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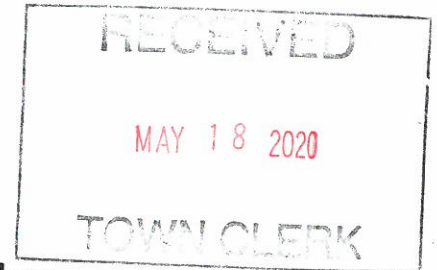


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TOWN OF MEDWAY
COMMONWEALTH OF MASSACHUSETTS
PLANNING AND ECONOMIC
DEVELOPMENT BOARD

May 18, 2020

Certificate of Action
Choate Trail Way Definitive Subdivision Plan
APPROVED with Waivers and Conditions



*30 day appeal
date June 8, 2020*

Location:	42 and 42R Highland Street
Assessors' Reference:	Map 37, Parcels 64 & 67
Parcel Size:	5.88 acres
Name/Address of Applicant:	Residences at Choate Trail, LLC 11 Tanglewood Drive Nashua, NH 03062
Name/Address of Property Owner:	Residences at Choate Trail, LLC 11 Tanglewood Drive Nashua, NH 03062
Engineer:	Vito Colonna, P.E. Connorstone Engineering, Inc. 110 Southwest Cutoff, Suite 7 Northborough, MA 01532
Land Surveyor:	Varoujan Hagopian, P.L.S Connorstone Engineering, Inc. 110 Southwest Cutoff, Suite 7 Northborough, MA 01532
Plan:	<i>Choate Trail Way Subdivision</i>
Plan Dated:	November 8, 2019, last revised March 8, 2020 to be further revised as specified herein
Zoning District:	Agricultural Residential I
Street Name:	Copper Drive

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I. PROJECT DESCRIPTION: The *Choate Trail Way Definitive Subdivision Plan* dated November 8, 2019, as last revised March 9, 2020, shows the division of the 5.88 acre parcel of land located at 42 and 42R Highland Street in the Agricultural Residential I zoning district into four residential lots, the construction of an approximately 578 foot private roadway (Copper Drive) and the installation of stormwater management facilities and private sewer and water service. The property is accessed from Highland Street, a Medway Scenic Road. This proposal is for a “by right” conventional subdivision use in this zoning district. A portion of this site is in a Wetland Resource Area which is under the jurisdiction of the Medway Conservation Commission for an Order of Conditions and a Land Disturbance Permit. The property is also subject to a Scenic Road Work Permit to be issued by the Planning and Economic Development Board.

II. PROCEDURAL SUMMARY:

- A. November 18, 2019, the Planning and Economic Development Board received an application for approval of the *Choate Trail Way Definitive Subdivision Plan*, dated November 8, 2019, prepared by Connorstone Engineering, Inc. of Northborough, MA. The application had been preceded by a preliminary subdivision plan application filed with the Board on September 16, 2019.
- B. On December 3, 2019, the Board notified various Town boards and departments, including the Board of Health, of the public hearing on the proposed *Choate Trail Way Definitive Subdivision Plan*, provided copies of the plan, and requested review comments.
- C. On December 10, 2019 the Board commenced the public hearing. The public hearing was duly noticed in the *Milford Daily News* on November 26 and December 2, 2019. Notice was posted with the Medway Town Clerk and to the Board’s web site on November 21, 2019 and was mailed by *Certified Sent* mail on November 25, 2019 to abutters in Medway within 300 feet of the subject property and to parties of interest. The public hearing was continued to January 28, February 25, 2020, March 24, 2020, April 7, 2020 and May 12, 2020 when the hearing was closed, and a decision rendered. During the course of the public hearing, the applicant submitted three revisions to the *Choate Trail Way Definitive Subdivision Plan* dated January 3, January 13 and March 9, 2020.
- D. All members voting on this Subdivision Certificate of Action were present at all sessions of the public hearing or have provided a certification pursuant to General Laws c. 39 section 23D.

III. PUBLIC HEARING SUMMARY: The public hearing and the Board’s review of the *Choate Trail Way Definitive Subdivision Plan* were conducted over the course of six Planning and Economic Development Board meetings during which substantive information was presented and evaluated. The plan and its submitted revisions were reviewed for compliance with the *Subdivision Rules and Regulations* dated April 26, 2005 which were in effect at the time the applicant submitted a preliminary subdivision plan to the Board on September 16, 2019.

Specified below is a list of plan documents and support materials, public comments, consultant and town departmental board review documents, and supplemental information which have been provided by the Applicant or placed on the record by the Planning and Economic Development Board. All information is on file in the Medway

Planning and Economic Development office and is available for public review (except for confidential communications from Town Counsel).

Choate Trail Way Definitive Subdivision Plan Application Materials

- Form C – Definitive Plan Application dated October 15, 2019, received November 18, 2019
- Form D – Designer’s Certificate dated November 15, 2019 with deed dated August 21, 2018
- Form E – Certified Abutters’ List dated November 13, 2019
- Form F – Development Impact Report received November 18, 2019
- Medway Historical Commission letter dated May 2, 2019 with a determination that the house on the property at 42 Highland Street is not historically significant and therefore, may be demolished.
- Certificate of Amendment dated September 7, 2018 from Secretary of State William Francis Galvin to change the name of property owner Lock It Up LLC to Residences at Choate Trail, LLC.

Choate Trail Way Definitive Subdivision Plan – Connorstone Engineering, November 8, 2019
Revised – January 3, 2020
Revised – January 13, 2020
Revised – March 9, 2020

Stormwater Report for Choate Trail Way Definitive Subdivision Plan – Connorstone Engineering, November 8, 2019

Town Engineering Consultant Reviews – Steven Bouley, P.E., Tetra Tech
December 10, 2019
January 23, 2020
March 26, 2020

Town Planning Consultant Review Letters – Gino Carlucci, AICP, PGC Associates
December 4, 2019
January 23, 2020
March 31, 2020

Supplemental Information Provided by Applicant’s Consultants

- Letter from Vito Colonna, PE, Connorstone Engineering, Inc. dated January 14, 2020 in response to plan review comments from Tetra Tech dated December 10, 2019 and PGC Associates dated December 4, 2019, including a truck turning template for Choate Trail Way.
- *Requests for Waivers from Subdivision Rules and Regulations* – Prepared by Connorstone Engineering, dated January 13, 2020
- Truck Turning Template by Connorstone Engineering, received January 15, 2020
- Letter from Vito Colonna, P.E. Connorstone Engineering, dated March 9, 2020 with further plan revisions based on public hearing comments.
- Annotated Existing Conditions plan sheet by Connorstone Engineering showing trees expected to be remove during construction, received April 3, 2020

