



**July 12, 2022, 2022**

**Medway Planning & Economic Development Board  
Meeting**

**Bright Path Child Care Minor Site Plan**  
**Public Briefing Continuation**

- Revised draft decision dated 7-7-22
- Review letter from Safety Officer Jeff Watson dated 7-6-22
- Email communication dated 7-8-22 from Karen Johnson, Charter Realty with comments on draft decision





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

*Matthew J. Hayes, P.E., Chair*  
*Robert K. Tucker, Vice-Chair*  
*Richard Di Iulio, Clerk*  
*Jessica Chabot, Member*  
*Sarah Raposa, A.I.C.P., Member*  
*Thomas A. Gay, Associate Member*

Revised Draft – July 8, 2022

**Minor Site Plan Decision**  
**BrightPath Child Care Center – 67C Main Street**  
**\_\_\_\_\_ with Waivers and Conditions**

**Decision Date:** July 12, 2022

**Name/Address of Applicant (Permittee):**

Charter Realty and Development Corporation  
309 Greenwich Avenue  
Greenwich, CT 06830

**Name/Address of Property Owner:**

Hidden Acres Realty Trust  
c/o Charter Medway II, LLC  
309 Greenwich Avenue  
Greenwich, CT 06830

**Project Location:** 67C Main Street, Medway Commons

**Assessors' Reference:** 41-023

**Zoning District:** Central Business

**Engineer:** Tighe & Bond  
117 Corporate Drive  
Portsmouth, NH 03801

**Site Plan:** Medway Commons 67C Main Street Medway, Massachusetts  
BrightPath Child Care Center Permit Drawings  
Dated May 19, 2022, last revised June 22, 2022 to be revised as  
specified herein.

**I. PROJECT DESCRIPTION** - The Applicant seeks minor site plan approval to modify a section of the existing parking lot in front of a portion of existing retail and restaurant spaces to accommodate construction of an approximately 14,200 sq. ft. outdoor play area for a new 12,700 sq. ft. childcare facility to be located within existing space at the southwestern end of the shopping center. Planned construction includes removal of pavement from 33 parking spaces, removal of an estimated 440 linear feet of curbing, removal or approximately 80 linear feet of driveway space, and removal of an estimated 2,040 sq. ft. of sidewalk, to be replaced with installation of various play area surface materials, fencing, landscaping, and play space equipment and amenities to be directly accessed from the childcare center.

**II. VOTE OF THE PLANNING AND ECONOMIC DEVELOPMENT BOARD** – After reviewing the application and information gathered during the public review process, the Medway Planning and Economic Development Board, hereafter referred to as the “Board”, on July 12, 2022, on a motion made by \_\_\_\_\_ and seconded by \_\_\_\_\_, **voted to \_\_\_\_\_ with WAIVERS and CONDITIONS** as specified herein, a site plan for *Medway Commons 67C Main Street Medway, Massachusetts BrightPath Child Care Center Permit Drawings* dated May 19, 2022, last revised June 22, 2022, prepared by Tighe & Bond, to be further revised as specified herein.

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

<b>Planning &amp; Economic Development Board Member</b>	<b>Vote</b>
Matthew Hayes	
Richard Di Iulio	
Jessica Chabot	
Sarah Raposa	

### **III. PROCEDURAL HISTORY**

- A. May 20, 2022 – Minor site plan application and associated materials were filed with the Board and were provided to the Medway Town Clerk.
- B. May 24, 2022 – Minor site plan public review notice was filed with the Town Clerk and posted at the Town of Medway web site.
- C. May 25, 2022 – Minor site plan public review notice was mailed to abutters by first class mail.
- D. May 31, 2022 – Minor site plan information distributed to Town boards, committees and departments for review and comment.
- E. June 14, 2022 – The Board commenced its review of the minor site plan. The public briefing was continued to June 28, 2022 and July 12, 2022 when the briefing was concluded, and the Board voted its decision.

### **IV. INDEX OF SITE PLAN DOCUMENTS**

- A. The application for the proposed minor site plan project included the following documents, plans, studies and information that were provided to the Board at the time the application was filed:
  - 1. Minor Site Plan Application dated May 20, 2022, with Project Description.
  - 2. Certified abutters’ list prepared by Medway Assessor’s office.

