

Tuesday March 26, 2019
Medway Planning and Economic Development Board
76 Oakland Street
Medway, MA 02053

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

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

ALSO PRESENT:

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

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

There were no Citizen Comments.

SALMON ARCPUD – TREE PRESERVATION:

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

- Emailed dated March 5, 2019 from Rachel Whitemore, project manager general contractor Rubicon.
- Letter dated February 26, 2019 from Marois Brothers, site contractor, re: tree preservation issues,
- Walnut Grove tree inventory dates April 2016 by Coneco
- Other trees of substance inventory from the Existing Conditions sheets of the endorsed site plan.
- Tree preservation plan dated December 17, 2018 by Tree Tech
- Tree preservation condition from the Salmon ARCPUD decision dated March 24, 2016.
- Tree preservation performance security agreement dated January 22, 2019.

Jeff Robinson from Salmon was present.

Susy Affleck-Childs placed Salmon Tree Preservation on the agenda to get clarity regarding whether the required tree replacement for any removed trees would also apply to the non-pine trees over 24” that are scattered throughout the site. The members discussed Condition #12 Tree Preservation of the Salmon Health and Retirement Community ARCPUD Special Permit Decision. This requirement was noted in item A). The applicant shall make the fullest possible effort to preserve/retain these trees and prevent removal, demise, or damage during construction. Section B. identifies at a minimum the trees which will be preserved. Section C. specifies that the applicant shall post a bond with the Town in the amount of \$169,500 for estimated replacement costs of all the specified oak, ash and black walnut trees. Section D. covers if any of

the above noted trees are removed or damages during construction, the applicant will be responsible for restoration by replacing the removed or damaged trees.

Mr. Robinson indicated that some of the trees over 24 inches will be not survive from the 8 ft. of fill. He communicated that there were adjustments made to save the Black Walnuts. The plan Sheet 6 of 6 C.9 was referenced. A marked-up plan was provided to the Board for review. The trees with the bubble around them will need to come down. He further explained that it was always his assumption that Item D pertains to Item B. Member Gay is of that same belief.

Resident, Tim Choate, 7 Iroquois St.:

Mr. Choate asked if the applicant is cutting down more trees than approved on the plan.

The Chairman responded that the applicant has identified the areas where the specific trees will be saved. The applicant had a tree professional do an inventory of what trees were on site.

Susy further explained that the bubbles which were being referenced on the plan were not on the original plan. The bubbles are around trees where so much fill is being brought on site that the trees will not survive.

Member Gay communicated that this area is within the disturbance area and the trees were intended to be taken down. The trees are not in the no disturb zone.

The Board agrees and is satisfied that item D in the decision applies only to the specific trees which were noted.

PROPOSED ZONING BYLAW AMENDMENTS:

On a motion made by Rich Di Iulio and seconded by Bob Tucker, the Board voted unanimously to open the public hearing for the Proposed Zoning Bylaw Amendments.

On a motion made by Bob Tucker and seconded by Rich Di Iulio, the Board voted unanimously to waive the reading of the public hearing for the Proposed Zoning Bylaw Amendments.

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

- Public Hearing Notice
- Housekeeping article
- Medical Marijuana article
- Recreational Marijuana article
- Site Plan Review article
- Parking article
- Accessory Structures article

ARTICLE A:

To see if the Town will vote to amend the Zoning Bylaw as follows; unless otherwise noted, new text is shown in bold and deleted text as stricken through:

The term “Dwelling” should be changed to “Structures” so that the requirement for 50% uplands applies to all properties in town, not just residential.

The Board supports this Article as presented. Consultant Carlucci referenced the Amending of Section 6.2.D. General Provisions to clarify that the 50% uplands requirement applies to all structures and not only to dwellings. He commented that if approved, the requirement will apply to commercial and industrial buildings.

ARTICLE B:

Article B looks to amend Section 8.9 Medical Marijuana by:

- Removing references to “non-exempt registered medical marijuana facilities” in Paragraphs D and E.
- Requiring the provisions of odor control and noise mitigation plans as part of the application materials in Paragraph J.4
- Authorizing the Board to require noise and odor mitigation measures and monitoring as conditions in a special permit decision in Paragraph J.6.

ARTICLE C:

Article C would amend Section 8.10 Recreational Marijuana by:

- Removing references to “non-exempt registered medical marijuana facilities” in Paragraph E.
- Requiring the provisions of odor control and noise mitigation plans as part of the application materials in Paragraph J.5.
- Authorizing the Board to require noise and odor mitigation measures and monitoring as conditions in a special permit decision in Paragraph J.7.

Selectman Glenn Trindade was present. He questioned if there anything that the Town can learn from work that has already been done regarding odor from marijuana facilities from Colorado or other locations which have been dealing with this new type of business. He communicated that the Town should not have to reinvent everything. There must be standards that other towns have put in place.

The Board agrees but a lot of this is still new and the best technology to address such issues as odor detecting devices is still emerging. Odor can be difficult to monitor. All agree that this needs to be reviewed and allocation of funding for a consultant to help the Board update the environmental standards section of the Zoning Bylaw would be beneficial.

ARTICLE D:

Site Plan Review. To Amend Section 3.5 by:

- Changing the words “Building Inspector” to “Building Commissioner”
- Relabeling “the creation of a new parking area involving the addition of a one to nine parking spaces” in 3.5.3 Paragraph A. from item 3.c. to item 3.d. as an activity requiring administrative site plan review and adjusting the item labels thereafter
- Deleting 3.5.3 Paragraph A.4 and replacing it with a new Paragraph A.4 Relationship to other permits and approvals.
- Inserting a new 3.5.4 Paragraph F to require the Building Commissioner to review all site plan application submittals to identify zoning violations and adjusting the paragraph labels thereafter.
- Inserting a new 3.5.4 Paragraph I regarding mitigation measures.

- Inserting a new 3.5.4 Paragraph J authorizing the Board to grant waivers from certain provisions of the Zoning Bylaw for projects undergoing site plan review.
- Renumbering 3.5.4 Paragraph H to Paragraph K regarding procedures for administrative site plan review.
- Revising 3.5.6 Appeal to specify that appeals of administrative site plan decisions shall be made within twenty days of the date and administrative site plan decision is filed with the Town Clerk.
- Adding 3.5.7 Lapse to specify the site plan approval shall lapse within two years if substantial use has not commenced.

The Board is in receipt of an email from Barbara Saint Andre dated March 25, 2019 regarding the proposed Paragraph J. (**See Attached**).

Member Hayes wanted to know if a change of use triggers site plan review. There was discussion that sometimes it does not look like a change of use, but it does become this. It was suggested by Susy Affleck-Childs that the three levels of Site Plan Review (major, minor, and administrative) be discussed at another meeting. The wording of these sections will be reviewed.

There is a recommended amendment (Paragraph J.) which would give the PEDB authority to grant waivers from strict compliance with the lighting, noise, and odor standards. The concern is that by having a waiver for such things as “lighting”, this could become part of the standard list of items the Board regularly waives. Member Tucker is not in favor of allowing waivers from provisions of the Zoning Bylaw.

Susy Affleck-Childs referenced the email from Barbara Saint Andre which explained that the purpose of providing a waiver mechanism is to allow the PEDB to grant relief from certain requirements which in certain cases, may be unneeded, out of date, or excessively rigid for the circumstances.

The concern with waiving is that this would expand the level of non-conformance. There was a recommendation to only allow a waiver for the lighting regulations and not for the odor and noise requirements. An applicant would need to have a reason to justify the waiver and prove that it is excessively burdensome to the applicant. Consultant Carlucci stated that with a waiver the Board could certainly impose conditions.

Jack Mee responded that it would give the Board the authority to not approve the requested waiver.

It was suggested to have the waiver authority apply only to Section 7.1.2. (Lighting). Members Di Iulio and Tucker are not in favor of this.

On a motion made by Matt Hayes and seconded by Tom Gay, the Board voted to include Paragraph J but only as it relates to lighting, Section 7.1.2. The vote was three in favor (Rodenhiser, Hayes and Gay) and two against (Di Iulio and Tucker).

NOTE - This action serves to remove the waiver authority from being applicable to Sections 7.3 C and 7.3 D of the Zoning Bylaw regarding vibration, noise and odors.

The Board agreed that this issue needs to be discussed further regarding how they will vote on the entire Site Plan article. Members Tucker and Di Iulio noted they will probably vote no.

ARTICLE E.

Off Street Parking and Loading. To amend Section 7.1.1 by:

- Revising Paragraph A. purposes
- Revising Paragraph J. Reduced Parking in 2.a. and 2.h. and renumbering other items
- Adding a new Paragraph K. regarding special parking types and standards with special permit provisions for valet parking, tandem parking, street side parking, frontage parking, and structured parking.
- Adding definitions for “Shared Parking”, “Structured Parking”, “Tandem Parking”, “Frontage Parking; and “Valet Parking” in Section 2 Definitions.

This Board was made aware that the Oak Grove Task Force has held many meetings looking at the parking standards. The current parking regulations are in the Zoning Bylaw but not the General Bylaw. This would be covered within site plan review. The document does not have anything regarding electric vehicle charging stations within parking areas. That is something the Oak Grove zoning consultant is working on.

ARTICLE F.

Accessory Buildings. To amend Section 6.3 by adding:

- Paragraph F. regarding the minimum distance between principal and accessory buildings or structures;
- Paragraph G. regarding the relationship between accessory and principal building and structures and used; and
- Paragraph H. specifying that standard setback requirements do not apply to public bus stop shelters.

The suggestion is to remove Paragraph F. which states that no part of any accessory building or structure shall be located closer than five feet to any principal building or structure unless it is attached to and forms part of the principal building or structure. Jack Mee noted that this is not really an issue in town.

Jack Mee would like to see reduced setbacks for small sheds. This would align with what the building code allows for a structure. Small shed up to 200 sq. ft. don't need building permits. It could be worded that in Village and ARII there would be a lesser setback for up to 200 sq. ft. (Shed).

Continuation of Hearing.

On a motion made by Rich Di Iulio and seconded by Tom Gay, the Board voted unanimously to continue the public hearing on proposed amendments to the Medway Zoning Bylaw to Tuesday, April 2, 2019 at 7:00 pm.

EVERGREEN VILLAGE – PLAN REVIEW FEE ESTIMATES.

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

- March 20, 2019 Tetra Tech estimate for \$6,243.00
- March 21, 2019 PGC estimate for \$800.00

On a motion made by Matt Hayes and seconded by Rich Di Iulio, the Board voted unanimously to approve the plan review fee estimates for Evergreen Village.

PEDB MEETING MINUTES:

March 12, 2019:

On a motion made by Rich Di Iulio, and seconded by Matt Hayes, the Board voted unanimously to accept the minutes from the March 12, 2019 meeting as presented.

ENDORSEMENT OF DPS SITE PLAN:

On a motion made by Matt Hayes, and seconded by Tom Gay, the Board voted to endorse the site plan for the Medway Department of Public Service Building Site Plan. Motion carries 4 to 0. (Member Tucker abstained.)

OTHER BUSINESS:

- Charles River Meadowlands Initiative will hold a Community Forum on Monday April 29, 2019 at 6:30 pm at the Thayer Homestead.
- Susy Affleck-Childs will be meeting with Member Gay and Barbara Saint Andre to discuss the sign bylaw.
- The Oak Gove Task Force has made great progress. The document is 85% complete. The final document will be presented to the Planning and Economic Development Board. It was suggested to provide Consultant Carlucci a copy to request his comments.

ADJOURN:

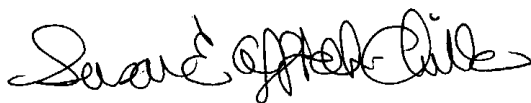
On a motion made by Rich Di Iulio, seconded by Matt Hayes, the Board voted unanimously to adjourn the meeting at 9:16 pm.

Respectfully Submitted,



Amy Sutherland
Recording Secretary

Reviewed and edited by,



Susan E. Affleck-Childs
Planning and Economic Development Coordinator

Susan Affleck-Childs

From: Rachel Whitermore <rwhitermore@willowsatmedway.com>
Sent: Tuesday, March 05, 2019 2:04 PM
To: Susan Affleck-Childs
Cc: Jeff Robinson
Subject: Willows - Tree Save Recommendation
Attachments: Tree Save Recommendations 03.05.2019.pdf

Good Afternoon Susy,

Hope you are doing well! Attached is a letter and marked up plan regarding the proposed tree save areas. This letter addresses both the Black Walnut Grove and the trees over 24" caliper. We are trying to come to resolution now on the trees while Cobb is on site clearing. The Black Walnuts are less of a concern as these are noted as "save if feasible." Most of the trees noted to be saved that are over 24" caliper fall in construction areas where the grade is being elevated by 4-8 feet. Anything over 4" of fill will ultimately kill the tree and it makes more sense to remove them now.

Please review and advise how you would like to proceed with this recommendation.

Thanks,
Rachel



Rachel Whitermore
Project Manager
800 South Main Street
Mansfield, MA 02048



MAROIS BROTHERS, INC.

SITE DEVELOPMENT CONTRACTORS

115 Blackstone River Road

Worcester, MA 01607-1491

Tel. (508) 791-8134 • Fax (508) 754-4214

LETTER OF TRANSMITTAL

TO: Rubicon Builders
800 South Main Street
Mansfield, MA 02048
508-823-4530 x 4106

JOB NO.	18-09	DATE:	2/26/19
ATTENTION: Rachel Whitemore			
RE:		The Willows at Medway Medway, MA	

WE ARE SENDING YOU:

☐ Plans ☐ Specifications ☐ Change Order
☐ Copy of letter ☐ Geotechnical Report ☒ Other: **Submittals**

COPIES	DATE	NUMBER	DESCRIPTION
1	2/26/19		Tree review cover letter
1	4/1/16		Black Walnut Plan with MBI recommendations.
1	5/25/18		Select tree plan with MBI recommendations.

THESE ARE TRANSMITTED as checked below:

<input checked="" type="checkbox"/> For your approval	Resubmit	Approved as submitted
For your use	<input checked="" type="checkbox"/> Submit	Returned for corrections
As requested	Return	Copies for approval
For review/comment	Approved as noted	Copies for distribution
Corrected Prints	Other:	

FOR BIDS DUE/DATE:

REMARKS:

e-filed

SIGNED

David Marois



MAROIS BROTHERS, INC.

