

**June 14, 2016**  
**Medway Planning and Economic Development Board Meeting**  
**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>

**ALSO PRESENT:**

Susy Affleck Childs, Planning and Economic Development  
Amy Sutherland, Recording Secretary  
Gino Carlucci, PGC Associates  
Steve Bouley, Tetra Tech  
Bill McGrath, BETA Group

The Chairman opened the meeting at 7:00 pm.

There were no Citizen Comments.

**Board Reorganization/Election of Officers:**

**Chairman:**

On a motion made by Matt Hayes and seconded by Bob Tucker, the Board voted to appoint Andy Rodenhiser as Chairman of the Planning and Economic Board.

**Vice Chairman:**

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

**Clerk:**

On a motion made by Bob Tucker and seconded by Rich Di Iulio, the Board voted to appoint Tom Gay as Clerk of the Planning and Economic Board.

**Committee Appointments:**

The Board was provided with a list of the committee liaison positions. The following appointments were made as PEDB representatives on the following committees:

Community Preservation Committee	Matt Hayes
Design Review Committee	Tom Gay
Economic Development Committee	Andy Rodenhiser
Energy Committee	Bob Tucker

The following appointments were made as PEDB liaisons to the listed committees:

Affordable Housing Committee & Trust	Andy Rodenhiser
Agricultural Commission	Bob Tucker
Board of Water/Sewer Commissioners	Andy Rodenhiser
Capital Improvements Planning Committee	Matt Hayes
Conservation Commission	Bob Tucker
Finance Committee	Bob Tucker
Historical Commission	Matt Hayes
Open Space Committee	Rich Di Iulio
Route 109 Committee	Matt Hayes
SWAP	Rich Di Iulio
Town Administrator/Board of Selectmen	Andy Rodenhiser
Zoning Board of Appeals	Bob Tucker

The Board would like to reach out to the Medway Communications Director to make sure the liaisons are included on the distribution lists for the meeting agendas of various committees and boards.

### **Committee Reappointments:**

The Board is in receipt of three memos dated June 8, 2016 from Susy Affleck-Childs regarding the appointment of members of the Design Review, Open Space and Economic Development Committees. (See Attached)

### **Design Review Committee:**

**On a motion made by Bob Tucker and seconded by Matt Hayes, the Board voted to appoint Matt Buckley and Rachel Walsh for a term through June 30, 2018.**

**On a motion made by Bob Tucker and seconded by Matt Hayes, the Board voted to appoint Jessica Chabot to the Design Review Committee for a term through June 30, 2017.**

### **Open Space Committee Appointments:**

**On a motion made by Bob Tucker and seconded by Matt Hayes, the Board voted to appoint Jim Wickis, Charlie Ross, Denise Legee and Joanne Williams to the Open Space Committee through June 30, 2018.**

### **Economic Development Committee:**

**On a motion made by Bob Tucker and seconded by Matt Hayes, the Board voted to appoint Paul Yorkis, Eric Arbene, Keith Peden, and Scott Hebeeb to the Economic Development Committee through June 30, 2018.**

Member Chan Rogers recently resigned and Alissa Rodenhiser will be resigning in July and this leaves room for three new members.

## **2 Marc Road Site Plan – Public Hearing Continuation**

The following was entered into the following: (See Attached)

- Public Hearing continuation notice dated May 31, 2016
- New submission submittal letter from engineer Dan Merrikin dated June 6, 2016.



- Revised site plan for 2 Marc Road by Merrikin Engineering dated June 7, 2016.
- PGC Review comment letter on revised plan dated June 8, 2016.
- TT Review comment letter on revised plan dated June 8, 2016
- Comments from Chief Lynch dated June 6, 2016
- Emails between Dan Merrikin and Tom Holder during May and June re: dual public and private water supplies.
- Draft decision dated June 8, 2016

Present for the applicant were:

Ellen Rosenfeld, applicant  
Dan Merrikin, Merrikin Engineering

Dan Merrikin indicated that a paved apron at the Industrial Park Road has been added. There has been the inclusion of more detail on the northeasterly swale. A pad has been added adjacent to the driveway at the southeast corner of the building for a generator. The Fire Chief has also requested that a fire hydrant be added toward the rear of the building. The plan has been revised to show this change. A photograph of the bike rack was shown. It was noted that the Conservation Commission closed their hearing on May 26, 2016.

The applicant indicated that they may consider an expansion of 10,000 square feet in the future. The Board informed the applicant that they will need to submit a plan modification for the expansion at that time.

Consultant Carlucci wanted to know if there is a sound muffling for the generator.

The applicant stated she would make sure there will be a sound muffler.

The board is fine with the lighting.

The draft decision was reviewed and the following recommendations were made:

- Page 2: reconstructing Marc Rd not Jayar road.
- Page 7: Comments on item #14 language revision.
- Page 8: Hours of operation, just reference the bylaw.
- Page 12: Spaces for two bikes.

Consultant Carlucci communicated that the hours and language regarding it is just a finding and not a condition of the decision.

There was discussion about the proposed painted islands within the parking lot area. Ellen Rosenfeld would like to pave the whole section and did not want to do the landscaped island. She will put in the required amount of landscaping elsewhere on the site. Landscaped islands will make it difficult for her vendors to deliver products to the facility. The “island” lines will be painted white.

DRC Chairman Matt Buckley noted that the DRC had recommended the landscaped island for a visual break.

The Board was in agreement to remove item C4 from the decision

The language regarding the sign will be revised.

In regards to the odor from marijuana processing, there is a condition about odor management which can be revised to reference the noise standards of the zoning bylaw.

Susy Affleck-Childs will make changes to the decision and provide a revised copy for the next meeting.

**Public Hearing Continuation:**

**On a motion made by Rich Di Iulio and seconded by Tom Gay, the Board voted to continue the hearing for 2 Marc Road until June 28, 2016 at 7:30 pm.**

Member Gay left 8:05 pm.

**Other Business:**

There is a Sign Bylaw Review Task Force meeting to be held on Tuesday, June 21, 2016 at 7:00 pm at the Senior Center with the DRC and the PEDB.

Steve Bouley stepped away for the Exelon public hearing continuation.

**Continuation of Site Plan Public Hearing - Exelon 9 Summer Street and 34 West Street:**

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

- Public Hearing Continuation Notice dated 5-31-2016
- Landscape and lighting plan, sheet C7.1
- Landscape and lighting notes and Detail sheet C7. 2
- Landscape and lighting plan
- Overhead Wire location plan
- Preferred Color Selection

Representatives present were:

Eric Las – Beals & Thomas  
David LaPointe - Beals & Thomas  
Amy Kwesell – Rubin & Rudman  
Tammy Sanford - Exelon  
Lisa Decled - Exelon  
Ted Barter - Epsilon  
Bill McGrath – BETA Group

Attorney Amy Kwesell from Rubin and Rudman LLP began the presentation by explaining that they attended the recent Design Review Committee meeting. She distributed a letter dated June 14, 2016 to DRC Chairman Matt Buckley. (See Attached) The DRC was provided with photographic renderings using the colors chosen by the applicant and development team. The colors for the exhaust stacks, noise wall, water tanks, and administration building were discussed



and there will be a written review letter forthcoming from the DRC. There was agreement on all colors with the exception of the administration building which will have a darker color scheme as recommended by the DRC.

The proposed landscape plan includes fourteen (14) white pine trees in the 6 foot to 7 foot height range, along with deciduous and flowering trees to provide a variety of species. A total of 50 additional trees are proposed in the area used for temporary construction parking and staging. Exelon has agreed to consult with Eversource regarding additional vegetative screening but this is in the easement area and under the control of Eversource.

At the property entrance there will be a proposed black vinyl fence. It will run along abutting residences. Exelon is looking in to barbed wire on the top of the fencing. They are also looking to use the existing stones from the stone wall to be incorporated into the proposed berm.

The discussion moved to the 20 foot L shaped sound wall to be adjacent to the Country Cottage Child Care facility at 5 Summer Street. The Board is in receipt of a proposal for the design, supply, and installation of acoustic barrier walls presented by ATCO Emissions Management. There is no resolution yet as to whether Exelon will acquire the adjacent Country Collage Children's Center property. If there is a need for the wall, it will be a 20' tall by 200' long running along the northern and a portion of the western property line. There were four rendered drawings of the wall shown from the street view.

Chairman Buckley wanted to know about the dimensions of the panels for the sound wall. The applicant responded that the wall is constructed in vertical panels which are four foot sections. Photographs of wall were shown. If needed, the wall will be on the property line.

**Resident Richard Blethen, 411 Village Street:**

Mr. Blethen wanted to know the height of the bermed area around the stormwater basin.

The applicant responded that the height is 9 ft. from the basin side. The slope is 3 to 1. The idea is to stagger the plantings around the basin to make it look more natural.

Mr. Blethen also wanted to know if there could be more plantings outside of this area such as on Summer Street or Main Street. He also indicated that there was not a rendered drawing of the site from his home.

Ms. Kwesell showed him renderings of the site from properties along West Street. She responded that Exelon cannot propose plantings on private property that they do not own.

Site lighting was shown. Light fixture types were noted.

- 32 pole mounted fixtures
- 20 foot maximum height
- 36 wall packs

There is a site lighting photometrics plan. Exelon will make sure the lights are direct down. The bulbs will be LED.

Matt Buckley is concerned about the illumination from wall mounted light packs bouncing off the white noise wall.

There is no spillage from the Exelon property and the lighting will comply with the regulations.

The Board would like the applicant to make sure there is no light spillage onto the Eversource property.

The applicant will need a deadline action extension at the June 28, 2016 meeting. The applicant would like to have a possible draft decision by July 12, 2016.

**Public Hearing Continuation:**

**On a motion made by Bob Tucker and Matt Hayes, the Board voted unanimously to continue the Exelon public hearing to June 28, 2016 at 8:00 pm.**

NOTE – Steve Bouley rejoined the meeting.

**Lady Slipper Hollow – Discussion to Extend Subdivision**

Resident Tom Ellis of 148 A Holliston Street asked to have an informal discussion about finishing the paving of Lady Slipper Hollow. Tom Ellis was present in December to meet with the Board. Mr. Ellis is interested in building a home on one of the vacant lots and the road needs to be extended to do so. Mr. Ellis has retained GLM Engineering to assist him. Mr. Rob Truax of GLM Engineering was also present to get an understanding of what the Board would require.

The Board did explain that the old subdivision decision and plan could be amended but the applicant would need to file and meet the updated Subdivision Rules and Regulations.

Consultant Truax explained that the water line was installed to the last drain manhole and it discharges to the south and flows to the rear of the property. He is aware that there would need to be upgrades regarding the treatment of stormwater runoff based on the current stormwater guidelines.

It was communicated that in order to put in a landscape island in the middle, the road would need to be 20 ft. This would also be a requirement of the Fire Chief.

Susy Affleck-Childs responded that the road could be established as its own parcel with a home owners' association to be established for its upkeep and maintenance.

The Board is in agreement that they want the Fire Chief to weigh in on the roadway width.

**Resident, Linda Reynolds, 148 B Holliston Street**

Ms. Reynold questions the widening of the road and how this will effect her property since she owns a portion of the subject road to the centerline.

Mr. Ellis was informed that Ms. Reynold will need to sign the application.



### **Refund of Subdivision Bond Accounts:**

The Board is in receipt of information from Susy Affleck-Childs re: three small bond accounts for Applegate Subdivision, Village Estates Subdivision and Hopping Brook. (See Attached.)

**On a motion made by Rich Di Iulio and seconded by Matt Hayes, the board voted unanimously to refund the following subdivision bond accounts with interest:**

- |                               |          |
|-------------------------------|----------|
| • Applegate Subdivision       | \$102.19 |
| • Village Estates Subdivision | \$100.46 |
| • Hopping Brook Subdivision   | \$102.56 |

### **Plan Review and Construction Accounts**

#### **Pine Meadow II Subdivision:**

**On a motion made by Bob Tucker and seconded by Rich Di Iulio, the Board voted unanimously to refund \$476.10 plus interest from the plan review account and \$2,736.36 plus interest from the construction observation account. This will close both accounts.**

#### **Medway Gardens:**

**On a motion made by Rich Di Iulio, and seconded by Matt Hayes, the Board voted unanimously to transfer \$1,753.00 plus interest from the plan review account to the construction account.**

### **PEDB Meeting Minutes:**

#### **May 3, 2016:**

**On a motion made by Bob Tucker and seconded by Matt Hayes, the Board voted unanimously to accept the minutes from the May 3, 2016 meeting.**

#### **May 24, 2016:**

**On a motion made by Bob Tucker and seconded by Matt Hayes, the Board voted unanimously to accept the minutes from the May 24, 2016 meeting.**

#### **May 31, 2016:**

**On a motion made by Bob Tucker and seconded by Matt Hayes, the Board voted unanimously to accept the minutes from the May 31, 2016 meeting.**

### **Construction Reports:**

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

- Cumberland Farms report dated June 2, 2016
- Medway Gardens report dated June 8, 2016

Consultant Bouley performed a site inspection at *Cumberland Farms* on June 1, 2016. A list of items to repair or replace was submitted and most of the work has been completed.

Consultant Bouley also performed a site inspection at **Medway Gardens** on June 1, 2016 and noted several outstanding issues which need to be addressed. The applicant has not adhered to the decision or the scope of work shown on the approved site plan. There is also an issue with the signs on site. The building inspector is aware of the sign issue and will address this with the property owner. The Board would like to send a letter and allow Medway Gardens 30 days to comply with the work which needs to be addressed per the site plan decision.

Consultant Bouley indicated that he visited the **Village Estates** subdivision site. He had not been called when the water line was installed so there was no inspection. There is a concern about the fill which is being brought onto the site along with the lack of erosion control. Consultant Bouley will follow-up tomorrow and will provide the Board with an update. Steve will also email the Interim Conservation Agent. The Board was made aware that there is no bond on this property as the developer has not yet sought building permits.

**Consultant Construction Services Estimates:**

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

- Estimate from Tetra Tech dated April 12, 2016 for Pine Ridge construction services
- Estimate from Tetra Tech dated April 12, 2016 for Candlewood Estates for construction services

**On a motion made by Bob Tucker and seconded by Matt Hayes, the board voted unanimously to accept the estimate for Pine Ridge in the amount of \$1,142.00 and also for Candlewood Estates in the amount of \$1,794.00.**

**Adjourn:**

**On a motion made by Bob Tucker and seconded by Rich Di Iulio, the Board voted to adjourn the meeting.**

**The meeting was adjourned at 10:20 pm.**

Respectfully Submitted,

  
Amy Sutherland

Recording Secretary

Reviewed and edited by,

  
Susan E. Affleck-Childs

Planning and Economic Development Coordinator





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

June 8, 2016

TO: Planning and Economic Development Board  
FROM: Susy Affleck-Childs, Planning and Economic Development Coordinator  
RE: Appointments to the Medway Design Review Committee

The term of office for current DRC members Matt Buckley, Mary Weafer and Rachel Walsh concludes on June 30, 2016.

Mary Weafer is no longer able to serve on the Committee. Rachel Walsh is willing to serve again but anticipates some meeting attendance difficulties due to family and business commitments. Matt Buckley has agreed to continue.

I would recommend re-appointing Matt Buckley and Rachel Walsh for another 2 year term through 6-30-2018.

I also recommend appointing Jessica Chabot to the DRC for a one year term through 6-30-2017. Information about Jess is attached. Jess has an architectural background, is a relatively new resident of Medway, and is most eager to get involved.

Presently, the other member of the DRC is:  
Lisa Graves (term thru 6-30-17)

Tom Gay has served as the PEDB's representative on the DRC this past year. That position is handled as a 1 year term as determined by the PEDB.

The provisions of the recently revised/adopted Medway General Bylaw regarding the DRC specify that shall be at least 5 and up to 7 members. The majority of the members should be design professionals with experience and/or training in architecture, landscape design, site design, graphic arts, graphic design, sign design, planning, environmental design, urban design or other suitable design professions. Other members may include individuals representing various business interests such as real estate, building trades, and local business organizations.

I recommend PEDB members also identify other possible candidates with the right background and skill set to serve on the DRC. Two more members would be valuable.

## Susan Affleck-Childs

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**From:** Jess Chabot <jesswchabot@gmail.com>  
**Sent:** Tuesday, May 10, 2016 11:08 AM  
**To:** Susan Affleck-Childs  
**Subject:** Design review committee

Good morning,

I saw the meeting notes for the annual town meeting in reference to the Design Review Committee. On the website it looks like you have already filled the seats. If you have not, I am very interested in the committee. I'm the design director for a residential construction company in Needham and have over 15 years of experience in architecture and design. I am a resident of Medway. Let me know! Thanks

Jessica Williamson Chabot  
857-928-5162

Sent from my iPhone



**Jessica Williamson Chabot**

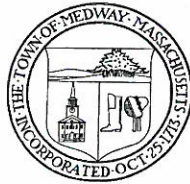
14 Wellington Street,  
Medway, MA

Jessica Williamson Chabot joined the Real Estate and Construction firm of Hawthorn Real Estate as the principle Design Director in 2012. Her responsibilities for Hawthorn capture all 15 years of her experience in Engineering, Architecture, Interior Design, Project Management and Specialty Design. They include space planning, preliminary house designs, and exterior details as well as interior specifications such as tile, lighting, cabinetry, millwork, paint colors, window treatments, and furniture.

Jessica is a certified Associate Kitchen and Bath Designer (AKBD) by the National Kitchen and Bath Association. She received her Degree in Interior Design and Kitchen/Bath Design from the Boston Architectural College. In addition, Jessica is a two time award winning designer having received the award for Best Sustainable Kitchen in the 2010 NKBA Design Competition and 2nd place in the Small Kitchen Category in the 2009 NKBA Design competition.

Prior to joining Hawthorne, Jessica was a Designer and Consultant for Kitchen Intuitions, Sawhorse Designs, Kitchen Views Custom, and a CAD Designer for Nitsch Engineering.

Jessica is a California native and has been living in Boston for over 10 years. She has been published in numerous national publications and most notably as a guest expert in New England Home Magazine and was recently nominated for the New England Home Design Hall of Fame. She is considered an expert on Green and Sustainable kitchen and bath design.



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

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**MEMORANDUM**

June 8, 2016

TO: Planning & Economic Development Board Members  
FROM: Susy Affleck-Childs  
RE: Appointments to the Open Space Committee

The term of office for the following members of the Open Space Committee expires on June 30, 2016: Jim Wickis, Charlie Ross, Denise Legee and Joanne Williams. All have expressed their desire to continue to serve on the OSC.

I recommend the PEDB reappoint Jim Wickis, Charlie Ross, Denise Legee and Joanne Williams to the Open Space Committee for a two year term through June 30, 2018.

NOTE – FYI . . . the other members of the Open Space Committee are Tina Wright, Mike Francis and Bruce Hamblin. Their terms expire on June 30, 2017.

The Medway General Bylaw which established the Open Space Committee provides for up to 9 people to serve on the Committee. As the group presently has 7 members, there is room for 2 more people. Both the Open Space Committee and the PEDB need to do some public outreach to secure some more talent for the Open Space Committee.

Thanks.





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

June 8, 2016

TO: Planning and Economic Development Board  
FROM: Susy Affleck-Childs, Planning and Economic Development Coordinator  
RE: Appointments to Medway Economic Development Committee (EDC)

The term of office for the following members of the EDC expires on June 30, 2016:

- Paul Yorkis
- Eric Arbene
- Keith Peden
- Scott Habeeb

***All four individuals wish to be reappointed to the EDC and I recommend you do so for a 2 year term through 6-30-2018.***

The continuing members of the EDC are Hugh McKinnon, Tina Chemini and Ken Bancewicz. Their terms conclude June 30, 2017.

Two members of the EDC have resigned their positions – Chan Rogers whose term ended 6-30-16 and Alissa Parlee Rodenhiser whose term would have concluded 6-30-17.

As you know, Andy Rodenhiser has served as the PEDB's representative to the EDC for a number of years. That appointment is made on a yearly basis.

The Medway General Bylaw which established the EDC provides for up to 11 members. So, we are in need of up to 3 additional people to serve on the EDC. EDC members have to reside OR work in Medway.

Telephone: 508-533-3291  
[saffleckchilds@townofmedway.org](mailto:saffleckchilds@townofmedway.org)



**June 14, 2016**  
**Medway Planning & Economic Development Board**  
**Meeting**

**2 Marc Road/CommCan**  
**Public Hearing Continuation**

- Public Hearing Continuation Notice dated May 31, 2016
- New submission submittal letter from Dan Merrikin, dated June 6, 2016
- Revised site plan for 2 Marc Road dated June 7, 2016
- PGC review comment letter dated June 8, 2016
- TT review comment letter dated June 8, 2016
- Comments from Fire Chief Jeff Lynch dated 6-6-16
- Emails between Dan Merrikin and Tom Holder during May and June re: dual public and private water supplies
- Draft decision dated 6-8-16





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

RECEIVED

MAY 31 2016

TOWN CLERK

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

**MEMORANDUM**

May 31, 2016

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

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

RE: **Public Hearing Continuation: 2 Marc Road – Site Plan and Special Permits**  
**CONTINUATION DATE: Tuesday, June 14, 2016 at 7:15 p.m.**  
**LOCATION: Medway Town Hall – Sanford Hall, 155 Village Street**

*At its meeting on May 24, 2016, the Planning and Economic Development Board voted to continue the public hearing on the application of Ellen Realty Trust of Millis, MA for special permits and major site plan approval for a proposed medical marijuana cultivation and processing facility at 2 Marc Road to Tuesday, June 14, 2016 at 7:15 p.m. in Sanford Hall at Medway Town Hall, 155 Village Street.*

The proposal is to construct a two story, 60,000 sq. ft. industrial facility and associated infrastructure on three parcels comprising 6.92 acres at 2 Marc Road and 19 & 21 Jayar (Medway Assessors' Parcels 33-001, 24-015 and 24-016) in the Industrial I zoning district. A portion of the site includes wetlands resources within the jurisdiction of the Medway Conservation Commission. The property is also located within a groundwater protection district; the northern boundary of the property is approximately 600' from a Town of Medway public water supply well. The properties are owned by Ellen Realty Trust of Millis, MA.

The applicant proposes to develop the site and construct a registered medical marijuana cultivation and processing facility. That use requires a special permit, the location requires a groundwater protection district special permit, and the overall project requires site plan review and approval. The *2 Marc Road Site Plan of Land in Medway, MA* is dated March 30, 2016 and was prepared by Merrikin Engineering, LLP of Millis, MA. Building elevations were prepared by Keenan & Kenny Architects, LTD of Falmouth, MA.

Proposed site work includes construction of the access/egress driveways, curbing, 35 off-street parking spaces, landscaping, lighting, sidewalk, installation of stormwater drainage facilities, connection to municipal sewer, and reconstruction of the privately owned portions of Jayar and Marc Roads.

The applications, proposed site plan, stormwater report, and other documents are on file with the Medway Town Clerk and at the Planning and Economic Development Board office at Medway Town Hall, 155 Village Street and may be reviewed during regular business hours. The applications, plans, reports and documents are also posted at the Planning and Economic Development Board's web page at:  
<http://www.townofmedway.org/planning-economic-development-board/pages/2-marc-road-site-plan-and-special-permits>

***The Board will review a draft decision at the June 14<sup>th</sup> hearing.***

Please contact me if you have any questions. Thanks.

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

# Merrikin Engineering, LLP

*Consulting Engineers*

730 MAIN STREET  
SUITE 2C

MILLIS, MA 02054

TELEPHONE (508) 376-8883

June 7, 2016

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

Ref: 2 Marc Road  
Medical Marijuana Cultivation Facility

Dear Members of the Board:

Please find enclosed a revised site plan for 2 Marc Road. The following adjustments have been made:

- ✓ As discussed at the last hearing, we have added a paved apron at the Industrial Park Road side of the site.
- ✓ The wetland boundaries have been changed slightly based on a site inspection by the Conservation agent and the existing stormwater basin on the opposite side of Marc Road has been flagged as a wetland stormwater basin.
- ✓ As requested by the Conservation Commission, a sediment trap (shallow swale) has been added along the northeasterly swale segment in order to provide additional treatment of runoff from that previously disturbed portion of the site.
- ✓ Additional notes have been added describing the techniques to be used to reconstruct and maintain the existing stormwater swales on the property.
- ✓ A small wetland restoration area is proposed in the central portion of the site as requested by the Conservation Commission.
- ✓ The applicant has determined that a generator is needed. A pad has been added adjacent to the driveway at the southeast corner of the building.
- ✓ The fire chief has requested that a fire hydrant be added towards the rear of the building. The plans have been updated accordingly.

In addition, please accept this letter as a request for a waiver relative to the size of parking lot spaces. As we discussed, the Zoning Bylaw requires a size that conflicts with your Site Plan Regulations. A Form Q is attached. The site lighting photometric plan has been updated to reflect wall packs lowered to 10' above grade and a slight reconfiguration of the parking lot lighting to keep illumination off of adjacent properties.



Medway Planning and Economic Development Board  
June 7, 2016  
Page 2 of 2

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

Sincerely,

Daniel J. Merrikin P.E.

