

Tuesday, November 10, 2020
Medway Planning and Economic Development Board
155 Village Street
Medway, MA 02053

Members	Andy Rodenhiser	Bob Tucker	Tom Gay	Matt Hayes	Rich Di Iulio	Jessica Chabot
Attendance	X Remote	Absent with notice	X Remote	X Remote	X Remote	X Remote

Pursuant to Governor Baker’s Orders imposing strict limitations on the number of people that may gather inside in one place, attendance by members of the public will be limited due to the size of the meeting space. All persons attending this meeting are required to wear a face covering, unless prevented by a medical or disabling condition. Meeting access via ZOOM is also provided and members of the public are encouraged to use ZOOM for the opportunity for public participation; information for participating via ZOOM is included at the end of the Agenda. Members of the public may watch the meeting on Medway Cable Access: channel 11 on Comcast Cable, or channel 35 on Verizon Cable; or on Medway Cable’s Facebook page @medwaycable.

PRESENT IN LIVE MEETING:

- Susy Affleck-Childs, Planning and Economic Development Coordinator

PRESENT VIA ZOOM:

- Amy Sutherland, Recording Secretary
- Steve Bouley, Tetra Tech
- Barbara Saint Andre, Director of Community and Economic Development
- Gino Carlucci, PGC Associates

ANR PLAN – 35 MILFORD STREET:

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

- ANR Application filed 11-4-20
- ANR Plan of Land dated 10-14-20
- SAC Review memo dated 11-6-20 with attachments

The Board is in receipt of an ANR plan and application submitted by Cameron Bagherpour. The plan was prepared by Colonial Engineering dated October 14, 2020. This is for the division of the 1.54 property at 35 Milford Street into two lots. The frontage for the two lots is on Milford Street and Knollwood Road. Knollwood Road is a way shown on a definitive subdivision plan dated February 12, 1988. The existing structure on the property is to be razed and the applicant plans to build two single family homes on two new lots with both driveways coming in from Milford Street. The property deed to the 35 Milford Street property does include language that the owner has rights to use Knollwood Road.

The applicant is encouraged to be sensitive to the character and style of neighboring homes along Milford Street and to preserve trees on site and institute a 15' no cut zone on the perimeter of the lots.

On a motion made by Matt Hayes, seconded by Tom Gay, the Board voted by roll call to endorse the ANR for 35 Milford Street as presented. The motion passed unanimously.

Roll Call Vote:

Matthew Hayes	aye
Rich Di Iulio	aye
Andy Rodenhiser	aye
Tom Gay	aye

Board members who are able are asked to come to the PEDB office to sign the ANR plan for 35 Milford Street.

MEDWAY MILL SITE PLAN – PUBLIC HEARING CONTINUATION:

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

- Public Hearing Continuation Notice dated 10-14-20
- Mullin Rule Certification from Tom Gay for the 8-11-20 hearing
- Email communication dated 10-6-20 from Police Sergeant Jeff Watson
- Revised parking lot layout concepts with cover letter from Guerriere and Halnon.

The Chairman opened the continued public hearing for the Medway Mill Site Plan. The applicant's representative, Amanda Cavaliere from Guerriere and Halnon, was present via ZOOM along with Mark Arnold from Goddard Consulting and Mike Hassett from Guerriere and Halnon. Via screen share, she showed two additional parking options. Ms. Cavaliere explained that a conference call was held on October 15 to discuss the parking options. The proposed parking options came as a result of the discussion held at the Planning Board meeting on September 22, 2020. The review involved re-evaluating the traffic flow within the proposed parking area, modifying the parking layout to have an open end at each end of the parking area as opposed to the middle access, and determining if there was room to allow for one-way traffic. The layouts were further revised to minimize disturbance within the riverfront (Chicken Brook) buffer zone. The second option would include elongating the parking area for two way traffic with a 34-width isle with a 22 ft. turn around. The engineers think that option #2 is the better option. This option will also have signage and stripping. The impervious will be decreased by 20%. There was a suggestion that the snow storage be included in the next submittal. Conservation Agent Bridget Graziano was part of the Zoom meeting. She communicated that the Commission's main concern is the impacts to the riverfront area. The Commission requires that the applicant provide an alternatives analysis for peer review. This area needs to be protected. There was discussion about also expanding the bridge area to make a better turning radius. If this is a feasible option, the applicant would need to present letters from the Fire and Police Departments. This would also require a waiver request. The Board would also like information about the safety aspects of the bridge.

On a motion made by Rich Di Iulio, and seconded by Tom Gay, the Board voted by

Roll Call vote to continue the hearing for the Medway Mill Site Plan to January 12, 2021 at 7:30 pm. The motion passed unanimously.

Roll Call Vote:

Matthew Hayes	aye
Rich Di Iulio	aye
Andy Rodenhiser	aye
Tom Gay	aye

CONSTRUCTION REPORTS:

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

- Salmon Report #58 dated October 13, 2020
- Salmon Report #59 dated October 22, 2020
- Trotter Drive #1 dated October 13, 2020
- Trotter Drive #2 dated October 20, 2020
- Choate Trail #1 dated October 13, 2020
- Evergreen Village #1 dated October 13, 2020

Salmon:

The contractor has installed erosion control barriers around the limit of work. The western portion of the site along Willow Pond Circle is firm and in place.

Evergreen Village:

The erosion control barriers were installed around the proposed limit of work. The trees have been flagged to remain on site. The compost filter tubes are staked. The road has been rough graded.

21 Trotter (Marzilli):

The site clearing on the northeast portion of the site is complete, silt fence barriers and compost filter tubes have been installed around the perimeter of the site.

TOWN MEETING (November 16, 2020)

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

- Final Warrant 11-16-20 Town Meeting
- 11-3-20 PEDB's Report and Recommendation Letter to Town Meeting on the proposed Zoning Bylaw amendment articles
- Emails with attachments from Ellen Rosenfeld, Dan Merrikin, Jeff Komrower

ComCan owner Ellen Rosenfeld was present at the Zoom meeting to express her concerns about the proposed changes to the noise regulations in the zoning bylaw's Environmental Standards (Article 9 for Town Meeting). Also present was her noise consultant, Andy Caballeria of Acentech. Her concerns pertain to the octave limits as relating to her special permit. There is a substantial difference in the nighttime limits with the warrant article being significantly more restrictive. Ms. Rosenfeld is concerned that she was not made aware of the public hearing for these items and has not had an opportunity to weigh in on this article. She would recommend

that this not be acted on at the town meeting. It was discussed that this should be pulled from the warrant at this time since they do not want this to cause significant issues for the Board or the Town.

Member Di Iulio would like to continue moving forward with this article since the Board spent a lot of time on this with several different consultants.

Resident Lally thanked Ms. Rosenfeld for doing a terrific job at 2 Marc Road with the noise mitigation measures.

Vote Article #9:

On a motion made by Tom Gay, and seconded by Matt Hayes, the Board voted by Roll Call to reconsider their previous vote of support for Article #9. The motion passed unanimously.

Roll Call Vote:

Matthew Hayes	aye
Rich Di Iulio	aye
Andy Rodenhiser	aye
Tom Gay	aye

Vote Article #9:

On a motion made by Tom Gay, and seconded by Matt Hayes, the Board voted by Roll Call to recommend that Town Meeting take no action on Article #9. The motion passed unanimously.

Roll Call Vote:

Matthew Hayes	aye
Rich Di Iulio	aye
Andy Rodenhiser	aye
Tom Gay	aye

Close Public Hearing:

On a motion made by Tom Gay, and seconded by Matt Hayes, the Board voted by Roll Call to close the public hearing on zoning bylaw amendments. The motion passed unanimously.

Roll Call Vote:

Matthew Hayes	aye
Rich Di Iulio	aye
Andy Rodenhiser	aye
Tom Gay	aye

ZBA PETITIONS:

The Board was in receipt of the following petitions to the ZBA: (See Attached)

- 13A Fisher Street application
- 39 Alder Street application

13 A Fisher Street:

The Board reviewed the application for 13A Fisher Street. This is request for a dimensional variance from Section 6.1 to reduce the setback from 15 ft. to 11 ft. to allow for construction of an accessory pool house within the side and rear setback areas. The property is located in the AR-II zoning district. Upon review, the Board decided to take no action on this application.

39 Alder Street:

This application is for the issuance of a use variance from Section 5.4, Table 1: Schedule of Uses of the Zoning Bylaw to allow the construct of a 12,000 sq. ft. building for use by ETS Equipment Rental. This is a construction equipment rental and leasing business presently located in Hopedale. The business activity also includes outdoor storage and preventative maintenance and repair of associated equipment on the property. The property is 7.42 acres and is located in the West Industrial Zoning District adjacent to the Lawrence Waste site. There is concern that Town Meeting voted that the Town does not want contractors' yards in this area.

BOS chairman Glenn Trindade was present to speak against the use variance for this property. It is not the type of use desired for the industrial park. He asked that the Board not support this application for a use variance.

On a motion made by Rich Di Iulio, seconded by Tom Gay, the Board voted by Roll Call to not support the use variance for 39 Alder Street. The motion passed unanimously.

Roll Call Vote:

Matthew Hayes	aye
Rich Di Iulio	aye
Andy Rodenhiser	aye
Tom Gay	aye

Susy Affleck-Childs will draft a letter to the ZBA for review and approval of the chairman.

Central Business District ZONING PROJECT:

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

- Flyer for virtual CBD Zoning Community Forum scheduled for November 18, 2020.

Board members were encouraged to attend.

Susy Affleck-Childs reported there had been a ZOOM meeting with Consultant Ted Brovitz and representatives of the PEDB, ZBA, EDC, DRC and FinCom to discuss their concerns and ideas about zoning for the central business district

REQUEST FOR LOT RELEASE – 8 PARTRIDGE STREET:

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

- Subdivision Plan from May 1977
- Subdivision Covenant from October 1977

- Draft Lot Release for the Board's approval and signature

The Board was made aware that the office had been contacted by the attorney involved with the sale of 8 Partridge Street. The closing attorney cannot find any record of a lot release at the Registry of Deeds and has requested this from the Board. A lot release document was provided.

On a motion made by Rich Di Iulio, seconded by Tom Gay, the Board voted by roll call to approve the lot release for 8 Partridge Street. The motion passed unanimously.

Roll Call Vote:

Matthew Hayes	aye
Rich Di Iulio	aye
Andy Rodenhiser	aye
Tom Gay	aye

Board members who are able are asked to come to the PEDB office to sign the lot release document.

RED GATE SUBDIVISION – PERFORMANCE SECURITY AND STREET ACCEPTANCE:

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

- Letter dated 11-2-20 to Michael Bruce
- PEDB response letter Michael Bruce dated 11-4-20
- DPW site inspection report dated 7-14-20.

The Board is in receipt of a letter from Michael Bruce requesting that the performance security be released for the Red Gate Subdivision. Michael Bruce was present via ZOOM. The DPW has provided an inspection report. The subdivision covenant from January 1984 was also provided in which the developer agreed to abide by the requirements of the Subdivision Rules and Regulations. This includes the provision of an as-built plan. The Board currently does not have the as-built or street acceptance plan. The developer has communicated that this was previously provided to the Town. Mr. Bruce has indicated that the developer will provide deeds to convey 2 Redgate Drive (drainage parcel) and the various streets to the town. The Board would like to get the deeds and check the language regarding the road before the performance security is released. There was discussion if the applicant provided the deed then they would not be responsible to make the repairs noted in the DPW report. There has been no documentation to confirm that Red Gate Realty owns the fee in the road. Barbara Saint Andre was present via ZOOM. She will check the deed. The Board would like to continue this until the November 24, 2020 meeting. There was no action taken.

PEDB MEETING MINUTES:

October 27, 2020:

On a motion made by Rich Di Iulio and seconded by Matt Hayes, the Board voted by Roll Call to approve the PEDB meeting minutes of October 27, 2020. The motion passed unanimously.

Roll Call Vote:

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

OTHER BUSINESS:

- There will be an RFP put out for the Master Plan update. A schedule of dates to address the process of this will be put together for the next PEDB meeting.

FUTURE MEETING:

- Tuesday, November 24, 2020

ADJOURN:

On a motion made by Rich Di Iulio and seconded by Tom Gay, the Board voted by Roll Call to adjourn the meeting. The motion was unanimously approved.

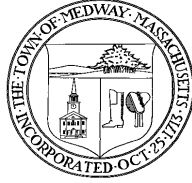
Roll Call Vote:

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

The meeting was adjourned at 9:09 pm.

Prepared by,
Amy Sutherland
Recording Secretary

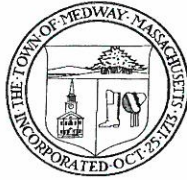
Reviewed and edited by,
Susan E. Affleck-Childs
Planning and Economic Development Coordinator



November 10, 2020
Medway Planning & Economic Development Board
Meeting

ANR Plan – 35 Milford Street

- ANR application filed 11-4-20
- ANR Plan of Land dated 10-14-20
- SAC review memo dated 11-6-20 with attachments (1988 subdivision plan and covenant)



Planning & Economic Development Board - Town of Medway, MA

LAND SUBDIVISION – FORM A

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

INSTRUCTIONS TO APPLICANT/OWNER

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

Submit two (2) signed originals of this ANR Application, two copies of the ANR Plan, an electronic version (PDF) of the ANR plan, two Project Explanations, and the appropriate ANR application/filing fee checks to the Medway Planning and Economic Development office, 155 Village ST, Medway, MA 02053.

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

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

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

**You or your duly authorized agent is expected to attend the Board meeting
when the ANR Plan will be considered to answer any questions and/or submit such
additional information as the Board may request.**

Your absence may result in a delay in the Board's review and decision.

October 29, 2020

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

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

PROPERTY INFORMATION

ANR Location Address(es): 35 Milford Street

The land shown on the plan is shown on Medway Assessor's Map # 56 Parcel(s) # 032

Total Acreage of Land to be Divided: Approx 1.54

Subdivision Name (if applicable):

Medway Zoning District Classification: A-II

Frontage Requirement: 150' Area Requirement: 22,500

Is the road on which this property has its frontage a designated **Medway Scenic Road**? N

The owner's title to the land that is the subject matter of this application is derived under deed from: Norman Houghton to Andrew J. Mahan & Colleen E. Garry dated April 29, 2003 and recorded in Norfolk County Registry of Deeds, Book 18779 Page 340 or Land Court Certificate of Title Number _____, Land Court Case Number _____, registered in the Norfolk County Land Registry District Volume _____, Page _____.

ANR PLAN INFORMATION

Plan Title: Plan of Land in Medway, MA
Prepared by: Anthony Delarco
P.E. or P.L.S registration #: 34303 Plan Date: Oct 14 2020

APPLICANT INFORMATION

Applicant's Name: Cameron Bagherpour
Address: 83 Lovering Street
Medway, MA 02053
Telephone: 919-434-9001 Email: bagherc@gmail.com

PROPERTY OWNER INFORMATION

(If different than the applicant or if the plan shows a land swap between two adjacent properties)

Property Owner's Name: Andrew J Mahan & Colleen Mahan
Address: 4 LILLY ST MEDWAY, MA 02053

Telephone: 508-962-5460 Email: amahan4646@gmail.com

ENGINEER or SURVEYOR INFORMATION

Name: Colonial Engineering, Inc
Address: 11 Awl St Medway, MA 02053

Telephone: 508-533-1644 Email: colonial.eng@verizon.net

ATTORNEY INFORMATION

Name: _____
Address: _____

Telephone: _____ Email: _____

OFFICIAL REPRESENTATIVE INFORMATION

Name: _____

Address: _____

Telephone: _____ Email: _____

PROJECT EXPLANATION

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

APPROVAL NOT REQUIRED JUSTIFICATION

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

- ☐ 1. The accompanying plan does not show a division of land.
- ☒ 2. Every lot shown on the plan has frontage as required by the Medway Zoning Bylaw. The frontage required by the Zoning Bylaw is located on
Milford Street & Knollwood Road _____ (name of way(s), which is: Public & Private
- ☐ a. A public way. Date of street acceptance: _____
- ☐ b. A way certified by the Town Clerk as being maintained and used as a public way. (Attach Town Clerk's certification)
- ☒ c. A way shown on a definitive subdivision plan entitled _____
Definitive Subdivision Plan Dated Feb 12, 1988
that was previously endorsed by the Planning and Economic Development Board on Nov 22, 1988 and recorded at the Norfolk County Registry of Deeds on Dec 7, 1988
Provide detailed recording information: _____
Plan Bk 375 Pg 1323
- ☐ d. A private way in existence on the ground before 1952 when the Subdivision Control Law was adopted in the Town of Medway, which has, in the opinion of the Planning & Economic Development Board, adequate width, suitable grades, and adequate construction to provide vehicular access to the lot(s) for their intended purpose of _____
and to permit the installation of municipal services to serve the lot(s) and any buildings thereon.
- ☒ 3. The division of land shown on the accompanying plan is not a "subdivision" for the following reasons: No new ways or streets

SIGNATURES

The undersigned, being the Applicant as defined under Chapter 41, Section 81P for endorsement of an Approval Not Required Plan, herewith submits this application and Approval Not Required Plan to the Medway Planning and Economic Development Board for review and endorsement.

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

(If applicable, I hereby authorize Cameron Baker-Pour to serve as my Agent/Official Representative to represent my interests before the Medway Planning & Economic Development Board with respect to this Approval Not Required Application.)

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

[Signature]
Signature of Property Owner

11/2/20
Date

[Signature]
Signature of Applicant (if other than Property Owner)

10/29/2020
Date

Signature of Agent/Official Representative

Date

ANR PLAN FILING FEE

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

Please prepare two checks: one for \$100 and one for the balance.
Each check should be made payable to: Town of Medway

Fee approved 11-2-06

APPLICATION CHECKLIST – All items must be submitted

- ☒ 2 signed original ANR applications (FORM A)
- ☒ 2 full size prints of ANR plan
- ☒ Electronic version of ANR plan – A flash drive may be provided or a PDF of the plan may be emailed to: planningboard@townofmedway.org.
- ☒ 2 copies of the Project Explanation
- ☐ Application/Filing Fee (2 checks) – Check with PEDB office for amounts.

ANR Application/Filing Fee Paid:

Amount: \$250 Check # 198
Amount: _____ Check # _____

Project Explanation

35 Milford St

Medway, MA

Existing structure on lot to be razed (historical demolition permit has been submitted)

Build 2 new single family homes on 2 new lots with both driveways to be on Milford St

25
75
70
5

N O T
A N
O F F I C I A L
C O P Y

RECEIVED AND RECORDED
NORFOLK COUNTY
REGISTRY OF DEEDS
DEDHAM, MA
CERTIFY OFFICIAL
WILLIAM P. O'DONNELL, REGISTER

I, Norma Houghton, Executrix of the Will of Leon J. Smith, Norfolk Probate Court Docket No. 03P0040EP, by the power Conferred by said Will and every other power

for consideration paid and in full consideration of TWO HUNDRED THOUSAND AND 00/100 (\$200,000.00) DOLLARS

grant to Andrew J. Mahan and Colleen E. Garry, as joint tenants, of 35 Milford Street, Medway, Norfolk County, MA

The land in Medway, Norfolk County, MA on the southerly side of Milford Street being shown as Parcel A on a plan entitled "Definitive Subdivision Plan, Medway, Mass. Scale: 1" = 40' February 12, 1998, Revised, August 22, 1998 Owned by Leon J. & Hazel Smith, Survey By: GLM Engineering Consultants, Inc." filed with Norfolk Deeds as Plan No. 1323 of 1988, Plan Book 375, and to which plan reference may be had for a more particular description of the granted premises.

Said parcel A contains 67,288 S.F. or 1.54 Acres according to said plan.

Being a portion of the premises conveyed to Leon J. Smith et ux by deed of Fred J. Groehl et ux dated May 21, 1959, recorded with Norfolk Deeds Book 3727, Page 278.

WITNESS my hand and seal this 29th day of April, 2003.

Norma Houghton
Norma Houghton, Executrix

THE COMMONWEALTH OF MASSACHUSETTS

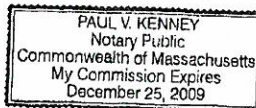
Norfolk, SS.

April 29, 2003

Then personally appeared the above-named Norma Houghton, Executrix, and acknowledged the foregoing instrument to be her free act and deed, before me

Paul V. Kenney
Notary Public

My commission expires:



912.00

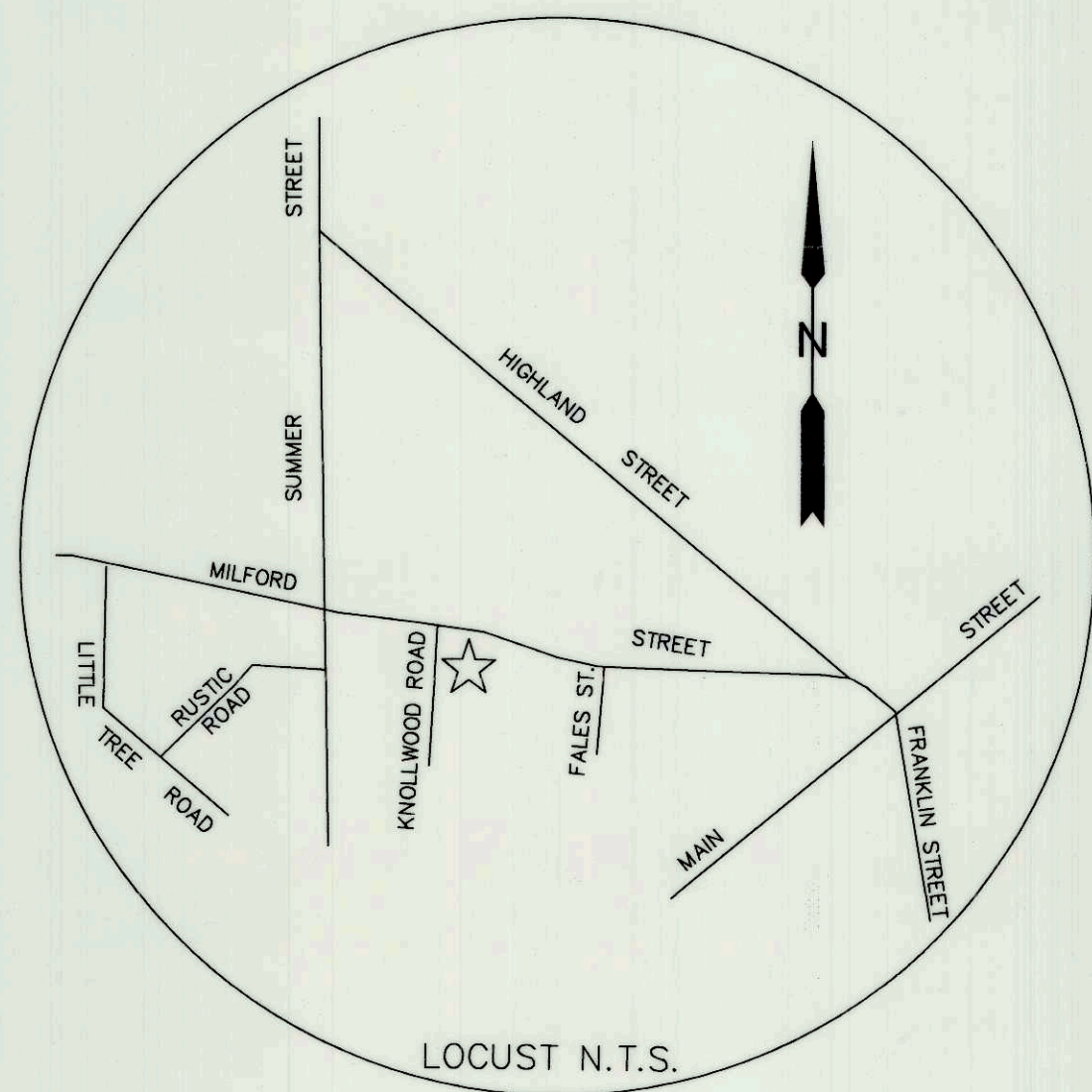
PROPERTY ADDRESS: 35 MILFORD STREET, MEDWAY, MA

100360

03 APR 29 PM 12:59

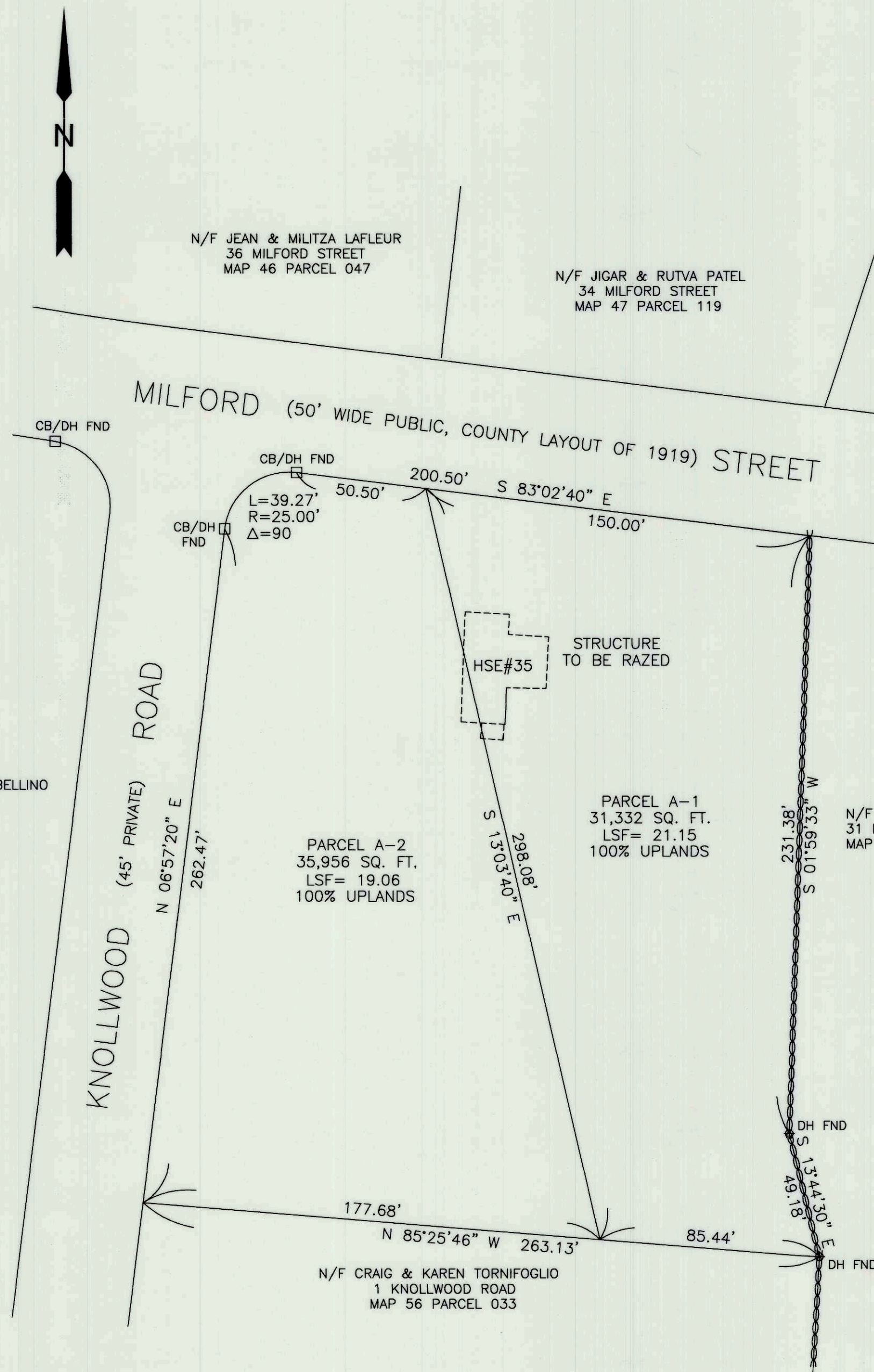


FRONT VIEW FROM MILFORD
STREET



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

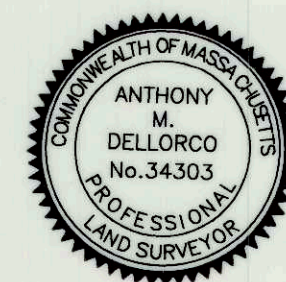
N/F MADELYN RIVERA & PAMELA BELLINO
 2 KNOLLWOOD ROAD
 MAP 56 PARCEL 035



NOTES: BEING A SUBDIVISION OF PARCEL A SHOWN ON A PLAN BY G.L.M. ENGINEERING CONSULTANTS INC. AND RECORDED IN NORFOLK COUNTY REGISTRY OF DEEDS PLAN BOOK 375 PAGE 1323.

BOTH PARCELS WILL USE MILFORD STREET AS A MEANS OF ACCESS.

N/F JAMES & LISA WASHEK
 32 MILFORD STREET
 MAP 47 PARCEL 118



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

Anthony M. Dellorco

DATE: OCTOBER 14, 2020

APPROVAL UNDER SUBDIVISION CONTROL LAW IS NOT REQUIRED.

DATE APPROVED: _____

TOWN OF MEDWAY PLANNING BOARD

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

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

MAP 56 PARCEL 032
 PLAN OF LAND

IN
MEDWAY, MA.

SCALE: 1"=40' OCT. 14, 2020

OWNER: Andrew Mahan & Colleen Garry
 35 Milford Street
 Medway, Ma. 02053

COLONIAL ENGINEERING INC.
 11 AWL STREET MEDWAY, MA. 02053
 508-533-1644



Susan E. Affleck-Childs
Planning and Economic
Development Coordinator



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

TOWN OF MEDWAY
COMMONWEALTH OF MASSACHUSETTS
PLANNING AND ECONOMIC
DEVELOPMENT OFFICE

MEMORANDUM

November 6, 2020

TO: Planning and Economic Development Board
FROM: Susy Affleck-Childs, Planning and Economic Development Coordinator
RE: ANR Plan for 35 Milford Street

On November 4, 2020, an Approval Not Required (ANR) plan for 35 Milford Street was filed with the Board by Cameron Bagherpour (buyer) and Andrew and Colleen Mahan (sellers). The purpose of the ANR plan is to divide the property at 35 Milford Street (southeast corner of Milford Street and Knollwood Road (permanent private way)). The plan was prepared by Colonial Engineering of Medway, MA, is dated October 14, 2020, and was stamped by Anthony M. Dellorco, PLS.

