

**February 27, 2018
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	Absent with Notice	X	X

ALSO PRESENT:

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

Vice Chairman Bob Tucker opened the meeting at 7:00 pm.

There were no Citizen Comments.

Salmon ARCPUD- Request for Extension of Deadline to Commence Project:

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

- Letter dated 2-13-18 from Jeff Robinson Continuing Care Management.

The current deadline to initiate project construction is March 24, 2018. The applicant is seeking a one year extension to March 24, 2019.

On a motion made by Rich Di Iulio and seconded by Matt Hayes, the Board voted unanimously to extend the deadline for commencing the Salmon ARCPUD project to March 24, 2019.

Construction Reports:

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

- O'Brien & Sons Site Plan – Report #1 (12-18-17)
- O'Brien & Sons Site Plan – Report #2 (2-8-18)
- O'Brien & Sons Site Plan – Report #3 (2-9-18)
- O'Brien & Sons Site Plan – Report #4 (2-14-18)
- O'Brien & Sons Site Plan – Report #5 (2-16-18)
- O'Brien & Sons Site Plan – Report #6 (2-20-18)

Engineering consultant Bouley explained that the contractor for O'Brien and Sons is working on the installation of the underground infiltration system. The building construction's steel framing is being worked on. The site work is being completed. The road way is clean.

Merrimack Building Supply:

- There has been a clearing of trees at the end of Trotter Drive. Site work has not started.

Applegate Subdivision:

- DPS Deputy Director Barry Smith went with Steve Bouley to do an inspection. There is base flow going into the pond. The water was tested and has chloride in it. The thought is that there may be a leak on Virginia Drive/Ellis Street. The punch list and bond estimate will be updated.

County Cottage Childs Care

- Foundation is in and erosion controls are in place.

Wingate Farm Subdivision

- Consultant Bouley will be on site late this week or next week.

PEDB Meeting Minutes:

February 13, 2018:

On a motion made by Matthew Hayes and seconded by Rich Di Iulio, the Board voted unanimously to approve the minutes from the February 13, 2018 meeting as presented.

Other Business Boards/Committees:

The following updates were provided:

OSRP Task Force:

Member Hayes reported that the Open Space and Recreation Plan Update Task Force met on 2/26/18 and they discussed several of the maps which will be put into the plan. The Task Force also discussed the railroad bed and ownership issues. Town Counsel has been asked to provide an estimate for title research to determine the ownership of the railroad bed on the east side of town from Millis to Holliston Street.

Director of Planning and Economic Development:

The Town is in the process of interviewing to fill the Community and Economic Development Director's position. There were four applicants interviewed. Andy Rodenhiser served as a member of the interview team.

Democratic Committee Meeting:

There is a public forum tomorrow Wednesday, February 28, 2018 on the recreational marijuana ballot vote. This is an informational meeting. There will be a variety of speakers and it will be broadcast live. The intent of the meeting is to provide information about the ballot language and what it means.

Town Counsel:

Town Counsel has been invited to the March 13, 2018 Planning and Economic Development meeting to discuss results of the ballot vote and how to craft the Board's recommendation on zoning bylaw amendments for the March 19 special town meeting.

PUBLIC HEARING - Milway Auto Site Plan - 50 Alder Street:

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

- Public Hearing Notice
- Public Hearing Continuation Notice
- Site Plan Application with attachments
- Site Plan by Grady Consulting dated 3-20-16 last revised 8-22-16.
- Request for waivers from the site plan rules and regulations.
- Tetra Tech review letter dated 2-8-18
- PGC review letter dated 2-6-18.
- DRC review letter dated 2-7-18.
- Grady Consulting letter dated 2-21-18 in response to Tetra Tech, PGC and DRC review letters.

The Board reopened the continued hearing for the Milway Auto Site Plan.

Paul Sandberg from Grady Consulting was present along with applicant Phil Anza.

The proposed project includes construction of a 3,250 sq. ft., one-story building for automobile sales and service with three garage bays and office space. The site plan shows 17 parking spaces, landscaping, stormwater drainage facilities, and connection to the municipal water and sewer. This property is bordered by Interstate 495 on the west. The applicant has gone in front of the Conservation Commission and received an Order of Conditions.

The applicant is seeking a variety of waivers from the Site Plan Rules and Regulations

- 204.4 (B) standards for site plan preparation.
- 204.5.c.3 Existing Landscape Inventory
- 204.5.D.7 Landscape Architectural Plan
- 204.5.D.8 Architectural Plan (no longer needed submitted)
- 204.5.D.9 Color Rendering (no longer needed submitted)
- 204.5.D.10 Building Layout Floor Plan (no longer submitted)
- 204.D.12 Signage Plan (wall sign on building)
- Requirement of a lightening plan (wall mount plan - want to see plan)
- 205.5.G.3.a Parking Spaces/stalls
- 205-6(G)(4)(b) - parking spaces stalls (to allow parking within 15 ft. of side property line)
- 205-6(G)(4)(d) space/stall Design
- 205-9 Trees and landscaping

The landscape detail plan was shown. This was reviewed by Conservation Commission. It was felt that there was an additional tree needed. The applicant is proposing two trees to meet the requirement. The Board would like to see what is proposed for the site plan landscaping, not just for the trees required by Conservation near the wetlands.

The Board's consultants' review letters were reviewed along with the project engineer's response letters.

- It was noted that the ZBA had granted a new use variance for the project and this will be referenced in the site plan decision.
- It was noted that 6 of the 17 parking spaces are tandem.
- The proposed site is located on a cul-de-sac on a dead end road. There is adequate site distance.
- The site is located near but outside the groundwater protection district.
- A landscape plan has been provided. There needs to be an inventory of the larger trees. The Board wants the inventory of 18 inch trees and higher. This is on the upland portion. This is for consistency.
- The landscape plan was not prepared by a landscape architect.
- The applicant wants a waiver from requirement to show proposed sign and no information has been provided to date.
- A lighting plan will be provided and all will be wall mounted over the proposed door locations as well as the three garage bays directed towards the pavement. There is no street lighting there on the road at all. The applicant needs to follow-up with Sergeant Jeff Watson about this.
- There is an existing fire hydrant located directly across the street from the proposed development. This needs to be discussed with Sergeant Jeff Watson. There may need to be a Knox box mounted on the exterior of the building.
- A waiver has been requested for the use of Cape Cod Berm versus granite curbing.
- There will be plantings within the island.
- Due to the size of the site, the applicant requested that the Board approve the planting plan as proposed. The site is shaded in the back. There are two trees proposed. This is a tight space with the island, especially for snow plows. There may need to be a waiver for one of the trees.
- The building inspector needs to make a determination if a flag painted onto a building is allowed. This would be a separate process. Susy will check with Building Commissioner Jack Mee.
- The roof runoff is directed to the subsurface infiltration system.
- The color renderings have been provided.

The next letter reviewed was the Design Review Committee's letter dated February 7, 2018.

The following comments were made:

- It was recommended to have windows in the work spaces on the westerly portion. There are windows in the east side. The applicant notes that there is not a need. There is room on the upper portion of the building for windows. The garages will have light on the doors. This is a garage not an office space.
- The dumpster is not proposed, all trash is to be stored within the garage. The trash will go to Lawrence Waste. The applicant will check with the Fire Department about having a dumpster.
- The sign permit will be applied for. This is a two-step process.
- List building colors and materials and trim will be included on plan set as part of next revision set.
- The flag idea is under the building department's direction. There will need to be interpretation if a painted flag constitutes a "sign". The other option is hanging a flag.

The applicant wants to know what is appropriate and not. Susy Affleck-Childs reported that a “flag” is exempt from needing a sign permit as long as it is not being used for commercial purposes. This is open for interpretation. Susy will reach out to the building department. The applicant will provide the height and width.

The Tetra Tech Review comments were reviewed:

- The plans are drawn at a scale of 1" = 20', regulations require 1" = 40'.
- Sight distance needs to be shown
- The plan shows two curb cuts to access the site. Regulations recommend one per street. This needs to be checked with DPS.
- The applicant is requesting a waiver from 10 foot x 20 foot parking spaces.
- Need a waiver for the requirement that a parking stall be located within 15 feet of front side or rear property lines.
- Check if a third party has done testing for TSS removal. Making sure all oils are caught.
- Show setback lines on the proposed plans.
- The applicant will supply the pipe/grate sizing calculations.
- The site does not meet the stormwater management and land disturbance threshold.
- The revised plan will add a weir manhole for access to maintain the isolator row.
- Provide information about the upland area.
- Include details on stormwater plan (outlets, be sure to label the descriptions)

The applicant will supply a revised plan and explanatory letter prior to the next meeting with all the noted revisions.

Continuation Hearing:

On a motion made by Rich Di Iulio and seconded by Matt Hayes, the Board voted unanimously to continue the public hearing for the Milway Auto site plan to March 27, 2018 at 7:15 pm.

Proposed Zoning Bylaw Amendments for May 2018 Annual Town Meeting

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

- Proposed Draft changes to site plan section to ZBL
- Proposed Draft changes to Medical Marijuana section of ZBL
- Proposed Draft recreational marijuana section of ZBL
- Confidential 2-23-18 email from Town Counsel re: Draft Recreational Marijuana bylaw.

There are currently place holders for the May town meeting. Based on discussion at the last PEDB, the previous draft of a marijuana section of the ZBL has been broken down into two sections – one for medical marijuana and one for recreational marijuana.

The following comments were made regarding amendments to the site plan section:

- There was a section e. added to address the existing impervious surface related to parking. There were three tiers to determine the thresholds for triggering minor, major or administrative review.
- 40 parking spots for major site plan review, 20 to 40 for minor and under 20 for administrative review. This is for a change to the impervious area.

- #4 administrative - there is ability to bump an administrative project to the PEDB if staff felt anything merited further review.

Medical Marijuana:

- The term was changed from registered marijuana dispensary to RMMF (Registered Medical Marijuana Facilities)
- Where to allow medical facilities. (Not in Central Business District). If put in Central Business it would be monitored by police. It would be by special permit. Some want retail for medical. Lot on the corner of Main Street and Industrial Road would be a good place for this. It is in the business industrial district.
- This is only for the May town meeting and looking ahead to needed changes for clarity.
- Allow for medical retail in BI.
- 3,500 sq. ft. building is what medical retail space is limited to.
- Make a table to list out the type of uses.
- F. (1) put cannabis control commission since both falling under that status. (Check if the registration card changes for the user. Are doctors on staff to make the determination?)
- Item j. can cultivate at residences without a hardship and is allowed. The State allows so J. is not needed.
- K.3.P: personal care givers (concern is anyone can claim they are personal care givers). It was explained that there is a definition. It was suggested to include “registered care giver”. Use the State law term.
- The table will be revised.

Recreational Marijuana Section:

The Board is in receipt of the proposed recreational marijuana section. It was reviewed.

- Basic permit is needed.
- The language will need to be revised based on ballot results from March 6 vote.
- This will be a whole new section of the bylaw
- New definitions were added.
- Eligible locations were noted in the districts but Board determined it did not want it in business industrial. The floor of town meeting can make the recommendation to remove.
- E.(4) this list tracks the medical marijuana section which provides the option for retail so some of the list of areas within 500 ft. may not matter if talking only about industrial uses. Town Counsel is concerned that this may be too comprehensive. The Attorney General could strike and may want the board to rework the document. It may be challenged by the Attorney General. This notes that there will be no retail based on the ballot vote.
- The recreational language regarding cultivating should track and be aligned with the medical marijuana.
- Some of the current items on the list could be removed except for the statute’s requirement that recreational marijuana retailers not be located within 500 of schools.
- Social consumption at cafes and clubs will be revisited and the Board wants to see what happens from the town vote.
- All will be kept in until the vote on March 6, 2018.

The document will be revised and submitted to the Board of Selectmen. The ballot vote will be Monday, March 6, 2018. Special Town Meeting is March 19th. Regular Town Meeting is May 21, 2018.

Other Business:

Interviewing Planning and Economic Development Director:

The Chairman indicated that from the interview process, two of the five candidates will be put forward to the Town Administrator to interview and make a decision. Hopefully this position will be filled soon.

Medway Redevelopment Authority:

The MRA met this evening and there were ten action items put forth. The MRA will be working with consultants to move this forward. There will be discussions with various property owners soon.

FUTURE MEETING:

- Tuesday, March 13, 2018.

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 9:45 pm.

Prepared by,



Amy Sutherland
Recording Secretary

Reviewed and edited by,



Susan E. Affleck-Childs
Planning and Economic Development Coordinator



TOWN OF MEDWAY
Planning and 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

Updated agenda – February 26, 2018

REGULAR MEETING NOTICE
Tuesday, February 27, 2018 @ 7:00 p.m.

LOCATION

Sanford Hall @ Medway Town Hall, 155 Village Street

AGENDA

CALL TO ORDER

CITIZEN COMMENTS

PUBLIC HEARINGS

7:15 p.m. Milway Auto Major Site Plan – 50 Alder Street
Applicant – Alder Street Realty, LLC/Phil Anza

APPOINTMENTS

7:45 p.m. Informal, pre-application discussion - Steve Brody re: possible multifamily housing proposal for 20 Broad Street

OTHER BUSINESS

1. Salmon ARCPUD – Request for Extension of Project Commencement Deadline
2. **Discussion of Zoning Bylaw amendment articles for May town meeting**
3. Consideration of minutes of the February 13, 2018 PEDB meeting
4. Reports – Staff, Consultants and Committee Liaisons
5. PEDB Members' Comments and Concerns
6. Review Correspondence/Communications

OTHER BUSINESS AS MAY PROPERLY COME BEFORE THE BOARD

ADJOURN

The listed agenda items are those reasonably anticipated by the Chair to be discussed at the meeting.
Public hearings cannot commence before the specified time. Appointment times are approximate and may be adjusted.
Not all of the listed items may in fact be discussed.
The Board may address and consider other matters not specified to the extent permitted by law.

UPCOMING PEDB MEETINGS

Tuesdays, March 13 & 27, and April 10 & 24, 2018

SPECIAL TOWN MEETING

Monday, March 19, 2018

planningboard@townofmedway.org



February 27, 2018

**Medway Planning & Economic Development Board
Meeting**

**Salmon ARCPUD – Request for
Extension of Deadline to Commence
Project**

- Letter dated 2-13-18 from Jeff Robinson, Continuing Care Management

NOTE – The current deadline to initiate project construction is March 24, 2016 (2 years since the granting of the ARCPUD original special permit). Jeff Robinson is requesting a one year extension.



February 12, 2018

Susan E. Affleck-Childs

Planning and Economic Development Coordinator

Town Of Medway

155 Village Street

Medway, MA 02053

RE: Extension request of The Salmon/Willows ARCPUD special permit issued 3/24/2016 and filed with the town clerk on 4/4/2016.

Dear Susy,

This letter is to seek permission for a one year extension of The Salmon/Willows ARCPUD special permit issued 3/24/2016 and filed with the town clerk on 4/4/2016, originally issued for 2 years. It's been a long process, although we feel we will be prepared to commence construction within this timeframe.

Please call me anytime with any questions at 508 254-2745.

Sincerely,

Jeffrey Robinson

Managing Partner

One Lyman Street
Westborough, MA 01581
508.898.3431 **phone**
508.898.3982 **facsimile**
www.salmonfamily.com





February 27, 2018
Medway Planning & Economic Development Board
Meeting

CONSTRUCTION REPORTS

- O'Brien & Sons Site Plan – Report #1 (12-18-17)
- O'Brien & Sons Site Plan – Report #2 (2-8-18)
- O'Brien & Sons Site Plan – Report #3 (2-9-18)
- O'Brien & Sons Site Plan – Report #4 (2-14-18)
- O'Brien & Sons Site Plan – Report #5 (2-16-18)
- O'Brien & Sons Site Plan – Report #6 (2-20-18)

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

FIELD REPORT

Project O'Brien & Sons Corporate Office	Date 12/18/2017	Report No. 1
Location 17 Trotter Drive, Medway, MA	Project No. 143-21583-17006	Sheet 1 of 2
Contractor Rubicon Builders (General Contractor) WW Contracting Corporation (Site Contractor)	Weather A.M. CLOUDY P.M.	Temperature A.M. 30° P.M.

FIELD OBSERVATIONS

On Monday, December 18, 2017, Steven M. Bouley, P.E. from Tetra Tech (TT) visited the project site to inspect the current condition of the site and check on construction progress. The following report outlines observations made during the site visit.

1. Observations

- A. Contractor has cleared and grubbed the site and installed erosion controls. Construction entrance appears to be 1" crushed stone, minimal tracking of sediment observed on Trotter Drive (See Photo 1). Silt sacks placed in nearby catch basins on Trotter Drive (See Photo 2). Silt fence and compost filter sock installed per the plan and also inspected and approved by Medway Conservation Agent per contractor statement (See Photo 3).
- B. Contractor in process of stripping topsoil layers and trucking off-site due to constraints on space at the site (See Photo 4). Screened loam will be imported once required. Contractor encountering large boulders throughout the excavation for the proposed building slab. Boulders will be stockpiled and trucked off-site if not needed for landscaping.

CONTRACTOR'S FORCE AND EQUIPMENT						WORK DONE BY OTHERS	
Sup't	1	Bulldozer	2	Asphalt Paver		Dept. or Company	Description of Work
Foreman		Backhoe		Asphalt Reclaimer			
Laborers		Loader	1	Vib. Roller	1		
Drivers	1	Rubber Tire Backhoe/Loader		Static Roller			
Oper. Engr.	3	Skid Steer		Vib. Walk Comp.			
Carpenters		Hoeram		Compressor			
Masons		Excavator	1	Jack Hammer			
Iron Workers		Grader		Power Saw			
Electricians		Crane		Conc. Vib.			
Flagpersons		Scraper		Tack Truck			
Surveyors		Conc. Mixer					
		Conc. Truck				OFFICIAL VISITORS TO JOB	
		Pickup Truck	3+				
		Tri-Axle Dump Truck					
		Trailer Dump Truck	1				
Police Details: N/A						RESIDENT REPRESENTATIVE FORCE	
Contractor's Hours of Work: 7:00 A.M. to 6:00 P.M.						Name	Time on-site
						Steven M. Bouley, P.E.	10:30 A.M. - 11:30 A.M.

NOTE: Please use reverse side for remarks and sketches

Project O'Brien & Sons Corporate Office	Date 12/18/2017	Report No. 1
Location 17 Trotter Drive, Medway, MA	Project No. 143-21583-17006	Sheet 2 of 2

FIELD OBSERVATIONS CONTINUED

2. Schedule
 - A. The contractor plans to begin construction of the building in next few weeks. Site work is set to commence about mid-January.
3. New Action Items
 - A. N/A
4. Previous Open Action Items
 - A. N/A
5. Materials Delivered to Site Since Last Inspection:
 - A. Erosion Controls
 - B. 1" Crushed Stone
 - C. Heavy Machinery

Photos

Photo 1



Photo 2



Photo 3



Photo 4



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

FIELD REPORT

Project O'Brien & Sons Corporate Offices	Date 2/8/2018	Report No. 2
Location 17 Trotter Drive, Medway, MA	Project No. 143-21583-17006	Sheet 1 of 2
Contractor Rubicon Builders (General Contractor) WW Contracting Corporation (Site Contractor)	Weather A.M. SUN & CLOUDS, LIGHT BREEZE	Temperature A.M. 32°F P.M.

FIELD OBSERVATIONS

On Thursday, February 8, 2018, David Homan from Tetra Tech (TT) visited the project site to inspect the current condition of the site and check on construction progress. The following report outlines observations made during the site visit.

1. Observations

- A. General site conditions: Mainly snow/ice covered ground (1-2"). Little solar melting taking place.
- B. Silt fence and compost filter socks are installed per the plan and appear to be in good condition. Minimal tracking of sediment observed at Alder Street and Trotter Drive egress points. Stone veneer retaining walls are partially constructed along central east property boundary. Soil, gravel and boulder stockpiles noted across the site. Utility structures and supplies also noted.
- C. Building foundation is in place with several utility trenches open and active plumbing construction taking place.
- D. Contractor is currently installing SMH 1 on crushed stone base. Structure is installed about 6" into groundwater at about 244' (note: a test pit to determine groundwater elevation was advanced near the NW building corner on 2/6, TT awaiting test pit log from applicants' engineer. Groundwater did not infiltrate the excavation at that elevation and the test pit was subsequently backfilled). Laser level in use to achieve specified SMH elevation, TT will monitor structure to determine if settlement occurs. Columbia Gas line runs through the west wall of the excavation (parallel to Trotter Drive) roughly 3' below current grade.

CONTRACTOR'S FORCE AND EQUIPMENT						WORK DONE BY OTHERS	
Sup't	1	Bulldozer		Asphalt Paver		Dept. or Company	Description of Work
Foreman		Backhoe		Asphalt Reclaimer		Sagamore Plumbing	Sub-slab plumbing
Laborers	2	Loader	1	Vib. Roller	1	Electrical	Temp. elec. service
Drivers		Rubber Tire Backhoe/Loader		Static Roller			
Oper. Engr.	1	Skid Steer		Vib. Walk Comp.			
Carpenters		Hoeram		Compressor	1		
Masons		Excavator	2	Jack Hammer			
Iron Workers		Grader		Power Saw	1+		
Electricians	2	Crane		Conc. Vib.			
Flagpersons		Scraper		Tack Truck			
Surveyors		Conc. Mixer					
		Conc. Truck				OFFICIAL VISITORS TO JOB	
		Pickup Truck	3+			Town of Medway	Public Works inspectors
		Tri-Axle Dump Truck					
		Trailer Dump Truck					
Police Details: N/A						RESIDENT REPRESENTATIVE FORCE	
Contractor's Hours of Work: 7:00 A.M. to 6:00 P.M.						Name	Time on-site
						David Homan	11:35 A.M. – 12:55 P.M.

NOTE: Please use reverse side for remarks and sketches

Project O'Brien & Sons Corporate Office	Date 2/8/2018	Report No. 2
Location 17 Trotter Drive, Medway, MA	Project No. 143-21583-17006	Sheet 2 of 2

FIELD OBSERVATIONS CONTINUED

2. Schedule
 - A. The contractor plans to construct SMH 1 tomorrow and tie sewer line into building.
3. New Action Items
 - A. Town of Medway Public Works Superintendent to inspect SMH 1 upon completion.
4. Previous Open Action Items
 - A. N/A
5. Materials Delivered to Site Since Last Inspection:
 - A. Utility structures and piping
 - B. Crushed Stone
 - C. Plumbing supplies

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

FIELD REPORT

Project O'Brien & Sons Corporate Offices	Date 2/9/2018	Report No. 3
Location 17 Trotter Drive, Medway, MA	Project No. 143-21583-17006	Sheet 1 of 2
Contractor Rubicon Builders (General Contractor) WW Contracting Corporation (Site Contractor)	Weather A.M. SUNNY, LIGHT BREEZE, 30.28" PRESS	Temperature A.M. 44°F P.M.

FIELD OBSERVATIONS

On Friday, February 9, 2018, David Homan from Tetra Tech (TT) visited the project site to inspect the current condition of the site and check on construction progress. The following report outlines observations made during the site visit.

1. Observations

- A. General site conditions: Mainly snow/ice covered ground (1-2"). Little solar melting taking place.
- B. Silt fence and compost filter socks are installed per the plan and appear to be in good condition. Minimal tracking of sediment observed at Alder Street and Trotter Drive egress points. Stone veneer retaining walls are partially constructed along central east property boundary. Soil, gravel and boulder stockpiles noted across the site. Utility structures and supplies also noted.
- C. Building foundation is in place with several utility trenches open and active plumbing construction taking place.
- D. Contractor has made 6" sewer line connection from SMH 1 to stub on W side of building with drop cleanout installed roughly 5' from building foundation and 90° PVC elbow set in concrete base. Laser level in use to achieve specified elevations. Sewer pipe backfilled with crushed stone followed by native material. Pipe is being grouted into monolithic base. Excavation dewatering is taking place with discharge to temporary sediment basin at SW property corner.

CONTRACTOR'S FORCE AND EQUIPMENT					WORK DONE BY OTHERS	
Sup't	1	Bulldozer		Asphalt Paver	Dept. or Company	Description of Work
Foreman		Backhoe		Asphalt Reclaimer	Sagamore Plumbing	Sub-slab plumbing
Laborers	2	Loader	1	Vib. Roller	1	
Drivers		Rubber Tire Backhoe/Loader		Static Roller		
Oper. Engr.	1	Skid Steer		Vib. Walk Comp.		
Carpenters		Hoeram		Compressor	1	
Masons		Excavator	2	Jack Hammer		
Iron Workers		Grader		Power Saw	1+	
Electricians		Crane		Conc. Vib.		
Flagpersons		Scraper		Tack Truck		
Surveyors		Conc. Mixer				
		Conc. Truck				
		Pickup Truck	3+			
		Tri-Axle Dump Truck				
		Trailer Dump Truck				
Police Details: N/A					RESIDENT REPRESENTATIVE FORCE	
Contractor's Hours of Work: 7:00 A.M. to 6:00 P.M.					Name	Time on-site
					David Homan	10:45 A.M. – 11:55 A.M.

NOTE: Please use reverse side for remarks and sketches

Project O'Brien & Sons Corporate Office	Date 2/9/2018	Report No. 3
Location 17 Trotter Drive, Medway, MA	Project No. 143-21583-17006	Sheet 2 of 2

FIELD OBSERVATIONS CONTINUED

2. Schedule

- A. The contractor plans to complete construction and backfilling of SMH 1 on 2/12 & 2/13 with anticipated tie in to the Town of Medfield sewer main during the Spring. Early next week, the contractor anticipates widening the Alder Street entrance and laying down gravel to provide off-street parking. Mid next week, contractor plans on running water and fire suppression lines from the building to the street. The week of February 19th, the contractor plans on construction of the Stormtech underground infiltration system.

3. New Action Items

- A. N/A

4. Previous Open Action Items

- A. Town of Medway Public Works Superintendent to inspect SMH 1 upon completion. **TT Update: Superintendent made a site visit earlier in the day to observe SMH 1 construction progress. This item has been addressed to our satisfaction.**

5. Materials Delivered to Site Since Last Inspection:

- A. N/A

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

FIELD REPORT

Project O'Brien & Sons Corporate Offices	Date 2/14/2018	Report No. 4
Location 17 Trotter Drive, Medway, MA	Project No. 143-21583-17006	Sheet 1 of 2
Contractor Rubicon Builders (General Contractor) WW Contracting Corporation (Site Contractor)	Weather P.M. CLOUDY, BREEZY, 68% HUMIDITY	Temperature P.M. 44°F

FIELD OBSERVATIONS

On Wednesday, February 14, 2018, David Homan from Tetra Tech (TT) visited the project site to inspect the current condition of the site and check on construction progress. The following report outlines observations made during the site visit.

1. Observations

- A. General site conditions: Mainly wet/muddy (softened top ~ 2" of ground surface) from melting and recent rainfall.
- B. Silt fence and compost filter socks are installed per the plan and appear to be in good condition. Minimal tracking of sediment observed at Alder Street and Trotter Drive egress points. Stone veneer retaining walls are partially constructed along central east property boundary. Sand, soil, gravel and boulder stockpiles noted across the site. Utility structures, supplies and Stormtech system components also noted.
- C. Plumbing contractor is actively backfilling utility trenches within building footprint. Plumbing was inspected by Town of Medway on 2/13.
- D. Contractor has finished and backfilled SMH 1 (with cast iron manhole frame & cover in place) and associated sewer line to building.

CONTRACTOR'S FORCE AND EQUIPMENT						WORK DONE BY OTHERS	
Sup't	2	Bulldozer		Asphalt Paver		Dept. or Company	Description of Work
Foreman		Backhoe		Asphalt Reclaimer		Sagamore Plumbing	Sub-slab plumbing
Laborers	2	Loader	1	Vib. Roller	1		
Drivers		Rubber Tire Backhoe/Loader		Static Roller			
Oper. Engr.	1	Skid Steer		Vib. Walk Comp.			
Carpenters		Hoeram		Compressor	1		
Masons		Excavator	2	Jack Hammer			
Iron Workers		Grader		Power Saw	1+		
Electricians		Crane		Conc. Vib.			
Flagpersons		Scraper		Tack Truck			
Surveyors		Conc. Mixer					
		Conc. Truck				OFFICIAL VISITORS TO JOB	
		Pickup Truck	3+			Town of Medfield	Public Works Superintend.
		Tri-Axle Dump Truck					
		Trailer Dump Truck					
Police Details: N/A						RESIDENT REPRESENTATIVE FORCE	
Contractor's Hours of Work: 7:00 A.M. to 6:00 P.M.						Name	Time on-site
						David Homan	1:15 P.M. – 2:25 P.M.

NOTE: Please use reverse side for remarks and sketches

Project O'Brien & Sons Corporate Office	Date 2/14/2018	Report No. 4
Location 17 Trotter Drive, Medway, MA	Project No. 143-21583-17006	Sheet 2 of 2

FIELD OBSERVATIONS CONTINUED

- E. Town water main was tapped this morning with TS&V installed, water gate installed (6" fire line) and corporation/curb stop installed (2" water line). DPS Superintendent was present to witness tapping of water main. Note: Tap location was moved SSW of planned location (proximal to where town water main intersects property boundary towards SW property corner). Contractor is currently backfilling and compacting partial trench excavation. Temporary fence panels reinstalled prior to end of workday to secure property.
- F. Alder Street entrance has been slightly regraded and gravel laid down to provide additional temporary onsite parking.

2. Schedule

- A. SMH 1 now complete with anticipated tie in to the Town of Medway sewer main during the Spring. Contractor plans to continue extending water and fire suppression lines to the building from the street. On Tuesday, 2/20, the contractor plans to begin construction of the Stormtech underground infiltration system.

