

**Tuesday, January 25, 2022**  
**Medway Planning and Economic Development Board**  
**155 Village Street**  
**Medway, MA 02053**

<b>Members</b>	<b>Bob Tucker</b>	<b>Tom Gay</b>	<b>Matt Hayes</b>	<b>Rich Di Iulio</b>	<b>Jessica Chabot</b>	<b>Sarah Raposa</b>
<b>Attendance</b>	<b>X</b>	<b>Remote</b>	<b>X</b>	<b>X</b>	<b>Remote</b>	<b>Absent with Notice</b>

*Pursuant to Chapter 20 of the Acts of 2021, this meeting will be conducted in person and, as a courtesy, via remote means in accordance with applicable law. Please note that while an option for remote attendance and/or participation is being provided as a courtesy to the public and board members, the meeting/hearings will not be suspended or terminated if technological problems interrupt the virtual broadcast, unless required by law.*

**PRESENT:**

- Susy Affleck-Childs, Planning and Economic Development Coordinator

**PUBLIC COMMENTS:** There were no public comments.

**CONSTRUCTION REPORTS:**

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

**Evergreen Village:**

- Tetra Tech Field Report #10 dated 11-10-2021
- Tetra Tech Field Report #11 dated 11-23-2021
- Tetra Tech Field Report #12 dated 12-02-2021
- Tetra Tech Field Report #13 dated 12-03-2021
- Tetra Tech Field Report #14 dated 12-15-2021
- Tetra Tech Field Report #15 dated 12-27-2021
- Tetra Tech Field Report #16 dated 12-28-2021
- Tetra Tech Field Report #17 dated 12-30-2021
- Tetra Tech Field Report #18 dated 1-05-2022

**Choate Trail Subdivision**

- Tetra Tech Report #21 dated 12-15-21
- Tetra Tech Report #22 dated 1-06-22

**Medway Mills Site Plan**

- Guerriere & Halnon monthly report, dated 1-20-22

Tetra Tech Engineering Consultant Steve Bouley informed the Board that a neighbor on Mishawaum has complained about flooding related to the Salmon Development. There were photos provided. Consultant Bouley will be visiting the site and will report back to Board.

The Board would like to have a more consistent format for the monthly reports from project engineers.

### **20 Broad Street Status Report:**

Developer, permittee and property owner Steve Brody was present. The Board was informed that there have been a number of extenuating circumstances over the last two years which the developer has been faced with. The utility services have been able to be installed. This was done over the summer. The erosion control is being installed. Contractors will be preparing to put in the foundations. There has been no work done on the existing building. The construction fencing has been installed. Mr. Brody will be providing a construction schedule. The Board would like a two week “look ahead” for scheduling purposes for Consultant Bouley. There should also be a monthly summary report from GLM. The decision project completion date is February 2023. This date will need to be extended. The applicant will send a letter seeking an extension.

### **PUBLIC HEARING CONTINUATION - WINGATE FARM SUBDIVISION MODIFICATION**

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

- Notice dated November 10, 2021 to the Town Clerk to continue the public hearing to January 25, 2022.
- Letter dated January 11, 2022 from Legacy Engineering, LLC Dan Merrikin.

The applicant’s representative, Dan Merrikin from Legacy Engineering, was present via Zoom. He explained that the applicant is trying to partner with a developer to fund the significant expense of the redesign of subdivision and peer review efforts. This has been unsuccessful. The other concern is that the applicant does not have the financing needed to complete the process. The applicant is working to obtain a loan to secure the necessary funding. The funds may be available in February or March 2022. A continuation of the hearing is needed.

### **Continuance:**

**On a motion made by Rich Di Iulio, seconded by Bob Tucker, the Board voted by roll call to continue the hearing for Wingate Farm to April 22, 2022.**

### **Roll Call Vote:**

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

### **Extension:**

**On a motion made by Rich Di Iulio, seconded by Bob Tucker, the Board voted by roll call to approve the applicant’s request to extend the actin deadline for Wingate Farm to June 30, 2022.**

### **Roll Call Vote:**

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



### **HARMONY VILLAGE PERFORMANCE SECURITY:**

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

- Tri-Partite agreement
- Tetra Tech punch list dated 1-5-22.
- Tetra Tech estimate dated 1-5-22 for \$105,963.
- Email dated 1-6-22 from Gary Feldman
- Interim as-built dated 1-3-2022 by Meridan Associates
- Sign off email dated 1-20-22 from Tetra Tech re: interim as –built plan
- Photo of STOP sign pavement marking.
- 1-20-22 notification from the Medway Treasurer/Collector’s office.

Permittee Gary Feldman was present via Zoom to discuss the performance security for Harmony Village. The Board was informed that there will be a Tri-Partite Agreement with Needham Bank. The signed agreement from the bank still needs to be provided but the permittee did supply a certified bank check as an interim arrangement. The outstanding taxes have been paid.

**On a motion made by Rich Di Iulio, seconded by Bob Tucker, the Board voted by roll call to approve and sign the performance security agreement for Harmony Village in the amount of \$105,963.**

### **Roll Call Vote:**

<b>Bob Tucker</b>	<b>aye</b>
<b>Rich Di Iulio</b>	<b>aye</b>
<b>Jessica Chabot</b>	<b>aye</b>
<b>Matt Hayes</b>	<b>aye</b>

### **CUTLER PLACE PUBLIC HEARING CONTINUATION:**

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

- Notice dated January 12, 2022 to the Town Clerk to continue the public hearing to January 25, 2022.
- Email dated January 20, 2022 from Conservation Commission Agent Bridget Graziano
- Series of emails with and from Deputy Fire Chief Mike Fasolino dated January 18-20, 2022.
- Sidewalk construction estimate dated January 19, 2022 prepared by Tetra Tech
- Draft Decision dated January 20, 2022 and revised as of January 25, 2022
- Letter dated 1-25-22 from Police Sergeant Jeff Watson
- Email from DPW
- Mullin’s Rule Certification for Tom Gay for the January 11, 2022 meeting
- Email from Deputy Fire Chief Mike Fasolino dated January 25, 2022

The Board is in receipt of the draft decision. The decision was shown on the Share Screen.

The following was suggested:

- Addition of no parking signs on Cutler Street per the letter from Sergeant Watson.
- Include language about the access issues.
- Include language which reflects the language from the Fire Department’s letter.
- Propane tanks will be properly removed.
- Construction inspection will be conducted by Tetra Tech.

- Add language about working hours on Sunday. It was recommended to look at the Evergreen decision.

**Findings:**

**On a motion made by Rich Di Iulio, seconded by Bob Tucker, the Board voted by roll call to approve the Findings as amended.**

**Roll Call Vote:**

<b>Bob Tucker</b>	<b>aye</b>
<b>Rich Di Iulio</b>	<b>aye</b>
<b>Jessica Chabot</b>	<b>aye</b>
<b>Matt Hayes</b>	<b>aye</b>
<b>Tom Gay</b>	<b>aye</b>

**Waivers:**

The following waivers were noted:

- Section 204-3 Planning Board Submittals K.
- Section 204-5 D Site Plan Information Sheets
- Section 207-9 B. Sidewalks
- Section 207-11 B.2 – Internal Site Circulation and Parking Lot Drive Aisles
- Section 207-12. G. Parking Spaces
- Section 207 -16 Utilities
- Section 207-19 Landscaping B. Buffers
- Section 207 – 19 Landscaping C. Parking Areas
- Section 207-19 K. Landscaping K. Irrigation

The Board would like to see the following:

- There should be a detail of the berms on the plan.
- There should be a plan for perimeter of parking lot.
- The drive aisle should be on the plan.
- Remove the language about approval from Design Review Committee. Language can be added that DRC can comment but take out word approve.
- Consultant Bouley will be responsible for erosion control inspection and will submit reports.
- Reference letter dated January 25, 2022 from Sergeant Watson.

**On a motion made by Bob Tucker, seconded by Rich Di Iulio, the Board voted by roll call to accept the waivers as edited.**

**Roll Call Vote:**

<b>Bob Tucker</b>	<b>aye</b>
<b>Rich Di Iulio</b>	<b>aye</b>
<b>Jessica Chabot</b>	<b>aye</b>
<b>Matt Hayes</b>	<b>aye</b>
<b>Tom Gay</b>	<b>aye</b>

**Conditions:**

The Board reviewed the conditions.

**On a motion made by Bob Tucker, seconded by Jessica Chabot, the Board voted by roll Call to approve the decision with conditions as written with the recommended revisions.**

**Roll Call Vote:**

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

**Close Hearing:**

**On a motion made by Rich Di Iulio, seconded by Bob Tucker, the Board voted by roll Call to close the hearing.**

**Roll Call Vote:**

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

**APPOINTMENT TO THE MEDWAY MASTER PLAN COMMITTEE:**

It is the recommendation that the Board appoint Kristen Salera to the Master Plan Committee through a term of March 31, 2023. Kristen will serve as the representative of the Medway Business Council and comes highly recommended by MBC President Julie Dennehy. The position is a result of the resignation of Faina Shapiro from the Master Plan Committee.

**On a motion made by Jessica Chabot, seconded by Bob Tucker, the Board voted by roll Call to appoint Kristen Salera to the Master Plan Committee for a term until March 31, 2023.**

**Roll Call Vote:**

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

**CHOATE TRAIL SUBDIVISION REVISED BOND ESTIMATE:**

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

- Updated Tetra Tech Inspection report and punch list dated 1.14.22
- Updated bond estimate dated 1-14-22 for \$225,556

The Board was informed that developer Bob Pace has requested a reduction in the bond estimate. The Board previously approved an amount of \$294,588 in August 2021. The Board has not yet entered into a performance security agreement with the developer as there are still a few of the minimum required items to be completed.

**On a motion made by Bob Tucker, seconded by Rich Di Iulio, the Board voted by roll call to approve the revised bond estimate for the Choate Trail subdivision in the amount of \$225,556.**

**Roll Call Vote:**

<b>Bob Tucker</b>	<b>aye</b>
<b>Rich Di Iulio</b>	<b>aye</b>
<b>Jessica Chabot</b>	<b>aye</b>
<b>Matt Hayes</b>	<b>aye</b>

**BATTERY ENERGY STORAGE SYSTEM – Status Report:**

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

- Project Schedule from consultant ARUP

The Board has received the project schedule from the consultant ARUP. There will be two upcoming meetings which will be held on February 16, 2022 and March 17, 2022. The public hearing for forthcoming zoning will be held sometime in April 2022.

**MAY 2022 TOWN MEETING:**

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

- Draft Street Acceptance article for Newton Lane (Hartney Acres Subdivision)
- Draft ZBL amendment re: solar canopies as requested by the Medway Energy and Sustainability Committee.

The Board was informed that there will be a Street Acceptance article for the Spring Town meeting. The documents for street acceptance for Newton Lane are being prepared. The As Built plans have been submitted and are being reviewed by Tetra Tech.

A draft zoning article for solar canopies was reviewed. Barbara Saint Andre noted that the Town had approved new solar provisions in the Zoning Bylaw. We have learned that some of the provisions are not well suited to developing solar canopies above parking lots and some changes are needed. This will be resubmitted with revisions. The School Committee is considering installing a solar parking canopy over the school parking lot.

The Board is fine with these items moving forward.

**DRAFT Housing Production Plan Continuation Discussion:**

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

- DRAFT Housing Production Plan dated 12-22-21

The deadline for submitting any review comments to consultant Jenn Goldson is Friday January 28, 2022.

**MULTI-FAMILY HOUSING GUIDELINES FOR MBTA COMMUNITIES:**

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

- Draft DHCD Guidelines and Associated materials.
- Power Point presentation from 1-12-22 webinar sponsored by Mass DHCD and allied state agencies and housing organizations.

The Board is in receipt of the draft DHCD guidelines. The BOS want to send a joint letter with the PEDB to DHCD regarding some of the guidelines. This letter will be submitted to the BOS at the February 7, 2022 meeting and the PEDB will discuss it at their meeting on February 8,

2022. The Board is concerned about some of the requirements since one size does not fit all. The mandate would change the historical character of smaller towns such as Medway. There was a recommendation to include the map which Barbara had created with the letter. This mandate is problematic due to the size and scale requirements. There is no affordable housing requirement of these guidelines. Susy will work with Barbara on the letter.

### **MASTER PLAN UPDATE:**

The Board was informed about the updates of the Master Plan Committee. The Committee is working on Phase 3. Focus groups will start February 15, 2022. There was a recent presentation by MAPC which included the MetroCommon 2050 regional plan. The Committee also had presentation by the Facilities Review Committee on the evaluation of the facilities throughout town. There will be a report provided with the findings.

### **ZBA PETITION – 1 HIGH STREET VARIANCE:**

The Board is in receipt of an application for 1 High Street. **(See Attached)** This is for a use variance to construct a two-family dwelling with the appearance of a single family dwelling at 1 High Street which is currently a vacant parcel. Two-family buildings are not allowed in the Village Commercial district. The project also needs an area variance for a 9,958 sq. ft. lot where 10,000 sq. ft. is required. The applicant has not submitted the proposed building elevations. The ZBA will hear this case on February 2, 2022. The Board decided to not take any action on this application.

### **APPROVAL OF MEETING MINUTES:**

- **December 14, 2021 minutes**
- **December 23, 2021minutes**
- **January 3, 2022 minutes (regular session)**
- **January 3, 2022 minutes (executive session)**
- **January 11, 2022 minutes**
- **January 18, 2022 minutes**

**On a motion made by Bob Tucker, seconded by Rich Di Iulio, the Board voted to accept the Minutes of the following meetings:**

**December 14, 2021**  
**December 23, 2021**  
**January 3, 2022 (regular session)**  
**January 11, 2022**  
**January 18, 2022**

**(The executive session minutes from January 3, 2022 will be held over to the next meeting).**

### **Roll Call Vote:**

<b>Bob Tucker</b>	<b>aye</b>
<b>Rich Di Iulio</b>	<b>aye</b>
<b>Jessica Chabot</b>	<b>aye</b>
<b>Matt Hayes</b>	<b>aye</b>

### **ROCKY'S HARDWARE SITE PLAN ENDORSEMENT:**

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

- **Revised Site Plan dated 1-19-22**

- Tetra Tech review email dated 1-12-22

The Board was informed that the payment of \$3,800.00 has been received for the Rocky's Construction Account. It is recommended to endorse the site plan.

**On a motion made by Jessica Chabot, seconded by Bob Tucker, the Board voted by roll call vote to endorse the site plan for Rocky's Hardware.**

**Roll Call Vote:**

<b>Bob Tucker</b>	<b>aye</b>
<b>Rich Di Iulio</b>	<b>aye</b>
<b>Jessica Chabot</b>	<b>aye</b>
<b>Matt Hayes</b>	<b>aye</b>

**OTHER BUSINESS:**

- The Board discussed the options for virtual or remote meetings. The Board decided to stay with in person with the zoom option available for convenience.
- Susy Affleck-Childs reported that an informal meeting had been held with staff about a potential medical office building on Main Street.

**FUTURE MEETINGS:**

- February 8, 2022

**ADJOURN:**

**On a motion made by Bob Tucker, seconded by Rich Di Iulio, the Board voted to adjourn the meeting.**

The meeting was adjourned at 9:45 pm.

Prepared by,  
Amy Sutherland  
Recording Secretary

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



**January 25, 2022**  
**Medway Planning & Economic Development Board**  
**Meeting**

**Construction Reports**

- Evergreen Village
  - Tetra Tech Field Report #10, dated 11-10-2021
  - Tetra Tech Field Report #11, dated 11-23-2021
  - Tetra Tech Field Report #12, dated 12-02-2021
  - Tetra Tech Field Report #13, dated 12-03-2021
  - Tetra Tech Field Report #14, dated 12-15-2021
  - Tetra Tech Field Report #15, dated 12-27-2021
  - Tetra Tech Field Report #16, dated 12-28-2021
  - Tetra Tech Field Report #17, dated 12-30-2021
  - Tetra Tech Field Report #18, dated 1-05-2022
- Choate Trail
  - Tetra Tech Field Report #21, dated 12-15-2021
  - Tetra Tech Field Report #22, dated 1-06-2022
- William Wallace Village, Tetra Tech Field Report #25, dated 12-15-2021
- Medway Mills, Guerriere and Halnon monthly report, dated 1-20-22

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

# FIELD REPORT

Project Evergreen Village	Date 11/10/2021	Report No. 10
Location 22 Evergreen Street, Medway, MA	Project No. 143-21583-20001	Sheet 1 of 2
Contractor Mark Muntz (General Contractor)	Weather A.M. SUNNY P.M.	Temperature A.M. 58°F P.M.

## FIELD OBSERVATIONS

On Wednesday, November 10, 2021, Tucker D. Paradee, EIT from Tetra Tech (TT) visited the project location to inspect the current condition of the site and monitor construction progress. The following report outlines observations made during the site visit.

### 1. OBSERVATIONS

- A. Site Conditions/Erosion Controls: Firm ground and dry surface conditions throughout the limits of work. Silt fence barriers (SFB) remain in place around the limit of work and are in good condition. Compost filter tubes are staked just inside of the SFB and appear to be in good condition. Stockpiles of excavated material and construction equipment are concentrated in the center of the site. Temporary sedimentation basins remain at the site and appear to be functioning as designed. Construction entrance has not been installed.
- B. TT on-site to examine previously placed perforated drainpipe adjacent to proposed retaining wall on the western property boundary. Crushed stone base is present under perforated drainpipe and will be used as backfill directly on top of pipe. Layers of geogrid are imbedded in retaining wall and will be incorporated into crushed stone backfill as indicated in reformed wall detail. General contractor on site during visit, TT is informed that screened gravel will be used rather than retained soil to improve stormwater infiltration.
- C. Contractor has poured and stripped forms for the foundation of Unit 3. Unit 1 and 2 are in the process of being backfilled while Unit 3 foundation is being waterproofed with bitumastic coating.

CONTRACTOR'S FORCE AND EQUIPMENT				WORK DONE BY OTHERS	
Sup't		Bulldozer		Asphalt Paver	
Foreman		Backhoe		Asphalt Reclaimer	
Laborers		Loader		Vib. Roller	
Drivers		Rubber Tire Backhoe/Loader		Static Roller	
Oper. Engr.		Skid Steer		Vib. Walk Comp.	
Carpenters		Hoeram		Compressor	
Masons		Excavator		Jack Hammer	
Iron Workers		Grader		Power Saw	
Electricians		Crane		Conc. Vib.	
Flagpersons		Scraper		Tack Truck	
Surveyors		Conc. Mixer		Man Lift	
Roofers		Conc. Truck		Skidder	
Mechanical/HVAC		Conc. Pump Truck		Compact Track Loader	
		Pickup Truck			
		Tri-Axle Dump Truck			
		Trailer Dump Truck			
Police Details: N/A				RESIDENT REPRESENTATIVE FORCE	
Contractor's Hours of Work: 7:00 A.M. to 6:00 P.M.				Name	Time on-site
				Tucker D. Paradee, EIT	9:30 A.M. – 10:00 A.M.

NOTE: Please use reverse side for remarks and sketches



Project Evergreen Village	Date 11/10/2021	Report No. 10
Location 22 Evergreen Street, Medway, MA	Project No. 143-21583-20001	Sheet 2 of 2

## **FIELD OBSERVATIONS CONTINUED**

### **2. SCHEDULE**

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

### **3. NEW ACTION ITEMS**

- A. N/A

### **4. PREVIOUS OPEN ACTION ITEMS**

- A. Install construction entrance per the approved plans. **TT 11/5/21 Update: Item remains outstanding, TT recommends contractor install construction entrance as soon as possible to prevent sediment tracking on Evergreen Street.**
- B. Applicant to confirm if additional mitigation is required for expected removal of tree along western side of site behind retaining wall.

### **5. MATERIALS DELIVERED TO SITE SINCE LAST INSPECTION**

- A. N/A

Tetra Tech  
100 Nickerson Road, Suite 200  
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# FIELD REPORT

Project Evergreen Village	Date 11/23/2021	Report No. 11
Location 22 Evergreen Street, Medway, MA	Project No. 143-21583-20001	Sheet 1 of 2
Contractor Mark Muntz (General Contractor)	Weather A.M. SUNNY P.M.	Temperature A.M. 37°F P.M.

## FIELD OBSERVATIONS

On Tuesday, November 23, 2021, Tucker D. Paradee, EIT from Tetra Tech (TT) visited the project location to inspect the current condition of the site and monitor construction progress. The following report outlines observations made during the site visit.

### 1. OBSERVATIONS

- A. Site Conditions/Erosion Controls: Firm ground and dry surface conditions throughout the limits of work. Silt fence barriers (SFB) remain in place around the limit of work and are in good condition. Compost filter tubes are staked just inside of the SFB and appear to be in good condition. Stockpiles of excavated material and construction equipment are concentrated in the center of the site. Temporary sedimentation basins remain at the site and appear to be functioning as designed. Construction entrance has not been installed.
- B. TT on-site to witness the installation of roof drain pipe along the front of Units 4, 5, and 6. Non-perforated 6" SCH40 PVC piping is placed on top of 9" of crushed stone base. Pipes are connected with pipe lube and pushed together until completely secured. Pipes are erected out of the ground where the downspouts will be located, downspouts are to be installed at a later date. Drainage line is stubbed off right before underground basin location and will be tied in once Stormtech chambers are installed. The drainage line on the backside of Units 4, 5, and 6 is to be installed later in the day.

CONTRACTOR'S FORCE AND EQUIPMENT				WORK DONE BY OTHERS	
Sup't		Bulldozer		Asphalt Paver	
Foreman	1	Backhoe		Asphalt Reclaimer	
Laborers	2	Loader		Vib. Roller	
Drivers		Rubber Tire Backhoe/Loader		Static Roller	
Oper. Engr.		Skid Steer		Vib. Walk Comp.	
Carpenters		Hoeram		Compressor	
Masons		Excavator	4	Jack Hammer	
Iron Workers		Grader		Power Saw	
Electricians		Crane		Conc. Vib.	
Flagpersons		Scraper		Tack Truck	
Surveyors		Conc. Mixer		Man Lift	
Roofers		Conc. Truck		Skidder	
Mechanical/HVAC		Conc. Pump Truck		Compact Track Loader	
		Pickup Truck	2		
		Tri-Axle Dump Truck	1		
		Trailer Dump Truck			
Police Details: N/A				RESIDENT REPRESENTATIVE FORCE	
Contractor's Hours of Work: 7:00 A.M. to 6:00 P.M.				Name	Time on-site
				Tucker D. Paradee, EIT	11:00 A.M. – 11:15 A.M.

NOTE: Please use reverse side for remarks and sketches

Project Evergreen Village	Date 11/23/2021	Report No. 11
Location 22 Evergreen Street, Medway, MA	Project No. 143-21583-20001	Sheet 2 of 2

## ***FIELD OBSERVATIONS CONTINUED***

### **2. SCHEDULE**

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

### **3. NEW ACTION ITEMS**

- A. N/A

### **4. PREVIOUS OPEN ACTION ITEMS**

- A. Install construction entrance per the approved plans. **TT 11/23/21 Update: Item remains outstanding, TT recommends contractor install construction entrance as soon as possible to prevent sediment tracking on Evergreen Street.**
- B. Applicant to confirm if additional mitigation is required for expected removal of tree along western side of site behind retaining wall.

### **5. MATERIALS DELIVERED TO SITE SINCE LAST INSPECTION**

- A. N/A

Tetra Tech  
100 Nickerson Road, Suite 200  
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# FIELD REPORT

Project Evergreen Village	Date 12/02/2021	Report No. 12
Location 22 Evergreen Street, Medway, MA	Project No. 143-21583-20001	Sheet 1 of 2
Contractor Mark Muntz (General Contractor)	Weather A.M. CLOUDY P.M.	Temperature A.M. 55°F P.M.

## FIELD OBSERVATIONS

On Thursday, December 2, 2021, Tucker D. Paradee, EIT from Tetra Tech (TT) visited the project location to inspect the current condition of the site and monitor construction progress. The following report outlines observations made during the site visit.

### 1. OBSERVATIONS

- A. Site Conditions/Erosion Controls: Firm ground and dry surface conditions throughout the limits of work. Silt fence barriers (SFB) remain in place around the limit of work and are in good condition. Compost filter tubes are staked just inside of the SFB and appear to be in good condition. Stockpiles of materials and construction equipment are concentrated in the center of the site. Temporary sedimentation basins remain at the site and appear to be functioning as designed. Construction entrance has not been installed.
- B. TT on-site to witness the excavation of Type B stormwater management system. Soils beneath system appear to be consistent with the approved plans and analyses. The contractor is to place crushed stone and Stormtech chambers later in the day which will be inspected the next day.

CONTRACTOR'S FORCE AND EQUIPMENT				WORK DONE BY OTHERS	
Sup't		Bulldozer		Asphalt Paver	
Foreman	1	Backhoe		Asphalt Reclaimer	
Laborers	1	Loader		Vib. Roller	
Drivers		Rubber Tire Backhoe/Loader		Static Roller	
Oper. Engr.		Skid Steer	1	Vib. Walk Comp.	
Carpenters		Hoeram		Compressor	
Masons		Excavator	3	Jack Hammer	
Iron Workers		Grader		Power Saw	
Electricians		Crane		Conc. Vib.	
Flagpersons		Scraper		Tack Truck	
Surveyors		Conc. Mixer		Man Lift	
Roofers		Conc. Truck		Skidder	
Mechanical/HVAC		Conc. Pump Truck		Compact Track Loader	
		Pickup Truck	2		
		Tri-Axle Dump Truck			
		Trailer Dump Truck			
Police Details: N/A				RESIDENT REPRESENTATIVE FORCE	
Contractor's Hours of Work: 7:00 A.M. to 6:00 P.M.				Name	Time on-site
				Tucker D. Paradee, EIT	9:30 A.M. – 9:45 A.M.

NOTE: Please use reverse side for remarks and sketches

Project Evergreen Village	Date 12/02/2021	Report No. 12
Location 22 Evergreen Street, Medway, MA	Project No. 143-21583-20001	Sheet 2 of 2

## **FIELD OBSERVATIONS CONTINUED**

### **2. SCHEDULE**

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

### **3. NEW ACTION ITEMS**

- A. N/A

### **4. PREVIOUS OPEN ACTION ITEMS**

- A. Install construction entrance per the approved plans. **TT 12/2/21 Update: Contractor has placed gravel between the two proposed buildings where proposed asphalt will be installed, negating the need for a construction entrance. In our opinion, this item has been resolved.**
- B. Applicant to confirm if additional mitigation is required for expected removal of tree along western side of site behind retaining wall.

### **5. MATERIALS DELIVERED TO SITE SINCE LAST INSPECTION**

- A. N/A

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

# FIELD REPORT

Project Evergreen Village	Date 12/3/2021	Report No. 13
Location 22 Evergreen Street, Medway, MA	Project No. 143-21583-20001	Sheet 1 of 2
Contractor Mark Muntz (General Contractor)	Weather A.M. SUNNY P.M.	Temperature A.M. 39°F P.M.

## FIELD OBSERVATIONS

On Friday, December 3, 2021, Tucker D. Paradee, EIT from Tetra Tech (TT) visited the project location to inspect the current condition of the site and monitor construction progress. The following report outlines observations made during the site visit.

### 1. OBSERVATIONS

- A. Site Conditions/Erosion Controls: Firm ground and dry surface conditions throughout the limits of work. Silt fence barriers (SFB) remain in place around the limit of work and are in good condition. Compost filter tubes are staked just inside of the SFB and appear to be in good condition. Stockpiles of excavated material and construction equipment are concentrated in the center of the site. Temporary sedimentation basins remain at the site and appear to be functioning as designed. Construction entrance has not been installed.
- B. TT on site to inspect previously installed Stormtech chambers and crushed stone backfill. A uniform depth of 6" crushed stone was placed as the chamber bed followed by two rows of seven chambers. Roof drainage from the rear of Units 4-6 are tied into one row of chambers, while the roof drainage from the front of Units 4-6 are tied into the other row of chambers. Backfill consists of 12" of crushed stone that is chinked between and around chambers. Filter fabric is draped around the sides of the trench and will be used to enclose the chambers and crushed stone then backfilled with excavated material.

CONTRACTOR'S FORCE AND EQUIPMENT				WORK DONE BY OTHERS	
Sup't		Bulldozer		Asphalt Paver	
Foreman	1	Backhoe		Asphalt Reclaimer	
Laborers	1	Loader		Vib. Roller	
Drivers		Rubber Tire Backhoe/Loader		Static Roller	
Oper. Engr.		Skid Steer	1	Vib. Walk Comp.	
Carpenters		Hoeram		Compressor	
Masons		Excavator	3	Jack Hammer	
Iron Workers		Grader		Power Saw	
Electricians		Crane		Conc. Vib.	
Flagpersons		Scraper		Tack Truck	
Surveyors		Conc. Mixer		Man Lift	
Roofers		Conc. Truck		Skidder	
Mechanical/HVAC		Conc. Pump Truck		Compact Track Loader	
		Pickup Truck	2		
		Tri-Axle Dump Truck	1		
		Trailer Dump Truck			
Police Details: N/A				RESIDENT REPRESENTATIVE FORCE	
Contractor's Hours of Work: 7:00 A.M. to 6:00 P.M.				Name	Time on-site
				Tucker D. Paradee, EIT	9:15 A.M. – 9:30 A.M.

NOTE: Please use reverse side for remarks and sketches

Project Evergreen Village	Date 12/3/2021	Report No. 13
Location 22 Evergreen Street, Medway, MA	Project No. 143-21583-20001	Sheet 2 of 2

## **FIELD OBSERVATIONS CONTINUED**

### **2. SCHEDULE**

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

### **3. NEW ACTION ITEMS**

A. N/A

### **4. PREVIOUS OPEN ACTION ITEMS**

A. Applicant to confirm if additional mitigation is required for expected removal of tree along western side of site behind retaining wall.

### **5. MATERIALS DELIVERED TO SITE SINCE LAST INSPECTION**

A. N/A

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

# FIELD REPORT

Project Evergreen Village	Date 12/15/2021	Report No. 14
Location 22 Evergreen Street, Medway, MA	Project No. 143-21583-20001	Sheet 1 of 2
Contractor Mark Muntz (General Contractor)	Weather A.M. SUNNY P.M.	Temperature A.M. 35°F P.M.

## FIELD OBSERVATIONS

On Wednesday, December 15, 2021, Bradley M. Picard, EIT from Tetra Tech (TT) visited the project location with Bridget Graziano of Medway Conservation Commission (Conservation) to inspect the current condition of the site and monitor construction progress. The following report outlines observations made during the site visit.

### 1. OBSERVATIONS

- A. Site Conditions/Erosion Controls: Firm ground and dry surface conditions throughout the limits of work. Silt fence barriers (SFB) remain in place around the limit of work and are in good condition, regions of SFB have fallen off the stakes at the south side of the site and shall be reestablished as directed by Conservation. SFB at the northwest side of the site adjacent to Evergreen Street has fallen entirely and should be repaired to keep unstabilized material from traveling onto the roadway and to direct construction vehicles to park only on Balsam Way. Concrete washout is also present on the south side of the site between the SFB and foundation for Unit 3. Contractor was informed of washout and will remove all dumped material from this area. Compost filter tubes are staked just inside of the SFB and appear to be in good condition. Stockpiles of excavated material and construction equipment present throughout the site. Temporary sedimentation basins remain at the site and appear to be functioning as designed.
- B. TT and Conservation discussed with the Contractor the schedule for drainage installation at the south side of the site. Contractor informed TT that structures will be delivered to the site by the end of this week and construction will begin at the beginning of next week. TT will continue to coordinate with the Contractor to schedule inspections of the drainage installation.
- C. Upon inspection, Contractor is installing privacy fence behind Units 4, 5, and 6. Gutter and downspout installation appears to be ongoing, overflows have been installed at downspouts as indicated on the Plans.

CONTRACTOR'S FORCE AND EQUIPMENT				WORK DONE BY OTHERS	
Sup't		Bulldozer		Asphalt Paver	
Foreman	1	Backhoe		Asphalt Reclaimer	
Laborers	1	Loader		Vib. Roller	
Drivers		Rubber Tire Backhoe/Loader		Static Roller	
Oper. Engr.		Skid Steer	1	Vib. Walk Comp.	
Carpenters		Hoeram		Compressor	
Masons		Excavator	3	Jack Hammer	
Iron Workers		Grader		Power Saw	
Electricians		Crane		Conc. Vib.	
Flagpersons		Scraper		Tack Truck	
Surveyors		Conc. Mixer		Man Lift	
Roofers		Conc. Truck		Skidder	
Mechanical/HVAC		Conc. Pump Truck		Compact Track Loader	
		Pickup Truck	2		
		Tri-Axle Dump Truck	1		
		Trailer Dump Truck			
Police Details: N/A				OFFICIAL VISITORS TO JOB	
Contractor's Hours of Work: 7:00 A.M. to 6:00 P.M.				Bridget Graziano	Medway Conservation
RESIDENT REPRESENTATIVE FORCE				Name	Time on-site
				Bradley M. Picard, EIT	9:30 A.M. – 10:00 A.M.

NOTE: Please use reverse side for remarks and sketches



Project Evergreen Village	Date 12/15/2021	Report No. 14
Location 22 Evergreen Street, Medway, MA	Project No. 143-21583-20001	Sheet 2 of 2

## ***FIELD OBSERVATIONS CONTINUED***

### **2. SCHEDULE**

- A. Fence installation and gutter/downspout installation to continue at Units 4, 5, and 6.
- B. Drainage installation at the south side of the site will begin early next week.
- C. TT will maintain communication with contractor and will inspect the site on an as-need basis.

### **3. NEW ACTION ITEMS**

- A. Repair areas of SFB that have fallen off stakes.
- B. Remove concrete washout areas within conservation jurisdiction.

### **4. PREVIOUS OPEN ACTION ITEMS**

- A. Applicant to confirm if additional mitigation is required for expected removal of tree along western side of site behind retaining wall.

### **5. MATERIALS DELIVERED TO SITE SINCE LAST INSPECTION**

- A. N/A

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

# FIELD REPORT

Project Evergreen Village	Date 12/27/2021	Report No. 15
Location 22 Evergreen Street, Medway, MA	Project No. 143-21583-20001	Sheet 1 of 2
Contractor Mark Muntz (General Contractor)	Weather A.M. P.M. CLOUDY	Temperature A.M. P.M. 35°F

## FIELD OBSERVATIONS

On Monday, December 27, 2021, Bradley M. Picard, EIT from Tetra Tech (TT) visited the project location to inspect the current condition of the site and monitor construction progress. The following report outlines observations made during the site visit.

### 1. OBSERVATIONS

- A. TT on-site to inspect drainage installation at the south side of the site. Contractor has cut into the binder course at the end of Balsam Way to install the two catch basins (CB-1 and CB-2). Contractor has also installed DMH-1 and the Stormceptor downstream of the two catch basins. 10" HDPE pipe is installed at each drainage structure as indicated on the Plans, contractor to begin sealing pipes to the structures with mortar. Contractor intends on completing installation of DMH-2 today. All structures and pipes inspected have been placed on a bed of crushed stone and will be backfilled with a combination of crushed stone and excavated material.
- B. Contractor intends on excavating for subsurface infiltration system PR-3 tomorrow (12/28). During the inspection, TT coordinated with the Site Contractor and the design engineer via phone call to discuss filter fabric installation. TT recommends omitting filter fabric proposed to be installed beneath the crushed stone base of the system as fines are prone to accumulate and may impact the performance of the system. Design engineer acknowledged and accepts the suggestion for omitting filter fabric from the bottom of the system. Site contractor to place filter fabric along the sides and top of the completed system, as well as around the chambers within the system's isolator row. TT will return to the site tomorrow for bottom of excavation inspection to verify soil types.

CONTRACTOR'S FORCE AND EQUIPMENT				WORK DONE BY OTHERS	
Sup't		Bulldozer		Asphalt Paver	
Foreman	1	Backhoe		Asphalt Reclaimer	
Laborers	1	Loader		Vib. Roller	
Drivers		Rubber Tire Backhoe/Loader		Static Roller	
Oper. Engr.		Skid Steer	1	Vib. Walk Comp.	
Carpenters		Hoeram		Compressor	
Masons		Excavator	3	Jack Hammer	
Iron Workers		Grader		Power Saw	
Electricians		Crane		Conc. Vib.	
Flagpersons		Scraper		Tack Truck	
Surveyors		Conc. Mixer		Man Lift	
Roofers		Conc. Truck		Skidder	
Mechanical/HVAC		Conc. Pump Truck		Compact Track Loader	
		Pickup Truck	2		
		Tri-Axle Dump Truck	1		
		Trailer Dump Truck			
Police Details: N/A				RESIDENT REPRESENTATIVE FORCE	
Contractor's Hours of Work: 7:00 A.M. to 6:00 P.M.				Name	Time on-site
				Bradley M. Picard, EIT	12:30 P.M. – 1:00 P.M.

NOTE: Please use reverse side for remarks and sketches

Project Evergreen Village	Date 12/27/2021	Report No. 15
Location 22 Evergreen Street, Medway, MA	Project No. 143-21583-20001	Sheet 2 of 2

## ***FIELD OBSERVATIONS CONTINUED***

### **2. SCHEDULE**

- A. Fence installation and gutter/downspout installation to continue at Units 4, 5, and 6.
- B. Drainage installation at the south side of the site to continue throughout the week.
- C. TT will maintain communication with contractor and will inspect the site on an as-need basis.

### **3. NEW ACTION ITEMS**

- A. N/A

### **4. PREVIOUS OPEN ACTION ITEMS**

- A. Applicant to confirm if additional mitigation is required for expected removal of tree along western side of site behind retaining wall.
- B. Repair areas of SFB that have fallen off stakes.
- C. Remove concrete washout areas within conservation jurisdiction.

### **5. MATERIALS DELIVERED TO SITE SINCE LAST INSPECTION**

- A. N/A

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# FIELD REPORT

Project Evergreen Village	Date 12/28/2021	Report No. 16
Location 22 Evergreen Street, Medway, MA	Project No. 143-21583-20001	Sheet 1 of 2
Contractor Mark Muntz (General Contractor)	Weather A.M. CLEAR P.M. CLEAR	Temperature A.M. 35°F P.M. 35°F

## FIELD OBSERVATIONS

On Tuesday, December 28, 2021, Bradley M. Picard, EIT from Tetra Tech (TT) visited the project location to inspect the current condition of the site and monitor construction progress. The following report outlines observations made during the site visit.

### 1. OBSERVATIONS

- A. TT on-site to inspect excavation of subsurface infiltration system PR-3. Prior to arrival, Site Contractor called to inform TT that at the proposed bottom of stone elevation (elev. 198.00), organic material was still present. TT directed the Site Contractor that additional excavation will be required until the soil present at the bottom of the excavation throughout the field is indicative of the loamy sand characterization used in the project's HydroCAD analysis. Contractor had to further excavate, up to 2 feet in some regions, within the limit of the proposed infiltration system to expose the loamy sand material throughout. Contractor intends on supplementing the over-excavated areas with 1 ½" crushed stone up to the proposed bottom of system elevation and will use ¾" stone for the remainder of the infiltration system. Contractor to also install 40-mill impervious breakout barrier along the west side of the infiltration system adjacent to the retaining wall as shown on the Plans. TT will return to the site once chambers are placed to verify number of installed chambers.
- B. Contractor has installed DMH-2 adjacent to the excavation for PR-3. Manhole is oriented to ensure weir plate within DMH-2 directs initial flow to the isolator row.
- C. Gutters and downspouts at Units 4, 5, and 6 have been installed. Overflows have been installed at each downspout. Fence installation is also complete on the west side of units 4, 5, and 6.

CONTRACTOR'S FORCE AND EQUIPMENT				WORK DONE BY OTHERS	
Sup't		Bulldozer		Asphalt Paver	
Foreman	1	Backhoe		Asphalt Reclaimer	
Laborers	1	Loader		Vib. Roller	
Drivers		Rubber Tire Backhoe/Loader		Static Roller	
Oper. Engr.		Skid Steer	1	Vib. Walk Comp.	
Carpenters		Hoeram		Compressor	
Masons		Excavator	3	Jack Hammer	
Iron Workers		Grader		Power Saw	
Electricians		Crane		Conc. Vib.	
Flagpersons		Scraper		Tack Truck	
Surveyors		Conc. Mixer		Man Lift	
Roofers		Conc. Truck		Skidder	
Mechanical/HVAC		Conc. Pump Truck		Compact Track Loader	
		Pickup Truck	2		
		Tri-Axle Dump Truck	1		
		Trailer Dump Truck			
Police Details: N/A				RESIDENT REPRESENTATIVE FORCE	
Contractor's Hours of Work: 7:00 A.M. to 6:00 P.M.				Name	Time on-site
				Bradley M. Picard, EIT	11:45 A.M. – 12:15 P.M.

NOTE: Please use reverse side for remarks and sketches

Project Evergreen Village	Date 12/28/2021	Report No. 16
Location 22 Evergreen Street, Medway, MA	Project No. 143-21583-20001	Sheet 2 of 2

## **FIELD OBSERVATIONS CONTINUED**

### **2. SCHEDULE**

- A. Fence installation and gutter/downspout installation to continue at Units 4, 5, and 6.
- B. Drainage installation at the south side of the site to continue throughout the week.
- C. TT will maintain communication with contractor and will inspect the site on an as-need basis.

### **3. NEW ACTION ITEMS**

- A. N/A

### **4. PREVIOUS OPEN ACTION ITEMS**

- A. Applicant to confirm if additional mitigation is required for expected removal of tree along western side of site behind retaining wall. **TT Update: Tree remains in place and wall has been backfilled. We expect this will cause issues in the further and will kill the tree. We suggest removal of the tree at this time.**
- B. Repair areas of SFB that have fallen off stakes. **TT Update: SFB repaired. In our opinion this item is resolved.**
- C. Remove concrete washout areas within conservation jurisdiction. **TT Update: concrete washout areas have been removed. In our opinion, this item has been resolved.**

### **5. MATERIALS DELIVERED TO SITE SINCE LAST INSPECTION**

- A. N/A

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

# FIELD REPORT

Project Evergreen Village	Date 12/30/2021	Report No. 17
Location 22 Evergreen Street, Medway, MA	Project No. 143-21583-20001	Sheet 1 of 2
Contractor Mark Muntz (General Contractor)	Weather A.M. LIGHT RAIN P.M.	Temperature A.M. 35°F P.M.

## FIELD OBSERVATIONS

On Thursday, December 30, 2021, Bradley M. Picard, EIT from Tetra Tech (TT) visited the project location to inspect the current condition of the site and monitor construction progress. The following report outlines observations made during the site visit.

### 1. OBSERVATIONS

- A. TT on-site to inspect chamber installation for subsurface infiltration system PR-3. Contractor has supplemented the over-excavated areas within the limit of PR-3 with 1 ½" crushed stone to the proposed bottom of system elevation. ¾" stone has been used for the 6-inch base of the system, elevations are verified using a rotary laser level and rod. Prior to stone installation, Contractor has draped non-woven filter fabric along the edges of the excavation. 25 Stormtech SC-740 chambers were installed as indicated on the endorsed Plans. The first row of chambers was wrapped with non-woven filter fabric to operate as the system's isolator row. Two inspection ports were installed, one within the isolator row and one at the southwest corner of PR-3. TT departs from the site following inspection port installation. Contractor has delivered photos of system sufficiently backfilled with ¾" crushed stone and wrapped entirely with filter fabric prior to backfill. Contractor to install 40-mill impervious breakout barrier along the west side of the infiltration system adjacent to the retaining wall as shown on the Plans. Contractor to also install Control Structure-1 and Plunge Pool following backfill of PR-3.
- B. During the inspection for PR-3, landscapers are on-site extending the retaining wall on the west side of the infiltration system. Landscapers informed TT that they intend on keeping the wall at a height not exceeding 4 feet to ensure the privacy wall will not need to be extended. Shrubs and additional landscaping will be installed in this area to provide screening beyond the fence.

CONTRACTOR'S FORCE AND EQUIPMENT				WORK DONE BY OTHERS	
Sup't		Bulldozer		Asphalt Paver	
Foreman	1	Backhoe		Asphalt Reclaimer	
Laborers	1	Loader		Vib. Roller	
Drivers		Rubber Tire Backhoe/Loader		Static Roller	
Oper. Engr.		Skid Steer	1	Vib. Walk Comp.	
Carpenters		Hoeram		Compressor	
Masons		Excavator	3	Jack Hammer	
Iron Workers		Grader		Power Saw	
Electricians		Crane		Conc. Vib.	
Flagpersons		Scraper		Tack Truck	
Surveyors		Conc. Mixer		Man Lift	
Roofers		Conc. Truck		Skidder	
Mechanical/HVAC		Conc. Pump Truck		Compact Track Loader	
		Pickup Truck	2		
		Tri-Axle Dump Truck	1		
		Trailer Dump Truck			
Police Details: N/A				RESIDENT REPRESENTATIVE FORCE	
Contractor's Hours of Work: 7:00 A.M. to 6:00 P.M.				Name	Time on-site
				Bradley M. Picard, EIT	9:30 A.M. – 11:00 P.M.

NOTE: Please use reverse side for remarks and sketches

Project Evergreen Village	Date 12/30/2021	Report No. 17
Location 22 Evergreen Street, Medway, MA	Project No. 143-21583-20001	Sheet 2 of 2

## ***FIELD OBSERVATIONS CONTINUED***

### **2. SCHEDULE**

- A. Contractor to install Control Structure-1 and excavate Plunge Pool following backfill of PR-3.
- B. Fence installation and retaining wall extension to continue on the west side of the site.
- C. TT will maintain communication with contractor and will inspect the site on an as-need basis.

### **3. NEW ACTION ITEMS**

- A. N/A

### **4. PREVIOUS OPEN ACTION ITEMS**

- A. Applicant to confirm if additional mitigation is required for expected removal of tree along western side of site behind retaining wall. **TT Update: Tree remains in place and wall has been backfilled. We expect this will cause issues in the further and will kill the tree. We suggest removal of the tree at this time.**

### **5. MATERIALS DELIVERED TO SITE SINCE LAST INSPECTION**

- A. N/A

Tetra Tech  
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Marlborough, MA 01752

# FIELD REPORT

Project Evergreen Village	Date 01/05/2022	Report No. 18
Location 22 Evergreen Street, Medway, MA	Project No. 143-21583-20001	Sheet 1 of 2
Contractor Mark Muntz (General Contractor)	Weather A.M. CLOUDY P.M.	Temperature A.M. 40°F P.M.

## FIELD OBSERVATIONS

On Wednesday, January 5, 2022, Bradley M. Picard, EIT from Tetra Tech (TT) visited the project location to inspect the current condition of the site and monitor construction progress. The following report outlines observations made during the site visit.

### 1. OBSERVATIONS

- A. Site Conditions/Erosion Controls: Firm ground and dry surface conditions throughout the limits of work. Silt fence barriers (SFB) remain in place around the limit of work and are in good condition. Compost filter tubes are placed just inside of the SFB and appear to be in good condition. Stockpiles of fill material and construction equipment present throughout the site.
- B. Contractor has started roof drain installation for Units 2 and 3 towards DMH-1. Manhole currently has stub in place to take roof drain discharge. 6" SCH-40 PVC pipe is bedded and backfilled with crushed stone, excavated material will be used to backfill the rest of the trench and bring subbase to approximate finish grade.

Contractor has backfilled subsurface infiltration system PR-3 and installed Control Structure-1. Plunge Pool downstream of Control Structure 1 has been excavated and lined with rip rap as indicated on the Plans. Additional material in the area of PR-3 will be brought in to bring elevations up to proposed finish grades. 40-mill impervious breakout barrier has been installed between PR-3 and the retaining wall on the west side of the site as shown on the Plans. Retaining wall has been extended to the south of the site beyond PR-3, additional backfill is required at the toe of the retaining wall. Contractor informed TT that an additional 1 foot of material is anticipated to be placed along the wall, which would appear to keep the retaining wall at or below 4 feet high.

CONTRACTOR'S FORCE AND EQUIPMENT					WORK DONE BY OTHERS	
Sup't		Bulldozer		Asphalt Paver	Dept. or Company	Description of Work
Foreman	1	Backhoe		Asphalt Reclaimer	Eversource	Electrical Connection
Laborers	1	Loader		Vib. Roller		
Drivers		Rubber Tire Backhoe/Loader		Static Roller		
Oper. Engr.		Skid Steer	1	Vib. Walk Comp.		
Carpenters		Hoeram		Compressor		
Masons		Excavator	3	Jack Hammer		
Iron Workers		Grader		Power Saw		
Electricians		Crane		Conc. Vib.		
Flagpersons		Scraper		Tack Truck		
Surveyors		Conc. Mixer		Man Lift		
Roofers		Conc. Truck		Skidder	OFFICIAL VISITORS TO JOB	
Mechanical/HVAC		Conc. Pump Truck		Compact Track Loader		
		Pickup Truck	2			
		Tri-Axle Dump Truck	1			
		Trailer Dump Truck				
Police Details: N/A					RESIDENT REPRESENTATIVE FORCE	
Contractor's Hours of Work: 7:00 A.M. to 6:00 P.M.					Name	Time on-site
					Bradley M. Picard, EIT	10:15 A.M. – 10:45 P.M.

NOTE: Please use reverse side for remarks and sketches



Project Evergreen Village	Date 01/05/2022	Report No. 18
Location 22 Evergreen Street, Medway, MA	Project No. 143-21583-20001	Sheet 2 of 2

### **FIELD OBSERVATIONS CONTINUED**

- C. Upon arrival to the site, Eversource is completing wiring for electrical services for the development. Electrical service is extended from Evergreen Street and connected to the utility pole to the north of Unit 4. Conduit is in place to direct overhead wiring to underground electrical infrastructure.
- D. Loam has been placed on the north side of the site between Evergreen Street and Unit 4. Mail kiosk has been installed at the inbound side of Balsam Way as shown on the Plans. Installation of stone wall on the northwest corner of the site appears to be completed.

#### **2. SCHEDULE**

- A. Roof drain installation to continue at Units 1, 2, and 3.
- B. TT will maintain communication with contractor and will inspect the site on an as-need basis.

#### **3. NEW ACTION ITEMS**

- A. N/A

#### **4. PREVIOUS OPEN ACTION ITEMS**

- A. Applicant to confirm if additional mitigation is required for expected removal of tree along western side of site behind retaining wall. **TT Update: Tree remains in place and wall has been backfilled. We expect this will cause issues in the further and will kill the tree. We suggest removal of the tree at this time.**

#### **5. MATERIALS DELIVERED TO SITE SINCE LAST INSPECTION**

- A. N/A

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

# FIELD REPORT

Project Choate Trail – Copper Drive	Date 12/15/2021	Report No. 21
Location 42 Highland Street, Medway, MA	Project No. 143-21583-20008	Sheet 1 of 2
Contractor Bob Pace (Owner/General Contractor) Rhino Construction (Site Contractor)	Weather A.M. CLEAR P.M.	Temperature A.M. 40°F P.M.

## FIELD OBSERVATIONS

On Wednesday, December 15, 2021, Bradley M. Picard, EIT from Tetra Tech (TT) visited the project location with Bridget Graziano of Medway Conservation Commission (Conservation) to inspect the current condition of the site and monitor construction progress. The following report outlines observations made during the site visit.

### 1. OBSERVATIONS

- A. Site Conditions/Erosion Controls: Site is firm and dry throughout the limit of work. Highland Street had no traces of sediment upon inspection. Sediment has been swept throughout the paved surface on Copper Drive. Silt sacks have been installed at each catch basin within Copper Drive, gutter mouths have been blocked to ensure sediment-laden water does not bypass silt sacks. Construction entrances have yet to be installed at each proposed lot. Construction entrances to each lot should be placed to minimize tracking onto Copper Drive. Compost filter sock has been installed throughout the project limit as indicated on the endorsed Plans. Silt fence barrier (SFB) has been installed along the western portion of the site adjacent to the existing wetland resource area and appears to be in good condition. Temporary sediment basins have been installed at the low points and appear to be functioning.
- B. Contractor has started installing subdrain along the eastern side of Copper Drive. Contractor is installing perforated PVC pipe in a bed of crushed stone as indicated on the Plans. Excavation is lined with non-woven filter fabric and stone surrounding pipe is also covered with filter fabric. Contractor to continue installation of subdrain from the upstream side of the cross culvert towards the cul-de-sac.

CONTRACTOR'S FORCE AND EQUIPMENT						WORK DONE BY OTHERS	
Sup't		Bulldozer		Asphalt Paver		Dept. or Company	Description of Work
Foreman	1	Backhoe		Asphalt Reclaimer			
Laborers		Loader		Vib. Roller	1		
Drivers		Rubber Tire Backhoe/Loader		Static Roller			
Oper. Engr.	2	Skid Steer	1	Vib. Walk Comp.			
Carpenters		Hoeram		Compressor			
Masons		Excavator	1	Jack Hammer			
Iron Workers		Grader		Power Saw			
Electricians		Crane		Conc. Vib.			
Flagpersons		Scraper		Tack Truck			
Surveyors		Conc. Mixer		Man Lift			
Roofers		Conc. Truck		Skidder		OFFICIAL VISITORS TO JOB	
Mechanical/HVAC		Conc. Pump Truck		Compact Track Loader		Bridget Graziano	Medway Conservation
		Pickup Truck	3	Rock Truck			
		Tri-Axle Dump Truck		Soil separator			
		Trailer Dump Truck					
Police Details: N/A						RESIDENT REPRESENTATIVE FORCE	
Contractor's Hours of Work: 7:00 A.M. to 6:00 P.M.						Name	Time on-site
						Bradley M. Picard, EIT	11:00 A.M. – 11:30 A.M.

NOTE: Please use reverse side for remarks and sketches

Project Choate Trail – Copper Drive	Date 12/15/2021	Report No. 21
Location 42 Highland Street, Medway, MA	Project No. 143-21583-20008	Sheet 2 of 2

## **FIELD OBSERVATIONS CONTINUED**

### **2. SCHEDULE**

- A. Contractor to continue installation of subdrain along Copper Drive. TT will maintain communication with contractor and will inspect the site on an as-need basis.

### **3. NEW ACTION ITEMS**

- A. N/A

### **4. PREVIOUS OPEN ACTION ITEMS**

- A. Sweep Copper Drive and maintain regular sweeping regimen for the project during active construction. **TT Update: Contractor has swept Copper Drive and sufficiently removed accumulated sediment within the roadway. It is our opinion this item is resolved.**
- B. Install construction entrances for each lot.
- C. Block catch basin gutter mouths. **TT Update: Gutter mouths have been blocked. It is our opinion this item is resolved.**
- D. Inspection ports for the subsurface infiltration system and the water quality units should be raised to binder course elevation to monitor performance during construction.

### **5. MATERIALS DELIVERED TO SITE SINCE LAST INSPECTION**

- A. N/A

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100 Nickerson Road, Suite 200  
Marlborough, MA 01752

# FIELD REPORT

Project Choate Trail – Copper Drive	Date 01/06/2022	Report No. 22
Location 42 Highland Street, Medway, MA	Project No. 143-21583-20008	Sheet 1 of 2
Contractor Bob Pace (Owner/General Contractor) Rhino Construction (Site Contractor)	Weather A.M. P.M. CLEAR	Temperature A.M. P.M. 35°F

## FIELD OBSERVATIONS

On Thursday, January 6, 2022, Bradley M. Picard, EIT from Tetra Tech (TT) visited the project location to inspect the current condition of the site and monitor construction progress. The following report outlines observations made during the site visit.

### 1. OBSERVATIONS

- A. Site Conditions/Erosion Controls: Site is firm and dry throughout the limit of work. Highland Street had no traces of sediment upon inspection. Silt sacks have been installed at each catch basin within Copper Drive, gutter mouths have been blocked to ensure sediment-laden water does not bypass silt sacks and appear to be in good condition. Construction entrances have yet to be installed at each proposed lot. Construction entrances to each lot should be placed to minimize tracking onto Copper Drive. Compost filter sock has been installed throughout the project limit as indicated on the endorsed Plans. Silt fence barrier (SFB) has been installed along the western portion of the site adjacent to the existing wetland resource area and appears to be in good condition. Temporary sediment basins have been installed at the low points and appear to be functioning.
- B. TT on-site to witness binder course installation for the proposed sidewalk on the inbound side of Copper Drive. Paving operations throughout the day occurred with temperatures below 40 degrees, TT will monitor the asphalt during inspections to ensure cold temperatures have not adversely affected the quality of the binder course. Upon arrival, Contractor has installed binder course up to approx. STA 3+50. Contractor is hand-placing approximately 2 ½" (loose) of bituminous concrete asphalt to achieve a compacted depth of 1 ¾" as indicated on the endorsed Plans. Binder temperatures out of the tri-axle dump truck ranged from 270°F - 285°F. Asphalt mix is procured from Riley Brothers in Bellingham, MA.
- C. Contractor appears to have completed installing subdrain along the eastern side of Copper Drive. Excavation is lined with non-woven filter fabric and stone surrounding pipe is also covered with filter fabric.

CONTRACTOR'S FORCE AND EQUIPMENT						WORK DONE BY OTHERS	
Sup't		Bulldozer		Asphalt Paver		Dept. or Company	Description of Work
Foreman	1	Backhoe		Asphalt Reclaimer			
Laborers	4	Loader		Vib. Roller	1		
Drivers	1	Rubber Tire Backhoe/Loader		Static Roller			
Oper. Engr.	1	Skid Steer	1	Vib. Walk Comp.	1		
Carpenters		Hoeram		Compressor			
Masons		Excavator	1	Jack Hammer			
Iron Workers		Grader		Power Saw			
Electricians		Crane		Conc. Vib.			
Flagpersons		Scraper		Tack Truck			
Surveyors		Conc. Mixer		Man Lift			
Roofers		Conc. Truck		Skidder		OFFICIAL VISITORS TO JOB	
Mechanical/HVAC		Conc. Pump Truck		Compact Track Loader			
		Pickup Truck	2	Rock Truck			
		Tri-Axle Dump Truck		Soil separator			
		Trailer Dump Truck					
Police Details: N/A						RESIDENT REPRESENTATIVE FORCE	
Contractor's Hours of Work: 7:00 A.M. to 6:00 P.M.						Name	Time on-site
						Bradley M. Picard, EIT	1:00 P.M. – 2:00 P.M.

NOTE: Please use reverse side for remarks and sketches

Project Choate Trail – Copper Drive	Date 01/06/2022	Report No. 22
Location 42 Highland Street, Medway, MA	Project No. 143-21583-20008	Sheet 2 of 2

## **FIELD OBSERVATIONS CONTINUED**

### **2. SCHEDULE**

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

### **3. NEW ACTION ITEMS**

- A. N/A

### **4. PREVIOUS OPEN ACTION ITEMS**

- A. Install construction entrances for each lot.
- B. Inspection ports for the subsurface infiltration system and the water quality units should be raised to binder course elevation to monitor performance during construction.

### **5. MATERIALS DELIVERED TO SITE SINCE LAST INSPECTION**

- A. Binder course for sidewalk.

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

# FIELD REPORT

Project William Wallace Village	Date 12/25/2021	Report No. 25
Location Village Street, Medway, MA	Project No. 143-21583-19012	Sheet 1 of 2
Contractor M. Phillips Industries (Site Contractor) Larry Rucci (Developer)	Weather A.M. CLEAR P.M.	Temperature A.M. 40°F P.M.

## FIELD OBSERVATIONS

On Wednesday, December 15, 2021, Bradley M. Picard, EIT from Tetra Tech (TT) visited the project location with Bridget Graziano of Medway Conservation Commission (Conservation) to inspect the current condition of the site and monitor construction progress. The following report outlines observations made during the site visit.

### 1. OBSERVATIONS

- A. Site Conditions/Erosion Controls: Dry and firm surface conditions throughout the site. Entrance to Village St. is clean with no signs of sediment. Silt fence barrier (SFB) and compost filter sock have been installed around the entire perimeter of the site. Minor damage of SFB present on the northern and eastern side of the property. Additional compost filter sock has been placed along the eastern property line adjacent to Bedelia Lane, as well as around the two at-grade infiltration basins. Temporary sediment basin is present on the northeast region of the site and appear to be functioning as designed. Stockpiles of excavated material, construction equipment, and crushed stone are present adjacent to the temporary sediment basin. Sediment has accumulated within Sterling Circle and should be swept to reduce dust and to prevent sediment-laden runoff from entering the stormwater system.
- B. During the inspection, Conservation identified an existing concrete slab on the east side of the site beyond the erosion controls that has not been removed. Conservation informed the Contractor that the remaining concrete shall be removed in its entirety and buffer zone restored.
- C. Contractor continues construction for proposed Units 3 and 4, foundations have been poured and backfilled. Foundation has also been poured for Units 5 and 6 and is partially backfilled. Vertical construction is ongoing at Units 10, 11, and 12.

CONTRACTOR'S FORCE AND EQUIPMENT					WORK DONE BY OTHERS	
Sup't		Bulldozer		Asphalt Paver	Dept. or Company	Description of Work
Foreman		Backhoe		Asphalt Reclaimer		
Laborers		Loader		Vib. Roller		
Drivers		Rubber Tire Backhoe/Loader		Static Roller		
Oper. Engr.		Skid Steer		Vib. Walk Comp.		
Carpenters		Hoeram		Compressor		
Masons		Excavator	1	Jack Hammer		
Iron Workers		Mini-Excavator	1	Power Saw		
Electricians		Grader	1	Conc. Vib.		
Flagpersons		Crane		Tack Truck		
Surveyors	1	Scraper		Man Lift		
Roofers		Conc. Mixer		Skidder		
Mechanical/HVAC		Conc. Truck		Compact Track Loader	2	Bridget Graziano Medway Conservation
		Conc. Pump Truck		Porta-John	1	
		Pickup Truck	5+	Dumpster (15 Yard)		
		Tri-Axle Dump Truck	4			
		Trailer Dump Truck				
Police Details: 1 Police Detail at Driveway Entrance.					RESIDENT REPRESENTATIVE FORCE	
Contractor's Hours of Work: 7:00 A.M. to 6:00 P.M.					Name	Time on-site
					Bradley M. Picard, EIT	10:30 A.M. – 11:00 A.M.

NOTE: Please use reverse side for remarks and sketches

Project William Wallace Village	Date 12/15/2021	Report No. 25
Location Village Street, Medway, MA	Project No. 143-21583-19012	Sheet 2 of 2

## ***FIELD OBSERVATIONS CONTINUED***

### **2. SCHEDULE**

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

### **3. NEW ACTION ITEMS**

A. Sweep Sterling Circle throughout construction to prevent sediment migration to stormwater BMP's.

### **4. PREVIOUS OPEN ACTION ITEMS**

A. N/A

### **5. MATERIALS DELIVERED TO SITE SINCE LAST INSPECTION**

A. N/A



# Guerriere & Halnon, Inc.

ENGINEERING & LAND SURVEYING

[www.guerriereandhalnon.com](http://www.guerriereandhalnon.com)

Est. 1972

**Milford Office**  
333 West Street, P. O. Box 235  
Milford, MA 01757-0235  
(508) 473-6630/Fax (508) 473-8243

**Franklin Office**  
55 West Central Street  
Franklin, MA 02038-2101  
(508) 528-3221/Fax (508) 528-7921

**Whitinsville Office**  
1029 Providence Road  
Whitinsville, MA 01588-2121  
(508) 234-6834/Fax (508) 234-6723

F3519

January 21, 2022

Town of Medway  
Planning and Economic Development Board  
155 Village Street  
Medway, MA. 02053  
Attn: Susan Affleck-Childs

**RE: Medway Mills – Monthly Inspection Report: 165 Main Street, Medway, MA 02053.**

On behalf of the Applicant, 165 Main Street Realty Trust, and in accordance with Major Site Plan Decision dated June 22, 2021 General Conditions of Approval Paragraph (G)(4), Guerriere & Halnon, Inc. conducted the monthly site inspection on January 20, 2022 and observed the following construction activities:

- Mulch socks remain in place to direct water to the catch basins within the new parking area;
- Erosion control measures and construction fencing remain in place on the west side of the project site and appear to be in satisfactory condition;
- A stone tree well has been installed at the northeastern corner of the new parking lot to preserve an existing cluster of trees;
- Temporary lighting has been installed in the parking area;
- The stone wall has been relocated along the pedestrian walkway path,
- The walkway path connecting the upper and lower parking areas has been rough graded and
- The proposed screening fence has been installed along the property line of the northern, western, and southern abutters.

Should you have any questions or require additional information, please contact our office.

Sincerely,  
**Guerriere & Halnon, Inc.**

*Amanda Cavaliere*

Amanda Cavaliere  
Franklin Office Manager

cc: Mr. John Greene, Applicant







**January 25, 2022**  
**Medway Planning & Economic Development Board**  
**Meeting**

**Wingate Farm Subdivision Modification**  
**Public Hearing**

- Notice dated November 10, 2021 to the Town Clerk to continue the public hearing to January 25, 2022
- Letter dated January 11, 2022 from Legacy Engineering, LLC (Dan Merrikin) requesting a continuation of the public hearing to a meeting in April and granting an extension of the Board's action deadline to May 31, 2022.

## Board Members

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



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

# TOWN OF MEDWAY

## COMMONWEALTH OF MASSACHUSETTS

### PLANNING AND ECONOMIC DEVELOPMENT BOARD

## MEMORANDUM

November 10, 2021

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

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

RE: **Public Hearing Continuation for Wingate Farm Subdivision Modification**  
**168 Holliston Street and Wingate Farm Road**  
**Continuation Date -- Tuesday, January 25, 2022 at 7:15 p.m.**

RECEIVED TOWN CLERK  
NOV 10 '21 AM 10:40

At its November 9, 2021 meeting, the Planning and Economic Development Board voted to continue the public hearing on the application of Karyl and Eugene Walsh of Medway, MA for approval of a modification to the previously issued subdivision decision and approved definitive subdivision plan for Wingate Farm to Tuesday, January 25, 2022 at 7:15 p.m. The Wingate Farm definitive subdivision plan was approved in 2005; it divided the property into 4 lots with a permanent private roadway known as Wingate Farm Road.

