

**March 27, 2018
Medway Planning and Economic Development Board
155 Village Street
Medway, MA 02053**

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

ALSO PRESENT:

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

The Chairman opened the meeting at 7:00 pm.

There were no Citizen Comments.

ANR Plan for 123 Main Street:

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

- ANR application received March 8, 2018.
- ANR Plan of Land dated March 5, 2018 by Colonial Engineering
- Review memo dated March 8, 2018 from Conservation Agent Bridget Graziano
- Review memo from Gino Carlucci dated March 9, 2018.
- March 12, 2018 email from Attorney Steve Kenney requesting a deadline extension to March 30, 2018
- Revised ANR plan dated March 12, 2018 by Colonial Engineering.

It was explained that this parcel of land consists of approximately 6.3 acres which will be divided into four lots. All of the lots have adequate frontage on a public street. The parcels have adequate uplands to build single family residences on Lots 1 and 2, and duplex units on Lots 3 and 4. The plan was reviewed by planning consultant Gino Carlucci who provided a review letter noting a few items that needed attention. The members were informed that the Conservation Agent had noted that the wetlands lines were not correct. The applicant submitted a revised plan dated March 12. The plan was further revised and provided at the meeting.

The overlay district line and labeling has been revised and the plan has been reviewed by Consultant Carlucci and found to be acceptable.

On a motion made by Bob Tucker and Rich Di Iulio, the Board voted unanimously to endorse the ANR plan dated March 27, 2018 for 123 Main Street.

Milway Auto Major Site Plan:

The Board was informed that the applicant has requested a continuation for the Milway Auto Major Site Plan and a deadline extension. **(See Attached.)**

Continuation:

On a motion made by Rich Di Iulio and seconded by Matt Hayes, the Board voted unanimously to continue the hearing for Milway Auto Major Site Plan to Tuesday, April 24, 2018 at 7:15 pm.

Extension:

On a motion made by Matt Hayes and seconded by Rich Di Iulio, the Board voted unanimously to extend the deadline for the Board to take action to May 11, 2018.

ANR 2 West Street:

Paul DeSimone was present to submit a revised ANR plan dated 3-13-18 for 2 West Street. **(See Attached.)** The Board had previously endorsed the plan, however it was not recorded in timely fashion with Land Court so an updated plan had to be prepared. The property owner is Jon Hollingsworth. This has been reviewed by Consultant Carlucci.

On a motion made by Bob Tucker and seconded by Tom Gay, the Board voted unanimously to endorse the updated ANR plan for 2 West Street dated 3-13-2017 as presented.

Wingate Farm Subdivision:

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

- 3/23/18 review letter, punch list and updated bond estimate prepared by engineering consultant Steve Bouley of Tetra Tech.

NOTE – Property owners Gene Walsh and Karyl Spiller-Walsh were present.

Consultant Bouley reviewed the punch list which compared at how the Wingate Farm development, as constructed so far, complies or not with the current Subdivision Rules and Regulations. Consultant Bouley noted that the big issue is in regards to the stormwater and making sure it meets the current standards. The two swales will need to be modified. There will need to be a long term operation and maintenance plan to meet the current standards. A Stormceptor unit has not been included in the plan. Sight line distance is also a concern. There are no sight distance calculations at the roadway's intersection with Holliston Street. The applicant has constructed an eighteen foot traveled way. More recently, the current Medway Fire Chief has required twenty-foot width roadways for proper access to all lots for emergency vehicles.

Ms. Spiller-Walsh communicated that the stormwater system was overbuilt because it was designed to accommodate a stable/riding facility which will not be built. She also indicated that the subdivision was approved by the safety officer back when the plan was first approved; sight distances were not an issue at that time. The site also has adequate buffer and snow storage. The site drains well. The site was designed that way so that it can keep the agricultural areas and also have the riding arena.

The Board needs to decide if this should be a new filing or be considered a major modification. The consensus of the Board was that this should be considered a major modification to the previously approved but expired definitive subdivision plan.

The applicant will follow up with Susy Affleck-Childs about the next steps in the process.

Applegate Subdivision:

Susy announced that Mr. Costello could not attend tonight's meeting, but asked about rescheduling it.

There continues to be issues at the Applegate Subdivision. The erosion controls need to be addressed. Steve Bouley conducted a site walk with Barry Smith (DPS) and there was ground water infiltration into the stormwater basin, probably from the flow from Virginia Road and Ellis Street. Some of this is the Town's responsibility. There will need to be a meeting with Barry Smith to decide how this will be handled.

The Board would like to make sure that when doing bond estimates there is a cost of living rider on the bond. This would cover additional costs for material. There was also a suggestion to bump up the contingency amount from 25% to 50%.

Construction Reports:

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

- O'Brien & Sons Site Plan - Report #7 (2-23-18).
- O'Brien & Sons Site Plan - Report #8 (2-28-18)
- O'Brien & Sons Site Plan - Report #9 (3-6-18)
- O'Brien & Sons Site Plan - Report #10 (3-9-18)
- O'Brien & Sons Site Plan - Report #11 (3-16-18)
- Exelon report - (3-1-2018)
- Exelon report from Beals and Thomas (2-26-18)

O'Brien & Sons:

The silt fence and compost filter socks are installed at the O'Brien site. The workers are currently working on the building framing. The roof truss members have been installed. The installation of the Stormtech underground infiltration system is completed.

Exelon:

The foundation framing and pouring for acoustic walls, heat exchanges, administrative building, transformers, and water tanks are in progress.

Country Cottage Children's Center:

The drainage is going in at Country Cottage.

Merrimack Building Supply:

There has not been much completed at Merrimack Building Supply's expansion. Steve was informed that the work will be starting soon.

Millstone:

Consultant Bouley recommended that the Millstone site be swept daily.

The Havens:

There will be a site visit meeting at the Havens with the Conservation Agent.

PEDB Meeting Minutes:

February 27, 2018:

On a motion made by Matthew Hayes and seconded by Rich Di Iulio, the Board voted unanimously to approve the minutes from the February 27, 2018 meeting as revised.

March 14, 2018:

On a motion made by Matthew Hayes and seconded by Rich Di Iulio, the Board voted unanimously to approve the minutes from the March 14, 2018 meeting as presented.

Other Business Boards/Committees:

OSRP Meeting:

Matt Hayes reported on the recent meeting of the Open Space and Recreation Plan Update Task Force. There was discussion about possible parcels for future Town acquisition. There will be a criteria/ranking system to determine if the Town may want these parcels for open space or recreation. The Task Force would like to expand the recreational areas in town. There will be a follow up meeting next Thursday.

CORRESPONDENCE: (See Attached)

- A letter dated 3-8-18 from Neighbors of 6 Cutler was submitted to the Board. This will be forwarded to CPC and the BOS. The PEDB would like a letter sent to the residents informing them about what the current zoning regulation allow in that area.
- Information was provided about the new Housing Choice program from Mass Department of Housing and Community Development. Susy is working with Doug Havens to submit this application and will submit it by the April deadline.
- The Board is in receipt of an email from Susy Affleck-Childs dated 3-6-18 to Jack Mee regarding the location of the pergola at Medway Gardens.
- The Board is in receipt of an email dated 3-22-18 from Paul Yorkis which provided a status report on Williamsburg.

Warrant Articles: (See Attached drafts)

The warrant articles were reviewed for the May Town Meeting.
The following recommendations were made:

Recreational Marijuana:

- Take out the exempt uses.
- Item D should not allow in BI district.
- Update the table of uses.
- Keep 4B and get rid of rest.

- The state statute is for item B only which relates to the 500 ft. from property line to property line.
- Need more density in the industrial areas.
- E.2 Put any other medical marijuana use (testing packaging etc.)
- This will still be a special permit and will need a host agreement.

Medical Marijuana:

- Take the medical retail out of central business
- Changing the registered terminology to registered marijuana facility.
- Update the table of uses
- Keep the language about the property lines.

Site Plan:

- The Board has reviewed and is comfortable with the language as presented.

FUTURE PEDB MEETING:

- Tuesday, April 10, 2018.

ADJOURN:

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

The meeting was adjourned at 9:21 pm.



Amy Sutherland
Recording Secretary

Reviewed and edited by,



Susan E. Affleck-Childs
Planning and Economic Development Coordinator



February 27, 2018
Medway Planning & Economic Development Board
Meeting

ANR – 123 Main Street

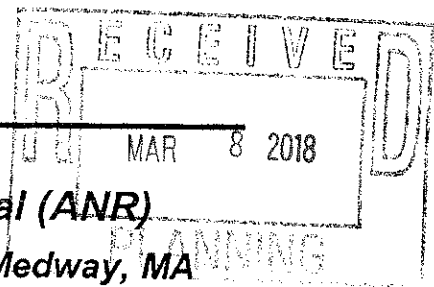
You have received another ANR application from Maritime Housing for the property at 123 Main Street. This matter was previously before you in April 2017 at which time the Board endorsed a 2 lot ANR plan. You were scheduled to review the new ANR plan at the March 13th meeting which was cancelled due to the big snow storm.

- ANR application received March 8, 2018
- March 12, 2018 email from Attorney Steve Kenney requesting a deadline extension to March 30, 2018
- ANR Plan of Land dated March 5, 2018 by Colonial Engineering showing a rearrangement of 2 lots into 4 lots
- Review memo dated March 8, 2018 from Conservation Agent Bridget Graziano with attached Order of Resource Area Delineation dated December 17, 2017 based on drawing dated November 25, 2017 (also attached)
- Review memo from Gino Carlucci dated March 9, 2018. A number of corrections are needed. Gino's review letter was provided to Colonial Engineering and Steve Kenney, attorney for the applicant with a request to revise/correct the plan.
- Revised ANR plan dated March 12, 2018 by Colonial Engineering

LAND SUBDIVISION – FORM A

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

Planning & Economic Development Board - Town of Medway, MA



INSTRUCTIONS TO APPLICANT/OWNER

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

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

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

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

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

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

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

March 7, 2018

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

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

ANR PLAN INFORMATION

Plan Title: Plan of Land in Medway, MA

Prepared by: Colonial Engineering

P.E. or P.L.S registration #: 30466 Plan Date: March 5, 2018

PROPERTY INFORMATION

ANR Location Address: 123 Main Street, Medway, MA 02053

The land shown on the plan is shown on Medway Assessor's Map # 48 Parcel # 47

Total Acreage of Land to be Divided: 6.3 Acres

Subdivision Name (if applicable): N/A

Medway Zoning District Classification: ARII & CDI

Frontage Requirement: 150' & 100' Area Requirement: 22,500 SF & 20,000 SF

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

The owner's title to the land that is the subject matter of this application is derived under deed from: BENJAMIN FRANKLIN BANK to MARITIME HOUSING FUND LLC dated JUNE 17, 2005 and recorded in Norfolk County Registry of Deeds, Book 22544 Page 566 or Land Court Certificate of Title Number _____, Land Court Case Number _____, registered in the Norfolk County Land Registry District Volume _____, Page _____.

APPLICANT INFORMATION

Applicant's Name: Maritime Housing Fund, LLC

Applicant's Signature: _____

Address: P.O. Box 540073

Millis, MA 02054

Telephone: (617)480-4448

Email: _____

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

PROPERTY OWNER INFORMATION (if different than applicant)

Property Owner Name: Maritime Housing Fund, LLC

Owner's Signature: [Signature]

Address: P.O. Box 540073

Millis, MA 02054

Telephone: (617)480-4448

Email: _____

ENGINEER or SURVEYOR INFORMATION

Name: Colonial Engineering, Inc.

Address: 11 Awl Street

Medway, MA 02053

Telephone: (508)533-1644

Email: _____

ATTORNEY INFORMATION

Name: Stephen J. Kenney Kenney & Kenney

Address: 181 Village Street

Medway, MA 02053

Telephone: (508)533-6711

Email: sjk@kenney-law.com

PROJECT EXPLANATION

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

APPROVAL NOT REQUIRED JUSTIFICATION

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

- ☐ 1. The accompanying plan does not show a division of land.
- ☒ 2. Every lot shown on the plan has frontage as required by the Medway Zoning Bylaw. The frontage required by the Zoning Bylaw is located on Main Street and Elm Street (name of way(s), which is:
- ☒ a. A public way. Date of street acceptance: _____
- ☐ b. A way certified by the Town Clerk as being maintained and used as a public way. *(Attach Town Clerk's certification)*
- ☐ c. A way shown on a definitive subdivision plan entitled _____
that was previously endorsed by the Planning and Economic Development Board on _____ and recorded at the Norfolk County Registry of Deeds on _____
Provide detailed recording information: _____
- ☐ d. A private way in existence on the ground before 1952 when the Subdivision Control Law was adopted in the Town of Medway, which has, in the opinion of the Planning & Economic Development Board, adequate width, suitable grades, and adequate construction to provide vehicular access to the lot(s) for their intended purpose of _____ and to permit the installation of municipal services to serve the lot(s) and any buildings thereon.
- ☒ 3. The division of land shown on the accompanying plan is not a "subdivision" for the following reasons: All lots created have adequate frontage and area
and abut public ways, as well as adequate uplands and Lot Shape Factor.

ANR PLAN FILING FEE

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

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

Fee approved 11-2-06

APPLICATION CHECKLIST – All items must be submitted

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

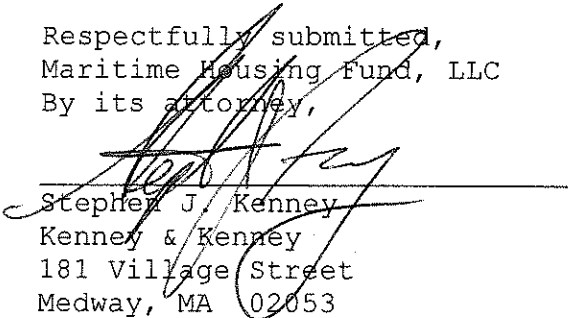
Date Form A, ANR Plan, and Project Explanation Received by Planning & Economic
Development Board: 3-8-18

ANR Application/Filing Fee Paid: Amount: \$95 - Check # 258558
\$355 Check # 258559

PROJECT EXPLANATION

The parcel of land which consists of approximately 6.3 acres shall be divided by the plan presented into four lots consisting of Lot 1, containing 127,080 square feet with uplands of 48,253 square feet, a lot shape factor of 16.49 and frontage of 150 feet on Main Street; Lot 2, with area of 81,073 square feet, uplands of 43,747 square feet, a lot shape factor of 17.93 and frontage of 227.57 feet on Main Street and Elm Street; Lot 3, which consists of 40,229 square feet area, uplands of 18,750 square feet, a lot shape factor of 18.80 and frontage of 150.03 feet on Elm Street; and Lot 4, which consists of 26,045 square feet of area, 15,456 square feet of uplands, a lot shape factor of 16.29 and frontage of 150.05 feet on Elm Street. All of the Lots have adequate frontage on a public street, i.e. Main Street and Elm Street, have adequate area for the zoning districts in which they lie, specifically Zoning District CDI and Zoning District ARII. The subject parcels also have adequate uplands to build single family residences on Lots 1 and 2, and duplex units on Lots 3 and 4.

Respectfully submitted,
Maritime Housing Fund, LLC
By its attorney,



Stephen J. Kenney
Kenney & Kenney
181 Village Street
Medway, MA 02053
508-533-6711
BBO# 549507
sjk@kenney-law.com

Susan Affleck-Childs

From: Stephen Kenney <sjk@kenney-law.com>
Sent: Monday, March 12, 2018 2:26 PM
To: Susan Affleck-Childs
Subject: RE: ANR Plan for 123 Main Street

Suzy thanks for notice and yes maritime housing fund llc and tom steeves hereby grant extension to file decision to 3/30/18 thanks again steve

From: Susan Affleck-Childs [mailto:sachilds@townofmedway.org]
Sent: Monday, March 12, 2018 11:43 AM
To: Steve Kenney <sjk@kenney-law.com>
Subject: RE: ANR Plan for 123 Main Street

Hi Steve,

Already decided. We are cancelling the meeting. We will take up this ANR at the March 27th meeting.

Would you send me an email granting an extension for the deadline for the Board to file its decision to March 30th?

Thanks.

Susy

Susan E. Affleck-Childs
Planning and Economic Development Coordinator

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

Town of Medway – *A Massachusetts Green Community*

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From: Steve Kenney [mailto:sjk@kenney-law.com]
Sent: Monday, March 12, 2018 11:37 AM
To: Susan Affleck-Childs
Subject: ANR Plan for 123 Main Street

Suzy,

Thanks for forwarding Gino's comments. I will have Colonial amend the plan as pointed out by Gino. On #6 of Gino's comments, if you will recall, an ANR Plan was submitted and endorsed by the planning board approximately a year or so ago, i.e. April 11, 2017, which would create a zoning freeze as to use. I am attaching a copy of the plan for your information.

Also, could you advise when the board would be deciding as to whether the hearing will be held tomorrow evening considering the weather report for tomorrow? I assume they'd make a decision some time tomorrow based upon the weather.

Thanks,

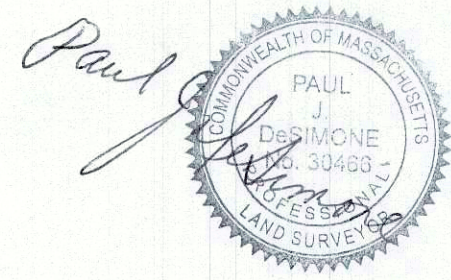
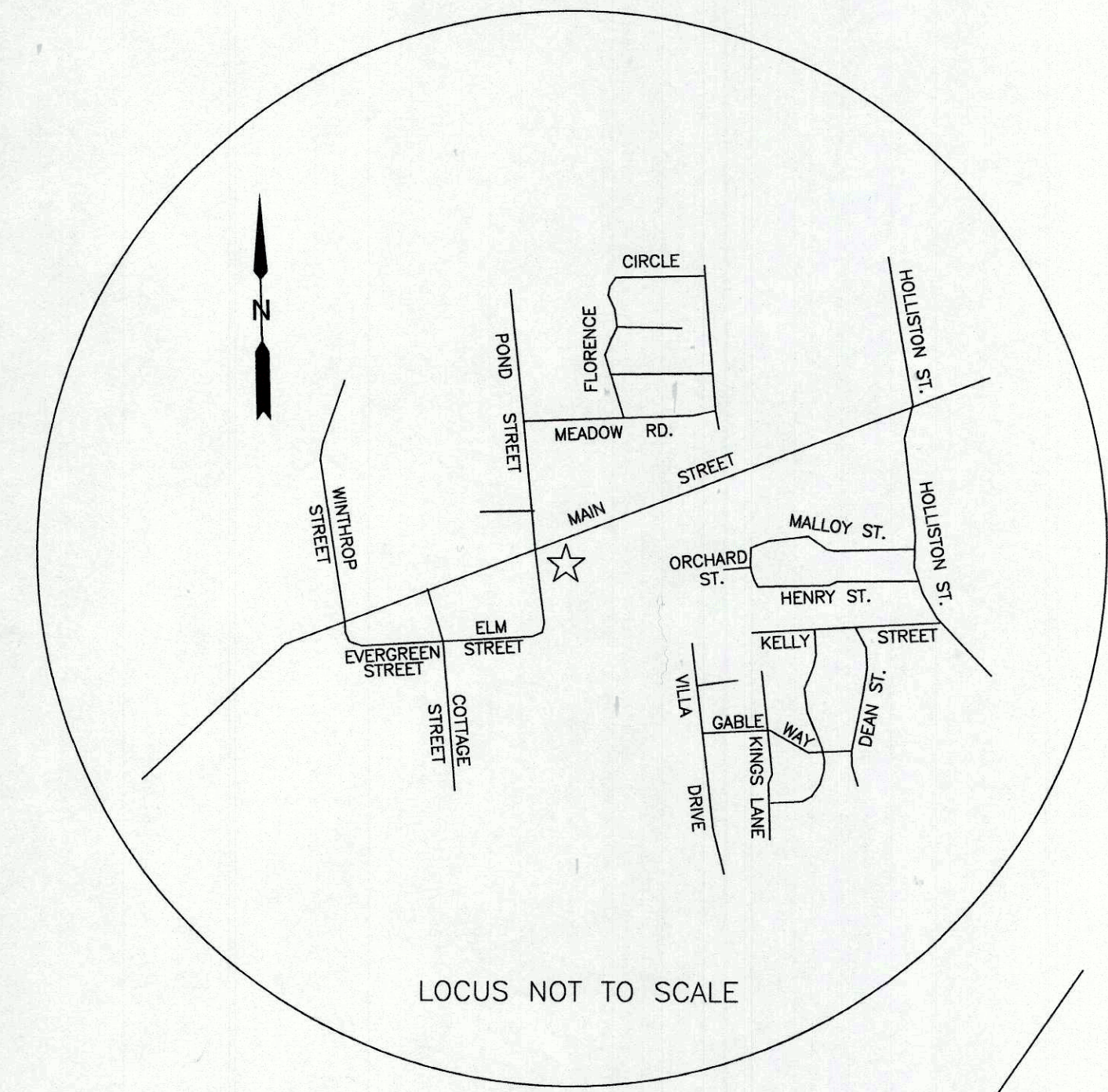
Steve

Kenney & Kenney

181 Village Street

Medway, MA 02053

508-533-6711



I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN CONFORMITY WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.
Paul J. Robinson
DATE: 3/7/18

PLAN BY G. & H. DATED FEB. 23, 1999

CMR INVESTMENT LLC
MAP 40-071

C&C REALTY TRUST
MAP49-001

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

TOWN OF MEDWAY PLANNING BOARD

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

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

NOTE: WETLAND LINES SHOWN APPROVED BY MEDWAY CON. COMM. 5/8/14

SHOWN ON MAP 48 AS PARCEL 047 CONTAINING APPROXIMATELY 6.3 ACRES.

