

December 14, 2021

**Medway Planning & Economic Development Board
Meeting**

**Mockingbird Lane Multifamily
Development – 56 Summer Street
Revised Site Plan
Informal, Pre-application Discussion**

UPDATED

- Letter dated 11-23-21 from Robert G. Murphy, the proponent's environmental consultant, relative to a revised site plan for 56 Summer Street
- Revised site plan dated 11-12-21 prepared by Robert G. Murphy & Associates based on feedback from the first informal discussion held with the PEDB on 10-12-21.
- **Letter dated 12-13-21 from abutter Paul Yorkis**



ROBERT G. MURPHY & ASSOCIATES, INC.
ENVIRONMENTAL CONSULTANTS
214 Worcester Street
No. Grafton, Massachusetts 01536

rgmenviro@verizon.net

Phone (508) 839-0310
Cell (508) 826-1859

Nov. 23, 2021

Susan E. Affleck Childs, Planning Coordinator
Planning & Economic Development Board
155 Village Street
Medway, MA 02053

Re: Preliminary Multifamily Development – 56 Summer Street, Medway, MA

Dear Susan:

As the representative for Tortcon Builders, Inc. this office has revised the Preliminary Multifamily Residence Plan as requested during the public hearing with the Planning Board on October 12, 2021. Several issues raised by members of the local community have been addressed in the revised plans and associated land subdivision forms. These include additional information relative to the description of the existing property, a reduction in the number of housing units (22), a shorter roadway and an increase in the forested area to remain. As a result of these revisions, all of the perimeter buffer zones have been increased while providing a similar amount of open landscaped areas adjacent to the proposed residences. The proposed alterations to the topography around the residences will be minimal once the landscaping has been completed. Municipal services available to this site include sewer, water, gas, telephone, electric and cable.

While reviewing the existing conditions at the site, it was determined that there are no rock outcrops to be found on this parcel. The existing outcrop is located behind the residence on the previously approved ANR plan. While there appears to be one well defined footpath behind the existing house, it should be noted that this is private property and the path was used by the previous owner for the maintenance of his property. The majority of the larger trees are located in areas that are no longer scheduled for construction. Two wetland areas have been identified adjacent to this property in areas that will not be impacted by the development of the housing units. The Stormwater Management System may need to be located within the jurisdictional buffer zones. If this is the case, a Notice of Intent will be filed with the DEP and Conservation Commission. The general drainage patterns to offsite areas are to have minimal alterations.

Initially, I reviewed the property based upon the guidelines as stated within the Massachusetts Wetlands Protection Act, Chapter 131, Section 40 and its regulations 310 CMR 10.00. I was not aware of the wetland resource area that was shown on the subdivision plans for Ishmael Coffee Estates as approved in 2004. In order to more fully understand the reasoning for the purported delineation; that appears to have influenced the design of Independence Lane and to do the required Stormwater Management research, I walked through the area in question noting the vegetation, soils and drainage patterns. There appears to be an excavated trench passing through lots 16, 17 and parcel B of the original subdivision plan. Evidence suggests that this trench was dug over fifty years ago to drain the lowland area toward a culvert beneath Summer Street. This trench prevents drainage within the immediate area from impacting the nearby homes.

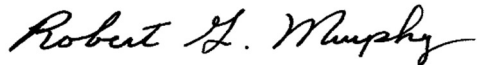
A comprehensive review of the wetland resource areas documented within the subdivision plans for Ishmael Coffee Estates reveals a lack of expertise by the individual responsible for the delineation. While there are a few isolated pockets of areas subject to flooding, there is no evidence of hydric soils within the majority of the area identified as wetlands. The delineation appears to follow the predominant growth of Red Maple trees and Clethra Summersweet shrubs. These facultative plants grow in both wetlands and uplands and are not considered as indicator species without the dominant presence of redoximorphic features displayed in the upper soil horizons. Based upon this information, the wetland delineation is incorrect as shown.

Several of the neighbors expressed concern about the traffic situation along Summer Street near the intersection with Independence Lane. I stood there for an hour during the peak traffic period in the late afternoon to understand first hand what the neighbors have experienced and how the need for a traffic study may be required due to the congestion at the traffic lights. I did notice that the closer the vehicles got to the lights, the less inclined the drivers were to giving up their position in line. Taking a left turn out of Independence Lane requires a lesson in patience. I was able to exit the driveway at 56 Summer Street in a southerly direction with minimal hindrance.

Hopefully this summary of the existing conditions will help to clarify the concerns expressed by the neighbors during the first public hearing. It is the intention of the applicant to serve the interests of the local community while providing much needed moderate income housing.