3. Site plan *Medway Commons 67C Main Street Medway, Massachusetts BrightPath Child Care Center Permit Drawings* dated May 19, 2022, prepared by Tighe & Bond
  4. Architectural drawings and landscape plan *BrightPath 67 Main Street Medway, MA 02053* dated February 2, 2022, prepared by Helicon Design Group, Inc.
  5. Stormwater memo dated March 19, 2022, prepared by Tighe & Bond.
  6. Project Narrative by Charter Realty & Development Corp.
  7. Parking information.
- B. During the course of the Board’s review, a variety of other materials were submitted to the Board:
1. Plan review letter from Tetra Tech dated June 9, 2022
  2. Response letter to Tetra Tech, Inc. comments, dated June 14, 2022, from Charter Realty & Development.
  3. Site plan *Medway Commons 67C Main Street Medway, Massachusetts BrightPath Child Care Center Permit Drawings* dated May 19, 2022, **last revised June 22, 2022**, prepared by Tighe & Bond.
  4. Plan review letter from Tetra Tech dated June 22, 2022
  5. Plan review letter from Tetra Tech dated June 28, 2022
  6. Email communication dated June 14, 2022 from Deputy Fire Chief Mike Fasolino
  7. Review letter dated July 7, 2022 from Police Sergeant Jeff Watson.
  8. Waiver request from *Site Plan Rules and Regulations* dated June 22, 2022
  9. Mullin Rule Certifications pursuant to G.L. c. 39, §43D from **Jessica Chabot** and Robert Tucker
- C. All documents and exhibits received during the public review process are contained in the Board’s project file.
- V. **TESTIMONY** - In addition to the site plan and special permit application materials as submitted and provided during the course of the Board’s review, the Board also received verbal or written testimony from:
- Steve Bouley, P.E. and Courtney Sudak, P.E. of Tetra Tech, Inc., the Town’s Consulting Engineer – Site plan review letters dated June 9, June 22, and June 28, 2022 and commentary throughout the public review process.
  - Karen Johnson, Charter Realty
  - John Lorden, Tighe & Bond
  - Harry Freeman, BrightPath Child Care
  - Charlie Meyers, 8 Curtis Lane
- VI. **FINDINGS** – In making its findings and reaching the decision described herein, the Board is guided by Board’s *Site Plan Rules and Regulations*, and the *Medway Zoning Bylaw*. The Board also considered evidence and testimony presented at the public briefings and comments submitted by Town departments, boards, and committees as well as the Board’s peer review consultant and residents placed in the public record during the course of the review.

The Planning and Economic Development Board, at its meeting on July 12, 2022, on a motion made by \_\_\_\_\_ and seconded by \_\_\_\_\_, voted to \_\_\_\_\_

the following **FINDINGS** regarding the minor site plan application of Charter Realty and Development Corp. for the BrightPath Child Care Center at 67C Main Street. The motion was \_\_\_\_\_ by a vote of \_\_\_\_ in favor and \_\_\_\_ opposed.

**Site Plan Rules and Regulations Findings** – The Planning and Economic Development Board shall determine whether the proposed development is in conformance with the standards and criteria set forth in the *Site Plan Rules and Regulations*, unless specifically waived. Some of the criteria found in the *Regulations* are not applicable to this proposal, and no specific findings are made as to those criteria. In making its decision, the Board shall determine the following:

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

*The proposed parking, circulation and egress have been reviewed by the Board's consulting engineer, and the Applicant has adequately addressed all comments.*

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

*The proposed play area and other changes do not change the view of the existing buildings from public ways and places.*

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

*The project includes perimeter fencing and landscaping of the proposed play area. No new structures or service areas are proposed.*

- (4) Is adequate access to each structure for fire and emergency vehicles provided?

*The building is readily accessible. The Deputy Fire Chief has stated he had no concerns, and the Police Safety Officer has stated he sees no safety issues with the proposed design and traffic flow.*

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

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

*The changes are proposed to an existing parking lot area; there will not be adverse impacts to the interests listed above.*

- (6) Are pedestrian ways, access driveways, and vehicular and bicycle parking facilities properly designed?