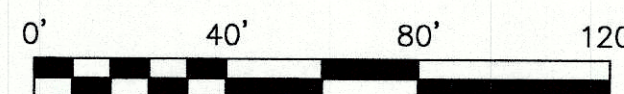
ZONE AR II	ZONE CD I
22,500 S.F.	20,000 S.F.
150' FRONTAGE	100' FRONTAGE
35' SETBACK	50' SETBACK
15' SIDEYARD	25' SIDEYARD
15' REARYARD	25' REARYARD

PLAN OF LAND
IN
MEDWAY, MA.

SCALE: 1'=40' MARCH 5, 2018

OWNER: Maritime Housing Fund, LLC
P.O. Box 540073
Millis, Ma. 02054
Deed Bk. 22544 Page 566

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



Susan Affleck-Childs

From: Bridget Graziano
Sent: Thursday, March 08, 2018 4:51 PM
To: Susan Affleck-Childs
Cc: Gino; Gino Carlucci
Subject: RE: New ANR plan for 123 Main Street
Attachments: New_Plan_LR.pdf; Pages from New_Plan_LR-2.pdf; SKMBT_65417121901090.pdf

Thanks Susy!

I have reviewed this plan and there are incorrect notes and delineation of wetlands on the plan submitted to PEDB. The plan notes the date of the approved ORAD (Order of Resource Area Delineation) which is incorrect it is not 5/8/14 and in fact the wetland line is not correct. The wetland listed as a vegetated wetland was found to be BVW (Bordering Vegetated Wetland) with a connect to adjacent wetlands and therefore is subject to state and local laws.

I am attaching the final approved plan and ORAD for the PEDB.

- ORAD DEP #216-0910 was issued on December 19, 2017. See attached.
- Plans listed as approved by the Commission are, titled, "Main & Elm Street ORAD Modification Plan of Plan in Medway, MA" by Merrikin Engineering, dated 11/25/17. See attached

PLEASE NOTE: ANY AND ALL OTHER DELINEATIONS AND PLANS APPROVED BY THE COMMISSION ARE NOW EXPIRED, THE ATTACHED PLAN IS THE ONLY APPROVED DELINEATION LINE.

Let me know if I can assist with anything else.

Bridget

From: Susan Affleck-Childs
Sent: Wednesday, March 07, 2018 9:40 AM
To: Bridget Graziano
Subject: New ANR plan for 123 Main Street

Hi,

Please review and get back to me re: the wetlands delineation shown.

Thanks.

Susy

Susan E. Affleck-Childs
Planning and Economic Development Coordinator

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

Town of Medway – *A Massachusetts Green Community*

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From: Colonial Engineering, Inc. [<mailto:colonial.eng@verizon.net>]

Sent: Wednesday, March 07, 2018 8:04 AM

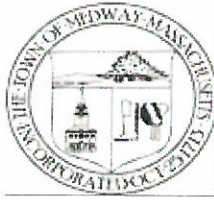
To: Susan Affleck-Childs

Subject:

Hi Susy,
Steve Kenny will drop off Application and 4 prints
Paul

Colonial Engineering, Inc.
colonial.eng@verizon.net

MEDWAY CONSERVATION COMMISSION



**Sanford Hall, Town Hall
155 Village Street, Medway, MA 02053**

December 19, 2017

Thomas Steeves
15 Chase Street
Bellingham, MA 02019

Dear Mr. Steeves:

Enclosed please find the Order of Resource Area Delineation, DEP File No. 216-0910, signed by the Medway Conservation Commission on December 14, 2017, approving your proposal in response to your Abbreviated Notice of Resource Area Delineation filed with the Commission on July 21, 2017 for 123 Main Street, Map 48 Lot 047. It is required that this document be recorded with the Norfolk County Registry of Deeds after the ten day appeal period from the date of issuance has elapsed.

The Medway Conservation Commission staff would be glad to set up an appointment to review the findings with you. Our office is open Monday through Thursday 7:30 am – 4:30 pm and Friday 7:30 am - 12:30 pm or by appointment. You may contact the Conservation office with any questions you may have at (508) 651-7863.

Thank you,

A handwritten signature in black ink, reading "Bridget R. Graziano". The signature is written in a cursive style with a large, stylized "B" and "G".

Bridget R. Graziano, Conservation Agent
Medway Conservation Commission



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 4B – Order of Resource Area
Delineation

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

216-0910

MassDEP File Number

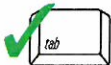
eDEP Transaction Number

Medway

City/Town

A. General Information

Important: When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



Note: Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

From: Medway
 1. Conservation Commission

2. This Issuance is for (check one):

- a. ☒ Order of Resource Area Delineation
 b. ☐ Amended Order of Resource Area Delineation

3. Applicant:

Thomas Steeves
 a. First Name b. Last Name
 c. Organization
15 Chase Street
 d. Mailing Address
Bellingham MA 02019
 e. City/Town f. State g. Zip Code

4. Property Owner (if different from applicant):

a. First Name b. Last Name
 c. Organization
 d. Mailing Address
 e. City/Town f. State g. Zip Code

5. Project Location:

123 Main Street Medway 02053
 a. Street Address b. City/Town c. Zip Code
48 047
 d. Assessors Map/Plat Number e. Parcel/Lot Number
 Latitude and Longitude (in degrees, minutes, seconds):
42d14m86.58s 71d41m74.25s
 f. Latitude g. Longitude

6. Dates: July 27, 2017 December 14, 2017
 a. Date ANRAD filed b. Date Public Hearing Closed c. Date of Issuance



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

**WPA Form 4B – Order of Resource Area
Delineation**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

216-0910

MassDEP File Number

eDEP Transaction Number

Medway

City/Town

A. General Information (cont.)

7. Title and Date (or Revised Date if applicable) of Final Plans and Other Documents:

Main & Elm Street ORAD Modification Plan of Land in Medway, MA by
Merrikin Engineering

11/25/17

b. Date

c. Title

d. Date

B. Order of Delineation

1. The Conservation Commission has determined the following (check whichever is applicable):

- a. ☒ **Accurate:** The boundaries described on the referenced plan(s) above and in the Abbreviated Notice of Resource Area Delineation are accurately drawn for the following resource area(s):

1. ☒ Bordering Vegetated Wetlands

2. ☐ Other resource area(s), specifically:

a.

- b. ☐ **Modified:** The boundaries described on the plan(s) referenced above, as modified by the Conservation Commission from the plans contained in the Abbreviated Notice of Resource Area Delineation, are accurately drawn from the following resource area(s):

1. ☐ Bordering Vegetated Wetlands

2. ☐ Other resource area(s), specifically:

a.

- c. ☐ **Inaccurate:** The boundaries described on the referenced plan(s) and in the Abbreviated Notice of Resource Area Delineation were found to be inaccurate and cannot be confirmed for the following resource area(s):

1. ☐ Bordering Vegetated Wetlands

2. ☐ Other resource area(s), specifically:



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

**WPA Form 4B – Order of Resource Area
Delineation**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

216-0910

MassDEP File Number

eDEP Transaction Number

Medway

City/Town

B. Order of Delineation (cont.)

3. ☐ The boundaries were determined to be inaccurate because:

C. Findings

This Order of Resource Area Delineation determines that the boundaries of those resource areas noted above, have been delineated and approved by the Commission and are binding as to all decisions rendered pursuant to the Massachusetts Wetlands Protection Act (M.G.L. c.131, § 40) and its regulations (310 CMR 10.00). This Order does not, however, determine the boundaries of any resource area or Buffer Zone to any resource area not specifically noted above, regardless of whether such boundaries are contained on the plans attached to this Order or to the Abbreviated Notice of Resource Area Delineation.

This Order must be signed by a majority of the Conservation Commission. The Order must be sent by certified mail (return receipt requested) or hand delivered to the applicant. A copy also must be mailed or hand delivered at the same time to the appropriate DEP Regional Office (see

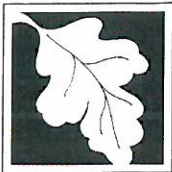
<http://www.mass.gov/eea/agencies/massdep/about/contacts/find-the-massdep-regional-office-for-your-city-or-town.html>).

D. Appeals

The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land subject to this Order, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate DEP Regional Office to issue a Superseding Order of Resource Area Delineation. When requested to issue a Superseding Order of Resource Area Delineation, the Department's review is limited to the objections to the resource area delineation(s) stated in the appeal request. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed Request for Departmental Action Fee Transmittal Form, as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Order. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.

Any appellants seeking to appeal the Department's Superseding Order of Resource Area Delineation will be required to demonstrate prior participation in the review of this project. Previous participation in the permit proceeding means the submission of written information to the Conservation Commission prior to the close of the public hearing, requesting a Superseding Order or Determination, or providing written information to the Department prior to issuance of a Superseding Order or Determination.

The request shall state clearly and concisely the objections to the Order which is being appealed and how the Order does not contribute to the protection of the interests identified in the Massachusetts Wetlands Protection Act, (M.G.L. c. 131, § 40) and is inconsistent with the wetlands regulations (310 CMR 10.00). To the extent that the Order is based on a municipal bylaw or ordinance, and not on the Massachusetts Wetlands Protection Act or regulations, the Department of Environmental Protection has no appellate jurisdiction.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

**WPA Form 4B – Order of Resource Area
Delineation**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

216-0910

MassDEP File Number

eDEP Transaction Number

Medway

City/Town

E. Signatures

Please indicate the number of members who will sign this form.

12/19/17
Date of Issuance

5
1. Number of Signers

[Signature] Ken McKen
Signature of Conservation Commission Member

Dayna Gill Dayna Gill
Signature of Conservation Commission Member

David A. Travali David A. Travali
Signature of Conservation Commission Member

Signature of Conservation Commission Member

Scott Salvo Scott Salvo
Signature of Conservation Commission Member

Signature of Conservation Commission Member

David J. Blackwell David J. Blackwell
Signature of Conservation Commission Member

This Order is valid for three years from the date of issuance.

If this Order constitutes an Amended Order of Resource Area Delineation, this Order does not extend the issuance date of the original Final Order, which expires on 12/14/20 unless extended in writing by the issuing authority.

This Order is issued to the applicant and the property owner (if different) as follows:

2. ☐ By hand delivery on

3. ☒ By certified mail, return receipt requested on

a. Date

12/19/17
a. Date



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
**Request for Departmental Action Fee
Transmittal Form**

DEP File Number: _____

Provided by DEP _____

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

A. Request Information

1. Location of Project

a. Street Address _____

b. City/Town, Zip _____

c. Check number _____

d. Fee amount _____

2. Person or party making request (if appropriate, name the citizen group's representative):

Name _____

Mailing Address _____

City/Town _____

State _____

Zip Code _____

Phone Number _____

Fax Number (if applicable) _____

3. Applicant (as shown on Determination of Applicability (Form 2), Order of Resource Area Delineation (Form 4B), Order of Conditions (Form 5), Restoration Order of Conditions (Form 5A), or Notice of Non-Significance (Form 6)):

Name _____

Mailing Address _____

City/Town _____

State _____

Zip Code _____

Phone Number _____

Fax Number (if applicable) _____

4. DEP File Number: _____

Important:
When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



B. Instructions

1. When the Departmental action request is for (check one):

- ☐ Superseding Order of Conditions – Fee: \$120.00 (single family house projects) or \$245 (all other projects)
- ☐ Superseding Determination of Applicability – Fee: \$120
- ☐ Superseding Order of Resource Area Delineation – Fee: \$120

Send this form and check or money order, payable to the *Commonwealth of Massachusetts*, to:

Department of Environmental Protection
Box 4062
Boston, MA 02211



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

DEP File Number:

**Request for Departmental Action Fee
Transmittal Form**

Provided by DEP

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

B. Instructions (cont.)

2. On a separate sheet attached to this form, state clearly and concisely the objections to the Determination or Order which is being appealed. To the extent that the Determination or Order is based on a municipal bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department has no appellate jurisdiction.
3. Send a **copy** of this form and a **copy** of the check or money order with the Request for a Superseding Determination or Order by certified mail or hand delivery to the appropriate DEP Regional Office (see <http://www.mass.gov/eea/agencies/massdep/about/contacts/>).
4. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

**WPA Form 4B – Order of Resource Area
Delineation**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

eDEP Transaction Number

City/Town

Recording Information

Prior to commencement of work, this Order of Resource Area Delineation must be recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land subject to the Order. In the case of registered land, this Order shall also be noted on the Land Court Certificate of Title of the owner of the land subject to the Order of Resource Area Delineation. The recording information on this page shall be submitted to the Conservation Commission listed below.

Conservation Commission

Detach on dotted line, have stamped by the Registry of Deeds and submit to the Conservation Commission.

To:

Conservation Commission

Please be advised that the Order of Resource Area Delineation for the Project at:

Project Location

MassDEP File Number

Has been recorded at the Registry of Deeds of:

County

Book

Page

For:

Property Owner

and has been noted in the chain of title of the affected property in:

Book

Page

In accordance with the Order of Resource Area Delineation issued on:

Date

If recorded land, the instrument number identifying this transaction is:

Instrument Number

If registered land, the document number identifying this transaction is:

Document Number

Signature of Applicant

December 4, 2017

Medway Conservation Commission
115 Village Street
Medway, MA 02053

Re: Supplemental Information for ANRAD Consideration
123 Main Street Medway (Map: 48, Block: 47)

Dear Medway Conservation Commissions:

Goddard Consulting, LLC (Goddard), is pleased to submit this letter on behalf of the applicants Tom and Elizabeth Steeves, for the property known as 123 Main Street in Medway. This letter is intended to present a new set of plans for the resource delineation which takes into consideration the opinions of the peer reviewer.

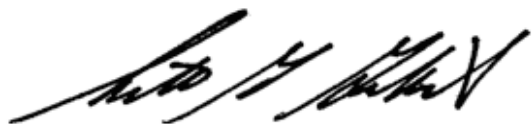
During a site walk with Goddard, the peer reviewer raised questions in relation to the connectivity of the western most wetland. This area was designated as an Isolated Vegetated Wetland (IVW) on the original plan submitted with the ANRAD application. It was noted during the site walk that this resource area may have a hydrologic connection to a down gradient catch basin located on Elm Street, meaning that it should be designated as a Bordering Vegetated Wetland (BVW). In keeping with this opinion, the resource area in question is now designated as BVW on the revised plan. The revised plan also shows the intermittent flow path connecting the resource area to the catch basin.

A list of the enclosed documents is as follows:

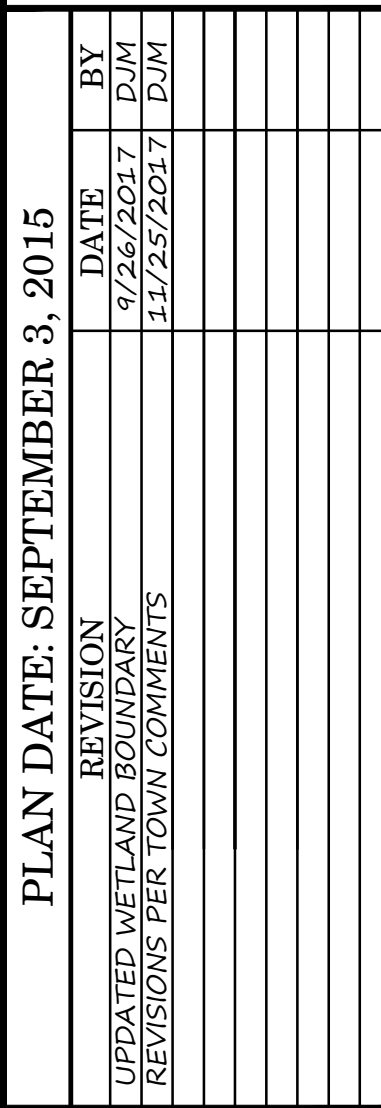
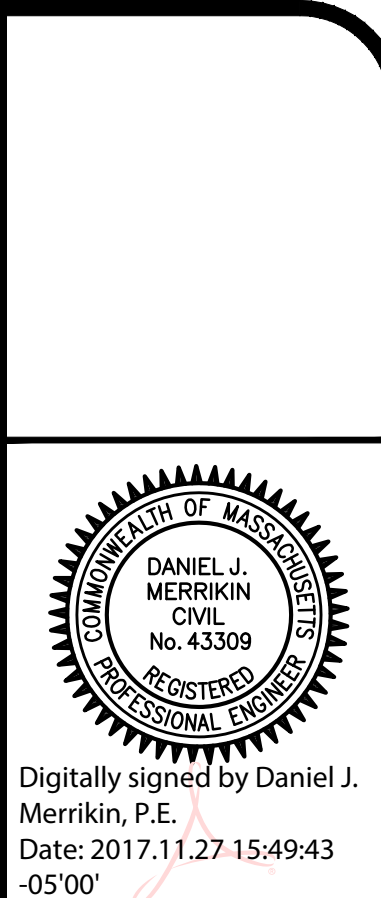
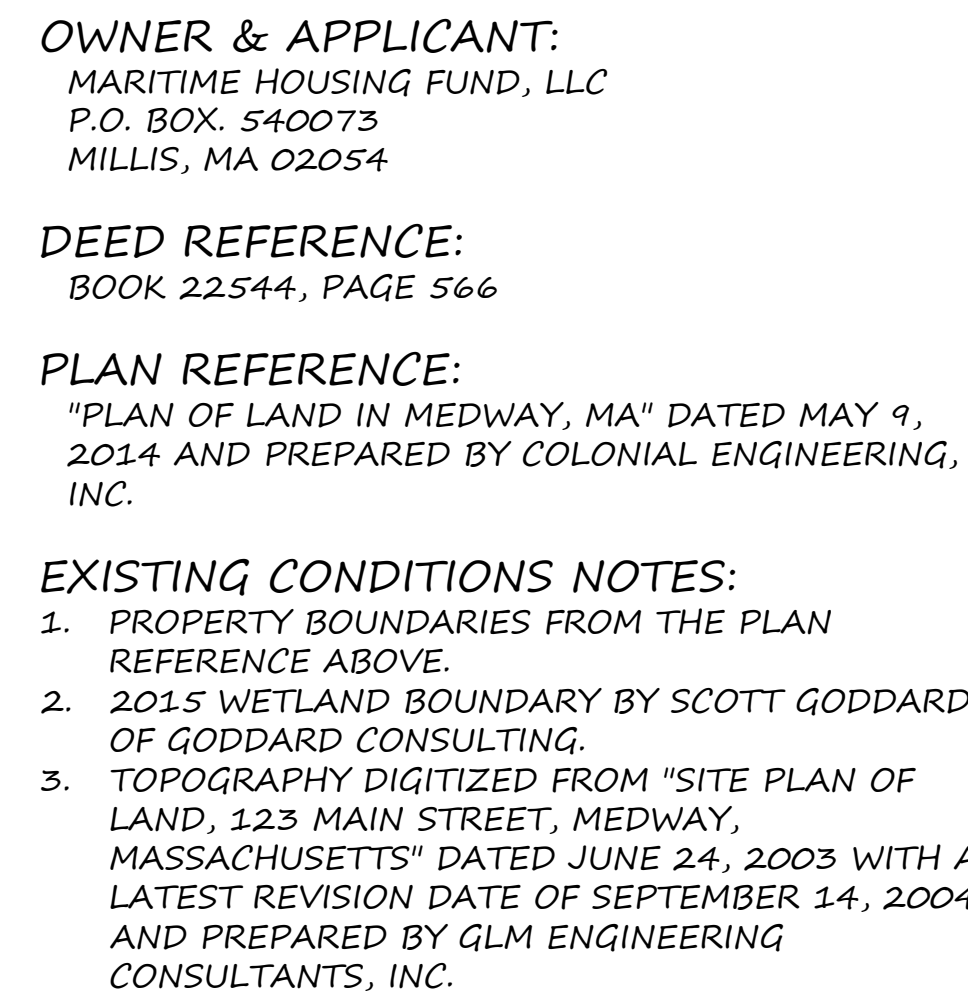
- *Main & Elm Street ORAD Modification Plan of Land*, 9/3/17, revised 11/25/17

Please feel free to contact us if you have any questions.

