

April 11, 2017
Medway Planning and Economic Development Board
155 Village Street
Medway, MA 02053

Members	Andy Rodenhiser	Bob Tucker	Tom Gay	Matt Hayes	Rich Di Iulio
Attendance	X	X	X	X	X

ALSO PRESENT:

Susy Affleck-Childs, Planning and Economic Development Coordinator
Gino Carlucci, PGC Associates
Amy Sutherland, Recording Secretary

There were no public comments.

Appointment to the Design Review Committee

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

- Cover letter from Dan Connolly dated February 6, 2017
- Resume of Dan Connolly
- There was an email from Chairman Buckley dated April 11, 2017.

Dan Connolly introduced himself to the Board. He summarized his job background and has a passion for construction design.

On a motion made by Tom Gay and seconded by Bob Tucker, the members voted unanimously to appoint Dan Connolly to the Design Review Committee through June 30, 2019.

Medway Green 176/ 178 Main Street Construction Services

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

- Estimate from Tetra Tech dated March 23, 2017.

On a motion made by Bob Tucker and seconded by Matt Hayes, the members voted unanimously to accept the construction services estimate for Medway Green in the amount of \$10,697.00

Village Estates – Request for Refund of Construction Account

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

- Construction account spreadsheet updated April 4, 2017.
- March 24, 2017 email note from Steve Bouley
- Site photos from April 1 and 2, 2017.

Susy Affleck-Childs reminded the Board that it had signed the Village Estates Release of Covenant at the last meeting which was conditioned upon the developer (Russ Santoro) completing the few remaining items shown on the definitive subdivision plan before the building department issues an occupancy permit for the house that is to be constructed on site. The

members were supplied with a financial report showing the status of the construction account. It was recommended that the Board retain some funds in the account to cover the cost of Tetra Tech preparing a final punch list and reviewing the as-built plan. The consultant was also asked to visit the site after the rain from the weekend. There was discussion if the detention basin is on a separate parcel. It was suggested that the pin/bound be located.

The Board did not take any action to refund the balance of the construction service account for Village Estates Subdivision.

Public Hearing - Merrimack Building Supply, 20 Trotter Drive – Site Plan and Groundwater Protection Special Permit

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

- Public Hearing Notice dated March 22, 2017.
- Major Site Plan Application
- Groundwater Protection District Special Permit Application
- Site Plan dated March 10, 2017 prepared by Guerriere & Halnon
- Waiver Requests
- PGC Associates plan review letter dated April 5, 2017
- Groundwater Protection District section of the Zoning Bylaw

Present for the applicant:

- Bill Donegan, owner and applicant
- Peter Lavoie, Guerriere and Halnon Engineers

The Chairman read the ground rules for the running of the public hearing.

On a motion made by Matt Hayes and seconded by Bob Tucker, the Board voted unanimously to waive the reading of the public hearing notice.

The Chairman disclosed that he has purchased some supplies in the past from the applicant.

Bill Donegan explained that the proposed work is to construct a 19,500 square-foot addition and associated parking, drainage, landscaping, lighting etc. as well as a new loading dock. This plan was prepared by Guerriere and Halnon and is dated March 10, 2017.

The Board was supplied with small sets of the plans dated March 6, 2017 along with a Google Earth photo.

Peter Lavoie from Guerriere and Halnon, Inc. is the engineer on the project. He explained that the entrance is off the cul-de-sac. This is 10.7 acre site. There is existing building on site and parking is in front and on the side. There is an existing storage shed. The existing building is on septic and it gets the water, gas and utilities from Trotter Drive. The Town's pump station is on the property. There are wetlands on site and the applicant will be meeting with the Conservation Commission. The driveway will be widened to 24 ft. The loading dock will be in the back. The existing septic tank will be abandoned and the applicant will tie into the Town's sewer. There will be a rain garden in front but this may change based on comments from the Conservation Commission. The leech field will remain in place. The building will need new fire suppression. The applicant will be in front of Conservation Commission on Thursday, April 13, 2017.

The applicant will go to the Design Review Committee on Monday, April 24, 2017 to present samples and colors of the building materials.

Consultant Carlucci provided the following comments as summarized in his review letter.

- This site is in Industrial III and complies with zoning.
- The plan shows that it exceed the requirement.
- Needs a photometric plan. It has not been provided.
- Signage will remain, but if there is a new sign proposed, it must meet requirements.
- This project triggers the groundwater protection special permit due to the amount of impervious surface.
- The outside storage area needs to be in compliance with the groundwater protection section of the zoning bylaw.
- If the applicant wants plantings/landscaping, make sure not to use pesticides.
- There is a waiver request for the Development Impact Report.
- There will need to be a site context sheet.
- There is a waiver requested for sidewalks along Trotter Drive.
- There needs to be more information about the fire suppression system.
- There is a waiver request to not require vertical granite curb.
- There are the required number of shade trees.

The applicant indicated that this is not a retail facility. Their customers are primarily contractors. There will be five delivery trucks and they will have a designated area in the back or in the garage.

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

- Email from Kelly Rice dated April 10, 2017
- Email from Kelly Rice dated April 11, 2017.

Resident Jim Phillips, 6 Lost Hill Drive:

This resident wanted to know about the increase in parking, traffic and the idling of the trucks. .

The owner responded that the parking is going from 20 to 46 spaces and this did not warrant a traffic study.

The Chairman asked if the owner could move the gate further down along the driveway to make room for trucks and possibly provide signage about no idling. He also suggested that we contact the Police to see how many complaints have been made.

The owner thought that would be a good idea.

Residents Alyse & Sean Stevens, 8 Lost Hill Drive:

These residents wanted to know if there will be an increase in truck traffic. It appears that some of the trucks come on Sunday night and sleep in the trucks.

The owner said that he should be able to track that by contacting the manufacturers to find out which truck is doing that.

Residents Jeffrey & Eileen Kalukin, 5 Lost Hill Drive:

These residents agreed with the previous residents and asked for an explanation of what a rain garden does.

There was discussion that the lighting will show no glare off the property. The applicant indicated that there will be some lighting for site security but it will be from wall packs.

There was a suggestion that signage be provided to indicate there are young children in the area.

Another concern is the cut off through Adler and Trotter. Is there a way to not encourage this? There was a recommendation to talk with Sergeant Watson about his.

DPS Deputy Director Barry Smith was present. He noted that there needs to be clear access along the easement to the Town's sewer lift station for maintenance purposes. He asked about what material will be used. This is to maintain the station. The plan should show the easement.

There will need to be further information gathered from the Conservation Agent.

Continuation:

On a motion made by Rich Di Iulio and seconded by Matt Hayes, the Board voted unanimously to continue the public hearing to April 25, 2017 at 7:15pm.

Public Hearing Pine Ridge and Candlewood Bonds:

The Chairman opened the hearing and it was acknowledged that this hearing is to hear testimony to determine whether the developer of the Pine Ridge development is in default for failure to complete the construction of ways and utilities and also if the Town should take the sureties in order to complete the unfinished on-site and off-site work as specified in the Pine Ridge decision and plans.

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

- 3/27/17 re-notice to abutters
- 4/6/2017 email from Paul Yorkis to Susy Affleck-Childs
- 4/7/2017 email from Susy Affleck-Childs to Paul Yorkis
- 4/10/2017 email from Paul Yorkis to Susy Affleck-Childs
- 4/10/17 update report from Paul Yorkis to Andy Rodenhiser

The Chairman explained that the abutters were re-noticed of the public hearing due to the cancellation of the March 14th hearing due to the snow storm. Notice was sent to all owners of Pine Ridge, Candlewood Drive and Island Road.

The Chairman communicated that the email from Paul Yorkis dated April 6, 2017 indicated that he would not be attending the April 11, 2017 hearing. Mr. Yorkis did provide an email dated April 10th and a memo indicating his availability for the May 9, 2017 PEDB meeting. The memo indicated that he had met with the Town Administrator and also with DPS personnel Dave D'Amico and Jack Tucker. He indicated that he is in the process of seeking quotes from contractors.

The Board expressed this has been ongoing for almost a year and it appears that this is another stall tactic. The Board would like to proceed with speaking with Town Counsel about the procedural steps for moving forward.

The members were made aware that the Town Administrator has provided authorization to contact Town Counsel. There will be a conference call on Thursday, April 13, 2017. DPS is currently reviewing the punch list with the pricing.

Residents Patricia and Jeffrey Ingalls, 1 Pine Ridge Rd:

Ms. Ingalls had the following questions:

- What is the punch list of items to be completed?
- Why were the fire hydrants at her street not painted?
- Where is the trail going?

Residents Sat Bir & Siri Krishna Khalsa, 12 Candlewood:

Mrs. Khalsa noted that there were other options regarding the emergency access that had been discussed back when the project was first being permitted.

The members in the audience were reassured that all the issues will be addressed and that their patience is appreciated while addressing the issues.

Member Di Iulio wanted to have the public hearing on April 25, 2017 and not wait until May 9, 2017.

**On a motion made by Matt Hayes and seconded by Tom Gay, the Board voted 4 to 1 to continue the hearing for Pine Ridge and Candlewood to May 9, 2017 at 7:15 pm.
(Member Di Iulio was a NO vote.)**

Informal Subdivision Discussion - Kelly Street/Villa Drive:

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

- 4/4/17 narrative on proposed 4 lot subdivision from J.P Connolly of Andrews and Survey and Engineering.
- 3/10/2017 concept sketch for a 4 lot subdivision by Andrews Survey and Engineering.
- 4 page dead end road length exhibit prepared by Andrews Survey and Engineering.
- 1/13/15 endorsed ANR Plan
- Firm Map 7/12/2012
- 4 Sheets of the 1996 Camelot III Definitive Subdivision Plan by GCG Associates
- 1972 survey plot plan by Guerriere and Halnon showing Vine Lane
- 4/6/17 memorandum from Conservation Agent.

Engineer JP Connolly was present on behalf of property owner Cheryl Rosenberg. He explained that the project site is located to the north of Kelley Street and Villa Drive. There is an adjacent roadway layout that is a continuation of Kelley Street and is referred as Vine Lane on some old plans. The access to the subject site will be from Kelley Street. The project proposes the construction of a private road, linking the cu-de-sac of Villa Drive to the cul-de-sac of Kelley Street and is intended to provide access and frontage for four proposed residential building lots. There is a portion of the property which lies within the 100-year flood plain. The applicant has been to the Conservation Commission and will need to get Order of Conditions.

The current issue is the length of the dead end road. The maximum dead end road length is 600 feet per the Town's *Subdivision Rules and Regulations*. The road length would be measured from Holliston Street. Due to the location, the site will not be able to provide a second point of egress and access to a through street. Mr. Connolly met with the Town of Medway Fire Chief and a memo of this is provided. The Chief is supportive of the project assuming conditions can be met to ensure that the constructed road is maintained and provides unobstructed through access in both directions. The applicant will need to provide evidence of who owns the land within the Vine Lane right of way at the end of Villa Drive. There will need to be a title report

done to determine who owns the Vine Lane right of way across which the new road would have to be constructed.

The applicant has filed a Notice of Intent with the Conservation Commission. The Conservation Commission has raised concerns which will need to be addressed.

The applicant wants to know if the minimum width for the proposed road and all proposed driveways could be reduced. The new option would get rid of the cul-da-sac and would create a loop connecting Kelley Street to Villa Drive. The Board is not opposed to what was proposed but there will need to be verification of the ownership issue of Vine Lane.

ANR - 123 Main Street:

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

- ANR Application dated March 20, 2017
- PGC Review letter dated March 22, 2017
- Revised ANR plan by Colonial Engineering dated March 27, 2017
- Email from Attorney Steven Kenney March 28, 2017

Steven Kenney was present to speak on the application on behalf of Tom Steeves/Maritime Housing. This parcel currently has split zoning (Central Business and ARII). The ANR plan shows a split of parcel to match the current zoning district boundary lines. This parcel is one of the properties included on the warrant for the May Town Meeting to be rezoned so that the entire parcel is zoned central business.

Consultant Carlucci indicated that he has reviewed the Mary 27th plan and it meets the requirements for ANR endorsement. The locus map was included as requested.

On a motion made by Bob Tucker and seconded by Rich Di Iulio, the Board voted unanimously to endorse the ANR plan for 123 Main Street.

Correspondence:

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

- March 31, 2017 email from MAPC regarding the award of \$20,000 in district Local Technical Assistance Funds for the Tiny House research project.
- Letter to Robert Briggs dated April 3, 2017 from DPS Director Dave D'Amico regarding violation of the Scenic Road Rules and Regulations for a breach of a stone wall on Adams Street.

Other Business:

The members are in receipt of the following documents: **(See Attached)**

- Request for consultant proposals to update the Town's open space and recreational plan. Susy reported that the Community Preservation Committee and BOS have recommended use of \$25,000 in CPA funds for the plan update. This is on the warrant for the May Town Meeting. Consultant proposals are due May 1, 2017.
- Proposed new stormwater and land disturbance general bylaw. It was suggested that this be place on the agenda for further explanation. This bylaw meets the Ms4 requirements.

PEDB Meeting Minutes:

March 21, 2017:

On a motion made by Rich Di Iulio and seconded by Matt Hayes, the Board voted unanimously to approve the minutes from March 21, 2017.

Adjourn:

On a motion made by Tom Gay and seconded by Matt Hayes, the Board voted unanimously to adjourn the meeting.


The meeting was adjourned at 9:45 pm.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Amy Sutherland".

Amy Sutherland
Recording Secretary

Reviewed and edited by,

A handwritten signature in black ink, appearing to read "Susan E. Affleck-Childs".

Susan E. Affleck-Childs
Planning and Economic Development Coordinator



April 11, 2017
Medway Planning & Economic Development Board
Meeting

Appointment of Dan Connolly to the
Design Review Committee

- Cover Letter from Dan Connolly dated February 6, 2017
- Resume of Dan Connolly

Dan Connolly has volunteered to serve on the Design Review Committee. His interest was prompted by a notice about needing DRC members that was posted to the Town's web site in early February. See his cover letter and resume. Dan has attended several DRC meetings and has been well received. I recommend the PEDB appoint Dan for a term through June 30, 2019.

Daniel T. Connolly

21 Sunset Drive; Medway, Ma 02053 | (508) 212-0079 | dconnolly@commodorebuilders.com

February 6, 2017

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

Dear Susan:

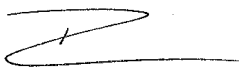
I would like to be considered for the Town of Medway's Volunteer Design Review Committee as advertised on the town's website.

After graduating from Wentworth Institute of Technology with a BS in Construction Management, I have been working in the Commercial Construction industry for over seven years as a Project Manager. In this current position I am responsible for overseeing all aspects of a project from developing budgets and reviewing design intent against constructability; to the implementation of the design documents while managing the financials of the project. I have a proven history of managing successful projects collaborating with team members along the way to solve problems and build strong relationships.

Since moving to Medway in October 2015, I have been looking for an opportunity to get involved in the community. Joining the DRC seems like a great fit, where I can use my Construction & Design experience to help the community. I look forward to working with other passionate individuals to help serve the community in a way that aligns with the DRC's mission statement.

I have attached my Experience Resume, highlighting work experience, industry certifications, and current committee involvement. If you have any questions or would like references, please do not hesitate to reach out.

Sincerely,



Daniel T. Connolly

Daniel T. Connolly

21 Sunset Drive
Medway, MA 02053
508-212-0079

dconnolly@commodorebuilders.com



Professional Experience

7+ Years of Industry Experience

Education

Wentworth Institute of
Technology
BS Construction Management

Certifications/Licenses

LEED Green Associate

CM-Learn

PTI-Level 1 Unbonded
Field Installation

Wentworth Institute of
Technology - BIM Certificate

OSHA 30 Hour

Affiliations

AIA / AGC National
Joint Committee

Immediate Past Chair of the
Construction Leadership Council
- Subchapter of the AGC

Member of the Wentworth
Institute of Technology
Alumni Committee

Dan Connolly joined Commodore Builders from Wentworth Institute of Technology with a degree in Construction Management as well as on-site, hands-on construction experience. His recent project experience includes challenging tenant interior renovation projects in occupied environments, where Dan delivered excellent results for clients.

Dan is a detail driven project manager who maintains the flow of information and closely manages project cost and schedule with an unwavering focus on the client's best interest and priorities.

Project Experience

» The Boulevard - 110 Broad Street, Boston, MA

New construction of a 100,000 SF, 12-story cast-in-place post tension concrete residential building on the corner of Broad Street and the Greenway in downtown Boston. The building includes 36 condo units, with 3,500 SF of commercial space on the bottom floor including a café and retail. The first-floor amenities are set within the historic Bulfinch warehouse. The project also includes a 48-space automated below-ground garage.

» OSRAM Enterprise, Wilmington, MA & Beverly, MA

Fit-out of two locations for OSRAM as they split two (2) separate business units. The project includes dividing lab infrastructure, providing new lab space, and renovating existing MEPs. Each unit will occupy approximately 50% of the total space.

» OSRAM Sylvania Americas Headquarters, 200 Ballardvale St., Wilmington, MA 124,000 SF renovation of the new OSRAM regional headquarters. Project features a communicating stair and includes private offices, open workstation areas, meeting rooms, pantries, bathrooms, a fitness center and shower rooms. Also included are MDF and IDF closets, dining/servery areas, reception and gathering areas, mechanical rooms, elevator lobbies, and an electrical lab component. Project is **LEED® Gold Certified.**

» Putnam Investments, 100 Federal Street, Boston, MA

Structural reinforcement of an existing mezzanine and roof to prepare for future tenant improvements.

» Bank of America Banking Center, 100 Federal Street Retail, Boston, MA

Multi-phased renovation of an existing banking center.

» Bank of America, 630 Washington St., Chinatown, Boston, MA

7,656 SF interior fit-out of a new retail financial center includes a new storefront, communicating stair, elevator, new RTU's, structural modifications, and interior finishes to the historical building known as the "Liberty Tree Building". The new banking center will include office space, an ATM / ATA lobby, teller line, and a new vault. The building also consists of the Chinatown T-stop for the Orange Line. The project is **registered with the certification goal of LEED® Silver.**

» Bank of America, 342 Washington Street, Wellesley Hills, MA

Major renovation of a 2,600 SF banking center. The project includes demolition and renovation of the existing facilities as well as coordination of the installation of bank equipment, ATMs, furniture, millwork, flooring and signage. Site work and exterior restoration were included.

» Bank of America Banking Center, 351 Fresh Pond Parkway, Cambridge, MA

Interior build-out of a new express banking center. Project included new RTU's, underground MEP's, ATA & ATM lobby area, and glass office fronts. The project is **Registered with the certification goal of LEED® Gold.**

» Santander, Fenway ATM, Boston, MA

Interior fit-out of shell space at 121 Brookline Ave. Boston, MA for new ATM banking center. The renovation included new MEP infrastructure, drywall, flooring, ACT, glass storefront, security hardware, and a concrete pad for the new ATM. The project was coordinated closely with the property manager to minimize noise as the location was in the ground floor of a functional hotel.



The Boulevard
110 Broad Street

Bank of America
351 Fresh Pond Parkway

Bloomberg

Arrowstreet Architects

» **Four Seasons State Suite Renovation, Boston, MA**

Renovations of 6 spacious suites with sweeping views of the Boston Common and the gold-domed State House, 1,100 SF each on six separate floors. The work in each Suite included moving walls, new wallcoverings and carpets. Each of the six new Master Bathrooms and separate Powder Rooms included new plumbing, fixtures, lighting, marble wall tiles and granite floor tiles in a tight space and an even tighter timeframe. Adjacent rooms on each floor were occupied during construction, requiring close coordination with the Hotel and tight control of tasks and workers.

» **Four Seasons Guest Bathrooms, Boston, MA**

Renovation of 255 guest bathrooms over six (6) floors of this occupied five-star hotel. Phase 1 was completed during the winter of 2012-2013 and phase 2 started in December 2013. This work was preceded by four (4) years of preconstruction and design refinements. The scope includes demolition, coring, framing, new plumbing – including isolation valves for each pair of rooms, fixtures, lighting, marble wall tiles and granite floor tiles from Italy via China, and vanities from overseas. Challenges included noise control, debris removal, protection of existing finishes, security, tracking of employees, material deliveries and storage.

» **Four Seasons Garden Wing Renovation, Boston, MA**

Total renovation of the Ballroom, Foyer, and three Conference Rooms, approximately 7,600 SF. Work was closely coordinated between hotel events and included new crown moldings, re-upholstering of wall fabrics and Air Wall doors, millwork, stone countertops, carpeting, re-painting of walls and ceilings, fire protection and lighting.

» **Bloomberg, Boston, MA**

This project was a tenant improvement to a fully occupied and functioning news center. These conditions required a lot of off-hour work and coordination with the manager of the property as well as Bloomberg. The project included an interconnecting glass and steel staircase between the two floors. The finishes were high-end.

» **Oracle, Sprinkler Replacement, 10 Van de Graaff Drive, Burlington, MA**

Complete replacement of the existing fire protection system in an occupied 6-story, 130,000 SF building. All work was completed Friday evening through Sunday evening over occupied cubicles, office space, commercial kitchen, fitness center and conference rooms. Extensive planning led to a nearly flawless execution of a very complicated and risk laden project with minimal impact to the end user. Completed in 12 weeks.

» **Oracle, 35 Network Drive, Burlington, MA**

Interior renovation of 14,000 SF office space including new MEP systems, millwork and finishes completed in just 8 weeks. The project was adjacent to an occupied tenant space within an office park. The renovation was completed on time and under budget.

» **Oracle, 55 Network Drive, Burlington, MA**

Fast-track design and construction schedule for the interior renovation of 21,000 SF office space including new MEP systems, millwork and finishes. The project was completed in just 7 weeks and was completed on time and under budget.

» **Emergency Generator, 4 Van De Graaff Drive, Burlington, MA**

Added new 400kw emergency generator and associated emergency upgrade to life safety system. Furnished and installed new front and rear exterior pavers and F & I new security and ADA hardware at main entrance.

» **Satcon, Boston, MA**

16,000 SF light manufacturing facility for the production of inverters for solar arrays. The new manufacturing space is located in the Bronstein Center, a warehouse space in South Boston and a former military facility. The building required new infrastructure and installation of a substantial HVAC system to accommodate the heat generated by Satcon's equipment testing process. The aggressive 10-week schedule successfully met all of Satcon's equipment production commitments.



**Medway Greens
Construction Administration Budget
March 23, 2017**

Item No. ¹	Inspection	Site Visits	Hrs/Inspection ²	Rate	Total
1	Erosion Control	1	1	\$90	\$90
2	Clear & Grub	1	1	\$90	\$90
3	Subgrade/Staking	1	2	\$90	\$180
4	Drainage: Swale and Rain Garden	2	2	\$90	\$360
5	Drainage: Subsurface Infiltration Chambers	3	2	\$90	\$540
6	Water Main Installation	1	3	\$90	\$270
7	Water Main Testing	1	3	\$90	\$270
8	Sewer Service Installation	1	3	\$90	\$270
9	Private Utilities	1	3	\$90	\$270
10	Retaining Walls	2	2	\$90	\$360
11	Site Subbase Gravel/Fine Grading	1	3	\$90	\$270
12	Site Grading	1	3	\$90	\$270
13	Binder Course Paving	1	5	\$90	\$450
14	Curb/Berm	1	3	\$90	\$270
15	Sidewalk	1	3	\$90	\$270
16	Top Course Paving	1	5	\$90	\$450
17	Landscape/Plantings	2	3	\$135	\$810
18	Bond Estimates	2	4	\$135	\$1,080
19	Punch List Inspections ³	2	4	\$135	\$1,080
20	As-Built Plans ⁴	2	4	\$135	\$1,080
21	Meetings	4	2	\$135	\$1,080
22	Admin	3	2	\$63	\$378
Subtotal					\$10,188
Expenses					5.0% \$509
TOTAL					\$10,697

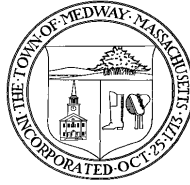
Notes:

¹ Each item includes site visit, inspection and written report. If construction extends beyond June 30, 2017, this estimate will be revised to utilize updated TT/Town of Medway contract hourly rates.

² If installation schedule is longer than that assumed by engineer for any item above, or if additional inspections are required due to issues with the contract work, additional compensation may be required.

³ Punch List Inspections include a substantial completion inspection and punch list memo provided to the town. It also includes one final inspection to verify that comments from the punch list have been addressed and one revision to the Punch List if required.

⁴ This item includes review of As-Built Plans, review letter and coordination with the applicant to address any issues on the plans.



April 11, 2017
Medway Planning & Economic Development Board
Meeting

Village Estates Subdivision
Request for Refund of Balance of
Construction Services Account

- Project Accounting spreadsheet updated April 4, 2017 showing a balance of \$1660 in the Village Estates construction account through February 24, 2017
- March 24, 2017 email note from Steve Bouley re: expected future construction services expenses
- Site photos from 4/1 and 4/2

At the 3-21-17 PEDB meeting, developer Russ Santoro requested a refund of the balance of the construction services account. That was the same night you signed the release of the subdivision covenant. Your vote on the covenant was conditioned on him completing the few remaining items shown on the definitive subdivision plan before the Building Department issues an occupancy permit for the house that is to be constructed on site.

Attached is an updated report showing the status of the construction account. You need to retain some funds in this account for Tetra Tech to do the final inspection/punch list and review a revised as-built plan. See Steve Bouley's email. Additionally, I asked Steve to visit the site on Tuesday to inspect the detention basin to determine if it is functioning properly after this weekend's rain. At this time, I do not recommend refunding any amount to Mr. Santoro.

DATE: April 4, 2017

[illegible]

Susan Affleck-Childs

From: Bouley, Steven <Steven.Bouley@tetrattech.com>
Sent: Friday, March 24, 2017 11:09 AM
To: Susan Affleck-Childs
Subject: RE: Village Estates

Hi Susy,

I’m showing approx. \$1500 (\$1,486 to be exact) remaining in the budget. Based on the pace of construction I would recommend maintaining the \$1500 until board sign-off on the project but if not, the scope listed below would cost approx. \$1,000.

Steve

From: Susan Affleck-Childs [mailto:sachilds@townofmedway.org]
Sent: Friday, March 24, 2017 7:35 AM
To: Bouley, Steven <Steven.Bouley@tetrattech.com>
Subject: Village Estates

Hi Steve,

Where do we stand on the construction budget for Village Estates? Russ Santoro has asked for a refund of the balance.

However, I want to retain enough in the account to cover TT for one final inspection/punch list and as-built plan review. What amount should we retain for those services?

Thanks for your help.

Susy

Susan E. Affleck-Childs
Planning and Economic Development Coordinator

Town of Medway
155 Village Street
Medway, MA 02053
508-533-3291
sachilds@townofmedway.org

Town of Medway – *A Massachusetts Green Community*

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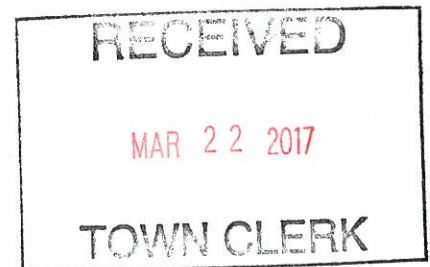
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Public Hearing – Merrimack Building
Supply Site Plan and Groundwater
Protection Special Permit
20 Trotter Drive

- Public Hearing Notice dated March 22, 2017
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- Groundwater Protection Special Permit Application
- Site Plan dated March 10, 2017 prepared by Guerriere and Halnon
- Waiver Requests
- PGC Associates plan review letter dated April 5, 2017
- Groundwater Protection District section of the Zoning Bylaw

Tetra Tech is not able to attend Tuesday's meeting. So I recommend the Board plan to continue the public hearing to April 25th after hearing the applicant's presentation, discussion, questions, Gino's review, and public comments.

The premises is located in the Groundwater Protection District and the expansion triggers a requirement for a special permit. Normally, the ZBA would have jurisdiction, but this is a case when the project involves both a special permit and site plan approval. The Bylaw provides that the PEDB is to be the special permit granting authority when both a special permit and site plan review are needed.



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

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

March 22, 2017

Merrimack Building Supply Expansion Project
20 Trotter Drive

NOTICE OF PUBLIC HEARING – April 11, 2017

In accordance with the Medway Zoning Bylaw, Section 3.5 Site Plan Review, and certain provisions of Chapter 40A, Massachusetts General Laws, notice is given that the ***Medway Planning and Economic Development Board will conduct a Public Hearing on Tuesday, April 11, 2017 at 7:15 p.m. at Medway Town Hall, 155 Village Street, Medway, MA to consider the applications of Merrimack Building Supply of Medway, MA for approval of a major site plan and groundwater protection special permit for a building expansion project at its facility at 20 Trotter Drive.***

The subject property is 10.73 acres and is located at the southwest end of Trotter Drive in the Industrial III zoning district. The parcel is shown on the Medway Assessors Map as Parcel 64-002. The property is owned by Medway Trotter, LLC. The site includes wetland resources, a small portion of Stall Brook, and is located within Medway's groundwater protection district.

The proposed project includes construction of a 19,500 sq. ft. addition to the existing 10,000 sq. ft. structure, a new customer entrance, expanded parking, a new loading dock and paved area for truck access to the loading area, installation or relocation of utilities to accommodate the addition, abandonment of the existing septic system and connection to Town sewer, installation of a stormwater drainage system, and site landscaping. The plan is titled *Merrimack Building Supply Site Plan for 20 Trotter Drive*, is dated March 10, 2017, and was prepared by Guerriere and Halnon of Milford, MA and Cubic Architects Inc. of Plymouth, MA.

The applications, site plan drawings and supporting documentation were filed with the Town of Medway on March 13 and March 21, 2017. The complete applications, proposed site plan, and other application documents are on file with the Medway Town Clerk and the Planning and Economic Development office at the Medway Town Hall, 155 Village Street, Medway, MA and may be reviewed Monday through Thursday from 7:30 a.m. to 4:30 p.m. and Fridays from 7:30 a.m. to 12:30 p.m. The plans and application documents are also posted at the Board's web page at: http://www.townofmedway.org/Pages/MedwayMA_Bcomm/PlanEcon/ApplicationsDocs/recent.

*Merrimack Building Supply Expansion Project
March 22, 2017 Public Hearing Notice*

Interested persons or parties are invited to review the plans, attend the public hearing, and express their views at the designated time and place. Written comments are encouraged and may be forwarded to planningboard@townofmedway.org. Questions should be directed to the Planning and Economic Development office at 508-533-3291.

Andy Rodenhiser
Chairman

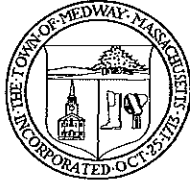
To be published in the *Milford Daily News*:

Tuesday, March 28, 2017

Monday, April 3, 2017

cc: *Planning Boards* – Bellingham, Franklin, Holliston, Milford, Millis and Norfolk

Medway Town Officials/Departments – Board of Selectmen/Town Administrator, Board of Assessors, Board of Health, Building Inspector/Zoning Enforcement Officer, Conservation Commission, Design Review Committee, Economic Development Committee, Fire Department, Police Department, Department of Public Services, Treasurer/Collector.



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

Application for Major Site Plan Approval

INSTRUCTIONS TO APPLICANT/OWNER

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

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

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

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

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

_____, March 14, 2017

APPLICANT INFORMATION

Applicant's Name: Merrimack Building Supply

Mailing Address: 20 Trotter Drive

Medway, MA 02053

Name of Primary Contact: William Donegan

Telephone:

Office: 508-533-6905

Cell: 508-533-6905

Email address: bdonegan@merrimackbuildingsupply.com

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

MAJOR SITE PLAN INFORMATION

Development Name: Merrimack Building Supplies Expansion

Plan Title: Merrimack Building Supply Site Plan of Land in Medway, MA

Plan Date: March 14, 2017

Prepared by:

Name: Peter M. Lavoie

Firm: Guerriere & Halnon, Inc.

Phone #: 508-473-6630

Email: plavoie@gandhengineering.com

PROPERTY INFORMATION

Location Address: 20 Trotter Drive, Medway, MA

The land shown on the plan is shown on Medway Assessor's Map # 64 as Parcel # 2

Total Acreage of Land Area: 10.73 Ac

General Description of Property: Developed commercial property located
at the southwest end of Trotter Drive.

Medway Zoning District Classification: Industrial III

Current Use of Property: Commercial Business for the distribution of
building supplies

Length of Existing Frontage: 100-Ft On what street? Trotter Drive

Setbacks for Existing Structure (if applicable)

Front: 264'

Back: 364'

Side: 29'Side: 130'

Scenic Road

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

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

Historic District

Is any portion of this property located within a Medway National Register Historic District? NO

Yes - Rabbit Hill

Yes - Medway Village

Wetlands

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

Groundwater Protection

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

Flood Plain

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

Zoning Board of Appeals

Will this project require a variance or special permit?

Yes X No

Explanation:

PROPOSED DEVELOPMENT PROJECT INFORMATIONDevelopment Name: Merrimack Building Supplies Expansion

A Major Site Plan is any commercial, industrial, institutional, multi-family, or municipal project which involves:

- a. New construction; or
- b. Alteration, reconstruction, or renovation work that will result in a change in the outside appearance of an existing building or premises, visible from a public or private street or way; or
- c. A change of use of a building or buildings or premises:

AND which includes one or more the following: (Please check all that apply.)

- ☒ New Construction - 2,500 or more sq. ft. of "gross floor area"
- ☒ New Construction - Construction of a new building or addition requiring 15 or more parking spaces
- ☐ Change in Use requiring the construction of 15 or more parking spaces
- ☒ Change in Parking Area - The construction, expansion, redesign or alteration of an existing parking area involving the addition of 15 or more new parking spaces
- ☐ Other - Any use or structure, or expansion thereof, exempt under MGL, c. 40A, s.3, but only if one or more of the above criteria is met.

PROPERTY OWNER INFORMATION (if not applicant)Property Owner's Name: Medway Trotter, LLCMailing Address: 20 Trotter DriveMedway, MA 02053Primary Contact: William Donegan

Telephone:

Office: 508-533-6905Cell: 508-533-6905Email address: bdonegan@merrimackbuildingsupply.com

The owner's title to the land that is the subject matter of this application is derived under deed from: Trotter Drive, LLC to Medway Trotter, LLC dated June 20, 2007 and recorded in Norfolk County Registry of Deeds, Book 24920 Page 145 or Land Court Certificate of Title Number _____, Land Court Case Number _____, registered in the Norfolk County Land Registry District Volume _____, Page _____.

CONSULTANT INFORMATION**ENGINEER:** Peter M. Lavoie, Proj Eng / Elizabeth Mainini, PEMailing Address: Guerriere & Halnon, Inc.
PO Box 235 Milford, MA 01757Primary Contact: Peter M. Lavoie

Telephone:

Office: 508-473-6630

Cell: _____

Email address: plavoie@gandhengineering.comRegistered P.E. License #: MA 48906

SURVEYOR: Guerriere & Halnon, Inc.
Mailing Address: PO Box 235
Milford, MA 01757
Primary Contact: Jeffrey J. Stefanik, PLS
Telephone:
Office: 508-473-6630 Cell: _____
Email Address: jstefanik@gandhengineering.com
Registered P.L.S. License #: MA 53070

ARCHITECT: Cubic Architects Inc
Mailing Address: 33 Bowspritt Lane
Plymouth, MA 02360
Primary Contact: W. Fuller
Telephone: 617-314-7330
Office: _____
Cell: 781-658-2381
Email address: wfuller@cubic.com
Registered Architect License #: _____

LANDSCAPE ARCHITECT/DESIGNER: R.P. Marzilli
Mailing Address: 21A Trotter Drive
Medway, MA 02053
Primary Contact: _____
Telephone:
Office: 508-533-8700
Cell: _____
Email address: _____
Registered Landscape Architect License #: _____

ATTORNEY: _____
Mailing Address: _____

Primary Contact: _____
Telephone:
Office: _____ Cell: _____
Email address: _____

OFFICIAL REPRESENTATIVE INFORMATION

Name: _____

Address: _____

Telephone: _____
Office: _____ Cell: _____

Email address: _____

SIGNATURES

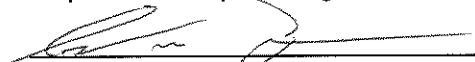
The undersigned, being the Applicant for approval of a Major Site Plan Project, herewith submits this application and Site Plan to the Medway Planning and Economic Development Board for review and approval. I hereby certify, under the pains and penalties of perjury, that the information contained in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

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

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

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

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




Signature of Property Owner

3/10/17

Date

Signature of Applicant (if other than Property Owner)

Date



Signature of Agent/Official Representative

3/10/17

Date

MAJOR SITE PLAN FEES

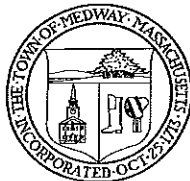
Filing Fee

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

Advance on Plan Review Fee

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

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



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

Application for Approval of Special Permit

INSTRUCTIONS TO APPLICANT/OWNER

This Application is made pursuant to the Medway Zoning Bylaw.

*The Town's Planning and Engineering Consultants will review the Application and associated submittals and provide review letters to the Planning and Economic Development Board.
A copy of those review letters will be provided to you in advance of the meeting.*

You and/or your duly authorized Agent/Official Representative are expected to attend the Board meeting 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 the Board's review of the special permit application.

March 14, 20 17

APPLICANT INFORMATION

Applicant's Name: Merrimack Building Supply

Mailing Address: 20 Trotter Drive
Medway, MA 02053

Name of Primary Contact: William Donegan

Telephone:
Office: 508-533-6905
Cell: 508-533-6905

Email address: bdonegan@merrimackbuildingsupply.com

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

PROPERTY INFORMATION

Location Address: 20 Trotter Drive Medway, MA

The land shown on the plan is shown on Medway Assessor's Map # 64 as Parcel # 2

Size of Development Parcel(s): 10.73 acres

Development Name: Merrimack Building Supplies Expansion

General Description of Property: Developed commercial property located
at the southwest end of Trotter Drive.

Medway Zoning District Classification: Industrial III

TYPE OF SPECIAL PERMIT

As provided in the following Section(s) of the Medway Zoning Bylaw:
Section 5.6.3.E.3.e: Uses & Activities REquiring a Special Permit -
to allow the a use that "will render impervious more than 15 percent"
Application to allow for 29.7% Impervious coverage.

PROPERTY OWNER INFORMATION (if not applicant)

Property Owner's Name: Medway Trotter, LLC

Mailing Address: 20 Trotter Drive
Medway, MA 02053

Primary Contact: William Donegan

Telephone: Office: 508-533-6905 Cell: 508-533-6905

Email address: bdonegan@merrimackbuildingsupply.com

OFFICIAL REPRESENTATIVE INFORMATION

Name: _____

Address: _____

Telephone: Office: _____ Cell: _____

Email address: _____

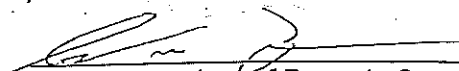
SIGNATURES

The undersigned, being the Applicant, herewith submits this application for a special permit(s) to the Medway Planning and Economic Development Board for review and action.

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 Peter Lavoie to serve as my Agent/Official Representative to represent my interests before the Medway Planning & Economic Development Board with respect to this application.)

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



Signature of Property Owner

Date

Signature of Applicant (if other than Property Owner)

Date



Signature of Agent/Official Representative

Date

SPECIAL PERMIT APPLICATION/FILING FEES

There is no separate special permit fee when the project also requires site plan review.

**SPECIAL PERMIT
APPLICATION CHECKLIST**

It is understood that the applicant shall also file a corresponding application for Site Plan Review and Approval.

- ☒ Narrative on how the proposed development project meets the special permit criteria included in the Medway Zoning Bylaw, SECTION 3.4 Special Permit Criteria in the absence of any separate criteria for a specific type of special permit as included in the Zoning Bylaw.

**Proposed Project Special Permit Criteria
20 Trotter Drive**

SITE LOCATION & DESCRIPTION

The site is located at 20 Trotter Drive Medway, Ma. off of Alden Street in Medway.

The project locus is a 10.73 acre parcel and is located at 20 Trotter Drive in Medway Ma. The property includes an existing 10,000 s.f. Metal building consisting of Office/Warehouse Area for distribution of building materials. The site also has a large shed that is also used for storage of building materials. The existing building has its own septic system, water, gas and underground utilities servicing the existing building that run from the cul de sac of Trotter Drive. The site also has an existing sewer easement that runs from Trotter Drive through the site. The lot also has parking areas for employees and customers that come to building. The lot also has large area of pavement for lay down area for building materials. The lot also has a large gravel area for lay down area of building materials. The existing has wetlands and the Stall Brook that is located at the back of the parcel.

PROJECT DESCRIPTION

The project proponent proposes to construction a 19,500 s.f. addition to expand the existing use. There will be proposed parking area in front of building and employee designated parking on side of building. The project will also consist of construction of a new loading dock and paved area for truck access to loading area. Installation or relocation of utilities for the proposed addition, which are water, sewer, gas and underground electric, cable and phone. The existing septic system will be abandoned and the building will be connected to sewer. The project will have a new drainage system which will consists of new catch basins, forebay, rain garden and infiltration basin. The runoff that will be generated will be collected and treated, which was not treat in the existing conditions.

Speical Permit Criteria

1. The proposed addition will be used in the same manner as the existing building as a warehouse for building materials and office area used to run the existing business, which is located within the Industrial III District.
2. The proposed addition will be an expansion of an existing use within the Industrial III District.
3. The proposed addition will give more room inside to store building materials and better traffic flow through the site will be created as part of this expansion of the existing building.
4. There will be no change to the existing use so no change will occur to the surrounding zoning districts and neighborhood.
5. There will be no undue traffic congestion in the immediate area due to the addition. All deliveries will occur during operating hours and the additional area will allow more storage on site.
6. The proposed addition is an expansion to an already approved use to an existing site within the town of Medway.
7. The proposed project is proposing a new drainage system which will collect and treat runoff generated from the site where the site had no treatment or mitigation.

WAIVER REQUESTS:

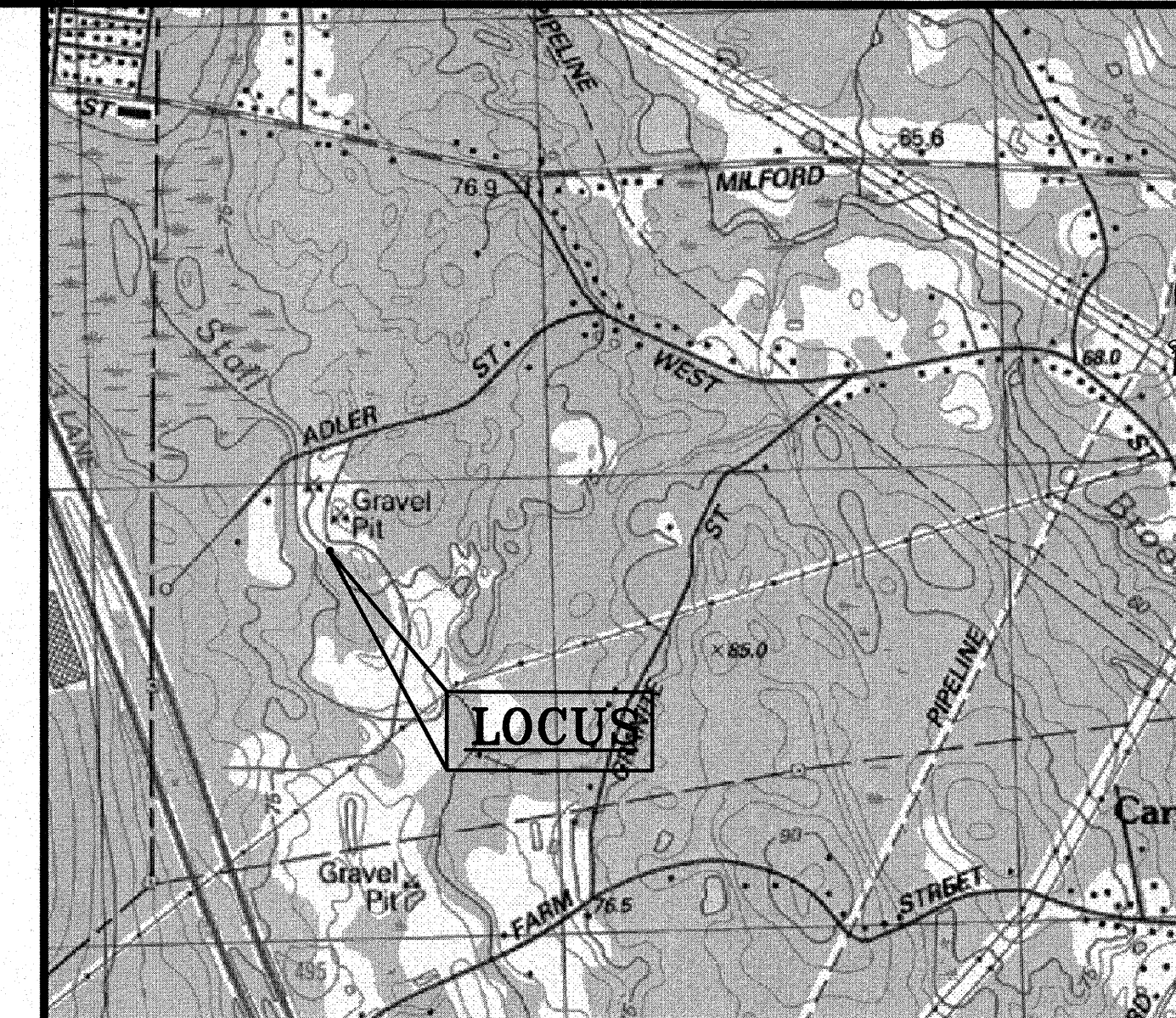
- 1) WAIVER REQUESTING NOT REQUIRING THE WRITTEN DEVELOPMENT IMPACT STATEMENT, FROM SECTION 204-3 PLANNING BOARD SUBMITTALS SUBSECTION A. 7) A WRITTEN DEVELOPMENT IMPACT STATEMENT.
- 2) WAIVER REQUESTING THE USE OF MODIFIED CAPE COD BERM THROUGHOUT THE SITE EXCEPT AT THE ENTRANCE, FROM SECTION 205-6(H) VERTICAL GRANITE CURB.
- 3) WAIVER NOT REQUIRING AN INVENTORY OF THE EXISTING LANDSCAPING AT THE SITE, SECTION 204-5(C)(3) EXISTING LANDSCAPE INVENTORY.
- 4) WAIVER REQUESTING NOT CREATING PEDESTRIAN WAYS ALONG THE FRONT OF SITE, FROM SECTION 205-3 PEDESTRIAN & BICYCLE ACCESS.
- 5) WAIVER 205-9(F) TREE REPLACEMENT.

