

Tuesday April 26, 2022
Medway Planning and Economic Development Board
155 Village Street
Medway, MA 02053
LIVE Meeting with Zoom availability

Members	Bob Tucker	Tom Gay	Matt Hayes	Sarah Raposa	Rich Di Iulio	Jessica Chabot
Attendance	X	X	X	X	X	X

PRESENT:

Susy Affleck-Childs, Planning and Economic Development Coordinator

The meeting was called to order by Chairman Hayes.

There were no Citizen Comments.

PLAN REVIEW ESTIMATE – Milford Regional Hospital Site Plan (86 Holliston Street):

The Board is in receipt of the following which was entered into the record: (See Attached)

- 4-25-22 Plan review fee estimate from Tetra Tech (\$9,394.00)

On a motion made by Bob Tucker, seconded by Rich Di Iulio, the Board voted unanimously to approve the Tetra Tech plan review fee of \$9,394.00.

PLAN REVIEW ESTIMATE - 288 Village Street Multi-Family Special Permit, Site Plan, and Land Disturbance Permit

The Board is in receipt of the following which was entered into the record: (See Attached)

- 4-25-22 Plan review fee estimate from Tetra Tech (\$6,351.00)

On a motion made by Bob Tucker, seconded by Rich Di Iulio, the Board voted unanimously to approve the Tetra Tech plan review fee of \$6,351.00 for 288 Village Street.

ZBA PETITIONS:

46 Granite Street:

The Board was informed that the applicant had withdrawn its petition and no action is needed.

14 Franklin Street:

This petition is to modify the previously issued variance. After review, the Board decided to take no action on this petition.

APPROVAL OF PEDB METING MINUTES:

April 12, 2022 Regular Meeting

On a motion made by Rich Di Iulio, seconded by Jessica Chabot, the Board voted to approve the minutes from the April 12, 2022 meeting as written.

CORRESPONDENCE:

- Letter dated 4-22-22 from resident Linda Heaton of 19 Village Street, requesting that Village Street be designated as a no-thru trucking road. It was noted that the letter had also been sent to the Select Board. The Town Manager's office forwarded the inquiry to Sergeant Jeff Watson for review.

CONSTRUCTION REPORTS:

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

Salmon Willows:

- TT Report #75 – February 9, 2022
- TT Report #76 – March 9, 2022
- TT Report #77 – March 25, 2022
- TT Report #78 – April 8, 2022

The Board was informed that Consultant Bouley and Conservation Agent Grazianno will have a site visit at Salmon tomorrow.

William Wallace Village:

TT Report #26 – January 14, 2022
TT Report #27 – January 26, 2022
TT Report #28 – March 9, 2022
TT Report # 29 – March 11, 2022
TT Report #30 – March 21, 2022
TT Report #31 – April 1, 2022

William Wallace issues have been rectified and addressed.

MILLSTONE VILLAGE PERFORMANCE SECURITY:

- There is no action needed from the Board at this time. The developer has not responded to Susy Affleck-Childs' last email.

OTHER BUSINESS:

June 28, 2022 PEDB Meeting:

On a motion made by Jessica Chabot, seconded by Matt Hayes, the Board voted unanimously to cancel the June 28, 2022 PEDB meeting.

PUBLIC HEARING CONTINUATION – Modification to the Wingate Farm Definitive Subdivision Plan:

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

- Public Hearing Continuation Notice

Project Engineer Dan Merrikin was present to provide a status update on Wingate Farm. The deadline for the Board's action is June 30, 2022. At the last hearing, the applicant had informed the Board that they were looking to secure financing to finish the site infrastructure work. This option has not been possible. The applicant is now trying to sell a portion of the property with the intent of the new buyer following the decision and participating in funding the completion of the infrastructure. The applicant needs more time to secure a buyer. The applicant would like to authorize an extension of the Board's action to August 31, 2022 and would like to continue the hearing to July 12, 2022.

On a motion made by Bob Tucker, seconded by Rich Di Iulio, the Board voted unanimously to allow for an extension of the action deadline to August 31, 2022 and to continue the hearing to July 12, 2022 at 7:15 pm for Wingate Farm. (NOTE - Member Raposa abstained)

MASTER PLAN UPDATE

The next meeting of the Master Plan Committee is May 12, 2022. The Board was recommended to go on the website and fill out the community feedback area. The response on this section has been relatively light. There is a Department head meeting tomorrow with the Consultant to discuss staff member's top 10 strategies. This is a two-hour work session.

PUBLIC HEARING – NeoOrganics Special Permit Modification:

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

- Public Hearing Notice dated 3-24-22
- Special Permit Modification application dated 3-14-22
- Project Modification Narrative letter dated 3-14-22
- Previous NeoOrganics marijuana special permit decision (1-28-20)
- NEW Environmental Standards as approved at the November 2021 Town Meeting

NeoOrganics COO Chad Blair was present. The project modification letter stated that he would like the new noise bylaw adopted by Town Meeting in November 2021 as the basis for the facility's compliance, instead of the specifications included in the special permit decision from January 2020. The new bylaw exempts sound produced by an emergency backup generator when operated during daytime hours for maintenance testing. The new bylaw creates different sound level limits based on the type of land use that is impacted by noise (receptor).

In the NeoOrganics Special Permit, Condition Section D2a, the "ambient" background levels shall be established without the influence of any noise emanating from the CommCan facility. At the time of the request, 2 Marc Road facility was not in compliance with the Town noise ordinance and the request was to assure noise levels above what are acceptable were not included

in the study. 2 Marc Road has now complied with the new bylaws and since they are a 24-hour operation and there is no ability to request a shutdown of their operations. Therefore, it is requested that the requirement to test without Commcan at 2 Marc Road in operation be reconsidered. Mr. Blair indicated he would like to Board to consider modifying the special permit conditions to describe the measurements at the 4 facility property lines rather than the 13 property line points as specified. They are no longer interested in having the new noise bylaw provisions apply to them.

The Board was made aware that the application, narrative letter and legal advertising are not consistent with what Mr. Blair has described. It was recommended that the applicant withdraw its application without prejudice and reapply with further clarity on their request. Additional fees would be waived.

Resident John Lally was present by Zoom. He expressed disappointment in relation to NeoOrganics not wishing to be subject to the new noise bylaw provisions. He also objected to their request to reduce the noise testing locations. He would like the planned noise testing points along the eastern border of his property to remain and for measurements be done in the day and evening.

On a motion made by Jessica Chabot, seconded by Rich Di Iulio, the Board voted unanimously to accept the withdrawal without prejudice the application for Neo Organics and waive the application fees for a new application.

On a motion made by Jessica Chabot, seconded by Sarah Raposa, the Board voted unanimously to close the hearing for Neo Organics.

CHOATE TRAIL SUBDIVISION – Performance Security:

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

- Collection of emails (3-21-22 thru 4-21-22)
- Tetra Tech punch list (1-14-22)
- Tetra Tech bond estimate (1-14-22)
- Drainage as-built plan by Connorstone Engineering (3-10-22)
- Connorstone Engineering project status (3-21-22)

The bond estimate is \$225,556.00. Originals of the paperwork have not been provided but Susy Affleck-Childs does have scans of those documents. This is an insurance bond. She suggested the Board could sign the performance security agreement and the lot release and she would hold the lot release until all the originals are in hand.

On a motion made by Rich Di Iulio, seconded by Jessica Chabot, the Board voted unanimously to accept the performance security and this will not be released until the originals of the documents are provided.

EVERSOURCE SUBSTATION #65 SITE PLAN 12 & 34 WEST STREET FIELD CHANGES:

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

- Letter dated 4-21-22 from Attorney Joshua Lee Smith of Bowditch & Dewey, LLP
- Email dated 4-22-22 from Building Commissioner Jack Mee

The Board was informed that the information was provided to Tetra Tech for review.

Attorney Joshua Lee Smith and Eversource Community Relations Coordinator were present via Zoom. It was explained that during construction, Eversource encountered some unanticipated underground conduits with active cables that obstruct Eversource's ability to install the new switchgear building based on its current design. The field change shows the design rotated for the new switchgear building 180 degrees and also shifting the proposed manholes and underground concrete duct banks farther away from the wetland area. The change is also for temporarily storing some material in the approved laydown area. The culvert will be replaced in kind. Consultant Bouley has no issues with the noted field change. The Board was informed that the Building Inspector has no issues with the field change.

On a motion made by Bob Tucker, seconded by Rich Di Iulio, the Board voted unanimously to approve the field change for Eversource.

PHYTOPIA PUBLIC HEARING CONTINUATION, 6 Industrial Park Road Site Plan, Reduced Parking Special Permit and Groundwater Protection Special Permit:

The Board is in receipt of the following which was entered into the record: **(See Attached)**

- Public Hearing continuation notice dated April 13, 2022
- Letter dated 4-12-22 from project engineer Chris Sparges
- Revised site plan dated 4-1-22 by William Sparges
- Tetra Tech Review letter dated 4-22-22 on the revised site plan.

Attorney Ted Cannon and project engineer Chris Sparges were present.

Engineer Chris Sparges addressed the comments noted in the plan letter provided by Tetra Tech.

The following was noted:

- The SWPP will be prepared at the time the NPSDE application is submitted which will be prior to land clearing.
- There are two existing fire hydrants along Industrial Park Road and three existing fire hydrants along Jayar Road within close proximity to the subject property. It is recommended that there be written correspondence from the Fire Department.
- Curb stops have been added to the parking spaces directly adjacent to sidewalks. The proposed sidewalks will remain five feet in width. The Applicant does not want the

wheel stops since they are a nuisance in the winter months. The Board agrees that the sidewalk area is needed and want the wheel stops to remain. They also want the sidewalks increased to 7 ft. to accommodate the bumper overhang.

- All are in agreement that the 24 ft. driveway width for fire truck access should remain.
- The applicant should go back to DRC to address items #26, #27, and #29. A final letter should be provided.
- There is no irrigation proposed.

Consultant Bouley provided an overview of his response letter.

- Written response be provided relative to existing and proposed utility connections.
- Discuss further at meeting the ability to have a generator be able to be maintain establishment during power outage.

There was a question about the existing tree line and what is being planted and removed. The applicant communicated that the existing pine will be remaining and some of the Maples and dead trees will be removed.

On a motion made by Jessica Chabot, seconded by Rich Di Iulio, the Board voted unanimously to continue the hearing to May 24, 2022 at 8:45 pm.

MEDWAY MILL – Field Change Requests:

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

- Letter dated 3-21-22 from developer John Greene
- Photometric Plan by Visual dated 1/17/22
- Collection of photos of the new fence along the western side of property
- 4-8-22 email from Steve Bouley with review comments on the proposed field changes
Field change Medway mill

Owner John Greene was present and engineering representative Amanda Cavaliere from Guerriere and Halnon.

A share screen was shown.

The following topics were noted:

- The lighting plan was revised and reviewed by Tetra Tech they have no issues with the proposed changes and have reviewed the plan and no light trespass is proposed.
- There is a request to shorten the fence by the four feet will help with sight distance pulling out of the new parking area and should have no impact on screening of the project for the abutters.
- The applicant is also requesting a substitute 5” standing granite opposed to 6” standing granite curbs. The product for 5” is difficult to find. Tetra Tech has no issue with the change in curb.

On a motion made by Bob Tucker, seconded by Jessica Chabot, the Board voted unanimously to approve the field changes as noted.

ADJOURN:

On a motion made by Jessica Chabot, seconded by Sarah Raposa, the Board voted by Roll Call to adjourn the meeting.

The meeting was adjourned at 9:38pm.

Prepared by,
Amy Sutherland
Recording Secretary

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



April 26, 2022

**Medway Planning & Economic Development Board
Meeting**

Plan Review Fee Estimate
Milford Regional Hospital Site Plan
86 Holliston Street

- 4-25-22 Plan review fee estimate from Tetra Tech (\$9,394).



April 25, 2022

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

**Re: Peer Review Proposal
Major Site Plan Review
86 Holliston Street
Medway, Massachusetts**

Dear Ms. Affleck-Childs:

We are pleased to submit this Proposal to the Town of Medway Planning and Economic Development Board (the Client) for professional engineering services associated with the above-referenced Project (the Project). The objective of our services is to provide technical review and general assistance to the Board during its review of the above-referenced Project for compliance with the following Regulations and Standards:

- Town of Medway Planning & Economic Development Board Rules and Regulations, Chapter 200 – Site Plans, Rules & Regulations for Submission, Review and Approval of Site Plans (last Amended October 8, 2019)

The Plans and supporting documentation will also be reviewed for general site planning design and sound engineering practice. We have excluded from our scope, the review of the application package as it relates to Town of Medway Zoning Bylaws. The stormwater design is anticipated to be reviewed by the Medway Conservation Commission.

SCOPE OF SERVICES

The following specifically describes the Scope of Services to be completed:

Task 1 Design Review

- A. Review the permit Application, and supporting documentation, and incorporate comments into review letter in Item 1.C below.
 - Budget Assumption: $1 \text{ hour @ } \$167/\text{hr} = \167
 $1 \text{ hour @ } \$120/\text{hr} = \120
Total = \$287
- B. Review one (1) set of proposed Plans against the above-mentioned Regulations and Bylaws and sound engineering practice and incorporate comments into review letter in Item 1.C below.
 - Budget Assumption: $4 \text{ hours @ } \$167/\text{hr} = \668
 $4 \text{ hours @ } \$120/\text{hr} = \480
Total = \$1,148
- C. Prepare one (1) letter summarizing findings for presentation to the Town of Medway PEDB.
 - Budget Assumption: $2 \text{ hours @ } \$167/\text{hr} = \334
 $4 \text{ hours @ } \$120/\text{hr} = \480
Total = \$814

- D. Coordinate with Applicant to address items in initial review letter and issue one (1) revised letter upon receipt of modifications. This task is limited to minor changes in the site plans which directly address comments from our initial review letter. Major changes to the Plans will require additional budget.

- Budget Assumption: 2 hours @ \$167/hr = \$334
4 hours @ \$120/hr = \$480
Total = \$814

Task 2 Traffic Impact Study Review

- A. Review the traffic study and site plans prepared for the project for compliance with local regulations and industry standards and good engineering practice and incorporate comments into review letter in Item 1.C above. Specifically included in this scope is a review of the traffic study prepared for the project "Transportation Impact Assessment, Proposed Medical Office Building, 86 Holliston Street, Medway, Massachusetts" prepared by Vanasse & Associates Inc., dated April 2022 and the Site Plans dated April 14, 2022, as they relate to traffic. Additional budget may be required if quality and completeness of the traffic study is less than satisfactory as compared to industry standards.

- Budget Assumption: 2 hours @ \$186/hr = \$372
24 hours @ \$167/hr = \$4,008
Total = \$4,380

Task 3 Meetings

- A. Participate in three (3) hearings/meetings with the Town of Medway PEDB by video conference, including preparation time for each meeting.

- Budget Assumption: 6 hours @ \$167/hr = \$1,002
Total = \$1,002

- B. Participate in one (1) hearing/meeting with the Town of Medway PEDB for the purposes of TIAS review by video conference, including preparation time for the meeting.

- Budget Assumption: 3 hours @ \$167/hr = \$501
Total = \$501

BUDGET

The fee for the work outlined in this proposal will be billed on a Time and Expenses basis according to Tetra Tech's and Medway's then current contract rates. Reimbursable expenses budget for execution of the tasks included in this scope of work are limited to mileage, field equipment, internal-use printing costs and hard-copy production of deliverables for submission and are billed at a fixed fee of five (5) percent of labor costs. We suggest that you establish a budget as summarized below, which will not be exceeded without your approval.

Please be advised that this estimate is for initial review of submitted materials, is based on our current understanding of the Project needs and is for budget purposes only. The total actual cost of our services will largely depend on the number and complexity of revisions and resubmittals, quality and completeness of the information submitted by the applicant and the depth to which specific issues are explored. Cost for each task is based on a comparison with other similarly sized projects we have reviewed. Please be advised, additional funding will be required if additional or revised materials are submitted, if additional subject areas require review or additional coordination is required beyond what is specifically described above.

The breakdown of this fee by task is as follows:

Task	Task Description	Budget
Task 1	Design Review	\$3,063
Task 2	Traffic Impact Study Review	\$4,380
Task 3	Meetings	\$1,503
	Labor Subtotal	\$8,946
	Expenses (5%)	\$448
	Total	\$9,394

SCHEDULE AND CONDITIONS

We recognize that timely performance of these services is an important element of this proposal and will put forth our best effort, consistent with accepted professional practices to complete the work described within the Client's schedule. We are not responsible for delays in performance caused by circumstances beyond our control or that could not have been anticipated or prevented.

To signify your acceptance of this Agreement, please sign and return one copy and the retainer to us along with the attachments. When signed by representatives of both parties, this Proposal will become an agreement between Tetra Tech, Inc. (ENGINEER) and Town of Medway (CLIENT). The Agreement is subject to the existing contract Terms and Conditions between the Engineer and Client. The price is valid for 60 days from the date of this letter.

We appreciate the opportunity to provide these services, and we look forward to working with you. Please contact us if you have any questions or require additional information.

Very truly yours,



Steven M. Bouley, P.E.
Project Manager



Sean P. Reardon, P.E.
Vice President

Certified by:

Authorized Representative
Town of Medway

Date

M:\SITE\BOULEY\MEDWAY_PEDB_86 HOLLISTON ST_2022-04-25.DOCX



April 26, 2022

**Medway Planning & Economic Development Board
Meeting**

Plan Review Fee Estimate
288 Village Street Multi-Family Special
Permit, Major Site Plan and Land
Disturbance Permit

- 4-25-22 Plan review fee estimate from Tetra Tech (\$6,351)



April 25, 2022

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

**Re: Peer Review Proposal
Multi-Family Special Permit
288 Village Street
Medway, Massachusetts**

Dear Ms. Affleck-Childs:

We are pleased to submit this Proposal to the Town of Medway Planning and Economic Development Board (the Client) for professional engineering services associated with the above-referenced Project (the Project). The objective of our services is to provide technical review and general assistance to the Board during its review of the above-referenced Project for compliance with the following Regulations and Standards:

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

The Plans and supporting documentation will also be reviewed for general site planning design and sound engineering practice. We have excluded from our scope, the review of the application package as it relates to Town of Medway Zoning Bylaws.

SCOPE OF SERVICES

The following specifically describes the Scope of Services to be completed:

Task 1 Site Visit

A. Perform one (1) site visit to review the site and its surroundings.

- Budget Assumption: 1 Visit
3 hours @ \$167/hr = \$501
Total = \$501

Task 2 Design Review

A. Review the permit Application, and supporting documentation, and incorporate comments into review letter in Item 2.D below.

- Budget Assumption: 1 hour @ \$167/hr = \$167
1 hour @ \$120/hr = \$120
Total = \$287

B. Review one (1) set of proposed Plans against the above-mentioned Regulations and Bylaws and sound engineering practice and incorporate comments into review letter in Item 2.D below.

- Budget Assumption: 2 hours @ \$167/hr = \$334
6 hours @ \$120/hr = \$720
Total = \$1,054

- C. Review one (1) set of Proposed Plans and Stormwater Report for compliance with applicable town stormwater related standards, MA DEP Stormwater Standards and good engineering practice and incorporate comments into review letter in Item 2.D below.
- Budget Assumption: 4 hours @ \$167/hr = \$668
4 hours @ \$120/hr = \$480
Total = \$1,148
- D. Prepare one (1) letter summarizing findings for presentation to the Town of Medway PEDB.
- Budget Assumption: 4 hours @ \$167/hr = \$668
2 hours @ \$120/hr = \$240
Total = \$908
- E. Coordinate with Applicant to address items in initial review letter and issue one (1) revised letter upon receipt of modifications. This task is limited to minor changes in the site plans which directly address comments from our initial review letter. Major changes to the Plans and/or Stormwater Report will require additional funds.
- Budget Assumption: 4 hours @ \$167/hr = \$668
4 hours @ \$120/hr = \$480
Total = \$1,148

Task 3 Meetings

- A. Participate in three (3) hearings/meetings with the Town of Medway PEDB by video conference, including time for preparation for each meeting.
- Budget Assumption: 6 hours @ \$167/hr = \$1,002
Total = \$1,002

BUDGET

The fee for the work outlined in this proposal will be billed on a Time and Expenses basis according to Tetra Tech's and Medway's then current contract rates. Reimbursable expenses budget for execution of the tasks included in this scope of work are limited to mileage, field equipment, internal-use printing costs and hard-copy production of deliverables for submission and are billed at a fixed fee of five (5) percent of labor costs. We suggest that you establish a budget as summarized below, which will not be exceeded without your approval.

Please be advised that this estimate is for initial review of submitted materials, is based on our current understanding of the Project needs and is for budget purposes only. The total actual cost of our services will largely depend on the number and complexity of revisions and resubmittals, quality and completeness of the information submitted by the applicant and the depth to which specific issues are explored. Cost for each task is based on a comparison with other similarly sized projects we have reviewed. Please be advised, additional funding will be required if additional or revised materials are submitted, if additional subject areas require review or additional coordination is required beyond what is specifically described above.

The breakdown of this fee by task is as follows:

Task	Task Description	Budget
Task 1	Site Visit	\$501
Task 2	Design Review	\$4,545
Task 3	Meetings	\$1,002
	Labor Subtotal	\$6,048
	Expenses (5%)	\$303
	Total	\$6,351

SCHEDULE AND CONDITIONS

We recognize that timely performance of these services is an important element of this proposal and will put forth our best effort, consistent with accepted professional practices to complete the work described within the Client's schedule. We are not responsible for delays in performance caused by circumstances beyond our control or that could not have been anticipated or prevented.

To signify your acceptance of this Agreement, please sign and return one copy and the retainer to us along with the attachments. When signed by representatives of both parties, this Proposal will become an agreement between Tetra Tech, Inc. (ENGINEER) and Town of Medway (CLIENT). The Agreement is subject to the existing contract Terms and Conditions between the Engineer and Client. The price is valid for 60 days from the date of this letter.

We appreciate the opportunity to provide these services, and we look forward to working with you. Please contact us if you have any questions or require additional information.

Very truly yours,



Steven M. Bouley, P.E.
Project Manager



Sean P. Reardon, P.E.
Vice President

Certified by:

Authorized Representative
Town of Medway

Date

M:\SITE\BOULEY\MEDWAY_PEDB_288 VILLAGE ST_2022-04-25.DOCX



April 26, 2022
Medway Planning & Economic Development Board
Meeting

ZBA Petitions

- 46 Granite Street – Petition by property owner Sara Dmytryck to appeal the 3-8-22 citation of Medway Building Department Code Compliance Officer Erika Robertson that the property is being used to operate a “Contractor’s Yard” for Oakwoods Landscaping. The property is located in the AR-II zoning district where a Contractor’s Yard is a prohibited use. NOTE – On 4-21-22, the Building Department rescinded its 3-8-21 violation letter as it had mistakenly referenced the wrong address/map and parcel #.
- 14 Franklin Street – Petition by property owner Lynne Tatevosian to modify the previously issued (August 2019) frontage variance and 2-family special permit to adjust the shape of the lot by creating a non-buildable Parcel A (5,359 sq. ft.) along the northern boundary of the lot.

Both petitions will be heard by the ZBA at its May 4th meeting.



TOWN OF MEDWAY

ZONING BOARD OF APPEALS

155 Village Street
Medway MA 02053

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

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

TO BE COMPLETED BY THE APPLICANT

Please attach any decision or denial for which you are requesting an appeal.

Please attach any and all materials submitted to the Town Board or Official with respect to the decision or denial you are appealing.

Date of Decision and/or Denial: March 8, 2022	Application Request(s):	
Board or Official who made Decision and/or Denial: Erika Robertson, Code Comp Officer	Reversal of Decision and/or Denial	<input checked="" type="checkbox"/>
Applicant(s): Sara Dmytryck	Modification to the Decision	<input type="checkbox"/>
	Direct Issuance of a Permit	<input type="checkbox"/>
	Direct the Enforcement of a Section of the Zoning Bylaw	<input type="checkbox"/>
Evidence to support grant of appeal (use attachments if necessary): Applicant is engaged in farm operations, which use is protected under MGL Ch 40A, Sec 3. Applicant is engaged in dirt farming - that is providing loam. The area in question is currently being maintained and allowed to rejuvenate for future loam production.		
How are you aggrieved by the decision or denial? The decision will prohibit the applicant from farming on a large tract of the applicant's land in Medway.		


Signature of Applicant/Petitioner or Representative

3/30/22
Date

GENERAL APPLICATION FORM



TOWN OF MEDWAY

ZONING BOARD OF APPEALS

155 Village Street
Medway MA 02053

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

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

TO BE COMPLETED BY THE APPLICANT

Applicant/Petitioner(s):	Application Request(s):
Sara Dmytryck	
Property Owner(s):	
Sara Dmytryck	Appeal <input checked="" type="checkbox"/>
	Special Permit <input type="checkbox"/>
Site Address(es):	Variance <input type="checkbox"/>
46 Granite Street	Determination/Finding <input type="checkbox"/>
	Extension <input type="checkbox"/>
	Modification <input type="checkbox"/>
Parcel ID(s):	Comprehensive Permit <input type="checkbox"/>
74-003	
Zoning District(s):	
AR-2	
Registry of Deeds Book & Page No. and Date or Land Court Certificate No. and Date of Current Title:	
Jan. 10, 2019 - Book 36552, Page 560	

TOWN CLERK STAMP

TO BE COMPLETED BY STAFF:

Check No.:

Date of Complete Submittal:

Comments:

GENERAL APPLICATION FORM

APPLICANT/PETITIONER INFORMATION

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

Applicant/Petitioner(s): Sara Dmytryck	Phone: 508 541-3000 x218
	Email: evc@ddcrwlaw.com
Address: 36 Granite St., Hopkinton, MA 01748	
Attorney/Engineer/Representative(s): Edward V. Cannon, Jr., Esq.	Phone: 508 541-3000 x218
	Email: evc@ddcrwlaw.com
Address: 124 Grove St., Ste. 220, Franklin, MA 02038	
Owner(s): Sara Dmytryck	Phone: 508 541-3000 x218
	Email: evc@ddcrwlaw.com
Mailing Address: 36 Granite St., Hopkinton, MA 01748	

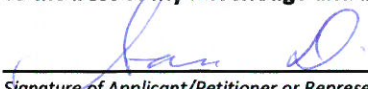
Please list name and address of other parties with financial interest in this property (use attachment if necessary):

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

3-30-22
Date

Signature Property Owner (if different than Applicant/Petitioner)

Date

GENERAL APPLICATION FORM

APPLICATION INFORMATION

		YES	NO
Applicable Section(s) of the Zoning Bylaw:	Requesting Waivers?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5.6.3	Does the proposed use conform to the current Zoning Bylaw?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Present Use of Property: Farm	Has the applicant applied for and/or been refused a building permit?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Is the property or are the buildings/ structures pre-existing nonconforming?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Proposed Use of Property: Farm	Is the proposal subject to approval by the BOH or BOS?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Is the proposal subject to approval by the Conservation Commission?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Date Lot was created: Feb. 6, 2003	Is the property located in the Floodplain District?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Date Building was erected: vacant lot	Is the property located in the Groundwater Protection District?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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="checkbox"/>	<input checked="" type="checkbox"/>
Describe Application Request: To reverse the decision of Erika Robertson, Code Compliance Officer, dated March 8, 2022.			

GENERAL APPLICATION FORM

FILL IN THE APPLICABLE DATA BELOW

Required Data	Bylaw Requirement	Existing	Proposed
A. Use		farm	farm
B. Dwelling Units			
C. Lot Size			
D. Lot Frontage			
E. Front Setback			
F. Side Setback			
G. Side Setback			
H. Rear Setback			
I. Lot Coverage			
J. Height			
K. Parking Spaces			
L. Other			

FOR TOWN HALL USE ONLY

To be filled out by the Building Commissioner:

Date Reviewed

Medway Building Commissioner

Comments:

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



**TOWN OF MEDWAY
BUILDING DEPARTMENT**
155 Village Street
Medway, Massachusetts 02053
508.533.3253

Jack Mee
Building Commissioner &
Zoning Enforcement
jmee@townofmedway.org

March 8, 2022

Sara Dmyrtyck
36 Granite Street
Hopkinton, MA 01748

RE: 46R Granite Street
Tax Map No.: 74-003

Dear Property Owner,

Upon inspection of your property on February 24, 2022, you are in violation of The Medway Zoning By-Law Schedule of Uses, Section E. INDUSTRIAL AND RELATED USES. Your property is located in a Agricultural/Residential II zoning district. This property is being used as a *Contractor Yard*, which is a prohibited use.

Upon Inspection Oakwoods Landscaping are operating their business on the property. This is a prohibited use.

TOWN OF MEDWAY ZONING BY-LAWS
3.1 ENFORCEMENT, VIOLATIONS, AND PENALTIES

E. Appeal. An appeal to the Board of Appeals may be taken by any person aggrieved by reason of inability to obtain a permit or enforcement action from the Building Commissioner, as provided in G.L. c. 40A, § 8, as amended.

F. Penalty.

1. Please realize that Section 3.1 ENFORCEMENT, VIOLATIONS, AND PENALTIES states:
F. Penalty. Anyone who violates a provision of this zoning Bylaw, or any condition of a variance, site plan review decision or special permit, shall be punishable by a fine of not more than three hundred dollars for each offense. Each day during which any portion of a violation continues shall constitute a separate offense.
2. As an alternative means of enforcement, the Building Commissioner may impose noncriminal penalties pursuant to G.L. c. 40, § 21D and Article XX of the Town's General Bylaws, in accordance with the following schedule:
 - a. First offense: warning (verbal or written)
 - b. Second offense: one hundred dollars
 - c. Third offense: two hundred dollars
 - d. Fourth and each subsequent offense per violation: three hundred dollars

An appeal to the Board of Appeals may be taken by any person aggrieved by an order or decision of the Building Commissioner, as provided by G.L. C40A, secs. 8 and 15.

Please contact this office to discuss your plan of action. Thank you for your cooperation in this matter.

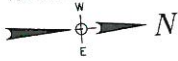
Sincerely,

A handwritten signature in black ink, appearing to read "Erika Robertson". The signature is fluid and cursive, with a long horizontal stroke at the end.

Erika Robertson
Code Compliance Officer

cc: Oakwoods Landscaping
1275 Main Street #3
Millis, MA 02054

PLAN NO. 285, PLAN BK. 295



OFFICIAL OF RECORD

BELLINGHAM ASSESSORS MAP 2 PARCEL 2

ZONING: AGRICULTURAL
Area 80,000 S.F.
Frontage 200.00 FT.

Front Setback 30.00 FT.
Side Setback 15.00 FT.
Rear Setback 20.00 FT.

MEDWAY ASSESSOR MAP 3-3 PARCEL 32C

ZONING: AGRICULTURAL-RESIDENTIAL II
Area 22,500 S.F.
Frontage 150.00 FT.

Front Setback 35.00 FT.
Side Setback 15.00 FT.
Rear Setback 15.00 FT.

Norfolk Registry of Deeds
Bellingham, Mass.

Received OCT 2 2003

With D.E.D.

MICHAEL J. DINAPOLI & AL.

MICHAEL J. DINAPOLI TR. & AL.

Filed as Page 600 OF 2003

PL. 011 - 515

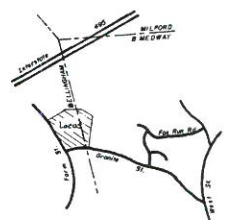
Attest: *John P. [Signature]*

Register

I hereby certify that this plan is made in accordance with the regulations of the Registers of Deeds - Chapter 36, §13A as amended and effective 1-1-78.

REFERENCES:

See Plan by William J. Rossetti R.L.S.
Dated October 8, 1977
Plan No. 967, Plan Book 264
See Plan by New England Power Service Co.
Dated April 10, 1975
Plan No. 551, Plan Book 289



LOCUS MAP
N.T.S.

BELLINGHAM PLANNING BOARD

Approval Not required under the Subdivision Control Law

Steven P. [Signature]

Ed W. [Signature]

Robert R. [Signature]

Date: 2-27-2003

Planning Board endorsement is not a determination as to conformance with the Zoning Bylaw.

BELLINGHAM PLANNING BOARD

Approval Not required under the Subdivision Control Law

Steven P. [Signature]

Ed W. [Signature]

Robert R. [Signature]

Date: 12-12-02

MEDWAY PLANNING BOARD

Approval Not required under the Subdivision Control Law

Matthew [Signature]

David [Signature]

John [Signature]

Date: 6 Feb. 03

I HEREBY CERTIFY THAT THIS PLAN HAS BEEN PREPARED TO CONFORM TO THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS.



Albert Florentz, P.L.S.

9/16/02

Date

LOT 1A
320,390 S.F.
7.35 Acres

BELLINGHAM
265,373 S.F.

MEDWAY
55,017 S.F.

LOT 1C
80,395 S.F.

LOT 1D
80,689 S.F.

MEDWAY
38,901 S.F.

LOT 1B
80,744 S.F.

FARM (Public Variable Width) STREET

GRANITE STREET
(Public Variable Width)

PLAN OF LAND IN BELLINGHAM & MEDWAY MASS.

Norfolk County Rev. January 30, 2003
Scale: 1" = 40'

August 26, 2002

SALVETTI, Land Consultants Inc.

10 Ennema Street Franklin, Mass. 02038

(508) 528-9363



Owner:
Mike & Michelle DiNapoli
8 Granite St.
Bellingham, MA 02019

NOTES TO USERS

ap is for use in administering the National Flood Insurance Program. It does not identify areas subject to flooding, particularly from local drainage of small size. The community map repository should be consulted for updated or additional flood hazard information.

For more detailed information in areas where Base Flood Elevations (BFEs) have been determined, users are encouraged to consult the Flood and Floodway Data and/or Summary of Stillwater Elevations tables contained in the Flood Insurance Study (FIS) Report that accompanies this FIRM. Users are aware that BFEs shown on the FIRM represent rounded whole-foot values. These BFEs are intended for flood insurance rating purposes only and not be used as the sole source of flood elevation information. Accordingly, elevation data presented in the FIS Report should be utilized in conjunction with the map for purposes of construction and/or floodplain management.

Base Flood Elevations shown on this map apply only to landward of 0.0' American Vertical Datum of 1988 (NAVD 88). Users of this FIRM should be aware that coastal flood elevations are also provided in the Summary of Stillwater Elevations table in the Flood Insurance Study Report for this jurisdiction. Elevations in the Summary of Stillwater Elevations table should be used for construction floodplain management purposes when they are higher than the elevations on this FIRM.

Views of the floodways were computed at cross sections and interpolated at cross sections. The floodways were based on hydraulic considerations with the requirements of the National Flood Insurance Program. Floodway widths per pertinent floodway data are provided in the Flood Insurance Study Report.

Areas not in Special Flood Hazard Areas may be protected by flood control levees. Refer to Section 2.4 "Flood Protection Measures" of the Flood Insurance Study Report for information on flood control structures for this jurisdiction.

Projection used in the preparation of this map was Massachusetts State Plane NAD 83 (FIPS zone 2001). The horizontal datum was NAD 83, GRS 1980. Differences in datum, spheroid, projection or UTM zones used in the set of FIRMs for adjacent jurisdictions may result in slight position errors in map features across jurisdiction boundaries. These differences do not affect the accuracy of this FIRM.

Elevations on this map are referenced to the North American Vertical Datum of 1988. These flood elevations must be compared to structure and ground elevations on the same vertical datum. For information regarding conversion to the National Geodetic Vertical Datum of 1929 and the North American Datum of 1983, visit the National Geodetic Survey website at www.ngs.noaa.gov or contact the National Geodetic Survey at the following:

Information Services
NIMS12
4 Geodetic Survey
3, #9202
450 West Highway
Baltimore, Maryland 21010-3282
13-3242

In current elevation, description, and/or location information for bench marks on this map, please contact the Information Services Branch of the National Geodetic Survey at (202) 715-3242, or visit its website at <http://www.ngs.noaa.gov>.

Map information shown on the FIRM was derived from digital orthophotography. Map files were provided in digital format by Massachusetts Geographic Information Systems (MassGIS). Ortho imagery was produced at a scale of 1:5,000. Orthophotography is dated April 2005.

Hydraulic baselines depicted on this map represent the hydraulic modeling baselines for the flood profiles in the FIS report. As a result of improved topographic data, hydraulic baselines, in some cases, may deviate significantly from the channel line or appear outside the SFHA.

On updated topographic information, this map reflects more detailed and accurate stream channel configurations and floodplain delineations than shown on the previous FIRM for this jurisdiction. As a result, the Flood and Floodway Data tables for multiple streams in the Flood Insurance Study Report (which contains authoritative hydraulic data) may reflect channel distances that differ from what is shown on the map. Also, the hydraulic relationships for unreviewed streams may differ from what is shown on previous maps.

State limits shown on this map are based on the best data available at the time of publication. Because changes due to annexations or de-annexations may have occurred after this map was published, map users should contact appropriate city officials to verify current corporate limit locations.

Refer to the separately printed Map Index for an overview map of the showing the layout of map panels, community map repository addresses, listing of Communities with National Flood Insurance Program, and/or each community as well as a listing of the panels on which each community is shown.

Information on available products associated with this FIRM visit the Map Service (MISC) website at <http://misc.fema.gov>. Available products may include single issued Letters of Map Change, a Flood Insurance Study Report, and/or versions of this map. Many of these products can be ordered or obtained from the MISC website.

Have questions about this map, how to order products or the National Flood Insurance Program in general, please call the FEMA Map Information eXchange at 1-877-FEMA-MAP (1-877-336-2627) or visit the FEMA website at www.fema.gov/business/mip.

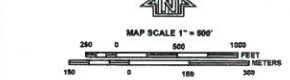


LEGEND

- SPECIAL FLOOD HAZARD AREAS (SFHAs) SUBJECT TO FLOODING BY THE 1% ANNUAL CHANCE FLOOD**
The 1% annual chance flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The areas subject to flooding by the 1% annual chance flood are shown on this map. Areas of Special Flood Hazard include Zones A, AE, AH, AO, AR, ARH, VE, and VE. The Base Flood Elevation is the water surface elevation of the 1% annual chance flood.
- Zone A**
No Base Flood Elevations determined.
- Zone AE**
Base Flood Elevations determined.
- Zone AH**
Flood depths of 1 to 3 feet (usually areas of ponding); Base Flood Elevation determined.
- Zone AO**
Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); Base Flood Elevation determined. For areas of shallow fan flooding, velocities also determined.
- Zone AR**
Special Flood Hazard Areas formerly protected from the 1% annual chance flood by a flood control system that was subsequently abandoned. Zone AR indicates that the former flood control system is being restored to protect from the 1% annual chance or greater flood.
- Zone ARH**
Areas to be protected from 1% annual chance flood by a Federal flood protection system under construction; No Base Flood Elevation determined.
- Zone VE**
Coastal flood zone with velocity hazard (wave action); No Base Flood Elevation determined.
- FLOODWAY AREAS IN ZONE AE**
The floodway is the channel of a stream plus any adjacent floodplain areas that must be kept open to ensure that the 1% annual chance flood can be carried without substantial increase in flood heights.
- OTHER FLOOD AREAS**
Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from the 1% annual chance flood.
- OTHER AREAS**
Areas determined to be outside the 0.2% annual chance floodplain. Areas in which flood hazards are undetermined, but possible.
- COASTAL BARRIER RESOURCES SYSTEM (CBRS) AREAS**
Otherwise protected areas (OPAs).
- CBRS areas and OPAs are normally located within or adjacent to Special Flood Hazard Areas.
- 1% Annual Chance Floodplain Boundary
- 0.2% Annual Chance Floodplain Boundary
- Floodway boundary
- Zone A boundary
- CBRS and OPA boundary
- Boundary dividing Special Flood Hazard Areas and boundaries dividing Special Flood Hazard Areas of different Base Flood Elevation, flood depths, or flood velocities.
- Base Flood Elevation line and value; elevation in feet.
- Base Flood Elevation value where uniform within zone; elev. feet.
- Referenced to the North American Vertical Datum of 1988.
- Cross section line
- Traverse line
- Causeway
- Bridge
- Geographic coordinates referenced to the North American Datum of 1983 (NAD 83) Western Hemisphere
- 495000 M
- UTM Zone 18QJ, Universal Transverse Mercator grid values, zone 18QJ
- 100-meter Universal Transverse Mercator grid values, zone 18QJ
- Bench mark (see explanation in Notes to Users section of this map)
- 1:5
- MAP REPOSITORIES
- Refer to Map Repositories list on Map Index
- EFFECTIVE DATE OF COMMUNITY FLOOD INSURANCE RATE MAP
- JULY 17, 2012
- EFFECTIVE DATE(S) OF REVISION(S) TO THIS PANEL

For community map revision history prior to community mapping, refer to the Community Map History table located in the Flood Insurance Study Report for this jurisdiction.

To determine if flood insurance is available in this community, contact your insurance agent or call the National Flood Insurance Program at 1-800-635-6032.



NFIP

PANEL 0136E

FIRM

FLOOD INSURANCE RATE MAP

NORFOLK COUNTY, MASSACHUSETTS (ALL JURISDICTIONS)

PANEL 138 OF 430
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	SUBSET	PANEL
WILLOWDALE TOWN OF	0301	138
MEDWAY TOWN OF	0301	138

Notice to User: The Map Number should be used when placing map order. Community Number shown above also used on insurance applications for the community.

MAP NUM
25021C01

EFFECTIVE D.
JULY 17, 2012

Federal Emergency Management Agency



**TOWN OF MEDWAY
BUILDING DEPARTMENT**
155 Village Street
Medway, Massachusetts 02053
508.533.3253

Jack Mee
Building Commissioner &
Zoning Enforcement
jmee@townofmedway.org

April 21, 2022

Sara Dmytryck
36 Granite Street
Hopkinton, MA 01748

RE: 46R Granite Street
Tax Map No.: 74-003-001

Dear Mrs. Dmytryck,

On March 8, 2022 this office issued you a letter regarding your property at 46 Granite Street, Medway. Please be advised that the letter of March 8, 2022 is hereby voided and rescinded with respect to your property at 46 Granite Street, Medway.

Sincerely,

Erika Robertson
Code Compliance Officer

cc: Oakwoods Landscaping
Edward Cannon, Esquire

GENERAL APPLICATION FORM**TOWN OF MEDWAY****ZONING BOARD OF APPEALS**

155 Village Street
Medway MA 02053

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

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

TO BE COMPLETED BY THE APPLICANT

Applicant/Petitioner(s):	Application Request(s):
Lynne Tatevosian	
Property Owner(s):	Appeal <input type="checkbox"/>
Lynne Tatevosian	Special Permit <input type="checkbox"/>
Site Address(es): 14 Franklin Street, Medway, MA	Variance <input type="checkbox"/>
	Determination/Finding <input type="checkbox"/>
	Extension <input type="checkbox"/>
	Modification <input checked="" type="checkbox"/>
Parcel ID(s): 57-078 (Formerly 57-078 & 57-079)	Comprehensive Permit <input type="checkbox"/>
Zoning District(s): AR-II	
Registry of Deeds Book & Page No. and Date or Land Court Certificate No. and Date of Current Title: Deed Book No 36604 Pg.172, Feb 11, 2019	

TO BE COMPLETED BY STAFF:

Check No.:

Date of Complete Submittal:

Comments:

GENERAL APPLICATION FORM

APPLICANT/PETITIONER INFORMATION

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

Applicant/Petitioner(s): Lynne Tatevosian		Phone: 781-726-1988
		Email: Tatevosian@comcast.net
Address: 14 Franklin Street, Medway, MA 02053		
Attorney/Engineer/Representative(s): n/a		Phone:
		Email:
Address:		
Owner(s): Lynne Tatevosian		Phone: 781-726-1988
		Email: Tatevosian@comcast.net
Mailing Address: 14A Franklin 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

Lynne Tatevosian

4/4/22
Date

Signature Property Owner (if different than Applicant/Petitioner)

Date

APPLICATION INFORMATION

		YES	NO
Applicable Section(s) of the Zoning Bylaw:	Requesting Waivers?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
See narrative below	Does the proposed use conform to the current Zoning Bylaw?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Present Use of Property: Two-family dwelling	Has the applicant applied for and/or been refused a building permit?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Is the property or are the buildings/structures pre-existing nonconforming?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Proposed Use of Property: Two-family dwelling	Is the proposal subject to approval by the BOH or BOS?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Is the proposal subject to approval by the Conservation Commission?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Date Lot was created: January 22, 2019 (merged two lots)	Is the property located in the Floodplain District?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Date Building was erected: January 14, 2021	Is the property located in the Groundwater Protection District?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does the property meet the intent of the Design Review Guidelines? n/a	Is the property located in a designated Historic District or is it designated as a Historic Landmark?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Describe Application Request:</p> <p>On August 7, 2019, the Zoning Board granted a decision for a frontage variance from Section 6.1, Table 2 and a Special Permit under Section 5.4, Table 1.C to allow a two-family house that would have the exterior appearance of a single family dwelling.</p> <p>On March 18, 2020, the Zoning Board granted a decision for change to the location of the dwelling, modification to the building plans and tree removal within setbacks.</p> <p>I am requesting a modification to change the shape of the lot into Lots 3 and Parcel A (not a buildable lot) as proposed on the "Approval-Not-Required Plan of Land in Medway, MA" dated March 14, 2022 Owner: Lynne Tatevosian, prepared by Colonial Engineering, Inc. P.O. Box 95, 11 Awl Street, Medway, MA 02053.</p>			

GENERAL APPLICATION FORM

FILL IN THE APPLICABLE DATA BELOW

Required Data	Bylaw Requirement	Existing	Proposed
A. Use		two-family dwelling	two-family dwelling
B. Dwelling Units	2	2	2
C. Lot Size	22,500 s.f.	46,103 s.f.	Lot 3 - 40,744 s.f. & Parcel A 5,359 s.f.
D. Lot Frontage	150'	89.31'	89.31'
E. Front Setback	35'	138.2'	138.2'
F. Side Setback	15'	30.0'	30.0'
G. Side Setback	15'	27.6'	27.6'
H. Rear Setback	15'	54.0'	54.0'
I. Lot Coverage	30% structure & 40% Impervious	5.94%	Lot 3 - 7.5% structure & 18.2% Impervious
J. Height	35'	32'6"	32'6"
K. Parking Spaces	Exempt	Exempt	Exempt
L. Other			

FOR TOWN HALL USE ONLY

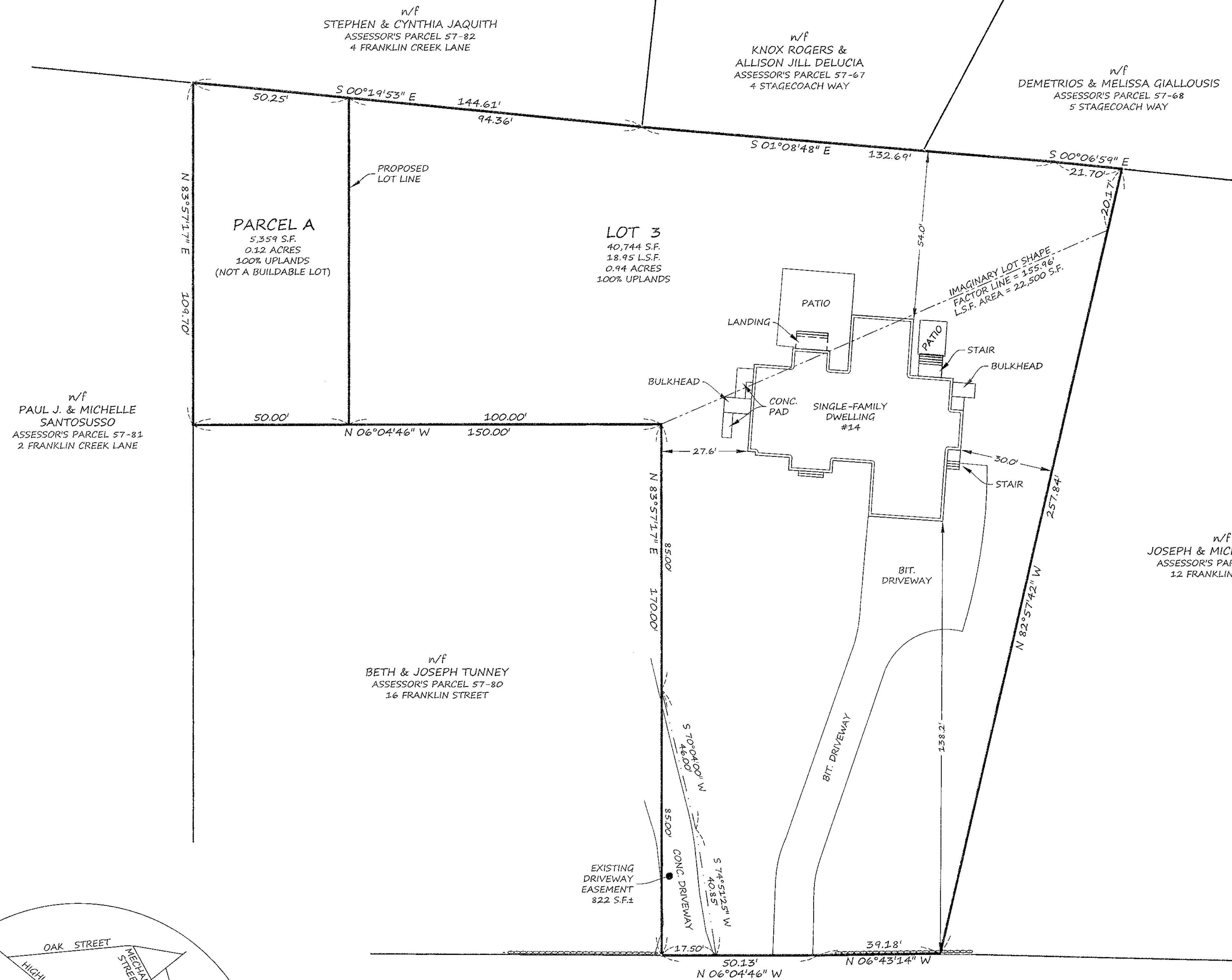
To be filled out by the Building Commissioner:

Date Reviewed

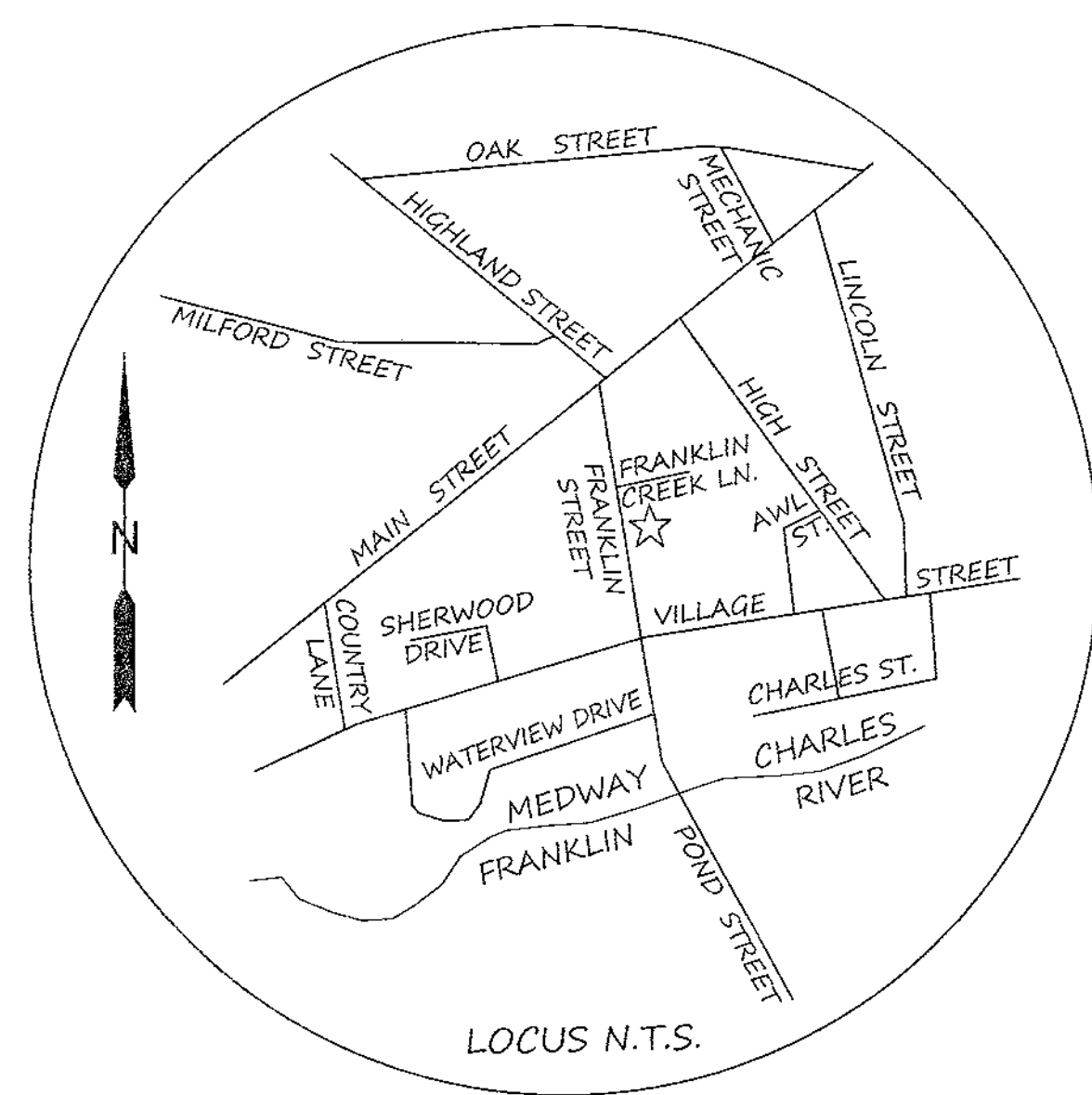
Medway Building Commissioner

Comments:

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



SHEET 1 OF 1





TOWN OF MEDWAY

ZONING BOARD OF APPEALS

155 Village Street
Medway MA 02053

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

TOWN CLERK STAMP

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 attach the decision in question. Please provide attachments detailing the Reason(s) for requesting a modification to the existing decision and citation(s) of the portion(s) of the decision to be modified. Please provide any additional waiver requests as needed.

Applicant/Petitioner(s):	Previous Decision was for:	
Lynne Tatevosian	Variance	<input checked="" type="checkbox"/>
Property Owner(s):	Special Permit	<input checked="" type="checkbox"/>
Lynne Tatevosian	Comprehensive Permit	<input type="checkbox"/>
Site Address(es): 14 Franklin Street	Appeal	<input type="checkbox"/>
Parcel ID(s):	Date of Previous Decision: March 18, 2020	
57-078 (formerly 57-078 & 57-079)		
Zoning District(s): AR-11		

Signature of Applicant/Petitioner or Representative

Date

Signature Property Owner (if different than Applicant/Petitioner)

Date



April 26, 2022
Medway Planning & Economic Development Board
Meeting

Correspondence

- Letter dated 4-22-22 from resident Linda Heaton of 19 Village Street, to the Select Board and the PEDB, requesting that Village Street be designated as a no-thru trucking road.

April 22, 2022

Medway Board of Selectmen, Medway Planning Board

Village Street

Medway, MA 02053

RE: Village Street Proposal

I have lived on Village Street for over forty years. As you can imagine, I have seen numerous changes, upgrades, and alterations during that time. Village Street, a Scenic Road, has gone from a quiet safe area to one that sees more traffic than Route 109, in my opinion. I believe that the main reason for this increase was due to traffic being diverted to Village Street during the recent construction of Route 109. Vehicles and trucks quickly realized that Village Street was the preferred route because they could travel from one end of Village Street to the other, thereby eliminating the traffic lights on Route 109.

I understand why the traffic has increased; however, I am sure you realize that it has been detrimental to the residents who live on Village Street. I also know that there is not much that can be done to control the amount of traffic on our Scenic Road; however, I think at the very least the town could designate Village Street as a **no-thru trucking** road. This would help to control the very large, very loud trucks from using Village Street in a manner that allows the operator to travel from one end of the street to the other – without stopping and without regard for the residents who live here.

The Medway Police Department does an admirable job of monitoring the traffic for speed; however, without the proposed **no-thru trucking** signage, there is nothing they can do about the trucks.

Safety matters. If you take a drive on Village Street, you will see that most homeowners are forced to back their cars into their driveways because it is almost impossible to safely back out onto Village Street. I am asking you to consider designating Village Street as a **no-thru trucking** road – and the sooner the better.

Thank you for your time and consideration.

Regards,



Linda Heaton

19 Village Street

Medway, MA 02053

Received

APR 25 2022

Medway
Town Manager's Office



April 26, 2022
Medway Planning & Economic Development Board
Meeting

Construction Reports

Salmon Willows

- TT Report #75 – February 9, 2022
- TT Report #76 – March 9, 2022
- TT Report #77 – March 25, 2022
- TT Report #78 – April 8, 2022

William Wallace Village

- TT Report #26 – January 14, 2022
- TT Report #27 – January 26, 2022
- TT Report #28 – March 9, 2022
- TT Report #29 – March 11, 2022
- TT Report #30 – March 21, 2022
- TT Report #31 – April 1, 2022

Evergreen Village

- TT Report #19 – January 18, 2022
- TT Report #20 – March 9, 2022
- TT Report #21 – April 1, 2022

FIELD REPORT

Project Salmon Health and Retirement Community (The Willows)	Date 02/09/2022	Report No. 75
Location Village Street, Medway, MA	Project No. 143-21583-15011	Sheet 1 of 2
Contractor Black Brook Realty (Developer) C.D Riley (Site Contractor)	Weather A.M. P.M. CLEAR	Temperature A.M. P.M. 40°F

FIELD OBSERVATIONS

On Wednesday, February 9, 2022, Tucker D. Paradee, 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 report outlines observations made during the site visit.

1. OBSERVATIONS

- A. Site Conditions/Erosion Controls: Site within the current limit of construction on Waterside Run is firm and dry upon inspection. Silt fence barrier (SFB) on the west side of waterside run is installed and in good condition. Compost filter socks have been placed at the toe of the SFB and appear to be in good condition. Additional SFB have been installed eastern limit of Waterside Run, few areas have fallen off grade stakes and should be repaired. Silt sacks have been installed within all catch basins, little sediment present. Some silt sacks were observed to be damaged from vehicular traffic and should be replaced prior to falling into catch basins. Construction equipment and stockpiles of excavated and imported material are present throughout the site within stabilized grass areas along Waterside Run. A sump pump is actively operating adjacent to the foundation of Unit 9, discharging into a silt bag surrounded by compost filter socks on the west side of Waterside Run.
- B. Vertical construction for Units 9/11 and 13/15 along Waterside Run continues. The foundation for Units 10/12 has been poured and backfilled with excavated material.

CONTRACTOR'S FORCE AND EQUIPMENT					WORK DONE BY OTHERS	
Sup't	1	Bulldozer		Asphalt Paver	Dept. or Company	Description of Work
Foreman	1	Backhoe		Asphalt Reclaimer		
Laborers	5+	Loader		Vib. Roller		
Drivers	5+	Rubber Tire Backhoe/Loader		Static Roller		
Oper. Engr.	2	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		
		Conc. Truck		Skidder	OFFICIAL VISITORS TO JOB	
		Conc. Pump Truck		Compact Track Loader		
		Pickup Truck		Water Truck		
		Tri-Axle Dump Truck		Crane Truck		
		Trailer Dump Truck		Sweeper		
		Art. Dump Truck		BOMAG Remote Comp.		
Police Details: N/A					RESIDENT REPRESENTATIVE FORCE	
Contractor's Hours of Work: 7:00 A.M. to 3:30 P.M.					Name	Time on-site
					Tucker D. Paradee, EIT	12:45 P.M. – 1:00 A.M.

Project Salmon Health and Retirement Community	Date 02/09/2021	Report No. 75
Location Village Street, Medway, MA	Project No. 143-21583-15011	Sheet 2 of 2

FIELD OBSERVATIONS CONTINUED

2. SCHEDULE

- A. Vertical construction to continue for Cottages along Waterside Run.
- B. TT will maintain communication with contractor and will inspect the site as construction progresses.

3. NEW ACTION ITEMS

- A. Repair SFB that has fallen off stakes.
- B. Replace damaged silt sacks.

4. PREVIOUS OPEN ACTION ITEMS

- A. Provide outstanding SWPPP inspection reports to Conservation.

5. MATERIALS DELIVERED TO SITE SINCE LAST INSPECTION

- A. N/A

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

FIELD REPORT

Project Salmon Health and Retirement Community (The Willows)	Date 03/09/2022	Report No. 76
Location Village Street, Medway, MA	Project No. 143-21583-15011	Sheet 1 of 2
Contractor Black Brook Realty (Developer) C.D Riley (Site Contractor)	Weather A.M. P.M. OVERCAST	Temperature A.M. P.M. 36°F

FIELD OBSERVATIONS

On Wednesday, March 9, 2022, 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 report outlines observations made during the site visit.

1. OBSERVATIONS

- A. Site Conditions/Erosion Controls: Site within the current limit of construction on Waterside Run is firm and dry upon inspection. Silt fence barrier (SFB) on the west side of waterside run is installed and in good condition. Compost filter socks have been placed at the toe of the SFB and appear to be in good condition. Additional SFB have been installed eastern limit of Waterside Run and appear to be in good condition. Silt sacks have been installed within all catch basins, little sediment present. Silt sacks near current construction appear to be damaged and require replacement. An active sweeper is observed on site to mitigate dust and sediment accumulation. Construction equipment and stockpiles of excavated and imported material are present throughout the site within stabilized grass areas along Waterside Run. A sump pump is actively operating adjacent to the proposed foundation for Units 2/4, discharging into a silt bag surrounded by compost filter socks on the west side of Waterside Run.
- B. Vertical construction for Units 9/11 and 13/15 along Waterside Run continues. The foundation for Units 10/12 has been poured and backfilled with excavated material, vertical construction to begin. Footers for the foundations of Units 2/4, Units 14/16, and Unit 18, have been poured and ready for concrete forms.

CONTRACTOR'S FORCE AND EQUIPMENT					WORK DONE BY OTHERS	
Sup't	1	Bulldozer		Asphalt Paver	Dept. or Company	Description of Work
Foreman	1	Backhoe		Asphalt Reclaimer		
Laborers	5+	Loader		Vib. Roller		
Drivers	5+	Rubber Tire Backhoe/Loader		Static Roller		
Oper. Engr.	2	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		
		Conc. Truck		Skidder	OFFICIAL VISITORS TO JOB	
		Conc. Pump Truck		Compact Track Loader		
		Pickup Truck		Water Truck		
		Tri-Axle Dump Truck		Crane Truck		
		Trailer Dump Truck		Sweeper		
		Art. Dump Truck		BOMAG Remote Comp.		
Police Details: N/A					RESIDENT REPRESENTATIVE FORCE	
Contractor's Hours of Work: 7:00 A.M. to 3:30 P.M.					Name	Time on-site
					Tucker D. Paradee, EIT	1:00 P.M. – 1:30 P.M.

Project Salmon Health and Retirement Community	Date 03/09/2022	Report No. 76
Location Village Street, Medway, MA	Project No. 143-21583-15011	Sheet 2 of 2

FIELD OBSERVATIONS CONTINUED

2. SCHEDULE

- A. Vertical construction to continue for Cottages along Waterside Run.
- B. TT will maintain communication with contractor and will inspect the site as construction progresses.

3. NEW ACTION ITEMS

- A. N/A

4. PREVIOUS OPEN ACTION ITEMS

- A. Provide outstanding inspection reports to Conservation.
- B. Repair SFB that has fallen off stakes.
- C. Replace damaged silt sacks.

5. MATERIALS DELIVERED TO SITE SINCE LAST INSPECTION

- A. N/A

FIELD REPORT

Project Salmon Health and Retirement Community (The Willows)	Date 03/25/2022	Report No. 77
Location Village Street, Medway, MA	Project No. 143-21583-15011	Sheet 1 of 2
Contractor Black Brook Realty (Developer) C.D Riley (Site Contractor)	Weather A.M. P.M. OVERCAST	Temperature A.M. P.M. 55°F

FIELD OBSERVATIONS

On Friday, March 25, 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 report outlines observations made during the site visit.