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

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

***The applicant will be submitting a revised plan for review in early January 2022. I will notify you of that revised plan upon receipt so that you can review and provide any comments you wish to the Board.***



[dan@legacy-ce.com](mailto:dan@legacy-ce.com)

508-376-8883(o)

508-868-8353(c)

730 Main Street

Suite 2C

Millis, MA 02054

January 11, 2022

Planning & Economic Development Board

155 Village Street

Town Offices

Medway, MA 02053

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

Dear Members of the Board:

I am writing to request a continuance to a meeting in April. Consistent with prior discussions with Town staff, the Applicant has been trying to partner with a developer to fund the significant expense associated with the ongoing subdivision redesign and peer review efforts. Unfortunately, the Applicant has been unsuccessful. While we are working on the redesign, the Applicant does not currently have the financing needed to complete that process. They are therefore in the midst of obtaining a loan to secure the necessary funding. Given that those funds are expected to be available at the end of February or early in March, we would anticipate being able to continue with the modification effort shortly thereafter. We appreciate the Board's patience in this matter and look forward to the opportunity to bring this matter to a successful conclusion. Given this request, the Applicant agrees to an extension on the time in which the Board must act on the application up to and including May 31, 2022.

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

Yours Truly,

LEGACY ENGINEERING LLC

Daniel J. Merrikin, P.E.  
President



**January 25, 2022**

**Medway Planning & Economic Development Board  
Meeting**

**Harmony Village Performance Security  
Agreement**

- Tri-Partite agreement among the PEDB, Harmony Village LLC and Needham Bank. NOTE – Gary Feldman is working to secure the necessary signatures on the agreement before the 1-25-22 PEDB mtg.
- Tetra Tech bond estimate dated 1-5-22 for \$105,963. The PEDB approved this amount at its 1-11-22 meeting.
- Tetra Tech punch list dated 1-5-22. NOTE the minimum required items.
- Email dated 1-6-22 from developer Gary Feldman forwarding a 1-6-22 email from Barry Smith, DPW Water/Sewer Superintendent re: domestic and fire water service.
- Interim as-built dated 1-3-2022 by Meridian Associates
- Sign off email dated 1-20-22 from Tetra Tech re: interim as-built
- Photo of STOP sign pavement marking. Is this acceptable?
- 1-20-22 notification from the Medway Treasurer/Collector's office re: status of taxes owed. This has been forwarded to Gary Feldman to address before the 1-25 mtg.

***Performance Secured by Lender's Agreement***  
***Planning & Economic Development Board – Town of Medway, MA***

This Agreement is entered into this \_\_\_\_ day of January, 2022, among the Town of Medway, acting through its Planning & Economic Development Board, (hereinafter referred to as "the Board") with an address of 155 Village Street, Medway, MA 02053, Harmony Village LLC ("Permittee") with an address of 5 Exchange Street, Suite 4, Milford, Massachusetts 01757, and Needham Bank ("Lender") with an address of 1063 Great Plain Avenue, Needham, Massachusetts 02492, to secure the completion of site improvements, landscaping and amenities, and all off-site mitigation measures at Harmony Village, 218-220 Main Street in Medway, MA as shown on an approved multifamily housing Special Permit Site Plan described below (collectively, the "Site Improvements").

WHEREAS, on January 12, 2021, after a duly noticed public hearing, the Board granted a Multifamily Housing Special Permit, Site Plan and Land Disturbance Permit Decision, attached hereto as Exhibit A, authorizing the development of a 6-unit, residential condominium at Harmony Village, 218-220 Main Street, Medway, MA, recorded at the Norfolk County Registry of Deeds on March 19, 2019 in Book 39164, Page 363; and

WHEREAS, on February 20, 2021, the Board endorsed the *Harmony Village, 218-220 Multifamily Housing Special Permit Site Plan* dated July 18, 2019, last revised February 2, 2021 prepared by Meridian Associates, PE, 69 Milk Street, Suite 302, Westborough, MA 01581 showing the development of the above referenced subject property, as recorded in the Norfolk County Registry of Deeds on March 19, 2021 in Plan Book 700, Pages 86 - 98 (hereinafter referred to as "the Site Plan"); and

WHEREAS, the Lender granted Permittee a first mortgage in a Mortgage and Security Agreement with the Lender dated April 22, 2021 and recorded in the Norfolk County Registry of Deeds in Book 39305, Page 327 encumbering the land shown on the Site Plan as security for the payment of one or more notes in the principal sum of a total \$1,925,000 (the "Mortgage"); and

WHEREAS, the Special Permit includes General Condition K which provides that no occupancy permit shall be granted unless the project is fully and satisfactorily completed or a suitable form of performance security has been provided to ensure completion of the site improvements shown on the Site Plan; and

WHEREAS, Tetra Tech, the Town's Consulting Engineer, has conducted a site visit and prepared a surety estimate dated January 5, 2022 in the amount of \$105,963 for the remaining site improvement work, attached hereto as Exhibit B. Said estimate was approved by the Board on January 11, 2022.

NOW, THEREFORE, the parties agree as follows:

1. The Permittee and Lender hereby jointly and severally bind and obligate themselves, and their respective executors, administrators, devisees, heirs, successors and assigns

to the Board in the sum of \$105,963, and have secured this obligation by the Lender retaining said sum of money from the total sum otherwise available to the Permittee pursuant to loan agreements and the Mortgage between Lender and Permittee ("Retained Funds") to be used to secure the performance by the Permittee of all covenants, conditions, agreements, terms and provisions contained in the Special Permit; all conditions subsequent to the issuance of the Special Permit and endorsement of the Site Plan due to any amendment, modification or revision of the Site Plan; and all of the provisions set forth in this Agreement and any modifications thereto. Lender acknowledges and agrees that, as of the date of this agreement, it has available not less than \$105,963 from the sum available to Permittee as the Retained Funds.

2. The Special Permit requires the Permittee to complete the construction of site improvements no later than three years from the date of the endorsement of the Site Plan. The Site Plan was endorsed on February 20, 2021 and the original required completion date is February 20, 2024.

3. Upon completion of all obligations as specified herein on or before the required completion date, or such later date as may be specified by vote of the Board with the concurrence of the Permittee, the interest in such Retained Funds by the Lender shall be released, and the Lender may disburse such Retained Funds to the Permittee but only upon receipt by Lender of a written release from the Board. In the event the Permittee should fail to complete the Site Improvements as specified in the Special Permit and Site Plan and within the time herein specified, the Lender shall, upon written demand from the Board, deliver to the Medway Town Treasurer/Collector such portion or all of the Retained Funds in accordance with applicable laws, in whole or in part, for the benefit of the Town of Medway to the extent of the reasonable costs to the Town of Medway to complete construction of the Site Improvements as specified in the Special Permit and Site Plan and as specified in this Agreement. Failure by the Board to claim rights to receive a portion or all of the Retained Funds shall not be deemed a waiver of the right to do so. Any unused portion of the Retained Funds together with accrued interest, will be released by the Board and may be disbursed by the Lender upon completion of the work by the Town of Medway and issuance of a release by the Board.

4. The Lender hereby agrees that none of the Retained Funds retained as security as specified herein shall be disbursed to the Permittee without the prior written release of said funds by the Board.

5. The Board, after notice to the Permittee and an opportunity for the Permittee to be heard, may rescind its approval of the Special Permit and Site Plan for breach of any provision of this Agreement or any amendments thereof.

6. The Board shall notify the Lender of any authorized reduction or release of the Retained Funds that secure this Agreement in full or in part. Upon receipt of a written notice of reduction and/or release, the Lender may disburse the Retained Funds, or portion thereof, to the Permittee.

7. The Permittee agrees and understands that the Board will not release this Agreement until the Site Improvements as specified in the Special Permit and Site Plan have been

deemed by the Board to be constructed and installed in accordance with this Agreement, which shall include demonstration of adequate construction and installation for six months prior to said release. This Agreement does not expire until released in full by the Board.

8. Failure to complete construction of the Site Improvements by the required completion date may result in rescission of approval of the Special Permit and Site Plan.

9. If a court of competent jurisdiction determines that any provision of this Agreement is unenforceable, such determination shall not affect the remaining provisions, which shall remain in full force and effect.

10. This Agreement, including all documents incorporated herein by reference, constitutes the entire integrated agreement between the parties with respect to the matters described. This Agreement supersedes all prior agreements, negotiations and representations, either written or oral. Any amendments or extensions of this Agreement shall be made in writing and upon agreement by all parties to this Agreement.

11. This Agreement is binding upon the parties hereto, their successors, assigns and legal representatives. No party hereto shall assign or transfer any interest in the Agreement without the written consent of the others.

12. This Agreement shall be governed by, construed and enforced in accordance with the laws of the Commonwealth of Massachusetts and the parties submit to the jurisdiction of any of its appropriate courts for the adjudication of disputes arising out of this Agreement.

(Signature pages follow)

IN WITNESS WHEREOF we have hereunto set our hands and seals this \_\_\_\_\_ day  
of \_\_\_\_\_, 2022.

***Medway Planning and Economic Development Board***

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

On this \_\_\_\_ day of \_\_\_\_\_, 2022, before me, the undersigned  
notary public, personally appeared the following Members of the Medway Planning &  
Economic Development Board \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

proved to me through satisfactory evidence of identification, which was (personal  
knowledge) (Massachusetts driver's license), to be the persons whose names are signed  
on the preceding document, and acknowledged to me that it was signed voluntarily for its  
stated purpose as members of the Medway Planning and Economic Development Board.

\_\_\_\_\_  
Notary Public  
My commission expires: \_\_\_\_\_



IN WITNESS WHEREOF we have hereunto set our hands and seals this \_\_\_\_ day  
of \_\_\_\_\_, 2022.

***Harmony Village LLC***

By: \_\_\_\_\_

Title/Position: Manager

Print name: Marcelo Alves

By: \_\_\_\_\_

Title/Position: Manager

Print name: Gary Feldman

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

On this \_\_\_\_ day of \_\_\_\_\_, 2022, before me, the undersigned  
notary public, personally appeared the above-named Marcelo Alves & Gary Feldman,  
proved to me through satisfactory evidence of identification, which were (personal  
knowledge) (Massachusetts driver's license), to be the persons whose names are signed  
on the preceding document, and acknowledged to me that it was signed voluntarily for its  
stated purpose as Managers of Harmony Village LLC.

\_\_\_\_\_  
Notary Public  
My commission expires: \_\_\_\_\_

IN WITNESS WHEREOF we have hereunto set our hands and seals this \_\_\_\_\_ day  
of \_\_\_\_\_, 2022.

***Needham Bank***

By: \_\_\_\_\_

Title/Position: \_\_\_\_\_

Print name: \_\_\_\_\_

COMMONWEALTH OF MASSACHUSETTS

\_\_\_\_\_, SS.

On this \_\_\_\_ day of \_\_\_\_\_, 2022, before me, the undersigned  
notary public, personally appeared the above-named  
\_\_\_\_\_, proved to me through satisfactory evidence of  
identification, which was (personal knowledge) (Massachusetts driver's license), to be the  
person whose name is signed on the preceding document, and acknowledged to me that  
it was signed voluntarily for its stated purpose as \_\_\_\_\_  
of Needham Bank.

\_\_\_\_\_  
Notary Public  
My commission expires: \_\_\_\_\_

**TETRA TECH**

**Bond Estimate  
Harmony Village  
Medway, Massachusetts  
January 5, 2022**

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

ITEM NO.	DESCRIPTION	QUANTITY	UNIT	UNIT COST <sup>1</sup>	ENGINEERS ESTIMATE
001	Mobilization (3% of Const. Cost)	1	LS	\$2,300.00	\$2,300
002	Granite Curb Type VA4 - Curved	30	FT	\$50.00	\$1,500
003	Cape Cod Berm	8	TON	\$250.00	\$2,000
004	Electrical Conduit and Wiring	1	LS	\$5,000.00	\$5,000
005	Adjust Drain/Sewer Castings	3	EA	\$440.00	\$1,320
006	Adjust Water Gate Box	4	EA	\$250.00	\$1,000
007	HMA Top Course	125	TON	\$120.00	\$15,000
008	Striping	1	LS	\$500.00	\$500
009	Privacy Fence	100	FT	\$45.00	\$4,500
010	Post Light	3	EA	\$2,500.00	\$7,500
011	Gang Mailbox	1	LS	\$1,500.00	\$1,500
012	Landscaping	1	LS	\$15,000.00	\$15,000
013	Loam Borrow	200	CY	\$57.00	\$11,400
014	Seeding	600	SY	\$2.00	\$1,200
015	Jute Mesh for Stabilization	100	SY	\$6.00	\$600
016	Snow Plowing <sup>2</sup>	1	LS	\$1,000.00	\$1,000
017	Street Sweeping <sup>2</sup>	1	LS	\$500.00	\$500
018	Clean Catch Basins/WQ Units <sup>2</sup>	5	EA	\$250.00	\$1,250
019	Maintain Silt Sacks <sup>2</sup>	8	EA	\$150.00	\$1,200
020	Remove Erosion Controls	1	LS	\$1,500.00	\$1,500
021	Legal/Engineering Services	1	LS	\$6,000.00	\$6,000
022	As-Builts	1	LS	\$3,000.00	\$3,000

**Subtotal** \$84,770  
**25% Contingency** \$21,193  
**Total** \$105,963

Notes:

<sup>1</sup>Unit 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 12/2020 - 12/2021.

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


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

---

**Cc:** Peter Pelletier – Medway DPW Director  
Bridget Graziano – Medway Conservation Agent  
Gary Feldman – Applicant

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

---

**Date:** January 5, 2022

---

**Subject:** Harmony Village Bond List

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At the request of the Medway PEDB, Tetra Tech (TT) conducted a punch list inspection of the Harmony Village Project located at 218-220 Main Street in Medway, MA. Punch list inspections were completed on December 21, 2021 and January 3, 2022. 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 "Site Development Plans, Harmony Village Multifamily Housing Development", dated June 9, 2020, revised February 22, 2021, prepared by Meridian Associates.
- A Multifamily Special Permit Decision (Decision) titled "Multi-Family Housing Special Permit, Site Plan, and Land Disturbance Permit Decision, Harmony Village – 218-220 Main Street" dated January 12, 2021.
- A Field Change Authorization dated May 11, 2021, regarding replacement landscaping as mitigation for tree removal and addition of a fire hydrant as requested by Medway Department of Public Works.

#### **Outstanding Minimum Infrastructure Items (Pursuant to Section VIII.J.2. 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 a building permit.

1. Install stop line pavement marking on binder course.
2. Provide as-built information for the Drainage System for review. This 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.
3. Confirm with Medway DPW/Fire Department that provisions for fire prevention and protection have been installed and are functional.

#### **Items to be Completed**

4. Install proposed curbing and berm along Harmony Way.
5. Finalize electrical conduit and wiring.
6. Adjust all drain and utility castings to finish elevation.
7. Install top course for Harmony Way.
8. Install striping for parking areas adjacent to Units 1 and 2.
9. Install privacy fence adjacent to Unit 6.
10. Install light posts as shown on the endorsed Plans.
11. Install gang mailbox.
12. Install landscaping, screening and loam and seed.

#### **Inspection/Maintenance**

13. Provide snow plowing throughout the paved area of the Project. Assume one (1) year of plowing.
14. Perform street sweeping in the Spring and Fall. Assume one (1) year of street sweeping.

15. Clean and maintain stormwater infrastructure within the site. Assume one (1) cleaning of all catch basins and water quality units per year for one (1) year.
16. Perform erosion control maintenance. Assume two (2) new silt sacks for each catch basin per year for one (1) year.
17. Remove erosion controls within limit of work.

**Administrative**

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

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\143-21583-20018 (PEDB HARMONY VILLAGE)\CONSTRUCTION\PUNCH LIST\BOND LIST\_01\_HARMONY VILLAGE\_2022-01-05.DOC

## Susan Affleck-Childs

---

**From:** superj90@verizon.net  
**Sent:** Thursday, January 6, 2022 8:17 PM  
**To:** Susan Affleck-Childs  
**Cc:** Bouley, Steven  
**Subject:** Fwd: Harmony village  
**Attachments:** image0.jpeg

Hi, Here is confirmation below from the DPW that my fire protection lines have been installed to the condo units. The two front units do not require sprinkler so no lines were run there. Also the hydrant is functional.  
#3 on the outstanding minimum list.

The attached picture addresses #1 on the outstanding minimum list.

Thanks  
Gary

-----Original Message-----

From: Barry Smith <bsmith@townofmedway.org>  
To: Gary Feldman <superj90@verizon.net>  
Sent: Thu, Jan 6, 2022 6:10 pm  
Subject: Harmony village

Gary,

This email is to confirm that domestic and fire lines have all been installed through the foundations to each unit, along with the fire hydrant on the property.

Thanks,

Barry Smith  
Water/Sewer Superintendent  
45b Holliston Street  
Medway, MA 02053  
O 508-321-4930  
M 774-285-0482

Sent from my iPhone

Register & Access your Water usage: <https://medwma.aquahawk.us>

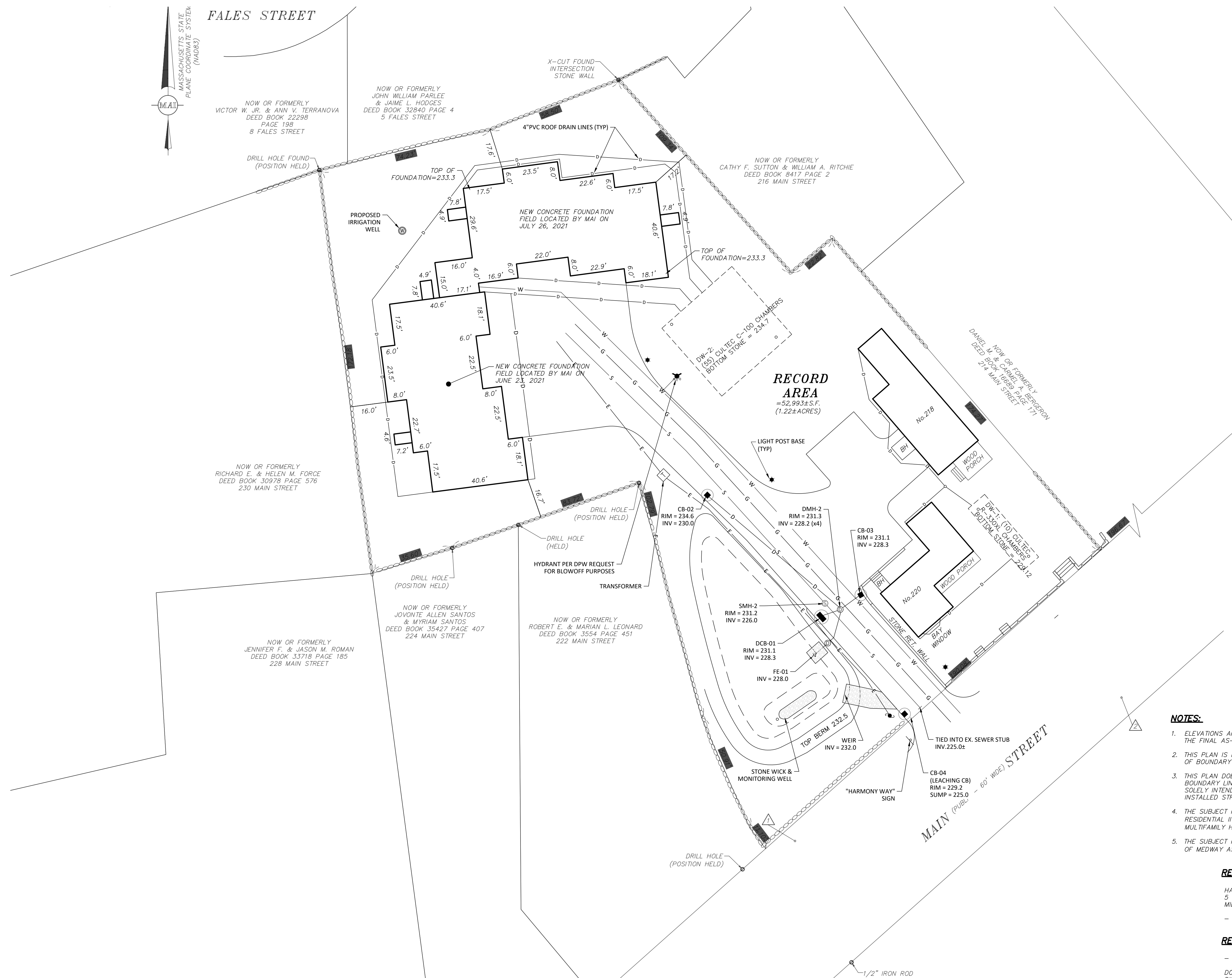
[www.townofmedway.org](http://www.townofmedway.org)  
[Facebook](#) [Twitter](#)

Please remember when writing or responding, the Massachusetts Secretary of State has determined that e-mail is a public record.

The information in this e-mail, including attachments, may contain privileged and confidential information intended only for the person(s) identified above. If you are not the intended recipient, you are hereby notified that any dissemination,







1. ELEVATIONS ARE APPROXIMATE AND WILL BE FINALIZED FOR THE FINAL AS-BUILT.
2. THIS PLAN IS NOT TO BE USED FOR THE RECONSTRUCTION OF BOUNDARY LINES OR FOR TITLE INSURANCE PURPOSES.
3. THIS PLAN DOES NOT REPRESENT A CONFIRMATION OF BOUNDARY LINES NOR A DETERMINATION OF TITLE BUT IS SOLELY INTENDED TO DEPICT AN INTERIM AS-BUILT OF INSTALLED STRUCTURES AS DEPICTED HEREON.
4. THE SUBJECT PROPERTY IS LOCATED IN AGRICULTURAL RESIDENTIAL II (AR-II) ZONING DISTRICT AND THE MULTIFAMILY HOUSING OVERLAY DISTRICT (MHOD).
5. THE SUBJECT PROPERTY IS DEPICTED AS LOT 44 ON TOWN OF MEDWAY ASSESSOR'S MAP 57.

HARMONY VILLAGE LLC  
5 EXCHANGE STREET, SUITE 4  
MILFORD, MASSACHUSETTS 01757  
- DEED BOOK 38520 PAGE 050

— PLAN BOOK 454 PLAN 118

DOCUMENTS ON RECORD AT THE NORFOLK  
DISTRICT REGISTRY OF DEEDS.

[illegible]

**INTERIM AS-BUILT**  
**Multifamily Development**  
218-220 MAIN STREET  
MEDWAY, MA 02053  
Prepared For:  
Harmony Village LLC



500 CUMMINGS CENTER, SUITE 5950 BEVERLY, MA 01915 | 978.299.0447  
www.MeridianAssoc.com

Date:	January 3 , 2022
Scale:	
Project No.	8521
Sheet No.	ASB-1



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2792



Drafts



Sent Items

2



Deleted Items

708



&gt; Affordable Housing Co...



Junk Email

3018



Archive



Conversation History



Notes



Quarantine

&gt; RSS Subscriptions

[New folder](#)

Groups

[New group](#)[Discover groups](#)[Manage groups](#)

## RE: Harmony Village Construction



You replied on Thu 1/20/2022 2:38 PM

BS

Bouley,  
Steven

Thu 1/20/2022 2:3

To: Drew Garvin &lt;dgarvin@meridianassoc.com&gt;; S

Cc: gary FELDMAN &lt;superj90@verizon.net&gt;; Peter

Hi Susy, we reviewed the as-built against the approved drainage (and field changes) and it looks to be ok. No further comment at this time.

**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](mailto:steven.bouley@tetrattech.com)

*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

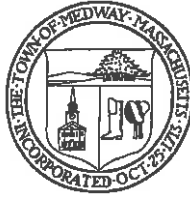
&lt;dgarvin@meridianassoc.com&gt;

**Sent:** Saturday, January 8, 2022 6:25 PM**To:** Bouley, Steven

&lt;Steven.Bouley@tetrattech.com&gt;; Susan Affleck-Childs &lt;sachilds@townofmedway.org&gt;

**Cc:** gary FELDMAN <superj90@verizon.net>; 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:** RE: Harmony Village Construction





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

*Matthew J. Hayes, P.E., Chair*  
*Robert K. Tucker, Vice-Chair*  
*Richard Di Iulio, Clerk*  
*Jessica Chabot, Member*  
*Sarah Raposa, Member*  
*Thomas A. Gay, Associate Member*

**Request for Medway Treasurer/Collector's  
Verification of Status of Paid Taxes**

**Date:** January 20, 2022

**Applicant's Name:** Harmony Village, LLC (Gary Feldman)

**Subject Property Address:** 218-220 Main Street

**Map/Parcel Number(s):** Map 55, Parcel 44

**Property Owner:** Harmony Village, LLC

**Project Name:** Harmony Village

**Type of Permit:** Major Site Plan & Multi-Family Housing Special Permit  
Performance Security and Occupancy Permits

**Please indicate the status of taxes/fees owed to the Town:**

- ☐ By checking this box and with my signature below, I verify that all taxes and fees owed the Town of Medway **for the subject property** are paid in full as of this date for the subject property noted above.
- ☐ By checking this box and with my signature below, I verify that all taxes and fees owed the Town of Medway **for other properties owned by the applicant** noted above are paid in full as of this date.
- ☒ By checking this box and with my signature below, I verify that the **Town is owed taxes or fees** on properties owned by the above noted applicant. Briefly explain on the lines below. Please attach a report that indicates the property address, what taxes are owed, and the respective amounts.

*Please see attached Real Estate & Water outstanding*

*Marie Shurt*

Signature

*1/21/22*

Date

**Please complete and return to the Planning and Economic Development office.**



Bill Information

Original Bill

Reprint

Preferences

Diagnostics

Year Category Number

2022 RE-R 1906

Notes/Alerts

JAN 1 Owner: HARMONY VILLAGE LLC

Special Conditions/Notes

View prior unpaid bills

View ancestor prior unpaid bills

Effective Date

Due 01/21/2022

Billed Item Information

Year Parcel

2022\_570440000

[View Source](#)

Owner of record's customer number

51358

Owner of record's name

HARMONY VILLAGE LLC

Customer Information

Customer ID

51358

[View](#)

HARMONY VILLAGE LLC

5 EXCHANGE ST SUITE 4

MILFORD, MA 01757

Property Information

Parcel ID

57-044-0000

Alt Parc

2B-117

Prop Loc

218 MAIN ST

Installments Charges History Events Audits

Installment	Due Date	Interest Date	Billed	Abt/Adj	Pmt/Ord	Interest Due	Total Due
1	05/26/2021	08/03/2021	2,146.76	0.00	0.00	141.63	2,288.39
2	09/30/2021	11/02/2021	2,146.76	0.00	0.00	66.70	2,213.46
3	12/31/2021	02/02/2022	2,481.05	0.00	0.00	0.00	2,481.05
4	03/31/2022	05/03/2022	2,481.05	0.00	0.00	0.00	0.00
Totals:			9,255.62	0.00	0.00	208.33	6,982.90



01/21/2022 11:26  
mshutt

LIVE DATABASE  
Utility Find

ACCOUNT: 110805  
LOCATION: 218 MAIN  
ACCT OWNER: HARMONY VILLAGE LLC  
ACCT CUST: HARMONY VILLAGE LLC

EFF DATE: 01/21/2022

YEAR	CAT	BILL	NSC ORIG	BILLED	ACTIVITY	UNPAID BAL	DUE NOW
2021-08	UB-U	190327	N	151.44	0.00	151.44	158.01
2021-11	UB-U	194716	N	151.44	0.00	151.44	152.72
TOTAL DUE NOW							310.73
TOTAL UNPAID							302.88

\*\* END OF REPORT - Generated by Marie Shutt \*\*



01/21/2022 11:27 LIVE DATABASE  
mshutt Utility Find

ACCOUNT: 110875  
LOCATION: 220 MAIN  
ACCT OWNER: HARMONY VILLAGE LLC  
ACCT CUST: HARMONY VILLAGE LLC

EFF DATE: 01/21/2022

YEAR	CAT	BILL	NSC	ORIG	BILLED	ACTIVITY	UNPAID	BAL	DUE	NOW
2021-08	UB-U	190328	N		113.25	0.00	113.25	113.25	118.16	
2021-11	UB-U	194717	N		113.25	0.00	113.25	113.25	114.21	
TOTAL DUE NOW									232.37	
TOTAL UNPAID									226.50	

\*\* END OF REPORT - Generated by Marie Shutt \*\*



**January 25, 2022**  
**Medway Planning & Economic Development Board**  
**Meeting**

**Cutler Place Public Hearing**

**UPDATED**

- Notice dated January 12, 2021 to the Town Clerk to continue the public hearing to January 25, 2022
- Email dated January 20, 2022 from Conservation Agent Bridget Graziano
- Series of emails with and from Deputy Fire Chief Mike Fasolino dated January 18 - 20, 2022
- Sidewalk construction estimate dated January 19, 2022 prepared by Tetra Tech
- ~~Draft decision dated January 20, 2022~~ Revised draft decision dated January 25, 2022
- Letter dated January 25, 2022 from Sergeant Jeff Watson
- Emails dated January 24, 2022 from DPW Water/Sewer Superintendent Barry Smith
- Mullins Rule certification from Tom Gay for the 1-11-22 Cutler Place hearing

NOTE – Applicant Anthony Varrichione is meeting with Sergeant Jeff Watson on site this weekend. He is also

working to have further discussion with Deputy Fire Chief Mike Fasolino. A review letter from Medway DPW is forthcoming. **Another communication from Deputy Fire Chief Mike Fasolino is expected.**

The draft decision was emailed to Mr. Varrichione on 1-21-22 for review. **The revised draft decision was emailed to Mr. Varrichione on 1-25-22 for review.**



## Board Members

Matthew Hayes, P.E., *Chair*  
Robert Tucker, *Vice Chair*  
Richard Di Iulio, *Clerk*  
Jessica Chabot, *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](mailto:planningboard@townofmedway.org)  
[www.townofmedway.org](http://www.townofmedway.org)

# TOWN OF MEDWAY

## COMMONWEALTH OF MASSACHUSETTS

## PLANNING AND ECONOMIC DEVELOPMENT BOARD

### MEMORANDUM

January 12, 2022

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 Cutler Place Multi-Family Special Permit, Site Plan and Land Disturbance Permit***  
6 Cutler Street  
Continuation Date – Tuesday, January 25, 2022 at 7:30 p.m.

At its January 11, 2022 meeting, the Planning and Economic Development Board voted to continue the public hearing on the application of Cutler Place, LLC of Medway, MA for approval of a special permit, land disturbance permit, and site plan for the proposed, 5-unit Cutler Place multi-family development at 6 Cutler Street to the Board's meeting on Tuesday, January 25, 2022 at 7:30 p.m. at Medway Town Hall, 155 Village 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. 13 off-street parking spaces are proposed. Proposed access and egress will be from a single curb cut from 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 site plan is entitled *Cutler Place*, dated November 17, 2021, and was prepared by Ron Tiberi, P.E. of Natick, MA. The plan and associated application documents are on file with the Medway Town Clerk and the Community and Economic Development office at Medway Town Hall. The information is also posted at Board's page at: <https://www.townofmedway.org/planning-economic-development-board/pages/cutler-place-multi-family-housing-development>

Based on the reviews by the Board's engineering consultant and staff, and the discussion at the 12-14-21 hearing, the applicant has revised the site plan. That revised plan has been posted to the Board's web page and has been reviewed by Tetra Tech, the Board's consulting engineer. The Tetra Tech comments are also posted.

***Please review the revised site plan and forward any comments to me by January 19<sup>th</sup>. We particularly would like to hear from DPW, Police and Fire.*** Please don't hesitate to contact me if you have any questions. Thanks.

**RE: 6 Cutler Street**

Bridget Graziano <bgraziano@townofmedway.org>

Thu 1/20/2022 9:34 AM

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

Hello Susy,

The Conservation Office has reviewed the plans titled, "Existing Conditions Plan #6 Cutler Street Medway, MA" by Cheney Engineering, dated 7/22/21. The wetland resource delineations were reviewed in the field on 2014 when the property was originally purchased by the Town of Medway. It was found during that time that the jurisdictional areas did not in fact extend into the parcel of 6 Cutler Street. Furthermore, there is no valuable resources to protect on this property as it is all impervious surface.

Please allow this to serve as notice that the proposed project does not fall within the Commission's jurisdiction.

Best,  
Bridget Graziano

Bridget R. Graziano  
Conservation Agent  
Town of Medway  
155 Village Street  
Medway, MA 02053  
(508)-533-3292

---

**From:** Susan Affleck-Childs  
**Sent:** Wednesday, January 19, 2022 2:51 PM  
**To:** Bridget Graziano <bgraziano@townofmedway.org>  
**Subject:** 6 Cutler Street

Hi Bridget,

I am working on the decision for the 6 Cutler Street project. See attached site plan. The applicant and engineer have indicted there are no wetland resources on the property.

The plan does show wetlands on the adjacent property (Evergreen Cemetery) but the 6 Cutler Street property is more than 100' away from that delineated wetland.

Could you provide a separate email to me to indicate whatever you are comfortable saying about whether there are or aren't any wetland resources on the site? I don't want to ask them to go through the exercise of an RDA or ANRAD process.

Thanks.

Susan E. Affleck-Childs  
Planning and Economic Development Coordinator  
Town of Medway

155 Village Street  
Medway, MA 02053  
508-533-3291



## Susan Affleck-Childs

---

**From:** Anthony Varrichione <anthonyvarrichione@gmail.com>  
**Sent:** Thursday, January 20, 2022 5:44 PM  
**To:** Susan Affleck-Childs  
**Cc:** Mike Fasolino; Ron Tiberi (rtib@comcast.net); Bouley, Steven; Jeff Lynch  
**Subject:** Re: Public Hearing Continuations - Cutler Place Site Plan (6 Cutler Street)

Thanks Susy.

Mike - are you working or available this Saturday? I will be on site all day and am planning on meeting with the Police Dept. as well.

If not, I can give you a call. Just let me know.

Thank you-  
Anthony

Sent from my iPhone

On Jan 20, 2022, at 11:35 AM, Susan Affleck-Childs <sachilds@townofmedway.org> wrote:

Thanks, Mike.

Anthony, please reach out to Mike and discuss his questions and concerns.

## Susy

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

---

**From:** Mike Fasolino <mfasolino@townofmedway.org>  
**Sent:** Thursday, January 20, 2022 11:30 AM  
**To:** Susan Affleck-Childs <sachilds@townofmedway.org>  
**Cc:** Anthony Varrichione <anthonyvarrichione@gmail.com>; Ron Tiberi (rtib@comcast.net) <rtib@comcast.net>; Bouley, Steven <steven.bouley@tetrattech.com>; Jeff Lynch <ChiefLynch@townofmedway.org>  
**Subject:** Re: Public Hearing Continuations - Cutler Place Site Plan (6 Cutler Street)

Hi Suzy,

Just the entrance and the turn around at the end. I saw the diagram noting the apparatus movement coming into the lot (from Cottage St to Cutler) but it looks awfully tight. If I am viewing this correctly it looks like the apparatus is touching the edges. Can you confirm the apparatus will make the swing coming from Phillips Street onto Cutler, then into the parking lot? The reason I ask, is this is probably the most likely route to enter for us as there is a hydrant right there on the corner. Will there be any curbing? If so what type? Also, I'm not quite sure how useful the turn around will be at the end (more so for the ambulance). Especially if there are vehicles in the allotted parking spaces.

**Michael Fasolino**  
**Deputy Chief**  
**Town of Medway**  
**155 Village Street**  
**Medway, Ma 02053**  
**508-533-3211**

**Mailing Address:**  
**44 Milford Street**  
**Medway, Ma 02053**

---

**From:** Susan Affleck-Childs <sachilds@townofmedway.org>  
**Sent:** Thursday, January 20, 2022 10:55 AM  
**To:** Mike Fasolino <mfasolino@townofmedway.org>  
**Cc:** Anthony Varrichione <anthonyvarrichione@gmail.com>; Ron Tiberi (rtib@comcast.net) <rtib@comcast.net>; Bouley, Steven <steven.bouley@tetrattech.com>  
**Subject:** Re: Public Hearing Continuations - Cutler Place Site Plan (6 Cutler Street)

Hi Mike,

Further clarification please. Are you looking for turning movements from Cutler Street into the property at the driveway entrance? See Sheet S-2 of the plan set. [https://www.townofmedway.org/sites/g/files/vyhli866/f/uploads/21\\_12\\_28\\_cutler\\_place\\_medway\\_submission\\_final\\_r1.pdf](https://www.townofmedway.org/sites/g/files/vyhli866/f/uploads/21_12_28_cutler_place_medway_submission_final_r1.pdf)

This may answer your question.

Or do you also want turning movements within the parking lot itself?

Thanks.

**Susy**

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

508-533-3291  
sachilds@townofmedway.org

---

**From:** Mike Fasolino <mfasolino@townofmedway.org>  
**Sent:** Wednesday, January 19, 2022 4:26 PM  
**To:** Susan Affleck-Childs <sachilds@townofmedway.org>  
**Cc:** Anthony Varrichione <anthonyvarrichione@gmail.com>  
**Subject:** Re: Public Hearing Continuations - Cutler Place Site Plan (6 Cutler Street)

Looking for confirmation on the turning radius. I couldn't tell be the plans. Thanks

**Michael Fasolino**  
**Deputy Chief**  
**Town of Medway**  
**155 Village Street**  
**Medway, Ma 02053**  
**508-533-3211**

**Mailing Address:**  
**44 Milford Street**  
**Medway, Ma 02053**

---

**From:** Susan Affleck-Childs <sachilds@townofmedway.org>  
**Sent:** Wednesday, January 19, 2022 4:15 PM  
**To:** Mike Fasolino <mfasolino@townofmedway.org>  
**Cc:** Anthony Varrichione <anthonyvarrichione@gmail.com>  
**Subject:** RE: Public Hearing Continuations - Cutler Place Site Plan (6 Cutler Street)

Hi Mike,

I had a question on your email note below.

Are you confirming that size of the access driveway does meet the turning radius for your apparatus? Or are you asking for documentation that the area shown on the plan will meet the department's standards?

Please advise at your earliest convenience.

I can confirm that the driveway aisle is 22' wide.

Thanks.

Susy

---

**From:** Mike Fasolino  
**Sent:** Tuesday, January 18, 2022 4:28 PM  
**To:** Susan Affleck-Childs <sachilds@townofmedway.org>  
**Cc:** Jeff Lynch <ChiefLynch@townofmedway.org>

**Subject:** Re: Public Hearing Continuations - Medway DPW Water Quality Treatment Facility Site Plan, Cutler Place Site Plan (6 Cutler Street) and Phytopia Site Plan (6 Industrial Park RD)

Hi Suzy,

I have reviewed the site plan proposal and did a site visit. I was concerned about access to the building, (only access on one side) and the proximity of hydrants but have located one directly in front of the building.

Just confirming the access driveway meets the turning radius for our apparatus and it is a minimum of 20'.

Also during my site visit, I notice two 100lb propane tanks in the rear of the building. Please make sure these tanks are properly removed during construction.

I have also reviewed notes on all life safety. I am ok with sprinkler and fire alarm proposals. The builder will need to submit to the FD a full set of sprinkler and fire alarm plans.

Thanks

**Michael Fasolino**  
**Deputy Chief**  
**Town of Medway**  
**155 Village Street**  
**Medway, Ma 02053**  
**508-533-3211**

**Mailing Address:**  
**44 Milford Street**  
**Medway, Ma 02053**

---

**From:** Susan Affleck-Childs <[sachilds@townofmedway.org](mailto:sachilds@townofmedway.org)>

**Sent:** Wednesday, January 12, 2022 4:38 PM

**To:** Alison Dempsey <[alijdempsey@gmail.com](mailto:alijdempsey@gmail.com)>; Chief Tingley <[amtingley@medwaypolice.com](mailto:amtingley@medwaypolice.com)>; Allison Potter <[apotter@townofmedway.org](mailto:apotter@townofmedway.org)>; Andy Rodenhiser <[andy@rodenhiser.com](mailto:andy@rodenhiser.com)>; Ann Sherry <[asherry@charlesriverbank.com](mailto:asherry@charlesriverbank.com)>; apires <[apires@medwayschools.org](mailto:apires@medwayschools.org)>; Barbara Saint Andre <[bsaintandre@townofmedway.org](mailto:bsaintandre@townofmedway.org)>; Barry Smith <[bsmith@townofmedway.org](mailto:bsmith@townofmedway.org)>; Beth Hallal <[bhallal@townofmedway.org](mailto:bhallal@townofmedway.org)>; Select Board <[SelectBoard@townofmedway.org](mailto:SelectBoard@townofmedway.org)>; Bridget Graziano <[bgraziano@townofmedway.org](mailto:bgraziano@townofmedway.org)>; [carey.bergeron@gmail.com](mailto:carey.bergeron@gmail.com) <[carey.bergeron@gmail.com](mailto:carey.bergeron@gmail.com)>; David Travalini <[dtravalini@verizon.net](mailto:dtravalini@verizon.net)>; Denise Legee <[dlegee@comcast.net](mailto:dlegee@comcast.net)>; DRC <[DRC@townofmedway.org](mailto:DRC@townofmedway.org)>; Aicardi, Donald <[daicardi@medwayschools.org](mailto:daicardi@medwayschools.org)>; Doug Havens <[dhavens@townofmedway.org](mailto:dhavens@townofmedway.org)>; Erika Robertson <[erobertson@townofmedway.org](mailto:erobertson@townofmedway.org)>; Glenn Trindade <[glenntrindade@gmail.com](mailto:glenntrindade@gmail.com)>; Jack Mee <[jmee@townofmedway.org](mailto:jmee@townofmedway.org)>; jeanne Johnson <[j22johnson2001@yahoo.com](mailto:j22johnson2001@yahoo.com)>; Jeff Lynch <[ChiefLynch@townofmedway.org](mailto:ChiefLynch@townofmedway.org)>; Jess Chabot <[jesswchabot@gmail.com](mailto:jesswchabot@gmail.com)>; Jim Wickis <[jbwickis@verizon.net](mailto:jbwickis@verizon.net)>; Joanne Russo <[jrusso@townofmedway.org](mailto:jrusso@townofmedway.org)>; Judi LaPan <[judelapan@gmail.com](mailto:judelapan@gmail.com)>; [jwatson@medwaypolice.com](mailto:jwatson@medwaypolice.com) <[jwatson@medwaypolice.com](mailto:jwatson@medwaypolice.com)>; Kristen Mucciarone <[kmucciarone@charlesriverpcd.org](mailto:kmucciarone@charlesriverpcd.org)>; Liz Langley <[llangley@townofmedway.org](mailto:llangley@townofmedway.org)>; Liz Taglieri <[ltaglieri@charlesriverpcd.org](mailto:ltaglieri@charlesriverpcd.org)>; Mark Cerel <[mcerel@franklin.ma.us](mailto:mcerel@franklin.ma.us)>; Matt Buckley <[matt\\_buckley2@yahoo.com](mailto:matt_buckley2@yahoo.com)>; Michael Boynton <[mboynton@townofmedway.org](mailto:mboynton@townofmedway.org)>; Mike Fasolino <[mfasolino@townofmedway.org](mailto:mfasolino@townofmedway.org)>; Paul Atwood <[atwood.paul@gmail.com](mailto:atwood.paul@gmail.com)>; Peter Pelletier <[ppelletier@townofmedway.org](mailto:ppelletier@townofmedway.org)>; Rindo Barese <[rbarese@townofmedway.org](mailto:rbarese@townofmedway.org)>; Sandy Johnston <[sjohnston@townofmedway.org](mailto:sjohnston@townofmedway.org)>; Sean Harrington

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Sue Rorke <[srorke00@gmail.com](mailto:srorke00@gmail.com)>; Tina Wright <[tina.wright@aleragroup.com](mailto:tina.wright@aleragroup.com)>; Zach Knowlton  
<[zknowlton@comcast.net](mailto:zknowlton@comcast.net)>; CommDev2 <[CommDev2@townofmedway.org](mailto:CommDev2@townofmedway.org)>

**Subject:** Public Hearing Continuations - Medway DPW Water Quality Treatment Facility Site Plan, Cutler Place Site Plan (6 Cutler Street) and Phytopia Site Plan (6 Industrial Park RD)

Hi all,

Attached are 3 public hearing continuation notices for the above noted projects which are currently before the Board. Cutler Place has been continued to January 25<sup>th</sup> and both the Phytopia and the Medway DPW projects have been continued to February 8<sup>th</sup>.

The Planning and Economic Development Board welcomes your comments.

Please don't hesitate to contact me 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





**TETRA TECH**

**Sidewalk Estimate  
6 Cutler Street  
Medway, Massachusetts  
January 19, 2022**

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

DESCRIPTION	QUANTITY	UNIT	UNIT COST <sup>1</sup>	ENGINEERS ESTIMATE
Mobilization	1	LS	\$500.00	\$500
Excavation	55	CY	\$36.50	\$2,008
Gravel Borrow	28	CY	\$65.00	\$1,820
Fine Grading & Compacting	95	SY	\$8.00	\$760
HMA Binder	10	TON	\$140.00	\$1,400
Cape Cod Berm	170	FT	\$12.00	\$2,040
HMA Top	7	TON	\$133.50	\$935
Loam	8	CY	\$60.00	\$480
Seed	38	SY	\$2.50	\$95
<b>Total</b>				<b>\$10,037</b>

Notes:

<sup>1</sup>Unit 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 01/2021 - 01/2022. Quantities which are too small for accurate representation using the weighted bid pricing were estimated based on industry construction experience.

<sup>2</sup>Sidewalk quantities based on estimated length of proposed sidewalk along frontage of the property, excluding the driveway opening. HMA Sidewalk Dimensions: Sidewalk Length: 170 ft., Excavation Depth/Width=12 in./7.5 ft., Gravel Depth/Width=9 in./5 ft., Curb Length=170 ft., Sidewalk Depth/Width=3 in./5 ft., Loam Depth/Width=6 in./2 ft., Seed Width=2 ft.

**REVISED DRAFT – January 25, 2022**

**Board Members**

Mathew J. Hayes, P.E., Chair  
Robert Tucker, Vice Chair  
Richard Di Iulio, Clerk  
Jessica Chabot, Member  
Sarah Raposa, 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**

**MULTI-FAMILY HOUSING SPECIAL PERMIT, SITE PLAN, and LAND  
DISTURBANCE PERMIT DECISION**  
**Cutler Place – 6 Cutler Street**  
**\_\_\_\_\_ with Waivers and Conditions**

**Decision Date:** \_\_\_\_\_

**Name of Applicant/Permittee:** Cutler Place, LLC

**Address of Applicant:** 249 Village Street  
Medway, MA 02053

**Name/Address of Property Owners:** Cutler Place, LLC  
249 Village Street  
Medway, MA 02053

**Engineer:** Ron Tiberi, P.E.  
9 Massachusetts Avenue  
Natick, MA

**Site Plan:** *Cutler Place*  
Dated November 1, 2021, last revised December 27, 2021 by Ron Tiberi, P.E.  
To be further revised as specified herein

**Location:** 6 Cutler Street

**Assessors' Reference:** Map 48, Parcel 70

**Zoning District:** Village Residential  
Multi-Family Housing Overlay District

**I. PROJECT DESCRIPTION** – The Applicant sought a multi-family special permit, land disturbance permit, and major site plan approval to develop a 5-unit residential community at 6 Cutler Street, a 0.71 acre property and the site of the first Medway school house~~former American Legion Building~~. The proposed development entails renovation of the existing 4,800 sq. ft. vintage building into three residential dwelling units and construction of a 3,000 sq. ft. addition for 2 residential dwelling units. The Applicant intends to develop and sell the units as condominiums. Thirteen~~13~~ off-street parking spaces are planned. Access and egress will be from a single curb cut from 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.

**Commented [BSA1]:** I believe this is correct, and more historically significant than the use by American Legion.

The proposed use requires a multi-family housing special permit pursuant to Sections 5.6.4 and 3.4 of the Town of Medway *Zoning Bylaw* (the “Bylaw”), and site plan review and approval pursuant to Section 3.5 of the *Bylaw*. The property is also subject to the provisions of Article XXVII of the Medway General Bylaws, Stormwater Management and Land Disturbance for a Land Disturbance Permit.

**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 January 25, 2022, on a motion made by \_\_\_\_\_ and seconded by \_\_\_\_\_, *voted to \_\_\_\_\_ with CONDITIONS a Multi-Family Housing Special Permit for Cutler Place, LLC of Medway, MA (hereafter referred to as the Applicant or the Permittee) and to \_\_\_\_\_ a Land Disturbance Permit, and to \_\_\_\_\_ with WAIVERS and CONDITIONS as specified herein, a site plan for the development of a five unit, ~~condominium~~multi-family development and associated site improvements on the property at 6 Cutler Street, as shown on a plan titled Cutler Place, dated November 17, 2021, last revised December 27, 2021 by Ron Tiberi, P.E., to be further revised as specified herein before endorsement and recording.*

The motion was \_\_\_\_\_ by a roll call vote of \_\_\_\_\_ in favor and \_\_\_\_\_ one opposed.

<b>Planning &amp; Economic Development Board Member</b>	<b>Vote</b>
Jessica Chabot	
Richard Di Iulio	
Matthew Hayes	
Thomas A. Gay	
Robert Tucker	

### **III. PROCEDURAL HISTORY**

- A. November 17, 2021 - Special permit, site plan, and land disturbance permit applications and associated materials filed with the Board.
- B. November 18, 2021 – Special permit, site plan, and land disturbance permit applications filed with the Medway Town Clerk
- C. November 18, 2021 – Public hearing notice filed with the Town Clerk and posted at the Town of Medway web site.
- D. November 19, 2021 - Public hearing notice mailed to abutters and parties of interest by certified sent mail.

- E. November 19, 2021 - Project documents and information loaded to PEDB web page.
- F. November 29, 2021 – Site plan information distributed to Town boards, committees and departments for review and comment.
- G. November 29, 2021 - Public hearing notice advertised in *Milford Daily News*.
- H. December 14, 2021 - Public hearing commenced. The public hearing was continued to January 11 and January 25, 2022 when the hearing was closed and a decision rendered. Public hearing continuation notices were filed with the Town Clerk and distributed to Town staff, boards and committees to request review comments.

#### IV. INDEX OF SITE PLAN/SPECIAL PERMIT DOCUMENTS

- A. The application package for the proposed Cutler Place condominium development included the following documents, plans, studies and information that were provided to the Board.
  - 1. Multi-family Housing Special Permit application dated November 16, 2021
  - 2. Major Site Plan application dated November 16, 2021
  - 3. Land Disturbance Permit application dated November 16, 2021
  - 4. *Cutler Place* site plan for 6 Cutler Street, dated November 17, 2021 prepared by Ron Tiberi, P.E. of Natick, MA including landscaping and lighting plans
  - 5. Certified Abutters List from Medway Assessor's office dated November 17, 2021
  - 6. Quit claim deed dated September 1, 2021 from Town of Medway Affordable Housing Trust to Cutler Place LLC.
  - 7. Building architectural plans including elevations and floor plans dated November 17, 2021 by Alex Siekierski, R.A. of Medway, MA
  - 8. Requests for waivers from the *Site Plan Rules and Regulations*, prepared by Ron Tiberi, P.E.
  - 9. *Project Description* received November 18, 2021
  - 10. *Storm Water Report for Cutler Place*, Medway, MA dated November 13, 2021 prepared by Ron Tiberi, P.E.
- B. During the course of the Board's review, revised plans and a variety of other materials were submitted to the Board by the Applicant and its representatives:
  - 1. Response letter dated December 27, 2021 from project engineer Ron Tiberi, P.E. to the previous plan review comment letters from Tetra Tech and Town staff.
  - 2. *Cutler Place* site plan for 6 Cutler Street, dated November 17, 2021 prepared by Ron Tiberi, P.E. of Natick, MA including landscaping and lighting plans, revised December 28, 2021
  - 3. Revised *Project Description* received December 28, 2021
  - 4. Simplified *Development Impact Report* received December 28, 2021

5. *Storm Water Report for Cutler Place*, Medway, MA dated November 13, 2021 prepared by Ron Tiberi, P.E., revised January 4, 2021 December 27, 2022
- C. Other documentation submitted to the Board during the course of the public hearing:
  1. Tetra Tech plan review letters dated December 14, 2021 and January 6, 2022.
  2. Design Review Committee comment memorandum dated December 8, 2021
  3. Plan review comments dated December 8, 2021 from Susan Affleck-Childs, Medway Planning and Economic Development Coordinator
  4. Email dated January 18, 2022 from Deputy Fire Chief Michael Fasolino
  5. Emailed dated January 20, 2022 from Conservation Agent Bridget Graziano
  6. Letter dated January 25, 2022 from Police Sergeant Jeff Watson
  7. Emails dated January 24, 2022 from DPW Water/Sewer Superintendent Barry Smith
  8. Mullins Rule certification for PEDB Associate Member Tom Gay for the January 11, 2022 hearing

**V. TESTIMONY** - In addition to the special permit and site plan review application materials as submitted and provided during the course of its review, the Board heard and received verbal testimony from:

- Steve Bouley, P.E. of Tetra Tech, Inc., the Town's Consulting Engineer – Commentary provided throughout the public hearing process.
- Anthony Varrichione, Applicant
- Ron Tiberi, P.E., project engineer for the Applicant
- Alex Siekierski, R.A., project architect for the Applicant
- Resident Chris Meo, 16 Cottage Street
- Resident Kristen Alexander, 3 Phillips Street
- Resident Shea, 4 Phillips Street
- Resident Jessica Kirby, 1 Phillips Street
- Resident Ann Wells, 17 Cottage Street
- Resident Liam Shea, 4 Phillips Street

Additionally, the following written comments were provided and entered into the record during the public hearing:

- Memo dated 12-5-21 from Chris and Kathleen Meo, 16 Cottage Street
- Email dated 12-14-21 from Julie Harrington, 5 Phillips Street
- Letter dated 12-14-21 from Ann Wells, 17 Cottage Street
- Email dated 1-7-22 from Chris and Kathleen Meo, 16 Cottage Street

**VI. FINDINGS** - The Board, at its meeting on January 25, 2022, on a motion made by \_\_\_\_\_ and seconded by \_\_\_\_\_, voted to \_\_\_\_\_ the following **FINDINGS** regarding the multi-family special permit, site plan, and land disturbance permit applications for the proposed Cutler Place development to be located at 218-220 Main Street. The motion was \_\_\_\_\_ by a roll call vote of \_\_\_\_ in favor and \_\_\_\_ opposed.

<b>Planning &amp; Economic Development Board Member</b>	<b>Vote</b>
Jessica Chabot	
Richard Di Iulio	
Matthew Hayes	
Thomas A. Gay	
Robert Tucker	

**MULTIFAMILY HOUSING SPECIAL PERMIT** - The Board makes the following Findings in relation to this development's compliance with Section 5.6.4 Multifamily Housing of the Bylaw.

**Applicability**

- 1) **Location** - *The site is located within the Multifamily Housing Overlay District (Section 5.6.4) and thus is eligible for a multi-family housing special permit.*
- 2) **Traffic capacity** - *Cutler Street is a short, local street. Based on the ITE Trip Generation tables, each residential dwelling unit is expected to generate 5.81 daily trips for a total of 29 vehicle trips per day, heading the sort distance to Coffee Street, and then on to Main Street. The 5 units do not rise to the level of triggering the requirement for the submittal and review of a traffic study.*
- 3) **Parcel size & frontage** - *The site consists of 0.71 acres which exceeds the minimum area requirement of 22,500 square feet for the Village Residential zoning district. The site has 189 feet of frontage on Cutler Street, so it meets the minimum 50-foot frontage requirement of Section 5.6.4.B (1) of the Bylaw.*

**Dimensional Regulations**

- 4) **Minimum Dimensional Requirements** - *The dimensional requirements of the underlying VR zoning district apply to the project, as set forth in Table 2 of Section 6 of the Bylaw. The combined existing building with addition is set back approximately 61.2 feet from Cutler Street ~~Main Street~~; the minimum front setback for the VR district is 20 feet. The plan shows a side setback of 22' from the west property line where the minimum required is 10'. The plan shows a rear setback of 42' where a 10' minimum is required. The plan demonstrates that the completed project will comply with maximum building coverage requirements (15.5% provided vs. 30% maximum allowed) and the maximum impervious surface standards (33% provided vs. 40% allowed). It is noted that the project provides for a substantial reduction in impervious surface from 72% in the existing, pre-development condition to 33%.*
- 5) **Non-Conforming Buildings** - *There are no non-conforming buildings on the property.*
- 6) **Building Height** - *As indicated on the site plan, the building height is 33', less than the maximum 40' height allowed.*

**Density**

- 7) **Density** - *The maximum density for multifamily projects is 8 units per whole acre. With 0.71 acres, the maximum possible number of dwelling units is 5.7. With 5 units, the project is under the allowed maximum.*

### **Special Regulations**

- 8) **Affordable Housing** – With only a proposed net increase of 5 dwelling units, the provisions of Section 8.6 Affordable Housing of the Zoning Bylaw do not apply to the proposed development project.
- 9) **Open Space** - A minimum of 15% of the parcel must be open space or yard area. This requirement is met with 27% open space being provided which includes the front and back yards of the property.
- 10) **Parking spaces** - Two off-street spaces per unit (10 spaces) are the minimum required per Section 5.6.4 E. 3 of the Bylaw and 13 off-street parking spaces are provided. ~~Each of the 4 new units will have a 2-car garage.~~
- 11) **Town water and sewer service** - The project will be served by Town water and sewer.
- 12) **Number of units** - The total number of units proposed (5) is less than the 40 maximum possible number of units allowed under the Bylaw for a multi-family development (without consideration of density limits).
- 13) **Historic Properties** – Section 5.6.4 E. 7 requires that historic properties determined to be “historically significant” by the Medway Historical Commission cannot be demolished unless certain criteria are met. The property includes the existing building built in 1882 which the Applicant will renovate as part of the project. Accordingly, this provision does not apply.

### **Decision Criteria**

- 14) **Meets purposes of Multi-Family Housing section of the Bylaw (Section 5.6.4) and the Site Plan Rules and Regulations** - The project meets the following purposes of the Multifamily Housing section of the Bylaw: (1) It provides a diversity of housing types in the form of ~~townhouse attached style~~ units; (2) It encourages the preservation of older properties with the renovation of the ~~two existing historic building older houses~~ on the property.

*It also meets the purpose of the Site Plan Rules and Regulations which is to provide for a uniform procedural and substantive requirements of Section 3.5 Site Plan Review of the Zoning Bylaw. The plans have been reviewed by Town officials and the Board's Consulting Engineer to ensure that the health, safety and welfare of Town residents is protected. Impacts on traffic, parking, drainage, environmental quality, community economics and community character were considered and changes were made during the course of the hearing to improve the project.*

- 15) **Consistent with the Medway Housing Production Plan** - The development meets the implementation strategies of the Housing Production Plan by providing additional multi-family housing.
- 16) **Impact on abutting properties and adjacent neighborhoods** - The impact on abutting properties and adjacent neighborhoods has been addressed through vegetative screening and a comprehensive landscaping plan, an increase in the number of parking spaces beyond what was originally proposed, and the outstanding aesthetics of the renovation and newly constructed ~~addition building~~ as reviewed by the Design Review Committee.



- 17) **Variety of housing stock** - *The development increases the variety of housing stock in the community by providing a ~~quadrplex~~ multi-family building.*
- 18) **Designed to be reflective of or compatible with the character of the surrounding neighborhood** - *The project retains and renovates the existing vintage building which fronts on Cutler Street. The new construction will be in the form of an addition to the existing building and will be set back approximately 60 feet from ~~Main~~ Cutler Street and is well screened from adjacent properties to the east, north and west. The architectural design of the renovation and new addition has been thoroughly reviewed by the Design Review Committee and is thoughtfully designed and compatible. Therefore, the proposed development is compatible with the character of the surrounding neighborhood.*

**SPECIAL PERMIT DECISION CRITERIA** — ~~Unless otherwise specified herein, s~~Special permits shall be granted ~~by the special permit granting authority only upon its~~the Board's written determination that the adverse effects of the proposed ~~multifamily~~ multi-family housing use will not outweigh its beneficial impacts to the town or the neighborhood, in view of the particular characteristics of the site, and of the proposal in relation to that site. The Board makes the following Findings in accordance with Section 3.4 of the Bylaw. ~~In making its determination, the special permit granting authority, in addition to any to any specific factors that may be set forth in other sections of the Bylaw, shall make Findings on all of the applicable criteria specified below:~~

- 1) **The proposed site is an appropriate location for the proposed use.** *The proposed use is a small, multi-family development on a property located on Cutler Street within the Multi-Family Housing Overlay District ~~as approved by Town Meeting~~. The property is located .3 miles from Main Street and then is about 1/4 mile to the Medway Mill complex and Choate Park, home to Choate Pond, Thayer Homestead, a multi-age playground, and the beginning of Medway's trail system.*
- 2) **Adequate and appropriate facilities will be provided for the operation of the proposed use.** *As documented in the plans and associated materials, and conditioned herein, adequate and appropriate facilities will be provided for the operation of the proposed residential use. Town officials and the Town's Consulting Engineer have reviewed the proposed facilities and site improvements. The project will be serviced by Town water and sewer systems. Private electric and gas utilities will be provided. And the stormwater management system has been designed in accordance with the applicable local and State regulations.*
- 3) **The proposed use as developed will not create a hazard to abutters, vehicles, pedestrians or the environment.** *The proposed use adds 5 residential units on a minor local street. It is estimated that the development will generate minimal traffic. The entrance to the site has 132' of sight distance easterly toward Cottage Street. The project does not create a hazard to abutters, vehicles, or pedestrians. The proposed stormwater management system has been reviewed by the Town's Consulting Engineer and has been modified during the course of review. There are no wetland resources located on the property. The abutting property to the north and west is Evergreen Cemetery.*
- 4) **The proposed use will not cause undue traffic congestion or conflicts in the immediate area.** *The roadway entrance/exit for Cutler Place has been adjusted to a single curb cut to simplify access/egress from the site. The estimate of 29 vehicle trips per day will not cause undue traffic congestion or conflicts.*



- 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 Applicant has provided documentation reviewed by the Town's Consulting Engineer that its stormwater management plan is adequate to prevent flooding. The development will utilize residential style driveway lanterns instead of traditional parking lot lighting and street lights. The plans also document that there is no light trespass. Household refuse will be disposed of using a shared dumpster, to be enclosed for screening purposes. A substantial landscaping plan will be implemented to enhance the property's aesthetics. There will be no detrimental impact on abutters due to odors, dust, noise, vibration, refuse materials or other undesirable impacts.*
- 6) **The proposed use as developed will not adversely affect the surrounding neighborhood or significantly alter the character of the zoning district.** *The project retains and renovates the existing structure for 3 units and constructs an addition for 2 residences. The building is set back 61' from Cutler Street; the front yard will be ~~beautifully~~ landscaped to enhance the property's aesthetics. The architectural design of the renovation and new dwelling units has been thoroughly reviewed by the Design Review Committee and modified to better blend with the architecture of the existing houses.*
- 7) **The proposed use is in harmony with the general purpose and intent of the Zoning Bylaw.** *The Multi-Family Housing Overlay District was established to accommodate this type of use subject to certain conditions to limit adverse impacts. The project includes construction of 5 townhouse style units which will help to diversify Medway's housing supply. Its location serves to promote pedestrian oriented development. ~~And~~ the project scope includes the retention and renovation of the existing, ~~older~~ historic building which will provide compatibility with the adjacent neighborhood.*
- 8) **The proposed use is consistent with the goals of the Medway Master Plan.** *The proposed multi-family use is consistent with the Master Plan goal of implementing projects to increase housing diversity.*
- 9) **The proposed use will not be detrimental to the public good.** *As documented in the plans and application, and the Findings and Conditions of this decision, the proposed use is in accordance with the goals of the Master Plan while protecting against potential adverse impacts. The proposed development has reasonable and appropriate density in a suitable location.*

*For all of the above reasons, the Board finds that the beneficial impacts of the proposed Cutler Place outweigh the effects of the proposed use on the Town and neighborhood.*

**SITE PLAN RULES AND REGULATIONS FINDINGS** – The Board shall determine whether the proposed development is in conformance with the standards and criteria set forth in the *Site Plan Rules and Regulations*, unless specifically waived. In making its decision, the Board makes the following Findings in accordance with Section 204-8 of the *Site Plan Rules and Regulations*, ~~as amended December 3, 2002~~, and Section 3.5 of the Bylaw:

- 1) Has internal circulation, queuing and egress been designed such that traffic safety is protected, access via minor streets servicing residential areas is minimized, and traffic

backing up into the public way is minimized? *The plan has been thoroughly reviewed by Town officials and the Board's Consulting Engineer. There is no backing onto a public way, and Cutler Street is adequate to safely handle the traffic from the 5 new housing units.*

- 2) Does the site plan show designs that minimize any departure from the character, materials, and scale of buildings in the vicinity as viewed from public ways and places? *The proposed buildings ~~are~~ is residential and ~~their~~ its scale and materials are suitable for the site and use. The design has been reviewed by the Design Review Committee and is acceptable for its location. There are no distinguishing buildings in the vicinity with which the proposed buildings would conflict in terms of character, materials and scale.*
- 3) Is reasonable use made of building location, grading and vegetation to reduce the visible intrusion of structures, parking areas, outside storage or other outdoor service areas (e.g. waste removal) from public views or from (nearby) premises residentially used and zoned. *The site will include a parking area that will be screened from abutters by fencing and landscaping. The shared dumpster for solid waste will be screened from view. The front yard of the property will be substantially landscaped for stormwater management and aesthetics.*
- 4) Is adequate access to each structure for fire and service equipment provided? *The proposed residences are accessible from the driveway and are located relatively close to Cutler Street. The Fire Department has reviewed the site plan and has not identified any access issues. An existing fire hydrant is located in front of the property. The building will have sprinklers throughout installed as part of the renovation and construction.*
- 5) Will the design and construction minimize, to the extent reasonably possible, the following environmental impacts?
  - a) the volume of cut and fill;
  - b) the number of trees to be removed with particular care taken with mature trees and root systems;
  - c) the visual prominence of man-made elements not necessary for safety;
  - d) the removal of existing stone walls;
  - e) the visibility of building sites from existing streets;
  - f) the impacts on waterways and environmental resource areas;
  - g) soil pollution and erosion;
  - h) noise.

