

Tuesday, February 11, 2020
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	Remote Participation	X	X

The meeting is being broadcast and recorded by Medway Cable Access.

ALSO PRESENT:

- Susy Affleck-Childs, Planning and Economic Development Coordinator
- Planning Consultant Gino Carlucci, PGC Associates
- Engineering Consultant Steve Bouley, Tetra Tech
- Amy Sutherland, Recording Secretary

The Chairman opened the meeting at 7:00 pm.

There were no Citizen Comments.

APPOINTMENT TO ECONOMIC DEVELOPMENT COMMITTEE

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

- Memo dated 1-28-20 from Susy Affleck-Childs
- Letter of Interest and resume of Khalid Abdi

Resident Khalid Abdi was present to meet the Board. He explained his background and interest in seeking appointment to the Economic Development Committee.

On a motion made by Bob Tucker and seconded by Matt Hayes, the Board voted by Roll Call Vote to appoint Khalid Abdi to the Economic Development Committee for a term effective immediately through June 30, 2021.

Roll Call Vote:

- Bob Tucker** aye
- Matt Hayes** aye
- Rich Di Iulio** aye
- Andy Rodenhiser** aye
- Tom Gay** aye

67 & 69 Summer Street Subdivision Pre-Application Discussion:

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

- Subdivision Concept Plan dated January 14, 2020 by Connorstone Engineering
- Email and photos dated 2/10/20 from Erika Robertson, Medway Compliance Officer
- Letter dated 2/11/20 from Gerry Lindsey

- Aerial photo 69 Summer Street

The prospective applicant, Zachary Lindsey, was present along with Vito Colonna from Connorstone Engineering. Parents Gerry and Linda Lindsey were also present. Mr. Lindsey is looking to divide the 9.7733-acre property at 69 Summer Street into two lots (1 for the existing house and one new house lot) and adjust the property line at the adjacent 67 R Summer Street. This will include a permanent private way subdivision. The subject property is currently owned by Linda Lindsey. The existing dwelling was constructed circa 1865 with some modern additions and has been in continuous agricultural use since then. Zachary Lindsey, their son, has had a business certificate since 2011 to operate his landscape business as an accessory use to the farm. The proposed private way will have a homeowner's association. Mr. Lindsey has met with the Deputy Fire Chief and the road will be provided with a turnaround large enough for the ladder truck. There will be a well to be used for the house and irrigation. There will also be a fire suppression system. The dead end roadway will be used to provide legal frontage for the new lot. The property will require a filing with the Conservation Commission. It is expected that this will receive a negative determination of applicability for the roadway. There will be filing for grading associated with the house construction. This will incorporate low impact design. The drainage will be on Parcel A. There will be a land swap to allow for this. If the drainage cannot be on Parcel A, the applicant will be seeking a waiver. The road width will be 18 ft. This was discussed with Deputy Chief Fasolino. He noted that this is acceptable.

The Board acknowledged receipt of an email from Erika Robertson dated February 10, 2020 with photos.

There was a question about the landscaping business on the site. If it is agricultural use it is protected, but landscaping is not agricultural. There was a concern brought up that this is a contractor's yard. The applicant communicated that he cuts grass part-time and uses the grass clippings as compost for the farm. They keep blueberry bushes and garlic. Gerry Lindsey communicated that there is no longer a backhoe in site. They plan on keeping the mini excavator. They have an active building permit to construct a three-car garage. The tractor will be put inside. The Board explained to the applicant that this will probably trigger the need for a Land Disturbance permit.

Medway Place Shopping Plaza Site Plan:

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

- Public Hearing Continuation Notice
- Email communication dated 1-22-20 from Dave D'Amico re: MS4
- Tetra Tech plan review letter dated 1-29-20
- Letter dated 2-6-20 from Attorney Gareth Orsmond for the applicant
- Existing Conditions Plan dated 6-12-19.
- Revised Site and Landscaping Plan dated 2-4-20
- Applicant's response dated 2-6-20 to previous Tetra Tech and PGC review comments
- 2-10-20 email from Fire Chief Lynch.

The Chairman opened the continued hearing for the Medway Place Shopping Plaza. Attorney Orsmond and the Engineer Michael Littman from Howard Stein Hudson were present. Attorney Orsmond explained that they did listen to the comments from the last meeting and have made a

number of changes. The main change is to provide non-angled parking with 24 foot drive aisles in between. This was submitted to the Fire Chief. Attorney Orsmond communicated that the Fire Chief would like the applicant to remove work done by MA DOT near the entrance to achieve the required 20' wide entrance. This will be put on a new plan.

The Sunset Drive easement identified at the previous hearing has been resolved with the shifting of the planned landscaping off of the easement. The applicant is not proposing to remove this sidewalk. DPW Director Dave D'Amico does not want the applicant to remove or touch anything that the MA DOT has done.

Chief Lynch has noted his concern about the landscaping on the fire lane from the parking area back to Tumble Beans. He wants it removed. Attorney Orsmond suggests that there be a mediation with the State Fire Marshall's office for an opinion on the alley way since the Fire Chief wants the plantings to be removed and the owner does not. This dispute can be resolved by the Advisory Board.

Chairman Rodenhiser stated there are major issues with the parking in the back of the site that needs to be addressed. This current plan does not comply with the Site Plan Rules and Regulations. Attorney Orsmond responded that this is a pre-existing condition and area. It was indicated that the applicant has provided no new trees, curbing or islands to improve the parking situation. There needs to be more of a change than just adding 15 spots. Attorney Orsmond noted that the plan shows stripping rather than islands. Medway Realty is exploring redevelopment opportunities and is not prepared to landscape the relocated island areas at this time. This may be something they may be willing to do in the future. Attorney Orsmond communicated that there is not a need for charging stations in a setting like this with customer turnover.

Regarding stormwater, the site's stormwater runoff is currently connected to the Town's stormwater infrastructure. Such a connection is no longer allowed per the MS4 permit without an approved connection permit from the Medway DPW. In order for the connection to the stormwater system to be allowed, the applicant must provide some form of treatment to ensure that pollutants and sediment are not entering the Town's system. There is a need for some method of control and treatment for the entire site. There are no calculations on the volumes and detention associated with the various drainage areas proposed. The applicant indicated that the Drainage Improvement Plan and relevant materials were included in the application and Tetra Tech reviewed and commented on this material. It is suggested by the Attorney that the stormwater plans continue to be worked on with the DPW and Tetra Tech. The applicant has incorporated Low Impact Development Techniques. A full stormwater report needs to be submitted. Consultant Bouley would like to see the applicant use rain gardens to promote infiltration. There was discussion that the snow storage areas in the front will need to be relocated elsewhere on the site in order to accommodate BMPs to mitigate stormwater flow from the site.

The next topic discussed was the landscaping. Attorney Orsmond stated that 70 trees cannot be placed in this area since it is not feasible.

The Board would like to see the Applicant comply with the lighting regulations of the Zoning Bylaw. Engineer Littman responded that they realize that they need to comply with the lighting bylaw and can relocate some of the lighting in the driving aisles.

Member Gay communicated that he would like to see the parking area divided into three areas: the west, middle and east. The complete refinement of the existing space would allow for a more pragmatic approach.

Chief Lynch arrived and informed the Board that the area discussed earlier (alleyway from parking lot back to the current Tumble Beans) has always been used as a fire lane. They needed to use this area in the fall when addressing an emergency and it was difficult due to the plantings which effectively reduce the width of the drive aisle. He does not know why the plantings were proposed in this area and he had recommended against them at the time with the property owner. There was a suggestion to have the Fire Chief and the Applicant representatives get together outside of the meeting to come to a resolution on this matter.

The Board next discussed that the Design Review Committee spent a lot of time working on the sign and the landscaping which was to be around the sign. The landscaping has not been undertaken. This will also need to be addressed by the applicant.

On a motion made by Matt Hayes, and seconded by Rich Di Iulio, the Board voted by Roll Call vote to extend the Board’s action deadline to March 31, 2020.

Roll Call Vote:

Tom Gay	aye
Bob Tucker	aye
Matt Hayes	aye
Rich Di Iulio	aye
Andy Rodenhiser	aye

There were no comments from the public.

On a motion made by Matt Hayes, and seconded by Rich Di Iulio, the Board voted by Roll Call vote to continue the hearing for the Medway Shopping Plaza to February 25, 2020 at 8:15 pm.

Roll Call Vote:

Tom Gay	aye
Bob Tucker	aye
Matt Hayes	aye
Rich Di Iulio	aye
Andy Rodenhiser	aye

20 Broad Street – Public Hearing Continuation:

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

- Public Hearing Continuation Notice
- Email dated 1-28-20 from abutters Chris Cushing and Ashley Ahlers (27 Broad Street)
- Email dated 2-3-20 from Fire Chief Jeff Walsh.
- Revised Photometric Plan.
- Email dated 2-27-20 from project engineer Rob Truax re: open space area.

- 3rd party testing documents re: TSS removal
- Revised draft decision dated 2-7-20.
- 2-10-20 Email from Steve Brody requesting a public hearing continuation.

On a motion made by Bob Tucker, and seconded by Matt Hayes, the Board voted by Roll Call vote to continue the hearing for 20 Broad Street to March 25, 2020 at 8:15 pm.

Roll Call Vote:

Tom Gay aye
Bob Tucker aye
Matt Hayes aye
Rich Di Iulio aye
Andy Rodenhiser aye

Associate Member Planning Board

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

- Email from Jessica Chabot dated February 6, 2020

The Board is in receipt of an email from Jessica Chabot expressing interest in serving as the Associate Member of the Planning and Economic Development Board. It was noted that the Board has not had an associate member for several years. Members Gay and Rodenhiser noted Ms. Chabot’s excellent work leading the Oak Grove Zoning Task Force.

On a motion made by Matt Hayes, and seconded by Tom Gay, the Board voted by Roll Call vote to recommend Jessica Chabot as the Associate Member to the Planning and Economic Development Board.

Roll Call Vote:

Tom Gay aye
Bob Tucker aye
Matt Hayes aye
Rich Di Iulio aye
Andy Rodenhiser aye

It was noted that such appointment has to be made jointly by the PEDB and the Board of Selectmen. Susy Affleck-Childs will work with the BOS/TA office to schedule.

Construction Observation Estimates:

The Board is in receipt of the following estimates from Tetra Tech: **(See Attached)**

- 4 Marc Road for \$9,459.00
- William Wallace Village for \$12,895.00

On a motion made by Rich Di Iulio and seconded by Matt Hayes, the Board voted by Roll Call vote to approve the Construction Observation Estimate for 4 Marc Road in the amount of \$9,459.00.

Roll Call Vote:

Tom Gay aye

Bob Tucker **aye**
Matt Hayes **aye**
Rich Di Iulio **aye**
Andy Rodenhiser **aye**

On a motion made by Rich Di Iulio and seconded by Matt Hayes, the Board voted by Roll Call vote to approve the Construction Observation Estimate for William Wallace Village in the amount of \$12,895.00

Roll Call Vote:

Tom Gay **aye**
Bob Tucker **aye**
Matt Hayes **aye**
Rich Di Iulio **aye**
Andy Rodenhiser **aye**

2 Marc Road Plan Endorsement:

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

- 2 Marc Road Site Plan Modification dated 1-17-20 by Legacy Engineering
- Sign off memo from Steve Bouley dated 2-4-20
- Site plan Modification Decision dated 1-14-2020

The Board is informed that the applicant has requested endorsement for the 2 Marc Road Site Plan Modification. There is a Certificate of No Appeal from the Town Clerk. The tax status report from the Treasurer’s office was provided. It is recommended to endorse.

On a motion made by Matt Hayes and seconded by Rich Di Iulio, the Board voted by Roll Call vote to endorse the modified site plan for 2 Marc Road.

Roll Call Vote:

Tom Gay **aye**
Bob Tucker **aye**
Matt Hayes **aye**
Rich Di Iulio **aye**
Andy Rodenhiser **aye**

Articles for May 2020 Town Meeting:

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

- Miscellaneous minor housekeeping amendments
- Adaptive Use Overlay District amendments
- Additions/revision to Use Table for Oak Grove
- Incidental Accessory Objects
- Multi-Family Housing amendments

The Board was made aware that there will be a draft of the revised Environmental Standards section of the Zoning Bylaw which will be submitted to the Board of Selectmen and the Town Administrator’s Office. There has also been work with the Conservation Agent, DPW

Compliance Officer and Barbara Saint Andre on amendments to Article XXVI of the General Bylaws – Stormwater Management and Land Disturbance permit section.

Draft Housekeeping Article:

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

- Draft Housekeeping Article with edits from Barbara and Susy dated 2-6-20

This section includes using the term Massachusetts Cannabis Control Commission wherever it appears in Section 8.9 replacing the word Massachusetts Department of Public Health.

The next section is to amend the Zoning Bylaw, Section 6.2.f. setbacks, by adding a new Section 6.2.F.4 and 6.2.F.5 that fences installed within 10 feet of any from lot line shall not exceed three feet in height. Member Tucker does not agree with the three feet height limitation. Fences must be on private property. It was suggested to do a site triangle limitation for areas near intersections. There was a point that greenery can also cause blockage in sight lines.

Adaptive Use Overlay District:

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

- Proposed amendments draft with edits 2-5-20.

This article is to see if the Town will vote to amend the Zoning Bylaw, Section 5.6.2 Adaptive Use Overlay District, specifically Section 5.6.2.D.2. a. through h., and section 5.6.2.D.3. to match the text with definitions.

Use Table Amendments:

In regards the Use Table Amendments, there was a change to the use category “motel or hotel” into two separate categories and provide for what is allowed in the Oak Grove Zoning districts. There was also a recommendation to make sure the “N” in the sections is centered.

Accessory Uses and Incidental Accessory Objects:

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

- Revised draft February 5, 2020

The Board discussed that the ground mounted solar photovoltaic panel are only allowed in the energy resource zoning district. There was a recommendation to change the term wind generating device to “wind turbine”.

Multi-Family Housing:

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

- Proposed Amendments draft February 5, 2020

The purpose of this article is to see if the town will vote to amend the Zoning Bylaw, Section 5.6.4 Multifamily Housing, D. Density Regulations to indicate that an applicant is not entitled to the maximum number of dwelling units. The number of dwelling units for a Multi-Family Development and Building shall be determined by the Planning and Economic Development Board.

Massing/Scale:

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

- Massing /Scale draft dated 2-10-20

This is to see if the town will vote to amend the Zoning Bylaws, Section 6.1, Table 2 Density and Dimensional Regulations, by deleting the percentages in the row entitled” Maximum Lot Coverage” for the AR-1, AR-2, and VR Zoning Districts, and replace them with Section 6.4.

This article came from a meeting with the Zoning Board of Appeals having concerns about residents putting large additions on smaller lots making the homes look out of character for the neighborhoods. There is a concern that the % numbers do not meet the square foot numbers. This needs to be clarified and reworked and considered for the fall town meeting.

Special Permit in the Central Business District:

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

- Special Permits in the Central Business District (draft 2-11-20)

This warrant article would be to see if the Town would vote to amend the Zoning Bylaw, Section 5.4.1 Special Permits in the Central Business District. This would encourage mixed – use development in the Central Business District with business uses and residential development.

The Board discussed that a Central Business District is an area where residents have access to consumer services through the day and a layer of isolation of this during the night where residents may live above an office area. It was suggested to look at truly mixed uses where vertical and horizontal units are located at the same area. There needs to be varied uses. All agree that the wording is an improvement from the previous language. This could be supported as an incremental change but will need further refinement. The Board also discussed a thoughtful review of the CBD special permit provisions; perhaps funding could be sought for such.

Street Acceptance:

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

- Street Acceptance Draft – February 10, 2020

Forest Road:

The Board is in support of recommending Forest Road of street acceptance.

Applegate Road:

The Board is reminded that the town would like to seize the bond and fix the street. This has had lengthy discussion both internally with the administrative staff. This would allow the town to move forward and hopefully come to a resolution.

Article for Land Use Permitting Authorities:

This is a recommended as a General Bylaw to provide authority to the Board of Health, Building Department, Conservation Commission, Planning and Economic Board, the Zoning Board of Appeals, Historical Commission, and DPW to deny, revoke or suspend action on a land use permit before the respective group when the property is not in compliance with permits issued by another board/department. Barbara Saint Andre communicated that there are legal concerns with

this, but it would provide safeguards to make sure applicants are in compliance. The Board agrees that this article needs further refinement and will not be ready for the May town meeting.

Public Comments:

Resident John Lally wanted to know if there will be an opportunity for input on the Environmental Bylaw. It was explained the Mr. Lally that there will be comments during the public hearing process at which point his email will be entered into the record.

Consulting Services:

The Board was made aware that the current consultant contract with Tetra Tech will conclude June 30, 2020. The PEDB has been directed and advised by the BOS/TA office that these services will need to go through an RFP process. The Board would like to see a separate contract for specialized consultants such as noise, and odor.

PEDB MEETING MINUTES:

January 28, 2020:

On a motion made by Rich Di Iulio and seconded by Matt Hayes, the Board voted by Roll Call vote to approve the minutes from January 28, 2020.

Roll Call Vote:

Tom Gay	aye
Bob Tucker	aye
Matt Hayes	aye
Rich Di Iulio	aye
Andy Rodenhiser	aye

February 4, 2020:

The minutes from February 4, 2020 will be held over until the next meeting.

FUTURE MEETING:

- Tuesday, February 25, 2020

ADJOURN:

On a motion made by Rich Di Iulio and seconded by Matt Hayes, the Board voted unanimously to adjourn the meeting.

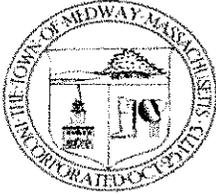
The meeting was adjourned at 10:31 pm.

Prepared by,

Amy Sutherland
Recording Secretary

Reviewed and edited by,

Susan E. Affleck-Childs
Planning and Economic Development Coordinator



Town of Medway

Remote Participation Request

I, THOMAS A. GAY (print name), hereby request to participate remotely at the meeting of the MP & ED (Board/Committee/Commission) to be held on FEB. 11, 2020 (date). I certify to the Chair that my absence is the result of one or more of the following factors which make my physical presence unreasonably difficult:

- (1) Personal Illness or Disability
- (2) A Family or Other Emergency
- (3) Military Service
- (4) Geographic Distance (Employment / Board Business)

Explanation: I WILL BE AWAY; PERSONAL TRAVEL

During the meeting, I will be at the following location:

8404 SW 109TH PL
Address OCALA, FL

508-341-5174
Phone Number

Thomas A. Gay
Signature of Member

JAN. 28, 2020
Date

Please sign and return to Chair

Request received by Andy Rodenhiser
Chair (please print)

1-28-2020
Date

Method of Participation Phone (e.g. speakerphone)

Request Approved yes Request Denied* _____

Andy Rodenhiser
Signature of Chair

1-28-2020
Date

Signed form to be appended to the meeting minutes.

***All Denied Requests are Final and Not Appealable.**



February 11, 2020

**Medway Planning & Economic Development Board
Meeting**

**Appointment of Khalid Abdi to the
Economic Development Committee**

- Memo dated 1-28-20 from Susy Affleck-Childs
- Letter of Interest and resume of Khalid Abdi



TOWN OF MEDWAY
COMMONWEALTH OF MASSACHUSETTS

**COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT**

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

Planning and Economic
Development Coordinator
Susan E. Affleck-Childs

January 28, 2020

TO: Planning and Economic Development Board
FROM: Susy Affleck-Childs, Planning and Economic Development Coordinator
RE: Appointment to Medway Economic Development Committee (EDC)

The EDC presently has a number of vacancies due to the resignations of Paul Yorkis, Jennifer Kendall, Anthony Varicchione and Deanna Kaiser Doughty. At the present time, there are five members of the EDC – Keith Peden, Zach Knowlton, Rich Di Iulio, Mark Schultz and Cassandra McKenzie.

Mr. Khalid Abdi has asked to be considered for appointment to the Economic Development Committee. A letter of interest and his resume are attached. He has met with EDC Chairman Keith Peden who recommends him for appointment.

The Medway General Bylaw which established the EDC provides for up to 11 members. With the 5 current members, there can be up to 6 additional members. NOTE - EDC members have to reside OR work in Medway.

I recommend the PEDB appoint Khalid Abdi to the Economic Development Committee effective immediately for a term through June 30, 2021.

September 14th, 2019

Khalid Abdi
207 Main St
Medway, MA 02053

Board of Selectmen
Town of Medway
155 Village St,
Medway, MA 02053

Dear Board of Selectmen,

I am writing this letter to express my interest to volunteer to serve in the vacant Economic Development Committee seat in Medway, MA. I am interested in taking part in the discussions and decisions that foster Medway's growth, as well as contribute to the plans that are made to address its challenges and opportunities. I am invested in Medway, I have a lot to offer it, and I am committed to working toward the vision of a flourishing, welcoming town that appeals to newcomers, workers and businesses which support the town's overall impact and growth.

As an innovative Healthcare Administrator and small business owner, I offer demonstrated success defining vision and setting a high standard of excellence in the quality of operations and service in complex medical systems, academic medical institutions, and private healthcare organizations. My specialized expertise lies in strategic operations, process improvement, management of cross-functional teams, revenue cycle management, marketing, business development and developing growth-oriented solutions.

Throughout my career, I have been consistently recognized as a collaborative leader with an aptitude for building key external and internal relationships, fostering communication and adapting to the needs of a diverse, ever-evolving industry. I believe my background and ingenuity present me as a qualified candidate to serve on the Economic Development Committee.

For a more detailed presentation of my skills and accomplishments, please review the enclosed resume.

I appreciate your time and consideration and look forward to speaking with you at your earliest convenience.

Sincerely,

Khalid Abdi
774.259.8003

Khalid Abdi

Medway, MA | 774-259-8003 | abdiokhalid@gmail.com | www.linkedin.com/in/khalid-abdi

Healthcare Administrator

Patient-Centered Care | Process Definition and Refinement | Operations

Strategic and innovative Healthcare Administrator with expertise in all facets of project management at sizable healthcare organizations, including hospitals, home healthcare industry plus inpatient and outpatient clinical services, clinical research, teaching and graduate medical education programs. Credited with solutions-oriented growth, cultivating and fostering key relationships both internally and externally, delivering concise communications, and adapting to the needs of a diverse, ever-evolving environment. Instrumental in streamlining and improving processes, enhancing productivity, and implementing solutions.

Areas of Expertise

Patient-Centered Care | Healthcare Information Technology | Strategic Planning and Analysis
Cross Functional Change Management | Interpersonal Skills | Healthcare Management | Customer Relations
Project Management | Collaborative | Business Administration | Resource Allocation | HIPAA
Team Mentoring and Building | Concise Communications skills | Report Generation | Financial and Business Analytics
Revenue Cycle KPIs | Problem Solving | Revenue Cycle Management | Business Development | Engagement and Retention | Process Refinement

PROFESSIONAL EXPERIENCE

ATRIUS HEALTH, Newton, MA

September 2019- Current

Manager, Transitional Care Service Line

Direct and coordinate specialty projects in the implementation and monitoring of clinical programs and organizational innovations such as population health, ACOs and total medical expense management. Provide strategic planning for service line programs including; Care in Place Program, Case Management, Geriatrics, Hospital Liaison Office, Intensive Home-based Program, Mount Auburn Hospitalist Program, Palliative Care, Preferred Skilled Nursing Facility Program, and VNA Care Purchased Services.

- Manage the strategic analysis and business planning for the service line including organizational Hoshin Kanri initiatives.
- Provide senior level project management skills including direction, consultation, and oversight of projects, which are critical to support the service line and organizational goals.
- Oversee the operational coordination of programs to achieve optimized patient experience, quality and KPIs.
- Create and manage financial budgets, clinical productivity, and key performance standards.
- Monitor, and review legal contracts for all programs within the service line to ensure contractual obligations are being met.

Accomplishments:

- Generated a monthly time savings of 15-20 work hours per month by implementing automated reporting, a process which was previously manual and significantly time-consuming.
- Organized and managed a project plan, which comprised of 5 work groups of extended care facility clinicians and case managers to test and trial clinical initiatives to reduce hospital re-admissions and bounceback rates in Atrius preferred facilities.
- Spearheaded the Home-Based Acute Care Learning and Action Network (HomeLAN) collaborative, a quality improvement initiative with Gary and Mary West Health Institute (WHI) and Institute for Healthcare Improvement (IHI), with an emphasis on redesigning and scaling home-based acute care models using the foundations of improvement science with the collective impact of a group learning structure.

STEWARD HEALTH CARE SYSTEM, Westwood, MA

May 2018- July 2019

Corporate Manager, Revenue Operations Analytics and Hospital Operations

Collaborate with the Executive Director of Revenue Cycle to oversee recruitment, onboarding, and performance management of portfolio of 3 corporate teams (29 FTEs), deployed across northeast division: Revenue Operations Analytics, Medicaid Enrollment and Cash Collections. *Revenue Operations Analytics* team - responsible for research, analysis and reporting of revenue cycle metrics across all Steward Facilities in Northeast and Central regions. *Medicaid Enrollment* team - responsible for screening patients and enrolling eligible patients in Medicaid programs in MA. *Cash Collections* team - partner with the Patient Assistance Center (PAC) to identify cash collection opportunities and assist Rev Ops leadership in implementing strategies to increase those collections and reduce bad debt.

- Design, lead, and manage special projects aimed at improving hospital operations and financial performance metrics.
- Partner closely with Revenue operations team and hospital senior leaders to advance strategic initiatives.
- Prepare reporting packages on financial and Revenue Cycle operational performance for presentation to senior hospital leadership.
- Oversee the production of weekly Revenue Cycle Dashboard metrics, implement initiatives to improve metrics including POS cash collections, Medicaid application completion, Revenue protect compliance, DNFB, and Clean Claim rates.

Khalid Abdi

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- Identify appropriate Revenue Cycle KPIs/metrics and benchmarks to be monitored, review the resulting analysis and generate actionable insights to support exceptional performance across the system while identifying data trends to support and drive business decisions.
- Streamline and enhance reporting and processes to drive efficiency to minimize reimbursement loss.
- Travel to Steward Hospitals to meet with staff, conduct assessments, and present findings to Hospital Senior leadership.

Accomplishments:

- Instituted new collection processes and analytics strategies leading to annualized increase in point of service patient collections of \$1.8M.
- Rolled out a revamped Medical Hardship application process guideline across Steward Health Care facilities; thus, securing more than \$650K in revenue from Health Safety Net (HSN) within an eight-month period.

BETH ISRAEL DEACONESS MEDICAL CENTER, Boston, MA

January 2017- May 2018

Division Manager, Neurosurgery

Partnered with Administrative Director, Division Chief and faculty managing administrative, financial and clinical operations. Integral resource for inpatient and outpatient clinical services, research, teaching and graduate medical education programs of the division. Provided strategic direction, administrative resources, managing staff for faculty, fellows and staff physicians.

Accomplishments:

- Drove planning and implementation of divisional goals, program objectives, personnel, resources and equipment, projecting short and long-term staff requirements, physical facilities, and equipment.
- Promoted uniform practice, managing effective division operations, honing office systems, policies and procedures.
- Reinforced vendor relations plus promote billing and collection accuracy working in tandem with billing vendors.
- Effectively represented the division of Neurosurgery internally and externally, serving as medical center departmental policies and procedures resource.
- Assiduously prepared and analyzed reports on division activities; volume statistics, collections and research support.
- Advanced division funding collaborating with Research and Finance on grant applications and accessing resources.
- Ensured implementation of revenue cycle policies and procedures including referral management, billing activities, and co-payment collection and reconciliation.

SECURE HOME HEALTHCARE INC., Hyde Park, MA

March 2012 – November 2017

VP of Operations/Chief Compliance Officer (CCO)

Attained statistical reporting, financial, and operational goals leading 130 cross-functional employees in execution of diverse projects, including clinical competencies, risk management, optimizing revenue cycle performance, technical implementations, revenue growth, staffing levels, quality assurance and personnel training. Expertly initiated a statistical reporting system for medical records ensuring accurate evaluation and documentation.