SITE DEVELOPMENT CONTRACTORS

115 Blackstone River Road
Worcester, MA 01607-1491
Tel. (508) 791-8134 • Fax (508) 754-4214



February 26, 2019

Ms. Rachel Whitermore
Rubicon Builders
800 South Main Street
Mansfield, MA 02048

**RE: The Willows at Medway
Medway, MA
Save tree comments**

Ms. Whitermore,

We have conducted an on-site review of the trees marked as save on both the Black Walnut Plan and the existing conditions plans for the project and offer the following comments:

Black Walnut Plan:

- The 30" tree located to the east of the driveway is badly rotten and has multiple dead branches and should be removed.
- The 18" and 16" in the center drive island are too large and have branches into the drive lanes and drip lines outside of the island curb and will become damaged by roadway construction. There are also multiple other species in the area and removing those stumps will damage the root systems.
- The 8" on the east of the roadway is too close to the roadway layout and can not be saved.

The Existing condition plans:

- We have reviewed each location and marked the trees that we feel should be removed as a result of elevation changes at each location. These trees are outlined in red on the attached sheets along with the grade changes per the design plans.

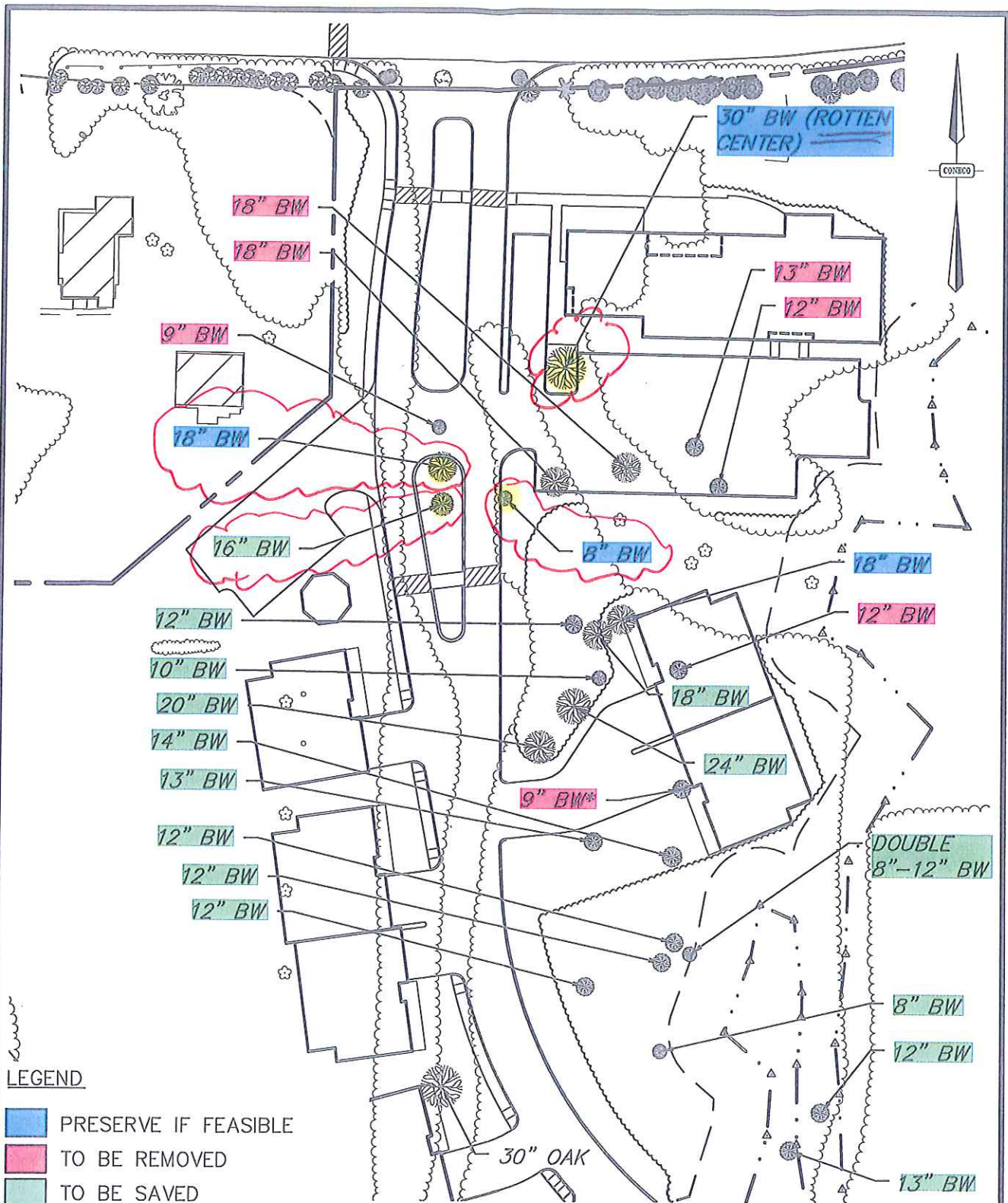
Please review these comments and provide direction as to how we should proceed.

Sincerely,
MAROIS BROTHERS, INC.

David Marois

David Marois
Project Manager

Cc:file
Attachments: Tree plans



259, 261, 261R AND 263 VILLAGE STREET, MEDWAY, MA 02053



PREPARED FOR: Continuing Care Management, LLC

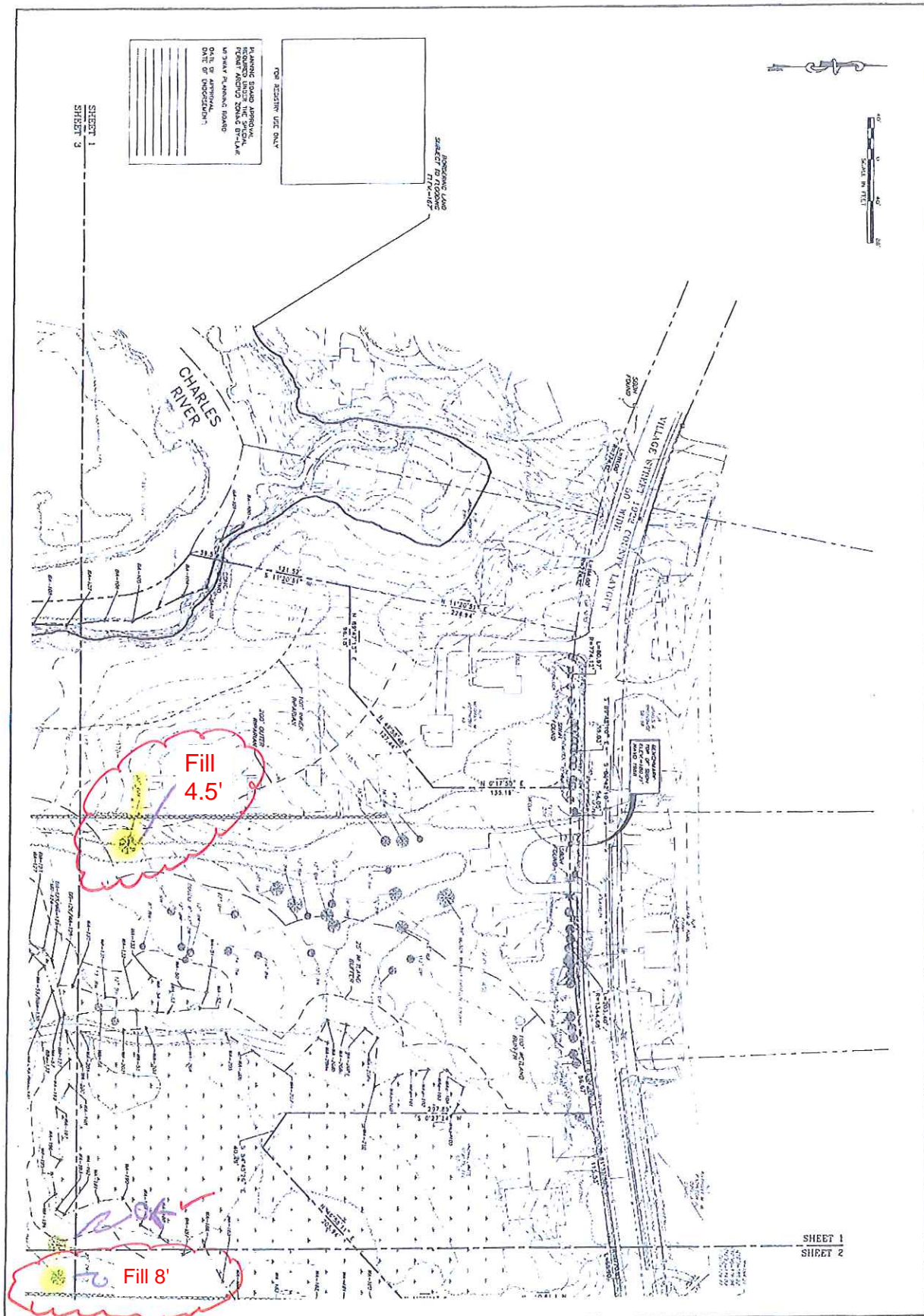
PLAN SET: ARCPUD Special Permit Site Plans

SCALE
1" = 60'

DATE
4/1/2016

PROJECT NO.
8548.0

TITLE:
BLACK WALNUT PRESERVATION PLAN





CONECO
Engineers & Scientists

1000 STATE STREET, SUITE 200
WESTBOROUGH, MASSACHUSETTS 01581
PHONE: 781-339-1100 FAX: 781-339-1101
WWW.CONECO.COM

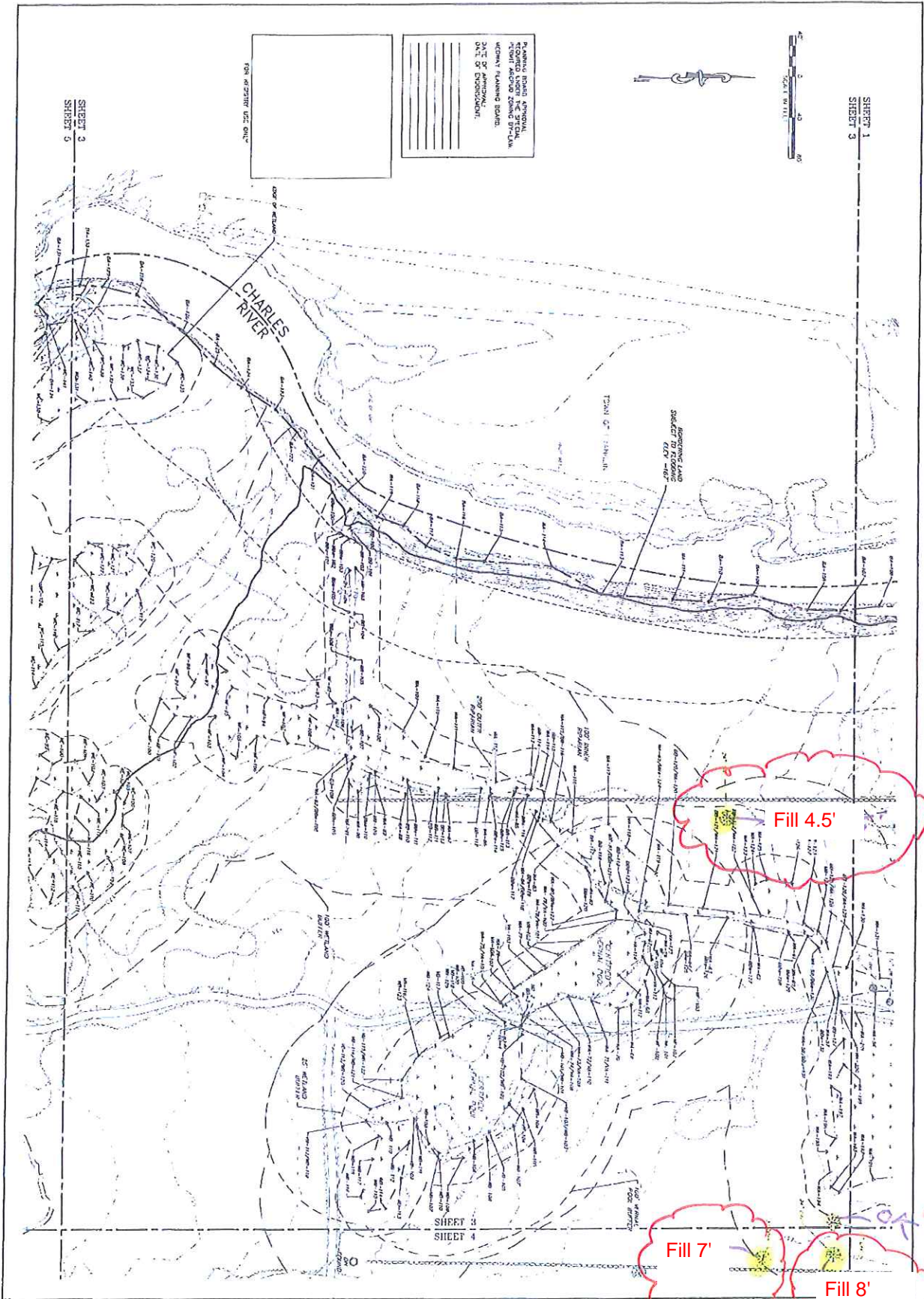
SALMON HEALTH AND RETIREMENT COMMUNITY
258, 261, 261R AND 263 VILLAGE STREET
NEEDHAM, MASSACHUSETTS 02455

ARCAD SPECIAL PERMIT SITE PLANS

CONTINUING CASE MANAGEMENT, LLC
1 LYMAN STREET
WESTBOROUGH, MASSACHUSETTS 01581

EXISTING CONDITIONS
SHEET 2 OF 6

REVISIONS			
NO.	DATE	DESCRIPTION	BY/CHK
1	12/13/13	ISSUE A PER REVIEW COMMENTS	10/1/13
2	12/13/13	ISSUE A PER REVIEW COMMENTS	10/1/13
3	12/13/13	ISSUE A PER REVIEW COMMENTS	10/1/13
4	12/13/13	ISSUE A PER REVIEW COMMENTS	10/1/13
5	12/13/13	ISSUE A PER REVIEW COMMENTS	10/1/13