*The proposed stormwater drainage system has been reviewed by the Town's Consulting Engineer. Appropriate soil pollution and erosion controls have been incorporated into the plan. No extraordinary noise will be generated by the residential neighborhood. No stone walls are being removed. A robust landscaping plan will be implemented. A significant reduction in impervious surface will occur as a result of this project; stormwater will be managed on site instead of running off to Cutler Street. The subject site was previously disturbed so the impact on the environment is minimal. There are no wetland resources on the property.*

- 6) Is pedestrian and vehicular safety both on the site and egressing from it maximized? *The proposed development adds 5 residential units. The number of daily vehicle trips is estimated to be 29 for the development. The entrance/exit to the site has adequate sight distance and does not create a hazard to abutters, vehicles, or pedestrians.*

- 7) Does the design and will the construction incorporate, to the maximum extent possible, the visual prominence of natural and historic features of the site? *The designs for the building renovation and new construction were prepared by a licensed architect and were guided by the historic architecture of the existing building.*
- 8) Does the lighting of structures and parking area avoid glare on adjoining properties and minimize light pollution within the town? *The lighting plan was reviewed by the Board's Consulting Engineer and has been revised to comply with the Zoning Bylaw. The planned site lighting is residential in scale and minimizes light pollution.*
- 9) Is the proposed limit of work area reasonable and does it protect sensitive environmental and/or cultural resources? *The site plan as designed should not cause substantial or irrevocable damage to the environment, which damage could be avoided or ameliorated through an alternative development plan or mitigation measures. The limit of work is reasonable. There are no sensitive environmental resources on the subject property.*

#### **LAND DISTURBANCE PERMIT FINDINGS**

- 1) The Board finds that the work proposed for construction of a residential roadway with the associated stormwater management system, utilities and landscaping was presented at a public hearing where the Applicant has presented evidence sufficient to demonstrate that the proposed activity meets the provisions under Medway General Bylaw Article XXVI Stormwater Management and Land Disturbance.

**VII. WAIVERS** – At its January 25, 2022 meeting, the Board, on a motion made by \_\_\_\_\_ and seconded by \_\_\_\_\_, voted to grant 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 granting each waiver request are listed below. All waivers are subject to the *Special and General Conditions of Approval*, which follow this section. The motion was \_\_\_\_\_ by a roll call vote of \_\_\_\_ in favor and \_\_\_\_ opposed.

#### **Planning & Economic Development Board Member**

#### **Vote**

Jessica Chabot  
 Richard Di Iulio  
 Matthew Hayes  
 Thomas A. Gay  
 Robert Tucker

#### **SITE PLAN RULES AND REGULATIONS**

- 1) **Section 204-3 Planning Board Submittals. K. An Order of Resource Area Delineation depicting the approved wetland resources affecting the proposed project from the Conservation Commission, or an Order of Conditions issued within the past 3 years, or a Determination of Applicability with a finding from the Conservation Commission that the proposed project is not within its jurisdiction.**

A waiver is needed from this submittal requirement. The site plan depicts delineated wetlands in Evergreen Cemetery, the adjacent property to the west and north of 6 Cutler Street. However, the 100' buffer area around the wetland resource does not extend into

the 6 Cutler Street property. None of the above noted documents have been provided, however Conservation Agent Bridget Graziano has provided a communication to indicate that there are no resources on the site under the Commission's jurisdiction. ***For these 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.***

2) **Section 204-5 D. Site Plan Information Sheets. 10) Color Renderings of the project and buildings shall be provided.**

A waiver is needed from this submittal requirement. The Applicant has provided architectural drawings prepared by a registered architect which include detailed building elevations which have been reviewed by the Design Review Committee and found to be appropriate, successfully designed, and aligned with the *Medway Design Review Guidelines*. ***For these 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.***

3) **Section 207-9 B. Sidewalks – Five foot sidewalks shall be provided within parking areas.**

A waiver is needed from this development standard. A sidewalk is not proposed within the parking area. As the development site is small in terms of area (0.71 acres) and the number of dwelling units (5), and the number of parking spaces (13), pedestrian circulation can be readily accommodated by the 22' internal driveway. Not constructing sidewalks also reduces the amount of impervious surfaces for which stormwater management would be needed. Sidewalks are provided on the property to connect the parking area to the unit entrances. ***For these 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.***

3) **Section 207-11 B. 2 – Internal Site Circulation and Parking Lot Drive Aisles – The perimeter of drive aisles shall be bounded with vertical granite curb.**

The Applicant has requested a waiver from the standard to install granite curbing along the perimeter of the drive aisle and proposes to use Cape Cod berm instead. As this is a small residential development, not a commercial center, the use of Cape Cod berm is suitable. However, granite curbing shall be used for the roundings where the drive aisle connects to Cutler Street. ***For this reason, 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.***

4) **Section 207-11 B. 3 – Internal Site Circulation and Parking Lot Drive Aisles – Two-way drive aisles shall be twenty-four feet wide.**

The Applicant has requested a waiver from the 24-foot drive aisle standard width and has proposed a width of 22-feet instead. Deputy Fire Chief Mike Fasolino was consulted and has determined that the reduced width is acceptable as it meets the Fire Department's 20'

width requirement. He has also noted the location of an existing fire hydrant in front of the property which provides ready access to water for fire-fighting if ever needed. A 22' wide roadway is quite workable for a small, multi-family development on a 0.71 acre property with 189 feet of frontage on Cutler Street. ***For these 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.***

5) **Section 207-12. G. Parking Spaces 3) b) Parking spaces shall not be located within fifteen feet of the front, side and rear property lines**

The applicant has requested a waiver from this standard as it applies to the side setback from the eastern adjacent property at 14 Cottage Street. The parking spaces are proposed to be set back 11.5 feet from that property line instead of 15'. The reduced setback is needed to provide adequate drive aisle space within the site. It is noted that the abutting property at 14 Cottage Street includes an existing fence along the full length (approximately 165 linear feet) of its western boundary with 6 Cutler Street, as depicted on the site plan. As the 14 Cottage Street property is fully screened from the Cutler Place development by this fence, the need for a 15' setback for parking is not compelling. ***For these 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.***

6) **Section 207 – 16 Utilities. A. All electric, telephone, cable TV, and other utilities shall be located underground.**

A waiver is needed from this standard. The electric, telephone, and cable are proposed to come from an existing utility pole at the southwest corner of the property. Given the modest size of the project, this is a reasonable adjustment. ***For this 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.***

7) **Section 207-19 Landscaping. B. Buffers. 2. Perimeter landscaping shall be provided around the entire site. Four season evergreen landscape buffers between the site and adjoining properties are required, particularly to protect adjacent residential uses to the greatest extent possible. Landscaped buffer areas shall be a minimum of fifteen feet in depth and may be comprised of existing woodlands and native vegetation supplemented by new landscape plantings. Vegetation in buffer areas may also be augmented with earth berms of a reasonable height and high quality and durable fencing using materials approximately wood.**

A waiver is needed from this standard as 15' of landscape buffering is not provided around the perimeter of the entire site. A limited buffering treatment is proposed along the eastern and northern boundaries. The adjacent property to the east at 14 Cottage Street already includes a fence that runs the full length of the property and provides a suitable buffer for those residents to 6 Cutler Street. The adjacent property to the north and west is Evergreen Cemetery so impacts to abutters is not an issue. ***For these 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.*

- 8) **Section 207-19 Landscaping. C. Parking Areas. 1) Internal landscape planted divisions (islands and peninsulas) shall be constructed within all parking areas containing ten or more parking spaces to provide visual relief from expanses of pavement and vehicles and provide shade. a) A minimum of ten percent of the total internal parking area shall be provided as landscaped island areas, exclusive of perimeter landscaping.**

A waiver is needed from this standard. Over the course of the public hearing, the total number of proposed parking spaces was increased from 10 to 13 to accommodate resident and visitor parking for the 5 dwellings. Both the Board and neighbors were concerned about overflow parking onto Cutler Street if enough spaces were not provided on site and the applicant revised the plan to add 3 parking spaces. Consequently, this has eliminated the ability to include the noted landscaped islands within the parking area. *For these 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.*

- 9) **Section 207-19 K. Landscaping. K. Irrigation – 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. Well locations shall be shown on the site plan and are subject to approval of the Medway Board of Health.**

The Applicant has requested a waiver from this standard. Due to the small size of the site and development, there are no plans to install a private irrigation system for the landscaping. The landscaping plan incorporates drought resistant plant materials. This decision includes Specific Condition \_\_\_\_\_ which requires the Permittee and assigns and the future Cutler Place Condominium Association to maintain the landscape installations and water the plantings in accordance with the Town's water conservation restrictions. *For these 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 approval of this site plan complies with the *Bylaw*, Section 3.4 (Special Permits) and Section 5.6.4 (Multi-Family Housing), is consistent with *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 issuance of a special permit and site plan approval is subject to the following Conditions of Approval:

**SPECIFIC CONDITIONS OF APPROVAL**

- A. Notwithstanding any future amendment of the *Bylaw*, G.L. c.40A, or any other legislative act:

1. The maximum number of dwelling units to be developed under this special permit shall be five; three in the existing building and two in the new addition.
  2. The tract(s) of land on which this multi-family development will be located at 6 Cutler Street shall not be altered or used except:
    - a) as granted by this special permit;
    - b) substantially as shown on the site plan entitled *Cutler Place, 6 Cutler Street, Medway, MA*, last revised December 28, 2021 by Ron Tiberi, P.E. to be modified as specified herein;
    - c) in accordance with any subsequently approved field changes, modified plans or amendments to this special permit/site plan decision; and
    - d) in accordance with the *Stormwater Management Operations and Maintenance Plan for Cutler Place, 6 Cutler Street, Medway, MA* revised December 26, 2021, prepared by Ron Tiberi, P.E. of Natick, MA
  3. The tract of land and buildings comprising Cutler Place shall not be used, sold, transferred or leased except in conformity with this special permit and shall not be further divided.
- B. **Plan Endorsement** - Within one-hundred and twenty days after the Board has filed its *Decision* with the Town Clerk, the site plan set for Cutler Place including building elevations, floor plans and renderings, landscaping plan, and lighting plan shall be further revised to reflect all Conditions and required revisions as specified herein and shall be submitted to the Board to review for compliance with the Board's *Decision*. (*Said plan is hereinafter referred to as the Plan of Record*). Upon approval, the Permittee shall provide the revised Plan in its final form to the Board for its endorsement prior to recording at the Norfolk County Registry of Deeds along with this decision. All Plan sheets shall be bound together in a complete set.
- C. **Cover Sheet Revisions** – Prior to plan endorsement, the cover sheet of the November 12, 2020 Plan shall be revised as follows:
1. Include the list of APPROVED Waivers from the *Site Plan Rules and Regulations*
  2. Add reference to the Stormwater Operations and Maintenance plan (sheet to be added to the plan set) to the Plan Index
  3. Add the plan revision date
- D. **Other Plan Revisions** – Prior to plan endorsement, the following plan revisions and/or notes shall be made to the December 27, 2021 plan:
1. A sheet shall be added to the Plan set to display the property's *Stormwater Operations and Maintenance Plan*.
  2. The earth removal calculations provided in the 12-27-21 response letter from Ron Tiberi, P.E., shall be included on the Erosion Control Plan (Sheet S-4)
  3. Replacement of existing sanitary sewer line from Cutler Street to the building
  4. What are we doing about the tree at the driveway entrance that interferes with good sight distance east up Cutler Street? Moving it back? Changing type? Changing to shrubs?
  5. What are we doing about roof runoff recharge system? See TT letter, item #40
  6. Granite curbing at driveway access/egress roundings with Cutler Street shall be shown.
  7. The dimensions of the handicap parking space and adjacent loading area shall be shown on the plan.

8. Adjust grading of first 20 feet +/- of the driveway to ensure stormwater runoff from the driveway is treated on-site and does not flow down and out to Cutler Street.
9. Revise elevations for the bottom of the rain garden and the rip-rap weir to match the HydroCAD analysis.
10. Add the following to the endorsement area on each plan sheet:  
 PLAN ENDORSEMENT DATE: \_\_\_\_\_
11. Revise “Approved by Planning Board” to read: “Approved by Medway Planning and Economic Development Board” in the endorsement area on each plan sheet.
12. Revise detail on dumpster to indicate the enclosure shall be fabricated of [REDACTED]. Add a bollard detail for the bollards associated with the dumpster enclosure.
13. Add note and detail to indicate that the parking area will be wired to accommodate future electric vehicle charging devices. –

E. **Other Documentation** - Prior to plan endorsement, the Permittee shall provide the following documentation to the Board:

1. Copy of a sample deed to be used to convey each dwelling unit for review, comment, amendment and approval by Town Counsel. The deed shall reference the recorded Multi-Family Housing Special Permit and Plan. The deed shall clearly state that the Cutler Place Condominium Association shall own and be responsible for the maintenance and upkeep of development’s parking area, the stormwater management system, and all other infrastructure and common space.
2. Copy of the Performance Security Covenant to be executed by the Permittee and the Board in a form acceptable to the Board and suitable for recording at the Registry of Deeds or Land Court, as may be applicable, for review, comment, amendment and approval by Town Counsel.

**Commented [SA2]:** Question – Do we need a covenant with this project since it is all one building?

F. **Recording of Plans and Documents**

1. The Plan of Record associated with this special permit, land disturbance permit, and site plan approval is titled: *Cutler Place, 6 Cutler Street, Medway, MA*, last revised December 28, 2021 by Ron Tiberi, P.E. with an additional sheet for Stormwater Operations and Maintenance Plan, to be further revised as specified herein.
2. No construction shall begin on the site and no building permit for any work shall be issued before this Multi-Family Housing Special Permit, Site Plan Decision, Land Disturbance Permit, and the Plan of Record ~~endorsed~~ by the Board are recorded at the Norfolk County Registry of Deeds and proof of such recording is provided to the Board.
3. The following documents which shall be in compliance with the Conditions of this decision shall be recorded at the Norfolk County Registry of Deeds prior to the issuance of the first occupancy permit for the development.
  - a) Cutler Place Condominium Master Deed
  - b) Declaration of Trust of Cutler Place Condominium Association
4. Within thirty days of recording, the Permittee or its assigns or successors shall provide the Board with a receipt from the Norfolk County Registry of Deeds indicating that the specified documents have been duly recorded, or supply



another alternative verification that such recording has occurred.

- G. **Sidewalk Construction/~~Replacement~~ on Cutler Street** – Pursuant to Section 3.5.4. I. Procedures for Site Plan Review of the *Zoning Bylaw*, sidewalks shall be provided along the entire frontage of properties subject to site plan review. The property's frontage along Cutler Street does not presently include sidewalks and the roadway's narrow width limits its capability to include sidewalks. In lieu of sidewalk construction, the Applicant has agreed to make a payment to the Town's Sidewalk Fund in the amount of \$10,037 as calculated by the Board's Consulting Engineer for the Town to construct 170 linear feet of **5' wide asphalt sidewalk** with Cape Cod berm and accessible ramps. The funds shall be held in the Town's Sidewalk Fund for use to construct sidewalks elsewhere in the community. The funds shall be paid to the Town by the Permittee before any occupancy permit is issued by the Building Department.
- H. **Open Space/Yard Area** - At least 15% of the site shall be retained and function as open space and/or yard area in perpetuity. This is an ongoing obligation of the Cutler Place Condominium Association. This area shall be unpaved but may be landscaped or left natural, with the balance being trees, shrubs and grass suitable for the site. This area may include a play area or other communal recreational space, subject to plan modification requirements.
- I. **Ownership/~~and~~ Maintenance of Common Areas**
1. The property's stormwater drainage facilities, common areas, landscaping, and all other infrastructure shall be owned and maintained by the Cutler Place Condominium Association. It is the intent of the Board that these facilities will not be accepted by the Town of Medway.
  2. The Board requires that the following aspects of the development shall be and shall remain forever private, and that the Town of Medway shall not have, now or ever, any legal responsibility for operation or maintenance of same:
    - a) Parking areas
    - b) Stormwater management facilities
    - c) Snowplowing and sanding
    - d) Landscaping
    - e) ~~Street lights~~ **Light posts**
    - f) Sewer and water infrastructure on the property
- J. **Building and Occupancy Permits**
1. Foundation Permit - A foundation only permit to begin construction of the addition (2 units) may be issued while the infrastructure work is underway.
  2. For the Remaining Work – No building permit for the addition and no occupancy permit may be issued for any unit until the following items, at a minimum, are installed in compliance with this Decision, the ~~endorsed~~ **Plan of Record**, and applicable by-laws and regulations and approved by the Board's consulting engineer.
    - a) Driveway area gravel sub-base
    - b) Driveway area binder course
    - c) Drainage system completed to the proposed outfall with frame and grates set to binder grade, as well as stormwater basins, swales, infiltrations systems or any other stormwater management facilities.

- d) As-built plan of each stormwater basin and forebay and all critical elevations and details of the associated structures, pipes and headwalls.
- e) Stop line pavement markings.
- g) Provisions for fire prevention and protection. Private water main/service to be constructed, installed and functional.

See General Condition [redacted] for further performance security requirements.

- K. The **Master Deed for the Cutler Place Condominium** shall include the following language: *“The construction and operation of the Cutler Place condominium is authorized by a Multi-Family Housing Special Permit, Site Plan Approval, and Land Disturbance Permit granted by the Medway Planning and Economic Development Board on \_\_\_\_\_, which is available for inspection at the Town Clerk’s office and which is recorded at the Norfolk County Registry of Deeds.”*
- L. **Water Conservation** – The development will be connected to the Town’s public water system, and the Town is subject to its Water Management Act Permit with the Massachusetts Department of Environmental Protection (DEP). The Permittee and the future condominium association shall incorporate the following water conservation measures for construction of the development:
  - 1. any landscape irrigation may not be connected to municipal water supply.
  - 2. rain-gauge controlled irrigation systems only
  - 3. low flow household fixtures
  - 4. water efficient appliances (dishwashers, washers, toilets, etc.)
- M. **Addresses** – The addresses for the Cutler Place residences shall be as determined by the Medway Assessor’s office upon consultation with the Medway Fire and Police Departments.
- N. **Development Signage** – Any future development signage for this project shall comply with the sign regulations of the *Bylaw* and is subject to review by the Design Review Committee.
- O. **Parking** – The approved plan includes two off-street parking spaces per unit (10 spaces) plus 3 additional spaces for visitors. ~~Regular on-street parking of the Cutler Place occupants on Cutler Street or Phillips Street shall not be permitted.~~ The Permittee shall specify in the condominium deeds and association documents that resident parking shall occur only on the 6 Cutler Street premises.

**Additional Condition as Requested by abutter** Chris Meo (16 Cottage Street) - Can a bond be set aside for mitigation purposes so that, if parking becomes a nuisance within the first year after full build-out and occupancy, the developer would be required to install a 6’ stockade fence on my property line to block the cars?
- P. **Design Details** - Prior to applying for any building permit, the Permittee will provide final design details of the position of proposed site lighting and locations of planned chimney stacks, vents and related building systems to the Design Review Committee for review and approval.
- Q. **Stormwater Management and Land Disturbance – Pre-Construction**
  - 1. See General Condition [redacted] regarding the required Pre-Construction Meeting.

**Commented [BSA3]:** Not sure this is legal or enforceable if parking is permitted on the public way. Are there “no parking” signs on the street? How is ZEO to enforce this?

2. No clearing of vegetation, including tree cutting or disturbance of soil, shall occur prior to the Permittee's Pre-Construction Meeting with Town staff and the Board's consulting engineer.
  3. Prior to the Pre-Construction Meeting and commencement of any work on the site, the erosion control plan included in the ~~endorsed~~ Plan of Record set and the limit of work lines shall be staked. The Permittee shall notify the Board's consulting engineer to schedule an inspection to ensure that erosion controls and limits of work have been properly located and installed. The location of erosion controls and limits of work lines shall be adjusted, if necessary, during this inspection. No site work shall be conducted until the Board's consulting engineer has inspected and approved the installation of the erosion controls and limits of works.
  4. Immediately after the Pre-Construction meeting, all erosion controls and limits of work lines shall be installed along the approved and staked lines. Such installation shall occur with the least possible disturbance to vegetation. Erosion controls should be placed around trees, shrubs and other vegetation, on the uphill side. The installed erosion control measures shall be inspected, adjusted if needed, and approved by the Board's consulting engineer to ensure they have been properly installed.
  5. At least 5 business days prior to construction activity, the Permittee shall advise the Board of the name(s) and contact information of the person(s) responsible on site for compliance with this Permit. This person shall serve as Clerk of the Works and shall supervise the contractor and inspect the site regularly. The Permittee shall be responsible for immediately notifying the Board of any change in the identify or contact information for the on-site person responsible for compliance.
  6. Prior to construction, the general contractor shall designate a construction staging area within designed location as depicted on the approved site plan. All construction trailers, portable sanitary facilities, material storage and overnight parking of equipment shall be located in the staging area. The perimeter of the staging area shall be protected as necessary with silt fence and the ground surface shall be protected with washed stone or another suitable non-erosive material.
  7. Prior to construction, an area for cleanup and/or maintenance of construction equipment shall be designated. Prior to commencement of work, the Permittee shall designate a location for a concrete washout and other washout areas which shall be surrounded by siltation controls. The locations and form of siltation controls shall be approved by the Board's consulting engineer.
  8. Prior to commencing any work on site, the Permittee shall install a stone construction entrance (tracking pad) not less than 20' wide and not less than 30' in length of a stone size, on the average of 1" to 4".
- R. **Stormwater Management and Land Disturbance During Construction** – Construction is subject to the Stormwater Operations and Maintenance Plan within the Storm Water Report for Cutler Place, by Ron Tiberi, P.E. dated December 26, 2021.
1. The Permittee shall ensure that all contractors, subcontractors and other

personnel performing the authorized work are fully aware of the Permit's terms and Conditions and the stormwater operations and maintenance plan for construction. This decision document shall be included in all construction contracts, subcontracts, and specifications dealing with the planned work.

2. Copies of this decision, the ~~endorsed site plan~~ Plan of Record, the stormwater report including the stormwater operations and maintenance plan shall be kept on site at all times while the site is under construction.
3. ~~No clearing of vegetation, including trees, or disturbance of soil shall occur prior to the Pre-Construction Meeting.~~
4. Erosion Control - It is the Permittee's responsibility to conduct monitoring, maintenance, reporting, and repair of erosion control measures, and to take any additional measures necessary to control erosion from the site. The erosion control measures specified in the ~~endorsed plan~~ Plan of Record shall be considered to be the minimum standard for compliance.
  - a) The Permittee shall designate an Erosion Control Inspector who shall be responsible for these duties.
  - b) ~~Prior to the Pre-Construction Meeting and commencement of any activity on the site, the erosion control plan included in the endorsed plan set and the limit of work lines shall be staked. The location of erosion controls shall be adjusted, if necessary, during the first erosion control inspection with the Board's consulting engineer.~~
  - c) ~~Immediately after installation of erosion controls, the Applicant shall notify the Board's consulting engineer to schedule a follow up inspection to ensure that erosion controls and limits of work have been properly located and installed. No work shall be conducted until the Board's consulting engineer has inspected and approved the installation of the erosion controls.~~
  - d) Erosion Control Measures shall be placed to ensure that no sedimentation will reach the Town's right-of-way (Cutler Street) or abutting properties. Choice of suitable silt fence materials shall be in accordance with the approved plan and details.
  - e) Maintenance of Erosion Control Measures - Appropriate erosion control devices shall be maintained during construction. The erosion control specifications provided in the Land Disturbance Application and the erosion control provision in the Permit and approved site plan will be the minimum standards for this project; additional measures may be required by the Board. These will be maintained until the Permittee's Erosion Control Inspector and the Board's consulting engineer agree that they are no longer needed, at which time they will be removed, using removal procedures that the Board's consulting engineer finds satisfactory. All sedimentation barriers shall be maintained in good repair until all disturbed areas have been fully stabilized with vegetation or other means. During construction, the Permittee or its designee shall inspect the erosion controls on a daily basis and shall remove all sediment when accumulated to a depth of two inches or greater. The Permittee shall immediately control all erosion on the site, and shall

Commented [BSA4]: Redundant

Commented [BSA5]: Redundant

- immediately notify the Board of any breaches of the erosion control barriers by sediment or silt-laden water.
- f) Any runoff resulting from the washing of trucks or construction equipment shall neither be directed to, nor dumped into, any on-site drainage system. Any such washing shall occur only in the designated washout areas. All construction vehicles exiting the property shall be cleaned of soil prior to traveling on public streets within the Town of Medway.
- g) All construction equipment shall be inspected regularly and properly maintained and precautions shall be taken to prevent any leakage or spillage of oil, gasoline, hydraulic fluid, and other pollutants. Any leakages shall be repaired immediately. Any such leakage or spillage must be cleaned up immediately and disposed of off-site. The Board's consulting engineer shall be notified immediately in the event of any leakage or spillage.
5. Reporting – The Permittee's Erosion Control Inspector shall conduct and document inspections of all erosion control measures no less than bi-weekly during construction and immediately after any storm event resulting in 0.25 inches of precipitation or more within twenty-four hours. The purpose of such inspections will be to determine the overall effectiveness of the erosion control plan and the need for maintenance or additional control measures.
6. Throughout construction and until the development is transferred to the Cutler Place Condominium Association, the Permittee shall be responsible for keeping the constructed stormwater drainage system in a clean and well-functioning condition, and shall do nothing which would alter the drainage patterns or characteristics as indicated on the Plan approved herein without the express written approval of a field change by the Board.
7. Throughout construction, the Board's consulting engineer shall regularly inspect the site to determine if the site is being maintained and shall provide corrective guidance to the Permittee for actions needed to address any stormwater management deficiencies. Failure to adequately maintain the site shall be grounds for the Town to withhold building and/or occupancy permits.
8. All waste products, refuse, debris, grubbed stumps, slash, excavate, construction materials, etc. associated with the planned construction shall be contained and ultimately deposited at an appropriate off-site facility and shall not be incorporated in any manner into the project site.
9. All stockpiles shall be positioned within the limit of work area as depicted on the approved plan or as authorized by the Board's consulting engineer.
10. **Fill** – Any fill being brought onto the site from any off-property sources shall be free of trash, invasive species, deleterious material, and chemical contaminants in excess of the Massachusetts Contingency Plan (MCP 310 CMR 40.0000) RCS-1 Reportable Concentrations. Prior to delivering fill to the project site, the soil shall be sampled at its source and a certification provided to the Board and. The certification shall include a letter signed by a Licensed Site Professional (LSP) describing the site history of the originating soil location and certifying sampling collection procedures, quality control, results, compliance with RCS-1

**Commented [SA6]:**

Is this section needed? No fill is expected to be brought on site.

Standards, and compliance with the requirements of this Condition. Sampling and classification of soils shall also be consistent with MassDEP Policy # COMM-97-001.

Required soil testing is outlined below:

One soil sample shall be collected from material at each originating location or soil type. One soil sample shall be collected for every 500 cubic yards of soil.

- Volatile Organic Compounds (VOCs) by EPA Method 8260
- SemiVolatile Organic Compounds (SVOCs) by EPA 8270
- Polychlorinated Biphenyls (PCBs) by EPA Method 8082
- Total Petroleum Hydrocarbons (TPH) by EPA Method 8015 or 8100M.
- Substitute MassDEP VPH/EPH) for TPH allowed
- pH
- Priority Pollutant 13 Metals (total) Sb, As, BA, Be, Cd, Cr, Pb, Ni, Se, Ag, Ti, V, Zn.
- Any other analyses determined by the Conservation Commission, MassDEP, or the LSP necessary to properly characterize the soil for relocation.

Washed stone materials are exempt from testing.

The Board may consider alternative sampling plans or soil materials at its discretion. Approval of the Board is required for alternative plans. These may include management of soils consistent with MASSDEP WSC#-13-500, Similar Soils Provision Guidance.

11. If unforeseen problems occur during construction which may affect abutting properties, Town roadways and/or the Town's stormwater infrastructure, upon discovery by either the Board, its consulting engineer, or the Permittee, the Board shall be notified immediately, and an immediate meeting shall be held with the Permittee and its agents and the Board's consulting engineer and other concerned parties to determine the corrective measures to be employed. The Permittee shall then act to correct the problems using the corrective measures agreed upon and in accordance with General Condition \_\_\_\_ **Field Changes**, if necessary. Subsequent to resolution, the activity and resulting actions shall be documented in writing.

S. ***Stormwater Management and Land Disturbance – Post Construction***

1. The stormwater drainage system shall be maintained by the Permittee, its successors and assigns, and the Cutler Place Condominium Association to keep the constructed stormwater drainage system in a clean and well-functioning condition and to do nothing that would alter the drainage patterns or system as represented on the approved and ~~endorsed plan.~~ the Plan of Record.
- ~~2. The stormwater drainage system shall not be accepted by the Town.~~
- 3.2. The Permittee, its successors and assigns, and the Cutler Place Condominium Association shall maintain the stormwater management system in accordance with long term *Stormwater Operations and Maintenance Plan for Cutler Place*,

6 Cutlet Street, Medway, MA, last revised December 26, 2021, prepared by Ron Tiberi, P.E., as may be further revised prior to plan endorsement and after project completion.

~~4-3.~~ Ongoing enforcement of compliance with the long term *Stormwater Operations and Maintenance Plan* is the responsibility of the Medway Department of Public Works (DPW). The plan may be amended by mutual agreement of the DPW and the Cutler Place Condominium Association.

~~5-4.~~ In the event a management company is engaged by the Permittee, assigns or the Condominium Association, the above noted long term *Stormwater Operations and Maintenance Plan* shall be incorporated by reference in the management contract.

~~6-5.~~ The Permittee and its successors shall submit an annual report of inspections and maintenance of all stormwater management structures as prescribed in *Stormwater Operations and Maintenance Plan* to the Board and the Medway Department of Public Works starting one year after the Certificate of Site Plan Completion is issued. The annual report shall be submitted no later than December 1<sup>st</sup> of every year. The inspections shall be conducted in accordance with the approved *Stormwater Operations and Maintenance Plan*.

~~7-6.~~ In the event that the Permittee, its successors and assigns, its agent, or the Cutler Place condominium association fail to maintain the stormwater management system in accordance with the long term *Stormwater Operations and Maintenance Plan* and take needed corrective measures, the Town may conduct such maintenance or repairs as the Town determines in its sole discretion are reasonably necessary, and the Permittee hereby consents to allow the Town and its agents, employees and contractors entry onto the Property to implement the measures set forth in the referenced Plan. In the event the Town conducts such maintenance or repairs, the Permittee shall promptly reimburse the Town for all reasonable expenses associated therewith; if the Permittee fails to so reimburse the Town, the Town may use any and all available legal remedies to secure such payment including charging a fee for the services through the sewer utility for the property.

T. ***Landscape Maintenance and Irrigation***

1. The site's landscaping shall be maintained in good condition throughout the life of the facility and to the same extent as shown on the ~~endorsed~~ Plan of Record. Any shrubs, trees, bushes or other landscaping features shown on the Plan that die shall be replaced by the following spring.
2. Within 60 days after two years after the last occupancy permit is issued, the Town's consulting engineer or the Building Commissioner may conduct an initial inspection of the landscaping to determine whether and which landscape items need replacement or removal and provide a report to the Board. At any time, subsequent to this initial inspection, the Town's consulting engineer or the 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 to ensure that the comprehensive landscaping plan is maintained.

3. The permittee, assigns and the Cutler Place Condominium Association 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 on the property.

- U. **Site Preparation** – As directed by the Medway Fire Department, there are two 100 lb. propane tanks located behind the building. These tanks shall be properly removed during construction in accordance with Medway Fire Department requirements and procedures.

#### **GENERAL CONDITIONS OF APPROVAL**

- A. **Applicability** – This permit shall apply to any successor in control or successor in interest of the subject property.
- B. **Fees** - Prior to 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 and business licenses.

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

- C. **Other Permits** – This permit does not relieve the Permittee from its responsibility to obtain, pay and comply with all other required federal, state and Town permits and approvals associated with this project. The contractor for the Permittee or assigns shall obtain, pay and comply with all other required Town permits.
- 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 in the building and the operation of construction equipment including truck, vehicular and machine start-up and movement and construction deliveries 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 on federal and/or state legal holidays, without the advance approval of the Building Commissioner. These rules do not apply to interior construction work such as painting, installation of drywall, flooring, etc.
  2. 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.

**Commented [SA7]:** Applicant has indicated a 5 pm time.



3. There shall be no tracking of construction materials onto any public way. Daily sweeping of roadways adjacent to the site shall be done to ensure that any loose gravel or dirt is removed from the roadways and does not create hazardous or deleterious conditions for vehicles, pedestrians or abutting residents. In the event construction debris is carried onto a public way, the 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.
4. 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. All waste products, refuse, debris, and construction materials shall be contained and deposited post construction at an appropriate off-site facility.
5. *Construction Traffic and Parking* – During construction, adequate provisions shall be made on-site for the parking, storing, and stacking of construction materials and vehicles. All parking for construction vehicles and construction related traffic shall be maintained on site. No parking of construction and construction related vehicles shall take place on adjacent public or private ways or interfere with the safe movement of persons and vehicles on adjacent properties or roadways.

F. ***Snow Storage and Removal***

1. On-site snow storage shall not encroach upon nor prohibit the use of any parking spaces required by the *Bylaw*.
2. The Permittee and the future condominium association shall inform snow removal operators of the approved locations for on-site snow storage.
3. Accumulated snow which exceeds the capacity of the designated on-site snow storage areas shall be removed from the premises within 24 hours after the storm event has concluded.

G. ***Right to Enter Property*** – Board members, its staff, consultants or other designated agents of the Town shall have the right to enter upon the common areas of the Cutler Place site at reasonable times during construction to inspect the site to evaluate for compliance with the terms and Conditions of this permit and the ~~endorsed site plan~~ Plan of Record and while on site, may acquire any information, measurements, photographs, observations and/or materials deemed necessary for that evaluation.

H. ***Construction Oversight*** - Inspection by the Town's consulting engineer of infrastructure and utility construction, installation of site amenities including landscaping, and erosion controls and review of legal documents by Town Counsel is required.

1. ***Construction Account***

- a. 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 and installation, identify what site plan work remains to be completed, prepare surety estimates, 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, until the road, stormwater system and other infrastructure are completed and the as-built plan and Certificate of Site Plan Completion has been granted.
  - 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. ***Pre-Construction Meeting*** – At least seven days prior to the start of any site preparation or construction, the Permittee shall meet with the Town's consulting engineer, the Planning and Economic Development Coordinator, the Medway Department of Public Works, other Town staff as appropriate, the site contractors, and the Permittee's project engineer for a pre-construction meeting. At or before the pre-construction meeting, the Permittee shall provide the following information:
- a Construction Management Plan as specified in Section 204-3 H. of the *Site Plan Rules and Regulations*,
  - earth removal calculations
  - earth fill estimates
  - copies of its National Pollutant Discharge Elimination System (NPDES) permit and its Stormwater Pollution Prevention Plan (SWPPP) for this project as filed with the U.S. EPA.
  - list of contacts with contact information for contractors, those responsible for compliance with this permit (Clerk of the Works), on-site management, and erosion control inspector.
3. The Department of Public Works will conduct inspections for any construction work occurring in the Town's right-of way in conjunction with the Town of Medway Street Opening/Roadway Access Permit, the sewer and water connection permits, and any other applicable DPW permits associated with this project.
4. The Permittee shall retain its own professional engineer licensed in the Commonwealth of Massachusetts to conduct progress inspections of the construction of the approved plan and improvements. Inspections shall occur at least on a monthly basis and shall start immediately once any work begins on the property. The Permittee's engineer shall prepare a written report of each inspection, including photographs, and provide a copy to the Board within five days of inspection.

I. ***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~~ Plan of Record.
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 change at a public meeting and determine whether the proposed field change is reasonable and acceptable based on the unforeseen conditions, situations, or emergencies and whether other options are feasible or more suitable. The Board will provide a written authorization of an approved field change. Any approved field change shall be reflected in the as-built plan to be provided at project completion.

J. **Plan Modification**

1. Proposed modifications (not including on-site field changes) to the ~~endorsed~~ Plan of Record 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 ~~an approved site plan~~ the Plan of Record may be a violation of the *Bylaw*, unless the Permittee requests approval of a plan modification and such approval is provided in writing by the Board.
4. The request for a *Modification* to ~~a previously approved plan~~ Plan of Record shall be subject to the same application and review process, including a public hearing, the payment of plan modification filing fee and plan review fee and all costs associated with another public hearing including legal notice advertising. The Board shall issue its *Modification Decision*, file such with the Town Clerk, and provide copies to the Building Commissioner, other Town officials and the Permittee. Any modifications 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.

K. **Plan Compliance**

1. The Permittee shall construct all improvements in compliance with the ~~approved and endorsed plan~~ Plan of Record and any modifications thereto.

2. The Board or its agent(s) ~~may~~ **shall** 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.

L. ***Performance Security***

1. If the Permittee seeks an occupancy permit before completion of the approved site improvements, the Permittee may request that the Board accept a deposit of funds or other form of security acceptable to the Board and the Treasurer/Collector sufficient to assure the satisfactory completion of site improvements, landscaping and amenities, and all off-site mitigation measures as shown on the approved plan. Whether to accept such security in lieu of completion of the project shall be determined by the Board in its sole discretion.
2. The Board shall determine a reasonable and sufficient amount to cover the Town's cost to complete the work if the Permittee fails to do so. The Town's consulting engineer shall prepare an estimate of the current cost to complete the work that remains unfinished at the time the occupancy permit is requested. The estimate shall be based on unit prices in the latest Weighted Average Bid Prices by the Massachusetts Department of Transportation. The estimate shall also include the cost to maintain the infrastructure, site improvements and amenities, and off-site mitigation measures in the event the Permittee fails to adequately perform such. The estimate shall reflect the cost for the Town to complete the work as a public works project, which may necessitate additional engineering, inspection, legal and administrative fees, staff time and public bidding procedures. A contingency of up to thirty percent shall be added to the total estimate. The Board shall approve the estimate and notify the Town Treasurer/Collector and the Building Commissioner of the approved amount.
3. The performance security shall be accompanied by a performance security agreement executed by the Permittee, the Board, and the performance guarantee company. It shall include:
  - a) the date by which the Permittee shall complete construction
  - b) a statement that the agreement does not expire until released in full by the Board
  - c) procedures for collection upon default.
4. *Final Release of Performance Security* - Final release of performance security is contingent on project completion.

M. ***Project Completion***

1. Special permit approval shall lapse after two years of the grant thereof if substantial use has not commenced except for good cause. 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 by the Permittee filed at least thirty days prior to the date of expiration, the Board may grant an extension

for good cause. The Permittee's request shall state the reasons for the extension and also the length of time requested. If no request for extension is filed and approved, the site plan approval shall lapse and may be reestablished only after a new filing, hearing and decision.

2. Prior to issuance of the occupancy permit for the fifth dwelling unit, 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 this permit, the ~~Plan of Record approved and endorsed site plan~~, and any modifications thereto; and
- b) submit an electronic version of an As-Built Plan, prepared by a registered Professional Land Surveyor or Engineer registered in the Commonwealth of Massachusetts, to the Board for its review and approval. The As-Built Plan shall show actual as-built locations and conditions of all buildings and site work shown on the original site plan and any modifications thereto. The final As-Built Plan shall also be provided to the Town in CAD/GIS file format per MASS GIS specifications.

3. Stormwater Illicit Discharge Compliance Statement – The Permittee shall submit an Illicit Discharge Compliance Statement to the Board as part of the project completion process. This shall be submitted prior to the discharge of stormwater runoff to the post-construction stormwater BMP.

- N. **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 Permittee, and notice will be mailed to all parties in interest as provided in G.L. c. 40A §15.

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

In accordance with G.L. c. 40A, §11, no special permit shall take effect until a copy of the Decision is recorded in the Norfolk County Registry of Deeds, and indexed in the grantor index under the name of the owner of record, or is recorded and noted on the owner's certificate of title, bearing the certification of the Town Clerk that twenty days have elapsed after the Decision

**Commented [BSA8]:** Not sure what this means, stands for best management practices, which is a concept, not an actual facility.

has been filed in the office of the Town Clerk and no appeal has been filed within said twenty day period, or that an appeal has been filed. The person exercising rights under a duly appealed special permit does so at risk that a court will reverse the permit and that any construction performed under the permit may be ordered undone. The fee for recording or registering shall be paid by the Permittee. A copy of the recorded Decision, and notification by the Permittee of the recording, shall be furnished to the Board.

An appeal may be taken from the Land Disturbance Permit under the Medway General Bylaws in accordance with the provision of Massachusetts General Laws chapter 249 within sixty days of the issuance of this decision.

###

DRAFT

**Medway Planning and Economic Development Board**  
**SITE PLAN Decision, MULTI-FAMILY SPECIAL PERMIT, and LAND DISTURBANCE**  
**PERMIT**  
**Cutler Place – 6 Cutler Street**

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

**AYE:**

**NAY:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_

**COPIES TO:** Michael Boynton, Town ~~Manager~~ Administrator  
Stephanie Carlisle, DPW Compliance Officer  
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, Department of Public Works  
Joanne Russo, Treasurer/Collector  
Barbara Saint Andre, Director of Community and Economic Development  
Jeff Watson, Police Department  
Anthony Varrichione  
Ron Tiberi  
Alex Siekierski  
Steven Bouley, Tetra Tech



Allen M. Tingley  
Chief of Police

# Medway Police Department

315 Village Street  
Medway, MA 02053

Phone: 508-533-3212  
FAX: 508-533-3216  
Emergency: 911

January 25, 2022

To: Susan Affleck-Childs  
Planning & Economic Development  
Coordinator

From: Jeffrey W. Watson  
Sergeant/Safety Officer  
Medway Police Department

Ref: Cutler Place 6 Cutler Street

I have reviewed the proposed site and utility layout plan for Cutler Place 6 Cutler Street Medway, Ma. Dated November 1,2021.

I have a safety and site line concern with on street parking in front of the building as well as the South East Entrance. I would request two no parking signs be placed in the following locations;  
One sign should be placed at the South East side of the entrance, between the Entrance and the White Fence. The second no parking sign should be placed on the island between the two-way entrance and the one way exit on the West side of the property.

I also request that a painted stop line be painted on the pavement of the South East entrance/exit, along with a stop sign. All signage shall meet the standards of the Medway Department of Public Works.



## Susan Affleck-Childs

---

**From:** Barry Smith  
**Sent:** Monday, January 24, 2022 9:36 AM  
**To:** Susan Affleck-Childs  
**Subject:** RE: 6 cutler

I asked him to add what size lines were being installed for the domestic, fire and sewer lines. Also to add on the plan valves that are needed on their property for the fire line & domestic line.

Thanks,

Barry Smith  
Water/Sewer Superintendent  
45b Holliston Street  
Medway, MA 02053  
O 508-321-4930  
M 774-285-0482

*Register & Access your Water usage:* <https://medwma.aquahawk.us>



[www.townofmedway.org](http://www.townofmedway.org)

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**From:** Susan Affleck-Childs <sachilds@townofmedway.org>  
**Sent:** Monday, January 24, 2022 9:07 AM  
**To:** Barry Smith <bsmith@townofmedway.org>  
**Subject:** RE: 6 cutler

Thanks.

Please tell me what you told him to do. I want to include that in our decision as well.

Susy

---

**From:** Barry Smith  
**Sent:** Monday, January 24, 2022 8:58 AM

**To:** Susan Affleck-Childs <[sachilds@townofmedway.org](mailto:sachilds@townofmedway.org)>

**Subject:** 6 cutler

Susy,

I have reviewed the plans for 6 Cutler, things look good. The few things that I spoke to Anthony about is the size lines for the services and adding valves on their property.

Thanks,

Barry Smith  
Water/Sewer Superintendent  
45b Holliston Street  
Medway, MA 02053  
O 508-321-4930  
M 774-285-0482

*Register & Access your Water usage:* <https://medwma.aquahawk.us>



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RECEIVED TOWN CLERK  
JAN 25 '22 -HJ:17

Town of Medway, Massachusetts

**CERTIFICATION**  
**PURSUANT TO G.L. c. 39, Section 23D**  
**OF PARTICIAPTION IN A SESSION OF AN**  
**ADJUDICATORY HEARING**  
**WHERE THE UNDERSIGNED MEMBER MISSED**  
**A SINGLE HEARING SESSION**

Note: This form can only be used for missing a single public hearing session.  
This cannot be used for missing more than one hearing session.

I, THOMAS GAY (name), hereby certify under the pains and penalties of perjury as follows:

1. I am a member of MEDWAY PLANNING & ECONOMIC DEVELOPMENT BOARD
2. I missed a public hearing session on the matter(s) of: \_\_\_\_\_

LUTHER PLACE  
which was held on JANUARY 11, 2022

3. I have reviewed all the evidence introduced at the hearing session that I have missed which included a review of (initial which one(s) is/are applicable):

- a. \_\_\_\_\_ audio recording of the missed hearing session; or  
b. ☒ video recording of the missed hearing session; or  
c. \_\_\_\_\_ a written transcript of the missed hearing session.

This certification shall become part of the record of the proceedings in the above matter.

Signed under the pains and penalties of perjury this 25<sup>th</sup> day of JANUARY, 2022.

Thomas Gay  
(Signature of Board Member)

\*\*\*\*\*

Received as part of the record of the above matter:

Date: January 25, 2022

By: Sherry E. Gordon

Position: Planning & Economic Development Coordinator

## Susan Affleck-Childs

---

**From:** Mike Fasolino  
**Sent:** Tuesday, January 25, 2022 6:19 PM  
**To:** Anthony Varrichione; Susan Affleck-Childs  
**Cc:** Jeff Lynch  
**Subject:** Re: Public Hearing Continuations - Cutler Place Site Plan (6 Cutler Street)

Good Evening Suzy,

I apologize for the late email but I wanted to let you know that I have been in contact with Anthony concerning the turn around in the parking lot and the entrance to proposed site plan. I am confident his engineer will provide me with the information I need when he gets back. I do not want to hold any decisions up. The site plan presented does show our apparatus able to make the turn into the lot. Access to the parking lot from the other side should be a little easier. Just looking for confirmation on that.

Thanks,

**Michael Fasolino**  
**Deputy Chief**  
**Town of Medway**  
**155 Village Street**  
**Medway, Ma 02053**  
**508-533-3211**

**Mailing Address:**  
**44 Milford Street**  
**Medway, Ma 02053**

---

**From:** Anthony Varrichione <anthonyvarrichione@gmail.com>  
**Sent:** Tuesday, January 25, 2022 5:43 PM  
**To:** Mike Fasolino <mfasolino@townofmedway.org>  
**Subject:** Re: Public Hearing Continuations - Cutler Place Site Plan (6 Cutler Street)

Hi Mike - were you able to get a note to Susy? I am meeting planning board at 7pm.

Thanks

Sent from my iPhone

On Jan 23, 2022, at 3:52 PM, Anthony Varrichione <anthonyvarrichione@gmail.com> wrote:

Hi Mike - I reviewed the site plan with my engineer, he is cc'd. Want to address some of your questions.

When the apparatus turns into the property from Cutler as shown you have 6" clearance on the inside wheels and 3" clearance on the outside. Traveling from Philips, I imagine it would be an easier turn into the property coming from that side of the road. I met with Sgt. Watson Saturday and he is most likely recommending a no parking sign to help prevent the road being narrowed by street parking and helping line of sight.

The curb cut into the property (22') and the length of the drive aisle (150') is almost identical to the Balsam Way development on Evergreen which I think you may have reviewed. I am available all day tomorrow to discuss and will give you a ring.

Thank you!  
Anthony

On Thu, Jan 20, 2022 at 5:44 PM Anthony Varrichione <[anthonyvarrichione@gmail.com](mailto:anthonyvarrichione@gmail.com)> wrote:

Thanks Susy.

Mike - are you working or available this Saturday? I will be on site all day and am planning on meeting with the Police Dept. as well.  
If not, I can give you a call. Just let me know.

Thank you-  
Anthony

Sent from my iPhone

On Jan 20, 2022, at 11:35 AM, Susan Affleck-Childs  
<[sachilds@townofmedway.org](mailto:sachilds@townofmedway.org)> wrote:

Thanks, Mike.

Anthony, please reach out to Mike and discuss his questions and concerns.

**Susy**

Susan E. Affleck-Childs  
Town of Medway  
Planning and Economic Development Coordinator  
155 Village Street  
Medway, MA 02053  
508-533-3291  
[sachilds@townofmedway.org](mailto:sachilds@townofmedway.org)

**From:** Mike Fasolino <[mfasolino@townofmedway.org](mailto:mfasolino@townofmedway.org)>  
**Sent:** Thursday, January 20, 2022 11:30 AM  
**To:** Susan Affleck-Childs <[sachilds@townofmedway.org](mailto:sachilds@townofmedway.org)>  
**Cc:** Anthony Varrichione <[anthonyvarrichione@gmail.com](mailto:anthonyvarrichione@gmail.com)>; Ron Tiberi  
([rtib@comcast.net](mailto:rtib@comcast.net)) <[rtib@comcast.net](mailto:rtib@comcast.net)>; Bouley, Steven  
<[steven.bouley@tetrattech.com](mailto:steven.bouley@tetrattech.com)>; Jeff Lynch <[ChiefLynch@townofmedway.org](mailto:ChiefLynch@townofmedway.org)>  
**Subject:** Re: Public Hearing Continuations - Cutler Place Site Plan (6 Cutler Street)

Hi Suzy,

Just the entrance and the turn around at the end. I saw the diagram noting the apparatus movement coming into the lot (from Cottage St to Cutler) but it looks awfully tight. If I am viewing this correctly it looks like the apparatus is touching the edges. Can you confirm the apparatus will make the swing coming from Phillips Street onto Cutler, then into the parking lot? The reason I ask, is this is probably the most likely route to enter for us as there is a hydrant right there on the corner. Will there be any curbing? If so what type? Also, I'm not quite sure how useful the turn around will be at the end (more so for the ambulance). Especially if there are vehicles in the allotted parking spaces.

**Michael Fasolino**  
**Deputy Chief**  
**Town of Medway**  
**155 Village Street**  
**Medway, Ma 02053**  
**508-533-3211**

**Mailing Address:**  
**44 Milford Street**  
**Medway, Ma 02053**

---

**From:** Susan Affleck-Childs <[sachilds@townofmedway.org](mailto:sachilds@townofmedway.org)>  
**Sent:** Thursday, January 20, 2022 10:55 AM  
**To:** Mike Fasolino <[mfasolino@townofmedway.org](mailto:mfasolino@townofmedway.org)>  
**Cc:** Anthony Varrichione <[anthonyvarrichione@gmail.com](mailto:anthonyvarrichione@gmail.com)>; Ron Tiberi  
([rtib@comcast.net](mailto:rtib@comcast.net)) <[rtib@comcast.net](mailto:rtib@comcast.net)>; Bouley, Steven  
<[steven.bouley@tetrattech.com](mailto:steven.bouley@tetrattech.com)>  
**Subject:** Re: Public Hearing Continuations - Cutler Place Site Plan (6 Cutler Street)

Hi Mike,

Further clarification please. Are you looking for turning movements from Cutler Street into the property at the driveway entrance? See Sheet S-2 of the plan set. [https://www.townofmedway.org/sites/g/files/vyhlf866/f/uploads/21\\_12\\_28\\_cutler\\_place\\_medway\\_submission\\_final\\_r1.pdf](https://www.townofmedway.org/sites/g/files/vyhlf866/f/uploads/21_12_28_cutler_place_medway_submission_final_r1.pdf)  
This may answer your question.

Or do you also want turning movements within the parking lot itself?

Thanks.

## Susy

Susan E. Affleck-Childs  
Town of Medway  
Planning and Economic Development Coordinator  
155 Village Street  
Medway, MA 02053  
508-533-3291  
[sachilds@townofmedway.org](mailto:sachilds@townofmedway.org)

---

**From:** Mike Fasolino <[mfasolino@townofmedway.org](mailto:mfasolino@townofmedway.org)>  
**Sent:** Wednesday, January 19, 2022 4:26 PM  
**To:** Susan Affleck-Childs <[sachilds@townofmedway.org](mailto:sachilds@townofmedway.org)>  
**Cc:** Anthony Varrichione <[anthonyvarrichione@gmail.com](mailto:anthonyvarrichione@gmail.com)>  
**Subject:** Re: Public Hearing Continuations - Cutler Place Site Plan (6 Cutler Street)

Looking for confirmation on the turning radius. I couldn't tell be the plans. Thanks

**Michael Fasolino**  
Deputy Chief  
Town of Medway  
155 Village Street  
Medway, Ma 02053  
508-533-3211

**Mailing Address:**  
44 Milford Street  
Medway, Ma 02053

---

**From:** Susan Affleck-Childs <[sachilds@townofmedway.org](mailto:sachilds@townofmedway.org)>  
**Sent:** Wednesday, January 19, 2022 4:15 PM  
**To:** Mike Fasolino <[mfasolino@townofmedway.org](mailto:mfasolino@townofmedway.org)>  
**Cc:** Anthony Varrichione <[anthonyvarrichione@gmail.com](mailto:anthonyvarrichione@gmail.com)>  
**Subject:** RE: Public Hearing Continuations - Cutler Place Site Plan (6 Cutler Street)

Hi Mike,

I had a question on your email note below.

Are you confirming that size of the access driveway does meet the turning radius for your apparatus? Or are you asking for documentation that the area shown on the plan will meet the department's standards?

Please advise at your earliest convenience.

I can confirm that the driveway aisle is 22' wide.

Thanks.

Susy

---

**From:** Mike Fasolino

**Sent:** Tuesday, January 18, 2022 4:28 PM

**To:** Susan Affleck-Childs <[sachilds@townofmedway.org](mailto:sachilds@townofmedway.org)>

**Cc:** Jeff Lynch <[ChiefLynch@townofmedway.org](mailto:ChiefLynch@townofmedway.org)>

**Subject:** Re: Public Hearing Continuations - Medway DPW Water Quality Treatment Facility Site Plan, Cutler Place Site Plan (6 Cutler Street) and Phytopia Site Plan (6 Industrial Park RD)

Hi Suzy,

I have reviewed the site plan proposal and did a site visit. I was concerned about access to the building, (only access on one side) and the proximity of hydrants but have located one directly in front of the building. Just confirming the access driveway meets the turning radius for our apparatus and it is a minimum of 20'.

Also during my site visit, I notice two 100lb propane tanks in the rear of the building. Please make sure these tanks are properly removed during construction.

I have also reviewed notes on all life safety. I am ok with sprinkler and fire alarm proposals.

The builder will need to submit to the FD a full set of sprinkler and fire alarm plans.

Thanks

**Michael Fasolino**  
**Deputy Chief**  
**Town of Medway**  
**155 Village Street**  
**Medway, Ma 02053**  
**508-533-3211**

**Mailing Address:**  
**44 Milford Street**  
**Medway, Ma 02053**

---

**From:** Susan Affleck-Childs <[sachilds@townofmedway.org](mailto:sachilds@townofmedway.org)>

**Sent:** Wednesday, January 12, 2022 4:38 PM

**To:** Alison Dempsey <[alijdempsey@gmail.com](mailto:alijdempsey@gmail.com)>; Chief Tingley



<[amtingley@medwaypolice.com](mailto:amtingley@medwaypolice.com)>; Allison Potter <[apotter@townofmedway.org](mailto:apotter@townofmedway.org)>; Andy Rodenhiser <[andy@rodenhiser.com](mailto:andy@rodenhiser.com)>; Ann Sherry <[asherry@charlesriverbank.com](mailto:asherry@charlesriverbank.com)>;  
apires <[apires@medwayschools.org](mailto:apires@medwayschools.org)>; Barbara Saint Andre  
<[bsaintandre@townofmedway.org](mailto:bsaintandre@townofmedway.org)>; Barry Smith <[bsmith@townofmedway.org](mailto:bsmith@townofmedway.org)>; Beth Hallal <[bhallal@townofmedway.org](mailto:bhallal@townofmedway.org)>; Select Board  
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Sandy Johnston <[sjohnston@townofmedway.org](mailto:sjohnston@townofmedway.org)>; Sean Harrington  
<[sharrington@townofmedway.org](mailto:sharrington@townofmedway.org)>; Stefany Ohannesian  
<[sohannesian@townofmedway.org](mailto:sohannesian@townofmedway.org)>; Stephanie Carlisle  
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**Subject:** Public Hearing Continuations - Medway DPW Water Quality Treatment Facility Site Plan, Cutler Place Site Plan (6 Cutler Street) and Phytopia Site Plan (6 Industrial Park RD)

Hi all,

Attached are 3 public hearing continuation notices for the above noted projects which are currently before the Board. Cutler Place has been continued to January 25<sup>th</sup> and both the Phytopia and the Medway DPW projects have been continued to February 8<sup>th</sup>.

The Planning and Economic Development Board welcomes your comments.

Please don't hesitate to contact me 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





**January 25, 2022**  
**Medway Planning & Economic Development Board**  
**Meeting**

**Choate Trail Subdivision**  
**Revised Bond Estimate**

Developer Bob Pace has requested a reduction in the bond estimate. The Board previously approved an amount of \$294,588 in August 2021.

- Updated TT inspection report and punch list dated 1-14-22
- Updated bond estimate dated 1-14-22 for \$225,556

NOTE – The PEDB has not yet entered into a performance security agreement with the developer as there are still a few of the minimum required items to be completed.


---

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

---

**Cc:** Peter Pelletier – Medway DPW Director  
Bridget Graziano – Medway Conservation Agent  
Robert Pace – Applicant

---

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

---

**Date:** August 19, 2021  
(revised January 14, 2022)

---

**Subject:** 42 Highland Street Bond List

---

On August 3, 2021 at the request of the Medway PEDB, Tetra Tech (TT) conducted a punch list inspection of the Choate Trail Way Project located at 42 Highland 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 "Definitive Subdivision Plan 'Choate Trail Way', Medway, Massachusetts", dated November 8, 2019, prepared by Connorstone Engineering Inc. (CEI).
- A Certificate of Action titled "Certificate of Action, Choate Trail Way Definitive Subdivision Plan" dated May 18, 2020.

TT 1/14/22 Update: TT visited the site on January 10, 2022 to conduct an inspection of the site to update the Bond List. Items ~~stricken~~ have been completed to date. Items shown in black remain outstanding and/or have been updated.

### Outstanding Minimum Infrastructure Items (Pursuant to Section 6.6.3 of the Subdivision Rules and Regulations)

These items are not included in the bond estimate as they must be completed prior to implementation of bonding for the Project and subsequent release of covenant on the lots.

1. 18" Headwall not installed at downstream end of culvert as indicated on the Plans.
2. Adjust subsurface drain system inspection ports to grade.
3. ~~Proposed 4" subdrain does not appear to be installed.~~ **TT 1/14/22 Update: Contractor has completed installation of subdrain. Contractor to backfill subdrain with subbase material to proposed finish grade.**
4. Install electrical conduit and wiring. **TT 1/14/22 Update: Conduit has been installed and backfilled, electrical wiring installation remains outstanding.**
5. Install street sign and "Street Not Accepted by the Town" signs in a size and form as specified by the Medway Department of Public Works.
6. Install stop line pavement markings on binder course.
7. ~~Install binder course for proposed 6' sidewalk.~~
8. 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.

### Items to be Completed

9. ~~Finalize rough grading and install proposed curbing and edging along Copper Drive.~~ **TT 1/14/22 Update: Proposed curbing and edging has been installed throughout the limit of Copper Drive. Additional fill appears to be required, specifically on the inbound side of Copper Drive, to bring grades to approximate finish elevations.**
10. Adjust all drain and utility castings to finish elevation.
11. Install top course for proposed Copper Drive and sidewalk.

12. Install streetlight at Pole #33 on Highland Street.
13. Install split rail fence, landscaping, boulder/evergreen screening and loam and seed.
14. Install 5' wide dirt walking trail, coordinate installation with the town.
15. Install post lights at each lot.
16. Install signage and stop lines (top course).
17. Install proposed right of way bounds and iron pins.

#### Inspection/Maintenance

- ~~18. Remove down trees along the southeast portion of the site that have landed in abutter's property.~~
19. Provide snow plowing throughout the paved area of the Project. Assume one (1) year of plowing.
20. Perform street sweeping in the Spring and Fall. Assume one (1) year of street sweeping.
21. Clean stormwater infrastructure within the paved area. Assume two (2) cleanings of all catch basins and water quality units per year for one (1) year.
22. Mow and clean debris within right of way. Assume four (4) cleanings per year for one (1) year.
23. Perform erosion control maintenance. Assume two (2) new silt sacks for each catch basin per year for one (1) year.
24. Remove erosion controls within limit of work as directed by Medway Conservation Commission.

#### Administrative

25. Provide documentation from the engineer of record that the subsurface infiltration basin has been constructed according to the endorsed Plans and whether it is functioning properly.
26. Provide as-built plans of the Project.

#### Regulatory Administrative (Other Boards/Commissions)

27. Install proposed mitigation planting area. (Conservation Commission)
28. 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.

**TETRA TECH**

**Bond Estimate**  
**42 Highland Street**  
**Medway, Massachusetts**  
 January 14, 2022

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

ITEM NO.	DESCRIPTION	QUANTITY	UNIT	UNIT COST <sup>1</sup>	ENGINEERS ESTIMATE
001	Mobilization (3% of Const. Cost)	1	LS	\$5,300.00	\$5,300
002	Earthwork & Rough Grading ROW	1	LS	\$5,000.00	\$5,000
003	Granite Curb Type VA4 - Curved	0	FT	\$59.00	\$0
004	Granite Transition Curb	0	FT	\$53.00	\$0
005	Granite Edging Type SA	0	FT	\$45.00	\$0
006	Granite Curb Inlet - Straight	0	EA	\$450.00	\$0
007	Adjust Drain Castings	12	EA	\$440.00	\$5,280
008	Adjust Hydrant Gate Box	1	EA	\$250.00	\$250
009	Top Course - Sidewalk	28	TON	\$128.00	\$3,584
010	Top Course - Roadway	146	TON	\$128.00	\$18,688
011	Pole #33 Streetlight	1	EA	\$5,000.00	\$5,000
012	Cedar Rail Fence	310	FT	\$70.00	\$21,700
013	Street Trees	28	EA	\$700.00	\$19,600
014	Cul-De-Sac/Mitigation Planting	1	LS	\$4,500.00	\$4,500
015	Walking Trail	1	LS	\$2,500.00	\$2,500
016	Boulder/Evergreen Screening	1	LS	\$6,000.00	\$6,000
017	Post Light	4	EA	\$2,500.00	\$10,000
018	Loam Borrow	234	CY	\$60.00	\$14,040
019	Seeding	1,401	SY	\$2.50	\$3,503
020	Jute Mesh for Stabilization	500	SY	\$8.00	\$4,000
021	Signage	2	EA	\$125.00	\$250
022	Striping	1	LS	\$1,000.00	\$1,000
023	Bounds	15	EA	\$650.00	\$9,750
024	Iron Pins	16	EA	\$300.00	\$4,800
025	Conservation Bounds	16	EA	\$650.00	\$10,400
026	Snow Plowing <sup>2</sup>	1	LS	\$3,000.00	\$3,000
027	Street Sweeping <sup>2</sup>	1	LS	\$2,000.00	\$2,000
028	Clean Catch Basins/WQ Units <sup>2</sup>	16	EA	\$250.00	\$4,000
029	Maintain ROW <sup>2</sup>	1	LS	\$2,000.00	\$2,000
030	Maintain Infiltration System <sup>2</sup>	1	LS	\$1,000.00	\$1,000
031	Maintain Silt Sacks <sup>2</sup>	12	EA	\$150.00	\$1,800
032	Remove Erosion Controls	1	LS	\$2,500.00	\$2,500
033	Legal/Engineering Services	1	LS	\$6,000.00	\$6,000
034	As-Builts	600	LF	\$5.00	\$3,000
<b>Subtotal</b>					<b>\$180,445</b>
<b>25% Contingency</b>					<b>\$45,111</b>
<b>Total</b>					<b>\$225,556</b>

**Notes:**

<sup>1</sup>Unit 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 1/2021 - 1/2022. Quantities for items highlighted in gray have changed since our previous estimate to reflect work completed since previous estimate.

