

Tuesday, November 9, 2021
Medway Planning and Economic Development Board
155 Village Street
Medway, MA 02053

Members	Andy Rodenhiser	Bob Tucker	Tom Gay	Matt Hayes	Rich Di Iulio	Jessica Chabot
Attendance	X	Remote – Joined meeting at 7:22 p.m.	Absent with Notice	X	X	X

PRESENT:

- Susy Affleck-Childs, Planning and Economic Development Coordinator

The Chairman opened the meeting for the Planning and Economic Development Board at 7:00 pm.

PUBLIC COMMENTS:

- There were no Public Comments.

WINGATE FARM SUBDIVISION MODIFICATION PUBLIC HEARING:

The Board is in receipt of the following: **(See Attached)**

- Public Hearing Continuation Notice to 11.9.21
- Site distance analysis letter dated 10-12-21 from Dan Merrikin

The applicant's representative, project engineer Dan Merrikin was present. The applicant Karyl Spiller-Walsh was also present. The Board was informed that additional funds have been provided for peer review. Tetra Tech was directed to review the sight distance analysis prepared by Mr. Merrikin and provide written comments. Tetra Tech engineering consultants Steve Bouley and Courtney Sudak were present by Zoom.

Mr. Merrikin explained the information pertaining to the intersection sight distance (ISD) for traffic exiting Wingate Farm Road onto Holliston Street. Looking north, the ISD is 260 ft. The South ISD is well in excess of 500 feet. These calculations do not take into consideration the required future Timber Crest improvements on Holliston Street (including a 3.8% downhill slope correction) which will further increase the northerly ISD at Wingate Farm Road.

He also noted that the existing shoulder grade immediately to the north of Wingate Farm Road will be lowered 2-3 ft. to achieve the ISD. A plan with the profile of the right shoulder of the road at the edge of the site was displayed on Share Screen. Some vegetation on the side of the road will be removed. The big oak tree will not be taken out.

Consultant Sudak's letter dated 9-8-21 indicates that the ISD will be met for the 35 mph posted speed limit on Wingate Farm Road.

The discussion moved to Stopping Sight Distance (SSD). Consultant Sudak communicated that the options include either moving the driveway (Wingate Farm Road) to the top of the crest or lowering the crest of Holliston Street per the Timber Crest decision.

Mr. Merrikin noted that based on the AASHTO (American Association of State Highway Officials) formula, the recommended SSD for the posted 35 mph speed limit is 246 ft. It is the applicant's opinion that an adjustment for road slope is NOT appropriate. To reinforce speed limits on the southbound Holliston Street travel lane, the applicant is willing to install whatever reasonable signage is necessary including an intersection ahead warning sign and a radar speed display feedback sign. Also, the applicant is proposing to move the roadway further north which is a safer location.

Tetra Tech communicated that they continue to have concerns since this does not meet the AASHTO standard for stopping sight distance at the higher actual travel speeds on Holliston Street (vs. posted speeds) but what is proposed is reasonable for the three-lot subdivision.

It was noted that the Board's *Subdivision Rules and Regulations* indicate that intersection sight distances shall meet AASHTO standards. However, the *Regs* only address stopping speed distances within a subdivision, not on the approaching streets.

The Board's consensus was that this is OK with the improvements presented.

The applicant asked to continue the hearing to allow for further revisions on the plan to address stormwater.

On a motion made by Jessica Chabot, seconded by Matt Hayes, the Board voted unanimously to approve the applicant's request to extend the Board's action deadline on the subdivision modification to March 30, 2022.

On a motion made by Jessica Chabot, seconded by Matt Hayes, the Board voted unanimously to continue the public hearing to January 25, 2022 at 7:15 pm.

Consultant Merrikin indicated they would now work on revising the stormwater design.

NOTE – Member Bob Tucker joined the meeting via ZOOM at 7:22 p.m.

CONSTRUCTION REPORTS:

The Board is receipt of the following: (**See Attached**)

- William Wallace Village – Legacy Engineering report dated 11-2-2021
- William Wallace Village – Tetra Tech Report dated 10-27-21
- Harmony Village Meridian Associates Report dated 10-26-21
- Harmony Village Meridian Associates Report dated 11-2-21
- Harmony Village Tetra Tech dated 10-27-21
- 21 Trotter Drive Report dated 10-27-21
- 4 Marc Rd – Tetra Tech Report dated 10-4-21
- 4 Marc Road – Tetra Tech Report dated 10-28-21

Evergreen:

There was an inspection at Evergreen. There needs to be discussion with the tree warden regarding a tree on the side of the wall.

William Wallace:

There was an inspection at William Wallace. The perimeter erosion controls were inspected and there were areas where the silt fence needs to be restapled to the stakes.

Harmony Village:

There was an inspection at Harmony Village. There is ongoing utility installation including the DW-2 (chamber bed).

21 Trotter:

There was an inspection with the Conservation Agent. It was recommended that the O & M plan be modified. There were concerns that there were hydrocarbons present in stormwater runoff. There were compost filter tubes in front of catch basins as temporary prevention measures.

4 Marc Road:

There were some erosion issues on site. There was one catch basin filled with sediment and debris which will require cleaning.

FIELD CHANGE EVERGREEN VILLAGE:

The Board is in receipt of the following: (**See Attached**)

- 10-19-21 email from Maria Varrichione
- Photos showing the installed retaining wall
- Text from the Evergreen special permit decision re: field change process

The Board is in receipt of a letter requesting a field change for use of UniLock system for the retaining wall on the west boundary of the property. This is instead of field stone which was specified in the approved site plan. Developer Maria Varrichione was present during the meeting by Zoom. She explained that the modification would be on the west side retaining stone wall. Her general contractor spoke with the Building Commissioner who is satisfied with the wall construction using this material. A small portion of the wall appearance will be visible. The work has already been completed. It was noted that the Design Review Committee met on November 2, 2021 to discuss the field change. Member Chabot attended the DRC meeting and reported that the DRC is fine with the field change in this location but wants to make sure that the Applicant uses field stone for the front wall facing Evergreen Street.

On a motion made by Jessica Chabot, seconded by Bob Tucker, the Board voted by roll call vote to approve the field change for Evergreen Village.

Roll Call Vote:

Jessica Chabot	aye
Bob Tucker	aye
Matt Hayes	aye
Andy Rodenhiser	aye
Rich Di Iulio	nay

HARMONY VILLAGE STATUS REPORT:

Developer Gary Feldman was present at the meeting to discuss recent construction activities. Consultant Bouley communicated that the excavator did not inform them that they were starting work. There needs to be photos presented of the installation of the manholes or video of the lines. The Board was informed that there were photos emailed today. The applicant was also informed that the required reports need to be submitted. Mr. Feldman informed the Board that there may be a change from natural gas to propane since there has been a delay in getting the gas company onto the site. This would be considered a field change and the developer would need to discuss with the Board before any change occurs.

MASTER PLAN UPDATE:

The Board was informed that the summary report of the 10-3-21 Community Forum was emailed the Board earlier in the day. The Master Plan Committee will be reviewing it at its November 22, 2021 meeting.

RED GATE STREET ACCEPTANCE:

The Board is in receipt of the following: **(See Attached)**

- Documentation of 11-1-21 vote by the Select Board to “lay out” the Red Gate streets.
- Red Gate subdivision plan.
- Email dated 10-29-21 from Attorney Lee Smith, KP Law
- Mutual Release of Claims

On a motion made by Jessica Chabot, seconded by Matt Hayes, the Board voted unanimously by roll call to recommend the Red Gate Street Acceptance to the 11-15-21 Town Meeting

Roll Call Vote:

Jessica Chabot	aye
Bob Tucker	aye
Matt Hayes	aye
Andy Rodenhiser	aye
Rich Di Iulio	aye

ROCKY’S HARDWARE ADMINISTRATIVE SITE PLAN AND OUTDOOR DISPLAY SPECIAL PERMIT PUBLIC HEARING:

The Board was informed that the November 2, 2021 PEDB meeting agenda included a public hearing on Rocky’s Hardware. The applicant learned that the full Board would not be present that evening and requested a public hearing continuation. The Board did not announce the continuation during the November 2, 2021 meeting. The date for the hearing is November 23, 2021 at 8:15 pm.

On a motion made by Matt Hayes, seconded by Jessica Chabot, the Board voted unanimously by roll call vote to continue the Rocky’s Hardware hearing to November 23, 2021 at 8:15 pm.

Roll Call Vote:

Jessica Chabot	aye
Bob Tucker	aye
Matt Hayes	aye
Andy Rodenhiser	aye
Rich Di Iulio	aye

PEDB MEETING MINUTES:

The Board is in receipt of the draft meeting minutes of the October 12, 2021 and October 26, 2021.

October 12, 2021 & October 26, 2021:

On a motion made by Rich Di Iulio, seconded by Matt Hayes, the Board voted unanimously to accept the minutes from October 12, 2021 and October 26, 2021.

Roll Call Vote:

Jessica Chabot	aye
Bob Tucker	aye
Matt Hayes	aye
Andy Rodenhiser	aye
Rich Di Iulio	aye

SALMON WILLOWS:

The Board is in receipt of the following: (See Attached)

- Proposed revised phasing schedule dated 10-26-21
- Proposed revised phasing plan exhibit
- Proposed revised cottage architecture
- Memo dated 11-4-21 from the DRC

Developer Jeff Robinson was present via Zoom and along with engineer Peter Bemis. He explained the new phasing plan and completion schedule. Salmon has taken on a partner for the cottage component of the project. It is Black Brook Realty owned by John Burns. Some of the changes involve downsizing the units with less square footage and smaller footprints. The DRC reviewed the proposed changes at its 11-11-21 meeting and a letter from the DRC was provided. There was a shared screen provided to display the phasing plan exhibit. Phases one and two are now complete. Phase 3 will involve performing remaining site work associated with cottages and constructing the remaining underground recharge systems and conveyance swales. The estimated project completion date will be January 1, 2026. The DRC recommended that the buildings have a more neutral color palette that what was originally proposed. It was suggested that the applicant meet with the DRC to finalize colors. The DRC would also like to review the material to be used. There were minor changes to the cottage window alignment. The Board does not have any issues with the change in the cottage architecture.

New Completion Date:

On a motion made by Jessica Chabot, seconded by Matt Hayes, the Board voted unanimously by roll call vote to approve the new completion date as January 1, 2026.

Roll Call Vote:

Jessica Chabot	aye
Bob Tucker	aye
Matt Hayes	aye
Andy Rodenhiser	aye
Rich Di Iulio	aye

Phasing Plan:

On a motion made by Matt Hayes, seconded by Jessica Chabot, the Board voted unanimously by roll call vote to approve the phasing plan.

Roll Call Vote:

Jessica Chabot	aye
Bob Tucker	aye
Matt Hayes	aye
Andy Rodenhiser	aye
Rich Di Iulio	aye

Approve Changes:

On a motion made by Matt Hayes, seconded by Jessica Chabot, the Board voted unanimously by roll call vote to approve the changes to the cottages as proposed.

Roll Call Vote:

Jessica Chabot	aye
Bob Tucker	aye
Matt Hayes	aye
Andy Rodenhiser	aye
Rich Di Iulio	aye

MEDWAY PLACE SITE PLAN PUBLIC HEARING:

The Board is in receipt of the following: **(See Attached)**

- 11-4-21 notice to continue the Medway Place public hearing to the 11-9-21 meeting
- DPW Conditional MS4 Connection Permit issued 3-17-21
- DRAFT decision dated 11-5-21
- Letter dated 11-8-21 from Attorney Gareth Orsmond granting an extension on the Board's action deadline to December 3, 2021 at 5:00 pm.

The Chairman opened the hearing for Medway Place Site Plan.

It was announced that the applicant was sent an email about the hearing along with the draft decision; the applicant responded that they would not attend.

The Board was informed that there was a discussion with Town Counsel Amy Kwesell of KP Law, Barbara Saint Andre, Susy Affleck-Childs and Chairman Rodenhiser about working with the applicant to provide an action deadline extension and also to get advice on how to write the decision.

On a motion made by Jessica Chabot, seconded by Matt Hayes, the Board voted to authorize the extension of the action deadline to December 3, 2021 at 5:00 pm.

Roll Call Vote:

Jessica Chabot	aye
Bob Tucker	aye
Matt Hayes	aye
Andy Rodenhiser	aye
Rich Di Iulio	nay

The Board is in receipt of the draft decision dated November 5, 2021.

The following was recommended:

- The project description will be updated to what the project has become after many meetings of discussion.
- Included in the decision will be the documents and minutes relating to Rocky's Hardware.
- Under the findings section there will be information added relative to the outdoor eating, electric charging stations.
- The last plan shows electrical underground for some of the lights which will be moved. There is no consistency with which lights will be moving.
- There was no trench plan provided.
- There was a concern about the daycare entrance being next to a loading area. This is in the same location as the restaurant and a 20 ft fire lane.
- There is no plan on where to store the planting pots or what the pots will look like.
- The materials to be used have not been provided.
- There needs to be more information provided about the electric charging stations.
- The grade on site is problematic.
- The Board has expressed concern about the traffic flow and safety in the alley and drive aisle around the back of the site.
- All of the flex spaces need to go to the DRC for review and comments.
- There needs to be language added that a pedestrian connection needs to be provided with Drybridge Crossing.
- There are 31 dumpsters which are located on site. There needs to be more information provided that when a new tenant has a lease, the dumpster with enclosure will be a requirement. The dumpsters as proposed do not work with the parking.
- There is concern about the turn at the entrance in front of the bank. There is one-way lane coming in, but the drive aisle is two-way. This area is confusing. The "Do Not Enter Signs" needs to be relocated.
- Susy will communicate with the Fire Department regarding the access for firefighting and emergency vehicles being able to go throughout site.
- Regarding #8, the proposed stormwater drainage system, it has been reviewed by the Town's Consulting Engineer and the MS4 permit has been issued by the DPW. There is concern that the permit which was issued does not take into account the current revised plan. Catch basin #11 is undersized. A question was asked if the stormwater will go into the structures.
- There should be a condition that there needs to be new asphalt on the entire site.

- The site plan does not meet the criteria for the traditional New England criteria.
- There was no lighting plan provided. The new light poles need to meet the standards. There is a concern that the applicant communicated that the current lights will be relocated and reused. This will not look consistent throughout the site.

Attorney Amy Kwesell joined the meeting via Zoom. It was communicated that with this being a preexisting use, the Board needs to look at what the applicant is intending to do. The site plan was submitted and cannot be denied. The Town can ask for a lighting plan and can require the applicant to not have spillage and this needs to be shown since it is in the bylaw as a requirement. A question was asked of Counsel if the applicant does not want to do the work, what can happen. Counsel communicated that if the approval is not appealed than it is valid site plan and can be enforced. There was discussion that since the applicant is not proposing any work in the back, whether there can be a condition relative to the dumpsters and enclosures for any new tenants who want to occupy the units.

The Board would like to hold a special meeting to discuss this further. It was recommended November 16, 2021, at 7:00 pm.

On a motion made by Jessica Chabot, seconded by Matt Hayes, the Board voted by roll call to continue the hearing to November 16, 2021 at 7:00 pm.

Roll Call Vote:

Jessica Chabot	aye
Bob Tucker	aye
Matt Hayes	aye
Andy Rodenhiser	aye
Rich Di Iulio	aye

ZONING BYLAW AMENDMENTS PUBLIC HEARING CONTINUATION:

The Board is in receipt of the following: (See Attached)

- 11-4-21 Notice to continue the zoning bylaw amendments public hearing to 11.9.21
- Revised West Industrial Zoning Article as discussed at the 11-2-21 hearing
- Published warrant dated 11-2-21 for the 11-15-21 town meeting.

The Board was informed that at the Select Board meeting on Monday November 8, 2021 the warrant was finalized. The meeting was attended by Chairperson Rodenhiser and Susy Affleck-Childs. The Board was informed that Noise Consultant Jeff Komrower will be available to speak at the town meeting. Barbara Saint Andre has provided edits to Article 13 which will be incorporated into a motion to be offered by FinCom. This will avoid having the Chairperson from making the edits on the town meeting floor.

On a motion made by Rich Di Iulio, seconded by Matt Hayes, the Board voted by roll call to close the public hearing.

Roll Call Vote:

Jessica Chabot	aye
Bob Tucker	aye

Matt Hayes	aye
Andy Rodenhiser	aye
Rich Di Iulio	aye

FUTURE MEETING:

- November 23, 2021

ADJOURN:

On a motion made by Jessica Chabot, seconded by Matt Hayes, the Board voted by roll call to adjourn the meeting.

Roll Call Vote:

Jessica Chabot	aye
Bob Tucker	aye
Matt Hayes	aye
Andy Rodenhiser	aye
Rich Di Iulio	aye

The meeting was adjourned at 10:00 p.m.

Prepared by,
Amy Sutherland
Recording Secretary

Reviewed and edited by,
Susan E. Affleck-Childs
Planning and Economic Development Coordinator



November 9, 2021

**Medway Planning & Economic Development Board
Meeting**

Wingate Farm Subdivision Modification
Public Hearing

UPDATED

- Notice dated 10-29-21 to continue the WF public hearing to 11-9-21.
- Sight Distance Analysis letter dated 10-12-21 from project engineer Dan Merrikin.

We have received additional plan review funds from the applicant. Accordingly, I have authorized Tetra Tech to review Mr. Merrikin's sight distance analysis and provide written comments for you. TT engineer Courtney Sudak is conducting that review; her comments are expected by Tuesday morning. I will forward those to you upon receipt. Courtney will also attend the hearing.

- Tetra Tech review letter dated 11-8-21 of the sight distance analysis

Board Members

Andy Rodenhiser, Chair
Robert Tucker, Vice Chair
Richard Di Iulio, Clerk
Jessica Chabot, Member
Matthew Hayes, P.E.,
Member
Thomas A. Gay, Associate
Member



Medway Town Hall
155 Village Street
Medway, MA 02053
Phone (508) 533-3291
Fax (508) 321-4987
Email: planningboard@townofmedway.org
www.townofmedway.org

TOWN OF MEDWAY

COMMONWEALTH OF MASSACHUSETTS

PLANNING AND ECONOMIC DEVELOPMENT BOARD

MEMORANDUM

October 29, 2021

RECEIVED TOWN CLERK
NOV 1 '21 AM 10:40

TO: Stefany Ohannesian, Town Clerk
Town of Medway Departments, Boards and Committees
FROM: Susy Affleck-Childs, Planning and Economic Development Coordinator
RE: **Public Hearing Continuation for Wingate Farm Subdivision Modification**
168 Holliston Street and Wingate Farm Road
Continuation Date -- Tuesday, November 9, 2021 at 7:00 p.m.

At its October 26, 2021 meeting, the Planning and Economic Development Board voted to continue the public hearing on the application of Karyl and Eugene Walsh of Medway, MA for approval of a modification to the previously issued subdivision decision and plan for Wingate Farm to Tuesday, November 9, 2021 at 7:00 p.m. The Wingate Farm definitive subdivision plan was approved in 2005; it divided the property into 4 lots with a permanent private roadway known as Wingate Farm Road.

Considerable work has been undertaken to install the subdivision's infrastructure. However, the specified completion deadline and various extensions have expired. The primary purpose of the current application is to establish a new deadline for project completion and for the Board to consider the applicant's request for waivers from certain provisions of the Board's *Subdivision Rules and Regulations* which are now in effect.

The application and associated documents are on file at the offices of the Town Clerk and the Planning and Economic Development Board at Medway Town Hall, 155 Village Street and may be reviewed during regular business hours. The as-built plan and application materials have also been posted at the Board's web page at: <https://www.townofmedway.org/planning-economic-development-board/pages/wingate-farm-subdivision-plan>

If you have any comments or recommendations about the proposed modification, please email those to me by November 3rd.



dan@legacy-ce.com

508-376-8883(o)

508-868-8353(c)

730 Main Street

Suite 2C

Millis, MA 02054

October 12, 2021

Planning & Economic Development Board
155 Village Street
Town Offices
Medway, MA 02053

Ref: Wingate Farm
168 Holliston Street
Definitive Subdivision Construction/Modification

Dear Members of the Board:

I am writing to offer the following additional information for the Board's consideration regarding intersection sight distance. Please note the following:

- Based on discussion with the Board, we have limited our analysis to currently available intersection sight-distance (with proposed should improvements, but not considering future Timber Crest Holliston Street profile improvements). An intersection sight-distance plan is attached. Looking north, the intersection sight distance (ISD) is 260 feet. Looking south, the ISD is well in excess of 500 feet and is a function of horizontal road geometry. Vertical road geometry looking south is not a limiting factor. While we did not consider the Timber Crest improvements in these measurements, it should be recognized that they will increase the northerly ISD considerably.
- As we previously noted, AASHTO indicates that the minimum intersection sight distance is the stopping sight distance (SSD), as that will allow vehicles sufficient room to prevent a collision. Based on the formula provided in the AASHTO manual, the recommended SSD for the posted 35 mph speed limit is 246 feet.
- Given the profile of the road to the north of the site, we do not believe that an adjustment for road slope is appropriate. At the beginning of the southbound SSD, the road slope is uphill, which would decrease the recommended SSD while at the end, the road slope is downhill, which would increase the recommended SSD. As the attached profile indicates, the ISD sight line is nearly level. For reference, however, the Green International study for Timber Crest included a 3.8% downhill slope correction (since their northerly sight line is predominantly downhill), which adjusted the recommended SSD to 260 feet using the formula contained within the AASHTO manual.



- As discussed at the last hearing, it is our view that the minimum required sight distance specified in the subdivision regulations should be based on the posted speed limit.¹ In order to reinforce speed limits on the southbound travel lane, the Applicant is willing to install whatever reasonable signage the Board thinks is appropriate. It is our opinion that the proposed intersection warning sign is sufficient, but the Applicant is willing to install an additional speed limit sign closer to the site or perhaps a speed display feedback sign, if the Board feels it is necessary.
- As indicated on the attached plan, the existing shoulder grade to the north of the new road will be lowered by 2-3 feet to achieve the ISD. Some vegetation will be removed but it does not appear that any large trees will need to be removed.
- We note that there is a 24" oak tree to the south of the new road about 7 feet off the edge of the paved travel way. Based on our field observations, the tree does not materially impact ISD looking south as it is in the same sight line as the existing utility pole. Drivers can see behind the tree for the full ISD to the south.