3. New Action Items

- A. N/A

4. Previous Open Action Items

- A. N/A

5. Materials Delivered to Site Since Last Inspection:

- A. Sand for backfill
- B. Stormtech system components

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

FIELD REPORT

Project O'Brien & Sons Corporate Offices	Date 2/16/2018	Report No. 5
Location 17 Trotter Drive, Medway, MA	Project No. 143-21583-17006	Sheet 1 of 2
Contractor Rubicon Builders (General Contractor) WW Contracting Corporation (Site Contractor)	Weather P.M. CLOUDY, LIGHT BREEZE, 87% HUMID.	Temperature P.M. 52°F

FIELD OBSERVATIONS

On Friday, February 16, 2018, David Homan from Tetra Tech (TT) visited the project site to inspect the current condition of the site and check on construction progress. The following report outlines observations made during the site visit.

1. Observations

- A. General site conditions: Moist to wet/muddy (softened top ~ 2" of ground surface) from melting and recent rainfall.
- B. Silt fence and compost filter socks are installed per the plan as are silt sacks in catch basins along Alder St. and Trotter Dr. near the site. All appear to be in good condition. Minimal tracking of sediment observed at Alder St. and Trotter Dr. egress points. Stone veneer retaining walls are partially constructed along central east property boundary. Sand, soil, gravel and boulder stockpiles now mostly confined to N portion of property. Utility structures, supplies (including rebar) and Stormtech system components also noted.
- C. Plumbing contractor is completing pipe connections at SW corner of building. Remaining footprint of building is being backfilled and compacted. Plumbing work expected to be finish by end of day. Roof drain piping exposed at SW building corner and along W side of building has now also been backfilled and compacted.
- D. Contractor is screening cobbles/boulders out of site soils that is being transported around site as backfill material.

CONTRACTOR'S FORCE AND EQUIPMENT						WORK DONE BY OTHERS	
Sup't	1	Bulldozer		Asphalt Paver		Dept. or Company	Description of Work
Foreman		Backhoe		Asphalt Reclaimer		Sagamore Plumbing	Sub-slab plumbing/backfill
Laborers	2	Loader	1	Vib. Roller	1		
Drivers		Rubber Tire Backhoe/Loader		Static Roller			
Oper. Engr.	3	Skid Steer		Vib. Walk Comp.			
Carpenters		Hoeram		Compressor			
Masons		Excavator	2	Jack Hammer			
Iron Workers		Grader		Power Saw			
Electricians		Crane		Conc. Vib.			
Flagpersons		Scraper		Tack Truck			
Surveyors		Conc. Mixer					
		Conc. Truck				OFFICIAL VISITORS TO JOB	
		Pickup Truck	3+				
		Tri-Axle Dump Truck					
		Trailer Dump Truck					
Police Details: N/A						RESIDENT REPRESENTATIVE FORCE	
Contractor's Hours of Work: 7:00 A.M. to 6:00 P.M.						Name	Time on-site
						David Homan	12:45 P.M. – 1:50 P.M.

NOTE: Please use reverse side for remarks and sketches

Project O'Brien & Sons Corporate Office	Date 2/16/2018	Report No. 5
Location 17 Trotter Drive, Medway, MA	Project No. 143-21583-17006	Sheet 2 of 2

FIELD OBSERVATIONS CONTINUED

D. Contractor has completed running 2" water line and 6" fire suppression line to the building (SW corner) from town water main. A curb stop is installed on the water line and water gate installed on the fire suppression line, both towards Trotter Dr. end. Copper piping is installed from town water main to curb stop. A chlorination point is also installed at Trotter Dr. end. A Mueller post indicator valve is installed about 6' off building foundation on fire suppression line. Water/fire line trench has been backfilled and compacted, and temporary sediment basin towards SW property corner has been cleaned up/reworked. Laser level/GPS survey equipment in use to obtain specified elevations.

2. Schedule

A. On Tuesday, 2/20, the contractor plans to begin construction of the Stormtech underground infiltration system. Also expected for Tuesday is a delivery of steel building framing and the start of building construction. Testing of the water and fire lines is anticipated next week. Boulders that will not be reused onsite will be broken up and trucked offsite after the completion of the Stormtech system.

3. New Action Items

A. N/A

4. Previous Open Action Items

A. N/A

5. Materials Delivered to Site Since Last Inspection:

A. Rebar

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

FIELD REPORT

Project O'Brien & Sons Corporate Offices	Date 2/20/2018	Report No. 6
Location 17 Trotter Drive, Medway, MA	Project No. 143-21583-17006	Sheet 1 of 2
Contractor Rubicon Builders (General Contractor) WW Contracting Corporation (Site Contractor)	Weather P.M. SUN & CLOUDS, LIGHT BREEZE	Temperature P.M. 69°F

FIELD OBSERVATIONS

On Tuesday, February 20, 2018, David Homan from Tetra Tech (TT) visited the project site to inspect the current condition of the site and check on construction progress. The following report outlines observations made during the site visit.

1. Observations

- A. General site conditions: Moist to wet (softened ground surface) from warm temperatures and recent rainfall. Gravel entry/exit pad in place at construction entrance and gravel parking area at Alder St. entrance. Site is tidy and well maintained. Alder St. is clear of site erosion/vehicle tracking. Trotter Dr. has some vehicle tracking debris.
- B. Silt fence and compost filter socks are installed per the plan as are silt sacks in catch basins along Alder St. and Trotter Dr. near the site. All appear to be in good condition. Stone veneer retaining walls are partially constructed along central east property boundary. Sand, soil, gravel and boulder stockpiles mostly confined to N portion of property. Utility structures, building materials (including steel building framing) and Stormtech system components also noted.
- C. Steel workers are currently erecting building framing. Crane is lifting roof truss members into place while workers weld trusses to I beams. Steel building components were delivered first thing this morning.

CONTRACTOR'S FORCE AND EQUIPMENT						WORK DONE BY OTHERS	
Sup't	1	Bulldozer		Asphalt Paver		Dept. or Company	Description of Work
Foreman		Backhoe		Asphalt Reclaimer		Kelly Crane Inc.	Hoisting building framing
Laborers	2	Loader	1	Vib. Roller	1	Hartin Welding	Steel workers/welding
Drivers		Rubber Tire Backhoe/Loader		Static Roller			
Oper. Engr.	2	Skid Steer		Vib. Walk Comp.	1		
Carpenters		Hoeram		Compressor			
Masons		Excavator	1	Jack Hammer			
Iron Workers	4+	Grader		Power Saw			
Electricians		Crane	1	Conc. Vib.			
Flagpersons		Scraper		Tack Truck			
Surveyors		Conc. Mixer					
		Conc. Truck				OFFICIAL VISITORS TO JOB	
		Pickup Truck	6+			Town of Medway	Con. Comm. inspection
		Tri-Axle Dump Truck					
		Trailer Dump Truck					
Police Details: N/A						RESIDENT REPRESENTATIVE FORCE	
Contractor's Hours of Work: 7:00 A.M. to 6:00 P.M.						Name	Time on-site
						David Homan	2:05 P.M. – 3:05 P.M.

NOTE: Please use reverse side for remarks and sketches

Project O'Brien & Sons Corporate Office	Date 2/20/2018	Report No. 6
Location 17 Trotter Drive, Medway, MA	Project No. 143-21583-17006	Sheet 2 of 2

FIELD OBSERVATIONS CONTINUED

D. Contractor is currently working on installation of Stormtech underground infiltration system beginning near SW building corner. Ten chambers have already been installed. Non-woven geotextile has been placed as a liner in the excavation followed by a foundation layer of 1.5" washed, crushed stone. The first row of chambers (parallel and adjacent to building) have woven geotextile installed directly under and over them. The ten chambers have been partially backfilled with embedment layer of washed, crushed stone. Additional washed, crushed stone (foundation layer) is being placed into the lined excavation and compacted with plate compactor working in a northerly direction. Laser level/GPS survey equipment in use to obtain specified elevations. Washed, crushed stone delivery while performing site visit.

2. Schedule

- A. Testing of the water and fire lines is anticipated later this week or next week.
- B. The installation of the Stormtech underground infiltration system is anticipated to continue for the remainder of this week.
- C. Building construction (steel framing) is also expected to continue through this week.
- D. Town of Medway Conservation Commission is expected to visit site later today for inspection of infiltration system.
- E. Boulders that will not be reused onsite will be broken up and trucked offsite after the completion of the Stormtech system.

3. New Action Items

- A. Tt to continue inspections of remaining subsurface infiltration system installation (Tt), including connections to roof drainage (downspouts), DMH 3 and the continuous deflective separator (CDS).

4. Previous Open Action Items

- A. N/A

5. Materials Delivered to Site Since Last Inspection:

- A. Steel building framing
- B. Washed crushed stone



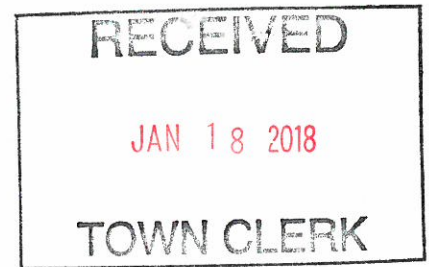
February 27, 2018
Medway Planning & Economic Development Board
Meeting

REVISED

PUBLIC HEARING

Milway Auto Site Plan – 50 Alder Street

- Public Hearing Notice
- Public Hearing Continuation Notice
- Site Plan Application with Attachments
- Site Plan by Grady Consulting dated 3-20-16 last revised 8-22-16
- Requests for waivers from the Site Plan Rules and Regulations
- Tetra Tech review letter dated 2-8-18
- PGC review letter dated 2-6-18
- DRC review letter dated 2-7-18
- **Grady Consulting letter dated 2-21-18 in response to Tetra Tech, PGC and DRC review letters**



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 18, 2018

Milway Auto Site Plan
50 Alder Street
NOTICE OF PUBLIC HEARING – February 13, 2018

In accordance with the Medway Zoning Bylaw, Section 3.5 Site Plan Review, and certain provisions of Chapter 40A, Massachusetts General Laws, notice is given that the ***Medway Planning and Economic Development Board will conduct a Public Hearing on Tuesday, February 13, 2018 at 7:05 p.m. at Medway Town Hall, 155 Village Street, Medway, MA to consider the application of Alder Street Realty LLC of Medway, MA for approval of a major site plan for a building construction project at 50 Alder Street.***

The subject property is 1+ acres and is located on the north side of Alder Street in the 495 Business Park in the West Industrial zoning district. The parcel, shown on the Medway Assessors Map as #63 – 001-0001, is owned by Alder Street Realty LLC. A portion of the site lies within the Town of Milford. The property is bordered by Interstate 495 on the west.

The proposed project includes construction of a 3,250 sq. ft., one-story building for automobile sales and service with three garage bays and office space. The site plan shows a 7,774 sq. ft. parking lot for 17 parking spaces, landscaping, stormwater drainage facilities, and connections to municipal water and sewer. Site access/egress is planned with 2 curb cuts on Alder Street.

The plan is titled *Proposed 3,250 S.F. Commercial Building Site Plan*, is dated March 30, 2016 and was prepared by Grady Consulting, LLC of Kingston, MA. Architectural drawings were provided by Clinton Design Architects of Holliston, MA.

The application, proposed site plan, building elevations, stormwater report and other supporting documents were filed with the Town on January 11, 2018 and are on file with the Medway Town Clerk and the Planning and Economic Development office at Medway Town Hall, 155 Village Street, Medway, MA and may be reviewed during regular business hours, Monday - Thursday from 7:30 a.m. to 4:30 p.m. and Fridays from 7:30 a.m. to 12:30 p.m. The site plan and application documents will be available for viewing at the Board's web page at:

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

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

Andy Rodenhiser, Chairman

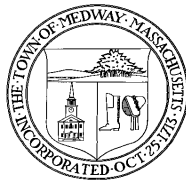
To be published in the *Milford Daily News*:

Tuesday, January 30, 2018

Monday, February 5, 2018

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

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



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 Hayes, P.E.
Richard Di Iulio

MEMORANDUM

February 20, 2018

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

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

RE: **Public Review Continuation: Milway Auto Site Plan**
Continuation Date: Tuesday, February 27, 2018 at 7:15 p.m.
Location: Medway Town Hall – Sanford Hall, 155 Village Street

At its meeting on February 13, 2018, the Planning and Economic Development Board voted to continue the public hearing on the application of Alder Street Realty LLC of Medway, MA for approval of a site plan for the proposed construction of an automotive sales and service facility at 50 Alder Street. ***The continued public hearing will take place on Tuesday, February 27, 2018 at 7:15 p.m. in Sanford Hall at Medway Town Hall, 155 Village Street.***

The subject property is 1+ acres and is located on the north side of Alder Street in the 495 Business Park in the West Industrial zoning district. The parcel, shown on the Medway Assessors Map as #63 – 001-0001, is owned by Alder Street Realty LLC. A portion of the site lies within the Town of Milford. The property is bordered by Interstate 495 on the west.

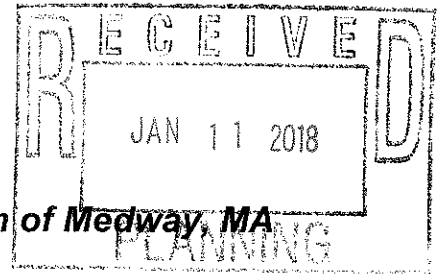
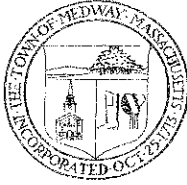
The proposed project includes construction of a 3,250 sq. ft., one-story building for automobile sales and service with three garage bays and office space. The site plan shows a 7,774 sq. ft. parking lot for 17 parking spaces, landscaping, stormwater drainage facilities, and connections to municipal water and sewer. Site access/egress is planned with 2 curb cuts on Alder Street.

The plan is titled *Proposed 3,250 S.F. Commercial Building Site Plan*, is dated March 30, 2016 and was prepared by Grady Consulting, LLC of Kingston, MA. Architectural drawings were provided by Clinton Design Architects of Holliston, MA.

The application, site plan, and other 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 application, site plan, and other documents are also posted at the Planning and Economic Development Board's web page at:

<https://www.townofmedway.org/planning-economic-development-board/pages/town-line-estates>

The Board will continue its review of this project at the next meeting. Please contact me if you have any questions. Thanks.



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

Application for Major Site Plan Approval

INSTRUCTIONS TO APPLICANT/OWNER

This Application is made pursuant to the Medway Zoning Bylaw and The Board's Rules and Regulations for the Submission and Review of Site Plans. The Town's Planning and Engineering Consultants will review the Application and the proposed Site Plan and provide review letters to the Planning and Economic Development Board. A copy of those review letters will be provided to you in advance of the meeting. You and/or your duly authorized Agent/Official Representative are expected to attend the Board meetings at which your Application will be considered to answer any questions and/or submit such additional information as the Board may request. Your absence at hearings may result in a delay in the Board's review of the site plan.

received 1-11, 2018

APPLICANT INFORMATION

Applicant's Name: Philip Anza, Alder Street Realty LLC
Mailing Address: 119 Wilford St.
Medway, MA 02053
Name of Primary Contact: Philip Anza
Telephone: Office: 508-561-6499
Cell:
Email address: oldmananza@yahoo.com

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

MAJOR SITE PLAN INFORMATION

Development Name: Proposed 3250 SF Commercial Building
Plan Title: Site Plan
Plan Date: March 30, 2016
Prepared by: Richard Grady
Name: Grady Consulting LLC
Firm: 781-585-2300
Phone #: nick@gradyconsulting.com
Email:

PROPERTY INFORMATION

Location Address: 50 Alder Street

The land shown on the plan is shown on Medway Assessor's Map # 63 as Parcel # 001-0001

Total Acreage of Land Area: 1.03 Acres Medford Assessor Map 45-0-2

General Description of Property: The property consists of a vacant
primarily wooded lot located at the end of Alder Street.
There is a bordering vegetated wetland on the
NW side of the property

Medway Zoning District Classification: Ind-111

Current Use of Property: Currently undeveloped

Length of Existing Frontage: 244.52 On what street? Alder Street

Setbacks for Existing Structure (if applicable)

Front: _____
Back: _____
Side: _____
Side: _____

Scenic Road

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

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

Historic District

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

____ Yes - Rabbit Hill
____ Yes - Medway Village

Wetlands

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

Groundwater Protection

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

Flood Plain

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

Zoning Board of Appeals

Will this project require a variance or special permit?

☒ Yes ____ No

Explanation: Section 5.4 - Front Setback, Section 6.1
use variances (previously granted by ZBA)

PROPOSED DEVELOPMENT PROJECT INFORMATION

Development Name: Proposed 3,250 sf Commercial Building for Auto Sales + Service

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

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

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

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

PROPERTY OWNER INFORMATION (if not applicant)

Property Owner's Name: _____

Mailing Address: _____

Primary Contact: _____

Telephone: _____
Office: _____ Cell: _____

Email address: _____

The owner's title to the land that is the subject matter of this application is derived under deed from: YCS Realty Trust to Alder St. Realty LLC dated _____ and recorded in Norfolk County Registry of Deeds, Book 1361 Page 526 or Land Court Certificate of Title Number _____, Land Court Case Number _____, registered in the Norfolk County Land Registry District Volume _____, Page _____.

CONSULTANT INFORMATION

ENGINEER: Richard Grady, PE

Mailing Address: 71 Evergreen Ct., Suite 1

Kingston MA 02364

Primary Contact: Richard Grady

Telephone: _____
Office: 781-585-2300 Cell: _____

Email address: rtck@gradyconsulting.com

Registered P.E. License #: 38072

SURVEYOR:

Mailing Address:

Primary Contact:

Telephone:

Office: 781-585-2300 Cell:

Email Address:

Registered P.L.S. License #:

ARCHITECT:

Mailing Address:

Primary Contact:

Telephone:

Office:

Cell:

Email address:

Registered Architect License #:

LANDSCAPE ARCHITECT/DESIGNER:

Mailing Address:

Primary Contact:

Telephone:

Office:

Cell:

Email address:

Registered Landscape Architect License #:

ATTORNEY:

Mailing Address:

Primary Contact:

Telephone:

Office:

Cell:

Email address:

OFFICIAL REPRESENTATIVE INFORMATION

Name: Philip Anza
Address: 119 Milford St.
Medway, MA 02053
Telephone: _____
Office: _____ Cell: 908-561-6499
Email address: old man anza@yahoo.com

SIGNATURES

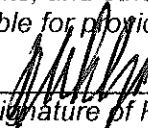
The undersigned, being the Applicant for approval of a Major Site Plan Project, herewith submits this application and Site Plan to the Medway Planning and Economic Development Board for review and approval. I hereby certify, under the pains and penalties of perjury, that the information contained in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

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

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

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

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



Signature of Property Owner

1/11/18

Date

Signature of Applicant (if other than Property Owner)

Date

Signature of Agent/Official Representative

Date

MAJOR SITE PLAN FEES

Filing Fee

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

Advance on Plan Review Fee

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

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

August 16, 2016

Medway Planning Board
Town of Medway
155 Village Street
Medway, MA 02053

RE: Application for Review and Approval of a Major Site Plan Project
Site Plan – 51 Alder Street, Medway
Assessors Lot 63-001-0001 & Town of Milford Assessors Lot 45-0-2
Applicant – Philip Anza

Dear Board Members:

On behalf of the applicant we hereby submit applications for Major Site Plan Project approval for the construction of an Automotive Service and Sales establishment at the above referenced property. This application has been prepared in accordance with the Town of Medway Zoning Bylaws and Planning Board's rules and Regulations for the Submission and Review of Site Plans. Enclosed please find the following:

1. 2 Signed Originals Major Site Plan Application.
2. 10 Copies of Site Plan dated March 30, 2016.
3. 1 ledger size (11x17) copy of the Site Plan.
4. Electronic copy of Site plan and associated documents to be emailed.
5. 1 Copy of the Certified Abutters List
6. 1 Copy of a Project Description
7. 1 Copy of a Development Impact Statement
8. 2 Copies of the Stormwater Drainage Calculations/Report
9. 1 Copy of Purchase and Sales Agreement
10. Check for \$1,562.50 (\$750 filing fee + \$0.25/s.f. gross floor area) Major Site Plan Filing fee payable to the Town of Medway
11. Check for \$1,000 project review fee made payable to the Town of Medway.

Project Description

The future owner of the property and applicant for Site Plan approval wishes to develop an existing vacant lot located at 51 Alder Street, Medway. The applicant wishes to construct a 3,250 s.f. automotive service and sales facility with three garage bays and office space.

51 Alder Street, Parcel 63-001-0001, as shown on the Assessor's Map for the Town of Medway and Assessors Map 45-0-2 in the Town of Milford contains approximately 1.03 acres of land. The proposed site is not located in a special flood hazard area. The Site is located in the

and access to the site is granted from an existing curb opening on Alder Street with 244.52 ft of frontage. The abutting properties consist of Route 495 on the westerly side, an electronic parts supplier and distribution business located southeast across Alder Street and a manufacturing facility to the northeast side. The existing utilities consist of electric, gas, water, and sewer. There are existing water service and sewer stubs already in place for the vacant lot.

The proposed project consists clearing 12,900 s.f. of wooded area and constructing a 7,774 s.f. paved parking lot, and a 3,250 s.f. commercial building for automotive sales and service. The zoning requirements for a lot within the Industrial III district are a minimum of 40,000 s.f. as defined in the Town of Medway Zoning Bylaws. The proposed site consists of 44,989 s.f., The proposed building will be positioned approximately 24.9 feet from the front property line, 75.7 feet from the westerly property line, and 23.5 feet from the easterly property line.

Access to the site will be granted through the existing curb opening and an additional proposed curb opening 25 feet in width. The proposed parking lot will be approximately 7,774 s.f. and constructed of pavement. There are 14 parking spaces to be located to the left of the proposed building and 3 spaces to the right of the building including one handicap space. The proposed parking lot consists of 17 spaces meeting the required amount as defined in the Town of Medway Zoning Bylaws.

The existing site is granted access to town sewer, water, gas, and electric services on Alder Street. The proposed sewer and water service will connect to existing service stubs. The proposed electric service will run underground from the existing utility pole number 25.

Development Impact Statement

a) Traffic Impact

The proposed project consists of a small scale automotive service and sales establishment. There are no significant traffic impacts anticipated with the proposed project.

b) Environmental Impact Assessment

The existing site consists of a vacant wooded lot. The majority of the site is wooded area. The existing stormwater runoff from the site runs overland from the southerly corner of the lot to the northerly property line and bordering vegetated wetland. The peak flows from the stormwater runoff have decreased in post development conditions and the proposed subsurface drainage structure has been designed to provide groundwater recharge. The proposed development will not create any significant emissions of noise, dust, fumes, noxious gases, radiation, water pollutants, or any significant adverse environmental impacts. The project proposes to maintain a 25' buffer to the bordering vegetated wetland. The proposed project does not meet the requirements of an Environmental Impact Assessment as defined in section 204-3(a)(7)(b)(2).

c) Community Impact Assessment

The proposed project is located within the Town of Medway Industrial III district. Abutting properties consist of manufacturing and distribution facilities. The proposed automotive service and sales establishment is compatible with the characteristics of the current neighboring properties. Proposed dumpster and trash collection are minimal and proposed within the building in order to minimize visually degrading elements on the proposed site. The parking lot lighting has been designed in order to minimize glare and light spillover to neighboring properties. The proposed project will be beneficial for the quality of life of the residence as it will provide a local business for the community.

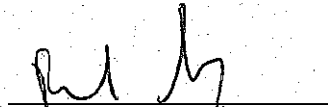
d) Parking Impact

The proposed project consists of 17 parking spaces and will not propose an addition of 30 or more spaces. A parking impact assessment is not required.

If you have any questions please do not hesitate to call.

Sincerely,

GRADY CONSULTING, L.L.C.



Richard Grady, P.E.
Principal Engineer

Cc:

Alder Street Realty LLC
119 Milford Street
Medway, MA 02053

from the offices of:
New World Realty
178 Park Street, N Attleboro 02760

PURCHASE AGREEMENT LAND

In accordance with the mutual promises, obligations and agreements herein set forth, the parties hereto agree as follows:

1. PARTIES

495 Associates Trust, hereinafter called "SELLER", agrees to sell and Alder Street Realty, LLC of 119 Milford Street, Medway, MA 02053, hereinafter called the "BUYER", agrees to buy upon terms hereinafter set forth, the following described premises:

2. DESCRIPTION

The Premises consist of approximately 34,850 s.f. of land now known and numbered as 51A Alder Street, Medway, MA 02053 more completely described in Norfolk County Registry of Deeds, Book 581, Page 191 and as described by the attached concept plan prepared by Grady Consulting, L.L.C revision date January 6, 2016.

3. TITLE DEED

Said premises are to be conveyed by a good and sufficient quitclaim deed running to the BUYER or to the nominee designated by the BUYER by written notice to the SELLER at least seven (7) days before the deed is to be delivered as herein provided, and said deed shall convey a good and clear record and marketable title thereto, free from encumbrances except

- (a) Provisions of existing building and zoning laws;
- (b) Existing rights and obligations in party walls which are not the subject of written agreement;
- (c) Such Taxes for the then current year as are not due and payable on the date of the delivery of such deed;
- (d) Any liens for municipal betterments assessed after the date of this agreement;
- (e) Easements, restrictions and reservations of record if any so long as the same do not prohibit or materially interfere with the current use of said premises;

4. PLANS

If said deed refers to a plan necessary to be recorded therewith the SELLER shall deliver such plan with the deed in form adequate for recording or registration.

5. REGISTERED TITLE

In addition to the foregoing, if the title to said premises is registered, said deed shall be in form sufficient to entitle the BUYER to a Certificate of Title of said premises, and the SELLER shall deliver with said deed all instruments, if any, necessary to enable the BUYER to obtain such Certificate of Title.

6. PURCHASE PRICE

The agreed purchase price for said premises is [REDACTED] of which [REDACTED] have been previously paid, and [REDACTED] to be paid by Buyer upon signing Purchase and Sale Agreement and [REDACTED] are to be paid at the time of delivery of the deed in cash or by certified, cashier's, treasurer's or bank check

TOTAL

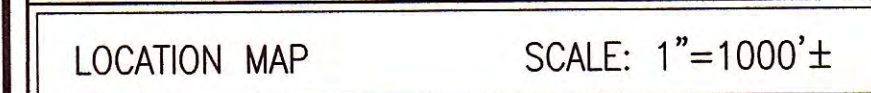
7. TIME FOR PERFORMANCE; DELIVERY OF DEED

Such deed is to be delivered at 2:00 p.m. on the 30th day of June, 2016 within 30 days from the issuance of permits and consents to erect a building and operate a business of car sales/repairs from all required authorities at the Norfolk County Registry of Deeds or attorney for Buyer unless otherwise agreed upon in writing. It is agreed that time is of the essence of this agreement.

8. POSSESSION AND CONDITIONS OF PREMISES

Said premises to be then (a) In the same condition as they now are and (b) not in record violation of said zoning laws, and (c) in compliance with provisions of any instrument referred to in clause 3 hereof. The BUYER shall be entitled personally to an inspection of said premises prior to the delivery of the deed in order to determine whether the condition thereof complies with the terms of this clause.