The plan shows the division of the 1.54 acre property into two lots. Parcel A-1 is 31,332 sq. ft. in area with 150' of frontage on Milford Street. Parcel A-2, a corner lot, has 35,956 sq. ft. of area with frontage on Milford Street and Knollwood Road. The property is located in the AR-II zoning district which requires minimums of 150' of frontage and 22,500 sq. ft. of area. The property presently includes an older house (built in 1830 according to the Assessor's records). The Applicant intends to demolish the house and construct two single-family homes, one on each lot. The Applicant has filed for a demolition permit with the Town. Because of the building's age, it will be reviewed by the Medway Historical Commission to determine if the house is an "historically significant building".

The ANR plan includes a note that both parcels will use Milford Street as a means of access. The property deed to the 35 Milford Street property does NOT include any language that the property has rights to use Knollwood Road for "all purposes for which streets and ways are commonly used in the town of Medway" as is the case for the 3 Knollwood Road properties.

Your responsibility is to determine whether or not the presented plan shows a subdivision of land as defined in the Subdivision Control Law. If it does not, you may endorse the plan. If it does, you must decline to endorse the plan and the Applicant will need to file a subdivision plan with the Board if they wish to proceed.

Historical Context: 35 Milford Street in its current configuration was created as a result of the approval, endorsement and recording of a subdivision plan in 1988 which configured 3 new house lots to be constructed Knollwood Road, a permanent private way. A copy of that subdivision plan is provided.
NOTE – The subdivision plan includes the following language:

NOTE:

PRIVATE WAY TO BE MAINTAINED BY ABUTTERS AND
ASSESSMENT SHALL BE 1/3 TO EACH
LOTS SHALL NOT BE FURTHER SUBDIVIDED
SO AS TO CREATE ADDITIONAL BUILDING LOTS.
PARCEL IS NOT TO BE CONSIDERED A BUILDING LOT.
ANY FURTHER SUBDIVISION WILL REQUIRE
THAT THE ROADWAY CONSTRUCTION IS
BROUGHT UP TO MEET THE CONSTRUCTION
STANDARDS IN EFFECT AT THAT TIME.

Comparable language is also included in the subdivision covenant. See attached.

I have comments as follows on the ANR plan pursuant to Section 3.2 ANR Plan Contents of the Medway Subdivision Rules and Regulations:

1. Section 3.2.4 requires that the distance from a new lot line to any existing building/structure be indicated. This was not done for the existing house at 35 Milford Street which straddles the proposed lot line dividing the property into 2 lots. However, the plan notes that the structure will be razed in order to construct two new houses so the absence of this information is not of concern.
2. All other plan requirements are met.

I have comments as follows on the ANR plan pursuant to the Subdivision Control Law (MGL, chapter 41, Section 81L) criteria:

1. Do the lots as shown on the plan front on one of the three types of specified roadways: YES
 - Lot A-1 fronts on Milford Street, an accepted road.
 - Lot A-2 fronts partially on Milford Street and primarily on Knollwood Road. Knollwood Road is a permanent private way but it is shown on a definitive subdivision plan endorsed by the Planning Board on November 22, 1988 and recorded at the Norfolk County Registry of Deeds on December 7, 1988 in Plan Book 375, Page 1323.
2. Do the lots shown on the plan contain the minimum frontage specified in MGL, Chapter 41, Section 81L? NOTE – The statute defaults to the minimum frontage specified in the applicable local zoning bylaw or ordinance. YES.
 - Lot A-1 has 150' of frontage on Milford Street.
 - Lot A-2 has 50' of frontage on Milford Street and more than 260' of frontage on Knollwood Road
3. Is vital access provided to each lot?
 - Is the way on which the lots front adequate for access? As access to the two lots is planned from Milford Street, one of Medway's primary east/west through streets, the answer is YES.
 - Is there adequate access from the way (Milford Street) to the buildable portion of the lot? NOTE - An ANR plan is not required to show the proposed house locations nor include an existing conditions plan. However, the plan indicates that the two parcels are 100% uplands. Conservation Agent Bridget Graziano is reviewing aerial photographs of the property and will provide comments as to whether there are any resource areas on or adjacent to the property. It does not appear that there are any physical obstacles or limitations on the front portion of the two lots that would preclude suitable access from Milford Street to the houses.

General Comments

1. Applicability of the Knollwood Road subdivision plan and covenant limitations that no further division of land is allowed without a modification to the subdivision plan. I wondered if the limitation applied to the 35 Milford Street property. I discussed this with Barbara Saint Andre, Director of Community and Economic Development; she reviewed the subdivision plan and the corresponding subdivision covenant for the Knollwood Road subdivision. She indicates the following in an email communication to me.

“Parcel A (35 Milford Street) is part of the subdivision, and the first paragraph of the covenant refers to the subdivision as consisting of four proposed lots plus an unbuildable 3-acre lot, which is a reference to Parcel B (on the Knollwood subdivision plan). The four proposed lots therefore must be the lots shown as lot 1, lot 2, lot 3, and Parcel A on the plan. The condition states that “Lots shall not be further subdivided so as to create additional building lots.” I believe this refers to the four proposed lots, which includes Parcel A. Another condition says any further subdivision requires the road to be brought up to current standards. These conditions are also set forth on the recorded subdivision plan.”

“The interesting question is, can the Board deny ANR endorsement if the plan does in fact violate a condition of the 1988 subdivision plan? See Hamilton v. Planning Board of Beverly, 35 Mass. App. Ct. 386 (1993), which has a similar set of facts. The Court seems to state that ANR endorsement is appropriate if the ANR meets the requirements for endorsement (sufficient frontage and adequate access), even in light of a subdivision condition limiting the number of lots. The Court goes on to rule that a building permit was properly denied despite the ANR endorsement for the newly created lot, because it violated the limitation on the number of lots in the subdivision decision. The Court found that an ANR endorsement does not waive the limitation on the number of lots set forth in the subdivision decision, only a subdivision modification can do that, and the Building Commissioner was empowered to enforce the subdivision condition.”

NOTE – We have briefed Jack Mee about this application and situation as the this could end up with him if the Board endorses the ANR plan and building permit applications are subsequently filed with him that contradict the conditions noted on the Knollwood Road subdivision plan and covenant that limit further subdivision of the land.

2. Driveways - The ANR plan indicates that both lots will use Milford Street as a means of access to the subject properties. The applicant is advised that street opening permits will be needed from the Medway Department of Public Works for the driveways. The Town’s regulations for street opening permits can be found at:

<https://www.townofmedway.org/sites/g/files/vyhli866/f/uploads/streetstandards.pdf>

As the Applicant develops its plan for site design for each new house lot, they are encouraged to maximize both the distance between Knollwood Road and the driveway for Parcel A-2 and the distance between the driveways for Parcel A-1 and A-2.

NOTE - The current deed for 35 Milford Street does not include any language that the owner has rights to use Knollwood Road, thus preventing the Applicant from changing the access to Parcel A-2 from Milford Street to Knollwood Road.

3. In developing the architectural plans for the new houses, the Applicant is encouraged to be sensitive to the character and style of neighboring homes along Milford Street. Although the subject property is not located within the Rabbit Hill Historic District, it is close by.

4. The future construction of the houses and driveways is of a size that is likely to trigger the applicability of the Town's Stormwater Management and Land Disturbance Bylaw and the need to secure a Land Disturbance Permit from the Medway Conservation Commission. Further information about the bylaw and permit can be found at:

<https://www.townofmedway.org/planning-economic-development-board/pages/stormwater-management-and-land-disturbance-bylaw>

5. Tree Preservation – In developing the individual site plans for each lot, the Applicant is encouraged to also utilize the standard 15' side and rear zoning setback areas as a tree preservation area (no cut zone) to provide a wooded buffer to the adjacent properties and to reference such no cut zone in the respective deeds. Google Earth images of the property show a considerably wooded site. We advise that the Applicant make all possible efforts during site design and construction to retain existing trees with a diameter of 18" or more measured at 4.5' above the ground.

6. Address – It appears that there is availability to use 33 Milford Street as an address for one of the new lots. It would be reasonable that 33 Milford Street would be assigned to Parcel A-1 and Parcel A-2 would have 35 Milford Street. However, address assignments are made by the Medway Assessor's office in consultation with Medway police and fire personnel.

cc: Cameron Bagherpour
Jack Mee, Building Commissioner

Norfolk Registry of Deeds
Dedham, Mass.
Received Dec. 7 1988
With Cert.
R+S Building Co. of
Medway Inc. to Town of Medway
Filed as No. 1323 1988
Pl. Bk. 375
Attest: *[Signature]*
Register



November 22, 1988

COVENANT

R & S Building Company of Medway, Inc., a Massachusetts corporation having its principal place of business in Medway, Norfolk County, Massachusetts, submitted an application dated May 5, 1988 to the PLANNING BOARD OF THE TOWN OF MEDWAY, Norfolk County, Massachusetts, for approval of a definitive subdivision plan of a subdivision of land entitled, "Knollwood Road", which plan was prepared by GLM Engineering Consultants, Inc., dated February 12, 1988, revised August 22, 1988, and showing *(Recorded Herein)* proposed lots and one 3-acre unbuildable lot. The premises are located on Milford Street, Medway, Massachusetts.

The undersigned, Leon J. and Hazel F. Smith, have also requested said Planning Board to approve such plan. In consideration of said Planning Board approving such plan, the undersigned hereby covenants and agrees with the inhabitants of the Town of Medway as follows:

1. The undersigned is the owner in fee simple absolute of all the land included in the subdivision.
2. The undersigned will not sell or convey any lot in the subdivision or erect or place any permanent building on any lot until the construction of ways and installation of municipal services or privately owned services necessary to adequately serve such lot have been completed in accordance with the covenants, conditions, agreements, terms and provisions as specified in the following, all of which are incorporated herein:
 - a. The Application for Approval of Definitive Plan.
 - b. The Subdivision Control Law and the Planning Board's Rules and Regulations governing this subdivision.
 - c. The certificate of approval and the conditions of approval specified therein, issued by the Planning Board, voted on August 23, 1988, and filed with the Town Clerk on September 12, 1988.
 - d. The definitive plan as approved and as qualified by the certificate of approval. However, a mortgagee who acquires title to the mortgaged premises by foreclosure or otherwise and by any succeeding owner of the mortgaged premises or part thereof may sell or convey any lot, subject only to that portion of this covenant which provides that no lot be sold or conveyed or shall be built upon until ways and services have been provided to serve such lot.

RECEIVED RECORDED
1988 DEC -7 AM 10 19

MEDWAY 10/11/88 13237481

375

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C O P Y

November 22, 1988

e. The Board approves said plan with the following conditions and modifications and waives compliances with its Rules and Regulations as follows:

Conditions:

- a. Private way to be maintained by abbutters and assessment shall be 1/3 to each.
- b. Lots shall not be further subdivided so as to create additional building lots.
- c. Parcel "B" is not to be considered a building lot.
- d. Any further subdivision will require that the roadway construction is brought up to meet the construction standards in effect at that time.

Modifications:

- a. That a 45-foot road layout be allowed and the 26-foot pavement width be waived and a 20-foot pavement width be allowed.
 - b. That the 400-foot dead-end length restriction be waived and a 470-foot length be allowed.
 - c. That the requirement for sidewalks be waived.
 - d. That the 150-foot property line diameter cul-de-sac requirement be waived and 120-foot diameter be allowed.
 - e. That the requirement for curbing be waived, except for vertical bituminous berm beyond station 4 + 20.
 - f. That the requirement for underground drainage structures and pipelines be waived, except for a catch basin at the cul-de-sac with 12-inch piping to the detention area and 8-inch piping out of said detention area.
3. This covenant shall be binding upon the executors, administrators, devisees, heirs, successors and assigns of the undersigned and shall constitute a covenant running with the land included in the subdivision and shall operate as restrictions upon the land.

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C O P Y

November 22, 1988

4. Particular lots within the subdivision shall be released from the foregoing conditions upon the recording of a certificate of performance executed by a majority of the members of the Planning Board and enumerating the specified lots to be released.

5. Nothing herein shall be deemed to prohibit a conveyance by a single deed subject to this covenant, of either the entire parcel of land shown on the subdivision plan or of all lots not previously released by the Planning Board.

6. The undersigned agrees to record this covenant with the Norfolk County Registry of Deeds, forthwith, or to pay the necessary recording fee to the said Planning Board in the event the Planning Board shall record this agreement forthwith. Reference to this covenant shall be entered upon the definitive subdivision plan as approved.

7. A deed of any part of the subdivision in violation of the covenant shall be voidable by the grantee prior to the release of the covenant; but not later than three (3) years from the date of such deed, as provided in Section 81-U, Chapter 41 of the Massachusetts General Law.

8. This covenant may be executed before endorsement of approval of the definitive plan by the Planning Board and shall take effect upon the endorsement of approval.

9. Upon final completion of the construction of ways and installation of municipal services as specified herein, on or before November 22, 1990, the Planning Board shall release this covenant by an appropriate instrument, duly acknowledged. Failure to complete construction and installation within the time specified herein or such later date as may be specified by vote of the Planning Board with a written concurrence of the applicant shall result in automatic rescission of the approval of the plan. Upon performance of this covenant with respect to any lot, the Planning Board may release such lot from this covenant by an appropriate instrument duly recorded.

10. Nothing herein shall prohibit the application from varying the method of securing the construction of ways and installation of municipal services from time to time or from securing by one, or in part by one and in part by another of the methods as described in Massachusetts General Laws, Chapter 41, Section 81U, as long as such security is sufficient in the opinion of the Planning Board to secure performance of the construction and installation.

November 22, 1988

11. No release of any part of the bond or bonds will be provided unless an as-built plan of the section of the development considered by the release is provided.

For title to the property see deeds recorded with Norfolk Registry of Deeds, Book 3727, Page 278.

OWNERS:

Leon J. Smith
Leon J. Smith

Hazel F. Smith
Hazel F. Smith

NORFOLK, ss.

Then personally appeared the above named Leon J. and Hazel F. Smith and acknowledged the foregoing instrument to be the free act and deed of Leon J. and Hazel F. Smith before me

Patricia O. Donnell
Notary Public

My commission expires:

My Commission Expires Jan. 6, 1995

APPLICANT/DEVELOPER: R & S BUILDING COMPANY OF
MEDWAY, INC.

Peter M. Schultz
Peter M. Schultz, President

Angelo J. Risotti, Jr.
Angelo J. Risotti, Jr., Treasurer

NORFOLK, ss.

Then personally appeared the above named Peter M. Schultz, President and Angelo J. Risotti, Jr. and acknowledged the foregoing instrument to be the free act and deed of R & S Building Company of Medway, Inc., before me

NOTARY
PUBLIC

Patricia O. Donnell
Notary Public

My commission expires:

My Commission Expires Jan 6, 1995

November 22, 1988

ACCEPTANCE

IN WITNESS HEREOF we have hereunto set out hands and seals this 22nd day of November, 1988, accepting the terms and provisions of the within-contained covenant.

Jim Boyne
William Romalski

Angelo J. Risotti, Jr.
Peter M. Schultz

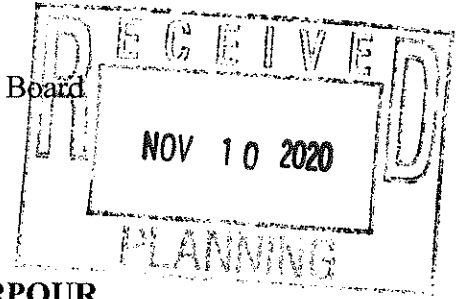
Being a majority of the members of the Planning Board of the Town of Medway.

Town of Medway

Planning Board

In Re: 35 Milford Street, Medway

Request for Finding.



MEMORANDUM OF CAMERON BAGHERPOUR

IN SUPPORT OF HIS REQUEST FOR A FINDING.

ISSUE:

Whether the approval of the ANR plan submitted to this Board will allow the Building Inspector to approve building permits as per General Comment No. 1. of the memo submitted to this Board.

BACKGROUND:

Locus is 35 Milford Street a/k/a Parcel A on the 1988 subdivision plan approved by the Town of Medway Planning Board. The applicant has the property under agreement with a Purchase and Sale agreement with the owner.

The Historical context referenced in the Planning Board memo accurately details the creation of the 1988 subdivision development for 3 new house lots to be constructed on Knollwood Road. The covenant for the development was recorded at the Registry of Deeds in 1988 at Book 8178, Page 126. Subsequently as Knollwood Road was completed the Town released Lot #2 (NROD Book 8823, Page 149) and Lots #1 and #3 from the covenant (NROD Book 9433, Page 322).

Parcel A and Lots 1, 2 and 3.

- 1) The covenant was created to ensure the completion of Knollwood Road to service Lots 1, 2 and 3. There was never an intention for Parcel A (35 Milford Street) to be restricted to the covenant affecting Knollwood Road. This is clearly understood in covenant and specifically addressed in the following condition "*a. Private way to be maintained by abutters and assessment shall be 1/3 to each.*"

This condition clearly defines those units that would be responsible for and have the benefit of Knollwood Road.

- 2) The covenant furthers conditions the approval on the following condition:

"b. lots shall not be further subdivided so as to create additional building lots"

This condition explicitly applies to Lots in the subdivision and not to Parcel A. There are no conditions that restricts Parcel A from being subdivided at a later date.

Release of the Covenant:

Condition 9 of the Covent details the requirement for release of the covenant:

"Upon final completion of the construction of the ways and installation of municipal services as specified herein, on or before November 22, 1990, the Planning Board shall release this covenant by an appropriate instrument."

Knollwood Road was completed and the Planning Board released Lots 1, 2 and 3 from the covenant. Parcel A was not released from the Covenant as Parcel A was never intended to be restricted to the covenants of Knollwood Road. Furthermore, the Planning Board has the authority to release Parcel A from the covenant as the Knollwood Road has been completed.

Request for Waiver:

In the event the Board determines that Parcel A is subject to the covenant conditions for Knollwood Road, the applicant requests the Board waive the following conditions:

"b. lots shall not be further subdivided so as to create additional building lots"

"d. Any further subdivision will require that the roadway construction is brought up to meet the construction standards in effect at that time."

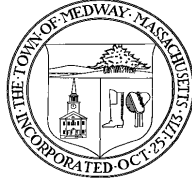
The intention of the ANR in front of the Board is that the two new lots will not access Knollwood Road.

CONCLUSION:

For the reasons set forth above, it is appropriate for the Board to issue a finding to the applicant,

- 1) Parcel A is not subject to the condition that *"b. lots shall not be further subdivided so as to create additional building lots"*
- 2) Parcel A is not subject to the condition *"d. Any further subdivision will require that the roadway construction is brought up to meet the construction standards in effect at that time."*
- 3) Knollwood Road has been completed pursuant to the covenant conditions and the covenant affecting the Lots and Parcels have been released allowing Parcel A to be further subdivided.
- 4) The Board has the authority to waive the above referenced conditions under the restriction that the subdivided Parcel A will benefit or use of Knollwood Road.

Should the Board make the above refenced determination, the application shall be allowed to apply for and receive residential building permits for the subdivided Parcel A.



November 10, 2020
Medway Planning & Economic Development Board
Meeting

Medway Mill Site Plan – Public Hearing
Continuation

- Public Hearing Continuation Notice dated 10-14-20
- Mullins Rule Certification for Tom Gay for the 8-11-20 public hearing
- Email communication dated 10-6-20 from Police Sergeant Jeff Watson
- Revised Parking Lot Layout Concepts with cover letter from project engineer Amanda Cavaliere

Board Members

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



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

TOWN OF MEDWAY

COMMONWEALTH OF MASSACHUSETTS

PLANNING AND ECONOMIC DEVELOPMENT BOARD

MEMORANDUM

October 14, 2020

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

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

RE: Public Hearing Continuation for Medway Mill Site Plan – 165 Main Street
Continuation Date – Tuesday, November 10, 2020 at 7:15 p.m.



At its October 13, 2020 meeting, the Planning and Economic Development Board voted to continue the public hearing on the application of 165 Main Street Realty Trust of Medway, MA for site plan approval for proposed site improvements at Medway Mill at 165 Main Street to the November 10, 2020 meeting at 7:15 p.m.

Proposed are a series of site improvements to the 7.28 acre property located at 165 Main Street in the Agricultural-Residential II zoning district. These include creating a 41-space surface parking area with electrical vehicle charging stations and bike racks; installation of stormwater management facilities for the parking area; landscaping and lighting; and expansion of the bridge across Chicken Brook for approximately 25 linear feet on each side. As the site includes riverfront areas under the jurisdiction of the Conservation Commission, the project is also subject to its review for an Order of Conditions and a Land Disturbance Permit.

The application, site plan, and supporting documentation were filed with the Town on February 18, 2020. The *Site Plan – Medway Mills* originally dated February 14, 2020, last revised May 13, 2020, was prepared by Guerriere and Halnon of Franklin, MA. The documents are on file with the Medway Town Clerk and the Community and Economic Development Department at Medway Town Hall, 155 Village Street, Medway, MA. Project information has been posted to the Planning and Economic Development Board's page at the Town's web site at: <https://www.townofmedway.org/planning-economic-development-board/pages/medway-mills-major-site-plan-review>. The applicant intends to file revised plans which will be posted to the web site upon receipt.

Please review the plan and forward your comments to me by November 1, 2020. Please don't hesitate to contact me if you have any questions. Thanks.



Town of Medway, Massachusetts

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

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

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

1. I am a member of PLANNING & ECONOMIC DEVELOPMENT BOARD
2. I missed a public hearing session on the matter(s) of: MEDWAY MILL
SITE PLAN, 165 MAIN ST
which was held on AUGUST 11, 2020
3. I have reviewed all the evidence introduced at the hearing session that I have missed which included a review of (initial which one(s) is/are applicable):
 - a. audio recording of the missed hearing session; or
 - b. X video recording of the missed hearing session: or
 - c. X a written transcript of the missed hearing session.

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

Signed under the pains and penalties of perjury this 21st day of AUGUST, 2020.

[Signature]
(Signature of Board Member)

Received as part of the record of the above matter:

Date: August 25, 2020

By: [Signature]

Position: Planning & Economic
Development Coordinator

Susan Affleck-Childs

From: Sgt. Jeffrey Watson <JWatson@medwaypolice.com>
Sent: Tuesday, October 6, 2020 9:40 AM
To: Susan Affleck-Childs
Cc: johngreene@verizon.net
Subject: 163-165 Main Street Medway Mill

Good morning,

I met with John Greene at 163-165 Main Street to discuss the possibility of widening the bridge that connects the two parking lots in the rear. Currently the width is approximately 14 feet with vegetation causing a sight line issue.

Mr. Greene's proposed widening of the entrance/bridge way would make the connection between the two parking lots far safer. The width would accommodate two vehicles as well as opening up the sight line. With the increase in businesses and the high volume of traffic in and out of this complex, I believe this would elevate the current safety issues. If this is approved I would recommend Mr. Greene paint a pedestrian walkway as well as adding a movable pedestrian crossing sign.

If you have any questions please let me know.

Respectfully

Jeffrey W. Watson
Sergeant
Medway Police Department
315 Village St.
Medway Ma 02053
508-533-3212

Susan Affleck-Childs

From: Amanda Cavaliere <ACavaliere@gandhengineering.com>
Sent: Wednesday, October 28, 2020 2:39 PM
To: Bridget Graziano; Bouley, Steven; Susan Affleck-Childs
Cc: Mark R. Arnold (mark@goddardconsultingllc.com); John Greene; Jim Sullivan; Dale MacKinnon; Michael Hassett; Diane Burlingame
Subject: Medway Mills - Parking Lot Layout Revision
Attachments: F3519 Parking Layout Concept 2.pdf; G_C3DFranklin_F3519_DWG_F3519-SITE-rev 5 parking sketch 3 11X17 PORTRAIT (1).pdf

Good afternoon everyone,

Based on our discussions during the conference call on October 15th, please find attached (2) parking layout concepts for Planning, Conservation and TetraTech's consideration.

The parking layout depicted in Sketch #2 was prepared based on comments received during the 9/22 Planning Board meeting, which included re-evaluating the traffic flow within the proposed parking area, modify layout to have an open end at each end of the parking area as opposed to a middle access, and if room would allow for one way.

However, upon further review, we have revised the layout to minimize disturbance within the 100-200 ft riverfront as shown in sketch #3 and still achieve the additional parking as originally intended. This revised layout decreases the amount of impervious area of both the entire project and the area within the riverfront by approximately 1,000 square feet as well as reduce the amount of stormwater mitigation required, which will overall provide for a better design. We have also provided a turnaround at the end in the event the parking area is full so vehicles do not need to back out of the lot to accommodate the flow of traffic in and out of the lot.

We respectfully request feedback from the Town prior to revising the plans further, on the proposed modifications to the design of the parking lot layout, specifically on Sketch #3, to confirm that the Town Departments would support the parking layout as proposed in Sketch #3. Once the layout has been determined, G&H will be submitting a fully revised plan set and associated documents addressing the proposed revisions to be reviewed by all departments and peer review.

Thank you in advance and we look forward to hearing from you.

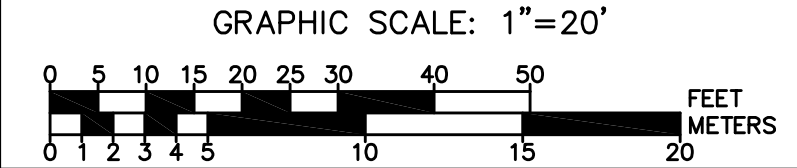
Amanda K. Cavaliere, Office Manager



55 West Central Street
Franklin, MA 02038
Ph. 508.528.3221
Fx. 508.528.7921
Email: acavaliere@gandhengineering.com
Website: www.gandhengineering.com

**PARKING SKETCH PLAN #2
MEDWAY MILL
163-165 MAIN STREET
MEDWAY, MASSACHUSETTS**

PREPARED FOR
NRG CONCEPTS, INC.
JOHN GREEN
165 MAIN STREET
SUITE 307
MEDWAY, MA. 02053



AUGUST 18, 2020

DATE	REVISION DESCRIPTION
8/20/20	REVISED LAYOUT



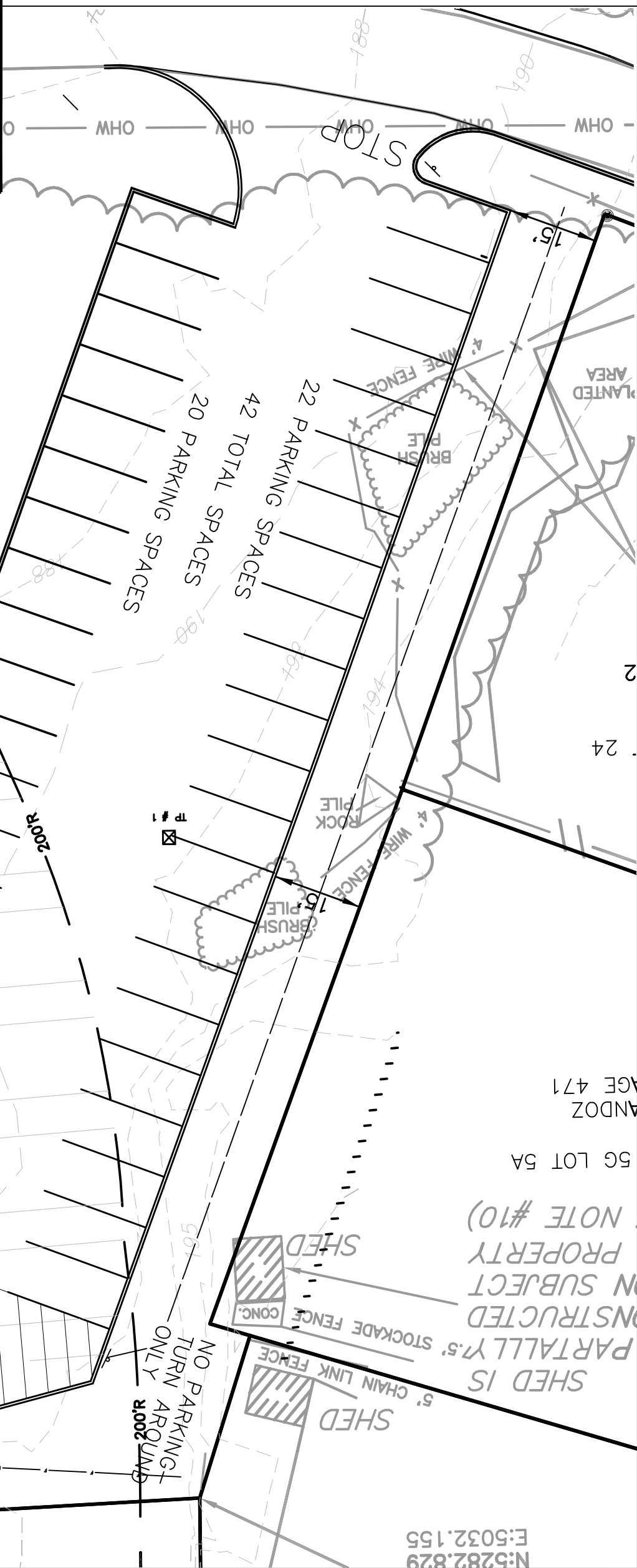
Guerriere &
Halnon, Inc.