Accomplishments:

- Reduced costs by streamlining operational indicators impacting revenues, expenses and staffing levels.
- Motivated teams furthering staff development, afforded career coaching, provided quarterly and annual reviews.
- Prepared and submitted periodic status reports on specific Quality Improvement indicators to CMS.
- Achieved revenue growth of 250% strategizing brand awareness, marketing techniques, increasing referral rate.
- Improved programs thereby reducing re-hospitalization rate of home care patients by 9.3%.
- Provided 40,000 community visits advocating referral rates through public outreach.
- Accomplished quality care and clinical training by collaborating with RN's, LPN's, PT's, OT's, SLP's and HHA's.
- Exceeded 2015 revenue target by 8% /\$530,000 directing billing and finance operations.

ROXBURY HALAL MARKET, Roxbury, MA

September 2009 – April 2015

General Manager/Owner

Increased sales and operational goal attainment through team motivation and incentives. Effectively managed payroll, evaluation reviews, and scheduling, processing appraisals, invoices and payments for vendors and clientèle. Minimized risk as regulatory officer maintaining state and federal violations over food safety issues against WIC and OSHA.

Accomplishments:

- Credited with increasing sales to \$820K+ annually over a 3-year span guiding company from inception.
- Concisely analyzed and improved sales trends 13% researching marketing strategies and special promotions.

Khalid Abdi

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MASSACHUSETTS GENERAL HOSPITAL, Boston, MA

June 2011 – August 2014

Transplant Financial Coordinator

Spearheaded the screening and financial clearance of patients presented to undergo transplantation; bone marrow transplantation (BMT) and/or solid organ transplantation (SOT). Confirmed transplant approvals for the duration of transplant process. Garnered and reviewed insurance authorizations and pre-certifications prior to transplant operations. Disseminated financial information at multidisciplinary patient selection meetings; addressing barriers to transplant, collaborating with social workers, ensuring insurance coverage and access to special funds supporting financial challenges of chronic illness and transplantation.

Accomplishments:

- Spearheaded the financial operations and clearance of 60 donors and recipients receiving transplants in 17+ hospitals in role relating to largest kidney transplants chain in USA.
- Achieved 3,000 transplant evaluations and secured payments for 730+ for (BMT) and SOT.
- Championed information transparency presenting at monthly Transplant Financial Rounds.

Patient Placement Coordinator

August 2009 – June 2011

Pivotal role assisting physicians in hospital-to-hospital patient transfers, responding to referrals within timeline restrictions. Utilized PATCOM and CBEDS systems inputting admission, transferring and discharging information, and death certificates.

Accomplishments:

- Rigorously adhered to Patient Placement Guidelines, assigning patients per occupancy and clinical desires, coordinating with Charge Nurses. Assessed bed requirements for outpatient, emergency and same-day admissions.
- Helmed death reporting communications to pathologists, Medical Examiners, and the New England Organ Bank.

EDUCATION

Master of Science in Public Health, Southern New Hampshire University, Manchester, NH (2018)

Bachelor of Arts in Healthcare Administration, Stonehill College, Easton, MA (2008)

PROFESSIONAL AFFILIATIONS

American College of Healthcare Executives, IL | Healthcare Financial Management Association, IL

Home Care Alliance of Massachusetts, MA | Massachusetts Health & Hospital Association, MA

Group Practice Improvement Network, MI

VOLUNTEER EXPERIENCE

Member of Continuum of Care Council, Massachusetts Health & Hospital Association, Burlington, MA (2019- Current)

Medway Lions Club, Lions Clubs International, Medway, MA (2020- Current)



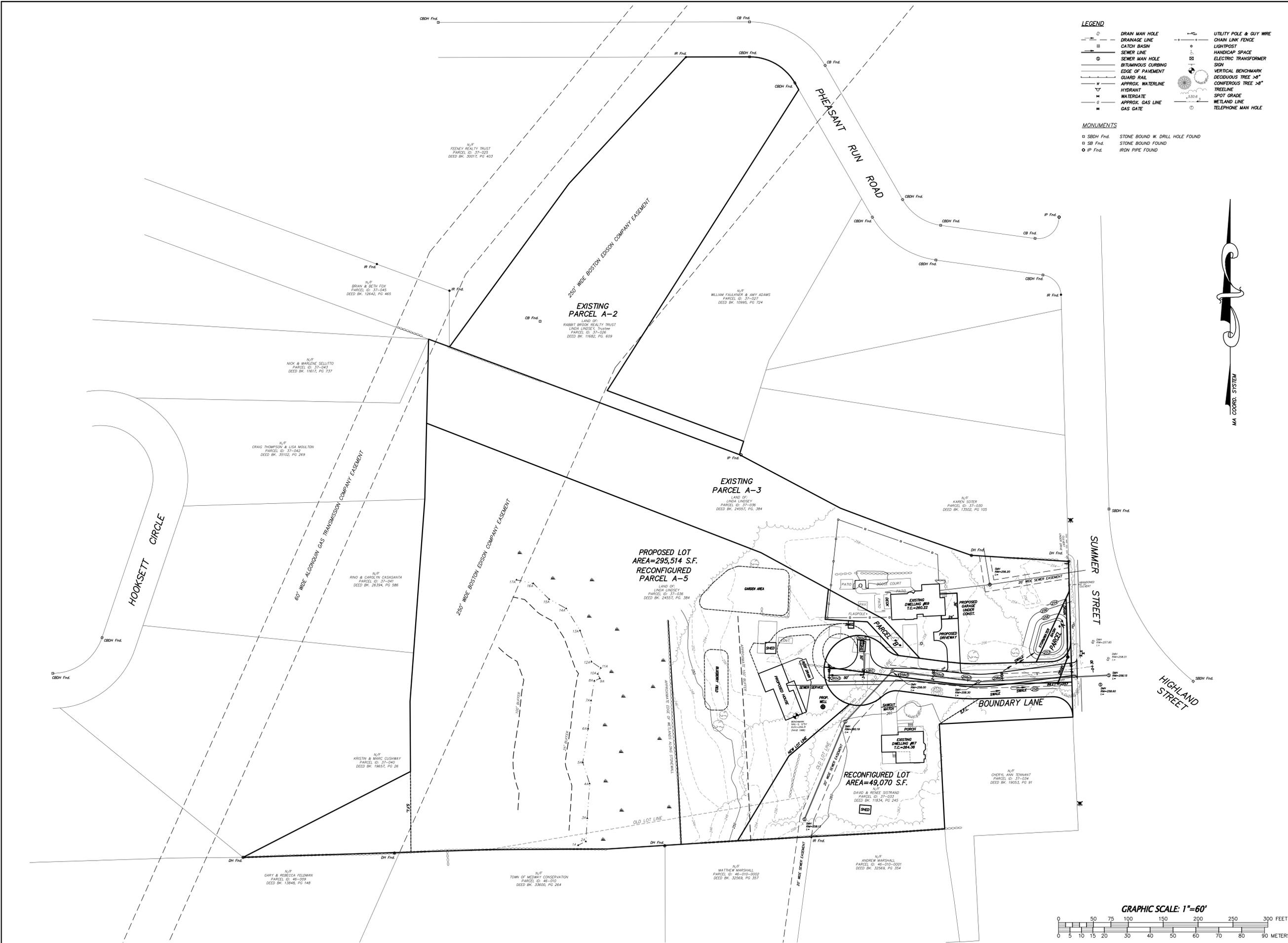
February 11, 2020

**Medway Planning & Economic Development Board
Meeting**

Informal, Pre-Application Discussion
Boundary Lane Subdivision
67R and 69 Summer Street

- Concept Plan dated January 14, 2020 by Connorstone Engineering to divide the 9.773 acre property at 69 Summer Street into two lots (1 for the existing house and one new house lot) and adjust the property line at the adjacent 67R Summer Street. Permanent private way subdivision. Property is owned by Linda Lindsey. Gerry Lindsey will attend the PEDB meeting.

This property is on the west side of Summer Street across from the Highland Street intersection.



ZONED: RESIDENCE AR-1
 AREA = 44,000 sf
 FRONTAGE = 180 feet
 SETBACKS: FRONT = 35 feet
 SIDE = 15 feet
 REAR = 15 feet

OWNERS:

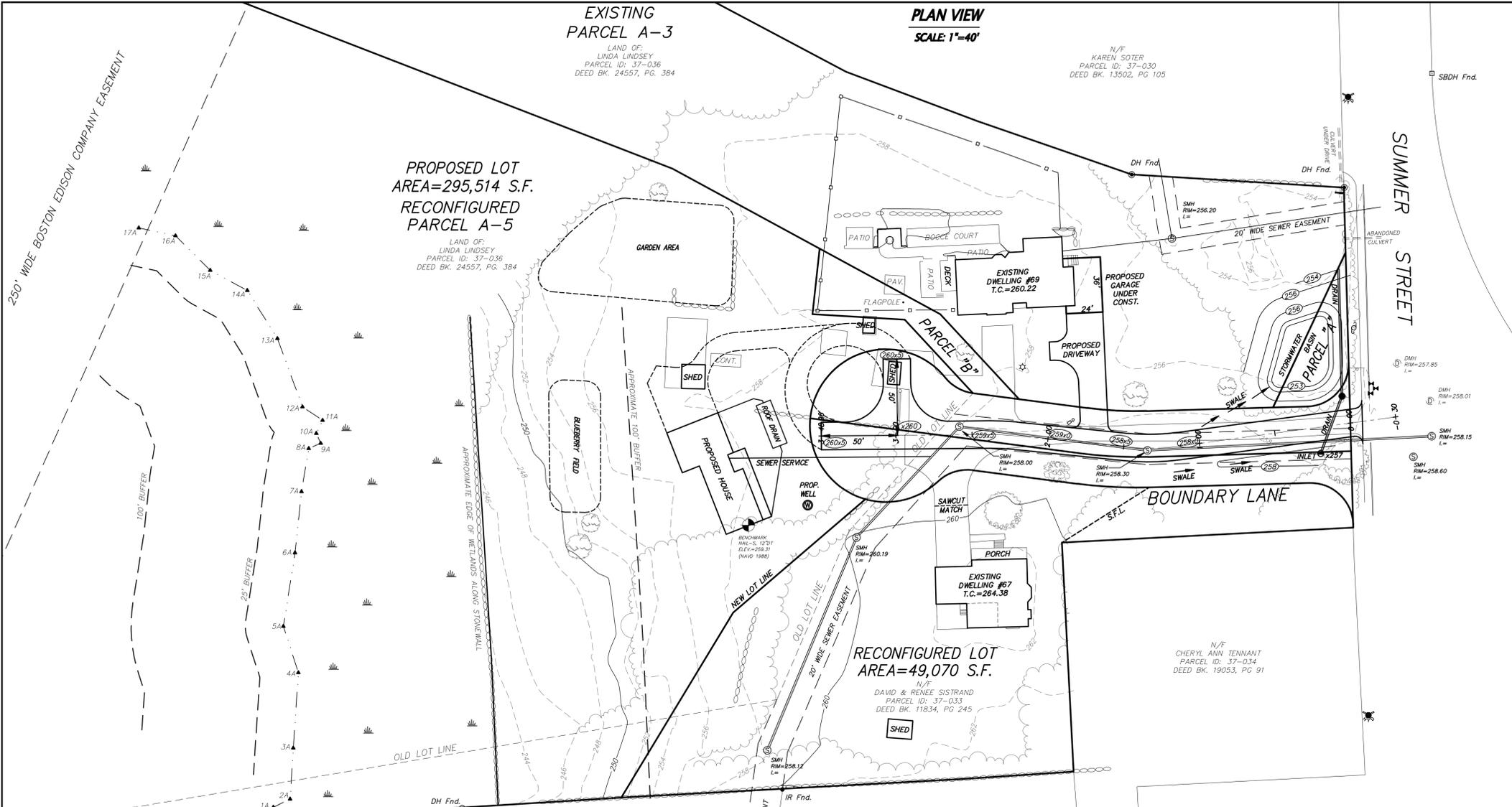
LINDA LINDSEY
 69 SUMMER STREET
 MEDWAY, MA

DAVID & RENEE SISTRAND
 67R SUMMER STREET
 MEDWAY, MA

CONNORSTONE
ENGINEERING INC.
 CIVIL ENGINEERS AND LAND SURVEYORS
 10 SOUTHWEST CUTOFF, SUITE 7
 NORTHBOROUGH, MASSACHUSETTS 01532
 PHONE: 508-393-9727 FAX: 508-393-5242

CONCEPT PLAN
OF
69 SUMMER STREET
IN
MEDWAY, MASS.

REVISED:	DESCRIPTION:
DRAWN BY: REM	CHECK BY: VC
DATE: JANUARY 14, 2020	
SCALE: 1"=60'	SHEET 1 OF 2.



- LEGEND**
- DRAIN MAN HOLE
 - DRAINAGE LINE
 - CATCH BASIN
 - SEWER LINE
 - SEWER MAN HOLE
 - BITUMINOUS CURBING
 - EDGE OF PAVEMENT
 - GUARD RAIL
 - APPROX. WATERLINE
 - HYDRANT
 - WATERGATE
 - APPROX. GAS LINE
 - GAS GATE
 - UTILITY POLE & GUY WIRE
 - CHAIN LINK FENCE
 - LIGHTPOST
 - HANDICAP SPACE
 - ELECTRIC TRANSFORMER SIGN
 - VERTICAL BENCHMARK
 - DECIDUOUS TREE >8"
 - CONIFEROUS TREE >8"
 - TREELINE
 - SPOT GRADE
 - WETLAND LINE
 - TELEPHONE MAN HOLE

- MONUMENTS**
- SBDH Fnd. STONE BOUND W. DRILL HOLE FOUND
 - SB Fnd. STONE BOUND FOUND
 - IP Fnd. IRON PIPE FOUND

ZONED: RESIDENCE AR-1
 AREA = 44,000 sf
 FRONTAGE = 180 feet
 SETBACKS: FRONT = 35 feet
 SIDE = 15 feet
 REAR = 15 feet

OWNERS:

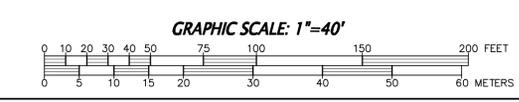
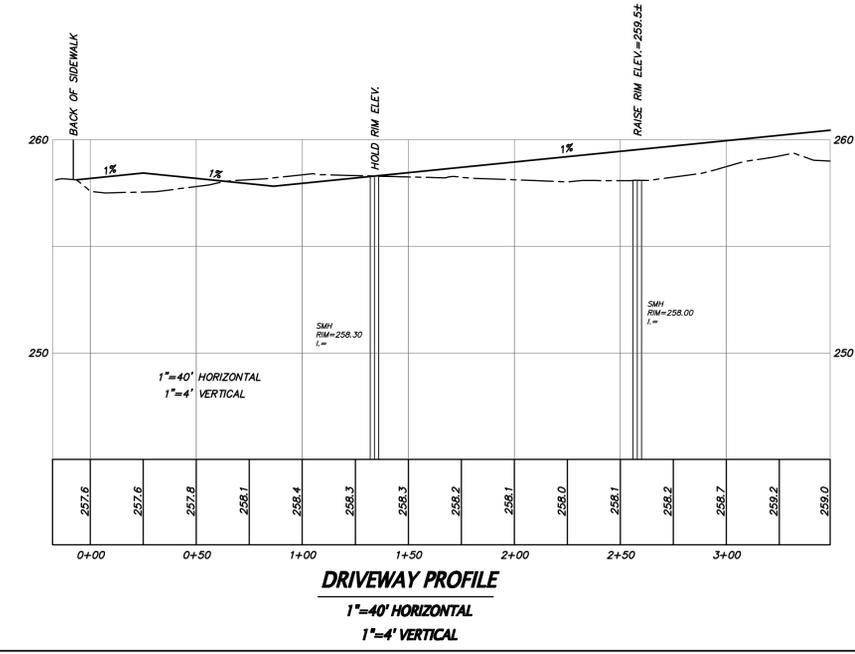
LINDA LINDSEY
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CONCEPT PLAN
OF
69 SUMMER STREET
IN
MEDWAY, MASS.

REVISED:	DESCRIPTION:
DRAWN BY: RBM	CHECK BY: VC
DATE: JANUARY 14, 2020	
SCALE: 1"=60'	SHEET 2 OF 2.



Susan Affleck-Childs

From: Jack Mee
Sent: Monday, February 10, 2020 11:05 AM
To: Susan Affleck-Childs
Subject: FW: 69 Summer Street Medway MA
Attachments: IMG_0797.jpg; IMG_0796.jpg; IMG_0809.jpg; IMG_0810.jpg; IMG_0808.jpg

Susy,

Please see Erika's report on current conditions at 69 Summer Street.

From: Erika Robertson
Sent: Monday, February 10, 2020 10:42 AM
To: Jack Mee <jmee@townofmedway.org>
Subject: 69 Summer Street Medway MA

I entered the property at 9:45 on February 10, 2020. Mr. Lindsey greeted me outside, I introduced myself and advised that I was sent by the Planning Board to gather some information for the meeting on February 11, 2020.

I inquired about the landscaping business. He advised that his son now works for the Town of Medway's highway department running heavy equipment, however, he does run the business part time. Since he is only doing the business part time, a lot of the equipment will be going including the Excavator and Skidsteer. Since they will have to do roadwork if the plan is approved, they are keeping the machines until this is complete.

If the plan gets approved, the lot which is son is building on will have a 3 car garage that will be housing any remaining trucks. He is also currently building a garage on the existing house with a valid permit (been on hold for winter) which he is going to park his truck in. The farm is still active, the property owner pointed out the blueberry bushes and there is currently garlic in the ground. The intent is to split the land, and his daughter in law was going to do organic farming on her half if lot is split.

The homeowner advised that the house has operated as a farm since 1865. It was a chicken farm previously. He currently has 12 acres and believes he is grandfathered in to have what he has on property. He has been working with Karen Syndrone and Bridgette on the wetlands.

Photos attached.





590 kHz
Preset 1
Mute AST Tune



LINDSEY LANDSCAPE INC.

LINDSEY LANDSCAPE INC.

FISHER

FISHER





Gerry & Linda Lindsey
Rabbit Brook Farm
69 Summer Street
Medway, MA 02053

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

BY HAND DELIVERY

Re: Boundary Lane Concept Plans

February 11, 2020

Dear Board Members,

Thank you for the time to discuss our proposed subdivision, we have prepared this summary to address items that would be of concern. Accompanying us this evening is a representative of our engineering consultant, Connorstone Engineering, Inc. of Northborough.

EXISTING CONDITION:

The property at 69 Summer Street is our home and the location of Rabbit Brook Farm. It consists of three parcels of land consisting of 12.33 acres and is in compliance with Chapter 40A Section 3 as it relates to agricultural uses. The existing dwelling was constructed circa 1865 with some modern additions and has been in continuous agricultural use since then. We purchased the property from the Lahnston family estate in 1993. They operated a farm with livestock here for over 50 years. We have had no livestock, but have operated a wholesale vegetable, plant, and firewood business. We are currently cultivating 200 blueberry bushes, have the 2020 garlic crop in the ground since last fall, and have land tilled for spring planting of flowers and vegetables.

Our son, Zachary Lindsey obtained a business certificate in 2011 to operate his landscape business here as an accessory use to the farm. The Asst. Code Compliance Officer made a visit to the property yesterday and we discussed the activity here. Currently, there is one (1) Class 3 commercial motor vehicle on the property along with misc. equipment used by both the farm and the landscape business. Lindsey Landscape is only operated as a seasonal part time business.

We have a building permit open for the construction of a 3 car garage/workshop attached to the existing dwelling as shown on the concept plan.

PROPOSED CONDITION:

Our existing dwelling (#69) will remain on it's existing lot consisting of 5.43 Acres as shown on Plan #490 of 1994 endorsed by the Medway Planning Board. We have an agreement with our neighbors at 67R Summer Street to purchase the right of way fee for Boundary Lane and reconfigure their lot and provide frontage on the new private way. We will create one additional lot (for a total of 3) utilizing our additional parcel A5 shown on Plan #332 of 1997 along with the Parcel A6 (which is 67R). This lot is for our son and his wife, who intend to continue farming here.

Lindsey to Medway Planning

February 11, 2020

Page 2

The proposed private way requires the creation of an Association. Our attorney will be representing us as we go forward through the process. We are represented by Kenney & Kenney of Medway. The proposed lot will consist of 6.78 Acres subject to final design. The proposed road will be provided with a turnaround suitable to the Medway Fire Dept. We have met with the Deputy Chief and agreed to provide a turnaround large enough for the ladder truck with 50 foot legs. We are not proposing to install a water main for the one house and will be providing a well which will allow us to utilize it for irrigation as well. Our son has agreed to install a fire suppression system with the fire department. The dead end will be provided with a circle to provide frontage for the new lot.

WETLAND ISSUES:

We have retained Karon Skinner Cetrone to handle permitting and associated issues with the Conservation Commission. It is our understanding that we can anticipate a Negative Determination of Applicability on the roadway and we will have a filing for grading associated with the house construction.

CONSTRUCTION AND ENGINEERING DETAIL

In 1997, a roadway was contemplated that called for the demolition of the existing house and provided for 5 lots. That subdivision was withdrawn due to onerous reconstruction requests for the Highland St. intersection. We worked with the Board at the time to create the lot for house #67R. As part of the Kingson Lane 40B project, our sewer was installed. Currently, the property is serviced by sewer, a 4 inch gas, and electric and telecommunications conduit and pull boxes installed for #67R at the standard location. Both existing houses have separate water services tied to Summer Street.

Some waivers are proposed and will be addressed by our engineer.

Thank you for your consideration on these matters,

Sincerely,

Gerry Lindsey

Linda Lindsey

Cc:Kenney, Connorstone, Cetrone

BOUNDARY LANE PROPOSED SUBDIVISION

FACT SHEET

Property Address: 69 Summer Street

The subject property was settled circa 1865 and originally contained over 100 acres running from the location of the existing farmhouse south along Summer St. to the intersection of Milford St. thence along Milford to approximately the power line crossing and then returned northerly to stone walled pasture to the rear of the farmhouse. The property was clear cut. The property was actively farmed for animals and produce continuously until approximately 1980. At various times, large parcels were cut off and in 1980 the remaining land was the current parcels and the subdivision to the west known as Hooksett Circle.

The Lahnston family maintained a hay field, cow pasture, barn and chicken houses until their conveyance of the Estate of Lahnston in approximately 1990.



February 11, 2020
Medway Planning & Economic Development Board
Meeting

Public Hearing Continuation – Medway
Place Shopping Plaza
(98, 108 and 114 Main Street)

- Public Hearing Continuation Notice
- Email communication dated 1-22-20 from Dave D’Amico re: MS4
- Tetra Tech review letter dated 1-29-20
- Letter dated 2-6-2020 from Attorney Gareth Orsmond for the applicant
- Existing Conditions Plan dated 6-12-19. NOTE – This was requested at the last hearing.
- Revised Site and Landscaping Plan dated 2-4-2020
- Response dated 2-6-20 to previous Tetra Tech and PGC review comments

NOTE – The letter from Attorney Orsmond, response to previous consultant comments, the revised site and landscaping plan, and the existing conditions plan were received 2-6-20 and forwarded to both Gino Carlucci and Steve Bouley.



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

RECEIVED
 JAN 15 2020
 TOWN CLERK

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

MEMORANDUM

January 15, 2020

TO: Maryjane White, Town Clerk
 Town of Medway Departments, Boards and Committees

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

RE: **Public Hearing Continuation: Medway Place Shopping Plaza Site Plan**
CONTINUATION DATE: Tuesday, February 11, 2020 at 7:30 p.m.
LOCATION: Medway Town Hall – Sanford Hall, 155 Village Street

At its meeting on January 14, 2020, the Planning and Economic Development Board (PEDB) voted to continue the public hearing on the application of Medway Realty LLC of Boston, MA for approval of a site plan for proposed improvements at the Medway Place shopping center (commonly referred to as Medway Plaza) located at 98, 108, and 114 Main Street to Tuesday, February 11, 2020 at 7:30 p.m. The hearing will take place during the regular PEDB meeting to be held in Sanford Hall at Town Hall, 155 Village Street.

The applicant proposes changes in the layout and landscaping of the 446 space Medway Place parking lot. The proposed change in the layout is a result of the recently completed Mass Department of Transportation Route 109 improvement project which included a new traffic light and updated entrances into Medway Place. The parking lot work will align the parking spacing with the Mass DOT constructed boulevard style main entrance to improve traffic circulation on site. The proposed work also includes installation of a berm near the entrance to the Shell Station at 86 Main Street and the widening of the eastern (inbound) aisle of the western entrance to the property to 20' to accommodate fire and emergency apparatus.

The applicant has also proposed the installation of new stormwater management controls to treat stormwater collected from the parking lot before it is discharged into the Town's municipal storm drain system. This includes installation of three stormwater treatment devices to improve stormwater quality.

The site plan and landscaping revisions are shown on *Medway Place Site Plan and Landscape Plan* dated October 16, 2019 by Howard Stein Hudson of Boston, MA. The *Drainage Improvement Plan for 98, 108 and 114 Main Street* is dated September 7, 2019 and was prepared by Grady Consulting, LLC of Kingston, MA.

The permit application, site plan, and other associated documents are on file with the Medway Town Clerk and at the office of the Planning and Economic Development Board at Medway Town Hall, 155 Village Street and may be reviewed during regular business hours. All materials have been posted to the Planning and Economic Development Board's web page at: <https://www.townofmedway.org/planning-economic-development-board/pages/medway-plaza-site-plan>

The focus of the February 11, 2020 hearing will be Stormwater Management.

Please contact me if you have any questions. Thanks.

Susan Affleck-Childs

From: David Damico
Sent: Wednesday, January 22, 2020 4:21 PM
To: Steve Bouley ; Susan Affleck-Childs
Cc: Peter Pelletier; Stephanie Carlisle; Barbara Saint Andre
Subject: Medway Place Site Plan Review

Steve, Susy,

After review of the submittals regarding site plan modification from the owner, we will need additional information. As you are aware, this property is currently directly connected to the Town's stormwater infrastructure. Such a connection is no longer allowed per our MS4 permit and Town by-laws without an approved connection permit. I realize that site plan applications are not stormwater connection applications, but in this case they go hand in hand. The applicant has an opportunity in the site plan process to address stormwater connection issues. Although it could happen that they choose not to proceed with the site plan process, they will be required to either provide a stormwater connection permit application or disconnect. As such, I provide the following information for the applicant's consideration at this critical juncture.

1. For a connection to the stormwater system to be allowed, the applicant must provide some form of treatment to ensure that pollutants and sediment are not entering the Town's system. Under the law, a connection is made at any point where stormwater leaves the applicants property and enters the Town's system by direct or indirect connection. Therefore, if infiltration is not a feasible option, the applicant must provide treatment for the entire surface area draining onto Town property. This precludes the notion submitted by the applicant that the southern part of the property that naturally drains to the street is exempt from treatment. Some method of control and treatment is required for the entire site. The only exceptions are small areas at entrances sloped in a manner to stop the Town's street drainage from entering the property.
2. The applicant has provided no calculations on the volumes and detention times associated with the various drainage areas proposed. We would expect as a bare minimum requirement for direct connection to the Town's system that the first one inch of a storm could be controlled and treated on site. In this first inch of rain, the bulk of pollutants and sediment are carried away to the stormwater system. Treatment through the use of Stormceptor type units may be acceptable, however without providing calculations, it is impossible to know if the number of units proposed would meet the one inch minimum requirement. A mix of Stormceptor type catchments, infiltration areas, and detention/settlement areas may be required.
3. In addition to the above, the stormwater connection permit will require the following additional information:
 - a. Complete mapping of the current and proposed on-site stormwater system. The current plans do not show the entire system. Piping is shown with no known termination point.
 - b. Calculations based on a single weather station providing base data. Numbers from Blue Hill and Worcester appear in the current documents. Calculations need to use NOAA Atlas 14, not HydroCAD 10.0.
 - c. Complete mapping/testing of the sites sewer system. Past events indicate that sewer and stormwater cross-connections are likely present.
 - d. A Stormwater O&M Plan that includes a provision for annual reporting to the Medway DPW Compliance Coordinator.