1. OBSERVATIONS

- A. TT visited the site to inspect downstream conditions at Basin 3 following concerns brought up by an abutter at 3 Mishawaum Street. According to messages received from the abutter, the back yard has been impacted with flooding to a level that had not occurred prior to the construction of the neighboring development and associated drainage infrastructure. TT visited the site following a 1.25" rain event, and during the inspection minor ponding of water was observed within the abutter's property adjacent to the Charles River consistent with what may be expected for the rain event. We recommend the abutter continue documenting any flooding occurring on the property and to maintain communication with the Town.
- B. Basin 3 was free of staged stormwater during the inspection which is unexpected. Basin 3 contains a drawdown outlet at the lowest elevation in the basin, which includes a valve that can be opened to dewater the basin for maintenance purposes. If the valve is open, the basin will prematurely discharge as it is filling and will not operate as intended in the approved design. We recommend the Applicant coordinate with the design engineer/contractor to confirm whether the valve is open or closed. We will revisit the site once confirmed to confirm the abutters potential flooding issues.

CONTRACTOR'S FORCE AND EQUIPMENT					WORK DONE BY OTHERS	
Sup't	1	Bulldozer		Asphalt Paver	Dept. or Company	Description of Work
Foreman	1	Backhoe		Asphalt Reclaimer		
Laborers	5+	Loader		Vib. Roller		
Drivers	5+	Rubber Tire Backhoe/Loader		Static Roller		
Oper. Engr.	2	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		
		Conc. Truck		Skidder	OFFICIAL VISITORS TO JOB	
		Conc. Pump Truck		Compact Track Loader		
		Pickup Truck		Water Truck		
		Tri-Axle Dump Truck		Crane Truck		
		Trailer Dump Truck		Sweeper		
		Art. Dump Truck		BOMAG Remote Comp.		
Police Details: N/A					RESIDENT REPRESENTATIVE FORCE	
Contractor's Hours of Work: 7:00 A.M. to 3:30 P.M.					Name	Time on-site
					Bradley M. Picard, EIT	1:00 P.M. – 1:30 P.M.

Project Salmon Health and Retirement Community	Date 03/25/2022	Report No. 77
Location Village Street, Medway, MA	Project No. 143-21583-15011	Sheet 2 of 2

FIELD OBSERVATIONS CONTINUED

2. SCHEDULE

- A. Vertical construction to continue for Cottages along Waterside Run.
- B. TT will maintain communication with contractor and will inspect the site as construction progresses.

3. NEW ACTION ITEMS

- A. Developer to confirm Basin 3's maintenance drawdown outlet is closed to ensure the basin is operating as designed.

4. PREVIOUS OPEN ACTION ITEMS

- A. Provide outstanding inspection reports to Conservation.
- B. Repair SFB that has fallen off stakes. **TT Update: SFB has been repaired, item resolved.**
- C. Replace damaged silt sacks. **TT Update: Silt sacks have been replaced, item 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 Salmon Health and Retirement Community (The Willows)	Date 04/08/2022	Report No. 78
Location Village Street, Medway, MA	Project No. 143-21583-15011	Sheet 1 of 2
Contractor Black Brook Realty (Developer) C.D Riley (Site Contractor)	Weather A.M. P.M. OVERCAST	Temperature A.M. P.M. 55°F

FIELD OBSERVATIONS

On Friday, April 8, 2022, 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 report outlines observations made during the site visit.

1. OBSERVATIONS

- A. TT visited the site to reinspect downstream conditions at Basin 3 following a 0.5" rain event. As previously observed, the basin contained no staged stormwater. The lack of storm water in the basin, along with the presence of storm water downstream of the OCS suggests that the drawdown outlet valve is open and preventing Basin 3 from functioning as designed. TT recommends the applicant coordinate with the design engineer or contractor to confirm the state of the valve. We also recommend affected abutters to continue monitoring their yards following heavy rain events and to maintain communication with the town for any future concerns.

CONTRACTOR'S FORCE AND EQUIPMENT					WORK DONE BY OTHERS	
Sup't	1	Bulldozer		Asphalt Paver	Dept. or Company	Description of Work
Foreman	1	Backhoe		Asphalt Reclaimer		
Laborers	5+	Loader		Vib. Roller		
Drivers	5+	Rubber Tire Backhoe/Loader		Static Roller		
Oper. Engr.	2	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		
		Conc. Truck		Skidder	OFFICIAL VISITORS TO JOB	
		Conc. Pump Truck		Compact Track Loader		
		Pickup Truck		Water Truck		
		Tri-Axle Dump Truck		Crane Truck		
		Trailer Dump Truck		Sweeper		
		Art. Dump Truck		BOMAG Remote Comp.		
Police Details: N/A					RESIDENT REPRESENTATIVE FORCE	
Contractor's Hours of Work: 7:00 A.M. to 3:30 P.M.					Name	Time on-site
					Tucker D. Paradee, EIT	10:15 A.M. – 10:45 A.M.

Project Salmon Health and Retirement Community	Date 04/08/2022	Report No. 78
Location Village Street, Medway, MA	Project No. 143-21583-15011	Sheet 2 of 2

FIELD OBSERVATIONS CONTINUED

2. SCHEDULE

- A. Vertical construction to continue for Cottages along Waterside Run.
- B. TT will maintain communication with contractor and will inspect the site as construction progresses.

3. NEW ACTION ITEMS

- A. N/A

4. PREVIOUS OPEN ACTION ITEMS

- A. Provide outstanding SWPPP inspection reports to Conservation.
- B. Developer to confirm Basin 3's maintenance drawdown outlet is closed to ensure the basin is operating as designed.

5. MATERIALS DELIVERED TO SITE SINCE LAST INSPECTION

- A. N/A

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

FIELD REPORT

Project William Wallace Village	Date 01/14/2022	Report No. 26
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 Friday, January 14, 2022, Tucker D Paradee, 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 has been removed in the northeast region of the site for the foundation of Units 7 and 8. 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, TT and Conservation identified multiple locations of SFB damage throughout the site. Silt sacks in the catch basin near the entrance of sterling circle require replacement. Large riprap stones are constricting the outfall channel located in the northeast area of the site. Areas of concern were presented to the contractor.
- C. Contractor continues vertical construction for proposed Units 3 and 4, along with Units 10, 11, and 12. Foundation has also been poured for Units 5 and 6 and is fully backfilled. Excavation for the foundation of Units 7 and 8 has begun.

CONTRACTOR'S FORCE AND EQUIPMENT					WORK DONE BY OTHERS	
Sup't		Bulldozer		Asphalt Paver	Dept. or Company	Description of Work
Foreman	2	Backhoe		Asphalt Reclaimer		
Laborers	5+	Loader		Vib. Roller		
Drivers		Rubber Tire Backhoe/Loader		Static Roller		
Oper. Engr.		Skid Steer		Vib. Walk Comp.		
Carpenters		Hoeram		Compressor		
Masons		Excavator	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
					Tucker D. Paradee, EIT	11:30 A.M. – 12:00 P.M.

NOTE: Please use reverse side for remarks and sketches

Project William Wallace Village	Date 01/14/2022	Report No. 26
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.
- B. Repair damaged silt fencing throughout the site boundary.
- C. Replace silt sacks in catch basin.

4. PREVIOUS OPEN ACTION ITEMS

- A. N/A

5. MATERIALS DELIVERED TO SITE SINCE LAST INSPECTION

- A. N/A

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

FIELD REPORT

Project William Wallace Village	Date 01/26/2022	Report No. 27
Location Village Street, Medway, MA	Project No. 143-21583-19012	Sheet 1 of 2
Contractor M. Phillips Industries (Site Contractor) Larry Rucci (Developer)	Weather A.M. P.M. CLEAR	Temperature A.M. P.M. 36°F

FIELD OBSERVATIONS

On Wednesday, January 26, 2022, 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: 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. Damaged SFB have been repaired throughout the site. 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 has been removed in the northeast region of the site for the foundation of Units 7 and 8.
- B. Contractor continues vertical construction for proposed Units 3 and 4, along with Units 10, 11, and 12. Foundation has also been poured for Units 5 and 6 and is fully backfilled. Excavation for the foundation of Units 7 and 8 has begun.

CONTRACTOR'S FORCE AND EQUIPMENT					WORK DONE BY OTHERS	
Sup't		Bulldozer		Asphalt Paver	Dept. or Company	Description of Work
Foreman	2	Backhoe		Asphalt Reclaimer		
Laborers	5+	Loader		Vib. Roller		
Drivers		Rubber Tire Backhoe/Loader		Static Roller		
Oper. Engr.		Skid Steer		Vib. Walk Comp.		
Carpenters		Hoeram		Compressor		
Masons		Excavator	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	
		Conc. Pump Truck		Porta-John	1	
		Pickup Truck	5+	Dumpster (15 Yard)		
		Tri-Axle Dump Truck	4			
		Trailer Dump Truck				
Police Details: 1 Police Detail at Driveway Entrance.					RESIDENT REPRESENTATIVE FORCE	
Contractor's Hours of Work: 7:00 A.M. to 6:00 P.M.					Name	Time on-site
					Tucker D. Paradee, EIT	1:30 P.M. – 1:45 P.M.

NOTE: Please use reverse side for remarks and sketches

Project William Wallace Village	Date 01/26/2022	Report No. 27
Location Village Street, Medway, MA	Project No. 143-21583-19012	Sheet 2 of 2

FIELD OBSERVATIONS CONTINUED

2. SCHEDULE

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

3. NEW ACTION ITEMS

- A. N/A

4. PREVIOUS OPEN ACTION ITEMS

- A. Sweep Sterling Circle throughout construction to prevent sediment migration to stormwater BMP's. **TT Update: Contractor has recently swept the paved apron and should continue to do so to mitigate sediment tracking off site. In our opinion, this item is resolved.**
- B. Repair damaged silt fencing around the site boundary. **TT Update: Contractor has repaired damaged SFB around the site. In our opinion, this item is resolved.**
- C. Replace silt sacks in catch basin. **TT Update: Silt sacks have been replaced. In our opinion, this item is 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 William Wallace Village	Date 03/09/2022	Report No. 28
Location Village Street, Medway, MA	Project No. 143-21583-19012	Sheet 1 of 2
Contractor M. Phillips Industries (Site Contractor) Larry Rucci (Developer)	Weather A.M. P.M. OVERCAST	Temperature A.M. P.M. 36°F

FIELD OBSERVATIONS

On Wednesday, March 9, 2022, 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: 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. Sections of SFB have fallen off grade stakes along the western property boundary and require repair. 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 has been removed in the northeast region of the site for the foundation of Units 7 and 8.
- B. Upon inspection, Contractor is installing roof drainage along the backside of Units 10, 11, and 12. Contractor using 4-inch HDPE pipe that enlarges to 8-inch HDPE per plan. Contractor uses rotary laser level and rod and beam level to ensure 1% grade is achieved. Crushed stone is placed at a depth of 6 inches prior to pipe installation and 6 inches is placed as backfill. Excavated material is used as additional backfill.
- C. Contractor continues vertical construction for proposed Units 3 and 4, along with Units 10, 11, and 12. Foundation has been poured for Units 5 and 6, and is fully backfilled. Excavation for the foundation of Units 7 and 8 has begun.

CONTRACTOR'S FORCE AND EQUIPMENT					WORK DONE BY OTHERS	
Sup't		Bulldozer		Asphalt Paver	Dept. or Company	Description of Work
Foreman	2	Backhoe		Asphalt Reclaimer		
Laborers	1	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		Mini-Excavator	1	Power Saw		
Electricians		Grader		Conc. Vib.		
Flagpersons		Crane		Tack Truck		
Surveyors		Scraper		Man Lift		
Roofers		Conc. Mixer		Skidder	OFFICIAL VISITORS TO JOB	
Mechanical/HVAC		Conc. Truck		Compact Track Loader		
		Conc. Pump Truck		Porta-John	1	
		Pickup Truck	1	Dumpster (15 Yard)		
		Tri-Axle Dump Truck				
		Trailer Dump Truck				
Police Details: 1 Police Detail at Driveway Entrance.					RESIDENT REPRESENTATIVE FORCE	
Contractor's Hours of Work: 7:00 A.M. to 6:00 P.M.					Name	Time on-site
					Tucker D. Paradee, EIT	12:30 P.M. – 1:00 P.M.

NOTE: Please use reverse side for remarks and sketches

Project William Wallace Village	Date 03/09/2022	Report No. 28
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. Sections of SFB have fallen off grade stakes and require repair.

4. PREVIOUS OPEN ACTION ITEMS

A. N/A

5. MATERIALS DELIVERED TO SITE SINCE LAST INSPECTION

A. N/A

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

FIELD REPORT

Project William Wallace Village	Date 03/11/2022	Report No. 29
Location Village Street, Medway, MA	Project No. 143-21583-19012	Sheet 1 of 2
Contractor M. Phillips Industries (Site Contractor) Larry Rucci (Developer)	Weather A.M. P.M. CLEAR	Temperature A.M. P.M. 49°F

FIELD OBSERVATIONS

On Friday, March 11, 2022, 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: 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. Sections of SFB have fallen off grade stakes along the western property boundary and require repair. 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 has been removed in the northeast region of the site for the foundation of Units 7 and 8.
- B. Upon inspection, Contractor has installed roof drainage along the backside of Units 10, 11, and 12.
- C. Contractor continues vertical construction for proposed Units 3 and 4, along with Units 10, 11, and 12. Foundation has been poured for Units 5 and 6, and is fully backfilled. Excavation for the foundation of Units 7 and 8 has begun.

CONTRACTOR'S FORCE AND EQUIPMENT					WORK DONE BY OTHERS	
Sup't		Bulldozer		Asphalt Paver	Dept. or Company	Description of Work
Foreman	2	Backhoe		Asphalt Reclaimer		
Laborers	1	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		Mini-Excavator	1	Power Saw		
Electricians		Grader		Conc. Vib.		
Flagpersons		Crane		Tack Truck		
Surveyors		Scraper		Man Lift		
Roofers		Conc. Mixer		Skidder	OFFICIAL VISITORS TO JOB	
Mechanical/HVAC		Conc. Truck		Compact Track Loader		
		Conc. Pump Truck		Porta-John	1	
		Pickup Truck	1	Dumpster (15 Yard)		
		Tri-Axle Dump Truck				
		Trailer Dump Truck				
Police Details: 1 Police Detail at Driveway Entrance.					RESIDENT REPRESENTATIVE FORCE	
Contractor's Hours of Work: 7:00 A.M. to 6:00 P.M.					Name	Time on-site
					Tucker D. Paradee, EIT	1:30 P.M. – 1:45 P.M.

NOTE: Please use reverse side for remarks and sketches

Project William Wallace Village	Date 03/11/2022	Report No. 29
Location Village Street, Medway, MA	Project No. 143-21583-19012	Sheet 2 of 2

FIELD OBSERVATIONS CONTINUED

2. SCHEDULE

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

3. NEW ACTION ITEMS

A. N/A

4. PREVIOUS OPEN ACTION ITEMS

A. Sections of SFB have fallen off grade stakes and require repair.

5. MATERIALS DELIVERED TO SITE SINCE LAST INSPECTION

A. N/A

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

FIELD REPORT

Project William Wallace Village	Date 03/21/2022	Report No. 30
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. CLEAR	Temperature A.M. 49°F P.M. 49°F

FIELD OBSERVATIONS

On Monday, March 21, 2022, 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

- 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. Sections of SFB have fallen off grade stakes along the western property boundary and require repair. 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 has been removed in the northeast region of the site for the foundation of Units 7 and 8.
- Upon inspection, Developer on site to evaluate site conditions with TT. Failing sections of SFB were identified and are expected to be addressed in the near future. Developer inquired about removing SFB in areas where construction has finished and about adjusting landscape plan to accommodate restored trees. Developer was told Conservation Commission will have the final say on SFB removal and changes to proposed landscape design should be coordinated with the PEDB.
- Contractor has installed roof drainage along the backside of Units 10, 11, and 12. Drainage is still to be extended to Stormwater Basin #1 and #2. Contractor is in the process of installing roof drainage on the backside of Units 3 and 4. A rotary laser level and rod and beam level are used to ensure a 1% grade is achieved. Crushed stone is placed at a depth of 6 inches prior to pipe installation and 6 inches is placed as backfill.

CONTRACTOR'S FORCE AND EQUIPMENT					WORK DONE BY OTHERS	
Sup't		Bulldozer		Asphalt Paver	Dept. or Company	Description of Work
Foreman	2	Backhoe		Asphalt Reclaimer		
Laborers	1	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		Mini-Excavator	1	Power Saw		
Electricians		Grader		Conc. Vib.		
Flagpersons		Crane		Tack Truck		
Surveyors		Scraper		Man Lift		
Roofers		Conc. Mixer		Skidder	OFFICIAL VISITORS TO JOB	
Mechanical/HVAC		Conc. Truck		Compact Track Loader		
		Conc. Pump Truck		Porta-John	2	
		Pickup Truck	1	Dumpster (15 Yard)		
		Tri-Axle Dump Truck				
		Trailer Dump Truck				
					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	11:30 A.M. – 12:15 P.M.

NOTE: Please use reverse side for remarks and sketches

Project William Wallace Village	Date 03/21/2022	Report No. 30
Location Village Street, Medway, MA	Project No. 143-21583-19012	Sheet 2 of 2

FIELD OBSERVATIONS CONTINUED

- D. Contractor continues vertical construction for proposed Units 3 and 4, along with Units 10, 11, and 12. Foundation has been poured for Units 5 and 6 and is fully backfilled. Excavation for the foundation of Units 7 and 8 has begun.

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. Sections of SFB have fallen off grade stakes and require repair. **TT Update: Developer on site during inspection to witness areas of concern that need to be addressed. Repairs expected to occur within the near future.**

5. MATERIALS DELIVERED TO SITE SINCE LAST INSPECTION

- A. N/A

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

FIELD REPORT

Project William Wallace Village	Date 04/01/2022	Report No. 31
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. 51°F P.M.

FIELD OBSERVATIONS

On Friday, April 1, 2022, 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: Dry and firm surface conditions throughout the site with some ponding water. 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. Sections of SFB have fallen off grade stakes along the western property boundary and require repair. 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 has been removed in the northeast region of the site for the foundation of Units 7 and 8.
- B. Upon inspection, Contractor is installing roof drainage along the backside of Units 5 and 6. A crushed stone bed is placed prior to HDPE pipe and used as backfill. Contractor using 4-inch HDPE from downspouts that enlarge to 8-inch HDPE per plan. A rotary laser level and rod and beam level are used to ensure a 1% grade is achieved. Drainage road crossings have previously been installed and are to be connected once gas lines are completed.
- C. Contractor continues vertical construction for proposed Units 3 and 4 and Units 5 and 6, along with Units 10, 11, and 12. Excavation for the foundation of Units 7 and 8 has begun.

CONTRACTOR'S FORCE AND EQUIPMENT					WORK DONE BY OTHERS	
Sup't					Dept. or Company	Description of Work
Foreman	2	Bulldozer		Asphalt Paver		
Laborers	1	Backhoe		Asphalt Reclaimer		
		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		Mini-Excavator	1	Power Saw		
Electricians		Grader		Conc. Vib.		
Flagpersons		Crane		Tack Truck		
Surveyors		Scraper		Man Lift		
Roofers		Conc. Mixer		Skidder		
Mechanical/HVAC		Conc. Truck		Compact Track Loader		
		Conc. Pump Truck		Porta-John	2	
		Pickup Truck	1	Dumpster (15 Yard)		
		Tri-Axle Dump Truck				
		Trailer Dump Truck				
					OFFICIAL VISITORS TO JOB	
					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	9:50 A.M. – 10:20 A.M.

NOTE: Please use reverse side for remarks and sketches

Project William Wallace Village	Date 04/01/2022	Report No. 31
Location Village Street, Medway, MA	Project No. 143-21583-19012	Sheet 2 of 2

FIELD OBSERVATIONS CONTINUED

2. SCHEDULE

- A. Gas company to finish connecting installed line to each unit.
- 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. Sections of SFB have fallen off grade stakes and require repair. **TT Update: Contractor has repaired damaged sections of SFB. Some sections along the southwest boundary still require repair.**

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 01/18/2022	Report No. 19
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.	Temperature A.M. 29°F P.M.

FIELD OBSERVATIONS

On Tuesday, January 18, 2022, 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 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. Upon arrival, Contractor has excavated to bottom of trench for Stormwater Management System PR-1. Bottom of trench is verified with rotary laser level and rod. Grab samples are collected and determined to be consistent with test pit classification provided in the Stormwater Report. Crushed stone is placed at a depth of approx. 6-inches as detailed in the Plans with filter fabric tucked underneath the stone. Six ADS Stormtech SC-740 chambers are placed on the crushed stone base and backfilled with 6-inches of crushed stone. System is then wrapped with filter fabric. TT observed a small crack on top of one of the Stormtech chambers adjacent to the cutout for inspection ports. TT recommended this chamber be used for the inspection port located furthest from roof drainage pipe. 6-inch SCH-40 PVC is connected to the eastern end of one row and the western end of the other row, stubbed, and to be tied into previously installed roof drainage pipes.

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	11:00 A.M. – 11:30 A.M.

NOTE: Please use reverse side for remarks and sketches

Project Evergreen Village	Date 01/18/2022	Report No. 19
Location 22 Evergreen Street, Medway, MA	Project No. 143-21583-20001	Sheet 2 of 2

FIELD OBSERVATIONS CONTINUED

2. SCHEDULE

- A. Roof drain installation to be connected to Stormwater Management System A for 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 Evergreen Village	Date 03/09/2022	Report No. 20
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. OVERCAST	Temperature A.M. P.M. 36°F

FIELD OBSERVATIONS

On Wednesday, March 9, 2022, Tucker D. Paradee, EIT from Tetra Tech (TT) visited the project location to inspect the current condition of the site and monitor construction progress. The following report outlines observations made during the site visit.

1. OBSERVATIONS

- A. Site Conditions/Erosion Controls: Firm and dry ground 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. Upon inspection, vertical construction continuing for Units 1, 2, and 3. A sump pump is located in the basement to discharge melted ice along the southern SFB.

CONTRACTOR'S FORCE AND EQUIPMENT					WORK DONE BY OTHERS	
Sup't		Bulldozer		Asphalt Paver	Dept. or Company	Description of Work
Foreman		Backhoe		Asphalt Reclaimer	Hulk Construction Inc.	Carpentry
Laborers		Loader		Vib. Roller		
Drivers		Rubber Tire Backhoe/Loader		Static Roller		
Oper. Engr.		Skid Steer	1	Vib. Walk Comp.		
Carpenters	5+	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
					Tucker D. Paradee, EIT	1:30 P.M. – 1:45 P.M.

NOTE: Please use reverse side for remarks and sketches

Project Evergreen Village	Date 03/09/2022	Report No. 20
Location 22 Evergreen Street, Medway, MA	Project No. 143-21583-20001	Sheet 2 of 2

FIELD OBSERVATIONS CONTINUED

2. SCHEDULE

- A. Roof drain installation to be connected to Stormwater Management System A for 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: The tree remains and is expected to remain as provided by the Applicant. We will continue to observe the tree throughout construction to determine if any mitigation is required prior to final completion. In our opinion, this item is 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 04/01/2022	Report No. 21
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.	Temperature A.M. 51°F P.M.

FIELD OBSERVATIONS

On Friday, April 1, 2022, Tucker D. Paradee, EIT from Tetra Tech (TT) visited the project location to inspect the current condition of the site and monitor construction progress. The following report outlines observations made during the site visit.

1. OBSERVATIONS

- A. Site Conditions/Erosion Controls: Firm and dry ground 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 construction equipment present throughout the site.
- B. Upon inspection, vertical construction continuing for Units 1, 2, and 3. A sump pump remains in the basement to discharge melted ice along the southern SFB.

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	5+	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	5+		
		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 04/01/2022	Report No. 21
Location 22 Evergreen Street, Medway, MA	Project No. 143-21583-20001	Sheet 2 of 2

FIELD OBSERVATIONS CONTINUED

2. **SCHEDULE**

- A. Roof drain installation to be connected to Stormwater Management System A for 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. N/A

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

- A. N/A



April 26, 2022
Medway Planning & Economic Development Board
Meeting

Public Hearing Continuation –
Modification to the Wingate Farm
Definitive Subdivision Plan

- Public Hearing Continuation Notice

It is expected that project engineer Dan Merrikin will provide an update for the Board.

NOTE – The deadline for the Board's action on this is June 30, 2022.

Board Members

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



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

TOWN OF MEDWAY

COMMONWEALTH OF MASSACHUSETTS

PLANNING AND ECONOMIC DEVELOPMENT BOARD

RECEIVED TOWN CLERK
JAN 27 '22 AM 11:11

MEMORANDUM

January 27, 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 Wingate Farm Subdivision Modification**
168 Holliston Street and Wingate Farm Road
Continuation Date – Tuesday, April 26, 2022 at 7:15 p.m.



At its January 25, 2022 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, April 26, 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. I will notify you of that revised plan upon receipt so that you can review and provide any comments you wish to the Board.



April 26, 2022
Medway Planning & Economic Development Board
Meeting

PUBLIC HEARING - NeoOrganics Special
Permit Modification

- Public Hearing Notice dated 3-24-22
- Special permit modification application dated 3-14-22
- Project Narrative letter dated 3-14-22 from NeoOrganics COO Chad Blair. The request is to modify the previous NeoOrganics decision such that the NEW noise standards, adopted by Town Meeting in November 2021, apply to the project instead of the noise standards included in the original permit.
- Previous NeoOrganics marijuana special permit decision (1-28-20)
- NEW Environmental Standards (Section 7.3 of the Zoning Bylaw) as approved in November 2021.

Board Members

Matthew J. Hayes, Chair
Robert Tucker, Vice Chair
Richard Di Iulio, Clerk,
Jessica Chabot, Member
Sarah Raposa, A.I.C.P.,
Member
Thomas A. Gay, Associate
Member



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

TOWN OF MEDWAY

COMMONWEALTH OF MASSACHUSETTS

PLANNING AND ECONOMIC DEVELOPMENT BOARD

March 25, 2022

NOTICE OF PUBLIC HEARING

NeoOrganics, LLC, 4 Marc Road

Proposed Modifications to Previously Approved Recreational Marijuana Establishment Special Permit

In accordance with the *Medway Zoning Bylaw*, Section 8.10 Recreational Marijuana and the provisions of Chapter 40A, Massachusetts General Laws, notice is given that the ***Medway Planning and Economic Development Board will commence a public hearing on Tuesday, April 26, 2022 at 7:30 p.m. in Sanford Hall at Medway Town Hall, 155 Village Street to consider the application of NEO Organics, LLC of Sudbury, MA for approval of proposed modifications to the previously issued (1-28-2020) marijuana establishment special permit and site plan decision which authorized NeoOrganics to operate a recreational marijuana cultivation and processing establishment at 4 Marc Road.***

The applicant has requested that the Board modify the previous special permit such that the establishment would be subject to the Town's updated noise regulations (Section 7.3 of the *Zoning Bylaw*) as approved at the November 2021 Town Meeting instead of the Noise Management conditions specified in the 2020 decision (Section V.III. D. 1-5).

The 20,718 sq. ft. property, (Parcel 32-026) is owned by Torrey Marc Road, LLC of Attleboro, MA. It is located on the north side of Marc Road in the East Industrial Zoning District. The subject property is bounded on the north and west by property owned by John and Ann Lally and on the east by property owned by Ellen Realty Trust.

The application documents are on file with the Medway Town Clerk and at the office of the Planning and Economic Development Board at Medway Town Hall, 155 Village Street and may be reviewed during regular business hours. The materials have also been posted at the Planning and Economic Development Board's web page at: <https://www.townofmedway.org/planning-economic-development-board/pages/current-applications-pedb-0>

Interested persons are invited to review the application documents, attend the public hearing, and express their views at the designated time and place. The Sanford Hall meeting room is accessible via elevator to individuals with physical disabilities and challenges. Written comments are encouraged and may be forwarded to: planningboard@townofmedway.org. Questions should be directed to the Medway Planning and Economic Development office at 508-533-3291.

Pursuant to Chapter 22 of the Acts of 2022, this hearing 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 hearing will not be suspended or terminated if technological problems interrupt the virtual broadcast, unless required by law. Information for participating in the meeting via Zoom will be included on the agenda for the April 26th meeting.

Matthew J. Hayes, P.E., Chair

For publication in the *Milford Daily News* - Monday, April 11 and Tuesday, April 19, 2022



RECEIVED

MAR 14 2022

Medway Planning and Economic
Development Board

Planning & Economic Development Board - Town of Medway, MA
MARIJUANA SPECIAL PERMIT

***Application to Modify a Previously Approved Marijuana
Special Permit Decision and/or Plan***

INSTRUCTIONS TO APPLICANT/OWNER

This Application is made pursuant to the Medway Zoning Bylaw.

The Board may ask the Town's Planning and Engineering Consultants to review the application and the proposed Special Permit modification and provide review letters. A copy of those review letters will be provided to you in advance of the meeting.

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

Your absence may result in a delay in the Board's review of the proposed modification.

March 14, 2022

APPLICANT INFORMATION

Applicant's Name: NEO Organics, LLC
Mailing Address: 365 Boston Post Road # 184
Sudbury, MA 01776
Name of Primary Contact: Chad Bair
Telephone: Office: 617-571-6068 Cell: 617-571-6068
Email address: cblair@neoalts.com

PREVIOUS MARIJUANA SPECIAL PERMIT INFORMATION

Development Name: 4 Marc Road
Date of Marijuana Special Permit Decision: January 28, 2020
Date of Plan Endorsement: 03/10/2022
Type of Permit:
☐ Retail Registered Medical Marijuana Facility
☐ Non-Retail Registered Medical Marijuana Facility
☒ Recreational (Adult Use) Marijuana Establishment

Recording information of previous permit and plan (book & page info, date)

PROPERTY INFORMATION

Location Address: 4 Marc Road Medway MA 02053

The land shown on the plan is shown on Medway Assessor's Map # 32 as Parcel # 026

SCOPE OF PROPOSED MODIFICATION

This is a petition to: (Check all that apply)

1. ☐ **Amend/Modify/Revise a previously approved marijuana site plan**

What modifications are proposed? Why does the Plan need to be modified? **Attach a complete description of the proposed modified scope of work.**

Plan Modification Title: _____

Plan Date: _____

Prepared by:

Name: _____

Firm: _____

Phone #: _____ Email: _____

2. ☒ **Amend/Modify/Revise a previously approved special permit decision.**

How and why does the Decision need to be modified? **Attach a thorough description/ explanation. Specify which condition needs to be changed.**

3. ☐ **Request Additional Waivers from the Site Plan Rules and Regulations**

Provide a completed Waiver Request form for each additional waiver request you seek.

PROPERTY OWNER INFORMATION (if not applicant)

Property Owner's Name: Torrey Marc Road LLC

Mailing Address: 3 Mill Street

Attleboro MA 02703

Primary Contact: David costa

Telephone: _____

Office: (508) 962-6283

Cell: (508) 962-6283

Email address: dave.costa@torreyco.com

CONSULTANT INFORMATION

ENGINEER: Acentech

Mailing Address: 33 Moulton Street

Cambridge MA

Primary Contact: Andy Carballeira

Telephone: _____

Office: 617 499 8000

Cell: _____

Email address: acarballeira@ACENTECH.com

Registered P.E. License #: NA

SURVEYOR: _____

Mailing Address: _____

Primary Contact: _____

Telephone: _____
Office: _____ Cell: _____

Email Address: _____

Registered P.L.S. License #: _____

ARCHITECT: _____

Mailing Address: _____

Primary Contact: _____

Telephone: _____
Office: _____ Cell: _____

Email address: _____

Registered Architect License #: _____

LANDSCAPE ARCHITECT/DESIGNER: _____

Mailing Address: _____

Primary Contact: _____

Telephone: _____
Office: _____ Cell: _____

Email address: _____

Registered Landscape Architect License #: _____

DESIGNATED REPRESENTATIVE INFORMATION

Name: _____

Address: _____

Telephone: _____
Office: _____ Cell: _____

Email address: _____

SIGNATURES

The undersigned, being the Applicant for approval of a modification to a previously approved marijuana special permit and/or associated site plan, herewith submits this application to the Medway Planning and Economic Development Board for review and approval.

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

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

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

Signature of Property Owner



Printed Name

Chad Blair

Date

03/09/22

Signature of Applicant
(if other than Property Owner)

Printed Name

Date

Signature of Agent/Designated Representative

Printed Name

Date

MARIJUANA SPECIAL PERMIT and/or PLAN MODIFICATION FEES

Filing Fee (modification to decision) - \$250

Filing Fee (modification to plan) - \$250

Advance on Plan Review Fee - \$500

(Submit a separate check for the plan review fee)

Make checks payable to: Town of Medway

Please call the Planning and Economic Development Office with any fee questions. 508-533-3291.

**MARIJUANA SPECIAL PERMIT and/or PLAN MODIFICATION
APPLICATION CHECKLIST**

- ☒ Two (2) original marijuana modification applications with signatures.
- ☐ IF APPLICABLE, three (3) full size copies and one (1) 11" x 17" version of the proposed Site Plan Modification prepared in accordance with Sections 204-4 and 204-5 of the *Medway Site Plan Rules and Regulations* plus an electronic version.
- ☒ Certified Abutters List and 3 sets of labels from the Medway Assessor's office – for 300 feet around the subject property.
- ☒ Explanation as to how and why the plan and/or decision need to be modified.
- ☐ IF APPLICABLE, Request(s) for Waivers from the *Medway Site Plan Rules and Regulations*. Check with PEDB office for waiver request form.
- ☐ IF APPLICABLE, two (2) copies of revised Stormwater Drainage Calculations prepared in conformance with Section 204 – 3, G of the *Site Plan Rules and Regulations*
- ☒ Marijuana Permit and/or Plan Modification Filing Fee – Payable to Town of Medway
- ☒ Advance of Plan Review Fee – Payable to Town of Medway



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

Dear Boar Members

Neo Alternatives respectfully requests you consideration of amending The Adults Recreational Marijuana Special Permit approved January 28, 2020.

The specific sections of the decision that we would like reviewed for modified are;

VI. 1 Noise Issues (A-G)

VIII. Conditions D (1-5)

Numeric Limits for Facility Noise

We ask the Town of Medway to adopt the criteria of their new noise bylaw as the basis of facility compliance. The following are several reasons.

Community Consensus

The new bylaw codifies a nearly 3-year community effort to establish how noise ought to be regulated in Medway. It is very stringent, but also amenable to rigorous engineering methods.

Clarity

The new bylaw specifically exempts sound produced by an emergency backup generator, when operated during daytime hours for maintenance testing. No such explicit exclusion is made in the current bylaw or the special permit conditions, and the matter of generator noise is effectively unaddressed at this point.

Receiver Based Criteria

The new bylaw reasonably creates different sound level limits based on the type of land use that is impacted by noise (the receptor). In the case of residential receptors, the new bylaw is more stringent than the previous. However, in the case of the Industrial uses, the new bylaw is reasonably less conservative.

Consistency of Regulation

The Neo facility is a new source of noise, and might reasonably be regulated in a manner consistent with other new sources that will be added to the Town.

Other Special Permit Request

Ambient Noise

In Special Permit Conditions Section D2a, the Town is requesting that "Ambient background levels shall be established without the influence of any noise emanating from the CommCan

facility at 2 Marc Road. At the time this request was made, the 2 Marc Road facility was not in compliance with the Town noise ordinance and therefore the request was prudent to assure noise levels above what are acceptable were not included in the study. As 2 Marc Road has now complied with the new bylaws and since they are a 24 hour operation and Neo has no ability to successfully request a shutdown of their operation, we request that the requirement to test without CommCan at 2 Marc Road in operation be reconsidered.

Study Locations".

We understand that the quantity and location of the study points is effectively prescribed in the special permit, based on FIGURE 2 of our April 19, 2021 report (copied below).



The original intent of FIGURE 2 was to estimate sound levels at a relatively dense grid of points using a computer model. However, a rigorous compliance measurement protocol might reasonably use fewer study points. For example, the Town might consider modifying the special permit conditions to describe measurements at the 4 facility cardinal property lines, rather than the 13 property line points considered in the computer model.



Access to Private Property

We note that locations denoted R01 to R07 are all on private property. We will rely on you to secure access to these locations for our sound measurement staff. Absent this access, we will measure at the nearest publicly-accessible location. These and other details should be clarified in our measurement protocol.

We thank you for your consideration

A handwritten signature in black ink, appearing to read 'Chad Blair', with a stylized flourish at the end.

Chad Blair
COO -Neo Organics



TOWN OF MEDWAY
COMMONWEALTH OF MASSACHUSETTS

**PLANNING AND ECONOMIC
DEVELOPMENT BOARD**

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

Board Members

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

Staff

Susan Affleck-Childs,
Planning and Economic
Development Coordinator

**Adult Recreational Marijuana Special Permit,
Groundwater Protection Special Permit, and
Site Plan Decision**

**NeoOrganics, LLC - 4 Marc Road
APPROVED with Conditions**

Decision Date: January 28, 2020

Name/Address of Applicants:

Neo Organics LLC
365 Boston Post Road, # 184
Sudbury, MA 01776

NEK, LLC
20533 SE Evergreen Highway
Camas, WA 98607

Name/Address of Property Owner:

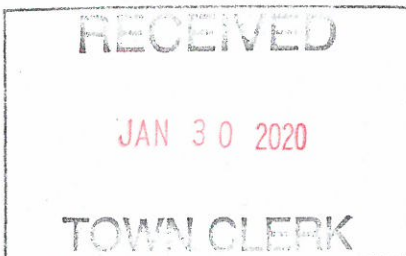
NEK, LLC
20533 SE Evergreen Highway
Camas, WA 98607

Location: 4 Marc Road

Assessors' Reference: 32 – 026

Zoning District: East Industrial

Site Plan: Permit Site Plan for 4 Marc Road, Neo Cultivation and
Manufacturing, dated August 6, 2019, last revised
December 13, 2019, prepared by DGT Associates
Surveying and Engineering of Framingham, MA





TOWN OF MEDWAY
COMMONWEALTH OF MASSACHUSETTS

**PLANNING AND ECONOMIC
DEVELOPMENT BOARD**

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

Board Members

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

Staff

Susan Affleck-Childs,
Planning and Economic
Development Coordinator

**Adult Recreational Marijuana Special Permit,
Groundwater Protection Special Permit, and
Site Plan Decision**

**NeoOrganics, LLC - 4 Marc Road
APPROVED with Conditions**

Decision Date: January 28, 2020

Name/Address of Applicants:

Neo Organics LLC
365 Boston Post Road, # 184
Sudbury, MA 01776

NEK, LLC
20533 SE Evergreen Highway
Camas, WA 98607

Name/Address of Property Owner:

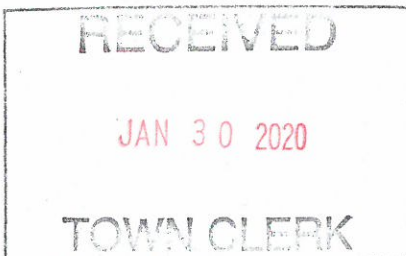
NEK, LLC
20533 SE Evergreen Highway
Camas, WA 98607

Location: 4 Marc Road

Assessors' Reference: 32 – 026

Zoning District: East Industrial

Site Plan: Permit Site Plan for 4 Marc Road, Neo Cultivation and
Manufacturing, dated August 6, 2019, last revised
December 13, 2019, prepared by DGT Associates
Surveying and Engineering of Framingham, MA





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

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

Board Members

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

Staff

Susan Affleck-Childs,
Planning and Economic
Development Coordinator

**Adult Recreational Marijuana Special Permit,
Groundwater Protection Special Permit, and
Site Plan Decision
NeoOrganics, LLC - 4 Marc Road
APPROVED with Conditions**

Decision Date: January 28, 2020

Name/Address of Applicants:

Neo Organics LLC
365 Boston Post Road, # 184
Sudbury, MA 01776

NEK, LLC
20533 SE Evergreen Highway
Camas, WA 98607

Name/Address of Property Owner:

NEK, LLC
20533 SE Evergreen Highway
Camas, WA 98607

Location: 4 Marc Road

Assessors' Reference: 32 – 026

Zoning District: East Industrial

Site Plan: Permit Site Plan for 4 Marc Road, Neo Cultivation and
Manufacturing, dated August 6, 2019, last revised
December 13, 2019, prepared by DGT Associates
Surveying and Engineering of Framingham, MA

I. PROJECT DESCRIPTION - The Applicants seek a Recreational Marijuana Establishment Special Permit pursuant to Section 8.10 of the Medway *Zoning Bylaw*, a Groundwater Protection Special Permit pursuant to Section 5.6.3 of the *Zoning Bylaw*, and site plan approval pursuant to Section 3.5 of the *Zoning Bylaw*, to use the existing 29,718 sq. ft. (more or less) industrial building at 4 Marc Road, (*Medway Assessors' Parcel 32-026* on the north side of Marc Road in the East Industrial zoning district for the cultivation, processing, manufacturing, and packaging of marijuana for adult recreational use by Neo Organics, LLC of Sudbury, MA. The proposed scope of work includes interior renovations to accommodate the new use, construction of a 3,000 sq. ft. outside concrete mechanical pad to house HVAC and odor control equipment, construction of a dumpster pad with associated fencing, installation of stormwater management measures to supplemental those presently on site, clean-up of the existing manmade drainage ditch, and construction of a 17' wide fire lane along the west side of the building. The property includes wetlands resources which are under the jurisdiction of the Medway Conservation Commission. Because a portion of the site is located within the Town's Groundwater Protection District and 24% of the improved site will have impervious surface, a Groundwater Protection special permit is also required.

II. VOTE OF THE BOARD – After reviewing the application and information gathered during the public hearing and review process, including statements of the Applicant and its representatives, comments offered by the public, and comments provided by the Board's consultants and Town staff, the Medway Planning and Economic Development Board, on January 28, 2020, on a motion made by Tom Gay and seconded by Bob Tucker, voted to approve with CONDITIONS and WAIVERS as specified herein a recreational marijuana establishment special permit, a groundwater protection special permit, and a site plan for 4 Marc Road in Medway, MA.

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

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

III. PROCEDURAL HISTORY

- A. August 6, 2019 – Special permit application filed with the Board; filed with the Town Clerk on August 7, 2019
- B. August 9, 2019 – Public hearing notice filed with the Town Clerk and posted at the Town of Medway web site.
- C. August 9, 2019 - Public hearing notice mailed to abutters by certified sent mail.
- D. August 13 and August 20, 2019 - Public hearing notice advertised in *Milford Daily News*.
- E. August 27, 2019 - Public hearing commenced. The public hearing was continued to September 24, October 8, November 12 and 26, 2019 and to January 14, 2020 when the hearing was closed and a decision rendered.

IV. INDEX OF DOCUMENTS

- A. The following documents were provided at the time the applications were filed with the Board:

Site Plan Application

- Application for Minor Site Plan Approval dated August 6, 2019 with Project Description
- *PERMIT SITE PLAN - Neo Cultivation & Manufacturing*, dated August 6, 2019, prepared by DGT Associates of Framingham, MA
- Requests for Waivers from Medway *Site Plan Rules and Regulations*
- Purchase & Sale Agreement dated February 8, 2019, between NEK, LLC (property owner) and Pangea Realty LLC (buyer), pertaining to the sale of the 4 Marc Road property.
- *Stormwater Management Design and Runoff Calculations Report for 4 Marc Road*, dated July 25, 2019, prepared by DGT Associates of Framingham, MA
- Schematic Design (floor plan), Sheet A1.2, 4 Marc Road, by Anderson Porter Design, Cambridge, MA

Marijuana Special Permit Application

- Marijuana Special Permit Application dated August 6, 2019 with Project Description
- Odor Mitigation Plan received August 6, 2019, unattributed
- Noise Mitigation Plan received August 6, 2019, unattributed
- Security Plan received August 6, 2019, unattributed
- Transportation of Marijuana Guidelines received August 6, 2019, unattributed

Groundwater Protection Special Permit

- Groundwater Protection Special Permit Application dated August 8, 2019 with Project Description

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

- Updated Noise Mitigation Plan dated September 27, 2019 with Noise Mitigation Plan letter from Andy Caballerira of Acentech, Inc. dated September 25, 2019
- Updated Odor Mitigation Plan by Impact Engineering dated September 12, 2019.
- Revised site plans from DGT Engineering Associates dated September 19, 2019, October 24, 2019 and December 13, 2019.
- Plan revision submittal letter from DGT Engineering Associates dated September 19, 2019
- Response letter from DGT Engineering Associates dated September 26, 2019 to Tetra Tech review comments dated August 22, 2019.
- Response letter from DGT Engineering Associates dated October 23, 2019 to Tetra Tech comments dated September 27, 2019
- Revised floor plans from Anderson Porter Design dated September 9, 2019
- Photometric plan by Illuminate dated September 23, 2019
- NeoOrganics security plan, unattributed, received September 19, 2019

- Assignment of interest in the purchase and sale agreement from Pangea, LLC to 4 Marc Road LLC dated March 1, 2019
 - Lease dated May 3, 2019 between Neo Organics, LLC and 4 Marc Road LLC for 4 Marc Road.
 - Additional request for a waiver from *Site Plan Rules and Regulations*, dated September 10, 2019.
 - Proposed sound wall information received November 8, 2019
 - *Land Disturbance Area Plan* dated September 27, 2019, revised October 22, 2019 and December 13, 2019, prepared by DGT.
 - *Stormwater Management Design and Runoff Calculations Report for 4 Marc Road* dated July 25, 2019, revised September 19, 2019, last revised December 13, 2019, prepared by DGT Associates of Framingham, MA.
- C. During the course of the review, a variety of other materials were submitted to the Board by the Board's consultants and Town staff:
- Plan review letters and emails from Gino Carlucci, PGC Associates, dated August 20, 2019, October 3, 2019 and October 31, 2019
 - Plan review letters from Tetra Tech to the Board dated August 22, 2019, September 27, 2019 and October 28, 2019
 - Noise mitigation plan review letters from Ron Dempsey, Noise Control Engineering, dated August 21, 2019, October 3, 2019 and October 23, 2019
 - Odor mitigation plan review letters from Bruce Straughan, Straughan Forensic dated August 21, 2019 and October 2, 2019.
 - Host Community Agreement dated March 4, 2019 between Neo Cultivation MA, LLC and Neo Manufacturing MA, LLC and the Town of Medway.
 - Letter dated August 16, 2019 from Building Commissioner Jack Mee
 - Review letter dated October 7, 2019 from Police Chief Allen Tingley
 - Email memo dated August 12, 2019 from Treasurer/Collector Joanne Russo
 - 2 Marc Road CommCan recreational marijuana special permit decision dated February 26, 2019
 - Email memo dated November 26, 2019 from Deputy Fire Chief Mike Fasolino
 - Email memo dated December 12, 2019 from Fire Chief Jeff Lynch.
 - Plan review letter from Tetra Tech to the Conservation Commission dated December 16, 2019.
 - Revised Conservation Commission Order of Conditions dated January 14, 2020.
 - MA Department of Environmental Protection EP Noise Policy and associated Noise Regulations (310 CMR 7.10).
 - Installation Guide – Atlantic Industries Limited – AIL Tuf Barrier and Silent Protector Sound Walls
- D. Abutter Comments
- Email communication dated October 8, 2019 (with attachments) from abutter John Lally, 35 Coffee Street
 - Email communication dated November 12, 2019 (with attachments) from abutter John Lally, 35 Coffee Street
 - Email communication dated December 4, 2019 (with attachments) from abutter John Lally, 35 Coffee Street

E. Other Documentation

1. Mullins Rule Certification dated September 10, 2019 for Board member Matthew Hayes pertaining to the August 27, 2019 hearing.
2. Mullins Rule Certification dated October 22, 2019 for Board member Robert Tucker pertaining to the October 8, 2019 hearing.
3. Mullins Rule Certification dated October 17, 2019 for Board member Thomas Gay pertaining to the October 8, 2019 hearing.

V. **TESTIMONY** – During the course of the public hearing, the Board heard and received verbal testimony from:

- Gino Carlucci, PGC Associates, the Town’s Consulting Planner – Commentary throughout the public hearing process.
- Steve Bouley, P.E, Tetra Tech – Commentary throughout the public hearing process
- Ron Dempsey and Jeff Komrower of Noise Control Engineering LLC, acoustic sound consultants for the Town.
- Jaime Lewis, Neo Organics
- Andy Carballeria, Acentech Inc., acoustic sound consultant for the Applicant.
- Bert Corey and Joe Losanno, DGT Associates, engineering consultant for the Applicant.
- Resident and abutter John Lally, 35 Coffee Street
- Resident and neighbor Edward Burns, 43 Coffee Street

VI. **FINDINGS**

The Planning and Economic Development Board, at its meeting on January 28, 2020, on a motion made by Bob Tucker and seconded by Tom Gay, voted to approve the following **FINDINGS** regarding the site plan and special permit applications for 4 Marc Road. The motion was approved by a vote of five in favor and none opposed.

GENERAL FINDINGS from PUBLIC HEARING TESTIMONY

(1) **NOISE ISSUES**

- A. Pursuant to Section 7.3.C.2. of the *Zoning Bylaw*, the “Maximum permissible sound pressure levels measured at the property line nearest to the noise source for noise radiated continuously from the noise source between 10 PM and 7 AM shall be as follows.”

Frequency Band (Cycles per Second)	Sound Pressure Level (Decibels 43 0.0002 Dyne/CM2)
2-72	69
75-150	54
150-300	47
300 - 600	41
600 – 1,200	37
1,200 – 2,400	34
2,400 - 4,800	31
4,800 – 10,000	28

“For noise levels between 7 A.M. and 10 P.M., and if the noise is not smooth and continuous, the following corrections shall be added to each of the decibel levels given above:

- Daytime operation only: +5
- Noise source operated at less than 20% of any 1-hour period: +5”

- B. Earlier in 2019, during the Board’s review of the recreational marijuana establishment special permit application for 2 Marc Road, the Board along with the Board’s sound consultant (Noise Control Engineering) and that applicant’s sound consultant (Acentech, Inc.) agreed that the frequency band range form of noise measurement specified in the *Medway Zoning Bylaw* is outdated. The consultants concurred that noise measurements in accordance with the *Zoning Bylaw*’s standards are neither ideal nor typical today. The Board acknowledged that frequency band ranges presently included in the *Zoning Bylaw* do not accurately reflect contemporary sound measurement standards and provide challenges to interpretation and enforcement of the applicable provisions of the *Zoning Bylaw*. The Board was willing to allow a conversion to more modern standards, but only as long as the conversion was more, not less restrictive.

Noise Control Engineering converted the *Zoning Bylaw*’s frequency band noise levels to octave bands for noise measurement purposes. The method used was based on the frequency span of the octave bands and is consistent with the conversion documented in the 1980 EPA document *905-R-80-117 Noise Legislation Trends and Implications*. The table below shows the conversion of the *Bylaw*’s frequency band noise standards to the modern octave band noise standards with the nighttime and daytime adjustments.

Octave Band Center Frequency (Hz)	Medway Zoning Bylaw Sound Pressure Level, (dB re 20 micro-Pa) Nighttime	Medway Zoning Bylaw Sound Pressure Level, (dB re 20 micro-Pa) Daytime
63	67	72
125	55	60
250	48	53
500	42	47
1000	38	43
2000	35	40
4000	32	37
8000	28	33

- C. The Applicant’s preliminary noise mitigation plan was submitted to the Board on August 6, 2019 with the special permit application. The Board retained Noise Control Engineering (NCE) of Billerica, MA to review that preliminary noise mitigation plan. NCE provided an email communication dated August 21, 2019 with comments and recommendations of additional information needed.
- D. The Applicant prepared an updated noise mitigation plan which was submitted to the Board on September 27, 2019. The Applicant also retained sound consultant Acentech, Inc. of Cambridge, MA to evaluate the anticipated levels of noise

producing equipment to be installed at the 4 Marc Road facility and provide recommendations for suitable noise control measures. Acentech developed a computer model of the facility's sound using CadnaA, an acoustic modeling software. The noise producing equipment includes a 300 kw generator, transformer, air handling units (AHU), a variety of condensing units, and rooftop exhaust fans. Acentech determined that the proposed noise generating equipment, absent any noise mitigation measures, will not comply with the noise regulations included in Section 7.3.C.2. of the *Zoning Bylaw* at all property lines of 4 Marc Road. To mitigate the excessive noise from certain of the noise producing sources, Acentech recommended placing sound barriers around the condensing and air handling units and to select a generator and enclosure that would meet the *Zoning Bylaw*'s sound requirements.

Acentech then calculated the expected noise levels, with the planned noise control measures applied, at 14 receptor locations at the property lines of 4 Marc Road and at 7 receptor residential locations at second story building heights. Acentech found that the estimated sound levels created by the noise generating equipment, with the added noise mitigation measures recommended by Acentech, would be below the Town's noise standards (converted from frequency band to octave band) as described in Item B.

- E. The Board retained Noise Control Engineering, LLC (NCE) to evaluate the Applicant's proposed noise mitigation plan for the 4 Marc Road property. NCE provided an email communication dated October 3, 2019 and personal testimony by NCE personnel was provided during the November 12, 2019 hearing.
- F. The Board is in receipt of written and verbal testimony of abutters and nearby residents in the vicinity of 4 Marc Road expressing serious concerns and objections to the excessive noise emanating from the existing marijuana facility operating at 2 Marc Road. Concern was expressed that similar issues would occur with the 4 Marc Road facility.
- G. The Applicant has represented that the 4 Marc Road facility, as part of its permitting with the Massachusetts Cannabis Control Commission, is required to comply with the MA DEP Noise Policy and associated Noise Regulations (310 CMR 7.10). These regulations state that a source of sound violates the regulation if the source:
 - 1. Increases the broadband sound level by more than 10dB above ambient, or
 - 2. Produces a "pure tone" condition which occurs when any octave band center frequency sound pressure level exceeds the two adjacent center frequency sound pressure levels by 3 decibels or more.

The MA DEPT Noise Policy and Regulations state that these criteria are measured both at the property line and at the nearest inhabited residence. "Ambient" is defined as the background A-weighted sound level that is exceeded 90% of the time (the L₉₀ metric) measured during equipment operating hours.

(2) **ODOR ISSUES**

- A. Pursuant to Section 7.3.D. of the *Zoning Bylaw*, “In all districts, no emissions of odorous gases or odoriferous matter in such quantities as to be discernible outside the property line shall be permitted. Any industrial process which may involve the creation and/or emission of any odors shall be provided with a secondary safeguard system. No objectionable odor greater than that caused by 0.001201 oz. per thousand cubic feet of hydrogen sulfide or any odor threshold as defined in Table III in Chapter 5 of Air Pollution Abatement Manual (copyright 1951 by manufacturing Chemists Assoc., Inc., Washington, DC) shall be permitted.”
- B. The Applicant’s preliminary odor mitigation plan was submitted to the Board August 6, 2019 with the special permit application. The Board retained Straughan Forensic, LLC of Arvada, CO, to review that preliminary odor mitigation plan. Straughan Forensic provided review letters dated August 21, 2019 with comments and recommendations of additional information needed.
- C. The Applicant retained Impact Engineering Inc. of Castle Rock, CO to prepare an updated odor mitigation plan which was submitted to the Board on September 19, 2019. At the Board’s request, Straughan Forensic, LLC evaluated the Applicant’s updated odor mitigation plan for the 4 Marc Road property and provided a review letter dated October 2, 2019.

- (3) **HOURS OF OPERATION** – The applicant has informed the Board that as a marijuana growing facility, the establishment will operate 24 hours a day/7 days a week. The Applicant anticipates that the facility will be occupied by a maximum of twenty-five employees. Occupancy will be generally limited to the hours of 7 am to 7 pm, Sunday – Saturday.

RECREATIONAL MARIJUANA ESTABLISHMENT SPECIAL PERMIT FINDINGS
(Sub-section 8.10 of the Zoning Bylaw)

- (1) The recreational marijuana cultivation and processing establishment will operate inside the existing building at 4 Marc Road, a permanent, stand-alone building which does not include residential units or doctors’ offices. The site includes driveways, parking areas, utility systems, and stormwater management facilities.
- (2) None of the uses listed in Section 8.10 E. 4. of the *Zoning Bylaw* (public or private school serving students in grades K-12) are located within 500 feet of the site of the proposed facility.
- (3) As conditioned herein and as required by the *Zoning Bylaw*, smoking, burning and consumption of marijuana or marijuana-infused products on the premises is not allowed.
- (4) No drive-through service is proposed. It is not needed as a retail operation is not planned for the site nor does the *Zoning Bylaw* allow for a drive-through facility.
- (5) As conditioned herein, any signage for the facility shall comply with Section 8.10.F and Section 7.2 of the *Zoning Bylaw*.

- (6) As conditioned herein, the Applicant shall provide the contact information for management staff and key holders of the facility to Town officials.
- (7) As conditioned herein, the Board finds that the recreational marijuana establishment will not create a nuisance to abutters or to the surrounding area or create any hazard. Both the Applicant and the Town have contracted with noise and odor consultants. The Applicant has prepared a noise mitigation plan which has been reviewed by the Town's noise consultant. It will be implemented in accordance with Specific Condition D herein. The Applicant has also provided an odor control plan which will be implemented in accordance with Special Condition E herein.

The Board is requiring on-going noise and odor monitoring to ensure compliance with the Town's requirements. See Special Conditions D and E. The Building Commissioner, in consultation with the Health Agent, and the Town's noise and odor consultant(s), will confirm compliance with the noise and odor requirements of the *Zoning Bylaw* after the required noise and odor mitigation measures are installed. As conditioned herein, any non-compliance will be addressed through zoning enforcement.

- (8) The existing building meets the requirements for "openness of premises" since no activities within the building or displays of products are visible from the exterior of the building and the front of the building, which includes the primary entrance to the facility, is fully visible from the site's frontage. All operations are within the restricted building and there is no direct consumer access as no retail sales are allowed pursuant to the *Zoning Bylaw*.
- (9) The special permit authorizes only the following adult recreational marijuana establishment activities: cultivation, manufacturing, processing and packaging of marijuana and marijuana products, and the transport and delivery of such to other recreational marijuana establishments. Retail sales and marijuana social establishments are not allowed pursuant to the *Zoning Bylaw*.
- (10) As conditioned herein, copies of required licenses and permits issued by the Commonwealth will be provided upon approval by the Massachusetts Cannabis Control Commission. The recreational marijuana operation will be operated in strict compliance with Massachusetts Cannabis Control Commission regulations.
- (11) Applicant, NEK, LLC is the record owner of the property as shown on the Medway Assessor's records and the seller on a purchase and sale agreement with Pangea Realty LLC dated February 8, 2019. On March 1, 2019, Pangea Realty LLC assigned its interest in the purchase and sales agreement to 4 Marc Road, LLC which will own the 4 Marc Road property.

The Applicant, Neo Organics, LLC will be a tenant in the subject property and building pursuant to a lease dated May 3, 2019 with 4 Marc Road, LLC. Accordingly, the Applicant has the right to use the site for a registered marijuana establishment.

- (12) Prior to plan endorsement, the Applicant shall provide a sworn statement disclosing the owner's or other similarly situated individuals' interest in the registered marijuana establishment.

- (13) A certified list of all abutter and parties of interest was provided. The Planning and Economic Development office coordinated the production and mailing of the required public hearing notice for the Special Permit and Site Plan applications to the required parties.
- (14) A site plan was submitted and has been revised pursuant to comments from the Board's consultants and the Conservation Commission. A detailed floor plan of the premises showing the functional areas of the facility has also been provided. The facility's security plan including lighting, fencing, gates and alarms was submitted and provided to the Police Chief during the permitting process.
- (15) A copy of the policies and procedures for the transfer, acquisition, or sale of adult recreational marijuana between approved marijuana establishments was provided as part of the special permit application.
- (16) A comprehensive noise mitigation plan prepared by the applicant's noise consultant, Acentech, Inc. was submitted and reviewed by Noise Control Engineering, the Board's noise consultant. The plan was revised, re-submitted, and re-reviewed. The planned noise mitigation measures are expected to enable the facility to meet the Town's noise standards as included in Section 7.3 of the *Zoning Bylaw*. As conditioned herein, any non-compliance will be addressed through zoning enforcement.
- (17) A comprehensive odor mitigation plan prepared by the applicant's odor consultant, Impact Engineering, Inc, was submitted to the Board and reviewed by Straughan Forensic, LLC, the Board's odor consultant. The odor mitigation plan was revised, re-submitted and re-reviewed. As conditioned herein, any non-compliance will be addressed by the Building Commissioner through zoning enforcement.
- (18) The required public hearing and review process for this special permit application has been followed.
- (19) The adult recreational marijuana establishment, as conditioned herein, has been designed to minimize adverse visual or economic impacts on abutters and other parties in interest. No changes in the existing building or site are proposed other than the described site improvements and possible additional measures to address potential noise and odor impacts if such occur in the future.
- (20) As conditioned herein, the proposed facility will meet all the permitting requirements of all applicable agencies within the Commonwealth of Massachusetts and will be in compliance with all applicable state laws and regulations.
- (21) As conditioned herein, the Applicant has satisfied the conditions and requirements of this Section 8.10 and Section 3.4 of the *Zoning Bylaw*.

SITE PLAN RULES AND REGULATIONS FINDINGS – The Planning and Economic Development Board shall determine whether the proposed development is in conformance with the standards and criteria set forth in the *Rules and Regulations*, unless specifically waived. In making its decision, the Planning and Economic Development Board shall determine the following:

- (1) Has internal circulation, queuing and egress been designed such that traffic safety is protected, access via minor streets servicing residential areas is minimized, and traffic backing up into the public way is minimized?

The site is within an industrial park which is accessed directly from Route 109 so there is no access through minor streets serving residential areas. There is no backing up onto a public way.

- (2) Does the site plan show designs that minimize any departure from the character, materials, and scale of buildings in the vicinity as viewed from public ways and places?

The existing building and site are of an industrial style, with the scale and materials similar to other buildings within the industrial park. No exterior building façade renovations are planned.

- (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 is heavily wooded at its access driveway from Marc Road. The parking areas are along the driveway and behind the building. There is no outside storage of materials. An outdoor dumpster is included but it will be located at the back of the site and will have an enclosure around it. As the site is already developed, considerable landscaping is already provided. The building is set back approximately 110' from the western boundary line of the subject property.

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

The site plan has been revised pursuant to feedback from the Medway Fire Department to now include construction of a fire lane on the west side of the building. Fire Chief Jeff Lynch, in an email dated December 12, 2019, approved the revised site plan as suitable access to the building will be provided.

- (5) Will the design and construction minimize, to the extent reasonably possible, the following environmental impacts?

- a) the volume of cut and fill; *Since this is an existing developed site, the volume of cut and fill is minimal to adapt the site for a new use. The project scope is limited primarily to cleaning out and upgrading an existing drainage system and the installation of a new equipment pad and sound barrier on the west side of the building.*
- b) the number of trees to be removed with particular care taken with mature trees and root systems; *This is an existing developed site so tree removal is minimal to accommodate the construction of an equipment pad and a fire access road.*
- c) the visual prominence of man-made elements not necessary for safety; *The only added man-made visual element to the site is the equipment pad and associated sound barrier. While necessary to project abutters from excessive*

noise, it is not visible from Marc Road and it is screened from the westerly abutter by a slope with existing trees on it.

- d) *the removal of existing stone walls; No existing stone walls are being removed.*
 - e) *the visibility of building sites from existing streets; The current building is located off Marc Road, up a hill and the site includes trees between the road and building such that only the entrance driveway and sign are visible from Marc Road. This is not being changed for the new use.*
 - f) *the impacts on waterways and environmental resource areas; A small portion of the site is within the 100-foot wetlands buffer zone and in the Town's Groundwater Protection District. The only work proposed within this area consists of improvements to the stormwater management system which is upgraded throughout the site to comply with current standards so the impacts on waterways and environmental resource areas is positive. The project has also been reviewed by the Conservation Commission and an Order of Conditions has been issued.*
 - g) *soil pollution and erosion; The submitted plans include an Erosion and Sediment Control Plan, which has been reviewed and approved by the Town's Consulting Engineer. The Conservation Commission has also issued an Order of Conditions.*
 - h) *noise. The possibility of noise impacts on abutters has been the issue of most concern and has generated the most discussion at the public hearings. A comprehensive noise control plan was required and submitted to the Board. The Board's noise engineering consultant reviewed the initial plan and considered supplemental information submitted by abutters. Changes to the initial noise mitigation plan were made, including the addition of significant noise barriers with noise baffling features to contain the noise generated by the exterior mechanical equipment. The plan as approved will have minimal noise impacts and those impacts will be monitored once the building attains its full operating status and any needed adjustments will be required accordingly.*
- (6) Is pedestrian and vehicular safety both on the site and egressing from it maximized?
- There is no significant pedestrian use anticipated since no public access to the building is allowed. Pedestrian safety within the parking lot is standard and is adequate due to minimal vehicular traffic. Sidewalk improvements are planned to modify the existing concrete walkway to provide for handicap accessibility. The existing sight lines at the driveway for exiting traffic will be increased through the clearing of some trees (9" diameter and less) to the east of the driveway and some regarding.*
- (7) Does the design and will the construction incorporate, to the maximum extent possible, the visual prominence of natural and historic features of the site?

