

Tuesday, December 14, 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 Left mtg at 7:10 pm | X | Remote via Zoom | X | X | X |

PRESENT:

- Susy Affleck-Childs, Planning and Economic Development Coordinator

PUBLIC COMMENTS:

- There were no Public comments.

Board Reorganization:

Member Rodenhiser announced that he was resigning from the Board effective immediately. He will be following up with a letter.

Vice Chairman Tucker took nominations for a new Chairperson.

On a motion made by Jessica Chabot, seconded by Rich Di Iulio, the Board voted unanimously to appoint Matt Hayes as Chair of the Planning and Economic Board.

The Board thanked Mr. Rodenhiser for his service to the Town throughout the years.

Member Hayes assumed the chair's position. Mr. Rodenhiser left the meeting.

ROCKY'S HARDWARE – 98 MAIN STREET – ADMINISTRATIVE SITE
PLAN AND OUTDOOR DISPLAY SPECIAL PERMIT – Public Hearing
Continuation

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

- Public Hearing Continuation Notice to 12-14-21 meeting.
- Revised draft decision dated 12-8-21
- Letter dated 11-19-21 from Attorney Gareth Orsmond
- Site Plan by Surgue Associates dated 7-21-21, last revised 9-9-21
- Collection of Rocky's Hardware public hearing minutes
- Medway Place site plan decision dated 11-30-21

Chairman Hayes opened the continued public hearing for Rocky's Hardware.

The Board is in receipt of the revised draft decision. Attorney Joel Quick and Rocky's Manager Kevin Bradley were present via Zoom. The applicant has reviewed the decision and there were no comments provided. There was a letter from Attorney Gareth Orsmond indicating that the decision should specifically reference the Sugrue site plan for Rocky's.

The draft decision dated 12-8-21 was shown on the Screen Share.

Susy Affleck-Childs reported that the Board's decision for the Medway Place Site Plan has been added to the record for the Rocky's hearing and was referenced in the draft decision.

The Special Permit Findings were reviewed by the Board:

- Finding #2: Add the language "are functioning as intended for a two-year review period".
- Finding #3: Add language "are functioning as intended."
- Finding #5: It was recommended to remove the sentence noted in red.

Special Permit Findings:

On a motion made by Bob Tucker, seconded by Jessica Chabot, the Board voted by roll call to approve the Findings as modified.

Roll Call Vote:

| | |
|----------------|-----|
| Jessica Chabot | aye |
| Matt Hayes | aye |
| Bob Tucker | aye |
| Rich Di Iulio | nay |
| Tom Gay | aye |

Waivers from Site Plan Rules and Regulations

On a motion made by Jessica Chabot, seconded by Bob Tucker, the Board voted by roll call to approve the waivers from the *Site Plan Rules and Regulations*.

Roll Call Vote:

| | |
|----------------|-----|
| Jessica Chabot | aye |
| Matt Hayes | aye |
| Bob Tucker | aye |
| Rich Di Iulio | aye |

Conditions:

The Board discussed the following conditions:

- The applicant asked to include language that the propane filling station be allowed to open if there is a declared emergency, even if the store itself is not open. The Board was amenable to that.
- The Board wanted the word "wall" removed relating to the signage.

Vote on Special Permit Conditions:

On a motion made by Bob Tucker, seconded by Jessica Chabot, the Board voted by roll call to approve the Conditions with the noted changes.

Roll Call Vote:

| | |
|----------------|-----|
| Jessica Chabot | aye |
| Matt Hayes | aye |
| Bob Tucker | aye |
| Rich Di Iulio | nay |
| Tom Gay | aye |

Special Permit:

On a motion made by Jessica Chabot, seconded by Bob Tucker, the Board voted by roll call to approve the Outdoor Display Special Permit as written.

Roll Call Vote:

| | |
|----------------|-----|
| Jessica Chabot | aye |
| Matt Hayes | aye |
| Bob Tucker | aye |
| Rich Di Iulio | nay |
| Tom Gay | aye |

Site Plan:

On a motion made by Jessica Chabot, seconded by Bob Tucker, the Board voted by roll call to approve the Site Plan decision as written.

Roll Call Vote:

| | |
|----------------|-----|
| Jessica Chabot | aye |
| Matt Hayes | aye |
| Bob Tucker | aye |
| Rich Di Iulio | aye |

Close Hearing:

On a motion made by Jessica Chabot, seconded by Bob Tucker, the Board voted by roll call to close the public hearing for Rocky's Hardware.

Roll Call Vote:

| | |
|----------------|-----|
| Jessica Chabot | aye |
| Matt Hayes | aye |
| Bob Tucker | aye |
| Rich Di Iulio | aye |

PUBLIC HEARING - MULTIFAMILY DEVELOPMENT SPECIAL PERMIT, MAJOR SITE PLAN APPROVAL AND LAND DISTURBANCE PERMIT for 6 CUTLER STREET:

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

- Public Hearing Notice
- Applications – Site Plan, Multi-Family Special Permit, Land Disturbance Permit
- Site Plan dated 11-17-21 by Ron Tiberi, P.E. and architectural drawings dated 11-17-21 by Alex Siekierski

- Waiver Requests
- Plan review comments dated 12-6-21 by Susy Affleck-Childs
- SAC email dated 11-29-21 to Town staff requesting review and comments
- Abutter comment memo dated 12-5-21 from Chris and Kathleen Meo, 16 Cottage Street
- DRC Review Letter dated 12-10-21
- Abutter comment memo dated 12-14-21 from Julie Harrington
- Tetra Tech review letter dated 12-14-21

The Chairman opened the hearing.

On a motion made by Bob Tucker, seconded by Rich Di Iulio, the Board voted by roll call to waive the reading of the public hearing notice.

Roll Call Vote:

| | |
|-----------------------|------------|
| Jessica Chabot | aye |
| Matt Hayes | aye |
| Bob Tucker | aye |
| Rich Di Iulio | aye |

The Board was informed that Tetra Tech engineer Steve Bouley was not able to attend tonight's meeting but has provided review comments which had been forwarded to the applicant.

The project team was present in person by applicant Anthony Varrichione and project engineer Ron Tiberi. Architect Alex Siekierski attended via Zoom.

The applicant explained that they propose to develop a 5-unit residential condominium building. This is a .71-acre parcel. The proposed development entails renovation of the existing 4,800 sq. ft. building into three residential dwelling units and construction of a 3,000 sq. ft. addition for 2 residential dwelling units. There will be 10 off-street parking spaces. The proposed access will be from a single curb from Cutler Street with two egress drives onto Cutler Street. Stormwater management will be provided by means of a rain garden retention system located at the front of the property to mitigate and treat runoff from the building and parking lot. This site was previously Medway's American Legion building. Each of the units requires a single means of egress since the occupant load of each unit does not exceed 20 people. There is an existing basement will be shared with private storage for each unit. It was explained that there will be a 4 ft. walkway around the perimeter of the building. The applicant has proposed the reduction of the site's existing pavement. There will not be an affordable unit as the development is limited to 5 units. There will be no trees removed.

The meeting was next turned over to the Board for comments:

Board Comments:

- Two dedicated parking spots per unit. Is that enough?
- Concerns about on street parking.
- Include a location for delivery vehicles
- Install electrical conduits.
- Install an overhang over the back unit's main entrance.

- The applicant will update the lighting on site and will make sure there is no light spillage.
- The applicant did check with the post office and are fine with what is presented regarding mail delivery to each individual unit.
- The Board asked if the applicant has met with the DPW. The DPW met on site with the applicant.
- The Board wanted to know if there would be screening. The applicant explained that there will be screening in the back with plantings.
- The applicant will address the light spill. The spillage to the east will be removed and a new light will be installed near the bulkhead for access to the basement. The lights on the east side will be shielded.

Comments from Public:

Resident Shea of 4 Phillips Street wanted to know what street the residents will be coming and going from. The applicant indicated that residents will be coming from Cottage to Cutler Street.

Resident Jessica Kirby of 1 Phillips Street wanted to know if a traffic study has been done and requests that one be done. The applicant responded that there is no plan to do a traffic study.

Resident Ann Wells of 17 Cottage Street provided a letter to the Board with her concerns about the lighting. (**See Attached.**) She is also concerned about planting of the Hawthorne Tree on the northeast corner and the junipers which are common to disease. This disease disfigures other foliage. It was suggested another specimen of tree be used.

Resident Chris Meo of 16 Cottage Street noted that two parking spaces per unit are not enough. parking. There is going to be overflow parking that will end up on Cutler Street which he is opposed to. He is also concerned if this project will affect his access his property.

Resident Kristen Alexander of 3 Phillips Street is concerned about the bright light on the southwest portion of property. This is an existing Town owned streetlight and not the applicant's responsibility. It was suggested to give the DPW a call to check if there is a shield and whether it is working. She also wanted to know where the drainage on the property will go. The applicant communicated that there will not be an increase of water but if there is any flow it will be captured and treated on site. All drainage issues will be addressed. There will be a rain garden on site.

The applicant will look at adding more parking in the back. There should not be more parking in the front of the site.

Resident Liam Shea of 4 Phillips Street wanted to know if Phillips Street can be one way. They are concerned about the on-street parking. The line of sight in this area is difficult. The applicant will reach out to Sergeant Watson about parking. There could be no parking signs posted on the street.

The applicant will address the comments from the Consultant.

The material of the walkway is maintained asphalt and will be cut back to 4 ft. The Board would like this looked at by Tetra Tech.

The applicant is requesting a waiver from the sidewalk in the front of the property along Cutler Street.

The Board would like to discuss further a sidewalk on Cutler Street from the development to Cottage Street and also placing money into a sidewalk fund.

On a motion made by Jessica Chabot, seconded by Bob Tucker, the Board voted by roll call to continue the hearing to January 11, 2022 at 8:45 pm.

Roll Call Vote:

| | |
|-----------------------|------------|
| Jessica Chabot | aye |
| Matt Hayes | aye |
| Bob Tucker | aye |
| Rich Di Iulio | aye |
| Tom Gay | aye |

MOCKINGBIRD LANE MULTIFAMILY DEVELOPMENT 56 SUMMER STREET REVISED SITE PLAN, PRE-APPLICATION DISCUSSION:

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

- Letter dated 11-23-21 from environmental consultant Robert G. Murphy
- Revised site plan dated 11-12-21 prepared by Robert G. Murphy
- Email communication dated _____ from abutter Paul Yorkis

The Chairman informed all that this is a second pre-application discussion.

The applicant's environmental consultant Robert Murphy was present along with property owners Chris Torti and _____. It was explained that his office has revised the Preliminary Multifamily Residence Plan as requested from the first meeting with the PEDB on October 12, 2021. There was a reduction of the number of housing units from 32 to 22, a shorter roadway, and a corresponding increase in the forested area to remain. There has been an increase to the size of the buffer zones as well. Two wetland areas have been identified adjacent to this property in areas that will not be impacted by the development of the housing units. The drainage patterns to offsite areas are to have minimal alterations. The applicant will be filing an ANRAD with the Conservation Commission prior to any plans. There is a significant rock out crop which was carved out a Lot. There is a raised structure in this location that appears to have been a bunker of some sort. There is a trail from the adjacent house which crosses the subject property. The project is now proposed for six triplexes (18 units) and two duplexes (4 units). The road was shortened by 30 ft. There is no need for significant fill on the site. There was a question about what the bedroom count for each unit will be. The applicant noted that there will be 48 bedrooms.

The Board Comments:

- Concern about the density on site.
- The 27 ft. width does not meet the design guidelines.
- There needs to be a variety of units.

- There is a discrepancy on where the wetlands are located.

There were comments from the public:

Abutter Yorkis was present and explained that he reviewed the November 23, 2021 plan for 56 Summer Street. He made the following comments:

- There are no measurements on the plans regarding the sizes of the buffer zones.
- The footpath is not shown on the revised plan.
- The wetland delineation done for the Ishmael Coffee Estates was reviewed and approved by the Medway Conservation Commission.
- There is a concern that the “one-hour observation on one day by the wetland scientist does not represent a traffic study”.
- Mr. Yorkis also indicated that there has not been water in his basement and they have not had any standing water in the basement in their home at 7 Independence Lane.
- There will be trees removed to create the stormwater basin. This should be noted on the plan.
- There are no patios or decks shown on plan.
- The height of the structures is unknown.
- It was suggested to realign the proposed cul-de-sac so it curves right (northerly) to establish a larger buffer.

Mr. Yorkis did communicate that the applicant does have the right to develop the property in a manner that is compatible with the existing homes.

Some of the other items identified as concerns include:

- There is heavy traffic coming out of Independence Lane. Existing out of this new development would be difficult.
- The road would need to be shorter and turned slightly to the North.
- The applicant needs to follow the Design Guidelines.
- It was recommended that the first unit on the south side of the proposed roadway have a façade with the entrance facing the street.

The applicant will take the information provided to rework the project.

ZBA PETITION – 12 WALKER STREET – TWO-FAMILY SPECIAL PERMIT:

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

- Application materials and site plan for a 2-family building at 12 Walker Street (AR-II zoning district)

The Board reviewed the application for a site plan for a 2-family building at 12 Walker Street (AR-II zoning district). This application will be in front of the ZBA on January 5, 2022. The duplex proposed is on a 30,000 sq. ft. lot. This lot was created by a Form A by the Planning Board in 2005. The Board has no issue with what was presented and communicated that this is a good example of 2 family building. A letter will be sent letting the ZBA know they are in support of this application.

EVERGREEN VILLAGE FIELD CHANGE:

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

- 11-22-21 email request from developer Maria Varrichione regarding light posts
- Excerpts from the endorsed Evergreen site plan – site lighting
- 12-9-21 email request from developer Maria Varrichione re: fieldstone wall in front yard
- Excerpt from the endorsed Evergreen site plan

The applicant Maria Varrichione was present by zoom. She explained that a lighting expert from Fergusons explained that the proposed post lights are for a commercial application which would be too bright given the lumens output. This type of light is for taller posts for street lighting. There was a recommendation to keep the post lights and make them dark sky lights at the proposed locations at the end of the walkway which is what is commonly used. The Board is comfortable with this being modified as residential post lights. The second item discussed was the stone wall. The grade has been reduced per the Officer Watson's request for the sight line visibility. The applicant wants to have the stone wall. The proposal is to keep the height and taper naturally. This will be at the tree to zero grade. The applicant will have this spray painted in the visual location. This will also be provided in a photo showing the height and where it will be stopped.

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

Roll Call Vote:

| | |
|----------------|-----|
| Jessica Chabot | aye |
| Matt Hayes | aye |
| Bob Tucker | aye |
| Rich Di Iulio | aye |

Bond Security:

The Board was informed that Tetra Tech was in site to inspect and prepare a punch list. The amount of the bond security is \$119,694.00.00.

On a motion made by Bob Tucker, seconded by Rich Di Iulio, the Board voted by roll call to approve bond security in the amount of \$119,694.00.

Roll Call Vote:

| | |
|----------------|-----|
| Jessica Chabot | aye |
| Matt Hayes | aye |
| Bob Tucker | aye |
| Rich Di Iulio | aye |

HARMONY VILLAGE FIELD CHANGE:

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

- 12-6-21 field change request email from project engineer Drew Garvin with revised grading sketch.

The Board was informed that the applicant is looking to adjust the proposed wall and grades for the two parking spaces behind Unit 2. Consultant Bouley commented that it appears there is almost a 2-foot rise in pavement grade from where the 232 contour hits the proposed wall to the 234 spot grades assuming that the 234 is pavement grade. This is 15 % across those spaces which is not ideal. The parking area was shown on screen share. The proposed wall is lower than originally proposed and will be raised up.

The Board has no issue with the grade changes to the wall.

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

Roll Call Vote:

| | |
|----------------|-----|
| Jessica Chabot | aye |
| Matt Hayes | aye |
| Bob Tucker | aye |
| Rich Di Iulio | aye |

MEDWAY DPW WATER QUALITY BUILDING:

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

- Tetra Tech estimate dated 12-8-21 for \$3,918.00

On a motion made by Bob Tucker, seconded by Rich Di Iulio, the Board voted by roll call to approve the Tetra Tech estimate in the amount of \$3,981.00 for the plan review services by Tetra Tech.

Roll Call Vote:

| | |
|----------------|-----|
| Jessica Chabot | aye |
| Matt Hayes | aye |
| Bob Tucker | aye |
| Rich Di Iulio | aye |

MEDWAY PLACE TETRA TECH CONSTRUCTION OBSERVATION FEE ESTIMATE:

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

- Tetra Tech estimate dated 12-8-21 for \$10,343.00

On a motion made by Jessica Chabot, seconded by Rich Di Iulio, the Board voted by roll Call to approve the Tetra Tech estimate in the amount of \$10,343.00.

Roll Call Vote:

| | |
|-----------------------|------------|
| Jessica Chabot | aye |
| Matt Hayes | aye |
| Bob Tucker | aye |
| Rich Di Iulio | aye |

MEDWAY MILL FIELD CHANGE:

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

- 12-6-21 field change request email from developer John Green
- Guerriere and Halnon Grading Sketch dated 12-6-21

The Board is in receipt of a field change for Medway Mill.

Guerrier and Halnon Representative Amanda Cavaliere was present. A share screen was provided.

The Board was informed that Steve Bouley from Tetra Tech viewed the grade change, and he has no issue with the revision to the change of the parking area which could make the transition smoother. The lot will drop about a foot at the high end to help with screening of the lot from adjacent residences. The fencing will remain.

On a motion made by Rich Di Iulio, seconded by Bob Tucker, the Board voted by roll Call to approve the field change for Medway Mill.

Roll Call Vote:

| | |
|-----------------------|------------|
| Jessica Chabot | aye |
| Matt Hayes | aye |
| Bob Tucker | aye |
| Rich Di Iulio | aye |

MAY 2022 TOWN MEETING DISCUSSION OF WARRANT ARTICLE IDEAS:

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

- List of ideas from Barbara Saint Andre (12-6-21)
- Draft Housekeeping article (12-6-21)
- Draft Housing Choice Article (12-6-21)
- List of ideas from Susy Affleck- Childs
- Updated Master List of Zoning Ideas (12-10-21)

The Board will discuss these items at the January 2022 meeting.

PEDB MEETING MINUTES:

The Board is in receipt of the following DRAFT meeting minutes:

- November 16, 2021

- November 23, 2021
- November 30, 2021

November 16, 2021:

On a motion made by Rich Di Iulio, seconded by Jessica Chabot, the Board voted to approve the minutes from November 16, 2021.

Roll Call Vote:

| | |
|----------------|-----|
| Jessica Chabot | aye |
| Matt Hayes | aye |
| Bob Tucker | aye |
| Rich Di Iulio | aye |

November 23, 2021:

On a motion made by Jessica Chabot, seconded by Rich Di Iulio, the Board voted to approve the minutes from November 23, 2021.

Roll Call Vote:

| | |
|----------------|-----|
| Jessica Chabot | aye |
| Matt Hayes | aye |
| Bob Tucker | aye |
| Rich Di Iulio | aye |

November 30, 2021:

On a motion made by Jessica Chabot, seconded by Rich Di Iulio, the Board voted to approve the minutes from November 30, 2021.

Roll Call Vote:

| | |
|----------------|-----|
| Jessica Chabot | aye |
| Matt Hayes | aye |
| Bob Tucker | aye |
| Rich Di Iulio | aye |

CORRESPONDENCE:

- 11-22-21 email from Allison Potter proposed Fire Lane Bylaw offered by Fire Chief Jeff Lynch.
- 11-30-21 email Jim Wickis regarding draft proposed invasive species management policy.
- 12-3-21 email from Finance Director Carol Pratt regarding vacant parcels in residential developments
- 12-7-21 email Jillian Curran about Master Plan

ADJOURN:

On a motion made by Jessica Chabot, seconded by Rich Di Iulio, the Board voted to adjourn the meeting.

The meeting was adjourned at 10:30 pm.

Prepared by,
Amy Sutherland
Recording Secretary

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



December 14, 2021

**Medway Planning & Economic Development Board
Meeting**

Rocky's Hardware – 98 Main Street
Administrative Site Plan and Outdoor
Display Special Permit

- Public Hearing Continuation Notice to 12-14-21 meeting
- Revised draft decision dated 12-8-21
- Letter dated 11-19-21 from attorney Gareth Orsmond on behalf of Medway Realty LLC, owners of Medway Place
- Site Plan by Surgue Associates dated 7-12-21, last revised 9-9-21
- Collection of Rocky's Hardware public hearing minutes
- Medway Place site plan decision dated 11-30-21

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



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TOWN OF MEDWAY COMMONWEALTH OF MASSACHUSETTS

PLANNING AND ECONOMIC DEVELOPMENT BOARD

MEMORANDUM

November 10, 2021

RECEIVED TOWN CLERK
NOV 10 '21 AM 10:39

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 Rocky's Hardware Outdoor Display Special Permit and Administrative Site Plan**
Continuation Date – Tuesday, November 23, 2021 at 8:15 p.m.

At its November 10, 2021 meeting, the Planning and Economic Development Board voted to continue the public hearing on the application of Rocky's Hardware of Springfield, MA for approval of outdoor display special permit and associated site plan to add an enclosed outdoor display area and an outdoor propane filling station area to their location in the Medway Place shopping plaza at 98 Main Street. The public hearing was continued to Tuesday, November 23, 2021 at 8:15 p.m. in Sanford Hall at Medway Town Hall, 155 Village Street. The hearing was continued at the request of the applicant.

The proposed project includes the establishment of a 1,200 square foot outdoor display area on a portion of the site that is currently paved, underutilized, and which abuts the eastern end of the Medway Place building where Rocky's is located. The display area will feature typical hardware store items such as seasonal tools, plants, and other merchandise. Proposed improvements include installation of fencing and protective bollards. Additionally, the applicant wishes to install a fenced in propane tank filling area on a 15' x 24' concrete pad, also with protective bollards. The planned improvements are shown on *Garden Center Design Plan* revised 9-9-21 by Sugrue Associates.

The applications, site plan and supporting documentation were filed with the Town on May 12, 2021 and are on file with the Medway Town Clerk and the Community and Economic Development Department at Medway Town Hall, 155 Village Street, Medway, MA. Project information including the revised site plan has been posted to the Planning and Economic Development Board's page at the Town's web site at: <https://www.townofmedway.org/planning-economic-development-board/pages/rockys-hardware-98-main-street>

The Board expects to vote its decision during the November 23rd meeting. Please do not hesitate to contact me if you have any questions or have any last minute comments.

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



TOWN OF MEDWAY
COMMONWEALTH OF MASSACHUSETTS

**PLANNING AND ECONOMIC
DEVELOPMENT BOARD**

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155 Village Street
Medway, MA 02053
Phone (508) 533-3291
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www.townofmedway.org

REVISED DRAFT – December 8, 2021
APPROVAL

Site Plan and Outdoor Display Special Permit
Rocky's Hardware – 98 Main Street
with Waivers and Conditions

Decision Date: _____

**Name/Address of Applicant:
And Permittee** Rocky's Ace Hardware, LLC
40 Island Pond Road
Springfield, MA 01118

Name/Address of Property Owner: Medway Realty, LLC
63 Atlantic Avenue
Boston, MA 02110

Designated Representative: Gareth Orsmond
Pierce Atwood LLP
100 Summer Street
Boston, MA 02110

Site Plan: *Rocky's Ace Hardware Garden Center Plan*
Prepared by Sugrue Associates of Smithfield, RI,
Dated 7-12-21, last revised 9-9-21 by to be further revised as specified
herein.

Location: 98 Main Street within Medway Place shopping plaza

Assessors' Reference: 40-055

Zoning District: Central Business District

I. PROJECT DESCRIPTION – Rocky's Hardware proposes to create a 1,200 square foot enclosed, year-round outdoor merchandise display area on a portion of the site that is currently paved, and which abuts the eastern end of the Medway Place shopping plaza building where Rocky's Hardware is located at 98 Main Street. The outdoor display area will feature typical hardware store items such as seasonal tools, plants, and other related merchandise. Proposed improvements include installation of fencing and protective bollards. Additionally, the applicant wishes to install a fenced-in propane filling station on a 15' x 24' concrete pad, also with protective bollards. A 24' drive aisle will be maintained between the two uses. The planned improvements result in the loss of ten parking spaces. The planned improvements are shown on *Rocky's Ace Hardware Garden Center Plan prepared by Sugrue Associates of Smithfield, RI, dated 7-12-21, last revised 9-9-21 by to be further revised as specified herein*. The proposal requires administrative site plan review pursuant to the Board's *Site Plan Rules and Regulations* dated October 8, 2021 and an outdoor display special permit pursuant to the *Medway Zoning Bylaw*, last revised May 10, 2021. When a project needs both site plan review and a special permit, the Planning and Economic Development Board serves as the permit granting authority.

NOTE – The Medway Place shopping center is also subject to a recently approved (11-30-21) site plan decision for site improvements to the parking lot, lighting, landscaping, and other items.

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, an administrative site plan and an outdoor display special permit for the construction of site improvements for Rocky's Hardware at 98 Main Street as shown on *Rocky's Ace Hardware Garden Center Plan dated 7-12-21, last revised 9-9-21 by Sugrue Associates of Smithfield, RI, to be further revised as specified herein*.

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

Planning & Economic Development Board Member

Vote

Jessica Chabot
Richard Di Iulio
Matthew Hayes
Andy Rodenhiser
Robert Tucker

NOTE – Mullins Rule certifications pursuant to G.L. c. 39, §23D were provided by Bob Tucker and Tom Gay for the 8-10-21 public hearing.

III. PROCEDURAL HISTORY

- A. June 14, 2021 - Site plan and outdoor display special permit applications and associated materials filed with the Board; the information was filed with the Town Clerk on 6-22-2021
- B. June 23, 2021 – Notice for July 13, 2021 public hearing filed with the Town Clerk and posted at the Town of Medway web site's master meeting calendar.
- C. June 24, 2021 - Project information distributed to Town boards, committees, and departments for review and comment and posted to the Board's web page.
- D. June 24, 2021 – Notice for the July 13, 2021 public hearing was sent to abutters and parties of interest by certified sent mail.
- E. June 28 and July 6, 2021 - Public hearing notice advertised in *Milford Daily News*.

Commented [BSA1]: May want to have separate votes on the special permit and site plan review due to different quantum of vote for each.

- F. July 13, 2021 – Public hearing begins. The hearing was continued to August 10, August 24 September 14, September 28, October 26, November 2, November 23, and December 14, 2021 when a decision was rendered and the hearing was closed.

IV. INDEX OF SITE PLAN DOCUMENTS

- A. The site plan and special permit applications for the proposed Rocky's outdoor display area and propane tank service area included the following plans and information that were provided to the Board at the time the applications were filed:
1. Administrative Site Plan and Outdoor Display Special Permit applications dated June 8, 2021, project description and narrative, certified abutters' list, and requests for waivers from the *Site Plan Rules and Regulations*.
 2. *Medway Place Site Plan and Landscape Plan and Temporary Seating Plan and Gate Detail* dated April 22, 2021, prepared by Howard Stein Hudson of Boston, 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. Rocky's Ace Hardware Garden Center plan dated 7-12-2021 by Sugrue Associates of Smithfield, RI
 2. Rocky's Ace Hardware Garden Center plan, revised 7-13-2021 by Sugrue Associates
 3. Rocky's Ace Hardware Garden Center plan, revised 7-27-21 by Sugrue Associates
 4. Rocky's Ace Hardware Garden Center plan, revised 8-16-21 by Sugrue Associates
 5. Rocky's Ace Hardware Garden Center plan, revised 9-9-21 by Sugrue Associates
 6. Response document by attorney Joel Quick, received 8-19-21 to the discussion and Board comments provided during the 8-10-21 public hearing
 7. *Medway Place Site Plan and Landscape Plan and Temporary Seating Plan and Gate Detail* dated April 22, 2021, revised August 17, 2021, last revised September 30, 2021 prepared by Howard Stein Hudson of Boston, MA.
 8. Existing Conditions Photometric Plan for Medway Place Shopping Center dated 9-10-21 by Highpoint Engineering, Inc. of Canton, MA
 9. *Rocky's Ace Hardware Dumpster Fence Details*, dated 8-30-21 by Sugrue & Associates.
 10. Memorandum dated 10-25-21 from Rocky's Vice President Kevin Bradley re: steps taken to address outdoor storage and display issues.
 11. **Letter dated November 19, 2021 from attorney Gareth Orsmond of Pierce Atwood on behalf of Medway Realty LLC (owner of Medway Place)**
- C. During the course of the Board's review, a variety of materials were submitted to the Board by its staff, consultants, and other Town Boards and Committees.
1. Project review memorandum dated 7-8-2021 from Susy Affleck-Childs, Planning and Economic Development Coordinator
 2. Review comments dated 7-11-2021 from Police Sergeant Jeff Watson
 3. Review comments dated 7-12-2021 from Compliance Coordinator Erika Robertson, Medway Building Department
 4. Review letters dated 7-12-2021, 8-5-2021 and 8-18-2021 from the Board's engineering consultant, Steve Bouley of Tetra Tech
 5. Review comments dated 6-24-2021 and 8-24-21 from Deputy Fire Chief Mike Fasolino
 6. Review comments dated 8-24-2021 from Kelly Millette, Medway DPW

D. Other documents entered on the record:

- Medway Place site plan decision dated 11-30-21, filed with the Town Clerk 12-3-2.

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 testimony from:

- Steve Bouley, P.E. of Tetra Tech, Inc., the Town's Consulting Engineer
- Joel Quick, attorney, Pierce Atwood
- Todd Wilson, Medway Realty, LLC
- Matt Kelly, Rocky's Hardware Regional Manager
- Chris Rich, Rocky's Hardware Medway Store Manager
- Kevin Bradley, Rocky's Vice President
- Attorney Michael Brown of Adler Pollock & Sheehan presenting Colbea Enterprises, LLC owners of the adjacent Shell gas station

VI. **FINDINGS** – The Board, at its meeting on _____, on a motion made by _____ and seconded by _____, voted to _____ the following FINDINGS regarding the special permit application for Rocky's Hardware at 98 Main Street. The motion was _____ by a vote of _____ in favor and _____ opposed.

Special Permit Findings pursuant to Medway Zoning Bylaw Section 3.4.

- 1. The proposed site is an appropriate location for the proposed use.** Rocky's Hardware is a new anchor tenant within the Medway Place shopping plaza, a retail shopping center first established in the mid-1960's. The center is located within Medway's Central Business zoning district which includes several other shopping centers – Drybridge Crossing, Gould's Plaza, and Medway Commons. Rocky's is located in the easternmost section of Medway Place adjacent to an existing paved, but underutilized area where the proposed outdoor garden center and propane filling station would be located. This area has typically had minimal customer traffic and is not generally used for customer parking. An outdoor garden center and propane filling station are customary accessory uses to a retail hardware store. Placing these facilities on the side of the building near underutilized parking spaces will allow store staff to direct people to those specific nearby parking spaces to promote easier loading of merchandise. As conditioned herein, the site is appropriate for the proposed use.
- 2. Adequate and appropriate facilities will be provided for the operation of the proposed use.** The proposed enclosed garden center is modestly sized at 1,200 sq. ft. and the propane filling station area will be positioned on a 15' by 24' concrete pad, also enclosed by fencing. Rocky's Hardware employees will be responsible for moving merchandise into and out of the garden center, assisting customers to load merchandise from the garden center into vehicles, and filling propane tanks for customers. The site plan has been reviewed by the Board's consulting engineer and the Town's safety and emergency personnel and has been modified to address concerns raised about the size of the outdoor garden center, positioning of the propane tank, width of the traffic aisle, traffic routing, and safety signage. Existing exterior building lighting will remain in place; no additional lighting is planned for these accessory uses. **However, the Board continues to have some reservations about the adequacy of the size of the drive aisle to service these new uses, particularly for delivery vehicles, and has included Specific Condition D.3 to address traffic flow in this area. Specific Condition D.1 provides a time limitation on the special permit, to allow an evaluation as to whether the site improvements will be adequate and appropriate once constructed.**

- 3. The proposed use as developed will not create a hazard to abutters, vehicles, pedestrians or the environment.** Abutters to the east, south and west are all commercial uses. During the public hearing, the immediate abutter, Colbea Enterprises (Shell gas station) raised concerns about Rocky's customers using Shell station parking spaces; the parties met and suitable parking signage will be added to the Shell building to specify Shell customer parking only. There is a residential neighborhood on the north side of the property, however those homes are screened from the shopping center by a fence and vegetated buffer; those abutters were notified of the hearing and no one attended the hearing or expressed any concerns or comments. The location of the propane tank and outdoor garden center were reviewed by the Medway Fire Department which will have oversight and regular permitting for the propane tank. The Fire Department offered comments on its location to ensure that fire trucks can safely and easily access the building, on suitable safety signage, and various protective measures which have been incorporated into the site plan. **Specific Condition D.1 provides a time limitation on the special permit, to allow an evaluation as to whether the site improvements will create a hazard.** As conditioned, the proposed use will not create a hazard to abutters, vehicles, pedestrians or the environment.
- 4. The proposed use will not cause undue traffic congestion or conflicts in the immediate area.** The goal of locating these new facilities in the specified area at the eastern end of the building is to keep open the main channel in front of the building for customer vehicles and pedestrians. As conditioned herein (Specific Condition D.3), delivery vehicles to Rocky's Hardware are not permitted to use the driveway area adjacent to (east of) the outdoor garden center and propane filling station area to access the back of the store for deliveries. **They are required to access the back of the Rocky's store via the shopping center's western drive aisle west of the Ocean State Job Lot retail space. The Applicant has agreed to implement this limitation for its vendors. Specific Condition D. 5 requires the installation of signage prohibiting traffic from using the driveway area to the east of Rocky's as a way to access the back of the Medway Place buildings. Specific Condition D.1 provides a time limitation on the special permit, to allow an evaluation as to whether the site improvements will cause any traffic congestion or conflict and whether the traffic restrictions are enforced. Altogether, these changes will reduce traffic conflicts in this immediate area. NOTE – The Medway Place site plan decision dated 11-30-21 includes a condition that traffic flow around the back of the building become one way, west to east.**
- 5. The proposed use will not be detrimental to the adjoining properties due to lighting, flooding, odors, dust, noise, vibration, refuse materials, or other undesirable visual, site or operational attributes of the proposed use.** The proposed uses do not necessitate any changes to lighting. There will be no change to the amount of impervious surface area so no increased flooding impacts are anticipated. There will be no notable increase in odors, dust or vibration. The existing dumpster servicing Rocky's will be enclosed as shown on the site plan. This will minimize that undesirable visual feature; the dumpster enclosure details are included on the site plan. **Specific Condition D.1 provides a time limitation on the special permit, to allow an evaluation as to whether there will be any adverse visual attributes once constructed.** The planned additional uses are reasonable accessory extensions of the operation of the main hardware store retail use.
- 6. The proposed use as developed will not adversely affect the surrounding neighborhood or significantly alter the character of the zoning district.** The proposed uses are customary accessory uses associated with a retail hardware store. The modest size of the garden center (1,200 sq. ft.) will not significantly alter the character of the central business zoning district. The

impacts of these uses on the adjacent neighborhood will not be different than those from the existing shopping center's operation.

- 7. The proposed use is in harmony with the general purpose and intent of the Zoning Bylaw.** The *Zoning Bylaw*'s Table of Uses specifies a wide array of permitted business and retail uses for the central business district. The Bylaw authorizes outdoor display areas in the central business zoning district by special permit. By going through the special permit process, the location of these facilities is permanently designated and concerns for vehicle and pedestrian safety have been addressed pursuant to the Specific Conditions specified in Section VIII herein.
- 8. The proposed use is consistent with the goals of the Medway Master Plan.** The use is consistent with the Master Plan's goal of further economic development within the Town's existing commercial areas. As a regional hardware store, Rocky's has wide name recognition and its services and merchandise provide a draw to customers to the Medway Place shopping plaza, thus serving to strengthen the viability and importance of Medway Place to the community.
- 9. The proposed use will not be detrimental to the public good.** For all the above reasons, the impacts of the proposed uses will not outweigh the beneficial services to be provided to the community. Potential adverse effects have been mitigated and addressed in the conditions included in this decision in Section VIII.

| Planning & Economic Development Board Member | Vote |
|---------------------------------------------------------|-------------|
| Jessica Chabot | |
| Richard Di Iulio | |
| Matthew Hayes | |
| Andy Rodenhiser | |
| Robert Tucker | |

- VII. WAIVERS** – At its _____ meeting, the Board, on a motion made by _____, and seconded by _____, voted to _____ waivers from the following provisions of Section 206-3 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 Specific 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 |
|---------------------------------------------------------|-------------|
| Jessica Chabot | |
| Richard Di Iulio | |
| Matthew Hayes | |
| Andy Rodenhiser | |
| Robert Tucker | |

Administrative Site Plan Submittal Requirements/Plan Contents

- 1. Section 206-3 Stormwater Drainage Evaluation Report.** Concurrent with this application, the shopping center owner, Medway Realty LLC, is in public hearing with the Planning and Economic Development Board for a site plan for the full Medway Place shopping plaza. As part of that application, a full stormwater report and drainage plan has been prepared,

submitted and reviewed by the Board's consulting engineer and the Medway Department of Public Works. The specific site for these proposed Rocky's improvements is located on existing asphalt so there is no increase in impervious surface. The planned installation of stormwater infrastructure for the plaza has been added to the Rocky's site plan. *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. CONDITIONS - The *Special and General Conditions* included in this *Decision* shall assure that the Board's _____ of this site plan and special permit is consistent with the *Zoning Bylaw* and 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 _____ is subject to the following Specific and General Conditions.

SPECIFIC CONDITIONS OF APPROVAL

- A. **Plan Endorsement** - Within one hundred twenty days after the Board has filed the *Decision* with the Town Clerk, the *Rocky's Ace Hardware Garden Center Plan* dated 7-12-21, last revised 9-9-21 prepared by Sugrue Associates of Smithfield, RI shall be further revised to reflect all Conditions and required revisions and additions, including those as specified herein, and shall be submitted to the Board to review for compliance with the Board's *Decision*. (Said plan is hereinafter referred to as the *Revised Plan*). The Applicant shall provide the Revised Plan in its final form to the Board for its endorsement.
- B. **Plan Revisions** – Prior to plan endorsement, the following plan revisions shall be made to *Rocky's Ace Hardware Garden Center Plan* dated 7-12-21, last revised 9-9-21 prepared by Sugrue Associates of Smithfield, RI to be approved by the Board.
1. The Revised Plan sheets shall comply with Section 206-4 E of the *Site Plan Rules and Regulations* including the addition of a standard cover sheet to include approved waivers, index, signature box, etc.
 2. The Revised Plan shall be formatted suitably for recording at the Norfolk County Registry of Deeds
 3. The Revised Plan shall specify the revised one-way traffic pattern west to east behind the building pursuant to Specific Condition D.3.
 4. The Revised Plan shall include added details and notes regarding the text and locations for signage to prohibit the use of the paved area to the east of Rocky's pursuant to Specific Conditions D.3 and D.5.
- C. **Use Limitations**
1. The permittee shall not place fertilizers, de-icing chemicals or other substances that are potential sources of pollutants as defined in the Town's Stormwater Management and Land Disturbance Bylaw, Article XXVI of the Town's General Bylaws in the outdoor garden center that may enter the Town's MS4 stormwater system.
 2. Hours of operation – The outdoor garden center and the propane tank filling station shall be closed during any time the retail store is closed.

3. Outdoor Storage – Consistent with the *Zoning Bylaw*, Table 1 Schedule of Uses, outside storage as defined in the *Zoning Bylaw* of materials associated with a business operating in a building on the premises is not permitted in the Central Business District.
4. Other Outdoor Display - This decision does not apply to or authorize the applicant's use of the outdoor sidewalk area in front of the Rocky's Hardware store for product display purposes. Such outdoor display activity requires a separate special permit from the Zoning Board of Appeals.

D. Other Conditions

1. As previously noted, the Board has concerns about the adequacy of the site improvements to suitably address traffic and safety in the area where the outdoor garden center and propane filling station will be located. Accordingly, this special permit shall expire two years after the expiration of the 20-day appeal period unless previously extended by vote of this Board. An application to modify this condition to extend the special permit may be filed after the expiration of 20 months from the expiration of the 20-day appeal period, at which time the Board will evaluate existing conditions and determine if any other measures or site plan modifications are needed to ensure public safety.
2. The Permittee, as a tenant in the Medway Place shopping center, shall comply with applicable provisions of the Board's Medway Place site plan approval decision dated November 30, 2021 including but not limited to conditions pertaining to solid waste management and delivery scheduling coordination among Medway Place tenants.
3. Deliveries for all Rocky's Hardware merchandise shall be from behind the store, not through the store's front entrance or gate to the garden center. The traffic route for Rocky's delivery vehicles shall be one-way (west to east) from the far western end of the shopping center complex and around the rear of the buildings to the back of the Rocky's store. No delivery vehicles for Rocky's merchandise are permitted to access its back unloading area via the paved area and drive aisle at the easternmost end of the shopping center building where the Rocky's garden center and propane filling station are located.
4. No signage other than the safety signs shown on the site plan is allowed for the propane tank and filling station area. No product signage or banners are allowed on the fencing for the outdoor garden center.
5. Signage shall be installed to:
 - Direct traffic to move one-way only from west to east behind the Medway Plaza buildings. This may include pavement markings as well as wall signage.
 - Prohibit traffic from entering the paved area to the east of Rocky's Hardware
6. The permittee shall comply with Town of Medway water restrictions issued by the Department of Public Works as such apply to the watering of plant materials located within the garden center.

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** – After conclusion of the 20-day appeal period, 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 through 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 telephone number and email address 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 and Parking* – During construction, adequate provisions shall be made on-site for the parking, storing, and stacking of construction materials and vehicles. All parking for construction vehicles and construction related traffic shall be maintained on site. No parking of construction and construction related vehicles shall take place on adjacent public or private ways or interfere with the safe movement of persons and vehicles on the premises or on adjacent properties or roadways.
8. *Noise* - Construction noise shall not exceed the noise standards as specified in the *Zoning Bylaw*, Section 7.3

E. 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.

F. On-Site Field Changes

1. During construction, the Permittee may be authorized to make limited, minor, on-site field changes to the endorsed 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.

G. 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 and special permit approval is subject to all subsequent conditions that may be imposed by other Town departments, boards, agencies or commissions. Any changes to the endorsed 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 and special permit modifications.
3. Any work that deviates from the endorsed 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 endorsed site plan or special permit 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 or special permit 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. Any modification approved by the Board shall be made a permanent part of the approved project documents and shall be shown on the final as-built plan.

H. **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 *Zoning Bylaw* (non-criminal disposition) and violations or non-compliance are subject to the appropriate fine.

I. **Project Completion**

1. As provided in Section 3.4.E and Section 3.5.7 of the *Zoning Bylaw*, special permits and site plan approval shall lapse within two years, which shall not include such time required to pursue or await the determination of an appeal under G.L. c. 40A, §17, from the grant thereof, if a substantial use thereof has not sooner commenced except for good cause, or, in the case of a special permit for construction, if construction has not begun by such date, except for good cause. Upon receipt of a written request by the applicant filed at least 30 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. In addition, the work shown on the approved site plan shall be completed by the Permittee or its assignees within two years of the date of plan endorsement.
2. 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.

- J. **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.
- K. **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.

###

Decision Date: _____

AYE:

NAY:

Signature *Printed Name*

Signature *Printed Name*

Signature *Printed Name*

Signature *Printed Name*

Signature *Printed Name*

Signature *Printed Name*

- COPIES TO:** Michael Boynton, Town Manager
Mike Fasolino, Deputy Fire Chief
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
Joel Quick, Pierce Atwood
Steven Bouley, Tetra Tech

Gareth I. Orsmond

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Boston, MA 02110

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

Admitted in: MA, NH

November 19, 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: Rocky's Ace Hardware Outdoor Display Special Permit and Administrative
Site Plan Review, 98 Main Street, Medway, Massachusetts

Dear Board Members:

I write on behalf of Medway Realty, LLC ("Medway Realty") in response to two aspects of the above-referenced matter, both of which were brought to my attention by the draft decision for an outdoor display special permit and administrative site plan approval sent to Rocky's Ace Hardware on November 1, 2021 and further revised on November 19, 2021 (the "Draft Decision").

First, the Draft Decision requires that the driveway behind the buildings (the "Back Driveway") be made into a one-way drive going from west to east and that certain signs be installed to implement this requirement.

Second, the Draft Decision refers to and requires changes to the site plan separately submitted to the Board by Medway Realty under reservation of right as part of a major site plan review process, which the Draft Decision identifies as "Medway Place Site Plan and Landscape Plan and / Prepared by Howard Stein Hudson, Boston, MA / Dated April 22, 2021, last revised September 30, 2021" (the "Parking Site Plan"), and states that this plan will be "further revised as specified herein".

As you know, Medway Realty is not the special permit or administrative site plan applicant, is not party to the applications, and is not bound by any conditions of the special permit or site plan review. Only Rocky's is so bound. Rocky's rights to pursue the

administrative site plan review and special permit come solely from its lease with Medway Realty, and by signing the applications Medway Realty is doing no more than acknowledging Rocky's lease rights. Its signature was not necessary. Additionally, Medway Realty signed as the owner of 98 Main Street, where Rocky's is located. As the Board is aware, this is only one of three adjoining properties owned by Medway Realty.

That said, I offer the following to guide the Board's decision.

With respect to the first issue above, Medway Realty is willing to make the Back Driveway a one-way drive (and to implement the necessary signage) subject to two conditions. First, Medway Realty would only agree to this limitation for so long as Rocky's outdoor display area and propane-filling station are allowed to remain and to operate. In the event that the Board insists on its two-year "trial" period and does not permit Rocky's to continue these operations, then Medway Place will no longer agree to maintain the Back Drive as a one-way drive and will remove the signage. Second, by agreeing to this accommodation for the sake of Rocky's, Medway Realty does not agree to designate any of the parking at the side or back of the buildings as "employee only" parking.

With respect to the second issue above, please make it clear in the special permit and site plan review decision that the only approved site plan is the plan prepared by Sugrue Associates. Although Rocky's introduced a long-since-outdated version of the Parking Site Plan early on the special permit and site plan review proceedings, that plan was supplanted by the Sugrue Associates plan, no longer represents Medway Realty's proposal in its own site plan review proceedings, and Medway Realty has not authorized Rocky's to submit the Parking Site Plan for review or approval as part of Rocky's applications for a special permit and site plan review. As is clear from the identification of the property as 98 Main Street, only part of the property shown on the Parking Site Plan is at issue here: the part of the property that Rocky's is seeking approval to improve as shown on the Sugrue Associates plan.

As set forth above, Medway Realty is not party to and is not bound by the Board's decision regarding Rocky's applications, but is willing to make the above-described accommodations to help Rocky's business.

Very truly yours,



Gareth I. Orsmond

GIO/msg

cc: Joel Quick, Esq. (by email)
Todd Wilson (by email)
Kevin Bradley (by email)

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



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TOWN OF MEDWAY
COMMONWEALTH OF MASSACHUSETTS
**PLANNING AND ECONOMIC
DEVELOPMENT BOARD**

November 30, 2021

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

Decision Date: November 30, 2021

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 - Medway Place is a 115,134 square foot shopping plaza, constructed in 1962 and 1969, with over 1,000 linear feet of frontage on Main Street (Route 109). Route 109 was recently repaved and improved through a major Massachusetts Department of Transportation (DOT) project, which included construction of a new signalized intersection and boulevard style entrance at the main entrance to Medway Place. The traffic count on Route 109 in front of the site is approximately 23,000 cars per day. Existing tenants include Ocean State Job Lot, O'Reilly Auto Parts, Anytime Fitness, Bank of America, Rocky's Hardware, multiple restaurants, and independent local operators.

The Applicant has proposed changes in the layout, paving, and landscaping for the 446 space Medway Place parking lot. The change in the layout is a result of the recently completed Mass DOT Route 109 improvement project noted above. The parking lot work will align the internal parking spacing with the new main entrance to improve traffic circulation within the site and provide pedestrian access to the shopping center from Main Street. The site work will include installation of a berm near the entrance to the Shell Station at 86 Main Street, widening of the east aisle of the main entrance to 20' wide, relocation of several light fixtures, installation of electric vehicle charging stations, and traffic flow signage. Reconstruction of portions of the parking lot are planned. Other areas will be seal coated. The Applicant has also proposed stormwater management controls to collect and treat stormwater collected from the parking lot before it is discharged into the Town's municipal storm drain system. Some aspects of the stormwater work are being handled as an MS4 Connection Permit through the Medway Department of Public Works pursuant to *Medway General Bylaws, Article XXVI Stormwater Management and Land Disturbance*.

This project is subject to major site plan review pursuant to Section 3.5.3 of the *Medway Zoning Bylaw* and the *Board's Rules and Regulations for Submission, Review and Approval of Site Plans*, last updated October 8, 2019.

Over the course of the Board's review of the site plan application for compliance with the *Site Plan Rules and Regulations*, the scope of work has evolved to encompass landscaped islands, installation of electric vehicle charging stations, fencing, and additional stormwater management measures. The Applicant has also prepared a master signage plan and landscape maintenance program.

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 November 30, 2021, on a motion made by Robert Tucker and seconded by Matthew Hayes, voted to **APPROVE 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 approved by a vote of four in favor and none opposed.

| <i>Planning & Economic Development Board Member</i> | <i>Vote</i> |
|---------------------------------------------------------|-------------|
| Richard Di Iulio | AYE |
| Matthew Hayes | AYE |
| Andy Rodenhiser | AYE |
| Robert Tucker | AYE |

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 5, 2020, and March 24, 2020.
- I. March 16, 2021 - Administrative Site Plan application filed with the Town for fencing.

NOTE – Massachusetts 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, and October 27, 2020,
- K. The hearing resumed on November 24, 2020, and was continued to 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, November 16, 2021, November 23, 2021 and November 30, 2021 at which time a decision was rendered and the hearing was closed.
- L. By means of written communications from attorney Gareth Orsmond, the Applicant granted written extensions of the action deadline to: February 28, 2020, April 30, 2020, November 30, 2020, September 30, 2021, November 15, 2021 and December 3, 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. **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 regarding the Howard Stein Hudson site plan dated 4-22-21.
3. **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
4. **Administrative Site Plan Review application filed with the Town March 16, 2021**
- C. During the course of the Board's review, a variety of materials were submitted to the Board by its staff, Board members, 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
- 9-16-21 email 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
- 11-23-21 email from Bridget Graziano, Conservation Agent
- 11-24-21 and 11-29-21 emails from Deputy Fire Chief Mike Fasolino
- 11-29-21 email from Sergeant Jeff Watson, Medway Police Department Safety Officer
- Collection of aerial photos of Medway Place site conditions taken on November 30, 2021 provided by PEDB member Andy Rodenhiser

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 and Resident 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
- 11-23-21 email from resident Lee Brundage, 264 Village Street

VI. FINDINGS – The Board, at its meeting on November 30, 2021, on a motion made by Robert Tucker and seconded by Matthew Hayes, voted to APPROVE the following FINDINGS regarding the site plan application for Medway Place. The motion was approved by a vote of four in favor and none _ opposed.

| Planning & Economic Development Board Member | Vote |
|---------------------------------------------------------|-------------|
| Richard Di Iulio | AYE |
| Matthew Hayes | AYE |
| Andy Rodenhiser | AYE |
| Robert Tucker | AYE |

General Findings

1. Applicant has been issued a conditional MS4 Connection Permit by the Medway Department of Public Works which is in effect until March 17, 2022.
2. In addition to this application, there is also currently pending before the Board an application for administrative site plan review and an outdoor display special permit for Rocky's Ace Hardware located within Medway Place at 98 Main Street.
3. Parking Lot Paving – The Applicant has proposed to partially reconstruct the parking lot as shown in grey highlights on Sheet C1.00 Layout and Materials of the Medway Place site plan dated August 30, 2021 by Howard Stein Hudson. Paving will also occur around all proposed curb at the landscaped islands approximately one foot from the edge of the curb which is not shown on the plan or in any detail. The Applicant has indicated additional paving will be undertaken in the future when the pavement in areas not initially repaved as part of this project reaches the end of its useful life, estimated to be within 5 years. The Town's Consulting Engineer, Tetra Tech, in its various plan review letters, has repeatedly noted problems associated with this incomplete approach indicating that this manner of work will lack the quality expected. Installing curb in degraded asphalt will result in poor quality. Issues are expected to occur at the joints between the newly paved areas and the existing deteriorated pavement.

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.

The Applicant has not proposed any new buildings or uses as part of this site plan application. Proposed site improvements include paving, outdoor dining areas, food truck spaces, electric vehicle charging stations, bike racks, motorcycle parking, relocation of parking lot light fixtures, fencing, and landscaping. However, the scope of work as proposed and presented does not adequately address:

- *traffic circulation around the buildings*
- *the highly disorganized nature of 31+/- trash dumpsters located around the back of the site*
- *the organization of parking, loading and pedestrian access in the area adjacent to the child care facility located at the end of the alley/fire lane*
- *the continued use of overhead wires between the building and light fixtures in the parking lot.*
- *storage of outdoor plant fixtures*
- *full paving of the parking lot area nor a phasing plan to do so*
- *absence of adequate snow storage areas*
- *lighting photometrics*
- *landscaping to meet the Site Plan Rules and Regulations standards*

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 buildings or renovation of existing buildings. The proposed site improvements have been reviewed by the Design Review Committee which has provided comments and recommendations, some of which have been incorporated into the site plan. However, no design details have been provided for the electric vehicle charging stations, planting fixtures, bike racks, benches, and replacement light fixtures. The extent of landscaping is limited and there are no plans to eliminate the overhead wires.

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.

The proposed scope of work does not include any building construction work. The existing site design is characteristic of a typical 1960's shopping center with a heavy reliance on parking and little consideration for landscaping and site amenities. The proposed site improvements represent some positive steps in a good direction but are incomplete and do not attain the caliber of a primary community shopping area as envisioned in the 2009 Medway Master Plan. More recently, the community's dissatisfaction with Medway Place has been repeatedly noted as a compelling and concerning issue facing Medway during the Master Plan update project currently in process.

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.

The proposed site plan improvements do not address the handling and disposal of refuse and deliveries, nor does the plan address the haphazard parking layout presently in existence at the back of the buildings. These shortcomings are made even more problematic by the 2-way traffic pattern around the back of the building. These conditions create safety hazards for customer parking and access, deliveries, and access by emergency vehicles which are not being addressed.

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.

The design and layout of the proposed entrance drive into Medway Place from Main Street has been revised to address Fire Chief Jeff Lynch's concerns; the drive aisle has been widened from 16 feet to 20 feet in response to the Chief's feedback. The selection of trees for the landscaped drive has been changed to provide for a taller canopy so as to not interfere with emergency vehicles. The parking lot layout has been modified from perpendicular style to angle style based on feedback from the Board. The use of the alley/drive aisle/fire lane between the two Medway Place buildings concerns the Board due to its narrow dimensions, landscape installation, and use by delivery trucks. There are conflicts between delivery trucks and customer parking for various businesses and the drop off and pick up and outdoor play area arrangements at the child care center. Specific Condition #Q addresses this issue. However, the required 20-foot width for the fire lane between the 2 buildings has resulted in a substantially reduced landscape treatment along its western edge and diminishes its attractiveness. Further concerns have been noted about the narrow width of the 2-way traffic driveway around the back of the building; the size of some delivery trucks is too large for the area and their turning capability is questionable.

This situation is compounded by the presence of signage allowing for 2-way traffic onto the back driveway at the end of the fire lane/drive aisle. This is addressed by Specific Condition G.

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 with angle style parking improves internal circulation with better organized parking for both customers and employees. The parking layout and design is such that there will be no backing out by vehicles onto a public way. Also, there is no access to the site from minor residential streets.

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

The Fire Department has reviewed the initial version of the site plan as submitted by the Applicant and provided comments and recommendations for plan revisions to address the driveway/fire lane between the two buildings, the width of the eastern aisle of the new main entrance, and the species of trees selected for the main entrance driveway. After reviewing a revised plan, the Fire Department determined that the above noted improvements comply with the Fire Code. The Fire Department has informed the Board that the Mass Fire Code (Section 18.2.3.4.1.1) requires 20' of unobstructed road width around buildings for fire department access roads. Specific Condition G4 addresses this requirement.

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 volume of cut and fill is minimal and pertains primarily to landscaping. As the site is already highly developed, there are no stone walls to be removed. A landscaping plan has been provided and no existing trees will be removed. 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. The Applicant secured an MS4 permit from the Medway DPW based on the Drainage Improvement Plan by Grady Consulting, LLC dated 9-7-19, last revised 3-1-21. However, the overall impacts of the site's stormwater have not been fully mitigated as runoff will still flow to the Town's MS4 system because the Applicant is not fully managing stormwater on the property. This has been addressed by Specific Condition D3. It is noted that the Applicant will need to return to the Medway DPW to amend its MS4 Connection Permit due to additional stormwater management measures being included as part of the site plan project.

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 a significant component of this site plan project. As part of the new entry driveway, a sidewalk is provided connecting Main Street to the shopping center buildings. The site plan includes the installation of bicycle racks and _____ motorcycle parking spaces to accommodate cycling customers and employees. The rearranged parking configuration from angle to perpendicular parking will be safer and more efficient to the driving public. Speed bumps will be installed to reduce traffic speed within the center. However, the planned continuation of 2-way traffic around the back of the building, used primarily for deliveries and trash disposal, is of great concern to the Board and is addressed through Specific Condition G to change the routing to one-way traffic only. Further, the Applicant has not been willing to provide for pedestrian access between Medway Place and the adjacent Drybridge Crossing center to the west by providing selected breaks in the fencing between the two properties. This shortcoming is addressed in Specific Condition H.

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 1962 and 1969 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.

The Applicant intends to relocate several of the existing parking lot light fixtures and has indicated that the light fixtures will be replaced periodically as needed. No specification is provided for the replacement fixture. A complete lighting plan is required; the site should not be shedding light onto adjacent properties. However, the Applicant has not responded to the Board's request for a photometric plan of current conditions. The Board is concerned that the lighting will have a haphazard, uncoordinated appearance and more so, that the lighting installation will continue to retain the unattractive use of overhead wiring. As conditioned herein (Specific Conditions C1 and C7), and prior to plan endorsement, the Applicant shall provide a lighting plan compliant with the requirements of Section 7.1.2 of the Zoning Bylaw 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. However, the stormwater plan does not fully address or mitigate the site's current stormwater situation. The Board is aware of prior E. coli contamination on the premises which is subject to required action pursuant to the Applicant's MS4 Connection permit issued by the Medway Department of Public Works.

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 Medway Place which is already screened by a fence and vegetated buffer along the northern boundary of the Medway Place property. Those abutters were notified of the public hearing and no one attended or expressed any comments or concerns about the project. The scope of work is not anticipated to generate any additional traffic to the center. Customer parking is primarily located in front of the shopping center, not behind, so there should not be any glare issues associated with the project. The Zoning Bylaw includes environmental standards which address noise and odors and can serve as the basis for enforcement against complaints about such nuisances that may be generated by the business uses in the plaza in the future.

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

The project's scope of improvements is limited and will not fully contribute to the revitalization of Medway's central business district as recommended in the 2009 Medway Master Plan and as desired by the community. Future development at other locations in the central business district is expected pursuant to Medway's new mixed-use zoning provisions whereby modern zoning standards will prevail and attractive commercial and residential development opportunities can be pursued in compliance with the Medway Design Guidelines.

15. Off-street loading facilities and methods for unloading vehicles, goods, 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.

The Board has serious concerns about the center's off-street loading facilities and methods for unloading vehicles, goods, products, materials and equipment. The existing 2-way traffic flow around the back of the building is problematic and is exacerbated by signage at the end of the fire lane between the buildings authorizing such 2-way traffic. The narrow space behind the Ocean State Job Lot's loading dock area and an unprotected drop off makes for dangerous site conditions. The requested turning details for large delivery vehicles have not been provided and thus the Board cannot analyze the maneuvering capabilities and limitations for deliveries. The disorganized nature of the location of the 31 refuse dumpsters behind the buildings contributes to travel difficulties and is a further safety concern for the Board.

16. The project complies with the requirements 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.

Stormwater management is a standard component of site plan review and is under the Board's jurisdiction. Around the same time as the Applicant was preparing its site plan submittal to the Board, the Medway Department of Public Works (DPW) was in discussion with the Applicant about the property's absence of stormwater management facilities; the center's stormwater was not being managed on site and instead was flowing to the Town's MS4 system. The owners of Medway Place needed to address that situation pursuant to Medway General Bylaws, Article XXVI Stormwater Management and Land Disturbance which requires an MS4 Connection Permit.

Acknowledging that both the Board and DPW would need to be satisfied with its stormwater plans, the Applicant decided to work first with the DPW to secure the required MS4 Connection

Permit before addressing other stormwater management measures for the site. As part of the MS4 Connection Permit process, the Applicant's proposed measures focused on improving stormwater quality before stormwater flows into the Town's MS4 system. Those plans were reviewed by the Town's Consulting Engineer. In March 2021, the Medway Department of Public Works issued a one year conditional MS4 Connection Permit which requires repairs to drainage pipes, installation of water quality units and catch basins, and water quality testing. The planned work does nothing to reduce the volume of stormwater flow off the site. The MS4 Connection Permit expires in March 2022. Work approved pursuant to that permit has not been completed.

During the course of the Board's site plan review public hearing process, the Town's consulting engineer, Tetra Tech, has reviewed the proposed stormwater plan for the site and identified that stormwater runoff from certain areas of the parking lot is not being fully captured and treated. Tetra Tech has opined that the Applicant's proposed additional stormwater measures (installation of additional catch basins and enlarged curb breaks (gutter inlets) in the landscaped islands) may not function as intended, particularly during intense storm events. Nor has the Applicant incorporated low impact development techniques into the design of the proposed drainage improvements. Darren Grady, P.E. of Grading Consulting LLC, the Applicant's stormwater engineer, reports that infiltration and recharge is not a viable alternative due to the property's poor soils and high groundwater. However, the Board's Consulting Engineer did not witness any test pit excavations. The Applicant has proposed modest measures to reduce the amount stormwater flow off the property by reducing the amount of impervious pavement with the planned landscape installation. Nor is the Applicant adding any impervious surface to the site. However, the Board believes further measures could be taken to reduce the amount of impervious pavement, and/or to install pervious materials in suitable locations, and ensure that the maximum amount of stormwater is directed to the catch basins. We note that the Applicant will need to return to the Medway Department of Public Works for a modification to its MS4 permit.

Medway Land Disturbance Permit – The Board would like the Applicant to calculate the amount of impervious area that will be “disturbed”, as defined in Article XXVI of the Medway General Bylaws, by both the MS4 stormwater work and the site plan improvements. Specific Condition D2 addresses the possible need for a land disturbance permit.

NPDES Permit – It does not appear that the scope of the project triggers the requirement for a NPDES permit as repaving is considered to be routine maintenance and not construction under 40 CFR 122.26 (b)(14)(x) or (15)(i).

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*.

The above analysis of the project pursuant to the Site Plan Rules and Regulations approval criteria and findings has been completed and reasonable conditions, limits, safeguards, and mitigation measures have been incorporated herein.

VII. WAIVERS – At its November 30, 2021 meeting, the Board, on a motion made by Matthew Hayes and seconded by Richard Di Iulio, voted to APPROVE and DISAPPROVE 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 or disapproving each

waiver request are listed below. All waivers are subject to the Special and General Conditions of Approval, which follow this section.

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

| Planning & Economic Development Board Member | Vote |
|---------------------------------------------------------|-------------|
| Richard Di Iulio | AYE |
| Matthew Hayes | AYE |
| Andy Rodenhiser | AYE |
| Robert Tucker | AYE |

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 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 that would generate additional traffic.

However, the parking configuration and internal traffic flow components of the project are of concern to the Board and therefore, the Board DISAPPROVES this waiver request.

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. However, the provided post-construction stormwater management plan focuses primarily on the work tied to the MS4 permit, and not to the entire site. Further, the Applicant has not provided information to document that a land disturbance permit is not needed. Therefore, the Board DISAPPROVES this waiver request.

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 site improvement work will be spread throughout the site and public safety should

be prioritized. Further, the Applicant has indicated that they will take up to 5 years to complete the site work. 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 Specific Condition E3 which requires the construction schedule and management plan to be provided to the Board.

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 is concerned about removal and disposal of earth materials on the premises and has included Condition E1 to address those concerns. The Board DISAPPROVES this waiver request.

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. However, since the application was filed, additional landscape work has been proposed which will require the import of fill to the site. Therefore, an estimate of the volume of earth materials is needed; see Condition E2. The Board DISAPPROVES this waiver request.

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. The Board has received confirmation from the Town’s Conservation Agent that there are no wetland resources on the property. 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

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 particularly in the areas to be paved, to help understand whether

stormwater runoff issues will occur as a result of the proposed curb islands with curb breaks and whether the catch basins will function adequately. NOTE – With the Applicant's 9-30-21 submittal, a Grading, Drainage and Utilities Sheet has been included in the revised Site Plan set dated 8-30-21. It shows existing contours and the proposed drainage modifications. However, the grading plan is not adequate as it does not show how the property will be regraded to direct stormwater flow to the catch basins and water quality units. Accordingly, the Board DISAPPROVES this request.

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.

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 MS4 stormwater management facilities AND the post-construction, on-going life of those facilities. However, the provided reports and plan only address the MS4 work and do not address other needed stormwater management measures on site and is therefore incomplete. Accordingly, the Board DISAPPROVES this request.

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. 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. 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. The site plan does not address refuse and trash disposal systems and enclosures. The Board finds that the submittal is not complete. Accordingly, the Board DISAPPROVES this request.

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.

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, planters and associated winter storage plan, dumpster enclosures, etc.) and should be addressed. The Board DISAPPROVES this request.

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 Medway Place site improvements. The Bylaw requirements cannot be waived by the Board. The Board DISAPPROVES this request.

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. As a best practice, it is standard to show sight distances on site plans. The Board believes this information is readily available to the Applicant and should be included on the plan. The Board DISAPPROVES this request

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 the status of 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.

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. The inclusion of such information is a standard element of any site plan set and should be provided to be complete. The preparation of this site plan is the opportune time to include this information. The Board DISAPPROVES this request.

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.

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 September 7, 2019, last revised March 1, 2021 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. The Permittee may request an extension of the time to submit the revised site plan for the Board's endorsement by notifying the Board in writing at least 30 days before the plan endorsement deadline expires.

- 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. Reference that the site plan is subject to the Master Signage Plan dated 9-30-21 and Landscape Maintenance Program dated 9-30-21.
- 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, drawings and sheets 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. Traffic Flow Pattern – To comply with Specific Condition G, the traffic pattern pavement arrows and other traffic pattern directional signage shall be revised and added to indicate one-way traffic only west to east across the back of the buildings, one-way traffic northbound on the west side of the west building, and one-way traffic southbound on the east side of the east building.
 3. Parking
 - West of Ocean State Job Lot – Remove the 4 most northern parking spaces on the western side of the drive aisle adjacent to Ocean State Job Lot to accommodate truck turning at the northwest corner of the site. The remaining 14 parking spaces shall be modified from perpendicular parking to angle parking to facilitate one-way traffic (northbound) on this driveway.
 - The recently installed curb stops for the parking spaces on the west side of the property near Drybridge Crossing shall be correctly and securely installed.
 4. Pedestrian Access between Medway Place and Drybridge Crossing – The plan shall be revised to include one safe means for pedestrian access between Medway Place and the adjacent Drybridge Crossing at 116 Main Street, the location of which shall be in the center third of the span, for approval by the Board prior to plan endorsement. The pedestrian access shall be compliant with state and federal handicap accessibility laws and regulations.
 5. Handicapped Parking – The Applicant shall have its project engineer recheck the details of the handicapped parking spaces and walkways as shown on the plan to ensure that they are compliant with applicable state and federal law including provisions for van parking.
 6. Irrigation Well - The plan shall be revised to include the correct location of the recently installed irrigation well and the correct size of the island on which it is positioned. Sheet C3.00 Planting Sheet shall be revised to show four season landscaping to screen the irrigation well.
 7. Utilities Plan compliant with Section 204-5 D. 7) of the *Site Plan Rules and Regulations* including conversion of overhead wires to underground installation pursuant to Section 207-16, A. of the *Site Plan Rules and Regulations*.