On another topic as has been discussed with the Plaza, we are not convinced that all Town supplied water is properly metered on site. Some individual meters show little or no use. We find this unlikely for the type of use in the corresponding space. A plumbing plan and assessment should be performed to ensure that each water meter properly

meters the space at which it is connected. The Town reserves the right to access the property and conduct a proper investigation at the owner's expense if this situation is not remedied.

We are continuing our efforts to better understand the impacts of private connections to the Town's stormwater system. Should we find that such connections negatively affect water quality at outfalls to our natural water bodies, we will be forced to take more urgent action. We have offered to help and work with the applicant to rectify these problems and we hope to reach a cooperative solution in the near future.

Dave D'Amico
Medway DPW Director
508-533-3275

Check us out on-line at www.townofmedway.org

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December 10, 2019
(revised January 29, 2020)

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

**Re: Medway Plaza
Site Plan Review
Medway, Massachusetts**

Dear Ms. Affleck-Childs:

Tetra Tech (TT) has performed a review of the proposed Site Plan for the above-mentioned Project at the request of the Town of Medway Planning and Economic Development Board (PEDB). The proposed Project is located at 98, 108, and 114 Main Street (Route 109) in Medway, MA. Proposed Project includes re-stripping of an existing parking lot, landscaping installation, and stormwater infrastructure installation.

TT is in receipt of the following materials:

- A plan (Plans) titled "Drainage Improvement Plan, #98, #108, & #114 Main Street, Medway, Massachusetts", dated September 7, 2019, prepared by Grading Consulting, LLC (GC).
- A stormwater report (Stormwater Report) titled "Stormwater Report, #98, 108, #114 Main Street, Medway, Massachusetts" dated October 2, 2019, prepared by GC.
- An Application for Major Site Plan Approval, dated October 25, 2019.
- A Drainage Improvement Plan, dated September 7, 2019, prepared by GC.
- A cover letter dated October 28, 2019, prepared by Pierce Atwood, LLP.
- A project narrative detailing project summary, current and proposed uses, and requested waivers.
- A waiver request package dated October 24, 2019, prepared by Joel Quick, Esq.

The Plans and accompanying materials were reviewed for conformance with Chapter 200 of the Town of Medway PEDB Rules and Regulations (Regulations) and good engineering practice. Review of the project for zoning, stormwater and wetland related issues was not completed as these reviews are conducted by separate consultants/town permitting authorities.

TT 1/29/20 Update

The Applicant has supplied TT with a revised submission addressing comments provided in our previous letter including the following documents:

- A Cover Letter dated January 13, 2020, prepared by Lawson & Weitzen (LW).
- A plan titled "Drainage Improvement Plan", dated September 7, 2019, prepared by GC.
- A Response to Comments Letter dated January 10, 2020, prepared by GC.
- Email correspondence from David D'Amico, Medway DPW Director dated January 22, 2020.

The revised Plans and supporting information were reviewed against our previous comment letter (December 10, 2019) and comments have been tracked accordingly. Text shown in gray represents information contained in previous correspondence while new information is shown in black text.

The Applicant stated in the response letter that this round of responses will address drainage and stormwater comments and the remaining comments from our original letter will be addressed separately.

SITE PLAN REVIEW

1. A Development Impact Statement has not been provided. A waiver has been requested from this Regulation. (Ch. 200 §204-3.F)
2. The applicant has requested a waiver from providing Stormwater Documentation. However, a Report has been provided and contains the necessary documents. (Ch. 200 §204-3.G)
3. A Construction Management Plan has not been provided. A waiver has been requested from this Regulation. (Ch. 200 §204-3.H)
4. Earth Removal Calculations have not been provided. It does not appear this regulation is applicable to this site. A waiver has been requested from this Regulation. (Ch. 200 §204-3.I)
5. Earth Fill Estimates have not been provided. It does not appear this regulation is applicable to this site. A waiver has been requested from this Regulation. (Ch. 200 §204-3.J)
6. A copy of an Order of Resource Area Delineation (ORAD) from the Medway Conservation Commission has not been provided. It does not appear this regulation is applicable to this site. A waiver has been requested from this Regulation. (Ch. 200 §204-3.K)
7. A cover sheet has not been provided. (Ch. 200 §204-5.A)
8. A Site Context Sheet has not been provided. However, the Plan provides the necessary information that would be present in the Site Context Sheet. A waiver has been requested from this Regulation. (Ch. 200 §204-5.B)
9. An Existing Conditions Sheet has not been provided. However, due to the nature of work proposed, the Plan clearly shows the existing infrastructure on the project site and abutters. A waiver has been requested from this Regulation. (Ch. 200 §204-5.C)
10. Site grading has not been provided on the Plan. It does not appear this regulation is applicable to this site as existing grades are being maintained at the site. A waiver has been requested from this Regulation. (Ch. 200 §204-5.D.2)
11. An Erosion and Sediment Control Plan has not been provided. A waiver has been requested from this Regulation. (Ch. 200 §204-5.D.5)
12. A Post Construction Stormwater Management Plan has not been provided. However, an operations and maintenance plan has been provided during construction and post-construction for the proposed drainage system in the Report. A waiver has been requested from this Regulation. (Ch. 200 §204-5.D.6)
 - ***GC 1/10/20 Response: The Drainage Improvement Plan may be considered a Post Construction Management Plan since it shows the improvements to the drainage system.***
 - **TT 1/29/20 Update: In our opinion, this item has been resolved.**
13. A Site Utilities Plan has not been provided. It does not appear this regulation is applicable to this site as existing utilities will remain. A waiver has been requested from this Regulation. (Ch. 200 §204-5.D.7)
14. A Landscape Plan has not been provided. A waiver has been requested from this Regulation. (Ch. 200 §204-5.D.8)

15. Applicant is requesting waivers from Ch. 200 §204-5.D.9 through Ch. 200 §204-5.D.20. It does not appear these regulations are applicable to the scope of work for this Project.

STORMWATER REVIEW

MA DEP Stormwater Standards

16. The Applicant shall provide third-party testing to confirm Total Suspended Solids (TSS) removal rates for the proposed Stormceptor Water Quality Units (Stormceptors) as well as removal efficiencies for nutrients and heavy metals as described in the Stormwater Report. Consistent rainfall data shall also be used to size the structures, Blue Hill and Worcester were both used in the sizing. (Standard 4, Vol. 2, Ch. 4, Pg. 5)
- *GC 1/10/20 Response: Third party testing and the revised sizing report for the STC 450i #1 are attached.*
 - TT 1/29/20 Update: The Applicant shall provide sizing calculations for the Stormceptor units based on MassDEP's *Standard Method to Convert Required Water Quality Volume to a Discharge Rate for Sizing Flow Based Manufactured Proprietary Stormwater Treatment Practices*. Additionally, correspondence from Medway DPW Director further requires the treatment practices to be sized to fully treat (without bypass) one-inch of runoff from the entire site due to town's required conditions of the NPDES MS4 permit and associated Town Stormwater Bylaw (Article 26).

PEDB Stormwater Regulations Review (Ch. 200 §207-14)

17. The Applicant has not incorporated Low Impact Development Techniques into the design of the drainage modifications. Subarea D does not appear to be captured and treated in the proposed plan. This portion of the site slopes toward Route 109 and the landscaped islands adjacent to the roadway which could be used as rain gardens or other LID treatment with careful design. (Ch. 200 §207-14.B)
- *GC 1/10/20 Response: We have reviewed the soils on the site. Infiltration is not a viable alternative due to poor soils and high groundwater. The soils could not meet the criteria for "Rules for Groundwater Recharge" presented in Volume 1 of the Stormwater Handbook including minimum infiltration rate of 0.17 inches per hour and the minimum setback to the property line of 10 feet. Soil logs are presented on Sheet 2. The rain garden adjacent to the roadway and or sidewalk would also be located in an area currently used for snow storage during winter months. Snow storage is not allowed within rain gardens.*
 - TT 1/29/20 Update: Comment unresolved. We believe with careful planning and coordination with the Town that snow storage areas could be relocated on-site in order to accommodate BMP's to mitigate flow from the site to the MS4. Subarea D is required to be treated since it is an indirect connection to the MS4.

Town Stormwater Management and Land Disturbance Bylaw Review (Article 26)

18. The proposed plan does not appear to be disturbing greater than 20,000 sf and would not apply to the Bylaw. However, it appears the intention of the Project is to address disconnection of illicit discharges to the Municipal Separate Storm Sewer System (MS4).
- *GC 1/10/20 Response: We agree.*
 - TT 1/29/20 Update: Although the project does not meet the thresholds for the land disturbance portion of the Bylaw it is required to meet provisions related to stormwater

connections to the MS4 in Section 26.4 Illicit Discharges. See correspondence from Town of Medway DPW Director David Damico dated January 22, 2020.

General Stormwater Comments (Article 26)

19. There is no mention in the Stormwater Report if the site could reduce peak rate impacts to the MS4. The site is nearly entirely impervious, and soil and groundwater elevation encountered during the test pitting do not completely rule out providing subsurface recharge at the site. We believe the Applicant could provide recharge and/or detention through use of rain gardens or subsurface infiltration systems to help reduce peaks, increase water quality and delay discharge to the MS4 to help reduce impact to the system.
 - *GC 1/10/20 Response: We have reviewed the soils on the site. Infiltration is not a viable alternative due to poor soils and high groundwater. The soils could not meet the criteria for "Rules for Groundwater Recharge" presented in Volume 1 of the Stormwater Handbook including minimum infiltration rate of 0.17 inches per hour and the minimum setback to the property line of 10 feet. Soil logs are presented on Sheet 2. The rain garden adjacent to the roadway and or sidewalk would also be located in an area currently used for snow storage during winter months. Snow storage is not allowed within rain gardens.*
 - TT 1/29/20 Update: Comment unresolved. We believe with careful planning and coordination with the Town that snow storage areas could be relocated on-site in order to accommodate BMP's to mitigate flow from the site to the MS4. Additionally, we believe lined stormwater detention is also an option to support peak runoff reduction to the MS4. Subarea D is also required to be treated since it is an indirect connection to the MS4.

GENERAL COMMENTS

20. The proposed striping and berm addition are not included on the Plans provided.
21. We recommend the applicant provide erosion control measures to protect existing catch basins from sediment-laden stormwater that may develop during excavating. If excavated material is anticipated to be stockpiled within the existing parking lot, we recommend the applicant to also provide stockpile control measures that will prevent sediment from traveling off-site.

ADDITIONAL COMMENTS

22. The Applicant has not provided an Erosion and Sediment Control Plan associated with construction activities for the improvements. (Ch. 200 §204-5.D.5)

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

Very truly yours,



Steven M. Bouley, P.E.
Senior Project Engineer



Bradley M. Picard, E.I.T.
Civil Engineer

P:\21583\143-21583-20006 (PEDB MEDWAY PLZ)\DOCS\MEDWAY PLAZA-PEDBREV(2020-01-28).DOCX

Gareth I. Orsmond

100 Summer Street, 22nd Floor
Boston, MA 02110

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

Admitted in: MA, NH

February 6, 2020

By Electronic Mail

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

Re: Medway Plaza, 98, 108, 114 Main Street, Medway, Massachusetts
Application for Major Site Plan Review dated October 28, 2019 (“Application”)

Dear Chairman Rodenhiser and Board Members:

Enclosed for your consideration, please find a revised site plan dated February 4, 2020 (the “Site Plan”). Also enclosed is an existing conditions plan and a Response to Comments.

The Site Plan incorporates some but not all comments we received on the Application. In the main, the parking lot now has 24-foot wide aisles and non-angled parking.

Site Plan Review

Medway Realty submitted the Application in an effort to cooperate with the town. It hopes to continue this cooperation to bring about the right redevelopment opportunity – one that is both good for the town and good for the existing tenants.

Discussions about changes in the parking lot and site plan review date back to 2015, long before my involvement. As compared to the 2017 site plan featured in these discussions, the Site Plan proposes far better improvements.¹

That said, Medway Plaza is a lawfully, pre-existing nonconforming use (*i.e.*, a “grandfathered” use) entitled to protections under both the Massachusetts Zoning Act, G.L. c.

¹ A copy of the 2017 site plan was shown on the screen at the first hearing session and is attached here as Exhibit A.

40A, and the Town of Medway Zoning Bylaw (the “Zoning Bylaw”). By agreeing to file the Application, Medway Realty does not waive these protections so as to subject itself to provisions of the Zoning Bylaw that came into effect after the Plaza was in use. By law, a “change or substantial extension” of a grandfathered use is allowed so long as it is “not substantially more detrimental to the neighborhood” than the existing use; this is sometimes referred to as a “Section 6 Finding.”² Moreover, not all changes to a grandfathered use constitute a “change or substantial extension” requiring a Section 6 Finding. Rather, changes that (i) reflect the nature and purpose of the use in place when the zoning took effect, (ii) do not differ in quality, character or degree from this use, and (iii) are not different in kind or effect on the neighborhood do not require a Section 6 Finding; such changes may be made by right. This is the so-called *Powers* test. See *Powers v. Bldg. Inspector of Barnstable*, 363 Mass. 648, 653 (1973).

Given that the Site Plan is merely an improvement over the existing parking lot, in my opinion it meets the *Powers* test and does not constitute a “change or substantial extension” requiring a Section 6 Finding. Moreover, even if the Site Plan were deemed a “change or substantial extension,” the standard for approval would be whether the changes are substantially more detrimental to the neighborhood. If not, they must be approved. Clearly the proposed changes are not substantially more detrimental than existing conditions. A Section 6 Finding and special permit under Section 5.5.D of the Zoning Bylaw – although perhaps not necessary under the *Powers* test – would have been (and still would be) a viable means of approving the Site Plan.³

As noted, Medway Realty is committed to working with the town, and so it followed the site plan review process requested by certain town officials.

Nonetheless, as we complete the site plan review process, we ask that the Board keep in mind the Plaza’s grandfathered status and the standard of review for changes in grandfathered uses, as well as the circumstances that required changes to the parking lot in the first place (*e.g.*, an order of taking by the town, a new traffic signal, and work performed by MassDOT on the site pursuant to the order of taking).

Stormwater

By email dated January 29, 2020, Medway Realty was provided with a “draft” Municipal Separate Storm Sewer System Connection and Discharge (“MS4CD”) Application. A follow-up email from David D’Amico, Director of the Department of Public Works (the “DPW”), outlines the application process before Medway Plaza can connect to the MS4.

When Medway Realty filed this Application (for site plan review), we believed that site plan review would be the process for approval of the proposed stormwater upgrades, which contemplate discharging treated stormwater to the MS4. (There was no MS4CD application

² See G.L. c. 40A, § 6.

³ As noted in its Application, Medway is proceeding with the Application under reservation of rights and may proceed differently, if necessary.

process.) As a result, the Drainage Improvement Plan and other relevant materials were included in the Application, and Tetra Tech reviewed and commented on these materials and the response by Medway Realty's engineer, Darren Grady.

There are a few questions outstanding, but nothing major; Mr. Grady will follow up with Tetra Tech. Medway Realty wishes to continue to cooperate with the DPW and Tetra Tech in designing and implementing stormwater measures, but please note that the MS4CD process was implemented only after Medway Realty had completed its investigation of site conditions and made significant progress in its stormwater plans in response to prior letters from the town. We do not believe that the new MS4CD process necessarily applies to Medway Realty, and we reserve our rights to engage in further discussions with the DPW concerning the appropriate process. Nevertheless, we will work with the DPW and Tetra Tech to resolve outstanding issues.

Because review of the stormwater plans will continue with the DPW, I suggest that stormwater be left for the DPW handle rather than be made an ongoing part of site plan review.⁴ If the DPW review requires any changes to an approved site plan, Medway Realty will seek approval to amend the plan accordingly, either through the Board or, if the Board deems it appropriate and the changes are minor, through the building department, the Planning and Economic Development Coordinator, and/or the Planning and Economic Development Director.

As always, thank you for your courtesy and attention.

We look forward to the February 11th hearing on this matter.

Very truly yours,



Gareth I. Orsmond

GIO/smg

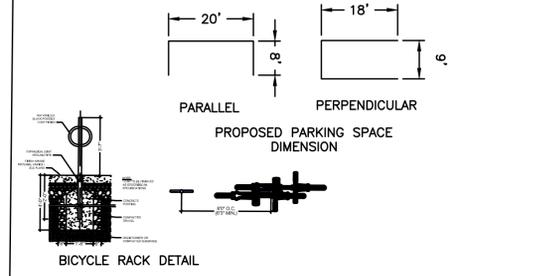
⁴ In other cases where there is no DPW review or permit, it makes sense to address stormwater through site plan review.

PLANTING AREAS - PLANT LIST				
SHRUB	GENUS/SPECIES	SIZE	PLANTING SPECIFICATIONS	QUANTITY
GRASS SOD				
HONEY LOCUST	GLEDITIA TRIACANTHOS	30'	20'-35" SPREAD	10
GLABRA SHAMROCK	ILEX GLABRA	3-4'	36" SPACING	9
DAY LILY	HEMEROCALLIS STELLA D'ORO	1'	12"-18" SPACING	
VIRGINIA ROSE	ROSA VIRGINIANA	6-8'	96" SPACING	9

NOTES:

- EXISTING CONDITIONS INFORMATION OBTAINED FROM A SURVEY PLAN CONDUCTED BY GRADY CONSULTING LLC ON JUNE 12, 2019.
- PERMANENT EASEMENT TAKEN BY TOWN OF MEDWAY BY ORDER OF TAKING FILED WITH THE NORFOLK COUNTY LAND COURT ON 8/18/2015, DOC. #1,335,903, AND RECORDED WITH THE NORFOLK COUNTY REGISTRY OF DEEDS AT BOOK 33407, PAGE 214.
- EXISTING SIDEWALK AND GRANITE CURB INSTALLED BY MASSDOT AS PART OF THE ROUTE 109 PROJECT; NOT PART OF THE SITE PLAN.
- PLANTS SELECTED TO MATCH PLANTINGS INSTALLED BY MASSDOT AS PART OF THE ROUTE 109 PROJECT.

PARKING SPACES SUMMARY	
EXISTING	433
TOTAL PROPOSED	439
PROPOSED STANDARD	422
PROPOSED ACCESSIBLE	9
PROPOSED MOTORCYCLE	8
CHANGE	+6



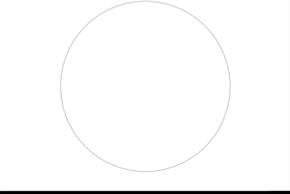
LEGEND	
VGC	VERTICAL GRANITE CURB
R&R	REMOVE AND RESET
+	LIGHT SIGN
⊕	HANDICAP PARKING
⊙	NUMBER OF PARKING SPACES
- - - -	TEMPORARY EASEMENT LINE
— — — —	PERMANENT EASEMENT LINE
○	HONEY LOCUST
+	HEMEROCALLIS STELLA D'ORO
+	GRASS SOD
○	ROSA VIRGINIANA
○	GLABRA SHAMROCK

HOWARD STEIN HUDSON
 11 Beacon Street, Suite 1010
 Boston, MA 02108
 www.hshassoc.com

PREPARED FOR:

MEDWAY PLACE
 98, 108-114 MAIN STREET (ROUTE 109)
 MEDWAY, MA 02053
 NORFOLK COUNTY

REVISIONS:			
NO	BY	DATE	DESCRIPTION

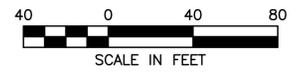
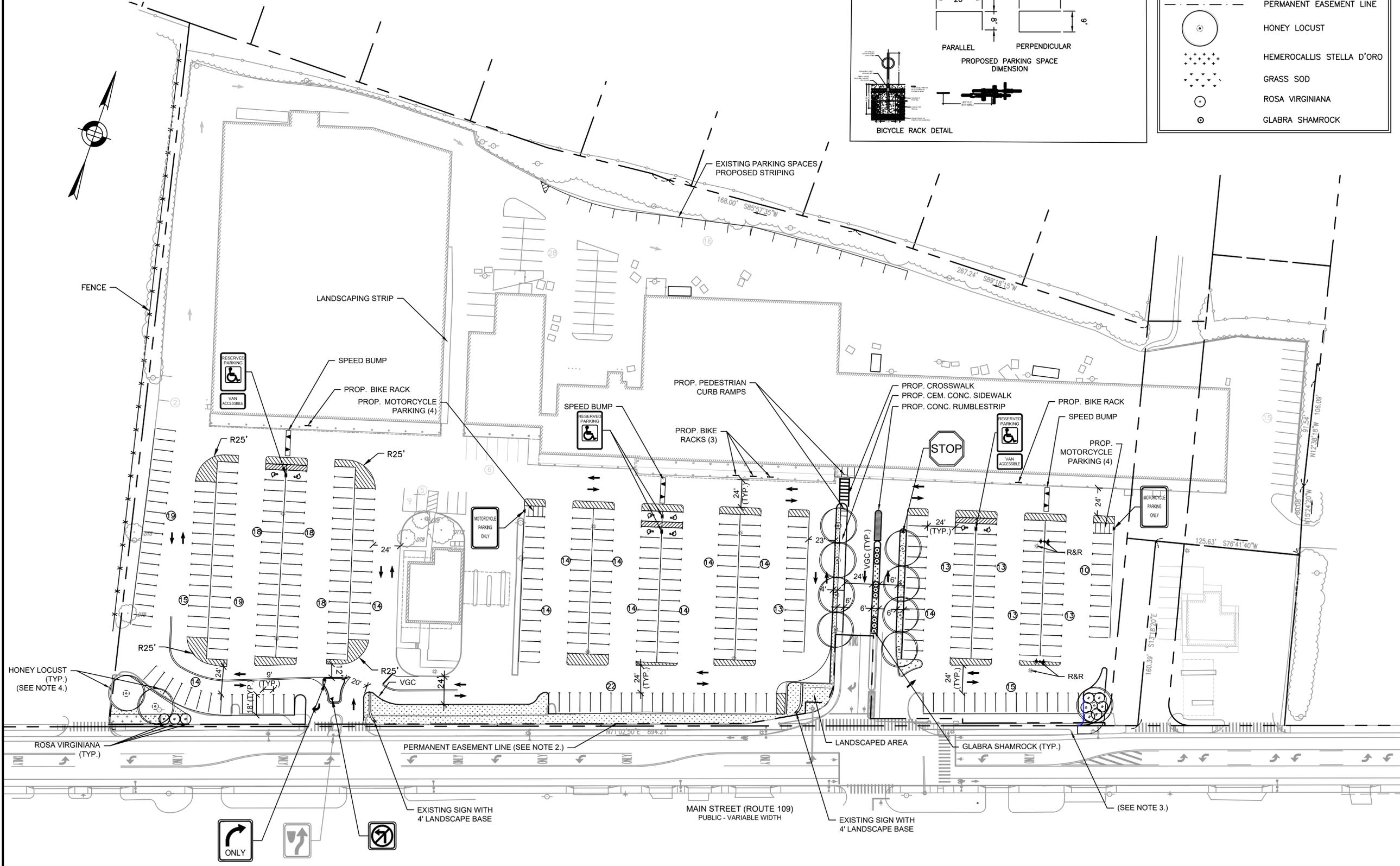


PERMIT SET
 NOT FOR CONSTRUCTION

SITE PLAN & LANDSCAPE PLAN

DATE:	2/4/2020
PROJECT NUMBER:	14041
DESIGNED BY:	ML
DRAWN BY:	ML
CHECKED BY:	RL

C1.00
 SHEET 1 OF 1



2/5/2015 L114041CURRENTCUTS/SITE PLAN.dwg

RESPONSE TO COMMENTS

February 6, 2020

MEDWAY REALTY, LLC SITE PLAN REVIEW APPLICATION DATED OCTOBER 28, 2019

References to the “Site Plan” mean the plan entitled “Site Plan & Landscape Plan,” Sheet C1.00, dated February 4, 2020, prepared by Howard Stein Hudson (“HSH”). References to the Board mean the Town of Medway Planning and Economic Development Board.” References to the “Application” mean the above-captioned application for site plan review.

A. LETTER BY PGC ASSOCIATES, LLC, DATED DECEMBER 5, 2019

1. **The project qualifies for major site plan review since it involves “The redesign of the layout/configuration of an existing parking lot of forty or more parking spaces,” as specified in Section 3.5.3.c of the Zoning Bylaw.**

RESPONSE: This states an interpretation of the Zoning Bylaw. Medway Realty reserves its rights with respect to the applicability of major site plan review, as noted in the Application and in its cover letter dated February 6, 2020, but has chosen to undergo major site plan review in the spirit of cooperation.

2. **Section 204-5-A of the Site Plan Rules and Regulations requires a cover sheet. The applicant has requested a waiver. However, a cover sheet could consolidate the separate sheets that have been submitted into a cohesive set, as well as list waivers and provide other identifying information.**

RESPONSE: If this is important to the Board, Medway Realty will provide a cover sheet listing the approved plans and waivers as a condition of site plan approval.

3. **Section 204-5-D(8) specifies the contents of a landscape plan. A waiver has been requested. Most of the required information has been presented. A waiver of the requirement for a Landscape Architect may be appropriate, but another requirement that should be complied with is a maintenance program to ensure the viability of the new plants.**

RESPONSE: Medway Realty does not believe that a written “maintenance program” is necessary to ensure the viability of the new plants. It already went to the considerable effort of having an on-site irrigation well approved by the Board of Health, which in and of itself required engaging specific engineering expertise. Medway Realty does not intend to install the landscaping and the irrigation well only to have

the new plantings die. Nonetheless, to the extent that a written plan is important to the Board, Medway Realty would agree to produce one as a condition of site plan approval.

- 4. Section 205-5-D(13) requires details of certain site amenities. Among these are bike racks. Details of the proposed bike racks should be provided.**

RESPONSE: Details for the bike racks are shown on the Site Plan.

- 5. Section 205-5-D(14) requires a master signage plan. While new signage is not proposed, one element of the signage plan is “standards for tenant signs.” These could be established.**

RESPONSE: Tenant signage standards are beyond the scope of the Application (for site plan review). As noted, the Application was submitted in response to an Order of Taking by the Town of Medway in connection with work done by MassDOT on the Route 109 project, including changes in the Plaza’s main entrance to accommodate a new traffic light, which requires reconfiguring the parking lot to align with the new entrance. In an effort to work with the Town, Medway Realty has submitted the Site Plan, which proposes changes in excess of those discussed by representatives of the Town and Medway Realty from 2015 to 2017. (*See, e.g.*, plan entitled “Layout Plan,” Sheet C1.00, dated July 5, 2017, prepared by HSH.) These changes include widening the aisles and providing non-angled parking, providing substantially more landscaping, and reworking the western entrance to address the Fire Chief’s comment that the east side of the main entrance constructed by MassDOT is not 20-foot wide as required by the Fire Code. The Application is not intended to provide an avenue for subjecting the entire Plaza to site plan review or for waiving the protections afforded lawfully pre-existing non-conforming (i.e. “grandfathered”) uses by the Massachusetts Zoning Act, G.L. c. 40A, and the Zoning Bylaw.

- 6. Section 207-13-G(3)(a) requires parking drive aisles to be 24 feet wide. Most of the aisles are one-way for angle parking and those aisles are 18 or 19 feet wide. Section 207-13-G(2)(b) allows for angle parking if the applicant can show proper maneuverability can be achieved. However, pull through angle parking is not allowed. It is not clear if this is achieved.**

RESPONSE: As revised, the Site Plan provides 24-foot wide aisles and non-angled parking.

- 7. Section 207-13-I requires electric charging stations. Under the formula, 9 charging stations are required for 400-500 spaces.**

RESPONSE: Medway Realty does not proposed to add electric charging stations.

Article VII of the Rules & Regulations for Submission, Review and Approval of Site Plans (the “Site Plan Rules”) applies solely to “development projects,” an undefined term. It imposes a broad set of development standards on these types of projects; many of the standards simply refer to or incorporate the Zoning Bylaw provisions. These standards do not apply to the proposed reconfiguration of Medway Realty’s existing parking lot, which is not a “development project” by any reasonable interpretation of that word; and, as noted, by submitting the Application, Medway Realty does not waive its statutory protections as a lawfully grandfathered use so as to make applicable these development standards and the Zoning Bylaw provision they incorporate.