NOTES:

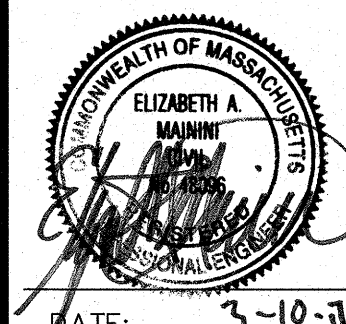
1. SEE DEED BOOK 12567 PAGE 424 AND PLAN 233 OF 1998 IN PLAN BOOK 455 AT THE NORFOLK REGISTRY OF DEEDS.
2. ALL ELEVATIONS ARE BASED OFF OF THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88)
3. ZONING DISTRICT INDUSTRIAL III
MIN. AREA = 40,000 S.F.
MAX. COVERAGE = 40%
MIN. WIDTH = 100 FT.
MIN. FRONT, REAR SETBACK = 30 FT
MIN. SIDE SETBACK = 20 FT

MERRIMACK BUILDING SUPPLY SITE PLAN FOR 20 TROTTER DRIVE IN MEDWAY, MASSACHUSETTS

OWNER/APPLICANT:
MERRIMACK BUILDING SUPPLY
20 TROTTER DRIVE
MEDWAY MA
DATE MARCH 10, 2017



LOCUS MAP USGS
1,000 FEET TO AN INCH

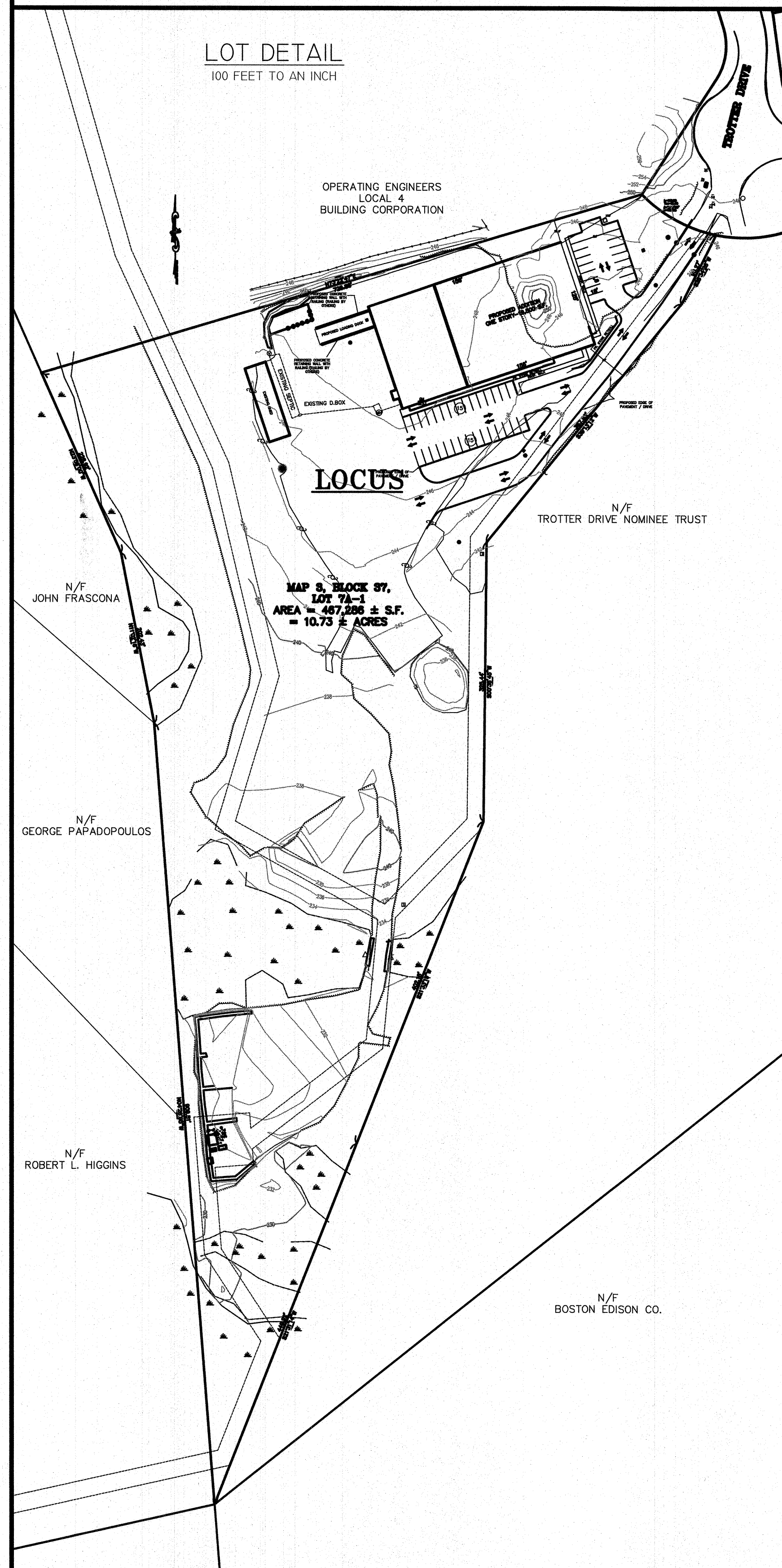


DATE: 3-10-17

MEDWAY PLANNING AND ECONOMIC
DEVELOPMENT BOARD APPROVAL

DATE: _____

SIGNATURE DATE: _____
BEING A MAJORITY



LOCUS MAP
300 FEET TO AN INCH

ZONE DESCRIPTION:	MIN. REQ'D/ MAX. ALLOWED	EXISTING	PROPOSED
ZONE - INDUSTRIAL III	INDUSTRIAL III		
LOT REQUIREMENTS:			
MIN. AREA (S.F.)	40,000 S.F.	10,73± ACRES	10,73± ACRES
MIN. WIDTH (FT.)	100'	100'	100'
MIN. FRONTAGE (FT.)	100'	100'	100'
YARD REQUIREMENTS:			
MIN. FRONT SETBACK (FT.)	30'	109'	109'
MIN. SIDE SETBACK (FT.)	20'	26.6'	26.6'
MIN. REAR SETBACK (FT.)	30'	380'	380'
BUILDING			
MAX % COVERAGE	40%	10%	27%
OPEN SPACE			
MIN % OF LOT AREA	-	78%	73%
BUILDING HEIGHT (FT.)	-	30'	30'
MAX. HEIGHT (FT.)	60'	30'	30'
PARKING			
MIN. NUMBER OF SPACES	**40	**28	**48
MIN. HANDICAPPED SPACES	1	1	1
PARKING REQUIREMENT: ** INCLUDES NUMBER OF HANDICAP SPACES.			
OFFICE/WAREHOUSE FACILITY:			
1 SPACE PER EACH 2 PERSONS EMPLOYED ON LARGEST SHIFT			
20 EMPLOYEES ON LARGEST SHIFT = 10 SPACES			
1 SPACE PER 1,000 S.F. OF FLOOR SPACE.			
29,610 S.F./1,000 S.F. = 29.61 SPACES			
TOTAL SPACES REQUIRED= 40 SPACES			

INDEX

- COVER SHEET
- 1. EXISTING CONDITIONS
- 2. DEMOLITION PLAN
- 3. SITE PLAN
- 4. GRADING & UTILITY PLAN
- 5. EROSION CONTROL
- 6. LIGHTING PLAN
- 7. DETAIL SHEET#1
- 8. DETAIL SHEET#2
- 9. L1.1 PLANTING PLAN
- 10. A2.02 FIRST FLOOR PLAN
- 11. A2.03 MEZZANINE FLOOR PLAN
- 12. A3.01 BUILDING ELEVATION
- 13. A3.02 BUILDING ELEVATION



**Guerriere
&
Halnon, Inc.**

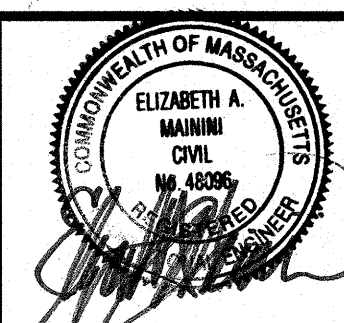
Engineering & Land Surveying
333 WEST STREET, MILFORD, MASS. 01757
(508) 473-6630 FAX: (508) 473-8243

cubic architects, inc.

33 BOWSPRITT LANE
PLYMOUTH, MA 02360
PHONE 617-314-7330, FAX 781-658-2381

G-8542

G-8542



G-8542

DATE: 9-10-17

APPROVED DATE: PLANNING BOARD

SIGNATURE DATE: BEING A MAJORITY

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

"WARNING"

EXISTING UTILITY LINES INDICATED OR NOTED ON THESE DRAWINGS ARE SHOWN AS OBTAINED FROM EXISTING INFORMATION AND ARE ONLY APPROXIMATE IN LOCATION. THE CONTRACTOR SHALL TAKE CAUTION IN THESE AREAS TO AVOID DAMAGE TO EXISTING UTILITY LINES AND/OR HARM TO PERSONNEL ENGAGED IN WORKING IN THESE AREAS.

CALL "DIG SAFE" 1-888-DIG-SAFE (1-888-344-7233).

EXISTING LINES OTHER THAN THOSE INDICATED ON THESE DRAWINGS MAY BE ON THE SITE. THE CONTRACTOR IS WARNED TO PROCEED WITH CAUTION WITH ALL WORK, ESPECIALLY EXCAVATION WORK, AND TO MAKE ALL POSSIBLE INVESTIGATIONS AS TO POSSIBLE UNMARKED UTILITY LINES.

NOTES

1. WETLANDS AND RIVER FRONT FLAGGED BY JUDITH SCHMITZ.
2. SITE IS LOCATED WITHIN THE GROUNDWATER PROTECTION DISTRICT.

##	DATE	DESCRIPTION	INIT

MERRIMACK BUILDING SUPPLY
20 TROTTER DRIVE
MEDWAY MA

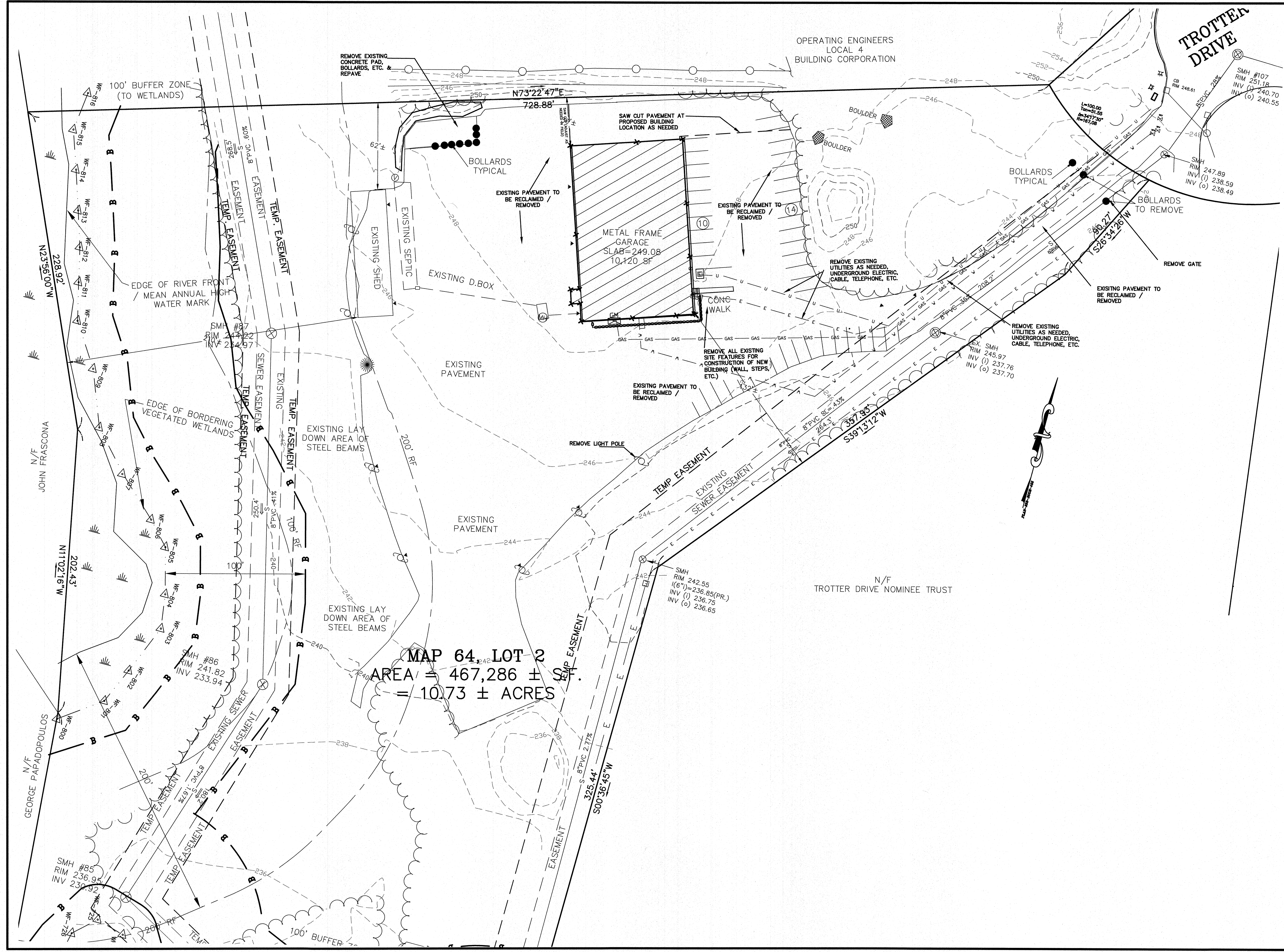
20 TROTTER DRIVE

"MERRIMACK BUILDING SUPPLY"

DEMOLITION
PLAN OF LAND
IN
MEDWAY, MA
SCALE: ONE INCH EQUALS 30 FEET
DATE: MARCH 10, 2017

 **Guerriere & Halon, Inc.**
Engineering & Land Surveying
333 WEST STREET, MILFORD, MASS. 01757
(508) 473-6630 FAX: (508) 473-8243

SHEET
C-2
PVI



P:\G8542\dwg\g-8542-04-19-07.dwg 04/25/2007 01:17:17 PM EDT

G-8542



G-8542

DATE: 3-10-17
APPROVED DATE: PLANNING BOARD

SIGNATURE DATE: BEING A MAJORITY

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

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CALL "DIG SAFE" 1-888-DIG-SAFE (1-888-344-7233).

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NOTES

##	DATE	DESCRIPTION	INIT

OWNER
MERRIMACK BUILDING SUPPLY
20 TROTTER DRIVE
MEDWAY MA

20 TROTTER DRIVE

"MERRIMACK BUILDING SUPPLY"

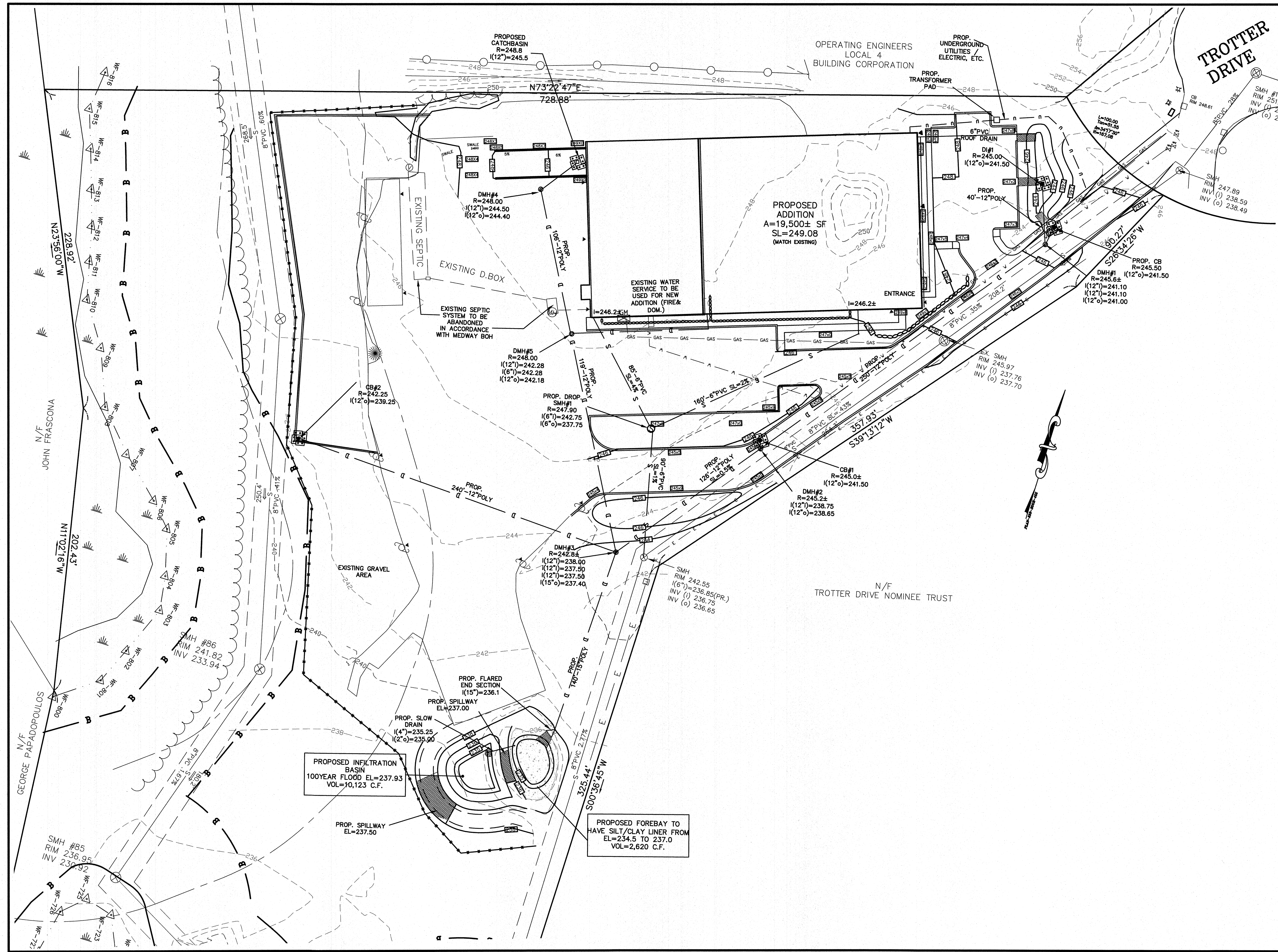
GRADING & UTILITIES
SITE
PLAN OF LAND
IN
MEDWAY, MA

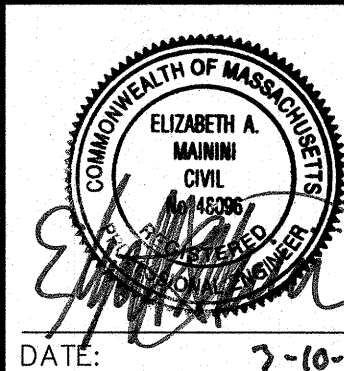
SCALE: ONE INCH EQUALS 30 FEET
DATE MARCH 10, 2017

Guerriere & Halnon, Inc.
Engineering & Land Surveying
333 WEST STREET, MILFORD, MASS. 01757
(508) 473-6630 FAX: (508) 473-8243

SHEET
C-4
PML

G-8542





G-8542

DATE: 7-10-17
APPROVED DATE: PLANNING BOARD

SIGNATURE DATE: BEING A MAJORITY

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

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CALL "DIG SAFE" 1-888-DIG-SAFE (1-888-344-7233).

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NOTES

##	DATE	DESCRIPTION	INIT

OWNER
MERRIMACK BUILDING SUPPLY
20 TROTTER DRIVE
MEDWAY MA

20 TROTTER DRIVE

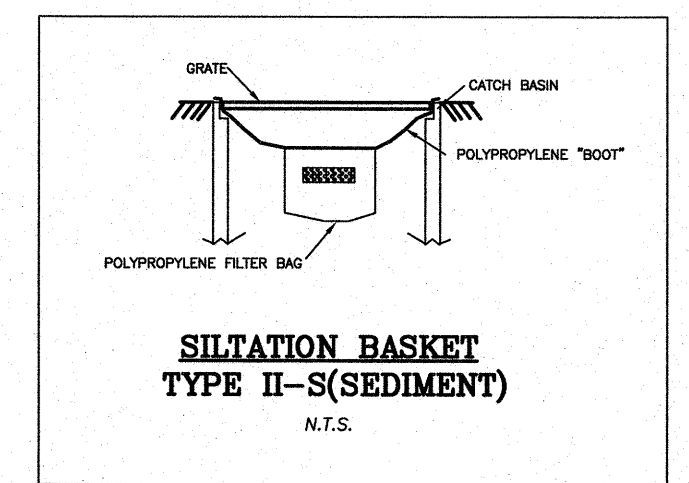
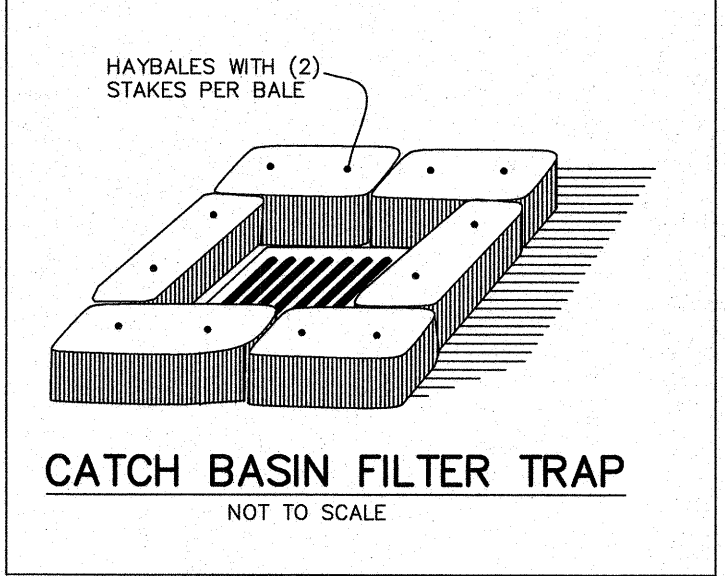
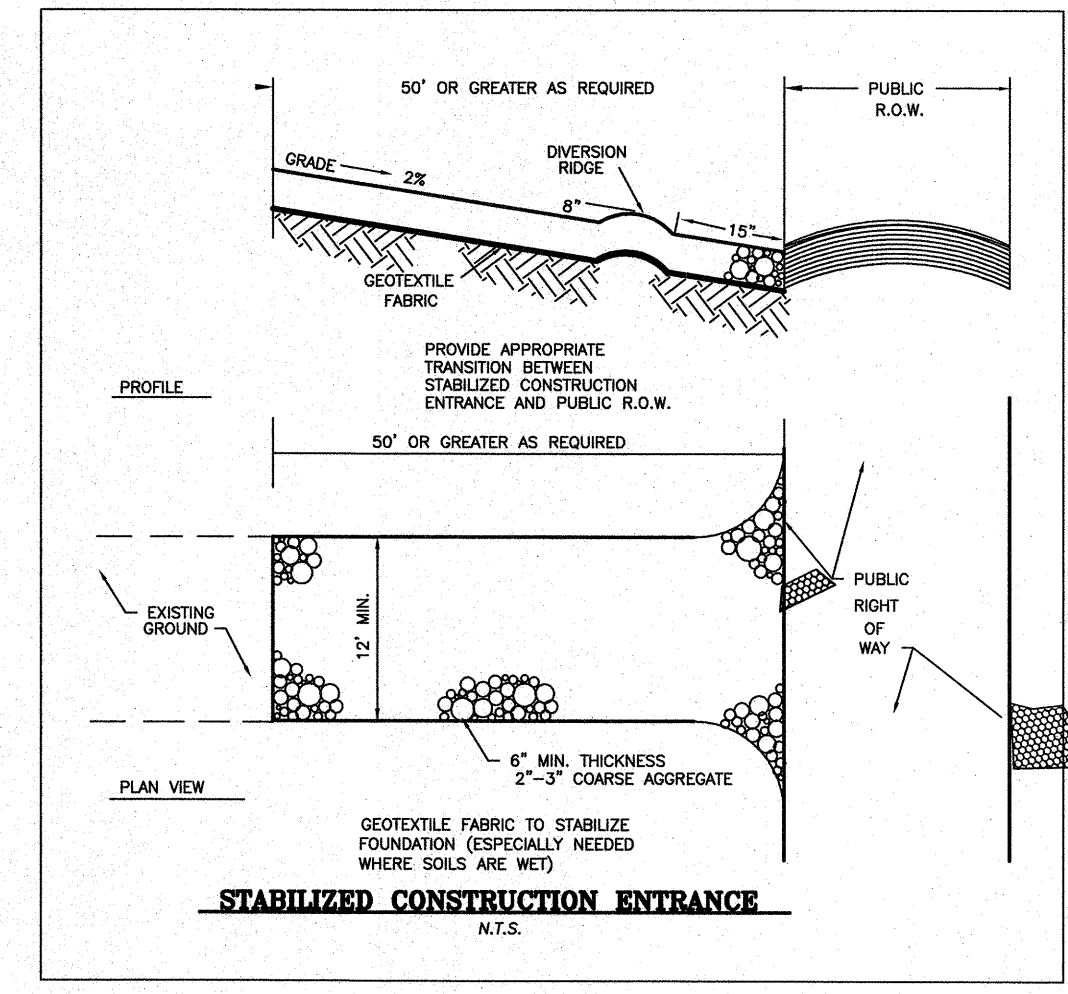
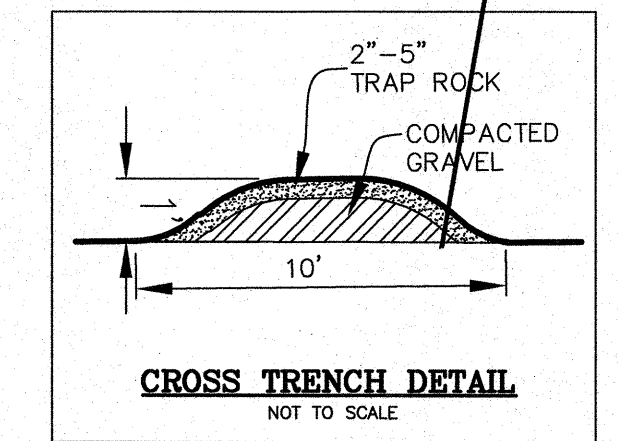
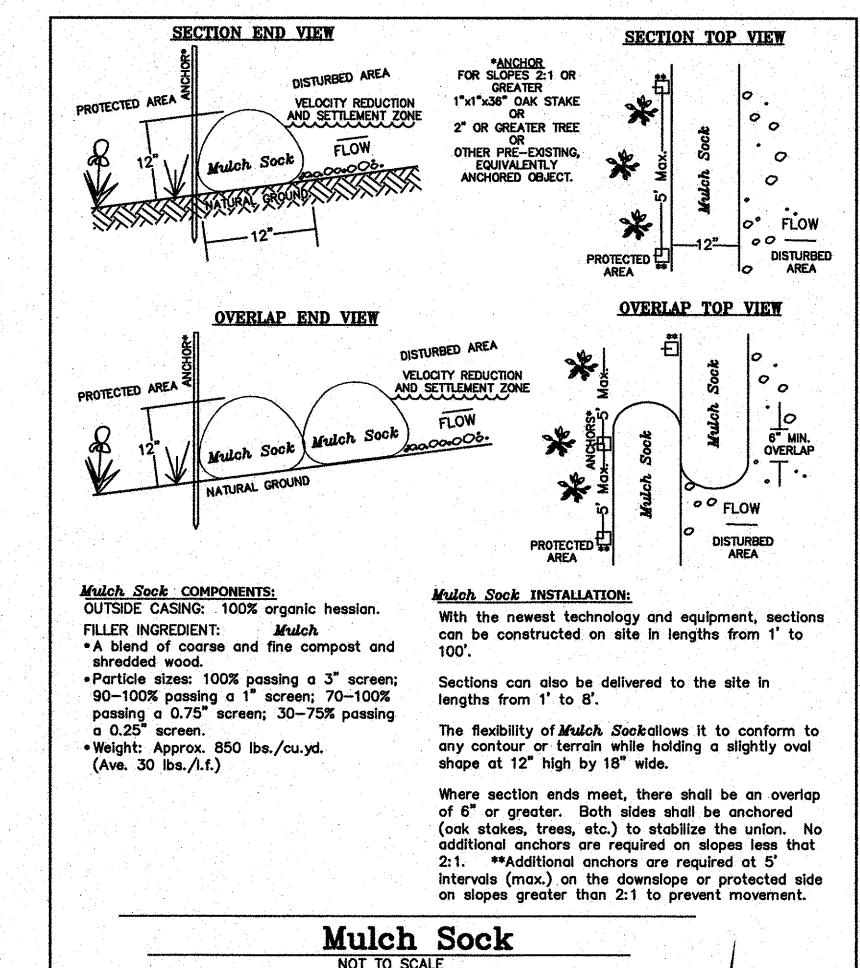
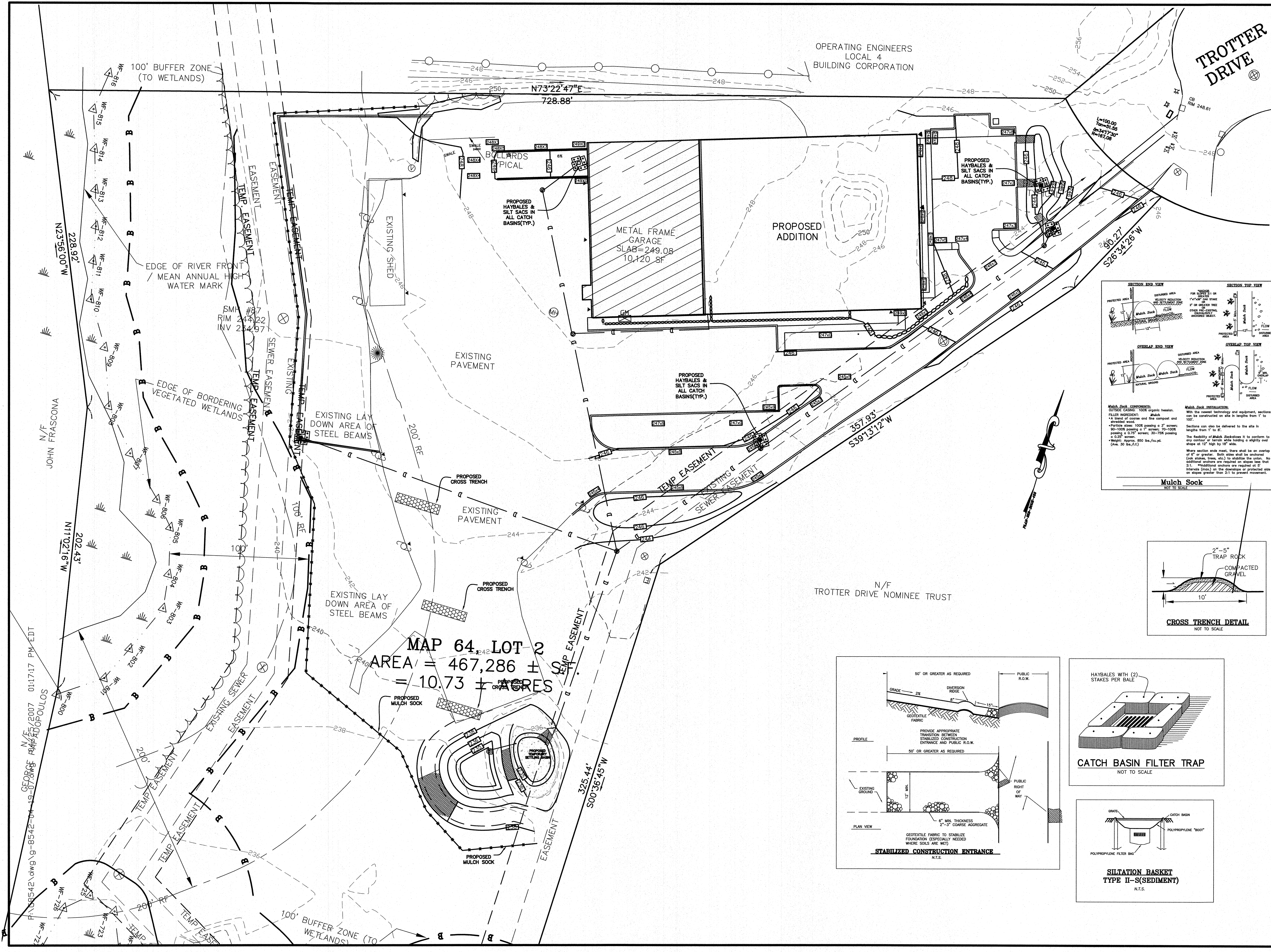
"MERRIMACK BUILDING SUPPLY"