*The entrance and egress to the site and its parking have been designed for safe operation and to minimize conflict. The site design has been reviewed by the Town's Consulting Engineer and found to be acceptable.*

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

*The site is presently occupied by a building and parking lot. Accordingly, there are no visually prominent natural or historic features on site.*

- (8) Does the lighting on the site comply with Section 7.1.2 of the Zoning Bylaw?

*Site lighting has been proposed and modified to comply with the bylaw.*

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

*The limit of work is reasonable for the proposed facility. There are no sensitive environmental or cultural resources on or abutting the site.*

## **VII. WAIVERS FROM SITE PLAN RULES AND REGULATIONS**

At its July 12, 2022 meeting, the Planning and Economic Development Board, on a motion made by \_\_\_\_\_ and seconded by \_\_\_\_\_, voted to approve a waiver from the following provision of the *Site Plan Rules and Regulations*, as amended October 8, 2019. The Board's action and reasons for approving the waiver request are listed below. Waivers are subject to the Special and General Conditions of Approval, which follow this section.

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

***Planning & Economic Development Board Member***      ***Vote***

Richard Di Iulio

Matthew Hayes

Jessica Chabot

Sarah Raposa

**Section 205-4 C. All existing and proposed elevations shall refer to the North American Vertical Datum of 1988 (NAVD88).**

*The Applicant has requested a waiver from this regulation. The submitted site plan uses NGVD29 instead as the original survey and as-built plans for Medway Commons were completed in HGVD29 in 2003 and 200. There is no benefit to site design, construction, or floodplain by using a different vertical datum than the one originally used for the site.*

*For the foregoing reason, the Board APPROVES this waiver as being consistent with the purpose and intent of the Site Plan Rules and Regulations which will have no significant detriment to the achievement of any of the purposes of Site Plan Review and Approval.*

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

**SPECIFIC CONDITIONS OF APPROVAL**

- A. **Plan Endorsement** - Within sixty days after the Board has filed its *Decision* with the Town Clerk, the site plan shall be further revised to reflect all Conditions and required plan revisions, including those specified as follows, and submitted to the Board to review for compliance with the Board's *Decision*. (*Said plan is hereinafter referred to as the Plan*). The Permittee shall provide a set of the revised Plan in its final form to the Board for its endorsement. All plan sheets shall be bound together in a complete set.
- B. **Plan Revisions** – Prior to plan endorsement, the following plan revisions shall be made to the June 22, 2022 plan set.
  - 1. Cover sheet shall include a list of approved waivers.
  - 2. Signature box on the cover shall be revised to add a line for endorsement date.
  - 3. Plan title shall be revised to include Minor Site Plan text
  - 4. The lighting photometric plan presented at the June 14, 2022 public briefing shall be incorporated into the plan set and a reference to it shall be added to the List of Drawings on the cover sheet.
  - 5. Fencing detail shall be added to the plan set.
  - 6. xxx
  - 7. yyy
  - 8. zzz
- C. **Signage** – BrightPath Childcare shall secure sign permits from the Medway Building Department which includes prior review by the Design Review Committee as specified in Section 7.2.6.3 Sign Regulation of the *Zoning Bylaw*.
- D. **Snow Removal** – Snow accumulation that exceeds the on-site storage capacity shall be collected and transported offsite and disposed of at an approved snow disposal facility.
- E. **Wayfinding Signage** - Prior to plan endorsement, the Permittee shall provide a proposed plan for wayfinding signage within the Medway Commons site to guide vehicles about the changed traffic pattern to the Board by action as a field change. Such plan shall be referred to the Design Review Committee for review and comment. NOTE – Such signage will likely require a variance from the Zoning Board of Appeals.

## **GENERAL CONDITIONS OF APPROVAL**

A. **Fees** - Prior to site plan endorsement by the Board, the Permittee shall pay:

1. the balance of any outstanding plan review fees owed to the Town for review of the site plan by the Town's engineering, planning or other consultants; and
2. any construction inspection fee that may be required by the Board; and
3. any other outstanding expenses or obligations due the Town of Medway pertaining to this property, including real estate and personal property taxes and business licenses.

The Permittee's failure to pay these fees in their entirety shall be reason for the Board to withhold plan endorsement.

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

C. **Restrictions on Construction Activities** – During construction, all local, state and federal laws shall be followed regarding noise, vibration, dust and blocking of town roads. The Permittee and its contractors shall at all times use all reasonable means to minimize inconvenience to abutters and residents in the general area. The following specific restrictions on construction activity shall apply.