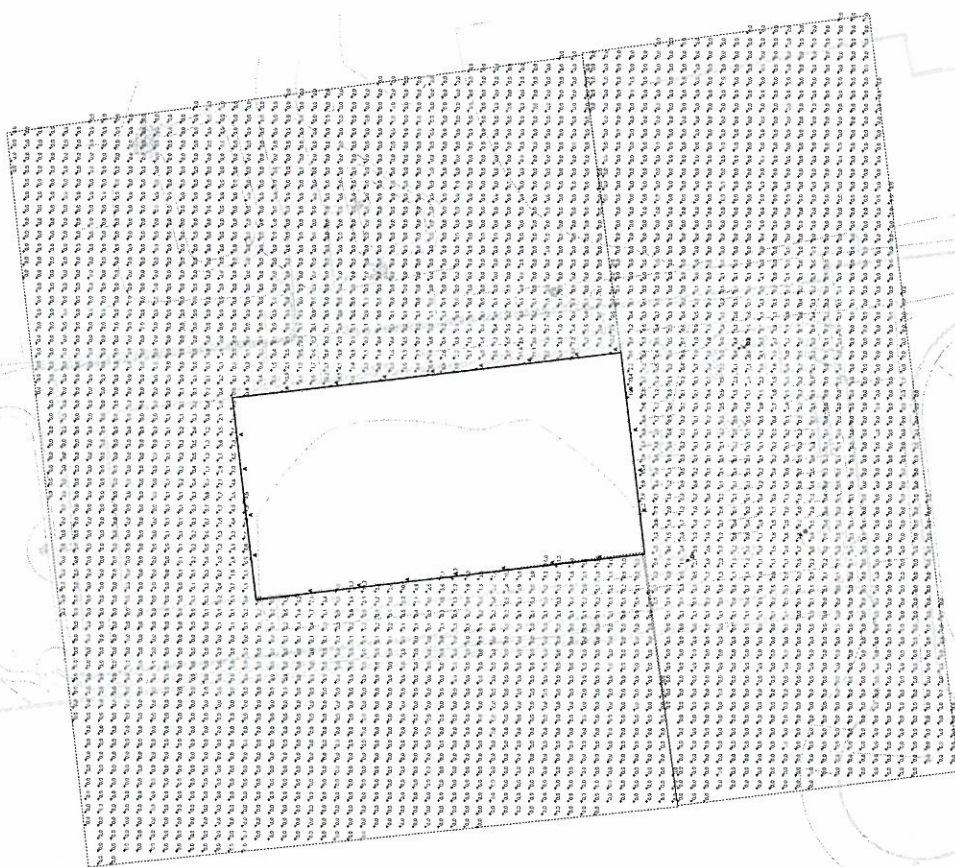
cc: File

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

<b>Project Name:</b>	2 Marc Road
<b>Property Location:</b>	2 Marc Road (Parcel 33-001, 24-015 and 24-016 )
<b>Type of Project/Permit:</b>	Major Site Plan Application
<b>Identify the number and title of the relevant Section of the applicable Rules and Regulations from which a waiver is sought.</b>	Section 205-6.G.1 Parking Spaces/Stalls
<b>Summarize the text of the relevant Section of the Rules and Regulations from which a waiver is requested.</b>	The regulation requires parking spaces to be 10'x20'.
<b>What aspect of the Regulation do you propose be waived?</b>	Parking space size
<b>What do you propose instead?</b>	9'x18'
<b>Explanation/justification for the waiver request. Why is the waiver needed? Describe the extenuating circumstances that necessitate the waiver request.</b>	Section 7.1.1.E.3.a of the Zoning Bylaw requires that standard parking spaces be 9'x18'. The applicant must comply with the bylaw or seek a variance from the Zoning Board of Appeals.
<b>What is the estimated value/cost savings to the applicant if the waiver is granted?</b>	n/a
<b>How would approval of this waiver request result in a superior design or provide a clear and significant improvement to the quality of this development?</b>	It would comply with the requirements of the Zoning Bylaw.
<b>What is the impact on the development if this waiver is denied?</b>	Violation of the Zoning Bylaw.
<b>What are the design alternatives to granting this waiver?</b>	Seeking a variance from the Zoning Board of Appeals
<b>Why is granting this waiver in the Town's best interest?</b>	It will allow the development to comply with the Zoning Bylaw
<b>If this waiver is granted, what is the estimated cost savings and/or cost avoidance to the Town?</b>	None
<b>What mitigation measures do you propose to offset not complying with the particular Rule/Regulation?</b>	None
<b>What is the estimated value of the proposed mitigation measures?</b>	None
<b>Other Information?</b>	No
<b>Waiver Request Prepared By:</b>	Merrikin Engineering, LLP
<b>Date:</b>	May 25, 2016

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





Date: 02/15/2016  
 Scale: 1" = 10'-0"  
 Plot Scale: 1" = 10'-0"  
 Drawing No.: 2016-01  
 Project No.: 2016-01

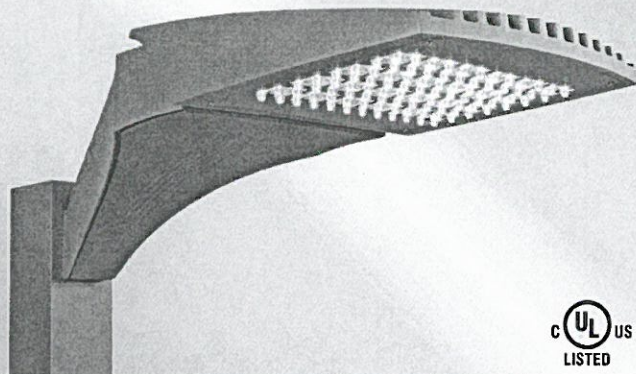
Statistics		Symbol	Avg	Max/Min	Avg/Min	Avg/Max	Min	Max
Building Lighting		+	0.3 fc	N/A	0.01	0.01	0.0 fc	18.0 fc
Parking Lot Lighting		+	0.4 fc	N/A	0.01	0.01	0.0 fc	18.2 fc

Luminaire Schedule									
Label	Symbol	QTY	Manufacturer	Number of Lamps	Wattage	Description	Fixtures	Catalog Number	UL
A		23	LED INDUSTRIES	1	4916.013	55.8	PMW-S-LED-HO-HV- 31-1/2 in. L x 15 in. W, X 11-3/4 in. H, LED LUMINAIRE	PMW-S-LED-HO-HV-UE	1
D		2	Visionaire Lighting LLC	1	4339.175	36.4	31-1/2 in. L x 15 in. W, X 11-3/4 in. H, LED LUMINAIRE	VWK-1-T3-21LC-3-4-K-UV	1
D2		1	Visionaire Lighting LLC	1	4339.175	72.8	31-1/2 in. L x 15 in. W, X 11-3/4 in. H, LED LUMINAIRE	VWK-1-T3-21LC-3-4-K-UV	1
			Visionaire Lighting LLC	1	4339.175	36.4	31-1/2 in. L x 15 in. W, X 11-3/4 in. H, LED LUMINAIRE	VWK-1-T3-21LC-3-4-K-UV	1
			Visionaire Lighting LLC	1	4339.175	36.4	31-1/2 in. L x 15 in. W, X 11-3/4 in. H, LED LUMINAIRE	VWK-1-T3-21LC-3-4-K-UV	1

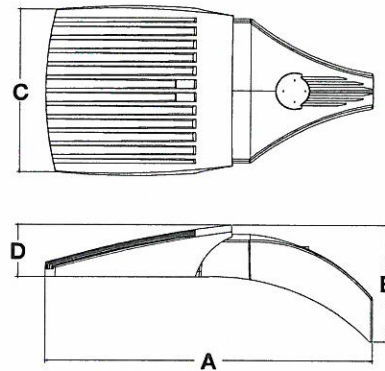
MEDWAY CULTIVATION FACILITY  
 2 Marc Road Medway, MA



# VMX LED



## Dimensional Drawings



Fixture	A	B	C	D	Max. Watts	Lbs
VMX-1	29"	10.75"	15.5"	4"	219W	49

The new VMX LED Series offers clean, functional styling that is defined by its sleek low profile design and rugged construction. It combines LED performance and advanced LED thermal management technology and provides outdoor lighting that is both energy efficient and aesthetically pleasing.

The LED's performance and the driver's life are maximized by enclosing them in two separate cast aluminum housings. Easy tool-less access for mounting and maintenance.

The LED light assemblies come with 32 to 96 LEDs. Six optical distribution patterns are available. Choose between 4000 or 5000 Kelvin temperature of the LEDs.

A durable polyester powder coat finish is guaranteed for five years; and is available in standard or custom colors.

The VMX LED series is an exceptional choice for commercial parking lots, office complexes, architectural projects, and other general lighting projects.

Model	Optics	Source	Current	Kelvin	Voltage	Mounting	Finish	Options
VMX-1	Type II (T2)	# of LEDs 32 (32LC)	mA 350 (3)	4000K *Neutral white (4K)	120-277 *Universal voltage (UNV)	Arm Mount (AM)	Bronze (BZ)	Photocell & Receptacle *Specify voltage (PCR120) (PCR208) (PCR240) (PCR277) (PCR480)
	Type III (T3)	64 (64LC)	530 (5)	5000K *Cool white (5K)	480* (5)	Wall Mount *Cast Wall Plate (BAWP) to be ordered separately (WM)	Black (BK)	Photo Receptacle (PER) *With shunting cap
	Type IV (T4)	96 (96LC) *Not available in 1000mA	700 (7)		347* (8)	Round Pole Plate Adaptors (RPP) are to be ordered separately.	Smooth Black (SBK)	Round Pole Plate Adaptor For 3" Pole (RPP3) For 4" Pole (RPP4) For 5" Pole (RPP5)
	Type IV-A (T4A)		*1000 (10) *Not available in 96LC		*347V & 480V no available in 32LC 350mA		White (WH)	Cast Wall Plate (BAWP)
	Type V (T5)						Smooth White (SWH)	0-10v Dimming Driver No Controls (DIM)
	Type V-W (T5W)						Graphite (GP)	Motion Sensor *Works with FSP-211 (WSC-8) 8' Mounting Height (WSC-20) 9-20' Mounting Height (WSC-40) 21-40' Mounting Height
							Grey (GY)	Wireless Control Consult Factory (WC)
							Silver Metallic (SL)	Mount Adaptor (UPMA)
							Custom Color (CC)	Cut-Off Shield (CS)

For more detailed information on mounting, wiring or installation instructions, please consult factory. If poles are not ordered with fixtures, please specify mounting requirements. This document contains proprietary information of Visionaire Lighting, LLC. Any use of this information requires the written approval of Visionaire Lighting, LLC. In keeping with our TQM policy of continuous improvement, Visionaire reserves the right to change any specifications contained herein without prior notice.



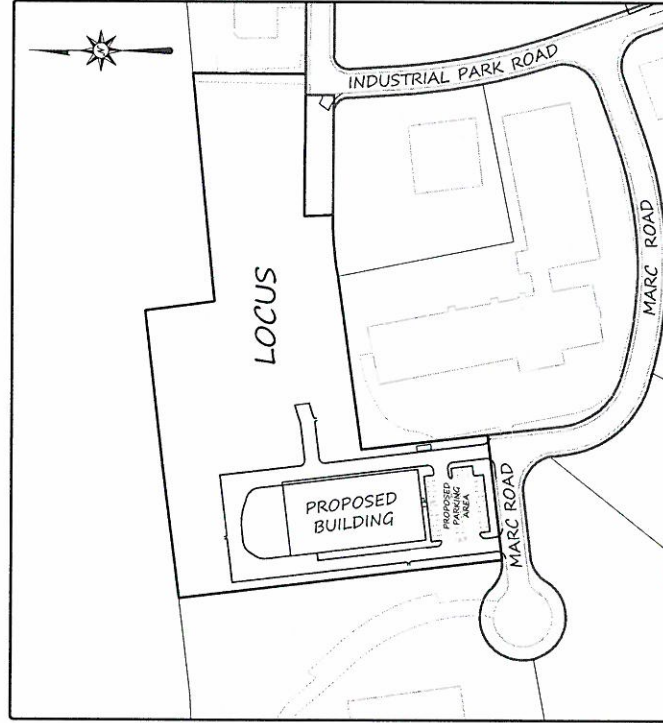
# 2 MARC ROAD SITE PLAN OF LAND IN MEDWAY, MASSACHUSETTS

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

MARCH 30, 2016  
Latest Revision: June 7, 2016

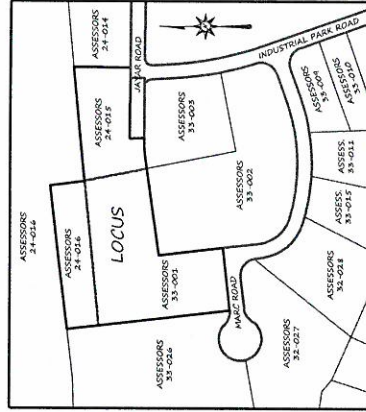


2009 MASSGIS AERIAL LOCUS  
SCALE: 1" = 300'



LOCUS  
SCALE: 1" = 70'

PREPARED FOR:  
ELLEN REALTY TRUST  
730 MAIN STREET  
MILLIS, MA 02054



ASSESSORS LOCUS  
SCALE: 1" = 200'

SITE ADDRESS:  
2 MARC ROAD  
MAP AND PARCEL:  
MAPS 24 & 33  
INDUS 24-014, 24-016, & 33-001  
ZONING CLASSIFICATION:  
INDUS1A1  
OVERLAY DISTRICTS:  
GROUNDWATER PROTECTION DISTRICT  
OWNER & APPLICANT:  
ELLEN REALTY TRUST  
730 MAIN STREET, SUITE 2C  
MILLIS, MA 02054  
DATE APPROVAL ISSUED:  
PLAN ENFORCEMENT DATE:

\_\_\_\_\_ HIGHWAY BOARD OF SELECTMEN

## WAIVERS REQUESTED:

1. S204-A-7-A FOR NO RAIL TRAFFIC ASSESSMENT
2. S204-S-C-2 NOT TO HAVE TO INCLUDE AN "EXISTING LANDSCAPE ARCHITECT" PREPARED BY A PROFESSIONAL LANDSCAPE ARCHITECT.
3. S204-S-E-2 NOT TO HAVE TO PROVIDE A LANDSCAPE ARCHITECT. ONLY LAND PREPARED BY A PROFESSIONAL LANDSCAPE ARCHITECT.
4. S204-S-E-3 TO ALLOW PARKING SPACES TO BE "WALK PERMIT" ONLY.
5. S204-S-E-4 TO ALLOW CAPE COD BEACH AROUND PARKING AREAS.

## PLAN INDEX

- SHEET 1 - COVER
- SHEET 2 - EXISTING CONDITIONS & EROSION CONTROL
- SHEET 3 - LAYOUT SHEET
- SHEET 4 - SANITARY & UTILITY SHEET
- SHEET 5 - BOUNDARY & EASEMENT SHEET
- SHEET 6 - DETAIL SHEET
- SHEET 7 - DETAIL SHEET
- SHEET 8 - DETAIL SHEET

**MERRIKIN  
ENGINEERING, LLP**  
730 MAIN STREET, SUITE 2C  
MILLIS, MA 02054  
ph. 508-576-8883 fax. 508-576-8823

354-D63 SHEET 1 OF 8

2 MARC ROAD  
COVER SHEET  
PLAN OF LAND  
IN  
MEDWAY, MA

PLAN DATE: MARCH 30, 2016

PLAN SCALE: AS NOTED



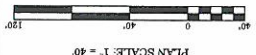








Seal of the State of Massachusetts  
Daniel J. Merrikin  
Professional Engineer  
License No. 140247  
Date: 04/08



REVISION	DATE	BY
1	2016-03-30	DJM
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3	2016-03-30	DJM
4	2016-03-30	DJM
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100	2016-03-30	DJM

2 MARC ROAD  
IN  
PLAN OF LAND  
MEDWAY, MA

**MERRIKIN**  
ENGINEERING, LLP  
730 MAIN STREET, SUITE 2C  
MILLS, MA 02054  
Phone: 508-576-8888

354-D63 SHEET 3 OF 8

LAYOUT NOTES:

- FOR THE PURPOSES OF THIS SITE PLAN, THE THREE PARCELS SHOWN ARE CONSIDERED ONE UNIT AND SHALL BE SEPARATELY DEVELOPED.
- FURTHER SITE PLAN APPROVAL: INDUSTRIAL 1
- OVERLAY DISTRICTS: GROUNDWATER PROTECTION DISTRICT
- OWNER & APPLICANT: NTF JOHN P. & ANN LALLY, 35 CORPUS STREET, MILLS, MA 02054
- DATE APPROVAL ISSUED: PLAN ENDORSEMENT DATE:

PLAN SCALE: 1" = 40'

DATE APPROVAL ISSUED: PLAN ENDORSEMENT DATE:

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# WETLAND RESTORATION AREA NOTES:

1. RESERVE TOPSOIL EXCAVATED FROM SWALES TO USE AS TOPSOIL IN THE WETLAND RESTORATION AREA.
2. EXISTING WOODY SPECIES SPECIMENS IN THE SWALE RESTORATION AREA IF APPROVED BY THE CONSERVATION AGENT SHALL BE REMOVED BY THE CONSERVATION AGENT PRIOR TO INSTALLATION.
3. RESTORATION AREA CONSTRUCTION SHALL BE INSPECTED BY A WETLAND SCIENTIST.
4. PLANT A TOTAL OF 30 SHRUBS (12'-14" INSTALLATION SEED MIX) OF THE FOLLOWING SPECIES:
  - 21. VIBURNUM
  - 22. VIBURNUM
  - 23. SOUTHERN ARROWWOOD
  - 24. SOUTHERN ARROWWOOD

# EXISTING SWALE MAINTENANCE NOTES:

1. SWALE MAINTENANCE SHALL OCCUR DURING DRY PERIODS (JULY AND AUGUST) AND SHALL BE SCHEDULED TO AVOID SIGNIFICANT RAINFALL.
2. TEMPORARY STRAINABLE CHECKDAMS SHALL BE INSTALLED IN THE SWALE DURING SWALE DISTURBANCE.
3. SWALES SHALL BE MAINTAINED TO BE REMOVED FROM THE DISTURBED SWALES, INCLUDING THE SLOPES AND AREA ALONG THE DISTURBED SIDE OF THE SWALES.
4. SWALES SHALL BE MAINTAINED TO BE REMOVED FROM THE DISTURBED SWALES TO THE ORIGINAL LOAM LAYER AND TO THE INVERT OF ANY EXISTING PIPES.
5. SWALES SHALL BE MAINTAINED TO BE REMOVED FROM THE DISTURBED SWALES TO THE ORIGINAL LOAM LAYER AND TO THE INVERT OF ANY EXISTING PIPES.
6. SWALES SHALL BE MAINTAINED TO BE REMOVED FROM THE DISTURBED SWALES TO THE ORIGINAL LOAM LAYER AND TO THE INVERT OF ANY EXISTING PIPES.
7. SWALES SHALL BE MAINTAINED TO BE REMOVED FROM THE DISTURBED SWALES TO THE ORIGINAL LOAM LAYER AND TO THE INVERT OF ANY EXISTING PIPES.
8. SWALES SHALL BE MAINTAINED TO BE REMOVED FROM THE DISTURBED SWALES TO THE ORIGINAL LOAM LAYER AND TO THE INVERT OF ANY EXISTING PIPES.
9. SWALES SHALL BE MAINTAINED TO BE REMOVED FROM THE DISTURBED SWALES TO THE ORIGINAL LOAM LAYER AND TO THE INVERT OF ANY EXISTING PIPES.
10. SWALES SHALL BE MAINTAINED TO BE REMOVED FROM THE DISTURBED SWALES TO THE ORIGINAL LOAM LAYER AND TO THE INVERT OF ANY EXISTING PIPES.

# UTILITY NOTES:

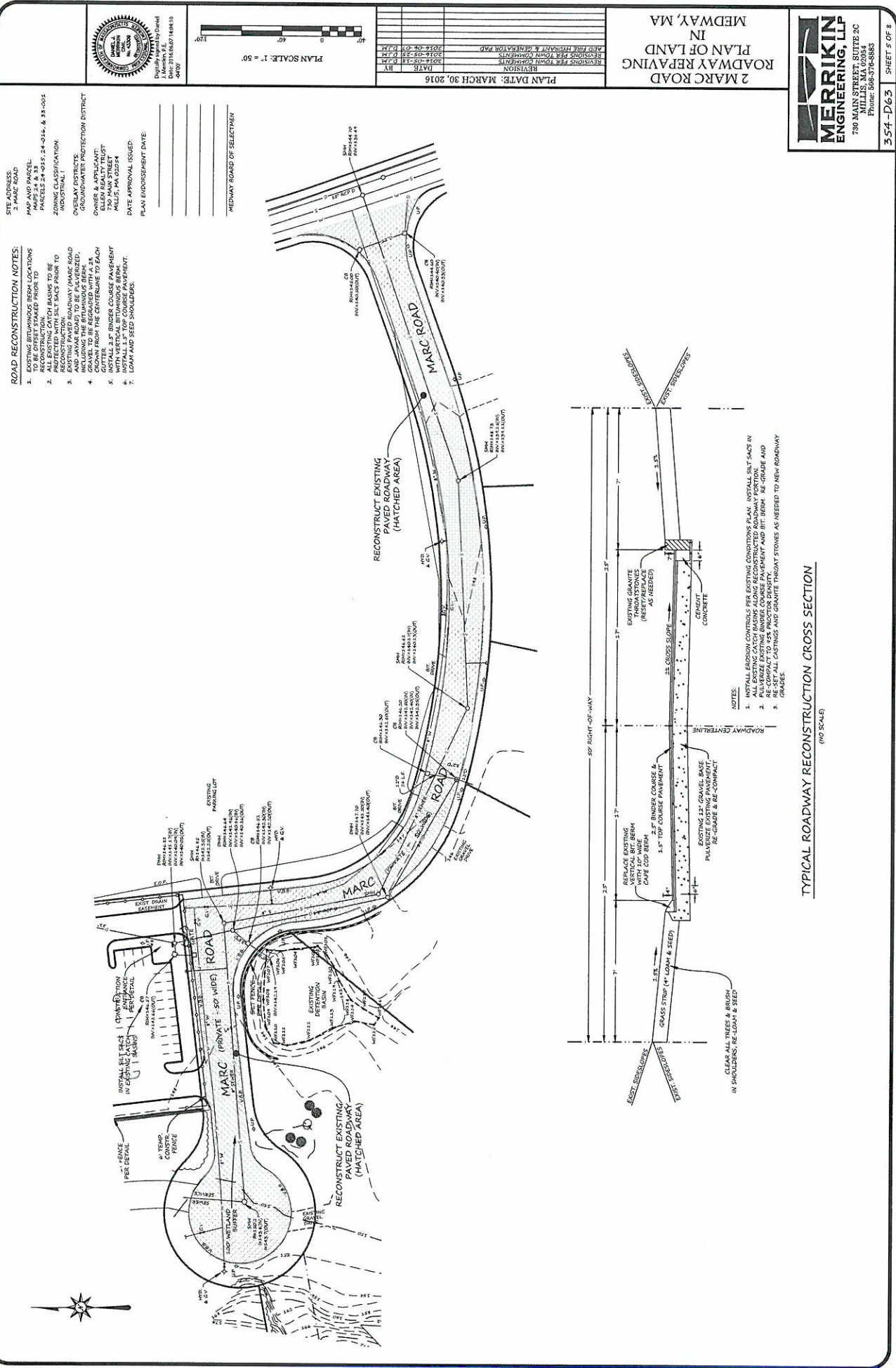
1. DOMESTIC WATER SERVICE SHALL BE TYPE K COPPER IN ACCORDANCE WITH THE REQUIREMENTS OF THE MEDWAY WATER DEPARTMENT. THE PROJECT OWNER SHALL BE RESPONSIBLE FOR THE WATER SERVICE AND FIRE WATER SERVICE PIPE SIZE REQUIREMENTS FOR THE PROJECT.
2. DRAINAGE PIPING SHALL BE HDPE (40" OR 48" DIA.) WITH THE REQUIREMENTS OF THE MEDWAY WATER DEPARTMENT. CLEANOUTS SHALL BE POSITIONED IN ACCORDANCE WITH THE REQUIREMENTS OF THE MEDWAY WATER DEPARTMENT. CLEANOUTS SHALL BE POSITIONED IN ACCORDANCE WITH THE REQUIREMENTS OF THE MEDWAY WATER DEPARTMENT.
3. THE ELECTRIC COMPANY SHALL DETERMINE THE FINAL LOCATION AND DESIGN OF THE ELECTRIC SERVICE AND THE FINAL LOCATION AND DESIGN OF THE ELECTRIC SERVICE AND THE FINAL LOCATION AND DESIGN OF THE ELECTRIC SERVICE.
4. THE GAS COMPANY SHALL DETERMINE THE FINAL LOCATION AND DESIGN OF THE GAS SERVICE AND THE FINAL LOCATION AND DESIGN OF THE GAS SERVICE.
5. PLUMBERS AND DRAIN LAYERS OF ESTABLISHED REPUTATION AND EXPERIENCE WILL BE LICENSED BY THE STATE OF MASSACHUSETTS AS DRAIN LAYERS AUTHORIZED TO PERFORM THE WORK.