In addition, the uses within Medway Plaza (*e.g.*, dry-cleaning, ice cream parlor) require only short-term parking, unlike residential and office uses, which can result in a vehicle being parked in the same spot for many hours. As a result of these parking patterns, charging stations would not be a benefit, whereas they can provide a benefit for office and residential development.

8. Section 207-19-B(2) requires perimeter landscaping around the entire site.

RESPONSE: *See* Response A.7, paragraph 1. The Site Plan includes substantial landscaping in light of the existing conditions.

9. Section 207-19-C(1)(a) requires that a minimum of 10% of internal parking area shall be provided as landscaped island areas, exclusive of perimeter landscaping. 207-19-C(1)(b) requires landscape islands at the ends of rows with more than 15 parking spaces. The plan shows striping rather than islands. Section 207-19-C (1)(d) requires at least 1 deciduous shade tree per 6 parking spaces. At 446 car spaces, 75 trees are required. The plan shows 11.

RESPONSE: *See* Response A.7, paragraph 1. As Medway Realty is actively exploring redevelopment opportunities that would require more substantial changes to the parking, it is not prepared to landscape the relocated island areas at this time. That said, should no redevelopment opportunities come to fruition, Medway Realty would be willing to install landscaping in the islands at some point in the future.

10. Section 207-19-C(2) requires perimeter landscaping to screen parking areas to prevent direct views of parked vehicles from streets and sidewalks.

RESPONSE: *See* Response A.7, paragraph 1, and Response A.8.

11. **Section 207-19-F specifies the allowable species of trees. The proposed honey locusts are not on the list. However, alternatives are allowed to be proposed if they are more suitable to the site. The Board may seek advice from the Tree Warden on this issue.**

RESPONSE: See Response A.7, paragraph 1. In addition, as noted on the Site Plan, the proposed plantings are selected to match the landscaping installed by MassDOT as part of the Route 109 project.

12. **Section 207-19-I specifies that tree size shall be at least 2 ½” caliper and 12 feet in height upon planting. No specifications for the proposed trees are provided.**

RESPONSE: See Response A.7, paragraph 1. Medway Realty nonetheless would agree to a condition requiring that the Honey Locust trees be at least 2½” caliper and 12 feet in height upon planting.

B. LETTER BY TETRATECH DATED DECEMBER 10, 2019 (REVISED JANUARY 29, 2020)

SITE PLAN REVIEW

1. **A Development Impact Statement has not been provided. A waiver has been requested from this Regulation. (Ch. 200 §204-3.F)**

RESPONSE: The reasons for the waiver request are stated in the Project Narrative, pp. 5-6.¹

2. **The applicant has requested a waiver from providing Stormwater Documentation. However, a Report has been provided and contains the necessary documents. (Ch. 200 §204-3.G)**

RESPONSE: The reasons for the waiver request are stated in the Project Narrative, p. 6. Additionally, since the Application was filed, the Town has drafted a new Municipal Separate Storm Sewer System Connection and Discharge (“MS4CD”) Permit Application, making it clear that stormwater will be reviewed separately by the Department of Public Works (“DPW”).

3. **A Construction Management Plan has not been provided. A waiver has been requested from this Regulation. (Ch. 200 §204-3.H)**

RESPONSE: The reasons for the waiver request are stated in the Project Narrative, p. 6.

¹ The Project Narrative is part of the Application filed on October 28, 2019.

4. **Earth Removal Calculations have not been provided. It does not appear this regulation is applicable to this site. A waiver has been requested from this Regulation. (Ch. 200 §204-3.I)**

RESPONSE: The reasons for the waiver request are stated in the Project Narrative, p. 6. Medway Realty agrees that this regulation is not applicable.

5. **Earth Fill Estimates have not been provided. It does not appear this regulation is applicable to this site. A waiver has been requested from this Regulation. (Ch. 200 §204-3.J)**

RESPONSE: The reasons for the waiver request are stated in the Project Narrative, p. 6. Medway Realty agrees that this regulation is not applicable.

6. **A copy of an Oder of Resource Area Delineation (ORAD) from the Medway Conservation Commission has not been provided. It does not appear this regulation is applicable to this site. A waiver has been requested from this Regulation. (Ch. 200 §204.3.K)**

RESPONSE: The reasons for the waiver request are stated in the Project Narrative, p. 7. Medway Realty agrees that this regulation is not applicable.

7. **A cover sheet has not been provided. (Ch. 200 §204-5.A)**

RESPONSE: *See* Response A.2 above.

8. **A Site Context Sheet has not been provided. However, the Plan provides the necessary information that would be present in the Site Context Sheet. A waiver has been requested from this Regulation. (Ch. 200 §204-5.B)**

RESPONSE: The reasons for the waiver request are stated in the Project Narrative, p. 7. Medway Realty agrees that the plans provide the necessary information.

9. **An Existing Conditions Sheet has not been provided. However, due to the nature of work proposed, the Plan clearly shows the existing infrastructure on the project site and abutters. A waiver has been requested from this Regulation. (Ch. 200 §204-5.C)**

RESPONSE: A separate existing conditions plan has been provided. At the request of the Planning and Economic Development Director, much of

the existing conditions information has been removed from the Site Plan to make it easier to read.

- 10. Site grading has not been provided on the Plan. It does not appear this regulation is applicable to this site as existing grades are being maintained at the site. A waiver has been requested from this Regulation. (Ch. 200 §204-5.D.2)**

RESPONSE: The reasons for the waiver request are stated in the Project Narrative, p. 7. Medway Realty agrees that this regulation is not applicable.

- 11. An Erosion and Sediment Control Plan has not been provided. A waiver has been requested from this Regulation. (Ch. 200 §204-5.D.5)**

RESPONSE: The reasons for the waiver request are stated in the Project Narrative, p. 7. Medway Realty will provide appropriate erosion and sediment controls in consultation with the Town during the excavation, most of which will occur when the stormwater controls are constructed. Aside from the implementation of stormwater controls very little excavation is anticipated.

- 12. A Post Construction Stormwater Management Plan has not been provided. However, an operations and maintenance plan has been provided during construction and post-construction for the proposed drainage system in the Report. A waiver has been requested from this Regulation. (Ch. 200 §204-5.D.6)**

RESPONSE: The reasons for the waiver request are stated in the Project Narrative, p. 7. In addition, this comment was responded to separately by letter dated January 10, 2020, from Darren Grady, P.E. In addition, Tetra Tech has since stated that this item has been resolved.

- 13. A Site Utilities Plan has not been provided. It does not appear this regulation is applicable to this site as existing utilities will remain. A waiver has been requested from this Regulation. (Ch. 200 §204-5.D.7)**

RESPONSE: The reasons for the waiver request are stated in the Project Narrative, pp. 7-8. Medway Realty agrees that this regulation is not applicable

- 14. A Landscape Plan has not been provided. A waiver has been requested from this Regulation. (Ch. 200 §204-5.D.8)**

RESPONSE: *See* Response A.3. In addition, the reasons for the waiver request are stated in the Project Narrative, p. 8. The plantings are selected to match the plantings installed as part of the Route 109 project.

15. **Applicant is requesting waivers from Ch. 200 §204-5.D.9 through Ch. 200 §204-5.D.20. It does not appear these regulations are applicable to the scope of work for this Project.**

RESPONSE: The reasons for the waiver request are stated in the Project Narrative, pp. 8-9. Medway Realty agrees that these regulations are not applicable.

STORMWATER REVIEW MA DEP Stormwater Standards

16. **The Applicant shall provide third-party testing to confirm Total Suspended Solids (TSS) removal rates for the proposed Stormceptor Water Quality Units (Stormceptors) as well as removal efficiencies for nutrients and heavy metals as described in the Stormwater Report. Consistent rainfall data shall also be used to size the structures, Blue Hill and Worcester were both used in the sizing. (Standard 4, Vol. 2, Ch. 4, Pg. 5)**

RESPONSE: This comment was responded to separately by letter dated January 10, 2020, from Darren Grady, P.E., and subject to additional comment by Tetrtech. It is still outstanding.

PEDB Stormwater Regulations Review (Ch. 200 §207-14)

17. **The Applicant has not incorporated Low Impact Development Techniques into the design of the drainage modifications. Subarea D does not appear to be captured and treated in the proposed plan. This portion of the site slopes toward Route 109 and the landscaped islands adjacent to the roadway which could be used as rain gardens or other LID treatment with careful design. (Ch. 200 §207-14.B)**

RESPONSE: This comment was responded to separately by letter dated January 10, 2020, from Darren Grady, P.E., and subject to additional comment by Tetrtech. It is still outstanding.

Town Stormwater Management and Land Disturbance Bylaw Review (Article 26)

18. **The proposed plan does not appear to be disturbing greater than 20,000 sf and would not apply to the Bylaw. However, it appears the intention of the Project is to address disconnection of illicit discharges to the Municipal Separate Storm Sewer System (MS4).**

RESPONSE: This comment was responded to separately by letter dated January 10, 2020, from Darren Grady, P.E.

General Stormwater Comments (Article 26)

19. **There is no mention in the Stormwater Report if the site could reduce peak rate impacts to the MS4. The site is nearly entirely impervious, and soil and groundwater elevation encountered during the test pitting do not completely rule out providing subsurface recharge at the site. We believe the Applicant could provide recharge and/or detention through use of rain gardens or subsurface infiltration systems to help reduce peaks, increase water quality and delay discharge to the MS4 to help reduce impact to the system.**

RESPONSE: This comment was responded to separately by letter dated January 10, 2020, from Darren Grady, P.E., and subject to additional comment by Tetratech. It is still outstanding.

GENERAL COMMENTS

20. **The proposed striping and berm addition are not included on the Plans provided.**

RESPONSE: The proposed striping and berm addition are on the Site Plan. At the time it made this comment, Tetra Tech apparently did not have a copy of the October 15, 2019 site plan accompanying the Application; regardless, the revised Site Plan supersedes the prior version.

21. **We recommend the applicant provide erosion control measures to protect existing catch basins from sediment-laden stormwater that may develop during excavating. If excavated material is anticipated to be stockpiled within the existing parking lot, we recommend the applicant to also provide stockpile control measures that will prevent sediment from traveling off-site.**

RESPONSE: Medway Realty will provide appropriate erosion control in consultation with the Town during the excavation, most of which will occur when the stormwater controls are constructed. Aside from the implementation of stormwater controls very little excavation is anticipated.

ADDITIONAL COMMENTS

22. **The Applicant has not provided an Erosion and Sediment Control Plan associated with construction activities for improvements. (Ch. 200 §204-5.D.5)**

RESPONSE: *See* Response A.11.

C. LETTER DATED DECEMBER 10, 2019 FROM JOHN D. RUSSELL, ESQ., ADDLER POLLOCK & SHEEHAN P.C.

- 1. The proposed reduction in said curb [adjacent to 86 Main Street] would greatly and detrimentally affect the ingress and egress to and from the Colbea Property from Route 109 and could raise traffic concerns. Further, Colbea maintains an express easement over a portion of Sunset Lane pursuant to a quitclaim deed granted to one of Colbea's predecessors in interest (Shell Oil Company) with respect to the Medway Place Property.**

RESPONSE: As shown on the Site Plan, the proposed landscaping on the southeast corner of the property is now outside of the layout of Sunset Drive (a/k/a Sunset Lane). The existing sidewalk and granite curb were put in place by MassDOT and are not part of the work proposed through the Site Plan. Medway Realty takes no position with respect to the easement or traffic concerns raised by the above-mentioned letter, but is respectful of any rights or concerns its neighbor may have and has addressed these concerns with respect to the work that is the subject of the Application.

D. COMMENTS BY BOARD MEMBERS, PLANNING AND ECONOMIC DEVELOPMENT COORDINATOR, AND PLANNING AND ECONOMIC DEVELOPMENT DIRECTOR AT DECEMBER 12, 2019 HEARING

- 1. Please separate proposed site plan and existing conditions plan (Planning and Economic Development Director).**

RESPONSE: As revised, the Site Plan eliminates the underlying existing conditions shown on the October 15, 2019 site plan and prior site plans. A separate existing conditions plan is attached.

- 2. Consider widening aisles and using non-angled parking.**

RESPONSE: See Response A.6 above.

- 3. Consider sign guidelines for tenant signs.**

RESPONSE: See Response A.5 above.

- 4. Consider landscaping the ends of the parking aisle.**

RESPONSE: See Response A.9 above.

- 5. Consider making lights conform to Zoning Bylaw requirements.**

RESPONSE: As noted, Medway Plaza is a lawfully grandfathered use. By filing the Application as requested by Town officials, Medway Realty does not waive the statutory protections afforded such uses, which are not subject to new Zoning Bylaw provisions such as the lighting requirements set forth in Section 7.1.2 of the Zoning Bylaw. While the 2015 order of taking, the new traffic light installed by MassDOT, and the new entrance partially constructed by MassDOT require changes in the layout of the existing parking lot, Medway Realty is not voluntarily undertaking a complete redesign. The existing parking lot has 10 lights. Eight of these will remain in their current location. Two of the lights will be relocated to align with the new striping proposed on the Site Plan. A new lighting system is not within the scope of the proposed site plan.



February 11, 2020
Medway Planning & Economic Development Board
Meeting

20 Broad Street – Public Hearing
Continuation

- Public Hearing Continuation Notice
- Email dated 1-28-20 from abutters Chris Cushing and Ashley Ahlers (27 Broad Street)
- Email dated 2-3-20 from Fire Chief Jeff Walsh
- Revised Photometric Plan
- Email dated 2-27-20 from project engineer Rob Truax re: open space area
- 3rd party testing documents re: TSS removal efficiencies for stormwater management facilities
- Revised draft decision dated 2-7-20.

Rob Truax will be at the meeting on behalf of applicant Steve Brody.



TOWN OF MEDWAY
COMMONWEALTH OF MASSACHUSETTS
PLANNING AND ECONOMIC
DEVELOPMENT BOARD

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

Board Members

Andy Rodenhiser, Chair

Robert Tucker, Vice
Chair

Thomas Gay, Clerk

Matthew Hayes, P.E.,
Member

Richard Di Iulio, Member

Staff

Susan Affleck-Childs,
Planning and Economic
Development
Coordinator

MEMORANDUM

January 30, 2020

TO: Maryjane White, Town Clerk
Town of Medway Departments, Boards and Committees

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

RE: **Public Hearing Continuation: 20 Broad Street Multi-Family Special Permit, Site Plan Review, Groundwater Protection Special Permit and Land Disturbance Permit**
Continuation Date: Tuesday, February 11, 2020 at 8:30 p.m.
Location: Medway Town Hall, 155 Village Street

At its meeting on January 28, 2020, the Planning and Economic Development Board (PEDB) voted to continue the public hearings on the applications of Village District Development LLC of Medway, MA for approval of a multi-family housing special permit, major site plan, a land disturbance permit, and a groundwater protection district special permit for a proposed 6 unit, multi-family development at 20 Broad Street to Tuesday, February 11, 2020 at 8:30 p.m. in Sanford Hall at Medway Town Hall, 155 Village Street.

The 23,109 sq. ft. property ((Medway Assessors Map 60, Parcel 232) is located in the Village Commercial Zoning District. The property is also located in the Multi-Family Overlay District and the Groundwater Protection District.

The proposed development will include renovation of the existing three-family building including a 270 sq. ft. addition and construction of a new three-family building for a total of six residential units. Access will be from a single curb cut from Broad Street. A total of 12 off-street, paved parking spaces will be provided. 40.9% of the site will have impervious surfaces. Stormwater management facilities will be installed. Landscaping and site lighting are also proposed. Connections will be made to the Town sewer and water services in Broad Street. The *Site Development Plan 20 Broad Street, Medway, MA* dated September 16, 2019, last revised November 22, 2019, was prepared by GLM Engineering Consultants of Holliston, MA.

The permit applications, site plan, and other associated documents are on file with the Medway Town Clerk and at the office of the Planning and Economic Development Board at Medway Town Hall, 155 Village Street and may be reviewed during regular business hours. The materials have also been posted to the Planning and Economic Development Board's web page at:

<https://www.townofmedway.org/planning-economic-development-board/pages/20-broad-street-multifamily-housing-development>

A revised site plan was received on 11-26-19 and has been posted to the Board's web page above. Please review that revised plan set. The Board will continue its review of a draft decision at the February 11th hearing and is expected to vote its decision that night.

RECEIVED

JAN 30 2020

TOWN CLERK

Susan Affleck-Childs

From: Christopher Cushing <christopher_cushing@yahoo.com>
Sent: Tuesday, January 28, 2020 7:58 PM
To: Susan Affleck-Childs; Planning Board
Cc: lmittchell@radiofrequency.com
Subject: 20 Broad St Proposal

Hi Susan,

My wife and I live on 27 Broad St. I hope I'm not messaging too late as I know there is a meeting where some decisions might be made tonight, but I did want to express the opposition we have to the proposed building on 20 Broad Street. I had been hoping that the existing home on 20 Broad would be renovated and was encouraged about the potential that carried for this street. We are not pleased with the proposed plan to have two structures and a large parking lot. We are struggling to see the benefit this will bring our street, which unfortunately is not in the greatest condition, especially compared to the rest of Medway.

We are discouraged by the condition of the other nearby properties Mr. Brody owns in the neighborhood, which seem to us to be clear evidence moving in this direction is not in the best interest of our street.

It would be nice to see Broad St catch up with the rest of Medway. Allowing this plan to go forward would be moving in the wrong direction.

Thanks for the consideration.

Chris Cushing and Ashley Ahlers
27 Broad St
508-208-2185

Sent from my iPhone

Susan Affleck-Childs

From: Jeff Lynch
Sent: Monday, February 03, 2020 10:43 AM
To: Susan Affleck-Childs
Cc: Mike Fasolino
Subject: RE: 20 Broad Street Multi-Family Development Application - Request for Comments

Hi Susy, There is sufficient hydrant coverage existing for this development so no additional hydrant will be necessary. Thank you.

From: Susan Affleck-Childs
Sent: Monday, February 03, 2020 9:55 AM
To: Jeff Lynch <ChiefLynch@townofmedway.org>
Cc: Mike Fasolino <mfasolino@townofmedway.org>
Subject: RE: 20 Broad Street Multi-Family Development Application - Request for Comments

Good morning,

On February 11, the Planning and Economic Development Board will finalize its special permit decision on the proposed multi-family development at 20 Broad Street.

They specifically asked if you are going to require the installation of a fire hydrant on the property.

Attached is the last site plan.

Please advise.

Thanks for your help.

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

From: Jeff Lynch
Sent: Wednesday, October 02, 2019 3:33 PM
To: Susan Affleck-Childs
Cc: Mike Fasolino
Subject: RE: 20 Broad Street Multi-Family Development Application - Request for Comments

Susy, As with all projects this one will need to conform to applicable State Fire Codes. We have no objection to the site plan as submitted. Thanks. Chief Lynch

From: Susan Affleck-Childs

Sent: Tuesday, October 01, 2019 9:59 AM

To: Alison Slack <slack_alison@hotmail.com>; Chief Tingley <amtingley@medwaypolice.com>; Allison Potter <apotter@townofmedway.org>; Andy Rodenhiser <andy@rodenhiser.com>; Ann Sherry <asherry@charlesriverbank.com>; ArmandPires <apires@medwayschools.org>; Barbara Saint Andre <bsaintandre@townofmedway.org>; Barry Smith <bsmith@townofmedway.org>; Beth Hallal <bhallal@townofmedway.org>; Board of Selectmen <bos@townofmedway.org>; Bob Ferrari <pbferrari@earthlink.net>; Bridget Graziano <bgraziano@townofmedway.org>; David Damico <ddamico@townofmedway.org>; David Travalini <dtravalini@verizon.net>; Design Review Committee <drc@townofmedway.org>; DonaldAicardi <dAicardi@medwayschools.org>; Donna Greenwood <dgreenwood@townofmedway.org>; Doug Havens <dhavens@townofmedway.org>; Erika Robertson <erobertson@townofmedway.org>; Fran Hutton Lee <fhuttonlee@townofmedway.org>; Gino Carlucci <gino@pgcassociates.com>; Jack Mee <jmee@townofmedway.org>; Jeanne Johnson <j22johnson2001@yahoo.com>; Jeff Lynch <ChiefLynch@townofmedway.org>; Jeff Watson <watson@medwaypolice.com>; Jim Wickis <jbwickis@verizon.net>; Joanne Russo <jrusso@townofmedway.org>; Judi LaPan <jlaPan@townofmedway.org>; Keith Peden <keith.j.peden@gmail.com>; Liz Langley <llangley@townofmedway.org>; Liz Taglieri <ltaglieri@charlesriverpcd.org>; Mark Cerel <mcerel@franklin.ma.us>; Matt Buckley <matt_buckley2@yahoo.com>; Michael Boynton <mboynton@townofmedway.org>; Mike Fasolino <mfasolino@townofmedway.org>; Paul Yorkis <pgyorkis@gmail.com>; Peter Pelletier <ppetelier@townofmedway.org>; Rindo Barese <rbarese@townofmedway.org>; Sandy Johnston <sjohnston@townofmedway.org>; Stefany Ohannesian <sohannesian@townofmedway.org>; Stephanie Carlisle <scarlisle@townofmedway.org>; Steve Bouley <steven.bouley@tetrattech.com>; Sue Rorke <srorke00@gmail.com>; Tina Wright <Tina.Wright@tbrassociates.com>; Zoning Board <zoning@townofmedway.org>

Subject: 20 Broad Street Multi-Family Development Application - Request for Comments

Good morning,

The Planning and Economic Development Board has received a series of applications from Village District LLC (Steve Brody) of Medway, MA for a multifamily special permit, site plan approval, a groundwater protection special permit, and a land disturbance permit for a proposed 6 unit, apartment development at 20 Broad Street.

The PEDB will begin a public hearing on the proposed development at its meeting on October 22, 2019 at 7:30 p.m. in Sanford Hall.

The various applications, project description, site plan, and stormwater report are available for viewing at: <https://www.townofmedway.org/planning-economic-development-board/pages/20-broad-street-multifamily-housing-development>

I have extra sets of the site plan in my office and would be glad to provide one to you.

Please review the site plan and provide any comments to me by October 15th so they can be supplied to the Board, included in the public hearing record, and shared with the project engineers.

The Board's consulting engineer and consulting planner are reviewing the plans and will also provide comments to the Board.

Thanks for your help and please let me know if you have any questions.

Cheers!

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

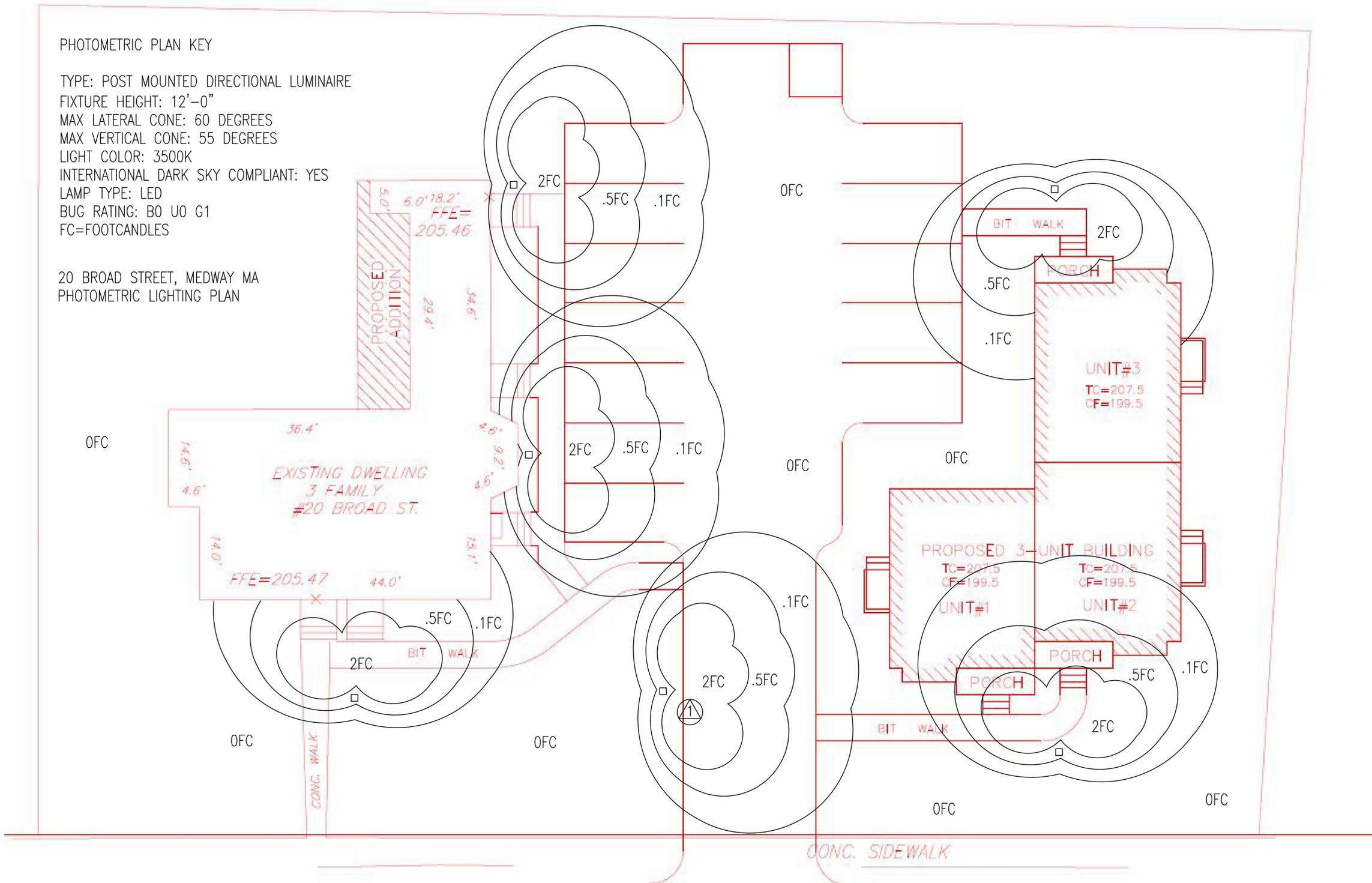


B T A
 BRETT THIBAUT ARCHITECT
 28 VINCENT ROAD
 MENDON, MA 01756
 BRETT@BTARC.COM
 (508) 634 8401

PHOTOMETRIC PLAN KEY

TYPE: POST MOUNTED DIRECTIONAL LUMINAIRE
 FIXTURE HEIGHT: 12'-0"
 MAX LATERAL CONE: 60 DEGREES
 MAX VERTICAL CONE: 55 DEGREES
 LIGHT COLOR: 3500K
 INTERNATIONAL DARK SKY COMPLIANT: YES
 LAMP TYPE: LED
 BUG RATING: B0 U0 G1
 FC=FOOTCANDLES

20 BROAD STREET, MEDWAY MA
 PHOTOMETRIC LIGHTING PLAN



18022

20 BROAD STREET
 MEDWAY, MA 02053

DRAWING TITLE:
 LIGHTING PHOTOMETRIC PLAN

REVISION	DATE	BY	APP

SCALE: NTS
 DATE: 9/19/2019

LP

Susan Affleck-Childs

From: Robert Truax <Robert.Truax@glmengineering.com>
Sent: Friday, February 07, 2020 10:30 AM
To: Susan Affleck-Childs; Steve Brody
Subject: RE: 20 Broad Street decision - draft 2-3-2020

Susy,

Open space: 6,800 s.f. (29%)

Rob

From: Susan Affleck-Childs [mailto:sachilds@townofmedway.org]
Sent: Wednesday, February 05, 2020 10:54 AM
To: Steve Brody
Cc: Robert Truax
Subject: 20 Broad Street decision - draft 2-3-2020

Draft revised decision . . .

Susy



Stormceptor®

-----STC

Stormceptor® is an underground stormwater quality treatment device that is unparalleled in its effectiveness for pollutant capture and retention. With thousands of systems operating worldwide, Stormceptor delivers protection every day in every storm.