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



**January 25, 2022**  
**Medway Planning & Economic Development Board**  
**Meeting**

**Battery Energy Storage System (BESS)**

- Project Schedule from consultant ARUP

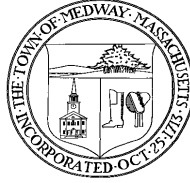
NOTE – Public Presentation Dates

- Wednesday, February 16, 2022
- Thursday, March 17, 2022

Schedule Date: January 24th, 2022																	
Proposed Project Schedule	Dec-21				Jan-22				Feb-22				Mar-22				
	12/6	12/13	12/20	12/27	1/3	1/10	1/17	1/24	1/31	2/7	2/14	2/21	2/28	3/7	3/14	3/21	3/28
Task 1 Coordination with Town of Medway																	
Project kickoff meeting		12/16															
Midway project check-in meeting										2/9							
Close-out meeting																	3/30
Task 2 Research / Best Practices Summary																	
Research / Draft reporting							1/19										
Town of Medway Leadership review of draft report																	
Review with Town of Medway Leadership (Private Meeting)									2/2								
Revise report; Prepare presentation																	
Presentation to Town of Medway PEDB (Public Meeting)											2/16						
Finalize deliverables														3/9			
Task 3 BESS Zoning Considerations																	
Research / Draft reporting											2/16						
Town of Medway Leadership review of draft report																	
Review with Town of Medway Leadership (Private Meeting)													3/2				
Revise report; Prepare presentation																	
Presentation to Town of Medway PEDB (Public Meeting)															3/17		
Finalize deliverables																	3/30
Task 4 General BESS Siting Review																	
Research / Draft reporting											2/16						
Town of Medway Leadership review of draft memorandum																	
Review with Town of Medway Leadership (Private Meeting)													3/2				
Finalize memorandum															3/16		
Task 5 3rd Party Review of Able Grid Design Package																	
Receive Able Grid EFSB submission package											2/18						
Summary memorandum with comments and recommendations														3/9			
Town of Medway Leadership review of draft memorandum																	
Review with Town of Medway Leadership (Private Meeting)																3/23	
Finalize memorandum																	3/30

 Presentation and Meeting with Town of Medway PEDB





**January 25, 2022**  
**Medway Planning & Economic Development Board**  
**Meeting**

**May 2022 Town Meeting**

- Draft Street Acceptance article for Newton Lane (Hartney Acres subdivision).
- Draft ZBL amendment re: solar canopies as requested by the Medway Energy and Sustainability Committee

STREET ACCEPTANCE – Hartney Acres Subdivision  
SAC draft – January 20, 2022

ARTICLE : To see if the Town will vote to accept as a public way, the following street as laid out by the Board of Selectmen and as shown on a plan or plans on file in the office of the Town Clerk:

Newton Lane in its entirety from Station 0+00 at its intersection with Nobscot Road to its end at Station 9+91.18

As shown on *Street Acceptance & As-Built Plan for Hartney Acres II Definitive Subdivision* (Newton Lane), Medway, MA dated November 24, 2021, last revised \_\_\_\_\_ prepared by O'Driscoll Land Surveying, Inc. of Medway, MA and CMG Engineering Services, of Sturbridge, MA,

And further to see if the Town will vote to accept as a gift from the Trustees of Hartney Realty Trust, one parcel of land containing 1.720 acres, more or less, identified as Parcel A on the *Hartney Acres II Definitive Subdivision Plan*, recorded at the Norfolk County Registry of Deeds on \_\_\_\_\_, in \_\_\_\_\_, also known as 0 Newton Lane (Medway Assessors Map 19, Parcel 401-0001) for open space purposes.

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

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

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

2022 Annual Town Meeting BJS 1.12.22  
Solar Electric Installations

Article \_\_\_\_

To see if the Town will vote to amend the Zoning Bylaw, Section 8.11 Solar Electric Installations as follows (new wording in **bold**):

Section 8.11.C.3: *Solar Parking Canopies*, which are accessory to a residential or non-residential use may be allowed by special permit in all zones except AR-I, AR-II, and VR, **or which are otherwise allowed under the provisions of this Zoning Bylaw**, and are subject to the requirements of this Section 8.11.

Section 8.11.G.1: Lighting - Large- and Small-Scale Solar Electric Installations, **except Solar Parking Canopies**, shall have no permanently-affixed exterior lighting.

Section 8.11.H.2.c: The design shall minimize the use of concrete and other impervious materials to the maximum extent possible. Ground-Mounted Solar Electric Installations, **except Solar Parking Canopies**, shall be installed on water permeable surfaces

or act in any manner related thereto.



**January 25, 2022**  
**Medway Planning & Economic Development Board**  
**Meeting**

**DRAFT Housing Production Plan**  
**Continued Discussion**

- Draft Housing Production Plan dated 12-22-21  
(This is the same document as previously provided to you for the 1-18-22 joint PEDB/SB briefing.)

The deadline for submitting any review comments to consultant Jenn Goldson is Friday, January 28<sup>th</sup>.

# TOWN OF MEDWAY HOUSING PRODUCTION PLAN

FY2023-2027

DRAFT FOR REVIEW  
REVISED 12/22/21

**\*\*DRAFT DOCUMENT INTENDED FOR DISCUSSION PURPOSES ONLY\*\***

PREPARED FOR:  
**MEDWAY AFFORDABLE HOUSING TRUST  
AND MEDWAY AFFORDABLE HOUSING COMMITTEE**

Town of Medway  
**155 VILLAGE STREET  
MEDWAY, MA 02053**

PREPARED BY:  
JM Goldson LLC

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## ACRONYMS

ACS	US Census Bureau's American Community Survey, Five-Year Estimates
ADA	Americans with Disabilities Act
AMI/AMFI	Areawide Median Family Income set by HUD (household of four)
AUL	Activity and Use Limitation designation, monitored by the DEP
CHAS	Comprehensive Housing Affordability Strategy
CPA	State of Massachusetts Community Preservation Act (MGL Chapter 44B)
CPC	Community Preservation Committee
CPI-U	U.S. Census Bureau's Consumer Price Index
CRA	U.S. Federal Community Reinvestment Act
DEP	Massachusetts Department of Environmental Protection
DHCD	Massachusetts Department of Housing and Community Development
EPA	U.S. Environmental Protection Agency
FEMA	Federal Emergency Management Agency
FY	Fiscal Year(s) (July 1-June 30)
HPP	Housing Production Plan
HUD	United States Department of Housing and Urban Development
LMI	Low/Moderate- Income (at or below 80 percent AMI)
MACRIS	Massachusetts Cultural Resources Information System
MAPC	Metropolitan Area Planning Council
MassDOT	Massachusetts Department of Transportation
MassGIS	Massachusetts Bureau of Geographic Information
MBTA	Massachusetts Bay Transportation Authority
MGL	Massachusetts General Laws
MLS	Multiple Listings Service (central real estate database)
MSA	Metropolitan Statistical Area
MWRA	Massachusetts Water Resources Authority
NHESP	Massachusetts Natural Heritage and Endangered Species Program
SHI	Massachusetts Subsidized Housing Inventory
YTD	Year to Date
40B	Comprehensive Permit, per MGL Chapter 40B, §20-23

## KEY DEFINITIONS

This list of key definitions is intended to assist the reader and is not intended to replace applicable legal definitions of these terms. The following definitions are for key terms used throughout the document, many of which are based on definitions in statutes and regulations.

**Areawide Median Income (AMI)** – the median gross income for a person or family as calculated by the United States Department of Housing and Urban Development, based on the median income for the Metropolitan Statistical Area. For FY2021, the HUD area median family income (AMFI) for the Boston-Cambridge-Newton MA HUD Metro FMR Area was \$120,800.<sup>1</sup> AMI is also referred to in the document as median family income (AMFI).

**Cost-Burdened Household** – a household that spends 30 percent or more of their income on housing-related costs (such as rent or mortgage payments). Severely cost-burdened households spend 50 percent or more of their income on housing-related costs.

**Household** – all the people, related or unrelated, who occupy a housing unit. It can also include a person living alone in a housing unit or a group of unrelated people sharing a housing unit as partners or roommates. Family households consist of two or more individuals who are related by birth, marriage, or adoption, although they also may include other unrelated people. Nonfamily households consist of people who live alone or who share their residence with unrelated individuals.

**Family Household** – Family households consist of two or more individuals who are related by birth, marriage, or adoption, although they also may include other unrelated people.

**Non-Family Households** – Non-family households consist of individuals living alone and individuals living with roommates who are not related by birth, marriage, or adoption.

**Income Thresholds** – the U.S. Department of Housing and Urban Development (HUD) establishes income thresholds that apply to various housing assistance programs. These thresholds are updated annually and are categorized by household size. Medway is part of the Boston-Cambridge-Quincy, MA-NH HUD Metro FMR Area.

**Extremely Low-Income (ELI)** – the FY 2014 Consolidated Appropriations Act changed the definition of extremely low-income to an individual or family whose annual gross income is the greater of 30/50ths (60 percent) of the Section 8 very low-income limit or the poverty guideline. The FY2021 ELI income limits for a household of one is \$28,200 and for a household of four is \$40,250.

**Very Low-Income (VLI)** – an individual or family whose annual gross income is at or below 50 percent AMI. The FY2021 VLI income limits for a household of one is \$47,000 and for a household of four is \$67,100.

**Low/Moderate income (LMI)** – an individual or family whose annual gross income at or below 80 percent of the area median income (AMI).<sup>2</sup> The FY2021 LMI income limits for a household of one is \$70,750 and for a household of four is \$101,050.

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<sup>1</sup> U.S. Department of Housing and Urban Development. *FY 2021 Income Limits Summary*. <https://www.huduser.gov/portal/datasets/il/il2021/2021summary.odn> (accessed August 2021).

<sup>2</sup> For purposes of MGL c.40B, moderate income is defined as up to 80 percent AMI.

**Labor Force** – all residents within a community over the age of 16 who are currently employed or *actively* seeking employment. It does not include students, retirees, discouraged workers (residents who are not actively seeking a job) or those who cannot work due to a disability.

**Non-Family Households** – Non-family households consist of individuals living alone and individuals living with roommates who are not related by birth, marriage, or adoption.

**Open Space** – land to protect existing and future well fields, aquifers and recharge areas, watershed land, agricultural land, grasslands, fields, forest land, fresh and saltwater marshes and other wetlands, oceans, rivers, streams, lake and pond frontage, beaches, dunes and other coastal lands, lands to protect scenic vistas, land for wildlife or nature preserve, and/or land for recreational use.

**Transit-Oriented Development** - development that is mixed use in nature, including commercial, residential, office, and entertainment either centered around or located near a transit station. Transit-Oriented Developments are dense and walkable.

## DATA SOURCES

This plan utilizes data from the U.S. Census, American Community Survey Five-Year Estimates (ACS), Housing and Urban Development (HUD) Comprehensive Housing Affordability Strategy (CHAS), and The Warren Group (TWG), as well as projections from the University of Massachusetts at Amherst Donahue Institute (UMDI) and Metropolitan Area Planning Council (MAPC).

The U.S. Census counts every resident in the United States by asking ten questions, whereas the ACS provides estimates based on a sample of the population for more detailed information. It is important to be aware that there are margins of error (MOE) attached to the ACS estimates, because the estimates are based samples and not on complete counts.

The data in this report is primarily drawn from the 2021 Medway Master Plan existing conditions report.

# CHAPTER 1: INTRODUCTION

This Housing Production Plan (HPP) is a state-recognized planning tool that, under certain circumstances, permits municipalities to influence the location, type, and pace of affordable housing development. This HPP establishes a strategic plan for production of affordable and mixed-income housing that is based upon a comprehensive housing needs assessment and provides a detailed analysis of development constraints due to infrastructure capacity, environmental constraints, protected open space, and regulatory barriers.

This HPP has been prepared in accordance with the Massachusetts Department of Housing and Community Development (DHCD) requirements and describes how the Town of Medway plans to create and preserve affordable and mixed-income housing as well as create more housing options in the community.

Under Massachusetts General Laws Chapter 40B Section 20-23 (C.40B), the Commonwealth's goal is for all Massachusetts municipalities is to have a minimum of 10 percent of year-round housing units affordable to low/moderate income households or affordable housing on at least 1.5 percent of total land area. Medway has exceeded the state's minimum 10 percent threshold with 11.5 percent of year-round housing units listed on the Subsidized Housing Inventory (SHI) that was updated in August of 2021, per the 2010 Decennial Census count of year-round units (4,603) and 529 units listed on the SHI, with 37 additional units added since the list was last published, according to the Community and Economic Development Board. While DHCD's official determination of compliance with the 10 percent minimum is pending, the 2020 Decennial Census figures, released recently, indicate that Medway will remain above the minimum 10 percent threshold. The 2020 count of total housing units reported by the Census Bureau is 4,826 and 121 vacant units.

Should Medway fall below the 10 percent threshold, an approved HPP could be eligible for one-year certification (a.k.a. safe harbor) with production of 23 SHI units or a two-year certificate with production of 46 units (note: these requirements are based on 0.5 percent and 1 percent, respectively, of the 2010 year-round unit counts and will change with the 2020 counts).

## REPORT ORGANIZATION

This Housing Production Plan is organized in six chapters as follows:

- Chapter 1 provides an overview of the purpose of the plan, a community overview, description of the planning process, and summary of the Town's housing needs, goals, and strategies and may serve as an executive summary for this report.
- Chapter 2 describes the Town's five-year housing goals, strategies, and action plan as identified through the planning process associated with development of this plan.
- Chapter 3 provides a demographic profile of the community's residents.
- Chapter 4 provides an analysis of local housing conditions including housing supply, residential market indicators, and affordable housing characteristics.
- Chapter 5 describes the Town's development constraints and limitations including environmental constraints, infrastructure capacity, regulatory barriers as well as an analysis of potential development and redevelopment opportunities.
- Chapter 6 describes local and regional capacity and resources to create and preserve affordable and mixed-income housing in the community.

## COMMUNITY OVERVIEW

Medway is located southwest of Boston between interstates 495 and 95 and bisected by Route 109 (Main Street). The community's proximity to these major transportation corridors is a critical driving factor of issues and opportunities for the community and the region, creating development opportunities, growth pressures, and demands on environmental resources. Medway is bordered by the Charles River and the towns of Holliston, Millis, Norfolk, Franklin, Bellingham, and Milford.

Medway has always had a close relationship to nature and to the land, from its long agricultural history to its tapping of the Charles River as a source of power, to its current wealth of protected open spaces. According to the UMass Native American Trails Project, Medway is located near the border of the historic Nipmuc and Wampanoag tribal territories. Medway's colonial-era development began with its formation as an agricultural community and its subsequent growth and adaptation to the area's changing economic needs. Incorporated officially in 1713, what started as a small agricultural community expanded to include light industry, and the Town eventually established larger mills and factories.

The industrial expansion drove a housing boom and established village centers. However, like in many New England towns, times and economic need changed and mills and their goods were no longer in demand. While many of the mills fell into disrepair or were destroyed by fire, some stand today to provide housing—the Sanford Textile Mill—or space for small businesses. Medway has evolved into a “bedroom community”, with many residents commuting to surrounding cities and towns for work. This was aided by the construction of I-495 in the 1960s and subsequent highways in the area that provided commuters easy access to nearby cities and towns.

The town has a total area of 11.5 square miles. Originally, the town of Medway included the land that is now Millis. Today, Medway's residents enjoy conservation and recreation areas: 538 acres of the community's total land area (7.3 percent) is permanently protected as open space. Even as the population grows, the town retains active farms as well as several parks, trails, and other recreation opportunities, such as Choate Park, and protected natural open space areas.

While Medway has several important intersections and nodes, there currently is no defined downtown district. Though Main Street/Route 109 hosts significant retail square footage in shopping centers, its automobile-oriented development pattern does not give Medway a unique character.

In the past 100 years, the town experienced two major periods of significant growth: between 1950 and 1970, the population more than doubled from about 3,700 to almost 8,000, and in the 20 years between 1980 and 2000, the population grew almost 50 percent from about 8,500 to almost 12,500. The Town of Medway has experienced some additional population growth over the last several decades and is presently home to 13,115 residents. While the population is growing somewhat, it is also aging. The Metropolitan Area Planning Council (MAPC) projects that the older population will continue to increase in size and the younger population will continue to shrink through 2030.

Medway has several historic and cultural resources, including two National Register historic districts: the Rabbit Hill Historic District and the Medway Village Historic District. The rich history of the town is reflected in these areas. Preserved historic buildings include former mill buildings, municipal and religious buildings, and residential buildings.

## RECENT ACCOMPLISHMENTS FOR AFFORDABLE HOUSING IN MEDWAY

In the past five years since the approval of the last Housing Production Plan in 2016, the town of Medway has made many significant changes in terms of affordable housing. Some of the most important changes and accomplishments in the past five years include:

- Encouraged the use of Mixed-Use/Town Center Special Permits in the C-1 zoning district
- Revisited the inclusionary zoning bylaw and changed the 10% requirement to a sliding scale calculation based on the project's total number of units
- Proactively promoted the use of infill, accessory apartment, and multifamily conversions of existing properties
- Actively promoted the use of Zoning Bylaw provisions for the development of duplexes and/or multifamily housing in appropriate locations
- Work with the Medway Redevelopment Authority to identify opportunity and plan for the inclusion of affordable housing in its long-range plans
- Continue to streamline the Trust's procurement and proposal process, definitively resolving related legal issues
- Promoted and encouraged the use of new multifamily housing special permit provisions
- Solicited local builders and non-profit organizations to build "friendly 40B" projects within the housing target areas, with an emphasis on rental units, and sought input on other actions that could encourage housing production

## SUMMARY OF HOUSING NEEDS

Chapters 3 and 4 take a detailed look at the demographics and housing conditions in Medway. The information that we gather through these analyses tells us about Medway's population and what future housing needs may be.

As described in Chapter 3, Medway has a growing population that is expected to continue growing for the next ten years to come. The largest age group in Medway is made of people aged 35 to 64, meaning that in the coming years the number of people in the age group of 65+ will continue to grow, following recent trends. There are many housing needs associated with a growing population, like the need for downsizing. However, most of Medway's housing stock is made of units that are three or more bedrooms in size. Other demographic information tells us that many Medway households are composed of just one or two people. This coupled with information about declining school enrollment tells us that many smaller households are occupied by people who are 65+ years of age. Some key findings from these chapters are summarized below.

### DEMOGRAPHIC ANALYSIS KEY FINDINGS (CHAPTER 3)

- The Town of Medway has experienced population growth over the last several decades and is presently home to 13,115 people, according to 2020 estimates.
- While the population is growing, it is also aging. Like the rest of Norfolk County and the state, Medway has seen an increase in residents over age 65 and a decrease in residents under age 18. Projections indicate that the older population will continue to increase in size and the younger population will continue to shrink through 2030.
- Income trends show that a significantly high proportion of residents earn \$100,000 or more per year.
- Housing units in Medway are typically owned rather than rented, with owner-occupied units making up 90 percent of occupied housing units. Rental units are home to smaller households on average than owner-occupied units.
- 82% of existing housing in Medway is made up of units that are three or more bedrooms in size. However, 60% of households are made of just one or two people. This mismatch shows a need for smaller units in Medway.
- Of non-family households, an estimated 82 percent of householders live alone (908 residents). This number includes 393 residents that are householders over the age of 65. About 19 percent of Medway households are people living alone.
- School enrollment in Medway has steadily declined over the last decade and will likely continue to decrease, indicating fewer school-aged children in the town.

### HOUSING CONDITIONS ANALYSIS KEY FINDINGS (CHAPTER 4)

- Most housing units in Medway are detached single-family houses (82 percent), indicating a housing stock in need of more diverse options to better serve the changing demographics of the community.
- In Medway, most units are owner-occupied. Just 10 percent of units are occupied by renters. This is a much smaller proportion than in Norfolk County (31 percent) and the state (38 percent).
- Medway's affordable housing stock makes up more than 10 percent of the town's total housing (529 units). This number is subject to change with the results of the 2020 Census. In the past ten years, the percentage of affordable units in Medway has slightly decreased due to a faster rise in market-rate housing than affordable housing, despite an increase in the number of affordable units developed. This demonstrates the importance of the affordable units in the development pipeline to keep up with a growing population.
- Approximately 29 percent of Medway households are cost-burdened (spending more than 30 percent of their income on housing), according to 2018 ACS estimates. Of extremely low-income



households in Medway (395), 84 percent are housing cost burdened. Of very low-income households in Medway (340), 74 percent are housing cost burdened. In total there are 1,350 households in Medway that are housing cost burdened, yet there are only 529 affordable units listed in the SHI. This indicates a need for more affordable units for lower income households.

- There are 200 extremely low-income households and 125 very low income households that are severely cost burdened. This indicates a need for housing that is affordable for households making below 50 and 30 percent AML.

Chapter 5 reviews environmental constraints, infrastructure constraints, and regulatory barriers. This chapter also includes mapping of various constraints, barriers, resources, infrastructure, and zoning. Some key findings from this chapter are summarized below.

## DEVELOPMENT CONSTRAINTS KEY FINDINGS (CHAPTER 5)

### Environmental Constraints

- Much of the Chicken Brook corridor in Medway is held as public conservation land and includes a mix of meadows and upland habitat.
- Important habitat areas are present in many of Medway's wetlands, including vernal pools that are scattered across town and are protected by the local Wetlands Protection Bylaw
- Medway is periodically impacted by localized flooding, as well as drought conditions, which affect the entire municipality and necessitate outdoor watering bans during summer months
- Medway has over 800 historic homes, reflecting the extensive history of the town. Along the town's 25 scenic roads, approval is required to remove or modify stone walls and trees in the right-of way.

### Infrastructure Capacity

- Recent large residential developments are adding to the strain on the Town's potable water and wastewater infrastructure, and there will be a need to increase the capacity of both systems in the future.
- Projections show Medway may be nearing its wastewater capacity based on the reserved capacity for structures that have elected to not connect to the system but could. In addition, the Town has projected an additional wastewater flow of 165,000 gallons per day through the year 2035 based on known development that is or may be forthcoming. To meet these future demands, the Town needs additional capacity at the CRPCD and is looking to possibly purchase unused capacity from Franklin.
- Medway's student enrollment has declined by 20% over the last ten years and is projected to continue to decline by another 9% through the year 2030.
- There is a lack of connected sidewalks in Medway. In certain circumstances, it may be hard to connect sidewalks due to narrow roads, historic settlement patterns, and existing trees and root systems.

### Regulatory Barriers

- Medway's residential zoning mostly allows for only single-family homes, which make up the bulk of housing in the town.
- New and amended zoning regulations adopted over the past several years have provided more options for multifamily and mixed-use development, particularly in the Multifamily Overlay District and the Central Business District.
- The Affordable Housing bylaw requires residential developments with more than 10 single family units or 6 units of any other type to include anywhere from 10 to 20 percent affordable units, depending on the total number of units in the project, and can loosen some restrictions on dimensional requirements.
- Form-based code in the Oak Grove Urban Renewal Area will also allow a mix of land uses including housing development.

- The Town of Medway encourages infill and adaptive reuse of existing buildings through other local bylaws, though the infill bylaw has not been used since its adoption in 2009. This indicates that the bylaw may require additional review to include more flexibility so that others can participate.

Chapter 6 describes local and regional capacity and resources for the implementation of affordable housing initiatives, including local and regional housing organizations and funds. The Town of Medway has several organizations with a focus on supporting community housing, including local government entities and non-profit organizations, as well as regional agencies that facilitate housing initiatives. Some key findings are summarized below.

## IMPLEMENTATION CAPACITY AND RESOURCES KEY FINDINGS (CHAPTER 6)

- The Medway Affordable Housing Trust, Medway Affordable Housing Committee, Community Preservation Committee, and the Community and Economic Development Department provide local staff and funding capacity to implement housing initiatives in Medway.
- Older residents can access additional support for housing and other basic needs from the Medway Council on Aging and other regional organizations such as Tri-Valley, Inc. and the Horace Mann Educational Associates (HMEA)
- Local collaboration with other regional organizations, such as Habitat for Humanity, is continuing to provide new opportunities for homeownership in Medway.

## SUMMARY OF HPP GOALS

As explained in detail in Chapter 2, this plan includes the following goals:

### 1. MAINTAIN MEDWAY'S AFFORDABLE HOUSING STOCK AT OVER THE STATE'S 10 PERCENT AFFORDABLE HOUSING PRODUCTION GOALS

Medway has successfully achieved safe harbor by exceeding the state's goal that at least 10 percent of year-round housing units shall be affordable in accordance with the requirements of MGL C.40B §§20-23 and the Comprehensive Permit Regulations (760 CMR 56). To maintain Medway's safe harbor status, the Town should actively work to ensure eligible units are appropriately listed on the Subsidized Housing Inventory and remain eligible to the extent possible. The Town should also expand the number of affordable units through the affordable housing and inclusionary zoning bylaw.

### 2. ADDRESS LOCAL HOUSING NEEDS WITH A GREATER MIX OF HOUSING TYPES, PARTICULARLY SMALL APARTMENTS, ACCESSIBLE HOUSING, AND STARTER HOMES

The Town will continue to promote a variety of housing options including affordable options for older adults to downsize as well as accessible and service-enriched private and public housing for individuals with disabilities and families.

### 3. DISTRIBUTE NEW HOUSING OPTIONS IN STRATEGIC LOCATIONS AND THROUGH REUSE OPPORTUNITIES TO MEET LOCAL HOUSING NEED AND TO COMPLY WITH THE STATE'S HOUSING CHOICE LEGISLATION

Strategic areas for new residential development opportunities may include the Oak Grove Redevelopment Area and Central Business District as well as potential to consider further infill and reuse opportunities in the Medway Village area. In addition, the town will continue to encourage housing options in the Adaptive Reuse Overlay District, Multifamily Overlay District, and Mill Conversion Subdistrict, when possible. In addition, Medway should reuse existing housing stock and convert other non-residential properties as opportunities arise to create affordable housing and other housing options including smaller market-rate rental units.

#### **4. SUPPORT RESIDENTS IN NEED TO HELP THEM AFFORD TO REMAIN IN MEDWAY**

Continue to assist older adult residents, lower income families, and other vulnerable households with housing costs including fuel/heating, taxes, transportation, rent, and home efficiency and accessibility improvements and expand assistance to provide more support, particularly as the older adult population increases in Medway. Leverage state and other public/private programs to maximize support for older adult residents and other residents in need.

#### **5. INCREASE MEDWAY'S CAPACITY TO IMPLEMENT HOUSING INITIATIVES THROUGH ENHANCED LOCAL AND REGIONAL COORDINATION**

Medway, as a state-designated Housing Choice Community, has demonstrated a great ability to produce housing and implement local initiatives with limited resources. However, increasing local capacity will benefit the town so it can successfully reach local housing goals. Additional support and coordination with local and regional entities can help the town to continue its strong track record and obtain state/federal or other funding to support housing initiatives.

## **SUMMARY OF HPP STRATEGIES**

Achieving the community's five-year goals will require a variety of regulatory, programmatic, and policy strategies. The strategies, described in detail in Chapter 2 are intended to offer multiple ways that the community can work to achieve its goals. Many of these strategies are contingent on factors beyond the municipality's control, including market opportunities and funding availability. All strategies will require local approvals in accordance with all applicable laws and regulations. The strategies are organized in three categories and are in no particular order:

- Planning, Policies, and Zoning Strategies
- Local Initiatives and Programmatic Strategies
- Capacity, Education, and Coordination

### **PLANNING, POLICIES, AND ZONING STRATEGIES**

The Town's authority to update zoning regulations can have powerful effects to encourage private responses to address local housing needs with minimal local expenditure. The following strategies incorporate recommendations for both local planning initiatives and zoning amendments:

1. Revise zoning provisions for Accessory Apartments to create more flexibility including a by-right path
2. Reconsider provisions of infill bylaw including study of applicable properties (amount and characteristics), consider allowing duplexes where at least one unit is deed-restricted affordable
3. Reconsider adopting cottage cluster development zoning provisions
4. Consider further amendments to the existing Multi-Family overlay district provisions to refine requirements for different development and redevelopment scenarios
5. Revise the Affordable Housing provisions to promote inclusion of more deeply affordable units for extremely and very low-income households
6. Adopt local guidelines for development applications for the Local Initiative Program

### **LOCAL INITIATIVE AND PROGRAMMATIC STRATEGIES**

Local initiative strategies refer to recommendations that the Town can undertake to foster the creation of more housing options, especially affordable housing. These initiatives are not regulatory in nature - they deal with allocation of Town resources including staff time, funding, and property:

7. Continue to support the Oak Grove Redevelopment Authority to Implement the Oak Grove Redevelopment Plan

8. Consider acquiring property to create supportive special needs congregate housing
9. Support modernization and rebuilding of Housing Authority properties at Lovering and Kenny Drive including with federal, state, or local funding for predevelopment work
10. Consider acquiring undersized lots that would meet the infill bylaw requirements and partner with the Housing Authority to create affordable starter homes
11. Consider allocating MAHT funds to create small-scale affordable housing development
12. Actively work to preserve expiring affordability restrictions at Colonial Park Estates (Heritage Drive)

## CAPACITY, EDUCATION, AND COORDINATION

The following strategies are recommendations for expanding the Town's capacity to implement housing initiatives, promote education, and to coordinate housing initiatives with other local or regional entities:

13. Continue to actively seek grants and other funding opportunities to further implementation of the HPP and local housing initiatives
14. Coordinate with the Open Space Committee to pursue opportunities to acquire properties that can serve the dual purposes of open space conservation and affordable housing creation, such as through exercising right of first refusal on chapter lands
15. Continue to actively promote cooperative relationships between the MAHT and developers to promote development that helps meet local housing needs
16. Consider collaborating with TRIC/SWAP regional communities and funding to establish regional shared housing services to expand the Town's capacity to implement the recommendations of the HPP
17. Identify and enhance local coordination opportunities with various entities like the Housing Authority, Community and Economic Development Department, MAHT/MAHC, and others, promoting housing and servicing residents in need
18. Fully populate the MAHT and MAHC and foster relationships with the MHA as well as local realtors, including them as possible members
19. Create an updated MAHT and MAHC combined Five-Year Action Plan to layout a strategic and coordinated work plan for both entities
20. Designate the Select Board as a local HPP oversight entity and perform annual review of status of HPP goals and strategies

# CHAPTER 2: HOUSING GOALS AND STRATEGIES

A Housing Production Plan can help communities shape the location and type of future housing development and address affordable housing needs. Medway has already exceeded the minimum requirements for producing housing units eligible for inclusion on the Subsidized Housing Inventory (SHI). Therefore, this plan emphasizes the need to maintain Medway's percentage of SHI eligible units and to meet local needs for a mix of housing options including accessible housing, downsizing choices for seniors, and starter homes.

These goals and strategies were developed based on a comprehensive housing needs and development constraints analysis; other current local plans and policies; working sessions with the Medway Affordable Housing Trust, Affordable Housing Committee, Community and Economic Development Board members, and planning staff; as well as the consultant's recommendations and best practices. The HPP's goals and strategies are intended to provide guidance for local housing policies and initiatives but do not bind future actions or decisions of local officials or Town Meeting. The following question is at the heart of this planning effort:

***How could Medway create balanced strategies to create housing options that recognize economic realities of development and promote equity and inclusion while still preserving community assets?***

## FIVE-YEAR GOALS

The goals of this plan are consistent with the Comprehensive Permit Regulations (760 CMR 56) as required by DHCD for Housing Production Plans:

- a) *a mix of types of housing, consistent with local and regional needs and feasible within the housing market in which they will be situated, including rental, homeownership, and other occupancy arrangements, if any, for families, individuals, persons with special needs, and the elderly.*
- b) *a numerical goal for annual housing production, pursuant to which there is an increase in the municipality's number of SHI Eligible Housing units by at least 0.50 percent of its total units (as determined in accordance with 760 CMR 56.03(3)(a)) during every calendar year included in the HPP, until the overall percentage exceeds the Statutory Minimum set forth in 760 CMR 56.03(3)(a).*

As explained in detail below, this plan includes the following five goals:

1. Maintain Medway's affordable housing stock at over the state's 10 percent affordable housing production goals
2. Address local housing needs with a greater mix of housing types, particularly small apartments, accessible housing, and starter homes
3. Distribute new housing options in strategic locations and through reuse opportunities to meet local housing need and to comply with the state's housing choice legislation
4. Support residents in need to help them afford to remain in Medway
5. Increase Medway's capacity to implement housing initiatives through enhanced local and regional coordination

### 1. MAINTAIN MEDWAY'S AFFORDABLE HOUSING STOCK AT OVER THE STATE'S 10 PERCENT AFFORDABLE HOUSING PRODUCTION GOALS

Medway has successfully achieved safe harbor by exceeding the state's goal that at least 10 percent of year-round housing units shall be affordable in accordance with the requirements of MGL C.40B §§20-23 and the Comprehensive Permit Regulations (760 CMR 56). To maintain Medway's safe harbor status, the Town should actively work to ensure eligible units are appropriately listed on the Subsidized Housing Inventory and remain eligible to the extent possible.

## 2. ADDRESS LOCAL HOUSING NEEDS WITH A GREATER MIX OF HOUSING TYPES, PARTICULARLY SMALL APARTMENTS, ACCESSIBLE HOUSING, AND STARTER HOMES

Medway has already exceeded the state's 10 percent goal for affordable housing; however, the Town is still in need of a greater variety of housing options to meet local housing needs and to help promote a socio-economically diverse population including for people who work in Medway, older adults, individuals with special needs, low/moderate-income (LMI) households, smaller (one to two-person) households, and young adults. The Town will continue to promote and encourage initiatives to create affordable housing to help meet local housing needs including smaller rental housing for households at or below 50 percent of the Area Median Income (AMI) and affordable housing for families.

The Town should continue to promote a variety of housing options including affordable options for older adults to downsize as well as accessible and service-enriched private and public housing for individuals with disabilities and families.

## 3. DISTRIBUTE NEW HOUSING OPTIONS IN STRATEGIC LOCATIONS AND THROUGH REUSE OPPORTUNITIES TO MEET LOCAL HOUSING NEED AND TO COMPLY WITH THE STATE'S HOUSING CHOICE LEGISLATION

Housing Choice legislation refers to several changes to Massachusetts zoning enabling law, MGL c.40A enacted in 2020. As a designated "MBTA Community," Section 18 of new law requires Medway to comply with the multifamily zoning provisions of the amendments to c.40A3.

In general, strategic areas for accommodating a variety of housing options have convenient access to community services and amenities and are in areas that are already developed to further the conservation of open space, agricultural lands, and natural resources. Promoting new housing options in strategic areas is also important to create walkable and bikeable neighborhoods that require less reliance on single-occupancy vehicles.

These areas for potential new residential development opportunities include the Oak Grove Redevelopment Area and Central Business District as well as potential to consider further infill and reuse opportunities in the Medway Village area. In addition, the town should continue to encourage housing options in the Adaptive Reuse Overlay District, Multifamily Overlay District, and Mill Conversion Subdistrict, when possible.

In addition, the Town should consider reusing existing housing stock and converting other non-residential properties as opportunities arise to create affordable housing and other housing options including smaller market-rate rental units.

### **Housing Choice Legislation: Lower Voting Threshold**

The Housing Choice legislation also lowers the voting threshold from a 2/3rds supermajority to a simple majority for key zoning amendments that are intended to promote housing production including by-right multifamily housing or mixed-use development in eligible locations; by-right accessory dwelling units; by-right open space residential development; Chapter 40R Smart growth zoning districts or starter home zoning districts; Transfer of Development Rights or natural resource protection bylaws (that do not reduce the overall number of housing units that can be built); and modifications to bulk, eight, setback, and other dimensional requirements that would allow for additional housing units to be built.

There are also provisions for allowing some special permit uses to be adopted by majority vote including reducing parking ratio requirements if the reduction would produce more housing units.

For more information see the [Metropolitan Area Planning Council webpage "Housing Choice at a Glance."](#)

## 4. SUPPORT RESIDENTS IN NEED TO HELP THEM AFFORD TO REMAIN IN MEDWAY

Medway should continue to assist older adult residents, lower income families, and other vulnerable households with housing costs including fuel/heating, taxes, transportation, rent, and home efficiency and

<sup>3</sup> Preliminary guidance for MBTA communities states that the community shall have at least one zoning district of reasonable size in which multifamily housing is permitted by right and meets the following criteria: the zone has a minimum gross density of 15 units per acre, is no more than 0.5 miles from a commuter rail station, subway station, ferry terminal, or bus station (not applicable to Medway), has no age restrictions, and is suitable for families with children. By meeting these criteria, the MBTA community is eligible to apply for several grant programs. While more specific guidance is being developed, all MBTA communities will be deemed in compliance.



accessibility improvements and expand assistance to provide more support, particularly as the older adult population increases in Medway. The Town could leverage state and other public/private programs to maximize support for older adult residents and other residents in need.

## 5. INCREASE MEDWAY'S CAPACITY TO IMPLEMENT HOUSING INITIATIVES THROUGH ENHANCED LOCAL AND REGIONAL COORDINATION

Medway, as a state-designated Housing Choice Community, has demonstrated a great ability to produce housing and implement local initiatives with limited resources. However, increasing local capacity will benefit the town so it can successfully reach local housing goals. Additional support and coordination among local and regional entities can help to strengthen the town's ability to continue its strong track record and obtain state/federal or other funding to support housing initiatives.

## GOALS AND STRATEGIES MATRIX

The strategies, which are described in greater detail on the following pages, are summarized in the matrix below that indicates which goal or goals each strategy could help Medway to achieve.

Type	#	Strategy	Production	Local Needs	Strategic Locations	Residents in Need	Capacity
			G1	G2	G3	G4	G5
Planning, Policies, & Zoning	1	Revise zoning provisions for Accessory Apartments to create more flexibility including a by-right path	X	X			
	2	Reconsider provisions of infill bylaw including study of applicable properties (amount and characteristics), consider allowing duplexes where at least one unit is deed-restricted affordable.	X		X		
	3	Reconsider adopting cottage cluster development zoning provisions	X	X			
	4	Consider further amendments to the existing Multi-Family overlay district provisions to refine requirements for different development and redevelopment scenarios	X	X			
	5	Revise the Affordable Housing provisions to promote inclusion of more deeply affordable units for extremely and very low-income households	X	X		X	
	6	Adopt local guidelines for development applications for the Local Initiative Program		X			X
Local Initiatives & Programmatic	7	Continue to Support the Oak Grove Redevelopment Authority to Implement the Oak Grove Redevelopment Plan	X		X		
	8	Consider acquiring property to create supportive special needs congregate housing	X			X	
	9	Support modernization and rebuilding of Housing Authority properties at Lovering and Kenny Drive including with federal, state, or local funding for predevelopment work		X			
	10	Consider acquiring undersized lots that would meet the infill bylaw requirements and partner with the Housing Authority to create affordable starter homes	X	X	X		
	11	Consider allocating MAHT funds to create small-scale affordable housing development	X			X	
	12	Actively work to preserve expiring affordability restrictions at Colonial Park Estates (Heritage Drive)				X	

Type	#	Strategy	Production	Local Needs	Strategic Locations	Residents in Need	Capacity
			G1	G2	G3	G4	G5
Capacity, Education, & Coordination	13	Continue to actively seek grants and other funding opportunities to further implementation of the HPP and local housing initiatives.					X
	14	Coordinate with the Open Space Committee to pursue opportunities to acquire properties that can serve the dual purposes of open space conservation and affordable housing creation, such as through exercising right of first refusal on chapter lands.	X				X
	15	Continue to actively promote cooperative relationships between the Community and Economic Development Department and developers to promote development that helps meet local housing needs	X	X			X
	16	Consider collaborating with TRIC/SWAP regional communities and funding to establish regional shared housing services to expand the Town's capacity to implement the recommendations of the HPP					X
	17	Enhance local coordination with various entities like the Housing Authority, Community and Economic Development Department, MAHT/MAHC, and others, promoting housing and servicing residents in need				X	X
	18	Fully populate the MAHT and MAHC and foster relationships with the MHA as well as local realtors, including them as possible members					X
	19	Create an updated MAHT and MAHC combined Five-Year Action Plan to layout a strategic and coordinated work plan for both entities					X
	20	Designate the Select Board as a local HPP oversight entity and perform annual review of status of HPP goals and strategies					X

## FIVE-YEAR STRATEGIES

Achieving the community's five-year goals will require a variety of regulatory, programmatic, and policy strategies. This section includes descriptions of local regulatory strategies, local initiatives, and strategies that deal with implementation capacity, education, and outreach.

The intent of these strategies is not to suggest that Medway will implement all these strategies over five years, but to offer multiple ways that the community can work to achieve its goals. Many of these strategies are contingent on factors beyond the municipality's control, including market opportunities and funding availability. All strategies will require local approvals in accordance with all applicable laws and regulations.

This plan's strategies comply with the requirements of the Comprehensive Permit Regulations (760 CMR 56), which are summarized as follows:

*The HPP shall address the matters set out in the Department's guidelines, including an explanation of the specific strategies by which the municipality will achieve its housing production goal, and a schedule for implementation of the goals and strategies for production of units, including all the following strategies, to the extent applicable:*



- a) *the identification of zoning districts or geographic areas in which the municipality proposes to modify current regulations for the purposes of creating SHI Eligible Housing developments to meet its housing production goal.*
- b) *the identification of specific sites for which the municipality will encourage the filing of Comprehensive Permit applications.*
- c) *characteristics of proposed residential or mixed-use developments that would be preferred by the municipality (examples might include cluster developments, adaptive re-use, transit-oriented housing, mixed-use development, inclusionary housing, etc.).*
- d) *municipally owned parcels for which the municipality commits to issue requests for proposals to develop SHI Eligible Housing; and/or*
- e) *participation in regional collaborations addressing housing development.*

The strategies are organized in three categories and are not in order of priority:

- A. Planning, Policies, and Zoning Strategies
- B. Local Initiatives and Programmatic Strategies
- C. Capacity, Education, and Coordination

An action plan matrix is included at the end of this chapter that recommends sequencing of strategies over the five-year planning horizon and lists responsible entities.

## PLANNING, POLICIES, AND ZONING STRATEGIES

The Town's authority to update zoning regulations can have powerful effects to encourage private responses to address local housing needs with minimal local expenditure. The following strategies incorporate recommendations for both local planning initiatives and zoning amendments.

### 1. **Revise zoning provisions for Accessory Apartments to create more flexibility including a by-right path**

An Accessory Dwelling Unit (ADU) is an apartment within or on the property with a single-family house. The property appears from the street to be a single-family, not a two-family house. As of the 2018 Pioneer Institute report, included in the list of more information below, about 37 of 100 cities and towns surrounding Boston allow ADUs and an additional 31 allow ADUs only under temporary circumstances.

Accessory apartments, either as an alteration to a single-family dwelling or conversion of a detached accessory building (garage, barn, or gate house) can help diversify a community's housing stock by providing smaller rental units for increasing numbers of smaller households. They are also typically more affordable and can provide income to cost burdened owners.

Medway's current zoning provisions do not allow ADUs, however per Section 8.2 of the Zoning Bylaw allows Accessory Family Dwelling Units (AFDU) by special permit from the Board of Appeals (BOA). The bylaw restricts such AFDUs to have no more than one bedroom, unless authorized by the BOA, and a maximum size of 800 s.f., with an exception for a detached accessory unit in an existing structure. In addition, the zoning provisions require that the property owner live in one of the units as their primary residence. The occupancy of an AFDU is restricted to the owner, owner's family, or a caregiver for an elderly person, individuals with a disability, or other special needs.

As a town whose zoning is primarily single-family, a progressive ADU bylaw could create opportunities for small-scale, incremental housing in town. As stated by AARP at its *All About Accessory Dwelling Units* website included as more information below:

***As small houses or apartments that exist on the same property lot as a single-family residence, ADUs play a major role in serving a national housing need. This traditional home type is re-emerging as an affordable and flexible housing option that meets the needs of older adults and young families alike.***

Consider the following amendments to create more flexibility and promote the creation of these smaller rental units in the existing housing stock:

- Amend the AFDU zoning provisions to allow ADUs by right
- Model the amendments to comply with the ADU definition per the Housing Choice Legislation which states that an ADU shall be “not larger in floor area than ½ the floor area of the principal dwelling or 900 square feet, whichever is smaller.”
- Remove the occupancy restrictions for the accessory unit
- Confirm that requiring the owner to live in one of the units on the property would comply with the definition of ADU per the Housing Choice Legislation

The revisions suggested above appear to qualify for a simple majority vote of Town Meeting pursuant to the Housing Choice legislation.

**More information:**

- MAPC Living Little Report, 2018 (which includes Medway): <http://ma-medfield.civicplus.com/DocumentCenter/View/1687/Living-Little-Report-MAPC-2018-PDF>
- Pioneer Institute and Dain, Amy, *The State of Zoning for Accessory Dwelling Units*, White Paper No. 184, July 2018: <https://masmartgrowth.wpengine.com/wp-content/uploads/2019/01/ADU-MSGA-Pioneer-paper-2018.pdf>
- AARP, *All About Accessory Dwelling Units*: <https://www.aarp.org/livable-communities/housing/info-2019/accessory-dwelling-units-adus.html>

**2. Reconsider provisions of infill bylaw including study of applicable properties (amount and characteristics), consider allowing duplexes where at least one unit is deed-restricted affordable.**

Per Section 8.1 of the Zoning Bylaw, the Town allows affordable homes to be created on infill lots by special permit. Infill lots, in this context, are parcels that may be suitable for construction of a house because they are compatible with the immediate neighborhood in terms of size, shape, and frontage but that do not technically meet the minimum zoning standards. Medway’s AR2 zoning district, where infill lots for affordable housing are currently allowed, has a minimum lot size requirement of 22,500 s.f. and frontage requirement of 150 foot minimum. Infill lots for affordable housing are also allowed in the Village Residential District with the same requirements, except for a reduced setback requirement. The bylaw, which was approved by Town Meeting in June 2009, allows construction of single-family homes on these lots if they are restricted to be affordable to LMI households and are eligible for inclusion on the SHI. In addition, the bylaw requires that the lot be at least 6,000 s.f. and the lot shape be similar to the nearby properties.

Per the consultant’s analysis, as of 2021, there are 12 vacant parcels that would meet these infill bylaw requirements do not appear to have significant environmental constraints. These range in size from 6,247s.f. to 22,005 s.f.

The infill bylaw has not been used to create any affordable homes in the 12 years since its adoption. There likely are a variety of reasons. It seems there are a very limited number of properties that would meet the eligibility requirements. It is unquestionably a difficult hurdle for the typical

residential property owner to navigate the process of creating a deed-restricted affordable unit that would require an affirmatively fair marketing plan, income, and asset verification of renters/buyers to comply with the requirements for listing on the SHI. In addition, many property owners with potentially eligible properties aren't likely to be aware that these provisions exist.

The AR2 zoning district makes up about 32.7% of total land area. Many of Medway's residentially zoned properties are in the AR1 district, however potentially developable properties with smaller lot sizes in this district are not currently eligible under the infill bylaw.

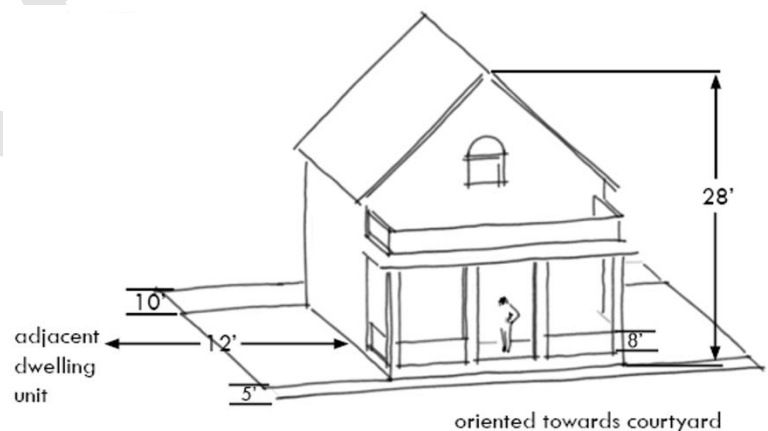
To promote creation of neighborhood-scale affordable homes, which could help meet a need for more starter home options, the Town could reconsider the provisions of the infill bylaw. Such reconsiderations may include the following:

- Expand the eligibility to all residential districts
- Allow a by-right path for single-family construction
- Expand allowed housing types to include duplexes by special permit, with the incorporation of design standards to ensure compatibility with the immediate neighborhood

In addition to the zoning amendments proposed above, the Town could outreach to local and regional mission-based developers and builders who have experience with creating small-scale affordable housing, such as Habitat for Humanity, who could approach property owners to negotiate a potential sale of such properties for the creation of affordable homes.

### 3. Reconsider adopting cottage cluster development zoning provisions

The Medway Planning and Economic Development Office recently worked with the Metropolitan Area Planning Council (MAPC) to create draft zoning provisions for cottage cluster development. Among the purposes of the draft provisions are to provide a variety of smaller, more affordable housing choices; encourage new residential development types that foster community; and build community cohesion with internal pedestrian circulation, orientation of dwellings, and inclusion of courtyards. Such provisions would encourage new cohesive neighborhoods that incorporate open space amenities. Cottages are small detached, single-family dwellings with narrow massing, with a maximum gross floor area of 1,000 s.f. The provisions would also allow carriage houses with up to 800 s.f. and two-family homes with up to 2,800 s.f. Development under these provisions would trigger Medway's standard affordability requirement.



With Medway's large stock of conventional single-family houses and newer multi-family apartments development, there is need for what architect David Paroleki has coined "missing middle housing." Cottage housing is a type of missing middle housing that can fit in well in single-family neighborhoods and can provide a more affordable alternative to larger single-family homes with lower property value, taxes, insurance, and maintenance costs. These cottage neighborhoods can provide housing options for seniors to downsize, so some communities may have certain units that are age restricted. These neighborhoods also often also provide common facilities (such as laundry) and provide opportunities to connect as part of a small neighborhood.

Consider working with town officials to discuss the adoption of cottage cluster development zoning provisions.

**More information:**

- AARP Livable Communities, Photo Gallery: Missing Middle Housing Types: <https://www.aarp.org/livable-communities/housing/info-2020/slideshow-missing-middle-housing.html>
- Medway Cottage Cluster Development Bylaw: [cottage cluster development revised draft 2-12-21.pdf \(townofmedway.org\)](https://www.townofmedway.org/cottage-cluster-development-revised-draft-2-12-21.pdf)

**4. Consider further amendments to the existing Multi-Family overlay district provisions to refine requirements for different development and redevelopment scenarios**

The Multi-Family overlay district, per Section 5.6.4 of the Zoning Bylaw is intended to encourage the provision of a diversity of housing types by establishing a special permit option to allow the development of multi-family housing. The overlay district allows multi-family housing on lots in portions of the AR-I, AR-II, Village Residential, and Village Commercial districts. The existing provisions limit density to 8 units per acre for multi-family housing that is not an apartment building and up to 12 units per acre for apartment buildings with a total project maximum of 40 units. The provisions include protection for historically significant buildings that are 75 years and older.

These provisions have been amended a few times including in 2018, 2019, and 2020. Based on Community and Economic Development Department staff suggestions, the provisions could benefit from further revision to refine the requirement for different development and redevelopment scenarios including adjusting the density requirements for different housing types such as duplexes, townhouses (attached single-family houses), and reuse scenarios. The town could also consider adapting the overlay zoning provisions to comply with the Housing Choice Legislation, pending further guidance from the state.

**5. Revise the Affordable Housing provisions to promote inclusion of more deeply affordable units for extremely and very low-income households**

The existing Affordable Housing provisions, per Section 8.6 of the Zoning Bylaw, require provision of affordable housing units that are affordable to and occupied by low/moderate-income households and eligible for including on the SHI for two-family, multi-family, and mixed-use development with six or more units; single-family developments with 10 or more units; development per the Open Space Residential Development provisions; and development per the Adult Retirement Community Planned Unit Development provisions. The Affordable Housing provisions establish a minimum percentage of units as affordable that vary from 10 percent to 20 percent depending on the project size.

The Town should consider revising the Affordable Housing provisions to encourage more deeply affordable units to address local housing needs including units for households at or below 30 percent AMI and between 30 and 50 percent AMI. Adjusting inclusionary zoning requirements and incentives, such as those created through Medway's Affordable Housing provisions, need careful consideration regarding how the adjustments could impact the economics of housing development. The Town will want to ensure that any amendments will produce the housing intended by being grounded in market realities.

**More information:**

- Grounded Solutions Network, *Inclusionary Housing calculator 2.0*: <https://inclusionaryhousing.org/calculator/>

## 6. Adopt local guidelines for development applications for the Local Initiative Program

The Local Initiative Program (LIP) is a state housing program administered by the Department of Housing and Community Development (DHCD). The LIP program is intended to encourage communities to produce SHI-eligible housing as a locally sponsored Comprehensive Permit by providing state technical assistance from DHCD (rather than a financial subsidy). Through the LIP process, the MAHT and the MAHC work with proponents to facilitate the development of affordable housing that helps address Medway's local housing needs.

Such local LIP guidelines could include project review procedures clarifying the role of the MAHT, MAHC, and Select Board. For example, in Medfield, the MAHT meets with developers very early in the process (prior to submitting a pre-application), asks for evidence of meetings with neighbors and town staff, then holds a public meeting to formally discuss a potential project application. The MAHT works with the developer to refine the proposal.

The local LIP guidelines could also include specific local project preferences to help meet defined local needs and design requirements (within reason). In Medway, there is a need for affordable housing for extremely low and very low-income households – such a preference could be stated in the local guidelines.

### More information:

- Medfield MAHT Action Plan 2018-2020, with Guidelines for LIP/MAHT Initiatives on page 8: <https://www.town.medfield.net/DocumentCenter/View/1653/MAHT-Action-Plan---Approved-04-03-18-PDF>

## LOCAL INITIATIVE AND PROGRAMMATIC STRATEGIES

Local initiative strategies refer to recommendations that the Town can undertake to foster the creation of more housing options, especially affordable housing. These initiatives are not regulatory in nature - they deal with allocation of Town resources including staff time, funding, and property.

## 7. Continue to Support the Oak Grove Redevelopment Authority to Implement the Oak Grove Redevelopment Plan

Section 9 of the Zoning Bylaw is a form-based code for the Oak Grove Park Districts that incorporates the Oak Grove Urban Renewal Area per MGL c.121B as delineated in the Oak Grove Urban Renewal Plan of March 2017. This major gateway into Medway has access to Route 109 and Interstate 495 and is a priority development area in the community. The history of this area led to the creation of over 1,000 small lots of about 1,600 s.f. that were a barrier to development. The Oak Grove Redevelopment Authority is in the process of acquiring property with \$3.5M appropriated by Town Meeting. The Oak Grove Park Concept Plan Buildout Scenario includes 110-137 units of multifamily apartments and townhouse units.

OAK GROVE PARK CONCEPT PLAN BUILDOUT SCENARIOS			
	Urban Renewal Plan	Alternative A (E-W Road Further North)	Alternative B (E-W Road Further South)
Total Floor Area - Commercial, Industrial, Office	475,000 SF	495,000 SF	440,000 SF
# Detached Residential Units	110 (80 Apartments & 30 Townhouses)	137 (62 Apartments & 65 Townhouses; # Second/Third floor Residential Units in Village - 0/T.B.D.)	110 (80 Apartments & 30 Townhouses; # Second/Third Floor Residential Units in Village - 88 Assumed)
Total Parking Spaces	1,874	1,405	1,588
Approximate Parking Ratio	~4 spaces/1000 SF (or ~3.5 units/1000 SF if excluding residential-only parking spaces)	~3 spaces/1000 SF (or ~2.5 spaces/1000 SF if excluding residential-only parking spaces)	3.5 spaces/1000 SF (or ~3 spaces/1000 SF if excluding residential-only parking spaces)

The Town has provided funding as well as staff support to the Redevelopment Authority to support the implementation of the 2017 Redevelopment Plan. The Town should continue to support the work of the Authority to ensure production of the residential units envisioned including units that are affordable to households at various income levels from at or below 30 percent AMI and up to support local housing needs.

## 8. Consider acquiring property to create supportive special needs congregate housing

To support individuals with special needs of all ages including older adults, the MAHT should consider acquiring property to foster the creation of supportive special needs congregate housing. Congregate housing is a shared living arrangement that combines housing and services for older adults and people with disabilities. Congregate housing can support individuals with special needs of all ages including younger and older adults by providing services necessary to help them remain independent for as long as possible. These often include a variety of services to improve quality of life for residents such as services focused on community building, self-sufficiency, mental/physical health, medical support, and learning opportunities.

Although congregate housing can be utilized by residents of all ages, this type of housing could help the town meet the current demand for affordable senior housing. According to the 2014-2018 ACS data, there are 500 senior households that are cost burdened. The current pipeline for affordable senior housing development is not expected to meet this need. The Glen Brook development will have 44 age-restricted units, which does not fully meet the current demand.

With expansion of the Infill zoning provisions, there could be additional opportunities for the MAHT to negotiate the acquisition of infill lots below market and seek developers and service provider teams to create congregate housing. In addition, the MAHT could purchase existing larger homes that could be converted into such supportive housing.

Congregate housing (group home) units can be eligible for inclusion on the SHI if operated or certified/licensed by the state Department of Development Services or the Department of Mental Health.

### More information:

- Congregate Housing and Eligibility in Massachusetts: <https://www.mass.gov/service-details/congregate-housing-eligibility>
- An incomplete list of organizations focused on managing/creating congregate housing:
  - Specialized Housing, Inc <https://www.specializedhousing.org/>



- o Life Path: [https://lifepathma.org/images/Brochures/LifePath Congregate Housing brochure updated Nov 18.pdf](https://lifepathma.org/images/Brochures/LifePath%20Congregate%20Housing%20brochure%20updated%20Nov%2018.pdf)
- o Springwell: <https://springwell.com/resource/congregate-housing-program/>
- o Tri-Valley: <https://www.trivalleyinc.org/community-based-services/congregate-housing/>

## **9. Support modernization and rebuilding of Housing Authority properties at Lovering and Kenny Drive including with federal, state, or local funding for predevelopment work**

The town should seek funding for predevelopment work at the Lovering and Kenny Drive, two state public housing properties owned by the Medway Housing Authority. The Lovering property has 60 units of affordable elderly and disabled housing, and the Kenny has 34 units. These properties are both in great need for modernization including accessible units. In addition, redevelopment could provide an opportunity for additional affordable units, particularly at the Kenny Drive property.

Funding for the predevelopment work, such as development plans, permitting, legal work, and other due diligence, would enable the Housing Authority to assemble an application for federal and state Low-Income Housing Tax Credit programs and other subsidy resources to fund the redevelopment of these properties.

The predevelopment funding is required to compile the application for tax credit and subsidy resources and would be an eligible use of CPA funds, if other funding sources are not identified. The anticipated cost is a total of \$400,000-\$500,000 for predevelopment work at both properties.

## **10. Consider acquiring undersized lots that would meet the infill bylaw requirements and partner with the Housing Authority to create affordable starter homes**

According to the HPP consultant's analysis, there are fourteen lots that appear to comply with the eligibility provisions of the Town's Infill Bylaw. Two or three of these parcels may have significant environmental constraints due to the presence of wetlands on the lots, however it appears that 11 parcels may be developable. The average assessed value of these parcels is \$55,560, with a range of \$7,800 to \$178,700.

Consider allocating MAHT funds to acquire some of these lots and work in partnership with the Housing Authority and a private development entity to build affordable starter homes for first time homebuyers with permanent affordability restrictions. The Housing Authority could assist with a ready-buyer list that could include existing families renting Housing Authority properties who are looking to transition to homeownership.

An organization such as Habitat for Humanity might be an appropriate type of development partner that is experienced with small-scale development. This strategy idea could provide a cost-effective way to develop small-scale, scatter site affordable ownership opportunities.

## **11. Consider allocating MAHT funds to create small-scale affordable housing development**

The MAHT should continue to support the development of affordable housing in Medway, as it has been doing, for example with the funding support for the development at Glen Brook Way. The provision of local funds early in the development process is critical to ensure an affordable housing development will be competitive for state and other public funding or programs including Low-Income Housing Tax Credits (LIHTC).

Such funding requests will be considered on a case-by-case basis, as the MAHT has done for prior funding allocations. The MAHT bases funding decisions on demonstration of meeting local housing

needs and eligibility for inclusion on the SHI, for example as a Local Action Unit (LAU) or through the Local Initiative Program. Development proposals under the LAU program should comply with A *Guide to Meeting the Requirements of Developing Affordable “Local Action Units” in Medway*.

**More information:**

- *A Guide to Meeting the Requirements of Developing Affordable “Local Action Units” in Medway*  
[https://www.townofmedway.org/sites/g/files/vyhlf866/f/uploads/lau\\_guide\\_12.23.2020\\_final\\_1.pdf](https://www.townofmedway.org/sites/g/files/vyhlf866/f/uploads/lau_guide_12.23.2020_final_1.pdf)

## **12. Actively work to preserve expiring affordability restrictions at Colonial Park Estates (Heritage Drive)**

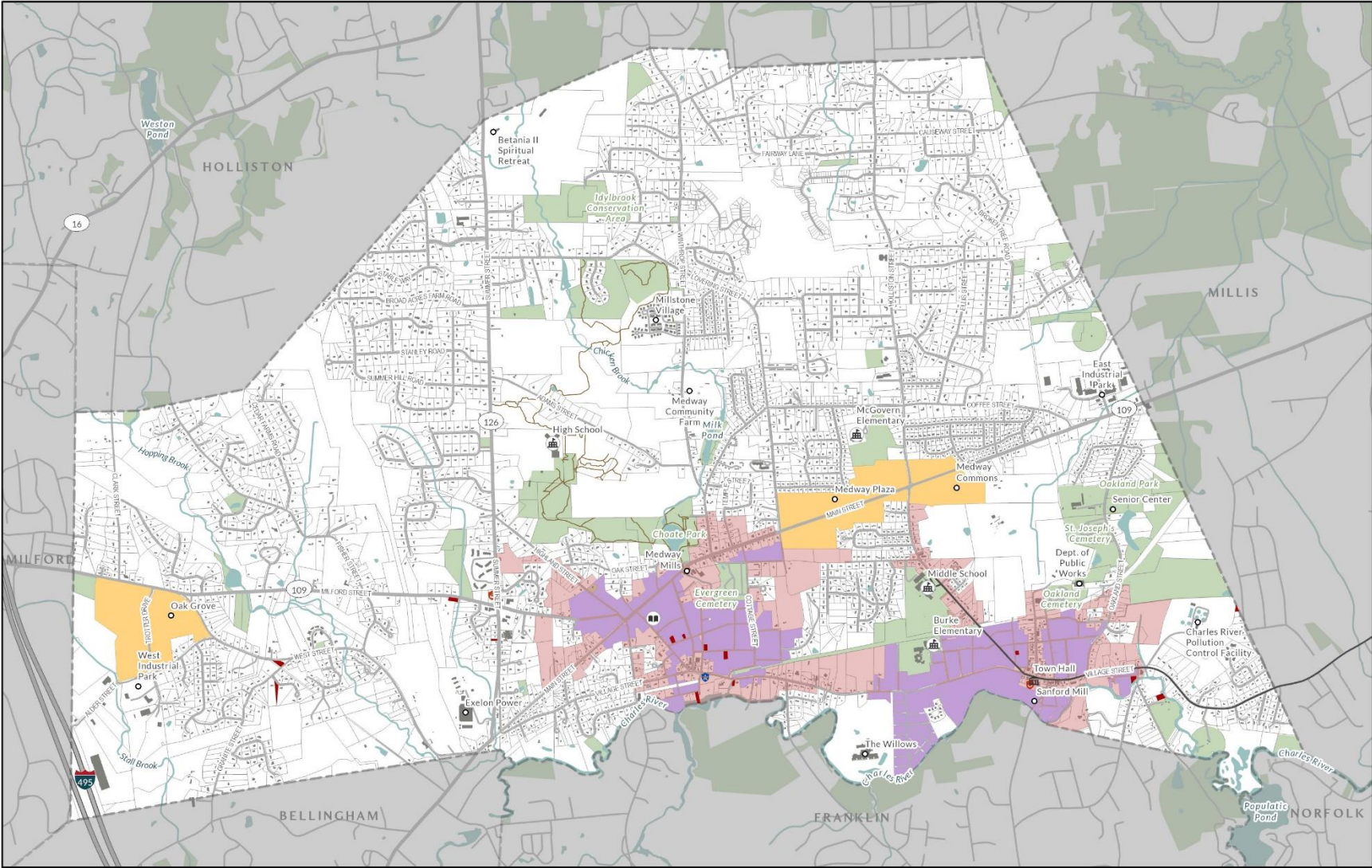
According to the Medway Housing Coordinator, there are three ownership units at Colonial Park Estates on Heritage Drive with older deed riders (from about 2001) that predate the state’s stronger Universal Deed Rider. The MAHT should actively negotiate with owners of these properties to execute the state’s Universal Deed Rider to further protect these units from expiring or otherwise being sold as market-rate units. The remaining funds from the DHCD Grant of \$200,000 from 2016 in addition to other MAHT funds could be allocated to support these negotiations and potential acquisitions as needed to preserve the long-term affordability of these units.



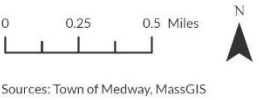
TOWN OF MEDWAY - HOUSING STRATEGIES

Prepared by JM Goldson LLC

J M GOLDSON



- |                |                 |  |
|----------------|-----------------|--|
| Town Hall      | Parcels         | GATRA Medway T Shuttle   |
| Fire station   | Buildings       | Potential Affordable Housing Infill Sites  |
| Police station | Water bodies    | Potential Infill and Reuse Opportunities   |
| School         | Open space      | Potential Multi-Family and Mixed-Use Development or Redevelopment  |
| Library        | Existing trails | Encourage Housing Options (Adaptive Reuse Overlay District, Multifamily Overlay District, Mill Conversion Subdistrict) |



## CAPACITY, EDUCATION, AND COORDINATION

The following strategies are recommendations for expanding the Town's capacity to implement housing initiatives, promote education, and to coordinate housing initiatives with other local or regional entities.

### 13. Continue to actively seek grants and other funding opportunities to further implementation of the HPP and local housing initiatives.

The Town has a strong track record of obtaining state and other grant funds to further local initiatives, including as a designated Housing Choice Community. If possible given levels of local housing production, maintain Medway's status as a Housing Choice Community to ensure enhanced access to state funding, by reapplying every two years and continuing to meet the requirements for designation through a combination of housing production and best practices. Seventy-nine communities in Massachusetts have achieved state designation as a Housing Choice Community. This designation provides access to new financial resources including Housing choice Community Capital Grants and preferential treatment for many state grants and capital funding programs including State Revolving Fund for Water and Sewer infrastructure, MassWorks, Complete Streets, MassDOT capital projects, and PARC and LAND grants. Medway has also received grants from the MA Department of Housing and Community Development and other agencies.

### 14. Coordinate with the Open Space Committee to pursue opportunities to acquire properties that can serve the dual purposes of open space conservation and affordable housing creation, such as through exercising right of first refusal on chapter lands.