1. 204-4(B) SITE PLAN DRAWING SCALE 1"=20'
2. 204-5(C)(3) AN EXISTING LANDSCAPE INVENTORY
3. 204-5(D)(7) LANDSCAPE ARCHITECTURAL PLAN
4. 204-5(D)(8) ARCHITECTURAL PLAN
5. 204-5(D)(9) COLOR RENDERINGS
6. 204-5(D)(10) BUILDING LAYOUT/FLOOR PLAN
7. 204-5(D)(12) SIGNAGE PLAN
8. 204-5(D)(13) LIGHTING PLAN
9. 205-6(G)(3)(a) CAR PARKING SPACES/STALLS SHALL BE TEN (10) FEET BY TWENTY (20) FEET.
10. 205-6(G)(4)(b) THE SPACES/STALLS SHALL NOT BE LOCATED WITHIN FIFTEEN (15) FEET OF THE FRONT, SIDE AND REAR PROPERTY LINES.
11. 205-6-(G)(4)(d) DEAD END ROW TURNING AREA
12. 205-9 TREES AND LANDSCAPING

DISTRICT: INDUSTRIAL III
USE: *AUTOMOTIVE SALES AND SERVICE

	<u>REQUIRED</u>	<u>PROVIDED</u>
LOT AREA	40,000 S.F.	44,989 S.F.
LOT FRONTAGE	NA	244.52 FT
LOT WIDTH	100 FT	196.58 FT
	<u>REQUIRED</u>	<u>PROPOSED</u>
FRONT YARD	30 FT	*24.9 FT
SIDE YARD	20 FT	23.5 FT
REAR YARD	30 FT	56.0 FT

	<u>REQUIRED</u>	<u>PROPOSED</u>
MAX LOT COVERAGE	17,995 S.F. (40%)	3,250 S.F. (7.2%)
IMPERVIOUS COVERAGE		11,024 S.F. (24.5%)

PARKING:
VEHICLE REPAIR SHOPS: 1 SPACE PER 300 S.F. GROSS FLOOR AREA PLUS
2 SPACES PER SERVICE BAY

3,250 S.F./ 300 G.F.A. + 2(3 SERVICE BAY)	=	<u>REQUIRED</u>	<u>PROPOSED</u>
PARKING SPACE = 9' x 18'		17 SPACES	17 SPACES

ZONING BOARD OF APPEALS – VARIANCE REQUESTS

SECTION 5.4 – TO GRANT THE USE OF AN AUTOMOTIVE SALES AND SERVICE BUSINESS WITHIN THE INDUSTRIAL III ZONING DISTRICT

SECTION 6.1 – REDUCTION IN THE REQUIRED FRONT SETBACK OF 30 FT TO 24.9 FT

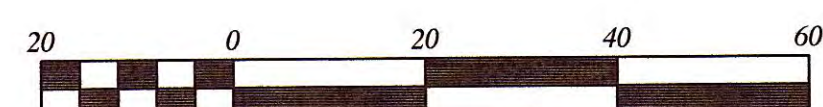
TOWN OF MEDWAY PLANNING &
ECONOMIC DEVELOPMENT BOARD

SIGNATURES

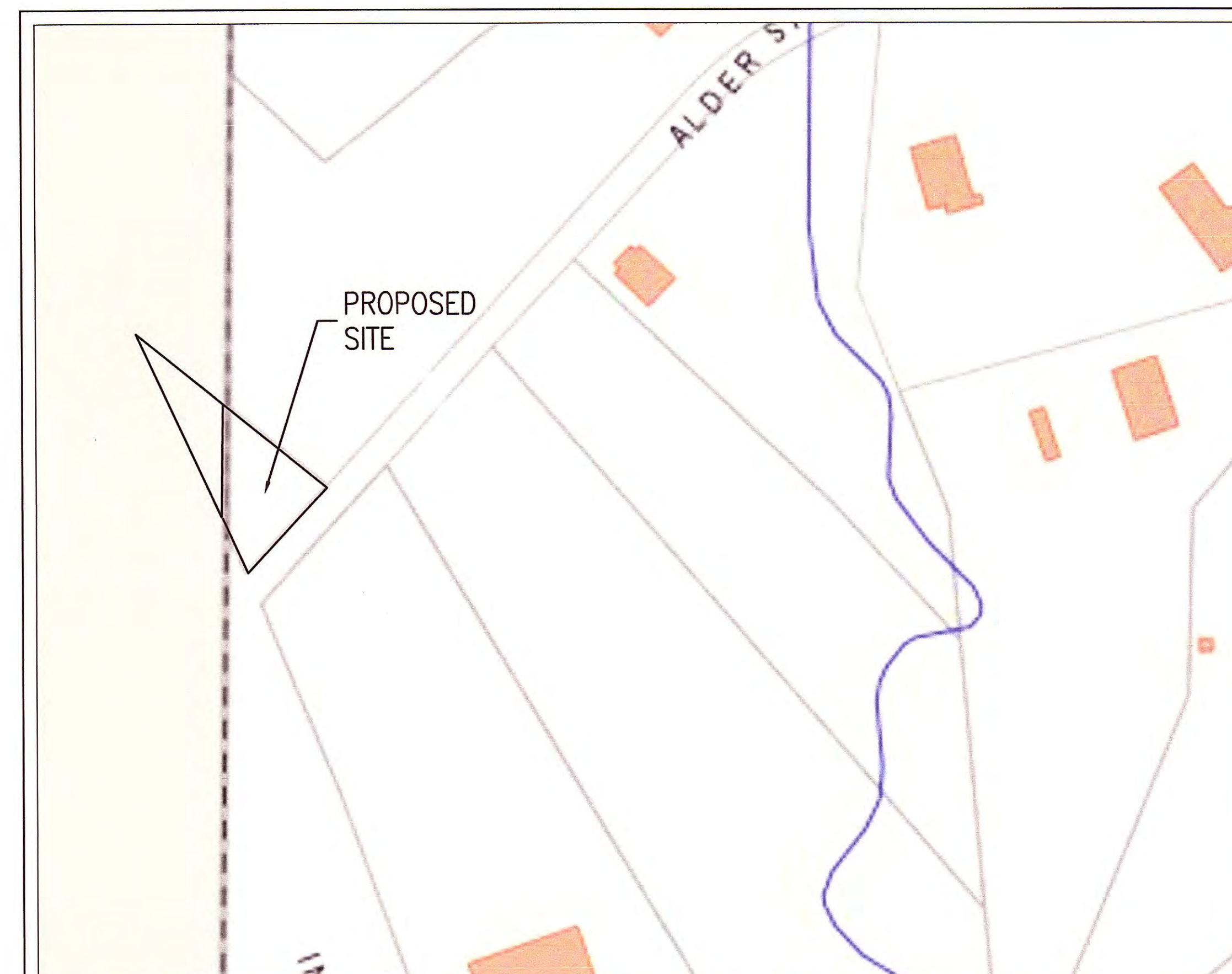
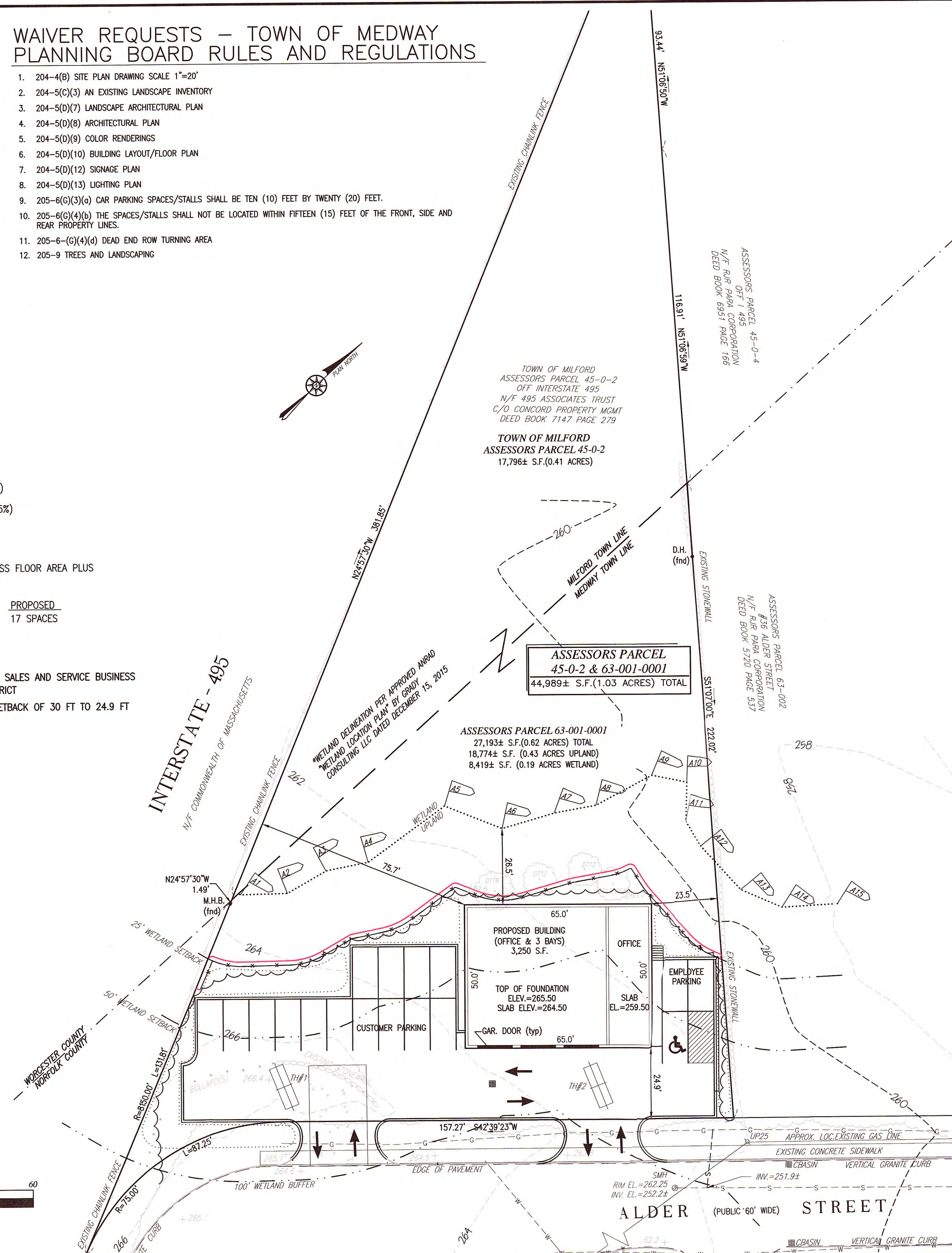
SIGNATURES

APPROVAL DATE

ENDORSEMENT DATE



Scale 1" = 20'



LOCATION MAP

SCALE: 1"=200' ±

— SHEET INDEX —

SHEET INDEX	
SHEET 1	COVER
SHEET 2	EXISTING CONDITIONS
SHEET 3	SITE PLAN
SHEET 4	DRAINAGE
SHEET 5	DRAINAGE DETAILS
SHEET 6	DETAILS
SHEET 7	DETAILS

RECORD OWNER:

RECORD OWNER.
ASSESSOR PARCEL 63-001-0001

495 ASSOCIATES TRUST
BRUCE GURALL, TRUSTEE
C/O CONCORD PROPERTY MANAGEMENT
PO BOX 459
CONCORD, MA 01742
LC CERTIFICATE No. 112191
LOT 2 - LC PLAN No. 32712A

TOWN OF MILFORD
ASSESSORS PARCEL 45-0-2

495 ASSOCIATES TRUST
BRUCE GURALL, TRUSTEE
C/O CONCORD PROPERTY MANAGEMENT
PO BOX 459
CONCORD, MA 01742
LC CERTIFICATE No. 9860
LOT 5 - LC PLAN No. 32802A

PLAN REFERENCES:

- PLAN REFERENCES:**
1. PLAN No. 834 OF 1977, PLAN BOOK 263
 2. PLAN No. 180 OF 1997, PLAN BOOK 464
 3. PLAN No. 24 OF 2006, PLAN BOOK 559
 4. LAND COURT PLAN No. 32712A
 5. LAND COURT PLAN No. 32802A

REVISIONS

6/27/16	CONSERVATION COMMISSION COMMENTS
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8/15/16	CONSERVATION COMMISSION COMMENTS
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PROPOSED

3,250 S.F. COMMERCIAL BUILDING

SITE PLAN

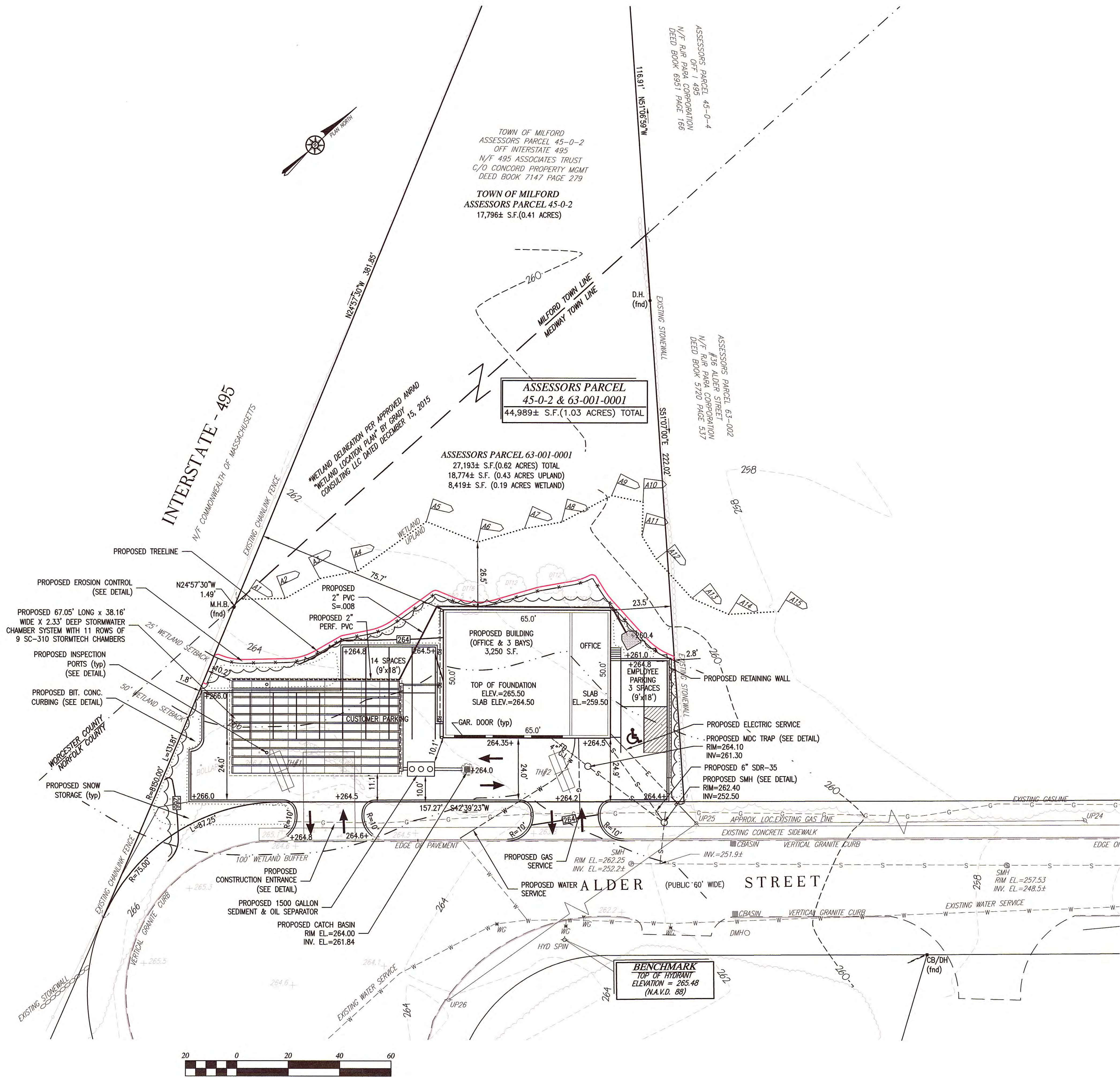
#50 ALDER STREET
MEDWAY, MASSACHUSETTS

PREPARED FOR:
ALDER STREET REALTY LLC
119 MILFORD STREET
MEDWAY, MA 02053

MARCH 30, 2016
SCALE: AS SHOWN
JOB No. 15-307

 **GRADY CONSULTING, L.L.C.**
Civil Engineers and Land Surveyors
71 Evergreen Street, Suite 1, Kingston, MA 02364
Phone (781) 585-2300 Fax (781) 585-2378

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SITE PLAN

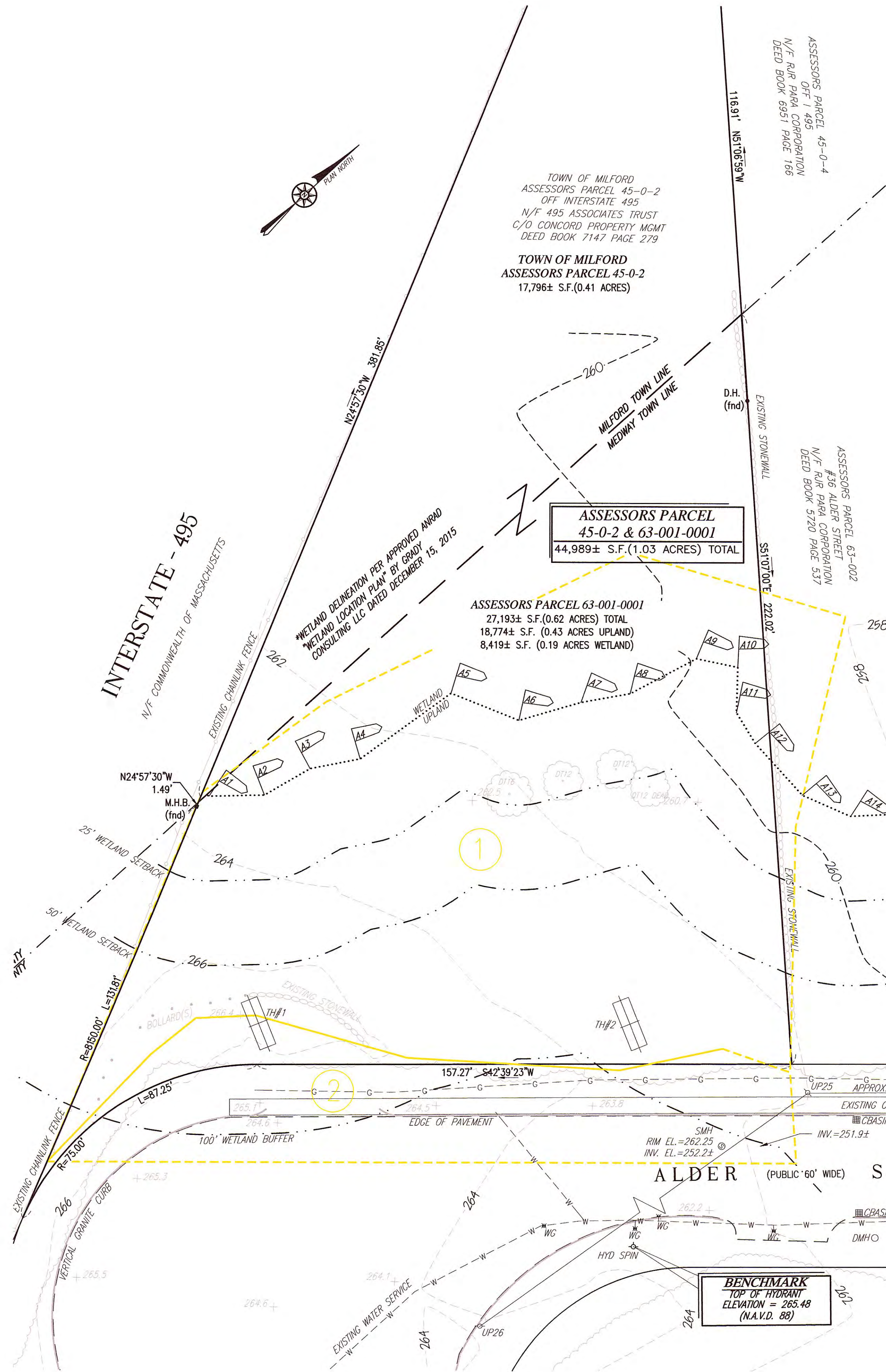
#50 ALDER STREET MEDWAY, MASSACHUSETTS

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119 MILFORD STREET
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MARCH 30, 2016
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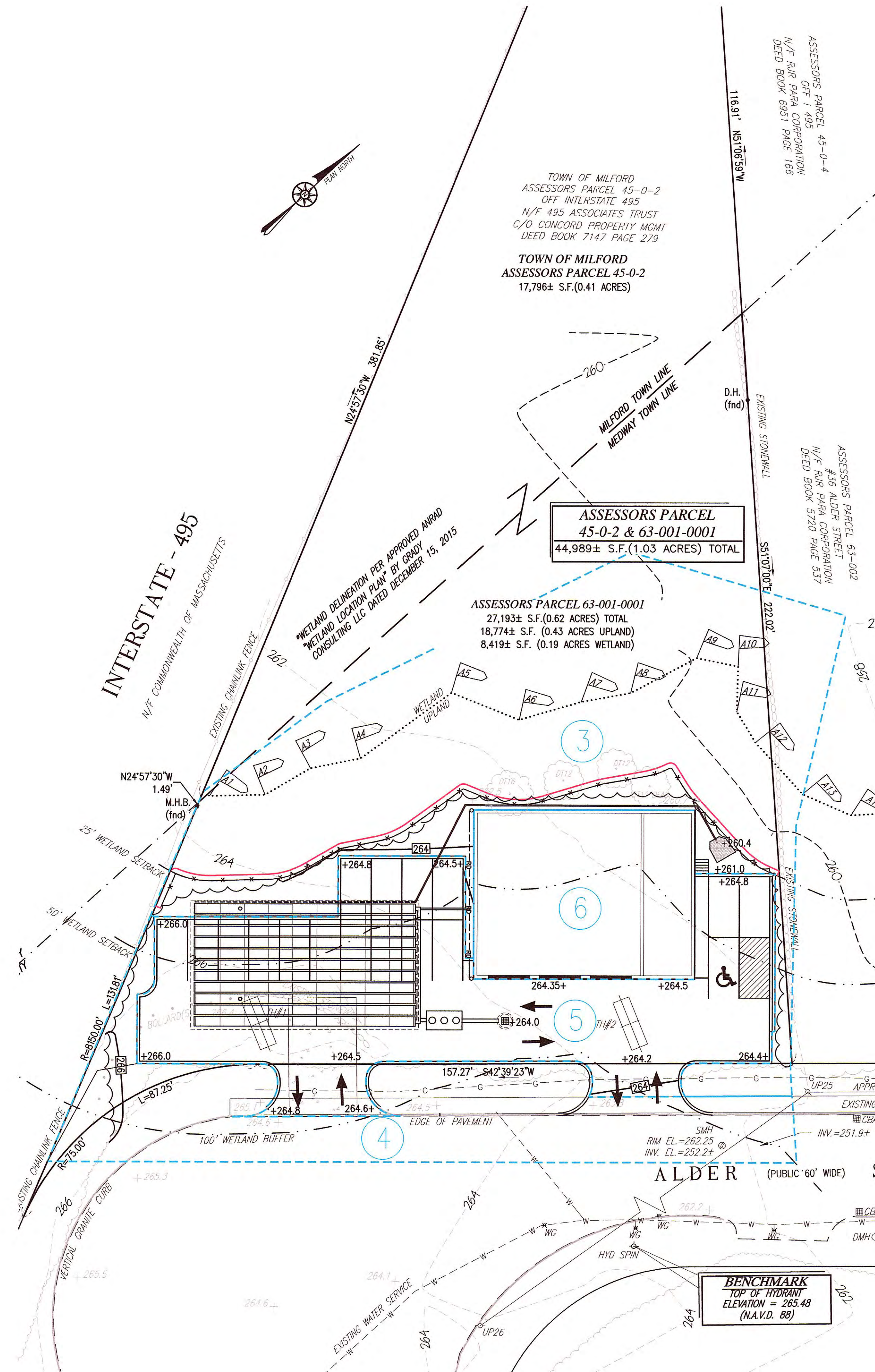
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PRE DEVELOPMENT CONDITION



Scale 1" = 20'



POST DEVELOPMENT CONDITION

TOWN OF MEDWAY PLANNING & ECONOMIC DEVELOPMENT BOARD

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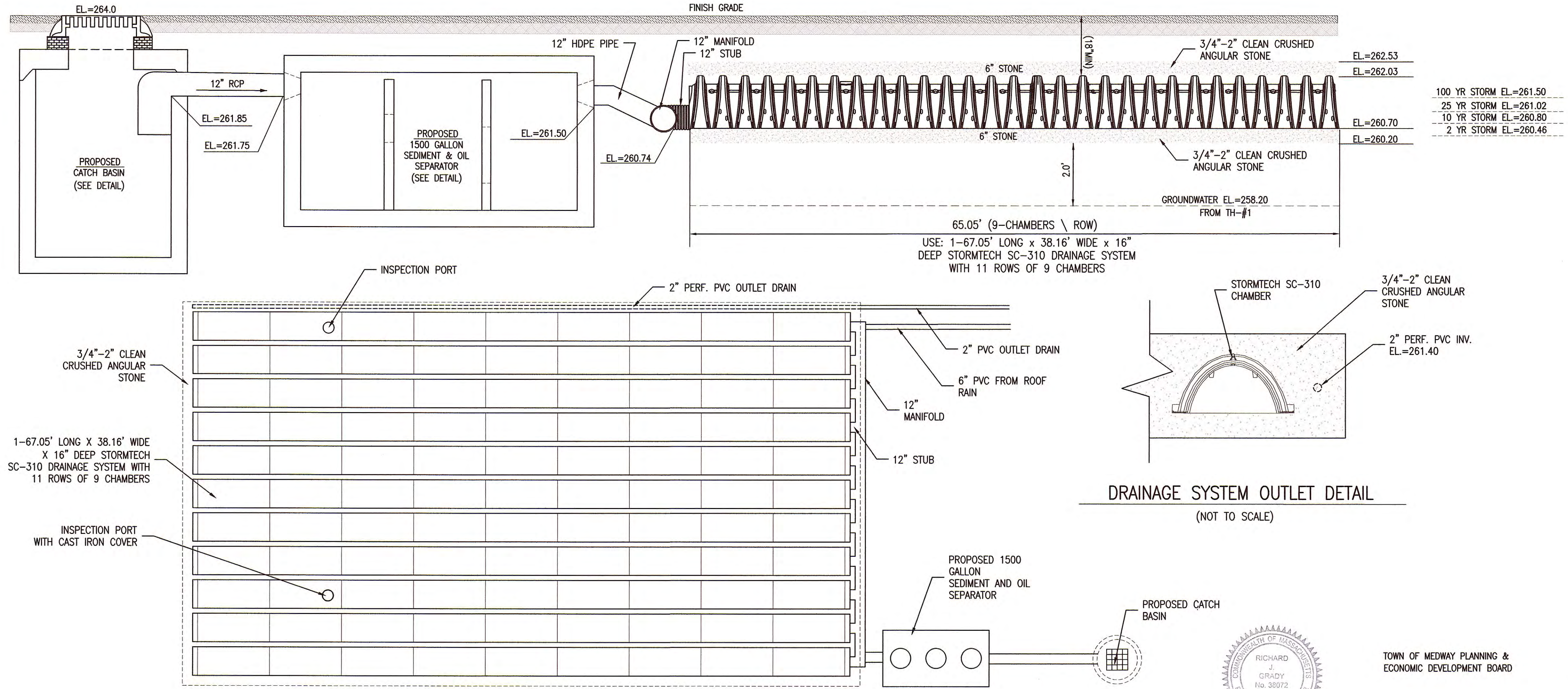
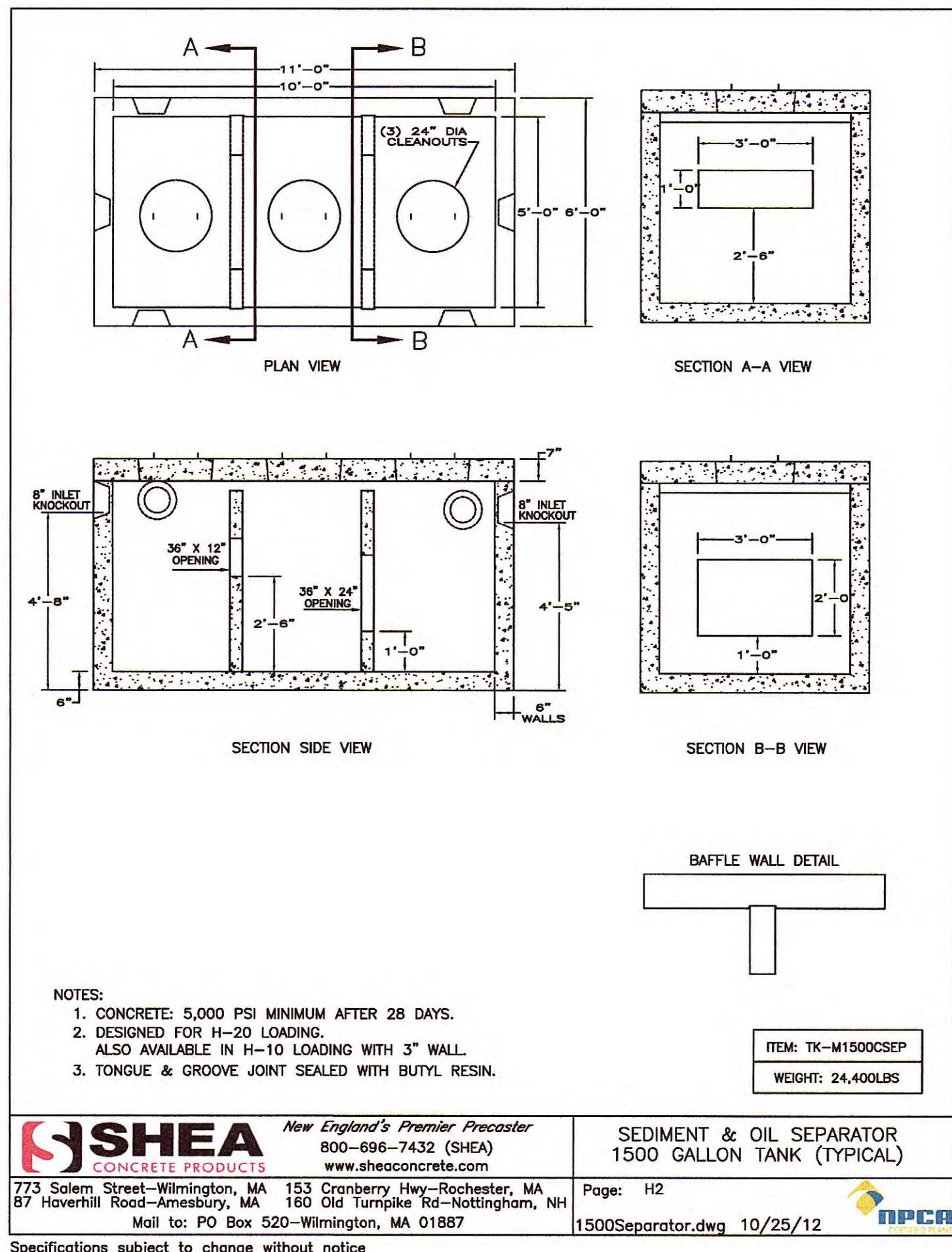
SITE PLAN DRAINAGE #50 ALDER STREET MEDWAY, MASSACHUSETTS