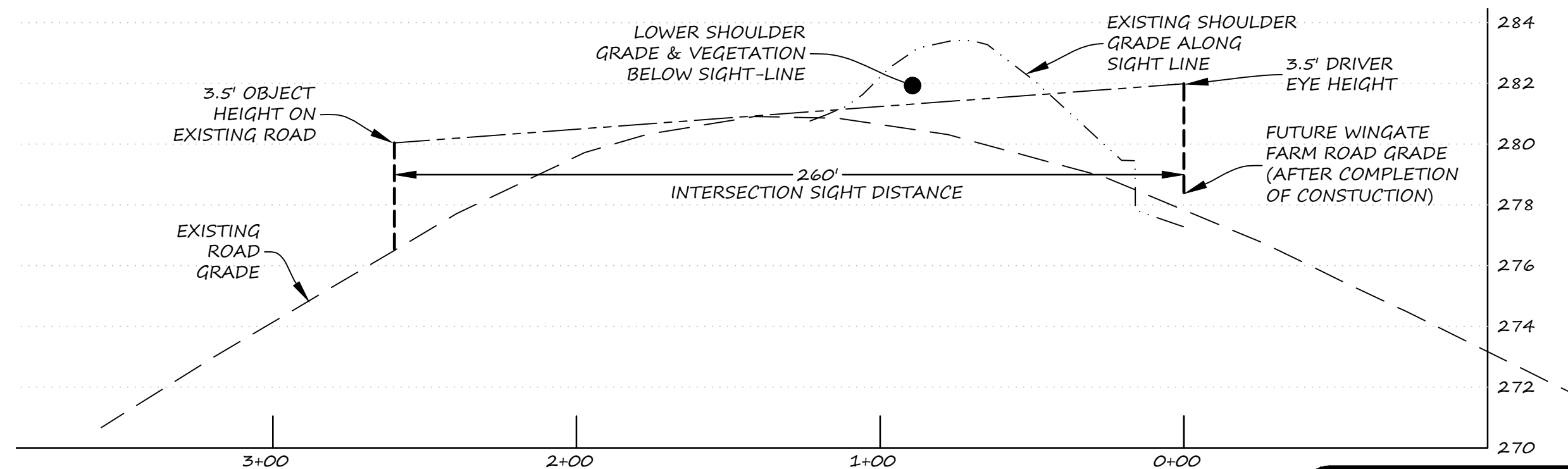
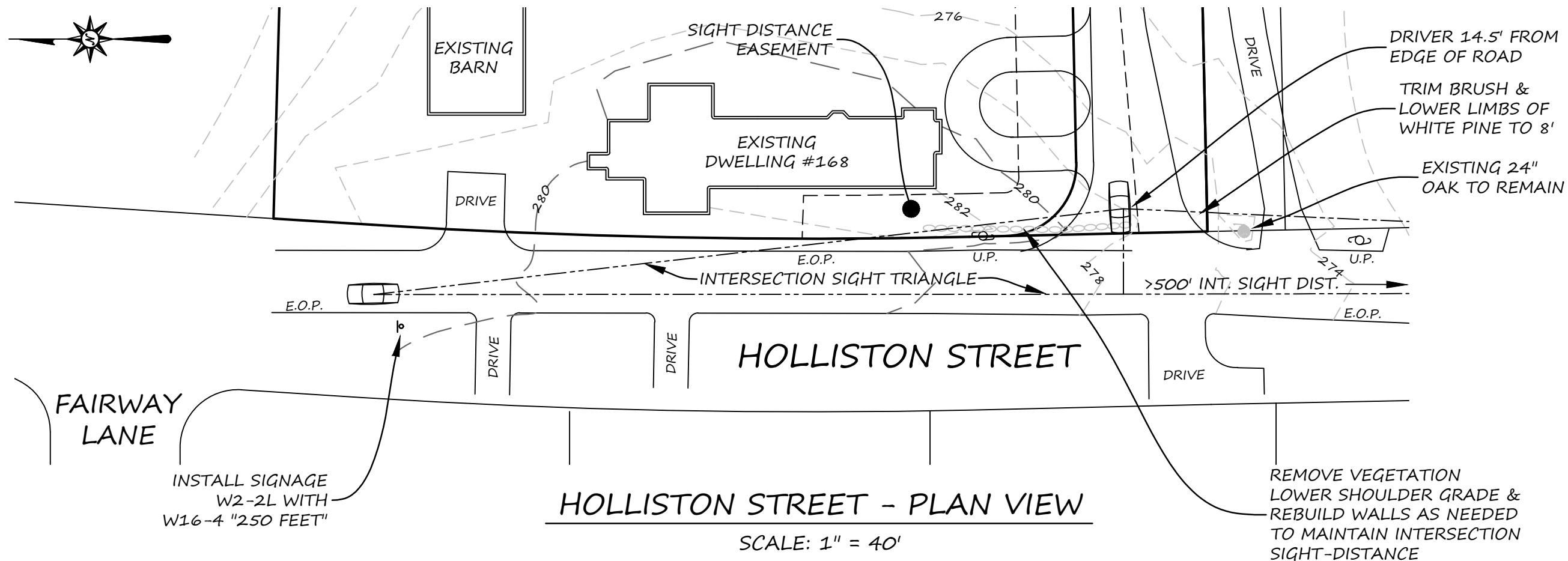
Do not hesitate to contact me should you have any questions or comments.

Yours Truly,

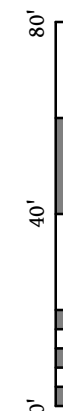
LEGACY ENGINEERING LLC

Daniel J. Merrikin, P.E.
President

¹ Green International reported an 85th percentile speed of 41 mph (which is expected to be reduced with additional traffic control signage). For reference, the recommended SSD for 41 mph is 312 feet (using AASHTO formulas).



PLAN SCALE: 1" = 40'



PLAN DATE: OCTOBER 12, 2021

REVISION	DATE	BY

WINGATE FARM
INT. SIGHT DISTANCE
PLAN OF LAND
IN
MEDWAY, MA

730 MAIN STREET
SUITE 2C
MILLIS, MA 02054
508-376-8883(o)

SHEET 1 OF 1



LEGACY
ENGINEERING



November 8, 2021

Ms. Susan E. Affleck-Childs
Medway Planning and Economic Development Coordinator
Medway Town Hall
155 Village Street
Medway, MA 02053

**Re: Wingate Farm
Private Way Definitive Subdivision Review – Sight Distance
168 Holliston Street
Medway, Massachusetts**

Dear Ms. Affleck-Childs:

As requested, Tetra Tech (TT) has reviewed the supplemental sight distance evaluation prepared by Legacy Engineering for the proposed Wingate Farm residential subdivision to be located at 168 Holliston Street in Medway, Massachusetts.

TT is in receipt of the following materials:

- *Definitive Subdivision Construction/Modification, Wingate Farm, 168 Holliston Street, Medway, MA* prepared by Legacy Engineering, dated October 12, 2021.

The Applicant did not directly address Tetra Tech's comment letter dated September 24, 2021. We reviewed the supplemental materials included in the October 2021 memorandum which states that minimum ISD criteria as specified in the American Association of State Highway Officials (AASHTO) *A Policy on Geometric Design Highways and Streets* will be met for the posted speed limit looking to/from the north upon implementation of the on-site and shoulder regrading and vegetation removal proposed by the Wingate Farm project.

The October 2021 memorandum was limited to an evaluation of intersection sight distance (ISD). Previous materials submitted by the Applicant stated that the proposed site driveway would not be able to meet the AASHTO stopping sight distance (SSD) criteria for the posted speed limit without the roadway regrading proposed as part of the Timber Crest residential development project. The Proponent has proposed to install advance warning signs on Holliston Street southbound to alert drivers of the upcoming proposed new intersection serving the Wingate Farm development. Additionally, the Proponent has stated that they are willing to install a speed radar feedback system at the Town's request. Tetra Tech still has concerns that the available ISD and SSD will not meet the AASHTO criteria for the observed (higher) travel speeds. Therefore, in addition to the advance warning signage, Tetra Tech suggests that the Town recommend that the Applicant install the speed radar feedback system on a permanent basis to help reduce speeds traveling southbound past the driveway.

These comments are offered as guides for use during the Town's review. The Applicant is advised that any absence of comment shall not relieve them of the responsibility to comply with all applicable local, state and federal regulations for the Project. If you have any questions or comments, please feel free to contact us at (508) 786-2200.

Very truly yours,

A handwritten signature in cursive script, appearing to read 'Courtney E. Sudak'.

Courtney E. Sudak, PE
Senior Project Engineer

P:\21583\143-21583-17009 (WINGATE FARMS REVIEW)\DOCS\WINGATE FARM-PEDBREV_SIGHT DISTANCE (2021-11-08).DOCX



November 9, 2021
Medway Planning & Economic Development Board
Meeting

Construction Reports
UPDATED 11-8-21

- William Wallace Village –
 - Legacy Engineering report dated 11-2-2021
 - Tetra Tech Report dated 10-27-2021
- Harmony Village
 - Meridian Associates Report dated 10-26-2021
 - Meridian Associates Report dated 11-2-2021
 - Tetra Tech Report dated 10-27-2021
- 21 Trotter Drive report dated 10-27-2021
- 4 Marc Road
 - Tetra Tech Report dated 10-4-2021
 - Tetra Tech Report dated 10-28-2021



dan@legacy-ce.com

508-376-8883(o)

508-868-8353(c)

730 Main Street

Suite 2C

Millis, MA 02054

CONSTRUCTION INSPECTION REPORT

Date of Inspection: 11/2/2021 **Time On-Site:** 12:30 pm **Weather:** 55F, P Cloudy

Location: William Wallace Village, 274 Village Street, Medway, MA

Inspection By: Daniel J. Merrikin, P.E.

Date of Report: 11/2/2021

Observation Requested by: DTTRT LLC
Medway Planning & Economic Development Board

Activity Summary:

At the time of inspection work on the following structures was ongoing:

- Unit 2/4 interior finish work is ongoing.
- Unit 18 (old house) exterior and interior renovation appears substantially complete.
- Unit 20/22/24 foundation slab is installed.
- Unit 6/8 and 10/12 building foundations are being excavated.

Note the following site construction activities since our last inspection.

- Construction of the reclaimed granite wall across the site frontage is substantially complete.
 - Most of the front of the site has been stabilized with loam and seed. Additional loaming and seeding behind Unit 2-4 is expected in the coming week.
 - The driveway for Unit 18 (former house) has been installed and the areas around the structure have been loamed and seeded and surrounded with orange snow fence.
-



Erosion Controls:

Perimeter erosion controls were inspected and found to be in good condition although we noted a few areas where silt fence needs to be re-stapled to the stakes. Temporary sediment basins appear to be functioning well.

Recommended Improvements:

1. Inspect and update erosion controls as needed.
2. Finalize site grading, loam and seed around Building 1/2 and around Stormwater Basin 2.







Tetra Tech
100 Nickerson Road, Suite 200
Marlborough, MA 01752

FIELD REPORT

Project William Wallace Village	Date 10/27/2021	Report No. 24
Location Village Street, Medway, MA	Project No. 143-21583-19012	Sheet 1 of 2
Contractor M. Phillips Industries (Site Contractor) Larry Rucci (Developer)	Weather A.M. P.M. CLOUDY	Temperature A.M. P.M. 46°F

FIELD OBSERVATIONS

On Wednesday, October 27, 2021, Tucker D. Paradee, E.I.T. from Tetra Tech (TT) visited the project location to inspect the current condition of the site and monitor construction progress. The following report outlines observations made during the site visit.

1. OBSERVATIONS

- A. Site Conditions/Erosion Controls: Soft and wet surface conditions throughout the site. Entrance to Village St. is clean with no signs of sediment. Silt fence barrier (SFB) and compost filter sock have been installed around the entire perimeter of the site. Minor damage of SFB present on the eastern side of the property adjacent to Units 1/2. Minor damage of SFB also present along the property line of parcel 59-54 that requires repair. Crushed stone ditch and compost filter sock has been installed adjacent to the site entrance between the subsurface infiltration system and Village Street. Additional compost filter sock has been placed along the eastern property line adjacent to Bedelia Lane, as well as the western property line adjacent to existing dwelling #276 and are in good condition. Temporary sediment basin is present on the northeast region of the site and appear to be functioning as designed. Construction of proposed stormwater basins #1 and #2 is complete and vegetation has been established. Stockpiles of excavated material on the eastern portion of the site have been relocated and material has been used as backfill for foundations.
- B. Contractor has begun excavation for proposed Units 3/4.

CONTRACTOR'S FORCE AND EQUIPMENT						WORK DONE BY OTHERS	
Sup't		Bulldozer		Asphalt Paver	1	Dept. or Company	Description of Work
Foreman		Backhoe		Asphalt Reclaimer			
Laborers		Loader	1	Vib. Roller	1		
Drivers		Rubber Tire Backhoe/Loader		Static Roller	1		
Oper. Engr.		Skid Steer	2	Vib. Walk Comp.			
Carpenters		Hoeram		Compressor			
Masons		Excavator	3	Jack Hammer			
Iron Workers		Mini-Excavator	1	Power Saw			
Electricians		Grader	1	Conc. Vib.			
Flagpersons		Crane		Tack Truck			
Surveyors	1	Scraper		Man Lift			
Roofers		Conc. Mixer		Skidder		OFFICIAL VISITORS TO JOB	
Mechanical/HVAC		Conc. Truck		Compact Track Loader	1		
		Conc. Pump Truck		Porta-John	1		
		Pickup Truck	5+	Dumpster (15 Yard)			
		Tri-Axle Dump Truck	4				
		Trailer Dump Truck					
Police Details: 1 Police Detail at Driveway Entrance.						RESIDENT REPRESENTATIVE FORCE	
Contractor's Hours of Work: 7:00 A.M. to 6:00 P.M.						Name	Time on-site
						Tucker D. Paradee, E.I.T.	2:45 P.M. – 3:15 P.M.

NOTE: Please use reverse side for remarks and sketches

Project William Wallace Village	Date 10/27/2021	Report No. 24
Location Village Street, Medway, MA	Project No. 143-21583-19012	Sheet 2 of 2

FIELD OBSERVATIONS CONTINUED

2. SCHEDULE

- A. TT will maintain communication with contractor and will inspect the site on an as-need basis.

3. NEW ACTION ITEMS

- A. N/A

4. PREVIOUS OPEN ACTION ITEMS

- A. Repair sections of damaged SFB on the eastern portion of the site. **TT 10/27/21 Update: Contractor has reinforced portions of damaged SFB in the area and should continue to so to remaining damaged portions.**

5. MATERIALS DELIVERED TO SITE SINCE LAST INSPECTION

- A. N/A



Harmony Village Construction Site Inspection Report

General Information			
Project Name	Harmony Village		
NPDES Tracking No.	MAR1002N9	Location	218-220 Main St, Medway, MA
Date of Inspection	10/26/21	Start/End Time	9-10am
Inspector's Name(s)	Drew Garvin Meridian Associates, Inc.		
Inspector's Title(s)	EIT/Senior Project Engineer		
Inspector's Contact Information	dgarvin@meridianassoc.com		
Inspector's Qualifications	30+ years civil engineering & construction experience		
Describe present phase of construction	Ongoing utility installation, including DW-2 (chamber bed).		
Type of Inspection: <input checked="" type="checkbox"/> Regular <input type="checkbox"/> Pre-storm event <input type="checkbox"/> During storm event <input type="checkbox"/> Post-storm event			
Weather Information			
Has there been a storm event since the last inspection? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, provide: Storm Start Date & Time: Storm Duration (hrs): Approximate Amount of Precipitation (in): 10/25 7 0.7"			
Weather at time of this inspection? <input type="checkbox"/> Clear <input checked="" type="checkbox"/> Cloudy <input type="checkbox"/> Rain <input type="checkbox"/> Sleet <input type="checkbox"/> Fog <input type="checkbox"/> Snowing <input type="checkbox"/> High Winds <input type="checkbox"/> Other: Temperature: 50°			
Have any discharges occurred since the last inspection? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, describe:			
Are there any discharges at the time of inspection? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, describe:			

Activity Summary & Comments

Runoff contained on site and stockpiles protected. Construction entrance pad and perimeter erosion control barriers appear in good condition.
Foundation complete and backfilled. Existing house rehab ongoing.
Utility installation ongoing. Drainage structures in drive covered with steel plates.
Water line and hydrant installed with curb stops adjacent to foundations.
DW-2 chamber bed installation ongoing. Small ledge outcrop in NE bed area chipped out.



WATER LINE & HYDRANT



DRAINAGE STRUCTURE IN DRIVEWAY





LEDGE IN NE CORNER OF DW-2 CHAMBER BED





Harmony Village Construction Site Inspection Report

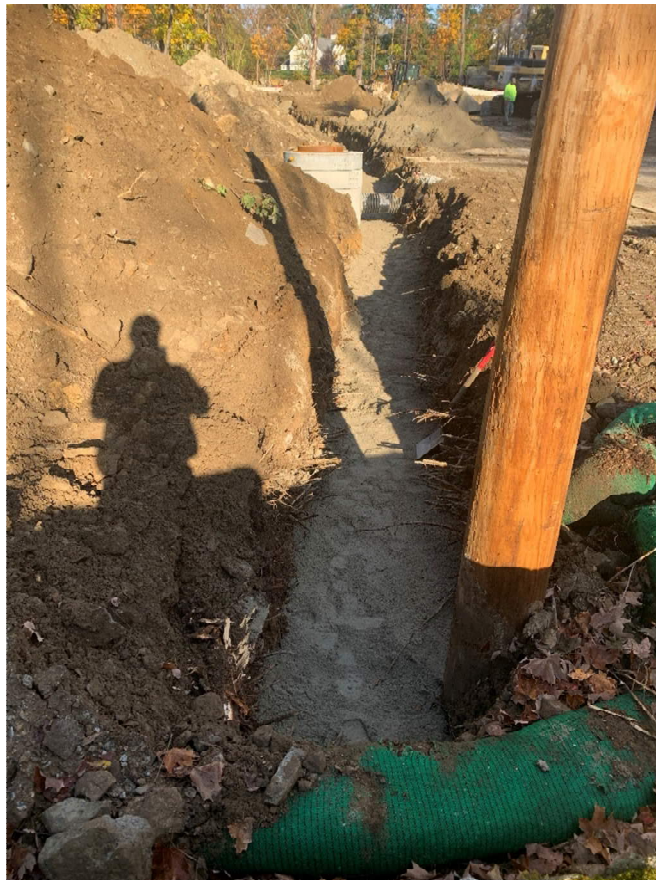
General Information			
Project Name	Harmony Village		
NPDES Tracking No.	MAR1002N9	Location	218-220 Main St, Medway, MA
Date of Inspection	11/2/21	Start/End Time	9-10am
Inspector's Name(s)	Drew Garvin Meridian Associates, Inc.		
Inspector's Title(s)	EIT/Senior Project Engineer		
Inspector's Contact Information	dgarvin@meridianassoc.com		
Inspector's Qualifications	30+ years civil engineering & construction experience		
Describe present phase of construction	Ongoing utility installation, including DW-2 (chamber bed).		
Type of Inspection: <input checked="" type="checkbox"/> Regular <input type="checkbox"/> Pre-storm event <input type="checkbox"/> During storm event <input type="checkbox"/> Post-storm event			
Weather Information			
Has there been a storm event since the last inspection? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, provide: Storm Start Date & Time: Storm Duration (hrs): Approximate Amount of Precipitation (in): 10/30 & 31 24 1.2"			
Weather at time of this inspection? <input checked="" type="checkbox"/> Clear <input type="checkbox"/> Cloudy <input type="checkbox"/> Rain <input type="checkbox"/> Sleet <input type="checkbox"/> Fog <input type="checkbox"/> Snowing <input type="checkbox"/> High Winds <input type="checkbox"/> Other: Temperature: 50°			
Have any discharges occurred since the last inspection? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, describe:			
Are there any discharges at the time of inspection? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, describe:			

Activity Summary & Comments

Runoff contained on site and stockpiles protected. Construction entrance pad and perimeter erosion control barriers appear in good condition.
Foundation complete and backfilled. Existing house rehab ongoing.
Utility installation ongoing. Drainage structures in drive covered with steel plates. CDS unit installed in new location.
DW-2 chamber bed installed and ready for backfill.



ELECTRIC TRENCH



CDS UNIT





DW-2 CHAMBER BED



Tetra Tech
100 Nickerson Road, Suite 200
Marlborough, MA 01752

FIELD REPORT

Project Harmony Village	Date 10/27/2021	Report No. 9
Location 218-220 Main Street, Medway, MA	Project No. 143-21583-20018	Sheet 1 of 2
Contractor Gary Feldman, Marcelo Alves (Applicant/Developer)	Weather A.M. P.M. CLOUDY	Temperature A.M. P.M. 46°F

FIELD OBSERVATIONS

On Wednesday, October 27, 2021, Tucker D. Paradee, E.I.T. from Tetra Tech (TT) visited the project location to inspect the current condition of the site and monitor construction progress. The following report outlines observations made during the site visit.

1. OBSERVATIONS

- A. Site Conditions/Erosion Controls: Dry ground surface that is firm throughout, some soft spots from recent rainfall. Compost filter socks have been installed along the western and southern portions of the site and appear to be in good condition. The remaining portions of the site slopes towards the temporary basin adjacent to the construction entrance and appears to be functioning as expected. Stockpiles of excavated material are present at the location of the proposed temporary stockpile area.
- B. Contractor not on-site during inspection. Communication between contractor and TT indicated that construction activities will include electrical conduit installation, followed by finalizing the construction of DW-2.

CONTRACTOR'S FORCE AND EQUIPMENT					WORK DONE BY OTHERS		
Sup't		Bulldozer		Asphalt Paver		Dept. or Company	Description of Work
Foreman		Backhoe		Asphalt Reclaimer			
Laborers		Loader		Vib. Roller			
Drivers		Rubber Tire Backhoe/Loader		Static Roller			
Oper. Engr.		Skid Steer		Vib. Walk Comp.			
Carpenters		Hoeram		Compressor			
Masons		Excavator	1	Jack Hammer			
Iron Workers		Grader		Power Saw			
Electricians		Crane		Conc. Vib.			
Flagpersons		Scraper		Tack Truck			
Surveyors		Conc. Mixer		Man Lift			
Roofers		Conc. Truck		Skidder		OFFICIAL VISITORS TO JOB	
Mechanical/HVAC		Conc. Pump Truck		Compact Track Loader			
		Pickup Truck		Well Drilling Rig			
		Tri-Axle Dump Truck					
		Trailer Dump Truck					
Police Details: N/A					RESIDENT REPRESENTATIVE FORCE		
Contractor's Hours of Work: 7:00 A.M. to 6:00 P.M.					Name		Time on-site
					Tucker D. Paradee, EIT		1:00 P.M. – 1:15 P.M.

NOTE: Please use reverse side for remarks and sketches

Project Harmony Village	Date 10/27/2021	Report No. 9
Location 218-220 Main Street, Medway, MA	Project No. 143-21583-20018	Sheet 2 of 2

FIELD OBSERVATIONS CONTINUED

2. SCHEDULE

- A. Contractor to continue installation of DW-2.
- B. TT will maintain communication with the Developer and will inspect the site on an as-needed basis.

3. NEW ACTION ITEMS

- A. N/A

4. PREVIOUS OPEN ACTION ITEMS

- A. Applicant shall provide mounding analysis for Infiltration System DW-2. **TT 10/27/21 Update: Upon further discussion with the design engineer, a mounding analysis will not be required since the bedrock occupied only a small portion of the recharge area and test pits confirmed sufficient soil horizon in the remainder of the system. In our opinion, this item is resolved.**
- B. Contractor shall provide photos of drainage installation for TT review.

5. MATERIALS DELIVERED TO SITE SINCE LAST INSPECTION

- A. N/A

Tetra Tech
100 Nickerson Road, Suite 200
Marlborough, MA 01752

FIELD REPORT

Project 21 Trotter Drive	Date 10/27/2021	Report No. 17
Location 21 Trotter Drive, Medway, MA	Project No. 143-21583-19018	Sheet 1 of 2
Contractor RP Marzilli (Site Contractor)	Weather A.M. P.M. CLOUDY	Temperature A.M. P.M. 46°F

FIELD OBSERVATIONS

On Wednesday, October 27, 2021, Tucker D. Paradee, E.I.T. from Tetra Tech (TT) visited the project location to inspect the current condition of the site and monitor construction progress. The following report outlines observations made during the site visit.

1. OBSERVATIONS

- A. Site Conditions/Erosion Controls: Wet ground surface that is firm throughout. Silt fence barrier (SFB) has been removed on the eastern and southern portions of the site where vegetation has grown, and slopes have stabilized. A portion of SFB behind the additional storage remains with compost filter tubes placed just inside the SFB. Both the SFB and compost tubes appear to be in good condition. Silt sacks appear to be missing from many of the catch basins around the site. TT recommends silt sacks be installed in all catch basins to reduce sediment accumulation in the infiltration basin.
- B. Prior to visiting the site, Medway ConCom contacted TT with concerns of hydrocarbons being present in storm water runoff. Upon inspection, hydrocarbons were observed in surface runoff entering catch basins, presumably from the number of heavy equipment vehicles located on-site. Contractor has placed compost filter tubes in front of catch basins as a temporary prevention measure. TT recommends oil hoods be installed as soon as possible as a permanent measure to prevent hydrocarbons from traveling through the stormwater system.