1. **Construction Time** - Construction work at the site and in the building and the operation of construction equipment including truck, vehicular and machine start-up and movement shall commence no earlier than 7 a.m. and shall cease no later than 6 p.m. Monday through Saturday. No construction shall take place on Sundays or legal holidays without the advance approval of the Building Commissioner.
2. The Permittee shall take all measures necessary to ensure that no excessive dust leaves the premises during construction including use of water spray to wet down dusty surfaces.
3. There shall be no tracking of construction materials onto any public way. Sweeping of roadways adjacent to the site shall be done as needed to ensure that any loose gravel or dirt is removed from the roadways and does not create hazardous or deleterious conditions for vehicles or pedestrians. In the event construction debris is carried onto a public way, the Permittee shall be responsible for all clean-up of the roadway which shall occur as soon as possible and in any event within twelve hours of its occurrence.
4. The Permittee is responsible for having the contractor clean-up the construction site on a daily basis.
5. All erosion and siltation control measures shall be installed prior to the start of construction and observed by the Board's consulting engineer and maintained in good repair throughout the construction period.
6. **Construction Traffic and Parking** – During construction, adequate provisions shall be made on-site for the parking, storing, and stacking of construction



materials and vehicles. All parking for construction vehicles and construction related traffic shall be maintained on site. No parking of construction and construction related vehicles shall take place on adjacent public or private ways or interfere with the safe movement of persons and vehicles on adjacent properties or roadways or within the Medway Commons.

7. *Noise* - Construction noise shall not exceed the noise standards as specified in the *Zoning Bylaw*, Section 7.3.C.2. Environmental Standards.

D. ***Landscape Maintenance***

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

E. ***Snow Storage and Removal***

1. On-site snow storage shall not encroach upon nor prohibit the use of any parking spaces required by the *Zoning Bylaw*.
2. The Permittee shall make the fullest possible effort to remove accumulated snow which exceeds the capacity of the designated on-site snow storage areas from the premises within 48 hours after the conclusion of a storm event.

F. ***Construction Oversight***

1. Construction Account
  - a) Inspection of infrastructure and utility construction, installation of site amenities including landscaping is required. Prior to plan endorsement, the Permittee shall establish a construction account with the Board. The funds may be used at the Board's discretion to retain professional outside consultants to perform the items listed above as well as the following other tasks - inspect the site during construction, identify what site plan work remains to be completed, conduct other reasonable inspections until the site work is completed and determined to be satisfactory, review as-built plans, and advise the Board as it prepares to issue a *Certificate of Site Plan Completion*.
  - b) Prior to plan endorsement, the Permittee shall pay an advance toward the cost of these services to the Town of Medway. The advance amount shall be determined by the Board based on an estimate provided by the Town's Consulting Engineer.

- c) Depending on the scope of professional outside consultant assistance that the Board may need, the Permittee shall provide supplemental payments to the project's construction inspection account, upon invoice from the Board.
  - d) Any funds remaining in the applicant's construction inspection account after the *Certificate of Site Plan Completion* is issued shall be returned to the Permittee.
- 2. Pre-Construction Meeting - Prior to the commencement of any work on the Property, the Permittee and the site general contractor shall attend a preconstruction conference with the Planning and Economic Development Coordinator, the Building Commissioner, Department of Public Works Director, the Town's Consulting Engineer and other Town staff or Permittee's representatives as may be determined. The general contractor shall request such conference at least one week prior to commencing any work on the property by contacting the Planning and Economic Development office.
  - 3. Board members, its staff, consultants or other designated Town agents and staff shall have the right to inspect the site at any time, for compliance with the endorsed site plan and the provisions of this Decision.