ENGINEERING & LAND SURVEYING

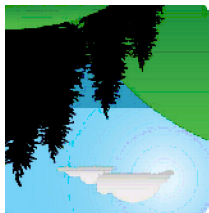
55 WEST CENTRAL ST. PH. (508) 528-3221
FRANKLIN, MA 02038 FX. (508) 528-7921
www.gandhengineering.com

PREPARED FOR
NRG CONCEPTS, INC.
JOHN GREEN
165 MAIN STREET
SUITE 307
MEDWAY, MA. 02053

PARKING SKETCH PLAN #3
MEDWAY MILL
163-165 MAIN STREET
MEDWAY, MASSACHUSETTS



GRAPHIC SCALE: 1"=20'	
	<p>OCTOBER 19, 2020</p>
DATE	REVISION DESCRIPTION
10/26/20	PER CONSULTANT COMMENTS



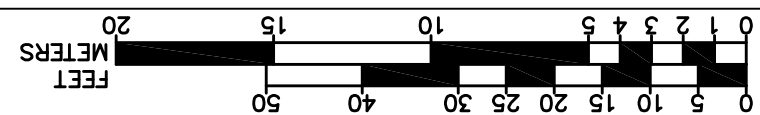
Guerriere & Halmon, Inc.

ENGINEERING & LAND SURVEYING

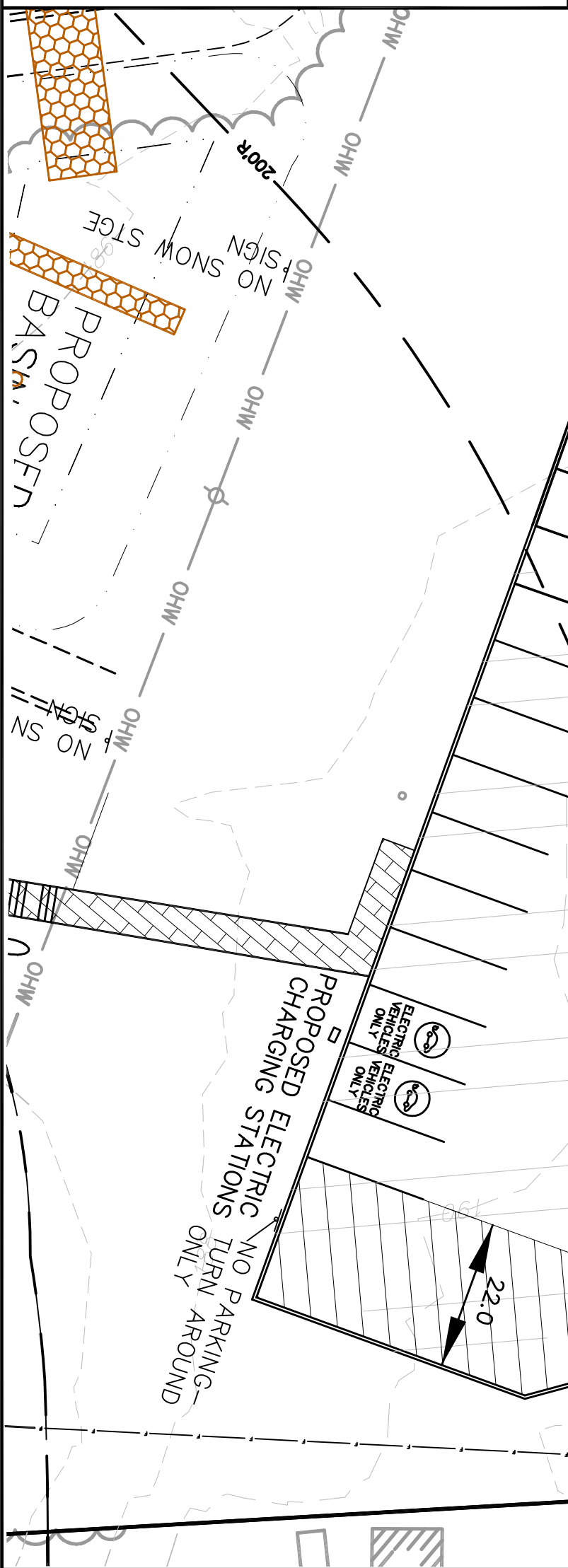
55 WEST CENTRAL ST. FRANKLIN, MA 02038

PH. (508) 528-3221 FX. (508) 528-7921

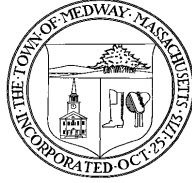
www.gandhengineering.com



GRAPHIC SCALE: 1"=20'



F3519



November 10, 2020
Medway Planning & Economic Development Board
Meeting

Construction Reports

- Salmon Report #58 dated October 13, 2020
- Salmon Report #59 dated October 22, 2020
- 21 Trotter Drive #1 dated October 13, 2020
- 21 Trotter Drive #2 dated October 20, 2020
- Choate Trail #1 dated October 13, 2020
- Evergreen Village #1 dated October 13, 2020

FIELD REPORT

Project Salmon Health and Retirement Community (The Willows)	Date 10/13/2020	Report No. 58
Location Village Street, Medway, MA	Project No. 143-21583-15011	Sheet 1 of 2
Contractor Rubicon Builders (General Contractor) Marois Brothers, Inc. (Site Contractor)	Weather A.M. P.M. OVERCAST/RAIN	Temperature A.M. P.M. 55°F

FIELD OBSERVATIONS

On Tuesday, October 13, 2020, Bradley M. Picard, E.I.T. from Tetra Tech (TT) visited the project location to inspect the current condition of the site and monitor construction progress. The report outlines observations made during the site visit.

1. OBSERVATIONS

- A. Site Conditions/Erosion Controls: The western portion of the site along Willow Pond Circle is firm. Stockpiled construction materials, crushed stone, and soil are present throughout the main open portion of the site but appear to be properly protected from erosion. Straw wattles are placed at the base of the large loam pile at the entrance to Willow Pond Circle from Village Street. Water truck on-site to reduce dust migration during dry conditions. Silt fence barrier (SFB) throughout the site appears to be in good condition. Some sections of SFB have fallen off the stakes from recent storms and require to be reestablished, Contractor to walk the perimeter and reestablish SFB as needed, specifically to the east of Willow Pond Circle where stockpiled materials are located. Catch basins within and adjacent to Waterside Run have silt sacks installed. Rip rap around DCBs, SFB protecting rip rap, and compost filter tube check dams along Waterside Run remain in place and are in good condition. Catch basins within Willow Pond Circle have silt sacks installed and appear to be recently maintained. Stockpile of bark mulch on the north side of Walnut is beginning to encroach on the SFB, Contractor has been advised to move material away from the SFB to ensure barrier is not adversely impacted.
- B. Upon request of Medway Conservation Commission, TT inspected the condition of STC-3 (Contech CDS3020-6-C), and STC-4 (Contech CDS2020-5-C) to verify sediment accumulation levels and to determine if structures require cleaning. TT measured sediment accumulations using a leveling rod, and measurements were taken within the solids storage sump of each structure. TT measured less than an inch of sediment accumulation in each structure, we do not believe cleaning these structures is necessary at this time.

CONTRACTOR'S FORCE AND EQUIPMENT						WORK DONE BY OTHERS	
Sup't	1	Bulldozer		Asphalt Paver	1	Dept. or Company	Description of Work
Foreman	2	Backhoe		Asphalt Reclaimer			
Laborers	5+	Loader	1	Vib. Roller	1		
Drivers		Rubber Tire Backhoe/Loader		Static Roller			
Oper. Engr.	3	Skid Steer		Vib. Walk Comp.	1		
Carpenters		Hoeram		Compressor			
Masons		Excavator	2	Jack Hammer			
Iron Workers		Grader		Power Saw			
Electricians		Crane		Conc. Vib.			
Flagpersons		Scraper		Tack Truck			
Surveyors		Conc. Mixer		Man Lift			
		Conc. Truck		Skidder		OFFICIAL VISITORS TO JOB	
		Conc. Pump Truck		Compact Track Loader			
		Pickup Truck	5+	Water Truck	1		
		Tri-Axle Dump Truck		Crane Truck			
		Trailer Dump Truck		Lull			
		Art. Dump Truck	1	BOMAG Remote Comp.	1		
Police Details: N/A						RESIDENT REPRESENTATIVE FORCE	
Contractor's Hours of Work: 7:00 A.M. to 3:30 P.M.						Name	Time on-site
						Bradley M. Picard, EIT	1:15 P.M. – 2:15 P.M.

Project Salmon Health and Retirement Community	Date 10/13/2020	Report No. 58
Location Village Street, Medway, MA	Project No. 143-21583-15011	Sheet 2 of 2

FIELD OBSERVATIONS CONTINUED

- C. Upon inspection, Contractor is installing gas services on the west side of the main campus building located in the central portion of the site (Building C).

2. SCHEDULE

- A. Contractor to perform CCTV inspections of drainage infrastructure within Waterside Run.
- B. Contractor to continue construction of bridge at the Willow Pond Circle Wetland Crossing.
- C. Contractor to continue construction of canoe launch at the Charles River. Contractor to begin placing bark mulch along the edge of the crushed stone access drive.
- D. TT will maintain communication with contractor and will inspect the site as construction progresses.

3. NEW ACTION ITEMS

- A. N/A

4. PREVIOUS OPEN ACTION ITEMS

- A. N/A

5. MATERIALS DELIVERED TO SITE SINCE LAST INSPECTION

- A. N/A

FIELD REPORT

Project	Date	Report No.
Salmon Health and Retirement Community (The Willows)	10/22/2020	59
Location	Project No.	Sheet 1 of
Village Street, Medway, MA	143-21583-15011	2
Contractor	Weather	Temperature
Rubicon Builders (General Contractor)	A.M.	A.M.
Marois Brothers, Inc. (Site Contractor)	P.M. SUNNY	P.M. 45°F

FIELD OBSERVATIONS

On Thursday, October 22, 2020, Bradley M. Picard, E.I.T. from Tetra Tech (TT) visited the project location to inspect the current condition of the site and monitor construction progress. The report outlines observations made during the site visit.

1. OBSERVATIONS

- A. Site Conditions/Erosion Controls: The western portion of the site along Willow Pond Circle is firm. Stockpiled construction materials, crushed stone, and soil are present throughout the main open portion of the site but appear to be properly protected from erosion. Straw wattles are placed at the base of the large loam pile at the entrance to Willow Pond Circle from Village Street. Water truck on-site to reduce dust migration during dry conditions. Silt fence barrier (SFB) throughout the site appears to be in good condition. Catch basins within Waterside Run and Willow Pond Circle have silt sacks installed and appear to be in good condition. Rip rap around DCBs, SFB protecting rip rap, and compost filter tube check dams along Waterside Run remain in place and are in good condition. Stockpile of bark mulch on the north side of Walnut is beginning to encroach on the SFB, Contractor has been advised to move material away from the SFB to ensure barrier is not adversely impacted. Slopes along Lilac Path and the canoe put-in have been hydroseeded.
- B. Upon inspection, Infiltration Basin #3 is staging water, latest rainfall occurred on October 17, 2020 (1.41 inches as indicated on Weather Underground, Medway Village Street West Station) which exceeds the required 72-hour drawdown period. Wetland plantings have begun to grow within the basin bottom as well. Contractor to scarify the basin bottom to promote stormwater recharge. TT will continue to evaluate the performance of the basins on-site.
- C. Due to recent vehicle traffic by laborers' personal vehicles, crushed stone is visibly displacing underneath the tires and causing depressions within the canoe put-in driveway. TT recommends contractor to compact the 1.5" stone in place, then dress driveway with 3/8" stone, as recommended by Medway Conservation Commission, to further

CONTRACTOR'S FORCE AND EQUIPMENT						WORK DONE BY OTHERS	
Sup't	1	Bulldozer		Asphalt Paver		Dept. or Company	Description of Work
Foreman	2	Backhoe		Asphalt Reclaimer		York Bridge Concepts	Wetland Crossing Const.
Laborers	5+	Loader	1	Vib. Roller	1		
Drivers		Rubber Tire Backhoe/Loader		Static Roller			
Oper. Engr.	3	Skid Steer		Vib. Walk Comp.	1		
Carpenters		Hoeram		Compressor			
Masons		Excavator	2	Jack Hammer			
Iron Workers		Grader		Power Saw			
Electricians		Crane		Conc. Vib.			
Flagpersons		Scraper		Tack Truck			
Surveyors		Conc. Mixer		Man Lift			
		Conc. Truck		Skidder		OFFICIAL VISITORS TO JOB	
		Conc. Pump Truck		Compact Track Loader			
		Pickup Truck	5+	Water Truck	1		
		Tri-Axle Dump Truck		Crane Truck			
		Trailer Dump Truck		Lull			
		Art. Dump Truck	1	BOMAG Remote Comp.	1		
Police Details: N/A						RESIDENT REPRESENTATIVE FORCE	
Contractor's Hours of Work: 7:00 A.M. to 3:30 P.M.						Name	Time on-site
						Bradley M. Picard, EIT	9:15 A.M. – 10:15 A.M.

Project Salmon Health and Retirement Community	Date 10/22/2020	Report No. 59
Location Village Street, Medway, MA	Project No. 143-21583-15011	Sheet 2 of 2

FIELD OBSERVATIONS CONTINUED

stabilize the current stone. Geoweb has been installed at the end of the canoe put-in at the edge of the Charles River, and stone has been installed within the geoweb. Stone is stable within this area and appears to be functioning as intended. Bark mulch has been placed along the edges of the crushed stone driveway to stabilize the existing topsoil adjacent to the driveway.

- D. Wetland crossing construction on Willow Pond Circle is ongoing, timber stringers are currently being installed. Erosion controls remain in place and appear to be in good condition.
- E. Contractor has started installing light pole footings at the south side of site between Willow Pond circle and Infiltration Trench 18A. Footings appear to be bedded with 3/8" stone and backfilled with gravel. Infiltration Trench 18A does not appear to be impacted by excavation operations.

2. SCHEDULE

- A. Contractor to perform CCTV inspections of drainage infrastructure within Waterside Run.
- B. Contractor to continue construction of bridge at the Willow Pond Circle Wetland Crossing.
- C. Contractor to continue construction of canoe launch at the Charles River. Contractor to begin placing bark much along the edge of the crushed stone access drive.
- D. TT will maintain communication with contractor and will inspect the site as construction progresses.

3. NEW ACTION ITEMS

- A. Contractor to scarify the bottom of Infiltration Basin #3 to promote stormwater recharge within the required 72-hour drawdown period.
- B. Contractor to compact the 1.5" stone and to place 3/8" stone along the driveway to the canoe put-in.

4. PREVIOUS OPEN ACTION ITEMS

- A. N/A

5. MATERIALS DELIVERED TO SITE SINCE LAST INSPECTION

- A. Geoweb for canoe put-in.
- B. Timber for wetland crossing on Willow Pond Circle.

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

FIELD REPORT

Project 21 Trotter Drive	Date 10/13/2020	Report No. 1
Location 21 Trotter Drive, Medway, MA	Project No. 143-21583-19018	Sheet 1 of 2
Contractor RP Marzilli (Site Contractor)	Weather A.M. OVERCAST/RAIN P.M. OVERCAST/RAIN	Temperature A.M. 60°F P.M. 60°F

FIELD OBSERVATIONS

On Tuesday, October 13, 2020, Bradley M. Picard, EIT from Tetra Tech (TT) visited the project location to inspect the current condition of the site and monitor construction progress. The following report outlines observations made during the site visit.

1. OBSERVATIONS

- A. General site conditions: Wet ground surface that is relatively firm with some softer areas. Site clearing on the northeast portion of the site nears completion, silt fence barrier (SFB) and compost filter tubes have been installed around the perimeter of site as shown on the endorsed Plans. Sections of SFB adjacent to clearing regions require maintenance. Some sections in these areas are loose, and the toe of the SFB is exposed. Contractor to walk the erosion control barrier and ensure the toe of the SFB is embedded as shown in the Plans and top of SFB is restapled onto the stakes. Compost filter tubes are placed just inside of the SFB along the northern portion of the erosion control limits and appear to be in good condition. Stockpiles of recently cleared trees and excavated material are present throughout the site.
- B. Contractor is currently clearing and removing debris at the location of the proposed Infiltration Basin and on the northeast portion of the site adjacent to the existing driveway.

CONTRACTOR'S FORCE AND EQUIPMENT					WORK DONE BY OTHERS	
Sup't		Bulldozer		Asphalt Paver	Dept. or Company	Description of Work
Foreman		Backhoe		Asphalt Reclaimer		
Laborers		Loader		Vib. Roller		
Drivers		Rubber Tire Backhoe/Loader		Static Roller		
Oper. Engr.	1	Skid Steer	1	Vib. Walk Comp.		
Carpenters		Hoeram		Compressor		
Masons		Excavator	1	Jack Hammer		
Iron Workers		Grader		Power Saw		
Electricians		Crane		Conc. Vib.		
Flagpersons		Scraper		Tack Truck		
Surveyors		Conc. Mixer		Man Lift		
Roofers		Conc. Truck		Skidder		
Mechanical/HVAC		Conc. Pump Truck		Compact Track Loader		
		Pickup Truck	5+			
		Tri-Axle Dump Truck				
		Trailer Dump Truck				
Police Details: 1					OFFICIAL VISITORS TO JOB	
Contractor's Hours of Work: 7:00 A.M. to 6:00 P.M.					RESIDENT REPRESENTATIVE FORCE	
					Name	Time on-site
					Bradley M. Picard, EIT	11:30 A.M. – 12:00 P.M.

NOTE: Please use reverse side for remarks and sketches

Project 21 Trotter Drive	Date 10/13/2020	Report No. 1
Location 21 Trotter Drive, Medway, MA	Project No. 143-21583-19018	Sheet 2 of 2

FIELD OBSERVATIONS CONTINUED

2. SCHEDULE

- A. Contractor to continue clearing on the northeast portion of the site and at the location of the proposed infiltration basin.
- B. Contractor to begin excavation of proposed infiltration basin.
- C. TT will maintain communication with contractor and will inspect the site on an as-need basis.

3. NEW ACTION ITEMS

- A. Repair SFB as needed throughout the perimeter of the site.

4. PREVIOUS OPEN ACTION ITEMS

- A. N/A

5. MATERIALS DELIVERED TO SITE SINCE LAST INSPECTION

- A. N/A

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

FIELD REPORT

Project 21 Trotter Drive	Date 10/20/2020	Report No. 2
Location 21 Trotter Drive, Medway, MA	Project No. 143-21583-19018	Sheet 1 of 2
Contractor RP Marzilli (Site Contractor)	Weather A.M. P.M. OVERCAST	Temperature A.M. P.M. 70°F

FIELD OBSERVATIONS

On Tuesday, October 20, 2020, Bradley M. Picard, EIT from Tetra Tech (TT) visited the project location to inspect the current condition of the site and monitor construction progress. The following report outlines observations made during the site visit.

1. OBSERVATIONS

- A. General site conditions: Dry ground surface that is relatively firm throughout the site. Site clearing on the northeast portion of the site is complete, silt fence barrier (SFB) and compost filter tubes have been installed around the perimeter of site as shown on the endorsed Plans. Sections of SFB adjacent to clearing require maintenance. Sections in these areas are loose, and the toe of the SFB is exposed. Contractor to walk the erosion control barrier and ensure the toe of the SFB is embedded as shown in the Plans and top of SFB is restapled onto the stakes. Compost filter tubes are placed just inside of the SFB along the northern portion of the erosion control limits and appear to be in good condition. Stockpiles of excavated material are present throughout the southern portion of the site.
- B. Contractor has excavated the proposed Infiltration Basin at the southern portion of the site. The material at the bottom of the basin is a coarse gravel with trace fines. Detail calls for rip-rap in the bottom foot of the basin, the detail is unclear but the contractor shall over-excavate infiltration basin to ensure rip rap lining of interior slopes and basin bottom does not encroach on the basin's capacity.

CONTRACTOR'S FORCE AND EQUIPMENT					WORK DONE BY OTHERS	
Sup't		Bulldozer		Asphalt Paver	Dept. or Company	Description of Work
Foreman		Backhoe		Asphalt Reclaimer		
Laborers	2	Loader	1	Vib. Roller		
Drivers		Rubber Tire Backhoe/Loader		Static Roller		
Oper. Engr.	2	Skid Steer	1	Vib. Walk Comp.		
Carpenters		Hoeram		Compressor		
Masons		Excavator	1	Jack Hammer		
Iron Workers		Grader		Power Saw		
Electricians		Crane		Conc. Vib.		
Flagpersons		Scraper		Tack Truck		
Surveyors		Conc. Mixer		Man Lift		
Roofers		Conc. Truck		Skidder	OFFICIAL VISITORS TO JOB	
Mechanical/HVAC		Conc. Pump Truck		Compact Track Loader		
		Pickup Truck	5+			
		Tri-Axle Dump Truck				
		Trailer Dump Truck				
Police Details: 1					RESIDENT REPRESENTATIVE FORCE	
Contractor's Hours of Work: 7:00 A.M. to 6:00 P.M.					Name	Time on-site
					Bradley M. Picard, EIT	3:30 P.M. – 4:00 P.M.

NOTE: Please use reverse side for remarks and sketches

Project 21 Trotter Drive	Date 10/20/2020	Report No. 2
Location 21 Trotter Drive, Medway, MA	Project No. 143-21583-19018	Sheet 2 of 2

FIELD OBSERVATIONS CONTINUED

2. SCHEDULE

- A. Contractor to continue excavation and rough grading of proposed infiltration basin.
- B. Excavation of foundation for proposed addition to begin.
- C. TT will maintain communication with contractor and will inspect the site on an as-need basis.

3. NEW ACTION ITEMS

- A. N/A

4. PREVIOUS OPEN ACTION ITEMS

- A. Repair SFB as needed throughout the perimeter of the site.

5. MATERIALS DELIVERED TO SITE SINCE LAST INSPECTION

- A. N/A

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

FIELD REPORT

Project Choate Trail – Copper Drive	Date 10/13/2020	Report No. 1
Location 42 Highland Street, Medway, MA	Project No. 143-21583-20008	Sheet 1 of 2
Contractor Bob Pace (Owner/General Contractor) Rhino Construction (Site Contractor)	Weather A.M. OVERCAST/RAIN P.M.	Temperature A.M. 60°F P.M.

FIELD OBSERVATIONS

On Tuesday, October 13, 2020, Bradley M. Picard, EIT from Tetra Tech (TT) visited the project location to inspect the current condition of the site and monitor construction progress. The following report outlines observations made during the site visit.

1. OBSERVATIONS

- A. Contractor has installed erosion control barriers around the proposed limit of work. Compost filter tubes are staked in place and appear to be in good condition. Contractor has also staked out the proposed limit of work.

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

NOTE: Please use reverse side for remarks and sketches

Project Choate Trail Way	Date 10/13/2020	Report No. 1
Location 42 Highland Street, Medway, MA	Project No. 143-21583-20008	Sheet 2 of 2

FIELD OBSERVATIONS CONTINUED

2. SCHEDULE

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

3. NEW ACTION ITEMS

A. N/A

4. PREVIOUS OPEN ACTION ITEMS

A. N/A

5. MATERIALS DELIVERED TO SITE SINCE LAST INSPECTION

A. N/A

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

FIELD REPORT

Project Evergreen Village	Date 10/13/2020	Report No. 1
Location 22 Evergreen Street, Medway, MA	Project No. 143-21583-20001	Sheet 1 of 2
Contractor Mark Muntz (General Contractor)	Weather A.M. P.M. OVERCAST/RAIN	Temperature A.M. P.M. 60°F

FIELD OBSERVATIONS

On Tuesday, October 13, 2020, Bradley M. Picard, EIT from Tetra Tech (TT) visited the project location to inspect the current condition of the site and monitor construction progress. The following report outlines observations made during the site visit.

1. OBSERVATIONS

- A. Contractor has installed erosion control barriers around the proposed limit of work. Silt fence barriers (SFB) has been placed around the limit of work and are in good condition. Compost filter tubes are staked just inside of the SFB and appear to be in good condition as well. Contractor has staked out the proposed limits and centerline of Balsam Way.
- B. Trees have been flagged to remain on-site. Trees flagged in the southwest corner of the development adjacent to proposed stormwater mitigation may not be able to be saved if root intrusion will be an issue into the subsurface systems. We will watch this as construction progresses to determine viability of the trees in this area.

CONTRACTOR'S FORCE AND EQUIPMENT				WORK DONE BY OTHERS	
Sup't		Bulldozer		Asphalt Paver	
Foreman		Backhoe		Asphalt Reclaimer	
Laborers		Loader		Vib. Roller	
Drivers		Rubber Tire Backhoe/Loader		Static Roller	
Oper. Engr.		Skid Steer		Vib. Walk Comp.	
Carpenters		Hoeram		Compressor	
Masons		Excavator	1	Jack Hammer	
Iron Workers		Grader		Power Saw	
Electricians		Crane		Conc. Vib.	
Flagpersons		Scraper		Tack Truck	
Surveyors		Conc. Mixer		Man Lift	
Roofers		Conc. Truck		Skidder	
Mechanical/HVAC		Conc. Pump Truck		Compact Track Loader	
		Pickup Truck			
		Tri-Axle Dump Truck			
		Trailer Dump Truck			
Police Details: 1				RESIDENT REPRESENTATIVE FORCE	
Contractor's Hours of Work: 7:00 A.M. to 6:00 P.M.				Name	Time on-site
				Bradley M. Picard, EIT	12:30 P.M. – 12:50 P.M.

NOTE: Please use reverse side for remarks and sketches

Project Evergreen Village	Date 10/13/2020	Report No. 1
Location 22 Evergreen Street, Medway, MA	Project No. 143-21583-20001	Sheet 2 of 2

FIELD OBSERVATIONS CONTINUED

2. SCHEDULE

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

3. NEW ACTION ITEMS

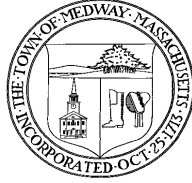
A. N/A

4. PREVIOUS OPEN ACTION ITEMS

A. N/A

5. MATERIALS DELIVERED TO SITE SINCE LAST INSPECTION

A. N/A



November 10, 2020
Medway Planning & Economic Development Board
Meeting

Town Meeting

- Final Warrant for 11-16-20 Town Meeting
- 11-3-20 PEDB Report and Recommendation Letter to Town Meeting on the proposed Zoning Bylaw amendment articles
- Emails with attachments among Ellen Rosenfeld, Dan Merrikin, Susy Affleck-Childs and Acentech (Ellen's noise consultant) dated 11-3-20 expressing concerns about the Noise Regulation portion of the proposed new Environmental Standards bylaw (Article 9) (See the table on page 9 of the warrant).

On 11-3-20, I contacted Jeff Komrower, the noise consultant from Noise Control Engineering who helped us with the marijuana facilities. I sent him the above documents and requested his assistance. Attached is my email to him and his response to me dated 11-6-20 with an attachment.

I have informed Ellen Rosenfeld that you will discuss this at the meeting. She plans to ZOOM in to talk with you about this. I will also forward the Jeff Komrower communication to her and Dan Merrikin.

**TOWN OF MEDWAY
WARRANT FOR 2020
FALL TOWN MEETING**

NORFOLK ss:

To either of the Constables of the Town of Medway

GREETING:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of said Town who are qualified to vote in Town affairs to meet at the Medway High School Auditorium, 88 Summer Street, on Monday, November 16, 2020 at 7:00 PM, then and there to act on the following articles:

ARTICLE 1: (Prior Year Bills)

To see if the Town will vote to transfer the sum of \$19,144 from the Water Repair, Maintenance and Improvement Account, \$1,195.14 from the Fiscal Year 2021 Water Enterprise copying/binding account, \$1,195.15 from the Fiscal Year 2021 Solid Waste Enterprise copying/printing account, \$1,195.14 from the Fiscal Year 2021 Sewer Enterprise printing account, \$50.00 from the Fiscal Year 2021 Police Department Telephone Expense Account, and \$175.23 from the Police Miscellaneous account for the purpose of paying prior year, unpaid bills of the Town, or act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 2: (Accept Gift of Land: 70 Summer St)

To see if the Town will vote to authorize the Board of Selectmen to acquire by gift and to accept the deed to the Town of a fee simple interest in all or a portion of land located at 70 Summer Street, identified as Parcel 37-071 on the Town of Medway's Assessors' Map and containing 6.98 acres more or less, upon such terms and conditions as the Board of Selectmen shall determine to be appropriate, said property to be under the care, custody, management and control of the Board of Selectmen for general municipal purposes and authorize the Board of Selectmen and Town officers to execute all agreements and instruments and take all related actions necessary or appropriate to carry out this acquisition, or act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 3: (Street Acceptance – Applegate Rd)

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

Applegate Road in its entirety from Station 0 + 00 at Coffee Street to its end at Station 17 + 46.52 at Ellis Street as shown on *Street Acceptance Plan - Applegate Road*, dated October 21, 2020, consisting of two sheets, prepared by GLM Engineering Consultants, Inc. of Holliston, MA, to be recorded at the Norfolk County Registry of Deeds.

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

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

And further to appropriate the subdivision surety funds in the amount of \$265,617 to meet the Town's costs and expenses in completing the construction of the way and installation of municipal services as specified in the approved subdivision plan, as provided in General Laws chapter 41, section 81U;

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

Or act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 4: (Amend Zoning Bylaw – Outdoor Lighting)

To see if the Town will vote to amend portions of Section 7.1.2 of the Zoning Bylaw, Outdoor Lighting, by adding a new Subsection G as set forth below:

G. The Planning and Economic Development Board, when acting as special permit granting authority, or when performing site plan review under Section 3.5, may grant minor relief from the provisions of this Section 7.1.2 where it finds that the relief is in the public interest and will not have a substantially detrimental effect on abutting properties.

Or take any other action relative thereto.

