



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

*Andy Rodenhiser, Chairman  
Robert K. Tucker, Vice-Chairman  
Thomas A. Gay, Clerk  
Matthew J. Hayes, P.E.  
Richard Di Iulio*

February 12, 2019

***Major Site Plan Review Decision***  
***Town of Medway Department of Public Services Building***  
***46 Broad Street***  
***APPROVED with Waivers and Conditions***

***Decision Date:*** February 12, 2019

***Name/Address of Applicant:*** Town of Medway, MA  
155 Village Street  
Medway, MA 02053

***Name/Address of Property Owner:*** Town of Medway, MA  
155 Village Street  
Medway, MA 02053

***Engineer:*** Symmes, Maini and McKee Associates  
1000 Massachusetts Avenue  
Cambridge, MA 02138

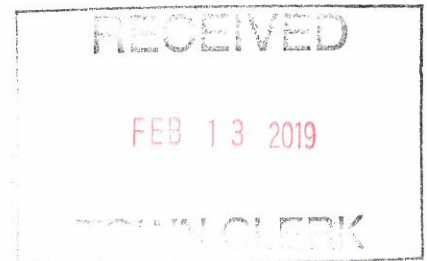
***Site Plan:*** *New Medway DPS Building Site Plan*, dated December 20, 2018,  
last revised January 31, 2019 by Symmes, Maini and McKee  
Associates of Cambridge, MA and Helene Karl Architects of  
Groton, MA

***Location:*** 46 Broad Street

***Assessors' Reference:*** 50-002, 50-003, 50-003-001, 51-007 and 51-008

***Zoning District:*** Agricultural Residential I  
Groundwater Protection District  
Floodplain Protection District

Telephone: 508-533-3291 Fax: 508-321-4987  
[planningboard@townofmedway.org](mailto:planningboard@townofmedway.org)



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**I. PROJECT DESCRIPTION** – The major element of the proposed project is the construction of an approximately 35,000 sq. ft., two story building for the Medway Department of Public Services (DPS) including garage space, on the site where a variety of existing DPS buildings are already located at 46 Broad Street. Five parcels comprise the site which totals approximately 35.8 acres and includes a gravel pit that was previously mined on the eastern portion of the site. The Town’s recycling facility is located on the western section of the site. The site has 198 feet of frontage on Broad Street and 20 feet of frontage on Oakland Street.

The project also includes construction of two separate prefabricated storage buildings, one for salt storage (4,500 sq. ft.) and the other for materials storage (2,300 sq. ft.). The first floor of the new building will include the DPS vehicle services area for storage and repair, a wash bay, and supporting offices and operational spaces. The second floor (mezzanine level) will be dedicated to storage and some building services, e.g. compressed air. The new building will be accessed through the existing DPS site via Broad Street. The project also includes paved parking for a total of 29 staff and visitor vehicles including handicap accessible spaces conforming to ADA requirements. Fifteen truck parking spaces will be located under an overhead canopy where solar panels may be installed. The driveways and parking areas will be edged with vertical granite curb. There will be an additional 21 truck parking spaces located within the new building to service and store DPS vehicles. Site improvements include lighting, landscaping, and stormwater management facilities. Utilities including water and sewer will be extended to the new facility from Winter Street along the corridor within the former Town-owned railroad bed located along the southern edge of the site. Site lighting consisting of LED fixtures on poles will be positioned along the perimeter of the driveway and parking areas. Landscaping will be installed at the main entrance to the new building. The land area disturbed by construction will be planted with a variety of native grasses to naturalize similar to the adjacent woodland and wetland areas. Stormwater management facilities are planned to comply with Massachusetts Stormwater Management standards for review and approval of the Conservation Commission pursuant to Section 26 of the Medway General Bylaws.

Two of the existing DPS buildings on the premises will be removed or partially removed. The existing salt storage will be demolished in its entirety. A new fabric roof salt storage building will be erected in approximately the same location. A portion of the existing highway barn will be removed; the remaining section of the garage building will be patched on the demolished wall and used for cold storage. A new material storage structure will be built at this location next to the existing garage building. The wash bay building will be retained and repainted but its use will change to storage for seasonal equipment. The gravel parking area behind the new material storage structure and existing garage building will be restored to wetland buffer.