8. Grading Plan compliant with Section 204-5D. 2) of the *Site Plan Rules and Regulations*
 9. Erosion plan compliant with Section 204-5 D. 5) of the *Site Plan Rules and Regulations*
 10. Horizontal Sight Distance compliant with Section 204-5 D. 16 of the *Site Plan Rules and Regulations*
 11. Zoning Table compliant with information specified in Section 204-5 D. 17 of the *Site Plan Rules and Regulations*
 12. Locations of fire hydrants and fire lanes compliant with Section 204-5 D. 18) of the *Site Plan Rules and Regulations*. The alley/drive aisle between the 2 buildings is to be denoted as a fire lane pursuant to the Medway Fire Department's determination.
 13. Eliminate the one-way southbound drive aisle to the west of the main entrance boulevard by moving the curb line approximately 16' to the west, convert this space to a landscaped area, and revise the Planting Plan to include a robust, 4 season landscaping installation.
 14. The locations of all existing dumpsters and solid waste containers on the premises shall be updated and shown as Existing Conditions throughout the plan set.
- D. ***Required Actions Before Plan Endorsement*** – Due to the Board's denials of various waiver requests, the Applicant is required to submit the following items to the Board for its review and approval prior to plan endorsement.
1. Development Impact Statement compliant with Section 204-3 F. of the *Site Plan Rules and Regulations*
 2. Calculations for Land Disturbance pursuant to Article XXVI of the *Medway General Bylaws*, Stormwater Management and Land Disturbance
 3. Updated Stormwater Report and Revised Post Construction Stormwater Plan compliant with Section 204-3 G. of the *Site Plan Rules and Regulations*. Further, the Applicant's current proposed stormwater management measures shall be submitted to the Medway Department of Public Works pursuant to the conditions of the Applicant's MS4 permit which may necessitate modification.
 5. Truck turning movement documentation throughout the site for the largest anticipated delivery vehicles and fire apparatus.
- E. ***Required Action Before Construction*** Due to the Board's denials of various waiver requests, the Applicant is required to submit the following items to the Board for its review and approval prior to commencement of any site preparation or improvements.
1. Earth Removal Calculations pursuant to Section 204-3 I of the *Site Plan Rules and Regulations*
 2. Earth Fill Calculations pursuant to Section 204-3 J. of the *Site Plan Rules and Regulations*
 3. Construction Schedule and Construction Management Plan pursuant to Section 204-3 H. of the *Site Plan Rules and Regulations*

F. 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.
3. *Outdoor Dining* – Outdoor dining locations are limited to those shown on the site plan. Any changes to adjust existing or add new outdoor dining facilities at Medway Place shall be considered by the Board as a plan modification.

G. Traffic Pattern

1. Use of the alley/drive aisle between New England Cabinetry and MG Salon & Spa shall be one-way only (northbound) for vehicular traffic. Southbound traffic exiting out of this alley/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.
3. The above noted traffic patterns shall be clearly denoted with both pavement signage and suitable wall signage. The 2-way traffic sign painted on the back wall near the day care center shall be removed and replaced with signage to denote one-way traffic eastbound (right turn) only.
4. Pursuant to the Massachusetts Fire Code, there must be 20' of clear access around the building for Fire Department access.

- H. Pedestrian Access** – The Permittee shall provide one safe means for pedestrian access between Medway Place and the adjacent Drybridge Crossing to the west at 116 Main Street, the location of which shall be in the center third of the span, for approval by the Board prior to plan endorsement. The pedestrian access shall be compliant with state and federal handicap accessibility laws and regulations.

I. Solid Waste Management

1. *Solid Waste Management* – Within one year of plan endorsement, the Permittee shall prepare a master solid waste management plan for the property for the Board's review and approval. Such plan shall include but is not limited to an overall, coordinated scheme for trash management for the shopping center and shall include dumpster and compactor locations, details of an implementation schedule associated with lease expiration dates to transition to the management plan, and provisions for recycling. The plan should reflect a reduction in the number of dumpsters, a consolidation in dumpster locations, utilization of best practices for shopping center solid waste management including compactors, and maximum consideration for safe vehicular and pedestrian movement. The Applicant shall consult with the Medway Fire and Police Departments in preparing the plan. After 3 years, 5 years, and 8 years from plan endorsement, the Permittee shall provide a written update to the Board on progress toward implementation of the solid waste management plan.

2. The Applicant is required to work with tenants and trash collectors to reposition the existing dumpsters directly against the building so as to not interfere with traffic, deliveries, parking, emergency vehicles, and pedestrian traffic and to monitor such relocations regularly for ongoing compliance.
 3. No refuse or solid waste is allowed outside the approved dumpsters.
- J. **Lighting** – Site lighting shall comply with Section 7.1.2 of the *Zoning Bylaw* which applies to lighting modifications as well as new installations. A corresponding photometric shall be included in the plan set.
- K. **Parking Lot Paving and Stormwater Management**
1. The Applicant has indicated this project includes reconstructing a portion of the Medway Place parking lot (full depth pavement in the grey shaded area as shown on the site plan dated 8-30-21) and that it will repave the remaining sections in the future, estimated to be within 5 years. The Board has serious reservations that this piecemeal approach to grading and paving will negatively impact the adequacy of the management of stormwater on the site. Accordingly, for a one-year period after the site improvement work is completed, the Applicant is required to monitor rainfall during storm events greater than ½” and provide reports to the Board and the Medway Department of Public Works (DPW). If it is found that stormwater from Medway Place is bypassing the catch basins and overflowing out to Main Street, the Permittee is required to prepare a modified stormwater management plan and submit it to the Board for review and possible site plan modification. The Board will also work with the DPW to evaluate the stormwater plan for compliance with the Town’s Stormwater Management and Land Disturbance Bylaw.
 2. At such time as the Permittee wishes to complete the parking lot paving, an updated stormwater report and plan shall be submitted to the Board before any such work is commenced. This submittal shall include an evaluation of the effectiveness of the initial paving work and associated stormwater management measures and propose additional stormwater measures if needed. This may result in a plan modification.
- L. **Other Parking** – Prior to the commencement of any paving work, the existing parking space striping shall be removed, covered up, or dissolved to eliminate or significantly diminish the markings.
- M. **Coordinated Deliveries** – The Applicant shall work with its tenants to develop a coordinated schedule and plan for product deliveries and submit such to the Board by July 1, 2022. The purpose of this initiative is to reduce traffic conflicts among delivery vehicles and to maximize safety for pedestrians and safe access for emergency vehicles.
- N. **Electric Vehicle Charging Stations**
1. The Applicant is required to use the highest level EVC technology available at the time of installation. Before installation of the EVC stations, the Permittee shall secure the Board’s approval for the particular design of EVC equipment to be installed.

2. Half of the approved EVC stations shall be installed within two years after plan endorsement. The remaining EVC stations shall be installed within five years after plan endorsement.
- O. **Master Signage Plan** – The Master Signage Plan submitted as part of this review process shall be used by the Permittee and may be adjusted by action of the PEDB without a public hearing. The Master Signage Plan dated 9-30-21 is made a part of this decision.
- P. **Food Trucks/Landscaping/Barriers** – The Applicant has presented a plan that shows their intention to establish Flex Space Area A for outdoor dining and Flex Space Areas B and C for food trucks, planters, and associated outdoor seating. However, the timetable for doing so is not specified nor are details provided for the planting scheme, winter season planter storage, safety barricades, etc. At such time as the Applicant decides to proceed with this component of their site improvements, the Applicant is required to return to the Planning and Economic Development Board with more detailed plans for review and approval.
- Q. **Back to Basics Preschool (114D Main Street)** - Back to Basics Preschool is located in the back of the western Medway Place building; its entrance faces the drive aisle/fire lane between the two buildings. The Preschool uses a portion of the driveway area outside the building for the children's outdoor play area. The Board is concerned about the safety using the drive aisle/fire lane in this manner. Accordingly, the Applicant is required to work with the owner of Back to Basics Preschool in concert with the Medway Police Department to develop a specific site plan for this use and activity and submit to the Board as a minor site plan under the *Zoning Bylaw* by March 1, 2022.
- R. **Landscape Maintenance**
1. The Applicant has provided a Landscape Maintenance Program dated 9-30-21 which shall guide the Applicant in its care and maintenance of the landscape installation. This Landscape Program is made a part of this decision.
 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.
- S. **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 three years of the date of plan endorsement. 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.

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.

###

Decision Date: November 30, 2021

AYE:



Richard Di Iulio



Matthew Hayes



Andy Rodenhiser



Robert Tucker

COPIES TO: Michael Boynton, Town Administrator
Michael Fasolino, Deputy Fire Chief
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

since the applicant does not have the money. She would like more time to put together the needed information for the Board.

The Board noted that another issue for the applicant is that the former Order of Conditions has also expired. This will require a new filing with the Conservation Commission plus a Land Disturbance Permit.

The Board would like Susy Affleck-Childs to prepare a draft decision to deny the requested modification of plan and prior decision and the requested waivers from the current *Subdivision Rules and Regulations*.

The Board is also leaning toward not recommending the extension.

On a motion made by Jessica Chabot, seconded by Rich Di Iulio, the Board voted to continue the hearing to July 27, 2021 at 7:30. (The motion was approved; Member Tucker voted nay)

ROCKY'S HARDWARE – PUBLIC HEARING - ADMINISTRATIVE SITE PLAN REVIEW AND OUTDOOR DISPLAY SPECIAL PERMIT:

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

- Public Hearing notice dated 6-23-2021
- Outdoor Display Special Permit application and project narrative
- Administrative site plan application, project description, and requests for waivers from *Site Plan Rules and Regulations*
- Site Plan dated 4-22-2021 by Howard Stein Hudson
- Project review memo dated 7-8-2021 from Susy Affleck-Childs
- Rocky's Garden Center plan dated 7-12-2021 by Sugrue Associates
- Review comments from Sergeant Watson dated 7-11-2021
- Review comments from Building Department dated 7-12-2021
- Review letter from engineering consultant, Steve Bouley, Tetra Tech
- Rocky's Garden Center plan, revised 7-13-2021 by Sugrue Associates

On a motion made by Rich Di Iulio, seconded by Matt Hayes, the Board voted unanimously to open the hearing for the Administrative Site Plan & Outdoor Display Special Permit for Rocky's Ace Hardware and to waive the reading of the public hearing notice.

The applicant is seeking an approval of an administrative site plan and an outdoor display special permit for the addition of an outdoor garden center and a propane filling station adjacent to its new location at Medway Place shopping plaza.

Applicant's team:

Attorney Joel Quick, Pierce Atwood
Todd Wilson, Diversified,
Matt Kelly, Rocky's Regional Manager
Chris Rich, Rocky's Store Manager

The representative showed a pdf of the revised site plan on the presentation screen. The updated plan is dated July 13, 2021.

A question was asked why this project was not part of the Medway Place site plan. It was explained that this is a special permit for the outdoor garden center for Rocky's. The shopping center owner is co-applicant as landlord permission is needed and the landlord needs to sign the application. A question was asked if this can be combined with the other application. The overall site plan will be updated based on the results of this permit.

A question was asked about the outdoor totes being stored outside. The Board would like an area inside of the building where these can be stored instead of outside. It was explained that there will be a front gate for customers which will be opened daily through the side door and front entrance. There is a safety concern that this area is not striped. The applicant communicated that there will be bollards. There will also be a long sidewalk, but the Board does not think it extends far enough. This is a highly trafficked area. There was a recommendation for more bollards. The loading area is for car pick up of items. It was suggested to extend the walkway for foot traffic across the drive aisle to the propane area. There was a note from the Fire Department about the location of the fire hydrant. A question was asked about the propane tank and if it will remain since it was not shown on the drawing. The Applicant communicated that having the large filling tank is effective from the business perspective vs. selling individual propane tanks. The hydrant was noted on the detail sheet. The Board was informed that there was a visit from the Code Enforcement Officer about the large banners. Those are in violation of the bylaw for signage. The Chairman read the email from Erika Robertson of the Building Department into the record. The Board would like to make sure there will be no creep of the outside products. The applicant communicated that in regards to the outdoor storage, they did not know there were rules about the outside items. The manager communicated that all items will be moved inside starting tomorrow. The Board was informed that the fence around the garden center will be black chain link with bollards. The display racks for products will be 6 ft. tall and not taller than the fence. The products inside the perimeter of the fence are soils, mulch, wood pellets, and some plants. These are stacked bagged products. There will also be presentation tables. The Medway's Rocky's location will not have Christmas trees.

The delivery and unloading of products was explained. Deliveries will take place through the back of the store and then the products will be moved to garden center space. The maximum number of staff is 10. The vendors are not permitted to stop in front of the building to make deliveries. The Board would like the truck turning radius shown for the deliveries and the filling of the propane tank. They need to show that a truck can access in and out of the site without leaving the Medway Place property. The turning movements need to be shown so the trucks do not have to go onto the Shell station's property. It was suggested to have signage. There was a suggestion to have a canopy over the garden center for the inclement weather.

There was a review letter provided from Tetra Tech. The applicant will be incorporating the comments from Tetra Tech into the revised plan. There will be no change to the current lighting. The updated plan will include the following: updated plan for the turning radius, crosswalk, new propane area and stripping area. There is a concern that there is not enough room for a truck to pull in and out of the spots. There will be the removal of ten parking spaces. This will need to be coordinated with overall Medway Place site plan. A suggestion was made that the major site

plan reflect the reduction of the parking spaces associated with the Rocky's Garden Center and propone work.

Shell Station representative Michael Brown commented that Shell has a good relationship with the shopping center and Rocky's. However, there is a concern that trucks filling the propane tank would block the 50' side easement area Shell has on the Medway Place property. The Shell representative does not think the property line shown on the plan is accurate. The second concern is parking and the Shell station does not want Rocky's customers parking in their parking area. It was suggested that the parking lot for Shell be delineated on the plan and that Shell consider placing signs to denote Shell Station parking only.

On a motion made by Matt Hayes, seconded by Bob Tucker, the Board voted to continue the hearing to August 10, 2021 at 7:00. Member Di Iulio voted (nay).

MEDWAY COMMUNITY CHURCH SITE PLAN COMPLETION:

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

- Minor Site Plan endorsed 11-27-2018
- Email from Tetra Tech engineer Steve Bouley re: project completion dated 3-29-2021
- Email from Tetra Tech engineer Steve Bouley re: as-built review and sign off dated 6-28-2021
- Final Site Plan Decision dated 9-11-2018
- Stormwater Field Change dated 7-31-2019
- As-Built Plan dated 3-19-21 by Tata and Howard
- Long Term Stormwater Operation and Maintenance Plan dated -1-14-21
- Catch basin cleaning receipt
- Email from Tom Gay regarding site inspection dated 7-8-2020
- Draft PEDB Certificate of Site Plan Completion dated 7-8-2021

Member Rodenhiser recused himself due to a potential conflict of interest and Vice Chairman Tucker took over the meeting for this agenda item.

The Medway Community Church has requested a Certificate of Site Plan Completion. Pastor Carl Schultz was present. The only outstanding item pertains to the adequacy of the existing landscaping in the area beyond the new fence on the western side of the property and whether it provides sufficient buffering for abutting neighbors.

Member Gay communicated the green space has filled in well and there is new growth and plantings on the outside of fence. Spoke with two neighbors who reported no drainage problems. He feels the applicant has done everything they had committed to do. He visited site today. The circulation in the lot is working well. The consultant has signed off for project completion.

On a motion made by Matt Hayes, seconded by Jessica Chabot, the Board voted to determine that the Medway Community Church be approved for site plan completion. (Chairman Rodenhiser abstained)

Tuesday, August 10, 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 | Absent with Notice | Absent with Notice | X | X | X |

ALSO PRESENT:

- Susy Affleck-Childs, Planning and Economic Development Coordinator

PRESENT VIA ZOOM:

- Steve Bouley, Tetra Tech
- Gino Carlucci, PGC Associates

PUBLIC COMMENTS:

- There were no public comments.

ROCKY'S HARDWARE PUBLIC HEARING CONTINUATION -
ADMINISTRATIVE SITE PLAN REVIEW AND OUTDOOR DISPLAY
SPECIAL PERMIT - 98 MAIN STREET:

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

- Public Hearing continuation notice to 8-10-21
- Revised Garden Center Design plan dated 7-29-21
- Applicant's responses to previous Town staff and consultant review comments
- Tetra Tech review letter dated 8-5-21 on revised plan

The Chairman opened the continued public hearing for Rocky's Hardware Administrative Site Plan Review and Outdoor Display Special Permit for 98 Main Street.

Present for the applicant were attorney Joel Quick, Rocky's Regional Manager Matt Kelly, and Rocky's Store Manager Chris Rich.

A share screen of the revised site plan was provided.

The first area explained was the location for the unloading and loading areas of delivery trucks. This was shown on the plan at the rear of the building. The plan has been resized as requested at the last hearing. There will be a waiver to the scale requirement. The truck turning radius was added to the site plan. The turning area to the south was noted where the propane will be delivered. The plan shows a stop sign on the pavement to increase the safety along with striping.

There will be no bollards included in this area. All parties had a meeting with the Shell gas station folks to discuss parking. An agreement was reached that each parking spot will have a sign noting that parking is for Shell customers only.

The gate area was next shown. This area will have a newly stripped crosswalk. There will be bollards, fence and signage “no parking any time”. There is over 24 ft. of clearance from the bollards and the display area. The south side bollards are 7.5 ft. apart. The Board is concerned that a car could fit through those bollards. A photo of what is proposed was shown. This needs to be noted on the plan since it is not consistent with the photo. The applicant communicated that the bollards could be moved closer. There may be more bollards needed to protect the propane tanks. The applicant has reached out to the Fire Chief for comments and recommendations.

There was a comment about losing 10 parking spaces to gain driveway width in this area. The applicant noted that 3 of the parking spaces will be lost due to the propane tank so it will be 7 spots lost. Regarding the dumpsters on site, the applicant was informed that the dumpsters require an enclosure. This information has yet to be provided.

At the last meeting, the applicant communicated that all outside pallets would be removed by the beginning of the next week. That has not occurred. Also, the convex containers need to be removed from the site. A question was asked about the water spigot on site. The applicant was informed that this water from the town is to not be used for watering the plants and a well should be used for irrigation.

The plan needs to show the dimensions for the outdoor display area. There also needs to be a plan for the cables securing product on the sidewalk so the pedestrians do not trip. The applicant is working with the DPW to resolve the sewer issue. The applicant continues to work on signage which will include no parking along with safety related signage. There will be no advertising signage on the propane tanks. The tank will be a basic white. The applicant was informed that the sidewalk needs to be labeled on the new plan along with the location of the dumpsters. The bollards will be yellow. It was suggested the applicant provide a letter from the Fire Chief.

On a motion made by Jessica Chabot, seconded by Matt Hayes, the Board voted to continue the hearing to August 24, 2021 at 7:15 pm. The motion was approved by a 3-1 vote with Rodenhiser, Chabot and Hayes in favor and Di Iulio opposed.

PUBLIC HEARING CONTINUATION - MEDWAY PLACE SHOPPING PLAZA SITE PLAN 98, 108, AND 114 MAIN STREET:

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

- Notice dated 7-28-21 to continue the public hearing to 8-20-21.
- Cover letter dated 7-14-21 from Attorney Gareth Orsmond
- Supplemental Site Plan narrative overview dated 7-14-21
- Revised landscape plan dated 7-13-21
- Revised temporary seating plan dated 7-13-21
- Tetra Tech review letter dated 7-21-21
- PGC review letter dated 7-22-21
- Mullins Rule certification for Matt Hayes for 7-27-21 PEDB meeting

CONSTRUCTION REPORTS:

Tetra Tech engineer Steve Bouley was present via Zoom.

William Wallace:

The paving at William Wallace will be done later in the week along with the electrical trenches.

Millstone Village:

There will be a meeting on August 25, 2021 in the field. The meeting will address the remaining punch items.

MEDWAY MILL – SITE PLAN ENDORSEMENT:

Present for the Zoom call was project engineer Amanda Cavaliere of Guerriere and Halnon and attorney Danielle Justo.

The Board was made aware that a revised site plan has been submitted for Medway Mill for endorsement. This plan has been reviewed by Tetra Tech per the conditions of the site plan decision. The Board was informed that the plan is almost complete but the bridge plan sheets need to be reviewed by the DRC as required by the site plan decision. The applicant will need an extension of the deadline for plan endorsement. The Conservation Commission will be voting on their decision and issuing Order of Conditions next week. The Board was made aware that the Town Clerk has issued a Certificate of No Appeal and the applicant has paid the construction inspection fee.

On a motion made by Matt Hayes, seconded by Bob Tucker, the Board voted by Roll Call to extend the site plan endorsement to October 14, 2021.

Roll Call:

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

MASTER PLAN UPDATE:

The Board was informed that there was a Master Plan Committee meeting on August 23, 2021. The revised Existing Conditions report is forthcoming later this week; it will be provided to the PEDB. The Committee continues to work on the community engagement piece. The survey is due back on September 8, 2021. If anyone wants to hold a "Meeting In A Box", this also needs to be completed by September 8, 2021. There will be a Community Forum held on Sunday, October 3, 2021 from 11:00 am to 3:00 pm. This will be held as an open house event with lots of activities for public and children.

ROCKY'S HARDWARE – ADMINISTRATIVE SITE PLAN AND OUTDOOR DISPLAY SPECIAL PERMIT PUBLIC HEARING CONTINUATION

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

- Public Hearing Continuation Notice to 8-24-21
- Revised Site Plan dated 8-17-21 from Howard Stein Hudson
- Document from Attorney Joel Quick with summary of plan changes
- Tetra Tech Review letter dated 8-18-21
- Special Permit decision criteria from Section 3.4 of the Zoning Bylaw
- Email dated 8-24-21 from Kelly Millette at the Medway DPW re: water use restrictions

Attorney Quick was present to provide an update relative to items addressed since the last meeting. The revised plan now shows the location for the Rocky's dumpster and its enclosure in the northeast corner of the Medway Place site. The applicant will be providing a graphic detail of the actual appearance.

The Board needs to decide about the special permit findings for the outdoor display for the garden center. At the last meeting, the Rocky's manager noted that Rocky's is using the sidewalk space in front of its store for outside display of goods and merchandise. It was noted that Rocky's ongoing use of the sidewalk for outdoor display will need an outdoor display special permit even if it maintains 6' clearance on the sidewalk.

The Board next discussed the special permit decision criteria and provided feedback so that Susy Affleck-Childs can draft the decision.

Member Di Iulio noted his continuing objection to this project as stated in previous meetings. He feels it should be part of the overall Medway Place site plan. Chairman Rodenhiser noted that he wants all the notes and information from this hearing to be entered into the record for the Medway Place site plan hearing.

Within the decision it was recommended to include a condition that deliveries will follow the one-way around the back of the site to access Rocky's. The applicant communicated that he has informed his vendors about this. The existing lighting will remain. The Board would like confirmation that this lighting complies with the photometric plan. There is a hazardous concern about the propane tank. There was discussion about signage. The Board wants to make sure that the extent of signage does not creep on site. There will be no vendor signs. The propane tank will have safety signage only.

There was a letter received from the Town of Medway Water Department allowing the applicant to use the Town water for hand watering of the plants displayed outside but will be limited by the standard seasonal water restrictions. The applicant will also be required to be in compliance with all the Fire Code Regulations.

On a motion made by Bob Tucker, seconded by Matt Hayes, the Board voted by Roll call to continue the hearing to September 14, 2021 at 8:30 pm.

Roll Call:

| | |
|-----------------------|------------|
| Matt Hayes | aye |
| Jessica Chabot | aye |
| Bob Tucker | aye |

The 9-27-21 draft defines evening hours as 7:00 pm to 11:00 pm. There was discussion about the commuter noise. It was suggested that there be language added about doing a background noise survey over a minimum of a 7-day period to establish levels at each residential property line and at any sensitive receptor property line (for abutters within 300 ft.). There was also language added that the “measurement metric to determine ambient noise levels will be A-weighted L90 sound level”. The next section discussed was the prominent discrete tone. There was a recommendation to strike some repetitive language here since the definition already defines a “prominent discrete tone” as an “audible tone” and creates a conflict with section 7.3.D.2.a.2. There was also language added that there be a new “late-nighttime” time period that will be applicable to the 2db noise source. The MA DEP allows a 10 dBA increase to ambient background. The Medway draft would allow each new project to increase by 2dBA. This is very conservative, but consistent with the community’s intent to limit the rate of ambient noise increase. The tonal requirements appear to apply to all receptor types. It is recommended that these requirements are for residential uses and other sensitive receptors only. It was suggested that this not be applied at the industrial to industrial.

Resident Lee Knowlton 14 Green Valley road was present at the meeting. He asked if the levels for times are absolute. He suggested to bundle times. Consultant Komrower indicated that this was done to establish last night hours. An hourly average was then determined for each day to then determine the ambient noise levels.

Dan Merrikin, project engineer for Ellen Rosenfeld, noted that the one topic which need discussion is the requirement that a noise study be conducted. There needs to be language added to address the applicant securing access to nearby properties to conduct the study. It was noted that not all people will allow others on their property. A notice may need to be sent by certified mail.

There was discussion to change the receptors to the nearest residential property around the site up to 2,000 ft. from the of the building.

Resident John Lally had two items which he wanted addressed.

- Concern regarding 60dBA at the Industrial/Industrial and 55 dBA at the Commercial property lines.
- Not -to exceed residential property line and sensitive receipt noise limits
- Eliminating the octave bands would leave the residents vulnerable.

The Board will continue to work on refining this language.

PUBLIC HEARING CONTINUATION: ROCKY’S HARDWARE:

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

- Public Hearing Continuation notice to 9-28-21
- Revised draft decision dated 9-23-21
- Rocky’s Ace Hardware Garden Center Plan
- Rocky’s Ace Hardware Dumpster Fence detail
- Photometric plan by Highpoint Engineering dated 9-10-21

- Mullins Rule Certification for Bob Tucker for 8-10-21 PEDB meeting
- Mullins Rule Certification for Tom Gay for the 8-10-21 PEDB meeting
- Photos supplied by chairman Andy Rodenhiser

The Chairman opened the continued public hearing. Attorney Joel Quirk and Rocky's Vice President Kevin Bradley were present vis Zoom.

The Board was provided with some photos from the Chairman which were recently taken of the site. The photos showed items which are being stored outside the building which violates the bylaws. At the last meeting, the store manager had indicated that this was not occurring. It seems as though the outdoor storage changes on a daily basis. The applicant is not compliant with the bylaw. Chairman Rodenhiser noted that since the applicant is not following the rules, the Special Permit should not be granted. Member Di Iulio agrees with the Chairman. If the applicant cannot control what is currently on the site, there is hesitation about about granting this permit.

There was a suggestion to provide the applicant 30 days to improve the performance on the site.

The Board reviewed and discussed the special permit criteria. There are concerns that site does not have adequate space.

It was suggested to have staff prepare a denial decision based on the criteria which are not being met.

On a motion made by Matt Hayes, seconded by Jessica Chabot, the Board voted to continue the hearing to October 26, 2021, at 8:30 pm to will allow the applicant 30 days to improve their performance outside the site. (Member Di Iulio voted nay)

FUTURE MEETING:

- October 12, 2021

ADJOURN:

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

The meeting was adjourned at 10:36 pm.

Prepared by,
Amy Sutherland
Recording Secretary

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



**ROCKY'S HARDWARE ADMINISTRATIVE SITE PLAN AND
OUTDOOR DISPLAY SPECIAL PERMIT PUBLIC HEARING
CONTINUATION**

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

- 10-25-21 memo from Rocky's Vice President Kevin Bradley re: steps taken to address outdoor storage and display issues.
- Draft DENIAL decision dated 10-25-21
- Draft APPROVAL decision dated 10-25-21

The Board at the last meeting asked that Susy Affleck-Childs prepare both an approval and denial decision.

The Applicant's attorney and representative Joel Quick was present via Zoom along with Rocky's Vice President Kevin Bradley. The Board is in receipt of a memo from Rocky's Vice President Kevin Bradley regarding the steps Rocky's has taken to clean up the site since the last meeting (10-12-21). The Chairman communicated that he took photos on October 19, 2021 from and is not satisfied with the progress made to date and expressed concern that the management is not following the rules regarding outside storage.

Board members were asked for a straw poll on a possible vote. The Board is split with three for approval with conditions (Jess Chabot, Matt Hayes and Bob Tucker) and two against approval (Rich Di Iulio and Andy Rodenhiser). The Applicant is frustrated and communicated that at each meeting different issues seem to come up. It was noted that Rocky's representatives communicated that they are not in control of the traffic patterns of other leased businesses, only theirs. Susy will continue to work on both the approval and denial for the next meeting.

It was recommended to discuss this further at the Board's special meeting scheduled for November 2, 2021.

On a motion made by Matt Hayes, seconded by Jessica Chabot, the Board voted to continue the hearing to November 2, 2021 at 7:30 pm. (Member Di Iulio voted nay)

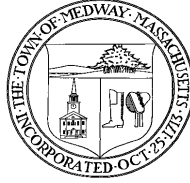
PEDB MEETING MINUTES:

The Board is in receipt of the draft minutes of the July 17, 2021 & October 12, 2021 meetings.

On a motion made by Jessica Chabot, seconded by Matthew Hayes, the Board voted unanimously to accept the minutes from July 17, 2021 & October 12, 2021.

OTHER BUSINESS:

- Matt Hayes announced will be a CPC meeting on November 1, 2021 to discuss additional funding for the Accessible Trail at the meadows.
- The Master Plan Committee will be holding a joint meeting with the PEDB and the Select Board on January 10, 2022. A first draft of Vision and Goals is being reviewed.



December 14, 2021

**Medway Planning & Economic Development Board
Meeting**

Cutler Place

**Multifamily Development Special Permit,
Major Site Plan Approval and
Land Disturbance Permit
6 Cutler Street**

UPDATED – December 14, 2021

- Public Hearing Notice dated 11-18-21
- Applications – Site Plan, Multi-Family Special Permit, Land Disturbance Permit
- Site Plan dated 11-17-21 by Ron Tiberi, P.E. with architectural drawings dated 11-17-21 by Alex Siekierski, R.A.
- Waiver Requests
- Plan review comments dated 12-6-21 by Susy Affleck-Childs
- SAC email dated 11-29-21 to Town staff requesting review and comments. None received to date.
- Abutter comment memo dated 12-5-21 from Chris and Kathleen Meo, 16 Cottage Street. This was forwarded to the applicant.
- **DRC Review Letter dated 12-10-21**
- **Abutter comment memo dated 12-14-21 from Julie Harrington, 5 Phillips Street.**
- **Tetra Tech review letter dated 12-14-21.**

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

November 18, 2021

NOTICE of PUBLIC HEARING

Cutler Place Multi-Family Housing Development - 6 Cutler Street

Pursuant to the *Medway Zoning Bylaw*, SECTION 5.6.4 Multifamily Housing and SECTION 3.5 Site Plan Review, and *Medway General Bylaws*, Article XXVII Stormwater Management and Land Disturbance, and the provisions of Massachusetts General Laws, Chapter 40A, and the Board's *Site Plan Rules and Regulations*, notice is given that the ***Planning and Economic Development Board will conduct a Public Hearing on Tuesday, December 14, 2021 at 7:30 p.m. in Sanford Hall at Medway Town Hall, 155 Village Street, Medway, MA***, (and via ZOOM) to consider the applications of Cutler Place LLC of Medway, MA for approval of a Multi-Family Housing Special Permit, a site plan entitled *Cutler Place* dated November 17, 2021 prepared by Ron Tiberi, P.E. of Natick, MA, and a Land Disturbance Permit. The Sanford Hall meeting room is accessible via elevator to persons with physical disabilities. Face coverings are required for unvaccinated individuals.

The applicant proposes to develop a 5-unit residential condominium at 6 Cutler Street located in the Village Residential zoning district. The 0.71 acre property (*Medway Assessors Map 48, Parcel 70*) is owned by Cutler Place LLC of Medway, MA. The property is bounded on the north and west by property owned by the Evergreen Cemetery Association, on the east by property owned by the Mullany Irrevocable Trust, and on the south by Cutler Street.

The proposed development entails renovation of the existing 4,800 sq. ft. building into three residential dwelling units and construction of a 3,000 sq. ft. addition for 2 residential dwelling units. 10 off-street parking spaces will be provided. Proposed access will be from a single curb cut from Cutler Street with two egress drives onto Cutler Street. Stormwater management will be provided by means of a rain garden retention system located at the front of the property to mitigate and treat runoff from the building and parking lot. Other improvements include landscaping and site lighting.

The applications and site plan are on file with the Medway Town Clerk and the Community and Economic Development office at Medway Town Hall, 155 Village Street, Medway, MA and may be inspected during regular office hours, Monday through Thursday from 7:30 a.m. to 4:30 p.m. and Fridays from 7:30 a.m. to 12:30 p.m. Face coverings are required to visit Town Hall. Project information is also posted at the Planning and Economic Development web page at

<https://www.townofmedway.org/planning-economic-development-board/pages/current-applications-pedb-0>.

Interested persons or parties are invited to review the plan, participate in the public hearing and express their views. Written comments are encouraged and may be forwarded to planningboard@townofmedway.org. All comments will be entered into the record during the public hearing. Please direct any questions regarding this application to the Medway Planning and Economic Development office at 508-533-3291.

Andy Rodenhiser
Chairman



Planning & Economic Development Board - Town of Medway, MA
SITE PLAN REVIEW

Application for Major Site Plan Approval

INSTRUCTIONS TO APPLICANT/OWNER

This Application is made pursuant to the *Medway Zoning Bylaw* and the Board's *Rules and Regulations for the Submission and Review of Site Plans*

The Town's Planning and Engineering Consultants will review the Application and the proposed Site Plan and provide review letters to the Planning and Economic Development Board.

A copy of those review letters will be provided to you in advance of the meeting.

You and/or your duly authorized Agent/Official Representative are expected to attend the Board meetings at which your Application will be considered to answer any questions and/or submit such additional information as the Board may request.

Your absence at hearings may result in a delay in the Board's review of the site plan.

NOVEMBER 16, 2021

APPLICANT INFORMATION

Applicant's Name: CUTLER PLACE LLC

Mailing Address: 249 VILLAGE ST.

MEDWAY, MA 02053

Name of Primary Contact: ANTHONY VARRICHIONE

Telephone:
Office: Cell: 508-561-1487

Email address: anthonyvarrichione@gmail.com



Please check here if the Applicant is the equitable owner (purchaser on a purchase and sales agreement.)

MAJOR SITE PLAN INFORMATION

Development Name: CUTLER PLACE

Plan Title: PROPOSED SITE AND UTILITY PLAN

Plan Date: NOVEMBER 1, 2021

Prepared by:
Name: RON TIBERI P.E.

Firm:

Phone #: 617-592-6122

Email: RTIB@COMCAST.NET

PROPERTY INFORMATION

Location Address: 6 CUTLER ST

The land shown on the plan is shown on Medway Assessor's Map # 48 as Parcel # 070

Total Acreage of Land Area: 0.71

General Description of Property: Paved lot in poor condition, unoccupied 4,800 sf building formerly the Medway American Legion.

Medway Zoning District Classification: VR

Current Use of Property: Unoccupied.

Length of Existing Frontage: 189.93

On what street? CUTLER

Setbacks for Existing Structure (if applicable)

Front: 61

Side: 22

Back: 42

Side: _____

Scenic Road

Does any portion of this property have frontage on a Medway Scenic Road?

☐

Yes

☒

No

If yes, please name street: _____

Historic District

Is any portion of this property located within a Medway National Register Historic District?

☐

Yes - Rabbit Hill

☐

Yes - Medway Village

Wetlands

Is any portion of the property within a Wetland Resource Area?

☐

Yes

☒

No

Groundwater Protection

Is any portion of the property within a Groundwater Protection District?

☐

Yes

☒

No

Flood Plain

Is any portion of the property within a Designated Flood Plain?

☐

Yes

☒

No

PROPOSED DEVELOPMENT PROJECT INFORMATION

Development Name: CUTLER PLACE

Major Site Plan Review applies to the following. Please check all that apply.

☒

- a. New construction or any alteration, reconstruction, renovation, and/or change in use of any multi-family, commercial, industrial, institutional, or municipal building or use which involves one or more of the following:

- i. the addition of 2,500 square feet or more of gross floor area; or
- ii. the addition of twenty or more new parking spaces

☐

- b. The redesign, alteration, expansion or modification of an existing parking area involving the addition of twenty or more new parking spaces

- ☐ c. The redesign of the layout/configuration of an existing parking area of forty or more parking spaces
- ☐ d. Construction of ground mounted solar photovoltaic installations of any size in any zoning district including solar canopy type systems in parking areas
- ☐ e. Removal, disturbance, and/or alteration of 20,000 sq. ft. or more of existing impervious surface

SPECIAL PERMIT - Will this project also require a variance or special permit from the *Zoning Board of Appeals*?

____ Yes X ____ No

Explanation: _____

SPECIAL PERMIT - Will this project also require a special permit from the *Planning and Economic Development Board*?

☒ Yes ☐ No

Explanation: MULTIFAMILY OVERLAY SPECIAL PERMIT, LAND DISTURBANCE PERMIT

PROPERTY OWNER INFORMATION (if not applicant)

Property Owner's Name: _____

Mailing Address: _____

Primary Contact: _____

Telephone: _____
Office: _____ Cell: _____

Email address: _____

The owner's title to the land that is the subject matter of this application is derived under deed from: _____ to _____ dated _____ and recorded in Norfolk County Registry of Deeds, Book _____ Page _____ or Land Court Certificate of Title Number _____, Land Court Case Number _____, registered in the Norfolk County Land Registry District Volume _____, Page _____.

CONSULTANT INFORMATION

ENGINEER: _____ RON TIBERI P.E. _____

Mailing Address: _____ 9 MASSACHUSETTS AVENUE, NATICK, MA _____

Primary Contact: _____ RON TIBERI _____

Telephone: _____
Office: _____ Cell: 617-592-6122 _____

Email address: _____ RTIB@COMCAST.NET _____

Registered P.E. License #: 34773 _____

SURVEYOR: CHENEY ENGINEERING
Mailing Address: 53 MELLEN ST, NEEDHAM MA

Primary Contact: Ardi Rrap
Telephone: Office: 781-444-2188 Cell: _____
Email Address: ardi.rrap@cheney-eng.com
Registered P.L.S. License #: 33933

ARCHITECT: ALEX SIEKIERSKI
Mailing Address: 33 LOVERING ST, MEDWAY, MA

Primary Contact: ALEX SIEKIERSKI
Telephone: Office: _____ Cell: 617-894-0664
Email address: siekierski.alex@gmail.com
Registered Architect License #: 952933

LANDSCAPE ARCHITECT/DESIGNER: Lar Greene
Mailing Address: 42 JUNGLE RD, LEOMINSTER, MA

Primary Contact: LAR GREENE
Telephone: Office: _____ Cell: 978-549-8582
Email address: GREENEBEANDDESIGN@GMAIL.COM
Registered Landscape Architect License #: 1561

ATTORNEY: LIEBERMAN LAW OFFICE P.C.
Mailing Address: One Gateway Center, 300 Washington St. Suite 160
Newton, MA 02458

Primary Contact: David Haimi
Telephone: Office: _____ Cell: 508-579-6509
Email address: dhaimi@gbllaw.com

OFFICIAL REPRESENTATIVE INFORMATION

Name: Anthony Varrichione
Address: 249 Village St, Medway, MA

Telephone: _____
Office: _____ Cell: 508-561-1487
Email address: anthonyvarrichione@gmail.com

SIGNATURES

The undersigned, being the Applicant for approval of a Major Site Plan Project, herewith submits this application and Site Plan to the Medway Planning and Economic Development Board for review and approval. I hereby certify, under the pains and penalties of perjury, that the information contained in this application is a true, complete and accurate representation of the facts regarding the property and proposed development under consideration.

(If applicable, I hereby authorize Anthony Varrichione to serve as my Agent/Official Representative to represent my interests before the Medway Planning & Economic Development Board with respect to this application.)

In submitting this application, I authorize the Board, its consultants and agents, Town staff, and members of the Design Review Committee to access the site during the plan review process.

I understand that pursuant to MGL 53G, the Medway Planning and Economic Development Board may retain outside professional consultants to review this application and that I am responsible for the costs associated with such reviews.

I understand that the Planning and Economic Development Board, its agents, staff, consultants, and other Town staff and committees may request additional information which I am responsible for providing to assist them in reviewing the proposed development.



Signature of Property Owner

11/14/2021

Date

Signature of Applicant (if other than Property Owner)

Date

Signature of Agent/Official Representative

Date

MAJOR SITE PLAN FEES

Filing Fee

For projects up to 4,999 sq. ft. /gross floor area = \$750 plus \$.25/sq. ft.
For projects of 5,000 – 9,999 sq. ft. /gross floor area = \$1,000 plus \$.25/sq. ft.
For projects of 10,000 – 14,999 sq. ft. /gross floor area = \$1,500 plus \$.25/sq. ft.
For projects of 15,000 sq. ft. or more/gross floor area = \$1,500 plus \$.25/sq. ft.

Advance on Plan Review Fee

For projects up to 4,999 sq. ft. /gross floor area = \$1,000 deposit.
For projects of 5,000 – 9,999 sq. ft. /gross floor area = \$1,500 deposit
For projects of 10,000 – 14,999 sq. ft. /gross floor area = \$2,000 deposit
For projects of 15,000 sq. ft. or more/gross floor area = \$2,500 deposit

Submit 2 separate checks each made payable to: Town of Medway



**Planning & Economic Development Board
Town of Medway, MA**

MULTIFAMILY HOUSING SPECIAL PERMIT APPLICATION

INSTRUCTIONS TO APPLICANT/OWNER

This Application is made pursuant to Section 5.6.4 of the *Medway Zoning Bylaw*. The provisions of Section 8.6 Affordable Housing may also apply.

The Town's Planning and Engineering Consultants will review the Application and the proposed Plan and provide review letters to the Planning and Economic Development Board.

A copy of those review letters will be provided to you in advance of the meeting.

You and/or your duly authorized Agent/Official Representative are expected to attend the Board meetings at which your Application will be considered to answer any questions and/or submit such additional information as the Board may request.

Your absence at hearings may result in a delay in the Board's review of the special permit application.

NOVEMBER 16, 2021

APPLICANT INFORMATION

Applicant's Name: ANTHONY VARRICHIONE
Mailing Address: 249 VILLAGE ST
MEDWAY, MA 02053
Name of Primary Contact: ANTHONY VARRICHIONE
Telephone: Office: _____ Cell: 508-561-1487
Email address: ANTHONYVARRICHIONE@GMAIL.COM

☒ Please check here if the Applicant is the equitable owner (*purchaser on a purchase and sales agreement.*)

PROJECT INFORMATION

Development Name: CUTLER PLACE
Project Address: 6 CUTLER STREET
Plan Title: CUTLER PLACE
Plan Date: 11/17/2021
Plan prepared by: ALEX SIEKIERSKI
Name: _____
Firm: _____

Type of Project:

 X Renovation of Existing Structure(s)
How many buildings? 1
Building Dimensions 54' X 60'
Gross Square Footage of Existing Structure 4,824
How many residential units presently exist? 0
How many additional residential units are proposed? 3
How many affordable units? 0

 X Construction of an addition to an Existing Structure
Addition Dimensions 50' X 30'
Gross Square Footage of Addition 3,000
How many new residential units are proposed? 2
How many affordable units? 0

 Construction of a New Building(s)
How many buildings?
Dimensions of New Building(s)
Gross Square Footage of New Building(s)
How many new residential units are proposed?
How many affordable units?

 Demolition of any structures on the site? If yes, please explain.

How many parking spaces presently exist?

How many new parking spaces are proposed? 11

PROPERTY INFORMATION

The land shown on the plan is shown on Medway Assessor's Map # 48 as Parcel # 070

Total Acreage of Land Area: 0.71

General Description of Property:

Existing structure was previously Medway American Legion. Lot is almost entirely paved. Evergreen Cemetery is the abutter to the North and West.

Current Use of Property: Unoccupied.

Medway Zoning District Classification: VILLAGE RESIDENTIAL (VR)

Length of Existing Frontage: 189.93' On what street? CUTLER

Setbacks for Existing Structure (if applicable)

Front: 61' Side: 22'
Back: 42' Side:

Is this property pre-existing, non-conforming to the Medway Zoning Bylaw? If yes, how? NO

Is the existing structure on this property pre-existing, non-conforming to the Medway Zoning Bylaw? If yes, how?

Scenic Road

Does any portion of this property have frontage on a Medway Scenic Road?

☐ Yes ☒ No If yes, please name street: _____

Historic District

Is any portion of this property located within a Medway National Register Historic District?

☐ Yes - Rabbit Hill ☐ Yes - Medway Village

Wetlands

Is any portion of the property within a Wetland Resource Area? ☐ Yes ☒ No

Groundwater Protection

Is any portion of the property within a Groundwater Protection District? ☐ Yes ☒ No

Flood Plain

Is any portion of the property within a Designated Flood Plain? ☐ Yes ☒ No

Access to Town Water and Sewer

Is Town water and sewer available in the street on which the proposed project has its frontage? ☒ Yes ☐ No

PROPERTY OWNER INFORMATION (if not applicant)

Property Owner's Name: _____

Mailing Address: _____

Primary Contact: _____

Telephone: _____
Office: _____ Cell: _____

Email address: _____

The owner's title to the land that is the subject matter of this application is derived under deed from: _____ to _____ dated _____ and recorded in Norfolk County Registry of Deeds, Book _____ Page _____ or Land Court Certificate of Title Number _____, Land Court Case Number _____, registered in the Norfolk County Land Registry District Volume _____, Page _____.

CONSULTANT INFORMATION

ENGINEER:

RONALD TIBERI P.E.

Mailing Address: 9 MASSACHUSETTS AVENUE, NATICK, MA

Primary Contact: RONALD TIBERI

Telephone: _____
Office: _____ Cell: 617-592-6122

Email address: RTIB@COMCAST.NET

Registered P.E. License #: 34773

SURVEYOR: Cheney Engineering
Mailing Address: 53 Mellen St
Needham, MA 02494
Primary Contact: Ardi Rrap
Telephone: Office: 781-444-2188 Cell: _____
Email Address: ardi.rap@cheney-eng.com
Registered P.L.S. License #: 33933

ARCHITECT: ALEX SIEKIERSKI
Mailing Address: 33 LOVERING ST, MEDWAY MA
Primary Contact: ALEX SIEKIERSKI
Telephone: Office: _____ Cell: 617-894-0664
Email address: siekierski.alex@gmail.com
Registered Architect License #: 952933

LANDSCAPE ARCHITECT/DESIGNER: Lar Greene
Mailing Address: 42 Jungle Rd, Leominster, MA
Primary Contact: LAR GREENE
Telephone: Office: _____ Cell: 978-549-8582
Email address: GREENEBEANDSIGN@GMAIL.COM
Registered Landscape Architect License #: 1561

ATTORNEY: LIEBERMAN LAW OFFICE P.C.
Mailing Address: ONE GATEWAY CENTER 300 Washington Street, Suite 160
Newton, MA 02458
Primary Contact: DAVID HAIMI
Telephone: Office: _____ Cell: 508-579-6509
Email address: DHAIMI@GBLLAW.COM

OFFICIAL REPRESENTATIVE INFORMATION (if applicable)

Name: _____
Address: _____

Telephone: _____
Office: _____ Cell: _____
Email address: _____

SIGNATURES

The undersigned, being the Applicant for approval of a Multifamily Housing Special Permit herewith submits this application and Plan to the Medway Planning and Economic Development Board for review and approval.

I hereby certify, under the pains and penalties of perjury, that the information contained in this application is a true, complete and accurate representation of the facts regarding the property and proposed development under consideration.

(If applicable, I hereby authorize _____ to serve as my Agent/Official Representative to represent my interests before the Medway Planning & Economic Development Board with respect to this application.)

I have reviewed Section 5.6.4 Multifamily Housing and Section 8.6 Affordable Housing of the *Medway Zoning Bylaw* and understand and agree to the requirements and responsibilities specified therein.

In submitting this application, I authorize the Board, its consultants and agents, Town staff, and members of the Design Review Committee and Open Space Committee to access the site during the plan review process.

I understand that pursuant to MGL 53G, the Medway Planning and Economic Development Board may retain outside professional consultants to review this application and that I am responsible for the costs associated with such reviews.

I understand that the Planning and Economic Development Board, its agents, staff, consultants, and other Town staff and committees may request additional information which I am responsible for providing to assist them in reviewing the proposed development.



Signature of Property Owner



Date

Signature of Applicant (if other than Property Owner)

Date

Signature of Agent/Official Representative

Date



Town of Medway, MA
Community and Economic Development Department
LAND DISTURBANCE PERMIT APPLICATION

INSTRUCTIONS TO APPLICANT/OWNER

This Application is made pursuant to the *Medway General Bylaws – ARTICLE XXVI - Stormwater Management and Land Disturbance*. The Bylaw is posted at:

https://www.townofmedway.org/sites/g/files/vyhlf866/f/uploads/sw_bylaw_clean_voted_at_june_8_2020_tm_final_bjs.pdf

Depending on the scope and location of the planned land disturbance and what other permits are required, this application shall be acted upon by the Medway Conservation Commission, the Medway Planning and Economic Development Board, or the Department's Administrative Team.

This application must be filed at the same time as the associated land use permit applications are filed with the Conservation Commission and/or the Planning and Economic Development Board.

The Town's Engineering Consultant may be asked to review the Application and associated plans and provide a review letter. A copy of any review letter will be provided to you.

You and/or your duly authorized Agent/Designated Representative are expected to attend the Board or Commission meetings at which your Application will be considered to answer any questions and/or submit such additional information as the Board or Commission may request.

Your absence at the hearings may result in a delay in review and action.

Please see APPENDIX at the end of this form for definitions of key terms used throughout this application form.

November 16, 2021

APPLICANT INFORMATION

Applicant's Name: CUTLER PLACE LLC

Mailing Address: 249 VILLAGE ST
MEDWAY, MA 02053

Name of Primary Contact: ANTHONY VARRICHIONE

Telephone: Office: _____ Cell: 508-561-1487

Email address: anthonyvarrichione@gmail.com

☒ Please check here if the Applicant is the equitable owner (purchaser on a purchase and sales agreement.)

SITE INFORMATION

Location Address: 6 CUTLER ST, MEDWAY, MA

The land shown on the plan is shown on Medway Assessor's Map # 48 as Parcel(s) # 070

Total Acreage of Land Area: 0.71

Description of Property and Existing Conditions (or provide and reference an existing conditions plan): Abandoned 4,800 sf building and lot entirely paved. See Existing Conditions Civil plan

Medway Zoning District Classification: VR

Current Use of Property: Unoccupied

Site presently includes the following EXISTING stormwater management components. Check all that apply.

- ☐ Surface stormwater basin (detention, retention, rain garden)
- ☐ Sub-surface detention or infiltration systems (e.g. Cultec, Stormceptor units)
- ☐ Roof drains
- ☐ Perimeter drains discharging to: _____
- ☐ Previously approved stormwater connection to the Medway MS4. *(Provide documentation of such approval from the Medway Department of Public Works)*
- ☐ Unauthorized and/or Illicit stormwater connection to the Medway MS4. *(Identify location and describe type of connection):* _____
- ☐ Unauthorized illicit discharge to the Medway MS4. *(Identify location of discharge and describe what is being discharged.):* _____
- ☐ Other (Please describe) _____

NOTE – All of the above listed existing stormwater management components must be shown on the Erosion and Sediment Control Plan to be submitted with this application.

PROPOSED DEVELOPMENT PROJECT INFORMATION

Provide a description of the proposed project that will result in a land disturbance. Attach an additional sheet if needed: Renovation of existing structure to accept 3 units. And addition of another 2 units. Totaling 5 new dwelling units with site improvements shown on plans.

Type of Project - Check all that apply. NOTE - A project may include both New Development & Redevelopment.

| New Development (See definition in Appendix) | Redevelopment (See definition in Appendix) |
|----------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Single family dwelling <input type="checkbox"/> Residential Subdivision (# of lots ____) | <input type="checkbox"/> Single family dwelling expansion |
| <input type="checkbox"/> Two family dwelling | <input type="checkbox"/> Two family dwelling expansion |
| <input type="checkbox"/> Multi-family development | <input checked="" type="checkbox"/> Multi-family development expansion |
| <input type="checkbox"/> Commercial, industrial, office development | <input type="checkbox"/> Commercial, industrial, office development expansion |
| <input type="checkbox"/> Site improvements (e.g., pool, patio, athletic court, landscaping, parking, etc.) | <input type="checkbox"/> Site improvements (e.g. pool, patio, athletic court, landscaping, parking, etc.) |
| <input type="checkbox"/> Grading and/or site work without a building or structure | <input type="checkbox"/> Grading and/or site work without a building or structure |
| <input type="checkbox"/> Accessory structure(s) (e.g., garage, barn, pavilion, storage facility, accessory family dwelling unit, etc.) | <input type="checkbox"/> Accessory structure(s) (e.g. garage, barn, pavilion, storage facility, accessory family dwelling unit, etc.) |

Estimated Total Size of Land Disturbance (ft²) (Limit of Work): 30,050.

Area (ft²) of Impervious Surface (building footprint(s), pavement, parking, roofs, decks, patios, etc.). Complete table below.

| Existing Impervious Surface Area (ft ²) | Proposed Additional Impervious Surface Area (ft ²) | Total Proposed Impervious Surface Area (ft ²) Post Construction |
|-----------------------------------------------------|----------------------------------------------------------------|-----------------------------------------------------------------------------|
| 22,550 | | 13,700 |

Have you or will you apply for any of the following other permits for this project? Attach a copy of any permits received to date for this project.

| Planning & Economic Development Board | Conservation Commission | Zoning Board of Appeals | Department of Public Works |
|---------------------------------------|--------------------------------------------------------------|----------------------------------------|-------------------------------------------------|
| <u> </u> Subdivision | <u> </u> ORAD (Order of Resource Area Delineation) | <u> </u> Special Permit | <u> </u> MS4 Connection and Discharge Permit |
| <u> x </u> Site Plan | <u> </u> RDA (Request for Determination of Applicability) | <u> </u> Variance | |
| <u> x </u> Special Permit | <u> </u> Notice of Intent/Order of Conditions | <u> </u> Comprehensive Permit (40B) | |

NOTE - Please attach copies of any of the above permits already received to this application.

EROSION AND SEDIMENT CONTROL PLAN INFORMATION – To be prepared in accordance with Medway General Bylaws, ARTICLE XXVI, Section 26.5.6. The plan must show all existing stormwater management facilities.

Development Name: CUTLER PLACE

Plan Title: EROSION CONTROL AND CONSTRUCTION PLAN

Plan Date: NOVEMBER 1, 2021

Prepared by:

Name: RONALD TIBERI P.E

Firm:

Phone #: 617-592-6122 Email: RTIB@COMCAST.NET

PROPERTY OWNER INFORMATION (if not applicant)

Property Owner's Name:

Mailing Address:

Primary Contact:

Telephone: Office: Cell:

Email address:

The owner's title to the land that is the subject matter of this application is derived under deed from: to dated and recorded in Norfolk County Registry of Deeds, Book Page or Land Court Certificate of Title Number , Land Court Case Number , registered in the Norfolk County Land Registry District Volume , Page(s) .

CONSULTANT & DESIGNATED REPRESENTATIVE INFORMATION

ENGINEER

Name of Firm: RON TIBERI P.E.
Mailing Address: 9 MASSACHUSETTS AVENUE, NATICK, MA

Primary Contact: RON TIBERI
Telephone: Office: Cell: 617-592-6122
Email address: RTIB@COMCAST.NET
Registered P.E. License #: 34773

SURVEYOR

Name of Firm: CHENEY ENGINEERING
Mailing Address: 53 MELLEN ST.
NEEDHAM , MA
Primary Contact: Ardi Rrap
Telephone: Office: 781-444-2188 Cell:
Email Address: ardi.rrap@cheney-eng.com
Registered P.L.S. License #: 33933

WETLANDS SCIENTIST

Name of Firm: Debbie Anderson
Mailing Address: 45 Willow St
Norwood, MA 02062
Primary Contact:
Telephone: Office: 781-603-8421 Cell:
Email Address: terrapin666888@comcast.net

DESIGNATED REPRESENTATIVE (if not applicant)

Name of Firm:
Mailing Address:

Telephone: Office: Cell:
Email address:

SIGNATURES

The undersigned, being the Applicant for approval of a Land Disturbance Permit, herewith submits this application to the Medway Community and Economic Development Department. I certify, under the pains and penalties of perjury, that the information contained in this application is a true, complete and accurate representation of the facts regarding the property and proposed development under consideration.

(If applicable, I hereby authorize _____ to serve as my Agent/Designated Representative to represent my interests before the Medway Community and Economic Development Department with respect to this application.)

In submitting this application, I authorize Town staff, its consultants and agents, and members of the Conservation Commission and Planning and Economic Development Board to enter the subject property to access the site during the plan review, permitting and enforcement process.

I understand that pursuant to MGL. c.44, s. 53G, the Department, Board and Commission may retain outside professional consultants to review this application and that I am responsible for the costs associated with such reviews.

I understand that Town staff, its consultants and agents, and members of the Commission and Board may request additional information which I am responsible for providing to assist them in reviewing the proposed development.



Signature of Property Owner



Date

Signature of Applicant (if other than Property Owner)

Date

Signature of Agent/Designated Representative

Date

[illegible]

PLAN INDEX

- | | |
|------|----------------------------------------|
| T-1 | COVER SHEET |
| S-1 | EXISTING CONDITIONS & WETLANDS PLAN |
| S-2 | SITE & UTILITY LAYOUT PLAN |
| S-3 | DRAINAGE & GRADING PLAN |
| S-4 | EROSION CONTROL & CONSTRUCTION PLAN |
| S-5 | DETAIL SHEET |
| L-1 | LANDSCAPE PLAN |
| L-2 | LIGHTING PLAN |
| L-3 | LIGHTING CONCEPT PLAN |
| A001 | CODES & REGULATIONS |
| A042 | EXISTING ELEVATIONS |
| A110 | BASEMENT PLAN |
| A111 | GROUND FLOOR PLAN |
| A112 | SECOND FLOOR PLAN |
| A113 | ROOF PLAN |
| A200 | EXTERIOR ELEVATIONS |
| A201 | EXTERIOR ELEVATIONS |
| A910 | 3D VIEWS |



ANTHONY VARRICHIONE
249 VILLAGE STREET,
MEDWAY, MA 02053

ALEX SIEKIERSKI , RA
33 LOVERING STREET
MEDWAY, MA 02053

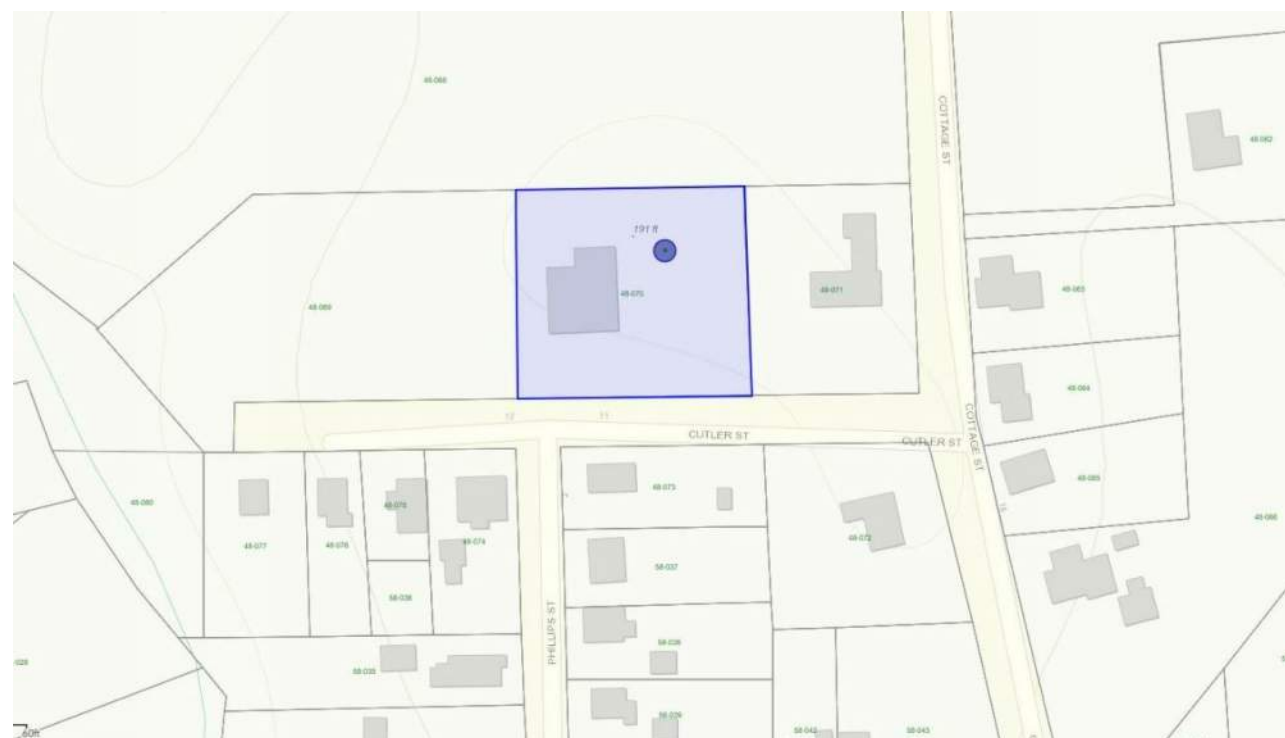
LAR GREENE, RLA WDA
DESIGN GROUP
42 JUNGLE ROAD,
LEOMINSTER, MA

CHENEY ENGINEERING CO, INC.
53 MELLEEN STREET
NEEDHAM MA. 02494

RON TIBERI P.E.
9 MASSACHUSETTS AVENUE,
NATICK, MA 01760

| | |
|--|--|
| | |
| | |
| | |
| | |
| | |
| | |

DATE: _____



ABUTTERS LOCUS MAP
1" = 200'

| MULTIFAMILY HOUSING TABLE | | |
|---------------------------|----------|----------|
| | REQUIRED | PROPOSED |
| LOT AREA | 22500 | 30903 |
| LOT FRONTAGE | 50 | 189 |
| UNIT DENSITY | 5.7 | 5 |
| AFFORDABLE UNITS | 1 | na |
| BLDG. HT. | 40' | 33' |
| OPEN SPACE | 15% | 27+% |
| PARKING SPACES | 8 | 11 |

LOT 6
6 CUTLER STREET
ACCESSING ID - 49-51
ZONE - VR
DISTRICT

DATE ISSUED :
11/17/2021
DATE REVISED :
11/17/2021

I, _____, Clerk
of the Town of Medway, received and recorded approval from the Planning
and Economic Development Board of this plan and its corresponding decision
on _____ and no appeal was
taken for twenty (20) days, thereafter.

SIGNATURE _____ 11/17/2021
DATE _____

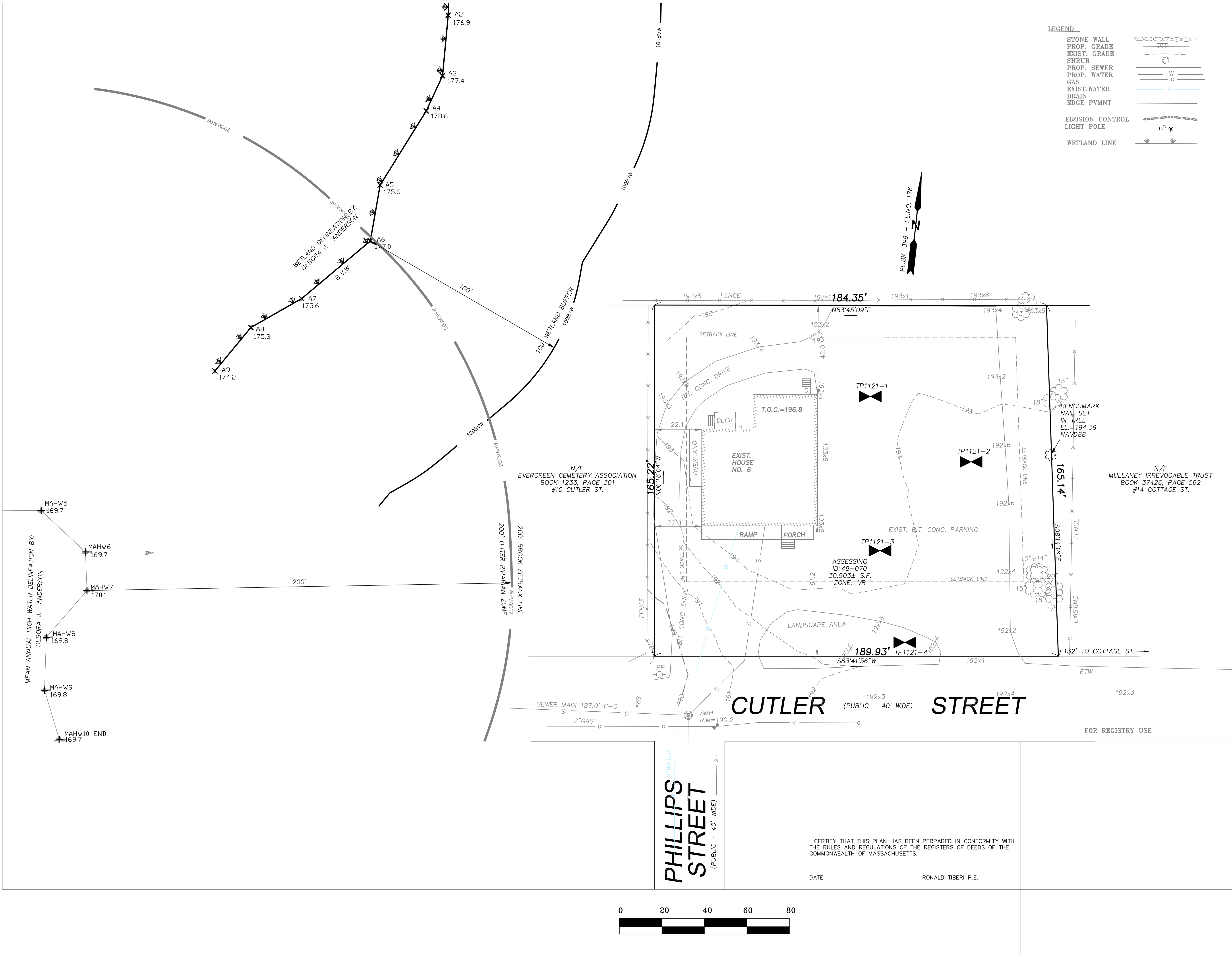
This project is subject to a performance security covenant to be recorded
herewith.

FOR REGISTRY

I CERTIFY THAT THIS PLAN HAS BEEN PERPARED IN CONFORMITY WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

11/17/2021
DATE

RONALD TIBERI P.E.



GENERAL SITE NOTES

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CONSTRUCTION ON THIS LAND IS SUBJECT TO ANY EASEMENTS, RIGHTS-OF-WAY, RESTRICTIONS, RESERVATIONS, OR OTHER LIMITATIONS WHICH MAY BE REVEALED BY AN EXAMINATION OF THE TITLE.

