areas and reduce their visual impact.

C. *Pedestrian Protection* - Pedestrian walkways through parking areas may require protection (*barriers or bollards*) or crosswalk striping.

D. *Designated Parking Areas* - ~~Designated employee parking area, customer parking areas, and delivery areas as required in Section 7.1.1 of the Zoning Bylaw should be separated and indicated on the plan.~~ Areas for compact cars and motorcycles may also be shown.

**Commented [A30]:** I did not see this in Section 7.1.1.

E. *Asphalt Surface* - Parking areas shall have durable, all-weather paved surfaces. Hot mix asphalt surfacing should be a minimum of three and one-half inches over eight inches of gravel borrow or as required by site conditions.

F. Adverse impacts of parking on abutters, residents or businesses in the area ~~or on the character of the neighborhood~~ shall be mitigated ~~to the satisfaction of the Board~~.

H. *Parking Spaces*

1) *Number of spaces* - ~~A sufficient number of lined, well located parking spaces shall be provided in accordance with~~ See Section 7.1.1 of the *Zoning Bylaw* – Table 3 Schedule of Off-Street Parking Requirements.

**Commented [A31]:** Don't need this verbiage in this section, which is solely related to the number of spaces. Lining and location covered elsewhere.

2) *Parking space design*

a) *Dimensional Standards* – See Section 7.1.1 E. 3. of the *Zoning Bylaw*. ~~The size of All handicap parking spaces shall comply with state and federal regulations. be in accordance with the current ADA standards. Each handicapped space shall be identified with appropriate pavement markings and by a sign.~~

b) *Angle parking* - In the event site constraints limit drive aisles to one-way travel, angled parking may be permitted. The Applicant shall provide analysis that proper maneuverability through the site can be achieved, stalls are of proper length to limit overhang into the drive aisle, and proper lane width is designed to provide suitable reverse turning movements. Pull through angle parking stalls shall not be allowed.

3) *Location*

a) The location of parking spaces shall not impede proper traffic flow or the maneuvering of other vehicles. Parking spaces shall not be located in the following areas: building entrances, building exits, loading and unloading areas, pedestrian ways, and fire lanes.

b) Parking spaces shall not be located within fifteen feet of the front, side and rear property lines.

c) Parking spaces shall be located such that a vehicle backing out of a space does not impede traffic entering from a public traveled way within the first fifty feet into the site.



- d) Drive aisles should have a minimum paved width of twenty-four feet and provide for two-way traffic, and shall extend a minimum of five feet beyond the last parking space in any dead end parking row.

I. *Curbing*

- 1) The perimeter of the parking area shall be bounded with vertical granite curb, bituminous concrete curb, or cement concrete curb to delineate the parking lot and ~~direct~~ collect and direct stormwater runoff.
- 2) All curbing shall have a minimum radius of three feet and shall transition tangentially. No protruding angle points shall be allowed.

~~J. Drive aisles in the parking area should have a minimum paved width of twenty four feet and provide for two way traffic.~~

- K. **Electric Vehicle Charging Stations** – Industrial, commercial, and multifamily housing sites with \_\_\_\_\_ or more parking spaces shall provide parking areas with electric vehicle charging stations for employee, customer and ~~tenant/resident~~ use.

**Commented [A32]:** See comment above. Should board mandate this as part of Site Plan Review or should this be included in parking section of the ZBL?? What sort of ratio of EV charging spaces/total spaces is appropriate? Needs some research.

s. **207 – 14 Loading and Unloading** - At the time of erection of any principal building or enlargement of any principal building or the establishment of any activity on open land, there shall be created adequate off-street loading and unloading areas as follows:

- A. One or more off-street loading and unloading areas shall be provided for any business that may be regularly serviced by delivery vehicles so that adequate areas are provided to accommodate all delivery vehicles expected at the premises at any one time.
- B. The location of off-street loading and unloading areas and facilities shall be designed with an adequate off-street maneuvering area so that it will not be necessary for delivery vehicles to use a public way to maneuver into a loading or unloading space and so that egress from such spaces will not require backing onto a public way.
- C. Loading and unloading areas shall in all cases be on the same lot as the use they are intended to serve unless there is common ownership of an adjacent property. In no case shall the required loading and unloading areas be part of the area used to satisfy the parking requirements of the *Zoning Bylaw*.
- E. Loading and unloading areas should be located at either the side or rear of each building to be removed from view and to mitigate noise impacts.
- F. Loading and unloading areas shall be designed to avoid traffic conflicts with vehicles which use the site or adjacent sites.
- G. Each loading and unloading area shall not be less than twelve feet in width and not less than sixty-five feet in length. Height clearance shall not be less than fourteen feet.
- H. Loading and unloading areas and spaces shall not encroach on customer parking, employee parking spaces, or maneuvering space, nor shall they obstruct access to fire hydrants, ~~or~~ sprinkler connections. ~~Loading and unloading areas shall never block a or~~ fire or emergency vehicle lanes.

- I. Off-street loading and unloading areas and the associated maneuvering areas shall be paved with hot mix asphalt, or other satisfactory hard surface paving ~~and shall be provided with adequate drainage facilities.~~
- J. Loading areas shall not face any residential area unless no other location is ~~feasible~~possible.
- K. Loading areas are prohibited on the front façade of any building unless no other location is feasible.
- L. All service, loading and trash storage areas viewable from a public right of way or from an adjacent residential area shall be screened by one or a combination of masonry, a wood screen, or evergreen plantings to reduce their visual impact.

**Commented [A33]:** Covered below.

**s. 207 – 15 *Drainage and Stormwater Management***

- A. The Post Construction Stormwater Management Plan shall incorporate Low Impact Development (LID) site planning and design strategies and best management practices to the maximum extent feasible, and shall comply with ARTICLE XXVI Stormwater Management and Land Disturbance of the Medway *General Bylaws*, Section 26.8, the current Massachusetts Stormwater Management Standards, and the DEP Stormwater Management Handbook Volumes I and II.
- B. Detention and retention basins shall be designed to be integrated into the site's topography and natural features such that the basin contours are softened and a naturalized appearance is achieved.
- C. Subsurface detention and infiltration systems shall be designed with access manholes and inspection ports to provide means to properly inspect and maintain the system. All subsurface detention and infiltration systems shall contain an internal "forebay" or pre-treatment chamber row which will allow treatment of first flush runoff prior to discharging stormwater to the remainder of the system and shall be designed to allow for proper access for inspection and maintenance.
- D. Infiltration measures shall be provided to mitigate post development increases in runoff resulting from proposed rooftops. Runoff from proposed rooftops throughout the site shall be directly routed to dedicated infiltration Best Management Practices (BMPs). Discharge of roof runoff directly to surface grade is strictly prohibited. If runoff is directed to infiltration BMPs which also mitigate surface runoff, the roof runoff shall be directly discharged to the BMP and not allowed to comeingle with untreated surface runoff prior to discharge to the BMP. Metal roofs shall be properly treated prior to infiltration if located within critical areas listed in the DEP Stormwater Management Handbook.
- E. Headwalls that are visible from a roadway or driveway shall be fabricated to have a natural stone appearance to the satisfaction of the Board.
- F. See **s. 207 – 14**20 of these *Rules and Regulations* for landscaping requirements around stormwater detention and retention areas.

**Commented [A34]:** I think stormwater management is the new drainage.

**Commented [A35]:** With respect to C and D, are these covered by DEP stormwater handbook? I am not sure we need these subsections given the extensive regulations elsewhere.

**s. 207 - 16 *Water Supply and Sewage Disposal***

A. *Water Supply* - Unless proven to be unfeasible, all projects requiring site plan approval shall connect to the public water supply distribution system, except that connection to the public water supply system for on-site irrigation of landscaping is not permitted. Wells for irrigation are permitted through the Board of Health.

B. *Sewage Disposal* – The proposed method of sanitary sewage disposal for all buildings and uses shall be shown on the site plan. It shall meet the applicable Town regulations for sewage disposal systems and connections whether it is an on-site septic system or connected to the public sewer system.

s. **207 – 17 Utilities**

A. All electric, telephone, cable TV, and other utilities shall be located underground to the extent feasible.

B. Permanently installed generators shall be positioned on cement pads, be located to the rear of the site, and shall be fully screened or bermed to mitigate noise and appearance.

C. Utilities shall be installed in accordance with Section 7.6 Utilities of the *Medway Subdivision Rules and Regulations*.

D. Architectural features shall be incorporated into the building design to screen rooftop utilities.

s. **207 – 18 Solid Waste Removal - Dumpsters, Trash and Recycling Containers**

A. Dumpsters and recycling and trash containers shall be located to the rear of the site such that their view from roadways is minimized.

B. Dumpsters and recycling and trash containers shall be fully screened on all sides and to the full height of the dumpster or container by suitable fencing and/or evergreen plantings.

C. Multi-tenant developments shall incorporate the use of shared trash compactors.

D. Egress to dumpsters and trash containers shall provide for the efficient removal with a minimum of backing up required by the service vehicles.

s. **207 - 19 Outdoor Lighting**

A. Outdoor lighting shall comply with Section 7.1.2 of the *Zoning Bylaw*.

B. For new construction, no overhead wiring for outdoor lighting is permitted.

C. Light fixture design should comply with the *Medway Design Review Guidelines*.

s. **207 – 20 Landscaping**

A. *General* - Landscaping enhances the site, provides a pleasing environment and reduces the visual impact of the site on the surrounding areas. The Board requires that the

Applicant provide sufficient landscape treatment to create adequate buffering for neighboring properties and provide positive visual impacts as provided herein.

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

- 1) Landscape buffers between the street and parking areas are required. Tree-lined sidewalks at the street front shall be included. Plantings along the front property line and access roads shall take into consideration sight distance criteria. Planting of new or replacement trees every twenty-five feet along both sides of an access road is required.
- 2) Perimeter landscaping shall be provided around the entire site. Four season evergreen landscape buffers between the site and adjoining properties are required, particularly to protect adjacent residential uses to the greatest extent possible. Landscaped buffer areas shall be a minimum of fifteen feet in depth and may be comprised of existing woodlands and native vegetation supplemented by new landscape plantings. Vegetation in buffer areas may also be augmented with earth berms of a reasonable height and high quality and durable fencing using materials approximating wood.

C. *Parking Areas*

- 1) Internal landscape planted divisions (*islands and peninsulas*) shall be constructed within all parking areas containing ten or more parking spaces to provide visual relief from expanses of pavement and vehicles and provide shade.
  - a) A minimum of ten percent of the total internal parking area shall be provided as landscaped island areas, exclusive of perimeter landscaping.
  - b) The ends of parking aisles that have more than fifteen parking spaces in length shall incorporate enclosing landscape islands at both ends of the rows. The width of such landscaped islands shall be at least four feet at the ends.
  - c) Where the length of parking aisles exceeds twenty-five spaces, intermediary landscaped islands shall be installed at regular intervals, not to be more than every thirteen spaces.
  - d) At least one deciduous shade or canopy tree of a minimum three inches caliper with a height of not less than twelve feet above grade shall be provided for every six parking spaces. Only trees providing shade to the parking area shall be counted as meeting this requirement. The Board may waive this requirement in favor of the preservation of existing site trees.
- 2) Landscaping shall be provided around the perimeter of all parking areas to prevent direct views of parked vehicles from streets and sidewalks, avoid spillover light, glare, noise or exhaust fumes onto adjacent properties, and to

provide parking areas with a reasonable measure of shade. Such vegetation shall be no less than five feet high at the time of planting.

- 3) Parking entrances at curb cuts shall be landscaped with a combination of trees, shrubs and flowering plants. These areas may also be used for signage pursuant to Section 7.2.4 F. 5 of the *Zoning Bylaw*. No trees or shrubs shall be planted in a manner that would obstruct sight line visibility for vehicles entering and exiting a site. The maximum height of vegetation, except trees, at full growth or any other physical object within [REDACTED] feet of a curb cut shall not exceed three feet in height.
- 4) To the maximum extent feasible, plant materials used in landscaped islands and in the perimeter of parking areas shall be drought resistant, salt tolerant, non-invasive species as identified in *The Evaluation of Non-Native Plant Species for Invasiveness in Massachusetts* by the Massachusetts Invasive Plant Advisory Group.
- 5) Landscaped areas should be designed to receive and accommodate stormwater runoff in accordance with the *Massachusetts DEP Stormwater Handbook* through the use of rain gardens and bio-retention areas.

D. *Screening and Buffers* – Where disturbance on the site is necessary beyond the building footprint, parking and access areas, or where the Board determines that additional plantings are needed to achieve four seasons of screening, the Landscape Plan shall include landscape plantings, berms, and/or manmade hardscape structures such as fences, stone walls and trellises sufficient ~~enough~~ to immediately screen one-hundred percent of the HVAC equipment, utilities, dumpsters, storage areas, truck loading areas, machinery, utility buildings, and accessory structures etc. from the view at any perimeter point on the site. The proposed plantings shall be of sufficient maturity to immediately integrate the building and site into its surroundings. The scale, extent and density of such landscape and hardscape treatment shall be determined by the size of the building, the extent of planned disturbance to the site's existing landscape, the adjacent uses, and the need for additional screening.

E. *Landscaping Around Stormwater Detention/Retention Areas* – Substantial landscaping shall be provided around stormwater detention and retention basins and shall be included in the design of the stormwater drainage system to the satisfaction of the Board. For screening purposes and to minimize the visual impact of stormwater basins, such landscaping should include two staggered rows of suitable trees and shrubs. Landscaping shall be designed to not obstruct access to the stormwater basins for maintenance purposes.

F. Trees shall be non-invasive, deciduous hardwoods. The following species are preferred:

- 1) Red Oak - *Quercus borealis*
- 2) Pin Oak - *Quercus palustris*
- 3) Scarlet Oak - *Quercus coccinea*
- 4) Red Maple - *Acer rubrum*
- 5) Sugar Maple - *Acer saccharum*
- 6) Thornless Honey Locust - *Gleditsia triacanthos intemis*
- 7) London Plane Tree

- 8) Ginko (*Fruitless male*)
- 9) Swamp White Oak
- 10) Zelcova
- 11) Sweetgum (*Rotundiloba/fruitless*)
- 12) Linden

Smaller variety trees:

- 13) Crab Apple (*if insect and disease resistant*)
- 14) Kousa Dogwood
- 15) Serviceberry
- 16) Henge Maple

Evergreen species:

- 17) Norway Spruce
- 18) Hemlock
- 19) Capitata Yew
- 20) Cedar

The Applicant may propose alternative trees that may be better choices for the particular site based on proximity to utility lines, sidewalks and pavement, area available for root growth, tolerance to salt, rooting characteristics, resistance to disease and insects, tolerance to root pruning, branching habit, fruit and seed production, and maintenance needs. The Board may seek the advice of the Medway Tree Warden to evaluate alternative tree proposals.