Supplemental Information Entered into the Record by the Medway Planning and Economic Development Board

- Mullins Rule certification from Andy Rodenhiser re: the December 10, 2019 hearing
- Mullins Rule certification from Andy Rodenhiser re: the February 25, 2020 hearing
- Sidewalk construction estimate prepared by Tetra Tech dated February 20, 2020
- Decision of the Medway Street Naming Committee dated February 10, 2020 approving Copper Drive as the street name for this subdivision

Citizen/Resident Letters/Communications

- Email communication dated December 11, 2019 from Johanna Madge and Lynda Bannon of 38 Highland Street.
- Email communications dated January 28, 2020, April 7, 2020, and May 11, 2020 from Amy Jordan of 40 Highland Street

Citizen/Resident Testimony

- Amy Jordan, 40 Highland Street
- Lynda Bannon, 38 Highland Street
- Paul Atwood, Medway Trail Club
- Johana Madge, 38 Highland Street

Professional Testimony

- Gino Carlucci, AICP, PGC Associates, Inc. – Franklin, MA
- Steven Bouley, P.E., Tetra Tech – Marlborough, MA
- Vito Colonna, P.E. Connorstone Engineering – Northborough, MA

Medway Departmental/Board Review Comments

- Email communication dated January 2, 2020 from Deputy Fire Chief Mike Fasolino
- Email communication dated January 27, 2020 from Conservation Agent Bridget Graziano
- Communication dated February 14, 2020 from Medway Tree Warden Steve Carew

IV. ACTION ON REQUEST FOR WAIVERS OF SUBDIVISION RULES & REGULATIONS – The Applicant has requested, and the Board has identified needed waivers from the following sections of the *Subdivision Rules and Regulations*, dated April 26, 2005.

7.6.2 UNDERGROUND UTILITIES - g) Other Utilities - Within all lots, underground telephone, electric and cable television lines shall be installed underground within rigid conduits approved by the respective utility companies for each specific purpose. The Applicant shall provide design plans from said utilities to the Board and their agent. Utilities located under the sidewalks are strongly discouraged.

FINDINGS - *Utility poles are currently located on the opposite side of Highland Street from the subject property. The Applicant's engineering consultant reports that initial feedback from the utility company would be to locate a new pole on the locus property and to make the electrical connection above ground across Highland Street from the existing service and then drop to underground service once on-site. The Board's consulting engineer does not recommend this approach as it provides additional overhead crossing on Highland Street and such proposed utility pole would have to be located on private property. However, the Board does not wish for West Street to be disturbed for underground utility installation. Further, the Regulations do not*

specifically require that utilities to the site shall be underground. Therefore, Board finds that a waiver is not needed in this instance.

SECTION 7.7.2 STORMWATER MANAGEMENT – (p) Detention and retention basins and underground infiltration systems and any related drainage structures shall be located on separate parcels and shall not be included on individual house/building lots.

FINDINGS - The applicant has proposed installing the stormwater management facilities within the roadway layout of the permanent private way. The PEDB has previously allowed stormwater management facilities to be located within the roadway layout of other private way subdivisions and the Town’s consulting engineer has reviewed the proposed stormwater design and recommended suggested revisions which have been incorporated. Therefore, the Board finds that the location of the stormwater facilities within the roadway layout is acceptable.

SECTION 7.9.5.(c) STREETS AND ROADWAY – GRADE – At the intersection of street right-of-way lines, there shall be provided in a residential subdivision a leveling (fixed slope) area for at least one hundred feet (100’) with a maximum grade of two percent (2%).

FINDINGS – The Applicant has requested a waiver to not be required to have a fixed slope area for at least 100’ with a maximum grade of 2%. Instead, the Applicant has proposed a vertical curve within the leveling area. The curve transitions from a -2% slope to a +2% slope so the maximum grade will not be over 2%. The curve will minimize the extent of earthwork, reduce the amount of land disturbance and the amount of fill needed and will better match the existing topography. The waiver request has been reviewed by the Town’s Consulting Engineer who has no objection to it. Therefore, the Board finds this waiver request to be acceptable.

SECTION 7.13.3 SIDEWALKS - Sidewalks shall be provided along the entire frontage of the subdivision parcel along existing Town ways, including the frontage of any lots held in common ownership with the subdivision parcel within five (5) years prior to the submission of the Preliminary or (*if no Preliminary*) Definitive Subdivision Plan. In those instances where sidewalk construction is not feasible or practical, the Applicant shall make a payment in lieu of sidewalk construction to the Town of Medway, in an amount determined by the Town’s Consulting Engineer. Such funds shall be deposited to a revolving fund to be used to finance construction of sidewalks and/or other public improvements.

FINDINGS – The applicant has proposed to NOT install sidewalks along the Highland Street frontage of the subdivision. The street does not presently include sidewalks, so no connection point is feasible. The right of way is very narrow, and the installation of a sidewalk would require removal of trees and stone walls along an official “Scenic Road”. In lieu of sidewalk construction, the Applicant has agreed to make a payment in lieu of sidewalk construction to the Town’s Sidewalk Fund. See Specific Condition #9. Therefore, the Board approves this waiver request.

7.21.1 STREETLIGHTS - It shall be the responsibility of the developer to install street lighting within the subdivision, at the entrance to the subdivision, at all intersections within the subdivision, sharp turns, or other areas where the Traffic Safety Officer deems they are needed for public safety. The quantity, type and location of lights shall be shown on the definitive plan. The developer is responsible for installing the pole, wiring and arranging installation of the light fixture.

FINDINGS - The applicant proposes to not install typical streetlights within the subdivision, but to have individual lot light posts. The Police Department's Traffic Safety Officer has recommended the installation of a streetlight on existing utility pole #33 on the west side of Highland Street north of the proposed Copper Drive entrance into the development which the applicant will install as part of this project. Therefore, the Board approves the waiver request to not install streetlights within the subdivision itself.

