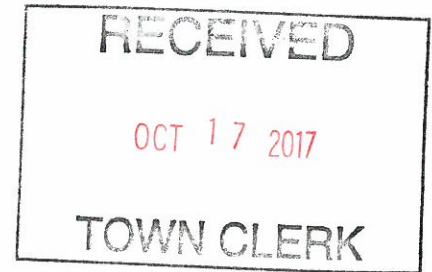


TOWN OF MEDWAY
Planning & Economic Development Board
155 Village Street
Medway, Massachusetts 02053



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

Major Site Plan Review
TOWN OF MEDWAY – Oakland Park Site Improvements
Approved with Waivers and Conditions

Decision Date: October 10, 2017

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

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

Project Location: 76 & 82 Oakland Street
Assessors' Reference: Parcels #42-057 and 42-058
Zoning District: Agricultural Residential I

Landscape Architect: CBA Landscape Architects LLC
24 Thorndike Street
Cambridge, MA 02141

Engineer: Samiotes Consultants, Inc.
20 A Street
Framingham, MA 01701

Site Plan: *Site Plan Submission: Improvements to Oakland Park, dated August 17, 2017, last revised September 22, 2017*

I. PROJECT DESCRIPTION – Renovation and reorganizing of the parking, traffic circulation, playground area and other non-athletics portions of Oakland Park including varied and age-appropriate playground spaces, a wood pavilion, a prefabricated building to house bathrooms and office/storage facilities, ornamental fencing, seating/benches and gathering areas, an entry plaza, a drop off-pick up area, landscaping, expansion and reconfiguration of parking, stormwater drainage facilities, bicycle parking, site lighting, lighted pathway between the Senior Center and Oakland Park parking lot, and a separate entrance from Oakland Street to the Senior Center.

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, on October 10, 2017, on a motion made by Thomas Gay and seconded by Richard Di Iulio, **voted to approve with FINDINGS, WAIVERS and CONDITIONS** as specified herein, a site plan for varied improvements to Oakland Park as shown on *Site Plan Submission: Improvements to Oakland Park* and prepared by CBA Landscape Architects of Cambridge, MA dated August 17, 2017, last revised September 22, 2017, to be further revised as specified herein. All members voting were present for the public hearings or filed a certification pursuant to G.L. c. 39, §23D.

The motion was approved by a vote of four in favor and none opposed. One member was absent.

Planning & Economic Development Board Member	Vote
Richard Di Iulio	Yes
Matthew Hayes	Yes
Thomas A. Gay	Yes
Andy Rodenhiser	Absent
Robert Tucker	Yes

III. PROCEDURAL HISTORY

- A. August 17, 2017 - Site plan application and associated materials filed with the Medway Planning & Economic Development Board and the Medway Town Clerk
- B. August 21, 2017 – Site plan public hearing notice filed with the Town Clerk and posted at the Town of Medway web site.
- C. August 21, 2017 – Site plan public hearing notice mailed to abutters by certified sent mail.
- D. August 28, 2017 – Site plan information distributed to Town boards, committees and departments for review and comment.
- E. August 22 & 28, 2017 - Site plan public hearing notice advertised in *Milford Daily News*.
- F. September 5, 2017 - Site plan public hearing commenced. The public hearing was continued to September 26, 2017 and October 10, 2017 when the hearing was closed and a decision rendered.