- G. ~~Tree Replacement – All trees over eighteen inches in diameter that are to be removed from the site shall be replaced with new trees that equal the total diameter of the removed trees as measured four feet above finish grade. The replacement trees may be placed on or off site as determined by the Board upon consultation with the Tree Warden.~~ TREE FUND??
- H. *Tree Size* – New and replacement trees shall have a diameter of at least an average of two and one-half inches as measured four feet above finish grade and shall be a minimum of twelve feet in height.
- I. *Landscape Requirements* – To the maximum extent feasible, all additional landscaping shall be drought resistant, pest tolerant, non-invasive species as identified in *The Evaluation of Non-Native Plant Species for Invasiveness in Massachusetts* by the Massachusetts Invasive Plant Advisory Group.
- J. *Irrigation* – On-site wells, cisterns to capture rainfall, or private watering service is required to maintain landscaping installations. The Town does not permit connection to the Town's water service for landscape irrigation. Well locations shall be shown on the site plan and are subject to approval of the Medway Board of Health.

**s. 207 – 21 Site Amenities**

- A. When incorporated as part of a site plan or included as mitigation measures, the selection of types and materials for fencing, retaining walls, gates, benches, planters,

bike racks, and other site amenities should comply with the *Medway Design Review Guidelines*.

- B. Proposed hardscape features and materials such as fences and stone walls shall be compatible with the design of the building. Vehicle sight lines shall not be affected by such landscape features or built hardscapes.

s. **207 - 22 Snow Removal** – The site shall be designed to accommodate adequate snow storage for snow that is removed from the paved areas. The snow storage area(s) shall be located and graded such that the runoff from melting snow shall not enter the public way or wetland resource areas. Stored snow shall not affect visibility and sight distance of vehicles entering and exiting the site. Snow storage areas should safely accommodate a minimum volume equal to six inches over the entire site area subject to snow removal. The Board may condition a site plan decision to require removal of excess snow off-site.

s. **207 – 23 Outdoor Storage** – To the maximum extent possible, outdoor storage of materials, goods, equipment and advertising, if permitted, shall be screened from view from adjacent and nearby streets and properties by suitable fencing and/or evergreen plantings. Check *Table 1 Schedule of Uses* of the *Zoning Bylaw* for areas where outdoor storage is permitted.

s. **207 – 24 Post Construction On-Going Maintenance** – The Owner shall maintain site amenities, landscape installations, and stormwater management facilities in good condition throughout the life of the facility and to the same extent as shown on the endorsed site plan and in accordance with the approved long term stormwater operations and maintenance plan. Trees, shrubs, bushes and other landscape features shown on the plan which die or become diseased shall be replaced by the following planting season.

## **ARTICLE VIII ADMINISTRATION**

### **s. 208 – 1 Preconstruction**

- A. Pre-Construction Meeting - Prior to the commencement of any site work (earth removal, clearing of vegetation, mobilization of construction equipment, etc.) for an approved Major or Minor Site Plan project, the Developer, the site general contractor, and other representatives of the Developer shall attend a preconstruction meeting with the Planning and Economic Development Coordinator, Building Commissioner, Department of Public Works Director, Conservation Agent, or their designees, and other Town staff as may be determined appropriate, and the Town's Consulting Engineer.

- 1) The Developer or general contractor shall request the pre-construction meeting at least one week prior to commencing any site work on the property by contacting the Planning and Economic Development office.
- 2) If applicable to the project, the Developer shall provide a copy of the final Stormwater Pollution Prevention Plan (SWPPP) required by the U.S. Environmental Protection Agency (EPA) to the Town at or prior to the pre-construction conference.

- 3) The Developer shall also provide a detailed construction schedule, copies of other permits or approvals, emergency contacts list, etc.

- B. Projects involving site filling in excess of two thousand cubic yards shall submit a Soil Management Plan prepared by a Massachusetts Licensed Site Professional (LSP) to the Board prior to the pre-construction meeting.

**Commented [A36]:**

Dan Merrikin notes he has not seen such a requirement before. He says 2,000 cubic yards of dirt is not a lot of soil. What value does a LSP bring?

**Commented [A37]:** What should be included in a Soil Management Plan??

**s. 208 – 2 Construction Inspections and Reporting**

- A. At the Developer's expense, the Town's Consulting Engineer shall inspect infrastructure construction and the ongoing maintenance of such and provide regular site inspection reports to the Board and the Developer. See s. 208-4 C. of these Rules and Regulations. The Developer or its representatives shall notify the Town's Consulting Engineer at least 48 hours in advance of needed inspections.
- B. If a site plan project is required to file its own individual National Pollutant Discharge Elimination System (NPDES) Construction General Permit (CGP) with the U.S. Environmental Protection Agency (EPA), copies of all required reporting shall be forwarded to the Board for review during the construction term of the project.

**s. 208 – 3 Modifications to Approved Site Plans and Decisions** - Construction work shall comply with the approved site plan, unless the Developer requests approval of a modification to the site plan and/or Decision and such approval is provided pursuant to any one of the methods specified below:

- A. *On-Site ConstructionField Changes* – During construction, the Developer may be authorized to make limited, minor, on-site field changes to an approved site plan project based on unforeseen conditions, situations or emergencies necessitated by field conditions. These field changes shall not alter items which may affect the site's compliance with the Zoning Bylaw or these regulations. Prior to undertaking such field changes on site alterations, the Developer and/or contractor shall discuss the possible changes with the Town's Consulting Engineer and submit a letter and drawings to the Planning and Economic Development Coordinator and the Building Commissioner describing the proposed changes and what conditions, situations or emergencies necessitate such changes. In accordance with Section 3.5.2.C of the Zoning Bylaw, the Building Commissioner may determine that the field change is insubstantial and so notify the Board. Otherwise, the Board shall review the request at a public meeting and determine whether the proposed field changes are acceptable based on the unforeseen conditions, situations or emergencies and whether other options are feasible. A written determination whether the field change is authorized shall be provided to the Developer and the Building Commissioner. Any approved field on site construction change shall be made a permanent part of the approved site plan documents and shall be shown on the final as-built plan.

**Commented [A38]:** For consistency, use same term throughout.

**B. Major Site Plan Projects**

- 1) Plan Modification



- a) Proposed modifications to a previously approved major site plan project shall be subject to review by the Board. The Developer shall submit a letter to the Building Commissioner and the Board describing the proposed changes and the reasons for the proposed modifications. The Building Commissioner shall make a written determination if the proposed modifications are *Substantial* or *Insubstantial* as specified herein and provide such determination to the Developer and the Board. Substantial modifications require review by the Board with a formal public hearing process. Non-substantial modifications require review by the Board as an agenda item during a public meeting.
- b) *Substantial Modification Determination* – To make a determination whether the proposed changes are *Substantial* or *Insubstantial*, the Building Commissioner shall consider the proposed changes as a whole. However, the following proposed changes will generally be considered as *Substantial*:
  1. an increase in the height of a building;
  2. an increase in the size of a building footprint in excess of 10%;
  3. a change in the location of a building on the site (other than insignificant changes);
  4. changes or redesign of the stormwater management facilities if deemed significant by the Town’s consulting engineer;
  5. changes in the location, dimensions and composition of buffer areas and screening measures; or
  6. any other changes, individually or as a whole that substantially change the site plan including but not limited to:
    - a. reduction of site amenities;
    - b. changes in the location and quantity of access and exits<sup>4</sup> or curb cuts; or
    - c. the layout and quantity of parking.
- c) The request for a *Substantial Modification* to a previously approved major site plan shall be subject to the same application and review process including a public hearing as provided in *s. 204 Major Site Plan Review* of these *Rules and Regulations* including the payment of plan modification filing fee and plan review fee. The Board shall issue its *Decision*, file such with the Town Clerk, and provide copies to the Building Commissioner, other Town officials and the Developer. Any modifications approved by the Board shall be made a permanent part of the approved site plan project documents and shall be shown on the final as-built plan.
- d) The request for an *Insubstantial Modification* to a previously approved major site plan shall be subject to the same application and review process as provided in *s. 205 Minor Site Plan Review* of these *Rules and Regulations* including the payment of plan modification filing fee and plan review fee. The Board shall issue its *Decision*, file such with the

**Commented [A39]:** This is confusing; in section A above and Section 3.5.2.C, if the BC makes a determination a change is insubstantial, he can allow it. Here, if the BC determines a modification is insubstantial, it requires PB approval at a public meeting. Perhaps different terminology could be used.

Town Clerk, and provide copies to the Building Commissioner, other Town officials, and the Developer. Any modifications approved by the Board shall be made a permanent part of the approved site plan project documents and shall be shown on the final as-built plan.

- 2) *Decision Modification* – If the Developer proposes a modification to the original *Decision* for a major site plan project and the proposed modification pertains to a specific condition of approval of the original *Decision*, the Board shall conduct a public hearing on the proposed change. Otherwise, the Board may review and act on the proposed modification to the *Decision* at a public meeting without a public hearing. Any application for a modification to the previously issued *Decision* shall be filed with the Board along with the modification filing fee. Any decision modification approved by the Board shall be filed with the Town Clerk, provided to the Building Commissioner, other Town officials, and the Developer, and made a permanent part of the project record.

C. *Minor Site Plan Projects*

1) *Plan Modification*

- a) The Developer shall submit a letter to the Building Commissioner and the Board describing the proposed changes to a previously approved minor site plan project and the reasons for the proposed modifications. ~~The Building Commissioner shall make a written determination if the proposed modifications are Substantial or Insubstantial and provide such determination to the Developer and the Board. In making the determination, the Building Commissioner shall follow the guidelines provided in s. 208-3-B-1) b) herein.~~ If proposed modifications to a previously approved minor site plan project are such that the changes would result in the development meeting the criteria for Major Site Plan Review pursuant to Section 3.5.3.A.1. of the *Zoning Bylaw*, the modification shall be handled in accordance with the provisions for reviewing and approving a Substantial Modification to a Major Site Plan project as specified in **s. 208 – 3 B.** of these *Rules and Regulations*.

Commented [A40]: See comment above.

- b) ~~Substantial~~ Modifications of minor site plan projects, other than insubstantial field changes as provided in Section 3.5.2.C of the *Zoning Bylaw*, require review by the Board as an agenda item during a public meeting. The request for a ~~modification~~ *Substantial Modification* to a previously approved minor site plan shall be subject to the same application and review process for Minor Site Plan Review as described in **s. 205** of these *Rules and Regulations*, including the payment of fees. A written modification *Decision* shall be prepared by the Board and filed with the Town Clerk, Building Commissioner and other Town officials. Any modifications shall be made a permanent part of the approved site plan record and shown on the as-built plan presented for project completion.

- c) ~~Insubstantial modifications shall be reviewed by the Administrative Site Plan Review Team in accordance with s. 208-3.D herein.~~

- 2) *Decision Modification* – If a modification is needed to the original *Decision* for a previously approved minor site plan project, the Board may review and act on the proposed modification at a public meeting without a public hearing. Any application for a modification to the previously issued *Decision* shall be filed with the Board along with the modification filing fee. Any decision modification approved by the Board shall be filed with the Town Clerk, provided to the Building Commissioner, other Town officials, and the Developer, and made a permanent part of the project record.

D. *Administrative Site Plan Projects*

1) *Plan Modification*

- a) Proposed modifications to a previously approved administrative site plan project shall be subject to *Administrative Review* as described in s. 206 of these *Rules and Regulations*. The Developer shall follow the same application and review process as provided herein including the payment of fees. Any modifications approved by the Administrative Site Plan Project Review Team shall be made a permanent part of the approved site plan record. A written modification *Decision* shall be prepared by the Administrative Site Plan Project Review Team and filed with the Town Clerk.
- b) The Administrative Site Plan Project Review Team may determine that a proposed modification to a previously approved administrative site plan project is such that the change would result in the development meeting the criteria for *Minor or Major Site Plan Review*. If so, the modification shall be handled in accordance with the provisions for reviewing and approving those categories of site plan by the Board.
- c) Appeal of an *Administrative Review Decision* to modify a previously approved administrative site plan project may be made to the Board within twenty days of the date the *Decision* was filed with the Town Clerk.

- 2) *Decision Modification* – If a modification is needed to the original *Decision* for an administrative site plan project, the Team may review and act on the proposed modification. A written *Decision* shall be filed with the Town Clerk.

H. *Modification Expenses* - Whenever additional reviews by the Board, its staff or consultants are necessary due to proposed modifications, the Developer shall be billed and be responsible for the supplemental costs incurred including site plan filing fees, plan review fees, and all costs associated with another public hearing including legal notice. If the proposed revisions affect only specific limited aspects of the site, the Board may reduce the scope of the required review and waive part of the Filing and Review Fees. Supplemental fees must be paid in full before the Board approves site plan modifications.