MITIGATION PLAN

- A. The Applicant shall make a payment to the Town in the amount of \$10,085 in lieu of constructing sidewalk along the Highland Street frontage of the Choate Trail Way Subdivision. See Specific Condition #9.
- B. The new road and associated sidewalk will be private in perpetuity, owned and maintained by the Choate Trail Homeowners Association, thus relieving the Town of this on-going responsibility and expense. See Specific Condition #12.
- C. Maintenance and upkeep of the stormwater management facilities will be the responsibility of the Choate Trail Homeowners Association, thus relieving the Town of this on-going responsibility and expense. See Specific Condition #14.
- D. During construction, the Applicant shall implement the tree preservation measures as described in Specific Condition #8.
- E. Provision of a 15' public access trail easement on Lot #4 and public access on Copper Drive, and construction of a 5' wide trail within the easement. See Specific Condition #10.
- F. Installation of a streetlight on Utility Pole #33 on the west side of Highland Street or elsewhere on Highland Street as may be approved by the Medway Safety officer.

ACTION ON WAIVERS – At a duly called and properly posted meeting of the Medway Planning and Economic Development Board held on May 12, 2020, a motion was made by Robert Tucker and seconded by Rich Di Iulio to approve the above noted waiver requests from the *Subdivision Rules and Regulations*. The motion was approved by a vote of five in favor and zero opposed.

V. PROJECT EVALUATION CRITERIA – Before taking action on a definitive subdivision plan, the Board shall evaluate the proposed subdivision according to the criteria as specified in Section 5.16 of the *Subdivision Rules and Regulations*. At a duly called and properly posted meeting of the Medway Planning and Economic Development Board held on May 12, 2020, a motion was made by Robert Tucker and seconded by Rich Di Iulio to approve the Project Evaluation Findings noted below. The motion was approved by a vote of five in favor and zero opposed.

5.16.1 Completeness and technical accuracy of all submissions.

FINDINGS – All submissions were reviewed by Town staff and/or the Town's Consulting Engineer and Consulting Planner and no significant missing or technical inaccuracies were identified.

5.16.2 Determination that the street pattern is safe and convenient, and that proper provision is made for street extension. The Board may disapprove a plan where it determines that dangerous traffic or unsafe conditions may result from the inadequacy of the proposed ways within the subdivision.

FINDINGS – The Board finds that the proposed street pattern within the new subdivision is safe and convenient. The layout has been reviewed by the Town's Fire Chief, and Consulting Engineer. Comments from them have been incorporated into the design. Future roadway extension to adjacent property is not feasible as the adjacent property is owned by the Town of Medway, so provisions to do so are not required.

5.16.3 Determination that development at this location does not entail unwarranted hazard to the safety, health and convenience of future residents of the development or of others because of possible natural disaster, traffic hazard or other environmental degradation.

FINDINGS – The Board finds that the location of the development does not entail unwarranted hazard. A drainage plan has been designed to handle anticipated stormwater runoff and the sight distances from the proposed roadway's intersection with Highland Street are adequate. Erosion controls will be in place during construction. The property is subject to an Order of Conditions from the Medway Conservation Commission.

5.16.4 Determination, based on the environmental impact analysis, where submitted, that the subdivision as designed will not cause substantial and irreversible damage to the environment, which damage could be avoided or ameliorated through an alternative development plan.

FINDINGS – The site of the subdivision is not within a Priority Habitat area and the wetlands of the site will be protected through action of the Medway Conservation Commission. Stormwater management has been reviewed by the Town's consulting engineer and is adequately addressed. There will be an increase of only three single-family houses to be constructed. Significant trees on site that are not within the house footprints or infrastructure elements will be protected and retained. The Board finds that the subdivision will not cause substantial and irreversible damage to the environment.

5.16.5 Determination that the roads and ways leading to and from the subdivision shall be adequate to provide emergency medical, fire and police protection as well as safe travel for the projected volume of traffic. The Board may disapprove a plan where it determines that dangerous traffic or unsafe conditions may result from the inadequacy of the proposed access or of any ways adjacent to or providing access to the subdivision.

FINDINGS – The Board finds that the Highland Street is adequate to provide emergency medical, fire and police protection as well as safe travel for the

anticipated volume of traffic generated by five residences. The plans have been reviewed by the Fire Chief and Consulting Engineer. Comments from them have been incorporated into the design. The roadway shown on the plan will be built according to the Board's construction specifications for Neighborhood Streets. The 20-foot roadway width meets national Fire Code standards while also reducing impervious surfaces and stormwater impacts.

5.16.6 Conformity with all applicable requirements of the Medway Zoning Bylaw including but not limited to minimum area and frontage standards.

FINDINGS – The Board finds that the lots created by this plan conform to all applicable requirements of the Medway Zoning Bylaw, including minimum area and frontage requirements for the Agricultural Residential I zoning district.

5.16.7 Consistency with the purposes of the Subdivision Control Law.

FINDINGS – The Board finds that the proposed subdivision is consistent with the purposes of the Subdivision Control Law because the infrastructure proposed is adequate for the new development and the impacts of the subdivision have been mitigated to a reasonable extent. Reasonable waivers have been granted herein with good cause.

VI. DECISION – At a duly called and properly posted meeting of the Medway Planning and Economic Development Board held on May 12, 2020, a motion was made by Robert Tucker and seconded by Matthew Hayes to approve the ***Choate Trail Way Definitive Subdivision Plan***, prepared by Connorstone Engineering, dated November 8, 2019, last revised March 9, 2020 subject to the Specific and General Conditions as specified herein and with Waivers from the following sections of the *Subdivision Rules and Regulations* dated April 25, 2005.

- Section 7.7.2 (p) Stormwater
- Section 7.9.5 (c) Streets and Roadways
- Section 7.13.3 Sidewalks
- Section 7.21.1 Street Lights

The motion was approved by a vote of five in favor and none opposed.

VII. CONDITIONS – The following specific and general conditions shall apply to the Applicant, its executors, administrators, devisees, heirs, successors and assigns:

A. Specific Conditions

1. **Authorization** - The Choate Trail Way subdivision is authorized for no more than four residential house lots. As a permanent condition of the approval of this plan, no further subdivision of the property beyond these four lots is allowed, although lot boundaries within the subdivision may be adjusted so long as no additional lots are created.
2. **Completion Schedule** - The Applicant or its Assignee shall construct the roadway and all related infrastructure including the stormwater management system, and install all utilities as shown on the endorsed Choate Trail Way Definitive Subdivision Plan, to the satisfaction of the Planning and Economic Development Board, within three (3) years of the date of endorsement of the plan. The time for such construction and/or installation may be extended

upon the written request of the applicant, for good cause shown, prior to the expiration of the three (3) year period, upon a vote of the majority of the Planning and Economic Development Board then present.