# WETLAND RESTORATION AREA NOTES:

1. RESERVE TOPSOIL EXCAVATED FROM SWALES TO USE AS TOPSOIL IN THE WETLAND RESTORATION AREA.
2. EXISTING WOODY SPECIES SPECIMENS IN THE SWALE RESTORATION AREA IF APPROVED BY THE CONSERVATION AGENT SHALL BE REMOVED BY THE CONSERVATION AGENT PRIOR TO INSTALLATION.
3. RESTORATION AREA CONSTRUCTION SHALL BE INSPECTED BY A WETLAND SCIENTIST.
4. PLANT A TOTAL OF 30 SHRUBS (12'-14" INSTALLATION SEED MIX) OF THE FOLLOWING SPECIES:
  - 21. VIBURNUM
  - 22. VIBURNUM
  - 23. SOUTHERN ARROWWOOD
  - 24. SOUTHERN ARROWWOOD

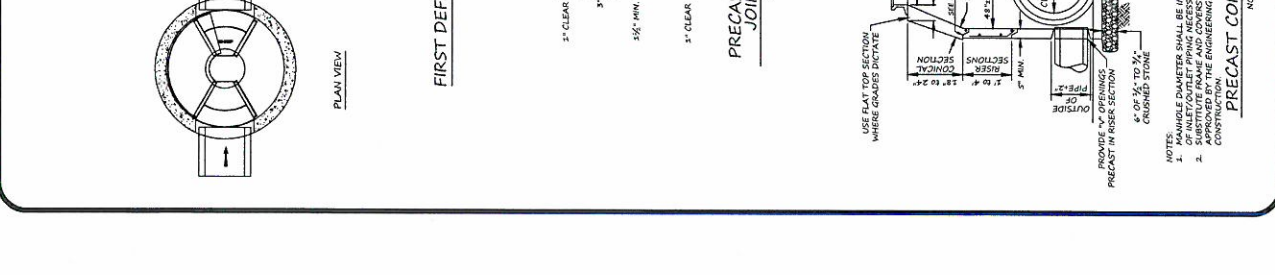
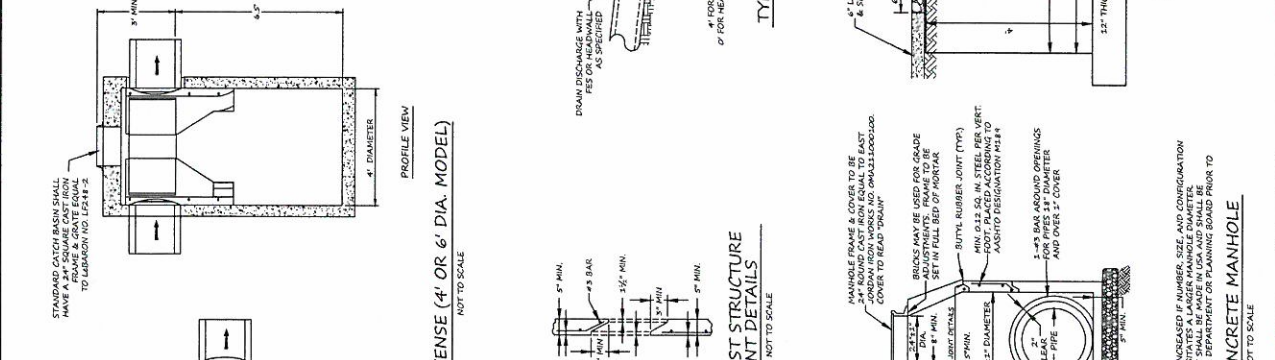
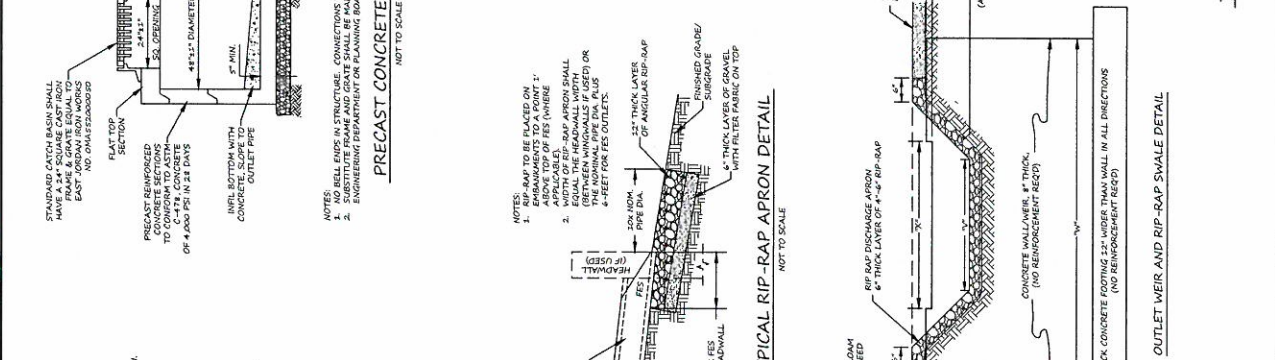
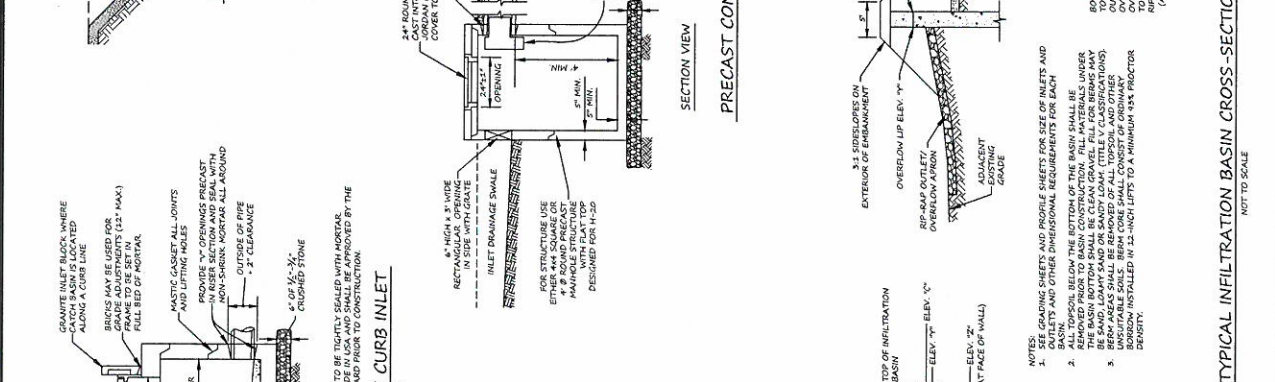
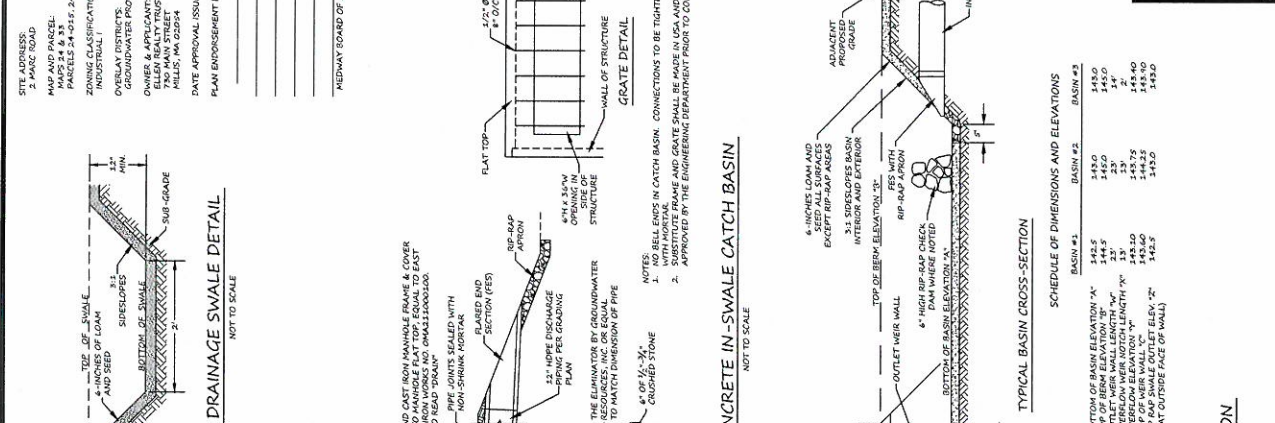






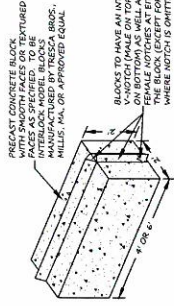
SITE ADDRESS:  
2 MARC ROAD  
MEDWAY, MA 01954  
PARCELS 24-0157, 24-0158, & 24-0159  
ZONING CLASSIFICATION:  
INDUSTRIAL 1  
OVERLAY DISTRICTS:  
GROUNDWATER PROTECTION DISTRICT  
OWNER & APPLICANT:  
MERRIKIN ENGINEERING, L.P.  
730 MAIN STREET  
MILLS, MA 02254  
DATE APPROVAL ISSUED:  
PLAN ENDORSEMENT DATE:

PLAN SCALE: N.T.S.





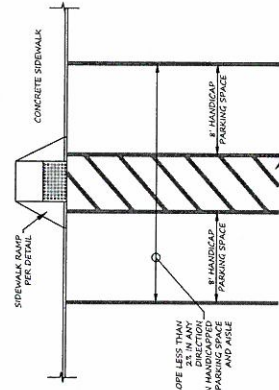
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1. MARC ROAD  
MAP AND PARCEL:  
MAP 24-016 & 33  
PARCELS 24-016, 24-016, & 23-003  
ZONING CLASSIFICATION:  
INDUSTRIAL I  
OVERLAY DISTRICTS:  
GROUNDWATER PROTECTION DISTRICT  
OWNER & APPLICANT:  
ELLEN KELLEY TRUST  
780 MAIN STREET  
MILLS, MA 02054  
DATE APPROVAL ISSUED:  
PLAN ENFORCEMENT DATE:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
MIDWAY BOARD OF SELECTMEN



NOTE: PRECAST "CORNER" BLOCKS OF SIMILAR DIMENSIONS SHALL BE INTERLACED AT ALL CORNERS. PRECAST "T" BLOCKS OF SIMILAR DIMENSIONS SHALL BE INTERLACED AT ALL INTERSECTIONS.

CONCRETE BLOCK DETAIL

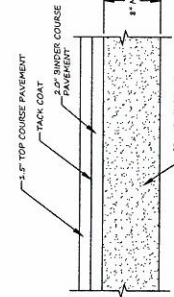
NOT TO SCALE



NOTE: REFER TO THE LAYOUT PLAN FOR THE LOCATION OF HANDICAP

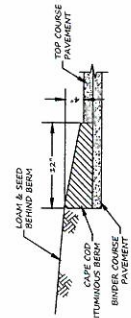
TYPICAL HANDICAP PARKING DETAIL

(NO SCALE)



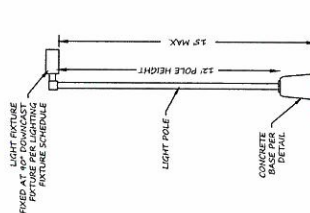
## TYPICAL PARKING LOT PAVING SECTION

NOT TO SCALE



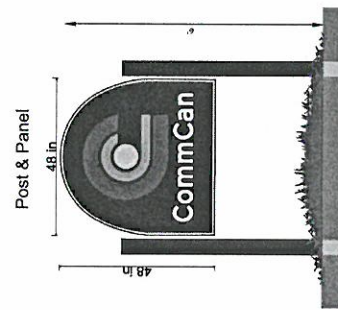
CAPE COD BERM DETAIL

(NO SCALE)



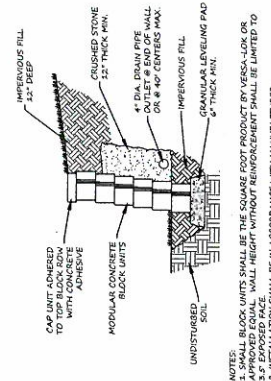
TYPICAL LIGHT POLE DETAIL

**NOT TO SCALE**



**FREESTANDING SIGN DETAIL**

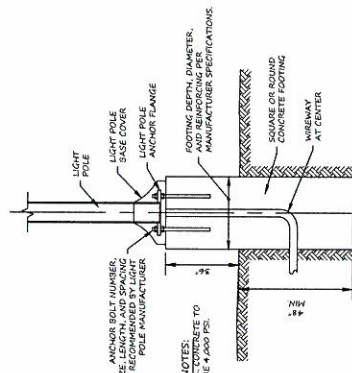
NOT TO SCALE



NOTES:  
1. SMALL BLOCK UNITS SHALL BE THE SQUARE FOOT PRODUCT BY VERSA-LOK OR APPROVED EQUAL. WALL HEIGHT WITHOUT REINFORCEMENT SHALL BE LIMITED TO 3.5' EXPOSED FACE.

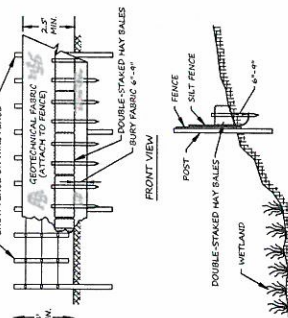
TYPICAL "SMALL BLOCK" RETAINING WALL

**NOT TO SCALE**



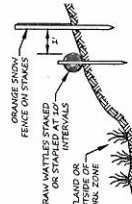
CONCRETE LIGHT POLE BASE DETAIL

(AND SCALE)



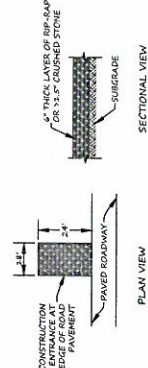
### SILT FENCE & STRAWBALES DETAIL

NOT TO SCALE



## EROSION CONTROL

(FILTER)



NOTES:

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

CONSTRUCTION ENTRANCE DETAIL

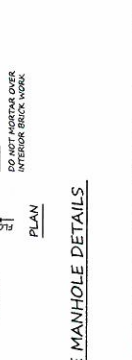
NOT TO SCALE

Luminaires Schedule				
Symbol	Qty	Label	Arrangement	Photometry
□	2	EP4	SINGLE	LSI PWR-S-LED-HD-TN-UF MOUNTED 10' A.G.
□	2	EP4	40°	VISIONAIRIE (L x T) 4-ALC 350-4000K (LED)
□	2	WPA	SHOULDER MOUNT	VISIONAIRIE (L x T) 4-ALC 350-4000K (LED)





OF 310 ONE  
DEPARTMENT.



---

**PGC ASSOCIATES, INC.**

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

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June 8, 2016

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

**RE: 2 MARC ROAD MEDICAL MARIJUANA SITE PLAN AND SPECIAL PERMITS**

Dear Mr. Rodenhiser:

I have reviewed the revised site plan, and applications for special permits for a medical marijuana cultivation facility and for development within a Groundwater Protection District. The owner/applicant is Ellen Realty Trust of Millis.

The proposal is to construct a 2-story, 60,000 square foot building for the cultivation of medical marijuana along with associated parking, drainage, lighting, landscape and security measures. The plan was prepared by Merrikin Engineering, LLP of Millis and Keenan+ Kenny Architects, LTD of Falmouth. The plan is dated March 30, 2016, with a latest revision date of June 7, 2016. The property is located at 2 Marc Road in the Industrial I zoning district.

I have repeated the relevant comments from my April 2, 2016 letter with new comments in **bold** as follows:

**ZONING**

**Parking**

4. The applicant proposes 35 parking spaces and indicates the facility will have about 30 employees. There is no specified parking requirement for this use. Section 7.1 D states that the Building Inspector shall specify the number for uses not specifically listed. I suggest that the applicant request that the Building Inspector make a determination on this. For comparison purposes, manufacturing and warehouse/distribution facilities each require 1 space per 2 employees plus 1 per 1000 net square feet. In this case, that would be 15 (for 30 employees) plus 60 (for 60,000 square feet) for a total of 75 (actually slightly less when "net square feet" is determined. It should also be noted a potential future building expansion is indicated on the plans but no corresponding additional parking spaces are indicated. **I am not sure if the Building Inspector has made a determination.**
5. Dimensions of parking spaces are not provided (other than for the handicapped spaces). **A waiver from the site plan regulations for parking space dimensions is now requested.**
6. Section 7.1 G states that parking spaces shall be located behind or beside buildings unless no reasonable alternative exists. The parking is located in front of the building. No rationale is provided as why no reasonable alternative is provided. **The rationale that spaces in front comply with DPH security requirements has now been provided.**



7. Section 7.1 I states that at least 1 bicycle space shall be provided for every 20 motor vehicle spaces. If the proposed 35 spaces are approved, there should be provision for secure storage of at least 2 bicycles. **A bicycle rack is now shown on the plan.**
8. Section 7.1 J provides the PEDB authority to reduce the required number of spaces up to 30% of the number specified in Table 3 based on specific circumstances and supported by a parking analysis prepared by a registered professional engineer. It is not clear that this would apply to a use not listed in Table 3 and for which a number is determined by the Building Inspector. Since the Building Inspectors that number would be based on his determination of the specific need of a use in a particular location, my understanding of this provision is that the PEDB would not have the authority to reduce that number.

#### **Outdoor Lighting**

9. No photometric plan or any information on lighting has been provided. **A photometric plan showing compliance with the lighting bylaw has now been provided.**

#### **Site Plan Rules and Regulations**

35. Section 205-2 provides design standards. The Design Review Committee will review the design features. In general, the design does not adhere to the new Design Review Guidelines, but it is also not out of line with other buildings within the industrial park. **Design Review Committee has reviewed the design and provided recommendations, including windows in front and striping, which have been added.**
37. Section 205-9 provides standards for trees and landscaping. DPH regulations restrict the amount of landscaping permitted. Parking lots are required to have 1 tree per 6 spaces. In this instance, 6 trees are required. Seven trees are provided around the perimeter of the access drives and parking lot, but only 2 provide shade to parking spaces as required. **There are now 6 trees providing shading to parking spaces.**

If there are any questions about these comments, please call or email me.

Sincerely,



Gino D. Carlucci, Jr.





**TETRA TECH**

May 5, 2016  
(revised May 24, 2016)  
(revised June 8, 2016)

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

**Re: Major Site Plan Review  
Proposed Marijuana Cultivation Facility  
2 Marc Road  
Medway, Massachusetts**

Dear Ms. Affleck-Childs:

Tetra Tech (TT) has performed a review of the proposed Site Plan for the above-mentioned project. The project includes the construction of a proposed two story, 60,000 square foot marijuana cultivation facility on land that consists of three parcels held in common ownership. The sites are currently being used as a storage and processing area of earthen products. The applicant is also proposing to reconstruct a portion of Jayar Road from the intersection of Marc Road to Industrial Park Road.

Proposed stormwater infrastructure includes utilizing catch basins, manholes, water quality units, swales and infiltration basins to mitigate increase in post condition peak runoff rates. Existing drain swales located on-site are also proposed to be cleaned out and maintained as part of the proposed project to ensure all proposed drain infrastructure performs as designed. The applicant will be filing necessary paperwork with the Town of Medway Conservation Commission concurrently with the Site Plan Approval process.

TT is in receipt of the following materials:

- A plan (Plans) set titled "2 Marc Road, Site Plan of Land in Medway, Massachusetts", dated March 30, 2016, prepared by Merrikin Engineering, LLP (ME).
- A plan (Plans) set titled "Rosenfeld, Medway Cultivation Facility Medway, Massachusetts", dated November 24, 2015, prepared by Keenan + Kenny Architects, Ltd (KKA).
- A form (Application Forms) set titled "Application for Major Site Plan Approval", dated April 1, 2016, prepared by ME.
- A description (Projection Description) titled "Project Description and Development Impact Statement for 2 Marc Road" prepared by ME.
- A form set titled "Medway Planning and Economic Development Board, Form Q - Request for Waiver from Rules and Regulations", dated January 26, 2016, prepared by ME.
- A stormwater management report (Stormwater Report) titled "Stormwater Report" dated March 30, 2016, prepared by ME.

The Plans, Stormwater Report and accompanying materials were reviewed for conformance with the Town of Medway Planning Board Rules and Regulations (Chapter 200), MA DEP Stormwater Management Standards (Revised January 2008), Town of Medway Water/Sewer Rules and Regulations and good engineering practice. The following is a list of comments generated during the review of the design documents. Reference to the applicable regulation requirement is given in parentheses following the comments.

**Infrastructure Northeast**  
Marlborough Technology Park 100 Nickerson Road, Marlborough, MA 01752  
Tel 508.786.2200 Fax 508.786.2201 [tetratech.com](http://tetratech.com)

On May 4, 2016 and May 19, 2016, TT received updated plans and information which reflect comments received during the review process. Responses by the applicant's engineer have been provided under the original comments. We have reviewed the above-mentioned plans and updated our comments as bulleted below applicant engineer's response.

On June 7, 2016, TT received updated plans and supporting information which reflect comments received during previous reviews of the Site Plan by both the town and TT. We have reviewed the revised plans and updated our previous comments accordingly.

**Conformance with Planning Board Rules and Regulations for Submission and Review of Site Plans (Chapter 200):**

- 1) The applicant requested a waiver to eliminate a traffic impact assessment from the required elements of the Development Impact Statement. (Ch. 200 §204-3.A.7.a) The applicant states that the Project is near the end of dead end road with light traffic and does not have direct access to major state route. TT is not opposed to granting this waiver request, however the applicant should provide additional information regarding expected traffic generation.
  - *ME 05/19/16 Response: Given that this is essentially a manufacturing facility, the most appropriate ITE trip generation use is Manufacturing (code 140). Trip generation rates based on building size are not appropriate because the proposed facility has large areas dedicated to growing plants, rather than actual manufacturing operations. Thus, an estimate based on the expected number of employees is a more reasonable assumption. For the expected maximum employee count of 30, the expected average weekday trip generation for the facility is therefore 65 (30 x 2.13 trips per day). A copy of the ITE trip generation data is included in Attachment A. Given such low rates of traffic generation in close proximity to a major travel route, we do not believe that a detailed assessment is warranted.*
  - TT 05/23/16 Update: This item has been addressed to our satisfaction.
- 2) The Plans shall be stamped, signed and dated by qualified Registered Architect. (Ch. 200 §204-4.A)
  - *ME 05/19/16 Response: Included in Attachment B are floor plans stamped by the RLA.*
  - TT 05/23/16 Update: This item has been addressed to our satisfaction.
- 3) The applicant shall verify that all existing and proposed elevations refer to North American Vertical Datum of 1988 (NAVD 88). (Ch. 200 §204-4.D)
  - *ME 05/19/16 Response: The survey datum is NAVD88. General Note 2 has been added to sheet 2 accordingly.*
  - TT 05/23/16 Update: This item has been addressed to our satisfaction.
- 4) The locus plan shall be at a maximum scale of one (1) inch equals on thousand (1,000) feet. (Ch. 200 §204-5.B.1)
  - *ME 05/19/16 Response: The existing conditions plan is the Site Context Plan. While locus plans are shown on the cover sheet, we have added a locus to the existing conditions plan to show all streets within 2,000 feet of the site as required. The locus plan is at 1"=1,000 and the existing conditions plan is at 1"=40'.*
  - TT 05/23/16 Update: This item has been addressed to our satisfaction.



- 5) The applicant requested a waiver for "Existing Landscape Inventory" due to the existing site being previously developed. TT is not opposed to granting this waiver as the site is currently in a cleared condition being used to process earthen materials. (Ch. 200 §204-5.C.3)
- *ME 05/19/16 Response: No response needed.*
  - TT 05/23/16 Update: No action required for this item.
- 6) The applicant shall provide radius of proposed curb radii at curb cuts to Marc Road.(Ch. 200 §204-5.D.2)
- *ME 05/19/16 Response: The information has been added to the plans. Also note that we replaced outside 90 degree angle points on the curbing with 3' radius arcs.*
  - TT 05/23/16 Update: This item has been addressed to our satisfaction.
- 7) The applicant requested a waiver for "Landscape Architectural Plan" as the Department of Public Health (DPH) prohibits shrubs and trees in proximity to the building. Perimeter tree plantings are proposed adjacent to property lines. TT is not opposed to this waiver as the DPH recommendation appears to be required to maintain safety in and around the facility.(Ch. 200 §204-5.D.7)
- *ME 05/19/16 Response: No response needed.*
  - TT 05/23/16 Update: This item has been addressed to our satisfaction.
- 8) The applicant shall provide a Signage Plan including design, materials, dimensions and lighting. (Ch. 200 §204-5.D.12)
- *ME 05/19/16 Response: Signage information was provided under separate cover and has been added to the site plan. Note that the dimensions of the sign changed slightly from our previous submittal.*
  - TT 05/23/16 Update: This item has been addressed to our satisfaction.
- 9) The applicant shall provide a Lighting Plan for the proposed site. (Ch. 200 §204-5.D.13)
- *ME 05/19/16 Response: This was included in our May 3<sup>rd</sup> submission. The information has been added to the site plan.*
  - TT 05/23/16 Update: The proposed Lighting Plan shows light spillover along the eastern property line. In addition, there are parking spaces in the southeastern portion of the site that show zero foot-candle readings.
  - TT 06/08/16 Update: It appears light spillover remains along the southerly property boundary of the site adjacent to the entrance from Marc Road as shown on revised photometric plan dated May 25, 2016.
- 10) It is recommended bituminous concrete surfacing within the parking area be a minimum of three and one-half (3½") inches. (Ch. 200 §205-6.D)
- *ME 05/19/16 Response: The detail has been revised accordingly.*
  - TT 05/23/16 Update: This item has been addressed to our satisfaction.

- 11) The applicant has provided 9' X 18' standard parking spaces on-site. The regulations state that standard spaces are to be 10' X 20'. A 9' x 18' standard space is typical for the industry, however, end parking stalls are recommended to be 10' X 18' to allow for proper maneuvering into and out of the end spaces. (Ch. 200 §205-6.G.3.a)
- *ME 05/19/16 Response: Section 7.1.1.E.3.a of the Zoning Bylaw requires that standard parking spaces be 9'x18'. All proposed spaces are standard spaces within the meaning of the bylaw.*
  - **TT 05/23/16 Update:** It is recommended the applicant apply for a waiver from this regulation as specified in the Planning and Economic Development Board Rules and Regulations. (Ch. 200 §205-6.G.3.a)
  - **TT 06/08/16 Update:** The applicant has applied for a waiver from this regulation and waiver added to cover sheet. This item has been addressed to our satisfaction.
- 12) The proposed site plans show landscaped islands adjacent to the building at the front entrance. However, the rendering shown in the KKA set of plans shows the island in the front of the building as a sidewalk. If the southern side of the building is to be bounded with sidewalk, wheel stops are recommended at the head of each parking stall to prevent bumper overhang over the sidewalk. (Ch. 200 §205-6.G.3.b)
- *ME 05/19/16 Response: The area between the parking lot and the building is a landscape island as shown on the site plan. A cape cod berm is proposed around the perimeter of the parking area.*
  - **TT 05/23/16 Update:** This item has been addressed to our satisfaction.

**The following items were found to be not in conformance with the MA DEP Storm Water Management Standards, or requiring additional information as it relates to site drainage facilities:**

- 13) Existing swales are proposed to be utilized as discharge points of the proposed stormwater system. It is recommended the applicant provide data on existing available swale capacity and likelihood of upstream runoff impacting the proposed stormwater design.
- *ME 05/19/16 Response: The proposed design matches or lowers the peak rate of runoff from the site into these swales and will therefore not affect peak flow rates through the swale systems. The swales have overgrown and accumulated sediments over the years, which has diminished their capacity somewhat. The applicant proposes to cleanout all swales and to restore them to their original capacity. As a whole, the proposed development will improve stormwater management system functionality in the area.*
  - **TT 05/23/16 Update:** This item has been addressed to our satisfaction.
- 14) The applicant is proposing to use infiltration basins as BMP's in the proposed stormwater design. However, the proposed HydroCAD model and Stormwater Report (Standard 3) does not provide for exfiltration from the basins. Furthermore, the bottom of the basins are located within 4 feet of the seasonal high groundwater elevation which would require mounding analysis for each basin.
- *ME 05/19/16 Response: Infiltration is not included in the Hydrocad in order to demonstrate that infiltration is not necessary to mitigate peak rates of runoff. As such, we do not believe that mounding calculations are technically required. We have, however, included such calculations in Attachment C.*



- TT 05/23/16 Update: This item has been addressed to our satisfaction.

The following items were found to be not in conformance with the Town of Medway Water/Sewer Rules and Regulations:

- 15) The Applicant shall add note "Plumbers and drain layers of established reputation and experience will be licensed by the Board as Drain Layers authorized to perform work." (Article 111-2)
  - ME 05/19/16 Response: This has been added as Utility Note 6 on sheet 4.
  - TT 05/23/16 Update: This item has been addressed to our satisfaction.