**s. 208 – 4 Compliance**

- A. *Occupancy Permit* - See Section 3.5.2 of the *Zoning Bylaw*.
- B. *Performance Security* - If a Developer seeks an occupancy permit before completion of the approved site improvements, the Developer may request that the Board accept a deposit of funds or other form of security acceptable to the Board and the Treasurer/Collector sufficient to assure the satisfactory completion of site improvements, landscaping and amenities, and off-site mitigation measures as shown on the approved plan. Whether to accept such security in lieu of completion of the project shall be determined by the Board in its sole discretion. The Board shall determine a reasonable and sufficient amount to cover the Town's cost to complete the work if the Developer fails to do so. The Town's consulting engineer shall prepare an estimate of the current cost to complete the work that remains unfinished at the time the occupancy permit is requested. The estimate shall be based on unit prices in the latest Weighted Average Bid Prices by the Massachusetts Department of Transportation. The estimate shall include the cost to maintain the infrastructure, site improvements, amenities and off-site mitigation measures in the event the Developer fails to adequately perform such. The estimate shall reflect the cost for the Town to complete the work as a public works project, which may necessitate additional engineering, inspection, legal and administrative fees, staff time and public bidding procedures. A contingency of up to thirty percent shall be added to the total estimate. The Board shall approve the estimate and notify the Town Treasurer/Collector and the Building Commissioner of the approved amount. A performance security agreement shall be executed by the Developer, the Board, and the surety. ~~The Developer may request reductions of performance security at which time the Board will update the cost of the remaining work to be completed.~~
- C. *Construction Inspection* – The Board may determine site inspections are necessary to ensure that the development project is constructed to comply with the approved site plan and *Decision*. It is their standard practice to do so. These shall be performed by Town staff, the Board's consultant or Agent, or a Board member. The Board may determine that the assistance of outside consultants is needed to monitor construction due to the size, scale, or complexity of the approved project or because of its impact on the Town. If the Board determines that such consultant services are required, the Applicant shall pay a Construction Services fee prior to the Board's endorsement of the plan. See **s. 209 – 1. C.** of these *Rules and Regulations*.

**Commented [A41]:** Not sure this is appropriate for a site plan surety.

**s. 208 – 5 Project Completion**

- A. *Construction Deadline* - Site plan approval shall lapse after two years of the grant thereof, which shall not include such time required to pursue or await the determination of an appeal under **s. 204-9 or s. 205-9** herein, if construction has not commenced except for good cause. Upon receipt of a written request by the Developer filed at least thirty days prior to the date of expiration, the Board shall consider the request at a public meeting and may grant an extension for good cause. Such extension shall not exceed two years beyond the original expiration date of the site plan approval.

B. *As-Built Plans*

- 1) Developers of *Major and Minor Site Plan Projects* shall provide an as-built plan stamped by a Professional Land Surveyor or Engineer registered in the Commonwealth of Massachusetts, which shall show actual as-built locations and conditions and any plan modifications authorized by the Board. See Section 6.7 of the *Medway Subdivision Rules and Regulations* for as-built plan requirements. The as-built plan shall be accompanied by a certification from a Registered Professional Engineer that the site has been developed in substantial conformance with the approved site plan.
- 2) Developers of Administrative Site Plan Projects shall provide an as-built plan showing the as-built locations of the constructed site work.

C. *Certificate of Site Plan Completion: Major and Minor Site Plan Projects*

- 1) Before Board issues a *Certificate of Site Plan Completion* ~~is issued~~, the following items must be completed or provided to the satisfaction of the Board:
  - a) Receipts to document cleaning of the stormwater system
  - b) A signed statement from the Developer and/or Owner committing to the ongoing maintenance of the stormwater management facilities per the Post Construction Stormwater Management Plan and replacement of landscaping.
  - c) Removal of erosion controls
  - d) Full stabilization of the site
  - e) Off-site improvements
- 2) Upon completion of all required improvements as shown on the approved Site Plan, including any off-site mitigation measures, the Developer's engineer shall submit a letter verifying completion to the Board. The letter shall certify that the project, as constructed, substantially conforms to the approved site plan and that any provisions of the *Decision* including construction of any required on and off-site improvements have been completed.
- 3) The Board's Agent or a Board member shall conduct a final inspection of the site within thirty days of the filing of the Developer's engineer's letter with the Board and provide a written report and punch list to the Board and Developer identifying ~~the any~~ remaining work to be completed.
- 4) The Board shall determine if all work has been completed in substantial conformance with the Site Plan approval. The Board may consult with its Consulting Engineer, the Conservation Commission, Department of Public ~~Works~~Services, Building Commissioner, Treasurer/Collector and other Town boards, committees and departments to help it determine whether the project is complete and all obligations to the Town are fulfilled including payment of taxes and fees. If so, the Board, at its next regularly scheduled meeting, shall sign a *Certificate of Site Plan Completion* to document that the project as constructed has been completed, in its opinion, in conformance with the approved site plan and any conditions, including construction of any required on and off-site

improvements. If a *Certificate of Site Plan Completion* is not signed, a complete list of work to be completed on or off-site in compliance with the approved site plan and *Decision* shall be provided to the Developer.

D. *Certificate of Site Plan Completion: Administrative Site Plan Projects*

- 1) Upon completion of all required improvements as shown on the approved Site Plan, the Developer shall contact the Community and Economic Development office to request a *Certificate of Site Plan Completion*.
- 2) A Team member or the ~~Team's~~Board's Agent shall inspect the site to determine if the project has been completed in substantial conformance with the approved scope of work and all conditions. The Team may consult with other Town boards, committees and staff to help with its determination. If so, the Team, shall sign a *Certificate of Site Plan Completion*. If not, a complete list of work to be completed in accordance with the approved site plan and *Decision* shall be provided to the Developer.

Commented [A42]: Does the Team have an agent?

## ARTICLE IX FEES

s. **209 – I Fee Structure** – The Board shall adopt a *Fee Schedule*, which shall specify the amount of filing and other applicable fees.

A. *Site Plan Filing Fee* - A non-refundable *Site Plan Filing Fee* as specified in the Board's *Fee Schedule* shall be remitted to the Board at the time the site plan application is filed with the Board.

B. *Site Plan Review Fee*

- 1) *Applicability* – A *Site Plan Review Fee* may be established by the Board for review of the site plan based on an itemized budget estimate prepared by an outside consultant(s). This fee shall be the reasonable costs to be incurred by the Board to retain outside consultant(s) to assist in the review of the proposed project. The *Site Plan Review Fee* shall not be a fixed amount but will vary depending on the nature and scale of the project and the expected costs to be incurred by the Board. See the Board's *Fee Schedule*.
- 2) *Fee Payment* - The Applicant shall remit a deposit toward the *Site Plan Review Fee* at the time the site plan application is submitted pursuant to the Board's *Fee Schedule*. The balance shall be remitted by the Applicant upon receipt of an invoice from the Board, prior to the substantive review of the application by the outside consultants, and before the public hearing or meeting commences. Failure to pay the full *Site Plan Review Fee* before the public hearing or meeting begins may delay the public review process and constitute grounds for the Board's denial of the proposed site plan.
- 3) *Additional Review Fees* – If the expense of the consultant(s)' review of the site plan exceeds the original estimate or should the services of additional outside consultants be required after the initial *Site Plan Review Fee* has been expended, the Applicant shall be required to pay all additional fees incurred to cover the

cost of additional reviews. The Board shall prepare a new estimate for additional plan review services and remit same to the Applicant. The Applicant's failure to pay plan review fees in their entirety shall constitute grounds ~~be reason~~ for the Board to deny~~withhold~~ approval and endorsement of the plan.

C. *Construction Services Fee*

- 1) *Applicability* – The Board may establish a *Construction Services Fee* for the reasonable costs to be incurred by the Board to retain outside consultant(s) to assist in the inspection of the construction and on-going maintenance of the development's infrastructure and the review of any legal documents associated with performance security and project completion. The *Construction Services Fee* shall not be a fixed amount but will vary with the scale of the project and the expected costs to be incurred by the Board.
- 2) *Fee Payment* - The Applicant shall remit the *Construction Services Fee* to the Board before the site plan is endorsed. Failure to pay the *Construction Services Fee* may constitute grounds for the Board to not endorse the site plan.
- 3) *Additional Fees* – If the expense of the consultant(s)' services exceeds the original estimate, or should the services of additional outside consultants be required after the initial *Construction Services Fee* has been expended, the Developer shall be required to pay all additional fees incurred to cover the additional cost. The Board shall prepare a new estimate for additional construction services and remit an invoice to the Developer for payment.

- D. ***Other Costs and Expenses*** - All expenses for professional plan reviews, ancillary report reviews, supplemental studies, advertising, publication of notices, postage and mailings and all other expenses in connection with Site Plan Review and construction including plan or decision modification fees shall be borne by the Applicant and/or Developer.

**Commented [A43]:** I think postage and mailing is covered by the filing fee, not paid separately by the applicant.

s. 209 – 2 *Payment of Fees*

- A. Fees paid shall be by check made payable to the **Town of Medway** and submitted to the Planning and Economic Development office.
- B. When the *Site Plan Review Fee* and *Construction Services Fee* are received by the Board pursuant to this section, they shall be deposited with the Town Treasurer/Collector in special accounts for these purposes established pursuant to G. L. c. 44, Section 53G. Expenditures from the special account may be made without further appropriation. Expenditures from the special account shall be made only for services rendered in connection with a specific project or projects for which a fee has been or will be collected. Accrued interest may also be spent for this purpose.
- C. At the completion of the project, any excess amount in the plan review and construction accounts, including interest, attributable to a specific project shall be repaid to the Applicant or Developer or their successor in interest. Upon request, a final report of said account shall be made available. For the purpose of these *Rules and Regulations*, any person or entity claiming to be the Applicant's successor in interest shall provide the Board with documentation establishing such succession in interest.

\*\*\*\*\*

These *Site Plan Rules and Regulations* were adopted by a vote of the Medway Planning and Economic Development Board following proper legal notice published twice in the *Milford Daily News* and a copy thereof filed with the Town Clerk. These amended *Rules and Regulations* take effect on the date of the filing of the approved document with the Town Clerk.

**Originally adopted:** April 14, 1998  
**Amended:** April 25, 2000  
**Amended:** March 13, 2001  
**Amended:** November 1, 2001  
**Amended:** July 9, 2002  
**Amended:** December 3, 2002  
**Amended:** xxxxxx

**Attest:**

\_\_\_\_\_  
Susan E. Affleck-Childs  
Planning and Economic Development Coordinator

\_\_\_\_\_  
Date

**A true copy attest:**

\_\_\_\_\_  
Maryjane White  
Town Clerk

\_\_\_\_\_  
Date





**June 11, 2019**  
**Medway Planning & Economic Development Board**  
**Meeting**

**CTS Site Plan – Bond Estimate**

- Tetra Tech - Revised Bond Estimate dated June 5, 2019 for \$24,125
- DRAFT - Performance Security Agreement

The original bond estimate from April 30, 2019 was \$112,159. So considerable work has been completed.



TETRA TECH

**Bond Estimate**  
**9 Trotter Drive**  
**Medway, Massachusetts**  
June 4, 2019

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

DESCRIPTION	QUANTITY	UNIT	UNIT COST <sup>1</sup>	ENGINEERS ESTIMATE
Mobilization	1	LS	\$2,000.00	\$2,000
Raise Inspection Ports/Manholes	0	LS	\$1,800.00	\$0
Signage	0	EA	\$200.00	\$0
Dumpster Pad	0	LS	\$9,500.00	\$0
Striping	0	LS	\$500.00	\$0
Vertical Granite Curb	0	FT	\$45.00	\$0
Cape Cod Berm	0	FT	\$10.00	\$0
Sidewalk	0	SY	\$55.00	\$0
Relocate Elec. Service Underground	1	LS	\$10,000.00	\$10,000
HMA Top Course	0	TON	\$115.00	\$0
Light Poles/Fixtures	0	EA	\$2,500.00	\$0
Bike Rack	1	EA	\$800.00	\$800
Landscaping	0	LS	\$8,500.00	\$0
Loam	0	CY	\$50.00	\$0
Seed	0	SY	\$2.00	\$0
Remove Erosion Controls	1	LS	\$500.00	\$500
As-Built Plans	1	LS	\$3,000.00	\$3,000
Legal Services	1	LS	\$3,000.00	\$3,000
<b>Subtotal</b>				\$19,300
<b>25% Contingency</b>				\$4,825
<b>Total</b>				<b>\$24,125</b>

Notes:

<sup>1</sup>Unit prices are taken from the latest information provided on the MassDOT website. They utilize the MassDOT weighted bid prices (Combined - All Districts) for the time period 6/2018 - 6/2019. Quantities which are too small for accurate representation using the weighted bid pricing were estimated based on industry construction experience.

***Performance Secured by Surety Agreement***  
***Planning & Economic Development Board – Town of Medway, MA***

Bond No. \_\_\_\_\_

This Surety Agreement is entered into this \_\_\_\_ day of June, 2019, among the Town of Medway, acting through its Planning and Economic Development Board, with an address of 155 Village Street, Medway, MA 02053 (hereinafter referred to as “the Board”), and CTS Property Management, LLC of 9 Trotter Drive, Medway, MA (“Owner”), and \_\_\_\_\_ a corporation duly organized and existing under the laws of the state of \_\_\_\_\_, licensed and registered to do business in the Commonwealth of Massachusetts, and with a usual place of business and address of \_\_\_\_\_, (“Surety”), to secure completion of the installation of required site improvements and landscaping as shown on the approved site plan described below.

WHEREAS, on July 10, 2018, after a duly noticed public hearing, the Board issued a major site plan approval decision (attached); and

WHEREAS, on August 14, 2018, the Board endorsed a major site plan, which is entitled *9 Trotter Drive Site Plan*, dated March 26, 2018, last revised August 9, 2018, prepared by Engineering Design Consultants, Inc. of Southborough, MA (hereinafter referred to as “the Site Plan”); and

WHEREAS, the Owner has requested the issuance of an occupancy permit by the Medway Building Department for the building on the premises; and

WHEREAS, the Board is required by the site plan approval decision to secure completion of the required site improvements and landscaping before an occupancy permit is issued; and

WHEREAS, the value of the remaining required site improvements and is \$24,125 as specified in the bond estimate dated June 4, 2019 prepared by the Town’s engineering consultant, Tetra Tech, (attached).

WHEREAS, the Owner has decided to secure the installation of the required site improvements by means of a SURETY BOND in the penal sum of Twenty-Four Thousand, One Hundred and Twenty-Five (\$24,125) dollars.

NOW, THEREFORE, the parties agree as follows:

1. The Owner and Surety hereby bind and obligate themselves and their successors and assigns to the Town of Medway in the sum of \$24,125 and have secured this obligation by means of a SURETY BOND to be used to secure the performance by the Owner of required site improvements contained in the site plan decision and the endorsed site plan and the bond estimate dated June 4, 2019 prepared by the Town’s engineering consultant, Tetra Tech, Inc.

2. The Surety shall deliver a surety bond in a form acceptable to the Board to the Treasurer of the Town of Medway, at the time of the execution of this agreement, in the amount of \$24,125 for the purpose of securing completion of the required site improvements.