EROSION CONTROL
SITE
PLAN OF LAND
IN
MEDWAY, MA

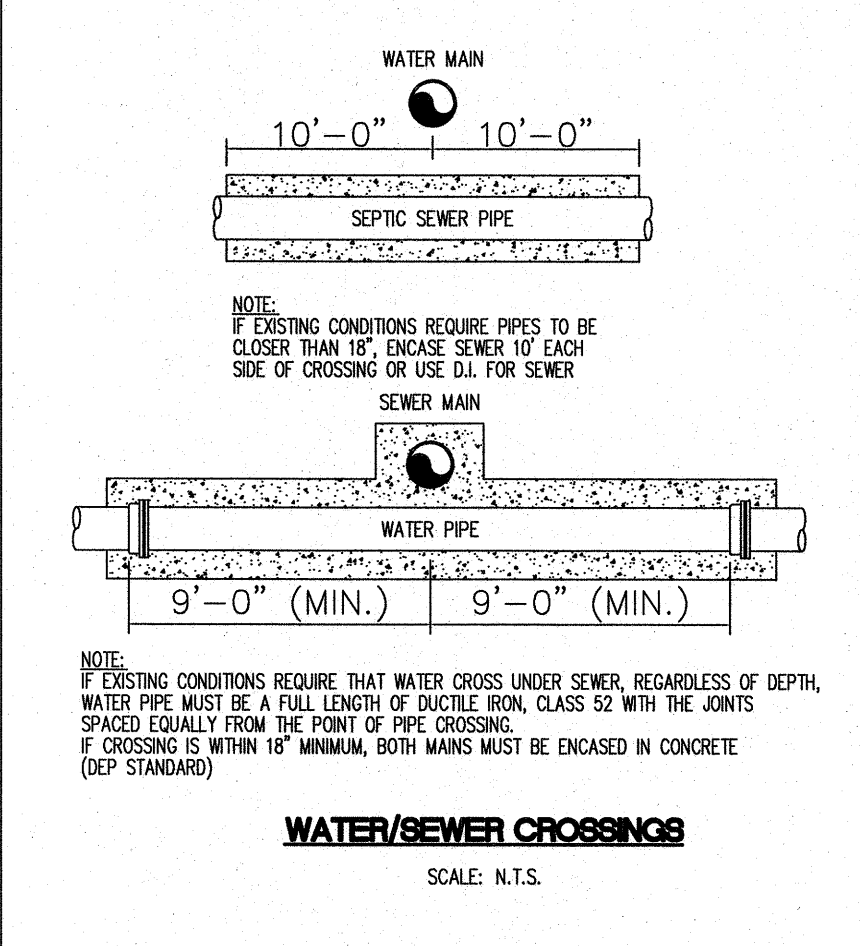
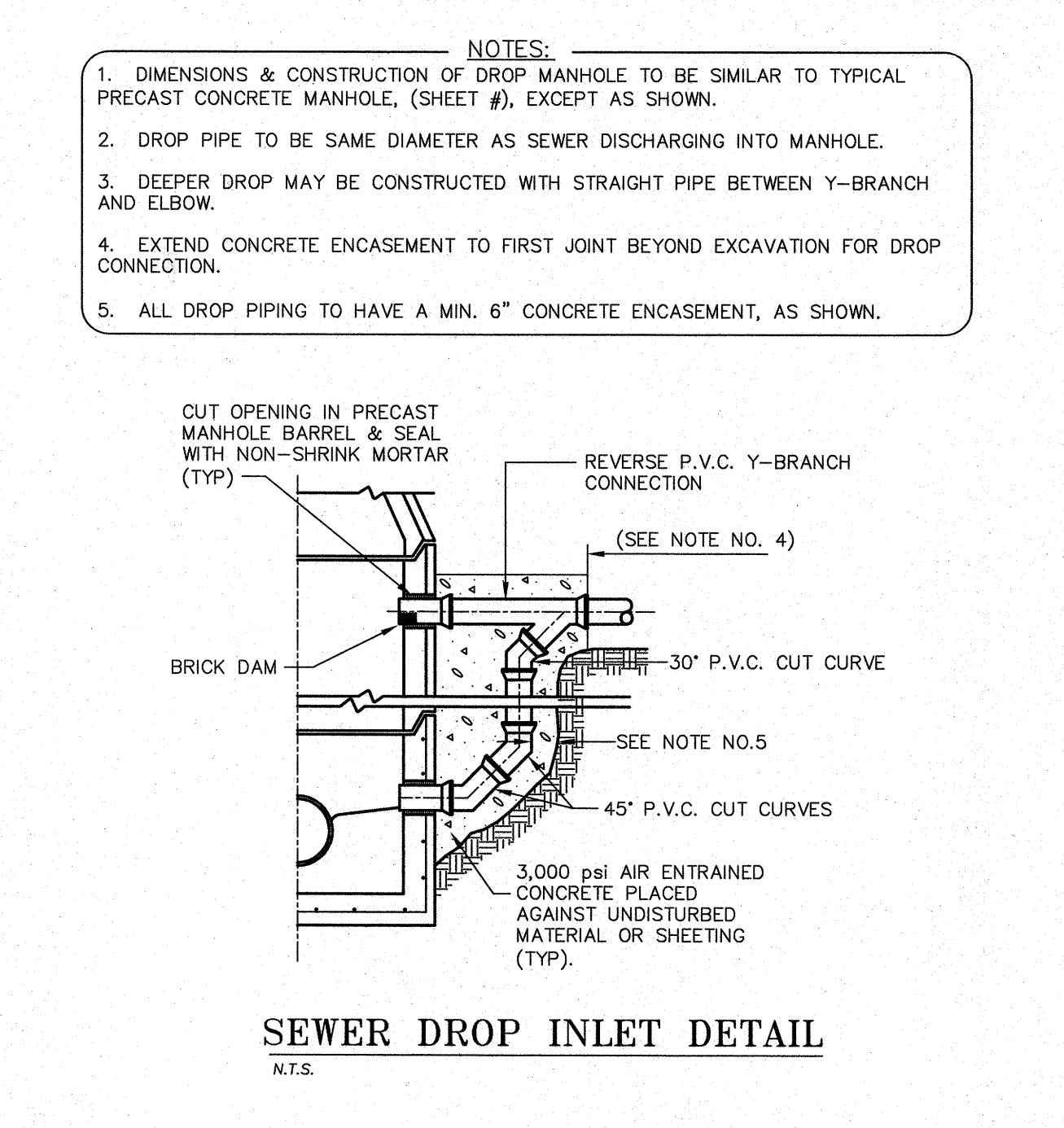
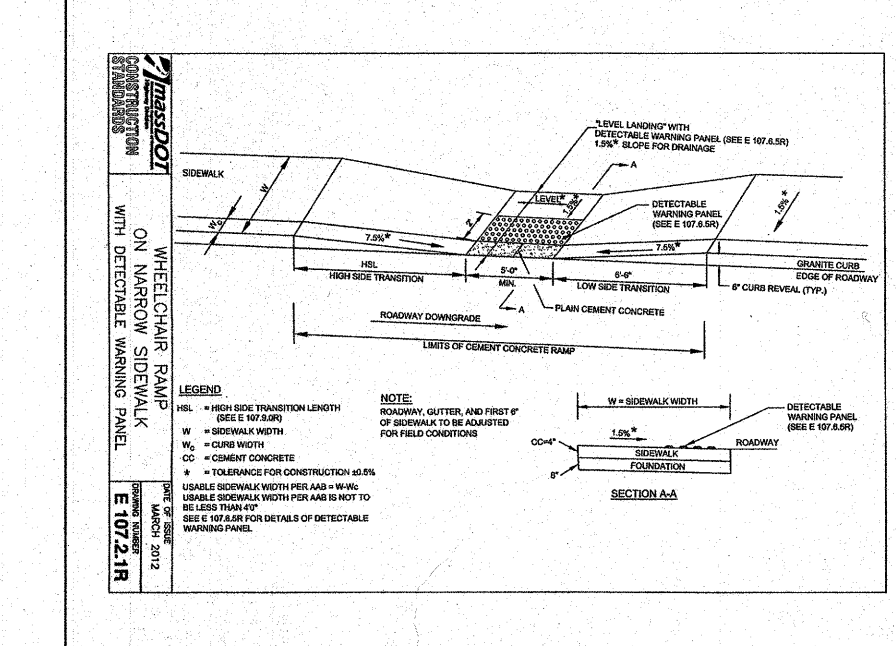
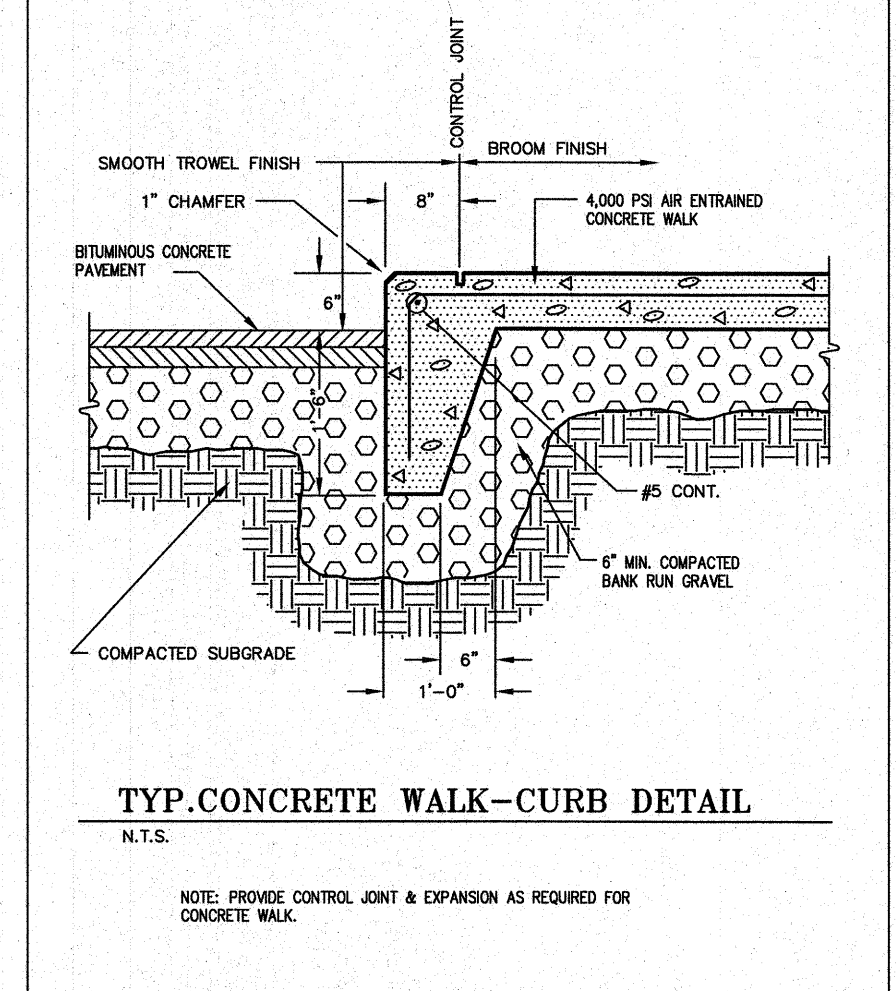
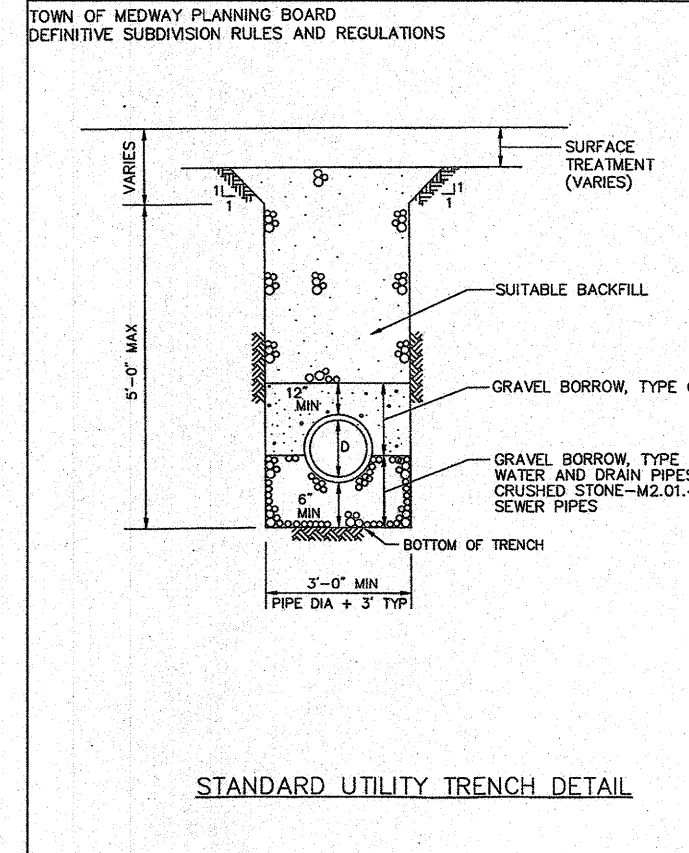
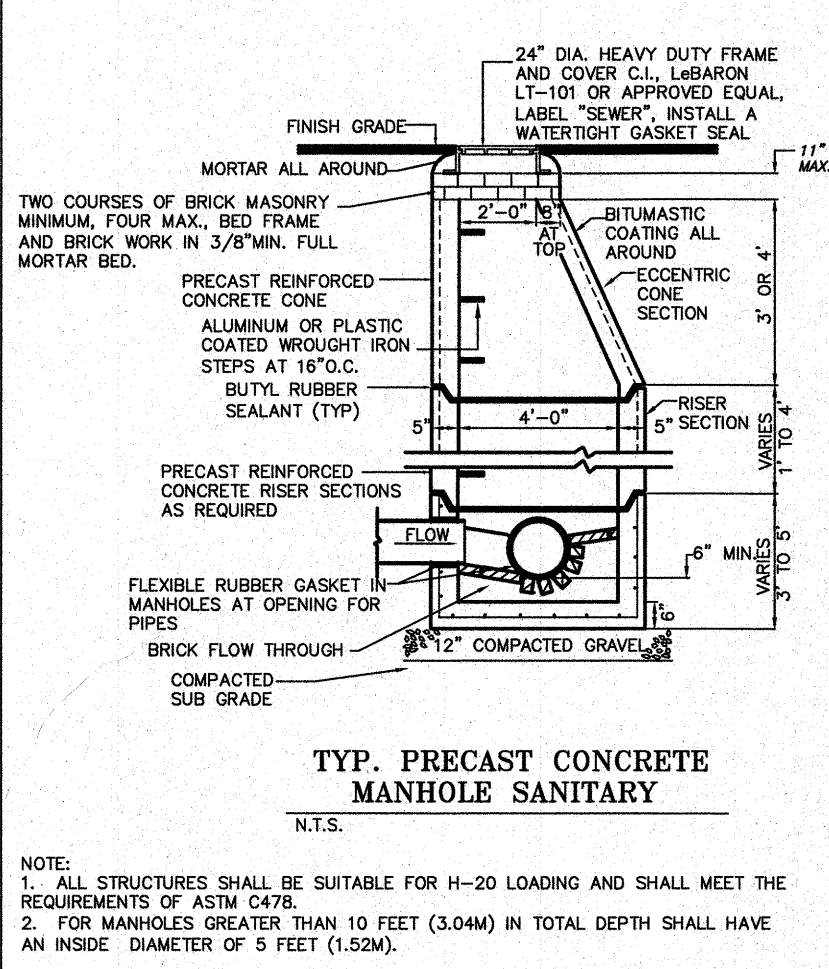
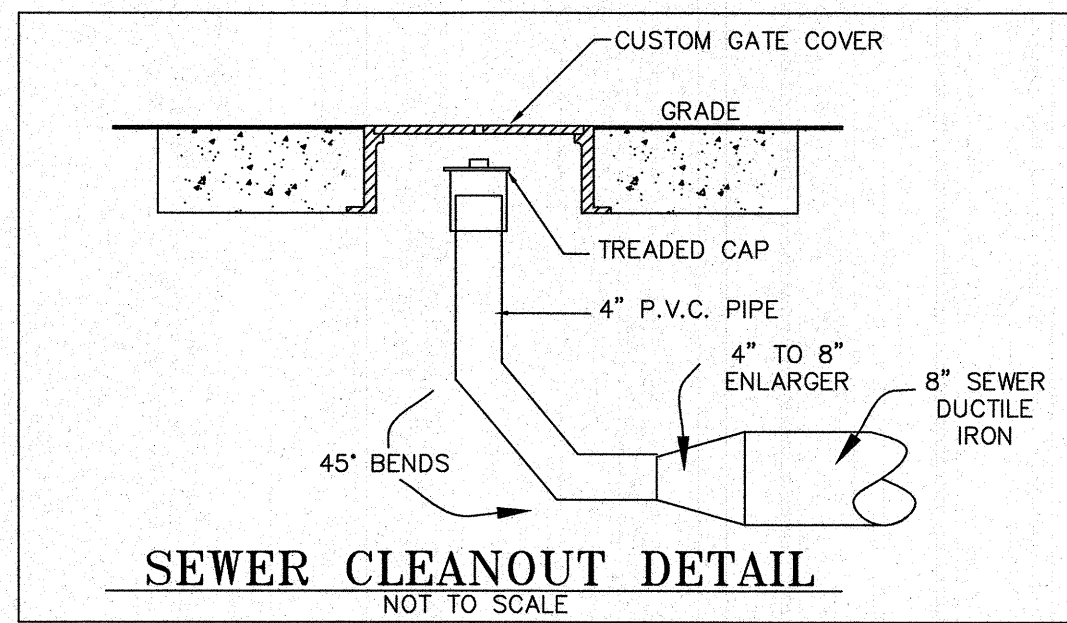
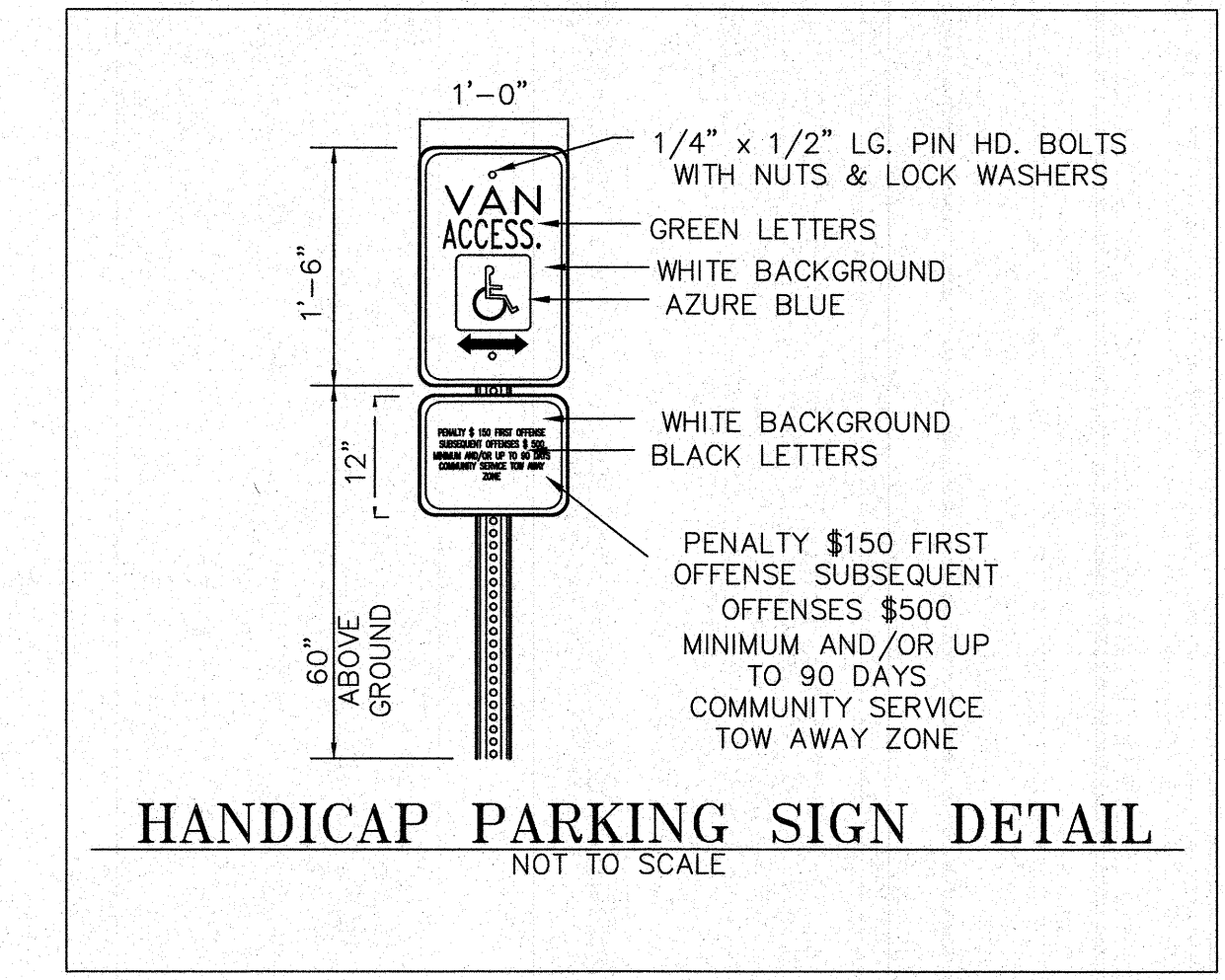
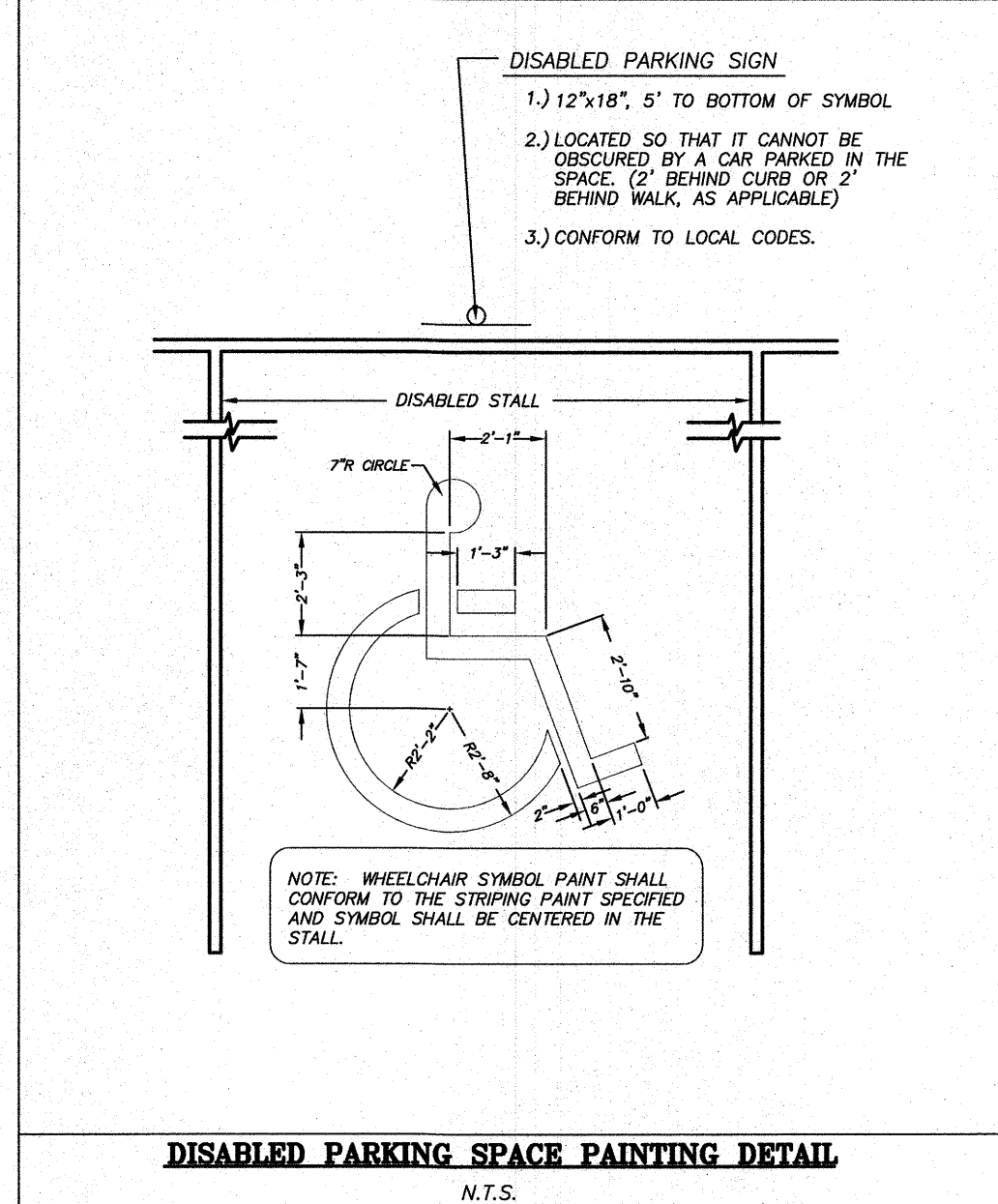
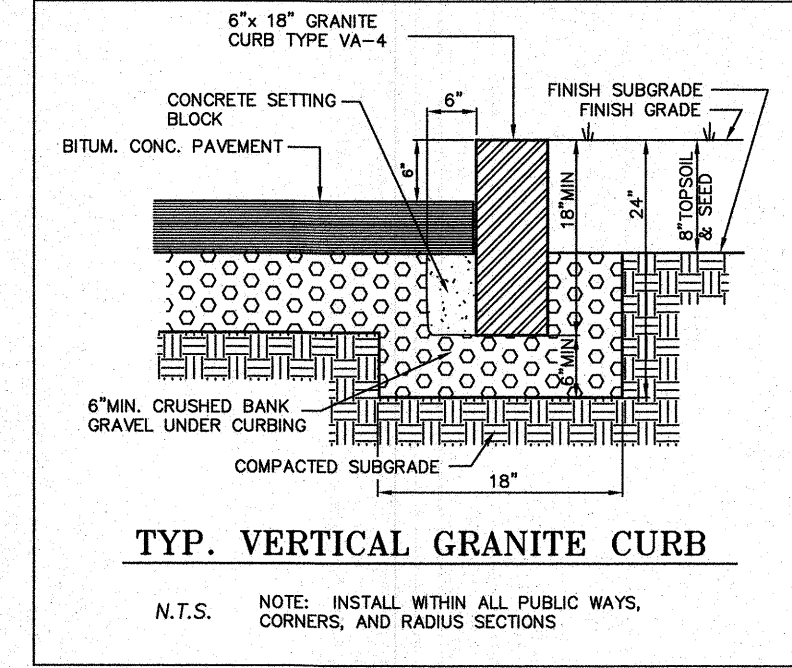
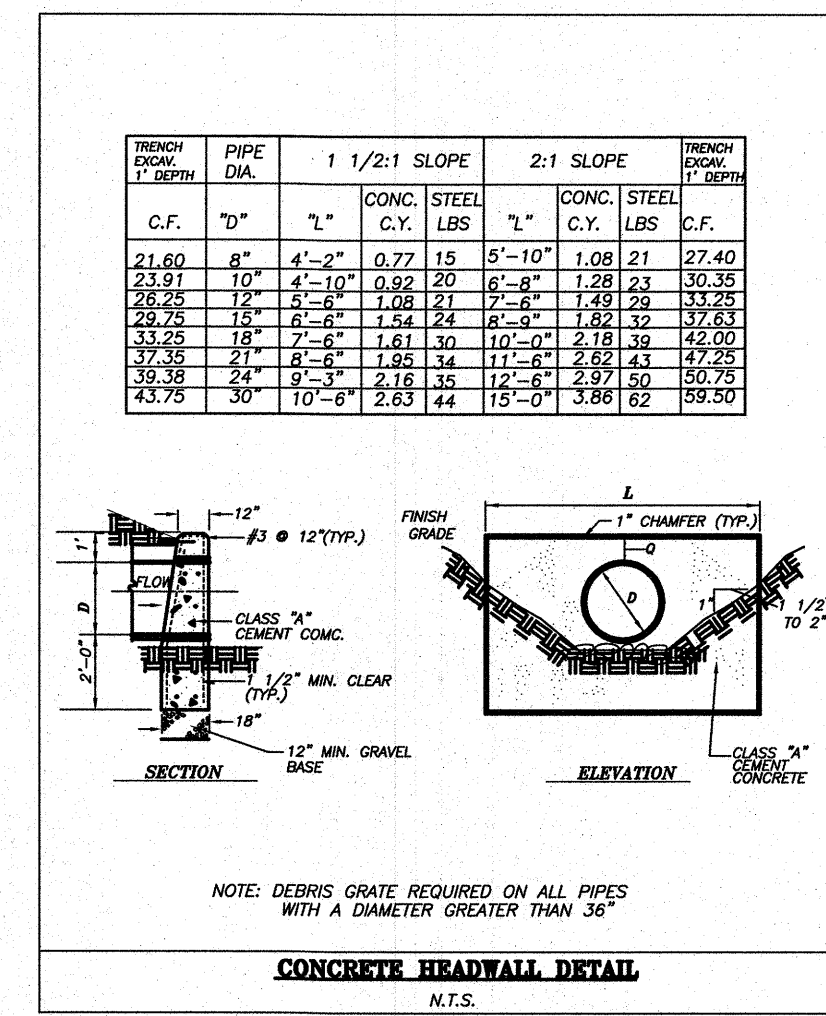
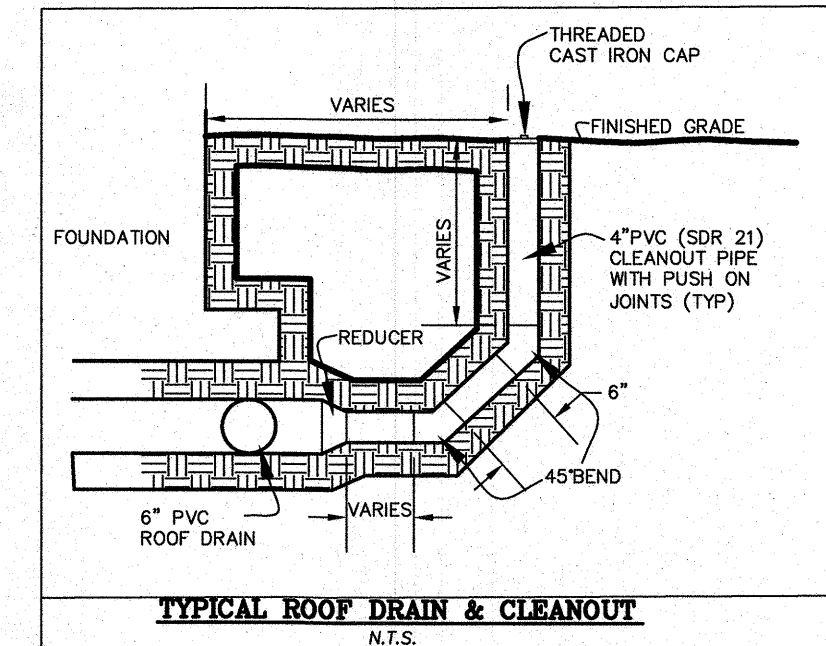
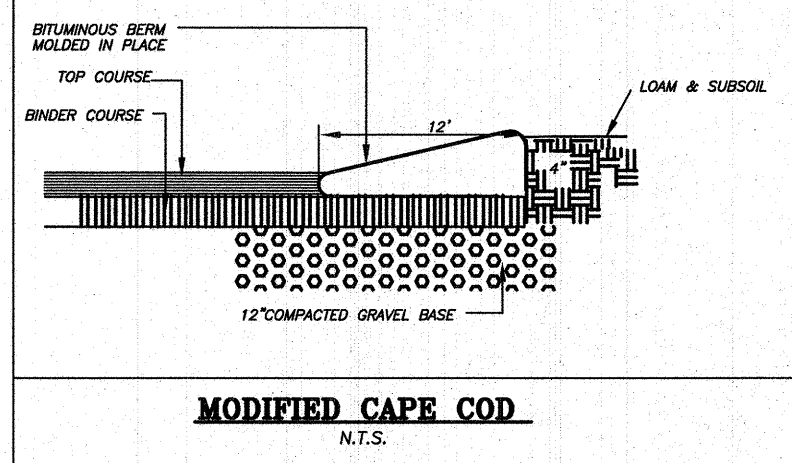
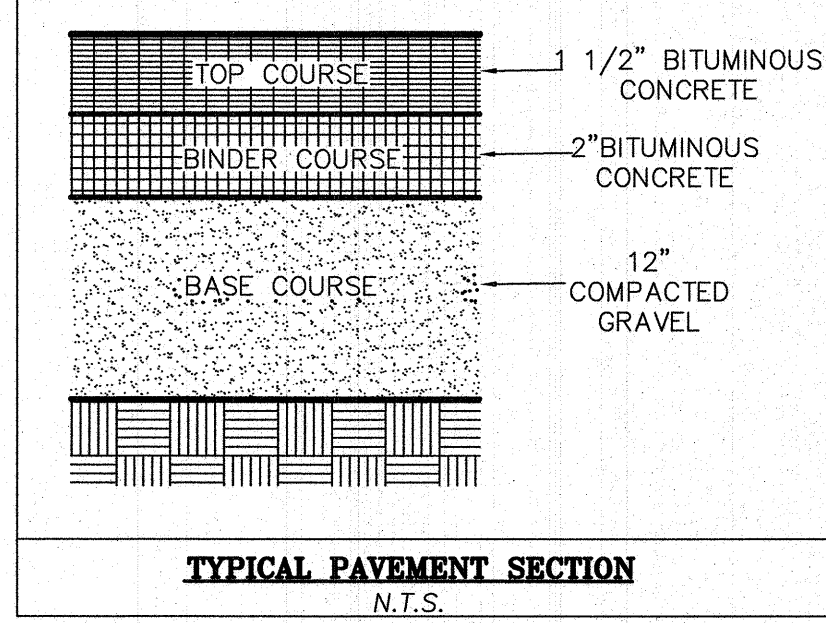
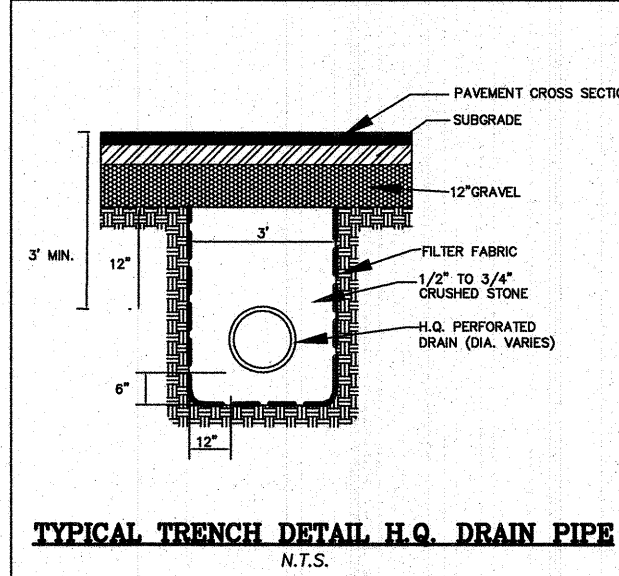
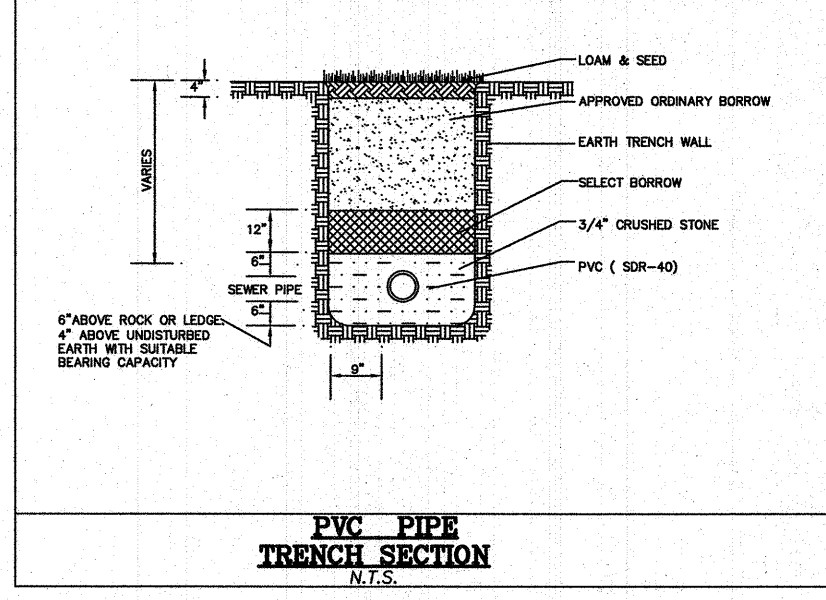
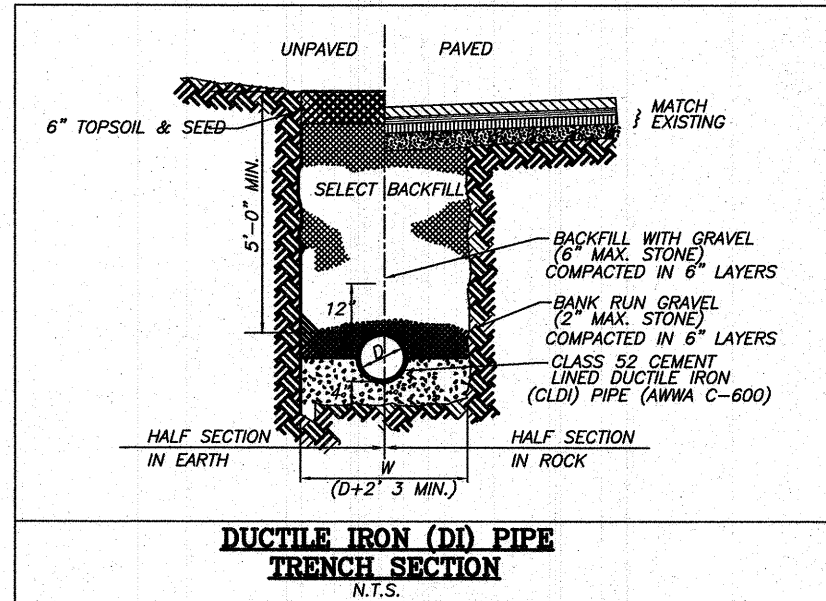
SCALE: ONE INCH EQUALS 30 FEET
DATE MARCH 10, 2017

Guerriere & Halnon, Inc.
Engineering & Land Surveying
333 WEST STREET, MILFORD, MASS. 01757
(508) 473-6630 FAX: (508) 473-8243

SHEET
C-5
P.1



PL 18542\dwg\g-8542-04-19-078.dwg
DATE: 7/10/17 PM EDT
BY: ADPOULOS
GEOGRAPHIC INFORMATION SYSTEMS



LEGEND			
WET	EDGE OF WETLANDS		
256	EXISTING TREELINE		
256	EXISTING CONTOUR		
OH	PROPOSED CONTOUR		
OH	OVERHEAD WIRE		
D	DRAIN LINE		
S	SEWER LINE		
W	WATER LINE		
UE	UNDERGROUND ELECTRIC		
RD	ROOF DRAIN		
X X X	PROPOSED FENCE		
B	100' BUFFER ZONE		
⊗	EXISTING SEWER MANHOLE		
⊗	EXISTING DRAIN MANHOLE		
⊗	EXISTING CATCH BASIN		
⊗	EXISTING UTILITY POLE		
⊗	PROPOSED DRAINAGE MANHOLE		
⊗	PROPOSED UTILITY POLE		
⊗	PROPOSED CATCH BASIN		
⊗	WETLANDS		
⊗	HANDICAP SPACE		
⊗	TRAFFIC FLOW		
⊗	PROPOSED BUILDINGS		
⊗	MOUNTED LIGHT		

DATE: _____

MEDWAY PLANNING AND ECONOMIC DEVELOPMENT BOARD APPROVAL

DATE: _____

SIGNATURE DATE: _____

BEING A MAJORITY

NOTES

1. THIS PLAN REFERS TO THE MEDWAY ASSESSORS ATLAS SHEET 64 LOT 2.
2. ALL UTILITIES, STRUCTURES AND SITE FEATURES SHOWN ARE PROPOSED UNLESS NOTED OR OTHERWISE INDICATED AS EXISTING.
3. ELEVATIONS REFER TO NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88).
4. TRAFFIC GENERATION IS 600 VEHICLES PER DAY.
5. SEWAGE FLOW: 75 GPD/1,000 S.F. WAREHOUSE/OFFICE SPACE=30*75=2,250 GPD
6. TOPOGRAPHIC INFORMATION COLLECTED ON THE GROUND BY GUERRIERE AND HALNON, INC.
7. FIRE LANES SHALL BE BUILT TO ACCOMMODATE 20 TON FIRE APPARATUS DURING CONSTRUCTION.
8. FIRE LANES TO BE POSTED AND APPROVED BY THE MEDWAY FIRE AND POLICE DEPARTMENTS.
9. EXTERIOR LIGHTS SHALL BE 200 WATT METAL HALIDE BULBS AND SHALL BE ORIENTED SO AS NOT TO GLARE ONTO ADJOINING PROPERTIES.
10. SILTATION BARRIERS AND DEVICES TO BE IN PRIOR TO ALL CONSTRUCTION.
11. NO EQUIPMENT SHALL BE STORED IN THE FIRE LANES. ALL FIRE LANES SHALL BE KEPT CLEAR AND PASSABLE AT ALL TIMES.
12. NO COMBUSTIBLES CONSTRUCTION SHALL BE ALLOWED UNTIL ALL HYDRANTS ARE INSTALLED TO GRADE, TESTED AND IN SERVICE.
13. ALL LOADING AREAS SHALL BE DESIGNED AND CONSTRUCTED SO THAT VEHICLES LOADING OR UNLOADING DO NOT OBSTRUCT THE FIRE LANE.
14. ALL CURBING TO BE BITUMINOUS CONCRETE BERM UNLESS OTHERWISE NOTED.
15. ALL DUMPSTERS TO BE ON CONCRETE PADS AND TO BE PROPERLY SCREENED.
16. KNOX BOXES TO BE REQUIRED ON ALL BUILDINGS.
17. ALL DRAINAGE PIPE TO BE SMOOTH BORE CORRUGATED POLYETHYLENE SIMILAR TO HIO PIPE AND FITTINGS AS MANUFACTURED BY HANCOR FUNDLAY, OHIO, OR EQUIVALENT UNLESS OTHERWISE NOTED.
18. ALL SEWER PIPE TO BE SDR 35 POLYVINYL CHLORIDE (PVC). UNLESS NOTED.
19. ALL WATER PIPE TO BE 8" DUCTILE IRON(CLDI)CLASS 52 UNLESS NOTED.
20. DOMESTIC WATER SERVICE TO BE 2" COPPER TYPE K.
21. ALL MATERIAL AND INSTALLATION SHALL FOLLOW MEDWAY WATER SPECIFICATIONS.
22. ALL WATER LINE TO BE INSTALLED MINIMUM OF 4.5' BELOW EXISTING ROAD GRADE.
23. GAS LINE SPECIFICATIONS BY UTILITY PROVIDER.
24. PROPOSED FREE STANDING SIGNS TO COMPLY WITH THE TOWN OF MEDWAY ZONING BYLAW SECTION.
25. ALL ENTRANCES TO BE HANDICAPPED ACCESSIBLE.

OWNER / APPLICANT

MERRIMACK BUILDING SUPPLY

20 TROTTER DRIVE

MEDWAY MA

20 TROTTER DRIVE

"DETAIL SHEET#1"

PLAN OF LAND

IN

MEDWAY, MA

SCALE: NOT TO SCALE

DATE: MARCH 10, 2017

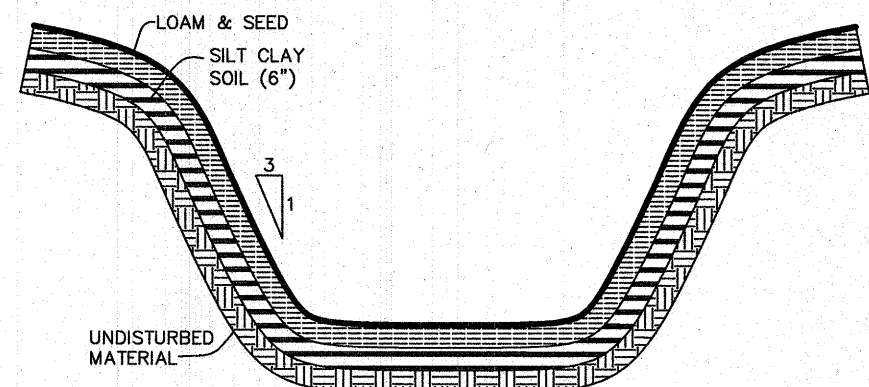
Guerriere & Halnon, Inc.

Engineering & Land Surveying

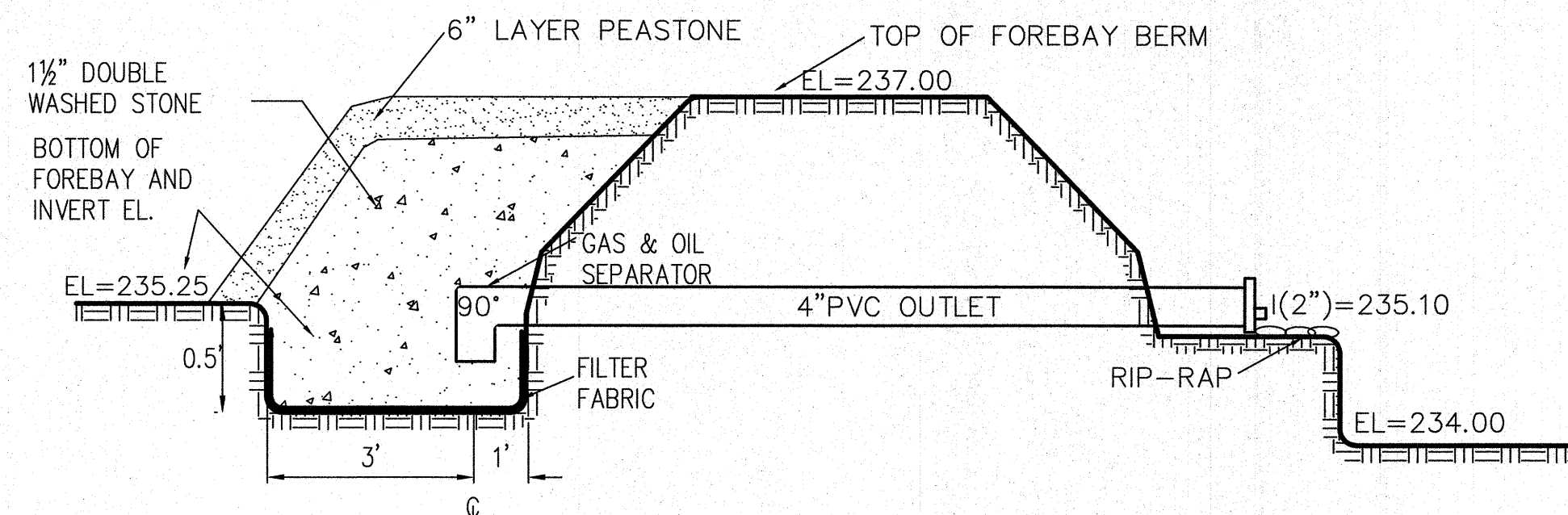
333 WEST STREET, MILFORD, MASS. 01757

(508) 473-6630 FAX: (508) 473-8243

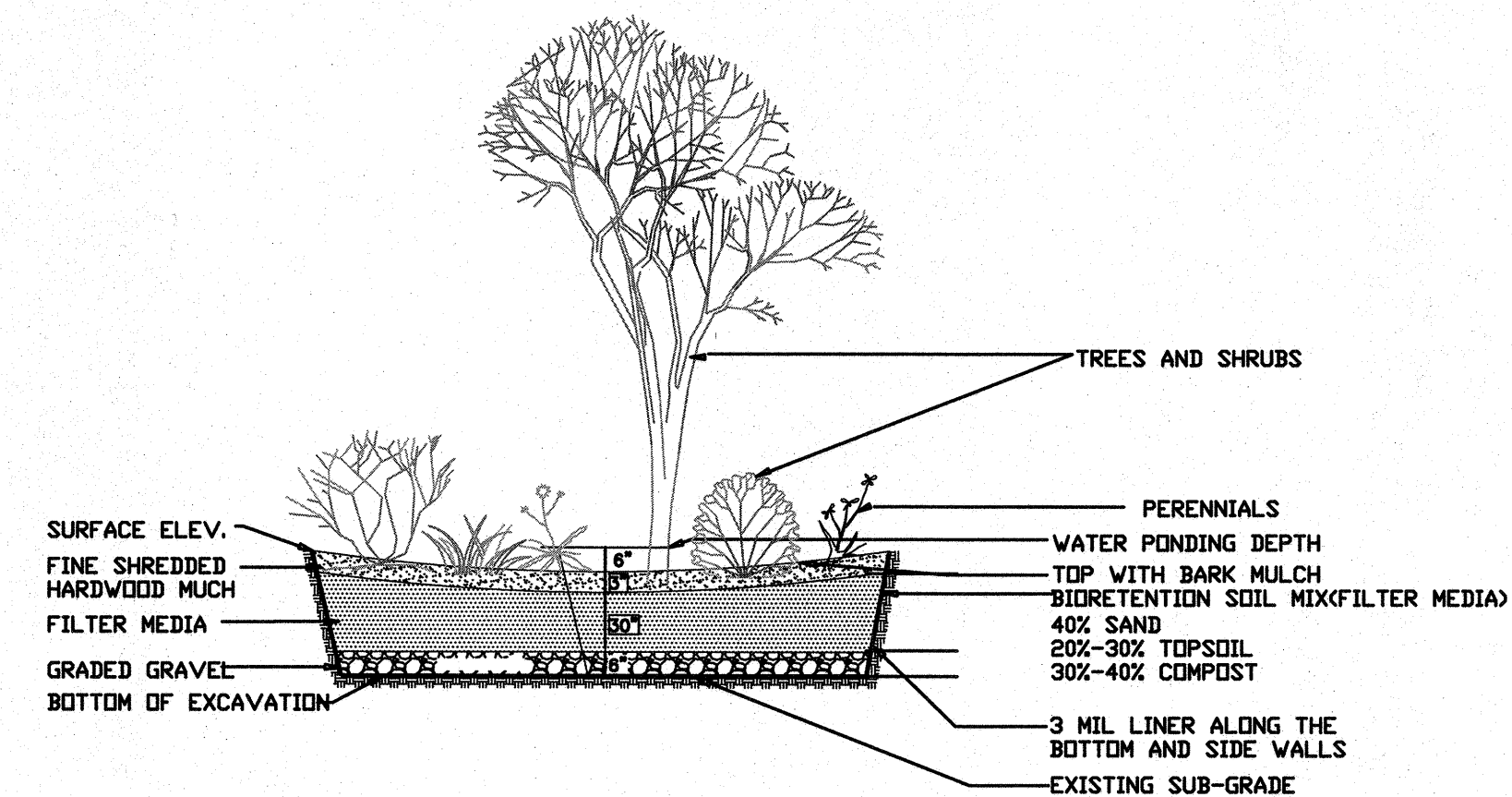
SHEET C-7



CROSS SECTION FOREBAY

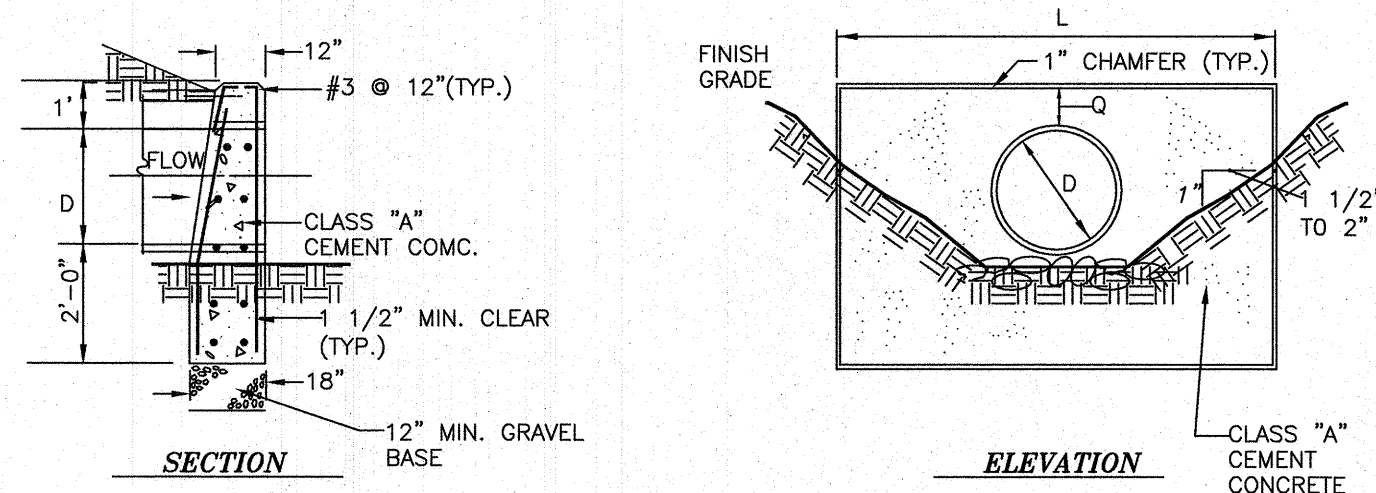


SLOW DRAIN OUTLET



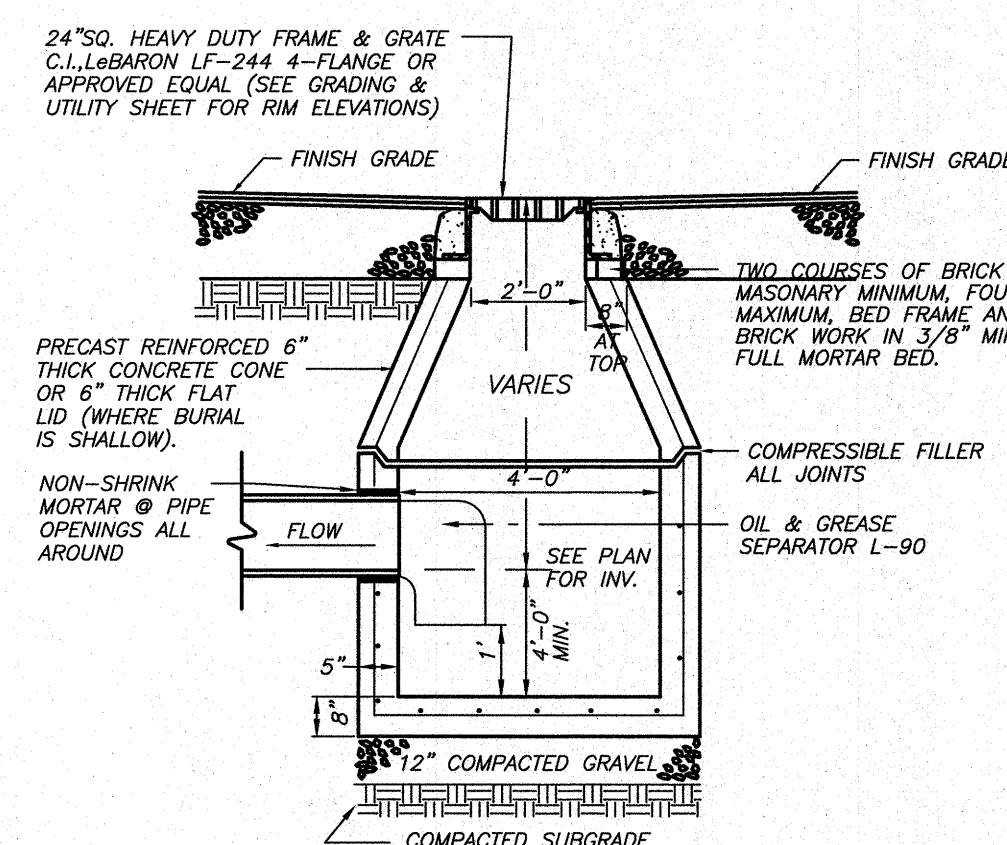
RAIN GARDEN

TRENCH EXCAV. 1' DEPTH	PIPE DIA.	1 1/2:1 SLOPE				2:1 SLOPE				TRENCH EXCAV. 1' DEPT
C.F.	"D"	"L"	CONC. LBS	STEEL LBS	"L"	CONC. LBS	STEEL LBS	C.F.	"L"	
21.60	8"	4'-2"	0.77	15	5'-10"	1.08	21	27.40		
23.91	10"	4'-10"	0.92	20	6'-8"	1.28	23	30.35		
26.25	12"	5'-10"	1.08	21	7'-6"	1.49	29	33.25		
28.56	16"	6'-6"	1.54	24	8'-9"	1.82	32	37.63		
33.25	18"	7'-6"	1.61	30	10'-0"	2.12	39	42.00		
37.35	24"	8'-6"	1.86	36	11'-6"	2.43	47	47.25		
39.38	24"	9'-3"	2.16	35	12'-6"	2.97	50	50.75		
43.75	30"	10'-6"	2.63	45	15'-0"	3.86	62	59.50		



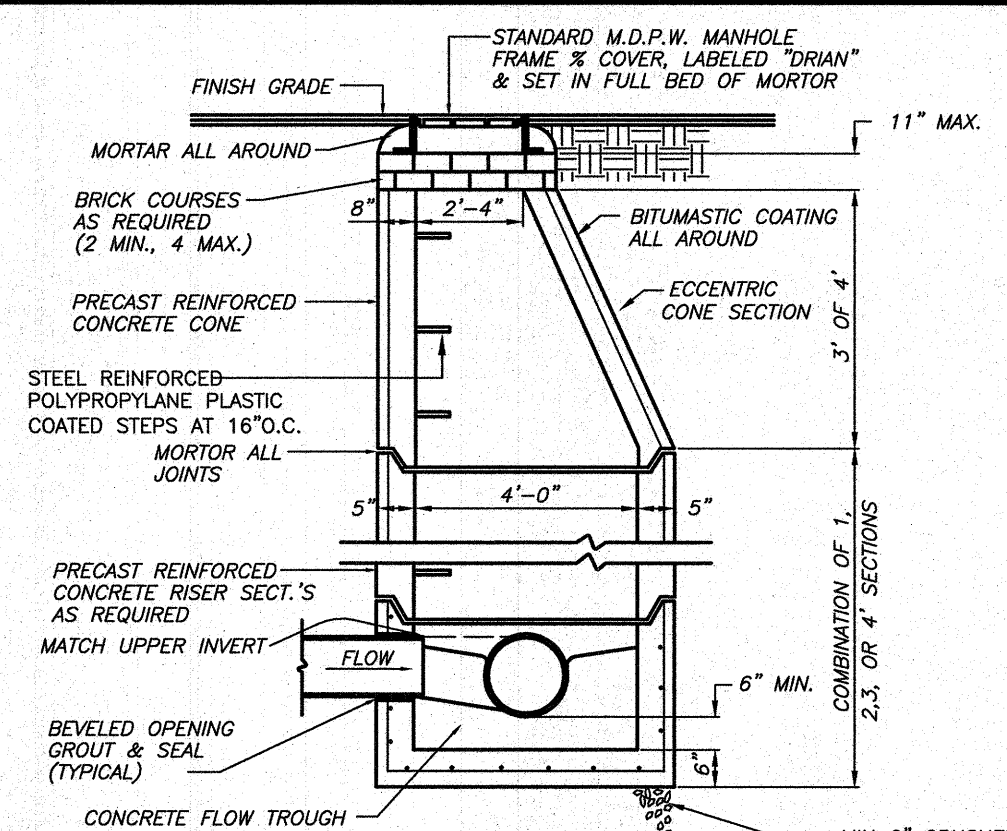
NOTE: DEBRIS GRATE REQUIRED ON ALL PIPES
WITH A DIAMETER GREATER THAN 36"

TYP. CONCRETE HEADWALL DETAIL



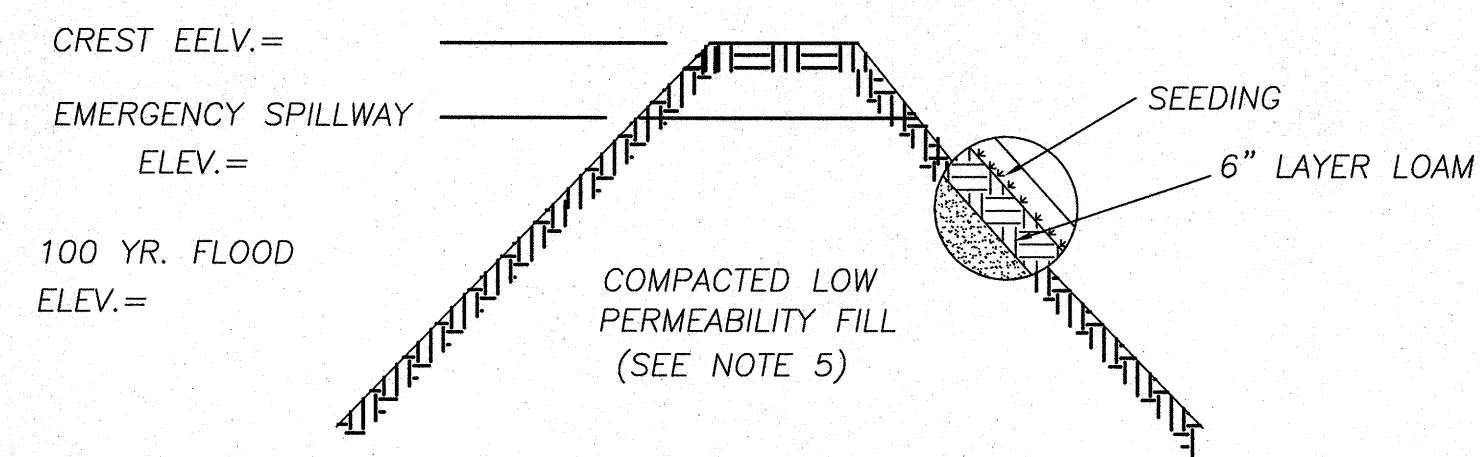
NOTE:
ALL STRUCTURES SHALL BE SUITABLE
FOR H-20 LOADING AND SHALL MEET THE
REQUIREMENTS OF ASTM C478.