APPROVED BY PLANNING BOARD

DATE: _____

| REVISIONS | | |
|-----------|------|-------------|
| No. | DATE | DESCRIPTION |
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| | | |
| | | |

WETLANDS & EXISTING CONDITONS PLAN

IN
MEDWAY, MASSACHUSETTS

CUTLER PLACE 6 CUTLER STREET

PREPARED FOR: CUTLER PLACE LLC
6 CUTLER STREET
MEDWAY MA 02053

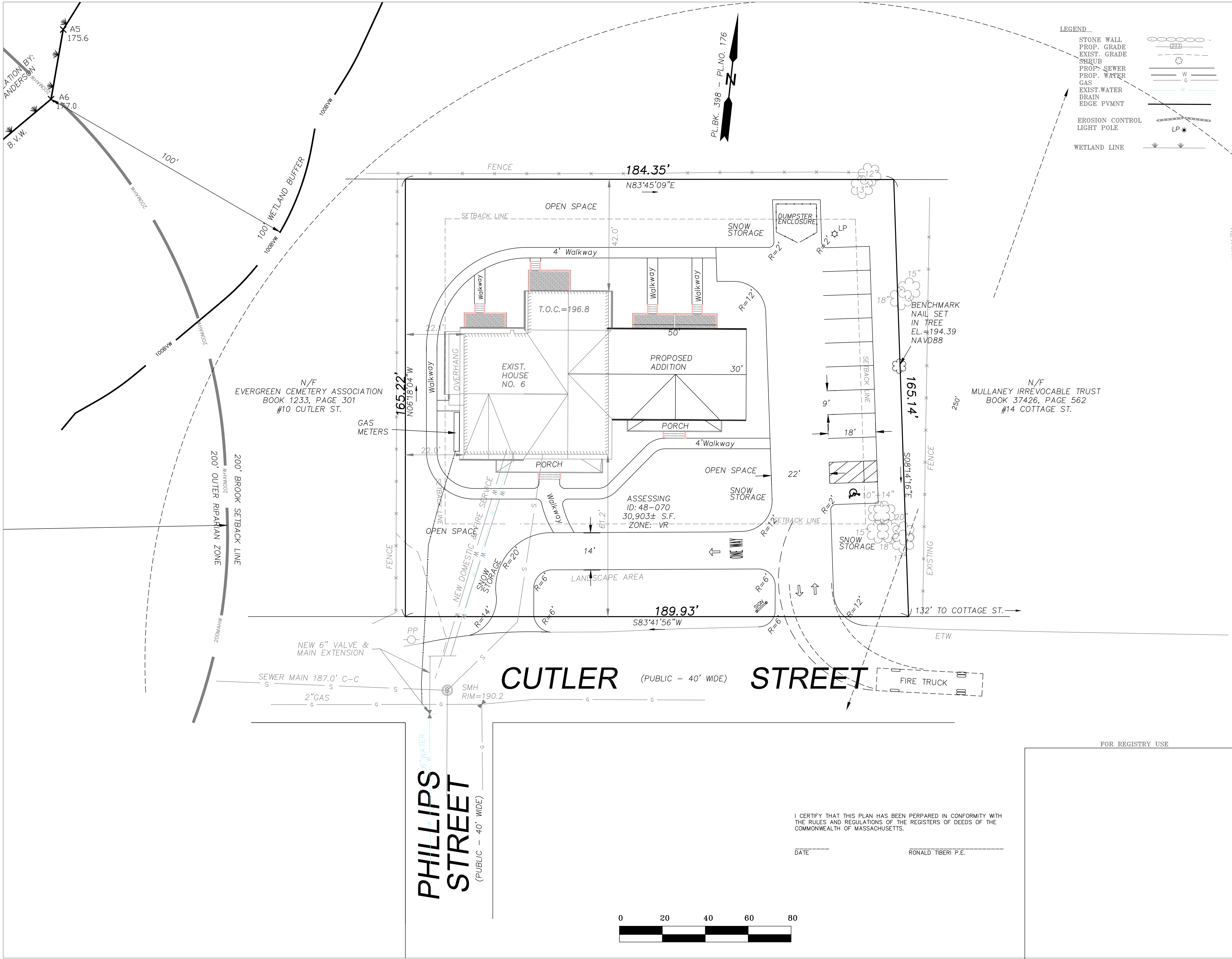
PREPARED By: RONALD TIBERI P.E.
9 MASSACHUSETTS AVE.
NATICK MA 01760

DRAWING SCALE: 1 inch = 20 feet

PROJECT NUMBER: 7155

DATE: NOV 1. 2021

S-1



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APPROVED BY PLANNING BOARD

DATE: _____

| REVISIONS | | |
|-----------|------|-------------|
| No. | DATE | DESCRIPTION |
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PROPOSED SITE & UTILITY LAYOUT PLAN

IN MEDWAY, MASSACHUSETTS

CUTLER PLACE
6 CUTLER STREET

PREPARED FOR: CUTLER PLACE LLC
6 CUTLER STREET
MEDWAY MA 02053

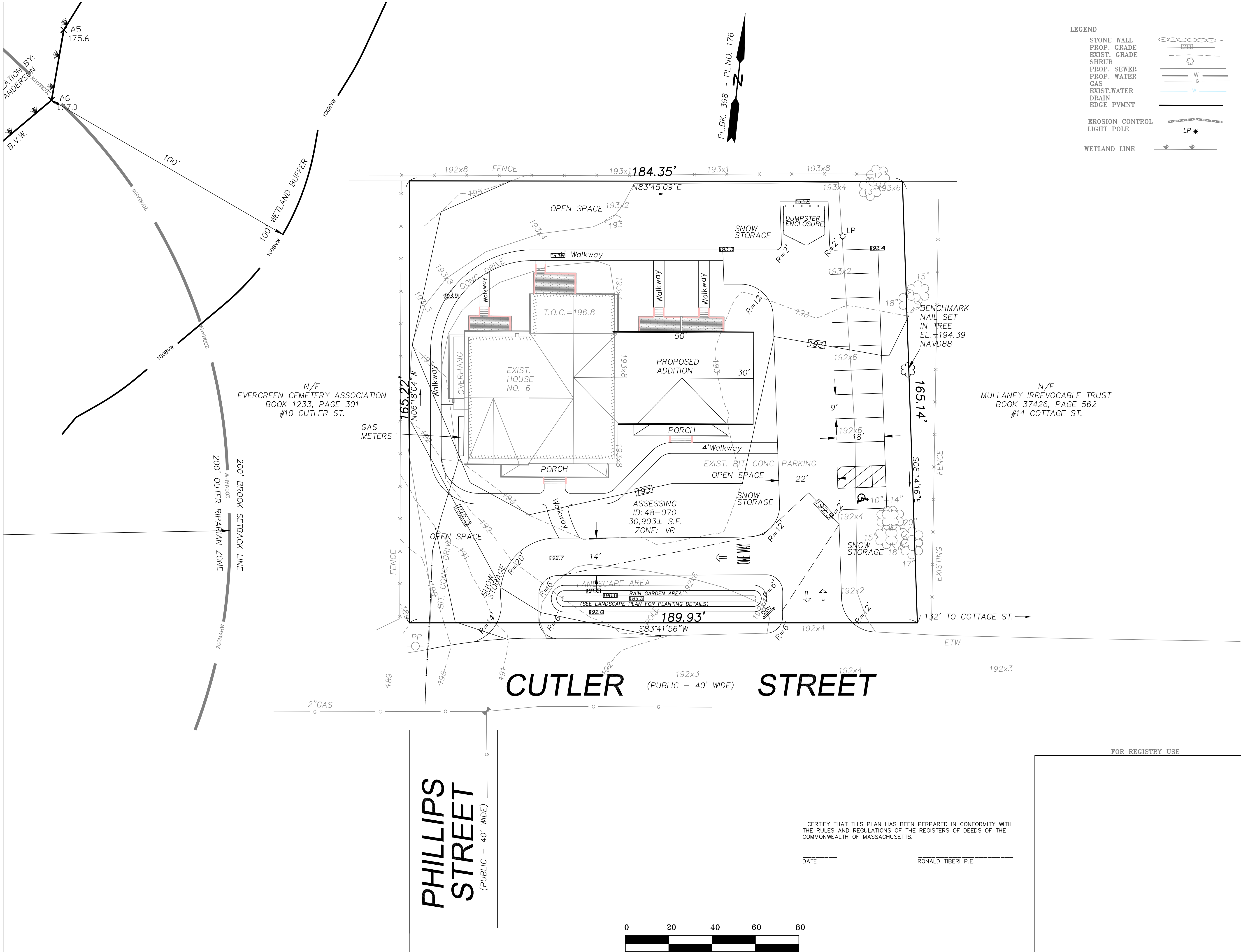
PREPARED By: RONALD TIBERI P.E.
9 MASSACHUSETTS AVE.
NATICK MA 01760

DRAWING SCALE: 1 inch = 20 feet

PROJECT NUMBER: 7155

DATE: NOV 1. 2021

S-2



LEGEND

STONE WALL
PROP. GRADE
EXIST. GRADE
SHRUB
PROP. SEWER
PROP. WATER
GAS
EXIST. WATER
DRAIN
EDGE PVMNT

EROSION CONTROL
LIGHT POLE

WETLAND LINE

- GENERAL SITE NOTES**
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APPROVED BY PLANNING BOARD

DATE: _____



| REVISIONS | | |
|-----------|------|-------------|
| No. | DATE | DESCRIPTION |
| | | |
| | | |
| | | |

**PROPOSED DRAINAGE
& GRADING PLAN**
IN
MEDWAY, MASSACHUSETTS

**CUTLER PLACE
6 CUTLER STREET**

| | |
|-----------------|---------------------------------------------------------------|
| PREPARED FOR: | CUTLER PLACE LLC 6 CUTLER STREET MEDWAY MA 02053 |
| PREPARED By: | RONALD TIBERI P.E. 9 MASSACHUSETTS AVE. NATICK MA 01760 |
| DRAWING SCALE: | 1 inch = 20 feet |
| PROJECT NUMBER: | 7155 |
| DATE: | NOV 1. 2021 |

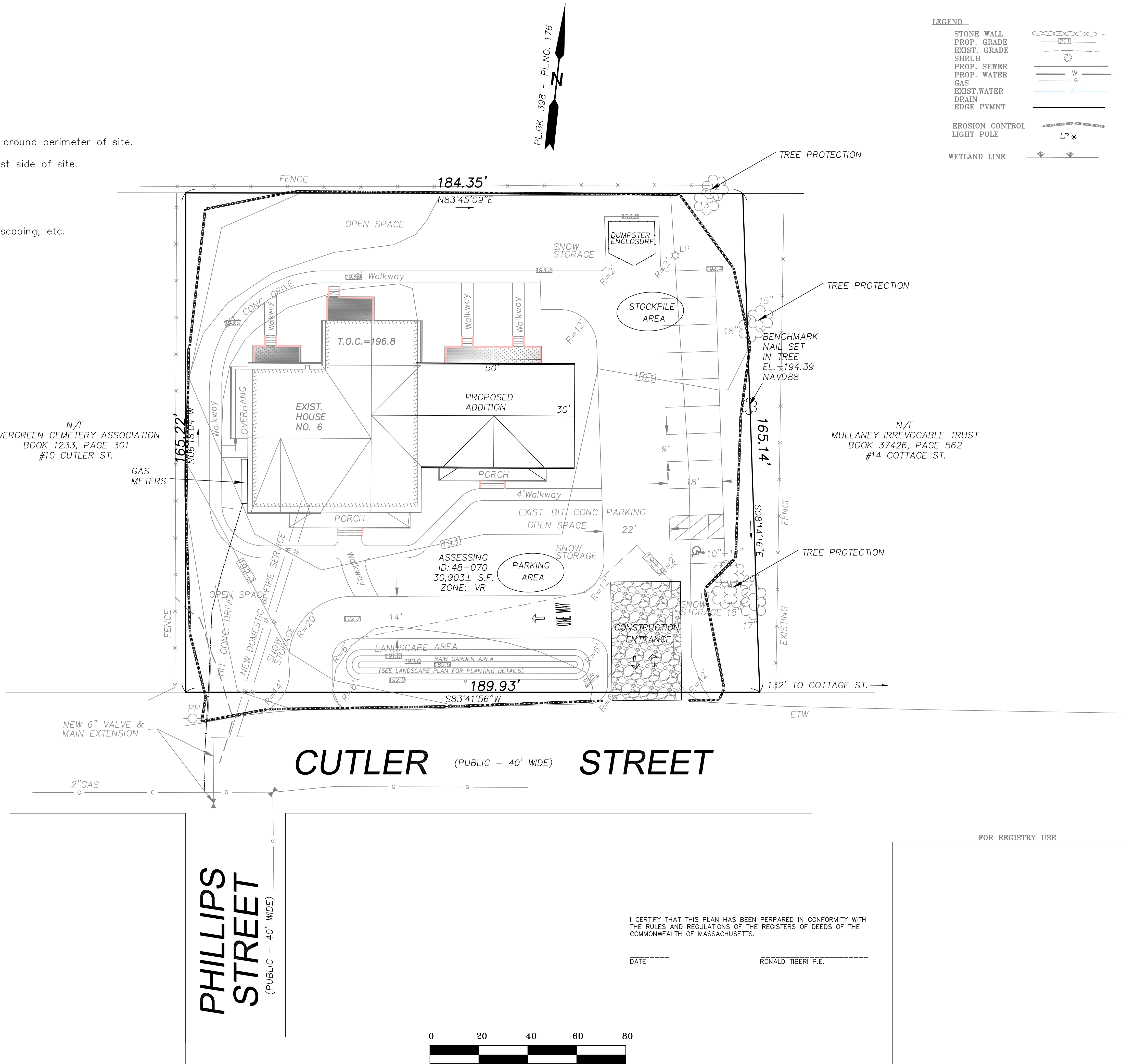
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Approximate Construction Sequence:

- Install perimeter fencing and erosion control around perimeter of site.
- Site clearance.
- Build temporary construction entrance on east side of site.
- Locate staging area at front of site.
- Setup temporary services.
- Install utilities
- Install rain garden
- Construct driveway & parking.
- Completion of all siteworks/landscaping/hardscaping, etc.

N/F
EVERGREEN CEMETERY ASSOCIATION
BOOK 1233, PAGE 301
#10 CUTLER ST.

N/F
MULLANEY IRREVOCABLE TRUST
BOOK 37426, PAGE 562
#14 COTTAGE ST.



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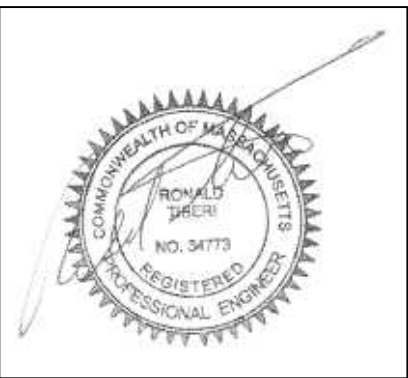
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APPROVED BY PLANNING BOARD

DATE: _____



REVISIONS

| No. | DATE | DESCRIPTION |
|-----|------|-------------|
| | | |
| | | |
| | | |

EROSION CONTROL
& CONSTRUCTION PLAN
IN
MEDWAY, MASSACHUSETTS

CUTLER PLACE
6 CUTLER STREET

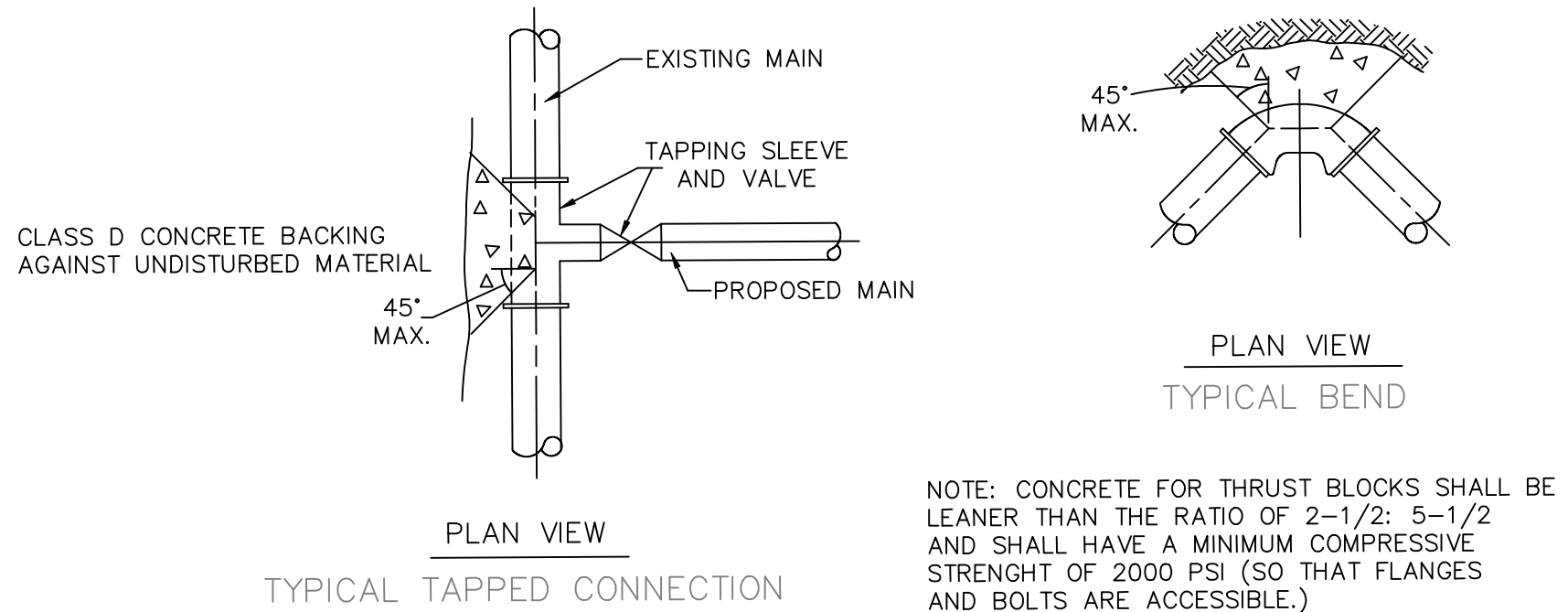
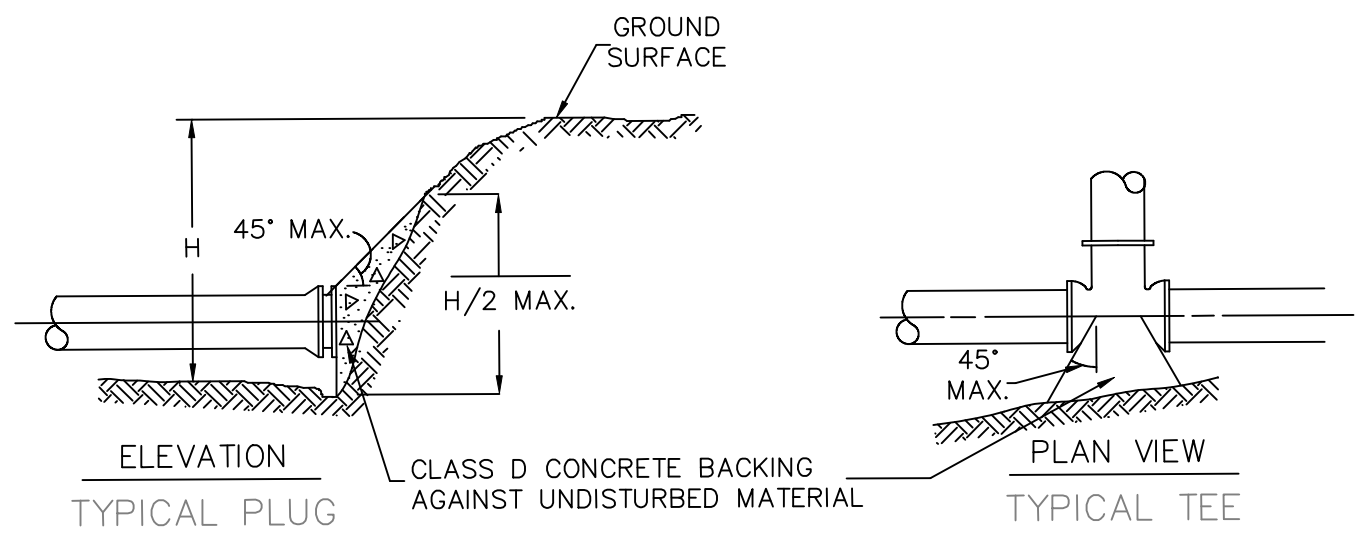
PREPARED FOR:
CUTLER PLACE LLC
6 CUTLER STREET
MEDWAY MA 02053

PREPARED By: RONALD TIBERI P.E.
9 MASSACHUSETTS AVE.
NATICK MA 01760

DRAWING SCALE: 1 inch = 20 feet

PROJECT NUMBER: 7155

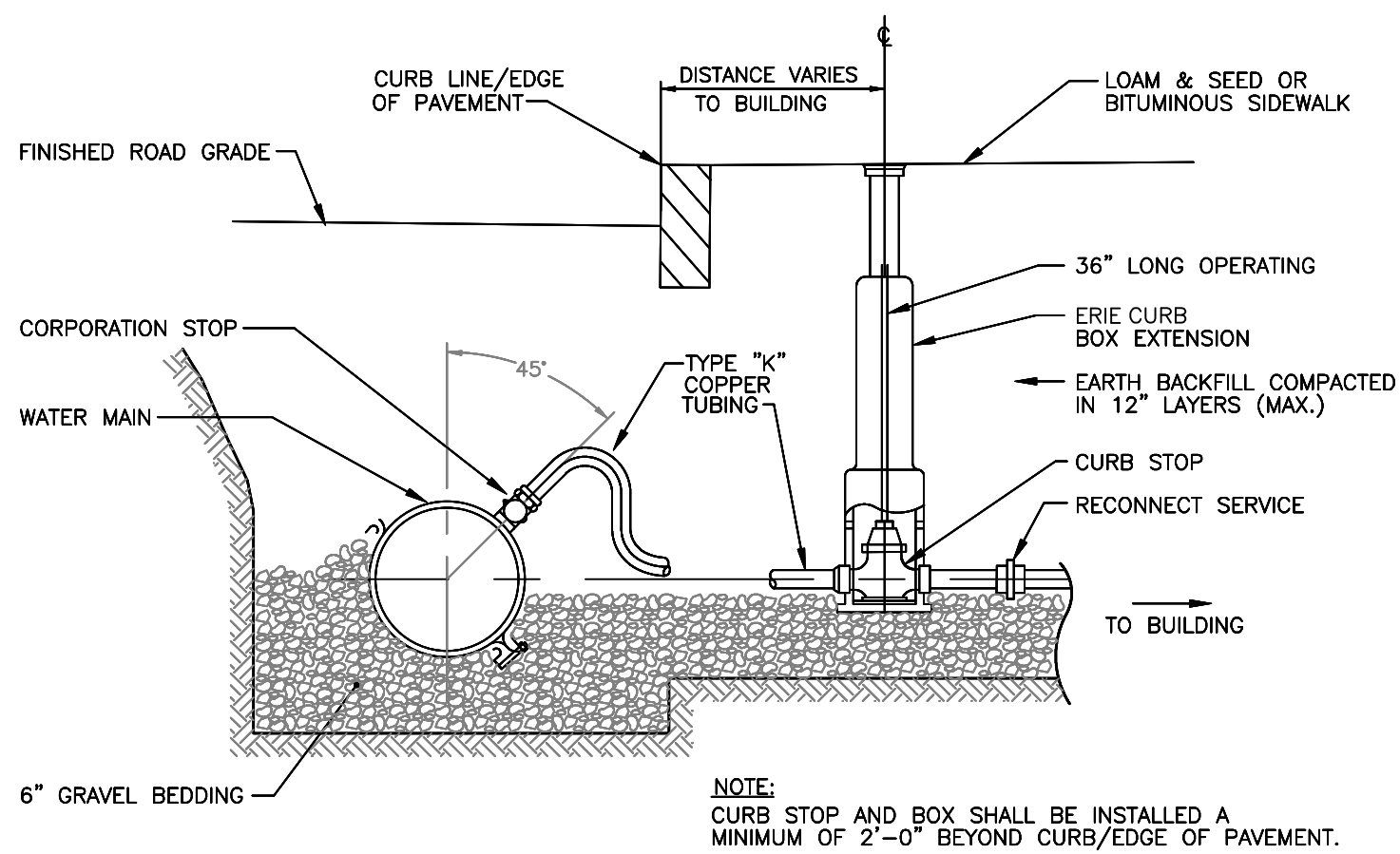
DATE: NOV 1. 2021



| BEARING AREAS OF THRUST BLOCKS (BEARING AREA IN SQUARE FT.) | | | | |
|----------------------------------------------------------------|----------|----------|-----------|-----------|
| PIPE SIZE INCHES | 1/4 BEND | 1/8 BEND | 1/16 BEND | PLUG TEES |
| 6 AND 8 | 8 | 8 | — | 8 |
| 10 AND 12 | 22 | 13 | 8 | 16 |

WATER MAIN THRUST BLOCK DETAILS

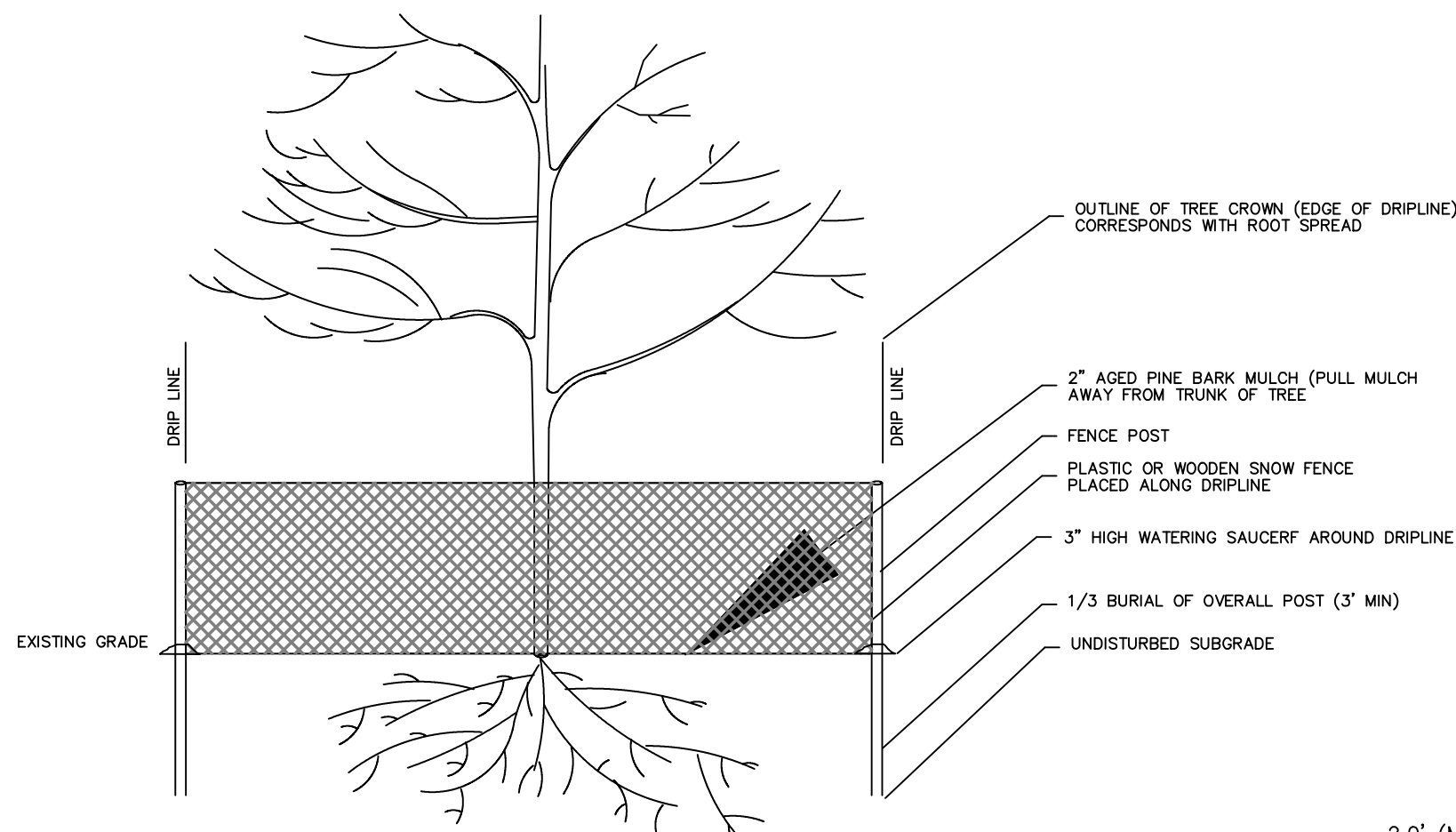
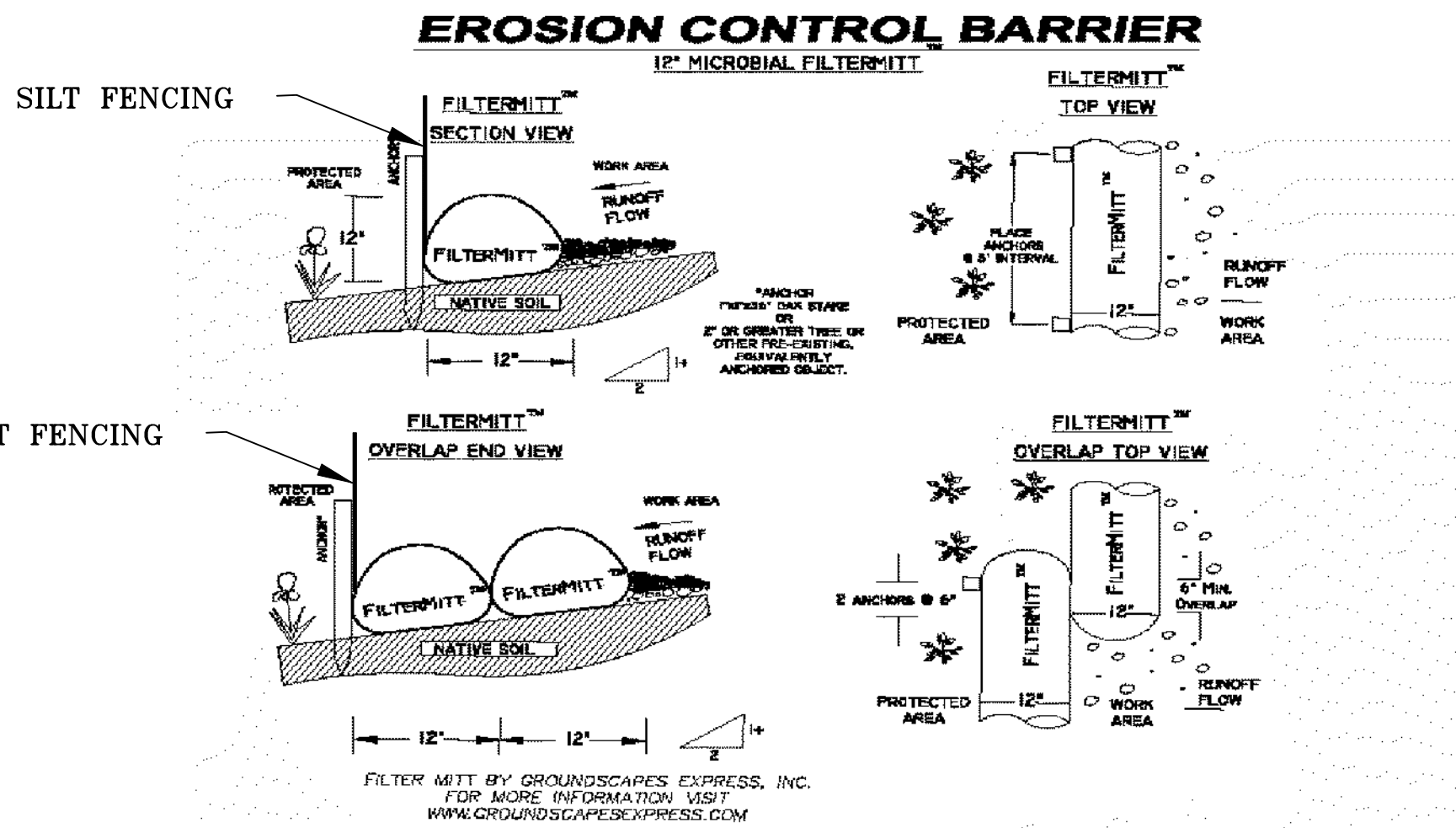
NOT TO SCALE



TYPICAL HOUSE SERVICE CONNECTION

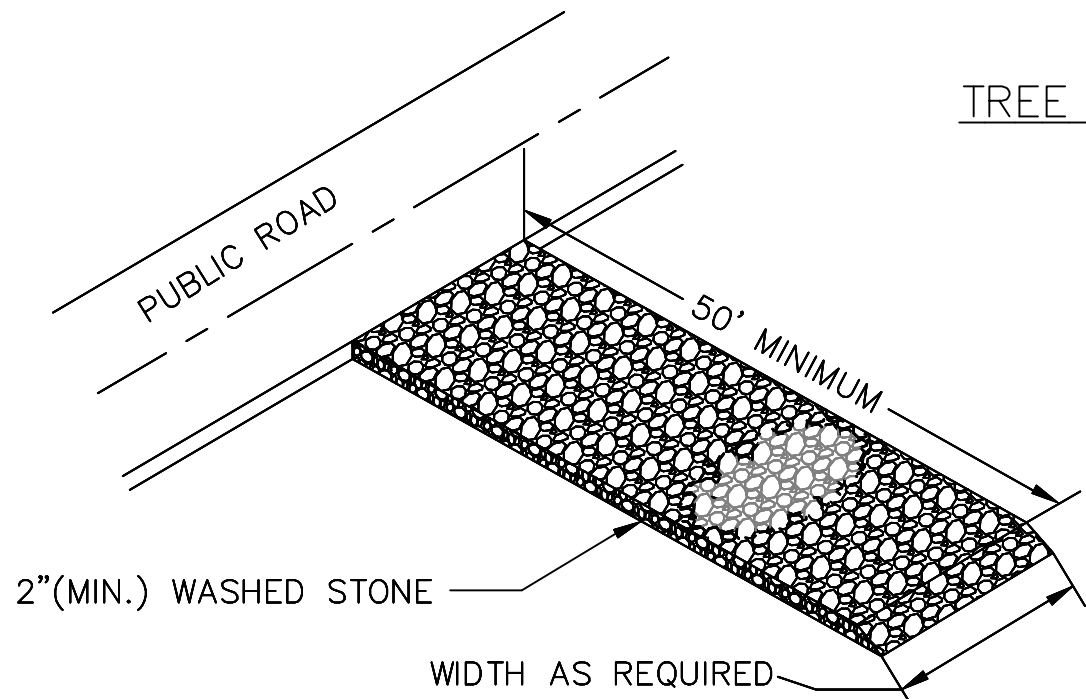
(NOT TO SCALE)

- NOTE:**
- ALL SERVICE CONNECTION FITTINGS SHALL BE BY THE MUELLER COMPANY.
 - ALL WORK AND MATERIALS SHALL CONFORM TO STANDARDS AND SPECIFICATIONS OF THE TOWN OF MEDWAY'S DEPARTMENT OF PUBLIC WORKS.



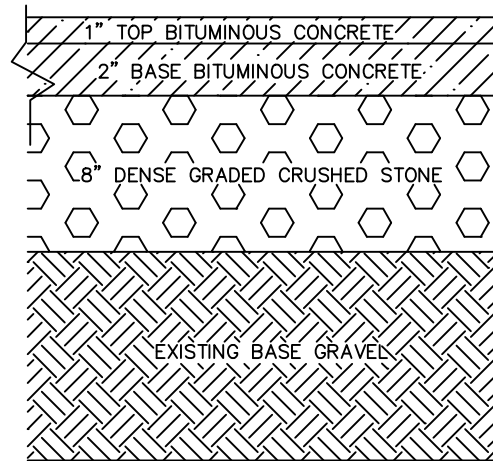
TREE PROTECTION

NTS



CONSTRUCTION ENTRANCE DETAIL

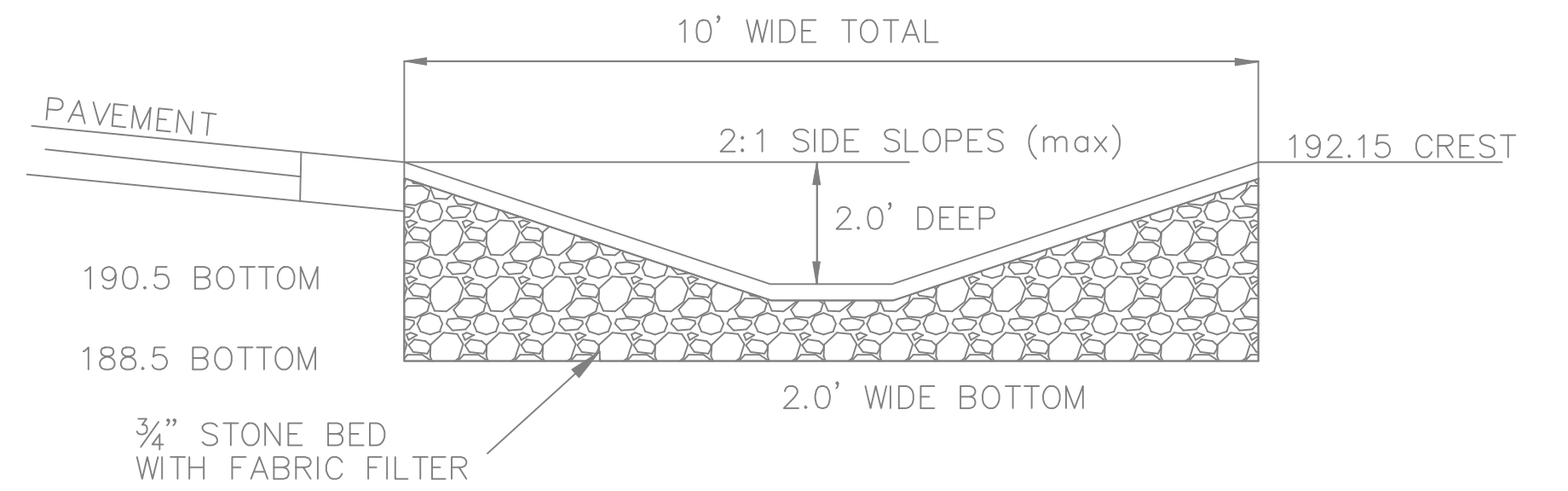
NOT TO SCALE



- ALL MATERIALS SHALL MEET MASSACHUSETTS HIGHWAY DEPARTMENT STANDARD SPECIFICATIONS
- INSTALL GEOTEXTILE (MIRAFI 180N OR EQUIVALENT) ABOVE SUBBASE AS DIRECTED BY THE ENGINEER

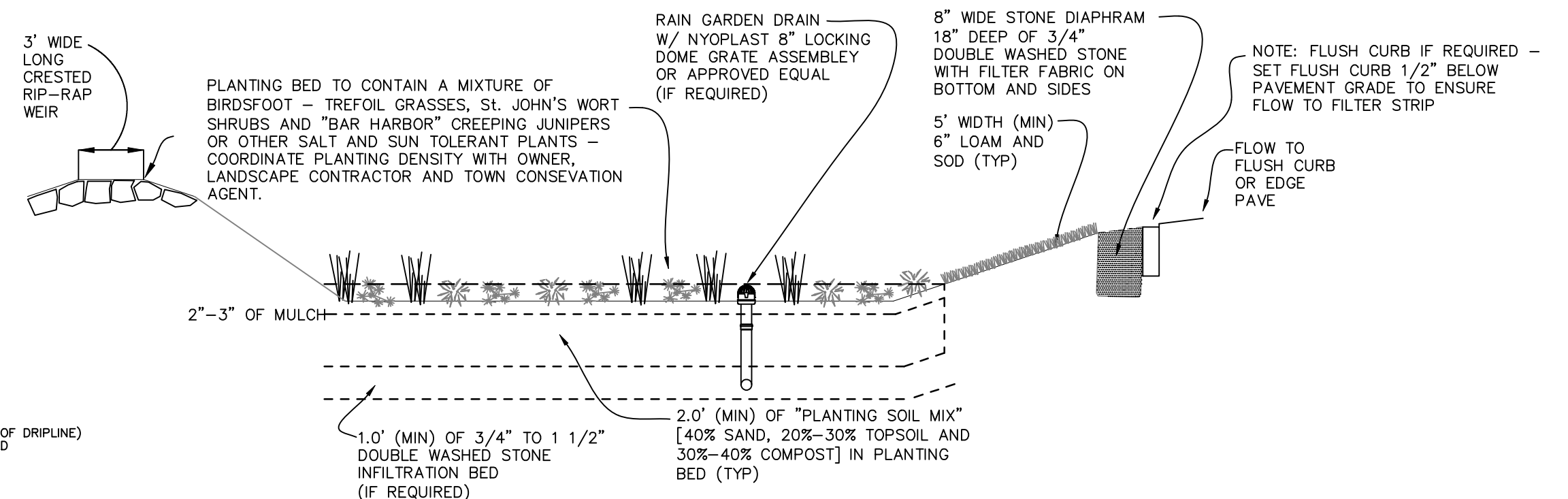
PAVEMENT CROSS-SECTION DETAIL

N.T.S.



RAIN GARDEN SECTION

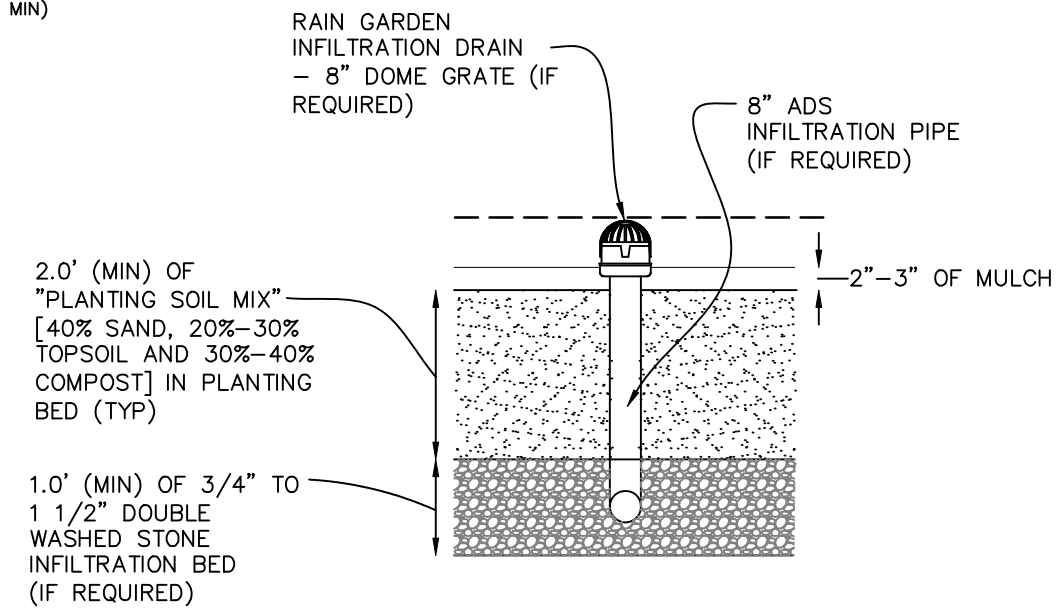
NOT TO SCALE



TYPICAL RAIN GARDEN SCHEMATIC SECTION & PLANTINGS

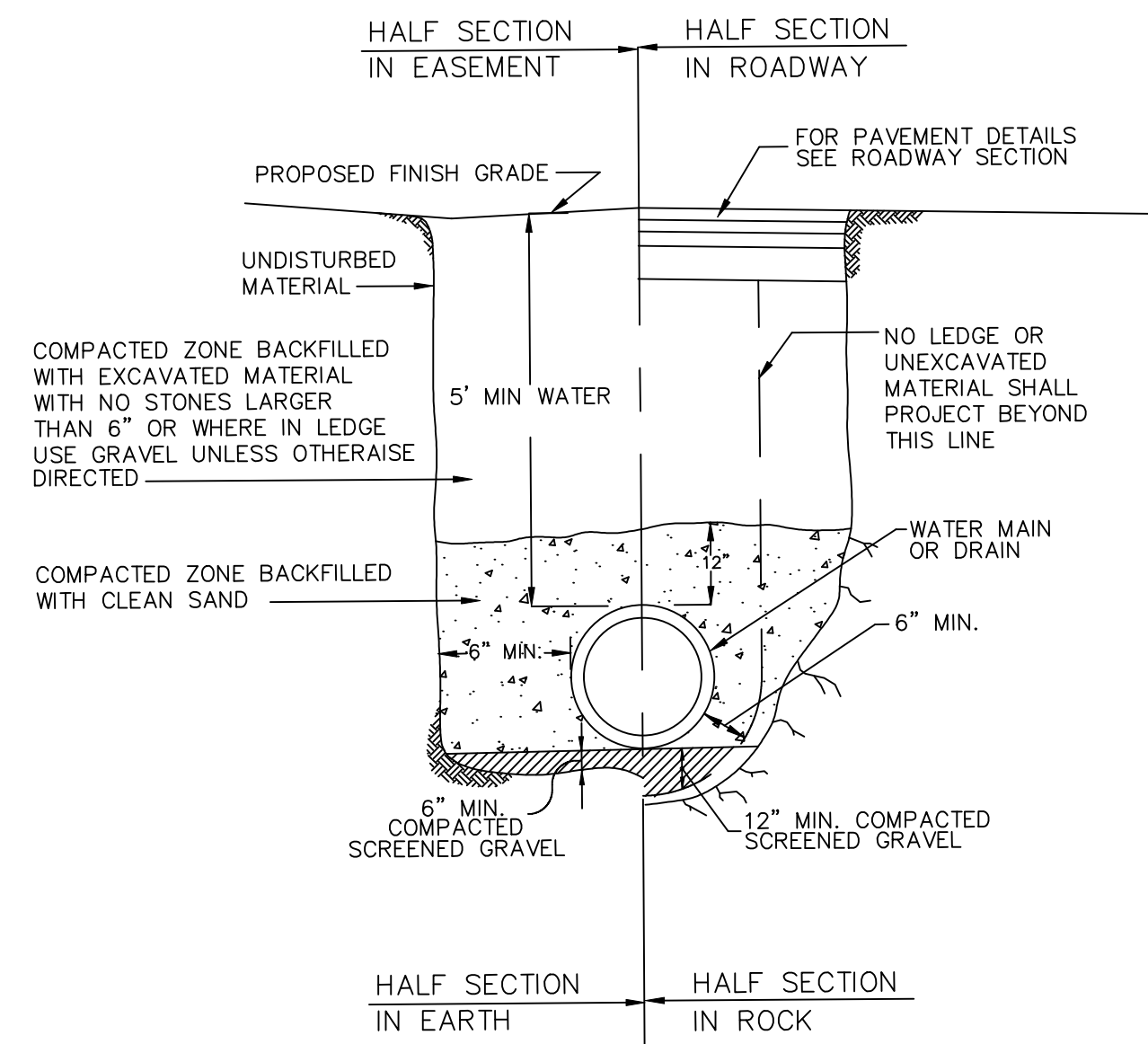
NOT TO SCALE

- NOTE:**
- PLANTING BED SOIL MIX AND PLANT SPECIES TO BE AS SPECIFIED IN THE STRUCTURAL BMP MASSACHUSETTS STORMWATER HANDBOOK CHAPTER 2 VOLUME 2 PAGES 23-35.



RAIN GARDEN TYPICAL SECTION

NOT TO SCALE



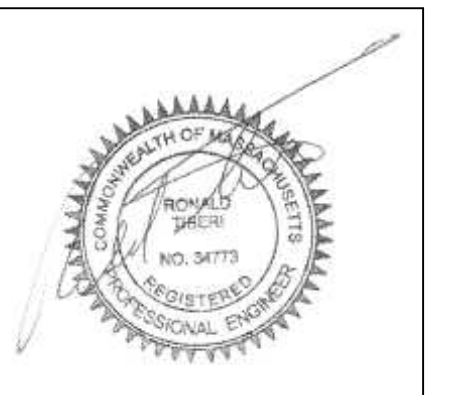
WATER MAIN TRENCH DETAILS

NOT TO SCALE

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APPROVED BY PLANNING BOARD

DATE: _____



| REVISIONS | | |
|-----------|------|-------------|
| No. | DATE | DESCRIPTION |
| | | |
| | | |

DETAILS

IN
MEDWAY, MASSACHUSETTS

CUTLER PLACE 6 CUTLER STREET

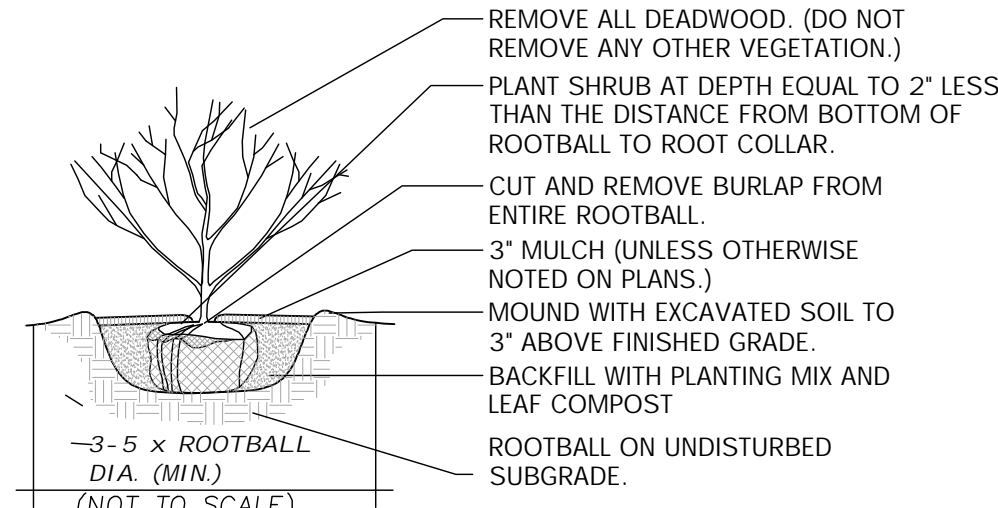
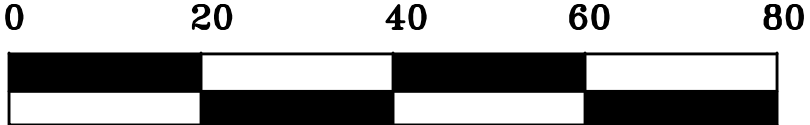
PREPARED FOR: CUTLER PLACE LLC
6 CUTLER STREET
MEDWAY MA 02053

PREPARED By: RONALD TIBERI P.E.
9 MASSACHUSETTS AVE.
NATICK MA 01760

DRAWING SCALE: 1 inch = 20 feet

PROJECT NUMBER: 7155

DATE: NOV 1. 2021



| Qty | Key | Common Name | Botanical Name | Size | Remarks |
|-------------------|-----|-------------------------|------------------------------------------|---------|-----------------|
| TREES | | | | | |
| 5 | AR | Red Maple | <i>Acer rubrum</i> | 3" Col. | B&B |
| 4 | AS | Serviceberry | <i>Amelanchier canadensis</i> | 8' Ht. | B&B(Singlestem) |
| 1 | BN | River Birch | <i>Betula nigra</i> | 12' Ht. | B&B(Multi-stem) |
| 1 | CW | Washington Hawthorn | <i>Crataegus phaenopyrum</i> | 3" Col. | B&B |
| 23 | JV | Eastern Red Cedar | <i>Juniperus virginiana</i> | 8' Ht. | B&B |
| 2 | PP | Blue Spruce | <i>Picea pungens</i> | 8' Ht. | B&B |
| SHRUBS | | | | | |
| 2 | CA | Summersweet Clethra | <i>Clethra alnifolia</i> | #7 Pot | Container Grown |
| 4 | CI | Silky Dogwood | <i>Cornus amomum</i> | 36" Ht. | B&B |
| 6 | CR | Gray Dogwood | <i>Cornus racemosa</i> | 36" Ht. | B&B |
| 3 | CS | Red Osier Dogwood | <i>Cornus sericea</i> | 36" Ht. | B&B |
| 9 | HA | Smooth hydrangea | <i>Hydrangea arborescens</i> | 36" Ht. | B&B |
| 3 | HV | Common Witchazel | <i>Hamamelis virginiana</i> | 36" Ht. | B&B |
| 3 | IG | 'Shamrock' Inkberry | <i>Ilex glabra 'Shamrock'</i> | 36" Ht. | B&B |
| 7 | KL | Mountain Laurel | <i>Kalmia latifolia</i> | 48" Ht. | B&B |
| 7 | LB | Common Spicebush | <i>Lindera benzoin</i> | 36" Ht. | B&B |
| 3 | RA | Roseshell Azalea | <i>Rhododendron roseum</i> | 36" Ht. | B&B |
| 10 | RB | Caroline Rose | <i>Rosa carolina</i> | 36" Ht. | B&B |
| 2 | RM | Great Laurel | <i>Rhododendron maximum</i> | 36" Ht. | B&B |
| 3 | SC | Elderberry | <i>Sambucus canadensis</i> | 36" Ht. | B&B |
| 3 | ST | Hardback Spirea | <i>Spiraea tomentosa</i> | 18" Ht. | B&B |
| 5 | TC | Canadian Yew | <i>Taxus canadensis</i> | 36" Ht. | B&B |
| 3 | VC | Highbush Blueberry | <i>Vaccinium corymbosum</i> | 36" Ht. | B&B |
| 3 | VL | Nannyberry | <i>Viburnum lentago</i> | 36" Ht. | B&B |
| PERENNIALS | | | | | |
| 7 | SH | 'Hameln' Fountain Grass | <i>Pennisetum alopecuroides 'Hameln'</i> | #3 Pot | Container Grown |

1. NOTIFY DIG-SAFE AT 1-888-DIG-SAFE AND LOCAL AUTHORITIES PRIOR TO ANY TYPE OF SITE PREPARATION OR CONSTRUCTION.
2. THE CONTRACTOR SHALL PROVIDE MULCH MATERIAL AND MULCH IN SUFFICIENT QUANTITIES TO COMPLETE PLANTING AS SHOWN ON THE DRAWINGS.
3. DRAWING QUANTITIES TAKE PRECEDENCE OVER PLANT LIST QUANTITIES.
4. ALL PLANT MATERIAL SHALL CONFORM TO THE GUIDELINES SET FORTH BY THE MASSACHUSETTS LANDSCAPE ARCHITECTS ASSOCIATION.
5. ALL TREES AND SHRUBS SHALL BE PLANTED WITH THE "BEST FACE" SHOWING. ALL PLANTS SHALL BE BALLED AND BURLAPPED OR CONTAINER GROWN, UNLESS OTHERWISE APPROVED BY THE LANDSCAPE ARCHITECT.
6. ALL PLANTS GROWN IN CONTAINERS SHALL BE WELL ROOTED AND WELL ESTABLISHED IN THE CONTAINER IN WHICH THEY ARE GROWING. THEY SHALL HAVE TOPS OF GOOD QUALITY, NO APPARENT INJURY AND BE IN A HEALTHY GROWING CONDITION. A CONTAINER GROWN PLANT SHALL HAVE A WELL ESTABLISHED ROOT SYSTEM REACHING THE SIDES OF THE CONTAINER TO MAINTAIN A FIRM BALE.
7. THE QUALITY OF ALL TREES & SHRUBS IS TO BE NORMAL FOR THE SPECIES. ALL PLANTS ARE TO HAVE DEVELOPED ROOT SYSTEMS, TO BE FREE OF INSECTS AND DISEASES AS WELL AS MECHANICAL INJURIES, AND IN ALL RESPECTS TO BE SUITABLE FOR PLANTING.
8. ALL CONIFERS SHALL HAVE DORMANT BUDS AND SECONDARY NEEDLES.
9. WHERE SPECIFIED, CALIPER SIZE IS TO BE THE OVERRIDING FACTOR IN TREE SELECTION. CALIPER SIZE SHALL BE MEASURED 12" ABOVE THE ROOTBALL.
10. PLANT SUBSTITUTIONS ARE NOT ALLOWED UNLESS APPROVED BY THE PROJECT LANDSCAPE ARCHITECT.
11. ALL DISTURBED AREAS NOT SHOWN OTHERWISE SHALL BE LOAMED AND SEEDED AND BLENDED INTO EXISTING GRASS AND CONDITIONS.
12. FOR EACH PLANTING AREA, THE CONTRACTOR SHALL SUBMIT A LOAM SOIL SAMPLE FOR A ROUTINE, ORGANIC, SALTS, AND NITRATE SOIL TEST. UPON RECEIVING OF THIS TEST, THE SITE CONTRACTOR SHALL AMEND THE LOAM AS NECESSARY. SEND THE RESULTS TO THE LANDSCAPE ARCHITECTS FOR REVIEW.
13. SOIL PLANTING TESTS TO BE CONDUCTED IN LABORATORY, WEST EXPERIMENT STATION, 682 NORTH PLEASANT ST., UNIVERSITY OF MASSACHUSETTS, AMHERST, MA 01003.
14. LAWN SEED MIX SHALL BE THE PREVIOUS YEARS CROP. 35% JEROME KENTUCKY BLUEGRASS, 35% CRYSTAL BOUNTY PERENNIAL RYEGRASS, 10% PERENNIAL RYEGRASS, OR APPROVED EQUIV. PLANT AT A RATE OF 1 LB. PER 1500 SQUARE FEET.
15. SLOPE SEED MIX SHALL BE THE PREVIOUS YEARS CROP. PLANT AT A RATE OF 1 LB. PER 1500 SQUARE FEET. SEED MIX SHALL BE STALLION PERENNIAL RYE, 10%, CREEPING RED FESCUE, ANNUAL RYEGRASS, 10%, CRYSTAL BOUNTY PERENNIAL RYEGRASS, 10%, TOP CLOVER 5%, AND LADINO CLOVER 5%, OR APPROVED EQUIV. PLANT AT A RATE OF 1 LB. PER 1500SF.
16. LAWN SEED MIX SHALL NOT BE DEEMED ACCEPTABLE UNTIL IN EXCESS OF 90% OF THE AREA, PLANTING HAS BEEN COMPLETED, AND SUFFICIENTLY DISPLAYING HEALTHY, UNIFORM GROWTH AND HAS BEEN CUT TWICE. THE SITE CONTRACTOR IS RESPONSIBLE FOR APPLYING AT A MINIMUM 1" OF WATER A WEEK UNTIL THE SEEDED AREAS HAVE BEEN ACCEPTED. THE WATERING SHALL OCCUR IN SMALL DOSES, THE SITE CONTRACTOR IS RESPONSIBLE FOR MONITORING THE GROWTH OF THE GRASS WITHIN THE SEEDED AREAS UNTIL THE SEEDED AREAS HAVE BEEN ACCEPTED.
17. THE HYDRO SEED SLURRY SHALL BE A 500:3000LB. PER ACER BASED BONDED FIBER MATRIX. THE APPLICATION RATE SHALL BE 2.500-3.000LB. PER ACER SPRAYED IN AT LEAST TWO COATS. DO NOT APPLY WHEN TEMPERATURES ARE BELOW 50 DEGREES, OR EXPECTED WITHIN 12 HOURS, AND WHEN TEMPERATURES ARE BELOW 50 DEGREES.
18. PRIOR TO PLANTING, THE LANDSCAPER SHALL REVIEW AND COORDINATE WITH THE SITE UTILITY PLAN AND GRADING PLAN.
19. THE PLANTING OF NEW TREES AND SHRUBS MUST BE KEPT STEADILY MOIST, AS THE DEVELOPING ROOTS ESTABLISH IN THE NEW SOIL. AT PLANTING, WATER THOROUGHLY TO SOAK THE ROOTS AND TO SETTLE THE NEW SOIL AROUND THE ROOT BALL. THE AMOUNT OF SUPPLEMENTAL WATER NEEDED EACH WEEK DURING THE FIRST YEAR WILL VARY BASED ON WEATHER FACTORS SUCH AS RECORD RAINFALL, TEMPERATURE, AND WIND. IF LESS THAN ONE-INCH OF RAIN HAS FALLEN OVER THE PAST FIVE TO SEVEN DAYS, THE NEW PLANTINGS MUST BE WATERED. LAWNS, TREES, AND SHRUBS SHALL BE WATERED ONCE A WEEK, MORNING AND THEN THE OTHER IN THE LATE AFTERNOON. IN GENERAL TEN GALLONS OF WATER APPLIED TWICE A WEEK WILL WET A 20'-24" ROOT BALL AND PROVIDE THE EQUIVALENT OF ONE INCH OF RAIN. FALL AND WINTER WATERING SHALL BE WATERED SO THAT IT REACHES AT A MINIMUM ONE INCH (1") OF WATER EVERY WEEK.
20. WITHIN THE LANDSCAPE BEDS ADJACENT TO THE BUILDING FOUNDATIONS, NO (HEMLOCK, PINE, SPRUCE, OR CEDAR) MULCH OR OTHER COMBUSTIBLE LANDSCAPE MATERIAL SHALL BE INSTALLED WITHIN 12" OF THE FOUNDATION.
21. ALL LANDSCAPE BEDS SHALL RECEIVE THREE-INCHES OF BARK MULCH.
22. LANDSCAPE AREAS SHALL BE DEEP TILLED TO A DEPTH OF TWELVE INCHES TO FACILITATE DEEP WATER PENETRATION.
23. ALL EXISTING VEGETATION REMOVAL SHALL BE IN COORDINATION WITH THE PROJECT LANDSCAPE ARCHITECT.

DATE: _____

DATE: _____



REVISIONS

| No. | DATE | DESCRIPTION |
|-----|------|-------------|
| | | |
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PROPOSED
LANDSCAPE PLAN
IN
MEDWAY, MASSACHUSETTS

6 CUTLER STREET

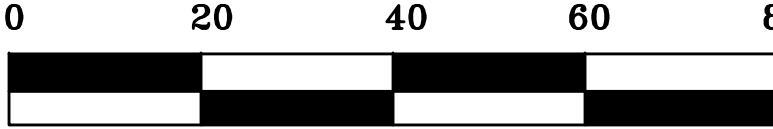
CUTLER PLACE LLC
6 CUTLER STREET
MEDWAY MA 02053

RONALD TIBERI P.E.
9 MASSACHUSETTS AVE
NATICK MA 01760

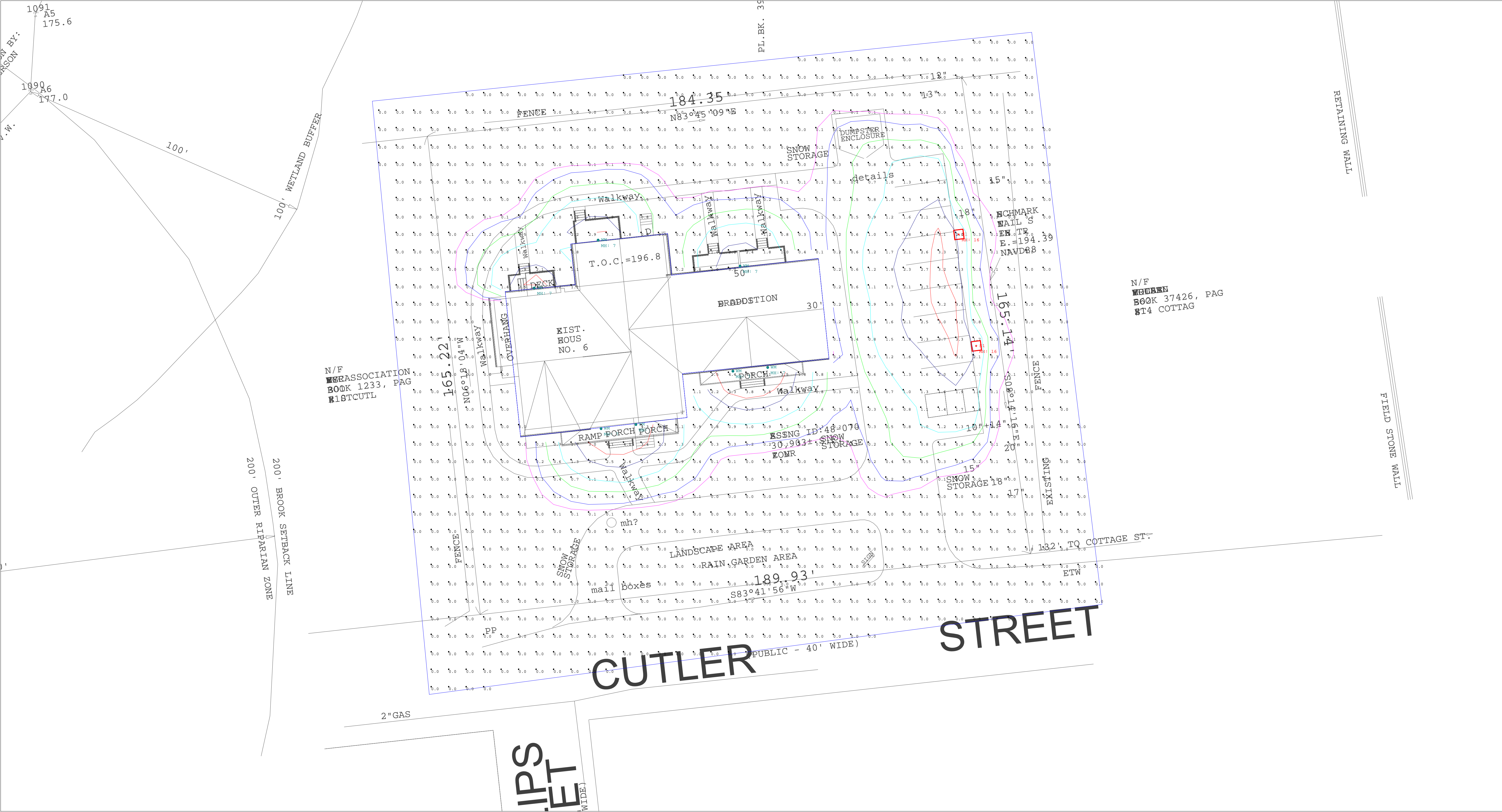
PROJECT NUMBER: 2155

DATE: NOVEMBER 1, 2021



L-1




WM & S1 SITE & BUILDING LIGHTING



| Room Summary | |
|--------------|----------|
| Label | Wall Ht. |

| Luminaire Schedule | | | | | |
|-------------------------------------------------------------------------------------|-------|-------------|------------|-------|----------------------------|
| Symbol | Label | Lum. Lumens | Lum. Watts | LLF | Description |
|  | WM | 2255 | 18.8 | 0.900 | CLA-M-T5-16L-35-30K-UNV |
|  | S1 | 4047 | 71 | 0.900 | CLA-1-T4-32L-7-30K-UNV-HSS |

| Calculation Summary | | | | | | |
|---------------------|-------|------|-----|-----|---------|---------|
| Label | Units | Avg | Max | Min | Avg/Min | Max/Min |
| SITE_Planar | Fc | 0.00 | 0.0 | 0.0 | N.A. | N.A. |
| SITE_Planar_1 | Fc | 0.35 | 5.1 | 0.0 | N.A. | N.A. |



7 Tide St, Boston, MA 02210

| | |
|-----------|--------|
| Comments | XXXXXX |
| Date | XX/XX |
| # | X |
| Revisions | |

Drawn By: LH

Checked By:

Date:

Scale: NTS

6 Cutler Street

Medway, MA

Page 1 of 1

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PRELIMINARY CODE SUMMARY

6 Cutler Street
Medway, Massachusetts

October 12, 2021

| Code Type | Applicable Code (Model Code Basis) |
|---------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Building | 780 CMR: Massachusetts State Building Code, 9 th Edition Amended 2015 International Building Code (IBC) Amended 2015 International Existing Building Code (IEBC) |
| Fire Prevention | 527 CMR: Massachusetts Fire Prevention Regulations Amended 2015 NFPA 1 |
| Accessibility | 521 CMR: Massachusetts Architectural Access Board Regulations |
| Electrical | 527 CMR 12.00: Massachusetts Electrical Code Amended 2020 National Electrical Code |
| Mechanical | 2015 International Mechanical Code (IMC) |
| Plumbing | 248 CMR: Massachusetts Plumbing Code |
| Energy Conservation | 2018 International Energy Conservation Code (IECC) |

| | |
|---------------------------|----------------------------------------------------------------------------------------------------------|
| IEBC Compliance Method: | Work Area Method |
| IEBC Level of Work: | Level 3 Alteration & Addition Work Area > 50% of Building Area (IEBC Section 505) |
| Occupancy Classification: | Existing: Use Group A-3 (American Legion Hall) Proposed: Use Group R-2 (Multi-Family Residential) |
| Construction Type: | Type VB (unprotected, combustible) |

Fire Resistance Ratings:

| Building Element | Fire Resistance Rating (Hrs) | Opening Protectives (Hrs) |
|--------------------------|------------------------------|---------------------------|
| Primary Structural Frame | 0 | - |
| Exterior Bearing Walls | 0 | - |
| Interior Bearing Walls | 0 | - |

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| | | |
|-------------------------------------------------------------------------------------|----------------------------------------|---|
| Floor Construction | 0 (1 Hour Dwelling Unit Separation) | - |
| Roof Construction | 0 | - |
| Existing shafts < 4 stories (IEBC 803.2.1 Exception 5) | 0 | 0 |
| New shafts < 4 stories (IBC 713.4) | 1 | ¾ |
| Dwelling unit separation walls and floor/ceiling assemblies (IBC 708.3 & 711.2.4.3) | 1 | ¾ |

Exterior Wall Openings: The fire separation distance in this location is greater than 10 feet around the full perimeter of the building and therefore exterior walls do not require a fire rating and openings are not limited (IBC 705.8.1 Exception 2 & Table 602).