3. The Owner shall complete the installation of the required site improvements by \_\_\_\_\_.

4. Upon completion of all obligations as specified herein on or before the required completion date, or such later date as may be specified by vote of the Board with the concurrence of the Owner, the Board shall release the Owner and Surety from this surety agreement.

5. In the event the Owner should fail to complete the installation of the required site improvements and landscaping as specified in the approved Site Plan and Decision and within the time herein specified, the Board may apply the bond held by the Treasurer of the Town of Medway, in whole or in part, for the benefit of the Town of Medway to the extent of the reasonable costs to the Town of Medway to complete the required site improvements and landscaping as provided in this agreement. Any portion of the bond that is not applied as set forth above, shall be returned to the Surety upon completion of the required site improvements and landscaping by the Town of Medway

6. The Board, at its discretion, may grant an extension of time and/or reduce the penal amount of the bond and notify the Owner, the Surety and the Treasurer of the Town of Medway of any authorized adjustment.

7. The Owner and Surety agree and understand that the Board will not release this surety bond in full until the required site improvements and landscaping have been deemed by the Board to be constructed and installed in accordance with this agreement. This agreement does not expire until the Board releases the surety bond in full.

8. Failure to complete the required site improvements and landscaping may result in the Board's rescission of approval of the Site Plan.

9. If a court of competent jurisdiction determines that any provision of this agreement is unenforceable, such determination shall not affect the remaining provisions, which shall remain in full force and effect.

IN WITNESS WHEREOF we have hereunto set our hands and seals this \_\_\_\_\_ day of June, 2019.

**TOWN OF MEDWAY  
PLANNING & ECONOMIC DEVELOPMENT BOARD**

---

---

---

---

---

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS

On this \_\_\_\_ day of \_\_\_\_, 2019, before me, the undersigned notary public,  
personally appeared the Members of the Medway Planning and Economic  
Development Board, \_\_\_\_\_

---

---

proved to me through satisfactory evidence of identification, which was (personal  
knowledge) (Massachusetts driver's license), to be the persons whose names are  
signed on the preceding document, and acknowledged to me that it was signed  
voluntarily for its stated purpose as members of the Medway Planning and  
Economic Development Board.

---

Notary Public  
My commission expires: \_\_\_\_\_

**OWNER** - CTS PROPERTY MANAGEMENT, LLC

By: \_\_\_\_\_

Title/Position: \_\_\_\_\_

Organization: \_\_\_\_\_

\_\_\_\_\_, SS

On this \_\_\_\_ day of \_\_\_\_, 2019, before me, the undersigned notary public, personally appeared the above-named \_\_\_\_\_, proved to me through satisfactory evidence of identification, which was (personal knowledge) (Massachusetts driver's license), to be the person whose name is signed on the preceding document, and acknowledged to me that it was signed voluntarily for its stated purpose as \_\_\_\_\_ of CTS Property Management, LLC.

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

**SURETY COMPANY -** \_\_\_\_\_

By: \_\_\_\_\_

Title/Position: \_\_\_\_\_

Organization: \_\_\_\_\_

\_\_\_\_\_, SS

On this \_\_\_\_ day of \_\_\_\_\_, 2019, before me, the undersigned notary public, personally appeared the above-named \_\_\_\_\_, proved to me through satisfactory evidence of identification, which was (personal knowledge) (\_\_\_\_\_ driver's license), to be the person whose name is signed on the preceding document, and acknowledged to me that it was signed voluntarily for its stated purpose as \_\_\_\_\_ of \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

## ***APPENDICES***

***(Site Plan Decision and Tetra Tech Bond Estimate dated 6-5-2019)***





**June 11, 2019**  
**Medway Planning & Economic Development Board**  
**Meeting**

**Construction Reports**

- Tetra Tech – Williamsburg #37 – June 4, 2019
- Tetra Tech – Salmon #6 – May 9, 2019
- Tetra Tech – Salmon #7 – May 16, 2019
- Tetra Tech – Salmon #8 – May 23, 2019
- Tetra Tech – Salmon #9 – May 30, 2019
- Tetra Tech – Salmon #10 – June 5, 2019
- Coneco – Salmon SWPPP – May 24, 2019
- Coneco – Salmon SWPPP – May 31, 2019
- Beals & Thomas – Exelon #21

Tetra Tech  
100 Nickerson Road, Suite 200  
Marlborough, MA 01752

# FIELD REPORT

Project Williamsburg Way OSRD	Date 06/04/2019	Report No. 37
Location West Street, Medway, MA	Project No. 127-21583-10002	Sheet 1 of 2
Contractor N/A	Weather A.M. SUNNY P.M. SUNNY	Temperature A.M. 70°F P.M. 65°F

## FIELD OBSERVATIONS

On Tuesday, June 4, 2019, Bradley M. Picard, E.I.T. from Tetra Tech (TT) visited the project location to inspect the current condition of the site and monitor construction progress. The following report outlines observations made during the site visit.

### 1. Observations

- A. Upon arrival to the site, Asphalt Engineering was on-site placing hot mix asphalt for the sidewalk. Work started from the eastern entrance on West Street and continued north down Williamsburg Way. Asphalt was placed on the sidewalk from approx. STA 0+15 to approx. STA 4+80. Pavement was compacted manually and with a walk-behind plate compactor. Areas on driveways and sidewalks that were sawcut were filled with asphalt, then compacted to be flush with existing grades. Cape cod berms that were damaged along Williamsburg Way have been removed and replaced. Asphalt Engineering placed tack coating on Williamsburg Way prior to placing hot mix asphalt. Asphalt for top course was placed on Williamsburg Way at a depth of 2 inches, then compacted using tandem rollers to obtain a final depth of 1½ inches. Upon departure from the site, Asphalt Engineering had paved from the east entrance up to approx. STA 5+25. Foreman informed TT that they expect to complete paving today and will come back tomorrow (6/5/19) if work is not finished.
- B. Asphalt Engineering repaired two manhole castings that were previously cracked. Pavement was sawcut around casting, and casting was replaced. Asphalt was then placed in sawcut area and compacted prior to paving Williamsburg Way.

CONTRACTOR'S FORCE AND EQUIPMENT						WORK DONE BY OTHERS	
Sup't		Bulldozer		Asphalt Paver	1	Dept. or Company	Description of Work
Foreman	1	Backhoe		Asphalt Reclaimer		Asphalt Engineering	Paving
Laborers	5+	Loader		Vib. Roller	3		
Drivers	5+	Rubber Tire Backhoe/Loader		Static Roller			
Oper. Engr.		Skid Steer		Vib. Walk Comp.	1		
Carpenters		Hoeram		Compressor			
Masons		Excavator		Jack Hammer			
Iron Workers		Grader		Power Saw			
Electricians		Crane		Conc. Vib.			
Flagpersons		Scraper		Tack Truck	1		
Surveyors		Conc. Mixer		Man Lift			
Roofers		Conc. Truck		Skidder		OFFICIAL VISITORS TO JOB	
Mechanical/HVAC		Conc. Pump Truck		Compact Track Loader			
		Pickup Truck					
		Tri-Axle Dump Truck	5+				
		Trailer Dump Truck					
Police Details: 7:00 A.M. to 5:00 P.M.						RESIDENT REPRESENTATIVE FORCE	
Contractor's Hours of Work: 7:00 A.M. to 6:00 P.M.						Name	Time on-site
						Bradley M. Picard, E.I.T.	11:00 AM – 4:45 PM,

NOTE: Please use reverse side for remarks and sketches

Project Williamsburg Way OSRD	Date 06/04/2019	Report No. 37
Location West Street, Medway, MA	Project No. 127-21583-10002	Sheet 2 of 2

## ***FIELD OBSERVATIONS CONTINUED***

### **2. Schedule**

A. TT will maintain communication with contractor and will inspect the site on an as-need basis.

### **3. New Action Items**

A. N/A

### **4. Previous Open Action Items**

A. N/A

### **5. Materials Delivered to Site Since Last Inspection**

A. N/A

Tetra Tech  
100 Nickerson Road, Suite 200  
Marlborough, MA 01752

# FIELD REPORT

Project Salmon Health and Retirement Community	Date 05/09/2019	Report No. 6
Location Village Street, Medway, MA	Project No. 143-21583-15011	Sheet 1 of 2
Contractor Rubicon Builders (General Contractor) Marois Brothers, Inc. (Site Contractor)	Weather A.M. SUNNY P.M. SUNNY	Temperature A.M. 60°F P.M. 60°F

## FIELD OBSERVATIONS

On Thursday, May 9, 2019, Bradley M. Picard, E.I.T. from Tetra Tech (TT) visited the project location to inspect the current condition of the site and monitor construction progress. The following report outlines observations made during the site visit.

### 1. Observations

- A. General site conditions: The western portion of the site along Willow Pond Circle is generally dry due to fills placed by the contractor to bring roadway grade up to proposed subgrade elevation. The contractor is currently installing rip-rap and crushed stone temporary roadway along the southern portion of the site along Willow Pond Circle to make the site accessible since mud and wet conditions have limited access throughout the remainder of the site. Construction entrances (Waterside Run and Willow Pond Circle) from Village Street are stabilized with rip-rap material and appear to be functioning as designed. Silt fence barrier (SFB) and filter socks appear to be installed per the plan and are in good condition. Privacy fabric on chain link fence along eastern property boundary has been installed.
- B. Contractor continues installing drainage infrastructure along Waterside Run where structures can physically be located from existing grades. Structures placed on crushed stone bed and backfilled with gravel material. Upon departure from the site, contractor had installed pipe up to DMH 46 at approximate STA 6+60 (Waterside Run) and backfilled the trenches and structures. Structures will continue to be installed as the roadway is filled to proposed grades. Upon departure from the site, contractor was beginning excavation to install SMH 29 on Waterside Run at approximate STA 4+20. Contractor will install 12" SDR 35 pipe as sewer structures are installed.

CONTRACTOR'S FORCE AND EQUIPMENT						WORK DONE BY OTHERS	
Sup't	1	Bulldozer	2	Asphalt Paver		Dept. or Company	Description of Work
Foreman	1	Backhoe		Asphalt Reclaimer		Cook Land Clearing	Clearing and Grubbing
Laborers	5+	Loader	1	Vib. Roller	2		
Drivers		Rubber Tire Backhoe/Loader		Static Roller			
Oper. Engr.	2	Skid Steer		Vib. Walk Comp.			
Carpenters		Hoeram		Compressor			
Masons		Excavator	4	Jack Hammer			
Iron Workers		Grader		Power Saw	1		
Electricians		Crane		Conc. Vib.			
Flagpersons		Scraper		Tack Truck			
Surveyors		Conc. Mixer		Man Lift			
		Conc. Truck		Skidder	1	OFFICIAL VISITORS TO JOB	
		Conc. Pump Truck		Compact Track Loader			
		Pickup Truck	5+				
		Tri-Axle Dump Truck	5+	Wood Chipper	1		
		Trailer Dump Truck					
		Art. Dump Truck	2				
Police Details: N/A						RESIDENT REPRESENTATIVE FORCE	
Contractor's Hours of Work: 7:00 A.M. to 3:00 P.M.						Name	Time on-site
						Bradley M. Picard, E.I.T.	10:00 A.M. – 12:30 A.M.

NOTE: Please use reverse side for remarks and sketches

Project Salmon Health and Retirement Community	Date 05/09/2019	Report No. 6
Location Village Street, Medway, MA	Project No. 143-21583-15011	Sheet 2 of 2

## FIELD OBSERVATIONS CONTINUED

- C. Grading for proposed Basin 3 is ongoing. Contractor utilizing suitable on-site material for constructing sidewalls and compacting in lifts to construct the embankments. At the time of inspection, contractor has reached proposed grade of bottom elevation of Basin 3.
- D. Retaining wall construction is underway along the west side of Waterside Run from approximate STA. 2+00 to STA. 3+50. Stone base has been placed prior to wall erection, and geotextile material has been installed as retaining wall blocks are placed.
- E. Contractor continues to push into the center of the site where mud and standing water conditions are their worst. Contractor currently installing rip-rap and crushed stone temporary roadway on the south side of the site (Willow Pond Circle) to maintain access throughout construction.

### 2. Schedule

- A. Contractor plans to continue working the site to establish access throughout, and to continue installation of drainage and sewer structures where they can at this time.
- B. TT will maintain communication with contractor and will inspect the site as construction progresses.

### 3. New Action Items

- A. N/A

### 4. Previous Open Action Items

- A. N/A

### 5. Materials Delivered to Site Since Last Inspection

- A. N/A

Tetra Tech  
100 Nickerson Road, Suite 200  
Marlborough, MA 01752

# FIELD REPORT

Project Salmon Health and Retirement Community	Date 05/16/2019	Report No. 7
Location Village Street, Medway, MA	Project No. 143-21583-15011	Sheet 1 of 2
Contractor Rubicon Builders (General Contractor) Marois Brothers, Inc. (Site Contractor)	Weather A.M. P.M. SUNNY	Temperature A.M. P.M. 65°F

## FIELD OBSERVATIONS

On Thursday, May 16, 2019, Bradley M. Picard, E.I.T. from Tetra Tech (TT) visited the project location to inspect the current condition of the site and monitor construction progress. The following report outlines observations made during the site visit.