PREPARED FOR:
ALDER STREET REALTY LLC
119 MILFORD STREET
MEDWAY, MA 02053

MARCH 30, 2016
SCALE: 1"=20'
JOB No. 15-307



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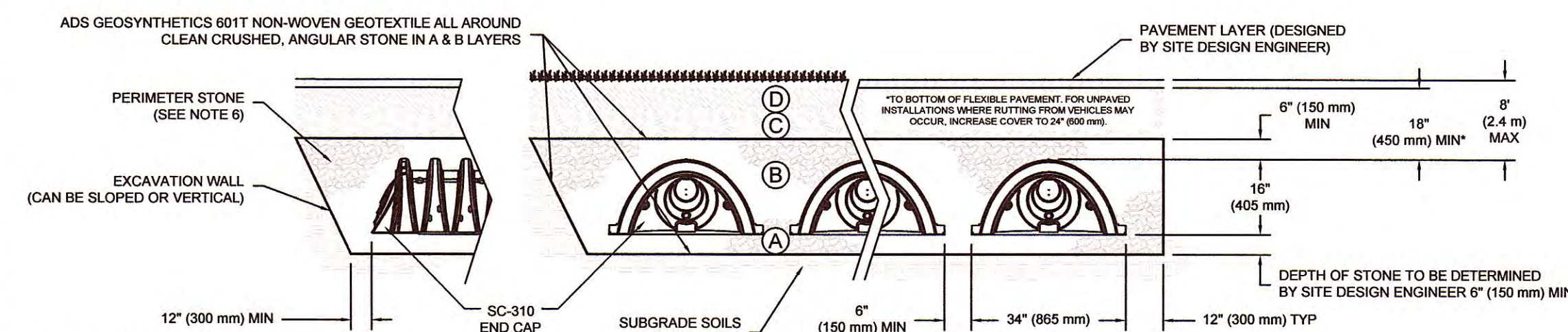


ACCEPTABLE FILL MATERIALS: STORMTECH SC-310 CHAMBER SYSTEMS

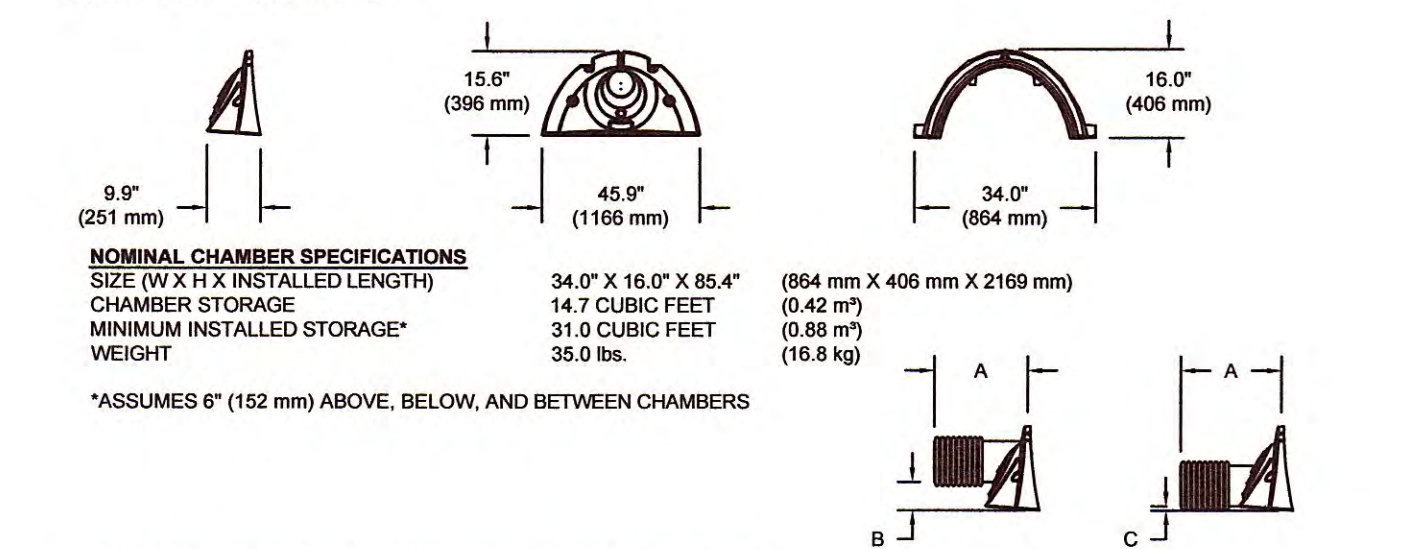
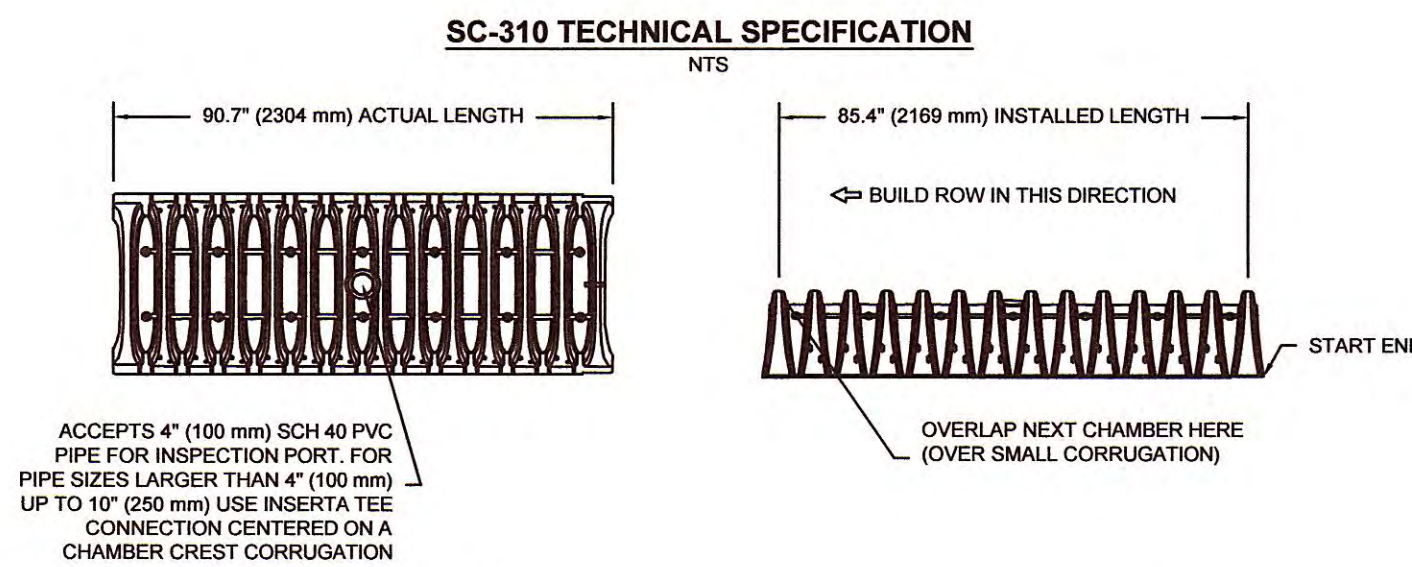
MATERIAL LOCATION	DESCRIPTION	AASHTO MATERIAL CLASSIFICATIONS	COMPACTION / DENSITY REQUIREMENT
D	FINAL FILL: FILL MATERIAL FOR LAYER 'D' STARTS FROM THE TOP OF THE 'C' LAYER TO THE BOTTOM OF FLEXIBLE PAVEMENT OR UNPAVED FINISHED GRADE ABOVE. NOTE THAT PAVEMENT SUBBASE MAY BE PART OF THE 'D' LAYER.	N/A	PREPARE PER SITE DESIGN ENGINEER'S PLANS. PAVED INSTALLATIONS MAY HAVE STRINGENT MATERIAL AND PREPARATION REQUIREMENTS.
C	INITIAL FILL: FILL MATERIAL FOR LAYER 'C' STARTS FROM THE TOP OF THE EMBEDED STONE (B' LAYER) TO 18" (450 mm) ABOVE THE TOP OF THE CHAMBER. NOTE THAT PAVEMENT SUBBASE MAY BE A PART OF THE 'C' LAYER.	AASHTO M145 ¹ A-1, A-2, A-3 OR AASHTO M43 ² 3, 357, 4, 467, 5, 56, 57, 6, 67, 68, 7, 78, 8, 89, 9, 10	BEGIN COMPACTIONS AFTER 12" (300 mm) OF MATERIAL OVER THE CHAMBERS IS REACHED. COMPACT ADDITIONAL LAYERS IN 6" (150 mm) MAX LIFTS TO A MIN. 96% PROCTOR DENSITY FOR WELL GRADED MATERIAL AND 98% RELATIVE DENSITY FOR PROCESSED AGGREGATE MATERIALS. ROLLER GROSS VEHICLE WEIGHT NOT TO EXCEED 12,000 lbs (53 kN). DYNAMIC FORCE NOT TO EXCEED 20,000 lbs (89 kN).
B	EMBEDMENT STONE: FILL SURROUNDING THE CHAMBERS FROM THE FOUNDATION STONE (A' LAYER) TO THE 'C' LAYER ABOVE.	AASHTO M43 ³ 3, 357, 4, 467, 5, 56, 57	NO COMPACTION REQUIRED.
A	FOUNDATION STONE: FILL BELOW CHAMBERS FROM THE SUBGRADE UP TO THE FOOT (BOTTOM) OF THE CHAMBER.	AASHTO M43 ³ 3, 357, 4, 467, 5, 56, 57	PLATE COMPACT OR ROLL TO ACHIEVE A FLAT SURFACE. ¹

PLEASE NOTE:

1. THE LISTED AASHTO DESIGNATIONS ARE FOR GRADATIONS ONLY. THE STONE MUST ALSO BE CLEAN, CRUSHED, ANGULAR. FOR EXAMPLE, A SPECIFICATION FOR #4 STONE WOULD STATE: "CLEAN, CRUSHED, ANGULAR NO. 4 (AASHTO M43) STONE".
2. STORMTECH COMPACTION REQUIREMENTS ARE MET FOR 'A' LOCATION MATERIALS WHEN PLACED AND COMPACTIONED IN 6" (150 mm) (MAX) LIFTS USING TWO FULL COVERAGES WITH A VIBRATORY COMPACTOR.
3. WHERE INFILTRATION SURFACES MAY BE COMPROMISED BY COMPACTION, FOR STANDARD DESIGN LOAD CONDITIONS, A FLAT SURFACE MAY BE ACHIEVED BY RAKING OR DRAGGING WITHOUT COMPACTION EQUIPMENT. FOR SPECIAL LOAD DESIGNS, CONTACT STORMTECH FOR COMPACTION REQUIREMENTS.



PROPOSED DRAINAGE SYSTEM DETAIL (NOT TO SCALE)

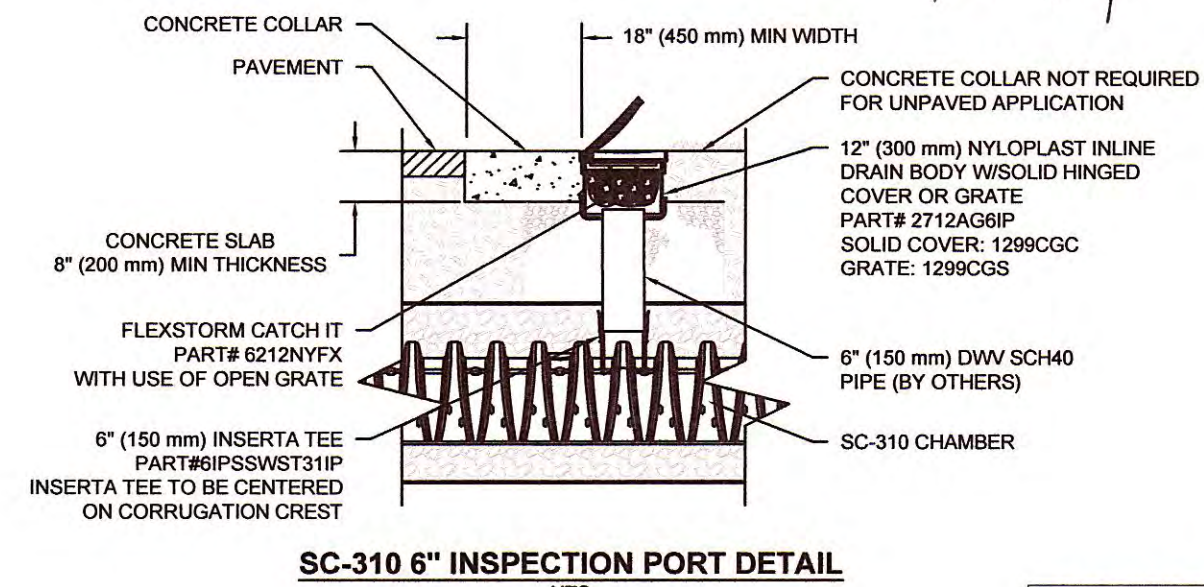


PART #	STUB	A	B	C
SC310EPE06T / SC310EPE06TFC	6" (150 mm)	9.6" (244 mm)	5.8" (147 mm)	—
SC310EPE06B / SC310EPE06BFC	6" (150 mm)	9.6" (244 mm)	5.8" (147 mm)	0.5" (13 mm)
SC310EPE08T / SC310EPE08TFC	8" (200 mm)	11.9" (302 mm)	3.5" (89 mm)	—
SC310EPE08B / SC310EPE08BFC	8" (200 mm)	11.9" (302 mm)	3.5" (89 mm)	0.6" (15 mm)
SC310EPE10T / SC310EPE10TFC	10" (250 mm)	12.7" (323 mm)	1.4" (36 mm)	—
SC310EPE10B / SC310EPE10BFC	10" (250 mm)	12.7" (323 mm)	1.4" (36 mm)	0.7" (18 mm)
SC310EPE12B	12" (300 mm)	13.5" (343 mm)	—	0.9" (23 mm)

ALL STUBS, EXCEPT FOR THE SC310EPE12B, ARE PLACED AT BOTTOM OF END CAP SUCH THAT THE OUTSIDE DIAMETER OF THE STUB IS FLUSH WITH THE BOTTOM OF THE END CAP. FOR ADDITIONAL INFORMATION CONTACT STORMTECH AT 1-888-862-2694.

* FOR THE SC310EPE12B THE 12" (300 mm) STUB LIES BELOW THE BOTTOM OF THE END CAP APPROXIMATELY 0.25" (6 mm). BACKFILL MATERIAL SHOULD BE REMOVED FROM BELOW THE N-12 STUB SO THAT THE FITTING SITS LEVEL.

NOTE: ALL DIMENSIONS ARE NOMINAL



SOIL LOGS

T.H.#1 EL. 266.2	T.H.#2 EL. 263.5
0'-24" FILL	0'-12" A SANDY LOAM
24'-30" A SANDY LOAM	12'-32" B LOAMY SAND
30'-60" B LOAMY SAND	32'-132" C LOAMY SAND
60'-126" C LOAMY SAND	252.50
D=10'-6" WEETING 8'-0" (EL.=258.20)	D=11'-0" MOTTLING 6'-0" (EL.=257.50)

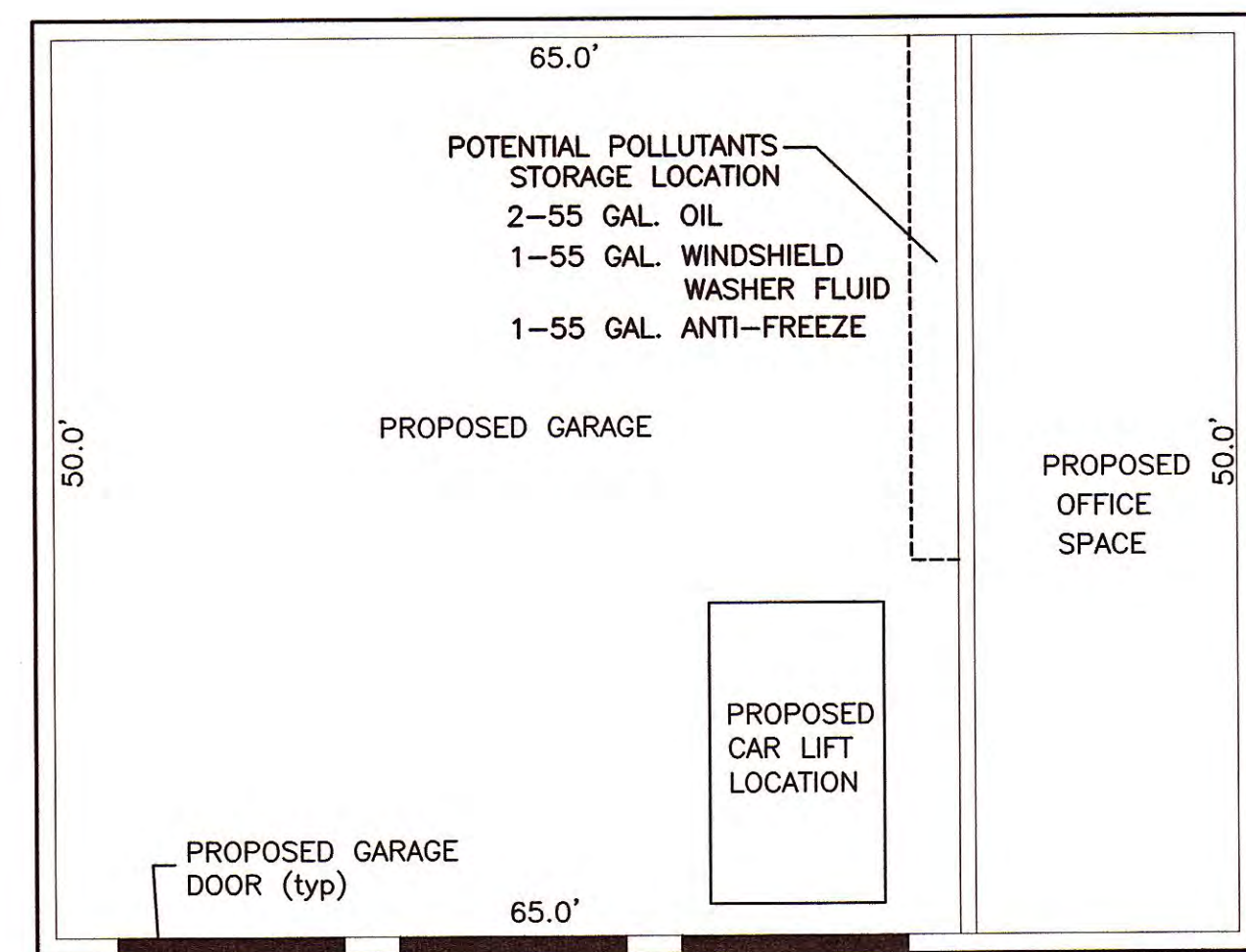
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SITE PLAN DRAINAGE #50 ALDER STREET MEDWAY, MASSACHUSETTS

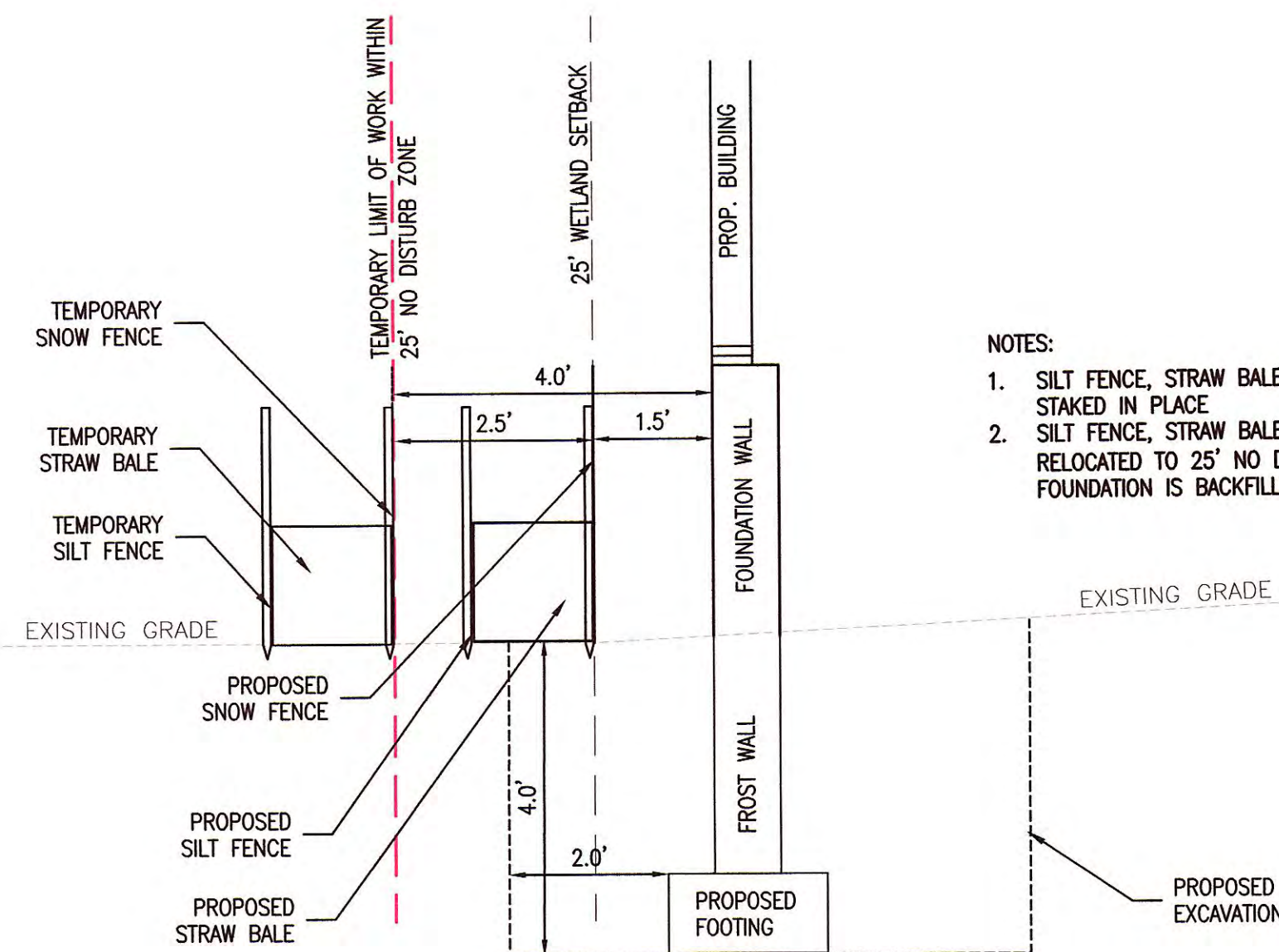
PREPARED FOR:
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119 MILFORD STREET
MEDWAY, MA 02053

MARCH 30, 2016
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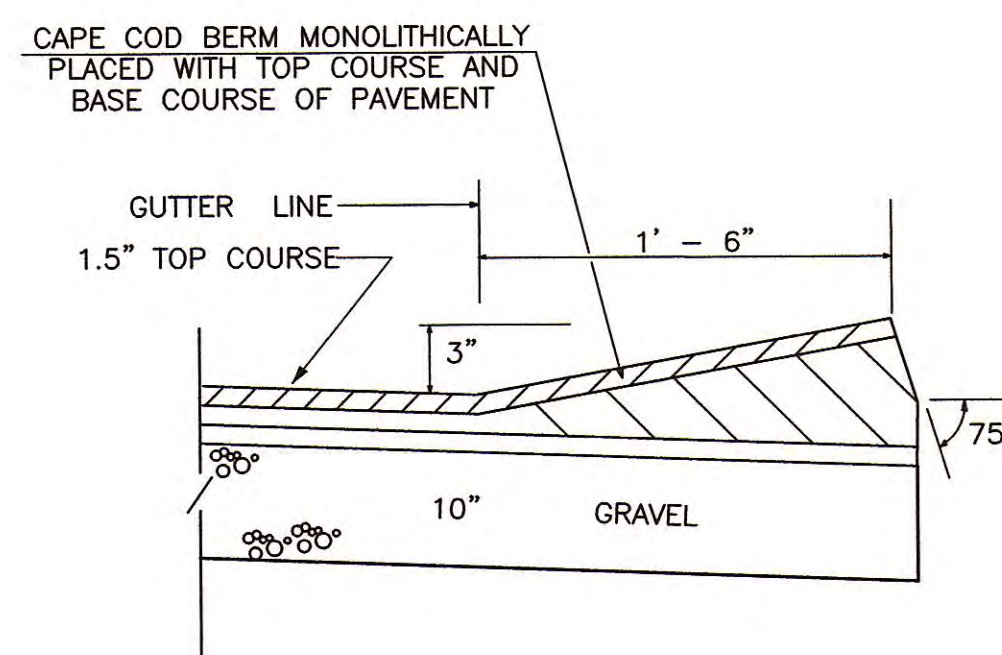
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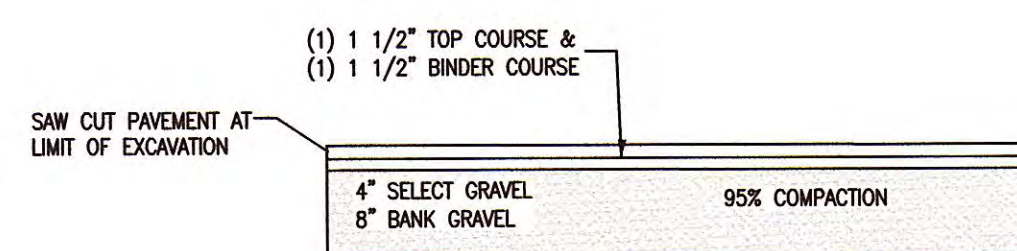
POTENTIAL POLLUTANTS STORAGE DETAIL
(NOT TO SCALE)



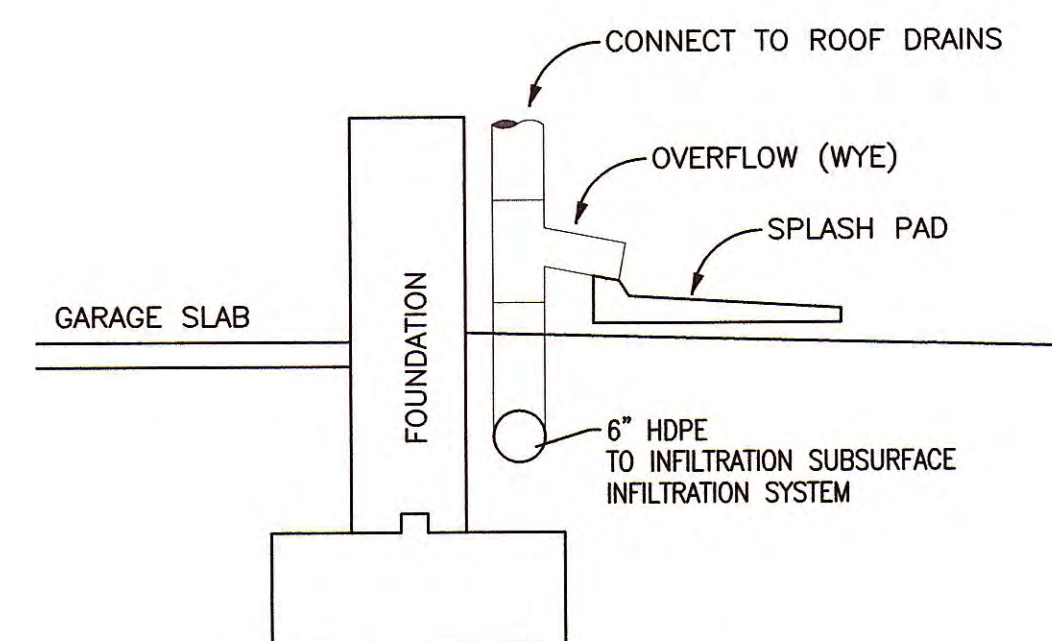
FOUNDATION CONSTRUCTION DETAIL
SCALE 1"=1'



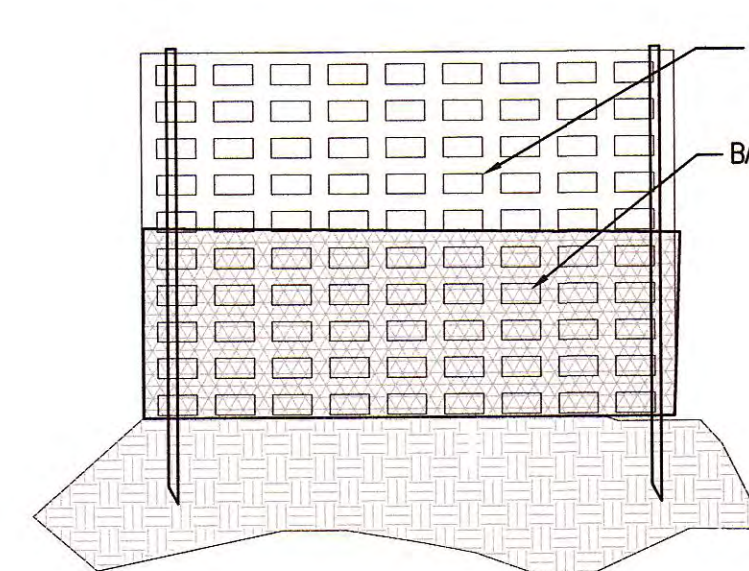
CAPE COD BERM DETAIL
(NOT TO SCALE)