Very truly yours,



Scott Goddard,
Principal & PWS



**MAIN & ELM STREET
ORAD MODIFICATION
PLAN OF LAND
IN
MEDWAY, MA**

PGC ASSOCIATES, LLC

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

MEMO TO: Medway Planning and Economic Development Board

FROM: Gino D. Carlucci, Jr.

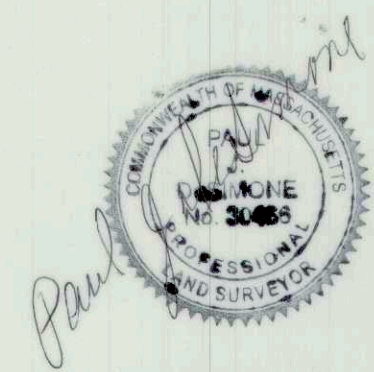
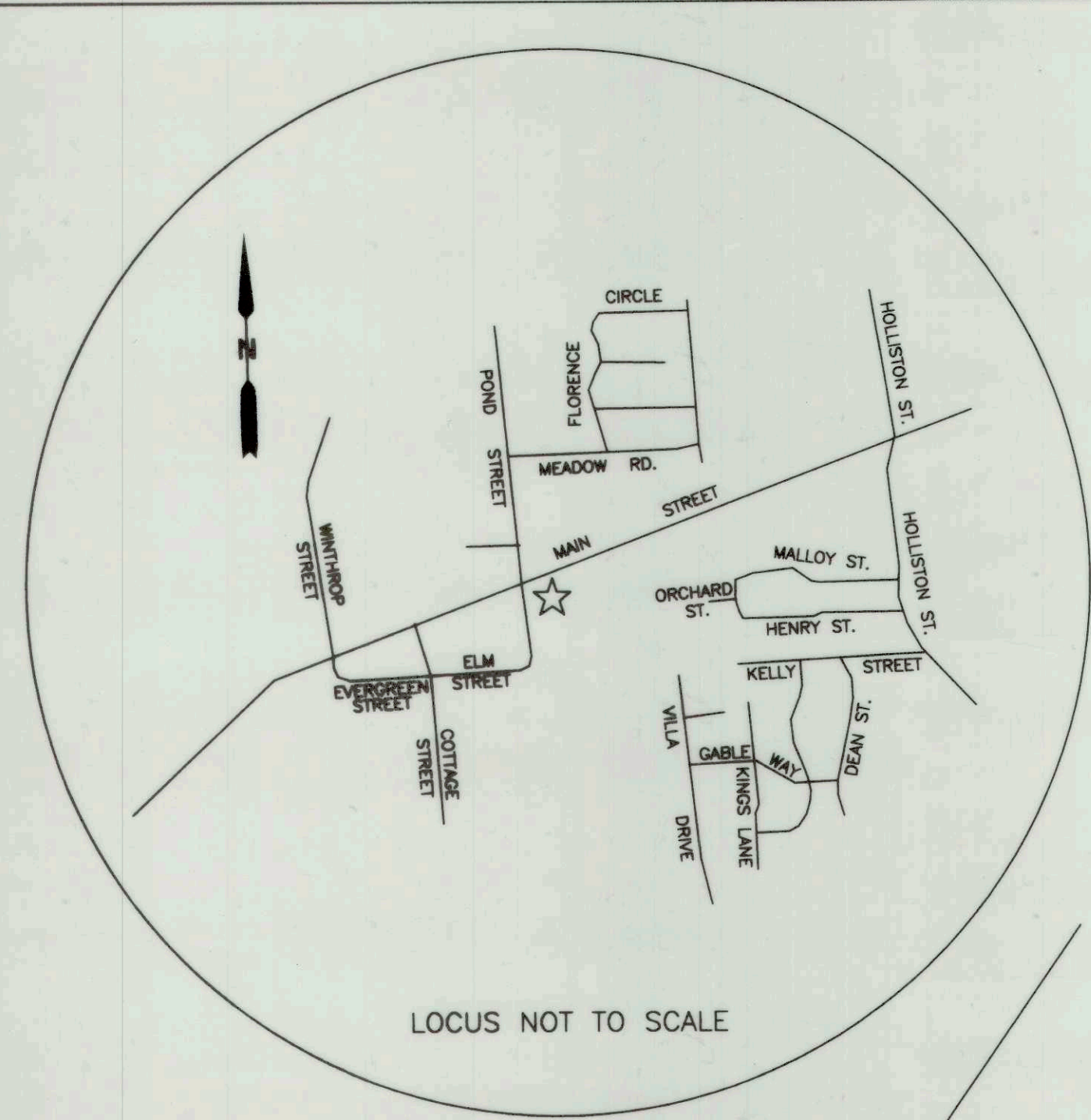
DATE: March 9, 2018

RE: Maritime Housing property on Main and Elm Streets

I have reviewed the ANR plan submitted for endorsement by Maritime Housing Fund, LLC of Millis. The plan was prepared by Colonial Engineering, Inc. of Medway, and is dated March 5, 2018. The plan proposes to divide two lots totaling approximately 274,424 square feet into four lots of 127,080 square feet (Lot 1) 81,073 square feet (Lot 2), 40,228 square feet (Lot 3) and 26,045 square feet (Lot 4). I have comments as follows:

1. Section 3.2.1 requires the address of the land in question, which does not appear on the plan.
2. Section 3.2.3 requires that zoning lines be shown as well as a table showing the dimensional requirements of the zoning district. This was done, but both the zoning boundary shown and the tables of dimensional requirements are incorrect since both the zoning boundary and dimensional requirements have changed since the last plan for this property was prepared.
3. Section 3.2.3 also requires that overlay districts be shown. Portions of Lots 2, 3 and 4 are within the Multifamily Housing Overlay District.
4. Section 3.2.10 requires that wetlands on the property be shown. This was done. However, the wetlands shown are not the most recently-approved wetlands delineation approved by the Conservation Commission.
5. The plan indicates a zoning boundary through the property. That zoning line was changed to encompass the entire property within the CB district.
6. The application form contains the incorrect information about the zoning districts. Furthermore, the Project Explanation included in the application indicates a plan to construct 2 single family houses and 2 duplexes on the four lots. It should be noted that these are not allowed uses within the CB district.

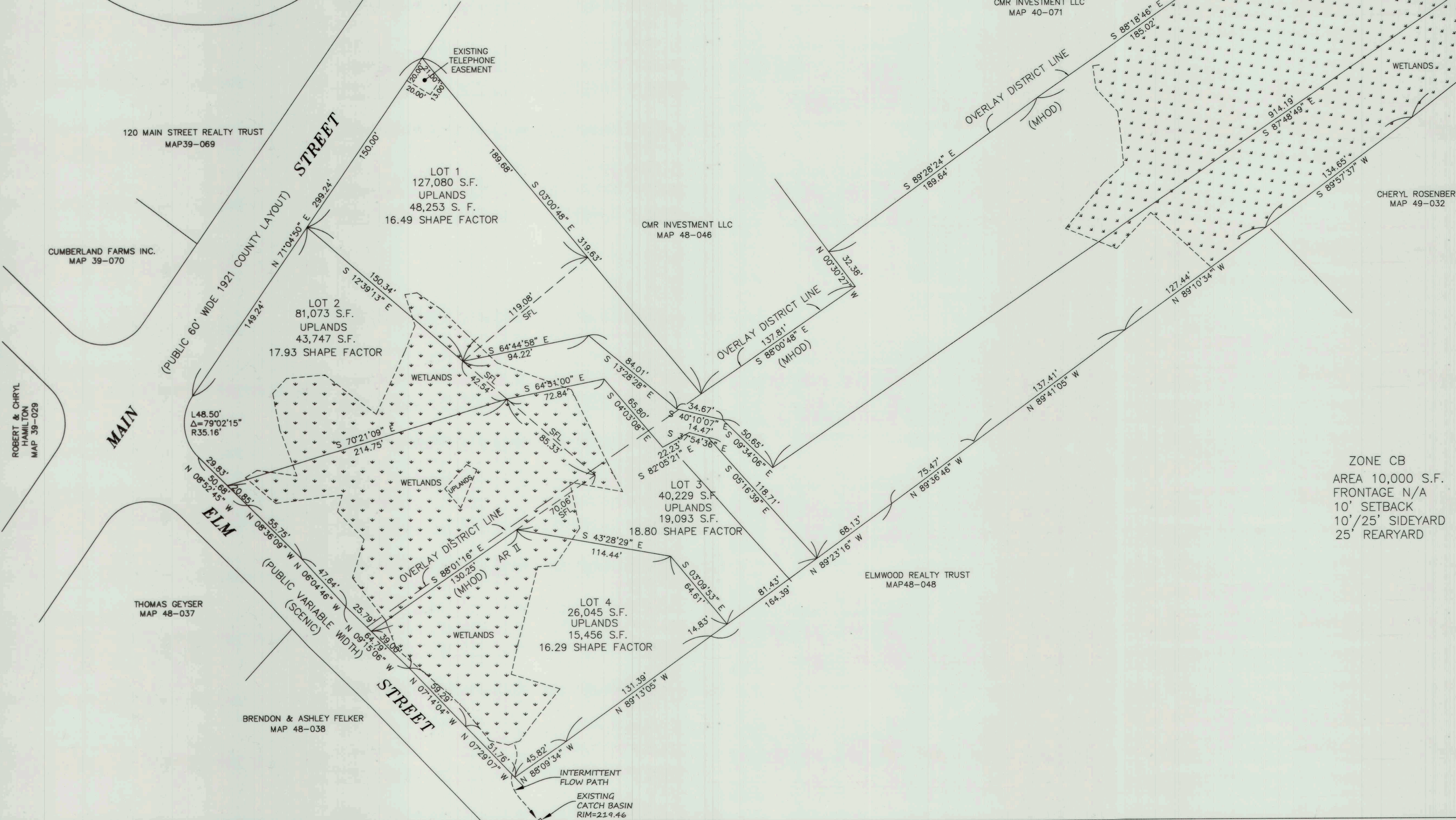
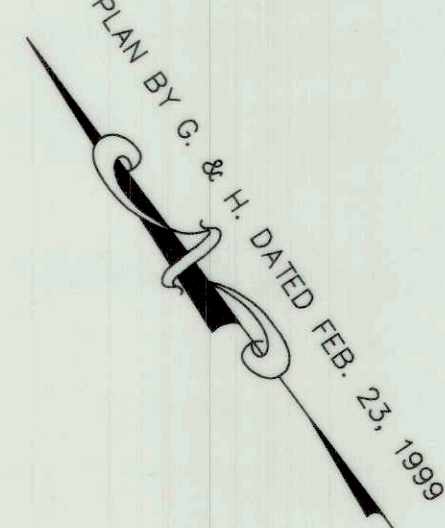
I recommend that the above issues be corrected prior to endorsement by the Board.



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

Paul J. Robinson

DATE: MARCH 12, 2018



ZONE CB
AREA 10,000 S.F.
FRONTAGE N/A
10' SETBACK
10'/25' SIDEYARD
25' REARYARD

APPROVAL UNDER SUBDIVISION CONTROL LAW IS NOT REQUIRED.

DATE APPROVED: _____

TOWN OF MEDWAY PLANNING BOARD

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

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

NOTE: WETLAND LINES SHOWN APPROVED BY MEDWAY CON. COMM. 12/19/17

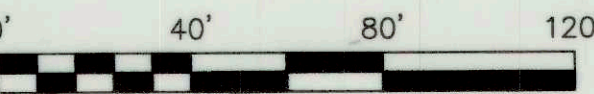
SHOWN ON MAP 48 AS PARCEL 047 CONTAINING APPROXIMATELY 6.3 ACRES. A.K.A. 123 MAIN STREET

PLAN OF LAND IN MEDWAY, MA.

SCALE: 1"=40' MARCH 5, 2018
REVISED MARCH 12, 2018

OWNER: Maritime Housing Fund, LLC
P.O. Box 540073
Millis, Ma. 02054
Deed Bk. 22544 Page 566

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





GRADY CONSULTING, L.L.C.

Civil Engineers ♦ Land Surveyors ♦ Landscape Architects

March 22, 2018

Medway Planning Board
Town of Medway
155 Village Street
Medway, MA 02053

RE: Application for Review and Approval of a Major Site Plan Project
Site Plan – 51 Alder Street, Medway
Assessors Lot 63-001-0001 & Town of Milford Assessors Lot 45-0-2
Applicant – Philip Anza

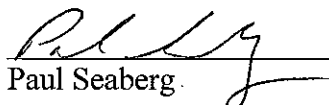
Dear Board Members:

On behalf of the applicant we hereby request to continue the public hearing scheduled for March 27, 2018 to April 24, 2018. In addition, we request the Board to extend the action deadline to May 11, 2018.

If you have any questions please do not hesitate to call.

Sincerely,

GRADY CONSULTING, L.L.C.


Paul Seaberg

Cc:

Alder Street Realty LLC
119 Milford Street
Medway, MA 02053

J:\2015\15-307\Planning Board\PlanningBoard.docx

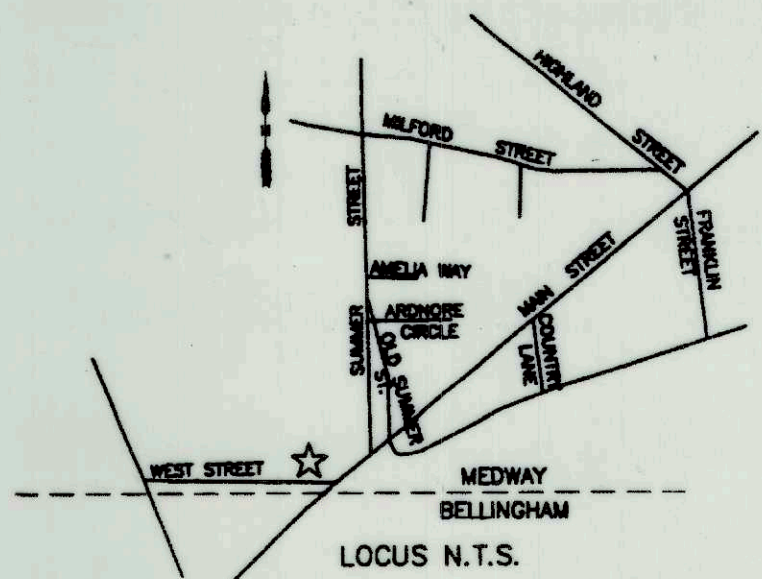


February 27, 2018
Medway Planning & Economic Development Board
Meeting

ANR – 2 West Street

You have been requested to sign an updated version of a previously endorsed Land Court ANR plan for 2 West Street. You first endorsed an ANR plan for this property on April 16, 2016.

- New ANR plan dated 3-13-2018 prepared by Colonial Engineering
- Previously approved ANR plan from April 2016.
- 3-23-18 letter from Colonial Engineering explaining the need for the revised plan.

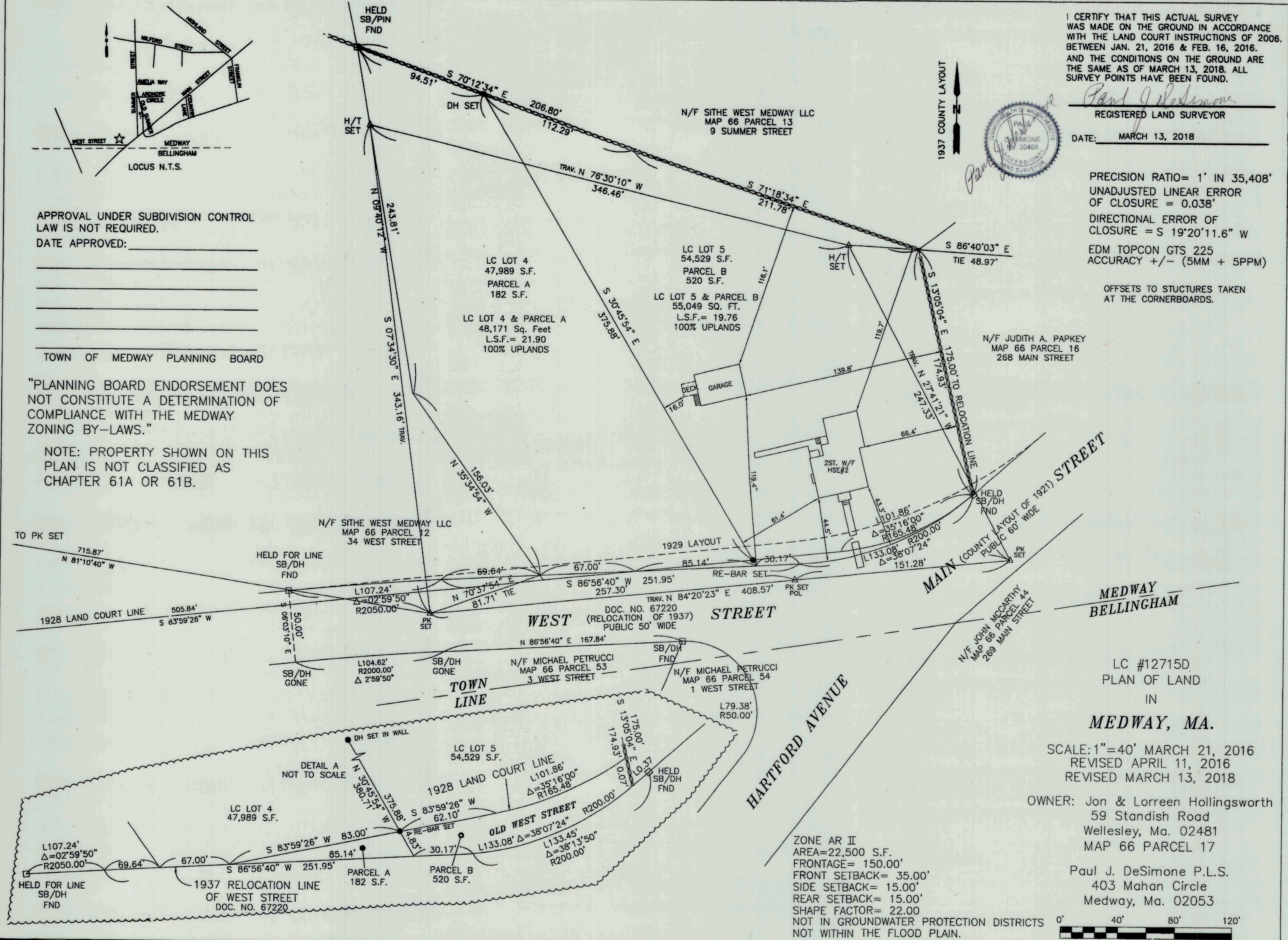


APPROVAL UNDER SUBDIVISION CONTROL
LAW IS NOT REQUIRED.
DATE APPROVED: _____

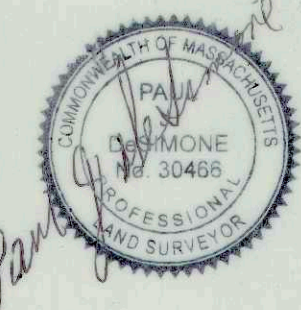
TOWN OF MEDWAY PLANNING BOARD

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

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



I CERTIFY THAT THIS ACTUAL SURVEY
WAS MADE ON THE GROUND IN ACCORDANCE
WITH THE LAND COURT INSTRUCTIONS OF 2006.
BETWEEN JAN. 21, 2016 & FEB. 16, 2016.
AND THE CONDITIONS ON THE GROUND ARE
THE SAME AS OF MARCH 13, 2018. ALL
SURVEY POINTS HAVE BEEN FOUND.