IV. INDEX OF SITE PLAN DOCUMENTS

- A. The site plan application for the proposed Oakland Park project included the following plans, studies and information that were provided to the Planning and Economic Development Board at the time the application was filed with the Town:
1. Major Site Plan Application dated August 17, 2017 with Project Description, Development Impact report, and certified abutters' list.
 2. *Site Plan Submission: Improvements to Oakland Park* site plan dated August 17, 2017 prepared by CBA Landscape Architects of Cambridge, MA and Samiotes Consultants, Inc. of Framingham, MA
 3. *Oakland Park Stormwater Report*, dated August 17, 2017 prepared by Samiotes Consultants, Inc. of Framingham, MA.
 4. *Requests for Waivers from the Medway Site Plan Rules and Regulations*, dated August 17, 2017 prepared by DJ Chagnon, CBA Landscape Architects, LLC of Cambridge, MA.
- B. During the course of the review, a variety of other materials were submitted to the Board by the applicant and its representatives:
1. *Site Plan Submission: Improvements to Oakland Park* site plan dated August 17, 2017, revised September 22, 2017 prepared by CBA Landscape Architects of Cambridge, MA and Samiotes Consultants, Inc. of Framingham, MA
 2. *Oakland Park Stormwater Report*, dated August 17, 2017, revised September 22, 2017, further revised October 10, 2017, prepared by Samiotes Consultants, Inc. of Framingham, MA.
 3. *Requests for Waivers from the Medway Site Plan Rules and Regulations*, dated August 17, 2017, updated September 25, 2017 prepared by DJ Chagnon, CBA Landscape Architects, LLC of Cambridge, MA.
 4. Letter dated September 22, 2017 from DJ Chagnon of CBA Landscape Architects in response to Tetra Tech's August 31, 2017 and PGC Associates' August 20, 2017 review letters.
 5. Letter dated September 25, 2017 from DJ Chagnon of CBA Landscape Architects identifying changes included in the revised site plan dated September 25, 2017
 6. Public Hearing Presentations by DJ Chagnon, CBA Landscape Architects – September 5 and September 26, 2017 public hearings
 7. Tree Replacement Calculations, dated October 10, 2017, prepared by CBA Landscape Architects.
 8. Parking Sign in Bollard at Curb drawing, provided October 10, 2017, prepared by CBA Landscape Architects
 9. SK 01 - Bollards by Pedestrian Path drawing, dated October 5, 2017, prepared by CBA Landscape Architects.
 10. SK 02 - Revised Sign Locations to Remove Wheel Stops drawing, dated October 5, 2017, prepared by CBA Landscape Architects.

- C. All documents and exhibits received during the public hearing are contained in the Planning and Economic Development Board's project file.

V. TESTIMONY - In addition to the site plan application material as submitted and provided during the course of the Board's review, the Board also received verbal or written testimony from:

- Sean Reardon, P.E. and Steve Bouley, P.E. of Tetra Tech, Inc., the Town's Consulting Engineer – Site plan review letters dated August 31 and September 28, 2017 and commentary throughout the public hearing process.
- Gino Carlucci, PGC Associates, the Town's Consulting Planner – Site plan review letters August 29 and October 4, 2017 and commentary throughout the public hearing process.
- D.J. Chagnon of CBA Landscape Architects
- Andrew Truman of Samiotes Engineering
- Review letter from the Medway Design Review Committee dated September 20, 2017
- Email communication from Medway Fire Chief Jeff Lynch dated September 28, 2017
- Letter from Medway Police Chief Allen Tingley dated October 5, 2017
- Michael Boynton, Medway Town Administrator
- Rick D'Innocenzo, EPFRAC Chair
- Comment letter from Laurence and Nancy Eaton of 6 Oakview Circle.
- Kimberly Karolides, 70 Oakland Street
- David Blackwell, 2 Milford Street

VI. FINDINGS – In making its findings and reaching the decision described herein, the Board is guided by Board's *Site Plan Rules and Regulations*, and the *Medway Zoning Bylaw*. The Board also considered evidence and testimony presented at the public hearings and comments submitted by Town departments, boards and committees as well as the Board's peer review consultants and residents placed in the public record during the course of the hearings.

The Planning and Economic Development Board, at its meeting on October 10, 2017, on a motion made by Thomas Gay and seconded by Matthew Hayes, voted to approve the following **FINDINGS** regarding the site plan application for the Oakland Park Site Improvement Project. The motion was approved by a vote of four in favor and none opposed. One member was absent.

A. Site Plan Rules and Regulations Findings – The Planning and Economic Development Board shall determine whether the proposed development is in conformance with the standards and criteria set forth in the *Site Plan Rules and Regulations*, unless specifically waived. 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?