The MAHT/MAHC and the Medway Open Space Committee should maintain a dialogue so that they can potentially coordinate planning efforts to identify public and private land that would be suitable for these projects including chapter lands where the town could exercise a right of first refusal. Potential sites should be considered in light of the priorities established by both groups, ensuring that key natural resources and forestland are conserved while setting aside land for development of context-appropriate smaller affordable and accessible housing development, such as allowed through the Open Space Residential Development provisions of the Zoning Bylaw (Section 8.4). Such development could include affordable starter homes for first time homebuyers to meet the affordable housing requirement per Section 8.6 of the Zoning Bylaw.

Sources of matching funds should also be identified and described in joint project proposals submitted to the Community Preservation Committee. These proposals should also emphasize the co-benefits of incorporating both open space and housing elements on selected sites. If the Open Space Committee identifies priority areas for acquisition that overlap with potential sites for housing, the MAHT/MAHC should be provided an opportunity to comment and explore options to incorporate or preserve housing as part of the land purchase. Similarly, the MAHT/MAHC should consider how open space conservation can best be incorporated into affordable housing development proposals.

#### More information:

- Randall Arendt, FRTPI, ASLA, *Conservation Subdivision Design: A Brief Overview*: [http://www.greenerprospects.com/PDFs/CSD\\_Overview.pdf](http://www.greenerprospects.com/PDFs/CSD_Overview.pdf)
- MA Smart Growth Took Kit "OSRP/NRPZ": <https://www.mass.gov/service-details/smart-growth-smart-energy-toolkit-modules-open-space-design-osdnatural-resource>
- CPTC Presentation: <https://masscptc.org/docs/conference-docs/2019/cptc-conf19-5-NRPZ2.PDF>

### **15. Continue to actively promote cooperative relationships between the Community and Economic Development Department and developers to promote development that helps meet local housing needs**

Build on the success of the Community and Economic Development Department and MAHT support for private affordable housing development as demonstrated through the Glen Brook Way development by Metro West Collaborative. Continue to actively promote cooperative relationships with local and regional developers to meet Medway's local housing needs, particularly for affordable starter homes, accessible housing, and homes that are affordable to households with extremely low and very low income.

#### **More information:**

- Incremental Development Alliance is a collaboration between small developers that provides training and coaching to benefit municipal clients and developers: <https://www.incrementaldevelopment.org/>
- Urban Land Institute is a network of people in every profession and sector in real estate, development, and land use: <https://uli.org/join/>
- CHAPA has a variety of committees including the Production and Preservation Committee that is comprised of developers, lenders, buildings, and other housing providers: <https://www.chapa.org/committees/production-and-preservation-committee>

### **16. Consider collaborating with TRIC/SWAP regional communities and funding to establish regional shared housing services to expand the Town's capacity to implement the recommendations of the HPP**

There are currently three RHSOs in Massachusetts. While the services an RHSO performs may vary depending on the communities served, RHSOs often are involved in monitoring existing affordable housing stock. RHSOs can also assist with SHI administration, HPP implementation, and serve as a central point for disseminating information to residents.

The Town has been exploring the possibility of participating in the formation of a Shared Housing Services Office (SHSO) with other Three Rivers Interlocal Council (TRIC) and Southwest Advisory Planning Committee (SWAP) communities. By proportionally sharing the costs of housing staff through an SHSO, small and mid-sized TRIC and SWAP communities will be able to access specialized housing expertise and will be better equipped to monitor and preserve the existing Affordable Housing stock to support the work of existing Town staff.

MAPC is conducting a planning process for the future TRIC/SWAP SHSO to assess the capacity and needs of participating towns and establish SHSO functions, staffing, fee structure, and governance. This process is being facilitated by the Metropolitan Area Planning Council (MAPC) with support from a Community Compact grant via the Town of Norwood.

The budget and services of the future SHSO will be designed around the needs of the communities participating in this planning phase. Medway should continue to actively participate in this planning initiative and work with MAPC and communities in the TRIC/SWAP subregions to evaluate the possibility of shared services if so desired by the Town.

**17. Enhance local coordination with various entities like the Housing Authority, Community and Economic Development Department, MAHT/MAHC, and others, promoting housing and servicing residents in need**

Medway has various entities working toward creating affordable housing options. To foster collaboration and communications and reinforce the efforts of various local entities, the Town should organize a more formal collaboration framework involving the Housing Authority, Community and Economic Development Department, MAHT/MAHC, and other entities as relevant. The Town should work toward holding a quarterly or semi-annual coordination meeting and report regularly on progress to the Select Board to ensure accountability.

**18. Fully populate the MAHT and MAHC and foster relationships with the MHA as well as local realtors, including them as possible members**

Work to fill vacant MAHT and MAHC seats as needed to maintain fully populated boards. At the time of this writing, December 2021, the MAHT is fully populated and the MAHC has one vacant seat. The MAHC membership composition could benefit by seeking local realtors and other professionals to fill vacant seats as available. Also, the MAHT in cooperation with the MAHC should work to foster relationships with a variety of local realtors to track real estate acquisition and development opportunities for affordable housing.

**19. Create an updated MAHT and MAHC combined Five-Year Action Plan to layout a strategic and coordinated work plan for both entities**

The MAHT created a five-year action plan about a decade ago shortly after the Town established the MAHT to act as a guide in its initial years. Through an action planning process, the MAHT and MAHC could create coordinated work plans that identify priority initiatives, sequencing/timeline, and potential funding levels and sources. In addition, an Action Plan could clarify the role and priorities of both entities and serve as a helpful guide for new MAHT and MAHC members, development partners, Community Preservation Committee, and other town official and community members.

**More information:**

- Massachusetts Housing Partnership, *MAHT Guidebook*:  
[https://www.mhp.net/writable/resources/documents/MAHTGuidebook\\_2018.pdf](https://www.mhp.net/writable/resources/documents/MAHTGuidebook_2018.pdf)

**20. Designate the Select Board as a local HPP oversight entity and perform annual review of status of HPP goals and strategies**

This HPP is intended to provide the Town with multiple options to address local needs. The recommended strategies would require coordinated efforts by multiple local entities. Therefore, to effectively implement this plan will require oversight and accountability. The Town should consider designating the Select Board as the local HPP oversight entity, with assistance from the Community and Economic Development Department. The oversight entity should track and coordinate progress of the goals and strategies presented in this HPP.



## ACTION PLAN

The MAHT/MAHC will oversee all aspects of the HPP's implementation. The matrix below provides detailed information on responsible and supporting entities and a suggested timeframe to implement the housing strategies.

### Abbreviations Used the in Matrix Below:

CEDD = Community and Economic Development Department

CPC = Community Preservation Committee

OGRA = Oak Grove Redevelopment Authority

OSC = Open Space Committee

MAHC = Medway Affordable Housing Committee

MAHT = Medway Affordable Housing Trust

MHA = Medway Housing Authority

PEDB= Planning and Economic Development Board

SB= Select Board

Type	#	Housing Strategy	FY2023	FY2024	FY2025	FY2026	FY2027	Responsible Entity	Supporting Entities
Planning, Policies, & Zoning	1	Revise zoning provisions for Accessory Apartments to create more flexibility including a by-right path						PEDB	CEDD
	2	Reconsider provisions of infill bylaw including study of applicable properties (amount and characteristics), consider allowing duplexes where at least one unit is deed-restricted affordable.						PEDB	CEDD
	3	Reconsider adopting cottage cluster development zoning provisions						PEDB	CEDD
	4	Consider further amendments to the existing Multi-Family overlay district provisions to refine requirements for different development and redevelopment scenarios						PEDB	CEDD
	5	Revise the Affordable Housing provisions to promote inclusion of more deeply affordable units for extremely and very low-income households						PEDB	CEDD
	6	Adopt local guidelines for development applications for the Local Initiative Program						PEDB	CEDD
Local Initiatives & Programmatic	7	Continue to Support the Oak Grove Redevelopment Authority to Implement the Oak Grove Redevelopment Plan						OGRA	SB CEDD
	8	Consider acquiring property to create supportive special needs congregate housing						MAHT	CEDD
	9	Support modernization and rebuilding of Housing Authority properties at Lovering and Kenny Drive including with federal, state, or local funding for predevelopment work						MHA	CPC
	10	Consider acquiring undersized lots that would meet the infill bylaw requirements and partner with the Housing Authority to create affordable starter homes						MAHT MHA	CPC CEDD
	11	Consider allocating MAHT funds to create small-scale affordable housing development						MAHT	CEDD
	12	Actively work to preserve expiring affordability restrictions at Colonial Park Estates (Heritage Drive)						MAHT	CEDD

Type	#	Housing Strategy	FY2023	FY2024	FY2025	FY2026	FY2027	Responsible Entity	Supporting Entities
Capacity, Education, and Coordination	13	Continue to actively seek grants and other funding opportunities to further implementation of the HPP and local housing initiatives.						CEDD	SB
	14	Coordinate with the Open Space Committee to pursue opportunities to acquire properties that can serve the dual purposes of open space conservation and affordable housing creation, such as through exercising right of first refusal on chapter lands.						MAHT MAHC OSC	CEDD CPC
	15	Continue to actively promote cooperative relationships between the Community and Economic Development Department and developers to promote development that helps meet local housing needs						CEDD	MAHT
	16	Consider collaborating with TRIC/SWAP regional communities and funding to establish regional shared housing services to expand the Town's capacity to implement the recommendations of the HPP						SB	CEDD MAHT MAHC
	17	Enhance local coordination with various entities like the Housing Authority, Community and Economic Development Department, MAHT/MAHC, and others, promoting housing and servicing residents in need						CEDD MHA	MAHT MAHC
	18	Fully populate the MAHT and MAHC and foster relationships with the MHA as well as local realtors, including them as possible members						SB	MAHT MAHC MHA
	19	Create an updated MAHT and MAHC combined Five-Year Action Plan to layout a strategic and coordinated work plan for both entities						MAHT MAHC	CEDD
	20	Designate the Select Board as a local HPP oversight entity and perform annual review of status of HPP goals and strategies						SB	

# CHAPTER 3: DEMOGRAPHIC PROFILE

An analysis of local demographic data and housing stock reveals key characteristics and trends in Medway that help explain housing needs and demand. The characteristics of a Town's residents, such as their life stage, wealth, household size, and race/ethnicity, are closely linked to the characteristics of a Town's housing stock. To understand the wider context of Medway's housing needs, we compare the demographics of Medway to Norfolk County and Massachusetts at times. This chapter will provide the framework for housing production goals and strategies to address local housing concerns included later in this document.

## KEY FINDINGS

- The Town of Medway has experienced population growth over the last several decades and is presently home to 13,115 people, according to 2020 estimates.
- While the population is growing, it is also aging. Like the rest of Norfolk County and the state, Medway has seen an increase in residents over age 65 and a decrease in residents under age 18. Projections indicate that the older population will continue to increase in size and the younger population will continue to shrink through 2030.
- Income trends show that a significantly high proportion of residents earn \$100,000 or more per year.
- Housing units in Medway are typically owned rather than rented, with owner-occupied units making up 90 percent of occupied housing units. Rental units are home to smaller households on average than owner-occupied units.
- 82% of existing housing in Medway is made up of units that are three or more bedrooms in size. However, 60% of households are made of just one or two people. This mismatch shows a need for smaller units in Medway.
- Of non-family households, an estimated 82 percent of householders live alone (908 residents). This number includes 393 residents that are householders over the age of 65. About 19 percent of Medway households are people living alone.
- School enrollment in Medway has steadily declined over the last decade and will likely continue to decrease, indicating fewer school-aged children in the town.

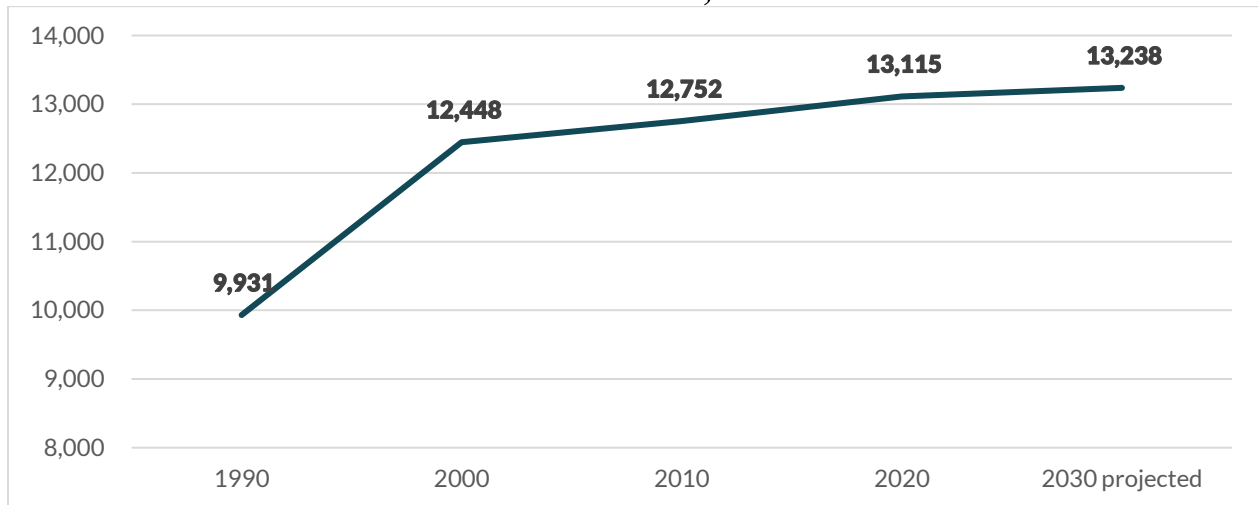
## DEMOGRAPHICS

This Housing Production Plan is grounded in a thorough examination of Medway's demographic makeup. An analysis of the current population, household composition, race and ethnicity, and educational attainment provides insight into the existing housing needs and demand. Projections of Medway's future residential composition help inform housing planning efforts.

### POPULATION

Medway's population has grown about 25 percent in the last three decades from about 9,900 residents in 1990 to over 13,100 residents per the 2020 census. The most rapid growth occurred between 1990 and 2000 (gaining 2,517 people or about 25.3 percent), and in the years between 2000 and 2020 the town had a 5 percent population increase. The chart below shows the 2020 population from the census, and the MassDOT/UMass Donahue population projections as the 2030 projected figure.

### MEDWAY POPULATION, 1990-2030<sup>4</sup>



*From 2010 to 2020, Medway had an almost 3 percent increase in its population. Medway's population growth is consistent with regional and state-wide trends. The total population of Norfolk County grew about 4 percent and the state grew about 5 percent in the same period.*

While the MassDOT/UMass Donahue Institute projections indicated a projected decline in 2020 population to 12,853, the population is projected to regain by 2030 to just below current estimates. The 2020 projections were likely an underestimate, as the 2019 ACS estimates a total population significantly higher than the MassDOT/UMass Donahue projections.

#### Distribution of Population by Age

Between 2010 and 2019, the proportions of those aged 18 to 34 and those over age 65 increased in Medway, by 4 percentage points and 3 percentage points, respectively. While the number of those aged 35 to 64 still makes up the largest age group in the town (44 percent), the proportion decreased from 47 percent in 2010. Lastly, the proportion of children aged 17 and younger has declined by 3 percentage points, from 28 percent to 25 percent of the total population.

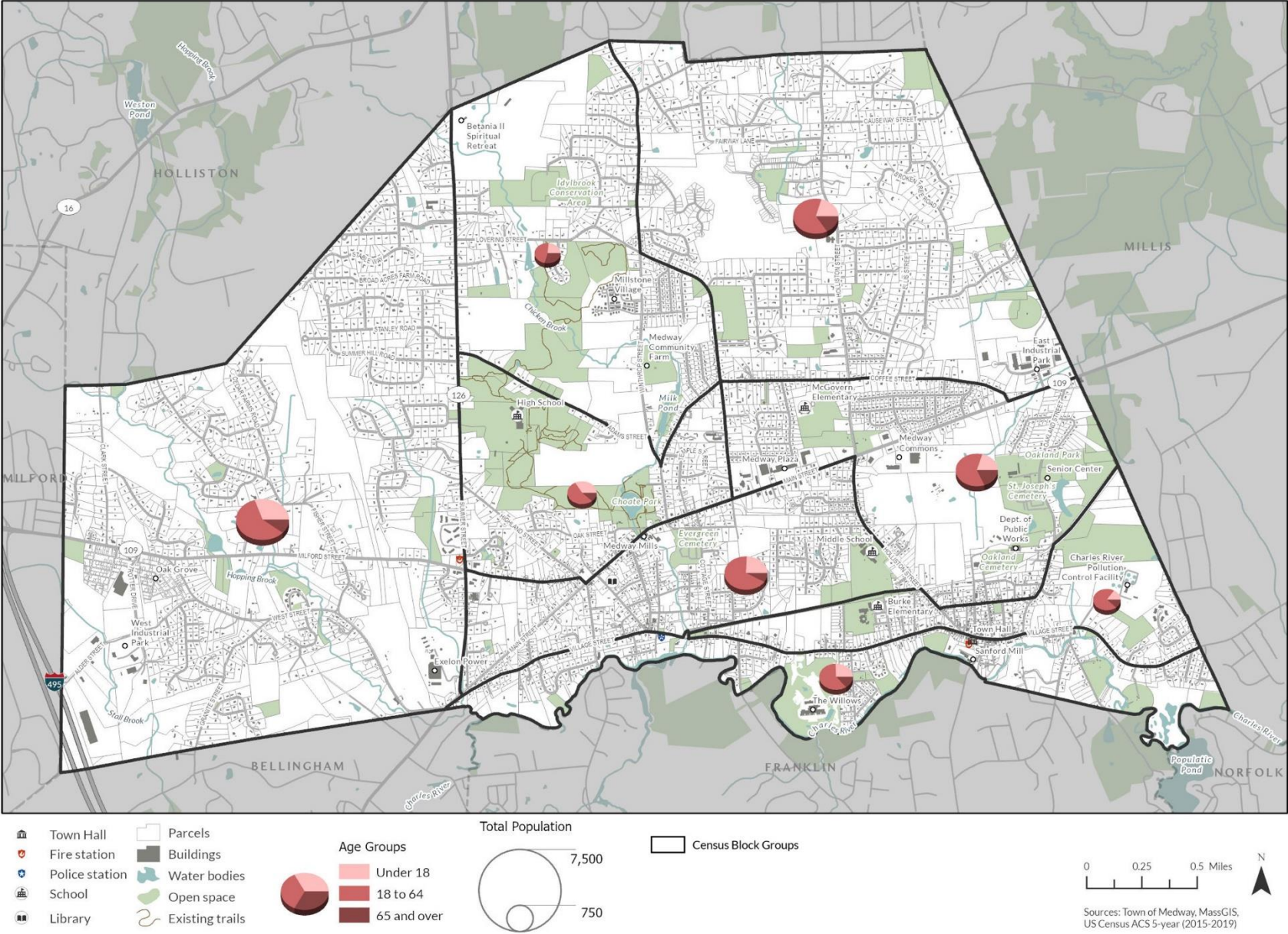
<sup>4</sup> US Census; MassDOT/UMDI Projections



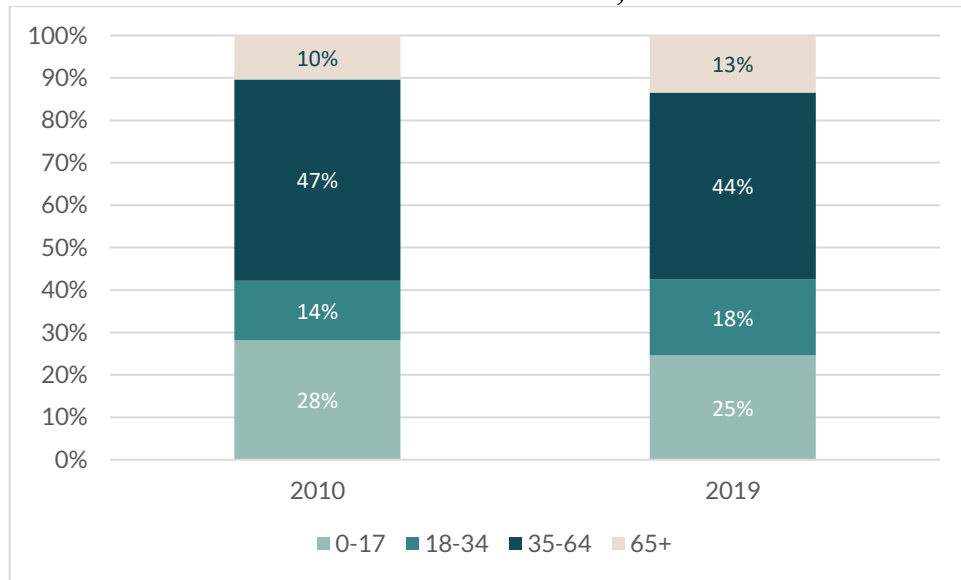
TOWN OF MEDWAY - POPULATION BY AGE GROUP

Prepared by JM Goldson LLC

J M GOLDSON



## MEDWAY POPULATION BY AGE, 2010-2019<sup>5</sup>



Age composition of Medway residents has changed with a smaller proportion of middle-aged people (35-64 years) and children (0-17 years). Medway has a growing proportion of older adults (65+ years) and young adults (18-34 years).

## HOUSEHOLD COMPOSITION

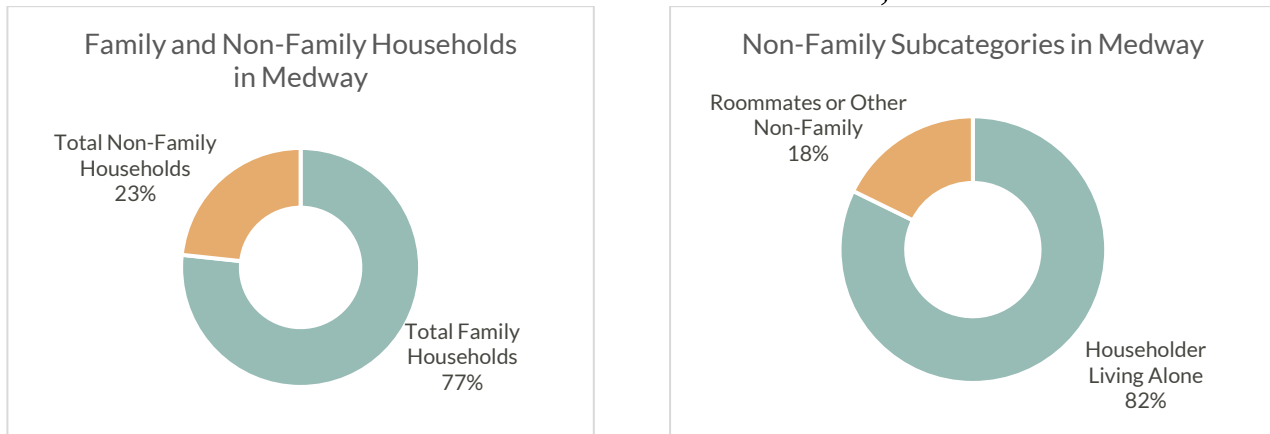
The US Census defines a family as “a group of two people or more (one of whom is the householder) related by birth, marriage, or adoption and residing together; all such people (including related subfamily members) are considered as members of one family.” The term “non-family households” includes individuals living alone and those living with roommates who are not related by birth, marriage, or adoption.<sup>6</sup>

Per the 2019 ACS estimates, Medway had 4,735 households, an increase of about 7 percent from 4,435 in 2010. About 77 percent of these households were estimated to be family households (3,631 households). Of non-family households, an estimated 82 percent of householders live alone (908 residents). This number includes 393 residents that are householders over the age of 65. About 19 percent of Medway households are people living alone.

<sup>5</sup> 2015-2019 ACS Table A01001

<sup>6</sup> US Census Bureau, Subject Definitions

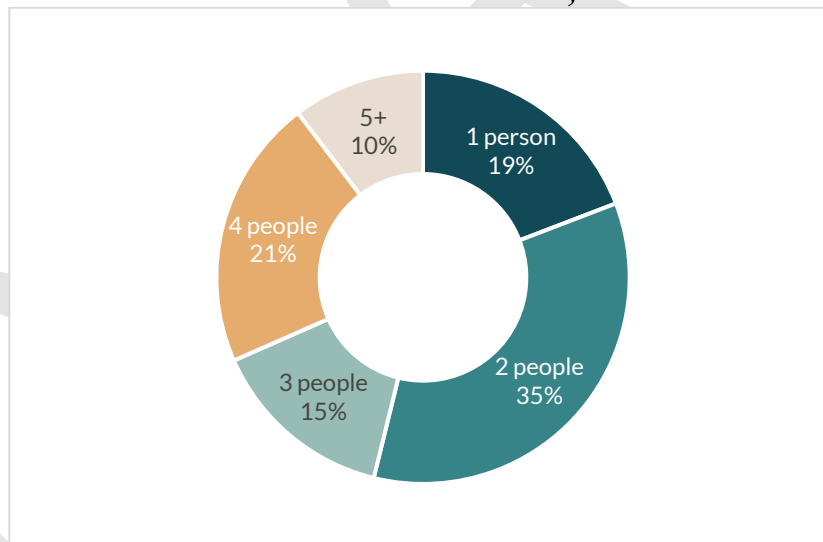
## MEDWAY HOUSEHOLD COMPOSITION, 2019<sup>7</sup>



Of Medway's family households, 3,016 (83 percent) are married couple family households. About 37 percent of all households have children aged 18 and younger living in the household.

The average household size in Medway was 2.78 persons per household (pph) in 2019, a 2 percent decrease from 2010. This is a larger number than Norfolk County (2.57 pph) and Massachusetts (2.52 pph). Ownership households were on average larger than rental households in Medway (2.88 pph versus 1.96 pph).

## MEDWAY HOUSEHOLD SIZE, 2019<sup>8</sup>



**Over half of Medway households (54 percent) are estimated to be single or two-person households. Smaller households are more likely to live in alternatives to owner-occupied single-family houses because they are more economically attainable and often smaller.**

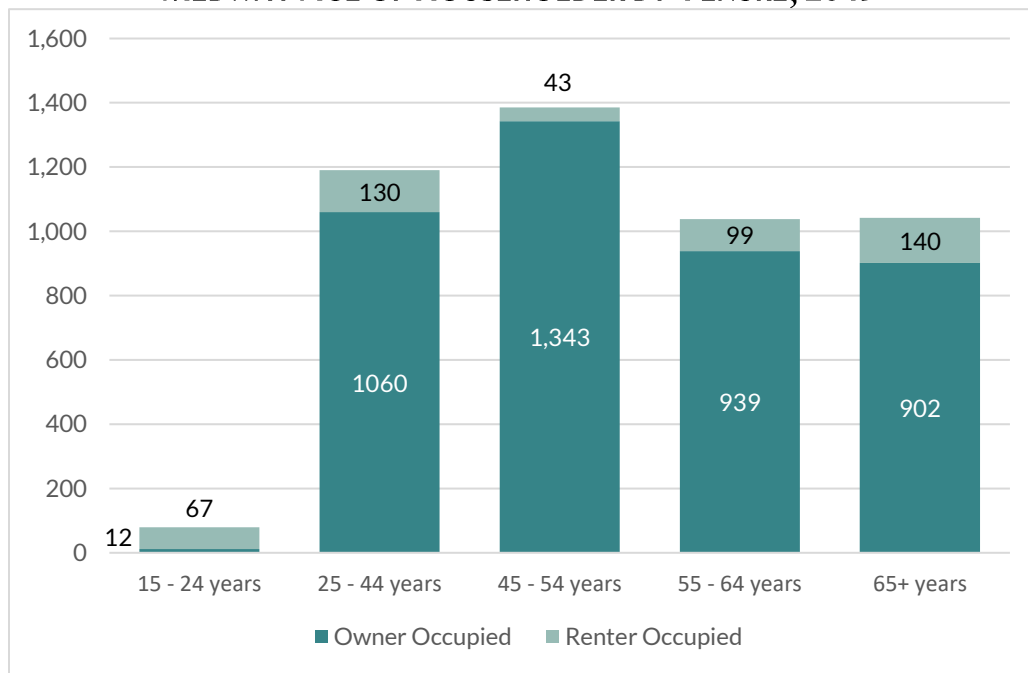
<sup>7</sup> 2015-2019 ACS Table A10009 and A10025

<sup>8</sup> 2015-2019 ACS Table A10024

## Age of Householder

Renter householders in Medway tend to be younger than owner householders, although 29 percent of renter householders are over age 65, indicating a trend of older adults seeking rental housing in the town.

**MEDWAY AGE OF HOUSEHOLDER BY TENURE, 2019<sup>9</sup>**

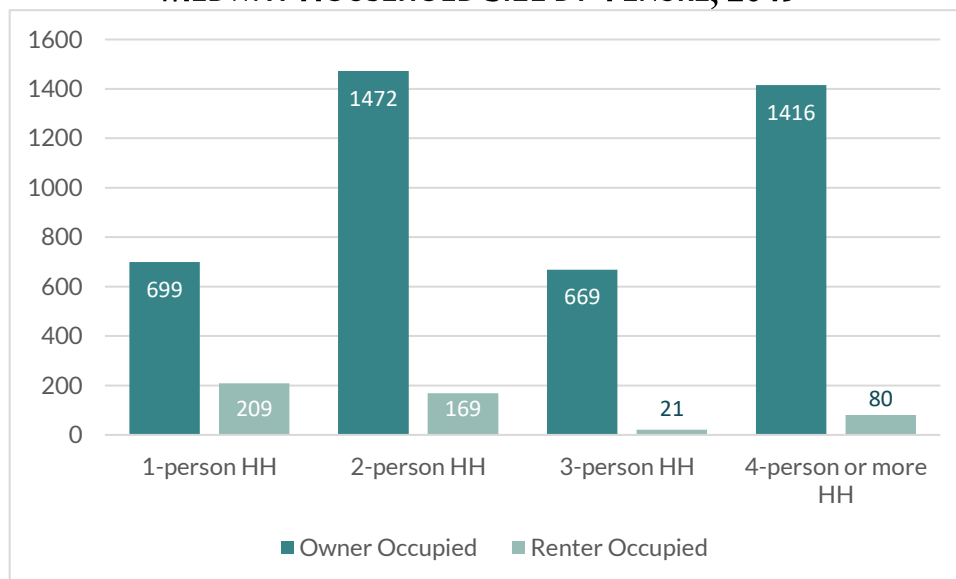


About 41 percent of renter householders are under age 45, compared to 25 percent of owner householders. Renter households also tend to be smaller. About 44 percent of renter households are one-person households, while only 16 percent of owner-occupied households are one-person households.

About 32 percent of owner householders are aged 45 to 54, compared with just 9 percent of renter householders. About 33 percent of owner-occupied households have four or more occupants, while 17 percent of renter households have four or more residents.

<sup>9</sup> 2015-2019 ACS Table B25007

**MEDWAY HOUSEHOLD SIZE BY TENURE, 2019<sup>10</sup>**



***Multifamily housing, especially rental options and smaller units, can provide more economically attainable housing and is often a preferred housing choice for smaller households.***

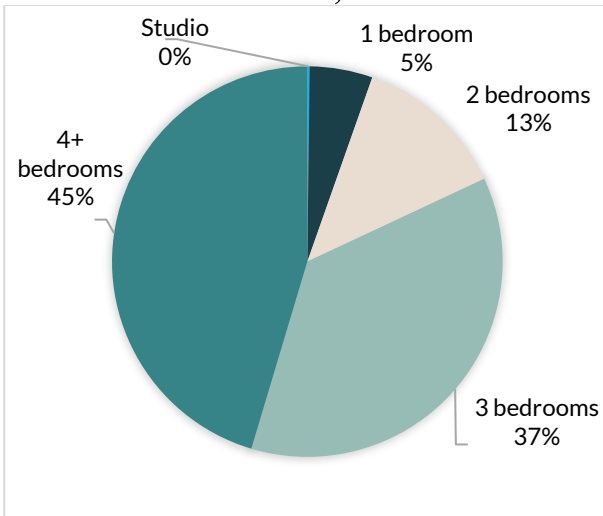
### Housing Stock by Number of Bedrooms

Only about 5 percent of housing units in Medway are built as one-bedroom units, and it is estimated that in 2019 there were just nine studio sized apartments in the town. About half of the housing stock (49 percent) is made up of two- or three-bedroom units, and 45 percent of the housing stock is made up of four or more-bedroom units. This proportion is higher than the percentage of units with four or more people, which was about 32 percent in 2019. Along with that mismatch, about 60 percent of households have two or less people in them, while only 18 percent of units have two or fewer bedrooms.

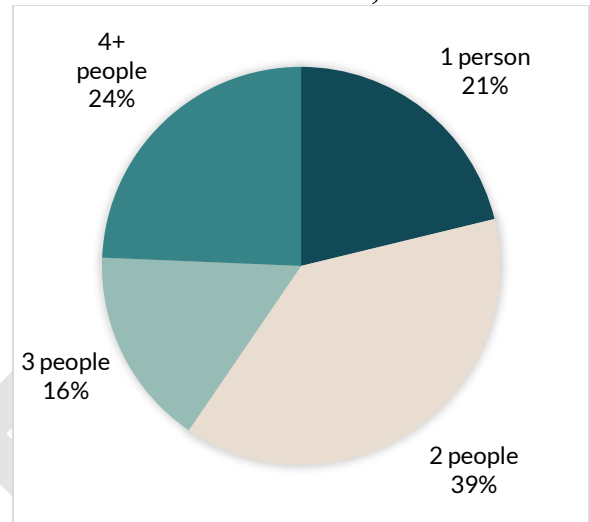
***There is a mismatch between household composition/size and unit size, exhibiting a need for more smaller housing options including one-bedroom and studio options.***

<sup>10</sup> ACS 2015-2019 Table B25009

**MEDWAY HOUSING UNITS BY NUMBER OF BEDROOMS, 2019<sup>11</sup>**



**MEDWAY HOUSING UNITS BY HOUSEHOLD SIZE, 2019<sup>12</sup>**



## RACE & ETHNICITY

The racial composition of Medway has diversified in the last two decades, following the trends of the county and the state. In 2000, over 97 percent of Medway's population identified as White Alone. In 2019, that number was close to 91 percent. The populations identifying as Black or African American Alone and Asian Alone increased in this period, from 0.6 percent to 2.8 percent and from 1 percent to 2.4 percent, respectively. Lastly, the population identifying as either some other race or two or more races increased from 0.9 percent to 4 percent. While these statistics show that Medway is increasing in diversity, it is still much less diverse than the region, state, and nation.

***Medway is less diverse than both Norfolk County and Massachusetts as a whole.***

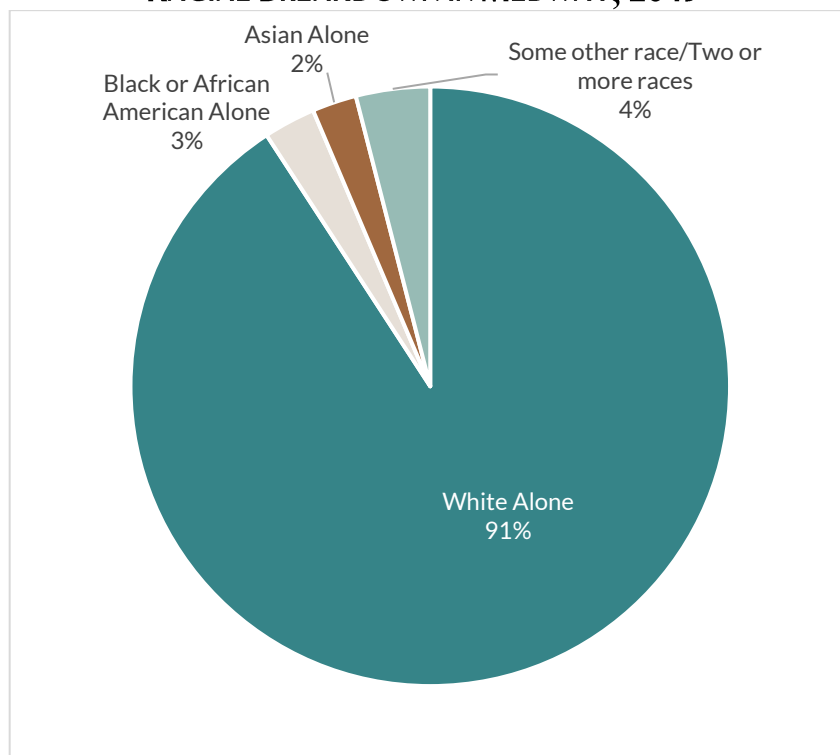
In 2019, Norfolk County and Massachusetts both had about 77 percent of their populations identifying as White Alone, compared to 91 percent in Medway. The county and the state have both seen an increase in their proportions of racial minorities from 2000 to 2019.

<sup>11</sup> ACS 2015-2019 Table B25041

<sup>12</sup> ACS 2015-2019 Table A10024



## RACIAL BREAKDOWN IN MEDWAY, 2019<sup>13</sup>



In 2019, about 97 percent of the population identified as Not Hispanic or Latino, with 3 percent identifying as Hispanic or Latino. This proportion has increased from 1 percent in 2000, with the population of people identifying as Hispanic or Latino tripling in that period (from 108 in 2000 to an estimated 340 in 2019).

### Foreign-Born Population

In 2019, 7 percent of Medway's population (909 people) were foreign-born. This is an increase from about 5 percent (589 people) in 2000. Of this population, the largest number was from a European country (312 people, 34 percent). About 23 percent (212 people) were from an Asian country, and 17 percent (157 people) were from an African country. About 14 percent were from a Latin American country, which includes all South America, the Caribbean, and Central America. Lastly, 11 percent were born in Canada.

About 93 percent of Medway's population speaks English as their primary language. Of those with English as a second language, French, Spanish, Arabic, Asian languages including Korean and Chinese, and Slavic languages including Russian and Polish were all listed as primary languages spoken at home.

### DISABILITY

The U.S. Census Bureau defines a disability as a long-lasting physical, mental, or emotional condition. Residents with one or more disabilities can face housing challenges if there is a shortage of housing in a community that is affordable, physically accessible, and/or provides the supportive services that people with disabilities may need. According to the 2015-2019 ACS, 9 percent of Medway's civilian, non-institutionalized population report having one or more. This includes 8 percent of children under 18 years, 6 percent of adults aged 18 to 64, and 22 percent of residents 65 and older.

Medway's disability rate of 6 percent among its younger adult population (18-64 years of age) is lower than the rates for younger adult population in Norfolk County (7 percent) and Massachusetts (9 percent). The 22

<sup>13</sup> 2015-2019 ACS, Table A03001

percent rate of disability for the older adult population in Medway is also lower than in the County and the state. However, the 8 percent rate of disability for children under 18 is significantly higher than the rates for the County and the state (3 percent and 4 percent, respectively).

#### POPULATION BY DISABILITY STATUS<sup>14</sup>

	Medway		Norfolk County		Massachusetts	
	#	%	#	%	#	%
Under 18 Years	3,270		146,701		1,350,618	
With a Disability	261	8%	4,717	3%	59,879	4%
18 to 64 Years	8,246		423,517		4,189,045	
With a Disability	533	6%	29,023	7%	375,993	9%
65 Years and Older	1,696		111,923		1,070,970	
With a Disability	379	22%	32,272	29%	340,368	32%
Total	13,212		682,141		6,610,633	
Total with Disability	1,173	9%	66,012	10%	776,240	12%

## EDUCATION

### Enrollment

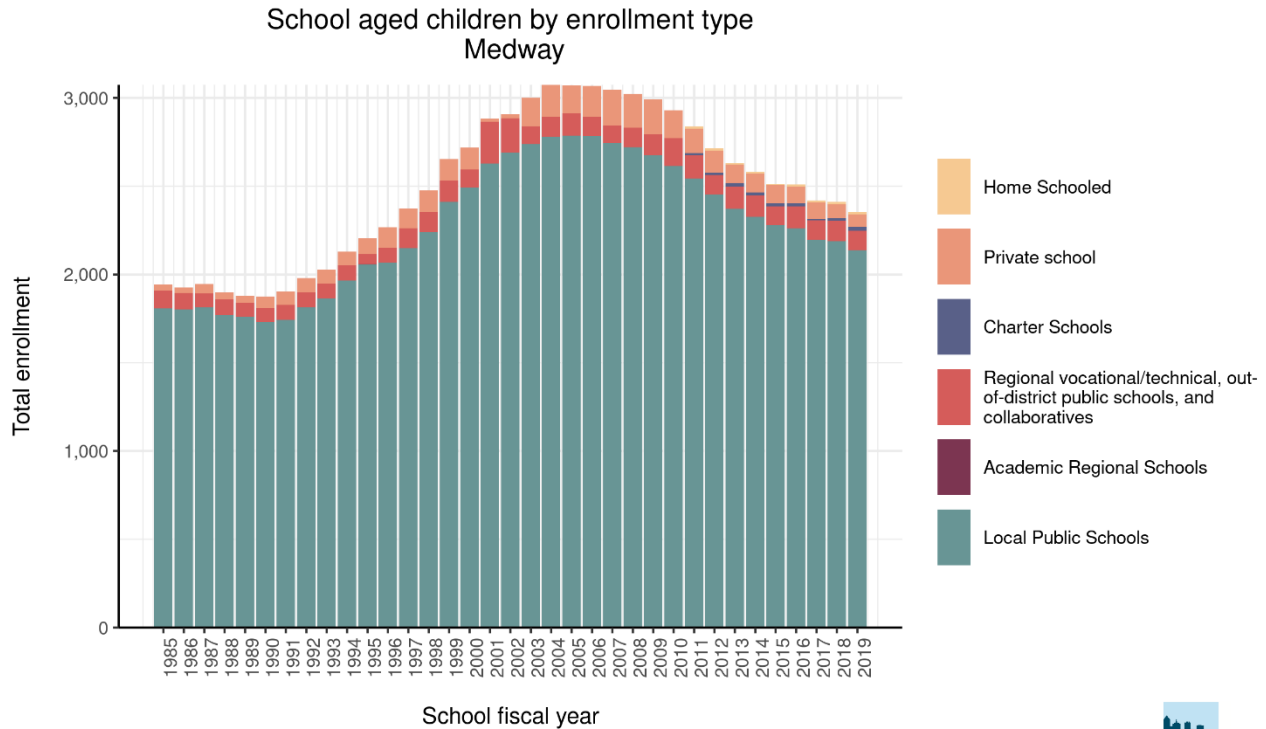
School enrollment hit its peak from in 2004, with 3,074 Medway students enrolled in schools. About 94 percent of these students (2,780 individuals) were enrolled in local public schools. In the period since 2004, school enrollment has been steadily declining. In 2019, 2,354 Medway students were enrolled in schools. Since 2010, the numbers of school-aged children enrolled in charter schools has gone from zero to 22, while private school enrollment has decreased from 158 students to 71 students.

***School enrollment in Medway has steadily declined over the last decade.***

While the percentage of school-aged children attending public schools has been high in Medway, indicating good local public schools, it dropped from more than 99 percent in 2001 to about 93 percent in 2009. Since then, the proportion has been increasing each year, to over 96 percent enrolled in public schools in 2019.

<sup>14</sup> 2015-2019 ACS, Table C18130





Medway has four schools in the public school district: John D. McGovern Elementary for Pre-K through 1<sup>st</sup> grade, Burke/Memorial Elementary for 2<sup>nd</sup> grade through 4<sup>th</sup> grade, Medway Middle School for 5<sup>th</sup> grade through 8<sup>th</sup> grade, and Medway High School for 9<sup>th</sup> grade through 12<sup>th</sup> grade. While enrollment for Medway Middle School and Medway High School was higher than the two elementary schools in the 2020-2021 school year, each grade has a similar number of students enrolled (between 140 and 180 students).

#### 2020-2021 SCHOOL ENROLLMENT BY GRADE<sup>15</sup>

	PK	K	1	2	3	4	5	6	7	8	9	10	11	12	Total
John D. McGovern Elementary	27	143	152	0	0	0	0	0	0	0	0	0	0	0	322
Burke/Memorial Elementary School	0	0	0	146	148	149	0	0	0	0	0	0	0	0	443
Medway Middle School	0	0	0	0	0	0	167	161	178	172	0	0	0	0	678
Medway High School	0	0	0	0	0	0	0	0	0	0	143	160	176	152	631
<b>District Total:</b>	<b>27</b>	<b>143</b>	<b>152</b>	<b>146</b>	<b>148</b>	<b>149</b>	<b>167</b>	<b>161</b>	<b>178</b>	<b>172</b>	<b>143</b>	<b>160</b>	<b>176</b>	<b>152</b>	<b>2,074</b>

### Educational Attainment

According to the 2015-2019 ACS, 59 percent of Medway residents aged 25 or older have earned a bachelor's degree or higher educational attainment. This is higher than the County (54 percent) and the state (44 percent). Just 4 percent of Medway residents did not complete high school, compared to 6 percent in Norfolk County and 9 percent in Massachusetts.

<sup>15</sup> Massachusetts Department of Education

## EDUCATION ATTAINMENT FOR POPULATION 25 AND OLDER<sup>16</sup>

	Medway		Norfolk County		Massachusetts	
	#	%	#	%	#	%
Less than High School	385	4%	29,865	6%	441,944	9%
High School Degree	1,413	16%	94,652	19%	1,148,525	24%
Some College/Associate's Degree	1,884	21%	103,634	21%	1,102,149	23%
Bachelor's Degree or Higher	5,303	59%	263,277	54%	2,089,065	44%
Total	8,985		491,428		4,781,683	

## HOUSEHOLD INCOME

Medway's estimated median household income is \$132,823 per the 2019 ACS. Adjusting for inflation, this is not a significant difference from the calculated median household income in 2000 of \$132,611. In 2000 and 2019, the median household income was higher in Medway than the area median income as determined by HUD, which was \$113,306 in 2019.

The median family income in Medway was \$153,709 in 2019, compared to a non-family median income of \$58,478. For owner-occupied units, the median income was \$141,786, and for renter-occupied households the median income was \$46,354.

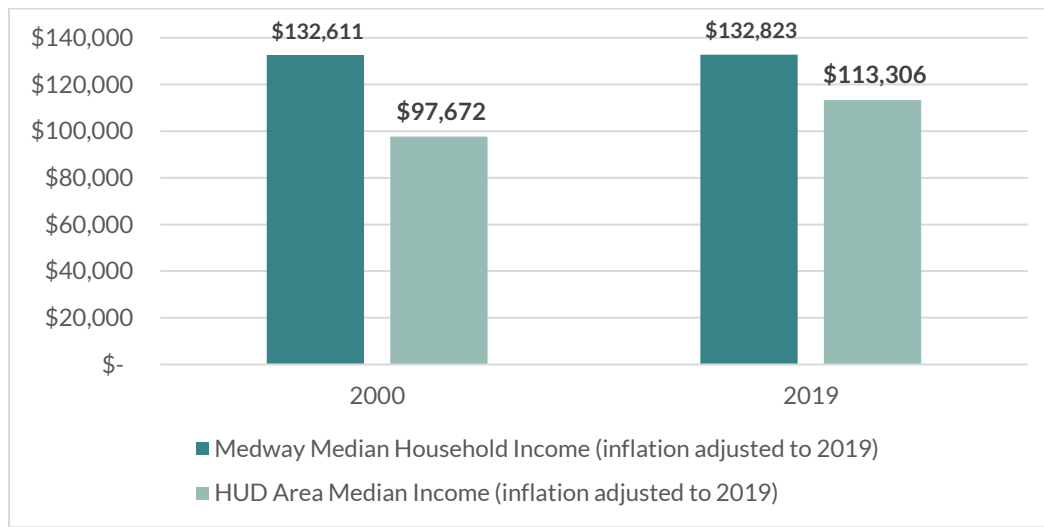
***An estimated 26 percent of households in Medway were cost burdened, per the 2017 ACS data.***

A household is considered cost burdened if they spend more than 30 percent of their income each month on housing costs, like rent or mortgage payments and utilities. A household is considered severely cost burdened if they spend more than 50 percent of their monthly income on housing costs. About 450 households in Medway (10 percent) are severely cost burdened, according to 2017 estimates.

The Massachusetts Department of Education reports that 11 percent of Medway students are economically disadvantaged, compared to 37 percent in the State.

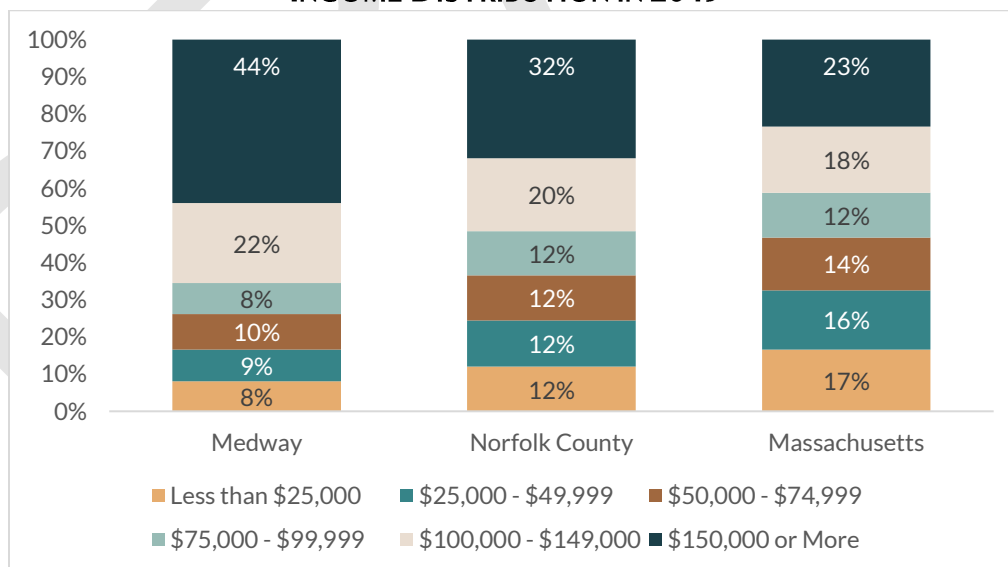
<sup>16</sup> 2015-2019 ACS, Table A12001

## MEDIAN HOUSEHOLD INCOME BY TOWN AND METROPOLITAN STATISTICAL AREA, 2000-2019 (INFLATION ADJUSTED TO 2019 DOLLARS)<sup>17</sup>



In comparison with Norfolk County and the state, Medway has a significantly higher proportion of residents earning \$100,000 or more (66 percent). In Norfolk County, 52 percent of residents make \$100,000 or more per year, and in Massachusetts 41 percent make more than \$100,000 per year. Likewise, Medway has a lower percentage of residents making under \$25,000 a year: 8 percent versus 12 percent in the county and 17 percent in the State.

### INCOME DISTRIBUTION IN 2019<sup>18</sup>



<sup>17</sup> HUDUSER Income Limits Database; 2019 ACS Table B19019; CPI Inflation Calculator, US Bureau of Labor Statistics

<sup>18</sup> 2015-2019 ACS Table A14001

## SUMMARY

Medway is increasing its diversity at a much lower rate than the surrounding region, with a slight increase in the number of non-white and foreign-born residents. Diversifying the housing stock with an increase in rental units, multi-family dwellings, and smaller units is important to meet the needs of current residents of the community and to make the town more welcoming and inclusive to all.

Medway's population is also aging, indicating a need for an increase in smaller and more affordable units that would allow residents to downsize as their housing needs change. Another significant indication of the aging population is declining school enrollment. This desire for greater diversity will also require a commitment to transportation alternatives, access to open space, and communal areas for food production. All of this will also make the community healthier and more connected socially.

Housing size in Medway is mismatched with the average household size. The existing housing stock in Medway has many 3- and 4-bedroom homes, while household sizes on average are 2 or 3 people. Large homes, mostly single-family, do not always meet the needs of these smaller households, indicating a need for more 1- and 2-bedroom units in the town.

# CHAPTER 4: HOUSING CONDITIONS

The following section examines Medway's current housing supply and how it has changed over time. Understanding housing type, age, tenure, vacancy, and recent development will contribute to an understanding of current needs and demand in Medway and thereby help inform future housing production planning.

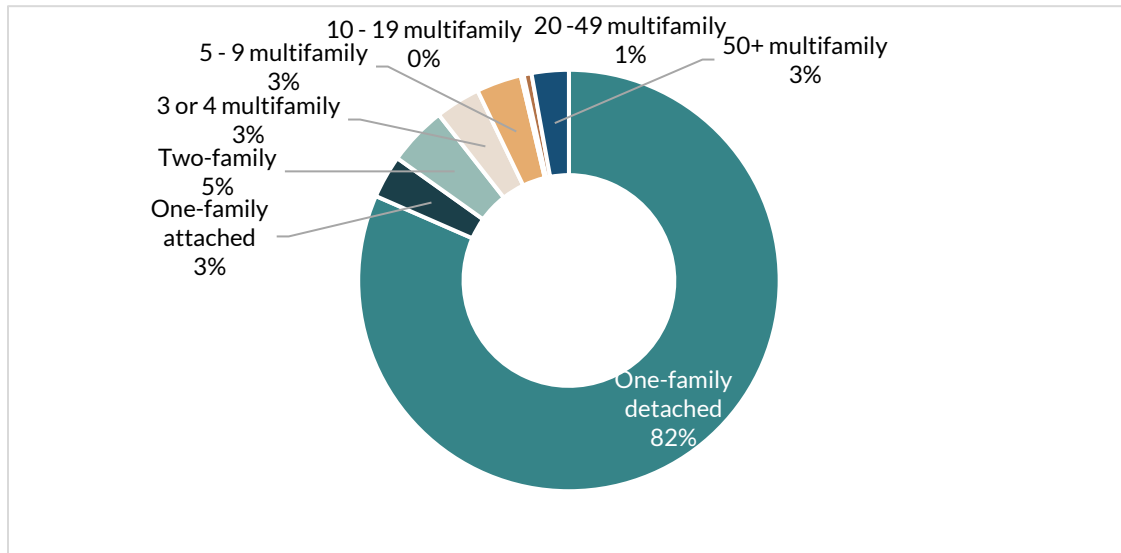
## KEY FINDINGS

- Most housing units in Medway are detached single-family houses (82 percent), indicating a housing stock in need of more diverse options to better serve the changing demographics of the community.
- In Medway, most units are owner-occupied. Just 10 percent of units are occupied by renters. This is a much smaller proportion than in Norfolk County (31 percent) and the state (38 percent).
- Medway's affordable housing stock makes up more than 10 percent of the town's total housing (529 units). This number is subject to change with the results of the 2020 Census. In the past ten years, the percentage of affordable units in Medway has slightly decreased due to a faster rise in market-rate housing than affordable housing. This demonstrates the importance of the affordable units in the development pipeline to keep up with a growing population.
- Approximately 29 percent of Medway households are cost-burdened (spending more than 30 percent of their income on housing), according to 2018 ACS estimates. Of extremely low-income households in Medway (395), 84 percent are housing cost burdened. Of very low-income households in Medway (340), 74 percent are housing cost burdened. In total there are 1,350 households in Medway that are housing cost burdened, yet there are only 529 affordable units listed in the SHI. This indicates a need for more affordable units for lower income households.
- There are 200 extremely low income households and 125 very low income households that are severely cost burdened. This indicates a need for housing that is affordable for households making below 50 and 30 percent AMI.

## TYPE & AGE

Eighty-five percent of Medway's occupied housing units are single-family homes. Multifamily housing refers to residential structures containing two or more units. Of this housing type, buildings with more than 10 units are most prevalent, but they still only comprise 4 percent of the total housing stock. Two of the largest multi-family developments that include primarily affordable units are Mahan Circle and 33-39 Main Street.

### MEDWAY HOUSING UNITS BY TYPE<sup>19</sup>



Per the 2015-2019 ACS, most housing units in Medway are single-family detached houses (82 percent). Out of 4,946 units in 2019, 567 were two- to nine-family units, and 182 were in buildings with ten or more units. Most of the surrounding towns have lower proportions of single-family detached dwellings, although this housing type still makes up the majority in each abutting town.

**Two- or more family dwellings make up a quarter or more of housing units in Franklin, Millis, and Milford, indicating a more diverse housing stock than in Medway.**

### HOUSING STOCK IN SURROUNDING TOWNS<sup>20</sup>

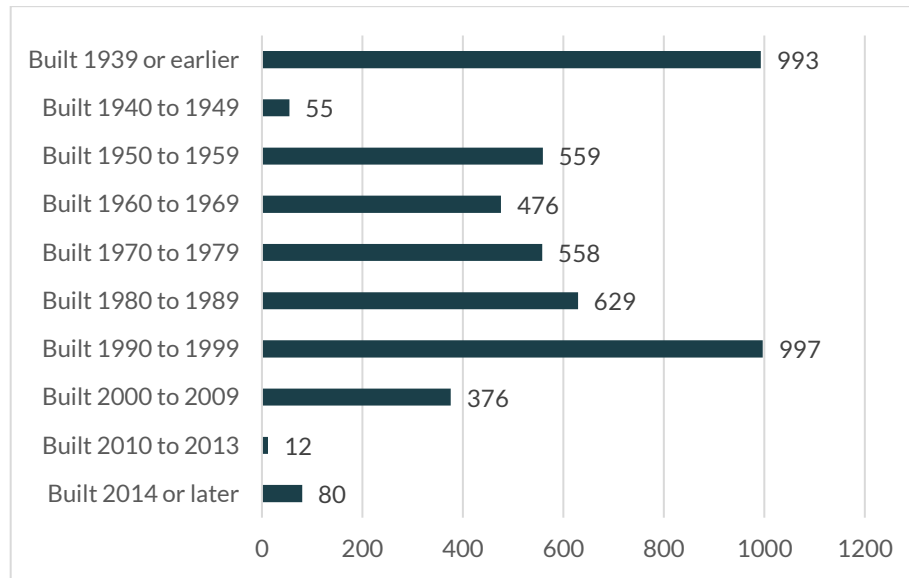
	Medway		Holliston		Bellingham		Franklin		Millis		Milford	
Single-Family Detached	4,034	82%	4,502	84%	5,245	76%	8,118	67%	2,280	68%	6,501	56%
Single-Family Attached	163	3%	211	4%	489	7%	1,200	10%	253	8%	1,412	12%
2-9 Family	567	9%	364	7%	801	12%	1,464	12%	389	12%	2,498	22%
10-Family or More	182	4%	299	6%	405	6%	1,410	12%	422	13%	1,138	10%
Total	4,946		5,376		6,940		12,192		3,344		11,549	

About 56 percent of Medway's housing units were built prior to 1980. Older structures may lack heating and energy efficiencies and may not be code compliant, which adds to the monthly utility and maintenance costs. Older units built before 1978 may also have lead paint, which is not safe for children, but can be costly to mediate. These additional costs have an impact on the affordability of older units for both owners and renters. The decade between 1990 and 1999 saw the largest amount of housing units built in Medway. Only about 10 percent of units were constructed between 2000 and 2019.

<sup>19</sup> 2019 American Community Survey Table B25024

<sup>20</sup> 2015-2019 ACS Table B25024

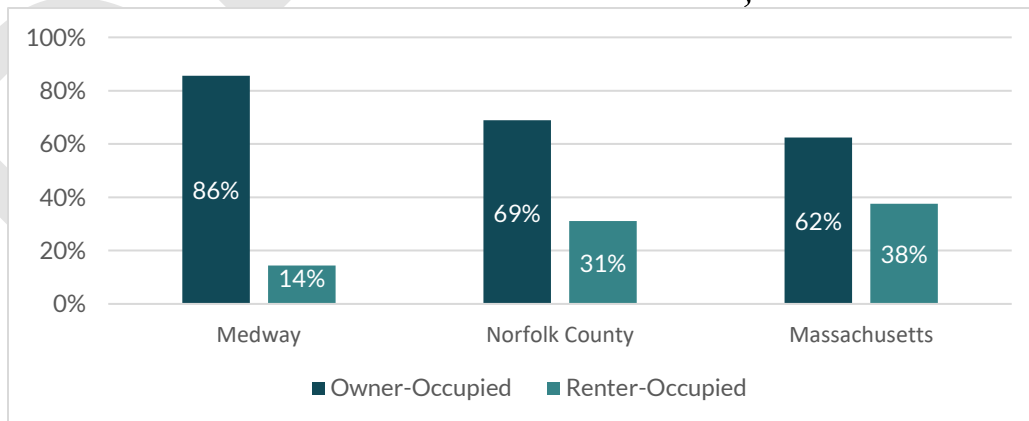
### AGE OF HOUSING UNITS IN MEDWAY<sup>21</sup>



### TENURE

About 90 percent of housing in Medway is estimated to be owner-occupied, compared to 69 percent in Norfolk County and 62 percent in the state. The proportion of owner-occupied units in Medway increased by 6 percentage points between 2010 and 2019 from 84 percent of total housing stock to 90 percent, while the proportion of renter-occupied units decreased by 6 percentage points in the same period. As of 2021, Medway has seen further rental development that will add to these numbers and more units in the pipeline, raising the percent of renter-occupied units and demonstrating the Town's desire to meet the needs of rental households. The data on the following pages accounts for an estimation of the number of units in the new developments listed in the Recent & Future Development section of this chapter.

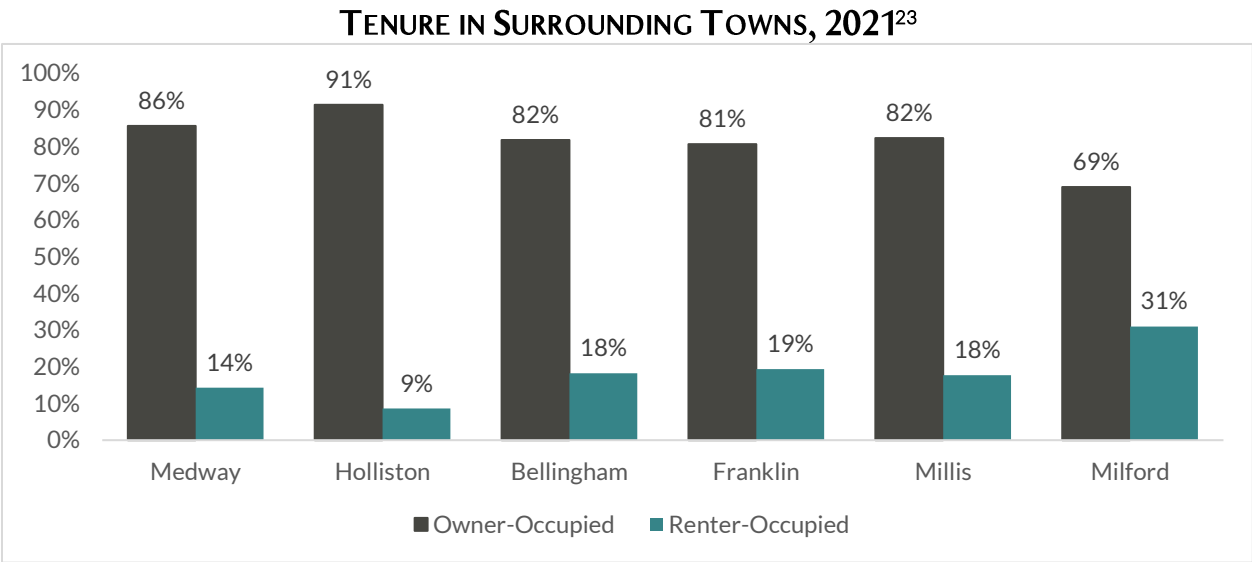
### OCCUPIED HOUSING UNITS BY TENURE, 2021<sup>22</sup>



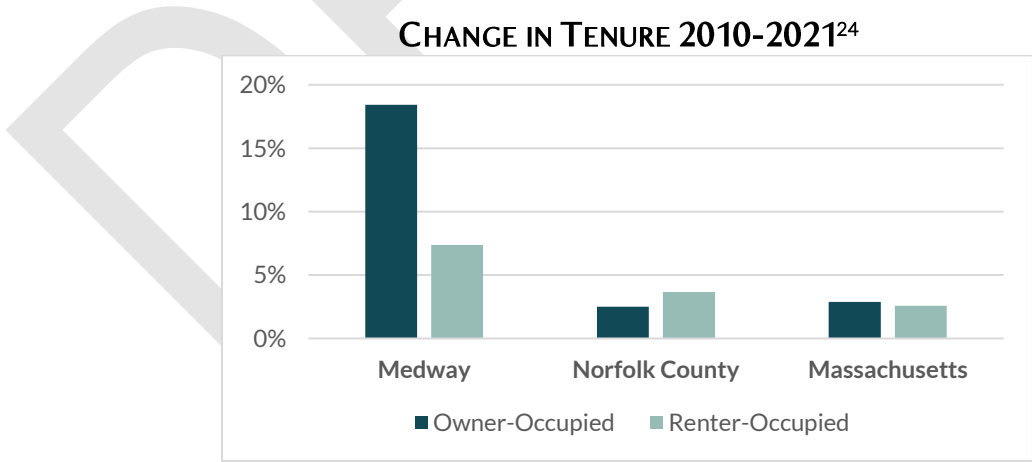
<sup>21</sup> 2015-2019 ACS Table A10055

<sup>22</sup> 2015-2019 ACS Table A10060 and Medway estimations from Approved Developments in Current Pipeline, November 2021

Medway has a lower proportion of renters than most abutting towns, aside from Holliston. Out of the five abutting towns, Milford has the highest percentage of renters (31 percent), with over 3,400 of the town's estimated 11,046 units occupied by renters.