Paul J. DeSimone
REGISTERED LAND SURVEYOR
DATE: MARCH 13, 2018

PRECISION RATIO= 1' IN 35,408'
UNADJUSTED LINEAR ERROR
OF CLOSURE = 0.038'
DIRECTIONAL ERROR OF
CLOSURE = S 19°20'11.6" W
EDM TOPCON GTS 225
ACCURACY +/- (5MM + 5PPM)

OFFSETS TO STRUCTURES TAKEN
AT THE CORNERBOARDS.

N/F JUDITH A. PAPKEY
MAP 66 PARCEL 16
268 MAIN STREET

MAIN (COUNTY LAYOUT OF 1921) STREET
PUBLIC 60' WIDE

MEDWAY
BELLINGHAM

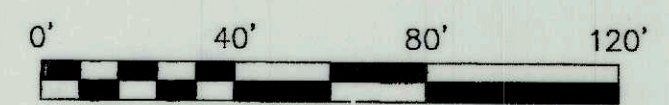
LC #12715D
PLAN OF LAND
IN
MEDWAY, MA.

SCALE: 1"=40' MARCH 21, 2016
REVISED APRIL 11, 2016
REVISED MARCH 13, 2018

OWNER: Jon & Lorreen Hollingsworth
59 Standish Road
Wellesley, Ma. 02481
MAP 66 PARCEL 17

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

ZONE AR II
AREA=22,500 S.F.
FRONTAGE= 150.00'
FRONT SETBACK= 35.00'
SIDE SETBACK= 15.00'
REAR SETBACK= 15.00'
SHAPE FACTOR= 22.00
NOT IN GROUNDWATER PROTECTION DISTRICTS
NOT WITHIN THE FLOOD PLAIN.





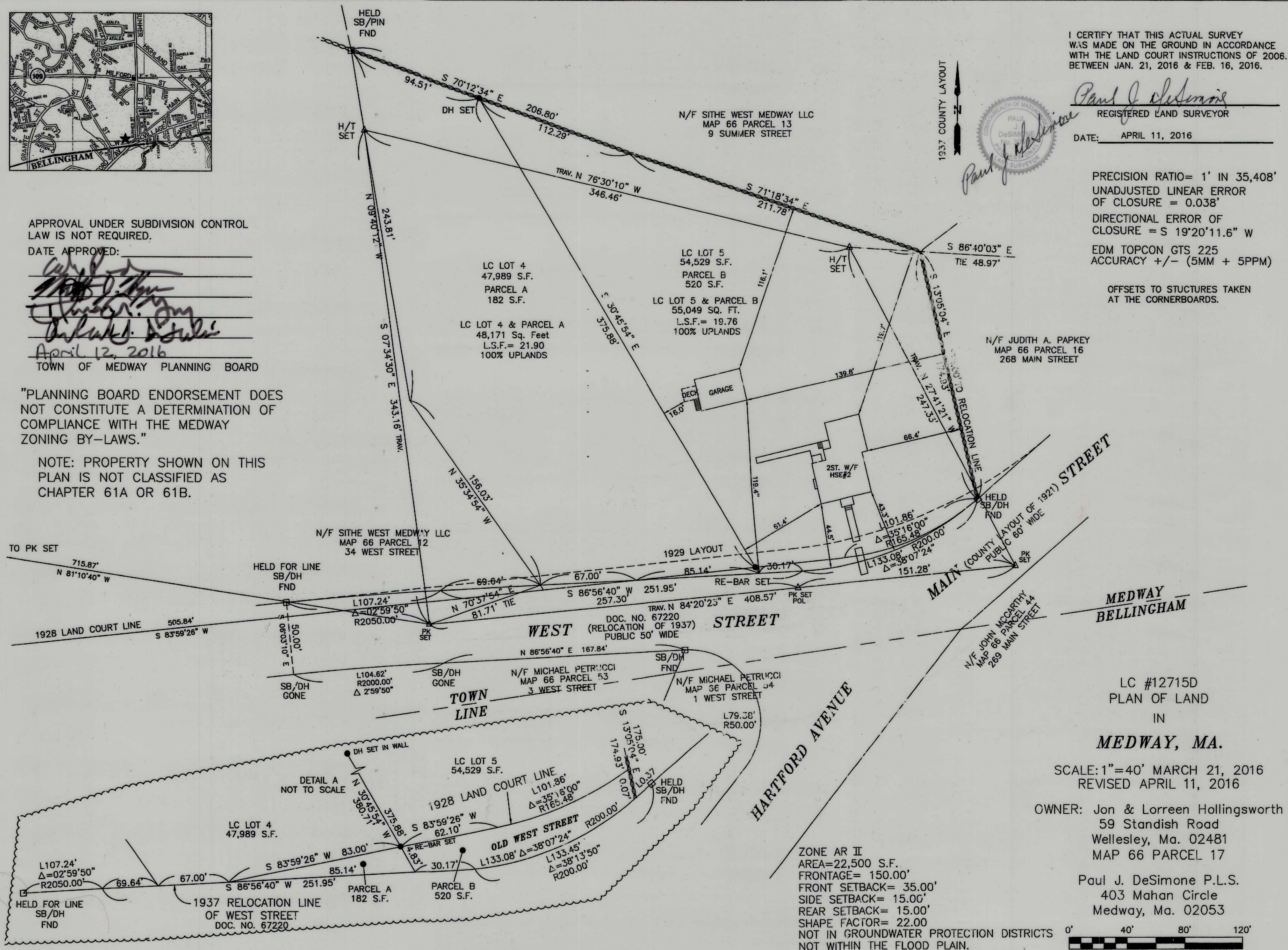
APPROVAL UNDER SUBDIVISION CONTROL
LAW IS NOT REQUIRED.

DATE APPROVED: _____

Paul J. DeSimone
Paul J. DeSimone
April 12, 2016
TOWN OF MEDWAY PLANNING BOARD

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

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



I CERTIFY THAT THIS ACTUAL SURVEY
WAS MADE ON THE GROUND IN ACCORDANCE
WITH THE LAND COURT INSTRUCTIONS OF 2006.
BETWEEN JAN. 21, 2016 & FEB. 16, 2016.

Paul J. DeSimone
REGISTERED LAND SURVEYOR
DATE: APRIL 11, 2016

PRECISION RATIO= 1' IN 35,408'
UNADJUSTED LINEAR ERROR
OF CLOSURE = 0.038'
DIRECTIONAL ERROR OF
CLOSURE = S 19°20'11.6" W
EDM TOPCON GTS 225
ACCURACY +/- (5MM + 5PPM)

OFFSETS TO STRUCTURES TAKEN
AT THE CORNERBOARDS.

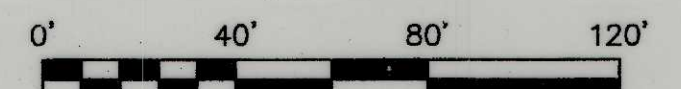
LC #12715D
PLAN OF LAND
IN
MEDWAY, MA.

SCALE: 1"=40' MARCH 21, 2016
REVISED APRIL 11, 2016

OWNER: Jon & Lorreen Hollingsworth
59 Standish Road
Wellesley, Ma. 02481
MAP 66 PARCEL 17

Paul J. DeSimone P.L.S.
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AREA=22,500 S.F.
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SIDE SETBACK= 15.00'
REAR SETBACK= 15.00'
SHAPE FACTOR= 22.00
NOT IN GROUNDWATER PROTECTION DISTRICTS
NOT WITHIN THE FLOOD PLAIN.



COLONIAL ENGINEERING, INC.
Surveying and Consulting

**11 AWL STREET
MEDWAY, MA. 02053
(508) 533-1644
(508) 533-1645 FAX
colonial.eng@verizon.net**

March 23, 2018

Medway Planning Board
Medway Town Hall
155 Village Street
Medway, Ma. 02053

Re: 2 West Street

Dear Board Members,

Back in 2016 you signed an ANR Plan for 2 West Street. The owner did not record the plan with Land Court within 6 month signing limit. Land Court requires an updated certification for the survey. This has been done and added to the plan in the upper right-hand corner. With this change the plan requires your signatures. If you have any questions please do not hesitate to call.

Thank You
Paul DeSimone



March 27, 2018

**Medway Planning & Economic Development Board
Meeting**

Wingate Farm Subdivision

- 3/23/18 review letter from Steve Bouley/
Tetra Tech regarding how the Wingate Farm
development complies or not with the
current Subdivision Rules and Regulations.



March 23, 2018

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

**Re: Wingate Farm
Private Way Definitive Subdivision Review
168 Holliston Street
Medway, Massachusetts**

Dear Ms. Affleck-Childs:

Tetra Tech (TT) has performed a review of the proposed Site Plan for the above-mentioned Project at the request of the Town of Medway Planning and Economic Development Board (Board). The proposed Project is a four-lot private subdivision on approximately 5.5 acres in Medway, MA. Proposed Project includes maintaining existing house (168 Holliston Street), constructing additional houses on lots generated by the subdivision as well as appurtenant private roadway, utilities, and drain infrastructure.

TT is in receipt of the following materials:

- A plan (Plans) set titled "Subdivision Modification Plan, Wingate Farm, A Private Way Definitive Subdivision Plan", dated August 20, 2004, revised September 16, 2005, prepared by Consolidated Design Group, Inc. (CDG).
- A stormwater management report (Stormwater Report) titled "Drainage Summary, Wingate Farms, 168 Holliston Street, Medway, Massachusetts" dated October 6, 2004, revised February 8, 2005, prepared by CDG.
- A Certificate of Action titled "Wingate Farm Definitive Subdivision Plan – Modification" dated April 28, 2005.
- Daily Construction Reports, various dates, prepared by VHB.

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

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

- 1) Existing and proposed watershed maps have not been provided in the Stormwater Report. (Ch. 100 §5.5.9.b)
- 2) A map of proposed drainage areas tributary to catch basins has not been included in the Stormwater Report. (Ch. 100 §5.5.9.c)
- 3) A summary of soil types at the site has not been provided. (Ch. 100 §5.5.9.f)
- 4) The applicant has not provided proposed catch basin grate calculations. (Ch. 100 §5.5.9.i)

- 5) Calculations for all culverts proposed have not been provided. Culvert analysis of the rip-rap sump and 8" ductile iron pipe culvert has not been included in the drainage analysis. (Ch. 100 §5.5.9.j)
- 6) The Long-Term Operation and Maintenance (O&M) Plan does not appear to meet current Stormwater Standards. Furthermore, Stormceptor unit has not been included in the plan. (Ch. 100 §5.5.10)
- 7) The applicant has not provided test pit information. However, exfiltration is not considered in the design of the "wetland pond" and therefore test pitting will only be required to confirm soil types for proposed roof drain infiltration. (Ch. 100 §5.5.10.1)
- 8) The applicant has not provided sight distance calculations for proposed intersection with Holliston Street. (Ch. 100 §5.5.13)
- 9) An ANRAD determination from Medway Conservation Commission has not be supplied by the applicant, wetlands exist on site. (Ch. 100 §5.5.14)
- 10) The existing conditions plan does not contain locations of free-standing trees with a diameter of one-foot (1') or greater at twenty-four inches (24") above grade. (Ch. 100 §5.7.6)
- 11) Vertical datum has not been noted on the Plans. The applicant requested a waiver from similar regulation (Ch. 100 §3.3.2.16) and based on the waiver request it can be assumed vertical elevations are in NGVD 29 datum, not the required NAVD 88 datum. (Ch. 100 §5.6.3)
- 12) Wetland buffer zones per the Massachusetts Wetlands Protection Act have not been shown on the Plans. (Ch. 100 §5.7.7)
- 13) Lot shape factor lines have not been included for each lot. (Ch. 100 §5.7.14)
- 14) List of waivers should include items related to the submission of a definitive subdivision plan (Ch. 100 §5.7.16)
- 15) Sewage disposal system has not been shown for Lot 2. (Ch. 100 §5.7.19)
- 16) The applicant has not supplied test pit data. (Ch. 100 §5.7.22)
- 17) Applicant has included O&M Plan on the Plans. However, inspection and maintenance requirements do not meet current Stormwater Standards. (Ch. 100 §5.7.23.e)
- 18) Street lights have not been proposed. (Ch. 100 §5.7.28)
- 19) The applicant has not supplied a Stormwater Pollution Prevention Plan (SWPPP). (Ch. 100 §5.7.33)
- 20) The Plans show house footprints at forty feet (40') by sixty feet (60'). Proposed houses should be shown with a footprint of forty feet (40') by eighty feet (80'). (Ch. 100 §5.7.36)
- 21) The applicant shall provide statement on plans that proposed septic facilities will be approved by Medway Board of Health prior to house construction, see regulation for wording. (Ch. 100 §7.6.2.e)
- 22) The applicant has not stated spare conduit on the "Typical Driveway Section" detail. (Ch. 100 §7.6.2.h)
- 23) The applicant has proposed an eighteen-foot (18') traveled way. In past projects the Medway Fire Chief has required a twenty-foot (20') way for proper access to all lots with emergency vehicles. (Ch. 100 §7.9)

- 24) The applicant has proposed minimum horizontal centerline radii of less than the required one-hundred fifty feet (150'). (Ch. 100 §7.9.2.b)
- 25) The applicant has proposed property line radius at intersection of Holliston street right-of-way of less than the required twenty-eight-foot (28') minimum. Proposed edge of pavement radius is also less than the required forty-foot (40') minimum. (Ch. 100 §7.9.2.d)
- 26) Sight distances have not been shown on the Plans. (Ch. 100 §7.9.3)
- 27) The applicant has proposed a private way that is less than the required fifty feet (50'). (Ch. 100 §7.9.4.a)
- 28) The applicant has proposed portions of the proposed private way at less than minimum 2% grade. (Ch. 100 §7.9.5.a)
- 29) We recommend the applicant consult with Medway Fire Chief to determine if proposed turnaround is sufficient for emergency vehicles. (Ch. 100 §7.9.6.d)
- 30) The applicant has proposed a gravel roadway, Regulations require hot mix asphalt paving. (Ch. 100 §7.9.7.h)
- 31) The applicant has not proposed vertical granite curbing at intersection with Holliston Street. (Ch. 100 §7.10.1)
- 32) The applicant has not proposed curbing along the entire length of the subdivision roadway. (Ch. 100 §7.10.2)
- 33) Street trees have not been proposed. However, the applicant proposes to retain as many mature trees as possible as part of the Project. (Ch. 100 §7.19.2)
- 34) The applicant has not proposed street lighting. This regulation has been waived in the past and driveway lights required at each driveway opening. (Ch. 100 §7.21)
- 35) Areas of snow removal should be shown on the Plans. Snow should not be placed in stormwater BMP's. (Ch. 100 §7.27.2)

The following items were found to not be in conformance with MA DEP Stormwater Management Standards and/or Town Stormwater Regulations.

MA DEP Stormwater Management Standards

- 36) Peak rate for the one-hundred (100) year event is greater in the post-development condition. (Standard 2)
- 37) The applicant has not submitted a construction term erosion control plan or SWPPP. (Standard 8)
- 38) The O&M Plan provided does not meet minimum criteria as stated in the Stormwater Standards. (Standard 9)
- 39) The applicant has not submitted necessary documentation for prohibition of illicit discharges at the site. (Standard 10)

PEDB Stormwater Regulations (Ch. 100 §7.7)

- 40) We recommend the applicant provide narrative and checklist of how the Project meets each of the ten (10) Stormwater Standards. (Ch. 100 §7.7.2.a)

- 41) Post-development runoff and volume is greater than pre-development for the twenty-five (25) and one-hundred (100) year storm events. (Ch. 100 §7.7.2.d)
- 42) Detention basins should be located on their own parcels, not on individual house lots. Proposed detention basin is located within Lot 4, maintenance and access easement has been provided. (Ch. 100 §7.7.2.p)
- 43) The applicant is proposing using eight-inch (8") ductile iron pipe for driveway culverts, potentially due to cover issues. Regulations require reinforced concrete pipe. (Ch. 100 §7.7.4.b)

Town Stormwater Bylaw (Article XXVI)

- 44) We recommend the applicant provide a narrative documenting compliance with "*Article XXVI Stormwater Management and Land Disturbance*" of the Town of Medway General Bylaws.

General Stormwater Comments

- 45) The applicant has not supplied drainage figures. Figures are essential to cross-referencing proposed HydroCAD analysis with areas on the site.
- 46) Discharge points from the site have not been shown. These points are essential to understanding and comparing pre- vs. post-development runoff analyses.

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

Very truly yours,



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

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March 27, 2018

**Medway Planning & Economic Development Board
Meeting**

Construction Reports

- O'Brien & Sons Site Plan – Report #7 (2-23-18)
- O'Brien & Sons Site Plan – Report #8 (2-28-18)
- O'Brien & Sons Site Plan – Report #9 (3-6-18)
- O'Brien & Sons Site Plan – Report #10 (3-9-18)
- O'Brien & Sons Site Plan – Report #11 (3-16-18)
- Exelon report – 3-1-2018
- Exelon report from Beals and Thomas (2-26-18)

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

FIELD REPORT

Project O'Brien & Sons Corporate Offices	Date 2/23/2018	Report No. 7
Location 17 Trotter Drive, Medway, MA	Project No. 143-21583-17006	Sheet 1 of 2
Contractor Rubicon Builders (General Contractor) WW Contracting Corporation (Site Contractor)	Weather A.M. SUN & CLOUDS, LIGHT BREEZE	Temperature A.M. 39°F

FIELD OBSERVATIONS

On Friday, February 23, 2018, Steven M. Bouley, P.E. and David Homan from Tetra Tech (TT) visited the project location to inspect the current condition of the site and monitor construction progress. The following report outlines observations made during the site visit.

1. Observations

- A. General site conditions: Damp to wet (slightly soft ground surface) from above freezing temperatures and recent precipitation. Gravel entry/exit pad in place (though thin) at construction entrance and gravel parking area at Alder St. entrance. Site is tidy and well maintained. Alder St. is clear of site erosion/vehicle tracking. Trotter Dr. has minimal vehicle tracking debris.
- B. Silt fence and compost filter socks are installed per the plan as are silt sacks in catch basins along Alder St. and Trotter Dr. near the site. All appear to be in good condition. Stone veneer retaining walls are partially constructed along central east property boundary. Sand, soil, gravel and boulder stockpiles mostly confined to N portion of property. Utility structures, building materials and Stormtech system components also noted.
- C. Steel workers are currently working on building framing. Roof truss members have now been installed.