The primary ingress and egress off of Oakland Street remains. An additional entrance only from Oakland Street to the Senior Center has been added. No

access points from adjacent minor side streets are included. The entire parking area is being reorganized and 31 additional parking spaces will result along with an improved traffic flow within the site.

- (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 site improvements to Oakland Park have been fully vetted by the EPFRAC team and the Board with guidance from CBA Landscape Architects. The selection of the pavilion's design and materials for lighting, benches, etc. have also been fully reviewed by the Design Review Committee which has offered numerous recommendations that have been accepted by the EPFRAC team.

- (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.

A comprehensive landscaping plan has been provided to enhance the site and provide suitable screening. The parking will be screened from Oakland Street and abutting properties by the existing vegetated edges, and partially screened for the Senior Center by the existing wooded area between the two parcels.

- (4) Is adequate access to each structure for fire and service equipment provided?

The new pavilion, building and playground areas are readily accessible through the reconfigured parking lot area. Further, a new entrance to the Senior Center from Oakland Street provides an additional access point to the site for emergency vehicles. The site plan has been provided to the Fire Chief and no issues have been identified.

- (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 volume of cut and fill is the minimum necessary to construct the planned site improvements. Large trees on site have been identified. A comprehensive landscaping plan has been provided. The stormwater drainage system has been reviewed by the Town's Consulting Engineer and has been determined to be adequate to protect waterways and environmental resources. Appropriate soil pollution and erosion controls have been incorporated into the plan. No

extraordinary incremental noise will be generated by the park after the planned site improvements are implemented.

- (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 facilities have been designed for safe operation and to minimize conflict. Walkways are provided throughout the site. The turning movements for the site have been reviewed by the Town's Consulting Engineer and found to be acceptable. Pedestrian safety is enhanced by the inclusion of a lighted walkway between the Oakland Park parking area and the Senior Center.

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

The most visually prominent features of the site are the fields to the east. Those will be retained. All site work is to the west. The proposed site improvements will serve to enhance the public's enjoyment of the park.

- (8) Does the lighting of structures and parking area avoid glare on adjoining properties and minimize light pollution within the town?

Site lighting does not produce glare to adjoining properties.

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

The limit of work is reasonable for the proposed improvements.

VII. WAIVERS – At its October 10, 2017 meeting, the Planning and Economic Development Board, on a motion made by Thomas Gay and seconded by Richard Di Iulio, 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 Planning and Economic Development Board's action and 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 four in favor and none opposed. One member was absent.

1. **Section 204-3 A. 7 (a) – Planning Board Submittals: Development Impact Statement – Traffic Impact Assessment**

The applicant has requested that this requirement be waived and instead, the applicant has provided a general traffic summary included with the application. The proposal is for improvements to an existing park which do not create any new uses on the premises. No additional traffic is expected to be generated as a result

of the planned improvements. Also, the Town's consulting engineer is not opposed to this waiver. Therefore, the Board APPROVES this waiver request.

2. **Section 204-3 A. 7 (b) - Planning Board Submittals: Development Impact Statement – Environmental Impact Assessment**

The applicant has requested that this requirement be waived. The Town's consulting engineer is not opposed to this waiver. Therefore, the Board APPROVES this waiver request.

3. **Section 204-5 C. Existing Conditions 1)** The location of all existing man-made features shall be delineated including but not limited to buildings and structures, streets, bridges, utility poles, utilities and underground infrastructure including water, gas, electric, sewer, cable, and telephone, fire hydrants and fire alarm boxes, wells, septic systems, storm and sanitary sewers, easements and other property encumbrances, driveways, trails, farm roads, rails, walls, fences, monuments, historic markers, milestones, wells, drainage fields, entrances, and exits on the site and within one hundred (100) feet of the site, including both sides to any abutting streets.