CONTRACTOR'S FORCE AND EQUIPMENT					WORK DONE BY OTHERS	
Sup't	1	Bulldozer		Asphalt Paver	Dept. or Company	Description of Work
Foreman	1	Backhoe		Asphalt Reclaimer		
Laborers	5+	Loader		Vib. Roller		
Drivers		Rubber Tire Backhoe/Loader		Static Roller		
Oper. Engr.		Skid Steer		Vib. Walk Comp.		
Carpenters		Hoeram		Compressor		
Masons		Excavator		Jack Hammer		
Iron Workers		Grader		Power Saw		
Electricians		Crane		Conc. Vib.		
Flagpersons		Scraper		Tack Truck		
Surveyors		Conc. Mixer		Man Lift		
Roofers		Conc. Truck		Skidder	OFFICIAL VISITORS TO JOB	
Mechanical/HVAC		Conc. Pump Truck		Compact Track Loader		
		Pickup Truck	5+	Lull		
		Tri-Axle Dump Truck				
		Trailer Dump Truck				
Police Details: N/A					RESIDENT REPRESENTATIVE FORCE	
Contractor's Hours of Work: 7:00 A.M. to 6:00 P.M.					Name	Time on-site
					Tucker D. Paradee, E.I.T.	3:15 P.M. – 3:30 P.M.

NOTE: Please use reverse side for remarks and sketches

Project 21 Trotter Drive	Date 10/27/2021	Report No. 17
Location 21 Trotter Drive, Medway, MA	Project No. 143-21583-19018	Sheet 2 of 2

FIELD OBSERVATIONS CONTINUED

2. SCHEDULE

- A. TT will maintain communication with contractor and will inspect the site on an as-need basis.

3. NEW ACTION ITEMS

- A. Contractor shall install oil hoods on all catch basins as soon as possible.
- B. Developer shall conduct inspection of all stormwater infrastructure to determine extent of hydrocarbons in structures and clean as necessary if thresholds have been met.

4. PREVIOUS OPEN ACTION ITEMS

- A. Contractor to submit photos of drainage system installed on the east side of the site, TT not present during installation.

5. MATERIALS DELIVERED TO SITE SINCE LAST INSPECTION

- A. N/A

Tetra Tech
100 Nickerson Road, Suite 200
Marlborough, MA 01752

FIELD REPORT

Project Neo Alternatives	Date 10/4/2021	Report No. 2
Location 4 Marc Road, Medway, MA	Project No. 143-21583-19016	Sheet 1 of 2
Contractor Key Construction (General Contractor) Fragale Building Corp. (Site Contractor)	Weather A.M. P.M. CLEAR	Temperature A.M. P.M. 55°F

FIELD OBSERVATIONS

On Monday, October 4, 2021, Bradley M. Picard, EIT from Tetra Tech (TT) visited the project location to inspect the current condition of the site and monitor construction progress. The following report outlines observations made during the site visit.

1. OBSERVATIONS

- A. TT on-site to inspect the chamber installation for the proposed Recharger #1 at the northwest corner of the site. Upon arrival, Site Contractor has placed 6" of crushed stone in the excavated area and placed 20 Cultec chambers (5 rows of 4 chambers) as indicated on the Plans. Elevations for bottom of trench and top of stone base are verified using a rotary laser level. Non-woven filter fabric has been draped over the walls of the excavation. Contractor to begin backfilling chambers with crushed stone, installing inspection ports as indicated on the Plans, and wrapping the system with non-woven filter fabric.

CONTRACTOR'S FORCE AND EQUIPMENT					WORK DONE BY OTHERS	
Sup't		Bulldozer		Asphalt Paver	Dept. or Company	Description of Work
Foreman		Backhoe		Asphalt Reclaimer		
Laborers		Loader	1	Vib. Roller		
Drivers		Rubber Tire Backhoe/Loader		Static Roller		
Oper. Engr.	2	Skid Steer		Vib. Walk Comp.		
Carpenters		Hoeram		Compressor		
Masons		Excavator	2	Jack Hammer		
Iron Workers		Grader		Power Saw		
Electricians		Crane		Conc. Vib.		
Flagpersons		Scraper		Tack Truck		
Surveyors		Conc. Mixer		Man Lift		
Roofers		Conc. Truck		Skidder	OFFICIAL VISITORS TO JOB	
Mechanical/HVAC		Conc. Pump Truck		Compact Track Loader		
		Pickup Truck	5+			
		Tri-Axle Dump Truck				
		Trailer Dump Truck				
Police Details:					RESIDENT REPRESENTATIVE FORCE	
Contractor's Hours of Work: 7:00 A.M. to 6:00 P.M.					Name	Time on-site
					Bradley M. Picard, EIT	2:00 P.M. – 2:30 P.M.

NOTE: Please use reverse side for remarks and sketches

Project Neo Organics	Date 10/4/2021	Report No. 2
Location 4 Marc Road, Medway, MA	Project No. 143-21583-19016	Sheet 2 of 2

FIELD OBSERVATIONS CONTINUED

2. SCHEDULE

- A. Contractor to backfill chambers with crushed stone, install inspection ports, and wrap Recharger #1 with non-woven filter fabric.
- B. TT will maintain communication with the developer and will inspect the site on an as-need basis.

3. NEW ACTION ITEMS

- A. N/A

4. PREVIOUS OPEN ACTION ITEMS

- A. N/A

5. MATERIALS DELIVERED TO SITE SINCE LAST INSPECTION

- A. N/A

Tetra Tech
100 Nickerson Road, Suite 200
Marlborough, MA 01752

FIELD REPORT

Project Neo Alternatives	Date 10/28/2021	Report No. 3
Location 4 Marc Road, Medway, MA	Project No. 143-21583-19016	Sheet 1 of 2
Contractor Key Construction (General Contractor) Fragale Building Corp. (Site Contractor)	Weather A.M. P.M. CLOUDY	Temperature A.M. P.M. 43°F

FIELD OBSERVATIONS

On Thursday, October 28, 2021, Tucker D. Paradee, EIT from Tetra Tech (TT) visited the project location to inspect the current condition of the site and monitor construction progress. The following report outlines observations made during the site visit.

1. OBSERVATIONS

- A. Site Conditions/Erosion Controls: Firm and dry surface conditions throughout the site. Silt fence barrier (SFB) is installed throughout the site, issues were noted by conservation commission related to erosion control limits in their jurisdiction, which are actively being mitigated to come into compliance with the order of conditions on the site. Compost filter socks are placed just inside SFB and are in good condition. Silt sacks are present in most catch basins throughout the site, but a few inlets are not protected. Additionally, one catch basin is filled with sediment and debris and requires cleaning and video inspection to determine if downstream pipe contains similar materials.
- B. Proposed recharger #1 has been wrapped and backfilled, inspection ports have been installed as shown on the Plans.
- C. Forms are in place behind the existing building to install footings for proposed mechanical room addition. Drainage structures (AD #5, DMH B, AD #2, AD #4) and 8" SDR35 PVC piping has been installed as shown on the Plans.

CONTRACTOR'S FORCE AND EQUIPMENT				WORK DONE BY OTHERS	
Sup't		Bulldozer		Asphalt Paver	
Foreman		Backhoe		Asphalt Reclaimer	
Laborers	5+	Loader		Vib. Roller	
Drivers		Rubber Tire Backhoe/Loader		Static Roller	
Oper. Engr.	2	Skid Steer		Vib. Walk Comp.	
Carpenters		Hoeram		Compressor	
Masons		Excavator	1	Jack Hammer	
Iron Workers		Grader		Power Saw	
Electricians		Crane		Conc. Vib.	
Flagpersons		Scraper		Tack Truck	
Surveyors		Conc. Mixer		Man Lift	
Roofers		Conc. Truck		Skidder	
Mechanical/HVAC		Conc. Pump Truck		Compact Track Loader	
		Pickup Truck	5+		
		Tri-Axle Dump Truck			
		Trailer Dump Truck			
Police Details:				RESIDENT REPRESENTATIVE FORCE	
Contractor's Hours of Work: 7:00 A.M. to 6:00 P.M.				Name	Time on-site
				Tucker D. Paradee, EIT	10:15 A.M. – 10:30 A.M.

NOTE: Please use reverse side for remarks and sketches

Project Neo Organics	Date 10/28/2021	Report No. 3
Location 4 Marc Road, Medway, MA	Project No. 143-21583-19016	Sheet 2 of 2

FIELD OBSERVATIONS CONTINUED

2. SCHEDULE

- A. TT will maintain communication with the developer and will inspect the site on an as-need basis.

3. NEW ACTION ITEMS

- A. Install silt sacks in all catch basins exposed to the proposed site work.
- B. Clean and video inspect existing catch basin

4. PREVIOUS OPEN ACTION ITEMS

- A. N/A

5. MATERIALS DELIVERED TO SITE SINCE LAST INSPECTION

- A. N/A



November 9, 2021

**Medway Planning & Economic Development Board
Meeting**

Evergreen Village

Retaining Wall Materials Field Change

- Email dated 10-19-21 with photos from developer Maria Varrichione

You discussed this at the 10-26-21 PEDB meeting and referred this matter to the DRC for review. Ms. Varrichione met with the DRC at its 11-2-21 meeting. A memo may be forthcoming, but Jess Chabot attended that meeting and can provide a report if no written communication is received.

Susan Affleck-Childs

From: Maria Varrichione <dreamhomesmv@gmail.com>
Sent: Tuesday, October 19, 2021 3:54 PM
To: Susan Affleck-Childs
Subject: Modification request

Suzy, as we discussed, I would like to request a site modification from the planning board on the west side retaining stone wall to a Uni Lock Retaining Wall System. As we are all aware the construction of the wall is well under way. I take full responsibility for not coming to the PB sooner before the wall work was done to ask for a site modification.

When Ron brought it to our attention in his September report, the wall was 80% completed. Ron does also agree that this wall is a good fit, better conformance to the existing grade and less invasive to install within the tight space, as this is. In no way was this a short cut, it was a decision based on field experience by the experts who do this every day in the field. The error was taking too much liberty with the field change language.

My GC interpreted the " field change" language on the site plan as allowing discretion for us to proceed with what he and the mason felt is more practical and common practice. The drainage will remain the same, it will in no way affect the functionality of the wall. This wall also allowed us to not have to go as deep around the area of the tree roots and the ability to preserve the existing tree.

My GC has since spoken with the building commissioner who I believe is satisfied with the wall construction and feels it is appropriate for the purpose for which it was designed. The system has a plastic mesh grid that locks into the backfill holding it in place for years. The blocks are then filled with specific drainage stone (not gravel) allowing water to escape to the drainage pipe placed at the base of the wall. The blocks interlock together eliminating any movement or future repairs as often occurs with stone walls.

Aesthetically it has a very pleasing appearance even though only a small portion is visible due to the shrubs, brush, and small trees along the property line. (Photos sent in separate email) In time, as more growth occurs it will be even less noticeable but will stand the test of time, as opposed to a stone wall which will typically move and deteriorate over time. In no way would I want to perform any type of work that in the long run would not be beneficial for the community. Hopefully you have been by the project and that you are pleased with the quality of the units and how attractive they look. Several neighbors have also told us they very much like how nice they look.

--

Maria Varrichione
dreamhomesmv@gmail.com
Mobile- 508-561-6048
RE/MAX Executive Realty
Platinum Club, Hall of Fame
& Lifetime Achievement Award Recipient





VEHICLES
WILL BE
TOWED AWAY
AT OWNER
EXPENSE











PRESIDENT
PARKING
ONLY
UNAUTHORIZED
VEHICLES
WILL BE
TOWED AWAY
AT OWNER'S
EXPENSE



November 9, 2021

**Medway Planning & Economic Development Board
Meeting**

Red Gate Street Acceptance

- Documentation of 11-1-21 vote by the Select Board to “lay out” the Red Gate streets.
- Red Gate subdivision plan. Applicable streets are shown in **green** highlights.
- Email dated 10-29-21 from attorney Lee Smith, KP Law re: his communication with the developer’s attorney
- Mutual Release of Claims

Susan Affleck-Childs

From: Liz Langley
Sent: Tuesday, November 2, 2021 7:52 AM
To: Susan Affleck-Childs
Cc: Barbara Saint Andre
Subject: 11.1.21 Select Board Vote RE: Redgate Public Ways

Hi Susy:

The Select Board voted the following relative the laying out of the Redgate public ways at their meeting last evening:

Mr. Foresto moved that the Board adopt the layout of the ways as presented, being a portion of Bramble Road (shown as Bramble Patch Way on the Plan), Briar Lane in its entirety, a portion of Fern Path, a portion of Field Road (shown as Hay Field Road on the Plan), and Redgate Drive (shown as Red Gate Drive on the Plan) in its entirety, all as shown on the Subdivision Plan. Mr. Trindade seconded. No discussion. VOTE: 5-0-0.

Thanks! Liz

Liz Langley
Executive Assistant, Town Manager's Office
Town of Medway
155 Village Street
Medway, MA 02053
(508) 533-3264

Susan Affleck-Childs

From: Lee S. Smith <LSmith@k-plaw.com>
Sent: Friday, October 29, 2021 9:45 AM
To: Susan Affleck-Childs
Cc: Barbara Saint Andre
Subject: RE: Red Gate Subdivision - Street Acceptance

Hi Susy,

I just spoke with Attorney Jepsky and he said that his clients are agreeable to this process and the form of release and that they are "on board". They did ask that I prepare the deeds when the time comes. Do you need any additional information at this point?

-Lee

Lee S. Smith, Esq.
KP | LAW
101 Arch Street, 12th Floor
Boston, MA 02110
O: (617) 654 1809
C: (617) 699 2935
F: (617) 654 1735
lsmith@k-plaw.com
www.k-plaw.com

This message and the documents attached to it, if any, are intended only for the use of the addressee and may contain information that is PRIVILEGED and CONFIDENTIAL and/or may contain ATTORNEY WORK PRODUCT. If you are not the intended recipient, you are hereby notified that any dissemination of this communication is strictly prohibited. If you have received this communication in error, please delete all electronic copies of this message and attachments thereto, if any, and destroy any hard copies you may have created and notify me immediately.

From: Susan Affleck-Childs <sachilds@townofmedway.org>
Sent: Monday, October 25, 2021 7:41 AM
To: Lee S. Smith <LSmith@k-plaw.com>
Subject: RE: Red Gate Subdivision - Street Acceptance

Thanks. Hope they respond this week as the PH on the roadway layout is 11-1 with the Select Board and the question on the bond \$\$ is bound to come up.

From: Lee S. Smith [<mailto:LSmith@k-plaw.com>]
Sent: Friday, October 22, 2021 2:48 PM
To: Susan Affleck-Childs <sachilds@townofmedway.org>
Subject: RE: Red Gate Subdivision - Street Acceptance

I e-mailed their attorney with the revised release last Thursday and again just now. No response yet.

-Lee

Lee S. Smith, Esq.
KP | LAW
101 Arch Street, 12th Floor
Boston, MA 02110
O: (617) 654 1809

C: (617) 699 2935
F: (617) 654 1735
lsmith@k-plaw.com
www.k-plaw.com

This message and the documents attached to it, if any, are intended only for the use of the addressee and may contain information that is PRIVILEGED and CONFIDENTIAL and/or may contain ATTORNEY WORK PRODUCT. If you are not the intended recipient, you are hereby notified that any dissemination of this communication is strictly prohibited. If you have received this communication in error, please delete all electronic copies of this message and attachments thereto, if any, and destroy any hard copies you may have created and notify me immediately.

From: Susan Affleck-Childs <sachilds@townofmedway.org>
Sent: Friday, October 22, 2021 1:43 PM
To: Lee S. Smith <LSmith@k-plaw.com>
Subject: RE: Red Gate Subdivision - Street Acceptance

Hi Lee,

Just wanted touch base and see if there is any progress on the Red Gate street acceptance matter.

Thanks for your help.

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

From: Lee S. Smith [<mailto:LSmith@k-plaw.com>]
Sent: Thursday, October 14, 2021 3:18 PM
To: Barbara Saint Andre <bsaintandre@townofmedway.org>
Cc: Susan Affleck-Childs <sachilds@townofmedway.org>
Subject: Re: Red Gate Subdivision - Street Acceptance

Yes there does. I will take care of it.

On Oct 14, 2021, at 3:17 PM, Barbara Saint Andre <bsaintandre@townofmedway.org> wrote:

Hi, Lee, seems to be a disconnect somewhere!

Barbara J. Saint Andre
Director, Community and Economic Development
Town of Medway
155 Village Street
Medway, MA 02053
(508) 321-4918

From: Susan Affleck-Childs
Sent: Thursday, October 14, 2021 3:12 PM
To: Barbara Saint Andre <bsaintandre@townofmedway.org>
Subject: FW: Red Gate Subdivision - Street Acceptance

Fyi.

From: Michael Bruce [<mailto:m@tenld.com>]
Sent: Thursday, October 14, 2021 3:09 PM
To: Susan Affleck-Childs <sachilds@townofmedway.org>
Cc: Jonathan Bruce <jbruce@armidainc.com>; Daniel Bruce <dan@darkblue.llc>
Subject: Re: Red Gate Subdivision - Street Acceptance

Dear Susan,

Yes, the Town's attorney contacted the developer's attorney several weeks ago, saying that he'd be back in touch, but the developer's attorney has not heard back since then. The ball is in the Town's court. Please advise as to how this will move forward.

Sincerely,

Michael Bruce

On Thu, Oct 14, 2021 at 12:17 PM Susan Affleck-Childs <sachilds@townofmedway.org> wrote:

Hi Michael,

The Town's attorney has been in contact with your attorney about the developer's bond and release.

Please contact your attorney for that information.

Best regards,

Susan E. Affleck-Childs

Planning and Economic Development Coordinator

Town of Medway

155 Village Street

Medway, MA 02053

From: Michael Bruce [mailto:m@tenld.com]
Sent: Thursday, October 14, 2021 12:15 PM
To: Susan Affleck-Childs <sachilds@townofmedway.org>
Cc: Jonathan Bruce <JBruce@armidainc.com>; Daniel Bruce <dan@darkblue.llc>
Subject: Re: Red Gate Subdivision - Street Acceptance

Dear Susan:

Your note did not mention the developer's bond or its release. Please let me know the Town's intentions regarding it.

Thank you,

Michael Bruce

On Oct 13, 2021, at 13:40, Susan Affleck-Childs
<sachilds@townofmedway.org> wrote:

Hi Michael,

I am writing to let you know that the Town is proceeding with the street acceptance process for the Red Gate subdivision.

The Planning and Economic Development Board has submitted an article for inclusion on the warrant for consideration at the November 15th town meeting to accept the Redgate Streets.

The Medway Select Board will conduct a roadway layout public hearing on November 1, 2021. See attached public hearing notice which was sent today to all the current owners of property in the Red Gate subdivision.

Best regards,

Susan E. Affleck-Childs

Planning and Economic Development Coordinator

Town of Medway

155 Village Street

Medway, MA 02053

508-533-3291

From: Michael Bruce [<mailto:m@tenld.com>]

Sent: Wednesday, November 4, 2020 8:04 AM

To: Susan Affleck-Childs <sachilds@townofmedway.org>

Cc: J. M. Bruce <jbruce@armidainc.com>

Subject: Re: Red Gate Subdivision

Good morning Susan,

I've attached my response letter. Please note my updated mailing address.

Due to the late notice, I have another commitment that evening, but I'll do my best to participate.

Sincerely,

Michael Bruce

On Mon, Nov 2, 2020 at 9:20 AM Susan Affleck-Childs
<sachilds@townofmedway.org> wrote:

Good morning, Michael.

Please see attached letter which is also being sent to you via certified mail.

Please let me know if you have any questions.

Best regards,

Susy Affleck-Childs

Susan E. Affleck-Childs

Planning and Economic Development Coordinator

Town of Medway

155 Village Street

Medway, MA 02053

508-533-3291

sachilds@townofmedway.org

On Thu, Oct 14, 2021 at 12:17 PM Susan Affleck-Childs <sachilds@townofmedway.org> wrote:

Hi Michael,

The Town's attorney has been in contact with your attorney about the developer's bond and release.

Please contact your attorney for that information.

Best regards,

Susan E. Affleck-Childs

Planning and Economic Development Coordinator

Town of Medway

155 Village Street

Medway, MA 02053

508-533-3291

From: Michael Bruce [mailto:m@tenld.com]

Sent: Thursday, October 14, 2021 12:15 PM

To: Susan Affleck-Childs <sachilds@townofmedway.org>

Cc: Jonathan Bruce <JBruce@armidainc.com>; Daniel Bruce <dan@darkblue.llc>

Subject: Re: Red Gate Subdivision - Street Acceptance

Dear Susan:

Your note did not mention the developer's bond or its release. Please let me know the Town's intentions regarding it.

Thank you,

Michael Bruce

On Oct 13, 2021, at 13:40, Susan Affleck-Childs
<sachilds@townofmedway.org> wrote:

Hi Michael,

I am writing to let you know that the Town is proceeding with the street acceptance process for the Red Gate subdivision.

The Planning and Economic Development Board has submitted an article for inclusion on the warrant for consideration at the November 15th town meeting to accept the Redgate Streets.

The Medway Select Board will conduct a roadway layout public hearing on November 1, 2021. See attached public hearing notice which was sent today to all the current owners of property in the Red Gate subdivision.

Best regards,

Susan E. Affleck-Childs

Planning and Economic Development Coordinator

Town of Medway

155 Village Street

Medway, MA 02053

508-533-3291

From: Michael Bruce [<mailto:m@tenld.com>]
Sent: Wednesday, November 4, 2020 8:04 AM
To: Susan Affleck-Childs <sachilds@townofmedway.org>
Cc: J. M. Bruce <jbruce@armidainc.com>
Subject: Re: Red Gate Subdivision

Good morning Susan,

I've attached my response letter. Please note my updated mailing address.

Due to the late notice, I have another commitment that evening, but I'll do my best to participate.

Sincerely,

Michael Bruce

On Mon, Nov 2, 2020 at 9:20 AM Susan Affleck-Childs <sachilds@townofmedway.org> wrote:

Good morning, Michael.

Please see attached letter which is also being sent to you via certified mail.

Please let me know if you have any questions.

Best regards,

Susy Affleck-Childs

Susan E. Affleck-Childs

Planning and Economic Development Coordinator

Town of Medway

155 Village Street

Medway, MA 02053

508-533-3291

sachilds@townofmedway.org

MUTUAL RELEASE OF CLAIMS

1. This Mutual Release of Claims ("Release") is made as of _____, 2021 by Jonathan M. Bruce and Robert P. Grant, Trustees of the Red Gate Estates Realty Trust u/d/t November 3, 1987 (the "Trustees") recorded in the Norfolk Registry of Deeds in Book 7790, Page 652, and the Town of Medway, acting by and through its Planning and Economic Development Board, a municipal corporation with an address of Town Hall, 155 Village Street, Medway, Massachusetts (the "Town"), and their respective heirs, successors, and assigns, on all of whom this Release shall be binding.