With patented technology, optimal treatment occurs by allowing free oil to rise and sediment to settle. The Stormceptor design prohibits scour and release of previously captured pollutants, ensuring superior treatment and protection during even the most extreme storm events.

Stormceptor is very easy to design and provides flexibility under varying site constraints such as tight right-of-ways, zero lot lines and retrofit projects. Design flexibility allows for a cost-effective approach to stormwater treatment. Stormceptor has proven performance backed by the longest record of lab and field verification in the industry.

Tested Performance

- Fine particle capture
- Prevents scour or release
- 95%+ Oil removal

Massachusetts – Water Quality (Q) Flow Rate

Stormceptor STC Model	Inside Diameter (ft)	Typical Depth Below Inlet Pipe Invert ¹ (in)	Water Quality Flow Rate Q ² (cfs)	Peak Conveyance Flow Rate ³ (cfs)	Hydrocarbon Capacity ⁴ (Gallons)	Maximum Sediment Capacity ⁴ (ft ³)
STC 450i	4	68	0.40	5.5	86	46
STC 900	6	63	0.89	22	251	89
STC 2400	8	104	1.58	22	840	205
STC 4800	10	140	2.47	22	909	543
STC 7200	12	148	3.56	22	1,059	839
STC 11000	2 x 10	142	4.94	48	2,792	1,086
STC 16000	2 x 12	148	7.12	48	3,055	1,677

¹ Depth Below Pipe Inlet Invert to the Bottom of Base Slab, and Maximum Sediment Capacity can vary to accommodate specific site designs and pollutant loads. Depths can vary to accommodate special designs or site conditions. Contact your local representative for assistance.

² Water Quality Flow Rate (Q) is based on 80% annual average TSS removal of the OK110 particle size distribution.

³ Peak Conveyance Flow Rate is based upon ideal velocity of 3 feet per second and outlet pipe diameters of 18-inch, 36-inch, and 54-inch diameters.

⁴ Hydrocarbon & Sediment capacities can be modified to accommodate specific site design requirements, contact your local representative for assistance.



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

DRAFT – February 7, 2020

**MULTI-FAMILY HOUSING SPECIAL PERMIT,
GROUNDWATER PROTECTION SPECUAL PERMIT, LAND
DISTURBANCE SPECIAL PERMIT and SITE PLAN DECISION**
20 Broad Street
with Waivers and Conditions

Decision Date: TBD

Name of Applicant/Permittee: Village District Development, LLC

Address of Applicant: Village District Development, LLC
9A North Street
Medway, MA 02053

Name/Address of Property Owners: Village District Development, LLC
9A North Street
Medway, MA 02053

Site Plan: *Site Development Plan – 20 Broad Street*
Dated September 16, 2019, last revised November 22, 2019 by
GLM Engineering Consultants, Inc.

Location: 20 Broad Street

Assessors' Reference: Map 60, Parcel 232

Zoning District: Village Commercial
Multi-Family Housing Overlay District
Groundwater Protection District

I. PROJECT DESCRIPTION – The Applicant proposes to develop a 6-unit residential apartment community at 20 Broad Street. The area of the site is .53 acres (23,109 sq. ft.). The project includes construction of one 3-unit building and the renovation of the existing three-family building with a 270 sq. ft. addition. All six apartment units will have 3 bedrooms.

Access to the development will be from a single curb cut from Broad Street. A total of 12 off-street parking spaces will be provided. Sub-surface stormwater management facilities will be installed on site as will landscaping and lighting. Connections will be made to the existing Town sewer and water services on Broad Street.

The proposed use requires a multi-family housing special permit pursuant to Sections 5.6.4 and 3.4 of the Town of Medway *Zoning Bylaw* (the “Bylaw”), site plan review and approval pursuant to Section 3.5 of the *Bylaw* and the Board’s *Site Plan Rules and Regulations* as amended December 3, 2002, a groundwater protection special permit pursuant to Section 5.6.3 of the *Bylaw*, and a Land Disturbance Permit pursuant to Medway General Bylaws, Article XXVII.

II. VOTE OF THE BOARD – After reviewing the application and information gathered during the public hearing and review process, the Medway Planning and Economic Development Board (the “Board”), on _____, on a motion made by _____ and seconded by _____, **voted to _____ with CONDITIONS a Multi-Family Housing Special Permit, a groundwater protection special permit, and a land disturbance permit to Village District Development, LLC of Medway, MA (hereafter referred to as the Applicant or the Permittee) and to _____ with WAIVERS and CONDITIONS as specified herein, a site plan for the development of a six unit, residential apartment community and associated site improvements on the property at 20 Broad Street as shown on the plan titled Site Development Plan for 20 Broad Street, dated September 16, 2019, last revised November 22, 2019 to be further revised as specified herein before endorsement and recording.**

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

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

III. PROCEDURAL HISTORY

- A. September 19, 2019 – Special permit and site plan applications and associated materials filed with the Board.
- B. September 24, 2019 - Special permit and site plan applications and associated materials filed and the Medway Town Clerk
- C. October 1, 2019 – Public hearing notice filed with the Town Clerk and posted at the Town of Medway web site.
- D. October 1, 2019 - Public hearing notice mailed to abutters by certified sent mail.
- E. October 1, 2019 – Site plan information distributed to Town boards, committees and departments for review and comment.

- F. October 7 and 15, 2019 - Public hearing notice advertised in *Milford Daily News*.
- G. October 22, 2019 - Public hearing commenced. The public hearing was continued to November 26 and December 10, 2019, to January 28, 2020 and to February 11, 2020 when the hearing was closed and a decision rendered.

IV. INDEX OF SITE PLAN/SPECIAL PERMIT DOCUMENTS

- A. The various applications for the proposed multi-family development at 20 Broad Street included the following plans, studies and information that were provided to the Board at the time the application was filed:
 - 1. Multifamily Housing Special Permit application dated September 19, 2019.
 - 2. Major Site Plan application dated September 19, 2019.
 - 3. Groundwater Protection Special Permit application dated September 19, 2019
 - 4. Land Disturbance Permit application dated September 16, 2019
 - 5. *Site Development Plan, 20 Broad Street*, dated September 16, 2019 prepared by Paul Truax, P.E. and Joyce Hastings, PLS, of GLM Engineering Consultants, Inc. of Holliston, MA.
 - 6. Certified Abutters List from Medway Assessor's office dated September 12, 2019.
 - 7. Requests for Waivers from *Site Plan Rules and Regulations* dated September 16, 2019 prepared by GLM Engineering Consultants, Inc.
 - 8. Quit Claim deed dated December 16, 2017 conveying 20 Broad Street from Harold L. Adams to Village District Development, LLC of Medway, MA.
 - 9. *Stormwater Management Report for Site Plan of Land, 20 Broad Street* dated September 16, 2019, prepared by GLM Engineering Consultants, Inc.
 - 10. Building architectural plans including elevations and floor plan, dated August 15, 2018 and September 19, 2019, by Brett Thibault Architect, Mendon, MA
 - 11. Photometric plan dated September 19, 2019, by Brett Thibault Architect, Mendon, MA
- B. During the course of the Board's review, revised plans and a variety of other materials were submitted to the Board by the Applicant and its representatives:
 - 1. Groundwater Protection District Description, letter dated October 1, 2019 from Rob Truax, GLM Engineering
 - 2. *Site Development Plan, 20 Broad Street, dated September 16, 2019, revised November 22, 2019* prepared by Paul Truax, P.E. and Joyce Hastings, PLS, of GLM Engineering Consultants, Inc. of Holliston, MA.
 - 2. *Stormwater Management Report for Site Plan of Land, 20 Broad Street* dated September 16, 2019, revised November 22, 2019 prepared by GLM Engineering Consultants, Inc., including a Stormwater Operations and Maintenance Plan.
 - 3. Response and resubmission letter dated November 22, 2019 from Rob Truax, GLM Engineering to the plan review letters from Tetra Tech and PGC Associates.

4. REVISED building architectural plans including elevations and floor plan, dated December 16, 2019 by Brett Thibault Architect, Mendon, MA
5. REVISED Landscape Plan
6. Email communication dated February 7, 2020 from Rob Truax, GLM Engineering, with information on the amount of designated open space on the property.
7. Revised photometric plan Photometric Plan updated February 6, 2020 by Brett Thibault Architect, Mendon, MA

C. Other documentation submitted to the Board during the course of the public hearing:

1. PGC Associates plan review letters dated October 16 and December 4, 2019
2. Tetra Tech plan review letters dated October 18 and December 4, 2019
3. Email dated October 2, 2019 from Fire Chief Jeff Lynch
4. Design Review Committee comment memorandums dated October 24, 2019 and January 21, 2020.
5. Emails dated November 5, 2019 and December 23, 2019 from Medway DPW Director Dave D’Amico
6. Email dated December 23, 2019 from Medway DPW Deputy Director Pete Pelletier
7. Emails dated November 24, 2019 and January 16, 2020 from abutter Lisa Mitchell, 25 Broad Street
8. Memorandum dated _____ from the Medway Design Review Committee regarding revised landscape plan
9. Email communication dated February 3, 2020 from Fire Chief Jeff Lynch

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

- Steve Bouley, P.E. of Tetra Tech, Inc., the Town’s Consulting Engineer – Commentary provided throughout the public hearing process.
- Gino Carlucci, PGC Associates, the Town’s Consulting Planner – Commentary provided throughout the public hearing process.
- Rob Truax, GLM Engineering Consultants, Inc. for the Applicant – Commentary provided throughout the public hearing process
- Stephen Brody, Applicant
- Jason Burns, 18 Broad Street
- Scott Salvucci, 17 Broad Street
- Tracy Batchelor, 24 Broad Street
- Lisa Mitchell, 25 Broad Street

VI. **FINDINGS** - The Board, at its meeting on _____2020, on a motion made by _____and seconded by _____, voted to _____the following **FINDINGS** regarding the site plan, land disturbance application and special permit applications for the proposed multi-family development at 20 Broad Street. The motion was _____by a vote of ____in favor and ____ opposed.

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

Applicability

- 1) Location - *The site is within the Multifamily Housing Overlay District (Section 5.6.4) and thus is eligible for the multifamily housing proposal.*
- 2) Traffic capacity – *Broad Street is a local street off of Village Street, one of Medway's major east/west streets, and has sufficient capacity to handle the traffic from the 6 units that are proposed. This is an increase of 3 units beyond the current 3 family structure on the property. The 6 units do not rise to the level of triggering the requirement for preparation of a traffic study.*
- 3) Parcel size & frontage – *The site consists of .53 acres (23,109 sq. ft.) which exceeds the minimum area requirement of 10,000 square feet for the Village Commercial zoning district. The site has 184.29 feet of frontage on Broad Street, so it meets the minimum 50 foot frontage requirement of Section 5.6.4.B(1) of the Bylaw.*

Dimensional

- 4) Dimension adjustments – *The dimensional requirements of the underlying Village Commercial District apply to the project, as set forth in Table 2 of Section 6 of the Bylaw. The plan shows a front building setback of 21 feet from Broad Street; the minimum front setback for the VC district is 20 feet. The plan shows a side setback of 13.7 feet where the minimum required is 10 feet. The plan shows a rear setback of 25 feet where a 10 foot minimum is required. The plans indicate that the project complies with maximum building coverage requirements (17.5% provided vs. 80% maximum allowed). There are no impervious standards for the VC district; the site will be 40.9% impervious upon completion of the building and site improvement construction.*
- 5) Building Height - *As noted on the plans, the height of the six buildings will be approximately 30.8 feet, less than the maximum 40 feet allowed.*

Density

- 6) Density – *Pursuant to the Zoning Bylaw in effect at the time of applications, the maximum possible density for multi-family projects is 12 units per whole acre. With .53 acres, the site could include a maximum possible 6 dwelling units. With 6 units proposed, the project meets the allowed density.*

Special Regulations

- 7) Affordable housing - *At 6 units total including only 3 new units, the project is not required to provide an affordable housing unit pursuant to Section 8.6.C. of the Bylaw.*
- 8) Open Space - *A minimum of 15% of the parcel must be open space or yard area. This requirement is met with 29% open space provided.*
- 9) Parking spaces - *Two off-street spaces per unit (12 spaces) are the minimum required per Section 5.6.4 E. 3 of the Bylaw and 12 paved, off-street parking spaces are provided.*
- 10) Town water and sewer service - *The project will be served by Town water and sewer service presently located in Broad Street*

Commented [SA1]: Information provided by Rob Truax 2-7-20

- 11) Number of units - *The number of units proposed (6) equals the 6 unit maximum possible allowed under the Bylaw.*
- 12) Historic Properties – *The existing 1880 building on the site will be renovated as part of the development plan and will include 3 apartment units.*

Decision Criteria

- 13) Meets purposes of Multi-Family Housing section of the Bylaw (Section 5.6.4) and the Site Plan Rules and Regulations - *The project meets the following purposes of the Multifamily Housing section of the Bylaw: (1) It provides a diversity of housing types in the form of apartment units; (2) promotes pedestrian oriented development as the subject property is located within an older, walkable neighborhood; (3) encourages the preservation of older and architecturally significant properties. It also meets the purpose of the Site Plan Rules and Regulations. The site plan has been reviewed by Town officials, the Consulting Engineer and Consulting Planner to ensure that the health, safety and welfare of Town residents is protected. Impacts on traffic, parking, drainage, environmental quality, community economics and community character were considered.*
- 14) Consistent with the Medway Housing Production Plan - *The development meets the HPP's implementation strategy of encouraging the use of the Multifamily Housing special permit provision of the Bylaw and providing additional options for multi-family housing.*
- 15) Impact on abutting properties and adjacent neighborhoods - *The impact on abutting properties and adjacent neighborhoods has been addressed through vegetative screening, and the positive aesthetics of the building to be renovated and the building to be constructed.*
- 16) Variety of housing stock - *The development increases the variety of housing stock in the community by providing a total of six rental apartments to the town's housing stock.*
- 17) Designed to be reflective of or compatible with the character of the surrounding neighborhood - *The surrounding neighborhood includes a mix of housing types including single family, two-family and multi-family residences. Therefore, the proposed development is compatible with the surrounding neighborhood.*

GROUNDWATER PROTECTION FINDINGS – The subject property at 20 Broad Street is located within the Groundwater Protection District which is an overlay district superimposed on the underlying zoning districts. Therefore, it is subject to the requirements of Section 5.6.3 of the Bylaw. The overlay district requirements apply to all new construction, reconstruction of existing buildings and new or expanded uses.

- E. 1. **Permitted Uses** – *The proposed use shown on the site plan is an expansion of the existing residential use of the premises which includes a 3-family residential building which will be renovated and have a modest addition built onto it. Additionally, a new building will be constructed to create 3 residential apartments. Enlargement of an existing structure and new construction are permitted uses, subject to certain restrictions, within the Groundwater Protection District. As conditioned herein, the project will comply with those restrictions.*

E.3. Uses and Activities Requiring a Special Permit – Specific to this project, the following uses and activities are allowed only upon the issuance of a special permit.

- b. Any use which will render impervious more than 15% or 2,500 square feet of any lot, whichever is greater. A system for groundwater recharge must be provided which does not degrade groundwater quality. *The proposed building expansion and site improvements at 20 Broad Street would increase the extent of impervious surface from 4,035 sq. ft. (17.5% of the site) to 9,446 sq. ft. (40.9% of the site), thus triggering the need for a Groundwater Protection special permit.*

F. Special Permits

1. *The Board of Appeals is the designated special permit granting authority for the Groundwater Protection District. However, the Bylaw (Section 3.5. Site Plan Review, 4. a.) transfers that authority to the Planning and Economic Development Board when both site plan approval and a special permit are needed so as to consolidate the review process. The Board has notified the Board of Health, the Conservation Commission, and the Medway Department of Public Works of the groundwater special permit application and sought their counsel and input as required by the Bylaw.*

1. a. The proposed use must not adversely affect the existing or potential quality or quantity of water that is available in the Groundwater Protection District.

The project has been reviewed by the Town's Consulting Engineer to ensure that the planned stormwater management facilities and the associated groundwater recharge does not degrade groundwater quality. This decision includes suitable measures to protect groundwater. A comprehensive stormwater management system has been designed for this site where there are currently no stormwater facilities whatsoever. The stormwater design provides for the required reduction of total suspended solids off of the paved surfaces through the use of proprietary treatment units, i.e. stormceptors and infiltration system for groundwater recharge; the total suspended solids removal rate will be 95%."

Peak stormwater flows will now be managed for all peak storm events. This is a considerable improvement over current conditions where untreated stormwater is presently flowing to out to Broad Street.

*To further protect groundwater, the project is conditioned as included herein; see **Condition ____**.*

1. b. The proposed use shall be designed to avoid substantial disturbance of the soils, topography, drainage, vegetation, and other water-related natural characteristics of the site to be developed.

The location of the proposed addition to the existing building and the location of the new building are in areas that have been used primarily as a yard for the existing residential building. 59.1% of the site will be impervious after construction

which complies with the Dimensional Regulations represented in Table 2 of the Bylaw.

2. The Board finds that the Applicant has provided sufficiently detailed, definite, and credible information to support positive findings in relation to the standards for a Groundwater Protection special permit as documented in the application materials and additional information provided during the course of the public hearing including a redesign of the stormwater system. The proposed stormwater drainage system will provide groundwater recharge through the use of underground infiltration systems to capture roof runoff. The runoff from the paved surfaces will be directed to subsurface stormwater facilities to provide treatment before recharge.

3. The submission requirements and public hearing procedures have been conducted in accordance with Section 3.4 of the Bylaw and the Board's Site Plan Rules and Regulations including the posting of a public hearing notice with the Town Clerk, abutter notification, and legal advertisement. Information about the project has also been posted to the Board's web page and review and comments have been sought from the Board of Health, Conservation Commission, Sewer and Water Commission and the Department of Public Works.

The Board finds that the adverse effects of the proposed use will not outweigh its beneficial impacts to the Town or neighborhood.

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

- 1) The proposed site is an appropriate location for the proposed use. *The proposed use is a multi-family development within the Multi-Family Housing Overlay District as approved by Town Meeting. Therefore the proposed use is in an appropriate location.*
- 2) Adequate and appropriate facilities will be provided for the operation of the proposed use. *As documented in the plans and associated materials, and conditioned herein, adequate and appropriate facilities will be provided for the operation of the proposed uses. Town officials, the Town's Consulting Engineer and Consulting Planner have all reviewed the proposed facilities. The project will be serviced by Town water and sewer systems. Private electric and gas utilities will be provided. And the stormwater management system has been designed in accordance with the applicable regulations.*
- 3) The proposed use as developed will not create a hazard to abutters, vehicles, pedestrians or the environment. *The proposed use adds 3 residential units on a local street off of Village Street, a major through street. The entrance to the site has adequate sight distance and does not create a hazard to abutters, vehicles, or pedestrians. Sidewalk facilities in front of the subject site exist, although they are not in superb condition. The*

proposed stormwater management system has been reviewed by the Town's Consulting Engineer and will not present a hazard to the environment.

- 4) *The proposed use will not cause undue traffic congestion or conflicts in the immediate area. Broad Street has the capacity to handle the traffic from the additional 3 residential units. The entrance has been designed for maximum sight distance so the development will not cause undue traffic congestion or conflicts. As conditioned herein (____), the development is not permitted to have additional resident parking on Broad Street.*
- 5) *The proposed use will not be detrimental to the adjoining properties due to lighting, flooding, odors, dust, noise, vibration, refuse materials or other undesirable visual, site or operational attributes of the proposed use. The Applicant has provided documentation reviewed by the Town's Consulting Engineer that its stormwater management plan is adequate to prevent flooding. The development will utilize residential style driveway lanterns. A revised photometric plan documents that there is no light trespass off site. Household refuse will be disposed of by an on-site dumpster that will be enclosed and collected by a private service. There will be no detrimental impact on abutters due to odors, dust, noise, vibration, refuse materials or other undesirable environmental impacts.*
- 6) *The proposed use as developed will not adversely affect the surrounding neighborhood or significantly alter the character of the zoning district. The proposed use is within the Multi-Family Housing Overlay District. The surrounding neighborhood includes other multi-family buildings in the neighborhood and thus this development will not alter the character of the neighborhood. The new building has been designed to be compatible with and reflective of the architecture of the existing building.*
- 7) *The proposed use is in harmony with the general purpose and intent of the Zoning Bylaw. The Multi-Family Housing provisions of the Bylaw were specifically established to encourage this type of use subject to certain conditions to limit adverse impacts. The proposed use is in harmony with the general purpose and intent of the Bylaw.*
- 8) *The proposed use is consistent with the goals of the Medway Master Plan. The proposed use is consistent with the Master Plan goals of identifying housing needs and implementing projects to meet those needs such as increasing housing diversity.*
- 9) *The proposed use will not be detrimental to the public good. As documented in the plans and application, and the findings and conditions of this decision, the proposed use is in accordance with the goals of the Master Plan while protecting against potential adverse impacts. The proposed development has reasonable and appropriate density in a suitable location.*

For all of the above reasons, the Board finds that the beneficial impacts of the proposed apartment development for 20 Broad Street outweigh the effects of the proposed use on the Town and neighborhood.

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

Site Plan Rules and Regulations, as amended December 3, 2002, and Section 3.5 of the Bylaw:

- 1) Has internal circulation, queuing and egress been designed such that traffic safety is protected, access via minor streets servicing residential areas is minimized, and traffic backing up into the public way is minimized? *The plan has been thoroughly reviewed by Town officials, the Consulting Engineer and Consulting Planner. There is no backing onto a public way from the subject site, and Broad Street is adequate to safely handle the additional traffic from the 3 new housing units.*
- 2) Does the site plan show designs that minimize any departure from the character, materials, and scale of buildings in the vicinity as viewed from public ways and places? *The proposed building is residential and its scale and materials are suitable for the site and use. The design of the new building has been guided by the architecture of the existing building on the site and has been reviewed by the Design Review Committee and is acceptable for its location. The new building does not conflict with the other nearby buildings in terms of character, materials and scale.*
- 3) Is reasonable use made of building location, grading and vegetation to reduce the visible intrusion of structures, parking areas, outside storage or other outdoor service areas (e.g. waste removal) from public views or from (nearby) premises residentially used and zoned. *The buildings include a residential use so there is no outside storage or large intrusive parking lots. An on-site dumpster for household trash will have an enclosure constructed around it. Appropriate vegetation is planned on the perimeter of the property to screen the development from abutting residences.*
- 4) Is adequate access to each structure for fire and service equipment provided? *The proposed structures are accessible from the driveway and are located close to the street. The Fire Chief has reviewed the plans and not identified any access issues.*
- 5) Will the design and construction minimize, to the extent reasonably possible, the following environmental impacts?
 - a) the volume of cut and fill;
 - b) the number of trees to be removed with particular care taken with mature trees and root systems;
 - c) the visual prominence of man-made elements not necessary for safety;
 - d) the removal of existing stone walls;
 - e) the visibility of building sites from existing streets;
 - f) the impacts on waterways and environmental resource areas;
 - g) soil pollution and erosion;
 - h) noise.

The proposed stormwater drainage system has been reviewed by the Town's Consulting Engineer. Appropriate soil pollution and erosion controls have been incorporated into the plan. No extraordinary noise will be generated by the residential development. No stone walls are being removed. There are no wetland resources on the premises. The subject site was previously disturbed so the impact on the environment is minimal.

- 6) Is pedestrian and vehicular safety both on the site and egressing from it maximized? *The proposed use adds 3 residential units on a local street. The entrance to the site has adequate sight distance and does not create a hazard to abutters, vehicle, or pedestrians. There is sidewalk along the east side of Broad Street adjacent to the subject property.*
- 7) Does the design and will the construction incorporate, to the maximum extent possible, the visual prominence of natural and historic features of the site? *There are no visually prominent natural features on site. The existing building, built circa 1880, will be renovated as part of the project.*
- 8) Does the lighting of structures and parking area avoid glare on adjoining properties and minimize light pollution within the town? *The lighting plan was reviewed by the Board's Consulting Planner and Engineer. The planned site lighting is residential in scale and minimizes light pollution. Per the revised photometric plan, there is no light spillage off site.*
- 9) Is the proposed limit of work area reasonable and does it protect sensitive environmental and/or cultural resources? *The site plan as designed should not cause substantial or irrevocable damage to the environment, which damage could be avoided or ameliorated through an alternative development plan or mitigation measures. The limit of work is reasonable. There are no sensitive environmental or cultural resources on the site.*

LAND DISTURBANCE PERMIT FINDINGS – Medway General By-Laws, Article XXVI

- 1) The Board finds that the work proposed for the 6 unit multi-family housing development with associated parking, landscaping and stormwater management facilities was presented at a public hearing where the applicant presented evidence sufficient to demonstrate that the proposed activity meets the provisions of Medway General By-Laws, Article XXVI – Stormwater Management and Land Disturbance. Further, this decision includes conditions pertaining to stormwater management practices during both the construction and post-construction period.

VII. WAIVERS – At its _____, 2020 meeting, the Board, on a motion made by _____ and seconded by _____, voted to grant waivers from the following provisions of the *Rules and Regulations for the Submission and Approval of Site Plans, as amended December 3, 2002*. The Board's action and reasons for granting each waiver request are listed below. All waivers are subject to the *Special and General Conditions of Approval*, which follow this section. The motion was _____ by a vote of _____ in favor and _____ opposed.

SITE PLAN SUBMITTAL REQUIREMENTS/PLAN CONTENTS

- 1) **Section 204 – 3.A. 7.** - A Development Impact Statement
*The Applicant has requested a waiver from this requirement due to the relatively small size of this proposed development (6 residential apartments). A traffic impact assessment is not needed as the project scope does not trigger this requirement. There are no wetland resources on the property. **The Board approves this waiver***

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

- 2) **Section 204-4.D** – All existing and proposed elevations shall refer to the North American Vertical Datum of 1988 (NAVD88).

The Applicant's plans reference the National Geodetic Vertical Datum of 1929 (NGVD29). The Applicant's engineer has documented on Sheet 2 of the plan set that the difference between the two versions is .80 feet. The Board approves this waiver as being consistent with the purpose and intent of the Site Plan Rules and Regulations which will have no significant detriment to the achievement of any of the purposes of Site Plan Review and Approval.

- 3) Section 204-5 D.7 – The landscape plan shall be prepared by a Licensed Landscape Architect.

The Applicant has requested a waiver from this requirement. Personnel from GLM Engineering have considerable experience in landscape design. Further, the applicant is an experienced landscape contractor with considerable knowledge of landscape materials. The Board approves this waiver request as being consistent with the purpose and intent of the Site Plan Rules and Regulations which will have no significant detriment to the achievement of any of the purposes of Site Plan Review and Approval.

SITE PLAN DEVELOPMENT STANDARDS

- 1) **Section 205-6 Parking G. 3. a) Parking Spaces/Stalls** - Car parking spaces/stalls shall be ten (10) feet by twenty (20) feet.

A waiver is needed from this requirement as the Applicant plans to include 9' x 18' parking spaces. This size complies with the parking space size provisions of the Bylaw and results in less impervious surface area. The Board approves this waiver request as being consistent with the purpose and intent of the Site Plan Rules and Regulations which will have no significant detriment to the achievement of any of the purposes of Site Plan Review and Approval.

- 3) **Section 205-6 Parking H. Curbing** – The perimeter of the parking area shall be bounded with vertical granite curb or similar type of edge treatment to delineate the parking lot.

The Applicant has requested a waiver from this requirement and proposes to construct the paved parking area with no curbing. Granite curbing shall be retained for use at the roundings of the driveway to the site. The Board approves this waiver request as being consistent with the purpose and intent of the Site Plan Rules and Regulations which will have no significant detriment to the achievement of any of the purposes of Site Plan Review and Approval.

- 4) **Section 205-9. F. Landscaping - Tree Replacement** – The total diameter of all trees over ten (10) inches in diameter that are removed from the site shall be replaced with trees that equal the total breast height diameter of the removed trees. The replacement trees may be placed on or off site as recommended by the Board.