Section 204-5 C. Existing Conditions 2) Location and delineation of all existing natural features of the site and within one hundred (100) feet thereof, including ledge/rock outcroppings, cliffs, sinkholes, ditches, swamps, all wetlands including their associated buffers per state and local laws, vernal pools, water bodies and natural waterways and watercourses including rivers, lakes, ponds and streams, natural drainage courses and swales, areas of high water table.

The applicant has requested relief from the requirement to inventory the manmade and natural features within 100 feet of the property lines of this subject properties and to document those on the Existing Conditions sheets. In most cases, the areas within 100' of the proposed site improvements are within the property boundaries. Further, site improvements are generally confined to the interior of the site except along the public roadway. The Town's consulting engineer is not opposed to this waiver. Therefore the Board APPROVES this waiver request.

4. **Section 205-3 B. Internal Site Driveways, 6)** The perimeter of the driveway shall be bounded with vertical granite curb or similar type of edge treatment.

Section 205-6 H. Curbing – The perimeter of the parking area shall be bounded with vertical granite curb or similar type of edge treatment to delineate the parking lot.

The applicant has requested relief from the regulations regarding the use of vertical granite curbing in the above identified locations. Allowing non-curbed areas around the perimeter of the parking area and internal site driveways permits sheet drainage of stormwater as reflected in the overall stormwater management design. Therefore, the Board APPROVES this waiver.

5. **Section 205-3. Traffic, D. Pedestrian and Bicycle Access and Connections, 4)** Where no pedestrian ways exist, the applicant shall create pedestrian ways and

connections between streets, the proposed development, surrounding neighborhoods, and other surrounding uses providing safe access to the nearest existing pedestrian facility or sidewalk.

The applicant has requested relief from this requirement as a component of the current project as there presently are no sidewalks anywhere on Oakland Street with which to connect. The Town is looking to install a sidewalk along Oakland Street in the future as a separate project. Therefore, the Board APPROVES this waiver.

6. **Section 205–6 G. 3. b) – Parking Spaces and Stalls** - Wheel stops are required at the head of each car stall where a space/stall abuts a walkway, pedestrian way, or special site feature such as an abrupt change in grade. Acceptable materials include pre-cast concrete, granite, or like materials. All wheel stops shall be properly anchored into the ground and located approximately twenty-four (24) inches from the head of a car space/stall.

The applicant has requested a waiver from the requirement to install wheel stops in areas with non-flush curbing and in areas without adjacent pedestrian ways. Problems with winter snowplowing is noted as an issue along with expected damage to wheel stop necessitating replacement. Instead, the adjacent pedestrian ways will be increased to 6' 6" total width and vertical granite curbing will be used. This allows for 4' of clearance while providing bumper overhang space; the vertical granting curbing will stop vehicular wheels from encroaching further onto the pedestrian ways. Further, some parking spaces will be designated for compact vehicles and the required signage will also prevent bumper overhang onto the pedestrian way. Therefore, the Board APPROVES this waiver.

7. **Section 205 – 9. F. Tree Replacement** – The total diameter of all trees over ten (10) inches in diameter that are removed from the site shall be replaced with trees that equal the total breast height diameter of the removed trees. The replacement trees may be placed on or off site as recommended by the Planning Board.

The applicant has requested a waiver from this requirement to replace trees over 10 inches in diameter and instead proposes to replace trees over 18 inches in diameter at breast height. 12 trees of 18" or greater in caliper are planned to be removed from the site for a total of 239 caliper inches removed.

The applicant also requests relief from the specified 1:1 ratio for tree replacement. 36 replacement trees will be planted at 3 – 3.5" caliper for a total of 117 caliper inches. This equates to a 1:2.04 ratio of replacement. The required total replacement inches of trees would result in an overplanted situation in the future as the replacement trees mature to full size. Reducing the required ratio will allow the sizeable number of new trees being planted to be suitably spaced in anticipation of the future mature sizes while avoiding tree planting in open recreational areas in order to meet the required numbers. Such overplanting would reduce the functional purpose of the park's athletic fields. Therefore, the Board APPROVES this waiver.