*Medway's relatively small rental stock of only 14 percent of total units combined with a decline of 6 percentage points in the proportion of renter-occupied units from 2010 to 2019 contrasts with regional and state-wide trends, despite the growth in number of rental units expected with development in the current pipeline. The county has about 31 percent rental stock and the state has about 38 percent rental stock. However, Medway, the county, and state are all experiencing a growth in renter-occupied and owner-occupied units.*

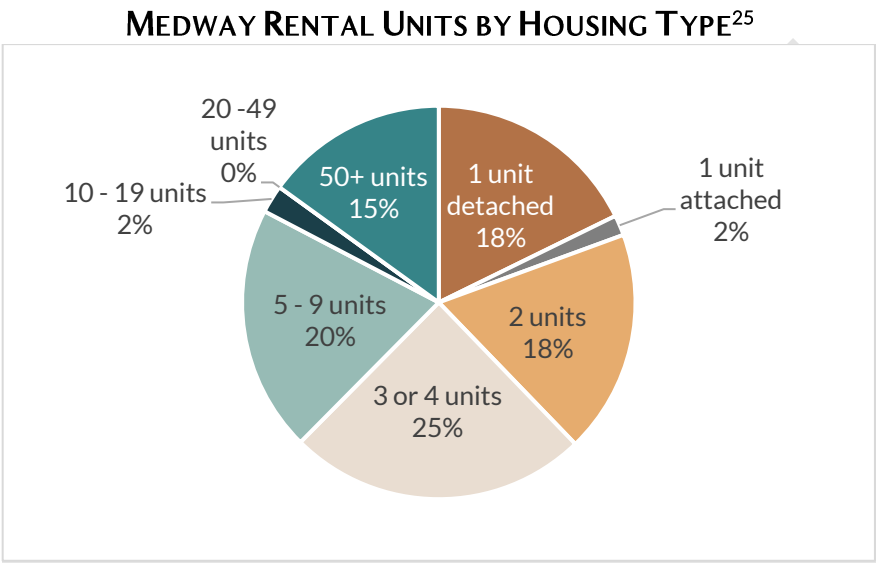


<sup>23</sup> 2015-2019 ACS Table A10060 and Medway estimations from Approved Developments in Current Pipeline, November 2021

<sup>24</sup> 2015-2019 ACS Table A10060; US Census Table T69, and Medway estimations from Approved Developments in Current Pipeline, November 2021



Most of the 479 currently occupied rental units in Medway are in two- to nine-unit multi-family buildings (63 percent). However, 93 units (20 percent) are single-family, either attached or detached. About 15 percent of rental units are in buildings with 50 or more units. The map on the following page shows the spread of residential land use throughout the town.

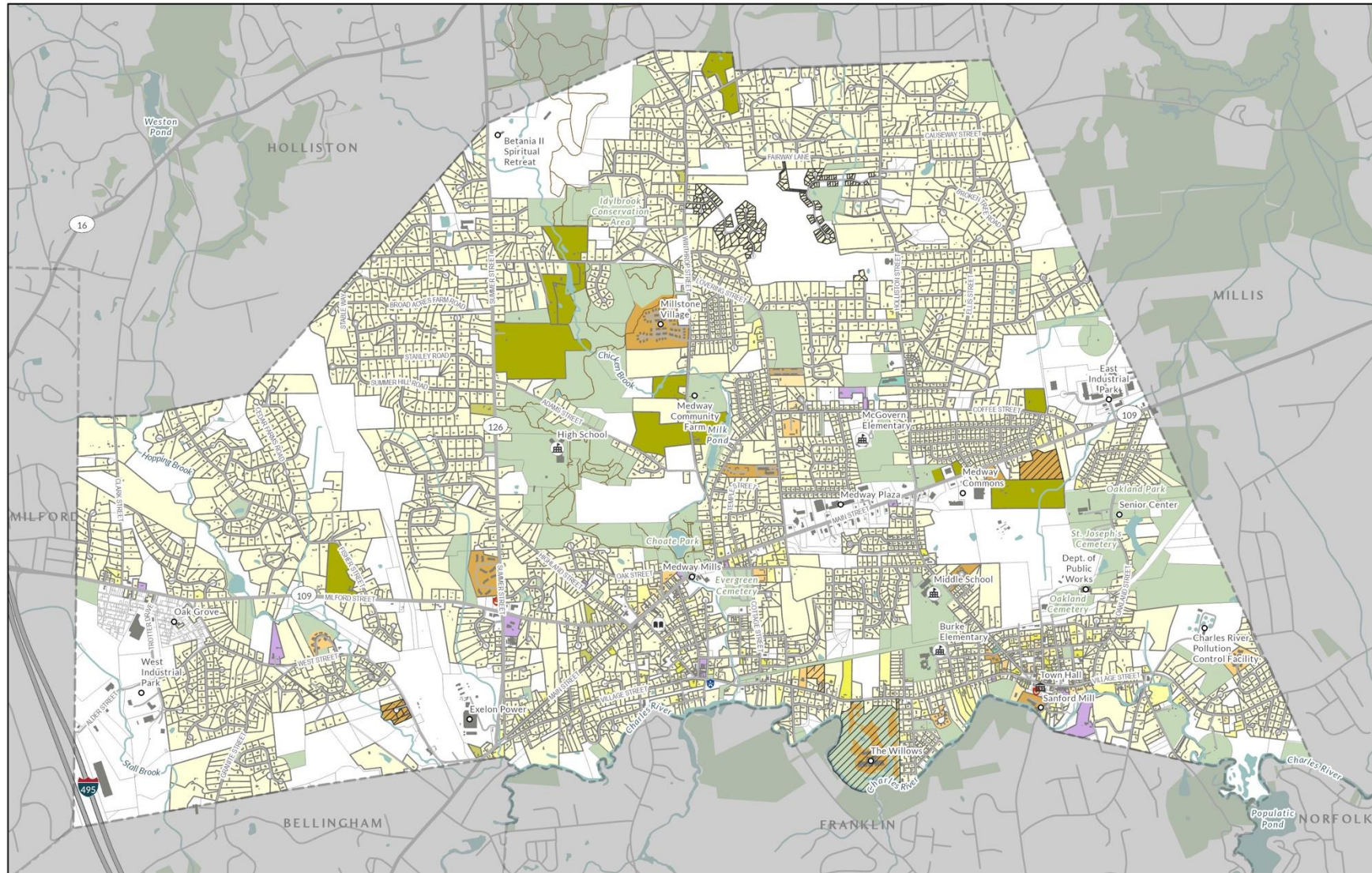


<sup>25</sup> 2015-2019 ACS Table B25024

# TOWN OF MEDWAY - RESIDENTIAL LAND USE

Prepared by JM Goldson LLC

J M GOLDSON



- |                |                 |                               |                               |                                     |
|----------------|-----------------|-------------------------------|-------------------------------|-------------------------------------|
| Town Hall      | Parcels         | Single Family Residential     | Residential/Agricultural      | Multifamily with 10 to 20 units     |
| Fire station   | Buildings       | Two-Family Residential        | Group Quarters                | Multifamily with more than 20 units |
| Police station | Water bodies    | Three-Family Residential      | Mixed-Use                     | Permitted / Under Construction      |
| School         | Open space      | Multiple Houses on one parcel | Multifamily with 4 to 9 units |                                     |
| Library        | Existing trails |                               |                               |                                     |



Sources: Town of Medway, MassGIS

## HOUSING MARKET

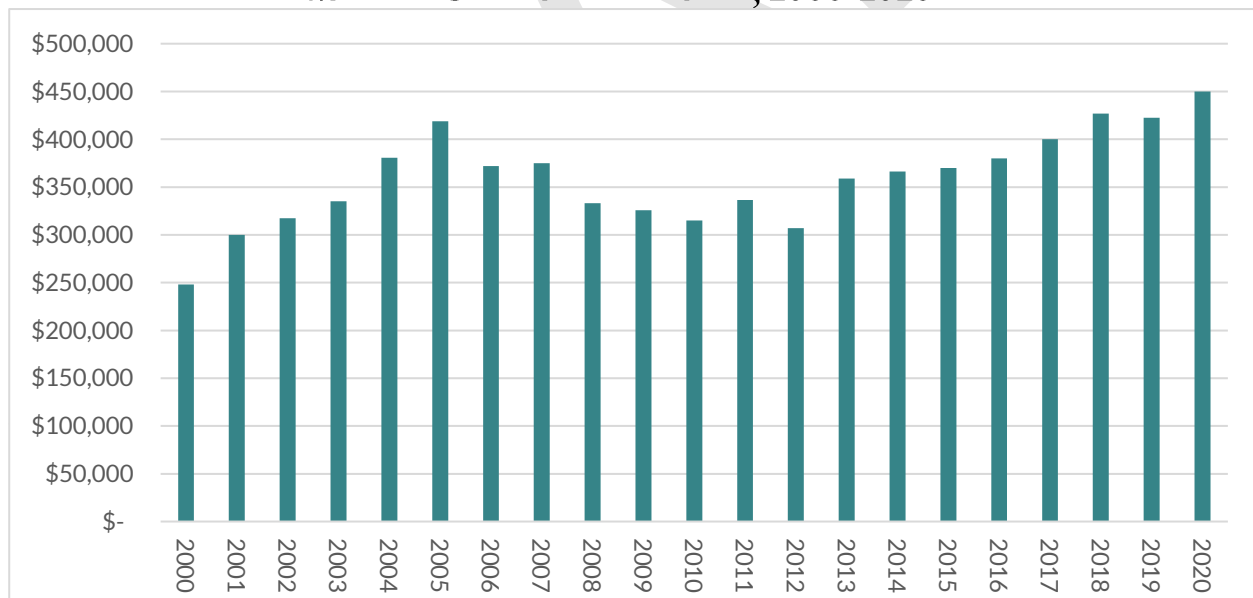
Housing costs within a community reflect numerous factors, including demand and supply. If the former exceeds the latter, then prices and rents tend to rise. Depending on the income levels of the population, these factors can significantly reduce affordability for both existing residents and those seeking to move in.

In Medway, the median family income rose 9 percent (adjusted for inflation) from \$141,612 in 2000 to \$153,708 in 2019. In the same period, the median sales price for a home in Medway increased by 14 percent (as adjusted for inflation).<sup>26</sup> The median sales price for a home (single-family or condominium) was \$422,500 in 2019. However, mortgage interest rates play a significant role in home affordability as well. Interest rates for 30-year mortgages have decreased over the last 20 years, creating better monthly affordability levels for homebuyers. As of May 27, 2021, the mortgage rate for a 30-year mortgage was 2.95 percent, whereas in May of 2000 the mortgage rate was 8.6%.<sup>27</sup>

### Ownership Housing Costs

The median sales price for a home in Medway mostly decreased from 2005 through 2012. However, since 2012 the median sales price has mostly increased to the 2020 median sales price of \$450,000. At this sales price, a household would need about \$105,000 to afford the purchase, assuming a 20 percent down payment, the current tax rate, and the current interest rate.<sup>28</sup>

**MEDWAY SALES PRICE BY YEAR, 2000-2020<sup>29</sup>**



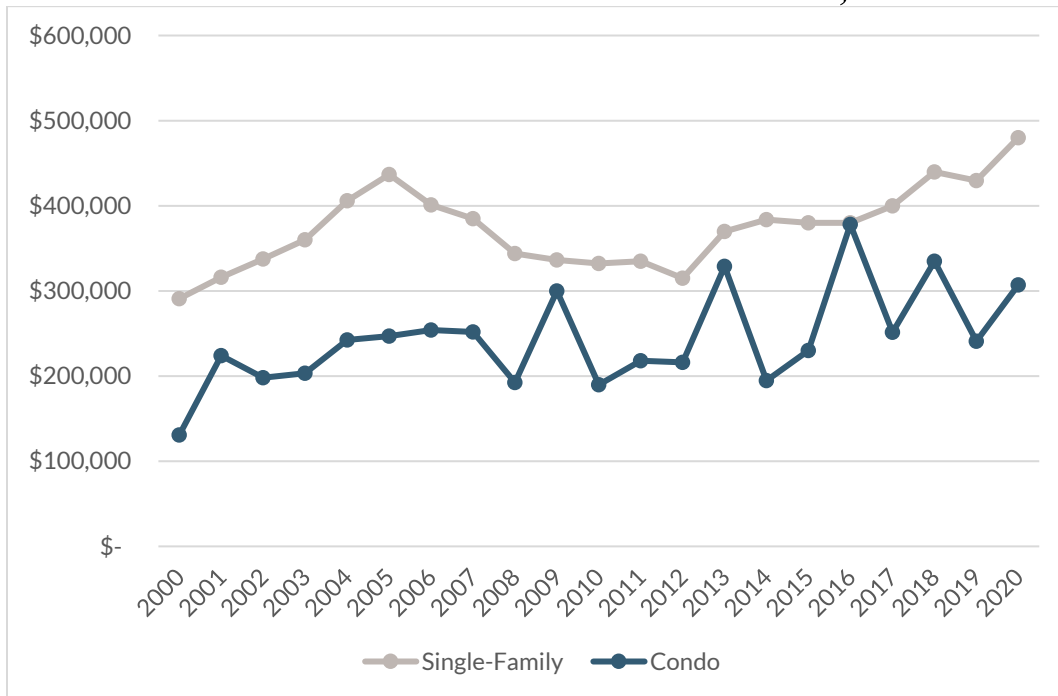
<sup>26</sup> The Warren Group Town Stats, Accessed April 2021

<sup>27</sup> Freddie Mac, Accessed May 28, 2021

<sup>28</sup> DHCD standard affordability formula

<sup>29</sup> The Warren Group Town Stats, accessed April 2021

### MEDIAN SINGLE-FAMILY AND CONDO PRICES IN MEDWAY, 2000-2020<sup>30</sup>



Though median sale prices for single-family homes have remained on an upward trend, condo sale prices have experienced significantly more fluctuation. Condo prices have mostly remained lower than single-family prices during this period, although have been comparable in some years, including 2009, 2013, and 2016.

### Rental Housing Costs

The median gross rent for a rental unit in 2019 was estimated to be \$1,188 according to the ACS. For a one-bedroom unit the median gross rent was \$876 per month, while two- and three-bedroom units were higher, at \$1,379 and \$1,473, respectively. Several important notes about this Census data are that the figures are several years behind the search above, the data is self-reported, and the figures are often lower than actual market rents.

The estimated median income in Medway in 2019 was \$132,823. A household making 80 percent of the median income (\$106,258) would be able to afford monthly housing costs of \$2,656. However, the median income for renter households in Medway was \$46,354 in 2019. A household making this amount would be able to afford housing costs of \$1,159 per month. These calculations assume that a household paying more than 30 percent of their income on housing costs (rent or mortgage and property tax costs plus utilities) is cost-burdened.

**Medway has a small rental housing stock. A snapshot search on three primary rental listing sites (Craigslist, Apartments.com, and Zillow) in May 2021, showed six total rental options.**

Three of the rental options were two-bedroom apartments, one was a three-bedroom apartment, and two were one-bedroom apartments. Monthly rent prices ranged from \$1,100 to \$1,650. A secondary search

<sup>30</sup> The Warren Group Town Stats



conducted in August 2021 showed fewer options; Apartments.com showed that the only unit available was a one-bedroom listed at \$1,995 per month. While this search is neither scientific nor comprehensive, it demonstrates the relative lack of rental options in the town.

## RECENT & FUTURE DEVELOPMENT

### Development Pipeline

Medway has 10 developments in the pipeline to create additional affordable housing to be recorded in the SHI<sup>31</sup>:

#### Chapter 40B Comprehensive Permits Issued:

1. Timber Crest: 136 single-family homes, 25 percent affordable
2. Glen Brook: 48 multi-family units, 44 age-restricted multi-family units, 100 percent affordable (rental apartments)
3. 39 Main Street: 190 multi-family units, 25 percent affordable (rental apartments)

#### Multi-family housing:

1. William Wallace Village: 12 condo units
2. 20 Broad Street: Six condo units
3. Evergreen Village: Six condo units
4. Harmony Village: Six condo units
5. Medway Greens: Eight condo units
6. 143 Village Street: Three condo units

#### Potential Pipeline Projects:

1. The Settlement: 26 multi-family units with six affordable units (rental apartments)

## HOUSING AFFORDABILITY

### HOUSEHOLDS ELIGIBLE FOR HOUSING ASSISTANCE

One measure of affordable housing needs is the number of households that may be eligible for housing assistance based on estimated household income. Federal and state programs use Area Median Income (AMI), along with household size, to identify these households. The table below shows U.S. Department of Housing and Urban Development (HUD) income limits for extremely low (below 30 percent of AMI), very-low (30-50 percent of AMI), and low-income (50-80 percent of AMI) households by household size for the Boston-Cambridge-Quincy Metro Fair Market Rent (FMR) Area, which includes Medway<sup>32</sup>. Households with income at or below 80 percent AMI may qualify for housing assistance, depending on the subsidy program and household assets.

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<sup>31</sup> It is assumed that all single family homes and condo units will be owner-occupied.

<sup>32</sup> The Boston-Cambridge-Quincy Metro FMR Area includes 112 cities and towns spread throughout parts of Essex, Middlesex, Norfolk, Plymouth, and Suffolk counties in Massachusetts.

**Table 9: FY 2020 Affordable Housing Income Limits**  
**Boston-Cambridge-Quincy, MA-NH HUD Metro FMR Area**

Household Size	Extremely	Very	
	Low Income (30% AMI)	Low Income (50% AMI)	Low Income (80% AMI)
1 Person	\$26,850	\$44,800	\$67,400
2 Person	\$30,700	\$51,200	\$77,000
3 Person	\$34,550	\$57,600	\$86,650
4 Person	\$38,350	\$63,950	\$96,250
5 Person	\$41,450	\$69,100	\$103,950
6 Person	\$44,500	\$74,200	\$111,650
7 Person	\$47,600	\$79,300	\$119,350
8 Person	\$50,650	\$84,450	\$127,050

Source: HUD

*Data from HUD's Comprehensive Housing Affordability Strategy (CHAS) reports that 1,065 households in Medway (23%) are extremely low-income, very low-income, or low-income, earning less than 80 percent of the Area Median Income. This makes up almost a quarter of Medway households, many of which may qualify for affordable housing programs based on income.*

## CURRENT M.G.L. CHAPTER 40B SUBSIDIZED HOUSING INVENTORY

Under M.G.L. Chapter 40B, affordable housing units are defined as housing that is developed or operated by a public or private entity and reserved by deed restriction for income-eligible households earning at or below 80 percent of the AMI. In addition, all marketing and placement efforts follow Affirmative Fair Housing Marketing guidelines per the Massachusetts Department of Housing and Community Development (DHCD). These units are also deed restricted units.

Housing that meets these requirements, if approved by DHCD, is added to the subsidized housing inventory (SHI). Chapter 40B allows developers of low/moderate-income housing to obtain a comprehensive permit from the Medway Zoning Board of Appeals to override local zoning and other restrictions if less than 10 percent of a community's housing is included on the SHI.

A municipality's SHI fluctuates with new development of both affordable and market-rate housing. The percentage is determined by dividing the number of affordable units by the total number of year-round housing units according to the most recent decennial Census. As the denominator increases, or if affordable units are lost, more affordable units must be produced to reach, maintain, or exceed the 10 percent threshold.

The Subsidized Housing Inventory shows that Medway had 529 subsidized units as of December 2020, making up 11.5 percent of its total housing stock.<sup>33</sup> Most of these units are rental units (458 units). According to the Community and Economic Development Board, Medway's affordable housing stock has increased to

<sup>33</sup> Note: map of SHI properties does not include housing units added since November 2019.

566 units. This number accounts for all of Glen Brook, 39 Main Street, and Timber Crest, which are all developments currently under construction.

According to the SHI, the projects at Mahan Circle (70 units), Lovering Heights (60 units), Glen Brook Way (48 units), and 33-39 Main Street (190 units) make up the bulk of the rental units. Most ownership units are located within Timber Crest (37 units) and Woodside Condominiums (14 units). Most of these affordable units, as seen on the map on the next page, are in the central and eastern areas of the town. There are few options in some of the denser areas of town including Medway Village or in West Medway, aside from the new Glen Brook Way development.

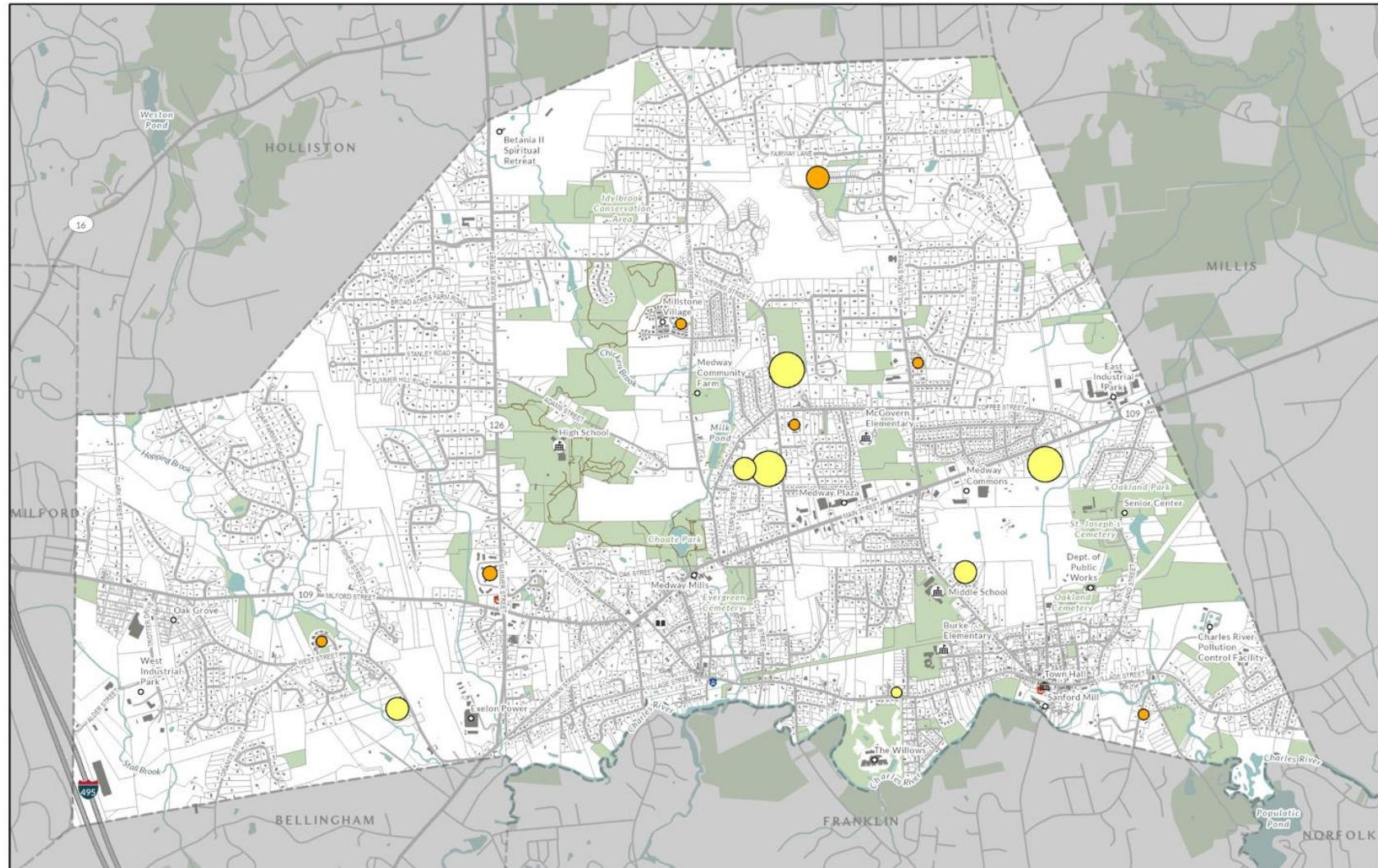
The total number of units in Medway, which is used as the denominator when calculating Medway's SHI percentage, will change following the 2020 census. When the denominator changes, the percentage of housing units on the SHI will drop unless more units are added. While DHCD's official determination of compliance with the 10 percent minimum is pending, the 2020 Decennial Census figures, released recently, indicate that Medway will remain above the minimum 10 percent threshold. The 2020 count of total housing units reported by the Census Bureau is 4,826 and 121 vacant units.

It is important to note that due to state eligibility policies under M.G.L. 40B, the actual number of affordable units in any community is likely lower than the inventory indicates. In ownership developments that have an affordable component, only the affordable ownership units are included on the SHI. However, in rental developments, 100 percent of the units (regardless of the cost of rent) are counted if a minimum of 20 percent of units are affordable to households at 50 percent or below AMI, or 25 percent of units are affordable to households at 80 percent or below AMI.

# TOWN OF MEDWAY - AFFORDABLE HOUSING

Prepared by JM Goldson LLC

J M GOLDSON



- |                |                 |                                     |                     |
|----------------|-----------------|-------------------------------------|---------------------|
| Town Hall      | Parcels         | <b>Subsidized Housing Inventory</b> | <b>Rental Units</b> |
| Fire station   | Buildings       | <b>Ownership Units</b>              | 10 or fewer         |
| Police station | Water bodies    | 10 or fewer                         | 11 - 20             |
| School         | Open space      | 11 - 20                             | 21 - 50             |
| Library        | Existing trails | 21 - 50                             | 50 or more          |

*Note: there are 20 additional SHI-listed rental units in DDS and DMH group homes that are not shown due to confidential locations.*



Sources: Town of Medway, MassGIS, DHCD



# HOUSING COST BURDEN

One method to determine whether housing is affordable to a community’s population is to evaluate households’ ability to pay their housing costs based on their reported gross household income. HUD considers households who spend more than 30 percent of their gross income on housing to be ‘housing cost burdened’, and those that spend more than 50 percent to be severely housing cost burdened. Landlords and banks enforce these standards and will generally not sign a lease or qualify someone for a mortgage if they will be paying more than 30 percent of gross income towards housing costs.

**About 84 percent, of extremely low-income households (households making less than 30 percent of the Area Median Income) are cost-burdened in Medway. This represents 330 households.**

A household that is cost-burdened spends more than 30 percent of their income on housing costs each month. About 60 percent of very low-income (between 30 percent and 50 percent AMI) and 47 percent of moderately low-income (between 30 percent and 80 percent AMI) households are cost burdened. Extremely low-income households have a higher proportion of severe cost burden than other income levels. A total of 1,200 households (26 percent) were estimated to be cost-burdened in Medway in 2019.

There are 200 extremely low-income households and 125 very low income households that are severely cost burdened. This indicates a greater need for housing that is affordable for households making below 50 and 30 percent AMI. Medway does not have as much of a need for housing that is affordable to those making above 50 percent AMI.

COST BURDEN BY HOUSEHOLD INCOME IN MEDWAY<sup>34</sup>



<sup>34</sup> 2014-2018 Comprehensive Housing Affordability Strategy (CHAS), via huduser.gov

## SUMMARY

### RENTAL HOUSING

Rental units make up only about ten percent of Medway's total housing stock, not including the estimated 264 rental units included in the Recent & Future Development section of this chapter. Rental housing is often a more accessible option for young people, older adults, and people with lower incomes. This encourages a diversity of people and ideas in the community and may add some life to Medway during daytime hours when much of the existing population is out of town working. A lack of rental housing availability means that these groups may not be able to easily live in Medway. Rental housing is also a good option for single adults or other small households, as units are often smaller than the single-family homes that make up most of Medway's housing stock. New rental units could be designed to reflect a commitment to energy conservation and sustainability, be encouraged within or near Medway's existing villages and development nodes, and in upper stories when possible. Good transportation connections, access to nearby open space, and sustainable site design are also factors that could be prioritized.

### AFFORDABILITY

Medway has exceeded the state's mandated 10 percent affordable housing requirement, but there are still opportunities and needs to increase affordability in the town. There are an estimated 1,200 cost-burdened households in Medway who pay more of their income than they should on housing costs. Of those 1,200 households, 475 are either very low income or extremely low income, which emphasizes the need for more housing that is affordable to those making 50 and 30 percent AMI. Renter households earn significantly less per year than owner households, making rental affordability an even greater challenge.

# CHAPTER 5: DEVELOPMENT CONSTRAINTS

There are many factors that influence the feasibility of housing production, from physical limitations to regulations that shape development and land use. This chapter reviews environmental constraints, infrastructure constraints, and regulatory barriers and provides a summary of how these factors limit the type and location of housing development in Medway.

## KEY FINDINGS

### ENVIRONMENTAL CONSTRAINTS

- Much of the Chicken Brook corridor in Medway is held as public conservation land and includes a mix of meadows and upland habitat.
- Important habitat areas are present in many of Medway's wetlands, including vernal pools that are scattered across town and are protected by the local Wetlands Protection Bylaw
- Medway is periodically impacted by localized flooding, as well as drought conditions, which affect the entire municipality and necessitate outdoor watering bans during summer months
- Medway has over 800 historic homes, reflecting the extensive history of the town. Along the town's 25 scenic roads, approval is required to remove or modify stone walls and trees in the right-of way.

### INFRASTRUCTURE CAPACITY

- Recent large residential developments are adding to the strain on the Town's potable water and wastewater infrastructure, and there will be a need to increase the capacity of both systems in the future.
- Projections show Medway may be nearing its wastewater capacity based on the reserved capacity for structures that have elected to not connect to the system but could. In addition, the Town has projected an additional wastewater flow of 165,000 gallons per day through the year 2035 based on known development that is or may be forthcoming. To meet these future demands, the Town needs additional capacity at the CRPCD and is looking to possibly purchase unused capacity from Franklin.
- Medway's student enrollment has declined by 20% over the last ten years and is projected to continue to decline by another 9% through the year 2030.
- There is a lack of connected sidewalks in Medway. In certain circumstances, it may be hard to connect sidewalks due to narrow roads, historic settlement patterns, and existing trees and root systems.

### REGULATORY BARRIERS

- Medway's residential zoning mostly allows for only single-family homes, which make up the bulk of housing in the town.
- New and amended zoning regulations adopted over the past several years have provided more options for multifamily and mixed-use development, particularly in the Multifamily Overlay District and the Central Business District.
- The Affordable Housing bylaw requires residential developments with more than 10 single family units or 6 units of any other type to include anywhere from 10 to 20 percent affordable units, depending on the total number of units in the project, and can loosen some restrictions on dimensional requirements.
- Form-based code in the Oak Grove Urban Renewal Area will also allow a mix of land uses including housing development.
- The Town of Medway encourages infill and adaptive reuse of existing buildings through other local bylaws, though the infill bylaw has not been used since its adoption in 2009.

# ENVIRONMENTAL CONSTRAINTS

## LANDSCAPE CHARACTER

Medway is a suburban community located about 25 miles from Boston along the upper reaches of the Charles River. Over years of development from a farming community to a more residential one, much of the undeveloped land has been converted from forests and wetlands to private homes and businesses. Several farms continue to operate, primarily for pasture, livestock, and horseback riding.

***The town's undeveloped upland open spaces are a mosaic of farmland, forests, and utility corridors that radiate out from the Exelon Power facility in West Medway.***

Many of the Town's wetland areas have remained intact, particularly along the Chicken Brook and Hopping Brook, which are both tributaries to the Charles River. Development areas are more concentrated along the Rt. 109 corridor from Rabbit Hill to the East Industrial Park located on the Millis border. Other small commercial areas are present at the intersection of Rt. 109 and Rt. 126 and along Village Street in Medway Village.

## GEOLOGY AND TOPOGRAPHY

The terrain of Medway, like much of southern New England, was shaped by the glaciers that covered the region approximately 20,000 years ago, followed by the stream networks and erosion processes that shaped the topography since that time. Flatter areas and gently rolling hills transition to steeper slopes in northeastern Medway, and along the Charles River near Medway Village. The Town's geology consists primarily of granite bedrock, which is overlaid by a mix of soil types, primarily well-drained fine sandy loams which are suitable for agriculture, forests, and open fields. There are also areas with sandy loam, loamy sand, and silt loam. Septic systems are less suitable in soil types such as Hinckley (due to high permeability) and poorly drained rocky soils mixed with clay in parts of West Medway, particularly along Hopping Brook.<sup>35</sup>

## WATERSHED

Medway is located in the upper section of the Charles River watershed. The Charles River, which defines much of the Town's southern border, is fed by two main tributaries in Medway: Chicken Brook and Hopping Brook. The Army Corps of Engineers has acquired some land along Hopping Brook to help preserve the function of riparian areas that help mitigate flooding and maintain water quality. The Charles River Watershed Association is also active in supporting watershed conservation and monitoring efforts in the region. Much of the Chicken Brook corridor in Medway is held as public conservation land and includes a mix of meadows and upland habitat. In addition to wetland areas along these stream channels, portions of the Great Black Swamp extend into Medway along the border with Millis.

***Much of the Chicken Brook corridor in Medway is held as public conservation land and includes a mix of meadows and upland habitat.***

---

<sup>35</sup> Town of Medway. Open Space and Recreation Plan 2018-2025.

## SURFACE WATER BODIES

### Rivers and Streams

The Town of Medway recognizes the importance of maintaining the health and natural function of the Charles River and its tributaries. Local representatives have collaborated in the past with neighboring communities through the Charles River Meadowlands Initiative, which promotes environmental awareness and recreation opportunities in protected areas along waterways in and around Medway. Hopping Brook and Stall Brook flow through West Medway, an area which still maintains some forest cover in addition to larger scale industrial facilities and low-density residential development.

### Water Bodies

Medway also has several small ponds scattered throughout the community. Two of the larger water bodies, Choate Pond and Milk Pond are located on Chicken Brook. Non-point source pollution and higher water temperatures have resulted in degraded water quality, particularly in Choate Pond where public swimming is no longer allowed. Fish, waterfowl, and amphibians are also present in the ponds.<sup>36</sup>

## WETLANDS AND VERNAL POOLS

Wetlands and floodplains are unique natural resources, providing flood storage and helping to filter pollution before it reaches underground water supplies. Wetlands also recharge ground water, which preserves present and potential water supplies, serve as plant and wildlife habitat, and produce nutrients for aquatic life. In Massachusetts, primary authority for implementation of wetland laws is given by the legislature to local municipalities through their Conservation Commissions.

Medway has several concentrated areas of wetlands, particularly along Hopping Brook and Chicken Brook, as well as the extensions of the Great Swamp along the town's northeastern border. The Massachusetts Department of Fish and Game (MassWildlife) also maintains a database of vernal pools, which are small, seasonally inundated areas that provide specialized habitat for certain types of wildlife. Medway has seventeen Certified Vernal Pools and an additional sixty-seven Potential Vernal Pools. The Town's Wetland Bylaw provides protection for both categories of vernal pools. Wetland areas identified by the Massachusetts Department of Environmental Protection, as well as the locations of the vernal pools described above, are shown in the following map.

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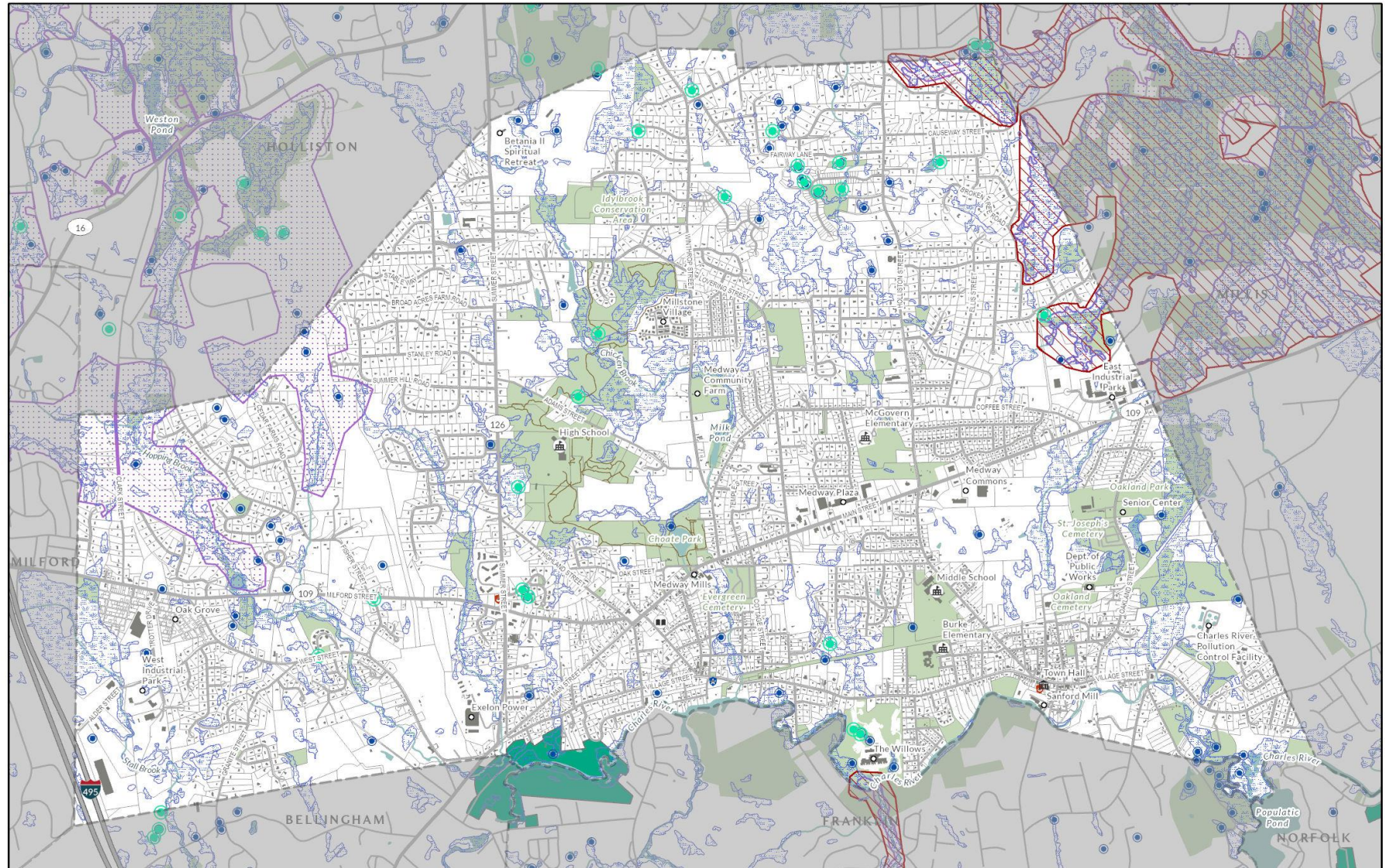
<sup>36</sup> Town of Medway. Open Space and Recreation Plan 2018-2025.



# TOWN OF MEDWAY - HABITAT AREAS

Prepared by JM Goldson LLC

J M GOLDSON



- |                |                 |                        |                                    |
|----------------|-----------------|------------------------|------------------------------------|
| Town Hall      | Parcels         | Certified Vernal Pools | BioMap2 Critical Natural Landscape |
| Fire station   | Buildings       | Potential Vernal Pools | BioMap2 Core Habitat               |
| Police station | Water bodies    | Wetlands               | Priority Habitats of Rare Species  |
| School         | Open space      |                        |                                    |
| Library        | Existing trails |                        |                                    |



Sources: Town of Medway, MassGIS, MassDEP



## RARE AND ENDANGERED SPECIES

The Natural Heritage and Endangered Species Program (NHESP) list includes one species of special concern in Medway, the wood turtle (*Glyptemys insulpta*). This designation indicates that the species is at risk of becoming threatened because its population has declined significantly, has a very limited distribution, or it has specialized habitat requirements.

Areas mapped as “Core Habitat” in the BioMap2 program provide habitat for the spotted turtle (*Clemmys guttata*) and four-toed salamander (*Hemidactylium scutatum*). There is also an area designated as Priority Habitat of Rare Species along the Charles River near the border of Bellingham and Franklin.

Detailed surveys or inventories have not been conducted for mammals, bird species, and insects in Medway; however, several species of fish have been observed, including sunfish, brook trout, chain pickerel, and yellow perch. None of the streams in Medway are designated as Coldwater Fisheries Resources.

The map on the previous page highlights the significant habitat areas described above, as well as BioMap2 Critical Natural Landscape (covering areas of the Great Swamp) and Core Habitat near Medway’s western border.

## FLOOD AND DROUGHT HAZARDS

Flood prone areas are delineated in a dataset compiled by the Federal Emergency Management Agency (FEMA). Areas most subject to flooding are mapped as Zones A and AE, which are also known colloquially as “100-year flood zones”. Flooding is observed less frequently in areas designated as Zone X, which is also referred to as the “500-year flood zone”. Medway has both types of areas subject to flooding, primarily along the Charles River and its tributaries, as well as areas feeding into the Great Swamp.

The Town has been working to address flooding issues and recently completed a Municipal Vulnerability Preparedness (MVP) Plan. Some key issues related to flooding were brought up during the Community Resilience Building (CRB) Workshop in 2019, including:

- Capacity of the stormwater system, which can be overwhelmed during heavy rainfall due to undersized pipes and culverts, resulting in flooding.
- Two significant hazard dams: Sanford Mill Pond Dam and Medway Choate Park Dam
- Roads in low-lying areas that are subject to flooding
- Access to culverts on private property, and beaver dams causing blockages

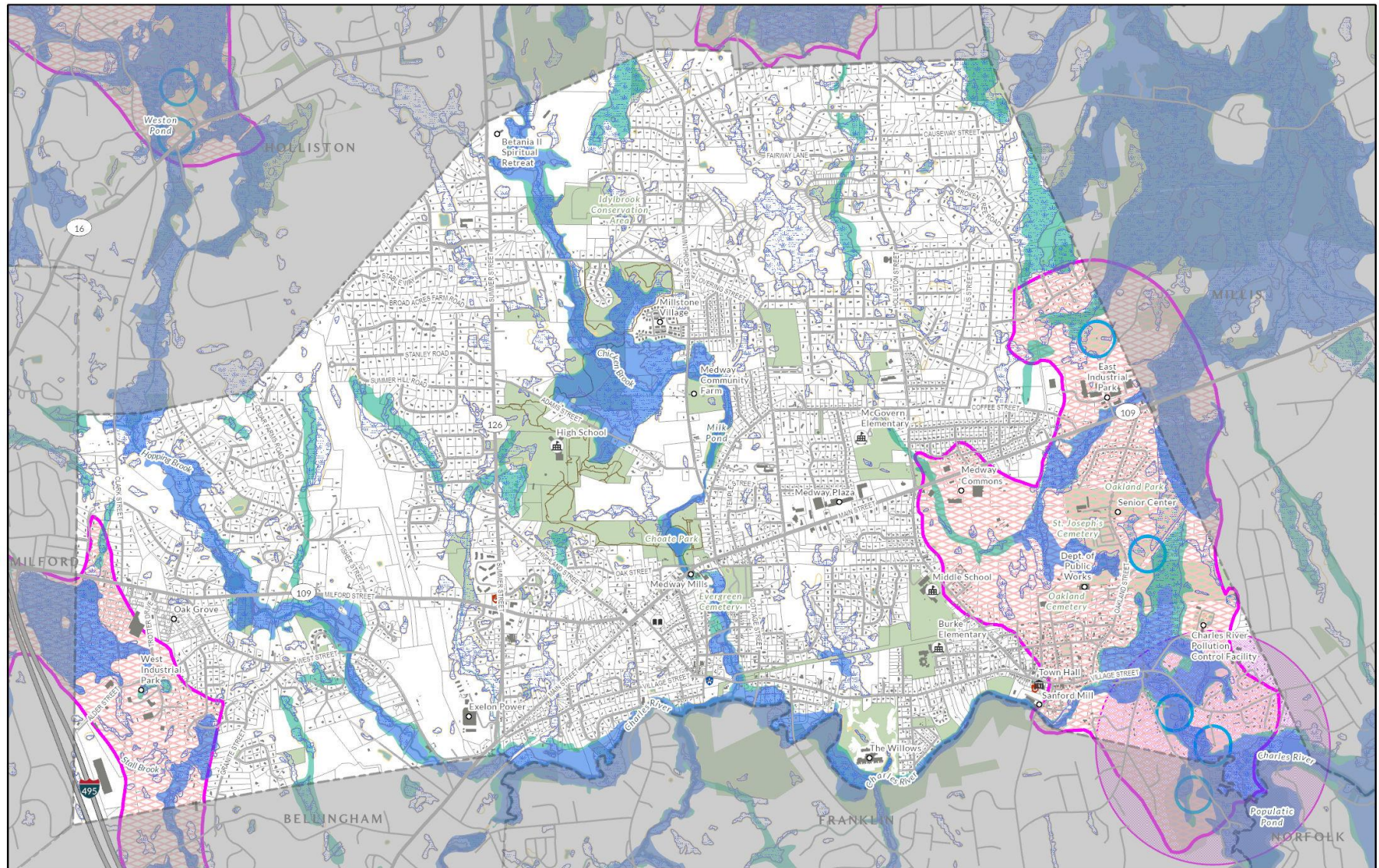
***Medway is also periodically impacted by drought conditions, which affect the entire municipality and necessitate outdoor watering bans during summer months to help mitigate the impact on the Town’s public water supply.***

Increasing impervious surface area associated with new development is another factor that both reduces recharge of the aquifers that supply water to residents and increases local flooding.

# TOWN OF MEDWAY - WATER RESOURCES

Prepared by JM Goldson LLC

J M GOLDSON



- |                |                 |                                |                                  |
|----------------|-----------------|--------------------------------|----------------------------------|
| Town Hall      | Parcels         | <b>Flood Zone Designations</b> | Wetlands                         |
| Fire station   | Buildings       | 100 yr. flood zone             | DEP Approved Zone I              |
| Police station | Water bodies    | 500 yr. flood zone             | DEP Approved Zone II             |
| School         | Open space      | Title 5 Setback Areas          | Interim Wellhead Protection Area |
| Library        | Existing trails |                                |                                  |

0 0.25 0.5 Miles



Sources: Town of Medway, MassGIS, MassDEP



## PROTECTED OPEN SPACE

Medway values its open spaces for the environmental, recreational, and scenic benefits they provide. The town has made the preservation of land and water resources a priority and currently has about 10.9 percent of land protected for open space, recreation, and farming. Since adopting the Community Preservation Act in 2001, CPA funds have been leveraged to acquire the land for the Medway Community Farm, construct trails and boardwalks in conservation areas, and study open space needs and acquisition opportunities.

There are over 800 acres of public protected open space, including conservation restrictions held by the Town and land held by the US Army Corps of Engineers. Approximately 45 acres of protected open space is within Medway's three cemeteries. Open space areas and conservation restrictions in Medway are acquired through different programs and managed by different entities, including the Conservation Commission, Board of Parks Commissioners, the Department of Public Works, and the Select Board.

## SCENIC AND HISTORIC RESOURCES

Many elements of Medway's post-colonial history are still standing and have been adapted to serve new functions, including housing at Sanford Mill and commercial and office space at Medway Mills. The Town has taken steps to protect historic structures and preserve scenic landscapes as reminders of its agrarian and industrial past.

### Scenic Landscapes and Roads

Certain roads maintain the semi-rural character that has long defined Medway, including scenic elements such as stone walls and mature trees. Twenty-five such roads have been designated as "Scenic Roads" in Medway, and any removal or alteration of stone walls and trees within the public right-of-way requires a work permit from the Community and Economic Development Board.

### Historic Resources

Medway has two National Register Historic Districts: Medway Village Historic District and Rabbit Hill Historic District. Evergreen Cemetery has also been submitted for National Register designation. A National Register District is one that is deemed important in American history, culture, architecture, or archaeology. A listing in the National Register recognizes significance, allows some owners in the district certain tax incentives for rehabilitation, and provides limited protection from adverse effects by federal or state projects, but it does not offer any protections regarding an owner's handling of their property.

***Medway has over 800 historic homes, reflecting the extensive history of the town.***

The Massachusetts Cultural Resource Information System (MACRIS) data maintained by the Massachusetts Historical Commission lists 538 historic resource records for Medway, of which 488 are buildings, 21 are multi-building areas, three are burial grounds, seven are "structures" such as bridges or railroad beds, and nine are "objects", most of which are historic monuments. Most of these resources date back to before 1900, although the most recent buildings were built in the 1950s and several of the monuments constructed in the later 1900s.

As mill buildings and industries were established in the area in the early 1800s, residential buildings were built on Main Street and Village Street.<sup>37</sup> In this period, central chimney cottages and wood-frame row houses were built in Medway Village, and some two-family worker houses were constructed along the

<sup>37</sup> Massachusetts Historical Commission (MHC) Reconnaissance Survey Town Report: Medway

Charles River, near mills. The mid-1800s had rapid population growth and an increase in residential construction of single-family homes of all sizes in Medway Village. About 90 percent of the buildings listed as historic resources by MHC are residential (438 buildings), and these historic buildings are spread throughout the town.

The map on the following page shows locations of historic sites, historic areas, and National Register Historic Districts in Medway. Most historic sites are clustered in the National Register Historic Districts, but the several historic areas shown on the map also contain significant numbers of historic sites; however, outside of these marked areas you can see that historic sites dot the map throughout the town. Some of these sites mark buildings that were constructed in the 1700s – these buildings are located within and outside of historic districts.



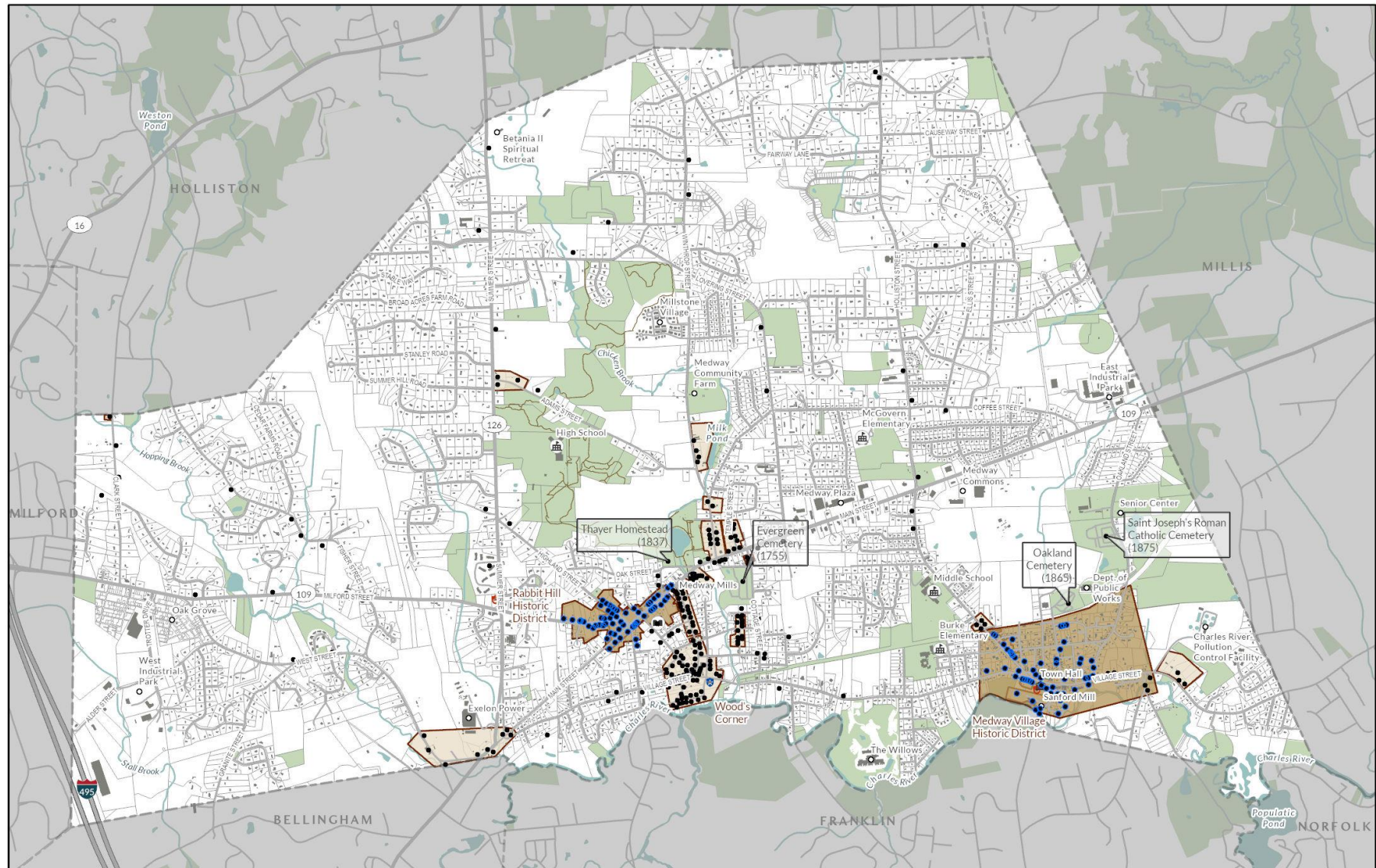
Sanford Mill. Source: Tim Rice Photo



# TOWN OF MEDWAY - HISTORIC RESOURCES

Prepared by JM Goldson LLC

J M GOLDSON



- |                |                 |                                 |
|----------------|-----------------|---------------------------------|
| Town Hall      | Parcels         | Historic Sites                  |
| Fire station   | Buildings       | National Register District Site |
| Police station | Water bodies    | National Register District      |
| School         | Open space      | Historic Area                   |
| Library        | Existing trails |                                 |



Sources: Town of Medway, MassGIS, MACRIS

# INFRASTRUCTURE CAPACITY

## WATER AND SEWER

### Water Supply

Medway's drinking water wells are supplied by "high and medium yield overburden aquifers" that are connected to the Charles River through groundwater flow that passes through sand and gravel deposits below the ground surface.

The growing population of Medway has resulted in a corresponding increase in demand for potable water; however, the Town has withdrawal limits established by the Massachusetts Department of Environmental Protection, associated with its Water Management Act (WMA) permit. The current limit is 0.94 million gallons per day (MGD) and is expected to increase to 1.00 MGD in 2024, which includes a buffer of 5 percent to account for uncertain growth projections and projected needs. New multifamily residential developments will continue to add to the strain on the local water supply.

***Recent large residential developments are adding to the strain on the Town's potable water and wastewater infrastructure, and there will be a need to increase the capacity of both systems in the future.***

The Town's five groundwater wells do not currently operate at full capacity, but a planned water treatment plant will enable the well output to safely increase. A satellite well was recently installed near the Populatic well, which has provided some redundancy and increased available yield. There has also been discussion of adding satellite wells at the Oakland Street and Village Street sites. If the Populatic Street well were taken offline for repairs or emergency, the water supply would be at risk. This may also pose challenges for accommodating future development that may draw on the Town's existing water supply.

Projected water demand scenarios developed as part of the Integrated Water Resource Management Plan suggest that the water supply may fail to meet average daily demand over the next 10-15 years. If any wells need to be taken offline temporarily, this will further reduce the available water supply. There have been some initial discussions with the Department of Environmental Protection about seeking an increase to permitted withdrawals to accommodate increasing demand.

In areas not served by the Town's water system, there are private drinking water wells (385 total) and irrigation wells (51 total), which are generally drawing from different groundwater sources than the Town wells, but still face some of the same risks as the municipal water system.

### Wastewater

While the Town is responsible for the entirety of the drinking water system, wastewater is transported to the treatment plant managed by the Charles River Pollution Control District (CRPCD). This is a separate multi-town entity serving Franklin, Medway, Millis, Bellingham, Dover, Holliston, Norfolk, Sharon, Sherborn, Weston, and Wrentham. Wastewater is collected from Medway and goes to the district treatment plant that happens to be in Medway. Both Franklin and Medway are co-owners of the plant, but service is extended beyond these two towns.



*Projections show Medway may be nearing its wastewater capacity based on the reserved capacity for structures that have elected to not connect to the system but could. In addition, the Town has projected an additional wastewater flow of 165,000 gallons per day through the year 2035 based on known development that is or may be forthcoming. To meet these future demands, the Town needs additional capacity at the CRPCD and is looking to possibly purchase unused capacity from Franklin.*

The two towns are in active discussions, but no resolution has been reached. Interviews with Medway DPW staff indicated there are some infiltration issues across the system which are currently being identified, inspected, and repaired. If infiltration issues are addressed, that could add some capacity to Medway's system.

Some capacity has been reserved for the future connection of homes in the Town's sewer service area (see map on following page), which would help address the issue of septic failures, but Medway is approaching the limit of its allocated capacity at the Charles River Pollution Control District treatment facility.

The status of the Town's drinking water and wastewater systems are constraining future growth, as well as the ability of properties around Medway currently on septic to benefit from any future wastewater extensions. The lack of redundancy of the drinking water system and heavy reliance on the Populatic Well creates risk if a well is taken out of service for maintenance or emergency repairs. The Integrated Water Resources Management Plan conducted for the Town provides a comprehensive set of recommendations for maintaining the current system, identifying, and repairing parts of the system contributing to lost water or wastewater infiltration, and seeking strategic expansions to address immediate capacity needs.



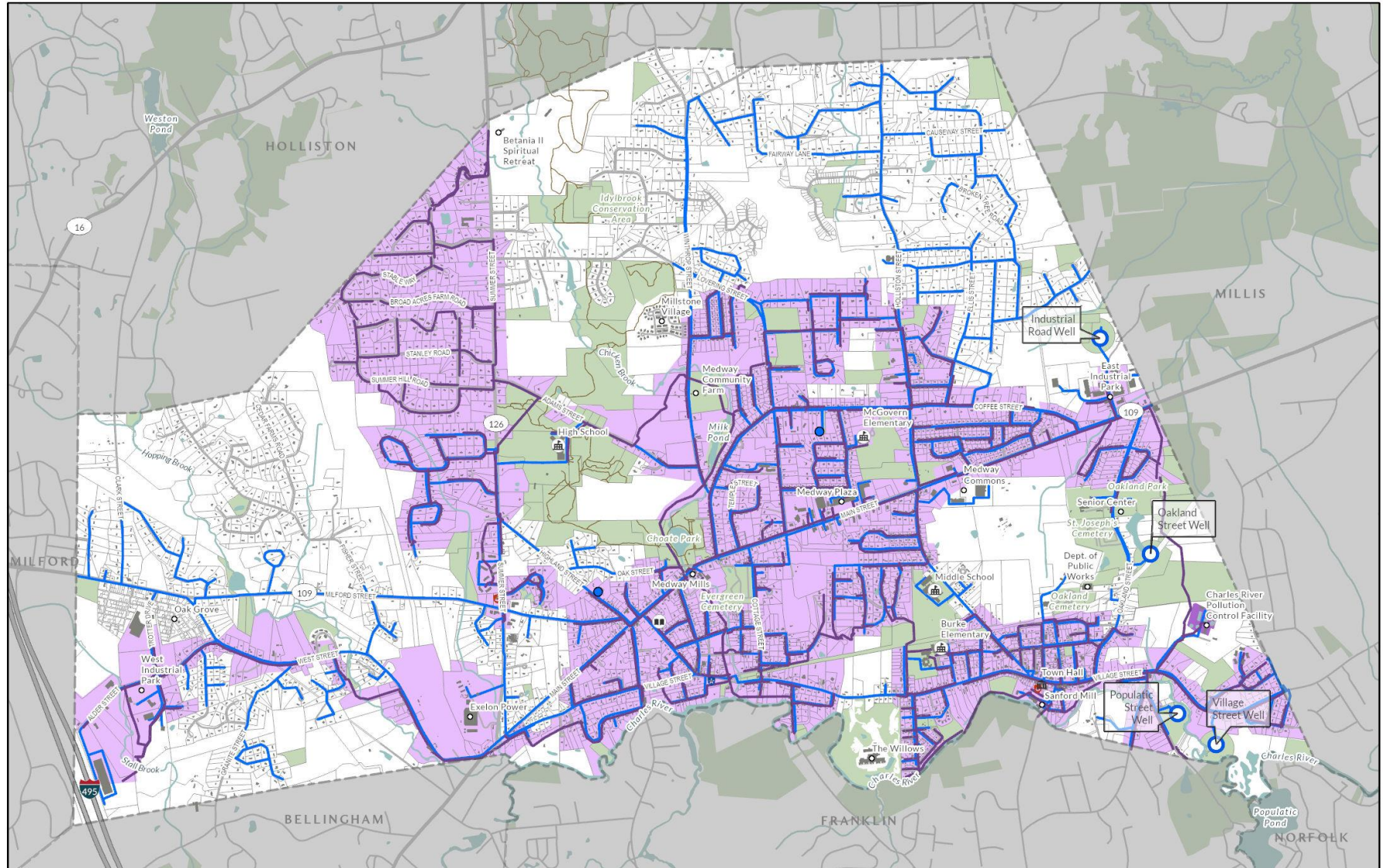
Wastewater treatment facility. Source: Charles River Pollution Control District



# TOWN OF MEDWAY - WATER AND SEWER INFRASTRUCTURE

Prepared by JM Goldson LLC

J M GOLDSON



- |                |                 |                  |                               |
|----------------|-----------------|------------------|-------------------------------|
| Town Hall      | Parcels         | Water stand pipe | Sewer mains                   |
| Fire station   | Buildings       | Public wells     | Wastewater treatment facility |
| Police station | Water bodies    | Water mains      | Sewer service area            |
| School         | Open space      |                  |                               |
| Library        | Existing trails |                  |                               |



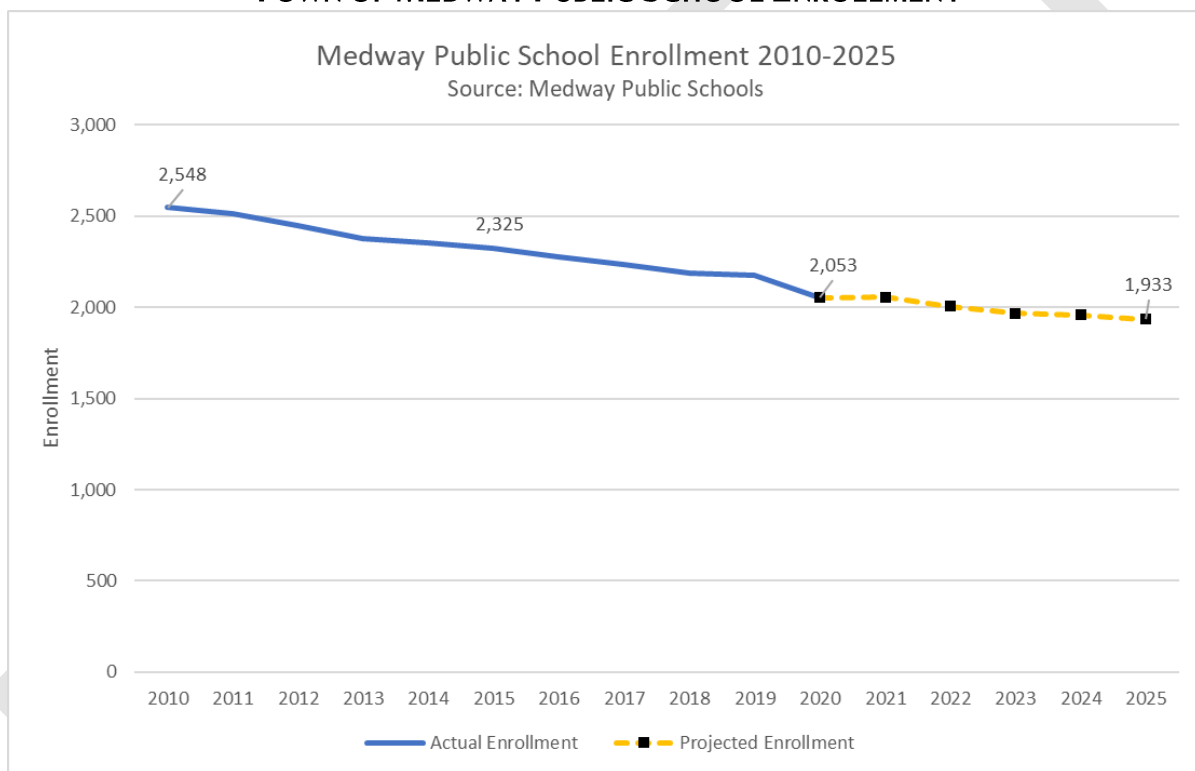
Sources: Town of Medway, MassGIS, MassDOT, MAPC Trailmap

## SCHOOLS

Medway's schools invoke a sense of pride across the community and are consistently ranked in the top 10-15% of all schools across the Commonwealth by US News.<sup>38</sup> The school district is comprised of two elementary schools; McGovern which serves pre-kindergarten through first grade and Burke-Memorial which serves second through fourth grades. Medway's Middle School serves grades five through eight, and the High School serves grades nine through twelve.

Unlike some high performing school districts across the Commonwealth, Medway's student enrollment has declined by 20% over the last ten years and is projected to continue to decline by another 9% through the year 2030. The aging of the Town's population coupled with households having fewer children or children later in life has led to a steady decline in enrollment. Schools have capacity to accommodate additional students should enrollment trend upward over time.

### TOWN OF MEDWAY PUBLIC SCHOOL ENROLLMENT



While schools are not currently facing capacity challenges, the Town and School Department did have facility assessments and plans completed for each of the public buildings discussed in this chapter, including the four school buildings. The school facility assessments provided a 20-year capital plan with an estimated \$60 million in capital needs. As this amount is likely too high for the Town to fund, the School Department and Facilities Manager are carefully programming capital investments over time to ensure buildings continue operating safely and efficiently with minimal disruptions to school activities.

<sup>38</sup> <https://www.usnews.com/education/best-high-schools/massachusetts/districts/medway/medway-high-9438>

## TRANSPORTATION

### Roads

From a vehicular standpoint (both cars and trucks), Medway is a very well-connected community with quick access off Interstate 495 (I-495) at Exit 48 connecting to the east-west arterial Route 109/Main Street. A little over 20 miles in length, Route 109 connects Medway into Route 16 and Downtown Milford to the west and Millis, Medfield, and Westwood to the east terminating at I-95/Route 128. This creates a steady volume of through traffic for roadway users looking to connect to both interstates at either end of Route 109 and the communities between. Village Street also serves as an east-west collector road that partially parallels Route 109 connecting to Route 126 on the western end and Route 115 on the eastern end. Village Street traverses the more historic portion of Medway and served as one of the earliest transportation routes in the Town dating back to the 1600s.