CONTRACTOR'S FORCE AND EQUIPMENT						WORK DONE BY OTHERS	
Sup't	2	Bulldozer		Asphalt Paver		Dept. or Company	Description of Work
Foreman		Backhoe		Asphalt Reclaimer		Hartin Welding	Steel workers/welding
Laborers	4	Loader	1	Vibe. Roller	1		
Drivers		Rubber Tire Backhoe/Loader		Static Roller			
Oper. Engr.	1	Skid Steer		Vibe. Walk Comp.	1		
Carpenters		Hoeram		Compressor			
Masons		Excavator	1	Jack Hammer			
Iron Workers	4+	Grader		Power Saw	1+		
Electricians		Crane		Conc. Vibe.			
Flagpersons		Scraper		Tack Truck			
Surveyors		Conc. Mixer		Man Lift	1		
		Conc. Truck				OFFICIAL VISITORS TO JOB	
		Pickup Truck	6+				
		Tri-Axle Dump Truck					
		Trailer Dump Truck					
Police Details: N/A						RESIDENT REPRESENTATIVE FORCE	
Contractor's Hours of Work: 7:00 A.M. to 6:00 P.M.						Name	Time on-site
						D. Homan & S. Bouley	10:25 A.M. – 11:20 A.M.

NOTE: Please use reverse side for remarks and sketches

Project O'Brien & Sons Corporate Office	Date 2/23/2018	Report No. 7
Location 17 Trotter Drive, Medway, MA	Project No. 143-21583-17006	Sheet 2 of 2

FIELD OBSERVATIONS CONTINUED

- D. Contractor is working on installation of Stormtech underground infiltration system and has advanced the rows of chambers to a location roughly in line with the north end of the building. Non-woven geotextile has been placed as a liner in the excavation followed by a foundation layer of 1.5" washed, crushed stone. The chambers (parallel and adjacent to building) have woven geotextile installed directly under and over them. All in place chambers have been backfilled with embedment layer of washed, crushed stone and covered over with non-woven geotextile.
- E. Contractor is presently installing DMH 3 and associated drain connections. Outlet connection on S side of structure is being tied into first row of rechargers. Inlet hole on E side of structure has been cut and will be accepting 8" drain pipe from AD 1 & AD 2. Outlet hole on W side of structure has been cut for what appears to be a manifold between areas of rechargers. Laser level/GPS survey equipment in use to obtain specified elevations.

2. Schedule

- A. The installation of the Stormtech underground infiltration system is anticipated to continue into early next week with anticipated backfilling completed by 2/27 or 2/28.
- B. The building interior is expected to be regraded on 3/2 in preparation for pouring of the concrete slab.
- C. Boulders that will not be reused onsite will be broken up and trucked offsite after the completion of the Stormtech system.

3. New Action Items

- A. N/A

4. Previous Open Action Items

- A. Tt to continue inspections of remaining subsurface infiltration system installation (Tt), including connections to roof drainage (downspouts), DMH 3 and the continuous deflective separator (CDS). **Tt observed DMH 3 installation and connection to infiltration system on 2/23. Tt anticipates being onsite during install of CDS and remaining drainage connections.**
- B. **Per project superintendent, water and fire lines were tested/inspected on or about Wednesday 2/21, with one small repair being made during the process.**

5. Materials Delivered to Site Since Last Inspection:

- B. Washed crushed stone

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

FIELD REPORT

Project O'Brien & Sons Corporate Offices	Date 2/28/2018	Report No. 8
Location 17 Trotter Drive, Medway, MA	Project No. 143-21583-17006	Sheet 1 of 2
Contractor Rubicon Builders (General Contractor) WW Contracting Corporation (Site Contractor)	Weather P.M. SUNNY, LIGHT BREEZE,	Temperature P.M. 60°F

FIELD OBSERVATIONS

On Wednesday, February 28, 2018, David Homan from Tetra Tech (TT) visited the project location to inspect the current condition of the site and monitor construction progress. The following report outlines observations made during the site visit.

1. Observations

- A. General site conditions: Dry to moist (slightly soft ground surface) from above freezing temperatures and recent precipitation. Gravel entry/exit pad in place (though thin) at construction entrance and gravel parking area at Alder St. entrance. Site is tidy and well maintained. Alder St. is clear of site erosion/vehicle tracking. Trotter Dr. has some vehicle tracking debris.
- B. Silt fence and compost filter socks are installed per the plan as are silt sacks in catch basins along Alder St. and Trotter Dr. near the site. All appear to be in good condition. Stone veneer retaining walls are partially constructed along central east property boundary. Soil, gravel and boulder stockpiles mostly confined to N portion of property. Utility structures and building materials also noted.
- C. Electricians are currently laying conduit into building interior trench for communications. Trench runs roughly NW to a communications closet from where the communication lines enter the building at the SE corner.

CONTRACTOR'S FORCE AND EQUIPMENT						WORK DONE BY OTHERS	
Sup't	1	Bulldozer		Asphalt Paver		Dept. or Company	Description of Work
Foreman		Backhoe		Asphalt Reclaimer		Hannon Electric	Communications
Laborers	2+	Loader	1	Vib. Roller	1		
Drivers		Rubber Tire Backhoe/Loader		Static Roller			
Oper. Engr.	2+	Skid Steer	1	Vib. Walk Comp.	1		
Carpenters		Hoeram		Compressor			
Masons		Excavator	2	Jack Hammer			
Iron Workers		Grader		Power Saw	1+		
Electricians	2	Crane		Conc. Vib.			
Flagpersons		Scraper		Tack Truck			
Surveyors		Conc. Mixer		Man Lift	1		
		Conc. Truck				OFFICIAL VISITORS TO JOB	
		Pickup Truck	3+				
		Tri-Axle Dump Truck					
		Trailer Dump Truck					
Police Details: N/A						RESIDENT REPRESENTATIVE FORCE	
Contractor's Hours of Work: 7:00 A.M. to 6:00 P.M.						Name	Time on-site
						D. Homan	12:25 P.M. – 1:35 P.M.

NOTE: Please use reverse side for remarks and sketches

Project O'Brien & Sons Corporate Office	Date 2/28/2018	Report No. 8
Location 17 Trotter Drive, Medway, MA	Project No. 143-21583-17006	Sheet 2 of 2

FIELD OBSERVATIONS CONTINUED

D. Contractor has completed installation of the Stormtech underground infiltration system and is currently backfilling with screened site soils. The system was constructed in roughly two halves with DMH 3 being the point where the system was split E to W. The roof drain towards the NW corner of the building has been tied into DMH 3 and is currently backfilled with crushed stone. CB 1 and the Continuous Deflective Separator (CDS) are installed with drain pipe connection between them and from the CDS to the infiltration system. Note: the CDS (as built) was modified from the plan specifications. The outlet pipe at CB 1 has been set in place with brick and mortar.

E. Contractor is presently raising and leveling the building interior grade by spreading and compacting crushed stone. Laser level/GPS survey equipment in use to obtain specified elevations. A delivery of additional crushed stone arrives onsite during site visit. The building roof is now in place and a pour of concrete for the slab floor is expected for next week.

2. Schedule

- A. Pouring of the building concrete slab floor is scheduled for next Tuesday (3/6).
- B. Completed backfilling and compacting of the underground infiltration system is expected by end of today.
- C. Boulders currently stockpiled onsite will be broken up with offsite removal anticipated for Friday (3/2).
- D. DMH 2 and the Outlet Control Structure (OCS) are expected to be installed early to mid-week next week.

3. New Action Items

- A. Continued submission of Erosion Control inspection reports (every two weeks) to the town Conservation Commission.

4. Previous Open Action Items

- A. Erosion Control inspection reports are being submitted in compliance to written request by Town of Medway Conservation Commission with the latest report (dated 2/27/2018) submitted.
- B. Tt to continue inspections of remaining subsurface infiltration system installation (Tt), including connections to roof drainage (downspout), DMH 3 and the continuous deflective separator (CDS). **Tt observes DMH 3 installation and connection to infiltration system on 2/23. Tt observes roof drain connection and verifies drain pipe connections from CB 1 to the CDS to the infiltration system on 2/28.**

5. Materials Delivered to Site Since Last Inspection:

- B. Washed crushed stone
- C. Building roof materials
- D. PVC pipe conduit

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

FIELD REPORT

Project O'Brien & Sons Corporate Offices	Date 3/6/2018	Report No. 9
Location 17 Trotter Drive, Medway, MA	Project No. 143-21583-17006	Sheet 1 of 2
Contractor Rubicon Builders (General Contractor) WW Contracting Corporation (Site Contractor)	Weather A.M. SUN & CLOUDS, LIGHT BREEZE	Temperature A.M. 38°F

FIELD OBSERVATIONS

On Tuesday, March 6, 2018, David Homan from Tetra Tech (TT) visited the project location to inspect the current condition of the site and monitor construction progress. The following report outlines observations made during the site visit.

1. Observations

- A. General site conditions: damp to moist with moderately firm ground surface from vehicle traffic and compacting. Gravel entry/exit pad in place (though thin) at construction entrance and gravel parking area at Alder St. entrance. Site is tidy and well maintained. Alder St. is clear of site erosion/vehicle tracking. Trotter Dr. has little vehicle tracking debris.
- B. Silt fence and compost filter socks are installed per the plan as are silt sacks in catch basins along Alder St. and Trotter Dr. near the site. All appear to be in good condition. Stone veneer retaining walls are partially constructed along central east property boundary. Soil, gravel and boulder stockpiles mostly confined to N portion of property. Utility structures and building materials also noted.
- C. Electricians have completed buried communications installation inside the building and are currently running electric from the temporary outdoor electric service location to the building. Temporary work lighting is being installed inside the building.
- D. Meridian Associates arrives onsite during site visit to conduct survey work.

CONTRACTOR'S FORCE AND EQUIPMENT						WORK DONE BY OTHERS	
Sup't	1	Bulldozer		Asphalt Paver		Dept. or Company	Description of Work
Foreman		Backhoe		Asphalt Reclaimer		Hannon Electric	Electric, temp. lighting
Laborers	2+	Loader	1	Vib. Roller	1	Raycon Concrete Specialists	Building floor slab prep.
Drivers		Rubber Tire Backhoe/Loader		Static Roller		Meridian Associates	Survey work
Oper. Engr.	2+	Skid Steer	1	Vib. Walk Comp.	1		
Carpenters		Hoeram	1	Compressor			
Masons	8+	Excavator	2	Jack Hammer			
Iron Workers		Grader		Power Saw	1+		
Electricians	2	Crane		Conc. Vib.			
Flagpersons		Scraper		Tack Truck			
Surveyors	1	Conc. Mixer		Man Lift			
		Conc. Truck				OFFICIAL VISITORS TO JOB	
		Pickup Truck	8+				
		Tri-Axle Dump Truck					
		Trailer Dump Truck					
Police Details: N/A						RESIDENT REPRESENTATIVE FORCE	
Contractor's Hours of Work: 7:00 A.M. to 6:00 P.M.						Name	Time on-site
						David Homan	10:25 A.M. – 11:15 A.M.

NOTE: Please use reverse side for remarks and sketches

Project O'Brien & Sons Corporate Office	Date 3/6/2018	Report No. 9
Location 17 Trotter Drive, Medway, MA	Project No. 143-21583-17006	Sheet 2 of 2

FIELD OBSERVATIONS CONTINUED

- E. Contractor has completed installation, backfilling and compacting of the Stormtech underground infiltration system. The Outlet Control Structure (OCS) has been installed with 8" connection to the stormwater system. CB 4 has been installed per updated plan with future installment of 8" drain pipe to former sediment basin. Note: it appears as though CB 4 has been added to replace proposed trench drain and DMH 2 features along south side of building. According to the contractor, boulders were broken up and trucked offsite on Friday (3/2).
- F. Contractor is presently screening site soils for reuse and completing compacting of crushed stone inside building footprint. Laser level/GPS survey equipment in use to obtain specified elevations.
- G. Concrete specialists are currently laying poly sheeting and steel wire mesh over the compacted crushed stone base inside the building footprint in preparation of the concrete floor slab pour scheduled later this week.

2. Schedule

- A. Pouring of the building concrete slab floor is tentatively scheduled for tomorrow (3/7) weather permitting, but may be postponed until Friday (3/9).
- B. Excavation and installation of light pole bases is anticipated to begin early next week.

3. New Action Items

- A. Tt to confirm replacement of trench drain and DMH 2 with CB 4 in vicinity of proposed paved parking and delivery area south of building. Tt will also confirm presumed final grade and paving modifications to direct stormwater away from building and into CB 4.

4. Previous Open Action Items

- A. Erosion Control inspection reports are being submitted in compliance to written request by Town of Medway Conservation Commission with the latest report (dated 2/27/2018) submitted.

5. Materials Delivered to Site Since Last Inspection:

- A. Cast iron manhole frames and covers/grates, and associated connections
- B. Rebar, wire mesh sheets, foam insulation boards
- C. PVC pipe conduit

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

FIELD REPORT

Project O'Brien & Sons Corporate Offices	Date 3/9/2018	Report No. 10
Location 17 Trotter Drive, Medway, MA	Project No. 143-21583-17006	Sheet 1 of 2
Contractor Rubicon Builders (General Contractor) WW Contracting Corporation (Site Contractor)	Weather P.M. SUN & CLOUDS, LIGHT BREEZE	Temperature P.M. 38°F

FIELD OBSERVATIONS

On Friday, March 9, 2018, David Homan from Tetra Tech (TT) visited the project location to inspect the current condition of the site and monitor construction progress. The following report outlines observations made during the site visit.

1. Observations

- A. General site conditions: up to several inches of snow cover with areas of bare/muddy ground, which is soft to slightly firm. Site is tidy and well maintained. Alder St. is clear of site erosion/vehicle tracking. Trotter Dr. has minimal vehicle tracking debris.
- B. Silt fence and compost filter socks are installed per the plan as are silt sacks in catch basins along Alder St. and Trotter Dr. near the site. All appear to be in good condition. Stone veneer retaining walls are partially constructed along central east property boundary. Soil and gravel stockpiles mostly confined to N portion of property. Utility structures and building materials also noted.
- C. Building interior footprint has poly sheeting and steel wire mesh over the compacted crushed stone base. The entire footprint is tarped and awaiting the concrete floor slab pour.
- D. Roofing contractor is currently receiving and arranging a delivery of roofing materials. A truck crane is hoisting rubber roof underlayment board, EDPM rubber roof rolls and other roofing supplies onto roof structure.

CONTRACTOR'S FORCE AND EQUIPMENT						WORK DONE BY OTHERS	
Sup't	1	Bulldozer		Asphalt Paver		Dept. or Company	Description of Work
Foreman		Backhoe		Asphalt Reclaimer		Harvey Building Products	Delivery of roofing materials
Laborers	2+	Loader	1	Vib. Roller	2		
Drivers		Rubber Tire Backhoe/Loader		Static Roller			
Oper. Engr.	2+	Skid Steer		Vib. Walk Comp.	1		
Carpenters		Hoeram		Compressor			
Masons		Excavator	2	Jack Hammer			
Iron Workers		Grader		Power Saw	1+		
Electricians		Crane	1	Conc. Vib.			
Flagpersons		Scraper		Tack Truck			
Surveyors		Conc. Mixer		Man Lift			
		Conc. Truck				OFFICIAL VISITORS TO JOB	
		Pickup Truck	4+				
		Tri-Axle Dump Truck					
		Trailer Dump Truck					
Police Details: N/A						RESIDENT REPRESENTATIVE FORCE	
Contractor's Hours of Work: 7:00 A.M. to 6:00 P.M.						Name	Time on-site
						David Homan	12:20 P.M. – 1:10 P.M.

NOTE: Please use reverse side for remarks and sketches

Project O'Brien & Sons Corporate Office	Date 3/9/2018	Report No. 10
Location 17 Trotter Drive, Medway, MA	Project No. 143-21583-17006	Sheet 2 of 2

FIELD OBSERVATIONS CONTINUED

- E. Contractor has installed DMH 1 and associated catch basins CB 2 & CB 3. 8" drain pipe connections have been made from CB 2 & CB 3 to DMH1 with mortared joints. 12" drain pipe connection has been made between DMH 1 and the Continuous Deflective Separator (CDS) with both joints sealed in mortar. Backfilling of drain pipe with crushed stone is taking place presently. Laser level/GPS survey equipment in use to obtain specified elevations.
- F. Contractor is cutting down grade at proposed driveway location off Trotter Drive and stockpiling soils.
- G. Contractor has excavated and installed 24" HDPE form for light pole base at N portion of property.

2. Schedule

- A. Pouring of the building concrete slab floor has been pushed back to Wednesday (3/14).
- B. Excavation and installation of building entrance canopy footings at N end of building is anticipated early next week along with the light pole base form on the S portion of the property.
- C. Installation of AD 1 & AD 2 with associated 8" drain line to DMH 3 may be completed by mid-week next week.
- D. Electricians are tentatively scheduled to run PVC conduit to both light pole bases on Tuesday (3/13).

3. New Action Items

- A. N/A

4. Previous Open Action Items

- A. Tt to confirm replacement of trench drain and DMH 2 with CB 4 in vicinity of proposed paved parking and delivery area south of building. Tt will also confirm presumed final grade and paving modifications to direct stormwater away from building and into CB 4. **Per conversation with GC, CB 4 replaces trench drain and DMH 2 south of the building structure. Point grade elevations provided on 11/17/2017 plans are up to date and accurate.**
- B. Erosion Control inspection reports are being submitted in compliance to written request by Town of Medway Conservation Commission with the latest report (dated 2/27/2018) submitted.

5. Materials Delivered to Site Since Last Inspection:

- A. Roofing supplies

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

FIELD REPORT

Project O'Brien & Sons Corporate Offices	Date 3/16/2018	Report No. 11
Location 17 Trotter Drive, Medway, MA	Project No. 143-21583-17006	Sheet 1 of 2
Contractor Rubicon Builders (General Contractor) WW Contracting Corporation (Site Contractor)	Weather A.M. SUNNY, LIGHT BREEZE	Temperature A.M. 32°F

FIELD OBSERVATIONS

On Friday, March 16, 2018, David Homan from Tetra Tech (TT) visited the project location to inspect the current condition of the site and monitor construction progress. The following report outlines observations made during the site visit.

1. Observations

- A. General site conditions: up to six inches or more of snow cover with areas of bare ground (travel routes/work areas), which is firm and dry to wet (icy). Site is well maintained, though crowded given amount of work taking place. Alder St. is clear of site erosion/vehicle tracking. Trotter Dr. has minimal vehicle tracking debris.
- B. Silt fence and compost filter socks are installed per the plan as are silt sacks in catch basins along Alder St. and Trotter Dr. near the site. All appear to be in good condition. Stone veneer retaining walls are partially constructed along central east property boundary. Soil and gravel stockpiles mostly confined to N portion of property. Building/construction materials also noted.
- C. Building interior footprint is undergoing pouring and finishing of the concrete floor slab. Poly sheeting and steel wire mesh were installed previously over a bed of compacted crushed stone. Concrete workers are spreading and floating the concrete currently and are expected to finish the surface with concrete trowel machines later today. Cement mixing trucks are being rotated on/offsite with concrete pumping taking place via pump truck south of the building. A private contractor is performing concrete testing of samples collected off cement trucks. Cement truck washing is taking place near northeast property corner.

CONTRACTOR'S FORCE AND EQUIPMENT						WORK DONE BY OTHERS	
Sup't	1	Bulldozer	1	Asphalt Paver		Dept. or Company	Description of Work
Foreman		Backhoe		Asphalt Reclaimer		Tresca Bros	Deliveries of concrete
Laborers	2	Loader	1	Vib. Roller	2	Raycon Concrete Specialists	Spreading, floating, power troweling building slab
Drivers		Rubber Tire Backhoe/Loader		Static Roller		Roofing contractor	Rubber roof installation
Oper. Engr.	1	Skid Steer		Vib. Walk Comp.	1		
Carpenters		Hoeram		Compressor			
Masons	14+	Excavator	2	Jack Hammer			
Iron Workers		Grader		Power Saw	1+		
Electricians		Crane	1	Conc. Vib.			
Flagpersons		Scraper		Tack Truck			
Surveyors		Conc. Mixer		Man Lift			
Roofers	4+	Conc. Truck	2+			OFFICIAL VISITORS TO JOB	
		Conc. Pump Truck	1				
		Pickup Truck	4+				
		Tri-Axle Dump Truck					
		Trailer Dump Truck					
Police Details: N/A						RESIDENT REPRESENTATIVE FORCE	
Contractor's Hours of Work: 7:00 A.M. to 6:00 P.M.						Name	Time on-site
						David Homan	8:15 A.M. – 9:10 A.M.