3. **Plan Revisions** - Prior to plan endorsement, the Choate Trail subdivision plan dated March 9, 2020 shall be further revised to include the following:

- A note shall be added to all plan sheets indicating that the plan is subject to this Certificate of Action which shall be recorded with the Plan at the Norfolk County Registry of Deeds.
- The cover sheet shall be revised:
 - ❖ to prominently display the plan name and date
 - ❖ to list the APPROVED WAIVERS instead of WAIVER REQUESTS.
 - ❖ to remove the list of abutters
 - ❖ to reduce the size of the locus
 - ❖ to include an index of all plan sheets
- The property addresses for the four Copper Drive house lots, to be provided by the Medway Assessor's office, shall be added to the plan sheets.
- The signature area on the plan sheets shall be revised to add a space for the plan endorsement date.
- A note shall be added to all plan sheets to indicate that present and future owners are subject to a *Declaration of Protective Covenants & Restrictions and Private Roadway Agreement Governing the Choate Trail Subdivision*
- A 15' "selective cut zone" around the non-street perimeter of each house lot shall be shown on the plan sheets
- The plan shall be revised, and a detail shall be added to specify the installation of a Town of Medway approved streetlight on utility pole #33 on Highland Street as an off-site mitigation measure. A note shall be added that the location of the streetlight may be adjusted per the decision of the Medway Safety Officer.
- To include a sheet providing the construction Stormwater Pollution Prevention Plan.
- The Existing Conditions sheet shall be revised to display trees which are expected to be removed during the construction process.
- Modify the note on Sheet 3 of 7 to specifically call out that all elec/tel/cable/space lines within the subdivision shall be located underground.
- Renumber the plan sheets.

4. **Documents to be Prepared and Approved Before Endorsement** – Prior to plan endorsement, the Applicant shall provide the following documents for review, comments, amendment and approval by Town Counsel and the Board.

- a. **Subdivision Covenant** – Prior to endorsement, the Applicant shall sign a Subdivision Covenant, on a form acceptable to the Planning and Economic Development Board, to secure construction of the ways and all related infrastructure and installation of utilities and services and any off-site mitigation measures as specified in the approved subdivision plan. Reference to the *Subdivision Covenant* shall be noted on the cover sheet of the Definitive Subdivision Plan. The *Subdivision Covenant* shall specify that the roadway and all relevant infrastructure including the stormwater management system shall be constructed and all utilities and services and any off-site mitigation measures shall be installed to the satisfaction of the Planning and Economic Development Board

within three years of the date of plan endorsement. The Subdivision Covenant shall apply to Lots 1 – 4 as shown on the plan.

- b. **Trail Easement** – Prior to plan endorsement, the Applicant shall provide a trail easement document, suitable for recording, to authorize public access on Copper Drive and on the 15' wide trail easement located along the southern boundary of Lot #4.
- c. **Articles of Association or Incorporation** - Prior to plan endorsement, the Applicant shall provide a proposed Articles of Association or Incorporation establishing the Choate Trail Homeowners Association. This document shall include provisions for membership by the owners of Lots 1 – 4, management responsibilities, procedures for voting and fee assessment, and for the ownership and financial responsibility for the on-going maintenance, upkeep and repair of Copper Drive including but not limited to snowplowing and sanding, the stormwater management system, and landscaping including the landscaped island in the cul-de-sac. The documents shall specify that the costs shall be divided equitably among the members.
- d. **Lot Deeds** – Prior to plan endorsement, the Applicant shall provide the proposed deeds to convey each of the house lots to future owners. Each lot deed shall reference the Choate Trail Definitive Subdivision plan, the 15' no cut zone pursuant to Specific Condition #7, and clearly state that the Choate Trail Homeowners Association shall be responsible for the maintenance and upkeep of Copper Drive as a permanent private road, the landscaping and the stormwater drainage system. The deed for lot #4 will specifically reference the trail easement pursuant to Specific Condition #10. The deeds shall specify that the future owners will own to the centerline of the roadway along their property's frontage. However, the Applicant shall reserve to itself ownership of an easement in Copper Drive for future conveyance to the future Choate Trail Homeowners Association.
- e. **Declaration of Protective Covenants and Restrictions and Private Roadway Agreement Governing the Choate Trail Way Subdivision** - Prior to plan endorsement, the Applicant shall provide a proposed *Declaration of Protective Covenants & Restrictions and Private Roadway Agreement Governing the Choate Trail Way Subdivision*. See Specific Condition # 14.
- f. **Road Easement** – Prior to plan endorsement, the Applicant shall provide a document to be used to convey an easement on Copper Drive and all associated drainage and utility easements shown on the plan to the Choate Trail Homeowners Association.

5. **Plan Endorsement**

- a. Within sixty days after the Board has filed this decision with the Town Clerk but no sooner than twenty days after the decision is filed with the Town Clerk, the Applicant shall submit a revised subdivision plan reflecting all Conditions and required revisions as specified herein, to the Planning and Economic Development Board and the Town's Consulting Engineer, for review and approval prior to plan endorsement. All conditions of this Certificate of Action requiring changes to the definitive subdivision plan must be addressed to the satisfaction of the Town's Consulting Engineer and the Planning and Economic Development Board before the Board will endorse the definitive subdivision plan.