BOARD OF SELECTMEN

FINANCE COMMITTEE RECOMMENDATION: **Approve**

And by amending the Schedule of Uses 5.4.E by amending the following:

	AR -I	AR -II	VR	CB	VC	NC	BI	EI	ER	WI	Form Based Districts		
											OG VC	OG BP	OGN
Research and development and/or manufacturing of renewable or alternative energy products	N	N	N	N	N	N	Y	Y	Y	Y	N	Y	N
Electric power generation, which includes including but not limited to renewable or alternative energy generating facilities such as the construction and operation of large-scale ground-mounted solar photovoltaic installations with a rated name plate capacity of 250 kW (DC)-or more and other Renewable Energy sources.	N	N	N	N	N	N	N	N	Y	N	N	N	N

Or act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

FINANCE COMMITTEE RECOMMENDATION: **Approve**

To see if the Town will vote to amend the Zoning Bylaw, Section 5.4, Table 1, Schedule of Uses, as follows (new text in **bold**, deleted text in ~~striktthrough~~):

- | | AR-I | AR-II | VR | CB | VC | N
C | BI | EI | ER | W
I | Form-Based Districts | | |
|--|------|-------|----|----|----|--------|----|----|----|--------|----------------------|----------|---------|
| | | | | | | | | | | | OG
VC | OG
BP | OG
N |

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

- | | AR-I | AR-II | VR | CB | VC | N
C | BI | EI | ER | WI | Form-Based Districts | | |
|--|------|-------|----|----|----|--------|----|----|----|----|----------------------|--------------|---------|
| | | | | | | | | | | | OG
VC | O
GB
P | OG
N |

4

	AR-I	AR-II	VR	CB	VC	N C	BI	EI	ER	W I	Form-Based Districts		
											OG VC	OG BP	OGN

3. And further to amend said Table 1 related to “Drive-through facility” to provide for whether such uses are allowed, prohibited, or require a special permit in the Oak Grove Zoning districts:

Drive-through facility	N	N	N	N	N	PB	PB	N	N	N	PB	PB	N
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4. And further to amend said Table 1 as follows:

Indoor sales of motor vehicles, trailers, boats, farm equipment, with accessory repair services and storage, but excluding auto body, welding, or soldering shop	N	N	N	✗ N	N	N	N	N	N	N	N	PB	N
--	---	---	---	-----	---	---	---	---	---	---	---	----	---

5. And further to amend said Table 1 by deleting “Multi-family units in combination with a commercial use that is permitted or allowed by special permit, subject to Section 5.4.1” from Section C. Residential Uses and inserting “Mixed-Use Development subject to Section 5.4.1” in its place and by adding the same language in Section D. Business Uses, Other Business Uses Unclassified.

C. RESIDENTIAL USES

Multi-family units in combination with a commercial use that is permitted or allowed by special permit, subject to Section 5.4.1													
Mixed-Use Development subject to Section 5.4.1	N	N	N	PB	N	N	N	N	N	N	Y	Y	N

D. BUSINESS USES

<i>Other Business Uses: Unclassified</i>													
Mixed-Use Development subject to Section 5.4.1	N	N	N	PB	N	N	N	N	N	N	Y	Y	N

6. And further to amend said Table 1 by inserting “Parking Lot” in Section D. Business Uses, Automotive Uses.

	AR-I	AR-II	VR	CB	VC	N C	BI	EI	ER	W I	Form-Based Districts		
											OG VC	OG BP	OGN

D. BUSINESS USES

Parking Lot	N	N	N	N	N	N	N	N	N	N	N	N	N
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Or act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 7: (Amend Zoning Bylaw: Multi-Family Housing)

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

D. Density Regulations:

1. For lots of one acre or more:
 - a. The density of a Multi-Family Building or a Multi-Family Development without an Apartment Building shall not exceed 8 dwelling units per whole acre. For example, the maximum density of a 1.8 acre lot shall not exceed 8 dwelling units.
 - b. The density of an Apartment Building or a Multi-Family Development which includes an Apartment Building shall not exceed 12 dwelling units per whole acre.
2. For lots under one acre, the density of a Multi-Family Building and a Multi-Family Development shall not exceed its relative portion of an acre. For example, the maximum density of a 0.5 acre lot shall not exceed 4 dwelling units. *(Amended 11-19-18 and 11-18-19)*
3. **An Applicant is not entitled to the maximum possible number of dwelling units described herein. The number of dwelling units for a Multi-Family Development and/or Multi-Family Building shall be determined by the Planning and Economic Development Board in accordance with the criteria specified in Paragraph I. Decision herein.**

Or act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 8: (Amend Zoning Bylaw: Setbacks)

To see if the Town will vote to amend the Zoning Bylaw, Section 6.2.F, Setbacks, by adding new Section 6.2.F.4 as follows (new text in **bold**):

- 4. On a corner lot, no fence, wall, sign, landscaping or plantings shall be constructed or placed within the clear sight triangle so as to obstruct visibility at the intersection. The clear sight triangle is that area formed by the intersecting street right of way lines and a straight line joining said street lines at a point twenty feet distant from the point of intersection of street lines.**

(dB)Decibel: A unit of measurement of the intensity of sound

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

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

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

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

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

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

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

1. **Smoke, Fly Ash, Dust, Fumes, Vapors, Gases, Other Forms of Air Pollution:** All activities involving smoke, fly ash, dust, fumes, vapors, gases, other forms of air pollution, as defined in [CMR 310, § 7](#), Air Pollution Control Regulations, as amended, which can cause damage to human health, to animals or vegetation, or other forms of property, or which cause any excessive soiling at any point are prohibited.

2. **Noise Disturbance:** The Building Commissioner may determine that a noise source is subject to investigation, and if it is determined to be in violation of this bylaw, may take appropriate enforcement action, including the issuance of orders requiring the development and implementation of corrective measures, and/or imposition of fines or non-criminal penalties.

a. **Standards.** No person or persons owning, leasing, or controlling the operation of any source or sources of noise shall cause or permit a condition resulting in noise pollution. Disturbing, offensive or objectionable noises shall not be produced in any zoning district or impact any space where people live, work or assemble in a way that unreasonably interferes with the comfortable enjoyment of life or the use of property.

1) **Continuous Noise.** For the purposes of this bylaw, continuous noise restrictions apply to permanent non-residential uses and home-based businesses where noise is a by-product of business operations (such as from exhaust equipment). Maximum permissible sound pressure levels measured at the property line of the noise source shall not exceed the values specified in the table below. In addition, maximum permissible sounds levels measured at sensitive receptors located within one-thousand feet of the property line of the noise source for noise radiated continuously from the noise source shall not exceed the values specified in the table below.

Daytime is defined as between the hours of 7:00 a.m. and 9:00 p.m. and Nighttime is defined as between the hours of 9:00 p.m. and 7:00 a.m.

Octave Band Center Frequency (Hz)	Daytime (dB) 7:00 a.m. – 9:00 p.m.	Nighttime (dB) 9:00 p.m. – 7:00 a.m.
63	72	55
125	60	48
250	53	42
500	47	39
1000	43	36
2000	40	33
4000	37	30
8000	33	27
Overall Level (dBA)	52	42

Compliance with all octave band limits is required. If the Building Commissioner determines that the noise source contributes significantly to ambient noise levels at any distance from the property, sound levels may be measured in those locations beyond the source property line. Compliance is required at all property lines of the noise source and at sensitive receptors located within one-thousand feet of a property line of the noise source. Noncompliance at any property line of the noise source or at any sensitive receptor located within one-thousand feet of a property line of the noise source is a violation.

- 2) **Temporary Noise.** For the purposes of this bylaw, non-continuous noise restrictions apply to permanent non-residential installations and home-based businesses where noise is periodically produced. No person shall use or cause the use of any noise-producing equipment or tool (such as for construction, repair, or demolition operations) between the hours of 9:00 p.m. and 7:00 a.m.
- 3) **Construction Noise.** Work at construction sites and in the operation of construction equipment including start-up and movement of trucks, vehicles, and machines shall commence no earlier than 7:00 a.m. and shall cease no later than 6:00 p.m., Monday through Saturday. No construction shall take place on Sundays, federal holidays or state legal holidays without the advance written approval of the Building Commissioner.

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

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

is warranted, he or she or a designee, may undertake a noise study to determine if a non-compliant noise condition exists. The Building Commissioner may enlist the assistance of other Town personnel for the investigation. At the discretion of the Building Commissioner, a qualified acoustical consultant whose qualifications include Institute of Noise Control Engineering (INCE) board certification or equivalent experience may be engaged by the Town to assist in the investigation including measurements and documentation of violations. Depending on the particular site and its noise generators, the noise study shall include, at a minimum, measurements of:

- Ambient noise (Daytime and Nighttime) and
- Operational noise levels (Daytime and Nighttime) at the facility property line and at Sensitive Receptors located within one thousand feet of the facility property line.

c. **Noise Control Plan.** If the Building Commissioner determines that there is a violation, he or she shall order the owner or operator to come into compliance. The owner and/or operator of the noise producing use shall provide a noise control, abatement and mitigation plan to the Building Commissioner for review and approval, or otherwise bring the property into compliance with this bylaw and the order of the Building Commissioner. The plan shall address how the site will become compliant. Compliance shall be achieved through industry best practices and suitable mitigation measures. The plan shall be prepared by a qualified acoustical consultant whose qualifications include Institute of Noise Control Engineering (INCE) board certification or equivalent experience.

d. **Corrective Measures** - Non-residential uses that produce non-compliant noise must install and maintain noise reducing equipment in accordance with the approved noise control plan to meet the requirements of this section. The Building Commissioner may require the provision of reports to document ongoing noise compliance.

3. **Vibration:** No vibration which is discernible to the human sense of feeling for three minutes or more in any hour between 7:00 a.m. and 9:00 p.m. or for thirty seconds or more in any one hour from 9:00 p.m. to 7:00 a.m. shall be permitted. No vibration at any time shall produce an acceleration of gravity of more than 0.1g or shall result in any combination of amplitude and frequencies beyond the "safe" range on the most recent edition of [Table 7, U.S. Bureau of Mines Bulletin NO. 442](#) (U.S. Department of the Interior). These requirements do not apply to blasting conducted in compliance with a blasting permit issued by an appropriate state or local agency.

4. **Odors:** The Building Commissioner may determine that an odor is disturbing, offensive or objectionable and is subject to investigation, and, if it is determined to be in violation of this bylaw, may take appropriate enforcement action, including the issuance of orders requiring the development and implementation of corrective measures, and/or the imposition of fines and non-criminal penalties.

a. **Standards** – Disturbing, offensive or objectionable odors as defined in Paragraph C. shall not be produced in any zoning district or impact any space where people live, work or assemble in a way that unreasonably interferes with the comfortable enjoyment

of life or the use of property. Failure to meet either the Reasonableness Standard or the Measurement Standard listed below shall constitute a violation of this section.

- 1) **Sensorial Reasonableness Standard** –The Building Commissioner, or designee, may determine, using only her or his sense of smell, that an odor is one which is disturbing, offensive or objectionable to a reasonable person with normal olfactory sensitivity.
 - 2) **Measurement Standards** – No disturbing, offensive or objectionable odor greater than that caused by the lowest odor detection thresholds as listed in the most recent edition of the [American Industrial Hygiene Association \(AIHA\) Odor Thresholds for Chemicals with Established Occupational Health Standards, Reported Odor Thresholds \(EG Table 6.3 in 2nd Edition\)](#) shall be permitted. Due to the potential of odorant mixtures causing more intense odors than individual odorant compounds in isolation, nothing in this Bylaw shall be interpreted as allowing for any disturbing, offensive or objectionable odors at or above the cited detection thresholds.
- b. **Investigation.** The Building Commissioner or designee shall investigate odor complaints until determined to be without merit or resolved to the satisfaction of the Building Commissioner.
- 1) **Assessment Area** – The Building Commissioner or designee shall investigate odor complaints for odors emanating from:
 - a) **Immediate Impact Zone** - Any resident, occupant, or owner of property located within 1,000 feet of the property line of the property with a source generating and emitting the disturbing, objectionable or offensive odor, as measured from property line to property line.
 - b) **Secondary Impact Zone** - A collection of complaints from five or more residents, occupants, or owners of property located within 2,500 feet of the property line of the property with a source generating and emitting the disturbing, objectionable or offensive odor as measured from property line to property line.
 - 2) The Building Commissioner or designee may investigate possible odor violations upon their own initiative or at the request of Town officials or staff and shall investigate public complaints about an odor of a suspicious or dangerous nature.
 - 3) If the Building Commissioner determines that an investigation is warranted, he or she or a designee, may undertake an odor observation to determine if a disturbing, objectionable or offensive odor exists. At the discretion of the Building Commissioner, a technical odor consultant may be engaged by the Town to assist in the investigation including odor observation and documentation of violations. The odor consultant shall be trained in the practices of ASTM (American Society for Testing Materials) - E679 and meet the selection criteria of EN13725 (international olfactometry standard). As a component of such investigation, measurements may be done in the field by using:

- a) Undiluted odor field observations (i.e. sniffing) or odor sampling to be performed at a frequency, duration, and locations appropriate for the odor source under investigation and the locations of odor complaints that have been received by the Town including those beyond the source property lines. The purpose is to detect and assess the presence of recognizable odors linkable to a specific source in ambient air. This may be accomplished by:
 - i. Grid method of analysis - Odor hours for a geographic area of evaluation to establish an odor hour frequency measurement.
 - ii. Plume method of analysis – Measurement of extent of the area where an odor plume originating from a specific odor source can be perceived and recognized under specific meteorological and operating conditions.

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

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

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

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

in odor management, abatement and mitigation technologies. The Building Commissioner may also require the plan to include the provision of reports of ongoing odor monitoring and compliance.

- d. **Corrective Measures** - Non-residential uses that produce non-compliant odors shall be required to install and maintain odor-eliminating equipment in accordance with the approved odor control plan to meet the requirements of this section.

E. Exemptions

1. **Farming.** Impacts resulting from agricultural, farm-related, or forestry-related activities as defined by [G.L., c 128, Agriculture, § 1A](#), as amended, and Medway General Bylaws, ARTICLE XXXI, §2 Right to Farm, are exempt from these restrictions when such activities follow generally accepted practices. Impacts from agricultural, farm-related, or forestry-related activities that are potentially hazardous, harmful to the environment, disturbing, offensive or objectionable, or constitute a nuisance, may be subject to alternative rules, regulations, and enforcement procedures. ([G.L., c 111, §125A](#)).
2. **Residential Uses.** Impacts resulting from residential activities such as but not limited to barbecues, wood stove exhaust, driveway paving, gardening, and house painting are exempt from these restrictions.
3. **Repair and infrequent maintenance activities.** Repair and infrequent maintenance activities such as but not limited to those for septic and sewer systems are exempt from these restrictions.
4. **Construction.** Impacts resulting from construction, demolition, or repair work that occurs between 7:00 a.m. and 6:00 p.m. on public improvements authorized by a governmental body or agency, utility work and repairs, and other similar work on private property pursuant to an order by a governmental body or agency for safety purposes are exempt from these restrictions.

Or act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 10:

(Amend Zoning Bylaw: Miscellaneous Housekeeping)

To see if the Town will vote to amend the Zoning Bylaw, SECTION 2 DEFINITIONS by adding the following definition for “Parking Lot”. New text in **bold**.

Parking Lot: An area used for the temporary parking of motor vehicles for a fee or as the principal use but excluding accessory parking for customers and employees.

And amend the Zoning Bylaw, Section 4.2.A, Zoning Map, as follows (new text in **bold**, deleted text in ~~strikethrough~~):

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

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

5. Procedures.

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

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

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

And amend the Zoning Bylaw, SECTION 9 Oak Grove Park Districts, Table 9.4.C.1.A, by correcting the reference in Section 4.3 in the column under “Cottage” to read “See Section 9.5.B.25 for Pocket Neighborhood Development Standards”.

Or act in any manner related thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 11:

(Amend Zoning Bylaw: Adaptive Use Overlay District)

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

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

Or act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 13: (Amend Zoning Bylaw: Building Size)

To see if the Town of Medway will vote to amend the Zoning Bylaw, Section 6.2 General Provisions, by adding a new Paragraph G. Building Size.

G. Building Size. No building for Business or Industrial and Related Uses specified in Sections D and E of Table 1 – Schedule of Uses, shall be larger than 100,000 square feet of gross floor area without a special permit from the Planning and Economic Development Board.

Or act in any manner related thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 14: (Amend Zoning Bylaw: Central Business District Special Permits)

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

5.4.1 Special Permits in the Central Business District

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

A. Purposes

- 1. To further the goals of the Medway Master Plan**
- 2. To encourage mixed-use development in the Central Business District with a balanced and vibrant mix of compatible business uses and multi-family residential development.**
- 3. To encourage revitalization and economic investment in the Central Business District in a manner which represents the qualities of a traditional New England town center.**
- 4. To encourage greater variety of housing to meet the needs of a diverse population with respect to income, ability, household types, and stage of life.**
- 5. To improve walkability within the district and provide better access between housing, shops, services, and employment.**

B. Applicability

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

C. Definitions:

Mixed-Use Development: See definition in SECTION 2 DEFINITIONS

Multi-Family Building: See definition in SECTION 2 DEFINITIONS

A. D. Dimensional Requirements.

1. Minimum lot size: 10,000 square feet
2. Minimum continuous frontage: 50 feet
3. Minimum front-yard setback: Principal buildings shall be set back a minimum of 10 feet from the front lot line. Architectural features such as bay windows, porches, balconies, porticos, canopies, etc. shall not be subject to the 10-foot minimum setback.
4. Minimum side-yard and rear-yard setback: For lot lines abutting a residential zoning district, 25 feet of which the first 10 feet nearest each lot line shall not be used for the parking or storage of vehicles and shall be suitably landscaped. There is no side-yard or rear-yard setback for properties abutting other properties within the Central Business district.
5. Maximum building height: 60 feet

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

- ~~1. Except for assisted living residence facilities, a building comprised of multi family dwelling units only shall not be permitted. A mixed-use building shall include multi-family residential units and retail, municipal, service, office, commercial or other business uses allowed in the zoning district (hereinafter referred to as “business uses”) in at least the minimum percentage as set forth in Subsection E.2 below.~~
- ~~2. In a three-story building, no more than 67 percent of the gross floor area shall be comprised of multi family dwelling units. In a two-story building, no more than 50 percent of the gross floor area shall be comprised of multi family dwelling units.~~

Except as provided in Section E.4 below, in a two-story building at least 50% of the gross floor area shall be comprised of business uses, and no more than 50% of

the gross floor area shall comprise multi-family dwelling units and common areas and support facilities associated with those multi-family dwelling units. In a three-story building, at least 33% of the gross floor area shall be comprised of business uses, and no more than 67% of the gross floor area shall be comprised of multi-family dwelling units and common areas and support facilities associated with those multi-family units. In a building of four stories or more, at least 25% of the gross floor area shall be comprised of business uses, and no more than 75% of the gross floor area shall be comprised of multi-family dwelling units and common areas and support facilities associated with those multi-family units. The gross floor area comprised of business uses may include hallways, lobbies, maintenance areas, security areas, closets, and other areas which serve exclusively the business uses in that building.

3. Multi-family dwelling units may not be located on the ground floor of a mixed-use building or development unless:
 - a. The building with the multi-family dwelling units is set behind another building which has business uses on the ground floor and a front façade that faces a public way or primary access drive; or
 - b. The residential portion of the ground floor is set behind the business uses within the same building which has a front façade that faces a public way or primary access drive.
4. **A mixed-use development may include a building comprised of only multi-family dwelling units and common areas and support facilities associated with those multi-family dwelling units under the following conditions:**
 - a) **A building comprised of only multi-family dwelling units and common areas and support facilities associated with those multi-family dwelling units shall be set back at least one hundred feet from the Main Street right-of way; and**
 - b) **The amount of gross floor area of the building comprised of only multi-family dwelling units and common areas and support facilities associated with those multi-family dwelling units which would otherwise be required by Section E.2 above to include business uses shall be added to the required business uses gross floor area of the other building(s) of the mixed-use development as additional business use space, so that the total amount of gross floor area for business uses in the mixed-use development will equal or exceed the total gross floor area for business uses which would result if no building were devoted solely to multi-family dwelling units.**
- 4.5. No more than 10 percent of the total number of a mixed-use development's residential dwelling units shall have more than two bedrooms.
6. **The provisions of Section 8.6 Affordable Housing shall apply to Mixed-Use Developments.**

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

Ð.G. Special Permit Review Criteria.

1. Special permits granted under this Section 5.4.1 are not subject to the special permit criteria under Section 3.4.
2. Before granting a special permit for a ~~special permit~~ **mixed-use development** or flexible site design of a permitted use in the Central Business district, the ~~special permit granting authority~~ **Planning and Economic Development Board** shall find that all of the following criteria are met:
 - a. The proposed uses **and site design** represent the qualities of a traditional New England town center;
 - b. The proposed site design is environmentally sound and is readily accessible to and useable by pedestrians;
 - c. The proposed site design reflects and advances the goals and objectives of the Medway Master Plan as updated;
 - d. Adequate pedestrian and (where applicable) vehicular linkages are provided within the site and connecting to abutting properties;
 - e. Streets, driveways, sidewalks, landscaped areas and public services are laid out in a safe manner;
 - f. Any detrimental impacts of the use on abutting properties and/or residential neighborhoods have been adequately mitigated; and
 - g. The site design incorporates the site's existing topography and protects natural features to the maximum extent possible.

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

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

Or act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 15: (Citizens' Petition: Board of Selectmen Change to Select Board)
To see if the Town will vote to amend the General Bylaws to rename the Board of Selectmen as the Select Board, and, for such purposes, to replace the words "Board of Selectmen" or "Selectmen" with "Select Board" and "Selectman" with "Select Board Member", and to authorize the Town Clerk to make non-substantive ministerial revisions to ensure that gender and number issues in related text is revised to properly reflect such change in title; or act in any manner relating thereto.

CITIZENS' PETITION

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

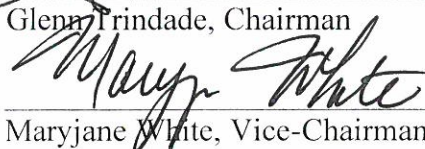
And you are hereby directed to serve this warrant by posting printed attested copies thereof at two (2) locations in each precinct at least FOURTEEN (14) days before the day of said meeting. Hereof fail not and make due return of this warrant with your doings thereon to the Clerk of said Town at or before the time of said meeting.

Given under our hands in Medway, this 19th day of October 2020.

A TRUE COPY:

SELECTMEN OF THE TOWN OF MEDWAY

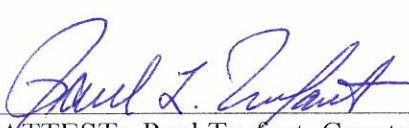


Glenn Trindade, Chairman

Maryjane White, Vice-Chairman

Richard D'Innocenzo, Clerk

Dennis Crowley, Member

John Foresto, Member

ATTEST: Paul Trufant, Constable

Board Members

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



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

TOWN OF MEDWAY

COMMONWEALTH OF MASSACHUSETTS

PLANNING AND ECONOMIC DEVELOPMENT BOARD

November 3, 2020

Report of the Medway Planning & Economic Development Board November 16, 2020 Fall Town Meeting Proposed Amendments – Medway Zoning Bylaw Warrant Articles 4 - 14

BACKGROUND – The warrant for the November 16, 2020 Fall Town Meeting includes 11 articles with proposed amendments to the Medway Zoning Bylaw. Article 4 is sponsored by the Board of Selectmen. Articles 5 – 14 are sponsored by the Planning and Economic Development Board. All 11 articles are supported by the Board of Selectmen and the Finance Committee. A brief explanation of each article will be provided as the article is taken up by Town Meeting.

PUBLIC HEARINGS – Chapter 40A of Massachusetts General Laws requires municipal planning boards to conduct a public hearing on proposed amendments to its local zoning bylaw and map. The Board scheduled the public hearing for October 13, 2020. The public hearing notice was filed with the Town Clerk's office on September 24, 2020 and posted to the Town's web site on September 25th. It was also announced on the Town's FACEBOOK page on October 1, 9 and 13, 2020. The required legal notice was advertised in the *Milford Daily News* on September 28 and October 6, 2020.

The Board opened the public hearing on October 13, 2020. It was continued to October 20, 2020 when it concluded. During the hearing, the Board heard or received testimony from Community and Economic Development Director Barbara Saint Andre, Building Commissioner Jack Mee, Town Counsel Carolyn Murray of KP Law, and Medway residents John Lally and Paul Yorkis. Based on that testimony and the Board's discussion with staff, several revisions were made to the proposed amendments which are reflected in the text of the articles as printed in the warrant.

OTHER REVIEW - The proposed articles were reviewed and discussed with the Board of Selectmen on October 5 and November 2, 2020 and with the Finance Committee on October 28th.

RECOMMENDATION – At its meeting on October 20, 2020, the Planning and Economic Development Board voted to recommend that Town Meeting approve Articles 4 – 14 as presented in the warrant.

Respectfully submitted,

Susan E. Affleck-Childs
Planning and Economic Development Coordinator

Susan Affleck-Childs

From: Daniel Merrikin <dan@legacy-ce.com>
Sent: Tuesday, November 3, 2020 11:05 AM
To: Susan Affleck-Childs
Cc: ellen.rosenfeld-law.com; Michael Boynton; Andy Rodenhiser; Carballeira, Andy
Subject: Re: noise by-law
Attachments: CommCan - noise criteria comparison.pdf

Hi Susy,

See attached for what we think happened. The table compares the octave limits that were used in the Commcan Special Permit and the table found in the warrant article.

As you can see the day time limits are identical. There is however, a substantial difference in the nighttime limits with the warrant article being significantly more restrictive.

It looks to us like the figures in the nighttime table may have been put in the wrong octave band rows?

We would appreciate it if you would get back to us with your thoughts on this and what the Town plans to do with this article at Town meeting.

Ellen and I were not aware of the public hearing for this and would like to have an opportunity to weigh in on this article. It would therefore be our preference that this article not be acted on at Town Meeting and that a new public hearing be held for the next Town meeting.

As it stands now, the warrant article is significantly more restrictive than the current bylaw and, in our view, unfairly burdensome on the commercial/industrial community in Medway.

Dan

Daniel J. Merrikin, P.E.
President



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

www.legacy-ce.com

dan@legacy-ce.com
508-376-8883(office)
508-868-8353(cell)

On Tue, Nov 3, 2020 at 9:49 AM Susan Affleck-Childs <sachilds@townofmedway.org> wrote:

Thank you. We look forward to receiving your comments.

Best regards,

Susy

Susan E. Affleck-Childs

Planning and Economic Development Coordinator

Town of Medway

155 Village Street

Medway, MA 02053

508-533-3291

sachilds@townofmedway.org

From: ellen rosenfeld-law.com [mailto:ellen@rosenfeld-law.com]

Sent: Tuesday, November 3, 2020 9:48 AM

To: Michael Boynton <mboynton@townofmedway.org>; Susan Affleck-Childs <sachilds@townofmedway.org>; Andy Rodenhiser <andy@rodenhiser.com>

Cc: Carballeira, Andy <acarballeira@acentech.com>; Daniel Merrikin <dan@legacy-ce.com>

Subject: RE: noise by-law

I will be submitting evidence of the mistake in your drafting of the by-law

As soon as my sound engineer drafts a response

It will be later today

ellen

730 Main Street

Suite 2A

Millis, MA 02054

Office: 508-376-2041

Cell: 508-294-2002

From: ellen [rosenfeld-law.com](mailto:ellen@rosenfeld-law.com)

Sent: Tuesday, November 3, 2020 9:46 AM

To: Michael Boynton <mboynton@townofmedway.org>; Susan Affleck-Childs
<sachilds@townofmedway.org>; Andy Rodenhiser <Andy@rodenhiser.com>

Cc: Carballeira, Andy <acarballeira@acentech.com>; Daniel Merrikin <dan@legacy-ce.com>

Subject: noise by-law

It has come to my attention

Actually – it came to Dan’s attention

That you are submitting a warrant article at town meeting to update the noise limitation of the by-law

It was our understanding that the Town did not intend to make the noise limitations more restrictive

But merely to update them to modern technology

As was discussed at length at our many special permit hearings

However, my noise consultant tells me that the table in the warrant article is significantly more restrictive than the current by-law

We suspect that an error was made in the preparation of the table

Given my involvement in the discovery of the issues with the noise by-law

And my participation in every discussion having to do with said by-law

In addition to personally and professionally spending months and years effectively complying with said by-law

I am alarmed and upset that I was not invited to participate in any of the discussions to update the by-law

Had I been involved – this “mistake” would have been caught much sooner

Had Dan not stumbled upon this warrant article

You would have enacted a by-law that cannot (according to my sound specialist) be complied with

Moving forward – I would request notification of such meetings that directly impact my business in the Town of Medway

You have always included me in the past

I am not sure why I was so obviously left out of this discussion

ellen

730 Main Street

Suite 2A

Millis, MA 02054

Office: 508-376-2041

Cell: 508-294-2002

Memorandum

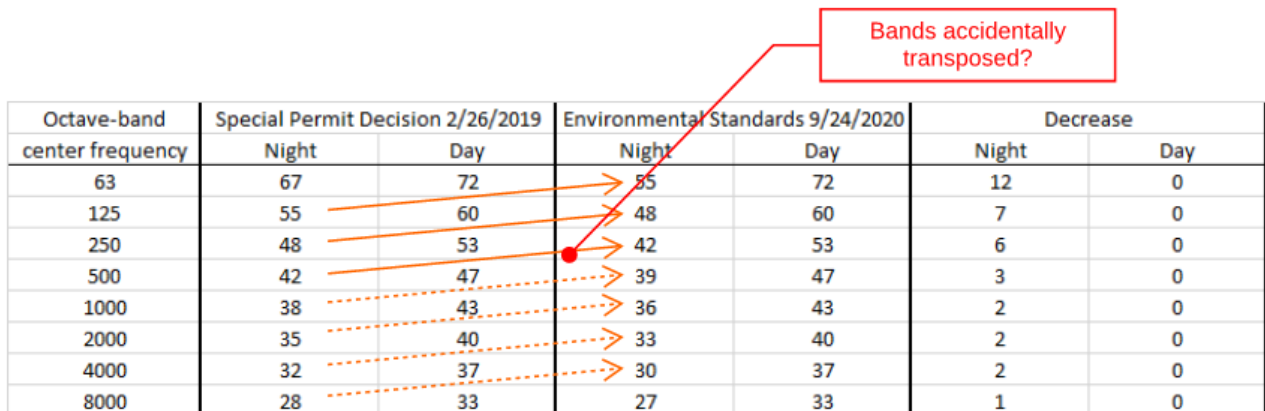
TO Ellen Rosenfeld (CommCan)
FROM Andy Carballeira
DATE November 3, 2020
PROJECT CommCan Medway
SUBJECT Medway Noise Criteria Comparison
PROJECT NO 630410
CC Mike Bahtiarian, Josh Brophy (Acentech)

Dear Ellen,

Acentech has compared the noise section of the new Environmental Standards (9/24/2020) to that of the previous Special Permit Decision (2/5/2019). This memo summarizes our initial findings.