The northern portion of the site immediately adjacent to the existing DPS facility includes wetland resources and a small pond. Accordingly, the proposed development is under the jurisdiction of the Conservation Commission. The site is located within Medway’s Groundwater Protection District and portions of the site are located in the Floodplain Protection District.

**II. VOTE OF THE BOARD** – After reviewing the application and information gathered during the public hearing and review process, the Medway Planning and Economic Development Board (“the Board”), on February 12, 2019, on a motion made by Rich Di Iulio and seconded by Matthew Hayes, *voted to approve with WAIVERS and CONDITIONS* as specified herein, a site plan for the construction of an approximately 35,000 sq. ft. building and associated site improvements at 46 Broad Street as shown on *New Medway DPS Building Site Plan*, dated

December 20, 2018, last revised January 31, 2019, prepared by Symmes, Maini and McKee Associates of Cambridge, MA and Helene Karl Architects of Groton, MA, said plan to be further revised as specified herein.

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

<b>Planning &amp; Economic Development Board Member</b>	<b>Vote</b>
Richard Di Iulio	Yes
Matthew Hayes	Yes
Andy Rodenhiser	Yes

NOTE – Member Robert Tucker recused himself from all of the proceedings of this application. Member Thomas Gay was not in attendance on the night of the vote.

### **III. PROCEDURAL HISTORY**

- A. December 21, 2018 - Site plan application and associated materials were filed with the Board and the Medway Town Clerk
- B. December 19, 2019 – Public hearing notice was filed with the Town Clerk and posted at the Town of Medway web site.
- C. December 21, 2018 - Public hearing notice was mailed to abutters within 300' of the subject site by first class mail.
- D. December 21, 2018 – Site plan information was distributed to Town boards, committees and departments for review and comment.
- E. Tuesday, December 25 and Monday, December 31, 2018 - Public hearing notice was advertised in *Milford Daily News*.
- F. January 8, 2019 - Public hearing commenced. The public hearing was continued to January 29, February 5 and February 12, 2019 when the hearing was closed and a decision rendered.

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

- A. The site plan application package for the proposed Medway Department of Public Services building project included the following plan and information that were provided to the Board at the time the application was filed:
  - 1. Site plan application dated December 18, 2018 with Project Overview, certified abutters' list, and requests for waivers from the *Site Plan Rules and Regulations*.
  - 2. *New Medway DPS Building Site Plan*, dated December 20, 2018 prepared by Symmes, Maini and McKee Associates of Cambridge, MA and Helene-Karl Architects of Groton, MA
  - 3. *Stormwater Report* dated December 20, 2018 prepared by Symmes, Maini and McKee Associates.
  - 4. *Pump Station Calculations* dated December 13, 2018 prepared by Symmes, Maini and McKee Associates.

B. During the course of the review, a variety of other materials were submitted to the Board by the applicant and its representatives:

1. *New Medway DPS Building Site Plan*, dated December 20, 2018, last revised January 31, 2019 prepared by Symmes, Maini and McKee Associates of Cambridge, MA and Helene-Karl Architects of Groton, MA
2. Letter dated January 31, 2019 from Peter Glick, PE of Symmes, Maini and McKee Associates in response to the PGC plan review comments dated December 27, 2018 and the Tetra Tech plan review comments dated January 3, 2019.
3. *Stormwater Report* dated December 20, 2018, revised January 31, 2019 prepared by Symmes, Maini and McKee Associates.
4. Updated Requests for Waivers dated January 31, 2019 from *Site Plan Rules and Regulations*.

V. **TESTIMONY** - The Board also received verbal or written testimony from the following individuals during the course of the public hearing.