- b. The endorsed plan shall bear the certification of the Town Clerk that twenty days have elapsed after the decision was filed in the Town Clerk's office and no appeal has been filed within said twenty-day period.
 - c. Within thirty days after plan endorsement, the Applicant shall provide the Town with two sets of the approved plan in 24" x 36" paper format. The Applicant shall also provide the approved plan in pdf format and CAD format compatible with the Medway GIS and acceptable to the Medway Board of Assessors (ArcInfo shape file - .shp). The Applicant shall pay any reasonable associated costs, as may be determined by the Board of Selectmen, to update the Medway GIS/Assessor's maps relative to this subdivision.
6. **Recording** – The Applicant shall record this decision, the endorsed definitive subdivision plan, and the subdivision covenant at the Norfolk County Registry of Deeds. Within thirty days of such recording, the Applicant shall provide proof of recording to Planning and Economic Development Board. No construction shall begin on the site and no building permit shall be issued before these documents are recorded. The fee for recording or registering shall be paid by the Applicant.
7. **Selective Cut Zones** – A 15' selective cut zone shall be established around the non-street perimeter of each house lot. During construction, the area included in the selective cut zones shall not be disturbed. Future property owners shall maintain the selective cut zone as a landscaped and wooded buffer without intrusion. However, pruning necessary for removal of dead, damaged, diseased or harmful plant materials and additional landscape planting is permitted.
8. **Tree Preservation** – The Existing Conditions sheet of the plan set shows 262 pine, maple, oak, and other deciduous trees larger than 12 inches in diameter located on the subject property.
- a. The Applicant expects to remove ≈ 115 of these trees for construction of the roadway, infrastructure, house and septic system; these are indicated on the Existing Conditions sheet. The remaining ≈ 147 trees shall be clearly identified in the field and such markings shall be verified by the Town's consulting engineer before site preparation and construction commences.
 - b. The applicant shall make the fullest possible effort to preserve/retain the ≈ 147 remaining trees and prevent their removal, demise or damage during construction including all such trees located in the designated 15' no-cut zones on the non-street perimeter of each lot.
 - c. If any of the above noted trees (minus 5% or 7 trees) designated to be preserved/retained are removed or damaged during construction, the applicant shall be responsible for tree restoration by replacing the removed or damaged trees with nursery grade trees on a one (1) square inch per two (2) square inch replacement basis. The one (1) square inch per two (2) square inch replacement amount is calculated by squaring 1/2 the established diameter of each tree that is removed or damaged and multiplying that amount by 3.14 to determine its trunk area (tree radius squared x Pi (rounded to 3.14). The resulting figure is halved, and that square inch total is the amount of required square inches of the replacement tree(s). A 3" caliper tree equals seven (7) sq. inches. The location of the replacement trees on the house lots shall be recommended by the applicant and approved by the Planning and Economic Development Board and Tree Warden. The restoration shall be verified by the Tree Warden as being fully and skillfully performed. The species

- of replacement tree(s) shall be reviewed and approved by the Tree Warden, or otherwise will be consistent with the species of the removed tree(s).
- d. In lieu of tree planting on the subdivision property, the Applicant may make a contribution to the Medway Tree Fund in an amount to be determined by the Board upon consultation with the Medway Tree Warden based on wholesale pricing for 3-inch caliper trees from a reputable area landscape supplier. The Applicant may also combine tree planting and a contribution in lieu of tree-planting to be approved by the Board.
 - e. Any such supplemental tree planting shall occur before the occupancy permit is issued for the respective lot. Any contribution in lieu of tree planting shall occur before the occupancy permit is issued for the last of the four houses.
9. **Sidewalk Construction** – In lieu of constructing a sidewalk along the frontage of 42 Highland Street, the applicant shall provide \$10,085 to the Medway Sidewalk Fund. This amount shall be provided before the Building Department issues an occupancy permit for the second house in the subdivision.
10. **Trail** – The Applicant shall construct a 5’ winding dirt trail within a 15’ wide trail access located along the southern length of Lot #4. The trail and the associated buffer area landscaping along the southern boundary of Lot #4 within the trail easement area shall be completed before the Building Department issues an occupancy permit for the house to be constructed on Lot #4.
11. **Scenic Road Work Permit** – This project is also subject to a Scenic Road Work Permit issued by the Board. As a condition of this decision, the Applicant shall comply fully with the requirements of the Scenic Road work permit.
12. **Ownership of Copper Drive** – The roadway depicted on this subdivision plan shall remain privately owned in perpetuity to the center line by the owners of the four lots. There is no intention or expectation that the Town of Medway will ever accept the roadway as constructed pursuant to this plan.
13. **Homeowners Association** - There shall be established a Choate Trail Homeowners Association to be responsible for the maintenance and upkeep of the roadway including but not limited to snowplowing and sanding, maintaining the stormwater detention/infiltration system and related infrastructure located within the roadway right of way including landscaping, maintaining the sidewalk along Copper Drive, and maintaining the landscaped island in the cul-de-sac.
14. **Declaration of Protective Covenants & Restrictions and Private Roadway Maintenance Agreement Governing the Choate Trail Way Subdivision** – The future owners of lots 1-4 are subject to a *Declaration of Protective Covenants & Restrictions and Private Roadway Agreement Governing the Choate Trail Way Subdivision* to be executed and recorded with the definitive subdivision plan. Prior to endorsement, the Applicant shall provide a proposed *Declaration of Protective Covenants & Restrictions and Private Roadway Agreement Governing the Choate Trail Way Subdivision* to be reviewed and approved by Town Counsel and the Planning and Economic Development Board. At a minimum, the *Declaration of Protective Covenants & Restrictions and Private Roadway Agreement Governing the Choate Trail Way Subdivision* shall include language regarding the property owners’ responsibility through the homeowners association for the upkeep, repair, and on-going maintenance of the

roadway including snowplowing and sanding, the operation and maintenance of the stormwater management system, maintaining the sidewalk along Copper Drive, the landscaping in the right of way, and the upkeep of the landscaped island in the cul-de-sac. The Agreement shall specifically refer to the Long-Term Pollution Prevention Plan and associated Stormwater Operations and Management Plan included in the Stormwater Report for Choate Trail Way dated November 8, 2019, last revised April 2, 2020, prepared by Connorstone Engineering and approved by the Medway Conservation Commission.