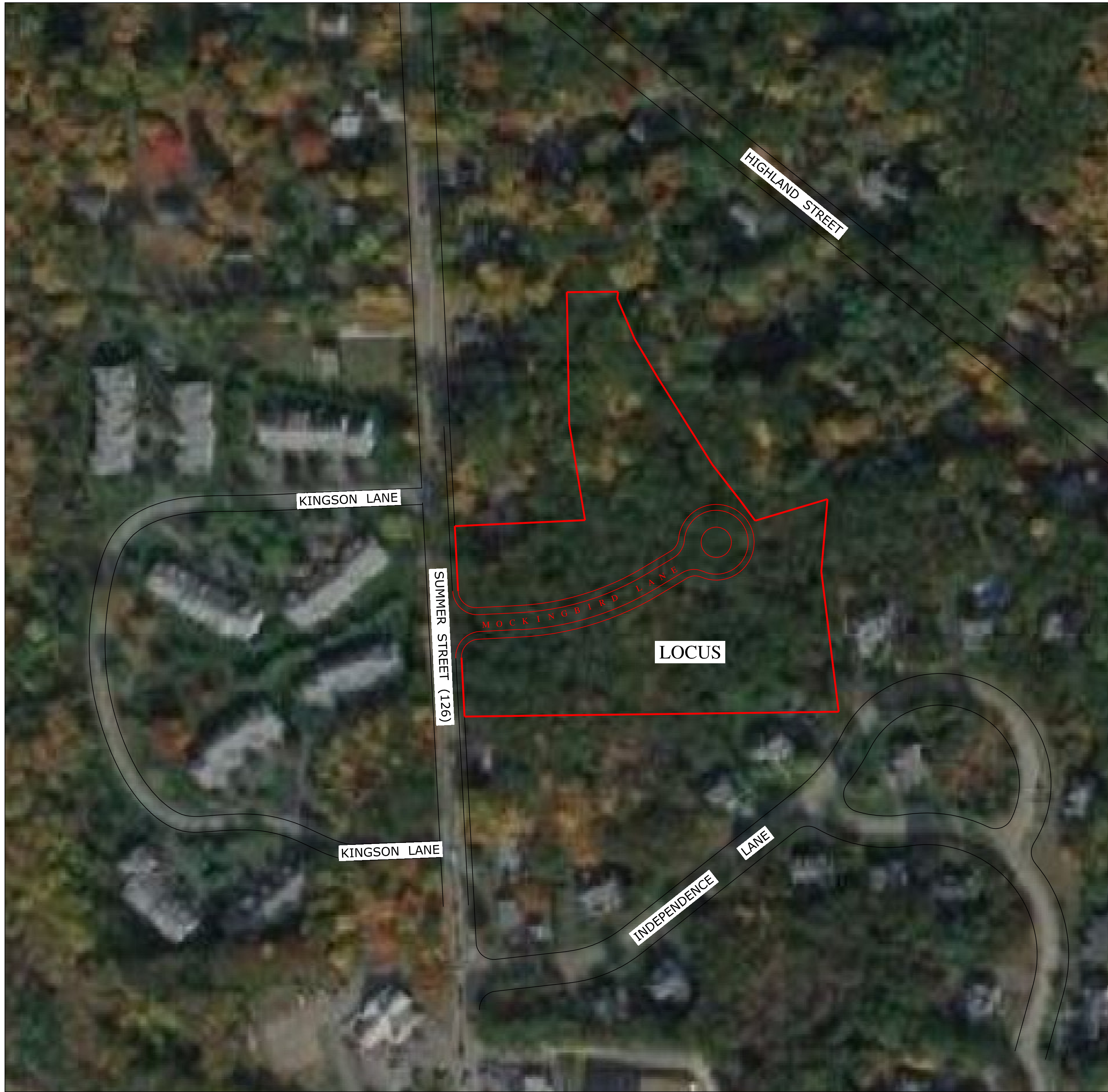
This office appreciates the opportunity to work with you on this project. If you have any questions with reference to this Application for the Preliminary Plan review or if you need additional information, please feel free to contact this office.

Respectfully submitted,

A handwritten signature in cursive script that reads "Robert G. Murphy". The signature is written in black ink and is positioned below the "Respectfully submitted," text.

Robert G. Murphy, Wetland Scientist

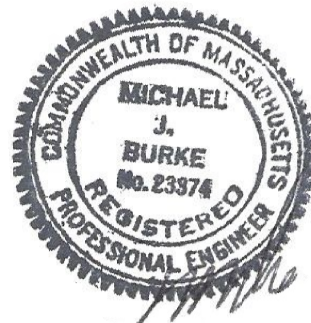
Cc, Client, Counsel, file



LOCATION MAP
1" = 100'

- NOTES:
- 1- PERIMETER LINE INFORMATION IS TO BE CONSIDERED AS APPROXIMATE.
 - 2- EXISTING TOPOGRAPHY IS TAKEN FROM USGS MAPS AND IS TO BE CONSIDERED AS APPROXIMATE.
 - 3- EXISTING AND PROPOSED LINES OF STREETS, WAYS, EASEMENTS AND ANY PUBLIC OR COMMON AREAS WITHIN THE SUBDIVISION ARE SHOWN IN A GENERAL MANNER.
 - 4- THE PROPOSED DRAINAGE SYSTEM, INCLUDING ADJACENT EXISTING NATURAL WATERWAYS ARE SHOWN IN A GENERAL MANNER.
 - 5- THE BOUNDARY LINES OF PROPOSED LOTS WITH AREAS AND DIMENSIONS ARE CONSIDERED TO BE APPROXIMATE.

FIRM COMMUNITY PANEL
NO. 25021C0139E
DATE: 07-17-2012



11-12-2021
MICHAEL J BURKE, PE #23374



USGS TOPOGRAPHIC MAP
SCALE: 1" = 200'

CURRENT OWNER:
TORTCON BUILDERS, LLC
70 BETHANY ROAD
FRAMINGHAM, MA 01701
508-380-0068

LEGEND

- SMH SEWER MANHOLE
- MH DRAIN MANHOLE
- CATCH BASIN
- EXISTING TOPO
- PROPOSED TOPO
- BUILDING SETBACK
- PROPOSED GRADE
- UTILITY POLE
- PROPOSED LIGHT
- DRAINAGE FLOW
- EROSION CONTROLS
- W WATER LINE
- S SEWER LINE
- E ELECTRIC LINE
- LANDSCAPING