CONECO
Engineers & Scientists

1000 STATE STREET, SUITE 200, MEDFORD, MASSACHUSETTS 02155
PHONE: 508-552-1111 FAX: 508-552-1112
WWW.CONECO.COM

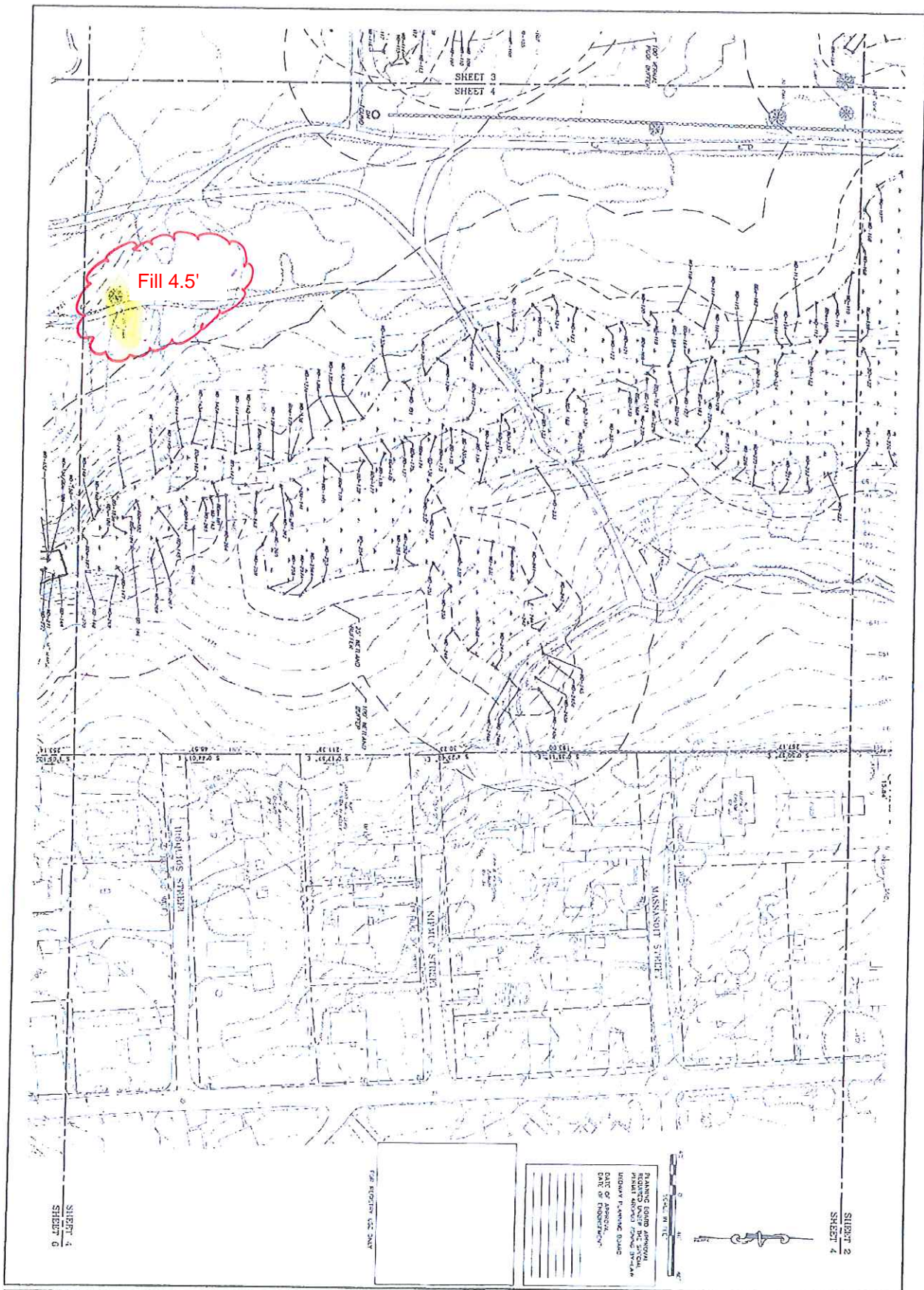
SALMON HEALTH AND RETIREMENT COMMUNITY
250, 261, 261R AND 263 VILLAGE STREET
MEDFORD, MASSACHUSETTS 02155

ARCAD SPECIAL PERMIT
SITE PLANS

CONTINUING CARE MANAGEMENT, LLC
LYMAN STREET
WESTPORT, MASSACHUSETTS 01581

EXISTING CONDITIONS
SHEET 3 OF 6

NO.	DATE	DESCRIPTION	BY	CHK
1	12/15/11	TOWN & PER REVIEW COMMENTS	RDW/BVS	RDW/BVS
2	12/15/11	TOWN & PER REVIEW	RDW/BVS	RDW/BVS
3	12/15/11	TOWN & PER REVIEW	RDW/BVS	RDW/BVS
4	12/15/11	TOWN & PER REVIEW	RDW/BVS	RDW/BVS
5	12/15/11	FINAL SUBMISSION	RDW/BVS	RDW/BVS



CONECO
Engineers & Scientists

4 FIRST STREET, BOSTON, MASSACHUSETTS 02101
PHONE: 308-8275 FAX: 308-8276
1000 N. WASHINGTON ST. SUITE 200
BOSTON, MA 02114

SALMON HEALTH AND RETIREMENT COMMUNITY
250, 261, 261B AND 263 VILLAGE STREET
VEDDWAY, MASSACHUSETTS 02051

ARCHD SPECIAL PERMIT
SITE PLANS

CONTINUING CARE MANAGEMENT, LLC
1 LYMAN STREET
WESTBOROUGH, MASSACHUSETTS 01581

EXISTING CONDITIONS
SHEET 4 OF 6

NO.	DATE	DESCRIPTION	BY/CHK
1	07/20/05	ISSUE & PERMIT REVIEW COMMENTS	07/20/05
2	08/01/05	GENERAL DESIGN REVISIONS	08/01/05
3	11/11/05	SCHEMATIC DESIGN REVIEW	11/11/05
4	03/07/06	ISSUE & PERMIT REVIEW	03/07/06
5	05/13/06	FINAL DESIGN REVIEW	05/13/06

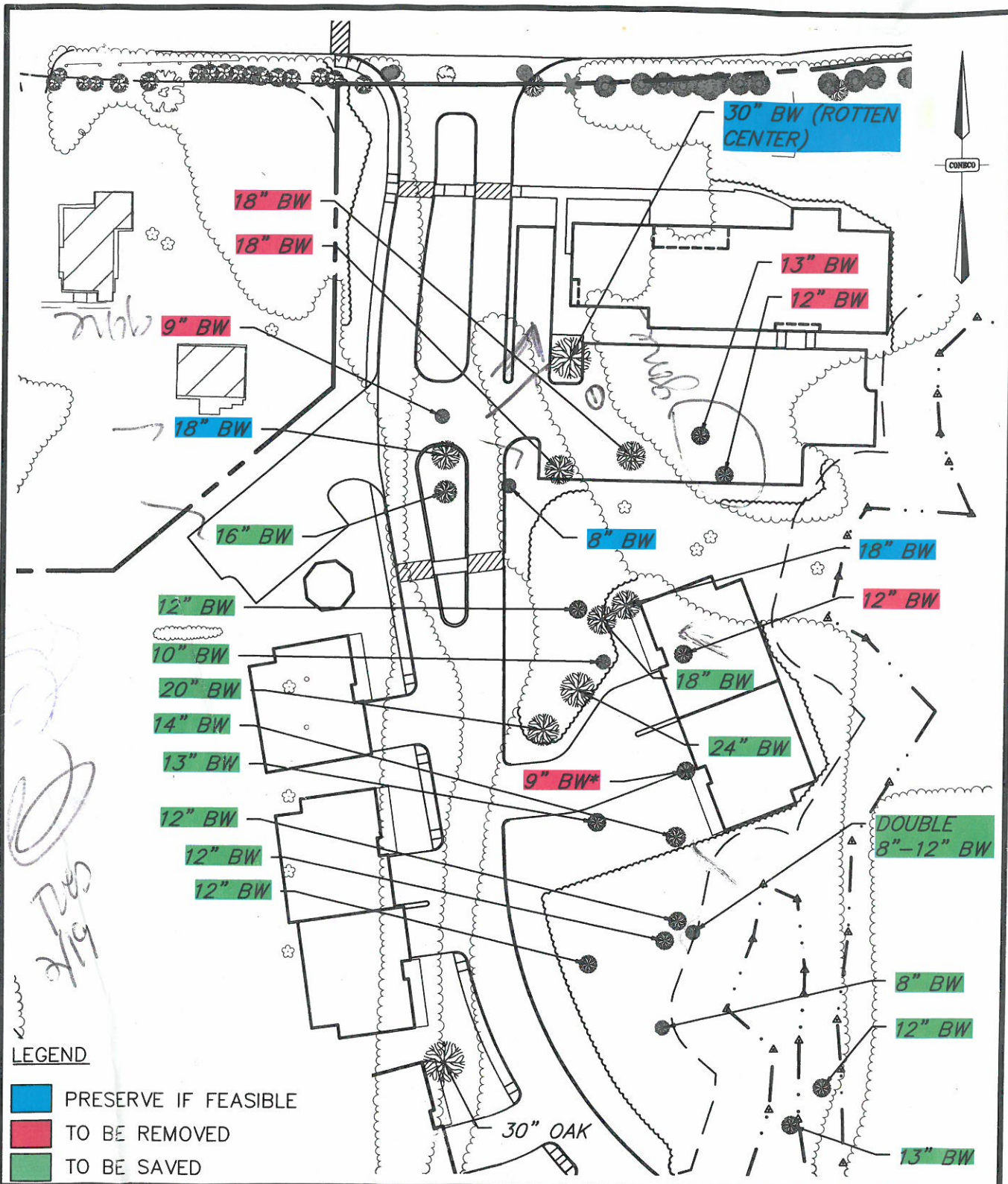
C7

DATE: 07/17/05
PROJECT: 050100000
DRAWN BY: J. W. CONNOLLY
CHECKED BY: J. W. CONNOLLY
IN CHARGE: J. W. CONNOLLY
SCALE: AS SHOWN

PLAN
SHEET NO. 4

PROJ. NO. 050100000

MASSACHUSETTS
SEAL OF THE BOARD OF REGISTRATION
Professional Engineer
No. 10101
Name: J. W. CONNOLLY
Exp. Date: 06/30/06



259, 261, 261R AND 263 VILLAGE STREET, MEDWAY, MA 02053



4 FIRST STREET, BRIDGEWATER, MASSACHUSETTS 02324
PHONE 508-687-3191 OR 800-548-3355; FAX 508-687-5906
WEBSITE: www.coneco.com

PREPARED FOR: Continuing Care
Management, LLC

PLAN SET: ARCPUD Special
Permit Site Plans

SCALE
1" = 60'

DATE
4/1/2016

PROJECT NO.
8548.0

TITLE:
BLACK WALNUT
PRESERVATION PLAN



40' 0 40' 80'
SCALE IN FEET

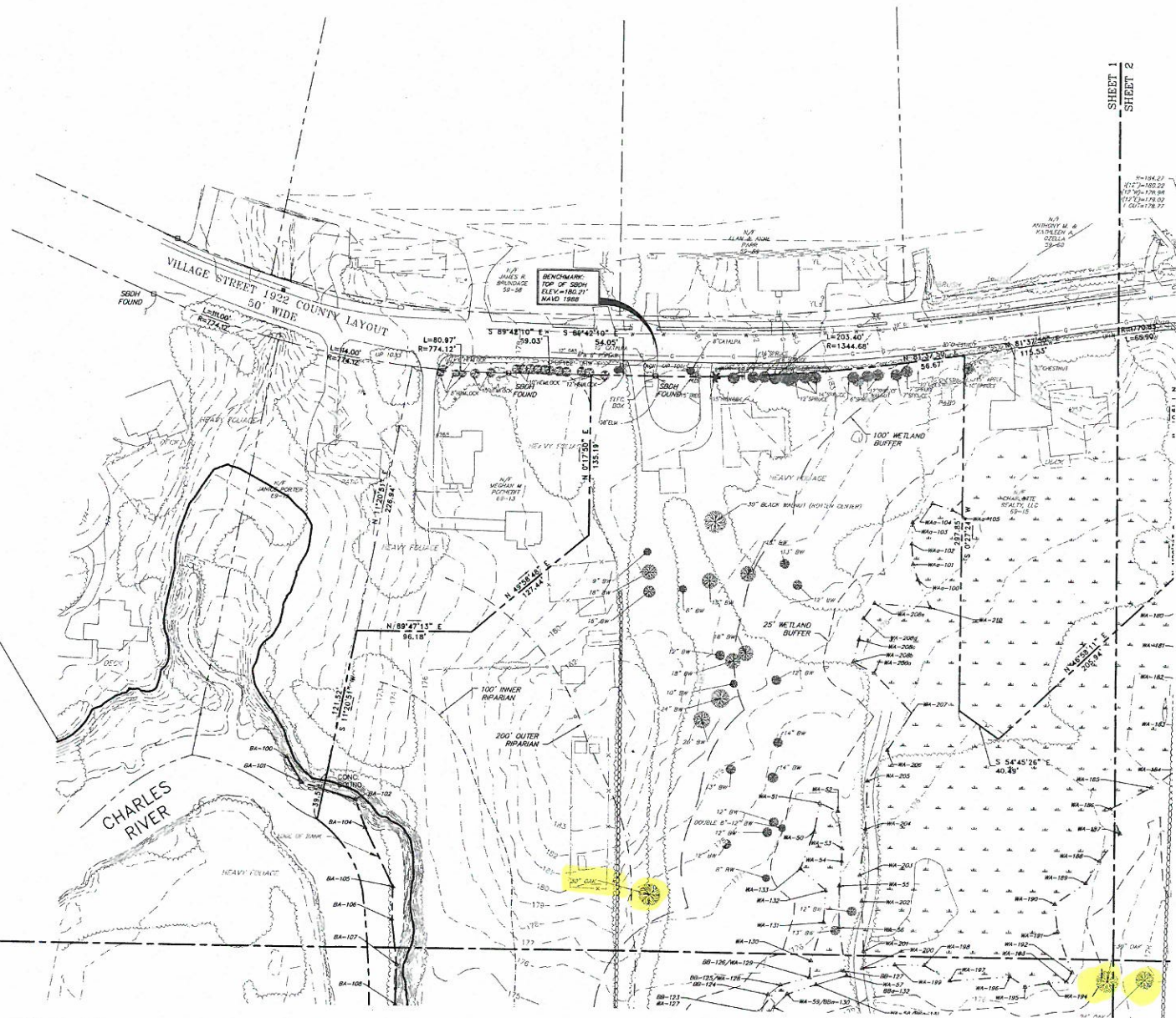
BORDERING LAND
SUBJECT TO FLOODING
ELEV. ~167'