There are no historic features on site.

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

A photometric plan has been submitted that demonstrates that there is no light trespass or glare off site.

- (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. It makes use of an already developed site and provides a comprehensive stormwater management system to address the existing facility and proposed site improvements.

GENERAL SPECIAL PERMIT FINDINGS (Sub-section 3.4 of the Zoning Bylaw)

- (1) The proposed site is an appropriate location for the proposed use.

Section 8.10 of the Zoning Bylaw (Recreational Marijuana) and Table 1 – Schedule of Uses specifies that non-retail recreational marijuana establishments are allowed by special permit in the East and West Industrial zoning districts. The subject site at 4 Marc Road is located within the East Industrial zoning district and is therefore an eligible location for the proposed use. Further, the site is not located within 500 feet of any of the uses from which marijuana establishments are prohibited (existing public or private school serving students in grades K-12). The site includes an existing industrial building constructed in 1984; the property has been used for industrial purposes for 35 years.

- (2) Adequate and appropriate facilities will be provided for the operation of the proposed use.

The recreational marijuana cultivation and processing uses will occur within the existing industrial building at 4 Marc Road. Suitable parking is available with access from Marc Road. As documented in the findings under Site Plan Rules and Regulations above, adequate and appropriate facilities have been provided for the operation of the facility. The site's internal driveways and stormwater management system have been reviewed by the Board's Consulting Engineer and found to be adequate.

- (3) The proposed use as developed will not create a hazard to abutters, vehicles, pedestrians or the environment.

The existing site contains suitable driveways, parking areas and stormwater management systems. Pedestrians are not expected to access the site as no retail marijuana operation is permitted. As conditioned herein, the Applicant is required to meet the Town's noise and odor standards as specified in Section 7.3 of the Zoning Bylaw and provide additional noise and odor mitigation measures if needed in the future.

- (4) The proposed use will not cause undue traffic congestion or conflicts in the immediate area.

The proposed facility is expected to have 25 employees. The available on-site parking exceeds the number of parking spaces required. As the facility will not have a retail operation, non-employee traffic to the site will be minimal. The Industrial Park Road system is adequate to handle the routine employee traffic. Marc Road was recently reconstructed as part of the approval of an adjacent business facility at 2 Marc Road, so the adjacent roadway quality leading to the property is excellent. Furthermore, the site's access is via Marc Road from Industrial Park Road from Main Street/Route 109, a major east-west arterial roadway, so there is no traffic impact on local residential roadways.

- (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.

Site plan review has addressed each of these potential impacts on adjoining properties. A photometric plan for the lighting has been submitted; it documents that lighting will not spill over onto adjoining properties. The stormwater management plan has been reviewed and approved; stormwater will not result in flooding on adjoining properties. An odor control plan, specific to the property's use as a marijuana cultivation facility, has been submitted by the Applicant and reviewed by a firm specializing in odor mitigation. Any dust generated from the operation of the business shall be contained within the building. Noise has especially been carefully evaluated with the assistance of a noise consultant, and the final noise control plan has been accepted. Also, noise generation will be monitored following full operation of the facility. No vibration is expected to be generated by the operation of the business. Refuse materials will be contained within a locked dumpster area for security purposes. Any other undesirable visual, site or operational attributes of the facility shall either be the same as existing conditions or improved from the previous business operation on the premises.

- (6) The proposed use as developed will not adversely affect the surrounding neighborhood or significantly alter the character of the zoning district.

The proposed use is manufacturing and is therefore consistent with the character of the East Industrial Zoning District in which the subject property is located. This application proposes to produce marijuana for adult recreational use within the existing building. The proposed use will not significantly alter the character of the East Industrial zoning district.

The Board heard testimony from residential abutters and neighbors about their concerns regarding adverse noise and odor conditions which may emanate from the proposed facility. These concerns result from their experience of noise and odor issues related to the existing marijuana cultivation and manufacturing operation at the adjacent 2 Marc Road marijuana facility. The Applicant made repeated verbal commitments during the public hearing that they will address neighbor concerns through reasonable noise and odor mitigation measures. Furthermore, as noted

above, the Board paid particular attention to the noise and odor concerns and contracted with outside consultants specializing in noise and odor control to review and provide guidance as to how to minimize such concerns. The final plans include maximum measures to ensure that the impacts are minimal at best. The Applicant will be held to the environmental standards included in Section 7.3 of the Zoning Bylaw. The Cannabis Control Commission requires the Applicant to also meet the MA DEP noise standards. Measures to address other types of potential impacts (lighting, flooding, dust, vibration, refuse materials, etc.) have also been provided. As conditioned herein, the Board finds that reasonable measures will be taken such that this particular industrial use will not adversely affect the surrounding neighborhood.

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

The Recreational Marijuana section of the Zoning Bylaw (Section 8.10) was adopted by the Town in May 2018 with the specific intent of allowing the establishment of non-retail recreational marijuana establishments at limited locations in Medway. The stated purpose of Section 8.10 is to address possible adverse public health and safety consequences and impacts on the quality of life related to this type of facility by providing for them in appropriate places and under strict conditions. As the proposed facility is located within one of the designated zoning districts, it meets the purpose of the Zoning Bylaw.

- (8) The proposed use is consistent with the goals of the Medway Master Plan.

The existing facility and the expanded use of the facility is in compliance with Goals 1 and 6 of the Economic Development Goals and Objectives section of the Medway Master Plan as follows:

- *Goal 1: Maximize the area's economic resources*
- *Goal 6: Attract new (and retain existing) businesses and increase the industrial/manufacturing base.*

- (9) The proposed use will not be detrimental to the public good.

As a facility in compliance with state and local law, consistent with the goals of the Medway Master Plan, and as thoroughly conditioned herein, the proposed use will not be detrimental to the public good.

GROUNDWATER PROTECTION DISTRICT SPECIAL PERMIT FINDINGS (Sub-Section 7.3 of the Zoning Bylaw) – A portion of the 4 Marc Road site is located within the Town's Groundwater Protection District, therefore a groundwater protection special permit is required.

- (1) Maintenance, repair and enlargement of any existing structure and new construction are permitted uses, subject to certain restrictions, within the Groundwater Protection District. As conditioned, and as noted below, the project will comply with those restrictions.
- (2) As conditioned herein, storage of hazardous materials, as defined in Massachusetts General Laws, c. 21E, is prohibited unless enclosed in a free standing container

within a building. Any accidental spillage will also be contained within the building and any that may enter the municipal sewer system will be treated prior to being discharged to the municipal sewer system.

- (3) As conditioned herein, any commercial fertilizers, as defined in Massachusetts General Law, c. 128, §64, used for the growing of marijuana plants will be stored within containers and kept inside the 4 Marc Road building.
- (4) The facility will handle toxic and hazardous materials. All use of hazardous materials will be contained within the building and as the risk of spillage during deliveries is low, the facility qualifies for a special permit. Operation and maintenance procedures are in place to prevent any accidental outdoor spillage from reaching groundwater.
- (5) Water control devices are prohibited unless they can be shown to prevent adverse impacts on groundwater. The stormwater management plans have been reviewed by the Town's Consulting Engineer to ensure that no adverse impacts will result.
- (6) The facility and associated site improvements will render more than 71,000 square feet of the site impervious. The Town's Consulting Engineer has reviewed the stormwater management plan to ensure that groundwater recharge does not degrade groundwater quality.
- (7) As required by Section 5.6.F. 1. of the *Zoning Bylaw*, the plans have been provided to the Board of Health, Conservation Commission, Water and Sewer Commission, and Department of Public Services for review and consultation to evaluate whether the proposed project will adversely impact the quality or quantity of water available within the Groundwater Protection District, and to determine that disturbance of the soils, topography, drainage, vegetation and other characteristics is minimized.

VII. WAIVERS – At its January 28, 2020 meeting, the Board, on a motion made by Bob Tucker and seconded by Richard Di Iulio, voted to grant waivers from the following provisions of the *Rules and Regulations for the Submission and Approval of Site Plans, as amended December 3, 2002*. The Board's action and reasons for granting each waiver request are listed below. All waivers are subject to the *Special and General Conditions of Approval*, which follow this section. The motion was approved by a vote of five in favor and none opposed.

SITE PLAN SUBMITTAL REQUIREMENTS/PLAN CONTENTS

Section 204-3 A. 7. - Development Impact Statement. A written Development Impact Statement shall be provided to describe the potential and anticipated impacts of the proposed development, identify all positive and adverse impacts, and propose an acceptable program to prevent or mitigate adverse impacts. At its discretion, the Planning Board, upon written request of the applicant, and based on the Board's preliminary assessment of the scale and type of development proposed, may waive or modify the requirements for submission of any of the elements of the *Development Impact Statement*. The *Development Impact Statement* shall consist of the following four elements: traffic, environmental, community and parking.

The Applicant has requested a waiver from this requirement. The site is already developed and has been used for industrial purposes since 1984. The proposed site improvement work is minimal. Traffic is not expected to increase beyond previous occupants. The preparation of traffic,

environmental, community and parking impact assessments is not expected to reveal any useful information related to the site or the project's impacts. The recreational marijuana facility use is highly regulated by the Massachusetts Cannabis Control Commission and is subject to a special use zoning permit from the Board. For the foregoing reasons, the Board APPROVES this waiver as being consistent with the purpose and intent of the Site Plan Rules and Regulations which will have no significant detriment to the achievement of any of the purposes of Site Plan Review and Approval.

Section 204-4 B - Site Context Sheet. A Site Context Sheet including the following items shall be submitted.

- 1) A locus plan showing the site and its boundaries in relation to all surrounding streets within two thousand (2,000) feet of the perimeter of the site. The plan shall be at a maximum scale of one (1) inch equals one thousand (1,000) feet. Scenic roads shall be noted.
- 2) Abutters' names and addresses with assessor's reference.
- 3) Lot lines with dimensions and easement areas.
- 4) Existing topography at two (2) foot intervals from USGS survey maps or actual land survey.
- 5) All easements (*utility, conservation and other*) and rights-of-way.
- 6) Zoning district boundaries including groundwater protection district, wetlands, and flood plain zones.

The Applicant has requested a waiver from this requirement. A separate Site Context Sheet has not been provided as part of the plan set. However, the information specified to be included on a Site Context Sheet is included on other sheets included in the plan set. For the foregoing reason, the Board APPROVES this waiver as being consistent with the purpose and intent of the Site Plan Rules and Regulations which will have no significant detriment to the achievement of any of the purposes of Site Plan Review and Approval.

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

The Applicant has requested a waiver from this requirement. The site is large (6.68 acres) and is mostly wooded in nature. The existing building will be reused. Site improvements are minimal and will not result in a large land disturbance area. A 32” pine tree located in the southeast corner of the property is specifically identified to remain and be protected during construction. Locating the all trees with a diameter of one foot or greater at four feet above grade throughout the site would be an unnecessary additional expense and provide no added value to the site design or development. For the foregoing reasons, the Board APPROVES this waiver as being consistent with the purpose and intent of the Site Plan Rules and Regulations which will have no significant detriment to the achievement of any of the purposes of Site Plan Review and Approval.

Section 204-5 D. 7. Proposed Landscape Design – A *Landscape Architectural Plan* shall be prepared by a Landscape Architect licensed in the Commonwealth of Massachusetts. This *Plan* shall be prepared as an overlay of the existing conditions sheets and shall incorporate, whenever possible, the significant features of the existing site and topography, particularly existing trees with a diameter

of one (1) foot or greater at four (4) feet above grade. The *Landscape Architectural Plan* shall indicate the areas slated for excavation; any woodlands, trees or other existing features or structures to be retained; all new plantings by common and Latin name including their proposed locations and sizes at the time of installation. Plan graphics for tree canopies shall reflect, as closely as possible, the actual canopy dimension of proposed tree plantings at the time of installation with a “lesser” intensity graphic used to represent potential canopy at maturity.

The applicant has requested a waiver from this requirement as no new landscaping is proposed for this already developed site. Any marijuana facility is subject to a permit from the Massachusetts Cannabis Control Commission which has strict requirements that prohibit shrubs and trees from being planted in proximity to marijuana establishments in order to promote safety in and around the facility. For the foregoing reasons, the Board APPROVES this waiver as being consistent with the purpose and intent of the Site Plan Rules and Regulations which will have no significant detriment to the achievement of any of the purposes of Site Plan Review and Approval.

Section 204-5 D. 12 – Signage Plan - A *Signage Plan* shall be submitted which includes the design, location, materials, dimensions and lighting for:

- (a) the proposed development and all building identification signage, both freestanding and attached; and
- (b) standards for tenant signs.

The applicant has requested a waiver from this requirement. The applicant intends to reuse the existing monument sign from the prior occupant to display only the property address. No other signage is planned for the building. For the foregoing reasons, the Board APPROVES this waiver 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 special permit is consistent with the *Zoning Bylaw* and 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. These conditions are binding on the Applicant.

SPECIFIC CONDITIONS OF APPROVAL

- A. All standard requirements included in Section 8.10 Recreational Marijuana of the *Zoning Bylaw* apply to this special permit. These include but are not limited to:
 - 1. Upon approval and prior to commencing operations on the property to cultivate and process marijuana for adult recreational use, the Applicant shall provide the Building Commissioner, Health Agent, Fire Chief, Police Chief, and the Board with a copy of the applicable state adult recreational marijuana establishment licenses, permits, and approvals from the Massachusetts Cannabis Control Commission.
 - 2. The Applicant shall provide an annual report of Neo Organics, LLC’s operations to the Board and other Town officials no later than January 31st of each year, including a copy of all current state licenses and demonstrating continued

compliance with the conditions of this special permit. Any change in ownership of Neo Organics, LLC or change in management staff and key holders shall also be reported.

3. This special permit is not transferrable to another party. It shall remain exclusively with the Applicant, Neo Organics, LLC, as the operator of an adult recreational marijuana establishment on the premises.
 4. Smoking, burning and consumption of marijuana or marijuana infused products on the premises is prohibited.
- B. **Plan Endorsement** - Within sixty (60) days after the Board has filed its *Decision* with the Town Clerk, the *Permit Site Plan for 4 Marc Road, Neo Cultivation and Manufacturing*, dated August 6, 2019, last revised December 13, 2019, prepared by DGT Associates Surveying and Engineering of Framingham, MA shall be further revised to reflect all Conditions and required revisions as specified herein, and shall be submitted to the Board to review for compliance with the Board's *Decision*. (*Said plan is hereinafter referred to as the Plan*). Upon approval, the Applicant 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. **Other Documentation** - Prior to plan endorsement, the Applicant shall provide a sworn statement the Applicant shall provide a sworn statement disclosing the owner's or other similarly situated individuals' interest in the registered marijuana establishment.
- D. **Noise Management**
1. The Applicant shall install and maintain at all times effective noise reduction equipment for the property to comply with Section 7.3 of the *Zoning Bylaw* as well as the Massachusetts Department of Environmental Protection (MA DEP) noise requirements as established in 310 CMR 7.10. The Applicant will achieve compliance through industry best practices and suitable noise abatement measures. The Applicant shall ensure proper maintenance of all noise abatement equipment to ensure maximum efficiency and effectiveness and ongoing compliance.
 2. Prior to the issuance of an occupancy permit for the 2 Marc Road facility, the Applicant shall provide the Building Commissioner, Health Agent, and Board with a noise study measuring ambient sound levels without the external mechanical equipment in operation, the sound at each of the 4 Marc Road property boundaries during full operating conditions, and the sound at the locations of existing residential receptors and expected future residential receptors. The purpose is to determine if the facility complies with Section 7.3 of the *Zoning Bylaw* as well as the MA DEP noise requirements as established in 310 CMR 7.10. The Board, Building Commissioner or Health Agent may forward the noise study to the Town's noise consultant for peer review and comment, at the Applicant's expense.

- a. Establishment of Ambient Noise Levels – Ambient background levels shall be established without the influence of any noise emanating from the CommCan facility at 2 Marc Road. If background noise levels at 2 Marc Road have been previously established prior to operation of the CommCan facility and are acceptable to the Board, they may be used. If not, new measurements to establish background noise levels will be performed by the Applicant. Any noise sources from 2 Marc Road that may contribute to background noise levels should be turned off during the attended measurements to establish the background noise levels. If unattended monitoring is used, the noise contribution from 2 Marc Road can be established by shutting down the noise sources during a specified time period and calculating the difference in L_{90} levels during on and off times. If it is absolutely not possible to take ambient measurements with the 2 Marc Road facility shutdown, ambient measurements should be taken in an area with similar ambient conditions (i.e. similar distance from major roads or other noise sources) which is far enough from the 2 Marc Road facility so that the 2 Marc Road facility does not significantly influence the measures. If an alternative method for establishing the background levels is proposed, a test plan shall be submitted to the Board for acceptance of the alternative method. The Board may seek guidance from its noise consultant.

Separate background noise levels shall be established for daytime hours (7 am to 10 pm) and nighttime hours (10 pm to 7 am).

Background noise levels can be established either by attended measurements (with the sample time at each measurement location to be not less than 10 minutes) or by unattended measurements for a period of at least 3 days. It will be sufficient to establish the background noise levels at representative locations at the property line.

- b. Measurement of Operational Noise Levels – The operational sounds measurements will consist of attended daytime and nighttime noise measurements at the facility property line and the residential receptors for a period of at least ten minutes. If the equipment is expected to produce higher noise levels at operating conditions other than the full load, those conditions shall be measured as well.

The measurements shall be taken at the same locations as evaluated in the September 27, 2019 Acentech study. These include:

- 14 receptor locations the property lines of 4 Marc Road and
 - 7 residential receptor locations at second story building window heights.
- c. All sound measurements shall be conducted by a qualified acoustical consultant (INCE board certification or equivalent experience) in accordance with industry best practices.

- d. Measurement instrumentation shall comply with Class 1 in accordance with IEC 61678, and should be capable of measuring A-weighted and octave-band sound levels. The acoustic descriptor for reporting shall be the L_{90} sound level for background noise levels. If operational data is steady state, the L_{90} metric can also be used for operational data. Otherwise the L_{eq} or higher metric should be used. Sound level meters shall be provided with windscreens and their calibration shall be field-checked before and after the measurements.
 - e. The Board, Building Commissioner or Health Agent may require the Applicant to implement additional noise mitigation measures if the noise study indicates that the facility is non-compliant with Section 7.3 of the *Zoning Bylaw* or the MA DEP Noise Policy.
3. Approximately six months after beginning operations under this Special Permit, the Applicant shall provide a supplemental noise study. These measurements shall be carried out to the same standards and methods as the initial study. The scope and methods of the study shall be the same as in the initial study described above.

The Applicant shall submit that study to the Building Commissioner, Health Agent and Board so as to determine continued compliance with the *Zoning Bylaw* and any conditions set forth herein as to noise. The Building Commissioner, Health Agent or Board may forward the plan to the Town's noise consultant for review and comment, at the Applicant's expense. The Applicant shall be required to implement additional noise mitigation measures if the facility is non-compliant with the *Zoning Bylaw* and the MA DEP Noise Policy.

4. The Applicant shall annually submit a certification by a registered professional mechanical engineer that there are no changes in the installed mechanical equipment which may impact the noise emanating from the facility. Such certification shall be provided to the Building Commissioner, Health Agent and the Board.
5. The Building Commissioner, in enforcing the conditions contained herein, may require the Applicant to provide additional noise studies by a qualified noise consultant and/or implement additional mitigation measures should legitimate concerns or complaints develop in the future about noise generation from the facility. The Applicant may further be required to address such issues with the Board to its satisfaction.

E. Odor Management

1. The Applicant shall install and maintain at all times effective odor control technology to remove odors from the facility's exhaust system to comply with Section 7.3 of the *Zoning Bylaw*. The Applicant will complete this through industry best practices and suitable building filtration systems including a secondary safeguard system as required by the *Zoning Bylaw*. The Applicant shall maintain all odor migration equipment to ensure maximum efficiency and effectiveness and ongoing compliance.

2. The presented Odor Mitigation Plan dated September 12, 2019 does not include mechanical drawings for the odor management system. At such time as the mechanical drawings are available, they shall be submitted to the Board for review by the Board's odor consultant, at the applicant's expense, to determine if they comply with the Odor Mitigation Plan.
 3. The October 2, 2019 review letter of Straughan Forensic, LLC, the Board's odor consultant, identifies a number of issues and information missing from the Odor Mitigation Plan. The Straughan Forensic letter dated October 2, 2019 is attached and made a part of this decision. These items shall be fully addressed and included in the odor plans submitted to the Massachusetts Cannabis Control Commission for approval. The submittal to the Cannabis Control Commission shall indicate that the odor control system must comply with Section 7.3 of the *Zoning Bylaw*.
 4. The Applicant shall provide the odor plan approved by the Massachusetts Cannabis Control Commission to the Board.
 5. Prior to the issuance of an occupancy permit by the Medway Building Department, the Applicant shall review the approved odor control system as installed with the Building Commissioner and demonstrate that the measures specified in the approved odor control, abatement and mitigation plan including the secondary safeguard system have been implemented. The Applicant shall provide a certification made by a licensed engineer that the odor mitigation measures included in the approved plan have been installed. Additional odor mitigation measures may be required if determined to be necessary by the Building Commissioner.
 6. For each of the two successive years following occupancy, the Applicant shall annually submit a certification by a registered professional engineer that there have been no changes in the mechanical equipment that has been installed to control the odor emanating from the facility. Such certification shall be provided to the Building Commissioner, Health Agent and the Board.
 7. The Building Commissioner, in enforcing the conditions herein, may require additional odor investigations and/or odor mitigation measures should legitimate concerns and complaints develop in the future about odor generation from the facility. The Applicant may further be required to address such issues with the Board to its satisfaction.
- F. Conditions Pertaining to Groundwater Protection District Special Permit**
1. Storage of hazardous materials and other hazardous materials is prohibited unless in a free-standing container within a building. Any hazardous materials that will be used at the facility shall be identified and a list provided to the Board. Any accidental spillage shall also be contained within the building and any that enters the sewer system shall be treated prior to being discharged to the municipal sewer system.

2. Any fertilizers used on landscape material anywhere on the site shall be the slow-release organic granular type, and only the absolute minimum necessary. All storage of fertilizers must be in a free-standing container within a building, have adequate secondary storage capacity or be within a facility designed to prevent the generation and escape of contaminated runoff or leachate. Application of fertilizers on site must be done in a manner to minimize adverse impacts on groundwater.
3. Outdoor storage anywhere on the site shall consist only of non-hazardous materials. Metal materials stored outside shall be under cover of a building or structure to prevent leaching of the metal into the groundwater.
4. There shall be no outdoor storage of pesticides, herbicides, fungicides or insecticides anywhere on the site. Any such products shall be stored inside.
5. Deicing materials shall be limited to calcium chloride or other deicer material approved by the Medway Department of Public Works.
6. Plowed snow for the site shall be stored only in the designated areas shown on the plan or taken off site in times of substantial storms. No snow shall be disposed of in the stormwater detention basin.
7. All vehicles shall be parked/stored on the paved surface to ensure treatment of any leaks of fluids from the vehicles. There shall be no outdoor maintenance or cleaning of vehicles.
8. There shall be no earth removal within six feet of the historical high groundwater level.
9. The Town reserves the right to periodically inspect the site to ensure compliance with these conditions.

G. *Stormwater Management - Post Construction*

1. The Applicant 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 the Board.
2. The stormwater drainage system, water and sewer systems shall be maintained by the Applicant, its successors and assigns, and shall not be dedicated to the Town. It is the intent of the Board and the Applicant that these systems shall not be accepted by the Town.
3. The Permittee and its successors and assigns shall maintain the stormwater management system in accordance with the *Post Construction and Long-Term Maintenance Plan* included in the *Stormwater Management Design and Runoff Calculations Report for 4 Marc Road*, dated July 24, 2019, last revised December 13, 2019 prepared by DGT Associates Surveying and Engineering.

4. The applicant shall submit annual reports of inspections and maintenance of all stormwater management structures included in the site plan to the Board and the Medway Department of Public Works Compliance Officer starting one year after the Certificate of Site Plan Completion is issued.
 5. In the event that the Applicant, its successors and assigns, or its agent fail to maintain the stormwater management system in accordance with the applicable guidelines for operation and maintenance, the Town may conduct such maintenance or repairs as the Town determines in its sole discretion are reasonably necessary, and the Applicant hereby consents to allow the Town and its agents, employees and contractors entry onto the Property to implement the measures set forth in such guidelines. In the event the Town conducts such maintenance or repairs, the Applicant shall promptly reimburse the Town for all reasonable expenses associated therewith; if the Applicant fails to so reimburse the Town, the Town may place a lien on the site or any unit therein to secure such payment.
- H. **Utilities** – All electric, telephone, cable TV and other utilities shall be located underground. No overhead utilities are permitted.
- I. **Water Use and Conservation**
1. The development is relying on the Town's public water system and the Town is being held to its Water Management Act Permit with the MA Department of Environmental Protection. The Permittee shall incorporate the following water conservation measures for construction of the development:
 - a. private well water for landscape irrigation
 - b. rain-gauge controlled irrigation systems
 - c. water efficient appliances (dishwashers, washer/dryers, toilets, etc.)
 2. The Permittee shall not use Town water for irrigation of the site's lawn and landscaping.
- J. **Signage** – Any changes to the existing sign or proposed new signs shall comply with Section 7.2 of the *Zoning Bylaw*.
- K. The permit holder shall notify the Building Commissioner, Health Agent, Fire Chief, Police Chief, and the Board in writing within forty-eight hours of the cessation of operation of the marijuana business or the expiration or termination of the license holder's certificates or registration with the Massachusetts Cannabis Control Commission.
- L. There shall be a valid Host Community Agreement with the Town of Medway in effect at all times during the operation of the marijuana establishment.
- M. **Limitations** - This special permit is limited to the operation of a recreational marijuana cultivation and processing establishment at 4 Marc Road. This permit does not authorize operation of a retail outlet for the sale of adult recreational marijuana products, or the operation of a marijuana social establishment, or the operation of a marijuana testing facility on the premises.

GENERAL CONDITIONS OF APPROVAL

- A. **Fees** - Prior to filing the special permit and site plan decision with the Town Clerk, the Applicant shall pay:
1. the balance of any outstanding project review fees owed to the Town for review of the application by the Town's engineering, planning, noise, odor or other consultants;
 2. an advance on fees for the continued review services to be provided by outside noise and odor consultants as approved by the Planning and Economic Development Board;
 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.
- B. **Other Permits** – This special permit does not relieve the Applicant from its responsibility to apply for, obtain, pay for, and comply with all other required federal, state and Town permits, licenses and approvals. The Applicant or agent shall apply for, obtain, pay for, and comply with all other required Town permits.
- C. **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 shall commence no earlier than 7 a.m. and shall cease no later than 6 p.m. Monday – Saturday. No construction shall take place on Sundays or legal holidays without the advance approval of the Building Commissioner. These rules do not apply to interior construction work such as carpentry, installation of drywall, flooring, electrical and HVAC systems, painting, etc.
 2. *Neighborhood Relations* – The Permittee shall notify neighbors in the general area around the site when site work and construction are scheduled to begin and provide a phone number for them to use for questions and concerns that arise during construction.
 3. The Permittee shall take all measures necessary to ensure that no excessive dust leaves the premises during construction including use of water spray to wet down dusty surfaces.
 4. There shall be no tracking of construction materials onto any public way. Daily sweeping of roadways adjacent to the site shall be done to ensure that any loose gravel/dirt is removed from the roadways and does not create hazardous or deleterious conditions for vehicles, pedestrians or abutting residents. In the event construction debris is carried onto a public way, the Permittee shall be responsible

for all clean-up of the roadway which shall occur as soon as possible and in any event within twelve (12) hours of its occurrence.

5. The Permittee is responsible for having the contractor clean-up the construction site and the adjacent properties onto which construction debris may fall on a daily basis.
6. All erosion and siltation control measures shall be installed by the Permittee prior to the start of construction and observed by the Board's consulting engineer and maintained in good repair throughout the construction period.
7. *Construction Traffic/Parking* – During construction, adequate provisions shall be made on-site for the parking, storing, and stacking of construction materials and vehicles. All parking for construction vehicles and construction related traffic shall be maintained on site. No parking of construction and construction related vehicles shall take place on adjacent public or private ways or interfere with the safe movement of persons and vehicles on adjacent properties or roadways.
8. *Noise* - Construction noise shall not exceed the noise standards as specified in the *Zoning Bylaw*, SECTION V. USE REGULATIONS, Sub-Section B. Area Standards, Paragraph 2. b).
9. *Stormwater Management* – During construction, the Applicant shall maintain the site and installed stormwater management facilities in accordance with the Construction Period Stormwater Operation and Maintenance Plan included in *Stormwater Management Design and Runoff Calculations Report for 4 Marc Road*, dated July 24, 2019, last revised December 13, 2019 prepared by DGT Associates Surveying and Engineering.

D. Construction Oversight

1. Pre-Construction Meeting – At least seven days prior to the start of any site preparation or construction, the Applicant shall meet with the Town's Consulting Engineer, the Planning and Economic Development Coordinator, the Medway Department of Public Works, the Medway Conservation Agent (if applicable), the contractors and Applicant's project engineer for a pre-construction meeting. The construction schedule shall be reviewed and the procedures for inspections discussed.
2. Construction Account
 - a) Inspection of infrastructure and utility construction, installation of site amenities including landscaping, and the review of legal documents by Town Counsel is required. Prior to plan endorsement, the Permittee shall establish a construction account with the Board. The funds may be used at the Board's discretion to retain professional outside consultants to perform the items listed above as well as the following other tasks - inspect the site during construction/installation, identify what site plan work remains to be completed, prepare a bond estimate, conduct other reasonable inspections until the site work is completed and determined to be satisfactory, review as-

built plans, and advise the Board as it prepares to issue a *Certificate of Site Plan Completion*.

- b) Prior to plan endorsement, the Permittee shall pay an advance toward the cost of these services to the Town of Medway. The advance amount shall be determined by the Board based on an estimate provided by the Town's Consulting Engineer.
 - c) Depending on the scope of professional outside consultant assistance that the Board may need, the Permittee shall provide supplemental payments to the project's construction inspection account, upon invoice from the Board.
 - d) Any funds remaining in the Permittee's construction inspection account after the *Certificate of Site Plan Completion* is issued shall be returned to the Permittee.
3. Board members, its staff, consultants or other designated Town agents and staff shall have the right to inspect the site at any time, for compliance with the endorsed site plan and the provisions of this *Decision*.
 4. The Department of Public 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.
 5. The Permittee shall have a professional engineer licensed in the Commonwealth of Massachusetts conduct progress inspections of the construction of the approved site improvements. Inspections shall occur at least on a monthly basis. The engineer shall prepare a written report of each inspection and provide a copy to the Board within 5 days of inspection.

E. 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 *Zoning Bylaw* nor conflict with a specific condition of the *Decision*. Field changes shall not substantially alter the intent, layout or design of the endorsed site plan.
2. Prior to undertaking such field changes, the Permittee and/or contractor shall discuss the possible field changes with the Town's Consulting Engineer and submit a letter and drawings to the Planning and Economic Development Coordinator and the Building Commissioner describing the proposed changes and what conditions, situations, or emergencies necessitate such changes. In accordance with Section 3.5.2.C of the *Zoning Bylaw*, the Building Commissioner may determine that the field change is insubstantial, authorize the change, and so notify the Board. Otherwise, the Board shall review the proposed field changes at a public meeting and determine whether the proposed field changes are reasonable and acceptable based on the unforeseen conditions, situations, or

emergencies and whether other options are feasible or more suitable. A written authorization of field change will be provided. Any approved field change shall be reflected in the as-built plan to be provided at project completion.

F. Modification of Plan and/or Decision

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

G. Compliance with Plan and Decision

1. The Permittee shall construct all improvements in compliance with the approved and endorsed site plan and this *Decision* any modifications thereto.
2. The Board or its agent(s) 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 *Zoning Bylaw* (non-criminal disposition) and violations or non-compliance are subject to the appropriate fine.

H. Performance Security

1. No occupancy permit shall be granted until the Board has provided a written communication to the Building Commissioner/Zoning Enforcement Officer that the project, as constructed, conforms completely and fully to the approved site plan and that any conditions including construction of any required on and off-site improvements, have been satisfactorily completed OR that suitable security/performance guarantee has been provided to the Town of Medway, to the Board's satisfaction, to cover the cost of all remaining work.
2. The Permittee shall propose a form of performance security which shall be of a source and in a form acceptable to the Board, the Treasurer/Collector and Town Counsel. The Board requires that the performance guarantee be accompanied by an agreement which shall define the obligations of the Permittee and the performance guarantee company including:
 - 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.
3. The amount of the performance guarantee shall be equal to 100% of the amount that would be required for the Town of Medway to complete construction of the site infrastructure including installation of stormwater management facilities, utilities, services, pedestrian facilities and all site amenities as specified in the approved Site Plan that remain unfinished at the time the performance guarantee estimate is prepared if the developer failed to do so.
4. The security amount shall be approved by the Board based on an estimate provided by the Town's Consulting Engineer based on the latest weighted average bid prices issued by the Mass Highway Department. 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 services, staff time and public bidding procedures. The estimate shall also include the cost to maintain the infrastructure in the event the Permittee fails to adequately perform such and the cost for the development of as-built plans. In determining the amount, the Board shall be guided by the following formula in setting the sum: estimate of the Town's Consulting Engineer of the cost to complete the work plus a 30% contingency.
5. Final release of performance security is contingent on project completion.

I. Project Completion

1. Site plan approval shall lapse after one (1) year of the grant thereof if substantial use has not commenced except for good cause. The work shown on the approved site plan shall be completed by the Permittee or its assignees within two (2) years of the date of plan endorsement. Upon receipt of a written request from the Permittee filed at least thirty (30) days prior to the date of expiration, the Board may grant an extension for good cause. The request shall state the reasons for the extension and also the length of time requested. If no request for extension is

filed and approved, the site plan approval shall lapse and may be reestablished only after a new filing, hearing and decision.

2. Prior to issuance of a final occupancy permit, the Permittee shall request a ***Certificate of Site Plan Completion*** from the Board. The ***Certificate*** serves as the Board's confirmation that the completed work conforms to the approved site plan and any conditions and modifications thereto, including the construction of any required on and off-site improvements. The ***Certificate*** also serves to release any security/performance guarantee that has been provided to the Town of Medway. To secure a ***Certificate*** of Site Plan Completion, the Permittee shall:
 - a) provide the Board with written certification from a Professional Engineer registered in the Commonwealth of Massachusetts that all building and site work has been completed in substantial compliance with the approved and endorsed site plan, and any modifications thereto; and
 - b) submit an electronic version of an As-Built Plan, prepared by a registered Professional Land Surveyor or Engineer registered in the Commonwealth of Massachusetts, to the Board for its review and approval. The As-Built Plan shall show actual as-built locations and conditions of all buildings and site work shown on the original site plan and any modifications thereto. The As-Built Plan shall also show all utilities found during the construction process. The final As-Built Plan shall also be provided to the Town in CAD/GIS file format per MASS GIS specifications.
- J. ***Right to Enter Property*** – Board members, its staff, consultants or other designated agents of the Town shall have the right to enter the property at any time to ensure continued compliance with the terms and conditions of this special permit and the endorsed site plan.
- K. ***Recording*** - Within thirty days of recording the Decision, the Applicant shall provide the Board and the Building Commissioner with a receipt from the Norfolk County Registry of Deeds indicating that the Decision and Plan have been duly recorded, or supply another alternative verification that such recording has occurred.
- L. ***Conflicts*** –If there is a conflict between this Decision and the *Zoning Bylaw*, the *Bylaw* shall apply.

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

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

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 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 Applicant. A copy of the recorded Decision, and notification by the Applicant of the recording, shall be furnished to the Board.

###

APPROVED by the Medway Planning & Economic Development Board: _____

AYE:

NAY:

ATTEST:

 Susan E. Affleck-Childs
 Planning & Economic Development Coordinator

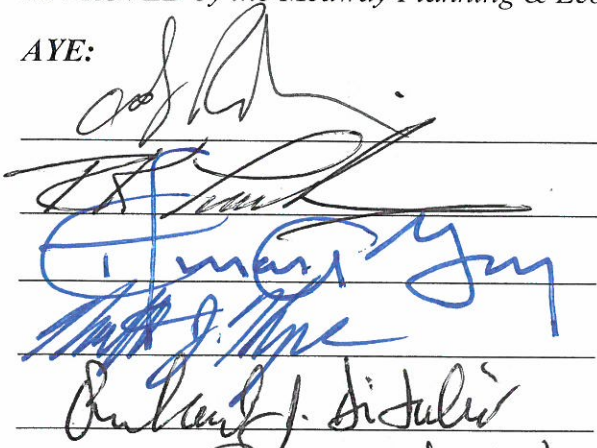
 Date

COPIES TO: Michael Boynton, Town Administrator
 Stephanie Carlisle, DPW Compliance Officer
 Dave D’Amico, DPW Director
 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
 Joanne Russo, Treasurer/Collector
 Barbara Saint Andre, Director of Community and Economic Development
 Alan Tingley, Police Chief
 Jeff Watson, Police Department
 Chad Blair, Neo Organics and 4 Marc Road Realty, LLC
 Jaime Lewis, Neo Organics
 Jordan Naydeuov, NEK, LLC
 Bert Corey, DGT Associates
 Steven Bouley, Tetra Tech
 Gino Carlucci, PGC Associates

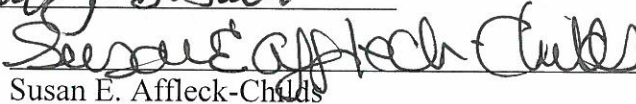
APPROVED by the Medway Planning & Economic Development Board: January 28, 2020

AYE:

NAY:



ATTEST:


Susan E. Affleck-Chellis

Planning & Economic Development Coordinator

January 28, 2020
Date

COPIES TO: Michael Boynton, Town Administrator
Dave D'Amico, DPW Director
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
Joanne Russo, Treasurer/Collector
Barbara Saint Andre, Director of Community and Economic Development
Alan Tingley, Police Chief
Jeff Watson, Police Department
Chad Blair, Neo Organics and 4 Marc Road Realty, LLC
Jaime Lewis, Neo Organics
Jordan Naydeuov, NEK, LLC
Bert Corey, DGT Associates
Steven Bouley, Tetra Tech
Gino Carlucci, PGC Associates

October 2, 2019

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

Re: NEO Organics – 4 Marc Road Cultivation Facility, Follow-up Review of Odor Mitigation Plan

Dear Ms. Affleck - Childs:

This letter documents the findings from my follow-up review of the resubmitted Odor Mitigation Plan for the cannabis cultivation and processing facility at 4 Marc Road in Medway, Massachusetts. The following documents were reviewed:

- Architectural Floor Plan by Anderson Porter Design, A1.1, 9-09-2019, 1 page
- Permit Site Plan by DGT Associates, C-1 thru C-7, 9-09-2019, 7 pages
- Mech. Systems Ventilation and Odor Mitigation Plan by Impact Engineering, 9-12-2019, 17 pages

I offer the following comments from my review of the documents:

General Comment:

1. The Plan contains narrative descriptions of systems, but no mechanical drawings are available at this time. When the completed mechanical drawings eventually get submitted for permitting, they should be reviewed at that time for compliance with the Odor Mitigation Plan.

Odor Mitigation System design:

2. General: It is stated that "Other than ventilation air, all of the HVAC equipment will recirculate 100% of the supply being distributed to the various applications areas throughout the facility." Since no room air will be exhausted from grow rooms under normal operation, the rooms will not be under negative pressure, and therefore will likely exfiltrate odorous grow room air into the corridors when the doors are opened and possibly through cracks in exterior walls and into the outside air. No information has been provided to indicate that the rooms will be sealed to prevent exfiltration through the room envelope.
3. There is no mention of a control strategy or equipment to mitigate odor that will escape from cultivation and processing rooms when the doors are opened in order for staff to enter or exit the rooms. Will exhaust fans in the Janitor Rooms or other rooms be used to maintain negative pressure in the corridors? If so, these fans will need to run 24/7 and transfer air grilles will need to be installed in the doors or walls to these rooms.
4. In the descriptions for the Drying Room, Post Production/Manufacturing Rooms, and Packaging Rooms, there is no mention of carbon filters like there is for all the other rooms described in this

section or in the Operational Processes section. This seems to imply that no carbon filtering is planned for these three areas, even though the Maintenance Plan section describes carbon filtering for these three areas. This apparent contradiction should be clarified along with a description of how the bi-polar ionization units will be configured, i.e. which air stream will they be placed in, will the exhaust air stream be protected with odor mitigation systems?

Building Exhaust Systems:

5. The list of exhaust systems does not appear to be complete. No exhaust fans are mentioned for the Post Production, Manufacturing, Dishwashing, or Pot Washing Rooms. Will the exhaust air streams from these rooms be protected with odor mitigation systems?

Operational processes:

6. Design criteria for Bi-polar ionization units is not stated. Are these units sized based on a certain number of air changes per hour?

Maintenance plan:

7. In the description for the Flower Rooms and each room that follows after it, the design criteria for the carbon filters is stated to be 15 air-changes per hour, and this is appropriate for flower rooms and each room downstream of it the process. However, this criteria is contradicted in both the Odor Mitigation System Design section and the Operational Processes section, which both state the criteria for these rooms to be 6 air-changes per hour.

If you have any questions or comments, please feel free to contact me.

Sincerely,

A handwritten signature in black ink that reads "Bruce Straughan". The signature is written in a cursive, flowing style.

Bruce Straughan, PE
Straughan Forensic, LLC

7.3 ENVIRONMENTAL STANDARDS

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

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

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

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

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

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

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

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

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

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

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

L₉₀ Sound Level: The A-weighted sound level that is exceeded ninety percent (90%) of the time during a measurement period.

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

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

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

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

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

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

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

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

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

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

1. **Smoke, Fly Ash, Dust, Fumes, Vapors, Gases, Other Forms of Air Pollution:** All activities involving smoke, fly ash, dust, fumes, vapors, gases, other forms of air pollution, as defined in CMR 310, § 7, Air Pollution Control Regulations, as amended, which can cause damage to human health, to animals or vegetation, or other forms of property, or which cause any excessive soiling at any point are prohibited.
2. **Noise Disturbance:** The Building Commissioner may determine that a noise source is subject to investigation, and if it is determined to be in violation of this bylaw, may take appropriate enforcement action, including the issuance of orders requiring the development and implementation of corrective measures, and/or imposition of fines or non-criminal penalties.
 - a. **Standards.** No person or persons owning, leasing or controlling the operation of any source or sources of noise shall produce disturbing, offensive or objectionable noises in any zoning district or impact any space where people live, work or assemble in a way that unreasonable interferes with the comfortable enjoyment of life or the use of property.
 - 1) **Continuous Noise.** For the purposes of this bylaw, continuous noise restrictions apply to permanent non-residential uses and home-based businesses where noise is a by-product of business operations (such as from exhaust equipment). Maximum permissible sound pressure levels measured at the property line of the noise source shall not exceed the values specified in the tables below. In addition, maximum permissible sound levels measured at Sensitive Receptors positioned anywhere on a property that is wholly or partially located within two-thousand feet of the property line of the source of continuously radiated noise shall not exceed the values in the tables below. In the calculation of day-evening-night levels (known as L_{den}), Daytime is defined as between the hours of 7:00 a.m. and 7:00 p.m.; Evening is defined as between the hours of 7:00 p.m. and 11:00 p.m.; and Nighttime is defined as between the hours of 11:00 p.m. and 7:00 a.m.¹ These time periods will be used to determine compliance as per the tables below.

Industrial Zoned Property to Industrial Zoned Property

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

Industrial or Commercial Zoned Property to Commercial Zoned Property

	Daytime 7:00 a.m. – 7:00 p.m.	Evening 7:00 p.m. – 11:00 p.m.	Nighttime 11:00 p.m. – 7:00 a.m.
--	-------------------------------------	--------------------------------------	----------------------------------------

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

	@ Property Line	@ Property Line	@ Property Line
Overall Level (dBA)	50	50	50

Industrial or Commercial Zoned Property to Residential Zoned Property

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

	Daytime 7:00 a.m. – 7:00 p.m. @ any Residential Property Line	Evening 7:00 pm – 11:00 pm @ any Residential Property Line	Nighttime 11:00 p.m. – 7:00 a.m. @ any Residential Property Line	Evening & Nighttime 7:00 p.m. – 7:00 a.m. @ Sensitive Receptors
Maximum Overall Noise Level (dBA)	47	45	42	32

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

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

- b. **Investigation.** The Building Commissioner may determine that a noise source is subject to investigation, and, if it is determined to be in violation of this bylaw, may take appropriate enforcement action, including the issuance of orders requiring the development and implementation of corrective measures, and/or imposition of fines or non-criminal penalties. If the Building Commissioner determines that an investigation is warranted, he or she or a designee, may undertake a noise study to determine if a non-compliant noise condition exists.

The Building Commissioner may enlist the assistance of other Town personnel for the investigation. At the discretion of the Building Commissioner, a qualified acoustical consultant whose qualifications include Institute of Noise Control Engineering (INCE) board certification or equivalent experience may be engaged by the Town to assist in the investigation including measurements and documentation of violations. Depending on the particular site and its noise generators, the noise study may include measurements of:

- Ambient noise (Daytime, Evening, and Nighttime) and
- Operational noise levels (Daytime, Evening, and Nighttime) at the facility property line and at Sensitive Receptors located anywhere on a property that is wholly or partially located within two thousand feet of the facility property line. These operational measurements may include one-third octave band measurements to check for the prominent discrete tone condition as defined in Section 7.3(c).

c. Noise Control, Abatement and Mitigation Plan.

- 1) If the Building Commissioner determines that there is a violation, he or she shall order the owner or operator to come into compliance. The owner and/or operator of the noise producing use shall provide a noise control, abatement and mitigation plan to the Building Commissioner for review and approval, or otherwise bring the property into compliance with this bylaw and the order of the Building Commissioner. The plan shall address how the site will become compliant. Compliance shall be achieved through industry best practices and suitable mitigation measures. The plan shall be prepared by a qualified acoustical consultant whose qualifications include Institute of Noise Control Engineering (INCE) board certification or equivalent experience.
- 2) Special permit and site plan applicants for facilities that could potentially introduce noise may be required to conduct a background noise survey over a minimum of a 7-day period to establish noise levels at the nearest residential property lines and at the property line of any Sensitive Receptor located within 2,000 feet of the subject property for conditions at the time of application. The applicant shall make a good faith effort to secure permission from the owners of such noted properties to install the sound monitoring equipment and to provide documentation of such efforts as part of the noise survey report. The sound monitoring is to be conducted by a qualified professional acoustic testing firm, in accordance with the procedures in with the most current versions of American National Standards ANSI S12.18² and ANSI/ASA S3/SC1.100-2014/ANSI/ASA S12.100-2014³. Sound analyzers used for the background noise monitoring should be capable of collecting 10-minute and hourly L₉₀ sound levels. Background noise levels will be determined by monitoring noise levels for at least seven days. For each hour of the day, the hourly L₉₀ levels measured on every day of the monitoring period will be arithmetically averaged to determine a single L₉₀ average for each of the 24 hours of the day. The background noise level for Daytime, Evening and Nighttime periods will then be determined by taking the lowest averaged hourly L₉₀ value found in each of these time periods. The 10-minute L₉₀

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

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

sound levels will be used to determine if any unusual activity occurred during that hour. If so, that hourly measurement will be discarded and not included in the average calculation.

- 3) If a special permit or site plan approval is required for construction or operation of any facility which could introduce noise sources into the community, once background ambient noise levels are established, an applicant may be required submit a noise control, abatement and mitigation plan during the permitting process to demonstrate that the noise levels as specified above will not be exceeded.
 - 4) A noise control, abatement and mitigation plan shall use established acoustical prediction procedures and should predict noise levels at property lines as well as Sensitive Receptors. The noise control, abatement and mitigation plan shall include the concept of “buy quiet”, which means using the quietest equipment that will meet operational requirements. The practice of using the Best Available Control Technology (BACT) shall also be employed to assure that any equipment being installed is as quiet as possible. The potential existence of prominent discrete tones as defined above shall also be evaluated and addressed.
- d. **Corrective Measures.** Non-residential uses that produce non-compliant noise must install and maintain noise reducing equipment in accordance with the approved noise control plan to meet the requirements of this section. The Building Commissioner may require the provision of reports to document ongoing noise compliance.
 - e. **Continued Noise Compliance.** Should it be determined that a facility goes out of compliance and exceeds any allowable noise limit conditions (e.g. due to equipment wear), corrective action will be required to bring the facility back into compliance which could include, but not be limited to, equipment replacement or additional mitigation steps.
3. **Vibration:** No vibration which is discernible to the human sense of feeling for three minutes or more in any hour between 7:00 a.m. and 7:00 p.m. or for thirty seconds or more in any one hour from 7:00 p.m. to 7:00 a.m. shall be permitted. No vibration at any time shall produce an acceleration of more than 0.1g or shall result in any combination of amplitude and frequencies beyond the "safe" range on the most recent edition of Table 7, U.S. Bureau of Mines Bulletin NO. 442 (U.S. Department of the Interior).
4. **Odors:** The Building Commissioner may determine that an odor is disturbing, offensive or objectionable and is subject to investigation, and, if it is determined to be in violation of this bylaw, may take appropriate enforcement action, including the issuance of orders requiring the development and implementation of corrective measures, and/or the imposition of fines and non-criminal penalties.
- a. **Standards** – Disturbing, offensive or objectionable odors as defined in Paragraph C. shall not be produced in any zoning district or impact any space where people live, work or assemble in a way that unreasonably interferes with the comfortable enjoyment of life or the use of property. Failure to meet either the Reasonableness Standard or the Measurement Standard listed below shall constitute a violation of this section.
 - 1) **Sensorial Reasonableness Standard** –The Building Commissioner, or designee, may determine, using only her or his sense of smell, that an odor is one which is disturbing, offensive or objectionable to a reasonable person with normal olfactory sensitivity.
 - 2) **Measurement Standards** – No disturbing, offensive or objectionable odor greater than that caused by the lowest odor detection thresholds as listed in the most recent edition of the American Industrial Hygiene Association (AIHA) Odor Thresholds for Chemicals with

Established Occupational Health Standards, Reported Odor Thresholds (EG Table 6.3 in 2nd Edition) shall be permitted. Due to the potential of odorant mixtures causing more intense odors than individual odorant compounds in isolation, nothing in this Bylaw shall be interpreted as allowing for any disturbing, offensive or objectionable odors at or above the cited detection thresholds.

b. **Investigation.** The Building Commissioner or designee shall investigate odor complaints until determined to be without merit or resolved to the satisfaction of the Building Commissioner.

- 1) **Assessment Area** – The Building Commissioner or designee shall investigate odor complaints for odors emanating from:
 - a) **Immediate Impact Zone** - Any resident, occupant, or owner of property located within 1,000 feet of the property line of the property with a source generating and emitting the disturbing, objectionable or offensive odor, as measured from property line to property line.
 - b) **Secondary Impact Zone** - A collection of complaints from five or more residents, occupants, or owners of property located within 2,500 feet of the property line of the property with a source generating and emitting the disturbing, objectionable or offensive odor as measured from property line to property line.
- 2) The Building Commissioner or designee may investigate possible odor violations upon their own initiative or at the request of Town officials or staff and shall investigate public complaints about an odor of a suspicious or dangerous nature.
- 3) If the Building Commissioner determines that an investigation is warranted, he or she or a designee, may undertake an odor observation to determine if a disturbing, objectionable or offensive odor exists. At the discretion of the Building Commissioner, a technical odor consultant may be engaged by the Town to assist in the investigation including odor observation and documentation of violations. The odor consultant shall be trained in the practices of ASTM (American Society for Testing Materials) - E679 and meet the selection criteria of EN13725 (international olfactometry standard). As a component of such investigation, measurements may be done in the field by using:
 - a) Undiluted odor field observations (i.e. sniffing) or odor sampling to be performed at a frequency, duration, and locations appropriate for the odor source under investigation and the locations of odor complaints that have been received by the Town. The purpose is to detect and assess the presence of recognizable odors linkable to a specific source in ambient air. This may be accomplished by:
 - i. Grid method of analysis - Odor hours for a geographic area of evaluation to establish an odor hour frequency measurement.
 - i. Plume method of analysis – Measurement of extent of the area where an odor plume originating from a specific odor source can be perceived and recognized under specific meteorological and operating conditions.

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

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

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

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

E. Exemptions

- 1) **Farming.** Impacts resulting from agricultural, farm-related, or forestry-related activities as defined by G.L., c 128, Agriculture, § 1A, as amended, and Medway General Bylaws, ARTICLE XXXI, §2 Right to Farm, are exempt from these restrictions when such activities follow generally accepted practices (G.L., c 111, §125A).
- 2) **Residential Uses.** Impacts resulting from residential activities such as but not limited to barbecues, wood stove exhaust, driveway paving, gardening, and house painting are exempt from these restrictions.
- 3) **Repair and infrequent maintenance activities.** Repair and infrequent maintenance activities such as but not limited to those for septic and sewer systems are exempt from these restrictions.

- 4) **Construction.** Impacts resulting from construction, demolition, or repair work that occurs between 7:00 a.m. and 6:00 p.m. on public improvements authorized by a governmental body or agency; utility work and repairs, and other similar work on private property pursuant to an order by a governmental body or agency for health or safety purposes are exempt from these restrictions.
- 5) **Municipal uses.** Municipal uses and other governmental entities are exempt from the provisions of this Section 7.3.

(Section 7.3 was replaced in its entirety 11-15-21)



April 26, 2022
Medway Planning & Economic Development Board
Meeting

Choate Trail Subdivision
Performance Security

Developer Bob Pace reports he will provide an insurance policy and lot release document by Monday. . . .
The performance security amount is \$225,556.

- Collection of emails (3-21 thru 4-21)
- Tetra Tech punch list (1-14-22)
- Tetra Tech bond estimate (1-14-22)
- Drainage as-built plan by Connorstone Engineering (3-10-22)
- Connorstone Engineering project status letter (3-21-22)

Susan Affleck-Childs

From: Robert Pace <rpace100@outlook.com>
Sent: Thursday, April 21, 2022 4:12 PM
To: Susan Affleck-Childs; Vito Colonna
Cc: Bouley, Steven; Picard, Brad; Dave Spertner; Oscar Johnson; Matthew Silverstein; J L Sweeney
Subject: Re: Choate Trail Subdivision Update

TY

From: Susan Affleck-Childs <sachilds@townofmedway.org>
Sent: Thursday, April 21, 2022 1:54 PM
To: Robert Pace <rpace100@outlook.com>; Vito Colonna <vc@csei.net>
Cc: Bouley, Steven <steven.bouley@tetrattech.com>; Picard, Brad <brad.picard@tetrattech.com>; Dave Spertner <dspertner@gmail.com>; Oscar Johnson <oscar-johnson@esia.com>; Matthew Silverstein <silversm33@yahoo.com>; J L Sweeney <jls@sweeneylaw.com>
Subject: RE: Choate Trail Subdivision Update

Hi Bob,

I will keep this on the agenda, for now.

Susy

From: Robert Pace [mailto:rpace100@outlook.com]
Sent: Thursday, April 21, 2022 1:50 PM
To: Susan Affleck-Childs <sachilds@townofmedway.org>; Vito Colonna <vc@csei.net>
Cc: Bouley, Steven <steven.bouley@tetrattech.com>; Picard, Brad <brad.picard@tetrattech.com>; Dave Spertner <dspertner@gmail.com>; Oscar Johnson <oscar-johnson@esia.com>; Matthew Silverstein <silversm33@yahoo.com>; J L Sweeney <jls@sweeneylaw.com>
Subject: Re: Choate Trail Subdivision Update

Hi Suzy,

I have been told that I will have the bond and covenant tomorrow or Monday at the latest.
That said, can we schedule this for next week please??

Thanks

From: Susan Affleck-Childs <sachilds@townofmedway.org>
Sent: Wednesday, April 20, 2022 12:47 PM
To: Robert Pace <rpace100@outlook.com>; Vito Colonna <vc@csei.net>
Cc: Bouley, Steven <steven.bouley@tetrattech.com>; Picard, Brad <brad.picard@tetrattech.com>; Dave Spertner <dspertner@gmail.com>
Subject: RE: Choate Trail Subdivision Update

Hi Bob,

I am preparing the agenda for next Tuesday's Planning Board meeting. I need to know whether or not to include Performance Security for Choate Trail Subdivision on the agenda.

What is the status of the bonding company's review? Also, as your attorney prepared the lot release document?

The timing for this is all in your court!

Susy

From: Robert Pace [<mailto:rpase100@outlook.com>]

Sent: Wednesday, April 6, 2022 9:47 PM

To: Susan Affleck-Childs <sachilds@townofmedway.org>; Vito Colonna <vc@csei.net>

Cc: Bouley, Steven <steven.bouley@tetrattech.com>; Picard, Brad <brad.picard@tetrattech.com>; Dave Spertner <dspertner@gmail.com>

Subject: Re: Choate Trail Subdivision Update

For the sake of time and money, we will stay with the most recent approved bond amount. I have sent the specimen bond to the bonding company and am awaiting there response. I will advise as soon as they respond.

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

Sent: Wednesday, April 6, 2022 1:54 PM

To: Robert Pace <rpase100@outlook.com>; Vito Colonna <vc@csei.net>

Cc: Bouley, Steven <steven.bouley@tetrattech.com>; Picard, Brad <brad.picard@tetrattech.com>

Subject: RE: Choate Trail Subdivision Update

Hi all,

Sorry for my delay in responding. I was away all last week and am just starting to catch up!

Do you want Tetra Tech to prepare a further revised bond estimate or stick with the most recent version? I believe the attached is the most recent!?

Bob, what form of performance security do you wish to provide to replace the subdivision covenant? There are 3 options - Check (we set up a local bank account); tri-partite agreement with your lender; or an insurance policy. We have a corresponding performance security agreement for each type that has to be signed by all parties including the Board at a meeting. Please advise at your earliest convenience.

You also need to prepare a Release of Covenant for the Board to sign which you will need to record after the new performance security is established and the Board authorizes lot releases for construction. See attached template for the Release of Covenant document. Please have your attorney prepare the document and forward it to me for review.

There are a lot of loose ends here. I will put this on the agenda for the April 26th board meeting.

Thanks.

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

Medway, MA 02053
508-533-3291



From: Vito Colonna [<mailto:vc@csei.net>]
Sent: Friday, April 1, 2022 1:06 PM
To: Bouley, Steven <steven.bouley@tetrattech.com>; Susan Affleck-Childs <sachilds@townofmedway.org>
Cc: Robert Pace <rpace100@outlook.com>; Picard, Brad <brad.picard@tetrattech.com>
Subject: Re: Choate Trail Subdivision Update

Hi Steve,

The contractor just contact us that the headwall is now installed. Sorry for any confusion/delay.

Thank you,
Vito

From: [Bouley, Steven](#)
Sent: Tuesday, March 29, 2022 11:24 AM
To: [Vito Colonna](#) ; [Susan Affleck-Childs](#)
Cc: [Robert Pace](#) ; [Picard, Brad](#)
Subject: RE: Choate Trail Subdivision Update

Hi Vito, Brad visited the site on Friday and the headwall hadn't been installed. Please let us know once that is completed, 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

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: Vito Colonna <vc@csei.net>
Sent: Monday, March 21, 2022 2:16 PM
To: Susan Affleck-Childs <sachilds@townofmedway.org>; Bouley, Steven <Steven.Bouley@tetrattech.com>
Cc: Robert Pace <rpace100@outlook.com>
Subject: Re: Choate Trail Subdivision Update

⚠ CAUTION: This email originated from an external sender. Verify the source before opening links or attachments. **⚠**

Susy,

To follow up on the items from the Jan. 14, 2022 Tetra Tech letter, attached is a drainage as-built plan and summary of the remaining minimum items. We will let you know once the last few items are completed.

Thank you,
Vito

From: [Susan Affleck-Childs](#)
Sent: Monday, March 21, 2022 1:31 PM
To: [Bouley, Steven](#)
Cc: [Robert Pace](#) ; [Vito Colonna](#)
Subject: Choate Trail Subdivision Update

Hi,

Talked today with Vito Colonna. He reported the contractor will be finishing up some items Wednesday or Thursday this week. Will need TT to go out and do another inspection and update the punch list and bond estimate.

Please expect a call from them later this week to let you know when they are ready for you to visit again.

Then we can put this on the agenda for the 4-12 PEDB meeting for the Board to approve the reduced bond estimate.

Cheers!


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



Virus-free. www.avast.com

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

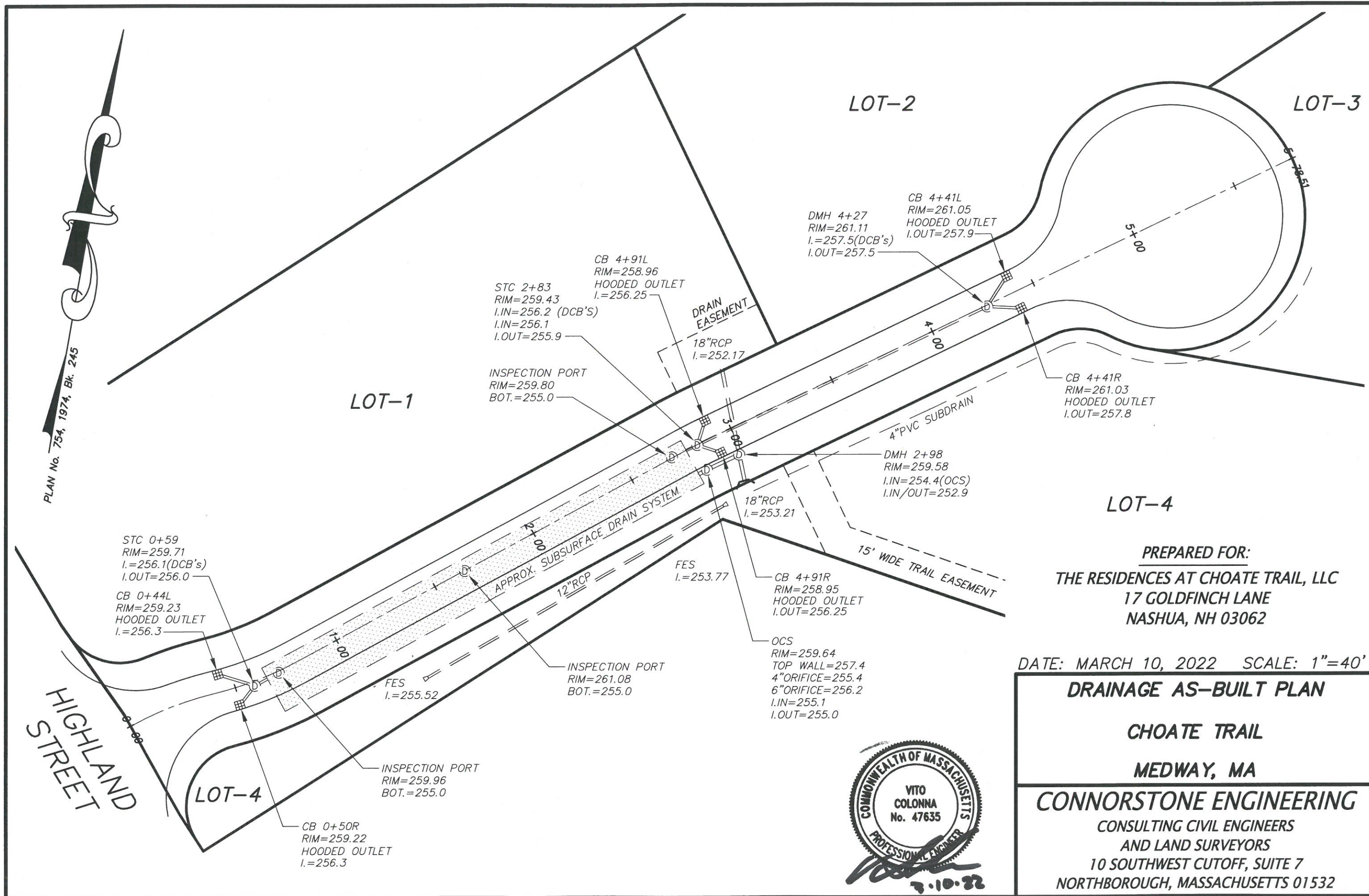
Marlborough Technology Park
 100 Nickerson Road
 Marlborough, MA 01752
 Tel 508.786.2200 Fax 508.786.2201

ITEM NO.	DESCRIPTION	QUANTITY	UNIT	UNIT COST ¹	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 ²	1	LS	\$3,000.00	\$3,000
027	Street Sweeping ²	1	LS	\$2,000.00	\$2,000
028	Clean Catch Basins/WQ Units ²	16	EA	\$250.00	\$4,000
029	Maintain ROW ²	1	LS	\$2,000.00	\$2,000
030	Maintain Infiltration System ²	1	LS	\$1,000.00	\$1,000
031	Maintain Silt Sacks ²	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
				Subtotal	\$180,445
				25% Contingency	\$45,111
				Total	\$225,556

Notes:

¹Unit prices are taken from the latest information provided on the MassDOT website. They utilize the MassDOT weighted bid prices (Combined - All Districts) for the time period 1/2021 - 1/2022. Quantities for items highlighted in gray have changed since our previous estimate to reflect work completed since previous estimate.