The following items were found to be not in conformance with good engineering practice or requiring additional information:

- 16) TT recommends a construction fence be installed during construction to promote safety by restricting unauthorized entry by the general public.
  - ME 05/19/16 Response: A construction fence has been specified at the Marc Road frontage. We do not believe it is necessary to fence the entire property given its location in an industrial park.
  - TT 05/23/16 Update: This item has been addressed to our satisfaction.
- 17) It is recommended the applicant provide detail for CO2 Pad, 3,000 gal CO2 tank, and Vaporizer.
  - ME 05/19/16 Response: The structural design of the slab and more specific details of the assembly would be included with the architectural plans submitted as part of the building permit process. A typical layout detail is included in Attachment D.
  - TT 05/23/16 Update: This item has been addressed to our satisfaction.
- 18) TT recommends the applicant provide pavement markings or signage at the rear of the site to further direct traffic to one of the two exits and loading dock area.
  - ME 05/19/16 Response: Two signs have been added to the rear of the building as shown on sheet 3.
  - TT 05/23/16 Update: This item has been addressed to our satisfaction.
- 19) TT recommends decreasing the paved area located behind the building to reduce impervious cover and likelihood of vehicles using the area for parking. In the current phase of the project, the paved area has no intended use.
  - ME 05/19/16 Response: The future expansion area has been assumed to be impervious for the purposes of the stormwater system design so that changes to the stormwater system would not be necessary if the building expansion were to occur. As recommended, we have converted a portion of this area to a landscape island.
  - TT 05/23/16 Update: This item has been addressed to our satisfaction.
- 20) It is recommended the applicant provide a cross-section of the proposed improvements to Jayar Road. It is recommended the applicant re-construct the roadway to town standards due to the applicant's intention to have the road accepted by the town in the future.

- *ME 05/19/16 Response: A standard reconstruction cross-section has been added to sheet 5.*
  - *TT 05/23/16 Update: This item has been addressed to our satisfaction.*
- 21) It is recommended a hydrant be placed at the rear of the site or per recommendation of fire chief/Medway DPS.
- *ME 05/19/16 Response: We have sought comment from the Fire Chief on this topic.*
  - *TT 05/23/16 Update: TT recommends this item remain open until notice from Fire Chief is acquired.*
  - *TT 06/08/16 Update: Medway Fire Chief, Jeffrey Lynch requested a hydrant be placed at the rear of the site per applicable NFPA regulations. The applicant has added the additional hydrant to the plans. This item has been addressed to our satisfaction.*

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

Very truly yours,



Sean P. Reardon, P.E.  
Vice President

P:\21583\143-21583-16004 (2 MARC ROAD PEDB REVIEW SERVICES)\DOCS\REVIEW\LTR\_MEDICAL MARIJUANA CULTIVATION FACILITY 03\_2016-05-24 (REVISED 2016-06-08).DOCX



## Susan Affleck-Childs

**From:** Jeff Lynch  
**Sent:** Monday, June 06, 2016 7:24 PM  
**To:** Daniel Merrikin  
**Cc:** Susan Affleck-Childs  
**Subject:** RE: 2 Marc Road - PH continuation notice

Mr. Merrikin, Sorry for the delay in response. Due to the required fire flow of the building a hydrant will be required for the property toward the rear of the building;

### NFPA 1 18.5.4 Minimum Number of Fire Hydrants for Fire Flow.

**18.5.4.1** The minimum number of fire hydrants needed to deliver the required fire flow for new buildings in accordance with Section **18.4** shall be determined in accordance with Section **18.5.4**.

**18.5.4.2** The aggregate fire flow capacity of all fire hydrants within 1000 ft (305 m) of the building, measured in accordance with **18.5.1.4** and **18.5.1.5**, shall be not less than the required fire flow determined in accordance with Section **18.4**.

**18.5.4.3\*** The maximum fire flow capacity for which a fire hydrant shall be credited shall be as specified by **Table 18.5.4.3**. Capacities exceeding the values specified in **Table 18.5.4.3** shall be permitted when local fire department operations have the ability to accommodate such values as determined by the fire department.

Table 18.5.4.3 Maximum Fire Hydrant Fire Flow Capacity			
Distance to Building <sup>a</sup>		Maximum Capacity <sup>b</sup>	
ft	m	gpm	L/min
≤ 250	≤ 75	1500	5678
> 250 and ≤ 500	> 75 and ≤ 152	1000	3785
> 500 and ≤ 1000	> 152 and ≤ 305	750	2816

<sup>a</sup>Required in accordance with 18.4.1.4 and 18.4.1.5.  
<sup>b</sup>Minimum 20 psi (1379 kPa) residual pressure.

[View Large](#)

**Table 18.5.4.3** [Print](#)  
Maximum Fire Hydrant Fire Flow Capacity

**18.5.4.4** Fire hydrants required by **18.5.2** and **18.5.3** shall be included in the minimum number of fire hydrants for fire flow required by **18.5.4**.

### 18.5.5 Testing and Maintenance.

**18.5.5.1** Private water supply systems shall be tested and maintained in accordance with **NFPA 25**, *Standard for the Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems*.

**18.5.5.2** Public water supply systems providing fire flow shall be tested and maintained in accordance with ANSI/AWWA G200, *Standard for Distribution Systems Operation and Management*.

**18.5.6 Accessibility.** Fire hydrants and connections to other approved water supplies shall be accessible to the fire department.

### 18.5.7 Clear Space Around Hydrants.

**18.5.7.1** A 36 in. (914 mm) clear space shall be maintained around the circumference of fire hydrants except as otherwise required or approved.

**18.5.7.2** A clear space of not less than 60 in. (1524 mm) shall be provided in front of each hydrant connection having a diameter greater than 2 1/2 in. (64 mm).

**18.5.8 Protection.** Where required by the AHJ, fire hydrants subject to vehicular damage shall be protected unless located within a public right of way.

**18.5.9 Hydrants Out of Service.** Where water supplies or fire hydrants are out of service for maintenance or repairs, a visible indicator acceptable to the AHJ shall be used to indicate that the hydrant is out of service.

### 18.5.10 Marking of Hydrants.

**18.5.10.1** Fire hydrants shall be marked with an approved reflector affixed to the roadway surface where required by the AHJ.

**18.5.10.2** Fire hydrants shall be marked with an approved flag or other device affixed to or proximate to the fire hydrant where required by the AHJ.

**18.5.10.3\*** Where required by the AHJ, fire hydrants shall be color coded or otherwise marked with an approved system indicating the available flow capacity.

Additionally, in the event the 10,000 square foot addition is put on the building in the future you will likely need a separate riser for the sprinkler system at that end of the building. If you have any questions please feel free to call me. Thank you. Chief Lynch

**From:** Daniel Merrikin [mailto:[dan@merrikinengineering.com](mailto:dan@merrikinengineering.com)]

**Sent:** Tuesday, May 31, 2016 3:21 PM

**To:** Jeff Lynch

**Cc:** Susan Affleck-Childs

**Subject:** Re: 2 Marc Road - PH continuation notice

Chief,

As we discussed, attached is the latest site plan. I've also marked up the grading plan with the location of the two existing hydrants around the property.

Thanks

Dan

Dan

Yours Truly,

Daniel J. Merrikin, P.E.

Partner

**Merrikin Engineering LLP**

730 Main Street

Suite 2C

Millis, MA 02054

Office: 508-376-8883

Mobile: 508-868-8353

On Tue, May 31, 2016 at 3:11 PM, Jeff Lynch <[ChiefLynch@townofmedway.org](mailto:ChiefLynch@townofmedway.org)> wrote:

Hi Dan. Please call my cell, 978-413-7410. Please do not give that number out. My voicemail on the office phone does not work properly. Thanks. Chief Lynch

Sent from my iPhone

On May 31, 2016, at 2:58 PM, Susan Affleck-Childs <[sachilds@townofmedway.org](mailto:sachilds@townofmedway.org)> wrote:

Hi Dan,

You might want to email him. [ChiefLynch@townofmedway.org](mailto:ChiefLynch@townofmedway.org)



Susy

Susan E. Affleck-Childs

Planning and Economic Development Coordinator

Town of Medway

155 Village Street

Medway, MA 02053

508-533-3291

sachilds@townofmedway.org

Town of Medway – *A Massachusetts Green Community*

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**From:** Daniel Merrikin [<mailto:dan@merrikinengineering.com>]

**Sent:** Tuesday, May 31, 2016 2:57 PM

**To:** Susan Affleck-Childs

**Subject:** Re: 2 Marc Road - PH continuation notice

Thanks

BTW - been trying to get the Fire Chief on the phone to ask him about Steve's question about whether a hydrant is needed behind the building. Left a couple of messages with no response. Any suggestions?

Dan

Yours Truly,

Daniel J. Merrikin, P.E.

Partner

Merrikin Engineering LLP

730 Main Street

Suite 2C

Millis, MA 02054

Office: 508-376-8883

Mobile: 508-868-8353

On Tue, May 31, 2016 at 10:09 AM, Susan Affleck-Childs <[sachilds@townofmedway.org](mailto:sachilds@townofmedway.org)> wrote:

Hi,

FYI.

Susy



Susan E. Affleck-Childs

Planning and Economic Development Coordinator

Town of Medway

155 Village Street

Medway, MA 02053

508-533-3291

sachilds@townofmedway.org

Town of Medway – *A Massachusetts Green Community*

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## Susan Affleck-Childs

---

**From:** Thomas Holder  
**Sent:** Tuesday, June 07, 2016 3:42 PM  
**To:** Daniel Merrikin  
**Cc:** Susan Affleck-Childs  
**Subject:** RE: 2 Marc Road Cultivation Facility

Hi Dan – Thanks for sending along this information relative to the wastewater flume meter. I also see the language which states there is no “potential” for a cross connection. Our opinions still differ on this. I have asked our two respective MADEP contacts to get together to provide a consistent/unified position on the need for cross connection control. The one forefront response is that both the Town and private water supplies can be located within the same building footprint. The remaining outstanding item is the level of backflow protection deemed necessary. I hope to receive word soon on that and will forward that info to you once received.

Best Regards,  
Tom

Thomas Holder | Director  
Department of Public Services

Town of Medway  
45B Holliston Street  
Medway, MA 02053  
508-533-3275

**From:** Daniel Merrikin [mailto:dan@merrikinengineering.com]  
**Sent:** Tuesday, June 07, 2016 12:35 PM  
**To:** Thomas Holder <tholder@townofmedway.org>  
**Cc:** Susan Affleck-Childs <sachilds@townofmedway.org>  
**Subject:** Re: 2 Marc Road Cultivation Facility

Tom,

Here is an updated letter with information on the flume meter that will be used to measure irrigation wastewater discharge. Let me know if you need anything further on this.

Thanks

Dan

Yours Truly,

Daniel J. Merrikin, P.E.  
Partner

Merrikin Engineering LLP  
730 Main Street  
Suite 2C



Millis, MA 02054

Office: 508-376-8883  
Mobile: 508-868-8353

On Thu, Jun 2, 2016 at 2:39 PM, Thomas Holder <[tholder@townofmedway.org](mailto:tholder@townofmedway.org)> wrote:

Hi Dan – Hold off on the letter for a bit. I have also heard back from my contact at MADEP who I believe is recognized as senior in their Cross Connection Program. He is allowing of the two sources coming into the same structure but advises the installation of a containment backflow protection device on the Town service line just downstream as it passes through the foundation wall. This would limit any possibility of potential future cross connections to within the building. This would be considered the minimum requirement of any dual source water supply. There may be some consideration of internal devices once we review the plumbing schematic. We would also ask for frequent labeling of water pipes within the facility identifying potable vs. non-potable plumbing so that there is no confusion in the future. The owner must also understand the importance of protecting the drinking water source within the building and maintain responsibility for its continued isolation from the well source.

Can you please provide me with the name of your contact at MADEP. I would have them confer with Otavio DePaula-Santos so that they can reach a consistent set of requirements.

Best Regards,

Tom

Thomas Holder | Director

Department of Public Services

Town of Medway

45B Holliston Street

Medway, MA 02053

508-533-3275

---

**From:** Daniel Merrikin [mailto:[dan@merrikinengineering.com](mailto:dan@merrikinengineering.com)]

**Sent:** Thursday, June 02, 2016 1:41 PM

**To:** Thomas Holder <[tholder@townofmedway.org](mailto:tholder@townofmedway.org)>

**Subject:** Re: 2 Marc Road Cultivation Facility

Thanks Tom. Our mechanical engineer just heard back from DEP who indicated that it was ok as long as there is a backflow preventer at any physical connections between the systems (there aren't any). I am having them prepare a letter that I will forward to you.

Dan

Daniel J. Merrikin, P. E.

Merrikin Engineering, LLP

Sent from my iPad

On Jun 2, 2016, at 10:15 AM, Thomas Holder <[tholder@townofmedway.org](mailto:tholder@townofmedway.org)> wrote:

Hi Dan – I have also reviewed 22.22 and I notice some language changes from what this regulation used to state, I first dealt with cross connections in 1990. I do still believe the irrigation rules referenced are intended for irrigation systems that are fed from municipal water sources and are not applicable to private well sources. With all this said, I have also reached out to my MADEP Cross Connection contact for clarification on current regulation intent and am awaiting their response.

I will let you know what I hear on my end and please do the same on yours.

Best Regards,

Tom

Thomas Holder | Director

Department of Public Services



Town of Medway  
45B Holliston Street  
Medway, MA 02053  
508-533-3275

**From:** Daniel Merrikin [<mailto:dan@merrikinengineering.com>]  
**Sent:** Wednesday, June 01, 2016 3:42 PM  
**To:** Thomas Holder <[tholder@townofmedway.org](mailto:tholder@townofmedway.org)>  
**Subject:** Re: 2 Marc Road Cultivation Facility

Tom,

The applicant's mechanical engineer has reached out to DEP and is waiting for a response but I've done my own research into 310 CMR 22 and noted the following:

- The regulation allows for non potable water sources to be located in buildings provided necessary protections are afforded to the potable system.
- Where there is a direct physical connection between a potable and non potable piping system a cross-connection exists and the necessary backflow preventer or air gap is required. Such a configuration is obviously allowed with the proper backflow preventer.
- In its discussion of backflow preventers, 310 CMR 22.22(9) Table 22-1 item 8 discusses backflow prevention devices for irrigation systems. This infers that the regulation addresses the existence of potable drinking water and non-potable irrigation water within the same structure.
- Our facility will have no direct physical connection of the plumbing systems between the potable system and the irrigation system, so no backflow preventer would be needed.

It appears to me that the proposal is allowed under 310 CMR 22. Please let me know your thoughts on the above.

Thanks

Dan

Dan

Yours Truly,

Daniel J. Merrikin, P.E.

Partner

Merrikin Engineering LLP

730 Main Street

Suite 2C

Millis, MA 02054

Office: 508-376-8883

Mobile: 508-868-8353

On Thu, May 19, 2016 at 1:21 PM, Thomas Holder <[tholder@townofmedway.org](mailto:tholder@townofmedway.org)> wrote:

Hi Dan – Thanks for sending this information along. I have forwarded your letter to the Charles River Pollution Control District for approval of sewer flows and to confirm no Industrial Use Discharge Permit is necessary.

I have two concerns on what you propose:

Sewer – Ultrasonic wastewater meters are generally not relied upon when intended as revenue meters. The sensors get fouled over time and calibration is difficult. Have you considered a flume type meter?

Water – My experience with cross connection control is to disallow the co-existence of potable and non-potable sources within one building structure. Even with internal and containment backflow devices installed, there are no assurances that the two systems could not be connected and therefore yield a breach in public health protection. I can gladly confer with my colleagues at MADEP to obtain their position on this proposal relative to CMR 22.22. It may be required that the two system sources



be isolated by the construction of two separate building footprints, one with domestic services and the other for cultivation activities.

Please let me know your thoughts on these issues.

Best Regards,

Tom

Thomas Holder | Director

Department of Public Services

Town of Medway

45B Holliston Street

Medway, MA 02053

508-533-3275

**From:** Daniel Merrikin [mailto:[dan@merrikinengineering.com](mailto:dan@merrikinengineering.com)]

**Sent:** Thursday, May 19, 2016 9:08 AM

**To:** Thomas Holder <[tholder@townofmedway.org](mailto:tholder@townofmedway.org)>

**Cc:** Susan Affleck-Childs <[sachilds@townofmedway.org](mailto:sachilds@townofmedway.org)>

**Subject:** 2 Marc Road Cultivation Facility

Tom,

Attached is a letter summarizing the water usage and wastewater volumes and treatment systems proposed for the cultivation facility at 2 Marc Road. The Planning and Economic

Development Board is looking for some confirmation that the information included will be acceptable from a water & sewer perspective.

I'd be happy to meet with you to discuss any questions you may have. You can reach me any time at 508-868-8353 (cell).

Thank you

Dan

Yours Truly,

Daniel J. Merrikin, P.E.

Partner

Merrikin Engineering LLP

730 Main Street

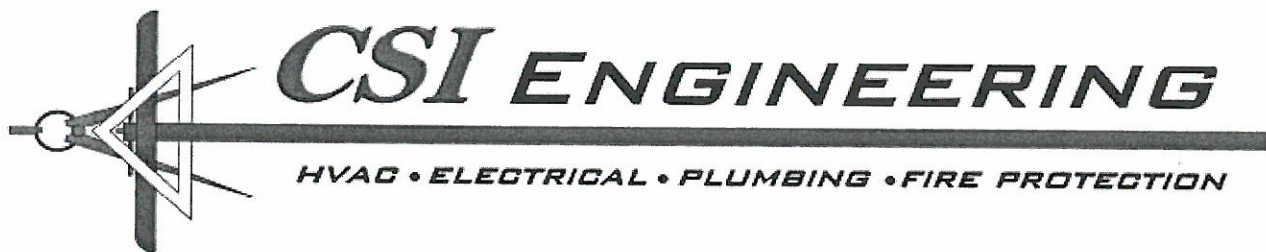
Suite 2C

Millis, MA 02054

Office: 508-376-8883

Mobile: 508-868-8353





June 7, 2016

Medway Cultivation Facility  
2 Marc Road Medway, MA  
Water & Wastewater Systems

**Re:** Water and Wastewater Management Narrative:

**Water Facilities:**

Water supply to the building is proposed to come from two separate sources. All domestic use (all systems except irrigation, including bathrooms, kitchen, etc.) will be provided by a connection to the municipal water supply system in Marc Road and protected through an approved reduced pressure backflow preventer per *248 CMR 10.14 table 8*. Based on an expected maximum employee count of 30 and the commercial kitchen, domestic water consumption is expected to range between 1,000 and 1,500 gallons per day.

A large portion of the building will be dedicated to growing plants, which require regular irrigation. Irrigation water will be supplied by an on-site well that has already been installed. The well will provide make-up water into an irrigation room inside the building. The make-up water will be protected through an approved backflow preventer per *248 CMR 10.14 table 8*, and feed indirectly into a large fresh water holding tank. A completely separate and dedicated irrigation piping and plumbing system will be constructed to irrigate the grow rooms as described below. This irrigation piping system within the facility will not be connected in any way to the domestic water supply system. Thus, there will be no cross-connection potential. Irrigation water consumption is expected to range between 2,000 and 3,000 gpd at the facility's full capacity.

**Sewage Facilities:**

The proposed facility will discharge all wastewater to the municipal sewer system located at the site frontage in Marc Road. Domestic discharge is expected to range between 1,000 and 1,500 gpd including the Title V flow rates for 30 employees (15 gpd per employee) and an estimated amount from the commercial kitchen activities. An exterior grease trap has been provided for the kitchen waste lines.

The facility will utilize a large centralized Irrigation system designed by Urban-Gro that distributes and recycles nutrient rich irrigation water for the cultivation process. An estimate 200-300 gallons per day of waste irrigation water will discharge to the sewer system (10%) of the irrigation usage.

The irrigation system is comprised of a centralized plant that produces the nutrient rich water and feeds, through distribution piping, to all the grow rooms in the. All nutrient water not absorbed through the process recycles back to the centralized Argo system through a waste water return system. The waste water is contained in the *Bio-Digester* that neutralizes the waste water to an approved pH level. The neutralized waste water is then distributed to a waste water tank that drains to the building main drain.

All wastewater used during the cultivation process, that isn't recycled back to the *Bio-Digester*, will be introduced to either through a floor drain or work sink in each grow room. All such waste water will be treated through a means of a centralized recessed large capacity neutralization tank. All wastewater will be intercepted and neutralized prior to being introduced to the sanitary sewer system in accordance with 248 CMR 10.13 (*Piping and treatment of Special Hazardous Wastes*) and all local rules and regulations.

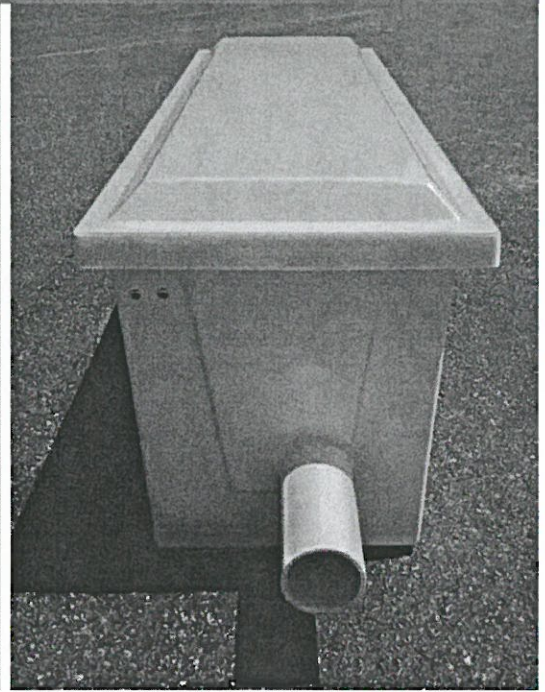
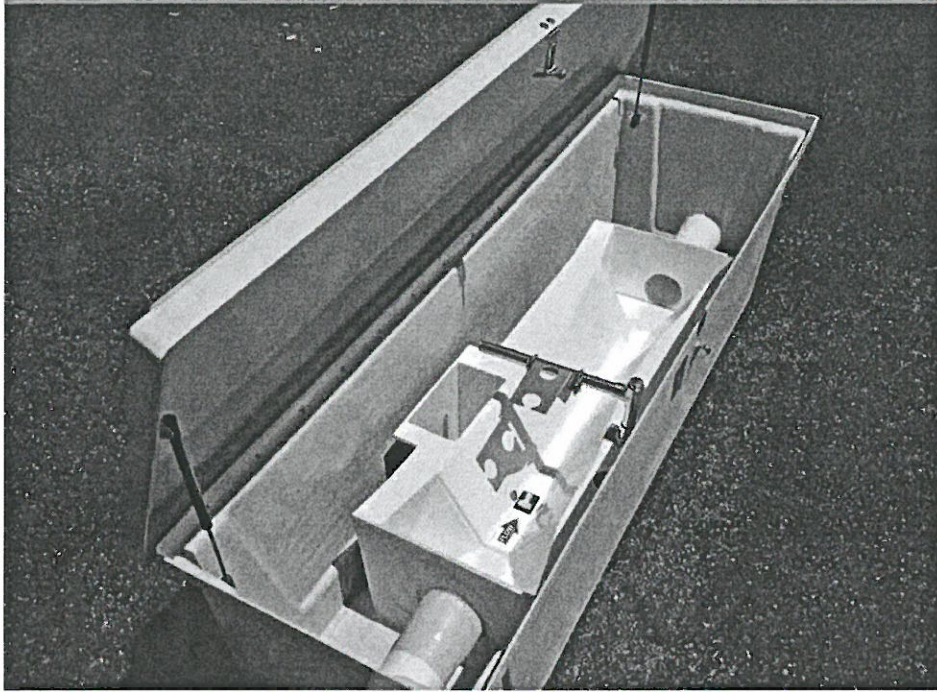
All associated equipment and components used for the diluting of the wastewater will be regularly monitored and maintained to ensure acceptable pH levels of all wastewater. Information on these treatment systems are attached to this letter.

With respect to regulatory requirements regarding sewer discharge, the applicant has consulted with MassDEP. The proposed facility is considered an "Industrial User" (with an SIC code of 2833 [medicinal chemicals and botanical products] or 2834 [pharmaceutical preparation]) pursuant to 314 CMR 7.17. Because the Charles River Pollution Control District (CRPCD) has an approved Industrial Pretreatment Program (IPP), permitting requirements fall under 314 CMR 7.05(f), which provides that no permit is required provided that local approval is obtained and provided that the discharge complies with 314 CMR 12.000 (Operation, Maintenance and Pretreatment Standards for Wastewater Treatment Works and Indirect Dischargers).

With respect to metering sewage discharge, given that a portion of the sewage (irrigation wastewater) will not be generated by the domestic municipal water supply, sewer discharge cannot reliably be metered on the domestic water meter. As such, the applicant proposes to install a dedicated sewer meter. A pre-packaged fiberglass flume channel setup will be installed along with a flow sensor to accurately meter all irrigation waste water discharge not produce from the municipal water source. Information on the monitoring system is attached to this letter.



# FLUME ENCLOSURES



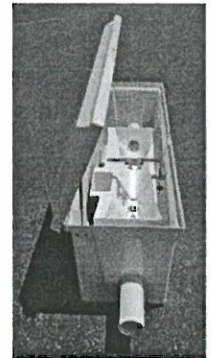
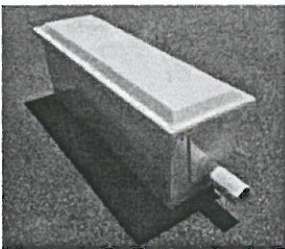
Measuring above ground, (or shallow burial) pipe flows can be a problem pose a problem. Traditionally weir boxes have been used in these applications, however weir boxes are limited to generally clean flows - so those containing sanitary or process solids need a different solution.

To address this need, Openchannelflow offers the integration of smaller flumes into our range of Redstone fiberglass enclosures. The resulting packaged unit allows for the measurement of flows in a structure that is safe, secure, and away from prying eyes (and fingers).

Flume enclosures are commonly used to measure industrial effluents and green roof runoffs, but really are a great solution anywhere where a flume needs to be secured.

## Flumes Available for Installation:

- Cutthroat  
18" L
- HS / H  
HS 04', 0.6', 0.8'  
H 0.5
- Palmer-Bowlus  
4"-12"
- Parshall  
1" to 3"
- Trapezoidal  
Small to Extra Large 60° V



West Coast:  
950 W. Bannock Street, Suite 1100  
Boise, Idaho 83702

East Coast:  
815 Branch Drive  
Alpharetta, Georgia 30004

V: 866.435.8637 | F: 855.331.6457 | [www.openchannelflow.com](http://www.openchannelflow.com)





# HACH SC200 UNIVERSAL CONTROLLER WITH ULTRASONIC FLOW SENSOR



## Applications

- Wastewater
- Collection Systems
- Industrial Water

**The SC200 Universal Controller with Ultrasonic Sensor is designed to give highly accurate flow and depth measurements for your open channel flow monitoring applications.**

From the easy-to-read display to reliable data management with SD card data transfer, the flow system provides an economical choice for flow monitoring.