- Steve Bouley, P.E. of Tetra Tech, Inc., the Town's Consulting Engineer – Site plan review letters dated January 3 and February 1, 2019 and commentary throughout the public hearing process.
- Gino Carlucci, PGC Associates, the Town's Consulting Planner – Site plan review letters dated December 27, 2018 and February 4, 2019 and commentary throughout the public hearing process.
- Review letter from the Medway Design Review Committee dated February 4, 2019
- Email communication from Fire Chief Jeff Lynch dated February 6, 2019
- Email communication dated January 7, 2019 from Nina Casali, 8 Crooks Street.
- Resident Todd Allen, 9 Chestnut Street comments and letter dated January 8, 2019 on behalf of abutters and neighbors to the subject site
- Resident Erika Pitt, 49 Oakland Street
- Resident Tom Carson, 3 Sledding Hill Way
- Resident Stuart McRury, 47 Oakland Street
- Resident Jeffrey Anderson, 11 Crooks Road
- Resident Kevin Bellows, 15 Chestnut Street
- Michael Boynton, Town Administrator
- Peter Glick, P.E., Symmes, Maini & McKee
- Gregg Yanchenko, Helene-Karl Architects
- David D'Amico, Town of Medway DPS Director

VI. **FINDINGS** – The Board must determine whether the proposed project is in conformance with the various site development standards and criteria set forth in the *Site Plan Rules and Regulations*.

The Planning and Economic Development Board, at its meeting on February 12, 2019, on a motion made by Rich Di Iulio and seconded by Matthew Hayes voted to approve the following **FINDINGS** regarding the site plan application for the Medway DPS building at 46 Broad Street. The motion was approved by a vote of three in favor and none opposed.

## **GENERAL FINDINGS**

1. The facility is located within a Groundwater Protection District. The facility has been designed to treat its waste products and stormwater in a manner that complies with the requirements of the District and reduces the impact on the Groundwater Protection District from what exists due to current operations.
2. A FEMA Zone. A portion of the property lies within a FEMA flood zone and the Town's Floodplain District. However, all major buildings and operations are located outside the floodplain and are not expected to impact the flood zone or floodplain. Furthermore, only a very small area of the floodplain will be impacted by construction and its flood-absorbing capacity will not be diminished.
3. The Medway Recycling Center is located on the subject site. That operation is not within the scope of this site plan decision and the decision's conditions do not apply to the Recycling Center.

**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 *Rules and Regulations*, unless specifically waived. In making its decision, the Planning and Economic Development 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?

*This application pertains to redevelopment of the site where the Medway Department of Public Services has maintained its recycling center and highway garage and associated facilities for many years. The new building is a replacement for the existing highway garage structure. There is no expected increase in traffic to this site as a result of its redevelopment. Ingress and egress to this site is from Broad Street which runs through the Village Commercial Zoning District. The existing paved driveway will be retained and extended 650 feet to access the new building and parking area. The site plan has been carefully evaluated for truck maneuverability and has been found to be satisfactory. The site includes turnaround areas so there will be no backing out onto a public way.*

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 building is in an industrial and office building style; its scale and materials are suitable for the site and use. The design has been reviewed by the Design Review Committee and is acceptable for its location. The active part of the site is set back more than 1,000 feet from Broad Street. The closest residential building in the vicinity is located at 13 Chestnut Street, more than 244 +/- feet away from the new building. The new storage buildings are set back more than 346 +/- feet from Broad Street. There are no distinguishing buildings in the vicinity with which the proposed buildings would conflict in terms of character, materials and scale.*

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.

*As a result of issues raised during the public hearing process and to address concerns about the impacts of vehicular noise and site lighting on nearby residential neighbors, the two proposed ancillary buildings for salt and material storage have been relocated westerly from the eastern portion of the site and will be positioned where the current salt and highway garage buildings are located. Also, the associated material loading area originally planned for the eastern portion of the site has been eliminated. These two plan revisions significantly reduce the project's impact on residential abutters to the southeast. The site is abutted on the south by the former railroad bed and Oakland Cemetery, on the west by agricultural property, on the northeast by St. Joseph's Cemetery so the extent of impacts on residential abutters is minimal.*

4. Is adequate access to each structure for fire and service equipment provided?

*The Fire Chief has reviewed the plan and has found the site design to be acceptable for safe access to the buildings and safety apparatus maneuverability.*

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 proposed stormwater drainage system is being reviewed by the Town's Consulting Engineer for the Conservation Commission. Appropriate soil pollution and erosion controls have been incorporated into the plan. No extraordinary noise will be generated by the operation of the facility although the site will occasionally be active and generate noise during major storm and snow events or in support of other Town projects and events from time to time.*

6. Is pedestrian and vehicular safety both on the site and egressing from it maximized?

*The entrance and egress to the site and its parking and loading facilities have been designed for safe operation and to minimize conflict. Walkways are provided from the parking area to the building entrances for employees. Due to the nature of the site and its uses, pedestrian access to the site is not desired or encouraged.*

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?