FOR REGISTRY USE ONLY

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

MEDWAY PLANNING BOARD:
DATE OF APPROVAL:
DATE OF ENDORSEMENT:

SHEET 1
SHEET 3



REVISIONS

NO.	DATE	DESCRIPTION
1	10/17/15	ISSUE & PERMIT COMMENTS
2	10/20/15	GENERAL DESIGN REVISIONS
3	12/17/15	ISSUE & PERMIT COMMENTS
4	02/18/16	FINAL SUBMISSION

CONTINUING CARE MANAGEMENT, LLC
1 LYMAN STREET
WESTBOROUGH, MASSACHUSETTS 01581

SALMON HEALTH AND RETIREMENT
259, 261, 263 AND 265 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053

ARCUID SPECIAL PERMIT
SITE PLANS

DATE: 06/12/2015
DESIGNED: TSB
CHECKED: TSB
DRAWN: WCM
IN CHARGE: TSB
SCALE: 1"=100'
PROJECT NO: 85-46.0
SHEET NO: C4

SHEET 1
SHEET 3

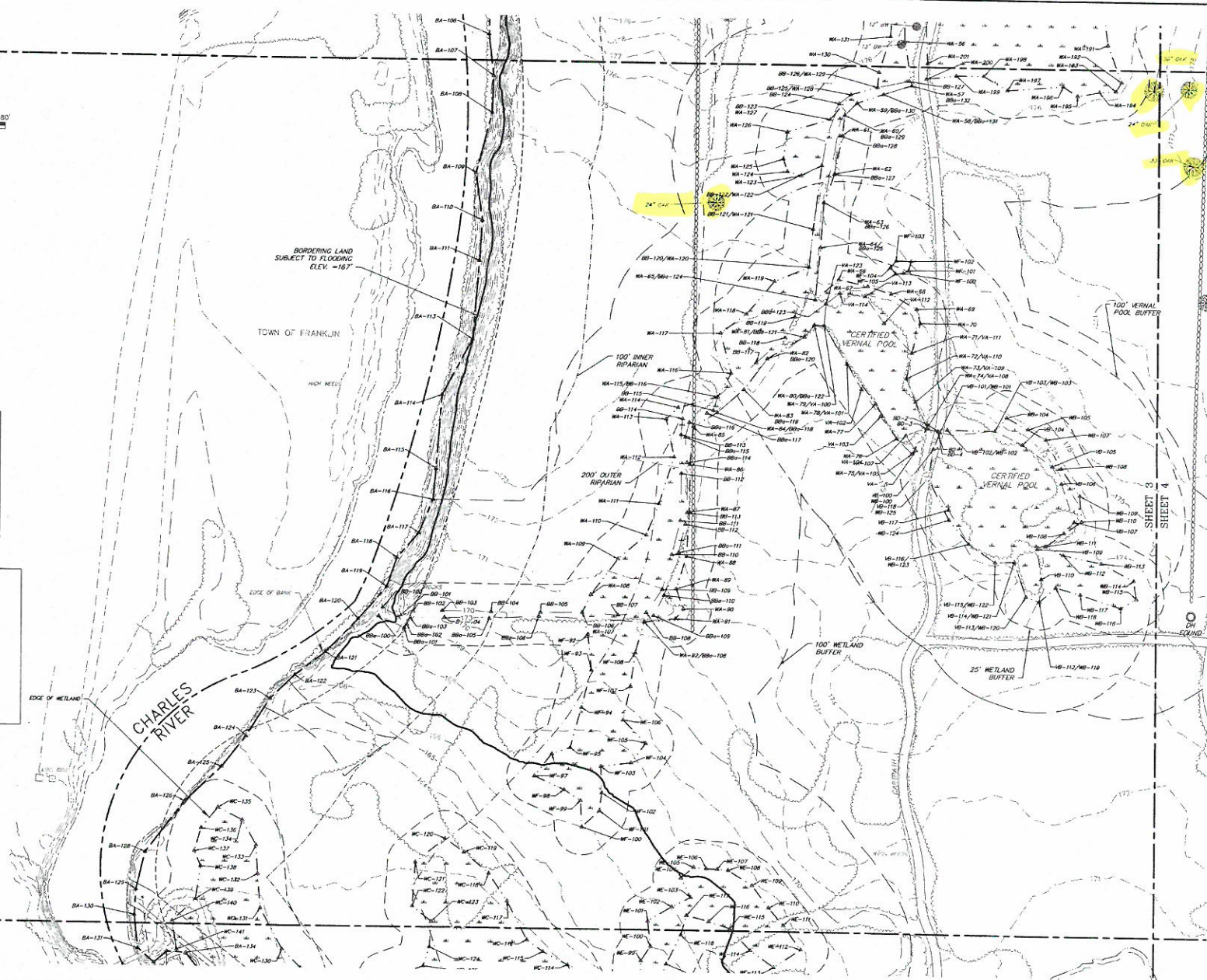
0 40' 80'
SCALE IN FEET



PLANNING BOARD APPROVAL
REQUIRED UNDER THE SPECIAL
PERMIT ARCUD ZONING BY-LAW.
MEDWAY PLANNING BOARD.
DATE OF APPROVAL:
DATE OF ENDORSEMENT:

FOR REGISTRY USE ONLY

SHEET 3
SHEET 5



NO.	DATE	REVISIONS
1	10/24/05	TIME & FEE RATE COMMENTS
2	10/26/05	GENERAL DESIGN REVISIONS
3	12/17/05	TIME & FEE RATE
4	02/16/06	TIME & FEE RATE
5	05/23/06	FINAL SUBMISSION

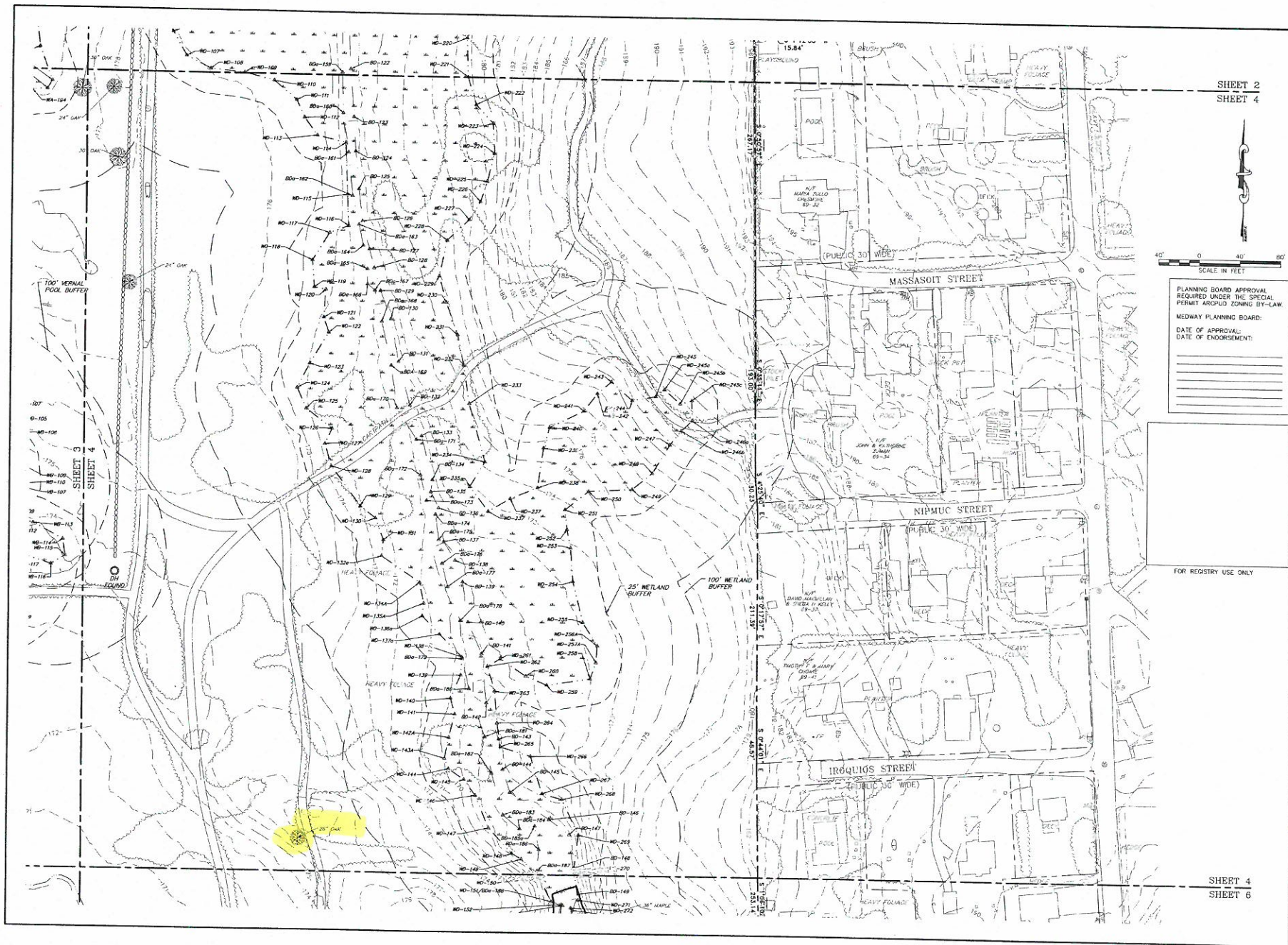
CONTINUING CASE MANAGEMENT, LLC
1 LYMAN STREET
WESTBOROUGH, MASSACHUSETTS 01581

SALMON HEALTH AND RETIREMENT
250, 201 26th AND 283 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053

CONECO
Engineers & Scientists
1 FIRST STREET, BOSTON, MASSACHUSETTS 02204
PHONE: 617-552-1100 FAX: 617-552-1108
WWW.CONECO.COM

DATE: 06/12/2005
DESIGNED: TSD
CHECKED: TSD
DRAWN: MCB IN CHARGE: TSD
SCALE: 1"=40'
PROJECT NO.: ES48.0
SHEET NO.:

C6



SHEET 2
SHEET 4

SCALE IN FEET
0 40' 80'

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

MEDWAY PLANNING BOARD:

DATE OF APPROVAL: _____

DATE OF ENDORSEMENT: _____

FOR REGISTRY USE ONLY

SHEET 4
SHEET 6

REVISIONS

NO.	DATE	DESCRIPTION
1	10/17/13	TOWN & FIELD REVIEW COMMENTS
2	12/10/13	GENERAL DESIGN REVISIONS
3	12/11/13	TOWN & FIELD REVIEW
4	02/17/14	TOWN & FIELD REVIEW
5	05/22/14	FINAL DIMENSION

EXISTING CONDITIONS
SHEET 4 OF 6

CONECO
Engineers & Scientists

PROJECT: SALMON HEALTH AND RETIREMENT
250, 201, 203, AND 203 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053

DATE: 06/12/2013

DESIGNED: _____ CHECKED: FSR

DRAWN: WCB IN CHARGE: FSR

SCALE: 1"=40'

PROJECT NO: 0546.0

SHEET NO: **C7**

SHEET 3
SHEET 5



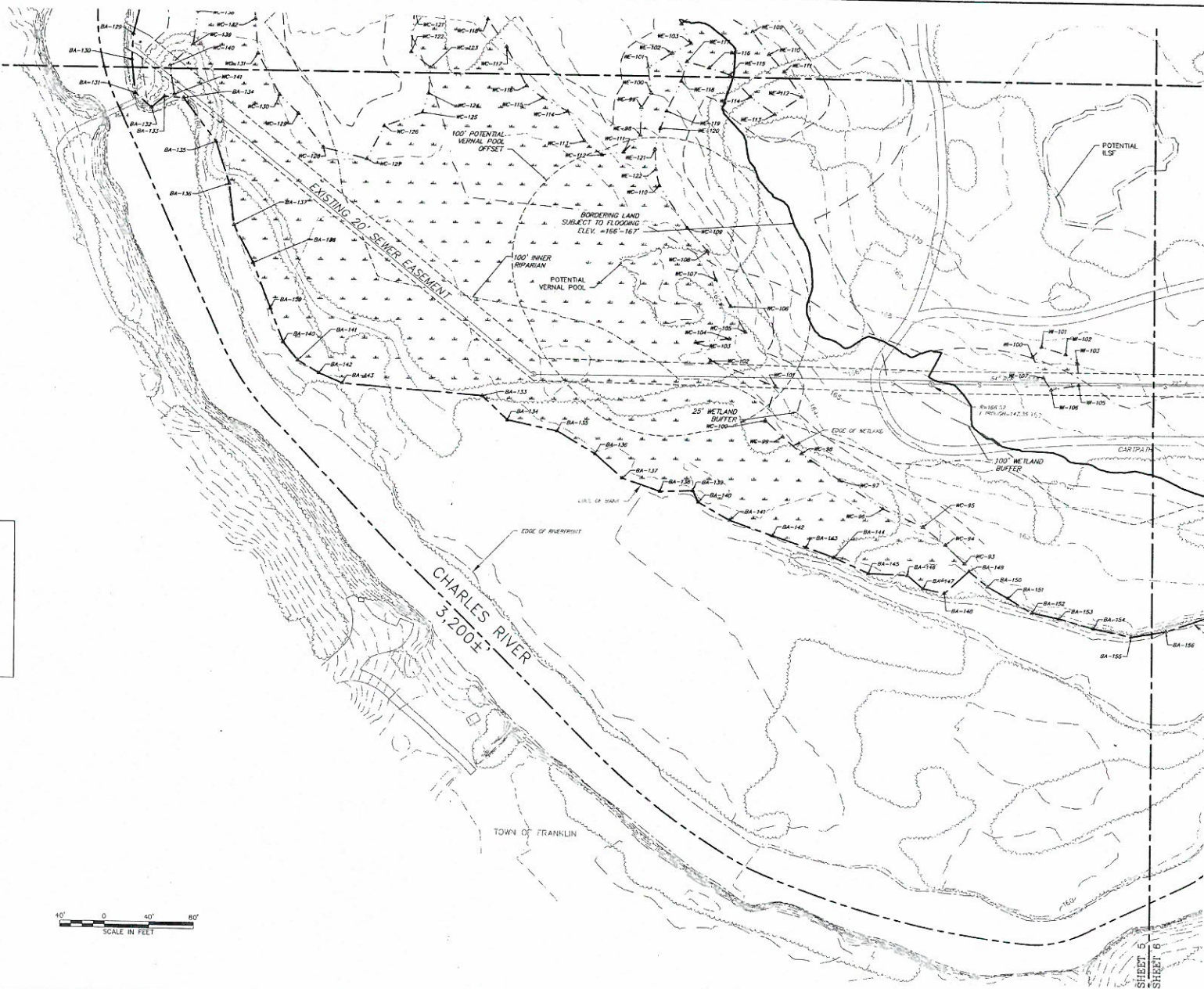
FOR REGISTRY USE ONLY

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

MEDWAY PLANNING BOARD:

DATE OF APPROVAL:
DATE OF ENDORSEMENT:

0' 40' 80'
SCALE IN FEET



REVISED	DATE	BY	REASON
1	10/27/15	TCM	TOWN & REEF REVIEW COMMENTS
2	10/29/15	TCM	GENERAL DESIGN REVISIONS
3	12/17/15	TCM	TOWN & REEF REVIEW
4	02/18/16	TCM	TOWN & REEF REVIEW
5	05/22/16	TCM	FINAL SUBMISSION

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

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

CONECO
Engineers & Scientists
100-101-102-103-104-105-106-107-108-109-110-111-112-113-114-115-116-117-118-119-120-121-122-123-124-125-126-127-128-129-130-131-132-133-134-135-136-137-138-139-140-141-142-143-144-145-146-147-148-149-150-151-152-153-154-155-156-157-158-159-160-161-162-163-164-165-166-167-168-169-170-171-172-173-174-175-176-177-178-179-180-181-182-183-184-185-186-187-188-189-190-191-192-193-194-195-196-197-198-199-200-201-202-203-204-205-206-207-208-209-210-211-212-213-214-215-216-217-218-219-220-221-222-223-224-225-226-227-228-229-230-231-232-233-234-235-236-237-238-239-240-241-242-243-244-245-246-247-248-249-250-251-252-253-254-255-256-257-258-259-260-261-262-263-264-265-266-267-268-269-270-271-272-273-274-275-276-277-278-279-280-281-282-283-284-285-286-287-288-289-290-291-292-293-294-295-296-297-298-299-300-301-302-303-304-305-306-307-308-309-310-311-312-313-314-315-316-317-318-319-320-321-322-323-324-325-326-327-328-329-330-331-332-333-334-335-336-337-338-339-340-341-342-343-344-345-346-347-348-349-350-351-352-353-354-355-356-357-358-359-360-361-362-363-364-365-366-367-368-369-370-371-372-373-374-375-376-377-378-379-380-381-382-383-384-385-386-387-388-389-390-391-392-393-394-395-396-397-398-399-400-401-402-403-404-405-406-407-408-409-410-411-412-413-414-415-416-417-418-419-420-421-422-423-424-425-426-427-428-429-430-431-432-433-434-435-436-437-438-439-440-441-442-443-444-445-446-447-448-449-450-451-452-453-454-455-456-457-458-459-460-461-462-463-464-465-466-467-468-469-470-471-472-473-474-475-476-477-478-479-480-481-482-483-484-485-486-487-488-489-490-491-492-493-494-495-496-497-498-499-500-501-502-503-504-505-506-507-508-509-510-511-512-513-514-515-516-517-518-519-520-521-522-523-524-525-526-527-528-529-530-531-532-533-534-535-536-537-538-539-540-541-542-543-544-545-546-547-548-549-550-551-552-553-554-555-556-557-558-559-560-561-562-563-564-565-566-567-568-569-570-571-572-573-574-575-576-577-578-579-580-581-582-583-584-585-586-587-588-589-590-591-592-593-594-595-596-597-598-599-600-601-602-603-604-605-606-607-608-609-610-611-612-613-614-615-616-617-618-619-620-621-622-623-624-625-626-627-628-629-630-631-632-633-634-635-636-637-638-639-640-641-642-643-644-645-646-647-648-649-650-651-652-653-654-655-656-657-658-659-660-661-662-663-664-665-666-667-668-669-670-671-672-673-674-675-676-677-678-679-680-681-682-683-684-685-686-687-688-689-690-691-692-693-694-695-696-697-698-699-700-701-702-703-704-705-706-707-708-709-710-711-712-713-714-715-716-717-718-719-720-721-722-723-724-725-726-727-728-729-730-731-732-733-734-735-736-737-738-739-740-741-742-743-744-745-746-747-748-749-750-751-752-753-754-755-756-757-758-759-760-761-762-763-764-765-766-767-768-769-770-771-772-773-774-775-776-777-778-779-780-781-782-783-784-785-786-787-788-789-790-791-792-793-794-795-796-797-798-799-800-801-802-803-804-805-806-807-808-809-810-811-812-813-814-815-816-817-818-819-820-821-822-823-824-825-826-827-828-829-830-831-832-833-834-835-836-837-838-839-840-841-842-843-844-845-846-847-848-849-850-851-852-853-854-855-856-857-858-859-860-861-862-863-864-865-866-867-868-869-870-871-872-873-874-875-876-877-878-879-880-881-882-883-884-885-886-887-888-889-890-891-892-893-894-895-896-897-898-899-900-901-902-903-904-905-906-907-908-909-910-911-912-913-914-915-916-917-918-919-920-921-922-923-924-925-926-927-928-929-930-931-932-933-934-935-936-937-938-939-940-941-942-943-944-945-946-947-948-949-950-951-952-953-954-955-956-957-958-959-960-961-962-963-964-965-966-967-968-969-970-971-972-973-974-975-976-977-978-979-980-981-982-983-984-985-986-987-988-989-990-991-992-993-994-995-996-997-998-999-1000-1001-1002-1003-1004-1005-1006-1007-1008-1009-1010-1011-1012-1013-1014-1015-1016-1017-1018-1019-1020-1021-1022-1023-1024-1025-1026-1027-1028-1029-1030-1031-1032-1033-1034-1035-1036-1037-1038-1039-1040-1041-1042-1043-1044-1045-1046-1047-1048-1049-1050-1051-1052-1053-1054-1055-1056-1057-1058-1059-1060-1061-1062-1063-1064-1065-1066-1067-1068-1069-1070-1071-1072-1073-1074-1075-1076-1077-1078-1079-1080-1081-1082-1083-1084-1085-1086-1087-1088-1089-1090-1091-1092-1093-1094-1095-1096-1097-1098-1099-1100-1101-1102-1103-1104-1105-1106-1107-1108-1109-1110-1111-1112-1113-1114-1115-1116-1117-1118-1119-1120-1121-1122-1123-1124-1125-1126-1127-1128-1129-1130-1131-1132-1133-1134-1135-1136-1137-1138-1139-1140-1141-1142-1143-1144-1145-1146-1147-1148-1149-1150-1151-1152-1153-1154-1155-1156-1157-1158-1159-1160-1161-1162-1163-1164-1165-1166-1167-1168-1169-1170-1171-1172-1173-1174-1175-1176-1177-1178-1179-1180-1181-1182-1183-1184-1185-1186-1187-1188-1189-1190-1191-1192-1193-1194-1195-1196-1197-1198-1199-1200-1201-1202-1203-1204-1205-1206-1207-1208-1209-1210-1211-1212-1213-1214-1215-1216-1217-1218-1219-1220-1221-1222-1223-1224-1225-1226-1227-1228-1229-1230-1231-1232-1233-1234-1235-1236-1237-1238-1239-1240-1241-1242-1243-1244-1245-1246-1247-1248-1249-1250-1251-1252-1253-1254-1255-1256-1257-1258-1259-1260-1261-1262-1263-1264-1265-1266-1267-1268-1269-1270-1271-1272-1273-1274-1275-1276-1277-1278-1279-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2280-2281-2282-2283-2284-2285-2286-2287-2288-2289-2290-2291-2292-2293-2294-2295-2296-2297-2298-2299-2300-2301-2302-2303-2304-2305-2306-2307-2308-2309-2310-2311-2312-2313-2314-2315-2316-2317-2318-2319-2320-2321-2322-2323-2324-2325-2326-2327-2328-2329-2330-2331-2332-2333-2334-2335-2336-2337-2338-2339-2340-2341-2342-2343-2344-2345-2346-2347-2348-2349-2350-2351-2352-2353-2354-2355-2356-2357-2358-2359-2360-2361-2362-2363-2364-2365-2366-2367-2368-2369-2370-2371-2372-2373-2374-2375-2376-2377-2378-2379-2380-2381-2382-2383-2384-2385-2386-2387-2388-2389-2390-2391-2392-2393-2394-2395-2396-2397-2398-2399-2400-2401-2402-2403-2404-2405-2406-2407-2408-2409-2410-2411-2



Foxboro, Ma
508-543-5644

Wellesley, Ma
617-239-1068

Fall River, Ma
508-679-4732

Providence, RI
401-273-TREE

December 6, 2018 – REVISED 12/17/18

Salmon Health Care
C/o Jeff Robinson, Managing Partner

Re: Tree Protection Plan, Village St, Medway MA

Jeff

As requested, I have inspected the trees at the future construction in vicinity of 257 Village Street, Medway. There I located the walnut grove and the 15 of 26 called out for preservation. From there I identified the trees specified in the following locations at the other side of the facility and they are as follows.

- 4 Mishawaum St, 26" oak
- 7 Naumkeag St, 24" and 30" diameter oaks
- 3 Narraganset St, 28" ash

Tree Preservation Plan

Pre-Construction:

- Provide Level 2, "tree risk assessment" on trees called out for preservation to help mitigate future, potential tree failure.
- Prune to improve safety and structure per ANSI A 300 standards. Elevate lowest limbs for construction equipment clearance
- Deep root liquid fertilize to improve vigor and soil condition to "drip line" of trees.
- Install 3-4" of wood chips or mulch from trunk to as far out toward drip line as possible to help prevent soil compaction and moisture retention through dry periods.
- Install chain link fence as far out to drip line as possible to prevent encroachment by machinery and equipment and storage of materials. If not to drip line, than around the walnut grove itself.
- Inspect for insect and disease activity and treat where/when necessary.

During Construction:

- Contract with TCIA, Accredited tree service company to provide on-going Certified Arborist services that include “air-spading” services to excavate around or tunnel under vital tree roots. To oversee excavation that impacts root systems and repairs torn, broken, crushed roots so they heal properly and has ISA TRAQ (tree risk assessment qualification) status.
- Inspect trees every 2 weeks during growing season (May-Oct) to assess health/vigor, insect or disease activity and treat where/when necessary.
- Provide irrigation to root zones equaling 1” depth per week during dry periods through the growing season.

Post-Construction:

- Prune dead or broken limbs where or if necessary.
- Deep root liquid fertilize with bio-stimulant to help alleviate construction stress and compaction.
- Monitor tree health monthly to help identify and mitigate any un-foreseen stress that may have occurred from construction. Changes in water table, grading and run off issues that could indirectly impact tree health.
- These services shall be carried out on an annual basis as trees in post construction cannot be considered “protected” for up to 5 years following construction. Diligence implementing post-construction care and monitoring is essential to preservation.

Please let me know if you have any questions, concerns or need clarity. Thank you.

Andy Felix
President
MA Certified Arborist 1355
ISA, Tree Risk Assessor, Qualified

TCIA - TREE CARE INDUSTRY ASSOCIATION

ANSI A300 Standards

ANSI A300 standards are the generally accepted industry standards for tree care practices.

They are voluntary industry consensus standards developed by TCIA and written by a committee called the Accredited Standards Committee (ASC) A300, whose mission is to develop consensus performance standards based on current research and sound practice for writing specifications to manage trees, shrubs, and other woody plants.