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 (60) days after the Board has filed its *Decision* with the Town Clerk, the site plan for the Oakland Park site improvements dated August 17, 2017, last revised September 22, 2017, prepared by CBA Landscape Architects of Cambridge, MA and Samiotes Consulting, Inc. of Framingham, MA shall be further revised to reflect all Conditions and required revisions, including those as follows, and submitted to the Planning and Economic Development Board to review for compliance with the Board's *Decision*. (*Said plan is hereinafter referred to as the Plan*). The Applicant shall provide a set of the revised Plan in its final form to the Board for its signature/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 September 22, 2017 site plan set shall be revised to:
 1. Specify a further revision date.
 2. List the approved waivers from the *Site Plan Rules and Regulations* as specified herein.
- C. **Other Plan Revisions** – Prior to plan endorsement, the following plan revisions shall be made to the September 22, 2017 Site Plan set.
 1. Add the detail *Parking Sign in Bollard at Curb* to the plan set where appropriate.
 2. Add the detail *SK 01 – Bollards by Pedestrian Path* to the plan set where appropriate.
 3. Add the detail *SK 02 – Revised Sign Locations to Remove Wheel Stops* to the plan set where appropriate.
 4. Specify granite curbing at each entrance to the site from Oakland Street wherever appropriate.
- D. **Use Limitations** – Parking or use of the parking area at Oakland Park shall be limited only to vehicles of visitors and approved users of the Park, its athletic fields and the Medway Senior Center and Town of Medway vehicles. The parking area may not be leased or made available to any other business for any purpose.
- E. **Stormwater Management Operations and Maintenance Plan** - The applicant has ongoing responsibility and obligation to carry out the ongoing Stormwater Operations and Maintenance Plan prepared by Samiotes Consultants, Inc. and included as Appendix 3 in the Oakland Park Stormwater Report updated September 12, 2017
- F. **Stormwater Management System** – Once the subject site is cleared for construction but before the stormwater system is installed, the Applicant shall provide infiltration test pit information to the Board to confirm soil types and

associated infiltration rates. If redesign is required, the Applicant will provide the Board with a revised stormwater design which shall be reviewed and approved by the Board's Consulting Engineer and incorporated into the as-built plan.

- G. **Signage** – One way in traffic/do not exit signs shall be installed at the new entrance from Oakland Street to the Senior Center. One way traffic arrows shall be painted on the pavement running east/west in front of the Senior Center.
- H. **New Entrance to Senior Center from Oakland Street** – The applicant shall secure a Street Opening Permit from the Department of Public Services for the new curb cut from Oakland Street to the Senior Center.
- I. **Signage** – It is understood that existing Park signage and memorial features will be protected in place relocated/ repositioned within the Park. Any new initiative for a new signage plan/system for the Park shall be considered a modification to this plan requiring review by the Board and the Design Review committee.

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. The contractor for the applicant or assigns shall obtain, pay and comply with all other required 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/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/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.

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 Planning and Economic Development Board's consulting engineer and the Town's Conservation Agent and shall be maintained in good repair throughout the construction period.
7. *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.
8. *Noise* - Construction noise shall not exceed the noise standards as specified in the *Zoning Bylaw*, Section 7.3.C.2. Environmental Standards.

C. ***Landscape Maintenance***

1. The site's landscaping shall be maintained in good condition throughout the life of the facility and to the same extent as shown on the endorsed Plan. Any shrubs, trees, bushes or other landscaping features shown on the Plan that die shall be replaced by the following spring.
2. Within 60 days after two years after the occupancy permit is issued, the Town's Consulting Engineer or the 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.