New Interior Finishes:

Walls & Ceilings (IBC Table 803.11)

| | |
|-------------------------|---------|
| Use Group: | R-2 |
| Rooms & Enclosed Spaces | Class C |

Means of Egress: Each unit only requires a single means of egress since the occupant load of each unit does not exceed 20 people, the common path of travel does not exceed 125 feet, and the building will be protected with an NFPA 13R sprinkler system IIBC 1006.2.1 Exception 1). Emergency escape and rescue openings must be provided in accordance with IBC Section 1030.

Fire Protection Systems: Sprinkler System –NFPA 13R (780 CMR Table 903.2 Note a) Fire Alarm System (780 CMR 903.4.2) Single- and Multiple-station smoke alarms (IBC 907.2.9.2) Carbon monoxide detection (IBC 915 & 527 CMR) Fire extinguishers (527 CMR 1, Table 13.6.2(a) & IBC 906.1)

Energy Code: The alterations (new elements) shall conform to the energy requirements of the IECC as they relate to new construction only (IEBC 908.1). The Stretch Energy Code does not apply to existing buildings (780 CMR Appendix AA101.2).

Accessibility: Since there are less than 20 units, none of the units are required to comply with the requirements for Group 2 adaptable units in the Massachusetts Architectural Access Board's Regulations (521 CMR 9.4). Units in the existing building are not required to comply with Group 1 requirements (521 CMR 9.2.2) and the units in the new addition are also not required to comply with Group 1 requirements since they are townhouse style units (521 CMR 9.6). The only common areas are located in the existing building and are not required to be accessible since they are less than 12 total units (521 CMR 10.1).

For Zoning

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The Design Professional, all drawings and written material herein constitute the original and unpublished work of the architect, and the same may not be duplicated, used, or disclosed without the written consent of the architect. Contractors to use architectural drawings for any use. Contractors to check and verify all Dimensions on Site prior to Construction/Fabrication. Figure Dimensions take precedence over Scaled Dimensions. Any discrepancies should be immediately referred to the Architect. The project manager shall be notified in writing of any discrepancies prior to proceeding with the work. The scale of drawings may change when copied or faxed. All work to comply with I.B.C. Regulations and relevant American Standards.
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| revision | revision description | date |
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| 4 | PEDB | 11/17/2021 |

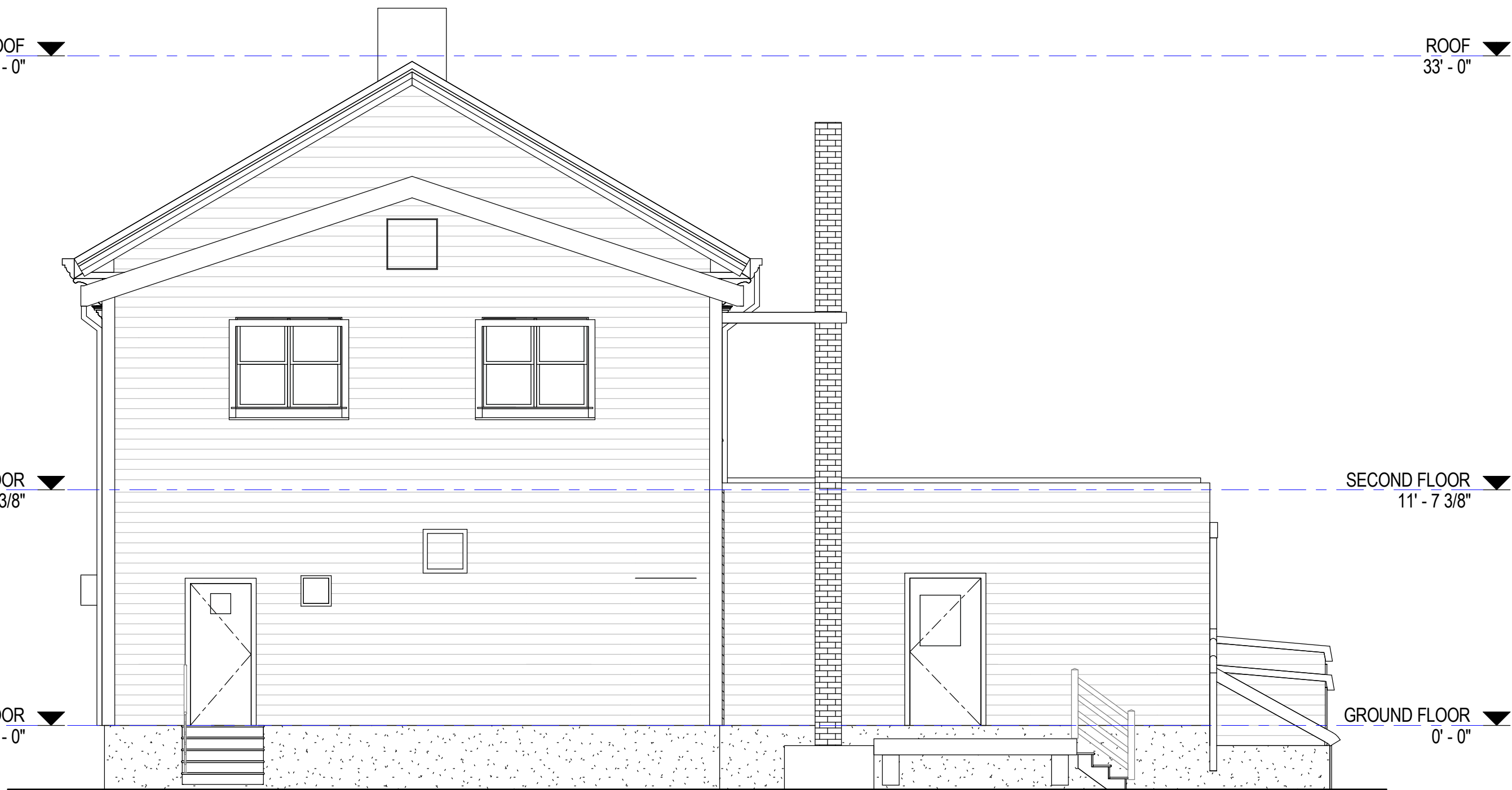
| | |
|-------------------------------------------------|-----------------------------------------------------------------------------------------------|
| project title | CUTLER PLACE |
| 6 CUTLER STREET, MEDWAY, MA 02053 | |
| client | ANTHONY VARRICHIONE 249 VILLAGE STREET, MEDWAY, MA 02053 |
| Alex Siekierski, RA Architectural Consultant | |
| location | 33 Lovering Street Medway, MA 02053 t: +1(617) 894-0664 e: siekierski.alex@gmail.com |

| | | |
|----------------|---------------------|----------|
| drawing title | CODES & REGULATIONS | |
| project number | drawing scale | approver |
| 21.013 | 12" = 1'-0" | Approver |
| drawing number | revision | |
| A001 | 4 | |

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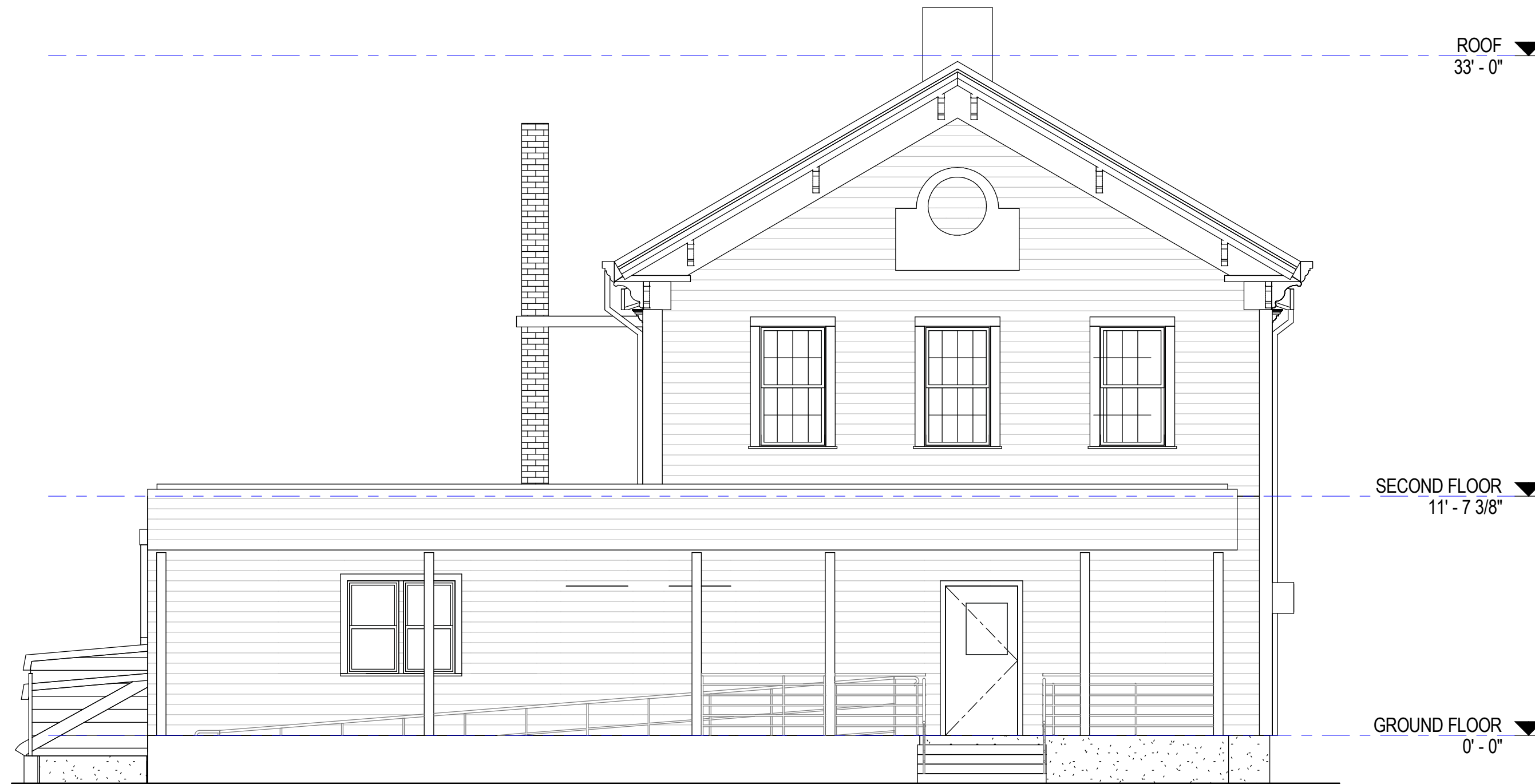
① EXISTING EAST ELEVATION
3/16" = 1'-0"



② EXISTING NORTH ELEVATION
3/16" = 1'-0"



④ EXISTING WEST ELEVATION
3/16" = 1'-0"



③ EXISTING SOUTH ELEVATION
3/16" = 1'-0"

For Zoning

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| revision | revision description | date |
|----------|----------------------|------------|
| 1 | FOR INFORMATION | 03/08/2021 |
| 2 | FOR INFORMATION | 03/24/2021 |
| 3 | TOWN OF MEDWAY | 11/05/2021 |
| 4 | PEDB | 11/17/2021 |

project title
CUTLER PLACE

6 CUTLER STREET, MEDWAY, MA
02053

client
ANTHONY VARRICHIONE
249 VILLAGE STREET, MEDWAY, MA
02053

Alex Siekierski, RA
Architectural Consultant

location
33 Lovering Street
Medway, MA 02053
t: +1(617) 894-0664
e: siekierski.alex@gmail.com

drawing title

EXISTING ELEVATIONS

| project number | drawing scale | approver |
|----------------|---------------|----------|
| 21.013 | 3/16" = 1'-0" | Approver |
| drawing number | revision | |

A042

4



circa 1898 Plainville School - (Americal Legion Hall)



Medway School Class



For Zoning

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project title
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client
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Architectural Consultant

location
33 Lovering Street
Medway, MA 02053
t: +1(617) 894-0664
e: siekierski.alex@gmail.com

drawing title
**EXISTING EXTERIOR
PHOTOS**

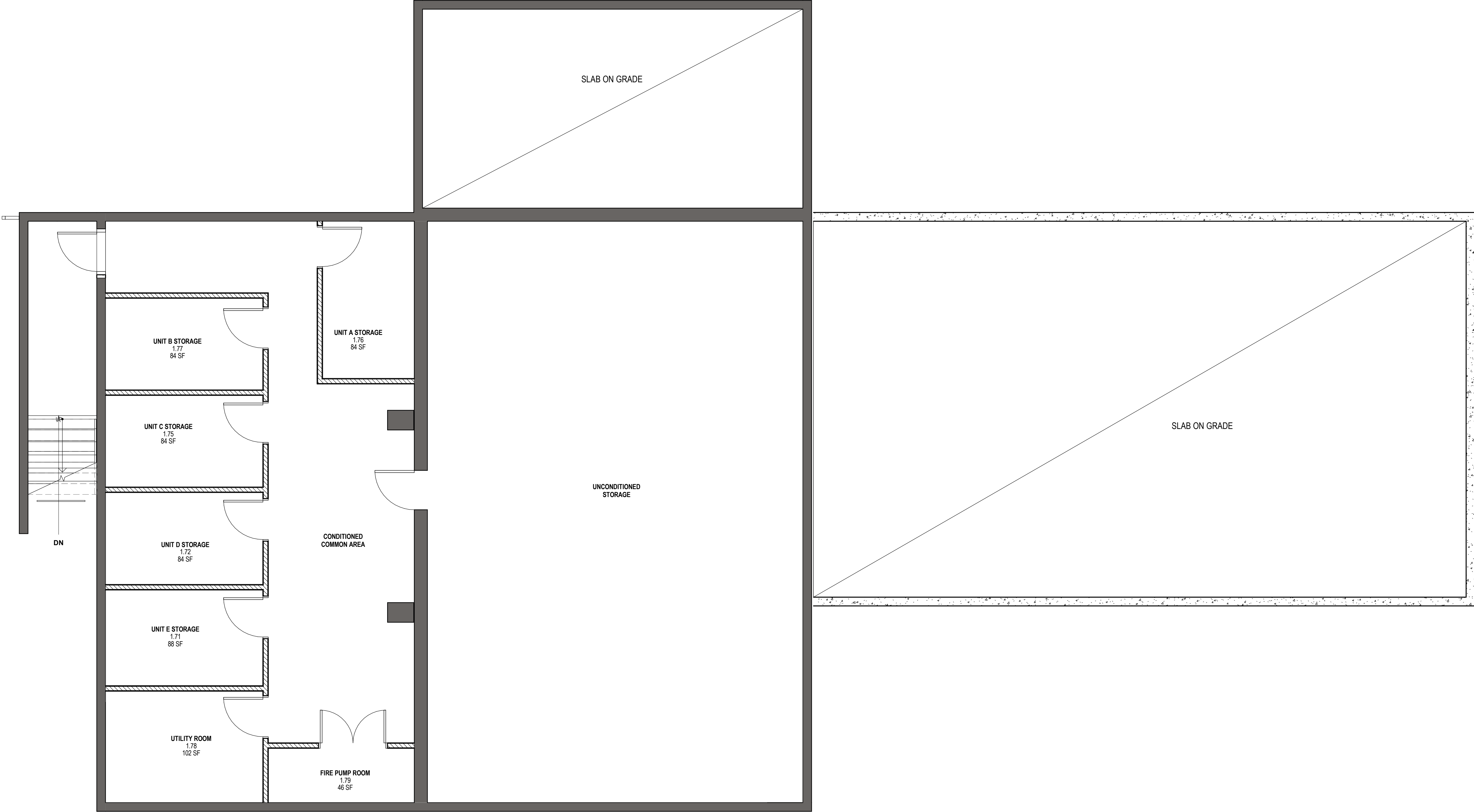
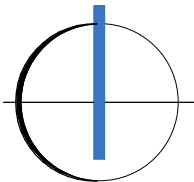
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| project number 21.013 | drawing scale | approver Approver |
| drawing number | | revision |

A043

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1 BASEMENT PLAN
1/4" = 1'-0"



For Approval

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| revision | revision description | date |
|----------|----------------------|------------|
| 3 | TOWN OF MEDWAY | 11/05/2021 |
| 4 | PEDB | 11/17/2021 |

project title

CUTLER PLACE

6 CUTLER STREET, MEDWAY, MA 02053

client

ANTHONY VARRICHIONE

249 VILLAGE STREET, MEDWAY, MA 02053

Alex Siekierski, RA
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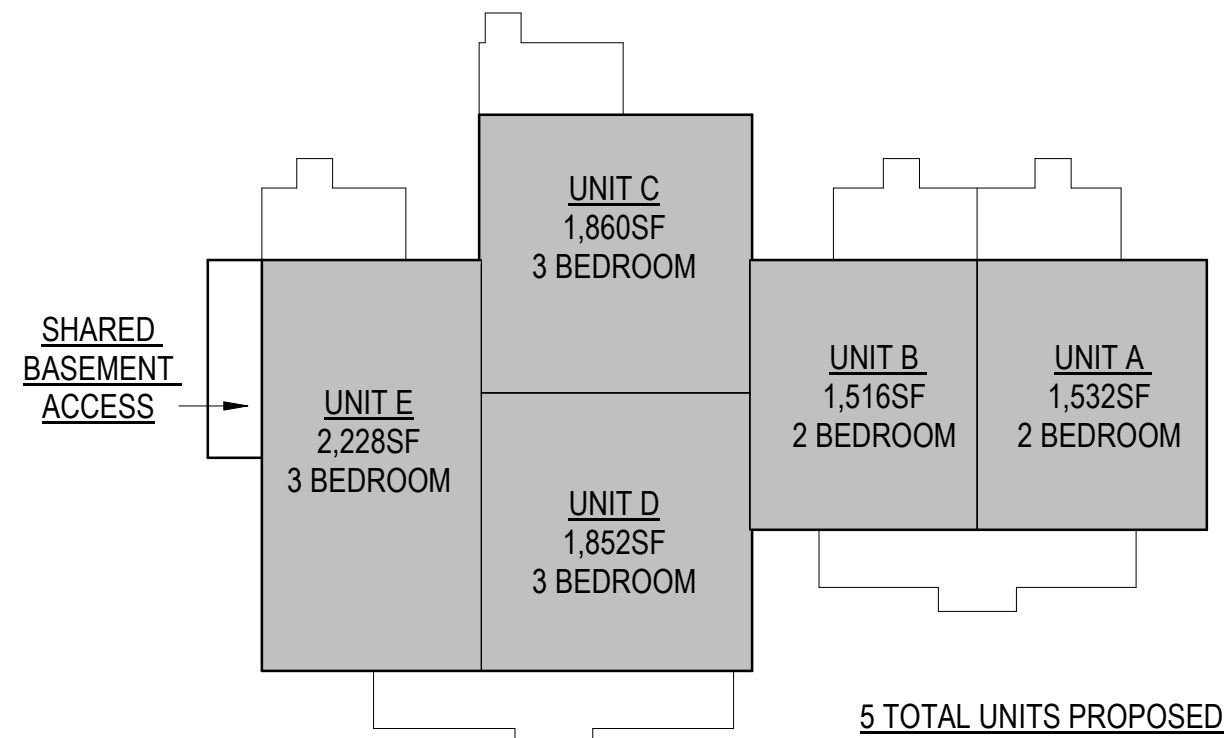
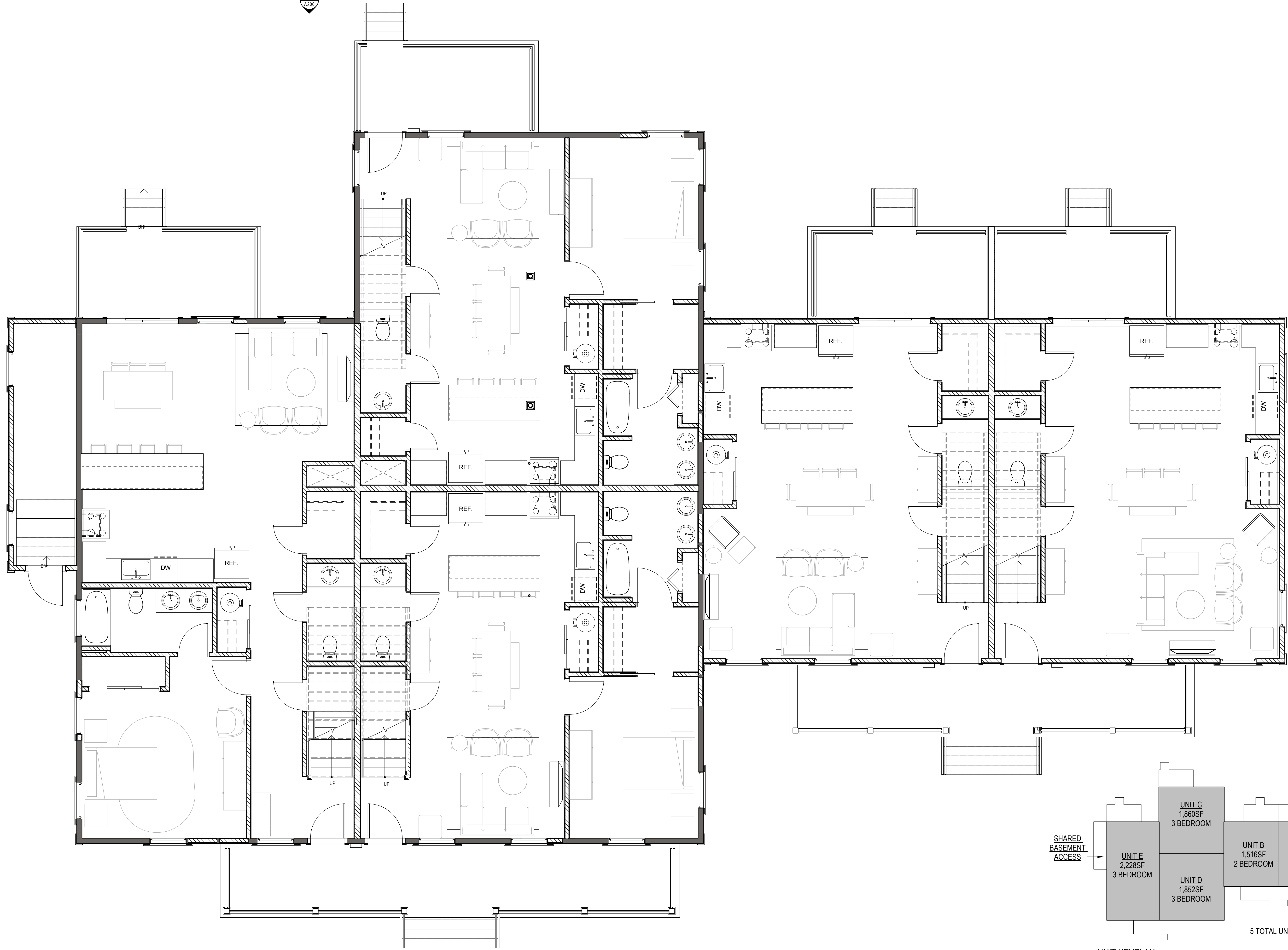
drawing title

BASEMENT PLAN

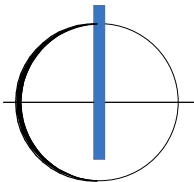
| project number | drawing scale | approver |
|----------------|---------------|----------|
| 21.013 | 1/4" = 1'-0" | AS |
| drawing number | revision | |
| A110 | 4 | |

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1 FIRST FLOOR PLAN
1/4" = 1'-0"



2 UNIT KEYPLAN
3/64" = 1'-0"



For Approval

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project title
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02053

client
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249 VILLAGE STREET, MEDWAY, MA
02053

Alex Siekierski, RA
Architectural Consultant



location
33 Lovering Street
Medway, MA 02053
t: +1(617) 894-0664
e: siekierski.alex@gmail.com

drawing title

GROUND FLOOR PLAN

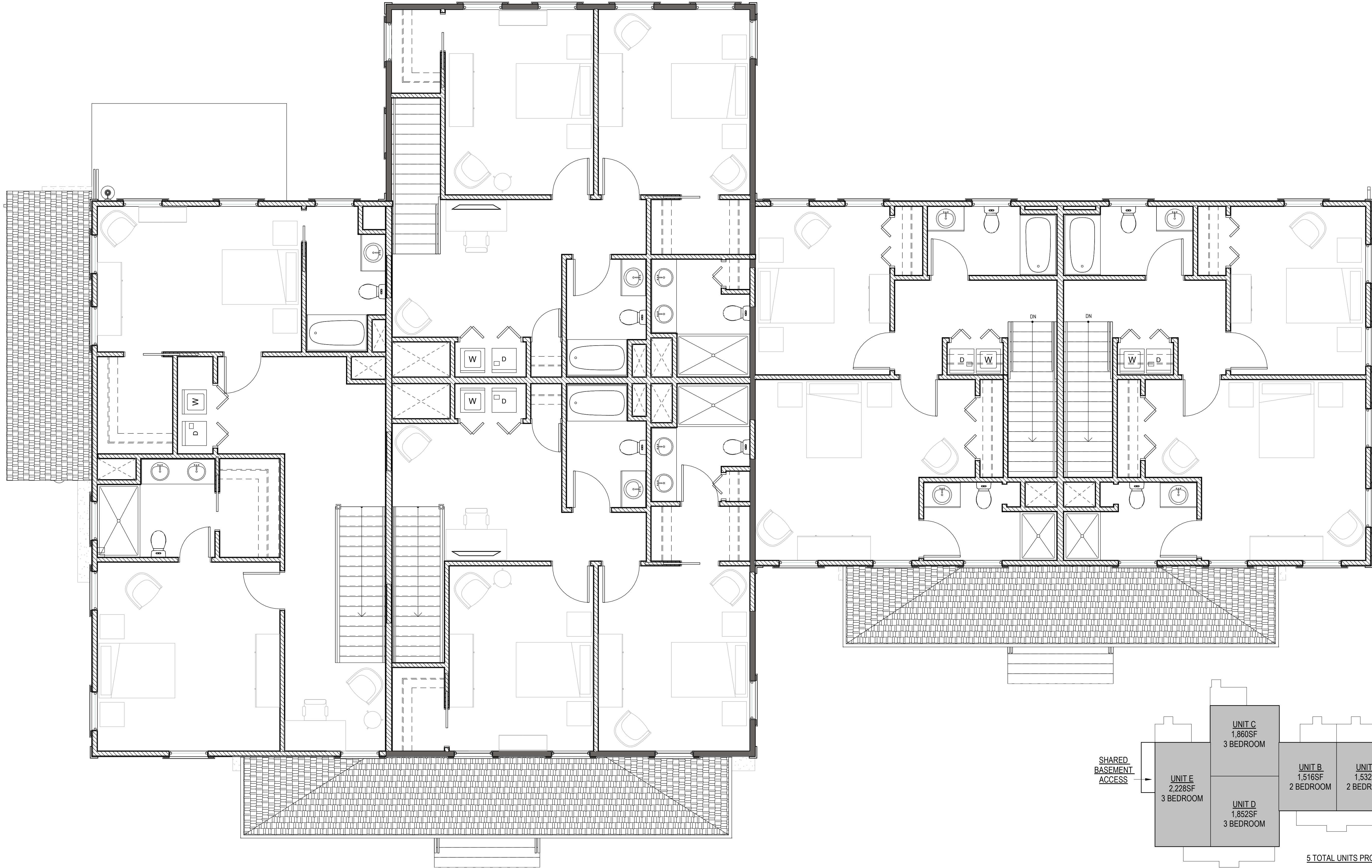
| project number | drawing scale | approver |
|----------------|---------------|----------|
| 21.013 | As indicated | Approver |
| drawing number | revision | |

A111

4

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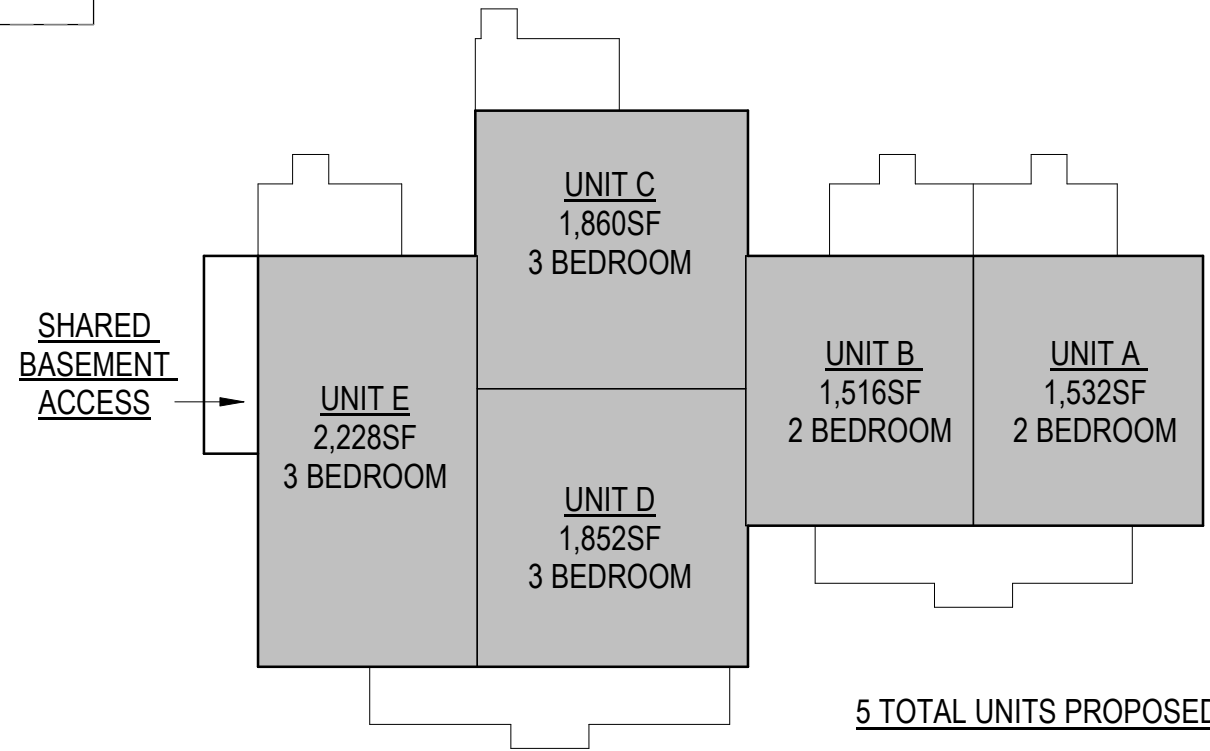
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A200



1 SECOND FLOOR PLAN
1/4" = 1'-0"

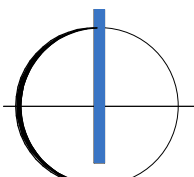
4
A200

2 UNIT KEYPLAN
3/64" = 1'-0"



5 TOTAL UNITS PROPOSED

3
A201



For Zoning

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contractor

stamp



| revision | revision description | date |
|----------|----------------------|------------|
| 4 | PEDB | 11/17/2021 |

project title
CUTLER PLACE

6 CUTLER STREET, MEDWAY, MA
02053

client
ANTHONY VARRICHIONE
249 VILLAGE STREET, MEDWAY, MA
02053

Alex Siekierski, RA
Architectural Consultant



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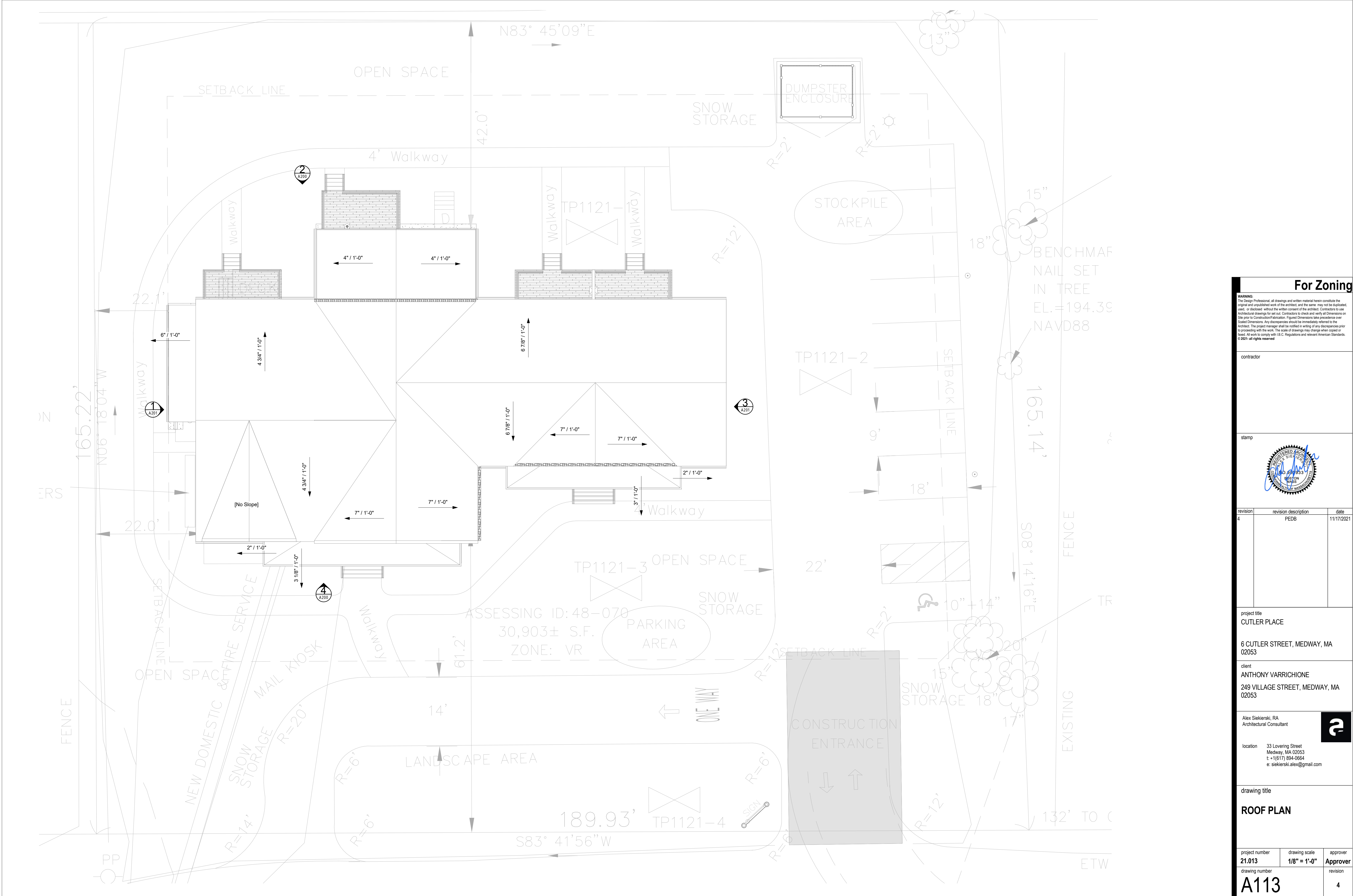
drawing title

SECOND FLOOR PLAN

| project number | drawing scale | approver |
|----------------|---------------|----------|
| 21.013 | As indicated | Approver |
| drawing number | revision | |

A112

4



For Zoning

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|----------|----------------------|------------|
| 4 | PEDB | 11/17/2021 |

project title
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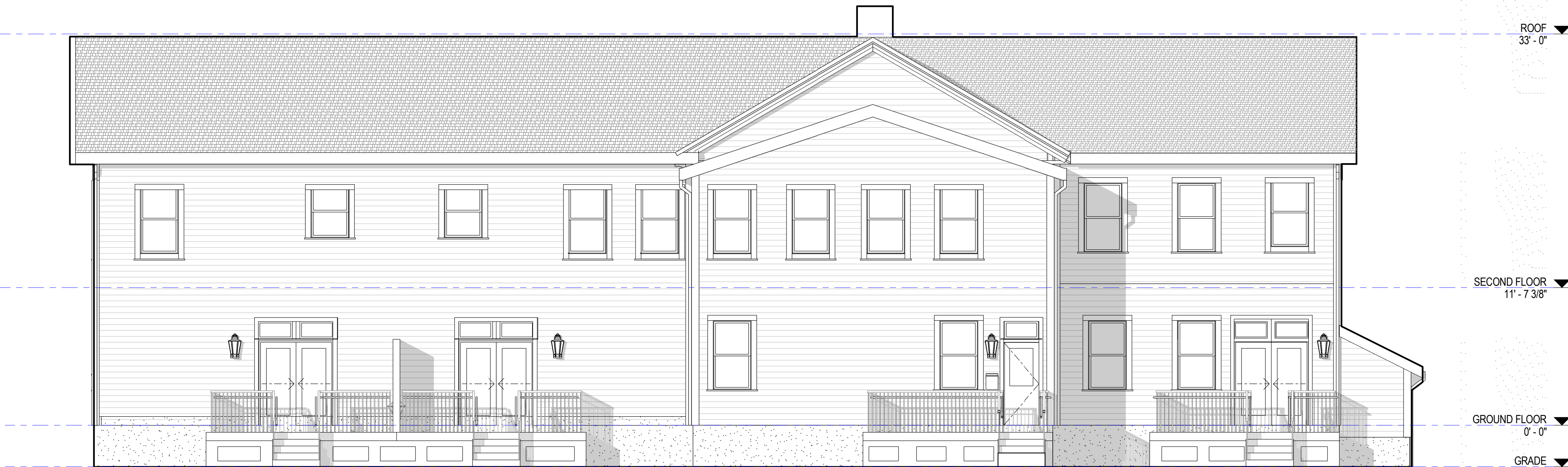
drawing title
ROOF PLAN

| project number | drawing scale | approver |
|----------------|---------------|----------|
| 21.013 | 1/8" = 1'-0" | Approver |
| drawing number | revision | |

A113

4

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② PROPOSED NORTH ELEVATION
3/16" = 1'-0"



④ PROPOSED SOUTH ELEVATION
3/16" = 1'-0"

EXTERIOR MATERIALS



WM & S1 SITE & BUILDING LIGHTING



PVC TRIM (WHITE)



COMPOSITE SIDING CEDAR IMPRESSION (WHITE)



PRESSURE TREATED DECKING & RAILINGS

EXTERIOR INSPIRATION

the intent of the development is to mimic the architectural features of the 1882 school house and have the new addition to the building look as though it were always there



circa 1888 Plainville School - (Amherst Legion Hall)



Medway School Class

EXTERIOR MAILBOX



For Approval

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| revision | revision description | date |
|----------|----------------------|------------|
| 1 | FOR INFORMATION | 03/08/2021 |
| 2 | FOR INFORMATION | 03/24/2021 |
| 3 | TOWN OF MEDWAY | 11/05/2021 |
| 4 | PEDB | 11/17/2021 |

project title

CUTLER PLACE

6 CUTLER STREET, MEDWAY, MA
02053

client

ANTHONY VARRICHIONE
249 VILLAGE STREET, MEDWAY, MA
02053

Alex Siekierski, RA
Architectural Consultant

location 33 Loving Street
Medway, MA 02053
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e: siekierski.alex@gmail.com

drawing title

EXTERIOR ELEVATIONS

| project number | drawing scale | approver |
|----------------|---------------|----------|
| 21.013 | As indicated | AS |
| drawing number | revision | |
| A200 | 4 | |

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③ PROPOSED EAST ELEVATION
3/16" = 1'-0"



① PROPOSED WEST ELEVATION
3/16" = 1'-0"

EXTERIOR MATERIALS



WM & S1 SITE & BUILDING LIGHTING



PVC TRIM (WHITE)



COMPOSITE SIDING CEDAR IMPRESSION (WHITE)



PRESSURE TREATED DECKING & RAILINGS

EXTERIOR INSPIRATION

the intent of the development is to mimic the architectural features of the 1882 school house and have the new addition to the building look as though it were always there



circa 1888 Plainville School - (American Legion Hall)



Medway School Class

EXTERIOR MAILBOX



For Approval

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| revision | revision description | date |
|----------|----------------------|------------|
| 2 | FOR INFORMATION | 03/24/2021 |
| 3 | TOWN OF MEDWAY | 11/05/2021 |
| 4 | PEDB | 11/17/2021 |

project title

CUTLER PLACE

6 CUTLER STREET, MEDWAY, MA
02053

client

ANTHONY VARRICHIONE

249 VILLAGE STREET, MEDWAY, MA
02053

Alex Siekierski, RA

Architectural Consultant



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drawing title

EXTERIOR ELEVATIONS

| project number | drawing scale | approver |
|----------------|---------------|----------|
| 21.013 | As indicated | Approver |
| drawing number | revision | |

A201

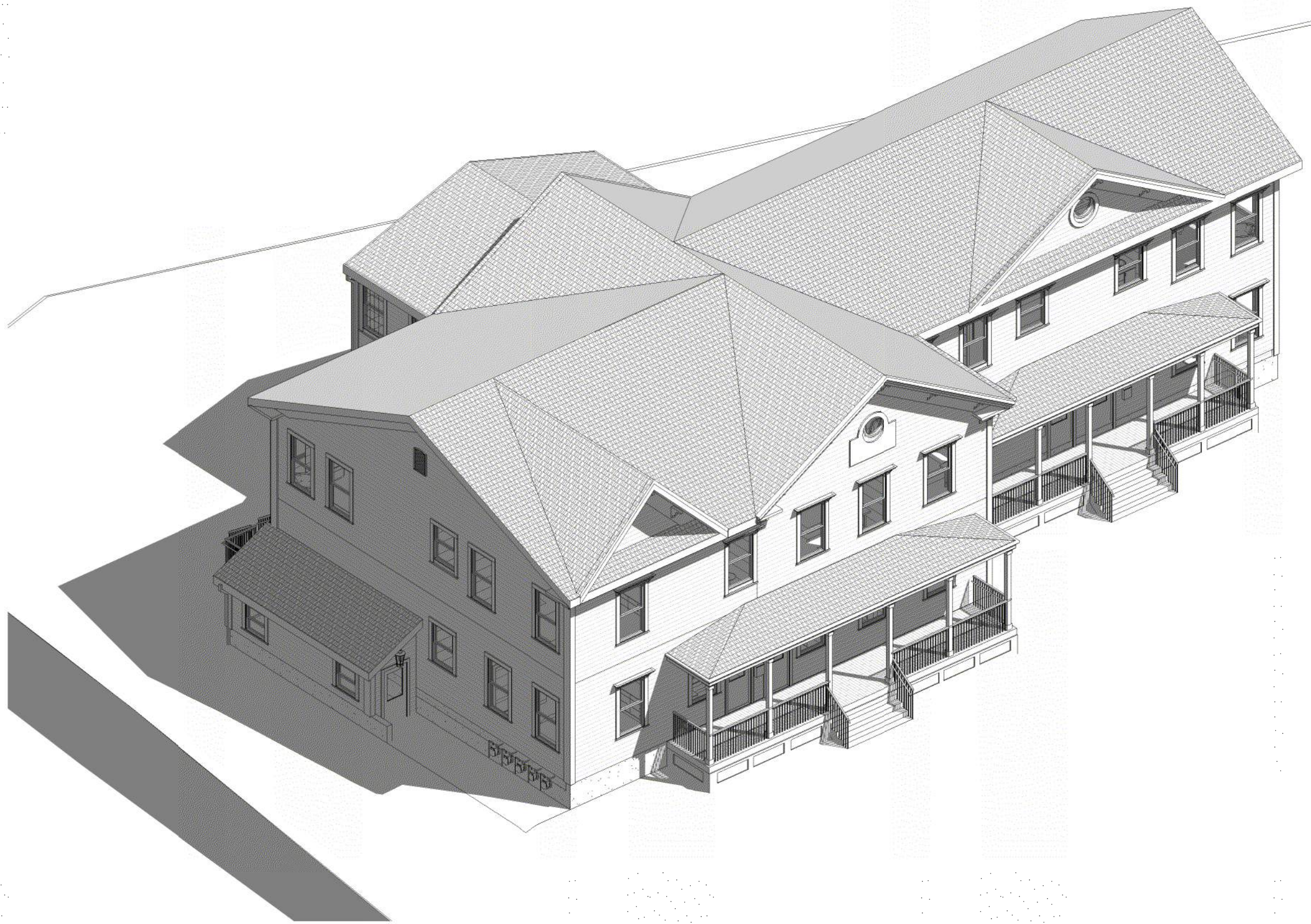
4



3 REAR FACADE AXO



1 FRONT PERSPECTIVE 1



4 FRONT FACADE AXO



2 FRONT PERSPECTIVE 2

For Approval

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| revision | revision description | date |
|----------|----------------------|------------|
| 3 | TOWN OF MEDWAY | 11/05/2021 |
| 4 | PEDB | 11/17/2021 |

project title
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t: +1(617) 894-0664
e: siekierski.alex@gmail.com

drawing title

3D VIEWS

| project number | drawing scale | approver |
|----------------|---------------|----------|
| 21.013 | | Approver |

drawing number

A910

revision

4



Medway Planning and Economic Development Board
Request for Waiver from Site Plan Rules and Regulations
Complete 1 form for each waiver request

| | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Project Name: | <i>Cutler Place</i> |
| Property Location: | <i>6 Cutler Street</i> |
| Type of Project/Permit: | <i>Multifamily Special Permit</i> |
| Identify the number and title of the relevant Section of the Site Plan Rules and Regulations from which a waiver is sought. | Site Plan Rules & Regulations - Chapter 200 Section 204-3 A (7). Impact report |
| Summarize the text of the relevant Section of the Rules and Regulations from which a waiver is requested. | A 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 or mitigate adverse impacts. |
| What aspect of the Regulation do you propose be waived? | The requirement for full environmental impact report |
| What do you propose instead? | Limit assessment to drainage report |
| Explanation/justification for the waiver request. Why is the waiver needed? Describe the extenuating circumstances that necessitate the waiver request. | The project size and scope produces little to no substantive impacts |
| What is the estimated value/cost savings to the applicant if the waiver is granted? | \$1,000 |
| How would approval of this waiver request result in a superior design or provide a clear and significant improvement to the quality of this development? | It will result in less runoff, smaller parking footprint, a more rural setting |
| What is the impact on the development if this waiver is denied? | None |
| What are the design alternatives to granting this waiver? | Not Applicable |
| Why is granting this waiver in the Town's best interest? | Not applicable |
| If this waiver is granted, what is the estimated cost savings and/or cost avoidance to the Town? | Not applicable |
| What mitigation measures do you propose to offset not complying with the particular Rule/Regulation? | Limit assessment to Drainage report |
| What is the estimated value of the proposed mitigation measures? | \$25,000 |

***Medway Planning and Economic Development Board
Request for Waiver from Site Plan Rules and Regulations
Complete 1 form for each waiver request***

| | |
|-----------------------------------------------------------------------------------|--------------------|
| <i>Other Information?</i> | |
| <i>Waiver Request Prepared By:</i> | Ronald Tiberi P.E. |
| <i>Date:</i> | 11/13/2021 |
| <i>Questions?? - Please contact the Medway PED office at 508-533-3291.</i> | |

Medway Planning and Economic Development Board
Request for Waiver from Site Plan Rules and Regulations
 Complete 1 form for each waiver request

| | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Project Name: | <i>Cutler Place</i> |
| Property Location: | <i>6 Cutler Street</i> |
| Type of Project/Permit: | <i>Multifamily Special Permit</i> |
| Identify the number and title of the relevant Section of the Site Plan Rules and Regulations from which a waiver is sought. | Site Plan Rules & Regulations - Chapter 200 Section 204-6 G (3). Parking Stalls |
| Summarize the text of the relevant Section of the Rules and Regulations from which a waiver is requested. | Space/stall design a) Car parking spaces/stalls shall be ten (10) feet by twenty (20) feet, except that handicap stalls shall be in accordance with the current ADA; standards. Each handicapped space/stall must be identified on the ground surface and by a sign. |
| What aspect of the Regulation do you propose be waived? | The requirement to inventory for 10x20 space |
| What do you propose instead? | Use of as Standard 9x18 stall size |
| Explanation/justification for the waiver request. Why is the waiver needed? Describe the extenuating circumstances that necessitate the waiver request. | Reduction in impervious area and runoff rates, small parking footprint in keeping with rural setting |
| What is the estimated value/cost savings to the applicant if the waiver is granted? | \$2,000 |
| How would approval of this waiver request result in a superior design or provide a clear and significant improvement to the quality of this development? | It will result iLess runoff, smaller parking footprint , a more rural setting |
| What is the impact on the development if this waiver is denied? | None |
| What are the design alternatives to granting this waiver? | Not Applicable |
| Why is granting this waiver in the Town's best interest? | It would demonstrate the Town's understanding of the site and practical approach to the design |
| If this waiver is granted, what is the estimated cost savings and/or cost avoidance to the Town? | Not applicable |
| What mitigation measures do you propose to offset not complying with the particular Rule/Regulation? | More green space, less runoff and drainage structures |
| What is the estimated value of the proposed mitigation measures? | \$5,000 |

***Medway Planning and Economic Development Board
Request for Waiver from Site Plan Rules and Regulations
Complete 1 form for each waiver request***

| | |
|-----------------------------------------------------------------------------------|--------------------|
| <i>Other Information?</i> | |
| <i>Waiver Request Prepared By:</i> | Ronald Tiberi P.E. |
| <i>Date:</i> | 11/13/2021 |
| <i>Questions?? - Please contact the Medway PED office at 508-533-3291.</i> | |

Medway Planning and Economic Development Board
Request for Waiver from Site Plan Rules and Regulations
 Complete 1 form for each waiver request

| | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|
| Project Name: | Cutler Place |
| Property Location: | 6 Cutler Street |
| Type of Project/Permit: | Multifamily Special Permit |
| Identify the number and title of the relevant Section of the Site Plan Rules and Regulations from which a waiver is sought. | Site Plan Rules & Regulations - Chapter 200 Section 205-6 H |
| Summarize the text of the relevant Section of the Rules and Regulations from which a waiver is requested. | I. Travel lane curbing shall be vertical granite curbing |
| What aspect of the Regulation do you propose be waived? | Granite Curbing |
| What do you propose instead? | Bituminous Berm |
| Explanation/justification for the waiver request. Why is the waiver needed? Describe the extenuating circumstances that necessitate the waiver request. | In order maintain a smaller village appearance |
| What is the estimated value/cost savings to the applicant if the waiver is granted? | \$5,000 |
| How would approval of this waiver request result in a superior design or provide a clear and significant improvement to the quality of this development? | It would compliment the rural neighborhood appearance |
| What is the impact on the development if this waiver is denied? | Would not complement appearances, Cutler Street has no curbing |
| What are the design alternatives to granting this waiver? | No curb or Bituminous Berm |
| Why is granting this waiver in the Town's best interest? | Aids in complimenting Scenic Rural road appearance |
| If this waiver is granted, what is the estimated cost savings and/or cost avoidance to the Town? | None |
| What mitigation measures do you propose to offset not complying with the particular Rule/Regulation? | None |
| What is the estimated value of the proposed mitigation measures? | \$8,000 |
| Other Information? | |
| Waiver Request Prepared By: | Ronald Tiberi P.E. |
| Date: | 11/13/2021 |

***Medway Planning and Economic Development Board
Request for Waiver from Site Plan Rules and Regulations
Complete 1 form for each waiver request***

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Medway Planning and Economic Development Board
Request for Waiver from Site Plan Rules and Regulations
 Complete 1 form for each waiver request

| | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|
| Project Name: | Cutler Place |
| Property Location: | 6 Cutler Street |
| Type of Project/Permit: | Multifamily Special Permit |
| Identify the number and title of the relevant Section of the Site Plan Rules and Regulations from which a waiver is sought. | Site Plan Rules & Regulations - Chapter 200 Section 205-6 I |
| Summarize the text of the relevant Section of the Rules and Regulations from which a waiver is requested. | I. Travel lanes in the parking area shall be a minimum of twenty-four (24) feet wide |
| What aspect of the Regulation do you propose be waived? | Reduction of travel lane width |
| What do you propose instead? | Reduce Travel lanes to 22' |
| Explanation/justification for the waiver request. Why is the waiver needed? Describe the extenuating circumstances that necessitate the waiver request. | Reduce speeds in parking area, reduce impervious areas and maintain a smaller village appearance |
| What is the estimated value/cost savings to the applicant if the waiver is granted? | \$3,000 |
| How would approval of this waiver request result in a superior design or provide a clear and significant improvement to the quality of this development? | Yes, it would minimize runoff, reduce traffic speeds and expanse of asphalt areas |
| What is the impact on the development if this waiver is denied? | Would require additional grading, along with drainage system changes and additional asphalt |
| What are the design alternatives to granting this waiver? | 22' width |
| Why is granting this waiver in the Town's best interest? | Smaller drive would discourage pass thru traffic and turn arounds in lot |
| If this waiver is granted, what is the estimated cost savings and/or cost avoidance to the Town? | None |
| What mitigation measures do you propose to offset not complying with the particular Rule/Regulation? | Increase in Green space areas, reduction in drainage |
| What is the estimated value of the proposed mitigation measures? | Additional Green Space \$8000 |
| Other Information? | |
| Waiver Request Prepared By: | Ronald Tiberi P.E. |
| Date: | 11/13/2021 |

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Request for Waiver from Site Plan Rules and Regulations
Complete 1 form for each waiver request***

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Medway Planning and Economic Development Board
Request for Waiver from Site Plan Rules and Regulations
Complete 1 form for each waiver request

| | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Project Name: | Cutler Place |
| Property Location: | 6 Cutler Street |
| Type of Project/Permit: | Multifamily Special Permit |
| Identify the number and title of the relevant Section of the Site Plan Rules and Regulations from which a waiver is sought. | Site Plan Rules & Regulations - Chapter 200 Section 205-9 C |
| Summarize the text of the relevant Section of the Rules and Regulations from which a waiver is requested. | Parking Areas - Internal landscape planted divisions (islands and peninsulas) shall be constructed within all parking lots to provide shading and buffering. At least one deciduous tree of a minimum two and one-half (2 1/2) inches caliper in diameter shall be provided for every six (6) parking spaces. Only trees providing shade to the parking area shall be counted as meeting this requirement. This requirement may be waived in lieu of the preservation of existing trees subject to approval by the Planning Board. |
| What aspect of the Regulation do you propose be waived? | Shade trees over Parking Ares |
| What do you propose instead? | Planting additional trees around property and screening areas |
| Explanation/justification for the waiver request. Why is the waiver needed? Describe the extenuating circumstances that necessitate the waiver request. | Limited parking areas beyond driveway |
| What is the estimated value/cost savings to the applicant if the waiver is granted? | None |
| How would approval of this waiver request result in a superior design or provide a clear and significant improvement to the quality of this development? | Not complimentary to driveways |
| What is the impact on the development if this waiver is denied? | Would require additional grading, along with drainage system changes and additional asphalt, may result in reduced parking |
| What are the design alternatives to granting this waiver? | Add trees to Screening areas |
| Why is granting this waiver in the Town's best interest? | Allows developer to provide smaller parking footprint and drainage in Small site area |
| If this waiver is granted, what is the estimated cost savings and/or cost avoidance to the Town? | None |
| What mitigation measures do you propose to offset not complying with the particular Rule/Regulation? | Trees added elsewhere |
| What is the estimated value of the proposed mitigation measures? | None |

***Medway Planning and Economic Development Board
Request for Waiver from Site Plan Rules and Regulations
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| | |
|-----------------------------------------------------------------------------------|--------------------|
| <i>Other Information?</i> | |
| <i>Waiver Request Prepared By:</i> | Ronald Tiberi P.E. |
| <i>Date:</i> | 11/13/2021 |
| <i>Questions?? - Please contact the Medway PED office at 508-533-3291.</i> | |

Medway Planning and Economic Development Board
Request for Waiver from Site Plan Rules and Regulations
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| | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------|
| Project Name: | Cutler Place |
| Property Location: | 6 Cutler Street |
| Type of Project/Permit: | Multifamily Special Permit |
| Identify the number and title of the relevant Section of the Site Plan Rules and Regulations from which a waiver is sought. | AUOD - section 504-4E |
| Summarize the text of the relevant Section of the Rules and Regulations from which a waiver is requested. | Prohibition of new curb cuts |
| What aspect of the Regulation do you propose be waived? | waive requirement |
| What do you propose instead? | No curbs |
| Explanation/justification for the waiver request. Why is the waiver needed? Describe the extenuating circumstances that necessitate the waiver request. | Provides sheet drainage and keeps rural setting |
| What is the estimated value/cost savings to the applicant if the waiver is granted? | \$1,000 |
| How would approval of this waiver request result in a superior design or provide a clear and significant improvement to the quality of this development? | Yes it would help provide clearer site lines, better flow to rain garden and reduce safety hazards |
| What is the impact on the development if this waiver is denied? | Project would require re-evaluation |
| What are the design alternatives to granting this waiver? | Two access roads at existing curbcuts |
| Why is granting this waiver in the Town's best interest? | reduction of curbcuts and better sightlines |
| If this waiver is granted, what is the estimated cost savings and/or cost avoidance to the Town? | None |
| What mitigation measures do you propose to offset not complying with the particular Rule/Regulation? | decrease in existing curbcuts sizes |
| What is the estimated value of the proposed mitigation measures? | \$1,000 |
| Other Information? | |
| Waiver Request Prepared By: | Ronald Tiberi P.E. |
| Date: | 11/13/2021 |

***Medway Planning and Economic Development Board
Request for Waiver from Site Plan Rules and Regulations
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Medway Planning and Economic Development Board
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| | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------|
| Project Name: | Cutler Place |
| Property Location: | 6 Cutler Street |
| Type of Project/Permit: | Multifamily Special Permit |
| Identify the number and title of the relevant Section of the Site Plan Rules and Regulations from which a waiver is sought. | AUOD - section 504-4F |
| Summarize the text of the relevant Section of the Rules and Regulations from which a waiver is requested. | Requirement to provide exterior Bicycle parking |
| What aspect of the Regulation do you propose be waived? | waive requirement |
| What do you propose instead? | Bike parking anticipated within buildings |
| Explanation/justification for the waiver request. Why is the waiver needed? Describe the extenuating circumstances that necessitate the waiver request. | Reduces clutter and maintenance |
| What is the estimated value/cost savings to the applicant if the waiver is granted? | \$500 |
| How would approval of this waiver request result in a superior design or provide a clear and significant improvement to the quality of this development? | Yes it would help provide clearer site lines and reduce site clutter |
| What is the impact on the development if this waiver is denied? | None |
| What are the design alternatives to granting this waiver? | interior parking |
| Why is granting this waiver in the Town's best interest? | Less opportunity for theft |
| If this waiver is granted, what is the estimated cost savings and/or cost avoidance to the Town? | None |
| What mitigation measures do you propose to offset not complying with the particular Rule/Regulation? | Increase in Green space areas |
| What is the estimated value of the proposed mitigation measures? | \$200 |
| Other Information? | |
| Waiver Request Prepared By: | Ronald Tiberi P.E. |
| Date: | 11/13/2021 |

***Medway Planning and Economic Development Board
Request for Waiver from Site Plan Rules and Regulations
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Questions?? - Please contact the Medway PED office at 508-533-3291.

Susan E. Affleck-Childs

Planning and Economic
Development Coordinator



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

TOWN OF MEDWAY
COMMONWEALTH OF MASSACHUSETTS
PLANNING AND ECONOMIC
DEVELOPMENT OFFICE

MEMORANDUM

December 8, 2021

TO: Planning and Economic Development Board
FROM: Susy Affleck-Childs, Planning and Economic Development Coordinator
RE: Applications for approval of Cutler Place Multi-Family development – multifamily housing special permit, major site plan and land disturbance permit

I have reviewed the special permit and site plan applications and the associated site plan for the proposed 5 dwelling unit development at 6 Cutler Street. The applicant, property owner and developer is Cutler Place, LLC (Anthony Varrichione) of Medway, MA. The property and building were formerly used by the American Legion and date back to 1898 when it functioned as the Plainville School. and is located in the Village Residential and Multifamily Overlay zoning districts. The applicant's proposal is to renovate the existing 4,800 sq. ft. building to create 3 dwelling units and to construct a 3,000 sq. ft. addition for 2 dwelling units. The property is 0.71 acres in size. The project includes associated parking (10 parking spaces), drainage, landscaping, lighting, etc. The *Cutler Place* site plan was prepared by Ron Tiberi, P.E. of Natick MA and is dated November 1, 2021. Architectural plans were prepared by Alex Siekierski, RA of Medway, MA. Landscape design is by Lar Greene, of WDA Design Group of Leominster, MA.

I have comments as follows based on the *Medway Zoning Bylaw*, last updated August 9, 2021 and the Board's *Site Plan Rules and Regulations*, last updated October 8, 2019. The review of the project for Stormwater Management and the Land Disturbance Permit is being handled by Tetra Tech. The Board needs to discuss the comments with grey highlights with the Applicant.

ZONING - Multifamily Housing (Section 5.6.4)

1. The site is within the Village Residential and Multifamily Housing Overlay zoning districts and thus is eligible for a multifamily housing special permit.
2. The site plan shows the property frontage along Cutler Street to be 189.9 linear feet, more than the required minimum 50 feet of frontage. At 30,903 square feet in size, the property meets the minimum area requirement of 30,000 square feet.
3. The Board needs to determine if Cutler Street has sufficient capacity to accommodate the projected traffic to be generated by the 5 residential units in this development.
4. The existing structure and proposed addition meet the setback requirements of the VR zoning district.

5. The building heights are indicted to be 33' on the Multifamily Housing Table included on the cover sheet; this is under the maximum height of 40' allowed.
6. For lots under one acres in size, the maximum density shall not exceed its relative portion of an acre. With 0.71 acres, the property is eligible for 5.7 dwelling units. At 5 units, the project complies with the density standard.
7. The Zoning Table included on the site plan cover sheet indicates that the development will have a lot coverage (buildings) amount of 15.5% which complies with the maximum 30% allowed. The amount of impervious coverage is indicted to be 28%; a maximum of 40% is allowed.
8. At a total of 5 dwelling units, the project does not trigger the Affordable Housing requirements of Section 8.6 of the *Zoning Bylaw*.
9. The open space or yard area is shown as 27% of the site vs. the minimum required of 15%. The open space includes the stormwater rain garden basin. The bylaw does not specify if drainage areas may be included in the calculation of a site's open space area. However, it appears that the minimum amount of open space would be met even without including the rain garden area.
10. Parking is proposed at an average of 2 off-street parking spaces per dwelling unit. This meets the minimum standard of 2 spaces per unit.
11. The property is already served by Town water and sewer services. The Applicant should contact the Department of Public Works to request a letter to indicate whether the Town's sewer and water systems have sufficient capacity to accommodate the proposed development project.
12. Section 5.6.4 E. 7 requires that historic properties which are determined to be a "historically significant building" by the Medway Historical Commission shall not be demolished unless certain criteria are met. The project proposes to renovate the existing structure on the site, so this provision is not applicable.

OTHER ZONING – Site Plan Review (Section 3.5.4 I. 3. Sidewalks)

13. This section of the *Zoning Bylaw* requires that sidewalks be provided along the entire frontage of property subject to site plan review along the existing public way unless an adequate means of pedestrian travel is already provided as determined by the Board. If sidewalk construction is not feasible or practical, the Applicant will fund sidewalk construction elsewhere in the community, either by constructing an equivalent length of sidewalk under the guidance of the Medway Department of Public Works or by making a payment in lieu of sidewalk construction to the Town. The Board needs to discuss this with the Applicant.

SITE PLAN RULES AND REGULATIONS

Submittal Requirements

14. Section 204-3 C. requires the submission of a written Project Narrative with specifications on information to be included. A Project Description was submitted, but it does not provide the level of detail noted. A waiver from this requirement was not requested. A complete Project Narrative should be submitted with the next iteration of the site plan or the applicant should request a waiver.

15. Section 204-3 F. requires the submission of a written Development Impact Statement. The Application has requested a waiver from this requirement. The Board needs to act on that waiver request.
16. Section 204-3 G. requires the submission of stormwater documentation. A stormwater report and plan have been submitted and are under review by Tetra Tech.
17. Section 204-3 H. requires the submission of a construction management plan.
Section 204-3 I. requires the submission of earth removal calculations.
Section 204-3 J. requires the submission of earth fill estimates

None of the above 3 items has been submitted nor have waivers been requested. However, one of the site plan sheets is titled Erosion Control and Construction Plan; I will leave review of the adequacy of that to Tetra Tech. The Board needs to decide whether to require these items and/or grant waivers.

18. Section 204-3 K. requires the submission of information about wetland resources affecting the proposed project which may be an Order of Resource Area Delineation, an Order of Conditions, or a Determination of Applicability from the Conservation Commission. None of the noted items have been provided nor has a waiver been requested. However, the site plan shows wetland resources delineated by Debora Anderson on the adjacent parcel to the west and north (Evergreen Cemetery). The 100 ft. buffer from the wetland resources does not fall on the subject property at 6 Cutler Street. The Board needs to decide if they wish to grant a waiver and/or request a communication from the Conservation Agent about the property.