[Learn more about the history of ANSI A300.](#)

ANSI A300 by Parts

The standards are divided into parts, based on tree care practices. Click on their title for more details:

- [Part 1 - Pruning](#)
- [Part 2 – Soil Management](#)
- [Part 3 – Supplemental Support Systems](#)
- [Part 4 – Lightning Protection Systems](#)
- [Part 5 – Management](#)
- [Part 6 – Planting and Transplanting](#)
- [Part 7 – Integrated Vegetation Management](#)
- [Part 8 - Root Management Standard](#)
- [Part 9 – Tree Risk Assessment](#)
- [Part 10 - IPM](#)

Condition #12. Tree Preservation

- a) A tree preservation plan shall be prepared by a Massachusetts Certified Arborist (MCA) for the grove of 26 black walnut trees of varying sizes and all other non-pine trees with a diameter of 24" and more as indicated on the Existing Conditions Sheets C4 – C9 as last revised. The applicant shall make the fullest possible effort to preserve/retain these trees and prevent their removal, demise or damage during construction. The tree preservation plan shall be submitted to the Board for review and approval before the applicant's pre-construction conference with Town officials.
- b) At a minimum the following trees shall be preserved:
 - 26" diameter oak adjacent to the Brenneman property at 4 Mishawaum Street
 - 24" diameter oak and a 30" diameter oak adjacent to the Brenneman property at 7 Naumkeag Street
 - 28" diameter ash adjacent to the Hickey property at 3 Narragansett Street
 - 15 of the 26 black walnut trees ranging in size from 8" to 20" diameter as shown in green on the Black Walnut Preservation Plan prepared by Coneco Engineering.
- c) Prior to site construction, the applicant shall post a bond with the Town in the amount of \$169,500 which is equal to the estimated replacement cost (\$250 per 3" caliper tree) of all of the above specified oak, ash and black walnut trees. The bond shall be in a form acceptable to the Board and the Medway Treasurer and may include a cash deposit, a tri-party agreement, or an insurance bond. Letters of credit are not permitted.
- d) If any of the above noted trees are removed or damaged during construction, the applicant shall be responsible for tree restoration by replacing the removed or damaged trees with nursery grade trees on a one (1) square inch per two (2) square inch replacement basis within (1) year after the tree removal or damage has occurred. The one (1) square inch per two (2) square inch replacement amount is calculated by squaring 1/2 the established diameter of each tree that is removed or damaged and multiplying that amount by 3.14 to determine its trunk area (tree radius squared x pi rounded to 3.14). The resulting figure is halved and that square inch total is the amount of required square inches of the replacement tree(s). A 3" caliper tree equals seven (7) sq. ft. The location of the replacement trees shall be recommended by the applicant and approved by the Planning and Economic Development Board and Tree Warden and may be located off site of the subject premises including on adjacent properties. The restoration shall be verified by the Tree Warden as being fully and skillfully performed. The species of replacement tree(s) shall be reviewed and approved by the Tree Warden, or otherwise will be consistent with the species of the removed *tree(s)*.
- e) In lieu of tree planting, the applicant may make a contribution to the Medway Tree Fund in an amount to be determined by the Board upon consultation with the Medway Tree Warden and based on wholesale pricing for 3 inch caliper trees from a reputable area landscape supplier.

TOWN OF MEDWAY
PLANNING and ECONOMIC DEVELOPMENT BOARD
AGREEMENT FOR DEPOSIT OF MONEY – TREE PRESERVATION

This agreement is entered into this 22 day of January, 2019, between the Town of Medway (hereinafter referred to as the "Town"), acting through its Planning and Economic Development Board, with an address of 155 Village Street, Medway, MA 02053 (hereinafter referred to as the "Board"), and WP Medway Realty LLC with an address of 5 Lyman Street, Westborough, MA 01581 (Hereinafter referred to as the "Permittee"), to secure the preservation of trees in the Salmon Willows ARCPUD senior living community to be constructed at 259, 261, 261R and 263 Village Street in Medway, MA.

NOW, THEREFORE, the parties agree as follows:

1. The Permittee hereby binds and obligates himself, his or its executors, administrators, devisees, heirs, successors and assigns, to the Board in the sum of \$169,500, and has secured this obligation by depositing with the Town of Medway Treasurer (hereinafter referred to as the "Town Treasurer") a deposit of money in the above sum to be deposited in an escrow account at a local financial institution in the name of the Town of Medway. The deposit of such money is to be used as surety for the Permittee's performance in compliance with Condition 12 of the Board's ARCPUD Special Permit Decision dated March 24, 2016 (hereinafter referred to as the "Decision") and the Tree Preservation Plan, dated December 17, 2018 (hereinafter referred to as the "Plan"), as approved by the Board. For ease of reference, the Plan is attached hereto as Exhibit A and the obligations of the Permittee as stated in Condition 12 of the Decision are attached hereto as Exhibit B.
2. Upon completion of all obligations as specified herein, on or before the completion date of the development, or such later date as may be specified by vote of the Board with the concurrence of the Permittee, the money including all interest accrued thereon shall be returned to the Permittee by the Town. In the event the Permittee should fail to preserve the trees in accordance with the Decision and the Plan, the Board, in accordance with applicable laws, may apply the deposit of money held by the Town Treasurer, in whole or in part, for the benefit of the Town to the extent of the reasonable costs to the Town to complete the tree replacement and installation as specified in this Agreement; provided that the Board gives prior written notice to the Permittee thirty (30) days in advance of any release of the deposit of money for the benefit of the Town of Medway. Any unused portion of the deposit of money, together with accrued interest, shall be returned to the Permittee upon completion of the work by the Town.
3. The Board shall notify the Town Treasurer of any authorized reduction or release of the deposit of money that secures this agreement in full or in part. Upon receipt of a notice of reduction or release, the Town Treasurer shall forthwith return the deposit of money, or portion thereof, together with accrued interest, to the Permittee, or to such other person or entity as the Permittee may designate in writing.
4. The Permittee agrees and understands that the Board shall not release this Agreement until the Board determines that the trees have been preserved or replacement trees are installed in accordance with the Decision and Plan, which shall include demonstration of adequate installation for a six month growing period prior to said release. Said release of this

Agreement shall be by majority vote of the Board. This Agreement shall not expire until released in full by the Board.

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

6. Notwithstanding Paragraphs 3 and 4, in the event that the Board fails to take action on a request from the Permittee to reduce or release the deposit of money that secures this agreement in full or in part within sixty (60) days after receipt of such a request, then the Permittee may request in writing that the Town Treasurer release to the Permittee the amount of the deposit of money so requested. The Town Treasurer shall confer with the Board before taking action on this request.

[Signature pages to follow]

IN WITNESS WHEREOF we have hereunto set our hands and seals this 22 day of January, 2019.

TOWN OF MEDWAY
Planning and Economic Development Board

[Handwritten signatures of board members]

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS

On this 22 day of Jan, 2019, before me, the undersigned
notary public, personally appeared the following Members of the Medway Planning and
Economic Development Board Andy Rodenhiser, Robert Tucker,

Matthew Hayes, Thomas Fay, Richard DiJulio

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

[Handwritten signature of Notary Public]

Notary Public

My commission expires: August 19, 2022

PERMITTEE

[Signature]
By: GARY SACON, CFO, Salmon Health and Retirement

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS

On this 22nd day of JANUARY, 2 019, before me, the undersigned
notary public, personally appeared the above-named GARY SACON,

proved to me through satisfactory evidence of identification, which was (personal knowledge)
(Massachusetts driver's license), to be the person whose name is signed on the preceding
document, and acknowledged to me that it was signed voluntarily for its stated purpose.

[Signature]
Notary Public
My commission expires: AUGUST 24, 2023



March 26, 2019

**Medway Planning & Economic Development Board
Meeting**

Public Hearing

Proposed Zoning Bylaw Amendments

- Public Hearing Notice
- Housekeeping
- Medical Marijuana
- Recreational Marijuana
- Site Plan Review
- Parking
- Accessory Structures



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

March 4, 2019

NOTICE OF PUBLIC HEARING
Proposed Amendments to Medway Zoning Bylaw
Tuesday, March 26, 2019

Pursuant to the *Medway Zoning Bylaw* and G.L. ch. 40A, §5, ***the Medway Planning and Economic Development Board will conduct a public hearing on Tuesday, March 26, 2019 at 7:15 p.m.*** to receive comments on proposed amendments to the *Medway Zoning Bylaw*, last published November 29, 2018. The hearing will occur in Sanford Hall at Medway Town Hall, 155 Village ST, Medway, MA. The meeting room is accessible for individuals with physical disabilities.

The articles have been prepared and submitted for inclusion on the warrant for consideration at the May 13, 2019 Annual Town Meeting. The subject matter of the proposed amendments is summarized below. The specific article references will be revised as the Board of Selectmen finalizes the warrant and assigns warrant article numbers.

ARTICLE A – A variety of minor housekeeping amendments:

- Amending Section 2 Definitions by deleting the definition of “Building Inspector”, modifying the definition of “Buffer area”, and adding definitions for “Building Commissioner” and “Bus Stop Shelter”;
- Changing the words “Building Inspector” to “Building Commissioner” throughout the bylaw;
- Amending Section 1.7 Format to remove the sunset date for making formatting edits to the bylaw;
- Amending Section 5.5 Nonconforming Uses and Structures by adding a Paragraph H. to modify the criteria for special permits for nonconforming one-family and two-family dwellings; and
- Amending Section 6.2.D. General Provisions to clarify that the 50% uplands requirement applies to all structures and not only to dwellings.

ARTICLE B – Medical Marijuana. To amend Section 8.9 by:

- Removing references to “non-exempt registered medical marijuana facilities” in Paragraphs D. and E.
- Requiring the provision of odor control and noise mitigation plans as part of the application materials in Paragraph J. 4; and

- Authorizing the Board to require noise and odor mitigation measures and monitoring as conditions in a special permit decision in Paragraph J. 6.

ARTICLE C – Recreational Marijuana. To amend Section 8.10 by:

- Removing references to “non-exempt registered medical marijuana facilities” in Paragraph E.
- Requiring the provision of odor control and noise mitigation plans as part of the application materials in Paragraph J. 5; and
- Authorizing the Board to require noise and odor mitigation measures and monitoring as conditions in a special permit decision in Paragraph J. 7.

ARTICLE D – Site Plan Review. To amend Section 3.5. by:

- Changing the words “Building Inspector” to “Building Commissioner”
- Relabeling “the creation of a new parking area involving the addition of one to nine parking spaces” in 3.5.3 Paragraph A. from item 3.c. to item 3.d. as an activity requiring administrative site plan review and adjusting the item labels thereafter
- Deleting 3.5.3 Paragraph A.4 and replacing it with a new Paragraph A.4 Relationship to Other Permits and Approvals
- Inserting a new 3.5.4 Paragraph F to require the Building Commissioner to review all site plan application submittals to identify zoning violations and adjusting the paragraph labels thereafter
- Inserting a new 3.5.4 Paragraph I regarding mitigation measures
- Inserting a new 3.5.4. Paragraph J authorizing the Board to grant waivers from certain provisions of the Zoning Bylaw for projects undergoing site plan review
- Renumbering 3.5.4 Paragraph H to Paragraph K regarding procedures for administrative site plan review.
- Revising 3.5.6 Appeal to specify that appeals of administrative site plan decisions shall be made within twenty days of the date an administrative site plan decision is filed with the Town Clerk
- Adding 3.5.7 Lapse to specify that site plan approval shall lapse within two years if substantial use has not commenced.

ARTICLE E. Off-Street Parking and Loading. To amend Section 7.1.1 by:

- Revising Paragraph A. Purposes
- Revising Paragraph J. Reduced Parking in 2.a. and 2.h. and renumbering other items
- Adding a new Paragraph K. regarding special parking types and standards with special permit provisions for valet parking, tandem parking, street side parking, frontage parking, and structured parking

And by adding definitions for “Shared Parking”, “Structured Parking”, “Tandem Parking”, “Frontage Parking”, and “Valet Parking” in Section 2 Definitions.

ARTICLE F. Accessory Buildings. To amend Section 6.3 by adding:

- Paragraph F. regarding the minimum distance between principal and accessory buildings or structures;
- Paragraph G. regarding the relationship between accessory and principal building and structures and uses; and
- Paragraph H. specifying that standard setback requirements do not apply to public bus stop shelters.

The complete texts of the proposed amendments are on file with the Town Clerk and the Planning offices at Medway Town Hall, 155 Village Street, Medway, MA and may be reviewed during regular business hours. The proposed amendments will be posted online at the Planning and Economic Development Board's web page at the Town's web site – <https://www.townofmedway.org/planning-economic-development-board>. For further information or questions, please contact the Medway Planning office at 508-533-3291.

Interested persons or parties are invited to review the drafts of the proposed amendments, attend the public hearing, and express their views at the designated time and place. Written comments are encouraged and may be sent to the Medway Planning and Economic Development Board, 155 Village Street, Medway, MA 02053 or emailed to: planningboard@townofmedway.org. All written comments will be entered into the record during the hearing.

Andy Rodenhiser

Planning & Economic Development Board Chairman

To be published in the Milford Daily News

Monday, March 11, 2019 and Tuesday, March 19, 2019

Zoning Bylaw Amendments - Housekeeping Article

March 4, 2019

Article A: To see if the Town will vote to amend the Zoning Bylaw as follows; unless otherwise noted, new text is shown in **bold** and deleted text is shown as stricken through:

Section 1.7: Delete the last sentence, so that the section shall read as follows:

The Planning and Economic Development Coordinator, under the auspices of the Planning and Economic Development Board, is authorized to edit this Zoning Bylaw for format only through the use of bold, italics, underscores, bullets, font style, font size, spacing and other similar editing measures to improve the Bylaw's readability and ease of use without changing the text, section and heading titles, numbering, or content in any manner; and to clearly denote those terms throughout the Bylaw that are officially defined within SECTION 2 of this Bylaw. ~~This Section 1.7 will expire on May 9, 2018.~~

Section 2 Definitions: Amend the definition of buffer area as follows:

Buffer area: Natural, wooded, **and/or** vegetated, open areas, earthen berms, ~~or~~ earthen mounds, **or** landscaped areas, or any combination thereof, **which may include** ~~including~~ fences and walls, used to physically separate or screen one use or property from another use or property or provide a visual or sound barrier between adjacent properties by shielding or reducing noise, lights or other intrusions.

Delete the definition of "Building Inspector" in its entirety, and change the words "Building Inspector" and "Inspector of Buildings" to "**Building Commissioner**" wherever they appear in the Zoning Bylaw.

Add the following new definitions:

Building Commissioner - Where used in this bylaw, the term "**Building Commissioner**" shall be interpreted to mean "**Building Commissioner and/or his designee**".

Bus Stop Shelter – A small, roofed structure, usually having three walls and at least one open side, designed primarily for the protection and convenience of bus passengers.

Section 5.5: Add a new subsection: "**H. Special Permits. Special permits granted under Section 5.5.C are not subject to the special permit criteria under Section 3.4.**"

Section 6.2.D: Amend to read as follows:

Buildable Lot. No ~~dwell~~ing structure may be erected on any lot ~~unless that does not include contiguous upland area of~~ at least 50 percent of the required minimum lot area for the **zoning** district ~~is contiguous upland~~. The upland shall be land that is not subject to protection under the Wetlands Protection Act, G.L. c. 131, § 40. The upland shall not include wetland replication areas that may be required by the Conservation Commission.