The flow system can be used for a variety of applications including NPDES permitting requirements and the monitoring of storm water, inlet flow, final effluent and activated sludge. It replaces the Hach GLI53 analog controller with advanced features for easier operator use.

The SC200 controller platform can be configured to operate either 2 Digital Sensor Inputs, or 1 or 2 Analog Sensor Inputs, or a combination of Digital and Analog Sensor Inputs. Customers may choose communication options from a variety of offerings ranging from MODBUS RTU to Profibus DPV1.

## Maximum Versatility

- Standardized controller eliminates the need for a variety of dedicated controllers
- Multi-channel controller operates either 1 or 2 sensors reducing inventory holding costs and providing an inexpensive option to add a second sensor at a later time
- True dual sensor controller provides 4-20 mA outputs to transmit primary and secondary measurement values
- Controller may be panel, surface or pole mounted (hardware included)

## Display

- Large display with scrolling menus for easy set up
- Transreflective display stays readable even in sunlight

## Data Management

- SD Card simplifies data download and transfer
- Update firmware via SD card or special RS232 cable

## Ultrasonic Flow Sensor

- Select primary gauging structure from the library of flumes and weirs for flow sensor set up or enter a flow curve for non-standard structure
- Non-contact flow sensor requires no routine maintenance
- Pulse echo technology

## Sensor Inputs

- Analog sensor modules may be added in the field
- Digital sensor ports are factory installed
- Controller will scan and detect new sensors added
- Works with GLI and Hach digital sensors

## Analog Inputs

- Enables non-sc analyzer monitoring
- Accepts mA signals from other analyzers for local display
- Consolidates analog mA signals to a digital output

## 4-20 mA Outputs

- Total of six (6) 4-20 mA outputs (2 std/4 optional) enables up to 3 mA outputs per sensor input

## Digital Communication

- MODBUS 232/485 and Profibus DP V1.0

## Ease of Use and Confidence in Results

- New display and guided calibration procedures reduce operator error
- Password protection to prevent tampering and unwanted programming changes
- Visual warning system provides critical alerts



## Specifications\*

### SC200 General Specifications

<b>Display</b>	Graphic dot matrix LCD with LED backlighting. Transreflective
<b>Display Size</b>	48 x 68 mm (1.89 x 2.67 in.)
<b>Display Resolution</b>	240 x 160 pixels
<b>Height x Width x Depth</b>	144 x 144 x 181 mm (5.7 x 5.7 x 7.1 in.)
<b>Weight</b>	1.70 kg (3.75 lb)
<b>Power Requirements</b>	100 – 240 Vac $\pm 10\%$ , 50/60 Hz; 24 Vdc -15% + 20%
<b>Operating Temperature</b>	-20 to 60°C (-4 to 140°F), 0 to 95% RH non-condensing
<b>Storage Temperature</b>	-20 to 70°C (-4 to 158°F), 0 to 95% RH non-condensing

### Analog Output Signal

Two 0/4 to 20 mA isolated current outputs, max 500Ω

#### Operational Mode

Primary or secondary measurement or calculated value (dual channel only)

#### Functional Mode

Linear, Logarithmic, Bi-linear, PID

Optional 4 additional 4/20 mA isolated current outputs, max 500Ω @ 18-24 Vdc (customer-supplied power source)

<b>Security Levels</b>	Two password protected levels
<b>Enclosure Materials</b>	Polycarbonate, Aluminum (powder coated), Stainless Steel
<b>Mounting Configurations</b>	Wall, pole and panel mounting
<b>Enclosure Rating</b>	NEMA 4X / IP 66
<b>Conduit Openings</b>	1/2" NPT Conduit

### Relays

Four electromechanical SPDT (Form C) contacts, 1200W, 5 A, 250 Vac

#### Operational Mode

Primary or secondary measurement, calculated value (dual channel only) or timer

#### Functional Mode

Alarm, Timer, Feeder Control, PWM or FM Control, System Alarm

<b>Digital Communication</b>	MODBUS RS232/RS485, Profibus DPV1 optional
<b>Memory Backup</b>	Flash memory
<b>Electrical Certifications</b>	EMC: CE compliant for conducted and radiated emissions CISPR 11 (Class A limits), EMC Immunity EN 61326-1 (Industrial limits)  Safety: General Purpose UL/CSA 61010-1 with cETLus safety mark
<b>Data Logging</b>	Secure Digital Card (Maximum recommended capacity 8 GB) or special RS232 cable connector for data logging and performing software updates.

### UltraSonic Flow Sensor

<b>Flow Rate</b>	0-9999, 0-999.9, 0-99.99 with selectable flow rate units
<b>Volume</b>	0-9,999,999 with selectable volume units
<b>Depth Measurement Range/Resolution</b>	0.25 m (10 in.) to 6 m (20 ft.) $\pm 1$ mm (0.04 in.)
<b>Air Temperature</b>	-40 to to 90°C (-40 to 194°F) $\pm 0.1^\circ\text{C}$ (0.18°F)
<b>Input Filter</b>	999 sec
<b>Totalizers</b>	8-digit resettable LCD software totalizer
<b>Totalized Flow</b>	Gal., ft. <sup>3</sup> , acre-ft., lit., m <sup>3</sup> , in. <sup>3</sup>  Totalizer may be set to auto or manual mode.  (Menu option to reset is available in manual mode only.)
<b>Accuracy</b>	$\pm 0.5\%$ of span
<b>Repeatability</b>	$\pm 0.1\%$ of span
<b>Sensor Cable (integral) Lengths</b>	10 m (33 ft.), 20 m (66 ft.), 50 m (164 ft.), or 100 m (328 ft.)
<b>Calibration Methods</b>	Cal Depth 1 point; Cal Depth 2 point
<b>Operating Frequency</b>	75kHz
<b>Construction</b>	NEMA 6P (IP68) polybutylene terephthalate (PBT) body with integral temperature sensor
<b>Weight</b>	~0.5 kg (1.1 lb)

### Select from the Following Gauge Types:

V Notch Weir  
Rectangle Weir  
Rectangle Flume  
Round Bot Flume  
Cipolletti Weir  
Neyrpic Flume  
Parshall Flume  
P Bowlus Flume  
Khafagi Flume  
L Lagco Flume  
H Type Flume  
Trapezoidal Flume  
User Defined

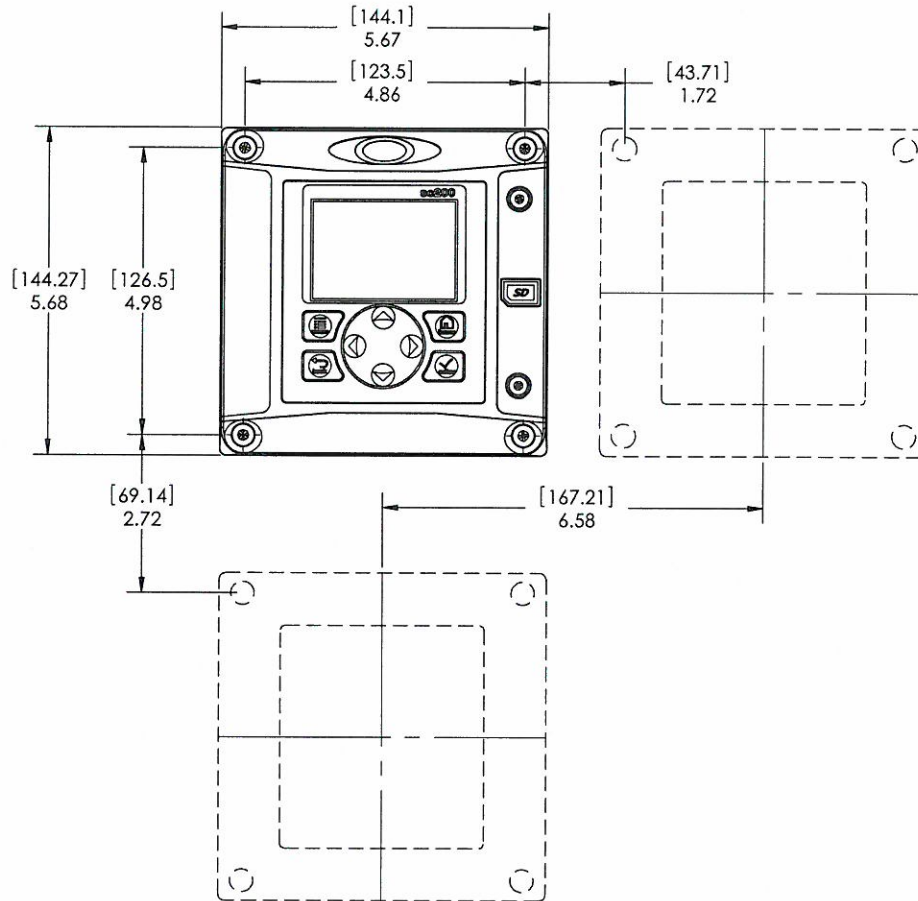
\*Subject to change without notice.



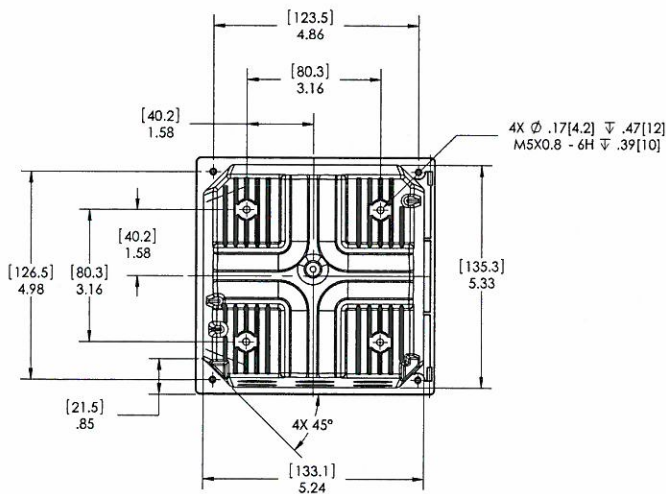
## Dimensions

The SC200 controller unit can be installed on a surface, panel, or pipe (horizontally or vertically). No tools are needed to connect the controller unit to any Hach digital sensor. NOTE: Dimensions are in inches [millimeters].

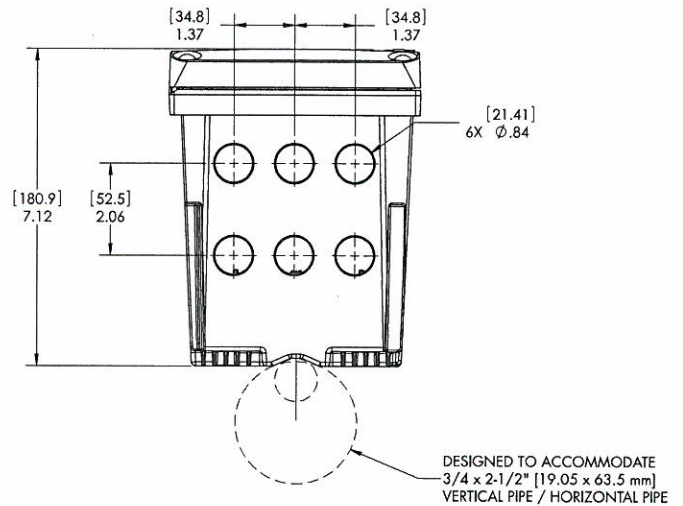
Minimum Spacing Dimensions for Group Mounting



Mounting Dimensions



Bottom View



## Ordering Information

SC200 Controller and Module Smart Part Numbering System		Old U53 Sensor				
		0	0	3	0	2
	LXV404.99.	X	X	X	X	X
<b>Power</b>						
No power cord		0				
No power cord Type-O-installed strain reliefs		1				
With EU power cord installed with cord grip		2				
With UK power cord installed with cord grip		3				
With US power cord installed with cord grip		5				
24VCD power supply with no cord or cord grips		7				
<b>Communications Output</b>						
Standard (two 4-20mA outputs)			0			
MODBUS 232 & 485			1			
Profibus DP			3			
HART + four 4-20mA analog outputs			5			
Four additional 4-20mA analog outputs			9			
<b>Sensor Input 1</b>						
pH & DO				1		
Conductivity				2		
Flow				3		
mA input				4		
Digital				5		
<b>Sensor Input 2</b>						
None					0	
pH & DO					1	
Conductivity					2	
Flow					3	
mA input					4	
Digital					5	
<b>Brand</b>						
Hach						2

### Ultrasonic Flow Sensors

<b>U53S010</b>	Ultrasonic sensor with 10 ft. cable
<b>U53S030</b>	FL900 Flow Logger with AV9000 analyzer module, 1 sensor port
<b>U53S100</b>	Ultrasonic sensor with 100 ft. cable

### Power Cords

<b>9202900</b>	SC200 power cord with strain relief, 125 Vac
<b>9203000</b>	SC200 power cord with strain relief, 230 Vac, European-style plug

### Accessories

<b>9220600</b>	SC200 Weather and Sun Shield with UV Protection Screen
<b>8809200</b>	SC200 UV Protection Screen
<b>1000G3088-001</b>	Weather Protection Cover
<b>9218200</b>	SD card reader (USB) for connection to PC
<b>9218100</b>	4 GB SD card
<b>9012700</b>	Flow Module
<b>9013100</b>	Module for 4 additional analog mA out (passive)
<b>9013200</b>	Modbus module
<b>YAB104</b>	Profibus DP kit
<b>LZX887</b>	Data com cable
<b>3004A0017-001</b>	Flow sensor mounting kit

## Hach World Headquarters: Loveland, Colorado USA

United States: 800-368-2723 tel 970-669-5150 fax hachflowsales@hach.com  
 Outside United States: 970-622-7120 tel  
**hachflow.com**

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In the interest of improving and updating its equipment, Hach reserves the right to alter specifications to equipment at any time.

**MARSH SIGMA**  
**McBIRNEY**





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

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

June 8, 2016

***SPECIAL PERMITS and SITE PLAN DECISION***  
***Ellen Realty Trust/CommCan – 2 Marc Road***  
***\_\_\_\_\_ with Waivers and Conditions***

***Decision Date:*** \_\_\_\_\_

***Name/Address of Applicant:*** Ellen Realty Trust  
730 Main Street, Suite 2A  
Millis, MA 02054

***Name/Address of Property Owner:*** Ellen Realty Trust  
730 Main Street, Suite 2A  
Millis, MA 02054

***Engineer:*** Merrikin Engineering, LLC  
730 Main Street, Suite 2C  
Millis, MA 02054

***Site Plan:*** 2 Marc Road Site Plan of Land in Medway, MA  
Dated March 30, 2016, last revised June 7, 2016

***Location:*** 2 Marc Road, 19 Jayar Road and 21 Jayar Road

***Assessors' Reference:*** 33-001, 24-015 and 24-016

***Zoning District:*** Industrial I and Groundwater Protection District



**I. PROJECT DESCRIPTION** – The applicant proposes to construct a two story, 60,000 sq. ft. industrial facility and associated infrastructure on three parcels comprising 6.92 acres at 2 Marc Road, and 19 & 21 Jayar (*Medway Assessors' Parcels 33-001, 24-015 and 24-016*) on the north side of Marc Road in the Industrial I zoning district. A portion of the site includes wetlands resources within the jurisdiction of the Medway Conservation Commission. The property is also located within a groundwater protection district; the northern boundary of the property is approximately 600' from a Town of Medway public water supply well. The properties are owned by Ellen Realty Trust of Millis, MA.

The applicant proposes to develop the site and use the building to contain a registered medical marijuana cultivation and processing facility. That use requires a special permit, the location requires a groundwater protection district special permit, and the overall project requires site plan review and approval. The *2 Marc Road Site Plan of Land in Medway, MA* is dated March 30, 2016 and was prepared by Merrikin Engineering, LLP of Millis, MA. Building elevations were prepared by Keenan & Kenny Architects, LTD of Falmouth, MA.

Access and egress to the development will be from Marc Road which runs westerly off of Industrial Park Road which is off Main ST/Route 109. Proposed site work includes construction of the access/egress driveways, curbing, 35 off-street parking spaces, landscaping, lighting, sidewalk, installation of stormwater drainage facilities, connection to municipal sewer, and reconstruction of the privately owned portions of Jayar and Marc Roads.

**II. VOTE OF THE BOARD** – After reviewing the application and information gathered during the public hearing and review process, the Medway Planning and Economic Development Board, on \_\_\_\_\_, on a motion made by \_\_\_\_\_ and seconded by \_\_\_\_\_, **voted to GRANT with CONDITIONS a groundwater protection special permit and a registered medical marijuana dispensary special permit and to APPROVE with WAIVERS and CONDITIONS** as specified herein, a site plan for the construction of \_\_\_\_\_ and various site improvements at 2 Marc Road as shown on 2 *Marc Road Site Plan of Land in Medway, MA*, dated March 30, 2016, last revised June 7, 2016 to be further revised as specified herein.

The vote was \_\_\_\_\_ by a vote of \_\_\_\_\_ in favor and \_\_\_\_\_ opposed.

**Planning & Economic Development Board Member**

**Vote**

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

**III. PROCEDURAL HISTORY**

- A. April 4, 2016 – Special permit and site plan applications and associated materials filed with the Medway Planning & Economic Development Board and the Medway Town Clerk

- B. April 11, 2016 – Public hearing notice filed with the Town Clerk and posted at the Town of Medway web site.
- C. April 11, 2016 - Public hearing notice mailed to abutters by certified sent mail
- D. April 11, 2016 – Site plan information distributed to Town boards, committees and departments for review and comment.
- E. April 12 and April 19, 2016 - Public hearing notice advertised in *Milford Daily News*.
- F. April 26, 2016 - Public hearing commenced. The public hearing was continued to May 10, May 24, June 14, and \_\_\_\_\_ when the hearing was closed and a decision rendered.

#### IV. INDEX OF SITE PLAN DOCUMENTS

- A. The site plan and special permit applications for the proposed CommCan medical marijuana cultivation and processing facility included the following plans, studies and information that were provided to the Planning and Economic Development Board at the time the application was filed:
  - 1. Site Plan Application dated April 1, 2016 and special permit application dated April 4, 2016 with Project Description and Development Impact Statement, property ownership documentation, and certified abutters' list.
  - 2. *2 Marc Road Site Plan of Land in Medway, MA*, dated January 26, 2016, prepared by Merrikin Engineering of Millis, MA
  - 3. *Stormwater Report for 2 Marc Road* including an operations and maintenance plan, dated March 30, 2016 prepared by Merrikin Engineering
  - 4. *Requests for Waivers from the Medway Site Plan Rules and Regulations*, received April 4, 2016 prepared by Merrikin Engineering
  - 5. Building Elevation (undated) and Floor Plans dated November 24, 2015 by Keenan and Kenney Architects, Ltd.
- B. During the course of the review, a variety of other materials were submitted to the Board by the applicant and its representatives:
  - 1. Supplemental Request for Waiver of the *Medway Site Plan Rules and Regulations*, prepared by Merrikin Engineering dated May 5, 2016 - Section 205-6 Curbing
  - 2. *2 Marc Road Site Plan of Land in Medway, MA*, dated January 26, 2016, REVISED May 18, 2016, prepared by Merrikin Engineering of Millis, MA
  - 3. Merrikin Engineering letter dated May 4, 2016 with varied attachments in response to the PGC review letter dated April 22, 2016 and comments received during the April 26, 2016 public hearing.
  - 4. Merrikin Engineering letter dated May 19, 2016 with varied attachments in response to Tetra Tech review letter dated May 5, 2016.
  - 5. *2 Marc Road Site Plan of Land in Medway, MA*, dated January 26, 2016, REVISED May 18, 2016, prepared by Merrikin Engineering of Millis, MA



6. 2 Marc Road Site Plan of Land in Medway, MA, dated January 26, 2016, REVISED June 7, 2016, prepared by Merrikin Engineering of Millis, MA
7. Merrikin Engineering letter dated June 7, 2016 with varied attachments in response to public hearing discussions.
8. Supplemental Request for Waiver of the *Medway Site Plan Rules and Regulations*, prepared by Merrikin Engineering dated May 25, 2016 - Section 205-6.G.1 Parking Spaces/Stalls
9. Revised building elevation from Keenan and Kenney Architects, Ltd. – not dated
10. Odor Management Info – Letter dated May 3, 2016 from CSI Engineering of Portsmouth, NH.
11. Proposed design - CommCan free-standing sign prepared by Signarama Walpole, undated
12. Water and Wastewater Management – Letter dated May 3, 2016 from CSI Engineering, Portsmouth, NH.

C. Other Documentation

1. Mullins Rule Certification dated April 28, 2016 for Richard Di Iulio for the April 26, 2016 hearing
2. Mullins Rule Certification dated May 3, 2016 for Robert Tucker for the April 26, 2016 hearing
3. Mullins Rule Certification dated June 8, 2016 for Thomas Gay for the May 24, 2016 hearing
4. Host Community Agreement dated May 16 2016 between the Town of Medway and CommCan, Inc.
5. Review letter dated May 18, 2016 from the Medway Design Review Committee

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

- Sean Reardon, P.E. of Tetra Tech, Inc., the Town's Consulting Engineer – Site plan review letters dated May 5, 2016 and May 24, 2016
- Steve Bouley of Tetra Tech - Commentary throughout the public hearing process.
- Gino Carlucci, PGC Associates, the Town's Consulting Planner – Site plan review letter dated April 20, 2016 and commentary throughout the public hearing process.
- Ellen Rosenfeld, applicant
- Dan Merrikin, P.E. of Merrikin Engineering, engineer for the applicant
- Valerio Romano, VGR Law Firm, attorney for the applicant
- Antonia Kenny, Keenan & Kenny Architects, architect for the applicant
- Resident Charlie Myers, 9 Curtis Lane
- Resident Ann St. Vrain, 1 Causeway Street



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

The Planning and Economic Development Board, at its meeting on June 14, 2016, on a motion made by \_\_\_\_\_ and seconded by \_\_\_\_\_, voted to approve the following **FINDINGS** regarding the site plan and special permit applications for CommCan for 2 Marc Road. The motion was \_\_\_\_\_ by a vote of \_\_\_\_\_ in favor and \_\_\_\_\_ opposed.

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

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

*The site has been designed with 360-degree circulation. The parking lot in front is of a standard design that is judged to be adequate for serving industrial and commercial uses. The site is within an industrial park with access directly from Route 109 so there is no access through minor streets servicing residential areas. The entrance and exit drives are separate from the parking lot so there is no backing onto a public way.*

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

*The proposed building and site are of an industrial style, with the scale and materials similar to other buildings within the industrial park. While the design of the building is constrained by requirements specific to the proposed use as medical marijuana facility, the original design has been revised based on comments from the Design Review Committee so that its aesthetic impact has been improved.*

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

*The building is replacing an earth processing and storage operation. The site is taking advantage of existing swales on the property as part of its stormwater management system. The proposed building and site work will be more stable. The parking area is at the front of the building to promote security. There is no outside storage or either materials or waste. While vegetation close to the building is limited by state imposed security requirements, six trees will be added*

*around the parking lot and other low vegetation will be added to improve the site's aesthetics from the street and nearby residences.*

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

*The building has 360-degree circulation for access around its entire perimeter. The plans have been reviewed by the Fire Chief and found to be adequate, subject to the installation of an additional water hydrant to the rear of the site.*

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

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

*The site is currently used as an earth processing and storage facility. It is relatively flat so cuts and fills are minimal. There are no trees to be removed. There are no prominent man-made elements or stone walls on the site. The building design is similar to other buildings within the industrial park and typical for such buildings. The aesthetics of the original building design have been improved with the addition of windows and striping. The stormwater management system is making use of existing swales and is treating runoff from the parking lot and driveways to minimize impacts on waterways. The site plan has been reviewed by the Town's Consulting Engineer. Soil pollution and erosion will be reduced as the site will be stabilized with the proposed construction. Noise will also be reduced as the entire operations of the facility will be inside the building as opposed to the exterior operation currently on the site.*

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

*Vehicular safety on and near the site has been maximized through a design with a driveway separate from the parking lot. There is no significant pedestrian use anticipated since no public access to the building is allowed. Pedestrian safety within the parking lot is standard and is adequate due to minimal vehicular traffic.*

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

*There are no historic features on site. The construction does incorporate existing swales on the site into its stormwater management system.*



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

*A photometric plan has been submitted that demonstrates that there is no light trespass or glare off site. The fixtures are also shielded to minimize light pollution.*

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

*The limit of work is reasonable. It makes use of an already disturbed site and stabilizes it thus reducing damage to the environment.*

#### **GROUNDWATER PROTECTION DISTRICT FINDINGS**

- (10) New construction is a permitted use, subject to certain restrictions, within the Groundwater Protection District. As conditioned, and as noted below, the project will comply with those restrictions.
- (11) Storage of hazardous materials is prohibited unless in a free standing container within a building. The applicant has provided a list of hazardous materials that will be used in the facility and states that all storage and use will be contained within the building. Any accidental spillage will also be contained within the building and any that enters the sewer system will be treated prior to being discharged to the municipal sewer system.
- (12) Commercial fertilizers will be used for the growing of marijuana plants but all storage and use will be contained within the building.
- (13) The facility will handle toxic and hazardous materials. All use of hazardous materials is contained within the building and as the risk of spillage during deliveries is low, the facility should qualify for a special permit. Provision within the stormwater management system should be made to prevent any accidental outdoor spillage from reaching groundwater.
- (14) Water control devices are prohibited unless they can be shown to prevent adverse impacts on groundwater. The stormwater management plans have been reviewed by the Town's Consulting Engineer to ensure that no adverse impacts will result.
- (15) The facility will render more than 2,500 square feet of the site impervious. The Town's Consulting Engineer has reviewed the stormwater management plan to ensure that groundwater recharge does not degrade groundwater quality.
- (16) As required by Section 5.6.F. of the Zoning Bylaw, the plans have been reviewed by the Board of Health, Conservation Commission, Water and Sewer Commission, and Department of Public Services to ensure that no adverse impacts on the quality or quantity of water available within the Groundwater

Protection District, and that disturbance of the soils, topography, drainage, vegetation and other characteristics is minimized. The site is currently cleared and used for storing and processing earth materials and has no current drainage system. The proposed facility will reduce impacts on the quality of water available within the Groundwater Protection District.