11-12-2021
JON L. FAGERSTROM, PLS #49205

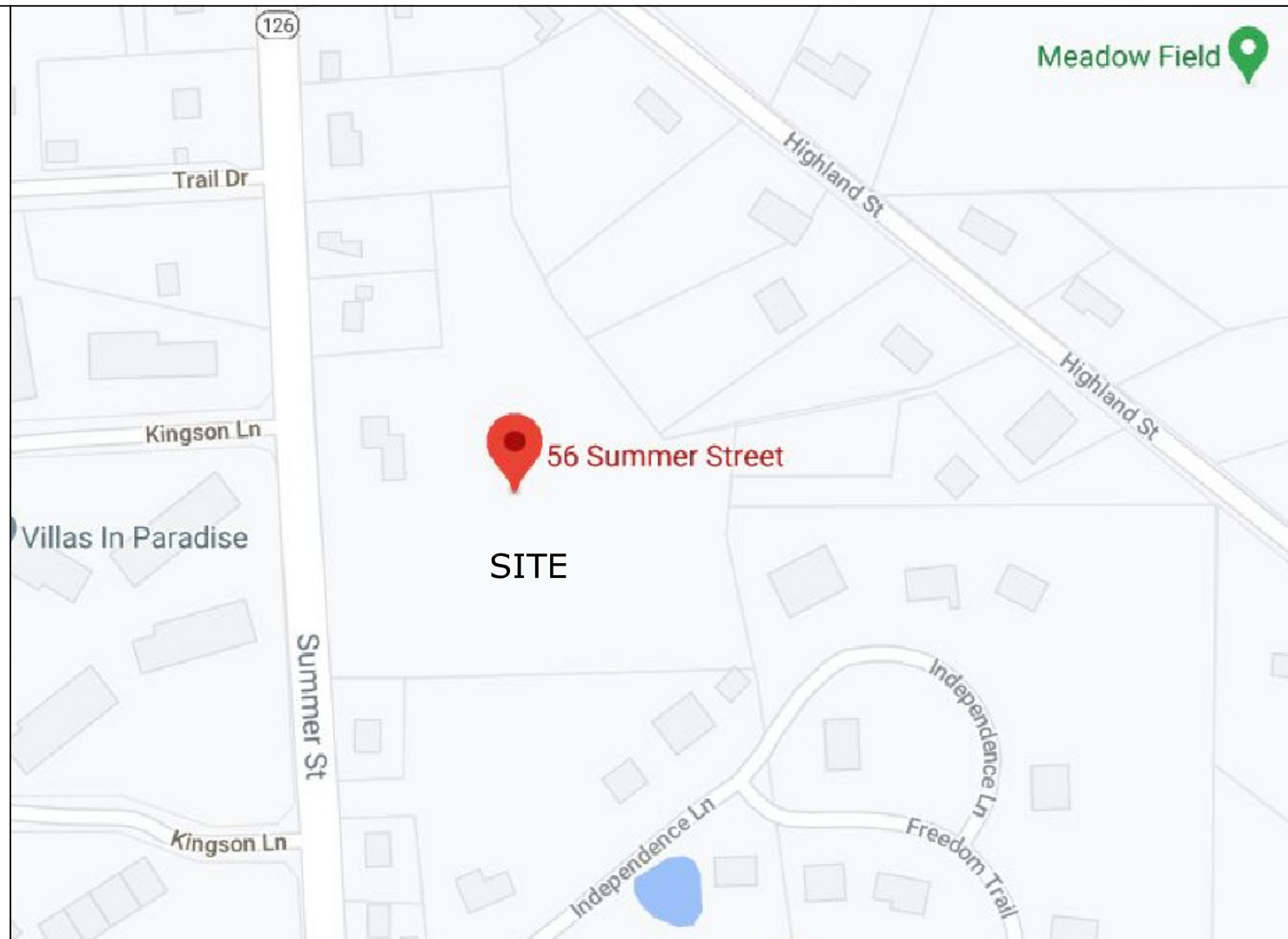
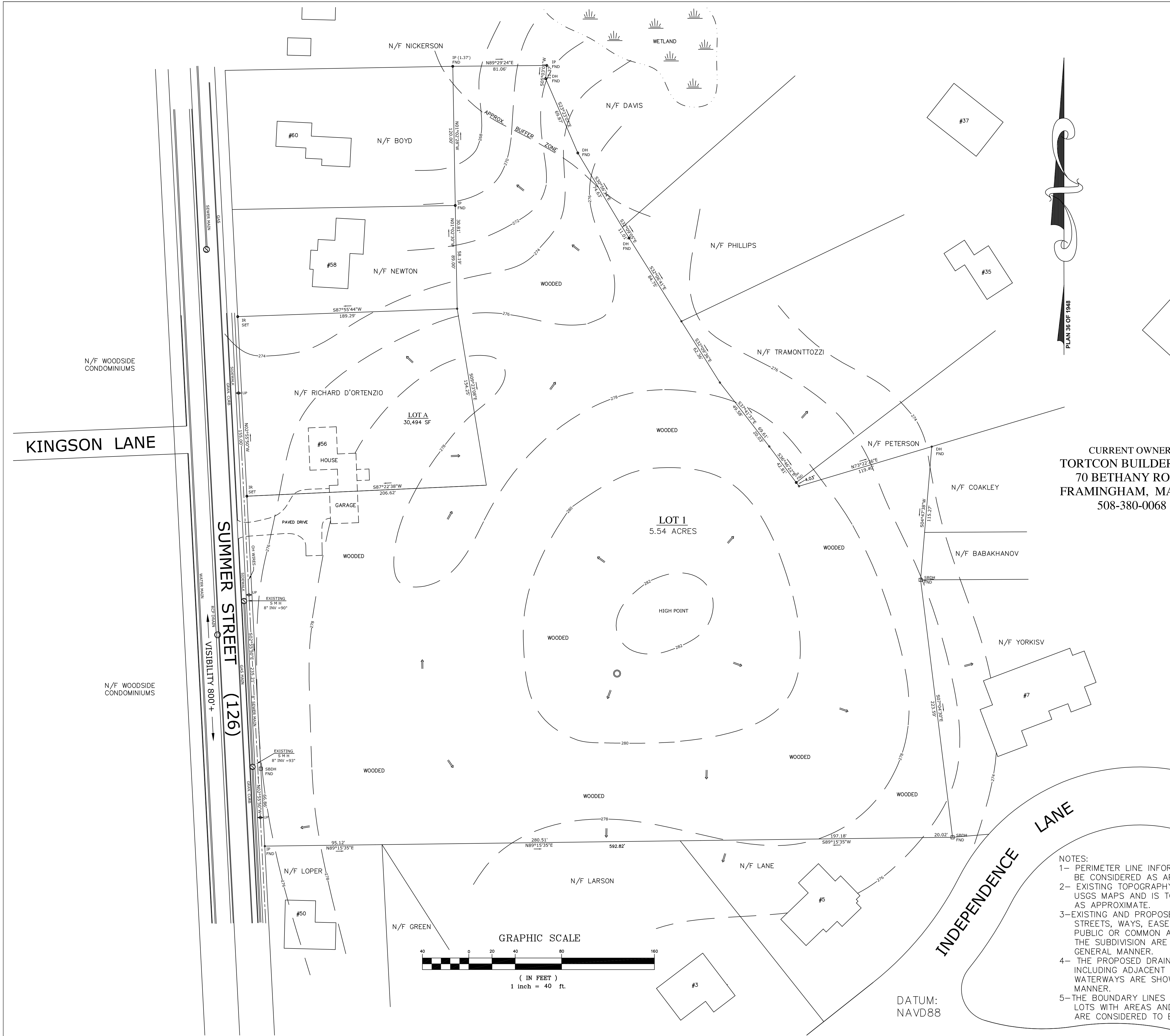
MOCKINGBIRD LANE