CRITERIA FOR NOISE

FIGURE 1 summarizes our comparison.



Octave-band center frequency	Special Permit Decision 2/26/2019		Environmental Standards 9/24/2020		Decrease	
	Night	Day	Night	Day	Night	Day
63	67	72	55	72	12	0
125	55	60	48	60	7	0
250	48	53	42	53	6	0
500	42	47	39	47	3	0
1000	38	43	36	43	2	0
2000	35	40	33	40	2	0
4000	32	37	30	37	2	0
8000	28	33	27	33	1	0

FIGURE 1. Comparison of noise limits in Special Permit and Environmental Standards

CONCLUSION

The nighttime limits given in the Environmental Standards are significantly lower (more stringent) than those given in the Special Permit Decision. The reason for the disagreement could be related to accidental transposition of the limits, as suggested above in orange.

* * * * *

I trust this memo provides the information you need at this time. Please contact me with questions at 617-499-8025 or acarballeira@acentech.com.

Sincerely,

A handwritten signature in black ink, appearing to read "Andy C.", with a stylized flourish at the end.

Andy Carballeira, INCE Bd Cert
Principal Consultant

Susan Affleck-Childs

From: Jeff Komrower <jeffk@noise-control.com>
Sent: Friday, November 6, 2020 9:47 AM
To: Susan Affleck-Childs
Subject: RE: Medway Noise Bylaw
Attachments: 202na3_en.pdf

Hi Suzy,

OK – I went back over all my notes and documents and here is a summary of my conclusions:

- 1) There is no mistake. The numbers are correct as the Board discussed. There was a conscious decision to lower the nighttime noise levels. The discussions for this decision centered around several factors:
 - a. During the hearings for 4 Marc Road, John Lally brought up a number of times the belief that Medway for the most part is a suburban area but it really borders on a rural area and he felt that the existing noise ordinance was not really appropriate for a rural area. The Board seemed to agree and I remember a conscious decision to lower the nighttime noise levels to make them more appropriate for a mostly rural area.
 - b. John also referenced a statement in Acentech's own memo which was dated September 25, 2019 to Jaime Lewis at Neo Organics that states "we recommend that noise levels at the nearest residences should not exceed 30 dBA during nighttime hours".
 - c. Documents from the World Health Organization (WHO), which I've attached one of them that was reviewed, actually recommends setting nighttime noise limits at 40 dBA. This was felt to be too low and really too onerous for existing industrial tenants so the overall level of 42 dBA was decided upon.
 - d. The octave band levels came from studying a number of models from areas around the country, mainly as presented in "Noise Ordinances – Tools for Enactment of a Community Noise Ordinance" by Robert C. Chanaud. In this guide, there was a table from Los Angeles, CA that had octave band levels for a range of overall dB levels. We felt again that 40 would be too stringent, so the suggestion of 42 was accepted and the octave bands corresponding to this overall level were interpreted from this table on p. 239 of the document and was incorporated into Medway's ordinance.

Having reviewed this, if you do remember from my email of March 4th, I did express a concern about how to handle 2 Marc Road if these lower noise levels were adopted. After all, the special permits **were** granted under the old noise levels and she does have a point that it may not be fair to all of a sudden impose these new standards on her business. Although I totally disagree with her statement that these new levels, according to her noise consultant, cannot be complied with (that's frankly a load of whooie because you most likely can get another 5 dB with the proper noise controls). I do agree that it may not be fair to impose those standards on her. I don't know if the Board was going to do this, but I would make these bylaws effective going forward and probably "grandfather" her in and allow her to just adhere to the old levels. Maybe you make these levels effective only for applications after a certain date? But going forward, any new applications should certainly be held to these new standards.

Let me know if you have any other questions. Thanks!

Best regards,

Jeff

Jeffrey M. Komrower
Senior Engineer / Director of Marketing

T 978.670.5339
D 978.584.3026
M 410.960.9243


NOISE CONTROL ENGINEERING, LLC
NOISE-CONTROL.COM

From: Susan Affleck-Childs <sachilds@townofmedway.org>
Sent: Tuesday, November 3, 2020 2:27 PM
To: Jeff Komrower <jeffk@noise-control.com>
Subject: Medway Noise Bylaw

Hi Jeff,

Hope you are well.

I need your counsel once again and I can pay you!

Attached is the  for our fall town meeting on November 16th. The Planning and Economic Development Board has proposed Article 14, a replacement for the Environmental Standards section of the Zoning Bylaw; it includes updated noise regulations. Section D. 2. Noise Disturbance a. Standards includes the table as discussed back in March (your 3-4-20 email) and later in May when that table was incorporated into one of the many versions of the draft bylaw as it was being reviewed and refined.

Today, we received some comments from Ellen Rosenfeld and her team. You may recollect they were our first marijuana production facility at 2 Marc Road. See attached which suggests that we may have made a transcription error as the revised table was incorporated into the proposed bylaw.

The Board will discuss this at its next meeting on Tuesday, 11-10-20, to determine if we need to make some corrections. Could you review all this for us? Did I make a transcription error as suggested in their email? Or did we simply land at more stringent nighttime noise levels? (I think that is what actually happened.) What are your thoughts on their comments?

If at all possible, could you provide a reply by next Monday, 11-9?

Thanks for your help.

Susy

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



WHO recommends setting night noise limits at 40 decibels

The World Health Organisation (WHO) has set the European target limit of outdoor night noise levels at annual average of 40 decibels (dB) in its new guidelines. This would protect the public, including the most vulnerable, such as children and the elderly.

Environmental noise damages human health, particularly at night when it can interrupt sleep. The EU has tackled this problem with the introduction of the Directive on Environmental Noise¹, which obliges Member States to assess and manage noise levels. With the support of the European Commission, the WHO Regional Office for Europe has developed night noise guidelines for Europe to help Member States develop legislation to control noise exposure. The guidelines are based on scientific evidence on the effects of noise and the thresholds above which these effects appear to harm human health.

A review of available scientific research led to the following conclusions:

- Sleep is a biological necessity and disturbed sleep is associated with poor health.
- There is strong evidence that night noise causes increases in heart rate, arousal, changes in sleep stage, awakening and use of medicine.
- There is limited evidence that night noise is related to hypertension, heart attacks, depression, changes in hormone levels, fatigue and accidents.

The report identified a number of vulnerable groups. Although children have a higher waking threshold they are equally or more reactive to night noise than adults and require greater amounts of sleep. Elderly people, pregnant women, those with ill health and shift workers are also at greater risk of experiencing negative impacts from night noise.

The report summarised the threshold levels of night noise above which a negative effect starts to occur or above which the impact becomes dependent on the level of exposure. For example, the threshold level for waking in the night and/or too early in the morning was 42 dB, whereas the threshold for heart attacks was 50 dB.

It also established that there are differences in the intensity and frequency of noise depending on the source, which lead to different impacts. Road traffic is characterised by low levels of noise per event, but as there are a high number of events, on average it has a greater effect on awakenings than air traffic, which has high levels of noise per event but fewer events.

Integrating these findings, the report proposed a guideline target limit of outdoor night noise of 40 dB (annual average defined as 'L_{night}' in the Environmental Noise Directive). There is not sufficient evidence that the biological effects observed below this level are harmful to health but adverse effects are observed above 40 dB. Above 55 dB cardiovascular effects become a major health concern and the report proposed that this should be the interim target for those countries unable to meet 40 dB in the short run. However, this interim target must be temporary and only applied in exceptional local situations.

Member States can adopt this night noise guideline to reduce noise using measures such as house insulation, locating offices in noise-exposed areas and creating zones where a certain level of noise cannot be exceeded. It can also be used for health impact assessment of new projects such as roads, airports or residential areas.

1. See <http://ec.europa.eu/environment/noise/directive.htm>

Source: WHO Regional Office for Europe Night Noise Guidelines for Europe. (2009). *WHO Regional Office for Europe Publications*. Downloadable from www.euro.who.int/en/what-we-do/health-topics/environmental-health/noise/publications/2009/night-noise-guidelines-for-europe

Contact: rki@ecdhbonn.euro.who.int

Theme(s): Environment and health, Noise

Stefany Ohannesian

From: Susan Affleck-Childs
Sent: Monday, November 9, 2020 8:28 AM
To: Stefany Ohannesian
Subject: FW: 42dBA Reasonableness Tested.
Attachments: 630410_-_commcan_-_acentech_modeling_results_-_r1_6-26-19 (1)_WithOdBA.pdf; 2_marc_road_site_plan_modification_11-6-2019.pdf

Please combine this email and the attachments into one document. Make 2 copies for me to include in the board packet. Add to the board packet folder on ONEDRIVE as Supplemental Noise Info – 11/9/20 email from John Lally and let everyone know there is a supplemental file for them to review.

Thanks.

From: Lally, John - 0666 - MITLL [mailto:jlally@ll.mit.edu]
Sent: Monday, November 9, 2020 6:55 AM
To: Susan Affleck-Childs <sachilds@townofmedway.org>
Subject: 42dBA Reasonableness Tested.

Good morning Susy,

The process that established the proposed nighttime limit of 42dBA included a reasonableness test. That test compared the proposed 42dBA nighttime limit to the predicted overall noise levels from the 2 Marc Rd facility post mitigation. See the green annotations added in the rightmost column on page 16 of the attached modeling results for the predicted overall noise from 2 Marc Rd post mitigation. Note: At frequency points where <20 is shown, 19.9 was used. The results of that reasonableness test were as follows:

- 1.) All predicted overall noise levels are less than the 42dBA proposed nighttime limit.
- 2.) The overall predicted noise level at 21 out of the 23 locations is beneath 30dBA, which is over 100% margin of perceived loudness as compared to the proposed 42dBA nighttime limit. You'll recall a 10dB increase is a doubling of perceived loudness.
- 3.) The maximum predicted overall noise level is 39dBA which is 3dBA less than the 42dBA proposed limit, an ~23% margin of perceived loudness. A 3dB increase is about a factor of 1.23 increase in perceived loudness.
- 4.) The 2 Marc Rd facility has the following characteristics:
 - a. Has two large chillers in an enclosure at a distance of ~24 feet from the property line. See site plan attached, ~24ft assumes enclosure only slightly smaller than concrete slab.
 - b. Each of these 2 chillers sound power (not pressure) level is specified at ~100dBA.

The conclusion of this reasonableness test was:

If a facility with: Quantity=2 chillers, each having sound power specifications of ~100dBA, located side by side in an enclosure ~24 feet from the property line can comply with the proposed nighttime limit of 42dBA, then the vast majority of facilities will likely be able to comply as well. Therefore, the proposed nighttime limit of 42dBA was determined to be reasonable.

Susy, please feel free to distribute this email and attachments as you see fit.

Respectfully submitted,
John Lally, Resident
35 Coffee Street
Medway, Ma 02053

From: Susan Affleck-Childs <sachilds@townofmedway.org>
Sent: Friday, November 6, 2020 12:22 PM
To: Lally, John - 0666 - MITLL <jlally@ll.mit.edu>
Subject: Environmental Standards

Hi John,

CommCan has learned about the proposed changes to be considered at the 11-16 town meeting and is not happy about the modified noise regulations. The Board will discuss their concerns at its meeting next Tuesday night; Ellen Rosenfeld is expected to attend via ZOOM.

Attached is information that has been supplied to the Board for this discussion. This includes emails from Ellen Rosenfeld and Dan Merrikin from earlier this week, a memo from Acentech, and a memo we received today from our noise consultant, Jeff Komrower.

I have also attached the agenda. There is not a specified time for the discussion.

Take care.

Susy

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



Memorandum

TO Ellen Rosenfeld (CommCan)
FROM Andrew Carballeira
DATE June 26, 2019
PROJECT CommCan Medway Chiller Noise
SUBJECT Modeling Results
PROJECT NO 630410
CC Alex Odom (Acentech)

Dear Ellen,

This memo presents the results of our computer modeling of the chiller upgrades to the CommCan Medway facility.

Model Description

We have developed a computer model of facility sound using CadnaA, an acoustic modeling software which considers 3-dimensional propagation of sound. This model implements the methods and equations of ISO 9613-2 "Attenuation of sound during propagation outdoors -- Part 2: General method of calculation".

The facility has an existing chiller (Trane RTAC 225) on the southeast corner of the roof. In connection with the recent permit decision, the existing chiller will be relocated and a second chiller (Trane RTAF 310) will be added. Both chillers will be installed within a custom noise enclosure at ground level near the southwest corner of the facility. The chiller sound power levels as provided by Trane are given in TABLE I below.

TABLE I. Chiller sound power levels used in computer modeling

Description	Sound power level (dB re: 1pW)							
Octave-band center frequency (Hz)	63	125	250	500	1000	2000	4000	8000
RTAC 310 (new)	93	95	95	99	101	96	88	81
RTAC225 (existing)	103	104	100	101	98	93	88	85

APPENDIX A includes sound attenuation data from the enclosure vendor used in our computer model. The enclosure design as modeled includes 7-ft long attenuators on the air intakes (west face and roof of enclosure), and 4-ft long attenuators on the discharge (roof of enclosure). We have also considered sound transmission through the panels from which the north and south walls of the enclosure will be constructed. A 3D rendering of the modeled enclosure is shown in FIGURE 1 in APPENDIX B.

In addition to the enclosure, the chillers will be outfitted with source noise control treatments¹. These additional measures will be beneficial, but we have not included them in the model in order to make conservative predictions.

¹ BRD compressor and oil separator lagging wraps, as described in APPENDIX A

Model Results

We have reviewed the permit decision, which outlines the Medway noise ordinance in modern octave bands. We understand the noise ordinance to be applicable at the source property lines, the nearest of which is about 30 ft from the intake of the chiller enclosure.

Based on our computer model, we expect that the proposed equipment housed in the custom noise enclosure will comply with the Medway noise ordinance at all facility property lines. Further, the equipment will also comply with the ordinance at all nearby residential property lines. FIGURE 2 in APPENDIX B presents the receptor locations used in computer modeling, and TABLE II summarizes the calculated noise levels at the property lines. As shown in TABLE II, all estimated sound levels are below the octave-band provisions of the Medway noise regulation.

* * * * *

I trust this memo provides the information you need at this time. Please contact me with questions at 617-499-8025 or acarballeira@acentech.com.

Sincerely,



Andy Carballeira, INCE Bd Cert
Senior Consultant

APPENDIX A

NOISE ENCLOSURE SPECIFICATIONS

HUSH DUCT Submittal

Email: dan.burley@brd-nonoise.com

Web: www.Hushcore.net

HD-48/H

High Pressure Silencer

Tag: Exhaust

Dimensions

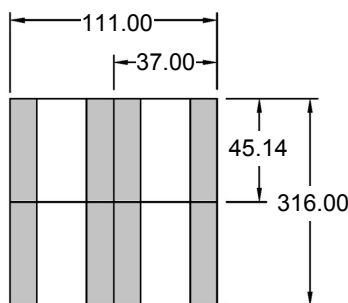
Quantity: 1
Weight (lb): 5106

Bank

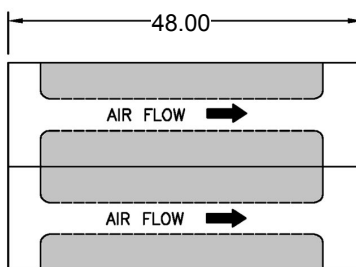
Width (in.): 111.00
Height (in.): 316.00
Length (in.): 48.00

Components

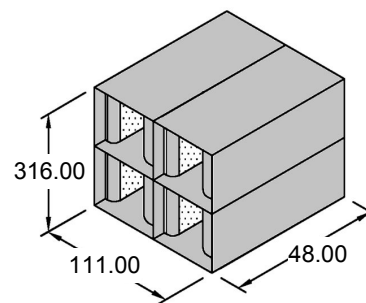
Quantity: 21
Width (in.): 37.00
Height (in.): 45.14



END VIEW



TOP VIEW



ISO VIEW

Images are generic representations of and not to scale. The actual configuration may not be shown.

Performance

Air Volume (cfm): 119725

Air Velocity (fpm): 492

Air Direction: Forward

Pressure Drop (in.w.g.): 0.09

Installed PD (in.w.g.): 0.12

Dynamic Insertion Loss (dB)

63 Hz	125 Hz	250 Hz	500 Hz	1000 Hz	2000 Hz	4000 Hz	8000 Hz
9	15	25	39	47	44	33	23

Generated Noise (dB)

63 Hz	125 Hz	250 Hz	500 Hz	1000 Hz	2000 Hz	4000 Hz	8000 Hz
56	33	40	49	48	44	34	27

Construction

Casing: 22 GA Galvanized

Perforated Liner: 22 GA Galvanized

Acoustic Media: Glass Fiber

Inlet Connection: 2" Slip

Outlet Connection: 2" Slip

Notes

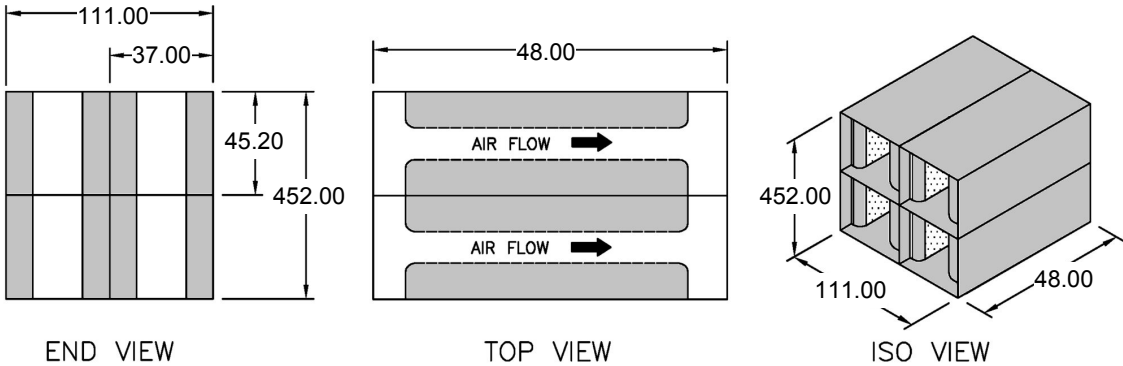
- HUSH DUCT silencer material has flame spread classification < 25 and smoke development rating < 50 when tested in accordance with ASTM E84, UL723 and NFPA255.
 - System effects assume fan at the silencer inlet and ideal at the silencer outlet.
 - HUSH DUCT silencers consist of ASTM A653(M) steel casings and liners.
 - HUSH DUCT silencers are tested in our NVLAP-Accredited sound lab.
 - Performance data is derived from ASTM E477-13.
 - Silencer bank shall be structurally supported by Others.
 - Silencer shipped in multiple components for assembly by Others. Customer to confirm all dimensions.
- Performance data is obtained in a similar fashion as other silencer manufacturers using 24" x 24" cross section area test units.

PROJECT: CommCann
ENGINEER:
DESCRIPTION: High Pressure Silencer

CUSTOMER:
UNIT OF MEASURE: Imperial

SUBMITTAL DATE: 6/11/2019
QUOTE NO: DRAWING
REVISION:

Dimensions		Bank		Components	
Quantity:	1	Width (in.):	111.00	Quantity:	30
Weight (lb):	7302	Height (in.):	452.00	Width (in.):	37.00
		Length (in.):	48.00	Height (in.):	45.20



Images are generic representations of and not to scale. The actual configuration may not be shown.

Performance

Air Volume (cfm):	154000
Air Velocity (fpm):	442
Air Direction:	Forward
Pressure Drop (in.w.g.):	0.08
Installed PD (in.w.g.):	0.10

Dynamic Insertion Loss (dB)

63 Hz	125 Hz	250 Hz	500 Hz	1000 Hz	2000 Hz	4000 Hz	8000 Hz
9	15	25	39	47	44	33	23

Generated Noise (dB)

63 Hz	125 Hz	250 Hz	500 Hz	1000 Hz	2000 Hz	4000 Hz	8000 Hz
55	31	39	48	48	42	32	25

Construction

Casing:	22 GA Galvanized	Acoustic Media:	Glass Fiber	Inlet Connection:	2" Slip
Perforated Liner:	22 GA Galvanized			Outlet Connection:	2" Slip

Notes

- HUSH DUCT silencer material has flame spread classification < 25 and smoke development rating < 50 when tested in accordance with ASTM E84, UL723 and NFPA255.
 - System effects assume fan at the silencer inlet and ideal at the silencer outlet.
- HUSH DUCT silencers consist of ASTM A653(M) steel casings and liners.
 - HUSH DUCT silencers are tested in our NVLAP-Accredited sound lab. Performance data is derived from ASTM E477-13.
 - Silencer bank shall be structurally supported by Others.
 - Silencer shipped in multiple components for assembly by Others.
 - Customer to confirm all dimensions.

Performance data is obtained in a similar fashion as other silencer manufacturers using 24" x 24" cross section area test units.

HUSH DUCT Submittal

Email: dan.burley@brd-nonoise.com
Web: www.Hushcore.net

HD-84/M
Medium Pressure Silencer
Tag: Intake

Dimensions

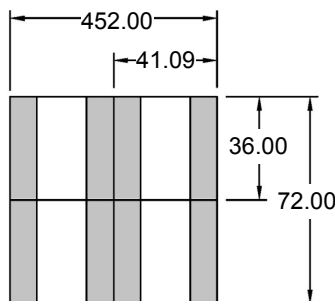
Quantity: 1
Weight (lb): 8209

Bank

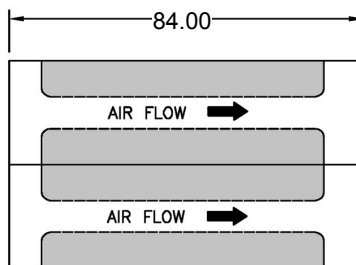
Width (in.): 452.00
Height (in.): 72.00
Length (in.): 84.00

Components

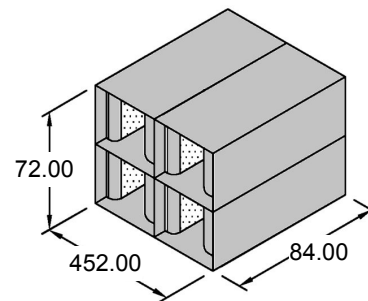
Quantity: 22
Width (in.): 41.09
Height (in.): 36.00



END VIEW



TOP VIEW



ISO VIEW

Images are generic representations of and not to scale. The actual configuration may not be shown.

Performance

Air Volume (cfm): 77000
Air Velocity (fpm): 341
Air Direction: Reverse
Pressure Drop (in.w.g.): 0.03
Installed PD (in.w.g.): 0.07

Dynamic Insertion Loss (dB)

63 Hz	125 Hz	250 Hz	500 Hz	1000 Hz	2000 Hz	4000 Hz	8000 Hz
11	21	36	50	55	53	46	29

Generated Noise (dB)

63 Hz	125 Hz	250 Hz	500 Hz	1000 Hz	2000 Hz	4000 Hz	8000 Hz
41	34	40	47	43	38	22	16

Construction

Casing: 22 GA Galvanized
Perforated Liner: 22 GA Galvanized

Acoustic Media: Glass Fiber

Inlet Connection: 2" Slip
Outlet Connection: 2" Slip

Notes

- HUSH DUCT silencer material has flame spread classification < 25 and smoke development rating < 50 when tested in accordance with ASTM E84, UL723 and NFPA255.
 - System effects assume ideal at the silencer inlet and abrupt plenum at the silencer outlet.
 - HUSH DUCT silencers consist of ASTM A653(M) steel casings and liners.
 - HUSH DUCT silencers are tested in our NVLAP-Accredited sound lab.
 - Performance data is derived from ASTM E477-13.
 - Silencer bank shall be structurally supported by Others.
 - Silencer shipped in multiple components for assembly by Others. Customer to confirm all dimensions.
- Performance data is obtained in a similar fashion as other silencer manufacturers using 24" x 24" cross section area test units.

PROJECT: CommCan
ENGINEER:
DESCRIPTION: Medium Pressure Silencer

CUSTOMER:
UNIT OF MEASURE: Imperial

SUBMITTAL DATE: 6/11/2019
QUOTE NO: RAWING
REVISION:

HUSH DUCT Submittal

Email: dan.burley@brd-nonoise.com
Web: www.Hushcore.net

HD-84/M
Medium Pressure Silencer
Tag: Intake

Dimensions

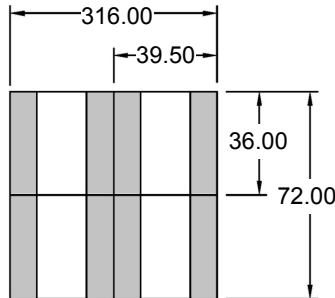
Quantity: 1
Weight (lb): 5866

Bank

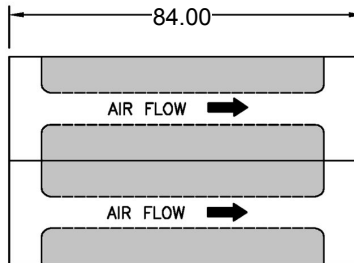
Width (in.): 316.00
Height (in.): 72.00
Length (in.): 84.00

Components

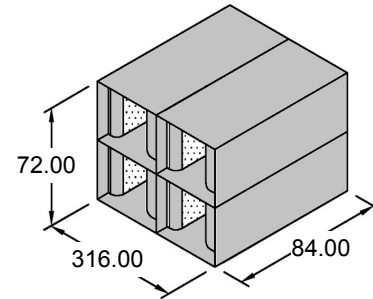
Quantity: 16
Width (in.): 39.50
Height (in.): 36.00



END VIEW



TOP VIEW



ISO VIEW

Images are generic representations of and not to scale. The actual configuration may not be shown.

Performance

Air Volume (cfm): 59862
Air Velocity (fpm): 379
Air Direction: Reverse
Pressure Drop (in.w.g.): 0.04
Installed PD (in.w.g.): 0.08

Dynamic Insertion Loss (dB)

63 Hz	125 Hz	250 Hz	500 Hz	1000 Hz	2000 Hz	4000 Hz	8000 Hz
11	21	36	50	55	53	46	29

Generated Noise (dB)

63 Hz	125 Hz	250 Hz	500 Hz	1000 Hz	2000 Hz	4000 Hz	8000 Hz
41	34	40	47	43	39	24	18

Construction

Casing: 22 GA Galvanized
Perforated Liner: 22 GA Galvanized

Acoustic Media: Glass Fiber

Inlet Connection: 2" Slip
Outlet Connection: 2" Slip

Notes

- HUSH DUCT silencer material has flame spread classification < 25 and smoke development rating < 50 when tested in accordance with ASTM E84, UL723 and NFPA255.
 - System effects assume ideal at the silencer inlet and abrupt plenum at the silencer outlet.
 - HUSH DUCT silencers consist of ASTM A653(M) steel casings and liners.
 - HUSH DUCT silencers are tested in our NVLAP-Accredited sound lab.
 - Performance data is derived from ASTM E477-13.
 - Silencer bank shall be structurally supported by Others.
 - Silencer shipped in multiple components for assembly by Others. Customer to confirm all dimensions.
- Performance data is obtained in a similar fashion as other silencer manufacturers using 24" x 24" cross section area test units.

PROJECT:
ENGINEER:
DESCRIPTION: Medium Pressure Silencer

CUSTOMER:
UNIT OF MEASURE: Imperial

SUBMITTAL DATE: 6/11/2019
QUOTE NO:
DRAWING REVISION:

Product Data Section

Removable/Reusable Blanket Insulation For Sound Attenuation At The Source



Ball Mill Wrap with exposed liner bolts at a cement plant.



HUSH COVER™ Model HC-500S-1" blankets for air cooled screw chiller compressors.

Advantages:

- Completely removable and reusable
- Easy to install
- Can be reused after maintenance
- Custom-fit to existing conditions
- Guaranteed fit
- Predictable performance based on laboratory tests
- Suitable for harsh environments where solvents, acids, oils, and other contaminants are present
- Outdoor weather-resistant construction
- High temperature capability
- Self-contained insulation system
- Asbestos free
- Good combination of acoustic and thermal performance

Applications:

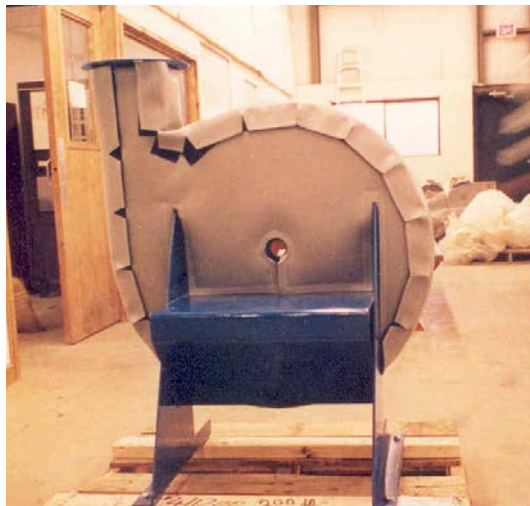
- Fans and blowers
- Compressor housings
- Gear boxes
- Valves
- Ejectors
- Steam and gas turbine casings
- Pumps
- Pipes and ducts
- Expansion joints
- Any hard to treat, irregular surface where removability is important
- Chillers and refrigeration equipment
- Engine exhaust systems
- Personnel protection (high temperature) for surfaces above 140°F
- Ball mills

GUARANTEED FIT ON ALL APPLICATIONS!