2. For and in consideration of:

(A) the release of \$ _____, the security held by the Planning and Economic Development Board for the completion of the roads and infrastructure in the Red Gate Estates subdivision, Medway, Massachusetts (the "Bond") being the balance of the total sum held in Rockland Trust Bank, Account Number XXX8586; and

(B) the conveyance of Lot 1 together with a drainage easement as shown on a "Subdivision Plan of Land In Medway, Mass. Red Gate Estates" recorded in said Registry as Plan 613 of 1987 (the "Plan"), meaning to convey the fee and all their right, title and interest in Lot 1, and said drainage easement, known and numbered as 2 Redgate Drive in Medway, Norfolk County, Massachusetts to the Town, by delivery of an executed Quitclaim Deed in a form acceptable to Medway Town Counsel, from the Trustees as grantors to the Town as grantee; and

(C) the conveyance of Hay Field Road (a/k/a/ Field Road), Briar Lane, Bramble Patch Way (a/k/a) Bramble Road, Red Gate Drive (a/k/a Redgate Drive) and Fern Path together with all drainage easements thereon as shown on the Plan (collectively, the "Roads") meaning to convey the fee and all their right, title and interest in the Roads, and drainage easements thereon in Medway, Norfolk County, Massachusetts to the Town, by delivery of one or more executed Quitclaim Deeds in a form acceptable to Medway Town Counsel, from the Trustees as grantors to the Town as grantee,

the receipt and sufficiency of which are hereby acknowledged, the Trustees hereby release and discharge the Town and its officers, employees and agents, insurers, and each of their respective successors and assigns, of and from any and all debts, claims, demands, actions, causes of action, suits, accounts, covenants, contracts, agreements, damages and liabilities of any kind, name or nature whatsoever which it now has or may have upon or against the Town arising out of or resulting from or relating to the Bond and each agree to forever waive any and all claims thereon; and

the Town hereby releases and discharges the Trustees and their employees, agents, insurers, and each of their respective successors and assigns, of and from any and all debts, claims, demands, actions, causes of action, suits, accounts, covenants, contracts, agreements, damages and liabilities of any kind, name or nature whatsoever which it now has or may have arising out of or resulting from or relating to the construction of the Roads and Lot 1 in Medway, Massachusetts

3. The Trustees and the Town each understand and acknowledge that this Release is to compromise and terminate any and all claims arising out of the said Roads and Lot 1 and any and all damages, expenses and any loss or injury whatsoever, known or unknown, in any way relating to the Roads and Lot 1 including any conveyance thereof occurring before or after the date of his release.

4. The undersigned state and agree that they have carefully read the foregoing Release and know the contents hereof, and sign this release as their own free act and deed as Trustees and as members of the Planning and Economic Development Board of the Town of Medway.

5. The Trustees and the Town each represent and warrant that they have had the opportunity to review this Release and has had the advice of counsel prior to executing this Release, and that his signature of this Release is their free act and deed.

6. This Release shall be governed by, and construed in accordance with, the law of the Commonwealth of Massachusetts, without resort to conflict of laws principles.

(Remainder of page intentionally left blank. Signature pages follow.)

IN WITNESS WHEREOF, the undersigned Jonathan M. Bruce, Trustee of the Red Gate Estates Realty Trust signed, acknowledged and delivered this Mutual Release of Claims on this _____ day of _____, 2021.

Jonathan M. Bruce, Trustee of the
Red Gate Estates Realty Trust

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss.

On this _____ day of _____, 2021, before me, the undersigned notary public, personally appeared Jonathan M. Bruce, proved to me through satisfactory evidence of identification, which was _____, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose as Trustee of the Red Gate Estates Realty Trust.

_____, Notary Public
My Commission Expires:

IN WITNESS WHEREOF, the undersigned Robert P. Grant, Trustee of the Red Gate Estates Realty Trust signed, acknowledged and delivered this Mutual Release of Claims on this ____ day of _____, 2021.

Robert P. Grant, Trustee of the
Red Gate Estates Realty Trust

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss.

On this ____ day of _____, 2021, before me, the undersigned notary public, personally appeared Robert P. Grant, proved to me through satisfactory evidence of identification, which was _____, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose as Trustee of the Red Gate Estates Realty Trust.

_____, Notary Public
My Commission Expires:

IN WITNESS WHEREOF, the undersigned Planning and Economic Development Board signed, acknowledged and delivered this Mutual Release of Claims on this ____ day of _____, 2021.

TOWN OF MEDWAY

By its Planning and Economic Development Board

Andy Rodenhiser, Chairman

Robert K. Tucker, Vice-Chairman

Jessica Chabot

Richard Di Iulio

Matthew J. Hayes, P.E.

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss.

On this ____ day of _____, 2021, before me, the undersigned Notary Public,
personally appeared _____

_____,
members of the Medway Planning and Economic Development Board, as aforesaid, who proved to me through satisfactory evidence of identification, which was _____, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose on behalf of the Town of Medway.

Notary Public

My Commission Expires:



November 9, 2021

**Medway Planning & Economic Development Board
Meeting**

**Rocky's Site Plan and Outdoor Display
Special Permit Public Hearing**

The agenda for the 11-2-21 PEDB meeting included a public hearing on Rocky's Hardware. Earlier in the day, once the applicant learned that the full Board would not be present, a public hearing continuation was requested to the next available PEDB meeting. See attached.

I informed attorney Joel Quick, the applicant's representative, that the hearing date would have to be 11-23-21. We did not announce that continuation date during the 11-2 PEDB meeting. We need to do so at the 11-9 PEDB meeting. The hearing for Rocky's will be held on 11-23-21 at 8:15 pm.

Susan Affleck-Childs

From: Joel Quick <jquick@PierceAtwood.com>
Sent: Tuesday, November 2, 2021 12:20 PM
To: Susan Affleck-Childs
Cc: Gareth Orsmond; Kevin Bradley
Subject: Rocky's Ace Hardware - Special Permit and Administrative Site Plan hearing

Hi Susy:

It was good to speak with you. Given the fact that Bob will not be present tonight, we would request that the hearing be continued to the next available hearing date.

Thank you,

Joel

Joel Quick
Associate
PIERCE ATWOOD LLP

100 Summer Street
22nd Floor
Boston, MA 02110

PH 617.488.8157
FAX 617.824.2020

jquick@PierceAtwood.com

Admitted in MA

This e-mail was sent from Pierce Atwood. It may contain information that is privileged and confidential. If you suspect that you were not intended to receive it please delete it and notify us as soon as possible.



November 9, 2021

**Medway Planning & Economic Development Board
Meeting**

Salmon Willows

**Minor Modification for Cottage Architecture
Revised Phasing Plan & Completion Schedule**

- Proposed revised phasing schedule dated 10-26-21
- Proposed revised phasing plan exhibit
- Proposed revised cottage architecture
- Memo dated 11-4-21 from the DRC re: the proposed architectural revisions

Jeff Robinson will attend the meeting to explain their new phasing plan and completion schedule. Salmon has taken on a partner for the cottage component of the project; it is Black Brook Realty owned by John Burns of Holliston.

<http://www.blackbrookrealty.com/>. Accordingly, some revisions are proposed for the cottage architecture which involve downsizing the units with less square footage and smaller footprints. Black Brook has brought in Peter Bemis of Engineering Design Consultants which will serve as project engineer for this phase of the development. Mr. Bemis will also attend the meeting. The DRC reviewed the propose changes at its 11-1 meeting; a letter from DRC Chairman Matt Buckley is provided.

Revised Phasing Plan 10/21/2021

Phase I – Place erosion control silt fence line around perimeter of all future construction activities, and secure siltation curtains in river areas. Clear trees and shrubs within construction zone and remove organic and topsoil layer. **Phase I is now complete 7/15/19.**

Phase II – Construct wetland/crossing bridges, install utilities, main campus building and binder coat roadway. **Phase II is now complete 5/26/21.**

Phase IIIA – Perform remaining site work associated with cottages, as cottages are constructed. Construct remaining underground recharge systems and conveyance swales as cottages are constructed. Complete all landscaping associated with cottage sites as cottages are constructed. **Estimated completion date 6/6/23.**

Phase IIIB – Perform remaining site work associated with cottages, as cottages are constructed. Construct remaining underground recharge systems and conveyance swales as cottages are constructed. Complete all landscaping associated with cottage sites as cottages are constructed. **Estimated completion date 12/1/24.**

Phase IV – Construct commercial building and pavilion and associated site work/landscaping. **Estimated completion date 12/1/25.**

Phase V – Finalize and complete any remaining landscaping not previously completed in phases.

Phase VI – Remove and clean construction materials and debris from site.

Project Completed. **Estimated completion date 1/1/26**

- 



MASUMOTO



ALL RIGHTS RESERVED

DRWN BY:	WML
CHK'D BY:	PSB
APRVD BY:	PSB

REVISIONS:		
REV #	DATE	DESCRIPTION
0	10/26/21	ISSUED FOR PLANNING BOARD APPROVAL

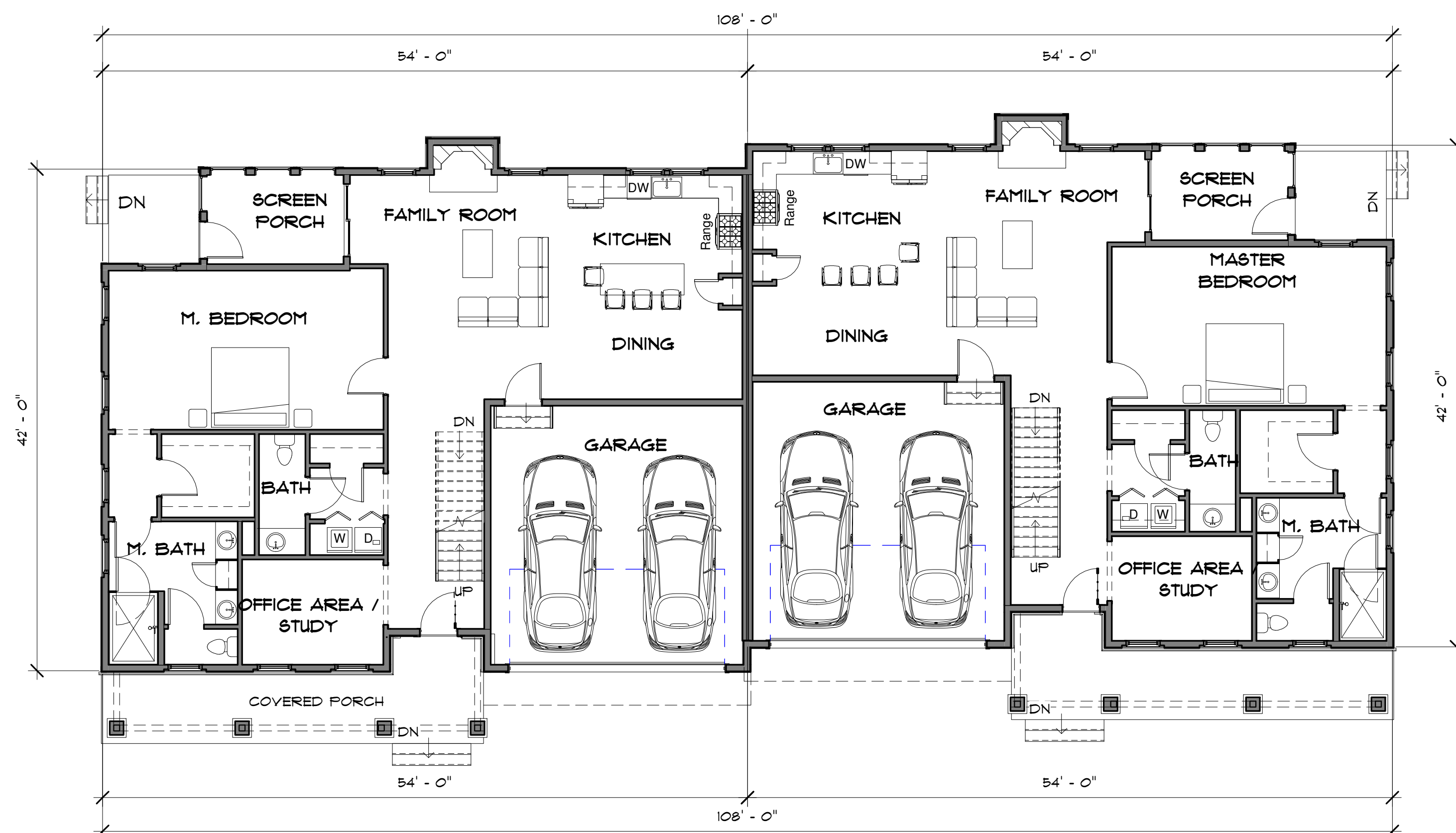
EDC

PROJECT:

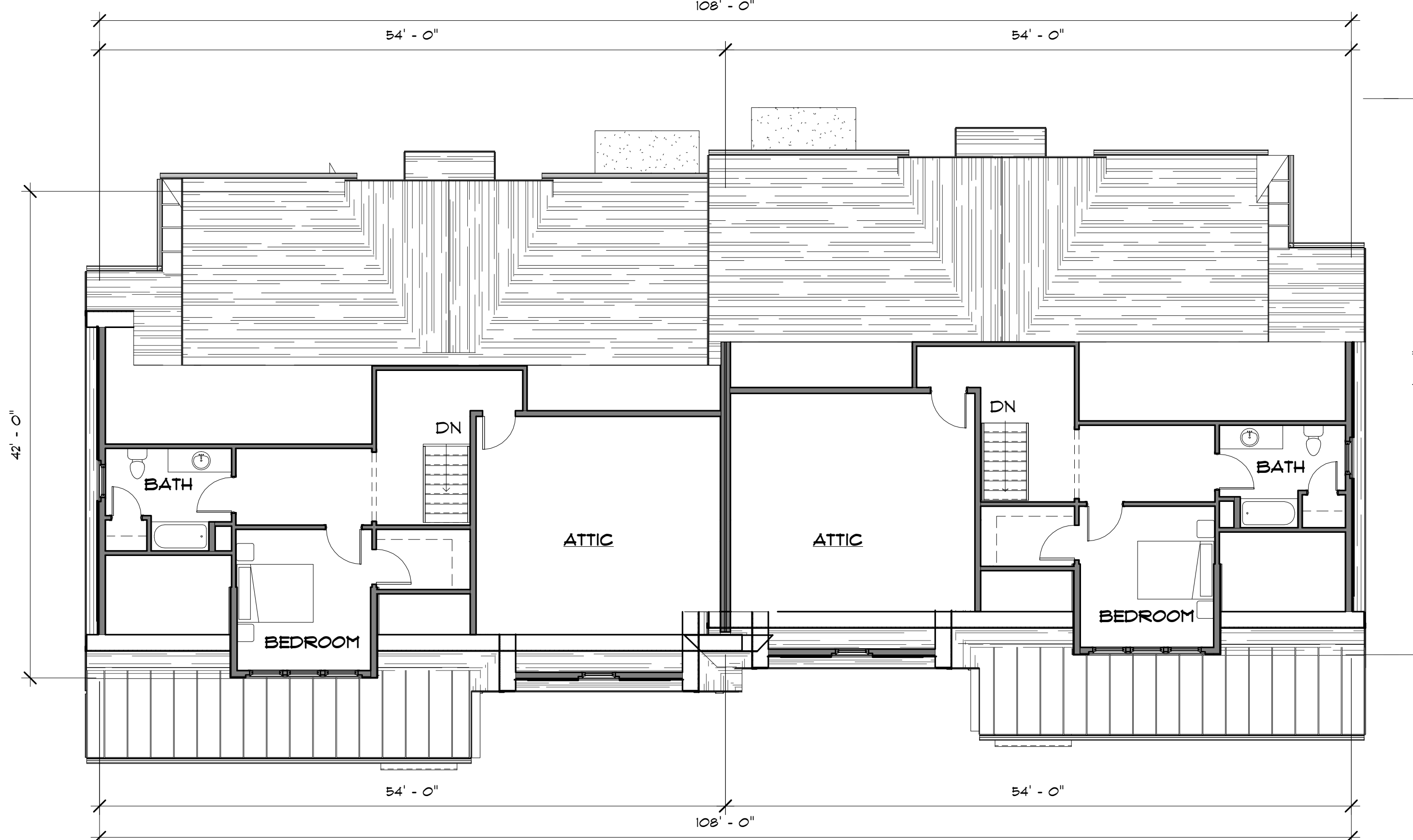
|| TITLE:

CONTINUING CARE MANAGMENT, LLC
1 LYMAN STREET
WESTBOROUGH, MASSACHUSETTS

DEFINITIVE PLAN NO.:
1 OF 1
1

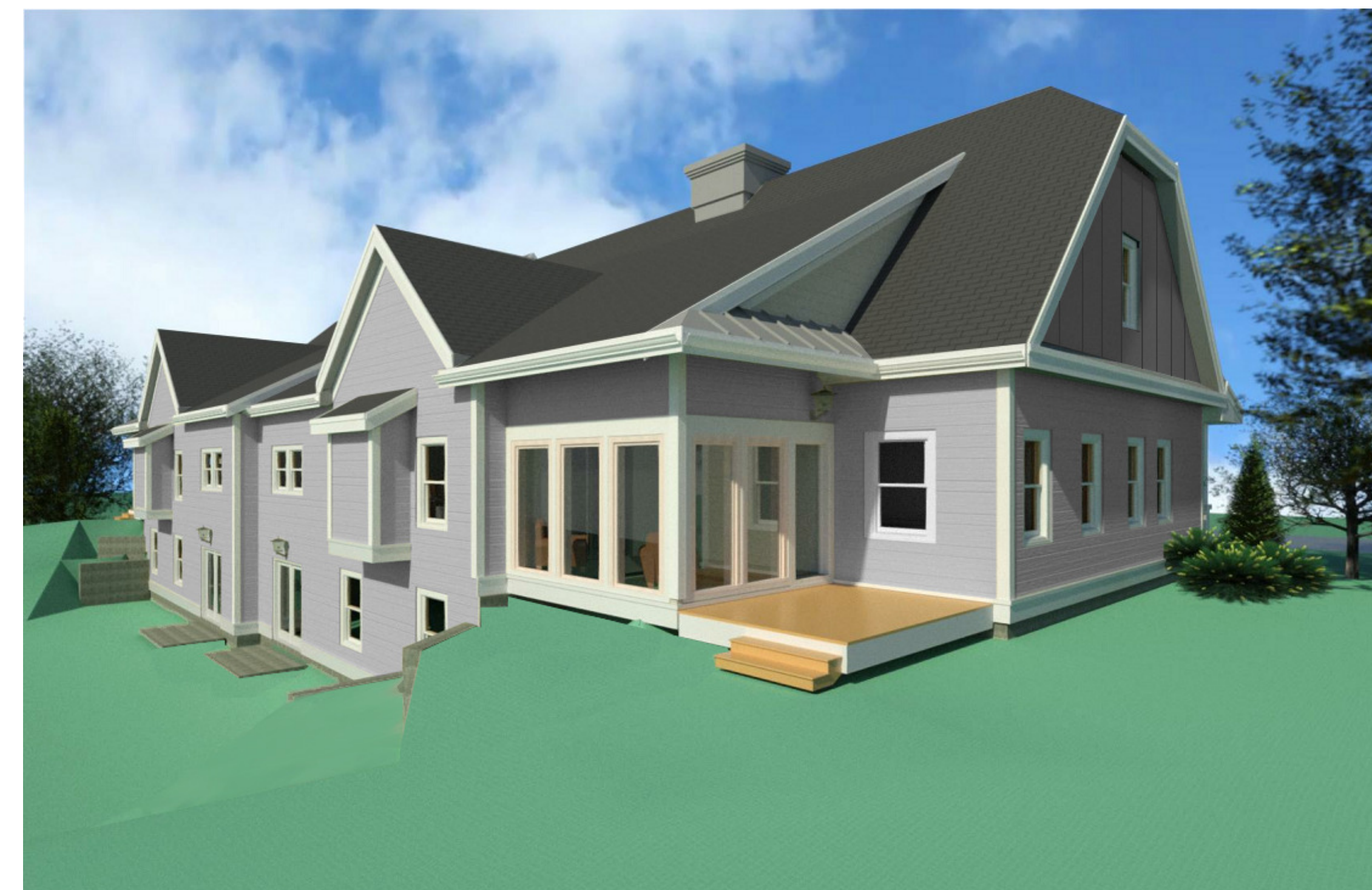
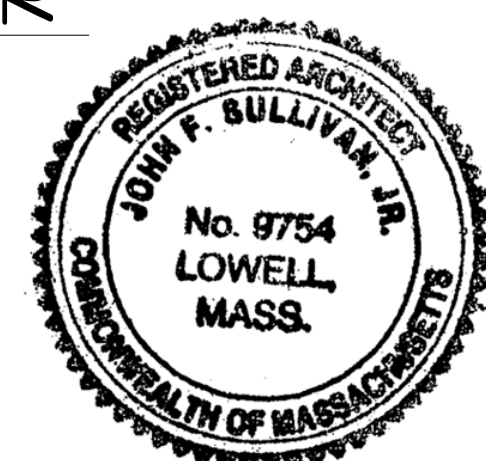


1 FIRST FLOOR
1/8" = 1'-0"



2 SECOND FLOOR
1/8" = 1'-0"

PROPOSED DUPLEX FOR:
BLACK BROOK REALTY
VILLAGE STREET
MEDWAY, MA.
DATE: OCTOBER 28, 2021



DESIGNED BY:
GAVIN AND SULLIVAN ARCHITECTS, INC.

128 WARREN STREET
LOWELL, MA 01852



STANDING METAL SEAM ROOF



CULTURED STONE VENEER



GARAGE DOOR
18' x 9'



VINYL CLAPBOARD SIDING



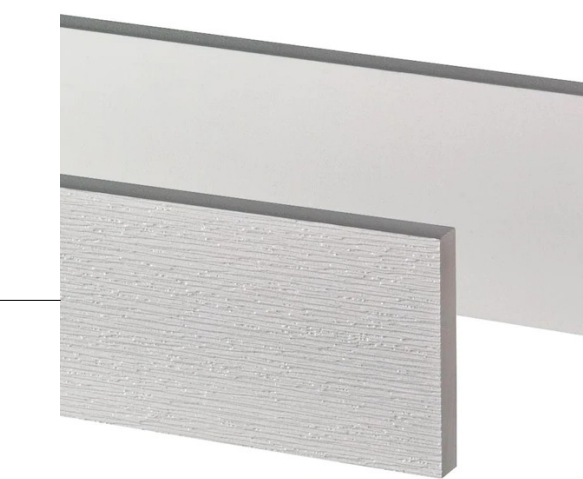
EXTERIOR LANTERN
SCONCE

PROPOSED DUPLEX FOR:
BLACK BROOK REALTY
VILLAGE STREET
MEDWAY, MA.

DATE: OCTOBER 28, 2021



1 FRONT ELEVATION
1/8" = 1'-0"



VINYL EXTERIOR
TRIM BOARD



VINYL SHINGLE
SIDING



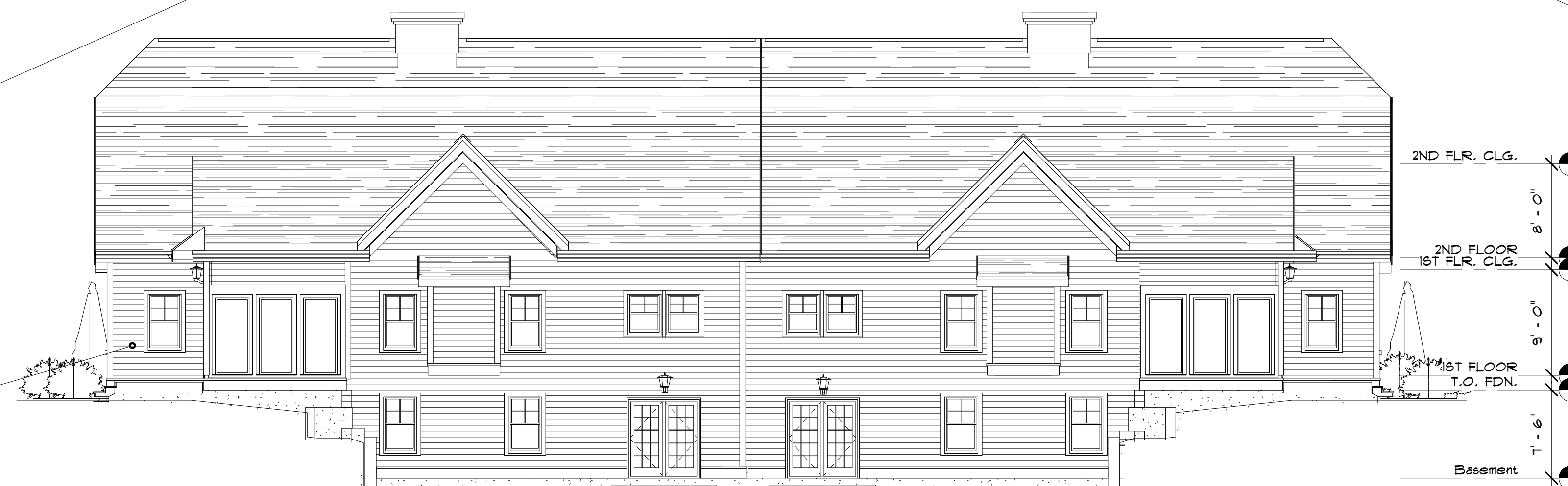
INSULATED FIBERGLASS
FRONT DOOR
9 PANEL



ASPHALT ROOF
SHINGLES



DOUBLE HUNG
WINDOWS



3 REAR ELEVATION
1/8" = 1'-0"



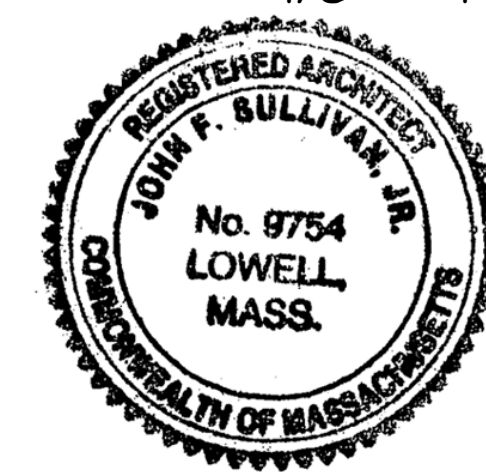
2 LEFT ELEVATION
1/8" = 1'-0"



4 RIGHT ELEVATION
1/8" = 1'-0"



VINYL BATTEN
BOARD SIDING



GAVIN AND SULLIVAN ARCHITECTS, INC.