15. ***Maintenance Responsibility During Construction*** – The Applicant shall provide for snow plowing, sanding and full maintenance of Copper Drive, and all related stormwater management infrastructure throughout the entire construction process until the roadway is determined to be complete by the Board and an easement is granted to the homeowners association. This includes keeping the constructed stormwater drainage system in a clean and well-functioning condition in accordance with the construction period Stormwater Pollution Prevention Plan included in the most recent version of the Stormwater Report for Choate Trail Way prepared by Connorstone Engineering. The Applicant shall do nothing which would alter the drainage patterns or characteristics as shown on the approved plan.
16. ***Stormwater Management During Construction*** – Construction is subject to the Storm Water Pollution Plan within the Stormwater Report for Choate Trail Way dated November 8, 2019, last revised April 2, 2020, prepared by Connorstone Engineering, as approved by the Conservation Commission in its May 4, 2020 Order of Conditions with Land Disturbance Permit.
 - a. This document shall be included in all construction contracts, subcontracts and specifications dealing with the proposed work. The applicant shall ensure that all contractors, subcontractors and other personnel performing the permitted work are fully aware of the Construction Period Operation and Maintenance Plan.
 - b. No clearing of vegetation, including trees, or disturbance of soil shall occur prior to the Pre-Construction Meeting.
 - c. Prior to the Pre-Construction Meeting and commencement of any activity on the site, the erosion control plan included in the endorsed plan set and the limit of work lines shall be staked. The location of erosion controls shall be adjusted, if necessary, during the first erosion control inspection.
 - d. Immediately after installation of erosion controls, the Applicant shall notify the Board's consulting engineer to schedule a follow-up inspection to ensure that erosion controls and limits of work have been properly located and installed. No work shall be conducted until the Board's consulting engineer has inspected and approved the installation of the erosion controls.
 - e. It shall be the responsibility of the Applicant to conduct monitoring, maintenance and repair of erosion control measures, as well as to take any other additional measures necessary to control erosion from the site. The erosion control measures designated on the subdivision plan shall be considered a minimum standard for compliance.
 - f. All waste products, refuse, debris, grubbed stumps, slash, excavate, construction materials, etc. associated with the planned construction shall be contained and ultimately deposited at an appropriate off-site facility and shall not be incorporated in any manner into the project site.

17. **Maintenance Post Construction** – As Copper Drive shall be a permanent, private roadway, the ongoing maintenance responsibility for it, all associated infrastructure, landscaping within the roadway layout, and the stormwater management system will ultimately rest with the Choate Trail Homeowners Association. The Town of Medway shall not have, now or ever, any legal responsibility for operation or maintenance of the roadway, sidewalks, curbing, snowplowing, stormwater system, sanding, streetlights, or upkeep of the landscaped island in the Copper Drive cul-de-sac; that responsibility rests with the homeowners association. The association shall maintain the stormwater management system in accordance with the long-term stormwater operation and maintenance plan included with the stormwater report.
18. **Water Conservation** – The Applicant shall incorporate the following water conservation measures for construction of the development:
 - a. rain gauge-controlled irrigation systems
 - b. low flow household fixtures
 - c. water efficient appliances (dishwashers, washer/dryers, toilets, etc.)
19. **Addresses** – The addresses for the four house lots shall be as determined by the Medway Assessor's office upon consultation with the Medway Fire and Police Departments.
20. **Development Signage** – Any development signage for this project during construction and for permanent identification signage thereafter shall comply with the sign regulations of the *Bylaw*. Any permanent signage requires review by the Design Review Committee before a sign permit can be issued.
21. **Order of Conditions** – As a component of this development, the Applicant shall comply fully with the Order of Conditions and the associated Land Disturbance Permit issued by the Medway Conservation Commission on May 4, 2020, to be recorded at the Norfolk County Registry of Deeds.
22. **Underground Utilities** – All electrical, telephone, cable TV, and other utilities within the subdivision shall be located underground.
23. **Off-Site Mitigation** – As requested by the Medway Police Department, the Applicant shall purchase and install a Town approved streetlight fixture on utility pole #33 on the west side of Highland Street. This work shall be coordinated with the Medway Department of Public Works and shall be completed before the occupancy permit is issued for the fourth house.
24. **Community Mailbox** – If the Postmaster determines that a gang or cluster mailbox is required vs. individual mailboxes for each house and before such cluster mailbox is installed, the Applicant shall request the Board's approval of a field change to specify the location of the communal mailbox and provide a drawing to show a suitable 3 sided shelter to enclose such mailbox.
25. **Irrigation** – No use of Town water is allowed for irrigation. If individual homeowners or the Homeowners Association wishes to install a private irrigation well, a permit from the Medway Board of Health is required.

B. Standard Conditions

1. ***Expiration of Appeal Period*** – Prior to endorsement of the definitive subdivision plan, the Planning and Economic Development Board must receive the statutory notification of the expiration of the twenty-day appeal period from the Town Clerk's office.
2. ***Payment of Balance of Fees*** – Prior to plan endorsement, the Applicant shall pay the balance of any outstanding plan review services by any outside consultants retained by the Planning and Economic Development Board.
3. ***Proof of Taxes Paid*** – Prior to the Planning and Economic Development Board's endorsement of the plan, approval of the *Release of Covenant* for the first building lot, and any form of surety reduction, proof is required from the Medway Town Treasurer/Collector that all real estate taxes and other municipal fees and charges are current for the property included in this subdivision and for all property owned in Medway by the applicant.
4. ***Site Access*** - Planning and Economic Development Board members, its staff, consultants or other designated Town agents and staff shall have the right to inspect the site at any time during construction for compliance with the endorsed subdivision plan and the provisions of this Decision.
5. ***Construction Oversight***
 - a. Construction Account
 - 1) Inspection of roadway and infrastructure and utility construction, and installation of site amenities including landscaping by the Town's Consulting Engineer and review of legal documents by Town Counsel are required. Prior to plan endorsement the Applicant shall pay a construction services fee to the Town of Medway to establish a construction services account for such inspections and legal services. The amount shall be determined by the Planning and Economic Development Board based on an estimate provided by the Town's Consulting Engineer based on the scope of the project. The funds may be used at the Board's discretion to retain professional outside consultants to perform the items listed above as well as the following other tasks - inspect the site during construction/installation, identify what site work remains to be completed, prepare bond estimates, 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 authorize project completion.
 - 2) Depending on the scope of professional outside consultant assistance that the Board may need, the Applicant shall provide supplemental payments to the project's construction inspection account, upon invoice from the Board, for reasonable additional construction services until the road construction and stormwater drainage system and other utilities are completed and the as-built plan has been reviewed and determined to be satisfactory.
 - 3) Any funds remaining in the Applicant's construction inspection account after project completion shall be returned to the Applicant.
 - b. The Department of Public Works will conduct inspections for any construction work occurring in the Town's right-of way in conjunction with the Town of Medway Street Opening/Roadway Access Permit and any utility connection permits.