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



PREPARED FOR:
THE RESIDENCES AT CHOATE TRAIL, LLC
17 GOLDFINCH LANE
NASHUA, NH 03062

DATE: MARCH 10, 2022 SCALE: 1"=40'

DRAINAGE AS-BUILT PLAN

CHOATE TRAIL

MEDWAY, MA

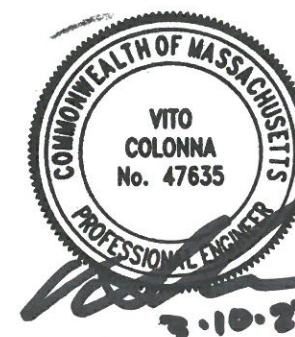
CONNORSTONE ENGINEERING

CONSULTING CIVIL ENGINEERS

AND LAND SURVEYORS

10 SOUTHWEST CUTOFF, SUITE 7

NORTHBOROUGH, MASSACHUSETTS 01532



CONNORSTONE ENGINEERING, INC.

10 SOUTHWEST CUTOFF, #7
NORTHBOROUGH, MASSACHUSETTS 01532
TEL: 508-393-9727 FAX: 508-393-5242

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

March 21, 2022

**Re: 42 Highland Street (Choate Trail Way)
Performance Security**

Dear Ms. Affleck-Childs:

As you are aware the applicant is in the process to establish a revised performance security amount for the Choate Trail subdivision. As part of the process Tetra Tech had provided a list of minimum items to be completed before the Board will enter into a performance security agreement. The applicant respectfully requests consideration of waiving certain items until weather permits in the spring in order to move ahead with the performance security and allow lot release. A description of each item in the Tetra Tech letter is outlined below.

1. 18" Headwall not installed at downstream end of culvert as indicated on the Plans.
 - **The applicant has indicated the headwall is being delivered to the site and is planned for installation this week on 3/23.**
2. Adjust subsurface drain system inspection ports to grade.
 - **The applicant has recently adjusted the structures to grade. The locations/elevations are shown on the attached as-built plan.**
3. Proposed 4" sub-drain. Contractor to backfill subdrain with subbase material to proposed finish grade.
 - **The applicant has indicated the subdrain would be backfilled this week.**
4. Install electrical conduit and wiring. Electrical wiring installation remains outstanding.
 - **The conduits have been installed and backfilled. The contractor has noted that the wiring cannot be installed and pulled through the conduit until houses are under construction. It was our understanding this is not a required item under section 6.6.3.**
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.
 - **The street sign has been completed.**
6. Install stop line pavement markings on binder course.
 - **The applicant has indicated the Stop Line has been completed.**
7. Install binder course for proposed 6' sidewalk.
 - **Sidewalk binder course has been completed.**

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.

- **An as-built plan of the drainage system has been attached for review.**

Should you have any questions please contact our office at 508-393-9727.

Sincerely,
Connorstone Engineering, Inc.



Vito Colonna, PE



April 26, 2022
Medway Planning & Economic Development Board
Meeting

Eversource Substation #65 Site Plan
12 & 34 West Street
Proposed Field Changes

- Letter dated 4-21-22 from attorney Joshua Lee Smith of Bowditch & Dewey, LLP on behalf of Eversource Energy (with associated documents) requesting the Board's approval of a series of Field Changes pertaining to the previously approved Eversource minor site plan.
- Email dated 4-22-22 from Building Commissioner Jack Mee.

The information has been provided to Tetra Tech for review. I have asked Steve Bouley to be prepared to offer verbal review comments to you Tuesday night.

Eversource representatives will attend the meeting via Zoom to present their proposal and answer your questions.

April 21, 2022

BY E-MAIL:

Town of Medway Planning & Economic Development Board
Medway Town Hall
155 Village Street
Community Economic Development office, 2nd Floor
Medway, MA 02053
Attn: Susan E. Affleck-Childs, Planning & Economic Development Coordinator
Email: planningboard@townofmedway.org and sachilds@townofmedway.org

Re: NSTAR Electric Company d/b/a Eversource Energy – Request for Approval of Field Changes with Respect to Previously Approved Minor Site Plan for Electric Substation Improvement Project at 12 and 34 West Street, Medway, Massachusetts

Dear Ms. Affleck-Childs:

On March 23, 2021, the Town of Medway Planning & Economic Development Board (the “Board”) unanimously voted to approve a minor site plan review application submitted by NSTAR Electric Company d/b/a Eversource Energy in connection with its proposed construction and installation of an approximately 24’ x 42’ (1,008 square feet), 12’, 6” tall pre-fabricated switchgear building and associated foundation (the “New Switchgear Building”), excavation, underground conduit and cable trenching, removal of an existing brick storage building and other related site improvements (the “Project”) at Eversource’s existing 115/14kV electric substation known as Medway Station #65 (the “Substation”) located at 12 and 34 West Street, Medway, Massachusetts (the “Property”).

During construction, Eversource encountered some unanticipated conduits with active cables that obstruct Eversource’s ability to install the New Switchgear Building based on its current design. Therefore, Eversource has revised the layout design to rotate the New Switchgear Building approximately 180 degrees and shift the proposed manholes and associated underground concrete duct banks farther away from jurisdictional wetland areas and closer to the driveway, including one manhole and conduit to now be located within the driveway (the “Field Changes”).

Also as part of the Field Changes, Eversource is requesting to temporarily store some material in the approved laydown area. An approximately 700 square foot storage area surrounded by temporary fencing consistent in height with the existing security fencing

(i.e., 7 feet tall topped with 1 foot of barbed wire) needs to be installed in the laydown area for temporary storage of capacitor banks during the remainder of the construction period.

The presence of the above-described obstructions are unforeseen field conditions that necessitate these minor Field Changes, which are limited in nature. The size and height of the New Switchgear Building will remain the same, and will be in the same general location in compliance with minimum yard setbacks, and will be no closer to the front lot line as was previously approved. The proposed Field Changes will continue to be located a safe distance from adjoining streets and property lines. The New Switchgear Building is a utilitarian structure, and rotation of the building will not result in any negative visual impact whatsoever.

The kind, size, height and nature of the Field Changes will have no greater impacts on, and will not be detrimental to or adversely affect, adjoining properties or the neighborhood. The proposed Field Changes are consistent and compatible with the character, materials and scale of buildings, structures, equipment and site features throughout the Substation Property and the adjoining Exelon generation site and transmission line corridors and lines that currently run through the Substation Property and nearby properties.

Based on the foregoing, Eversource requests that the Board approve the Field Changes.

We hereby submit the following items for filing with the Board:

1. Copies of plans, including previously approved layout drawing, revised layout showing Field Changes and side-by-side comparison;
2. Copy of 2021 minor site plan review decision.
3. Copy of temporary fencing specs for capacitor bank storage

Please let me know if you should have any questions concerning the enclosed.

Kindly file this request with the Board, and schedule this request for the Board's regular meeting which is scheduled to occur on **April 26, 2022**.

Thank you for your assistance with this matter.

Yours truly,



Joshua Lee Smith

JLS:sf
Enclosures

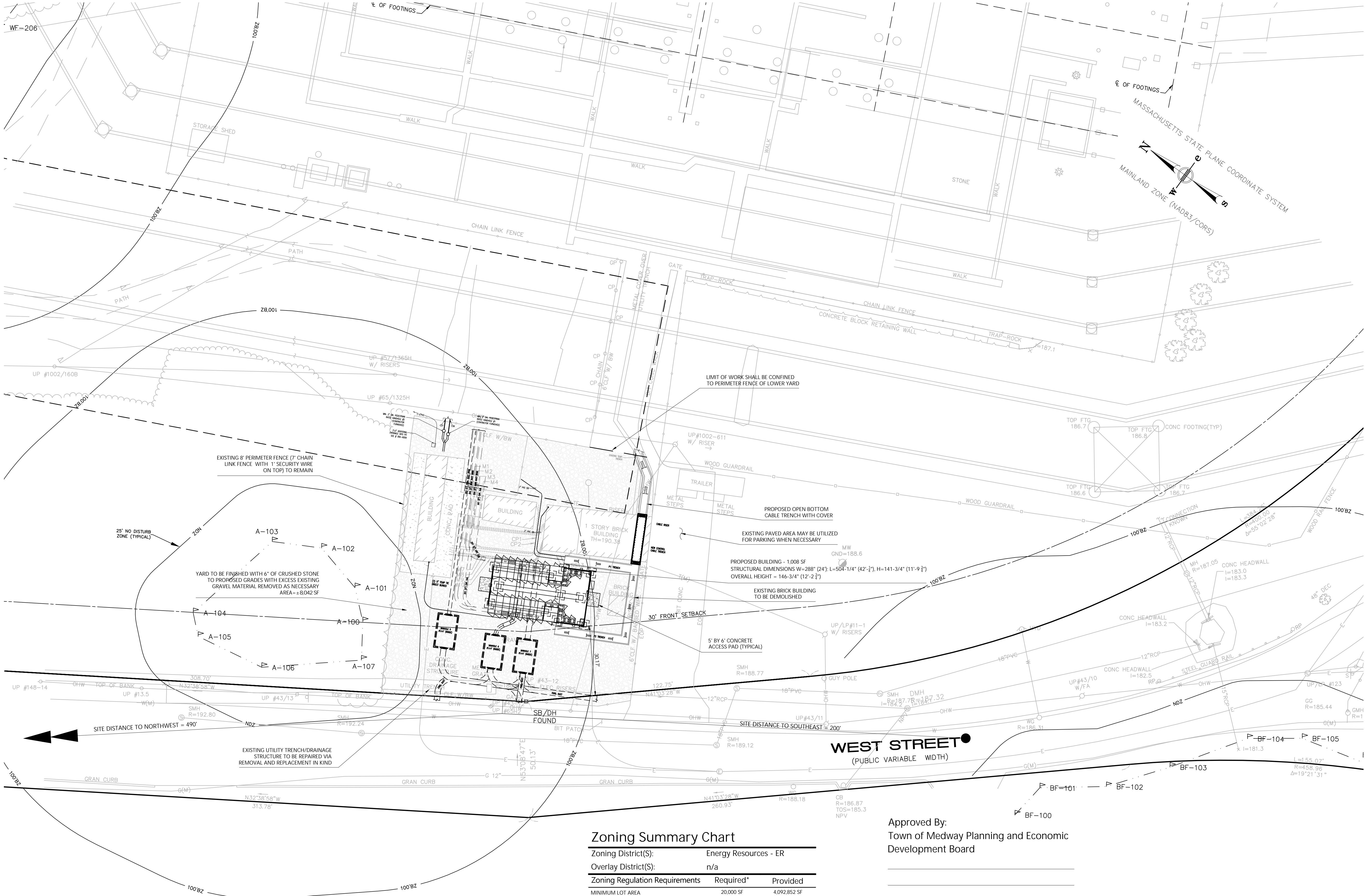
cc: Project Team (w/enclosures)



1 Cedar Street
Suite 400
Providence, RI 02903
401.272.8100



Key
SCALE: 1" = 1,000'



Zoning Summary Chart

Zoning District(S):	Energy Resources - ER	
Overlay District(S):	n/a	
Zoning Regulation Requirements	Required*	Provided
MINIMUM LOT AREA	20,000 SF	4,092,852 SF
FRONTAGE	150.0 Feet	2,619.08 Feet
FRONT YARD SETBACK	30 Feet	30.17 Feet
SIDE YARD SETBACK	20 Feet	+/- 647 Feet
REAR YARD SETBACK	30 Feet	+/- 637 Feet
MAXIMUM BUILDING HEIGHT	40 Feet	12 Feet, 2-3/4 Inches
MAXIMUM IMPERVIOUS	80.0 %	< 1.0 %
MINIMUM OPEN SPACE	20.0 %	> 95.0 %
MINIMUM REQUIRED PARKING SPACES	1 per 1,000 SF	None **

* Zoning regulation requirements as specified in the Town of Medway Zoning Bylaw, as amended November 18, 2019, and published January 6, 2020

** Facility is unmanned therefore no parking is proposed and/or required within the perimeter fence of the yard, which eliminates the need for additional impervious pavement. The paved area immediately southeast of the substation may be utilized for parking when necessary.

Approved By:
Town of Medway Planning and Economic
Development Board

Decision Date: March 23, 2021

Endorsement Date: _____

GENERAL NOTES:

- REFER TO ELECTRICAL DRAWINGS AND SPECIFICATIONS FOR DIMENSIONAL, MATERIAL, AND INSTALLATION REQUIREMENTS FOR ALL PROPOSED ELECTRICAL EQUIPMENT INCLUDING BUT NOT LIMITED TO SWITCHGEAR BUILDING, FOUNDATIONS, CABLE TRAYS, DUCT BANKS, ELECTRICAL MANHOLES, AND DIRECT BURIED CABLES.
- ELECTRICAL EQUIPMENT DEPICTED HEREIN IS FOR INFORMATIONAL PURPOSES ONLY.
- SIZED AND TYPE OF CRUSHED STONE YARD MATERIAL SHALL BE PER EVERSOURCE SPECIFICATIONS.

Medway Station #65

12 and 34 West Street
Medway, MA 02053

No.	Revision	Date	Appr'd
1	Planning Board Comments	03/03/2021	RTL
2	Signature Block Update, Approved Waivers	04/26/2021	RTL
3	Revised Control Building, EMH, and Duct Bank Locations	04/20/2022	RTL

Designed by: _____
Checked by: _____
Issued for: _____
Date: January 19, 2021
Permitting

Not Approved for Construction

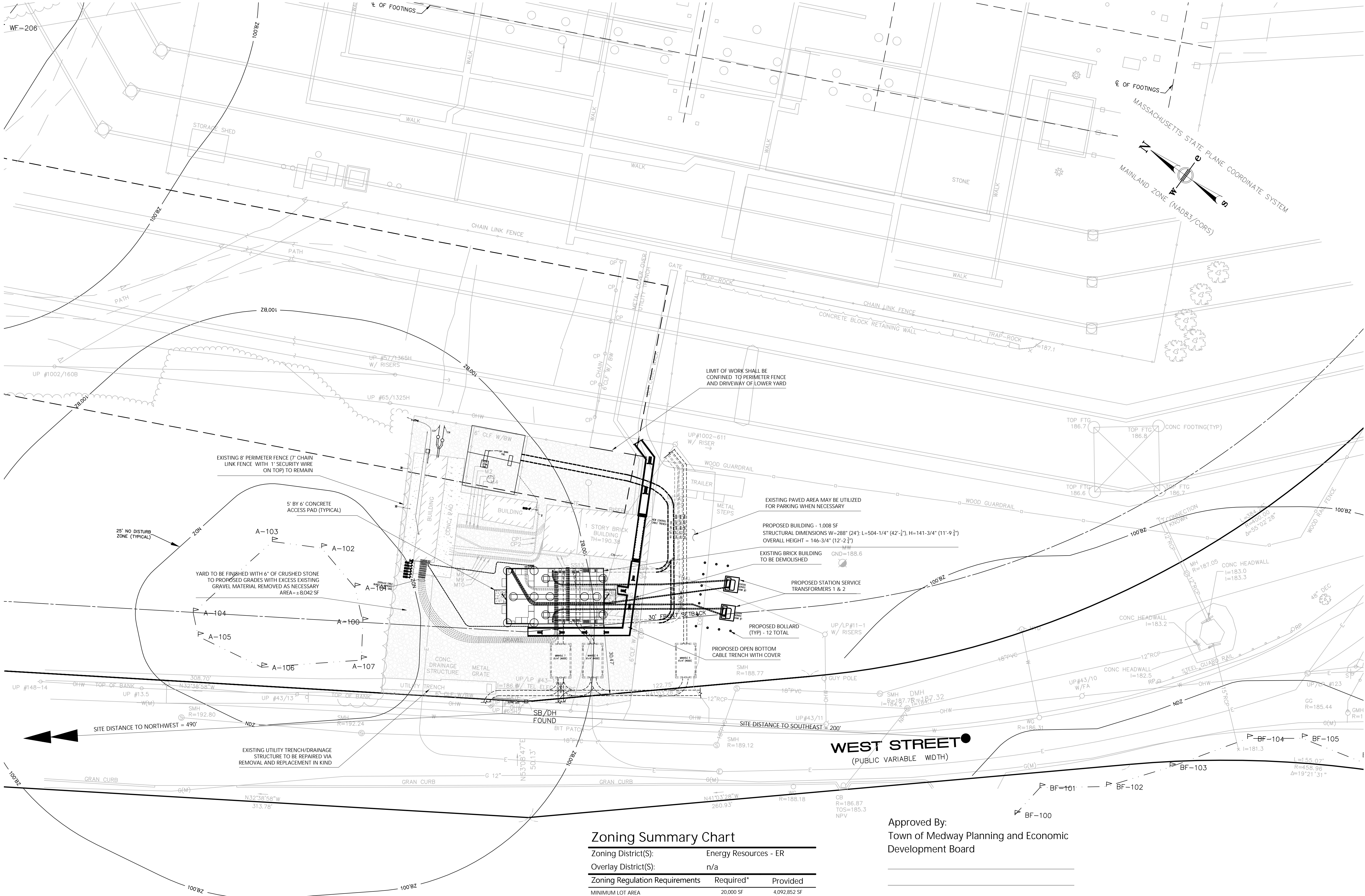
Drawing Title
**Layout and
Materials Plan**

Drawing Number

C-4

Sheet of
4 7

Project Number
73139.01



Zoning Summary Chart		
Zoning District(S):	Energy Resources - ER	
Overlay District(S):	n/a	
Zoning Regulation Requirements	Required*	Provided
MINIMUM LOT AREA	20,000 SF	4,092,852 SF
FRONTAGE	150.0 Feet	2,619.08 Feet
FRONT YARD SETBACK	30 Feet	30.47 Feet
SIDE YARD SETBACK	20 Feet	+/- 64.7 Feet
REAR YARD SETBACK	30 Feet	+/- 63.7 Feet
MAXIMUM BUILDING HEIGHT	40 Feet	12 Feet, 2-3/4 Inches
MAXIMUM IMPERVIOUS	80.0 %	< 1.0 %
MINIMUM OPEN SPACE	20.0 %	> 95.0 %
MINIMUM REQUIRED PARKING SPACES	1 per 1,000 SF	None **

* Zoning regulation requirements as specified in the Town of Medway Zoning Bylaw, as amended November 18, 2019 and published January 6, 2020

** Facility is unmanned therefore no parking is proposed and/or required within the perimeter fence of the yard, which eliminates the need for additional impervious pavement. The paved area immediately southeast of the substation may be utilized for parking when necessary.

Approved By:
Town of Medway Planning and Economic
Development Board


Decision Date: March 23, 2021

Endorsement Date: _____

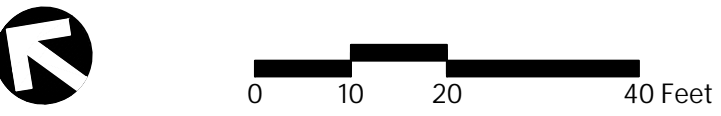
- GENERAL NOTES:
- REFER TO ELECTRICAL DRAWINGS AND SPECIFICATIONS FOR DIMENSIONAL, MATERIAL, AND INSTALLATION REQUIREMENTS FOR ALL PROPOSED ELECTRICAL EQUIPMENT INCLUDING BUT NOT LIMITED TO SWITCHGEAR BUILDING, FOUNDATIONS, CABLE TRAYS, DUCT BANKS, ELECTRICAL MANHOLES, AND DIRECT BURIED CABLES.
 - ELECTRICAL EQUIPMENT DEPICTED HEREIN IS FOR INFORMATIONAL PURPOSES ONLY.
 - SIZED AND TYPE OF CRUSHED STONE YARD MATERIAL SHALL BE PER EVERSOURCE SPECIFICATIONS.



1 Cedar Street
Suite 400
Providence, RI 02903
401.272.8100



Key
SCALE: 1" = 1,000'



Medway Station #65

12 and 34 West Street
Medway, MA 02053

No.	Revision	Date	Appr'd
1	Planning Board Comments	03/03/2021	RTL
2	Signature Block Update, Approved Waivers	04/26/2021	RTL
3	Revised Control Building, EBM, and Duct Bank Locations	04/20/2022	RTL

Designed by: _____
Checked by: _____
Issued for: _____
Date: January 19, 2021
Permitting

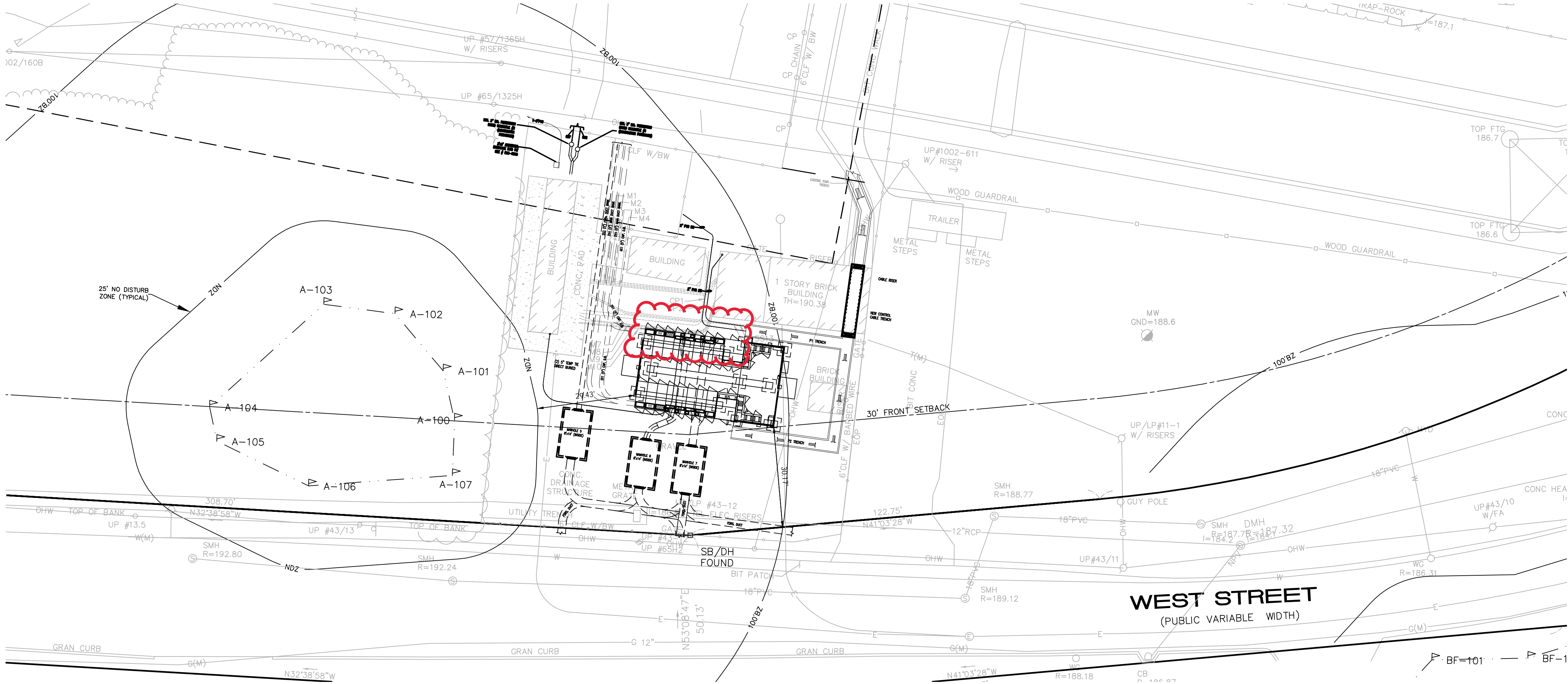
Not Approved for Construction
Drawing Title: **Layout and Materials Plan**

Drawing Number

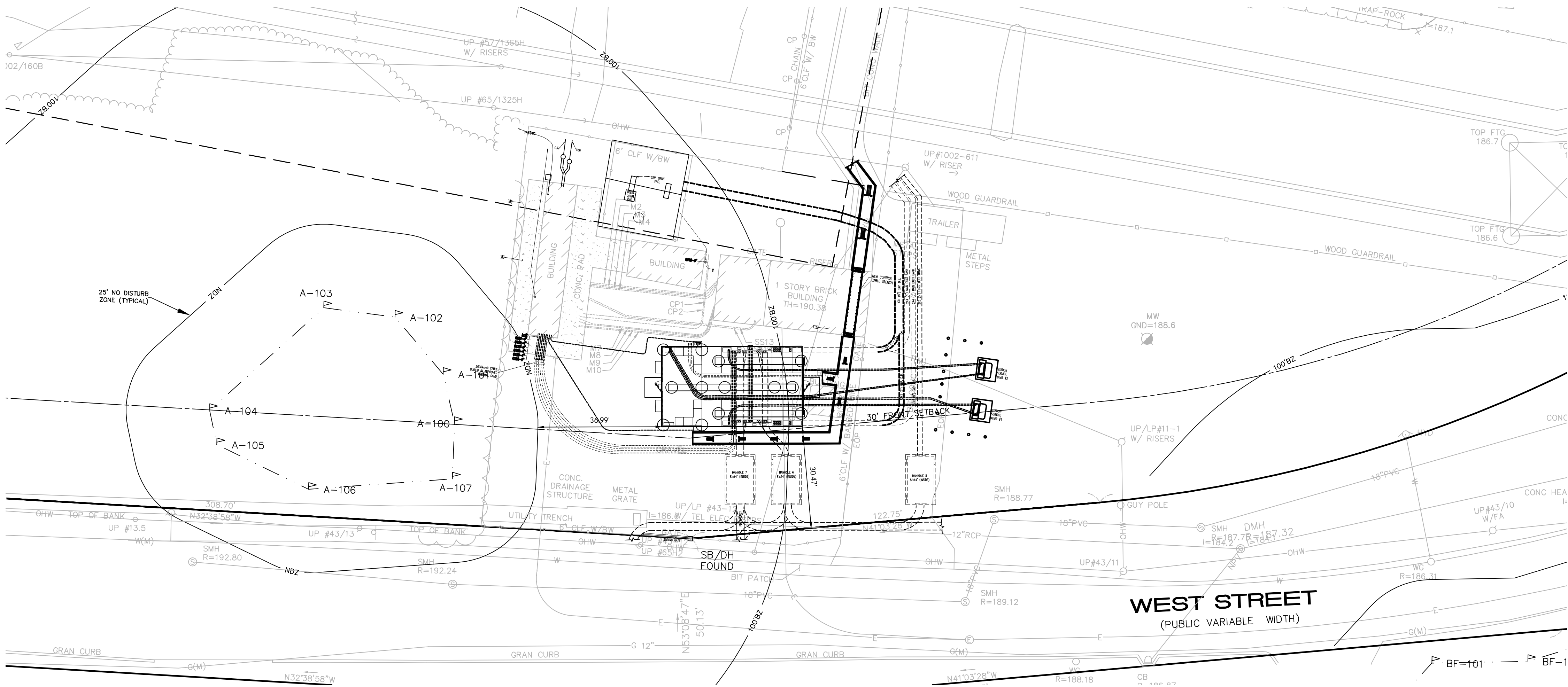
C-4

Sheet 4 of 7

Project Number
73139.01



APPROVED MEDWAY 65 SUBSTATION LAYOUT



PROPOSED MEDWAY 65 SUBSTATION LAYOUT

Zoning Summary Chart

Zoning District(S):	Energy Resources - ER	
Overlay District(S):	n/a	
Zoning Regulation Requirements	Required*	Provided
MINIMUM LOT AREA	20,000 SF	4,092,852 SF
FRONTAGE	150.0 Feet	2,619.08 Feet
FRONT YARD SETBACK	30 Feet	30.17 Feet
SIDE YARD SETBACK	20 Feet	+/- 647 Feet
REAR YARD SETBACK	30 Feet	+/- 637 Feet
MAXIMUM BUILDING HEIGHT	40 Feet	12 Feet, 2-3/4 Inches
MAXIMUM IMPERVIOUS	80.0 %	< 1.0 %
MINIMUM OPEN SPACE	20.0 %	> 95.0 %
MINIMUM REQUIRED PARKING SPACES	1 per 1,000 SF	None **

* Zoning regulation requirements as specified in the Town of Medway Zoning Bylaw, as amended November 18, 2019, and published January 6, 2020.

** Facility is unmanned therefore no parking is proposed and/or required within the perimeter fence of the yard, which eliminates the need for additional impervious pavement. The paved area immediately southeast of the substation may be utilized for parking when necessary.



1 Cedar Street
Suite 400
Providence, RI 02903
401.272.8100



Key

SCALE: 1" = 1,000'

Zoning Summary Chart

Zoning District(S):	Energy Resources - ER	
Overlay District(S):	n/a	
Zoning Regulation Requirements	Required*	Provided
MINIMUM LOT AREA	20,000 SF	4,092,852 SF
FRONTAGE	150.0 Feet	2,619.08 Feet
FRONT YARD SETBACK	30 Feet	30.47 Feet
SIDE YARD SETBACK	20 Feet	+/- 647 Feet
REAR YARD SETBACK	30 Feet	+/- 637 Feet
MAXIMUM BUILDING HEIGHT	40 Feet	12 Feet, 2-3/4 Inches
MAXIMUM IMPERVIOUS	80.0 %	< 1.0 %
MINIMUM OPEN SPACE	20.0 %	> 95.0 %
MINIMUM REQUIRED PARKING SPACES	1 per 1,000 SF	None **

* Zoning regulation requirements as specified in the Town of Medway Zoning Bylaw, as amended November 18, 2019, and published January 6, 2020.

** Facility is unmanned therefore no parking is proposed and/or required within the perimeter fence of the yard, which eliminates the need for additional impervious pavement. The paved area immediately southeast of the substation may be utilized for parking when necessary.



0 10 20 40 Feet

Medway Station #65

12 and 34 West Street
Medway, MA 02053

No.	Revision	Date	Appr'd
1	Planning Board Comments	03/03/2021	RTL
2	Signature Block Update, Approved Waivers	04/26/2021	RTL
3	Revised Control Building, EMH, and Duct Bank Locations	04/20/2022	RTL

Designed by: Comparison Plan

Issued for: Permitting

Not Approved for Construction

Layout and Materials
Comparison Plan

C-4.1

Sheet 4 of 7

Project Number
73139.01



1 Cedar Street
Suite 400
Providence, RI 02903
401.272.8100



Key

SCALE: 1" = 1,000'



0 3.3333 6.6667 13.3333

Medway Station #65

12 and 34 West Street
Medway, MA 02053

No.	Revision	Date	Appvd.
1	Planning Board Comments	03/03/2021	RTL
2	Signature Block Update, Approved Waivers	04/26/2021	RTL
3	Revised Control Building, EHM, and Duct Bank Locations	04/20/2022	RTL

Designed by	Checked by
Issued for	Date

Permitting

January 19, 2021

Not Approved for Construction

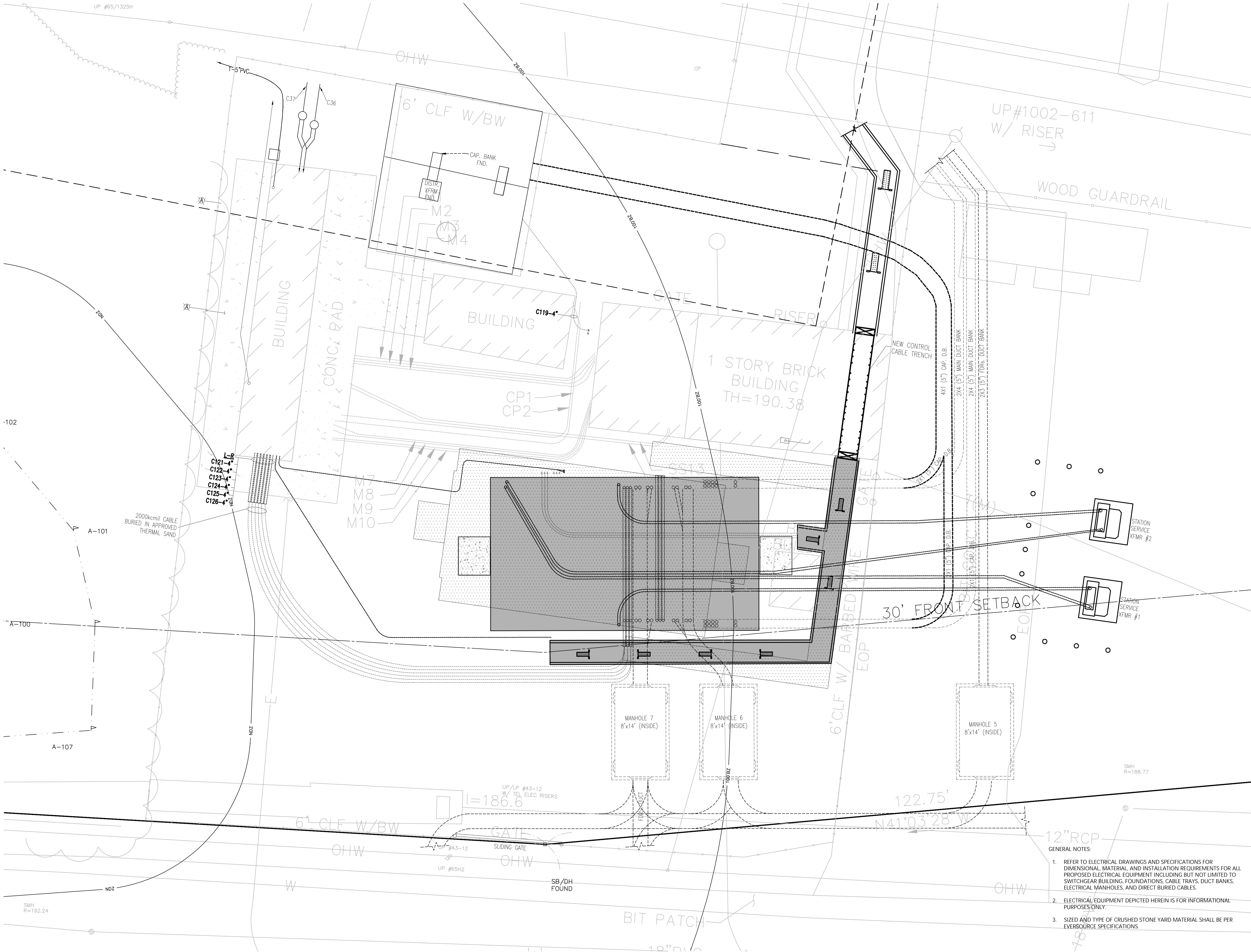
Drawing Title
Layout Overlay Plan

Drawing Number

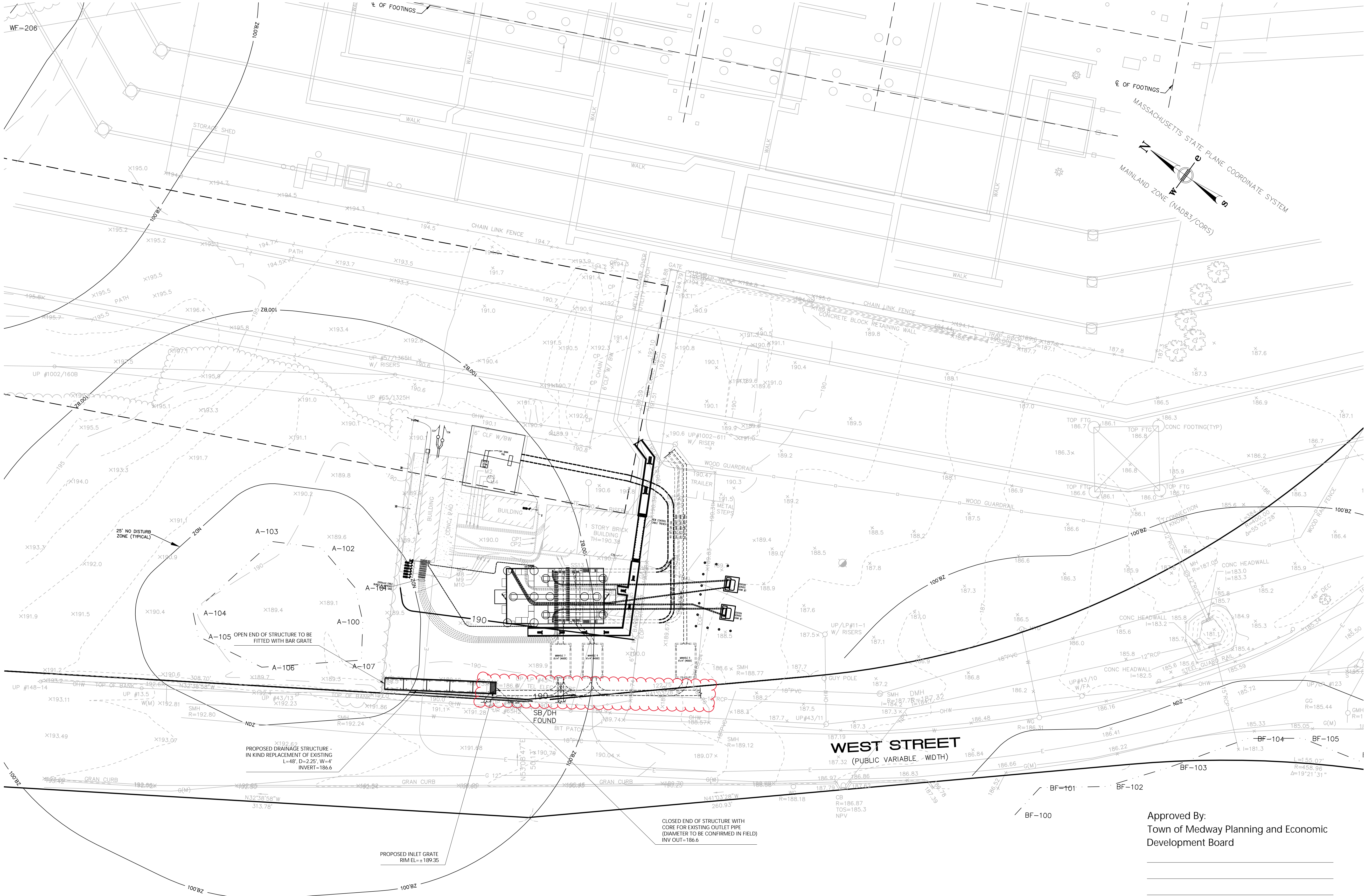
C-4

Sheet of
4 7

Project Number
73139.01




- GENERAL NOTES:
- REFER TO ELECTRICAL DRAWINGS AND SPECIFICATIONS FOR DIMENSIONAL, MATERIAL, AND INSTALLATION REQUIREMENTS FOR ALL PROPOSED ELECTRICAL EQUIPMENT INCLUDING BUT NOT LIMITED TO SWITCHGEAR BUILDING, FOUNDATIONS, CABLE TRAYS, DUCT BANKS, ELECTRICAL MANHOLES, AND DIRECT BURIED CABLES.
 - ELECTRICAL EQUIPMENT DEPICTED HEREIN IS FOR INFORMATIONAL PURPOSES ONLY.
 - SIZED AND TYPE OF CRUSHED STONE YARD MATERIAL SHALL BE PER EVERSOURCE SPECIFICATIONS.







1 Cedar Street
Suite 400
Providence, RI 02903
401.272.8100



Key
Scale: 1" = 1,000'



Medway Station #65

12 and 34 West Street
Medway, MA 02053

No.	Revision	Date	Appr'd
1	Planning Board Comments	03/03/2021	RTL
2	Signature Block Update, Approved Waivers	04/26/2021	RTL
3	Revised Control Building, EBM, and Duct Bank Locations	04/20/2022	RTL

Designed by
RTL

Checked by
RLC

Issued for
Permitting

Date
January 19, 2021

Not Approved for Construction

Drawing Title
**Grading and
Drainage Plan**

Approved By:
Town of Medway Planning and Economic
Development Board

Decision Date: March 23, 2021

Endorsement Date: _____

C-5

Sheet 5 of 7

Project Number
73139.01



G. GREENE CONSTRUCTION COMPANY, INC.
BUILDER AND CONSTRUCTION MANAGER

Submittal

Job: #21-429
Owner: Eversource
Job Name: Sta.65 Medway -
Switchgear Replacement

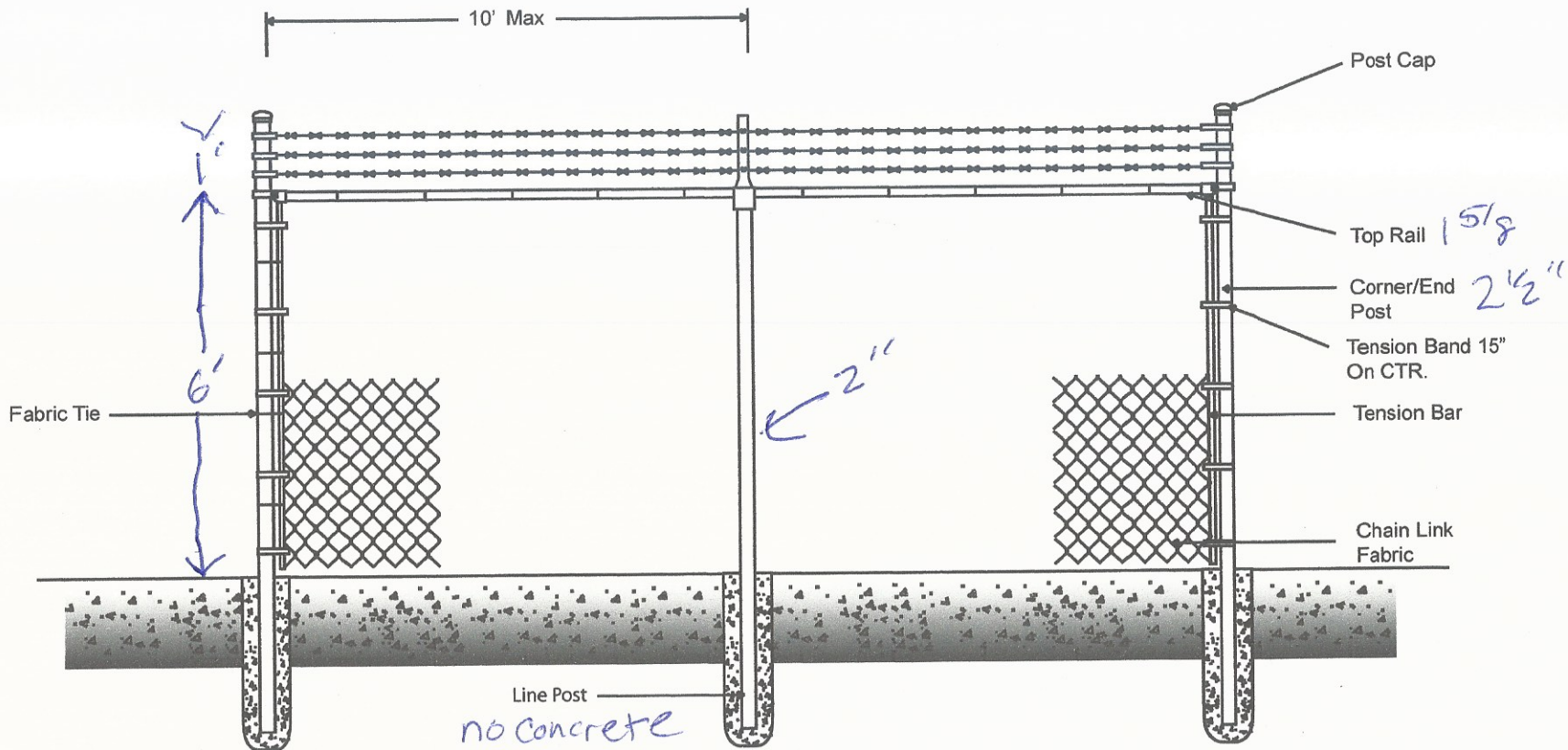
Spec Section No: 2-830
Submittal No: 005
Revision No: 0
Sent Date: 1/14/2022

For:
Approval
Spec Section Title:
2-830 Chain Link Fence
Submittal Title:
6' Chain Link Fence

Contractor:
G. Greene Construction, Inc.

Sent to:
Mohamad Tassabehji
Eversource
247 Station Ave.
Westwood, MA 02090

G. GREENE CONSTRUCTION CO. REVIEWED IN ACCORDANCE WITH THE CONTRACT DOCUMENTS	
BY <u>Nick DeSisto</u>	DATE: <u>1/14/2022</u>
JOB <u>#21-429</u>	JOB NAME <u>Eversource Sta.65 Medway</u> <u>Switchgear Replacement</u>
REF #	SUBMISSION # <u>005</u>

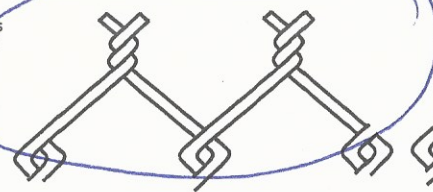


Fabric	Height	Mesh	Gage	Selva	Finish
Framework		O.D.	Wall	Wt. per ft.	Length
End/Corner Post					
Line Post					
Rails					
Gate Frame					
Gate Post					

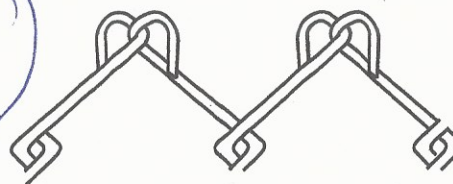
Notes

- Gate Fabric to match fence
- For welded frames omit truss rods
- For more information please see <http://www.spsfence.com>

Twist or Barb Selva



Knuckle Selva



Last Revised: 10-02-06



Standard Chain Link Fencing

Standard ChainLink Fence W/Top Rail & Barb

Approved By/Date

Revision NO.

Drawing NO.

Drawn By: Joshua Stidham

Effective Date

SPS-CL-10R2





RECEIVED TOWN CLERK
MAR 29 '21 PM 2:42

20 Day Appeal
April 19, 2021

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

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

March 25, 2021

Minor Site Plan Decision
Eversource Energy – 12 & 34 West Street
Approved with Waivers and Conditions

Decision Date: March 23, 2021

Name/Address of Applicant: NSTAR Electric Company d/b/a Eversource Energy
One NSTAR Way, NE 250
Westwood, MA 02090

Name/Address of Property Owner: Exelon West Medway, LLC
10 South Dearborn Street, 49th Floor
Chicago, IL 60603

Project Location: 12 and 34 West Street

Assessors' Reference: 66-10 and 66-12

Zoning District: Energy Resource

Engineer: VHB
1 Cedar Street, Suite 400
Providence, RI 02903

Site Plan: Station #65 West Medway, 12 and 34 West Street, Medway, MA
Dated January 19, 2021, last revised March 3, 2021

I. PROJECT DESCRIPTION – Eversource proposes to construct and install an approximately 24' by 42' (1,008 sq. ft.), 12' 6" tall, pre-fabricated switchgear building and associated foundation, excavation, underground conduit and cable trenching; remove an existing brick storage building; and temporarily place an approximately 47' x 10' mobile transformer (12' 10" tall) and connected thereto, an approximately 25' x 10' tall mobile switch.

II. VOTE OF THE BOARD – After reviewing the application and information gathered during the public review process, the Medway Planning and Economic Development Board, on March 23, 2021, on a motion made by Richard Di Iulio and seconded by Robert Tucker, **voted by roll call, to APPROVE with WAIVERS and CONDITIONS** as specified herein, a site plan for the construction of the above described switchgear building and site improvements at 12 and 34 West Street as shown on *Station #65 West Medway, 12 and 34 West Street, Medway, MA* dated January 19, 2021, last revised March 3, 2021 to be further revised as specified herein.

The motion was approved by a vote of 5 in favor and none opposed.

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

III. PROCEDURAL HISTORY

- A. January 22, 2021 - Site plan application and associated materials were filed with the Medway Planning & Economic Development Board and were provided to the Medway Town Clerk on January 25, 2021.
- B. February 4, 2021 - Site plan public briefing notice was filed with the Town Clerk and posted at the Town of Medway web site.
- C. February 5, 2021 – Site plan public review notice was mailed to abutters by first class mail.
- D. February 5, 2021 – Site plan information distributed to Town boards, committees and departments for review and comment.
- E. February 23, 2021 – Board commenced the site plan public briefing. The briefing was continued to March 23, 2021 when the Board's review of the project concluded and a decision was rendered.

IV. INDEX OF SITE PLAN DOCUMENTS

- A. The site plan application package for the proposed Eversource site improvements project included the following documents that were provided to the Board at the time the application was filed:
 - 1. Application for minor site plan approval dated January 21, 2021 with Project Narrative
 - 2. Certified abutters' list prepared by Medway Assessor's office.
 - 3. Submittal letter dated January 21, 2021 from Attorney Joshua Lee Smith of Bowditch & Dewey as the applicant's designated representative.

4. Site plan titled *Station #65 West Medway, 12 and 34 West Street, Medway, MA* dated January 19, 2021, prepared by VHB.
 5. Stormwater report titled “Stormwater Management Report, West Medway Station #65, Medway, MA” dated October 23, 2020, prepared by VHB.
 6. Deed documenting ownership of the subject property.
 7. Collection of photographs
 8. Collection of previous Town of Medway site plan decisions pertaining to the subject property.
 9. Requests for waivers of *Site Plan Rules and Regulations* dated January 21, 2021
- B. During the course of the review, a variety of other materials were submitted to the Board by the applicant and its representatives:
1. Slide presentation provided during the February 23, 2021 public briefing.
 2. Letter dated March 5, 2021 from attorney Joshua Lee Smith of Bowditch & Dewey in response to the plan review letter dated February 18, 2021 from Steve Bouley, P.E., of Tetra Tech, staff memorandum dated February 18, 2021 from Susan Affleck-Childs, and comments received during the February 23, 2021 public briefing.
 3. Revised site plan dated March 3, 2021 by VHB with a photometric plan
 4. Photographs of existing light fixtures
 5. Email dated March 16, 2021 from attorney Joshua Lee Smith of Bowditch & Dewey in response to the Board’s question about stormwater and the culvert replacement noted on the plan set.
- C. All documents and exhibits received during the public review process are contained in the Planning and Economic Development Board’s project file.
- V. TESTIMONY** - In addition to the site plan application materials as submitted and provided during the course of the Board’s review, the Board also received verbal and/or written testimony or comments from:
- Steve Bouley, P.E. of Tetra Tech, Inc., the Town’s Consulting Engineer – Site plan review letters dated February 18, 2021 and March 16, 2021 and commentary throughout the plan review process.
 - Attorney Joshua Lee Smith of Bowditch & Dewey as designated representative of the applicant.
 - Email communication dated February 11, 2021 from Medway Fire Chief Jeff Lynch
 - Stephanie Carlisle, Compliance Coordinator for the Medway Department of Public Works
 - Barbara Saint Andre, Medway Director of Community and Economic Development
 - Email communication dated March 18, 2021 from DPW Deputy Director Peter Pelletier regarding sidewalk plans for West Street
 - Sidewalk and curbing construction cost estimates dated March 23, 2021 prepared by Tetra Tech.

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

The Planning and Economic Development Board, at its meeting on March 23, 2021, on a motion made by Robert Tucker and seconded by Richard Di Iulio, voted by roll call to approve the following **FINDINGS** regarding the site plan application for Eversource Energy for proposed site improvements at 12 and 34 West Street. The motion was approved by a vote of 5 in favor and none opposed.

Site Plan Rules and Regulations Findings – The Planning and Economic Development Board shall consider the following criteria as set forth in the *Site Plan Rules and Regulations*, Section 204-8, F, unless specifically waived.

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

The addition of the new switchgear building and its associated infrastructure, and the temporary placement of the mobile transformer will not depart from the character, materials and scale of the existing buildings, structures, equipment, transmission lines and site features that currently exist throughout the Eversource sub-station property and the adjoining Exelon power generation site. The property has functioned as an electric substation for more than 95 years. The proposal is consistent with the Energy Resource zoning district uses.

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

The Town's Design Review Guidelines do not specifically address the types of improvements proposed by a public utility in the Energy Resource zone. The character of the proposed site improvements use is consistent with the overall purpose of the Energy Resource zoning district. The proposed switchgear building is completely utilitarian in nature and its sole purpose is to house and protect highly sensitive controls and equipment.

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

The proposed improvements are consistent with the character, materials and scale of the electric utility buildings and equipment in the Energy Resource zoning district. Consistent with the Medway Master Plan, the project will encourage the most appropriate use of the land in the zoning district and will support, enhance and promote the health, welfare, safety, economic vitality and growth of the Town and surrounding communities by providing and updating necessary and critical electric infrastructure to ensure the availability of reliable electric service.

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

The location of the proposed improvements will be set back from West Street beyond the zoning district's minimum setback requirements and will not be visible from any residential properties. As documented with photographs during the applicant's February 23, 2021 public briefing presentation, 41 West Street to the north is approximately 1,000 feet away and 3 West Street to the south is approximately 700 feet away. The combination of these distances plus the site's existing infrastructure and equipment serve to screen the adjacent residences from the proposed changes.

The proposed improvements are relatively minor in nature in relation to the overall site and the extensive existing public utility infrastructure. The majority of the public utility buildings and equipment on the Eversource and Exelon properties within the Energy Resource district have been visible from the adjoining streets for decades.

Landscaping in the immediate area between West Street and the switchgear building is not feasible and would compromise safety. The applicant has asked for a waiver from the standard landscaping requirement. A 14KV distribution line and associated poles run along the West Street frontage of the substation property within a right-of-way and along a narrow buffer area between the substation fence and the edge of pavement of West Street. Vegetative screening cannot be provided within the right-of-way as it would require the relocation of the substation fence farther away from the property line and the street and within the substation yard which contains underground conduits and lines. Further, the additional of landscaping screening in this area could obstruct visibility and create a potential line of sight hazard along West Street which bends around the corner near Beech Street.

During the summer of 2020, Eversource installed a robust landscaping plan at the southwesterly corner of the property near the intersection of West and Beech Streets as part of a previously approved site plan project. This provides some level of screening of the substation property.

The switchgear building will not house any employees and therefore will not generate demand for water supply, wastewater, or solid waste disposal services.

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

No driveways are proposed.

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

The development site is accessed directly from West Street, a secondary arterial roadway connecting Route 126 and Main Street to Route 109 (Milford Street) and therefore there will be no impacts on minor residential streets. No new driveways or curb cuts are proposed, and the existing driveways will continue to allow for safe and efficient vehicular traffic flow to and from the property. The proposed project does not include any changes to the property's internal driveway and circulation arrangement. Station #65 and the new switchgear building will continue to function as an unmanned facility and the site will remain closed to the public. Thus, no regular traffic will be generated by the development except for occasional service vehicles for personnel to perform routine inspections, testing, and equipment maintenance. There will be no increase in traffic volumes nor will any traffic back out onto West Street. The Medway Police Department did not provide any review comments or recommendations on the proposed site plan improvements.

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

The Medway Fire Department reviewed the site plan and application and responded that it did not have any review comments or recommendations to offer. Accordingly, it is not expected that the proposed work will impact the existing convenient and adequate access for the Town's fire-fighting and emergency vehicles.

- 8) Design and construction minimize, to the extent reasonably practical, 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 impacts on waterways and environmental resource areas;
 - f) soil erosion and pollution; and
 - g) noise.

The project will entail removal of an estimated 2,833 cubic yards of earth material in connection with the installation of the switchgear building and related facilities. As the site is already highly developed for public utility purposes, no trees will be need to be removed to undertake the proposed work. There are no existing stone walls to be impacted. The proposed improvements pertain to enhanced safety, security and reliability of the utility equipment and infrastructure. Appropriate site and erosion and sedimentation controls will be implemented and maintained during excavation and grading work and the site will be stabilized thereafter.

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

As the site is closed to the public and is an unmanned facility, there is no need for pedestrian access to or within the property or to provide for bicycle access for

employees, customers and the general public. Adequate parking is already available for service personnel for maintenance, testing and inspections.

- 10) Design and construction, to the maximum extent feasible, preserve and incorporate the visual prominence of the site's natural and historic features (i.e. hills, water bodies, wetlands, trees, tree groves, wooded areas, rock outcrops, native plants, stone walls, wildlife habitats, and other areas of aesthetic or ecological interest).

There are no notable natural terrain features or scenic views or landscapes at the substation property which is already a highly developed site and has been for many years as a public utility. The property is not within an historic district and is not listed on any State or National registers for historic or cultural resources.

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

With the submittal of the revised site plan dated March 3, 2021, the applicant included a photometric plan for the six wall pack lights to be affixed to the new switchgear building. Based on the distance, height, downwards angle, and quantity of light emitted (approximately 3,500 lumens each) from the two light packs on the side of the switchgear building facing West Street, the light intensity as measured at the front lot line facing West Street will not exceed 0.01 foot candles. This is slightly in excess of the Zoning Bylaw requirement that no light shall trespass onto any street or abutting lot.

Section 7.1.2.G of the Zoning Bylaw allows the Board, when performing site plan review, to grant minor relief from the lighting requirements when that relief is in the public interest and will not have a substantially detrimental effect on abutting properties. Eversource has asked for relief from the requirement included in Section 7.1.2.E.2 of the Zoning Bylaw for full shielding of lamps rated at more than 2,000 lumens and all other lighting requirements under Section 7.1.2 to the extent that the proposed lighting does not comply. The switchgear building is an unmanned facility. The proposed light packs will be manually controlled and generally turned off except during those rare circumstances when testing, emergencies, inspections, maintenance and/or repairs must occur during nighttime hours. West Street is already illuminated by an existing street light located in front of where the new switchgear building will be constructed. The wall pack lighting is compatible with the existing lighting on the Eversource and nearby properties and is needed for security and safety purposes. The Board has determined that relief is appropriate under these circumstances.

- 12) The proposed limit of work area is reasonable and protects sensitive environmental and/or cultural resources on the site and on adjacent parcels. The project as designed will not cause substantial or irrevocable damage to the environment, which damage could be avoided or ameliorated through an alternative development plan or mitigation measures.

The proposed limit of work area is very small due to the limited scale of the project. The site is under the jurisdiction of the Conservation Commission due to adjacent wetland resources and is currently under review for issuance of an Order of Conditions. The property is not located in a floodplain.

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

The Eversource substation operations will continue to produce low levels of noise which is not expected to be noticeable at any nearby residential properties due to the distance between the sound sources and the residential uses. Lighting impact is addressed in criteria #11. As an unmanned facility, the proposed scope of work will not generate any net increase in traffic to the site.

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

The proposed scope of work is minor in nature within the context of the long-standing energy generation and transmission uses by Eversource and Exelon in the Energy Resource zoning district. The adjacent residential uses are a considerable distance away as noted in the response to criteria #4.

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

The proposed project does not involve any changes that would impact the site's off-street loading facilities and methods associated with the normal operation of the public utility.

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

The applicant has provided a stormwater management report that fully describes the existing and proposed stormwater drainage system at Station #65. Tetra Tech has indicated that the proposed work meets the Mass DEP Stormwater Management Standards. The limited project scope does not trigger a requirement for a Medway Land Disturbance Permit nor a NPDES permit from the U.S. Environmental Protection Agency. However, the Medway DPW has advised that the applicant will need to secure an MS4 Connection and Discharge Permit for the work to upgrade a culvert connection from the subject property to the Town's stormwater system.

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

As a result of the public review process including consultant and staff reviews, the applicant's submittal of a revised site plan to address those review comments and

Board's comments from the February 23, 2021 briefing, and with the decision conditions included herein, this criterion has been fulfilled.

VII. WAIVERS FROM SITE PLAN RULES AND REGULATIONS – At its March 23, 2021 meeting, the Planning and Economic Development Board, on a motion made by Richard Di Iulio and seconded by Matthew Hayes, voted by roll call, to approve waiver requests from the following provisions of the *Rules and Regulations for the Submission and Approval of Site Plans, as amended October 8, 2019*. The Planning and Economic Development Board's action and reasons for acting on each waiver request are listed below. All waivers are subject to the *Special and General Conditions of Approval*, which follow this section.

The motion was approved by a vote of 5 in favor and none opposed.

1. **Section 207-4 Energy Efficiency and Sustainability.**
The Applicant has requested a waiver from these regulations pertaining to the positioning of the switchgear building on the site. This section of the Site Plan Rules and Regulations does not readily apply to a high voltage, unmanned electric substation building. The proposed building is small, just over 1,000 sq. ft. in area and will not have any windows. The Board's consulting engineer has indicated that the proposed project has minimal impact on the existing developed site and they do not oppose the waiver request. 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 207-9 Pedestrian and Bicycle Access and Sidewalks.**
The Applicant has requested a waiver from these regulations. The site is not open to pedestrians, bicyclists, nor the general public. The planned switchgear building is an unmanned facility to be accessed only by authorized personnel for maintenance and testing. Accordingly, there is no need for the standard sidewalk and pedestrian accessibility requirements within and internal to the subject site. The Board's consulting engineer does not oppose the waiver request as deterring pedestrians from the site is in the best interest of public safety. 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 207-10 Paving**
The Applicant has requested a waiver from these regulations. No new driveways or curb cuts are proposed within the development area to which the paving standards would apply. The Fire Department offered "No Comments" on the site plan as circulated. 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 Traffic and Vehicular Circulation**
The Applicant has requested a waiver from these regulations. They report that the project will not create any line of sight hazards nor will any traffic back out onto West Street. No new curb cuts or driveways are proposed. 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 Parking**

*The Applicant has requested a waiver from these regulations. The switchgear building will be an unmanned facility. There is no need for any additional parking as there will be no employees. Parking for inspection and maintenance personnel will be readily available in the existing paved driveway adjacent to the site. **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 207-13 Loading and Unloading**

*The Applicant has requested a waiver from these regulations. The project does not include construction of any new off-site loading and unloading areas and the associated maneuvering areas. The Applicant has indicated that an existing paved access road (driveway) adjacent to the development site to the south will be used for parking during construction and for inspection personnel once the project is completed. The Board's Consulting Engineer is not opposed to this waiver request. **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 207-16 Utilities**

*The Applicant has requested a waiver from these regulations which require electric lines and equipment to be located underground. Presently, electrical utilities associated with the project are located both above and below ground. Due to the nature of the site as a public utility, this is a situation where some level of above-ground wiring is warranted. **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 207-18 Outdoor Lighting**

The Applicant has requested a waiver from these regulations which require that outdoor lighting comply with Section 7.1.2 Outdoor Lighting of the Zoning Bylaw. The applicant has supplied a substantially compliant photometric plan, however the wall pack lamps rated at more than 2,000 lumens are not fully shielded. The wall pack lights also do not comply with the Medway Design Review Guidelines. Section 7.1.2.G of the Zoning Bylaw authorizes the Board, when performing site plan review, to grant minor relief from the lighting requirements when that relief is in the public interest and will not have a substantially detrimental effect on abutting properties. The Applicant has indicated that the light packs will be manually operated and used only occasionally when testing, emergencies, inspections and maintenance must occur during nighttime hours. The Design Review Guidelines do not include provisions for the type of lighting needed for a public utility. The light spill onto West Street is minimal and West Street in front

of the development site is already highly illuminated by an existing street light at this location. 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 Landscaping**

The Applicant has requested a waiver from these regulations. A landscaping plan has not been provided for that portion of the development site which abuts West Street, approximately 110 linear feet. The Applicant has described the existing site conditions as being not conducive to landscaping and has indicated it would not be safe if landscaping was installed. Further, adding landscaping in this area would necessitate relocation of the substation fence and would block the station's sliding gate. The addition of landscaping screening could also obstruct visibility and create a line of sight hazard. During the summer of 2020, as part of another Eversource site plan project, an extensive and attractive landscaping scheme was approved and installed along the corner of West and Beach Streets, southeast of the subject site. This has visually enhanced the site and provided partially screening. 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 is consistent with the *Site Plan Rules and Regulations*, that the comments of various Town boards and public officials have been adequately addressed, and that concerns of abutters and other town residents which were aired during the public review process have been carefully considered

SPECIFIC CONDITIONS OF APPROVAL

- A. **Plan Endorsement** - Within sixty (60) days after the Board has filed its *Decision* with the Town Clerk, the Eversource site plan entitled *Station #65 West Medway, 12 and 34 West Street, Medway, MA* dated January 19, 2021, last revised March 3, 2021 shall be further revised to reflect all Conditions and required plan revisions, including those specified as follows, and submitted to the Planning and Economic Development Board to review for compliance with the Board's *Decision*. (*Said plan is hereinafter referred to as the Plan*). The Permittee shall provide a set of the revised Plan in its final form to the Board for its signature/endorsement. All plan sheets shall be bound together in a complete set.
- B. **Plan Revisions** – Prior to plan endorsement, the following plan revisions shall be made to the March 3, 2021 plan set.
1. The cover sheet shall be revised to specify the Approved Waivers from the *Site Plan Rules and Regulations*.
 2. The signature area on all plan sheets shall be revised to include Decision Date: March 23, 2021 and Plan Endorsement Date: _____.
 3. Any plan revisions that may be required pursuant to an MS4CD permit issued by the Medway Department of Public Works.