DESIGNED BY:
128 WARREN STREET
LOWELL, MA 01852



**Town of Medway
DESIGN REVIEW COMMITTEE**

155 Village Street
Medway MA 02053
508-533-3291

drc@townofmedway.org

November 4, 2021

TO: Medway Planning and Economic Development Board
FROM: Matthew Buckley, Chairman
RE: Salmon Willows – Change in Cottage Architecture

Dear Members of the Medway Planning and Economic Development Board,

The Medway Design Review Committee [DRC] is pleased to provide a comment letter regarding the planned revisions of the Salmon Willows Residential Cottages. The DRC met formally on November 1st, 2021 with the Salmon Willows developer Jeff Robinson and project engineer Peter Bemis of Engineering Design Consultants. During this meeting we reviewed an updated site plan dated October 28th, 2021 provided by Black Brook Realty for the cottage component of the Salmon Willows development.

The DRC is satisfied that the designs put forward for the buildings are consistent with the Medway *Design Review Guidelines*. The developer and the professionals preparing the plans demonstrated a willingness and interest in designing the buildings and site to comply with those *Guidelines*. The DRC provided recommendations to the applicant regarding the building and site as follows:

- The DRC recommends that the gable roof over the garages be brought up to the windows to align on the second floor.
- The DRC recommends that the buildings have a more neutral color palette than what was originally proposed and that each building be an individual color rather than the individual units changing color.
- When available, the DRC would like to review the material and color selections for the buildings as well as any stonework and pathway pavers and final landscaping plan.

The DRC is pleased with the overall design of the proposed buildings. The DRC remains available to review any of these changes and will gladly provide feedback in the most effective manner that will assist these proceedings.

Sincerely,

Matthew Buckley, Chairman

Design Review Committee Members

Matthew Buckley, Member & Chair
Alex Siekierski, Member & Vice Chair

Janine Clifford, Member
Dan Connolly, Member
Rachel Walsh, Member

Tom Gay, Planning and Economic
Development Board Representative

Board Members

Andy Rodenhiser, Chair
Robert Tucker, Vice Chair
Richard Di Iulio, Clerk
Jessica Chabot, Member
Matthew Hayes, P.E., Member
Thomas Gay, Associate
Member



Medway Town Hall
155 Village Street
Medway, MA 02053
Phone (508) 533-3291
Fax (508) 321-4987
Email: planningboard@townofmedway.org
www.townofmedway.org

TOWN OF MEDWAY

COMMONWEALTH OF MASSACHUSETTS

PLANNING AND ECONOMIC DEVELOPMENT BOARD

MEMORANDUM

October 29, 2021

TO: Stefany Ohannesian, Town Clerk
Town of Medway Departments, Boards and Committees

FROM: Susy Affleck-Childs, Planning and Economic Development Coordinator

RE: **Public Hearing Continuation for Medway Place Shopping Plaza Site Plan**
98, 108 and 114 Main Street
Continuation Date – Tuesday, November 9, 2021 at 8:00 p.m.

RECEIVED TOWN CLERK
NOV 1 '21 AM 10:41

At its October 26, 2021 meeting, the Planning and Economic Development Board voted to continue the public hearing on the application of Medway Realty LLC of Boston, MA for approval of a major site plan for proposed site improvements at the Medway Place shopping plaza to Tuesday, November 9, 2021 at 8:00 p.m.

Proposed are a series of changes in the layout of and landscaping for the Medway Place parking lot as a result of the recently completed Route 109 improvement project. The proposed parking lot work will align the plaza's parking space layout with the Mass DOT constructed boulevard style main entrance. Also proposed are new stormwater management controls to treat stormwater collected from the parking lot before it is discharged to the Town's municipal storm drain system. Other site improvements will include landscaping and electric vehicle charging stations.

The site plan and landscaping revisions are shown on *Medway Place Site Plan and Landscape Plan* dated October 16, 2019, last revised September 30, 2021 by Howard Stein Hudson of Boston, MA. The *Drainage Improvement Plan for 98, 108 and 114 Main Street* is dated September 7, 2019, last revised March 1, 2021 and was prepared by Grady Consulting, LLC of Kingston, MA. The documents are on file with the Medway Town Clerk and the Community and Economic Development office at Medway Town Hall. The information is also posted at the Planning and Economic Development Board's page at the Town's web site at: <https://www.townofmedway.org/planning-economic-development-board/pages/medway-plaza-site-plan>

The Board expects to vote its decision at the November 9th meeting. This is the last opportunity for any review comments you wish to provide.

Please don't hesitate to contact me if you have any questions. Thanks.

MS4CD Permit No.: MSC20-000018

Commonwealth of Massachusetts

Town of Medway

**Municipal Separate Storm Sewer System Connection and Discharge (MS4CD)
Permit**

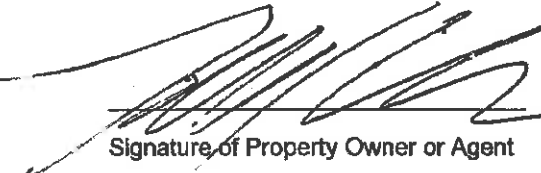
CONDITIONAL APPROVAL

The Medway Department of Public Works hereby issues a Conditional Approval of the 4 proposed connections and discharges to the Town's Municipal Separate Storm Sewer System located at: 98, 108, and 114 Main Street and owned by: Medway Realty, LLC.

Conditional approval is granted for a period of one year from date of issue.

The following conditions must be met before an MS4CD Permit is granted:

1. *The Property Owner or the acting agent shall coordinate with the Department of Public Works to perform joint stormwater testing at the site to identify the source of contamination if possible and confirm it is eliminated.*
2. *The stormwater control and treatment measures and all associated infrastructure are installed according to the permit application and are inspected and approved by the Department of Public Works.*


Signature of Property Owner or Agent 3/17/2021
Date


DPW Director Signature 3/17/21
Date of Issue

Conditions must be completed, and final permit issued within one year from the date of issue. Final MS4CD Permits are issued based on the proposed site conditions. Changes to the site for which the MS4CD Permit is issued may constitute grounds for additional review by the Department of Public Works in accordance with the MS4CD Permit Rules and Regulations.

Board Members

Andy Rodenhiser, Chair
Robert Tucker, Vice Chair
Jessica Chabot, Member
Richard Di Iulio, Member
Matthew Hayes, P.E.,
Member
Thomas A. Gay, Associate
Member



Medway Town Hall
155 Village Street
Medway, MA 02053
Phone (508) 533-3291
Fax (508) 321-4987
Email: planningboard@townofmedway.org
www.townofmedway.org

TOWN OF MEDWAY
COMMONWEALTH OF MASSACHUSETTS

**PLANNING AND ECONOMIC
DEVELOPMENT BOARD**

DRAFT – November 5, 2021
1:30 p.m.

Major Site Plan
Medway Place – 98, 108 and 114 Main Street
with Waivers and Conditions

Decision Date: _____

Name/Address of Applicant: Medway Realty LLC
c/o Diversified Funding, Inc.
63 Atlantic Avenue
Boston, MA 02110

Name/Address of Property Owner: Medway Realty LLC
c/o Diversified Funding, Inc.
63 Atlantic Avenue
Boston, MA 02110

Engineer Howard Stein Hudson
114 Turnpike Road, Suite 2C
Chelmsford, MA 01824

Representative Attorney Gareth Orsmond
Pierce Atwood, LLP
100 Summer Street, Floor 22
Boston, MA 02110

Site Plan: *Site Plan for Medway Place*
By Howard Stein Hudson
Dated August 30, 2021 to be further revised as specified herein.

Drainage Improvement Plan for 98, 108 and 114 Main Street
By Grady Consulting, LLC of Kingston, MA
Dated September 7, 2019, last revised March 1, 2021

Location: 98, 108 & 114 Main Street

Assessors' Reference: 40-055, 40-056 and 40-057

Zoning District: Central Business District

I. PROJECT DESCRIPTION – The Applicant proposes changes in the layout and landscaping for the 446 space Medway Plaza parking lot. The change in the layout is a result of the recently completed Mass Department of Transportation Route 109 improvement project which included a new traffic light and entrance into Medway Plaza. The parking lot work will align the parking spacing with the Mass DOT constructed boulevard style main entrance to improve traffic circulation on site. The work will include installation of a berm near the entrance to the Shell Station at 86 Main Street and widening of the east side of the entrance aisle to the property to 20' wide. The applicant also proposes new stormwater management controls to treat stormwater collected from the parking lot before it is discharged into the Town's municipal storm drain system. This project is subject to major site plan review pursuant to Section 3.5.3 of the Medway Zoning Bylaw.

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 _____, on a motion made by _____ and seconded by _____, voted to _____ **with WAIVERS and CONDITIONS** as specified herein, a site plan for the construction of site improvements at 98, 108 and 114 Main Street as shown on *Site Plan for Medway Place*, dated August 30, 2021 by Howard Stein Hudson, to be further revised as specified herein.

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

Planning & Economic Development Board Member

Richard Di Iulio
Matthew Hayes
Andy Rodenhiser
Robert Tucker

Vote

III. PROCEDURAL HISTORY

- A. October 28, 2019 - Site plan application and associated materials filed with the Board
- B. November 5, 2019 – Site plan application and associated materials filed with the Town Clerk
- C. November 18, 2019 – Notice for the December 10, 2019 public hearing filed with the Town Clerk and posted at the Town of Medway web site's master meeting calendar.
- D. November 18, 2019 - Site plan information distributed to Town boards, committees and departments for review and comment.
- E. November 19, 2019 – Notice for the December 10, 2019 public hearing was sent to abutters and parties of interest by certified sent mail.
- F. November 26 and December 2, 2019 - Public hearing notice advertised in *Milford Daily News*.
- G. December 4, 2019 – Public hearing notice mailed to Medway Place tenants
- H. December 10, 2019 – Public hearing commenced. The hearing was continued to January 14, 2020, February 11, 2020 and February 25, 2020, March 3, 2020, and March 24, 2020.
- I. Filing of Administrative Plan application for fencing . . .

NOTE - COVID State of Emergency was established March 10, 2020.

- J. March 24, 2020 – The public hearing was continued without presentation or testimony to April 14, 2020, May 12, 2020, May 26, 2020, June 9, 2020, June 23, 2020, July 14, 2020, July 28, 2020, August 11, 2020, August 25, 2020, September 8, 2020, September 22, 2020, October 27, 2020, November 24, 2020, January 26, 2021, February 23, 2021, April 13, 2021,

May 11, 2021, June 22, 2021, July 27, 2021, August 10, 2021, September 14, 2021, October 2, 2021, October 26, 2021 and November 9, 2021.

IV. INDEX OF SITE PLAN DOCUMENTS

- A. The site plan application for the proposed Medway Place site improvement project included the following plans, studies and information that were provided to the Board at the time the application was filed:
1. Site Plan Application dated October 24, 2019 with submittal letter, project narrative, certified abutters' list, deed, and requests for waivers from the *Site Plan Rules and Regulations*
 2. *Site Plan and Landscape Plan – Medway Place*, dated October 15, 2019 prepared by Howard, Stein, Hudson of Chelmsford, MA.
 3. *Drainage Improvement Plan*, dated September 7, 2019 by Grady Consulting, LLC of Kingston, MA
- B. During the course of the Board's review, a variety of other materials were submitted to the Board by the Applicant and its representatives:
1. **Attorney Gareth Orsmond, Pierce Atwood**
 - **2-6-20 letter** with submittal of a revised *Site Plan and Landscape Plan* dated 2-4-20, an existing conditions plan, and a Response to Comments from the 12-5-19 PGC Associates review letter, the 12-10-19 Tetra Tech review letter, 12-10-19 letter from John Russell of Addler Pollock and Sheehan (counsel to Colbea Property/Shell Station), comments provided during the 12-12-19 public hearing
 - **4-23-21 letter** with submittal of a revised *Site Plan and Landscape Plan* dated 4-22-21, with a summary of the revised site plan changes, a *Temporary Seating Plan* dated 4-22-21, and an administrative site plan application for site fencing.
 - **7-14-21 letter** with submittal of revised *Site Plan and Landscape Plan* dated 7-13-21, and *Supplementary Site Plan Submittal* dated 7-14-21 with a summary of the revised site plan changes, Response to Comments from the 5-4-21 PGC Associates review letter, the 5-6-21 Tetra Tech review letter, comments provided during the 5-11-21 public hearing, the 5-7-21 review memorandum from Susan Affleck-Childs, Planning and Economic Development Coordinator, and comments from the 5-10-21 Design Review Committee memorandum
 - **9-30-21 letter** with *Site Plan for Medway Place* dated 8-30-21, a *Master Signage Plan* dated 9-30-21, a *Landscape Maintenance Program* dated 9-30-21, and *Supplementary Site Plan Submittal* dated 9-30-21 with a summary of revised site plan changes, a Response to Comments from the 7-22-21 PGC Associates review letter, the 7-21-21 Tetra Tech review letter, comments from the 7-27-21 public hearing, and comments from the DRC's 8-30-21 meeting,
 - **10-25-21 letter** in response to Tetra Tech review letter dated 10-20-21.
 2. **Correspondence from attorney Gareth Orsmond, on behalf of the applicant, to extend the deadline for Planning and Economic Development Board action on the site plan application**
 - 3-3-20 email granting an extension to 4-30-20
COVID – extensions
 - 6-8-21 email granting an extension to 9-30-21
 - 9-8-21 email granting an extension to 11-15-21

3. **Darren Grady, P.E., Grady Consulting, LLC**

- 1-10-20 letter in response to Tetra Tech review letter dated 12-10-19.
- 4-22-21 letter

4. **Plan Submittals**

- *Existing Conditions Plan*, dated June 12, 2019, prepared by Grady Consulting, LLC.
- *Site Plan and Landscape Plan – Medway Place*, revised February 4, 2020 prepared by Howard Stein Hudson of Chelmsford, MA. (or February 11??)
- *Site Plan and Landscape Plan – Medway Place*, revised April 22, 2021 prepared by Howard Stein Hudson of Chelmsford, MA.
- *Site Plan and Landscape Plan – Medway Place*, revised July 13, 2021 prepared by Howard Stein Hudson of Chelmsford, MA.
- *Temporary Seating Plan and Gate Detail – Medway Place*, dated April 22, 2021 prepared by Howard Stein Hudson of Chelmsford, MA
- *Temporary Seating Plan and Gate Detail – Medway Place*, revised July 13, 2021 Prepared by Howard Stein Hudson of Chelmsford, MA
- *Drainage Improvement Plan* revised March 1, 2021 by Grady Consulting, LLC of Kingston, MA
- *Site Plan for Medway Place*, dated 8-30-21, by Howard Stein Hudson including *Drainage Improvement Plan* revised 3-1-21 by Grady Consulting, LLC

5. **Administrative Site Plan Review application**

C. During the course of the Board's review, a variety of materials were submitted to the Board by its staff and other Town Boards and Committees.

- 1-22-20 email from DPW Director David D'Amico
- 2-10-20 email from Fire Chief Jeff Lynch
- 8-17-20 email from Medway Cultural Council
- 9-2-20 email from DPW Compliance Officer Stephanie Carlisle
- 11-18-20 (or 11-5-20?) email from DPW Director David D'Amico
- 5-7-21 review memorandum from Susan Affleck-Childs, Planning and Economic Development Coordinator
- 5-10-21 review memorandum from the Medway Design Review Committee
- 5-11-21 emails (2) from Fire Chief Jeff Lynch
- Collection of photos of Medway Place site conditions taken on or around 3-5-20 by PEDB member Andy Rodenhiser
- Medway DPW Conditional MS4 Stormwater Permit dated 3-27-21
- ALL documents pertaining to the Rocky's Hardware administrative site plan and outdoor display special permit
- DRC review comments . . multiple

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

- Steve Bouley, P.E. of Tetra Tech, Inc., the Town's Consulting Engineer – Site plan review letters dated 12-10-19, 1-29-20, 5-6-21, 7-21-21 and 10-20-21 and commentary throughout the public hearing process.
- Gino Carlucci, PGC Associates, the Town's Consulting Planner – Site plan review letters dated 12-5-19, 7-22-21 and 10-7-21 and commentary throughout the public hearing process.
- Sarah White, P.E. of Tetra Tech, Inc., the Town's Consulting Engineer
- Attorney Gareth Orsmond, Pierce Atwood
- Todd Wilson, Medway Realty, LLC
- Project Engineer Richard Latini, P.E., Howard Stein Hudson
- Project Engineer Michael Littman, P.E. Howard Stein Hudson
- Drainage Engineer Darren Grady, P.E., Grady Consulting LLC
- Medway DPW Director David D'Amico
- Medway DPW Compliance Officer Stephanie Carlisle

Abutter Testimony

- 2-23-21 comments from resident Lawrence Ellsworth, 148 Holliston Street
- 12-10-19 letter from attorney John Russell on behalf of Colbea LLC (Shell gas station)
- 2-23-21 verbal comments from resident Susan Rorke, 34 Ellis Street
- 2-23-21 verbal comments from residents Dave and Mendy Tarkowski, 82 Fisher Street
- 2-23-21 verbal comments from resident Janine Clifford, 42 Lincoln Street

VI. FINDINGS – The Board, at its meeting on _____, on a motion made by _____ and seconded by _____, voted to _____ the following FINDINGS regarding the site plan application for Medway Place. The motion was _____ by a vote of ____ in favor and ____ opposed.

Planning & Economic Development Board Member

Vote

Richard Di Iulio
Matthew Hayes
Andy Rodenhiser
Robert Tucker

General Findings

Site Plan Rules and Regulations Approval Criteria Findings – In making its decision, the Board shall consider the following criteria set forth in Section 204-8 F. of the *Site Plan Rules and Regulations*, as amended October 8, 2019, unless specifically waived.

1. The proposed buildings, uses and site improvements are appropriately located on the development site in relation to the terrain and the location and scale of buildings and sites features on abutting sites.

2. The construction and/or renovation of buildings and site improvements are designed to reflect or be compatible with the Medway *Design Review Guidelines*.

The proposed scope of work does not include either construction of any new building or renovation of existing buildings. The site improvements have been reviewed by the Design Review Committee which has provided comments and recommendations which have been incorporated into the site plan.

3. Building and site designs reflect the character, materials and scale of existing buildings in the vicinity as well as Master Plan goals for the area.

4. Reasonable use is made of building location, grading and landscaping and other site features to reduce the visible intrusion of structures, parking areas, and outside facilities for the storage, handling and disposal of sewage, refuse and other solid wastes resulting from the normal operation of the establishment(s) from public views or from adjacent residential properties.

5. Private drives are properly designed and constructed to serve the intended use and provide an adequate level of service in relation to the traffic to be generated by the development.

Concern about traffic flow and safety in the alley and drive aisle around the back . . .

6. Internal circulation, queuing and egress promote traffic safety, access via minor streets servicing residential areas is minimized, and traffic backing up into the public way is avoided.

The proposed parking reconfiguration improves internal circulation. Internal site circulation is improved with better organized parking for customers and employees. There

will be no backing out onto a public way. There is no access to the site from minor residential streets. MORE NEEDED HERE,

7. Convenient and adequate access for fire-fighting and emergency vehicles is provided to each structure and throughout the site.

Check on the Fire Department's review comments

8. 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 has been reviewed by the Town's Consulting Engineer and an MS4 Connection Permit has been issued by the Medway Department of Public Works to address stormwater runoff into the Town's MS4 system. As conditioned herein, erosion controls will be implemented during construction. No increase in noise is anticipated to be generated by the operation of Medway Place post-construction. No stone walls will be removed. A thoughtful landscaping plan has been provided and no existing trees will be removed. The volume of cut and fill is minimal and pertains to landscaping.

9. Pedestrian ways, access driveways, loading areas and vehicular and bicycle parking facilities are properly designed for public convenience, accessibility, and safety of customers, employees and the general public.

The reworked primary entrance and egress to the site is the major focus of this site plan project. As part of the new entry driveway, a sidewalk is provided connecting Main Street to the shopping center building. The site plan includes the installation of ___ bicycle racks (___ bikes) and ___ motorcycle parking spaces to accommodate employees and cycling customers. The rearranged parking configuration will be safer and more efficient to the driving public. ADD SOMETHING ABOUT ONE WAY TRAFFIC AROUND THE BACK OF THE BUILDING.

10. Design and construction, to the maximum extent possible, preserve and incorporate the visual prominence of the site's natural and historic features.

The Medway Place shopping plaza was established in _____, and was constructed as a typical early suburban shopping center, highly focused on parking. 95% of the site is already developed. There are no prominent natural or historic features on the site.

11. Lighting on the site complies with Section 7.1.2 of the Zoning Bylaw.

As conditioned herein (Condition ____), and prior to plan endorsement, the Applicant shall provide a lighting plan compliant with the requirements of Section ____ of the Zoning Bylaw and which shall be incorporated into the Site Plan set.

12. The proposed limit of work area is reasonable and protects sensitive environmental and/or cultural resources on the site and on adjacent parcels. The project as designed will 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. There are no sensitive environmental or cultural resources on the site as it is 95% developed. Erosion control measures are required during construction. The installation of a stormwater management system reduces the current impacts of presently untreated stormwater discharge to the Town's MS4 system and is a positive step toward protecting the community's water resources.

13. The project's impact on abutting residential neighborhoods has been adequately mitigated. Adjacent and neighboring properties are protected from nuisance and harmful effects caused by noise, traffic, noxious or harmful fumes, and the glare of headlights and other light sources generated by uses on the development.

There is an abutting residential neighborhood to the north of the center which is already screened by a fence and vegetated buffer. Those abutters were notified of the hearing and no one attended or expressed any comments or concerns. The scope of work is not anticipated to generate any additional traffic.

14. The project is compatible with the existing and potential future development of the surrounding area and with the character of adjacent residential neighborhoods.