INDEX OF SHEETS

NO.	TITLE
1	COVER SHEET
2	EXISTING CONDITIONS
3	SITE PLAN
4	ROAD PLAN & PROFILE

SHEET 1 OF 4
DATUM:
NAVD-88

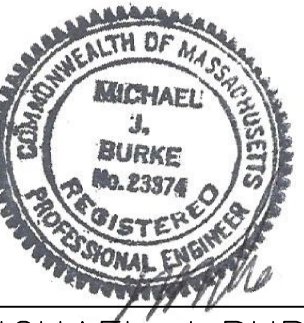
DESIGNED BY: R G Murphy	DRAWN BY: R G Murphy	DATE: AUGUST 17, 2021
ROBERT G. MURPHY & ASSOC., INC. ENVIRONMENTAL CONSULTANTS 214 Worcester Street No. Grafton, Massachusetts 01536 (508) 839-0310 Fax: (508) 839-5914 RGMENVIRON@VERIZON.NET		
PRELIMINARY SUBDIVISION PLAN 56 SUMMER STREET, MEDWAY, MA		
REVISION: SITE PLAN WITH 8 BUILDINGS 11-12-2021 RGM		COVER SHEET



LOCUS
N T S




Jon L. Fagerstrom 11-12-2021
JON L. FAGERSTROM, PLS #49205



11-12-2021
MICHAEL J BURKE, PE #23374

CURRENT OWNER:
TORTCON BUILDERS, LLC
70 BETHANY ROAD
FRAMINGHAM, MA 01701
508-380-0068

SHEET 2 OF 4

DESIGNED BY: R G Murphy	DRAWN BY: R G Murphy	DATE: AUGUST 17, 2021
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EXISTING CONDITIONS PLAN 56 SUMMER STREET, MEDWAY, MA		
REVISION: SITE PLAN WITH 8 BUILDINGS 11-12-2021 RGM		EXISTING

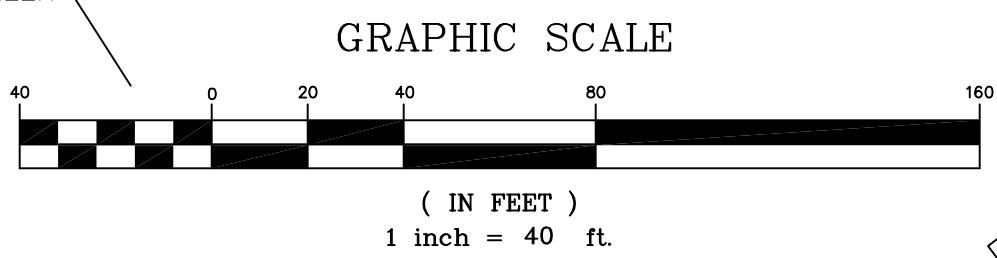
ZONING DISTRICT AR-2
REQUIRED

AREA	30,000
FRONTAGE	150.00'
FRONT YARD	35'
SIDE YARD	15'
REAR YARD	15'
COVERAGE	30%
BLDG HGT	35'

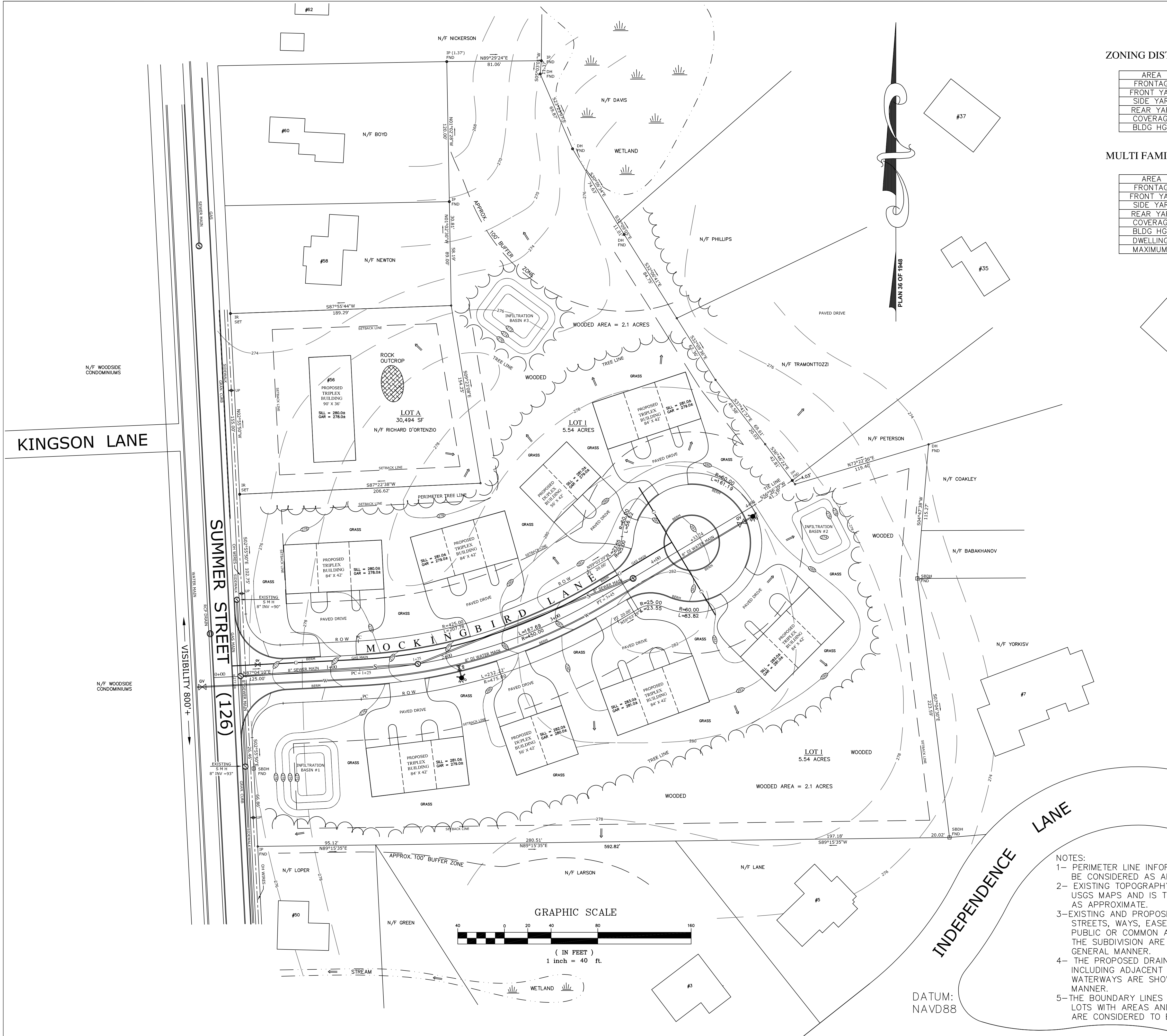
MULTI FAMILY HOUSING OVERLAY
REQUIRED

AREA	30,000
FRONTAGE	150.00'
FRONT YARD	35'
SIDE YARD	15'
REAR YARD	15'
COVERAGE	30%
BLDG HGT	40'
DWELLINGS	8 PER ACRE
MAXIMUM #	40