### 1. Observations

- A. General site conditions: The western portion of the site along Willow Pond Circle and the eastern portion of the site along Waterside Run is generally dry due to fills placed by the contractor to bring roadway grade up to proposed subgrade elevation. Waterside Run has some areas of ponding water from recent rain events. The contractor is continuing the installation of rip-rap and crushed stone temporary roadways along the southern portion of the site along Willow Pond Circle to make the site accessible. Mud and wet conditions are present within the southern portion of the site where rip rap has not been placed. Construction entrances (Waterside Run and Willow Pond Circle) from Village Street are stabilized with rip-rap material and appear to be functioning as designed. Silt fence barrier (SFB) and filter socks appear to be installed per the plan and are in good condition. SFB was expanded at the southern portion of the site to encompass the proposed retaining wall, contractor said SFB is placed at a 2-foot offset from the face of wall. Privacy fabric on chain link fence along eastern property boundary has been installed. Stockpiled soil and several disturbed areas on the site have been covered with Hydroseed to provide erosion control and to promote vegetation growth.
- B. Contractor continues installing drainage and sewer infrastructure along Waterside Run where structures can physically be located from existing grades. Structures placed on crushed stone bed and backfilled with gravel material. Upon arrival to the site, contractor had installed pipe up to DMH 49 at approximate STA. 9+50

CONTRACTOR'S FORCE AND EQUIPMENT						WORK DONE BY OTHERS	
Sup't	1	Bulldozer	2	Asphalt Paver		Dept. or Company	Description of Work
Foreman	1	Backhoe		Asphalt Reclaimer		Cook Land Clearing	Clearing and Grubbing
Laborers	5+	Loader	1	Vib. Roller	2		
Drivers		Rubber Tire Backhoe/Loader		Static Roller			
Oper. Engr.	2	Skid Steer		Vib. Walk Comp.			
Carpenters		Hoeram		Compressor			
Masons		Excavator	4	Jack Hammer			
Iron Workers		Grader		Power Saw	1		
Electricians		Crane		Conc. Vib.			
Flagpersons		Scraper		Tack Truck			
Surveyors		Conc. Mixer		Man Lift			
		Conc. Truck		Skidder	1	OFFICIAL VISITORS TO JOB	
		Conc. Pump Truck		Compact Track Loader			
		Pickup Truck	5+				
		Tri-Axle Dump Truck	5+	Wood Chipper	1		
		Trailer Dump Truck					
		Art. Dump Truck	2				
Police Details: N/A						RESIDENT REPRESENTATIVE FORCE	
Contractor's Hours of Work: 7:00 A.M. to 3:00 P.M.						Name	Time on-site
						Bradley M. Picard, E.I.T.	1:30 P.M. – 3:30 A.M.

NOTE: Please use reverse side for remarks and sketches

Project Salmon Health and Retirement Community	Date 05/16/2019	Report No. 7
Location Village Street, Medway, MA	Project No. 143-21583-15011	Sheet 2 of 2

## FIELD OBSERVATIONS CONTINUED

(Waterside Run). In addition, sewer infrastructure has been installed to SMH 33 at approximate STA. 9+40 (Waterside Run). Contractor had encountered ledge within the alignment of sewer and drain lines and focused on demolishing before attempting to install additional structures on Waterside Run. Upon departure from the site, trench from excavating ledge was covered with steel plates. Structures and piping will continue to be installed on Waterside Run.

- C. Retaining wall erection and associated geotextile installation has been completed along the west side of Waterside Run from approximate STA. 2+00 to STA. 3+50. Preparation for retaining wall construction on Willow Pond Circle from approximate STA. 30+00 to approximate STA. 32+75 has been completed, crushed stone base has been placed and retaining wall blocks have been stacked on pallets.
- D. Water main and services to proposed units on Willow Pond Circle have been installed from approximate STA. 0+75 to approximate STA. 5+40. Both hydrants on Willow Pond Circle have been connected and installed to the water line. The Town of Medway is coordinating the inspections associated with the water lines throughout the project site.
- E. Contractor continues to push into the center of the southern portion of the site where mud and standing water conditions are present. Contractor continues installing rip-rap and crushed stone temporary roadway on the south side of the site (Willow Pond Circle) to maintain access throughout construction.

### 2. Schedule

- A. Contractor plans to continue working the site to establish access throughout, and to continue installation of drainage and sewer infrastructure where they can at this time.
- B. TT will maintain communication with contractor and will inspect the site as construction progresses.

### 3. New Action Items

- A. N/A

### 4. Previous Open Action Items

- A. N/A

### 5. Materials Delivered to Site Since Last Inspection

- A. N/A



Tetra Tech  
100 Nickerson Road, Suite 200  
Marlborough, MA 01752

# FIELD REPORT

Project Salmon Health and Retirement Community (The Willows)	Date 05/23/2019	Report No. 8
Location Village Street, Medway, MA	Project No. 143-21583-15011	Sheet 1 of 2
Contractor Rubicon Builders (General Contractor) Marois Brothers, Inc. (Site Contractor)	Weather A.M. SUNNY P.M.	Temperature A.M. 60°F P.M.

## FIELD OBSERVATIONS

On Thursday, May 23, 2019, Steven Bouley, P.E. from Tetra Tech (TT) visited the project location to inspect the current condition of the site and monitor construction progress. The following report outlines observations made during the site visit.

### 2. Observations

- A. General site conditions: The western portion of the site along Willow Pond Circle and the eastern portion of the site along Waterside Run is generally dry due to fill placed by the contractor to bring roadway grade up to proposed subgrade elevation. Waterside Run has some areas of ponding water from recent rain events. The contractor is continuing the installation of rip-rap and crushed stone temporary roadways along the southern portion of the site along Willow Pond Circle to make the site accessible. Construction entrances (Waterside Run and Willow Pond Circle) from Village Street are stabilized with rip-rap material and appear to be functioning as designed. Silt fence barrier (SFB) and filter socks appear to be installed per the plan and are in good condition. SFB was expanded at the southern portion of the site to encompass the proposed retaining wall, contractor said SFB is placed at a 2-foot offset from the face of wall. Privacy fabric on chain link fence has been installed along the limit of work along Waterside Run. Stockpiled soil and several disturbed areas on the site have been Hydroseeded to stabilize the stockpiles until they are ready for use.
- B. Contractor continues installation of drainage infrastructure along Waterside Run where structures can physically be located from existing grades pending fill of the roadway. Drainage is being installed as the roadway is filled. Upon arrival to the site, contractor had installed proposed drain pipe up to DMH 50 (Waterside Run) and was continuing installation moving toward DMH 51. Drain pipe was bed with approximately 6" of ¾" crushed stone and backfilled with crushed stone to 6" above top of pipe. Contractor is backfilling the trenches with processed gravel.

CONTRACTOR'S FORCE AND EQUIPMENT						WORK DONE BY OTHERS	
Sup't	1	Bulldozer	2	Asphalt Paver		Dept. or Company	Description of Work
Foreman	1	Backhoe		Asphalt Reclaimer			
Laborers	5+	Loader	1	Vib. Roller	2		
Drivers		Rubber Tire Backhoe/Loader		Static Roller			
Oper. Engr.	2	Skid Steer		Vib. Walk Comp.			
Carpenters		Hoeram		Compressor			
Masons		Excavator	4	Jack Hammer			
Iron Workers		Grader		Power Saw	1		
Electricians		Crane		Conc. Vib.			
Flagpersons		Scraper		Tack Truck			
Surveyors		Conc. Mixer		Man Lift			
		Conc. Truck		Skidder	1	OFFICIAL VISITORS TO JOB	
		Conc. Pump Truck		Compact Track Loader			
		Pickup Truck	5+				
		Tri-Axle Dump Truck	5+	Wood Chipper	1		
		Trailer Dump Truck					
		Art. Dump Truck	2				
Police Details: N/A						RESIDENT REPRESENTATIVE FORCE	
Contractor's Hours of Work: 7:00 A.M. to 3:30 P.M.						Name	Time on-site
						Steven Bouley, P.E.	9:30 A.M. – 11:30 A.M.

NOTE: Please use reverse side for remarks and sketches

Project Salmon Health and Retirement Community	Date 05/23/2019	Report No. 8
Location Village Street, Medway, MA	Project No. 143-21583-15011	Sheet 2 of 2

### **FIELD OBSERVATIONS CONTINUED**

- C. Additionally, sewer infrastructure has been installed to SMH 35 (Waterside Run). Contractor has installed chimney services on the sewer main and backfilled as necessary with  $\frac{3}{4}$ " crushed stone. Town of Medway Sewer Department is inspecting the sewer for the site.
- D. Retaining wall has been installed at the proposed medical building location (current location of construction trailer) at approximate STA 2+00 (Willow Pond Circle). Additionally, retaining wall has been installed along the west side of Waterside Run from approximate STA. 2+00 to STA. 3+50, however the wall has not been backfilled. Preparation for retaining wall construction on Willow Pond Circle from approximate STA. 30+00 to approximate STA. 32+75 has been completed, crushed stone base has been placed and retaining wall blocks have been stacked on pallets ready for installation.
- E. Contractor filling Waterside run with processed gravel material in lifts and compacting.

#### **2. Schedule**

- A. Contractor plans to continue working the site to establish access throughout, and to continue installation of drainage and sewer infrastructure where they can at this time.
- B. TT will maintain communication with contractor and will inspect the site as construction progresses.

#### **3. New Action Items**

- A. N/A

#### **4. Previous Open Action Items**

- A. N/A

#### **5. Materials Delivered to Site Since Last Inspection**

- A. N/A

Tetra Tech  
100 Nickerson Road, Suite 200  
Marlborough, MA 01752

# FIELD REPORT

Project Salmon Health and Retirement Community (The Willows)	Date 05/30/2019	Report No. 9
Location Village Street, Medway, MA	Project No. 143-21583-15011	Sheet 1 of 2
Contractor Rubicon Builders (General Contractor) Marois Brothers, Inc. (Site Contractor)	Weather A.M. CLOUDY P.M.	Temperature A.M. 60°F P.M.

## FIELD OBSERVATIONS

On Thursday, May 30, 2019, Steven Bouley, P.E. from Tetra Tech (TT) visited the project location to inspect the current condition of the site and monitor construction progress. The following report outlines observations made during the site visit.

### 2. Observations

- A. General site conditions: The western portion of the site along Willow Pond Circle and the eastern portion of the site along Waterside Run is generally dry due to fill placed by the contractor to bring roadway grade up to proposed subgrade elevation. The contractor is continuing the installation of rip-rap and crushed stone temporary roadways along the southern portion of the site along Willow Pond Circle to make the site accessible. Construction entrances (Waterside Run and Willow Pond Circle) from Village Street are stabilized with rip-rap material and appear to be functioning as designed, TT has requested Marois install additional stone at both entrances which has been completed. Silt fence barrier (SFB) and filter socks appear to be in good condition. Stockpiled soil and several disturbed areas on the site have been Hydroseeded and grass cover is establishing.
- B. Contractor continues installation of drainage infrastructure along Waterside Run where structures can physically be located from existing grades pending fill of the roadway. Drainage is being installed as the roadway is filled. Upon arrival to the site, contractor had installed proposed drain pipe up to DMH 53 (Waterside Run) and was continuing installation moving toward DMH 54. Drain pipe was bed with approximately 6" of ¾" crushed stone and backfilled with crushed stone to 6" above top of pipe. Contractor is backfilling the trenches with processed gravel.
- C. Excess gravel material being moved across site to construct Basin 1. Gravel material originated from approximate STA 17+00 (Willow Pond Circle). Gravel material appears to be suitable for construction of the basin. Material is being dumped and spread with a bulldozer at the basin location, without compaction.

CONTRACTOR'S FORCE AND EQUIPMENT						WORK DONE BY OTHERS	
Sup't	1	Bulldozer	1	Asphalt Paver		Dept. or Company	Description of Work
Foreman	1	Backhoe		Asphalt Reclaimer			
Laborers	5+	Loader	1	Vib. Roller			
Drivers		Rubber Tire Backhoe/Loader		Static Roller			
Oper. Engr.	3	Skid Steer		Vib. Walk Comp.			
Carpenters		Hoeram		Compressor			
Masons		Excavator	1	Jack Hammer			
Iron Workers		Grader		Power Saw			
Electricians		Crane		Conc. Vib.			
Flagpersons		Scraper		Tack Truck			
Surveyors		Conc. Mixer		Man Lift			
		Conc. Truck		Skidder		OFFICIAL VISITORS TO JOB	
		Conc. Pump Truck		Compact Track Loader			
		Pickup Truck	5+				
		Tri-Axle Dump Truck	10+				
		Trailer Dump Truck					
		Art. Dump Truck	2				
Police Details: N/A						RESIDENT REPRESENTATIVE FORCE	
Contractor's Hours of Work: 7:00 A.M. to 3:30 P.M.						Name	Time on-site
						Steven Bouley, P.E.	11:30 A.M. – 12:30 P.M.

NOTE: Please use reverse side for remarks and sketches

Project Salmon Health and Retirement Community	Date 05/30/2019	Report No. 9
Location Village Street, Medway, MA	Project No. 143-21583-15011	Sheet 2 of 2

### **FIELD OBSERVATIONS CONTINUED**

- D. Contractor continuing fill of Waterside run with processed gravel material in lifts and compacting. All fill being placed per surveyed staking provided.

#### **2. Schedule**

- A. Contractor plans to continue working the site to establish access throughout, and to continue installation of drainage and sewer infrastructure where they can at this time.
- B. TT will maintain communication with contractor and will inspect the site as construction progresses.

#### **3. New Action Items**

- A. N/A

#### **4. Previous Open Action Items**

- A. N/A

#### **5. Materials Delivered to Site Since Last Inspection**

- A. N/A

Tetra Tech  
100 Nickerson Road, Suite 200  
Marlborough, MA 01752

# FIELD REPORT

Project Salmon Health and Retirement Community (The Willows)	Date 06/05/2019	Report No. 10
Location Village Street, Medway, MA	Project No. 143-21583-15011	Sheet 1 of 2
Contractor Rubicon Builders (General Contractor) Marois Brothers, Inc. (Site Contractor)	Weather A.M. SUNNY P.M. SUNNY	Temperature A.M. 70°F P.M. 75°F

## FIELD OBSERVATIONS

On Wednesday, June 5, 2019, Bradley M. Picard, E.I.T. from Tetra Tech (TT) visited the project location to inspect the current condition of the site and monitor construction progress. The following report outlines observations made during the site visit.

### 1. Observations

- A. General site conditions: The western portion of the site along Willow Pond Circle and the eastern portion of the site along Waterside Run is generally dry due to fill placed by the contractor to bring roadway grade up to proposed subgrade elevation. The contractor is continuing the installation of rip-rap and crushed stone temporary roadways along the southern portion of the site along Willow Pond Circle to make the site accessible. Construction entrances (Waterside Run and Willow Pond Circle) from Village Street are stabilized with crushed stone and rip-rap material and appear to be functioning as designed. Silt fence barrier (SFB) and filter socks appear to be in good condition. Stockpiled soil and several disturbed areas on the site have been Hydroseeded and grass cover is establishing.
- B. Contractor continues installation of drainage infrastructure along Waterside Run where structures can physically be located from existing grades pending fill of the roadway. Drainage is being installed as the roadway is filled. Upon arrival to the site, contractor had installed proposed drain pipe up to DMH 55 (Waterside Run) and was continuing installation moving toward DMH 57. Contractor has installed CB 58, and partially backfilled the structure. Drain pipe was bed with approximately 6" of  $\frac{3}{4}$ " crushed stone and backfilled with crushed stone to 6" above top of pipe. Contractor is backfilling the trenches with processed gravel.