Or act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

Zoning Bylaw Amendments - SECTION 8.9 - MEDICAL MARIJUANA

March 4, 2019

Article B: To see if the Town will vote to amend the Zoning Bylaw as follows; unless otherwise noted, new text is shown in **bold** and deleted text is shown as stricken through:

Section 8.9 REGISTERED MEDICAL MARIJUNAN FACILITIES: Amend Sections 8.9.D., 8.9.E., and 8.9.J. to read as follows:

D. Eligible Locations for Registered Medical Marijuana Facilities. Registered Medical Marijuana Facilities, ~~other than agricultural operations meeting exemption standards under G.L. c. 40A § 3,~~ may be allowed by special permit from the Planning and Economic Development Board in the following zoning districts, provided the facility meets the requirements of this Section:

Retail RMMF	Non-Retail RMMF
Business Industrial (BI)	East Industrial (EI) West Industrial (WI)

E. General Requirements and Conditions for all Registered Marijuana Dispensaries

1. All ~~non-exempt~~ RMMFs shall be contained within a permanent building or structure. No RMMF shall be located inside a building containing residential units or inside a movable or mobile structure such as a van, trailer, cargo container or truck.

J. Special Permit Requirements

4. The RMMF special permit application shall include the following:
 - i. **A comprehensive noise mitigation plan prepared by a qualified acoustical consultant (whose qualifications include Institute of Noise Control Engineering (INCE) board certification or equivalent experience)**
 - j. **A comprehensive odor control, abatement and mitigation plan prepared by a certified environmental engineer or certified environmental professional with demonstrated experience in the area of marijuana odor mitigation.**

6. Conditions

These conditions, limitations, and safeguards may address but are not limited to:

- d. Hours of operation
- e. Landscaping and site amenities
- f. **Requirements for noise and odor mitigation measures and monitoring**

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

Zoning Bylaw Amendments

SECTION 8.10 – RECREATIONAL MARIJUANA

March 4, 2019

Article C: To see if the Town will vote to amend the Zoning Bylaw as follows; unless otherwise noted, new text is shown in **bold** and deleted text is shown as stricken through:

Section 8.10 RECREATIONAL MARIJUANA: Amend Section 8.10.E. and 8.10.J. to read as follows:

E. General Requirements and Conditions for all Recreational Marijuana Establishments

1. All ~~non-exempt~~ RMEs shall be contained within a permanent building or structure. No RME shall be located inside a building containing residential units or inside a movable or mobile structure such as a van, trailer, cargo container or truck.

J. Special Permit Requirements

5. The RME special permit application shall include the following:

- h. A comprehensive noise mitigation plan prepared by a qualified acoustical consultant (whose qualifications include Institute of Noise Control Engineering (INCE) board certification or equivalent experience)**
 - i. A comprehensive odor control, abatement and mitigation plan prepared by a certified environmental engineer or certified environmental professional with demonstrated experience in the area of marijuana odor mitigation.**

7. Conditions

These conditions, limitations, and safeguards may address but are not limited to:

- d. Hours of operation
 - e. Landscaping and site amenities
 - f. Requirements for noise and odor mitigation measures and monitoring**

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

Zoning Bylaw Amendments – SECTION 3.5 SITE PLAN REVIEW

March 4, 2019

Article D: To see if the Town will vote to amend portions of Section 3.5 the Zoning Bylaw, Site Plan Review, as set forth below; unless otherwise noted, new text is shown in **bold** and deleted text is shown as stricken through:

Amend Section 3.5.3. Applicability A. as follows:

- A. Site plan review shall apply to the following:
 - 3. Administrative Site Plan Review - New construction or any alteration, reconstruction, renovation or change in use of any multi-family, commercial, industrial, institutional or municipal building or use which is not subject to Major or Minor Site Plan Review but which involves one or more of the following:
 - a. The addition of less than 1,000 square feet of gross floor area, ~~or~~
 - b. Exterior alteration ~~/ or~~ renovation of an existing building or premises, visible from a public or private street or way which includes any of the following:
 - i) installation or replacement of awnings
 - ii) change in a building's exterior surface material
 - iii) rearrangement or addition of windows or doors
 - iv) façade reconstruction ~~/ or~~ replacement
 - v) roofing if the Building ~~Inspector~~ **Commissioner** determines the roof to be a distinctive architectural feature of the building
 - c. The redesign, alteration, expansion or modification of an existing parking area ~~or the creation of a new parking area~~ involving the addition of up to nine new parking spaces
 - d. The creation of a new parking area involving the addition of one to nine parking spaces**
 - ~~d.e.~~ The redesign of the layout/configuration of an existing parking area of ten to nineteen parking spaces
 - e.f.** A change in curb cuts ~~/ or~~ vehicular access to a site from a public way
 - f.g.** Installation or alteration of sidewalks and other pedestrian access improvements
 - g.h.** Removal of hedges, living shrubs, and trees greater than four inches in caliper
 - h.i.** Installation of fencing or retaining walls
 - i.j.** Outdoor placement of cargo containers, sheds, membrane structures, equipment and materials
 - j.k.** Removal, ~~/ disturbance, / or~~ alteration of 5,000 – 10,000 square feet of impervious surface

k.l. The conversion of a residential use to a permitted non-residential or mixed-use

l.m. Installation of a wireless communication facility as defined in this *Zoning Bylaw*

4. ~~Consideration of activities subject to administrative site plan review may be advanced to minor or major site plan review status at the determination of the Building Inspector or the Board when the collective scope and/or quantity of the proposed activities is substantial enough to merit review by the Board at a public meeting.~~

5. 4. Relationship to Other Permits and Approvals.

- d. **Site plan projects may also be subject to other Town bylaws and/or permit requirements including but not limited to a Stormwater Management and Land Disturbance Permit, Scenic Road Work Permit, Order of Conditions, water and sewer connection permits, and a Street Opening/Roadway Access Permit.**

Amend Section 3.5.4. Procedures for Site Plan Review as follows:

- F. The Building Commissioner shall review major and minor site plan applications and all associated submittals for compliance with the *Zoning Bylaw* and provide written communication to the Board, prior to the first public hearing date. The report shall identify any current zoning violations existing at the site which may be addressed through the site plan review process.**

- ~~F.~~ **G.** The Board shall review and act upon applications for major and minor site plan review, requiring such conditions as necessary to satisfy the Site Plan Review Standards under Section 3.5.5 B. below, and notify the applicant of its decision. The decision shall be by majority vote of the membership, shall be made in writing and shall be filed with the Town Clerk within ninety days of the date of application for Major Site Plan Review, or sixty days of the application date for Minor Site Plan Review. The applicant may request, and the Board may grant by majority vote of the membership, an extension of the time limit set forth herein.

- ~~G.~~ **H.** The Board may approve a major and minor site plan or approve it with conditions, limitations, safeguards and mitigation measures or deny a site plan only if the plan does not include adequate information as required by the Site Plan Rules and Regulations, or if the plan depicts a use or structure so contrary to health, safety and welfare of the public that no set of conditions would render the project tenable.

- I. In its site plan decision, the Board may require reasonable mitigation measures to offset adverse impacts of the development on the community, including:**

- a. **Requirements for off-site improvements up to a maximum value of six percent of the total development cost of the proposed project to improve the capacity and safety of roads, intersections, bridges, pedestrian access, water, sewer, drainage, and other public facilities and infrastructure including traffic signals/ and controls, or municipal services, sufficient to service the development project. The total development cost shall mean the total of the cost or value of land and all development related improvements and shall be determined on the basis of standard building or construction costs published in the *Engineering News Record* or other source acceptable to the Board for the relevant type of structure(s) and use (s).**

- b. **Donation and/or dedication of land for right-of-way to provide for roadway and/or intersection widening or improvements.**
- c. **Unless the Board determines that adequate means of pedestrian travel is already provided to the site, sidewalks shall be provided along the entire frontage of the subject property along existing public ways, including the frontage of any lots held in common ownership with the parcel(s) within five years prior to the submission of the application for site plan review and approval. In those instances where the Board determines that sidewalk construction is not feasible or practical, the Applicant will fund sidewalk construction elsewhere in the community. This may be accomplished either by constructing an equivalent length of sidewalk elsewhere in the community as authorized by the Department of Public Works or making a payment in lieu of sidewalk construction to the Town, or a combination of both.**

J. The Board may authorize waivers from strict compliance with the performance standards of Sections 7.3.C and 7.3.D and Section 7.1.2 if it determines that the provisions are excessively burdensome to the Applicant, or do not apply to the particular site or situation under review, or that a waiver would permit a superior design, or that a waiver would allow construction which will have no significant detriment to the achievement of any of the purposes of site plan review and approval as set forth herein, or that a waiver is in the best interests of the Town, and that a waiver is consistent with the purpose and intent of the *Zoning Bylaw*.

H. J. Procedures for Administrative Site Plan Review

- a. **The Board's designee may designate one person or an Administrative Site Plan Review Team, which shall review and act on applications for administrative site plan review and may require conditions as necessary to satisfy the Administrative Site Plan Review Standards.**
- b. **Applications for Administrative Site Plan Review shall be provided to the Board.**
- c. **Consideration of activities subject to administrative site plan review may be advanced to minor or major site plan review status at the determination of the Building Inspector Commissioner, or the Board, or the Administrative Site Plan Review Team when the collective scope and/or quantity of the proposed activities is substantial enough to merit review by the Board, at a public meeting.**

Amend Section 3.5.6. Appeal as follows:

- B. Any person aggrieved by an administrative site plan decision may appeal to the Planning and Economic Development Board **within twenty days of the date the decision is filed with the Town Clerk.**

Add a new Section 3.5.7 Lapse as follows:

3.5.7 Lapse

Site plan approval shall lapse within two years, which shall not include such time required to pursue or await the determination of an appeal under G.L. c. 40A, § 17 or this bylaw,

from the grant thereof, if a substantial use thereof has not sooner commenced except for good cause, or, in the case of a site plan approval for construction, if construction has not begun by such date except for good cause.

Or act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

Zoning Bylaw Amendments – Section 7.1.1 Off-Street Parking and Loading

March 4, 2019

Article E: To see if the Town will vote to amend portions of Section 7.1.1 of the Zoning Bylaw, Off-Street Parking and Loading, as set forth below; unless otherwise noted, new text is shown in **bold** and deleted text is shown a stricken through.

7.1.1. Off-Street Parking and Loading

A. Purposes. ~~The purposes of this Section 7.1 are to ensure the availability of safe and convenient vehicular parking areas; to encourage economic development; to promote safety for pedestrians, bicyclists, motor vehicle occupants, and property and business owners; to reduce impervious surfaces; and to protect adjoining lots and the general public from nuisances and hazards associated with off-street parking areas.~~ **The purposes of this Section 7.1.1 are as follows:**

- 1. To ensure the availability of safe and convenient vehicular parking areas for existing and new development.**
- 2. To minimize excessive and inefficient off-street parking lots that result in unneeded paved impervious surfaces and lost opportunities to develop new buildings that expand the tax base.**
- 3. To promote safety for pedestrians, bicyclists, motor vehicle occupants, and property and business owners.**
- 4. To protect adjoining lots and the general public from nuisances and hazards associated with off-street parking areas.**
- 5. To encourage the use of public transportation, bicycling, and walking in lieu of motor vehicle use when a choice of travel mode exists.**
- 6. To minimize the impact of sidewalk interruptions and conflict points on the walkability of the public realm.**

J. Reduced Parking. The number of parking spaces required pursuant to Table 3 may be reduced by special permit from the Planning and Economic Development Board, subject to the provisions herein. Where the Board of Appeals is the special permit granting authority for the proposed use, the Board of Appeals shall have the authority to administer this Section.

2. The applicant shall demonstrate to the Board's satisfaction that a reduction is warranted due to circumstances such as but not limited to:
 - a. **Potential for Shared Parking** - Peak parking needs generated by the proposed uses occur at different times.
 - b. Demographic or other characteristics of site users.
 - c. For a nonresidential development, the applicant agrees to participate in a transportation demand management program.
 - d. The extent to which the applicant's proposal accommodates other means of transportation to or circulation within the site, such as sidewalks or bicycle racks,

or safe and convenient pedestrian walkways between buildings in a multi-building development.

e. Safe, convenient forms of pedestrian access between the proposed development and nearby residential uses.

f. The presence of a public or private parking lot within 400 feet of the proposed use.

g. The availability of legal on-street parking.

h. The availability in a residential or mixed use development project of an active car-sharing program for residents and/or employees where cars for the car-share program are available on the site or within a 700-foot walking distance of the site.

2. The Board may grant a special permit for reduced parking only upon finding that:

~~h.~~**a.** The reduced number of parking spaces is consistent with the general purposes of this Section 7.1.1.

~~i.~~**b.** The proposed number of parking spaces will be sufficient for the proposed uses.

~~j.~~**c.** The decrease in required off-street parking is supported by a parking analysis prepared by a registered professional engineer. Such analysis shall consider existing and proposed uses on the site; rate of parking turnover for various uses; expected peak traffic and parking loads for various uses based on customary hours of operation; availability of public transportation; industry parking standards for various uses; and other factors.

K. Special Parking Types and Standards.

1. Valet Parking. By special permit, the Board may allow valet parking if the building is pre-existing, the use is for food or entertainment, and where there is no physical means of providing the required number of parking spaces on the lot where the building and use are located. The required number of minimum or maximum spaces continue to apply for valet parking but parking spaces do not require individual striping and may be permitted on-site or off-site as a means of satisfying the applicable off-street parking requirements where:

a. A lease, recorded covenant, or other comparable legal instrument, executed and filed with the Town of Medway and Norfolk County Registry of Deeds, guaranteeing long term use of the off-site accessory parking area is provided to the Board.

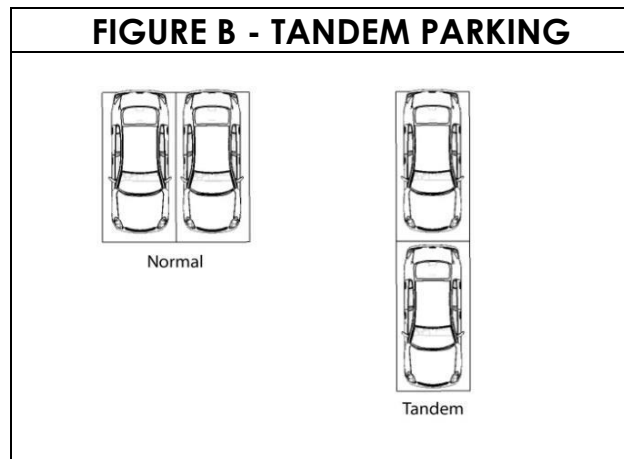
b. An attendant is present at all times when the lot is in operation.

c. An equivalent number of valet spaces are available to replace the number of required off-street parking spaces.