Product Data Section

About BRD HUSH COVER™ Acoustic Insulation:

BRD HUSH COVER™ acoustic blanket insulation is an extremely versatile and efficient solution to common industrial noise problems. It combines high density fiberglass mat with a mass-loaded vinyl sandwiched inside a weatherproof jacketing. The purpose of the fiberglass is to reduce reflected noise and to absorb noise energy, while the mass-loaded vinyl blocks transmitted noise. The fiberglass also has excellent thermal insulation qualities. Combining both an absorber material and a barrier material that are well matched yields a highly efficient and cost-effective means for solving industrial noise control problems.



Pressure blower housing treated with two-piece Velcro system.

Service:

The standard design (HC-450) can be used on equipment not exceeding 450°F (232°C). Other designs are available for equipment with temperatures exceeding 450°F.

Design Components For HC-500S

OUTER JACKET: 16 oz./yd.² PTFE
silicone impregnated
fiberglass cloth

ACOUSTIC BARRIER: Barium sulfate
loaded vinyl (1 lb. to 2 lb. density)

INSULATION: Fiberglass needle mat (11
lbs./ft.³ density)

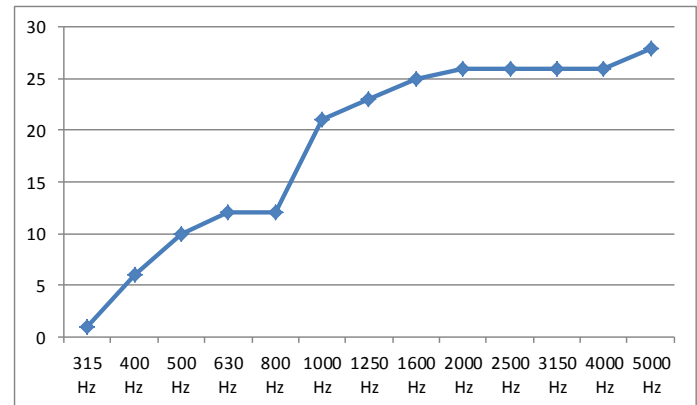
INNER JACKET: 16 oz./yd.² PTFE
silicone impregnated
fiberglass cloth



HC-800 is suitable for up to 800° F. HC-1200 is suitable for up to 1200° F. Design components for these and other custom HUSH COVERS™ are available upon request.

Product Data Section

Test Frequency (in Hz)	Noise Reduction (in dB)
315	1
400	6
500	10
630	12
800	12
1000	21
1250	23
1600	25
200	26
2500	26
3150	26
4000	26
5000	28



The above data is representative of ASTM test procedure E-1222-87 for the laboratory measurement of the insertion loss of pipe lagging systems. BRD will not be warranted for performance results of HUSH COVER™ blanket insulation expressed or implied. Additional test data is available for a variety of blanket constructions.



Liquid cooled screw chiller noise is tamed using HUSH COVER™ model HC-500S-1"

Acoustic Field Test Results

Based on previously tested installations, actual dBA reductions range between 3 – 5 dBA for HC-500S-1" and 4 – 6 dBA for HC-500S-2".



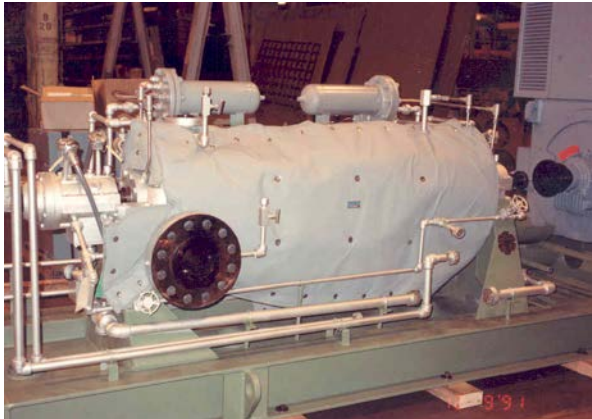
Ball mill HUSH COVER™ using HC-500S-1" with banding attachment.

True performance estimates must include field verification of dBA levels and frequency concentrations on an application basis.

Product Data Section

General Installation Instructions

1. Many of the blankets will have 2" flaps on the edges. These flaps are to be installed so that the flap on the upper blanket will cover over the edge of the lower blanket, creating a shingle effect.



Boiler feedwater pump at fit-up prior to lacing.

2. Blanket installation should follow the recommended order of installation provided on the assembly drawings. Most blankets will either seam at the horizontal or vertical centerlines. All panels are tagged for easy identification.

3. "D" Ring assemblies have been provided to ease installation. To use, simply lace the strap through the adjoining blankets "D" Ring assembly and secure. Velcro Flaps are provided to permanently secure closing seams and to lock material in place.

4. Occasionally, certain blankets may be difficult to install due to space limitations or obstructions. If this occurs, it may be necessary to modify the blanket's shape or size. Stainless steel staples are the recommended closure method for any modifications.

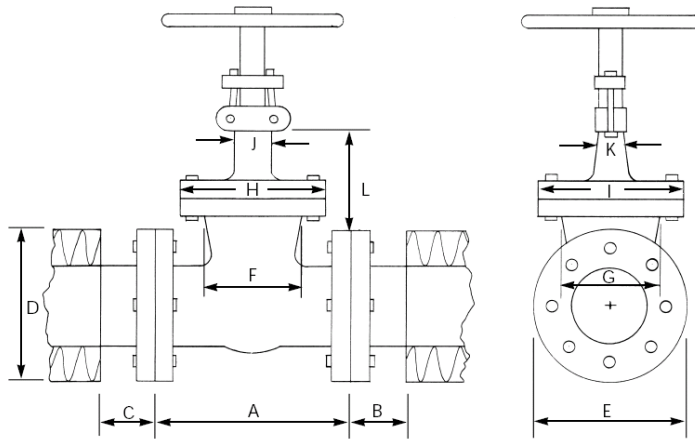
5. Generally, all tags should read from left to right and will be oriented horizontally. This will show the correct orientation of the acoustic blanket.

BRD Installation Services Available



Before and after views showing Velcro installation of HUSH COVER™ multi-piece design for a steam ejector.

Product Data Section



Valve Cover Take-Off Sheet

A	B	C	D
E	F	G	H
I	J	K	L

- HUSH COVER™ blankets can be quoted based on field sketches, equipment cut sheets or templates created in the field.
- Standard items such as valves, elbows, fittings, pumps, etc. can be quoted based on standardized take-off sheets such as the one shown above.
- Field measurements by a qualified BRD Representative may be required prior to fabrication.
- Fabrication techniques include computer aided design (CAD) capabilities to assure proper fit (see below).
- HUSH COVER™ designs are complete and require no additional tools or materials.
- When requesting a quotation, please supply the make and model of the equipment if known.
- For OEM applications, private labeling can be provided to meet customer specifications.



HUSH COVER™ on air cooled screw chiller suction lines, compressor, discharge line and oil separator.



Typical "D" ring and strap attachment feature

Product Data Section

Acoustic Performance Data:

Product	Sound Transmission Loss (dB) Frequency (Hz)						STC
	125	250	500	1000	2000	4000	
HG-200	17	23	34	47	55	57	37
HG-210	24	25	33	43	50	55	38
HG-400	21	28	39	48	56	58	40
HG-410	23	31	40	49	56	62	42
HG-420	27	34	41	46	53	59	44
HG-500	18	26	35	45	49	52	37

Product	Sound Absorption Coefficients Per Frequency (Hz)						NRC
	125	250	500	1000	2000	4000	
HG-200	0.15	0.66	1.07	1.06	0.97	0.86	0.95
HG-210	0.26	0.53	1.00	1.03	0.97	1.02	0.90
HG-400	0.60	1.13	1.12	1.09	1.03	0.91	1.00
HG-410	0.68	1.06	1.12	1.08	1.03	0.98	1.05
HG-420	0.45	0.96	1.15	1.10	1.05	0.97	1.05
HG-500	0.92	1.15	1.22	1.13	1.08	1.04	1.15

Panel Constructions:

	Thick- ness	Solid ¹ Skin	Perf. ¹ Skin ²	Weight per sq. ft.
HG-200	2"	18 ga.	22 ga.	4.0 lbs.
HG-210	2"	16 ga.	22 ga.	4.7 lbs.
HG-400	4"	18 ga.	22 ga.	5.0 lbs.
HG-410	4"	16 ga.	22 ga.	5.7 lbs.
HG-420	4"	16 ga.	22 ga.	9.6 lbs.
HG-500	5"	16 ga.	22 ga.	6.0 lbs.

1. Panel skins are all galvanized cold rolled steel.
2. Perf. skins have 3/32" holes on 3/16" staggered centers
3. Optional aluminum and high density polyethylene constructions.
4. All stiffeners and panel channel framing is minimum 18 ga. steel with face sheets spot welded in place.
5. Panels are designed to withstand wind loads of 25 lbs/sq. ft., both negative and positive.
6. Panel fill is non-combustible high density semi-rigid non-hygroscopic HUSH BATT™ packed under 5% compression.

Panel Finishes:

1. Galvanized steel (std.)
2. Galvanneal "Paint Ready" steel
3. Air dried shop applied
4. Thermosetting TGIC Polyester Powder Coating in color selected by Architect
5. Custom as specified

Steel Finishes:

1. Prime Painted (standard)
2. Primer with air dried shop applied finish paint
3. Hot dip galvanized (availability dependent on final steel member sizing)
4. Colors available to match panels
5. Sand blasting prep only as specified by contractor
6. Custom as specified

APPENDIX B

MODELING RESULTS

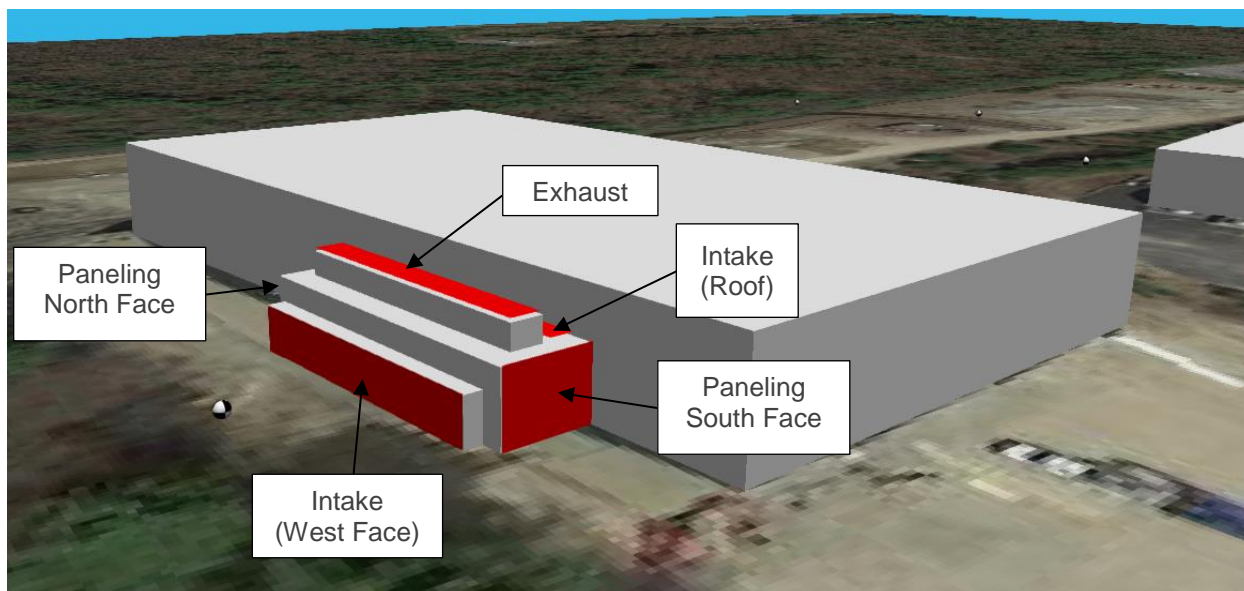


FIGURE 1. 3D Rendering of Modeled Enclosure, View from SW of Facility



FIGURE 2. Receptor points on source property line (see TABLE II)

NOTE: Rightmost Column Overall Noise In dB(A) added by resident J. Lally

TABLE II. Estimated octave-band sound levels at facility property lines (dB re: 20 µPa)

Property line location	63	125	250	500	1000	2000	4000	8000	Overall dB(A)
PL01	46	40	26	<20	<20	<20	<20	<20	<=29.4
PL02	54	47	35	26	<20	<20	<20	<20	<=34.6
PL03	61	52	35	22	<20	<20	<20	24	<=39.0
PL04	42	36	24	<20	<20	<20	<20	<20	<=28.1
PL05	28	<20	<20	<20	<20	<20	<20	<20	<=26.9
PL06	25	<20	<20	<20	<20	<20	<20	<20	<=26.9
PL07	26	<20	<20	<20	<20	<20	<20	<20	<=26.9
PL08	26	<20	<20	<20	<20	<20	<20	<20	<=26.9
PL09	29	20	<20	<20	<20	<20	<20	<20	<=26.9
PL10	32	22	<20	<20	<20	<20	<20	<20	<=26.9
PL11	34	24	<20	<20	<20	<20	<20	<20	<=27.0
PL12	35	25	<20	<20	<20	<20	<20	<20	<=27.0
PL13	40	32	<20	<20	<20	<20	<20	<20	<=27.4
PL14	41	34	21	<20	<20	<20	<20	<20	<=27.6
PL15	33	26	<20	<20	<20	<20	<20	<20	<=27.0
PL16	31	25	<20	<20	<20	<20	<20	<20	<=27.0
PL17	36	28	<20	<20	<20	<20	<20	<20	<=27.1
PL18	38	30	<20	<20	<20	<20	<20	<20	<=27.2
PL19	38	30	<20	<20	<20	<20	<20	<20	<=27.2
PL20	37	28	<20	<20	<20	<20	<20	<20	<=27.1
PL21	33	25	<20	<20	<20	<20	<20	<20	<=27.0
PL22	33	25	<20	<20	<20	<20	<20	<20	<=27.0
PL23	32	23	<20	<20	<20	<20	<20	<20	<=26.9
Medway Noise Ordinance	67	55	48	42	38	35	32	28	Max OdB(A)=39.0

GENERAL NOTES:

- SURVEY & PLAN REFERENCES:
A. DEED REFERENCES:
BOOK 8379, PAGE 83
BOOK 18164, PAGE 320
B. PLAN REFERENCES:
PLAN BOOK 299 NO. 900
PLAN BOOK 300 NO. 955
PLAN BOOK 326 NO. 1145
PLAN BOOK 410 NO. 749
PLAN BOOK 454 NO. 94
- DATUM: NAVD88
- EXISTING UTILITY INFORMATION IS BASED ON BEST AVAILABLE RECORDS AND VISIBLE SURFACE FEATURES SUCH AS MANHOLES, CATCH BASINS, UTILITY POLES, HYDRANTS, VALVE BOXES, ETC. EXISTING UTILITY INFORMATION DEPICTED ON THESE PLANS ARE NOT WARRANTED TO BE CORRECT AND THE CONTRACTOR SHALL BE RESPONSIBLE FOR FIELD VERIFYING ALL LOCATIONS PRIOR TO COMMENCEMENT OF WORK.
- FEATURES OUTSIDE OF THE SITE SUCH AS ADJACENT STRUCTURES ARE APPROXIMATE ONLY AND BASED ON AVAILABLE AERIAL PHOTOGRAPHY.

ZONING NOTES:

USE:
MARIJUANA CULTIVATION
FACILITY
(ALLOWED BY SPECIAL
PERMIT)

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

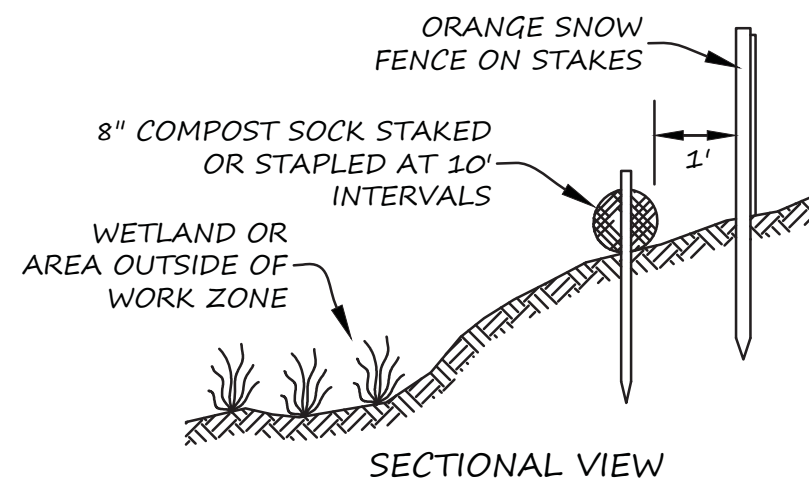
LOT AREA:
REQ'D: 20,000 S.F.
PROVIDED: 6.92 AC±

LOT SHAPE FACTOR:
REQ'D: P/P/A<=22
PROVIDED:
IMAGINARY LOT AREA (A)
= 49,529 S.F.±
IMAGINARY LOT
PERIMETER (P) = 890.25'
SHAPE FACTOR=16.00
COVERAGE BY
STRUCTURES:
MAX. ALLOWED: 40%
PROVIDED: 10.7%
IMPERVIOUS COVERAGE:
MAX. ALLOWED: 80%
PROVIDED: 26.1%

PARKING:
REQ'D: TBD BY S.P.G.A.
PROVIDED: 35 SPACES
(INCLUDING 2 HANDICAP
SPACES)

SETBACKS:
FRONT YARD:
MIN. ALLOWED: 30'
PROVIDED: 128.8'
REAR YARD:
MIN. ALLOWED: 30'
PROVIDED: 202.6'
RIGHT SIDE YARD:
MIN. ALLOWED: 20'
PROVIDED: 45.1'
LEFT SIDE YARD:
MIN. ALLOWED: 20'
PROVIDED: 34'

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

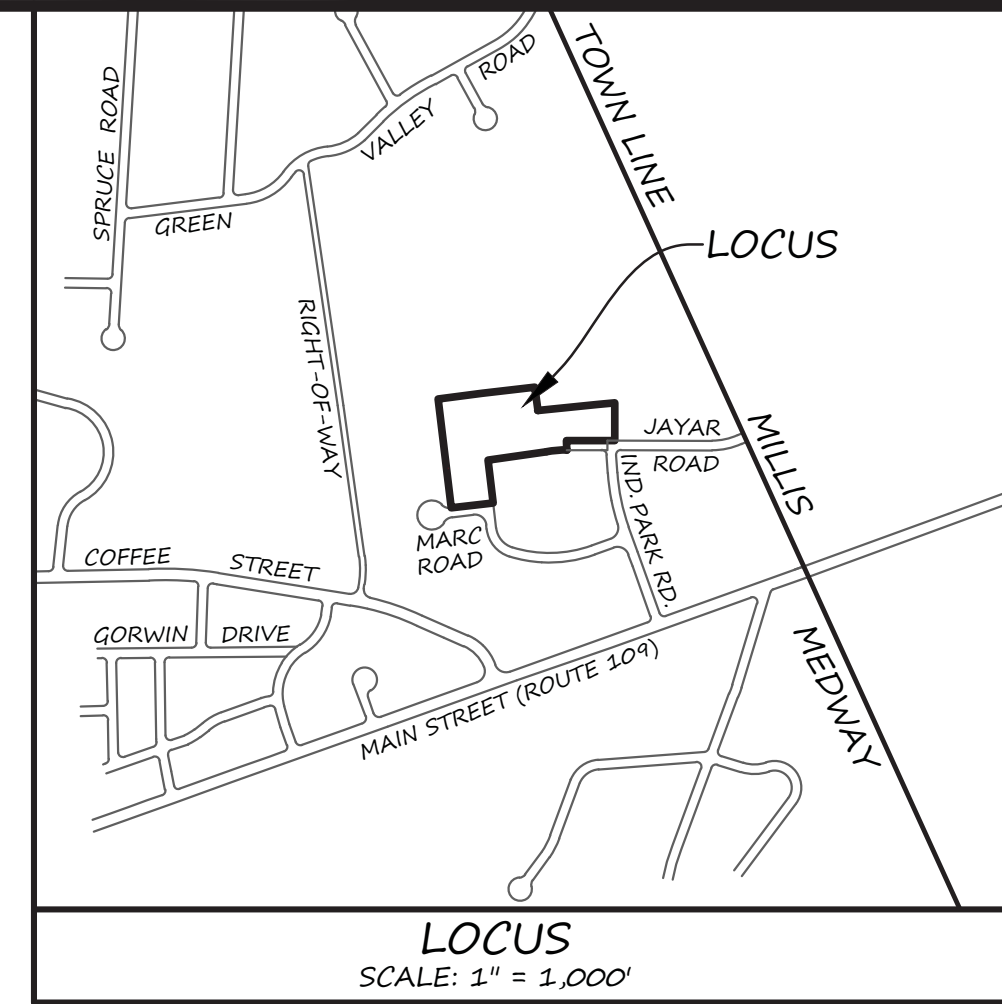


NOTE: NON-BIODEGRADABLE SOCK SHELL FILLED WITH COMPOST MEDIA. JOINTS SHALL BE OVERLAPPED BY AT LEAST TWO FEET. ORANGE SNOW FENCE IS ONLY NEEDED IF THERE IS EVIDENCE OF THE COMPOST SOCK BEING BURIED BY CONSTRUCTION ACTIVITIES.

EROSION CONTROL DETAIL (COMPOST SOCK)

NOT TO SCALE

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



SITE ADDRESS
2. MARC ROAD

MAP AND PARCEL
MAPS 33 PARCEL 001

ZONING CLASSIFICATION
EAST INDUSTRIAL
GROUNDWATER PROTECTION DISTRICT

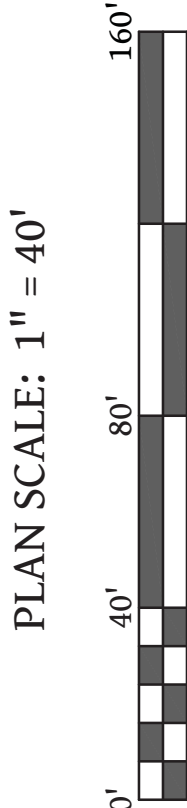
OWNER
ELLEN REALTY TRUST
730 MAIN STREET
MILLIS, MA 02054

EASEMENT REFERENCES
DRAINAGE EASEMENT A:
DEED BOOK 12258, PAGE 315
PLAN BOOK 454, PAGE 95
DRAINAGE EASEMENT B:
DEED BOOK 21247, PAGE 578
PLAN BOOK 299, PAGE 900
PLAN BOOK 410, PAGE 749

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



Digitally signed by Daniel J.
Merrikin, P.E.
Date: 2019.11.07 11:43:10
-05'00'



DATE	BY
NOVEMBER 6, 2019	
REVISION	
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2 MARC ROAD
SITE PLAN MODIFICATION
PLAN OF LAND
IN
MEDWAY, MA

LEGEND & ABBREVIATIONS

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

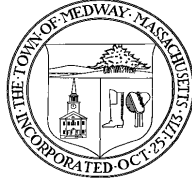
N/F DART ASSOCIATES LIMITED
4 INDUSTRIAL PARK ROAD
(ASSESSORS PARCEL 33-004)

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



LEGACY
ENGINEERING

354-D63



November 10, 2020
Medway Planning & Economic Development Board
Meeting

ZBA Petitions

The following petitions are before the ZBA at its November 18, 2020 meeting. As is their standard practice, The ZBA has requested review comments from various Town boards and committees.

13A Fisher Street - The application is for the issuance of dimensional variances from Section 6.1 of the Zoning Bylaw to reduce the required side setback from 15 feet to 11 feet, and reduce the required rear setback from 15 feet to 12 feet, to construct an accessory pool house within the side and rear setback areas. Property has 22,507 sq. ft. of area and is located in the AR-II zoning district.

39 Alder Street - The application is for the issuance of a use variance from Section 5.4, Table 1: Schedule of Uses of the Zoning Bylaw to construct a 12,000 sq. ft. building for ETS Equipment Rental (<https://etsequipmentrental.com/>), a construction equipment rental and leasing business presently located in Hopedale. Business activity includes outdoor storage and preventative maintenance and repair of associated equipment on the property. The property is 7.42 acres and is located in the West Industrial Zoning District adjacent to the

Lawrence Waste site. NOTE – The applicant explains the need for a use variance as follows.

As their business use is not specifically listed in Table 1 Schedule of Uses, Applicant is requesting a “use variance” from Section 5.4 of the Town of Medway Zoning By-law, dated January 6, 2020. There are similar uses listed including but not limited to; retail sales, retail sales, outdoors, and repair shop which are currently listed as not allowed in the WI Zone. Therefore, we believe a “use variance” is needed for the proposed business use.

The described use may also constitute a “contractor’s yard” which is also a prohibited use in the West Industrial Zoning district. See below for the ZBL definition of a contractor’s yard.

Contractor’s Yard: The premises of a building, construction, plumbing, wiring, landscaping, excavating, or other similar contracting or sub-contracting business, where any of the following purposes may be conducted for the contractor’s business: indoor or outdoor storage of equipment, supplies and materials; the fabrication of sub-assemblies; servicing of equipment; the parking of wheeled equipment; the parking of two or more motorized vehicles with six wheels or more; the parking of one or more “commercial motor vehicles” as defined by the Massachusetts Registry of Motor Vehicles in 540 CMR 4.02; wholesale or retail sales; or showrooms of finished and unfinished products or materials.

Also note that if the ZBA does grant a use variance, the site will be subject to site plan review with the PEDB and also subject to new Section 7.1.3 of the Zoning Bylaw regarding outdoor storage. See attached.

GENERAL APPLICATION FORM



TOWN OF MEDWAY

ZONING BOARD OF APPEALS

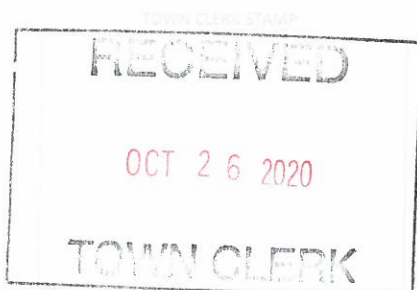
155 Village Street
Medway MA 02053

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

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

TO BE COMPLETED BY THE APPLICANT

Applicant/Petitioner(s): Ryan and Maura Walsh	Application Request(s):
Property Owner(s): Ryan and Maura Walsh	Appeal <input type="checkbox"/> Special Permit <input type="checkbox"/> Variance <input checked="" type="checkbox"/> Determination/Finding <input type="checkbox"/> Extension <input type="checkbox"/> Modification <input type="checkbox"/> Comprehensive Permit <input type="checkbox"/>
Site Address(es): 13A Fisher Street	
Parcel ID(s): 55-014	
Zoning District(s): AR-2	
Registry of Deeds Book & Page No. and Date or Land Court Certificate No. and Date of Current Title: Deed: 32564-255 09/09/2014	



TO BE COMPLETED BY STAFF:

Check No.:
Date of Complete Submittal:
Comments:

[Signature]

10/26/2020

GENERAL APPLICATION FORM

APPLICANT/PETITIONER INFORMATION

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

Applicant/Petitioner(s): Ryan and Maura Walsh		Phone: 508-828-0213
		Email: ryan_walsh05@yahoo.com
Address: ryan_walsh05@yahoo.com		
Attorney/Engineer/Representative(s):		Phone:
		Email:
Address:		
Owner(s): Ryan and Maura Walsh		Phone: 508-828-0213
		Email: ryan_walsh05@yahoo.com
Mailing Address: 13A Fisher Steet, Medway, MA 02053		

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

Please disclose any relationship, past or present, interested parties may have with members of the ZBA:

I hereby certify that the information on this application and plans submitted herewith are correct, and that the application complies with all applicable provisions of Statutes, Regulations, and Bylaws to the best of my knowledge, and that all testimony to be given by me during the Zoning Board of Appeals public hearing associated with this application are true to the best of my knowledge and belief.

Ryan P. Walsh

Digitally signed by Ryan P. Walsh
Date: 2020.10.19 20:30:46 -04'00'

10/19/2020

Signature of Applicant/Petitioner or Representative

Date

Ryan P. Walsh

Digitally signed by Ryan P. Walsh
Date: 2020.10.19 20:31:21 -04'00'

10/19/2020

Signature Property Owner (if different than Applicant/Petitioner)

Date



10/26/2020

GENERAL APPLICATION FORM

APPLICATION INFORMATION

		YES	NO
Applicable Section(s) of the Zoning Bylaw:	Requesting Waivers?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Section 6.1	Does the proposed use conform to the current Zoning Bylaw?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Present Use of Property: Residential - Single family home	Has the applicant applied for and/or been refused a building permit?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Proposed Use of Property: Residential - Single family home	Is the property or are the buildings/ structures pre-existing nonconforming?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Is the proposal subject to approval by the BOH or BOS?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Is the proposal subject to approval by the Conservation Commission?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Date Lot was created: 2003	Is the property located in the Floodplain District?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Date Building was erected: 2003	Is the property located in the Groundwater Protection District?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does the property meet the intent of the Design Review Guidelines? Yes	Is the property located in a designated Historic District or is it designated as a Historic Landmark?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Describe Application Request:</p> <p>Application is for a variance to the side setback and rear setback for the proposed building of a pool house.</p> <p>Property has an existing single family dwelling, in-ground pool with attached pool decking, and unattached shed.</p>			



10/26/2020

GENERAL APPLICATION FORM

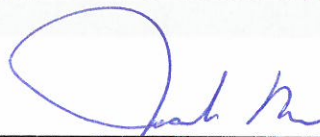
FILL IN THE APPLICABLE DATA BELOW

Required Data	Bylaw Requirement	Existing	Proposed
A. Use		Single family dwelling	Single family dwelling
B. Dwelling Units	1	1	1
C. Lot Size	22,500 - 30,000	22,507	22,507
D. Lot Frontage	150'	150'	same
E. Front Setback	35'	70.4'	same
F. Side Setback	15'	18.9'	11
G. Side Setback	15'	17.4	same
H. Rear Setback	15'	15.3	12
I. Lot Coverage	30%	7%	8%
J. Height	35'	25'	same
K. Parking Spaces	N/A	2 car garage, driveway	2 car garage, driveway
L. Other			

FOR TOWN HALL USE ONLY

To be filled out by the Building Commissioner:

10/26/2020
Date Reviewed


Medway Building Commissioner

Comments:

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



TOWN OF MEDWAY

ZONING BOARD OF APPEALS

155 Village Street
Medway MA 02053

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

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TO BE COMPLETED BY THE APPLICANT

Please provide evidence regarding how the Variance Criteria, outlined below, is met. All Variance Criteria must be met to be considered. Provide attachments if necessary.