SITE PLAN RULES AND REGULATIONS

Site Plan Contents

19. Section 204-5 A. Cover Sheet. The cover sheet should be revised to specify the property location of 6 Cutler Street at the top of the sheet instead of the Applicant's address of 249 Village Street. The cover sheet does not include a list of waiver requests; that should be added to the next iteration of the site plan. The signature box should be revised to indicate Planning and Economic Development Board; a line should be added for Endorsement Date. The spelling of the "Registry" box should be corrected to "Registry" and the project engineer is asked to check on the required location on the plan for such Registry Box.
20. Section 204-5 B. Site Context Sheet. This information is included on the Cover Sheet. The scale is 1' = 300'.
21. Section 204-5 C. Existing Conditions Sheets. A combined Existing Conditions and Wetlands Sheet is provided. Trees over 10' in diameter, topography, wetland resources, the existing building and paved areas and setbacks are mapped.
22. Section 204-5 D. Site Plan Information Sheets.
 - A combined Proposed Site and Utility Layout Plan is provided as is a combined Erosion Control and Construction Plan.
 - Parking is shown on the Proposed Site and Utility Plan.
 - A separate Proposed Landscape Plan is provided and shows the location of a proposed development sign. However, the seal of Lar Greene, the Registered Landscape architect who prepared the plan, is not legible. Note that a landscape maintenance program has not been provided with the Landscape Plan.

- Building elevations and architectural plans including floor plans have been provided. Renderings have not been supplied nor has a waiver been requested. The Board should decide how it wants to handle the provision of site renderings.
- A lighting plan and photometric plan (Reflex Lighting) have been provided. It is noted that there is some light spillage off the site to the east. That needs to be remedied in the next iteration of the site plan so that the lighting complies with the *Zoning Bylaw*.
- It is not clear whether horizontal sight distances on the public ways at all entrances have been provided. If not, they should be provided in the next iteration of the site plan.

SITE PLAN RULES AND REGULATIONS

Site Plan Development Standards

23. 207-1 Design Principles, 207-2 Site Design, and 207-3 Architecture. On December 6, 2021, the Applicant and his team met with the DRC to review the project. It was well received. A review letter from the DRC is forthcoming.
24. Section 207-4 encourages energy efficiency and sustainability. The Board normally requires water conservation measures as part of its special permit decisions. What additional measures could the applicant take to maximize sustainability? The Board should discuss with the applicant.
25. Section 207-9 requires pedestrian and bicycle amenities. A 4' wide sidewalk is shown around 3 sides of the building and addition. No sidewalk is shown along the Cutler Street frontage. Is there sufficient safe pedestrian access to the building from the street? This should be discussed with the applicant. Is the planned 4' walkway ADA compliant?
26. Section 207-11 A. 2) a) requires that curb cuts be minimized and existing driveways be combined. The site has 2 existing access points which are being retained. One of the driveways runs south to north and provides access to the parking. The other driveway consumes a sizeable portion of the front yard; its purpose is not clear. The Board should discuss whether two driveways are needed.
27. Section 207-11 B. 2) specifies that driveway aisles shall be bounded with vertical granite curb. The Applicant has requested a waiver from this requirement and has proposed using bituminous berm. The Board needs to decide on this waiver request.
28. Section 207-11 B. 3) addresses the width of internal drive aisles. The main driveway is 2-way and is approximately 22' in width; a minimum of 24' is required. The other driveway is one way (east to west) and is approximately 14' in width; a minimum of 20' is required. A waiver has not been requested. The Board needs to discuss this with the applicant.
29. Section 207-11 B. 6), 7), and 8) pertain to the adequacy of the driveways, etc. for emergency access. The Board awaits a written review by the Fire Department and Police Department.
30. Section 207-12 G. addresses parking.
 - 3) b) It appears the parking spaces may not be set back 15' from the side property line which is a requirement for which the applicant has not requested a waiver.
 - 3) d) The drive aisle is 22' wide. The required width of a 2-way drive aisle is 24' and the driveway shall extend a minimum of 5' beyond the last parking space; it does not appear that the drive aisle extends as specified.
 These items should be discussed with the applicant.

31. Section 207-12 I. requires multifamily sites with 15 or more spaces to provide electric vehicle charging stations. Although this project does not include this number of spaces, the Applicant may wish to consider including at least one electric vehicle charging station on the premises. This should be discussed with the Applicant.

32. Section 207-19 Landscaping

- B. Landscape Buffers, 2) Perimeter Landscaping shall be provided around the entire site. Landscape buffer areas shall be a minimum of 15 feet in depth. Such a landscape buffer is somewhat lacking on the eastern edge of the property adjacent to the parking area. The Board needs to discuss this.
- C. Parking Areas, 1) Internal landscape planted divisions shall be constructed within all parking areas containing 10 or more parking spaces to provide visual relief from expanses of pavement and vehicles and provide shade. a) A minimum of 10% of the total internal parking area shall be provided as landscaped island areas, exclusive of perimeter landscaping. The Applicant has requested a waiver from the above noted requirements. The Board needs to discuss with the Applicant and reach a decision on the waiver request.
- General Question – What, if any trees are planned to be removed from the site?

Susan Affleck-Childs

From: Susan Affleck-Childs
Sent: Monday, November 29, 2021 12:58 PM
To: Beth Hallal; Bridget Graziano; Peter Pelletier; Sean Harrington; Barry Smith; Jeff Lynch (ChiefLynch@townofmedway.org); Mike Fasolino ; jwatson@medwaypolice.com; Barbara Saint Andre; Jack Mee ; Joanne Russo; Michael Boynton
Subject: Cutler Place Multi-Family development

Hi,

The Planning and Economic Development Board has received applications for site plan approval, a multi-family special permit, and a land disturbance permit from Cutler Place LLC (Anthony Varrichione) of Medway for a proposed 5 unit multi-family development at 6 Cutler Street. The application, plan and associated documents are available at: <https://www.townofmedway.org/planning-economic-development-board/pages/cutler-place-multi-family-housing-development>

The Board will commence a public briefing on these applications at its December 14th meeting.

Please review the plan and associated information and send any comments you may wish to offer the Board to me by December 10th.

Thanks.

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

Memo

To: Medway Planning and Economic Development Board

From: Christopher & Kathleen Meo, 16 Cottage Street

Date: 12/5/2021

Re: Public Comment for 6 Cutler Street

As a direct abutter to the Cutler Place Multi-Family Development Project at 6 Cutler Street, I would like to submit the following comments and suggested conditions to the Board for their review. I would like to start by saying this is one of the better proposals that has come before the Town for this property. I am encouraged that the developer is trying to utilize the original building and incorporate the look and feel of the neighborhood, however, I remain concerned with the size of the footprint of the 5 unit/13 bedroom building in a single family neighborhood.

I would like to suggest the following conditions be placed on the development during and after construction if acted upon favorably by the board:

1. I am very concerned at the limited proposed on-site parking for 13 bedrooms in a residential neighborhood where likely everyone 16 years and above has a car as there is no public transportation. The plans only appear to show 9 regular parking spots and 1 ADA spot. There does not appear to be any allowance for extra vehicles, visitor parking, or a family having a 3rd car. I believe this will result in a lot of cars parking on Cutler Street, including directly alongside my property. I would suggest a condition that all parking must be contained on the property and there should be a condition that residents and guests not be allowed to park on Cutler Street. I would encourage the developer to look at maybe only doing one entrance/egress access location and creating additional parking if possible instead of a one way access loop in front.

If residents and visitors are allowed to park on Cutler Street, they would obviously park on and/or alongside my property and that of my neighbors at 1 Phillips Street. This will have a negative impact on my access to and ability to enjoy my property. I would ask for a mitigation condition of a 6' privacy stockade fence with 8' wide gate on my property along Cutler Street so I do not have to look at the overflow of cars parked on Cutler Street caused by this development.

2. As this is a quiet residential neighborhood I would ask that construction not be allowed on Holidays and Weekends and allowed only during normal work hours Monday through Friday.
3. I would also like to see a condition that Trash be picked up also only during the same day/hours allowed for Town Trash pickup (7:00am – 5:00pm Monday-Saturday)
4. On the landscaping plan there appears to be 3 trees in the center bed labeled 3-AC) but the legend does not state what an AC tree is. What type of trees will these 3 be?
5. Being the largest building in the neighborhood with 5 units and 13 bedrooms, I would recommend a fire hydrant be placed on the property in case of an emergency. Although the closest hydrant is on Phillips Street, it would substantially aid the Fire Department to have a hydrant on the property of the largest, most densely populated building in the neighborhood.
6. On the Lighting Site Plan, there appears to be slight light spillover of .1 foot candles onto 14 Cottage Street's property. I believe standard lighting requirements require 0 spillover onto another property. Even with 0 spillover, at times lighting can be problematic and a nuisance for an abutter. A requirement of 0 should be stressed with Dark Sky certified fixtures.

I also question the fixtures shown on the plan. The parking lot fixtures call for an S1 type and the picture on the site plan for an S1 shows a 4 sided square glass fixture which would cause higher light numbers on all 4 sides than the lighting plan shows. Are different light fixtures being used then pictured or are 3 of the 4 sides being covered? I would encourage a more in-depth detail of the lighting plan as this is in a residential neighborhood and the pictured light fixtures for an S1 fixture do not align with the light numbers on the plan.

7. If the One-Way access road is allowed, I would request a Stop Sign be required to be placed at the Exits to slow vehicles leaving the property onto Cutler and Phillips.

I thank you for the time and attention to this matter.



**Town of Medway
DESIGN REVIEW COMMITTEE
155 Village Street
Medway MA 02053
508-533-3291
drc@townofmedway.org**

December 8, 2021

TO: Medway Planning and Economic Development Board
FROM: Matthew Buckley, Chair
RE: DRC Comments – Cutler Place 6 Cutler Street

Dear Members of the Medway Planning and Economic Development Board:

The Medway Design Review Committee [DRC] is pleased to provide a comment letter for the proposed site plan for the 6 Cutler Street development project. At its December 6, 2021 meeting, the DRC met with representatives of this project including property owner Anthony Verrichione, Engineer Ron Tiberi and Architect Alex Siekierski. The DRC reviewed a plan set for the proposed Cutler Place dated 11/17/2021 and listened to the related presentation.

The DRC is pleased with the initial site plan and agrees that the styles and architectural format are appropriate and align with the Medway *Design Review Guidelines*. Minor discussions occurred regarding the exploration of small façade changes, but the Committee is satisfied that the applicant has achieved a successful design.

- The DRC would like to see details of the positions of the proposed site lighting when adjustments are completed to the photometric layout.
- The DRC requested to see locations of proposed chimney stacks, vents and related systems when available.
- The DRC requested that a detail of the dumpster enclosure be included on the plan.

The DRC remains available to review any of these elements or subsequent changes and will gladly provide feedback in the most effective manner that will assist these proceedings.

Sincerely,

Matthew Buckley
Chair

Susan Affleck-Childs

From: Julie Harrington
Sent: Tuesday, December 14, 2021 7:22 AM
To: Susan Affleck-Childs
Subject: RE: Agenda for 12-14-21 PEDB meeting

Thank you Susy!

Dear Planning and Economic Development Board Members,

I am happy to see that Cutler Street is going to be developed into lovely townhomes. I do have a concern regarding parking. I noticed there would only be 10 spots on site. How many parking spots would each unit get? Is there any guest parking? Ideally I would like to see additional parking provided for the complex. My concerns are what if anyone of them had guests or more than 2 cars in their household, that would lead to on street parking in the neighborhood. There is currently a great deal of on street parking and in some cases it causes safety issues (blocking more than half the street, parking too close to an intersection). I would be worried that more on street parking would make these issues even worse. I appreciate your time and feel free to reach out with any questions.

Thank you,
Julie Harrington
5 Phillips Street

Julie Harrington
Director of Parks and Recreation
Town of Medway
155 Village Street
Medway, MA 02053
www.MedwayParksRec.com
Office: 508-321-4740
Cell Phone: 774-277-5630

From: Susan Affleck-Childs
Sent: Monday, December 13, 2021 12:49 PM
To: Julie Harrington <jharrington@townofmedway.org>
Subject: RE: Agenda for 12-14-21 PEDB meeting

You can send it right to me.

Susy

From: Julie Harrington
Sent: Monday, December 13, 2021 12:47 PM
To: Susan Affleck-Childs <sachilds@townofmedway.org>
Subject: RE: Agenda for 12-14-21 PEDB meeting

Can I send it right to you or is there another email I should use?

Julie Harrington

Director of Parks and Recreation
Town of Medway
155 Village Street
Medway, MA 02053
www.MedwayParksRec.com
Office: 508-321-4740
Cell Phone: 774-277-5630

From: Susan Affleck-Childs
Sent: Monday, December 13, 2021 12:46 PM
To: Julie Harrington <jharrington@townofmedway.org>
Subject: RE: Agenda for 12-14-21 PEDB meeting

Not too late at all. Please do so!

Thanks.

susy

From: Julie Harrington
Sent: Monday, December 13, 2021 12:45 PM
To: Susan Affleck-Childs <sachilds@townofmedway.org>
Subject: RE: Agenda for 12-14-21 PEDB meeting

Hi Susy,

Is it too late to send in comments regarding Cutler street? I wish I could make the meeting but am unable.

Thanks,
Julie

Julie Harrington
Director of Parks and Recreation
Town of Medway
155 Village Street
Medway, MA 02053
www.MedwayParksRec.com
Office: 508-321-4740
Cell Phone: 774-277-5630

From: Susan Affleck-Childs
Sent: Thursday, December 9, 2021 12:20 PM
To: /o=Medway Town Hall/ou=First Administrative Group/cn=Recipients/cn=zoning; siekierski.alex@gmail.com; Alison Dempsey <alijdempsey@gmail.com>; Chief Tingley <amtingley@medwaypolice.com>; Allison Potter <apotter@townofmedway.org>; Amy Sutherland <idsals@msn.com>; Ann Sherry <asherry@charlesriverbank.com>; apires <apires@medwayschools.org>; Barbara Saint Andre <bsaintandre@townofmedway.org>; Barry Smith <bsmith@townofmedway.org>; Beth Hallal <bhallal@townofmedway.org>; Picard, Brad <brad.picard@tetrattech.com>; Brian Luther <bluther@mapc.org>; Brian White <brian@treefortgroup.com>; Bridget Graziano <bgraziano@townofmedway.org>; carey.bergeron@gmail.com; Carolyn Murray <cmurray@k-plaw.com>; Chris Lagan <cmlagan@yahoo.com>; Dan Connolly <dconnolly@blockbuildinc.com>; David <David@medwaycable.com>; David

Travalini <dtravalini@verizon.net>; Debi Rossi <drossi@townofmedway.org>; Denise Legee <dlegee@comcast.net>; Dennis Crowley <dennispcrowley@gmail.com>; Aicardi, Donald <daicardi@medwayschools.org>; Doug Havens <dhavens@townofmedway.org>; Erika Robertson <erobertson@townofmedway.org>; Fran Hutton Lee <fhuttonlee@townofmedway.org>; Gino Carlucci <gino@pgcassociates.com>; Glenn Trindade <glenntcindade@gmail.com>; Jack Mee <jmee@townofmedway.org>; Janine Clifford <janine@grouponeinc.com>; Jeanne Johnson <j22johnson2001@yahoo.com>; Jeff Lynch <ChiefLynch@townofmedway.org>; Jeff Watson <watson@medwaypolice.com>; Jennifer Kendall <jennifer.l.kendall@gmail.com>; Jim Sullivan <sullijames@comcast.net>; Jim Wickis <jbwickis@verizon.net>; Joanne Russo <jrusso@townofmedway.org>; John Foresto <jforesto46@gmail.com>; John Lally <jlally@ll.mit.edu>; Judi LaPan <judelapan@gmail.com>; Julie Harrington <jharrington@townofmedway.org>; Karyl Spiller-Walsh <wingatefarm@hotmail.com>; Kristen Mucciarone <kmucciarone@charlesriverpcd.org>; Liz Langley <llangley@townofmedway.org>; Liz Taglieri <ltaglieri@charlesriverpcd.org>; Mark Cerel <mcerel@franklin.ma.us>; Matt Buckley <matt_buckley2@yahoo.com>; Michael Boynton <mboynton@townofmedway.org>; Mike Fasolino <mfasolino@townofmedway.org>; Paul Atwood <atwood.paul@gmail.com>; Paul Yorkis <pgyorkis@gmail.com>; Peter Pelletier <ppelletier@townofmedway.org>; Rachel Walsh <bostonbootstress@gmail.com>; Richard D'Innocenzo <radino51@yahoo.com>; Sandy Johnston <sjohnston@townofmedway.org>; Sean Harrington <sharrington@townofmedway.org>; Sean Reardon <sean.reardon@tetrattech.com>; Sgt. Jeffrey Watson <JWatson@medwaypolice.com>; Stefany Ohannesian <sohannesian@townofmedway.org>; Stephanie Carlisle <scarlisle@townofmedway.org>; Bouley, Steven <steven.bouley@tetrattech.com>; Steve Carew <scarew@townofmedway.org>; Sue Rorke <srorke00@gmail.com>; sdietrich@medwayschools.org; Tina Wright <tina.wright@aleragroup.com>; Will Lane <wlane272@gmail.com>; Zach Knowlton <zknowlton@comcast.net>

Subject: Agenda for 12-14-21 PEDB meeting

Hi all,

Attached is the agenda for next Tuesday's PEDB meeting. Please let me know if you have any questions.

Cheers!

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



December 14, 2021

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

**Re: Cutler Place
Major Site Plan Review
6 Cutler Street
Medway, Massachusetts**

Dear Ms. Affleck-Childs:

Tetra Tech (TT) has performed a review of the proposed Site Plan for the above-mentioned Project at the request of the Town of Medway Planning and Economic Development Board (PEDB). The proposed Project is located at 6 Cutler Street in Medway, Massachusetts. The Project consists of a renovation of the existing building to accommodate 3 dwelling units and a 3,000 square foot addition to accommodate 2 additional dwelling units. The Project also includes a driveway with ten (10) parking spaces and a rain garden for stormwater to be mitigated on-site.

TT is in receipt of the following materials:

- A plan (Plans) set titled "Cutler Place, 249 Village Street, Medway, Massachusetts, 02053" dated November 17, 2021, prepared by Ronald Tiberi P.E.
- A storm water report (Report) titled "Storm Water Report" dated November 13, 2021, prepared by Ronald Tiberi P.E.
- A deed titled "Quitclaim Deed" dated September 2, 2021, prepared by The Town of Medway Affordable Housing Trust.
- A set of waiver requests, dated November 13, 2021, prepared by Ronald Tiberi P.E.
- An Application for Land Disturbance Permit, dated November 16, 2021, prepared by Cutler Place LLC.
- An Application for Multifamily Housing Special Permit, dated November 16, 2021, prepared by Anthony Varrichione.
- An Application for Major Site Plan Approval, dated November 16, 2021, prepared by Cutler Place LLC.

The Plans and accompanying materials were reviewed for conformance with the following Regulations and Bylaws:

- Town of Medway Planning & Economic Development Board Rules and Regulations, Chapter 200 – Site Plans, Rules & Regulations for Submission, Review and Approval of Site Plans. (Amended October 8, 2019)
- Town of Medway General Bylaws – Article XXVI Stormwater Management and Land Disturbance (Amended June 8, 2020)
- Massachusetts Department of Environmental Protection's (MA DEP) Stormwater Standards (Standards) and appurtenant Stormwater Handbook (Handbook). (Amended February 2008)

The Project was also reviewed for good engineering practice and overall site plan efficiency. Review of the Project for zoning related matters is being conducted by Town personnel and is excluded from this review.

SITE PLAN REVIEW

Site Plan Rules and Regulations (Chapter 200)

1. The Applicant has not provided a Project Narrative. (Ch. 200 §204-3.C)
2. A list of parties located within 300-feet of the proposed site is not provided. Names and addresses of abutting properties can be located within the plan, however, a complete list of residents within the 300-foot radius of the site shall be provided. (Ch. 200 §204-3.D)
3. The Applicant has not provided approvals or land use permits issued from other Town boards. We assume these documents are not relevant to this Project, however, any related documents should be provided. (Ch. 200 §204-3.E)
4. A Development Impact Statement was not provided which should outline traffic, environmental, neighborhood, and parking impacts. (Ch. 200 §204-3.F)
5. A Construction Management Plan (CMP) is provided and can be located on the Erosion Control and Construction Plan Sheet. However, the Applicant has not provided a timetable or hours of the day in which construction and deliveries will occur. (Ch. 200 §204-3.H)
6. The Applicant has not provided any earth removal calculations. We understand the site is relatively flat and no major excavation is required, however, the rain garden area and the addition foundation will require a degree of earth removal. (Ch. 200 §204-3.I)
7. The Applicant has not provided any earth fill estimations. We understand the site is relatively flat, however, regrading will require a degree of earth fill. (Ch. 200 §204-3.J)
8. The Applicant has not included the list of requested waivers on the Site Plan cover sheet. The set of waiver requests has been provided and a list of these requests should be included within the Site Plan. (Ch. 200 §204-5.A)
9. The Applicant has provided an abutters locus map with nearby residents, however, only the abutting property Names and Addresses are provided in the Plan. All names and addresses of residents within 300-feet of the site should be provided. (Ch. 200 §204-5.B.2)
10. The Existing Conditions Sheet should include the existing tree line on the northern and western property border. (Ch. 200 §204-5.C.3)
11. The Applicant does not provide a signage plan for the development site. The sign located near the rain garden should be included in the detail sheet along with any other signs proposed for the property. (Ch. 200 §204-5.D.14)
12. The Applicant does not provide horizontal site distances for either entrance/exit onto the public road. Calculations for distances should be completed and provided in the Plan. (Ch. 200 §204-5.D.16)
13. Pursuant to Section 5.5.4.I.c of the Zoning Bylaw, sidewalks shall be provided along the entire frontage of the subject property along existing public ways. (Ch. 200 §207-9.B.3)
14. Site entrance and exit driveways shall have an unobstructed paved width of at least 20 feet, front driveway appears to be less than the required width. (Ch. 200 §207-11.A.3)
15. Width of two-way drive aisles shall be 24 feet wide. (Ch. 200 §207-11.B.3)
16. Provisions shall be made for fire and emergency apparatus to turn around as drive aisle exceeds 150 feet in length. (Ch. 200 §207-11.B.7)
17. Pavement cross section is 2 inches of binder course and 1 inch of top course. This does not meet the 3.5-inch minimum requirement. (Ch. 200 §207-12.E)
18. Provisions for sanitary sewage disposal is not provided on the Plans. (Ch. 200 §207-15.B)

19. Fire hydrant is not proposed for the project. We recommend the Applicant to coordinate with Medway Fire officials to determine the location, quantity, and type of fire hydrants for the site. (Ch. 200 §207-15.C)
20. Locations for electric, telephone, and cable TV utilities shall be provided on the plans and shall be located underground. (Ch. 200 §207-16.A)
21. Internal landscape planted divisions (islands and peninsulas) shall be constructed within all parking areas containing 10 or more parking spaces to provide visual relief from expanses of pavement and vehicles and provide shade. (Ch. 200 §207-19.C.1)
22. A minimum of 10 percent of the total internal parking area shall be provided as landscaped island areas, exclusive of perimeter landscaping. (Ch. 200 §207-19.C.1.a)
23. At least one deciduous shade or canopy tree of a minimum 3 inches caliper with a height of not less than 12 feet above grade shall be provided for every 6 parking spaces. Only trees providing shade to the parking area shall be counted as meeting this requirement, one proposed tree appears to provide shade for the parking area. (Ch. 200 §207-19.C.1.d)
24. Provisions for watering on-site landscaping should be provided on the Plans. On-site wells, cisterns to capture rainfall, or private watering service is required to maintain landscaping installations. The Town does not permit connection to the Town's water service for landscape irrigation. (Ch. 200 §207-19.K)

General Site Plan Comments

25. The proposed water main extension in Cutler Street is shown in gray. The valve and main extension should be coordinated with Medway DPW since we believe it proposes unnecessary bends.
26. TT recommends relocating the handicap parking stall directly across from the sidewalk entrance instead of at the end of the parking aisle. Handicap stall and adjacent loading area should be dimensioned on the Plans.
27. The applicant should provide a detail for the proposed dumpster pad and associated screening used for the dumpster enclosure.
28. The Plans should include a "One Way" and "Do Not Enter" sign for the front driveway.
29. The Plan Set references the North American Vertical Datum of 1988 (NAVD88); however, this is not explicitly noted on the plans. TT suggests adding this note to the General Site Notes section.
30. Proposed lighting on the site plans and photometric data do not correlate. The Plan shows a lamp pole near the dumpster pad, but the photometric sheet shows two lamp pole near the parking lot with another in front of the building. Please confirm which design is correct and represent that design on all relevant sheets.
31. The proposed layout and materials are difficult to identify, linework is formatted in a similar style to the existing conditions. We recommend the design be updated to ensure proposed site conditions are clearly discernable from existing conditions.
32. The Applicant is expanding the limit of the parking lot closer to the east property line or the abutting Mullaney Irrevocable Trust property.

STORMWATER REVIEW

MA DEP Stormwater Standards/Handbook

33. Soils present on-site, specifically within the limit of the rain garden, are categorized as HSG-A with an infiltration rate at 8.27 inches per hour. In areas with a rapid infiltration rate (greater than 2.4 inches per hour), at least 44% of the TSS must be removed prior to discharge to infiltration BMPs. (Standard 4)
34. An Illicit Discharge Compliance Statement has not been submitted. As mentioned in the Report, the applicant will submit the Compliance Statement prior to the discharge of stormwater runoff to the post-construction stormwater BMP and prior to the issuance of a Certificate of Compliance. (Standard 10)
35. The proposed rain garden is within the required 10-foot setback from the site's southern property line. (Volume 1, Chapter 1, Page 32)
36. The proposed rain garden does not provide the required three inches of freeboard for the 25-, 50-, or 100-year storm. It appears the top of berm elevation for the rain garden is proposed at 192.00, and weir elevation is proposed at 192.15. (Volume 2, Chapter 2, Page 27)

Town Stormwater Management and Land Disturbance Bylaw (Article 26)

37. We anticipate this Project will require a Land Disturbance permit. The Project appears to disturb at least 20,000 square feet and removes/alters at least 10,000 square feet of impervious surface. (§26.5.1)
38. The Applicant has supplied an Erosion Control and Construction Plan in the Plans. However, the plan requires additional information such as area within the limit of work, earth work calculations, etc. We recommend the Applicant coordinate this Plan with the requirements of the Bylaw. (§26.5.6)
39. The signature of the owner(s) responsible for the Long-Term Operation and Maintenance Plan until the Project's Condominium Association is established has not been provided. (§26.5.9.2.b.5)

Medway Site Plan Stormwater Regulations (Ch. 200 §207-14)

40. We recommend the Applicant propose a roof drain system to directly discharge roof runoff to the proposed rain garden. Additionally, we recommend the Applicant include the existing downspout locations on the plan. (Ch. 200 §207-14.E)

General Stormwater Comments

41. We recommend the applicant show on the Proposed Drainage and Grading Plan the 3-foot wide rip-rap weir, rain garden drain, and 8-inch wide stone diaphragm as shown in the construction detail on Sheet S-5 and the HydroCAD analysis. If a drain is proposed for the rain garden, this orifice should be modeled in the HydroCAD analysis and should be shown on the Plans.

These comments are offered as guides for use during the Town's review and additional comments may be generated during the course of review. The Applicant shall be 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.

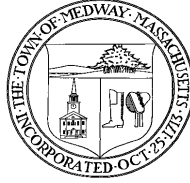
Very truly yours,



Steven M. Bouley, PE
Project Manager



Bradley M. Picard, EIT
Civil Engineer



December 14, 2021

**Medway Planning & Economic Development Board
Meeting**

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

UPDATED

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



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

rgmenviro@verizon.net

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

Nov. 23, 2021

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

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

Dear Susan:

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

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

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

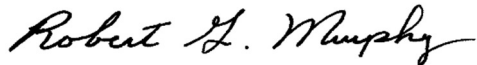
A comprehensive review of the wetland resource areas documented within the subdivision plans for Ishmael Coffee Estates reveals a lack of expertise by the individual responsible for the delineation. While there are a few isolated pockets of areas subject to flooding, there is no evidence of hydric soils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

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

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

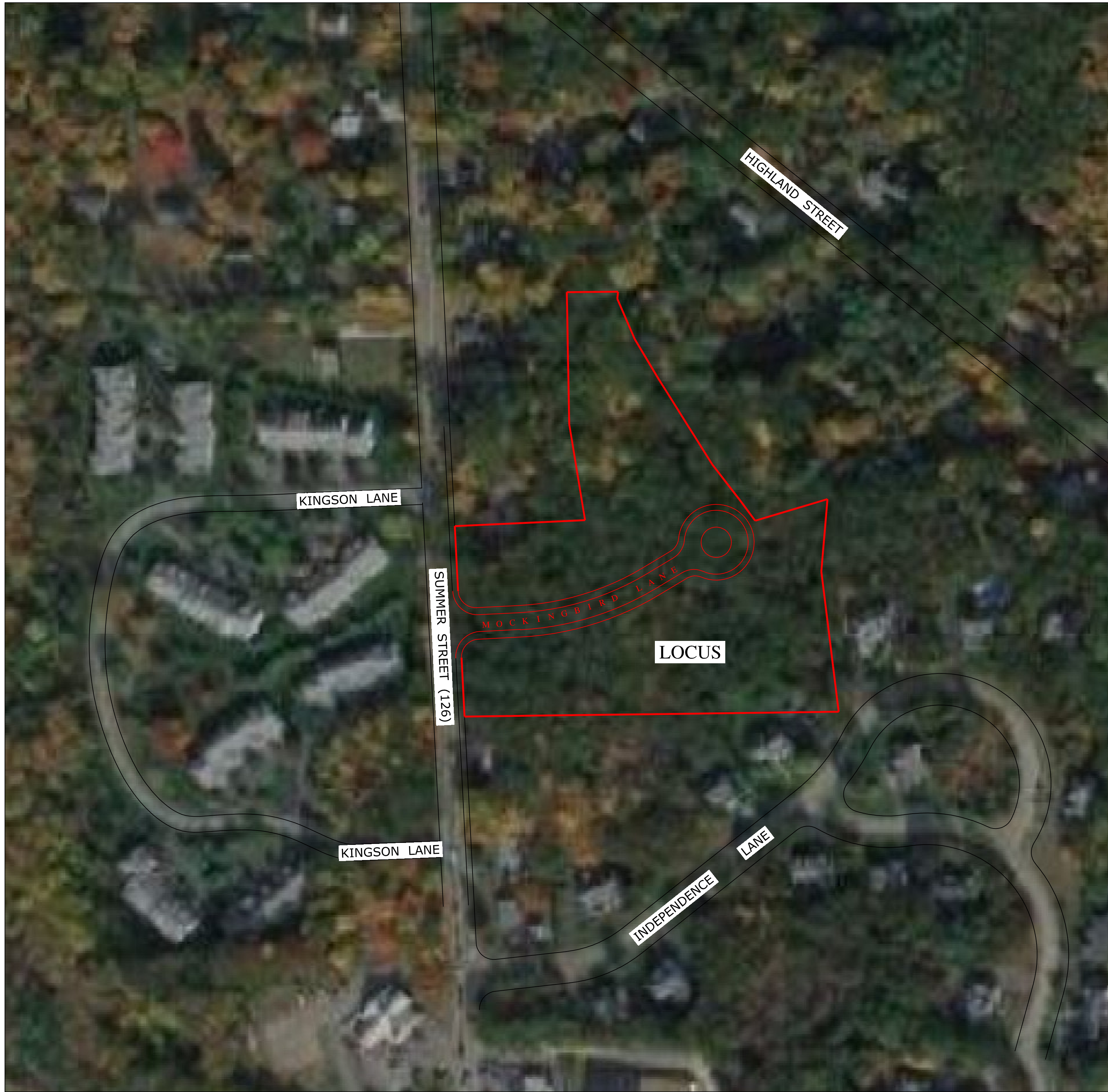
This office appreciates the opportunity to work with you on this project. If you have any questions with reference to this Application for the Preliminary Plan review or if you need additional information, please feel free to contact this office.

Respectfully submitted,

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

Robert G. Murphy, Wetland Scientist

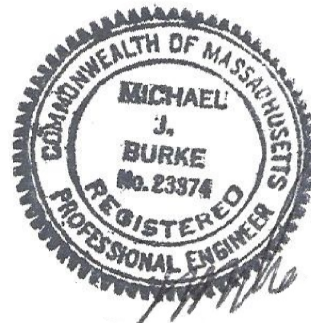
Cc, Client, Counsel, file



LOCATION MAP
1" = 100'

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



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



USGS TOPOGRAPHIC MAP
SCALE: 1" = 200'

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

LEGEND

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



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

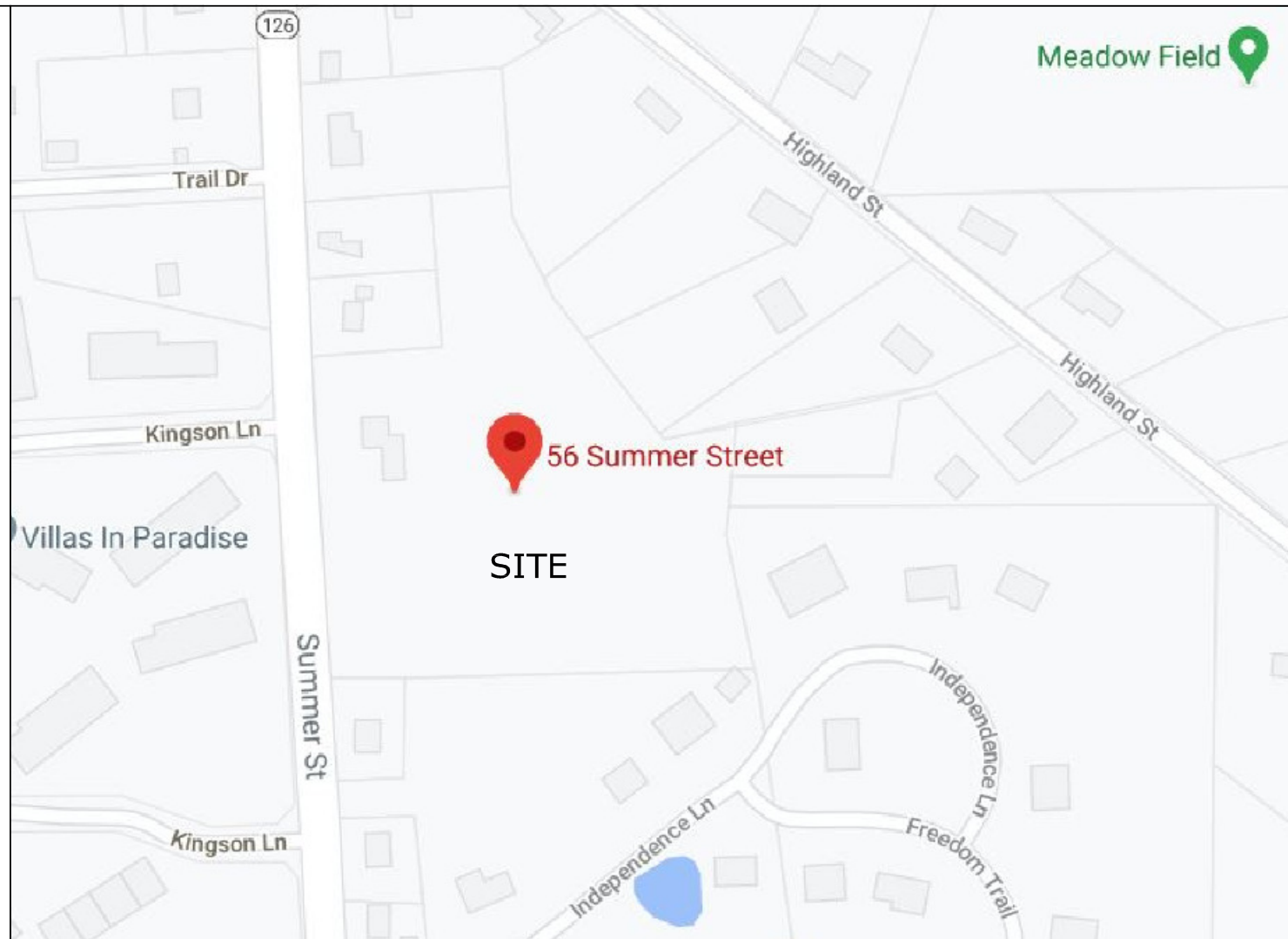
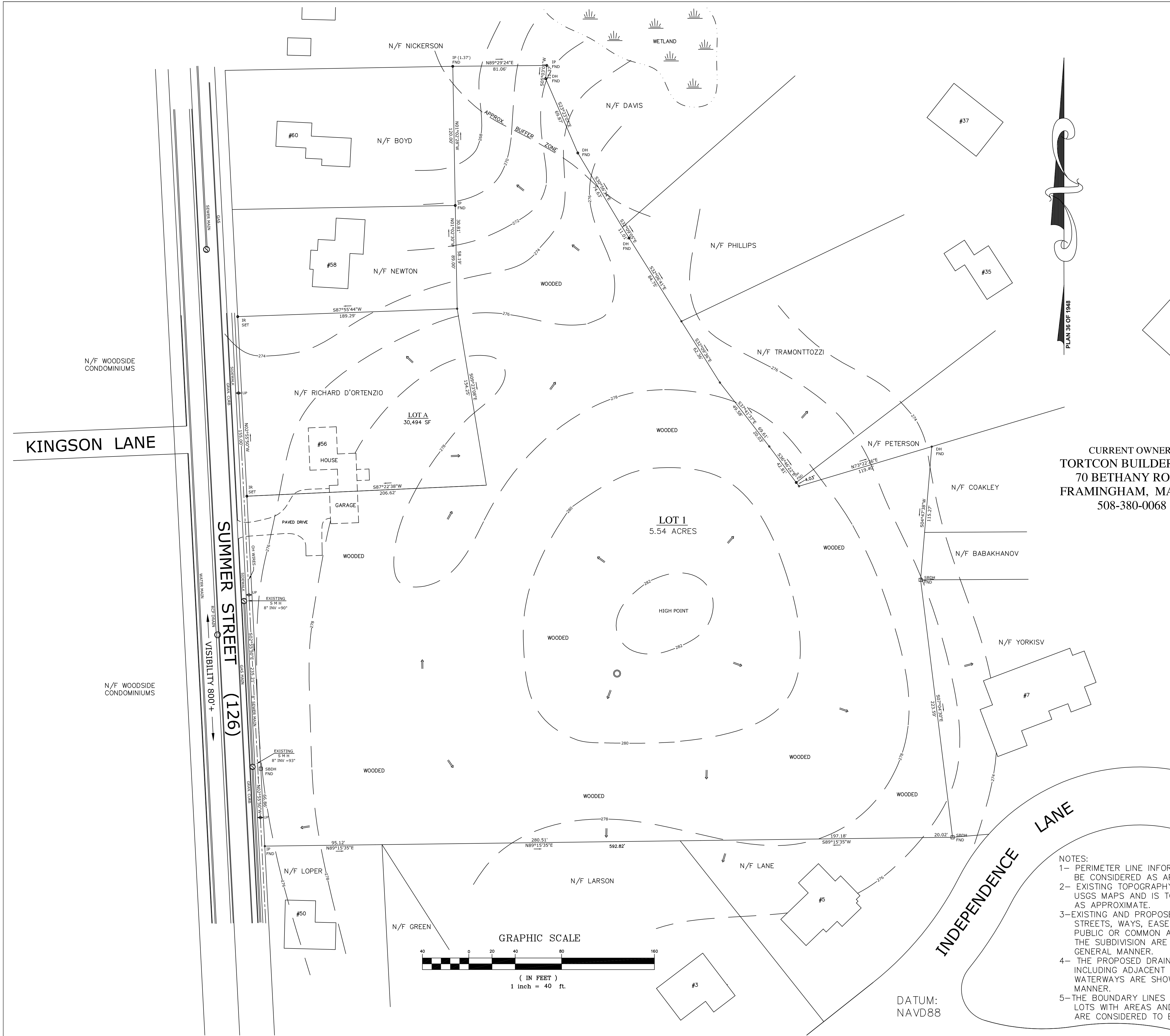
MOCKINGBIRD LANE

INDEX OF SHEETS

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

SHEET 1 OF 4
DATUM:
NAVD-88

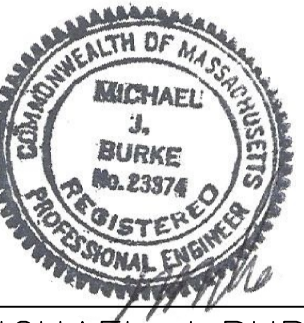
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|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|-----------------------|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



LOCUS
N T S




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



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

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

SHEET 2 OF 4

| | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|-----------------------|
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| EXISTING CONDITIONS PLAN 56 SUMMER STREET, MEDWAY, MA | | |
| REVISION: SITE PLAN WITH 8 BUILDINGS 11-12-2021 RGM | | EXISTING |

ZONING DISTRICT AR-2
REQUIRED

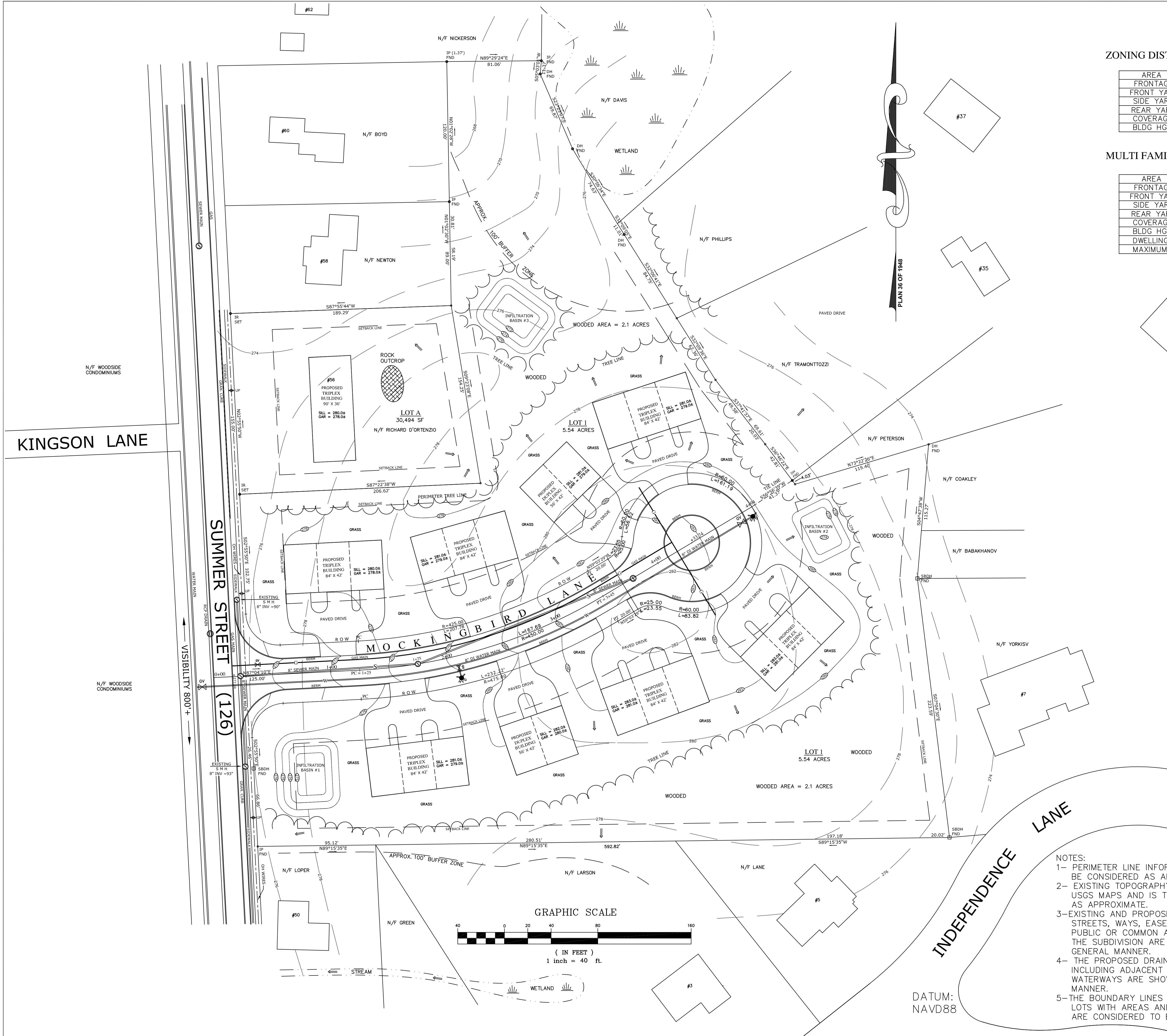
| | |
|------------|---------|
| AREA | 30,000 |
| FRONTAGE | 150.00' |
| FRONT YARD | 35' |
| SIDE YARD | 15' |
| REAR YARD | 15' |
| COVERAGE | 30% |
| BLDG HGT | 35' |

MULTI FAMILY HOUSING OVERLAY
REQUIRED

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

- NOTES:
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DATUM:
NAVD88



ZONING DISTRICT AR-2

| REQUIRED | |
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MULTI FAMILY HOUSING OVERLAY

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




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




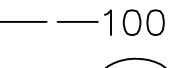
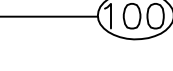
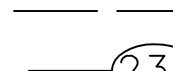





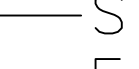
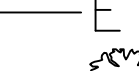
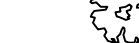



11-12-2021
MICHAEL J BURKE, PE #23374

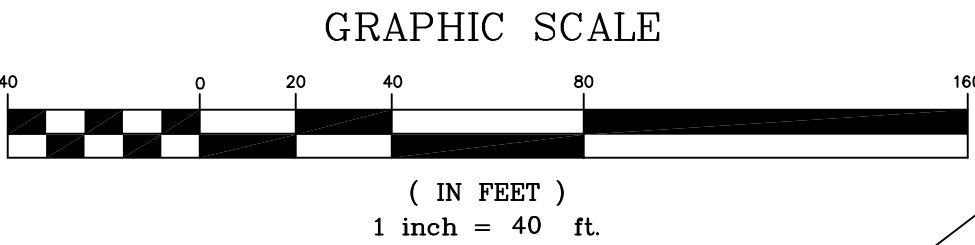
SHEET 3 OF 4

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

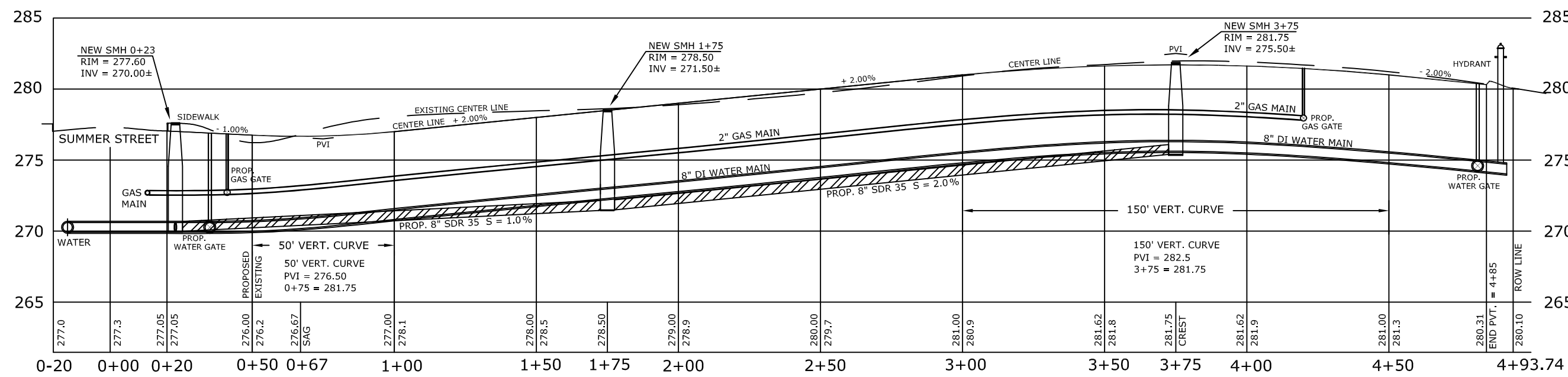
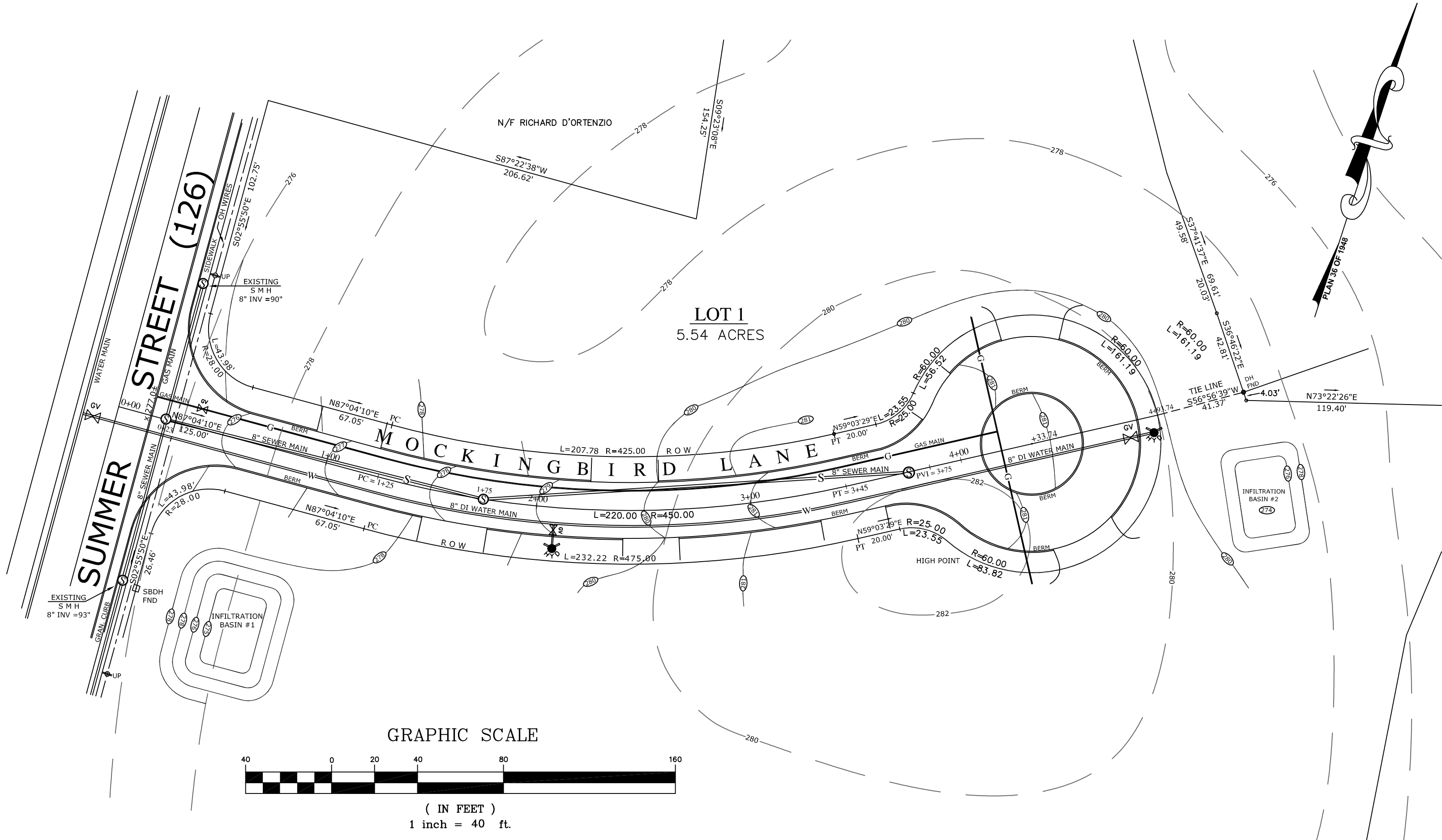
LEGEND

-  SMH SEWER MANHOLE
-  MH DRAIN MANHOLE
-  CATCH BASIN
-  EXISTING TOPO
-  PROPOSED TOPO
-  BUILDING SETBACK
-  PROPOSED GRADE
-  UTILITY POLE
-  PROPOSED LIGHT
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-  EROSION CONTROLS
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-  LANDSCAPING

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DATUM:
NAVD88

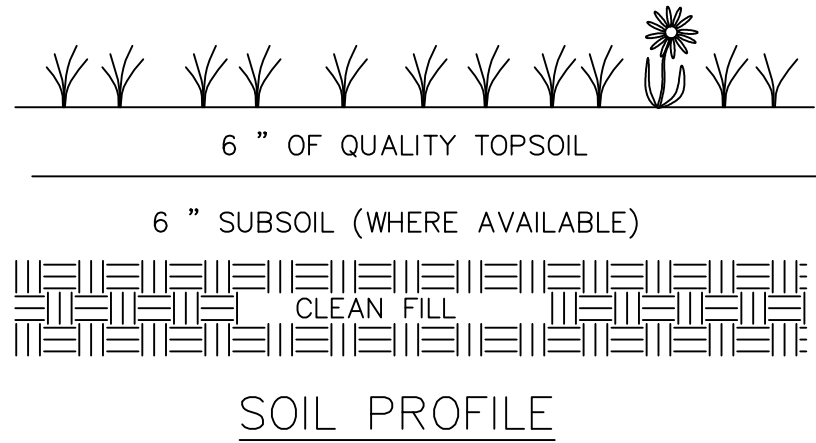
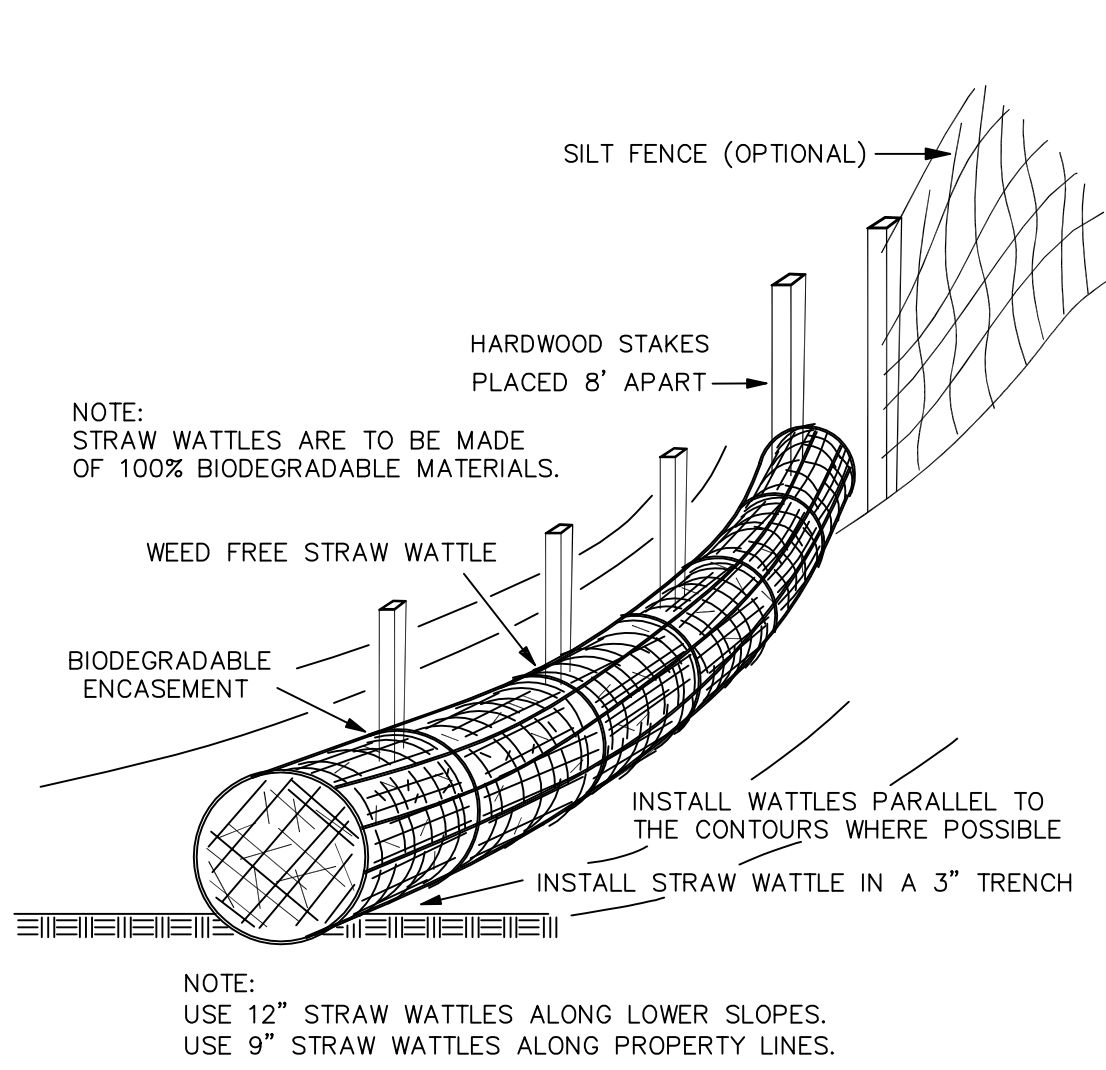


NOTE:
THE OWNER, B & M PROPERTY GROUP LLC, SHALL PROVIDE, AT NO COST TO THE TOWN OF MEDWAY, ALL FACILITIES SHOWN ON THE PLANS INCLUDING BUT NOT LIMITED TO ROADWAYS, CURBS, BOUNDS, DRAINAGE SYSTEMS, SANITARY SEWER SYSTEMS, UTILITIES, STREET LIGHTS AND EARTHWORKS, EXCEPT AS OTHERWISE NOTED AND LOCATED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

DATUM:
NAVD-88

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

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

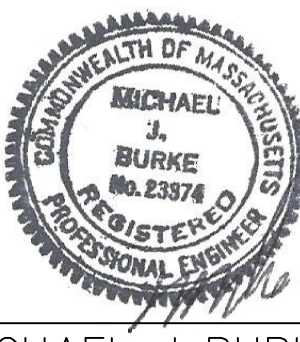


PLANTING SPECIFICATIONS:
LOAM MAY BE SUPPLEMENTED WITH ORGANIC FERTILIZER.
NO COMMERCIAL FERTILIZERS OR PESTICIDES ARE TO BE USED.
SPREAD A MINIMUM OF 6 INCHES OF GOOD QUALITYLOAM WITH
A BASE OF 6" OF SUBSOIL (WHERE AVAILABLE) OVER EXISTING
SOIL OR CLEAN FILL WITHIN ALTERED AREAS.
APPLY SPECIFIED AMOUNT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

SLOPE STABILIZATION

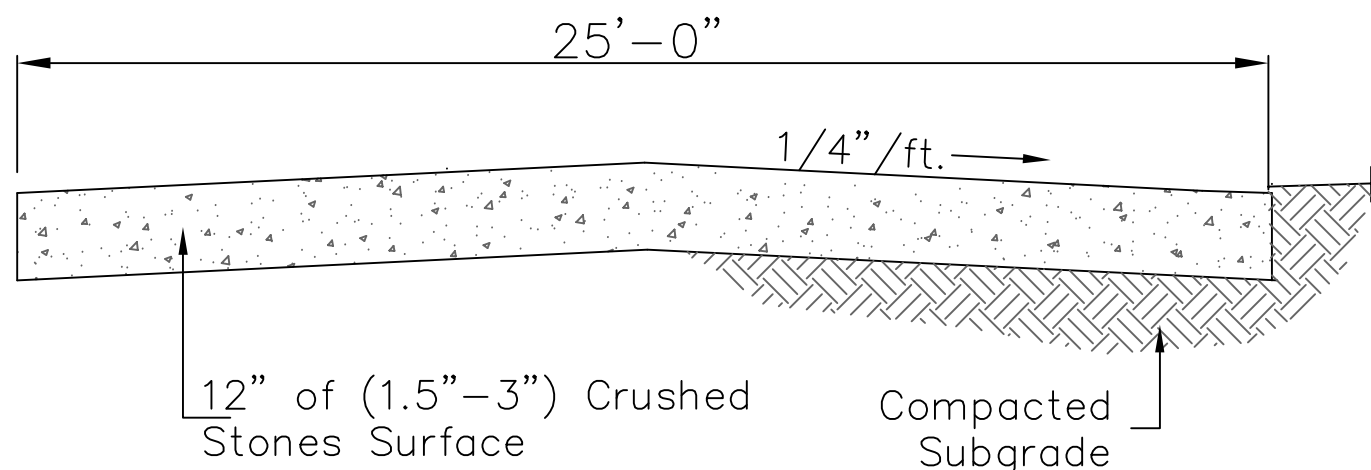
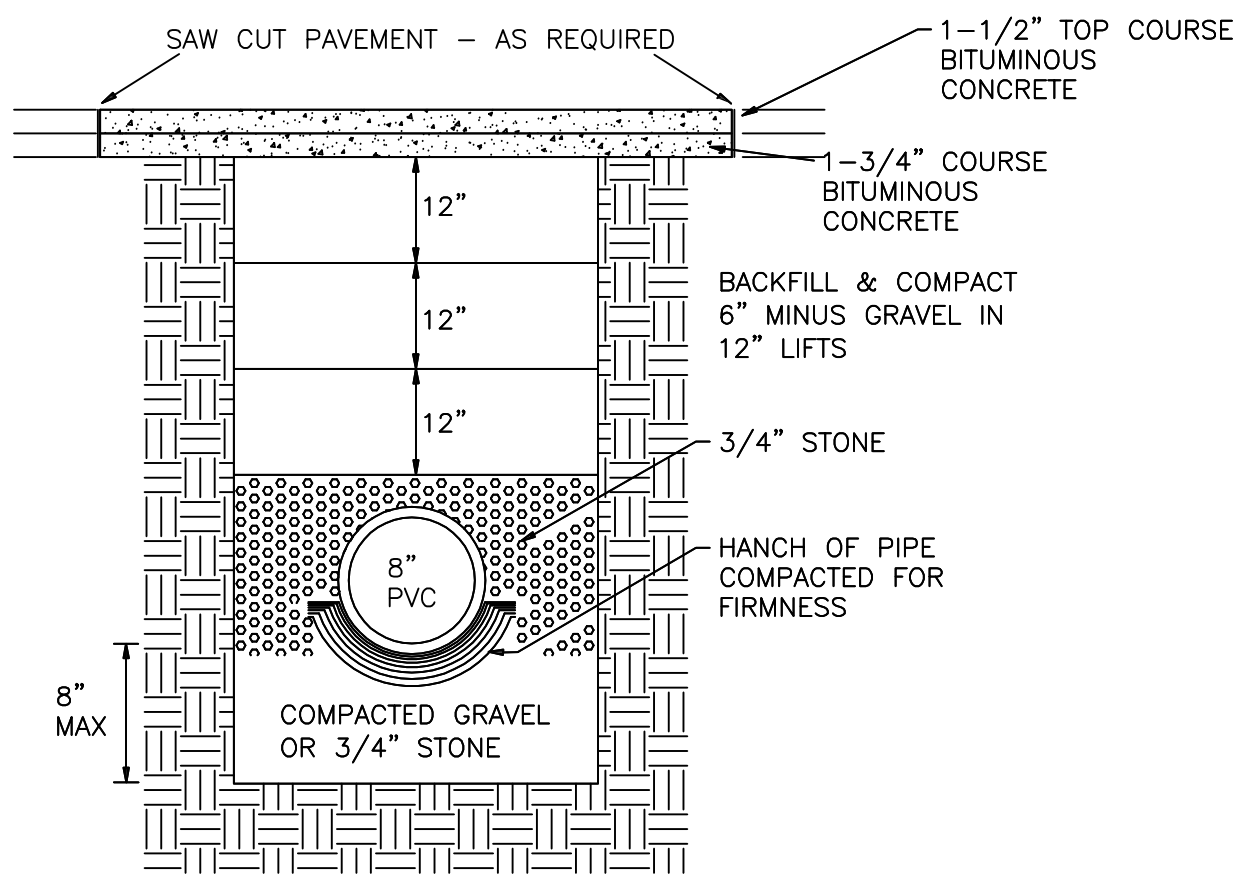
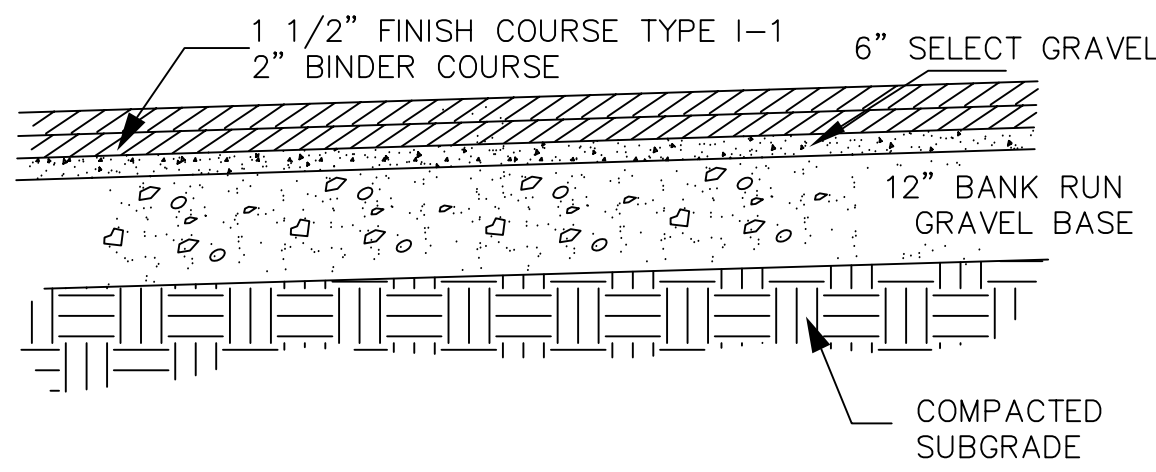


Jon L. Fagerstrom 11-12-2021
JON L. FAGERSTROM, PLS #49205



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

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



- NOTES:
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SHEET 4 OF 4

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

December 14, 2021

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

Dear Chairman Rodenheiser:

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

I would like to make the following points:

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

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

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

Thank you for your consideration.

Sincerely,

Paul G. Yorkis



December 14, 2021

**Medway Planning & Economic Development Board
Meeting**

ZBA Petition – 12 Walker Street
Two-Family Special Permit

- Application materials and site plan for a 2 family building at 12 Walker Street (AR-II zoning district).

NOTE – This application is for a 2 family special permit. It is scheduled for consideration at the ZBA's January 5, 2022 meeting.

GENERAL SPECIAL PERMIT FORM



TOWN OF MEDWAY ZONING BOARD OF APPEALS

155 Village Street
Medway MA 02053

Phone: 508-321-4915 | zoning@townofmedway.org
www.townofmedway.org/zoning-board-appeal

NOTE: THE APPLICATION WILL NOT BE CONSIDERED "COMPLETE" UNLESS ALL NECESSARY DOCUMENTS, FEES, & WAIVER REQUESTS ARE SUBMITTED. A GENERAL APPLICATION FORM MUST BE COMPLETED FOR ALL APPLICATIONS.

Please provide evidence regarding how the Special Permit Decision Criteria, outlined below, is met. Please write "N/A" if you believe any of the Criteria is Not Applicable. Provide attachments if necessary.

| | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------|
| 1. The proposed site is an appropriate location for the proposed use: | 2 Family Duplex is PROPOSED ON 30,000 S.F. LOT IN AR-II ZONING DISTRICT. |
| 2. Adequate and appropriate facilities will be provided for the operation of the proposed use: | Yes |
| 3. The proposed use as developed will not create a hazard to abutters, vehicles, pedestrians, or the environment: | Yes |
| 4. The proposed use will not cause undue traffic congestion or conflicts in the immediate area: | Yes |
| 5. The proposed use will not be detrimental to the adjoining properties due to lighting, flooding, odors, dust, noise, vibration, refuse materials, or other undesirable visual, site, or operational attributes of the proposed use: | Yes |
| 6. The proposed use as developed will not adversely affect the surrounding neighborhood or significantly alter the character of the zoning district: | Yes |

GENERAL SPECIAL PERMIT FORM

7. The proposed use is in harmony with the general purpose and intent of this Zoning Bylaw:


Yes, residential use in AR-II Zoning District.