- C. **Sidewalk Mitigation** – In lieu of constructing sidewalks and installing curbing along 110 linear feet of the West Street frontage of the development site, the Applicant will make a contribution to the Medway Sidewalk Fund in the amount of \$11,193 as calculated by Tetra Tech, the Board's consulting engineer in its estimate dated March 23, 2021. The funds shall be provided before the Building Department certifies building permit completion for the switchgear building.
- D. **Stormwater Management** – The Applicant has filed an MS4CD permit application with the Medway DPW pertaining to replacement of the existing concrete culvert and continued connection to the Town's stormwater system. As part of that permitting process, the DPW may require the Applicant to undertake additional stormwater best management practices. If such measures result in minor revisions to the site plan, those changes may be incorporated into the final site plan for Board endorsement pursuant to Specific Condition B. 3. herein. If the DPW MS4CD permit requires more substantive stormwater management measures, the provisions of s. 208-4, Modification of Approved Site Plans and Decisions, C. Minor Site Plan Projects of the *Site Plan Rules and Regulations* shall apply. Any such needed plan revisions for stormwater will not prevent the Applicant from proceeding with construction of the switchgear building.
- E. **Mobile Transformer and Mobile Switch** – The site plan shows a location where the Mobile Transformer and Mobile Switch will be positioned. It is understood that Mobile Transformer and Mobile Switch may be repositioned as site circumstances require while the new transformer and associated equipment is installed. The Mobile Transformer and Mobile Switch will be removed from the site within four years after the Board endorses the site plan.
- F. **Testing of Excavate Material** – The Applicant has represented that the project will entail removal of an estimated 2,833 cubic yards of earth material in connection with the installation of the switchgear building and related facilities. Such removal shall be supervised by a Licensed Site Professional (LSP) in accordance with MA DEP regulations and include appropriate testing. Test results of the removed material shall be provided to the Board.

GENERAL CONDITIONS OF APPROVAL

- A. **Fees** - Prior to site plan endorsement by the Planning and Economic Development Board, the Applicant 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 Planning and Economic Development 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 Applicant's failure to pay these fees in their entirety shall be reason for the Planning and Economic Development Board to withhold plan endorsement.
- B. **Other Permits** – This permit does not relieve the applicant from its responsibility to obtain, pay and comply with all other required federal, state and Town permits. The

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

C. ***Restrictions on Construction Activities*** – During construction, all local, state and federal laws shall be followed regarding noise, vibration, dust and blocking of town roads. The applicant and its contractors shall at all times use all reasonable means to minimize inconvenience to abutters and residents in the general area. The following specific restrictions on construction activity shall apply.

1. *Construction Time* - Construction work at the site and the operation of construction equipment including truck/vehicular and machine start-up and movement shall commence no earlier than 7 a.m. and shall cease no later than 6 p.m. Monday – Saturday. No construction shall take place on Sundays or on federal and/or state legal holidays without the advance approval of the Inspector of Buildings.
2. The applicant shall take all measures necessary to ensure that no excessive dust leaves the premises during construction including use of water spray to wet down dusty surfaces.
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/dirt is removed from the roadways and does not create hazardous or deleterious conditions for vehicles, pedestrians or abutting residents. In the event construction debris is carried onto a public way, the Applicant shall be responsible for all clean-up of the roadway which shall occur as soon as possible and in any event within twelve (12) hours of its occurrence.
4. The Applicant is responsible for having the contractor clean-up the construction site and the adjacent properties onto which construction debris may fall on a daily basis. All waste products, refuse, debris, and construction materials shall be contained and deposited post construction at an appropriate off-site facility.
5. All erosion and siltation control measures shall be installed by the Applicant prior to the start of construction and observed by the Planning and Economic Development Board's consulting engineer and maintained in good repair throughout the construction period.
6. *Construction Traffic/Parking* – During construction, adequate provisions shall be made on-site for the parking, storing, and stacking of construction materials and vehicles. All parking for construction vehicles and construction related traffic shall be maintained on site. No parking of construction and construction related vehicles shall take place on adjacent public or private ways or interfere with the safe movement of persons and vehicles on adjacent properties or roadways.

D. ***Construction Oversight***

1. Construction Account
 - a) Prior to plan endorsement, the applicant shall establish a construction account with the Planning and Economic Development Board. The funds may be used at the Board's discretion to retain professional outside consultants to inspect the site plan work during construction/installation, 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 Applicant shall fund the account in an amount to be determined by the Planning and Economic Development Board based on an estimate provided by the Town's Consulting Engineer.
 - c) Any funds remaining in the applicant's construction inspection account after the *Certificate of Site Plan Completion* is issued shall be returned to the applicant.
2. Pre-Construction Meeting – At least seven days prior to the commencement of any site preparation or construction, the Permittee and the site general contractor shall meet with the Board's Consulting Engineer, the Planning and Economic Development Coordinator, the Building Commissioner, Department of Public Works personnel, the Conservation Agent, and other Town staff or Permittee's representatives as may be determined. The Permittee shall request such conference by contacting the Planning and Economic Development office. At or before the pre-construction meeting, the Permittee shall provide the following information:
 - a) A construction management plan as specified in Section 204-3 H of the *Site Plan Rules and Regulations*
 - b) List of contacts and contact information for contractors, on site construction manager, and those responsible for compliance with this permit.
 3. Planning and Economic Development Board members, its staff, consultants or other designated Town agents and staff shall have the right to inspect the site at any time, for compliance with the endorsed site plan and the provisions of this Decision.
 4. The Permittee shall retain its own professional engineer licensed in the Commonwealth of Massachusetts to conduct progress inspections of the construction of the approved site plan improvements. Inspections shall occur at least on a monthly basis. The engineer shall prepare a written report of each inspection and provide a copy to the Planning and Economic Development Board within 5 days of inspection.

E. On-Site Field Changes

1. During construction, the Permittee may be authorized to make limited, minor, on-site field changes to the approved plan based on unforeseen site or job conditions, situations, or emergencies necessitated by field conditions or due to practical considerations. These field changes shall not alter items which may affect the site's compliance with this decision and the *Bylaw* nor conflict with a specific condition of the decision. Field changes shall not substantially alter the intent, layout or design of the endorsed site plan.
2. Prior to undertaking such field changes, the Permittee and/or contractor shall discuss the possible field changes with the Town's consulting engineer and submit a letter and drawings to the Planning and Economic Development Coordinator and the Building Commissioner describing the proposed changes and what conditions, situations, or emergencies necessitate such changes. In accordance with Section 3.5.2.C of the *Bylaw*, the Building Commissioner may determine that the field change is insubstantial, authorize the change, and so notify the Board. Otherwise, the Board

shall review the proposed field 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 field change. Any approved field change shall be reflected in the as-built plan to be provided at project completion.

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

1. This site plan approval is subject to all subsequent conditions that may be imposed by other Town departments, boards, agencies or commissions. Any changes to the site plan that may be required by the decisions of other Town boards, agencies or commissions shall be submitted to the Planning and Economic Development Board for review as site plan modifications.
2. Any work that deviates from the approved site plan or this Decision shall be a violation of the *Medway Zoning Bylaw*, unless the Applicant requests approval of a plan modification pursuant to Section 3.5.2.A.3.c. and such approval is provided in writing by the Planning and Economic Development Board.
3. Whenever additional reviews by the Planning and Economic Development Board, its staff or consultants are necessary due to proposed site plan modifications, the Applicant shall be billed and be responsible for all supplemental costs including filing fees, plan review fees and all costs associated with another public review process including legal notice and abutter notification. If the proposed revisions affect only specific limited aspects of the site, the Planning and Economic Development Board may reduce the scope of the required review and waive part of the filing and review fees.

G. ***Compliance with Plan and Decision***

1. The Applicant shall construct all improvements in compliance with the approved and endorsed site plan and this Decision any modifications thereto.
2. The Planning and Economic Development Board or its agent(s) 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 *Medway Zoning Bylaw* (non-criminal disposition) and violations or non-compliance are subject to the appropriate fine.

H. ***Performance Security***

1. No building permit completion certification by the Building Department shall be granted until the Planning and Economic Development Board has issued ***Certificate of Site Plan Completion*** OR suitable security/performance guarantee has been provided to the Town of Medway, to the Planning and Economic Development Board's satisfaction, to cover the cost of all remaining work.
2. If performance security is needed, the applicant shall propose a form of performance security which shall be of a source and in a form acceptable to the Planning and Economic Development Board, the Treasurer/Collector and Town Counsel. The Board requires that the performance guarantee be accompanied by an agreement

which shall define the obligations of the developer and the performance guarantee company including:

- a) the date by which the developer shall complete construction
 - b) a statement that the agreement does not expire until released in full by the Planning and Economic Development Board
 - c) procedures for collection upon default.
3. The amount of the performance guarantee shall be equal to 100% of the amount that would be required for the Town of Medway to complete construction of the site infrastructure including installation of stormwater management facilities, utilities, services, parking, pedestrian facilities and all site amenities as specified in the Site Plan that remain unfinished at the time the performance guarantee estimate is prepared if the developer failed to do so.
 4. The security amount shall be approved by the Planning and Economic Development Board based on an estimate provided by the Town's Consulting Engineer based on the latest weighted average bid prices issued by the Mass Highway Department. 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 services, staff time and public bidding procedures. The estimate shall also include the cost to maintain the infrastructure in the event the developer fails to adequately perform such and the cost for the development of as-built plans. In determining the amount, the Board shall be guided by the following formula in setting the sum: estimate of the Town's Consulting Engineer of the cost to complete the work plus a thirty percent contingency.
 5. Final release of performance security is contingent on project completion.

I. ***Project Completion***

1. Site plan approval shall lapse after one (1) year of the grant thereof if substantial use has not commenced except for good cause. Approved site plans shall be completed by the applicant or its assignees within two (2) years of the date of plan endorsement. Upon receipt of a written request by the applicant filed at least thirty (30) days prior to the date of expiration, the Planning and Economic Development Board may grant an extension for good cause. The request shall state the reasons for the extension and also the length of time requested. If no request for extension is filed and approved, the site plan approval shall lapse and may be reestablished only after a new filing, public review process and decision.
2. Prior to issuance of a final occupancy permit, the Applicant shall secure a ***Certificate of Site Plan Completion*** from the Planning and Economic Development Board and provide the ***Certificate*** to the Inspector of Buildings. The ***Certificate*** serves as the Planning and Economic Development Board's confirmation that the completed work conforms to the approved site plan and any conditions and modifications thereto, including the construction of any required on and off-site improvements. 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 applicant shall:

- a) provide the Planning and Economic Development Board with written certification from a Professional Engineer registered in the Commonwealth of Massachusetts that all building and site work has been completed in strict compliance with the approved and endorsed site plan, and any modifications thereto; and
 - b) submit an electronic version of an As-Built Plan, prepared by a registered Professional Land Surveyor or Engineer registered in the Commonwealth of Massachusetts, to the Planning and Economic Development Board for its review and approval. The As-Built Plan shall show actual as-built locations and conditions of all buildings and site work shown on the original site plan and any modifications thereto. The final As-Built Plan shall also be provided to the Town in CAD/GIS file format per MASS GIS specifications.
- J. **Construction Standards** - All construction shall be completed in full compliance with all applicable local, state and federal laws, including but not limited to the Americans with Disabilities Act and the regulations of the Massachusetts Architectural Access Board for handicap accessibility.
- K. **Conflicts** – If there is a conflict between the site plan and the Decision’s Conditions of Approval, the Decision shall rule. If there is a conflict between this Decision and/or site plan and the Medway Zoning 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.

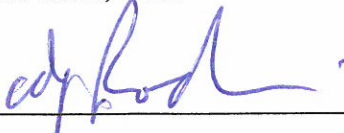
Any person aggrieved by the Site Plan Decision of the Board may appeal to the appropriate court pursuant to Massachusetts General Laws, Chapter 40A, §17, which shall be filed within twenty days after the filing of this decision in the office of the Medway Town Clerk.

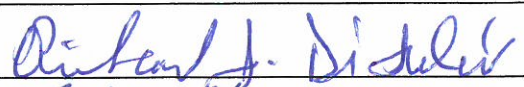
###

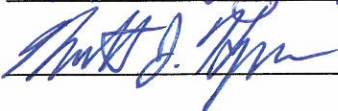
Medway Planning and Economic Development Board
SITE PLAN DECISION
Eversource Energy, 12 & 34 West Street

Approved with Waivers and Conditions by the Medway Planning & Economic Development Board: March 23, 2021

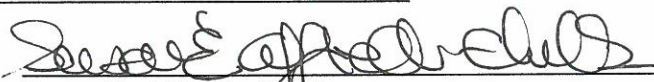
AYE:







ATTEST:


Susan E. Affleck-Childs
Planning & Economic Development Coordinator

March 25, 2021
Date

COPIES TO: Michael Boynton, Town Administrator
David D'Amico, DPS Director
Michael Fasolino, Deputy Fire Chief
Bridget Graziano, Conservation Agent
Donna Greenwood, Assessor
Beth Hallal, Health Agent
Jeff Lynch, Fire Chief
Jack Mee, Building Commissioner
Joanne Russo, Treasurer/Collector
Barbara Saint Andre, Director of Community and Economic Development
Jeff Watson, Police Department Safety Officer
Joshua Lee Smith, Bowditch & Dewey, LLP
Steven Bouley, Tetra Tech

Susan Affleck-Childs

From: Jack Mee
Sent: Friday, April 22, 2022 7:39 AM
To: Susan Affleck-Childs
Subject: RE: Request for approval of field changes for Eversource Substation #65 project in Medway

Susy,

I do not have any concerns with these proposed modifications. The modifications appear to be needed and they comply with our zoning requirements.

Regards,
Jack

From: Susan Affleck-Childs <sachilds@townofmedway.org>
Sent: Thursday, April 21, 2022 4:03 PM
To: Jack Mee <jmee@townofmedway.org>
Subject: FW: Request for approval of field changes for Eversource Substation #65 project in Medway

Hi Jack,

FYI.

I have placed this on the agenda for the 4-26-22 PEDB meeting.

Please advise if you have any concerns regarding the proposed field changes.

Thanks.

Susy

From: Blandino, Jared M [<mailto:jared.blandino@eversource.com>]
Sent: Thursday, April 21, 2022 3:18 PM
To: Susan Affleck-Childs <sachilds@townofmedway.org>
Cc: Joshua Lee Smith <JSMITH@bowditch.com>; Tassabehji, Mohamad <mohamad.tassabehji@eversource.com>; McGilligan, Eamon G <eamon.mcgilligan@eversource.com>; Schlomy, Keren <keren.schlomy@eversource.com>
Subject: Request for approval of field changes for Eversource Substation #65 project in Medway

Good Afternoon Susy,

Hope you are having a good week! I am sending along the request for approval of field changes regarding the Eversource substation #65 project in Medway. Per our recent discussion, please see the attachment for the Planning Board that includes several items for the recommended field change requests. Included in the attachment are an overview/narrative of those changes, copies of plans, including previously approved layout drawing, revised layout showing Field Changes and side-by-side comparison, copy of temporary fencing specs for capacitor bank storage; and the copy of 2021 minor site plan review decision.

Please let our team know if you have any questions and we look forward to working with you and the board on these requests.

Thank you,

Jared

Jared M. Blandino

Community Relations & Economic Development Specialist

EVERSOURCE

247 Station Drive, Westwood, MA 02090 – Walpole AWC

Jared.Blandino@eversource.com | www.eversource.com

Office: (508) 660-5205 | **Cell:** (617) 835-8836

This electronic message contains information from Eversource Energy or its affiliates that may be confidential, proprietary or otherwise protected from disclosure. The information is intended to be used solely by the recipient(s) named. Any views or opinions expressed in this message are not necessarily those of Eversource Energy or its affiliates. Any disclosure, copying or distribution of this message or the taking of any action based on its contents, other than by the intended recipient for its intended purpose, is strictly prohibited. If you have received this e-mail in error, please notify the sender immediately and delete it from your system. Email transmission cannot be guaranteed to be error-free or secure or free from viruses, and Eversource Energy disclaims all liability for any resulting damage, errors, or omissions.



April 26, 2022
Medway Planning & Economic Development Board
Meeting

Public Hearing Continuation
Phytopia – 6 Industrial Park Road
Site Plan, Reduced Parking Special
Permit and Groundwater Protection
Special Permit

- Public Hearing continuation notice dated 4-13-22
- Letter dated 4-12-22 from project engineer Chris Sparges in response to Tetra Tech's review comments dated 10-27-21.
- Revised site plan dated 4-1-22 by Williams Sparges Engineers, Planners and Surveyors of Middleton, MA
- Tetra Tech review letter dated 4-22-22 on the revised site plan.

Board Members

Matthew J. Hayes, P.E., Chair
Robert Tucker, Vice Chair
Richard Di Iulio, Clerk
Jessica Chabot, Member
Sarah Raposa, A.I.C.P., 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

RECEIVED TOWN CLERK
APR 13 '22 PM3:01

MEMORANDUM

April 13, 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 Phytopia, Inc -
Major Site Plan, Groundwater Protection Special Permit, and Reduced Parking
Special Permit
Continuation Date – Tuesday, April 26, 2022**

At its April 12, 2022 meeting, the Planning and Economic Development Board voted to continue the public hearing on the application of Phytopia, Inc. of Peabody, MA for approval of a major site plan, a groundwater protection district special permit, and a reduced parking special permit for its proposed development at 6 Industrial Park Road to the Board's meeting on Tuesday, April 26, 2022 at 8:00 p.m. at Medway Town Hall, 155 Village Street. The meeting will also be available via Zoom.

On November 30, 2021, the Board approved special permits to use the existing 53,128 sq. ft. industrial manufacturing building at 6 Industrial Park Road and construct a 66,238 sq. ft., 2-story addition to the existing building for the cultivation, manufacturing, processing, and packaging of marijuana for medical use and adult recreational use and the delivery of such products off site to retail marijuana establishments in other communities.


The planned scope of work for site plan approval and for the groundwater protection and reduced parking special permits includes interior renovations to the existing building, construction of the addition, improvements to the access/egress driveways, installation of curbing, parking area improvements, landscaping, lighting, and installation of and improvements to stormwater drainage facilities. The project is also before the Conservation Commission for an Order of Conditions and a Land Disturbance Permit.

We have received a revised site plan titled *Industrial Park Road*, last revised March 7, 2022 prepared by Williams & Sparages Engineers, Planners and Surveyors of Middleton, MA. It is posted at Board's page at the Town's web site at: <https://www.townofmedway.org/planning-economic-development-board/pages/phytopia-inc-6-industrial-park-road-marijuana-facility>. Please review the revised site plan and provide comments to us by April 21st.

Please do not hesitate to contact me if you have any questions at 508-533-3291. Thanks.



Project No. MEDW-0017

April 12, 2021 

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

**Subject: Response to October 27, 2021 review comments from Tetra Tech
Phytopia, Inc.
Major Site Plan Review
6 Industrial Park Road
Medway, Massachusetts**

Dear Ms. Affleck-Childs,

The purpose of this letter is to address the Major Site Plan Review update comments from Tetra Tech dated October 27, 2021. The numbered responses that follow correspond to the numbered comments in the review letter.

SITE PLAN REVIEW

1. A written Development Impact Statement was not provided. However, the Applicant is requesting a waiver from this requirement. (Ch. 200 §204-3.F)

No response necessary.

TT 10/27/21 Update: No further action required for this item until PEDB decision on waiver requests.

No response necessary.

2. A Stormwater Pollution Prevention Plan (SWPPP) was not provided. However, the Applicant acknowledged in the cover letter that one will be completed once the final scope of the Project is clearly defined and will file it at a later date. (Ch. 200 §204-3.G.3)

A SWPPP will be prepared at the time the EPA NOI application is submitted, prior to land disturbance activities.

TT 10/27/21 Update: We recommend a Condition requiring the Applicant provide proof of coverage under the NPDES CGP prior to construction.

We agree with Tetra Tech's recommendation.

3. A Construction Management Plan was not provided. However, the Applicant acknowledged in the cover letter that one will be provided once the final scope of the Project is clearly defined and will file it at a later date. (Ch. 200 §204-3.H)

See Land Disturbance Permit Application dated October 1, 2021.

TT 10/27/21 Update: Review of this item is being conducted by the Medway Conservation Commission. In our opinion, this item is resolved.

No response necessary.

4. Earthwork Calculations have not been provided. However, the Applicant acknowledged in the cover letter that one will be provided once the final scope of the Project is clearly defined and will file it at a later date. (Ch. 200 §204-3.I&J)

See attached earthwork calculations.

TT 10/27/21 Update: Earthwork on the Project is a net fill with approximately 1,685 cubic yards of import material expected. We recommend this information be provided on the Erosion and Sediment Control Plan.

This information has been added to the Erosion and Sediment Control Plan.

5. A copy of an Order of Resource Area Delineation (ORAD) was not provided. However, the Applicant has acknowledged in their cover letter that an NOI has been submitted with the Medway Conservation Commission. (Ch. 200 §204-3.K)

No response necessary.

TT 10/27/21 Update: Review of this item is being conducted by the Medway Conservation Commission. In our opinion, this item is resolved.

No response necessary.

6. Cover sheet has not been provided in the Plans. However, applicable cover sheet information is provided on the Site Context Sheet/Location Plan. A list of requested waivers should be added to the sheet once approved by the Board. (Ch. 200 §204-5.A)

A cover sheet with a list of waivers has been provided, see sheet 1 of 10.

TT 10/27/21 Update: The list of requested waivers has not been included on the Cover Sheet.

The list of requested waivers has been added to Sheet 1, the Cover Sheet.



7. The Locus Plan provided on the Location Plan is missing clearly labeled brooks, streams, wooded areas, protected open spaces, recreation fields, landmarks, and public facilities. (Ch. 200 §204-5.B.1)

A Site Context Plan has been provided, see sheet 2.

TT 10/27/21 Update: In our opinion, this comment is resolved.

No response necessary.

8. Dimensions of lot lines and easement areas (if applicable) have not been provided on the Site Context Sheet. Additionally, metes and bounds should be included on all plans. (Ch. 200 §204-5.B.3)

Dimensions of lot lines has been provided, see sheet 2.

TT 10/27/21 Update: In our opinion, this comment is resolved.

No response necessary.

9. The source of existing topography and the vertical datum reference have been provided. (Ch. 200 §204-5.B.4)

No response necessary.

TT 10/27/21 Update: In our opinion, this comment is resolved.

No response necessary.

10. An Erosion and Sediment Control Plan was not included in the plan set. However, the Applicant acknowledged in the cover letter that it will be completed and submitted to Medway Conservation Commission as part of the Land Disturbance Permit Application. (Ch. 200 §204-5.D.5)

See Land Disturbance Permit Application dated October 1, 2021.

TT 10/27/21 Update: Review of this item is being conducted by the Medway Conservation Commission. In our opinion, this item is resolved.

No response necessary.

11. A Building Elevations and Architectural Plan was not provided in the Plans. (Ch. 200 §204-5.D.9)

Refer to the architectural plans.

TT 10/27/21 Update: In our opinion, this comment is resolved.

No response necessary.

12. *Color Renderings were not provided in the Plans. (Ch. 200 §204-5.D.10)*

Refer to the architectural plans.

TT 10/27/21 Update: In our opinion, this comment is resolved.

No response necessary.

13. *A Building Layout or Floor Plan was not provided in the Plans. (Ch. 200 §204-5.D.11)*

Refer to the architectural plans.

TT 10/27/21 Update: In our opinion, this comment is resolved.

No response necessary.

14. *Entry and Exit locations to Structures were not provided in the Plans. (Ch. 200 §204-5.D.12)*

Entry and exit locations have been provided, see sheet 6.

TT 10/27/21 Update: In our opinion, this comment is resolved.

No response necessary.

15. *Site Amenities Details were not provided in the Plans. (Ch. 200 §204-5.D.13)*

Site amenity details have been provided, see sheet 10.

16. *A Master Signage Plan was not provided in the Plans. (Ch. 200 §204-5.D.14)*

Refer to architectural plans. The plans presented by the project architect to the PEDB and Design Review Committee included proposed signage.

TT 10/27/21 Update: In our opinion, this comment is resolved.

No response necessary.

17. *The Plans do not include horizontal sight distances for the public roads at any of the four curb cuts at the Site. The Applicant has acknowledged this will be completed and filed at a later date. (Ch. 200 §204-5.D.16)*

Horizontal site distances have been provided, see sheet 12.

TT 10/27/21 Update: In our opinion, this comment is resolved.

No response necessary.

18. Locations of proposed fire hydrants and emergency access lanes not provided on plans. A hydrant exists on Industrial Park Drive immediately across the street from the Project. We recommend Plans and supporting information be submitted to Medway Fire Department for review and comment. (Ch. 200 §204-5.D.18)

There are two existing fire hydrants along the Industrial Park Road and three existing fire hydrants along Jayar Road within close proximity to the subject property. It is our understanding that members of the development team have met with Police and Fire Department officials.

TT 10/27/21 Update: We recommend the Applicant provide written correspondence from the Medway Fire Department regarding their review of the Project.

It is our understanding that members of the development team have met with Police and Fire Department officials and have reviewed the site plans. We will follow up with the Fire Department and ask them to send along a written correspondence to the PEDB.

19. Sidewalks along the building in the west parking lot are proposed at 5-foot width but abut parking which requires width to be increased to seven feet to accommodate bumper overhang. (Ch. 200 §207-9.B.1)

Curb stops have been added to the parking spaces directly adjacent to sidewalks. Proposed sidewalks to remain at five feet in width.

We do not recommend use of wheel stops as they are a nuisance in winter months and are typically either removed by the tenant or by snowplows. They also effectively reduce the length of parking stalls.

We respectfully disagree. The use of wheel stops is a safety measure commonly used to help prevent vehicles from travelling beyond a marked parking space. In this case, it will prevent vehicular bumper overhang, which may impede foot traffic.

20. There is a total of four curb cuts proposed for the Project which we believe may be excessive for a Project of this size. We recommend the Applicant explore combining the parking areas along the west property line to help reduce the proposed curb cuts. We understand there are three existing curb cuts, but we believe the site can be designed to reduce this condition. The Regulations favor one curb cut per roadway at corner lots. (Ch. 200 §207-11.A.2)

The existing condition has three curb cuts and the proposal seeks to retain two while adding one and removing one for a total of three curb cuts as in the existing condition.

TT 10/27/21 Update: We believe the revised curb cuts are sufficient to serve the proposed parking and emergency access. However, we recommend the PEDB require the Applicant provide written correspondence from the Fire Department regarding their review of the Project.

It is our understanding that members of the development team have met with Police and Fire Department officials and have reviewed the site plans. We will follow up with the Fire Department and ask them to send along a written correspondence to the PEDB.

21. Bituminous berm is proposed for the entire curb length for the Project. Typically, curb cut radii are delineated with vertical granite curb which may transition to bituminous berm on the interior of the site is approved by the PEDB. (Ch. 200 §207-11.A.4)

The existing curbing on Industrial Park Road and Jayar Road is bituminous and the proposed curbing at site entrances are proposed to remain bituminous.

TT 10/27/21 Update: We recommend the Applicant coordinate with the PEDB regarding this item and provide a formal waiver request. Typically, vertical granite curbing is preferred at entrance radii, particularly within the public right of way.

We believe this item does not require a waiver. The proposal is to match the existing curbing within the industrial park, which is bituminous berm.

22. Portions of the proposed driveways discharge stormwater runoff to the right of way. Stormwater and land disturbance permit is being reviewed by the Medway Conservation Commission and we believe this comment will be addressed during that review. (Ch. 200 §207-11.A.15)

No response necessary.

TT 10/27/21 Update: Review of this item is being conducted by the Medway Conservation Commission. In our opinion, this item is resolved.

No response necessary.

23. Portions of the west and east parking lots are proposed within 15 feet of the property lines which does not comply with the Regulations. (Ch. 200 §207-12.G.3.b)

The east parking lot essentially follows the existing pavement line and is proposed to remain. The west parking field remains as shown on the civil drawings.

TT 10/27/21 Update: We recommend the Applicant coordinate with the PEDB regarding this item.

The proposed parking spaces located within the setback described in Ch. 200 §207-12.G.3.b do not impede proper traffic flow and follow similar parking layouts on other properties within the existing industrial park.

24. The Applicant has not supplied provisions for electric vehicle parking stations. (Ch. 200 §207-12.I)

Two spaces are designated for electric vehicles, see sheet 6.



TT 10/27/21 Update: In our opinion, this comment is resolved.

No response necessary.

25. It appears the existing electric connection will be extended to the proposed addition and no new connections are proposed. It should be noted that all proposed connections shall be located underground. (Ch. 200 §207-16.A)

Proposed transformer locations are shown. All underground electrical connections are proposed to be underground. A note is added to the plans that all proposed connections shall be underground, see sheet 5.

TT 10/27/21 Update: In our opinion, this comment is resolved.

No response necessary.

26. The Applicant has not proposed any screening of the existing dumpster location at the site. (Ch. 200 §207-17.C)

The proposed trash enclosure is a 40-yard roll-off container that will be accessed via a chute from inside the building. A chain-link security fence with slats and gates are proposed. A detail of the chain-link fencing has been provided, see sheet 10.

TT 10/27/21 Update: We recommend the Applicant provide written correspondence from the Medway Design Review Committee (DRC) regarding their review of this item.

We believe the Design Review Committee has previously submitted a positive recommendation for the proposed layout.

27. The Photometric Plan does not show any light levels beyond the property lines. We anticipate light trespass along the northwestern and northeastern and eastern property lines. (Ch. 200 §207-18)

The Photometric Plan has been revised to show light levels beyond the property line.

TT 10/27/21 Update: Light trespass occurs along each of the property lines to multiple abutters.

The lighting design has been revised to eliminate light trespass on abutting properties. Please see revised Photometric Plan.

28. The Applicant has not proposed any landscaping along the eastern property line to screen the Project. Existing tree line will remain along the northern and western portions of the site. We recommend the PEDB visit the site to determine if the extent of vegetation to remain conforms with the "spirit" of the Regulation. (Ch. 200 §207-18)

A six foot high opaque fence is proposed along the eastern property line, see sheet 10.

TT 10/27/21 Update: We recommend the Applicant provide written correspondence from the Medway Design Review Committee regarding their review of the Project.

We believe the Design Review Committee has previously submitted a positive recommendation for the proposed layout.

29. The Applicant has not proposed any internal landscape islands to break up the parking areas and provide shade. (Ch. 200 §207-19.C)

Additional trees and shrubs have added to the proposed landscape plan.

TT 10/27/21 Update: We recommend the Applicant coordinate with the PEDB and DRC regarding the scope of plantings for the Project.

The Design Review Committee reviewed the landscape plan and provided comments, which were addressed during our meetings with the committee.

30. The Applicant shall provide narrative and note on Plans to describe method for irrigating proposed landscaping at the site. Town water supply shall not be used for irrigation at the property. (Ch. 200 §207-19.K)

No irrigation system is proposed at the present time.

TT 10/27/21 Update: We anticipate an irrigation well or other means of irrigation will be required to ensure plantings remain viable at the site after Project completion.

No irrigation system is proposed at the present time.

GROUNDWATER PROTECTION DISTRICT REVIEW

31. A generator is proposed for the Project and are prohibited in the Groundwater Protection District unless required by statute. The Applicant shall provide narrative related to the generator and whether it is a statutory requirement of the business. (ZBL §5.6.3.E.2.b)

Please see application materials submitted to the PEDB in support of an application for a Groundwater Protection District Special Permit, dated August 4, 2021 and subsequent letter from attorney Cannon dated September 15, 2021.

TT 10/27/21 Update: The proposed generator was not referenced in the letter dated September 15, 2021, we do not have the August 4, 2021 letter on file.

935 CMR 500.110(5)(a)8. and 935 CMR 500.110(6)(a)8., require that marijuana establishments maintain the ability to remain open during a power outage in order to ensure security on the premises. A generator will be required to comply with these regulations.

32. *The Applicant shall provide a list of any hazardous materials that may be stored at the site and their method of containment. (ZBL §5.6.3.E.2.k)*

Please see application materials submitted to the PEDB in support of an application for a Groundwater Protection District Special Permit, dated August 4, 2021 and subsequent letter from attorney Cannon dated September 15, 2021.

TT 10/27/21 Update: The Applicant provided a letter dated September 15, 2021 regarding the Groundwater Special Permit which attests that the Project will not generate greater than 100kg/month of hazardous material (Very Small Quantity Generator) and that all hazardous materials will be stored in an acceptable manner on site, specifically ethanol which will be stored in a five gallon carboy in secondary containment. We recommend a Condition requiring the Applicant provide inventory of hazardous materials and manifest of its disposal to ensure ongoing compliance with the bylaw once the Project is in use.

We do not object to such a condition as it is already required by regulation.

33. *The Project proposes approximately 140,000 square feet of impervious coverage after the proposed expansion which triggers special permit review of the Project. Consequently, the Applicant has proposed groundwater recharge for the development, consistent with the bylaw, which is currently being reviewed by the Medway Conservation Commission. (ZBL §5.6.3.E.3.e)*

No response necessary.

TT 10/27/21 Update: Review of groundwater recharge is being conducted by the Medway Conservation Commission and is ongoing. In our opinion, this item is resolved.

No response necessary.

34. *We have concerns whether proposed groundwater recharge at the site is viable due to historic contamination at the site. The Medway Conservation Commission is currently reviewing the Stormwater and Massachusetts Contingency Plan (MCP) reporting for the Project. (ZBL §5.6.3.F.1.a)*

Please see response letter from Knoll Environmental dated September 15, 2021.

TT 10/27/21 Update: Review of groundwater recharge is being conducted by the Medway Conservation Commission and is ongoing. In our opinion, this item is resolved.

No response necessary.



GENERAL COMMENTS

35. *The Applicant is proposing two additional water connections to the site for a total of four. We recommend the Applicant coordinate with Medway Department of Public Works (DPW) to determine if these connections should be consolidated as part of this Project.*

The applicant has met with representatives from the DPW. The two existing water service lines will be cut and capped as shown on the site plan set.

TT 10/27/21 Update: We recommend the Applicant provide written correspondence from the Medway DPW regarding their review of the Project.

We have met with the Medway DPW on two separate occasions to review the project and discussed both existing and proposed utility connections. We will follow up with DPW and ask them to send along something in writing.

36. *There are no additional sewer connections proposed for the Project other than the one existing. We recommend the Applicant provide narrative to determine if the existing connection is sufficient to serve to Project as it appears the size of the existing service is unknown.*

When the DPW marked out the existing water and sewer service locations in the spring of 2019, we were informed that the existing sewer service is a 6-inch PVC pipe. The existing service is more than adequate to serve the needs of the proposed use. The applicant has also filed for and received an industrial discharge permit from the Charles River Pollution Control District.

TT 10/27/21 Update: In our opinion, this comment is resolved.

No response necessary.

37. *Mulch sock should be depicted in the "Siltfence with Mulch Sock" detail on the Construction Details Plan.*

Mulch sock is depicted on the Construction Details Plan, see sheet 9.

TT 10/27/21 Update: The detail does not appear to be correct as certain information is missing on the detail or is not showing up correctly when printed from CAD.

The detail has been corrected. See sheet 10 of the plan set.

38. *The existing information on the Plans is difficult to read and should be updated in future submissions for ease of review.*

The existing information has been updated to increase readability.



TT 10/27/21 Update: In our opinion, this comment is resolved.

No response necessary.

Please feel free to reach out to us if you or any of your staff have any questions, comments, or concerns.

Very truly yours,

Chris Sparages, P.E.
Principal

Enclosures

cc: Phytopia, Inc.
 Attorney Edward V. Cannon, Jr.

SHEET LIST TABLE		
SHEET TITLE	DRAWING	SHEET NUMBER
COVER PLAN	C1.1	1
SITE CONTEXT PLAN	C1.2	2
EXISTING CONDITION PLAN	C2.1	3
GRADING & DRAINAGE PLAN	C3.1	4
UTILITY PLAN	C4.1	5
SURVEY & LAYOUT PLAN	C5.1	6
PHOTOMETRIC PLAN	C6.1	7
LANDSCAPE PLAN	C7.1	8
EROSION & SEDIMENT CONTROL PLAN	C8.1	9
CONSTRUCTION DETAILS PLAN	C9.1	10
CONSTRUCTION DETAILS PLAN	C9.2	11
CONSTRUCTION DETAILS PLAN	C9.2	12
CONSTRUCTION DETAILS PLAN	C9.3	13
STOPPING SIGHT DISTANCE PLAN	C10.1	14

ZONING TABLE

ZONE: EAST INDUSTRIAL (EI)

CATEGORY	REQUIRED/ALLOWED	PROVIDED
MINIMUM LOT AREA	20,000 ft ²	184,685 ft ²
MINIMUM LOT FRONTAGE	100 ft.	895.94 ft.
MINIMUM FRONT SETBACK	30 ft.	53.0± ft.
MINIMUM SIDE SETBACK	20 ft.	24.9± ft.
MINIMUM REAR SETBACK	30 ft.	81.4 ft.
MAXIMUM BUILDING HEIGHT	60 ft.	<< 60 ft.
MAXIMUM LOT COVERAGE (BLDGS)	NA	NA
MAXIMUM IMPERVIOUS COVERAGE	80%	76.1%
MINIMUM OPEN SPACE	20%	23.9%

OWNER:
MEDWAY FLOWER, LLC
990 PARADISE ROAD
SWAMPSCOTT, MA 01907

APPLICANT:
PHYTOPIA, INC.
25 NEWBURY STREET
PEABODY, MA 01960

PARCEL INFORMATION:
ADDRESS: 6 INDUSTRIAL PARK ROAD, MEDWAY, MA 02053
PLAN: LOTS 13,14,15,16,17 & 18 ON PLAN NO. 242 OF 1967, PLAN BOOK 222
MEDWAY ASSESSOR'S: MAP 33, PARCEL 004

DEED REFERENCE:
BOOK 36836 PAGE 269

PLAN REFERENCES:
1. PLAN NO. 242 OF 1967, PLAN BOOK 222

PROJECT NOTES:
1. TOPOGRAPHIC INFORMATION SHOWN IS THE RESULT OF AN ACTUAL INSTRUMENT FIELD SURVEY CONDUCTED BY WILLIAMS & SPARAGES, LLC IN JULY 2018 THROUGH FEBRUARY 2021.
2. TOPOGRAPHIC INFORMATION SHOWN IS REFERENCED TO THE NATIONAL GEODETIC VERTICAL DATUM OF 1988 (NAVD88).
3. PROPERTY DOES NOT LIE WITHIN A SPECIAL FLOOD HAZARD AREA (ZONE A OR ZONE AE) AS SHOWN ON FLOOD INSURANCE RATE MAP NUMBER 25021C0142E, EFFECTIVE DATE: JULY 17, 2012.
4. PROPERTY LIES WITHIN THE GROUNDWATER PROTECTION DISTRICT.
5. PROPERTY LIES WITHIN THE MossDEP ZONE II WELLHEAD PROTECTION AREA.

LIST OF WAIVERS:

S.204-4.A PLAN SHALL BE STAMPED BY A REGISTERED LANDSCAPE ARCHITECT. WE REQUEST A WAIVER FROM THE REQUIREMENT OF HAVING A LANDSCAPE ARCHITECT ON THE TEAM. THE ENGINEERING AND SURVEY OFFICE OF WILLIAMS & SPARAGES LLC WILL SUBMIT A COMPREHENSIVE LANDSCAPE PLAN.

S.204-3.F DEVELOPMENT IMPACT STATEMENT. WE REQUEST A WAIVER FROM THE REQUIREMENT OF PROVIDING A DEVELOPMENT IMPACT STATEMENT AS THE INFORMATION REQUESTED WILL BE ADDRESSED THROUGHOUT THE HEARING.

MEDWAY PLANNING & ECONOMIC
DEVELOPMENT BOARD

DATE APPROVAL ISSUED:

PLAN ENDORSEMENT DATE:



WILLIAMS & SPARAGES
REGISTERED PROFESSIONAL ENGINEERS
300 NORTH MAIN STREET
MIDDLETON, MA 01949
PHONE 978-339-8088
WWW.WSENGINEERS.COM

Owner:
Medway Flower, LLC
990 Paradise Road
Swampscott, MA 01907

Applicant:
Phytopia, Inc.
25 Newbury Street
Peabody, MA 01960

Designed By: MEM
Drawn By: MEM
Reviewed By: CPS
Project Manager: CPS
Job File Number: MEDW-0017
Drawing File Folder: MEDW17

☒ Drawing Issued for Review
☒ Drawing Issued for Permit
☐ Drawing Issued for Construction

SEAL

(4/1/22)

COVER PLAN
INDUSTRIAL PARK ROAD
6 INDUSTRIAL PARK ROAD, MEDWAY, MA

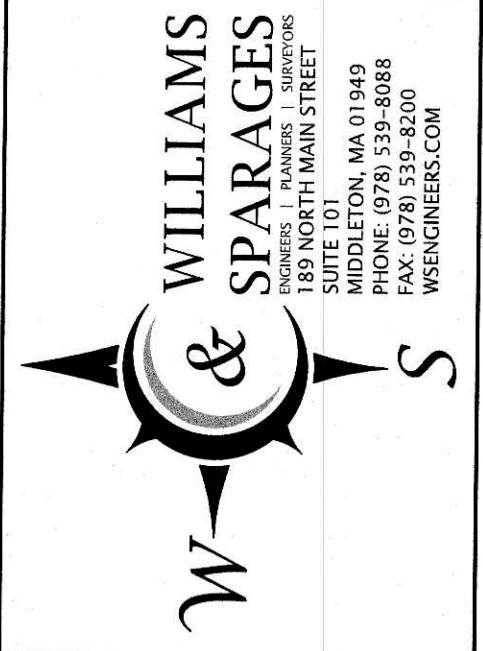
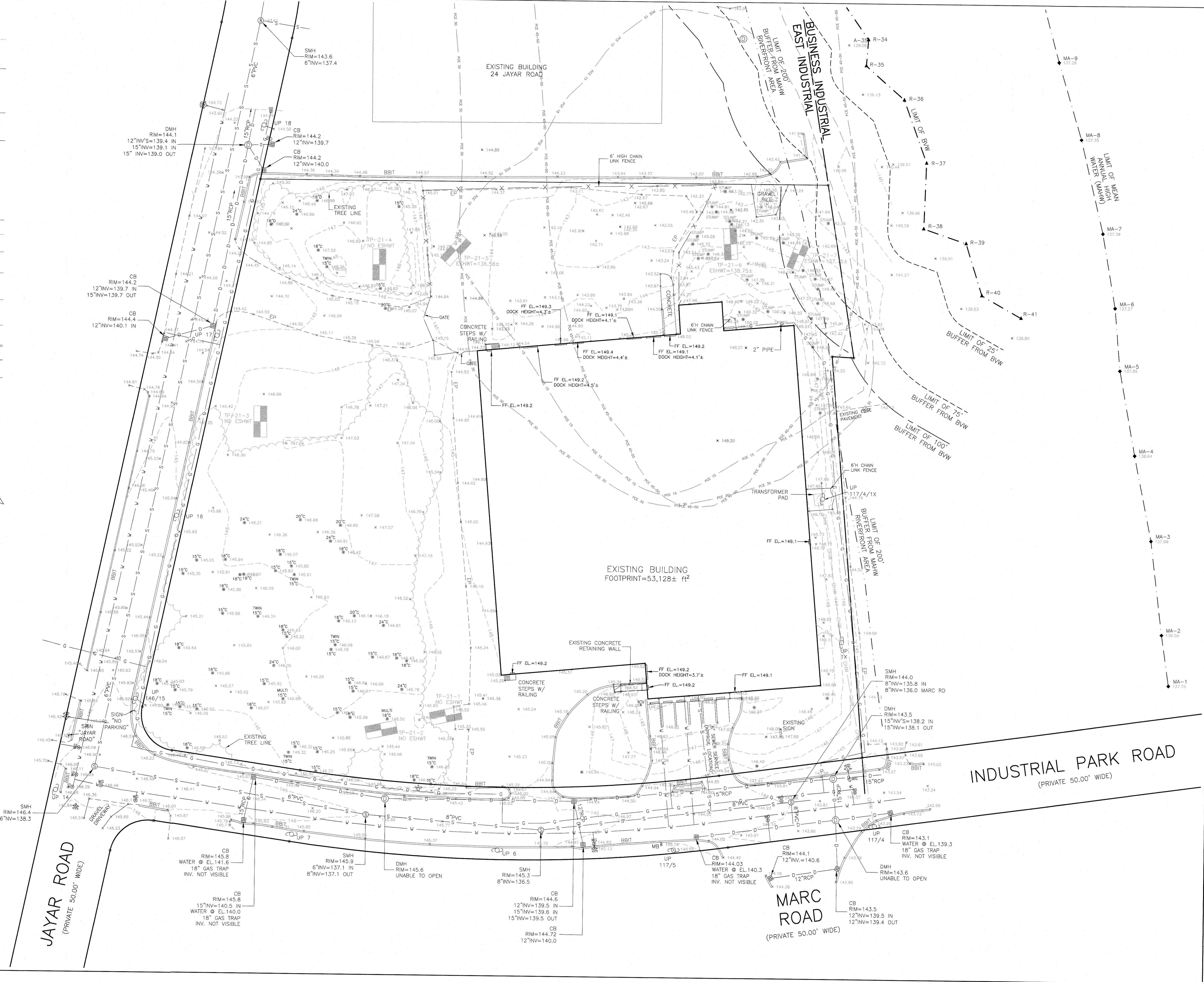
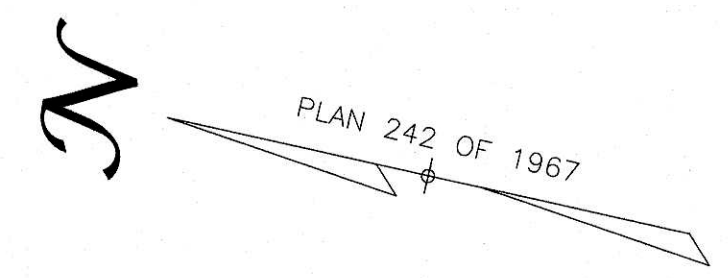
6	5	4	3	2	1
12	11	10	9	8	7
Town Comments / Peer Review			Town Comments / Peer Review		
3/7/2022			1/9/2022		
10/12/2021			7		

0' 100' 200' 400'
SCALE: 1"=200'
APRIL 1, 2021

DRAWING: C1.1

SHEET 1 OF 14

- LEGEND OF SYMBOLS
- EXISTING CONTOUR
 - EXISTING SPOT ELEVATION
 - EXISTING DRAIN
 - EXISTING DRAIN MANHOLE
 - EXISTING CATCH BASIN
 - EXISTING SEWER
 - EXISTING SEWER MANHOLE
 - EXISTING WATER
 - EXISTING WATER GATE
 - EXISTING HYDRANT
 - EXISTING UTILITY POLE
 - EXISTING IRRIGATION CONTROL VALVE
 - EXISTING PAINTED GAS
 - EXISTING OVERHEAD WIRES
 - EXTENT OF PCE GROUNDWATER PLUME 15'
 - EXTENT OF PCE GROUNDWATER PLUME 30'
 - EXTENT OF PCE GROUNDWATER PLUME 45'-50'
 - EXTENT OF ESTIMATED PLUME
 - EXISTING CURB
 - EXISTING FENCE
 - EXISTING EDGE OF PAVEMENT



Owner:
Medway Flower, LLC
990 Paradise Road
Swampscott, MA 01907

Applicant:
Phytotopia, Inc.
25 Newbury Street
Peabody, MA 01960

Designed By: MEM
Drawn By: MEM
Reviewed By: CPS
Project Manager: CPS
Job File Number: MEDW-0017
Drawing File Folder: MEDW17

☒ Drawing Issued for Review
☒ Drawing Issued for Permit
☐ Drawing Issued for Construction



EXISTING CONDITION PLAN
INDUSTRIAL PARK ROAD

6 INDUSTRIAL PARK ROAD, MEDWAY, MA

SCALE: 1"=30'

DRAWING: C2.1

SHEET 3 OF 14

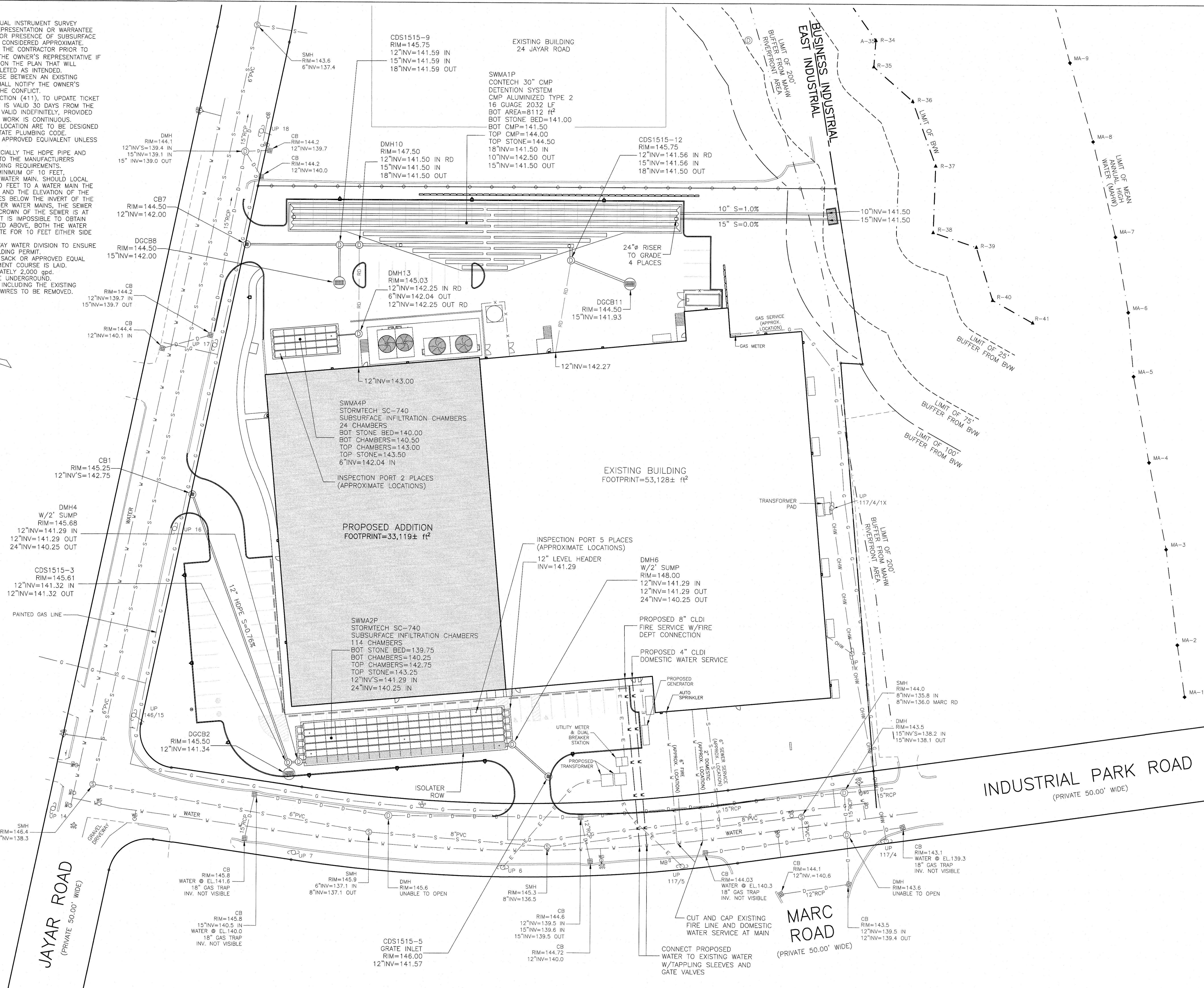
APRIL 1, 2021

12	11	10	9	8	7
6	5	4	3	2	1
Town Comments / Peer Review					
Town Comments / Peer Review					

[illegible]

DRAWING: C3.1	<p>GRADING & DRAINAGE PLAN</p> <p>INDUSTRIAL PARK ROAD</p> <p>6 INDUSTRIAL PARK ROAD, MEDWAY, MA</p>										<p>SEAL</p>	<p>Designed By: MEM</p> <p>Drawn By: MEM</p> <p>Reviewed By: CPS</p> <p>Project Manager: CPS</p> <p>Job File Number: MEDW-0017</p> <p>Drawing File Folder: MEDW17</p>	<p>Owner:</p> <p>Medway Flower, LLC</p> <p>990 Paradise Road</p> <p>Swampscott, MA 01907</p>	<p>WILLIAMS & SPARAGES</p> <p>ENGINEERS • PLANNERS • SURVEYORS</p> <p>SUITE 100 NORTH MAIN STREET</p> <p>MIDDLETON, MA 01949</p> <p>PHONE: 978.933-8088</p> <p>FAX: 978.933-8086</p> <p>WWW.WSENGINEERS.COM</p>																																				
	SHEET 4 OF 14	<p>0' 15' 30' 60'</p> <p>SCALE: 1" = 30'</p>													<p>Applicant:</p> <p>Phytopia, Inc.</p> <p>25 Newbury Street</p> <p>Peabody, MA 01960</p>																																			
<p>APRIL 1, 2021</p> <table border="1"> <thead> <tr> <th></th> <th>6</th> <th>12</th> <th>5</th> <th>11</th> <th>4</th> <th>10</th> <th>3</th> <th>9</th> <th>7</th> </tr> </thead> <tbody> <tr> <td>Town Comments / Peer Review</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>3/7/2022</td> <td></td> <td></td> </tr> <tr> <td>Town Comments / Peer Review</td> <td>2</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>1/3/2022</td> <td>8</td> <td></td> </tr> <tr> <td>Town Comments / Peer Review</td> <td>1</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>10/12/2021</td> <td>7</td> <td></td> </tr> </tbody> </table>											6	12	5	11		4	10	3	9	7	Town Comments / Peer Review							3/7/2022			Town Comments / Peer Review	2						1/3/2022	8		Town Comments / Peer Review	1						10/12/2021	7	
	6	12	5	11	4	10	3	9	7																																									
Town Comments / Peer Review							3/7/2022																																											
Town Comments / Peer Review	2						1/3/2022	8																																										
Town Comments / Peer Review	1						10/12/2021	7																																										

1. THE UTILITIES SHOWN ARE THE RESULT OF AN ACTUAL INSTRUMENT SURVEY PERFORMED BY WILLIAMS & SPARGUES LLC. NO REPRESENTATION OR WARRANTY IS MADE AS TO THE ACCURACY OF THE LOCATION OR PRESENCE OF SUBSURFACE UTILITIES. AND THOSE UTILITIES SHOWN SHOULD BE CONSIDERED APPROXIMATE.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR FIELD SURVEYING TO THE START OF CONSTRUCTION AND SHALL NOTIFY THE OWNER'S REPRESENTATIVE IF EXISTING CONDITIONS DIFFER FROM THOSE SHOWN ON THE PLAN THAT WILL PREVENT THE PROPOSED WORK FROM BEING COMPLETED AS INTENDED.
3. IF DURING CONSTRUCTION A CONFLICT SHOULD ARISE BETWEEN AN EXISTING UTILITY AND PROPOSED WORK, THE CONTRACTOR SHALL NOTIFY THE OWNER'S REPRESENTATIVE IN WRITING FOR RESOLUTION OF THE CONFLICT.
4. THE CONTRACTOR TO CALL DIGSAFE PRIOR TO CONSTRUCTION TO OBTAIN A UPDATE TICKET AND/OR VERIFY TICKET VALIDATION. DIGSAFE TICKET IS VALID 30 DAYS FROM THE DATE OF ISSUE. BEYOND THIS POINT, TICKETS ARE VALID INDEFINITELY, PROVIDED THAT 1) THE MARKS ARE MAINTAINED, AND 2) THE WORK IS CONTINUOUS.
5. THE PROPOSED WATER CONNECTION SIZE, TYPE & LOCATION ARE TO BE DESIGNED IN ACCORDANCE WITH 248 CMR 10.00: UNIFORM STATE PLUMBING CODE.
6. ALL PROPOSED AND EXISTING PIPES ARE TO BE HDPE OR APPROVED EQUIVALENT UNLESS OTHERWISE SPECIFIED.
7. THE INSTALLATION OF DRAINAGE STRUCTURES, ESPECIALLY THE HDPE PIPE AND SUBSURFACE CHAMBERS, SHALL ADHERE STRICTLY TO THE MANUFACTURERS' INSTALLATION REQUIREMENTS TO MEET AASHTO LOADING REQUIREMENTS.
8. WHEN FEASIBLE, THE CONTRACTOR SHALL MAINTAIN EXISTING UTILITIES HORIZONTALLY, FROM ANY EXISTING OR PROPOSED WATER MAIN. SHOULD LOCAL CONDITIONS PREVENT A LATERAL SEPARATION OF 10 FEET TO A WATER MAIN THE SEWER MAIN WILL BE LAID IN A SEPARATE TRENCH AND THE ELEVATION OF THE CROWN OF THE SEWER PLACED AT LEAST 18 INCHES BELOW THE INVERT OF THE WATER MAIN. WHEN FEASIBLE, THE CONTRACTOR SHALL MAINTAIN THE SEWER MAIN AT LEAST 18 INCHES BELOW THE WATER MAIN, WHEN IT IS IMPOSSIBLE TO OBTAIN HORIZONTAL OR VERTICAL SEPARATION AS STIPULATED ABOVE, BOTH THE WATER MAIN AND SEWER SHOULD BE ENCASED IN CONCRETE FOR 10 FEET EITHER SIDE OF THE CROSSING.
9. THE APPLICANT SHALL COORDINATE WITH THE MIDDLEBURY WATER DIVISION TO ENSURE PROPER DOMESTIC AND FIRE FLOWS PRIOR TO BUILDING PERMIT.
10. PROPOSED CATCH BASINS TO BE FITTED WITH SILT SACK OR APPROVED EQUIVALENT WHEN INSTALLED AND REMOVED AFTER FINAL PAVEMENT COURSE IS LAID.
11. DAILY WATER USAGE IS EXPECTED TO BE APPROXIMATELY 2,000 gpd.
12. ALL PROPOSED ELECTRICAL CONNECTIONS ARE TO BE MADE TO THE EXISTING TRANSFORMER PAD, UTILITY POLES AND OVERHEAD WIRES TO BE REMOVED.