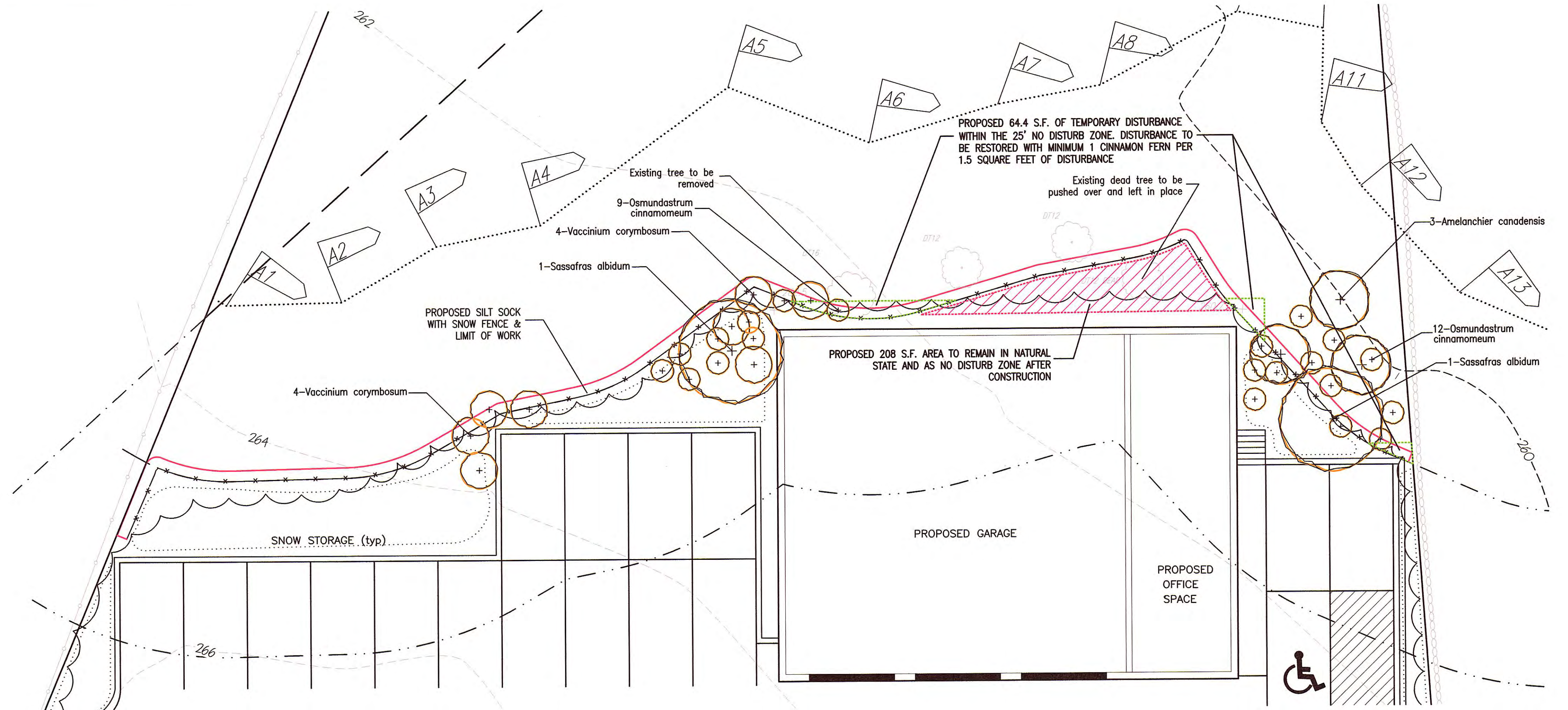
PAVED SECTION
(NOT TO SCALE)



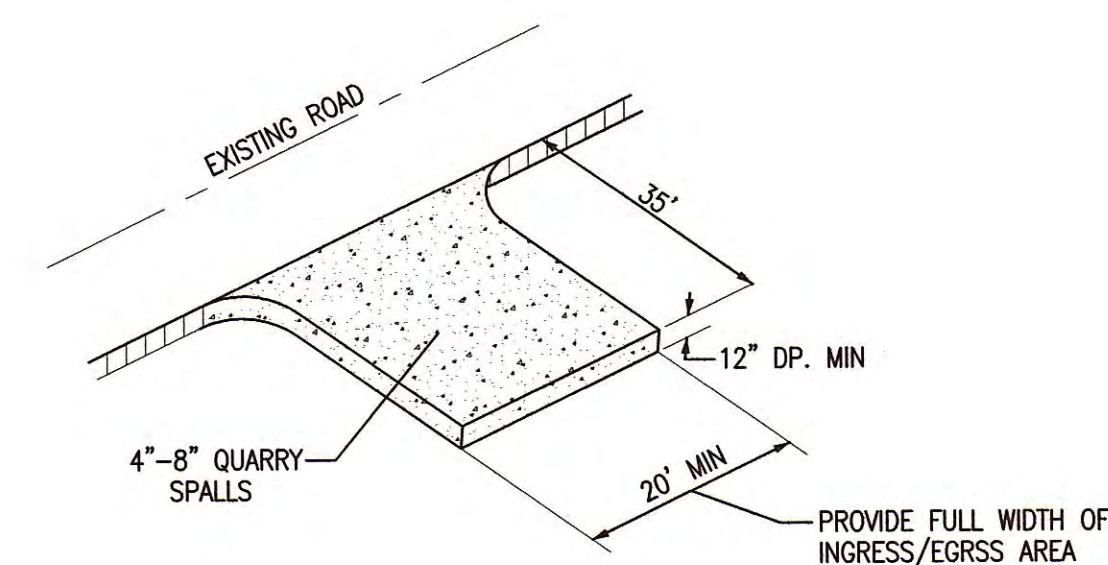
ROOF DRAIN DETAIL
(NOT TO SCALE)



SILT FENCE STRAW BALE AND SNOW FENCE DETAIL
NOT TO SCALE



PROPOSED TEMPORARY DISTURBANCE AND LANDSCAPE PLANTING DETAIL
SCALE 1" = 10'



CRUSHED STONE CONSTRUCTION APRON
(NOT TO SCALE)



TOWN OF MEDWAY PLANNING & ECONOMIC DEVELOPMENT BOARD

SIGNATURES	APPROVAL DATE
	ENDORSEMENT DATE

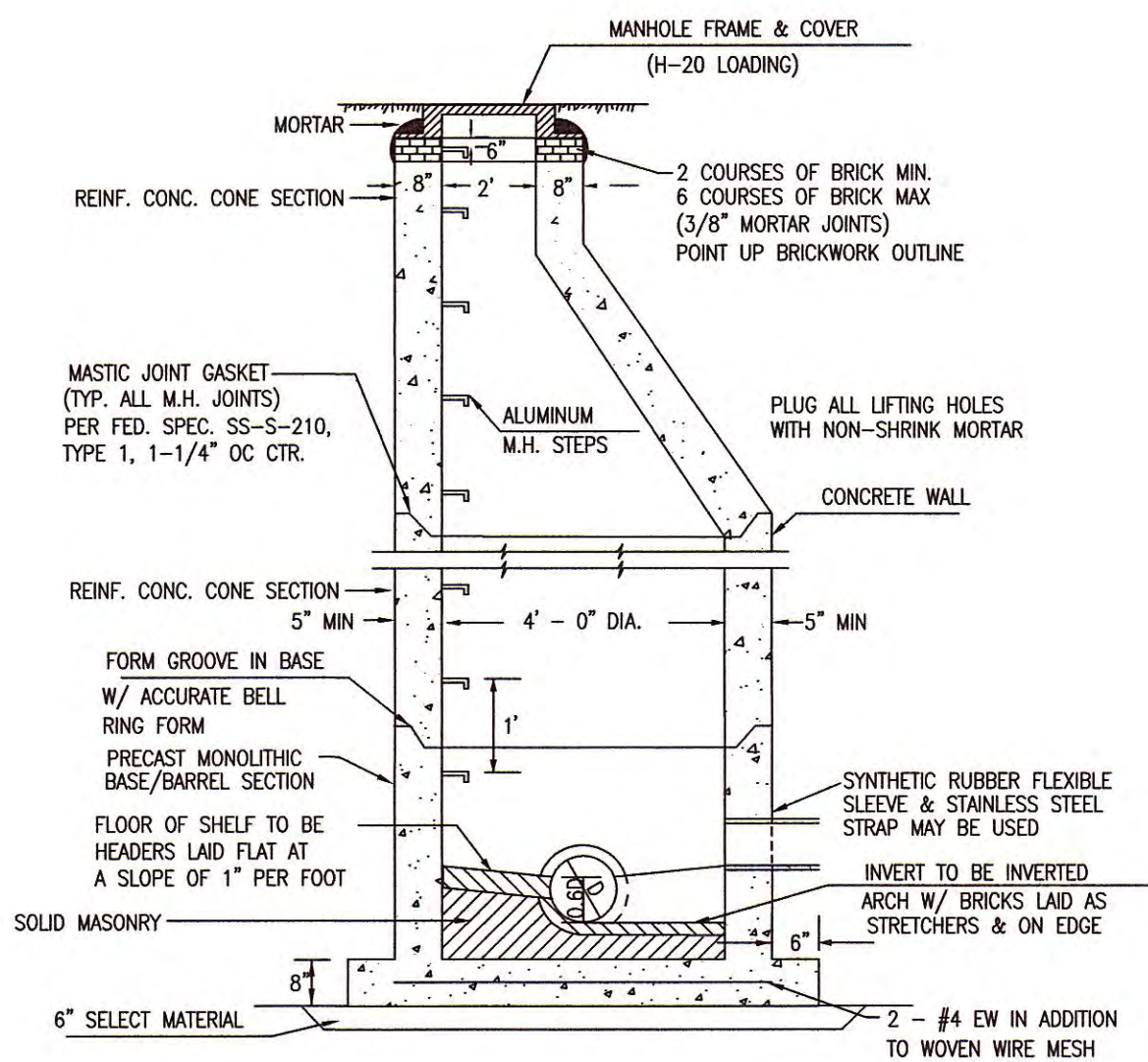
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SITE PLAN DETAILS #50 ALDER STREET MEDWAY, MASSACHUSETTS

PREPARED FOR:
ALDER STREET REALTY LLC
119 MILFORD STREET
MEDWAY, MA 02053

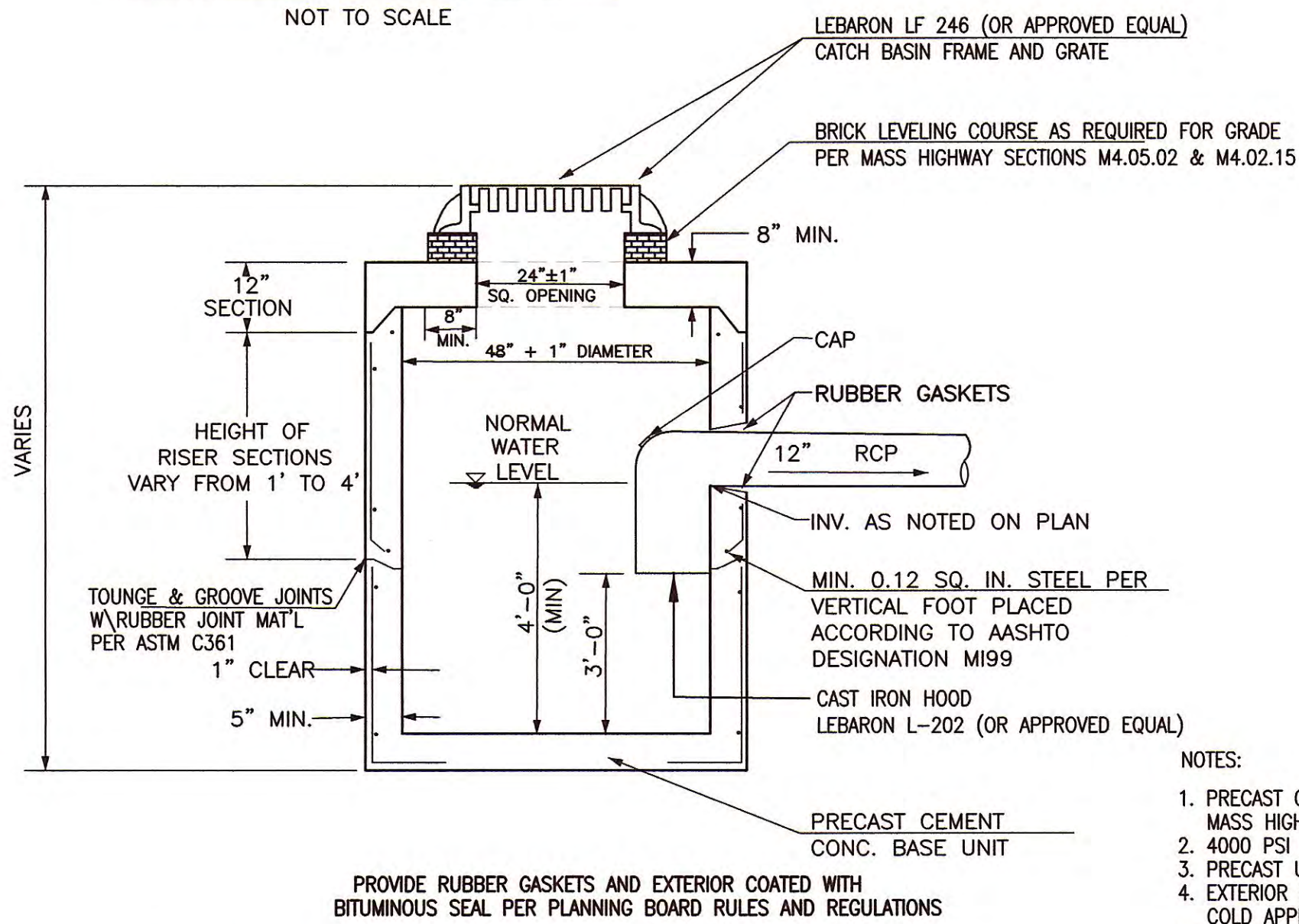
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Phone (781) 585-2300 Fax (781) 585-2378



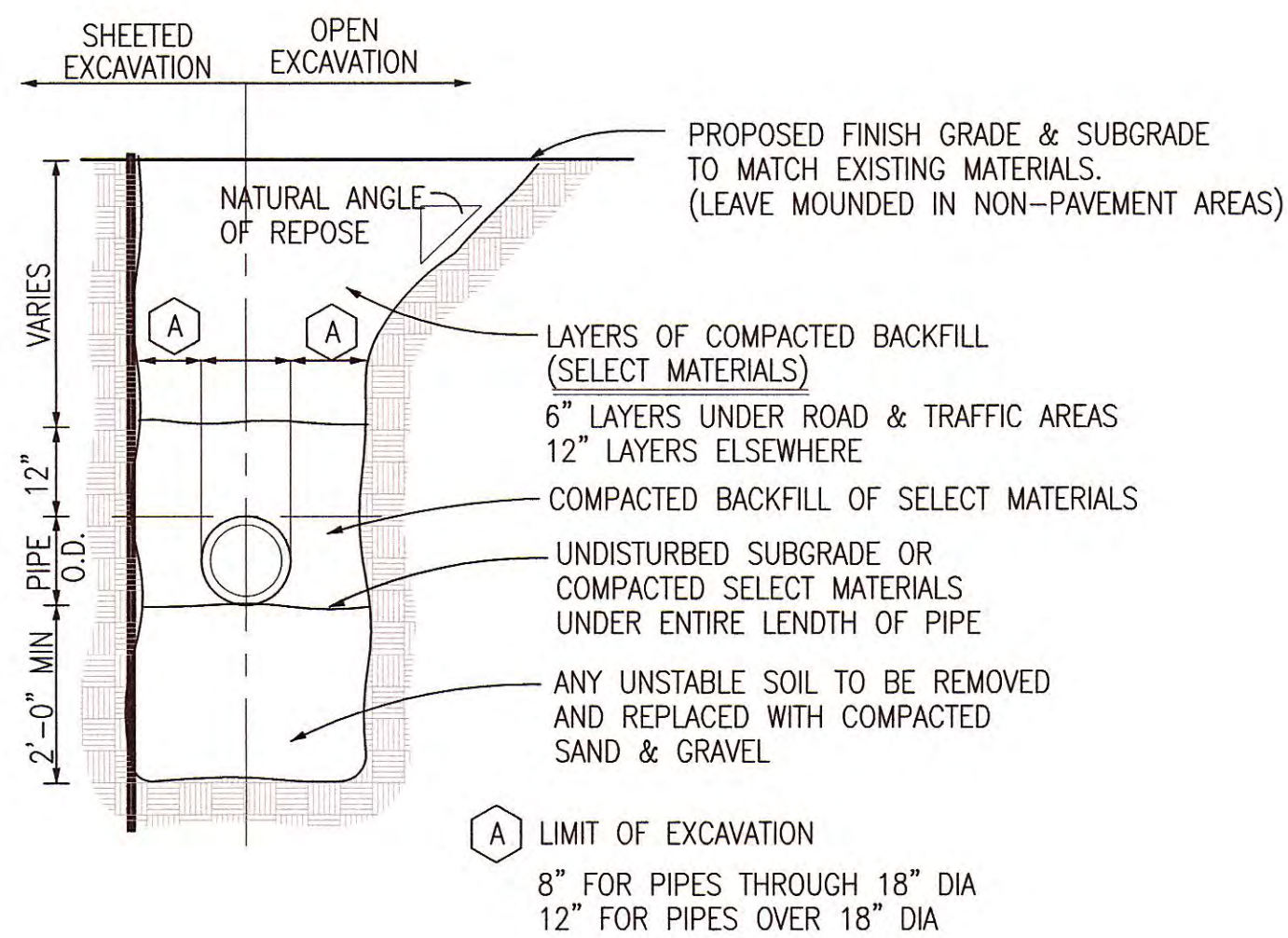
SANITARY SEWER MANHOLE

NOT TO SCALE



PRECAST GASOLINE TRAP CATCH BASIN

(NOT TO SCALE)

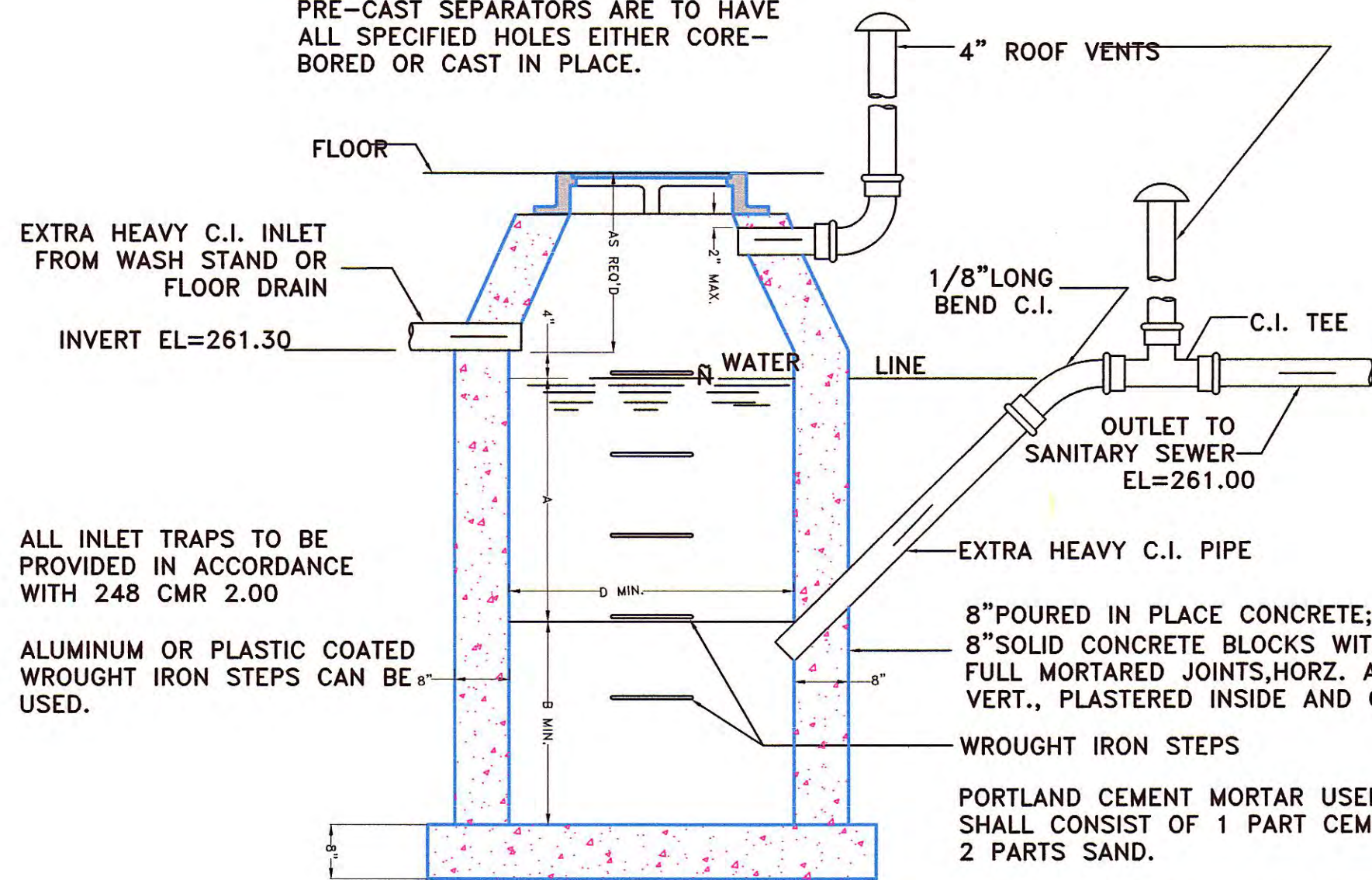


TRENCH EXCAVATION DETAIL

NOT TO SCALE

NOTES:

FOR INLETS LARGER THAN 10" THE DESIGN AND DIMENSIONS WILL BE DETERMINED FOR EACH PARTICULAR CASE
PRE-CAST SEPARATORS ARE TO HAVE ALL SPECIFIED HOLES EITHER CORE-BORED OR CAST IN PLACE.



ALL INLET TRAPS TO BE PROVIDED IN ACCORDANCE WITH 248 CMR 2.00

ALUMINUM OR PLASTIC COATED WROUGHT IRON STEPS CAN BE USED.

PORTLAND CEMENT MORTAR USED SHALL CONSIST OF 1 PART CEMENT, 2 PARTS SAND.

CEMENT BRICK, HOLLOW CONCRETE, OR CINDER BLOCK MASONRY MUST NOT BE USED.

M.D.C. TRAP
OIL/GREASE SEPARATOR

(NOT TO SCALE)

INLET	D	A	B	INLET	D	A	B
4"	3'-6"ø	3'-0"	2'-6"	8"	5'-0"ø	6'-0"	5'-0"
5"	3'-6"ø 3'-6"x 3'-6" 4'-0" 4'-0"x 4'-0" 4'-6"	5'-0" 4'-0" 3'-8" 3'-0" 3'-0"	4'-0" 3'-0" 3'-0" 2'-6" 2'-6"		5'-6"x 5'-6" 6'-0"ø 6'-0"x 6'-0" 6'-6"ø 6'-6"x 6'-6"	4'-6" 4'-0" 3'-0" 3'-6" 3'-0"	4'-0" 3'-6" 2'-6" 3'-0" 4'-0"
6"	4'-0"ø 4'-0"x 4'-0" 4'-6"ø 4'-6"x 4'-6" 5'-0"ø 5'-0"x 5'-0"	5'-0" 4'-0" 4'-0" 3'-6" 3'-6" 3'-0"	4'-6" 3'-6" 3'-6" 3'-0" 3'-0" 2'-6"	10"	5'-6"ø 6'-0"x 6'-0" 6'-0"ø 6'-6"x 6'-6"	7'-6" 5'-6" 6'-6" 5'-0"	6'-6" 4'-6" 5'-6" 4'-0"

GENERAL CONSTRUCTION NOTES

BASIN TO BE LOCATED OUTSIDE OF BUILDING WHERE POSSIBLE, COVER TO HAVE A CENTER HOLE.

A TIGHT COVER MUST BE USED IF BASIN IS LOCATED INSIDE OF BUILDING.

OPENING SHALL BE NOT LESS THAN 24" DIA.

THE CATCH BASIN SHALL BE SO LOCATED AND CONSTRUCTED THAT SURFACE WATER SHALL BE EXCLUDED.

INLET PIPE SHALL BE AT LEAST FOUR INCHES ABOVE NORMAL WATER LINE.

WHERE SUBJECT TO FROST OR CRUSHING CONDITIONS, OUTLET SHALL BE AT LEAST THREE FEET BELOW THE SURFACE.

THE NEW CATCH BASIN MUST BE FILLED WITH CLEAN WATER BEFORE USING, AND AFTER BEING EMPTIED FOR PERIODIC CLEANING.

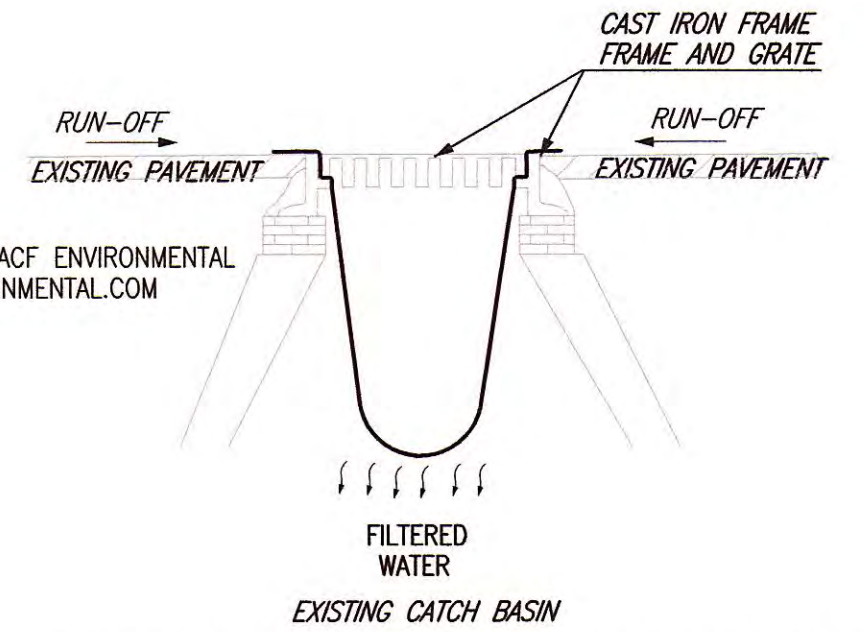
ALL OIL AND GASOLINE MUST BE REMOVED BEFORE CLEANING OUT THE BASIN, AND MUST NOT BE DISCHARGED INTO THE SEWER THROUGH OTHER FIXTURES.

SPECIFICATIONS FOR COVERING SPECIAL CASES OR CONDITIONS, SHALL BE APPROVED BY THE LOCAL AUTHORITIES.

WROUGHT IRON STEPS SHALL BE SPACED ABOUT 18" APART.

BOTH VENTS SHALL BE EXTENDED INDEPENDENTLY 18" ABOVE THE ROOF, OR AS APPROVED BY THE LOCAL AUTHORITIES
(Outlet pipe to be 45 degree angle)

CONTRACTOR SHALL VERIFY SEWER LOCATION AND ELEVATIONS PRIOR TO INSTALLATION



NOTE: SILT SACKS SHALL BE INSPECTED WEEKLY AND SILT SHALL BE REMOVED WHEN ACCUMULATED TO ALLOW CATCH BASIN TO FUNCTION PROPERLY.

SILT SACK

(NOT TO SCALE)

TOWN OF MEDWAY PLANNING & ECONOMIC DEVELOPMENT BOARD

SIGNATURES

APPROVAL DATE

ENDORSEMENT DATE



NOTES

- CALL DIG SAFE 1-888-344-7233 AT LEAST 4 DAYS PRIOR TO COMMENCEMENT OF CONSTRUCTION.
- NOTIFY TOWN PRIOR TO BACKFILLING SEWER OR WATER SERVICES.
- LOCATIONS OF UNDERGROUND UTILITIES ARE FROM RECORD INFORMATION AND ARE NOT WARRANTED.
- THE CONTRACTOR SHALL COMPLY WITH WATER DEPT. AND SEWER DEPT. REQUIREMENTS.

SEWER NOTES

- THE CONNECTION AT THE EXISTING SEWER LINE IS TO BE AS DIRECTED BY THE D.P.W.
- CONSTRUCTION MATERIALS AND METHODS SHALL CONFORM TO TOWN OF MEDWAY AND STATE OF MASSACHUSETTS STANDARDS AND REQUIREMENTS.
- DEWATERING OF TRENCH, IF REQUIRED, SHOULD BE CONDUCTED IN CONFORMITY WITH LOCAL REGULATIONS.
- PRIOR TO ANY CONSTRUCTION, A SEWER CONSTRUCTION PERMIT MUST BE OBTAINED BY THE CONTRACTOR FROM THE TOWN OF MEDWAY, SEWER DEPARTMENT.
- SEWER PIPES TO BE 6" PVC ASTM D3034SD - R35 OR AS OTHERWISE NOTED.
- CONTRACTOR SHALL NOTIFY THE TOWN OF MEDWAY SEWER DIVISION OF TIMING OF CONSTRUCTION TO INSURE THERE IS NO INTERFERENCE WITH THE OPERATIONS OF THE EXISTING SEWER FORCE MAIN.
- SURPLUS EXCAVATION MATERIAL TO BE HAULED OFF AND LEGALLY DISPOSED OF BY CONTRACTOR.
- THERE SHALL BE NO FIELD CHANGES TO THIS PLAN WITHOUT PRIOR NOTIFICATION OF BOTH THE DESIGN ENGINEER AND THE TOWN OF MEDWAY SEWER DIVISION.
- THE CONTRACTOR SHALL NOTIFY THE ENGINEER PRIOR TO BACKFILLING SO THAT AN "AS-BUILT" PLAN MAY BE COMPILED AND SUBMITTED TO THE TOWN OF MEDWAY.
- ALL INTERIOR PLUMBING CHANGES SHALL BE MADE BY A LICENSED PLUMBER AND IN FULL COMPLIANCE WITH ALL STATE AND LOCAL PLUMBING CODE REQUIREMENTS.
- CONTRACTOR IS TO RESTORE TO ORIGINAL CONDITION ANY UTILITIES OR IMPROVEMENTS DAMAGED DURING CONSTRUCTION INCLUDING LOAMING AND SEEDING OF LAWNS.
- CONTRACTOR TO VERIFY SEWER STUB ELEVATION.