8. The proposed use is consistent with the goals of the Medway Master Plan:

Yes

9. The proposed use will not be detrimental to the public good:

Yes


Signature of Applicant/Petitioner or Representative

11/8/2021
Date

GENERAL APPLICATION FORM


TOWN OF MEDWAY
ZONING BOARD OF APPEALS

 155 Village Street
 Medway MA 02053

 Phone: 508-321-4915 | zoning@townofmedway.org
 www.townofmedway.org/zoning-board-appeal

NOTE: THE APPLICATION WILL NOT BE CONSIDERED "COMPLETE" UNLESS ALL NECESSARY DOCUMENTS, FEES, & WAIVER REQUESTS ARE SUBMITTED. A GENERAL APPLICATION FORM MUST BE COMPLETED FOR ALL APPLICATIONS.

TO BE COMPLETED BY THE APPLICANT

| | | |
|----------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| Applicant/Petitioner(s): Daniel J Lewis DNO Real Estate LLC | Application Request(s): Appeal <input type="checkbox"/> Special Permit <input checked="" type="checkbox"/> Variance <input type="checkbox"/> Determination/Finding <input type="checkbox"/> Extension <input type="checkbox"/> Modification <input type="checkbox"/> Comprehensive Permit <input type="checkbox"/> | |
| Property Owner(s): Susan Paulik, Nancy Prosser James Paulik, Thomas Paulik | | |
| Site Address(es): 12 Walker Street Medway MA 02053 | | |
| Parcel ID(s): Book 4503 page 106 ASSESSOR MAP 71 PARCEL 006 | | |
| Zoning District(s): ZONE A1A-11 | | |
| Registry of Deeds Book & Page No. and Date or Land Court Certificate No. and Date of Current Title: 4503/106 | | |

TOWN CLERK STAMP

TO BE COMPLETED BY STAFF

 Check No.:
 Date of Complete Submittal:
 Comments:

GENERAL APPLICATION FORM

APPLICANT/PETITIONER INFORMATION

The owner(s) of the land must be included as an applicant, even if not the proponent. Persons or entities other than the owner may also serve as co-applicants in addition to the owner(s), however, in each instance, such person shall provide sufficient written evidence of authority to act on behalf of the owner(s). For legal entities such as corporations, LLCs, etc., list the type and legal status of ownership, the name of the trustees/officer members, their affiliation, and contact information. Please provide attachment for information if necessary.

| | | |
|---------------------------------------------------------------------------------------|--|-----------------------------------|
| Applicant/Petitioner(s): Daniel J Heavis DNO Real Estate LLC | | Phone: 508/509/7713 |
| Address: 580 Eastside Road Weymouth MA 02093 | | Email: diljake@aol.com |
| Attorney/Engineer/Representative(s): Jim Parlik, P.E. Outback Engineering, Inc. | | Phone: 508/944/9231 x 203 |
| Address: 165 East Gore Street Middleborough MA 02346 | | Email: jparlik@outback-eng.com |
| Owner(s): Susan Parlik, Nancy Russell James Parlik, Thomas Parlik | | Phone: 508/944/9231 x 203 |
| Mailing Address: 135 Bald Eagle Road Weymouth MA 02190 | | Email: jparlik@outback-eng.com |

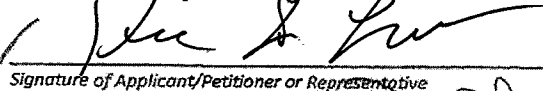
Please list name and address of other parties with financial interest in this property (use attachment if necessary):

None

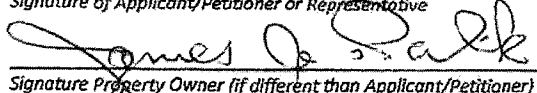
Please disclose any relationship, past or present, interested parties may have with members of the ZBA:

None

I hereby certify that the information on this application and plans submitted herewith are correct, and that the application complies with all applicable provisions of Statutes, Regulations, and Bylaws to the best of my knowledge, and that all testimony to be given by me during the Zoning Board of Appeals public hearing associated with this application are true to the best of my knowledge and belief.


Signature of Applicant/Petitioner or Representative

11/8/2021
Date


Signature Property Owner (if different than Applicant/Petitioner)

11-8-2021
Date

GENERAL APPLICATION FORM

APPLICATION INFORMATION

| | | YES | NO |
|----------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------|-------------------------------------|-------------------------------------|
| Applicable Section(s) of the Zoning Bylaw: <i>5.4, Table 1, C. Resid. Uses</i> | Requesting Waivers? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| | Does the proposed use conform to the current Zoning Bylaw? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Present Use of Property: <i>Vacant land</i> | Has the applicant applied for and/or been refused a building permit? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| | Is the property or are the buildings/structures pre-existing nonconforming? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Proposed Use of Property: <i>2 Family Duplex</i> | Is the proposal subject to approval by the BOH or BOS? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| | Is the proposal subject to approval by the Conservation Commission? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Date Lot was created: <i>2005</i> | Is the property located in the Floodplain District? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Date Building was erected: <i>N/A</i> | Is the property located in the Groundwater Protection District? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Does the property meet the intent of the Design Review Guidelines? <i>Yes</i> | Is the property located in a designated Historic District or is it designated as a Historic Landmark? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Describe Application Request: <i>Requesting Special Permit per Zoning Section 5.4 to construct a 2-FAMILY HOME ON A 30,000. SF. LOT IN AR-II.</i> | | | |

GENERAL APPLICATION FORM

FILL IN THE APPLICABLE DATA BELOW

| Required Data | Bylaw Requirement | Existing | Proposed |
|-------------------|------------------------|-------------|-------------------------------------------------|
| A. Use | | VACANT LOT | 2-FAMILY DWELLING |
| B. Dwelling Units | 2 | 0 | 2 |
| C. Lot Size | 30,000 SF. | 30,000 S.F. | 30,000 S.F. |
| D. Lot Frontage | 150' | 152 FT. | 152.00 FT. |
| E. Front Setback | 35' | N/A | 46 ± FT. |
| F. Side Setback | 15' | N/A | 43' ± |
| G. Side Setback | 15' | N/A | N/A (70 ± TO PEARL ST.) |
| H. Rear Setback | 15' | N/A | 54' ± |
| I. Lot Coverage | 30% | 0 | |
| J. Height | 35' | N/A | 30' ± |
| K. Parking Spaces | 1.5 / MULT-FAMILY UNIT | 0 | 2 GARAGE SPACES PER UNIT + 2 MIN. EACH DRIVEWAY |
| L. Other | | | |

FOR TOWN HALL USE ONLY

To be filled out by the Building Commissioner:

Date Reviewed _____

Medway Building Commissioner _____

Comments:

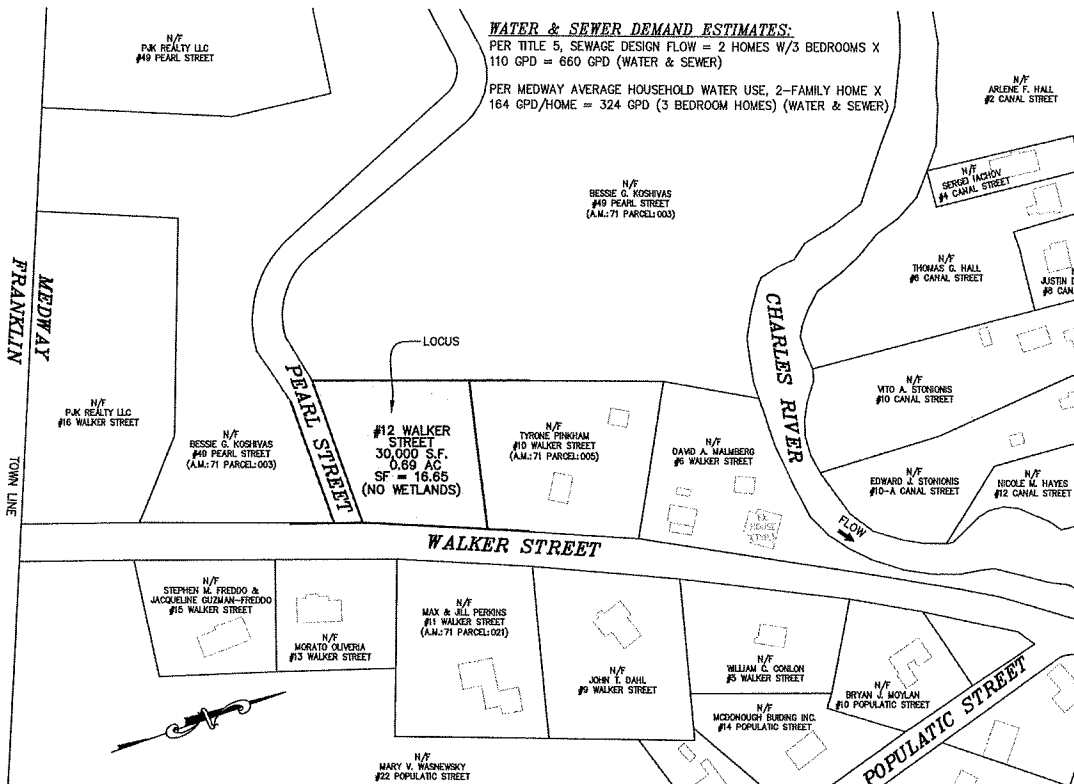
After completing this form, please submit an electronic copy to zoning@townofmedway.org and 4 paper copies to the Community & Economic Development Department.

OTHER SUPPLEMENTAL MATERIAL

The lot at 12 Walker Street was created by a Form A plan that was signed by the Planning Board in 2005 and recorded at the Norfolk County Registry of Deeds, Plan Book 550, Page 86. The vacant, wooded lot contains 30,000 s.f. (all upland) in the AR-II Zoning District. Per Zoning By-law Section 5.4, Table 1, C. Residential Uses, two-family homes are allowed by Special Permit from the Zoning Board on 30,000 s.f. lots, provided the exterior has the appearance of a single-family home. This was discussed with the Director of Community and Economic Development, Barbara Saint Andre, at a pre-application meeting with her and the applicant and engineer on September 28, 2021. Other items suggested by Ms. Saint Andre:

1. The architectural plans and site plan reflect the requirement to have the appearance of a single-family home: the building is L-shaped with the front elevation showing a porch and garage for one unit facing Walker Street, while the back unit's garage and front door are located on the side of the building to be less visible from the street.
2. Land disturbance will be kept under 20,000 s.f. so that a Land Disturbance Permit is not required; the proposed tree clearing/limit of work line results in approximately 19,700 s.f. of alteration. In addition, Ms. Saint Andre suggested that stormwater runoff controls should be provided even though not necessarily required. Therefore, the site plan shows roof drains and 2 rain gardens at the end of the driveways to provide stormwater to be infiltrated from the roof and driveways.
3. The site plan was later reviewed by the applicant with the Medway DPW Director Peter Pelletier who had no issues with the 2 driveways, and water and sewer services as shown on the site plan.
4. A landscape plan is provided with the site plan set showing foundation plantings, lawn treatments and maintenance notes. Based on the limit of work shown, approximately 1/3 of the lot will be left in its current, wooded state to provide a perimeter buffer. The site lighting is minimal, typical of a residential home, with driveway lamp posts proposed near Walker St.

Although Walker Street is a Scenic Road, there are no stonewalls or trees within the right of way, and no filing with the Planning Board is required. The proposed 2-family home will provide diversity from traditional single-family homes, a component of the Medway Master Plan goals.



WATER & SEWER DEMAND ESTIMATES:
 PER TITLE 5, SEWAGE DESIGN FLOW = 2 HOMES W/3 BEDROOMS X
 110 GPD = 660 GPD (WATER & SEWER)
 PER MEDWAY AVERAGE HOUSEHOLD WATER USE, 2-FAMILY HOME X
 164 GPD/HOME = 324 GPD (3 BEDROOM HOMES) (WATER & SEWER)

| ZONING FOR #12 WALKER STREET | | |
|--------------------------------------------|--------------|-------------|
| AGRICULTURAL RESIDENTIAL II (AR-II) | | |
| | REQUIRED | PROVIDED |
| MIN. LOT SIZE | 22,500 S.F.* | 30,000 S.F. |
| UPLAND AREA | 11,250 S.F. | 30,000 S.F. |
| MIN. LOT FRONTAGE | 150' | 152.0' |
| FRONT SETBACK | 35' | 40.3' |
| SIDE SETBACK | 15' | 43.5' |
| REAR SETBACK | 15' | 58.9' |
| SHAPE FACTOR | 22 | 16.7 |
| MAX BLDG. HEIGHT | 35' | 30± |
| MAX. LOT COVERAGE** | 30% | 9% |
| MAX. IMPERVIOUS COVERAGE | 40% | 21% |
| *30,000 S.F. REQUIRED FOR TWO-FAMILY HOMES | | |
| **BUILDINGS AND STRUCTURES | | |



GENERAL NOTES

1. PLAN REFERENCE:
 1.1. PROPERTY LINE INFORMATION TAKEN FROM PLAN OF LAND, 10 WALKER STREET, DATED AUGUST 28, 2005, RECORDED IN NORFOLK COUNTY REGISTRY OF DEEDS, PLAN BOOK 550, PAGE 88.
 1.2. TOPOGRAPHY SHOWN IS BASED ON A FIELD SURVEY BY OUTBACK ENGINEERING.
2. THE SITE FALLS WITHIN ZONE "X", AREAS DETERMINED TO BE OUTSIDE THE 0.2 ANNUAL CHANCE FLOODPLAIN, AS SCALED FROM THE FLOOD INSURANCE RATE MAP, (MAP NUMBER: 25021C0144E, EFFECTIVE DATE: 7/17/2012).
3. THE SITE IS NOT LOCATED WITHIN A ZONE A SURFACE WATER SUPPLY PROTECTION AREA. THIS SITE IS NOT LOCATED WITHIN A ZONE II GROUNDWATER PROTECTION AREA.
4. THE SITE IS NOT LOCATED WITHIN A PRIORITY HABITAT AND IS NOT LOCATED WITHIN AN ESTIMATED HABITAT ACCORDING TO THE LATEST NATURAL HERITAGE AND ENDANGERED SPECIES PROGRAM ONLINE MAPS.
5. ALL EXISTING UTILITY INFORMATION IS FROM FIELD SURVEY PERFORMED BY OUTBACK ENGINEERING AND AVAILABLE RECORD SOURCES, AND IS TO BE CONSIDERED APPROXIMATE. ALL UTILITIES MAY NOT BE SHOWN. CONTRACTOR SHALL NOTIFY DIGSAFE (1-888-344-7233) AT LEAST 72 HOURS PRIOR TO THE ONSET OF ANY CONSTRUCTION TO HAVE ALL EXISTING UTILITIES LOCATED AND CLEARLY MARKED.
6. ALL WATER AND SEWER SERVICES TO BE INSTALLED PER MEDWAY DPW REQUIREMENTS.

| SHEET INDEX | | |
|-------------|----------------------------|-------------|
| SHEET | DESCRIPTION | |
| 1 | COVER SHEET | |
| 2 | EXISTING CONDITIONS | |
| 3 | GRADING AND UTILITIES PLAN | |
| 4 | LANDSCAPE PLAN | |
| 5 | DETAIL SHEET | |
| REVISIONS | | |
| NO. | DATE | DESCRIPTION |
| | | |
| | | |
| | | |
| | | |

OWNERS

DANIEL TRUST
 (SUSAN PAVLIK, NANCY RUSSELL,
 JAMES PAVLIK, THOMAS PAVLIK)
 135 BALD EAGLE ROAD
 WEYMOUTH, MA 02190

APPLICANT

DNO REAL ESTATE LLC
 135 MAIN STREET
 MEDWAY, MA 02053

LEGEND

| EXISTING | PROPOSED | |
|----------|----------|-----------------------|
| | | BUILDING |
| | | DRAIN LINE |
| | | GAS LINE |
| | | ELEC./TELEPHONE/CABLE |
| | | UNDERGROUND ELECTRIC |
| | | SEWER LINE |
| | | SEWER SERVICE |
| | | WATER MAIN |
| | | WATER SERVICE |
| | | TREELINE |
| | | MAJOR CONTOUR |
| | | MINOR CONTOUR |
| | | GAS GATE |
| | | GAS METER |
| | | WATER GATE |
| | | HYDRANT |
| | | WATER SHUTOFF |
| | | SEWER MANHOLE |
| | | SEWER VALVE |
| | | DRAIN MANHOLE |
| | | CATCH BASIN |
| | | DOUBLE CATCH BASIN |
| | | UTILITY POLE |
| | | LIGHT POST |
| | | ELECTRIC METER |
| | | SIGN - SINGLE POST |
| | | SIGN - DOUBLE POST |
| | | CONTROL POINT |
| | | MAG NAIL |

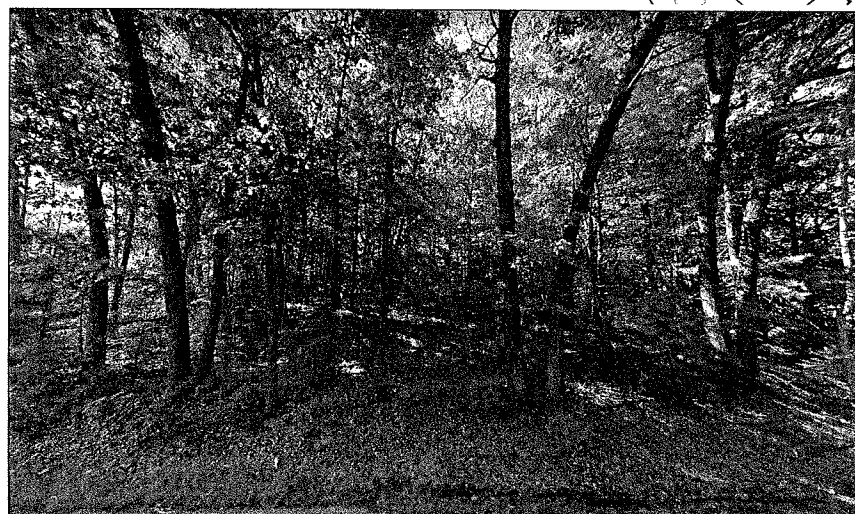


IMAGE FROM GOOGLE MAPS STREET VIEW (SEPTEMBER 2013)

COVER SHEET
PROPOSED 2-FAMILY HOME
12 WALKER STREET
 (ASSESSORS MAP: 71 PARCEL: 006)
 IN
MEDWAY
MASSACHUSETTS



165 EAST GROVE STREET
 MIDDLEBOROUGH, MA 02346
 TEL: (508)-946-9231

| | |
|-------------------------|-----------------|
| DATE: NOVEMBER 12, 2021 | |
| SCALE: 1"=100' | PROJECT OE-982A |
| DRAWN BY: JJS | CHECKED BY: JAP |
| OE-982A.DWG | SHEET 1 OF 5 |
| 0' | 100' 200' 300' |

T.P. # 1

| DEPTH | ELEV. |
|-------|-------|
| 0 | 990' |
| 8" | 983' |
| 24" | 978' |
| | |
| 180" | 940' |

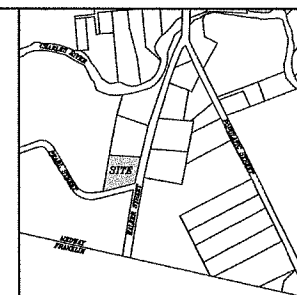
A HORIZON
LDAMY SAND
10YR 3/3

B HORIZON
SANDY LDAM
10YR 5/4

C LAYER
STRATIFIED
SAND &
GRAVEL

NO WATER
NO ROOTS

DATE OF TEST: 4/1/06
SOIL EVALUATOR: JIM PAVLIK



LOCUS
N.T.S.

REVISIONS

| NO. | DATE | DESCRIPTION |
|-----|------|-------------|
| | | |
| | | |
| | | |
| | | |
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| | | |

OWNERS

DANIEL TRUST
(SUSAN PAVLIK, NANCY RUSSELL,
JAMES PAVLIK, THOMAS PAVLIK)
135 BALD EAGLE ROAD
WEYMOUTH, MA 02190

APPLICANT

DNO REAL ESTATE LLC
135 MAIN STREET
MEDWAY, MA 02053

EXISTING CONDITIONS
PLAN
ON
12 WALKER STREET
IN
MEDWAY
MASSACHUSETTS

Outback
Engineering
Incorporated

165 EAST GROVE STREET
MIDDLEBOROUGH, MA 02346
TEL: (508)-946-9231

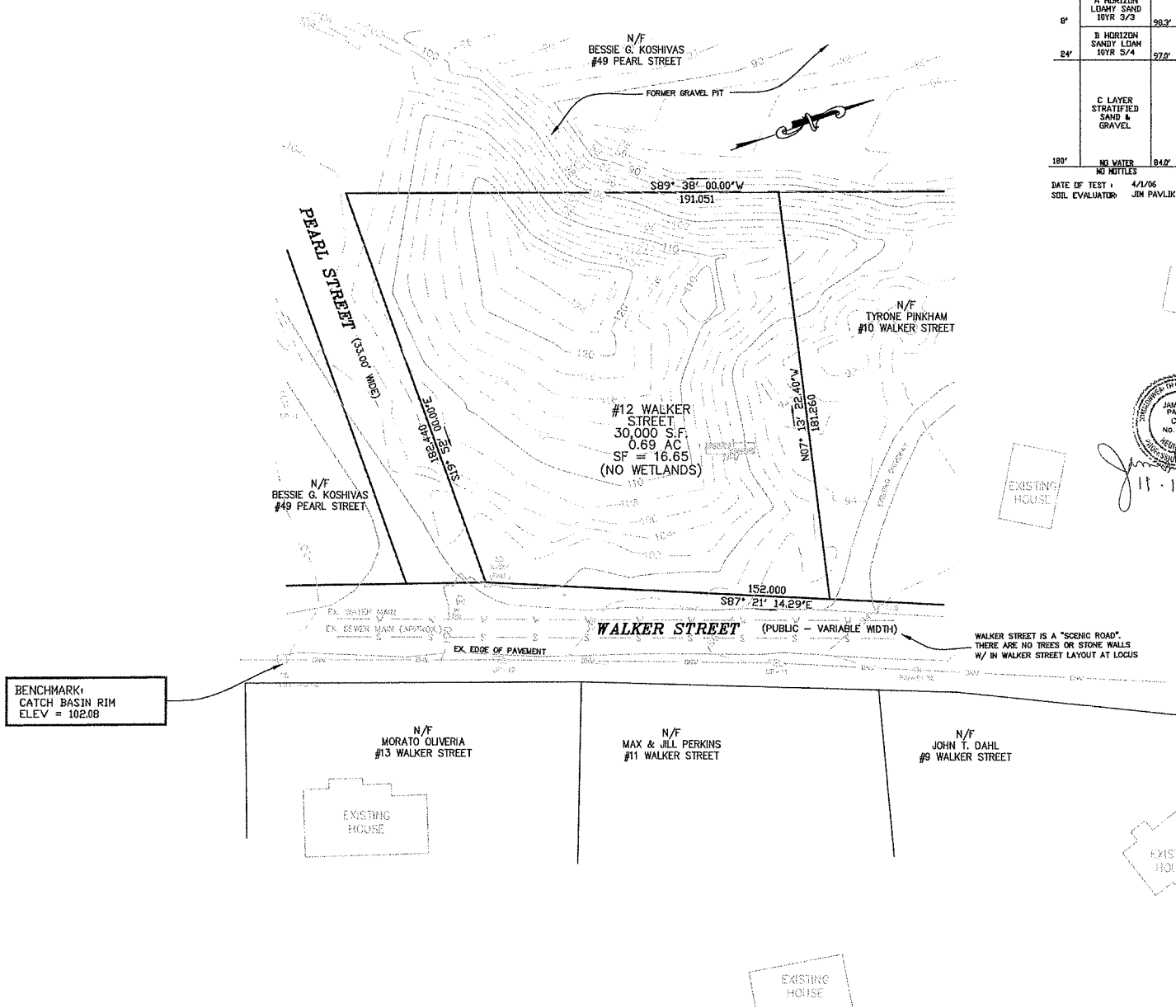
DATE: NOVEMBER 12, 2021

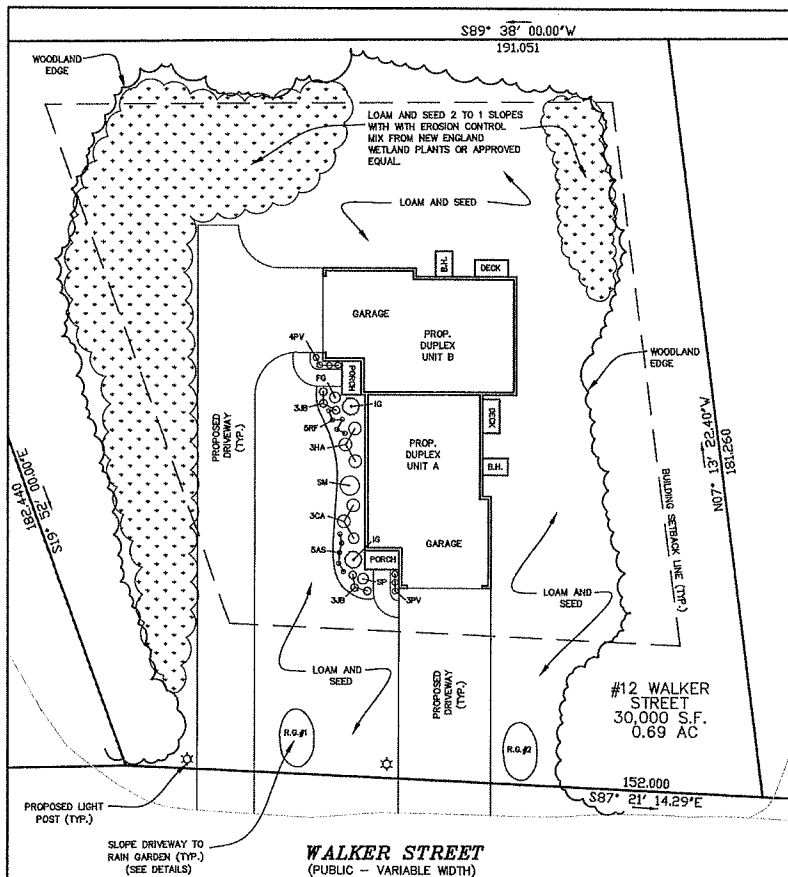
SCALE: 1"=30' PROJECT OE-982A

DRAWN BY: JJS CHECKED BY: JAP

OE-982A.DWG SHEET 2 OF 5

0' 30' 60' 90'





PLANTING PLAN

SCALE: 1"=20'

RAIN GARDEN PLANT LISTS

SHRUB SPECIES

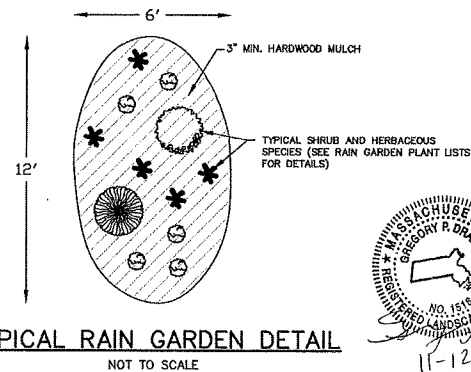
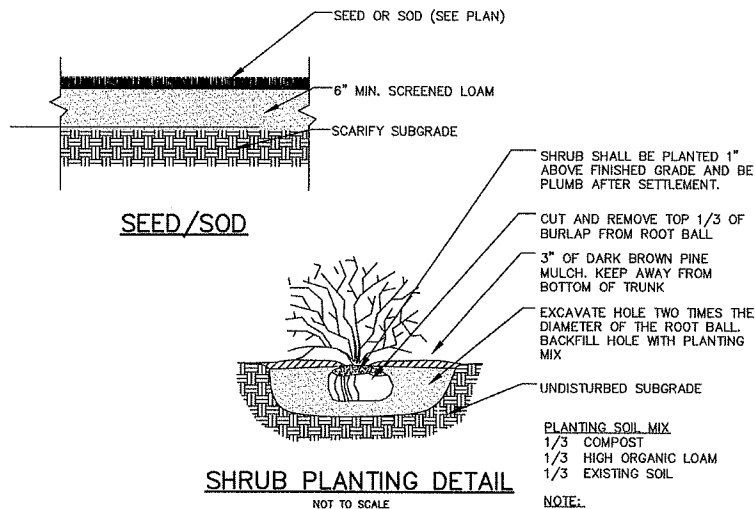
| PLAN SYMBOL | COMMON NAME (SCIENTIFIC NAME) | SIZE & FORM | IND. STATUS | SIZE @ PURCHASE | QUANTITY | |
|-------------|-------------------------------------------|--------------------------|-------------|-----------------|----------|------|
| | | | | | RG-1 | RG-2 |
| ○ | HIGHBUSH BLUEBERRY (VACCINIUM CORYMBOSUM) | MED-SIZED SHRUB (6'-10') | FACW | 2-3 FEET | 1 | 1 |
| ● | CLETHRA ALNIFOLIA (SUMMERSWEET) | MED-SIZED SHRUB (6'-10') | FAC | 2-3 FEET | 1 | 1 |

HERBACEOUS SPECIES

| PLAN SYMBOL | COMMON NAME (SCIENTIFIC NAME) | SIZE & FORM | IND. STATUS | SIZE @ PURCHASE | QUANTITY | |
|-------------|------------------------------------|----------------|-------------|-----------------|----------|------|
| | | | | | RG-1 | RG-2 |
| * | SWITCHGRASS (PANICUM VIRGATUM) | FLOWER (1'-3') | FAC | 1 GAL. | 5 | 5 |
| ☼ | BLACK-EYED SUSAN (RUDBECKIA HIRTA) | FLOWER (1'-3') | FAC | 1 GAL. | 5 | 5 |

PLANT SCHEDULE

| SYM. | BOTANICAL NAME | COMMON NAME | SIZE | NOTES |
|------|-------------------------------|-------------------------|------------|-------|
| AS | ASTER PURPLE DOME | NEW ENGLAND ASTER | 1 GAL. | CONT. |
| CA | CLETHRA ALNIFOLIA HUMMINGBIRD | SUMMERSWEET | 7 GAL. | CONT. |
| FG | FOTHERGILLA GARDENII | DWARF FOTHERGILLA | 7 GAL. | CONT. |
| IG | HYDRANGEA ENDLESS SUMMER | HYDRANGEA | 5 GAL. | CONT. |
| IA | ILEX GLABRA SHAMROCK | INKBERRY HOLLY | 2.5-3' HT. | B&B |
| JB | JUNIPERUS BLUE PACIFIC | CREeping BLUE JUNIPER | 3 GAL. | CONT. |
| PV | PANICUM VIRGATUM | SWITCHGRASS | 2 GAL. | CONT. |
| RF | RUDBECKIA FULGIDA GOLDSTURM | BLACK EYED SUSAN | 1 GAL. | CONT. |
| SM | SYRINGA MISS KIM | MISS KIM LILAC | 3-4' HT. | B&B |
| SP | SPIRAEA LITTLE PRINCESS | LITTLE PRINCESS SPIRAEA | 3 GAL. | CONT. |



RAIN GARDEN NOTES:

- 1) THE FINISH GRADE OF THE RAIN GARDEN SHALL BE 9"± BELOW FINISH GRADE OF THE SURROUNDING LAWN.
- 2) THE RAIN GARDEN IS TO BE EXCAVATED 24" BELOW IT'S FINISH GRADE AND A 80/20 SAND/COMPOST MIX SHALL BE INSTALLED.
- 3) PLANT SPECIES WITHIN THE RAIN GARDEN AREA SHALL BE MULCHED WITH SHREDDED HARDWOOD ONLY.



11-12-21

REVISIONS

| NO. | DATE | DESCRIPTION |
|-----|------|-------------|
| | | |
| | | |
| | | |
| | | |
| | | |

OWNERS

DANIEL TRUST
(SUSAN PAVLIK, NANCY RUSSELL,
JAMES PAVLIK, THOMAS PAVLIK)
135 BALD EAGLE ROAD
WEYMOUTH, MA 02190

APPLICANT

DNO REAL ESTATE LLC
135 MAIN STREET
MEDWAY, MA 02053

LANDSCAPE PLAN FOR 12 WALKER STREET IN MEDWAY MASSACHUSETTS

Outback Engineering
Incorporated

165 EAST GROVE STREET
MIDDLEBOROUGH, MA 02346
TEL: (508)-946-9231

DATE: NOVEMBER 12, 2021

SCALE: 1"=20' PROJECT OE-982A

DRAWN BY: GPD CHECKED BY: JAP

OE-982A.DWG SHEET 4 OF 5

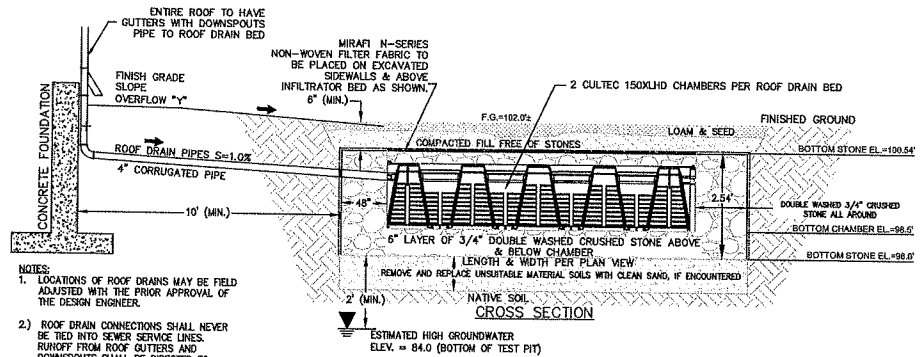
0' 20' 40' 60'

LANDSCAPE AND SEEDING NOTES

1. A COMPLETE LIST OF PLANTS INCLUDING A SCHEDULE OF QUANTITIES, SIZES, TYPES AND NAMES HAVE BEEN INCLUDED IN THIS PLAN SET. IN THE EVENT OF DISCREPANCIES BETWEEN QUANTITIES OF PLANTS ON THE PLANT LIST VERSUS THE PLAN THE PLAN SHALL GOVERN. THE CONTRACTOR SHALL NOTIFY THE LANDSCAPE ARCHITECT IF THERE ARE ANY DISCREPANCIES.
2. THE LANDSCAPE CONTRACTOR SHALL PROVIDE A CERTIFIED SOIL NUTRIENT TEST PRIOR TO INSTALLATION TO DETERMINE WHAT SOIL AMENDMENTS ARE NEEDED TO PROVIDE OPTIMUM GROWING CONDITIONS FOR SEEDING AND PLANTING. CONTRACTOR SHALL USE THE UNIVERSITY OF MASSACHUSETTS SOIL TESTING LAB OR AN APPROVED EQUAL.
3. ACCEPTABLE TOPSOIL SHALL BE FERTILE, FRIABLE NATURAL LOAM, UNIFORM IN COMPOSITION, FREE OF STONES, LIMBS, PLANTS AND THEIR ROOTS AND OTHER EXTRANEOUS MATTER OVER ONE INCH IN DIAMETER. THE SOIL SHALL BE CAPABLE OF PLANT GROWTH AND HAVE A MINIMUM ORGANIC CONTENT OF 4%.
5. NO PLANT SUBSTITUTIONS SHALL BE MADE WITHOUT WRITTEN APPROVAL FROM THE LANDSCAPE ARCHITECT OR THE OWNER.
6. PLANT BEDS ARE TO BE MULCHED WITH DOUBLE SHREDDED PINE BARK. TREES AND SHRUBS ARE TO RECEIVE A EVEN 3" LAYER. GROUNDCOVERS, PERENNIALS AND ANNUALS SHALL AN EVEN 2" LAYER.
7. LAWN AREAS TO BE SEEDED WITH SUN/SHADE SEED WITH 34% PERENNIAL RYEGRASS, 33% FINE FESCUE AND 33% KENTUCKY BLUEGRASS MIXTURE OR AN APPROVED EQUAL. GRASS SEED SHALL APPLIED AT A RATE OF 5LBS PER 1,000 SQUARE FEET.
8. ALL DISTURBED AREAS SHALL BE LOAMED AND SEEDED UNLESS OTHERWISE STATED ON THE PLAN AND BLENDED INTO THE EXISTING GRADE AND CONDITIONS.
9. SEE LANDSCAPE DETAIL SHEET FOR MORE INFORMATION ON PLANTING AND SEEDING REQUIREMENTS.

LANDSCAPE MAINTENANCE NOTES

1. MAINTENANCE OF PLANT MATERIAL SHALL BEGIN IMMEDIATELY AFTER EACH PLANT IS PLANTED AND SHALL CONTINUE UNTIL FINAL APPROVAL. PLANTS ARE TO BE KEPT IN HEALTHY, GROWING CONDITION BY WATERING, PRUNING, SPRAYING, WEEDING AND ANY OTHER NECESSARY MAINTENANCE OPERATIONS. ALL PLANT BEDS ARE TO BE KEPT FREE OF WEEDS, GRASS AND OTHER UNDESIRABLE VEGETATION.
2. PLANTS SHALL BE WATERED THOROUGHLY UNTIL SOIL IS SATURATED AROUND EACH PLANT AFTER PLANTING AND THROUGHOUT THE MAINTENANCE AND GUARANTEE PERIOD UNTIL FINAL ACCEPTANCE.
3. SEEDING AREAS ARE TO BE WATERED LIGHTLY AND SUFFICIENTLY TO A DEPTH OF 2" INCHES TWICE A DAY UNTIL THE SEED HAS ESTABLISHED. ONCE ESTABLISHED CUT BACK WATERING TO ONCE A DAY OR LESS DEPENDING ON TIME OF YEAR AND RAINFALL. ESTABLISHED LAWN SHOULD RECEIVE AN EQUIVALENT OF 1" OF RAIN A WEEK.
4. CONTRACTOR SHALL PROVIDE AT LEAST TWO MOWINGS BEFORE FINAL ACCEPTANCE. LAWN AREAS WILL RECEIVE FINAL APPROVAL IF THE COVERAGE IS FULL AND CONSISTENT AND FREE OF BARE SPOTS AND WEEDS.
5. THE CONTRACTOR SHALL GUARANTEE IN WRITING ALL PLANT MATERIAL AND LANDSCAPE IMPROVEMENTS FOR A PERIOD OF ONE YEAR AFTER FINAL APPROVAL.
6. ANY DEAD OR DYING PLANT MATERIAL SHALL BE REPLACED WITHIN 30 DAYS OF NOTIFICATION TO THE OWNER DURING THE GROWING SEASON. REPLACEMENTS MUST BE EQUAL IN SIZE AND TYPE PER THE PROJECTS PLANT LIST. IF THE IT HAS BEEN DETERMINED THE REPLACEMENT PLANT IS NOT SUITABLE TO THE LOCATION, WRITTEN NOTIFICATION WITH A RECOMMENDATION FOR A SUBSTITUTE SHALL BE PROVIDED TO THE OWNER AND LANDSCAPE ARCHITECT FOR APPROVAL.
7. THE LANDSCAPE CONTRACTOR SHALL PROVIDE THE OWNER WITH MAINTENANCE SPECIFICATIONS AND SCHEDULE FOR ANNUAL CARE FOR ALL PLANT MATERIAL AND LAWN AREAS.
8. HOMEOWNERS SHALL BE RESPONSIBLE FOR MAINTENANCE OF LANDSCAPE AMENITIES INCLUDING ROOF DRAINS AND RAIN GARDENS.



ROOF DRAIN PROFILE

REVISIONS

| NO. | DATE | DESCRIPTION |
|-----|------|-------------|
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |

OWNERS

DANIEL TRUST
(SUSAN PAVLIK, NANCY RUSSELL,
JAMES PAVLIK, THOMAS PAVLIK)
135 BALD EAGLE ROAD
WEYMOUTH, MA 02190

APPLICANT

DNO REAL ESTATE LLC
135 MAIN STREET
MEDWAY, MA 02053

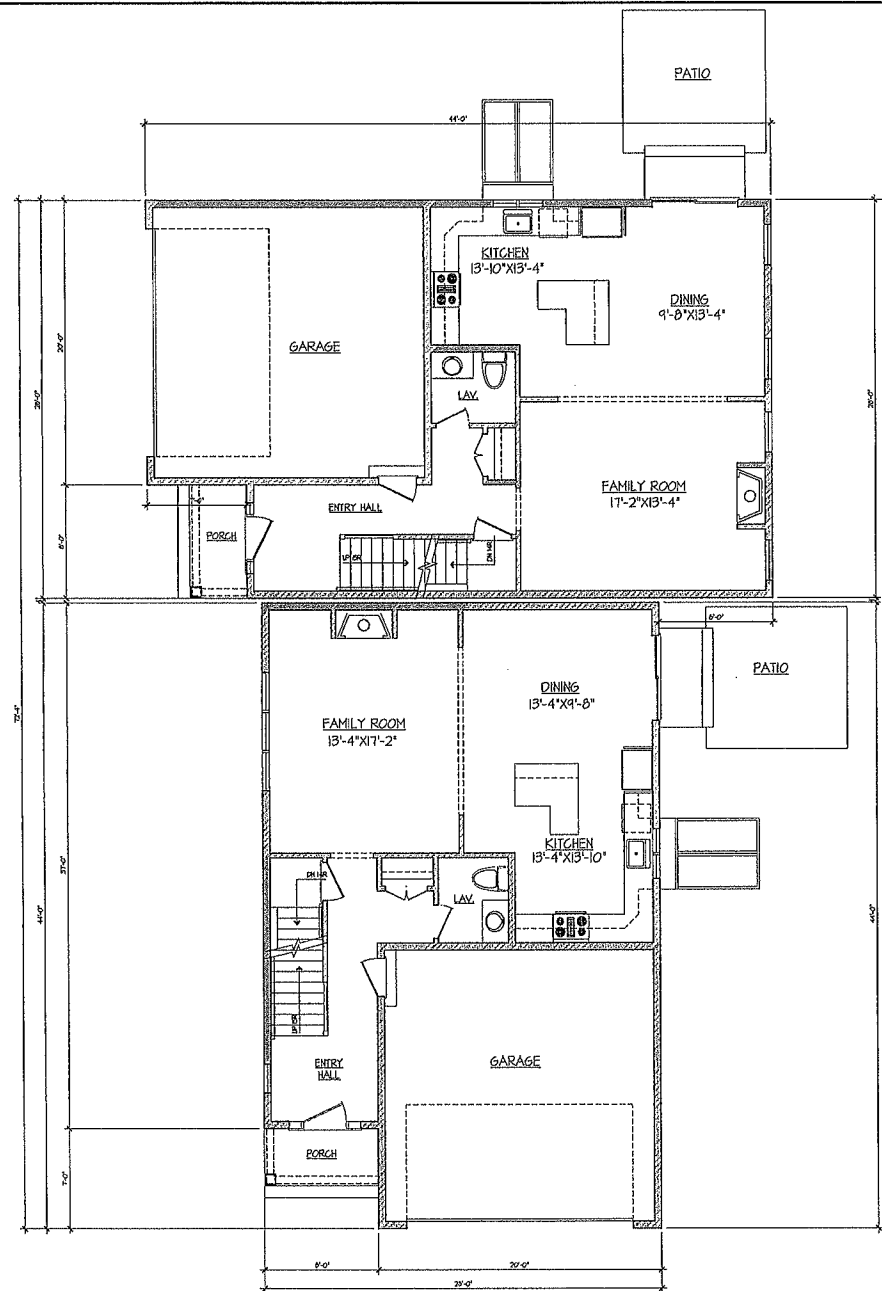
DETAIL SHEET
FOR
12 WALKER STREET
IN
MEDWAY
MASSACHUSETTS

Outback Engineering
Incorporated

165 EAST GROVE STREET
MIDDLEBOROUGH, MA 02346
TEL: (508)-946-9231

| | |
|-------------------------|-----------------|
| DATE: NOVEMBER 12, 2021 | |
| SCALE: 1"=30' | PROJECT OE-982A |
| DRAWN BY: GPD | CHECKED BY: JAP |
| OE-982A.DWG | SHEET 5 OF 5 |
| 0' | 30' 60' 90' |

* When approved HPA will prepare the drawings for building department



FIRST FLOOR PLAN

1/4" = 1'

1st FLOOR LIVING SPACE - 792 SF / 792 SF
The square footage indicated is living space calculated from the exterior face of wall stud. It does not include decks, porches, garages, volumes, unfinishable & unconditioned spaces. All dimensions and square footages are approximate and subject to change without notice. HPA Design, Inc. assumes no responsibility for technical, typographical, and/or other inaccuracies or omissions. © 2021 HPA Design, Inc.

HPA

Design, Inc.

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(P) 508.384.8838
Contact@HPADesign.com

DWD ENGINEERING, INC.
6 MICHAEL ROAD, S. BRIDGEWATER
Tel. (508) 378-5902
Fax. (508) 378-2922

CONSTRUCTION BY:

PROJECT #: 20210098

MAY 5, 2021

DRAWN BY: RWB

CHECKED BY: RWB/HPA

SCALE: SEE DRAWING

SHEET TITLE:

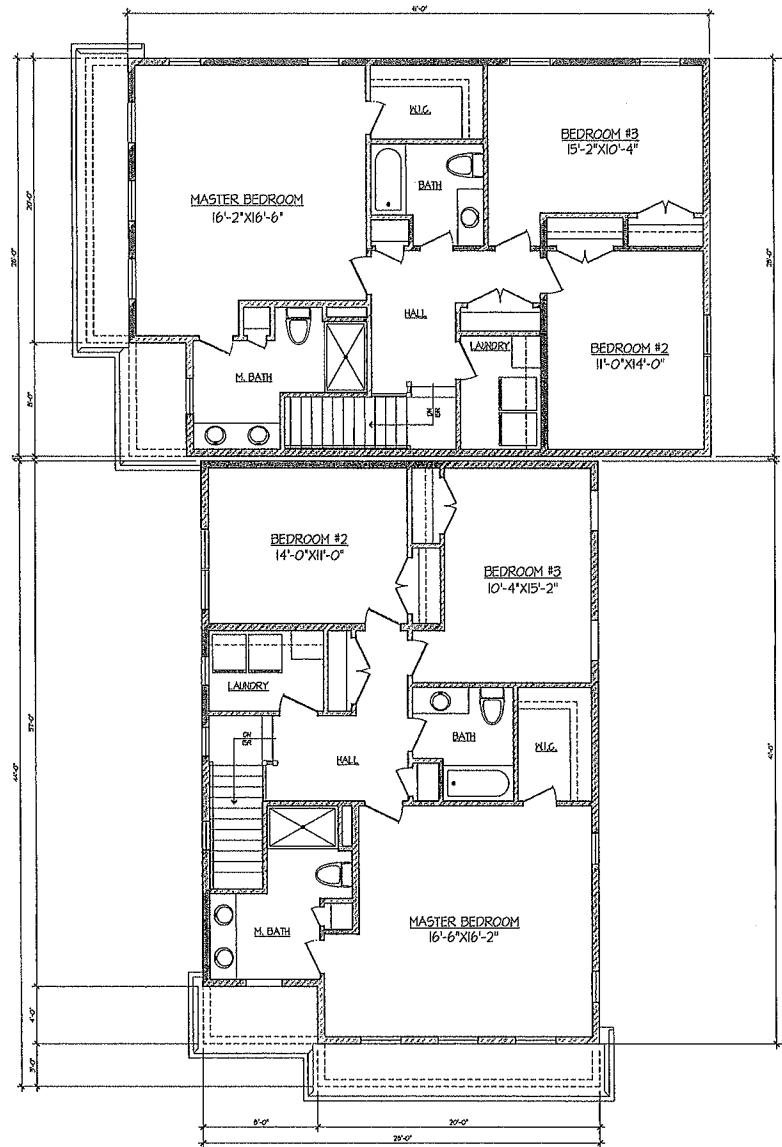
FIRST FLOOR PLAN

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A1.1

Sheet 1 of 4

* When approved HPA will provide the drawings for building department



SECOND FLOOR PLAN

1/4" = 1'

2nd FLOOR LIVING SPACE - 1,116 SF / 1,116 SF
 The square footage indicated is living space calculated from the interior face of wall and, it does not include decks, porches, garages, volumes, uninhabitable & unconditioned spaces. All dimensions and square footages are approximate and subject to change without notice. HPA Design, Inc. assumes no responsibility for technical, topographical, and/or other inaccuracies or errors. © 2021 HPA Design, Inc.

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DWD ENGINEERING, INC.
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 Tel. (508) 378-8902
 Fax. (508) 378-8928

CONSTRUCTION BY:

ISSUED FOR ZBA REVIEW

PROJECT #: 20210098

MAY 5, 2021

DRAWN BY: RWB

CHECKED BY: RWB/HPA

SCALE: SEE DRAWING

SHEET TITLE:

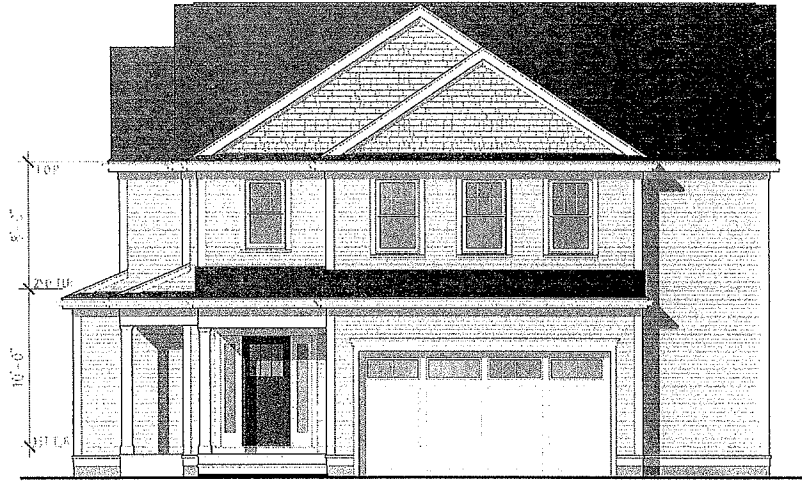
SECOND FLOOR PLAN

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A1.2

Sheet 2 of 4

* When approved HPA will provide the drawings for building department



A FRONT ELEVATION
1/4" = 1'



B LEFT SIDE ELEVATION
1/4" = 1'

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DWD ENGINEERING, INC.
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Tel. (508) 278-8802 Fax. (508) 278-8823

CONSTRUCTION BY:

ISSUED FOR TIA REVIEW

PROJECT #: 20210098

MAY 5, 2021

DRAWN BY: RWB

CHECKED BY: RWB/HPA

SCALE: SEE DRAWING

SHEET TITLE:

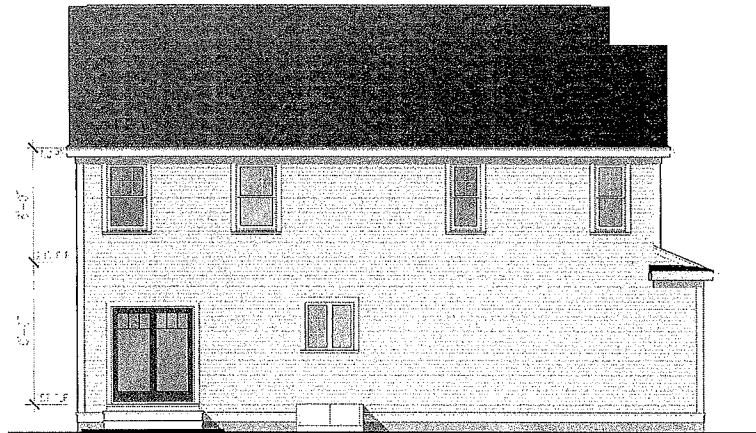
ELEVATIONS

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A2.1

Sheet 3 of 4

* When approved HPA will provide the drawings for Building Department



A REAR ELEVATION
1/4" = 1'



B RIGHT SIDE ELEVATION
1/4" = 1'

HPA

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Contact@HPADesign.com

DWD ENGINEERING, INC.
6 MICHAEL ROAD, S. BRIDGEWATER
Tel. (508) 578-2922
Fax. (508) 578-2922

CONSTRUCTION BY:

ISSUED FOR 2BA REVIEW

PROJECT #: 20210098

MAY 5, 2021

DRAWN BY: RWB

CHECKED BY: RWB/HPA

SCALE: SEE DRAWING

SHEET TITLE:

ELEVATIONS

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A2.2

Sheet 4 of 4



December 14, 2021

**Medway Planning & Economic Development Board
Meeting**

Evergreen Village

UPDATED

Field Changes

- 11-22-21 email request from developer Maria Varrichione re: light posts
- Excerpts from the endorsed Evergreen site plan re: site lighting
- 12-9-21 email request from developer Maria Varrichione re: fieldstone wall in front yard
- Excerpt from the endorsed Evergreen site plan showing the location of the front yard fieldstone wall

Performance Security

Maria's 12-9-21 email also requests that the PEDB approve a performance security amount and authorize occupancy permits at the 12-14-21 PEDB mtg. Tetra Tech will be on-site Thursday and/or Friday to inspect and prepare a punch list, but it is not yet clear whether all the required minimum site improvements and associated documentation will be completed for the Board to release units for occupancy, authorize building permits, and enter into a performance security agreement on 12-14-21. I believe it IS do-able for the Board to establish a performance security amount at Tuesday's meeting and then enter into a performance security agreement with Maria at the January 11th meeting and also authorize occupancy permits for the first set of 3 units and further unit construction of the second triplex building.

- **Tetra Tech punch list and bond estimate dated 12-14-21**

Susan Affleck-Childs

From: Maria Varrichione <dreamhomesmv@gmail.com>
Sent: Monday, November 22, 2021 2:48 PM
To: Susan Affleck-Childs
Subject: Lighting change

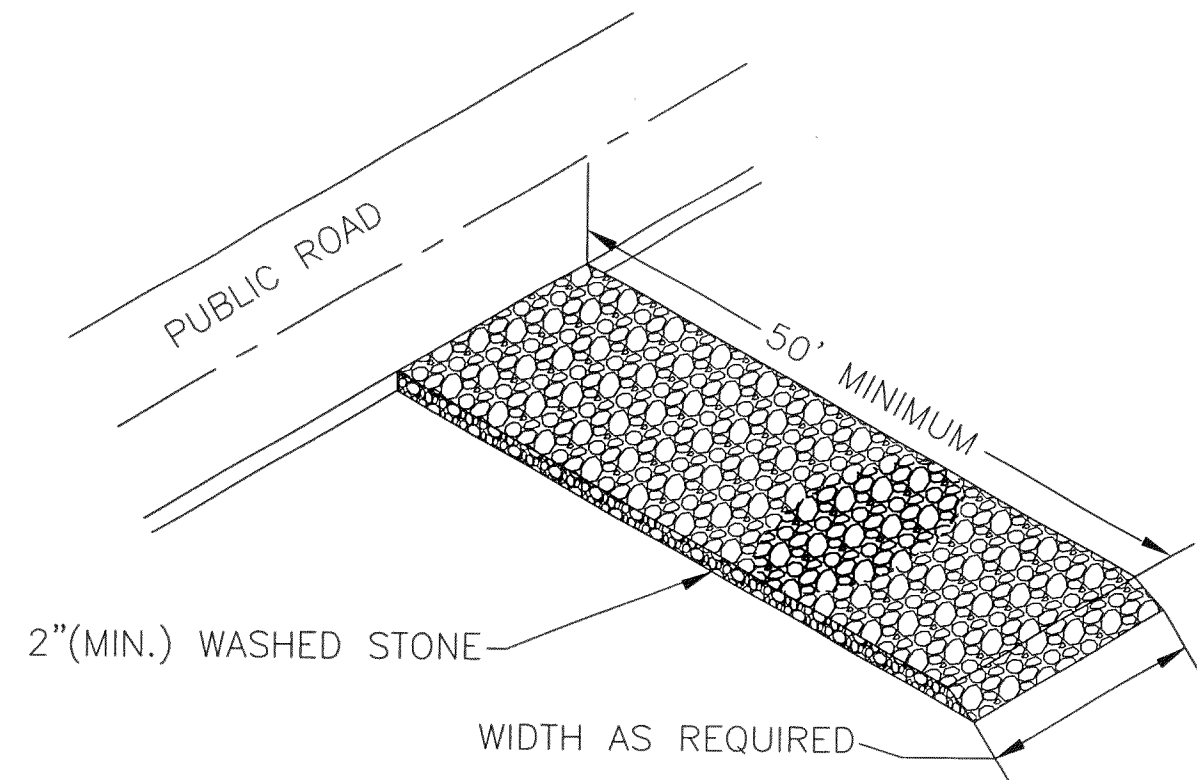
Suzy, After reviewing the light posts with the lighting expert at Fergusons, she indicated that the proposed post lights are for a commercial application and would be too bright given the lumens output. She indicated that type of light is typically seen on much taller posts for street lighting or parking lots. Given that there is a street pole light at entrance to subdivision and parking lights from abutting property as well as 2 lights over each garage door and the front door, any more lighting might be excessive.

The only other recommendation if the planning board wanted to keep the post lights would be to make them dark sky lights at the proposed location at the end of the walkway which is what is commonly used.

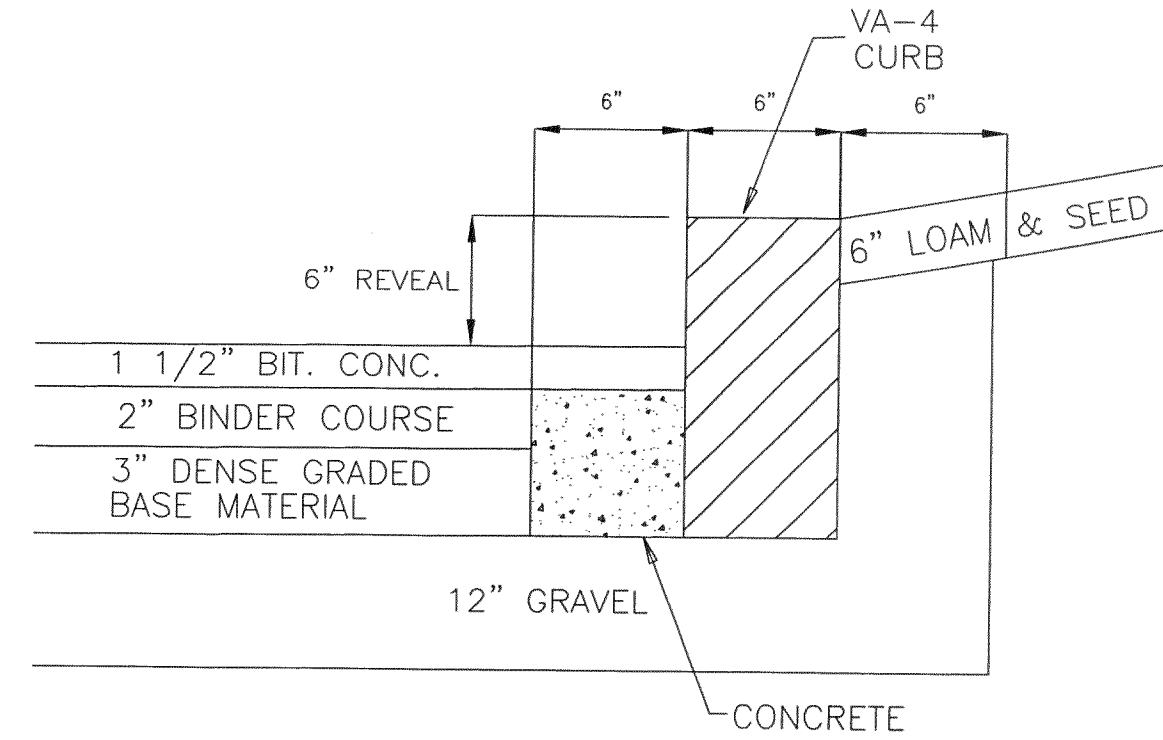
I would like to propose removing the light posts or at the very least modify them to residential post lights.

--

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

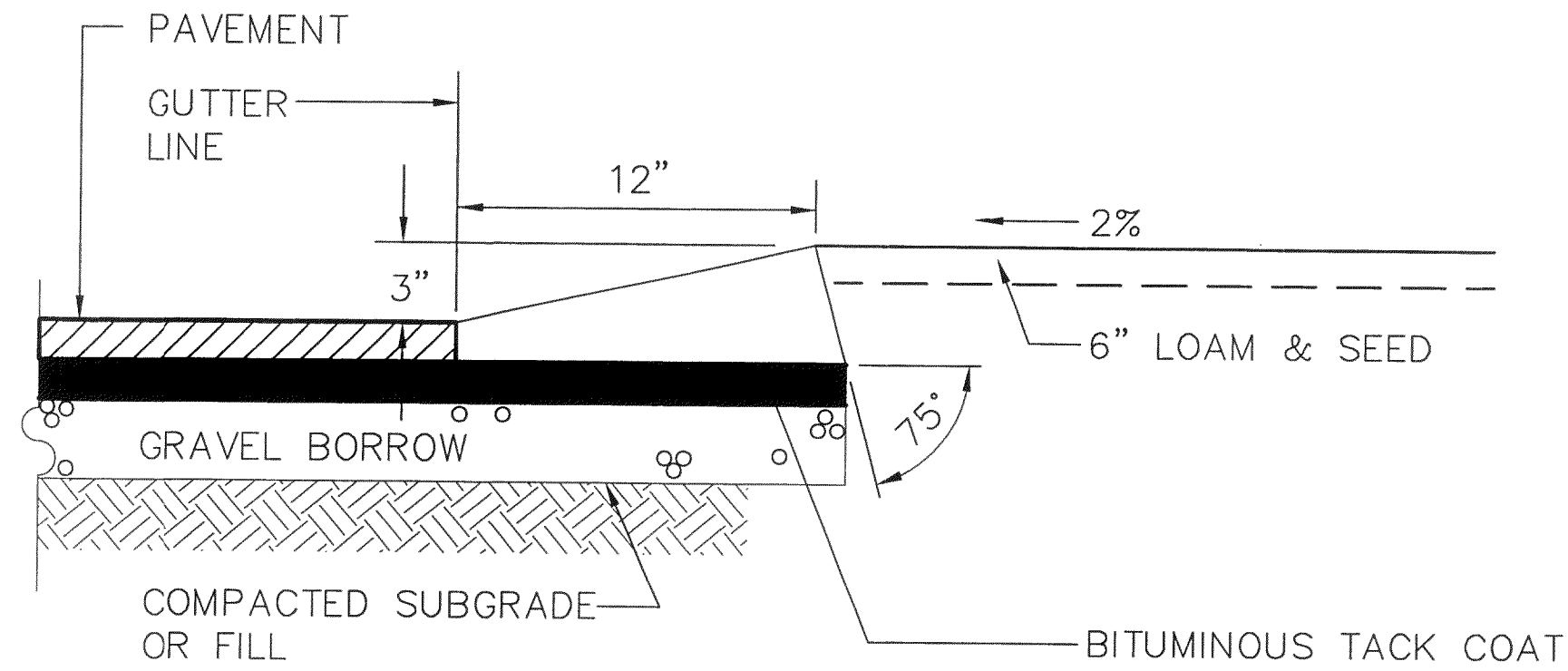


CONSTRUCTION ENTRANCE DETAIL
NOT TO SCALE

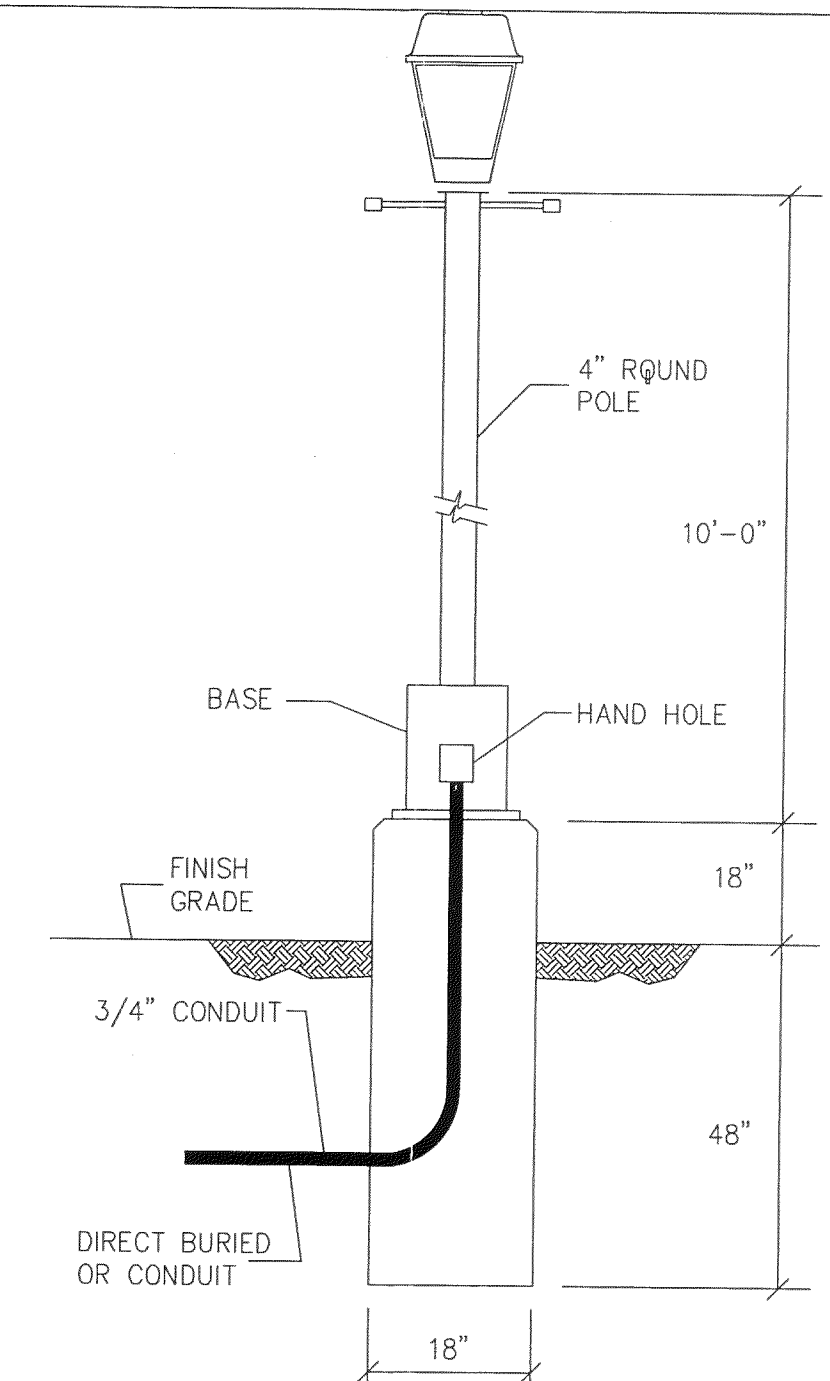


VERTICAL GRANITE CURB DETAIL
NOT TO SCALE

NOTE:
1. PLACE GRAVEL PRIOR TO SETTING OF EDGING.