*There are no visually prominent natural or historic features on site.*

8. Does the lighting of structures and parking areas avoid glare on adjoining properties and minimize light pollution within the town?

*The lighting plan was reviewed by the Board's consulting planner and engineer. The planned site lighting minimizes light pollution by using cut off lenses. The lighting plan will be modified before plan endorsement to comply with the Zoning Bylaw requirements. See Specific Condition C.1.*

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 and it protects sensitive environmental resources. Over the course of review, the plan was revised to reduce disturbance in the wetlands buffer area.*

**VII. WAIVERS** – At its February 12, 2019, the Planning and Economic Development Board, on a motion made by Rich Di Iulio and seconded by Matthew Hayes, voted to grant waivers from the following provisions of the *Rules and Regulations for the Submission and Approval of Site Plans, as amended December 3, 2002*. The Board's reasons for granting each waiver request are listed below. All waivers are subject to the *Special and General Conditions of Approval*, which follow this section.

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

1. **Section 204 – 3.A.7.a. Traffic Impact Assessment** – A *Traffic Impact Assessment* is required if a development project involves the addition of 30 or more parking spaces. The *Traffic Impact Assessment* shall: (a) document existing traffic conditions including but not limited to conditions within one-quarter (1/4) mile of the proposed project; (b) describe the volume and effect of projected traffic generated by the proposed project; and (c) identify measures to mitigate any adverse impacts on traffic.

*The Applicant has requested that the requirement for a Traffic Impact Assessment be waived. The site plan shows 44 surface parking spaces for the site (29 for employees and 15 for Town trucks and vehicles). The new DPS building, storage facilities and parking areas will be constructed on the same site as the existing facility. The new facility is not expected to generate any additional traffic than what is already occurring. The DPS administrative offices will not be located on the premises. There will be no vehicular connection between Oakland Street and the site so there will be no traffic impacts on Oakland Street. (See Specific Condition J.). A Traffic Impact Assessment is not expected to reveal any useful information related to the site or the project's impacts. Therefore, the Board APPROVES this waiver request.*

2. **Section 204 – 3.A. 7. b. Environmental Impact** – An *Environmental Impact Assessment* is needed if the project involves one or more of the following



characteristics: (a) proposes an additional thirty (or more) parking spaces; (b) proposes a building footprint of fifteen thousand square feet or greater; (c) proposes to disturb thirty thousand square feet of land or greater. An *Environmental Impact Assessment* describes the impacts of the proposed development with respect to on-site and off-site environmental quality.

*The Applicant has requested that the Board waive the requirement for an Environmental Impact Assessment. The new DPS facility is to be constructed on the same site as the existing facility. Environmental impacts are mainly associated with wetlands protection and the installation of the stormwater management system for the building, driveway, and parking areas. The project is being reviewed by the Conservation Commission for both. The preparation of an environmental impact assessment is not expected to reveal any useful additional information related to the site or the project's impacts. Therefore, the Board APPROVES this waiver request.*

3. **Section 204 – 3 A.7.c. Community Impact** - A Community Impact Assessment evaluates the impacts of the proposed development on the community. It includes (a) the community's visual and historical character, especially that of neighboring properties; (b) the goals of existing community plans (*master plan, open space plan, etc.*); and (c) the quality of life of its residents.

*The Applicant has requested that the Board waive the requirement for a Community Impact Assessment. Construction of a new DPS facility is a high priority for the Town. Constructing it on the existing site reduces impacts on the community that would occur if the building and associated facilities were developed at an alternative site in town. The site is surrounded primarily by farmland and cemeteries so the impact on neighboring properties is limited. There will be no vehicular connection between Oakland Street and the site. (See Specific Condition J.). The site plan was redesigned to address concerns of residents by relocating the salt and storage sheds and vehicle turnaround and storage areas away from the easterly side of the site. The building has been reviewed by the Design Review Committee which has found it to meet the Design Review Guidelines for industrial/office buildings. Therefore, the Board APPROVES this waiver request.*

4. **Section 204 – 3 A.7.d. Parking Impact** - A Parking Impact Assessment documents existing parking conditions, evaluates off-site impacts of the proposed parking and proposes ways to mitigate any adverse parking impacts on the neighborhood. A *Parking Impact Assessment* is needed if the project proposes the addition of thirty (30) or more parking spaces.