- c. The Applicant shall have a professional engineer licensed in the Commonwealth of Massachusetts conduct progress inspections of the construction of the approved site improvements. Inspections shall occur at least on a monthly basis. The engineer shall prepare a written report of each inspection and provide a copy to the Board within 5 days of inspection. Failure of the Permittee to provide these reports may be reason to withhold building or occupancy permits.
6. **Other Permits** – This permit does not relieve the applicant from its responsibility to obtain, pay and comply with all other required federal, state and Town permits. The contractor for the applicant or assigns shall obtain, pay and comply with all other required Town permits.
7. **Pre-Construction Meeting** – At least seven days prior to the start of any site preparation or construction, a pre-construction meeting shall take place with the Town’s Consulting Engineer, the Planning and Economic Development Coordinator, the Medway Department of Public Works, the Medway Conservation Agent, the developer and site contractors. The construction schedule shall be reviewed and the procedures for inspections discussed. A copy of the final Stormwater Pollution Prevention Plan (SWPPP) as filed DEP shall be provided to the Town.
8. **Restrictions on Construction Activities** – During construction, all local, state and federal laws shall be followed regarding noise, vibration, dust and blocking of Town roads. The applicant and its contractors shall, at all times, use all reasonable means to minimize inconvenience to abutters and residents in the general area. The following specific restrictions on construction activity shall apply.
 - a. **Construction Time** - Construction work at the site and in the building and the operation of construction equipment including truck/vehicular and machine start-up and movement shall commence no earlier than 7 a.m. and shall cease no later than 6 p.m. Monday – Saturday. No construction shall take place on Sundays or legal holidays without the advance approval of the Inspector of Buildings.
 - b. **Neighborhood Relations** – The applicant shall notify neighbors in the general area around the site when site work and construction are scheduled to begin and provide a phone number for them to use for questions and concerns that arise during construction.
 - c. The applicant shall take all measures necessary to ensure that no excessive dust leaves the premises during construction including use of water spray to wet down dusty surfaces.
 - d. There shall be no tracking of construction materials onto any public way. Daily sweeping of roadways adjacent to the site shall be done to ensure that any loose gravel/dirt is removed from the roadways and does not create hazardous or deleterious conditions for vehicles, pedestrians or abutting residents. In the event construction debris is carried onto a public way, the Applicant shall be responsible for all clean-up of the roadway which shall occur as soon as possible and in any event within twelve (12) hours of its occurrence.
 - e. The Applicant is responsible for having the contractor clean-up the construction site and the adjacent properties onto which construction debris may fall on a daily basis.

- f. All erosion and siltation control measures shall be installed by the Applicant prior to the start of construction and observed by the Planning and Economic Development Board's consulting engineer and maintained in good repair throughout the construction period.
 - g. *Construction Traffic/Parking* – During construction, adequate provisions shall be made on-site for the parking, storing, and stacking of construction materials and vehicles. All parking for construction vehicles and construction related traffic shall be maintained on site. No parking of construction and construction related vehicles shall take place on adjacent public or private ways or interfere with the safe movement of persons and vehicles on adjacent properties or roadways.
 - h. *Noise* - Construction noise shall not exceed the noise standards as specified in the *Zoning Bylaw*, Section 7.3.C.2. Environmental Standards.
9. ***Building Permits*** – Pursuant to Section 6.6.3 of the *Subdivision Rules and Regulations*, the Applicant shall not be allowed to secure a building permit until the following subdivision infrastructure items, at a minimum, have been installed, inspected and approved by the Board or its agent:
- a. Gravel subbase
 - b. Binder course
 - c. Drainage system completed to the proposed outfall with frame and grates set to binder grade, as well as detention basins, swales, infiltration systems or any other stormwater management facilities.
 - d. As-built plan of each detention pond and forebay contoured in two-foot (2') intervals; and all critical elevations and details of the structures, pipes and headwalls within the detention pond area.
 - e. Street name signs and "*Street Not Accepted by the Town*" signs in a size and form as specified by the Medway Department of Public Works, and all regulatory signs as specified in the approved plan.
 - f. Stop line pavement markings.
 - g. Sidewalk binder
 - h. Provisions for fire prevention and protection, such as a cistern, dry hydrant system or municipal water service constructed, installed and functional in the area of the subdivision in which the lots are located.
10. ***Subdivision Performance Surety***
- a. *Alternative Performance Security* - At such time as the Applicant wishes to secure a building permit for any lot within the subdivision, the security provided by the *Subdivision Covenant* shall be replaced by a subdivision surety in compliance with General Laws chapter 41 §81U and the Board's *Regulations*, which method or combination of methods may be selected and from time to time varied by the Applicant, in a sufficient amount, source and form acceptable to the Board, the Treasurer/Collector and Town Counsel. The surety shall be provided prior to the Planning and Economic Development Board's approval of the *Release of Covenant* for any house lot.
 - b. *Surety Amount* - 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 roadway and installation of stormwater management facilities, utilities, services, pedestrian facilities and all site amenities as specified in the Decision and Plan that

remain unfinished at the time the performance guarantee estimate is prepared if the Permittee failed to do so. The security amount shall be approved by the Planning and Economic Development Board based on an estimate provided by the Town's Consulting Engineer based on the latest weighted average bid prices issued by the Mass Department of Transportation. 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 roadway and infrastructure in the event the Permittee fails to adequately perform such. 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 30% contingency.

- c. *Surety Agreement* - The Applicant shall enter into a surety agreement with the Planning and Economic Development Board as provided in the *Regulations* to define the obligations of the Applicant and the performance guarantee company including:
 - 1) the date by which construction shall be completed
 - 2) a statement that the agreement does not expire until released in full by the Board
 - 3) procedures for collection upon default.
- d. *Minimum Work for Lot Release* - Prior to releasing any lots from the *Subdivision Covenant*, the items listed in Condition 9 Building Permits herein shall be installed and inspected and approved by the Board.
- e. *Adjustment of Performance Guarantee* - At the Applicant's written request, the amount of the performance guarantee may be reduced from time to time over the course of the construction project by vote of the Board upon the partial completion of the roadway and infrastructure improvements as defined herein. In order to establish the amount to adjust the performance guarantee, the Town's Consulting Engineer shall prepare an estimate of the current cost for the Town to complete all work as specified on the approved Plan that remains unfinished at the time the estimate is submitted to the Board. The estimate shall be based on unit prices in the latest Weighted Average Bid Prices issued by the Mass Department of Transportation. The estimate shall reflect the cost for the Town to complete the work as a public works project, which may necessitate additional engineering, inspection, legal and administrative fees, staff time and public bidding procedures. The estimate shall also include the cost to maintain the roadway and infrastructure in the event the Permittee fails to adequately perform such. In determining the amount of the adjustment of the performance guarantee, the Board shall be guided by the following formula to determine the reduction amount: the estimate of the Town's Consulting Engineer of the cost to complete the work; plus, a 30% contingency. The Board may authorize up to three reductions in the amount of performance security however, the Board shall not reduce the performance security below \$40,000.
- f. *Final Release of Performance Security* - Final release of performance security is contingent on project completion.