CONTRACTOR'S FORCE AND EQUIPMENT						WORK DONE BY OTHERS	
Sup't	1	Bulldozer	1	Asphalt Paver		Dept. or Company	Description of Work
Foreman	1	Backhoe		Asphalt Reclaimer			
Laborers	5+	Loader	1	Vib. Roller			
Drivers		Rubber Tire Backhoe/Loader		Static Roller			
Oper. Engr.	3	Skid Steer		Vib. Walk Comp.			
Carpenters		Hoeram		Compressor			
Masons		Excavator	1	Jack Hammer			
Iron Workers		Grader		Power Saw			
Electricians		Crane		Conc. Vib.			
Flagpersons		Scraper		Tack Truck			
Surveyors		Conc. Mixer		Man Lift			
		Conc. Truck		Skidder		OFFICIAL VISITORS TO JOB	
		Conc. Pump Truck		Compact Track Loader			
		Pickup Truck	5+				
		Tri-Axle Dump Truck	10+				
		Trailer Dump Truck					
		Art. Dump Truck	2				
Police Details: N/A						RESIDENT REPRESENTATIVE FORCE	
Contractor's Hours of Work: 7:00 A.M. to 3:30 P.M.						Name	Time on-site
						Bradley M. Picard, E.I.T.	10:30 A.M. – 12:00 P.M.

NOTE: Please use reverse side for remarks and sketches

Project Salmon Health and Retirement Community	Date 06/05/2019	Report No. 10
Location Village Street, Medway, MA	Project No. 143-21583-15011	Sheet 2 of 2

### **FIELD OBSERVATIONS CONTINUED**

- C. Excess gravel material being moved across site to construct Basin 1. Gravel material originated from approximate STA 30+00 (Willow Pond Circle). Gravel material appears to be suitable for construction of the basin. Material is currently being spread with a bulldozer and is being used to build the west side slope of the basin to the proposed subgrade elevation.
- D. Contractor continuing fill of Waterside run with processed gravel material in lifts and compacting. All fill being placed per surveyed staking provided. Fill also being imported in the interior of the site to bring up grade for construction. All fill material is processed dense graded gravel.

#### **2. Schedule**

- A. Contractor plans to continue working the site to establish access throughout, and to continue installation of drainage and sewer infrastructure where they can at this time.
- B. TT will maintain communication with contractor and will inspect the site as construction progresses.

#### **3. New Action Items**

- A. N/A

#### **4. Previous Open Action Items**

- A. N/A

#### **5. Materials Delivered to Site Since Last Inspection**

- A. N/A

General Information (see reverse for instructions)					
Name of Project	Salmon Health and Retirement Community	NPDES ID No.	MAR1001Q3	Inspection Date	05/24/2019
Weather conditions during inspection	Partly Cloudy, 70°F	Inspection start time	10:45 AM	Inspection end time	12:15 PM
Inspector Name, Title & Contact Information	Damien Dmitruk, E.I.T., (508) 697-3191				
Present Phase of Construction	Clearing, site grading, drainage structure installation, continuing work				
Inspection Location (if multiple inspections are required, specify location where this inspection is being conducted)	Salmon Health and Retirement Community 261 Village Street Medway, MA 02053				
<b>Inspection Frequency</b> <i>(Note: you may be subject to different inspection frequencies in different areas of the site. Check all that apply)</i> <b>Standard Frequency:</b> <input type="checkbox"/> Every 7 days <input type="checkbox"/> Every 14 days and within 24 hours of a 0.25" rain or the occurrence of runoff from snowmelt sufficient to cause a discharge <b>Increased Frequency:</b> <input checked="" type="checkbox"/> Every 7 days and within 24 hours of a 0.25" rain (for areas of sites discharging to sediment or nutrient-impaired waters or to waters designated as Tier 2, Tier 2.5, or Tier 3) <b>Reduced Frequency:</b> <input type="checkbox"/> Twice during first month, no more than 14 calendar days apart; then once per month after first month; (for stabilized areas) <input type="checkbox"/> Twice during first month, no more than 14 calendar days apart; then once more within 24 hours of a 0.25" rain (for stabilized areas on "linear construction sites") <input type="checkbox"/> Once per month and within 24 hours of a 0.25" rain (for arid, semi-arid, or drought-stricken areas during seasonally dry periods or during drought) <input type="checkbox"/> Once per month (for frozen conditions where earth-disturbing activities are being conducted)					
<b>Was this inspection triggered by a 0.25" storm event?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <b>If yes, how did you determined whether a 0.25" storm event has occurred?</b> <input type="checkbox"/> Rain gauge on site <input type="checkbox"/> Weather station representative of site. Specify weather station source:  <b>Total rainfall amount that triggered the inspection</b> (in inches):					
<b>Was this inspection triggered by the occurrence of runoff from snowmelt sufficient to cause a discharge?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
<b>Unsafe Conditions for Inspection</b> <b>Did you determine that any portion of your site was unsafe for inspection per CGP Part 4.5?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <b>If "yes", complete the following:</b> - Describe the conditions that prevented you from conducting the inspection in this location:   - Location(s) where conditions were found:					



Condition and Effectiveness of Erosion and Sediment (E&S) Controls (CGP Part 2.2) (see reverse for instructions)				
Type/Location of E&S Control [Add an additional sheet if necessary]	Maintenance Needed?*	Corrective Action Required?*	Date on Which Maintenance or Corrective Action First Identified?	Notes
1. Silt Fence/Compost Sock	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	5/08/19	Some of the previously mentioned maintenance and corrective action issues had not been addressed. Additional sections of the compost sock to be repaired throughout the site. See Photo Log.
2. Construction Entrances	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
3.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		
4.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		
5.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		
6.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		
7.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		
8.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		
9.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		
10.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		

\* **Note:** The permit differentiates between conditions requiring routine maintenance, and those requiring corrective action. The permit requires maintenance in order to keep controls in effective operating condition. Corrective actions are triggered only for specific conditions, which include: 1) A stormwater control needs repair or replacement (beyond routine maintenance) if it is not operating as intended; 2) A stormwater control necessary to comply with the permit was never installed or was installed incorrectly; 3) You become aware that the stormwater controls you have installed and are maintaining are not effective enough for the discharge to meet applicable water quality standards or applicable requirements in Part 3.1; 4) One of the prohibited discharges in Part 1.3 is occurring or has occurred; or 5) EPA requires corrective actions as a result of a permit violation found during an inspection carried out under Part 4.8. If a condition on your site requires a corrective action, you must also fill out a corrective action form found at <https://www.epa.gov/npdes/stormwater-discharges-construction-activities#resources>. See Part 5 of the permit for more information.

Condition and Effectiveness of Pollution Prevention (P2) Practices (CGP Part 2.3)				
(see reverse for instructions)				
Type/Location of P2 Practices [Add an additional sheet if necessary]	Maintenance Needed?*	Corrective Action Required?*	Date on Which Maintenance or Corrective Action First Identified?	Notes
1.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		
2.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		
3.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		
4.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		
5.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		
6.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		
7.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		
8.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		
9.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		
10.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		

\* **Note:** The permit differentiates between conditions requiring routine maintenance, and those requiring corrective action. The permit requires maintenance in order to keep controls in effective operating condition. Corrective actions are triggered only for specific conditions, which include: 1) A stormwater control needs repair or replacement (beyond routine maintenance) if it is not operating as intended; 2) A stormwater control necessary to comply with the permit was never installed or was installed incorrectly; 3) You become aware that the stormwater controls you have installed and are maintaining are not effective enough for the discharge to meet applicable water quality standards or applicable requirements in Part 3.1; 4) One of the prohibited discharges in Part 1.3 is occurring or has occurred; or 5) EPA requires corrective actions as a result of a permit violation found during an inspection carried out under Part 4.8. If a condition on your site requires a corrective action, you must also fill out a corrective action form found at <https://www.epa.gov/npdes/stormwater-discharges-construction-activities#resources>. See Part 5 of the permit for more information.

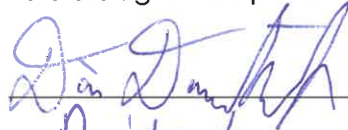
Stabilization of Exposed Soil (CGP Part 2.2.14)			
(see reverse for instructions)			
Stabilization Area [Add an additional sheet if necessary]	Stabilization Method	Have You Initiated Stabilization?	Notes
1. Stockpiles	Hydro-seeding	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO If yes, provide date:	Stockpiles that are not actively in use have been hydro-seeded to prevent erosion of the piles. Many stockpiles are in active use and will not be hydro-seeded.
2.		<input type="checkbox"/> YES <input type="checkbox"/> NO If yes, provide date:	
3.		<input type="checkbox"/> YES <input type="checkbox"/> NO If yes, provide date:	
4.		<input type="checkbox"/> YES <input type="checkbox"/> NO If yes, provide date:	
5.		<input type="checkbox"/> YES <input type="checkbox"/> NO If yes, provide date:	

Description of Discharges (CGP Part 4.6.6)	
(see reverse for instructions)	
Was a stormwater discharge or other discharge occurring from any part of your site at the time of the inspection? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "yes", provide the following information for each point of discharge:	
Discharge Location [Add an additional sheet if necessary]	Observations
1.	Describe the discharge:  At points of discharge and the channels and banks of waters of the U.S. in the immediate vicinity, are there any visible signs of erosion and/or sediment accumulation that can be attributed to your discharge? <input type="checkbox"/> Yes <input type="checkbox"/> No  If yes, describe what you see, specify the location(s) where these conditions were found, and indicate whether modification, maintenance, or corrective action is needed to resolve the issue:
2.	Describe the discharge:  At points of discharge and the channels and banks of waters of the U.S. in the immediate vicinity, are there any visible signs of erosion and/or sediment accumulation that can be attributed to your discharge? <input type="checkbox"/> Yes <input type="checkbox"/> No  If yes, describe what you see, specify the location(s) where these conditions were found, and indicate whether modification, maintenance, or corrective action is needed to resolve the issue:

**Contractor or Subcontractor Signature and Certification**

(see reverse for instructions)

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I have no personal knowledge that the information submitted is other than true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

**Signature of Contractor or Subcontractor:****Date:**

8/24/19

**Printed Name and Affiliation:**

Damien Dmitruk

**Operator Signature and Certification**

(see reverse for instructions)

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I have no personal knowledge that the information submitted is other than true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

**Signature of Operator or "Duly Authorized Representative":****Date:****Printed Name and Affiliation:**

## The Willows SWPPP Inspection Photo Log



**Photo 1 (looking southeast)**  
View of Willow Pond Circle construction entrance from Village Street.



**Photo 2 (looking southwest)**  
Compost sock and silt fence along the western edge of development.

05/24/2019



## The Willows SWPPP Inspection Photo Log



**Photo 3 (looking southwest)**

Hydroseed has been used to stabilize the swale and stockpiles near Willow Pond Circle entrance.



**Photo 4 (looking south)**

Compost sock and silt fence at the end of the swale near Willow Pond Circle entrance.



## The Willows SWPPP Inspection Photo Log



**Photo 5 (looking south)**  
Compost sock and silt fence along the western edge of basin 1.



**Photo 6 (looking northeast)**  
Compost sock and silt fence along the eastern edge of basin 1.

05/24/2019



## The Willows SWPPP Inspection Photo Log



**Photo 7 (looking east)**

Compost sock entering under the south side of Willow Pond Circle crossing.



**Photo 8 (looking east)**

Compost sock and silt fence east of Willow pond Circle leading to future office building.

05/24/2019



## The Willows SWPPP Inspection Photo Log



**Photo 9 (looking north)**  
Compost sock and silt fence near the future office building.



**Photo 10 (looking east)**  
Compost sock and silt fence along sewer connection to 257 Village Street. Compost Sock and Silt fence to be added along property line with 257 Village Street.

05/24/2019



## The Willows SWPPP Inspection Photo Log



**Photo 11 (looking southeast)**  
View of Waterside Run construction entrance from Village Street.



**Photo 12 (looking south)**  
Compost sock and silt fence along the western edge of Waterside Run.

05/24/2019



## The Willows SWPPP Inspection Photo Log



**Photo 13 (looking southwest)**  
Compost sock and silt fence at the outlet across Narragansett Street.



**Photo 14 (looking southwest)**  
Compost sock and silt fence along the western edge of Waterside Run.

05/24/2019



## The Willows SWPPP Inspection Photo Log



**Photo 15 (looking southwest)**

Compost sock and silt fence to be repaired along western edge of Waterside Run.

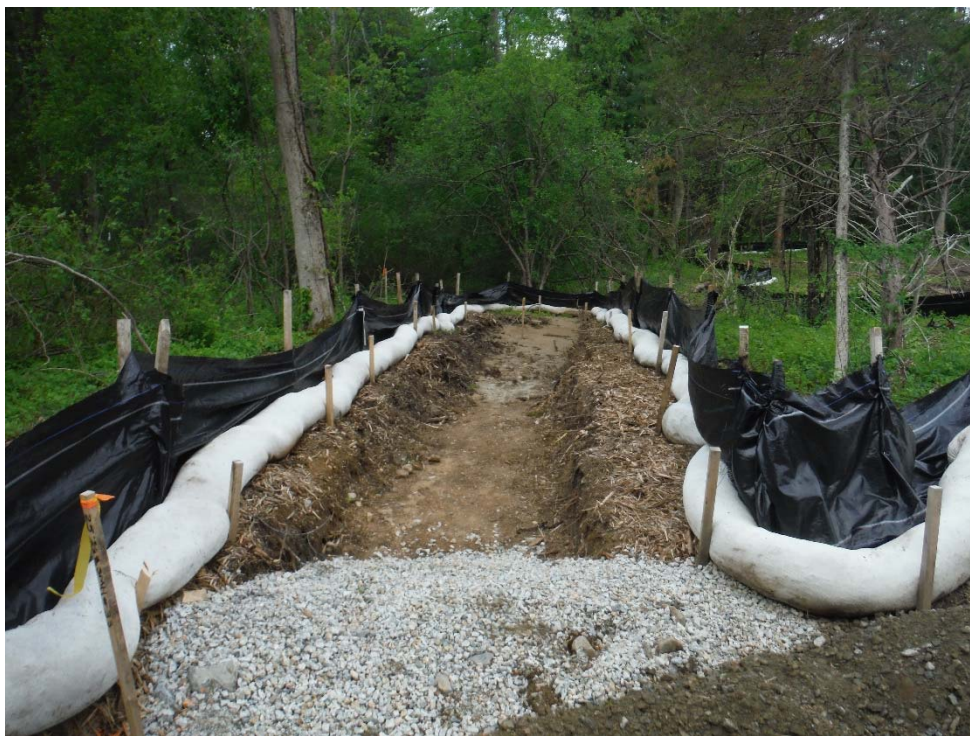


**Photo 16 (looking southwest)**

Compost sock and silt fence along the western edge of Waterside run.