NOTE: Please use reverse side for remarks and sketches

Project O'Brien & Sons Corporate Office	Date 3/16/2018	Report No. 11
Location 17 Trotter Drive, Medway, MA	Project No. 143-21583-17006	Sheet 2 of 2

FIELD OBSERVATIONS CONTINUED

- D. Roofing contractor is still installing rubber roof, which is expected to be more than 95% complete by Monday (3/19).
- E. Contractor is currently trenching and installing 8" drain pipe in vicinity of northeast building corner, which will tie area drains AD 1 and AD 2 into DMH 3. Approximately 25' of drain pipe is installed with 90° elbow leading to AD 1. Drain pipe is being set in and backfilled with crushed stone. Laser level/GPS survey equipment in use to obtain specified elevations.
- F. Proposed driveway off Trotter Drive appears to be at or near target grade before paving.
- G. Contractor has excavated and installed 24" HDPE form for light pole base at S portion of property.

2. Schedule

- A. Roofing is expected to be complete by early next week with rooftop structures/penetrations planned for early to mid-week next week.
- B. Building concrete floor slab is expected to be completed today.
- C. AD 1 and AD 2 are expected to be installed today with completed 8" drain pipe connections to DMH 3. Site grading is anticipated for next week.
- D. Building framers are scheduled to begin work on the building next week.
- E. Electricians are tentatively scheduled to run PVC conduit to both light pole bases on Monday (3/19).

3. New Action Items

- A. N/A

4. Previous Open Action Items

- A. Erosion Control inspection reports are being submitted in compliance to written request by Town of Medway Conservation Commission with the latest report (dated 2/27/2018) submitted.

5. Materials Delivered to Site Since Last Inspection:

- A. Crushed stone

Susan Affleck-Childs

From: Rodgers, Mark J:(BSC) <Mark.Rodgers@exeloncorp.com>
Sent: Thursday, March 01, 2018 6:01 AM
To: Rodgers, Mark J:(BSC)
Subject: Monthly Construction Update: Exelon Generation Medway Peaker Project

Exelon Generation Medway Peaker Project: Monthly Construction Update, 2/27/18

Recent construction and site activities have included:

- Foundation framing and pouring for acoustic walls, heat exchangers, administrative building, transformers, and water tanks are in progress in the central portion of the site.
- Concrete pours and pipe installation continue for the compressor station in the northern central portion of the site.
- Various components of the power generating system are set on foundations, and awaiting welding and leveling.
- Installed piping in trenches for fire protection water and wastewater around the perimeter of the site, as well as various utility piping throughout the site interior, have been backfilled.
- Pre-cast manhole structures for the wastewater conveyance system are being set in the central portion of the site.
- Roof installation for the Administrative Building is almost complete. Concrete base for control room floor has been poured and cured.
- The area north of the office trailers is being prepared for the installation of the fuel oil tank foundation.
- The expansion of the laydown area in the western portion of the site is actively in use in accordance with requirements. Additional crushed stone and fabric have been placed in the area in order to minimize potential for erosion and sedimentation.
- Electric utility installation is in progress at the Metering & Regulating Station to connect to the adjacent existing transformer.
- Concrete washout station in the central portion of the site is being routinely monitored and maintained as needed.
- Various soil stockpiles are actively stabilized via tarps and seeding where necessary and appear to be frozen.
- Silt fences, straw bales, and straw wattles are being routinely monitored and maintained as needed.
- Silt sacks in the catch basins in Summer Street are being routinely monitored and maintained as needed.
- 24/7 security details remain in place at site entrance.



Aerial view facing east



Roof installation for the Administration Building is almost complete. Concrete base for control room floor has been poured and cured



View facing west. Concrete pour for mud mat for the acoustic wall foundation is in progress adjacent to the Administration Building.

Construction updates are also posted to our project website: www.medwayenergy.com.

Please note, you are receiving this because you signed up to receive our monthly construction updates. If you wish to no longer receive these emails, please reply and write Unsubscribe in the subject line.

Thank you for your interest in our project. If you ever have any questions, concerns, or complaints, we have a 24x7 hotline you can call: 508-321-7311. We respond to all calls within 24 hours. Alternatively, you can use our online contact form, we also respond to those inquiries within 24 hours, that link is: <http://www.medwayenergy.com/submit-project-construction-message>.

You can also feel free to reach out directly to me at the contact information below.

Thank you.

Best,

Mark

Mark Rodgers



Manager, Generation Communications – NE Region

617-699-6327

mark.rodgers@exeloncorp.com

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BEALS + THOMAS

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



PROGRESS INSPECTION REPORT

Inspection Date: 2/20/2018

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

Inspection Report Number: 6

PERMIT COMPLIANCE

Proceeding per approved site plan?

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

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

Project Name:

West Medway II

Location: Medway, MA

B+T Job#: 1422.10

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

Introduction:

Exelon West Medway II LLC respectfully submits this construction progress inspection report for the West Medway II project. The purpose of this report is to document the in-progress work with respect to the approved site plans and associated conditions for the Planning and Economic Development Board. This report summarizes noteworthy activities conducted on site from January 22, 2018 to February 20, 2018. Please also refer to the enclosed Photo Log.

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

Current Work Activities, Comments, and Observations:

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Authorized Signature

2/23/18

Date

PROPERTY OWNER:

Exelon West Medway II, LLC

Attn: Todd Cutler, Esq.

Associate General Counsel

Phone: 610-765-5602

Email: todd.cutler@exeloncorp.com

Attn: Pete Callahan,

Project Director

Phone: 617-381-2332

Email: Pete.Callahan@constellation.com

Attn: Doug Blakeley,

Environmental Monitor

Phone: 518-265-7354

Email: doug.blakeley@aptim.com

TOWN OF MEDWAY

Attn: Michael E. Boynton,

Town Administrator

Phone: 508-533-3264

Email: mboynton@townofmedway.org

Attn: Bridget Graziano,

Conservation Agent

Phone: 508-533-3292

Email: bgraziano@townofmedway.org

Attn: Susan Affleck-Childs, Planning &

Economic Development Coordinator

Phone: 508-533-3291

Email: sachilds@townofmedway.org

ENVIRONMENTAL CONSULTANTS

Beals and Thomas, Inc.

Attn: Eric J. Las, PE, LEED AP

Principal

Phone: 508-366-0560

Email: elas@bealsandthomas.com

Epsilon Associates, Inc.

Attn: Jeremy Fennell, PWS, CWS, CESSWI

Senior Scientist

Phone: 978-461-6237

Email: jfennell@epsilonassociates.com

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

PHOTOGRAPHIC LOG

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

1422.10

**Photo
No: 1****Date:**
2/17/18**Description:**

Aerial view facing south.

Concrete pours are nearing completion in the northern portion of the site for the acoustic wall footings and foundation for the compressor station.

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1422.10



**Photo
No: 2****Date:**
2/17/18**Description:**


Aerial view facing east.

Additional stone and fabric were installed to maintain the additional laydown area and to minimize potential for erosion and sedimentation.



Client Name: Exelon West Medway II		Photo: West Medway II Location: Medway, MA	Project No: 1422.10
Photo No: 3	Date: 2/17/18		
Description: Aerial view facing northwest. Phase II construction continues in the central portion of the site. Various concrete pours for footings and foundations are in progress throughout the central portion of the site. All soil stockpiles not in active use are stabilized using tarps.			
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Photo No: 6	Date: 2/20/18		
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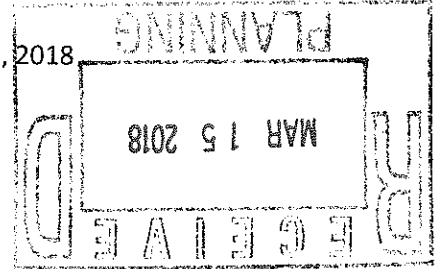


March 27, 2018
Medway Planning & Economic Development Board
Meeting

CORRESPONDANCE

- 3-8-18 letter from Neighbors of 6 Cutler Street asking about next steps for the American Legion Building
- Information on new Housing Choice program from Mass Department of Housing and Community Development (DHCD). Medway is proceeding with an application for both the Housing Choice community designation and the Planning for Housing Production Grant Program
- 3-6-18 SAC email to Jack Mee re: location of pergola at Medway Gardens (possible zoning violation)
- 3-22-18 email from Paul Yorkis with status report on Williamsburg

March 13, 2018



Planning and Economic Development Board
C/O Andy Rodenhiser, Chair
155 Village Street
Medway, MA 02063

To The Planning and Economic Development Board:

For the past year, neighbors of the AHT/AHC 6 Cutler Street property have intently watched the developments of this project. As time has passed, it has become apparent this project, as scoped out, is not financially feasible or in character of this single family neighborhood. For the past few months, the neighbors have discussed ideas of what we would like to see developed on the property. We encourage your committee to explore some of these ideas and to work with us in ensuring that the character of the neighborhood remains intact.

1. Become the new Medway Historical Society Office and Museum. 6 Cutler Street is within walking distance of both Route 109 and Village Street (two of the three main throughways through town) and has plenty of parking spaces, a function room, two bars, commercial kitchen setup, and space for offices and museum area. We are aware that the Town at the Special Fall Town Meeting purchased property they were hoping to lease back to the Historical Society but we feel this Cutler could be a better property with more space for the Historical Society.
2. Donated to the Evergreen Cemetery Association. The building could be used as a function hall and grounds office to support the cemetery. Collations and services could be held in the facility after or before burials. Again, there is plenty of parking and a function room to facilitate this.
3. Town Offices. With space at a premium and DPW at the Middle School, staff in small spaces in the Town Hall Meeting Room, etc., the Town has the ability to renovate this space for much needed office and storage space.
4. Transfer ownership to the Selectmen for sale. If the Town is adamant about selling the property, the neighbors would encourage the Town work with the buyer to ensure that the character of the neighborhood remains intact. We strongly suggest the AHT/AHC transfer ownership back to the Selectmen, who would in turn develop an RFP for a project and sale and select the one that keeps the neighborhood intact. A similar RFP sale occurred with the Andrews School in Holliston where the Selectmen had a choice of a 16 unit complex for a higher sale price or a 4 unit town house for less money. To preserve the neighborhood, the Selectmen chose the 4 unit proposal. The 6 Cutler Street neighbors would highly recommend the AHC/AHT and Selectmen follow this recommendation if the Town decides to sell the property.
5. Subdivide Land for two single family homes and sell the property.
6. Create a Youth Group Center for youth to go to for a safe place. With everything going on in the country, youth need additional safe places to go. Again, this location has space to accommodate this.

Other ideas that have been suggested by the neighbors during our meetings include the following:

Sale to an Adult Day Care Center Company
Sale to a Fitness Center
Pet Adoption Center
Art Studio/Dance Studio

In the end, no matter what happens with the property, the neighbors of 6 Cutler Street hope the Town and Committees will keep the character of the neighborhood in mind and do what is in the best interest of the neighbors who have to live around the property every day. The neighbors are open to discuss any of these suggestions or other suggestions by the town and hope the Town will work with us in moving forward. Feel free to contact Chris Meo at 508-533-3037 or cmeo@msn.com if you wish to discuss any further ideas for 6 Cutler Street or to work with the neighborhood.

Sincerely,

The Neighbors of 6 Cutler Street
Chris & Kate Meo
Eric Alexander
Jen Pavlov
Jean Forgione
Pat & Linda Ire
Amanda Ribao
Kerry Graves



Housing Choice Initiative

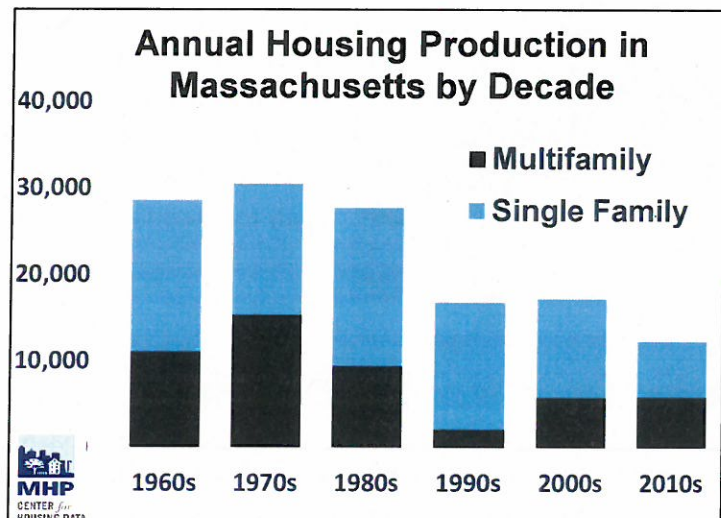
www.mass.gov/housingchoice

NEED FOR MORE HOUSING

Massachusetts home prices have increased at the fastest rate in the nation, and metropolitan Boston rent prices rank among the highest in the country. **The Commonwealth must add to its housing stock to support a growing economy and provide new housing choices.**

But we can't do it alone: municipalities have control over local zoning and permitting, and they must be partners if the Commonwealth is to successfully overcome these housing challenges. Cities and towns should be encouraged to adopt best practices and zoning that supports sustainable housing production.

*The **Housing Choice Initiative** provides incentives, rewards, technical assistance and targeted legislative reform to encourage and empower municipalities to plan and build the diverse housing stock that the Commonwealth needs to continue to thrive.*



HOUSING CHOICE DESIGNATION

A Housing Choice Designation rewards communities that are producing new housing and have adopted best practices to promote sustainable housing development. Housing Choice designation provides:



Exclusive admission to new **Housing Choice Capital Grants**, Housing Choice Communities will be eligible for a major new capital grant program.

Bonus points or other considerations for certain Commonwealth funding programs such as MassWorks, Seaport Council Grants, Complete Streets, MassDOT capital projects, and LAND and PARC grants.

NEW AND BETTER COORDINATED TECHNICAL ASSISTANCE

To assist municipalities to achieve Housing Choice status, DHCD's Housing Choice Program Director will coordinate existing technical assistance and provide "one-stop shopping" for information about **technical assistance grants** for local governments. In addition, MassHousing will provide **\$2 million** in planning assistance to help cities and towns achieve their affordable housing goals under Chapter 40B through its new "Planning for Production" program.

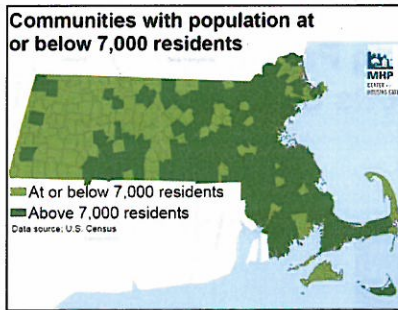




Housing Choice Initiative

www.mass.gov/housingchoice

SMALL TOWN PROGRAM

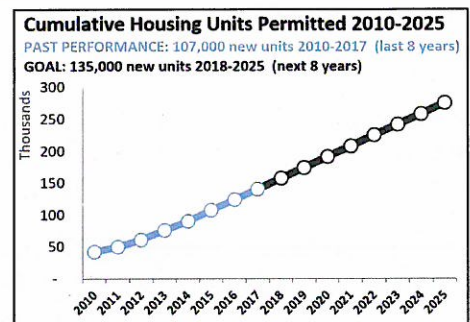


Recognizing that small towns face different challenges, the Housing Choice Initiative will set aside funding for a competitive capital grant program exclusively for towns with population under 7,000. **\$1 million** in capital grant monies are expected to be available in the first year, to grow thereafter. Small Towns can also apply for Housing Choice Designation.

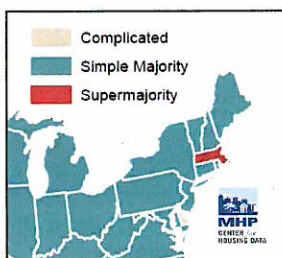
TRACK PROGRESS TOWARD THE HOUSING GOAL

The Housing Choice Initiative will track progress toward a goal of **135,000 new housing units statewide by 2025**, or about 17,000 new units per year.

- This goal requires sustaining the level of production over the last three years
- Represents a 26 percent increase in housing production compared to the last eight years
- Keeps pace with projected increases in housing demand
- Closely aligned with the housing production goals required for designation as a Housing Choice community



LEGISLATION – AN ACT TO PROMOTE HOUSING CHOICES



The Administration will file **An Act to Promote Housing Choices**, to facilitate housing production and adoption of zoning best practices. It eliminates barriers to building new housing and improving land use without mandating that cities and towns adopt any specific zoning practices. The Act will change state law **to reduce the required vote from 2/3 “supermajority” to a simple majority for certain zoning changes**. This change makes Massachusetts more consistent with current practice in most states. Zoning changes that promote best practices that would qualify for the simple majority threshold include:

- Building mixed-use, multi-family, and starter homes, and adopting 40R “Smart Growth” zoning in town centers and near transit
- Clustering new homes to permanently preserve open space and protect natural resources
- Reducing parking requirements and dimensional requirements such as minimum lot sizes
- Allowing for transfer of development rights (TDR) zoning and natural resource protection zoning
- Allowing for increased density through a Special Permit process, promoting more flexible development
- Allowing accessory dwelling units or “in-law” apartments



There are two ways to get Housing Choice Designation

#1 High Production

Greater than 5% housing growth OR 500
units over the last 5 years

Housing choice communities must have:

Applied for a Community Compact

and

No moratorium on new housing

#2 Production & Planning

Greater than 3% housing growth OR 300
units over the last 5 years AND
4 of 9 housing best practices

Housing Choice Communities

- Priority scoring for Commonwealth Grant Programs
- Exclusive access to a new capital grant program for Housing Choice Communities
- New and better coordinated technical assistance to maintain housing production
- Continue to support sustainable development in order to maintain designation and compete for Housing Choice Grants

www.mass.gov/housingchoice



For the Planning for Production (3% or 300 units) Housing Choice Designation Communities must meet 4 of the following 9 Best Practices, one of which must be related to affordable housing.

1. Designated local resources for housing such as established an Affordable Housing Trust, donated land, or appropriated substantial CPC funds for community housing **[Affordable Category]**
2. Selected a housing best practice as part of its Community Compact
3. Have units currently eligible for inclusion in the Subsidized housing Inventory (SHI) that equal or exceed 10% of total year round housing units **[Affordable Category]**
4. Have adopted zoning that allows mixed use or cluster development by right (or can demonstrate a consistent pattern over the last 5 years of approving such developments)
5. Have zoning that allows for accessory dwelling units (ADUs) by right (or can demonstrate a consistent pattern over the last 5 years of approving ADUs)
6. Have inclusionary zoning that provides for reasonable density increases so that housing is not unreasonably precluded **[Affordable Category]**
7. Have an approved 40R district, Starter Home District, Housing Development Incentive Program (HDIP) or have adopted an Urban Center Housing Tax Increment Financing District (UCH-TIF) **[Affordable Category]**
8. Have at least one zoning district that allows multifamily by right with capacity to add units and that allows for family housing (greater than 2 bedrooms)
9. Have a CERTIFIED Housing Production Plan which means a DHCD approved Housing Production Plan that resulted in at least 0.5% or 1.0% increase in year-round housing units following its adoption and approval **[Affordable Category]**

An Act to Promote Housing Choices

Massachusetts home prices have increased at the fastest rate in the nation, and metropolitan Boston rent prices rank among the highest in the country. The Commonwealth must build enough diverse housing stock – single family homes, multi-family units, and small apartments -- to support our growing economy and to provide our growing population with housing choices. **Massachusetts must find new ways to encourage housing development.**

This new housing production should be concentrated in environmentally sound ways.