*The Applicant has requested a waiver from the requirement for a Parking Impact Assessment. This type of facility does not fall within the various uses listed in Table 3 Schedule of Parking Requirements included in the Zoning Bylaw. DPS staff have determined that a total of 29 surface parking spaces will be sufficient for employees; these are shown on the plan. The plan also shows 15 surface parking spaces for trucks and there will be room inside the building to park 21 trucks. As the DPS administrative offices will remain in a wing at the Medway Middle School, the new building is not intended to be visited by residents so there is need for only minimal visitor parking. No off-street parking is planned and accordingly, there*

*will be no parking impact on the adjacent neighborhood. Therefore, the Board APPROVES this waiver request.*

5. **Section 204-5 C.3. Existing Landscape Inventory** - An *Existing Landscape Inventory* shall be prepared by a Professional Landscape Architect licensed in the Commonwealth of Massachusetts. This inventory shall include a “mapped” overview of existing landscape features and structures and a general inventory of major plant species including the specific identification of existing trees with a diameter of one (1) foot or greater at four (4) feet above grade.

*The Applicant has requested a waiver from this requirement as the site has been used for many years for the Medway DPS Highway Garage and is already extensively disturbed. Much of the area to be cleared of trees to make way for the new DPS building consists of secondary scrub growth. The site designers have minimized the extent of tree clearing. Therefore, the Board APPROVES this waiver request.*

6. **Section 204-5 D. 7) – Landscape Architectural Plan** – A Landscape Architectural Plan shall be prepared by a Landscape Architect licensed in the Commonwealth of Massachusetts. The *Landscape Architectural Plan* shall indicate the areas slated for excavation; any woodlands, trees or other existing features or structures to be retained; all new plantings by common and Latin name including their proposed locations and sizes at the time of installation. Plan graphics for tree canopies shall reflect, as closely as possible, the actual canopy dimension of proposed tree plantings at the time of installation with a “lesser” intensity graphic used to represent potential canopy at maturity.

*The Applicant has requested a waiver from this requirement. Instead, the landscaping component of the site plan is to be “stamped” by the project architect who has experience in landscape design and is capable of designing the level of landscaping shown on the planting plan. In light of the existing operations on the site, the vegetation that will remain, and the site’s limited visibility from public areas and abutters, the level of landscaped proposed is adequate for the expanded facility and setting and there is not a need for a higher level of design by a Registered Landscape Architect. Therefore, the Board APPROVES this waiver request.*

7. **Section 205-3 D. Pedestrian and Bicycle Access and Connections**

*The Applicant has requested a waiver from full compliance with this section of the Site Plan Rules and Regulations regarding maximization of bicycle access and accommodations. The nature of a DPS garage site is not conducive to bicycle traffic and there is no desire to encourage such. Furthermore, adding a bicycle lane along the driveway would require filling of wetland resource areas which is not desired. Pedestrian connections are provided for employees from the parking area to the building entrance. Therefore, the Board APPROVES this waiver request.*

8. **Section 205-9 C. Interior Landscaping – Parking Areas** - Internal landscape planted divisions (*islands and peninsulas*) shall be constructed within all parking lots to provide shading and buffering. At least one deciduous tree of a minimum

two and one-half (2 1/2) inches caliper in diameter shall be provided for every six parking spaces. Only trees providing shade to the parking area shall be counted as meeting this requirement. This requirement may be waived in lieu of the preservation of existing trees subject to approval by the Planning Board.