**G. *On-Site Field Changes***

- 1. During construction, the Permittee may be authorized to make limited, minor, on-site field changes to the approved plan based on unforeseen site or job conditions, situations, or emergencies necessitated by field conditions or due to practical considerations. These field changes shall not alter items which may affect the site's compliance with this *Decision* and the Bylaw nor conflict with a specific condition of the *Decision*. Field changes shall not substantially alter the intent, layout or design of the endorsed site plan.
- 2. Prior to undertaking such field changes, the Permittee and/or contractor shall discuss the possible field changes with the Town's Consulting Engineer and submit a letter and drawings to the Planning and Economic Development Coordinator and the Building Commissioner describing the proposed changes and what conditions, situations, or emergencies necessitate such changes. In accordance with Section 3.5.2.C of the Bylaw, the Building Commissioner may determine that the field change is insubstantial, authorize the change, and so notify the Board. Otherwise, the Board shall review the proposed field changes at a public meeting and determine whether the proposed field changes are reasonable and acceptable based on the unforeseen conditions, situations, or emergencies and whether other options are feasible or more suitable. A written authorization of field change will be provided. Any approved field change shall be reflected in the as-built plan to be provided at project completion.

**H. *Modification of Plan and/or Decision***

- 1. This site plan approval is subject to all subsequent conditions that may be imposed by other Town departments, boards, agencies or commissions. Any

changes to the site plan that may be required by the decisions of other Town boards, agencies or commissions shall be submitted to Board for review as site plan modifications.

2. Any work that deviates from the approved site plan or this Decision may be a violation of the *Medway Zoning Bylaw* unless the Permittee requests approval of a plan modification pursuant to Section 3.5.2.A.3.c. and such approval is provided in writing by the Board.
3. Whenever additional reviews by Board, its staff or consultants are necessary due to proposed site plan modifications, the Permittee shall be billed and be responsible for all supplemental costs including filing fees, plan review fees and all costs associated with another public review process including legal notice and abutter notification. If the proposed revisions affect only specific limited aspects of the site, the Board may reduce the scope of the required review and waive part of the filing and review fees.
4. The Board shall issue a modification decision, file such with the Town Clerk, and provide copies to the Building Commissioner and other Town officials and the Permittee. Any modification approved by the Board shall be made a permanent part of the approved site plan project documents and shall be shown on the final as-built plan.

**I. *Compliance with Plan and Decision***

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

**J. *Performance Security***

1. No occupancy permit for the building shall be granted until the Board has provided a written communication to the Building Commissioner/Zoning Enforcement Officer that the project, as constructed, conforms completely and fully to the approved site plan and that any conditions including construction of any required on and off-site improvements, have been satisfactorily completed OR that suitable security or performance guarantee has been provided to the Town of Medway, to the Board's satisfaction, to cover the cost of all remaining work.
2. If performance security is needed, the Permittee shall propose a form of performance security which shall be of a source and in a form acceptable to the Board, the Treasurer/Collector and Town Counsel. The Board requires that the performance guarantee be accompanied by an agreement which shall define the obligations of the developer and the performance guarantee company including:

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

**K. *Project Completion***

1. Site plan approval shall lapse after two years of the grant thereof if substantial use has not commenced except for good cause per Section 3.5.7 of the Zoning Bylaw. Approved site plans shall be completed by the Permittee or its assignees within three years of the date of plan endorsement. Upon receipt of a written request from the Permittee filed at least thirty days prior to the date of expiration, the Board may grant an extension for good cause. The request shall state the reasons for the extension and also the length of time requested. If no request for extension is filed and approved, the site plan approval shall lapse and may be reestablished only after a new filing, public review process and decision.
2. Prior to issuance of a final occupancy permit, the Permittee shall secure a ***Certificate of Site Plan Completion*** from the Board and provide the ***Certificate*** to the Building Commissioner. The ***Certificate*** serves as the Board's confirmation that the completed work conforms to the approved site plan and any conditions and modifications thereto, including the construction of any required on and off-site improvements. The ***Certificate*** also serves to release any security or performance guarantee that has been provided to the Town of Medway. To secure a ***Certificate*** of Site Plan Completion, the Permittee shall:

- a) provide the Board with written certification from a Professional Engineer registered in the Commonwealth of Massachusetts that all site work has been completed in substantial compliance with the approved and endorsed site plan, and any modifications thereto; and
  - b) submit an electronic version of an As-Built Plan, prepared by a registered Professional Land Surveyor or Engineer registered in the Commonwealth of Massachusetts, to the Board for its review and approval. The As-Built Plan shall show actual as-built locations and conditions of all buildings and site work shown on the original site plan and any modifications thereto. The final As-Built Plan shall also be provided to the Town in CAD/GIS file format per MASS GIS specifications.
- L. **Construction Standards** - All construction shall be completed in full compliance with all applicable local, state and federal laws, including but not limited to the Americans with Disabilities Act and the regulations of the Massachusetts Architectural Access Board for handicap accessibility.
- M. **Conflicts** – If there is a conflict between the site plan and the Decision’s Conditions of Approval, the Decision shall rule. If there is a conflict between this Decision and/or site plan and the Medway Zoning Bylaw, the Bylaw shall apply.