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DATUM:
NAVD88



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Jon L. Fagerstrom 11-12-2021
JON L. FAGERSTROM, PLS #49205



11-12-2021
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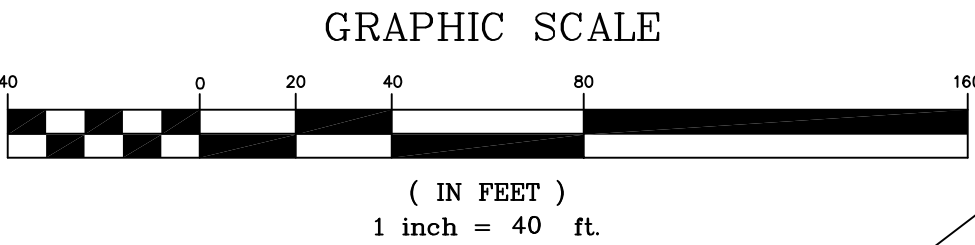
SHEET 3 OF 4

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PRELIMINARY SUBDIVISION PLAN 56 SUMMER STREET, MEDWAY, MA		
REVISION: SITE PLAN WITH 8 BUILDINGS 11-12-2021 RGM		SITE PLAN

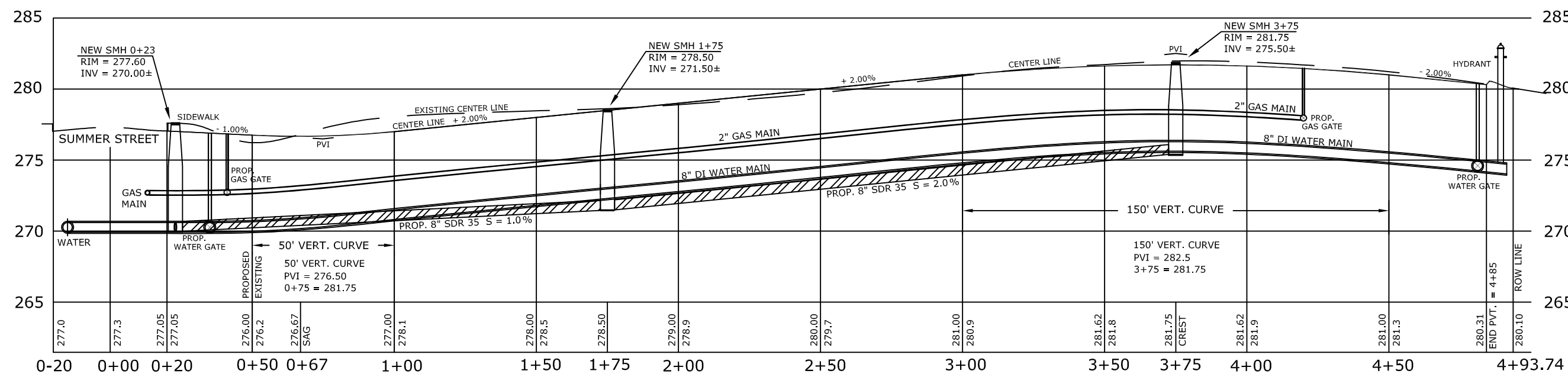
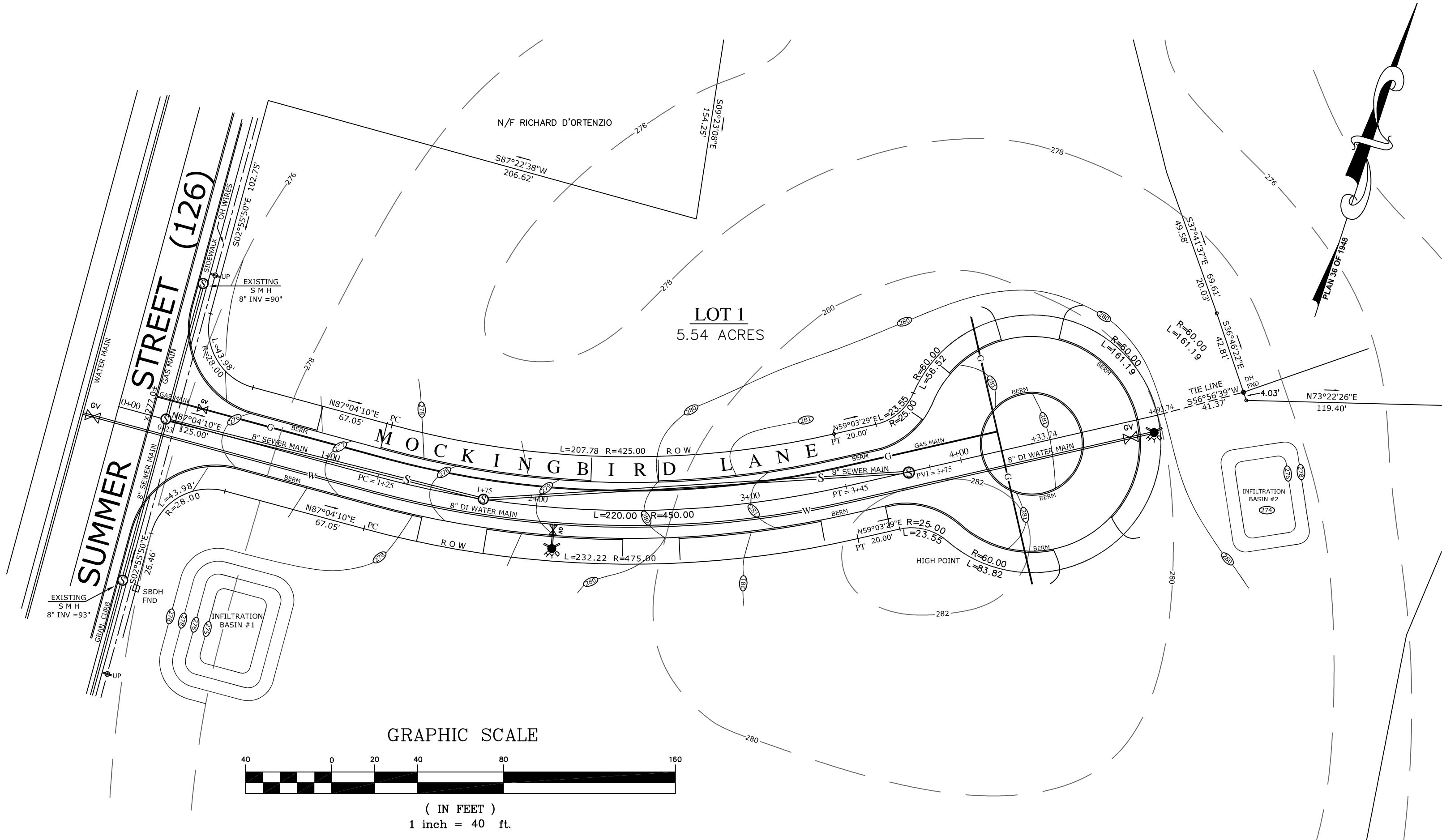
LEGEND