11. *Compliance with Plan and Decision*

- a. All construction shall be as specified in the approved definitive subdivision plan and any modifications thereto and in full compliance with the *Subdivision Rules and Regulations* and all applicable local, state and federal laws, including but not limited to the Americans

with Disabilities Act, the NPDES permit requirements, the Massachusetts Department of Environmental Protection Stormwater Management Policy requirements, MEPA requirements, the Massachusetts Wetland Protection Act (Chapter 131, Section 40, M.G.L.) and the regulations of the Massachusetts Architectural Access Board for handicap accessibility.

- b. The Planning and Economic Development Board or its agent(s) shall use all legal options available to it, including referring any violation to the Building Commissioner/Zoning Enforcement Officer for appropriate enforcement action, to ensure compliance with this Decision.
- c. The Conditions of Approval are enforceable under Section 3.1. F. of the *Medway Zoning Bylaw* (non-criminal disposition) and violations or non-compliance are subject to the appropriate fine.

12. *On-Site Field Changes*

- a. 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 plan.
- b. 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. 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.

13. *Modification of Plan and/or Decision*

- a. Proposed modifications to the plan or decision, not included on-site field changes, shall be subject to review by the Board.
- b. This approval is subject to all subsequent conditions that may be imposed by other Town departments, boards, agencies or commissions. Any changes to the plan that may be required by the decisions of other Town boards, agencies or commissions shall be submitted to the Planning and Economic Development Board for review as a subdivision plan modification.
- c. Any work that deviates from the approved subdivision plan or this Decision shall be a violation of the *Medway Zoning Bylaw*, unless the Applicant requests approval of a plan modification and such approval is provided in writing by the Planning and Economic Development Board.

- d. Whenever additional reviews by the Planning and Economic Development Board, its staff or consultants are necessary due to proposed subdivision plan modifications, the Applicant shall be billed and be responsible for all supplemental costs including filing fees, plan review fees and all costs associated with another public hearing including legal notice and abutter notification. If the proposed revisions affect only specific limited aspects of the site, the Planning and Economic Development Board may reduce the scope of the required review and waive part of the filing and review fees.
- e. The Board shall issue its Modification Decision, file such with the Town Clerk and provide copies to the Building Commissioner, other Town officials and the Applicant. Any modifications approved by the Board shall be made a permanent part of the approved project. Any plan modifications shall be shown on the final as-built plan.

14. Landscape Maintenance

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

15. Project Completion – The Board shall determine project completion and refund/release the performance security once the applicant has completed the following tasks to the Board's satisfaction:

- a. provided 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 Plan, and any modifications thereto; and
- b. submitted an As-Built Construction Plan prepared by a registered Professional Land Surveyor or Engineer registered in the Commonwealth of Massachusetts in accordance with the *Subdivision Rules and Regulations* in effect at the time the plans are submitted to the Board for review by the Town's Consulting Engineer and the Board's approval. The Applicant shall provide the final as-built plan in CAD format compatible with the Medway GIS and acceptable to the Medway Board of Assessors (ArcInfo shape file - .shp).
- c. paid the Town of Medway for any taxes/fees associated with these parcels or other property owned by the applicant in the Town of Medway; and
- d. completed any mitigation measures specified in the subdivision certificate of action to the satisfaction of the Board.

VII. APPEAL

The Board and the Applicant have complied with all statutory requirements for the issuance of this Decision on the terms set forth herein. A copy of this Decision will be filed with the Medway Town Clerk and mailed to the Applicant, and notice will be mailed to all parties in interest.

Any person aggrieved by the decision of the Board may appeal to the appropriate court pursuant to Massachusetts General Laws, ch 41, § 81BB, which shall be filed within twenty days after the filing of this decision in the office of the Medway Town Clerk.

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**CHOATE TRAIL WAY DEFINITIVE SUBDIVISION PLAN
CERTIFICATE OF ACTION
MEDWAY PLANNING AND ECONOMIC DEVELOPMENT BOARD**

Date of Action by the Medway Planning and Economic Development Board: May 12, 2020

AYE: Richard Di Iulio, Thomas Gay, Matthew Hayes, Andy Rodenhiser, Robert Tucker
NAY: None

Attest: _____
Thomas A. Gay, Board Member Date

Attest: _____
Susan E. Affleck-Childs Date
Planning and Economic Development Coordinator

Copies To: Bob Pace, Residences at Choate Trail, LLC
David Spertner, Residences at Choate Trail, LLC
Matthew Silverstein, Residences at Choate Trail, LLC
Vito Colonna, Connorstone Engineering
Michael Boynton, Town Administrator
Stephanie Carlisle, DPW Compliance Officer
David D’Amico, DPW Director
Mike Fasolino, Deputy Fire Chief
Bridget Graziano, Conservation Agent
Donna Greenwood, Assessor
Beth Hallal, Health Agent
Jeff Lynch, Fire Chief
Jack Mee, Building Commissioner
Joanne Russo, Treasurer/Collector
Barbara Saint Andre, Community and Economic Development Director
Sergeant Jeffrey Watson, Police Safety Officer
Gino Carlucci, PGC Associates
Steve Bouley, Tetra Tech

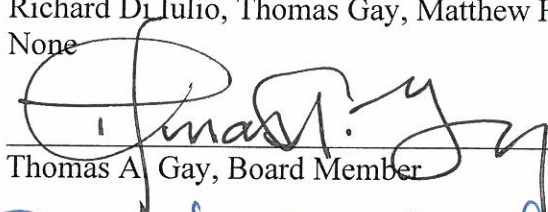
**CHOATE TRAIL WAY DEFINITIVE SUBDIVISION PLAN
CERTIFICATE OF ACTION
MEDWAY PLANNING AND ECONOMIC DEVELOPMENT BOARD**

Date of Action by the Medway Planning and Economic Development Board: May 12, 2020

AYE: Richard DiJulio, Thomas Gay, Matthew Hayes, Andy Rodenhiser, Robert Tucker

NAY: None

Attest:


Thomas A. Gay, Board Member

5.18.2020
Date

Attest:


Susan E. Affleck-Childs
Planning and Economic Development Coordinator

5-18-2020
Date

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