A tree inventory performed by GLM Engineering found that ___ existing trees over 10” in diameter at breast height need to be cleared from the site. The approximate total diameter of those ___ trees is _____. (More here on whether any of them are dead. This constitutes ___ square inches of tree removal.

Commented [SA2]: Have asked GLM to fill in this section.

Based on the revised landscape plan dated _____, ___ new deciduous trees and evergreen trees are planned for an estimated total of ___ caliper inches of replacement trees for a total estimated amount of ___ square inches of tree replacement. In addition, ___ shrubs are planned throughout the site.

BOARD Decision

Commented [SA3]: Is this tree planting plan sufficient for the site.

VIII. CONDITIONS The *Special and General Conditions* included in this Decision shall assure that the Board’s approval of this site plan complies with the *Bylaw*, Section 3.4 (Special Permits), Section 5.6.4 (Multi-Family Housing), and Section 5.6.3 (Groundwater Protection) and is consistent with *Site Plan Rules and Regulations*, that the comments of various Town boards and public officials have been adequately addressed, and that concerns of abutters and other town residents which were aired during the public hearing process have been carefully considered. The Board’s issuance of a special permit and site plan approval is subject to the following conditions:

SPECIFIC CONDITIONS OF APPROVAL

- A. Notwithstanding any future amendment of the *Bylaw*, G.L. c.40A, or any other legislative act:
 - 1. The maximum number of dwelling units to be developed under this special permit shall be six (3 units in the existing building and 3 units in one new building).
 - 2. The tract(s) of land on which this multi-family development will be located shall not be altered or used except:
 - a) as granted by this special permit;
 - b) substantially as shown on the site plan entitled *Site Development Plan – 20 Broad Street*, dated September 16, 2019, last revised November 22, 2019 by GLM Engineering Consultants, Inc. to be modified as referenced herein; and
 - c) in accordance with subsequent approved plans or amendments to this special permit.
 - 3. The tract of land and buildings comprising the 20 Broad Street development shall not be used, sold, transferred or leased except in conformity with this special permit and shall not be further divided.
- B. **Plan Endorsement** - Within sixty (60) days after the Board has filed its *Decision* with the Town Clerk, the *Site Development Plan for 20 Broad Street* dated September 16, 2019, last revised November 22, 2019, prepared by GLM Engineering Consultants, Inc. and architectural drawings by Brett Thibault Architect including building elevations, floor plans and renderings, shall be further revised to reflect all Conditions and required revisions, including those as follows, and shall be submitted to the Board to review for compliance with the Board’s

Decision. (Said plan is hereinafter referred to as the “Plan”.) Upon approval, the Applicant shall provide the revised Plan in its final form to the Board for its endorsement prior to recording at the Norfolk County Registry of Deeds along with this decision. All Plan sheets shall be bound together in a complete set.

C. **Cover Sheet Revisions** – Prior to plan endorsement, the cover sheet of the November 22, 2019 site plan shall be revised as follows:

1. Include the list of APPROVED Requests for Waivers
2. Add reference to a Site Context Sheet to the Sheet Index
3. Add reference to the architectural elevations, floor plans, and renderings to the Sheet Index
4. Add reference to the updated photometric plan to the Sheet Index
5. Add a reference to the Stormwater Pollution and Prevention Plan (O & M plan) for Construction to the Sheet Index
6. Include a new plan revision date
7. Add a Registry box
8. Add language that the development is subject to a performance security Covenant to be executed by the Board and recorded with the special permit and plan.
9. Add language for the Town Clerk to document that no appeals were filed.
10. Add open space requirement calculations to the Zoning Table

D. **Other Plan Revisions** – Prior to plan endorsement, the following plan revisions shall be made to the *Site Development Plan for 20 Broad Street* dated September 16, 2019, last revised November 22, 2019.

1. The updated photometric plan showing no light trespass off the subject property to comply with Section 7.1.2 (Outdoor Lighting) of the *Bylaw* shall be added to the plan set.
2. Include a sheet providing the Stormwater Pollution Prevention Plan (O & M plan) for Construction.
3. Provide a Site Context sheet in accordance with Section 204-5 B. 1 of the *Site Plan Rules and Regulations*.
4. Subsurface stormwater infiltration system shall be revised to include a separator row with an appropriate access manhole to ensure the system can be actively maintained.
5. Change the detail for the type of fencing planned for the dumpster enclosure from a stockade style to be vinyl with a natural color and non-reflective surface, and be of a height to completely conceal the entire dumpster.
6. An updated and detailed landscaping plan shall be provided for the Design Committee’s review and approval and incorporated into the site plan set for endorsement.
7. Depict the location and quantity of the official “open space” areas
8. A light post specification and detail shall be added to the plan set.
9. A sidewalk paver and detail shall be added to the plan set.

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

1. Third party testing of the proposed proprietary stormwater units for review and approval of the Board’s Consulting Engineer.

2. Copy of the Performance Security Covenant to be executed by the Permittee and the Board in a form acceptable to the Board and suitable for recording at the Registry of Deeds or Land Court, as may be applicable, for review, comment, amendment and approval by Town Counsel.

F. **Recording of Plans and Documents**

1. The Plan of Record associated with this special permit is titled: *Site Development Plan – 20 Broad Street*, dated September 16, 2019, last revised November 22, 2019 by GLM Engineering Consultants, Inc. and the corresponding architectural drawings by Bret Thibault Architects to be further revised as specified herein, with additional sheets provided by other building, design and landscape architectural consultants.
2. No site improvement construction shall begin on the site and no building permit for the new building shall be issued before the following documents are recorded at the Norfolk County Registry of Deeds:
 - a) This special permit decision with the Plan of Record endorsed by the Board
 - b) Performance Security Covenant with the Board
3. Within thirty days of recording, the Permittee or its assigns or successors shall provide the Board with a receipt from the Norfolk County Registry of Deeds indicating that the specified documents have been duly recorded, or supply another alternative verification that such recording has occurred.

G. **Open Space/Yard Area**

1. At least 15% of the site shall be retained as open space and/or yard area in perpetuity. This is an ongoing obligation of the owner. This area shall be unpaved but may be landscaped or left natural, with the balance being trees, shrubs and grass suitable for the site. This area may include a play area or other communal recreational space, subject to plan modification requirements.

H. **Ownership/Maintenance of Site Improvements**

1. The stormwater drainage facilities, and all other infrastructure shall be owned and maintained by the property owner. It is the intent of the Board that these facilities shall not be accepted by the Town of Medway.
2. The Board requires that the following aspects of the development shall be and shall remain forever private, and that the Town of Medway shall not have, now or ever, any legal responsibility for operation or maintenance of same:
 - a) Parking areas
 - b) Stormwater management facilities
 - c) Internal Sidewalks
 - d) Snowplowing/sanding
 - e) Landscaping
 - f) Light posts

- I. **Building Permits** - The Board authorizes the Applicant to apply for a building permit to begin renovation of the existing building prior to installation of the approved site infrastructure improvements.
- J. **Occupancy Permits** - Before the Board will authorize an occupancy permit for the renovations of the existing building, the following items, at a minimum must be installed and inspected and approved by the Board:
 - a) Driveway way and parking area gravel sub-base
 - b) Driveway and parking area binder course
 - c) Drainage system completed to the proposed outfall with frame and grates set to binder grade, as well as stormwater basins, swales, infiltrations systems or any other stormwater management facilities.
 - d) As-built plan of each stormwater basin and forebay and all critical elevations and details of the associated structures, pipes and headwalls.
 - e) All regulatory signs as specified on the approved Plan.
 - f) Stop line pavement markings if required
 - g) Provisions for fire prevention and protection. Private water main/service to be constructed, installed and functional.
- K. **Patios** – To not increase stormwater runoff, any future patios shall be fabricated with pervious paving materials as patio surface areas are not included in the impervious coverage calculations for stormwater.
- L. **Parking** – The plan includes two off-street parking spaces per unit (12 spaces total). The Permittee shall limit occupants of the apartment units to a maximum of two vehicles per unit, throughout contractual apartment unit lease agreements. On-street parking of the occupants of the apartment units shall not be permitted.
- M. **Sidewalk Construction/Replacement on Broad Street** – Pursuant to Section 3.5.4. I Procedures for Site Plan Review of the *Zoning Bylaw*, sidewalks shall be provided along the entire frontage of properties subject to site plan review. The condition of the sidewalk in front of 20 Broad Street is in serious disrepair and it is not practical for the Applicant to replace this portion of sidewalk on Broad Street when the rest of the street is not being addressed. In lieu of sidewalk construction, the Applicant will make a payment to the Town’s Sidewalk Fund in the amount of \$7,819 as calculated by the Board’s Consulting Engineer as the amount needed to fund 165 linear feet of 5’ wide asphalt sidewalk with Cape Cod berm and accessible ramps. The funds shall be held in reserve within the Sidewalk Fund for the expected near future sidewalk improvements on Broad Street to be undertaken by the Town of Medway. The funds shall be paid to the Town by November 20, 2020.
- N. **Underground Utilities** - All electric, telephone, cable TV, and other utilities shall be located underground.
- O. **Water Use and Conservation**
 1. The development is relying on the Town’s public water system and the Town is being held to its Water Management Act Permit with the MA Department of Environmental Protection. The Permittee shall incorporate the following water conservation measures for construction of the development:

- a. private well water for landscape irrigation
 - b. rain-gauge controlled irrigation systems
 - c. low flow household fixtures
 - d. water efficient appliances (dishwashers, washer/dryers, toilets, etc.)
2. The Permittee shall not use Town water for irrigation of the site's lawn and landscaping.

P. **Fire Protection** – This project is subject to local, state and federal fire codes.

Q. **Addresses** – The addresses for the 20 Broad Street apartments shall be as determined by the Medway Assessor's office upon consultation with the Medway Fire and Police Departments.

R. **Development Signage** – Any future development signage for this project shall comply with the sign regulations of the *Bylaw* and is subject to review by the Design Review Committee.

S. **Stormwater Management During Construction** – The project is subject to the *Construction Period Operation and Maintenance plan* included in the Stormwater Management Operation and Maintenance Plan prepared by GLM Engineering, dated September 16, 2019, last revised November 22, 2019.

1. This document shall be included in all construction contracts, subcontracts and specifications dealing with the proposed work. The applicant shall ensure that all contractors, subcontractors and other personnel performing the permitted work are fully aware of the Construction Period Operation and Maintenance Plan.
2. No clearing of vegetation, including trees, or disturbance of soil shall occur prior to the Pre-Construction Meeting.
3. Prior to the Pre-Construction Meeting and commencement of any activity on the site, the erosion control plan included in the endorsed plan set and the limit of work lines shall be staked. The location of erosion controls shall be adjusted, if necessary during the first erosion control inspection.
4. Immediately after installation of erosion controls, the Applicant shall notify the Board's consulting engineer to schedule a follow-up inspection to ensure that erosion controls and limits of work have been properly located and installed. No work shall be conducted until the Board's consulting engineer has inspected and approved the installation of the erosion controls.
5. It shall be the responsibility of the Applicant to conduct monitoring, maintenance and repair of erosion control measures, as well as to take any other additional measures necessary to control erosion from the site. The erosion control measures designated on the site plan shall be considered a minimum standard for compliance.
6. All waste products, refuse, debris, grubbed stumps, slash, excavate, construction materials, etc. associated with the planned construction shall

be contained and ultimately deposited at an appropriate off-site facility and shall not be incorporated in any manner into the project site.

T. **Stormwater Management - Post Construction**

1. The Applicant shall be responsible for keeping the constructed stormwater drainage system in a clean and well-functioning condition, and shall do nothing which would alter the drainage patterns or characteristics as indicated on the Plan approved herein without the express written approval of the Board.
2. The stormwater drainage system, water and sewer systems shall be maintained by the Applicant, its successors and assigns, and shall not be dedicated to the Town. It is the intent of the Board and the Applicant that these systems shall not be accepted by the Town.
3. The Permittee and its successors and assigns shall maintain the stormwater management system in accordance with the *Post Construction Period Operations and Maintenance Plan* dated September 16, 2019, last revised November 22, 2019, prepared by GLM Engineering.
4. The applicant shall submit annual reports of inspections and maintenance of all stormwater management structures included in the site plan to the Board and the Medway Department of Public Works Compliance Officer starting one year after the Certificate of Site Plan Completion is issued.
5. In the event a management company is engaged by the owner, the stormwater maintenance and operation plan shall be incorporated by reference in the management contract.
6. In the event that the Applicant, its successors and assigns, or its agent fail to maintain the stormwater management system in accordance with the applicable guidelines for operation and maintenance, the Town may conduct such maintenance or repairs as the Town determines in its sole discretion are reasonably necessary, and the Applicant hereby consents to allow the Town and its agents, employees and contractors entry onto the Property to implement the measures set forth in such guidelines. In the event the Town conducts such maintenance or repairs, the Applicant shall promptly reimburse the Town for all reasonable expenses associated therewith; if the Applicant fails to so reimburse the Town, the Town may place a lien on the site or any unit therein to secure such payment.

T. **Conditions Pertaining to Groundwater Protection District Special Permit**

1. Storage of hazardous materials and other hazardous materials is prohibited unless in a free-standing container within a building. Any hazardous materials that will be used at the facility shall be identified and a list provided to the Board. Any accidental spillage shall also be contained within the building and any that enters the sewer system shall be treated prior to being discharged to the municipal sewer system.

Commented [SA4]: These are the standard conditions we have included in decisions for other properties located within the Groundwater Protection District. Not sure if all of them should be included or are appropriate for this project.

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

GENERAL CONDITIONS OF APPROVAL

- A. The term “Applicant” and “Permittee” as used in this decision and permit refers to the owner, any successor in interest, title or successor in control of the property referenced in the applications, supporting documents and this decision and permit. The Board shall be notified in writing within 30 days of all transfers of title of any portion of the property that take place prior to issuance of a Certificate of Site Plan Completion.
- B. **Fees** - Prior to plan endorsement by the Board, the Permittee shall pay:
 1. the balance of any outstanding plan review fees owed to the Town for review of the site plan by the Town’s engineering, planning or other consultants; and
 2. any construction inspection fee that may be required by the Board; and
 3. any other outstanding expenses or obligations due the Town of Medway pertaining to this property, including real estate and personal property taxes and business licenses.

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

- C. **Other Permits** – This permit does not relieve the Permittee from its responsibility to obtain, pay and comply with all other required federal, state and Town permits. The contractor for the Permittee or assigns shall obtain, pay and comply with all other required Town permits.
- D. **Restrictions on Construction Activities** – During construction, all local, state and federal laws shall be followed regarding noise, vibration, dust and blocking of Town roads. The Permittee and its contractors shall at all times use all reasonable means to minimize inconvenience to abutters and residents in the general area. The following specific restrictions on construction activity shall apply.
1. **Construction Time** - Construction work at the site and in the building and the operation of construction equipment including truck/vehicular and machine start-up and movement and construction deliveries shall commence no earlier than 7 a.m. and shall cease no later than 6 p.m. Monday – Saturday. No construction shall take place on Sundays and federal and state legal holidays without the advance approval of the Building Commissioner. These rules do not apply to interior construction work such as painting, installation of drywall, flooring, etc.
 2. Prior to commencing any work on the site, the Permittee shall install a stone construction entrance (tracking pad) not less than 20' wide and not less than 30' in length, of a stone size averaging 1" to 4".
 3. The Permittee shall take all measures necessary to ensure that no excessive dust leaves the premises during construction including use of water spray to wet down dusty surfaces.
 4. There shall be no tracking of construction materials onto any public way. Daily sweeping of roadways adjacent to the site shall be done to ensure that any loose gravel/dirt is removed from the roadways and does not create hazardous or deleterious conditions for vehicles, pedestrians or abutting residents. In the event construction debris is carried onto a public way, the Permittee shall be responsible for all clean-up of the roadway which shall occur as soon as possible and in any event within twelve (12) hours of its occurrence.
 5. The Permittee is responsible for having the contractor clean-up the construction site and the adjacent properties onto which construction debris may fall on a daily basis.
 6. All erosion and siltation control measures shall be installed by the Permittee prior to the start of construction and observed by the Board's consulting engineer and maintained in good repair throughout the construction period.
 7. **Construction Traffic/Parking** – During construction, adequate provisions shall be made on-site for the parking, storing, and stacking of construction materials and vehicles. All parking for construction vehicles and

construction related traffic shall be maintained on site. No parking of construction and construction related vehicles shall take place on adjacent public or private ways or interfere with the safe movement of persons and vehicles on adjacent properties or roadways.

8. *Noise* - Construction noise shall not exceed the noise standards as specified in the Medway General Bylaws and the *Bylaw*, SECTION V. USE REGULATIONS, Sub-Section B. Area Standards, Paragraph 2. b). as may be amended.
9. *Stormwater Management* – During construction, the Applicant shall maintain the site and installed stormwater management facilities in accordance with the *Construction Period Operations and Maintenance Plan* dated November 22, 2019 prepared by GLM Engineering.

E. ***Landscape Maintenance***

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

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

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

- G. ***Right to Enter Property*** – Board members, its staff, consultants or other designated agents of the Town shall have the right to enter upon the subject property to inspect the site at any time, to ensure continued compliance with the terms and conditions of this special permit and the endorsed plan.

H. ***Construction Oversight***

1. *Pre-Construction Meeting* – At least seven days prior to the start of any site preparation or construction, the Applicant shall meet with the Town’s Consulting Engineer, the Planning and Economic Development

Coordinator, the Medway Department of Public Works, the Medway Conservation Agent (if applicable), the contractors and Applicant's project engineer for a pre-construction meeting. The construction schedule shall be reviewed and the procedures for inspections discussed.

2. Construction Account

- a) Inspection of infrastructure and utility construction, installation of site amenities including landscaping, and the review of legal documents by Town Counsel is required. Prior to plan endorsement, the Permittee shall establish a construction account with the Board. The funds may be used at the Board's discretion to retain professional outside consultants to perform the items listed above as well as the following other tasks - inspect the site during construction/installation, identify what site plan work remains to be completed, prepare bond estimates, conduct other reasonable inspections until the site work is completed and determined to be satisfactory, review as-built plans, and advise the Board as it prepares to issue a *Certificate of Site Plan Completion*.
- b) Prior to plan endorsement, the Permittee shall pay an advance toward the cost of these services to the Town of Medway. The advance amount shall be determined by the Board based on an estimate provided by the Town's Consulting Engineer.
- c) Depending on the scope of professional outside consultant assistance that the Board may need, the Permittee shall provide supplemental payments to the project's construction inspection account, upon invoice from the Board.
- d) Any funds remaining in the Permittee's construction inspection account after the *Certificate of Site Plan Completion* is issued shall be returned to the Applicant.

3. The Department of Public Works will conduct inspections for any construction work occurring in the Town's right-of way in conjunction with the Town of Medway Street Opening/Roadway Access Permit and the sewer and water connection permits.

4. The Permittee shall have a professional engineer licensed in the Commonwealth of Massachusetts conduct progress inspections of the construction of the approved site improvements. Inspections shall occur at least on a monthly basis. The engineer shall prepare a written report of each inspection and provide a copy to the Board within 5 days of inspection. Failure of the Permittee to provide these reports may be reason to withhold building or occupancy permits.

I. **On-Site Field Changes**

1. During construction, the Permittee may be authorized to make limited, minor, on-site field changes to the approved plan based on unforeseen site or job conditions, situations, or emergencies necessitated by field conditions or due to practical considerations. These field changes shall not alter items which may affect the site's compliance with this decision and the *Bylaw* nor conflict with a specific condition of the decision. Field changes shall not substantially alter the intent, layout or design of the endorsed site plan.

2. Prior to undertaking such field changes, the Permittee and/or contractor shall discuss the possible field changes with the Town’s Consulting Engineer and submit a letter and drawings to the Planning and Economic Development Coordinator and the Building Commissioner describing the proposed changes and what conditions, situations, or emergencies necessitate such changes. In accordance with Section 3.5.2.C of the *Bylaw*, the Building Commissioner may determine that the field change is insubstantial, authorize the change, and so notify the Board. Otherwise, the Board shall review the proposed field changes at a public meeting and determine whether the proposed field changes are reasonable and acceptable based on the unforeseen conditions, situations, or emergencies and whether other options are feasible or more suitable. A written authorization of field change will be provided. Any approved field change shall be reflected in the as-built plan to be provided at project completion.

J. **Plan Modification**

1. Proposed modifications (not including on-site field changes) to the endorsed plan shall be subject to review by the Board.
2. This Site Plan Approval is subject to all subsequent conditions that may be imposed by other Town departments, boards, agencies or commissions. Any changes to the site plan that may be required by the decisions of other Town boards, agencies or commissions shall be submitted to the Board for review as site plan modifications.
3. Any work that deviates from an approved site plan shall be a violation of the *Bylaw*, unless the Permittee requests approval of a plan modification and such approval is provided in writing by the Board.
4. The request for a *Modification* to a previously approved plan shall be subject to the same application and review process including a public hearing including the payment of plan modification filing fee and plan review fee and all costs associated with another public hearing including legal notice advertising. The Board shall issue its *Modification Decision*, file such with the Town Clerk, and provide copies to the Building Commissioner, other Town officials and the Permittee. Any modifications approved by the Board shall be made a permanent part of the approved site plan project documents and shall be shown on the final as-built plan.

K. **Plan Compliance**

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

L. Performance Security

1. *Covenant* - Prior to plan endorsement, the Permittee shall sign a *Covenant*, on a form provided by the Board, to be reviewed and approved by Town Counsel, to secure construction of the driveway, parking area, stormwater management facilities and related infrastructure and site improvements as specified in the approved Plan. Reference to the *Covenant* shall be noted on the cover sheet of the Plan. The *Covenant* shall specify that no unit may be occupied until such services are completed or an alternative form of security is provided. The *Covenant* shall specify that the roadway and parking area (excluding unit driveways) and all infrastructure including the stormwater management system shall be constructed and all utilities and services shall be installed to the satisfaction of the Board within three years of the date of plan endorsement. The *Covenant* shall be recorded at the Norfolk County Registry of Deeds at the same time the Decision and Plan are recorded.
2. *Alternative Performance Security*
 - a) At such time as the Permittee wishes to secure a building permit for the second building within the development, or secure an occupancy permit for any dwelling unit, the security provided by the *Covenant* shall be replaced by one of the types of performance guarantees set forth in M.G.L. Ch. 41, Section 81U, which method or combination of methods may be selected and from time to time varied by the Applicant, in a sufficient amount, source and form acceptable to the Board, the Treasurer/Collector and Town Counsel. The performance guarantee shall be accompanied by an agreement which shall define the obligations of the Permittee and the performance guarantee company including:
 - 1) the date by which the Permittee shall complete construction
 - 2) a statement that the agreement does not expire until released in full by the Board
 - 3) procedures for collection upon default.
 - b) *Amount* - The amount of the performance guarantee shall be equal to 100% of the amount that would be required for the Town of Medway to complete construction of the roadway and installation of stormwater management facilities, utilities, services, pedestrian facilities and all site amenities as specified in the Decision and Plan that remain unfinished at the time the performance guarantee estimate is prepared if the Permittee failed to do so. The security amount shall be approved by the Board based on an estimate provided by the Town's Consulting Engineer based on the latest weighted average bid prices issued by the Mass Department of Transportation. The estimate shall reflect the cost for the Town to complete the work as a public works project which may necessitate additional engineering, inspection, legal and administrative services, staff time and public bidding procedures. The estimate shall also include the cost to maintain the roadway and infrastructure in the event the Permittee fails to adequately perform such. In determining the amount, the Board shall be guided by the following formula

in setting the sum: estimate of the Town’s Consulting Engineer of the cost to complete the work plus a 30% contingency. A performance security agreement shall be executed by the Permittee, the Board and the selected surety.

3. *Adjustment of Performance Guarantee* – At the Permittee’s written request, the amount of the performance guarantee may be reduced from time to time over the course of the construction project by vote of the Board upon the partial completion of the roadway and infrastructure improvements as defined herein. In order to establish the amount to adjust the performance guarantee, the Town’s Consulting Engineer shall prepare an estimate of the current cost for the Town to complete all work as specified on the approved Plan that remains unfinished at the time the estimate is submitted to the Board. The estimate shall be based on unit prices in the latest Weighted Average Bid Prices issued by the Mass Department of Transportation. The estimate shall reflect the cost for the Town to complete the work as a public works project, which may necessitate additional engineering, inspection, legal and administrative fees, staff time and public bidding procedures. The estimate shall also include the cost to maintain the roadway and infrastructure in the event the Permittee fails to adequately perform such. In determining the amount of the adjustment of the performance guarantee, the Board shall be guided by the following formula to determine the reduction amount: the estimate of the Town’s Consulting Engineer of the cost to complete the work; plus a 30% contingency. **The Board may authorize up to three reductions in the amount of performance security however, the Board shall not reduce the performance security below \$40,000.**
4. *Final Release of Performance Security* - Final release of performance security is contingent on project completion.

M. **Project Completion**

1. Special permit approval shall lapse after two years of the grant thereof if substantial use has not commenced except for good cause. The approved site plan shall be completed by the Permittee or its assignees within three years of the date of plan endorsement. Upon receipt of a written request by the Permittee filed at least thirty (30) days prior to the date of expiration, the Board may grant an extension for good cause. The request shall state the reasons for the extension and also the length of time requested. If no request for extension is filed and approved, the site plan approval shall lapse and may be reestablished only after a new filing, hearing and decision.
2. Prior to issuance of the occupancy permit for the twelfth dwelling unit, the Permittee shall request a **Certificate of Site Plan Completion** from the Board. The **Certificate** serves as the Board’s confirmation that the completed work conforms to the approved site plan and any conditions and modifications thereto, including the construction of any required on and off-site improvements. The **Certificate** also serves to release any security/performance guarantee that has been provided to the Town of

Medway. To secure a *Certificate* of Site Plan Completion, the Permittee shall:

- a) provide the Board with written certification from a Professional Engineer registered in the Commonwealth of Massachusetts that all building and site work has been completed in substantial compliance with the approved and endorsed site plan, and any modifications thereto; and
- b) submit an electronic version of an As-Built Plan, prepared by a registered Professional Land Surveyor or Engineer registered in the Commonwealth of Massachusetts, to the Board for its review and approval. The As-Built Plan shall show actual as-built locations and conditions of all buildings and site work shown on the original site plan and any modifications thereto. The final As-Built Plan shall also be provided to the Town in CAD/GIS file format per MASS GIS specifications.

N. **Construction Standards** - All construction shall be completed in full compliance with all applicable local, state and federal laws, including but not limited to the Americans with Disabilities Act and the regulations of the Massachusetts Architectural Access Board for handicap accessibility.

O. **Conflicts** – If there is a conflict between the site plan and the Decision’s Conditions of Approval, the Decision shall rule. If there is a conflict between this Decision and/or site plan and the *Bylaw*, the *Bylaw* shall apply.

IX. APPEAL

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

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

In accordance with G.L. c. 40A, §11, no special permit shall take effect until a copy of the Decision is recorded in the Norfolk County Registry of Deeds, and indexed in the grantor index under the name of the owner of record, or is recorded and noted on the owner’s certificate of title, bearing the certification of the Town Clerk that twenty days have elapsed after the Decision has been filed in the office of the Town Clerk and no appeal has been filed within said twenty day period, or that an appeal has been filed. The person exercising rights under a duly appealed special permit does so at risk that a court will reverse the permit and that any construction performed under the permit may be ordered undone. The fee for recording or registering shall be paid by the Applicant. A copy of the recorded Decision, and notification by the Applicant of the recording, shall be furnished to the Board.