CAPE COD BERM DETAIL
NOT TO SCALE

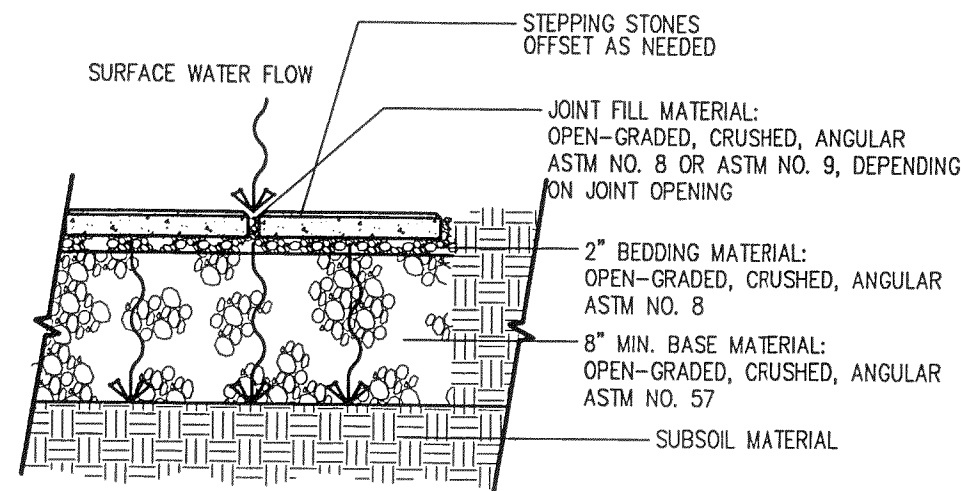


| TYPE | MOUNT | VOLT | LAMP | CATALOG # | MANUFACTURER |
|------|-------|------|------|-----------|--------------|
| II | POLE | 120 | 39W | 20LEDE10 | VALIANT |

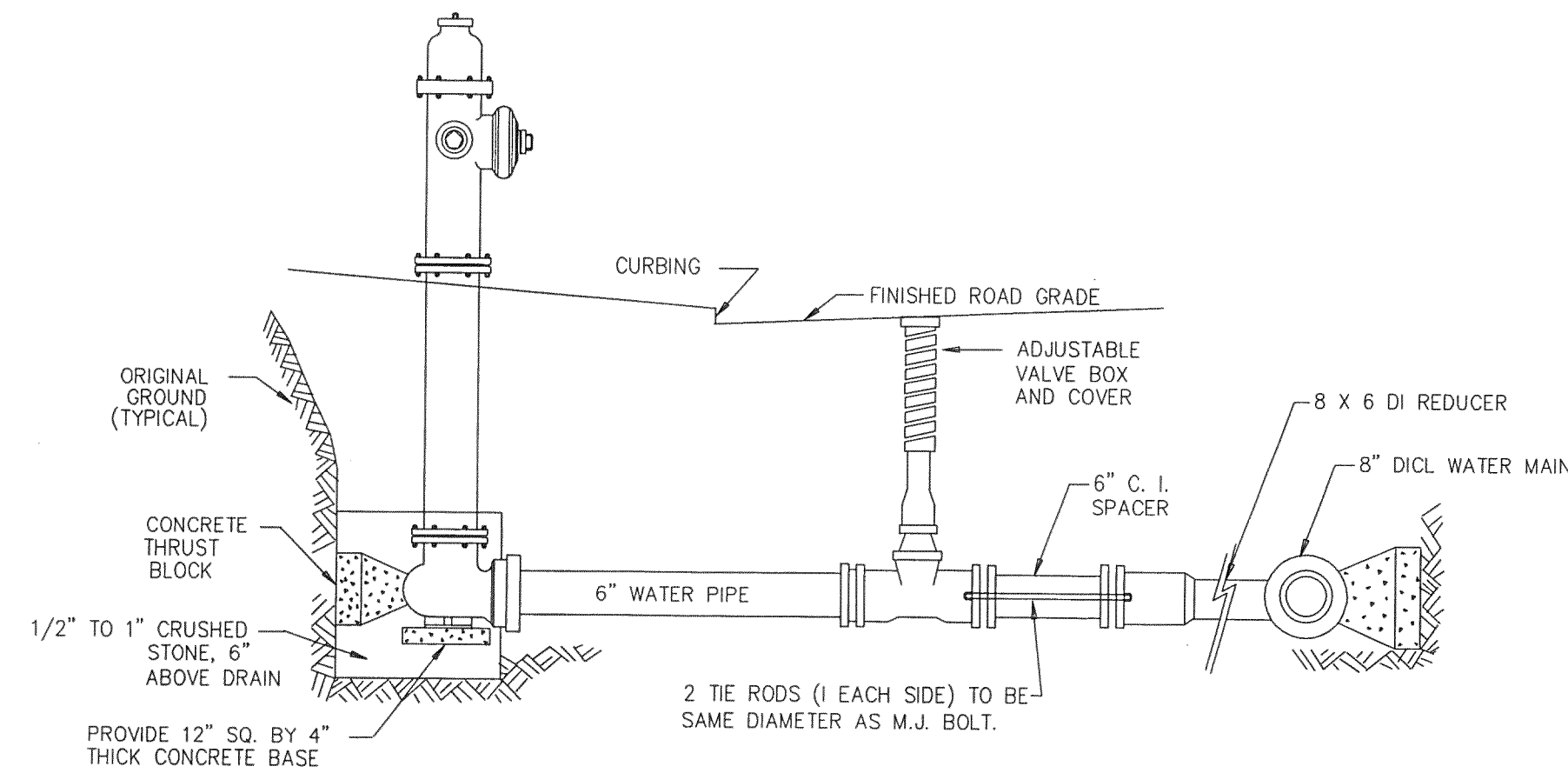
I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN CONFORMITY WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

DATE 9/28/20

RONALD TIBERI P.E.

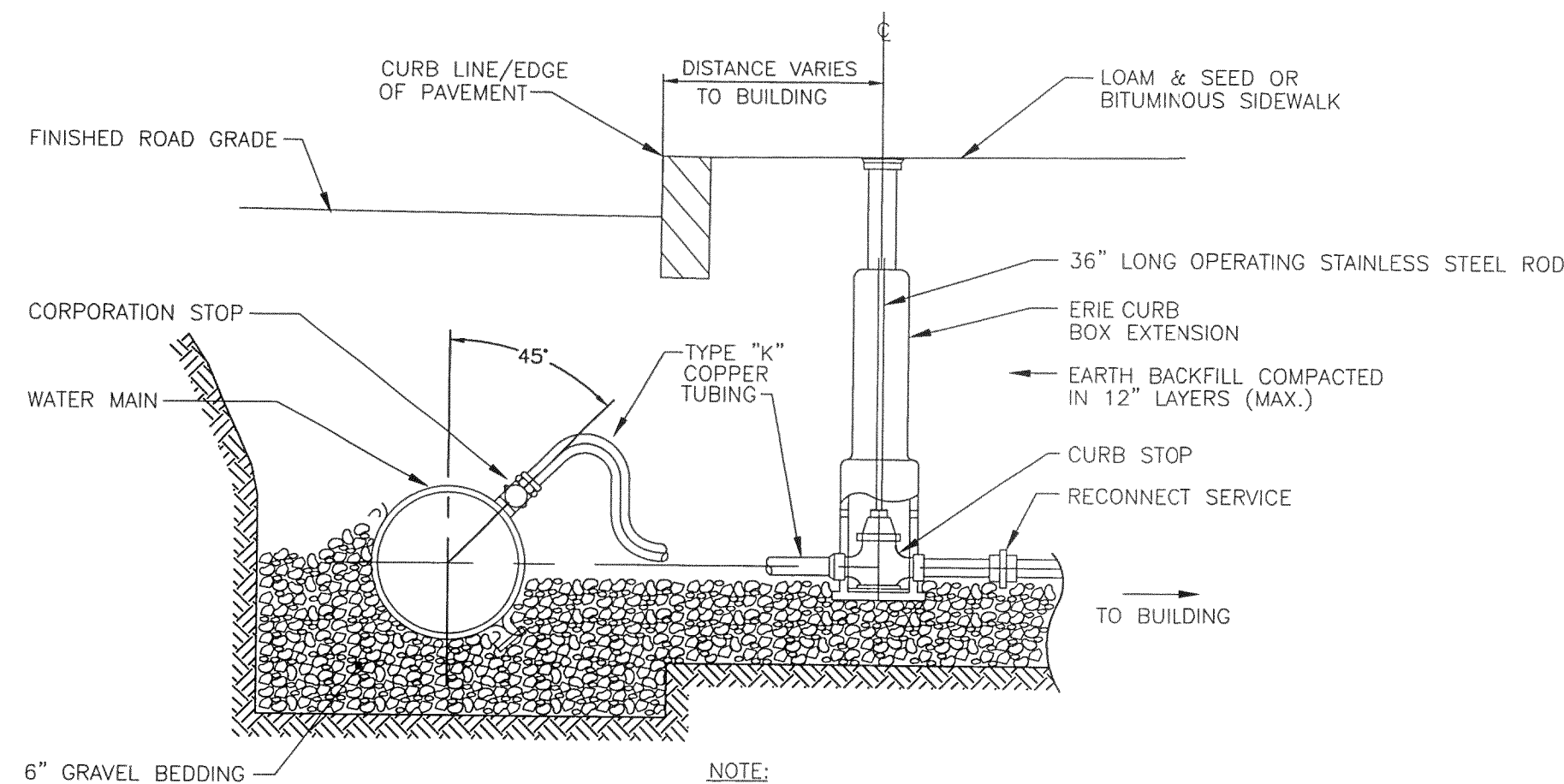


GARDEN PATH DETAIL
NOT TO SCALE



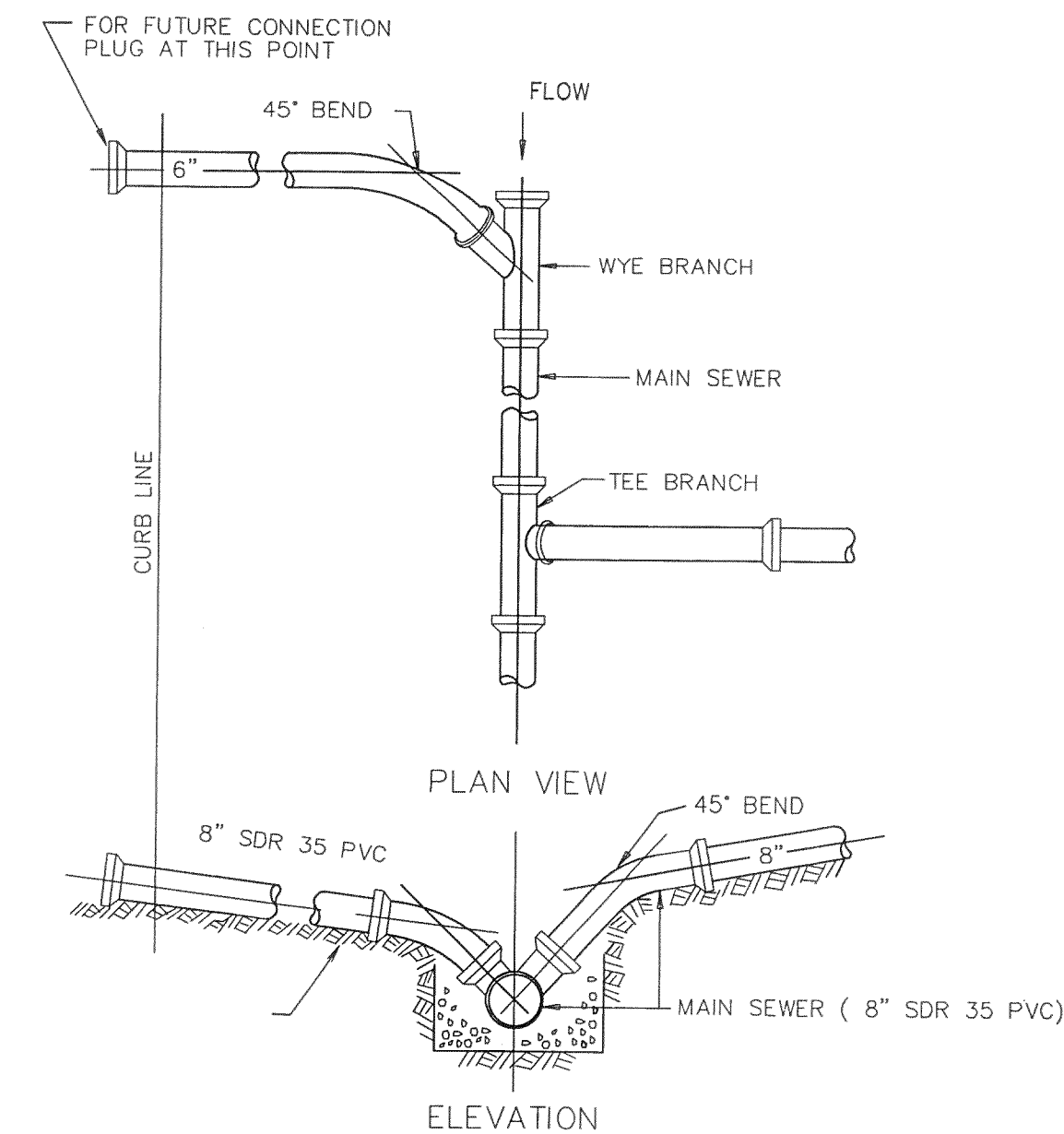
TYPICAL HYDRANT INSTALLATION
(NOT TO SCALE)

NOTES:
1. ONLY MUELLER, AMERICAN-DARLING B-62-B OR U.S. PIPE METROPOLITAN HYDRANTS CAN BE USED.
2. ALL WATER LINES WILL HAVE MEGA LUG OR EQUAL RESTRAINTS ON ALL UNRESTRAINED JOINTS.
3. TIE RODS TO BE USED IN PLACE OF TRUST BLOCK BLOCKS IN FILL AREAS OR WHERE EXISTING SOIL LACKS SUFFICIENT BEARING STRENGTH.

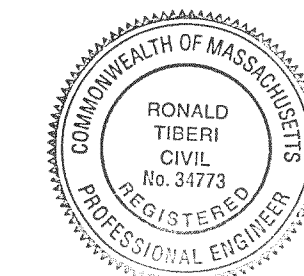


TYPICAL HOUSE SERVICE CONNECTION
(NOT TO SCALE)

NOTE:
1. ALL SERVICE CONNECTION FITTINGS SHALL BE BY THE MUELLER COMPANY.
2. ALL WORK AND MATERIALS SHALL CONFORM TO STANDARDS AND SPECIFICATIONS OF THE TOWN OF MEDWAY'S DEPARTMENT OF PUBLIC WORKS.



SEWER SERVICE CONNECTION DETAIL
NOT TO SCALE



FOR REGISTRY USE

| REVISIONS | | |
|-----------|------|-------------|
| No. | DATE | DESCRIPTION |
| | | |
| | | |

SITE DETAILS

EVERGREEN VILLAGE 22 EVERGREEN STREET

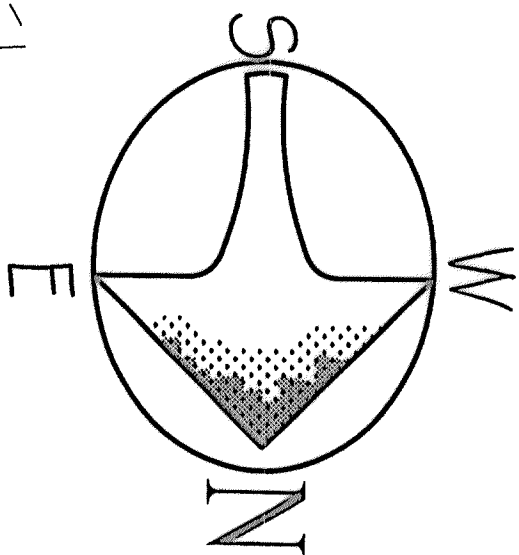
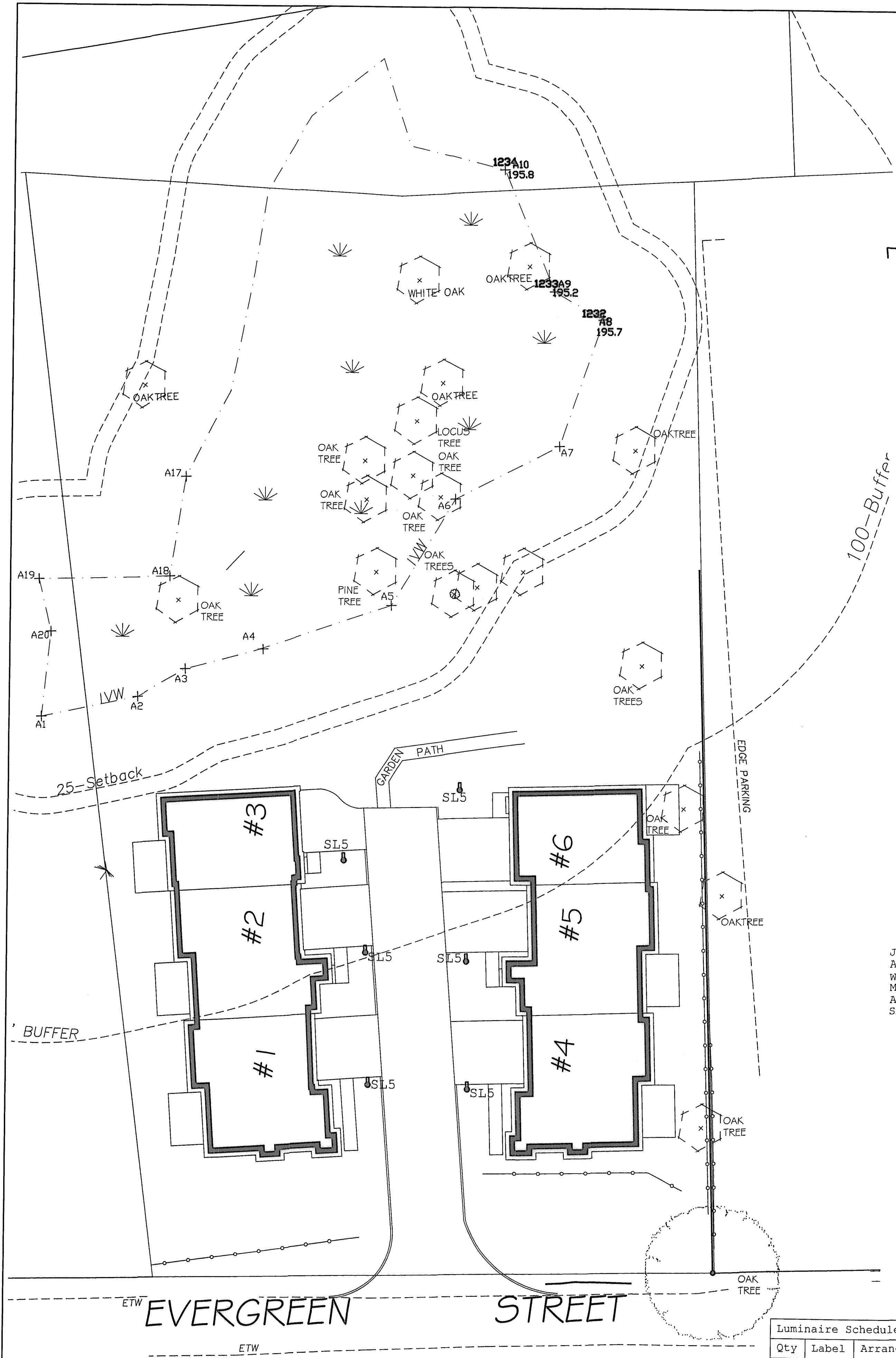
PREPARED FOR: SAMPSON POND LLC
P.O. Box 5
MEDWAY MA 02053

PREPARED By: RONALD TIBERI P.E.
9 MASSACHUSETTS AVE.
NATICK MA 01760

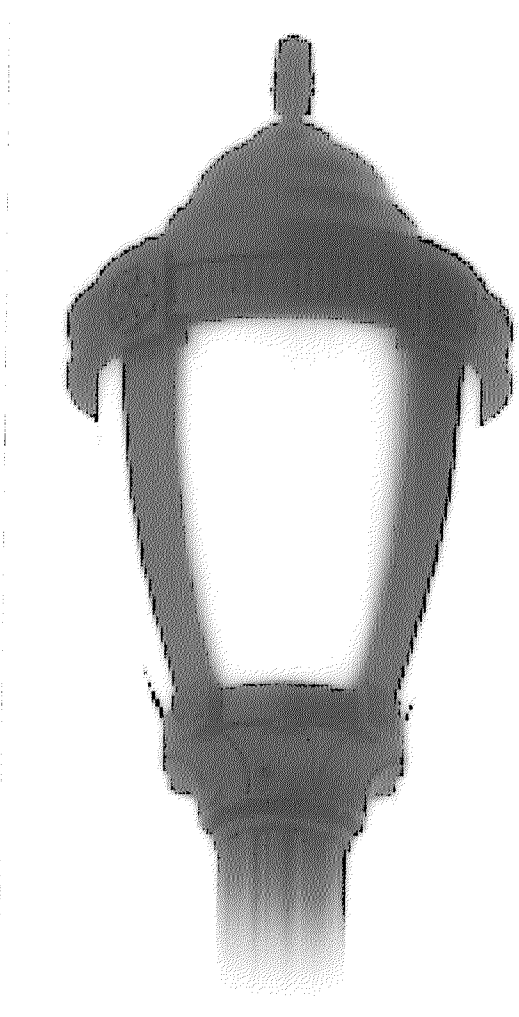
DRAWING SCALE: 1 inch = 20 feet

PROJECT NUMBER: 2616

DATE: NOV.2019



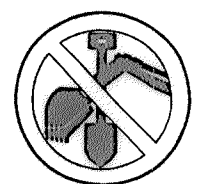
JOB NAME: EVERGREEN VILLAGE
APEX LIGHTING SOLUTIONS
WORKPLANE/CALC PLANE: AT FINISH GRADE
MOUNTING HEIGHT: SEE LUMINAIRE SCHEDULE
APPS: LRE
SALES: SS



PROPOSED STREET LIGHT

DIG SAFE NOTE:

UTILITIES ARE PLOTTED FROM FIELD LOCATION AND ANY RECORD INFORMATION AVAILABLE, AND SHOULD BE CONSIDERED APPROXIMATE. OTHER UTILITIES MAY EXIST WHICH ARE NOT EVIDENT OR FOR WHICH RECORD INFORMATION WAS NOT AVAILABLE. CONTRACTORS (IN ACCORDANCE WITH MASS.G.L. CHAPTER 82 SECTION 40 AS AMENDED) MUST CONTACT ALL UTILITY COMPANIES BEFORE EXCAVATING AND DRILLING. ALSO, CALL "DIG-SAFE" AT 1(888)344-7233 {1(888)DIG-SAFE}.



THE OFFSETS AS SHOWN ON THIS PLAN ARE NOT TO BE USED FOR THE ESTABLISHMENT OF PROPERTY LINES OR FOR THE ESTABLISHMENT OF ANY PROPOSED CONSTRUCTION UNLESS SAID CONSTRUCTION IS SHOWN HEREON.

THIS PLAN WAS PREPARED FOR THE EXCLUSIVE USE AND PURPOSE FOR THE PARTY STATED HEREON AND SHALL NOT BE USED BY ANY THIRD PARTY WITHOUT THE EXPRESSED WRITTEN PERMISSION OF RONALD TIBERI P.E.

CONSTRUCTION ON THIS LAND IS SUBJECT TO ANY EASEMENTS, RIGHTS-OF-WAY, RESTRICTIONS, RESERVATIONS, OR OTHER LIMITATIONS WHICH MAY BE REVEALED BY AN EXAMINATION OF THE TITLE.

I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN CONFORMANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS

Lawrence Greene
LAWRENCE GREENE, RLA#1561

04/23/20
DATE



dyh
dyh
8-11-2020

APPROVED BY PLANNING BOARD
DATE: April 7, 2020

REVISIONS

| No. | DATE | DESCRIPTION |
|-----|----------|---------------|
| 1. | 09/02/19 | Town comments |
| 2. | 11/04/19 | Town comments |
| 3. | 11/25/19 | Plan edits |
| 4. | 04/03/20 | Plan edits |

PROPOSED SITE
LIGHTING PLAN
IN
MEDWAY, MASSACHUSETTS

EVERGREEN VILLAGE
22 EVERGREEN STREET

PREPARED FOR: SAMPSON POND LLC
P.O. Box 5
MEDWAY MA 02053

PREPARED By: McCARTY ENGINEERING
42 JUNGLE ROAD
LEOMINSTER, MA 01453

DRAWING SCALE: 1 inch = 20 feet

PROJECT NUMBER: 2616

DATE: MARCH 14, 2019

| Luminaire Schedule | | | | | | | |
|--------------------|-------|-------------|--------|-------------|-------|------------|------------------------------------------------------------------------------------|
| Qty | Label | Arrangement | Lumens | Input Watts | LLF | BUG Rating | Description |
| 6 | SL5 | SINGLE | 2885 | 37.74 | 0.850 | B2-U3-G2 | HADCO TX132-G2-B-S-L-CAGE-FINIAL-FASTENER-FINISH-5-PHOTO-NA3 / MOUNTED TO 8FT POLE |

| Calculation Summary | | | | | | |
|---------------------|-------------|------|-----|-----|---------|---------|
| Label | Grid Height | Avg | Max | Min | Avg/Min | Max/Min |
| CalcPts_1 | 0 | 0.16 | 1.8 | 0.0 | N.A. | N.A. |
| DRIVE LANE | | 0.89 | 1.8 | 0.1 | 8.90 | 18.00 |

Vxvdq#Diiohfn0Fklogv

| | |
|----------|----------------------------------------------|
| Iurp= | P duld#dulfkqrh# gndp krp hvp yC jp dlfrrp A |
| Vhqw= | Z hgqhvqd /hfhnp ehuf/5354#35#SP |
| Wr= | Erxdn /whyhq#/xvdq#Diiohfn0Fklogv |
| Vxemhfw= | Sxqfkdw |

Hello, Wanted to let you know that things are moving right along at Phase 1 Evergreen. Pavement has been completed, and the gutters, downspouts and drainage should be done between tomorrow and Friday afternoon. Patios and walk ways will all be getting started Monday and should only be 2-3 days to complete. I most likely will need to have you do a punchlist as late as possible but... so that I am still able to have the bond hearing on the 14th. I have folks wanting to get in by the end of month but I can not get occupancy permits without the bond being posted and as you know, unfortunately the PEDB only holds one meeting in December. I have a check I will drop off by Friday for the sidewalk fund as well.

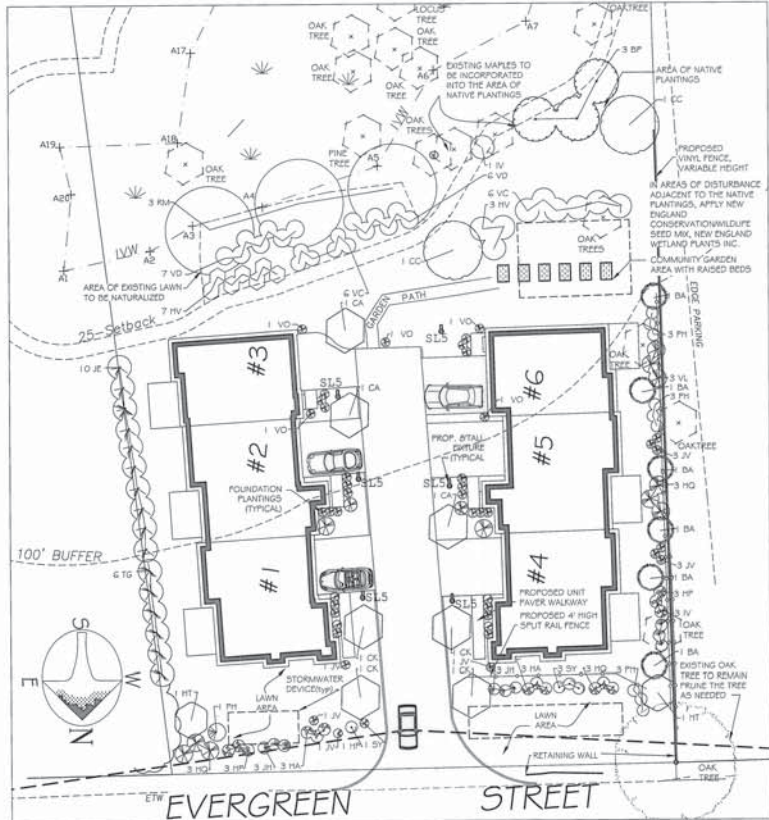
Also, not sure who I need to discuss the front stone wall with. Now that the grade has been reduced (per Officer Watson's request for sight line visibility) there really isn't as long an area where we can do much of a wall. We can start by the tree where the old wall is but then it tapers down pretty quickly to an area that is almost flat to the street right about where the transformer box is. I would like to review this with the right person before having the wall built. If we bring fill back in, it defeats the purpose of reducing the grade. Please advise.

--

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



Virus-free. www.avg.com



LANDSCAPING NOTES

1. NOTIFY THE STATE AT 1-888-DIG-SAFE AND LOCAL AUTHORITIES PRIOR TO ANY TYPE OF SITE PREPARATION OR CONSTRUCTION.
2. THE CONTRACTOR SHALL SUPPLY ALL PLANT MATERIAL AND MAINTAIN SUFFICIENT QUANTITIES TO COMPLETE PLANTINGS AS SHOWN ON THE DRAWINGS.
3. DRAWING QUANTITIES TAKE PRECEDENCE OVER PLANT LIST QUANTITIES.
4. ALL PLANT MATERIAL SHALL CONFORM TO THE GUIDELINES SET FORTH BY THE AMERICAN NURSERY & LANDSCAPE ASSOCIATION.
5. ALL TREES AND SHRUBS SHALL BE PLANTED WITH THE "BEST FACE" SHOWING. ALL PLANTS SHALL BE BALLED AND BURLAPPED OR CONTAINER GROWN, UNLESS OTHERWISE APPROVED BY THE LANDSCAPE ARCHITECT.
6. ALL CONTAINER GROWN STOCK SHALL BE HEALTHY, VIGOROUS, WELL ROOTED AND ESTABLISHED IN THE CONTAINER. IN WINTER THEY ARE GROWN IN A PROTECTIVE COVER OF GOOD QUALITY. NO APPARENT INJURY AND BE IN A HEALTHY GROWING CONDITION. A CONTAINER GROWN PLANT SHALL HAVE A WELL ESTABLISHED ROOT SYSTEM REACHING THE SIDES OF THE CONTAINER TO MAINTAIN A FIRM BALL. THE QUALITY OF ALL TREES & SHRUBS IS TO BE NORMAL FOR THE SPECIES. ALL PLANTS ARE TO HAVE DEVELOPED ROOT SYSTEMS, TO BE FREE OF INSECTS AND DISEASES AS WELL AS MECHANICAL INJURIES, AND ALL PLANTS ARE TO BE SUITABLE FOR PLANTINGS.
7. ALL CONIFERS SHALL HAVE DORMANT BUDS AND SECONDARY NEEDLES.
8. WHERE SPECIFIED, CALIPER SIZE IS TO BE THE OVERAGING FACTOR IN TREE SELECTION. CALIPER SIZE SHALL BE MEASURED 1.2" ABOVE THE ROOTBALL.
9. PLANT SUBSTITUTIONS ARE NOT ALLOWED UNLESS APPROVED BY THE PROJECT LANDSCAPE ARCHITECT.
10. ALL DISTURBED AREAS NOT SHOWN OTHERWISE SHALL BE LOADED AND SEEDED AND BLENDED INTO EXISTING GRADE AND CONDITIONS.
11. PRIOR TO INSTALLING ANY PLANT MATERIAL, THE CONTRACTOR SHALL SUBMIT A LDM soil sample FOR A ROUTINE, ORGANIC, SALTS, AND NITRATE SOIL TEST. UPON THE RESULTS OF THIS TEST, THE SITE CONTRACTOR SHALL AMEND THE LOAM AS RECOMMENDED. SEND THE SOIL SAMPLE TO THE UNIVERSITY OF MASSACHUSETTS SOIL AND PLANT TISSUE TESTING LABORATORY, WEST EXPERIMENT STATION, 685 NORTH FREETOWN ST., UNIVERSITY OF MASSACHUSETTS, AMHERST, MA 01003.
12. LAWN SEED MIX SHALL BE THE PREVIOUS YEARS CROP: 35% JEFFERSON KENTUCKY BLUEGRASS, 35% CARMEN CRIMSON FESCUE AND 30% STALLION PERENNIAL BREGASSA, OR APPROVED EQUAL, PLANT AT A RATE OF 1 LB. PER 150 SQUARE FEET.
13. SLOPE SEED MIX SHALL BE THE PREVIOUS YEARS CROP: PLANT AT A RATE OF 1 LB. PER 150 SQUARE FEET. SEED MIX SHALL BE STALLION PERENNIAL BREGASSA, 10% CREEPING RED FESCUE 50%, ANNUAL RYE GRASS 15%, JEFFERSON KENTUCKY BLUE GRASS 10%, RED TOP CLOVER 5%, AND LADINO CLOVER 5%, OR APPROVED EQUAL, PLANT AT A RATE OF 1 LB. PER 150 SQUARE FEET.
14. LAWN SEED AREAS SHALL NOT BE DEEMED ACCEPTABLE UNITS IN EXCESS OF 50% OF EACH AREA, INDEPENDENTLY, IS GERMINATED, GROWING AND DISPLAYING HEALTHY, UNIFORM GROWTH AND HAS BEEN CUT TWICE. THE SITE CONTRACTOR IS RESPONSIBLE FOR APPLYING AT A MINIMUM 1" OF WATER A WEEK UNTIL THE SEEDS ARE PLANTED. THE WATERING SHALL OCCUR IN SMALL DOSES. THE SITE CONTRACTOR IS RESPONSIBLE FOR REMOVING ANY WEEDS (GRASS GRASSES) WITHIN THE SEEDS AREAS UNTIL THE SEEDS ARE PLANTED.
15. THE HYDRO SEED SURFILL SHALL BE A WOOD BASED BONDED FIBER MATRIX. THE APPLICATION RATE SHALL BE 2.500-3.000 LB. PER ACRE SPREAD IN AT LEAST TWO DIRECTIONS. DO NOT APPLY HYDRO SEED SURFILL IF RAIN IS EXPECTED WITHIN 12 HOURS, AND WHEN TEMPERATURES ARE BELOW 50 DEGREES.
16. PRIOR TO PLANTING, THE LANDSCAPE SHALL REVIEW AND COORDINATE WITH THE SITE UTILITY PLAN AND GRADING PLAN.
17. THE ROOTS OF NEWLY PLANTED TREES AND SHRUBS MUST BE KEPT STEADILY MOIST, AS THE DEVELOPING ROOTS ESTABLISH IN THE NEW SOIL. AT PLANTING, WATER THOROUGHLY TO SOAK THE ROOTS AND TO SETTLE THE NEW SOIL AROUND THE ROOT BALL. THE AMOUNT OF SUPPLEMENTAL WATER NEEDED EACH WEEK DURING THE FIRST GROWING SEASON AFTER PLANTING DEPENDS ON RECENT RAINFALL, TEMPERATURE, AND WIND. IF LESS THAN ONE INCH OF RAIN HAS FALLEN OVER THE PAST FIVE TO SEVEN DAYS, THE NEW PLANTINGS MUST BE WATERED. LAWN, TREES, AND SHRUBS WATERING SHALL OCCUR AT A MINIMUM OF TWO (2) TIMES A DAY FOR THE FIRST TWO (2) MONTHS, ONCE IN THE EARLY MORNING AND THEN THE OTHER IN THE LATE AFTERNOON. IN GENERAL TEN GALLONS OF WATER APPLIED TWICE A WEEK WILL MET A 20-24" DEEP ROOT BALL AND PROVIDE THE EQUIVALENT OF ONE INCH OF RAIN FALL. NEW LAWN SHALL BE WATERED SO THAT IT RECEIVES AT A MINIMUM ONE INCH (1") OF WATER EVERY WEEK.
18. WITHIN THE LANDSCAPE BEDS ADJACENT TO THE BUILDING FOUNDATIONS, NO PHELOX, PINE, SPURLOCK, OR CEDAR MULCH OR OTHER COMBUSTIBLE LANDSCAPE MATERIALS SHALL BE INSTALLED WITHIN 1' OF THE FOUNDATION.
19. ALL LANDSCAPE BEDS SHALL RECEIVE THREE-INCHES OF DARK MULCH.
20. LANDSCAPE AREAS SHALL BE DEEP FILLED TO A DEPTH OF TWELVE INCHES TO FACILITATE DEEP WATER PENETRATION.
21. THE QUANTITIES OF THE FOUNDATION PLANTINGS ARE NOT LISTED WITHIN THE PLANTING SCHEDULE. FOUNDATION PLANTINGS FOR UNITS OUTSIDE THE 100' BUFFER AND WITHIN THE 100' BUFFER SHALL BE FROM THE RECOMMENDED LISTS BELOW.

GENERAL SITE NOTES

1. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO REVIEW ALL OF THE DRAWINGS AND SPECIFICATIONS ASSOCIATED WITH THIS PROJECT WORKSCOPE PRIOR TO THE INCEPTION OF CONSTRUCTION. SHOULD THE CONTRACTOR FIND A CONFLICT WITH THE DOCUMENTS, RELATIVE TO THE SPECIFICATIONS OR APPLICABLE CODES, IT IS THE CONTRACTOR'S RESPONSIBILITY TO NOTIFY THE PROJECT ENGINEER OF RECORD IN WRITING PRIOR TO THE START OF CONSTRUCTION. FAILURE BY THE CONTRACTOR TO NOTIFY THE PROJECT ENGINEER SHALL CONSTITUTE ACCEPTANCE OF FULL RESPONSIBILITY BY THE CONTRACTOR TO COMPLETE THE SCOPE OF WORK AS DEFINED BY THE DRAWINGS AND IN FULL CONFORMANCE WITH LOCAL REGULATIONS AND CODES.
2. ALL WORK SHALL CONFORM TO LOCAL, COMMONWEALTH OF MASSACHUSETTS, AND OSHA STANDARDS AND GUIDELINES.
3. LOCATION OF ALL EXISTING AND PROPOSED SERVICES ARE APPROXIMATE AND MUST BE CONFIRMED INDEPENDENTLY WITH LOCAL UTILITY COMPANIES PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION OR EXCAVATION. ALL UTILITY SERVICE CONNECTION POINTS SHALL BE CONFIRMED INDEPENDENTLY BY THE CONTRACTOR IN THE FIELD PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.
4. ALL UTILITY LOCATIONS ARE APPROXIMATE. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO LOCATE CONDUITS, PRODUCT PIPING, ETC. PRIOR TO COMMENCEMENT OF EXCAVATION OF ANY TYPE.
5. ALL EXCAVATED UNSUITABLE MATERIAL MUST BE TRANSPORTED TO AN APPROVED DISPOSAL LOCATION.
6. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO NOTIFY "DIG SAFE" (1-888-344-7233) 72 HOURS PRIOR TO ANY EXCAVATION ON THIS SITE. CONTRACTOR SHALL ALSO NOTIFY THE LOCAL DEPARTMENT OF PUBLIC WORKS TO MARK OUT THEIR UTILITIES.
7. THE LIMITS OF WORK SHALL BE CLEARLY MARKED IN THE FIELD PRIOR TO THE START OF CONSTRUCTION OR SITE CLEARING.
8. ALL CONCRETE AND BITUMINOUS PATCH AREAS TO MATCH EXISTING GRAD.
9. SOLID WASTE TO BE DISPOSED OF BY CONTRACTOR IN ACCORDANCE WITH ALL LOCAL, STATE, AND FEDERAL REGULATIONS.
10. CONTRACTOR IS RESPONSIBLE FOR ALL EXCAVATION TO BE PERFORMED IN ACCORDANCE WITH CURRENT STANDARDS, AS WELL AS ADDITIONAL PROVISIONS TO ASSURE STABILITY OF CONTIGUOUS STRUCTURES.
11. IN CASE OF DISCREPANCIES BETWEEN PLANS, THE SITE PLAN WILL SUPERCEDE IN ALL CASES. NOTIFY ENGINEER OF RECORD OF ANY CONFLICTS.

I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN CONFORMANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS.

Lawrence Greene, P.L.A.#1581

04/23/20
DATE



APPROVED BY PLANNING BOARD
DATE: April 7, 2020

APPROVED BY PLANNING BOARD
DATE: April 7, 2020



EVERGREEN TREE PLANTING

NOT TO SCALE

| Qty | Key | Common Name | Botanical Name | Size | Remarks |
|-------------------|-----|----------------------------|----------------------------------------|--------------------------|---------|
| 1 | BA | Balsam Fir | <i>Abies balsamea</i> | 8' Hl. B&B | |
| 3 | BP | Gray Birch | <i>Betula populifolia</i> | 8' Hl. B&B-Multi-stem | |
| 3 | CA | Pagoda Dogwood | <i>Cornus alternifolia</i> | 3' Cal. B&B | |
| 1 | CC | Hamamelis | <i>Hamamelis virginica</i> | 3' Cal. B&B | |
| 4 | CK | Cherokee Brave Dogwood | <i>Cornus florida 'Cherokee Brave'</i> | 3' Cal. B&B | |
| 3 | HT | Tartan Hydrangeas | <i>Hydrangea paniculata 'Tartan'</i> | 15' Cal. Container Green | |
| 3 | RM | Red Maple | <i>Acer rubrum</i> | 3' Cal. B&B | |
| 6 | TD | Tom Green Giant Arborvitae | <i>Thuja x pilata 'Green Giant'</i> | 6' Hl. B&B | |
| SHRUBS | | | | | |
| 9 | IV | Golden Hydrangeas | <i>Hydrangea serrulata</i> | 24" Hl. B&B | |
| 10 | IV | Common Wintercreeper | <i>Euonymus alatus</i> | 24" Hl. B&B | |
| 4 | IV | Winterberry | <i>Ilex verticillata</i> | 24" Hl. B&B | |
| 7 | HP | Golden Cup St. John's Wort | <i>Hypericum adpressum</i> | 24" Hl. B&B | |
| 10 | IV | Tortoise Shell | <i>Lamium maculatum</i> | 24" Hl. B&B | |
| 6 | JT | Creeper Juniper | <i>Juniperus horizontalis</i> | 24" Hl. B&B | |
| 4 | JV | Taylor Red Cedar | <i>Juniperus virginiana 'Taylor'</i> | 24" Hl. B&B | |
| 10 | IV | Common Wintercreeper | <i>Euonymus alatus 'Summerhays'</i> | 24" Hl. B&B | |
| 4 | JV | Blooming Lilac | <i>Syringa x 'Blosser'</i> | 24" Hl. B&B | |
| 12 | VO | Highbush Blueberry | <i>Vaccinium corymbosum</i> | 24" Hl. B&B | |
| 3 | VO | Highbush Blueberry | <i>Vaccinium corymbosum</i> | 24" Hl. B&B | |
| 3 | VI | Common Wintercreeper | <i>Euonymus alatus</i> | 24" Hl. B&B | |
| 3 | VO | Highbush Blueberry | <i>Vaccinium corymbosum</i> | 24" Hl. B&B | |
| PERENNIALS | | | | | |
| 6 | THA | Aureo Hakone Grass | <i>Hakonechloa macro 'Aureo'</i> | #3 Pot Container Green | |

DECIDUOUS TREE PLANTING

NOT TO SCALE

DIG SAFE NOTE:

UTILITIES ARE PLOTTED FROM FIELD LOCATION AND ANY RECORD INFORMATION AVAILABLE, AND SHOULD BE CONSIDERED APPROXIMATE. OTHER UTILITIES MAY EXIST WHICH ARE NOT EVIDENT OR FOR WHICH NO RECORD INFORMATION IS NOT AVAILABLE. CONTRACTORS (IN ACCORDANCE WITH MASS.G.L. CHAPTER 82 SECTION 40 AS AMENDED) MUST CONTACT ALL UTILITY COMPANIES BEFORE EXCAVATING AND DRILLING. ALSO, CALL "DIG-SAFE" AT (1-888)344-7233 (1-888)DIG-SAFE.

THE OFFSETS AS SHOWN ON THIS PLAN ARE NOT TO BE USED FOR THE ESTABLISHMENT OF PROPERTY LINES OR FOR THE ESTABLISHMENT OF ANY PROPOSED CONSTRUCTION UNLESS SAID CONSTRUCTION IS SHOWN HEREON.

THIS PLAN WAS PREPARED FOR THE EXCLUSIVE USE AND PURPOSE OF THE PARTY STATED AND SHALL NOT BE USED BY ANY THIRD PARTY WITHOUT THE EXPRESSED WRITTEN PERMISSION OF RONALD TREEM P.L.C.

CONSTRUCTION ON THIS LAND IS SUBJECT TO ANY EASEMENTS, RIGHTS-OF-WAY, OR OTHER RECORDS, OR OTHER LIMITATIONS WHICH MAY BE REVEALED BY AN EXAMINATION OF THE TITLE.

PREPARED FOR: SAMPSON POND LLC
P.O. Box 5
MEDWAY MA 02053

PREPARED BY: McCARTY ENGINEERING
42 JUNGLE ROAD
LEOMINSTER, MA 01453

DRAWING SCALE: 1 inch = 20 feet
PROJECT NUMBER: 2616
DATE: SEPTEMBER 2, 2019

L-1

PLANT SCHEDULE - RECOMMENDED FOUNDATION PLANTINGS FOR BUILDING UNITS OUTSIDE THE 100' WETLAND BUFFER

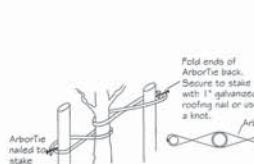
| | | |
|-----------------------------------|-------------------------------------------------|-------------|
| 'Buddled Midnight' Butterfly Bush | <i>Buddleia davidii 'Buddled Midnight'</i> | 36" Hl. B&B |
| 'Blue Chip' Butterfly Bush | <i>Buddleia davidii 'Blue Chip'</i> | 36" Hl. B&B |
| 'Dark Knight' Blueberry | <i>Corydalis x clematis 'Dark Knight'</i> | 36" Hl. B&B |
| 'Golden Moss' Hipsal Cypress | <i>Chamaecyparis abietis 'Golden Moss'</i> | 36" Hl. B&B |
| 'Hemlock' Colicarpa | <i>Colicarpa sp. 'Hemlock'</i> | 36" Hl. B&B |
| 'Ivory Halo' Dogwood | <i>Cornus alba 'Ivory Halo'</i> | 36" Hl. B&B |
| 'Gold Spine' Euonymus | <i>Euonymus fortunei 'Gold Spine'</i> | 36" Hl. B&B |
| 'Lady Stanley' Rose of Sharon | <i>Hibiscus syriacus 'Lady Stanley'</i> | 36" Hl. B&B |
| 'Little Quick Fire' Hydrangeas | <i>Hydrangea paniculata 'Little Quick Fire'</i> | 36" Hl. B&B |
| 'Lime-light' Hydrangeas | <i>Hydrangea paniculata 'Lime-light'</i> | 36" Hl. B&B |
| 'Sky Pencil' Holly | <i>Ilex crenata 'Sky Pencil'</i> | 36" Hl. B&B |
| 'Blushing Knock Out' Rose | <i>Rosa sp. 'Blushing Knock Out'</i> | 36" Hl. B&B |
| 'Little Prince' Spruce | <i>Salix japonica 'Little Prince'</i> | 36" Hl. B&B |
| 'Blue Muffin' Viburnum | <i>Viburnum dentatum 'Blue Muffin'</i> | 36" Hl. B&B |
| 'Shasta' Viburnum | <i>Viburnum plicatum toment. 'Shasta'</i> | 36" Hl. B&B |

PLANT SCHEDULE - RECOMMENDED FOUNDATION PLANTINGS FOR BUILDING UNITS WITHIN THE 100' WETLAND BUFFER

| | | |
|-------------------------|---------------------------------------------|--------------|
| Shadblow, service berry | <i>Amelanchier canadensis-shadblow stem</i> | 36" Hl. B&B |
| Sweet pepperbush | <i>Guthrie anisolia</i> | 36" Hl. B&B |
| Sweet fern | <i>Comptonia perigrina</i> | 24" Pot C.C. |
| Gray Dogwood | <i>Cornus racemosa</i> | 36" Hl. B&B |
| River Birch Dogwood | <i>Cornus sericea</i> | 36" Hl. B&B |
| Silky Dogwood | <i>Cornus amomum</i> | 36" Hl. B&B |
| Forthright | <i>Forthright major</i> | 36" Hl. B&B |
| Mountain aster | <i>Aster barbatula</i> | 36" Hl. B&B |
| Bacch plum | <i>Prunus maritima</i> | 36" Hl. B&B |
| Rosebay Rhododendron | <i>Rhododendron maximum</i> | 36" Hl. B&B |
| Camellia yew | <i>Toxus canadensis</i> | 36" Hl. B&B |
| Maple leaf viburnum | <i>Viburnum acerifolia</i> | 36" Hl. B&B |


SHRUB PLANTING

NOT TO SCALE



To: Susan Affleck-Childs – Medway Planning and Economic Development Board (PEDB) Coordinator

Cc: Peter Pelletier – Medway DPW Director
Bridget Graziano – Medway Conservation Agent
Maria Varrichione – Applicant

From: Steven M. Bouley, P.E. 
Bradley M. Picard, E.I.T.

Date: December 14, 2021

Subject: Evergreen Village Bond List

On December 9, 2021 at the request of the Medway PEDB, Tetra Tech (TT) conducted a punch list inspection of the Evergreen Village Project located at 22 Evergreen Street in Medway, MA. A Bond List and Estimate were generated of outstanding items which have not yet been completed, are deficient in quality or outstanding administrative items which remain to be submitted.

The inspection was conducted using the following documents:

- A plan (Plans) set titled "Evergreen Village, 22 Evergreen Street, Medway, Massachusetts", dated September 5, 2019, revised April 6, 2020, prepared by Ronald Tiberi, P.E.
- A Major Site Plan Decision (Decision) titled "Multi-Family Housing Special Permit and Major Site Plan Decision, Evergreen Village – 22 Evergreen Street" dated April 7, 2020.

Outstanding Minimum Infrastructure Items (Pursuant to Section VIII.N.a-g of the Project's Decision)

These items are not included in the bond estimate as they must be completed prior to implementation of bonding for the Project and subsequent authorization of an occupancy permit for units in the first triplex building (Units 4, 5, and 6).

1. Drainage system is not complete on-site. Outstanding drainage system components include the two catch basins at the end of Balsam Way (CB-1 and CB-2), all the drainage infrastructure and at-grade drainage components downstream of CB-1 and CB-2, and Stormwater Management System PR-1 with appurtenant roof drains. Catch basin grates shall be set to binder course elevation once installed. Gutters and downspouts with overflow devices at Units 4, 5, and 6 have not been installed.
2. Install regulatory signs as specified on the approved Plans.
3. Install stop line pavement markings on binder course.
4. Provide as-built information for the Drainage System for review. Can be provided in draft form to confirm critical elevations are consistent with the approved Plans. Full as-builts will be required at the completion of the Project.
5. Confirm with Medway DPW that provisions for fire prevention and protection have been installed and functional for Units 4, 5, and 6.

Items to be Completed

6. Install proposed curbing and edging along Balsam Way.
7. Finalize electrical conduit and wiring.
8. Adjust all drain and utility castings to finish elevation.
9. Install top course for Balsam Way and driveways.
10. Install privacy fence at the retaining wall behind Units 4, 5, and 6.
11. Install mail kiosk and mailbox enclosure.
12. Install landscaping, screening and loam and seed.
13. Install garden path at the end of Balsam Way.
14. Install proposed retaining wall between Stormwater Management System PR-2 and Evergreen Street. Due to Medway Safety Officer's concerns about sight line visibility, grades have been reduced in this area. The proposed

Infrastructure Northeast

Marlborough Technology Park, 100 Nickerson Road, Marlborough, MA 01752

Tel 508.786.2200 Fax 508.786.2201 tetratech.com

retaining wall would serve little purpose, other than for aesthetics, as current grades appear to gradually transition to Evergreen Street. The Applicant should coordinate with PEDB and Medway Design Review Committee (DRC) to determine if the proposed retaining wall should be constructed.

15. Install remaining signage and stop lines (top course).

Inspection/Maintenance

16. Provide snow plowing throughout the paved area of the Project. Assume one (1) year of plowing.
17. Perform street sweeping in the Spring and Fall. Assume one (1) year of street sweeping.
18. Clean stormwater infrastructure within the paved area. Assume one (1) cleaning of all catch basins and water quality units per year for one (1) year.
19. Clean infiltration system isolator row downstream of catch basins and water quality units. Assume one (1) cleaning for one (1) year.
20. Perform erosion control maintenance. Assume two (2) new silt sacks for each catch basin per year for one (1) year.
21. Remove erosion controls within limit of work as directed by Medway Conservation Commission.

Administrative

22. Provide documentation from the engineer of record that the subsurface infiltration basins have been constructed according to the endorsed Plans and whether they are functioning properly.
23. Provide as-built plans of the Project.

Regulatory Administrative (Other Boards/Commissions)

24. Install conservation markers. (Conservation Commission)

These comments are offered as guides for use during the Town's review. In addition to this list, we recommend the Applicant conduct their own evaluation of the site to ensure all items included on the approved documents are completed to the satisfaction of the engineer of record for the Project. If you have any questions or comments, please feel free to contact us at (508) 786-2200.

P:\21583\143-21583-20001 (PEDB EVERGREEN VILLAGE)\CONSTRUCTION\PUNCH LIST\BOND LIST_01_EVERGREEN VILLAGE_2021-12-14.DOC

**TETRA TECH**

**Bond Estimate
Evergreen Village
Medway, Massachusetts
December 14, 2021**

Marlborough Technology Park
100 Nickerson Road
Marlborough, MA 01752
Tel 508.786.2200 Fax 508.786.2201

| ITEM NO. | DESCRIPTION | QUANTITY | UNIT | UNIT COST ¹ | ENGINEERS ESTIMATE |
|----------|-------------------------------------------|----------|------|------------------------|--------------------|
| 001 | Mobilization (3% of Const. Cost) | 1 | LS | \$2,800.00 | \$2,800 |
| 002 | Granite Curb Type VA4 - Curved | 65 | FT | \$50.00 | \$3,250 |
| 003 | Granite Curb Type VA4 - Straight | 150 | FT | \$60.00 | \$9,000 |
| 004 | Adjust Drain Castings | 2 | EA | \$440.00 | \$880 |
| 005 | Adjust Water Gate Box | 1 | EA | \$250.00 | \$250 |
| 006 | Top Course | 30 | TON | \$120.00 | \$3,600 |
| 007 | Privacy Fence | 145 | FT | \$45.00 | \$6,525 |
| 008 | Garden Path | 1 | LS | \$2,500.00 | \$2,500 |
| 009 | Landscaping | 1 | LS | \$20,000.00 | \$20,000 |
| 010 | Electrical Conduit and Wiring | 1 | LS | \$10,000.00 | \$10,000 |
| 011 | Loam Borrow | 300 | CY | \$57.00 | \$17,100 |
| 012 | Seeding | 900 | SY | \$2.00 | \$1,800 |
| 013 | Jute Mesh for Stabilization | 100 | SY | \$6.00 | \$600 |
| 014 | Signage | 2 | EA | \$125.00 | \$250 |
| 015 | Striping | 1 | LS | \$1,000.00 | \$1,000 |
| 016 | Conservation Bounds | 6 | EA | \$600.00 | \$3,600 |
| 017 | Snow Plowing ² | 1 | LS | \$500.00 | \$500 |
| 018 | Street Sweeping ² | 1 | LS | \$500.00 | \$500 |
| 019 | Clean Catch Basins/WQ Units ² | 3 | EA | \$250.00 | \$750 |
| 020 | Maintain Infiltration System ² | 1 | LS | \$1,000.00 | \$1,000 |
| 021 | Maintain Silt Sacks ² | 4 | EA | \$150.00 | \$600 |
| 022 | Remove Erosion Controls | 1 | LS | \$2,500.00 | \$2,500 |
| 023 | Legal/Engineering Services | 1 | LS | \$6,000.00 | \$6,000 |
| 024 | As-Builts | 150 | LF | \$5.00 | \$750 |

Subtotal \$95,755
25% Contingency \$23,939
Total \$119,694

Notes:

¹Unit prices are taken from the latest information provided on the MassDOT website. They utilize the MassDOT weighted bid prices (Combined - All Districts) for the time period 8/2020 - 8/2021.

²This item will remain in the estimate until the Project is entirely complete and occupancy is granted to all units.



December 14, 2021

**Medway Planning & Economic Development Board
Meeting**

Harmony Village Field Change

- 12-6-21 field change request email from project engineer Drew Garvin with revised grading sketch

Susan Affleck-Childs

From: Bouley, Steven <Steven.Bouley@tetrattech.com>
Sent: Wednesday, December 8, 2021 1:31 PM
To: Drew Garvin
Cc: gary FELDMAN; Picard, Brad; Paradee, Tucker; Susan Affleck-Childs
Subject: RE: Harmony Village Construction
Attachments: HV parking layout.pdf

Hi Drew,

I have cc'd Susy to this message since a plan will need to be provided to memorialize these changes to the drainage and the wall.

Comments:

1. Does the wall now extend across the front of the parking spaces?
2. It appears there is almost a 2 foot rise in pavement grade from where the 232 contour hits the proposed wall to the 234 spot grade (assuming that the 234 is pavement grade). This is approximately 15% across those spaces which is not an ideal condition.

Steve

Steven M. Bouley, PE | Project Manager
Direct +1 (508) 786-2382 | Business +1 (508) 786-2200 | Fax +1 (508) 786-2201 | steven.bouley@tetrattech.com

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From: Drew Garvin <dgarvin@meridianassoc.com>
Sent: Tuesday, December 7, 2021 2:36 PM
To: Bouley, Steven <Steven.Bouley@tetrattech.com>
Cc: gary FELDMAN <superj90@verizon.net>; Picard, Brad <Brad.Picard@tetrattech.com>; Paradee, Tucker <TUCKER.PARADEE@tetrattech.com>
Subject: RE: Harmony Village Construction

⚠ CAUTION: This email originated from an external sender. Verify the source before opening links or attachments. **⚠**

Hi Steve,

We are proposing to adjust the proposed wall and grades for the two parking spaces behind unit 2 (see sketch attached). This will help ease the transition from unit 2 (and bulkhead) to the parking.

Let us know if you have any questions/issues.

Thanks,

Drew



Drew Garvin
EIT/ Senior Project Engineer
69 Milk Street, Suite 208, Westborough, MA 01581
Phone (508) 871-7030 x34 | Cell (978) 394-2376
www.meridianassoc.com | dgarvin@meridianassoc.com



Responsible Leadership for a Sustainable Future
Please consider the environment before printing this e-mail

From: Bouley, Steven <Steven.Bouley@tetrattech.com>
Sent: Monday, December 6, 2021 10:09 AM
To: Drew Garvin <dgarvin@meridianassoc.com>
Cc: gary FELDMAN <superj90@verizon.net>; Picard, Brad <Brad.Picard@tetrattech.com>; Paradee, Tucker <TUCKER.PARADEE@tetrattech.com>
Subject: RE: Harmony Village Construction

Thanks Drew, this is all set, please reflect the separate lines on the as-built.

Steven M. Bouley, PE | Project Manager
Direct +1 (508) 786-2382 | Business +1 (508) 786-2200 | Fax +1 (508) 786-2201 | steven.bouley@tetrattech.com

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From: Drew Garvin <dgarvin@meridianassoc.com>
Sent: Friday, December 3, 2021 11:21 AM
To: Bouley, Steven <Steven.Bouley@tetrattech.com>
Cc: gary FELDMAN <superj90@verizon.net>; Picard, Brad <Brad.Picard@tetrattech.com>; Paradee, Tucker <TUCKER.PARADEE@tetrattech.com>
Subject: RE: Harmony Village Construction

⚠ CAUTION: This email originated from an external sender. Verify the source before opening links or attachments. **⚠**

Hi Steve,
I have attached sketches for the roof drain pipe layouts for discussion along with our original sizing calc sheet. For the Quad, the original calcs assume only two 6" pipes for the entire roof (4 units). The contractor has broken it up into 4 separate 4" lines entering separately onto the chambers (DW-2). The 4" piping should be more than adequate based on this configuration.
Similarly for the front (existing) houses, the calcs assume one 6" pipe for both houses. This has been broken up into 3 separate 4" lines which should be more than adequate. A 6" pipe will be installed where the two lines meet and enter the chambers (DW-1) per the sketch (and original plan).
Please let us know if this is acceptable.
Thanks,
Drew



Drew Garvin
EIT/ Senior Project Engineer
69 Milk Street, Suite 208, Westborough, MA 01581
Phone (508) 871-7030 x34 | Cell (978) 394-2376
www.meridianassoc.com | dgarvin@meridianassoc.com



Responsible Leadership for a Sustainable Future
Please consider the environment before printing this e-mail

From: Bouley, Steven <Steven.Bouley@tetrattech.com>
Sent: Thursday, December 2, 2021 3:52 PM
To: Drew Garvin <dgarvin@meridianassoc.com>
Cc: gary FELDMAN <superj90@verizon.net>; Picard, Brad <Brad.Picard@tetrattech.com>; Paradee, Tucker <TUCKER.PARADEE@tetrattech.com>
Subject: Re: Harmony Village Construction

Hi Guys,

Tucker was out inspecting the roof drain piping today and noted the contractor used 4" pvc rather than the 6" that was proposed.

Drew, please confirm your design as it is another change to the approved plans and we want to ensure all roof drain piping has sufficient capacity, thanks.

Steve

Steven M. Bouley, P.E. | Project Manager | Tetra Tech
Direct +1 (508) 786-2382 | Business +1 (508) 786-2200 | steven.bouley@tetrattech.com

While we are operating remotely in response to COVID-19, Tetra Tech teams remain fully connected and hard at work servicing our clients and ongoing projects. We would also like to wish health and wellness to you and your family. This message, including any attachments, may include privileged, confidential and/or inside information. Any distribution or use of this communication by anyone other than the intended recipient is strictly prohibited and may be unlawful. If you are not the intended recipient, please notify the sender by replying to this message and then delete it from your system.

From: Drew Garvin <dgarvin@meridianassoc.com>
Sent: Wednesday, December 1, 2021 8:44:05 AM
To: Bouley, Steven <Steven.Bouley@tetrattech.com>
Cc: gary FELDMAN <superj90@verizon.net>; Picard, Brad <Brad.Picard@tetrattech.com>; Paradee, Tucker <TUCKER.PARADEE@tetrattech.com>
Subject: RE: Harmony Village Construction

⚠ CAUTION: This email originated from an external sender. Verify the source before opening links or attachments. **⚠**

Hi Steve,
After meeting with Phil this morning, the original SK works (only one 22 bend), there just will be approximately 8" of concrete left between the two cores in the 7/8 o'clock area (see revised SK attached).
This should not compromise the structure.
Let us know if this is acceptable.
Thanks,
Drew



Drew Garvin
EIT/ Senior Project Engineer
69 Milk Street, Suite 208, Westborough, MA 01581
Phone (508) 871-7030 x34 | Cell (978) 394-2376
www.meridianassoc.com | dgarvin@meridianassoc.com



Responsible Leadership for a Sustainable Future
Please consider the environment before printing this e-mail

From: Bouley, Steven <Steven.Bouley@tetrattech.com>
Sent: Tuesday, November 30, 2021 3:37 PM
To: Drew Garvin <dgarvin@meridianassoc.com>
Cc: gary FELDMAN <superj90@verizon.net>; Picard, Brad <Brad.Picard@tetrattech.com>; Paradee, Tucker <TUCKER.PARADEE@tetrattech.com>
Subject: RE: Harmony Village Construction

Hi Drew, why can't an additional manhole be installed so all runs are straight? I get that you're trying to save money but ultimately this is just another band aid.

Steven M. Bouley, PE | Project Manager
Direct +1 (508) 786-2382 | Business +1 (508) 786-2200 | Fax +1 (508) 786-2201 | steven.bouley@tetrattech.com

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From: Drew Garvin <dgarvin@meridianassoc.com>
Sent: Tuesday, November 30, 2021 12:34 PM
To: Bouley, Steven <Steven.Bouley@tetrattech.com>
Cc: gary FELDMAN <superj90@verizon.net>; Picard, Brad <Brad.Picard@tetrattech.com>; Paradee, Tucker <TUCKER.PARADEE@tetrattech.com>
Subject: RE: Harmony Village Construction

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Hi Steve,
After discussions with Brad today on site, the contractor (Phil George) has indicated that an additional elbow will likely be required (45) from DMH-2 to the CDS unit for the alignment to work properly and allow for enough concrete between O.D. of pipes. If needed, it will be located just beyond the structure to allow for access.
Let us know if this is acceptable. He is planning to install tomorrow morning.
Thanks,
Drew



Drew Garvin
EIT/ Senior Project Engineer
69 Milk Street, Suite 208, Westborough, MA 01581
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www.meridianassoc.com | dgarvin@meridianassoc.com



Responsible Leadership for a Sustainable Future
Please consider the environment before printing this e-mail

From: Bouley, Steven <Steven.Bouley@tetrattech.com>
Sent: Monday, November 29, 2021 11:21 AM
To: Drew Garvin <dgarvin@meridianassoc.com>
Cc: gary FELDMAN <superj90@verizon.net>; Picard, Brad <Brad.Picard@tetrattech.com>; Paradee, Tucker <TUCKER.PARADEE@tetrattech.com>
Subject: RE: Harmony Village Construction

We are ok with this change, please let us know when it will be installed.

Steven M. Bouley, PE | Project Manager
Direct +1 (508) 786-2382 | Business +1 (508) 786-2200 | Fax +1 (508) 786-2201 | steven.bouley@tetrattech.com

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From: Drew Garvin <dgarvin@meridianassoc.com>
Sent: Tuesday, November 23, 2021 4:29 PM
To: Bouley, Steven <Steven.Bouley@tetrattech.com>
Cc: gary FELDMAN <superj90@verizon.net>
Subject: RE: Harmony Village Construction

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Hi Steve,

I have attached a sketch for the revised DMH-2 structure.

The contractor has an uncured standard DMH (4' I.D.) that can be installed. There is not enough room for a 5' I.D. DMH in this location. I think the new DMH location and pipe inlets should work without compromising the structure (18" minimum between outside dia. of pipes). We are just proposing one 22.5 degree bend immediately before the CDS unit to allow for proper alignment.

Please review and let us know if acceptable. Feel free to call me on my cell to discuss.

Thanks,

Drew



Drew Garvin

EIT/ Senior Project Engineer

69 Milk Street, Suite 208, Westborough, MA 01581

Phone (508) 871-7030 x34 | Cell (978) 394-2376

www.meridianassoc.com | dgarvin@meridianassoc.com



Responsible Leadership for a Sustainable Future

Please consider the environment before printing this e-mail

From: Bouley, Steven <Steven.Bouley@tetrattech.com>

Sent: Monday, November 22, 2021 10:51 AM

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

Cc: gary FELDMAN <superj90@verizon.net>; Drew Garvin <dgarvin@meridianassoc.com>; Peter Pelletier <ppelletier@townofmedway.org>; Barry Smith <bsmith@townofmedway.org>; Jack Mee <jmee@townofmedway.org>; Jeff Lynch <ChiefLynch@townofmedway.org>; Mike Fasolino <mfasolino@townofmedway.org>; Picard, Brad <Brad.Picard@tetrattech.com>; Paradee, Tucker <TUCKER.PARADEE@tetrattech.com>

Subject: Harmony Village Construction

Hi,

Please see attached Inspection Reports.