*The Applicant has requested a waiver from this requirement. The parking areas have been designed to accommodate solar canopies to provide renewable energy to the facility over the long term. Trees would interfere with this function and are better suited to other areas of the site. Therefore, the Board APPROVES this waiver request.*

9. **Section 205-9. D. Landscape Screening** – Where disturbance on the site is necessary beyond the building footprint, parking and access areas, or where the Planning Board determines that additional plantings are needed to achieve four (4) seasons of screening, the Landscape Architectural Plan shall include landscape plantings and other man-made hardscape structures such as fences and trellises sufficient enough to immediately screen one-hundred percent of the HVAC equipment, utilities, dumpsters, etc. from the view at any perimeter point on the site. The plantings shall be mature enough to immediately integrate the building and site into its surroundings. The scale of such planted landscaping shall be determined by the size of the building, the extent of disturbance to the existing landscape and the need for additional screening.

*The Applicant has requested a waiver from this requirement. Much of the disturbed areas of the site will be seeded with a suitable seed mixture which will naturalize similar to adjacent meadows and woodlands. There is no need to provide screening to the adjacent cemeteries and agricultural uses. The building will be located on the site at an approximately 30' lower grade than the adjacent property to the south along the former railroad bed. Therefore, the screening proposed is adequate for the site and the Board APPROVES this waiver request.*

**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 hearing process have been carefully considered.

#### **SPECIFIC CONDITIONS OF APPROVAL**

- A. **Plan Endorsement** - Within sixty days after the Board has filed its *Decision* with the Town Clerk, the site plan for the Medway DPS Building at 46 Broad Street, dated December 20, 2018, last revised January 31, 2019 prepared by Symmes, Maini and McKee Associates of Cambridge, MA and Helene-Karl Architects of Groton, MA shall be further revised to reflect all Conditions and required revisions as specified herein and shall be submitted to the Board to review for compliance with the Board's *Decision*. (*Said plan is hereinafter referred to as the Plan*). The Applicant shall provide 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. **Cover Sheet Revisions** – Prior to plan endorsement, the cover sheet of the January 31, 2019 site plan set shall be revised to list the APPROVED WAIVERS from the *Site Plan Rules and Regulations*.
- C. **Other Plan Revisions** – Prior to plan endorsement, the Applicant shall make the following plan revisions to the January 31, 2019 site plan set.
  - 1. The photometric plan (SL-1) shall be revised to show no light spillage off the property in compliance with the *Zoning Bylaw*.
  - 2. The details for the pre-fabricated salt and materials storage buildings shall indicate that material shall be non-white (grey or other neutral color) and of a matte finish (non-glare).
  - 3. The final stormwater design as approved by the Conservation Commission shall be included in the site plan set.
- D. **Lighting** – Per the Design Review Committee’s review letter dated February 4, 2019, the Applicant shall provide specific information about the design of the lighting fixtures for the Design Review Committee to review. Exterior lights, except for security lighting, shall remain off when the buildings are not in operation. Lighting shall comply with the lighting requirements of the *Zoning Bylaw*.
- E. **Signage** – Signage for the site shall comply with Section 7.2 of the *Zoning Bylaw* including review by the Design Review Committee prior to permitting, construction, and installation.
- F. **Wetlands Protection** – Prior to plan endorsement, the Applicant is required to provide the Board with a copy of the *Order of Conditions* and a Stormwater Management/Land Disturbance Permit from the Medway Conservation Commission.
- G. **Use Limitations** – Parking or use of the parking area at 46 Broad Street shall be limited only to vehicles for Town of Medway employees, deliveries and customers. Parking by others may be allowed by the Town Administrator from time-to-time in support of Town projects. Such allowances shall not cause a nuisance to the surrounding neighborhood.
- H. **Conditions Pertaining to Flood Plain Protection District** – Portions of the site are located within the Town’s flood plain district pursuant to Norfolk County Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA). The Applicant is required to comply with the provisions of Section 5.6.1 of the *Zoning Bylaw* for allowed, prohibited, and for uses and activities subject to a special permit.
- I. **Conditions Pertaining to Groundwater Protection District** – The site is located within the Town’s groundwater protection district. The Applicant is required to comply with the provisions of Section 5.6.3 of the *Zoning Bylaw* for allowed uses, prohibited activities, and for uses and activities subject to a special permit.
- J. **Site Access** – The Applicant shall not use small strip of land located between 47 and 49 Oakland Street for vehicular access/egress to and from this site.