Massachusetts laws should make it easier to build housing that supports transit-oriented development, revitalizes downtowns, uses existing infrastructure, preserves natural land where possible, and avoids unnecessary environmental impacts. The Baker-Polito Administration's Housing Choice Initiative encourages and rewards municipalities for taking actions that result in housing production. *An Act to Promote Housing Choices* complements the Housing Choice Initiative by lowering barriers to sustainable housing production and adoption of planning and zoning best practices. **At the same time, the legislation respects the role of local decision-making.**

Massachusetts is an extreme outlier in requiring a supermajority vote of its local legislative bodies to change zoning laws, and we are the only state in New England that requires a 2/3 vote to change local zoning. In order to facilitate adoption of zoning best practices and appropriate housing production, *An Act to Promote Housing Choices* lowers the voting threshold to a majority vote for specific best practices.

The following local zoning would require only a majority vote of the local legislative body:

- Reducing dimensional requirements, such as minimum lot sizes, to allow homes to be built closer together.
- Reducing required parking ratios, which can lower the cost of building new housing and accommodate development on a smaller footprint.
- Creating mixed-use zoning in town centers, and creating multi-family and starter home zoning in town centers, near transit, and in other smart locations.
- Adopting "Natural Resource Protection Zoning" and "Open Space Residential Development." These zoning techniques allow the clustering of new development while protecting open space or conservation land.
- Adopting provisions for Transfer of Development Rights (TDR), which protects open space while creating more density in suitable locations.
- Adopting 40R "Smart Growth" zoning, which provides incentives for dense, mixed-use development in town centers, near transit, and in other "smart" locations.
- Allowing accessory dwelling units or "in-law" apartments – small apartments in the same building or on the same lot as an existing home.
- Allowing for increased density through a Special Permit process promoting more flexible development.

This legislation does not mandate that any town adopt these zoning best practices; it simply removes the barrier of having to convince a supermajority of the legislative body to adopt them. In addition, the legislation authorizes adjacent municipalities to enter into agreements for sites that span multiple communities.

Planning for Housing Production Grant Program

MassHousing's Planning for Housing Production Program builds on local affordable housing planning and empowers cities and towns by providing additional technical capacity to implement their housing production goals and deliver new mixed-income housing. MassHousing has made \$2 million in grant funding available to municipalities that are actively planning to increase their supply of affordable housing to help them achieve production-driven Chapter 40B safe harbor status.

Eligibility

Participating municipalities will identify a problem to be solved that stands in the way of a local housing plan being implemented. MassHousing grants will help the municipality overcome these self-identified roadblocks, and deliver on local housing opportunities.

This program is available to:

- Municipalities in the Commonwealth with a Subsidized Housing Inventory (SHI) percentage of less than 13.0 percent
- Communities that do not currently have multifamily housing development moratoria
- Applicants that have already completed a locally-driven housing planning process

Eligible grant activities

The planning services MassHousing will offer communities will vary, depending on local needs, but will generally include:

Assistance

crafting new zoning to spur new housing growth, whether through Chapter 40A, Chapter 40R, or a friendly Chapter 40B proposal; planning public infrastructure improvements needed to support housing growth;

Capacity-building

in planning and community development; and

Public education

and data transparency initiatives around financial feasibility, development cost-benefit analysis, local infrastructure needs, and school cost/school enrollment projections.

The implementation strategies funded under this grant program will respond to an established planning vision, and advance the realization of that vision in a measurable way.

How to Apply

For more information on MassHousing's Planning for Housing Production Program, or to apply for funding, visit www.masshousing.com/planning.

MassHousing's Planning for Housing Production Program was developed in support of The Baker-Polito Administration's Housing Choice Initiative. This initiative seeks to add 135,000 new housing units by 2025 and provides cities and towns with new incentives and rewards for producing the housing needed to grow the Massachusetts economy and secure housing affordability. It assists local governments by providing new grants, coordinating technical assistance, and promoting regulatory innovation at the local level.

For more information on the Baker-Polito Administration's Housing Choice Initiative, visit mass.gov/housingchoice.



www.masshousing.com/planning

About Chapter 40B

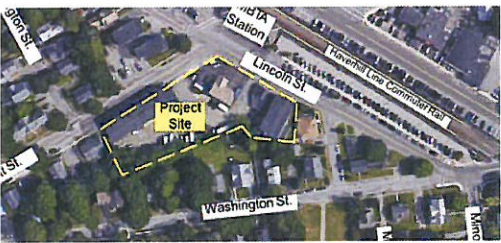
Chapter 40B is the state's regional planning statute, and the law seeks to ensure that all 351 of the Commonwealth's cities and towns provide housing opportunities for lower-income working households and older adults. The statute helps communities meet the Commonwealth's housing needs, by providing a flexible zoning approval process that allows for the creation of new homes for individuals, families, and older adults, across a range of incomes. At the same time, Chapter 40B provides ample opportunities for municipalities to control their own housing growth.

The law enables agencies like MassHousing to deny 40B project eligibility to projects that are inconsistent with local planning, in localities that have a demonstrated commitment to planning and delivering housing growth. MassHousing is committed to partnering with committed municipalities, to achieve housing growth consistent with local planning priorities.

Below are a few examples of municipalities working successfully under Chapter 40B to plan and implement housing production:



Easton worked collaboratively with the housing developer Beacon Communities, to transform the historic former Oliver Ames & Sons Shovel Company factory into an award-winning mixed-income rental community. The Ames Shovel Works project delivered 113 new housing units, and 1.5 acres of new open space. Easton's support of the Ames Shovel Works, including a substantial Community Preservation Act commitment, was a key factor in MassHousing denying 40B project eligibility to a less compatible 40B proposal in the town.



Reading has taken a strong role in shaping new housing growth, resulting in meaningful 40B relief. Reading has adopted a pair of Chapter 40R smart growth zoning districts, including one surrounding its commuter rail station, zoning over 450 units for development by right. The Town's embrace of smart growth zoning under Chapter 40R was a key factor in MassHousing denying 40B project eligibility to a less compatible 40B proposal. Since that denial, Reading has enjoyed a strong hand in shaping 40B proposals; the Town recently secured significant improvements to design of a 40B development located directly across the street from its downtown 40R district.



Hanover used Chapter 40B to rezone a former dormitory on the campus of the Cardinal Cushing Centers, enabling the Planning Office for Urban Affairs to create 37 new mixed-income homes. The Bethany Apartments, currently under construction, will create an inclusive new housing community for residents of a wide range of incomes and abilities, from middle-income families, to low-income clients of the Massachusetts Department of Mental Health. In addition to a collaborative 40B permitting process, the Town of Hanover committed nearly \$300,000 in Community Preservation Act funds to this project.

To read more about Chapter 40B and the Planning for Housing Production Grant Program, please visit www.masshousing.com/planning.



www.masshousing.com/planning

Susan Affleck-Childs

From: Susan Affleck-Childs
Sent: Tuesday, March 06, 2018 1:59 PM
To: Jack Mee
Cc: Andy Rodenhiser
Subject: Medway Gardens pergola
Attachments: Medway Gardens Site Plan Modification - Endorsed 12-13-16.pdf

Jack,

Onilleva Realty, the owner of Medway Gardens, has successfully completed the various improvements shown on the approved modified site plan, last revised November 30, 2016. See attached. Medway Gardens is one of two business occupants on this single property at 34 Summer Street (Map 56/Parcel 39), the other being the Cumberland Farms gas station and convenience store to which Onilleva Realty leases a portion of the property.

The Planning and Economic Development Board is pleased that Mr. Avellino has completed the various site improvements at Medway Gardens. However, the Board continues to be troubled by the location of the 58' x 14' wooden pergola placed above the outside display area in the northwestern corner of the Medway Gardens portion of the site adjacent to Summer Street. The attached plan shows the pergola's location. The Board believes the pergola's placement may not comply with the minimum required 35' front setback specified in the *Medway Zoning Bylaw* for the Neighborhood Commercial zoning district, formerly known as Commercial V. Please note that the installation of the pergola was not part of the scope of work represented by the recently completed site plan project. It is a pre-existing improvement; we believe it was constructed sometime in 2013. The Board is not certain that the pergola's location was fully evaluated by the Town's former building commissioner when it was installed or if a building permit was ever applied for or issued.

Although the site certainly includes some agricultural uses, as represented by some aspects of Medway Garden's operation, the Board believes the property as a whole may not meet the requirements for classification as an agricultural use from a zoning perspective either in terms of the size or the value of that portion of the site being dedicated to agricultural production vs. commercial/retail use. Therefore, the Board believes that the property owner's possible claim of an agricultural exemption as a reason to not comply with the *Bylaw's* setback requirements may not have merit.

The Board asks that you investigate this possible zoning violation and take appropriate measures to enforce the *Zoning Bylaw* if necessary. Perhaps a portion of the pergola could be separated and repositioned so that the pergola's location can comply with the *Bylaw's* front setback requirement.

Thank you for your attention to this matter.

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: Paul Yorkis <pgyorkis@gmail.com>
Sent: Thursday, March 22, 2018 7:31 PM
To: Susan Affleck-Childs
Subject: Re: Williamsburg

Hello.

I have been informed today that the Commonwealth of Massachusetts found, reviewed and approved the conservation restriction and it will be signed in the not to distant future.

I am still working with Eversource to approve the well location and meter and connection to a transformer.

I will let you know as soon as I get approval from Eversource. Following that approval the well permit will be resubmitted to the Town of Medway Board of Health for their review and approval. The well and all parts of the irrigation system will be outside of the buffer zone.

Once the well is installed there will be a substantial amount of work related to the irrigation system, final tree plantings, trenching in the road, some driveway, then paving.

Paul G. Yorkis
Cell 508-509-7860

On Mar 21, 2018, at 12:57 PM, Susan Affleck-Childs <sachilds@townofmedway.org> wrote:

Hi,

Wanted to check in and see how things are progressing with wrapping up Williamsburg.

Could you respond to this email with a brief report?

Thanks.

Are you going to be able to attend Monday's SWAP Meeting? Susan Nicholl of the MetroWest Visitors Bureau is the featured speaker?

Susy

Susan E. Affleck-Childs
Planning and Economic Development Coordinator

Town of Medway
155 Village Street
Medway, MA 02053
508-533-3291
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March 27, 2018

**Medway Planning & Economic Development Board
Meeting**

Zoning for May Town Meeting

- Revised draft (3-20-18) of a proposed new section (8.10) of the ZBL addressing recreational (adult use) marijuana. (Also includes removal of the moratorium approved at the May 2017 town meeting).
- Revised draft (3-20-18) of proposed revisions to Section 8.9 re: medical marijuana.
- Revised draft (3-5-18) of proposed amendments to Section 3.5. Site Plan Review

These revised drafts reflect the discussions held at the February 27th PEDB meeting.

RECREATIONAL MARIJUANA

Revised Draft – 3/20/18 incorporating comments from Gino Carlucci and Barbara Saint Andre

ARTICLE : To see if the Town will vote to amend the Zoning Bylaw by revising SECTION 2 DEFINITIONS as follows:

By adding the following definition:

Recreational Marijuana Social Consumption Establishment: A Recreational Marijuana Social Consumption Establishment may purchase marijuana from licensed recreational marijuana establishments and sell single servings of marijuana to consumers for consumption on the premises. It may also include private clubs, whose allowed activities for members or nonmembers include the smoking or use of recreational marijuana products on the premises.

And by adding the highlighted text to the following definitions:

Recreational Marijuana Retailer: An entity licensed to purchase and deliver marijuana and marijuana products from marijuana establishments and to deliver, sell or otherwise transfer marijuana and marijuana products to marijuana establishments and to consumers.

Recreational Marijuana Establishment: A marijuana independent testing laboratory, marijuana product manufacturer, or marijuana cultivator, all as defined in General Laws chapter 94G, §1, but not including Recreational Marijuana Retailers or Recreational Marijuana Social Consumption Establishments.

And by deleting Section 8.10 TEMPORARY MORATORIUM ON NON-MEDICAL MARIJUANA ESTABLISHMENTS and replacing it with the following:

8.10 RECREATIONAL MARIJUANA

A. Purposes. The purposes of this Section are to address possible adverse public health and safety consequences and impacts on the quality of life of the Town of Medway related to the passage of General Laws Chapter 94G regarding recreational marijuana; provide for the limited establishment of a Recreational Marijuana Establishment (RME) in an appropriate place and under strict conditions in accordance with General Laws Chapter 94G; minimize the adverse impacts of a RME on adjacent properties, residential neighborhoods, schools, playgrounds and other land uses potentially incompatible with such a facility; regulate the siting, design, placement, security, safety, monitoring, modification, and removal of RMEs; and limit the overall number of RMEs in the community to what is essential to serve the public necessity.

B. Applicability.

1. The commercial cultivation, production, processing, assembly, packaging, wholesale sale, trade, or distribution of marijuana for recreational/non-medical use is prohibited unless permitted as a RME under this Section 8.10.

2. No RME shall be established except in compliance with the provisions of this Section 8.10.
3. Nothing in this Section 8.10 shall be construed to supersede federal and state laws governing the sale and distribution of narcotic drugs.

C. Definitions. As used in this Section, the following terms shall have the following meanings:

Host Community Agreement (HCA): A written agreement between an operator of a Recreational Marijuana Establishment (RME) and the Town of Medway that specifies measures an operator will take to anticipate, mitigate and address potential adverse impacts of the RME on the Town, neighborhood, or community at large, including but not limited to public safety services and infrastructure.

Marijuana: The same substance defined as “marijuana” under General Laws Chapter 94G

Recreational Marijuana Establishment (RME): See definition in SECTION 2.

Recreational Marijuana Social Consumption Establishment: See definition in SECTION 2.

D. Eligible Locations for Recreational Marijuana Establishments. Recreational Marijuana Establishments 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:

1. East Industrial *(renamed from Industrial I on 11-13-17)*
2. West Industrial *(renamed from Industrial III on 11-13-17)*
3. Business Industrial

Commented [GC1]: Didn't the Board agree to eliminate this location? Do you want to keep this or eliminate it as an RME location?

E. General Requirements and Conditions for all Recreational Marijuana Establishments

1. All 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.
2. A RME shall not be located in a building that contains any other uses.
3. The hours of operation of RMEs shall be set by the Planning and Economic Development Board.
4. ~~No~~ RME shall be located on a lot within 500 linear feet of any lot with the following as of the date of the RME's application to the Massachusetts Cannabis Control Commission.
 - a. Residence
 - b. Existing public or private school serving students in grades K-12
 - c. Private educational entity that provides instruction to children and youth in an ongoing organized basis

Commented [SA2]:
An RME, by the current proposed definition, does NOT include retail outlets or social clubs. Therefore, do we really need this list of uses from which an RME must be located more than 500'. Town Counsel is concerned that this list may be too comprehensive under the statute. The statute specifies that a buffer can be required for locations within 500 feet of pre-existing public or private K-12 school. It does not specifically authorize buffers from other uses like those listed. See her email dated 2-23-18.

- d. Licensed registered childcare facility
- e. Library
- f. Religious facility
- g. Playground, public park, or ball field
- h. Recreation center
- i. Halfway house or similar facility
- j. Drug or alcohol rehabilitation facility.

The distance requirement may be reduced by the Planning and Economic Development Board if the applicant demonstrates that adequate security measures will be employed to prevent the diversion of recreational marijuana to minors or other vulnerable populations or that the RME would be effectively prohibited from locating in the community.

The distance between properties shall be calculated by direct measurement in a straight line without regard for intervening structures from the nearest property line of the land used as noted in E. 4. above to the nearest property line of the land on which the RME is to be located.

Commented [SA3]:

I changed this to be consistent with the state law.

- 5. No smoking, burning or consumption of any product containing marijuana or marijuana-infused products shall be permitted on the premises of a RME.

F. Signage.

- 1. No permitted RME shall use signage or any advertising material or graphics that are misleading, deceptive, or false, or designed to appeal to minors.
- 2. A RME shall not display on the exterior of the facility any signage or advertisement for marijuana or any brand name.
- 3. Off-site signage or advertising in any form, including billboards shall not be allowed.

G. Contact Information. The RME shall provide the Medway Police Department, Building Inspector and the Planning and Economic Development Board with the names, telephone numbers and email addresses of all management staff and key holders to whom the Town can provide notice if there are operating problems associated with the establishment.

H. Prohibition against Nuisances. No RME shall create a nuisance to abutters or to the surrounding area, or create any hazard, including but not limited to fire, explosion, fumes, gas, smoke, odors, obnoxious dust, vapors, offensive noise or vibration, flashes, glare, objectionable effluent or electrical interference, which may impair the normal use and peaceful enjoyment of any property, structure or dwelling in the area.

I. Openness of Premises.

1. Any and all cultivation, distribution, possession, storage, or display of recreational marijuana and marijuana infused products shall occur only within the restricted interior area of the RME.
2. The RME shall be designed and constructed such that no area or portion where recreational marijuana or marijuana infused products are processed or stored is visible from the exterior of the building.
3. The front of the building which shall include the public entrance to the RME shall be fully visible from the public street or building frontage.
4. Marijuana and marijuana infused products shall not be displayed or clearly visible to a person from the exterior of the RME.

J. Special Permit Requirements.

1. RME shall only be allowed by special permit from the Planning and Economic Development Board in accordance with G.L. c. 40A, §9, subject to the following statements, regulations, requirements, conditions and limitations.
2. A RME is subject to site plan review by the Planning and Economic Development Board pursuant to Section 3.5, which shall be coordinated with the special permit process.
3. A special permit for a RME shall be limited to one or more of the following uses that shall be prescribed by the Planning and Economic Development Board:
 - a. Cultivation of Marijuana (horticulture)
 - b. Manufacturing, processing and packaging of marijuana for recreational use and the delivery and transport of marijuana and marijuana products to other RMEs, but not to consumers
 - c. Independent testing laboratory
4. Recreational Marijuana Retailers and Recreational Marijuana Social Establishments are prohibited.
5. The RME special permit application shall include the following:
 - a. The name and address of each owner of the facility;
 - b. Copies of all required licenses and permits issued for the RME to the applicant by the Commonwealth of Massachusetts and any of its agencies;
 - c. Evidence of the Applicant's right to use the site of the RME for the RME, such as a deed or lease;
 - d. A statement under oath disclosing all of the applicant's owners, shareholders, partners, members, managers, directors, officers, or other similarly-situated individuals and entities and their addresses. If any of the above are entities rather than persons, the

Applicant must disclose the identity of the owners of such entities until the disclosure contains the names of individuals;

- e. A certified list of all parties in interest entitled to receive notice of the hearing for the special permit application, taken from the most recent tax list of the town and certified by the Town Assessor;
- f. A detailed site plan that includes the following information:
 - i. A detailed floor plan of the premises of the proposed RME that identifies the square footage available and describes the functional areas of the facility including but not limited to sales, storage, cultivation, processing, food preparation, etc.
 - ii. Proposed security measures for the RME, including lighting, fencing, gates and alarms, etc., to ensure the safety of qualifying patients, their caregivers, and facility employees and to protect the premises from theft.
- g. A copy of the policies/procedures for delivery service.

6. Procedures.

- a. The special permit application and public hearing procedure for a RME shall be in accordance with Section 3.4 and G.L. c. 40A, § 9.
- b. Mandatory Findings. The Planning and Economic Development Board shall not grant a special permit for a RME unless it finds that:
 - i. The RME is designed to minimize any adverse visual or economic impacts on abutters and other parties in interest, as defined in G.L. c. 40A, § 11;
 - ii. The RME demonstrates that it 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; and
 - iii. The applicant has satisfied all of the conditions and requirements of this Section and Section 3.4 of this Zoning Bylaw.

7. Conditions. In granting a special permit for an RME under this Section 8.10, the Planning and Economic Development Board shall impose conditions, limitations, and safeguards that are reasonably appropriate to:

- a. Improve site design, traffic flow, and public safety;
- b. Protect water quality, air quality and significant environmental resources;
- c. Preserve the character of the surrounding area.