CATCH BASIN DETAIL



1. ALL STRUCTURES SHALL MEET THE REQUIREMENTS OF THE TOWNS DEPARTMENT OF PUBLIC WORKS.
2. PIPE OPENINGS TO BE PRECAST IN MANHOLE SECTIONS.
3. MANHOLE DESIGN SPECIFICATIONS CONFORM TO PRECAST REINFORCED CONCRETE MANHOLE SECTIONS A.S.T.M. DESIGNATION C 478, LATEST REVISION.

PRECAST CONCRETE DRAIN MANHOLE



NOTES:

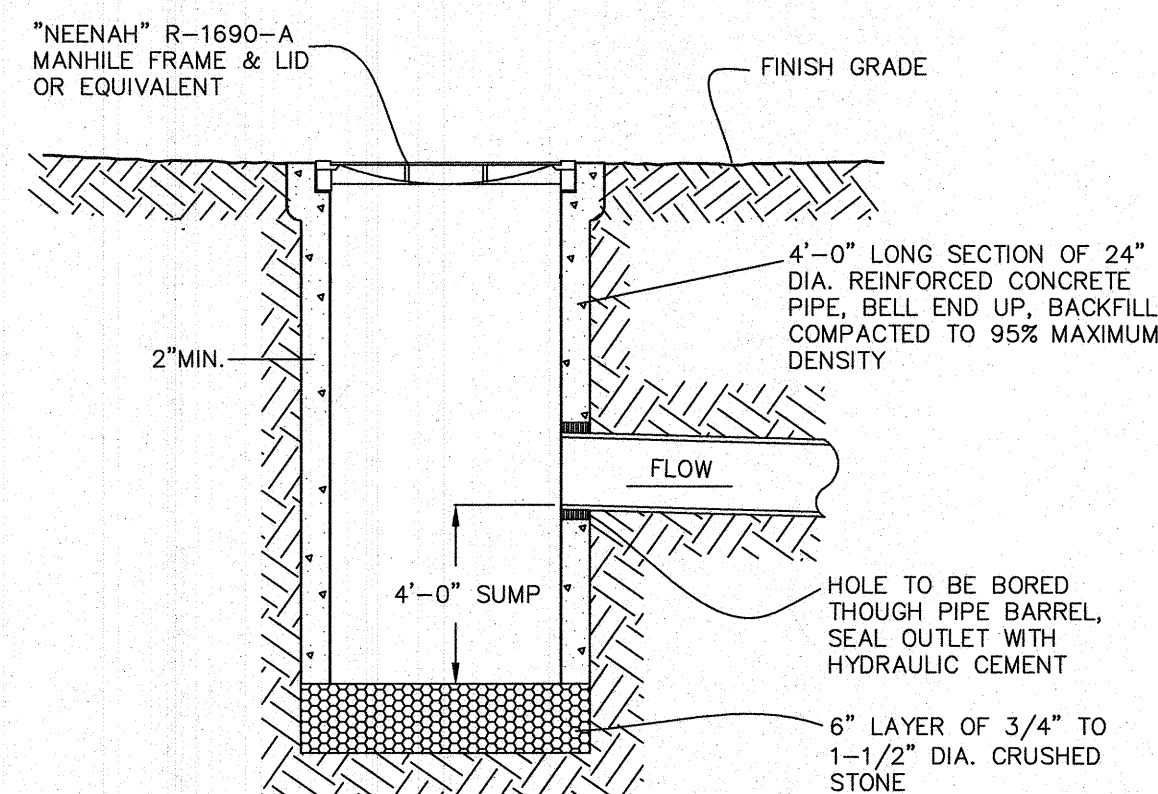
1. ALL WORK IS TO BE STAKED AND INSPECTED BY THE DESIGN ENGINEER.
2. AREAS UNDER THE EMBANKMENT AND ANY STRUCTURAL WORKS SHALL BE CLEARED.
3. NO PIPE SHALL BE LAID ON ROCK. ALL ROCK SHALL BE OVERGRADED TO A MINIMUM OF 18" BELOW THE PROPOSED INVERT AND BE REPLACED BY COMPACTED LDW PERMEABILITY FILL.
4. ALL STRUCTURES TO MEET A.S.T.M.D. C 478 LATEST REVISION.
5. COMPACTED LDW PERMEABILITY FILL MATERIAL SHALL BE WELL GRADED, SILTY, GRAVELLY SAND WITH A MINIMUM OF 15% PASSING SIEVE #200, AND SHALL BE FREE OF STONES GREATER THAN 3" IN DIA., ORGANIC MATTER CONSTRUCTION DEBRIS, SNOW.
- OR FROZEN SOIL, MATERIAL SHALL BE REPLACED IN LAYERS NOT EXCEEDING 8" IN THICKNESS, AND SHALL BE COMPACTED BY CONTINUOUS PASSES WITH COMPACTORS. MINIMUM DEGREE OF COMPACTION SHALL BE 95% OF MAXIMUM DRY DENSITY AS SPECIFIED BY A.S.T.M. D1557C.
6. 10 FOOT WIDE EMERGENCY SPILLWAY TO BE RIP-RAPPED WITH 24 SIZE SLOPES.
7. THE EMBANKMENT SHALL BE STRUCTURED TO THE DESIGN ELEVATION PLUS 0.5 FEET TO ALLOW FOR SETTLEMENT.
8. A MINIMUM OF 2 FEET OF COMPACTED BACKFILL SHALL BE PLACED OVER THE CONDUIT BEFORE CROSSING IT WITH CONSTRUCTION EQUIPMENT.
9. S.C.S. APPROVED SEED MIX TO BE SPREAD AS SOON AS PRACTICAL TO MINIMIZE EROSION.

##	DATE	DESCRIPTION	INIT
		OWNER	

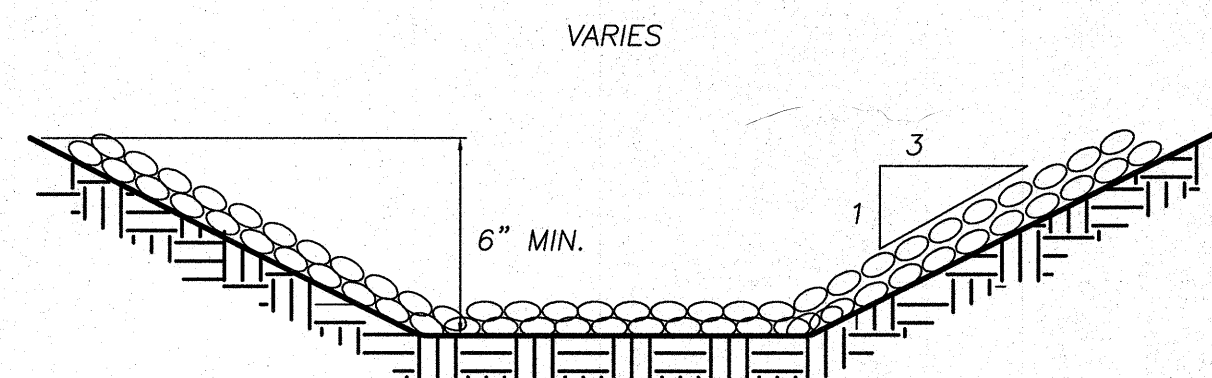
OWNER

MERRIMACK BUILDING SUPPLY
20 TROTTER DRIVE
MEDWAY MA

AREA DRAIN MANHOLE

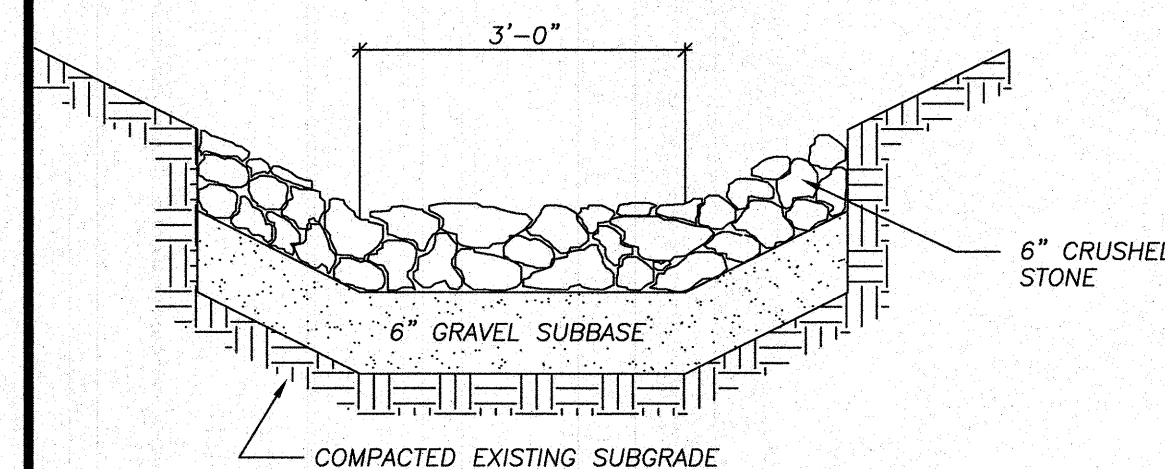


EMERGENCY SPILLWAY DETAIL



- NOTES:
1. FILTER MATERIAL BENEATH RIP RAP UNLESS BANK IS OF GRAVEL & COURSE SAND MIX. (5" MIN. THICKNESS)
 2. MINIMUM WEIGHT OF STONE = 50 LBS.; MAXIMUM WEIGHT = 125 LBS.
 3. 75% OF TOTAL STONE VOLUME TO BE MIN. 75lb. STONES.
 4. MINIMUM DEPTH OF RIP-RAP = 18".

CRUSHED STONE SWALE DETAIL




EARTH DIKE

20 TROTTER DRIVE

"MERRIMACK BUILDING
SUPPLY"

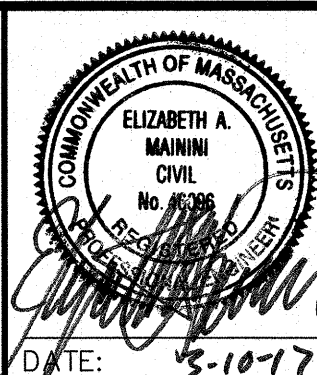
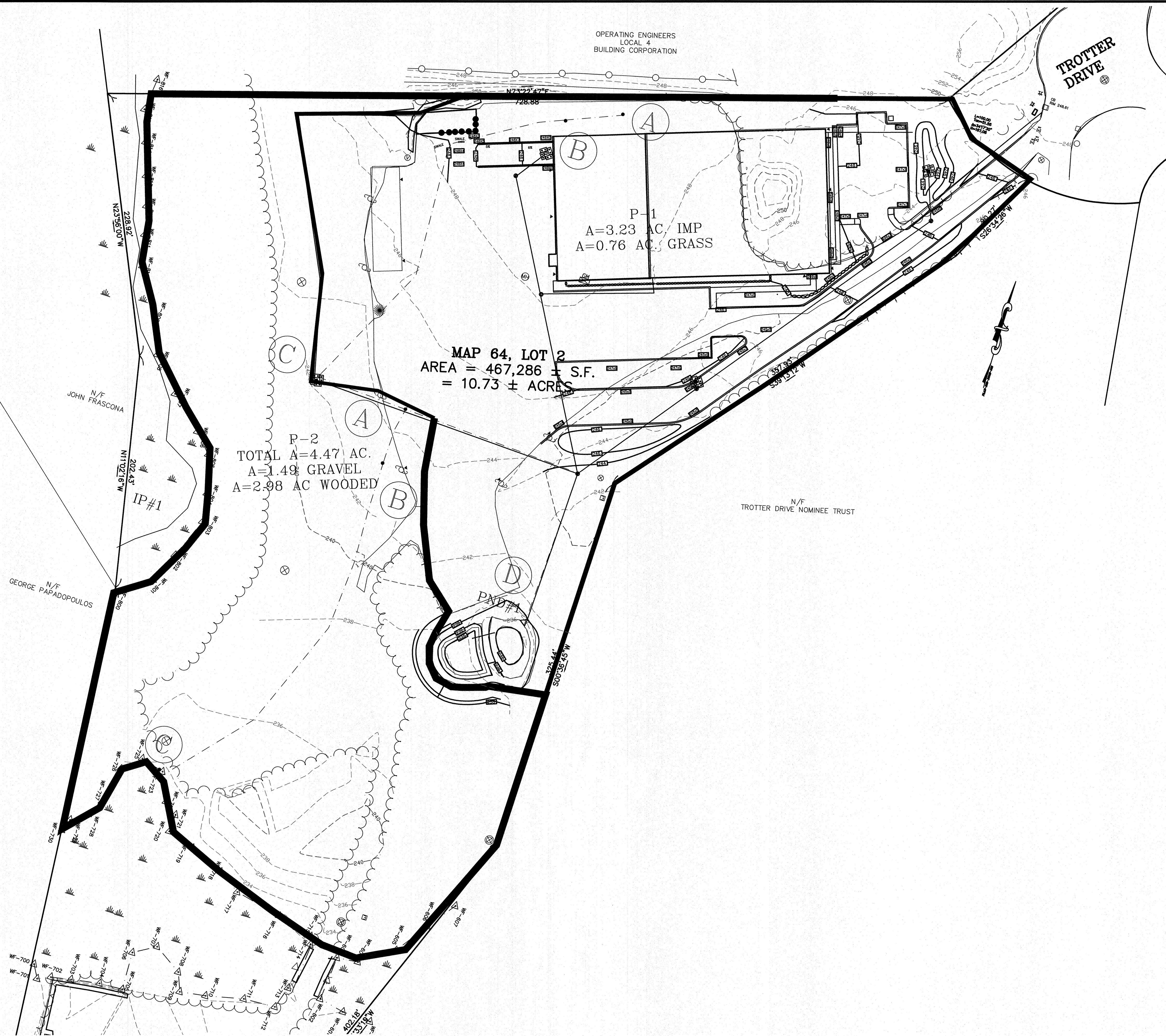
DETAIL SHEET #2
SITE
PLAN OF LAND
IN
MEDWAY, MA

SCALE: NOT TO SCALE
DATE: MARCH 10, 2017


**Guerriere
&
Halnon, Inc.**

Engineering & Land Surveying
333 WEST STREET, MILFORD, MASS. 01757
(508) 473-6630 FAX: (508) 473-8243

SHEET
C-8
RMI



DATE: 5-10-17

APPROVED DATE: PLANNING BOARD

SIGNATURE DATE: BEING A MAJORITY

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

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NOTES

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OWNER
MERRIMACK BUILDING SUPPLY
20 TROTTER DRIVE
MEDWAY MA

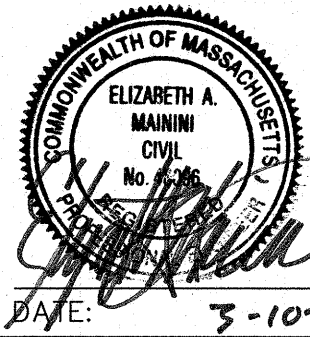
20 TROTTER DRIVE

"MERRIMACK BUILDING
SUPPLY"

POST DEVELOPMENT
SITE
PLAN OF LAND
IN
MEDWAY, MA

SCALE: ONE INCH EQUALS 40 FEET
DATE MARCH 8, 2017

 **Guerriere
& Halnon, Inc.**
Engineering & Land Surveying
333 WEST STREET, MILFORD, MASS. 01757
(508) 473-6630 FAX: (508) 473-8243



DATE: _____
APPROVED DATE: _____
PLANNING BOARD

SIGNATURE DATE: _____
BEING A MAJORITY

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NOTES

##	DATE	DESCRIPTION	INIT

MERRIMACK BUILDING SUPPLY
20 TROTTER DRIVE
MEDWAY MA

20 TROTTER DRIVE

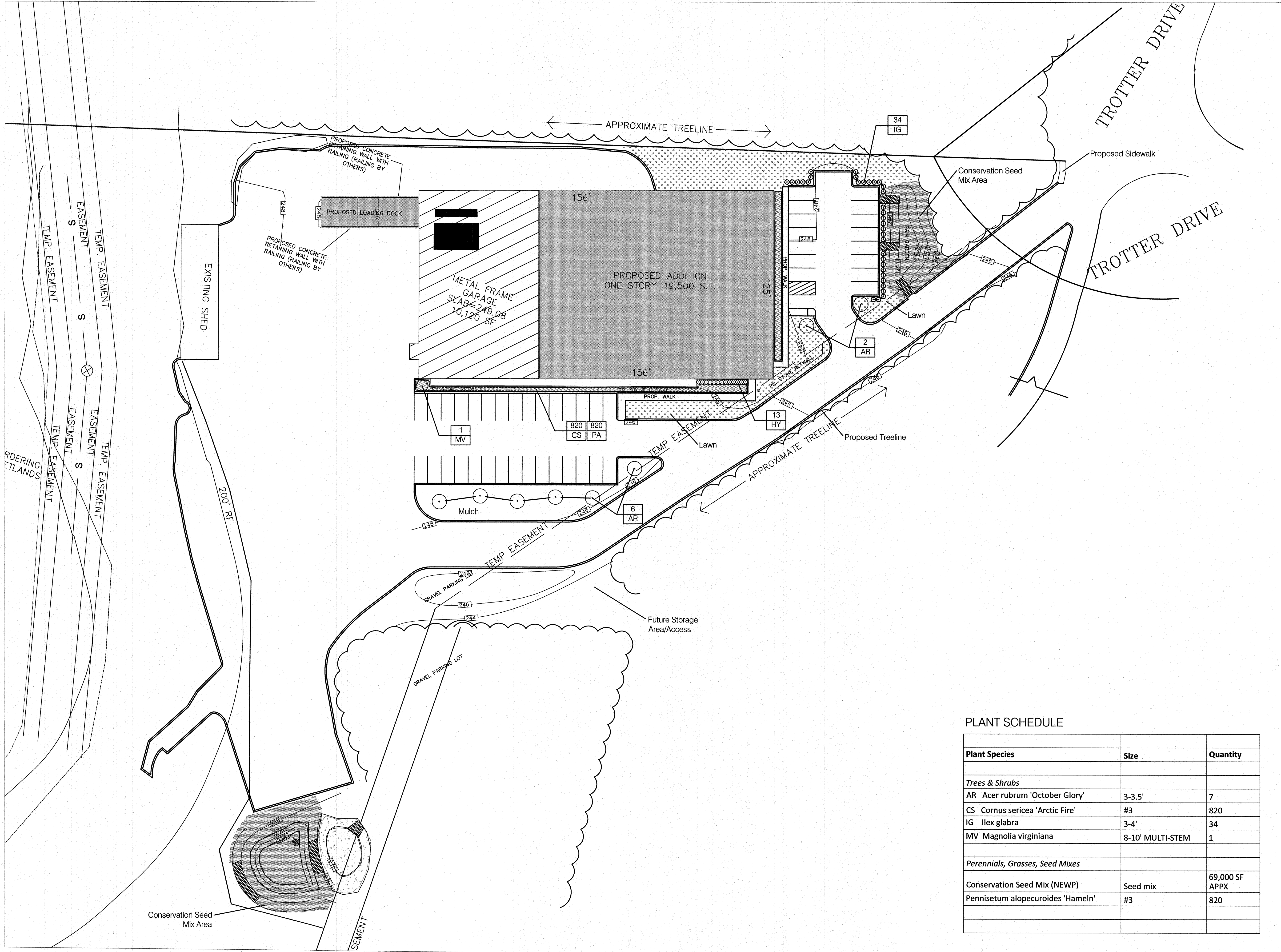
"MERRIMACK BUILDING
SUPPLY"

PRE-DEVELOPMENT
PLAN OF LAND

IN
MEDWAY, MA

SCALE: ONE INCH EQUALS 40 FEET
DATE: MARCH 6, 2016



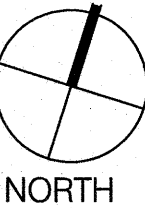


PLANT SCHEDULE

Plant Species	Size	Quantity
<i>Trees & Shrubs</i>		
AR Acer rubrum 'October Glory'	3-3.5'	7
CS Cornus sericea 'Arctic Fire'	#3	820
IG Ilex glabra	3-4'	34
MV Magnolia virginiana	8-10' MULTI-STEM	1
<i>Perennials, Grasses, Seed Mixes</i>		
Conservation Seed Mix (NEWP)	Seed mix	69,000 SF APPX
Pennisetum alopecuroides 'Hameln'	#3	820

20 Trotter Dr,
Medway,
Massachusetts

1. Contractor shall secure all permits and approvals that may be required from all jurisdictions regulating this project and site.
2. The Contractor shall exercise extreme care in excavating and working near existing utilities. The Contractor should verify the location and condition of all utilities and shall be responsible for all damages.
3. The Contractor is responsible for all damage due to operations inside and outside the Limit of Work. Areas outside the Limit of Work that are disturbed shall be restored to their original condition at no cost to the Owner. The Contractor shall meet line and grade of existing conditions at Limit of Work.
4. All points of construction ingress and egress shall be protected to prevent tracking of debris onto public ways. Any debris on public ways originating from the job site shall be cleaned by the Contractor at no additional cost to the Owner.
5. Before any shrubs are removed the Contractor shall arrange a conference on site with the Landscape Architect to identify shrubs which are to be removed, as well as those which are to be protected. Do not begin clearing without a clear understanding of existing vegetation to be preserved.
6. All items requiring removal shall be removed to full depth to include base material and footings or foundations as applicable, and be properly disposed of off-site by the Contractor or reused as directed by the Owner.
7. Contractor shall strip and stockpile existing planting soil to full depth within the Limit of Work. Loam or planting soil shall not be removed from the site without the Owner's approval.
8. At all locations where existing pavement abut new construction, the edge of the existing pavement shall be sawcut to a clean, smooth edge.
9. Storage areas for the Contractor's equipment and materials shall be located within the Limit of Work and/or staging area and shall be approved by the Landscape Architect.



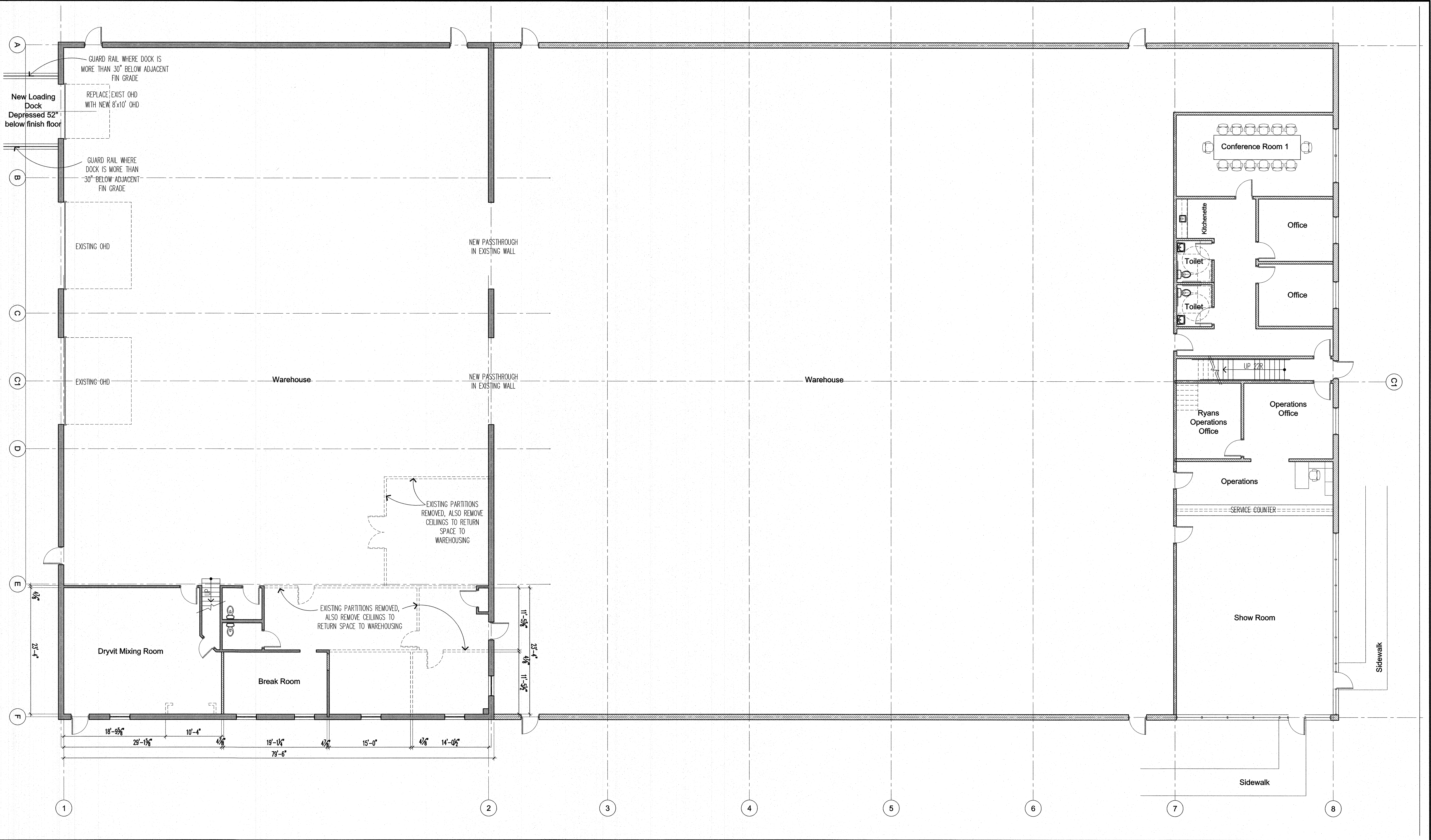
21A Trotter Drive
Medway, Massachusetts 02053
Phone 508.533-8700 Fax 508.533.3718

No.	Date	Comment

Date: 13_OCT 2016 Scale: 1" = 20'-0"
Project No.: 10013 Drawing by: DK Checked by: RPM

Planting Plan
(1)

L1.1



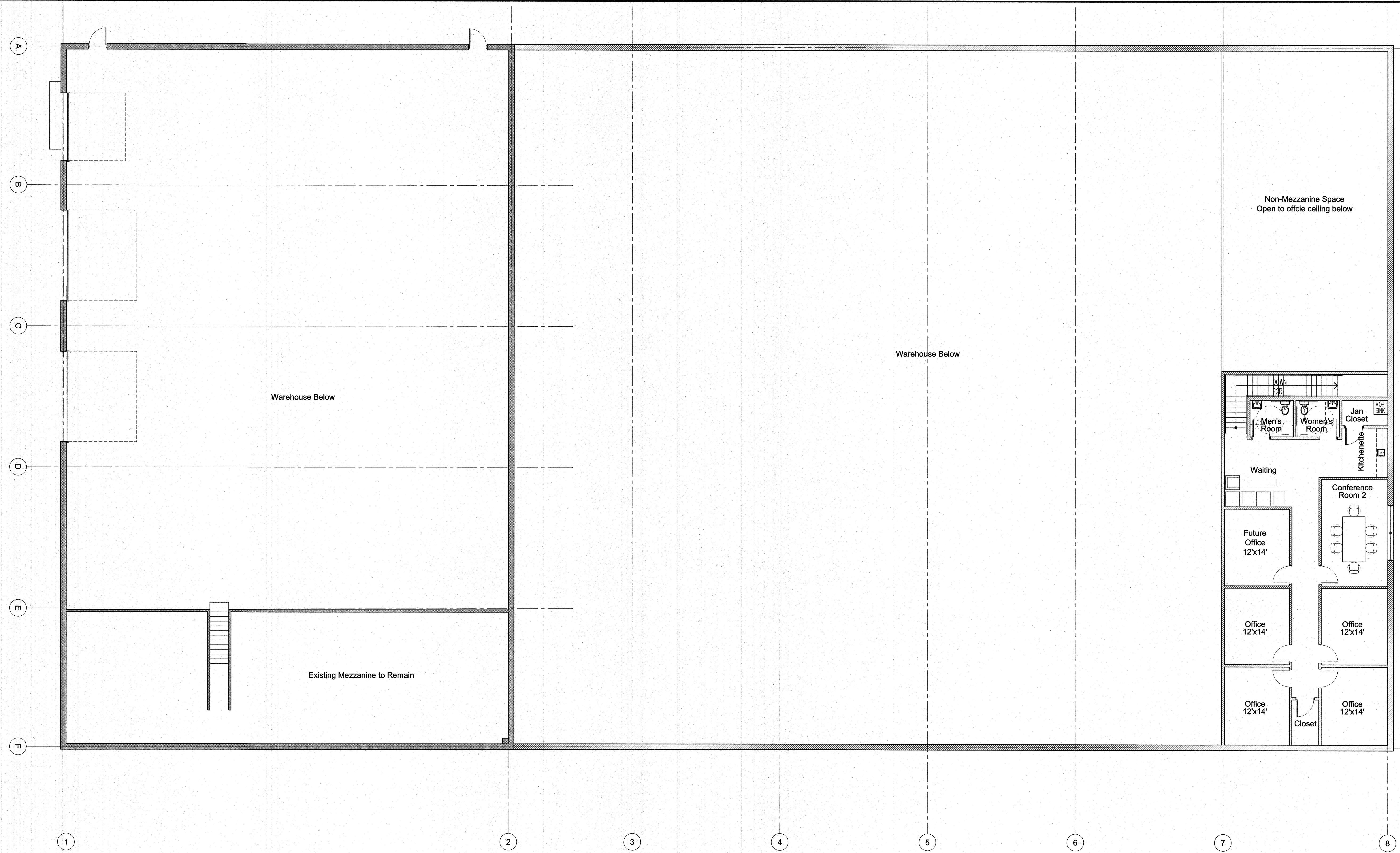
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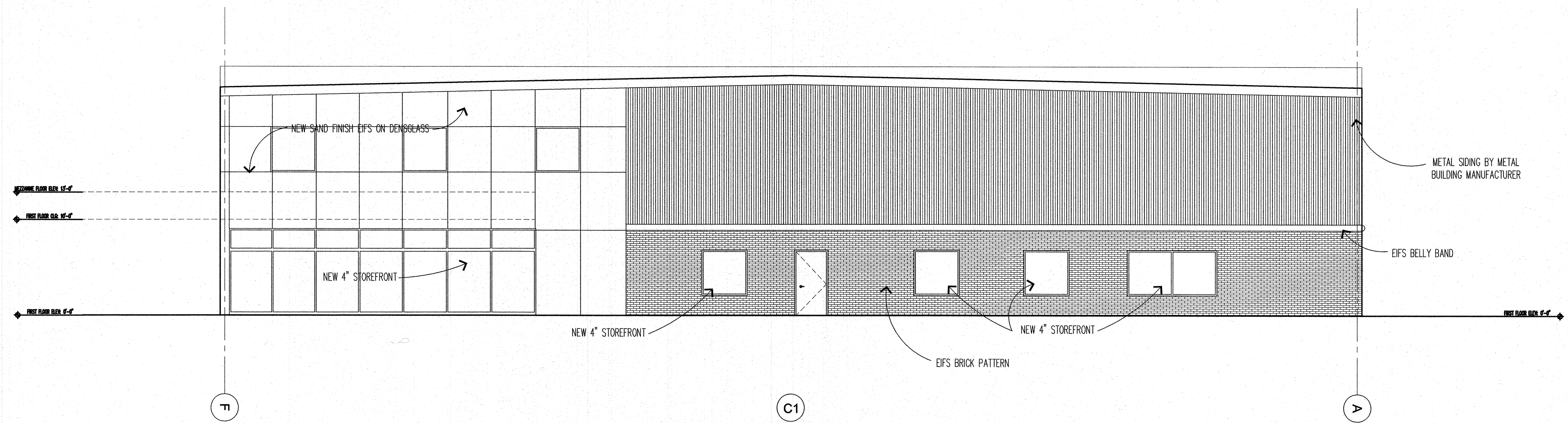
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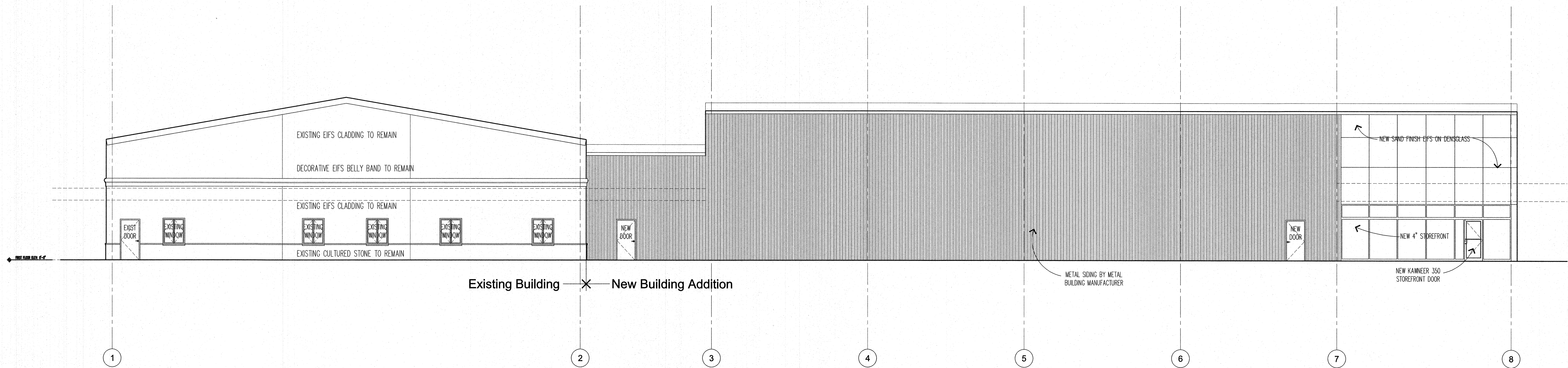
Proposed First Floor Plan

1/8" = 1'-0"

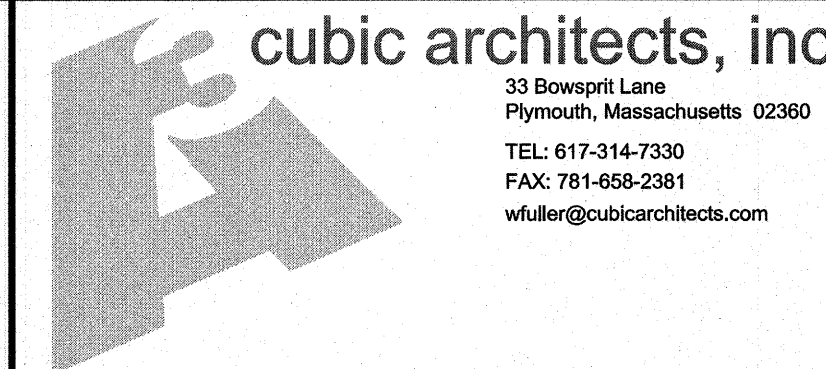




East Elevation



South Elevation



Merrimack Building Supply
Building Addition

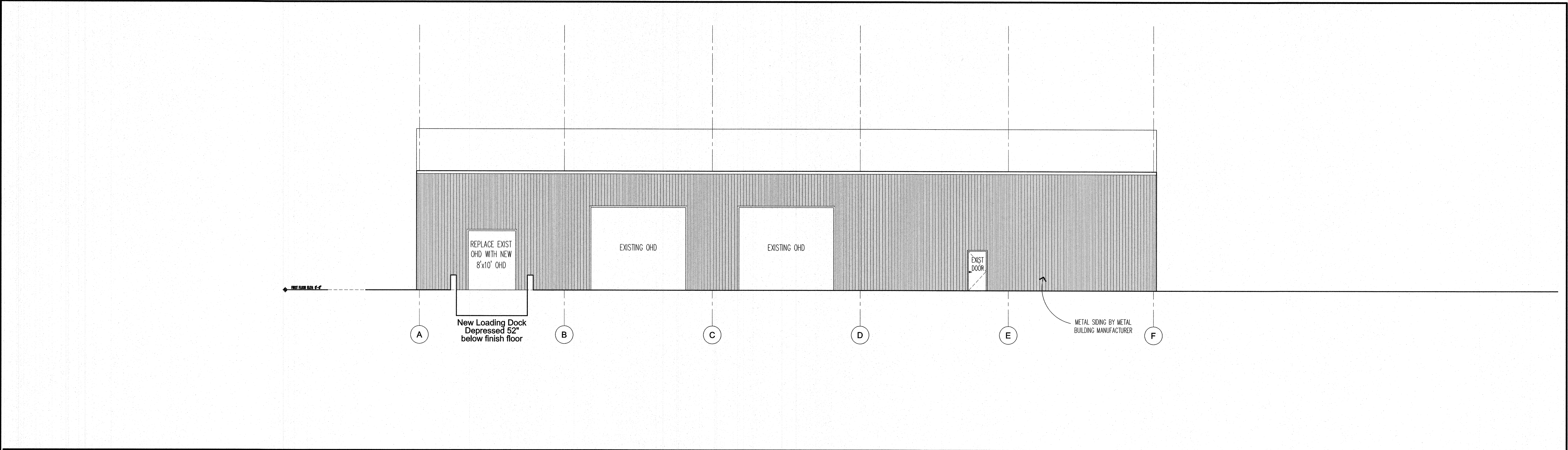
Street Address Anytown, Massachusetts

This drawing is the property of Cubic Architects, Inc. and is protected under the applicable copyright laws. The design and/or drawing, in whole or in part, shall not be copied or used by anyone without prior written consent by Cubic Architects, Inc. This drawing shall not be for any other use than this original project.

Proposed Mezzanine

DATE: 11/10/16 BY: WAF CA JOB NO: 2016-042

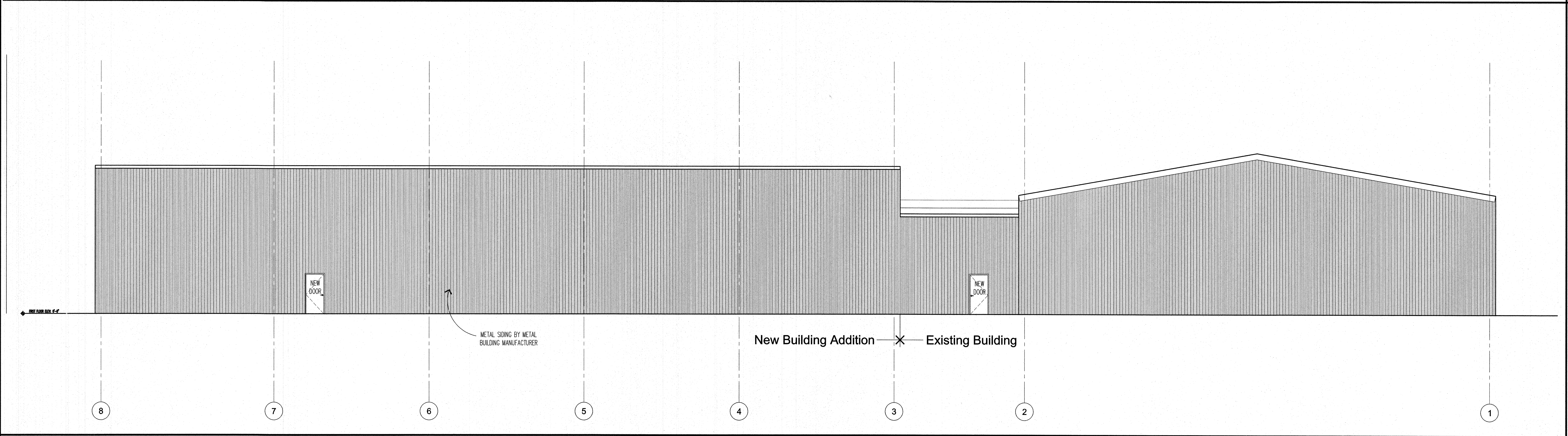
A3.01



Sheet 1
A3.02

West Elevation

1/8" = 1'-0"



Sheet 2
A3.02

North Elevation

1/8" = 1'-0"

Medway Planning and Economic Development Board
FORM Q - Request for Waiver from Rules and Regulations
 Complete 1 form for each waiver request

Project Name:	Merrimack Building Supplies Expansion
Property Location:	20 Trotter Drive
Type of Project/Permit:	Major Site Plan Project
Identify the number and title of the relevant Section of the applicable Rules and Regulations from which a waiver is sought.	Section 204-5(C)(3): Existing Landscape Inventory
Summarize the text of the relevant Section of the Rules and Regulations from which a waiver is requested.	Inventory prepared by a Prof. Landscape Architect to include a mapped overview of existing landscape features & specific ID of trees.
What aspect of the Regulation do you propose be waived?	Waive Existing Landscape Inventory
What do you propose instead?	Proposing to install landscaping in islands
Explanation/justification for the waiver request. Why is the waiver needed? Describe the extenuating circumstances that necessitate the waiver request.	There are no trees or landscape in the proposed work area
What is the estimated value/cost savings to the applicant if the waiver is granted?	Landscape Architect fees
How would approval of this waiver request result in a superior design or provide a clear and significant improvement to the quality of this development?	The area of the proposed development currently is pre-disturbed with no existing landscaping. Approval of this waiver has no effect on the design as there is no existing landscaping.
What is the impact on the development if this waiver is denied?	None
What are the design alternatives to granting this waiver?	None
Why is granting this waiver in the Town's best interest?	It will not affect the Town.
If this waiver is granted, what is the estimated cost savings and/or cost avoidance to the Town?	None
What mitigation measures do you propose to offset not complying with the particular Rule/Regulation?	Proposed plantings in the parking islands as shown on the plans
What is the estimated value of the proposed mitigation measures?	None
Other Information?	
Waiver Request Prepared By:	Peter M Lavoie, Proj Engineer Guerriere & Halnon, Inc.
Date:	3-14-2017

Questions?? - Please contact the Medway PED office at 508-533-3291.