- K. ***Railroad Bed*** – After installation of the utilities, the Applicant shall restore the former railroad bed area on the premises to its pre-construction condition.
- L. ***Salt Storage Shed*** – Storage of salt in the pre-fabricated building shall be handled in conformance with Mass DEP requirements.
- M. ***Hours of Operation*** – Except for snow operations, emergency conditions or events, special operations, or municipal needs, DPS managers shall work to observe normal business hours of Monday – Friday, 6 am to 7 pm for the DPS buildings and site that are subject to this site plan decision. Town and DPS Managers may extend working hours without limitations when warranted.

### **GENERAL CONDITIONS OF APPROVAL**

- A. ***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.
- B. ***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.
  - 1. ***Construction Time*** - Construction work at the site and in the building and the operation of construction equipment including truck and 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.
  - 2. ***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.
  - 3. 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.
  - 4. 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 or 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 hours of its occurrence.
  - 5. 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.

6. All erosion and siltation control measures shall be installed by the Applicant prior to the start of construction and observed by the Board's consulting engineer and maintained in good repair throughout the construction period.
  7. *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.
- C. ***Landscape Maintenance*** - 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.
- D. ***Snow Storage and Removal***
1. On-site snow storage shall not encroach upon nor prohibit the use of any parking spaces.
  2. Accumulated snow which exceeds the capacity of the designated snow storage areas on-site shall be removed from the premises within 24 hours after the conclusion of the storm event.
- E. ***Construction Oversight***
1. The Applicant or its agents (Architect and his designee(s) including the Project Engineer, the Owner's Project Manager, and DPS managers and staff) shall regularly provide progress and inspection reports to the Board. Inspection of infrastructure and utility construction, installation of site amenities is required. In addition, the following other tasks are required - inspect the site during construction/installation, 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).
  2. 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.
  3. 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.
- F. ***Modification of Site Plan and Decision***

1. This site plan decision and plan to be revised 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 the Board for review as site plan modifications.
  2. Any work that deviates from the approved site plan or this Decision shall be a violation of the *Medway Zoning Bylaw*, unless the Applicant 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 the Board, its staff or consultants are necessary due to proposed site plan modifications, the Applicant shall be billed and be responsible for all supplemental costs including plan review fees and all costs associated with another public hearing including legal notice. 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.
- G. ***Compliance with Plan and Decision*** - The Applicant shall construct all improvements in compliance with the approved and endorsed site plan and this Decision any modifications thereto.
- H. ***Project Completion***
1. Site plan approval shall lapse after one year of the grant thereof if substantial use has not commenced except for good cause. Upon receipt of a written request by the Applicant 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, hearing and decision.
  2. Prior to issuance of a final occupancy permit, the Applicant shall secure a ***Certificate of Site Plan Completion*** from the Board and provide the ***Certificate*** to the Inspector of Buildings. 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. To secure a ***Certificate*** of Site Plan Completion, the Applicant shall:
    - a) provide the Board with written certification from a Professional Engineer registered in the Commonwealth of Massachusetts that all building and site work has been completed in strict 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.

- I. **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.
- J. **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 twenty day appeal period has expired, the Applicant must obtain a certified notice from the Town Clerk that no appeals have been made and provide such certification to the Board before plan endorsement.

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**Medway Planning and Economic Development Board**  
**SITE PLAN DECISION**  
**Town of Medway Department of Public Services Building, 46 Broad Street**

Approved by the Medway Planning & Economic Development Board: \_\_\_\_\_

**AYE:**

**NAY:**

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**ATTEST:**

\_\_\_\_\_  
Susan E. Affleck-Childs  
Planning & Economic Development Coordinator

\_\_\_\_\_  
Date

**COPIES TO:** Michael Boynton, Town Administrator  
David D’Amico, DPS Director  
Bridget Graziano, Conservation Agent  
Donna Greenwood, Assessor  
Beth Hallal, Health Agent  
Jeff Lynch, Fire Chief  
Jack Mee, Inspector of Buildings and Zoning Enforcement Officer  
Barbara Saint Andre, Director of Community and Economic Development  
Jeff Watson, Police Department Safety Officer  
Peter Glick, P.E., Symmes, Maini and McKee  
Brian Jarvis, Compass Project Management  
Steven Bouley, Tetra Tech  
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