WILLIAMS & SPARAGES
ENGINEERS • PLANNERS • SURVEYORS
189 NORTH MAIN STREET
SUITE 101
ROCHESTER, NH 01649
PHONE: (978) 539-8088
FAX: (978) 539-8200
WSENGINEERS.COM

Owner:
Medway Flower, LLC
990 Paradise Road
Swampscott, MA 01907

Applicant:
Phytopia, Inc.
25 Newbury Street
Peabody, MA 01960

Designed By: MEM

Drawn By: MEM
Reviewed By: CPS

Project Manager: CPS
Job File Number: MEDW-0017

Drawing File Folder: MEDW17

Drawing Issued for Review

☐ Drawing Issued for Permit

☐ Drawing Issued for Constr

100

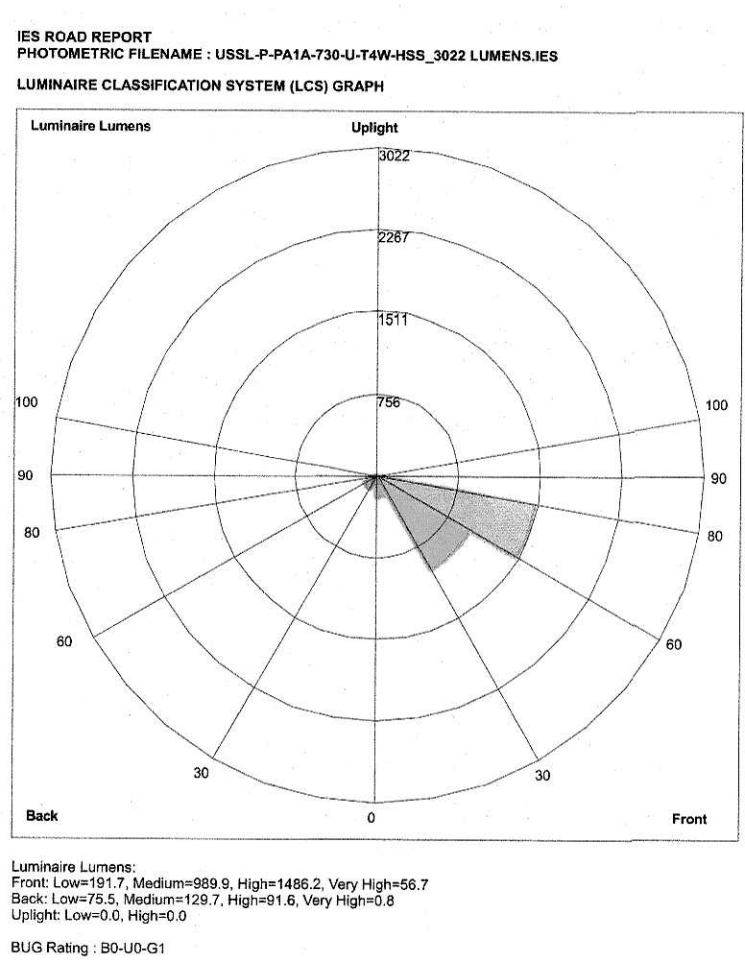
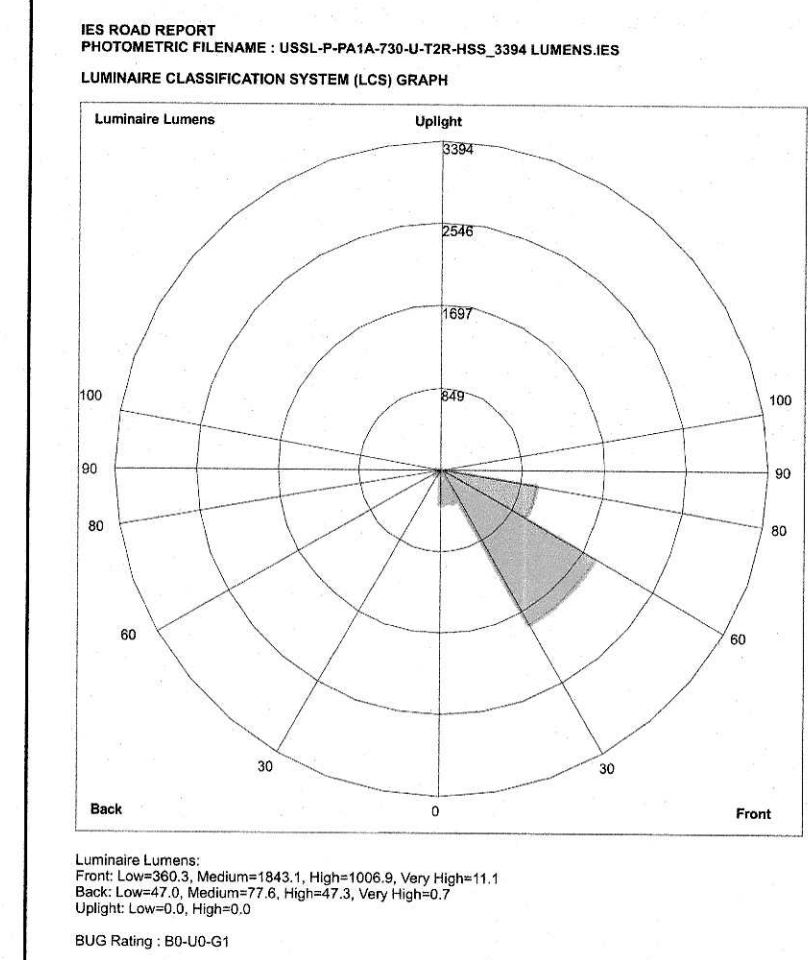
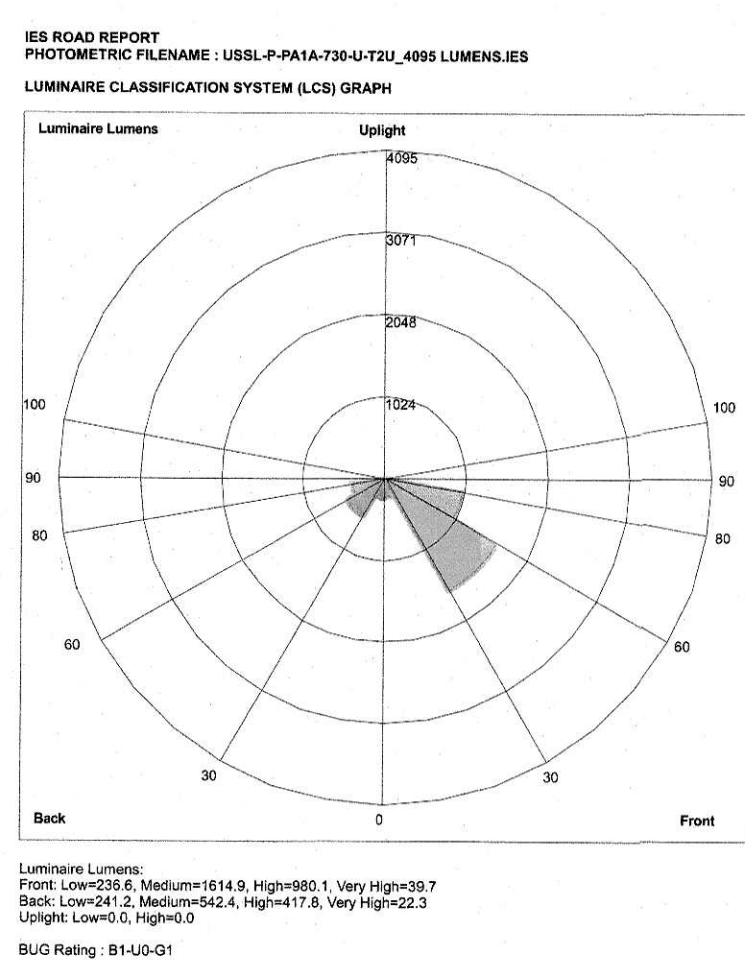
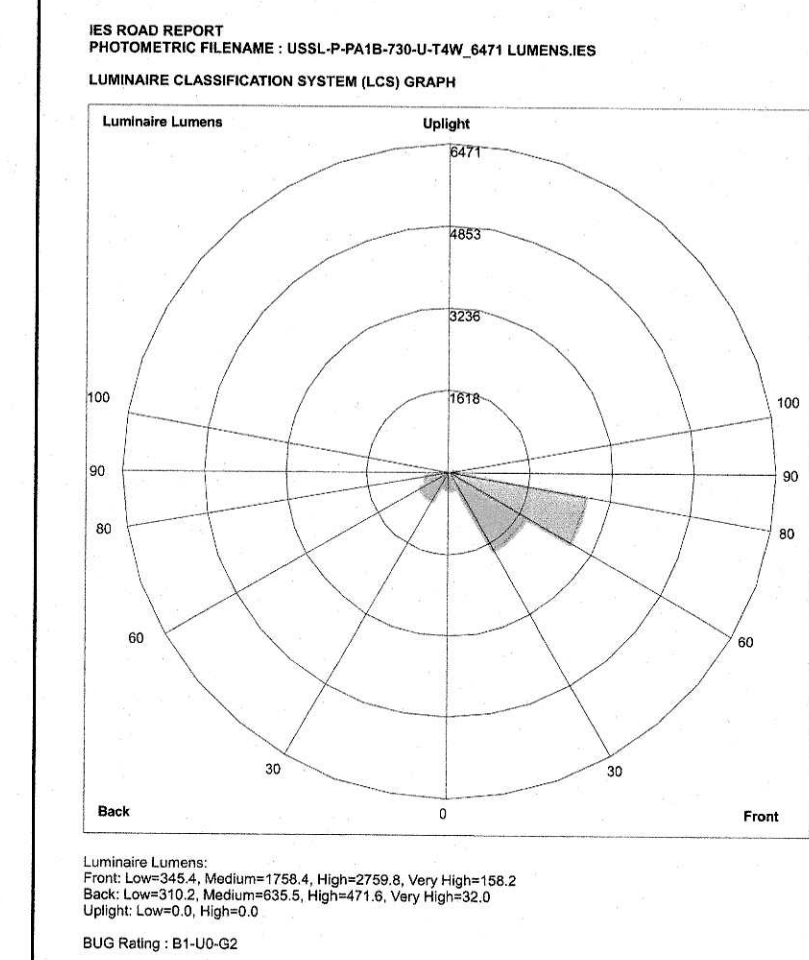
SEAL

UTILITY PLAN
INDUSTRIAL PARK ROAD
6 INDUSTRIAL PARK ROAD, MEDWAY, MA

60'	6
-----	---

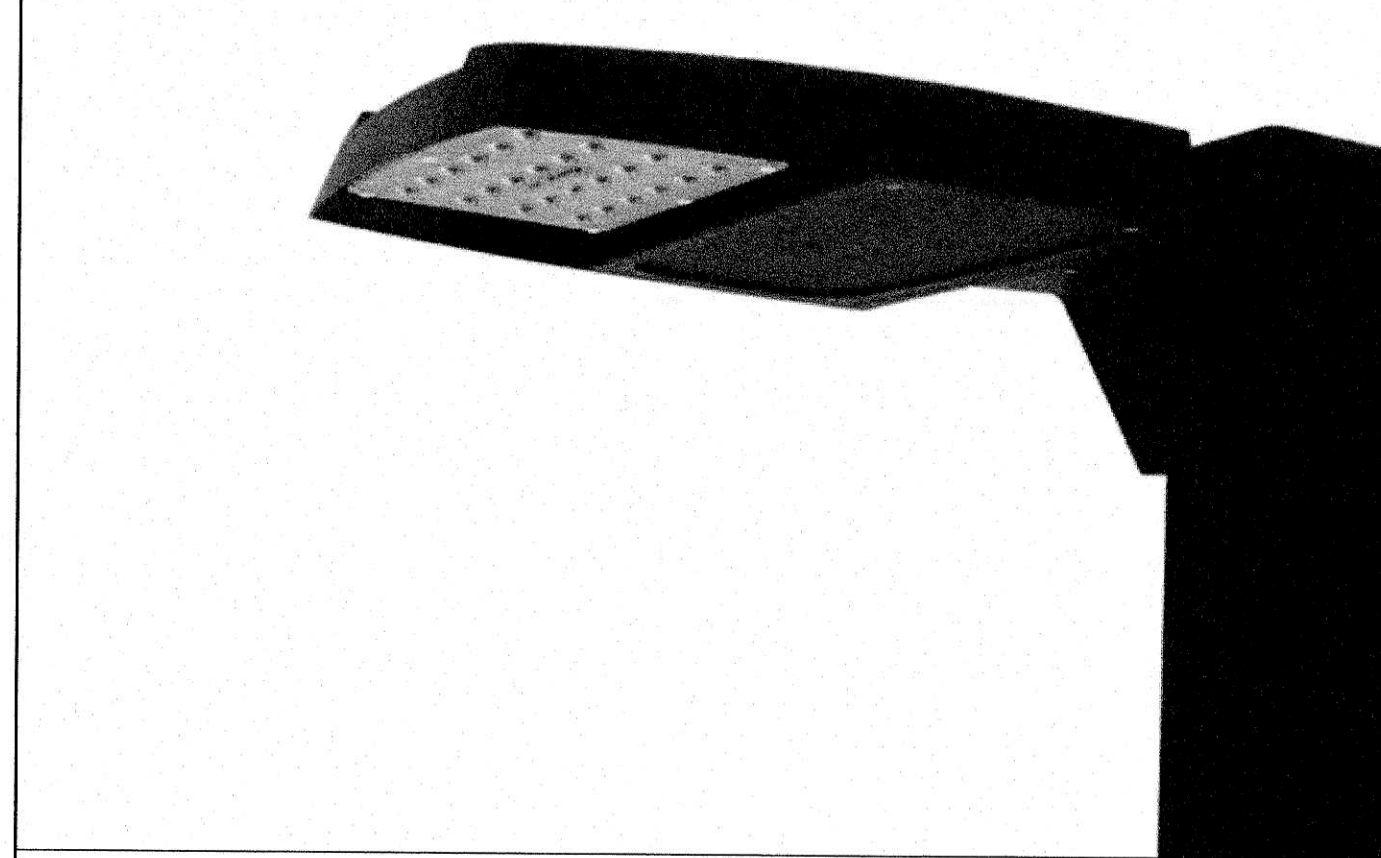
DRAWING: C4.1

SHEET 5 OF 14



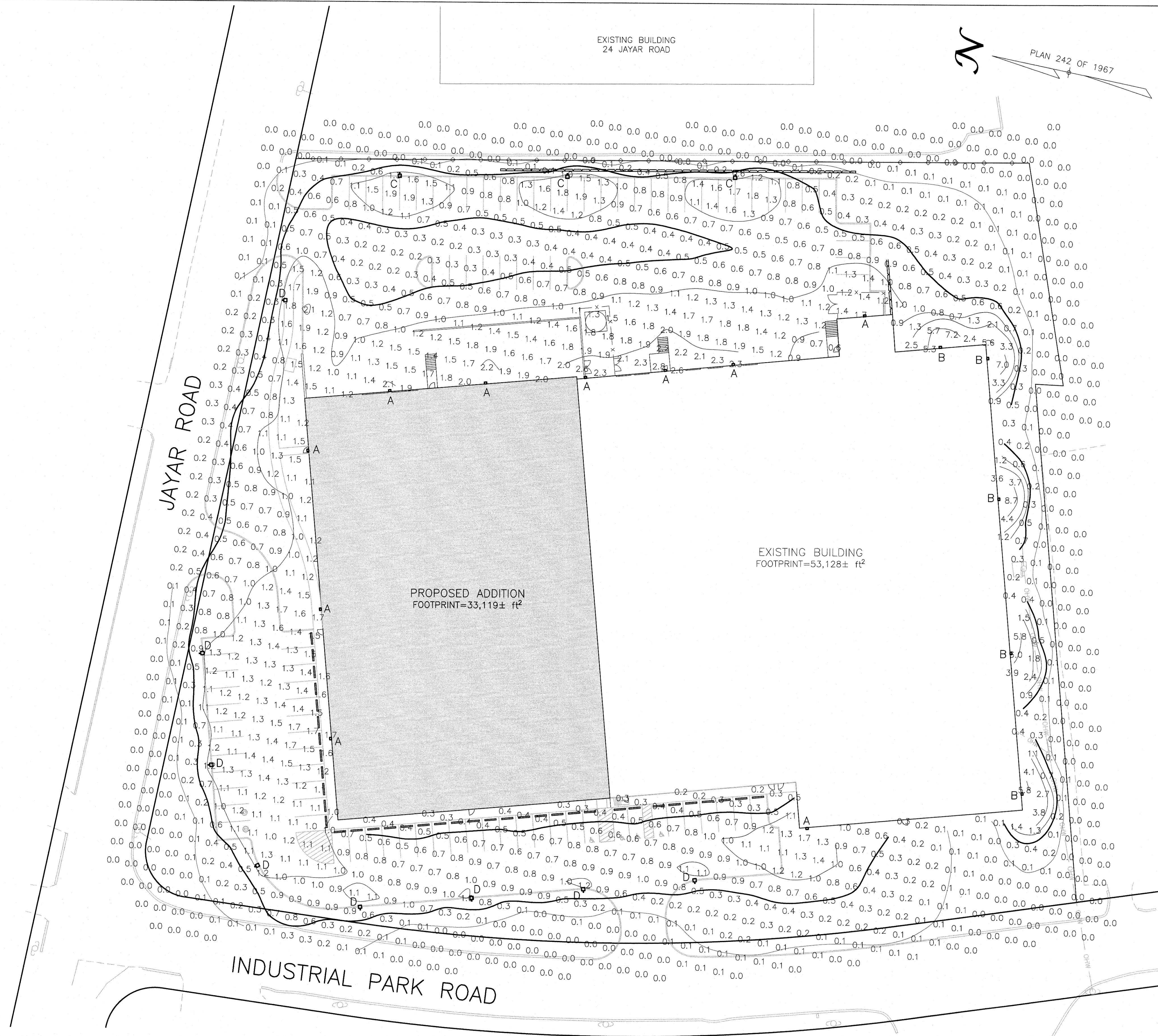
Photometric Toolset Professional Edition - Copyright 2002-2011 by Lighting Analysis, Inc.
Calculations based on published IES Methods and recommendations. Values rounded for display purposes.
Results derived from content of manufacturer photometric file.

Photometric Toolset Professional Edition - Copyright 2002-2011 by Lighting Analysis, Inc.
Calculations based on published IES Methods and recommendations. Values rounded for display purposes.
Results derived from content of manufacturer photometric file.



LUMINAIRE SCHEDULE								GENERAL PHOTOMETRIC SCHEDULE	
SYMBOL	LABEL	QUANTITY	CATALOG NUMBER COOPER LIGHTING	DESCRIPTION	LAMP	TILT	LLF	CANDELA FILE	
□	A	10	USSLP-PA1B-730-U-T4W (FINISH & ELECTRICAL TO BE SPECIFIED BY OTHERS)	TYPE IV WIDE OPTICS 20' MOUNTING HEIGHT (WALL MOUNTED)	3000K 6471 LUMENS PER LAMP	0°	0.85	USSLP-PA1B-730-U-T4W_6471 LUMENS.IES	AVERAGE FOOT-CANDLES 0.62
□	B	5	USSLP-PA1A-730-U-T2 (FINISH & ELECTRICAL TO BE SPECIFIED BY OTHERS)	TYPE 2 OPTICS 8' MOUNTING HEIGHT (WALL MOUNTED)	3000K 4095 LUMENS PER LAMP	0°	0.85	USSLP-PA1A-730-U-T2U_4095 LUMENS.IES	MAXIMUM FOOT-CANDLES 8.7
◻	C	3	USSLP-PA1A-730-U-T2R-HSS (FINISH & ELECTRICAL TO BE SPECIFIED BY OTHERS)	TYPE 2 OPTICS 20' MOUNTING HEIGHT (POLE MOUNTED)	3000K 3394 LUMENS PER LAMP	0°	0.85	USSLP-PA1A-730-U-T2R-HSS_3394 LUMENS.IES	MINIMUM FOOT-CANDLES 0.0
◻	D	8	USSLP-PA1A-730-U-T4W-HSS (FINISH & ELECTRICAL TO BE SPECIFIED BY OTHERS)	TYPE IV WIDE OPTICS 20' MOUNTING HEIGHT (POLE MOUNTED)	3000K 3022 LUMENS PER LAMP	0°	0.85	USSLP-PA1A-730-U-T4W-HSS_3022 LUMENS.IES	MINIMUM TO MAXIMUM FC RATIO 0.00
									MAXIMUM TO MINIMUM FC RATIO 8.65 / 0.00
									AVERAGE TO MINIMUM FC RATIO 0.62 / 0.00

NOTES:
1. SECURITY LIGHTING TO BE DETERMINED.
2. ILLUMINANCE VALUES CREATED FROM MANUFACTURERS PHOTOMETRIC DATA.
3. ILLUMINANCE VALUES SHOWN REPRESENT HORIZONTAL FOOTCANDLES AT GROUND LEVEL.
4. FOOT CANDLE VALUES SHOWN DO NOT ACCOUNT FOR LIGHT REFLECTION, EXISTING LIGHT SOURCES, SLOPING GRADE OR EXISTING OR PROPOSED THREE DIMENSIONAL OBJECTS.



WILLIAMS & SPARAGES
139 NORTH MAIN STREET
SUITE 101
PEABODY, MA 01960
PHONE: (978) 539-8200
FAX: (978) 539-8200
WWW.WSINC.COM

Owner:
Medway Flower, LLC
990 Paradise Road
Swampscott, MA 01907

Applicant:
Phytocopia, Inc.
25 Newbury Street
Peabody, MA 01960

Designed By: MEM
Drawn By: MEM
Reviewed By: CFS
Project Manager: CFS
Job File Number: MEDW-0017
Drawing File Folder: MEDW17

☒ Drawing Issued for Review
☐ Drawing Issued for Permit
☐ Drawing Issued for Construction

SEAL

PHOTOMETRIC PLAN
INDUSTRIAL PARK ROAD
6 INDUSTRIAL PARK ROAD, MEDWAY, MA

12 11 10 9 8 7
6 5 4 3 2 1
Town Comments / Peer Review
Town Comments / Peer Review
Town Comments / Peer Review

10/12/2021
3/7/2022
1/3/2022
APRIL 1, 2021

DRAWING: C6.1
SHEET 7 OF 14



PLANTING NOTES

1. DURING CONSTRUCTION CONTRACTOR SHALL PROTECT AND SAVE ALL VEGETATION BEYOND THE LIMIT OF GRADING ACTIVITIES.
2. ALL PROPOSED PLANTINGS SHALL BE ADJUSTED TO ACCOMMODATE UNDERGROUND UTILITIES.
3. ALL PLANTING METHODS SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE AMERICAN ASSOCIATION OF NURSERYMEN.
4. IN THE EVENT OF DISCREPANCIES BETWEEN THE QUANTITIES OF PLANTS IN THE PLANT LIST AND THE DRAWINGS, THE DEPICTION OF THE PLANTS ON THE DRAWINGS SHALL GOVERN.
5. ALL TREES AND SHRUBS SHALL BE NURSERY GROWN WITHIN A U.S.D.A. PLANT HARDINESS ZONE WHICH IS THE SAME AS, OR COLDER THAN, THE ZONE IN WHICH THE PROJECT IS LOCATED.
6. ALL PLANTS 3' OR GREATER IN HEIGHT OR SPREAD TO BE BALLED AND BURLAPED.
7. ALL LOAM AREAS FOR PLANT BEDS SHALL BE UNIFORM IN COMPOSITION AND FREE FROM SUBSOIL, STONES LARGER THAN 1" AND NOXIOUS MATERIALS.
8. ALL PLANT SHALL BE WATERED IMMEDIATELY AFTER PLANTING.
9. ALL DISTURBED AREAS SHALL BE STABILIZED WITH LOAM AND SEED AND/OR BARK MULCH. BEGINNING AND ENDING POINTS OF GRASS AND MULCH TO BE DETERMINED BY FIELD WITH OWNER AUTHORIZATION.
10. EXISTING TREES SHALL BE MAINTAINED FROM AND AROUND BUILDING PER BUILDING CODE.
11. ALL WORK TO COMPLY TO ORDER OF CONDITIONS ISSUED FOR PROJECT. SEE CONDITIONS PRIOR TO LANDSCAPE WORK.
12. CONTRACTOR TO PROVIDE TWO YEAR GUARANTEE ON ALL PLANTING MATERIAL.
13. NO PLANTING PRIOR TO APPROVAL OF FINISHED GRADE.
14. PROVIDE SOIL DEPTH ACCORDING TO CONSTRUCTION DETAILS FOR TREES.
15. PROVIDE 18" SOIL DEPTH FOR ALL SHRUBS AND PERENNIALS.
16. PROVIDE 6" SOIL DEPTH FOR ALL GROUNDCOVER.
17. PROVIDE 6" SOIL DEPTH FOR ALL SOD/SEED.
18. ALL SPECIES WITHIN THE RAISED GARDEN SHALL BE PURCHASED FROM A NURSERY SPECIALIZING IN THE PROPOGATION OF PLANTS SENSITIVE TO MASSACHUSETTS' SPECIES SHALL BE SELECTED FROM THE PROPOSED SPECIES LIST FOR EACH AREA.
19. CONTRACTOR SHALL REMOVE DEAD SCRUB BRUSH AND SHALL REMOVE SMALL DEAD TREES IN THE PROPOSED TREE SAVE AREAS. EXISTING TREES TO REMAIN SHALL ALSO BE PRUNED WITH THE ADVICE OF A LANDSCAPE CONTRACTOR TO REMOVE DEAD LIMBS TO IMPROVE THE HEALTH OF THE REMAINING TREES.

PROJECT NOTES

1. STOCKPILING OF SNOW AT DRIVEWAY/DRIVEWAY AND DRIVEWAY/STREET INTERSECTIONS SHALL NOT EXCEED 3 FEET IN HEIGHT.

LANDSCAPE PLAN

INDUSTRIAL PARK ROAD

6 INDUSTRIAL PARK ROAD, MEDWAY, MA

DRAWING: C7.1

SHEET 8 OF 14

0' 15' 30' 60'

SCALE: 1"=30'

APRIL 1, 2021

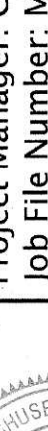
6											
5											
4											
3						3/17/2022	9				
2						Town Comments / Peer Review					
1						1/13/2022	8				
						Town Comments / Peer Review					
						10/12/2021	7				

Owner:
Medway Flower, LLC
990 Paradise Road
Swampscott, MA 01907

Applicant:
Phytopia, Inc.
25 Newbury Street
Peabody, MA 01960

Designed By: MEM
Drawn By: MEM
Reviewed By: CPS
Project Manager: CPS
Job File Number: MEDW-0017
Drawing File Folder: MEDW17

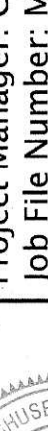
☒ Drawing Issued for Review
☐ Drawing Issued for Permit
☐ Drawing Issued for Construction

Seal: 

Christ P. Sparages
(419/221)

Owner:
Medway Flower, LLC
990 Paradise Road
Swampscott, MA 01907

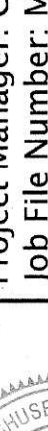
Applicant:
Phytopia, Inc.
25 Newbury Street
Peabody, MA 01960

Seal: 

Christ P. Sparages
(419/221)

Owner:
Medway Flower, LLC
990 Paradise Road
Swampscott, MA 01907

Applicant:
Phytopia, Inc.
25 Newbury Street
Peabody, MA 01960

Seal: 

Christ P. Sparages
(419/221)

Owner:
Medway Flower, LLC
990 Paradise Road
Swampscott, MA 01907

Applicant:
Phytopia, Inc.
25 Newbury Street
Peabody, MA 01960

EARTHWORK CALCULATIONS

PROPOSED ADDITION:
Volumes calculated to one foot below finished floor grade
Volumes by Triangulation (Prisms)
Existing Surface: P:\MEDW-0017(6 Industrial Park Road)\Drawings\EXISTING(210930).tin
Final Surface: P:\MEDW-0017(6 Industrial Park Road)\Drawings\PROPOSED_ADDITION(210930).tin
Cut volume: 0.0 C.F., 0.00 C.Y.
Fill volume: 65,678.5 C.F., 2,432.54 C.Y.

Area in Cut : 0.0 S.F., 0.00 Acres
Area in Fill: 33,118.9 S.F., 0.76 Acres
Total inclusion area: 33,118.9 S.F., 0.76 Acres

Average Fill Depth: 1.98 feet
Cut to Fill ratio: 0.00
Import Volume: 2,432.5 C.Y.
Elevation Change To Reach Balance: -1.983
Volume Change Per .1 ft: 122.7 C.Y.

Cut (C.Y.) / Area (acres): 0.00
Fill (C.Y.) / Area (acres): 3199.43

Max Fill: 3.761 at 5031.208,5798.474

PROPOSED PARKING AREAS:
Volumes calculated to one foot below finished pavement grade
Volumes by Triangulation (Prisms)
Existing Surface: P:\MEDW-0017(6 Industrial Park Road)\Drawings\EXISTING(210930).tin
Final Surface: P:\MEDW-0017(6 Industrial Park Road)\Drawings\PROPOSED_PARKING_BASE(211001).tin
Cut volume: 32,363.5 C.F., 1,198.65 C.Y.
Fill volume: 14,770.0 C.F., 547.04 C.Y.

Area in Cut : 31,791.1 S.F., 0.73 Acres
Area in Fill: 19,995.0 S.F., 0.46 Acres
Total inclusion area: 51,855.3 S.F., 1.19 Acres

Average Cut Depth: 1.02 feet
Average Fill Depth: 0.74 feet
Cut to Fill ratio: 2.19
Export Volume: 651.6 C.Y.
Elevation Change To Reach Balance: 0.339
Volume Change Per .1 ft: 192.1 C.Y.

Cut (C.Y.) / Area (acres): 1006.90
Fill (C.Y.) / Area (acres): 459.53

Max Cut: 5.609 at 5071.852,5663.121
Max Fill: 2.761 at 5031.208,5798.474

PROPOSED GRASS AREAS:
Volumes by Triangulation (Prisms)
Existing Surface: P:\MEDW-0017(6 Industrial Park Road)\Drawings\EXISTING(210930).tin
Final Surface: P:\MEDW-0017(6 Industrial Park Road)\Drawings\PROPOSED_GRASS(210930).tin
Cut volume: 16,703.8 C.F., 618.66 C.Y.
Fill volume: 14,113.6 C.F., 522.72 C.Y.

Area in Cut : 13,714.2 S.F., 0.31 Acres
Area in Fill: 20,144.6 S.F., 0.46 Acres
Area exactly in daylight: 7,595.5 S.F., 0.17 Acres
Total inclusion area: 41,454.3 S.F., 0.95 Acres
Total exclusion area: 138,102.4 S.F., 3.17 Acres

Average Cut Depth: 1.22 feet
Average Fill Depth: 0.70 feet
Cut to Fill ratio: 1.18
Export Volume: 95.9 C.Y.
Elevation Change To Reach Balance: 0.062
Volume Change Per .1 ft: 153.5 C.Y.

Cut (C.Y.) / Area (acres): 650.09
Fill (C.Y.) / Area (acres): 549.28

Max Cut: 5.424 at 5120.687,5593.986
Max Fill: 4.012 at 4815.741,5729.176

TOTAL EXPORT VOLUME:
0.00 C.Y. + 1,198.65 C.Y. + 618.66 C.Y. = 1,817 ± C.Y.

TOTAL IMPORT VOLUME:
2,432.54 C.Y. + 547.04 C.Y. + 522.72 C.Y. = 3,502 ± C.Y.

NET VOLUME:
3,502 C.Y. ± - 1,817 C.Y. ± = 1,685 C.Y. ± IMPORT

END SILTFENCE/LIMIT OF WORK W/MULCH SOCK (DISTURBED LAND AREA WITHIN LIMIT OF WORK=126,427 ft²)

END SILTFENCE W/MULCH SOCK

EXISTING CATCH BASIN TO BE FITTED WITH SILTSACK OR APPROVED EQUAL PRIOR TO CONSTRUCTION AND REMOVED AFTER FINAL PAVEMENT COURSE IS LAID.

SWMA3P
RAIN GARDEN
BOT FILTER LAYER=141.50
TOP FILTER LAYER=142.00
TOP PLANTING SOIL=144.00
TOP MULCH=144.25
TOP PONDING=145.00

ALL PROPOSED CATCH BASINS TO BE FITTED WITH SILTSACK OR APPROVED EQUAL AFTER INSTALLATION AND REMOVED AFTER FINAL PAVEMENT COURSE IS LAID (TYPICAL 4 PLACES)

PROPOSED CONSTRUCTION ENTRANCE

CONTRACTOR STAGING AREA

PROPOSED ADDITION
FF ELEV.=149.2
FOOTPRINT=33,119± ft²

STOCKPILE AREA
W/SILT FENCE

EXISTING CATCH BASIN TO BE FITTED WITH SILTSACK OR APPROVED EQUAL PRIOR TO CONSTRUCTION AND REMOVED AFTER FINAL PAVEMENT COURSE IS LAID.

JAYAR ROAD
(PRIVATE 50.00' WIDE)

EXISTING BUILDING
24 JAYAR ROAD

EXISTING BUILDING
FOOTPRINT=53,128± ft²

MARC ROAD
(PRIVATE 50.00' WIDE)

INDUSTRIAL PARK ROAD
(PRIVATE 50.00' WIDE)

EROSION & SEDIMENT CONTROL PLAN

INDUSTRIAL PARK ROAD

6 INDUSTRIAL PARK ROAD, MEDWAY, MA

SCALE: 1"=30'

APRIL 1, 2021

DRAWING: C8.1

SHEET 9 OF 14

SEAL

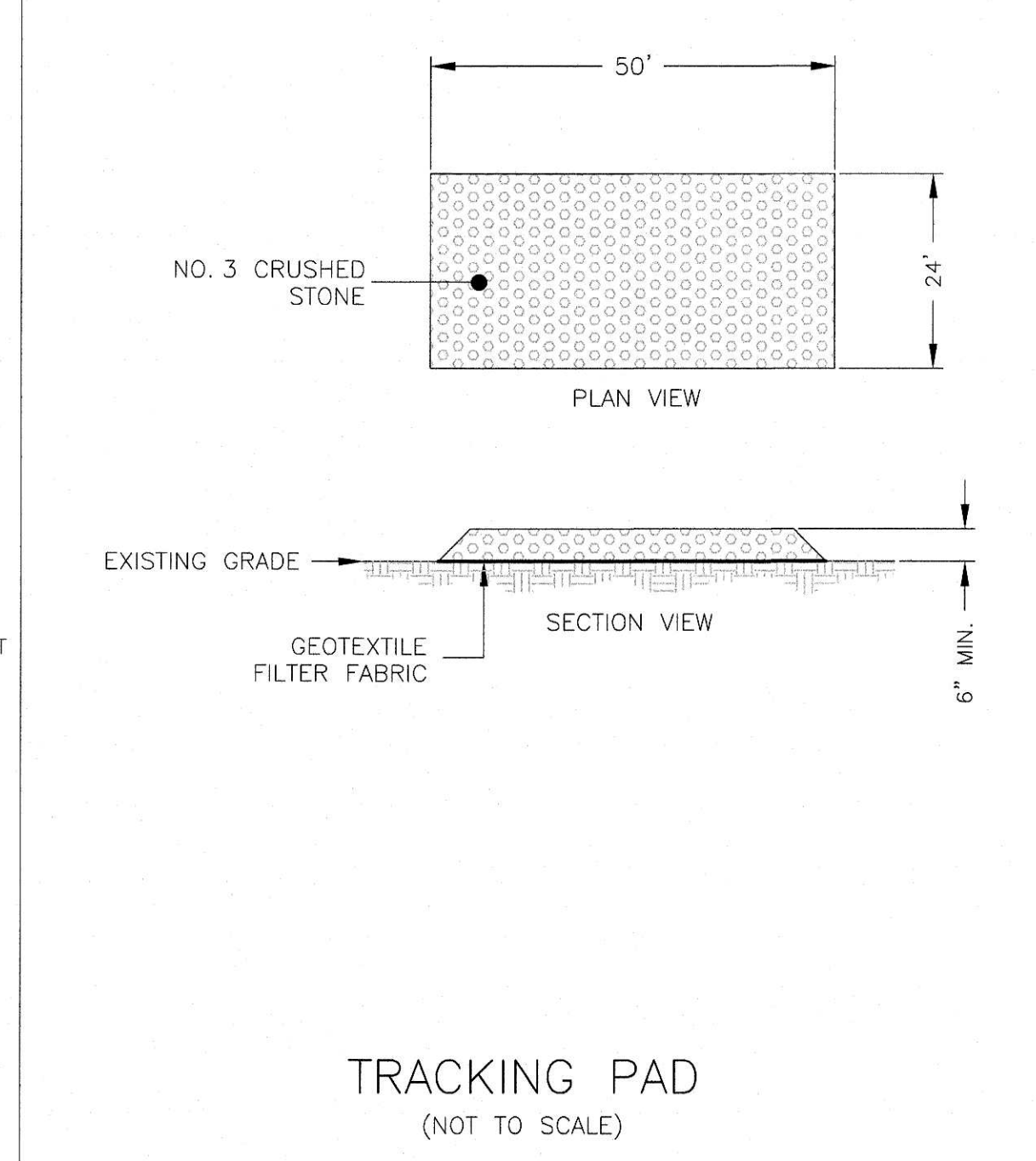
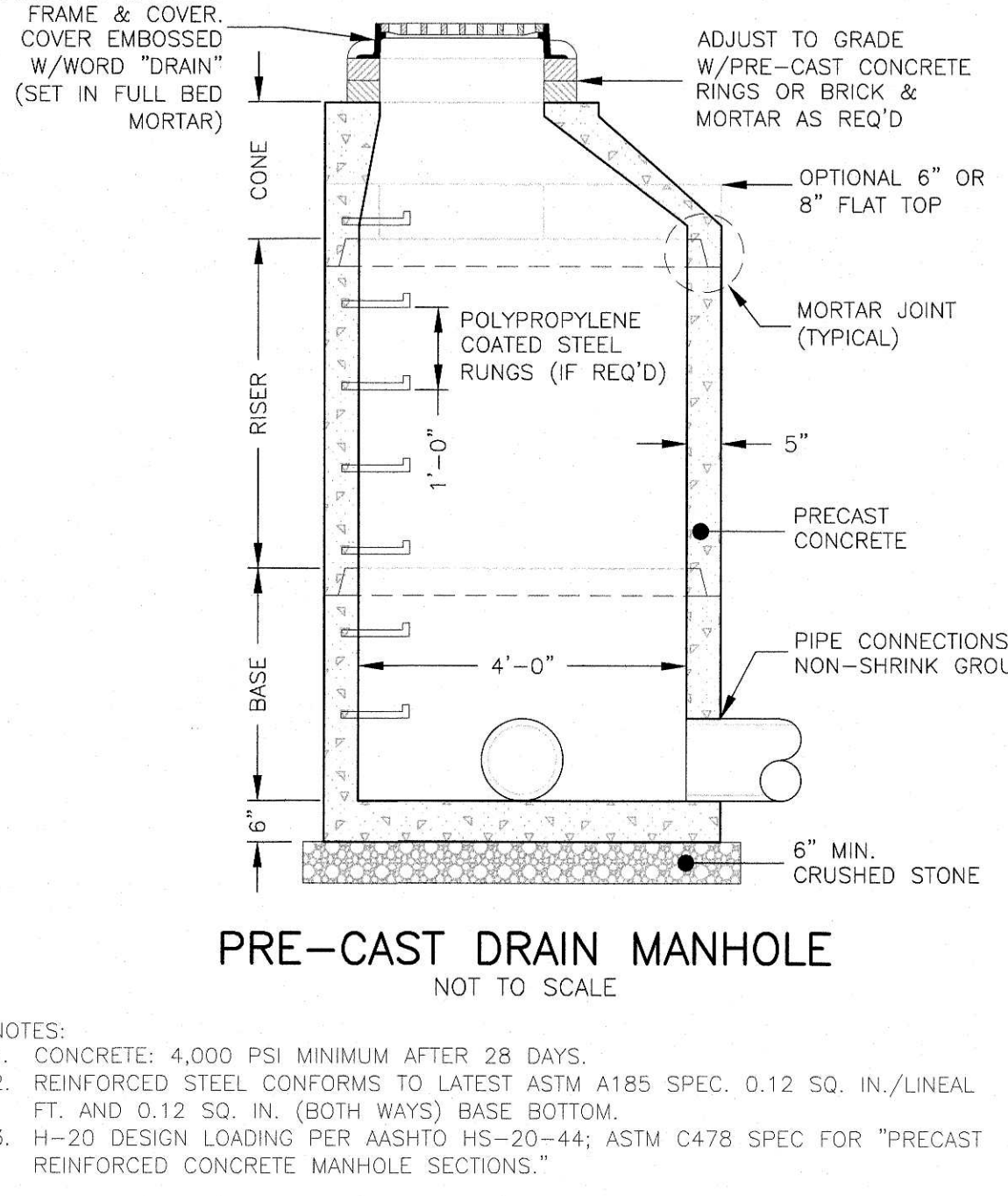
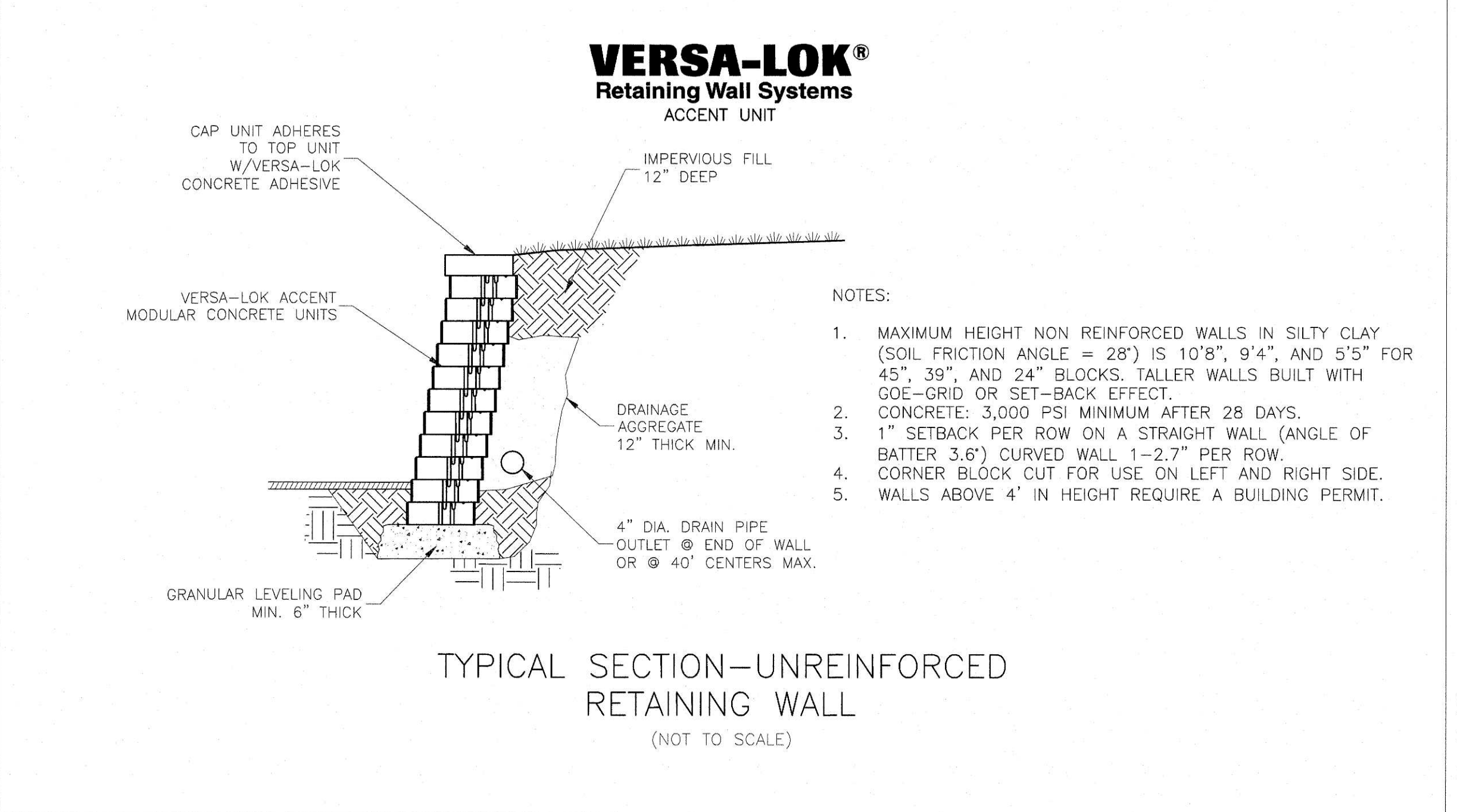
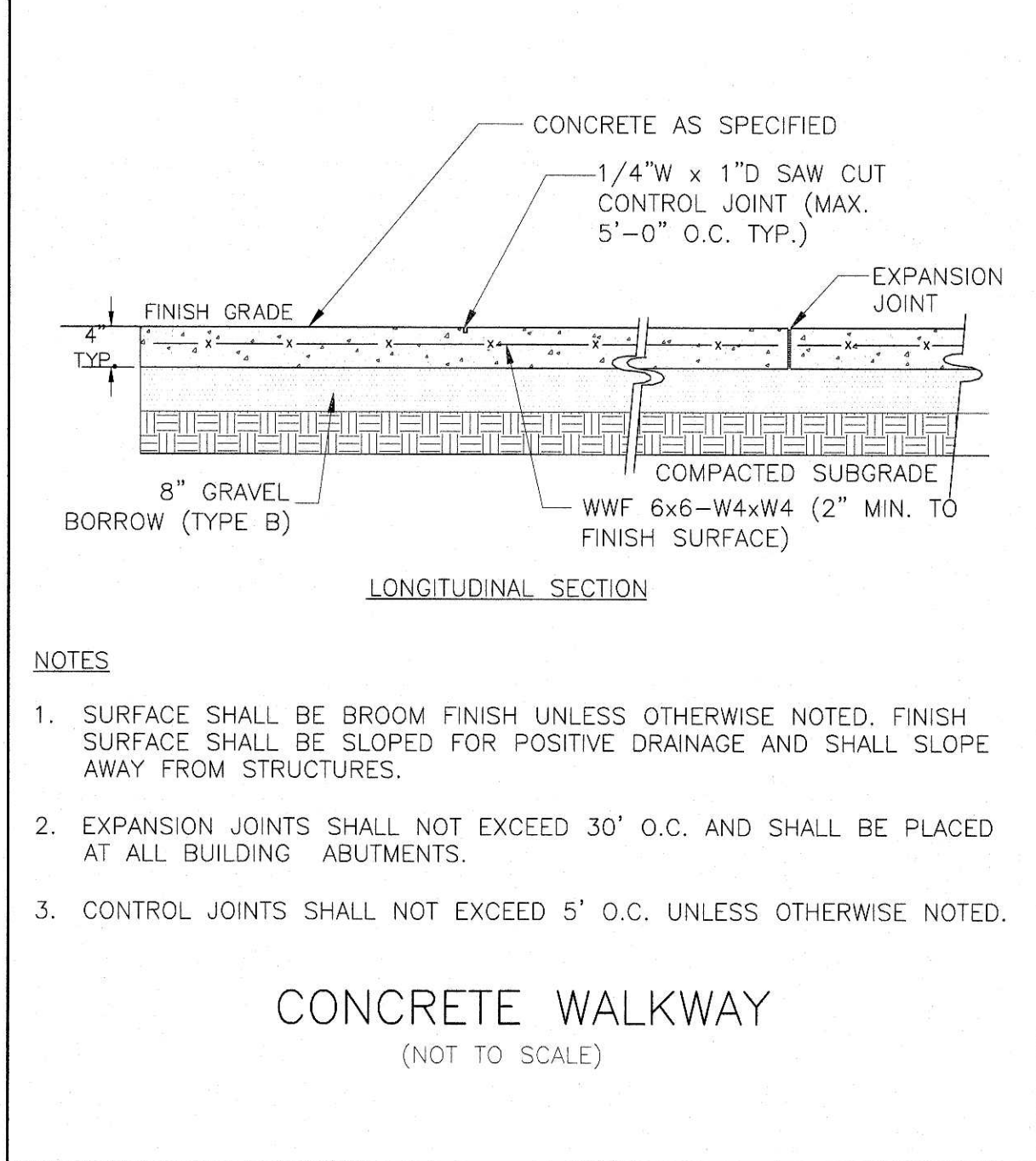
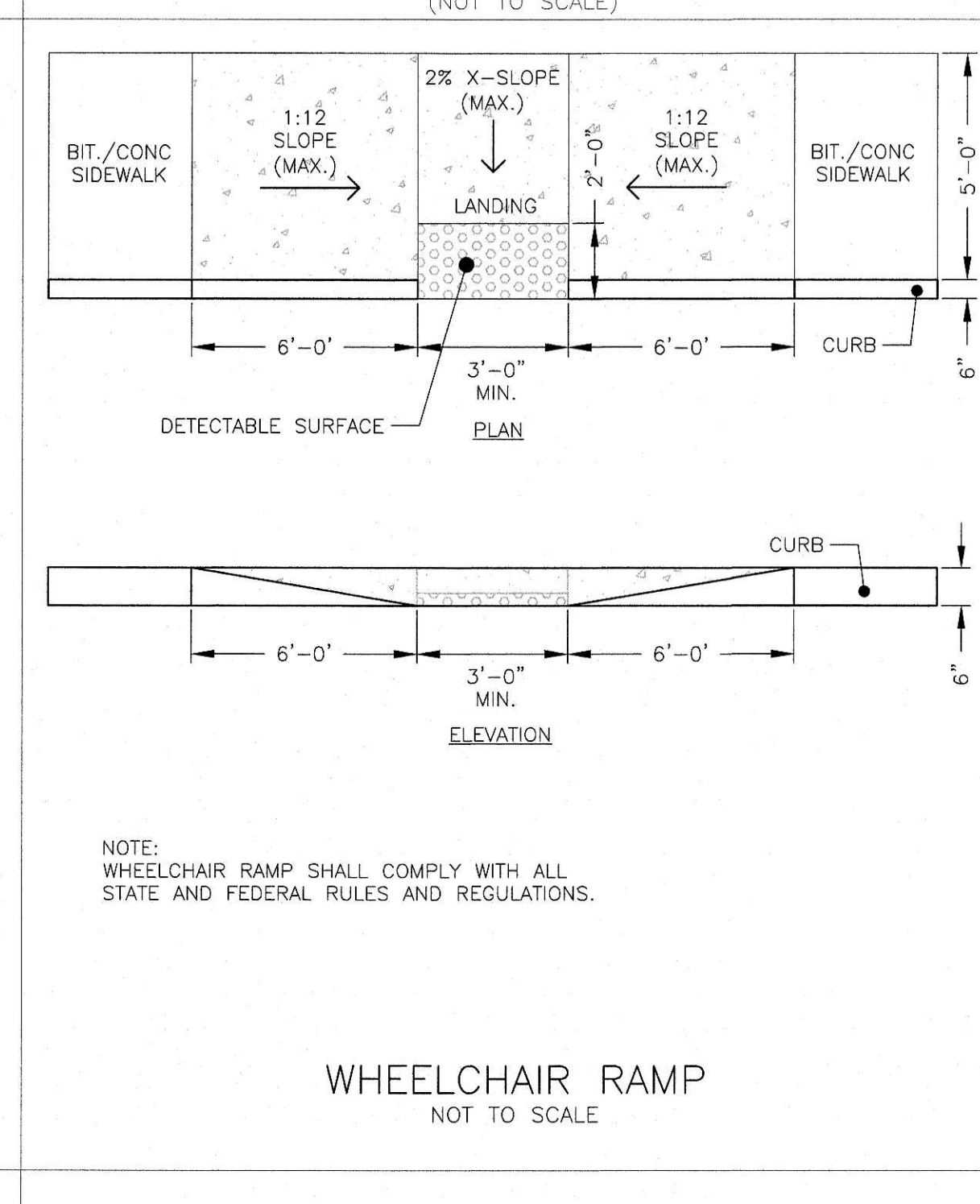
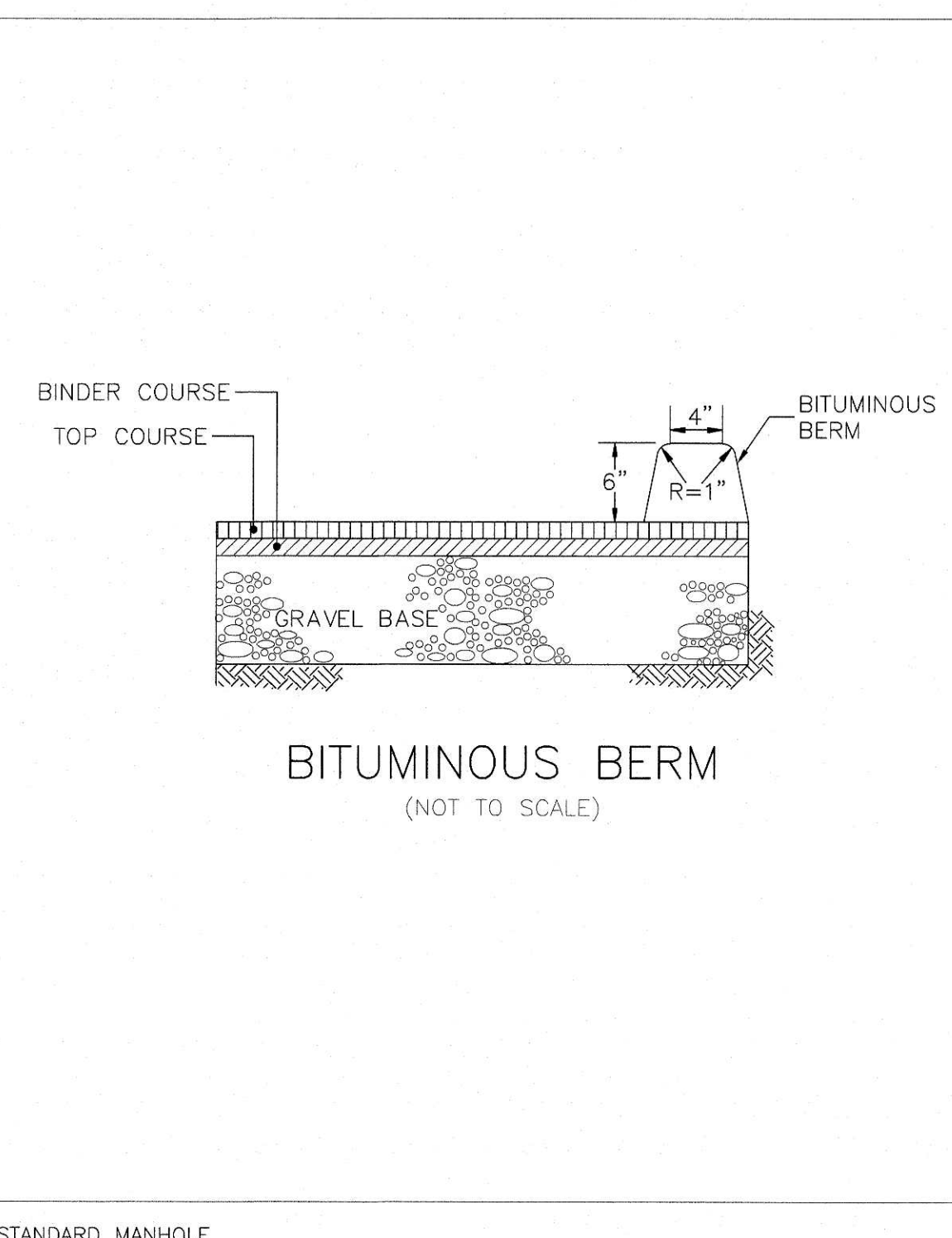
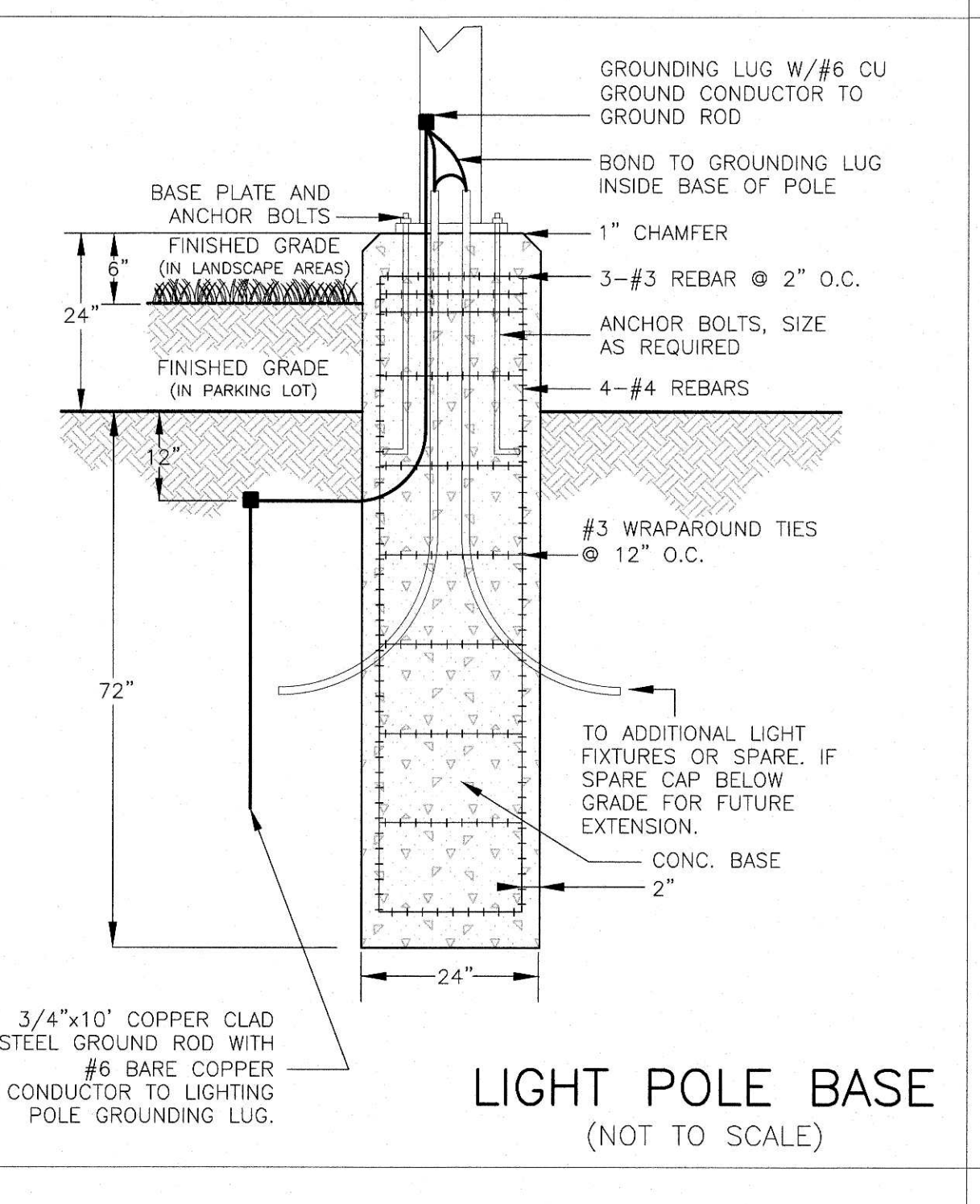
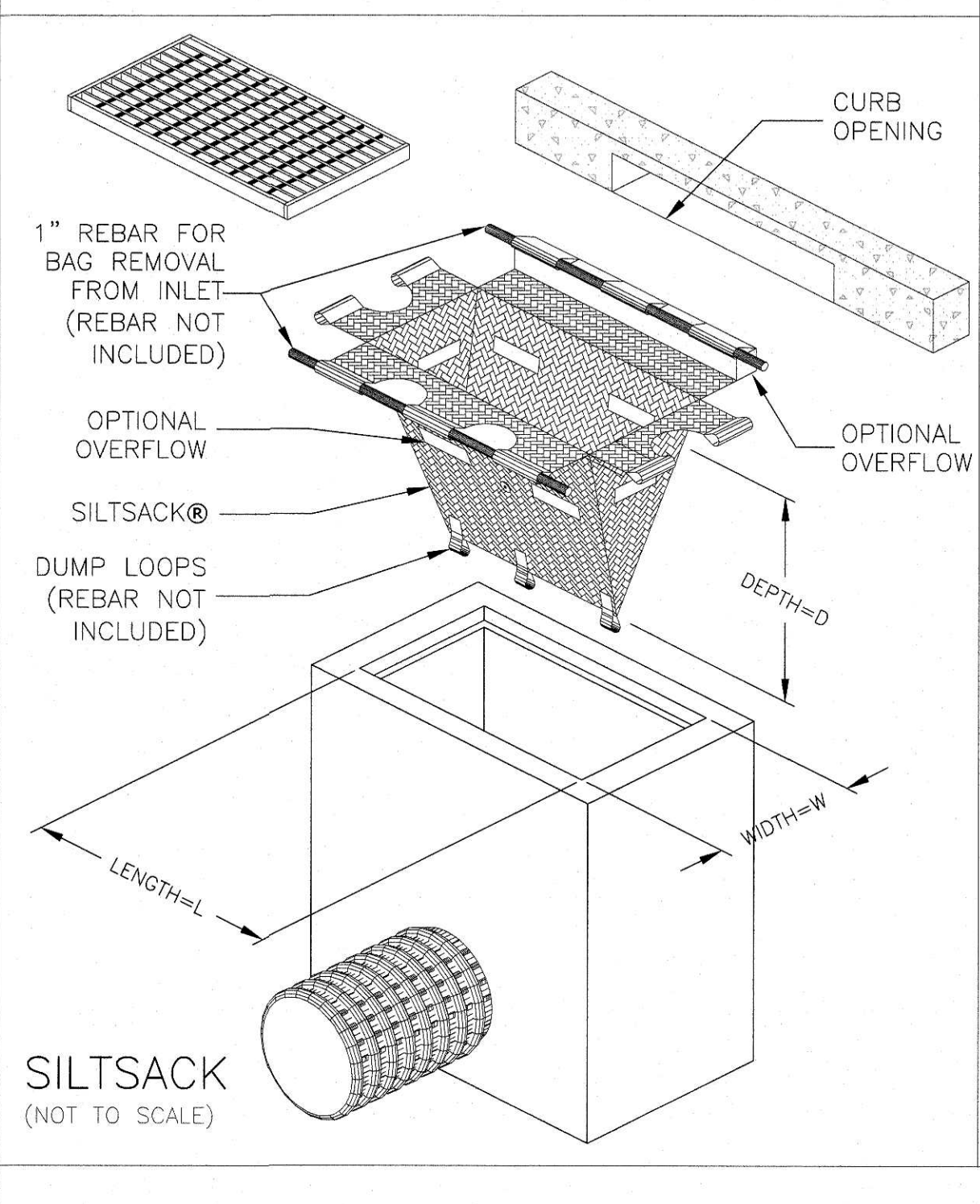
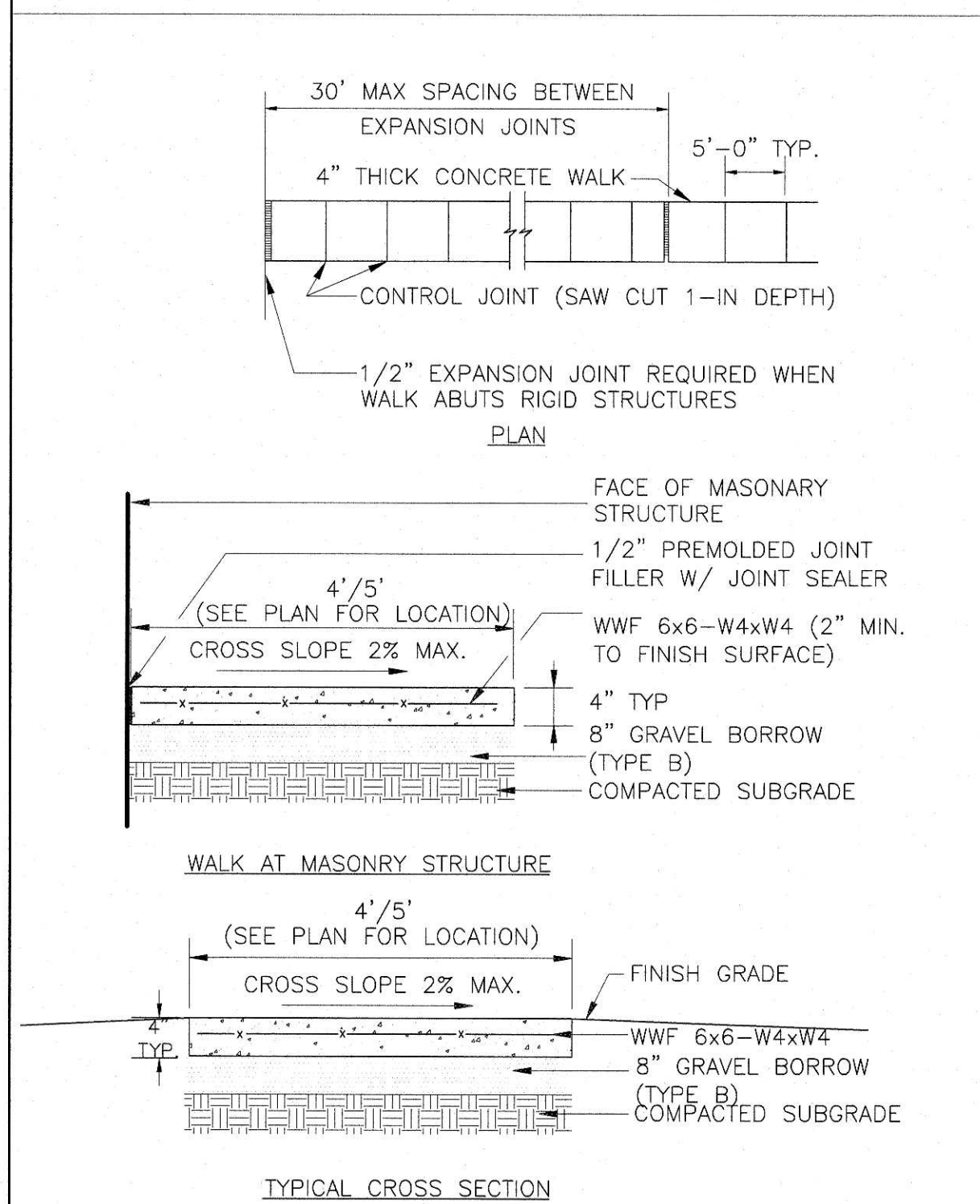
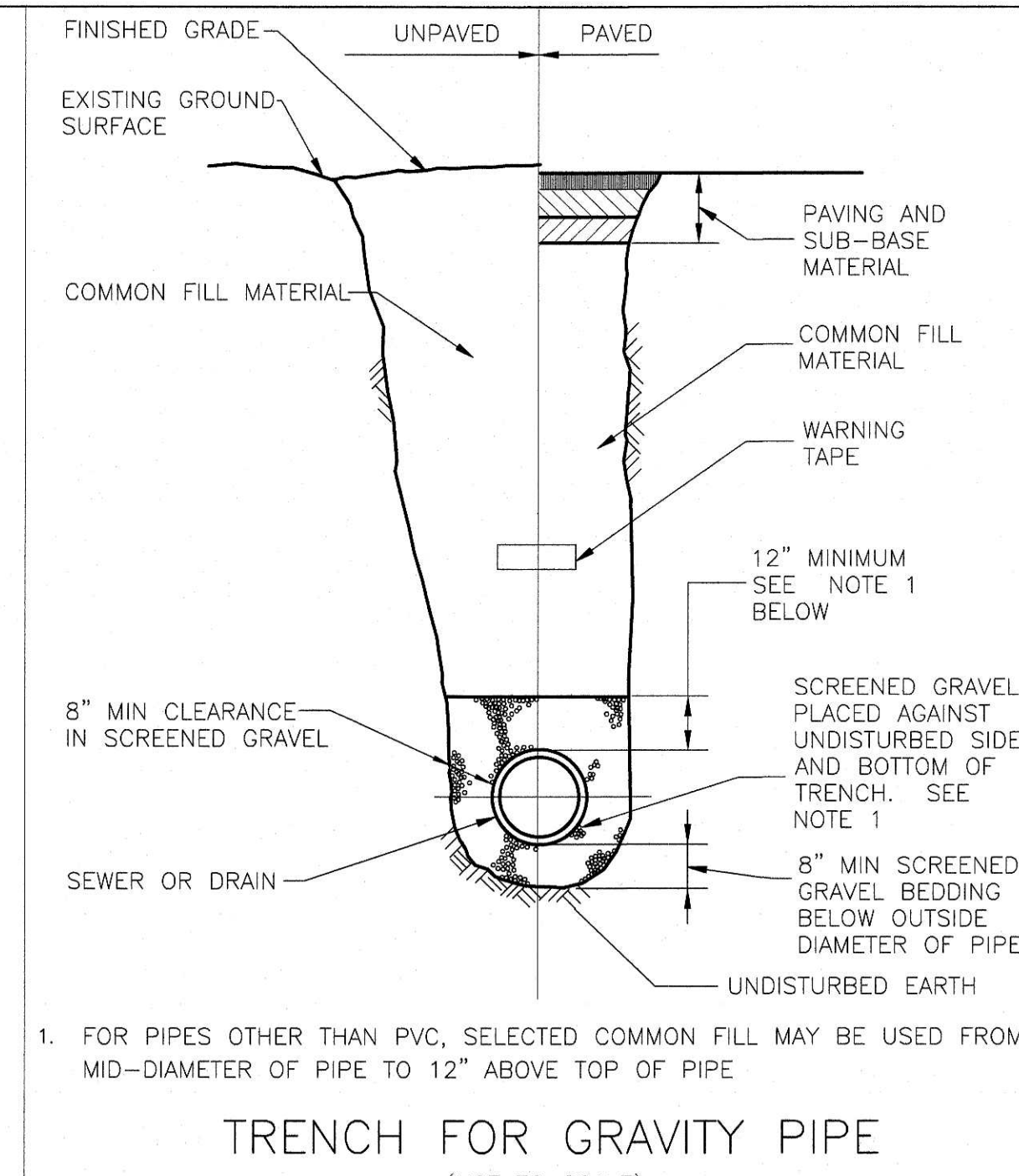
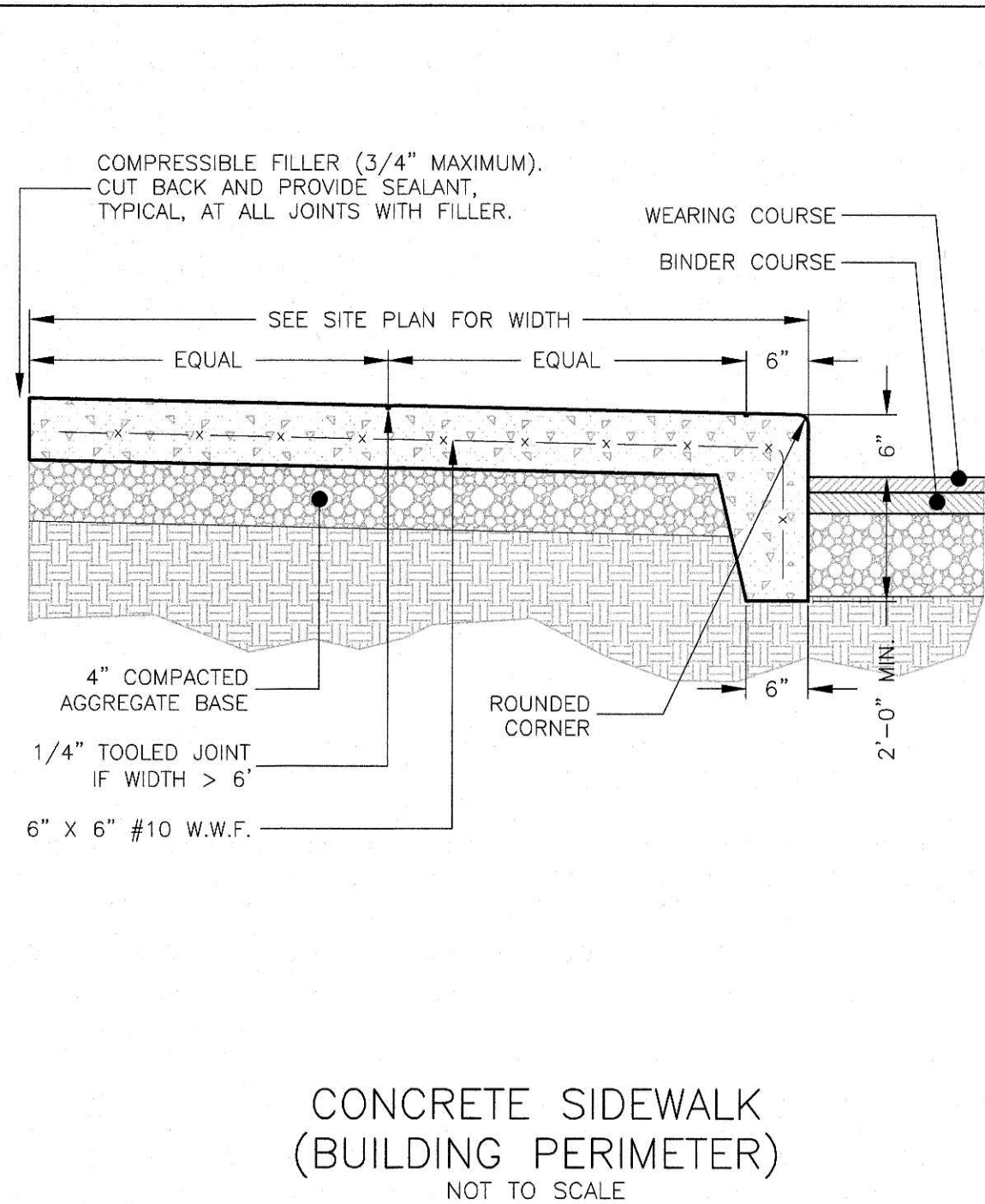
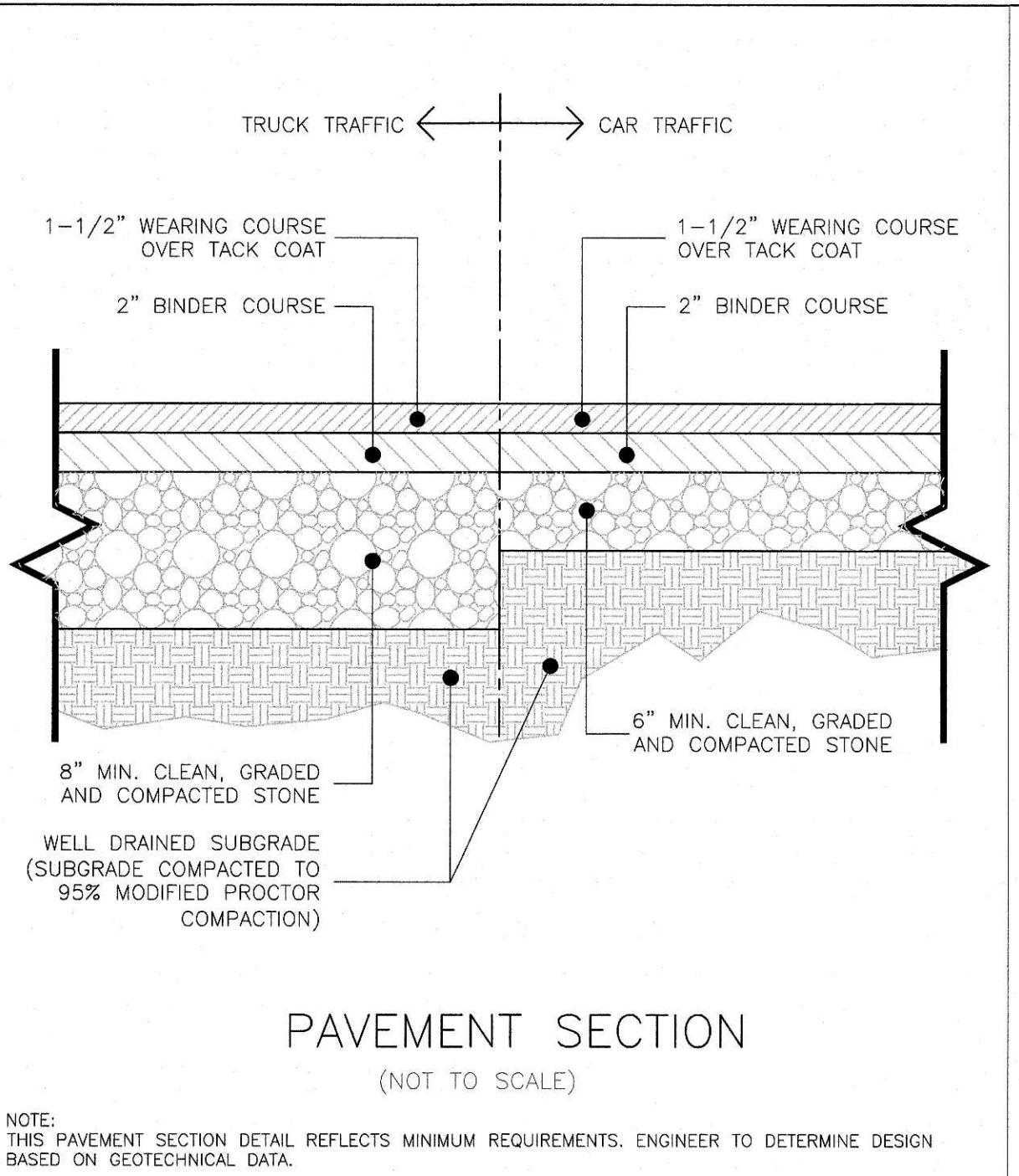
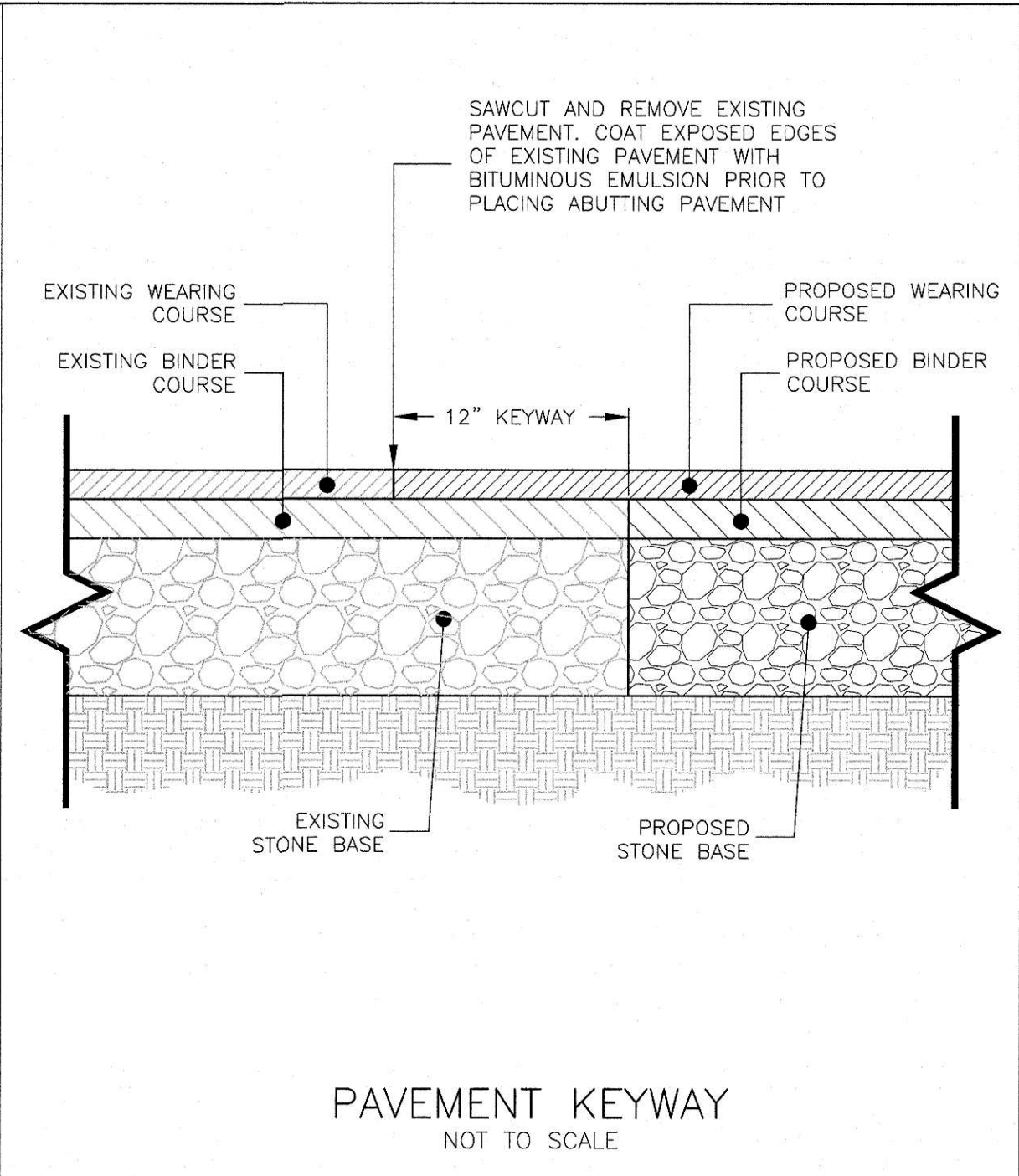
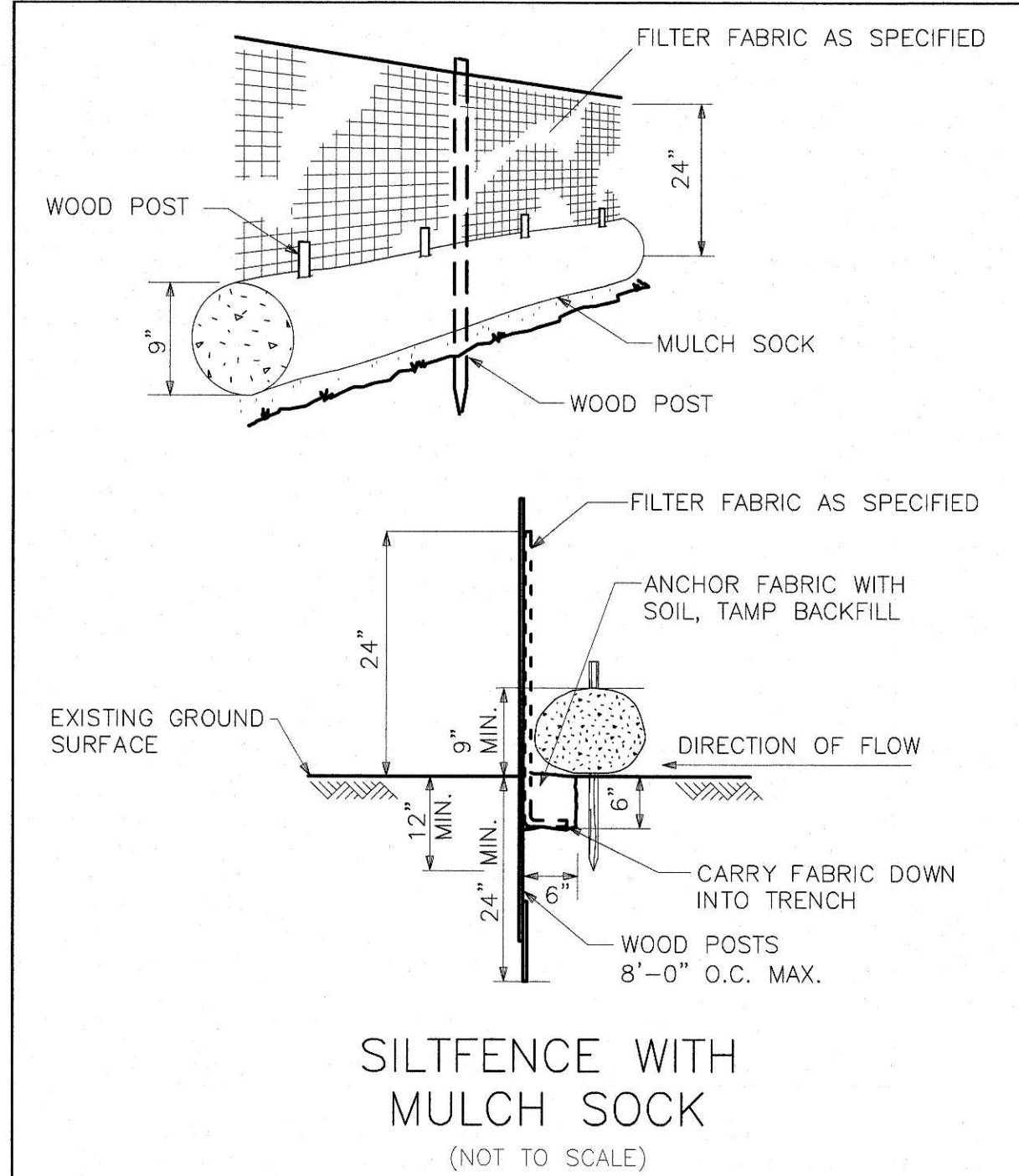