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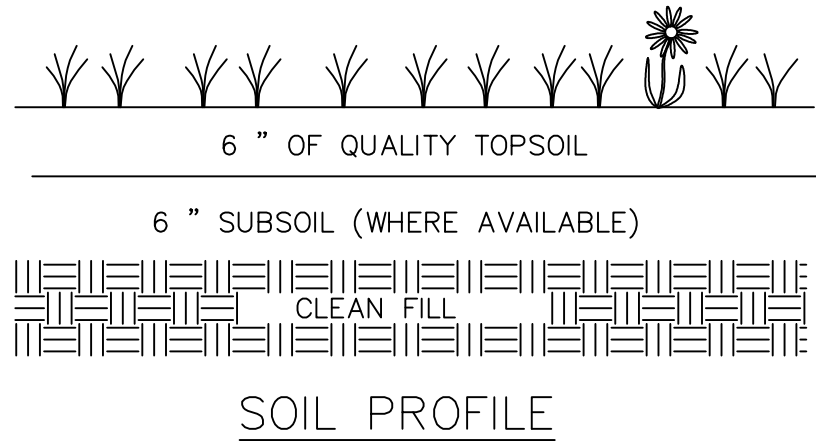
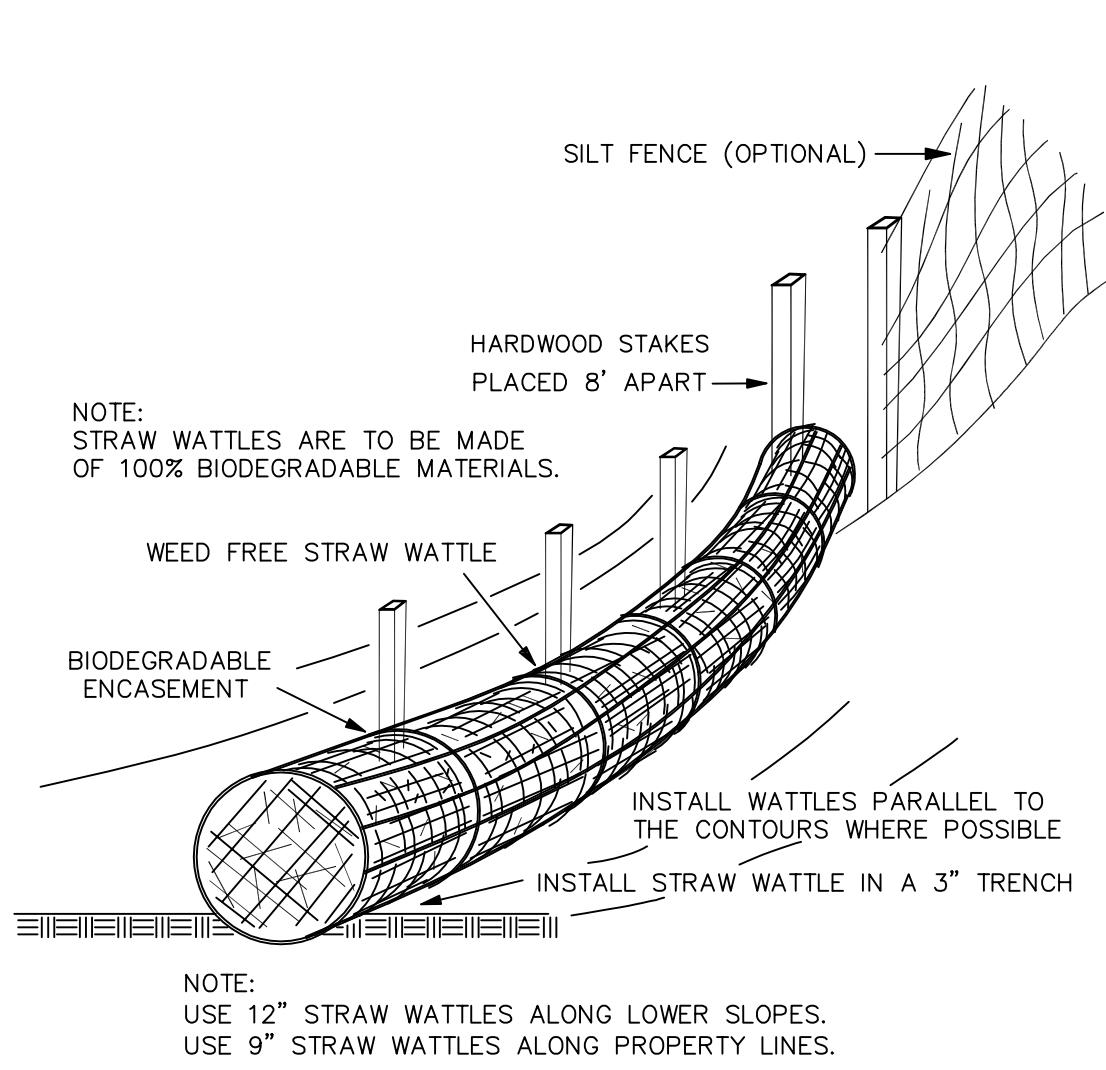


NOTE:
THE OWNER, B & M PROPERTY GROUP LLC, SHALL PROVIDE, AT NO COST TO THE TOWN OF MEDWAY, ALL FACILITIES SHOWN ON THE PLANS INCLUDING BUT NOT LIMITED TO ROADWAYS, CURBS, BOUNDS, DRAINAGE SYSTEMS, SANITARY SEWER SYSTEMS, UTILITIES, STREET LIGHTS AND EARTHWORKS, EXCEPT AS OTHERWISE NOTED AND LOCATED ON THE APPROVED PLAN THAT IS TO BE FILED.