## The Willows SWPPP Inspection Photo Log



**Photo 17 (looking west)**  
Compost sock and silt fence at outlet near Massasoit Street.



**Photo 18 (looking southwest)**  
Channelized flow had formed up to the compost sock and silt fence along western edge of Waterside Run. Additional compost sock and silt fence was added as reinforcement of the existing controls. Note that the stockpiles have been stabilized with hydroseed.

05/24/2019



## The Willows SWPPP Inspection Photo Log



**Photo 19 (looking southwest)**  
Compost sock and silt fence along western edge of Waterside Run.



**Photo 20 (looking west)**  
Compost sock and silt fence along the northern side of Waterside Run Crossing.

05/24/2019



## The Willows SWPPP Inspection Photo Log



**Photo 21 (looking north)**  
Compost sock and silt fence along the northern side of Waterside Run Crossing.



**Photo 22 (looking northwest)**  
Compost sock and silt fence along Walnut Grove.

05/24/2019



## The Willows SWPPP Inspection Photo Log



**Photo 23 (looking northeast)**

Compost sock and silt fence to be repaired along eastern edge of Walnut Grove.



**Photo 24 (looking northeast)**

Compost sock and silt fence to be repaired along eastern edge of Walnut Grove.

05/24/2019



## The Willows SWPPP Inspection Photo Log



**Photo 25 (looking northeast)**

Compost sock and silt fence to be repaired along eastern edge of Walnut Grove.



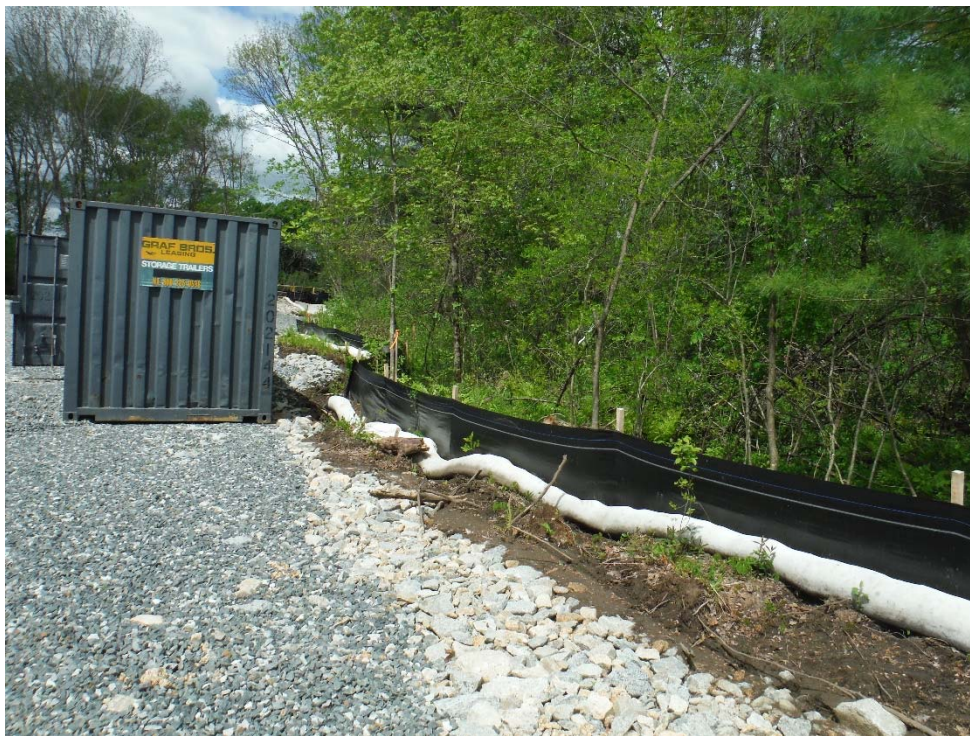
**Photo 26 (looking west)**

Mulch piles have encroached upon the compost sock and silt fence. Much to be removed and compost sock and silt fence to be repaired as necessary along northern edge of Walnut Grove.

05/24/2019



## The Willows SWPPP Inspection Photo Log



**Photo 27 (looking west)**

Compost sock and silt fence along the eastern side of Willow Pond Circle leading to the crossing.



**Photo 28 (looking southwest)**

Compost sock entering under the north side of Willow Pond Circle crossing.

05/24/2019



## The Willows SWPPP Inspection Photo Log



**Photo 29 (looking southwest)**  
Compost sock and silt fence along the western side of Willow Pond Circle.



**Photo 30 (looking west)**  
Compost sock and silt fence along the western side of Willow Pond Circle.

05/24/2019



## The Willows SWPPP Inspection Photo Log



**Photo 31 (looking northwest)**  
Compost sock and silt fence along the eastern side of Lilac Path.



**Photo 32 (looking south)**  
Double compost sock and silt fence west of Lilac Path.

05/24/2019



## The Willows SWPPP Inspection Photo Log



**Photo 33 (looking south)**  
Compost sock and silt fence west of the future main campus building.



**Photo 34 (looking east)**  
Compost sock and silt fence south of the future main campus building.

05/24/2019



## The Willows SWPPP Inspection Photo Log



**Photo 35 (looking southeast)**

Compost sock and silt fence south of the future main campus building.



**Photo 36 (looking southeast)**

Compost sock and silt fence for sewer line repair structure.



## The Willows SWPPP Inspection Photo Log



**Photo 37 (looking northeast)**  
Compost sock and silt fence east of the future main campus building.



**Photo 38 (looking northeast)**  
Gap in compost sock to be repaired east of the future campus building along Willow Pond Circle.

05/24/2019



## The Willows SWPPP Inspection Photo Log



**Photo 39 (looking east)**  
Compost sock and silt fence along southern side of Waterside Run Crossing.



**Photo 40 (looking southwest)**  
Compost sock and silt fence around the Pavilion outlet.

05/24/2019



## The Willows SWPPP Inspection Photo Log



**Photo 41 (looking south)**

Compost sock and silt fence to be repaired along west of the Pavilion Building and basin 3.



**Photo 42 (looking south)**

Compost sock and silt fence west of the Pavilion building and basin 3.

05/24/2019



## The Willows SWPPP Inspection Photo Log



**Photo 43 (looking south)**  
Compost sock and silt fence near outlet for basin 3.



**Photo 44 (looking north)**  
Compost sock and silt fence east of the Pavilion building.

05/24/2019



## The Willows SWPPP Inspection Photo Log



**Photo 45 (looking north)**  
Compost sock and silt fence along eastern edge of Waterside Run.



**Photo 46 (looking north)**  
Compost sock and silt fence along eastern edge of Waterside Run.

05/24/2019



## The Willows SWPPP Inspection Photo Log



**Photo 47 (looking north)**  
Compost sock and silt fence along eastern edge of Waterside Run.



**Photo 48 (looking west)**  
Compost sock and silt fence to repaired along eastern edge of Waterside Run near Mohawk Street.

05/24/2019

General Information (see reverse for instructions)					
Name of Project	Salmon Health and Retirement Community	NPDES ID No.	MAR1001Q3	Inspection Date	05/31/2019
Weather conditions during inspection	Partly Cloudy, 74°F	Inspection start time	10:15 AM	Inspection end time	1:15 PM
Inspector Name, Title & Contact Information	Damien Dmitruk, E.I.T., (508) 697-3191				
Present Phase of Construction	Clearing, site grading, drainage structure installation, continuing work				
Inspection Location (if multiple inspections are required, specify location where this inspection is being conducted)	Salmon Health and Retirement Community 261 Village Street Medway, MA 02053				
<b>Inspection Frequency</b> <i>(Note: you may be subject to different inspection frequencies in different areas of the site. Check all that apply)</i> <b>Standard Frequency:</b> <input type="checkbox"/> Every 7 days <input type="checkbox"/> Every 14 days and within 24 hours of a 0.25" rain or the occurrence of runoff from snowmelt sufficient to cause a discharge <b>Increased Frequency:</b> <input checked="" type="checkbox"/> Every 7 days and within 24 hours of a 0.25" rain (for areas of sites discharging to sediment or nutrient-impaired waters or to waters designated as Tier 2, Tier 2.5, or Tier 3) <b>Reduced Frequency:</b> <input type="checkbox"/> Twice during first month, no more than 14 calendar days apart; then once per month after first month; (for stabilized areas) <input type="checkbox"/> Twice during first month, no more than 14 calendar days apart; then once more within 24 hours of a 0.25" rain (for stabilized areas on "linear construction sites") <input type="checkbox"/> Once per month and within 24 hours of a 0.25" rain (for arid, semi-arid, or drought-stricken areas during seasonally dry periods or during drought) <input type="checkbox"/> Once per month (for frozen conditions where earth-disturbing activities are being conducted)					
<b>Was this inspection triggered by a 0.25" storm event?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <b>If yes, how did you determined whether a 0.25" storm event has occurred?</b> <input type="checkbox"/> Rain gauge on site <input type="checkbox"/> Weather station representative of site. Specify weather station source:  <b>Total rainfall amount that triggered the inspection</b> (in inches):					
<b>Was this inspection triggered by the occurrence of runoff from snowmelt sufficient to cause a discharge?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
<b>Unsafe Conditions for Inspection</b> <b>Did you determine that any portion of your site was unsafe for inspection per CGP Part 4.5?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <b>If "yes", complete the following:</b> - Describe the conditions that prevented you from conducting the inspection in this location:   - Location(s) where conditions were found:					

Condition and Effectiveness of Erosion and Sediment (E&S) Controls (CGP Part 2.2)				
(see reverse for instructions)				
Type/Location of E&S Control [Add an additional sheet if necessary]	Maintenance Needed?*	Corrective Action Required?*	Date on Which Maintenance or Corrective Action First Identified?	Notes
1. Silt Fence/Compost Sock	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	5/24/19	Some of the previously mentioned maintenance and corrective action issues had not been addressed. Additional sections of the compost sock to be repaired throughout the site. See Photo Log.
2. Construction Entrances	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
3.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		
4.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		
5.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		
6.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		
7.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		
8.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		
9.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		
10.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		

\* **Note:** The permit differentiates between conditions requiring routine maintenance, and those requiring corrective action. The permit requires maintenance in order to keep controls in effective operating condition. Corrective actions are triggered only for specific conditions, which include: 1) A stormwater control needs repair or replacement (beyond routine maintenance) if it is not operating as intended; 2) A stormwater control necessary to comply with the permit was never installed or was installed incorrectly; 3) You become aware that the stormwater controls you have installed and are maintaining are not effective enough for the discharge to meet applicable water quality standards or applicable requirements in Part 3.1; 4) One of the prohibited discharges in Part 1.3 is occurring or has occurred; or 5) EPA requires corrective actions as a result of a permit violation found during an inspection carried out under Part 4.8. If a condition on your site requires a corrective action, you must also fill out a corrective action form found at <https://www.epa.gov/npdes/stormwater-discharges-construction-activities#resources>. See Part 5 of the permit for more information.

Condition and Effectiveness of Pollution Prevention (P2) Practices (CGP Part 2.3)				
(see reverse for instructions)				
Type/Location of P2 Practices [Add an additional sheet if necessary]	Maintenance Needed?*	Corrective Action Required?*	Date on Which Maintenance or Corrective Action First Identified?	Notes
1.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		
2.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		
3.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		
4.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		
5.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		
6.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		
7.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		
8.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		
9.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		
10.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		

\* **Note:** The permit differentiates between conditions requiring routine maintenance, and those requiring corrective action. The permit requires maintenance in order to keep controls in effective operating condition. Corrective actions are triggered only for specific conditions, which include: 1) A stormwater control needs repair or replacement (beyond routine maintenance) if it is not operating as intended; 2) A stormwater control necessary to comply with the permit was never installed or was installed incorrectly; 3) You become aware that the stormwater controls you have installed and are maintaining are not effective enough for the discharge to meet applicable water quality standards or applicable requirements in Part 3.1; 4) One of the prohibited discharges in Part 1.3 is occurring or has occurred; or 5) EPA requires corrective actions as a result of a permit violation found during an inspection carried out under Part 4.8. If a condition on your site requires a corrective action, you must also fill out a corrective action form found at <https://www.epa.gov/npdes/stormwater-discharges-construction-activities#resources>. See Part 5 of the permit for more information.