###

**Medway Planning and Economic Development Board
20 Broad Street MULTI-FAMILY and GROUNDWATER PROTECTION SPECIAL
PERMITS, LAND DISTURBANCE PERMIT and SITE PLAN DECISION
20 Broad Street**

Approved by the Medway Planning & Economic Development Board: _____

AYE:

NAY:

_____	_____
_____	_____
_____	_____
_____	_____

ATTEST:

Susan E. Affleck-Childs Date
Planning & Economic Development Coordinator

- COPIES TO:** Michael Boynton, Town Administrator
David D’Amico, Department of Public Works
Bridget Graziano, Conservation Agent
Donna Greenwood, Assessor
Beth Hallal, Health Agent
Jeff Lynch, Fire Chief
Jack Mee, Building Commissioner and Zoning Enforcement Officer
Joanne Russo, Treasurer/Collector
Barbara Saint Andre, Director of Community and Economic Development
Jeff Watson, Police Department
Stephen Brody
Rob Truax, GLM Engineering Consultants
Steven Bouley, Tetra Tech
Gino Carlucci, PGC Associates

Susan Affleck-Childs

From: Jessica Chabot <jesswchabot@gmail.com>
Sent: Thursday, February 06, 2020 6:22 PM
To: Susan Affleck-Childs; Andy Rodenhiser
Subject: PBED Associate
Attachments: Profile.pdf

Hi Susy and Andy,

I am emailing to let you know of my interest in becoming an associate member of the Planning Board. I have been serving on the DRC for 4 years and have recently chaired the Oak Grove Task Force. I believe my experience on these two committees, as well as, my experience in construction, architecture, and engineering make me well suited to serve on the Board. Please fine my work experience attached to this email.

I'm happy to answer any questions you may have about my background and experience.

Thank you,

Jessica Chabot

Contact

8579285162 (Mobile)
jchabot@hawthornre.com

www.linkedin.com/in/
jessicawchabot (LinkedIn)
jessicawilliamson.weebly.com/
(Personal)
www.hawthorn-builders.com/
(Company)

Top Skills

AutoCAD
Customer Satisfaction
Direct Sales

Jessica Chabot

VP Business Development and Design at Hawthorn Builders & Properties
Needham, Massachusetts

Summary

Business Development and Design professional with over 15 years experience in the Design and Construction industry. With my extensive background in design, sales, and project management, I work to bring together our clients visions through the construction process. My role as the VP of Business Development and Design is to cultivate our companies network of industry professionals and pair them with the right clients.

Experience

Hawthorn Builders & Properties

7 years 11 months

VP Business Development and Design

March 2018 - Present (2 years)

Needham, MA

Business Development and Design professional with over 15 years experience in the Design and Construction industry. With my extensive background in design, sales, and project management, I work to bring together our clients visions through the construction process. My role as the VP of Business Development and Design is to cultivate our companies network of industry professionals and pair them with the right clients.

Design Director

April 2012 - Present (7 years 11 months)

1116 Great Plain Ave - Needham, MA 02466

Kitchen Intuitions

Senior Designer / Project Manager

January 2012 - April 2012 (4 months)

Chatham, NJ

Sawhorse Designs

Senior Design Consultant

May 2011 - January 2012 (9 months)

Kitchen Views Custom

Kitchen Designer

2007 - May 2011 (4 years)

Kitchen Designer with Kitchen Views Custom. Work with clients to space plans and design their kitchens and other rooms in their house.

Kitchen Views

Director of Special Projects

May 2008 - June 2009 (1 year 2 months)

Designed and supervised commercial construction for all new showrooms.

Responsible for architectural

building plans, designing and ordering new displays, and managing on-site construction.

Nitsch Engineering

CAD Designer

2002 - 2006 (4 years)

Hearst Castle

Textile Restoration Intern

June 2001 - August 2001 (3 months)

Worked in the collections and maintenance department as a textile preservationist. Performed research

and analysis on catalogued textiles. Also worked with the head specialist to restore and preserve museum items.

Education

Boston Architectural College

Kitchen and Bath Design · (2004 - 2006)



February 11, 2020
Medway Planning & Economic Development Board
Meeting

Construction Observation Estimates

- 4 Marc Road for \$9,459
- William Wallace Village for \$12,895



4 Marc Road
Construction Administration Budget
February 4, 2020

Item No. ¹	Inspection	Visits	Hrs/Inspection ²	Rate	Total
1	Pre-Construction Meeting	1	6	\$143	\$858
2	Erosion Control Inspections	4	2	\$112	\$896
3	Subgrade/Staking (fire access lane)	1	4	\$112	\$448
4	Drainage: Swale Rehab	2	4	\$112	\$896
5	Drainage: Piped Infrastructure	2	4	\$112	\$896
6	Drainage: Recharge System	2	4	\$143	\$1,144
7	Binder Course Paving (fire access lane)	1	4	\$112	\$448
8	Top Course Paving (fire access lane)	1	4	\$112	\$448
9	Punch List Inspections ³	2	4	\$112	\$896
10	Bond Estimate	1	4	\$112	\$448
11	As-Built Review	1	4	\$143	\$572
12	Meetings	6	1	\$143	\$858
13	Admin	1	3	\$67	\$201
	Subtotal				\$9,009
	Expenses			5.0%	\$450
	TOTAL				\$9,459

Notes:

¹ Each item includes site visit, inspection and written report and is based on current TT/Medway negotiated rates through June 2020.

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

³ Punch List Inspections include a substantial completion inspection and Punch List memo provided to the town. It also includes one (1) final inspection to verify that comments from the list have been addressed and one (1) revision to the list if required.

Date Approved by Medway PEDB _____

Certified by: _____
Susy Affleck-Childs Date _____
Medway PEDB Coordinator

Certified by: _____
Bridget Graziano Date _____
Medway Conservation Agent



**William Wallace Village - 274 Village Street
Construction Administration Budget
February 4, 2020**

Item No. ¹	Inspection	Visits	Hrs/Inspection ²	Rate	Total
1	Pre-Construction Meeting	1	6	\$143	\$858
2	Erosion Control Inspections	10	2	\$112	\$2,240
3	Subgrade/Staking	1	3	\$112	\$336
4	Drainage: Piped Infrastructure	2	4	\$112	\$896
5	Drainage: Infiltration Basins (3)	4	4	\$143	\$2,288
6	Site Subbase Gravel/Fine Grading	1	4	\$112	\$448
7	Binder Course Paving	1	6	\$112	\$672
8	Curb/Berm	1	3	\$112	\$336
9	Top Course Paving	1	6	\$112	\$672
10	Landscape/Plantings/Fence	1	3	\$112	\$336
11	Punch List Inspections ³	2	5	\$112	\$1,120
12	Bond Estimate	1	4	\$112	\$448
13	As-Built Review ⁴	1	4	\$143	\$572
14	Meetings	6	1	\$143	\$858
15	Admin	1	3	\$67	\$201
	Subtotal				\$12,281
	Expenses			5.0%	\$614
	TOTAL				\$12,895

Notes:

¹ Each item includes site visit, inspection and written report and is based on current TT/Medway negotiated rates through June 2020.

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

³ Punch List Inspections include a substantial completion inspection and Punch List memo provided to the town. It also includes one (1) final inspection to verify that comments from the list have been addressed and one (1) revision to the list if required.

Date Approved by Medway PEDB _____

Certified by: _____
Susy Affleck-Childs Date
Medway PEDB Coordinator

Certified by: _____
Bridget Graziano Date
Medway Conservation Agent



February 11, 2020
Medway Planning & Economic Development Board
Meeting

2 Marc Road Plan Endorsement

- 2 Marc Road Site Plan Modification dated 1-17-2020 by Legacy Engineering
- Sign off memo from Steve Bouley dated 2-4-2020
- Site plan modification decision dated 1-14-2020

I have requested a tax status report from the Treasurer's office and project engineer Dan Merrikin has requested the Certificate of No Appeal from the Town Clerk's office.

I expect on Tuesday night that I will be able to recommend you endorse the modified site plan for 2 Marc Road.

GENERAL NOTES:

- SURVEY & PLAN REFERENCES:
 - DEED REFERENCES:
 - BOOK 8379, PAGE 83
 - BOOK 12164, PAGE 320
 - PLAN REFERENCES:
 - PLAN BOOK 299 NO. 900
 - PLAN BOOK 300 NO. 955
 - PLAN BOOK 326 NO. 1145
 - PLAN BOOK 410 NO. 749
 - PLAN BOOK 454 NO. 94
- DATUM: NAVD88
- EXISTING UTILITY INFORMATION IS BASED ON BEST AVAILABLE RECORDS AND VISIBLE SURFACE FEATURES SUCH AS MANHOLES, CATCH BASINS, UTILITY POLES, HYDRANTS, VALVE BOXES, ETC. EXISTING UTILITY INFORMATION DEPICTED ON THESE PLANS ARE NOT WARRANTED TO BE CORRECT AND THE CONTRACTOR SHALL BE RESPONSIBLE FOR FIELD VERIFYING ALL LOCATIONS PRIOR TO COMMENCEMENT OF WORK.
- FEATURES OUTSIDE OF THE SITE SUCH AS ADJACENT STRUCTURES ARE APPROXIMATE ONLY AND BASED ON AVAILABLE AERIAL PHOTOGRAPHY.

ZONING NOTES:

USE:
MARIJUANA CULTIVATION FACILITY (ALLOWED BY SPECIAL PERMIT)

LOT FRONTAGE (WIDTH):
REQ'D: 100'
PROVIDED: 220.12'

LOT AREA:
REQ'D: 20,000 S.F.
PROVIDED: 6.92 AC±

LOT SHAPE FACTOR:
REQ'D: P/P/A<=22
PROVIDED: 49.529 S.F.±

IMAGINARY LOT AREA (A) = 49,529 S.F.±

IMAGINARY LOT PERIMETER (P) = 890.25'

SHAPE FACTOR=16.00

COVERED BY STRUCTURES:
MAX. ALLOWED: 40%
PROVIDED: 10.7%

IMPERVIOUS COVERAGE:
MAX. ALLOWED: 80%
PROVIDED: 26.1%

PARKING:
REQ'D: TBD BY S.P.G.A. (INCLUDING 2 HANDICAP SPACES)

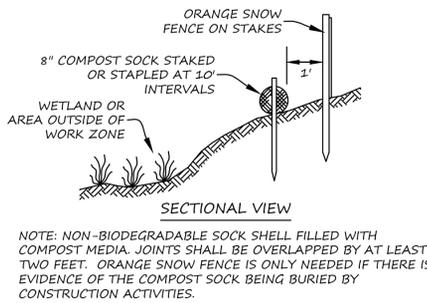
SETBACKS:
FRONT YARD: MIN. ALLOWED: 30'
PROVIDED: 128.8'

REAR YARD: MIN. ALLOWED: 30'
PROVIDED: 202.6'

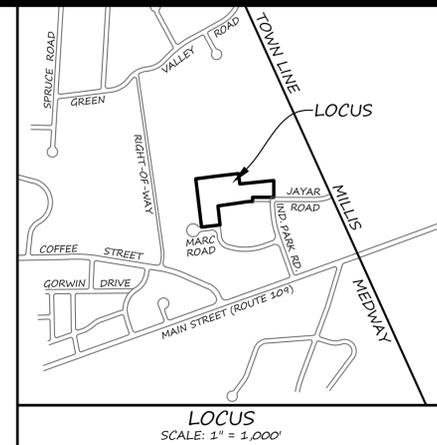
RIGHT SIDE YARD: MIN. ALLOWED: 20'
PROVIDED: 45.1'

LEFT SIDE YARD: MIN. ALLOWED: 20'
PROVIDED: 24'

BUILDING HEIGHT: MAX. ALLOWED: 40'
PROVIDED: 34'



EROSION CONTROL DETAIL (COMPOST SOCK)
NOT TO SCALE



SITE ADDRESS
2 MARC ROAD

MAP AND PARCEL
MAPS 33 PARCEL 001

ZONING CLASSIFICATION
EAST INDUSTRIAL
GROUNDWATER PROTECTION DISTRICT

OWNER
ELLEN REALTY TRUST
730 MAIN STREET
MILLIS, MA 02054

EASEMENT REFERENCES
DRAINAGE EASEMENT A:
DEED BOOK 12258, PAGE 315
PLAN BOOK 454, PAGE 95

DRAINAGE EASEMENT B:
DEED BOOK 21247, PAGE 578
PLAN BOOK 299, PAGE 900
PLAN BOOK 410, PAGE 749

16.5' RIGHT-OF-WAY
DEED BK 8379, PAGE 83
LAND COURT PLAN 35335A

For Registry Use

w/f
JOHN P. & ANN LALLY
23R JAYAR ROAD
(ASSESSORS PARCEL 24-10-02)

w/f
JOHN P. & ANN LALLY
23R JAYAR ROAD
(ASSESSORS PARCEL 24-10-02)



I HEREBY CERTIFY THAT 20 DAYS HAVE ELAPSED AND NO APPEALS HAVE BEEN FILED.

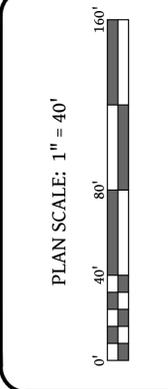
DATE: _____

MEDWAY TOWN CLERK

DATE MODIFICATION APPROVAL ISSUED:
JANUARY 15, 2020

PLAN ENDORSEMENT DATE: _____

MEDWAY PLANNING & ECONOMIC DEVELOPMENT BOARD



REVISION	DATE	BY
REVISIONS PER TOWN COMMENTS	2019-12-12	D.J.M.
REVISIONS FOR ENDORSEMENT	2020-01-17	D.J.M.

PLAN DATE: NOVEMBER 6, 2019

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.

I CERTIFY THAT THIS SURVEY AND PLAN CONFORMS TO THE ETHICAL, PROCEDURAL AND TECHNICAL STANDARDS IN THE COMMONWEALTH OF MASSACHUSETTS.

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.

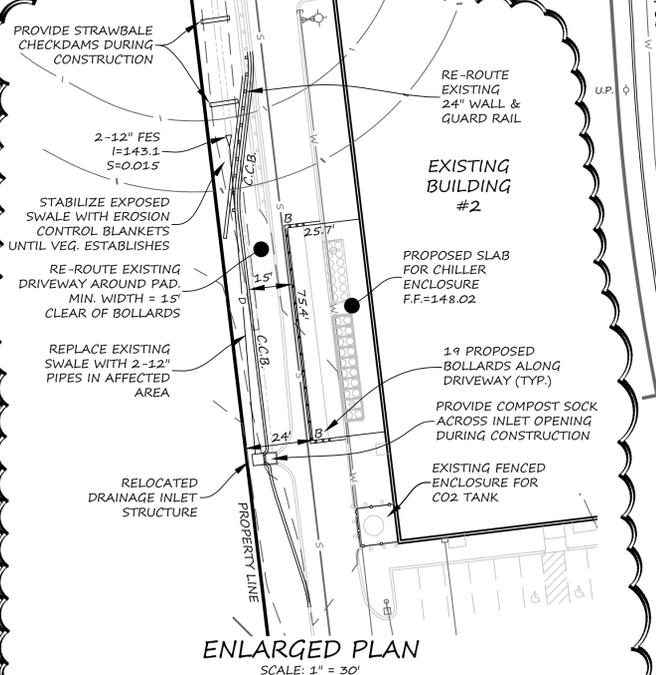
PROGRESS PRINT

REGISTERED LAND SURVEYOR

N/F DART ASSOCIATES LIMITED
4 INDUSTRIAL PARK ROAD
(ASSESSORS PARCEL 33-004)

LEGEND & ABBREVIATIONS

- CB: EXISTING CATCH BASIN
- CB: PROP. SINGLE-GRATE CATCH BASIN
- CB: PROP. DOUBLE-GRATE CATCH BASIN
- STC: STORMCEPTOR TREATMENT UNIT
- DMH: DRAIN MANHOLE
- TR: TRENCH DRAIN
- INFIL. TR.: INFILTRATION TRENCH
- X" D": DRAIN PIPELINE
- RCP: REINFORCED CONCRETE PIPE
- PVC: POLYVINYL CHLORIDE PIPE
- SMH: SEWER MANHOLE
- X" S": SEWER PIPELINE
- C.O.: SEWER SERVICE CLEANOUT
- X" W": WATER MAIN
- HYD: HYDRANT
- G.V.: WATER GATE VALVE
- C.S.: WATER SERVICE CURB STOP
- M.B.: WATER SERVICE METER BOX
- G: GAS PIPELINE
- L.P.: LIGHT POLE
- U.P.: UTILITY POLE
- G.Y.: GUY WIRE
- S.P.: TRAFFIC SIGNAL POLE
- E.C.: EXISTING CONTOUR
- P.C.: PROPOSED CONTOUR
- E.O.P.: EDGE OF PAVEMENT
- C.C.B.: INTEGRAL SLOPED BIT. BERM
- V.B.B.: VERTICAL BITUMINOUS BERM
- S.G.C.: SLOPED GRANITE CURB
- V.G.C.: VERTICAL GRANITE CURB
- V.C.C.: VERTICAL CONCRETE CURB
- E.C.C.: EDGE CONCRETE SLAB
- G.V.: GATE VALVE
- C.L.F.: CHAIN LINK FENCE
- W.S.F.: WOOD STOCKADE FENCE
- P.P.F.: PVC PICKET FENCE
- G.R.: GUARD RAIL
- C.C.: HANDICAP CURB CUT



ENLARGED PLAN
SCALE: 1" = 30'

730 MAIN STREET
SUITE 2C
MILLIS, MA 02054
508-376-8883(o)
SHEET 1 OF 1



2 MARC ROAD
SITE PLAN MODIFICATION
PLAN OF LAND
IN
MEDWAY, MA

Susan Affleck-Childs

From: Bouley, Steven <Steven.Bouley@tetrattech.com>
Sent: Tuesday, February 04, 2020 1:27 PM
To: Susan Affleck-Childs
Subject: RE: 2 Marc Road

Hi Susy,

Yes the plan includes all of the items listed in the decision modification, thanks.

Steve

Steven M. Bouley, P.E. | Senior Project Engineer | Tetra Tech
Direct +1 (508) 786-2382 | Business +1 (508) 786-2200 | steven.bouley@tetrattech.com

This message, including any attachments, may include privileged, confidential and/or inside information. Any distribution or use of this communication by anyone other than the intended recipient is strictly prohibited and may be unlawful. If you are not the intended recipient, please notify the sender by replying to this message and then delete it from your system.

From: Susan Affleck-Childs <sachilds@townofmedway.org>
Sent: Tuesday, February 4, 2020 1:18 PM
To: Bouley, Steven <Steven.Bouley@tetrattech.com>
Subject: FW: 2 Marc Road

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

Hi there,

Have you had a chance to review this revised site plan for 2 Marc Road for endorsement?

The timing works with the 20 day appeal that the Board could endorse at the 2-11 meeting.

Let me know if it is good to go or not.

Thanks.

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

From: Susan Affleck-Childs
Sent: Tuesday, January 21, 2020 7:55 AM
To: Steve Bouley
Subject: FW: 2 Marc Road

Hi Steve,

Please review this revised plan for 2 Marc Road presented for endorsement and email me with your comments.

I also attached the site plan modification decision for your reference in reviewing it.

Thanks.

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

From: Daniel Merrikin [<mailto:dan@legacy-ce.com>]
Sent: Saturday, January 18, 2020 10:56 AM
To: Susan Affleck-Childs
Subject: 2 Marc Road

Hi Susy,

Here is a draft endorsement plan for review. The following changes were made:

- Colors changed to black and greyscale
- Signature block added for board and clerk
- Registry block and notes added
- Bollards added and clarified 15' driveway width to be exclusive of bollards

Dan

Daniel J. Merrikin, P.E.
President



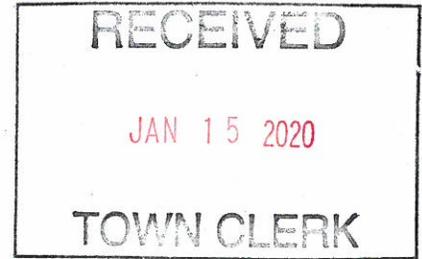
Legacy Engineering LLC
(formerly Merrikin Engineering, LLP)
730 Main Street
Suite 2C
Millis, MA 02054

www.legacy-ce.com

dan@legacy-ce.com

508-376-8883(c)

508-868-8353(c)



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

January 14, 2020

MODIFICATION
2 Marc Road Marijuana Facility Special Permit Site Plan

Name/Address/Applicant: Ellen Realty Trust
730 Main Street, Suite 2A
Millis, MA 02054

Project Location: 2 Marc Road

Assessor's Reference: Map 33, Parcel #001

Zoning District: East Industrial and Groundwater Protection District

Purpose: Amend the previously approved 2 Marc Road site plan

This is a decision of the Medway Planning and Economic Development Board (hereinafter "Board") to modify the previously approved and endorsed 2 Marc Road site plan dated March 30, 2016, last revised July 18, 2016, for the CommCan marijuana cultivation and processing facility.

NOTE – The previously approved site plan for 2 Marc Road was endorsed by the Board on July 26, 2016 and recorded at the Norfolk County Registry of Deeds on August 2, 2016, in Plan Book 650, Pages 91 – 105. The associated medical marijuana special permit and site plan decision was approved June 28, 2016 and recorded at the Norfolk County Registry of Deeds, also on August 2, 2016, in Book 34328, Pages 450 – 470.

BACKGROUND - Noise generated by the rooftop chiller equipment installed on the 2 Marc Road CommCan building constructed in 2017 for the cultivation and processing of medical marijuana was raised as an important issue by abutters to the subject property during the 2019 special permit process to authorize the additional use of the 2 Marc Road facility to cultivate and process marijuana for adult recreational use. Accordingly, the 2019 recreational marijuana special permit decision included a requirement for the applicant to undertake a noise study and to develop a proposal to address the noise issues. That noise study was completed in July 2019 and a noise mitigation plan was developed to address the noise issues. The proposed modification reflects the needed noise mitigation measures.

DESCRIPTION OF PROPOSED MODIFICATION - The proposed site plan modification reflects the custom design of at-grade enclosures around chiller equipment with silencers around the side and top of the enclosures to allow air to flow to the ground located chiller units while attenuating noise generation to the thresholds specified in the *Medway Zoning Bylaw*. A 25.7' by 75.4' concrete slab pad is proposed to be installed along the westerly side of a portion of the existing CommCan building to house the existing and new chiller equipment. Both the existing chiller and a new chiller for the second floor operation will be housed inside an approximately 11' tall enclosure to be installed around the equipment. The new pad will extend into the existing 20' wide bituminous driveway. Pursuant to guidance from the Medway Fire Department, the existing driveway must be shifted around the new pad and enclosure to ensure suitable emergency access around the western side of the building. The Fire Department is amenable to a 15' wide fire lane. This necessitates rerouting a portion of the existing retaining wall and guard rail, filling in a small portion of the existing stormwater swale along the western side of the driveway, and replacing it with two 12" drainage pipes. This new chiller pad and driveway relocation increases the impervious coverage by 1,550. s.f. The existing stormwater infiltration basin has ample capacity to accommodate the increase in stormwater runoff to be generated by the increase in impervious coverage.

The proposed plan modification as described herein is represented on the single plan sheet titled *2 Marc Road Site Plan Modification Plan of Land in Medway, MA*, dated November 6, 2019, prepared by Legacy Engineering of Millis, MA. The following additional documents were provided for the Board's review:

- Revised *2 Marc Road Site Plan Modification Plan of Land in Medway, MA*, dated December 12, 2019.
- Request for a waiver from Section 207-11 A. 13 of the *Site Plan Rules and Regulations* to allow the planned driveway relocation to be within 7 feet of the side property line with 4 Marc Road.
- *Noise Modeling Analysis* dated 6-26-19 prepared by Acentech, the applicant's noise consultant, which provided the basis for the design of the noise mitigation measures. That analyses was reviewed by Noise Control Engineering, the Board's noise consultant, 7/7/19 and found to be satisfactory.
- BRD drawing of noise attenuation enclosure around HVAC equipment dated 10/28/19
- Medway Conservation Commission Determination of Applicability for the proposed work, dated 12/18/19.

The proposed site plan modification was reviewed by Tetra Tech, the Town's Consulting Engineer; a review letter was issued December 10, 2019 with several recommended conditions. Comments were provided by Chief Jeff Lynch and Deputy Chief Mike Fasolino of the Medway Fire Department approving the revised layout of the fire lane/driveway on the west side of the building. The Medway Conservation Commission, at its December 18, 2019 meeting, issued a Determination of Applicability for the proposed work.

PEDB REVIEW PROCESS

Application Received:	November 7, 2019
Public Hearing Notice Posted with Town Clerk:	November 18, 2019
Abutters Notified via Certified Sent Mail:	November 18, 2019
Town Staff Notified and Comments Requested:	November 18, 2019
Legal Ad Published in the <i>Milford Daily News</i> :	November 26 and December 2, 2019
Public Hearing:	December 10, 2019 and January 14, 2020

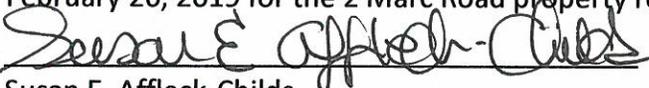
DECISION OF THE BOARD – The Medway Planning and Economic Development Board, at a duly posted meeting held on January 14, 2020, on a motion made by Richard Di Iulio and seconded by Robert Tucker, voted five in favor and none opposed to approve the site plan modification for 2 Marc Road as described and conditioned herein.

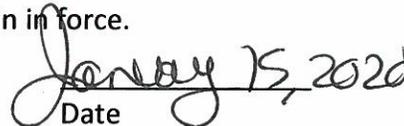
The Board determined that the requested waiver from the *Site Plan Rules and Regulations* was not needed as the requirement for a driveway to be at least 15' away from the side property line pertains only when the abutting property is residential. In this instance, the abutting property in question at 4 Marc Road is both industrial in use and is zoned East Industrial, so the regulation does not apply.

All documents associated with the Board's previous special permit decisions for 2 Marc Road are hereby acknowledged and made a part of the record for this modification.

CONDITIONS

1. The *2 Marc Road Site Plan Modification Plan of Land* dated December 12, 2019 shall be revised as follows:
 - Include a signature block for the Board's endorsement after this decision's 20 day appeal period has concluded
 - Include a block to indicate the Town Clerk's Certification of No Appeal after the decision's 20 day appeal period has concluded
 - Include the proposed bollards. The driveway width should be measured from the outside edge of the bollards, not the edge of the slab and that width should be so indicated.
 - Depict all improvements in greyscale as color plans are not acceptable for recording.
2. This decision with the noted plan sheet as endorsed shall be recorded at the Norfolk County Registry of Deeds and proof of such recording shall be provided to the Board.
3. The provisions of the Conservation Commission's Determination of Applicability dated December 18, 2019 shall also apply to this site plan modification.
4. The Applicant expects to enlarge the 2 Marc Road building at some future date. At such time as the Applicant decides to undertake such an expansion, the Applicant is required to re-evaluate the overall stormwater design for the property to ensure that the amount of impervious coverage can be properly mitigated in accordance with state and local stormwater management requirements.
5. The site work shown on *2 Marc Road Site Plan Modification Plan of Land* dated December 12, 2019, to be further revised as conditioned herein before plan endorsement, including the installation of the chiller equipment and sound mitigation enclosure shall be completed by August 30, 2020.
6. All conditions of approval of the previous special permit decisions dated June 28, 2016 and February 26, 2019 for the 2 Marc Road property remain in force.

Attest: 
Susan E. Affleck-Childs
Planning and Economic Development Coordinator


Date

- cc: Jack Mee, Building Commissioner
Erika Robertson, Code Compliance Officer
Ellen Rosenfeld, Ellen Realty Trust
Dan Merrikin, Legacy Engineering
Steve Bouley, Tetra Tech
Bridget Graziano, Conservation Agent



February 11, 2020
Medway Planning & Economic Development Board
Meeting

Articles for May 2020 Town Meeting -

- Miscellaneous minor housekeeping amendments
- Adaptive Use Overlay District amendments
- Additions/revisions to Use Table for Oak Grove
- Incidental Accessory Objects
- Multi-Family Housing amendments

NOTE – We will also have a draft of the revised Environmental Standards section of the ZBL to submit to the BOS/TA office. I expect to have that from Weston and Sampson later this week. ALSO . . . we might have a couple more ZBL amendments to share with you Tuesday night. Stay tuned!!

NOTE - I am also working with Conservation Agent Bridget Graziano, DPW Compliance Officer Stephanie Carlisle and Barbara Saint Andre to prepare and submit revisions to ARTICLE XXVI of the General Bylaws – Stormwater Management and Land Disturbance, specifically the land disturbance permit sections. These changes pertain to providing clearer direction to applicants about what to include with a land disturbance permit application.