DATUM:
NAVD-88

CURRENT OWNER:
TORTCON BUILDERS, LLC
70 BETHANY ROAD
FRAMINGHAM, MA 01701
508-380-0068

NOTE:
LOCATION OF GAS AND ELECTRIC SERVICES
IS TO BE DETERMINED BY EVERSOURCE ENERGY.



PLANTING SPECIFICATIONS:
LOAM MAY BE SUPPLEMENTED WITH ORGANIC FERTILIZER.
NO COMMERCIAL FERTILIZERS OR PESTICIDES ARE TO BE USED.
SPREAD A MINIMUM OF 6" INCHES OF GOOD QUALITY LOAM WITH
A BASE OF 6" OF SUBSOIL (WHERE AVAILABLE) OVER EXISTING
SOIL OR CLEAN FILL WITHIN ALTERED AREAS.
APPLY SPECIFIED AMOUNT OF SEED WITH A MIXTURE OF
33% MERRIAM BLUEGRASS, 33% CHEWINGS FESCUE AND
33% ANNUAL RYEGRASS. DO NOT ALLOW THE SEEDED AREAS
TO BECOME DEDICATED DURING THE FIRST 3 WEEKS AFTER
PLANTING. LOOSE STRAW WILL PROVIDE PROTECTION AS WELL.

SLOPE STABILIZATION

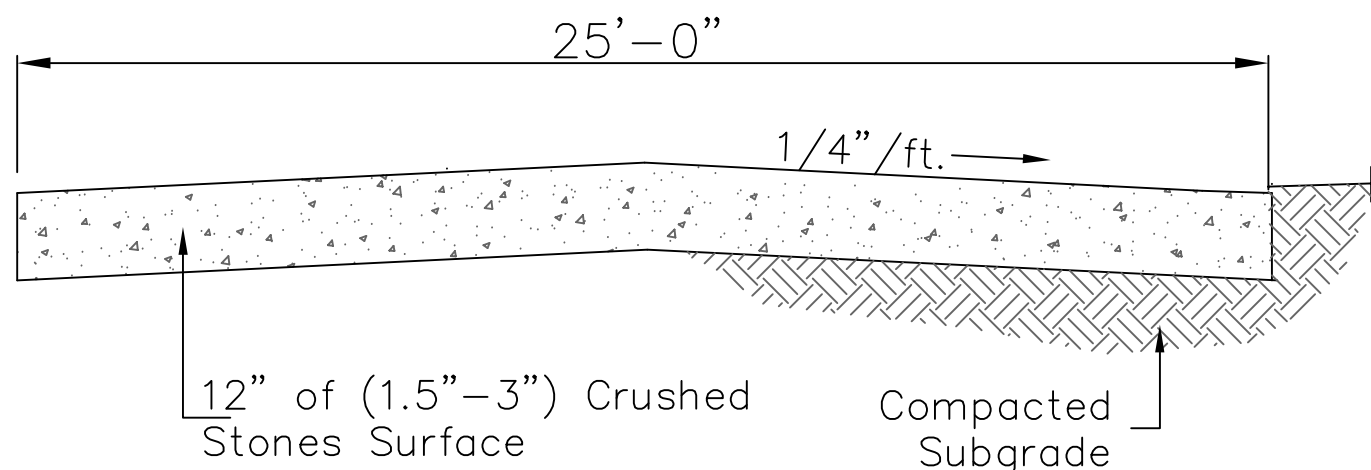
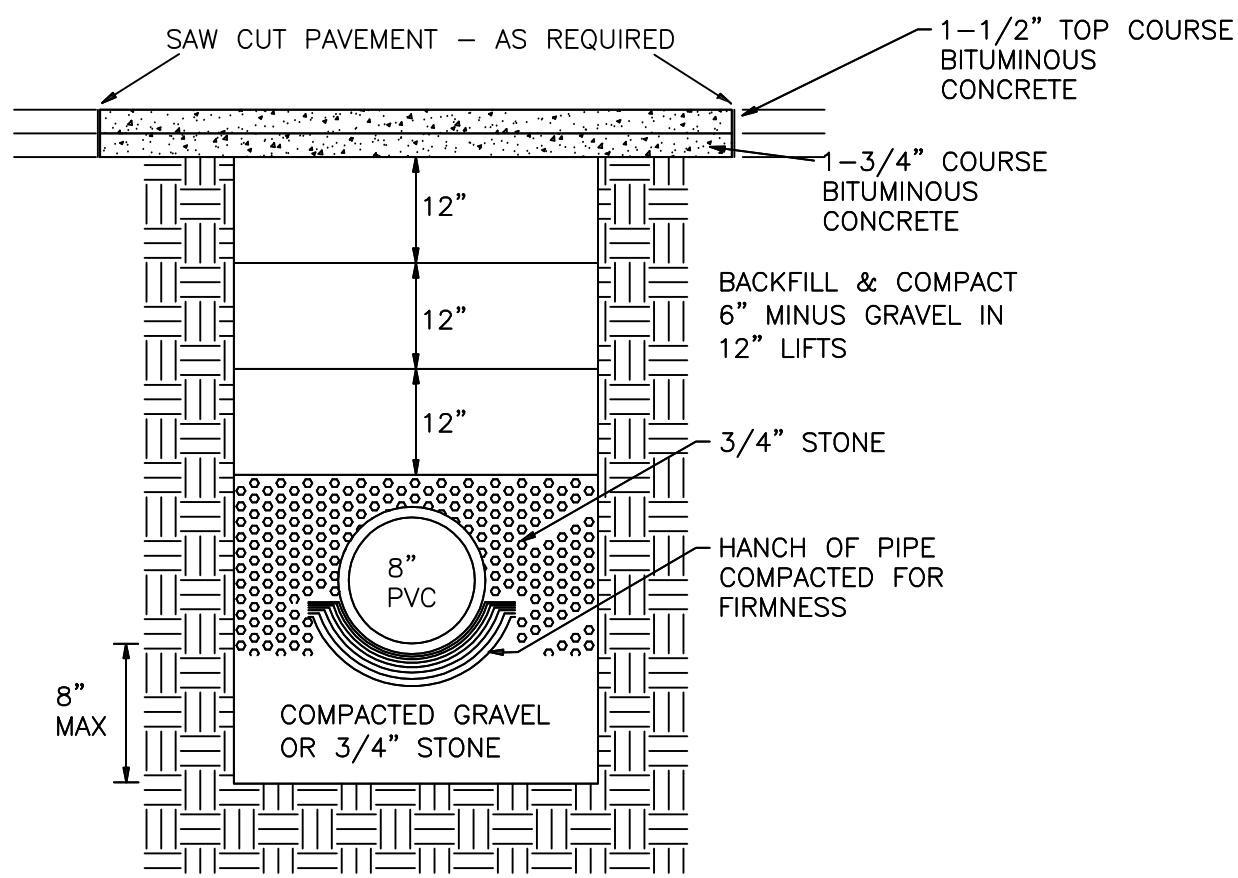
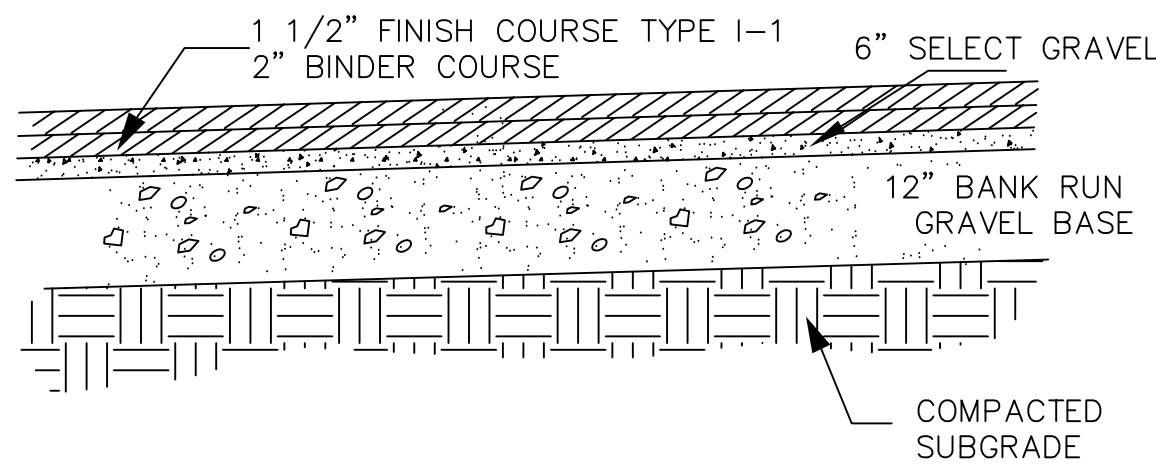