REVISIONS	
6/27/16	CONSERVATION COMMISSION COMMENTS
8/5/16	CONSERVATION COMMISSION COMMENTS
8/15/16	CONSERVATION COMMISSION COMMENTS
8/22/16	REQUEST FOR WAIVERS

SITE PLAN
DETAILS
#50 ALDER STREET
MEDWAY, MASSACHUSETTS

PREPARED FOR:
ALDER STREET REALTY LLC
119 MILFORD STREET
MEDWAY, MA 02053

MARCH 30, 2016
SCALE: AS SHOWN
JOB No. 15-307

GRADY CONSULTING, L.L.C.
Civil Engineers and Land Surveyors
71 Evergreen Street, Suite 1, Kingston, MA 02364
Phone (781) 585-2300 Fax (781) 585-2378



GRADY CONSULTING, L.L.C.

Registered Professional Civil Engineers & Land Surveyors

August 22, 2016

Medway Planning Board
Town of Medway
155 Village Street
Medway, MA 02053

RE: Application for Review and Approval of a Major Site Plan Project
Site Plan – 51 Alder Street, Medway
Assessors Lot 63-001-0001 & Town of Milford Assessors Lot 45-0-2
Applicant – Philip Anza

Dear Board Members:

On behalf of the applicant we hereby submit additional documents and revised plans as requested by Susan Affleck-Childs, Planning and Economic Development Coordinator. The plans were revised to include the waiver request to the Town of Medway Site Plan Rules and Regulations. Enclosed please find the following:

1. 10 Copies of Site Plan dated March 30, 2016. Latest revision dated August 22, 2016
2. 1 ledger size (11x17) copy of the Site Plan.
3. Electronic copy of Site plan and associated documents to be emailed.
4. Form Q Waiver Request for each waiver request.

If you have any questions please do not hesitate to call.

Sincerely,

GRADY CONSULTING, L.L.C.

Richard Grady, P.E.
Principal Engineer

Cc:

Alder Street Realty LLC
119 Milford Street
Medway, MA 02053

J:\2015\15-307\Planning Board\PlanningBoard.docx

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

Project Name:	50 Alder Street, Proposed 3,250 sf Commercial Building
Property Location:	50 Alder Street
Type of Project/Permit:	Major Site Plan Project
Identify the number and title of the relevant Section of the Site Plan Rules and Regulations from which a waiver is sought.	204-4(B) Standards for Site Plan Preparation
Summarize the text of the relevant Section of the Rules and Regulations from which a waiver is requested.	The Site Plan shall be drawn at a scale of 1"=40'
What aspect of the Regulation do you propose be waived?	The Site Plan shall be drawn at a scale of 1"=40'
What do you propose instead?	Site Plan to be drawn at a scale of 1"=20'
Explanation/justification for the waiver request. Why is the waiver needed? Describe the extenuating circumstances that necessitate the waiver request.	The developed portion of the site consists of roughly 15,000 sf. The Site Plan would be difficult to read at a scale of 1"=40'
What is the estimated value/cost savings to the applicant if the waiver is granted?	The Site Plan, at a scale of 1"=20', would result in a more efficient review and construction process as the plan would be clearer and more legible
How would approval of this waiver request result in a superior design or provide a clear and significant improvement to the quality of this development?	Approval of this waiver would result in the same design but would provide a more efficient review process and a plan suitable for construction.
What is the impact on the development if this waiver is denied?	None
What are the design alternatives to granting this waiver?	None
Why is granting this waiver in the Town's best interest?	A Site Plan that is legible and easily interpreted is in the Town's best interest
If this waiver is granted, what is the estimated cost savings and/or cost avoidance to the Town?	A plan that is legible will provide a more efficient review process resulting in less review time therefore reducing the cost.
What mitigation measures do you propose to offset not complying with the particular Rule/Regulation?	None
What is the estimated value of the proposed mitigation measures?	Not Applicable
Other Information?	Not Applicable
Waiver Request Prepared By:	Grady Consulting LLC
Date:	22-Aug-16
Questions?? - Please contact the Medway PED office at 508-533-3291.	

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

Project Name:	50 Alder Street, Proposed 3,250 sf Commercial Building
Property Location:	50 Alder Street
Type of Project/Permit:	Major Site Plan Project
Identify the number and title of the relevant Section of the Site Plan Rules and Regulations from which a waiver is sought.	204-5.C.3. Existing Landscape Inventory
Summarize the text of the relevant Section of the Rules and Regulations from which a waiver is requested.	The requirement of a landscape inventory by a landscape architect
What aspect of the Regulation do you propose be waived?	The requirement of a landscape inventory
What do you propose instead?	Provide landscaping as requested by the Conservation Commission and as shown on the Site Plan
Explanation/justification for the waiver request. Why is the waiver needed? Describe the extenuating circumstances that necessitate the waiver request.	The developed portion of the site consists of roughly 13,000 sf. of wooded area. Due to the small scale of the proposed project and limited area for planting, we are requesting a waiver. Proposed landscaping is shown the the Site Plan as requested by the Conservation Commission.
What is the estimated value/cost savings to the applicant if the waiver is granted?	\$500
How would approval of this waiver request result in a superior design or provide a clear and significant improvement to the quality of this development?	Approval of this waiver would result in the same design. Plantings are proposed along the 25' no disturb zone as a buffer to the resource area.
What is the impact on the development if this waiver is denied?	Cost of the Landscape Inventory
What are the design alternatives to granting this waiver?	Proposed planting plan shown on the Site Plan as requested by the Conservation Commission
Why is granting this waiver in the Town's best interest?	It is not anticipated that a landscape inventory would provide added value as plantings are proposed on the site plan as requested by the Conservation Commission. Granting this waiver will provide more focus on the plantings proposed near the resource area.
If this waiver is granted, what is the estimated cost savings and/or cost avoidance to the Town?	None
What mitigation measures do you propose to offset not complying with the particular Rule/Regulation?	Proposed plantings as shown on the Site Plan as requested by the Conservation Commission
What is the estimated value of the proposed mitigation measures?	The mitigation will improve the resource area.
Other Information?	Not Applicable
Waiver Request Prepared By:	Grady Consulting LLC

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

Project Name:	50 Alder Street, Proposed 3,250 sf Commercial Building
Property Location:	50 Alder Street
Type of Project/Permit:	Major Site Plan Project
Identify the number and title of the relevant Section of the Site Plan Rules and Regulations from which a waiver is sought.	204-5.D.7. Landscape Architectural Plan
Summarize the text of the relevant Section of the Rules and Regulations from which a waiver is requested.	The requirement of a landscape architectural plan
What aspect of the Regulation do you propose be waived?	The requirement of a landscape architectural plan
What do you propose instead?	Provide landscaping as requested by the Conservation Commission and as shown on the Site Plan
Explanation/justification for the waiver request. Why is the waiver needed? Describe the extenuating circumstances that necessitate the waiver request.	The developed portion of the site consists of roughly 13,000 sf. Due to the small scale of the proposed project and limited area for planting, we are requesting a waiver. Proposed landscaping is shown on the Site Plan as requested by the Conservation Commission.
What is the estimated value/cost savings to the applicant if the waiver is granted?	\$2,000
How would approval of this waiver request result in a superior design or provide a clear and significant improvement to the quality of this development?	Approval of this waiver would result in the same design. Plantings are proposed along the 25' no disturb zone as a buffer to the resource area.
What is the impact on the development if this waiver is denied?	Cost of the Landscape Architectural Plan
What are the design alternatives to granting this waiver?	Proposed planting plan shown on the Site Plan as requested by the Conservation Commission
Why is granting this waiver in the Town's best interest?	It is not anticipated that a landscape architectural plan would provide added value as plantings are proposed on the site plan as requested by the Conservation Commission.
If this waiver is granted, what is the estimated cost savings and/or cost avoidance to the Town?	None
What mitigation measures do you propose to offset not complying with the particular Rule/Regulation?	Proposed plantings as shown on the Site Plan as requested by the Conservation Commission
What is the estimated value of the proposed mitigation measures?	The mitigation will improve the resource area.
Other Information?	Not Applicable
Waiver Request Prepared By:	Grady Consulting LLC
Date:	22-Aug-16
Questions?? - Please contact the Medway PED office at 508-533-3291.	

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

Project Name:	50 Alder Street, Proposed 3,250 sf Commercial Building
Property Location:	50 Alder Street
Type of Project/Permit:	Major Site Plan Project
Identify the number and title of the relevant Section of the Site Plan Rules and Regulations from which a waiver is sought.	204-5.D.8. Architectural Plan
Summarize the text of the relevant Section of the Rules and Regulations from which a waiver is requested.	The requirement of an Architectural Plan
What aspect of the Regulation do you propose be waived?	The requirement of an Architectural Plan
What do you propose instead?	Submit Architectural Plans at a later date as they are currently in the design process.
Explanation/justification for the waiver request. Why is the waiver needed? Describe the extenuating circumstances that necessitate the waiver request.	The Architectural Plans are currently in the design process.
What is the estimated value/cost savings to the applicant if the waiver is granted?	None
How would approval of this waiver request result in a superior design or provide a clear and significant improvement to the quality of this development?	Approval of this waiver request would not result in a superior design or significant improvement to the quality of this development.
What is the impact on the development if this waiver is denied?	It will delay the permitting and construction process
What are the design alternatives to granting this waiver?	None
Why is granting this waiver in the Town's best interest?	It will allow for review of the project and streamline the permitting process.
If this waiver is granted, what is the estimated cost savings and/or cost avoidance to the Town?	None
What mitigation measures do you propose to offset not complying with the particular Rule/Regulation?	None
What is the estimated value of the proposed mitigation measures?	Not Applicable
Other Information?	Not Applicable
Waiver Request Prepared By:	Grady Consulting LLC
Date:	22-Aug-16

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

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

Project Name:	50 Alder Street, Proposed 3,250 sf Commercial Building
Property Location:	50 Alder Street
Type of Project/Permit:	Major Site Plan Project
Identify the number and title of the relevant Section of the Site Plan Rules and Regulations from which a waiver is sought.	204-5.D.9. Color Rendering
Summarize the text of the relevant Section of the Rules and Regulations from which a waiver is requested.	The requirement of Color Renderings of the Site
What aspect of the Regulation do you propose be waived?	The requirement of Color Renderings
What do you propose instead?	Request a waiver to the requirement of Color Renderings
Explanation/justification for the waiver request. Why is the waiver needed? Describe the extenuating circumstances that necessitate the waiver request.	The site, as proposed, consists of a 3 bay automotive garage. It is a small scale project with limited detail. The proposed site plan is adequate for demonstrating visual aid of the proposed project.
What is the estimated value/cost savings to the applicant if the waiver is granted?	\$2,000
How would approval of this waiver request result in a superior design or provide a clear and significant improvement to the quality of this development?	Approval of this waiver request would not result in a superior design or significant improvement to the quality of this development. The Color renderings would also have no impact on the design or quality of development.
What is the impact on the development if this waiver is denied?	Cost and time for preparing color renderings.
What are the design alternatives to granting this waiver?	Site Plan provided
Why is granting this waiver in the Town's best interest?	It will allow for review of the project and streamline the permitting process.
If this waiver is granted, what is the estimated cost savings and/or cost avoidance to the Town?	None
What mitigation measures do you propose to offset not complying with the particular Rule/Regulation?	None
What is the estimated value of the proposed mitigation measures?	Not Applicable
Other Information?	Not Applicable
Waiver Request Prepared By:	Grady Consulting LLC
Date:	22-Aug-16
Questions?? - Please contact the Medway PED office at 508-533-3291.	

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

Project Name:	50 Alder Street, Proposed 3,250 sf Commercial Building
Property Location:	50 Alder Street
Type of Project/Permit:	Major Site Plan Project
Identify the number and title of the relevant Section of the Site Plan Rules and Regulations from which a waiver is sought.	204-5.D.10. Building Layout/Floor Plan
Summarize the text of the relevant Section of the Rules and Regulations from which a waiver is requested.	The requirement of a Building Layout/Floor Plan
What aspect of the Regulation do you propose be waived?	The requirement of a Building Layout/Floor Plan
What do you propose instead?	Submit Architectural Plans at a later date as they are currently in the design process.
Explanation/justification for the waiver request. Why is the waiver needed? Describe the extenuating circumstances that necessitate the waiver request.	The Architectural Plans are currently in the design process.
What is the estimated value/cost savings to the applicant if the waiver is granted?	None
How would approval of this waiver request result in a superior design or provide a clear and significant improvement to the quality of this development?	Approval of this waiver request would not result in a superior design or significant improvement to the quality of this development.
What is the impact on the development if this waiver is denied?	It will delay the permitting and construction process
What are the design alternatives to granting this waiver?	None
Why is granting this waiver in the Town's best interest?	It will allow for review of the project and streamline the permitting process.
If this waiver is granted, what is the estimated cost savings and/or cost avoidance to the Town?	None
What mitigation measures do you propose to offset not complying with the particular Rule/Regulation?	None
What is the estimated value of the proposed mitigation measures?	Not Applicable
Other Information?	Not Applicable
Waiver Request Prepared By:	Grady Consulting LLC
Date:	22-Aug-16

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

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

Project Name:	50 Alder Street, Proposed 3,250 sf Commercial Building
Property Location:	50 Alder Street
Type of Project/Permit:	Major Site Plan Project
Identify the number and title of the relevant Section of the Site Plan Rules and Regulations from which a waiver is sought.	204-5.D.12. Signage Plan
Summarize the text of the relevant Section of the Rules and Regulations from which a waiver is requested.	The requirement of a Signage Plan
What aspect of the Regulation do you propose be waived?	The requirement of a Signage Plan
What do you propose instead?	To request a waiver to the required Signage Plan
Explanation/justification for the waiver request. Why is the waiver needed? Describe the extenuating circumstances that necessitate the waiver request.	The proposed signage is currently in the design process.
What is the estimated value/cost savings to the applicant if the waiver is granted?	None
How would approval of this waiver request result in a superior design or provide a clear and significant improvement to the quality of this development?	Approval of this waiver request would not result in a superior design or significant improvement to the quality of this development.
What is the impact on the development if this waiver is denied?	It will delay the permitting and construction process
What are the design alternatives to granting this waiver?	None
Why is granting this waiver in the Town's best interest?	It will allow for review of the project and streamline the permitting process.
If this waiver is granted, what is the estimated cost savings and/or cost avoidance to the Town?	None
What mitigation measures do you propose to offset not complying with the particular Rule/Regulation?	None
What is the estimated value of the proposed mitigation measures?	Not Applicable
Other Information?	Not Applicable
Waiver Request Prepared By:	Grady Consulting LLC
Date:	22-Aug-16
Questions?? - Please contact the Medway PED office at 508-533-3291.	

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

Project Name:	50 Alder Street, Proposed 3,250 sf Commercial Building
Property Location:	50 Alder Street
Type of Project/Permit:	Major Site Plan Project
Identify the number and title of the relevant Section of the Site Plan Rules and Regulations from which a waiver is sought.	204-5.D.13. Lighting Plan
Summarize the text of the relevant Section of the Rules and Regulations from which a waiver is requested.	The requirement of a Lighting Plan
What aspect of the Regulation do you propose be waived?	The requirement of a Lighting Plan
What do you propose instead?	To request a waiver to the required Lighting Plan
Explanation/justification for the waiver request. Why is the waiver needed? Describe the extenuating circumstances that necessitate the waiver request.	The proposed parking area is roughly 7,700 s.f. and will not require a significant amount of lighting. The proposed Site Lighting will most likely consists of overhead lighting attached to the building. There are no abutting properties in close vicinity to be affected by the proposed lighting.
What is the estimated value/cost savings to the applicant if the waiver is granted?	\$300
How would approval of this waiver request result in a superior design or provide a clear and significant improvement to the quality of this development?	Approval of this waiver request would not result in a superior design or significant improvement to the quality of this development.
What is the impact on the development if this waiver is denied?	The minimal lighting required will most likely be consistent with a Lighting Plan if provided. Therefore it will have no impact other than cost of a plan.
What are the design alternatives to granting this waiver?	None
Why is granting this waiver in the Town's best interest?	It is not anticipated that a Lighting Plan will provide any added value due to the size of the proposed project.
If this waiver is granted, what is the estimated cost savings and/or cost avoidance to the Town?	None
What mitigation measures do you propose to offset not complying with the particular Rule/Regulation?	None
What is the estimated value of the proposed mitigation measures?	Not Applicable
Other Information?	Not Applicable
Waiver Request Prepared By:	Grady Consulting LLC
Date:	22-Aug-16
Questions?? - Please contact the Medway PED office at 508-533-3291.	

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

Project Name:	50 Alder Street, Proposed 3,250 sf Commercial Building
Property Location:	50 Alder Street
Type of Project/Permit:	Major Site Plan Project
Identify the number and title of the relevant Section of the Site Plan Rules and Regulations from which a waiver is sought.	205.5.G.3.a. Parking Spaces/Stalls
Summarize the text of the relevant Section of the Rules and Regulations from which a waiver is requested.	Car Parking/Stalls shall be ten feet by twenty feet.
What aspect of the Regulation do you propose be waived?	Car Parking/Stalls shall be ten feet by twenty feet.
What do you propose instead?	Proposed Car Parking/Stalls nine feet by eighteen feet.
Explanation/Justification for the waiver request. Why is the waiver needed? Describe the extenuating circumstances that necessitate the waiver request.	Due to the wetlands in the rear of the property and shape of the lot, in order to meet zoning requirements a size reduction in the parking space size is needed.
What is the estimated value/cost savings to the applicant if the waiver is granted?	None
How would approval of this waiver request result in a superior design or provide a clear and significant improvement to the quality of this development?	Approval of this waiver request would result in adequate parking as required by Zoning.
What is the impact on the development if this waiver is denied?	The proposed site would not meet zoning requirements for parking spaces.
What are the design alternatives to granting this waiver?	None
Why is granting this waiver in the Town's best interest?	The proposed site will meet zonings requirements for number of spaces.
If this waiver is granted, what is the estimated cost savings and/or cost avoidance to the Town?	None
What mitigation measures do you propose to offset not complying with the particular Rule/Regulation?	None
What is the estimated value of the proposed mitigation measures?	Not Applicable
Other Information?	Not Applicable
Waiver Request Prepared By:	Grady Consulting LLC
Date:	22-Aug-16
Questions?? - Please contact the Medway PED office at 508-533-3291.	
7/8/2011	

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

Project Name:	50 Alder Street, Proposed 3,250 sf Commercial Building
Property Location:	50 Alder Street
Type of Project/Permit:	Major Site Plan Project
Identify the number and title of the relevant Section of the Site Plan Rules and Regulations from which a waiver is sought.	205-6(G)(4)(b) Parking Spaces/Stalls
Summarize the text of the relevant Section of the Rules and Regulations from which a waiver is requested.	Car Parking/Stalls shall not be located within 15 feet of the front, side, and rear property lines.
What aspect of the Regulation do you propose be waived?	To allow parking within 15 feet of a side property line.
What do you propose instead?	Proposed Car Parking/Stalls 1.8' from the side property line.
Explanation/Justification for the waiver request. Why is the waiver needed? Describe the extenuating circumstances that necessitate the waiver request.	Due to the wetlands in the rear of the property and shape of the lot, in order to meet zoning requirements a reduction in side property line setbacks is needed. The abutting properties consist of interstate 495 and undeveloped woods and wetlands.
What is the estimated value/cost savings to the applicant if the waiver is granted?	None
How would approval of this waiver request result in a superior design or provide a clear and significant improvement to the quality of this development?	Approval of this waiver request would result in adequate parking as required by Zoning.
What is the impact on the development if this waiver is denied?	The proposed site would not meet zoning requirements for parking spaces.
What are the design alternatives to granting this waiver?	None
Why is granting this waiver in the Town's best interest?	The proposed site will meet zonings requirements for number of spaces.
If this waiver is granted, what is the estimated cost savings and/or cost avoidance to the Town?	None
What mitigation measures do you propose to offset not complying with the particular Rule/Regulation?	None
What is the estimated value of the proposed mitigation measures?	Not Applicable
Other Information?	Not Applicable
Waiver Request Prepared By:	Grady Consulting LLC
Date:	22-Aug-16
Questions?? - Please contact the Medway PED office at 508-533-3291.	

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

Project Name:	50 Alder Street, Proposed 3,250 sf Commercial Building
Property Location:	50 Alder Street
Type of Project/Permit:	Major Site Plan Project
Identify the number and title of the relevant Section of the Site Plan Rules and Regulations from which a waiver is sought.	205-6(G)(4)(d) Space/Stall Design
Summarize the text of the relevant Section of the Rules and Regulations from which a waiver is requested.	Requirement of a 12' long by 20' wide turning area at the end of a dead end parking row.
What aspect of the Regulation do you propose be waived?	Requirement of a 12' long by 20' wide turning area at the end of a dead end parking row.
What do you propose instead?	Propose a 5' long turning area and a 24' wide way.
Explanation/justification for the waiver request. Why is the waiver needed? Describe the extenuating circumstances that necessitate the waiver request.	Due to the wetlands in the rear of the property and shape of the lot, in order to meet zoning requirements for parking spaces a waiver to this requirement is needed.
What is the estimated value/cost savings to the applicant if the waiver is granted?	None
How would approval of this waiver request result in a superior design or provide a clear and significant improvement to the quality of this development?	Approval of this waiver request would result in adequate parking as required by Zoning.
What is the impact on the development if this waiver is denied?	The proposed site would not meet zoning requirements for parking spaces.
What are the design alternatives to granting this waiver?	None
Why is granting this waiver in the Town's best interest?	The proposed site will meet zonings requirements for number of spaces.
If this waiver is granted, what is the estimated cost savings and/or cost avoidance to the Town?	None
What mitigation measures do you propose to offset not complying with the particular Rule/Regulation?	None
What is the estimated value of the proposed mitigation measures?	Not Applicable
Other Information?	Not Applicable
Waiver Request Prepared By:	Grady Consulting LLC
Date:	22-Aug-16
Questions?? - Please contact the Medway PED office at 508-533-3291.	
7/8/2011	

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

Project Name:	50 Alder Street, Proposed 3,250 sf Commercial Building
Property Location:	50 Alder Street
Type of Project/Permit:	Major Site Plan Project
Identify the number and title of the A5:B35 relevant Section of the Site Plan Rules and Regulations from which a waiver is sought.	205-9 Trees and Landscaping
Summarize the text of the relevant Section of the Rules and Regulations from which a waiver is requested.	Landscape Buffers, Parking Areas, Screening, Trees, Tree Replacement
What aspect of the Regulation do you propose be waived?	the entire section
What do you propose instead?	Provide landscaping as requested by the Conservation Commission and as shown on the Site Plan
Explanation/justification for the waiver request. Why is the waiver needed? Describe the extenuating circumstances that necessitate the waiver request.	The developed portion of the site consists of roughly 13,000 sf. Due to the small scale of the proposed project and limited area for planting due to the size and shape of the lot, we are requesting a waiver. Proposed landscaping is shown on the Site Plan as requested by the Conservation Commission.
What is the estimated value/cost savings to the applicant if the waiver is granted?	Cost of proposed tree replacement and plantings.
How would approval of this waiver request result in a superior design or provide a clear and significant improvement to the quality of this development?	Approval of this waiver would result in the same design. Plantings are proposed along the 25' no disturb zone as a buffer to the resource area. This would help improve the resource area.
What is the impact on the development if this waiver is denied?	Cost of tree replacement and additional plantings. It would result in densely planted areas not suitable for the health of the plants.
What are the design alternatives to granting this waiver?	Propose densely vegetated landscape areas that would not be a suitable environment for the plant species and difficult to care for.
Why is granting this waiver in the Town's best interest?	The proposed plantings as shown on the Site Plan would provide suitable plantings consistent with the intent of the regulation.
If this waiver is granted, what is the estimated cost savings and/or cost avoidance to the Town?	Cost of time relating to Town Review.
What mitigation measures do you propose to offset not complying with the particular Rule/Regulation?	Proposed plantings as shown on the Site Plan as requested by the Conservation Commission
What is the estimated value of the proposed mitigation measures?	The mitigation will improve the resource area.
Other Information?	Not Applicable
Waiver Request Prepared By:	Grady Consulting LLC
Date:	22-Aug-16



Town of Medway
DESIGN REVIEW COMMITTEE

155 Village Street
Medway MA 02053
508-533-3291

drc@townofmedway.org

February 7, 2018

TO: Medway Planning and Economic Development Board
FROM: Matthew Buckley, Chairman
RE: DRC Comments – Milway Auto, 50 Alder Street

Dear Members of the Medway Planning and Economic Development Board,

The Medway Design Review Committee [DRC] is pleased to provide a review letter for the proposed one-story industrial building at 50 Alder Street for Milway Auto. The DRC met with the owner and representatives for Milway Auto on January 22, 2018. During the meeting, we reviewed a site plan dated August 22, 2016 and received a presentation on the project that included preliminary elevations of the building.

The DRC is satisfied that the designs put forward for the building, to date, are consistent with Medway *Design Review Guidelines*.

The DRC provided recommendations to the applicant regarding the building and site as follows:

- The building is shown without windows in the work spaces on the westerly portion. The DRC recommends that windows be included in several possible locations. Those are: garage doors, above the garage doors as valances, and on the west and northern walls. The building has a pleasing overall form, inclusion of windows will improve the aesthetics of the building and provide ample natural light in the workspaces.
- The DRC asked the applicant if there would be a dumpster on the site and was told that all waste would be stored internally. The DRC recommends, that if a dumpster is allowed and becomes necessary, that it be properly screened with opaque fencing that is sufficient in height to fully conceal the entire dumpster. The shape of the site and presence of wetlands would require the dumpster to be located at the front of the site and therefore it is critical that it be properly screened from public view.
- The elevations shown to the DRC included a business sign of the front wall, positioned over the front door to the office. The DRC recommends that this sign be externally illuminated with goose neck style lights, which are consistent with the style of the building.
- The DRC advises that a sign permit application be filed for this sign and that the DRC review the details of the sign before a permit is issued.

- Additional site lighting was not shown on the plan. The DRC recommends that any exterior light fixtures be consistent with style used over the sign. The DRC commented on the shallow nature of the site and suggested that the fixtures be properly shrouded to prevent light from spilling off the site. All lighting fixtures should be included in a revised site plan.
- The DRC agreed that the building colors shown in the elevations were appropriate. The DRC requests that these colors and building materials be listed on the plan set along with the proposed elevations.
- The building materials and trim were discussed and the architect for the applicant indicated that broader trim would be used along the fascia and windows to improve the appearance of the building. The DRC requests that these be specified in the plan set and elevations.
- The applicant asked if he was permitted to include a large American flag on the western façade that faces Interstate 495. The DRC commented that it may be an attractive use of that space, but did not comment on whether it was allowed. The DRC suggested that a review of the bylaw would be the best way to proceed. The DRC commented that any treatment of that wall should not be incorporated into or represent a sign.
- The site plan includes no landscaping plan. The applicant indicated that he does not intend to include any landscaping. The DRC inquired about how the open areas at the front of the site between the sidewalk and driveway (within the concrete curbing) would be treated. The applicant indicated this area would be infilled with “washed stone”. The DRC suggest other alternatives, such as low growth landscaping, but the applicant is not interested in any vegetation due to concerns about upkeep and maintenance. The DRC recommends that the stone used in this area be of variable colors that are a mix of colors found in Medway like assorted granite colors. The DRC also suggests that this area of stone be maintained in a tidy fashion.

The DRC is pleased with the overall design of the proposed building. The discussion was constructive and the recommendations provided will help produce a plan that achieves both the design goals for Milway Auto and those set out in Medway’s *Design Review Guidelines*. The DRC remains available to assist in this ongoing process.

Sincerely,



Matthew Buckley
Chairman

cc: Phil Anza, applicant
Rick Grady, Grady Consulting, LLC



February 8, 2018

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

**Re: Milway Auto
Site Plan Review
50 Alder Street
Medway, Massachusetts**

Dear Ms. Affleck-Childs:

Tetra Tech (TT) has performed a review of the proposed Site Plan for the above-mentioned Project at the request of the Town of Medway Planning and Economic Development Board (PEDB). The proposed Project is located at 50 Alder Street in Medway, MA. Proposed Project includes construction of a two-story 3,250 sf building with associated parking, utilities and drain infrastructure.

TT is in receipt of the following materials:

- A plan (Plans) set titled "Proposed 3,250 S.F. Commercial Building, Site Plan, 50 Alder Street, Medway, Massachusetts", dated March 30, 2016, revised August 22, 2016, prepared by Grady Consulting, LLC (GCL).
- An architectural plan (Plans) set titled "Milway Auto, 51 Alder Street, Medway, MA", dated November 2017, prepared by Clinton Design Architects. (CDA).
- A stormwater management report (Stormwater Report) titled "Stormwater Management Design Calculations, Proposed Commercial Site Plan, 51 Alder Street, Assessors Lot 63-001-0001" dated March 30, 2016, prepared by GCL.
- A Form Q – Request for Waivers from Rules and Regulations prepared by GCL.