Designed By: MEM
Drawn By: MEM
Reviewed By: CPS
Project Manager: CPS
Job File Number: MEDW-0017
Drawing File Folder: MEDW17
☒ Drawing Issued for Review
☒ Drawing Issued for Permit
☐ Drawing Issued for Construction

Owner:
Medway Flower, LLC
990 Paradise Road
Swampscott, MA 01907

Applicant:
Phytopia, Inc.
25 Newbury Street
Peabody, MA 01960





WILLIAMS & SPARAGES
189 NORTH MAIN STREET
PEABODY, MA 01960
PHONE (978) 539-8088
WWW.WS-ENGINEERS.COM

Owner: Medway Flower, LLC
990 Paradise Road
Swampscott, MA 01907

Applicant: Phytopia, Inc.
25 Newbury Street
Peabody, MA 01960

Designed By: MEM
Drawn By: MEM
Reviewed By: CPS
Project Manager: CPS
Job File Number: MEDW-0017
Drawing File Folder: MEDW17

☒ Drawing Issued for Review
☐ Drawing Issued for Permit
☐ Drawing Issued for Construction

SEAL

CHRIST P. SPARAGES
No. 00174
COMMONWEALTH OF MASSACHUSETTS
REGISTERED PROFESSIONAL ENGINEER
EXPIRATION DATE 12/31/2024

4/12/22

CONSTRUCTION DETAILS PLAN
INDUSTRIAL PARK ROAD
6 INDUSTRIAL PARK ROAD, MEDWAY, MA

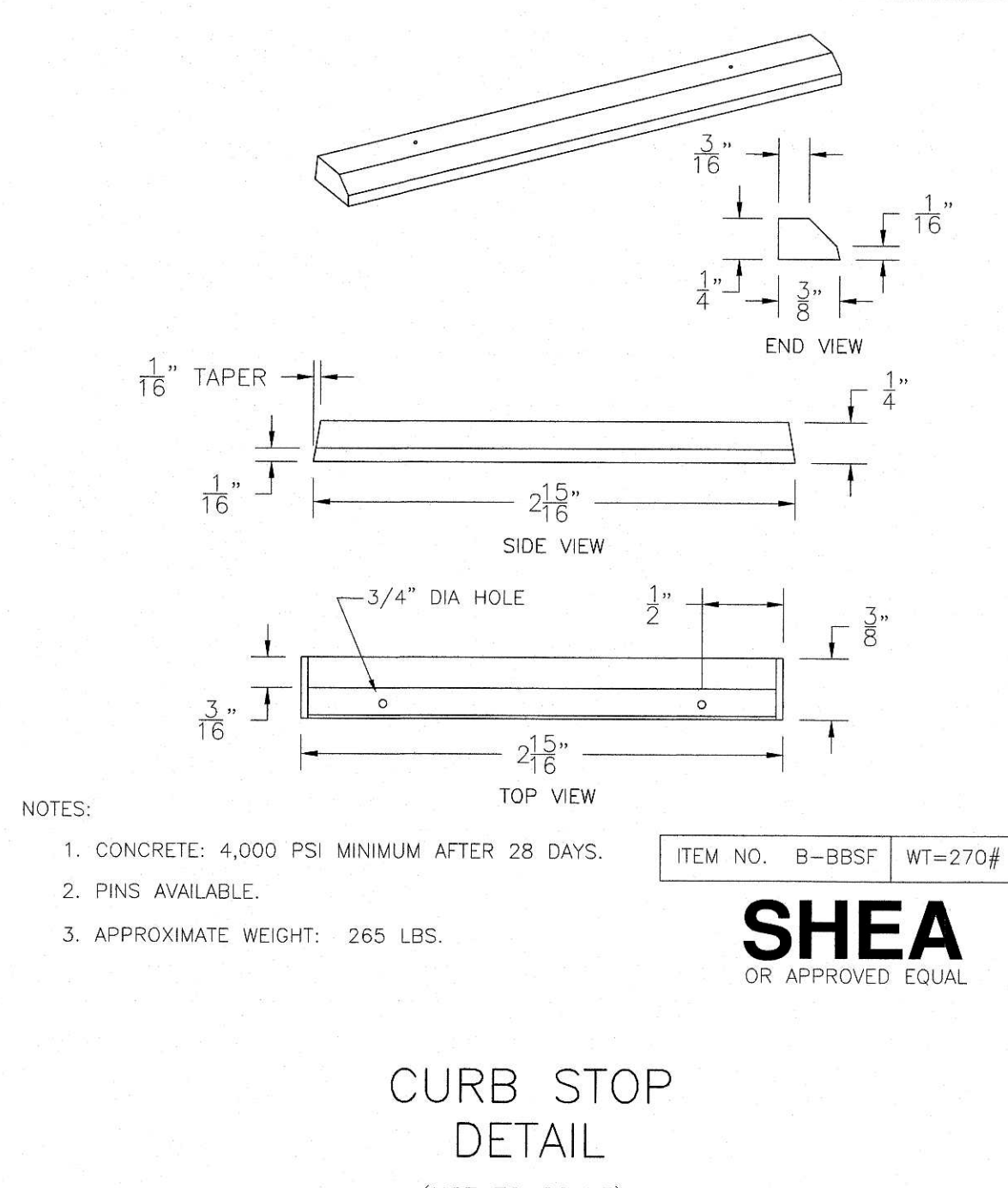
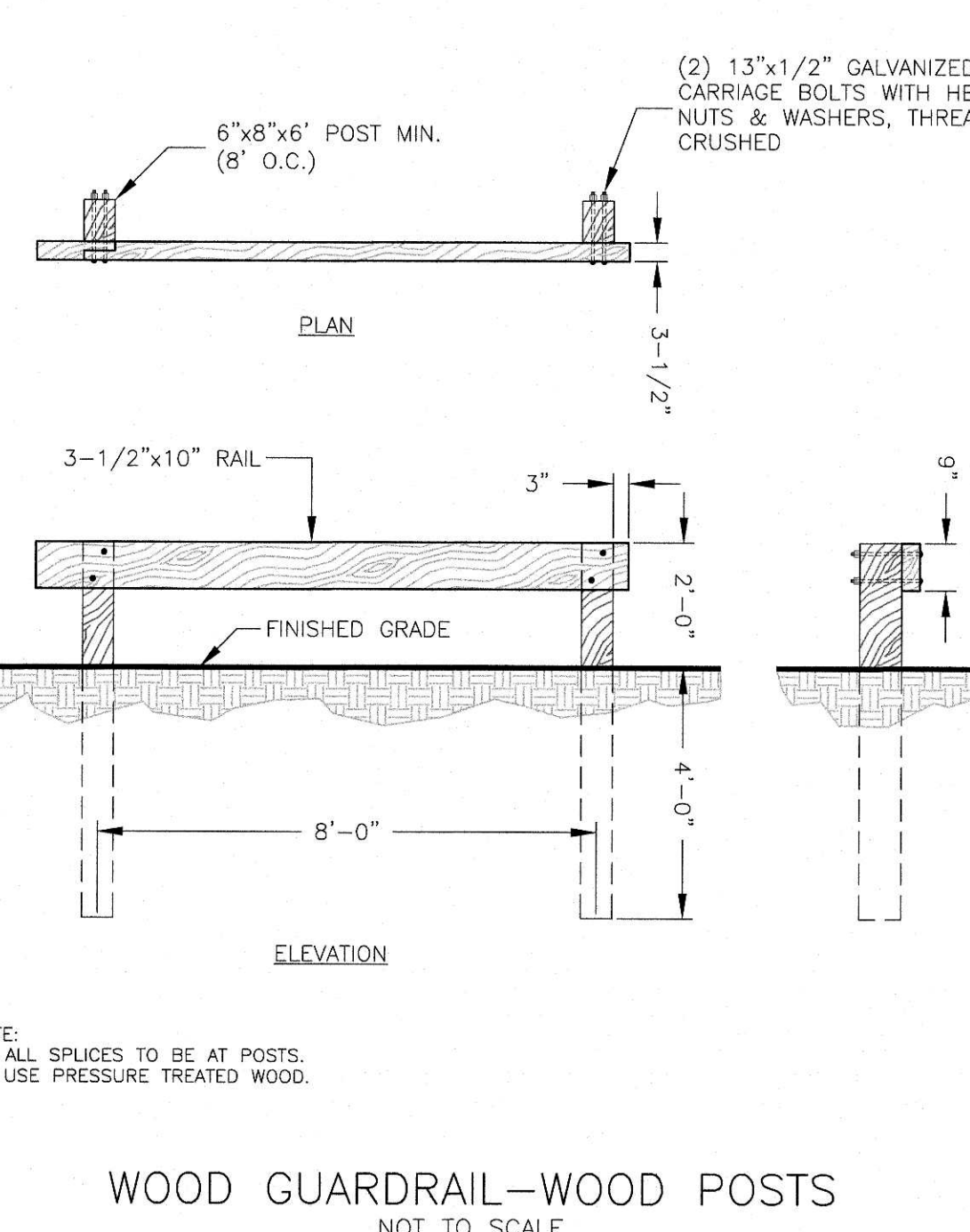
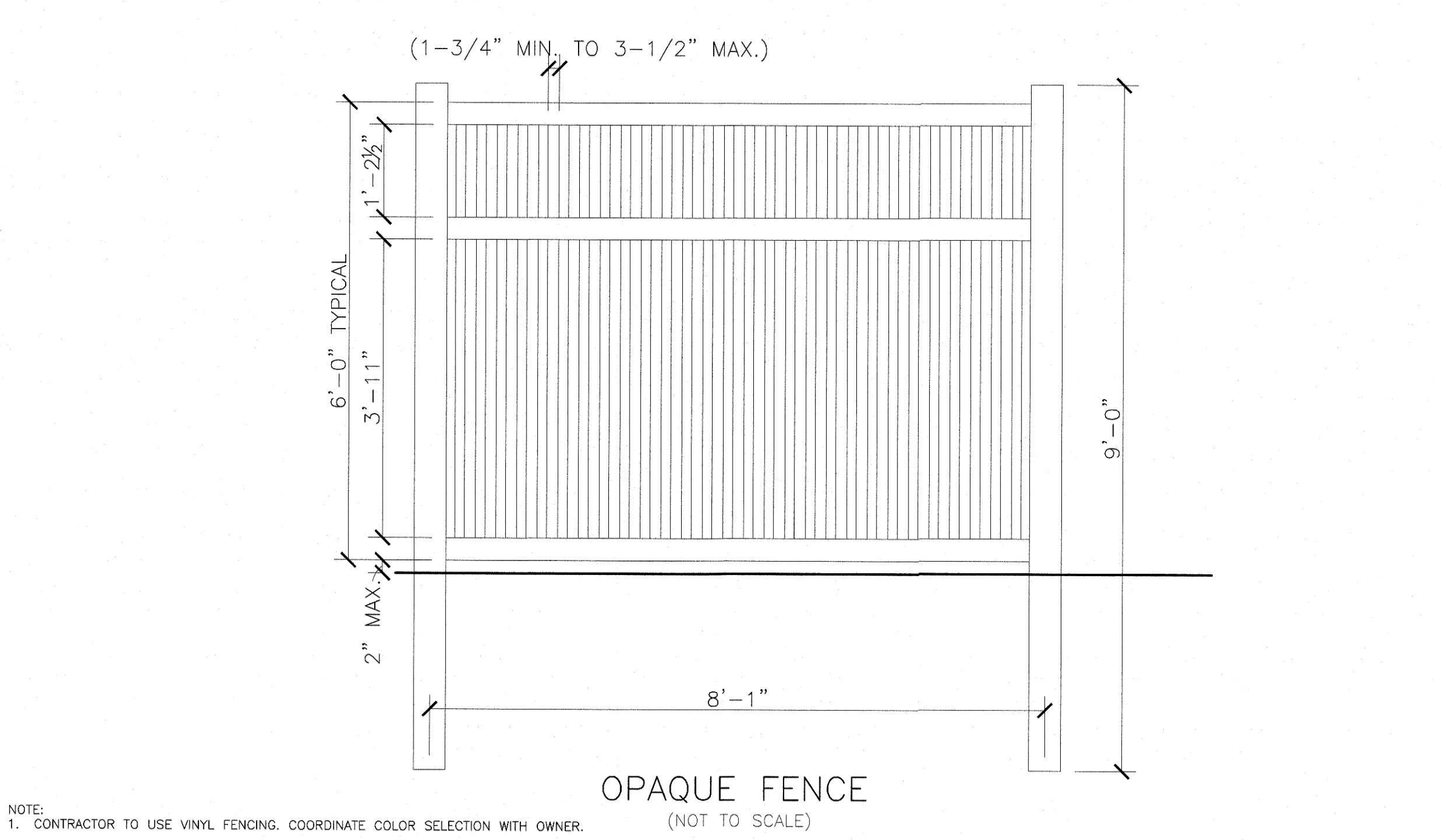
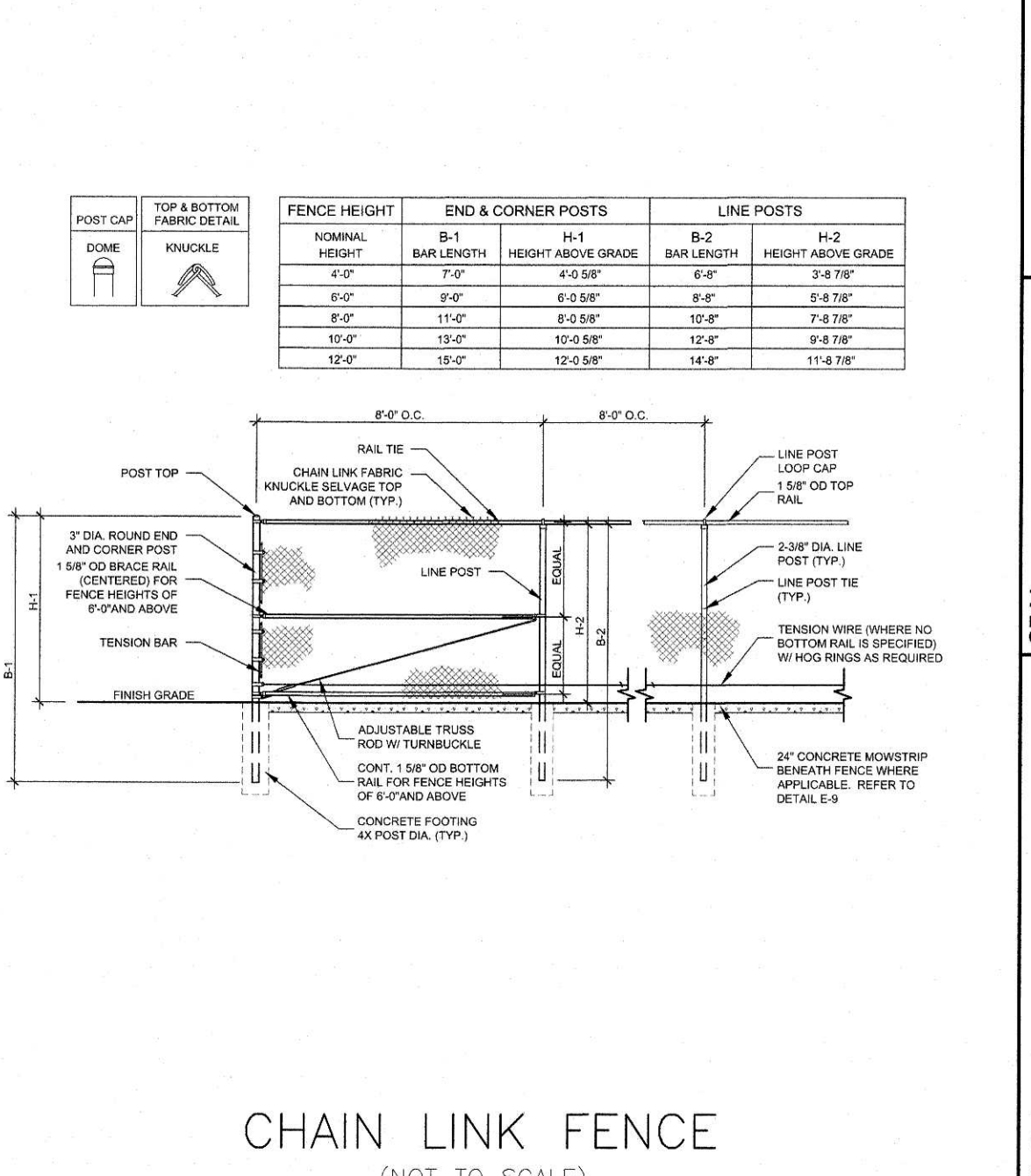
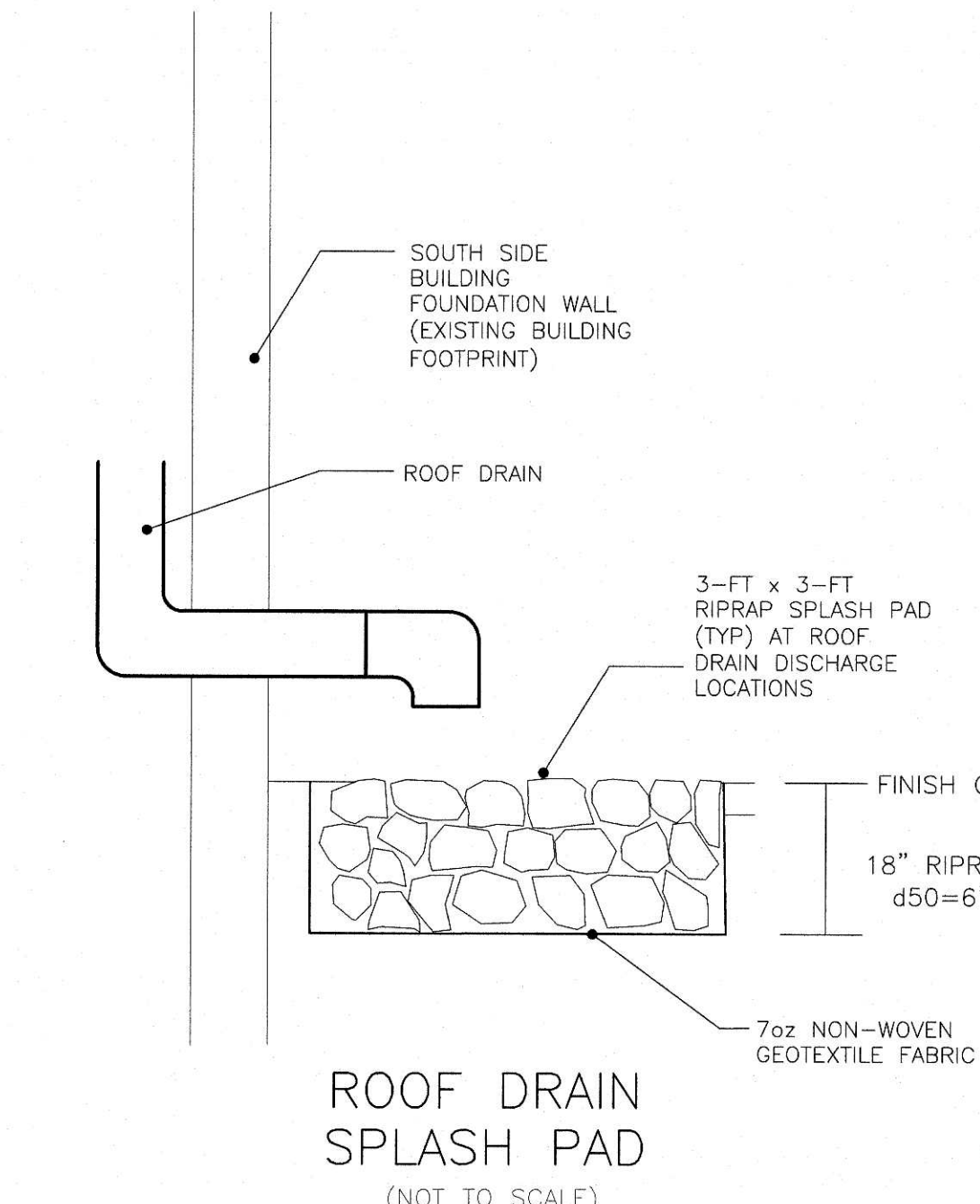
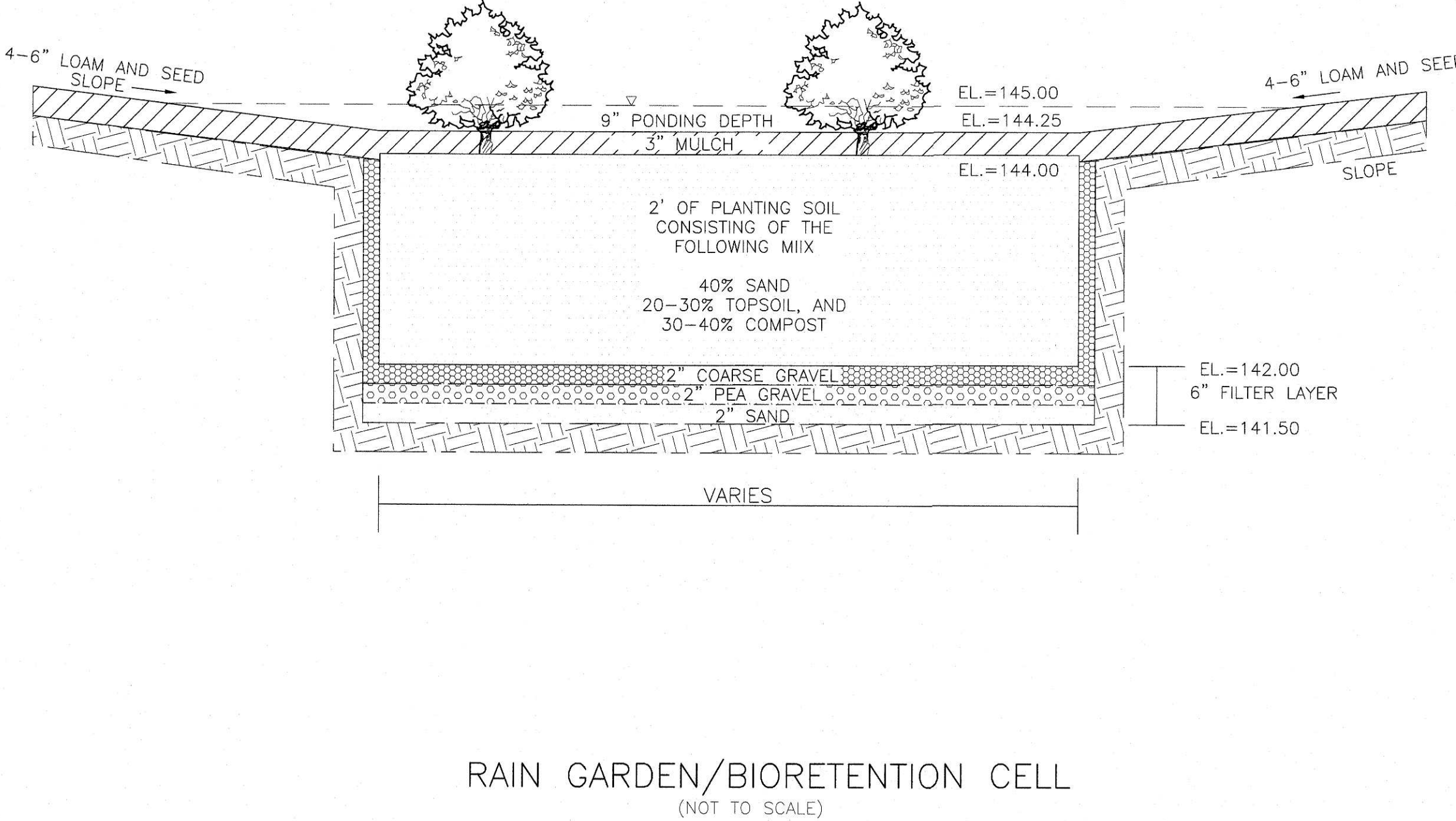
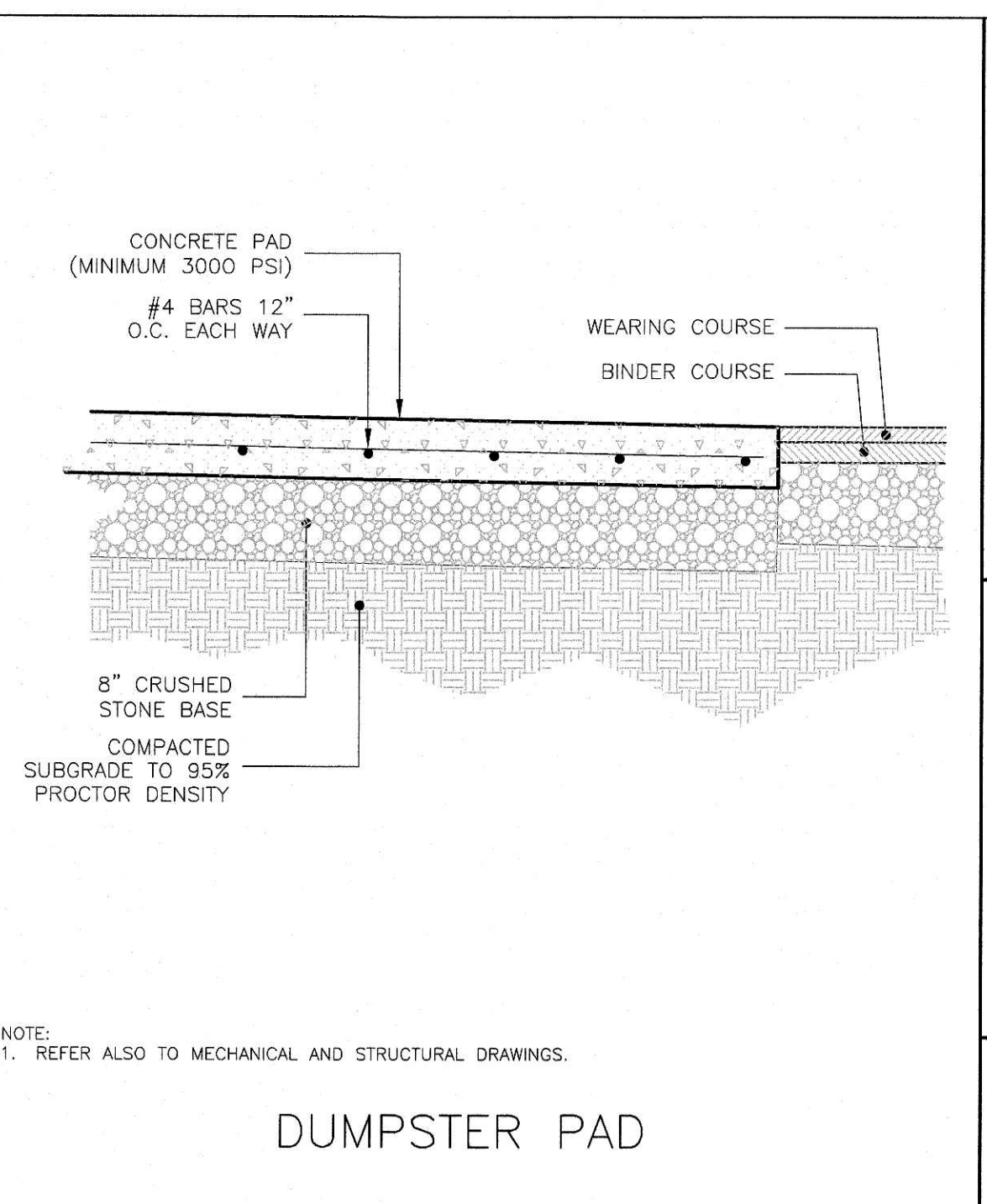
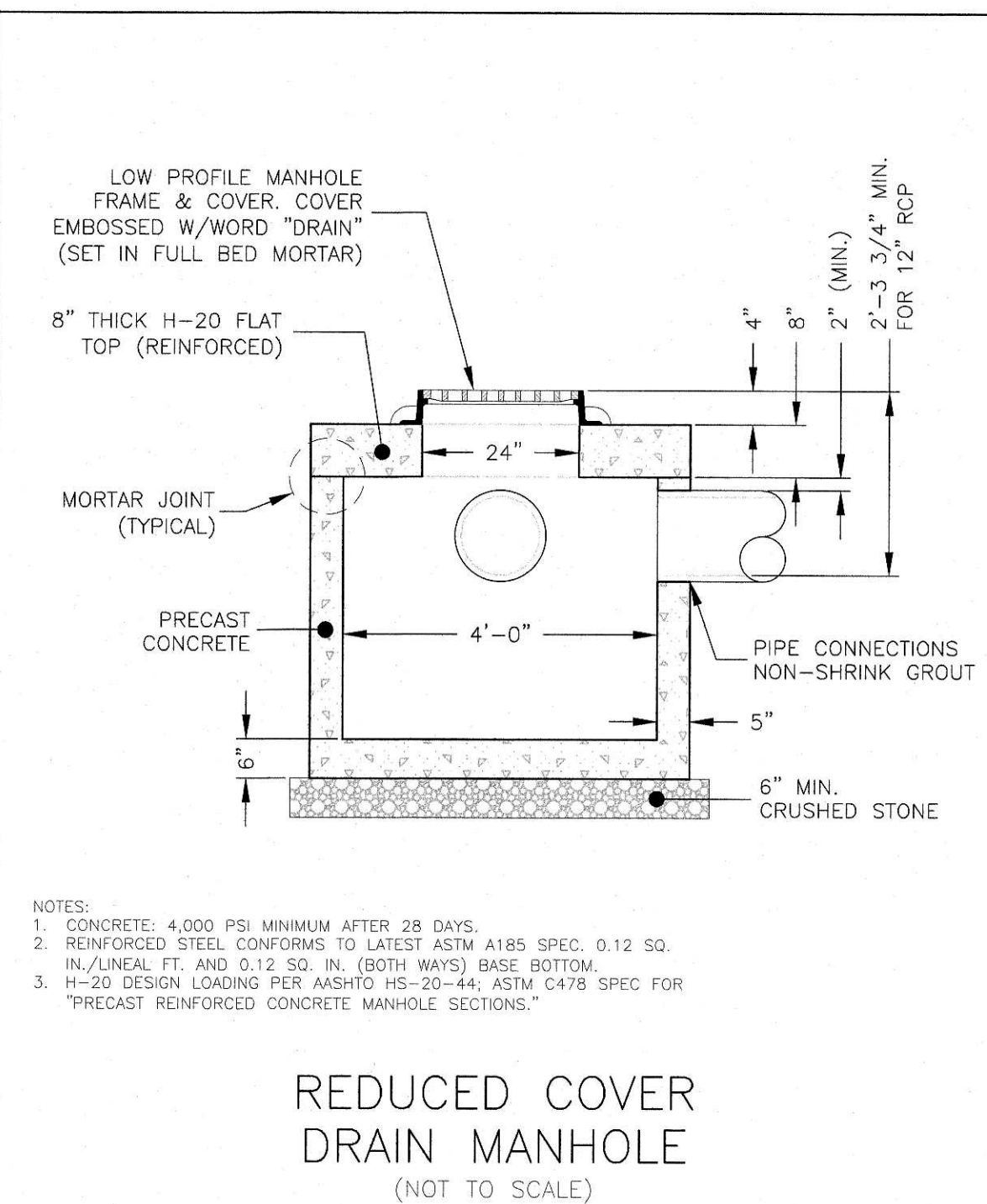
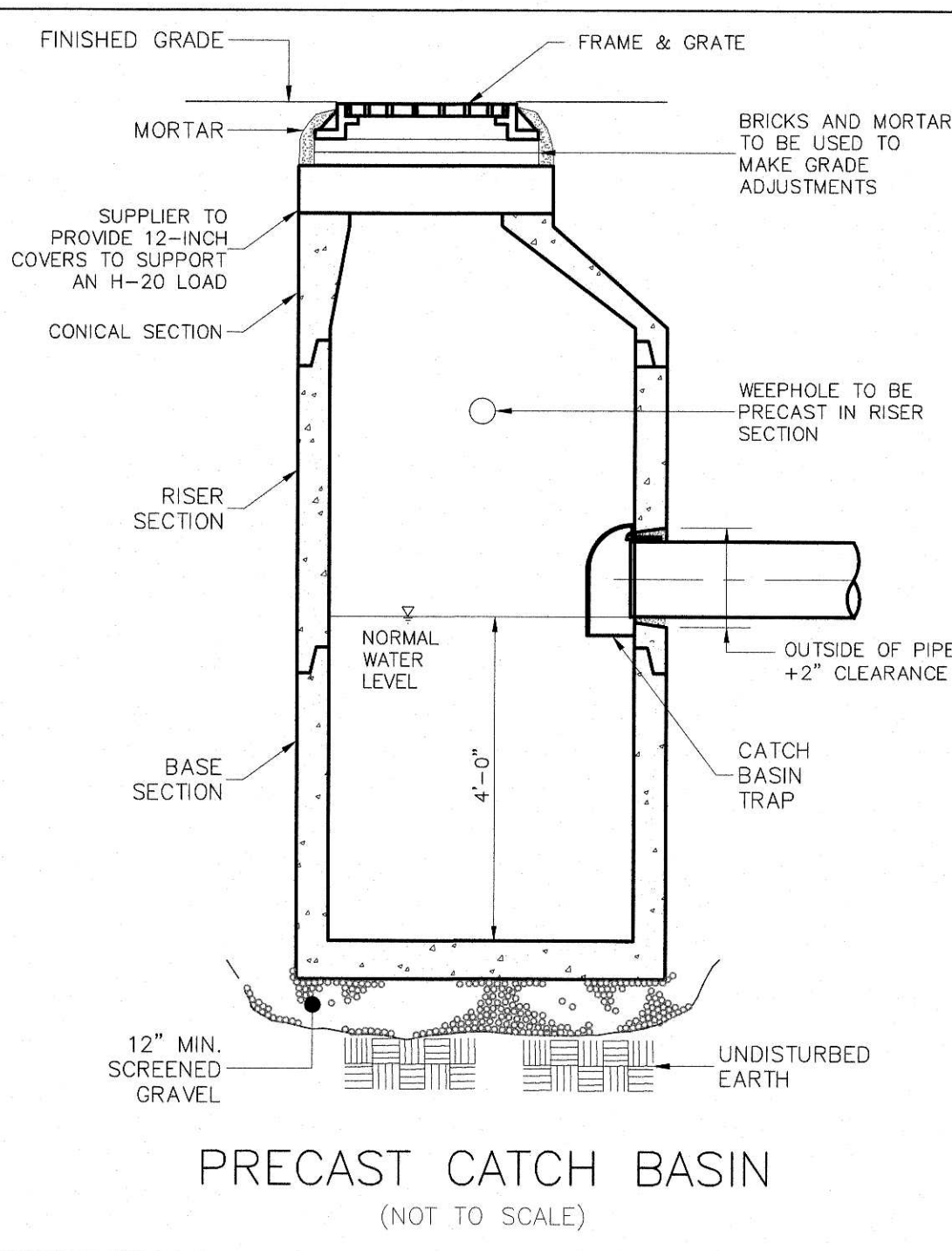
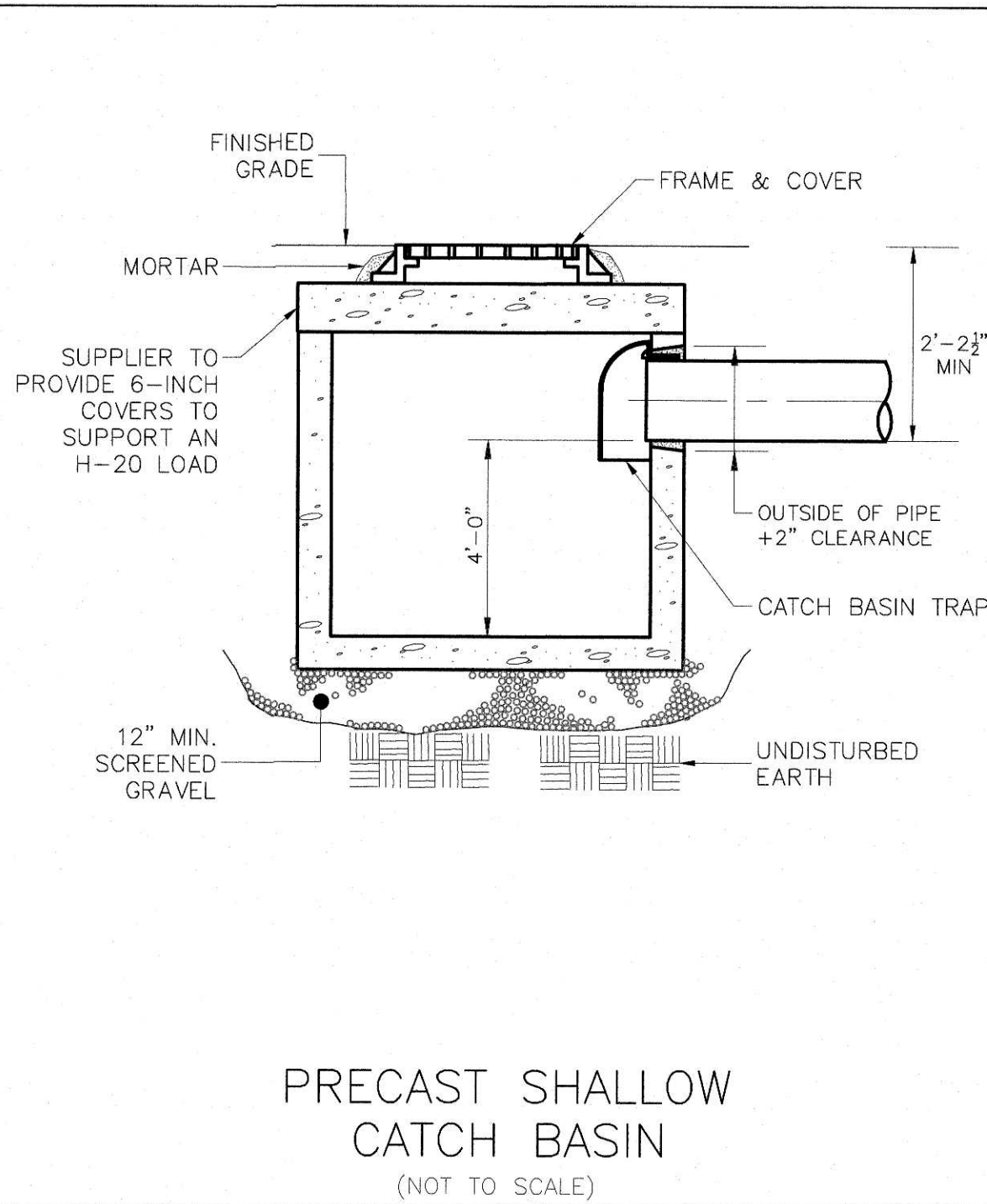
	6	5	4	3	2	1
12						
11						
10						
9						
8						
7						



SCALE: NONE

APRIL 1, 2021

DRAWING: C9.1

SHEET 10 OF 14



DRAWING: C9.2	SHEET 11 OF 14	CONSTRUCTION DETAILS PLAN INDUSTRIAL PARK ROAD										SEAL	 <i>Chris Williams</i> 4/12/22	Owner: Medway Flower, LLC 990 Paradise Road Swampscott, MA 01907 Applicant: Phytopia, Inc. 25 Newbury Street Peabody, MA 01960 Designed By: MEM Drawn By: MEM Reviewed By: CPS Project Manager: CPS Job File Number: MEDW-0017 Drawing File Folder: MEDW17 <input checked="" type="checkbox"/> Drawing Issued for Review <input type="checkbox"/> Drawing Issued for Permit <input type="checkbox"/> Drawing Issued for Construction	 WILLIAMS & SPARAGES S SUITE 101 189 NORTH MAIN STREET PEABODY, MA 01949 PHONE: (978) 539-8088 FAX: (978) 539-8200 WWW.WS-MA.COM
		6 INDUSTRIAL PARK ROAD, MEDWAY, MA													
SCALE: NONE		6				12									
		5				11									
		4				10									
		3	Town Comments / Peer Review		3/7/2022	9									
		2	Town Comments / Peer Review		1/3/2022	8									
APRIL 1, 2021		1	Town Comments / Peer Review		10/12/2021	7									

	MATERIAL LOCATION	DESCRIPTION	ASHTO MATERIAL CLASSIFICATIONS	COMPACTION / DENSITY REQUIREMENT
D	FINAL FILL: FILL MATERIAL FOR LAYER 'D' STARTS FROM THE TOP OF THE 'C' LAYER TO THE BOTTOM OF FLEXIBLE PAVEMENT OR UNPAVED FINISHED GRADE ABOVE. NOTE THAT PAVEMENT SUBBASE MAY BE PART OF THE 'D' LAYER	ANY SOIL/ROCK MATERIALS' NATIVE SOILS, OR PER ENGINEER'S PLANS. CHECK PLANS FOR PAVEMENT SUBGRADE REQUIREMENTS.	N/A	PREPARE PER SITE DESIGN ENGINEERS' PLAN. PAVED INSTALLATIONS MAY HAVE STRINGENT MATERIAL AND PREPARATION REQUIREMENTS.
C	INITIAL FILL: FILL MATERIAL FOR LAYER 'C' STARTS FROM THE TOP OF THE EMBEDEDMENT STONE (B) LAYER TO 150" (450 mm) ABOVE THE TOP OF THE CHAMBER. NOTE THAT PAVEMENT SUBBASE MAY BE A PART OF THE 'C' LAYER.	GRANULAR WELL-GRADED SOIL/AGGREGATE MIXTURES, <35% FINES OR PROCESSED AGGREGATE. MOST PAVEMENT SUBBASE MATERIALS CAN BE USED IN LIEU OF THIS LAYER.	ASHTO M145* A-1, A-2.4, A-3 OR ASHTO M43* 3, 357, 4, 467, 5, 56, 57, 6, 67, 68, 7, 78, 8, 89, 9, 10	BEGIN COMPACTIONS AFTER 12" (300 mm) OF MATERIAL OVER THE CHAMBERS IS REACHED. COMPACT ADDITIONAL LAYERS TO 150" (450 mm) MAX FOR LIFTS TO A MIN. 95% PROCTOR DENSITY WITH WELL GRADED MATERIAL AND 95% RELATIVE DENSITY FOR PROCESSED AGGREGATE MATERIALS. ROLLER GROSS VEHICLE WEIGHT NOT TO EXCEED 12,000 LBS (53 kN). DYNAMIC FORCE NOT TO EXCEED 20,000 LBS (89 kN).
B	EMBEDMENT STONE: FILL SURROUNDING THE CHAMBERS FROM THE FOUNDATION STONE (A' LAYER) TO THE 'C' LAYER ABOVE.	CLEAN, CRUSHED, ANGULAR STONE, NOMINAL SIZE DISTRIBUTION BETWEEN 3/4-2 INCH (20-50 mm)	ASHTO M43* 3, 357, 4, 467, 5, 56, 57	NO COMPACTION REQUIRED.
A	FOUNDATION STONE: FILL BELOW CHAMBERS FROM THE SUBGRADE UP TO THE FOOT (BOTTOM) OF THE CHAMBER.	CLEAN, CRUSHED, ANGULAR STONE, NOMINAL SIZE DISTRIBUTION BETWEEN 3/4-2 INCH (20-50 mm)	ASHTO M43* 3, 357, 4, 467, 5, 56, 57	PLATE COMPACT OR ROLL TO ACHIEVE A FLAT SURFACE. **

1. SC-740 CHAMBERS SHALL CONFORM TO THE REQUIREMENTS OF ASTM F2181 "STANDARD SPECIFICATION FOR POLYPROPYLENE (PP) CORRUGATED WALL STORMWATER COLLECTION CHAMBERS" OR ASTM F2322 "STANDARD SPECIFICATION FOR POLYETHYLENE (PE) CORRUGATED WALL STORMWATER COLLECTION CHAMBERS".
2. SC-740 CHAMBERS SHALL BE DESIGNED IN ACCORDANCE WITH ASTM F2787 "STANDARD PRACTICE FOR STRUCTURAL DESIGN OF THERMOPLASTIC CORRUGATED WALL STORMWATER COLLECTION CHAMBERS".
3. PERMEABLE FILL MATERIALS: TABLE ABOVE PROVIDES MATERIAL LOCATIONS, DESCRIPTIONS, GRADATIONS, AND COMPACTION REQUIREMENTS FOR FOUNDATION, EMBEDMENT, AND FILL MATERIALS.
4. THE "SITE DESIGN ENGINEER" REFERS TO THE ENGINEER RESPONSIBLE FOR THE DESIGN AND LAYOUT OF THE STORMTRENCH CHAMBERS FOR THIS PROJECT. THE SITE DESIGN ENGINEER IS RESPONSIBLE FOR ASSESSING THE SOIL TYPE, DISTANCE (ALLOWABLE BEARING CAPACITY) OF THE SUBGRADE SOILS AND THE DEPTH OF FOUNDATION SOILS WITH CONSIDERATION FOR THE RANGE OF EXPECTED SOIL MOISTURE CONDITIONS.
5. PERMEABLE STONE SHALL BE EXTENDED HORIZONTALLY TO THE EXCAVATION WALL FOR BOTH VERTICAL AND SLOPED EXCAVATION WALLS.
6. ONCE LAYER C OR D IS LAYED, ANY SOIL MATERIAL CAN BE PLUGGED IN TO THE FINISHED GRADE. MOST PAVEMENT SUBBASE SOILS CAN BE USED TO REPLACE THE MATERIAL REQUIREMENTS OF LAYER C OR D AT THE SITE DESIGN ENGINEER'S DISCRETION.

*ASSUMES 6" (152 mm) STONE ABOVE, BELOW, AND BETWEEN CHAMBERS

STUBS AT BOTTOM OF END CAP FOR PART NUMBERS ENDING WITH "B"				
STUBS AT TOP OF END CAP FOR PART NUMBERS ENDING WITH "T"				
PART #	STUB	A	B	C
SC740EPE06T / SC740APE06TPC	6" (152 mm)	10.9" (277 mm)	18.5" (470 mm)	---
SC740EPE06B / SC740APE06BPC	---	---	---	0.5" (13 mm)
SC740EPE09T / SC740APE09TPC	8" (200 mm)	12.2" (310 mm)	16.5" (419 mm)	---
SC740EPE09B / SC740APE09BPC	---	---	---	0.6" (15 mm)
SC740EPE10T / SC740APE10TPC	10" (250 mm)	13.4" (340 mm)	14.5" (368 mm)	---
SC740EPE10B / SC740APE10BPC	---	---	---	0.7" (18 mm)
SC740EPE12T / SC740APE12TPC	---	---	---	---
SC740EPE12B / SC740APE12BPC	12" (300 mm)	14.7" (373 mm)	12.5" (318 mm)	---
SC740EPE16T / SC740APE16TPC	---	---	---	1.2" (30 mm)
SC740EPE15B / SC740APE15BPC	15" (375 mm)	18.4" (467 mm)	9.0" (229 mm)	---
SC740EPE18T / SC740APE18TPC	---	---	---	1.3" (33 mm)
SC740EPE18B / SC740APE18BPC	18" (450 mm)	19.7" (500 mm)	5.0" (127 mm)	---
SC740EPE4B*	24" (600 mm)	18.5" (470 mm)	---	1.8" (41 mm)
---	---	---	---	0.1" (3 mm)

* FOR THE SC740EPE24B THE 24" (600 mm) STUB LIES BELOW THE BOTTOM OF THE END CAP APPROXIMATELY 1.75" (44 mm) BACKFILL MATERIAL SHOULD BE REMOVED FROM BELOW THE N-12 STUB SO THAT THE FITTING SITS LEVEL.

NOTE: ALL DIMENSIONS ARE NOMINAL

PLAN VIEW B-B
N.T.S.

Labels for Plan View B-B:

- FIBERGLASS SEPARATION CYLINDER AND INLET
- CENTER OF CDS STRUCTURE, SCREEN AND SUMP OPENING
- FLOW
- MAX. 1'-4"
- TOP SLAB ACCESS (SEE FRAME AND COVER DETAIL)
- 36" [914] I.D. MANHOLE STRUCTURE
- PVC HYDRAULIC SHEAR PLATE
- +1.65' MAX.

ELEVATION A-A
N.T.S.