Stabilization of Exposed Soil (CGP Part 2.2.14)			
(see reverse for instructions)			
Stabilization Area [Add an additional sheet if necessary]	Stabilization Method	Have You Initiated Stabilization?	Notes
1. Stockpiles	Hydro-seeding	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO If yes, provide date:	Stockpiles that are not actively in use have been hydro-seeded to prevent erosion of the piles. Many stockpiles are in active use and will not be hydro-seeded.
2.		<input type="checkbox"/> YES <input type="checkbox"/> NO If yes, provide date:	
3.		<input type="checkbox"/> YES <input type="checkbox"/> NO If yes, provide date:	
4.		<input type="checkbox"/> YES <input type="checkbox"/> NO If yes, provide date:	
5.		<input type="checkbox"/> YES <input type="checkbox"/> NO If yes, provide date:	

Description of Discharges (CGP Part 4.6.6)	
(see reverse for instructions)	
Was a stormwater discharge or other discharge occurring from any part of your site at the time of the inspection? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "yes", provide the following information for each point of discharge:	
Discharge Location [Add an additional sheet if necessary]	Observations
1.	Describe the discharge:  At points of discharge and the channels and banks of waters of the U.S. in the immediate vicinity, are there any visible signs of erosion and/or sediment accumulation that can be attributed to your discharge? <input type="checkbox"/> Yes <input type="checkbox"/> No  If yes, describe what you see, specify the location(s) where these conditions were found, and indicate whether modification, maintenance, or corrective action is needed to resolve the issue:
2.	Describe the discharge:  At points of discharge and the channels and banks of waters of the U.S. in the immediate vicinity, are there any visible signs of erosion and/or sediment accumulation that can be attributed to your discharge? <input type="checkbox"/> Yes <input type="checkbox"/> No  If yes, describe what you see, specify the location(s) where these conditions were found, and indicate whether modification, maintenance, or corrective action is needed to resolve the issue:

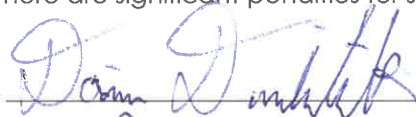


**Contractor or Subcontractor Signature and Certification**

(see reverse for instructions)

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I have no personal knowledge that the information submitted is other than true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Signature of Contractor or Subcontractor:



Date:

5/31/18

Printed Name and Affiliation:

Damien Dinitru

**Operator Signature and Certification**

(see reverse for instructions)

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I have no personal knowledge that the information submitted is other than true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Signature of Operator or "Duly Authorized Representative": \_\_\_\_\_

Date:

Printed Name and Affiliation: \_\_\_\_\_

## The Willows SWPPP Inspection Photo Log



**Photo 1 (looking southeast)**  
View of Willow Pond Circle construction entrance from Village Street.



**Photo 2 (looking southwest)**  
Compost sock and silt fence along the western edge of development.

05/31/2019



## The Willows SWPPP Inspection Photo Log



**Photo 3 (looking southwest)**

Hydroseed has been used to stabilize the swale and stockpiles near Willow Pond Circle entrance.



**Photo 4 (looking south)**

Compost sock and silt fence at the end of the swale near Willow Pond Circle entrance.



## The Willows SWPPP Inspection Photo Log



**Photo 5 (looking south)**  
Compost sock and silt fence along the western edge of basin 1.



**Photo 6 (looking northeast)**  
Compost sock and silt fence along the eastern edge of basin 1.

05/31/2019



## The Willows SWPPP Inspection Photo Log



**Photo 7 (looking east)**

Compost sock entering under the south side of Willow Pond Circle crossing.



**Photo 8 (looking east)**

Compost sock and silt fence east of Willow pond Circle leading to future office building.

05/31/2019



## The Willows SWPPP Inspection Photo Log



**Photo 9 (looking north)**  
Compost sock and silt fence near the future office building.



**Photo 10 (looking east)**  
Compost sock and silt fence along sewer connection to 257 Village Street. Compost Sock and Silt fence to be added along property line with 257 Village Street.

05/31/2019



## The Willows SWPPP Inspection Photo Log



**Photo 11 (looking southeast)**  
View of Waterside Run construction entrance from Village Street.



**Photo 12 (looking south)**  
Compost sock and silt fence along the western edge of Waterside Run.

05/31/2019



## The Willows SWPPP Inspection Photo Log



**Photo 13 (looking southwest)**  
Compost sock and silt fence at the outlet across Narragansett Street.



**Photo 14 (looking southwest)**  
Compost sock and silt fence along the western edge of Waterside Run.

05/31/2019



## The Willows SWPPP Inspection Photo Log



**Photo 15 (looking south)**  
Compost sock and silt fence along the western edge of Waterside run.



**Photo 16 (looking west)**  
Compost sock and silt fence at outlet near Massasoit Street.

05/31/2019



## The Willows SWPPP Inspection Photo Log



**Photo 17 (looking southwest)**

Channelized flow had formed up to the compost sock and silt fence along western edge of Waterside Run. Additional compost sock and silt fence was added as reinforcement of the existing controls. Note that the stockpiles have been stabilized with hydroseed.



**Photo 18 (looking southwest)**

Compost sock and silt fence along western edge of Waterside Run.



## The Willows SWPPP Inspection Photo Log



**Photo 19 (looking west)**

Compost sock and silt fence along the northern side of Waterside Run Crossing.



**Photo 20 (looking north)**

Compost sock and silt fence along the northern side of Waterside Run Crossing.

05/31/2019



## The Willows SWPPP Inspection Photo Log



**Photo 21 (looking northwest)**  
Compost sock and silt fence along Walnut Grove.



**Photo 22 (looking northeast)**  
Double compost sock and silt fence along the eastern edge of Walnut Grove to be repaired when grade is reestablished.

05/31/2019



## The Willows SWPPP Inspection Photo Log



**Photo 23 (looking northeast)**

Double Compost sock and silt fence to be repaired along eastern edge of Walnut Grove.



**Photo 24 (looking west)**

Mulch piles have encroached upon the compost sock and silt fence. Mulch to be removed and compost sock and silt fence to be repaired as necessary along northern edge of Walnut Grove.

05/31/2019



## The Willows SWPPP Inspection Photo Log



**Photo 25 (looking west)**

Compost sock and silt fence along the eastern side of Willow Pond Circle leading to the crossing.



**Photo 26 (looking southwest)**

Compost sock entering under the north side of Willow Pond Circle crossing.

05/31/2019



## The Willows SWPPP Inspection Photo Log



**Photo 27 (looking south)**  
Compost sock and silt fence along the western side of Willow Pond Circle.



**Photo 28 (looking southwest)**  
Compost sock and silt fence along the western side of Willow Pond Circle.



## The Willows SWPPP Inspection Photo Log



**Photo 29 (looking northwest)**  
Compost sock and silt fence along the eastern side of Lilac Path.



**Photo 30 (looking southeast)**  
Double compost sock and silt fence west of Lilac Path.

05/31/2019



## The Willows SWPPP Inspection Photo Log



**Photo 31 (looking west)**

Double compost sock and silt fence to be repaired west of the Main campus building along western edge of Willow Pond Circle.



**Photo 32 (looking south)**

Compost sock and silt fence west of the future main campus building.

05/31/2019



## The Willows SWPPP Inspection Photo Log



**Photo 33 (looking west)**

Compost sock and silt fence south of the future main campus building at the along the western sewer easement.



**Photo 34 (looking southeast)**

Compost sock and silt fence south of the future main campus building.



## The Willows SWPPP Inspection Photo Log



**Photo 35 (looking southeast)**

Gap in compost sock and silt fence south of the future main campus building to be repaired.



**Photo 36 (looking southeast)**

Compost sock and silt fence for sewer line repair structure.

05/31/2019



## The Willows SWPPP Inspection Photo Log



**Photo 37 (looking northeast)**  
Compost sock and silt fence east of the future main campus building.



**Photo 38 (looking east)**  
Compost sock and silt fence along southern side of Waterside Run Crossing.

05/31/2019



## The Willows SWPPP Inspection Photo Log



**Photo 39 (looking southwest)**  
Compost sock and silt fence around the Pavilion outlet.



**Photo 40 (looking south)**  
Compost sock and silt fence west of the Pavilion building and basin 3.

05/31/2019



## The Willows SWPPP Inspection Photo Log



**Photo 41 (looking south)**  
Compost sock and silt fence near outlet for basin 3.



**Photo 42 (looking north)**  
Compost sock and silt fence east of the Pavilion building. Note that the stockpile has been stabilized with hydroseed.

05/31/2019



## The Willows SWPPP Inspection Photo Log



**Photo 43 (looking north)**  
Compost sock and silt fence along eastern edge of Waterside Run.



**Photo 44 (looking north)**  
Compost sock and silt fence along eastern edge of Waterside Run.

05/31/2019



# BEALS + THOMAS

BEALS AND THOMAS, INC.  
Reservoir Corporate Center  
144 Turnpike Road  
Southborough, MA 01772-210



## PROGRESS INSPECTION REPORT

**Inspection Date:** 5/17/2019

**Inspector:** Eric J. Las, PE, LEED AP, Beals and Thomas, Inc.

**Inspection Report Number:** 21

### PERMIT COMPLIANCE

**Proceeding per approved site plan?**

YES ☒ NO ☐ If not, note area and explain:

This report has been prepared in compliance with Specific Condition IX.M.4 of the Site Plan Decision, dated July 26, 2016

**Project Name:**

**West Medway II**

**Location:** Medway, MA

**B+T Job#:** 1422.10

**Local Approvals:** Order of Conditions DEP File No. 216-0879, Site Plan Decision, Host Community Agreement

### Introduction:

Exelon West Medway II LLC respectfully submits this construction progress inspection report for the West Medway II project. The purpose of this report is to document the in-progress work with respect to the approved site plans and associated conditions for the Planning and Economic Development Board. This report summarizes noteworthy activities conducted on site from April 17, 2019 to May 17, 2019. Please also refer to the enclosed Photo Log.

\*For limited areas of the site not observed by Beals and Thomas, items denoted herein with an (\*) are based on Exelon's Erosion Control Inspection Reports.

### Current Work Activities, Comments, and Observations:

- Vegetative stabilization of lawn and grassed areas is in progress throughout the central portion of the site.
- Unit 1 and Unit 2 are now commercially available on natural gas. Various components of the Unit 1 and Unit 2 power generating systems and support systems continue in the final phases of construction and commissioning.
- Installation of the fuel forwarding system is in progress in the northern central portion of the site.
- Installation of final perimeter security fencing is substantially complete except in the vicinity of the temporary construction trailers.
- Temporary security fencing has been removed throughout the site except for the construction trailer area and temporary transformers; however, erosion control barriers will remain in place until vegetative stabilization is achieved.
- Installation of the lower walls around the ammonia tank is in progress; the interim enclosure walls are in place.
- Construction support trailers, equipment and materials are being demobilized.
- Finish grading and landscaping will continue through the fall.
- On-site soil stockpiles have reduced in volume and are actively stabilized via tarps and seeding where necessary.
- \*Remaining silt fences, straw bales, and straw wattles are being routinely monitored and maintained as needed.
- \*Silt sacks in the catch basins in Summer Street are being routinely monitored and maintained as needed.
- \*24/7 security details remain in place at the Summer Street entrance.

  
Authorized Signature

5/17/19

Date

### PROPERTY OWNER:

Exelon West Medway II, LLC

Attn: Todd Cutler, Esq.  
Associate General Counsel

Phone: 610-765-5602

Email: [todd.cutler@exeloncorp.com](mailto:todd.cutler@exeloncorp.com)

Attn: Pete Callahan,  
Project Director

Phone: 617-381-2332

Email: [Pete.Callahan@constellation.com](mailto:Pete.Callahan@constellation.com)

Attn: Doug Blakeley,  
Environmental Monitor

Phone: 518-265-7354

Email: [doug.blakeley@aptim.com](mailto:doug.blakeley@aptim.com)

### TOWN OF MEDWAY

Attn: Michael E. Boynton,  
Town Administrator

Phone: 508-533-3264

Email: [mboynton@townofmedway.org](mailto:mboynton@townofmedway.org)

Attn: Bridget Graziano,  
Conservation Agent

Phone: 508-533-3292

Email: [bgraziano@townofmedway.org](mailto:bgraziano@townofmedway.org)

Attn: Susan Affleck-Childs, Planning &  
Economic Development Coordinator

Phone: 508-533-3291

Email: [sachilds@townofmedway.org](mailto:sachilds@townofmedway.org)

### ENVIRONMENTAL CONSULTANTS

Beals and Thomas, Inc.

Attn: Eric J. Las, PE, LEED AP  
Principal

Phone: 508-366-0560

Email: [elas@bealsandthomas.com](mailto:elas@bealsandthomas.com)

Epsilon Associates, Inc.

Attn: Michael Howard  
Principal & Manager

Phone: 978-461-6247

Email: [mhoward@epsilonassociates.com](mailto:mhoward@epsilonassociates.com)



**BEALS + THOMAS****Exelon Generation**

# PHOTOGRAPHIC LOG

**Client Name:**Exelon West  
Medway II**Photo:** West Medway II**Location:** Medway, MA**Project No:**

1422.10

**Photo  
No: 1****Date:**  
5/11/19**Description:**Aerial view facing  
northwest.

Various components  
of the Unit 1 and  
Unit 2 power  
generating systems  
and support  
systems continue in  
the final phases of  
construction and  
commissioning.

**Client Name:**Exelon West  
Medway II**Photo:** West Medway II**Location:** Medway, MA**Project No:**

1422.10

**Photo  
No: 2****Date:**  
5/17/19**Description:**

View facing north.

Vegetative  
stabilization of lawn  
and grassed areas  
is in progress  
throughout the  
central portion of  
the site.



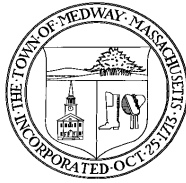


**June 11, 2019**

**Medway Planning & Economic Development Board  
Meeting**

**PEDB Representation and Liaison to  
Town Boards & Committees**

- 6-5-19 memo from Susy Affleck-Childs with a list of boards and committees on which the PEDB has a representative and with which the PEDB liaises!



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

June 5, 2019

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 20 (July 1, 2019 – June 30, 2020). Please review the list below and be prepared to discuss your interests at the June 11<sup>th</sup> PEDB meeting.

**Presently Assigned**

**FY 20**

***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 (Rich Di Iulio alt.)	_____
Street Naming Committee	Susy Affleck-Childs	_____
Economic Development Committee	Rich Di Iulio	_____
Energy Committee	Bob Tucker	_____
Open Space & Rec. Plan Update Task Force	Matt Hayes	_____
Sign Bylaw Review Task Force	Tom Gay	_____
Oak Grove Zoning Task Force	Matt Hayes	_____
EPFRAC (Evaluation of Parks, Fields and Recreation Areas Committee)	None	_____
Bylaw Committee (new)	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	_____

508-533-3291

[planningboard@townofmedway.org](mailto:planningboard@townofmedway.org)



Finance Committee	Bob Tucker	_____
Historical Commission	Matt Hayes	_____
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	_____
-------------------------	-----------------	-------