**REGISTERED MEDICAL MARIJUANA DISPENSARY FINDINGS**

- (17) The proposed facility, as conditioned, is designed to minimize any adverse visual or economic impacts on abutters and other parties in interest.
- (18) As conditioned, the proposed facility will meet all the permitting requirements of all applicable agencies within the Commonwealth of Massachusetts and will be in compliance with all applicable state laws and regulations.
- (19) The applicant has satisfied all of the conditions and requirements of Sections 8.9 and 3.4 of the Zoning Bylaw.
- (20) The facility will be in a standalone building with no doctor's offices or other uses.
- (21) The facility will operate 12 hours per day between 8:00 AM and 8:00 PM.
- (22) None of the uses listed in Section 8.9.E.5 of the Zoning Bylaw are located within 500 feet of the site of the proposed facility.
- (23) No drive-through service is proposed (and no public service of any kind is proposed).
- (24) The proposed signage is in compliance with Section 8.9.F. of the Zoning Bylaw
- (25) The applicant has provided the contact information for management staff and key holders.
- (26) The facility will be constructed and operated in strict compliance with Massachusetts Department of Public Health regulations, and thus not create nuisances to abutters.
- (27) The proposed facility complies with the openness of premises requirements of Section 8.9 I of the Zoning Bylaw since it is not open to the public and all operations are within the restricted building.
- (28) As conditioned, copies of required licenses and permits issued by the Commonwealth as well as individual names of owners, shareholders, partners, members, managers, directors, officers, or other similarly-situated individuals and entities will be provided.
- (29) Security measures including lighting, fencing, gates and alarms have been reviewed and approved by the Police Chief.



- (30) As conditioned, a copy of the policies/procedures for the transfer, acquisition, or sale of medical marijuana between approved RMD's will be provided.

***SPECIAL PERMIT FINDINGS***

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

The Registered Marijuana Dispensary section of the Zoning Bylaw was first adopted by the Town with the specific intent of allowing this type of facility in Medway. The stated purpose of Section 8.9 of the Zoning Bylaw is to address possible adverse public health and safety consequences and impacts on the quality of life related to this type of facility by providing for them in an appropriate place and under strict conditions, which are met by the proposed facility. Therefore, it meets the purpose of the Zoning Bylaw.

- (32) *The use is in an appropriate location and is not detrimental to the neighborhood and does not significantly alter the character of the zoning district.*

The proposed location for the facility is within the Industrial I district, in which the use is allowed by special permit. The site is not within 500 feet of any of the uses from which such facilities are prohibited. The design is an industrial style similar to other buildings within that district so the Board finds that it is in an appropriate location, does not alter the character of the zoning district, and the adverse effects of the development have been suitably addressed to reduce the impacts to the neighborhood.

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

As documented in the findings under *Site Plan Rules and Regulations* above, adequate and appropriate facilities have been provided for the operation of the facility. Its internal roadway system and stormwater management system have been reviewed by Town's Public Safety and Public Services staff and the Board's Consulting Engineer and found to be adequate.

- (34) *The proposed use will not be detrimental or otherwise offensive to the adjoining zoning districts and neighboring properties due to the effects of lighting, odors, smoke, noise, sewage, refuse materials, or visual or other nuisances.*

The building is replacing an earth processing and storage operation. The site is taking advantage of existing swales on the property as part of its stormwater management system. The proposed building and site work will be more stable. The parking area is at the front of the building to promote security. There is no outside storage of either materials or waste. While vegetation close to the building is limited by security requirements, six trees will be added around the parking lot and other low vegetation will be added to improve aesthetics from the public way and nearby residences. The applicant has supplied information about their odor management system. The Board finds that this criterion is met.

- (35) *The proposed use will not cause undue traffic congestion in the immediate area.*

The proposed facility is expected to have 30 employees and there is no public access so traffic is minimal and the industrial park road system is adequate to handle it. Furthermore, access is from Route 109 so there is no traffic impact on local residential roadways.

- (36) *The proposed use is consistent with the Medway Master Plan.*

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

- VII. WAIVERS** – At its June 14, 2016 meeting, the Planning and Economic Development Board, on a motion made by \_\_\_\_\_ and seconded by \_\_\_\_\_, voted to grant waivers from the following provisions of the *Rules and Regulations for the Submission and Approval of Site Plans, as amended December 3, 2002*. The Planning and Economic Development Board's action and reasons for granting each waiver request are listed below. All waivers are subject to the *Special and General Conditions of Approval*, which follow this section. The motion was \_\_\_\_\_ by a vote of \_\_\_\_ in favor and \_\_\_\_ opposed.

#### **SUBMITTAL REQUIREMENTS/PLAN CONTENTS**

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

*The applicant has proposed 35 parking spaces for the site and has requested that the requirement for a traffic impact assessment be waived as the project's scope will generate only employee and delivery traffic. Based on information from the Institute for Traffic Engineers, the expected average weekday trip generation is 65 trips at full operation. As the facility will only be involved in cultivation and processing without any retail sales, it will not generate any consumer traffic. The preparation of a traffic impact assessment is not expected to reveal any useful information related to the site or the project's impacts. Therefore, the Board APPROVES this waiver request.*

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

*The applicant has requested a waiver from this requirement as the site has been used for many years as a contractor's yard and to process earthen materials and is generally devoid of any landscape features and materials. There is no value in preparing an inventory of the existing landscape given the existing condition of*



*the site with little landscape features to preserve. Therefore, the Board APPROVES this waiver request.*

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

*The applicant has requested a waiver from this requirement and has provided a more limited landscape design instead. Any registered medical marijuana facility is subject to a permit from the Massachusetts Department of Public Health which has strict requirements that prohibit shrubs and trees from being planted in proximity to medical marijuana buildings in order to promote safety in and around the facility. Therefore, the Board APPROVES this waiver request.*

#### **DEVELOPMENT STANDARDS**

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

*The applicant has requested a waiver from this requirement and proposes instead to use a 9' by 18' size parking space which is compliant with Section 7.1.1.E 3. a. of the Medway Zoning Bylaw. This is an instance where the Site Plan Rules and Regulations are not consistent with the Zoning Bylaw. In those cases, the Zoning Bylaw prevails. Therefore, the Board APPROVES this waiver request.*

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

*The applicant has requested a waiver from this requirement and proposes the use of Cape Cod berm instead. The applicant believes the proposed alternative curbing material is an appropriate method to delineate the boundary of the proposed parking lot and is consistent with the general industrial park area. The Board concurs with this assessment and APPROVES this waiver request.*

**VIII. CONDITIONS** The *Special and General Conditions* included in this Decision shall assure that the Board's approval of this site plan is consistent with the *Site Plan Rules and Regulations*, that the comments of various Town boards and public officials have

been adequately addressed, and that concerns of abutters and other town residents which were aired during the public hearing process have been carefully considered

### **SPECIFIC CONDITIONS OF APPROVAL**

- A. **Plan Endorsement** - Within sixty (60) days after the Board has filed its Decision with the Town Clerk, the site plan set for 2 Marc Road dated March 30, 2016, last revised June 7, 2016, prepared by Merrikin Engineering shall be further revised to reflect all Conditions and required revisions, including those as follows, and submitted to the Planning and Economic Development Board for review and approval. (*Said plan is hereinafter referred to as the Plan*). Upon approval, the Applicant shall provide a Mylar set of the revised Plan in its final form to the Board for its signature/endorsement. All Plan sheets shall be bound together in a complete set.
- B. **Cover Sheet Revisions** – The cover sheet of the plan set shall be revised as follows:
1. list the APPROVED Requests for Waivers from the *Site Plan Rules and Regulations*
  2. add the building elevation plan by Keenan and Kenney to the Plan Index
  3. add photometric plan to the Plan Index
- C. **Other Plan Revisions**
1. Add a detail for the 2 bike racks to be located on site.
  2. The building elevation plan shall be revised:
    - a) to be consistent with the site plan, in particular, with the landscaping plan and to not show a sidewalk in front of the building.
    - b) to specify materials
    - c) to modify the colors of the awning over the front entrance and the horizontal stripe at the top of the building so they are more noticeably different in color from that of the main building façade.
    - d) to include the name of the firm and plan date
  3. Add the photometric plan to the plan set
  4. Revise site plan so that the two flat painted parking lot islands are replaced with a hardscape treatment such as pavers, brick or a permeable treatment.
  5. Revise the site plan notes to indicate that any planned chain link fencing shall be black, vinyl coated.
  6. Light pole fixtures shall be noted as being black.
- D. **Odor Management** – An effective odor management system shall be maintained at all times such that odors from the cultivation and processing of marijuana shall not be evident off-site of the subject. **MORE NEEDED HERE**
- E. **Off-Site Mitigation** – The Applicant has agreed to the following:
1. To install a Development Sign on the property located at 8 Main Street (Parcel 33-007) to indicate the name of the industrial park comprised of the properties located on Industrial Park Road, Jayar Road and Marc Road



2. To provide a 50' roadway and utility easement along the entire length of the property line of parcel 32-027 (9 Marc Road) and parcel 32-026 (4 Marc Road) to its end at the Old County Layout \_\_\_\_\_.

#### **MORE NEEDED HERE ON TIMING**

- F. Prior to plan endorsement, the applicant and the Medway Department of Public Services shall come to a resolution on the method of cross connection control for the operation of public and private water supplies within the medical marijuana cultivation and processing facility. The details for such cross connection control shall be included on the plan set presented for endorsement.
- G.
- H.
- I.

#### **GENERAL CONDITIONS OF APPROVAL**

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

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

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

- D. ***Document/Plan Recording*** - Within thirty (30) days of recording the Decision and the associated Plan, the Applicant or his assign shall provide the Board with a receipt from the Norfolk County Registry of Deeds indicating that all documents have been duly recorded, or supply another alternative verification that such recording has occurred.
- E. ***Restrictions on Construction Activities*** – During construction, all local, state and federal laws shall be followed regarding noise, vibration, dust and blocking of town roads. The applicant and its contractors shall at all times use all reasonable means to minimize inconvenience to abutters and residents in the general area. The following specific restrictions on construction activity shall apply.
1. ***Construction Time*** - Construction work at the site and in the building and the operation of construction equipment including truck/vehicular and machine start-up and movement shall commence no earlier than 7 a.m. and shall cease no later than 6 p.m. Monday – Saturday. No construction shall take place on Sundays or legal holidays without the advance approval of the Inspector of Buildings.
  2. The applicant shall take all measures necessary to ensure that no excessive dust leaves the premises during construction including use of water spray to wet down dusty surfaces.
  3. There shall be no tracking of construction materials onto any public way. Daily sweeping of roadways adjacent to the site shall be done to ensure that any loose gravel/dirt is removed from the roadways and does not create hazardous or deleterious conditions for vehicles, pedestrians or abutting residents. In the event construction debris is carried onto a public way, the Applicant shall be responsible for all clean-up of the roadway which shall occur as soon as possible and in any event within twelve (12) hours of its occurrence.
  4. The Applicant is responsible for having the contractor clean-up the construction site and the adjacent properties onto which construction debris may fall on a daily basis.
  5. All erosion and siltation control measures shall be installed by the Applicant prior to the start of construction and observed by the Planning and Economic Development Board's consulting engineer and maintained in good repair throughout the construction period.
  6. ***Construction Traffic/Parking*** – During construction, adequate provisions shall be made on-site for the parking, storing, and stacking of construction materials and vehicles. All parking for construction vehicles and construction related traffic shall be maintained on site. No parking of construction and construction related vehicles shall take place on adjacent public or private ways or interfere with the safe movement of persons and vehicles on adjacent properties or roadways.



7. *Noise* - Construction noise shall not exceed the noise standards as specified in the *Medway Zoning Bylaw*, SECTION V. USE REGULATIONS, Sub-Section B. Area Standards, Paragraph 2. b).

F. ***Landscape Maintenance***

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

G. ***Snow Storage and Removal***

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

H. ***Construction Oversight***

1. Construction Account
  - a) Inspection of infrastructure and utility construction, installation of site amenities including landscaping, the review of post construction traffic analyses by the Town's Consulting Engineer, and the review of legal documents by Town Counsel is required. Prior to plan endorsement, the applicant shall establish a construction account with the Planning and Economic Development Board. The funds may be used at the Board's discretion to retain professional outside consultants to perform the items listed above as well as the following other tasks - inspect the site during construction/installation, identify what site plan work remains to be completed, prepare a bond estimate, conduct other reasonable inspections until the site work is completed and determined to be satisfactory, review as-built plans, and advise the Board as it prepares to issue a *Certificate of Site Plan Completion*).

- b) Prior to plan endorsement, the Applicant shall pay an advance toward the cost of these services to the Town of Medway. The advance amount shall be determined by the Planning and Economic Development Board based on an estimate provided by the Town's Consulting Engineer.
  - c) Depending on the scope of professional outside consultant assistance that the Board may need, the Applicant shall provide supplemental payments to the project's construction inspection account, upon invoice from the Board.
  - d) Any funds remaining in the applicant's construction inspection account after the *Certificate of Site Plan Completion* is issued shall be returned to the applicant.
2. Planning and Economic Development Board members, its staff, consultants or other designated Town agents and staff shall have the right to inspect the site at any time, for compliance with the endorsed site plan and the provisions of this Decision.
  3. The Department of Public Services will conduct inspections for any construction work occurring in the Town's right-of way in conjunction with the Town of Medway Street Opening/Roadway Access Permit.
  4. The applicant shall have a professional engineer licensed in the Commonwealth of Massachusetts conduct progress inspections of the construction of the approved site improvements. Inspections shall occur at least on a monthly basis. The engineer shall prepare a written report of each inspection and provide a copy to the Planning and Economic Development Board within 5 days of inspection.

I. ***Plan Modification***

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



the scope of the required review and waive part of the filing and review fees.

**J. Plan Compliance**

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

**K. Performance Security**

1. No occupancy permit shall be granted until the Planning and Economic Development Board has provided a written communication to the Inspector of Buildings/Zoning Enforcement Officer that the project, as constructed, conforms completely and fully to the approved site plan and that any conditions including construction of any required on and off-site improvements, have been satisfactorily completed OR that suitable security/performance guarantee has been provided to the Town of Medway, to the Planning and Economic Development Board's satisfaction, to cover the cost of all remaining work.
2. The applicant shall propose a form of performance security which shall be of a source and in a form acceptable to the Planning and Economic Development Board, the Treasurer/Collector and Town Counsel. The Board may require that the performance guarantee be accompanied by an agreement which shall define the obligations of the developer and the performance guarantee company including:
  - a) the date by which the developer shall complete construction
  - b) a statement that the agreement does not expire until released in full by the Planning and Economic Development Board
  - c) procedures for collection upon default.
3. The amount of the performance guarantee shall be equal to 100% of the amount that would be required for the Town of Medway to complete construction of the site infrastructure including installation of stormwater management facilities, utilities, services, pedestrian facilities and all site amenities as specified in the Site Plan that remain unfinished at the time the performance guarantee estimate is prepared if the developer failed to do so.

4. The security amount shall be approved by the Planning and Economic Development Board based on an estimate provided by the Town's Consulting Engineer based on the latest weighted average bid prices issued by the Mass Highway Department. The estimate shall reflect the cost for the Town to complete the work as a public works project which may necessitate additional engineering, inspection, legal and administrative services, staff time and public bidding procedures. The estimate shall also include the cost to maintain the infrastructure in the event the developer fails to adequately perform such and the cost for the development of as-built plans. In determining the amount, the Board shall be guided by the following formula in setting the sum: estimate of the Town's Consulting Engineer of the cost to complete the work plus a twenty-five percent (25%) contingency.
5. Final release of performance security is contingent on project completion.

L. ***Project Completion***

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



Development Board for its review and approval. The As-Built Plan shall show actual as-built locations and conditions of all work shown on the original site plan and any modifications thereto. The final As-Built Plan shall also be provided to the Town in an electronic format as may be specified by the Board of Assessors.

- M. **Construction Standards** - All construction shall be completed in full compliance with all applicable local, state and federal laws, including but not limited to the Americans with Disabilities Act and the regulations of the Massachusetts Architectural Access Board for handicap accessibility.
- N. **Conflicts** – If there is a conflict between the site plan and the Decision's Conditions of Approval, the Decision shall rule. If there is a conflict between this Decision and/or site plan and the Medway Zoning Bylaw, the Bylaw shall apply.

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

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

###

**Medway Planning and Economic Development Board  
SITE PLAN and SPECIAL PERMIT DECISION  
Ellen Realty Trust/CommCan – 2 Marc Road**

Approved by the Medway Planning & Economic Development Board: \_\_\_\_\_

**AYE:**

**NAY:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**ATTEST:**

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

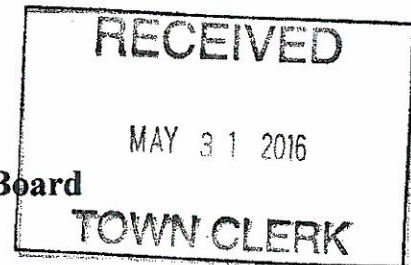
\_\_\_\_\_  
Date

**COPIES TO:** Michael Boynton, Town Administrator  
Michelle Grenier, Interim Conservation Agent  
Donna Greenwood, Assessor  
Beth Hallel, Health Agent  
Tom Holder, Department of Public Services  
Jeff Lynch, Fire Chief  
Jack Mee, Inspector of Buildings and Zoning Enforcement Officer  
Stephanie Mercandetti, Director of Community and Economic Development  
Joanne Russo, Treasurer/Collector  
Jeff Watson, Police Department  
Steven Bouley, Tetra Tech  
Ellen Rosenfeld, Ellen Realty Trust  
Dan Merrikin, Merrikin Engineering  
Gino Carlucci, PGC Associates





**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 31, 2016

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

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

RE: **Public Hearing Continuation – Exelon Site Plan, 34 West & 9 Summer Streets**  
**CONTINUATION DATE: Tuesday, June 14, 2016 at 7:45 p.m.**  
**LOCATION: Medway Town Hall – Sanford Hall, 155 Village Street**

***At its meeting on May 24, 2016, the Planning and Economic Development Board voted to continue the public hearing on the application of Exelon West Medway LLC and Exelon West Medway II, LLC of Kennett Square, PA for major site plan approval of the proposed Exelon expansion project to Tuesday, June 14, 2016 at 7:45 p.m. in Sanford Hall at Medway Town Hall, 155 Village Street.***

The proposed project is for an expansion of the existing three-turbine, oil fired, 135 mega-watt West Medway Station peak power generating facility located at 34 West and 9 Summer Streets. The planned expansion entails the construction of two 100-megawatt (MW) simple-cycle, fast-starting, peaking electric combustion turbine generators and associated equipment and appurtenances on approximately 13 acres of the 94 acre property. Each of the two stacks will be 160' tall. The generators will run primarily on natural gas using low sulfur diesel oil as a back-up.

The project will interconnect with Eversource via an approximately 1,200 linear foot overhead circuit from a transformer to the Eversource switchyard on the western portion of the Property utilized and controlled by Eversource through an easement agreement. The energy generated by the project will be distributed by Eversource to the Southeast Massachusetts/Rhode Island ISO load zone to help meet energy demand during peak times.

The project includes a control/administration and facility services building, a trailer-mounted demineralizer system, an enclosed gas compressor station, a one-million gallon fuel oil tank, a 500,000 gallon service water tank, a 450,000 gallon demineralized water storage tank, a 12,000 gallon fully-diked and covered aqueous ammonia storage tank, advanced emissions control equipment, and a perimeter access road. Access to the site will be controlled via a motorized security gate located off the relocated main site access driveway from Summer Street. The proposed facility will also include full acoustical enclosures for the gas turbines and generators, a 55' high noise wall, and a full complement of acoustical controls. A 3,080 linear foot lateral interconnection to the existing Algonquin Gas pipeline is also planned along with an associated 14' x 50' building to contain flow control and metering equipment, and a 12' by 16' building to contain gas monitoring and analysis equipment.

***If you have not yet reviewed the project proposal and wish to provide comments, please do so at your earliest convenience.***

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

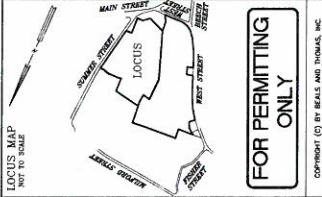






**Exelon West  
Medway, LLC and  
Exelon West  
Medway II, LLC**  
300 Exelon Way  
Kennett Square, PA 19348

**IN PROGRESS**  
**6/02/2016**



**BEALS + THOMAS**  
Civil Engineers • Landscape Architects •  
Land Surveyors • Planners •  
Environmental Specialists

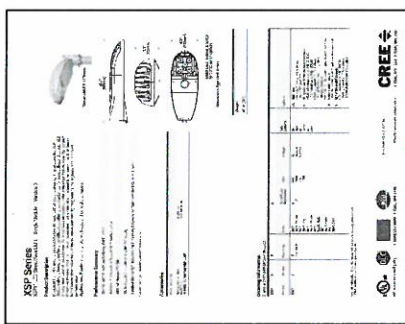
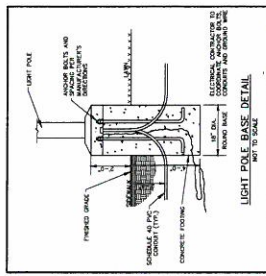
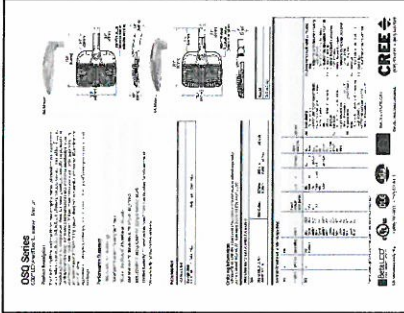
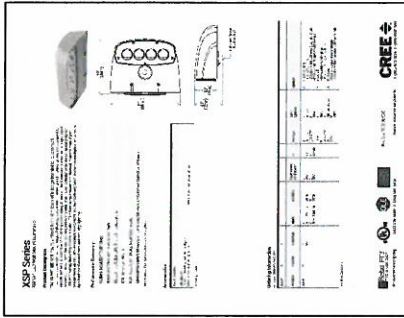
**BEALS AND THOMAS, INC.**  
Reservoir Corporate Center  
144 Turnpike Road  
Southborough, Massachusetts 01772-2104  
T 508.366.0560 | [www.btiweb.com](http://www.btiweb.com)

5			
4			
3			
2			
1	04/21/2018	FOR DATE ONLY	
0	02/09/2018	FIRST ISSUE	
	ISSUE DATE	DESCRIPTION	
	DES	DWN	CHK'D
			APP'D

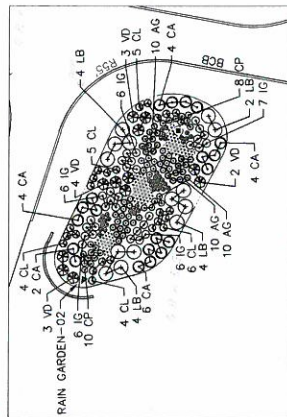
PROJECT: **WEST MEDWAY II  
FACILITY**  
MEDWAY, MASSACHUSETTS

LANDSCAPE AND  
LIGHTING NOTES AND  
DETAILS

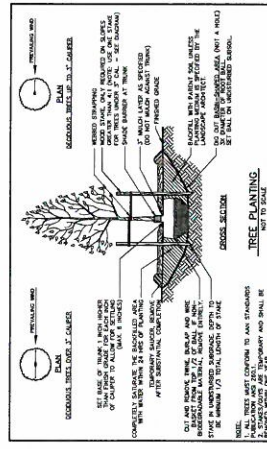
B+T PLAN NO.  
142210PQ18C-002

[illegible]

QUANTITY		KEY	BOTANICAL NAME	COMMON NAME	PLANT SCHEDULE		INITIAL SIZE	10-15 YR. SIZE	NOTES	GROWTH/HABIT
TRUCKS	TRUCKS									
15	AR		ACER RUBRUM	RED MAPLE	2-2.5' CAL. MIN.	20' HT.	10'	10'	88B, MIN. C BRANCHING HT.	DECIDUOUS
15	AC		ACER SACCARINUM	SUGAR MAPLE	2-2.5' CAL. MIN.	20' HT.	10'	10'	88A, MIN. E BRANCHING HT.	DECIDUOUS
12	AC		AMELIAE FRAC. CUNIFOLIOS	SHADOW OAK	7-8' HT. MIN.	20' HT.	10'	10'	88C - CLUMP FORM	DECIDUOUS
15	OP		QUERCUS BICOLOR	WHITE OAK	2-2.5' CAL. MIN.	15' HT.	10'	10'	88B, MIN. E BRANCHING HT.	DECIDUOUS
28	OP		QUERCUS PRINCEPI	PRINCEPI OAK	2-2.5' CAL. MIN.	15' HT.	10'	10'	88B, MIN. E BRANCHING HT.	DECIDUOUS
28	JV		UNIFOLIUS YONGINANA	EASTERN RED CEDAR	6-7' HT. MIN.	10' HT.	10'	10'	88B	EVERGREEN
28	NS		PIKEA GAUCIA	WHITE SPURGE	6-7' HT. MIN.	20' HT.	10'	10'	88B	EVERGREEN
24	FS		PIKEA STROBUS	EASTERN WHITE PINE	6-7' HT. MIN.	20' HT.	10'	10'	88B	EVERGREEN
24	FS		PIKEA STROBUS	EASTERN WHITE PINE	10-12' HT. MIN.	20' HT.	10'	10'	88B	EVERGREEN
15	TP		PIKEA FLATA	WESTERN RED CEDAR	10-12' HT. MIN.	20' HT.	10'	10'	88B	EVERGREEN
SHRUBS										
35	CA		CORNUS ANONUM	SLYK DOGWOOD	3-3.5' HT. MIN.	5-10' HT.	10'	10'	88B ON CONTAINER	DECIDUOUS
45	IV		ILEX VERTICILLATA	WINTERBURN (FEMALE)	3-3.5' HT. MIN.	5-10' HT.	10'	10'	88B ON CONTAINER	DECIDUOUS
5	IV		ILEX VERTICILLATA 'MID DANCY'	WINTERBURN (MALE)	2-2.5' HT. MIN.	10' HT.	10'	10'	88B ON CONTAINER	DECIDUOUS
5	IV		ILEX VERTICILLATA 'MID DANCY'	WINTERBURN (MALE)	2-2.5' HT. MIN.	10' HT.	10'	10'	88B ON CONTAINER	DECIDUOUS
20	IBR		PODOCYPUS NODOSUM	ROSEMARY PROSTRATE	13-2.5' HT. MIN.	10-12' HT.	10'	10'	88B	EVERGREEN
2000 NIX										
12-120 FS										
MAIN GARDEN PLANTS										
30	AG	○	ANDROMEDA GERARDII	BIG BLUESTEM	RE CONT. MIN.	4-6' HT.	10'	10'	SPACE 3-3' O.C.	PERENNIAL
40	AT	○	ACELEPAS THIBAUDII	BUTTERFLY ANEMONE	RE CONT. MIN.	1-2' HT.	10'	10'	SPACE 12-20' O C	PERENNIAL
30	CL	○	CLETHRA ALNIFOLIA	SWAMPSWEET	2-2.5' HT. MIN.	4-6' HT.	10'	10'	CONTAINER	DECIDUOUS
30	CP	○	COMPTONIA PESTIFERA	SWEETHEART	12-18' HT. MIN.	2-3' HT.	10'	10'	CONTAINER	DECIDUOUS
20	CA	○	CORNUS ANONUM	SLYK DOGWOOD	3-3.5' HT. MIN.	5' HT.	10'	10'	88B ON CONTAINER	DECIDUOUS
35	IG	○	ILEX GLABRA	IN BERRY	2-2.5' HT. MIN.	4' HT.	10'	10'	CONTAINER	EVERGREEN
115	IV	○	ILEX VIRESCENS	BLUE FLAG IRIS	#1 CONT. MIN.	24-30' HT.	10'	10'	SPACE 30' O.C.	PERENNIAL
25	IB	+	LIBODIA BENZON	SPURGEON	3-3.5' HT. MIN.	10' HT.	10'	10'	88B ON CONTAINER	PERENNIAL
30	UC	○	OSYRIS NIDA CHINAMOMUM	CHINA AON FERN	#2 CONT. MIN.	3-4' HT.	10'	10'	SPACE 80' O.C.	PERENNIAL
22	VO	○	VIBURNUM LENTATUM	ARROWWOOD	3-3.5' HT. MIN.	10' HT.	10'	10'	88B ON CONTAINER	DECIDUOUS



RAIN GARDEN-01 LANDSCAPE PLAN

[illegible]

PLACE WARNING SIGNS IN REDUCED AREAS AND ERECT NECESSARY BARRICADES TO PREVENT DAMAGE BY PAVING OR MACHINES AND MAINTAIN THESE FOR AT LEAST THIRTY (30) DAYS.