Draft HOUSEKEEPING Article

December 11, 2019 (bjs with sac edits 2-6-2020)

Article ____ : To see if the Town will vote to amend the Zoning Bylaw, Section 4.2.A, Zoning Map, as follows (new text in **bold**, deleted text in ~~strikethrough~~):

A. Except for the Flood Plain District and Groundwater Protection District, the boundaries of these districts are defined and bounded on the map entitled, "Town of Medway Zoning Map," dated December 4, 2014 **27, 2019**, as may be amended and revised, ~~with a list of the names of the members of the Planning and Economic Development Board~~ and filed with the Town Clerk, which map, ~~together with all explanatory matter thereon~~, is hereby incorporated in and made a part of this Zoning Bylaw.

And amend the Zoning Bylaw, Section 8.9 Registered Medical Marijuana Facilities, specifically Section 8.9.J.5.b.i as follows (deleted text in ~~strikethrough~~):

5. Procedures.

- a. The special permit application and public hearing procedure for a RMMF shall be in accordance with Section 3.4 and G.L. c. 40A, § 9.
- b. Mandatory Findings. The Planning and Economic Development Board shall not grant a special permit for a RMMF unless it finds that:
 - i. The RMMF is designed to minimize any adverse visual or economic impacts ~~on abutters and other parties in interest, as defined in G.L. c. 40A, § 11;~~
 - ii. The RMMF demonstrates that it will meet all the permitting requirements of all applicable agencies within the Commonwealth of Massachusetts and will be in compliance with all applicable state laws and regulations; and
 - iii. The applicant has satisfied all of the conditions and requirements of this Section and Section 3.4 of this Zoning Bylaw.

And further to amend Section 8.9 Registered Medical Marijuana Facilities to change the words "Massachusetts Department of Public Health" to "Massachusetts Cannabis Control Commission" wherever it appears in Section 8.9.

And amend the Zoning Bylaw, Section 6.1, TABLE 2, Dimensional and Density Regulations, to require a minimum lot frontage of 50 feet in the Central Business, Village Commercial, and Neighborhood Commercial zoning districts.

And amend the Zoning Bylaw, SECTION 6.2.F, Setbacks, by adding new Section 6.2.F.4 and 6.2.F.5 as follows (new text in **bold**):

4. Fences installed within ten feet of any front lot line shall not exceed three feet in height.
5. No structure or swimming pool shall be constructed within the front setback, and no board, trailer or unregistered vehicles shall be stored within the front setback, of any lot.

Or act in any manner related thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

ADAPTIVE USE OVERLAY DISTRICT

Proposed Amendments

Draft – December 11, 2019 (bjs) with sac edits 2-5-2020

Article _____

To see if the Town will vote to amend the Zoning Bylaw, Section 5.6.2 Adaptive Use Overlay District, specifically Section 5.6.2.D.2. a. through h., and Section 5.6.2.D.3. c, as follows (new text in **bold**, deleted text in ~~strikethrough~~):

1. **Uses Allowed As of Right:** All uses permitted in the underlying zoning district shall be permitted within the Adaptive Use Overlay District unless prohibited under sub-section D.3 hereof.

2. **Uses Allowed by Special Permit:** In approving an Adaptive Use Special Permit, the Planning and Economic Development Board may provide for the following uses or combination of uses and no others. The Adaptive Use special permit shall identify the uses that are specifically allowed, and may impose any conditions, safeguards and limitations deemed necessary by the Planning and Economic Development Board.
 - a. **Professional or business offices** ~~for business or professional uses.~~
 - b. ~~Studios for artists, photographers, interior decorators, and similar design-related uses.~~
 - c. Retail sales for handcrafted merchandise, original arts and crafts or copies thereof, antiques, second-hand goods, gifts, clothing, accessories, and decorative home furnishings. *(Amended 11-16-15)*
 - d. Food services including, but not limited to bakeries, cafes, coffee shops, delicatessens, frozen dessert shops, pastry shops, sandwich shops and other specialty food items, not to exceed 3,000 sq. ft. *(Amended 11-16-15)*
 - e. ~~Repair shops for small electronic equipment, appliances or tools.~~
 - f. Personal care services **establishments** ~~such as barber shops, beauty parlors and nail salons.~~
 - g. Florists
 - h. **Service establishments** ~~Individual consumer services including but not limited to opticians, personal fitness, tailor, shoe repair, music lessons and travel agency.~~ *(Added 11-1-15)*
 - i. Museum *(Added 11-19-18)*
 - j. The alteration of, addition to, and/or conversion of an existing building to one or two residential dwelling units and one or more business uses listed in items a-i above, provided that the appearance of the building is characteristic of a single-family dwelling.

3. **Prohibited Uses:** The following uses are prohibited in the Adaptive Use Overlay District:
- a. Motor vehicle sales, repair, or sales of parts
 - b. Manufacturing
 - c. Drive-through **facilities** ~~windows of any kind~~
 - d. Exterior storage of equipment or materials

And to amend Section 5.6.2.C, Applicability, as follows (new text in **bold**, deleted text in ~~striketrough~~):

C. Applicability. The Planning and Economic Development Board may grant an Adaptive Use Special Permit for any property with at least 50 feet of frontage on a ~~Town-way~~ **street** in the Adaptive Use Overlay District, provided that each lot in the development includes at least one building constructed prior to June 28, 2004.

Or act in any manner related thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

USE TABLE AMENDMENTS

Draft – December 11, 2019 (bjs with sac edits 1-6-2020)

Article _____

To see if the Town will vote to amend the Zoning Bylaw, Section 5.4, TABLE 1, Schedule of Uses, by adding a new Section G. Marijuana Related Uses, and moving the following marijuana related uses now found in Section D. Business Uses, and Section E. Industrial and Related Uses to Section G. Marijuana Related Uses, without any changes to the uses that are allowed, prohibited, or require a special permit (new text in **bold** and shaded):

	AR-I	AR-II	VR	CB	VC	NC	BI	EI	ER	WI	FORM-BASED DISTRICTS		
											OGVC	OGBP	OGN

G. MARIJUANA RELATED USES

Registered Medical Marijuana Facility (Retail) <i>(Added 5-21-18)</i>	N	N	N	N	N	N	PB	N	N	N	N	N	N
Recreational Marijuana Retailer <i>(Added 3-19-18 and amended 5-21-18)</i>	N	N	N	N	N	N	N	N	N	N	N	N	N
Recreational Marijuana Social Consumption Establishment <i>(Added 5-21-18)</i>	N	N	N	N	N	N	N	N	N	N	N	N	N
Recreational Marijuana Establishment <i>(Added 3-19-18 and amended 5-21-18)</i>	N	N	N	N	N	N	N	PB	N	PB	N	N	N
Registered Medical Marijuana Facility (non-retail) <i>(Added 5-21-18)</i>	N	N	N	N	N	N	N	PB	N	PB	N	N	N

And change the use category “Motel or hotel” to two separate categories, “motel” and “hotel”, and provide for whether such uses are allowed in the Oak Grove Zoning districts:

Hotel	N	N	N	SP	N	N	N	N	N	N	Y	Y	Y	N
Motel	N	N	N	SP	N	N	N	N	N	N	Y	PB	PB	N

And amend the provisions related to Drive-through facilities to provide for whether such uses are allowed in the Oak Grove Zoning districts:

Drive-through facility	N	N	N	N	N	PB	PB	N	N	N	PB	PB	N
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Or act in any manner relating thereto.

ACCESSORY USES AND INCIDENTAL ACCESSORY OBJECTS

Revised Draft – February 5, 2020

ARTICLE : To see if the Town of Medway will vote to amend the Zoning Bylaw, Section 2 DEFINITIONS by inserting the following definition in alphabetical order: (new text in **bold**, deleted text in ~~strikethrough~~)

Incidental Accessory Object – A visible, functional or ornamental object or a man-made site feature that is subordinate to a principal building/structure or use and is located on the same lot as the principal building/structure or use or on an adjoining lot under the same ownership and in the same zoning district.

And by amending Paragraph H. in Sub-Section 6.3 Accessory Building and Structures as follows:

H. Incidental Accessory Objects.

1. The setback requirements specified in Table 2 DIMENSIONAL AND DENSITY REGULATIONS shall not apply to public bus stop shelters.
2. **The standard setback requirements specified in Table 2 DIMENSIONAL AND DENSITY REGULATIONS shall apply to the following Incidental Accessory Objects:**
 - a. **Animal hutch or pen exceeding one hundred and twenty square feet in gross floor area and taller than ten feet in height.**
 - b. **Athletic or sports court**
 - c. **Bathhouse or cabana**
 - d. **Gazebo or pavilion exceeding one hundred and twenty square feet in gross floor area and taller than ten feet in height.**
 - e. **Ground mounted solar photovoltaic panel**
 - f. **Hot tub**
 - g. **Membrane structure exceeding one hundred and twenty square feet in gross floor area and taller than ten feet in height.**
 - h. **Patio or free-standing deck**
 - i. **Outdoor fireplace or fire pit**
 - j. **Outdoor kitchen, bar or dining area**
 - k. **Outdoor play gym or structure or playhouse**
 - l. **Man-made pond or water feature**
 - m. **Shed exceeding one hundred and twenty square feet in gross floor area and taller than ten feet in height.**
 - n. **Swimming pool**
 - o. **Trash dumpster/enclosure**
 - p. **Wind generating device**
 - q. **Other incidental accessory objects which, in the opinion of the Building Commissioner, are similar to the above noted items.**

MULTI-FAMILY HOUSING

Proposed Amendments

Draft – February 5, 2020

ARTICLE : To see if the Town will vote to amend the Zoning Bylaw, Section 5.6.4 Multi-Family Housing, D. Density Regulations, as follows (new text in **bold**, deleted text in ~~strikethrough~~):

5.6.4 Multi-Family Housing

A. **Purpose:** The purpose of this sub-section is to further the goals of the Medway Master Plan and the Medway Housing Production Plan to encourage the provision of a diversity of housing types, to promote pedestrian oriented development, to encourage the preservation of older and architecturally significant properties, and to increase the number of affordable housing units by establishing a special permit option to allow for the development of Multi-Family Buildings and Multi-Family Developments within the capacities of existing Town utilities and services.

(Amended 11-18-19)

B. **Applicability:**

1. The Planning and Economic Development Board shall be the special permit granting authority for Multi-Family Buildings, Apartment Buildings, and Multi-Family Developments. Multi-Family Buildings, Apartment Buildings, and Multi-Family Developments are allowed by special permit on tracts of land in the AR-I, AR-II, Village Residential, or Village Commercial zoning districts which have a minimum of fifty feet of frontage on an existing street located within the Multi-Family Housing Overlay District as shown on a map on file with the Medway Town Clerk. The tract of land may be one parcel or a set of contiguous parcels. The street that provides frontage shall, in the opinion of the Planning and Economic Development Board, have sufficient capacity to accommodate the projected additional traffic flow from the development.

(Amended 11-14-16, 11-19-18 and 11-18-19)

2. Tracts of land within residential subdivisions approved and constructed under the Subdivision Control Law since September 29, 1952 or granted a special permit under the Medway Zoning Bylaw shall not be eligible for a special permit under this sub-section.

3. These provisions apply to the following:

a. The alteration, rehabilitation, conversion, or adaptive reuse of existing buildings

b. Construction of new buildings or additions to existing buildings.

(Amended 11-19-18)

C. **Dimensional Regulations:**

1. The minimum dimensional requirements as specified in Table 2 shall be the same as for the underlying zoning district in which the parcel is located. However, the Planning and Economic Development Board may adjust these dimensional requirements by a four-fifths

vote if, in its opinion, such adjustment will result in a more desirable design of the development or provide enhanced buffering for adjacent residential properties.

(Amended 11-19-18)

2. Legally pre-existing nonconforming buildings shall be eligible for a Multi-Family Housing special permit provided there is no increase in any dimensional nonconformity or the creation of a new nonconformity, and the applicant can demonstrate compliance with the parking and open space requirements of this sub-section. *(Amended 11-19-18)*
3. Maximum building height: 40' except that the maximum building height for a property located within the Medway Village or Rabbit Hill Historic Districts shall not exceed 35'. *(Amended 11-19-18)*
4. The minimum lot size for an Apartment Building shall be one acre. *(Added 11-18-19)*

D. Density Regulations:

1. For lots of one acre or more:
 - a. The density of a Multi-Family Building or a Multi-Family Development without an Apartment Building shall not exceed 8 dwelling units per whole acre. For example, the maximum density of a 1.8 acre lot shall not exceed 8 dwelling units.
 - b. The density of an Apartment Building or a Multi-Family Development which includes an Apartment Building shall not exceed 12 dwelling units per whole acre.
2. For lots under one acre, the density of a Multi-Family Building and a Multi-Family Development shall not exceed its relative portion of an acre. For example, the maximum density of a .5 acre lot shall not exceed 4 dwelling units. *(Amended 11-19-18 and 11-18-19)*
3. **The Applicant is not entitled to the maximum number of dwelling units described herein. The number of dwelling units for a Multi-Family Development and Building shall be determined by the Planning and Economic Development Board in accordance with the criteria specified in I. Decision herein.**

E. Special Regulations:

1. Affordable Housing Requirement: Projects approved pursuant to this sub-section shall comply with the Town's Affordable Housing requirements as specified in Section 8.6 Affordable Housing. *(Amended 11-19-18)*
2. Open Space: There shall be an open space or yard area equal to at least fifteen percent of the parcel's total area. This area shall be unpaved and may be landscaped or left natural, with the balance being trees, shrubs and grass suitable for the site. This area shall not be built upon but may include a play area.
3. Parking: At least one and one-half off-street parking spaces shall be provided for each dwelling unit plus one additional visitor parking space for every two dwelling units.

4. There shall be Town water and sewer available in the street on which the Multi-Family Development or Multi-Family Development has its frontage and said water and sewer lines shall have sufficient capacity to accommodate the project. *(Amended 11-18-19)*
5. A Multi-Family Building or Apartment Building shall not contain more than twelve dwelling units per building. *(Amended 11-19-18 and 11-18-19)*
6. Any Multi-Family Development shall not exceed forty dwelling units.
7. Historic Properties - Any property proposed for a Multi-Family Building and/or Apartment Building and/or a Multi-Family Development pursuant to this sub-section which includes a building that is 75 years of age or older shall be reviewed by the Medway Historical Commission to determine if it is an “historically significant building” and if it is a “preferably –preserved historically significant building” in accordance with the criteria specified in Medway General Bylaws Article 17 Historical Properties. If so determined to be a preferably-preserved historically significant building, the property shall comply with the following additional requirements for a special permit pursuant to this sub-section.
 - a. A preferably preserved historically significant building shall be not demolished unless:
 - 1) The Building Commissioner has determined that it is unused, uninhabited or abandoned, and open to the weather; or
 - 2) The Board of Selectmen or the Board of Health has determined it to be a nuisance or dangerous pursuant to applicable state laws and/or the State Building Code;
 - b. Renovation of a historically significant building shall be completed in a manner that preserves and/or enhances the building’s historic exterior architecture and features;
 - c. The project may include new construction which shall be designed to be consistent with the historic nature of the property, its primary building, and the surrounding neighborhood including buildings which characterize historic homes, carriage houses, barns, sheds, garages, agricultural buildings, other similar out buildings, and historic forms of house additions traditionally undertaken in the neighborhood.
 - d. Any property proposed for a Multi-Family Building and/or a Multi-Family Development and/or an Apartment Building pursuant to this sub-section which had a building that was 75 years of age or older located on it, which building has been demolished, shall not be eligible to apply for a Multi-Family Building or Multi-Family Development or Apartment Building special permit until at least three years after the date that the demolition of said building was completed.

(Item 7 added 11-19-18 and amended 11-18-19)

F. Rules and Regulations: The Planning and Economic Development Board shall adopt *Multi-Family Housing Rules and Regulations* which shall include application submittal requirements, public hearing and review procedures, and site development and design standards including but not limited to landscaping, buffering, lighting, building style, pedestrian access, off-street parking, utilities, and waste disposal. Such *Multi-Family Housing Rules and Regulations* shall be filed with the Town Clerk *(Amended 11-19-18)*

G. Development Limitation: The maximum number of Multi-Family Building units authorized pursuant to this sub-section shall not exceed five percent of the number of detached single-

family dwellings located in the Town of Medway, as determined by the Board of Assessors.
(Amended 11-18-19)

H. **Special Permit Procedures:**

1. The special permit application, public hearing, and decision procedures shall be in accordance with this sub-section, the Planning and Economic Development Board's *Multi-Family Housing Rules and Regulations*, Section 3.4 Special Permits, and Section 3.5 Site Plan Review. (Amended 11-19-18)
2. Application Requirements. The Applicant shall submit a Multi-Family Housing special permit application together with the size, form, number, and contents of the required plans and any supplemental information as specified in the Planning and Economic Development Board's *Multi-Family Housing Rules and Regulations*. (Amended 11-19-18)
3. The special permit review of Multi-Family Building and Multi-Family Developments shall incorporate site plan review pursuant to Section 3.5 Site Plan Review. (Amended 11-19-18 and 11-18-19)

I. **Decision:** The Planning and Economic Development Board may grant a Multi-Family Housing special permit with any conditions, safeguards, and limitations necessary to mitigate the project's impact on the surrounding area and to ensure compliance with this sub-section, Section 3.4 Special Permits, and Section 3.5 Site Plan Review and Approval, upon finding that the Multi-Family Building or the Multi-Family Development will:

1. meet the purposes and requirements of this sub-section, and the Planning and Economic Development Board's *Multi-Family Housing Rules and Regulations* and *Site Plan Rules and Regulations*;
2. is consistent with the goals of the Medway Housing Production Plan; (Amended 11-19-18)
3. not have a detrimental impact on abutting properties and adjacent neighborhoods or such impacts are adequately mitigated;
4. provide for greater variety and type of housing stock;
5. be designed in a manner that is reflective of or compatible with the character of the surrounding neighborhood. (Item 5 added 11-19-18)

J. **Effective Date:** The amendments to this sub-section 5.6.4 adopted on November 18, 2019 shall not apply to any application for a special permit pursuant to this sub-section which was submitted to and accepted as complete by the Planning and Economic Development Board prior to November 18, 2019, unless the applicant waives the protection of this sub-section 5.6.4.J in the same manner provided in the last paragraph of General Laws chapter 40A, section 6, and elects to proceed under the amended by-law. (Added 11-18-19)

Massing/Scale

Draft 2-10-2020 (bjs)
(sac comments 2-11-20)

Article ____ To see if the Town will vote to amend the Zoning Bylaw, Section 6.1, Table 2 Density and Dimensional Regulations, by deleting the percentages in the row entitled “Maximum Lot Coverage” for the AR-1, AR-2, and VR Zoning Districts, and replace them with the following: “See Section 6.4”, and by adding the following new Section 6.4.

Section 6.4: Restrictions on Total Footprint

The following restrictions shall apply in the AR-1, AR-2 and VR Zoning Districts:

- A. **Primary Structures** - No primary structure shall exceed a footprint of:
 1. On lots of less than 10,000 square feet - 15% of lot area, not to exceed 1,250 square feet.
 2. On lots of between 10,001 and 20,000 – 12.5% of lot area, not to exceed 2,000 square feet.
 3. On lots of between 20,001 square feet and 39,999 square feet - 10% of lot area, not to exceed 2,500 square feet.
 4. On all other lots, 6.25% of the lot area, not to exceed 3,500 square feet.

- B. **Accessory Structures** - No accessory structure shall exceed 30% of the footprint of the primary structure, except that:
 1. On lots of less than 10,000 square feet – the total footprint of the primary and all accessory structures shall not exceed 15% of lot area.
 2. On lots of between 10,001 and 20,000 – the total footprint of the primary and all accessory structures shall not exceed 15% of lot area.
 3. On lots of between 20,001 square feet and 39,999 square feet - the total footprint of the primary and all accessory structures shall not exceed 10% of lot area.
 4. On all other lots, the total footprint of the primary and all accessory structures shall not exceed 10% of lot area.
 5. Where a primary structure is less than 2,000 square feet, one accessory structure with a footprint not to exceed 600 square feet is allowed if the property can continue to conform with the lot coverages set forth in this Section 6.

Commented [SA1]: We don't have a definition for "primary structure". Do we need one?

Commented [SA2]: We need to look at how this works or not with Section 6.3 Accessory Buildings or Structures.

And by adding the following new item G. in Section 6.2.

G. Calculating Impervious Coverage - **Maximum** impervious coverage shall be calculated by adding the square footage of the footprint of all structures; decks; parking; driveways (including gravel, dirt); pavement, including street access drives and walks; and in-ground pools, patios and “hardscape” including retaining walls and landscaping walls, and dividing the total square feet thereby obtained by the total lot area in square feet.

Commented [SA3]: How does this tie into the current definition of Impervious Surface in Section 2 DEFINITIONS?

Current Definition of Impervious Coverage – That portion of a lot that is covered by buildings, including accessory buildings, and all paved and other impervious surfaces. Impervious coverage shall be determined by dividing the combined area of the footprint of all buildings and all paved and impervious surfaces on a lot by the total area of the lot.

SPECIAL PERMITS IN THE CENTRAL BUSINESS DISTRICT

Draft 2-11-20 (sac)

ARTICLE : To see if the Town will vote to amend the Zoning Bylaw, Section 5.4.1 Special Permits in the Central Business District (new text in **bold**, deleted text in ~~strike through~~) as follows:

5.4.1 Special Permits in the Central Business District

~~In the Central Business district, the following provisions shall apply to uses allowed by special permit and are also available for applicants for uses permitted by right in order to propose a flexible site design.~~

A. Purposes

- 1. To further the goals of the Medway Master Plan**
- 2. To encourage mixed-use development in the Central Business District with a balanced and vibrant mix of compatible business uses and residential development.**
- 3. To encourage revitalization and economic investment in the Central Business District in a manner which represents the qualities of a traditional New England town center.**

B. Applicability

- 1. A Mixed-Use Development may be allowed in the Central Business District by special permit from the Planning and Economic Development Board to include uses allowed by right and uses allowed by special permit as specified in Table 1 – Schedule of Uses.**
- 2. The provisions of this Section are available by special permit from the Planning and Economic Development Board for uses permitted by right in order to achieve a flexible site design.**
- 3. All development projects considered under this Section are subject to site plan review pursuant to Section 3.5 herein.**

C. Definitions:

Mixed-Use Development: See definition in SECTION 2 DEFINITIONS

Multi-Family Building: See definition in SECTION 2 DEFINITIONS

A. D. Dimensional Requirements.

1. Minimum lot size: 10,000 sq. ft.
2. Minimum continuous frontage: 50 ft.

3. Minimum front-yard setback: Principal buildings shall be set back a minimum of 10 feet from the front lot line. Architectural features such as bay windows, porches, balconies, porticos, canopies, etc. shall not be subject to the 10-foot minimum setback.
4. Minimum side-yard and rear-yard setback: For lot lines abutting a residential zoning district, 25 ft. of which the first 10 ft. nearest each lot line shall not be used for the parking or storage of vehicles and shall be suitably landscaped. There is no side-yard or rear-yard setback for properties abutting other properties within the Central Business district.
5. Maximum building height: 60 ft.

B. E. Residential Uses in a Mixed-Use Development.

1. Except for assisted living residence facilities, a building comprised of multi-family dwelling units only shall not be permitted.
2. In a two-story building, no more than 50 percent of the gross floor area shall be comprised of multi-family dwelling units. In a three-story building, no more than 67 percent of the gross floor area shall be comprised of multi-family dwelling units. **In a four-story building, no more than 75% of the gross floor area shall be comprised of multi-family dwelling units.**
3. Multi-family dwelling units may not be located on the ground floor of a mixed-use building or development unless:
 - a. The building with the multi-family dwelling units is set behind another building which has business uses on the ground floor and a front façade that faces a public way or primary access drive; or
 - b. The residential portion of the ground floor is set behind the business uses within the same building which has a front façade that faces a public way or primary access drive.
4. No more than 10 percent of the total number of a mixed-use development's residential dwelling units shall have more than two bedrooms.
5. **The provisions of Section 8.6 Affordable Housing shall apply to Mixed-Use Developments.**

C. F. A minimum of 15 percent of the site shall function as landscaped or public space. The landscaped or public space shall be architecturally integral to the site or, as appropriate and practical, to abutting sites. No space that is used for vehicular parking or circulation, or loading shall be included as landscaped and/or public space.

D. G. Special Permit Review Criteria.

1. Special permits granted under this Section 5.4.1 are not subject to the special permit criteria under Section 3.4.

Commented [SA1]:

What are your have thoughts on the relative proportionality of residential to non-residential space in a mixed use development?

2. Before granting a special permit for a special permit use or flexible site design of a permitted use in the Central Business district, the ~~special permit granting authority~~ **Planning and Economic Development Board** shall find that all of the following criteria are met:

- a. The proposed uses **and site design** represent the qualities of a traditional New England town center;
- b. The proposed site design is environmentally sound and is readily accessible to and useable by pedestrians;
- c. The proposed site design reflects and advances the goals and objectives of the Medway Master Plan as updated;
- d. Adequate pedestrian and (where applicable) vehicular linkages are provided within the site and connecting to abutting properties;
- e. Streets, driveways, sidewalks, landscaped areas and public services are laid out in a safe manner;
- f. Any detrimental impacts of the use on abutting properties and/or residential neighborhoods have been adequately mitigated; and
- g. The site design incorporates the site's existing topography and protects natural features to the maximum extent possible.

E. H. Design Requirements – The Planning and Economic Development Board shall adopt Central Business District Special Permit rules and regulations to administer this Section 5.4.1 including submission requirements and procedures and Central Business District design guidelines. Such guidelines may include any or all of the following:

1. Façade design for buildings visible from public ways
2. Vehicular or pedestrian connections to abutting commercial or residential areas;
3. Provision of pedestrian amenities; and
4. Sustainability, i.e., efficient resource use throughout a building's life cycle from siting to design, construction, operation, maintenance, renovation and deconstruction.

STREET ACCEPTANCE

Draft – February 10, 2020

ARTICLE : (Street Acceptances – Applegate Road and Forest Road)

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

Forest Road in its entirety from Station 0 + 00 at Brigham Street to its end at approximately Station 9 + 2 as shown on *Road As-Built Plan of Land* in Medway, MA, dated July 29, 1993, last revised February 26, 1995, by Francis X. DeSimone & Sons of Medway, MA. **MAY ALSO NEED TO REFER TO the DEFINITIVE SUBDIVISION PLAN for various easements.**

Applegate Road in its entirety from Station 0 + 00 at Coffee Street to its end at Station 17 + 46.52 at Ellis Street as shown on *Amended Definitive Subdivision Plan for Applegate Farm, Medway, Massachusetts*, dated February 20, 2013, last revised April 28, 2014 and endorsed October 22, 2014, prepared by GLM Engineering Consultants, Inc. of Holliston, MA, recorded at the Norfolk County Registry of Deeds in Plan Book 635, Page 26.

And further to see if the Town will vote to accept as a gift from Cedar Trail Trust of Medfield, MA one parcel of land containing 1.11 acres, more or less, identified as Parcel A on the Amended Definitive Subdivision Plan for Applegate Farm, Medway, Massachusetts, dated February 20, 2013, last revised April 28, 2014 and endorsed October 22, 2014, prepared by GLM Engineering Consultants, Inc. of Holliston, MA, recorded at the Norfolk County Registry of Deeds in Plan Book 635, Page 26, also known as 0 Applegate Road, Medway Assessors Map 32, Parcel 16, to be used by the Town for drainage purposes.

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

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

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

DRAFT - February 10, 2020 (sac)

ARTICLE : To amend the Medway General By-Laws by adding the following to _____:

Land use permitting authorities (Board of Health, Building Department, Conservation Commission, Department of Public Works, Historical Commission, Planning and Economic Development Board, and the Zoning Board of Appeals) may deny, revoke or suspend action on a land use permit application if the subject property is out of compliance with a land use permit previously issued for said property by any of the above noted land use permitting authorities.