Medway Planning and Economic Development Board
FORM Q - Request for Waiver from Rules and Regulations
 Complete 1 form for each waiver request

Project Name:	Merrimack Building Supplies Expansion
Property Location:	20 Trotter Drive
Type of Project/Permit:	Major Site Plan Project
Identify the number and title of the relevant Section of the applicable Rules and Regulations from which a waiver is sought.	Section 205-6(H): Vertical Granite Curb
Summarize the text of the relevant Section of the Rules and Regulations from which a waiver is requested.	Parking area shall be bounded with vertical granite curb or similar type of edge treatment
What aspect of the Regulation do you propose be waived?	Waive the installation of vertical granite curb & allow installation of cape cod berm
What do you propose instead?	Installation of cape cod berm
Explanation/justification for the waiver request. Why is the waiver needed? Describe the extenuating circumstances that necessitate the waiver request.	Currently, there is no curbing on the site this will allow for the "similar type of edge treatment" which will improve the site.
What is the estimated value/cost savings to the applicant if the waiver is granted?	Cost savings of difference between cost of vertical granite & cape cod berm
How would approval of this waiver request result in a superior design or provide a clear and significant improvement to the quality of this development?	None
What is the impact on the development if this waiver is denied?	None
What are the design alternatives to granting this waiver?	None
Why is granting this waiver in the Town's best interest?	This waiver does not affect the Town
If this waiver is granted, what is the estimated cost savings and/or cost avoidance to the Town?	None
What mitigation measures do you propose to offset not complying with the particular Rule/Regulation?	Propose to install cape cod berm where no curbing currently exists
What is the estimated value of the proposed mitigation measures?	
Other Information?	
Waiver Request Prepared By:	Peter M Lavoie, Proj Engineer Guerriere & Halnon, Inc
Date:	3-14-2017

Questions?? - Please contact the Medway PED office at 508-533-3291.

Medway Planning and Economic Development Board
FORM Q - Request for Waiver from Rules and Regulations
 Complete 1 form for each waiver request

Project Name:	Merrimack Building Supplies Expansion
Property Location:	20 Trotter Drive
Type of Project/Permit:	Major Site Plan Project
Identify the number and title of the relevant Section of the applicable Rules and Regulations from which a waiver is sought.	Section 204-3 Planning Board Submittals Sub-section A. 7) Development Impact Statement
Summarize the text of the relevant Section of the Rules and Regulations from which a waiver is requested.	Due to the type of development, location of of the site & nature of the business, we feel the Impact Statement is not needed.
What aspect of the Regulation do you propose be waived?	Waive submittal of a Development Impact Stmt
What do you propose Instead?	Impacts are reflected on Proposed Site Plan
Explanation/justification for the waiver request. Why is the waiver needed? Describe the extenuating circumstances that necessitate the waiver request.	The site is located in an Industrial Park. The proposed work will be in a pre-disturbed area of the site. The nature of business is not changing from the exist. bldg supply company
What is the estimated value/cost savings to the applicant if the waiver is granted?	Engineering Fees
How would approval of this waiver request result in a superior design or provide a clear and significant improvement to the quality of this development?	This site is pre-disturbed due to the exist. use & the construction of Town cross-country sewer. The site was designed following stormwater mgmt practices (BMPs) and will be reviewed by DEP & Medway Conservation.
What is the Impact on the development if this waiver is denied?	No impact on development.
What are the design alternatives to granting this waiver?	None
Why is granting this waiver in the Town's best interest?	It will not affect the Town
If this waiver is granted, what is the estimated cost savings and/or cost avoidance to the Town?	None
What mitigation measures do you propose to offset not complying with the particular Rule/Regulation?	No mitigation measures are required
What is the estimated value of the proposed mitigation measures?	None
Other Information?	
Waiver Request Prepared By:	Peter M Lavoie, Proj Engineer Guerriere & Halnon, Inc.
Date:	3-14-2017
Questions?? - Please contact the Medway PED office at 508-533-3291.	

Medway Planning and Economic Development Board
FORM Q - Request for Waiver from Rules and Regulations
 Complete 1 form for each waiver request

Project Name:	Merrimack Building Supplies Expansion
Property Location:	20 Trotter Drive
Type of Project/Permit:	Major Site Plan Project
Identify the number and title of the relevant Section of the applicable Rules and Regulations from which a waiver is sought.	Section 204-3(A)(7)(a) - Traffic Impact
Summarize the text of the relevant Section of the Rules and Regulations from which a waiver is requested.	Brief Analysis of traffic safety & capacity or full traffic impact assessment
What aspect of the Regulation do you propose be waived?	Waive submittal of Traffic Impact
What do you propose instead?	Impacts are reflected on Proposed Site Plan
Explanation/justification for the waiver request. Why is the waiver needed? Describe the extenuating circumstances that necessitate the waiver request.	The proposed work consists of additional warehouse storage space. This addition will not generate any additional traffic to/from the site.
What is the estimated value/cost savings to the applicant if the waiver is granted?	Engineering Fees / Traffic Consulting Fees
How would approval of this waiver request result in a superior design or provide a clear and significant improvement to the quality of this development?	No impact on development
What is the impact on the development if this waiver is denied?	No impact on development
What are the design alternatives to granting this waiver?	None
Why is granting this waiver in the Town's best interest?	It will not affect the Town
If this waiver is granted, what is the estimated cost savings and/or cost avoidance to the Town?	None
What mitigation measures do you propose to offset not complying with the particular Rule/Regulation?	No mitigation measures are required
What is the estimated value of the proposed mitigation measures?	None
Other Information?	
Waiver Request Prepared By:	Peter M Lavoie, Project Engineer Guerriere & Halnon, Inc.
Date:	301402017
Questions?? - Please contact the Medway PED office at 508-533-3291.	

PGC ASSOCIATES, LLC

1 Toni Lane
Franklin, MA 02038-2648
508.533.8106
gino@pgcassociates.com

April 5, 2017

Mr. Andy Rodenhiser, Chairman
Medway Planning Board
155 Village Street
Medway, MA 02053

RE: Merrimack Building Supply Site Plan

Dear Mr. Rodenhiser:

I have reviewed the proposed site plan submitted by applicant Merrimack Building Supply. The owner is Medway Trotter, LLC. The proposed work is to construct a 19,500 square-foot addition and associated parking, drainage, landscaping, lighting, etc. as well as a new loading dock. The plan was prepared by Guerriere and Halnon of Milford and is dated March 10, 2017. The architect is Cubic Architects of Plymouth. I have comments as follows:

Zoning

1. The use is an expansion of an existing use as a warehouse and distribution facility. This is allowed in the Industrial III zoning district, and the proposed development appears to comply with the Zoning Bylaw.
2. The plan proposes 46 parking spaces, including 2 van-accessible handicapped spaces. The Zoning Bylaw requires 1 space per 2 employees and 1 per 1000 square feet of space. The maximum number of employees expected is 20. At 29,620 square feet, a minimum of 30 spaces plus another 10 at one for every 2 employees would be needed for a total of 40 so the number proposed exceeds the minimum.
3. Section V. B. 7. (e) (1) states that light trespass onto any abutting street or lot is not permitted. No photometric plan has been provided (though one was listed on the cover sheet) so it is not possible to determine if this requirement is met.
4. The plans indicate that the existing freestanding sign near the entrance will remain. It is not clear if any building sign is proposed.
5. The project triggers a groundwater protection special permit due to increasing impervious surface beyond 15% of total lot area or 2500 square feet, whichever is greater.
 - a. No specific calculation of impervious surface has been provided. However, the site is 10.73 acres or 467,398.8 square feet so if more than 70,110 square feet is rendered impervious, it will trigger the special permit. With the proposed expansion, the building will be 29,500 square feet and the expanded pavement appears to be at least double the size of the building.

- b. Also, the plans indicate outside storage of steel beams. Outside storage and all activities on site will need to be in compliance with the Groundwater Protection Bylaw. Information should be provided to document the materials that are planned for outside storage and prohibiting those materials specified in the Groundwater Protection bylaw should be a condition of the special permit.
- c. Similarly, documentation should be provided of any planned handling of any toxic or hazardous materials, and requirements for those should be in compliance with the Groundwater Protection bylaw.
- d. The plans do not indicate any significant earth removal. No earth removal within 6 feet of high groundwater level is allowed.
- e. Construction must ensure that no adverse effects to the quality or quantity of groundwater take place.
- f. Any fertilizer use on the landscaping must be done to minimize adverse impacts. The landscape plan should consider plant materials that require a minimum of added fertilizers and low or no need for pesticides.
- g. The existing septic system will be removed and the facility will hook into the sewer system which will remove one existing source of potentially negative groundwater impacts.

Site Plan Rules and Regulations

- 6. Section 204.3 A. (7) requires a Development Impact Report. This is not provided, and a waiver from this requirement is requested. The proposal does not trigger a traffic or parking impact study since it is increasing spaces by less than 30, but does trigger an environmental impact study since the addition is greater than 15,000 square feet (19,500). A community impact study is a judgement call but probably not essential in this circumstance.
- 7. Section 204-5 B. requires a Site Context Sheet. This was not provided.
- 8. Section 204-5 C. (3). The Existing Conditions Sheet also does not include an Existing Landscape Inventory prepared by a Landscape Architect. A waiver is requested. The site is already disturbed.
- 9. Section 204-5 D. (7) requires that a landscape architect prepare the landscape plan. A planting plan was prepared by R. P. Marzilli, a direct abutting business. The company does have landscape architects on staff, though the plan was not stamped by one.
- 10. Section 204-5 D. (8) requires a color scheme and color renderings of the buildings. These have not been provided and no waiver is requested. I assume that the project has been presented to the Design Review Committee.
- 11. Section 204-5 D. (12) requires a signage plan indicating the design, location, materials, dimensions and lighting. As stated above, an existing freestanding sign location is labeled as not changing. There is no indication of a building sign.
- 12. Section 204-5 D. (13) requires a lighting plan. As stated above, a lighting plan has been listed on the cover sheet but not provided. That may indicate an intent to provide one after initial submission.

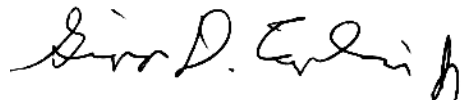
13. Section 204-5 (14) requires horizontal sight distances be show on the plan. This information was not provided but the entrance already exists and is at the end of a cul-de-sac.
14. Section 204-5 (16) requires information about fire prevention and suppression. No information was provided.
15. Section 205-3 D requires pedestrian-friendly sidewalks in front of the site. A waiver is requested. Sidewalks are proposed within the site from Trotter Drive to the main entrance as well as long the front and side of the building.
16. Section 205-6 (A) states that parking “should” be located to the side and rear of the building. This is not an absolute requirement and it also states that if parking is located close to the street, then it should be screened. Most of the parking is to the side of the building and the few spaces in front are screened with existing vegetation.
17. Section 205-6 (H) requires vertical granite curbing around the perimeter of a parking lot. The plan proposes Cape Cod berm and a waiver is requested to allow modified Cape Cod berm except at the entrance.
18. Section 205-9 C requires that there be substantial landscaped islands within parking lots to reduce the “sea of asphalt” effect. More specifically, Section 209-6 C requires at least 1 deciduous tree per 6 spaces and only trees that provide shade to the parking area are to count toward this requirement. With 46 spaces, 8 trees are required and 8 are proposed. It should be noted that 6 are adjacent to the 30-car lot and 2 at the 16-car lot.

General Comments

19. The plan appears to meet the criteria specified in Section 203-9 C.

If there are any questions about these comments, please call or e-mail me.

Sincerely,

A handwritten signature in black ink, appearing to read "Gino D. Carlucci, Jr.", with a stylized flourish at the end.

Gino D. Carlucci, Jr.

5.6.3. Groundwater Protection District

- A. **Purposes.** The purposes of the Groundwater Protection District are to promote the health, safety, and general welfare of the community by ensuring an adequate quality and quantity of drinking water for the residents, institutions, and businesses of the Town of Medway; to preserve and protect existing and potential sources of drinking water supplies; to conserve the natural resources of the Town; and to prevent temporary and permanent contamination of the environment.
- B. **Overlay District.** The Groundwater Protection District is an overlay district superimposed on the zoning districts. This overlay district shall apply to all new construction, reconstruction or expansion of existing buildings and new or expanded uses. Applicable activities or uses in a portion of one of the underlying zoning districts which fall within the Groundwater Protection District must additionally comply with the requirements of this district. Uses that are prohibited in the underlying zoning districts shall not be permitted in the Groundwater Protection District.
- C. **Establishment and Delineation of Groundwater Protection District:** For the purposes of this district, there are hereby established within the Town certain groundwater protection areas consisting of all Department of Environmental Protection approved Zone II recharge areas located within the Town of Medway's boundaries, which are delineated on four maps, all on file with the Town Clerk. The maps are entitled:
1. "Medway, MA Zone II and Zone III Delineation", prepared by D.L. Maher Co., and approved by the Department of Environmental Protection in October 1998 (Well #2);
 2. "Zone II Delineation, Well #1 and Well #3, Medway Water Department, Medway, MA", prepared by Tighe & Bond, Inc., and approved by the Department of Environmental Protection in August 2001.
 3. "Bellingham, MA Conceptual Zone II – Wells #7 & #8, Zone II and Zone III Delineation", prepared by Anderson-Nichols & Co., Inc. and approved by the Department of Environmental Protection in November 1992;
 4. "Wellhead Protection Zones – Medway Production Well No. 4", prepared by Haley and Ward Inc., dated February 25, 2004 and approved by the Department of Environmental Protection on May 31, 2005.
- D. **District Boundary Disputes:** If the location of the District boundary in relation to a particular parcel is in doubt, resolution of boundary ambiguities shall be through a special permit application to the Board of Appeals. Any application for a special permit for this purpose shall be accompanied by adequate documentation.

The burden of proof shall be upon the owner of the land in question to show where the bounds should properly be located. At the request of the owner, the Town may engage a professional engineer (civil or sanitary), hydrologist, geologist, or soil scientist to determine more accurately the boundaries of the district with respect to individuals parcels of land and may charge the owner for all or part of the cost of the investigation.

E. Use Regulations: In the Groundwater Protection District, the following regulations shall apply.

1. Permitted Uses. The following uses are permitted within the Groundwater Protection District, provided that all necessary permits, orders, or approvals required by local, state, or federal law are also obtained, and subject to subsections E.2 and E.3 herein:
 - a. Conservation of soil, water, plants, and wildlife;
 - b. Outdoor recreation, nature study, boating, fishing, and hunting where otherwise legally permitted;
 - c. Foot, bicycle and/or horse paths, and bridges;
 - d. Normal operation and maintenance of existing water bodies and dams, splash boards, and other water control, supply and conservation devices;
 - e. Maintenance, repair, and enlargement of any existing structure;
 - f. New construction;
 - g. Farming, gardening, nursery, conservation, forestry, harvesting, and grazing;
 - h. Construction, maintenance, repair, and enlargement of drinking water supply related facilities such as, but not limited to, wells, pipelines, aqueducts, and tunnels;
 - i. Underground storage tanks related to these activities are not categorically permitted.
2. Prohibited Uses. The following uses are prohibited:
 - a. Landfills and open dumps as defined in 310 CMR19.006;
 - b. Storage of liquid petroleum products, except the following: normal household use, outdoor maintenance, and heating of a structure; waste oil retention facilities required by statute, rule or regulation; emergency generators required by statute, rule, or regulation; treatment works approved under 314 CMR 5.00 for treatment of ground or surface waters; provided that such storage is in free-standing containers within buildings or above ground with secondary containment adequate to contain a spill the size of the container's total storage capacity;
 - c. Landfills receiving only wastewater residuals and/or septage;
 - d. Storage of sludge, and septage, unless such storage is in compliance with 310 CMR 32.30 and 310 CMR 32.31;
 - e. Storage of deicing chemicals unless such storage, including loading areas, is within a structure designed to prevent the generation and escape of contaminated runoff or leachate;

- f. Storage of animal manure unless stored within a structure designed to prevent the generation and escape of contaminated runoff or leachate;
- g. Earth removal, consisting of the removal of soil, loam, sand, gravel, or any other earth material (including mining activities) to within 6 feet of historical high groundwater as determined from monitoring wells and historical water table fluctuation data compiled by the United States Geological Survey, except for excavations for building foundations, roads, or utility works;
- h. Facilities that generate, treat, store or dispose of hazardous waste subject to G.L. c. 21C and 310 CMR 30.000, except the following:
 - i. Very small quantity generators as defined under 310 CMR 30.000;
 - ii. Household hazardous waste centers and events under 310 CMR 30.390;
 - iii. Waste oil retention facilities required by G.L. c. 21, § 52A;
 - iv. Water remediation treatment works approved by DEP for the treatment of contaminated ground or surface waters;
- i. Automobile graveyards and junkyards, as defined in G.L. c. 140B, § 1;
- j. Treatment or disposal works subject to 314 CMR 5.00, for wastewater other than sanitary sewage. This prohibition includes, but is not limited to, treatment or disposal works related to activities under the Standard Industrial Classification (SIC) Codes set forth in 310 CMR 15.004(6) (Title 5), except the following:
 - i. The replacement or repair of existing system that will not result in a design capacity greater than the design capacity of existing system;
 - ii. Treatment works approved by the Department of Environmental Protection designed for treatment of contaminated ground or surface waters and operated in compliance with 314 CMR 5.05(3) or 5.05(13); and
 - iii. Publicly owned treatment works.
- k. Storage of hazardous materials, as defined in G.L. c. 21E, unless in a free standing container within a building or above ground with adequate secondary containment adequate to contain a spill the size of the container's total storage capacity;
- l. Industrial and commercial uses which discharge process wastewater on-site;
- m. Stockpiling and disposal of snow and ice containing deicing chemicals if brought in from outside the district;
- n. Storage of commercial fertilizers, as defined in G.L. c. 128, § 64, unless such storage is within a structure designated to prevent the generation and escape of contaminated runoff or leachate;

- a. The use of septic system cleaners which contain toxic or hazardous chemicals.
3. Uses and Activities Requiring a Special Permit. The following uses and activities are permitted only upon the issuance of a special permit by the Board of Appeals under such conditions as the Board may require.
 - a. Enlargement or alteration of existing uses that do not conform to the Groundwater Protection District;
 - b. The application of fertilizers for non-domestic or non-agricultural uses. Such application shall be made in a manner so as to minimize adverse impacts on groundwater due to nutrient transport, deposition, and sedimentation;
 - c. Those activities that involve the handling of toxic or hazardous materials in quantities greater than those associated with normal household use, permitted in the underlying zone (except as prohibited under subsection E.2). Such activities shall require a special permit to prevent contamination of groundwater;
 - d. The construction of dams or other water control devices, ponds, pools or other changes in water bodies or courses, created for swimming, fishing, or other recreational uses, agricultural uses, or drainage improvements. Such activities shall not adversely affect water quality or quantity;
 - e. Any use that will render impervious more than 15 percent or 2,500 square feet of any lot, whichever is greater. A system for groundwater recharge must be provided which does not degrade groundwater quantity. For non-residential uses, recharge shall be by stormwater infiltration basins or similar system covered with natural vegetation, and dry wells shall be used only where other methods are infeasible. For all non-residential uses, all such basins and wells shall be preceded by oil, grease, and sediment traps to facilitate removal of contamination. Any and all recharge areas shall be permanently maintained in full working order by the owner.

F. Special Permits.

1. The Board of Appeals may grant a special permit in the Groundwater Protection District if it determines, in consultation with the Board of Health, the Conservation Commission, the Water and Sewer Commission, the Department of Public Services, and the Planning and Economic Development Board, that the special permit addresses the purposes and requirements of Section 3.4 and this Section 5.6.3. Specifically, the proposed use must:
 - a. In no way, during construction or thereafter, adversely affect the existing or potential quality or quantity of water that is available in the Groundwater Protection District, and
 - b. Be designed to avoid substantial disturbance of the soils, topography, drainage, vegetation, and other water-related natural characteristics of the site to be developed.
2. The Board of Appeals shall not grant a special permit under this Section 5.6.3 unless the applicant's submission includes, in the Board's opinion, sufficiently detailed, definite, and credible information to support positive findings in relations to the standards given herein.

The Board of Appeals shall document the basis for any departures from the recommendations of the other town boards or agencies in its decision.

3. Submission requirements and hearing procedures shall be in accordance with the rules and regulations of the Board of Appeals and Section 3.4 of this Zoning Bylaw. Any agency to which the special permit application is referred for review shall provide written comments to the Board of Appeals within 35 days. Failure to respond in writing within 35 days of receipt by the Board shall be deemed lack of opposition thereto. The necessary number of copies of the application shall be furnished by the applicant.
- G. The Board of Appeals may adopt regulations to govern design features of projects. Such regulations shall be consistent with the Planning and Economic Development Board's subdivision rules and regulations.

Susan Affleck-Childs

From: Kelly Rice <kelanrice@yahoo.com>
Sent: Monday, April 10, 2017 12:31 PM
To: Planning Board
Cc: John & Eileen Aviza; Eileen Kalukin; Alyse Stevens; Diane Caci; Sheryl Phillips
Subject: PEDB Public Hearing Merrimack Bldg. Supply

Hello,

I am a resident of Lost Hill Drive and unfortunately, neither my husband or I will be able to attend the public hearing tomorrow night. However, here are some of our concerns

- wetlands protection
- increased noise
- increased traffic - several vehicles going to and from these businesses frequently speed causing safety concerns already.
- increased trash - even with the businesses left as-is there is a trash problem, mainly fast-food type trash, strewn all up and down Trotter drive
- decreased property values
- what the plans look like as a whole, where will the new entrance be etc.. I used the link on the town website to view the plans and was told "page not found".
- timeline

Our little eight home neighborhood, which has been here 20 years, will be most directly affected by this project. We have pets and children and hope that it is a priority that the effects will be minimal.

Thank you in advance for your consideration and attention to these matters.
Kelly Rice

Susan Affleck-Childs

From: Kelly Rice <kelanrice@yahoo.com>
Sent: Tuesday, April 11, 2017 12:02 AM
To: Susan Affleck-Childs; Planning Board
Cc: John & Eileen Aviza; Eileen Kalukin; Alyse Stevens; Diane Caci; Sheryl Phillips
Subject: Re: PEDB Public Hearing Merrimack Bldg. Supply

Hi Susan,

Thank you for your prompt and comprehensive response. There is one more concern to pass along. Frequently large trucks (18 wheeler) have been known to park overnight in the cul-de-sac at the end of Trotter Dr. right in front of my house waiting to make an early delivery the following morning. In the colder weather they have left their engine idling. Not only is the noise and pollution a problem, but, safety as well. My husband travels almost every week for work and I have been either home alone or alone with my son and also walk my dog before bed late at night. The thought of a driver sleeping in his truck only feet from my house is very disturbing. I have been known to call the police several times about this and they have always responded in a timely manner. However, I have been told by an officer that sleeping in a truck on a public street with the engine off is not against the law - which I can not understand. This has been an ongoing problem for my family.

I appreciate you forwarding my concerns to the appropriate parties and for providing me with more information.

Thank you,
Kelly Rice

From: Susan Affleck-Childs <sachilds@townofmedway.org>
To: Kelly Rice <kelanrice@yahoo.com>; Planning Board <planningboard@townofmedway.org>
Cc: John & Eileen Aviza <jejasi@comcast.net>; Eileen Kalukin <eakalukin@verizon.net>; Alyse Stevens <wasdolphins@comcast.net>; Diane Caci <caci711@aol.com>; Sheryl Phillips <moon.angel@comcast.net>
Sent: Monday, April 10, 2017 2:18 PM
Subject: RE: PEDB Public Hearing Merrimack Bldg. Supply

Hi Kelly,

Thank you for your comments expressing concern about the proposed expansion of the Merrimack Building Supply building on Trotter Drive. You have provided some important information for the Board to be aware of. I will forward your note to the Planning and Economic Development Board and it will be entered into the record at Tuesday night's hearing. I will also send your note along to the applicant and their engineer.

I am very sorry the link for the Merrimack expansion plans on the Town's web site didn't work. I have attached the plan set for you to review. This may answer some of your questions.

The meeting/hearing will be recorded live by Medway Cable Access and then rebroadcast. The recording will also be available for online viewing at: <http://www.medwaycable.com/>

I expect the public hearing will be continued to April 25th, time to be determined. I would encourage you to try to attend that hearing.

Best regards,

Susy Affleck-Childs

Susan E. Affleck-Childs
Planning and Economic Development Coordinator

Town of Medway
155 Village Street
Medway, MA 02053
508-533-3291
sachilds@townofmedway.org

Town of Medway – **A Massachusetts Green Community**

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From: Kelly Rice [mailto:kelanrice@yahoo.com]
Sent: Monday, April 10, 2017 12:31 PM
To: Planning Board
Cc: John & Eileen Aviza; Eileen Kalukin; Alyse Stevens; Diane Caci; Sheryl Phillips
Subject: PEDB Public Hearing Merrimack Bldg. Supply

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- wetlands protection
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- what the plans look like as a whole, where will the new entrance be etc.. I used the link on the town website to view the plans and was told "page not found".
- timeline

Our little eight home neighborhood, which has been here 20 years, will be most directly affected by this project. We have pets and children and hope that it is a priority that the effects will be minimal.

Thank you in advance for your consideration and attention to these matters.
Kelly Rice



April 11, 2017

**Medway Planning & Economic Development Board
Meeting**

**Continued Public Hearing – Pine Ridge
and Candlewood Bonds - UPDATED**

- 3/27/17 re-notice to abutters of the 4/11/17 public hearing due to the cancellation of the 3/14 hearing due to the snow storm. Sent notice to all owners in Pine Ridge, Candlewood Drive and Island Road.
- 4/6/17 email from Paul Yorkis indicating he will not attend the 4/11/17 public hearing.
- **4/7/17 email from Susy Affleck-Childs to Paul Yorkis in response to his 4/6/17 email**
- **4/10/17 email from Paul Yorkis to Susy Affleck-Childs and others with an attached update report to Andy Rodenhiser**



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

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

March 27, 2017

Public Hearing Notice
Tuesday, April 11, 2017 – 8:15 p.m.
Default and Bond Seizure for Pine Ridge Open Space Residential
Development and Candlewood Subdivision
Medway, MA

The Medway Planning and Economic Development Board will conduct a public hearing on Tuesday, April 11, 2017 at 8:15 p.m. at Medway Town Hall, 155 Village Street, Medway, MA. The purpose of the hearing is to hear testimony so that the Board may determine whether the developer of the Pine Ridge Open Space Residential Development (OSRD) is in default for failure to complete the construction of ways and installation of utilities and services and the required off-site improvements in accordance with the Pine Ridge OSRD Special Permit, the associated Definitive Plan Certificate of Approval and the Medway *Subdivision Rules and Regulations*. The Board will also discuss whether it should take the sureties for the Pine Ridge OSRD and the adjacent Candlewood subdivision that are being held with Charles River Bank of Medway, MA in order to complete the unfinished on-site and off-site work as specified in the Pine Ridge decisions and plan.

Pine Ridge is a twenty unit, townhouse condominium development accessed from Candlewood Drive which is off of Farm Street. The development was authorized by a special permit issued by the Planning and Economic Development Board in December 2005.

The developer, John Claffey, has been notified of the public hearing. The general public and abutters are invited to attend. All parties will be given an opportunity to comment and ask questions.

For further information, please contact the Medway Planning and Economic Development office at 508-533-3291.

Andy Rodenhiser
Chairman

Telephone: 508-533-3291 Fax: 508-321-4987
Email: planningboard@townofmedway.org

Susan Affleck-Childs

From: Paul G. Yorkis <pgyorkis@gmail.com>
Sent: Thursday, April 06, 2017 2:56 PM
To: Susan Affleck-Childs
Subject: Re: Pine Ridge/Candlewood - April 11, 2017 PEDB meeting

Susy,

I will not be at the meeting.

I will be emailing you an update of where we are. We are making progress and hopefully can come to an acceptable agreement.

Paul

On Apr 6, 2017, at 2:06 PM, Susan Affleck-Childs <sachilds@townofmedway.org> wrote:

Hi,

See attached agenda for next Tuesday's meeting. See you then.

Susy

Susan E. Affleck-Childs
Planning and Economic Development Coordinator

Town of Medway
155 Village Street
Medway, MA 02053
508-533-3291
sachilds@townofmedway.org

Town of Medway – *A Massachusetts Green Community*

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<4-11-2017 PEDB mtg agenda.pdf>

Susan Affleck-Childs

From: Susan Affleck-Childs
Sent: Friday, April 07, 2017 11:31 AM
To: 'Paul G. Yorkis'
Cc: Michael Boynton; Andy Rodenhiser ; Stephanie Mercandetti
Subject: RE: Pine Ridge/Candlewood - April 11, 2017 PEDB meeting

Dear Paul,

Thank you for your email indicating that you will not attend the April 11th PEDB meeting for the continued public hearing on Pine Ridge and Candlewood. That is disappointing. These delays are trying the patience of the Board, Town staff, and neighbors.

Please forward your email update to me at your earliest convenience before Tuesday night and I will share it with PEDB members.

The Board will proceed with Tuesday's public hearing and will discuss next steps for action and preparations for a future vote on the Pine Ridge and Candlewood bonds. I expect the Board will continue the hearing to the next PEDB meeting on April 25th. Please plan to attend.

Best regards,

Susy Affleck-Childs

Susan E. Affleck-Childs
Planning and Economic Development Coordinator

Town of Medway
155 Village Street
Medway, MA 02053
508-533-3291
sachilds@townofmedway.org

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<4-11-2017 PEDB mtg agenda.pdf>

Susan Affleck-Childs

From: Paul G. Yorkis <pgyorkis@gmail.com>
Sent: Monday, April 10, 2017 5:33 AM
To: Susan Affleck-Childs
Cc: Jack Tucker; David Damico; Michael Boynton; Stephanie Mercandetti
Subject: Update Regarding Candlewood, Island Road and Pine Meadow
Attachments: Candlewood, Island Road, Pine Ridge Update.docx

Attached please find a communication regarding Candlewood, Island Road and Pine Meadow.

I will continue to keep each of you informed as we try to reach an agreeable resolution.

Paul G. Yorkis
Cell 508-509-7860

TO: Andy Rodenheiser
Chair, Town of Medway Planning and Economic Development Board

FROM: Paul G. Yorkis

DATE: April 10, 2017

RE: Candlewood, Island Road, and Pine Ridge Update

I have had a discussion with Town Administrator Michael Boynton and a meeting with DPS Director David D'Amico and Jack Tucker, Highway Superintendent.

We reviewed the scope of the work to be completed.

I am in the process of obtaining updated quotations from several contractors

After I have all of the quotations and scope of work, David and Jack have agreed to review the information and confirm the scope and quotations. David and Jack have also agreed to conduct the inspections to ensure the work is completed to Town of Medway Standards.

Once I have their approval I will be requesting a meeting with the Town Administrator, Chair of the Planning and Economic Development Board, Director of DPS, Highway Superintendent to discuss moving forward in an effort to have the work completed.

Parallel to this process is the process of completing the work Associated with Pine Ridge that will need to be reviewed by the Planning and Economic Development Board's consulting engineer.

I would hope that this could be discussed at the May 9, 2017 meeting of the Planning and Economic Development Board.

CC: Michael Boynton
David D'Amico
Jack Tucker
William Sack, Esq.
Pine Ridge, LLC



April 11, 2017

**Medway Planning & Economic Development Board
Meeting**

**Informal Subdivision Pre-application
Discussion - Kelley Street/Villa Drive**

- 4/4/17 Narrative on proposed 4 lot subdivision from J.P. Connolly of Andrews Survey and Engineering
- 3/10/17 concept sketch for a 4 lot subdivision by Andrews Survey and Engineering
- 4 page dead end road length exhibit prepared by Andrews Survey and Engineering
- 1/13/15 endorsed ANR plan
- FIRM map – 7/12/2012
- 4 sheets of the 1996 Camelot III Definitive Subdivision Plan by GCG Associates
- 1972 survey plot plan by Guerriere and Halnon showing Vine Lane
- 4/6/17 memorandum from Conservation Agent Bridget Graziano re: status of proposal with ConCom and general comments

PART I – SUMMARY

On behalf of the owner/applicant, Cheryl Rosenberg, Andrews Survey and Engineering has prepared this narrative to identify the proposed project, identify potential permitting obstacles and discuss proposed solutions. The Applicant is considering the feasibility of permitting and constructing a residential subdivision in the vicinity of Kelley Street and Villa Drive. The Applicant, at this time, would like to request comments and feedback from the Medway Planning Board prior to providing a formal Definitive Subdivision to assess to assess if the Project to be developed meets the satisfaction of the Planning Board, and to specifically determine if the Planning Board would support the request for a dead end road length waiver.

1.0 PROJECT DESCRIPTION

The project site is located to the north of Kelley Street and Villa Drive, and is also shown on several maps and plans to be to the north of Vine Lane. Access to the site is provided via Kelley Street (or Villa Drive) from Holliston Street. The project proposes the construction of a 466'± road, linking the cul-de-sac of Villa Drive to the cul-de-sac of Kelley Street, and is intended to provide access and frontage for the four (4) proposed residential building lots.

Located in the Agricultural-Residential II District, the property is comprised of 5.8± acres of land. To the north, east and west of the subject parcel are areas comprised of wooded vacant land, and to the south by single family homes along Villa Drive and Kelley Street. The site is forested with terrain consisting of two (2) to fifty-two (52) percent slopes. There are bordering vegetated wetlands (BVW) located on the site, described further as follows:

- BVW exists on the west side of the site that is bifurcated by upland areas shown on the concept plan (uplands associated with proposed Lot 1).
- As shown on the concept plan a finger of BVW extends north and south between the upland areas associated with proposed Lot 1 and uplands associated with proposed Lots 2, 3, and 4.
- BVW exists on the east side of the site directly north of the Kelley Street cul-de-sac.

Existing stormwater runoff, generated from the project site as well as runoff from offsite areas tributary to the project site, generally is conveyed overland and to the south, and is captured in an existing man made channel that flows from the cul-de-sac at Kelley Street to the west where it is then captured in an existing concrete headwall and conveyed in a reinforced concrete pipe to the point of discharge.

No portion of the property lies within the 100-year flood plain per the current Norfolk County Flood Insurance Rate Map (FIRM) Panel 25021C0143 E, as shown in the Appendix.

The property is not currently serviced with electricity, telephone, municipal water, or municipal sewer which will be supplied by the project.

Per the 13th Edition of the Massachusetts Natural Heritage Atlas, Priority Habitat of Rare Species and Estimated Habitat of Rare Wetlands Wildlife is not located on or bordering the property.

2.0 RECENT BACKGROUND HISTORY

The most recently issued permits associated with the subject property were related to an Order of Conditions (issued on July 10, 2015 and recorded in the Norfolk County Registry of Deeds Plan Book 640, page 17, the result of Notice of Intent Filing with DEP and Town of Medway Conservation Commission); and an ANR approved by the Town of Medway Planning Board dated January 13, 2015. Both the Order of Conditions and the approved ANR Plan are included with this narrative for clarity.

Subsequently, in June of 2015, ASE prepared and submitted Notice of Intent filings to the Town of Medway Conservation Commission and DEP for consideration and permit construction on the remaining portion of the site. Due to nature of the site and requirement of a wetland crossing the applicant chose to pursue obtaining the Conservation Commission's support prior to submitting a definitive subdivision to the Planning Board for consideration. The applicant intended to construct a cul-de-sac from Villa Drive to provide access and frontage to the remaining property. During the course of the Notice of Intent permitting, the layout was revised and ultimately the Conservation Commission indicated support for a plan with a proposed road extended from Villa Drive provided access and frontage to three (3) proposed residential lots, with the understanding that the previously permitted Lot 1 (accessing from Kelley Street as shown on the approved ANR plan) would be abandoned in lieu of the new plan.

With Conservation Commission's indication of support for the project, a pre-submittal meeting with the Conservation Commission agent and Planning and Economic Development coordinator occurred on December 19, 2016. At that meeting the Planning and Economic Development coordinator identified several potential obstacles that could limit the possible success of the project, the most significant of which was the concern regarding the dead end road length.

Dead End Road Length:

As defined by the current Town of Medway Rules and Regulation for the Review and Approval of Land Subdivisions, a "STREET, DEAD-END" is defined as "any street, or group of connected streets, which has only one means of egress and access with a through street. ASE interprets this to mean that the interconnected road network of Kelley Street, Gable Way, Dean Street, Crestview Ave, Kings Lane, Villa Drive and Queens Way are all defined as dead end roads. As such, the maximum dead end road length of six hundred feet (600') would be measured from Holliston Street (the closest connected through street).

The exhibit illustrating the approximate existing dead end road lengths that would be associated with the project have been included with this narrative.

Due to the location and nature of the surroundings, the project site will not be able to provide a second point of egress and access to a through street. However, with the current concept layout the project can provide a significant improvement to the community by constructing a road that connects Kelley Street to Villa Drive, through the project site. While this proposed concept will not improve the Kelley Street dead end street condition, the concept would provide a significant improvement in terms of emergency service response. With the proposed concept, the community benefits from not only the reduction in response time to residents of Villa Drive and Queens Way, but also the neighborhood as a whole benefits from the proposed design by creating a secondary means of access to many of the roads within this street network.

Additionally, ASE meet with the Town of Medway Fire Chief, Jeff Lynch, to present the current concept layout and obtain input from the Fire Department. A memo of that meeting has been prepared and is also included with this narrative. Generally, the Fire Department supports the project assuming conditions can be met for the project to ensure that the constructed road is maintained perpetually and provides unobstructed through access in both directions.

Legal Access to Subject Parcel:

As indicated in the project description the subject parcel is located to the north of Vine Lane; the status of Vine Lane has been a concern of the Town of Medway Planning Board. Vine Lane is shown on the following plans:

- “Plan of Land in Medway, Mass” dated July 24, 1978 and recorded with the Norfolk County Registry of Deeds as No. 569 1972, BK 4853 page 240 (also provided with this narrative)
- “Plan of Land in Medway, Mass” dated July 7, 2006 and revised thru March 5, 2008, prepared by O’Driscoll Land Surveying Co.
- “Definitive Subdivision Plans Camelot III (Amended)” prepared by GCG Associates Inc. dated February 26, 1996 and recorded with the Norfolk County Registry of Deeds as No. 639 1996, Plan Book 442 (also provided with this narrative)

Vine Lane is identified as a private way with a varying width ROW. Vine Lane in the vicinity of the project site was improved with a sidewalk and incidental grading and clearing associated with the construction of the Camelot II and Camelot III definitive subdivisions. The ROW of Vine Lane varies across the proposed project site, with the widest portion (approximately 59.8’) at Kelley Street, narrowing to the west to the narrowest portion (approximately 11.8’) near the westerly property corner.

Status as a private way is a concern, as it needs to be crossed to access the current proposed project site layout. The applicant and legal counsel for the applicant are prepared to demonstrate that the applicant has the legal authority and rights to utilize and cross Vine

Lane for the purpose of constructing a road, and providing access and frontage to the proposed lots. Said Counsel has previously demonstrated to the Board and its outside representative that such rights exist in favor of the development, and was agreed to by the Board and outside representative.

3.0 COMPLIANCE WITH TOWN ZONING, REGULATIONS, AND REQUIREMENTS

Although preliminary, the proposed concept layout demonstrates that the project site contains sufficient area to support the layout of a 50-ft ROW in which to construct a road (currently proposed with a 20-foot paved width) that would be constructed to the “Neighborhood Street” standards for centerline curve radius and pavement width. The Applicant envisions that this development will utilize a private way, however intends to construct the road to meet public road standards, thus at the discretion of the Planning Board, the road could be accepted by the Town as a public road.

The proposed project layout presented to the Planning Board also illustrates that the project site can support the creation of at least the four (4) proposed residential parcels, meeting the frontage, minimum area, maximum lot coverage and maximum impervious areas, minimum upland area ration, maximum lot shape factor and that residential dwellings could be constructed within the prescribed zoning setback zoning requirements for residential single family parcels created in the Agricultural – Residential District II (AR-II) zone. ASE acknowledges that while the layout shown on the proposed concept plan will likely be revised before it is formally submitted, the concept layout demonstrates that the parcel is sufficient to be utilized as the site for a definitive subdivision and the creation of developable residential lots.

The Applicant is aware of the wetland resource areas that exist on the project site and the project would be subject to the rules and regulation of the Wetland Protection Act as well as the Town of Medway’s Wetland Zoning Bylaw and Rules and Regulations of the Town of Medway Conservation Commission. The applicant has filed Notices of Intent for the project ahead of any formal submittal to the Planning Board, due to the nature of the site and the obstacles the resource areas and their associated buffer zones present to development. The Applicant, at this time, is confident that a proposed project design can be developed to satisfy the Conservation Commission. While the Commission has raised many concerns with the project, the Commission has indicated that it is satisfied with the current wetland limit delineation and would be willing to support a project if the following conditions can be meet:

- The upland crossing to proposed Parcel 1 is eliminated
- Construction associated with the proposed road, driveways and single family dwellings can be proposed in a manner that demonstrates compliance with Wetland Bylaw’s 25’ No-Disturbance wetland buffer requirement
- The project demonstrates compliance with Stormwater Regulations

- The project demonstrates compliance with construction and replication requirements for wetland disturbance associated with the anticipated wetland crossing(s).

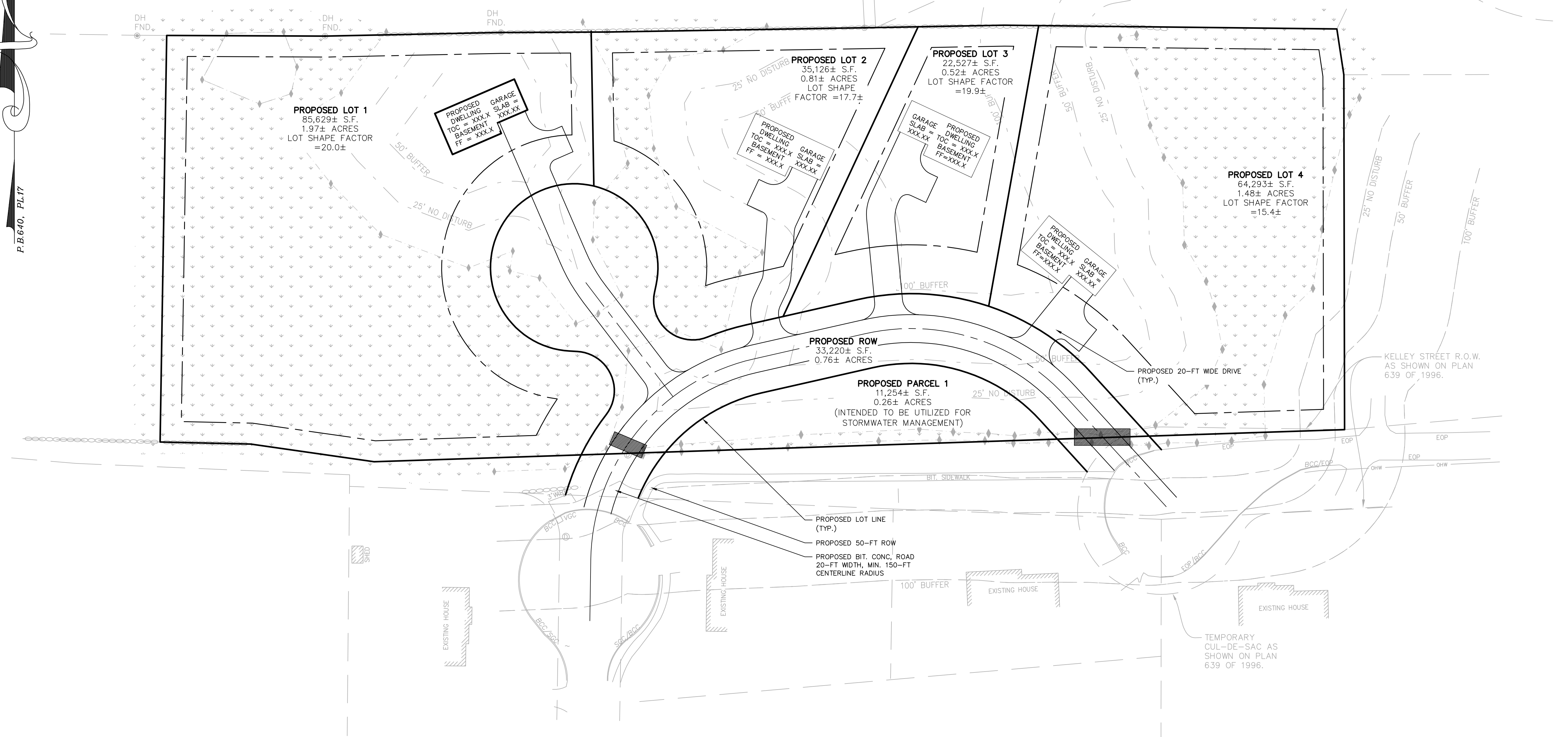
The Applicant also instructed ASE to meet with the Fire Department prior to finalizing definitive subdivision plans to allow the Fire Department adequate time to review the proposed concept as well as address any initial concerns the Fire Department may have with the project. The Applicant, at the request of the Conservation Commission, also inquired whether the minimum pavement widths for the proposed road and all proposed driveways could be reduced in lieu of other proposed projects.

SUMMARY

The Applicant has directed ASE to prepare this narrative to accompany the presentation of the Conceptual Proposed Project Layout. The Applicant requests that the Planning Board consider whether or not the proposed project layout demonstrates that a project design could be feasible for the site and whether or not the Planning Board would be willing to consider waiving the dead end road maximum length, in lieu of constructing a road to interconnect two existing dead end roads, both of which significantly exceed the maximum six-hundred foot dead end road length (600') as described in §7.9.6 of the April 26, 2005 Zoning Bylaw.

On behalf of the Applicant, ASE would like to thank the Planning Board for the opportunity to present this project and we look forward to comments and feedback that the Planning Board can provide.

P.B.640, PL.17



- GENERAL NOTES:**
1. THIS PLAN NOT INTENDED FOR PERMITTING OR CONSTRUCTION AND IS PRELIMINARY IN NATURE.
 2. PLAN SHOWS ONLY THOSE FEATURES THAT WERE VISUALLY APPARENT ON DATE OF TOPOGRAPHY, AND THE ABSENCE OF SUBSURFACE STRUCTURES, UTILITIES, ETC. IS NOT INTENDED OR IMPLIED.
 3. THE DESIGN ENGINEER SHALL BE NOTIFIED PROMPTLY OF ANY PLAN DEFICIENCIES FOUND DUE TO UNFORESEEN SUBSURFACE CONDITIONS OR OTHER REASONS THAT MAY RESULT IN A CHANGE FROM THIS DESIGN.
 4. CONTRACTOR SHALL NOTIFY "DIG SAFE" PRIOR TO ANY EXCAVATION 1-888-DIG-SAFE (344-7233).
 5. PLAN SHOWS A CONCEPTUAL 3-LOT SUBDIVISION LAYOUT, WITH THE INTENT OF ABANDONING THE PREVIOUSLY APPROVED KELLY STREET LOT 1 IMPROVEMENTS AS SHOWN ON THE APPROVED "CONSERVATION PLAN" REVISED THRU 6/17/15, AND THE PROPERTY BOUNDARY AS SHOWN ON THE APPROVED "DIVISION OF LAND FOR 0 KELLEY STREET" REVISED THRU 1/13/15.