REPAIR AND REESTABLISH DRAINS IN SETTLED, EXPOSED AND RUTTED AREAS TO THE SPECIFIED GRADE AND TOLERANCES.

THE LANDSCAPE CONTRACTOR IS TO CLEAN UP AND REMOVE ANY DEBRIS FROM THE SITE CAUSED BY THE LANDSCAPE CONTRACTOR.

PLANT MATERIAL IS TO BE MAINTAINED BY THE LANDSCAPE CONTRACTOR WHILE THE PROJECT IS UNCOMPLETED.

LANDING NOTES

DIMENSIONS FOR LIGHT LOCATIONS ARE TO THE CENTER OF MOUNTING POLES.  
ALL LIGHT MOUNTING POLES SHALL BE LOCATED AT A MINIMUM OF FIVE (5) FEET FROM BACK OF CURB UNLESS OTHERWISE NOTED ON THE PLAN.  
CUTOFF LUMINAIRE FEATURES WILL BE UTILIZED TO ENSURE NO OFF SITE GLARE IS CREATED  
LIGHT POLES LOCATED IN PLANTING AREAS ALL BE CHERRYWOOD WITH MAXIMUM OF

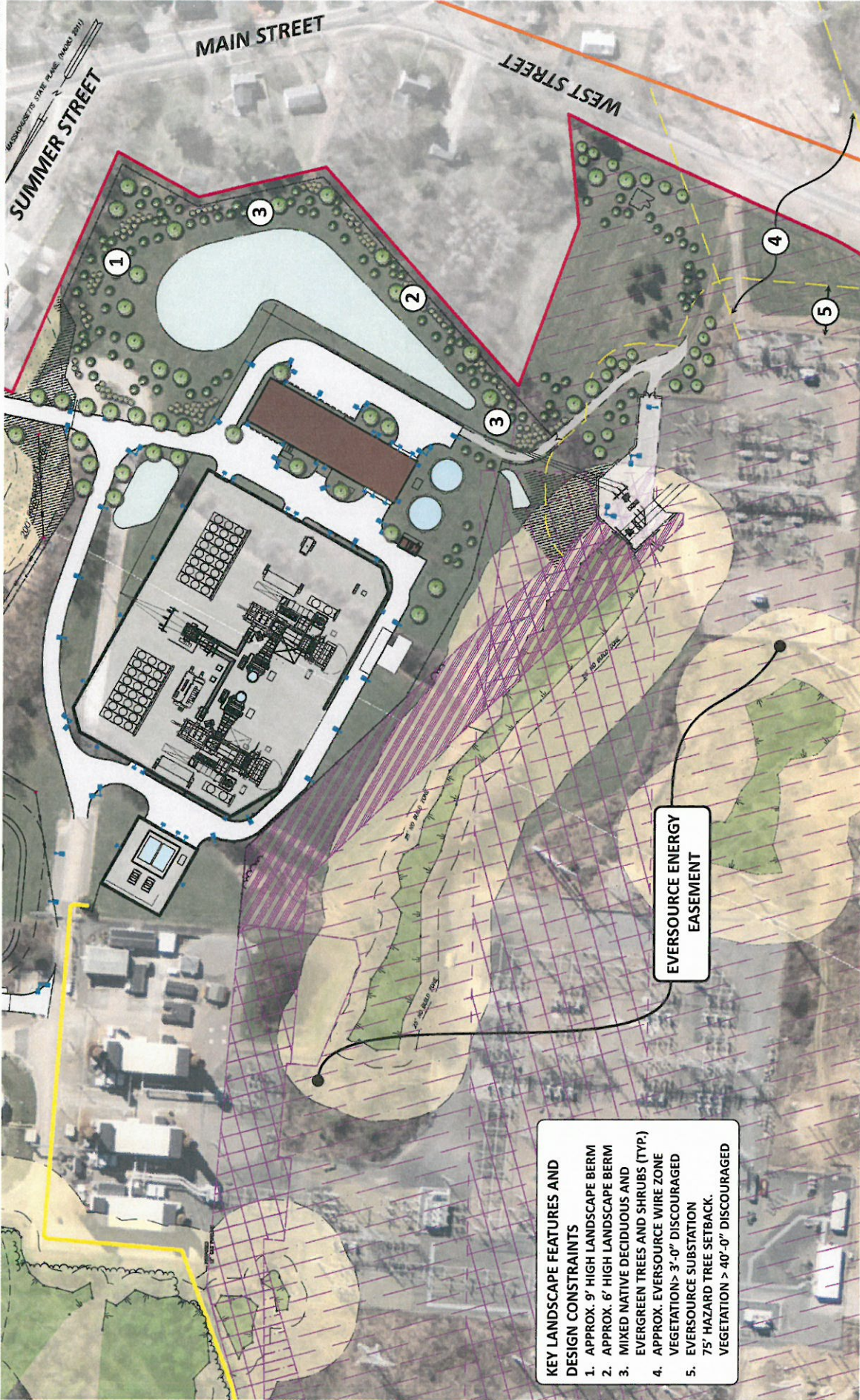
FOR HOTEL REFERENCES AND LEGEND SEE SHEET C-1.

GENERALS AND THOMAS, INC. SHALL NOT BE RESPONSIBLE FOR CONSTRUCTION MEANS, METHODS, TECHNIQUES OR CONSTRUCTION PROCEDURES UTILIZED BY THE CONTRACTOR, NOR FOR THE CONSTRUCTION OF THE PROJECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE CONSTRUCTION OF THE PROJECT IN ACCORDANCE WITH THE CONTRACT DOCUMENTS.

ANY PART OF THE DOCUMENT MAY BE REPRODUCED, STORED IN A RETRIEVAL SYSTEM, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC, MECHANICAL, PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF GENERALS AND THOMAS, INC. ANY REPRODUCTION OR TRANSMISSION OF ANY PART OF THE DOCUMENT WITHOUT THE WRITTEN PERMISSION OF GENERALS AND THOMAS, INC. IS PROHIBITED. ANY REPRODUCTION OR TRANSMISSION OF ANY PART OF THE DOCUMENT WITHOUT THE WRITTEN PERMISSION OF GENERALS AND THOMAS, INC. SHALL RENDER INVALID AND UNENFORCEABLE.



# West Medway II Facility Landscape and Lighting Plan

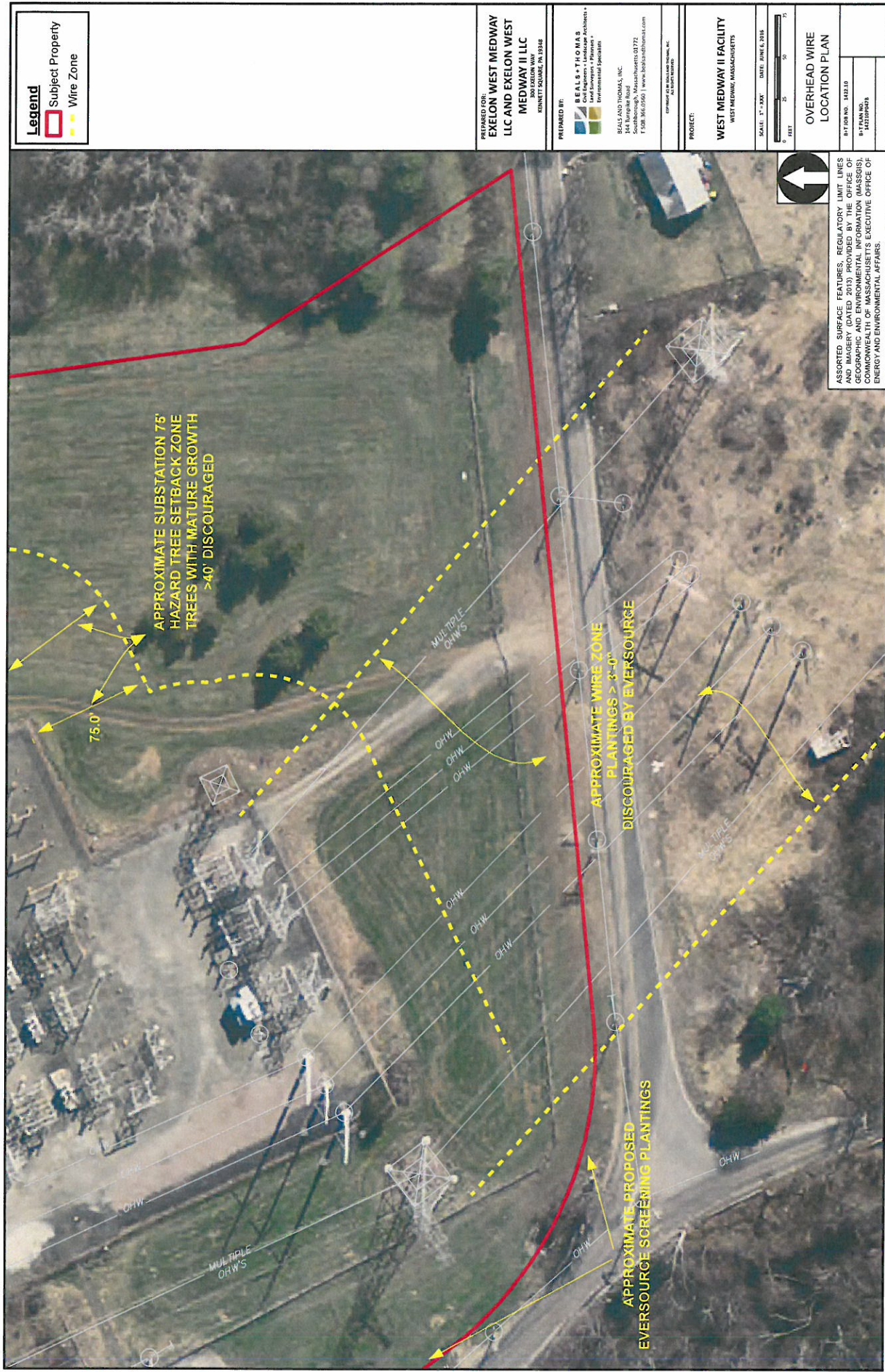


**BEALS+THOMAS**

DATE: 06/02/2016  
BTI FILE NO: 142210P045B-007

Exelon West Medway, LLC and Exelon West Medway II, LLC





**Legend**

- Subject Property
- Wire Zone

PREPARED FOR:  
**EXELON WEST MEDWAY  
LLC AND EXELON WEST  
MEDWAY II LLC**  
KENNETT SQUARE, PA 19348

PREPARED BY:  
**B.E.L.S. & T.H.A.S.**  
Civil Engineers • Landscape Architects •  
Land Surveyors • Planners •  
Environmental Specialists  
**BEALS AND THOMAS, INC.**  
144 Lurpee Road  
Southborough, Massachusetts 03772  
F 508.361.5750 | www.bealsandthomas.com

PROJECT:  
**WEST MEDWAY II FACILITY**  
WEST MEDWAY, MASSACHUSETTS

SCALE: 1" = 200'  
DATE: JUNE 6, 2016

**OVERHEAD WIRE  
LOCATION PLAN**

847100 NO. 143210  
847100 NO. 143210

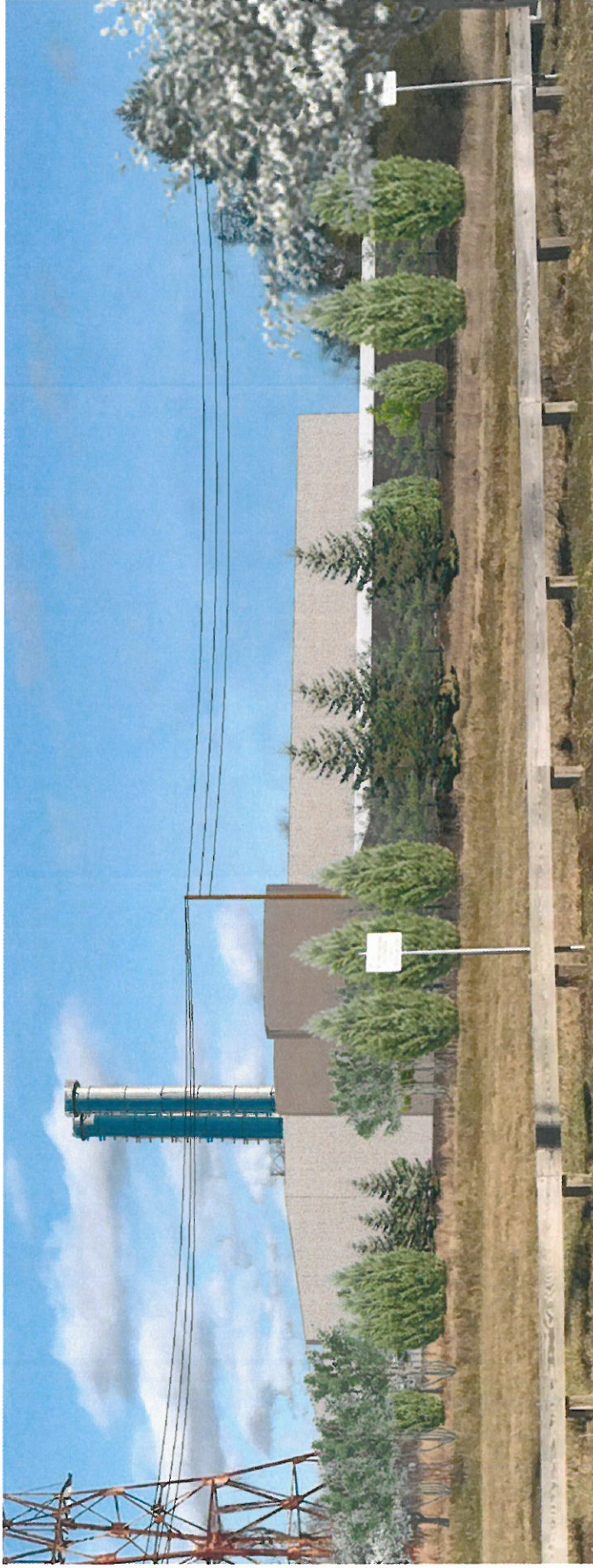
ASSORTED SURFACE FEATURES, REGULATORY LIMIT LINES  
AND IMAGERY (DATED 2013) PROVIDED BY THE OFFICE OF  
GEOGRAPHIC AND ENVIRONMENTAL INFORMATION (MASGIS),  
COMMONWEALTH OF MASSACHUSETTS EXECUTIVE OFFICE OF  
ENERGY AND ENVIRONMENTAL AFFAIRS.



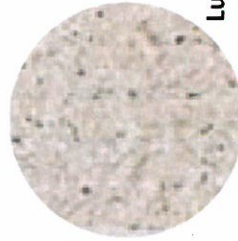
# West Medway II Facility

View from West Street, looking northeast

## Preferred Alternative

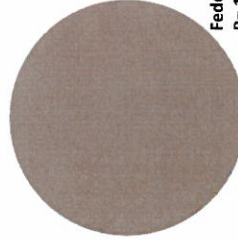


Sound Wall



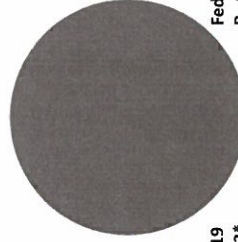
Luna  
9416-9503M\*

Tanks



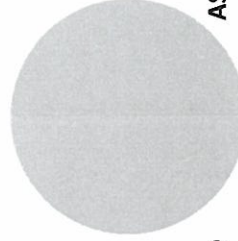
Federal Standard 10219  
R= 146, G= 121, B= 103\*

Admin Building Walls



Federal Standard 10059  
R= 94, G= 80, B= 76\*

Stacks



ASA-70 Grey\*

\* - or approved equal



Amy E. Kwesell  
Direct Dial: 617-330-7145  
E-mail: AKwesell@rubinrudman.com

June 14, 2016

*Via Electronic Mail*

Mr. Matthew Buckley, Chair  
c/o Susan Affleck-Childs, Planning & Economic Development Coordinator  
Town of Medway Design Review Committee  
155 Village Street  
Medway, MA 02053

Re: Summary of Applicant's Proposed Project

Dear Chairperson Buckley and Members of the Committee:

As you are aware, the Applicant, Exelon West Medway, LLC and Exelon West Medway II, LLC (collectively, "Exelon"), is proposing to construct and operate a dual-fuel, simple-cycle, quick-start peaking power plant capable of generating 200 megawatts ("MW") (nominal) ("the Facility" or "the Project") at the site of the existing Exelon West Medway, LLC power plant ("the existing facility"). The proposed Facility would be located on an approximately 13-acre site (the "Facility Site") within the larger 94-acre Exelon owned property at 9 Summer Street<sup>1</sup>. The Project is located in an industrial zoning district and as such is an allowed activity pursuant to the Zoning Bylaw

On March 13, 2015, pursuant to G.L. c. 164, § 69J¼, Exelon filed with the Energy Facilities Siting Board ("Siting Board" or "EFSB") a Petition to Construct and on March 19, 2015, pursuant to G.L. c. 40A, § 3, Exelon filed with the Department of Public Utilities ("Department" or "DPU") a petition for certain exemptions from the Zoning Bylaw of the Town of Medway ("Zoning Bylaw") ("Zoning Exemption Petition"). Specifically, Exelon requested exemptions from provisions of the Zoning Bylaw to allow for the construction of the Facility's exhaust stacks, which are needed to meet state and federal air quality standards, and two sound walls, which are needed to meet state and local noise requirements. Throughout the EFSB process, Exelon engaged in extensive discovery, presented testimony at hearings and filed briefs. A decision on both the Petition to Construct and Zoning Exemption is expected from the EFSB in the near future.

---

<sup>1</sup> Eversource holds an easement over 54 acres of the Property which is occupied by the Eversource switchyard.

June 14, 2016

Page 2

On February 9, 2016, Exelon filed a Major Site Plan Application with the Planning & Economic Development Board. Starting in March of 2016, representatives of Exelon have participated in four (4) meetings with the Design Review Committee ("DRC"). Over the course of these meetings, Exelon has responded to requests including, but not limited to, the following:

- Providing several additional requested photographic renderings of the proposed facility from various viewpoints;
- Providing our Registered Landscape Architect at two (2) meetings to answer any questions;
- Making revisions to the landscaping plan including providing a number of trees larger than those required by the Town of Medway Site Plan Rules and Regulations;
- Adding trees to the area that will be used as temporary construction parking and extending the proposed berm;
- Obtaining different samples of colors that are available for the exhaust stacks, noise wall, water tanks, and administration building; and
- Providing final photographic renderings using the chosen colors concentrating on certain views as the renderings demonstrate that the Project will be visible only from limited vantage points.

As a result of the meetings with the DRC, Exelon will be presenting a proposal to the Planning & Economic Development Board which will include the following items discussed with the DRC:

- Exelon is proposing a robust landscaping plan, which was revised to further enhance screening efforts. The proposed landscaping consists mainly of native vegetation and has been designed to maintain a naturalistic appearance, with minimized tree clearing along Property boundaries to screen the proposed Facility to the maximum extent practicable. To screen the proposed Facility as viewed from West Street, the proposed landscaping plan includes fourteen (14) white pine trees in the 6-foot to 7-foot height range and thirteen (13) larger white pine trees in the 10-foot to 12-foot range. Additionally, the area will be planted with other evergreen trees including spruce and cedar trees in the 6-foot to 7-foot height range, along with deciduous and flowering trees to provide a variety of species in an effort to create a more natural landscape. A total of approximately fifty (50) additional trees are proposed in the area that will be used for temporary construction parking along West Street (and are subject to agreement by Eversource, which possesses an easement over this area). Please note that while this area is within the Eversource easement area (and under the control of Eversource), Exelon has agreed to consult with Eversource regarding this additional vegetative screening. As explained in the meetings, further screening along West Street is limited due to wires related to the existing switchyard.
- The proposed fencing will be black vinyl (or other coating) chain link at the project entrance and along abutting residences and standard galvanized diamond mesh



June 14, 2016

Page 3

elsewhere. Exelon is exploring if the barbed wire on the top of the fencing can also be black.

- Exelon will investigate if the stones from the existing stone wall can be incorporated into the proposed berm.
- Exelon has agreed that the standing light poles will be painted black and the wall mounted lights on the 55-foot sound wall will be painted white.
- The 20-foot L-shaped sound wall located on the Property line of 5 Summer Street will be painted Luna (TCI, 9416-9503M)<sup>2</sup>. The Company has also committed to working with the owner of 5 Summer Street regarding landscaping along the L-shaped sound wall on the 5 Summer Street property.
- The 55-foot sound wall will also be painted Luna (TCI, 9416-9503M)<sup>3</sup>. The water tanks will be painted Federal Standard 10219 (R=146, G=121, B=103). The administration building walls will be painted Federal Standard 10059 (R=94, G=80, B=76) and the roof of the administration building will be off-white in color to provide a high albedo surface that will reduce summertime energy needs for building cooling systems. The two stacks will be painted ASA-70 Grey.

Exelon is confident that the current proposal maximizes screening to the greatest extent possible and is presenting a well designed and engineered proposal that substantially complies with the Town of Medway Design Review Guidelines, the Site Plan Review Bylaw and the Site Plan Review Rules and Regulations.

Please do not hesitate to contact me should you need anything further.

Very truly yours,



Amy E. Kwesell

cc: Town of Medway Planning & Economic Development Board

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<sup>2</sup> All proposed paint colors are subject to availability and may be replaced with an approved similar color.

<sup>3</sup> As explained at the meetings, due to substantial increased costs for production, construction and maintenance, Exelon is proposing that the sound walls are to be painted in only one color.



**June 14, 2016**  
**Medway Planning & Economic Development Board**  
**Meeting**

**Bond Account Refunds**

The Town is carrying three small bond accounts on its books as follows:

- Applegate subdivision           \$102.19
- Village Estates subdivision   \$100.46
- Hopping Brook subdivision   \$102.56

These are remnants from a former practice when the PEDB used to require an applicant to establish a bond account at a local bank at the time of plan endorsement and fund it with a minimum balance.

In the case of Applegate, there is now a tri-party agreement. In the case of Hopping Brook, the subdivision has never been built. In the case of Village Estates, the infrastructure is under construction; the PEDB can establish a bond account when/if the developer seeks a building permit before infrastructure completion.

The Town Accountant and Treasurer have asked that these accounts be closed.

I recommend the Board vote to close these bond accounts and refund the above noted amounts plus interest.



---

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

---

**Cc:**

---

**From:** Steven Bouley, EIT – Tetra Tech  
Frank Guthman III – Tetra Tech



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**Date:** June 2, 2016

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**Subject:** Cumberland Farms Landscape Punch List

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On June 1, 2016 at the request of the Medway Planning and Economic Development Board (PEDB), Tetra Tech (TT) conducted a site inspection of the current landscape conditions per **Section VII Specific Conditions K.1-K.2** of the "Cumberland Farms at Medway Gardens Special Permit and Site Plan Decision" dated February 4, 2014. The site, located at 38 Summer Street in Medway, was inspected and a punch list generated of landscape items which require maintenance or replacement by the Applicant. The inspections were conducted based upon the approved Site Plan Set titled "Site Plan Set for Cumberland Farms, 38 Summer Street (Route 126), Medway, MA 02053" dated February 13, 2014.

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

### **Landscape**

1. Areas on the approved Site Plan Set labeled "Lawn Grass" are overgrown with crabgrass, weeds, and wild flowers. TT recommends these areas be repaired and maintained to their approved design condition. (See Photo 1-5)
2. Various trees located throughout the site have either died or are in the process of dying due to a lack of proper maintenance. TT recommends these trees be removed and replaced in kind with species designated on the plant material list. The Applicant shall then maintain these trees in accordance with the Decision. (See Photo 6-9)
3. Various flowers, groundcover and shrubs have either died or are in the process of dying due to a lack of proper maintenance. TT recommends these plants be removed and replaced in kind with species designated on the plant material list. The Applicant shall then maintain these plants in accordance with the Decision. (See Photo 10-14)
4. It appears the irrigation system is not functioning as designed due to the length of the grass and shrubs. Water spraying from the irrigation heads is being blocked by the overgrown vegetation preventing water from reach necessary plantings.