1. What circumstances exist relating to the shape, topography, or soil conditions of the subject property which do not generally affect other land in the zoning district? (See MGL c. 40A Section 10)

The existing dwelling is located in the center of the lot, which is shaped wider at the front and narrower at the rear. The existing dwelling is also in the middle of a downward sloping topography from the front of the property to the rear. This created a smaller rear yard in a lot that is the minimum size allowed to conform to the lot size requirements of the zoning district. These reasons led to a limited options for the placement of a conforming pool that was previously built in the backyard. The backyard has topography that limits the area where a pool house can be built without major alterations to the grading, which is towards wetlands, with the edge of the property being within the wetlands buffer zone.

2. What substantial hardship, financial or otherwise, is caused by the circumstances listed above when the literal enforcement of Medway Zoning Bylaw is applied? (See MGL c. 40A Section 10) (Cannot be *personal hardship*)

The literal enforcement of Medway Zoning Bylaw would result in the conforming building space in the back yard to be roughly half of the yard, which is already only about one third of the property. It would also require substantial alterations to the topography of the property for a structure to be built, as well as significant impact to existing pool decking and retaining walls. This would result in a costly project that could have environmental impact. The enforcement could also result in a smaller structure than what is needed for the intended use and would result in the structure not aligning to the current pool decking, which would be a safety hazard. The placement of the structure is setback from the shallow end of the pool for safety reasons, while the only other placement consideration is adjacent to the deep end of the pool, which poses a safety hazard, and would impact the entry/egress from the pool area.

3. State why desirable relief may be granted without substantial detriment to the public good.

This property is relatively private and the corner of the lot where the structure is proposed is the backyard of the adjacent two properties (Long and Gay). Beyond both these adjacent properties is land that is not able to be built upon, being wetlands and power lines. The property lies on a street with no public sidewalks and surrounded by privately owned residential dwellings. The proposed structure is also within an existing fence line.

4. State why relief may be granted without nullifying or substantially derogating from the intent or purpose of the Zoning Bylaw.

"This Zoning Bylaw is enacted...to protect the health and safety of its inhabitants; to support the most appropriate use of land throughout the town, and to further the goals and policies of the Medway Master Plan..."
Granting this relief will allow for protection from the elements for our family and those who join us while enjoying our outdoor space. It also allows for the building to be placed in a safe location setback from the shallow end of the pool. The proposed structure conforms to all of the residential accessory buildings or structures in 6.3 of the Zoning Bylaw. It would be the only structure within the corners of the connecting private lots (Walsh (applicant), Long and Gay) and will not be in proximity to another structure. The lot will continue to be used as intended (residential) and will meet 'Goal 1: Provide growth options that encourage optimal land use' of the Objectives for Land Use of the Medway Master Plan. It will also increase the residential tax assessment of the property, with the Medway Master Plan identifying that almost 90% of the town's budget is funded from residential taxes.

Ryan P. Walsh

Digitally signed by Ryan P. Walsh
Date: 2020.10.25 20:05:35 -04'00'

Signature of Applicant/Petitioner or Representative

Date

Signature

10/26/2020

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TOWN OF MEDWAY
ZONING BOARD OF APPEALS

155 Village Street
Medway MA 02053

TREASURER/COLLECTOR CERTIFICATION

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

TO BE COMPLETED BY THE APPLICANT

Applicant/Petitioner(s):
Ryan and Maura Walsh
Property Owner(s):
Ryan and Maura Walsh
Site Address(es):
13A Fisher Street
Parcel ID(s):
55-014
Registry of Deeds Book & Page No. and Date or Land Court Certificate No. and Date of Current Title:
Deed: 32564-255 09/09/2014

Ryan P. Walsh

Digitally signed by Ryan P. Walsh
Date: 2020.10.19 20:10:38 -04'00'

10/19/2020

Signature of Applicant/Petitioner or Representative

Date

FOR TOWN HALL USE ONLY	
To be filled out by the Treasurer/Collector:	
<u>10/20/20</u> Date Reviewed	<u>Maura Walsh</u> Medway Treasurer/Collector
Tax Delinquent: Y <input checked="" type="radio"/> N	
Comments:	

11_OF_2002

508-839-5837

blackstone.valley.mapping@gmail.com

ASSESSORS PARCEL:
55-014
ZONING: AR-II
FRONTAGE: 150'
AREA: 22,500SF
FRONT SETBACK - 35'
SIDE SETBACK - 15'
REAR SETBACK - 15'

OWNERS:
RYAN P &
MAURA A WALSH

REFERENCES:
D.B. 32564, PG. 225
PLAN 711 OF 2002

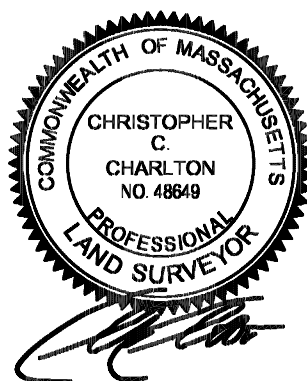
CERTIFIED PLOT PLAN

LOCATED AT
13A FISHER STREET
ASSESSORS PARCEL # 55-014
MEDWAY, MA
NORFOLK COUNTY

CONTINENTAL LAND SURVEY, LLC
105 BEAVER STREET, FRANKLIN, MA
(508) 528 - 2528
SCALE: 1"=30' OCTOBER 16, 2020



I CERTIFY THAT THIS PLAN WAS CREATED BY AN INSTRUMENT SURVEY AND THAT ALL STRUCTURES ARE LOCATED ON THE GROUND AS SHOWN HEREON. THE LOCUS DOES NOT LIE IN A FLOOD HAZARD ZONE (FIRM #25021C0139E).



CHRISTOPHER C. CHARLTON, PLS

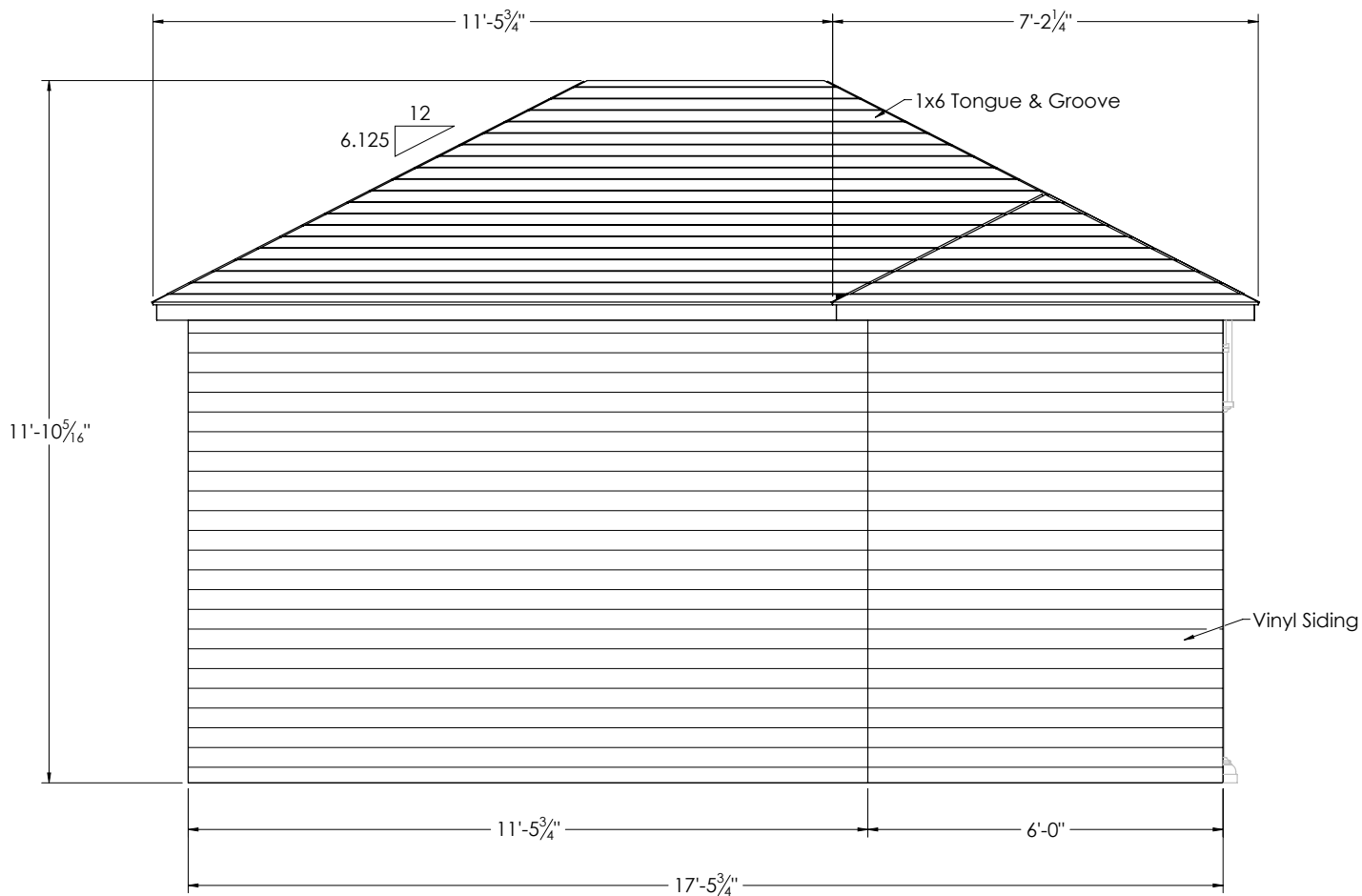
The attached building plans and floorplan layout will have minor adjustments made to them. The overall footprint of the proposed structure is not changing. Below is a list of the minor adjustments that will be made

Building plans:

- Removal of the outside door shown on pages, 4, 6 and 7. A door leading into the storage area will be on the inside wall of the structure.

Floorplan Layout:

- The 11' and 9' sections will be reversed, with the 11' section running vertically on the page and the 9' section running horizontally.
- There will be no sink included in the proposed building.
- There will be no outside door, as referenced in the building plan note above.



Scale: 1/2" = 1'

Baystate Outdoor Personia
 1048 S. Main St.
 Bellingham, Ma 02019
www.outdoorpersonia.com

CUSTOMER:

Ryan Walsh
 13A Fisher Street
 Medway, MA 02053

DRAWING TITLE:

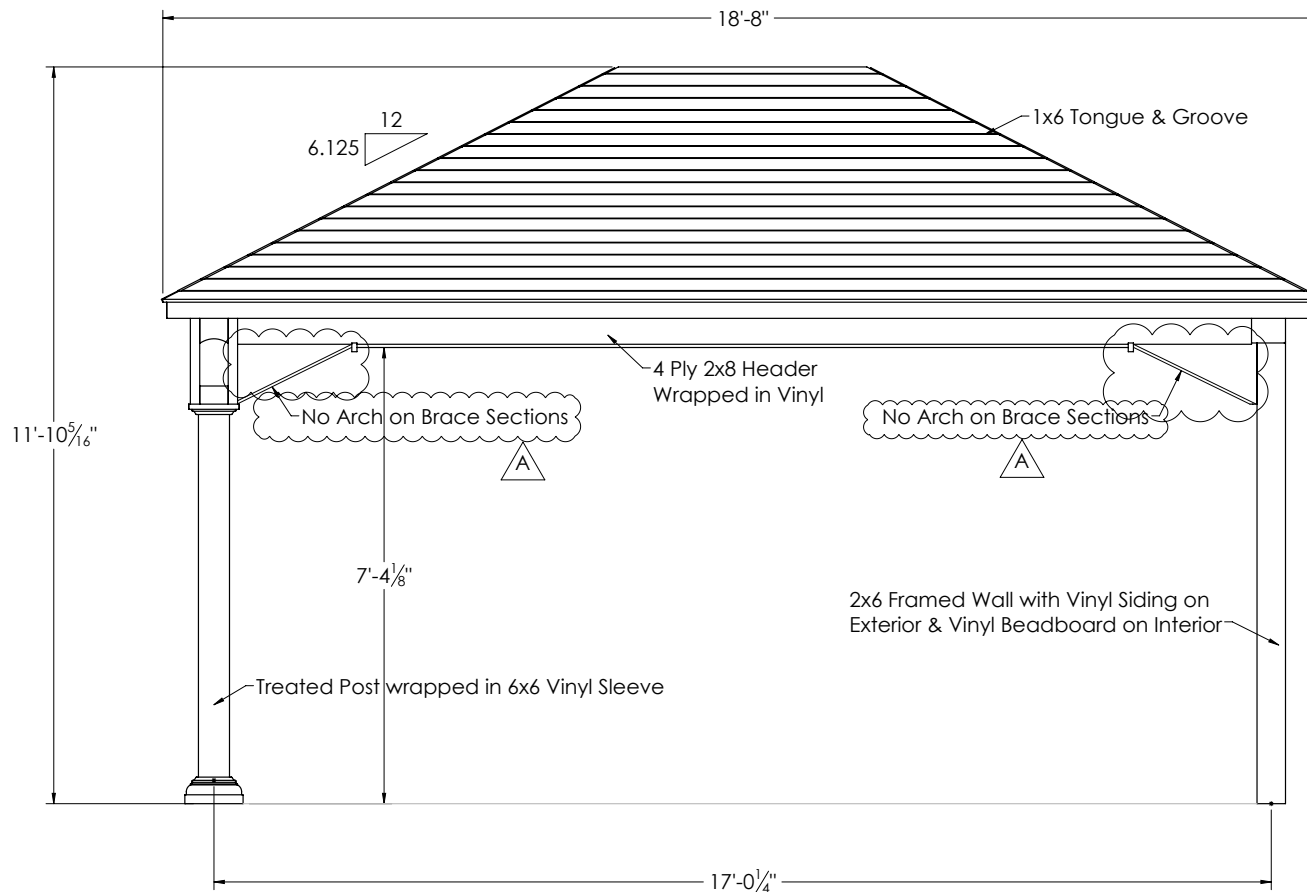
Wall Side Elevation Plan

PROJECT:

14x18 Traditional
 Vinyl Pavilion With
 6x6 Enclosure

COMMENTS:

REVISIONS: A	DATE: 8-12-20	BY: JR
PAPER SIZE: 11"x17"	DRAWING NUMBER: 20-243	
DATE: 6/16/2020	PAGE: 1 of 7	
BY: JR.	SCALE: 1:24	



Baystate Outdoor Personia
 1048 S. Main St.
 Bellingham, Ma 02019
www.outdoorpersonia.com

CUSTOMER:
 Ryan Walsh
 13A Fisher Street
 Medway, MA 02053

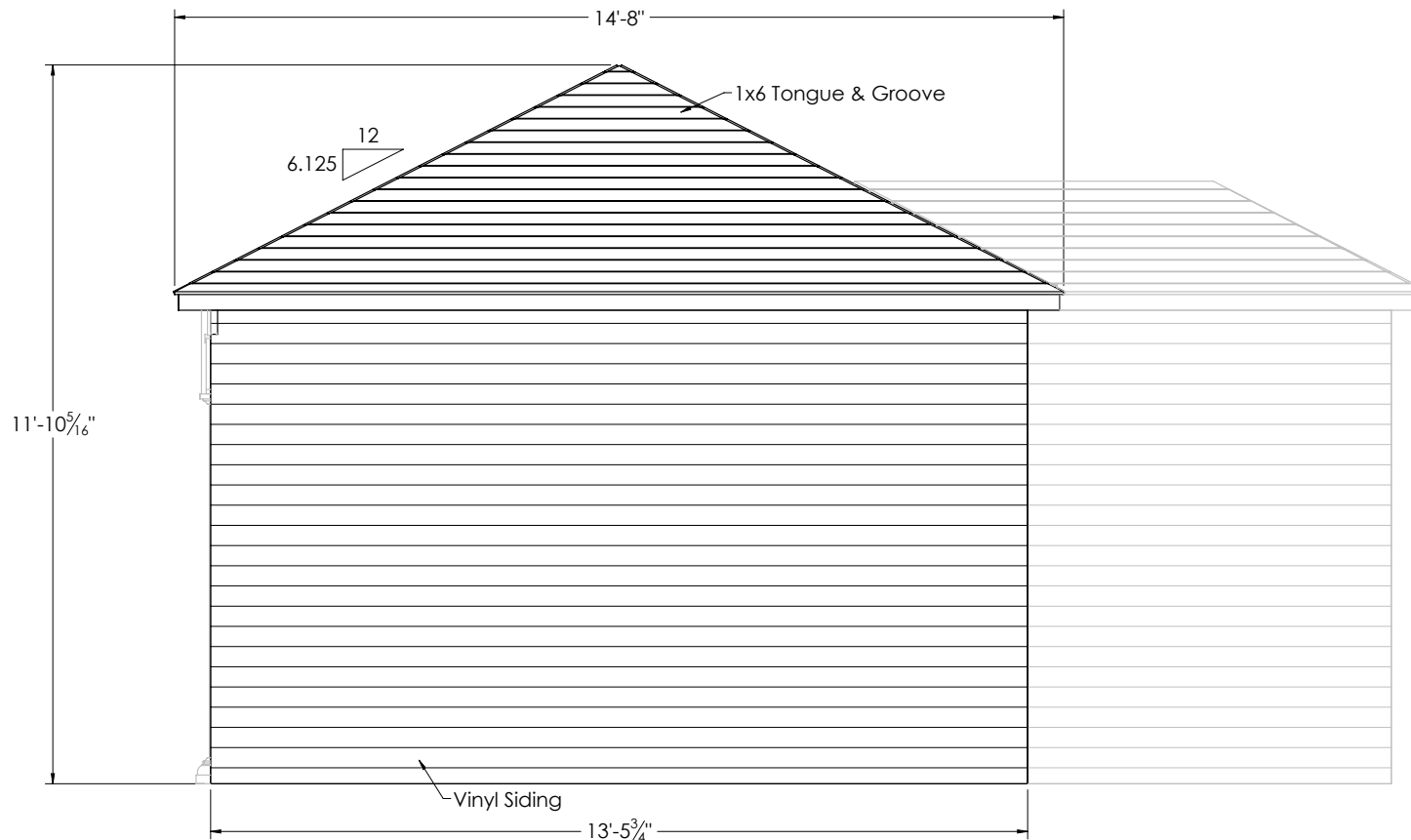
DRAWING TITLE:
 Pavilion Side Elevation

PROJECT:
 14x18 Traditional Vinyl
 Pavilion With 6x6 Villa
 and Walls

COMMENTS:

REVISIONS: A	DATE: 8-12-20	BY: JR
PAPER SIZE: 11"x17"	DRAWING NUMBER: 20-243	
DATE: 6/16/2020	PAGE: 2 of 7	
BY: JR.	SCALE: 1:24	

Scale: 1/2" = 1'



Scale: 1/2" = 1'

Baystate Outdoor Persona
1048 S. Main St.
Bellingham, Ma 02019
www.outdoorpersona.com

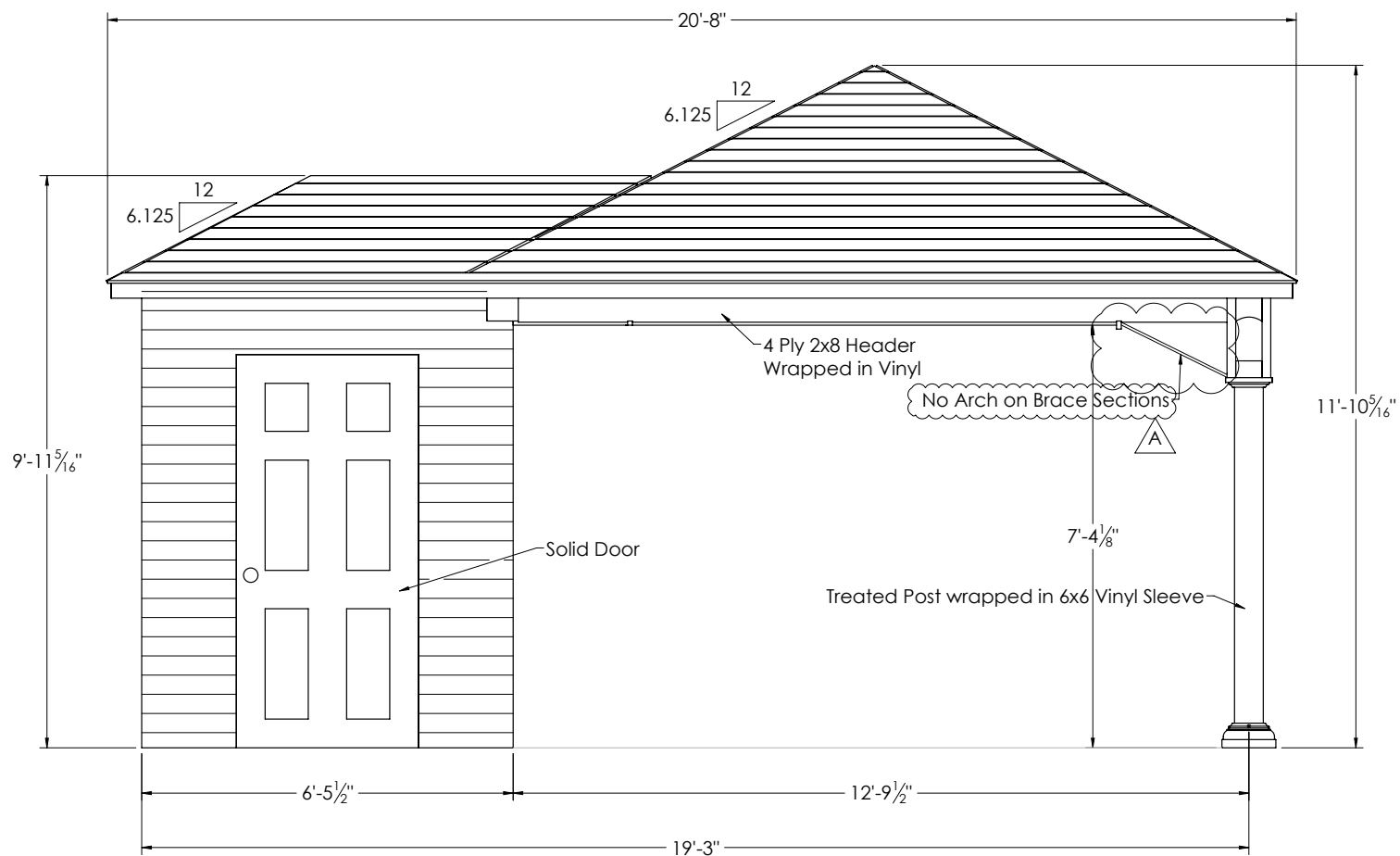
CUSTOMER:
Ryan Walsh
13A Fisher Street
Medway, MA 02053

DRAWING TITLE:
Wall End Elevation Plan

PROJECT:
14x18 Traditional
Vinyl Pavilion With
6x6 Enclosure

COMMENTS:

REVISIONS: A	DATE: 8-12-20	BY: JR
PAPER SIZE: 11"x17"	DRAWING NUMBER: 20-243	
DATE: 6/16/2020	PAGE: 3 of 7	
BY: JR.	SCALE: 1:24	



6x6 Room to have a flat ceiling
with Vinyl Beadboard finish

Baystate Outdoor Personia
1048 S. Main St.
Bellingham, Ma 02019
www.outdoorpersonia.com

CUSTOMER:

Ryan Walsh
13A Fisher Street
Medway, MA 02053

DRAWING TITLE:

Pavilion End Elevation
Plan

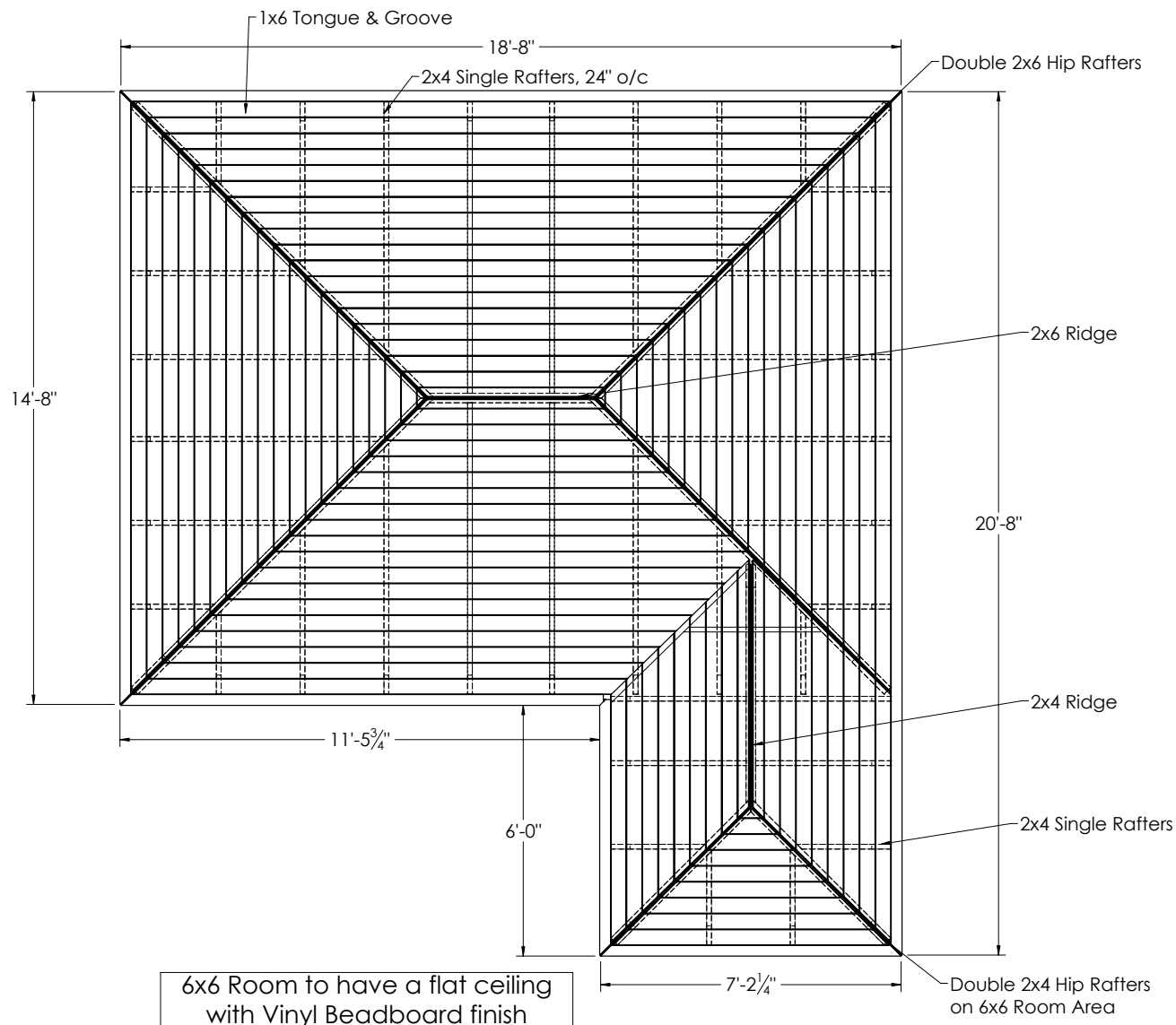
PROJECT:

14x18 Traditional
Vinyl Pavilion With
6x6 Enclosure

COMMENTS:

REVISIONS: A	DATE: 8-12-20	BY: JR
PAPER SIZE: 11"x17"	DRAWING NUMBER: 20-243	
DATE: 6/16/2020	PAGE: 4 of 7	
BY: JR.	SCALE: 1:24	

Scale: 1/2" = 1'



Scale: 3/8" = 1'

Baystate Outdoor Personia
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 Bellingham, Ma 02019
www.outdoorpersonia.com