Andrews Survey & Engineering, Inc.
Land Surveying - Civil Engineering - Site Planning

P.O. Box 312, 104 Mendon Street
MEDWAY, Massachusetts 01569-0312
P: 508-278-3897 F: 508-278-2289

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OWNER OF RECORD:
CHERYL ROSENBERG

MEDWAY ASSESSORS INFORMATION:
MAP 49, PARCEL 32

MEDWAY ZONING INFORMATION:
ZONE: AGRICULTURAL - RESIDENTIAL DISTRICT II
MINIMUM AREA: 22,500 S.F.
MINIMUM FRONTAGE: 150'
SETBACKS: FRONT 35', SIDE 15', REAR 15'

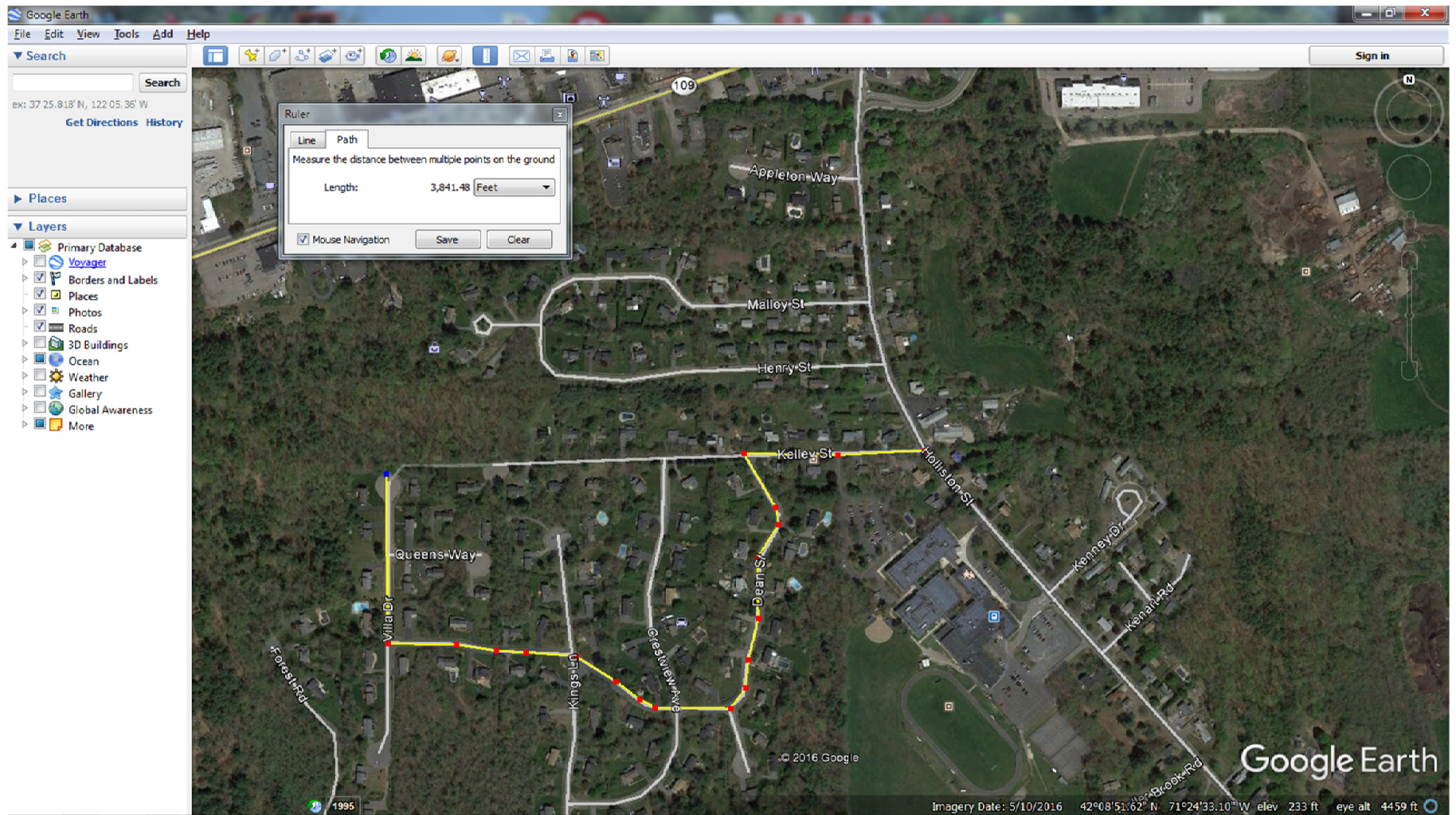
DEED REFERENCE:
BK. 7956, PG. 214

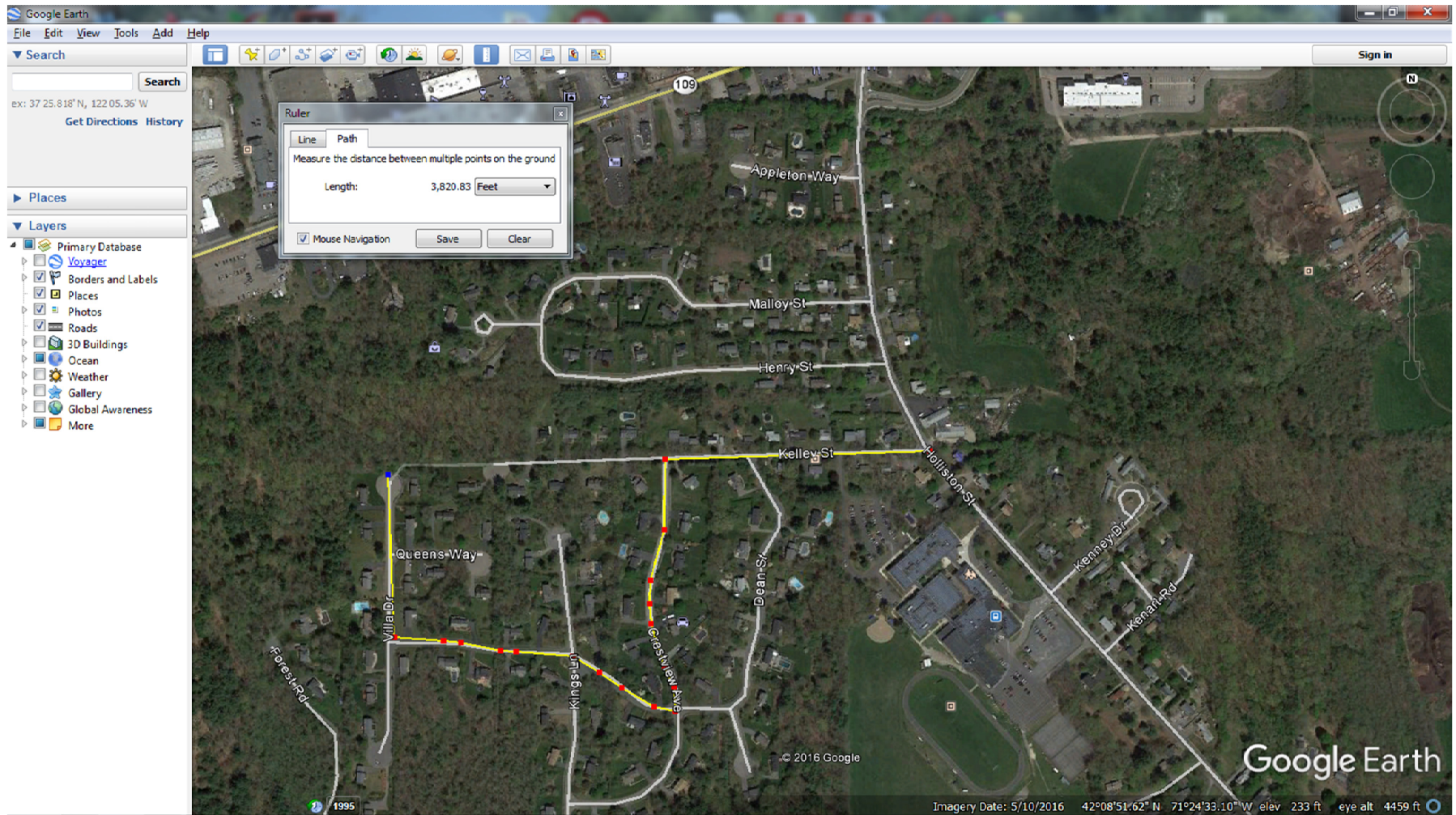
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PLAN 202 OF 1953
PLAN 801 OF 1989, PL. BK. 442
PLAN 639 OF 1996, PL. BK. 384
PLAN 128 OF 1999, PL. BK. 463

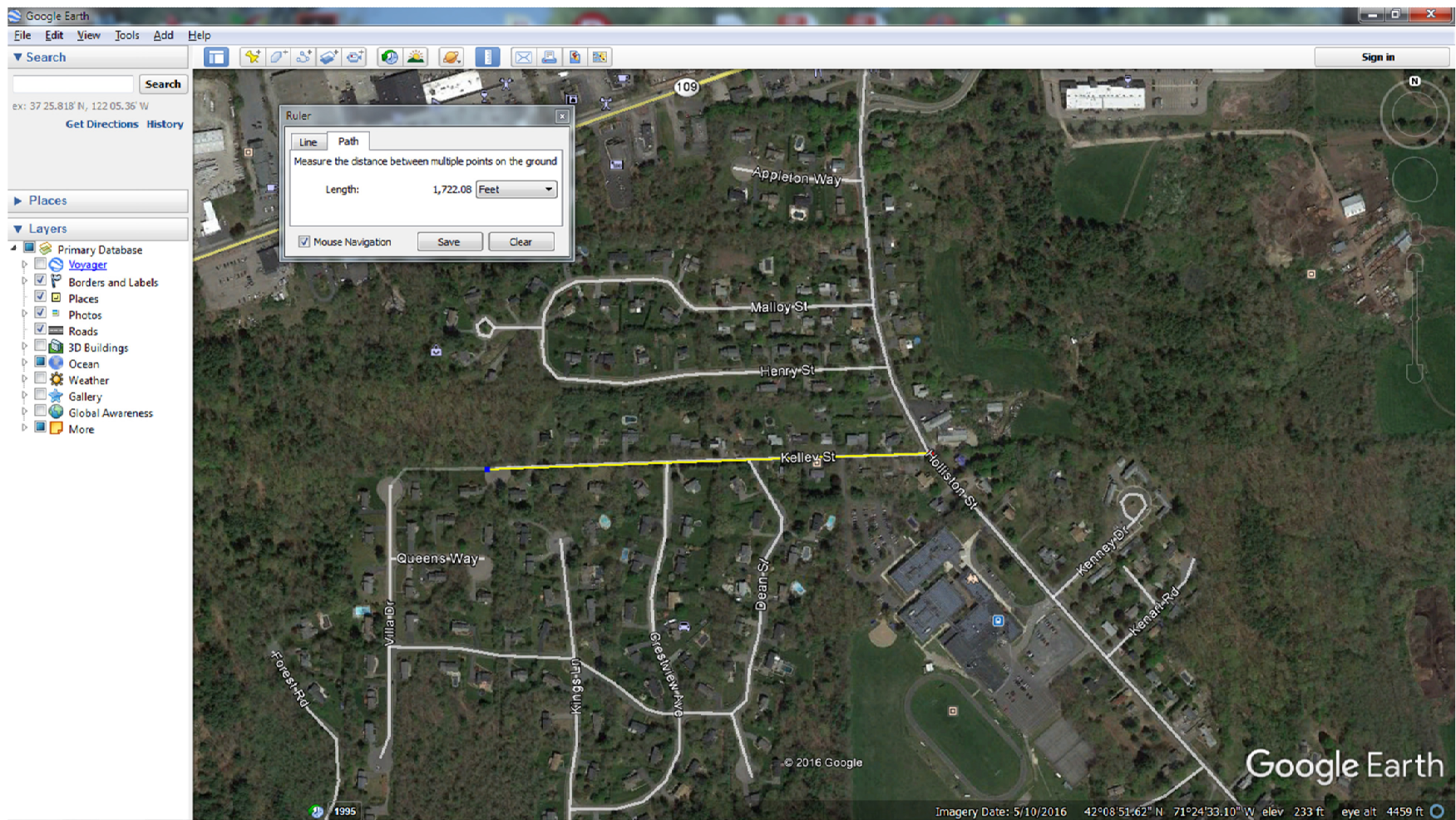
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(IN FEET) 1 inch = 40 feet	
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DRAWN BY	JPC
CHECKED BY	BJA
DATE	DECEMBER 8, 2016 REV 3/9/17
PROJECT NO.	2014-158.1

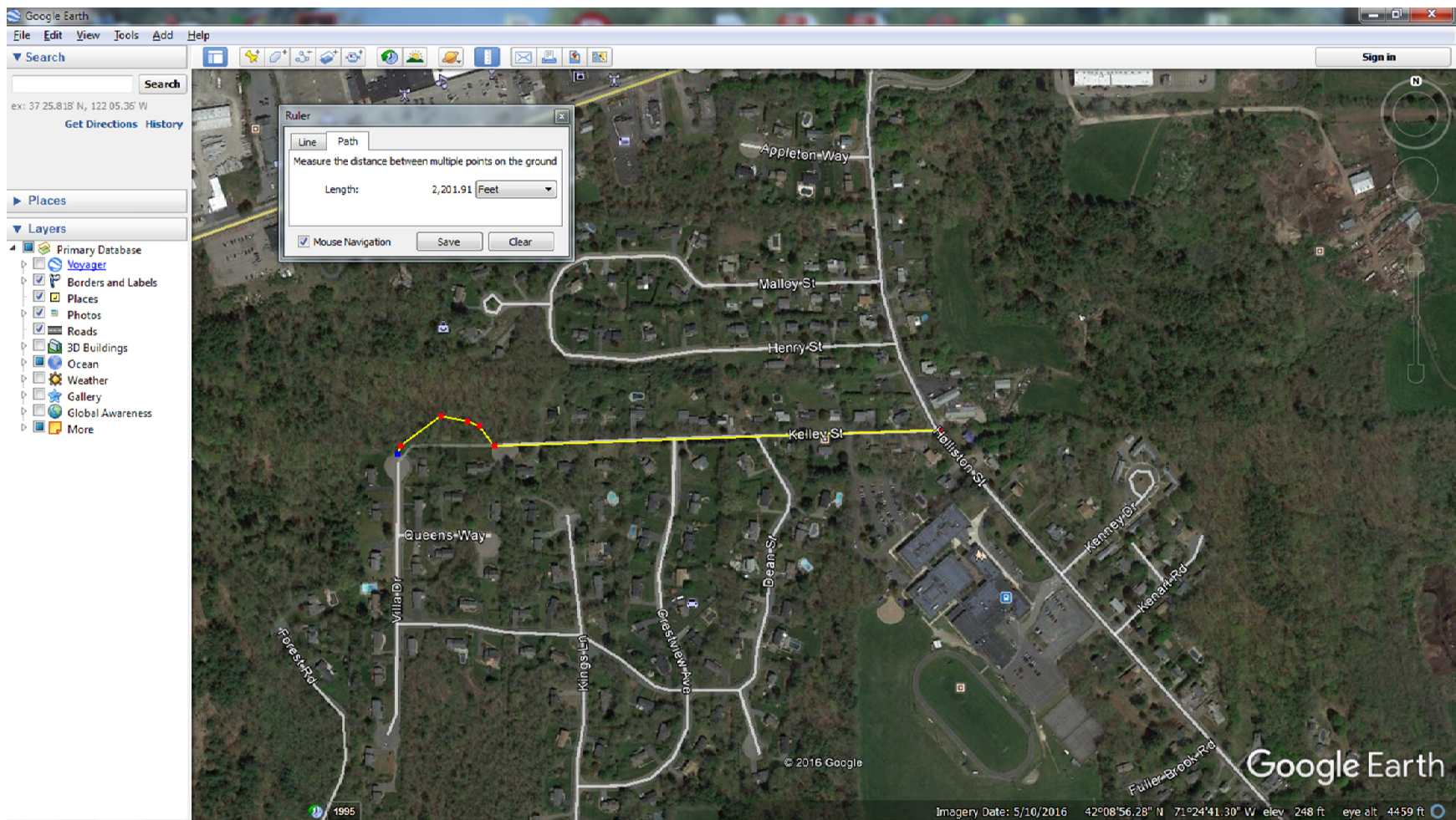
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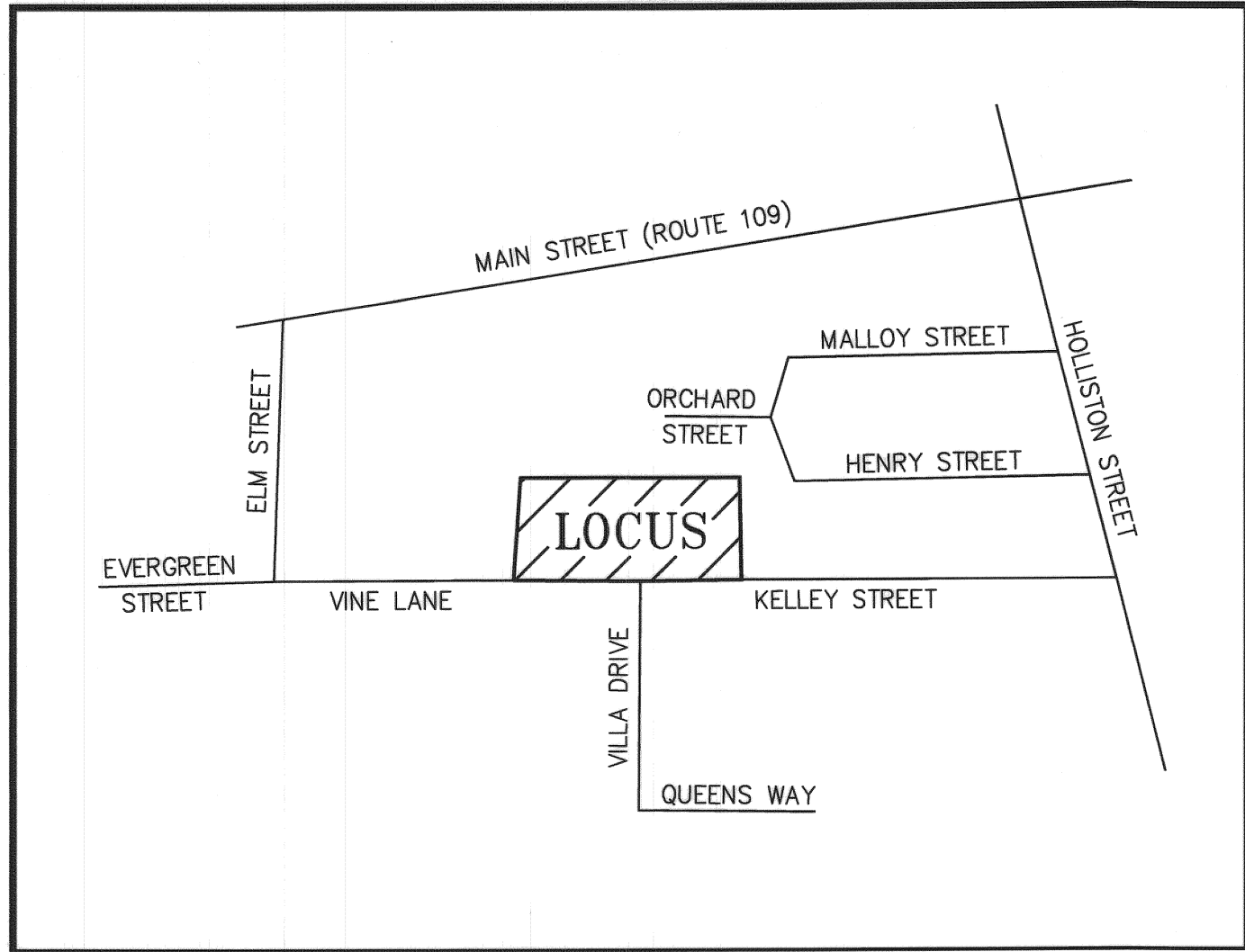
**SKETCH PLAN
OF
KELLEY STREET
& VINE LANE
IN
MEDWAY, MA
PREPARED FOR
CHERYL ROSENBERG**



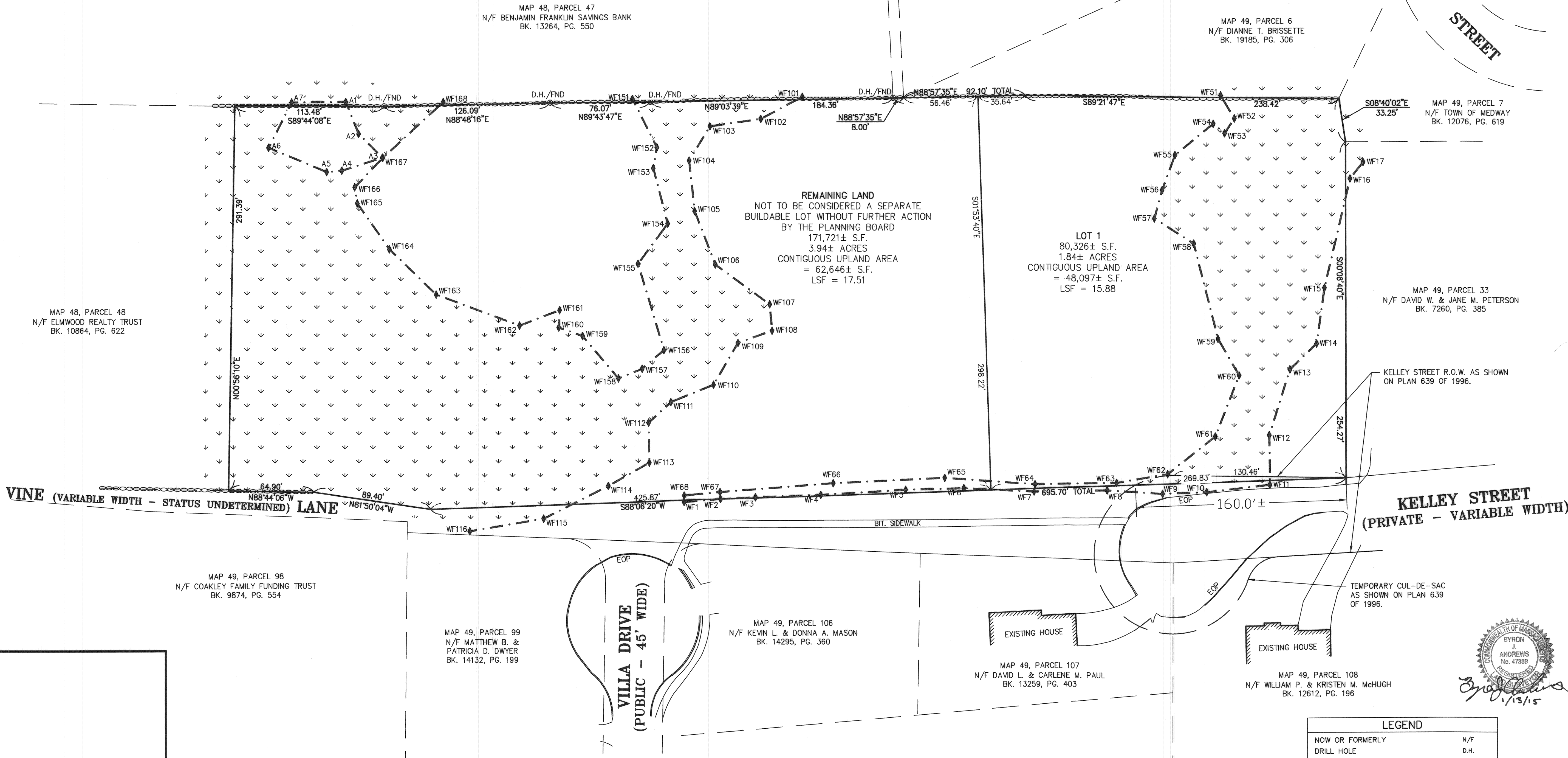








LOCUS MAP
NOT TO SCALE



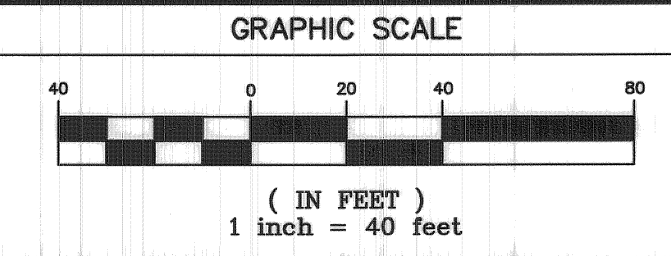
ASE
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PLAN 639 OF 1996, PL. BK. 384
PLAN 128 OF 1999, PL. BK. 463

APPROVAL UNDER SUBDIVISION CONTROL LAW
NOT REQUIRED: MEDWAY PLANNING BOARD
[Signatures]
BEING A MAJORITY DATE: 1/13/15

PLANNING BOARD ENDORSEMENT DOES NOT
CONSTITUTE A DETERMINATION OF COMPLIANCE WITH
THE MEDWAY ZONING BY-LAW.
THIS PLAN HAS BEEN PREPARED IN ACCORDANCE
WITH THE REQUIREMENTS OF 250 CMR 6.00
INCLUDING, BUT NOT LIMITED TO, THE EXISTING
BOUNDARY WITH REFERENCE TO AT LEAST TWO
PERMANENT BOUNDARY MONUMENTS ON OR OFF THE
LAND TO WHICH THE PLAN RELATES. PROVIDING A
REFERENCE TO PREVIOUS SUBMITTALS OR PLANS IS
NOT ADEQUATE TO SHOW A RELATIONSHIP TO THE
RELEVANT MONUMENTS.
THIS PLAN HAS BEEN PREPARED IN CONFORMITY
WITH THE RULES AND REGULATIONS OF THE
REGISTRARS OF DEEDS IN THE COMMONWEALTH OF
MASSACHUSETTS AND IN COMPLIANCE WITH THE
RULES AND REGULATIONS FOR THE PRACTICE OF
LAND SURVEYING IN THE COMMONWEALTH OF
MASSACHUSETTS. THIS CERTIFICATION IS INTENDED
TO MEET THE REQUIREMENTS OF THE REGISTRY OF
DEEDS AND IS NOT A CERTIFICATION OF TITLE OR
OWNERSHIP OF THE LAND SHOWN HEREIN.

REVISIONS		
NO.	DATE	DESCRIPTION
1	1/13/15	P.B. COMMENTS



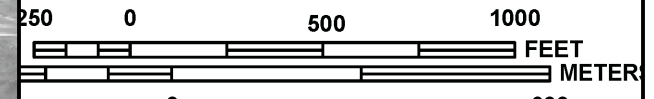
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DRAWN BY	TRB
CHECKED BY	BJA
DATE	SEPTEMBER 2, 2014
PROJECT NO.	2012-289
PLAN NO.	L-4301

DIVISION OF LAND
OF
0 KELLEY STREET
IN
MEDWAY, MA
OWNED BY
CHERYL ROSENBERG

LEGEND	
NOW OR FORMERLY	N/F
DRILL HOLE	D.H.
SQUARE FEET	S.F.
FOUND	FND
DRILL HOLE	⊙ D.H.
STONEWALL	=====



MAP SCALE 1" = 500'



NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0143E

FIRM

FLOOD INSURANCE RATE MAP
NORFOLK COUNTY,
MASSACHUSETTS
(ALL JURISDICTIONS)

PANEL 143 OF 430
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
FRANKLIN, TOWN OF	250240	0143	E
MEDWAY, TOWN OF	250243	0143	E

Notice to User: The **Map Number** shown below should be used when placing map orders; the **Community Number** shown above should be used on insurance applications for the subject community.



MAP NUMBER
25021C0143E
EFFECTIVE DATE
JULY 17, 2012

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov

DEFINITIVE SUBDIVISION PLANS

CAMELOT III

(AMENDED)

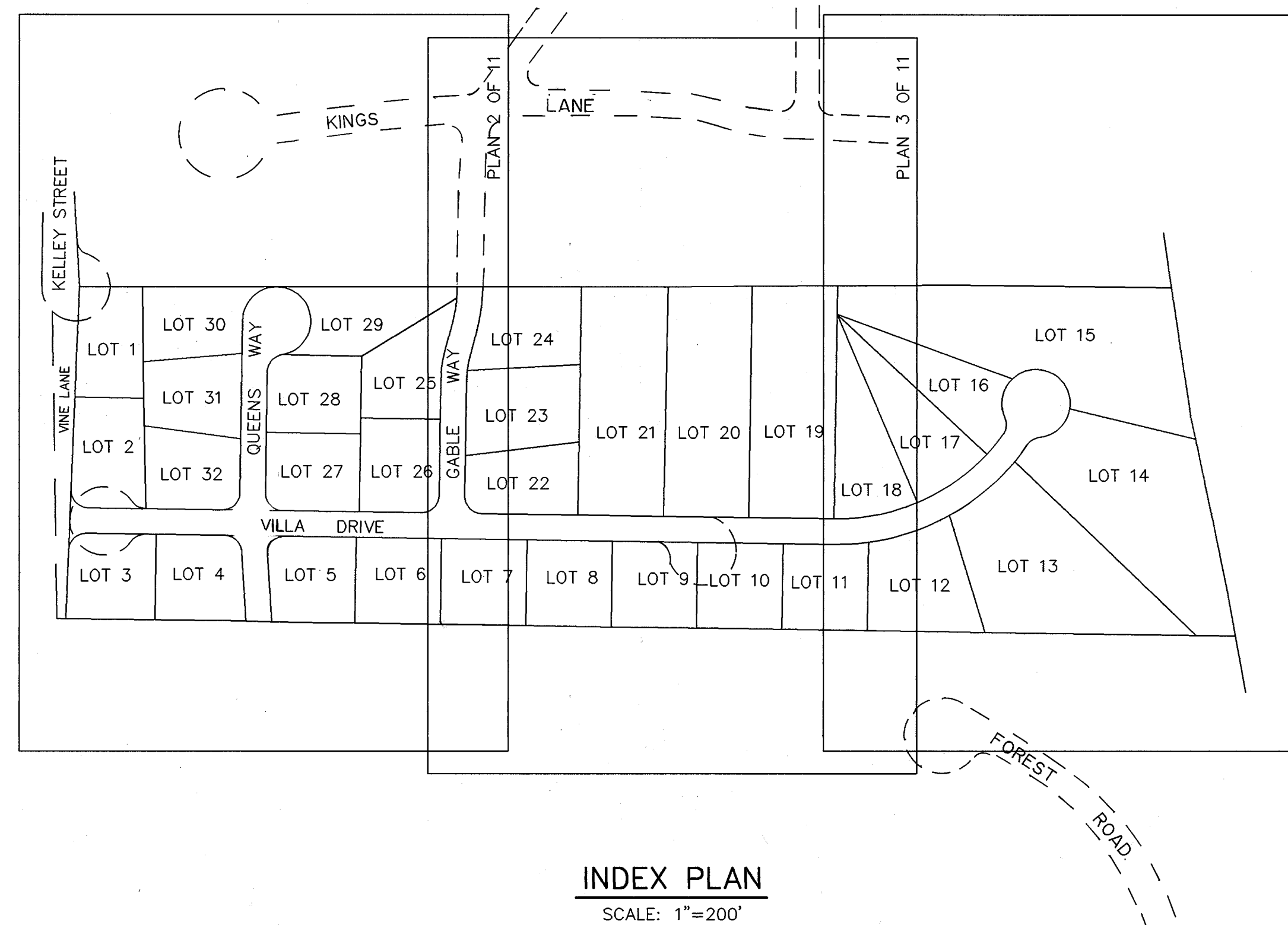
MEDWAY, MASSACHUSETTS

OWNER

KINGS LANE REALTY TRUST
THOMAS SCOTT CIMENO
GREGORY CORAS
46 KINGS ROAD
NORWOOD, MASSACHUSETTS

ENGINEER

GCG ASSOCIATES, INC.
379 BROADWAY
LYNNFIELD, MASSACHUSETTS



INDEX PLAN

SCALE: 1"=200'

WAIVERS REQUESTED

1. 45' WIDE ROAD LAYOUT
2. SIDEWALK ON ONE SIDE ONLY
3. LENGTH OF DEAD END (1,152')
4. 60' RADIUS AT CUL-DE-SAC
5. CAPE COD BERM
6. 3.743% SLOPE AT INTERSECTION
7. CONCRETE FLARED ENDS

INDEX TO DRAWINGS

PLAN_NO.	TITLE
1	COVER
2	PROPERTY LINE PLAN & LOT LAYOUT
3	PROPERTY LINE PLAN & LOT LAYOUT
4	PROPERTY LINE PLAN & LOT LAYOUT
5	GRADING PLAN
6	GRADING PLAN
7	GRADING PLAN
8	ROADWAY PLAN & PROFILE - VILLA DRIVE
9	ROADWAY PLAN & PROFILE - VILLA DRIVE
10	ROADWAY PLAN & PROFILE - QUEENS WAY & GABLE WAY
11	MISC. CONSTRUCTION DETAILS

APPROVED 12/2/96 SUBJECT TO COVENANT
CONDITIONS SET FORTH IN A COVENANT
EXECUTED BY: GREGORY J. CORAS
AND THOMAS S. CIMENO, TRUSTEES
DATED 9/10/96, AND TO BE
RECORDED HERewith.

Norfolk Registry of Deeds

Dedham, Mass.

Received Oct. 2 19 96

With Deed

Robert C. Levy to

Thomas S. Cimeno Tr. & Bl.

Filed as No. 639 ^{A of 4} 19 96

Pl. Bk. 442

Attest: Raymond H. Hannon

Register

MEDWAY PLANNING BOARD
Donald Springer
Paul G. Van
Maria L. Phelan
DATE APPROVED DECEMBER 12, 1995
DATE ENDORSED August 20, 1996
BEING A MAJORITY

ELM STREET

Norfolk Registry of Deeds
Dedham, Mass.
Received Oct 2 19 96
With Deed
Robert C. Levy to
Thomas S. Cimeno Trust
Filed as No. 639 of 4 19 96
Pl. Bk. 442
Attest: [Signature]
Register

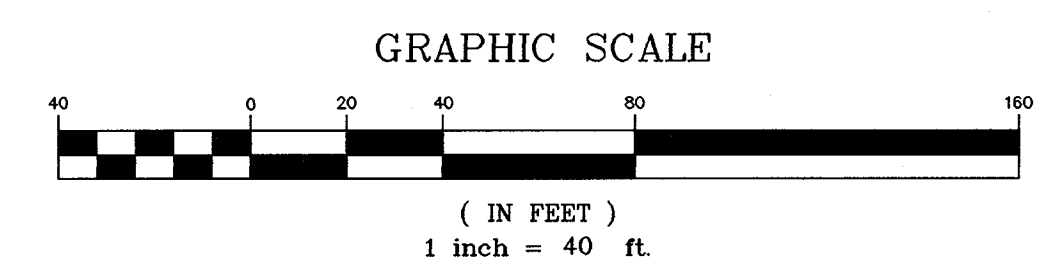
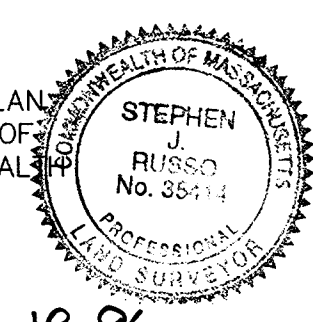
FOR REGISTRY USE ONLY

- PLAN REFERENCES:
1. AN UNRECORDED PLAN ENTITLED "EVERGREEN GLEN, DEFINITIVE SUBDIVISION IN MEDWAY, MASS.", SCALE 1"=40', DATED JULY 21, 1989, PREPARED BY DESIMONE SURVEYING SERVICES INC., 38 COFFEE ST., MEDWAY, MA.
 2. PLAN ENTITLED "CAMELOT II MEDWAY, MASSACHUSETTS, PROPERTY LINE PLAN AND LOT LAYOUT", SCALE 1"=40', DATED SEPT. 10, 1992, PREPARED BY THIS OFFICE, RECORDED AT NORFOLK COUNTY REGISTRY OF DEEDS.
 3. NORFOLK REGISTRY OF DEEDS: TITLE: BOOK 6589 PAGE 216

MEDWAY PLANNING BOARD
[Signature]
[Signature]
[Signature]
DATE APPROVED DECEMBER 12, 1995
DATE ENDORSED August 20, 1996
BEING A MAJORITY

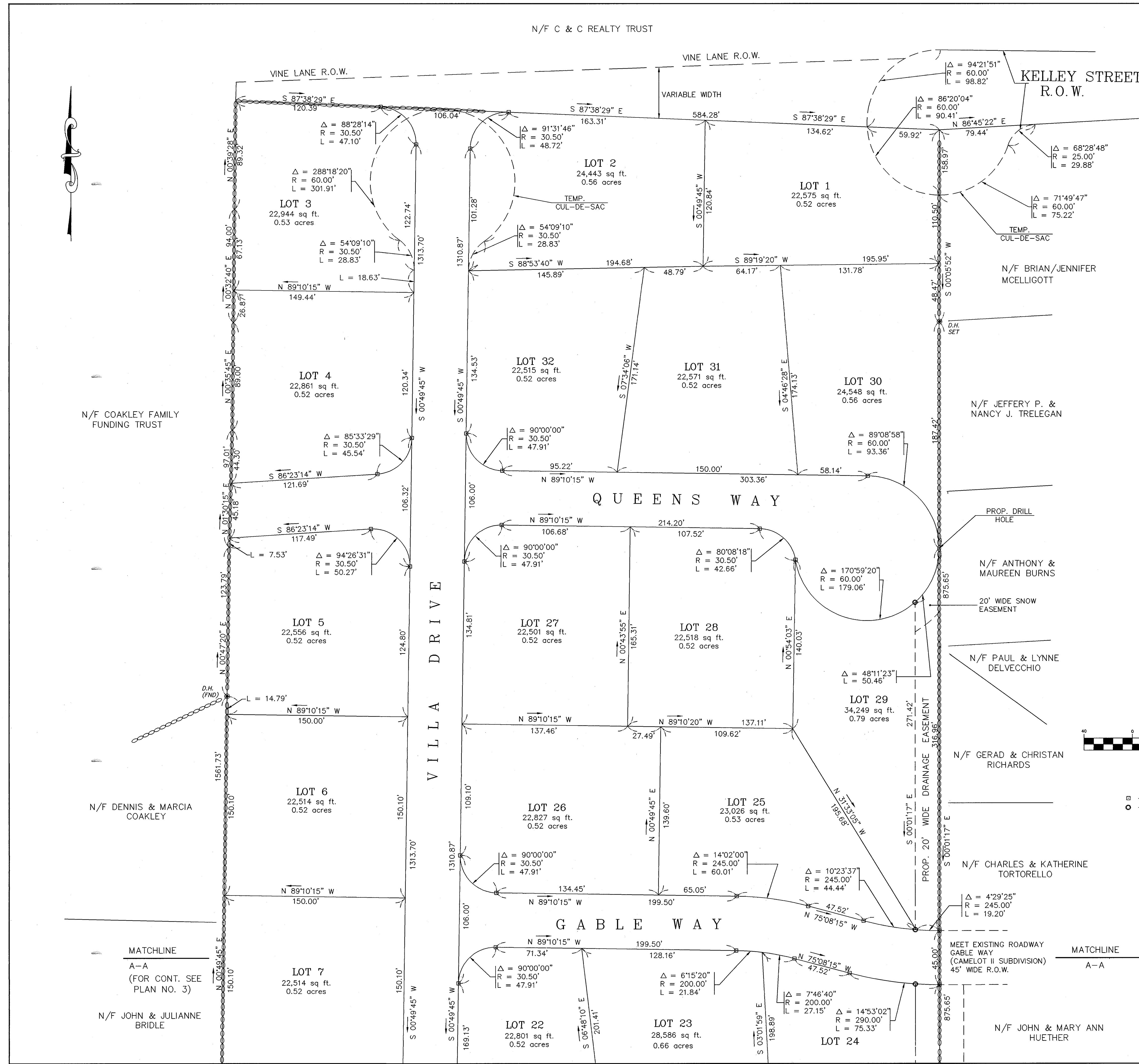
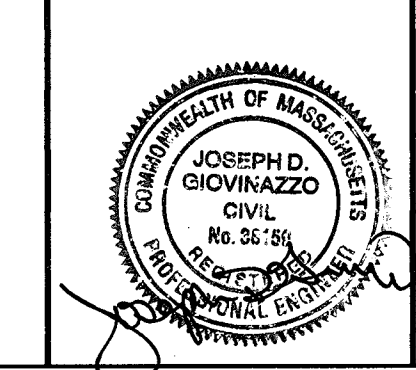
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CONDITIONS SET FORTH IN A COVENANT
EXECUTED BY: GREGORY J. CORAS
AND THOMAS S. CIMENO, TRUSTEES
DATED 9/10/96, AND TO BE
RECORDED HERewith.

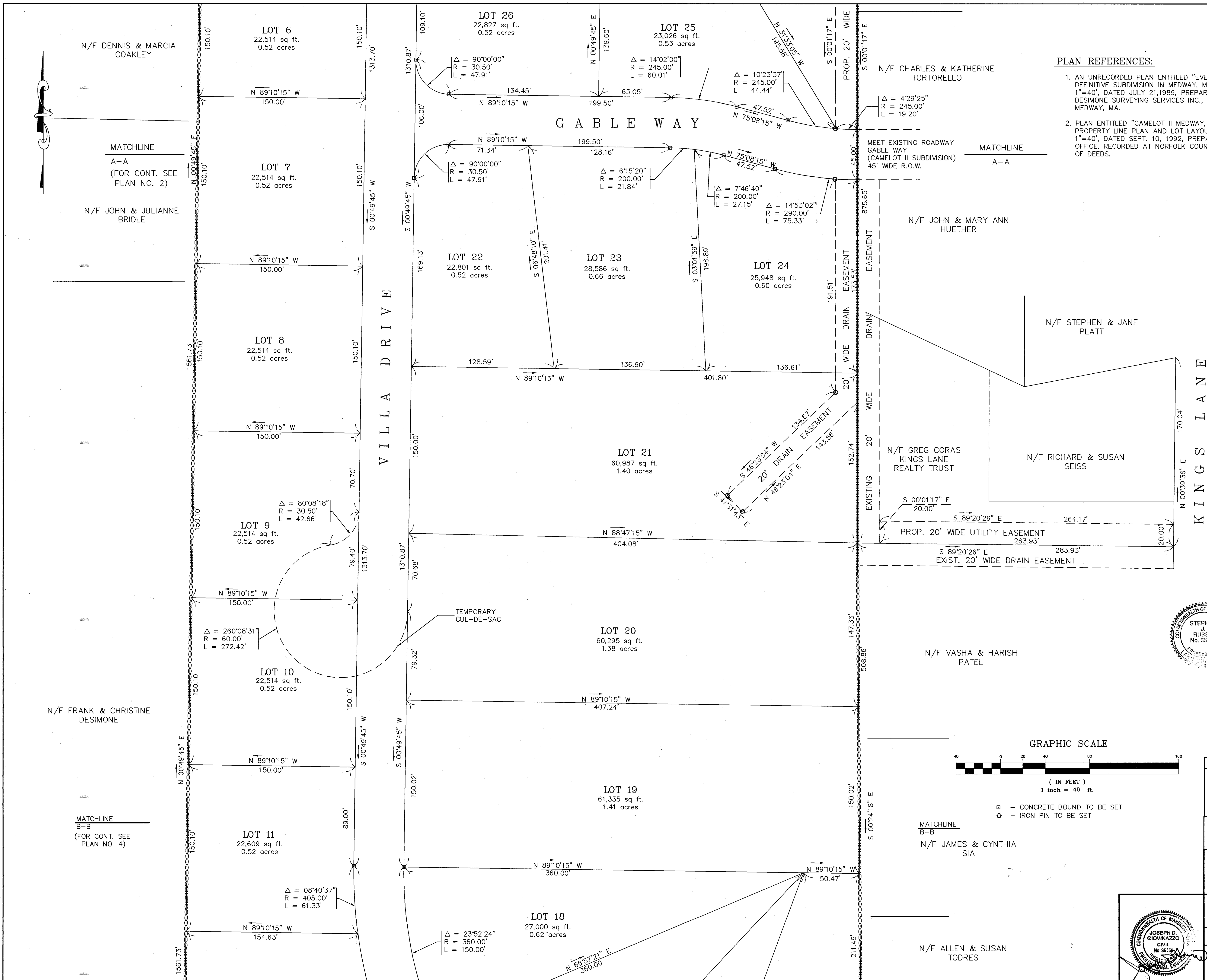
I CERTIFY THAT THE PREPARATION OF THIS PLAN
CONFORMS TO THE RULES AND REGULATIONS OF
THE REGISTRY OF DEEDS OF THE COMMONWEALTH
OF MASSACHUSETTS.
[Signature] 4-18-96
PROFESSIONAL LAND SURVEYOR DATE



- - CONCRETE BOUND TO BE SET
- - IRON PIN TO BE SET

REVISION DATE:	DESCRIPTION
OWNER AND DEVELOPER:	KINGS LANE REALTY TRUST 46 KINGS RD., NORWOOD, MA
ZONE CLASSIFICATION:	AGRICULTURAL AND RESIDENTIAL DISTRICT II 22,500 s.f.-150' FRONTAGE
ASSESSORS REFERENCE:	MAP 6, PARCEL 11
CAMELOT III (AMENDED) MEDWAY, MASSACHUSETTS	
PROPERTY LINE PLAN AND LOT LAYOUT	
GCG ASSOCIATES, INC. LYNNFIELD MASSACHUSETTS	
SCALE: AS NOTED	DATE: FEBRUARY 26, 1996
JOB NO./FILE NAME: 9593/OMH	DESIGNED BY: J.T.C. DRAWN BY: S.E.P. CHECKED BY: J.D.G.
PLAN NO. 2 OF 11	





Norfolk Registry of Deeds
Dedham, Mass.
Received Oct 2 19 96
With Deed
Robert C. Levy to
Thomas S. Cimino Tr + AL
Filed as No. 639 C of 4 19 96
Pl. Bk. 442
Attest: [Signature]
Register

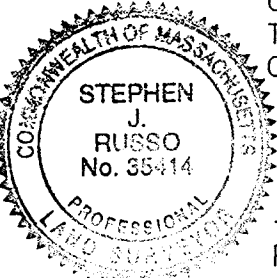
FOR REGISTRY USE ONLY

- PLAN REFERENCES:
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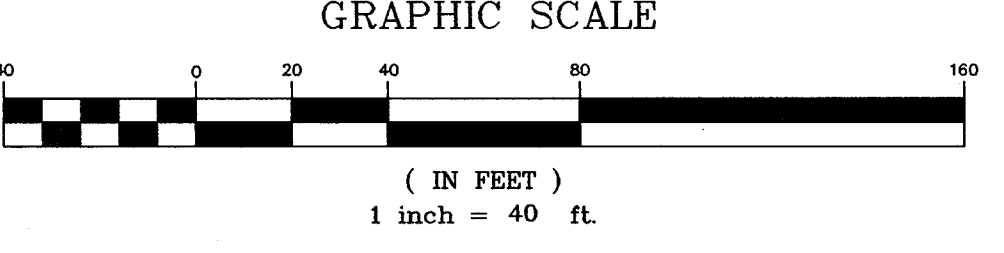
MEDWAY PLANNING BOARD
[Signature]
[Signature]
[Signature]

DATE APPROVED DECEMBER 12, 1995
DATE ENDORSED August 20, 1996
BEING A MAJORITY

APPROVED 12/12/95 SUBJECT TO COVENANT
CONDITIONS SET FORTH IN A COVENANT
EXECUTED BY: GREGORY J. CORAS
AND Thomas S. Cimino, TRUSTEES
DATED 9/16/96, AND TO BE
RECORDED HEREWITH.