Labels for Elevation A-A:

- CONTRACTOR TO GROUT TO FINISHED GRADE GRADE RINGS/RISERS
- FIBERGLASS SEPARATION CYLINDER AND INLET
- INLET PIPE (MULTIPLE INLET PIPES MAY BE ACCOMMODATED)
- OUTLET PIPE
- VARIES
- PERMANENT POOL ELEV.
- 4'-2" [1209]
- 2'-0" [610]
- 1'-4" [406]
- SEPARATION SCREEN
- PVC HYDRAULIC SHEAR PLATE
- SOLIDS STORAGE SUMP
- OIL BAFFLE SKIRT
- 1'-8" [507]
- 4'-0" [1219] MAY VARY

CDS

© 2000 CDS, Inc. All rights reserved. CDS, Inc. is a registered trademark of CDS, Inc. in the United States and other countries. CDS, Inc. is not responsible for the use of its products in any manner not intended by the manufacturer. The user assumes all liability for the use of its products in any manner not intended by the manufacturer. The user assumes all liability for the use of its products in any manner not intended by the manufacturer.

1500 WATTS RATING 1/2" NPT

CONTECH
www.contechusa.com

FOR ASSISTANCE CALL 1-800-278-1251

STRUCTURE ID				
WATER QUALITY FLOW RATE (CFS OR L/s)				*
PEAK FLOW RATE (CFS OR L/s)				*
RETURN PERIOD OF PEAK FLOW (YRS)				*
SCREEN APERTURE (2400 OR 4700)				*
PIPE DATA:	I.E.	MATERIAL	DIAMETER	
INLET PIPE 1	*	*	*	
INLET PIPE 2	*	*	*	
OUTLET PIPE	*	*	*	
RIM ELEVATION				*
ANTI-FLOTATION BALLAST		WIDTH	HEIGHT	
		*	*	
NOTES/SPECIAL REQUIREMENTS:				
* PER ENGINEER OF RECORD				

1. CONTECH TO PROVIDE ALL MATERIALS UNLESS NOTED OTHERWISE.
2. FOR SITE SPECIFIC DRAWINGS WITH DETAILED STRUCTURE DIMENSIONS AND WEIGHT, PLEASE CONTACT YOUR CONTECH ENGINEERED SOLUTIONS LLC REPRESENTATIVE. contech@contech.com
3. CDS WATER QUALITY STRUCTURE SHEET IS IN ACCORDANCE WITH ALL DESIGN DATA AND INFORMATION CONTAINED IN THIS DRAWING. CONTRACTOR TO CONFIRM STRUCTURE MEETS REQUIREMENTS OF PROJECT.
4. CONCRETE SHALL BE CAST WITH A MINIMUM OF 4" ϕ AND GROUNDWATER ELEVATION AT OR BELOW THE OUTLET PIPE INVERT ELEVATION. ENGINEER OF RECORD TO CONFIRM ACTUAL GROUNDWATER ELEVATION. CEMENT SHALL MEET ASTM M306 AND BE CAST WITH THE CONTECH LOGO.
5. IF REQUIRED, PVC HYDRAULIC SHEAR PLATE IS PLACED ON SHELL AT BOTTOM OF SCREEN CYLINDER. REMOVE AND REPLACE AS NECESSARY DURING MAINTENANCE CLEANING.
6. CDS STRUCTURE SHALL BE PRECAST CONCRETE CONFORMING TO ASTM C-478 AND ASHRAE LOAD FACTOR DESIGN METHOD.

A. ANY SUB-BASE, BACKFILL DEPTH, AND/OR ANTIFLOUTATION PROVISIONS ARE SITE-SPECIFIC DESIGN CONSIDERATIONS AND SHALL BE SPECIFIED BY ENGINEER OR CONTRACTOR.

B. CONTRACTOR TO PROVIDE EQUIPMENT WITH SUFFICIENT LIFTING AND REACH CAPACITY TO LIFT AND SET THE COS MANHOLE STRUCTURE.

C. CONTRACTOR TO INSTALL JOINT SEALANT BETWEEN ALL STRUCTURE SECTIONS AND ASSEMBLE STRUCTURE.

D. CONTRACTOR TO PROVIDE, INSTALL, AND GROUT INLET AND OUTLET PIPE(S). MATCH PIPE INVERTS WITH ELEVATIONS SHOWN. ALL PIPE SHALL BE 12" MIN. DIAMETER AND 10' MIN. LENGTH CENTERLINES.

E. CONTRACTOR TO TAKE APPROPRIATE MEASURES TO ASSURE UNIT IS WATER TIGHT, HOLDING WATER TO FLOWLINE INVERT MINIMUM. IT IS SUGGESTED THAT ALL JOINTS BELOW PIPE INVERTS ARE GROUTED.

CONTECH[®]
ENGINEERED SOLUTIONS LLC
www.contechES.com
9025 Centre Pointe Dr., Suite 400, West Chester, OH 45380
800-338-1122 513-645-7000 513-645-7993 FAX

CONCRETE COLLAR

PAVEMENT

CONCRETE SLAB
0 mm) MIN THICKNESS

18" (450 mm) MIN WIDTH

CONCRETE COLLAR NOT REQUIRED FOR UNPAVED APPLICATIONS

12" (300 mm) NYLOPLAST INLINE DRAIN BODY
SOLID HINGED COVER
PART# 2712A(41P)
SOLID COVER: 1299CGC

4" (100 mm) SDR35 PIPE

SC-740 CHAMBER

1/2" (100 mm) INSERTA TEE
PART# 4P26FBS1P
TEE TO BE CENTERED
CORRUIGATION CREST

STEP 1: INSPECT ISOLATOR ROLL UPS FOR SEDIMENT

A. INSPECTION PORTS PRESENT

1. REMOVE/OPEN UP ON NYLOPLAST INLINE DRAIN
2. REMOVE AND CLEAN FLEXFORMER FILTER IF INSTALLED
3. USING A FLASHLIGHT AND STADIA ROD, MEASURE DEPTH OF SEDIMENT AND RECORD ON MAINTENANCE LOG
4. LOWER A CAMERA INTO ISOLATOR ROLL UPS FOR VISUAL INSPECTION OF SEDIMENT LEVELS (OPTIONAL)

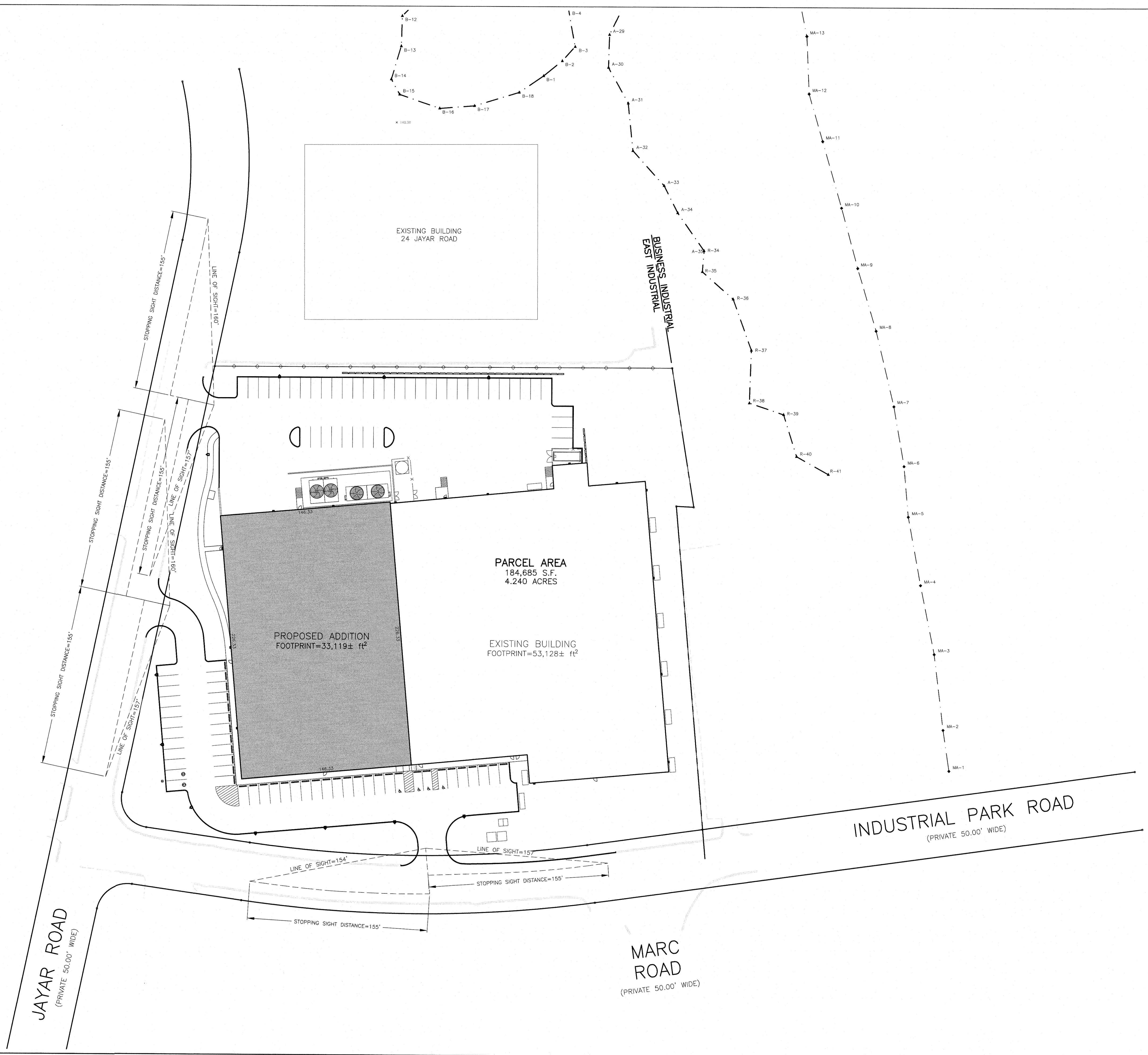
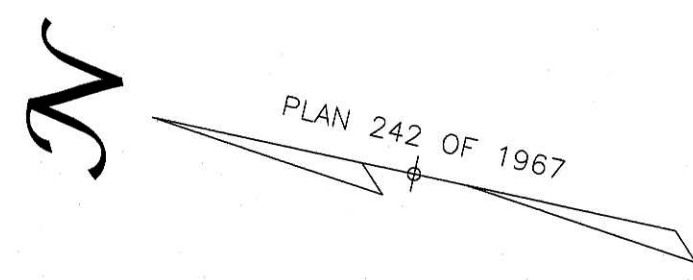
B. SEDIMENT IS AT OR ABOVE 3" (80 mm) PROCEED TO STEP 2; IF NOT, PROCEED TO STEP 3

C. ALL ISOLATOR UPS PLUS ROWS

1. REMOVE COVER FROM ISOLATOR COVER AT UPSTREAM END OF ISOLATOR ROLL UPS
2. USING A FLASHLIGHT, INSPECT DOWN THE ISOLATOR ROLL UPS FOR SEDIMENT ON INSIDE OF PIPE
3. IF MIRRORS ON POLES OR CAMERAS MAY BE USED TO AVOID A CONFINED SPACE ENTRY
4. FOLLOW OSHA REGULATIONS FOR CONFINED SPACE ENTRY
5. IF SEDIMENT IS AT, OR ABOVE, 3" (80 mm) PROCEED TO STEP 2; IF NOT, PROCEED TO STEP 3

1. INSPECT EVERY 6 MONTHS DURING THE FIRST YEAR OF OPERATION. ADJUST THE INSPECTION INTERVAL BASED ON PREVIOUS OBSERVATIONS OF SEDIMENT ACCUMULATION AND HIGH WATER ELEVATIONS.
2. CONDUCT JETTING AND VACTORING ANNUALLY OR WHEN INSPECTION SHOWS THAT MAINTENANCE IS NECESSARY.

[illegible]



STOPPING SIGHT DISTANCE PLAN
INDUSTRIAL PARK ROAD

6 INDUSTRIAL PARK ROAD, MEDWAY, MA

DRAWING: C10.1

SHEET 14 OF 14

0' 15' 30' 60'

SCALE: 1"=30'

OCTOBER 1, 2021

6	12	11	10	9	8	7					
3	Town Comments / Peer Review	3/7/2022	9	2	Town Comments / Peer Review	1/3/2022	8	1	Town Comments / Peer Review	10/12/2021	7

SEAL

CHRIST P. SPARAGES
REGISTERED PROFESSIONAL ENGINEER
No. 40174
CIVIL

Christ P. Sparages
(412422)

Designed By: MEM
Drawn By: MEM
Reviewed By: CPS
Project Manager: CPS
Job File Number: MEDW-0017
Drawing File Folder: MEDW17

☒ Drawing Issued for Review
☐ Drawing Issued for Permit
☐ Drawing Issued for Construction

Owner:
Medway Flower, LLC
990 Paradise Road
Swampscott, MA 01907

Applicant:
Phytocopia, Inc.
25 Newbury Street
Peabody, MA 01960

WILLIAMS & SPARAGES
189 NORTH MAIN STREET
SUITE 101
PEABODY, MA 01960
PHONE: (978) 539-4088
FAX: (978) 539-8200
WSENGINEERS.COM



June 8, 2021
(revised October 27, 2021)
(revised April 22, 2022)

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

**Re: Phytopia Inc.
 Major Site Plan Review
 6 Industrial Park Road
 Medway, Massachusetts**

Dear Ms. Affleck-Childs:

Tetra Tech (TT) has performed a review of the proposed Site Plan for the above-mentioned Project at the request of the Town of Medway Planning and Economic Development Board (PEDB). The proposed Project is located at 6 Industrial Park Road in Medway, Massachusetts. The Project consists of redeveloping the vacant industrial building along with constructing a two-story addition for the purpose of growing and processing marijuana plants and byproducts. The scope of work also includes improving existing access driveways, curbing, 92 off-street parking spaces, landscaping, lighting, and installation of stormwater drainage facilities.

TT is in receipt of the following materials:

- A cover letter dated May 12, 2021, prepared by Edward V. Cannon, Jr.
- A plan (Plans) set titled "Industrial Park Road, 6 Industrial Park Road, Medway, MA" dated April 1, 2021, prepared by MEM.
- An Application for Major Site Plan Approval, dated April 30, 2021, prepared by Edward V. Cannon, Jr.
- An Application for Reduced Parking Special Permit Approval, dated May 1, 2021, prepared by Edward V. Cannon, Jr.
- An Application for Groundwater Protection District Special Permit Approval, dated May 1, 2021, prepared by Edward V. Cannon, Jr.
- A Marijuana Special Permit Application, dated April 30, 2021, prepared by Edward V. Cannon, Jr.

The Plans and accompanying materials were reviewed for conformance with Chapter 200 of the Town of Medway PEDB Rules and Regulations (Regulations) last amended October 8, 2019, Town of Medway Zoning Bylaw – Groundwater Protection District and good engineering practice. Review of the Project for zoning related matters, other than the Groundwater Protection District, is being conducted by the Town and is excluded from this review.

TT 10/27/21 Update

The Applicant has supplied TT with a revised submission addressing comments provided in our previous letter including the following documents:

- A Cover Letter dated October 12, 2021, prepared by WSE.
- A Response to Comments Letter dated October 12, 2021, prepared by WSE.
- A letter regarding Groundwater Special Permit, dated September 15, 2021, prepared by Edward V. Cannon, Jr.

- A plan (Plans) set titled "Industrial Park Road, 6 Industrial Park Road, Medway, MA", dated April 1, 2021, revised October 12, 2021, prepared by WSE.

The revised Plans and supporting information were reviewed against our previous comment letter (June 8, 2021) and comments have been tracked accordingly. Text shown in gray represents information contained in previous correspondence while new information is shown in black text.

TT 4/22/22 Update

The Applicant has supplied TT with a revised submission addressing comments provided in our previous letter including the following documents:

- A Response to Comments Letter dated April 12, 2022, prepared by WSE.
- A plan (Plans) set titled "Industrial Park Road, 6 Industrial Park Road, Medway, MA", dated April 1, 2021, revised March 7, 2022, prepared by WSE.

The revised Plans and supporting information were reviewed against our previous comment letter (October 27, 2021) and comments have been tracked accordingly. Text shown in gray represents information contained in previous correspondence while new information is shown in black text. Comments resolved or Conditions recommended in the previous letter have been removed from this correspondence to consolidate the document for ease of review.

SITE PLAN REVIEW

4. Earthwork Calculations have not been provided. However, the Applicant acknowledged in the cover letter that one will be provided once the final scope of the Project is clearly defined and will file it at a later date. (Ch. 200 §204-3.I&J)
 - *WSE 10/12/21 Response: See attached earthwork calculations.*
 - **TT 10/27/21 Update: Earthwork on the Project is a net fill with approximately 1,685 cubic yards of import material expected. We recommend this information be provided on the Erosion and Sediment Control Plan.**
 - *WSE 4/12/22 Response: This information has been added to the Erosion and Sediment Control Plan.*
 - **TT 4/22/22 Update: In our opinion, this comment is resolved.**
6. Cover sheet has not been provided in the Plans. However, applicable cover sheet information is provided on the Site Context Sheet/Location Plan. A list of requested waivers should be added to the sheet once approved by the Board. (Ch. 200 §204-5.A)
 - *WSE 10/12/21 Response: A cover sheet with a list of waivers has been provided, see sheet 1 of 10.*
 - **TT 10/27/21 Update: The list of requested waivers has not been included on the Cover Sheet.**
 - *WSE 4/12/22 Response: The list of requested waivers has been added to Sheet 1, the Cover Sheet.*
 - **TT 4/22/22 Update: In our opinion, this comment is resolved.**
8. Dimensions of lot lines and easement areas (if applicable) have not been provided on the Site Context Sheet. Additionally, metes and bounds should be included on all plans. (Ch. 200 §204-5.B.3)
 - *WSE 10/12/21 Response: Dimensions of lot lines has been provided, see sheet 2.*
 - **TT 10/27/21 Update: Lot line dimensions have been added to the Site Context Sheet, but metes and bounds have not been added to the remainder of the Plans.**
 - *WSE 4/12/22 Response: No response necessary.*
 - **TT 4/22/22 Update: The Applicant has added the metes and bounds to the Plans. In our opinion, this comment is resolved.**

18. Locations of proposed fire hydrants and emergency access lanes not provided on plans. A hydrant exists on Industrial Park Drive immediately across the street from the Project. We recommend Plans and supporting information be submitted to Medway Fire Department for review and comment. (Ch. 200 §204-5.D.18)
- *WSE 10/12/21 Response: There are two existing fire hydrants along the industrial Park Road and three existing fire hydrants along Jayar Road within close proximity to the subject property. It is our understanding that members of the development team have met with Police and Fire Department officials.*
 - **TT 10/27/21 Update: We recommend the Applicant provide written correspondence from the Medway Fire Department regarding their review of the Project.**
 - *WSE 4/12/22 Response: It is our understanding that members of the development team have met with Police and Fire Department officials and have reviewed the site plans. We will follow up with the Fire Department and ask them to send along a written correspondence to the PEDB.*
 - **TT 4/22/22 Update: We recommend a Condition requiring the Applicant provide the written correspondence prior to final plan approval by the PEDB.**
19. Sidewalks along the building in the west parking lot are proposed at 5-foot width but abut parking which requires width to be increased to seven feet to accommodate bumper overhang. (Ch. 200 §207-9.B.1)
- *WSE 10/12/21 Response: Curb stops have been added to the parking spaces directly adjacent to sidewalks. Propose sidewalks to remain five feet in width.*
 - **TT 10/27/21 Update: We do not recommend use of wheel stops as they are a nuisance in winter months and are typically either removed by the tenant or by snowplows. They also effectively reduce the length of parking stalls.**
 - *WSE 4/12/22 Response: We respectfully disagree. The use of wheel stops is a safety measure commonly used to help prevent vehicles from travelling beyond marked parking space. In this case, it will prevent vehicular bumper overhang, which may impede foot traffic.*
 - **TT 4/22/22 Update: We defer action on this item to the PEDB with discussion recommended at the next hearing.**
20. There is a total of four curb cuts proposed for the Project which we believe may be excessive for a Project of this size. We recommend the Applicant explore combining the parking areas along the west property line to help reduce the proposed curb cuts. We understand there are three existing curb cuts, but we believe the site can be designed to reduce this condition. The Regulations favor one curb cut per roadway at corner lots. (Ch. 200 §207-11.A.2)
- *WSE 10/12/21 Response: The existing condition has three curb cuts and the proposed seeks to retain two while adding one and removing one for a total of three curb cuts as in the existing condition.*
 - **TT 10/27/21 Update: We believe the revised curb cuts are sufficient to serve the proposed parking and emergency access. However, we recommend the PEDB require the Applicant provide written correspondence from the Fire Department regarding their review of the Project.**
 - *WSE 4/12/22 Response: It is our understanding that members of the development team have met with Police and Fire Department officials and have reviewed the site plans. We will follow up with the Fire Department and ask them to send along a written correspondence to the PEDB.*
 - **TT 4/22/22 Update: We recommend a Condition requiring the Applicant provide the written correspondence prior to final plan approval by the PEDB.**

21. Bituminous berm is proposed for the entire curb length for the Project. Typically, curb cut radii are delineated with vertical granite curb which may transition to bituminous berm on the interior of the site is approved by the PEDB. (Ch. 200 §207-11.A.4)
- *WSE 10/12/21 Response: The existing curbing on Industrial Park Road and Jayar Road is bituminous and the proposed curbing at site entrances are proposed to remain bituminous.*
 - **TT 10/27/21 Update: We recommend the Applicant coordinate with the PEDB regarding this item and provide a formal waiver request. Typically, vertical granite curbing is preferred at entrance radii, particularly within the public right of way.**
 - *WSE 4/12/22 Response: We believe this item does not require a waiver. The proposal is to match the existing curbing within the Industrial Park, which is bituminous berm.*
 - **TT 4/22/22 Update: We defer action on this item to the PEDB with discussion recommended at the next hearing.**
23. Portions of the west and east parking lots are proposed within 15 feet of the property lines which does not comply with the Regulations. (Ch. 200 §207-12.G.3.b)
- *WSE 10/12/21 Response: The east parking lot essentially follows the existing pavement line and is proposed to remain. The west parking field remains as shown on the civil drawings.*
 - **TT 10/27/21 Update: We recommend the Applicant coordinate with the PEDB regarding this item.**
 - *WSE 4/12/22 Response: The proposed parking spaces located within the setback described in Ch. 200 §207-12.G.3.b do not impede proper traffic flow and follow similar parking layouts on other properties within the existing industrial park.*
 - **TT 4/22/22 Update: We defer action on this item to the PEDB with discussion recommended at the next hearing.**
26. The Applicant has not proposed any screening of the existing dumpster location at the site. (Ch. 200 §207-17.C)
- *WSE 10/12/21 Response: The proposed trash enclosure is a 40-yard roll-off container that will be accessed via a chute from inside the building. A chain-link security fence with slats and gates are proposed. A detail of the chain-link fencing has been provided, see sheet 10.*
 - **TT 10/27/21 Update: We recommend the Applicant provide written correspondence from the Medway Design Review Committee (DRC) regarding their review of this item.**
 - *WSE 4/12/22 Response: We believe the Design Review Committee has previously submitted a positive recommending for the proposed layout.*
 - **TT 4/22/22 Update: We recommend a Condition requiring the Applicant provide the written correspondence prior to final plan approval by the PEDB.**
27. The Photometric Plan does not show any light levels beyond the property lines. We anticipate light trespass along the northwestern and northeastern and eastern property lines. (Ch. 200 §207-18)
- *WSE 10/12/21 Response: The Photometric Plan has been revised to show light levels beyond the property line.*
 - **TT 10/27/21 Update: Light trespass occurs along each of the property lines to multiple abutters.**
 - *WSE 4/12/22 Response: The lighting design has been revised to eliminate light trespass on abutting properties. Please see revised Photometric Plan.*
 - **TT 4/22/22 Update: Light trespass has been removed along the abutters to the south and east but remains along the right of way. We defer action on this item to the PEDB with discussion recommended at the next hearing.**

28. The Applicant has not proposed any landscaping along the eastern property line to screen the Project. Existing tree line will remain along the northern and western portions of the site. We recommend the PEDB visit the site to determine if the extent of vegetation to remain conforms with the “spirit” of the Regulation. (Ch. 200 §207-18)
- *WSE 10/12/21 Response: A six foot high opaque fence is proposed along the eastern property line, see sheet 10.*
 - **TT 10/27/21 Update: We recommend the Applicant provide written correspondence from the Medway Design Review Committee regarding their review of the Project.**
 - *WSE 4/12/22 Response: We believe the Design Review Committee has previously submitted a positive recommending for the proposed layout.*
 - **TT 4/22/22 Update: We recommend a Condition requiring the Applicant provide the written correspondence prior to final plan approval by the PEDB.**
29. The Applicant has not proposed any internal landscape islands to break up the parking areas and provide shade. (Ch. 200 §207-19.C)
- *WSE 10/12/21 Response: Additional trees and shrubs have been added to the landscape plan.*
 - **TT 10/27/21 Update: We recommend the Applicant coordinate with the PEDB and DRC regarding the scope of plantings for the Project.**
 - *WSE 4/12/22 Response: The Design Review Committee reviewed the landscape plan and provided comments, which were addressed during our meetings with the committee.*
 - **TT 4/22/22 Update: We recommend a Condition requiring the Applicant provide the written correspondence prior to final plan approval by the PEDB.**
30. The Applicant shall provide narrative and note on Plans to describe method for irrigating proposed landscaping at the site. Town water supply shall not be used for irrigation at the property. (Ch. 200 §207-19.K)
- *WSE 10/12/21 Response: No irrigation system is proposed at the present time.*
 - **TT 10/27/21 Update: We anticipate an irrigation well or other means of irrigation will be required to ensure plantings remain viable at the site after Project completion.**
 - *WSE 4/12/22 Response: No irrigation system is proposed at the present time.*
 - **TT 4/22/22 Update: We defer action on this item to the PEDB with discussion recommended at the next hearing.**

GROUNDWATER PROTECTION DISTRICT REVIEW

31. A generator is proposed for the Project and are prohibited in the Groundwater Protection District unless required by statute. The Applicant shall provide narrative related to the generator and whether it is a statutory requirement of the business. (ZBL §5.6.3.E.2.b)
- *WSE 10/12/21 Response: Please see application materials submitted to the PEDB in support of an application for a Groundwater Protection District Special Permit dated August 4, 2021 and subsequent letter from attorney Cannon dated September 15, 2021.*
 - **TT 10/27/21 Update: The proposed generator was not referenced in the letter dated September 15, 2021, we do not have the August 4, 2021 letter on file.**
 - *WSE 4/12/22 Response: 935 CMR 500.110(5)(a)8 and 935 CMR 500.110(6)(a)8, require that marijuana establishments maintain the ability to remain open during a power outage in order to ensure security on the premises. A generator will be required to comply with these regulations.*
 - **TT 4/22/22 Update: We defer action on this item to the PEDB with discussion recommended at the next hearing.**

GENERAL COMMENTS

35. The Applicant is proposing two additional water connections to the site for a total of four. We recommend the Applicant coordinate with Medway Department of Public Works (DPW) to determine if these connections should be consolidated as part of this Project.
- *WSE 10/12/21 Response: The applicant has met with representatives from the DPW. The two existing water service lines will be cut and capped as shown on the site plan set.*
 - **TT 10/27/21 Update: We recommend the Applicant provide written correspondence from the Medway DPW regarding their review of the Project.**
 - *WSE 4/12/22 Response: We have met with the Medway DPW on two separate occasions to review the project and discussed both existing and proposed utility connections. We will follow up with DPW and ask them to send along something in writing.*
 - **TT 4/22/22 Update: We recommend a Condition requiring the Applicant provide the written correspondence prior to final plan approval by the PEDB.**
37. Mulch sock should be depicted in the "Siltfence with Mulch Sock" detail on the Construction Details Plan.
- *WSE 10/12/21 Response: Mulch sock is depicted on the Construction Details Plan, see sheet 9.*
 - **TT 10/27/21 Update: The detail does not appear to be correct as certain information is missing on the detail or is not showing up correctly when printed from CAD.**
 - *WSE 4/12/22 Response: The detail has been corrected. See sheet 10 of the plan set.*
 - **TT 4/22/22 Update: In our opinion, this comment is resolved.**

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

Very truly yours,



Steven M. Bouley, PE
Project Manager



Bradley M. Picard, EIT
Civil Engineer

P:\21583\143-21583-21011 (PEDB 6 INDUSTRIAL PARK RD)\DOCS\6 INDUSTRIAL PARK RD-PEDBREV(2022-04-22).DOCX



April 26, 2022

**Medway Planning & Economic Development Board
Meeting**

Medway Mill – Field Change Requests

UPDATED – April 26, 2022

- Letter dated 3-21-22 from developer John Greene requesting several field changes for the Medway Mill development
- Photometric Plan by Visual dated 1/17/22
- Collection of photos of the new fence along the western side of the property
- 4-8-22 email from Steve Bouley with review comments on proposed field changes
- **4-25-22 supplemental information provided by John Greene**

NOTE – You discussed this briefly at the 4-12-22 PEDB meeting and decided to ask John Greene to attend the next PEDB meeting. Mr. Greene is available to attend. He has informed me that the noted field changes have already been carried out; he didn't understand that the Board had to approve the Field Changes.

Susan Affleck-Childs

From: John Greene <johnjgreene1@gmail.com>
Sent: Monday, March 21, 2022 2:21 PM
To: Susan Affleck-Childs
Subject: Medway Mill Requests
Attachments: Photometric Plan Approved by Tetrattech.pdf; IMG_7099.jpg; IMG_7096.jpg; IMG_7097.jpg; IMG_7095.jpg; IMG_7098.jpg

NRG CONCEPTS INC.
165 Main Street
Suite 307
Medway, MA. 02053

March 21, 2022

Medway Planning Board
Town Hall
155 Village Street
Medway, MA. 02053

Dear Planning Board,

I write regarding the following requests, site changes...

1) Added lighting—THE BOARDS decision, included a clause that more lighting may be added. We produced a new PHOTO METRIC PLAN, had the same reviewed by Steve Bouley, TETRA TECH, he stated adding one more light pole and two more bollard lights to the walkway down, makes ambulation safer, with no lumen spillage onto abutters properties. (PLAN PHOTO METRIC PLAN ENCLOSED)

2) We would like to shorten the length of fence by 4 feet on the right hand side as one exits the new parking lot. The present design blocks vision of traffic entering from the right on the roadway. Steve Bouley walked the site, perused the sight lines and is in agreement. It appears this change would have no real effect on the abutter's view directly behind the fence in this location. Steve Bouley agreed with this also. This is a public safety issue.

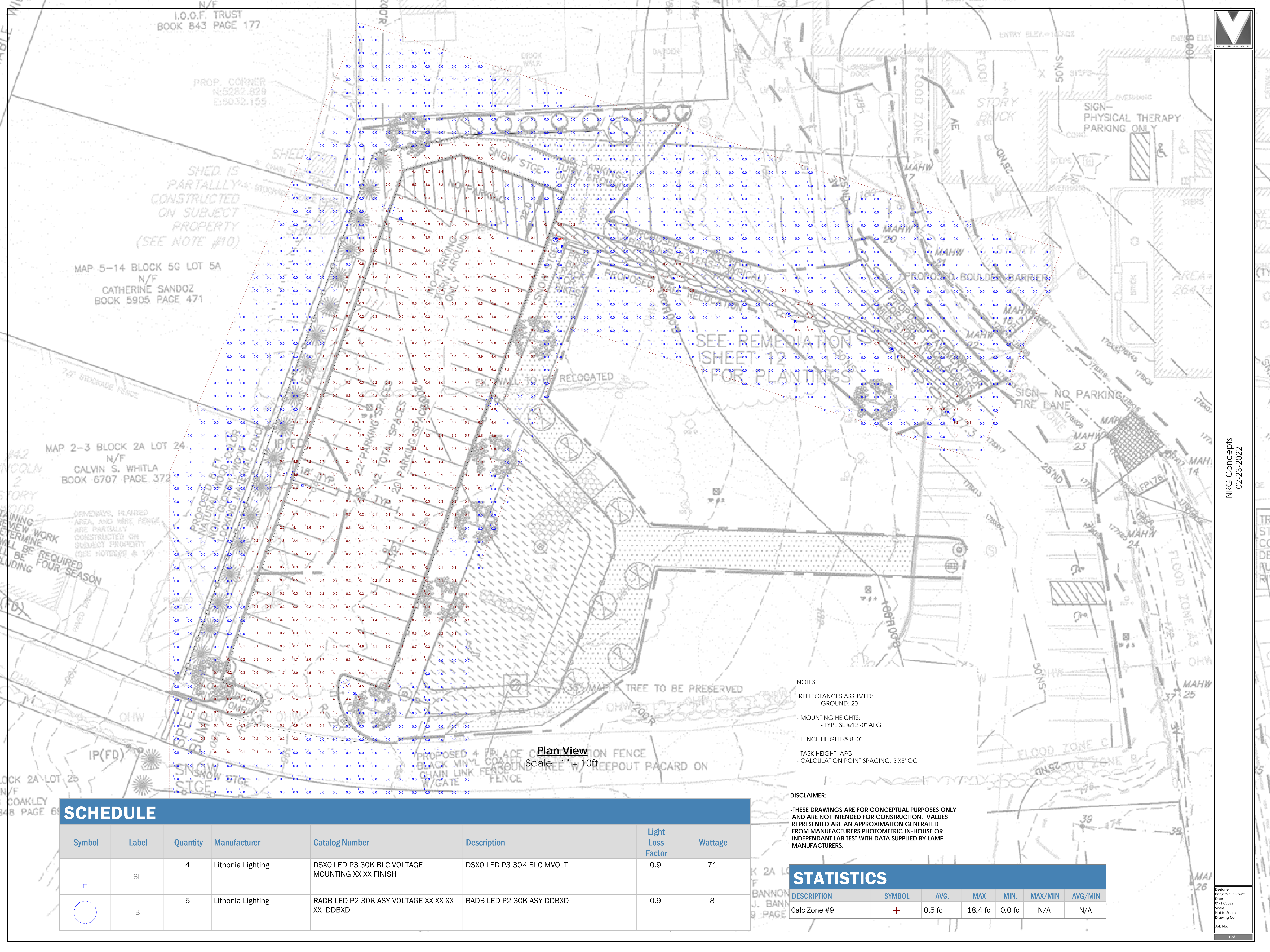
3) We are requesting we substitute 5" standing granite as opposed to 6" standing granite curbs. The product is difficult to find, 5" will be sufficient, it's what the TOWN OF MEDWAY USED on RT 109. Steve Bouley reviewed my inquiry and states he has no problem with the substitution.

A speedy response would be much appreciated.

Very truly yours.

John Greene Medway Mill
165 Main St.
Medway, MA 02053

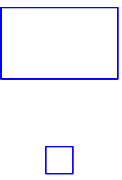
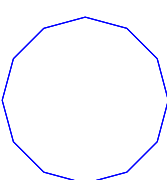
Phone: 508-367-8745
Email: johnjgreene1@gmail.com



Plan View

Scale - 1" = 10ft

SCHEDULE

Symbol	Label	Quantity	Manufacturer	Catalog Number	Description	Light Loss Factor	Wattage
	SL	4	Lithonia Lighting	DSX0 LED P3 30K BLC VOLTAGE MOUNTING XX XX FINISH	DSX0 LED P3 30K BLC MVOLT	0.9	71
	B	5	Lithonia Lighting	RADB LED P2 30K ASY VOLTAGE XX XX XX DBBXD	RADB LED P2 30K ASY DBBXD	0.9	8

NOTES:

- REFLECTANCES ASSUMED: GROUND: 20
- MOUNTING HEIGHTS: TYPE SL @12'-0" AFG
- FENCE HEIGHT @ 8'-0"
- TASK HEIGHT: AFG
- CALCULATION POINT SPACING: 5'X5' OC

DISCLAIMER:

- THESE DRAWINGS ARE FOR CONCEPTUAL PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION. VALUES REPRESENTED ARE AN APPROXIMATION GENERATED FROM MANUFACTURERS PHOTOMETRIC IN-HOUSE OR INDEPENDANT LAB TEST WITH DATA SUPPLIED BY LAMP MANUFACTURERS.

STATISTICS

DESCRIPTION	SYMBOL	AVG.	MAX	MIN.	MAX/MIN	AVG/MIN
Calc Zone #9	+	0.5 fc	18.4 fc	0.0 fc	N/A	N/A











Susan Affleck-Childs

From: Bouley, Steven <Steven.Bouley@tetrattech.com>
Sent: Friday, April 8, 2022 12:46 PM
To: Susan Affleck-Childs
Subject: RE: Medway Mill Field Change Requests

Hi Susy,

My comments are listed below in **red**, 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

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: Susan Affleck-Childs <sachilds@townofmedway.org>
Sent: Friday, April 8, 2022 12:15 PM
To: Bouley, Steven <Steven.Bouley@tetrattech.com>
Subject: FW: Medway Mill Field Change Requests

⚠ CAUTION: This email originated from an external sender. Verify the source before opening links or attachments. ⚠

Hi,

Any comments about these field changes requested by John Greene? John indicates that he had spoken with you about these changes.

I need to add this item to the agenda for the 4-12 meeting for the Board to discuss.

Please let me know.

Thanks.

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



From: Susan Affleck-Childs
Sent: Monday, March 21, 2022 2:42 PM

To: John Greene <johnjgreene1@gmail.com>

Cc: Steve Bouley <steven.bouley@tetrattech.com>; Amanda Cavaliere <ACavaliere@gandhengineering.com>

Subject: RE: Medway Mill Requests

Hi John,

Thanks for your note.

I will add these requested field changes to the agenda for the Board's April 12th meeting.

Best regards,

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



From: John Greene [<mailto:johnjgreene1@gmail.com>]

Sent: Monday, March 21, 2022 2:21 PM

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

Subject: Medway Mill Requests

NRG CONCEPTS INC.
165 Main Street
Suite 307
Medway, MA. 02053

March 21, 2022

Medway Planning Board
Town Hall
155 Village Street
Medway, MA. 02053

Dear Planning Board,

I write regarding the following requests, site changes...

1) Added lighting—THE BOARDS decision, included a clause that more lighting may be added. We produced a new PHOTO METRIC PLAN, had the same reviewed by Steve Bouley, TETRA TECH, he stated adding one more light pole and two more bollard lights to the walkway down, makes ambulation safer, with no lumen spillage onto abutters properties. (PLAN PHOTO METRIC PLAN ENCLOSED) **We have no issue with the proposed changes to the lighting. We reviewed the Photometric Plan and no light trespass is proposed.**

2) We would like to shorten the length of fence by 4 feet on the right hand side as one exits the new parking lot. The present design blocks vision of traffic entering from the right on the roadway. Steve Bouley walked the site, perused

the sight lines and is in agreement. It appears this change would have no real effect on the abutter's view directly behind the fence in this location. Steve Bouley agreed with this also. This is a public safety issue. **I met with John on-site and agree that shortening the fence by the four feet will help with sight distance pulling out of the new parking area and should have no impact on screening of the project for the abutters. The Applicant may also need to do some clearing of existing vegetation along the driveway as well as remove the proposed red maple in that west island but we will see how it looks once everything grows in.**

3) We are requesting we substitute 5" standing granite as opposed to 6" standing granite curbs. The product is difficult to find, 5" will be sufficient, it's what the TOWN OF MEDWAY USED on RT 109. Steve Bouley reviewed my inquiry and states he has no problem with the substitution. **We have no issue with the change in curb, it serves the same purpose and is available.**

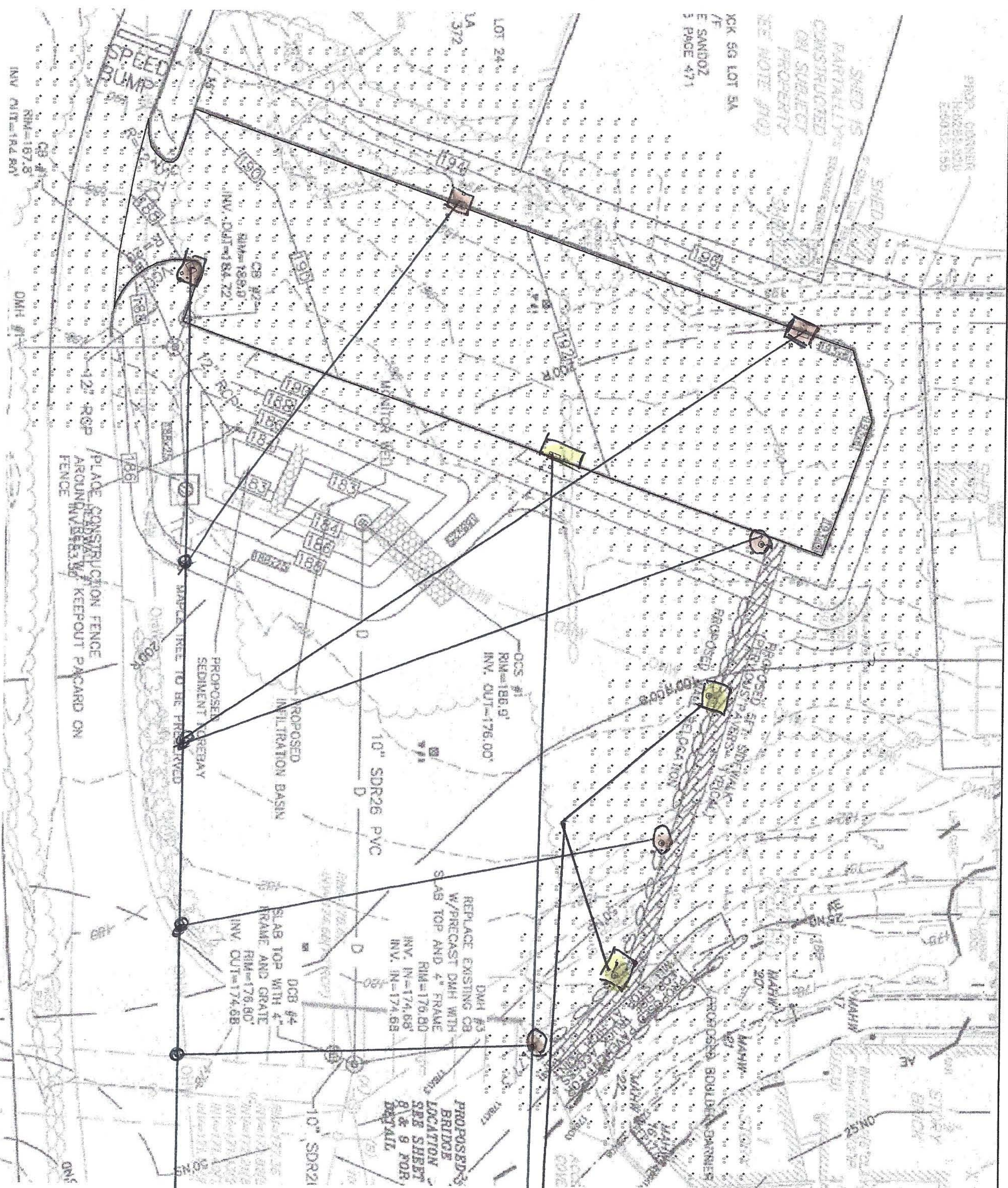
A speedy response would be much appreciated.

Very truly yours.

John Greene Medway Mill
165 Main St.
Medway, MA 02053

Phone: 508-367-8745

Email: johnjgreene1@gmail.com



SCHEDULE				
Symbol	Label	Quantity	Manufacturer	Catalog Number
	SL	4	Lithonia Lighting	DSXO LED P3 30K BLC VOLTAGE MOUNTING XX XX FINISH
	B	5	Lithonia Lighting	RADB LED P2 30K ASY VOLTAGE XX XX XX XX DDBXD

STATISTICS				
DESCRIPTION	SYMBOL	AVG	MAX	MIN
Calc Zone #9	+	0.5 fc	18.4 fc	0.0 fc

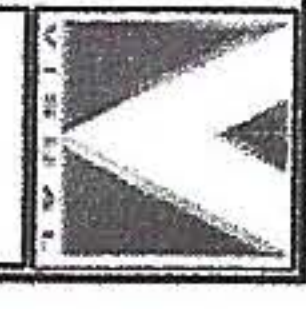
DISCLAIMER:
- THESE DRAWINGS ARE FOR CONCEPTUAL PURPOSES ONLY
AND ARE NOT INTENDED FOR CONSTRUCTION. VALUES
REPRESENTED ARE AN APPROXIMATION GENERATED
FROM MANUFACTURERS PHOTO-METRIC IN-HOUSE OR
INDEPENDENT LAB TEST WITH DATA SUPPLIED BY LAMP
MANUFACTURERS.

NOTES:
- REFLECTANCES ASSUMED:
GROUND: 20
- MOUNTING HEIGHTS: 10'-0" AFG
- TASK HEIGHT: AFG
- CALCULATION POINT SPACING: 5X5 OC

Plan View
Scale - 1" = 10ft

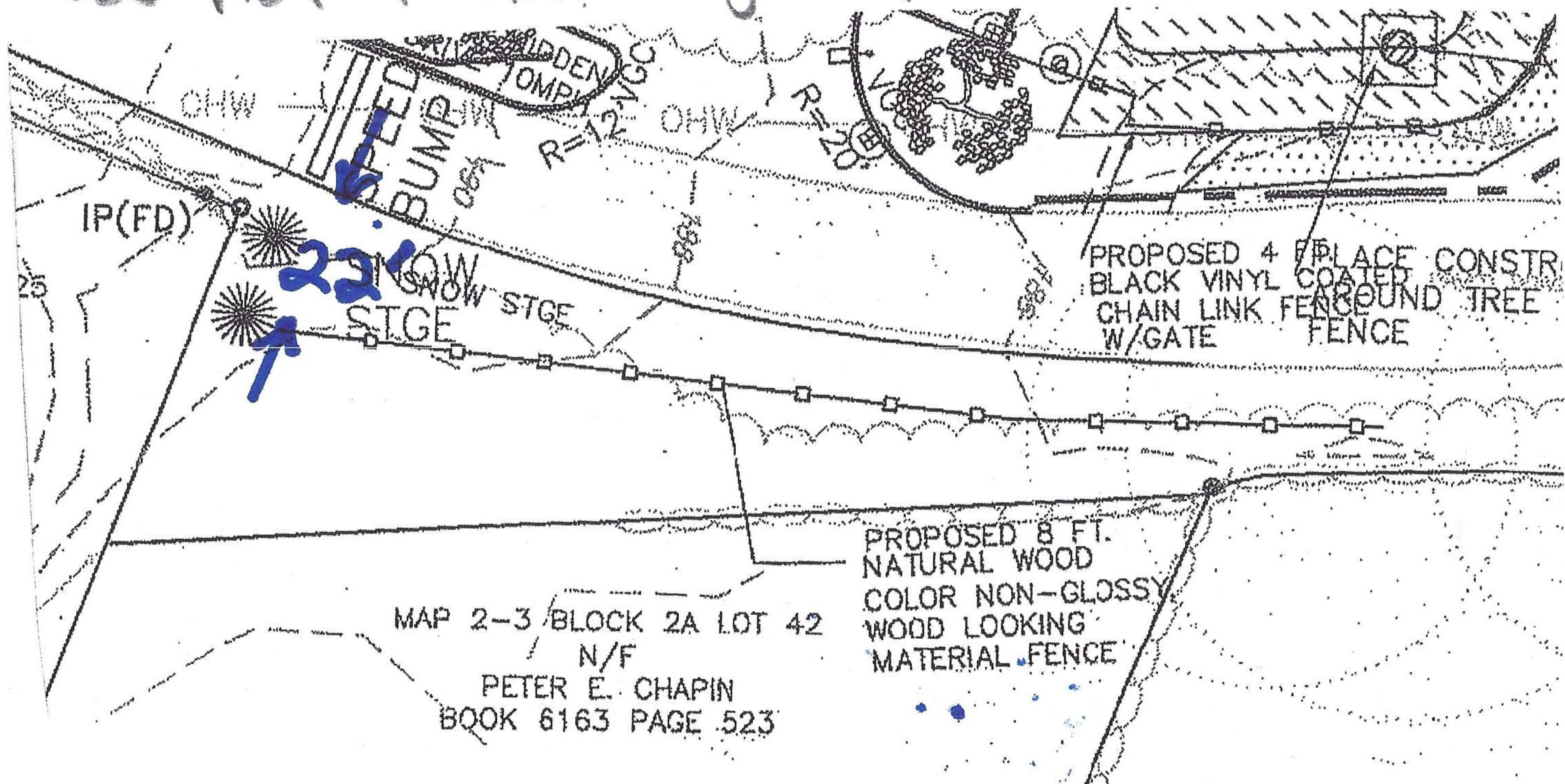
① Added 12' Pole (1)
② Added Walkway Lights (2)
③ No bleed onto other properties (photo metrics)

ORIGINAL
Lighting Locations



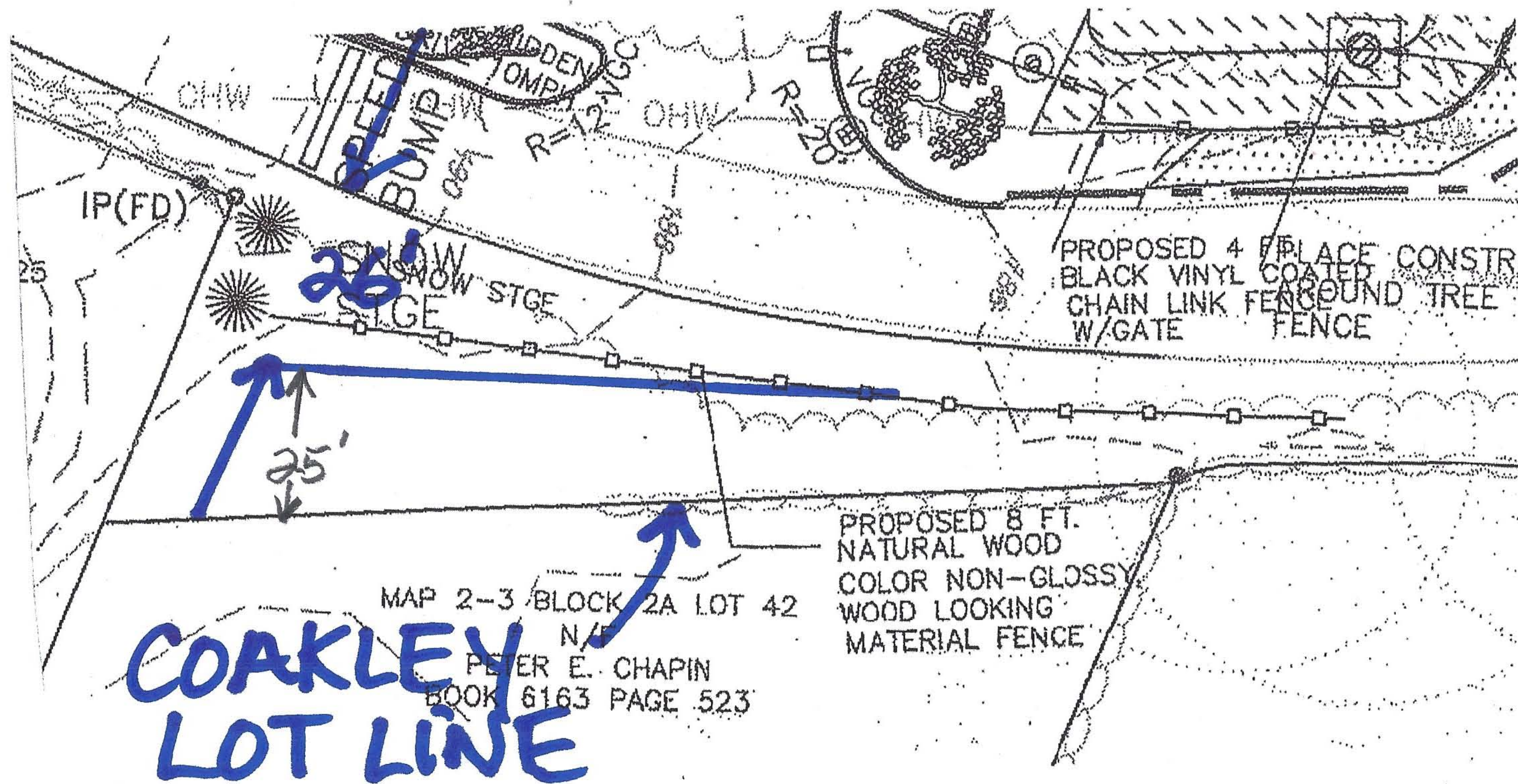
* ORIGINAL plans called for 22' +/-
offset from paving

* Fence moved to a 26' +/- offset so
as not to damage fence with snow



Medway Mills
165 Main St.
Medway, MA

New Location $26' \pm$ off Roadway
Still 25' offset from neighbor

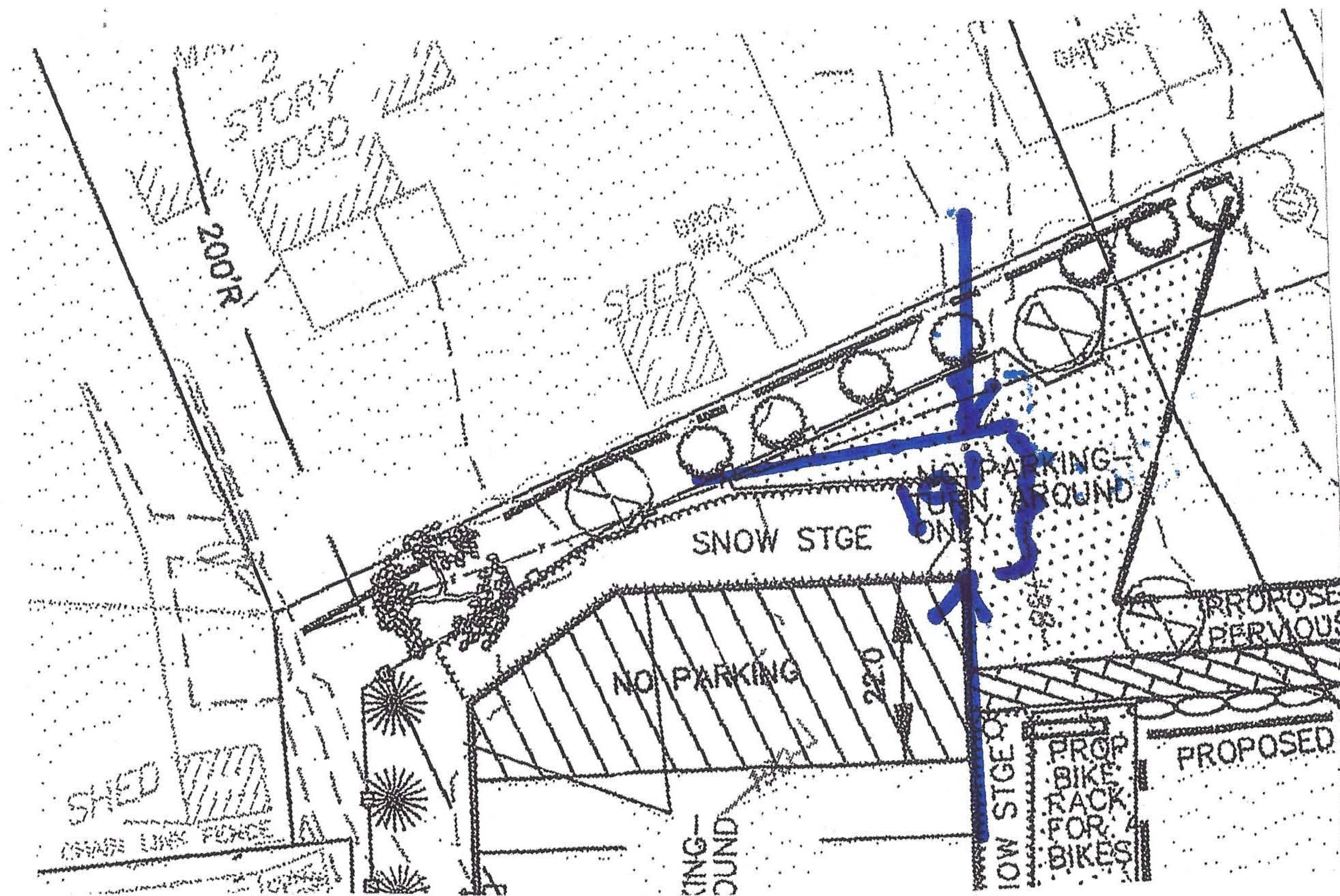


Moved back to allow snow storage
without damage to fence

Handwritten annotations on the site plan include:

- A blue arrow pointing down to the "NO PARKING TURN AROUND" area.
- A blue arrow pointing up to the "NO PARKING" area.
- A blue bracket spanning the "NO PARKING TURN AROUND" and "NO PARKING" areas, with the text "30' ±" written next to it.
- The text "PROPOSED BIKE RACK FOR BIKES" is written in a box at the bottom right.
- The text "PROPOSED" is written next to the bike rack box.
- The text "SHED" is written in the bottom left corner.
- The text "200' R" is written vertically on the left side.
- The text "2 STORY WOOD" is written in the top left corner.
- The text "SNOW STGE" is written in the center.
- The text "NO PARKING" is written in the center.
- The text "NO PARKING TURN AROUND" is written in the center.
- The text "ERRONEOUS / PVIOUS" is written in the top right corner.
- The text "LOW STGE" is written vertically on the right side.
- The text "DRAIN" is written vertically in the bottom center.

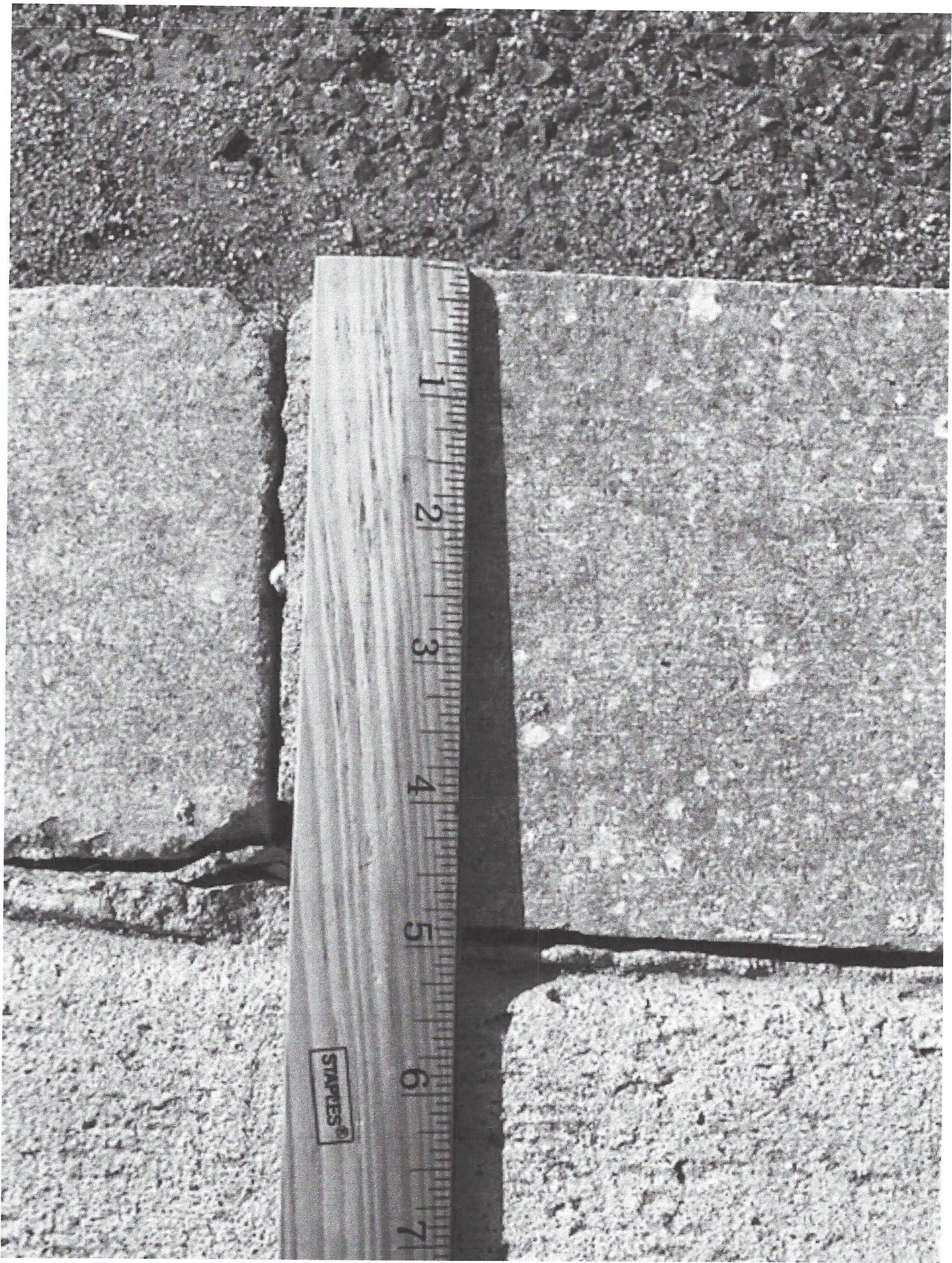
New fence location is $11' \pm$ closer
to Parking lot to allow access for
plantings, prevent planting into stone
wall
Larger area will provide more
light as well











Eliminate last 4'
of Rear fence to
Eliminate blind spot

4'



PROPOSED 8' F
NATURAL WOOD
NON-GLOSSY,
LOOKING MATERIAL

SPEED
BUMP

HIDDEN
COURT

VGC

Medway Mills

IP(FD)

STIGE
STIGE

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

FIELD REPORT

Project Medway Mills	Date 12/27/2021	Report No. 6
Location 165 Main Street, Medway, MA	Project No. 143-21583-20011	Sheet 1 of 2
Contractor Peter McCarthy (Site Contractor) John Greene (Developer)	Weather A.M. CLOUDY P.M. CLOUDY	Temperature A.M. 30°F P.M. 30°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 discuss with John Greene (Developer) privacy fence installation around the perimeter of the proposed parking area. Developer has discovered following the stakeout (stakeout locations provided by Guerriere and Halnon) that the proposed fence line on the southern portion of the project along the inbound side of the driveway may be prone to damage during plowing operations in the winter time. The developer requests to move a portion of the privacy fence in this location approximately 2-3 feet away from the roadway to ensure plows do not cause damage to the fence. TT determined that this will not cause adverse impacts to the abutters as the proposed fence will remain entirely within the Developer's property. Developer also requested the fence on the north side of the parking lot be moved approximately 2 feet south towards the parking area. Little space is provided between the stone wall delineating the property line and the proposed location of the fence for landscaping to be installed. A large tree is also located in the northwest corner of the property directly adjacent to the stone wall. Attempting to install the fence within the root structure of this tree would be difficult, and little space is available to install the fence in this corner. TT determined that relocating the fence is acceptable in this area, as well, and will prevent potential impacts to the stone wall when landscaping is installed. The relocated portions of the fence shall be recorded in the Project's final as-built. During the inspection, AnyFence is on site installing the proposed 8' privacy fence along the west side of the parking lot at the top of the slope as shown on the endorsed Plans.

CONTRACTOR'S FORCE AND EQUIPMENT				WORK DONE BY OTHERS	
Sup't		Bulldozer		Asphalt Paver	
Foreman		Backhoe		Asphalt Reclaimer	
Laborers		Loader	1	Vib. Roller	
Drivers		Rubber Tire Backhoe/Loader		Static Roller	
Oper. Engr.		Skid Steer		Vib. Walk Comp.	
Carpenters		Hoeram		Compressor	
Masons		Excavator	2	Jack Hammer	
Iron Workers		Grader		Power Saw	
Electricians		Crane		Conc. Vib.	
Flagpersons		Scraper		Tack Truck	
Surveyors		Conc. Mixer		Man Lift	
Roofers		Conc. Truck		Skidder	
Mechanical/HVAC		Conc. Pump Truck		Compact Track Loader	
		Pickup Truck			
		Tri-Axle Dump Truck			
		Trailer Dump Truck			
Police Details:				RESIDENT REPRESENTATIVE FORCE	
Contractor's Hours of Work: 7:00 A.M. to 6:00 P.M.				Name	Time on-site
				Bradley M. Picard, EIT	11:15 P.M. – 12:30 P.M.

NOTE: Please use reverse side for remarks and sketches