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

- d. Hours of operation

e. Landscaping and site amenities

K. Annual Reporting. Each RME permitted under this Section 8.10 shall as a condition of its special permit file an annual report with the Planning and Economic Development Board, the Building Inspector, the Health Agent, and the Police Chief no later than January 31st of each year, providing a copy of all current applicable state licenses for the RME and/or its owners and demonstrate continued compliance with the conditions of the special permit.

L. Duration of Special Permit. A special permit granted under this Section 8.10 shall remain exclusively with the applicant which shall be the owner or lessee of the premises described in the application. The special permit shall terminate automatically on the date the applicant alienates that title or leasehold interest in the premises.

M. Abandonment or Discontinuance of Use. A RME shall be required to remove all material, plants, equipment and other paraphernalia:

- a. Prior to surrendering its state issued licenses or permits; or
- b. Within six months of ceasing operations; whichever comes first.

N. Other Permits and Approvals. Receipt of a special permit from the Planning and Economic Development Board for a RME does not preclude an applicant from having to secure other required local permits from other Town boards or departments, including but not limited to the Board of Health, Conservation Commission, or the Department of Public Services.

O. Each RME permitted under this Zoning Bylaw shall enter into a Host Community Agreement (HCA) with the Town of Medway.

And by amending Section 5.4, Schedule of Uses, by revising and adding the following highlighted text in Table 1 – Schedule of Uses under Business Uses and Industrial Uses as shown:

	Zoning District									
	AR-I	AR-II	VR	CB	VC	NC	BI	EI	ER	WI
BUSINESS USES										
<u>Recreational Marijuana Retailer</u>	N	N	N	N	N	N	N	N	N	N
<u>Recreational Marijuana Social Consumption Establishment</u>	N	N	N	N	N	N	N	N	N	N
INDUSTRIAL USES										
<u>Recreational Marijuana Establishment</u>	N	N	N	N	N	N	PB	PB	N	PB

NOTE – PB means the use is allowed by special permit from the Planning and Economic Development Board

Or to act in any manner relating thereto:

PLANNING AND ECONOMIC DEVELOPMENT BOARD

Commented [SA4]:

Do you want to keep the BI zoning district in the mix as a possible location for recreational marijuana establishments?

MEDICAL MARIJUANA

Proposed Amendments – Revised Draft 3-20-18

ARTICLE: To see if the Town will vote to amend the Zoning Bylaw, Section 8.9 Registered Marijuana Dispensary as follows. Text to be deleted is shown with a ~~strikethrough~~. New text is shown as underlined.

8.9 REGISTERED MEDICAL MARIJUANA FACILITIES DISPENSARY

A. Purposes. The purposes of this Section are to address possible adverse public health and safety consequences and impacts on the quality of life of the Town of Medway related to the passage of Chapter 369 of the Acts of 2012; provide for the limited establishment of a Registered Medical Marijuana Facility Dispensary (RMD) (RMMF) in an appropriate place and under strict conditions in accordance with Chapter 369 of the Acts of 2012, and 105 CMR 725.000; minimize the adverse impacts of a ~~RMD RMMF~~ on adjacent properties, residential neighborhoods, schools, playgrounds and other land uses potentially incompatible with such a facility; regulate the siting, design, placement, security, safety, monitoring, modification, and removal of ~~RMDs RMMFs~~; and limit the overall number of ~~RMDs RMMFs~~ in the community to what is essential to serve the public necessity.

B. Applicability.

1. The commercial cultivation [unless it meets the requirements for an agricultural exemption under G.L. c. 40A, § 3], production, processing, assembly, packaging, retail or wholesale sale, trade, distribution or dispensing of Marijuana for Medical Use is prohibited unless permitted as a ~~RMMF RMD~~ under this Section 8.9.
2. No ~~RMD RMMF~~ shall be established except in compliance with the provisions of this Section 8.9.
3. Nothing in this Section 8.9 shall be construed to supersede federal and state laws governing the sale and distribution of narcotic drugs.

C. Definitions. As used in this Section, the following terms shall have the following meanings:

Host Community Agreement (HCA): A written agreement between an operator of a Registered Medical Marijuana Facility Dispensary and the Town of Medway that specifies measures an operator will take to anticipate, mitigate and address potential adverse impacts of the Registered Medical Marijuana Facility Dispensary on the Town, neighborhood, or community at large, including but not limited to public safety services and infrastructure.

(Added 11/16/15)

Marijuana: The same substance defined as “marijuana” under 105 CMR 725.004.

Marijuana for Medical Use: Marijuana that is designated and restricted for use by, and for the benefit of, Qualifying Patients as defined in 105 CMR 725.004.

Registered Medical Marijuana Dispensary (RMD) Facility (RMMF): Shall mean a not-for-profit entity, as defined by Massachusetts law only, registered by the Massachusetts

Department of Public Health under 105 CMR 725.000 that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to registered qualifying patients or their registered personal caregiver as determined by 105 CMR 725.000.

D. Eligible Locations for Registered Medical Marijuana Facilities Dispensaries. Registered Medical Marijuana Facilities Dispensaries, 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:

	<u>Retail RMMF</u>	<u>Non-Retail RMMF</u>
<u>Zoning District</u>	<u>Business Industrial (BI)</u>	<u>East Industrial (EI)</u> <u>West Industrial (WI)</u>

- ~~1. East Industrial (renamed from Industrial I on 11-13-17)~~
- ~~2. Energy Resource (renamed from Industrial II on 11-13-17)~~
- ~~3. West Industrial (renamed from Industrial III on 11-13-17)~~
- ~~4. Business/Industrial~~
- ~~5. Central Business (renamed from Commercial I on 11-14-16)~~

E. General Requirements and Conditions for all Registered Medical Marijuana Facilities Dispensaries

1. All non-exempt RMMFs RMDs shall be contained within a permanent building or structure. No RMMF RMD 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.
2. Size standards: (Amended 11/16/15)
 - a. A standalone dispensary retail RMMF shall not exceed 3,500 sq. ft. for product display, client dispensary, and patient consultation area.
 - b. The RMMF RMD shall be of adequate interior space to accommodate all activities inside the building so as not to have outside patient queuing on sidewalks, in parking areas, or in other areas outside the RMD.
3. A RMMF RMD shall not be located in a building that contains any medical doctors' offices or the offices of any other professional practitioner authorized to prescribe the use of medical marijuana.

4. The hours of operation of ~~RMMFs RMDs~~ shall be set by the Planning and Economic Development Board, but in no event shall the on-site retail sale or dispensing of medical marijuana and/or related products to customers occur between the hours of 8:00 PM and 8:00 AM.

(Amended 11-14-16)

5. No ~~RMMF RMD~~ shall be located on a lot within 500 linear feet of any lot with the following:

- a. Residence
- b. Public school
- c. Private educational entity that provides instruction to children and youth in an ongoing organized basis
- d. Licensed registered childcare facility
- e. Library
- f. Religious facility
- g. Playground, public park, or ball field
- h. Recreation center
- i. Registered ~~Medical Marijuana Facility Dispensary~~ that sells, distributes, dispenses or administers marijuana, products containing marijuana or related supplies to qualifying patients or ~~registered~~ personal caregivers
- j. Halfway house or similar facility
- k. Drug or alcohol rehabilitation facility.

The distance requirement may be reduced by the Planning and Economic Development Board if the applicant demonstrates that the ~~RMMF RMD~~ would otherwise be effectively prohibited from locating within the municipality and that adequate security measures will be employed to prevent the diversion of medical marijuana to minors who are not qualifying patients.

Distances shall be calculated by direct measurement in a straight line without regard for intervening structures from the nearest property line of the land used as noted above to the nearest portion of the building in which the ~~RMMF RMD~~ is located.

6. No smoking, burning or consumption of any product containing marijuana or marijuana-infused products shall be permitted on the premises of a ~~RMMF RMD~~.
7. A ~~RMMF RMD~~ may not have a drive-through service.

F. Signage.

Commented [SA1]:

NOTE – The grey highlighted text is the language approved at the 3-19-18 special town meeting.

1. Signage for the ~~RMMF RMD~~ shall include the following language: "Registration card issued by the MA Department of Public Health required."
2. The required text for a sign for a RMMF shall be a minimum of two inches in height.
3. No permitted ~~RMMF RMD~~ shall use any advertising material or graphics that are misleading, deceptive, or false, or designed to appeal to minors.
4. A ~~RMMF RMD~~ shall not display on the exterior of the facility any advertisement for medical marijuana or any brand name.
5. Off-site signage or advertising in any form, including billboards shall not be allowed.

G. Contact Information. The ~~RMMF RMD~~ shall provide the Medway Police Department, Building Inspector and the Planning and Economic Development Board with the names, telephone numbers and email addresses of all management staff and key holders to whom the Town can provide notice if there are operating problems associated with the establishment.

H. Prohibition against Nuisances. No ~~RMMF RMD~~ shall create a nuisance to abutters or to the surrounding area, or create any hazard, including but not limited to fire, explosion, fumes, gas, smoke, odors, obnoxious dust, vapors, offensive noise or vibration, flashes, glare, objectionable effluent or electrical interference, which may impair the normal use and peaceful enjoyment of any property, structure or dwelling in the area.

I. Openness of Premises.

1. Any and all cultivation, distribution, possession, storage, display, sales or other distribution of medical marijuana shall occur only within the restricted interior area of the RMD.
2. The ~~RMMF RMD~~ shall be designed and constructed such that no area or portion where marijuana is processed or stored is visible from the exterior of the building.
3. The front of the building which shall include the public entrance to the ~~RMMF RMD~~ shall be fully visible from the public street or building frontage.
4. Marijuana, marijuana infused products, and products that facilitate the use of medical marijuana shall not be displayed or clearly visible to a person from the exterior of the ~~RMMF RMD~~.

~~**J. No marijuana or marijuana-based products shall be sold, grown or cultivated, interior or exterior to a residential dwelling unit except if a Hardship Cultivation Registration is granted by the Department of Public Health according to 105 CMR 725.035.**~~

~~K.~~ J. Special Permit Requirements.

1. A ~~RMMF RMD~~ shall only be allowed by special permit from the Planning and Economic Development Board in accordance with G.L. c. 40A, §9, subject to the following statements, regulations, requirements, conditions and limitations.
2. A ~~RMMF RMD~~ is subject to site plan review by the Planning and Economic Development Board pursuant to Section 3.5, which shall be coordinated with the special permit process.

3. A special permit for a ~~RMMF RMD~~ shall be limited to one or more of the following uses that shall be prescribed by the Planning and Economic Development Board:

- a. Cultivation of Marijuana for Medical Use (horticulture) except that sites protected under G.L. c. 40A, § 3 shall not require a special permit;
- b. Processing and packaging of Marijuana for Medical Use, including marijuana that is in the form of smoking materials, food products, tinctures, oils, aerosols, ointments, and other marijuana infused products;
- c. Retail sale or distribution of Marijuana for Medical Use to Qualifying Patients or personal caregivers;
- d. Retail sale of products that facilitate the use of marijuana for medical purposes and of patient educational materials.

4. The ~~RMMF RMD~~-special permit application shall include the following:

- a. The name and address of each owner of the facility;
- b. Copies of all required licenses and permits issued for the ~~RMMF RMD~~ to the applicant by the Commonwealth of Massachusetts and any of its agencies;
- c. Evidence of the Applicant's right to use the site of the ~~RMMF RMD~~ for the ~~RMMF RMD~~, such as a deed or lease;
- d. A statement under oath disclosing all of the applicant's owners, shareholders, partners, members, managers, directors, officers, or other similarly-situated individuals and entities and their addresses. If any of the above are entities rather than persons, the Applicant must disclose the identity of the owners of such entities until the disclosure contains the names of individuals;
- e. A certified list of all parties in interest entitled to receive notice of the hearing for the special permit application, taken from the most recent tax list of the town and certified by the Town Assessor;
- f. A detailed site plan that includes the following information:
 - i. A detailed floor plan of the premises of the proposed ~~RMMF RMD~~ that identifies the square footage available and describes the functional areas of the facility including but not limited to sales, storage, cultivation, processing, food preparation, etc.
 - ii. Proposed security measures for the ~~RMMF RMD~~, including lighting, fencing, gates and alarms, etc., to ensure the safety of qualifying patients, their caregivers, and facility employees and to protect the premises from theft.
- g. A copy of the policies/procedures for the transfer, acquisition, or sale of medical marijuana between approved ~~RMMFs RMD's~~ in compliance with 105 CMR 725.105(B)(2).

- h. A copy of the policies/procedures for patient or personal caregiver home-delivery.

5. Procedures.

- a. The special permit application and public hearing procedure for a ~~RMMF RMD~~ shall be in accordance with Section 3.4 and G.L. c. 40A, § 9.
- b. Mandatory Findings. The Planning and Economic Development Board shall not grant a special permit for a ~~RMMF RMD~~ unless it finds that:
 - i. The ~~RMMF RMD~~ is designed to minimize any adverse visual or economic impacts on abutters and other parties in interest, as defined in G.L. c. 40A, § 11;
 - ii. The ~~RMMF RMD~~ demonstrates that it 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; and
 - iii. The applicant has satisfied all of the conditions and requirements of this Section and Section 3.4 of this Zoning Bylaw.

6. Conditions. In granting a special permit under this Section 8.9, the Planning and Economic Development Board shall impose conditions, limitations, and safeguards that are reasonably appropriate to:

- a. Improve site design, traffic flow, and public safety;
- b. Protect water quality, air quality and significant environmental resources;
- c. Preserve the character of the surrounding area.

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

- d. Hours of operation
- e. Landscaping and site amenities

~~L.K.~~ Annual Reporting. Each ~~RMMF RMD~~ permitted under this Zoning Bylaw shall as a condition of its special permit file an annual report with the Planning and Economic Development Board, the Building Inspector, the Health Agent, and the Police Chief no later than January 31st of each year, providing a copy of all current applicable state licenses for the ~~RMMF RMD~~ and/or its owners and demonstrate continued compliance with the conditions of the special permit.

~~M.L.~~ Duration of Special Permit. A special permit granted under this Section 8.9 shall remain exclusively with the applicant which shall be the owner or lessee of the premises described in the application. The special permit shall terminate automatically on the date the applicant alienates that title or leasehold interest in the premises.

~~N.M.~~ Abandonment or Discontinuance of Use. A ~~RMMF RMD~~ shall be required to remove all material, plants, equipment and other paraphernalia:

- 1. Prior to surrendering its state issued licenses or permits; or
- 2. Within six months of ceasing operations; whichever comes first.

~~O-N.~~ Other Permits and Approvals. Receipt of a special permit from the Planning and Economic Development Board for a ~~RMMF RMD~~ does not preclude an applicant from having to secure other required local permits from other Town boards or departments, including but not limited to the Board of Health, Conservation Commission, or the Department of Public Services.

~~P-Q~~ Each ~~RMMF RMD~~ permitted under this Zoning Bylaw shall enter into a Host Community Agreement (HCA) with the Town of Medway.
(Added 11/16/15)

And by amending Section 5.4, Schedule of Uses, by adding the following text in Table 1 – Schedule of Uses under Business Uses and Industrial Uses as shown:

	Zoning District									
	AR-I	AR-II	VR	CB	VC	NC	BI	EI	ER	WI

D. BUSINESS USES
Retail Trade

Registered Medical Marijuana Facility (retail) N N N N N N PB N N N

E. INDUSTRIAL AND RELATED USES

Registered Medical Marijuana Facility (non-retail) N N N N N N N PB N PB

Commented [SA2]:
This needs to match whatever you decide in Paragraph D.

DRAFT

SITE PLAN REVIEW

Proposed Amendments (3-5-18)

ARTICLE : To see if the Town will vote to amend portions of Section 3.5 Site Plan Review of the Zoning Bylaw as follows: Deleted text is shown with a ~~strike through~~; new text is shown as underlined.

3.5 SITE PLAN REVIEW

3.5.1 Purposes

Site plan review is a means of managing the aesthetics and environmental impacts of land use by the regulation of permitted uses, not their prohibition. Its purpose is to:

- provide a standard process to review proposed development and redevelopment projects for compliance with the Medway Zoning Bylaw
- assure protection of the public interest consistent with a reasonable use of the site for the purposes permitted in the district; and
- promote and encourage desired community characteristics as expressed in the *Master Plan* and *Design Review Guidelines*

3.5.2 Requirements

- A. No building permit shall be issued for any use, site, or building alteration, or other improvement that is subject to this Section 3.5 unless an application for site plan review has been prepared in accordance with the requirements herein and unless such application has been approved by the Planning and Economic Development Board (hereinafter referred to in this Section as the Board) or its designee in the instance of administrative site plan review.
- B. Unless specifically authorized by the terms of the site plan review decision, a final certificate of occupancy shall not be issued until the applicant has complied with or satisfied all conditions of the site plan review decision.
- C. Any work done in deviation from an approved site plan shall be a violation of this Bylaw unless such deviation is approved in writing by the Board or its designee or is determined by the Building Inspector to be an insubstantial change.

3.5.3. Applicability

- A. Site plan review shall apply to the following:
 - 1. **Major Site Plan Review:**

a. New construction or any alteration, reconstruction, change in use or renovation of any multi-family, commercial, industrial, institutional, or municipal building or use which involves one or more of the following:

i. the addition of 2,500 square feet or more of gross floor area; or

ii. the addition of ~~fifteen~~-~~twenty~~ or more new parking spaces; or

b. The redesign, alteration, expansion or modification of an existing parking area involving the addition of ~~fifteen~~-~~twenty~~ or more new parking spaces.

c. The redesign or the layout/configuration of an existing parking area of 40 or more parking spaces

~~e.~~ d. Construction of ground mounted solar photovoltaic installations of any size in any zoning district including solar canopy type systems in parking areas.

e. Removal/disturbance/alteration of more than 20,000 square feet of existing impervious surface.

2. Minor Site Plan Review:

a. New construction or any alteration, reconstruction, change in use or renovation of any multi-family, commercial, industrial, institutional, or municipal building or use which is not subject to Major Site Plan Review but which involves one or more of the following:

i. the addition of 1,000 to 2,499 square feet of gross floor area; ~~or~~

ii. the addition of ~~five~~-~~ten~~ or more but less than ~~fifteen~~-~~twenty~~ new parking spaces; ~~or~~

b. The redesign, alteration, expansion or modification of an existing parking area involving the addition of five or more but less than fifteen new parking spaces; or

c. The redesign of the layout/configuration of an existing parking area of twenty to thirty-nine parking spaces.

~~e.~~ d. Any use or structure or expansion thereof exempt under Massachusetts G.L. c. 40A, § 3. only to the extent allowed by law.

e. Removal/disturbance/alteration of 10,000 – 20,000 square feet of existing impervious surface.

3. Administrative Site Plan Review: ~~a.~~ New construction or any alteration, reconstruction, or renovation 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:

~~i.~~ a. The addition of less than 1,000 square feet of gross floor area; ~~or~~

~~ii.~~b. Exterior alteration/renovation of an existing building or premises, visible from a public or private street or way which includes any of the following:

- ~~ai.)~~ installation or replacement of awnings
- ~~bii)~~ change in a building's exterior surface material
- ~~eiii)~~ rearrangement or addition of windows or doors
- ~~dii)~~ façade reconstruction/replacement
- ~~e v)~~ roofing if the Building Inspector determines the roof to be a distinctive architectural feature of the building

~~b.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 ~~four~~nineteen new parking spaces

~~e.d~~ A change in curb cuts/vehicular access to a site from a public way

~~d.e~~ Installation or alteration of sidewalks and other pedestrian access improvements

~~e.f~~ Removal of hedges, living shrubs, and trees greater than four inches in caliper

~~f.g~~ Installation of fencing or retaining walls.

h. Outdoor placement of cargo containers, sheds, membrane structures, equipment and materials

i. Removal/disturbance/alteration of 5,000 – 10,000 square feet of existing impervious surface

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

k. Installation of a wireless communication facility as defined in this Zoning Bylaw

4. Consideration of ~~planned~~ 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.