D. ***Snow Storage and Removal***

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

E. ***Construction Oversight***

1. Inspection of infrastructure and utility construction, installation of site amenities including landscaping is required until the site work is completed and determined to be satisfactory.
2. Pre-Construction Meeting - Prior to the commencement of any work on the Property, the Applicant and the site general contractor shall attend a preconstruction conference with Planning and Economic Development Coordinator, the Building Commissioner, Department of Public Services Director, the Conservation Agent, and other Town staff or Applicant's representatives as may be determined. The general contractor shall request such conference at least one week prior to commencing any work on the property by contacting the Planning and Economic Development office.
3. 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, for compliance with the endorsed site plan and the provisions of this Decision.
4. The Department of Public Services 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.
5. The applicant shall have a Professional Engineer or Landscape Architect 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 Planning and Economic Development Board within 5 days of inspection.

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

1. This site plan approval is subject to all subsequent conditions that may be imposed by other Town departments, boards, agencies or commissions. Any changes to the site plan that may be required by the decisions of other Town boards, agencies or commissions shall be submitted to the Planning and Economic Development 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 Planning and Economic Development Board.
3. Whenever additional reviews by the Planning and Economic Development 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 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.

- G. ***Compliance with Plan and Decision*** - The Applicant shall construct all improvements in compliance with the approved and endorsed site plan and this Decision and any modifications thereto.
- H. ***Project Completion***
1. Site plan approval shall lapse after one (1) year of the grant thereof if substantial use has not commenced except for good cause. Approved site plans shall be completed by the applicant or its assignees within two (2) years of the date of plan endorsement. Upon receipt of a written request by the applicant filed at least thirty (30) days prior to the date of expiration, the Planning and Economic Development 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. The Applicant shall secure a ***Certificate of Site Plan Completion*** from the Planning and Economic Development Board and provide the ***Certificate*** to the Inspector of Buildings. The ***Certificate*** serves as the Planning and Economic Development 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 Planning and Economic Development Board with written certification from a Professional Engineer or Landscape Architect registered in the Commonwealth of Massachusetts that all building and site work has been completed in substantial compliance with the approved and endorsed site plan, and any modifications thereto; and
 - b) submit an electronic version of an As-Built Plan, prepared by a registered Professional Land Surveyor or Engineer registered in the Commonwealth of Massachusetts, to the Planning and Economic Development 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 (20) days of the date the Decision is filed with the Town Clerk.

After the 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 Planning and Economic Development Board before plan endorsement.

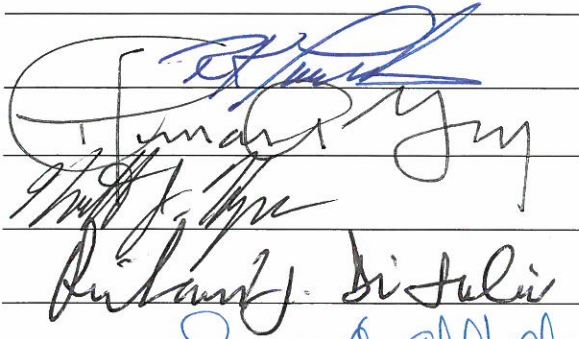
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**Medway Planning and Economic Development Board
Oakland Park Site Plan**

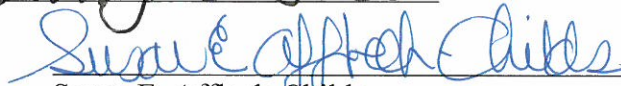
APPROVED with Waivers and Conditions by the Medway Planning & Economic Development Board: October 10, 2017

AYE:

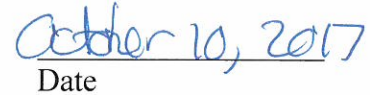
NAY:



ATTEST:



Susan E. Affleck-Childs
Planning & Economic Development Coordinator


Date

COPIES TO: Michael Boynton, Town Administrator
Rick D’Innocenzo, EPFRAC Chairman
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
Stephanie Mercandetti, Director of Community and Economic Development
Allen Tingley, Police Chief
Joanne Russo, Treasurer/Collector
Jeff Watson, Police Department Safety Officer
DJ Chagnon, CBA Landscape Architects, LLC
Steven Bouley, Tetra Tech
Gino Carlucci, PGC Associates