***The Town currently has 96 miles of roads traversing it with 75 percent of those roadway miles as small local roads serving lower volumes, slower speeds, and intended for local access and use.***

Medway has three primary north-south routes which all stem from either Route 109 or Village Street and travel north. The principal arterial of Route 126/Summer Street begins at I-495 in Bellingham, travels north through Medway, and eventually terminates north of the Massachusetts Turnpike (I-90) in Framingham. Route 126 is a major arterial roadway carrying travelers to major job centers and retail hubs in MetroWest, as well as connecting to Route 9 and I-90 for longer distance east-west travel.

### Public Transportation

Medway, like many communities within the MBTA's service region, is charged an annual assessment but does not have any direct transit service (bus or rail) within its municipal boundaries. As such, some communities like Medway have chosen to divert their annual transportation authority assessment to another regional transit authority that may be able to provide services directly to residents. As a result of local advocates and transit studies conducted by MAPC and CTPS, Medway was able to work closely with GATRA to create localized service options using smaller vans at a more affordable price. In 2020, the Town was assessed \$95,954 for transportation authority services, all of which was diverted to GATRA.<sup>39</sup>

The Medway Council on Aging (COA) worked directly with GATRA to provide transportation options for Medway residents. There are two portions to the transportation service the Senior Center offers, which are completed using two Handicapped Accessible vans provided by GATRA. One is the Dial-a-Ride Service for all seniors or disabled residents in Medway and the second is the Norfolk T Shuttle for all Medway residents. Prior to the pandemic, the Norfolk T Shuttle service was Monday-Friday with three early morning pick-ups and three evening return times at the Medway Middle School (where parking has been made available for shuttle users) and the Village Street Post Office (no parking available). From Village Street, it is a short ride to the Norfolk MBTA station which offers service to South Station in Boston and stops in between in Walpole, Norwood, Dedham, and Readville, Ruggles, and Back Bay in the City of Boston.

The pandemic forced all GATRA services to stop from March 2020 through September 2020. Once the pandemic has concluded and it is safe to bring riders back on these services, the Senior Center plans on returning the full level of GATRA service.

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<sup>39</sup> MA DOR Cherry Sheet, FY 2020.



## PEDESTRIAN AND BICYCLE INFRASTRUCTURE

According to MassDOT's most recent roadway inventory, sidewalk coverage in Medway is disconnected, with just 51.7 miles of sidewalks compared to over 100 miles of roadway. Many of the neighborhoods and interior roadways have sidewalks on at least one side of the road, but coverage on some primary roadways like Route 109, West Street, Winthrop Street, and Holliston Street do not connect residents to each other or to activity centers across the town. The west end of town also has higher percentages of families with children under the age of 18 where limited sidewalk coverage creates challenges for pedestrian safety and connections to parks and recreational opportunities. Some primary roadways like Holliston Street south of Route 109 only have narrow asphalt sidewalks on one side of the street with limited ADA accessibility.

***The narrow roads, rights of way, and historic settlement patterns in Medway can make it challenging to provide sidewalks on both sides of a roadway without disrupting trees and root systems or needing to take additional right of way through property acquisition.***

Medway only has one set of on-street bike lanes which were constructed as part of the Route 109 improvement project between Highland Street and Holliston Street. Similar to the challenges around sidewalks, many of Medway's local roads are narrow with constrained right of way making additional pavement and narrowed lanes a challenge.

## REGULATORY PROVISIONS

In addition to environmental and infrastructure factors that affect development, local policies and regulations directly impact the location and physical attributes of development opportunities. Local zoning and permitting processes are the two primary regulatory tools that can affect housing production.

### ZONING REGULATIONS

Zoning is the regulatory side of land use planning. The Town's Zoning Bylaw describes the regulations that are applied to parcels of land and directs property owners on what can and cannot be done with their land. Zoning regulates which uses are permitted on the parcel, where a structure can be placed on a parcel, how tall a structure can be, how much parking is required, how much open space or landscaping must be provided, and the number and size of signage. These regulations shape the built environment and the mixture of uses across the community.

As the Master Plan sets the future direction for the Town and how it may evolve over time, zoning is one of the key regulatory frameworks that can be changed to align with the vision for the community. As such, it can be a significant implementation mechanism. Zoning can help influence—or be influenced by—changes in transportation, housing, the natural environment, economic development initiatives, new public facilities, and more. It is the common thread that links many of the elements of the Master Plan together.

The Town of Medway adopted changes to its Zoning Bylaw in 2020, making that update the most recent. The Zoning Bylaw includes ten base zoning districts, four overlay districts, and one form-based district. The following provides a description of each zoning district and discusses their general purpose and allowable uses.

## Residential Districts

Medway's Zoning Bylaw includes three residential zoning districts. AR-I and AR-II are both Agricultural Residential districts, and the third (VR) is Village Residential. AR-I and AR-II both allow for agriculture and detached single-family dwellings, and while AR-I does not allow two-family structures, AR-II allows them with a special permit from the Zoning Board of Appeals. AR-I also has a larger minimum lot size, of 44,000 sq. ft, as opposed to 22,500 sq. ft for AR-2 and VR. Both AR-I and AR-II zones allow for open space residential development, assisted living residential facilities, long-term care facilities, and adult retirement communities with a special permit from the Community and Economic Development Board.

***Medway's residential zoning mostly allows for only single-family homes, which make up the bulk of housing in the town.***

However, there are some provisions that allow for alternatives to single-family homes. In 2019, the Zoning Bylaw was amended to allow multi-family buildings, apartment buildings, and multi-family developments throughout the multi-family overlay district with a special permit from the Community and Economic Development Board (PEDB) and the Medway Mill Conversion Subdistrict (per Section 5.6.2E, this applies to the Medway Mill building and property within the Adaptive Use Overlay District and allows multifamily with a residential density of up to 12 units per acre).

The Village Residential zoning districts (VR), located on Main Street and Village Street and accompanied by commercially zoned areas, allow for detached single-family houses by right and two-family houses with a special permit from the Zoning Board of Appeals.

All three residential zoning districts allow for Accessory Family Dwelling Units with a special permit from the Zoning Board of Appeals. Accessory Family Dwelling Units must be located on the same premises as a detached single-family dwelling and have just one bedroom. Residence in the ADFU's is restricted to the owners of the property, relatives of the owner, or a caregiver to an occupant of the ADFU or single-family dwelling.

## Commercial Districts

There are three commercial districts in Medway – the Village Commercial district (VC), the Neighborhood Commercial district (NC) and the Central Business district (CB). The VC district is located around the town's historic districts of Medway Village and Rabbit Hill.

The Central Business (CB) district is the least restrictive of the commercial districts. Town Meeting approved amendments in June 2021 to incorporate Section 10: Central Business District Development Standards, which are intended to encourage mixed-use development, revitalization and economic investment, a greater variety of housing, and improve walkability and access. The amendments also include Sustainable Site Design Standards. The Central Business district also has certain density limitations. According to the dimensional requirements, there can be a maximum of four buildings per acre with a maximum height of 60 feet.

The Central Business District in Medway includes Medway Commons, Gould's Plaza, and Drybridge Crossing. The district is less friendly to certain service use types, including repair shops and furniture repair, veterinary hospitals, and kennels, which are not allowed in the CB district but are allowed in NC and VC districts.

## Oak Grove Park District

The Oak Grove Area is comprised of 82.2 acres, the northern section of which consists of small multiple parcels known as the “Bottle Cap Lots.”<sup>40</sup> Redevelopment of this area has been difficult due to the unique configuration of these very small parcels with fragmented ownership. Therefore, the Town determined that this area was appropriate for designation as an Urban Renewal Area per M.G.L. c.121B due to the extremely unique configuration of these very small parcels.

Oak Grove Park (OGP) district incorporates the Oak Grove Urban Renewal Area as delineated in the Oak Grove Urban Renewal Plan dated March 2017. OGP is a major gateway into Medway with access to Route 109 and Interstate 495. OGP is an area targeted for development and reinvestment.

The purpose of the OGP district is to promote development that facilitates new investment and creates a vibrant, diverse, connected, and resilient district. The zoning provisions are intended to promote the creation of a public realm with high-quality streetscapes, enhanced outdoor recreation areas, and active public and publicly oriented gathering spaces that reinforce pedestrian orientation and multi-modal transportation. The zoning is also intended to encourage a range of business development opportunities and high-quality housing production.

Oak Grove Park is a form-based district divided into three different zoning districts that may be guided by a Regulating Plan that illustrates development and design standards specific to each district – Oak Grove Neighborhood (OGN), Oak Grove Business Park (OGBP), and Oak Grove Village Center (OGVC). It is located on the west side of town, bordered by Milford Street to the north and Alder Street to the south. Oak Grove Park uses were defined and added to the Bylaw in November 2019, and regulations can be found in Section 9 of the Zoning Bylaw. Oak Grove Park was identified in the 2009 Medway Master Plan as an area targeted for development and reinvestment.

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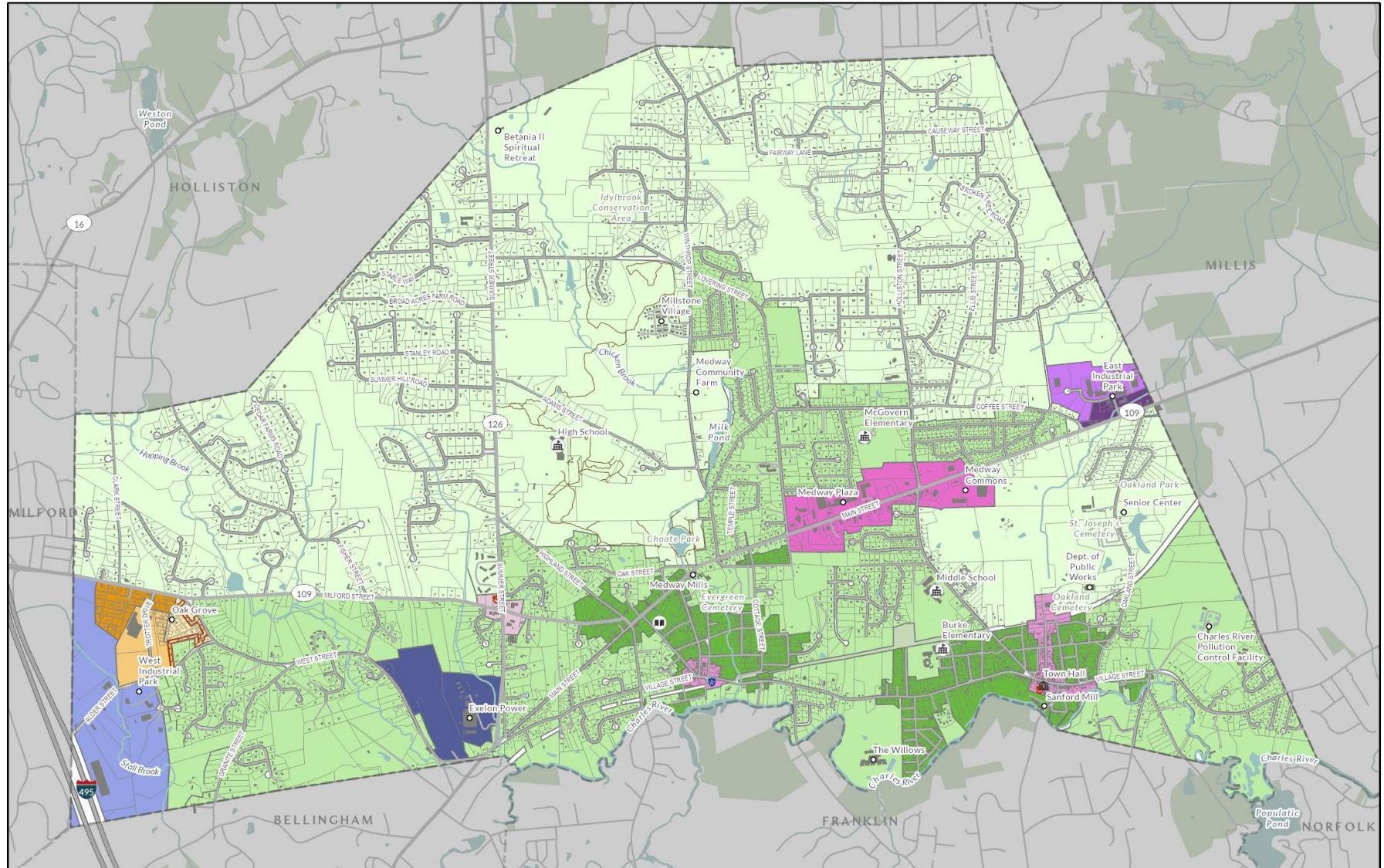
<sup>40</sup> The Bottle Cap Lots derive their name from a 1920s marketing promotion by Clicquot Club, which awarded small lots to customers with winning bottle caps. These lots were part of a paper subdivision – streets and utilities were never constructed to serve these lots. There were originally over 1,000 lots with an average size of 1,600 s.f.



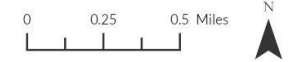
# TOWN OF MEDWAY - BASE ZONING DISTRICTS

Prepared by JM Goldson LLC

J M GOLDSON



- |                |                 |                                   |                            |                                     |
|----------------|-----------------|-----------------------------------|----------------------------|-------------------------------------|
| Town Hall      | Parcels         | AR-I Agricultural Residential I   | NC Neighborhood Commercial | OGN Oak Grove Neighborhood          |
| Fire station   | Buildings       | AR-II Agricultural Residential II | BI Business Industrial     | OGBP Oak Grove Business Park        |
| Police station | Water bodies    | VR Village Residential            | EI East Industrial         | OGVC Oak Grove Village Center       |
| School         | Open space      | CB Central Business               | ER Energy Resources        | Oak Grove Transitional Buffer Zone* |
| Library        | Existing trails | VC Village Commercial             | WI West Industrial         |                                     |



Sources: Town of Medway, MassGIS

## Overlay Districts

Medway has four overlay districts – the Flood Plain District, Adaptive Use Overlay District, Groundwater Protection District, and Multi-Family Overlay District.

The **Flood Plain District** includes flood hazard areas designated by FEMA via the Norfolk County Flood Insurance Rate Map. The purpose of the overlay district is to ensure public safety by reducing threats and eliminating new hazards and potential damage to public and private property. To reduce hazards in flood plain areas, new construction is limited, as are some alterations to existing buildings.

The **Adaptive Use Overlay District** encourages conversion of existing buildings in a way that maintains architectural integrity and promotes historic preservation of the areas. This district includes the Medway Mill Conversion Subdistrict, which includes the Medway Mill building and property. The application of the Adaptive Use Overlay to this district allows multi-family dwellings inside any existing buildings or new buildings on the premises. In this overlay district, residential density cannot exceed 12 units per acre.

*The purpose of the Adaptive Use Overlay is to promote economic development and preserve community character.*

The **Groundwater Protection District**, highlighted in teal on the land use map, applies to all new construction, reconstruction, or expansion of uses in the area. It covers the zone 2 areas per Mass DEP. The purpose of the overlay is to ensure adequate quality and quantity of drinking water and to preserve and protect existing sources of drinking water, as well as protecting contamination of the environment. Some prohibited uses in this district include landfills and open dumps, earth removal, and hazardous waste facilities.

The **Multifamily Overlay District**, depicted on the map with blue dots, is meant to encourage the provision of a diversity of housing types, to promote pedestrian-oriented development, to encourage preservation, and to increase the number of affordable housing units. It allows multi-family buildings by special permit on tracts of land in the AR-I, AR-II, Village Residential, or Village Commercial zoning districts. The density of any multifamily dwelling in the multifamily overlay district cannot exceed 12 dwelling units per acre unless the Community and Economic Development Board grants a density bonus.

## Special Regulations

Section 8.1 of Medway's Zoning Bylaw details the **Infill Housing bylaw**, which allows the Community and Economic Development Board to grant a special permit to construct an infill dwelling unit on an existing lot. The purpose of the bylaw is to increase the supply of affordable housing and to encourage development at a scale and density compatible with neighborhoods in the AR-II and Village Residential districts. There are restrictions on what infill housing can look like, including that it must be a single-family, detached unit with no more than three bedrooms. In the next section (8.2), the Bylaw establishes an option for Accessory Family Dwelling Units (ADUs) to be constructed on single-family lots. As of the writing of this report, the Infill Housing Bylaw has not been utilized in Medway.

Section 8.4 details the **Open Space Residential Development bylaw (OSRD)**, whose purpose is to preserve open space, agricultural land, wildlife habitat, and wetlands and other water resources by encouraging more efficient development that consumes less land and protects most of the space from disturbance. Any tract of land with 10 or more contiguous acres, or that abuts the Charles River, Chicken Brook, or Hopping Brook, can be granted a permit for an OSRD concept plan. Housing, including single-family, two-family, or multifamily structures, is allowed through this permit, as long as 50 percent of the land is left in its natural

state. The Town has approved four OSRD developments: Evergreen Meadow (2004), Pine Ridge (2006), Williamsburg (2010), and Charles River Village (2011).

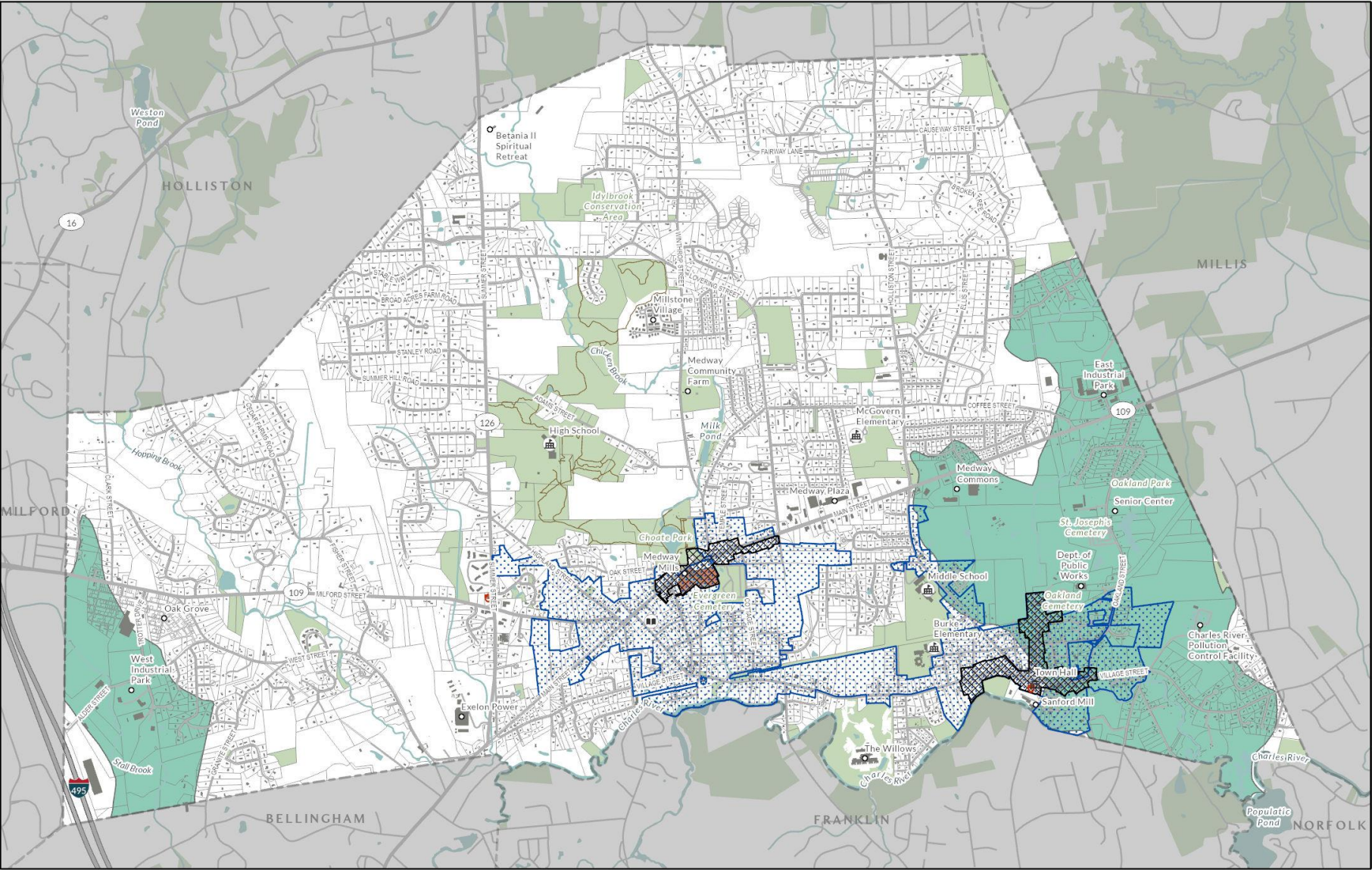
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TOWN OF MEDWAY - OVERLAY ZONING DISTRICTS

Prepared by JM Goldson LLC

J M GOLDSON



- |                |                 |                                 |                                 |
|----------------|-----------------|---------------------------------|---------------------------------|
| Town Hall      | Parcels         | <b>Overlay Zoning Districts</b> |                                 |
| Fire station   | Buildings       | Adaptive Use Overlay District   | Groundwater Protection District |
| Police station | Water bodies    | Multifamily Overlay District    | Mill Conversion Subdistrict     |
| School         | Open space      |                                 |                                 |
| Library        | Existing trails |                                 |                                 |



Sources: Town of Medway, MassGIS



Section 8.5 details the **Adult Retirement Community Planned Unit Development (ARCPUD)**, which aims to develop a variety of housing for senior citizens to accommodate for their long-term needs, including assisted living residences, long-term care facilities, and independent living residences. The PEDB may grant a special permit for an ARCPUD for any tract of land with ten or more acres in the AR-I or AR-II districts. Developments created under the ARCPUD include Salmon Health and Retirement/The Willows at Medway and Whitney Place (225 units) and Millstone Village (80 units).

The **Affordable Housing Bylaw** is detailed in Section 8.6. The purpose of the bylaw is to create housing opportunities for people of varying ages and income levels in Medway. This bylaw requires developments above a certain number of units to have a percent of their units be affordable. Developments of two-family, multi-family, or mixed use of six or more units and single-family of 10 or more units are required to provide affordable units from 10 to 20 percent of the total project size, dependent on the project size. In addition, the requirements of this bylaw pertain to approval of a special permit per the Open Space Residential, Adult Retirement Community Planned Unit, and Multi-Family developments. With an Affordable Housing special permit granted by PEDB, the dimensional and density requirements specified in the Zoning Bylaw (Section 6.1) can be waived to increase the number of units.

## OTHER LOCAL ORDINANCES

Medway has adopted additional local ordinances that establish restrictions on land use and disturbance that are designed to protect natural and historical resources but also have implications for housing production and redevelopment.

Medway's most important tool for protecting historic buildings is the **Demolition Delay Bylaw**, updated in 2017. The bylaw aims to protect "historically significant buildings" – buildings that are 75 years old or older. Owners of such buildings are required to apply for a demolition permit, which can be delayed for 12 months should the Historical Commission determine historical significance. The purpose of the delay period is to find an alternative use for the building.

### Wetlands Protection Bylaw

The Massachusetts Wetlands Protection Act (M.G.L. c.131, Section 40) and its regulations protects wetlands and riverways and require Conservation Commission review of activities within 100 feet of wetlands and 200 feet of riverways. Per Sections 21 of the Medway General Bylaws, the Town has adopted procedures stricter than the state regulations that also require a 25-foot no work zone from freshwater wetlands, marshes, and other water resources as listed in the bylaws.

### Stormwater Management and Land Disturbance Bylaw

Per Section 26, of the Medway General Bylaws, which is intended to fulfill the Town's obligations under the Clean Water Act (33 U.S.C 1251 & seq.) and under the Town's National Pollution Discharge Elimination System (NPDES) permit. The purpose includes water protection through the control of stormwater discharge or discharge of contaminated water. The Bylaw establishes a system of regulation of discharges to the Town's Municipal Separate Storm Sewer System (MS4) and requires removal of illicit discharges. Section 26.5 imposes restrictions on land disturbance and construction activity to ensure an adequate erosion and sediment control plan during land disturbance/construction and compliance with the most current Massachusetts Stormwater Management standards regarding operations and maintenance during construction and post construction as well as stormwater design.

## Removal of Earth Products Bylaw

Per Section 9.2 of the Medway General Bylaws, no soil, loam, gravel, sand, or other earth materials shall be removed from any lot within the town unless such removal will constitute an exempt operation as hereinafter provided or is done pursuant to a special permit therefor issued by the Board of Selectmen.

## SUMMARY

### ENVIRONMENTAL CONSTRAINTS

Medway's landscape includes a patchwork of natural forest and wetland areas, cleared agricultural fields and utility corridors, and low to medium density residential areas connected by commercial corridors. Streams including Chicken Brook and Hopping Brook feed into the Charles River, which is a major feature that defines the town's southern border. The Town has prioritized protection of natural habitat and agricultural areas, with significant areas of protected open space along the Chicken Brook corridor. Other important habitat areas include vernal pools (scattered throughout town), BioMap2 Core Habitat in the Great Swamp (northeast) and along Hopping Brook (West Medway), as well as Priority Habitat for Rare Species near the border with Bellingham and Franklin.

Water resources also represent a development constraint, both in terms of areas subject to flooding and the need to protect the local water supply. Flood zones are present along Medway's stream corridors and wetlands and the entire town experiences seasonal droughts which require water bans to avoid depleting groundwater resources.

Medway has also maintained many of its historical resources, including both residential and industrial buildings. There are more than 800 historic homes and two National Register Historic Districts, which include former mill buildings that have been converted to residential and commercial uses.

### INFRASTRUCTURE CAPACITY

Water and wastewater system limits represent the most significant infrastructure capacity issues. Although the Town can meet current demand within existing pumping limits, projections based on population growth indicate that water needs will exceed supply in the coming years. Similarly, Medway is close to the limit on wastewater treatment capacity at the shared Charles River Water Pollution Control facility and is working to acquire additional capacity from the neighboring town of Franklin.

School enrollment has declined over the past decade, so there is room for more students; however, the school system anticipates \$60 million in capital needs, which will need to be addressed over the next 20 years. The Town has continued to make road improvements and does experience some traffic due to commuters using Medway as a cut-through to neighboring towns and highways. Public transportation consists of a senior dial-a-ride shuttle and a commuter rail shuttle, both operated by GATRA. Sidewalk coverage is incomplete and bicycle infrastructure only exists on the recently updated Rt. 109 corridor.

### REGULATORY BARRIERS

The primary residential zoning districts in Medway limit residential development to primarily single-family homes, although two-family homes, open space residential development, adult retirement communities, and accessory dwelling units are allowed by special permit. The multifamily overlay district, adopted in 2019, and the Mill Conversion Subdistrict both include provisions for development of housing with 3 or more units. Amendments to the Central Business commercial district also encourage mixed-use development. A mix of land uses will also be possible in the Oak Grove area, where form-based codes were adopted.

A few other local bylaws are relevant to residential development and resource protection, including:

- the Infill Housing bylaw, which grants the Community and Economic Development Board the authority to grant a special permit to add a single-family detached dwelling to an existing lot
- the Adaptive Use overlay, which allows new and reused structures to include multifamily housing near Medway Village and along Rt. 109 near Medway Mills
- the Affordable Housing bylaw, which requires developments over a specific number of housing units to include a percentage of affordable housing units
- the Demolition Delay bylaw, which can prevent demolition of certain historic buildings for up to 12 months to provide an opportunity to determine an alternative use for the structure
- the local Wetlands Protection Bylaw, which establishes stricter regulations on development within wetland resource buffer area.

# CHAPTER 6: IMPLEMENTATION CAPACITY AND RESOURCES

This chapter describes local and regional capacity and resources for the implementation of affordable housing initiatives, including local and regional housing organizations and funds. The Town of Medway has several organizations with a focus on supporting community housing, including local government entities and non-profit organizations, as well as regional agencies that facilitate housing initiatives. In addition to the Affordable Housing Trust, Medway has a Council on Aging, and the Community Preservation Committee.

Regional cooperation on housing issues is coordinated in partnership with the Metropolitan Area Planning Council and other organizations that provide community resources that support and maintain affordable housing.

In the past five years since the approval of the last Housing Production Plan in 2016, the town of Medway has accomplished a lot in terms of affordable housing. Some of the most important changes and accomplishments in the past five years include:

- Encouraged the use of Mixed-Use/Town Center Special Permits in the C-1 zoning district
- Revisited the inclusionary zoning bylaw and changed the 10% requirement to a sliding scale calculation based on the project's total number of units
- Proactively promoted the use of infill, accessory apartment, and multifamily conversions of existing properties
- Actively promoted the use of Zoning Bylaw provisions for the development of duplexes and/or multifamily housing in appropriate locations
- Work with the Medway Redevelopment Authority to identify opportunity and plan for the inclusion of affordable housing in its long-range plans
- Continue to streamline the Trust's procurement and proposal process, definitively resolving related legal issues
- Promoted and encouraged the use of new multifamily housing special permit provisions
- Solicited local builders and non-profit organizations to build "friendly 40B" projects within the housing target areas, with an emphasis on rental units, and sought input on other actions that could encourage housing production

With coordination among local and regional organizations, Medway can implement the strategies proposed in this current Housing Production Plan, following the trend of the last five years.

## KEY FINDINGS

- The Medway Affordable Housing Trust, Community Preservation Committee, and the Community and Economic Development Department provide local staff and funding capacity to implement housing initiatives in Medway.
- Older residents can access additional support for housing and other basic needs from the Medway Council on Aging and other regional organizations such as Tri-Valley, Inc.
- Local collaboration with other regional organizations, such as Habitat for Humanity, is continuing to provide new opportunities for homeownership in Medway.

## LOCAL CAPACITY AND RESOURCES

### MEDWAY AFFORDABLE HOUSING TRUST

The Medway Affordable Housing Trust was approved in 2008 and has been working since then to assist residents to manage housing costs. The MAHT works to preserve existing and create new affordable housing opportunities for both rental and homeownership to increase Medway's subsidized housing inventory.

Over the years, the MAHT has continued to support the development of affordable housing, including the Metro West Collaborative's development at Glen Brook Way, helped to oversee implementation of the previous HPP, and collaborated with other local and regional groups.

The Trust will continue to play a pivotal role in implementation of the Housing Production Plan.

### MEDWAY COUNCIL ON AGING

The Council on Aging (COA) provides a wide range of services targeted towards Medway's aging population. Based out of the Town's Senior Center, the COA offers support, advocacy, and information related to housing, health, in-home assistance, transportation, and financial and legal matters.

Multiple outreach workers are available to help connect residents to other programs and explore housing options, including potential renovations to existing housing to help seniors age in place, tax deferrals, and other local and regional funds.

### COMMUNITY PRESERVATION COMMITTEE

The Community Preservation Committee (CPC) is responsible for the management of the Community Preservation Fund, including the allocation for CPA funds for affordable housing.

Medway approved the Community Preservation Act (CPA) in 2001 at the highest 3 percent surcharge on property taxes. This funding has been a very important resource for supporting affordable housing efforts in addition to the other use categories of open space preservation, recreation, and historic preservation.

## REGIONAL CAPACITY AND RESOURCES

### METROPOLITAN AREA PLANNING COUNCIL

The Metropolitan Area Planning Council (MAPC) is a regional planning agency for the Greater Boston area. MAPC provides information, data, and planning assistance to 101 communities, including Medway. Medway is a part of the Southwest Advisory Planning Committee (SWAP) subregion of the MAPC.

### HABITAT FOR HUMANITY OF GREATER BOSTON

Another important regional partner in addressing housing needs is Habitat for Humanity of Greater Boston. This organization is an ecumenical, non-profit Christian ministry dedicated to building simple, decent homes in partnership with families in need. The organization has grown over the past two decades into one of the largest private homebuilders in the world with almost 1,600 U.S. affiliates and over 2,000 affiliates worldwide, including one in the Greater Boston area that builds new homes for first-time homebuyers through donated land, materials, labor and funding as well as other special financing strategies.

### TRI-VALLEY, INC.

This organization is a regional Aging Services Access Point (ASAP) that provides various in-home services, nutrition services, and community-based services for aging populations. Tri-Valley, Inc. is a private non-profit that was established in 1976. They seek to improve and maintain a high quality of life for people eligible for their services.

# APPENDICES

## MEDWAY SUBSIDIZED HOUSING INVENTORY

### DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT CH40B SUBSIDIZED HOUSING INVENTORY

#### Medway

DHCD ID #	Project Name	Address	Type	Total SHI Units	Affordability Expires	Built w/ Comp. Permit?	Subsidizing Agency
1911	Maple Lane Housing	Maple Lane	Rental	30	Perp	No	HUD
1912	Medway HUD Housing	Mahan Circle	Rental	70	Perp	No	HUD
1913	n/a	248 Village Street	Rental	6	Perp	No	DHCD
1914	n/a	Kenney Dr.	Rental	34	Perp	No	DHCD
1915	n/a	Lovering Hts.	Rental	60	Perp	No	DHCD
1916	Colonial Park Estates	Heritage Drive	Ownership	6	2030	Yes	DHCD
4362	DDS Group Homes	Confidential	Rental	12	N/A	No	DDS
4581	DMH Group Homes	Confidential	Rental	8	N/A	No	DMH
4744	Woodside Condominiums	Kingson Lane	Ownership	14	2100	Yes	FHLBB
9529	Walker Street	Walker Street	Ownership	1	Perp	NO	DHCD
9845	Williamsburg Condominium	Williamsburg Way	Ownership	2	Perp	NO	DHCD
9846	Fox Run Farm	Morningside Drive	Ownership	4	Perp	YES	MassHousing
10108	Timber Crest	Holliston Street	Ownership	37	Perp	YES	MassHousing
10173	Glen Brook Way	0, 1, 3 Glen Brook Way & 33 West St	Rental	48	Perp	YES	DHCD
10239	Glen Brook Way-phase II	0, 1, 3 Glen Brook Way; 31, 33, 37 West St	Rental	0	Perp	YES	DHCD
10318	33-39 Main Street	33-39 Main St	Rental	190	Perp	YES	DHCD
10333	Millstone Village	Millstone, Riverstone, Ridgestone, and Fieldstone Drive	Ownership	7	Perp	NO	DHCD

8/31/2021

Medway  
Page 1 of 2

This data is derived from information provided to the Department of Housing and Community Development (DHCD) by individual communities and is subject to change as new information is obtained and use restrictions expire.



**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT CH40B SUBSIDIZED HOUSING INVENTORY**

**Medway**

DHCD ID #	Project Name	Address	Type	Total SHI Units	Affordability Expires	Built w/ Comp. Permit?	Subsidizing Agency
	Medway Totals			529	Census 2010 Year Round Housing Units	4,603	
					Percent Subsidized	11.49%	

8/31/2021

*Medway*  
Page 2 of 2

This data is derived from information provided to the Department of Housing and Community Development (DHCD) by individual communities and is subject to change as new information is obtained and use restrictions expire.

## DHCD AFFIRMATIVE FAIR HOUSING MARKETING GUIDELINES

The Commonwealth of Massachusetts has a compelling interest in creating fair and open access to affordable housing and promoting compliance with state and federal civil rights obligations. Therefore, all housing with state subsidy or housing for inclusion on the SHI shall have an Affirmative Fair Housing Marketing Plan. To that end, DHCD has prepared and published comprehensive guidelines that all agencies follow in resident selection for affordable housing units.

In particular, the local preference allowable categories are specified:

- *Current Residents.* A household in which one or more members is living in the city or town at the time of application. Documentation of residency should be provided, such as rent receipts, utility bills, street listing, or voter registration listing.
- *Municipal Employees.* Employees of the municipality, such as teachers, janitors, firefighters, police officers, librarians, or town hall employees.
- *Employees of Local Businesses.* Employees of businesses located in the municipality.
- *Households with Children.* Households with children attending the locality's schools.

These were revised on June 25, 2008, removing the formerly listed allowable preference category, "Family of Current Residents."

The full guidelines can be found here: <http://www.mass.gov/hed/docs/dhcd/hd/fair/afhmp.pdf>.

# INTERAGENCY BEDROOM MIX POLICY

## INTERAGENCY AGREEMENT

### Regarding Housing Opportunities for Families with Children

This Interagency Agreement (this "Agreement") is entered into as of the 17th day of January, 2014 by and between the Commonwealth of Massachusetts, acting by and through its Department of Housing and Community Development ("DHCD"), the Massachusetts Housing Partnership Fund Board ("MHP"), the Massachusetts Housing Finance Agency (in its own right and in its capacity as Project Administrator designated by DHCD under the Guidelines for Housing Programs in Which Funding is Provided By Other Than a State Agency, "MassHousing"), the Massachusetts Development Finance Agency ("MassDevelopment") and the Community Economic Development Assistance Corporation ("CEDAC"). DHCD, MHP, MassHousing, MassDevelopment and CEDAC are each referred to herein as a "State Housing Agency" and collectively as the "State Housing Agencies".

### Background

A. DHCD's 2013 Analysis of Impediments to Fair Housing Choice ("AI") includes action steps to improve housing opportunities for families, including families with children, the latter being a protected class pursuant to fair housing laws, including the federal Fair Housing Act, as amended (42 U.S.C. §§ 3601 *et seq.*) and Massachusetts General Laws Chapter 151B. In order to respond to development patterns in the Commonwealth that disparately impact and limit housing options for families with children, such steps include requiring a diversity of bedroom sizes in Affordable Production Developments that are not age-restricted and that are funded, assisted or approved by the State Housing Agencies to ensure that families with children are adequately served.

B. The State Housing Agencies have agreed to conduct their activities in accordance with the action steps set forth in the AI.

C. This Agreement sets forth certain agreements and commitments among the State Housing Agencies with respect to this effort.

### Definitions

- 1) "Affordable" - For the purposes of this Agreement, the term "Affordable" shall mean that the development will have units that meet the eligibility requirements for inclusion on the Subsidized Housing Inventory ("SHI").
- 2) "Production Development" - For purposes of this Agreement "Production Development" is defined as new construction or adaptive reuse of a non-residential building and shall include rehabilitation projects if the property has been vacant for two (2) or more years or if the property has been condemned or made uninhabitable by fire or other casualty.



#### Agreements

NOW, THEREFORE, DHCD, MHP, MassHousing, MassDevelopment and CEDAC agree as follows:

#### Bedroom Mix Policy

- 1) Consistent with the AI, it is the intention of the State Housing Agencies that at least ten percent (10%) of the units in Affordable Production Developments funded, assisted or approved by a State Housing Agency shall have three (3) or more bedrooms except as provided herein. To the extent practicable, the three bedroom or larger units shall be distributed proportionately among affordable and market rate units.
- 2) The Bedroom Mix Policy shall be applied by the State Housing Agency that imposes the affordability restriction that complies with the requirements of the SHI.
- 3) The Bedroom Mix Policy shall not apply to Affordable Production Developments for age-restricted housing, assisted living, supportive housing for individuals, single room occupancy or other developments in which the policy is not appropriate for the intended residents. In addition, the Bedroom Mix Policy shall not apply to a Production Development where such units:
  - (i) are in a location where there is insufficient market demand for such units, as determined in the reasonable discretion of the applicable State Housing Agency; or
  - (ii) will render a development infeasible, as determined in the reasonable discretion of the applicable State Housing Agency.
- 4) Additionally, a State Housing Agency shall have the discretion to waive this policy (a) for small projects that have less than ten (10) units and (b) in limited instances when, in the applicable State Housing Agency's judgment, specific factors applicable to a project and considered in view of the regional need for family housing, make a waiver reasonable.
- 5) The Bedroom Mix Policy shall be applicable to all Production Developments provided a Subsidy as defined under 760 CMR 56.02 or otherwise subsidized, financed and/or overseen by a State Housing Agency under the M.G.L. Chapter 40B comprehensive permit rules for which a Chapter 40B Project Eligibility letter is issued on or after March 1, 2014. The policy shall be applicable to all other Affordable Production Developments funded, assisted, or approved by a State Housing Agency on or after May 1, 2014.





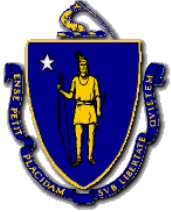
**January 25, 2022**

**Medway Planning & Economic Development Board  
Meeting**

**Multi-Family Housing Guidelines for  
MBTA Communities  
Continued Discussion**

- Draft DHCD Guidelines and associated materials (These are the same document as previously provided to you for the 1-18-22 joint PEDB/SB briefing.)
- PowerPoint presentation from the 1-12-22 webinar sponsored by Mass DHCD and allied state agencies and housing organizations. Please take a few minutes to review these slides.

This is an important discussion to provide input to staff for preparing a joint comment letter from the Select Board and the PEDB, to be considered at the 2-7-22 SB meeting and the 2-8 PEDB meeting.



Commonwealth of Massachusetts  
**DEPARTMENT OF HOUSING &  
COMMUNITY DEVELOPMENT**

Charles D. Baker, Governor ♦ Karyn E. Polito, Lt. Governor ♦ Jennifer D. Maddox, Undersecretary

**DRAFT Compliance Guidelines for Multi-family Districts**  
**Under Section 3A of the Zoning Act**

**1. Overview of Section 3A of the Zoning Act**

Section 18 of chapter 358 of the Acts of 2020 added a new section 3A to chapter 40A of the General Laws (the Zoning Act) applicable to MBTA communities (referred to herein as “Section 3A”). Subsection (a) of Section 3A provides:

*An MBTA community shall have a zoning ordinance or by-law that provides for at least 1 district of reasonable size in which multi-family housing is permitted as of right; provided, however, that such multi-family housing shall be without age restrictions and shall be suitable for families with children. For the purposes of this section, a district of reasonable size shall: (i) have a minimum gross density of 15 units per acre, subject to any further limitations imposed by section 40 of chapter 131 and title 5 of the state environmental code established pursuant to section 13 of chapter 21A; and (ii) be located not more than 0.5 miles from a commuter rail station, subway station, ferry terminal or bus station, if applicable.*

The purpose of Section 3A is to encourage MBTA communities to adopt zoning districts where multi-family zoning is permitted as of right, and that meet other requirements set forth in the statute.

The Department of Housing and Community Development, in consultation with the Massachusetts Bay Transportation Authority and the Massachusetts Department of Transportation, is required to promulgate guidelines to determine if an MBTA community is in compliance with Section 3A. DHCD promulgated preliminary guidance on January 29, 2021. DHCD updated that preliminary guidance on December 15, 2021. These guidelines provide further information on how MBTA communities may achieve compliance with Section 3A.

**2. Definitions**

“Adjacent community” means an MBTA community with no transit station within its border or within 0.5 mile of its border.

“Age-restricted housing” means any housing unit encumbered by a title restriction requiring occupancy by at least one person age 55 or older.

“Bus service community” means an MBTA community with a bus station within its borders or within 0.5 miles of its border, or an MBTA bus stop within its borders, and no subway station or commuter rail station within its border, or within 0.5 mile of its border.

“Bus station” means a building located at the intersection of two or more public bus lines, within which services are available to bus passengers; provided that a bus station does not include a shelter or other structure without walls and a foundation.

“Chief executive officer” means the mayor in a city, and the board of selectmen in a town, unless some other municipal office is designated to be the chief executive officer under the provisions of a local charter.

“Commonwealth’s sustainable development principles” means the principles set forth at <https://www.mass.gov/files/documents/2017/11/01/sustainable%20development%20principles.pdf> as such principles may be modified and updated from time to time.

“Commuter rail community” means an MBTA community with a commuter rail station within its borders, or within 0.5 mile of its border, and no subway station within its borders, or within 0.5 mile of its border.

“Developable land” means land on which multi-family housing units have been or can be permitted and constructed. Developable land shall not include land under water, wetland resource areas, areas lacking adequate water or wastewater infrastructure or capacity, publicly owned land that is dedicated to existing public uses, or privately owned land encumbered by any kind of use restriction that prohibits residential use.

“Gross density” means a units-per-acre density measurement that includes land occupied by public rights-of-way and any recreational, civic, commercial, and other nonresidential uses.

“Housing suitable for families” means housing comprised of residential dwelling units that are not age-restricted housing, and for which there are no legal restriction on the number of bedrooms, the size of bedrooms, or the number of occupants.

“MBTA community” means a city or town that is: (i) one of the 51 cities and towns as defined in section 1 of chapter 161A; (ii) one of the 14 cities and towns as defined in said section 1 of said chapter 161A; (iii) other served communities as defined in said section 1 of said chapter 161A; or (iv) a municipality that has been added to the Massachusetts Bay Transportation Authority under section 6 of chapter 161A or in accordance with any special law relative to the area constituting the authority.” A list of MBTA communities is attached, including the designation of each MBTA community as a rapid transit community, a bus service community, a commuter rail community or an adjacent community for purposes of these compliance guidelines.

“Multi-family housing” means a building with 3 or more residential dwelling units or 2 or more buildings on the same lot with more than 1 residential dwelling unit in each building.

“Multi-family district” means a zoning district, including an overlay district, in which multi-family uses are allowed by right.



“Rapid transit community” means an MBTA community with a subway station within its borders, or within 0.5 mile of its border. An MBTA community with a subway station within its borders, or within 0.5 mile of its border, shall be deemed to be a rapid transit community even if there is one or more commuter rail stations or MBTA bus lines located in that community.

“Reasonable size” means not less than 50 contiguous acres of land with a unit capacity equal to or greater than the unit capacity specified in section 5 below.

“Residential dwelling unit” means a dwelling unit equipped with a full kitchen and bathroom.

“Unit capacity” means an estimate of the total number of multi-family housing units that can be developed as of right within the multi-family district, made in accordance with the requirements of section 5.b below.

### **3. General Principles of Compliance**

a. These compliance guidelines describe how an MBTA community can comply with the requirements of Section 3A. The guidelines specifically address:

- What it means to permit multi-family housing “as of right”;
- The metrics that determine if a multi-family district is “of reasonable size”;
- How to determine if a multi-family district has a minimum gross density of 15 units per acre, subject to any further limitations imposed by section 40 of chapter 131 and title 5 of the state environmental code;
- The meaning of Section 3A’s mandate that “such multi-family housing shall be without age restrictions and shall be suitable for families with children”; and
- The extent to which MBTA communities have flexibility to choose the location of a multi-family district.

b. The following general principles have informed the more specific compliance criteria that follow:

- All MBTA communities should contribute to the production of new housing stock.
- MBTA communities with subway stations, commuter rail stations and other transit stations benefit from having these assets located within their boundaries and should provide opportunity for multi-family housing development around these assets. MBTA communities with no transit stations within their boundaries nonetheless benefit from being close to transit stations in nearby communities.
- MBTA communities should adopt multi-family districts that will lead to development of multi-family housing projects of a scale, density and character that are consistent with a community’s long-term planning goals.

- “Reasonable size” is a relative rather than an absolute determination. Because of the diversity of MBTA communities, a multi-family district that is “reasonable” in one city or town may not be reasonable in another city or town. Objective differences in community characteristics must be considered in determining what is “reasonable” for each community.
- To the maximum extent possible, multi-family districts should be in areas that have safe and convenient access to transit stations for pedestrians and bicyclists.

#### **4. Allowing Multi-Family Housing “As of Right”**

To comply with Section 3A, a multi-family district must allow multi-family housing “as of right,” meaning that the construction and occupancy of multi-family housing is allowed in that district without the need to obtain any discretionary permit or approval. Site plan review and approval may be required for multi-family uses allowed as of right. Site plan review is a process by which a local board reviews a project’s site layout to ensure public safety and convenience. Site plan approval may regulate matters such as vehicular access and circulation on a site, architectural design of a building, and screening of adjacent properties. Site plan review may not be used to deny a project that is allowed as of right, nor may it impose conditions that make it infeasible or impractical to proceed with a multi-family use that is allowed as of right.

#### **5. Determining “Reasonable Size”**

In making determinations of “reasonable size,” DHCD will take into consideration both the area of the district and the district’s multi-family unit capacity (that is, the number of units of multi-family housing that can be developed as of right within the district).

##### *a. Minimum land area*

Section 3A’s requirement that a multi-family district be a “reasonable size” indicates that the purpose of the statute is to encourage zoning that allows for the development of a reasonable amount of multi-family housing in each MBTA community. A zoning district is a specifically delineated land area with uniform regulations and requirements governing the use of land and the placement, spacing, and size of buildings. A district should not be a single development site on which the municipality is willing to permit a particular multi-family project. To comply with Section 3A’s “reasonable size” requirement, multi-family districts must comprise at least 50 acres of land—or approximately one-tenth of the land area within 0.5 mile of a transit station.

An overlay district is an acceptable way to achieve compliance with Section 3A, provided that such an overlay district should not consist of a collection of small, non-contiguous parcels. At least one portion of the overlay district land areas must include at least 25 contiguous acres of land. No portion of the district that is less than 5 contiguous acres land will count toward the minimum size requirement.

##### *b. Minimum multi-family unit capacity*

A reasonably sized multi-family district must also be able to accommodate a reasonable number of multi-family housing units as of right. MBTA communities seeking a determination of compliance with Section 3A must provide to DHCD an accurate assessment of the number of multi-family housing units that can be developed as of right within the multi-family district, referred to as the district’s unit capacity.

A compliant district's multi-family unit capacity must be equal to or greater than a specified percentage of the total number of housing units within the community. The required percentage will depend on the type of transit service in the community, as follows:

<b>Category</b>	<b>Minimum multi-family units as a percentage of total housing stock</b>
Rapid transit community	25%
Bus service community	20%
Commuter rail community	15%
Adjacent community	10%

The minimum unit capacity applicable to each MBTA community is determined by multiplying the number of housing units in that community by 0.25, 0.20, 0.15 or 0.10, depending on the type of service in that community. For example, a rapid transit community with 7,500 housing units is required to have a multi-family district with a multi-family unit capacity of  $7,500 \times 0.25 = 1,875$  multi-family units. When calculating the minimum unit capacity, each MBTA community should use 2020 census data to determine the number of total housing units, unless another data source has been approved by DHCD.

When determining the unit capacity for a specific multi-family district, each MBTA community must estimate how many units of multi-family housing could be constructed on each parcel of developable land within the district. The estimate should take into account the amount of developable land in the district, as well as the height limitations, lot coverage limitations, maximum floor area ratio, set back requirements and parking space requirements applicable in that district under the zoning ordinance or bylaw. The estimate must also take into account the restrictions and limitations set forth in any other municipal bylaws or ordinances; limitations on development resulting from inadequate water or wastewater infrastructure, and, in areas not served by public sewer, any applicable limitations under Title 5 of the state environmental code or local septic regulations; known title restrictions on use of the land within the district; and known limitations, if any, on the development of new multi-family housing within the district based on physical conditions such the presence of waterbodies, and wetlands.

If the estimate of the number of multi-family units that can be constructed in the multi-family district is less than the minimum unit capacity, then the MBTA community must change the boundaries of the multi-family district or make changes to dimensional regulations applicable to that district (or to other local ordinances or bylaws) to allow for the development of a greater number of multi-family units as of right.

It is important to understand that a multi-family district's unit capacity is not a mandate to construct a specified number of housing units, nor is it a housing production target. Section 3A requires only that each MBTA community has a multi-family zoning district of reasonable size. The law does not require the production of new multi-family housing units within that district. There is no requirement nor expectation that a multi-family district will be built out to its full unit capacity.

In some communities, there may be a significant number of multi-family units already existing in the multi-family district; those communities should generally expect fewer new units to be produced in the district, because it is more fully built out. Conversely, there may be some communities with relatively little multi-family housing in its multi-family district; there generally will be more opportunity for new

housing production in those districts in which there is a large gap between unit capacity and the number of existing multi-family units.

## **6. Minimum Gross Density**

Section 3A states that a compliant multi-family district must have a minimum gross density of 15 units per acre, subject to any further limitations imposed by section 40 of chapter 131 and title 5 of the state environmental code established pursuant to section 13 of chapter 21A. DHCD will deem a zoning district to be compliant with Section 3A's minimum gross density requirement if the following criteria are met.

### *a. District-wide gross density*

Section 3A expressly requires that a multi-family district—not just the individual parcels of land within the district—must have a minimum gross density of 15 units per acre, subject to any further limitations imposed by section 40 of chapter 131 and title 5 of the state environmental code established pursuant to section 13 of chapter 21A. To comply with this requirement, the zoning must legally and practically allow for a district-wide gross density of 15 units per acre. The Zoning Act defines “gross density” as “a units-per-acre density measurement that includes land occupied by public rights-of-way and any recreational, civic, commercial and other nonresidential uses.”

To meet the district-wide gross density the municipality must demonstrate that the zoning for the district permits a gross density of 15 units per acre of land within the district, “include[ing] land occupied by public rights-of-way and any recreational, civic, commercial and other nonresidential uses.” By way of example, to meet that requirement for a 50-acre multi-family district, the municipality must show at least 15 existing or potential new multi-family units per acre, or a total of at least 750 existing or potential new multi-family units.

### *b. Achieving district-wide gross density by sub-districts*

Zoning ordinances and bylaws typically limit the unit density on individual parcels of land. To comply with the statute's density requirement, an MBTA community may establish sub-districts within a multi-family district, with different density requirements and limitations for each sub-district, provided that the gross density for the district as a whole meets the statutory requirement of not less than 15 multi-family units per acre.

## **7. Determining Suitability for Families with Children**

Section 3A states that a compliant multi-family district must be without age restrictions and must be suitable for families with children. DHCD will deem a multi-family district to comply with these requirements as long as the zoning does not require multi-family uses to include units with age restrictions and does not place any limits or restrictions on the size of the units, the number of bedrooms, the size of bedrooms, or the number of occupants.

## 8. Location of Districts

Section 3A states that a compliant multi-family district shall “be located not more than 0.5 miles from a commuter rail station, subway station, ferry terminal or bus station, if applicable.” DHCD will interpret that requirement consistent with the following guidelines.

### *a. General rule for measuring distance from a transit station.*

To maximize flexibility for all MBTA communities, the distance from a transit station may be measured from the boundary of any parcel of land owned by a public entity and used for purposes related to the transit station, such as an access roadway or parking lot.

### *b. MBTA communities with some land area within 0.5 miles of a transit station*

An MBTA community that has a transit station within its boundaries, or some land area within 0.5 mile of a transit station located in another MBTA community, shall comply with the statutory location requirement if a substantial portion of the multi-family district is located within the prescribed distance. Absent compelling circumstances, at least [one half] of the land area of the multi-family district should be located within 0.5 mile of the transit station. The multi-family district may include land areas that are further than 0.5 mile from the transit station, provided that such areas are easily accessible to the transit station based on existing street patterns and pedestrian connections.

In unusual cases, the most appropriate location for a multi-family district may be in a land area that is further than 0.5 miles of a transit station. Where none of the land area within 0.5 mile of transit station is appropriate for development of multi-family housing—for example, because it comprises wetlands or land publicly owned for recreation or conservation purposes—the MBTA community may propose a multi-family use district that has less than one-half of its land area within 0.5 miles of a transit station. To the maximum extent feasible, the land areas within such a district should be easily accessible to the transit station based on existing street patterns, pedestrian connections, and bicycle lanes.

### *c. MBTA communities with no land area within 0.5 miles of a transit station*

When an MBTA community has no land area within 0.5 mile of a transit station, the multi-family district should, if feasible, be located in an area with reasonable access to a transit station based on existing street patterns, pedestrian connections, and bicycle lanes, or in an area that otherwise is consistent with the Commonwealth’s sustainable development principles—for example, near an existing downtown or village center, near an RTA bus stop or line, or in a location with existing under-utilized facilities that can be redeveloped into new multi-family housing.

## 9. Determinations of Compliance

DHCD will make determinations of compliance with Section 3A upon request from an MBTA community, in accordance with the following criteria and schedule. An MBTA community may receive a determination of full compliance when it has a multi-family district that meets all of the requirements of Section 3A. An MBTA community may receive a determination of interim compliance for a limited duration to allow time to enact a new multi-family district or amend an existing zoning district in order to achieve full compliance with Section 3A.

*a. Requests for determination of compliance*

When an MBTA community believes it has a multi-family district that complies with the requirements for Section 3A, as set forth in these guidelines, it may request a determination of compliance from DHCD. Such a request may be made for a multi-family district that was in existence on the date that Section 3A became law, or for a multi-family district that was created or amended after the enactment of Section 3A. In either case, such request shall be made on a form required by DHCD and shall include, at a minimum, the following information, which shall be provided in a format or on a template prescribed by DHCD:

General district information

- i. A map showing the municipal boundaries and the boundaries of the multi-family district;
- ii. A copy of those provisions in the municipal zoning code necessary to determine the uses permitted as of right in the multi-family district and the dimensional limitation and requirements applicable in the multi-family district;
- iii. A plan showing the boundaries of each parcel of land located within the district, and the area and ownership of each parcel as indicated on current assessor records;

Location of districts

- iv. A map showing the location of the nearest transit station and how much of the multi-family district is within 0.5 miles of that transit station;
- v. In cases where no portion of the multi-family district is located within 0.5 miles of a transit station, a statement describing how the development of new multi-family housing within the district would be consistent with the Commonwealth's sustainable development principles;

Reasonable size metrics

- vi. A calculation of the total land area within the multi-family district;
- vii. A calculation of the multi-family district's unit capacity, along with a statement describing the methodology by which unit capacity was determined, together with;
  - a. A description of the water and wastewater infrastructure serving the district, and whether that infrastructure is sufficient to serve any new multi-family units included in the unit capacity;
  - b. A description of any known physical conditions, legal restrictions or regulatory requirements that would restrict or limit the development of multi-family housing within the district;
  - c. The number and age of multi-family housing units already existing within the multi-family district, if any.

District gross density

- viii. The gross density for the multi-family district, calculated in accordance with section 6 of these guidelines.

## Housing suitable for families

- ix. An attestation that the zoning bylaw or ordinance does not place any limits or restrictions on the size of the units, the number of bedrooms, the size of bedrooms, or the number of occupants in multi-family housing units within the multi-family district.

## Attestation

- x. An attestation that the application is accurate and complete, signed by the MBTA community's chief executive officer.

As soon as practical after receipt of a request for determination of compliance, DHCD will either send the requesting MBTA community a notice that it has provided all of the required information, or identify the additional information that is required to process the request. Upon reviewing a complete application, DHCD will provide the MBTA community a written determination either stating that the existing multi-family use district complies with Section 3A, or identifying the reasons why the multi-family use district fails to comply with Section 3A and the steps that must be taken to achieve compliance.

An MBTA community shall be deemed to be in compliance with Section 3A for the period of time during which a request for determination of compliance, with all required information, is pending at DHCD.

### *b. Action plans and interim compliance—New or amended district*

Many MBTA communities do not currently have a multi-family district of reasonable size that complies with all of the requirements set out in Section 3A and these guidelines. These MBTA communities must take affirmative steps towards the creation of a compliant multi-family district within a reasonable time. To achieve interim compliance, the MBTA community must, by no later than the dates specified in section 9.c, send to DHCD written notice that a new multi-family district, or amendment of an existing multi-family district, must be adopted to come into compliance with Section 3A. The MBTA community must then take the following actions to maintain interim compliance:

- i. *Creation of an action plan.* Each MBTA community must provide DHCD with a proposed action plan and timeline for any planning studies or community outreach activities it intends to undertake in order to adopt a multi-family district that complies with Section 3A. DHCD may approve or require changes to the proposed action plan and timeline by sending the MBTA community written notice of such approval or changes. Rapid transit communities and bus service communities must obtain DHCD approval of an action plan by no later than March 31, 2023. Commuter rail communities and adjacent communities must obtain DHCD approval of a timeline and action plan by no later than July 1, 2023.
- ii. *Implementation of the action plan.* The MBTA community must timely achieve each of the milestones set forth in the DHCD-approved action plan, including but not limited to the drafting of the proposed zoning amendment and the commencement of public hearings on the proposed zoning amendment.



- iii. *Adoption of zoning amendment.* An MBTA community must adopt the zoning amendment by the date specified in the action plan and timeline approved by DHCD. For rapid transit communities and bus service communities, DHCD will not approve an action plan with an adoption date later than December 31, 2023. For commuter rail communities and adjacent communities, DHCD will not approve an action plan with an adoption date later than December 31, 2024.
- iv. *Determination of full compliance.* Within [90] days after adoption of the zoning amendment, the MBTA community must submit to DHCD a complete application requesting a determination of full compliance. The application must include data and analysis demonstrating that a district complies with all of the compliance criteria set forth in these guidelines, including without limitation the district's land area, unit capacity, gross density and location.

During the period that an MBTA community is creating and implementing its action plan, DHCD will endeavor to respond to inquiries about whether a proposed zoning amendment will create a multi-family district that complies with Section 3A. However, DHCD will issue a determination of full compliance only after final adoption of the proposed zoning amendment and receipt of a complete application demonstrating the unit capacity.

*c. Timeframes for submissions by MBTA communities*

To remain in interim compliance with Section 3A, an MBTA community must take one of the following actions by no later than December 31, 2022:

- i. Submit a complete request for a determination of compliance as set forth in section 9.a above; or
- ii. Notify DHCD that there is no existing multi-family district that fully complies with these guidelines, and submit a proposed action plan as described in section 9.b above.

**10. Renewals and Rescission of a Determination of Compliance**

*a. Term and renewal of a determination of compliance*

A determination of compliance shall have a term of 10 years. Each MBTA community shall apply to renew its certificate of compliance at least 6 months prior to its expiration. DHCD may require, as a condition of renewal, that the MBTA community report on the production of new housing within MBTA community, and in the multi-family district that was the basis for compliance. Applications for renewal shall be made on a form proscribed by DHCD.

*b. Rescission of a determination of compliance*

DHCD reserves the right to rescind a determination of compliance if DHCD determines that (i) the MBTA community submitted inaccurate information in its application for a determination of compliance, (ii) the MBTA community amended its zoning or enacted a general bylaw or other rule or regulation that materially alters the Unit capacity in the applicable multi-family use district.

**11. Effect of Noncompliance**

If at any point DHCD determines that an MBTA community is not in compliance with Section 3A, that MBTA community will not be eligible for funds from the following grant programs: (i) the Housing Choice Initiative as described by the governor in a message to the general court dated December 11, 2017; (ii) the Local Capital Projects Fund established in section 2E of chapter 29; or (iii) the MassWorks infrastructure program established in section 63 of chapter 23A. DHCD may, in its discretion, take non-compliance into consideration when making other discretionary grant awards.



**TOWN OF MEDWAY**  
**COMMONWEALTH OF MASSACHUSETTS**  
**COMMUNITY AND ECONOMIC**  
**DEVELOPMENT**

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Director

*Barbara J. Saint Andre*

**To: Select Board  
Planning and Economic Development Board  
Michael Boynton, Town Manager**

**From: Barbara J. Saint Andre  
Director, Community and Economic Development**

**Re: Draft Compliance Guidelines for Housing Choice Multi-family Housing**

**Date: January 6, 2021**

**I. Overview and Deadlines**

On December 15, 2021, the Department of Housing and Community Development (DHCD) issued “DRAFT Compliance Guidelines for Multi-family Districts Under Section 3A of the Zoning Act”, intended to implement Chapter 40A, §3A, enacted as part of the Housing Choice legislation, Chapter 358 of the Acts of 2020. Section 3A requires each MBTA community, which includes Medway, to provide at least one zoning district of “reasonable size” that allows multi-family housing by right, and complies with certain other requirements, including a minimum gross density of 15 units per acre. If the Town does not comply, the Town will not be eligible for Housing Choice, Local Capital Projects Fund, or MassWorks grants.

DHCD is accepting comments on the Draft Guidelines until **March 31, 2022**. While the Draft Guidelines are under review, we must take the following steps to remain in compliance with chapter 40A, §3A and be eligible for funding under the three programs listed above:

- Hold a briefing of the Select Board on the Draft Guidelines no later than **May 2, 2022**; and
- Submit the MBTA Community Information Form by **May 2, 2022**.

I am informed that DHCD will be providing assistance as to the required briefing on the Draft Guidelines. I recommend that we hold the required briefing and submit the Community Information Form by May 2, 2022 to remain eligible for this year’s funding round.

To remain in compliance, we must do one of the following no later than **December 31, 2022**:

- Submit a complete request for determination of compliance; or
- Submit a proposed action plan as provided for in the Draft Guidelines.

## **II. Requirements for Compliance**

Under the Draft Guidelines, a “reasonable size” is defined as 50 acres. With the required density of 15 units per acre, this means that the minimum multi-family district unit capacity requirement for Medway is 750 multi-family units according to the Draft Guidelines.

Please note that the multi-family district may include existing multi-family housing. A review of the Assessors’ records indicates the Glen Brook and 39 Main Street multi-family developments currently under construction should meet the required minimum density of 15 units per acre. Existing developments including Sanford Mill, Lovering Heights, and the Brick House apartments, as well as a number of small multi-family developments, also meet the minimum 15 units per acre based on Assessors’ records. These parcels are shown in purple on the accompanying map. Other multi-family developments that are more than 10 but less than 15 units per acre, for example Mahan and Maple Circle, are shown in orange on the map.

According to the Draft Guidelines, a multi-family zoning district must comply with the following in order to be in compliance:

- Multi-family housing must be allowed as of right, meaning that no discretionary permit, such as a special permit, is required. Site plan review may be required, but cannot be used to deny a project, or impose conditions that make multi-family housing impractical.
- A multi-family district must be of “reasonable size”, defined as at least 50 acres, and meet the minimum multi-family district capacity. We will need to estimate how many units could be constructed on each parcel of developable land within the district, based on factors such as the developable land, zoning requirements including height and setback limits, wetlands, the availability of town water and sewer, and other development restrictions. DHCD may provide assistance with how to complete this calculation.
- The multi-family district may be an overlay district, and may include more than one area, but at least one portion of the overlay district must include at least 25 contiguous acres of land, and no portion of the district that is less than 5 acres will be counted toward the minimum 50 acre requirement.
- The multi-family district must be without age restrictions and may not place restrictions on the size of the units, the number or size of bedrooms, or the number of occupants.
- Because Medway does not have land within .5 miles of a transit station, the multi-family district should, if feasible, be located in an area with reasonable access to a transit station, or consistent with the state’s sustainable development principles, such as near a downtown or village center.