I CERTIFY THAT THE PREPARATION OF THIS PLAN
CONFORMS TO THE RULES AND REGULATIONS OF
THE REGISTRY OF DEEDS OF THE COMMONWEALTH
OF MASSACHUSETTS.
[Signature] 4-18-96
PROFESSIONAL LAND SURVEYOR DATE



- - CONCRETE BOUND TO BE SET
- - IRON PIN TO BE SET

REVISION DATE:	DESCRIPTION
OWNER AND DEVELOPER:	KINGS LANE REALTY TRUST 46 KINGS RD., NORWOOD, MA
ZONE CLASSIFICATION:	AGRICULTURAL AND RESIDENTIAL DISTRICT II 22,500 s.f.-150' FRONTAGE
ASSESSORS REFERENCE:	MAP 6, PARCEL 11

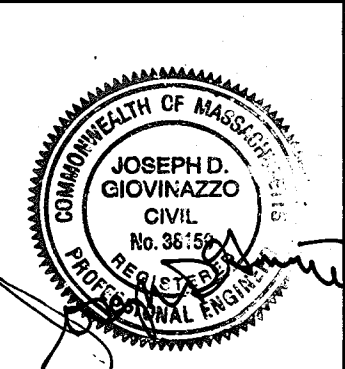
CAMELOT III (AMENDED)
MEDWAY, MASSACHUSETTS

PROPERTY LINE PLAN
AND LOT LAYOUT

GCG ASSOCIATES, INC.
LYNNFIELD MASSACHUSETTS

SCALE: AS NOTED DATE: FEBRUARY 26, 1996

JOB NO./FILE NAME: 9593/OMH1	DESIGNED BY: J.T.C. DRAWN BY: S.E.P. CHECKED BY: J.D.G.	PLAN NO. 3 OF 11
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Norfolk Registry of Deeds
Dedham, Mass.

Received Oct. 2, 19 96
With Deed
Robert C. Levy to
Thomas S. Cimeno Jr. & Al
Filed as No. 639 of 19 96
Pl. Bk. 442
Attest: [Signature]
Register

PLAN REFERENCES:

1. AN UNRECORDED PLAN ENTITLED "EVERGREEN GLEN, DEFINITIVE SUBDIVISION IN MEDWAY, MASS.", SCALE 1"=40', DATED JULY 21, 1989, PREPARED BY DESIMONE SURVEYING SERVICES INC., 38 COFFEE ST., MEDWAY, MA.
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MEDWAY PLANNING BOARD

[Signature]
[Signature]
[Signature]

DATE APPROVED DECEMBER 12, 1995

DATE ENDORSED Aug 28 1996
BEING A MAJORITY

APPROVED 12/12/95 SUBJECT TO COVENANT
CONDITIONS SET FORTH IN A COVENANT
EXECUTED BY: GREGORY J. CORAS
AND THOMAS S. CIMENO, TRUSTEES

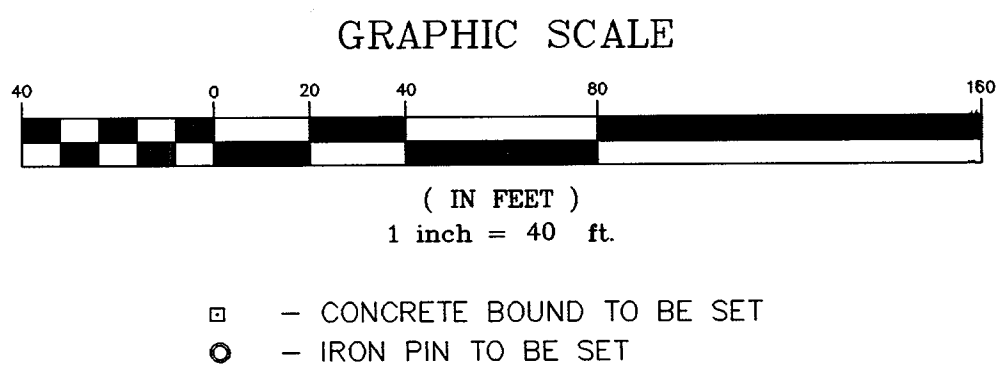
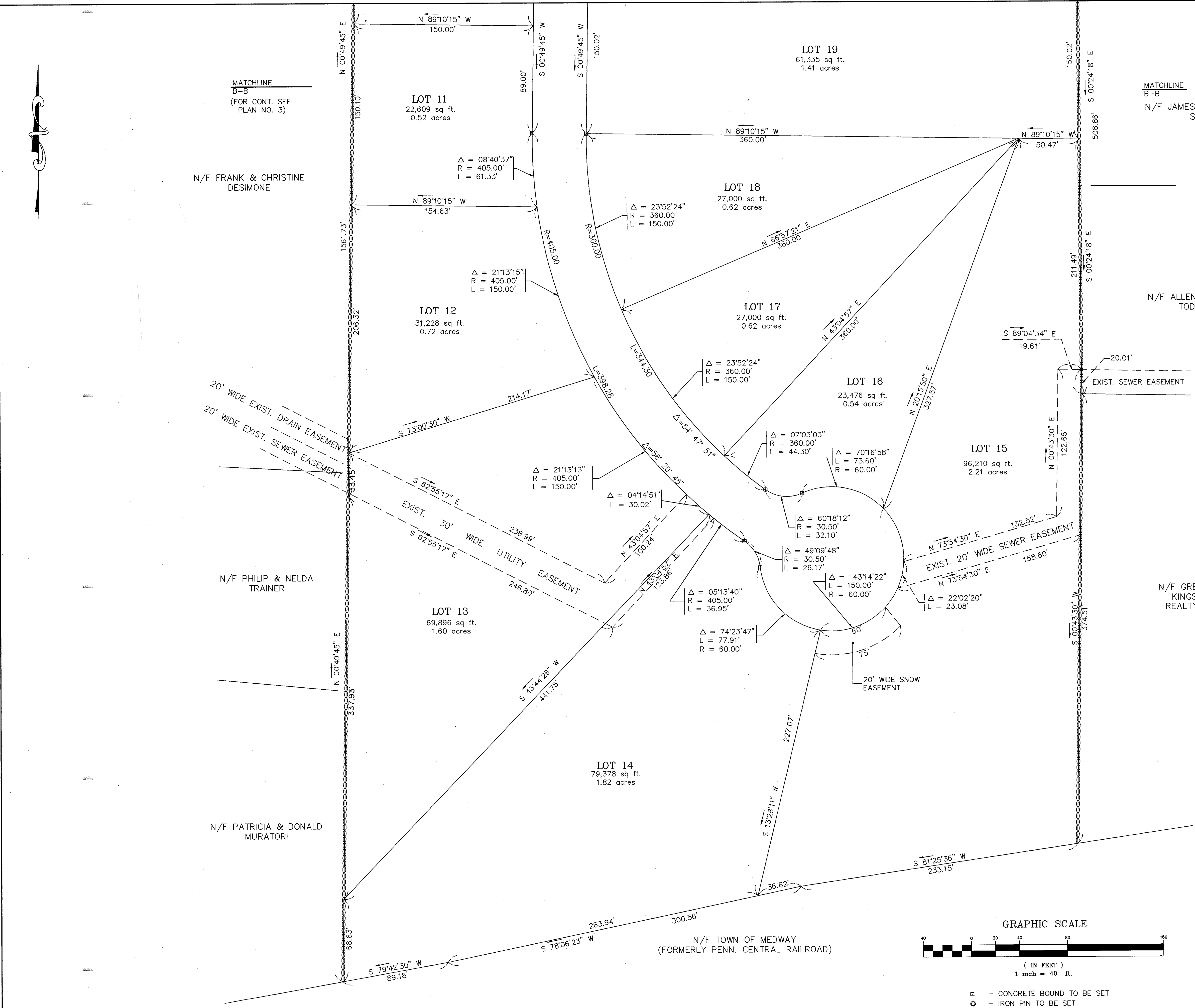
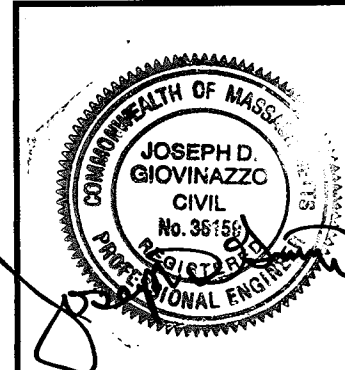
DATED 9/6/96, AND TO BE
RECORDED HERewith.

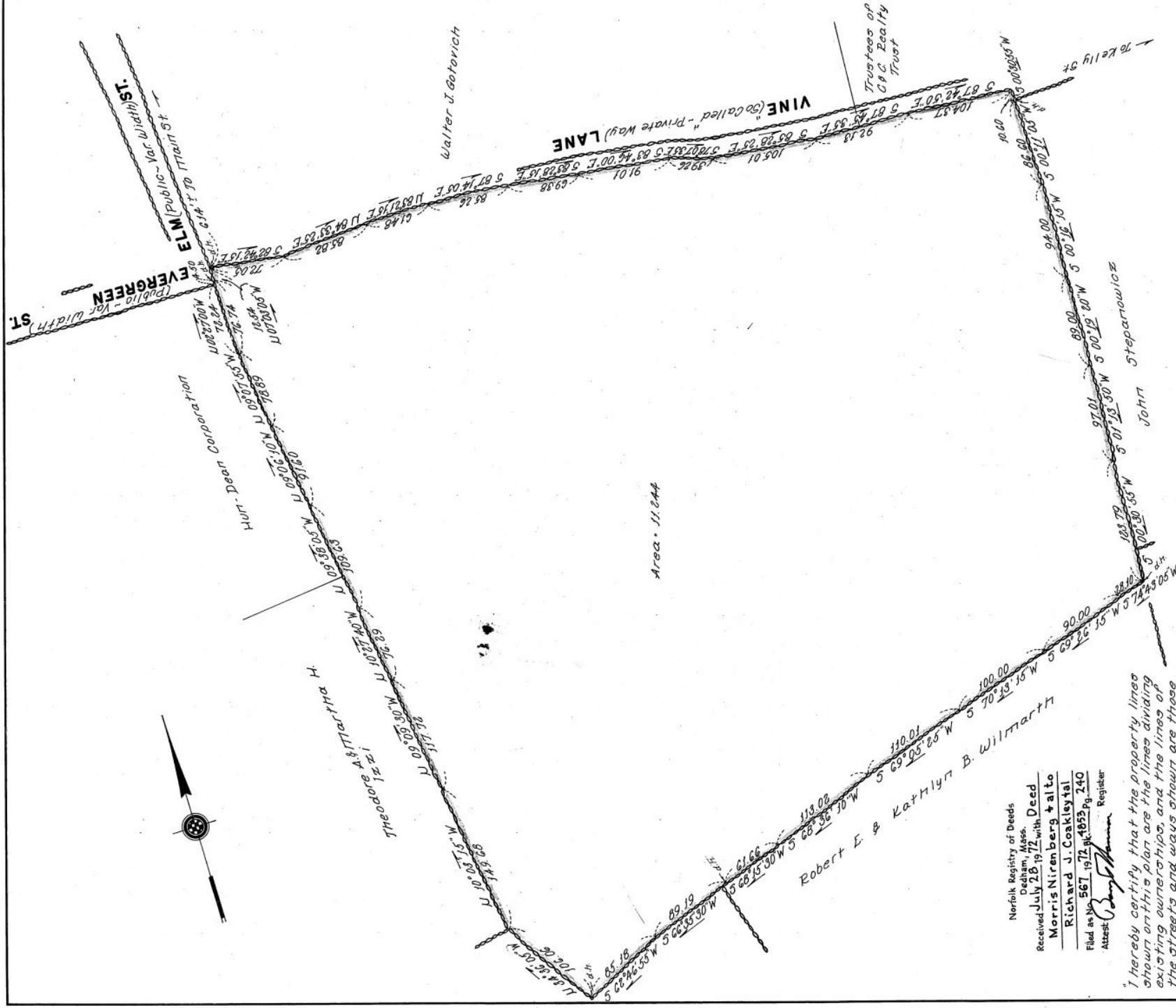
I CERTIFY THAT THE PREPARATION OF THIS PLAN
CONFORMS TO THE RULES AND REGULATIONS OF
THE REGISTRY OF DEEDS OF THE COMMONWEALTH
OF MASSACHUSETTS.



[Signature] 4-18-96
PROFESSIONAL LAND SURVEYOR DATE

REVISION DATE: DESCRIPTION	
OWNER AND DEVELOPER: KINGS LANE REALTY TRUST 46 KINGS RD., NORWOOD, MA	
ZONE CLASSIFICATION: AGRICULTURAL AND RESIDENTIAL DISTRICT II 22,500 s.f.-150' FRONTAGE	
ASSESSORS REFERENCE: MAP 6, PARCEL 11	
CAMELOT III (AMENDED) MEDWAY, MASSACHUSETTS	
PROPERTY LINE PLAN AND LOT LAYOUT	
GCG ASSOCIATES, INC.	
LYNNFIELD MASSACHUSETTS	
SCALE: AS NOTED	DATE: FEBRUARY 26, 1996
JOB NO./FILE NAME: 9593/OMH2	DESIGNED BY: J.T.C. DRAWN BY: S.E.P. CHECKED BY: J.D.G.
PLAN NO. 4 OF 11	





Norfolk Registry of Deeds

Oakham, Mass.

Received July 20, 1972 with Deed

Morris Nirenberg & alio

Richard J. Caskleytal

Filed as Map 567 1972, 4853 pg. 240

Attest: *[Signature]* Register

I hereby certify that the property lines shown on this plan are the lines dividing existing ownerships, and the lines of the streets and ways shown are those of public or private streets or ways already established, and that no new lines for division of existing ownership or for new ways are shown.

Registered Surveyor *[Signature]* Date 7/25/72

Plan Reference
Property line information taken from an unrecorded
Plan of Land for Stanley Gottlieb by Bowie Engineering
Co. Dated: October 6, 1958

Plan of Land in
MEDWAY, MASS.
Property of - Morris Nirenberg
Scale: 1" = 60'
GUEBBIERE & HALLION, INC.
Engineering and Land Surveying
101 Main Street, Millis, Mass.
Offices in Millis & Milford, Mass.



[Signature] John D. Halmon, Jr.
(1967/72)

VILLA DRIVE EXTENSION

TO: PLANNING AND ECONOMIC DEVELOPMENT BOARD
FROM: BRIDGET GRAZIANO, CONSERVATION AGENT
SUBJECT: VILLA DRIVE EXTENSION
DATE: APRIL 6, 2017

The Conservation Commission has been formally discussing the proposed extension of Villa Drive through a public hearing process for almost one year under DEP #216-0865 with proposed lots under individual DEP numbers and hearings. At the March 23, 2017 meeting the Conservation Commission heard 4 public hearings for the Villa Drive Extension DEP #216-0865 and for the three proposed single family home lots under DEP #216-0873, 874 and 875. At such time, the Commission voted to send the Planning and Economic Development Board a letter reflecting the opinion of the Conservation Commission as it relates to the proposed plan presented, titled, "Sketch Plan of Kelley Street and Vine Lane in Medway, MA" by Andrews Survey and Engineering, Inc., dated March 9, 2017.

The Conservation Commission would like to offer the following information with regards to the above referenced plans:

1. The Conservation Commission does not support the proposed single family home on Lot 4, as the development of this lot will be a wetlands alteration that the Commission feels will adversely affect the wetland resource, not only from the loss of wetlands resources with wildlife habitat (one of eight interests of the Act) but through the fragmentation of a wetland resource. Additionally, the proposed single family home driveway and yard have alterations to the 0-25' No Disturb/No Build Setback under the Medway General Bylaw Article XX and its Regulations for which the Commission does not generally allow alterations unless required for public health or safety. If the Applicant chooses to present as a final plan, the applicant is required to supply a request for a waiver of alterations to the 0-25' No Disturb/No Build Setback under the Medway General Bylaw Article XX and its Regulations and the submission of a preponderance of evidence submitted to the Commission that the proposed lot construction will not adversely affect the wetland resource. The Commission has voiced that this is an alteration that is not required to be granted through the state and local laws. Additionally, as it relates to other permit the Commission is not required to grant any additional wetlands alterations for this lot. See information in Comment 2.
2. The Conservation Commission agreed that access to upland locations has been granted (with approved permit) through wetlands resource crossings for the Kelley Street Lot for the construction of single family home and request this permit under 310 CMR 10.53(3) Limit Project for access to upland locations on the lot under DEP #216-0846. It should be noted that the original parcel was Map 49 Lot 023 for which the property owner received an ANR creating two lots Map 49 Lot 023 and Map 49, Lot 023-0001. In the Commission's opinion is the applicant has created their own hardship by dividing the lot into two parcels with no additional access from Villa Drive for the second parcel Map 49 Lot 023-0001. The Commission is however, open to still allowing the Kelley Street crossing for three units but not to allow for an additional wetland crossing for Lot 4. This will allow the applicant to seek approval of three units instead of the one. If the configuration of the roadway is approved by Planning, as shown on plans titled, "Sketch Plan of Kelley Street and Vine Lane in Medway, MA" by Andrews Survey and Engineering, Inc., dated March 9, 2017, the Commission will request Lot #4 be removed and the original Order of Conditions DEP #216-0849 is closed without any commencement of work in order to allow this plan to move forward.

3. The Commission would request that alterations to the 0-25' No Disturb/No Build Setback under the Medway General Bylaw Article XX and its Regulations are reduce through the removal of Lot 4 and the creation of a shared driveway for Lot 2 and 3. This would allow the movement of the homes on the other lots allowing less impacts to the 100' buffer zone.
4. The Conservation Commission at the site visit noted that the Villa Drive requested crossing is existing and would be upgraded in the reconfiguration of the road was as shown on the plans titled, "Sketch Plan pf Kelley Street and Vine Lane in Medway, MA" by Andrews Survey and Engineering, Inc., dated March 9, 2017. The applicant has also offered to daylight an existing stream at this location.
5. The Conservation Commission agreed that this current proposal has a significant amount of wetlands resource alterations and alterations to the 0-25' No Disturb/No Build Setback under the Medway General Bylaw Article XX and its Regulations. Therefore, the Commission voted that they would supports the Planning and Economic Development granting a waiver or variance to allow only the following, the acceptance of the proposed road as shown on the plans titled, "Sketch Plan of Kelley Street and Vine Lane in Medway, MA" by Andrews Survey and Engineering, Inc., dated March 9, 2017 and if needed the ability to allow the two proposed units for lots 2 and 3 to have a shared driveway. These two would reduce impacts to wetlands resources.
6. The Commission did support requiring the crossing at Villa Drive to be closed as to reduce the traffic in this area.



April 11, 2017
Medway Planning & Economic Development Board
Meeting

ANR – 123 Main Street

- ANR Application dated March 20, 2017
- PGC Review Letter dated March 22, 2017
- Gino Carlucci email dated March 22, 2017
- Revised ANR plan by Colonial Engineering dated March 27, 2017 per PGC review comments
- Emailed from attorney Steven Kenney re: action deadline extension to April 14th.

This is an ANR application from Tom Steeves/ Maritime Housing for 123 Main Street. This parcel currently has split zoning (Central Business and ARII). The ANR plan shows a split of the parcel to match the current zoning district boundary lines. This parcel is one of the properties included on the Town Meeting warrant to be rezoned so that the entire parcel is zoned Central Business. Please review Gino's 3-22-17 email.

LAND SUBDIVISION – FORM A

Application for Endorsement of Plan Believed Not to Require Subdivision Approval (ANR)

Planning & Economic Development Board - Town of Medway, MA

INSTRUCTIONS TO APPLICANT/OWNER

This Application is made pursuant to the Medway Planning Board Subdivision Rules and Regulations.
Please complete this entire Application.

Submit two (2) signed originals of this Application, one copy of the ANR Plan, and one Project Explanation
to the Town Clerk who will date stamp both Applications.

Provide one original ANR Application date stamped by the Town Clerk, one Project Explanation, eight
copies of the ANR Plan, an electronic version of the ANR plan and the appropriate ANR Filing Fee
to the Medway Planning & Economic Development office.

The Applicant certifies that the information included in this Application is a true, complete and accurate
representation of the facts regarding the property under consideration.

In submitting this application, the Applicant and Property Owner authorize the Planning & Economic
Development Board and its agents to access the site during the plan review process.

The Town's Planning Consultant will review the Application, Project Explanation and ANR plan and
provide a recommendation to the Planning & Economic Development Board. A copy of that letter
will be provided to you.

You or your duly authorized agent is expected to attend the Board meeting
when the ANR Plan 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 its review.

March 16, 2017

TO: The Planning & Economic Development Board of the Town of Medway, MA

The undersigned, wishing to record the accompanying plan of property in the Town of
Medway and believing that the plan does not constitute a subdivision within the meaning of the
Subdivision Control Law, herewith submits this Application and ANR Plan to the Medway
Planning and Economic Development Board and requests its determination and endorsement
that the Board's approval under the Subdivision Control Law is not required.

ANR PLAN INFORMATION

Plan of Land in Medway, MA. Scale: 1" = 40' March 3, 2017 Owner: Maritime Housing Fund, LLC, P.O. Box 540073
Plan Title: Millis, MA 02054, Deed Bk. 22544 Page 566, Colonial Engineering, Inc. 11 Awl Street, Medway, MA 508-533-1644

Prepared by: Colonial Engineering, Inc. 11 Awl Street, Medway, MA 508-533-1644

P.E. or P.L.S registration #: 30466 Plan Date: March 3, 2017

PROPERTY INFORMATION

ANR Location Address: Corner of Main and Elm Street, Medway, MA

The land shown on the plan is shown on Medway Assessor's Map # 48 Parcel # 047

Total Acreage of Land to be Divided: 6.3 acres

Subdivision Name (if applicable): n/a

Medway Zoning District Classification: Zone CDI Commercial District I and Zone ARII

CDI- 100 ft. frontage

CDI- 20,000 sq.ft

Frontage Requirement: ARII- 150 ft. front. Area Requirement: ARII- 22,500 sq.ft

Is the road on which this property has its frontage a designated Medway Scenic Road? No

The owner's title to the land that is the subject matter of this application is derived under deed from: BENTON FRANKLIN BANK to MARITIME HOUSING FUND, LLC dated 6-17-05 and recorded in Norfolk County Registry of Deeds, Book 22544 Page 566 or Land Court Certificate of Title Number _____, Land Court Case Number _____, registered in the Norfolk County Land Registry District Volume _____, Page _____.

APPLICANT INFORMATION

Applicant's Name: Maritime Housing Fund, LLC

Applicant's Signature: _____

Address: P.O. Box 540073

Millis, MA 02054

Telephone: 617-480-4448

Email: steevest50@gmail.com

The Applicant hereby appoints Stephen J. Kenney to act as its Agent/ Official Representative for purposes of submitting this application for endorsement of this ANR Plan.

PROPERTY OWNER INFORMATION (if different than applicant)

Property Owner Name: Maritime Housing Fund, LLC

Owner's Signature: _____

Address: P.O. Box 540073

Millis, MA 02054

Telephone: 617-480-4448

Email: steevest50@gmail.com

ENGINEER or SURVEYOR INFORMATION

Name: Colonial Engineering, Inc.

Address: 11 Awl Street

Medway, MA

Telephone: 508-533-1644

Email: _____

ATTORNEY INFORMATION

Name: Stephen J. Kenney Kenney & Kenney

Address: 181 Village Street

Medway, MA 02053

Telephone: 508-533-6711

Email: sjk@kenney-law.com

BBO# 549507

PROJECT EXPLANATION

Provide a cover letter with a detailed explanation of how you propose to divide the land, what land transaction will occur, and what land reconfiguration will result from the endorsement and recording of this ANR Plan.

Attached herewith

APPROVAL NOT REQUIRED JUSTIFICATION

The Applicant believes that the Board's approval under the Subdivision Control Law is not required for the following reasons: *(Check all that apply.)*

- ☐ 1. The accompanying plan does not show a division of land.
- ☒ 2. Every lot shown on the plan has frontage as required by the Medway Zoning Bylaw. The frontage required by the Zoning Bylaw is located on Main Street and Elm Street (name of way(s), which is:
- ☒ a. A public way. Date of street acceptance: _____
- ☐ b. A way certified by the Town Clerk as being maintained and used as a public way. *(Attach Town Clerk's certification)*
- ☐ c. A way shown on a definitive subdivision plan entitled _____
- that was previously endorsed by the Planning and Economic Development Board on _____ and recorded at the Norfolk County Registry of Deeds on _____
- Provide detailed recording information: _____
- ☐ d. A private way in existence on the ground before 1952 when the Subdivision Control Law was adopted in the Town of Medway, which has, in the opinion of the Planning & Economic Development Board, adequate width, suitable grades, and adequate construction to provide vehicular access to the lot(s) for their intended purpose of _____ and to permit the installation of municipal services to serve the lot(s) and any buildings thereon.
- ☒ 3. The division of land shown on the accompanying plan is not a "subdivision" for the following reasons: Adequate frontage in area which has frontage on a
- public way.

ANR PLAN FILING FEE

*\$250 plus \$100/lot or parcel for a plan involving three (3) or more lots/parcels,
not to exceed a maximum of \$750.*

*Please prepare two checks: one for \$95 and one for the balance.
Each check should be made payable to: Town of Medway*

Fee approved 11-2-06.

APPLICATION CHECKLIST – All items must be submitted

_____ 2 signed original ANR applications (FORM A)

_____ 8 prints of ANR plan – 1 for Town Clerk and 7 for Planning

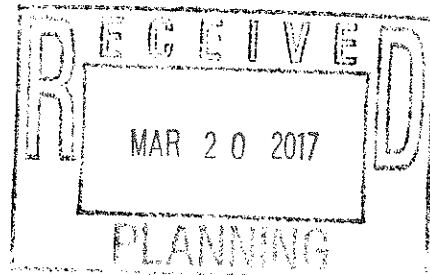
_____ Electronic version of ANR plan for Planning

_____ Project Explanation - 1 for Town Clerk and 1 for Planning

_____ Application/Filing Fee (2 checks)

Date Form A, ANR Plan, and Project Explanation Received by Planning & Economic
Development Board: _____

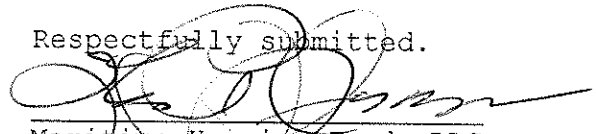
ANR Application/Filing Fee Paid: Amount: \$155 - Check # 545
\$ 95 - Check # 544



PROJECT EXPLANATION OF ANR APPLICATION OF MARITIME HOUSING FUND, LLC
OR REAL ESTATE LOCATED AT CORNER OF MAIN STREET AND ELM STREET IN
MEDWAY, MA

The proposed ANR Plan shows a division of land located on the corner of Main Street and Elm Street, Medway, MA by dividing the lot into two parcels with Lot 1 containing 80,277 square feet, according to the Plan dated March 3, 2017 and Lot 2 containing 4.457 acres, according to the Plan.

Respectfully submitted.



Maritime Housing Fund, LLC
P.O. Box 540073
Millis, MA 02054

PGC ASSOCIATES, LLC

1 Toni Lane
Franklin, MA 02038-2648
508.533.8106
gino@pgcassociates.com

MEMO TO: Medway Planning and Economic Development Board

FROM: Gino D. Carlucci, Jr.

DATE: March 22, 2017

RE: Maritime Housing property on Main and Elm Streets

I have reviewed the ANR plan submitted for endorsement by Maritime Housing Fund, LLC of Millis. The plan was prepared by Colonial Engineering, Inc. of Medway, and is dated March 3, 2017. The plan proposes to divide a parcel of approximately 274,424 square feet into two lots of 80,277 square feet (Lot 1) and 194,147 square feet (Lot 2).

Lot 1 is located in the Central Business district while Lot 2 is located in what is currently the AR-II district, but is proposed to be rezoned to CB at this year's Annual Town Meeting. Lot 2 is also within the Multifamily Housing overlay district. Lot 2 is labeled as "Not a Buildable Lot Under Town of Medway Zoning Bylaws."

I have comments as follows:

1. The plan meets the substantive and most technical requirements for ANR endorsement.
2. Section 3.2.1 requires a locus map and address of the land in question, neither of which appear on the plan.
3. The plan lists the dimensional requirements for the C-I district, which no longer exists. This should be replaced with the requirements for the CB district.

I recommend that the technical issues be corrected and that the plan then be endorsed by the Board.

Susan Affleck-Childs

From: gino4634@gmail.com on behalf of Gino Carlucci <gino@pgcassociates.com>
Sent: Wednesday, March 22, 2017 10:56 AM
To: Susan Affleck-Childs
Subject: Re: ANR plan - 123 Main STreet
Attachments: Main -Elm - Maritime Housing 3-22-17.docx

Hi Susy,

I have attached my comments on this ANR plan. The comments are done in terms of existing conditions (i.e.current zoning). As to how this impacts (or may be impacted by) the proposed zoning change, I think it raises both a policy and a technical issue. The policy issue is: Is the goal of the proposed rezoning simply to eliminate split parcels or is it also desired to include the entire current parcel within the CB district? If it is simply to remove the split zoning, then this ANR does that. If it is to include the entire parcel in the CB district (which I think makes a lot of sense), then I think we need to be clear that the proposal for rezoning is meant to include the entire parcel as it existed at the time it was submitted to be on the warrant and not after the ANR was endorsed and recorded. If the applicant is in favor of the zoning change, then he could simply wait to record the plan until after Town Meeting.

The technical issue is that Lot 2 is labeled as a non-buildable lot due to lot shape factor. If Lot 2 remains in AR-II, the issue of access through the frontage on Elm Street could become a factor (though probably not). A single crossing of the wetlands will not be as large an issue as multiple crossings on a previous plan were. Furthermore, access through an easement on Lot 1 is likely feasible since multifamily residential development is allowed in CB as well as within the Multifamily Housing overlay district, and I have to believe that that would be the intent (at least most logical). Furthermore, if the change to CB is approved, there is no frontage requirement in CB so the Elm Street frontage becomes a non-issue.-- Gino

On Tue, Mar 21, 2017 at 1:58 PM, Susan Affleck-Childs <sachilds@townofmedway.org> wrote:

Hi Gino,

Received this yesterday. Tom Steeves wants to split his parcel at 123 Main Street into 2 parcels along the line of the current boundary between Central Business and AR-II. Please review and prepare your standard review letter. Note sure if the Board will address this at its 3-28 or 4-11 meeting. We might skip next week.

This is one of the parcels we have proposed a zoning map amendment to eliminate the split zoning and to rezone it all as Central Business. Does this application impact that?

Susy

Susan E. Affleck-Childs

Planning and Economic Development Coordinator

Town of Medway

155 Village Street

Medway, MA 02053

[508-533-3291](tel:508-533-3291)

sachilds@townofmedway.org

Town of Medway – *A Massachusetts Green Community*

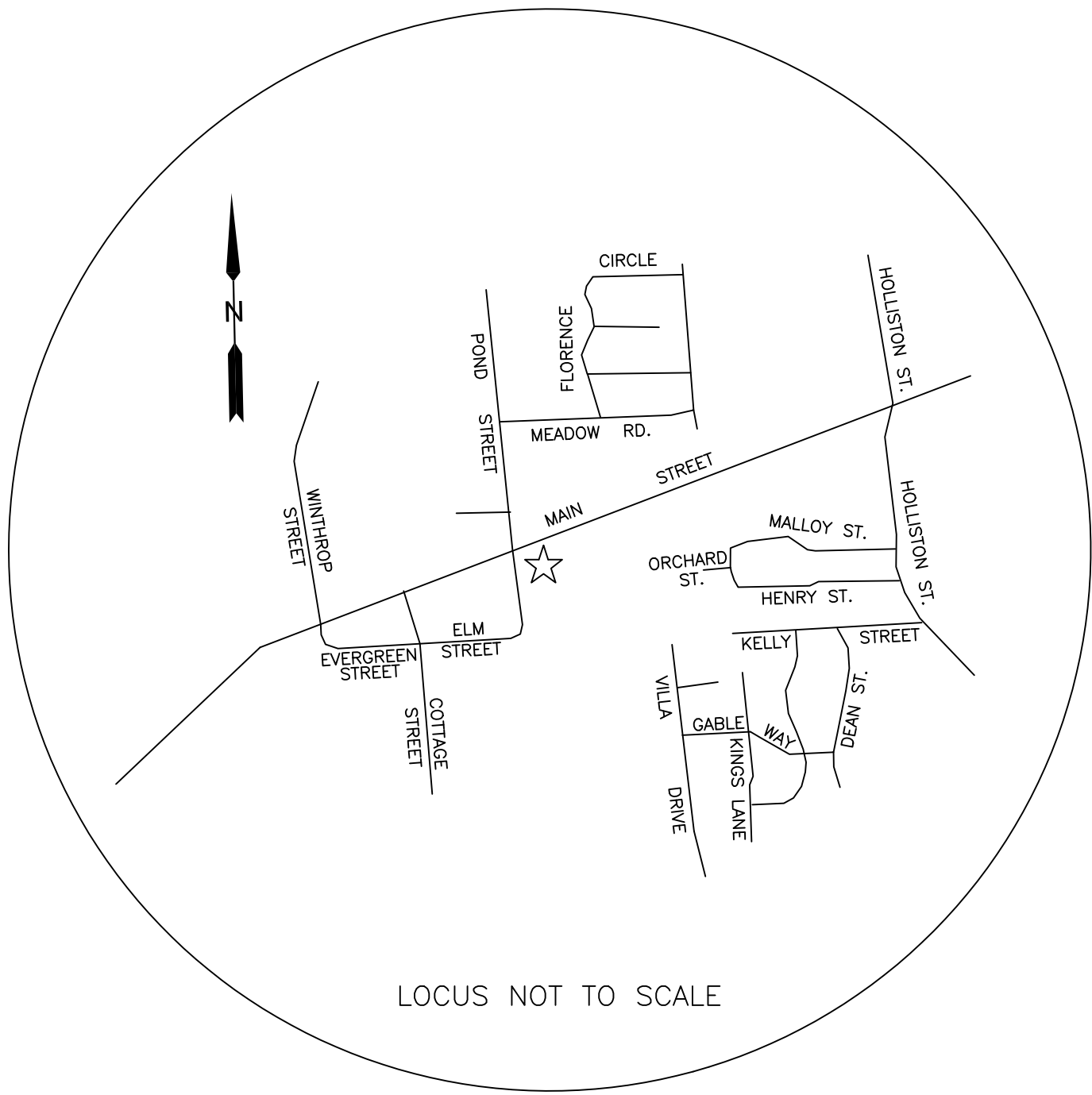
Please remember when writing or responding, the Massachusetts Secretary of State has determined that e-mail is a public record.

The information in this e-mail, including attachments, may contain privileged and confidential information intended only for the person(s) identified above. If you are not the intended recipient, you are hereby notified that any dissemination, copying or disclosure of this communication is strictly prohibited. Please discard this e-mail and any attachments and notify the sender immediately.

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

DATE: MARCH 27, 2017

PLAN BY G. & H. DATED FEB. 23, 1999



CMR INVESTMENT LLC
MAP 40-071

C&C REALTY TRUST
MAP49-001

C&C REALTY TRUST
S 03°00'34" E
160.71'

ZONE LINE CENTRAL BUSINESS
AR II

S 82°03'08" E 63.63'
S 89°36'47" E 23.85'
N 88°26'38" E 273.30'

APPROVAL UNDER SUBDIVISION CONTROL
LAW IS NOT REQUIRED.
DATE APPROVED: _____

TOWN OF MEDWAY PLANNING BOARD

"PLANNING BOARD ENDORSEMENT DOES NOT CONSTITUTE A DETERMINATION OF COMPLIANCE WITH THE MEDWAY ZONING BY-LAWS."

NOTE: PROPERTY SHOWN ON THIS PLAN IS NOT CLASSIFIED AS CHAPTER 61A OR 61B.

NOTE: WETLAND LINES SHOWN APPROVED BY MEDWAY CON. COMM. 5/8/14

SHOWN ON MAP 48 AS PARCEL 047 CONTAINING APPROXIMATELY 6.3 ACRES.

123 MAIN STREET
PLAN OF LAND

IN
MEDWAY, MA.

SCALE: 1"=40' MARCH 27, 2017

OWNER: Maritime Housing Fund, LLC
P.O. Box 540073
Millis, Ma. 02054
Deed Bk. 22544 Page 566

COLONIAL ENGINEERING INC.
11 AWL STREET MEDWAY, MA.
508-533-1644



120 MAIN STREET REALTY TRUST
MAP39-069

CUMBERLAND FARMS INC.
MAP 39-070

ROBERT & CHRYL
HAMILTON
MAP 39-029

MAIN

(PUBLIC 60' WIDE 1921 COUNTY LAYOUT)
STREET

LOT 1
80,277 SQ. FT.
UPLANDS
41,936 SQ. FT.
16.23 SHAPE FACTOR

CMR INVESTMENT LLC
MAP 48-046

LOT 2
4.457 ACRES
UPLANDS
64,880 SQ. FT.
39.43 SHAPE FACTOR
NOT A BUILDABLE LOT
UNDER TOWN OF MEDWAY
ZONING BY-LAWS

ELMWOOD REALTY TRUST
MAP48-048

CHERYL ROSENBERG
MAP 49-032

ZONE AR II
22,500 S.F.
150' FRONTAGE
35' SETBACK
15' SIDEYARD
15' REARYARD

ZONE CB
10,000 S.F.
N/A FRONTAGE
10' SETBACK
25' SIDEYARD (ABUTTING RES.)
25' REARYARD

BRENDON & ASHLEY FELKER
MAP 48-038

THOMAS GEYSER
MAP 48-037

ELM

(PUBLIC VARIABLE WIDTH)
(SCENIC)

ZONE LINE CENTRAL BUSINESS
AR II

STREET

WETLANDS

WETLANDS

WETLANDS

WETLANDS

WETLANDS

L48.50'
Δ=79°02'15"
R35.16'

N 08°52'45" W 50.68'

N 08°36'09" W 85.25'

N 08°04'46" W 47.64'

N 09°15'06" W 21.39'

N 07°14'04" W 43.40'

N 07°29'07" W 59.29'

N 88°09'34" W 51.16'

N 89°13'05" W 45.82'

N 89°23'16" W 164.39'

N 89°41'05" W 137.41'

N 89°10'34" W 127.44'

N 89°36'46" W 75.47'

N 00°30'27" W 137.81'

S 88°00'48" E 137.81'

S 88°28'24" E 189.64'

S 88°18'45" E 185.02'

S 82°03'08" E 63.63'

N 89°36'47" E 23.85'

N 88°26'38" E 273.30'

S 03°00'48" E 319.63'

Susan Affleck-Childs

From: Steve Kenney <sjk@kenney-law.com>
Sent: Tuesday, March 28, 2017 11:13 AM
To: Susan Affleck-Childs; steevest50@gmail.com
Subject: 123 Main Street ANR-Martime Housing

Susie,

Yes we agree to extend the time frame for the planning board to act upon the ANR plan to the date of April 14, 2017. I appreciate your cooperation and assistance in the matter. If you need any additional information from me please let me know. I have also forwarded the comments from Gino Carlucci to Paul DeSimone for action on the plan. Thanks again.

Steve Kenney
Kenney & Kenney
181 Village Street
Medway, MA
508-533-6711 (Phone)
508-533-6904 (Fax)



April 11, 2017
Medway Planning & Economic Development Board
Meeting

Correspondence

- March 31, 2017 email from MAPC announcing approval of \$20,000 in District Local Technical Assistance Funds for the Tiny House research project.
- April 3, 2017 letter to Robert Briggs re: violation of Scenic Road Rules and Regulations for property on Adams Street.

Susan Affleck-Childs

From: Erickson, Jennifer <JErickson@mapc.org>
Sent: Friday, March 31, 2017 4:48 PM
To: Susan Affleck-Childs
Cc: Torres-Cullinane, Emily C.; Miao, Gregory; Weyant, Elizabeth; Byrne, Steven; Huezo, Diego; Linehan, Amanda; Racicot, Mark
Subject: Award of MAPC Technical Assistance to SWAP and TRIC Subregions for Tiny/Compact Housing Research Project

Dear Susy,

Congratulations! This email confirms the technical assistance award that Executive Director Marc Draisen announced at this morning's SWAP meeting. MAPC staff look forward to working with you on this research project, which will explore the potential for tiny and compact housing types in the SWAP and TRIC subregions.

MAPC technical assistance is made possible through a range of sources, including District Local Technical Assistance, Planning for MetroFuture Technical Assistance, and foundation grants. Awards are also made in alignment with the Administration's Community Compact Cabinet Best Practices Program. The funding source for your technical assistance award is the 2017 District Local Technical Assistance Program.

Project Scoping and Budgeting

In the coming weeks, a project manager will be assigned to your project who will work with you to finalize the scope of services and budget. Once the scope is signed by MAPC and you on behalf of the participating communities, project work will proceed. The total amount of your technical assistance award is \$20,000. If you indicated the allocation of municipal cash or in-kind resources towards this project in your TAP submittal, MAPC staff will also be in touch with you to enter into a contract for work funded through municipal resources.

Communications

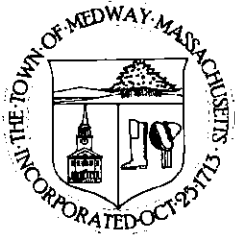
MAPC will work with you to share information about this project to the media and legislators at appropriate times throughout the project. Now that the award is official, members of the MAPC communications team may be in touch to discuss media opportunities. When the timing for press is appropriate, we will be looking for quotes from you and other community leaders related to this grant. We will also be in touch with state representatives and senators, whose support is critical to the funding sources of our Technical Assistance Program.

We look forward to working with you in 2017!

All the best,
Jenn Erickson

Jennifer Sien Erickson
MANAGER, TECHNICAL ASSISTANCE PROGRAM
Metropolitan Area Planning Council
60 Temple Place, Boston, MA 02111
[617-933-0759 jerickson@mapc.org](mailto:jerickson@mapc.org)
Technical Assistance Program: www.mapc.org/TAP

Please be advised that the Massachusetts Secretary of State considers e-mail to be a public record, and therefore subject to the Massachusetts Public Records Law, M.G.L. c. 66 § 10.



TOWN OF MEDWAY
DEPARTMENT OF PUBLIC SERVICES
MEDWAY, MASSACHUSETTS

*Entrusted To
Manage The
Public
Infrastructure*

DAVID D'AMICO
DIRECTOR

BARRY SMITH
DEPUTY DIRECTOR

April 3, 2017

Shady Oaks Realty Trust
Robert Briggs et al Trustee
38 Winthrop Street / 30 Winthrop Street
Medway, MA 02053

Re: 38 Winthrop Street Violations
Medway Planning & Economic Development Board Rules & Regulations Section 400
Medway General By-Laws Section 12.5

Dear Mr. Briggs:

Please be advised that construction activity observed along Adams Street fronting your property with the address of 38 Winthrop Street is in violation of Town of Medway ordinances. The Town of Medway DPS Manager and Tree Warden, Fred Sibley, spoke to Mr. Andrew Briggs on February 2, 2017 concerning the matter. Large piles of debris are covering and potentially damaging a stone wall in the Town's right-of-way. The debris is spilling into the Adams Street roadway layout. Mr. A. Briggs stated that he was aware of the issue. He said there was a mix up on the unloading of the stone and that he was planning on cleaning it up within a week. As of the date of this letter, the debris remains unaltered. In addition, an opening has been created in the stone wall to create a new egress to the property. As such, please be advised of the following:

- Per the Town of Medway's General By-Law, Section 12.5, "No person shall deposit within any public streets or way of the town, any stones, ashes, etc." You are in violation of this section which carries with it a fine up to \$100.00 per day of said violation.
- Per the Town of Medway's Planning & Economic Development Board (P&EDB) Rules & Regulations Section 400, Scenic Roads, "any repair, maintenance, reconstruction, or paving work done with respect thereto shall not involve or include the cutting or removal of trees, or the tearing down or destruction of stone walls, etc." Such work requires a permit. Per section 406-4, violations of this regulation carry with it a fine of up to \$1000.00 per day of said violation.