We are currently in discussion with the Applicant's engineer regarding development of a mitigation plan for the drainage issues noted in Report 11, we expect a sketch of the plan to be provided soon.

Please let us know if you have any questions, thanks.

Steve

Steven M. Bouley, PE | Project Manager

Direct +1 (508) 786-2382 | Business +1 (508) 786-2200 | Fax +1 (508) 786-2201 | steven.bouley@tetrattech.com

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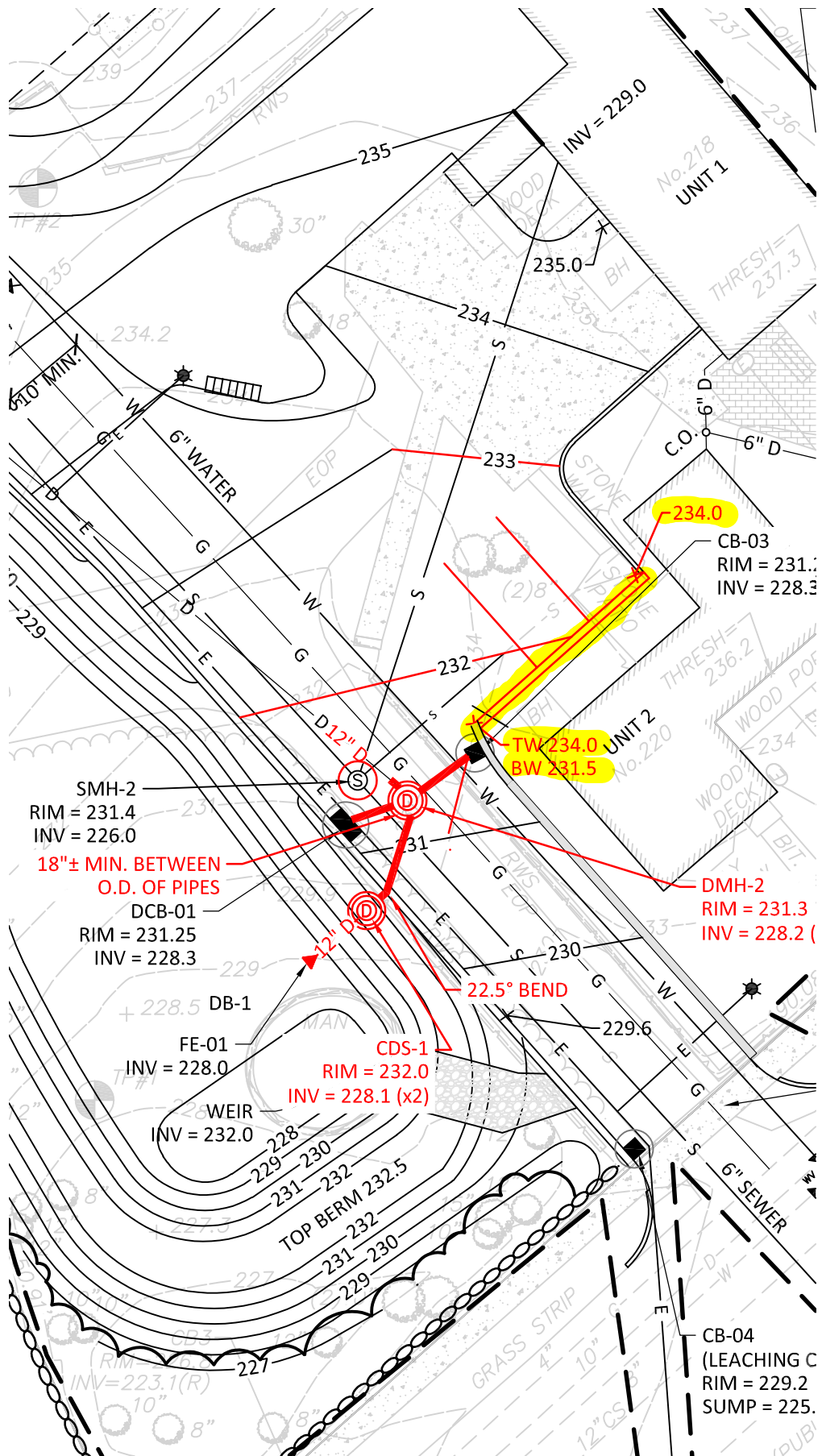
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TETRA TECH





December 14, 2021

**Medway Planning & Economic Development Board
Meeting**

**Medway DPW Water Quality Building
Tetra Tech Plan Review Fee Estimate**

- Tetra Tech estimate dated 12-8-21 for \$3,918



December 8, 2021

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

**Re: Peer Review Proposal
Medway Water Quality Treatment Plant
19 Populatic Street
Medway, Massachusetts**

Dear Ms. Affleck-Childs:

We are pleased to submit this Proposal to the Town of Medway Planning and Economic Development Board (the Client) for professional engineering services associated with the above-referenced Project (the Project). The objective of our services is to provide technical review and general assistance to the Board during its review of the above-referenced Project for compliance with the following Regulations and Standards:

- Town of Medway Planning & Economic Development Board Rules and Regulations, Chapter 200 – Site Plans, Rules & Regulations for Submission, Review and Approval of Site Plans (last Amended October 8, 2019)

The Plans and supporting documentation will also be reviewed for general site planning design and sound engineering practice. We have excluded from our scope, the review of the application package as it relates to Town of Medway Zoning Bylaws. Stormwater will be reviewed by the Medway Conservation Commission.

SCOPE OF SERVICES

The following specifically describes the Scope of Services to be completed:

Task 1 Design Review

- A. Review the permit Application, and supporting documentation, and incorporate comments into review letter in Item 2.C below.

- Budget Assumption: 1 hour @ \$167/hr = \$167
1 hour @ \$120/hr = \$120
Total = \$287

- B. Review one (1) set of proposed Plans against the above-mentioned Regulations and Bylaws and sound engineering practice and incorporate comments into review letter in Item 1.C below.

- Budget Assumption: 2 hours @ \$167/hr = \$334
4 hours @ \$120/hr = \$480
Total = \$814

- C. Prepare one (1) letter summarizing findings for presentation to the Town of Medway PEDB.

- Budget Assumption: 2 hours @ \$167/hr = \$334
4 hours @ \$120/hr = \$480
Total = \$814

- D. Coordinate with Applicant to address items in initial review letter and issue one (1) revised letter upon receipt of modifications. This task is limited to minor changes in the site plans which directly address comments from our initial review letter. Major changes to the Plans and/or Stormwater Report will require additional funds.

- Budget Assumption: 2 hours @ \$167/hr = \$334
4 hours @ \$120/hr = \$480
Total = \$814

Task 2 Meetings

- A. Participate in three (3) hearings/meetings with the Town of Medway PEDB by video conference, including preparation time for each meeting.
- Budget Assumption: $6 \text{ hours @ } \$167/\text{hr} = \$1,002$
Total = \$1,002

BUDGET

The fee for the work outlined in this proposal will be billed on a Time and Expenses basis according to Tetra Tech's and Medway's then current contract rates. Reimbursable expenses budget for execution of the tasks included in this scope of work are limited to mileage, field equipment, internal-use printing costs and hard-copy production of deliverables for submission and are billed at a fixed fee of five (5) percent of labor costs. We suggest that you establish a budget as summarized below, which will not be exceeded without your approval.

Please be advised that this estimate is for initial review of submitted materials, is based on our current understanding of the Project needs and is for budget purposes only. The total actual cost of our services will largely depend on the number and complexity of revisions and resubmittals, quality and completeness of the information submitted by the applicant and the depth to which specific issues are explored. Cost for each task is based on a comparison with other similarly sized projects we have reviewed. Please be advised, additional funding will be required if additional or revised materials are submitted, if additional subject areas require review or additional coordination is required beyond what is specifically described above.

The breakdown of this fee by task is as follows:

| Task | Task Description | Budget |
|--------|-----------------------|----------------|
| Task 1 | Design Review | \$2,729 |
| Task 2 | Meetings | \$1,002 |
| | Labor Subtotal | \$3,731 |
| | Expenses (5%) | \$187 |
| | Total | \$3,918 |

SCHEDULE AND CONDITIONS

We recognize that timely performance of these services is an important element of this proposal and will put forth our best effort, consistent with accepted professional practices to complete the work described within the Client's schedule. We are not responsible for delays in performance caused by circumstances beyond our control or that could not have been anticipated or prevented.

To signify your acceptance of this Agreement, please sign and return one copy and the retainer to us along with the attachments. When signed by representatives of both parties, this Proposal will become an agreement between Tetra Tech, Inc. (ENGINEER) and Town of Medway (CLIENT). The Agreement is subject to the existing contract Terms and Conditions between the Engineer and Client. The price is valid for 60 days from the date of this letter.

We appreciate the opportunity to provide these services, and we look forward to working with you. Please contact us if you have any questions or require additional information.

Very truly yours,



Steven M. Bouley, P.E.
Project Manager



Sean P. Reardon, P.E.
Vice President

Certified by:

Authorized Representative
Town of Medway

Date



December 14, 2021

**Medway Planning & Economic Development Board
Meeting**

Medway Place

**Tetra Tech Construction Observation
Fee Estimate**

- Tetra Tech estimate dated 12-8-21 for \$10,343

**TETRA TECH**

**Medway Plaza
Construction Administration Budget
December 8, 2021**

| Item No. ¹ | Inspection | Visits | Hrs/Inspection ² | Rate | Total |
|-----------------------|--------------------------------------------|--------|-----------------------------|-------|-----------------|
| 1 | Pre-Construction Meeting | 1 | 4 | \$167 | \$668 |
| 2 | Erosion Control Inspections (Project Term) | 6 | 2 | \$120 | \$1,440 |
| 3 | Gravel (Full-Depth Paving Areas) | 1 | 4 | \$120 | \$480 |
| 4 | Drainage Infrastructure | 3 | 5 | \$120 | \$1,800 |
| 5 | Binder Course Paving | 1 | 6 | \$120 | \$720 |
| 6 | Curb Installation | 1 | 4 | \$120 | \$480 |
| 7 | Top Course Paving | 1 | 6 | \$120 | \$720 |
| 8 | Landscaping/Fencing | 1 | 6 | \$120 | \$720 |
| 9 | Signage/Striping | 1 | 4 | \$120 | \$480 |
| 10 | Punch List Inspections ³ | 2 | 4 | \$120 | \$960 |
| 11 | As-Built Review | 1 | 4 | \$167 | \$668 |
| 12 | Meetings | 6 | 0.5 | \$167 | \$501 |
| 13 | Admin | 1 | 3 | \$71 | \$213 |
| | Subtotal | | | | \$9,850 |
| | Expenses | | | 5.0% | \$493 |
| | TOTAL | | | | \$10,343 |

Notes:

¹ Each item includes site visit, inspection and written report and is based on current TT/Medway negotiated rates through June 2022.

² If installation schedule is longer than that assumed by engineer for any item above, or if additional inspections are required due to issues with the contract work, additional compensation will be required.

³ Punch List Inspections include a substantial completion inspection and Punch List memo provided to the town. It also includes one (1) final inspection to verify that comments from the list have been addressed and one (1) revision to the list if required.

Date Approved by Medway PEDB _____

Certified by: _____ **Date** _____
Authorized Representative
Town of Medway



December 14, 2021

**Medway Planning & Economic Development Board
Meeting**

Medway Mill Field Change

- 12-6-21 field change request email from developer John Greene re: grading with Tetra Tech response
- Guerriere and Halnon Grading Sketch dated 12-6-21

Susan Affleck-Childs

From: Bouley, Steven <Steven.Bouley@tetrattech.com>
Sent: Tuesday, December 7, 2021 9:04 AM
To: John Greene; Peter McCarthy
Cc: MHassett@gandhengineering.com; Susan Affleck-Childs
Subject: RE: Grade Change Medway Mill
Attachments: F3519-Medway Mills Parking Grading Sketch 12-6-21.pdf

Hi John,

I previously stated I had no issues with the proposed change, the sketch is for the record. I do have one comment related to the walkway and the proposed 3:1 slope of that walkway immediately adjacent to the parking area, I don't imagine that will be easily traversed by people using the walkway so will need some additional grading in that area. I have also CC'd Susy to this message to keep her updated on the change.

Susy, the applicant wants to change the grading of the parking area so the transition grades are smoother for the project, I have no issues with the proposed change but wanted them to create a sketch to memorialize the change for the record, please see attached sketch. This drops the lot about a foot at the high end so it will certainly help with screening of the lot from the adjacent residences.



Please let me know if anyone has any questions. I will be in training this morning but will be available again this afternoon, thanks.

Steve

Steven M. Bouley, PE | Project Manager
Direct +1 (508) 786-2382 | Business +1 (508) 786-2200 | Fax +1 (508) 786-2201 | steven.bouley@tetrattech.com

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From: John Greene <johnjgreene1@gmail.com>
Sent: Monday, December 6, 2021 4:18 PM
To: Bouley, Steven <Steven.Bouley@tetrattech.com>; Peter McCarthy <Mccarthybros@hotmail.com>
Subject: Grade Change Medway Mill

 **CAUTION:** This email originated from an external sender. Verify the source before opening links or attachments. 

Good afternoon Steven,
Asking if you had a chance to review the grade change sketch from G and H re Medway Mills...
The site guy would like to grade tomorrow if possible.
Any help would be appreciated.
Best regards,
J Greene Medway Mills

John J. Greene
President

NRG Concepts

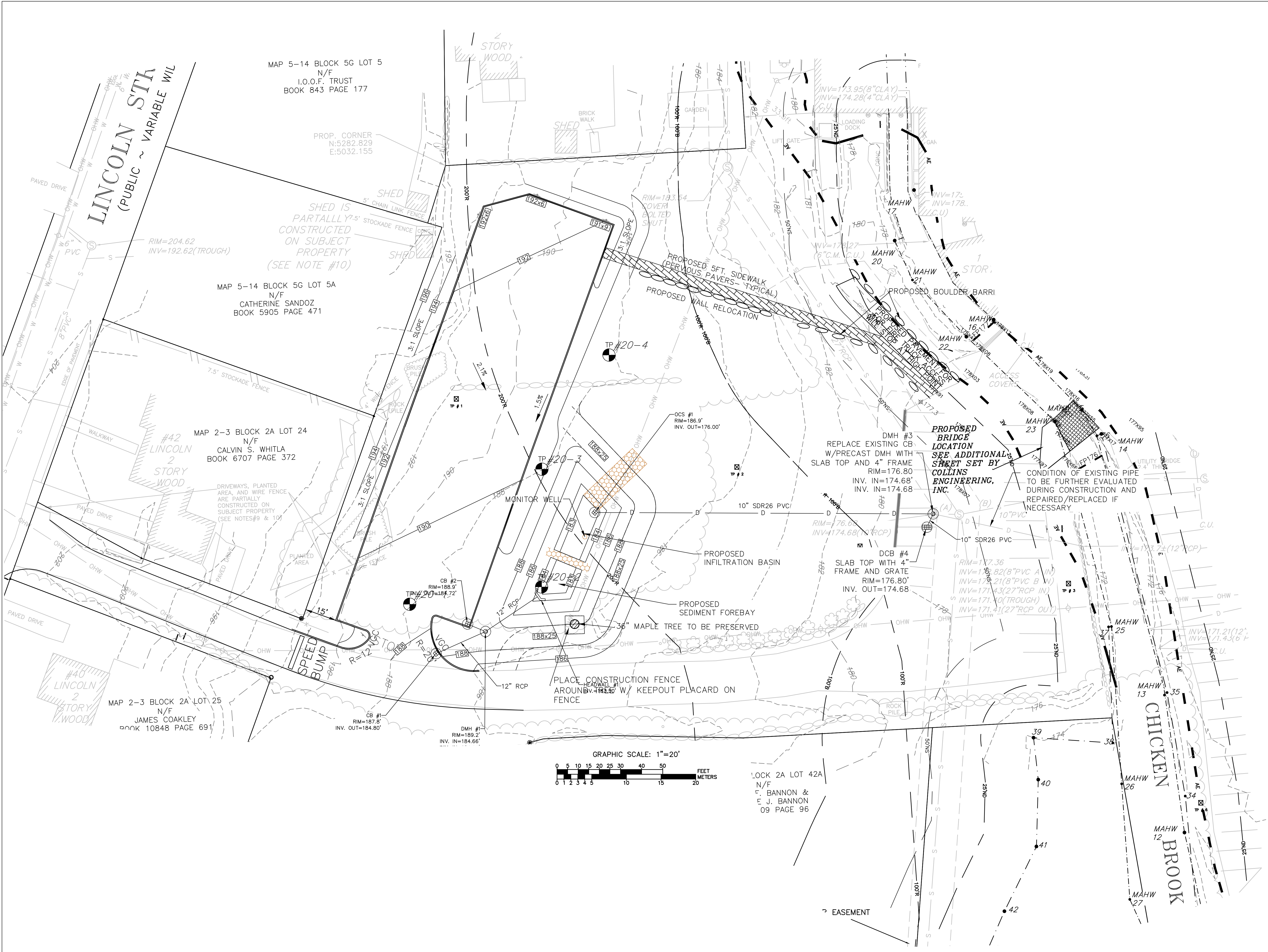
**165 Main St., Suite 307
Medway, MA 02053**

Phone: 508-367-8745

Email: johnjgreene1@gmail.com



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APPROVED DATE:

MEDWAY PLANNING BOARD

BEING A MAJORITY

ENDORSEMENT DATE

UTILITIES ARE PLOTTED AS A COMPILATION OF RECORD DOCUMENTS, MARKINGS AND OTHER OBSERVED EVIDENCE TO DEVELOP A VIEW OF THE UNDERGROUND UTILITIES AND SHOULD BE CONSIDERED APPROXIMATE. DURING EXCAVATION, THE EXACT LOCATION OF UNDERGROUND FEATURES CANNOT BE ACCURATELY, COMPLETELY, AND RELIABLY DEPICTED. ADDITIONAL UTILITIES, NOT EVIDENCED BY RECORD DOCUMENTS OR OBSERVED PHYSICAL EVIDENCE, MAY EXIST. CONTRACTORS (IN ACCORDANCE WITH MASS.G.L. CHAPTER 82 SECTION 40 AS AMENDED) MUST CONTACT ALL UTILITY COMPANIES BEFORE EXCAVATING AND DRILLING AND CALL DIGSAFE AT 1(888)DIG-SAFE[7233].

CONSTRUCTION ON THIS LAND IS SUBJECT TO ANY EASEMENTS, RIGHTS-OF-WAY, RESTRICTIONS, RESERVATIONS, OR OTHER LIMITATIONS WHICH MAY BE REVEALED BY AN EXAMINATION OF THE TITLE.

OWNER

165 MAIN STREET REALTY TRUST
JOHN J. GREENE TRUSTEE
165 MAIN STREET
SUITE 307
MEDWAY, MA

DEED BOOK 24499 PAGE 10
A.M. 48 LOT 092

APPLICANT

NRG CONCEPTS, INC.
165 MAIN STREET
SUITE 307
MEDWAY, MA. 02053

MEDWAY MILL
163-165 MAIN STREET
MEDWAY
MASSACHUSETTS

GRADING SKETCH

DECEMBER 6, 2021

| DATE | REVISION DESCRIPTION |
|---------|----------------------|
| | |
| | |
| | |
| | |
| 7/30/21 | PER TOWN COMMENTS |

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ENGINEERING & LAND SURVEYING
55 WEST CENTRAL ST. PH. (508) 528-3221
FRANKLIN, MA 02038 FX. (508) 528-7921
www.gandhengineering.com

SHEET
1 OF 1

JOB NO.
F3519



December 14, 2021
Medway Planning & Economic Development Board
Meeting

May 2022 Town Meeting
Discussion of Warrant Article Ideas

- List of ideas from Barbara Saint Andre (12-6-21)
- Draft Housekeeping article (12-6-21 bjs)
- Draft Housing Choice article (12-6-21 bjs)
- List of ideas from Susy Affleck-Childs (12-6-21)
- UPDATED Master List of Zoning Ideas (12-10-21)

I expect warrant article submittals will be due in mid-February so it is not too early to discuss this! Town Meeting is Monday, May 9, 2022.

Potential Town Meeting zoning amendments for 2022 ATM (bjs)
12-6-21

1. Housekeeping – Flood plain
2. Multi-family overlay to comply with Housing Choice legislation
3. Solar installations – If pending SJC case requires adjustments
4. Sign Bylaw – need to re-activate – not for 2022 ATM
5. Should other issues wait for MP and HPP to finish (e.g., cottage cluster, multi-family housing, common driveways, in-fill lots, new zoning districts)

2022 Annual Town Meeting
Housekeeping
Draft 12-6-21 (bjs)

Article ____

To see if the Town will vote to amend the Zoning Bylaw, Flood Plain District, Section 5.6.1.E.3 as follows (words added in **bold**)

In Zones AI-30 and AE, along watercourses that have a regulatory floodway designated on the Town's FIRM, encroachments are prohibited in the regulatory floodway **unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment** would **not** result in any increase in flood levels within the community during the occurrence of the base flood discharge.

or act in any manner related thereto.

2022 Annual Town Meeting
HOUSING CHOICE
Draft 12-6-21 (bjs)

Article ____

To see if the Town will vote to amend the Zoning Bylaw by establishing a new zoning overlay district, entitled “Housing Choice Zoning Overlay District”, as follows:

Amend Section 4.1.C to add “Housing Choice Zoning Overlay District”

Amend the zoning map to place the properties at 33 and 39 Main Street in the Housing Choice Zoning Overlay District.

Insert a new Section 5.6.5 Housing Choice Zoning Overlay District:

5.6.5 HOUSING CHOICE ZONING OVERLAY DISTRICT

A. The purpose of the Housing Choice Zoning Overlay District (HCZOD) is to comply with the requirements of G.L. c. 40A, §3A and applicable state regulations promulgated thereunder, and to provide for multi-family housing as of right.

B. All land in the HCZOD shall be subject to all of the requirements of the applicable underlying zoning district, with the following exceptions:

1. Land in the HCZOD may be used for multi-family housing as of right, subject to major site plan review under Section 3.5. Such multi-family housing shall be without age restrictions and suitable for families with children.

2. The maximum gross density for development of multi-family housing in the MZOD shall be 15 dwelling units per acre.

or act in any manner related thereto.

May 2022 Town Meeting Articles – Ideas Sac – 12-6-21

ZONING

1. BESS stuff . . .
2. Site Plan
 - define “development project” (this may be more of a rules/regs matter)
 - address issue of standards for site improvement/changes at existing developments vs. new developments (this may be more of a rules/regs matter)
 - outdoor dining, specifically put under administrative site plan
3. Massing/scale
4. Multi-family; better differentiate density formula for apartment buildings vs. non-apartment developments.

OTHER NON-ZONING

1. Street Acceptance – Hartney Acres/Newton Lane
2. Revise stormwater bylaw; remove some of the text that can go to rules and regs. Other changes?
3. Tree Preservation – work with ConCom

NOTE – See last comprehensive list from January 2020; needs to be updated

Ideas for Zoning & General Bylaw Work - UPDATED 12/8/2021

| | | Comments/Notes | PRIORITY | Assigned to? |
|---|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|----------|--------------|
| | ZONING BYLAW IDEAS | | | |
| | | | | |
| | DEFINITIONS - Section 2 | | | |
| 1 | Kennel - Differentiate between animals as pets and/or home based business vs. a full commercial operation | Further discussion needed with Animal Control Officer and Board of Health. ZBA mentioned this as something of interest to them. | | |
| 2 | Restaurant - Establish different definitions for different types of restaurants. Distinguish between "fast food" and others. Amend Use Table to allow non fast-food restaurants in industrial zones. | | | |
| | | | | |
| | ADMINISTRATION - Section 3 | | | |
| | | | | |
| | SITE PLAN REVIEW - Section 3.5 | | | |
| 3 | Refine triggering activities for major, minor and administrative site plan review and façade improvements (DRC) | Does the PEDB want to review this again? | | |
| | | | | |
| 4 | Revise language about requirement to construct sidewalks on the frontage of a project site, construct a sidewalk elsewhere in town, or make a payment in lieu of construction. Add option to also allow an applicant to make repairs to existing sidewalks that need improvement. | Suggested by Susy. | | |
| | | | | |
| 5 | Specifically add outdoor dining to list of activities to be addressed through administrative site plan review | Suggested by Susy | | |
| | | | | |
| | | | | |

| | | Comments/Notes | PRIORITY | Assigned to? |
|---|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|--------------|
| | | | | |
| 6 | POSSIBLE NEW SUB-SECTION 3.6 Establish a new sub-section for a Certificate of Zoning Compliance | What is the process for reviewing building permit applications and electrical permit applications for zoning compliance? How is it determined if a lot is exceeding the maximum lot coverage, impervious coverage standards, uplands requirements, etc. or whether other dimensional regulations or requirements about accessory structures and outdoor storage are met. This can also be used to evaluate and determine if a property remains consistent with a previously approved site plan and any conditions included in a site plan decision. | | |
| | | | | |
| | USE REGULATIONS - Section 5 | | | |
| | | | | |
| | ADAPTIVE USE OVERLAY DISTRICT (AUOD) - Section 5.6.2 | | | |
| 7 | Revise to provide that existing commercially used properties within the AUOD district could have the allowed ARCPUD commercial uses by right with adm. site plan review in lieu of requiring a developer to go through a full special permit process. This change would apply only to properties within the AUOD districts which presently have business operations, most likely on a pre-existing, non-conforming basis. | | | |
| | | | | |
| | MULTIFAMILY HOUSING - Section 5.6.4 | | | |
| 8 | Revisit entire Section | Workshop Type Meeting to Discuss - Is this still needed? What changes would make for a better bylaw? Revisit the density requirements. | | |
| | Add requirement for sidewalks along property frontage | | | |

| | | Comments/Notes | PRIORITY | Assigned to? |
|--------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|--------------|
| DIMENSIONAL REGULATIONS - Section 6 | | | | |
| | | | | |
| | Section 6.2 General Provisions | | | |
| 9 | Section 6.2. E. Lot Frontage, 3. Access. Revisit the requirement that "An owner shall provide a means of access for vehicles from the frontage to a principal building for emergency services, for deliveries and for off-street parking." | Do we want to continue to require that access to a parcel has to be from its legal frontage?? What about suitable access from a common driveway? | | |
| 10 | Section 6.2.F. Setbacks. Add language to specify what incidental and accessory items can be located within the standard setback areas. | Jack has suggested not allowing sheds, stored boats, trailers and swimming pools to be allowed in the front setback areas. See Walpole bylaw. | | |
| 11 | NEW Section 6.4 - Massing | To address the over massing of a building on a small site, primarily residential, when new construction is out of character with the existing neighborhood. Look at floor/area ratio and other ways to address. This needs some time and study to evaluate. | | |
| GENERAL REGULATIONS - Section 7 | | | | |
| 7.1 Site Development Standards | | | | |
| | OFF STREET PARKING and LOADING REGULATIONS - Section 7.1.1 | | | |
| 12 | Update parking standards especially for industrial uses | | | |
| 13 | Add parking provisions for future reserve parking | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

| | | Comments/Notes | PRIORITY | Assigned to? |
|----------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|--------------|
| | FENCES - New Section 7.1.4 | Regulations to address safety and sight lines | | |
| 14 | Fences - Require shorter fence height (3') in front for how a certain distance back into the front setback to avoid sight line issues. Could also address height of shrubbery. | Recommended by Jack and Erika. | | |
| 15 | Look at <i>Private Fence Rules and Regs</i> at DPW web page | | | |
| 16 | BUFFERING - New Section 7.1.5 | Suggested at 4-2-19 PEDB mtg | | |
| 17 | SIGN REGULATIONS - Section 7.2 | Simplify, streamline, make more user friendly, eliminate duplication. Look at window signs, temporary signs, signs required by state law - Lottery, Auto Inspection, etc. Adjust amount of allowed sign surface area for wall signs to correspond to distance from street. Add text re: removal of old, pre-existing nonconforming signs before new sign permits are issued for replacement signs. Tom, Barbara and Susy need to resume work on this. | | |
| SPECIAL REGULATIONS - Section 8 | | | | |
| 18 | ADULT USES - New Section 8.12 | Change from by right to special permit???? If so, need to establish permitting criteria. | | |
| 19 | BACK LOT ZONING - New Section 8.13 | New sub-section to provide special permit option to allow a house to be built on an oversized parcel with insufficient frontage. Could include driveway construction. This option would remove need for a full subdivision process. We could also include provisions for stormwater management. | | |
| | | | | |
| | | | | |

| | | Comments/Notes | PRIORITY | Assigned to? |
|----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|--------------|
| 20 | COMMON DRIVEWAYS - New Section 8.14 Add regulations for Common Driveways. Allow by right or special permit? Anywhere!?!? NOTE - Common driveways are NOT private roadways. They provide access only, not frontage. | New sub-section to address criteria and basic standards for common driveways (length, width, stormwater, etc.) We already have a definition for common driveways and they have been used in ARCPUD and OSRD developments. Is this the best place to inset such standards or should they go in 7.1 Site Development Standards? | | |
| | | | | |
| | TWO-FAMILY - New Section 8.15 | Revisit definition of two-family/duplex. Establish criteria for special permits. Consider adding the Village Commercial District as a possible location. Are a 2 family and duplex the same thing? Do we want/need to distinguish between the two? Horizontal vs. vertical separation? Should there be some measure of the extent of connection between the two units?? Establish special regulations to address appearance, parking, open space, curb cuts, height, etc. Revisit requirement that a 2 family building has to have the appearance of a single family house. | | |
| | DRIVE-THRU FACILITIES - New Section 8.16 | Establish special permit criteria for drive-thrus. See language provided by Ted Brovitz. NOTE - Drive-thrus are allowed by special permit and only in the CB, NC, BI and OGVC and OGBP zoning districts. | | |
| | LAND CLEARING - New Section 8.17 | Suggested by Jack. WE have a draft. Perhaps incorporate into Land Disturbance Bylaw amendments and Tree Preservation idea. | | |
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| | | Comments/Notes | PRIORITY | Assigned to? |
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| | NEW ZONING DISTRICTS | | | |
| A | Create a new Traditional Neighborhood Development overlay district for new construction that would allow for more dense, Smart Growth type neighborhood. Not the same level of density as required by a 40R district but denser than what we allow now. | This might be good for the Cassidy properties behind Medway Commons and/or behind Charles River Bank. Look at Smart Growth report by Gino Carlucci from several years ago. Recommend waiting until the Town's sewer/capacity issues are resolved. Also need to talk with the Cassidy family to see about their long term ideas for their property. | | |
| B | Create a Cottage Community special permit option | Reconsider this. | | |
| C | Create an Early Suburban Zoning District with dimensional requirements to more closely match what exists on the ground. | This would be suitable for Brentwood and other smaller lot, early post WWII sub- divisions. Most of these areas are currently zoned ARII. Reduce minimum lot size, frontage and setbacks to better match what is actually on the ground. | | |
| D | Create a new industrial zone for west side of West ST north of Route 126. Area is presently zoned ARII. | Need to discuss with EDC. Not to include ground mounted solar. Boundaries? Similar uses to East Medway Industrial Park or Business Industrial District? Allow for contractor's yards? Use Table and Zoning Map would also need to be revised. | | |
| | NOTE - It may be wise to hold off work on New Zoning Districts until after the Master Plan is completed. | | | |
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| | ZONING MAP REVISIONS | | | |
| 1 | Expand boundaries of East Industrial zoning district | Get input from EDC on this. Expect neighborhood opposition. | | |
| 2 | Establish another Village Commercial district on Main Street/Route 109 from Medway Mill west toward the Community Church | | | |
| | | | | |
| | GENERAL BY-LAW IDEAS | | | |
| A | Establish some stronger property maintenance regulations to address junk, dilapidation, blight, accumulated unregistered vehicles, collections of debris, etc. | Need input from Jack Mee and Beth Hallal. Property maintenance is an optional part of the Building Code but it pertains to structures, not sites. Is BOS interested in something like this? What do we presently have to address this? What is the statute that allows the BOH to act?? Staff recommends the PEDB discuss this with Jack Mee, Health Agent Beth Hallal, and the TA/BOS to gauge interest. | | |
| B | Establish start and stop times for construction work | We have a draft. Needs work. | | |
| C | Regulate the amount of and quality of fill being brought onto development sites. | Of interest to Bridget Graziano and Jack Mee. Bob Tucker says there are state laws that already address this. Difficult to enforce. Testing is expensive. We have a draft based on the Salisbury bylaw. Needs thorough discussion and vetting. | | |
| D | Revise general bylaw to decrease required fence height around pools to 4' to be consistent with state law. | Suggested by Jack Mee. Discussed with PEDB. Jack to take lead on this. | | |
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| | | Comments/Notes | PRIORITY | Assigned to? |
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| E | Scenic Road bylaw | Take part of the <i>Scenic Road Rules & Regs</i> and turn into a bylaw. Broaden scope beyond the limited scope of the state statute which only addresses trees and stone walls in the right of way. | | |
| F | Establish bylaw to promote universal accessibility and visitability of dwelling units | Suggested by Sue Rorke at 7/20/15 PEDB meeting. Something for a Disability Commission to consider. | | |
| G | Tree Preservation | Conservation is working on this for May 2022 town meeting. Will need to coordinate with PEDB for site plan review. | | |
| H | Stormwater Management/Land Disturbance | Revisit bylaw. Remove items that should be in Rules and Regs. Bridget, Susy, Stephanie and Barbara to work on this. | | |
| I | Fees | Revise to provide a more aggressive fine schedule | | |
| J | Revise General Bylaw on Parking of Commercial Vehicles in Residential Zones | | | |
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| | 12/10/2021 - sac | | | |



December 14, 2021
Medway Planning & Economic Development Board
Meeting

Correspondence

- 11-22-21 email from Allison Potter re: proposed revised Fire Lane bylaw offered by Fire Chief Jeff Lynch
- 11-30-21 email with attachment from Jim Wickis re: draft proposed invasive species management policy
- 12-3-21 email from Finance Director Carol Pratt re: vacant parcels in residential developments
- 12-7-21 email from newer Medway resident Jillian Curran about master plan project

Susan Affleck-Childs

From: Allison Potter
Sent: Monday, November 22, 2021 9:29 AM
To: Susan Affleck-Childs; Jack Mee
Subject: FW: Proposed Bylaw Change - Fire Lanes

Hi,

At the bottom of the email below, Jeff makes a statement (red font) about the intersection of the proposed bylaws changes to fire lanes to both Planning and Building. Would you please let me know if there truly aren't issues with his proposal or if you would like to make comments on the Chief's revision?

Thanks,
Allison

From: Jeff Lynch <ChiefLynch@townofmedway.org>
Sent: Thursday, November 4, 2021 10:19 AM
To: Allison Potter <apotter@townofmedway.org>
Cc: Susan Affleck-Childs <sachilds@townofmedway.org>; Jack Mee <jmee@townofmedway.org>
Subject: RE: Proposed Bylaw Change - Fire Lanes

Good morning, Please see below; Let me know if you need anything else. Thanks.

Jeffrey P. Lynch
Chief of Department
Medway Fire Department
155 Village Street
Medway, MA 02053
508-533-3211

Mailing address;
44 Milford Street
Medway, MA 02053

From: Allison Potter
Sent: Thursday, October 21, 2021 9:12 AM
To: Jeff Lynch <ChiefLynch@townofmedway.org>
Cc: Susan Affleck-Childs <sachilds@townofmedway.org>; Jack Mee <jmee@townofmedway.org>
Subject: Proposed Bylaw Change - Fire Lanes

Hi Chief,

At its meeting on Monday, the Bylaw Review Committee expressed some reservations about the proposed replacement language for Article 11 – Fire Lanes. Your proposed language is:

Section 11.1 Definitions

Building Size. For the purpose of this ordinance building size refers to the building “footprint” or area of the lot that the building covers.

Fire Lane. For the purpose of this ordinance, a fire lane is a road, path or other passageway developed to allow the passage of fire apparatus. A fire lane will be a minimum of twenty feet in width with the road edge closest to the building at least ten feet from the building. Fire lanes shall be constructed of a hard all weather surface adequately designed to support at least seventy five thousand pounds. Fire lanes shall consist of hard surfaces that shall be maintained in all weather.

Section 11.2 Power To Designate Fire Lanes

Fire lanes shall be designated by the Chief of the Medway Fire Department or his/her designee. The owner of any property on which a fire lane has been so designated shall be required to create the required fire lane within such time as shall be set in notice to the owner by the Fire Chief or his/her designee.

Section 11.3 Fire Lane Requirements

All new and existing commercial or residential buildings greater than five thousand square feet in size located within the Town of Medway shall be accessible on at least two sides by the use of fire lanes. **This requirement shall not apply to one and two family homes.**

All new and existing commercial buildings greater than twenty thousand square feet in size located within the Town of Medway shall be accessible on at least three sides by the use of fire lanes.

All new and existing commercial buildings greater than forty thousand square feet in size located within the Town of Medway shall be accessible on at least four sides by the use of fire lanes.

At least one required fire lane shall lead directly to the emergency access point of the building as determined by the Chief of the Fire Department, and at least one fire lane shall lead to the sprinkler or standpipe connection if the building is so equipped.

Section 11.4 Parking Prohibited

No parking shall be allowed within the boundaries of any fire lane or within twenty feet of emergency access points to buildings, or fire hydrant, sprinkler or standpipe connections. All fire lanes, emergency access points to buildings, fire hydrants, sprinkler connections and standpipe connections shall be kept clear and unobstructed at all times.

Section 11.5 Posting of Fire Lanes

All fire lanes, emergency access points to buildings, and access to sprinkler and standpipe connections shall be clearly marked and posted with the words "FIRE LANE - NO PARKING - TOW AWAY ZONE." These markings will consist of painted lines and wording directly on the surface of the fire lane and clearly distinguishable from other markings. Letters are to be at least six inches in height and uniform in height and width. Signs reading "FIRE DEPARTMENT CONNECTION - NO PARKING - TOW AWAY ZONE" shall be posted above all Fire Department connections. Letters are to be at least three inches in height and uniform in height and width.

Section 11.6 Variances

The Chief of the Fire Department may authorize, upon application, in specific cases of hardship, variances in the application of the terms of this ordinance. In case of such application, the Chief shall give a written decision to the applicant. The applicant shall have ten days from the date of that decision to appeal the Chief's decision to the Board of Selectmen.

Section 11.7 Penalty For Violation

The owner of any building who fails or refuses to comply with the requirements of this ordinance shall be punished by a fine of not more than one hundred dollars to be recovered to the use of the town, and each day any violation of the ordinance continues shall constitute a separate offense.

Any motor vehicle or other property which obstructs any fire lane, emergency access to a building or a sprinkler or standpipe connection shall be immediately moved or towed away at the expense of the owner of the vehicle or other property causing the obstruction. Removal may be made by the owner of the building, the Chief of the Fire Department or the Medway Police Department.

Section 11.8 Effective date

This ordinance shall take effect upon passage and any ordinance or part of an ordinance that is inconsistent herewith is hereby repealed.

The existing language is:

Section 11.1

(a) For the protection of persons and property from the hazards of fire within a shopping mall or shopping center and to facilitate the operation of fire fighting apparatus therein, on order of the chief of the Fire Department there shall be established fire lanes designated as such by posting and marking the limits of such lanes by hatch marks. The fire lanes shall be fourteen (14) feet in width extending outward from the sidewalk curb.

Section 11.2

(a) It shall be unlawful to obstruct any fire lane or park a vehicle therein or leave a vehicle therein unattended except commercial vehicles making deliveries to any stores bounded by said fire lanes.

Section 11.3

(a) Any vehicle parked in violation of Section 11.2 may be removed or towed at the expense of the owner on order of a member of the Police Department without liability to the town or its officers, agents or employees.

Section 11.4

(a) The owner or manager of the shopping mall shall provide and install all sign, posting and markings of fire lanes as designated by the Fire Chief.

Section 11.5

(a) Any person convicted of violating any of the above provisions shall be punished by a fine of five dollars (\$5.00) for the first offense, ten dollars (\$10.00) for the second offense, and twenty five dollars (\$25.00) for each subsequent offense committed during any twelve month period.

The concern is whether the new language conflicts with current zoning bylaw, conditions written into PEDB decisions, and what would qualify as existing, nonconforming. I am unsure what zoning bylaws or PEDB decisions it would conflict with as I don't know what they all are. I would hope any conflicts are resolved by the strictest regulation being enforced. The present by-law applies only to shopping malls and shopping centers, and does not address current day concerns such as a width of only 14 feet. This by law, if applied to all commercial buildings would eliminate any confusion about what is required. There is a provision for hardships should one occur as a result of this being passed. If they aren't happy with the decision of the Fire Chief, they have the option to appeal it to the Select Board. Probably easy enough to resolve, but would you please evaluate this and advise of amendments you would like to make to your

proposed new language, if any? The committee is meeting again on Nov 2, but it can wait for the meeting following that, if you need additional time.

Thanks,
Allison

Allison Potter
Asst. Town Manager
Town of Medway
155 Village Street
Medway, MA 02053
P: (508) 533-3264
F: (508) 321-4988

Susan Affleck-Childs

From: jbwickis@verizon.net
Sent: Tuesday, November 30, 2021 11:57 AM
To: Susan Affleck-Childs
Subject: Goal 10 OSRP
Attachments: Invasive Plant Policy with BRG edits October 27 2021-laptop.docx

Hi, Susy—

A number of months ago, I was given approval by the Open Space committee to initiate development of a policy on invasive species. This is in response to goal #10 of the OSRP. There are four entities listed as responsible for this policy.

“OSRP Goal #10 Establish sound practices for managing invasive species on town-owned land; implement
invasive species control practices OSC, CC, DPS, PC 2020”

I found four other towns in eastern Massachusetts that have approved policies on invasive plants for town-owned properties. These policies differ significantly in format. They all conclude that invasive plants should be discouraged, and native plants should be encouraged. A fifth town, Somerville, has taken a different approach. It has put an ordinance in place that calls for most new plantings on town land to be native plants. I don't think an ordinance is needed in Medway because there is general agreement about the importance of this issue among relevant boards and committees.

Since there is no generally agreed upon format among towns for this kind of policy, I wrote my own draft policy. I included a description of the problem and outlined management procedures, followed by a listing of invasive plant species in Medway. Then I sent it to ConCom, specifically Bridget Graziano. She discussed it with the Commission and added material. This is what you can now read in the attachment.

Next was a discussion of this draft with the Parks Commission. The members were surprised that they were included as one of the responders to goal #10 in the OSRP. They said that they have no expertise in this matter. They expressed support for this effort and would support whatever policies are developed by OSC, CC and DPW.

Peter Pelletier of DPW has now reviewed this draft and fully supports it. I asked him to add a statement describing DPW's current procedure of having new plantings be comprised of native plants, whenever possible, and that statement will be completed soon. Peter wants to move along with this policy by having a planning session in late winter/early spring with those most interested in this matter. I told him that I needed to check in with you about this policy.

Beyond some editing, what needs to be done now?

Does this kind of policy exist as a kind of agreement between OSC, DPW and ConCom? Is the next step a review by the OSRP committee? Should it be reviewed and accepted by PEDB?

Thanks for your help with this,

Jim

Received 11-30-21

TOWARD A MORE NATURAL MEDWAY

A Draft of Policies for the Management of Invasive Plants in Medway

As proposed by the Open Space Committee and Conservation Commission and
pending contributions by the Department of Public Works

Description of the problem

All the land in Medway has been repeatedly disturbed since at least the 1600s. The primary disturbances reflect the development of the town by immigrants, mostly from Europe. Examples are farming, woodlots, housing, industry, and community infrastructure. In the past decade, where there had once been farming and logging, successful efforts have been made to set aside parcels of land of significant size, to be open space. This is where management is kept to a minimum, to have these become “natural” areas, valued and enjoyed for their own sake. A natural process called ‘succession’ takes these once-disturbed lands through stages of annual plants, grasses, then shrubs, and finally, trees. However, in the present day, simply allowing these lands to continue in their present condition will not result in natural areas for Medway.

The problem is that throughout Medway can be found many species of invasive plants. To be labeled as invasive means there are no natural controls on the proliferation of these plants. They keep spreading, eventually dominating their habitats. Once a habitat has lost its native plant dominance because of being overwhelmed by invasives, biodiversity declines drastically. There are far fewer species of animals, insects and plants. Native animal life does not recognize an invasive plant as food, thus eliminating any natural counterbalance to its spread. Only human activity can manage and reduce the growth of invasive plants in our open spaces. While costly in terms of time, physical work, and expense, the more effort put into invasive plant management, the more natural our open spaces will become, the more they will resemble the lands first encountered by the early immigrants and lived in for ages by native peoples.

Invasive species within Medway pose a threat to the ecological and cultural integrity of our open space. Under current conditions, these non-native aggressive plant species threaten to degrade the functionality of the stream banks along the Chicken Brook Corridor (identified in the Open Space and Recreation Plan), while displacing the native plant communities that support local wildlife species. One of the primary goals of the Medway Open Space Committee and Conservation Commission is to effectively manage existing invasive species encountered throughout our open space in order to preserve and enhance the native species diversity that provides the favored natural character of lands.

This document affirms that invasive plant management is an important element of the Town of Medway’s stewardship of its open spaces. In the following sections are aspects of this management that would be considered in planning for intervention in specific areas.

Lands addressed by this policy

Commented [BG1]: Can we add a map or spreadsheet here?

The focus of the policies described here is on town properties where management actions are kept to a minimum. These can be found on the large parcels of town lands between Lovering Street and Choate Park, portions of Oakland Park, Idylbrook Park, the Amphitheater, the Community Farm, and Bresnahan's Landing (Canoe Launch) on Village Street. They do not include town sports fields, or any private properties. Other town park locations, such as Choate park and Oakland park can benefit from the management approaches outlined in this document. While the town owns many small parcels that are not managed as parks, at present these are not a focus of this document. These parcels are generally quite small and not part of an intact ecosystem. There are several utility corridors for natural gas and electricity transmission. To maintain the viability of the transmission lines, vegetation growth is controlled. Thus, the habitats along these corridors are in an ongoing state of disturbance, conducive to the proliferation of the invasive plants that occur in many locations. There is not likely to be a change in vegetation management by the utilities anytime soon. For town lands that abut these corridors, it will be necessary to regularly monitor property edges for intrusions from the corridors.

Prioritization of Invasive Plant Management

As resources and workers become available, they should be aimed at areas where they might have the most impact. The Town is working to develop a list of priorities for open space to determine where best to direct our resources. These areas are:

- Where invasives are only beginning to move in. Prevention of invasion is the best of all management strategies. The invasive plants in these locations tend to be smaller, easier to discover, and have not yet had a deleterious effect on their habitat.
- Trail edges. Any disturbed area (where bare soil is exposed) and areas where people move through are likely to sprout invasive plants. Trail walkers, their dogs and landscaping equipment inadvertently move seeds. Areas with no disturbance are slow to show the spread of invasives.
- Existing areas of land purchased with CPA funds, such as Adams Street and the Medway Community Farm both of which have been identified to have invasive species present.
- Existing areas of Conservation Commission lands which are currently under invasive species management such as the Amphitheater.

Medway's open spaces vary from being comprised of completely natural vegetation, to a mixture of native and invasives, to locations that are completely dominated by invasives. For those trying to plan management actions, there should be maps and/or other descriptive devices that indicate levels of invasiveness for all open spaces. These can be developed by the Open Space Committee and updated yearly.

Management methods

Selected management techniques are generally based upon the extent of a given species within the vegetation community at a site and employ a strategy that best controls the invasive species, while minimizing the potential for adverse impacts to other desirable (i.e., native) species.

Invasive species are often difficult to completely eliminate from an area, and a practical

management goal is to control, not necessarily eradicate, invasive species while simultaneously encouraging or even introducing a native plant community.

Methods for the management of invasive species fall into three basic categories:

- Mechanical (cutting, pulling, grubbing, covering, etc.)
- Chemical (use of herbicides)
- Biological (using living organisms such as insects or domestic grazing animals).

All controls on invasive species involve human labor. There is digging, cutting, pulling and hauling, mostly done by volunteers. Larger efforts benefit from the assistance of the Department of Public Works.

Depending on the species, identified in the field, the following methods may be used based on a collaboration with the Open Space Committee and the Conservation Commission.

Mechanical Methods

To reduce the effect of invasives on natural habitats, the plants can be removed from the ground, continually cut back so they can no longer grow to maturity and reproduce, smothered in place, or treated with herbicides. The target plant species, location, skills of the volunteers, and environmental concerns are all factors in making specific management plans.

All long-term planning must include the concept of “seed bank”. Only some of the seeds that drop each year from invasive plants will sprout. It can sometimes be a number of years before a seed may sprout. This means that monitoring for new growth must be considered a yearly activity, just as is trail upkeep, for example.

Chemical Methods

In order to aggressively attack larger swaths of invasives, such as found in large fields, chemical methods may be used under the direction of the Open Space Committee and the Conservation Commission. The Town of Medway has received approval of a Vegetation Management Plan for the Town valid from 2021-2026. All work is a case by case basis and reviewed carefully prior to resorting to the application of chemicals for the removal of invasives. However, the Town recognizes that this may be the best method for the situation.

It is recommended that non-chemical methods of control be used wherever feasible. However, for large infestations, and for a few plants specified in the appendix, non-chemical methods are inadequate. Any herbicide use would be applied only by a Massachusetts’ Licensed Pesticide Applicator and in accordance with all State regulations pertaining to herbicide application, and would not be applied within any aquatic area (e.g., within Bordering Vegetated Wetlands, rivers and streams). The likely two main herbicide treatments considered in developing this management plan include glyphosate and triclopyr. Glyphosate (e.g., Round-up® or Rodeo®) is a non-selective, systemic herbicide that kills both grasses and broad-leaved plants. Triclopyr (e.g., Brush-B-Gone™, Garlon™, Pathfinder™) is a selective herbicide that kills broad-leaved plants but does little or no harm to grass species. Applied carefully to avoid non-target plants, glyphosate is the least environmentally damaging herbicide in most instances. Round-up® contains a petroleum-based sticker-spreader that allows the herbicide to cling to the target

species to ensure its absorption into the plant's tissues. Rodeo®, the glyphosate formulation for use in wetlands, does not contain any sticker-spreader, and thus is considered to be safer for the wetland environment. As with the timing for mechanical methods for management of invasive species, non-specific use of herbicides or use of a specific herbicide at incorrect times or in incorrect concentrations can actually lead to spreading of invasive species. Other considerations for herbicide use include avoiding inclement weather conditions such as wind, which could result in herbicide application to non-target, possibly native species, or rainy conditions, which could dilute or wash away applied herbicides, rendering them ineffective.

Working to Prevent the Spread

Because resources and workers are finite, these must be utilized in the most efficient manner. Accepted management practice encourages planners to devote efforts to areas where invasives are just starting to appear.

Where there is a population of invasives, it is generally most efficient to work from the outside edges inward. For a given amount of work, a larger area of habitat can be cleared than if that same work is applied to a dense patch of plants.

The overall strategy of management efforts is to diminish the influence of invasive plants on our open space habitats by reducing their size and number. Two factors indicate that there will be a need for invasive plant management for many years. First, there is the existing seedbank (filled with millions of seeds) and second, nearby properties (private lands and utility easements) are often dense with invasive plants, contributing seeds on a yearly basis. As long as the process proceeds from dominance by invasive plants to dominance by native plants, the goals of good stewardship are intact.

Movement of soils. Any soil introduced into a natural area should be checked for invasives prior to the import of materials.

It is generally recommended to keep invasive material that has been cut/dug up on site if possible, in an out-of-the-way location. All state and local laws shall be followed and permits taken when needed and as advised by the Conservation Commission if under wetlands jurisdiction.

Re-vegetation

After invasive plants have been removed from a location, re-planting with native plants shall be considered as a part of the overall management effort. The goal is to jump start the native population and not provide more area for new or the same invasives species to return. This would involve an added monetary and labor cost, which may be worthwhile in some cases. Factors to be considered in this decision include:

- amount of volunteer/town employee time available for planting and care
 - amount of money available from town resources/grants/donations
 - habitat priority. After invasives removal, some habitats tend to re-vegetate more readily.
- A location that is heavily dominated by invasives will be greatly disturbed by the removal

work. The first plants to move in tend to be invasives. While vigilance is always required to remove incoming invasives, planting natives helps the habitat recover more quickly.

- difficulty of choosing appropriate native plants. All of Medway's open spaces are in a process of transition from early re-growth after disturbance to mature, self-sustaining habitats. There are a series of vegetative stages, and habitats reflective of those stages that any location will pass through toward maturity. Choosing native plants that will be supported in later stages of normal vegetative succession can be somewhat tricky, because some choices may not succeed. The default choice would be to use plants typical of nearby habitats that are not invaded.

Additionally, once the native species are planted it would be valuable to start a monitoring program. The program would assign volunteers to areas where management is in its final stages and native plants were installed. This monitoring program would involve completing periodic site visits to review the viability of the native species planted and to remove any invasive species growth through hand pulling methods. This monitoring should continue monthly for two years.

Education and Public Awareness

Any invasive plant management activity should be viewed as an opportunity to engage Medway residents in learning about the importance of native habitats and the threat of invasives. Signage, social media, spontaneous interactions with volunteers can all be used. As residents learn of the role that people have in the spread of invasives, they will care more about the health of our open space environments. They will learn to better care for the spaces around their own homes. Ultimately, it is the support of the public that will lead to our open spaces becoming more natural.

APPENDIX

Medway's major invasive plants

These are the four species that are causing the most habitat degradation throughout Medway.

Glossy buckthorn (*Frangula alnus*) shrub/small tree, with glossy, deciduous, sub-opposite leaves, 1"-3" long, without teeth on edge. Bark is gray-brown, with elongated speckles on younger plants. Small, yellow-green flowers, May-September. Fruit is a berry, starting as green, then red, and black when ripe, July-September. Berry is extremely bitter-do not try to eat. Habitat-generalist, it can be found from road edges to deep woods, and anywhere the soil is moist. When young, it resembles our native black cherry (*Prunus serotina*), but the cherry has toothed edges on its leaves. Ecological threat: because of its rapid growth and prolific seed production, it forms dense stands under which native plants cannot thrive.

Management: if small, can be pulled by hand; larger plants must be dug up or pulled out with a weed wrench or with a cable attached to a truck; systemic herbicide can be applied on leaves or on cut stump; opaque material, such as heavy-gauge black trash bags, can be draped over 6-inch

stumps which prevents resprouting. Simply cutting down buckthorn is usually counter-productive. The plant does not die. It responds by widening its stump 2-4x and sending up numerous basal shoots. In time, the plant becomes a wide bush, producing many more berries than the original plant would have.

Multiflora rose (*Rosa multiflora*) When growing in the open, it acts like a shrub, growing to 12 feet in height with numerous arching stems. If it grows under taller vegetation, its growth becomes vine-like, with stems reaching more than 30 feet. Leaves are deciduous and compound, with 7-9 leaflets. Bottom one-inch of leaf stem is fringed with coarse hairs. The stems have stiff, downward pointed thorns. Flowers are white, with 5 petals, each becoming a hard red berry. None of the native roses have white flowers. Ecological threat: displaces native vegetation, forms impenetrable thickets which impede passage by both humans and wildlife. Management: wear protective clothing, especially thick gloves, to reduce injury from thorns. When in shrub form, can carefully cut an opening with clippers to allow access to base. The remaining stems can be cut and the stump removed. If stump is not removed, can cover it with opaque material or treat with herbicide. Same management techniques are used if the plant is in vine form, but it is easier to work with.

Oriental bittersweet (*Celastrus orbiculatus*) A vine that grows to 65 feet. Leaves are alternate, deciduous, toothed, lower leaves are round (orbiculate). Bright yellow fruit coat that splits open to reveal orange/red fruit. Ecological threat: grows aggressively up trees, covering the leaves of the trees. Unless a tree is substantially taller than 65 feet, it eventually dies. In old fields, it forms mounds of vines that completely shade out all other vegetation, except for a few stems of multiflora rose. Management: seedlings can be successfully hand pulled. Mature plants can be cut down to the ground to prevent seed development, but will re-sprout. Repeated mowings (minimum 6x a season) will eventually drain the roots of energy. Systemic herbicide can be applied to the cut stem, or foliar application of triclopyr on the re-growth after a mowing.

Autumn olive (*Elaeagnus umbellata*) A shrub growing to 20 feet. Leaves are alternate, deciduous, without teeth on leaf edge, and silvery underneath. Yellow flowers in spring are strongly fragrant, followed by red berries. Bark is smooth and gray. This is not Russian olive, which is also invasive, but not found in Medway. Ecological threat: in old fields and edges, it forms dense stands, crowding out native plants. Management: seedlings are easily pulled; mature shrubs can be dug up, but remaining roots tend to re-sprout; stumps can be covered with opaque material; systemic herbicide can be applied to leaves or stumps.

Less Common but still Problematic in many Locations in Medway

Garlic mustard (*Alliaria petiolata*) Herbaceous plant that lives for 2 years, first year as a basal rosette. In the second year, it sends up a flowering stalk, 6 inches to 3 feet. Leaves are alternate, round to triangular, and toothed. Flowers are white, with 4 petals. After its black seeds mature, the plant dies. Crushing any part of the plant will produce a strong garlic odor. Ecological threat: crowds out spring-blooming wild flowers and tree seedlings; its roots exude chemicals that inhibit the growth of native plants; although attracted to garlic mustard, the larvae of several native butterflies do not survive on this plant. Management: hand-pulling of second year plants

before the seeds mature. Place in opaque trash bags, tie off the open end of the bag, and allow the plant material to rot until the next spring.

Bush honeysuckle (*Lonicera morrowii* & *L. maackii*) Shrubs with opposite leaves, oval in *L. morrowii* and pointed in *L. maackii*). Spring flowers are white, fading to yellow, followed by red fruits. Branches are hollow. Ecological threat: these form dense thickets that crowd out native plants. Management: roots are shallow and weak, so plants can be uprooted; remaining roots may resprout; repeated mowings or browsing by goats can kill the plant.

Swallowwort, pale (*Cynanchum rossicum*) and black (*Cynanchum louiseae*) Herbaceous vines that grow 2 feet to 10 feet long. Leaves are opposite, oval, with a pointed tip. Produces milkweed-like pods and seeds that can travel for miles on the wind. Only difference between species is flower color—both are equally problematic. Ecological threat: colonial, that is, it spreads by roots to become so dense that it can dominate both woodlands and grasslands; attracts Monarch butterfly larvae which die after feeding on the plant. Management: small populations can be controlled by digging up root crowns; tarps that block out all light can cover larger areas or triclopyr herbicide can be applied but these also kill surrounding vegetation.

Purple loosestrife (*Lythrum salicaria*) Erect wetland shrub with tall spikes of magenta flowers (5-6 petals). Leaves are long, pointed, opposite, with no teeth. Ecological threat: can form dense stands that crowd out important native wetland plants; amphibian populations decline sharply; a single mature plant can produce 2 million seeds per year. Management: plants are difficult to access and difficult to remove. However, a beetle (*galerucella*) has been introduced that feeds on this plant and has resulted in significant reductions in loosestrife density in some locations. The beetle lays its eggs only on purple loosestrife.

Japanese knotweed (*Fallopia japonica*) has stout, hollow stems that grow up to 10 feet high, then they die with the frost. The large alternate leaves are egg-shaped to heart-shaped, not toothed along the edges, and are square across the bottom. Tiny white flowers appear in long clusters in August. Seeds are generally not viable. Almost always, knotweed spreads to new locations when root fragments are carried in dirt by construction, highway and landscaping equipment. The root structure can often span 45-60 feet. Ecological threat: once established, the colony of tall stems crowds out all other vegetation. The thick layer of decomposing stems and leaves acts as a mulch to prevent seedlings of other plants from emerging. Management: cutting the stems close to ground, four or more times a season, for three years is often effective. If using systemic herbicide, first cut down all live stems. When flowers have emerged on other stands of knotweed, the target patch is given a foliar application of herbicide.

Other Invasive Plants That Can Be Found In Medway And Which May Become Problematic

SHRUBS

Japanese barberry (*Berberis thunbergia*)

Common Buckthorn (*Rhamnus cathartica*)

Burning Bush (*Euonymus alatus*)

Privet (*Ligustrum* species)

HERBACIOUS PLANTS

Dame's Rocket (*Hesperis matronalis*)

Knapweed (*Centaurea* species)

Spurge (*Euphorbia cyparissias*)

Mugwort (*Artemisia vulgaris*)

Wild Parsnip (*Pastinaca sativa*)

Forget-me-not (*Myosotis scorpioides*)

GRASSES

Common reed (*Phragmites australis*)

Japanese stilt grass (*Microstegium vimineum*)

Reed Canary Grass (*Phalaris arundanaceae*)

TREES

Norway maple (*Acer platanoides*)

Tree of heaven (*Ailanthus altissima*)

Black locust (*Robinia pseudoacacia*)

Gray willow (*Salix cinerea*)

OSRP Goal #10

Establish sound practices for managing invasive species on town-owned land; implement invasive species control practices

OSC, CC, DPS, PC 2020



TOWN OF MEDWAY
COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE
TOWN ACCOUNTANT

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Finance Director

Carol Pratt

TO: Andy Rodenhiser, Chair
Planning & Economic Development Board
Brian K. White, Chair
Zoning Board of Appeals

FROM: Carol Pratt; Finance Director
Donna Greenwood; Principal Assessor
Joanne Russo; Treasurer/Collector

CC: Susan E. Affleck-Childs; Planning & Economic Development Coordinator
Barbara J. Saint Andre; Director, Community & Economic Development

RE: Development Planning; Unassigned Lots (*non-condominium*)

DATE: 12/3/2021

We are reaching out today over concerns that have been raised internally, but have never been brought forward to your Board for your consideration.

Over many years, it has become apparent that good intentions and creative ideas in development planning, can lead to issues once the Developer has completed a project. Parcels of land within the development that are earmarked as playground space, mailbox plots and wetlands, all become parcels that are assigned a value and are billed Real Estate Tax. These small parcels are owned by the Developer and when the development is complete, there is no incentive for the Developer to continue paying their tax bills. Developers too often dissolve and/or change entities; thereby becoming impossible to collect from.

The collection process goes through many steps, eventually going to lawyers who manage the foreclosure process with the Massachusetts Land Court. This is a lengthy (5 to 10 years) and costly process that we would like to avoid.

Some examples are:

19 Broken Tree Road (10-053-0001) is a small parcel (likely a drainage parcel) that was created when the Ellis Farm subdivision was designed. Once the developer finished the subdivision, they stopped paying the taxes on this parcel. This property is now a burden for the Town and is in Tax Title with attorney's and fees associated with foreclosing. The Town does

not want to own this drainage parcel. This parcel should have been part of an abutting parcel and recorded as an easement.

0 Cedar Farm Road (27-004) is a 33.806-acre parcel that was created with the plan for the Cedar Farm Road subdivision. This is a significantly wet parcel that is unbuildable. It is now in Tax Title. This parcel should have been deeded to the Town as conservation land when the subdivision was completed.

177A Holliston St (09-006) is a .01-acre lot and is one of several other fragment lots.
0R Woodland Rd (14-005) is a 101.48-acre parcel and is mostly wet.

These parcels are part of the plans for the Timber Crest subdivision. Currently, the taxes are being paid, but there are concerns about the future. If these parcels become the responsibility of a Homeowners Association, the long term likelihood of these taxes being paid is low. Unlike a Condo Association, there is no recourse if homeowners choose not to contribute to the Association. We recommend that the Woodland parcel be deeded to the Town once the project is completed and that the fragment parcels be made part of adjacent parcels.

Pine Tree Realty Trust, (owner of the 19 Broken Tree Road parcel) and TriValley Realty Trust, (owner of the 0 Cedar Farms Road parcel) both own multiple parcels associated with other projects throughout Medway that are all in Tax Title. These developers, like many others who have had projects in Town, have since dissolved. These parcels were created up to 30 years ago and have substantial outstanding balances running from \$100k to \$200k per parcel.

At the end of September, the Town has 65 parcels in Tax Title carrying an outstanding balance of over \$2.7M. Currently there are about 15 parcels that are in the foreclosure process or are in the research stage to begin the process. The Town auctioned 20 parcels in May, valued at about \$150k. Leading up to the auction, we were successful in collecting about \$60K from delinquent owners. Of the remaining 65 problematic parcels, most are wetlands and fragment parcels from developments, which will have to go through the foreclosure process.

We recognize that it is in the best interest of the developer to create fragment parcels, but it is undoubtedly in the best interest of the Town to have fragments become part of adjacent lots or deeded to the Town upon project completion.

We are requesting your Boards consideration of the concerns that may arise when a plan is reviewed by Donna Greenwood, Medway's Principal Assessor. Donna will email your Board with her concerns/recommendations in the future.

Thank you and we look forward to working with you.

Susan Affleck-Childs

From: Jillian Curran <jilliancurran@jilliancurran.com>
Sent: Tuesday, December 7, 2021 8:18 PM
To: Susan Affleck-Childs
Subject: Hello! Personal Input for Strategic Planning!

Hi Susan,

My name is Jillian Curran, thank you for taking my call last week, it was really nice to speak with you (and put a voice to your name!) after seeing your name on this massive campaign you and the town are spearheading. My family and I live on Village Street in Medway and moved to the town in June of 2019. I am writing because I would like to let you and the board know my thoughts on the current town of Medway and make some suggestions for the future. I really appreciate y'all taking the time to read my letter and hear my input, I'm sure you receive a lot of "input" !

I want to start off by saying how remarkably impressed we have been with this huge initiative. We have felt included and informed with actionable steps on how to be a part of this process and the growth of our community. What an exciting opportunity! We have appreciated the strong steps to keep the town in the loop with your communications. This initiative also builds the community and provides a sort of proud ownership of the town.

Before moving to Medway my husband and I lived in the towns of Dover, Sherborn, Holliston and Medfield along with Charlottesville, Virginia. After traveling a lot to visit family members at their homes in their communities around the country, I wanted to let you know what I thought. These suggestions are also based on what remarks our guest have made that they felt stood out and made Medway unique.

Playgrounds - Wow! The playgrounds are amazing and a huge draw, definitely a BIG selling point to a family considering the town. I feel we surpass towns with very well kept parks and great playgrounds! I hope we continue to put resources into our parks and playgrounds, Medway could be known as the go to place for families because they have the best playground selection around!

Sidewalks/Accessibility - Most are in great condition and always being improved! This encourages outdoor activities and exercise in a safe community!

Medway Community Farm - if you want to talk about sustainability and really differentiate yourself from other towns, the best place to start is with a farm. There is nothing more sustainable than a farm. This is one of the most actionable items missed when a sustainability or green effort is attempted in a community. What is more sustainable than having a place where you get your food (hello-EVERYONE eats three times a day!) from right in your own town/"backyard"? There should be a major effort made to seeing the farm succeed and grow and not only vegetables but also in meat! It is also very diversified and inclusive, because everyone needs to eat! It's too bad we can't partner with Norfolk Aggie or create some kind of our own agricultural school as well. Anyways the town can support, expand and incorporate agricultural design is always an extremely unique feature and major foresight. They have done some large agricultural planned communities around the United States that are drawing a lot of attention and positive feedback, it would be nice to expand on our "right to farm" campaign. I would love to see Medway as a leader in Massachusetts agriculture, proving you don't need huge tracks of land and the best place to start is right in your own town and backyard !

Medway Place Shopping Center and Parking Lot - These buildings desperately need a facelift...they just look trashy especially to be representing Medway on the main drag.

The parking lot needs to be repaired and painted for not only aesthetic reasons but also safety purposes. I don't think I need to elaborate. Not sure if the town can have much influence on this though.

Thank you for listening to me and we hope to see Medway as a leader in sustainability via agriculture in the near future! There are a lot of unique ways we could incorporate this and promote this in the community! Thank You!