The Plans, Stormwater Report and accompanying materials were reviewed for conformance with Chapter 200 of the Town of Medway PEDB Rules and Regulations (Regulations), MA DEP Stormwater Management Standards (Standards), additional applicable town standards and good engineering practice. Review of the project for zoning and wetland related issues was not completed as these reviews are conducted by separate consultants/town agencies.

The following items were found to be inconsistent with current Town of Medway PEDB Site Plan Review Regulations (Chapter 200). Reference to applicable regulation requirement is given in parentheses following each comment.

- 1) The Plans are drawn at a scale of 1"=20', Regulations require 1"=40'. However, the plans as drawn are sufficient to adequately show the proposed work. The applicant has requested a waiver from this Regulation. Waivers have been granted from this Regulation on previously approved projects. (Ch. 200 §204-4.B)
- 2) The applicant has not supplied an existing landscape inventory. The applicant has requested a waiver from this Regulation. (Ch. 200 §204-5.C.3)

- 3) The applicant has not supplied proposed Landscape Architectural Plan. The applicant has requested a waiver from this Regulation. (Ch. 200 §204-5.D.7 and §205-9)
- 4) The applicant has not submitted a Signage Plan. It appears proposed sign will be attached to the building. The applicant has requested a waiver from this Regulation. (Ch. 200 §204-5.D.12)
- 5) The applicant has not submitted a Lighting Plan. It is expected lighting will be required for winter months where the typical work day extends beyond sundown. It appears the only lighting proposed are wallpacks above the entrance door to the facility. The applicant has requested a waiver from this regulation. (Ch. 200 §204-5.D.13, §205-2.O and §205-8)
- 6) Horizontal sight distances are required at all access points to the site. (Ch. 200 §204-5.D.14)
- 7) The applicant is proposing two curb cuts to access the site. Regulations recommend one per street frontage. (Ch. 200 §205-3.A)
- 8) Site driveways are nearly coincident with the side property lines. Regulations require minimum 15-feet of setback from side property lines. (Ch. 200 §205-3.B.2)
- 9) We recommend the applicant confirm if proposed electric service is overhead or below-ground. (Ch. 200 §205-5)
- 10) Asphalt parking surfaces shall have a minimum 3 ½-inch depth bituminous concrete surface, Plans show 3-inches. (Ch. 200 §205-6.D)
- 11) The applicant is proposing tandem parking stalls which will impede certain vehicles from exiting the property. We recommend the applicant reconsider use of tandem parking stalls. (Ch. 200 §205-6.G.1)
- 12) Applicant is proposing 9-foot x 18-foot parking spaces, Regulations require 10-foot x 20-foot. The applicant has requested a waiver from this Regulation. Waivers have been granted from this Regulation on previously approved projects. (Ch. 200 §205-6.G.3.a)
- 13) Parking stalls are located nearly coincident with both side property lines. Parking shall not be located within 15-feet of front-side or rear property lines. (Ch. 200 §205-6.G.4.b)

The following items were found to not be in conformance with MA DEP Storm Water Management Standards and/or Town stormwater standards.

MA DEP Stormwater Management Standards

- 14) Mounding analysis required for proposed Stormtech system since system is located within 4-feet of Estimated Seasonal High Groundwater Elevation. (Standard 3)
- 15) The applicant has included TSS removal spreadsheet. However, it includes a sediment forebay which does not appear to be proposed on the Plans. Please provide TSS removal information for BMPs being proposed as part of the Project. (Standard 4)

PEDB Stormwater Regulations (Ch. 200 §205-4)

- 16) The applicant has not supplied pipe/grate sizing calculations. (Ch. 200 §205-4.E.1)

Town Stormwater Bylaw (Article XXVI)

- 17) We recommend the applicant provide a narrative documenting compliance with “Article XXVI Stormwater Management and Land Disturbance” of the Town of Medway General Bylaws.

General Stormwater Comments

- 18) Although not specifically required by regulations, we recommend the applicant propose Stormtech Isolator Row in order to prevent pre-mature failure of the system due to sediment loading. Isolator rows also allow for proper maintenance of the system. A weir manhole will also be required for access to maintain the Isolator Row.

The following is a list of general items that TT recommends the applicant take into consideration prior to the next submission:

- 19) We recommend the applicant show setback lines on the proposed Plans.

These comments are offered as guides for use during the Town's review and additional comments are likely to be generated during the course of review. 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



Sean P. Reardon, P.E.
Vice President

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PGC ASSOCIATES, LLC

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

February 6, 2018

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

Dear Mr. Rodenhiser:

I have reviewed the site plan submitted by owner/applicant Philip Anza, Alder Street Realty, LLC. The proposal is to construct a 3,250 square foot commercial building for auto sales and service at 50 Alder Street, plus associated drainage, lighting, landscaping, etc. The plan was prepared by Grady Consulting LLC, of Kingston. It is dated March 30, 2016, with revision dates through August 22, 2016. The property is located at 50 Alder Street in the West Industrial zoning district.

I have comments as follows:

Zoning

1. The proposed use is for an automobile sales and service. This is not an allowed use in the West Industrial district. The applicant states that the ZBA has granted a use variance. It apparently had expired and the applicant has applied for a new one.
2. The front setback is 24.9 feet where 30' is required. Again, a variance has been granted and reapplied for.
3. The parking requirement is 1 space per 300 square feet plus 2 spaces per bay. At 3250 square feet and 3 bays, 17 spaces are required and 17 (including one handicapped space) are provided. It should be noted that 6 of the 17 spaces are tandem.
4. Driveways serving 10 or more parking spaces are required to show stopping and intersection sight distances. These were not on the plan.
5. The site is located near, but outside, the Groundwater Protection District.

Site Plan Rules and Regulations

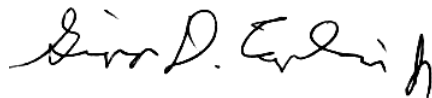
6. Section 204-5 C. (3). The Existing Conditions Sheet also does not include an Existing Landscape Inventory prepared by a Landscape Architect. A waiver is requested.
7. Section 204-5 D. (7) requires that a landscape architect prepare the landscape plan. Minimal landscape details are shown on the site plan, all to the rear of the building. A waiver from this requirement is requested to allow the applicant to comply with Conservation Commission landscape requirements.

8. Section 204-5 D. (12) requires a signage plan indicating the design, location, materials, dimensions and lighting. No sign information is provided and a waiver has been requested from this requirement.
9. Section 204-5 D. (13) requires a lighting plan. No lighting plan has been provided and a waiver from this requirement has been requested on the basis that there are no nearby residents to be disturbed. However, that is one of the purposes of the lighting bylaw but another purpose is to limit light pollution.
10. Section 204-5 (14) requires horizontal sight distances be show on the plan. This information was not provided. As previously noted, sight distances have not been provided.
11. Section 204-5 (16) requires information about fire prevention and suppression. This information has not been provided.
12. Section 205-6 (H) requires vertical granite curbing around the perimeter of a parking lot. The plan proposes Cape Cod berm and no waiver is requested.
13. Section 205-9 B requires landscape buffers between street and parking. No plantings are proposed for the islands in front of the building. A waiver is requested.
14. Section 205-9 C requires that there be substantial landscaped islands within parking lots to reduce the “sea of asphalt” effect. More specifically, Section 209-6 C requires at least 1 deciduous tree per 6 spaces and only trees that provide shade to the parking area are to count toward this requirement. With 17 spaces, 3 trees are required. Two sassafras trees are proposed adjacent to the parking lot. No caliper is shown. The regulations require 2 ½” caliper trees that are 10 feet in height at planting.

General Comments

15. Roof runoff is shown to be directed onto the surface rather recharged into the ground.
16. Waivers are requested for providing color renderings of the building and for a building layout plan but these seem to have been provided.
17. Waivers are also requested for parking spaces within 15’ of a property line and for a turning area at the end of a parking lot. The location and site conditions likely justify these waivers.

Sincerely,



Gino D. Carlucci, Jr.



GRADY CONSULTING, L.L.C.

Civil Engineers ♦ Land Surveyors ♦ Landscape Architects

February 21, 2018

Medway Planning Board
Town of Medway
155 Village Street
Medway, MA 02053

RE: Application for Review and Approval of a Major Site Plan Project
Site Plan – 51 Alder Street, Medway
Assessors Lot 63-001-0001 & Town of Milford Assessors Lot 45-0-2
Applicant – Philip Anza

Dear Board Members:

On behalf of the applicant we hereby submit this letter to address review comments from the three review letters that were submitted to the Planning Board. The reviews consist of a letter prepared by PGC Associates, LLC to the Medway Planning Board dated February 6, 2018, a letter prepared by the Design Review Committee to the Medway Planning Board dated February 7, 2018, and a letter prepared by Tetra Tech to the Medway Planning Board dated February 8, 2018. The response to comments are as follows:

PGA Associates, LLC

Zoning

1. The proposed use is for an automobile sales and service. This is not an allowed use in the West Industrial district. The applicant states that the ZBA has granted a use variance. It apparently had expired and the applicant has applied for a new one.

The ZBA has granted a use variance.

2. The front setback is 24.9 feet where 30' is required. Again, a variance has been granted and reapplied for.

The ZBA has granted the front setback variance.

3. The parking requirement is 1 space per 300 square feet plus 2 spaces per bay. At 3250 square feet and 3 bays, 17 spaces are required and 17 (including one handicapped space) are provided. It should be noted that 6 of the 17 spaces are tandem.

The proposed use of the site is automobile sales and service. The tandem parking spaces will be for employee parking and automobiles to be sold and/or serviced. The tandem parking spaces are conducive to the proposed use and shall not cause any maneuverability issues within the site.

4. Driveways serving 10 or more parking spaces are required to show stopping and intersection sight distances. These were not on the plan.

The proposed site is located on a cul-de-sac on a dead-end road with a speed limit of 25mph. The proposed entrance/exits have a clear line of sight, approximately 1,200 ft, and adequate sight distance.

5. The site is located near, but outside, the Groundwater Protection District.

No comment.

Site Plan Rules and Regulations

6. Section 204-5 C. (3). The Existing Conditions Sheet also does not include an Existing Landscape Inventory prepared by a Landscape Architect. A waiver is requested.

The Conservation Commission has issued an Order of Conditions for the work proposed. The Commission conducted a site walk and reviewed the limit of tree clearing as well as existing trees on site, therefore as waiver is requested. A landscape plan has been provided as requested by the Commission.

7. Section 204-5 D. (7) requires that a landscape architect prepare the landscape plan. Minimal landscape details are shown on the site plan, all to the rear of the building. A waiver from this requirement is requested to allow the applicant to comply with Conservation Commission landscape requirements.

The Conservation Commission has issued an Order of Conditions for the work proposed. The Commission conducted a site walk and reviewed the limit of tree clearing as well as existing trees on site, therefore as waiver is requested. A landscape plan has been provided as requested by the Commission. Additional plantings are to be placed in the island between the two entrances.

8. Section 204-5 D. (12) requires a signage plan indicating the design, location, materials, dimensions and lighting. No sign information is provided and a waiver has been requested from this requirement.

Additional sign information shall be presented and provided as necessary and a sign permit shall be applied for by the applicant.

9. Section 204-5 D. (13) requires a lighting plan. No lighting plan has been provided and a waiver from this requirement has been requested on the basis that there are no nearby residents to be disturbed. However, that is one of the purposes of the lighting bylaw but another purpose is to limit light pollution.

The applicant wishes to install wall mounted lighting over the proposed door locations as well as above the three garage bays directed down towards the pavement. The lighting proposed is used on

other sites in the area. Minimal lighting is required due to the size of the site; therefore, a waiver is requested.

10. Section 204-5 (14) requires horizontal sight distances be show on the plan. This information was not provided. As previously noted, sight distances have not been provided.

The proposed site is located on a cul-de-sac on a dead-end road with a speed limit of 25mph. The proposed entrance/exits have a clear line of site, approximately 1,200 ft, and adequate site distance. Site distance shall be added to the site plan as requested.

11. Section 204-5 (16) requires information about fire prevention and suppression. This information has not been provided.

There is an existing fire hydrant located directly across the street of the proposed site.

12. Section 205-6 (H) requires vertical granite curbing around the perimeter of a parking lot. The plan proposes Cape Cod berm and no waiver is requested.

A waiver shall be requested to use Cape Cod Berm.

13. Section 205-9 B requires landscape buffers between street and parking. No plantings are proposed for the islands in front of the building. A waiver is requested.

The applicant has agreed to propose plantings within the island.

14. Section 205-9 C requires that there be substantial landscaped islands within parking lots to reduce the "sea of asphalt" effect. More specifically, Section 209-6 C requires at least 1 deciduous tree per 6 spaces and only trees that provide shade to the parking area are to count toward this requirement. With 17 spaces, 3 trees are required. Two sassafras trees are proposed adjacent to the parking lot. No caliper is shown. The regulations require 2 ½" caliper trees that are 10 feet in height at planting.

Due to the size of the site the applicant request that the Board approve the planting plan as proposed to satisfy this requirement.

General Comments

15. Roof runoff is shown to be directed onto the surface rather recharged into the ground.

The roof runoff is directed to the subsurface infiltration system.

16. Waivers are requested for providing color renderings of the building and for a building layout plan but these seem to have been provided.

No comment.

17. Waivers are also requested for parking spaces within 15' of a property line and for a turning area at the end of a parking lot. The location and site conditions likely justify these waivers.

No comment.

Design Review Committee

The building is shown without windows in the work spaces on the westerly portion. The DRC recommends that windows be included in several possible locations. Those are: garage doors, above the garage doors as valances, and on the west and northern walls. The building has a pleasing overall form, inclusion of windows will improve the aesthetics of the building and provide ample natural light in the workspaces.

The applicant has concerns with respect to the placement and number of additional windows.

The DRC asked the applicant if there would be a dumpster on the site and was told that all waste would be stored internally. The DRC recommends, that if a dumpster is allowed and becomes necessary, that it be properly screened with opaque fencing that is sufficient in height to fully conceal the entire dumpster. The shape of the site and presence of wetlands would require the dumpster to be located at the front of the site and therefore it is critical that it be properly screened from public view.

No Comment.

The elevations shown to the DRC included a business sign of the front wall, positioned over the front door to the office. The DRC recommends that this sign be externally illuminated with goose neck style lights, which are consistent with the style of the building.

The applicant wishes to propose wall mounted lighting which is consistent with abutting properties.

The DRC advises that a sign permit application be filed for this sign and that the DRC review the details of the sign before a permit is issued.

The applicant shall apply for a sign permit.

Additional site lighting was not shown on the plan. The DRC recommends that any exterior light fixtures be consistent with style used over the sign. The DRC commented on the shallow nature of the site and suggested that the fixtures be properly shrouded to prevent light from spilling off the site. All lighting fixtures should be included in a revised site plan.

The applicant wishes to propose wall mounted lighting which is consistent with abutting properties. The proposed light fixtures shall be properly shrouded to direct light towards the parking lot and not spill off the site.

The DRC agreed that the building colors shown in the elevations were appropriate. The DRC requests that these colors and building materials be listed on the plan set along with the proposed elevations.

The applicant shall update the plan set to include these items.

The building materials and trim were discussed and the architect for the applicant indicated that broader trim would be used along the fascia and windows to improve the appearance of the building. The DRC requests that these be specified in the plan set and elevations.

The applicant shall update the plan set to include these items.

The applicant asked if he was permitted to include a large American flag on the western façade that faces Interstate 495. The DRC commented that it may be an attractive use of that space, but did not comment on whether it was allowed. The DRC suggested that a review of the bylaw would be the best way to proceed. The DRC commented that any treatment of that wall should not be incorporated into or represent a sign.

No Comment

The site plan includes no landscaping plan. The applicant indicated that he does not intend to include any landscaping. The DRC inquired about how the open areas at the front of the site between the sidewalk and driveway (within the concrete curbing) would be treated. The applicant indicated this area would be infilled with "washed stone". The DRC suggest other alternatives, such as low growth landscaping, but the applicant is not interested in any vegetation due to concerns about upkeep and maintenance. The DRC recommends that the stone used in this area be of variable colors that are a mix of colors found in Medway like assorted granite colors. The DRC also suggests that this area of stone be maintained in a tidy fashion.

The applicant has agreed to plant low growth plantings within this area.

Tetra Tech

1) The Plans are drawn at a scale of 1"=20', Regulations require 1"=40'. However, the plans as drawn are sufficient to adequately show the proposed work. The applicant has requested a waiver from this Regulation. Waivers have been granted from this Regulation on previously approved projects. (Ch. 200 §204-4.B)

Due to the size of the proposed site a scale of 1"=20' is necessary. A scale of 1"=40' would not be legible.

2) The applicant has not supplied an existing landscape inventory. The applicant has requested a waiver from this Regulation. (Ch. 200 §204-5.C.3)

The Conservation Commission has issued an Order of Conditions for the work proposed. The Commission conducted a site walk and reviewed the limit of tree clearing as well as existing trees on site, therefore a waiver is requested. A landscape plan has been provided as requested by the Commission.

3) The applicant has not supplied proposed Landscape Architectural Plan. The applicant has requested a waiver from this Regulation. (Ch. 200 §204-5.D.7 and §205-9)

The applicant is requesting a waiver for the proposed Landscape Architectural Plan. The applicant has submitted a planting plan which was approved by the Conservation Commission.

4) The applicant has not submitted a Signage Plan. It appears proposed sign will be attached to the building. The applicant has requested a waiver from this Regulation. (Ch. 200 §204-5.D.12)

The applicant wishes to attach a sign to the building. Wall mounted lighting will be used to illuminate the sign.

5) The applicant has not submitted a Lighting Plan. It is expected lighting will be required for winter months where the typical work day extends beyond sundown. It appears the only lighting proposed are wallpacks above the entrance door to the facility. The applicant has requested a waiver from this regulation. (Ch. 200 §204-5.D.13, §205-2.O and §205-8)

The proposed lighting will consist of wall mounted lights above the entrances and garage doors.

6) Horizontal sight distances are required at all access points to the site. (Ch. 200 §204-5.D.14)

The proposed site is located on a cul-de-sac on a dead-end road with a speed limit of 25mph. The proposed entrance/exits have a clear line of site, approximately 1,200 ft, and adequate site distance. Site distance shall be added to the site plan as requested.

7) The applicant is proposing two curb cuts to access the site. Regulations recommend one per street frontage. (Ch. 200 §205-3.A)

The applicant requests that the Board allow for two curb cuts to access the site. Other nearby properties have two curb cuts and in some instances three. A waiver shall be requested

8) Site driveways are nearly coincident with the side property lines. Regulations require minimum 15-feet of setback from side property lines. (Ch. 200 §205-3.B.2)

A waiver shall be requested for this requirement.

9) We recommend the applicant confirm if proposed electric service is overhead or below-ground. (Ch. 200 §205-5)

The proposed electric service shall be underground.

10) Asphalt parking surfaces shall have a minimum 3 ½-inch depth bituminous concrete surface, Plans show 3-inches. (Ch. 200 §205-6.D)

The asphalt parking surface shall have a minimum 3 ½ inch depth bituminous concrete surface.

11) The applicant is proposing tandem parking stalls which will impede certain vehicles from exiting the property. We recommend the applicant reconsider use of tandem parking stalls. (Ch. 200 §205-6.G.1)

The proposed use of the site is automobile sales and service. The tandem parking spaces will be for employee parking and automobiles to be sold and/or serviced. The tandem parking spaces are conducive to the proposed use and shall not cause any maneuverability issues within the site.

12) Applicant is proposing 9-foot x 18-foot parking spaces, Regulations require 10-foot x 20-foot. The applicant has requested a waiver from this Regulation. Waivers have been granted from this Regulation on previously approved projects. (Ch. 200 §205-6.G.3.a)

No comment.

13) Parking stalls are located nearly coincident with both side property lines. Parking shall not be located within 15-feet of front-side or rear property lines. (Ch. 200 §205-6.G.4.b)

A waiver has been requested.

14) Mounding analysis required for proposed Stormtech system since system is located within 4-feet of Estimated Seasonal High Groundwater Elevation. (Standard 3)

A mounding analysis shall be provided.

15) The applicant has included TSS removal spreadsheet. However, it includes a sediment forebay which does not appear to be proposed on the Plans. Please provide TSS removal information for BMPs being proposed as part of the Project. (Standard 4)

The TSS removal spreadsheet shall be revised to the BMPs being proposed.

PEDB Stormwater Regulations (Ch. 200 §205-4)

16) The applicant has not supplied pipe/grate sizing calculations. (Ch. 200 §205-4.E.1)

Pipe/grate sizing calculations shall be provided.

Town Stormwater Bylaw (Article XXVI)

17) We recommend the applicant provide a narrative documenting compliance with "Article XXVI Stormwater Management and Land Disturbance" of the Town of Medway General Bylaws.

"Article XXVI Stormwater Management and Land Disturbance" shall apply to projects with proposed land disturbance greater than 20,000 s.f. Projects with land disturbance greater than 20,000 s.f. but less than one acre are defined as a Small Project. The proposed project will only disturb approximately 16,500 s.f. therefore does not meet the criteria of a Small Project. Stormwater Management Design Calculations have been submitted demonstrating compliance with Massachusetts Stormwater Standards.

General Stormwater Comments

18) Although not specifically required by regulations, we recommend the applicant propose Stormtech Isolator Row in order to prevent pre-mature failure of the system due to sediment loading. Isolator rows also allow for proper maintenance of the system. A weir manhole will also be required for access to maintain the Isolator Row.

No comment.

The following is a list of general items that TT recommends the applicant take into consideration prior to the next submission:

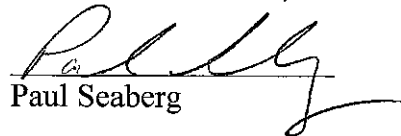
19) We recommend the applicant show setback lines on the proposed Plans.

No comment

If you have any questions please do not hesitate to call.

Sincerely,

GRADY CONSULTING, L.L.C.


Paul Seaberg

Cc:

Alder Street Realty LLC
119 Milford Street
Medway, MA 02053



February 27, 2018
Medway Planning & Economic Development Board
Meeting

Proposed Zoning Bylaw Amendments –
May Annual Town Meeting

- Proposed Draft changes to Site Plan section of ZBL
- Proposed Draft changes to Medical Marijuana section of ZBL
- Proposed Draft Recreational Marijuana section of ZBL
- CONFIDENTIAL 2-23-18 email from Town Counsel re: Draft Recreational Marijuana bylaw.

SITE PLAN REVIEW

Possible Amendments (2-26-18)

ARTICLE : To see if the Town will vote to amend Section 3.5 Site Plan Review of the Zoning Bylaw as follows: Deleted text is shown with a ~~strike through~~; new text is shown as underlined.

3.5 SITE PLAN REVIEW

3.5.1 Purposes

Site plan review is a means of managing the aesthetics and environmental impacts of land use by the regulation of permitted uses, not their prohibition. Its purpose is to:

- provide a standard process to review proposed development and redevelopment projects for compliance with the Medway Zoning Bylaw
- assure protection of the public interest consistent with a reasonable use of the site for the purposes permitted in the district; and
- promote and encourage desired community characteristics as expressed in the *Master Plan* and *Design Review Guidelines*

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3.5.2 Requirements

- A. No building permit shall be issued for any use, site, or building alteration, or other improvement that is subject to this Section 3.5 unless an application for site plan review has been prepared in accordance with the requirements herein and unless such application has been approved by the Planning and Economic Development Board (hereinafter referred to in this Section as the Board) or its designee in the instance of administrative site plan review.
- B. Unless specifically authorized by the terms of the site plan review decision, a final certificate of occupancy shall not be issued until the applicant has complied with or satisfied all conditions of the site plan review decision.
- C. Any work done in deviation from an approved site plan shall be a violation of this Bylaw unless such deviation is approved in writing by the Board or its designee or is determined by the Building Inspector to be an insubstantial change.

3.5.3. Applicability

A. Site plan review shall apply to the following:

1. **Major Site Plan Review:**

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

- i. the addition of 2,500 square feet or more of gross floor area; or
- ii. the addition of ~~fifteen-twenty~~ or more new parking spaces; or
- b. The redesign, alteration, expansion or modification of an existing parking area involving the addition of ~~fifteen-twenty~~ or more new parking spaces.
- c. The redesign or the layout/configuration of an existing parking area of [redacted] or more parking spaces
- e. d. Construction of ground mounted solar photovoltaic installations of any size in any zoning district including solar canopy type systems in parking areas.
- e. Removal/disturbance/alteration of more than 20,000 square feet of existing impervious surface.

2. **Minor Site Plan Review:**

- a. New construction or any alteration, reconstruction, change in use or renovation of any multi-family, commercial, industrial, institutional, or municipal building or use which is not subject to Major Site Plan Review but which involves one or more of the following:
 - i. the addition of 1,000 to 2,499 square feet of gross floor area; ~~or~~
 - ii. the addition of ~~five-ten~~ or more but less than ~~fifteen-twenty~~ new parking spaces; ~~or~~
- b. The redesign, alteration, expansion or modification of an existing parking area involving the addition of five or more but less than fifteen new parking spaces; or
- c. The redesign of the layout/configuration of an existing parking area of thirty or more parking spaces.
- e. d. Any use or structure or expansion thereof exempt under Massachusetts G.L. c. 40A, § 3. only to the extent allowed by law.
- e. Removal/disturbance/alteration of 10,000 – 20,000 square feet of existing impervious surface.

3. **Administrative Site Plan Review:** ~~a.~~ New construction or any alteration, reconstruction, or renovation of any multi-family, commercial, industrial, institutional, or municipal building or use which is not subject to Major or Minor Site Plan Review but which involves one or more of the following:

- ~~i.~~ a. The addition of less than 1,000 square feet of gross floor area; ~~or~~
- ~~ii.~~ b. Exterior alteration/renovation of an existing building or premises, visible from a public or private street or way which includes any of the following:
 - ~~ai.)~~ i.) installation or replacement of awnings

- ~~b~~ii) change in a building's exterior surface material
- ~~e~~iii) rearrangement or addition of windows or doors
- ~~d~~iv) façade reconstruction/replacement
- ~~e~~ v) roofing if the Building Inspector determines the roof to be a distinctive architectural feature of the building

~~b~~.c The redesign, alteration, expansion or modification of an existing parking area or the creation of a new parking area involving the addition of up to ~~four~~ nine new parking spaces

~~e~~.d A change in curb cuts/vehicular access to a site from a public way

~~d~~.e Installation or alteration of sidewalks and other pedestrian access improvements

~~e~~.f Removal of hedges, living shrubs, and trees greater than four inches in caliper

~~f~~.g Installation of fencing or retaining walls.

h. Outdoor placement of cargo containers, sheds, membrane structures, equipment and materials

i. Removal/disturbance/alteration of 5,000 – 10,000 square feet of existing impervious surface, including but not limited to leveling, clear cutting or paving.

j. The conversion of a residential use to a permitted non-residential or mixed-use

k. Installation of a wireless communication facility as defined in this Zoning Bylaw

4. Consideration of ~~planned~~ activities subject to administrative site plan review may be advanced to minor or major site plan review status at the determination of the Building Inspector or the Board when the collective scope and/or quantity of the proposed activities is substantial enough to merit review by the Board at a public meeting.

5. Relationship to Other Permits and Approvals.

- a. If an activity or use requires major or minor site plan review and one or more special permits, the Board shall serve as special permit granting authority.
- b. If both a special permit and major or minor site plan review are required, the Board shall review and conduct the public hearing concurrently and the Board may issue a single decision.
- c. The Building Inspector shall not issue a building permit for any project subject to this Section 3.5 unless:
 - i. the Board has approved a site plan therefor or allowed ninety calendar days (in the instance of a major site plan project) to elapse from the site plan submission date unless the applicant has requested an extension in writing; or

ii. the Board has approved a site plan therefor or allowed sixty calendar days (in the instance of a minor site plan project) to elapse from the site plan submission date unless the applicant has requested an extension in writing; or

iii. Administrative site plan approval has been granted or twenty-one calendar days have elapsed from the site plan submission date unless the applicant has requested an extension in writing.

B. Exemptions. The following shall be exempt from Site Plan Review under this Section 3.5:

1. Single-family and two-family homes, including additions or enlargements and accessory structures.
2. Residential subdivisions approved by the Board under the Medway Subdivision Rules and Regulations.
3. Projects in which the only exterior change that is visible from a public or private way, requiring a building permit, pertains to the removal of architectural barriers to comply with the Americans with Disabilities Act (ADA) or regulations of the Massachusetts Architectural Access Board (AAB).

3.5.4 Procedures for Site Plan Review

- A. Pre-Application Review – Before filing a site plan application, applicants for major site plan review shall and applicants for minor site review may schedule a pre-application meeting with the Town's interdepartmental project review team. Applicants may also request an informal, pre-application meeting with the Board to review conceptual plans.
- B. Applicants shall submit an application for major and minor site plan review to the Town Clerk and the Board.
- C. The site plan submission date shall be the date the site plan application is filed with the Town Clerk and the Board, unless the Board notifies the applicant within twenty-one days of submission that the application is incomplete. In such case, the site plan application will not be deemed to have been submitted.
- D. For Major Site Plan Review applications, the Board shall hold a public hearing on the proposed site plan. The public hearing shall conform to the requirements for public hearings and notice under G.L. c. 40A, § 11, and the Board's Site Plan Rules and Regulations. All costs of the public notice requirements shall be at the expense of the applicant.
- E. For Minor Site Plan Review applications, the Board shall review the site plan at a duly posted open meeting. Any public notice to abutters and other parties of interest shall be conducted in accordance with the Site Plan Rules and Regulations.
- F. The Board shall review and act upon applications for major and minor site plan review, requiring such conditions as necessary to satisfy the Site Plan Review Standards under Section 3.5.5 B. below, and notify the applicant of its decision. The decision shall be by majority vote of the membership, shall be made in writing and shall be filed with the Town Clerk within

ninety days of the date of application for Major Site Plan Review, or sixty days of the application date for Minor Site Plan Review. The applicant may request, and the Board may grant by majority vote of the membership, an extension of the time limit set forth herein.