15. Off-street loading facilities and methods for unloading vehicles, good, products, materials and equipment incidental to the normal operation of the establishment(s) to be located on the site are conveniently and safely provided while the visual intrusion thereof is appropriately screened from public view

16. The project complies with the requirements of Section 26.8 of Medway General Bylaws, ARTICLE XXVI, Stormwater Management and Land Disturbance, the Massachusetts DEP Stormwater Management Standards, and EPA's National Pollution Discharge Elimination System (NPDES) requirements.

17. The effects and impacts of the proposed use of land or structures on vehicular and pedestrian traffic, municipal services and utilities, roadways, parking, drainage, environmental quality, water resources, and the community's character, amenities and appearance have been identified and evaluated and reasonable conditions, limits, safeguards and mitigation measures are established pursuant to S. 204-8 of the *Site Plan Rules and Regulations*.

Miscellaneous Findings

1. Something about the Rocky's site plan
2. Something about scope of site plan review for a pre-existing, non-conforming use
3. Something about safety

VII. WAIVERS – At its _____ meeting, the Board, on a motion made by _____, and seconded by _____, voted to _____ waivers from the following provisions of the *Rules and Regulations for the Submission and Approval of Site Plans*, as amended October 8, 2019. The Board's action and reasons for approving 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 _____ by a vote of ____ in favor and ____ opposed.

Planning & Economic Development Board Member	Vote
---	-------------

Richard Di Iulio	
Matthew Hayes	
Andy Rodenhiser	
Robert Tucker	

SITE PLAN SUBMITTALS

Section 204-3 F. Written Development Impact Statement which shall describe the potential and anticipated impacts of the proposed development, identify all positive and adverse impacts, and propose an acceptable program to prevent, reduce or mitigate adverse impacts. The Development Impact Statement shall consist of the following four elements: traffic impact assessment, environmental impact assessment, neighborhood impact assessment, and a parking impact assessment.

The Applicant has requested a waiver from this requirement indicating that the scope of the proposed project is limited to parking lot improvements only. The impacts of the current use of the center will remain unchanged. Most of the site is already developed; no additional leasable space is proposed in conjunction with the planned site improvements. Therefore, a development impact statement is not necessary or valuable. The Board's Consulting Engineer has opined that the overall impacts of the project are minimal. For the foregoing reasons, the Board APPROVES this waiver request as being consistent with the purpose and intent of the Site Plan Rules and Regulations which will have no significant detriment to the achievement of any of the purposes of Site Plan Review and Approval.

Section 204-3 G. Stormwater Documentation

1) Post-Construction Stormwater Management Plan

2) Stormwater Drainage Report

The Applicant has requested a waiver from this requirement indicating that no land disturbance is proposed as part of the proposed project. However, the Applicant is subject to the Town's Stormwater Management Bylaw (Medway General Bylaws, Article XXVI) and has secured a conditional MS4 permit from the Medway Department of Public Works (DPW) to address the site's existing inadequate stormwater management facilities. That application underwent substantial review by the Town's Consulting Engineer before the MS4 permit was issued. Accordingly, there is no need for additional stormwater management analysis and design. For the foregoing reasons, the Board APPROVES this waiver request as being consistent with the purpose and intent of the Site Plan Rules and Regulations which will have no significant detriment to the achievement of any of the purposes of Site Plan Review and Approval.

Section 204-3 H. Construction Management Plan (CMP) which includes the proposed construction sequence, timetable, and methods for managing the construction process and minimizing the impacts of construction on public ways and to abutters.

The Applicant has requested a waiver from this requirement indicating that the proposed construction is for short duration and is limited in scope. The Board's Consulting Engineer advises that a construction management plan should be required, particularly to focus on parking during construction and methods to protect the general public from entering the work areas during construction. The work will be spread throughout the site and public safety should be prioritized. Therefore, the Board disapproves this waiver request.

NOTE – The Applicant has agreed, as a condition for site plan approval, to provide a construction management plan for review and approval by the Building Department prior to commencing construction. See Condition _____.

Section 204-3 I. Earth Removal Calculations of the estimated volume of earth materials to be removed from the site to be prepared by and show the seal of a licensed professional engineer certified to practice in the Commonwealth of Massachusetts.

The Applicant has requested a waiver from this regulation due to the limited scope of the planned site work and has indicated that the only earth removal will be a "few square feet" beneath the existing pavement to install the approved stormwater controls. Thus the regulation does not apply to the scope of work under review. The Board's Consulting Engineer has advised that the regulation is not applicable to this site due to the nature of the project and the minimal earthwork needed. For the foregoing reasons, the Board APPROVES this waiver request as being consistent with the purpose and intent of the Site Plan Rules and Regulations which will have no significant detriment to the achievement of any of the purposes of Site Plan Review and Approval.

Section 204-3 J. Earth Fill Estimates of the volume of earth materials to be brought on site prepared by and show the seal of a licensed Professional Engineers certified to practice in the Commonwealth of Massachusetts.

The Applicant has requested a waiver from this regulation as the planned work does not include any fill material except for a minimal amount to support the proposed landscaping. Thus the regulation is not applicable to the scope of work. The Board's Consulting Engineer has advised that the regulation is not applicable to this site due to the nature of the project and the minimal earthwork needed. For the foregoing reasons, the Board APPROVES this waiver request as being consistent

with the purpose and intent of the Site Plan Rules and Regulations which will have no significant detriment to the achievement of any of the purposes of Site Plan Review and Approval.

Section 204-3 K. A copy of an Order of Resource Area Delineation (ORAD) from the Medway Conservation Commission depicting the approved wetland resource affecting the proposed project or an Order of Conditions issued within the past three years, or a Determination of Applicability with a finding from the Conservation Commission that the proposed project is not within its jurisdiction.

The Applicant has requested a waiver from this regulation. The site is almost completely impervious with no wetland resources. The Board's Consulting Engineer has advised that the regulation is not applicable as jurisdictional conservation areas do not appear to be located on or around the site. For the foregoing reasons, the Board APPROVES this waiver request as being consistent with the purpose and intent of the Site Plan Rules and Regulations which will have no significant detriment to the achievement of any of the purposes of Site Plan Review and Approval.

SITE PLAN CONTENTS

1. **Section 204-5 A. Cover Sheet is required as part of the plan set.** The Cover Sheet shall include the following information: project name and address, name and address of owner, name and address of Applicant, name and address of engineer and other professional firms responsible for the plan, plan date, list of plan revision dates, project Assessor's Map and Parcel number, zoning district classification, list of request waivers from the Rules and Regulations, signature block for Board endorsement, and a complete index of drawings.

The original submittal did not include a separate Cover Sheet as the site plan at that stage was only one sheet. Over the course of the public hearing, numerous other plan sheets have been added, thus necessitating a cover sheet. Both the Board's planning and engineering consultants recommend including a cover sheet as is standard of most projects with multiple plan sheets. Accordingly, the Board disapproves this waiver request.

NOTE – With the Applicant's revised submittal on 9-30-21, the updated Site Plan dated 8-30-21 includes a Cover Sheet.

2. **Section 204-5 B1 Site Context Sheet - Locus Plan** showing the site and its boundaries in relation to all surrounding streets within two thousand feet of the perimeter of the site. The Plan shall be at a maximum scale of one inch equals one thousand feet.

The Applicant has requested a waiver from the above noted regulation indicating that a site context sheet is not needed due to the limited nature of the proposal to re-stripe the parking lot and make certain improvements to the stormwater management system. The provision of a locus plan is a commonly used, standard element of any site plan and should be incorporated into the site plan set. The Board disapproves this waiver request.

NOTE – With the Applicant's revised submittal on 9-30-21, the updated Site Plan dated 8-30-21 includes a Locus Plan on the Cover Sheet.

Section 204-5 B4 Site Context Sheet – Existing Topography at 2 foot intervals from USGS survey maps or actual land survey of the development site.

The Applicant has requested a waiver from the above noted regulation indicating that topography is shown at two foot intervals on the Drainage Improvement Plan submitted to the Medway DPW as part of the MS4 permit application. The Board disapproves the waiver request.

NOTE - The referenced Drainage Improvement Plan which depicts the two foot intervals has been incorporated into the updated Site Plan set dated 8-30-21.

3. Section 204-5 C Existing Conditions Sheets

The Applicant has requested a waiver from this regulation indicating that it does not apply to this particular situation indicating the limited nature of the proposed site work. Both the Board's consulting planner and engineer recommend the inclusion of an Existing Conditions sheet in the plan set as standard practice for most projects. It is important to understand the proposed scope of work in the context of existing conditions. Accordingly, the Board disapproves this request.

NOTE – The Applicant has provided a survey and Existing Conditions Plan as part of the Drainage Improvement Plan dated 9-7-19, last revised 3-2-21, prepared by Grady Consulting, which has been incorporated into the Site Plan set dated 8-30-21.

4. Section 204-5 D. 2) Site Grading

The Applicant has requested a waiver from this requirement indicating that site grading information is not applicable to the site as the existing grades are being maintained and no significant grading changes are proposed. The Board's Consulting Engineer has advised that proposed contours should be included on the site plan to help understand whether stormwater runoff issues will occur as a result of the proposed curb islands with curb breaks. Accordingly, the Board disapproves this request.

NOTE – With the 9-30-21 revised submittal, the Applicant has included a Grading, Drainage and Utilities Sheet in the Site Plan set dated 8-30-21. It shows existing contours and the proposed drainage modifications.

5. Section 204-5 D. 5) Erosion and Sediment Control Plan

The Applicant has requested a waiver from this requirement indicating that it is not needed as the site is 95% developed and there will be no increase in the amount of impervious surface as a result of the planned site improvements. The Applicant has noted that that Drainage Plan submitted to the Medway DPW for the MS4 permit includes an erosion and sediment control plan for that scope of work and that they will provide similar erosion and sediment controls during construction for the site plan improvements pursuant to this permit. Because very little excavation work is planned, the Applicant does not believe that an additional erosion and sedimentation control plan is necessary. The Board's Consulting Engineer has advised that a complete erosion and sediment control plan should be incorporated into the site plan set as the limits of work are spread throughout the site with potential to affect multiple drainage catchments. The excavation associated with the proposed curbing, landscaping and stormwater controls may generate sediment-laden stormwater; the existing catch basin should be protected and measures should be implemented to prevent sediment from traveling off-site. Further, the Drainage Plan (and associated erosion and sediment control plan) provided to the DPW considered only drainage improvements associated with the MS4 permit and did not address other site

drainage measures included in the site plan. Accordingly, the Board disapproves this request.

6. Section 204-5 D. 6) Post Construction Stormwater Management Plan

*The Applicant has requested a waiver from this requirement indicating that the changes to the stormwater system are limited in nature. The Applicant also notes that the Drainage Improvement Plan and Stormwater Report which have been provided to the Medway DPW for an MS4 permit adequately address this requirement. The Board's Consulting Engineer confirms that the Stormwater Report includes operations and maintenance plans for both the construction of stormwater management facilities AND the post-construction, on-going life of those facilities and may be considered to serve as a Post Construction Stormwater Management Plan for the project. **MORE NEEDED HERE***

7. Section 204-5 D. 7) Utilities Plan – All proposed utilities, mechanisms, materials and layouts for refuse and trash disposal enclosures and systems, water, electricity, gas, cable, fire hydrants, and telephone service, sewage disposal, and methods of solid waste storage and disposal (shall be shown on the plan).

The Applicant has requested a waiver from this regulation noting that there are no changes in use or changes in the layout of utilities except for what is shown on the Drainage Improvement Plan. The Board's Consulting Engineer notes that the planned site improvements include some changes in light pole locations, installation of electric vehicle charging stations, and landscaping, all of which may conflict with existing utilities. Accordingly, the Board disapproves this request.

NOTE - With the 9-30-21 revised submittal, the Applicant has included a Grading, Drainage and Utilities Sheet in the Plan set dated 8-30-21 which shows existing utility information, as well as the relocation of light poles and the electrical lines that will have to be relocated to beneath the surface to accommodate installation of electric vehicle charging stations.

8. Section 204-5 D. 8) Landscape Plan

The Applicant has requested a waiver from the requirement indicating that a landscaping plan is not needed as the scope of the proposed work is limited to parking and stormwater. The Board disagrees with this assessment believing that landscaping is an integral and much needed component to the revised parking layout at this site which will enhance the visual appearance of the property. The planned work on the parking configuration is the ideal time to add much needed landscaping on the premises. The Board disapproves this request.

NOTE – With the submittal of a revised site plan dated 8-30-21, a landscaping plan has been included in the Site Plan set. The Applicant has also provided a written Landscape Maintenance Plan.

9. Section 204-5 D. 9) Building Elevations and Architectural Plan
Section 204-5 D. 10) Color Renderings
Section 204-5 D. 11) Building Layout or Floor Plan
Section 204-5 D. 12) Entry and Exit to Structures

The Applicant has requested waivers from the above noted requirements indicating that no new structures or changes to existing structures are proposed. Therefore, these standards do not apply. For the foregoing reasons, the Board APPROVES this waiver request as being

consistent with the purpose and intent of the Site Plan Rules and Regulations which will have no significant detriment to the achievement of any of the purposes of Site Plan Review and Approval.

10. **Section 204-5 D 13) Site Amenities Details**

The Applicant has requested a waiver from this requirement indicating that the details shown on the Site Plan and Landscape Plan are adequate. In the updated version of the site plan dated 8-30-21 details for a bike rack and fence have been provided. However, other details are missing (light fixtures, trash barrels, dumpster enclosures, etc.) and should be addressed. The Board disapproves this request.

11. **Section 204-5 D 14) Master Signage Plan**

The Applicant has requested a waiver from this requirement indicating that no additional signage is included as part of this application and thus, the regulation does not apply. This is an opportune time for the Applicant to establish some standards for tenant signage in order to achieve a coordinated signage approach going forward. The Board disapproves this request.

NOTE – The Applicant has provided a master signage plan which has been reviewed by the Design Review Committee and determined to be _____.

12. **Section 204-5 D 15) Lighting Plan prepared in conformance with Section 7.1.2 of the Zoning Bylaw.**

The Applicant has requested a waiver from this requirement indicating that they are not proposing any actions that would involve additional or reduced lighting. A Lighting Plan is a requirement of the Zoning Bylaw, Section 7.1.2 and applies to lighting modifications which are a component of the proposed site improvements. The Bylaw requirements cannot be waived by the Board. The Board disapproves this request.

13. **Section 204-5 D. 16) Horizontal Sight Distances**

The Applicant has requested a waiver from this requirement indicating that the proposed work is being undertaken in response to the installation of a new traffic signal at the main Medway Place shopping plaza entrance. This design and location of this entrance was evaluated and approved by the Massachusetts Department of Transportation after extensive traffic studies. Medway Realty indicates that the proposed work will not increase traffic to the center and that the sight distance information is redundant.

QUESTION – Has the sight distance information been included on the 8-30-21 plan revision?

14. **Section 204-5 D. 17) Table Outlining Conformance with Zoning Bylaw Requirements (lot area, frontage, depth, width, setbacks, building height, lot coverages, impervious area, gross floor area, open space calculations, parking space calculations, etc.)**

The Applicant has requested a waiver from this requirement indicating that no new structures or changes to the existing structures are proposed and therefore the requirement is not applicable. The Applicant has provided a Parking Spaces summary on Sheet C1.00 of the revised site plan set dated 8-30-21 but none of the other items are addressed. The

inclusion of a table to indicate zoning compliance is a routine element of any site plan set and is considered standard practice. The preparation of this site plan is the opportune time to provide such a table. The Board disapproves this request.

15. **Section 204-5 D. 18) Locations of fire hydrants, fire lanes, etc.**

The Applicant has requested a waiver from this requirement indicating that this does not apply as there are no changes to the location of the existing fire hydrants and that the locations of fire lanes and access for equipment will remain as presently configured.

QUESTION - IS THIS INFO included on the existing conditions sheet?

16. **Section 204-5 D. 19) Information quantifying on-site generation of noise and odors**

The Applicant has requested a waiver from this requirement indicating that no new structures or changes to existing structures are proposed, no new uses are proposed, and the stormwater management structures to be installed will not generate any noise or odors. The Board's Consulting Engineer notes that this regulation does not pertain to the scope of work for this project. For the foregoing reasons, the Board APPROVES this waiver request as being consistent with the purpose and intent of the Site Plan Rules and Regulations which will have no significant detriment to the achievement of any of the purposes of Site Plan Review and Approval.

17. **Section 204-5 D. 20) Proposed off-site roadway and traffic management improvements**

The Applicant has requested a waiver from this requirement and has indicated that no new off-site roadway or traffic management improvements are proposed. The Board's Consulting Engineer notes that this regulation does not pertain to the scope of work for this project. For the foregoing reasons, the Board APPROVES this waiver request as being consistent with the purpose and intent of the Site Plan Rules and Regulations which will have no significant detriment to the achievement of any of the purposes of Site Plan Review and Approval.

VIII. APPROVAL CONDITIONS, LIMITATIONS AND SAFEGUARDS – The Board may require plan modifications, conditions, mitigation measures, limitations and safeguards which the Board finds are consistent with Town bylaws, regulations and standards. 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. The Board's approval of the site plan is subject to the following specific and general conditions.

SPECIFIC CONDITIONS OF APPROVAL

- A. **Plan Endorsement** - Within one-hundred and twenty days after the Board has filed the *Decision* with the Town Clerk, the Medway Place site plan dated August 30, 2021 prepared by Howard Stein Hudson of Chelmsford, MA which incorporates a Drainage Improvement Plan dated _____ by Grady Consulting, LLC of Kingston, MA, shall be further revised to reflect all Conditions specified herein and required revisions and additions, including those as follows, 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 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 August 30, 2021 site plan shall be revised to include:
1. List of approved waivers from the *Site Plan Rules and Regulations*.
 2. Revised plan date.
 3. Lines for the decision date and plan endorsement date with the signature box.
 4. Updated index of site plan sheets to include a photometric plan
 5. References to the Master Signage Plan and Landscape Maintenance Plan
- C. **Other Plan Revisions** – Prior to plan endorsement, the following plan revisions shall be made to the 8-30-21 site plan set for review by the Board’s Consulting Engineer and approval by the Board. Revisions can be made to the drawings or details and/or include revised notes. Additional details or drawings may also be added to the plan set.
1. Lighting Plan. A photometric lighting plan shall be added to the site plan set showing site lighting compliant with Section 7.1.2 of the *Zoning Bylaw*.
 2. The marked parking spaces located along the northern edge of the property, behind the center’s buildings, shall be specifically designated for employee parking.
 3. A drawing for a standard dumpster enclosure shall be submitted for the Board’s approval and a detail for such shall be included on the site plan. Such enclosures shall be fabricated with non-glossy material, shall resemble wood, be of a natural wood color, and be of a height to fully shield the view of the enclosed dumpsters and recycling containers. Chain link fencing with plastic slats is prohibited.
 4. Traffic Flow Pattern – The traffic pattern pavement arrows shall be revised to show one-way traffic west to east across the back of the buildings.
 5. Pedestrian Access between Medway Place and Drybridge Crossing – Something, to be approved by the Board prior to endorsement
 6. The pavement markings for the back parking area behind PJ’s as shown on the plan are shown as existing conditions. That is not an accurate depiction. The reflective of existing conditions or proposed? Needs to be clearer.
 7. The plan shall be revised to include the actual location of the irrigation well and the planned landscaping to screen the irrigation well shall be included on the Planting Plan (Sheet C3.00).
 8. Add a pedestrian ramp in front of Ocean State Job Lot.
 - 9.
 - 10.
 - 11.

12.

13.

D. **Use Limitations**

1. Outdoor Storage – Pursuant to Section 5.4, Table 1: Schedule of Uses of the Zoning Bylaw, no Outdoor Storage of materials associated with a business operating the Medway Place shopping plaza is permitted.
2. Outdoor Display – Pursuant to Section 5.4, Table 1: Schedule of Uses of the Zoning Bylaw, the Outdoor Display of good and products sold by a business establishment operating in the Medway Plaza outside display building on the premises is allowed only by special permit.

E. **Traffic Pattern**

1. Use of the alley/driveway between New England Cabinetry and MG Salon & Spa shall be one-way only (northbound) for vehicular traffic. Exiting traffic out of this drive aisle to the front of the buildings is prohibited.
2. The drive aisle starting at the western end of the building (Ocean State Job Lot) running behind the buildings and concluding at the eastern end of the building (Rocky's Hardware) shall be one-way west to east.

F. **Pedestrian Access** – The Permittee shall provide a safe means for pedestrian access between Medway Place and the adjacent Drybridge Crossing, the location of which shall be approved by the Board prior to plan endorsement and the plan shall be revised to depict such pedestrian connection.

G. **Trash Dumpsters** – Something about dumpster enclosures and consolidation as leases come up; new requirements for new tenants. Provide a drawing for a standard dumpster enclosure and add to the detail sheets. Applicant should come up with a master plan for how to transition including specific parameters for locations.

H. **Lighting** – Site lighting shall comply with Section __ of the Zoning Bylaw which applies to lighting modifications as well as new installations.

I. **Parking** – The marked parking spaces located along the northern edge of the site shall be designated for employee parking.

J. **Parking Lot Paving** – What do you want to say about this? 5 years to complete?

K. **Electric Vehicle Charging Stations** – Something about using the highest level technology available at the time. Before installation of the EVC stations, the Permittee shall secure the Board's approval for the particular model of EVC device to be installed.

L. **Master Signage Plan** – Shall be used by the Permittee and may be adjusted by action of the PEDB without a public hearing.

M. **Food Trucks/landscaping/barriers** – Come back to the Board for a modification at a public meeting.

N. **Construction Schedule and Construction Management Plan**

O. **Landscape Maintenance**

1. Refer to the submitted Landscape Maintenance Plan
2. 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.
3. Within 60 days after two years after the Board certifies project completion, the Town's Consulting Engineer or the Building Commissioner may inspect the landscaping to determine whether and which landscape items need replacement or removal and provide a report to the Board. At any time, subsequent to this initial inspection, the Town's Consulting Engineer or the Building Commissioner may conduct further inspections of the landscaping to determine whether and which landscaping items need replacement or removal and provide a report to the Board. The Board may seek enforcement remedies with the Building Commissioner/Zoning Enforcement Officer to ensure that the comprehensive landscaping plan is maintained.

P. **Performance Security –**

- Q. **Project Completion** - Site plan approval shall lapse after two years of the grant thereof if substantial use has not commenced except for good cause. Except for the installation of the electric vehicle charging stations, the work shown on the approved site plan shall be completed by the Permittee or its assignees within ____ years of the date of plan endorsement. The electric vehicle charging stations shall be installed by _____. Upon receipt of a written request from the Permittee filed at least thirty days prior to the date of expiration, the Board may grant an extension for good cause. The request shall state the reasons for the extension and also the length of time requested. If no request for extension is filed and approved, the site plan approval shall lapse and may be reestablished only after a new filing, hearing and decision.

R.

S.

T.

GENERAL CONDITIONS OF APPROVAL

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

1. the balance of any outstanding plan review fees owed to the Town for review of the site plan by the Town's engineering, planning or other consultants; and
2. any construction inspection fee that may be required by the Board; and

3. any other outstanding expenses or obligations due the Town of Medway pertaining to this property, including real estate and personal property taxes business licenses, water/sewer bills, etc.

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

- B. **Other Permits** – This decision does not relieve the Permittee from its responsibility to obtain, pay and comply with all other required federal, state and Town permits. The contractor for the Permittee or assigns shall obtain, pay and comply with all other required Town permits.
- C. **Document/Plan Recording** – The Permittee shall file this decision and endorsed plan with the Norfolk County Registry of Deeds. Within thirty days of recording, the Permittee or assign shall provide the Board and the Building Commissioner with evidence of such recording.
- D. **Restrictions on Construction Activities** – During construction, all local, state and federal laws shall be followed regarding noise, vibration, dust and blocking of Town roads. The Permittee and its contractors shall at all times use all reasonable means to minimize inconvenience to abutters and residents in the general area. The following specific restrictions on construction activity shall apply.
 1. *Construction Time* - Construction work at the site and 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 Building Commissioner.
 2. *Neighborhood Relations* – The Permittee 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 Permittee shall take all measures necessary to ensure that no excessive dust leaves the premises during construction including use of water spray to wet down dusty surfaces.
 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 Permittee shall be responsible for all clean-up of the roadway which shall occur as soon as possible and in any event within twelve hours of its occurrence.
 5. The Permittee 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 Permittee 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/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 *Bylaw*, SECTION V. USE REGULATIONS, Sub-Section B. Area Standards, Paragraph 2. b).