There are detailed provisions in the Draft Guidelines for submitting information to DHDC on the multi-family housing district once it has been enacted, in order to obtain a determination that the Town is in compliance. As noted above, if we feel that we will not be able to enact compliant zoning by the end of 2022, we can submit an action plan and timeline to DHCD and request that the Town be found to be in interim compliance. Again, there are detailed provisions in the Draft Guidelines as to what is needed for an action plan.

### **III. Potential Areas to Provide Comments to DHCD**

Given the potential impact of the requirements in the Draft Guidelines on Medway's strained infrastructure, it is suggested that the Town should take advantage of the opportunity to provide comments on the Draft Guidelines. The Select Board and PEDB should consider reaching out to other towns in the area that will also be impacted by these requirements, and exploring the possibility of joining with other towns to submit joint comments. Please note that the required minimum density of 15 units per acre is imposed by the legislation, so that cannot be changed by DHCD in the guidelines. There are, however, a number of provisions in the Draft Guidelines that warrant a response, such as:

- The definition of "reasonable size" as requiring a minimum of 50 acres of land
- The requirements for determining the amount of developable land in the district
- Consideration of the impacts on infrastructure, including public water and sewer capacity and facilities; public ways; stormwater management; emergency services; groundwater and wetlands; and other public facilities
- There is no definition of "sustainable development principles", although communities not located within .5 miles of a transit station are expected to comply with this term
- The statement that DHCD may, in its discretion, take noncompliance into account for other discretionary grant awards
- Whether the requirements of chapter 40A, §3 constitute an unfunded mandate in violation of Proposition 2 ½
- Other items that may be brought forward through discussions and additional information from DHCD


I will be happy to discuss these items further or provide additional information.



# Multi-Family Housing Density



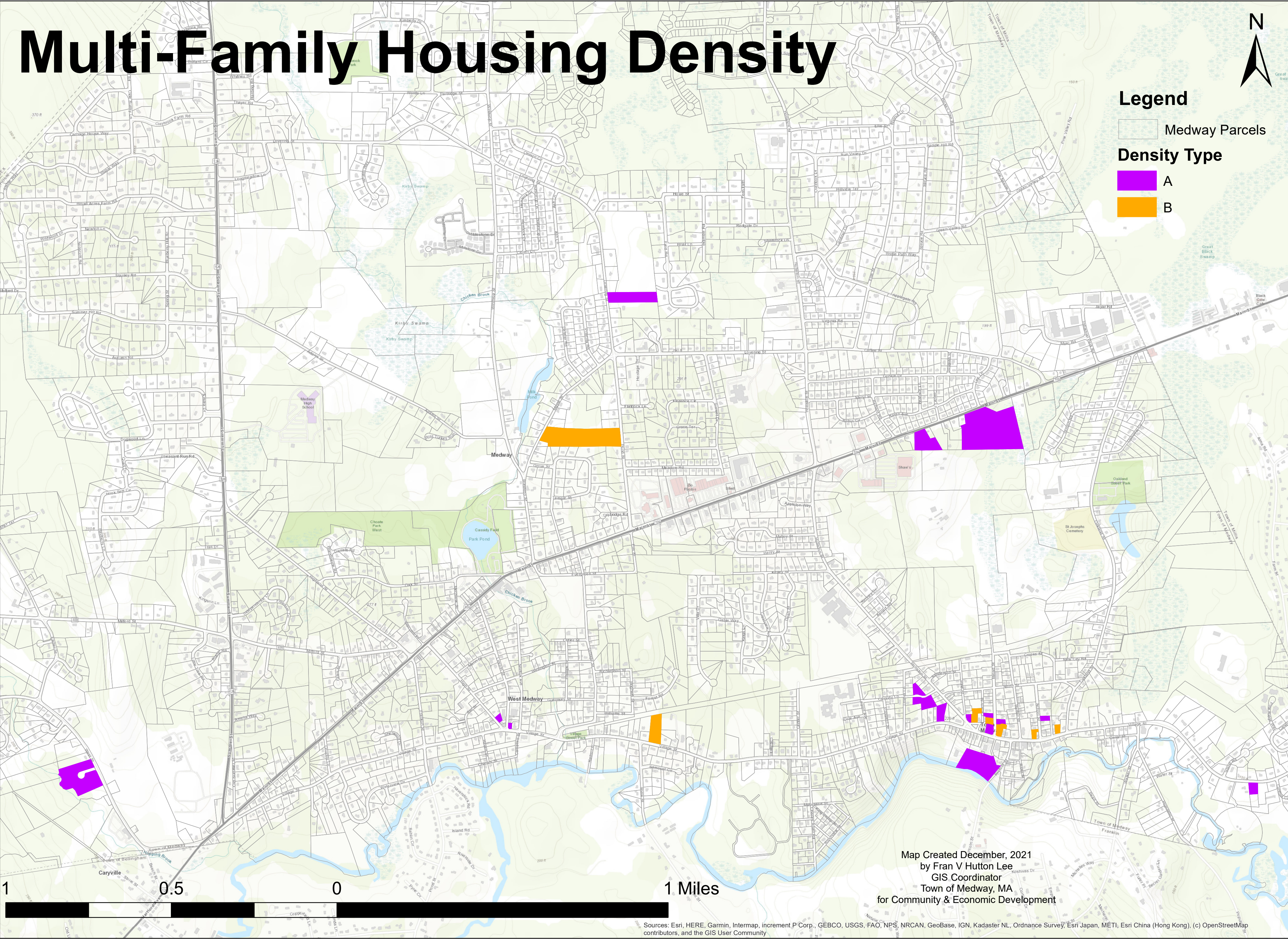
## Legend

 Medway Parcels

## Density Type

 A

 B



Map Created December, 2021  
by Fran V Hutton Lee  
GIS Coordinator  
Town of Medway, MA  
for Community & Economic Development

Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community





# New Multifamily Zoning Requirement for MBTA Communities

**Webinar Presentation**

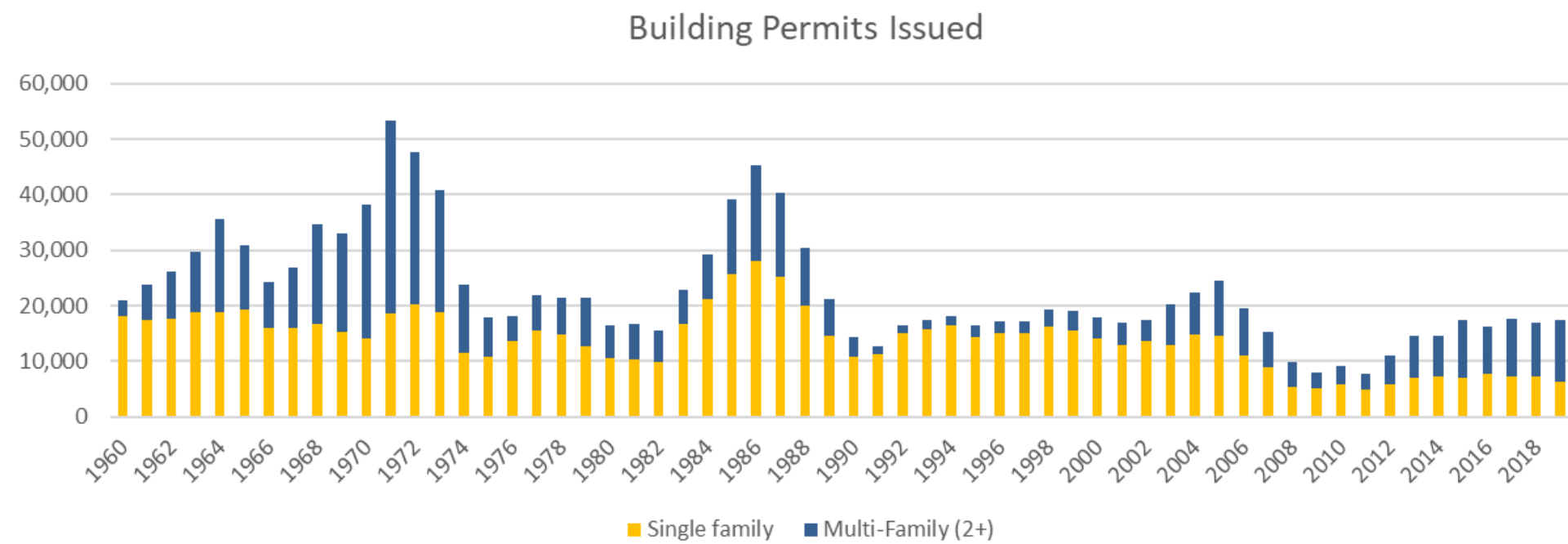
**January 12, 2022**



# Housing Production in Massachusetts



- Between 1960 and 1990, Massachusetts communities permitted almost 900,000 housing units. Since 1990, communities have permitted fewer than 470,000 new units.



- As highlighted in the *Future of Work* study, there is an estimated shortage of up to 200,000 housing units.
- Municipalities play a key role, through zoning and permitting, in determining whether or not housing is built. Cities and towns are therefore necessary partners if the Commonwealth is to solve our housing crisis.

- Before COVID-19, Massachusetts faced a core challenge in creating adequate housing to support young families, workers, and an aging population. The pandemic has further highlighted these needs.
- Massachusetts has among the highest, and fastest growing, home prices and rents of any state in the nation.
- Rising costs have dramatically increased financial pressures on low- and middle-income families, forcing them to sacrifice other priorities in order to pay housing costs. High housing costs are a primary driver of homelessness.
- The lack of housing production is an impediment to community development.
- These high costs are a disadvantage as we compete economically against peer states. The risk of future job growth moving outside Massachusetts is rising due to the high costs of living.

# Confronting the Housing Crisis



- **2018 Housing Bond Bill:**
  - In 2018, Governor Baker signed the largest housing bond bill in state history, authorizing more than \$1.8 billion to the future of affordable housing production and preservation.
  - Since 2015, Massachusetts has invested more than \$1.4 billion in the affordable housing ecosystem, resulting in the production and preservation of more than 22,000 housing units, including over 19,000 affordable units.
- **2021 Economic Development Bill:**
  - **Housing Choice Zoning Reforms:** These targeted changes to M.G.L c. 40A reduce the threshold of votes needed to adopt certain zoning measures that promote housing production from 2/3 to simple majority.
    - *Guided by a basic principle: Where there is majority consensus in communities around increasing housing production, a minority of voters should not be able to block zoning reform.*
  - \$50M for **Transit Oriented Housing Development** to produce new, high-density, mixed-income affordable housing developments located near major transit nodes and help mitigate environmental/traffic concerns
  - \$50M for **Neighborhood Stabilization** to return blighted or vacant units back to productive use, including in communities disproportionately affected by COVID-19
  - \$10M for **Climate-Resilient Affordable Housing Production** of affordable, multi-family housing developments, with the goals of equipping homes to better respond to climate changes and reducing greenhouse gas emissions
- **ARPA Spending Package:**
  - *Homeownership:* \$115M for the **CommonWealth Builder Program** and \$65M for **First-Time Homebuyer Assistance**
  - *Affordable Housing:* \$115M for the **Affordable Rental Units** and \$150M for **Supportive Housing**
- **Eviction Diversion Initiative:**
  - The Baker-Polito Administration has transformed a \$20M homelessness prevention program to an over \$700M comprehensive, state and federally funded disaster relief initiative. From March 2020 through November 2021, DHCD distributed \$411.3M in assistance to 55,371 unique households.

- **Importance:** We must continue to leverage housing best practices to meet the state's housing needs and position Massachusetts well for the future.
- **Opportunity:** In late 2019, the Mass Housing Partnership (MHP) evaluated 261 station areas in Greater Boston and found the median housing density across all station areas is roughly 6.2 homes per acre. MHP concluded that a modest increase to just 10 homes per acre could yield approximately 253,000 additional housing units over time.
- **Benefits:** By allowing multifamily housing near transit, we can create new housing in walkable neighborhoods closer to transit. This is not just good housing policy, it is good climate and transportation policy, too. The result of transit-oriented development is:
  - More housing closer to the places that we go every day, such as local shops, jobs, schools, restaurants, parks, etc.
  - Better access to work, services, and other destinations by increasing mobility and utilization of public transit
  - Reduced reliance on single occupancy vehicles, which helps in our larger effort to confront the climate crisis

# What We Are Discussing Today



- When the Governor signed the multi-family zoning requirement for MBTA communities into law last January, he made clear that the Administration will take a thoughtful approach in developing compliance criteria in accordance with the new law.
- To that end, the draft guidelines:
  - Are consistent with the underlying law
  - Focus on zoning—the local rules that govern where housing can be built
  - Recognize that a multi-family district that is reasonable in one city or town may not be reasonable in another city or town
  - Provide local control—municipalities have discretion where multi-family districts are located and the rules established in those districts
- The draft guidelines do not:
  - Include a production mandate or a requirement to build new units
  - Have anything to do with “Chapter 40B” which allows developers to bypass local zoning in communities where there is not enough affordable housing
- This is a real opportunity to establish a new paradigm for encouraging multi-family housing production.

# Relevant Section from the Economic Development Bill:



## Chapter 358 of the Acts of 2020

SECTION 18. Said chapter 40A is hereby further amended by inserting after section 3 the following section:-

Section 3A. (a)(1) An MBTA community shall have a zoning ordinance or by-law that provides for at least 1 district of reasonable size in which multi-family housing is permitted as of right; provided, however, that such multi-family housing shall be without age restrictions and shall be suitable for families with children. For the purposes of this section, a district of reasonable size shall: (i) have a minimum gross density of 15 units per acre, subject to any further limitations imposed by section 40 of chapter 131 and title 5 of the state environmental code established pursuant to section 13 of chapter 21A; and (ii) be located not more than 0.5 miles from a commuter rail station, subway station, ferry terminal or bus station, if applicable.

(b) An MBTA community that fails to comply with this section shall not be eligible for funds from: (i) the Housing Choice Initiative as described by the governor in a message to the general court dated December 11, 2017; (ii) the Local Capital Projects Fund established in section 2EEEE of chapter 29; or (iii) the MassWorks infrastructure program established in section 63 of chapter 23A.

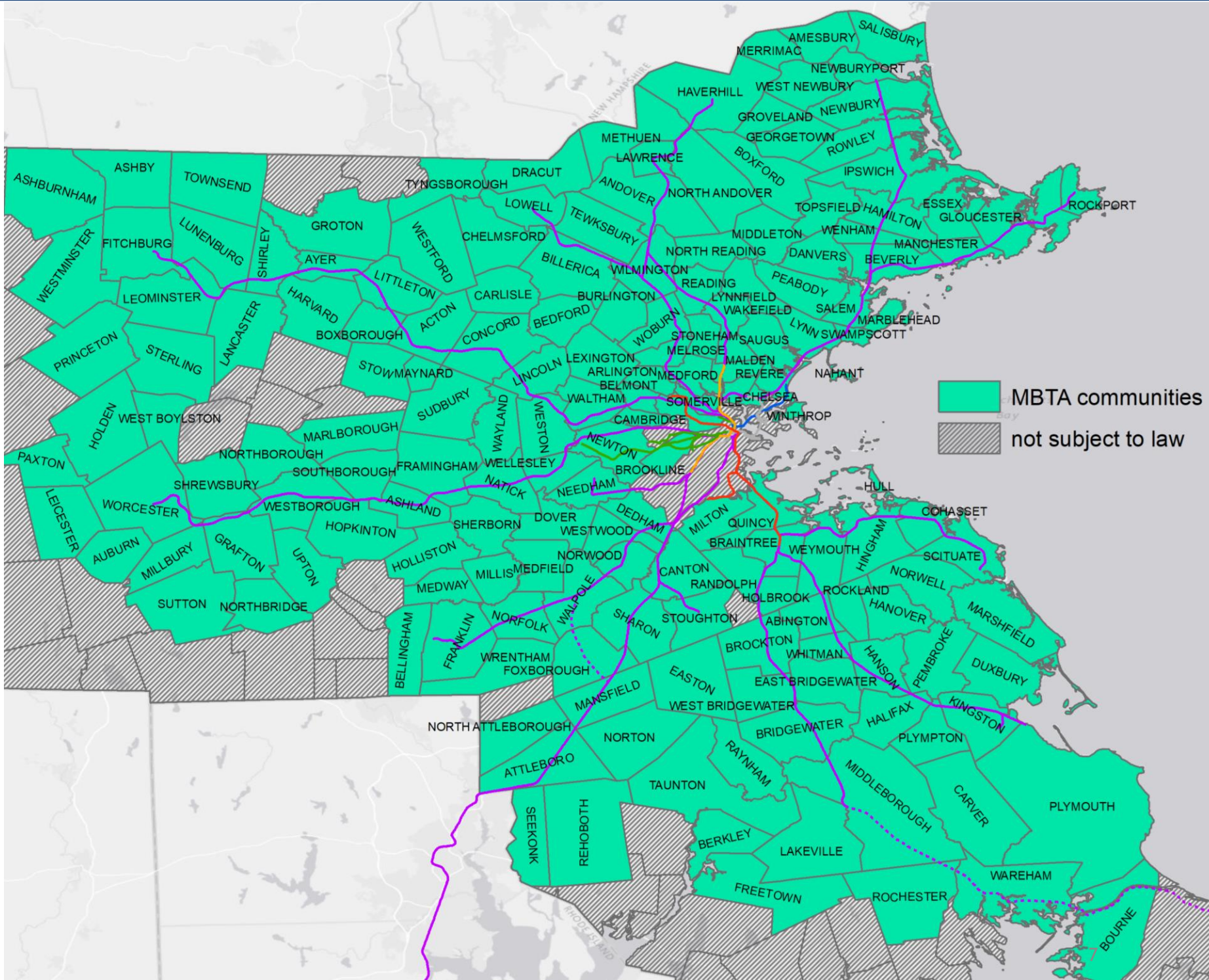
(c) The department, in consultation with the Massachusetts Bay Transportation Authority and the Massachusetts Department of Transportation, shall promulgate guidelines to determine if an MBTA community is in compliance with this section.



# What is an MBTA Community?



- “MBTA community” is defined by reference to G.L. c. 161A, sec. 1.
- There are 175 municipalities\* subject to this new law:



*\*Note, Boston is not subject to the Zoning Act (c. 40A) including section 3A.*



# Reasonable Size: Land Area & Unit Capacity



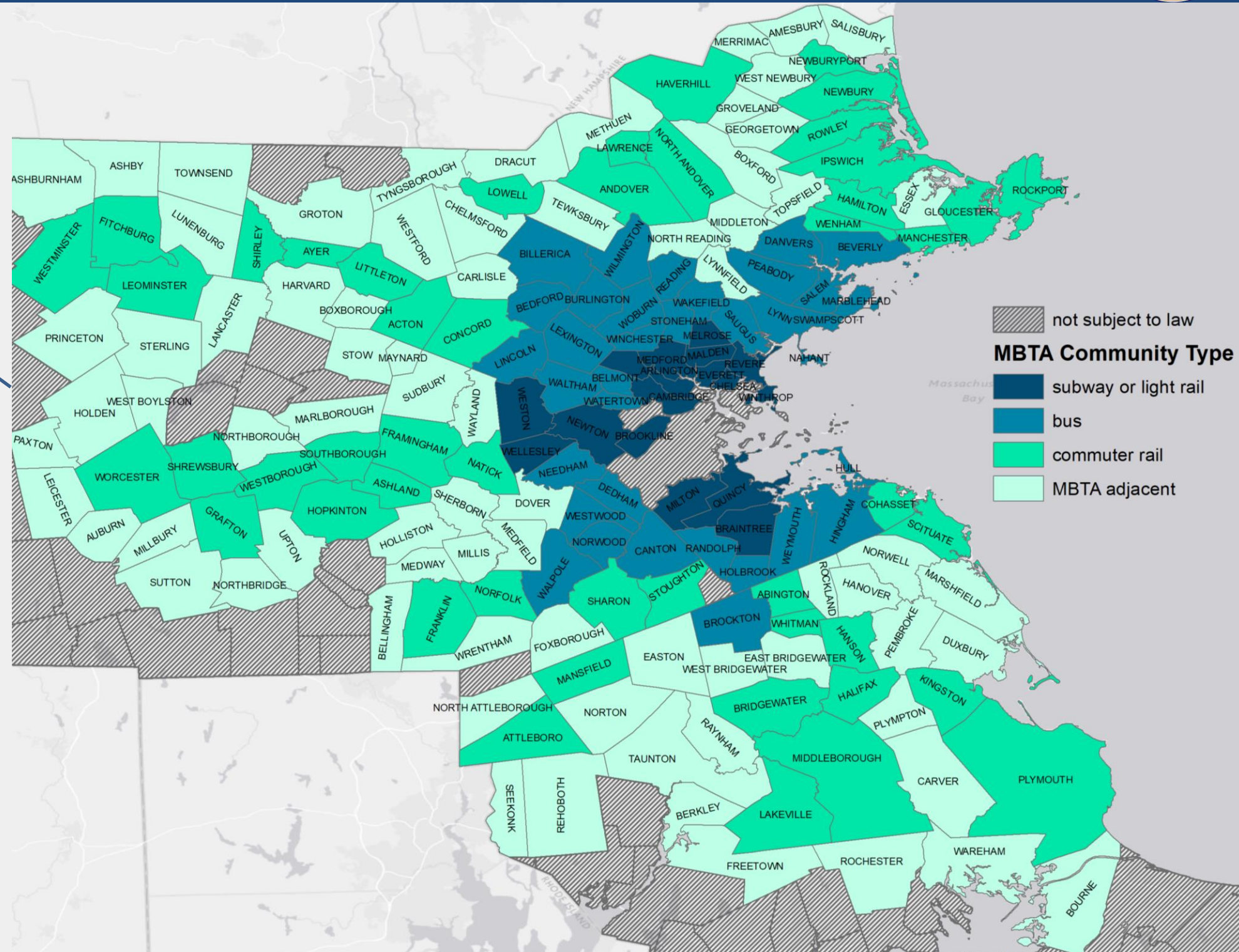
- DHCD issued preliminary guidance on January 29, 2021. The preliminary guidance provided that MBTA Communities will be deemed to be in compliance with this new section until more detailed compliance criteria are established. These draft guidelines propose those compliance criteria.
- The draft guidelines outline a two-part test to determine reasonable size:
  1. **Minimum Land Area:** multi-family districts must comprise at least 50 acres of land—or approximately 1/10 of the land area within 0.5 mile of a transit station -- with a **minimum gross density of 15 units per acre**, subject to any further limitations imposed by relevant aspects of the state environmental code.
  2. **Minimum Multi-Family Unit Capacity:** The multi-family unit capacity is a number of units based on a percentage of total housing units within the community. This represents the number of multi-family housing units that can be developed as of right within the multi-family district. That percentage varies by access to transit:

Service Type/Category	Minimum MF % of Total Housing Stock	# of communities
Subway or light rail communities	25%	17
MBTA bus communities	20%	35
Commuter rail communities	15%	48
“Adjacent” communities, no MBTA transit service	10%	75

# MBTA Communities By Category of Service



All communities served by the MBTA need to zone to allow for multifamily housing by-right, with a greater obligation for communities with higher levels of transit service.





# Closer Look at Minimum Unit Capacity



- In addition to the minimum land area test, the minimum unit capacity test means that each district must have **capacity** for a minimum number of multi-family units (existing or potential).
- For example, for a municipality with 10,000 housing units, the minimum capacity will vary based on the type of service:

Service Type/Category	Minimum MF % of Total Housing Stock	Minimum <i>capacity</i> for <i>multi-family housing</i>
Subway or light rail communities	25%	2,500
MBTA bus communities	20%	2,000
Commuter rail communities (a rail station in the community or within 0.5 mile)	15%	1,500
“Adjacent” communities, no MBTA transit service	10%	1,000

- Important to remember that this is about **capacity**—enabling production by expanding capacity through zoning. Actual unit production will depend on many factors.

# Size and Density Requirements



Section 3A requires districts be of “reasonable size” and have a minimum gross density of 15 units per acre:

- **Unit capacity** is the minimum number of multi-family units the zoning allows as of right. Each community’s minimum unit capacity is a percentage of its existing housing stock.
- The **gross density requirement** is a simple formula: 15 units times the number of acres in the district. A district comprising 50 acres (i.e. the minimum land area) must allow as of right at least 750 units (15 x 50) to meet the gross density requirement.

Each multi-family zoning district must satisfy **both tests**. In some cases, the minimum number of units will be equal to the minimum unit capacity. In other cases, the minimum number of units allowed as of right will be determined by the gross density requirement.

- This explains why **750 units is a floor for all communities** under the draft guidelines.

- The statute provides that “a district of reasonable size shall...be located not more than 0.5 miles from a commuter rail station, subway station, ferry terminal or bus station, if applicable.”
- **MBTA communities with some land area within 0.5 miles of a transit station:**
  - Require at least ½ of land area of the multi-family zoning district to be located within the prescribed distance, with exceptions only in unusual cases.
- **MBTA communities with no land area within 0.5 miles of a transit station:**
  - The multi-family district should be located in an area with reasonable access to a transit station based on existing street patterns, pedestrian connections, and bicycle lanes, or in an area that otherwise is consistent with the Commonwealth’s sustainable development principles (e.g., near an existing downtown, village center, or an area of concentrated development).



# Examples of ~15 Units Per Acre:



Westwood, MA



Norfolk, MA



Sudbury, MA



Lexington, MA

**Source:** *The Urbanist* illustrating new mixed-housing-type subdivision at ~15 units per acre

*Credit: Amy Dain*



# Importance of Technical Assistance



- The Baker-Polito Administration realizes that implementation is going to be complex and challenging, and that some municipalities – possibly many – are going to need help and support of different kinds.
- To that end, we are developing a suite of Technical Assistance to support municipalities, over time, with implementation.
- EOHED/DHCD/MHP are working to make the process of seeking and receiving technical assistance as streamlined as possible for municipalities.






- **From the Massachusetts Housing Partnership (MHP), with consultant support:**
  - Online tools and a clearinghouse of info, available to municipalities at their own pace, to include:
    - Webinars and training modules, best practices, model ordinances and bylaws, and sample public outreach materials
  - Grant monies for third-party assistance to municipalities selected based on their readiness to participate and need for support, to include help with:
    - Drafting/amending bylaws and ordinances, conducting build-out analysis, drawing/mapping district boundaries, etc.
    - Information and links to all available technical assistance resources for MBTA communities to be posted on the [Housing Toolbox](#)
- **Additional TA opportunities and avenues will include:**
  - FY23 Community One Stop: MBTA Communities can apply for assistance through programs like the Housing Choice Grant Program, Community Planning Grants, and the Rural and Small Town Development Fund
  - FY23 EOEEA Land Use Planning Grant program will prioritize MBTA municipalities
  - Support from eight Regional Planning Agencies through prioritization of Commonwealth-provided District Local Technical Assistance (DLTA) funding to municipalities seeking to implement the new provisions and needing help to do so.
  - And potentially more...

# How to Comply in 2022



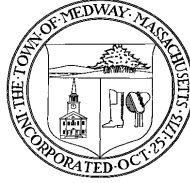
- Each MBTA community will be deemed to achieve interim compliance—and remain eligible for the 2022 One Stop—as long as it completes the “MBTA Community Information Form”. 
- This online form includes some straightforward requests:
  - Provide basic information about existing zoning via online form
  - Discuss the MBTA draft guidance at a meeting of the select board, city council or Town Council
  - 12 communities need to update GIS parcel data needed to make unit capacity and density calculation
- To be eligible for the 2022 One Stop Process, you must complete this form by May 2nd, 2022.



- **Robust Stakeholder Engagement Process (December 15 – March 31):**
  - The Baker-Polito Administration intends to spend the next few months soliciting input and feedback from key stakeholders, particularly towns and cities.
  - This process is also designed to educate and inform relevant parties of the expectations, as set forth in the legislation and by the draft guidelines.
  - Public comment period will end on March 31, 2022.
- **Final Guidelines to be issued after Stakeholder Engagement Process:**
  - Once final guidelines are developed, communities will be expected to take affirmative steps towards the creation of a compliant multi-family district.
  - Deadline for having a compliant zoning district as proposed in the draft will be phased-in:
    - 2023 for subway and bus communities
    - 2024 for commuter rail and MBTA adjacent communities



- Please visit [mass.gov/mbtacommunities](https://mass.gov/mbtacommunities) for:
  - Draft Guidelines
  - How to Comply in 2022
    - Due by 5/2/22
  - Public Comment(s)
  - Access to Technical Assistance
  - Frequently Asked Questions (FAQ)—**NEW!**
  - Other important information



**January 25, 2022**  
**Medway Planning & Economic Development Board**  
**Meeting**

**ZBA Petition – 1 High Street Variance**

- Application materials and site plan for a use variance to construct a two-family dwelling at 1 High Street (currently a vacant parcel) with the appearance of a single-family dwelling, which is not an allowed use in the Village Commercial district AND an area variance for a 9,958 square foot lot where 10,000 square feet is required. NOTE – The applicant has not provided proposed building elevations.

This is scheduled for consideration at the ZBA's February 2, 2022 meeting.





# TOWN OF MEDWAY

## ZONING BOARD OF APPEALS

155 Village Street  
Medway MA 02053

### GENERAL APPLICATION FORM

Case Number: \_\_\_\_\_

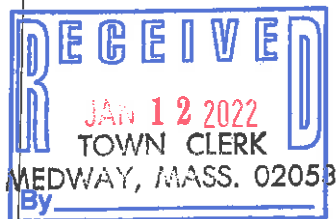
Phone: 508-321-4915 | zoning@townofmedway.org  
www.townofmedway.org/zoning-board-appeal

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):	Application Request(s):
Karen E. Kilroy	
Kevin P. Currivan	
Property Owner(s):	
Karen E. Kilroy	Appeal <input type="checkbox"/>
Kevin P. Currivan	Special Permit <input type="checkbox"/>
Site Address(es):	Variance <input checked="" type="checkbox"/>
1 High Street, Medway, MA 02053	Determination/Finding <input type="checkbox"/>
	Extension (provide previous case #) <input type="checkbox"/>
	Modification (provide previous case #) <input type="checkbox"/>
Parcel ID(s):	Withdrawal <input type="checkbox"/>
58-138	Comprehensive Permit <input type="checkbox"/>
Zoning District(s): VC	
Registry of Deeds Book & Page No. and Date or Land Court Certificate No. and Date of Current Title:	
Book 4142, Page 527 and Norfolk County Probate and Family Court Docket Number NO14P0944EA	

TOWN CLERK STAMP



#### TO BE COMPLETED BY STAFF:

Check No.: 262048  
Date of Complete Submittal: 1/12/2022  
Comments:

## GENERAL APPLICATION FORM

Case Number: \_\_\_\_\_

**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.*

<b>Applicant/Petitioner(s):</b> Karen E. Kilroy	<b>Phone:</b> 774-277-2887
Kevin P. Currivan	<b>Email:</b> kilroy.karen@gmail.com
<b>Address:</b> 36 Ellis Street, Medway, MA 02053	
<b>Attorney/Engineer/Representative(s):</b> Stephen J. Kenney	<b>Phone:</b> 508-533-6711
Stephen J. Kenney	<b>Email:</b> sjk@kenney-law.com
<b>Address:</b> 181 Village Street, Medway, MA 02053	
<b>Owner(s):</b> Karen E. Kilroy	<b>Phone:</b> 774-277-2887
Kevin P. Currivan	<b>Email:</b> kilroy.karen@gmail.com
<b>Mailing Address:</b> 36 Ellis Street, Medway, MA 02053	

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

Date

Signature Property Owner (if different than Applicant/Petitioner)

Date

# GENERAL APPLICATION FORM

Case Number: \_\_\_\_\_

## APPLICATION INFORMATION

YES NO

Applicable Section(s) of the Zoning Bylaw: Section 6.1	Requesting Waivers?	<input type="radio"/> YES <input checked="" type="radio"/> NO
	Does the proposed use conform to the current Zoning Bylaw?	<input type="radio"/> YES <input checked="" type="radio"/> NO
Present Use of Property: Vacant Lot	Has the applicant applied for and/or been refused a building permit?	<input type="radio"/> YES <input checked="" type="radio"/> NO
	Is the property or are the buildings/ structures pre-existing nonconforming?	<input type="radio"/> YES <input checked="" type="radio"/> NO
Proposed Use of Property: 2-Family Residence	Is the proposal subject to approval by the BOH or BOS?	<input type="radio"/> YES <input checked="" type="radio"/> NO
	Is the proposal subject to approval by the Conservation Commission?	<input type="radio"/> YES <input checked="" type="radio"/> NO
Date Lot was created: 1957	Is the property located in the Floodplain District?	<input type="radio"/> YES <input checked="" type="radio"/> NO
Date Building was erected: N/A	Is the property located in the Groundwater Protection District?	<input type="radio"/> YES <input checked="" type="radio"/> NO
Does the property meet the intent of the Design Review Guidelines? N/A	Is the property located in a designated Historic District or is it designated as a Historic Landmark?	<input type="radio"/> YES <input checked="" type="radio"/> NO
<p><b>Describe Application Request:</b></p> <p>Petitioners seek an Area Variance from the required 10,000 S.F. to 9,958 S.F. (an Area Variance of 42 S.F.) and a Use Variance to allow a two-family duplex to be constructed on said lot which has the appearance of a single-family residence.</p>		

# GENERAL APPLICATION FORM

Case Number: \_\_\_\_\_

## FILL IN THE APPLICABLE DATA BELOW

Required Data	Bylaw Requirement	Existing	Proposed
A. Use		Vacant Parcel	2 Family Dwelling
B. Dwelling Units	Multi Family by Special Permit	0	2
C. Lot Size	10,000 S.F.	9,958 S.F.	9,958 S.F.
D. Lot Frontage	50'	117.28 and 117.49	117.28 and 117.49
E. Front Setback	20'	N/A	> 20'
F. Side Setback	10'	N/A	10'
G. Side Setback	10'	N/A	20'
H. Rear Setback	10'	N/A	10'
I. Lot Coverage	80%	N/A	21.3%
J. Height	40'	N/A	> 40'
K. Parking Spaces	N/A	N/A	6
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](mailto:zoning@townofmedway.org) and 10 paper copies to the Community & Economic Development Department.

## VARIANCE FORM



### TOWN OF MEDWAY ZONING BOARD OF APPEALS

155 Village Street  
Medway MA 02053

Phone: 508-321-4915 | [zoning@townofmedway.org](mailto:zoning@townofmedway.org)  
[www.townofmedway.org/zoning-board-appeal](http://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

*Please provide evidence regarding how the Variance Criteria, outlined below, is met. All Variance Criteria must be met to be considered. Provide attachments if necessary.*

1. What circumstances exist relating to the shape, topography, or soil conditions of the subject property which do not generally affect other land in the zoning district? (See MGL c. 40A Section 10)

See Attached

2. What substantial hardship, financial or otherwise, is caused by the circumstances listed above when the literal enforcement of Medway Zoning Bylaw is applied? (See MGL c. 40A Section 10) (Cannot be *personal hardship*)

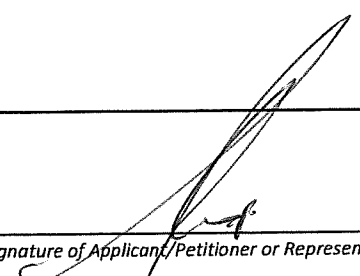
See Attached

3. State why desirable relief may be granted without substantial detriment to the public good.

See Attached

4. State why relief may be granted without nullifying or substantially derogating from the intent or purpose of the Zoning Bylaw.

See Attached

  
Signature of Applicant/Petitioner or Representative

  
Date

## Variance Form Continuation Sheet

1. The circumstances that exist relating to the shape, topography, or soil conditions of the subject property which do not generally affect other land in the zoning district are as follows. The shape of the lot is somewhat odd in that it abuts High Street and Village Street and has frontage of 80.78 feet on High Street and 117.28 feet on Village Street with the portion of the frontage that intersects between High Street and Village Street being 36.71 feet. Presently the lot is vacant. It had originally been the site of a convenience store and an apartment which was located very close to High Street. Because of the shape of the lot the proposed two-family structure would be able to be located on it so that the structure would be in conformity with all set back requirements. The only variances required is that of area from 10,000 sq. ft. to 9,958 sq. ft. for a variance of 42 sq. ft. and from the use as a single-family residence to a two-family residence with the exterior appearance of a single-family residence. The lot is such that it would also accommodate adequate parking for the proposed two-family structure.
2. The substantial hardship, financial or otherwise, that would be caused by the circumstances listed above when the literal enforcement of the Medway Zoning Bylaw is applied is as follows. Without the Zoning variance of 42 sq. ft. of area and the use variance, the subject lot would not be a buildable lot and would not be able to have any type of structure proposed to be built upon it. This would be a substantial hardship to the Petitioner in that a lot that could readily accommodate two-family structure would not be able to be built upon. An additional hardship would be to not allow the rebuilding of a previously pre-existing non-conforming structure on a lot that has the ability to carry such a structure.
3. Desirable relief may be granted without substantial detriment to the public good in that the structure would be in conformity with all Zoning Bylaw in the Village Commercial Zoning District, there are other multi-family structures in the immediate area of the subject lot; there would be adequate parking utilized and provided so that parking would not be an issue, and the proposed two-family use is also more accommodating to the surrounding neighborhood as the majority of the neighborhood is residential and much of it is multi-family.
4. The requested relief may be granted without nullifying or substantially derogating from the intent or purpose of the Zoning Bylaw in that it would allow the reconstruction of a pre-existing non-conforming structure on a much-improved location on the lot than the previously pre-existing non-conforming structure. The proposed location would be better for the surrounding neighborhood, the Town, and the Petitioner. Additionally, the only variances being sought and required for it to be considered a buildable lot would be an area variance of 42 sq. ft. from 10,000 sq. ft. to 9,958 sq. ft. a variance that could be considered de minimis and a use variance from single-family to two family. The lot also had adequate frontage on the Village Street and High Street, and it would not crowd any of the abutters.





**TOWN OF MEDWAY**  
**COMMONWEALTH OF MASSACHUSETTS**  
**ZONING BOARD OF APPEALS**

Medway Town Hall  
155 Village Street  
Medway, MA 02053  
Phone (508) 321-4890  
Email: [zoning@townofmedway.org](mailto:zoning@townofmedway.org)  
[www.townofmedway.org](http://www.townofmedway.org)

**Representative Authorization Form**

*Board Members*

Rori Stumpf, Chair  
Brian White, Vice Chair  
Gibb Phenegar, Clerk  
Christina Oster, Member  
Tom Emero, Member  
Brian Cowan, Associate  
Member  
Carol Gould, Associate  
Member

I, Karen E. Kilroy certify that I am the owner of  
the property and I am aware of and authorize the submission of this  
application being submitted by my representative  
Stephen J. Kenney.

All information submitted is accurate to my knowledge.

Karen E. Kilroy  
Property Owner Name

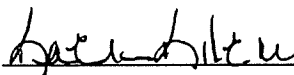
1 High Street  
Property Address

774-277-2887  
Telephone Number

58-138  
Parcel ID

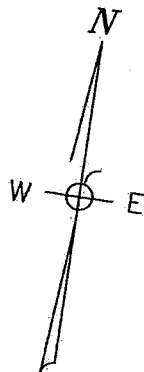
kilroy.karen@gmail.com  
Email Address

VC  
Zoning District

  
Property Owner Signature

1-12-22  
Date

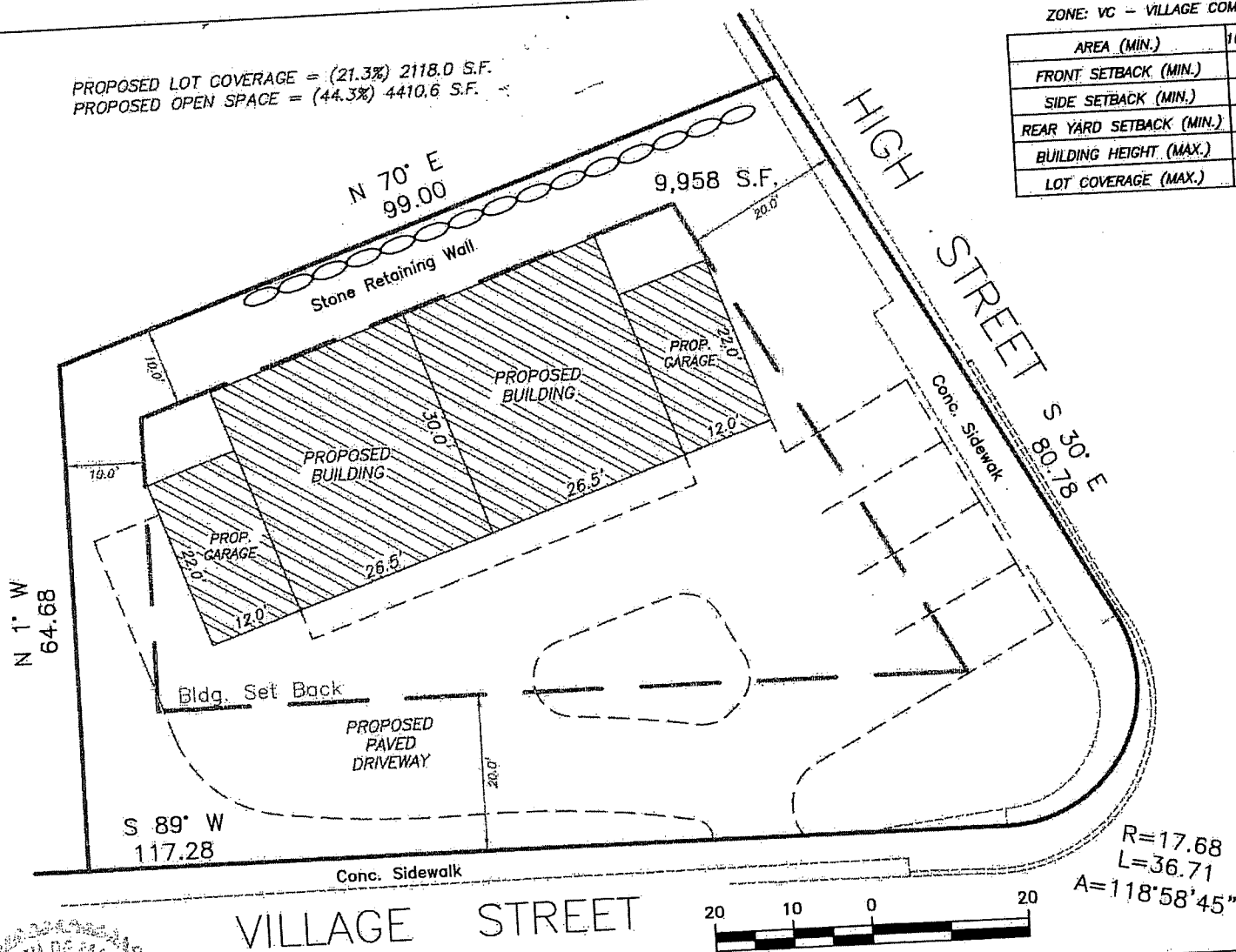
**Please Note:** This form must be returned to the Zoning Board of Appeals when submitting the application if being  
completed by a representative or it will be incomplete until this form is completed.



PROPOSED LOT COVERAGE = (21.3%) 2118.0 S.F.  
 PROPOSED OPEN SPACE = (44.3%) 4410.6 S.F.

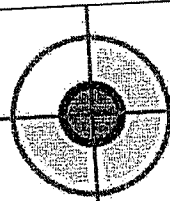
ZONE: VC - VILLAGE COMMERCIAL

AREA (MIN.)	10,000 SQ. FT.
FRONT SETBACK (MIN.)	20'
SIDE SETBACK (MIN.)	10'
REAR YARD SETBACK (MIN.)	10'
BUILDING HEIGHT (MAX.)	40'
LOT COVERAGE (MAX.)	80%



Dennis O'Brien

P.L.S.



**D. O'BRIEN**  
**LAND SURVEYING**

480 WEST CENTRAL  
 FRANKLIN, MA 02038 508-541-0048

**PLAN SHOWING PROPOSED 2-UNIT RESIDENTIAL BUILDING**

1 HIGH STREET  
 MEDWAY, MA NORFOLK COUNTY

SCALE: 1" = 20'  
 DATE: 12/21/2020

REVISED:

DRAWN BY: A.R.M.

CHECKED BY: D.O.



**January 25, 2022**  
**Medway Planning & Economic Development Board**  
**Meeting**

**Rocky's Hardware Site Plan**  
**Endorsement**

- Revised Site Plan dated 1-19-22
- Tetra Tech review email dated 1-12-22 of an earlier version of the site plan submitted for endorsement. TT's only comment about the endorsement box has been corrected in the site plan dated 1-19-22.

NOTE – We have not yet received payment for the Rocky's construction account. The invoice for \$3,800 was emailed to the Permittee's representative on 1-12-22. I have advised the Permittee that payment is required before the Board endorses the site plan. The Board may want to consider signing the plan at the 1-25-22 meeting but direct me to NOT release it to the applicant until the construction funds are paid.





SITE DEVELOPMENT PLANS  
ROCKY'S ACE HARDWARE  
GARDEN CENTER

98 MAIN STREET  
MAP 40, LOT 055  
MEDWAY, MASSACHUSETTS 02053

ZONED: CENTRAL BUSINESS DISTRICT

ORIGINAL PLAN DATED 7-12-21  
LAST REVISED 1-19-22

OWNER  
MEDWAY REALTY, LLC  
63 ATLANTIC AVENUE  
BOSTON, MA 02110

APPLICANT  
ROCKY'S ACE HARDWARE, LLC  
40 ISLAND POND ROAD  
SPRINGFIELD, MA 01118

CIVIL ENGINEERS & SURVEYORS

SUGRUE & ASSOCIATES, INC.  
9 THURBER BLVD, SUITE A  
SMITHFIELD, R.I. 02917  
OFFICE: (401) 647-3890  
FAX: (401) 647-7067



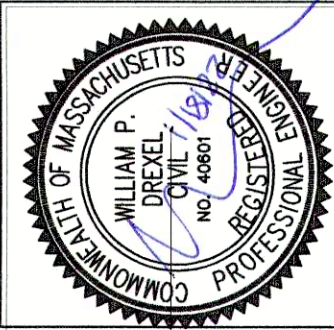
LOCUS MAP  
SCALE: N. T. S.

EXISTING	LEGEND	PROPOSED
---	PROPERTY LINE	---
---62---	CONTOUR	---
---	CONTOUR	---
---	EDGE OF PAVEMENT	---
---	FENCE	---
---	WATER LINE	---
---	ELECTRIC LINE	---
---	ELEC., TEL., CABLE LINE	---
---	ELECTRIC LINE	---
---	ELECTRIC LINE	---
---	GAS LINE	---
---	SEWER LINE	---
---	DRAIN LINE	---
○ DMH	DRAIN MANHOLE	○
■ CB	CATCH BASIN	■
○ SMH	SEWER MANHOLE	○
★	LIGHT	★
⊕ SIGN	SIGN	⊕
⊞	TEST HOLE	⊞

DRAWING INDEX

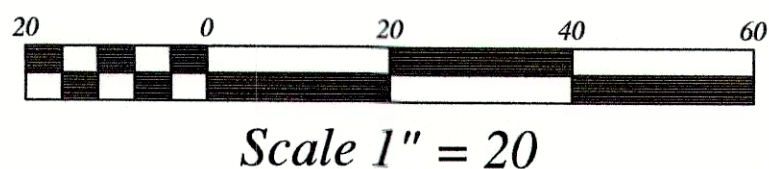
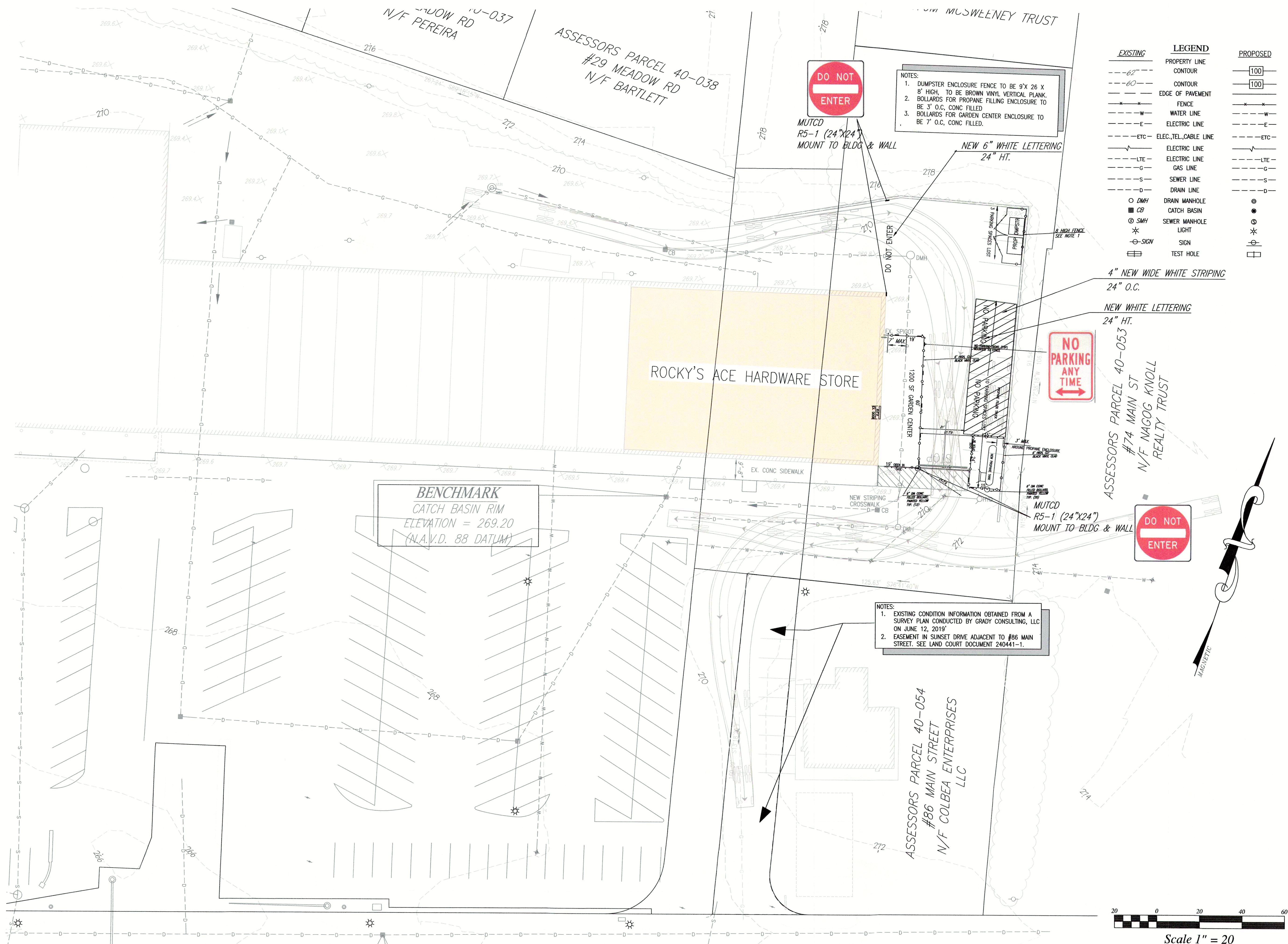
C-0 COVER SHEET  
C-1 ROCKY'S ACE HARDWARE GARDEN CENTER PLAN

SUGRUE & ASSOC., INC.  
CIVIL ENGINEERS & LAND SURVEYORS  
9 THURBER BLVD-SUITE A  
SMITHFIELD, R.I. 02917  
(401) 647-3890 FAX (401) 647-7067



REV.	NO.	DATE	REVISION	MADE BY	CHKD. BY
0	1	7-12-21	DATE OF ISSUE		
1	2	7-12-21	REVISED PARKING SPACES		
2	3	7-12-21	ADDED DRAINAGE, SPOT STOP, LARAINES		
3	4	8-16-21	REVISED FENCE TO P. 11.		
4	5	8-16-21	ADDED DUMPSTER ENCL. TO RM. 1 & BELLARD		
5	6	8-16-21	REVISED FENCE TO P. 11.		
6	7	8-16-21	REVISED FENCE TO P. 11.		
7	8	8-16-21	REVISED FENCE TO P. 11.		
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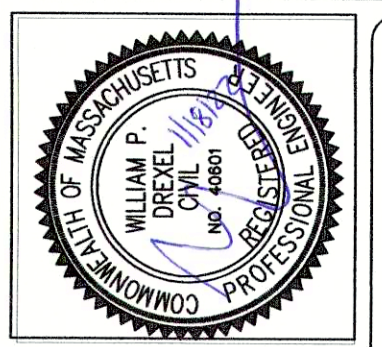


EXISTING	LEGEND	PROPOSED
---	PROPERTY LINE	---
---	CONTOUR	---
---	CONTOUR	---
---	EDGE OF PAVEMENT	---
---	FENCE	---
---	WATER LINE	---
---	ELECTRIC LINE	---
---	ELEC./TEL./CABLE LINE	---
---	ELECTRIC LINE	---
---	ELECTRIC LINE	---
---	GAS LINE	---
---	SEWER LINE	---
---	DRAIN LINE	---
---	DRAIN MANHOLE	---
---	CATCH BASIN	---
---	SEWER MANHOLE	---
---	LIGHT	---
---	SIGN	---
---	TEST HOLE	---

NOTES:  
1. DUMPSTER ENCLOSURE FENCE TO BE 9'X 26' X 8' HIGH, TO BE BROWN VINYL VERTICAL PLANK.  
2. BOLLARDS FOR PROPANE FILLING ENCLOSURE TO BE 3' O.C., CONC. FILLED.  
3. BOLLARDS FOR GARDEN CENTER ENCLOSURE TO BE 7' O.C., CONC. FILLED.

NOTES:  
1. EXISTING CONDITION INFORMATION OBTAINED FROM A SURVEY PLAN CONDUCTED BY GRADY CONSULTING, LLC ON JUNE 12, 2019.  
2. EASEMENT IN SUNSET DRIVE ADJACENT TO #86 MAIN STREET. SEE LAND COURT DOCUMENT 240441-1.

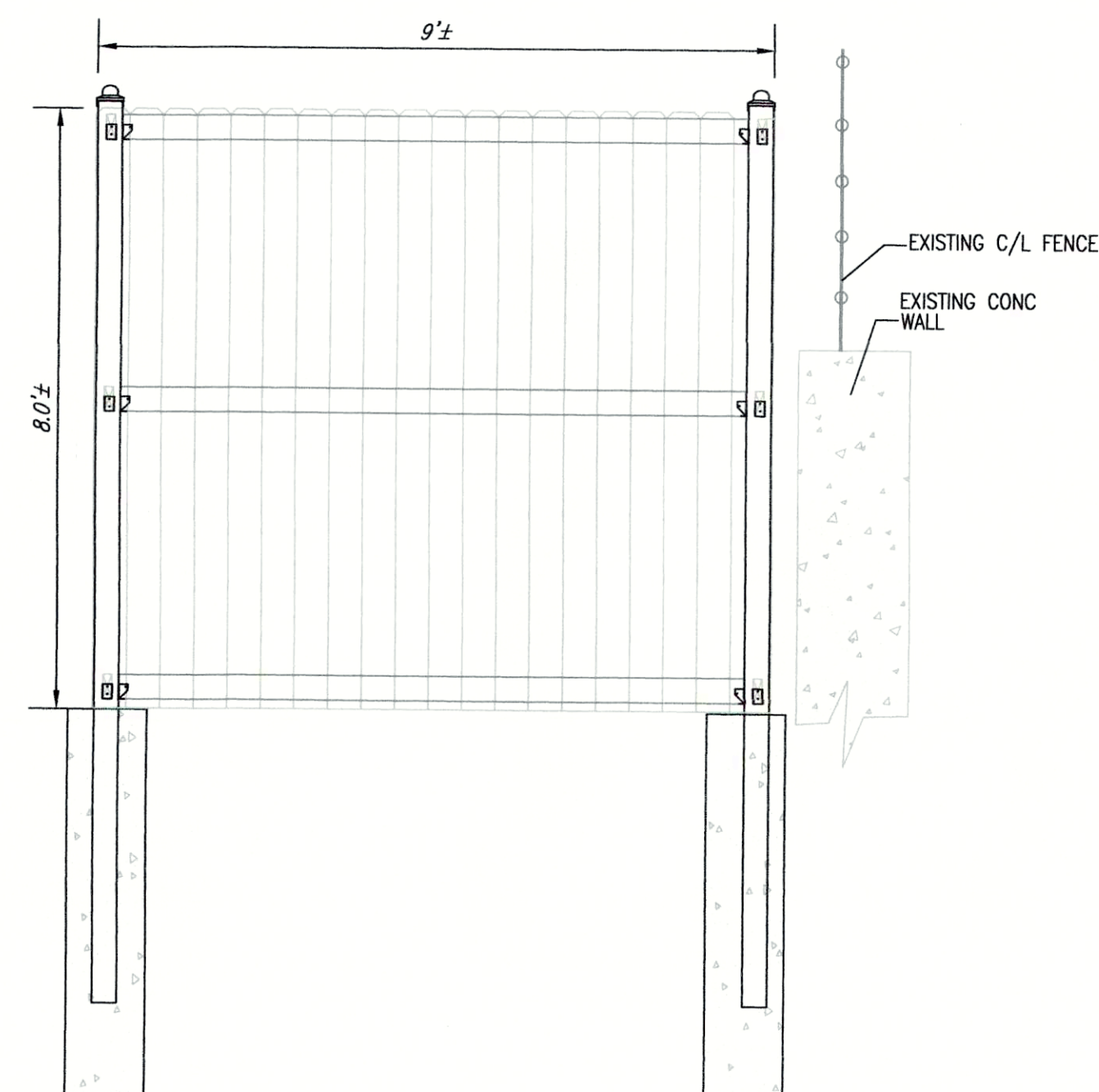
**SUGRUE & ASSOC., INC.**  
CIVIL ENGINEERS & LAND SURVEYORS  
**9 THURBER BLVD-SUITE A**  
**SMITHFIELD, R.I. 02917**  
(401) 647-3890 FAX (401) 647-7067



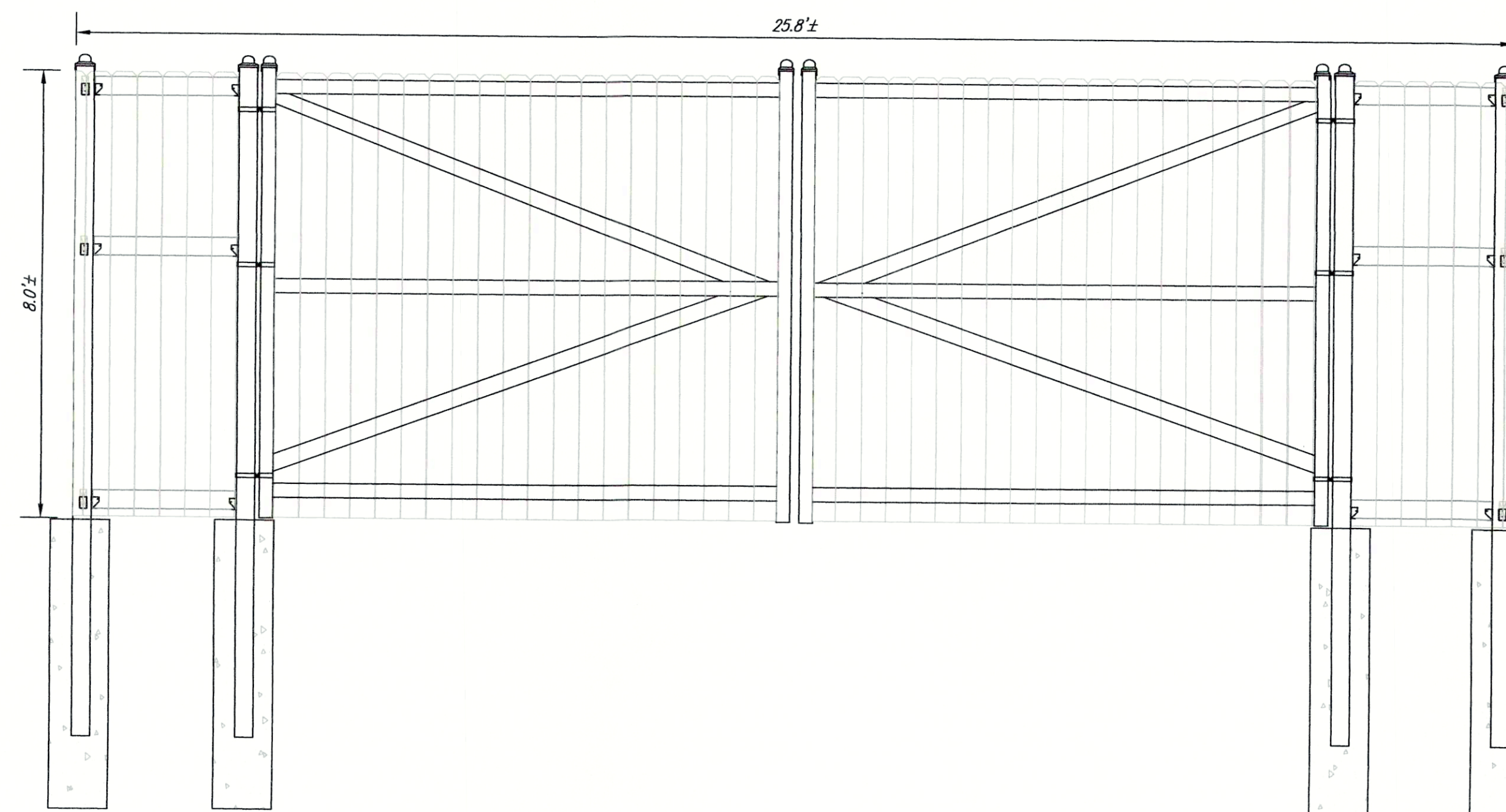
REV.	DATE	DESCRIPTION	CHNG.	APPRO.	BY
1	7-12-21	REVISED PARALLEL SPACES			
2	7-12-21	REVISED DRAINAGE, SPOT, STOP MARKINGS			
3	8-16-21	ADDED DUMPSTER ENCL., SW. DIA. & BOLLARDS			
4	9-9-21	REV'D FENCE TO 8' HT			
5	1-15-22	REV'D FENCE TO 8' HT			
6	1-15-22	REV'D PLANT			

**ROCKY'S ACE HARDWARE**  
**GARDEN CENTER PLAN**  
**98, 108 & 114 MAIN STREET**  
**MEDWAY, MA.**  
**FOR**  
**MEDWAY REALTY, LLC**  
**DATE: JULY 12, 2021**





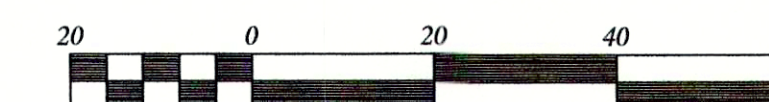
ELEVATION VIEW (INSIDE, LOOKING NORTHERLY)



ELEVATION VIEW (INSIDE, LOOKING WESTERLY)

# NOTES

1. ALL POSTS AND GATE FRAMES TO BE GALVANIZED STEEL. POSTS ARE TO BE 3" DIA, GATE FRAMES TO BE 2" DIA.
2. FURNISH AND INSTALL  $\frac{5}{8}$ " BROWN DECK PLANKING (VERTICAL) FOR FENCING. 1" CHAMFER TOPS OF PLANKS. ATTACH WITH GALVANIZED SCREWS, CORE AND PLUG HOLES.
3. GATES TO BE 2 INCH DIAMETER GALVANIZED STEEL, WELDED JOINTS. COVER WELDS WITH SPRAY GALVANIZING.
4. INSTALL CHAIN LINK FENCE WEBBING WITH BROWN METAL SLATS ON GATES.
5. FURNISH AND INSTALL 12" DIA CONCRETE FOOTINGS FOR FENCE POSTS. DEPTH TO BE TO FROST LEVEL.
6. FURNISH AND INSTALL ALL HARDWARE, FENCE WEBBING STRETCH BARS, BRACKETS FOR RAILS AND AND SECURITY LOCKING HARDWARE,
7. WEBBING TO BE 8 GAUGE, BROWN VINYL COATED W/ BROWN PRIVACY SLATS.
8. FURNISH AND INSTALL 2"x4" (PT) RAILS.

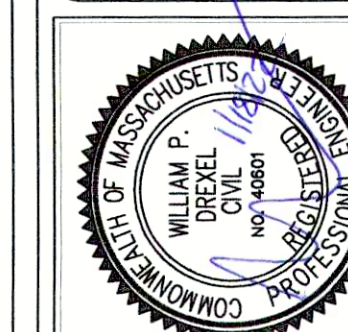


Scale 1/2" = 1'

ROCKY'S ACE HARDWARE  
DUMPSTER FENCE DETAILS  
98, 108 & 114 MAIN STREET  
MEDWAY, MA.  
FOR  
MEDWAY REALTY, LLC  
DATE: AUGUST 30, 2021

JOB # SA213792  
DWG # 1 OF 1

SK-1



REV.	NO.	DATE	REVISION	NAME	BY	APPD.	BY
0	1	8-30-21	DATE OF ISSUE				
1	1	8-30-21	REV'D PLLOT				

SCALE: 1/2" = 1'

SUGRUE & ASSOC., INC.  
CIVIL ENGINEERS & LAND SURVEYORS  
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(401) 647-3890 FAX (401) 647-7067



## Susan Affleck-Childs

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**From:** Bouley, Steven <Steven.Bouley@tetrattech.com>  
**Sent:** Wednesday, January 12, 2022 10:54 AM  
**To:** Susan Affleck-Childs  
**Subject:** Rocky's Hardware Final Plan Review

Hi Susy,

We reviewed the revised plans (last revised December 31, 2021) against Section VIII of the Decision dated December 14, 2021 and have the following comments:

1. The signature block does not include the Decision endorsement date as required in Ch. 200 §206-4.E. (Condition B.1)

Please let me know if you need anything else, 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](mailto:steven.bouley@tetrattech.com)

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