- G. The Board may approve a major and minor site plan or approve it with conditions, limitations, safeguards and mitigation measures or deny a site plan only if the plan does not include adequate information as required by the Site Plan Rules and Regulations, or if the plan depicts a use or structure so contrary to health, safety and welfare of the public that no set of conditions would render the project tenable.
- H. The Board's designee shall review and act on applications for administrative site plan review and may require conditions as necessary to satisfy the Administrative Site Plan Review Standards.

3.5.5 Site Plan Rules and Regulations

A. The Board shall promulgate, after public notice and hearing, *Site Plan Rules and Regulations* to effectuate the purposes and intent of this Section 3.5, including but not limited to the following requirements and procedures for:

1. submission and review of major and minor site plans
2. administrative review of small-scale projects by the Board's designee without a public hearing or meeting
3. waivers
4. conditions/limitations/safeguards and mitigation measures
5. performance security
6. construction inspection
7. standards of review consistent with Section 3.5.5 B. below
8. decision criteria
9. modification of approved site plans and/or decisions

B. The Board's *Site Plan Rules and Regulations* shall include standards for major, minor and administrative site plan review that will at a minimum address the following:

1. Siting of facilities
2. Design guidelines
3. Open space and natural features
4. Pedestrian, bicycle, and vehicular circulation
5. Water quality

6. Stormwater
7. Utilities, exterior lighting, parking, and snow removal
8. Trees and landscaping
9. Site Amenities
10. Town character and historic significance
11. Impacts on public services and facilities
12. Signage
13. Safety
14. Energy efficient site design
15. Potential adverse effects and mitigation thereof.

3.5.6 Appeal

- A. Any person aggrieved by the Board's major or minor site plan decision may appeal to the court within 20 days of the date the decision is filed with the Town Clerk, as provided in G.L. c. 40A, §17.
- B. Any person aggrieved by an administrative site plan decision may appeal to the Planning and Economic Development Board.

(Section 3.5 was replaced in its entirety 5-9-16)

MEDICAL MARIJUANA

Proposed Amendments Draft 2-16-18

ARTICLE: To see if the Town will vote to amend the Zoning Bylaw, Section 8.9 Registered Marijuana Dispensary as follows. Text to be deleted is shown with a ~~strike through~~. New text is shown as underlined.

8.9 REGISTERED MEDICAL MARIJUANA FACILITIES DISPENSARY

A. Purposes. The purposes of this Section are to address possible adverse public health and safety consequences and impacts on the quality of life of the Town of Medway related to the passage of Chapter 369 of the Acts of 2012; provide for the limited establishment of a Registered Medical Marijuana Facility Dispensary (RMD) (RMMF) in an appropriate place and under strict conditions in accordance with Chapter 369 of the Acts of 2012, and 105 CMR 725.000; minimize the adverse impacts of a ~~RMD RMMF~~ on adjacent properties, residential neighborhoods, schools, playgrounds and other land uses potentially incompatible with such a facility; regulate the siting, design, placement, security, safety, monitoring, modification, and removal of ~~RMDs RMMFs~~; and limit the overall number of ~~RMDs RMMFs~~ in the community to what is essential to serve the public necessity.

B. Applicability.

1. The commercial cultivation [unless it meets the requirements for an agricultural exemption under G.L. c. 40A, § 3], production, processing, assembly, packaging, retail or wholesale sale, trade, distribution or dispensing of Marijuana for Medical Use is prohibited unless permitted as a RMMF RMD under this Section 8.9.
2. No ~~RMD RMMF~~ shall be established except in compliance with the provisions of this Section 8.9.
3. Nothing in this Section 8.9 shall be construed to supersede federal and state laws governing the sale and distribution of narcotic drugs.

C. Definitions. As used in this Section, the following terms shall have the following meanings:

Host Community Agreement (HCA): A written agreement between an operator of a Registered Medical Marijuana Facility Dispensary and the Town of Medway that specifies measures an operator will take to anticipate, mitigate and address potential adverse impacts of the Registered Medical Marijuana Facility Dispensary on the Town, neighborhood, or community at large, including but not limited to public safety services and infrastructure.

(Added 11/16/15)

Marijuana: The same substance defined as “marijuana” under 105 CMR 725.004.

Marijuana for Medical Use: Marijuana that is designated and restricted for use by, and for the benefit of, Qualifying Patients as defined in 105 CMR 725.004.

Registered Medical Marijuana Dispensary (RMD) Facility (RMMF): Shall mean a not-for-profit entity, as defined by Massachusetts law only, registered by the Massachusetts

Department of Public Health under 105 CMR 725.000 that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to registered qualifying patients or their registered personal caregiver as determined by 105 CMR 725.000.

D. Eligible Locations for Registered ~~Medical Marijuana Facilities~~ ~~Dispensaries~~. Registered ~~Medical Marijuana Facilities~~ ~~Dispensaries~~, other than agricultural operations meeting exemption standards under G.L. c. 40A § 3, may be allowed by special permit from the Planning and Economic Development Board in the following zoning districts, provided the facility meets the requirements of this Section:

1. East Industrial *(renamed from Industrial I on 11-13-17)*
- ~~2. Energy Resource~~ *(renamed from Industrial II on 11-13-17)*
- ~~3.2~~ West Industrial *(renamed from Industrial III on 11-13-17)*
- ~~4.3~~ Business/Industrial
- ~~5.4~~ Central Business *(renamed from Commercial I on 11-14-16)*

E. General Requirements and Conditions for all Registered Marijuana Dispensaries

1. All non-exempt ~~RMMFs~~ ~~RMDs~~ shall be contained within a permanent building or structure. No ~~RMMF~~ ~~RMD~~ shall be located inside a building containing residential units or inside a movable or mobile structure such as a van, trailer, cargo container or truck.
2. Size standards: *(Amended 11/16/15)*
 - a. A standalone ~~dispensary retail RMMF~~ shall not exceed 3,500 sq. ft. for product display, client dispensary, and patient consultation area.
 - b. The ~~RMMF~~ ~~RMD~~ shall be of adequate interior space to accommodate all activities inside the building so as not to have outside patient queuing on sidewalks, in parking areas, or in other areas outside the RMD.
3. A ~~RMMF~~ ~~RMD~~ shall not be located in a building that contains any medical doctors' offices or the offices of any other professional practitioner authorized to prescribe the use of medical marijuana.
4. The hours of operation of ~~RMMFs~~ ~~RMDs~~ shall be set by the Planning and Economic Development Board, but in no event shall the on-site retail sale or dispensing of medical marijuana and/or related products to customers occur between the hours of 8:00 PM and 8:00 AM.
(Amended 11-14-16)
5. No ~~RMMF~~ ~~RMD~~ shall be located on a lot within 500 linear feet of any lot with the following:
 - c. Residence

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- d. Public school
- e. Private educational entity that provides instruction to children and youth in an ongoing organized basis
- f. Licensed registered childcare facility
- g. Library
- h. Religious facility
- i. Playground, public park, or ball field
- j. Recreation center
- k. Registered Medical Marijuana Facility Dispensary that sells, distributes, dispenses or administers marijuana, products containing marijuana or related supplies to qualifying patients or personal caregivers
- l. Halfway house or similar facility
- m. Drug or alcohol rehabilitation facility.

The distance requirement may be reduced by the Planning and Economic Development Board if the applicant demonstrates that the RMMF RMD would otherwise be effectively prohibited from locating within the municipality and that adequate security measures will be employed to prevent the diversion of medical marijuana to minors who are not qualifying patients.

Distances shall be calculated by direct measurement in a straight line without regard for intervening structures from the nearest property line of the land used as noted above to the nearest portion of the building in which the RMMF RMD is located.

- 6. No smoking, burning or consumption of any product containing marijuana or marijuana-infused products shall be permitted on the premises of a RMMF RMD.
- 7. A RMMF RMD may not have a drive-through service.

F. Signage.

- 1. Signage for the RMMF RMD shall include the following language: "Registration card issued by the MA Department of Public Health required."
- 2. The required text for a sign for a RMMF shall be a minimum of two inches in height.
- 3. No permitted RMMF RMD shall use any advertising material or graphics that are misleading, deceptive, or false, or designed to appeal to minors.
- 4. A RMMF RMD shall not display on the exterior of the facility any advertisement for medical marijuana or any brand name.
- 5. Off-site signage or advertising in any form, including billboards shall not be allowed.

Commented [SA1]:

This is the proposed language for special town meeting action on 3-19-18.

Commented [SA2]: Should we change this to the Cannabis Control Commission?

G. **Contact Information.** The ~~RMMF RMD~~ shall provide the Medway Police Department, Building Inspector and the Planning and Economic Development Board with the names, telephone numbers and email addresses of all management staff and key holders to whom the Town can provide notice if there are operating problems associated with the establishment.

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H. **Prohibition against Nuisances.** No ~~RMMF RMD~~ shall create a nuisance to abutters or to the surrounding area, or create any hazard, including but not limited to fire, explosion, fumes, gas, smoke, odors, obnoxious dust, vapors, offensive noise or vibration, flashes, glare, objectionable effluent or electrical interference, which may impair the normal use and peaceful enjoyment of any property, structure or dwelling in the area.

I. **Openness of Premises.**

1. Any and all cultivation, distribution, possession, storage, display, sales or other distribution of medical marijuana shall occur only within the restricted interior area of the RMD.
2. The ~~RMMF RMD~~ shall be designed and constructed such that no area or portion where marijuana is processed or stored is visible from the exterior of the building.
3. The front of the building which shall include the public entrance to the ~~RMMF RMD~~ shall be fully visible from the public street or building frontage.
4. Marijuana, marijuana infused products, and products that facilitate the use of medical marijuana shall not be displayed or clearly visible to a person from the exterior of the ~~RMMF RMD~~.

J. **Residential Sites.** No marijuana or marijuana based products shall be sold, grown or cultivated, interior or exterior to a residential dwelling unit except if a Hardship Cultivation Registration is granted by the Department of Public Health according to 105 CMR 725.035.

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K. **Special Permit Requirements.**

1. A ~~RMMF RMD~~ shall only be allowed by special permit from the Planning and Economic Development Board in accordance with G.L. c. 40A, §9, subject to the following statements, regulations, requirements, conditions and limitations.
2. A ~~RMMF RMD~~ is subject to site plan review by the Planning and Economic Development Board pursuant to Section 3.5, which shall be coordinated with the special permit process.
3. A special permit for a ~~RMMF RMD~~ shall be limited to one or more of the following uses that shall be prescribed by the Planning and Economic Development Board:
 - n. Cultivation of Marijuana for Medical Use (horticulture) except that sites protected under G.L. c. 40A, § 3 shall not require a special permit;
 - o. Processing and packaging of Marijuana for Medical Use, including marijuana that is in the form of smoking materials, food products, tinctures, oils, aerosols, ointments, and other marijuana infused products;

- p. Retail sale or distribution of Marijuana for Medical Use to Qualifying Patients or personal caregivers;
 - q. Retail sale of products that facilitate the use of marijuana for medical purposes and of patient educational materials.
4. The RMMF RMD-special permit application shall include the following:
- a. The name and address of each owner of the facility;
 - b. Copies of all required licenses and permits issued for the RMMF RMD to the applicant by the Commonwealth of Massachusetts and any of its agencies;
 - c. Evidence of the Applicant's right to use the site of the RMMF RMD for the RMMF RMD, such as a deed or lease;
 - d. A statement under oath disclosing all of the applicant's owners, shareholders, partners, members, managers, directors, officers, or other similarly-situated individuals and entities and their addresses. If any of the above are entities rather than persons, the Applicant must disclose the identity of the owners of such entities until the disclosure contains the names of individuals;
 - r. A certified list of all parties in interest entitled to receive notice of the hearing for the special permit application, taken from the most recent tax list of the town and certified by the Town Assessor;
 - s. A detailed site plan that includes the following information:
 - i. A detailed floor plan of the premises of the proposed RMMF RMD that identifies the square footage available and describes the functional areas of the facility including but not limited to sales, storage, cultivation, processing, food preparation, etc.
 - ii. Proposed security measures for the RMMF RMD, including lighting, fencing, gates and alarms, etc., to ensure the safety of qualifying patients, their caregivers, and facility employees and to protect the premises from theft.
 - t. A copy of the policies/procedures for the transfer, acquisition, or sale of medical marijuana between approved RMMFs RMD's in compliance with 105 CMR 725.105(B)(2).
 - u. A copy of the policies/procedures for patient or personal caregiver home-delivery.

5. Procedures.

- a. The special permit application and public hearing procedure for a RMMF RMD 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 RMD unless it finds that:

- i. The ~~RMMF RMD~~ 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 RMD~~ 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.

6. Conditions. In granting a special permit under this Section 8.9, the Planning and Economic Development Board shall impose conditions, limitations, and safeguards that are reasonably appropriate to:

- a. Improve site design, traffic flow, and public safety;
- b. Protect water quality, air quality and significant environmental resources;
- c. Preserve the character of the surrounding area.

These conditions, limitations, and safeguards may address but are not limited to:

- d. Hours of operation
- e. Landscaping and site amenities

L. Annual Reporting. Each ~~RMMF RMD~~ permitted under this Zoning Bylaw shall as a condition of its special permit file an annual report with the Planning and Economic Development Board, the Building Inspector, the Health Agent, and the Police Chief no later than January 31st of each year, providing a copy of all current applicable state licenses for the ~~RMMF RMD~~ and/or its owners and demonstrate continued compliance with the conditions of the special permit.

M. Duration of Special Permit. A special permit granted under this Section 8.9 shall remain exclusively with the applicant which shall be the owner or lessee of the premises described in the application. The special permit shall terminate automatically on the date the applicant alienates that title or leasehold interest in the premises.

N. Abandonment or Discontinuance of Use. A ~~RMMF RMD~~ shall be required to remove all material, plants, equipment and other paraphernalia:

- 1. Prior to surrendering its state issued licenses or permits; or
- 2. Within six months of ceasing operations; whichever comes first.

O. Other Permits and Approvals. Receipt of a special permit from the Planning and Economic Development Board for a ~~RMMF RMD~~ does not preclude an applicant from having to secure other required local permits from other Town boards or departments, including but not limited to the Board of Health, Conservation Commission, or the Department of Public Services.

P. Each ~~RMMF RMD~~ permitted under this Zoning Bylaw shall enter into a Host Community Agreement (HCA) with the Town of Medway.
(Added 11/16/15)

And by amending Section 5.4, Schedule of Uses, by adding the following text in Table 1 – Schedule of Uses under Business Uses and Industrial Uses as shown:

	<u>Zoning District</u>										
	<u>AR-I</u>	<u>AR-II</u>	<u>VR</u>	<u>CB</u>	<u>VC</u>	<u>NC</u>	<u>BI</u>	<u>EI</u>	<u>ER</u>	<u>WI</u>	
<u>BUSINESS USES</u>											
<u>Registered Medical Marijuana Facility</u>	N	N	N	PB	N	N	PB	PB	N	PB	

DRAFT

RECREATIONAL MARIJUANA

Draft – 2/26/18 incorporating comments from Gino Carlucci and Barbara Saint Andre

ARTICLE : To see if the Town will vote to amend the Zoning Bylaw by revising SECTION 2 DEFINITIONS as follows:

By adding the following definition:

Recreational Marijuana Social Consumption Establishment: A Recreational Marijuana Social Consumption Establishment may purchase marijuana from licensed recreational marijuana establishments and sell single servings of marijuana to consumers for consumption on the premises. It may also include private clubs, whose allowed activities for members or nonmembers include the smoking or use of recreational marijuana products on the premises.

And by adding the highlighted text to the following definitions:

Recreational Marijuana Retailer: An entity licensed to purchase and deliver marijuana and marijuana products from marijuana establishments and to deliver, sell or otherwise transfer marijuana and marijuana products to marijuana establishments and to consumers.

Recreational Marijuana Establishment: A marijuana independent testing laboratory, marijuana product manufacturer, or marijuana cultivator, all as defined in General Laws chapter 94G, §1, but not including Recreational Marijuana Retailers or Recreational Marijuana Social Consumption Establishments.

And by deleting Section 8.10 TEMPORARY MORATORIUM ON NON-MEDICAL MARIJUANA ESTABLISHMENTS and replacing it with the following:

8.10 RECREATIONAL MARIJUANA

A. Purposes. The purposes of this Section are to address possible adverse public health and safety consequences and impacts on the quality of life of the Town of Medway related to the passage of General Laws Chapter 94G regarding recreational marijuana; provide for the limited establishment of a Recreational Marijuana Establishment (RME) in an appropriate place and under strict conditions in accordance with General Laws Chapter 94G; minimize the adverse impacts of a RME on adjacent properties, residential neighborhoods, schools, playgrounds and other land uses potentially incompatible with such a facility; regulate the siting, design, placement, security, safety, monitoring, modification, and removal of RMEs; and limit the overall number of RMEs in the community to what is essential to serve the public necessity.

B. Applicability.

1. The commercial cultivation, production, processing, assembly, packaging, wholesale sale, trade, or distribution of marijuana for recreational/non-medical use is prohibited unless permitted as a RME under this Section 8.10.

2. No RME shall be established except in compliance with the provisions of this Section 8.10.
3. Nothing in this Section 8.10 shall be construed to supersede federal and state laws governing the sale and distribution of narcotic drugs.

C. Definitions. As used in this Section, the following terms shall have the following meanings:

Host Community Agreement (HCA): A written agreement between an operator of a Recreational Marijuana Establishment (RME) and the Town of Medway that specifies measures an operator will take to anticipate, mitigate and address potential adverse impacts of the RME on the Town, neighborhood, or community at large, including but not limited to public safety services and infrastructure.

Marijuana: The same substance defined as “marijuana” under General Laws Chapter 94G

Recreational Marijuana Establishment (RME): See definition in SECTION 2.

Recreational Marijuana Social Consumption Establishment: See definition in SECTION 2.

D. Eligible Locations for Recreational Marijuana Establishments. Recreational Marijuana Establishments may be allowed by special permit from the Planning and Economic Development Board in the following zoning districts, provided the facility meets the requirements of this Section:

1. East Industrial *(renamed from Industrial I on 11-13-17)*
2. West Industrial *(renamed from Industrial III on 11-13-17)*
3. Business Industrial

Commented [SA1]:

This list will depend on the March ballot and town meeting votes.

Commented [GC2]: Didn't Board agree to eliminate this location?

E. General Requirements and Conditions for all Recreational Marijuana Establishments

1. All RMEs shall be contained within a permanent building or structure. No RME shall be located inside a building containing residential units or inside a movable or mobile structure such as a van, trailer, cargo container or truck.
2. A RME shall not be located in a building that contains any other uses.
3. The hours of operation of RMEs shall be set by the Planning and Economic Development Board.
4. No RME shall be located on a lot within 500 linear feet of any lot with the following as of the date of the RME's application to the Massachusetts Cannabis Control Commission.
 - a. Residence
 - b. Existing public or private school serving students in grades K-12
 - c. Private educational entity that provides instruction to children and youth in an ongoing organized basis

Commented [SA3]:

An RME, by the current proposed definition, does NOT include retail outlets or social clubs. Therefore, do we need this list of uses that an RME be removed from by 500'. Town Counsel is concerned that this list may be too comprehensive under the statute. The statute only specifies that a 500 foot buffer can be required for locations within 500 feet of pre-existing public or private K-12 school. See her email dated 2-23-18.

- d. Licensed registered childcare facility
- e. Library
- f. Religious facility
- g. Playground, public park, or ball field
- h. Recreation center
- i. Halfway house or similar facility
- j. Drug or alcohol rehabilitation facility.

The distance requirement may be reduced by the Planning and Economic Development Board if the applicant demonstrates that adequate security measures will be employed to prevent the diversion of recreational marijuana to minors or other vulnerable populations or that the RME would be effectively prohibited from locating in the community.

Distances shall be calculated by direct measurement in a straight line without regard for intervening structures from the nearest property line of the land used as noted in E. 4. above to the nearest portion of the building in which the RME is to be located.

- 5. No smoking, burning or consumption of any product containing marijuana or marijuana-infused products shall be permitted on the premises of a RME.

F. Signage.

- 1. No permitted RME shall use signage or any advertising material or graphics that are misleading, deceptive, or false, or designed to appeal to minors.
- 2. A RME shall not display on the exterior of the facility any signage or advertisement for marijuana or any brand name.
- 3. Off-site signage or advertising in any form, including billboards shall not be allowed.

G. Contact Information. The RME shall provide the Medway Police Department, Building Inspector and the Planning and Economic Development Board with the names, telephone numbers and email addresses of all management staff and key holders to whom the Town can provide notice if there are operating problems associated with the establishment.

H. Prohibition against Nuisances. No RME shall create a nuisance to abutters or to the surrounding area, or create any hazard, including but not limited to fire, explosion, fumes, gas, smoke, odors, obnoxious dust, vapors, offensive noise or vibration, flashes, glare, objectionable effluent or electrical interference, which may impair the normal use and peaceful enjoyment of any property, structure or dwelling in the area.

I. Openness of Premises.

1. Any and all cultivation, distribution, possession, storage, or display of recreational marijuana and marijuana infused products shall occur only within the restricted interior area of the RME.
2. The RME shall be designed and constructed such that no area or portion where recreational marijuana or marijuana infused products are processed or stored is visible from the exterior of the building.
3. The front of the building which shall include the public entrance to the RME shall be fully visible from the public street or building frontage.
4. Marijuana and marijuana infused products shall not be displayed or clearly visible to a person from the exterior of the RME.

J. Special Permit Requirements.

1. RME shall only be allowed by special permit from the Planning and Economic Development Board in accordance with G.L. c. 40A, §9, subject to the following statements, regulations, requirements, conditions and limitations.
2. A RME is subject to site plan review by the Planning and Economic Development Board pursuant to Section 3.5, which shall be coordinated with the special permit process.
3. A special permit for a RME shall be limited to one or more of the following uses that shall be prescribed by the Planning and Economic Development Board:
 - a. Cultivation of Marijuana (horticulture)
 - b. Manufacturing, processing and packaging of marijuana for recreational use and the delivery and transport of marijuana and marijuana products to other RMEs, but not to consumers
 - c. Independent testing laboratory
4. Recreational Marijuana Retailers and Recreational Marijuana Social Establishments are prohibited.
5. The RME special permit application shall include the following:
 - a. The name and address of each owner of the facility;
 - b. Copies of all required licenses and permits issued for the RME to the applicant by the Commonwealth of Massachusetts and any of its agencies;
 - c. Evidence of the Applicant's right to use the site of the RME for the RME, such as a deed or lease;
 - d. A statement under oath disclosing all of the applicant's owners, shareholders, partners, members, managers, directors, officers, or other similarly-situated individuals and entities and their addresses. If any of the above are entities rather than persons, the

Applicant must disclose the identity of the owners of such entities until the disclosure contains the names of individuals;

- e. A certified list of all parties in interest entitled to receive notice of the hearing for the special permit application, taken from the most recent tax list of the town and certified by the Town Assessor;
- f. A detailed site plan that includes the following information:
 - i. A detailed floor plan of the premises of the proposed RME that identifies the square footage available and describes the functional areas of the facility including but not limited to sales, storage, cultivation, processing, food preparation, etc.
 - ii. Proposed security measures for the RME, including lighting, fencing, gates and alarms, etc., to ensure the safety of qualifying patients, their caregivers, and facility employees and to protect the premises from theft.
- g. A copy of the policies/procedures for delivery service.

6. Procedures.

- a. The special permit application and public hearing procedure for a RME 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 RME unless it finds that:
 - i. The RME 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 RME 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.

7. Conditions. In granting a special permit for an RME under this Section 8.10, the Planning and Economic Development Board shall impose conditions, limitations, and safeguards that are reasonably appropriate to:

- a. Improve site design, traffic flow, and public safety;
- b. Protect water quality, air quality and significant environmental resources;
- c. Preserve the character of the surrounding area.

These conditions, limitations, and safeguards may address but are not limited to:

- d. Hours of operation

e. Landscaping and site amenities

K. Annual Reporting. Each RME permitted under this Section 8.10 shall as a condition of its special permit file an annual report with the Planning and Economic Development Board, the Building Inspector, the Health Agent, and the Police Chief no later than January 31st of each year, providing a copy of all current applicable state licenses for the RME and/or its owners and demonstrate continued compliance with the conditions of the special permit.

L. Duration of Special Permit. A special permit granted under this Section 8.10 shall remain exclusively with the applicant which shall be the owner or lessee of the premises described in the application. The special permit shall terminate automatically on the date the applicant alienates that title or leasehold interest in the premises.

M. Abandonment or Discontinuance of Use. A RME shall be required to remove all material, plants, equipment and other paraphernalia:

- a. Prior to surrendering its state issued licenses or permits; or
- b. Within six months of ceasing operations; whichever comes first.

N. Other Permits and Approvals. Receipt of a special permit from the Planning and Economic Development Board for a RME does not preclude an applicant from having to secure other required local permits from other Town boards or departments, including but not limited to the Board of Health, Conservation Commission, or the Department of Public Services.

O. Each RME permitted under this Zoning Bylaw shall enter into a Host Community Agreement (HCA) with the Town of Medway.

And by amending Section 5.4, Schedule of Uses, by revising and adding the following highlighted text in Table 1 – Schedule of Uses under Business Uses and Industrial Uses as shown:

	Zoning District									
	AR-I	AR-II	VR	CB	VC	NC	BI	EI	ER	WI
BUSINESS USES										
<u>Recreational Marijuana Retailer</u>	N	N	N	N	N	N	N	N	N	N
<u>Recreational Marijuana Social Consumption Establishment</u>	N	N	N	N	N	N	N	N	N	N
INDUSTRIAL USES										
<u>Recreational Marijuana Establishment</u>	N	N	N	N	N	N	PB	PB	N	PB

NOTE – PB means the use is allowed by special permit from the Planning and Economic Development Board

Or to act in any manner relating thereto:

PLANNING AND ECONOMIC DEVELOPMENT BOARD

Commented [SA4]:

What is specified here will depend on what is voted at the March 19th special town meeting.

Commented [SA5]:

What is specified here will depend on what is voted at the March 19th special town meeting.

DRAFT

Susan Affleck-Childs

From: Barbara J. Saint Andre <BSaintAndre@k-plaw.com>
Sent: Friday, February 23, 2018 4:06 PM
To: Susan Affleck-Childs
Cc: Michael Boynton
Subject: Draft marijuana facilities bylaw
Attachments: KP-#604141-v1-MEDW__Marijuana_facilities_draft_bylaw.docx

CONFIDENTIAL ATTORNEY CLIENT PRIVILEGE

Susy, see attached marijuana facilities draft bylaw with my initial comments.

With respect to Section E.4, which provides for a 500 foot buffer zone from a list of various types of land use, please note that I am not aware of any ruling from the Attorney General's office approving a by-law containing such a restriction. As you know, under G.L. c. 94G, §5(b)(3), no marijuana establishment may be located within 500 feet of a pre-existing public or private school k-12 as of the date of the application to the Cannabis Control Commission (CCC), unless the municipality adopts a by-law reducing the distance. There is no guidance at this point as to whether a municipality may expand that list in a local by-law. I note that the proposed list is fairly extensive, including: residences; existing public or private school serving students in grades K-12; private educational entity that provides instruction to children and youth in an ongoing organized basis; licensed registered childcare facility; library; religious facility; playground, public park, or ball field; recreation center; Registered Medical Marijuana Facility that sells, distributes, dispenses or administers marijuana, products containing marijuana, or related supplies to qualifying patients or personal caregivers; halfway house or similar facility; and drug or alcohol rehabilitation facility. Some of these uses may be susceptible to interpretation, making it difficult to determine compliance. Further, the by-law does not state that the determination on the buffer zone will be made as of the date of the application to the CCC, as is the case with the state law. If the buffer zones have the effect of prohibiting marijuana establishments that otherwise are not prohibited, it could be deemed inconsistent with the state law. I note that there is a provision for the PEDB to reduce the buffer zone if the facility would be effectively prohibited from locating in the town.

Please note that the standard under G.L. c. 94G §3 is whether a local by-law imposes "reasonable safeguards" that are not "unreasonably impractical", which is defined by G.L. c. 94G, §1:

p) "Unreasonably impracticable", that the measures necessary to comply with the regulations, ordinances or by-laws adopted pursuant to this chapter subject licensees to unreasonable risk or require such a high investment of risk, money, time or any other resource or asset that a reasonably prudent businessperson would not operate a marijuana establishment.

In my opinion, if this section is challenged on the basis that the buffer zones restrictions, and the burden on an applicant to prove that the use would be effectively prohibited from locating in the Town if a site that is otherwise zoned for the use is within one of the buffer zones, are unreasonably impracticable, there is no certainty that the town would prevail. I recommend that the Town review this provision, including an analysis of the effect of these buffer zones on the sites zoned for marijuana facilities, as to whether the list should be modified.

Further, under Section 5(b)(2) of the statute and as set forth in the proposed regulations, the town has 60 days after notification of a license application to the CCC to inform the CCC if the proposed site is in compliance with the zoning by-law in effect at that time. It is not clear how the town would determine if a site is in compliance with the comprehensive buffer zone requirements proposed, particularly where the applicant has the option to prove to the PEDB during the special permit process that the use would be effectively prohibited.

If you have any questions please contact me.

Barbara J. Saint Andre, Esq.

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