Upon registered delivery of this notice, you are hereby ordered to immediately file application for a *Scenic Road Work Permit* with the P&EDB. Such application must be received by Ms. Susy Afleck-Childs, Planning Coordinator, no later than close of business April 10, 2017. Restoration measures and schedule, as determined by the P&EDB after a Scenic Road public hearing, will be required.

- Beginning April 11, 2017, if you fail to file application for a *Scenic Road Work Permit* with the P&EDB, you will be considered in violation of General By-Law 12.5 and in violation of P&EDB Rules & Regulations Chapter 400.

HIGHWAY - WATER - SEWER - FLEET - PARKS - FACILITIES - SOLID WASTE

- Per section 12.9(h) of the General By-Law and Section 406-4 of the P&EDB Rules & Regulations Chapter 400, you will be assessed the following fines until proper application is filed. Penalties and fines may continue per the order of the P&EDB until restoration is completed.

Date of Penalty	Offense	Penalty per 12.9(h)	Penalty per 406-4	Daily Total
April 11, 2017	First	Warning	\$100.00	\$100.00
April 12, 2017	Second	\$25.00	\$500.00	\$525.00
April 13, 2017	Third	\$50.00	\$1,000.00	\$1,050.00
April 14, 2017	Fourth	\$100.00	\$1,000.00	\$1,100.00
Each Subsequent Day	On-Going	\$100.00	\$1,000.00	\$1,100.00

- Fines will be cumulative.
- Fines will continue until proper permit application is filed with the P&EDB.
- Penalties and fines may continue per the order of the P&EDB until restoration is completed.
- Any further work in the right of way performed without proper permits whether restorative or not will not negate the requirement for a permit nor will it cause any fines to be waived or ceased. This timetable is non-negotiable.
- The Medway Department of Public Services will perform clean-up work if required for public safety reasons. Any and all costs associated with this work shall be billed to you. Such work will be minimal and will not negate the need for a permit by you.

I urge you to submit the application for a Scenic Road Work Permit immediately to Susy Affleck-Childs. She can be reached at 508-533-3291 or sachilds@townofmedway.org.

Sincerely yours,



David D'Amico
DPS Director

xc: Ms. Susy Affleck-Childs, P&EDB Coordinator
Mr. Jack Mee, Building Inspector
Mr. Fred Sibley, Tree Warden
Mr. Michael Boynton, Town Administrator
Mr. Barry Smith, DPS Deputy Director















April 11, 2017
Medway Planning & Economic Development Board
Meeting

Other Business

- Request for Consultant Proposals to update Medway's Open Space and Recreation Plan.
 - a. CPC and BOS have recommended \$25,000 in CPA funds for this project.
 - b. Member of PEDB needed to site on the OSRP Update Task Force
 - c. Emailed RFP on 4-6-17 to 17 consultants and posted to the massplanners listserv.
 - d. Proposals due 5-1-17
- Proposed new Stormwater and Land Disturbance General Bylaw for consideration at the May Town Meeting.
 - a. Developed by Gino Carlucci under contract with the Conservation Commission in conjunction with Bridget Graziano, Tom Holder, Dave D'Amico, Stephanie Mercandetti and Susy Affleck-Childs.
 - b. Meets MS4 requirements



TOWN OF MEDWAY

Department of Community and Economic Development
155 Village Street, Medway, MA 02053

April 6, 2017

REQUEST FOR PROPOSALS UPDATE to MEDWAY OPEN SPACE AND RECREATION PLAN

Introduction - The Town of Medway is requesting Consultant proposals for the preparation of an update to the 2010 Medway Open Space and Recreation Plan (OSRP) pursuant to the requirements of the Division of Conservation Services (DCS) within the Executive Office of Energy and Environmental Affairs (EOEEA). Medway's current OSRP may be viewed online at the Town's web site as follows: <http://www.townofmedway.org/sites/medwayma/files/uploads/open.pdf>. The State's recognition of Medway's Open Space and Recreation Plan will expire in June 2017.

Goals for Updating the OSRP – It is the Town's desire that the process for updating the OSRP will also:

- Provide guidance on the process and criteria for the Town to use in considering future land acquisitions, conservation restrictions and/or easements for open space, trails and recreational activities
- Identify opportunities for public connections to other open space and recreational resources in nearby communities.
- Help the Town establish a plan for the management of its open space resources including monitoring, maintenance and enforcement
- Assist the Town in determining and clarifying the various roles and responsibilities of various Town boards, committees, departments and private entities such as homeowners associations to manage the Town's open space resources
- Serve as the basis for seeking public and private grants and financial resources to support the acquisition of additional open space and recreational resources

OSRP Update Task Force - The Planning and Economic Development Board will establish an Open Space and Recreation Plan Update Task Force to work on the preparation of the Plan with the selected Consultant. The Task Force will include a representative from the Open Space Committee, Conservation Commission, Board of Parks Commissioners, Planning and Economic Development Board, School Committee, Board of Selectmen or their designees, and an unaffiliated resident. Key Town staff involved in planning, conservation, and public facilities operations/maintenance will provide staff support and guidance.

The Consultant shall coordinate the preparation of an update of Medway's OSRP based on the most current and readily available information/data about Medway to address the following standard elements of a Massachusetts OSRP.

- Regional context, population characteristics and growth/development patterns
- Identification, environmental inventory, mapping and analysis of the community's unique natural resources
- Inventory, assessment and mapping of Medway's public, private, and non-profit conservation, open space and recreation resources and other properties of interest
- American with Disabilities Act (ADA) Self Evaluation Report including an evaluation of accessibility to Medway's open space and recreational facilities and a Transition Plan.
- Analysis of Medway's resource protection and land management needs
- Community's broad open space and recreation goals
- Goals and objectives and a detailed 7 year action plan including land acquisition
- Description of public participation/community engagement in the OSRP planning process

The Consultant shall also develop the following additional components to the OSRP:

- Review of other Town planning documents regarding recreation and open space including the 2009 Medway Master Plan, the 2013 Parks, Open Space and Athletic Fields Master Plan Report by Gale Associates, the Management Goals for Medway's Open Space and Conservation Lands adopted by the Conservation Commission and Open Space Committee in 2015, and the recent Parks and Fields Improvement Plan for Choate Park, Cassidy Fields, Oakland Park, and the Middle School.
- Review of the community's progress toward meeting the goals of Medway's 2010 OSRP.
- Review of the Town's current land management plans for Town owned open space parcels.
- Review of regional open space and recreational initiatives with an eye to cooperative opportunities.
- Development of a template for best land management practices for the Town's open space parcels.
- Recommended annual budget for the upkeep and maintenance of the Town's open space parcels.

Deliverables – The final deliverable will be an updated OSRP including all identified components. This shall be provided as ten bound and color printed copies and an electronic WORD document.

Consultant's Proposal - At a minimum, the proposal should describe how the Consultant will approach the following:

- Preparation of the various components of the Open Space and Recreation Plan
 - ✓ Process to be used for development of the OSRP goals and 7 year action plan.
 - ✓ Involvement by the Open Space and Recreation Plan Update Task Force, Town staff, and key boards and committees in the development of the plan.
- Preparation of the ADA Self Evaluation Report. The Town is receptive to the use of a sub-contractor for this component.

- Public participation. A multi-faceted approach to community engagement is desired beyond the minimum required by DCS and should include outreach to residents, key property owners, and various area conservation/open space organizations. At a minimum the outreach should include:
 - ✓ the development and analysis of a public opinion survey regarding the community's vision for open space/recreational facilities
 - ✓ a series of at least three public forums/visioning sessions
 - ✓ other forms of community engagement/citizen participation that could be effective.

The proposal should also include the following:

- Overall schedule for completion of the OSRP update
- Specification of assistance/information/support services needed from Town staff to undertake this project
- Resumes of key personnel assigned to the project
- Identification and credentials of any sub-contractors the consultant will engage to complete various components of the Plan
- List of at least three communities for which your firm has compiled an Open Space and Recreation Plan within the last five years and corresponding contact information

The proposal should not exceed fifteen pages.

The Town of Medway will:

- Coordinate scheduling and logistics of Task Force meetings and community forums.
- Secure a representative of the disabled community to be available for site visits to assist in the preparation of the ADA Self Evaluation Report.
- Produce the needed maps in coordination with the Consultant.
- Handle submittal of the draft OSRP to the Division of Conservation Resources for review and comment, seek public comment from local and regional planning officials, and incorporate those comments into the final plan.

Budget - Funding for the update to Medway's OSRP is dependent on authorization, by Town Meeting in May 2017, of the use of Community Preservation Act funds. We request a lump sum proposed budget, which will include all labor and expenses required to complete the project. Please include an hourly estimate of the work hours for each task identified in your scope of work to be performed. Clearly specify the costs of any subcontractors.

Time Frame – The Consultant shall complete the project within nine months after a contract is signed which is expected in early July 2017.

Town Leadership – The Consultant shall report to the Medway Community and Economic Development office.

Proposal Submittal - Sealed proposals will be received at the Medway Community and Economic Development office, 155 Village Street, Medway, MA 02053 **until 4:00 PM, on Monday, May 1, 2017.**

- Ten copies of the proposals are to be submitted in a sealed envelope and marked “OSRP Plan Proposal”. The proposal shall also be provided in electronic format (email, disc, thumb drive or ftp site).
- The price proposal shall be provided in a separate sealed envelope marked “OSRP Cost Proposal”.

Review of Proposals - The Open Space and Recreation Plan Update Task Force will review the proposals, rank the applicants, and select a finalist to recommend to the Town Administrator/Board of Selectmen. Depending on the number and quality of proposals, interviews may be scheduled. The Town of Medway reserves the right to reject any proposal or any parts thereof deemed not to be in the best interest of the Town of Medway.

Consultant proposals will be evaluated based on the following criteria:

- Familiarity with the OSRP guidelines developed by the Executive Office of Energy and Environmental Affairs – Division of Conservation Services and experience in preparation of OSRP plans
- Qualifications of personnel assigned to the project
- Thoughtfulness and thoroughness of proposed methodology/approach to the project
- The effectiveness of the consultant’s interpersonal and presentation skills as evidenced during the interview process
- Creativity of the plan for citizen participation/community engagement
- Cost effectiveness of price proposal

Contract - The selected Consultant will be required to enter into a contract/agreement with the Town of Medway. Upon the acceptance of a Consultant’s proposal, the Town will prepare and submit an Agreement to the successful Consultant for execution. In the event that the successful Consultant fails, neglects, or refuses to execute the Agreement within two weeks after its receipt from the Town, the Town may, at its option, cancel the award and make a new award to another proposer, or reject all proposals and issue a new RFP, or cancel the proposal entirely.

Questions - If you have any questions, please contact the Medway Community and Economic Development office at 508-321-4890. Staff members include Stephanie Mercandetti, Bridget Graziano, and Susy Affleck-Childs.

PROPOSED Replacement General Bylaw For Town Meeting Consideration – May 8, 2017

Article XXVI

Stormwater Management and Land Disturbance

SECTION 26.1 AUTHORITY

This bylaw is adopted in accordance with the authority granted by M.G.L. Chapter 43B, Section 13.

SECTION 26.2 PURPOSE

The purpose and intent of this bylaw is to fulfill the Town's obligations under the Clean Water Act (33 U.S.C 1251 & seq.) (the "Act") and under the Town's National Pollution Discharge Elimination System ("NPDES") permit. More specifically, its purpose is the following:

1. To protect the waters of the U.S. as defined in the Act and implementing regulations from uncontrolled Discharges of Storm Water or discharges of contaminated water which have a negative impact on the receiving waters by changing the physical, biological and chemical composition of those waters resulting in an unhealthy environment for aquatic organisms, wildlife and people;
2. To establish a comprehensive and fair system of regulation of discharges to the Town's Municipal Separate Storm Sewer System (MS4);
3. To prohibit illicit connections and unauthorized discharges to the MS4;
4. To require the removal of all such illicit discharges;
5. To comply with Town, state and federal regulations related to storm water discharges, including but not limited to point sources, construction or industrial activities, and post-construction runoff by establishing provisions for the long-term responsibility for and maintenance of structural stormwater control facilities; and
6. To establish legal authority to ensure compliance with the provisions of this bylaw through inspection, monitoring and enforcement.

SECTION 26.3 DEFINITIONS

Except as listed below, words, all terms, abbreviations and acronyms that appear in this bylaw and are also defined in Appendix A of the Final 2016 Massachusetts Small MS4 General Permit ("Appendix A") signed April 4, 2016 with an effective date of July 1, 2017, (MS4 General Permit) or as most recently amended, shall be construed to have the meaning presented in Appendix A.

Common Plan of Development - A "larger common plan of development or sale" is a contiguous area where multiple separate and distinct construction activities may be taking place at different times on different schedules under one plan. This Bylaw shall apply to land or parcels of land that are held in common ownership (including ownership by related or jointly-controlled persons or entities) as of the effective date of this Bylaw. A development shall not be segmented or phased in a manner to avoid compliance with this Bylaw. For example, if a developer buys a 20-acre lot and builds roads, installs pipes, and runs electricity with the intention of constructing homes or other structures sometime in the future, this would be considered a larger common plan of development or sale. If the land is parceled off or sold, and construction occurs on plots that are less than one acre by separate, independent builders, this activity still would be subject to stormwater permitting requirements if the smaller plots were included on the original site plan.

Illicit Connection -- A surface or subsurface drain or conveyance, which allows an illicit discharge into the municipal storm drain system, including without limitation sewage, process wastewater, or wash water and any connections from indoor drains, sinks, or toilets, regardless of whether said connection was previously allowed or approved before the effective date of this Bylaw.

New Development – Any construction activities or land alteration resulting in total earth disturbances greater than 1 acre (or activities that are part of a larger common plan of development disturbing greater than 1 acre) on an area that has not previously been developed to include impervious cover.

Redevelopment – Any construction, land alteration, or improvement of impervious surfaces resulting in total earth disturbances greater than 1 acre (or activities that are part of a larger common plan of development disturbing greater than 1 acre) that does not meet the definition of New Development (see above).

Small Project – Any construction activities or land alteration resulting in total earth disturbances greater than 20,000 square feet but less than 1 acre whether or not such area has previously been developed to include impervious cover.

SECTION 26.4 ILLICIT DISCHARGES

Section 26.4.1. Prohibited Activities:

- a. Illicit Discharges – no person shall dump, discharge, cause or allow to be discharged any pollutant, unauthorized stormwater or non-stormwater discharge into the municipal separate storm sewer system (MS4) and/or Town right-of-way.
- b. Illicit Connections – No person shall construct, use, allow, maintain or continue any illicit connection to the municipal separate storm sewer system, regardless of whether the connection was permissible under applicable law, regulation or custom at the time of connection.
- c. Obstruction of MS4 – No person shall obstruct or interfere with the normal flow of storm water into or out of the MS4 without prior written approval from the Enforcement Authority.

- d. Yard Wastes – No person shall dump or dispose of yard waste (leaves, grass clippings, etc.) into the MS4, or into catch basins, retention/detention basins or any other component of a stormwater management system which discharges to the MS4.

Section 26.4.2. Pre-existing Illicit Discharges.

Illicit discharges in existence prior to the adoption of this bylaw shall be addressed in compliance with the Town's Illicit Discharge Detection and Elimination ("IDDE") program.

Section 26.4.3. Non-Stormwater Discharges -- The following categories of non-stormwater discharges are allowed unless the Town, the United States Environmental Protection Agency ("EPA"), or the Massachusetts Department of Environmental Protection ("MassDEP") identifies any category or individual discharge of non-stormwater discharge as a significant contributor of pollutants to the MS4, then that category or individual discharge is not allowed but rather shall be deemed an "illicit discharge" and the Town shall address that category or individual discharge as part of its IDDE Program:

- a. Water line flushing
- b. Landscape irrigation
- c. Diverted stream flows
- d. Discharge from potable water sources
- e. Air conditioning condensation
- f. Irrigation water, springs
- g. Lawn watering
- h. Individual resident car washing
- i. Flows from riparian habitats and wetlands
- j. Street wash waters
- k. Residential building wash waters without detergents
- l. Fire-fighting activities

Section 26.4.4. Permitted Non-Stormwater Discharges

A limited category of non-stormwater discharges are only allowed with a permit from the Department of Public Services ("DPS"). Such permits may be granted only following an examination of potential alternatives and a finding by DPS that there is no viable alternative. These categories are:

- a. Uncontaminated pumped ground water
- b. Foundation drains
- c. Water from crawl space pumps
- d. Footing drains

Section 26.4.5. Prohibited Non-Stormwater Discharges

The following non-stormwater discharges are strictly prohibited:

- a. De-chlorinated swimming pool discharges
- b. Discharging water from any source into the street

Section 26.4.6. Notification of Spills

Notwithstanding other requirements of local, state or federal law, as soon as a person responsible for a facility or operation, or responsible for emergency response for a facility

or operation has information of or suspects a release of materials at that facility or operation resulting in or which may result in discharge of pollutants to the municipal drainage system or waters of the Commonwealth, the person shall take all necessary steps to ensure containment, and cleanup of the release. In the event of a release of oil or hazardous materials, the person shall immediately notify the Fire Department and the Department of Public Services (DPS). In the event of a release of non-hazardous material, the reporting person shall notify DPS no later than the next business day. The reporting person shall provide to DPS written confirmation of all telephone, electronic or in-person notifications within three business days thereafter. If the discharge of prohibited materials is from a commercial or industrial facility, the facility owner or operator of the facility shall retain on-site a written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least three years.

Section 26.4.7. Enforcement – The Department of Public Services or an authorized agent of DPS shall enforce Section 26.4 of this by-law, including associated regulations, and may issue orders, violation notices, and enforcement orders, and may pursue all civil and criminal remedies for such violations.

SECTION 26.5 LAND DISTURBANCE AND CONSTRUCTION ACTIVITY

Section 26.5.1. Applicability. This section shall apply to all activities in which the limit of work results in disturbance of:

- a. at least 20,000 square feet but less than 1 acre (for administrative review) or
- b. one or more acres (or less if the activity is part of a larger common plan of development that exceeds one acre of land disturbance within a 5-year period) for review by the applicable permit granting authority.

Section 26.5.2. Land Disturbance Permit. Except as authorized by the applicable board, commission, department, administrative team or its agent, as specified in Section 26.5.3 and hereafter known as *the “permitting authority,”* no person shall perform any applicable land disturbance activity without a Land Disturbance Permit. Normal maintenance and improvement of land in agricultural or aquacultural use, as defined by the Wetlands Protection Act regulations 310 CMR 10.04, are exempt. Roadway and utilities improvement and maintenance undertaken by the Town are also exempt from permitting but such road work that involves increasing impervious surface by more than a single lane width shall comply with MS4 General Permit requirements as specified in Section 26.8.2 (3)(d).

Section 26.5.3. Coordinated Permitting.

26.5.3.1 In the case of activities requiring an Order of Conditions from the Conservation Commission or subdivision, site plan or special permit approval from the Planning and Economic Development Board (“PEDB”), Land Disturbance Permits shall be reviewed and issued as a component of those other permits, including the fees, regulations, timing, notice and hearing requirements of those other permits. In cases where activities are subject to Conservation Commission jurisdiction under the Wetlands Protection Act for part of a site and activities on another part of the site are subject to the jurisdiction of the PEDB, the Conservation Commission shall have sole jurisdiction for issuing a Land

Disturbance Permit for the entire site. For activities outside the jurisdiction of the Conservation Commission and that do not require subdivision, site plan or special permit approval from the PEDB (e.g. construction of a house and associated facilities on an existing lot), including Small Projects, a Land Disturbance Permit pursuant to Section 26.5.1 shall be required from an administrative team consisting of the Building Inspector, DPS Director, Community and Economic Development Director, Planning and Economic Development Coordinator and Conservation Commission Agent, and may include other Town staff or the designee of any of the preceding as appropriate depending on the nature of the project..

26.5.3.2 Section 26.6 specifies procedures for administrative review. Sections 26.7 through 26.14 shall be applicable in all cases.

26.5.4 Application. A completed application for a Land Disturbance Permit shall be filed with the applicable permitting authority as established in Section 25.5.3. A permit must be obtained prior to the commencement of any applicable land disturbing activity. The Land Disturbance Permit Application package shall include:

- a. a completed Application Form with original signatures of all owners;
- b. three (3) copies of the Erosion and Sediment Control Plan as specified in Section 26.7 of this bylaw;
- c. three (3) copies of the Post-Construction Stormwater Management Plan as specified in Section 26.8 of this bylaw;
- d. three (3) copies of the Stormwater Operations and Maintenance Plan for both during construction and post-construction as specified in Section 26.9 of this bylaw
- e. payment of the application and review fees; and,
- f. one (1) copy of the Application Form filed with the Town Clerk.
- g. an electronic copy of all materials submitted.

SECTION 26.6 ADMINISTRATIVE REVIEW

26.6.1. Applicability. Administrative review is provided to address those land disturbance activities that fall outside the jurisdiction of any other reviewing authority as defined in Section 26.5.3.1, including Small Projects.

26.6.2. Entry. Filing an application for a permit grants the administrative team or its designee, permission to enter the site to verify the information in the application and to inspect for compliance with permit conditions.

26.6.3. Other Boards. The administrative team shall notify the Town Clerk of receipt of the application, and shall give one copy of the application package to and may seek input from the Planning and Economic Development Board, the Conservation Commission, Department of Public Services and/or other Town departments or boards as needed or appropriate.

26.6.4. Administrative Team Meeting. The Land Disturbance Permit application shall be made available for inspection by the public at Town Hall during its normal business hours. The applicant shall be invited to a review meeting which shall be held within 14 days of the receipt of a complete application and final action shall be taken within 14 days of the review meeting unless such time is extended by agreement between the applicant and the administrative team.

26.6.5. Information requests. The applicant shall submit all additional information requested by the administrative team in order to issue a decision on the application.

26.6.6. Waivers

26.6.6.1. The administrative team may waive strict compliance with any requirement of this by-law or the rules and regulations promulgated hereunder, where:

- a. such action is allowed by federal, state and local statutes and/or regulations,
- b. is in the public interest, and
- c. is not inconsistent with the purpose and intent of this by-law.

26.6.6.2. Any applicant may submit a written request to be granted such a waiver. Such a request shall be accompanied by an explanation or documentation supporting the waiver request and demonstrating that strict application of the by-law does not further the purposes or objectives of this bylaw.

26.6.6.3. All waiver requests shall be discussed and voted on at the review meeting for the project.

26.6.6.4. If in the opinion of the administrative team, additional time or information is required for review of a waiver request, it may continue the review to a date certain announced at the meeting. In the event the applicant objects to a continuance, or fails to provide requested information, the waiver request shall be denied.

26.6.7. Action

The administrative team may:

- a. Approve the Land Disturbance Permit Application and issue a permit if it finds that the proposed plan will protect water resources and meets the objectives and requirements of this by-law;
- b. Approve the Land Disturbance Permit Application and issue a permit with conditions, modifications or restrictions that it determines are required to ensure that the project will protect water resources and meets the objectives and requirements of this by-law;
- c. Disapprove the Land Disturbance Permit Application and deny the permit if it finds that the proposed plan will not protect water resources or fails to meet the objectives and requirements of this by-law.

26.6.8. Failure to take final action. Failure of the administrative team to take final action upon an Application within the time specified above shall be deemed to be approval of said Application. Upon certification by the Town Clerk that the allowed time has passed without action, the Land Disturbance Permit shall be issued by the administrative team.

26.6.9. Appeals. Decisions of the administrative team may be appealed to the Conservation Commission within 20 days of filing the decision with the Town Clerk. The Conservation Commission may adopt rules and regulations for hearing such appeals but shall consider the appeal at a public meeting held within 30 days of receipt.

26.6.10. Fee Structure. Each application must be accompanied by the appropriate application fee as established by the Department of Community and Economic Development. Applicants shall pay review fees as determined by the administrative team sufficient to cover any expenses connected with the review of the Land Disturbance Permit Application before the review process commences. The administrative team is authorized to retain a Registered Professional Engineer or other professional consultant to advise it on any or all aspects of the Application.

26.6.11. Project Changes. The permittee, or their agent, must notify the Department of Community and Economic Development in writing of any change or alteration of a land-disturbing activity authorized in a Land Disturbance Permit before any change or alteration occurs. If the administrative team determines that the change or alteration is significant, based on the design requirements listed in Section 26.7.2 and accepted construction practices, the administrative team may require that an amended Land Disturbance Permit application be filed and a new review meeting be held. If any change or alteration from the Land Disturbance Permit occurs during any land disturbing activities, the administrative team may require the installation of interim erosion and sedimentation control measures before approving the change or alteration.

SECTION 26.7. EROSION AND SEDIMENT CONTROL PLAN

26.7.1. Applicability. An Erosion and Sediment Control Plan (ESCP) is required of all construction site operators performing land disturbance activities under the jurisdiction of this by-law. The Erosion and Sediment Control Plan shall contain sufficient information to describe the nature and purpose of the proposed development, pertinent conditions of the site and the adjacent areas, and proposed erosion and sedimentation controls. The applicant shall submit such material as is necessary to show that the proposed development will comply with the design requirements listed in Section 26.7.2. below.

26.7.2. Design Requirements. The design requirements of the Erosion and Sediment Control Plan are:

- a. Minimize total area of disturbance and protect natural resources;
- b. Sequence activities to minimize simultaneous areas of disturbance;
- c. Minimize soil erosion and control sedimentation during construction and document that proposed measures can handle a 100-year storm, recognizing that prevention of erosion is preferred over sedimentation control;

- d. Protect slopes on the construction site;
- e. Protect all storm drain inlets and armor all newly constructed outlets;
- f. Divert uncontaminated water around disturbed areas;
- g. Install and maintain all Erosion and Sediment Control measures in accordance with the manufacturers specifications and good engineering practices;
- h. Use perimeter controls to prevent off-site transport of sediment;
- i. Stabilize construction site entrances and exits to prevent off-site vehicle tracking of sediment;
- j. Inspect and report stormwater controls at consistent intervals.
- k. Protect and manage on and off-site material storage areas (overburden and stockpiles of dirt, borrow areas, or other areas used solely by the permitted project are considered a part of the project);
- l. Comply with applicable Federal, State and local laws and regulations including waste disposal, sanitary sewer or septic system regulations, and air quality requirements, including dust control;
- m. Prevent significant alteration of habitats mapped by the Massachusetts Natural Heritage & Endangered Species Program as Endangered, Threatened or Of Special Concern, Estimated Habitats of Rare Wildlife and Certified Vernal Pools, and Priority Habitats of Rare Species from the proposed activities;
- n. Institute interim and permanent stabilization measures, which shall be instituted on a disturbed area as soon as practicable but no more than 14 days after construction activity has temporarily or permanently ceased on that portion of the site;
- o. Properly manage on-site construction and waste materials; including but not limited to, discarded building materials, concrete truck wash out, chemicals, litter, and sanitary wastes. These wastes may not be discharged to the MS4.

26.7.3. Erosion and Sedimentation Control Plan Content. The Plan shall contain the following information:

- a. Names, addresses, and telephone numbers of the owner, applicant, and person(s) or firm(s) preparing the plan;
- b. Title, date, north arrow, names of abutters, scale, legend, and locus map;
- c. Location and description of natural features including:
 - 1) Watercourses and water bodies, wetland resource areas and all floodplain information, including the 100-year flood elevation based upon the most recent Flood Insurance Rate Map, or as calculated by a professional engineer for areas not assessed on these maps;
 - 2) Existing vegetation including tree lines, canopy layer, shrub layer, and ground

- cover, and trees with a caliper twelve (12) inches or larger, noting specimen trees and forest communities; and
- 3) Habitats mapped by the Massachusetts Natural Heritage & Endangered Species Program as Endangered, Threatened or of Special Concern, Estimated Habitats of Rare Wildlife and Certified Vernal Pools, and Priority Habitats of Rare Species within five hundred (500) feet of any construction activity.
- d. Lines of existing abutting streets showing drainage and driveway locations and curb cuts;
 - e. Existing soils, volume and nature of imported soil materials;
 - f. Topographical features including existing and proposed contours at intervals no greater than two (2) feet with spot elevations provided when needed;
 - g. Surveyed property lines showing distances and monument locations, all existing and proposed easements, rights-of-way, and other encumbrances, the size of the entire parcel, and the delineation and number of square feet of the land area to be disturbed;
 - h. Drainage patterns and approximate slopes anticipated after major grading activities (Construction Phase Grading Plans);
 - i. A plan showing the limit of work with a calculation indicating its area.
 - j. Location and details of erosion and sediment control measures with a narrative of the construction sequence/phasing of the project, including both operation and maintenance for structural and non-structural measures, interim grading, and material stockpiling areas;
 - k. Path and mechanism to divert uncontaminated water around disturbed areas, to the maximum extent practicable;
 - l. Location and description of industrial discharges, including stormwater discharges from dedicated asphalt plants and dedicated concrete plants, which are covered by this permit;
 - m. Stormwater runoff calculations in accordance with the Department of Environmental Protection's Stormwater Management Policy;
 - n. Location and description of and implementation schedule for temporary and permanent seeding, vegetative controls, and other stabilization measures;
 - o. A description of construction and waste materials expected to be stored on-site. The Plan shall include a description of controls to reduce pollutants from these materials, including storage practices to minimize exposure of the materials to stormwater, and spill prevention and response;
 - p. A description of provisions for phasing the project where one acre of area or greater is to be altered or disturbed;
 - q. Timing, schedules, and sequence of development including clearing, stripping,

rough grading, construction, final grading, and vegetative stabilization,

- r. A maintenance schedule for the period of construction,
- s. Plans must be stamped and certified by a qualified Professional Engineer registered in Massachusetts or a Certified Professional in Erosion and Sediment Control; and
- t. Such other relevant information as is required by the applicable permitting authority.

SECTION 26.8. POST-CONSTRUCTION STORMWATER MANAGEMENT PLAN

26.8.1. Application. The application for a Land Disturbance Permit shall include a Post-Construction Stormwater Management Plan, including a Long-Term Operations and Management Plan. This Post-Construction Stormwater Management Plan shall contain sufficient information for the applicable reviewing authority to evaluate the environmental impact, effectiveness, and acceptability of the measures proposed by the applicant for reducing adverse impacts from stormwater. The Plan shall be designed to meet the most current Massachusetts Stormwater Management Standards as set forth in Section 26.8.3 and DEP Stormwater Management Handbook Volumes I and II.

26.8.2 Plan Contents. The Stormwater Management Plan shall fully describe the project in drawings, and narrative. It shall include:

- a. A locus map,
- b. The existing zoning, and land use at the site,
- c. The proposed land use,
- d. The location(s) of existing and proposed easements,
- e. The location of existing and proposed utilities,
- f. The site's existing & proposed topography with contours at 2 foot intervals,
- g. The existing site hydrology,
- h. A description & delineation of existing stormwater conveyances, impoundments, and wetlands on or adjacent to the site or into which stormwater flows,
- i. A delineation of 100-year flood plains, if applicable,
- j. Estimated seasonal high groundwater elevation (November to April) in areas to be used for stormwater retention, detention, or infiltration,
- k. The existing and proposed vegetation and ground surfaces with runoff coefficients for each,
- l. A drainage area map showing pre and post construction watershed boundaries, drainage area and stormwater flow paths,
- m. A description and drawings of all components of the proposed drainage system including:
 - 1) locations, cross sections, and profiles of all brooks, streams, drainage swales and their method of stabilization,
 - 2) all measures for the detention, retention or infiltration of water,
 - 3) all measures for the protection of water quality,
 - 4) the structural details for all components of the proposed drainage systems and stormwater management facilities,
 - 5) notes on drawings specifying materials to be used, construction specifications,

- and typicals, and
- 6) expected hydrology with supporting calculations.
- n. Proposed improvements including location of buildings or other structures, impervious surfaces, and drainage facilities, if applicable,
- o. Timing, schedules, and procedures to ensure proper functioning and operation of the system'
- p. A maintenance schedule,
- q. Documentation of consideration of the use of low impact design and green infrastructure,
- r. A final (and for longer term projects an annual) report documenting compliance with the plan, including receipts as applicable, and
- s. Any other relevant information requested by the applicable permitting authority.

26.8.3. Stormwater Design Requirements

Projects shall use Low Impact Development (LID) site planning and design strategies to the maximum extent feasible and shall comply with the following requirements

- a. No new stormwater conveyances (e.g. outfalls) may discharge untreated stormwater directly to or cause erosion in wetlands or waters of the Commonwealth.
- b. For new development, stormwater management systems must be designed to:
 - 1) Not allow new stormwater conveyances to discharge untreated stormwater in accordance with Massachusetts Stormwater Handbook Standard 1;
 - 2) Control peak runoff rates in accordance with Massachusetts Stormwater Handbook Standard;
 - 3) Recharge groundwater in accordance with Massachusetts Stormwater Handbook Standard;
 - 4) Eliminate or reduce the discharge of pollutants from land uses with higher pollutant loads as defined in the Massachusetts Stormwater Handbook in accordance with Massachusetts Stormwater Handbook Standard 5;
 - 5) Protect Zone II or Interim Wellhead Protection Areas of public water supplies in accordance with Massachusetts Stormwater Handbook Standard 6;
 - 6) Implement long term maintenance practices in accordance with Massachusetts Stormwater Handbook Standard 9; and
 - 7) Require that all stormwater management systems be designed to:
 - a) Retain the volume of runoff equivalent to, or greater than, one (1.0) inch multiplied by the total post-construction impervious surface area on the site AND/OR
 - b) Remove 90% of the average annual load of Total Suspended Solids (TSS) generated from the total post-construction impervious area on the site AND 60% of the average annual load of Total Phosphorus (TP) generated from the total post-construction impervious surface area on the site. Pollutant removal shall be calculated consistent with EPA Region 1's BMP Performance Extrapolation Tool or other BMP performance evaluation tool provided by EPA Region 1, where available. If EPA Region 1 tools do not address the planned or installed BMP performance any federally or State approved BMP design guidance or performance standards (e.g. State stormwater handbooks and design guidance manuals) may be used to

calculate BMP performance. The required removal percentage is not required for each storm, it is the average removal over a year that is required.

c. For redevelopment sites:

- 1) Stormwater management systems on Redevelopment sites shall meet the following sections of part 2.3.6.a.ii.3 of the MS4 General Permit as most recently amended, to the maximum extent feasible:
 - a) Part 2.3.6.a.ii.3(a) (Massachusetts Stormwater Standard 1);
 - b) Part 2.3.6.a.ii.3(b) (Massachusetts Stormwater Standard 2)
 - c) Part 2.3.6.a.ii.3(c) (Massachusetts Stormwater Standard 3); and
 - d) The pretreatment and structural best management practices requirements of 2.3.6.a.ii.3(d) and 2.3.6.a.ii.3(e) (Massachusetts Stormwater Standards 5 and 6).
- 2) Stormwater management systems on Redevelopment sites shall also improve existing conditions by requiring that stormwater management systems be designed to:
 - a) Retain the volume of runoff equivalent to, or greater than, 0.80 inch multiplied by the total post-construction impervious surface area on the site AND/OR
 - b) Remove 80% of the average annual post-construction load of Total Suspended Solids (TSS) generated from the total post-construction impervious area on the site AND 50% of the average annual load of Total Phosphorus (TP) generated from the total post construction impervious surface area on the site. Pollutant removal shall be calculated consistent with EPA Region 1's BMP Performance Extrapolation Tool or other BMP performance evaluation tool provided by EPA Region 1 where available. If EPA Region 1 tools do not address the planned or installed BMP performance any federally or State approved BMP design guidance or performance standards (e.g. State stormwater handbooks and design guidance manuals) may be used to calculate BMP performance.
- 3) Stormwater management systems on redevelopment sites may utilize offsite mitigation within the same USGS HUC10 as the redevelopment site to meet the equivalent retention or pollutant removal requirements in part 2.3.6.a.ii.4(b) of the [MS4 General Permit](#), as most recently amended,.
- 4) Redevelopment activities that are exclusively limited to maintenance and improvement of existing roadways, (including widening less than a single lane, adding shoulders, correcting substandard intersections, improving existing drainage systems, and repaving projects) shall improve existing conditions where feasible and are exempt from the MS4 General Permit part 2.3.6.a.ii.4(a), part 2.3.6.a.ii.4(b) and part 2.3.6.a.ii.4(c). Roadway widening or improvements that increase the amount of impervious area on the redevelopment site by greater than or equal to a single lane width shall meet the requirements of part 2.3.6.a.ii.4(a) – (c) of MS4 General Permit as most recently amended fully.

- d. All stormwater management systems must have a Long-Term Operation and Maintenance plan prepared in accordance with 26.8.5 to ensure that systems function as designed.

When one or more of the Standards cannot be met, an applicant may demonstrate that an equivalent level of environmental protection will be provided.

26.8.4. Recording. The Post-Construction Stormwater Management Plan shall be recorded at the Registry of Deeds along with the decision of the applicable permitting authority.

26.8.5. Long-Term Operation and Maintenance Plans

A Long-Term Operation and Maintenance plan (O&M Plan) is required at the time of application for all projects. The maintenance plan shall be designed to ensure compliance with the Permit, this Bylaw and the Massachusetts Stormwater Standards are met in all seasons and throughout the life of the system. The applicable permitting authority shall make the final decision of what maintenance option is appropriate in a given situation. The applicable permitting authority will consider natural features, proximity of site to water bodies and wetlands, extent of impervious surfaces, size of the site, the types of stormwater management structures, and potential need for ongoing maintenance activities when making this decision. The Operation and Maintenance Plan shall remain on file with the applicable permitting authority and shall be an ongoing requirement. The O&M Plan shall include:

26.8.5.1. The name(s) of the owner(s) for all components of the system

26.8.5.2. Maintenance agreements that specify:

1. The names and addresses of the person(s) responsible for operation and maintenance
2. The person(s) responsible for financing maintenance and emergency repairs.
3. A Maintenance Schedule for all drainage structures, including swales and ponds.
4. A list of easements to the town with the purpose and location of each.
5. The signature(s) of the owner(s).

26.8.5.3. Stormwater Management Easement(s).

1. Stormwater management easements may be required for areas used for off-site stormwater control, unless a waiver is granted by the applicable permitting authority.
2. Stormwater management easements shall be provided to the Town by the property owner(s) as necessary to comply with the Post Construction and Long-Term Operation and Maintenance Plans for:
 - a. access for facility inspections and maintenance,
 - b. preservation of stormwater runoff conveyance, infiltration, and detention

areas and facilities, including flood routes for the 100-year storm event.

- c. direct maintenance access by heavy equipment to structures requiring regular cleanout.
3. The purpose of each easement shall be specified in the maintenance agreement signed by the property owner.
4. Easements along with a plan illustrating their location shall be recorded with the Norfolk County Registry of Deeds prior to issuance of a Certificate of Completion by the applicable permitting authority.

26.8.5.4. Changes to Operation and Maintenance Plans

1. The owner(s) of the stormwater management system must notify the Department of Public Services of changes in ownership or assignment of financial responsibility.
2. The maintenance schedule in the Maintenance Agreement may be amended to achieve the purposes of this by-law by mutual agreement of the Department of Public Services and the Responsible Parties. Proposed amendments must be in writing and signed by all Responsible Parties. Responsible Parties shall include owner(s), persons with financial responsibility, and persons with operational responsibility. Proposed amendments must be described in detail along with reasons why the Town should consider them. Amendments will not be considered until at least three years after Project Completion as defined in Section 26.12.
3. A report shall be provided annually to the Department of Public Services on the anniversary date of the permit. The Report shall include documentation of compliance with the Plan, including photographs, and receipts as applicable.

SECTION 26.9. INSPECTION AND SITE SUPERVISION

26.9.1. Pre-construction Meeting. Prior to starting clearing, excavation, construction, or land disturbing activity the applicant, the applicant's technical representative, the general contractor or any other person with authority to make changes to the project, shall meet with appropriate Town staff and/or designated agents, to review the permitted plans and their implementation.

26.9.2. Construction Inspection. The applicable Town staff or its designated agent shall make inspections as hereinafter required and shall either approve that portion of the work completed or shall notify the permittee wherein the work fails to comply with the land disturbance permit as approved. The Permit and associated plans for grading, stripping, excavating, and filling work, bearing the signature of approval of applicable permitting authority, shall be maintained at the site during the progress of the work. In order to obtain inspections, the permittee shall notify applicable permitting authority at least two (2) working days before each of the following events:

- a. Erosion and sediment control measures are in place and stabilized;
- b. Site Clearing has been substantially completed;

- c. Rough Grading has been substantially completed;
- d. Installation of physical control measures;
- e. Final Grading has been substantially completed;
- f. Close of the Construction Season; and
- g. Final Landscaping (permanent stabilization) and project final completion.

A written report of these inspections shall be provided to both the permittee and the applicable permitting authority. Such inspections may be combined with other inspections required under any other permits issued to authorize the project.

26.9.3. Permittee Inspections and Reporting. The permittee or his/her agent shall conduct and document inspections of all control measures no less than weekly during construction or as specified in the permit, and prior to and following anticipated storm events. The purpose of such inspections will be to determine the overall effectiveness of the control plan, and the need for maintenance or additional control measures. The permittee or his/her agent shall submit monthly reports to the applicable permitting authority or designated agent in a format approved by it.

26.9.4. Access Permission. To the extent permitted by state law, or if authorized by the owner/permittee or other party in control of the property, the applicable permitting authority its agents, officers, and employees may enter upon privately owned property for the purpose of performing their duties under this by-law and may make or cause to be made such examinations, surveys or sampling as the applicable permitting authority deems reasonably necessary to determine compliance with the permit.

SECTION 26.10. SURETY

Unless otherwise provided for through a concurrent coordinated permitting process per Section 26.5.3, the applicable permitting authority or administrative team may require the permittee to post a performance guarantee in a form acceptable to Town Counsel and the Town Treasurer before the start of land disturbance activity. The form of the bond shall be in an amount deemed sufficient by the applicable permitting authority to ensure that the work will be completed in accordance with the permit. If the project is phased, **the** applicable permitting authority may release part of the bond as each phase is completed in compliance with the permit but the bond may not be fully released until the applicable permitting authority has received the final report as required by Section 26.9 and has issued a certificate of completion. The amount of the bond shall be sufficient to ensure that the site may be stabilized, including a minimum of 6" of loam seeded over any disturbed area along with erosion controls plus 25% contingency.

SECTION 26.11. FINAL REPORTS

Upon completion of the work, the permittee shall submit to the applicable permitting authority or administrative team a report (including certified as-built construction plans in accordance with Section 2.3.6.a.iii of the of the MS4 General Permit, as most recently amended) from a Professional Engineer (P.E.), surveyor, or Certified Professional in Erosion and Sediment Control (CPESC), certifying that all erosion and sediment control devices, and approved changes and modifications, have been completed in accordance

with the conditions of the approved permit. Any deviations should be noted in the cover letter.

SECTION 26.12. PROJECT COMPLETION

The issuing authority will issue a letter certifying completion upon receipt and approval of the final reports and/or upon otherwise determining that all work of the permit has been satisfactorily completed in conformance with this bylaw. Such certification may be a component of Conservation Commission Certificate of Compliance or a PEDB Certificate of Completion. A copy of the letter and Final Report shall be submitted by the issuing authority to the Department of Public Services.

SECTION 26.13. ENFORCEMENT

26.13.1 Applicability. The applicable permitting authority or an authorized agent shall enforce Sections 26.5 -26.13 of this by-law, including associated regulations, and may issue orders, violation notices, and enforcement orders, and may pursue all civil and criminal remedies for such violations.

26.13.2. Orders

- a. The applicable permitting authority or an authorized agent may issue a written order to enforce the provisions of this by-law or the regulations thereunder, which may include:
 - 1) a requirement to cease and desist from the land-disturbing activity until there is compliance with the bylaw and provisions of the land-disturbance permit;
 - 2) maintenance, installation or performance of additional erosion and sediment control measures;
 - 3) monitoring, analyses, and reporting
 - 4) remediation of erosion and sedimentation resulting directly or indirectly from the land-disturbing activity.
- b. If the enforcing person determines that abatement or remediation of erosion and sedimentation is required, the order shall set forth a deadline by which such abatement or remediation must be completed. Said order shall further advise that, should the violator or property owner fail to abate or perform remediation within the specified deadline, the Town may, at its option, undertake such work, and the property owner shall reimburse the Town expenses.
- c. Within thirty (30) days after completing all measures necessary to abate the violation or to perform remediation, the violator and the property owner shall be notified of the costs incurred by the Town. The violator or property owner may file a written protest objecting to the amount or basis of costs with the Town Administrator within thirty (30) days of receipt of the notification of the costs incurred. If the amount due is not received by the expiration of the time in which to file a protest or within thirty (30) days following a decision of the Town Administrator affirming or reducing the costs, or from a final decision of a court of

competent jurisdiction, the costs shall become a special assessment against the property owner and shall constitute a lien on the owner's property for the amount of said costs. Interest shall begin to accrue on any unpaid costs at the statutory rate, as provided in G.L. Ch. 59, § 57, after the thirty-first day following the day on which the costs were due.

26.13.3 Non-Criminal Disposition. As an alternative to criminal prosecution or civil action, the Town may elect to utilize the non-criminal disposition procedure set forth in G.L. Ch. 40, §21D and Article XX of the Town of Medway General Bylaws, in which case the authorized agent of the applicable permitting authority] shall be the enforcing person. The penalty for the 1st violation shall be a written warning. The penalty for the 2nd violation shall be \$100. The penalty for the 3rd and subsequent violations shall be \$300. Each day or part thereof that such violation occurs or continues shall constitute a separate offense.

26.13.4. Criminal Penalty. Any person who violates any provision of this by-law, regulation, order or permit issued there under, and does not comply with any non-criminal disposition order, shall be punished by a fine of not more than \$300. Each day or part thereof that such violation occurs or continues shall constitute a separate offense.

26.13.5. Appeals. The decisions or orders of the PEDB or Conservation Commission shall be final. Further relief shall be to a court of competent jurisdiction. Decisions of the administrative team may be appealed to the Conservation Commission.

26.13.6 Remedies Not Exclusive. The remedies listed in this by-law are not exclusive of any other remedies available under any applicable federal, state or local law.

SECTION 26.14. SEVERABILITY

If any provision, paragraph, sentence, or clause of this by-law shall be held invalid for any reason, all other provisions shall continue in full force and effect.