Jon L. Fagerstrom 11-12-2021
JON L. FAGERSTROM, PLS #49205



Michael J. Burke 11-12-2021
MICHAEL J BURKE, PE #23374

FIRM COMMUNITY PANEL
NO. 25021C0139E
DATE: 07-17-2012



TEMPORARY 25' CONSTRUCTION ENTRANCE

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SHEET 4 OF 4

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PRELIMINARY ROAD PLAN & PROFILE 56 SUMMER STREET, MEDWAY, MA		
REVISION: SITE PLAN WITH 8 BUILDINGS 11-12-2021 RGM		PROFILE

December 14, 2021

Mr. Andy Rodenheiser
Chair
Town of Medway Planning and Economic Development Board
155 Village Street
Medway, MA 02053

Dear Chairman Rodenheiser:

I have had the opportunity to review the November 23, 2021 letter and plans submitted by Robert G. Murphy concerning the preliminary multifamily development at 56 Summer Street. My wife and I are direct abutters.

I would like to make the following points:

1. While a representation has been made that "...all perimeter buffer zones have been increased..." there are no measurements on the plans regarding the proposed buffer zones.
2. The "...one well defined footpath..." is not a footpath but a trail that the prior owner established many years ago and maintained, using his tractor, with great care and consideration. It is not shown on the revised plans that were presented for the PEDB's consideration.
3. The fourth paragraph on page one of the letter questions the accuracy of the wetland delineation for Ishmael Coffee Estates. The wetlands delineation of Ishmael Coffee Estates was reviewed by the Town of Medway Conservation Commission and their agent and by the Department of Environmental Protection because of a complaint filed by an abutting property owner. I am aware that there were at least two field reviews and site testing during the application and hearing process.
4. The letter from Mr. Murphy indicates he is a Wetland Scientist. In the first paragraph on the second page Mr. Murphy indicates that he spent one hour on one day observing traffic. I suggest that the one hour observation on one day by a wetland scientist does not represent a traffic study.
5. On sheet 3 of 4 of the plans the elevation line that goes through the basement of my home at 7 Independence Lane, which has a walkout basement, is 274 which is the same elevation proposed for the bottom of infiltration basin # 2. For the official record of the PEDB, since my wife and I have lived at 7 Independence Lane we have never had water in our basement and have never had standing water in our backyard.
6. On sheet 3 of 4 of the plans show infiltration basin # 3 in a wooded area. It is disingenuous to show the proposed basin surrounded by woods because trees will need to be removed to create the basin, to install the piping that will connect to the basin, and to provide a permanent access to the basin for maintenance purposes.

7. There are no patios or decks shown on the plans.
8. The height of the structures is unknown as is the proposed lighting plan for street lights and outdoor lighting serving the backyards of the proposed structures.
9. A realignment of the proposed cul-de-sac to the north and repositioning and decreasing the number of units would substantially decrease the negative impact on the Independence Lane property owners.
10. On sheet 3 of 4 the applicant indicates on a table that the building height is required to be 40' and the number of dwelling units is required to be 8 per acre. I do not believe that either is a requirement, rather both are a maximum under the multi-family housing special permit zoning.

The applicant has the right to develop the property. My wife and I believe the applicant has the responsibility to develop the property in a manner that will be compatible with the currently existing homes.

Thank you for your consideration.

Sincerely,

Paul G. Yorkis