### **Parking Lot**

5. The parking areas require sweeping as cigarette butts, trash and mulch has washed into the parking areas and is collecting against the sloped granite edging and is generally blowing around the site. These items are also washing into the catch basins which could potentially cause issues to downstream infrastructure if not properly maintained. (See Photo 17-18)

TT will conduct a follow-up inspection of the site once the applicant has completed maintenance per the decision. These comments are offered as guides for use during the Town's review. If you have any questions or comments, please feel free to contact us at (508) 786-2200.

P:\21583\143-21583-14007 (CUMERLAND FARMS CONS SERV)\CONSTRUCTION\PUNCH LIST\LANDSCAPE PUNCH LIST\MEMO\_MEDWAY-CUMBERLAND FARMS LANDSCAPE PUNCH LIST\_2016-06-02.DOC



Photograph 1

Overgrown Lawn Grass



Photograph 2

Weeds and Wild Flowers





Photograph 3

Weeds and Wild Flowers



Photograph 4

Patches of Dead Grass





Photograph 5

Weeds and Wild Flowers



Photograph 6

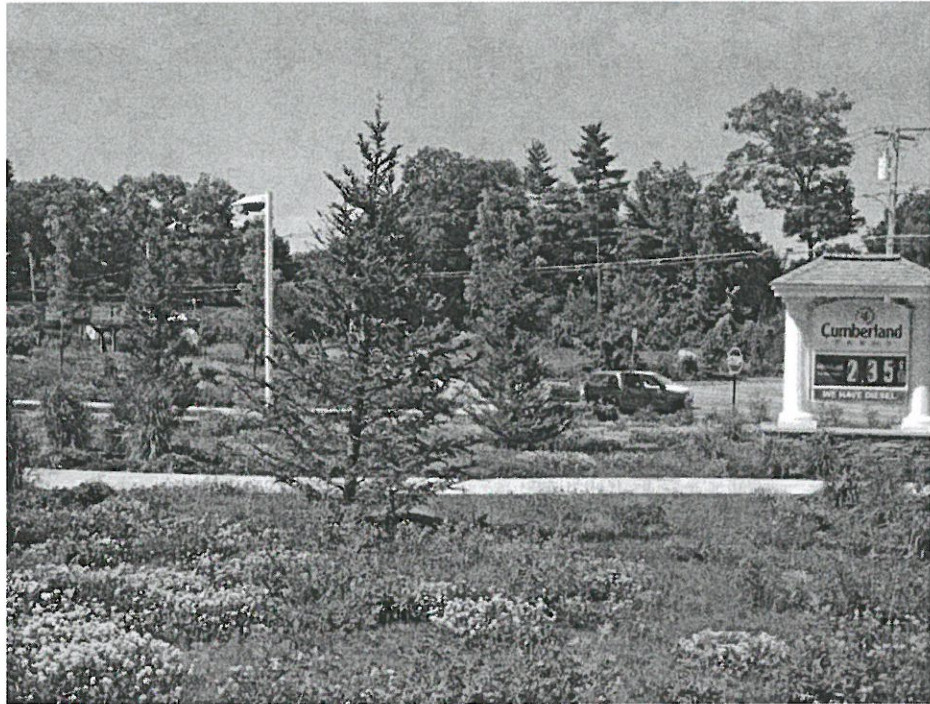
Dead and Dying Trees





Photograph 7

Dead and Dying Trees



Photograph 8

Dying Trees





Photograph 9

Dead and Dying Trees



Photograph 10

Dying Shrub Arrangements





Photograph 11

Dead Shrub Arrangements



Photograph 12

Dead Shrub Arrangements





Photograph 13

Dying Shrubs and Flowers



Photograph 14

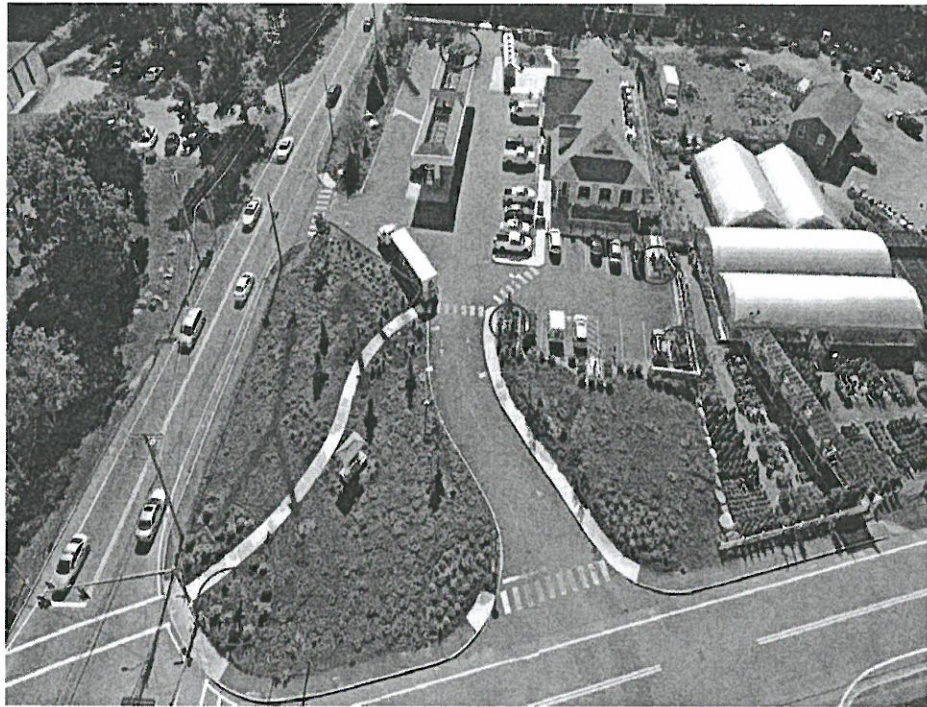
Dead and Dying Shrubs





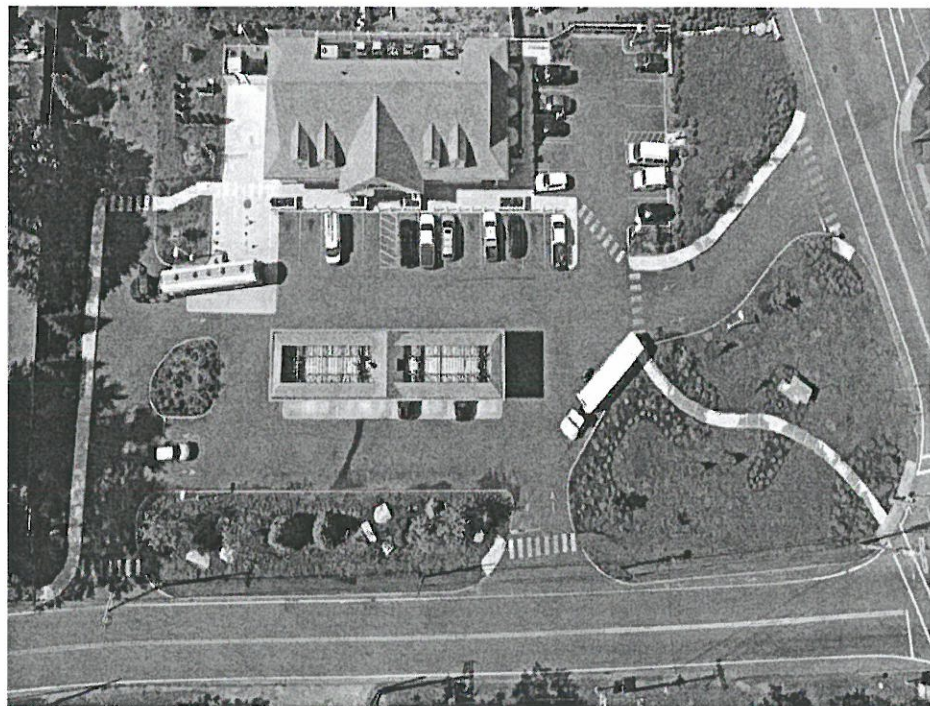
Photograph 15

Some Areas of Concern



Photograph 16

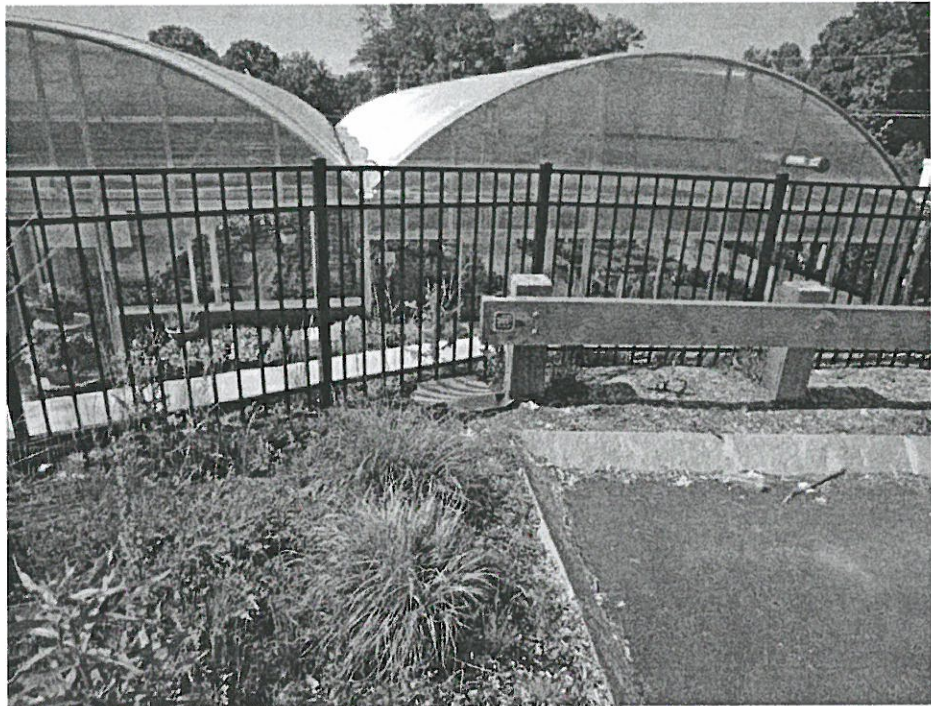
Full Landscape View





Photograph 17

Debris in Parking Lot



Photograph 18

Debris in Parking Lot



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

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**Cc:**

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**From:** Steven Bouley, EIT – Tetra Tech  
Frank Guthman III – Tetra Tech



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**Date:** June 8, 2016

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**Subject:** Medway Gardens Punch List

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On June 1, 2016 at the request of the Medway Planning and Economic Development Board (PEDB), Tetra Tech (TT) conducted a site inspection of the Medway Gardens site located at 38 Summer Street in Medway, MA. The site was inspected and a punch list generated of outstanding items which have not yet been installed by the Applicant. The inspections were conducted based upon a Site Plan titled "Site Plan for Medway Gardens, 38 Summer Street (Route 126), Medway, MA 02053" dated July 22, 2014, revised July 23, 2014.

The following is a list of items and issues that are still outstanding:

### **Parking Lot**

1. Proposed Bituminous Pavement driveway apron and appurtenant railroad ties have not been installed. (See Photo 1-2)
2. Proposed Bituminous Pavement parking area south of the wooden pergola has not yet been installed. (See Photo 3)
3. Proposed Pavement markings and striping (2 coats of paint required) has not yet been installed. (See Photo 4)
4. Proposed Directional and Accessible Signs have not yet been installed. (See Photo 4-5)
5. Proposed Concrete Wheel Stops have not yet been installed in any of the locations shown on the Site Plan. (See Photo 4-5)
6. It appears the Gravel Access drive to Milford Street has not yet been formally installed. An overgrown gravel path exists but it appears it is not what was intended on the Site Plan. (See Photo 5)

### **Landscape**

7. The "Medway Garden Center" sign has not yet been relocated with new plantings. (See Photo 5)
8. Evergreen Trees every 20' have not yet been planted along the southern property line. (See Photo 5)

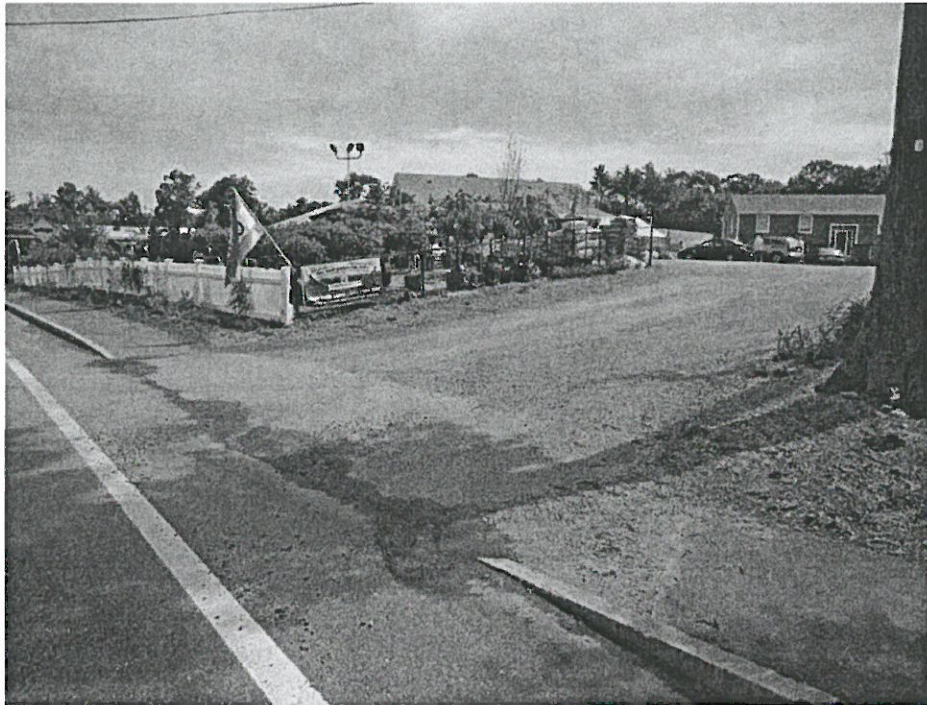
These comments are offered as guides for use during the Town's review. If you have any questions or comments, please feel free to contact us at (508) 786-2200.

P:\21583\143-21583-14013 (MEDWAY GARDENS)\CONSTRUCTION\PUNCH LIST\MEMO\_MEDWAY GARDENS PUNCH LIST\_2016-06-08.DOC



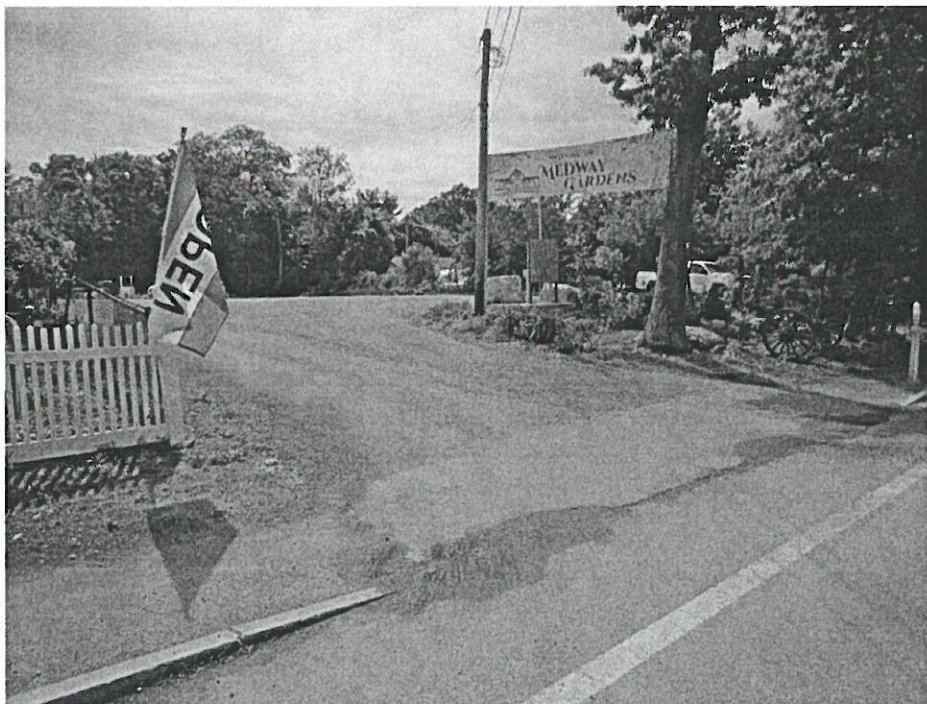
Photograph 1

Driveway at Summer Street



Photograph 2

Driveway at Summer Street





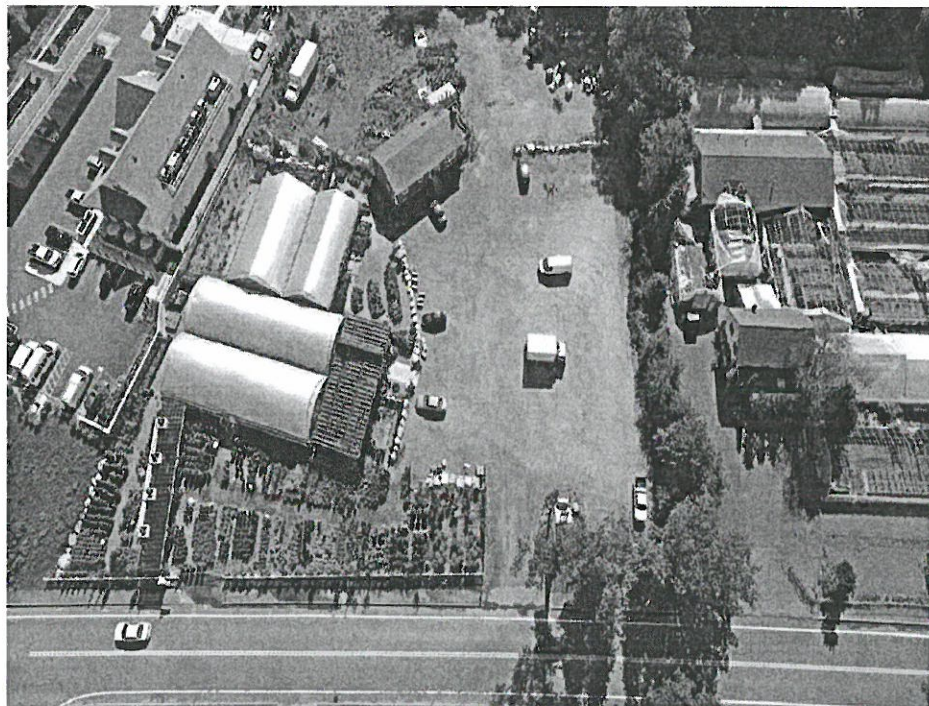
Photograph 3

Area of proposed paving  
adjacent to wooden pergola



Photograph 4

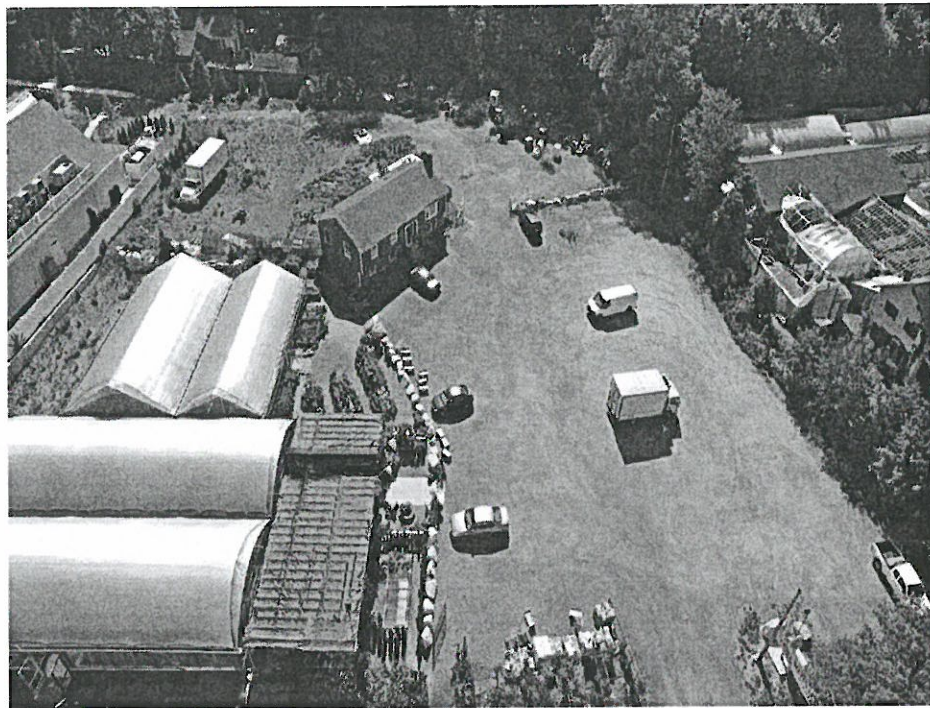
Overall Site





Photograph 5

Overall Site showing area of proposed gravel access drive.





**TETRA TECH**

April 12, 2016

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

**Re: Pine Ridge OSRD  
As-Built Plan Review  
Medway, Massachusetts 02053**

Dear Ms. Affleck-Childs:

We are pleased to submit this Proposal to the Town of Medway (the Client) for professional engineering services associated with Pine Ridge in Medway, Massachusetts (the Project). The objective of our services is to review the as-built plan(s) and provide review comments as they relate to the Medway Planning Board's Rules and Regulations for the Review and Approval of Land Subdivisions (Chapter 100) and good engineering practice.

### **Scope of Services**

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

#### **Task 1 Site Visit**

- A. Perform one (1) site visit to review the site and its surroundings;
- Budget Assumption: 1 Visit  
2 hours @ \$105/hr = \$210  
Total = \$210

#### **Task 2 As-Built Review**

- A. Review the As-Built Plan(s) prepared by the applicant and provide review letter to the Client;
- Budget Assumption: 1 hours @ \$210/hr = \$210  
3 hours @ \$105/hr = \$315  
Total = \$525
- B. Coordinate with applicant to address items in review letter and issue an updated letter upon receipt of modifications:
- Budget Assumption: 0.5 hours @ \$210/hr = \$1050  
1 hours @ \$105/hr = \$105  
Total = \$210

#### **Task 3 Meeting Attendance**

- A. Participate in one (1) hearings/meetings with the Town of Medway Planning and Economic Development Board.
- Budget Assumption: 1 Meeting  
1.5 hours @ \$105/hr = \$158  
Total = \$158



## Cost

Our cost for the above Scope of Services will be on a time and expenses basis in accordance with Tetra Tech's and existing Town of Medway contract rates. Direct expenses will be billed at a fixed fee of three and a half (3.5) percent of labor costs. We suggest that you establish a budget identified below for these services, which will not be exceeded without your approval. Please be advised that this estimate is based on our current understanding of the Project needs and is for budget purposes only. The total cost of our services will depend greatly on the completeness and adequacy of the information provided.

The breakdown of this fee by task is as follows:

<b>Task</b>	<b>Task Description</b>	<b>Fee</b>
Task 1	Site Visit	\$210
Task 2	As-Built Review	\$735
Task 3	Meeting Attendance	\$158
	Labor Subtotal	\$1,103
	Expenses (3.5%)	\$39
<b>Total Fee</b>		<b>\$1,142</b>

## Schedule

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

## General Terms and Conditions

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

Very truly yours,



Sean P. Reardon, P.E.,  
Vice President

Date Approved by Medway Planning and Economic Development Board \_\_\_\_\_

Certified by:

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

\_\_\_\_\_  
Date

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April 12, 2016

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

**Re: Candlewood Estates  
Punch List and As-Built/Street Acceptance Plan Review  
Medway, Massachusetts 02053**

Dear Ms. Affleck-Childs:

We are pleased to submit this Proposal to the Town of Medway (the Client) for professional engineering services associated with Candlewood Estates in Medway, Massachusetts (the Project). The objective of our services is to review the As-Built/Street Acceptance plan(s) and provide review comments as they relate to the Medway Planning Board's Rules and Regulations for the Review and Approval of Land Subdivisions (Chapter 100) and good engineering practice.

## Scope of Services

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

### Task 1 Site Visits

- A. Perform two (2) site visits to review the site and its surroundings. This task includes one (1) punch list inspection and one (1) final inspection once items have been completed;
- Budget Assumption: 2 Visits  
4 hours @ \$105/hr = \$420  
Total = \$420

### Task 2 As-Built/Street Acceptance Review

- A. Review the As-Built/Street Acceptance Plan(s) against the appropriate sections of Chapter 100 of the regulations. Prepare a letter summarizing any deficiencies to the plans for submission to the Client;
- Budget Assumption: 1 hours @ \$210/hr = \$210  
6 hours @ \$105/hr = \$630  
Total = \$840
- B. Coordinate with applicant to address items in review letter and issue an updated letter upon receipt of modifications:
- Budget Assumption: 0.5 hours @ \$210/hr = \$105  
2 hours @ \$105/hr = \$210  
Total = \$315

### Task 3 Meeting Attendance

- A. Participate in one (1) hearings/meetings with the Town of Medway Planning and Economic Development Board.
- Budget Assumption: 1 Meeting  
1.5 hours @ \$105/hr = \$158  
Total = \$158

Infrastructure Northeast  
Marlborough Technology Park, 100 Nickerson Road, Marlborough, MA 01752  
Tel 508.786.2200 Fax 508.786.2201 [tetratech.com](http://tetratech.com)



## Cost

Our cost for the above Scope of Services will be on a time and expenses basis in accordance with Tetra Tech's and existing Town of Medway contract rates. Direct expenses will be billed at a fixed fee of three and a half (3.5) percent of labor costs. We suggest that you establish a budget identified below for these services, which will not be exceeded without your approval. Please be advised that this estimate is based on our current understanding of the Project needs and is for budget purposes only. The total cost of our services will depend greatly on the completeness and adequacy of the information provided.

The breakdown of this fee by task is as follows:

<b>Task</b>	<b>Task Description</b>	<b>Fee</b>
Task 1	Site Visits	\$420
Task 2	As-Built/Street Acceptance Review	\$1,155
Task 3	Meeting Attendance	\$158
	Labor Subtotal	\$1,733
	Expenses (3.5%)	\$61
<b>Total Fee</b>		<b>\$1,794</b>

## Schedule

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

## General Terms and Conditions

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

Very truly yours,



Sean P. Reardon, P.E.,  
Vice President

Date Approved by Medway Planning and Economic Development Board \_\_\_\_\_

Certified by: \_\_\_\_\_  
Susan E. Affleck-Childs  
Medway Planning and Economic Development Coordinator

\_\_\_\_\_ Date

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