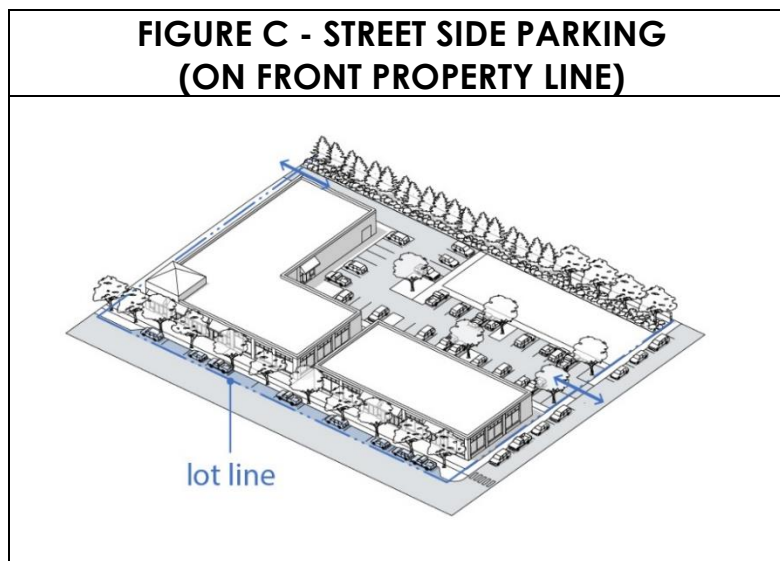
d. The design of the valet parking area will not cause queuing in a vehicular travel lane.

e. The valet parking lot is not located in a residential zoning district.

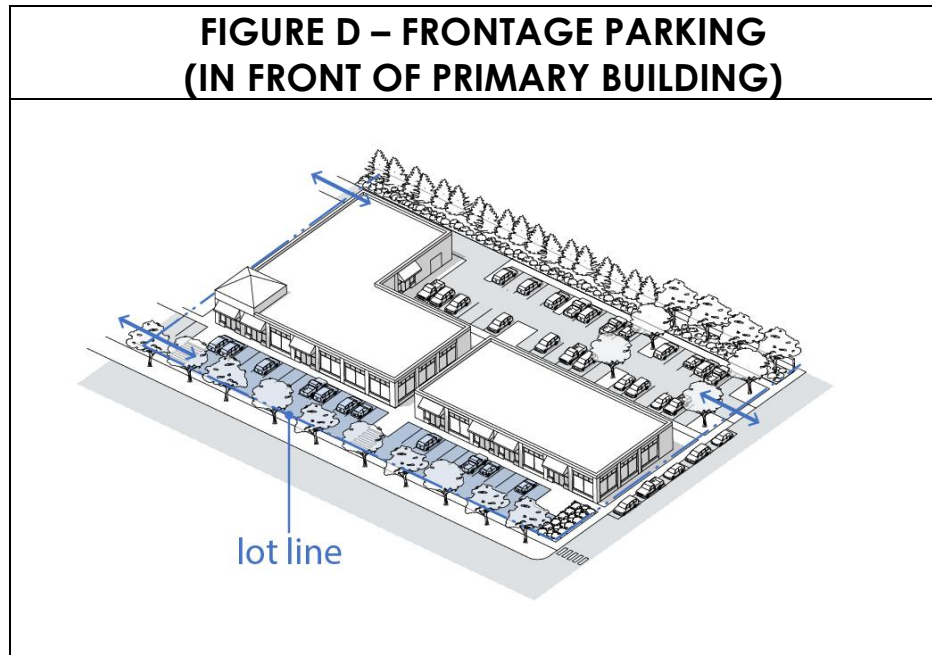
2. **Tandem Parking.** By special permit, the Board may allow tandem parking under the following conditions:
- a. To be used to meet parking requirements for residential units only. Tandem parking means two vehicles only.
 - b. Tandem spaces shall be assigned to the same dwelling unit.
 - c. Tandem parking shall not be used to provide guest parking.
 - d. Two parking spaces in tandem shall have a combined minimum dimension of 9 feet in width by 30 feet in length.
 - f. Up to 75% of the total off-street parking spaces provided may incorporate tandem parking.



3. **Street Side Parking.** By special permit, the Board may allow parallel or angled parking provided on a privately-owned lot directly adjacent to the public street right-of-way in combination with a minimum five foot wide planting strip with street trees planted 40 feet on center, and a five foot minimum concrete sidewalk connecting to public sidewalks on abutting lots and to the primary building on-site. These parking spaces shall be privately owned but accessible to the public. These parking spaces effectively function as on-street parking.



4. **Frontage parking.** By special permit, the Board may allow a limited amount of off-street surface parking to be placed between a public street and the street facing façade of a primary building. Where this is permitted by the Board, the parking area will be setback a minimum of twenty feet from the street line and streetscape treatments including street trees, landscaping, and a minimum 5-foot sidewalk will be placed adjacent to the street line. The sidewalk shall also be connected to the front door of the primary building by a dedicated pedestrian connection. The portion of the parking lot located in front of the primary building shall be limited to one double row of vehicles and associated parking aisle.



5. **Structured Parking.** By special permit, the Board may allowed structured parking.
- a. **Permitted Types.** Off-street parking structures may include a private garage or carport, an above-ground parking structure, or an underground parking structure.
 - b. **Access.** Pedestrian access to structured parking must lead directly to a public sidewalk and to the primary building. Structured parking may also be attached directly to the primary building allowing pedestrians to enter directly into the building.
 - c. **Design and Construction.** The street facing facade of any story of a building occupied by motor vehicle parking must be designed as follows:
 - 1) Fenestration and facade openings must be vertically and horizontally aligned and all floors fronting on the facade must be level (not inclined).
 - 2) The facade must include windows of transparent or translucent, but non-reflective, glass or openings designed to appear as windows for between twenty percent and fifty percent of the wall area of each floor.

- 3) **Windows must be back-lit during evening hours and internal light sources must be concealed from view from public sidewalks.**
- 4) **The facade area masking the floors occupied by motor vehicle parking must be seamlessly integrated into the architectural design of the building's facade.**

And to add the following definitions in alphabetical order to Section II DEFINITIONS:

Shared Parking – The joint use of a parking area or facility for more than one use at different times.

Structured Parking - A building or structure consisting of more than one level and used for the temporary parking of motor vehicles.

Tandem Parking - A parking space that is located after or behind another in a lengthwise fashion. The space is accessed only by passing through another parking space from a street, lane, drive aisle or driveway.

Frontage Parking – Off-street surface parking spaces placed between a public street and the street facing façade of a building to encourage customers with their apparent convenience.

Valet Parking - A service offered by a business whereby an attendant parks and retrieves patrons' vehicles.

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

Zoning Bylaw Amendments

SECTION 6.3 ACCESSORY BUILDINGS OR STRUCTURES

March 4, 2019

Article F: To see if the Town of Medway will vote to amend the Zoning Bylaw, Section 6.3 Accessory Building or Structures by adding Paragraphs F., G., and H. as follows:

- F. No part of any accessory building or structure shall be located closer than five feet to any principal building or structure unless it is attached to and forms part of the principal building or structure.**
- G. No accessory building or structure shall be constructed and occupied or an accessory use started on any lot prior to the time construction begins on the principal building or structure or use to which it is accessory. Conversely, no accessory building or structure shall continue to be used or occupied after a principal building or structure has been vacated or removed from the lot.**
- H. The setback requirements specified in TABLE 2 DIMENSIONAL AND DENSITY REGULATIONS shall not apply to public bus stop shelters.**

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

Susan Affleck-Childs

From: Barbara Saint Andre
Sent: Monday, March 25, 2019 4:58 PM
To: Susan Affleck-Childs
Subject: 2019 ATM proposed ZBL amendment

Susy, with respect to the proposed amendments to Section 3.5 of the Zoning Bylaw, Site Plan Review, I have added a proposed subsection J, which would allow the PEDB to grant waivers from Sections 7.1.2 (Outdoor Lighting) and 7.3.C and 7.3.D (Environmental Performance Standards) during the site plan review process. The standards to be followed by the PEDB in determining whether to grant such waiver are the same standards set forth in the proposed Site Plan Review Rules and Regulations. The purpose of providing for such waivers is not to eviscerate the protections of the Zoning Bylaw, but rather to provide a mechanism whereby, in appropriate cases, the PEDB may grant relief from requirements that may be unneeded, out of date, or excessively rigid for the particular circumstances.

Please let me know if you need further information.

Barbara J. Saint Andre
Director, Community and Economic Development
Town of Medway
155 Village Street
Medway, MA 02053
(508) 321-4918



March 26, 2019
Medway Planning & Economic Development Board
Meeting

Evergreen Village – Plan Review Fee
Estimates

- March 20, 2019 Tetra Tech estimate for \$6,243
- March 21, 2019 PGC estimate for \$800

Recommend approval of the plan review fee estimates from Tetra Tech and PGC as presented.



March 20, 2019

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

**Re: Evergreen Village
Site Plan Review – Multifamily Special Permit
Medway, Massachusetts**

Dear Ms. Affleck-Childs:

We are pleased to submit this Proposal to the Town of Medway Planning and Economic Development Board (PEDB) (the Client) for professional engineering services associated with the Evergreen Village Multifamily Special Permit Site Plan Review in Medway, Massachusetts (the Project). The objective of our services is to review the site plan package and provide comments as they relate to latest Town of Medway Rules and Regulations Chapter 200 – Submission and Review of Site Plans (Site Plan Regulations), Town of Medway Article 26 – Stormwater Management and Land Disturbance Bylaw (Stormwater Bylaw), Massachusetts Department of Environmental Protection Stormwater Management Standards (MA DEP Stormwater Standards) and associated Stormwater Handbook and sound engineering practice. We have excluded from our scope, the review of the application package as it relates to the Town of Medway Zoning By-Laws which will be conducted by a separate consultant.

Scope of Services

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

Task 1 – Site Visit

- A. Perform one (1) site visits to review the site and its surroundings.
 - Budget Assumption: 1 Visit
2 hours @ \$140/hr = \$280
Total = \$280

Task 2 – Design Review

- A. Review the permit Application, and supporting documentation, and incorporate comments into review letter in item E below.
 - Budget Assumption: 0.5 hour @ \$140/hr = \$70
1 hour @ \$95/hr = \$95
Total = \$165
- B. Review the proposed Plans against the Town of Medway PEDB Site Plan Regulations and incorporate comments into review letter in item E below.
 - Budget Assumption: 2 hours @ \$140/hr = \$280
6 hours @ \$95/hr = \$570
Total = \$850

- C. Review the Stormwater Report for compliance with the latest Massachusetts Department of Environmental Protection Stormwater Management Standards, applicable town stormwater standards and good engineering practice and incorporate comments into review letter in item E below.
- Budget Assumption: 4 hours @ \$140/hr = \$560
6 hours @ \$95/hr = \$570
Total = \$1,130
- D. Review the Site Plans for compliance with the Town of Medway Stormwater Bylaw and incorporate comments into review letter in item E below.
- Budget Assumption: 2 hours @ \$140/hr = \$280
4 hours @ \$95/hr = \$380
Total = \$660
- E. Prepare a letter summarizing findings for presentation to the Town of Medway PEDB.
- Budget Assumption: 2 hours @ \$140/hr = \$280
4 hours @ \$95/hr = \$380
Total = \$660
- F. Coordinate with applicant to address items in initial review letter and issue one (1) revised letter upon receipt of modifications. This task is limited to minor changes in the site plans which directly address comments from our initial review letter. Major changes to the Plans and/or Stormwater Report will require additional funds.
- Budget Assumption: 4 hours @ \$140/hr = \$560
4 hours @ \$95/hr = \$380
Total = \$940

Task 3 – Meeting Attendance

- A. Participate in three (3) hearings/meetings with the Town of Medway PEDB.
- Budget Assumption: 3 Meetings @ 3 hours per meeting = 9 Hours
9 hours @ \$140/hr = \$1,260
Total = \$1,260

Cost

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

The breakdown of this fee by task is as follows:

Task	Task Description	Fee
Task 1	Site Visit	\$280
Task 2	Design Review	\$4,405
Task 3	Meeting Attendance	\$1,260
Labor Subtotal		\$5,945
Expenses (5%)		\$298
Total		\$6,243

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,



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



Sean P. Reardon, P.E.
Vice President

Date Approved by Town of Medway PEDB _____

Certified by:

Susan E. Affleck-Childs
Medway PEDB Coordinator

Date

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PGC ASSOCIATES, LLC

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

March 21, 2019

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

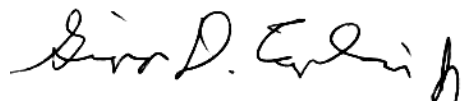
Dear Mr. Rodenhiser:

PGC Associates is pleased to present the following cost estimate to review and comment on the proposed multifamily special permit plan submitted by Sampson Pond LLC .of Medway. The owners are John and Cynthia Shea of Carver, MA. The proposal is to construct a 12 townhouse units in six buildings on a 1.44-acre parcel with an existing house and barn (both to be razed) including associated parking, drainage, landscaping, etc. The plan was prepared by Ronald Tiberi, P.E., of Natick along with a team including an architect, surveyor and landscape designer. The plan is dated is dated March 15, 2019.

<u>Task</u>	<u>Hours</u>
Technical review and comment on initial submittal for compliance with zoning, site plan regulations, multifamily zoning and affordable housing requirements	3.5
Attendance at Planning Board meetings/hearings	2.5
Review and comment on revised plans	1.0
Review and comment on draft Certificate of Action	2.0
Total	8.0
Cost Estimate (@100)	\$800.00

If there are any questions about this estimate, please call me.

Sincerely,



Gino D. Carlucci, Jr.