- E. ***Snow Storage and Removal*** - Locations for on-site snow storage are shown on the plan. Accumulated snow which exceeds the capacity of the designated on-site snow storage areas shall not be placed to encroach upon, nor prohibit the use of, any parking spaces or drive aisles. Any such snow that cannot be accommodated on site in the designated snow storage areas shall be removed from the premises within 24 hours after the conclusion of the storm event.

F. ***Construction Oversight***

1. Construction Account

- a) Inspection of infrastructure and utility construction, installation of site amenities including landscaping, and the review of legal documents by Town Counsel is required. Prior to plan endorsement, the Permittee shall establish a construction account with the Board. The funds may be used at the Board's discretion to retain professional outside consultants to perform the items listed above as well as the following other tasks - inspect the site during construction/installation, identify what site plan work remains to be completed, prepare a bond estimate, conduct other reasonable inspections until the site work is completed and determined to be satisfactory, review as-built plans, and advise the Board as it prepares to issue a *Certificate of Site Plan Completion*.
 - b) Prior to plan endorsement, the Permittee shall pay an advance toward the cost of these services to the Town of Medway. The advance amount shall be determined by the Board based on an estimate provided by the Town's Consulting Engineer.
 - c) Depending on the scope of professional outside consultant assistance that the Board may need, the Permittee shall provide supplemental payments to the project's construction inspection account, upon invoice from the Board.
 - d) Any funds remaining in the Permittee's construction inspection account after the *Certificate of Site Plan Completion* is issued shall be returned to the Permittee.
2. Board members, its staff, consultants or other designated Town agents and staff shall have the right to inspect the site at any time during construction, for compliance with the endorsed site plan and the provisions of this *Decision*.
3. If applicable, the Department of Public Works may conduct inspections for any construction work occurring in the Town's right-of way in conjunction with a Town of Medway Street Opening/Roadway Access Permit.
4. The Permittee 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.

G. On-Site Field Changes

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

H. Modification of Plan and/or Decision

1. Proposed modifications, not including on-site field changes, to the *Decision* or endorsed plan shall be subject to review by the Board.
2. 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 Board for review as site plan modifications.
3. Any work that deviates from the approved site plan or this *Decision* shall be a violation of the *Bylaw*, unless the Permittee requests approval of a plan modification pursuant to Section 3.5.2.A.3.c. and such approval is provided in writing by the Board.
4. The request for a modification to a previously approved site plan shall be subject to the same application and review process including a public hearing. Whenever additional reviews by the Board, its staff or consultants are necessary due to proposed site plan modifications, the Permittee shall be billed and be responsible for all supplemental costs including filing fees, plan review fees and all costs associated with another public hearing including legal notice and abutter notification. If the proposed revisions affect only specific limited aspects of the site, the Board may reduce the scope of the required review and waive part of the filing and review fees.
5. The Board shall issue a modification decision, file such with the Town Clerk, and provide copies to the Building Commissioner and other Town officials and the Permittee. Any modification approved by the Board shall be made a permanent part of the approved site plan project documents and shall be shown on the final as-built plan.

I. **Compliance with Plan and Decision**

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

J. **Project Completion Requirements**

1. Prior to project completion, the Permittee shall request a ***Certificate of Site Plan Completion*** from the Board. The ***Certificate*** serves as the Board's confirmation that the completed work conforms to the approved site plan and any conditions and modifications thereto, including the construction of any required on and off-site improvements. The ***Certificate*** also serves to release any security/performance guarantee that has been provided to the Town of Medway. To secure a ***Certificate*** of Site Plan Completion, the Permittee shall:
 - a) provide the Board with written certification from a Professional Engineer registered in the Commonwealth of Massachusetts that all 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 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 As-Built Plan shall also show all utilities found during the construction process. The final As-Built Plan shall also be provided to the Town in CAD/GIS file format per MASS GIS specifications.

K. **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.

L. **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 Bylaw, the Bylaw shall apply.

IX. APPEAL – The Board and the Applicant have complied with all statutory requirements for the issuance of this *Decision* on the terms set forth herein. A copy of this *Decision* will be filed with the Medway Town Clerk and mailed to the Applicant/Permittee and notice will be mailed to all parties in interest as provided in G.L. c. 40A §15.

Any person aggrieved by the *Decision* of the Board may appeal to the appropriate court pursuant to Massachusetts General Laws, Chapter 40A, §17, and shall be filed within twenty days after the filing of this *Decision* in the office of the Medway Town Clerk.

###

DRAFT

Decision Date: _____

AYE:

NAY:

Signature *Printed Name*

Signature *Printed Name*

Signature *Printed Name*

Signature *Printed Name*

Signature *Printed Name*

COPIES TO: Michael Boynton, Town Administrator
Bridget Graziano, Conservation Agent
Donna Greenwood, Assessor
Beth Hallal, Health Agent
Jeff Lynch, Fire Chief
Jack Mee, Building Commissioner and Zoning Enforcement Officer
Pete Pelletier, DPW Director
Joanne Russo, Treasurer/Collector
Barbara Saint Andre, Director of Community and Economic Development
Jeff Watson, Police Department Safety Officer
Gareth Orsmond, Pierce Atwood
Steven Bouley, Tetra Tech
Gino Carlucci, PGC Associates

Gareth I. Orsmond

100 Summer Street, 22nd Floor
Boston, MA 02110

617.488.8181 voice
617.824.2020 fax
gorsmond@pierceatwood.com
www.pierceatwood.com

Admitted in: MA, NH

November 8, 2021

By Electronic Mail

Town of Medway Planning and Economic Development Board
c/o Susan Affleck Childs, Planning and Economic Development Coordinator
Town Hall
155 Village Street
Medway, MA 02053

Re: Medway Place, 98, 108, 114 Main Street, Medway, Massachusetts
Application for Major Site Plan Review

Dear Chairman Rodenhiser and Board Members:

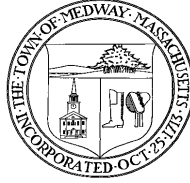
Medway Realty LLC hereby grants the Planning and Economic Development Board an extension of the 90-day deadline for the Board's action on the above-referenced application for major site plan review. Unless Medway Realty agrees to an additional extension in writing, the extension period shall end at 5:00 p.m. Boston time on December 3, 2021.

Very truly yours,



Gareth I. Orsmond

GIO/smg



November 9, 2021

**Medway Planning & Economic Development Board
Meeting**

Zoning Bylaw Amendments
Public Hearing Continuation

- 11-4-21 notice to continue the zoning bylaw amendments public hearing to 11-9-21
- Revised West Industrial Zoning article as discussed at the 11-2-21 hearing
- Published warrant dated 11-1-21 for the 11-15-21 town meeting. It is also available online.

https://www.townofmedway.org/sites/g/files/vyhlf866/f/uploads/warrant_ftm_final_4.pdf

NOTE – The Select Board is meeting Monday, 11-8-21 to finalize its recommendations on Article 9 (Environmental Standards) and Article 13 (West Industrial District Construction Equipment Sales/Rental, etc.) Andy Rodenhiser and Susy Affleck-Childs will attend. The Board's noise consultant Jeff Komrower is lined up to be available via speaker phone to answer questions that Select Board members may have about the noise provisions of Article 9.

ALSO, Barbara Saint Andre has advised that the Board's edits to Article 13 can be incorporated into the motion to be offered by FinCom. This will avoid Andy having to offer the edits from the floor of town meeting.

Board Members

Andy Rodenhiser, Chair
Robert Tucker, Vice Chair
Richard Di Iulio, Clerk
Jessica Chabot, Member
Matthew Hayes, P.E., Member
Thomas Gay, Associate
Member



Medway Town Hall
155 Village Street
Medway, MA 02053
Phone (508) 533-3291
Fax (508) 321-4987
Email: planningboard@townofmedway.org
www.townofmedway.org

TOWN OF MEDWAY

COMMONWEALTH OF MASSACHUSETTS

PLANNING AND ECONOMIC DEVELOPMENT BOARD

MEMORANDUM

November 4, 2021

TO: Stefany Ohannesian, Town Clerk
Town of Medway Departments, Boards and Committees
FROM: Susy Affleck-Childs, Planning and Economic Development Coordinator
RE: ***Public Hearing Continuation for Proposed Amendments to the Medway Zoning bylaw***

Continuation Date – Tuesday, November 9, 2021 at 9:00 p.m.

At its November 2, 2021 meeting, the Planning and Economic Development Board voted to continue the public hearing on proposed amendments to the Medway Zoning Bylaw to the next Board meeting on Tuesday, November 9, 2021 at 9:00 p.m. The amendments are to be considered at the November 15, 2021 Town Meeting.

Information on the proposed Zoning Bylaw amendments is available at:
<https://www.townofmedway.org/planning-economic-development-board/pages/11-15-2021-town-meeting-proposed-zoning-bylaw-amendments>

Please don't hesitate to contact me if you have any questions.

DRAFT Proposed Zoning Bylaw Amendment – Construction equipment sales and leasing
Suggested edits by bjs 11-2-21 as further revised by the PEDB at the 11-2-21 hearing

ARTICLE 13: To see if the Town will vote to amend the Zoning Bylaw as follows:

By adding a new definition in SECTION II – Definitions as follows:

Construction Equipment/Machinery Sales, Leasing or Rentals - A facility that sells, leases, or rents any new or used construction equipment, machinery or device designed and intended for use in construction or material handling including but not limited to air compressors, air tracks, backhoes, bulldozers, compactors and rollers, cranes, derricks, ditchers, excavators, generators, graders, loaders, lulls, off-highway haulers, pavers, pile drivers, scrapers, tractors, trenchers and other material handling equipment. ~~This use may include~~ The maintenance and repair ~~only~~ of equipment, machinery or devices owned ~~or warrantied~~ by the establishment may be allowed, but no maintenance or repair may be performed on any equipment, machinery or devices that are not owned or warrantied by the establishment.

And by amending Table 1 in Section 5.4 Schedule of Uses by adding Construction Equipment/Machinery Sales, Leasing or Rentals (subject to Section 7.1.3 Outdoor Storage) as a use in E. Industrial and Related Uses to be allowed by special permit only in the West Industrial Zoning District with the Planning and Economic Development Board serving as the special permit granting authority.

TABLE 1: SCHEDULE OF USES

	AR-I	AR-II	VR	CB	VC	NC	BI	EI	ER	WI	Form-Based Districts		
											OG VC	OG BP	OG N
E. INDUSTRIAL AND RELATED USES													
Construction Equipment/Machinery Sales, Leasing or Rentals (Subject to Section 7.1.3 Outdoor Storage)	N	N	N	N	N	N	N	N	N	PB	N	N	N

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

**TOWN OF MEDWAY
WARRANT FOR 2021
FALL TOWN MEETING**

NORFOLK ss:

To either of the Constables of the Town of Medway

GREETING:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of said Town who are qualified to vote in Town affairs to meet at the Medway High School Auditorium, 88 Summer Street, on Monday, November 15, 2021, at 7:00 PM, then and there to act on the following articles:

ARTICLE 1: (Prior Year Bills)

To see if the Town will vote to transfer \$2,461 from the Fiscal Year 2022 Sewer Consulting Services Account, \$232.40 from the Fiscal Year 2022 Water Repair and Maintenance Roadwork Account, \$232.40 from the Fiscal Year 2022 Sewer Contracted Services Account, \$207 from the Fiscal Year 2022 Water Testing Account, \$650 from the Fiscal Year 2022 Communications Department professional/ technical account, and \$211.88 from the Fiscal Year 2022 Police Department vehicle account for the purpose of paying prior year, unpaid bills of the Town, or act in any manner relating thereto.

SELECT BOARD

SELECT BOARD RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 2: (Transfer to Fire Dept. Budget)

To see if the Town will vote to appropriate the sum of \$91,119 to the Fiscal Year 2022 Fire Department budget, and to meet this appropriation \$43,877 shall be transferred from the Fiscal Year 2022 Salary Reserve account, and \$47,242 shall be transferred from the EMS Ambulance Revenue account, or act in any manner relating thereto.

SELECT BOARD

SELECT BOARD RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 3: (Free Cash Transfer to Facility Stabilization Fund)

To see if the Town will vote to transfer a sum of money from Certified Free Cash to the Facility Stabilization Fund, or act in any manner relating thereto.

SELECT BOARD

SELECT BOARD RECOMMENDATION:

Approve

FINANCE COMMITTEE RECOMMENDATION:

To Be Determined

ARTICLE 4: (Free Cash Transfer: Capital Items)

To see if the Town will vote to transfer \$81,000 from Certified Free Cash for the purpose of purchasing the following capital items, and for the payment of all other costs incidental or related thereto:

Project	Department	Cost
Voting Machines	Town Clerk	\$25,000
Portable Baseball Field Fence and Storage	Parks and Recreation	\$25,000
Security Cameras (Various Locations)	Information Services	\$31,000
	Total	\$81,000

Or act in any manner relating thereto.

SELECT BOARD

SELECT BOARD RECOMMENDATION:

Approve

FINANCE COMMITTEE RECOMMENDATION:

To Be Determined

ARTICLE 5: (Free Cash Transfer: Athletic Field Stabilization Fund)

To see if the Town will vote to transfer \$93,100 from Certified Free Cash to the Athletic Field Stabilization Fund, or act in any manner relating thereto.

FINANCE COMMITTEE

SELECT BOARD RECOMMENDATION:

Approve

FINANCE COMMITTEE RECOMMENDATION:

Approve

ARTICLE 6: (Free Cash Transfer: BESS Study)

To see if the Town will vote to transfer \$100,000 from Certified Free Cash for the purpose of funding the services of consultants and other experts as may be necessary to provide information on all aspects of the operation, safety, security and technology of Battery Energy Storage Systems (BESS), as well as the potential economic impacts of a BESS facility and recommendations for zoning bylaw amendments, as voted by May 10, 2021 Annual Town Meeting, and further to authorize contracts therefor for terms in excess of three years, or act in any manner relating thereto.

SELECT BOARD

SELECT BOARD RECOMMENDATION:

Approve

FINANCE COMMITTEE RECOMMENDATION:

Approve

ARTICLE 7: (Transfer CPA Funds: 1964 Firetruck Restoration)

To see if the Town will vote to transfer \$295,000 from Community Preservation Fund Historic Reserves for the purpose of restoring a 1964 Maxim fire pumper and a storage shed for its shelter, or act in any manner relating thereto.

SELECT BOARD

SELECT BOARD RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 8: (Transfer CPA Funds: Construct Accessible Trail, viewing platform, and associated parking)

To see if the Town will vote to transfer \$65,000 from Community Preservation Fund Open Space Reserves for the purpose of designing and constructing a one-quarter mile ADA-accessible loop trail with a viewing platform, parking, benches, and associated amenities as an addition to the existing Adams Street Meadow trail, or act in any manner relating thereto.

SELECT BOARD

SELECT BOARD RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 9: (Amend Zoning Bylaw: Environmental Standards)

To see if the Town will vote to amend the Zoning Bylaw, Section 7.3 Environmental Standards, by deleting it in its entirety and replacing it as follows:

7.3. ENVIRONMENTAL STANDARDS

- A. **Purpose.** The intent of this section is to provide standards for uses which, by their operation, may generate impacts that are potentially hazardous, harmful to the environment, disturbing, offensive or objectionable.
- B. **Enforcement:** The Zoning Bylaw, § 3.1, Enforcement, Violations, and Penalties authorizes the Building Commissioner, or designee, to interpret and enforce the Bylaw. At the discretion of the Building Commissioner, a technical consultant may be engaged by the Town of Medway to investigate and document violations pursuant to this section.
- C. **Definitions:** For purposes of this section of the Bylaw, the following terms shall be defined as follows:

Air Pollution: The presence in the ambient air space of one or more air contaminants or combinations thereof in such concentrations and of such duration as to: (a) cause a nuisance; (b) be injurious, or be on the basis of current information, potentially injurious to human health or animal life, to vegetation, or to property; or (c) unreasonably interfere with the comfortable enjoyment of life and property or the conduct of business.

Ambient Noise: The sound pressure level at a given location produced by everything else excluding the source of sound being monitored, analyzed, or evaluated. Also referred to as background noise. Ambient noise includes environmental noises from sources such as traffic, aircraft, waves, alarms, animals or noise from existing mechanical devices such as air conditioning, power supplies, or motors that are present prior to introduction of a new intrusive sound source that is being evaluated. The measurement metric to determine ambient noise levels will be the A-weighted L_{90} sound level.

Commercial Zones: Properties located in the Central Business, Village Commercial, Neighborhood Commercial, Oak Grove Village Center, or Oak Grove Business Park zoning districts as shown on the Medway Zoning Map

Continuous Noise: Noise including but not limited to noise generated by machinery that keeps running without interruption including, but not limited to heating or ventilation systems, factory equipment, or engine noise.

(Hz) Hertz: A unit for measuring the number of cycles that occur in a second. In this standard, Hz will be referring to sound waves.

(dB) Decibel: A logarithmic (dimensionless) measure used in describing the amplitude of sound.

(dBA) A-weighted decibel: An expression of the relative loudness of sound in the air as perceived by the human ear.

Detection Threshold: The lowest concentration or intensity of noise, odor, vibration, or other environmental hazard regulated by this bylaw that is noticeable to a reasonable person with normal sensory sensitivities.

Disturbing, offensive or objectionable odors: Those which are at or above the detection threshold of a person with normal olfactory sensitivity.

Industrial Zones: Properties located in the East Industrial, West Industrial, Business/Industrial, or Energy Resource zoning districts as shown on the Medway Zoning Map

L_{90} Sound Level: The A-weighted sound level that is exceeded ninety percent (90%) of the time during a measurement period.

Noise: Sound of sufficient intensity and/or duration as to cause a condition of air pollution. Noise which complies with subsection D.2 herein shall not be deemed to cause a condition of air pollution.

Noise Level: The frequency weighted sound pressure level as measured with a sound level meter or equivalent device using the A-weighting network. This level is designated dBA.

Octave Band: A frequency band where the highest frequency is twice the lowest frequency.

One-third Octave Band (TOB): A frequency band where the highest frequency is 1.26 times the lowest frequency.

Odor Plume: The cloud of odor created when odor molecules are released from their source and are expanded through air movement.

Prominent Discrete Tone: The presence of acoustic energy concentrated in a narrow frequency range, including, but not limited to, an audible tone, which produces a one-third octave sound pressure level greater than that of either adjacent one-third octave and which exceeds the arithmetic average of the two adjacent one-third octave band levels by an amount greater than shown in the following table opposite the center of frequency for the one-third octave band containing the concentration of acoustical energy.

1/3 Octave Band Center Frequency (Hz)	dB		1/3 Octave Band Center Frequency (Hz)	dB
100	16		1250	4
125	14		1600	4
160	12		2000	3
200	11		2500	3
250	9		3150	3
315	8		4000	3
400	7		5000	4
500	6		6300	4
630	6		8000	5
800	5		10000	6
1000	4			

Residential Zones: Properties located in the Agricultural-I, Agricultural-II, Village Residential, or Oak Grove Neighborhood zoning districts as shown on the Medway Zoning Map

Sensitive Receptor: An occupied residence or facility whose occupants are more susceptible to the adverse effects of noise and odor including but not limited to hospitals, schools, daycare facilities, elderly housing, and convalescent facilities.

D. **Standards.** The following standards shall apply to all zoning districts.

1. **Smoke, Fly Ash, Dust, Fumes, Vapors, Gases, Other Forms of Air Pollution:** All activities involving smoke, fly ash, dust, fumes, vapors, gases, other forms of air pollution, as defined in CMR 310, § 7, Air Pollution Control Regulations, as amended, which can cause damage to human health, to animals or vegetation, or other forms of property, or which cause any excessive soiling at any point are prohibited.
2. **Noise Disturbance:** The Building Commissioner may determine that a noise source is subject to investigation, and if it is determined to be in violation of this bylaw, may take appropriate enforcement action, including the issuance of orders requiring the development and implementation of corrective measures, and/or imposition of fines or non-criminal penalties.
 - a. **Standards.** No person or persons owning, leasing or controlling the operation of any source or sources of noise shall produce disturbing, offensive or objectionable noises in any zoning district or impact any space where people live, work or assemble in a way that unreasonable interferes with the comfortable enjoyment of life or the use of property.
 - 1) **Continuous Noise.** For the purposes of this bylaw, continuous noise restrictions apply to permanent non-residential uses and home-based businesses where noise is a by-product of business operations (such as from exhaust equipment). Maximum permissible sound pressure levels measured at the property line of the noise source shall not exceed the values specified in the tables below. In addition, maximum permissible sound levels

measured at Sensitive Receptors positioned anywhere on a property that is wholly or partially located within two-thousand feet of the property line of the source of continuously radiated noise shall not exceed the values in the tables below. In the calculation of day-evening-night levels (known as L_{den}), Daytime is defined as between the hours of 7:00 a.m. and 7:00 p.m.; Evening is defined as between the hours of 7:00 p.m. and 11:00 p.m.; and Nighttime is defined as between the hours of 11:00 p.m. and 7:00 a.m.¹ These time periods will be used to determine compliance as per the tables below.

Industrial Zoned Property to Industrial Zoned Property

	Daytime 7:00 a.m. – 7:00 p.m. @ Property Line	Evening 7:00 pm – 11:00 pm @ Property Line	Nighttime 11:00 p.m. – 7:00 a.m. @ Property Line
Overall Level (dBA)	55	55	55

Industrial or Commercial Zoned Property to Commercial Zoned Property

	Daytime 7:00 a.m. – 7:00 p.m. @ Property Line	Evening 7:00 p.m. – 11:00 p.m. @ Property Line	Nighttime 11:00 p.m. – 7:00 a.m. @ Property Line
Overall Level (dBA)	50	50	50

Industrial or Commercial Zoned Property to Residential Zoned Property

- The introduction of any potential new noise sources cannot result in an increase in broadband sound pressure levels of more than 2 dB above the existing ambient conditions at the nearest residential property line or any Sensitive Receptor; and
- The introduction of any potential noise sources cannot result in overall noise levels that exceed the following:

	Daytime 7:00 a.m. – 7:00 p.m. @ any Residential Property Line	Evening 7:00 pm – 11:00 pm @ any Residential Property Line	Nighttime 11:00 p.m. – 7:00 a.m. @ any Residential Property Line	Evening & Nighttime 7:00 p.m. – 7:00 a.m. @ Sensitive Receptors

¹ Directive 2002/49/EC of the European Parliament and Council of the European Union, 25-June-2002

Maximum Overall Noise Level (dBA)	47	45	42	32
-----------------------------------	----	----	----	----

- 2) **Tonal Requirements** – The presence of prominent discrete tones, as defined in Section 7.3 (c) herein at any industrial, commercial or residential property line shall be considered a violation.
- 3) **Temporary Noise.** For the purposes of this bylaw, non-continuous noise restrictions apply to permanent non-residential installations and home-based businesses where noise is periodically produced. No person shall use or cause the use of any noise-producing equipment or tool (such as for construction, repair, demolition operations or equipment testing such as for emergency generators) between the hours of 7:00 p.m. and 7:00 a.m.
- 4) **Construction Noise.** Work at construction sites and in the operation of construction equipment including start-up and movement of trucks, vehicles, and machines shall commence no earlier than 7:00 a.m. and shall cease no later than 7:00 p.m., Monday through Saturday. No construction shall take place on Sundays, federal holidays or state legal holidays without the advance written approval of the Building Commissioner.