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

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

###

**Medway Planning and Economic Development Board  
SITE PLAN and SPECIAL PERMIT DECISION  
Charter Realty and Development Corp., 67C Main Street**

*APPROVED with Conditions by the Medway Planning & Economic Development Board:  
July 12, 2022*

**AYE:**

**NAY:**

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**COPIES TO:** Michael Boynton, Town Manager  
Michael Fasolino, Deputy Fire Chief  
Bridget Graziano, Conservation Agent  
Donna Greenwood, Assessor  
Beth Hallal, Health Agent  
Bill Kingsbury, Police Chief  
Jeff Lynch, Fire Chief  
Jack Mee, Building Commissioner  
Pete Pelletier, DPW Director  
Joanne Russo, Treasurer/Collector  
Barbara Saint Andre, Director of Community and Economic Development  
Jeff Watson, Police Department Safety Officer  
Karen Johnson, Charter Realty & Development  
Steven Bouley, Tetra Tech



# Medway Police Department

315 Village Street  
Medway, MA 02053

Phone: 508-533-3212  
Fax: 508-533-3216  
Emergency: 911

Allen M. Tingley  
Chief of Police

July 6, 2022

To: Susan Affleck-Childs  
Planning & Economic Development  
Coordinator

From: Jeffrey W. Watson  
Sergeant/Safety Officer  
Medway Police Department

Ref: BrightPath Child Care Center

I have looked at the permit drawings dated May 19, 2022; revised June 22, 2022 for the Brightpath Child Care Center located at 67C Main St. Currently, I see no safety issues with the proposed design and traffic flow. I request that if any changes are made, I have an opportunity to review such changes.

All signage must meet the standards of the Medway Department of Public Works.

## Susan Affleck-Childs

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**From:** Karen Johnson <karen@charterrealty.com>  
**Sent:** Thursday, July 7, 2022 11:22 AM  
**To:** Susan Affleck-Childs  
**Subject:** [External] RE: BrightPath - draft decision (7-8-22 sac)

Hi Susy,

This is the only section of concern:

***Wayfinding Signage*** - Prior to plan endorsement, the Permittee shall provide a proposed plan for wayfinding signage within the Medway Commons site to guide vehicles about the changed traffic pattern to the Board by action as a field change. Such plan shall be referred to the Design Review Committee for review and comment. NOTE – Such signage will likely require a variance from the Zoning Board of Appeals.

This must be written as a suggestion and not a requirement prior to plan endorsement as we will never complete this in time. Alternative is to suggest that this process is initiated after plan endorsement and pursued prior to CO however there clearly is no justification for a variance.

**Alternative is to change this to a directory sign – again we can probably get this accomplished prior to CO and not plan endorsement.**

7.2.5 B. 4. Directory Signs. Freestanding directory signs shall be set back a minimum of seventy-five feet from a public way and shall not exceed sixteen sq. ft. in sign surface area per sign. The design and placement of freestanding directory signs shall be prescribed in the master sign plan developed during the site plan approval process.

Freestanding Directory Sign 16 SF Per Master Signage Plan 6 See 7.2.5.B.4 (Amended 11-16-15) External

I am available to discuss if you want to review.

Karen

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**From:** Susan Affleck-Childs <sachilds@townofmedway.org>  
**Sent:** Thursday, July 7, 2022 10:35 AM  
**To:** Karen Johnson <karen@charterrealty.com>  
**Cc:** Bouley, Steven <steven.bouley@tetrattech.com>  
**Subject:** BrightPath - draft decision (7-8-22 sac)

[ CAUTION - External Sender ]

Hi,

Attached is a revised site plan decision for BrightPath for review, discussion and voting at the July 12<sup>th</sup> PEDB meeting.

Please advise if there are any concerns. Have I missed anything the Board discussed, particularly any further plan revisions?



Cheers!

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