Advisory Note – State regulations authorize municipal police departments, fire departments, and board of health officials to enforce noise standards that are based on certain sections of 310 Code of Massachusetts Regulations (CMR), § 7, Air Pollution Control Regulations. Such regulations are distinct and separate from the Town’s zoning regulations for noise.

- b. **Investigation.** The Building Commissioner may determine that a noise source is subject to investigation, and, if it is determined to be in violation of this bylaw, may take appropriate enforcement action, including the issuance of orders requiring the development and implementation of corrective measures, and/or imposition of fines or non-criminal penalties. If the Building Commissioner determines that an investigation is warranted, he or she or a designee, may undertake a noise study to determine if a non-compliant noise condition exists. The Building Commissioner may enlist the assistance of other Town personnel for the investigation. At the discretion of the Building Commissioner, a qualified acoustical consultant whose qualifications include Institute of Noise Control Engineering (INCE) board certification or equivalent experience may be engaged by the Town to assist in the investigation including measurements and documentation of violations. Depending on the particular site and its noise generators, the noise study may include measurements of:
 - Ambient noise (Daytime, Evening, and Nighttime) and
 - Operational noise levels (Daytime, Evening, and Nighttime) at the facility property line and at Sensitive Receptors located anywhere on a property that is wholly or partially located within two thousand feet of the facility property line. These operational measurements may include one-third octave band measurements to check for the prominent discrete tone condition as defined in Section 7.3(c).
- c. **Noise Control, Abatement and Mitigation Plan.**
 - 1) If the Building Commissioner determines that there is a violation, he or she shall order the owner or operator to come into compliance. The owner and/or operator of the noise producing use shall provide a noise control, abatement and mitigation plan to the Building Commissioner for review and approval, or otherwise bring the property into compliance with this bylaw and the order of the Building Commissioner. The plan shall address how the site will become compliant. Compliance shall be achieved through industry best practices and suitable mitigation measures. The plan shall be prepared by a qualified acoustical consultant whose qualifications include Institute of Noise Control Engineering (INCE) board certification or equivalent experience.
 - 2) Special permit and site plan applicants for facilities that could potentially introduce noise may be required to conduct a background noise survey over a minimum of a 7-day period

to establish noise levels at the nearest residential property lines and at the property line of any Sensitive Receptor located within 2,000 feet of the subject property for conditions at the time of application. The applicant shall make a good faith effort to secure permission from the owners of such noted properties to install the sound monitoring equipment and to provide documentation of such efforts as part of the noise survey report. The sound monitoring is to be conducted by a qualified professional acoustic testing firm, in accordance with the procedures in with the most current versions of American National Standards ANSI S12.18² and ANSI/ASA S3/SC1.100-2014/ANSI/ASA S12.100-2014³. Sound analyzers used for the background noise monitoring should be capable of collecting 10-minute and hourly L₉₀ sound levels. Background noise levels will be determined by monitoring noise levels for at least seven days. For each hour of the day, the hourly L₉₀ levels measured on every day of the monitoring period will be arithmetically averaged to determine a single L₉₀ average for each of the 24 hours of the day. The background noise level for Daytime, Evening and Nighttime periods will then be determined by taking the lowest averaged hourly L₉₀ value found in each of these time periods. The 10-minute L₉₀ sound levels will be used to determine if any unusual activity occurred during that hour. If so, that hourly measurement will be discarded and not included in the average calculation.

- 3) If a special permit or site plan approval is required for construction or operation of any facility which could introduce noise sources into the community, once background ambient noise levels are established, an applicant may be required submit a noise control, abatement and mitigation plan during the permitting process to demonstrate that the noise levels as specified above will not be exceeded.
- 4) A noise control, abatement and mitigation plan shall use established acoustical prediction procedures and should predict noise levels at property lines as well as Sensitive Receptors. The noise control, abatement and mitigation plan shall include the concept of “buy quiet”, which means using the quietest equipment that will meet operational requirements. The practice of using the Best Available Control Technology (BACT) shall also be employed to assure that any equipment being installed is as quiet as possible. The potential existence of prominent discrete tones as defined above shall also be evaluated and addressed.
- d. **Corrective Measures.** Non-residential uses that produce non-compliant noise must install and maintain noise reducing equipment in accordance with the approved noise control plan to meet the requirements of this section. The Building Commissioner may require the provision of reports to document ongoing noise compliance.
- e. **Continued Noise Compliance.** Should it be determined that a facility goes out of compliance and exceeds any allowable noise limit conditions (e.g. due to equipment wear), corrective action will be required to bring the facility back into compliance which could include, but not be limited to, equipment replacement or additional mitigation steps.
3. **Vibration:** No vibration which is discernible to the human sense of feeling for three minutes or more in any hour between 7:00 a.m. and 7:00 p.m. or for thirty seconds or more in any one hour from 7:00 p.m. to 7:00 a.m. shall be permitted. No vibration at any time shall produce an

² Acoustical Society of America, American National Standard ANSI S12.18-1994 (R2009), “Procedures for Outdoor Measurement of Sound Pressure Level,” reaffirmed by ANSI June 15, 2009. Reference is to Method #1: General method for routine measurements.

³ Acoustical Society of America, American National Standard ANSI/ASA S3/SC1.100-2014/ANSI/ASA S12.100-2014. Methods to Define and Measure the Residual Sound in Protected Natural and Quiet Residential Areas
<https://webstore.ansi.org/standards/asa/ansiasas3sc11002014s12>

acceleration of more than 0.1g or shall result in any combination of amplitude and frequencies beyond the "safe" range on the most recent edition of Table 7, U.S. Bureau of Mines Bulletin NO. 442 (U.S. Department of the Interior).

4. **Odors:** The Building Commissioner may determine that an odor is disturbing, offensive or objectionable and is subject to investigation, and, if it is determined to be in violation of this bylaw, may take appropriate enforcement action, including the issuance of orders requiring the development and implementation of corrective measures, and/or the imposition of fines and non-criminal penalties.
 - a. **Standards** – Disturbing, offensive or objectionable odors as defined in Paragraph C. shall not be produced in any zoning district or impact any space where people live, work or assemble in a way that unreasonably interferes with the comfortable enjoyment of life or the use of property. Failure to meet either the Reasonableness Standard or the Measurement Standard listed below shall constitute a violation of this section.
 - 1) **Sensorial Reasonableness Standard** –The Building Commissioner, or designee, may determine, using only her or his sense of smell, that an odor is one which is disturbing, offensive or objectionable to a reasonable person with normal olfactory sensitivity.
 - 2) **Measurement Standards** – No disturbing, offensive or objectionable odor greater than that caused by the lowest odor detection thresholds as listed in the most recent edition of the American Industrial Hygiene Association (AIHA) Odor Thresholds for Chemicals with Established Occupational Health Standards, Reported Odor Thresholds (EG Table 6.3 in 2nd Edition) shall be permitted. Due to the potential of odorant mixtures causing more intense odors than individual odorant compounds in isolation, nothing in this Bylaw shall be interpreted as allowing for any disturbing, offensive or objectionable odors at or above the cited detection thresholds.
 - b. **Investigation.** The Building Commissioner or designee shall investigate odor complaints until determined to be without merit or resolved to the satisfaction of the Building Commissioner.
 - 1) **Assessment Area** – The Building Commissioner or designee shall investigate odor complaints for odors emanating from:
 - a) **Immediate Impact Zone** - Any resident, occupant, or owner of property located within 1,000 feet of the property line of the property with a source generating and emitting the disturbing, objectionable or offensive odor, as measured from property line to property line.
 - b) **Secondary Impact Zone** - A collection of complaints from five or more residents, occupants, or owners of property located within 2,500 feet of the property line of the property with a source generating and emitting the disturbing, objectionable or offensive odor as measured from property line to property line.
 - 2) The Building Commissioner or designee may investigate possible odor violations upon their own initiative or at the request of Town officials or staff and shall investigate public complaints about an odor of a suspicious or dangerous nature.
 - 3) If the Building Commissioner determines that an investigation is warranted, he or she or a designee, may undertake an odor observation to determine if a disturbing, objectionable or offensive odor exists. At the discretion of the Building Commissioner, a technical odor consultant may be engaged by the Town to assist in the investigation including odor observation and documentation of violations. The odor consultant shall be trained in the

practices of ASTM (American Society for Testing Materials) - E679 and meet the selection criteria of EN13725 (international olfactometry standard). As a component of such investigation, measurements may be done in the field by using:

- a) Undiluted odor field observations (i.e. sniffing) or odor sampling to be performed at a frequency, duration, and locations appropriate for the odor source under investigation and the locations of odor complaints that have been received by the Town. The purpose is to detect and assess the presence of recognizable odors linkable to a specific source in ambient air. This may be accomplished by:
 - i. Grid method of analysis - Odor hours for a geographic area of evaluation to establish an odor hour frequency measurement.
 - i. Plume method of analysis – Measurement of extent of the area where an odor plume originating from a specific odor source can be perceived and recognized under specific meteorological and operating conditions.

The following other forms of measurement may be used only as supplemental methods to evaluate persistent problems or higher intensity odors as a way to determine the severity of the situation.

- b) Field Olfactometry - A method to quantify odors in ambient air by means of a portable odor detecting and measuring device known as a field olfactometer. A field olfactometer measures odor strength and persistence using a Dilution-to-Threshold (D/T) ratio. The Dilution-to-Threshold ratio is a measure of odor concentration by determining the number of carbon filtered air dilutions needed to make the odorous ambient air non-detectable. The formula for calculating D/T with a field olfactometer is:

$$D/T = \frac{\text{Volume of Carbon Filtered Air}}{\text{Volume of Odorous Air}}$$

- c) Chemical Analysis – Instrumental methods of characterizing odor involving the identification and quantification of chemical compounds in an odor sample by means of gas chromatography coupled with mass spectrometry, analysis of hydrocarbon molecules, and analysis of single gases such as ammonia and hydrogen sulfide.
 - d) Instrumental Odor Monitoring – Instruments designed to mimic human olfaction in the detection and characterization of simple or complex odors. Also referred to as electronic (E) - noses.
 - e) Any other method or best practice determined to be appropriate by the Building Commissioner.
- c. **Odor Control Plan** – If, based on the investigation, the Building Commissioner determines that there is a violation, the owner and/or operator of the odor-producing use shall be required to provide an odor control, abatement and mitigation plan to the Building Commissioner for review and approval, or otherwise bring the property into compliance with this bylaw and the order of the Building Commissioner. The plan shall address how the site will become compliant and specify suitable corrective measures. Compliance shall be achieved through industry best practices and suitable mitigation measures. The plan shall be prepared by a certified environmental engineer, certified environmental professional, or certified industrial hygienist with experience in odor management, abatement and mitigation technologies. The Building Commissioner may also require the plan to include the provision of reports of ongoing odor monitoring and compliance.

- d. **Corrective Measures** - Non-residential uses that produce non-compliant odors shall be required to install and maintain odor-eliminating equipment in accordance with the approved odor control plan to meet the requirements of this section.

E. Exemptions

- 1) **Farming.** Impacts resulting from agricultural, farm-related, or forestry-related activities as defined by G.L., c 128, Agriculture, § 1A, as amended, and Medway General Bylaws, ARTICLE XXXI, §2 Right to Farm, are exempt from these restrictions when such activities follow generally accepted practices (G.L., c 111, §125A).
- 2) **Residential Uses.** Impacts resulting from residential activities such as but not limited to barbecues, wood stove exhaust, driveway paving, gardening, and house painting are exempt from these restrictions.
- 3) **Repair and infrequent maintenance activities.** Repair and infrequent maintenance activities such as but not limited to those for septic and sewer systems are exempt from these restrictions.
- 4) **Construction.** Impacts resulting from construction, demolition, or repair work that occurs between 7:00 a.m. and 6:00 p.m. on public improvements authorized by a governmental body or agency; utility work and repairs, and other similar work on private property pursuant to an order by a governmental body or agency for health or safety purposes are exempt from these restrictions.
- 5) **Municipal uses.** Municipal uses and other governmental entities are exempt from the provisions of this Section 7.3.

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

SELECT BOARD RECOMMENDATION:

To Be Determined

FINANCE COMMITTEE RECOMMENDATION:

To Be Determined

ARTICLE 10: (Amend Zoning Bylaw: Battery Energy Storage Facility Moratorium)

To see if the Town will vote to amend the Zoning Bylaw as follows:

Amend Section 2 by adding the following new definition:

Battery energy storage facility: A series of containers or cabinets containing batteries and related equipment designed to store electrical energy for periodic resale to the wholesale energy market and/or other customers on the electrical grid. This includes all accessory equipment necessary for energy storage, including, but not limited to, inverters, transformers, cooling equipment, switching gear, metering equipment, transmission tie-lines, other power interconnection facilities and/or a project substation.

And by inserting the following new section as Section 1.8, Temporary Moratorium:

1.8 Temporary Moratorium

A. Preamble

WHEREAS, the Medway Town Meeting voted on May 10, 2021:

“That the Planning and Economic Development Board conduct a review and study of Battery Energy Storage Systems (BESS) and engage the services of consultants and other experts as may be necessary to provide information on all aspects of the operation, safety, security, and

technology of such systems, including the economic impact of a BESS facility if located in the Town of Medway, with a report to be completed by October 15, 2021 of the board's findings and recommendations, to include but not be limited to, consideration of potential amendments to the Zoning By-Law."

And WHEREAS, the Planning and Economic Development Board is conducting the review and study as voted by the Town Meeting, but the review and study was not completed by October 15, 2021, as a result of which, potential zoning bylaw amendments to address BESS have not been completed in time to be presented to the November 15, 2021 Town Meeting.

NOW, THEREFORE, it is proposed that a temporary moratorium be imposed in order to allow the Planning and Economic Development Board to conduct its review and study, and to propose potential zoning bylaw amendments to regulate BESS.

B. Temporary Moratorium

There is hereby imposed a temporary moratorium on the construction of any and all battery energy storage facilities in the Energy Resources (ER) zoning district effective until June 30, 2023.

Or act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

SELECT BOARD RECOMMENDATION:

Approve

FINANCE COMMITTEE RECOMMENDATION:

To Be Determined

ARTICLE 11: (Amend Zoning Bylaw: Schedule of Uses, Energy Resource District)

To see if the Town will vote to amend the Zoning Bylaw, Section 5.4, Schedule of Uses, by changing the status of the uses permitted by right (specified as Y on the table) to N (prohibited use) in Table 1 in the Energy Resource (ER) district by deleting the text indicated by ~~strike through~~ and inserting the text shown in **bold** as follows.

ARTICLE 1: SCHEDULE OF USES											TABLE 1: Form-Based Districts		
	AR-I	AR-II	VR	CB	V C	NC	BI	EI	ER	WI	OG VC	OG BP	OG N
D. BUSINESS USES													
Commercial indoor amusement	N	N	N	SP	N	N	Y	Y	Y N	Y	Y	Y	N
E. INDUSTRIAL AND RELATED USES													
Wholesale bakery	N	N	N	N	N	N	N	Y	Y N	Y	N	Y	N
Wholesale showroom or office, including warehouse	N	N	N	N	N	N	N	Y	Y N	Y	N	Y	N
Manufacturing	N	N	N	N	N	N	Y	Y	Y N	Y	N	Y	N

Light Manufacturing	N	N	N	N	N	Y	Y	Y	Y	N	Y	N	Y	N
Research and development	N	N	N	N	N	N	Y	Y	Y	N	Y	N	Y	N
Brewery	N	N	N	N	N	N	Y	Y	Y	N	Y	N	Y	N

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

SELECT BOARD RECOMMENDATION:

Approve

FINANCE COMMITTEE RECOMMENDATION:

To Be Determined

ARTICLE 12: (Amend Zoning Bylaw: Housekeeping)

To see if the Town will vote to amend the Zoning Bylaw as follows:

Amend Section 10. Central Business District Development Standards, sub-section 10.2.D. Parking Requirements, 1. Purpose and Intent by combining subsections b. and c., and re-lettering subsection d. to c., so that it will read as follows:

1. Purpose and Intent. The purpose and intent in applying parking standards in the Central Business District are as follows:
 - a. To improve walkability by minimizing sidewalk interruptions and conflict points between pedestrians, cyclist, and vehicles on Main Street and on site.
 - b. To ensure adequate parking for existing and new development while minimizing excessive and inefficient off-street parking areas that result in lost opportunities to develop new buildings that expand business and the tax base.
 - c. To encourage the use of public transportation, bicycling, and walking as an alternative to motor vehicle use when a choice of travel mode exists.

2. Amend Section 10.2.B.1 by inserting the language shown in **bold** text as follows:

B. Main Street Pedestrian Frontage Zone.

1. The Main Street Pedestrian Frontage Zone includes all properties **in the Central Business District** with frontage on Route 109 (Main Street). These frontages are prioritized for pedestrian-oriented ground floor uses. Buildings fronting on the designated Pedestrian Frontage Zone shall be subject to the following requirements:

And to amend Section 3.5. Site Plan Review, subsection 3.5.4.J. Procedures for Administrative Site Plan Review, item 4 by inserting the language shown in **bold** text as follows:

4. If proposed activity or use requires administrative site plan review and one or more special permits, the Planning and Economic Development Board shall serve as permit granting authority for all, **except special permits under Section 5.5 Nonconforming Uses and Structures**.

And to amend Section 3.4. Special Permits, sub-section H.2 by deleting the text indicated by ~~strike-through~~ and inserting the language shown in **bold** text:

2. If proposed activity or use requires administrative site plan review ~~pursuant to Section 3.5 Site Plan Review~~ and one or more special permits, the Planning and Economic Development Board shall serve as permitting granting authority for all, **except special permits under Section 5.5 Nonconforming Uses and Structures.**

And to amend Section 5.5. Nonconforming Uses and Structures, Sub-Section D by inserting the language shown in **bold** text as follows:

D. Nonconforming Uses: Legally pre-existing nonconforming uses may be extended or altered, provided, that no such extension or alteration shall be permitted unless there is a finding by the Zoning Board of Appeals as the special permit granting authority that such extension or alteration shall not be substantially more detrimental than the existing nonconforming use to the neighborhood. The Zoning Board of Appeals may grant a special permit to change or substantially extend a nonconforming use only if it determines that such change or extension shall not be substantially more detrimental than the existing nonconforming use to the neighborhood.

And to amend the definition of Outdoor Display in Section 2 DEFINITION by deleting the current definition which reads:

Outdoor Display: The temporary display of goods and products sold by a business establishment, located on the same premises but not including such display on any parking, delivery or loading areas, fire lanes, drive aisles, or sidewalks where less than 6 feet of sidewalk width remains for pedestrian access, or other features that could cause a safety hazard, and limited to the hours the business is open.

And replacing it to read as follows:

Outdoor Display: The temporary display of goods and products sold by a business establishment, located on the same premises, and limited to the hours the business is open. Outdoor displays are prohibited on any parking, delivery or loading areas; fire lanes; drive aisles; or sidewalks where less than 6 feet of sidewalk width remains for pedestrian access; or any other location that could cause a safety hazard.

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

SELECT BOARD RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **To Be Determined**

ARTICLE 13: (Amend Zoning Bylaw: Construction Equip./Machinery Sales, Leasing, Rentals)
To see if the Town will vote to amend the Zoning Bylaw as follows:

By adding a new definition in SECTION II – Definitions as follows:

Construction Equipment/Machinery Sales, Leasing or Rentals - A facility that sells, leases, or rents any new or used construction equipment, machinery or device designed and intended for use in construction or material handling including but not limited to air compressors, air tracks, backhoes, bulldozers, compactors and rollers, cranes, derricks, ditchers, excavators, generators, graders, loaders, lulls, off-highway haulers, pavers, pile drivers, scrapers, tractors, trenchers and other material handling

equipment. This use may include the maintenance and repair only of equipment, machinery or devices owned by the establishment.

And by amending Table 1 in Section 5.4 Schedule of Uses by adding Construction Equipment/Machinery Sales, Leasing or Rentals (subject to Section 7.1.3 Outdoor Storage) as a use in E. Industrial and Related Uses to be allowed by special permit only in the West Industrial Zoning District with the Planning and Economic Development Board serving as the special permit granting authority as follows:

TABLE 1: SCHEDULE OF USES													
	AR-I	AR-II	VR	CB	VC	NC	BI	EI	ER	WI	Form-Based Districts		
											OG VC	OG BP	OG N
E. INDUSTRIAL AND RELATED USES													
Construction Equipment/Machinery Sales, Leasing or Rentals (Subject to Section 7.1.3 Outdoor Storage)	N	N	N	N	N	N	N	N	N	PB	N	N	N

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

SELECT BOARD RECOMMENDATION: To Be Determined

FINANCE COMMITTEE RECOMMENDATION: To Be Determined

ARTICLE 14: (Street Acceptance: Bramble, Briar, Fern, Field, Redgate)

To see if the Town will vote to accept as public ways, the following streets as laid out by the Select Board and as shown on a plan or plans on file in the office of the Town Clerk;

A portion of Bramble Road (shown as Bramble Patch Way on the Plan), from its southern terminus to a point approximately 740 linear feet north;

Briar Lane in its entirety;

A portion of Fern Path from its intersection with Redgate Drive to a point approximately 200 linear feet north;

A portion of Field Road (shown as Hay Field Road on the Plan), from Howe Street to a point approximately 1,175 linear feet south;

Redgate Drive in its entirety (shown as Red Gate Drive on the Plan);

All as shown on *Subdivision Plan of Land in Medway, MASS Red Gate Estates*, dated October 14, 1986, last revised December 17, 1986, prepared by H₂O Engineering Consultants, Inc. of Weston, MA, endorsed by the Planning Board on January 13, 1987, recorded at the Norfolk County Registry of Deeds as plan number 613 of 1987 in Plan Book 354 (herein referred to as “the Plan”).

And further to see if the Town will vote to accept as a gift from the Trustees of the Red Gate Estates Realty Trust of Milford, MA one parcel of land containing 1.445 acres, more or less, identified as Lot – 1
11/15/21 Fall Town Meeting Warrant

on the Plan, also known as 2 Redgate Drive (Medway Assessors Map 22, Parcel 020) for drainage and general municipal purposes.

And further to authorize the Board of Selectmen to acquire by gift, purchase, eminent domain or otherwise, and to accept the deed or deeds to the Town of a fee simple interest or easements in said streets and any associated drainage, utility or other easements for said streets, and to appropriate a sum of money for this purpose and any related expenses;

And further to authorize the Board of Selectmen and town officers to take any and all related actions necessary or appropriate to carry out the purposes of this article;

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

SELECT BOARD RECOMMENDATION: **Approve**

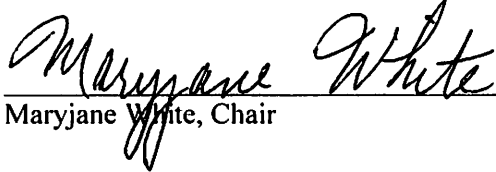
FINANCE COMMITTEE RECOMMENDATION: **Approve**

And you are hereby directed to serve this warrant by posting printed attested copies thereof at two (2) locations in each precinct at least FOURTEEN (14) days before the day of said meeting. Hereof fail not and make due return of this warrant with your doings thereon to the Clerk of said Town at or before the time of said meeting.

Given under our hands in Medway, this 18th day of October 2021.

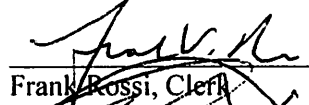
A TRUE COPY:

SELECTMEN OF THE TOWN OF MEDWAY

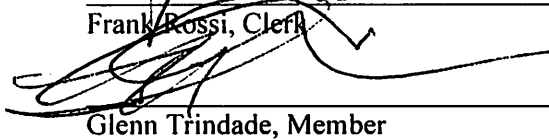


Maryjane White, Chair

Dennis Crowley, Vice-Chair



Frank Rossi, Clerk



Glenn Trindade, Member

John Foresto, Member



ATTEST: Paul Trufant, Constable