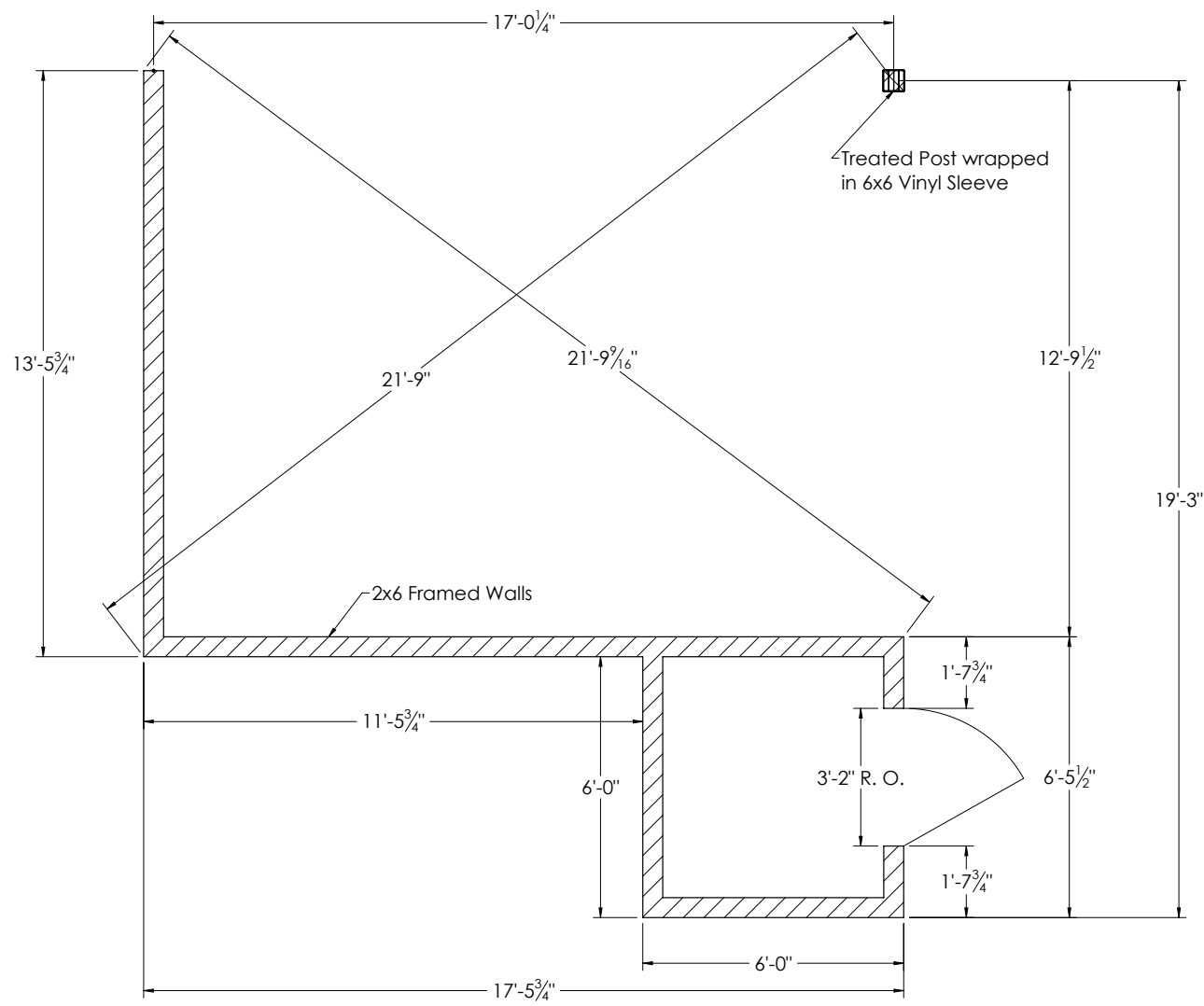
CUSTOMER:
 Ryan Walsh
 13A Fisher Street
 Medway, MA 02053

DRAWING TITLE:
 Roof Framing Plan

PROJECT:
 14x18 Traditional
 Vinyl Pavilion With
 6x6 Enclosure

COMMENTS:

REVISIONS: A	DATE: 8-12-20	BY: JR
PAPER SIZE: 11"x17"	DRAWING NUMBER: 20-243	
DATE: 6/16/2020	PAGE: 5 of 7	
BY: JR.	SCALE: 1:32	



6x6 Room to have a flat ceiling
with Vinyl Beadboard finish

Scale: 3/8" = 1'

Baystate Outdoor Personia
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Bellingham, Ma 02019
www.outdoorpersonia.com

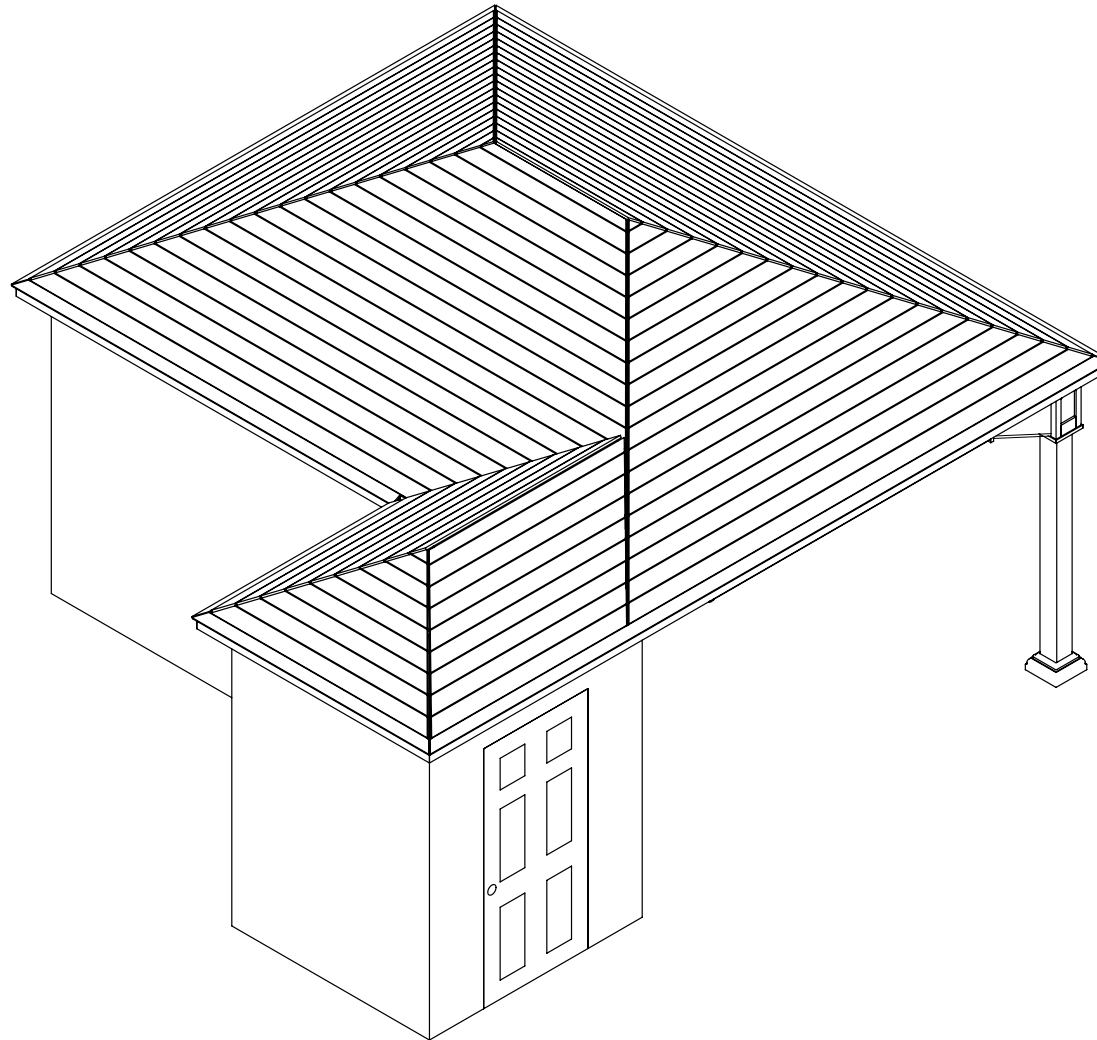
CUSTOMER:
Ryan Walsh
13A Fisher Street
Medway, MA 02053

DRAWING TITLE:
Post & Wall Layout Plan

PROJECT:
14x18 Traditional
Vinyl Pavilion With
6x6 Enclosure

COMMENTS:

REVISIONS: A	DATE: 8-12-20	BY: JR
PAPER SIZE: 11"x17"	DRAWING NUMBER: 20-243	
DATE: 6/16/2020	PAGE: 6 of 7	
BY: JR.	SCALE: 1:32	



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 Bellingham, Ma 02019
www.outdoorpersonia.com

CUSTOMER:
 Ryan Walsh
 13A Fisher Street
 Medway, MA 02053

DRAWING TITLE:
 ISO

PROJECT:
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 Vinyl Pavilion With
 6x6 Enclosure

COMMENTS:

REVISIONS: A	DATE: 8-12-20	BY: JR
PAPER SIZE: 11"x17"	DRAWING NUMBER: 20-243	
DATE: 6/16/2020	PAGE: 7 of 7	
BY: JR.	SCALE: 1:32	

GENERAL APPLICATION FORM



TOWN OF MEDWAY ZONING BOARD OF APPEALS

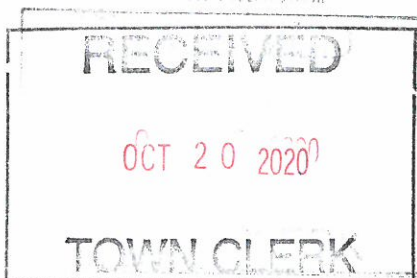
155 Village Street
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Phone: 508-321-4915 | zoning@townofmedway.org
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TO BE COMPLETED BY THE APPLICANT

Applicant/Petitioner(s): <i>ESTEVAO COSTA</i>	Application Request(s): Appeal <input type="checkbox"/> Special Permit <input type="checkbox"/> Variance <input checked="" type="checkbox"/> Determination/Finding <input type="checkbox"/> Extension <input type="checkbox"/> Modification <input type="checkbox"/> Comprehensive Permit <input type="checkbox"/>
ETS Equipment Rental Inc	
Property Owner(s): <i>PAUL G YORKIS</i>	
Site Address(es): <i>39 ALDER STREET</i>	
Parcel ID(s): <i>63-004</i>	
Zoning District(s): <i>WI</i>	
Registry of Deeds Book & Page No. and Date or Land Court Certificate No. and Date of Current Title: <i>BOOK 13173 PAGE 483</i>	



TO BE COMPLETED BY STAFF:

Check No.:
Date of Complete Submittal:
Comments:

[Signature]

10/20/2020

APPLICANT/PETITIONER INFORMATION

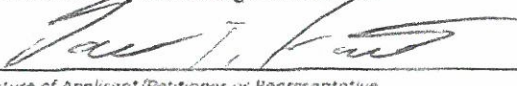
The owner(s) of the land must be included as an applicant, even if not the proponent. Persons or entities other than the owner may also serve as co-applicants in addition to the owner(s), however, in each instance, such person shall provide sufficient written evidence of authority to act on behalf of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

Applicant/Petitioner(s): ESTEVAO COSTA ETS Equipment Rental INC		Phone: 781-706-8965
Address: 11 AIRPORT ROAD HOPDALE, MA 01947		Email: EC.COSTA.BROSE@HOTMAIL.COM
Attorney/Engineer/Representative(s): DAVID FAIST CMG ENGINEERING SERVICES		Phone: 774-241-0901
Address: 67 HALL ROAD STURBRIDGE, MA 01566		Email: dFaist@cmgenv.com
Owner(s): PALL E YORRIS		Phone: 508-509-7860
Mailing Address: 7 Independence Lane NEPWAU, MA 02053		Email: Pgyorkis@gmail.com

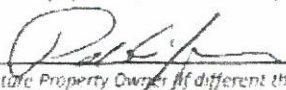
Please list name and address of other parties with financial interest in this property (use attachment if necessary):

Please disclose any relationship, past or present, interested parties may have with members of the ZBA:

I hereby certify that the information on this application and plans submitted herewith are correct, and that the application complies with all applicable provisions of Statutes, Regulations, and Bylaws to the best of my knowledge, and that all testimony to be given by me during the Zoning Board of Appeals public hearing associated with this application are true to the best of my knowledge and belief.


Signature of Applicant/Petitioner or Representative

10/20/2020
Date


Signature Property Owner (if different than Applicant/Petitioner)

10/22/2020
Date

APPLICATION INFORMATION

		YES	NO
Applicable Section(s) of the Zoning Bylaw:	Requesting Waivers?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5.4 SCHEDULE OF USES	Does the proposed use conform to the current Zoning Bylaw?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Present Use of Property: VACANT LAND	Has the applicant applied for and/or been refused a building permit?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Proposed Use of Property: EQUIPMENT RENTAL & LEASING WITH OUTDOOR STORAGE	Is the property or are the buildings/structures pre-existing nonconforming?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Date Lot was created:	Is the proposal subject to approval by the BOH or BOS?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Date Building was erected: N/A	Is the proposal subject to approval by the Conservation Commission?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Does the property meet the intent of the Design Review Guidelines?	Is the property located in the Floodplain District?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Is the property located in the Groundwater Protection District?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Is the property located in a designated Historic District or is it designated as a Historic Landmark?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Describe Application Request:			
<p>Applicant is requesting a "USE VARIANCE" TO ALLOW an equipment rental and leasing company, outdoor storage, and preventative maintenance and repairs of equipment within the West Industrial (WI) zoning district.</p>			

GENERAL APPLICATION FORM

FILL IN THE APPLICABLE DATA BELOW

Required Data	Bylaw Requirement	Existing	Proposed
A. Use		VACANT LAND	
B. Dwelling Units		N/A	
C. Lot Size	40,000 SF	7.42 acres	7.42 Acres
D. Lot Frontage	100'	212	212
E. Front Setback	30'	N/A	99'
F. Side Setback	20'	N/A	54' +/-
G. Side Setback	20'	N/A	54' +/-
H. Rear Setback	30'	N/A	> 500' ±
I. Lot Coverage	40% N/A	N/A	37% N/A
J. Height	60'	N/A	30' ±
K. Parking Spaces	20 + 1 HC	N/A	23 + 1 HC
L. Other MAXIMUM IMPERVIOUS Coverage	80%	N/A	18%

FOR TOWN HALL USE ONLY

To be filled out by the Building Commissioner.

10/20/20

Date Reviewed

Medway Building Commissioner

Comments:

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



TOWN OF MEDWAY

ZONING BOARD OF APPEALS

155 Village Street
Medway MA 02053

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

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

TO BE COMPLETED BY THE APPLICANT

Please provide evidence regarding how the Variance Criteria, outlined below, is met. All Variance Criteria must be met to be considered. Provide attachments if necessary.

1. What circumstances exist relating to the shape, topography, or soil conditions of the subject property which do not generally affect other land in the zoning district? (See MGL c. 40A Section 10)

Please see attached letter from David Faist, CMG Engineering Services.

2. What substantial hardship, financial or otherwise, is caused by the circumstances listed above when the literal enforcement of Medway Zoning Bylaw is applied? (See MGL c. 40A Section 10) (Cannot be *personal hardship*)

Please see attached letter from David Faist, CMG Engineering Services.

3. State why desirable relief may be granted without substantial detriment to the public good.

Please see attached letter from David Faist, CMG Engineer Services.

4. State why relief may be granted without nullifying or substantially derogating from the intent or purpose of the Zoning Bylaw.

Please see attached letter from David Faist, CMG Engineering Services.

Signature of Applicant/Petitioner or Representative

10/19/2020
Date

10/20/2020

October 20, 2020

Zoning Board of Appeals
Medway Town Hall
155 Village Street
Medway, MA 02053

**Re: ETS Equipment Rental Inc. – Use Variance Request
39 Alder Street Medway, MA
CMG ID 2020-149**

Dear Zoning Board of Appeals,

On behalf of Estevao Costa, ETS Equipment Rental Inc., (Applicant), CMG is writing you this letter in support of the “use variance request”. The Applicant owns an equipment rental and leasing company which specializes in boom lifts and telehandlers. The Applicant is proposing to construct a 12,000 +/- s.f. building. A portion of the building will be used for office administration and equipment sales / rental with the balance for preventative maintenance and repairs of their own equipment. They are also proposing a 28,000 +/- s.f. outdoor equipment display / storage area for equipment for rental or lease.

The Applicant is currently in agreement to purchase the approximate 7.42 +/- Acre property located at 39 Alder Street in Medway, MA (the “Site”). The Site is located in the West Industrial (WI) Zone with access to both Town water and sewer.

Variance Request (Zoning Section 5.4)

As their business use is not specifically listed in Table 1 Schedule of Uses, Applicant is requesting a “use variance” from Section 5.4 of the Town of Medway Zoning By-law, dated January 6, 2020. There are similar uses listed including but not limited to; retail sales, retail sales, outdoors, and repair shop which are currently listed as not allowed in the WI Zone. Therefore, we believe a “use variance” is needed for the proposed business use.

Variance Criteria

1. What circumstances exist relating to the shape, topography, or soil conditions of the subject property, which do not generally affect other land in the zoning district?

- The Site contains 7.42 acres of land with 212 FT. of frontage, however when the Town of Medway improved Alder Street, a retention pond was installed at the front of the property which no limits access to the property to only the left side. Other lots in this district do not have a similar condition.
- When the Town of Medway improved Alder Street a fire hydrant was installed in front of the Site which will need to be relocated to provide the necessary 24' driveway width for an Industrial site.

- The enclosed "Preliminary Site Plan" date 6/25/20 prepared by CMG shows a large portion of the property is restricted by the 200 FT Riverfront Zone associated with Stall Brook and the 100 FT buffer zone associate with an existing on-site bordering vegetated wetlands area.
 - An Order of Conditions under the Wetlands Protection Act will be required for the property to be developed.
2. *What substantial hardship is caused by the circumstances listed above, when the Medway Zoning Bylaw is applied?*
- The circumstances listed above substantially limit the development potential of the property. This hardship limits the types of businesses which can be accommodated.
 - The proposed use of the property is consistent with other uses in the area that have received use variances from the Zoning Board of Appeals including the immediate adjacent property that has been successfully developed by Lawrence Waste Systems which received both a variance from the ZBA and an order of conditions from the Medway Conservation Commission.
3. *State why desirable relief may be granted without substantial detriment to the public good.*
- The proposed use is consistent with other uses that have been permitted as a result of relief from the ZBA. The applicant's proposed use is consistent with other uses in this zoning district.
4. *State why you believe the grant of relief would not nullify or derogate from the intent of the Zoning Bylaw.*
- The proposed use would create additional jobs in Medway, additional real estate tax revenue, and would create additional personal property tax revenue for the community that is consistent with the intent of the Zoning Bylaw.

CMG is enclosing for your review the Zoning Board of Appeals Application for a Hearing and other associated material regarding the proposed work. Please contact me at (508) 864-6802 with any questions or if you need more information.

Thank you.

Sincerely,
CMG ENVIRONMENTAL, INC.

David T. Faist, P.E.
Principal Civil Engineer

Enclosures

cc. Estevao Costa, ETS Equipment Rental, LLC
Paul Yorkis, Patriot Real Estate

TREASURER/COLLECTOR CERTIFICATION



TOWN OF MEDWAY

ZONING BOARD OF APPEALS

155 Village Street
Medway MA 02053

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

TO BE COMPLETED BY THE APPLICANT

Applicant/Petitioner(s):	
ESTEVAO COSTA	
ETS EQUIPMENT RENTAL, INC	
Property Owner(s):	
PAUL G YORKIS	
Site Address(es):	
39 ALDER STREET	
Parcel ID(s):	
G3-004	
Registry of Deeds Book & Page No. and Date or Land Court Certificate No. and Date of Current Title:	
BOOK 13173 PAGE 483	

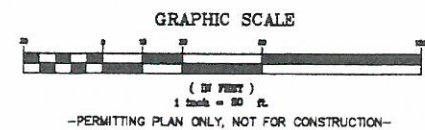
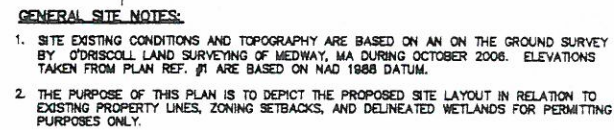
Paul G Yorkis Applicant 10/20/2020 Date
 Signature of Applicant/Petitioner or Representative

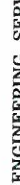
FOR TOWN HALL USE ONLY	
To be filled out by the Treasurer/Collector:	
<u>10/20/20</u>	<u><i>Maie Shurt</i> 10/20/20</u>
Date Reviewed	Medway Treasurer/Collector
Tax Delinquent: Y <input checked="" type="radio"/> N	
Comments:	

OWNER: PAUL G. YORKIS			
EXISTING LOT AREA = 323,351 S.F. (7.42 ± Ac)			
ASSESSOR'S MAP ID: 83-004			
ZONING: WEST INDUSTRIAL (W)			
EXISTING USE: VACANT			
PROPOSED USE: "ETS EQUIPMENT RENTAL" OFFICES, GARAGE, & OUTDOOR EQUIPMENT STORAGE			
	REQUIRED	EXISTING	PROPOSED
LOT AREA	40,000 S.F.	323,351 S.F. ±	323,351 S.F. ±
LOT FRONTAGE	100 FT.	212 FT. ±	212 FT. ±
FRONT YARD	30 FT.	N/A	99 FT. ±
SIDE YARD	20 FT.	N/A	54 FT. ±
BUILDING HEIGHT	80 FT.	N/A	30' - TBD
IMPERVIOUS COVERAGE	80 %	N/A	18% (60,860± S.F.)
PARKING			
	REQUIRED	PROPOSED	
Office:	1 Per 300 a.f. x 2,000 a.f.	7 Spaces	7 Spaces
Industrial:	1 Per 1,000 a.f. x 10,000 a.f.	10 Spaces	10 Spaces
	1 Per 2 Employees (Est. 5 Employees)	3 Spaces	6 Spaces
	Total Spaces =	20 Spaces	23 Spaces
Handicap Accessible Spaces (1-25 Spaces)		1 HC Spaces	1 HC Spaces

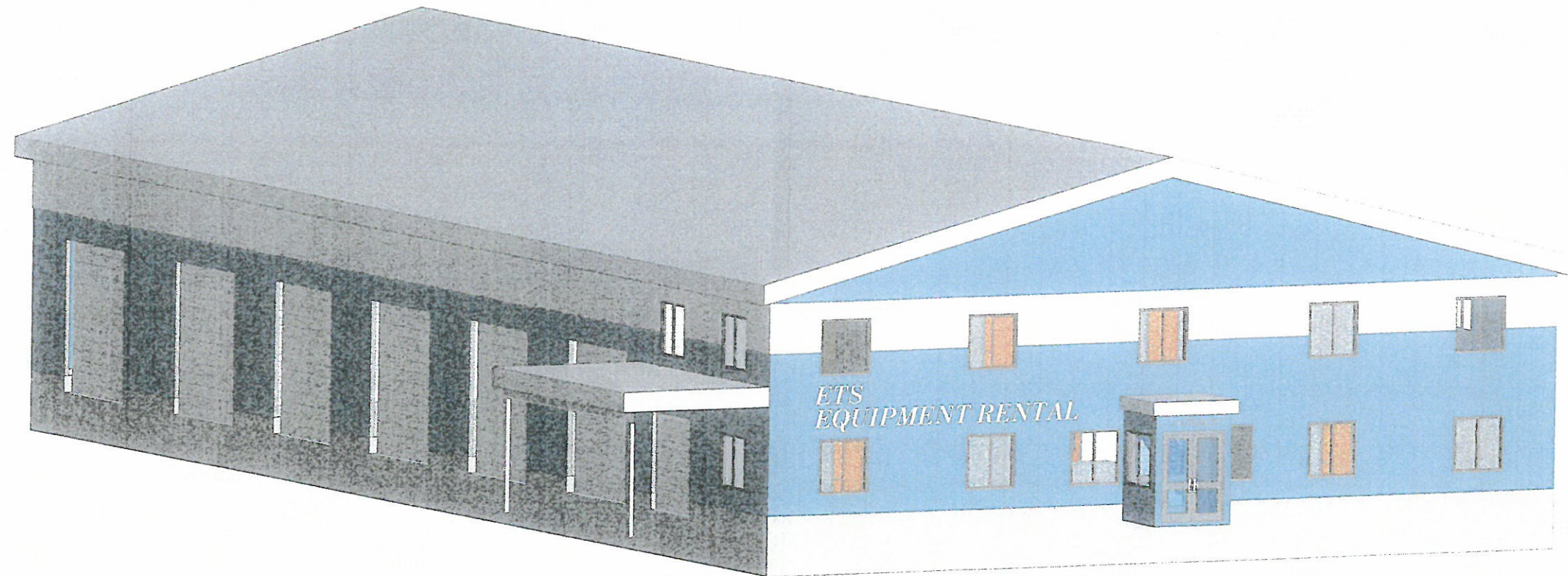
OWNER: PAUL G. YORRIS					MONUMENT
EXISTING LOT AREA = 323,351 S.F. (7.42 ± Ac)					CONNECTICUT HIGHWAY MONUMENT
ASSESSOR'S MAP ID: 83-004					N.F. NOT FOUND
ZONING: WEST INDUSTRIAL (W)					N/F NOW OR FORMERLY
EXISTING USE: VACANT					EX. EXISTING
PROPOSED USE: "ETS EQUIPMENT RENTAL" OFFICES, GARAGE, & OUTDOOR EQUIPMENT STORAGE					PROP. PROPOSED
					R/V. INVERT
					R.C.P. REINFORCED CONCRETE PIPE
					HYDRANT
					SEWER MAINHOLE
					DRAIN MAINHOLE
					EXISTING CONTOUR LINE
					UTILITY POLE
					BIT. BITUMINOUS
					CONC. CONCRETE
					DRAIN CATCH BASIN
					EXISTING LIGHT
					WATER GATE
					NEW LIGHT
					SPOT ELEVATION
					BOLLARD LIGHT
					CHANGE IN CURB TYPE

		REQUIRED	EXISTING	PROPOSED
LOT AREA		40,000 S.F.	323,351 S.F. ±	323,351 S.F. ±
LOT FRONTAGE		100 FT.	212 FT. ±	212 FT. ±
FRONT YARD		30 FT.	N/A	99 FT. ±
SIDE YARD		20 FT.	N/A	54 FT. ±
BUILDING HEIGHT		60 FT.	N/A	30' - TBD
IMPERVIOUS COVERAGE		80 %	N/A	18% (60,890 ± S.F.)
PARKING				
		REQUIRED		PROPOSED
Office:	1 Per 300 s.f. x 2,000 s.f.	7 Spaces		7 Spaces
Industrial:	1 Per 1,000 s.f. x 10,000 s.f.	10 Spaces		10 Spaces
	1 Per 2 Employees (Est. 5 Employees)	3 Spaces		6 Spaces
	Total Spaces =	20 Spaces		23 Spaces
Handicap Accessible Spaces (1-25 Spaces)		1 HC Spaces		1 HC Spaces

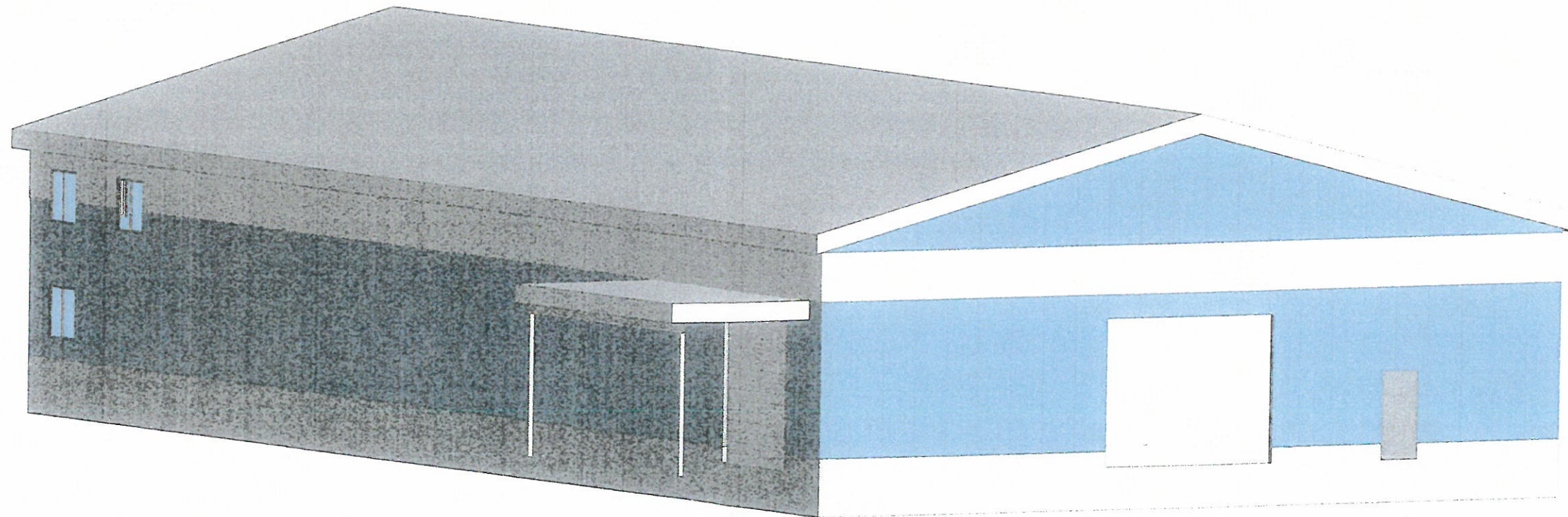


		ENGINEERING SERVICES ENVIRONMENTAL SERVICES 67 Hall Road Sturbridge, MA 01560 Phone: 774-241-0901 fax: 774-241-0906		PROJECT: PRELIMINARY SITE PLAN ETS EQUIPMENT RENTAL, INC. 39 ALDER STREET MEDWAY, MA 02053		REVISIONS NO. DATE DESCRIPTION BY CTD	
ISSUE DATE: 6/25/2020 DRAWN BY: RL CHECKED BY: DF SCALE: 1" = 30' PROJECT NO.: 2020-148		PREPARED FOR: ETS EQUIPMENT RENTAL, INC. 11 AIRPORT ROAD HOPEDALE, MA 01747					
PRELIMINARY SITE PLAN						PROFESSIONAL SEAL	
SHEET 1 OF 1							

ETS EQUIPMENT RENTAL PROPOSED BUILDING - 39 ALDER ST - MEDWAY, MA



1 FRONT PERSPECTIVE



2 REAR PERSPECTIVE

REVISION SCHEDULE

REVISED BY	DATE

SOVEREIGN DESIGN ASSOCIATES LLC
 209 WEST CENTRAL STREET SUITE 107
 NATICK, MA 01760
 OFFICE: 508-308-4524
 DIRECT: 508-308-0180
 WWW.SOVEREIGNDESIGNASSOCIATES.COM

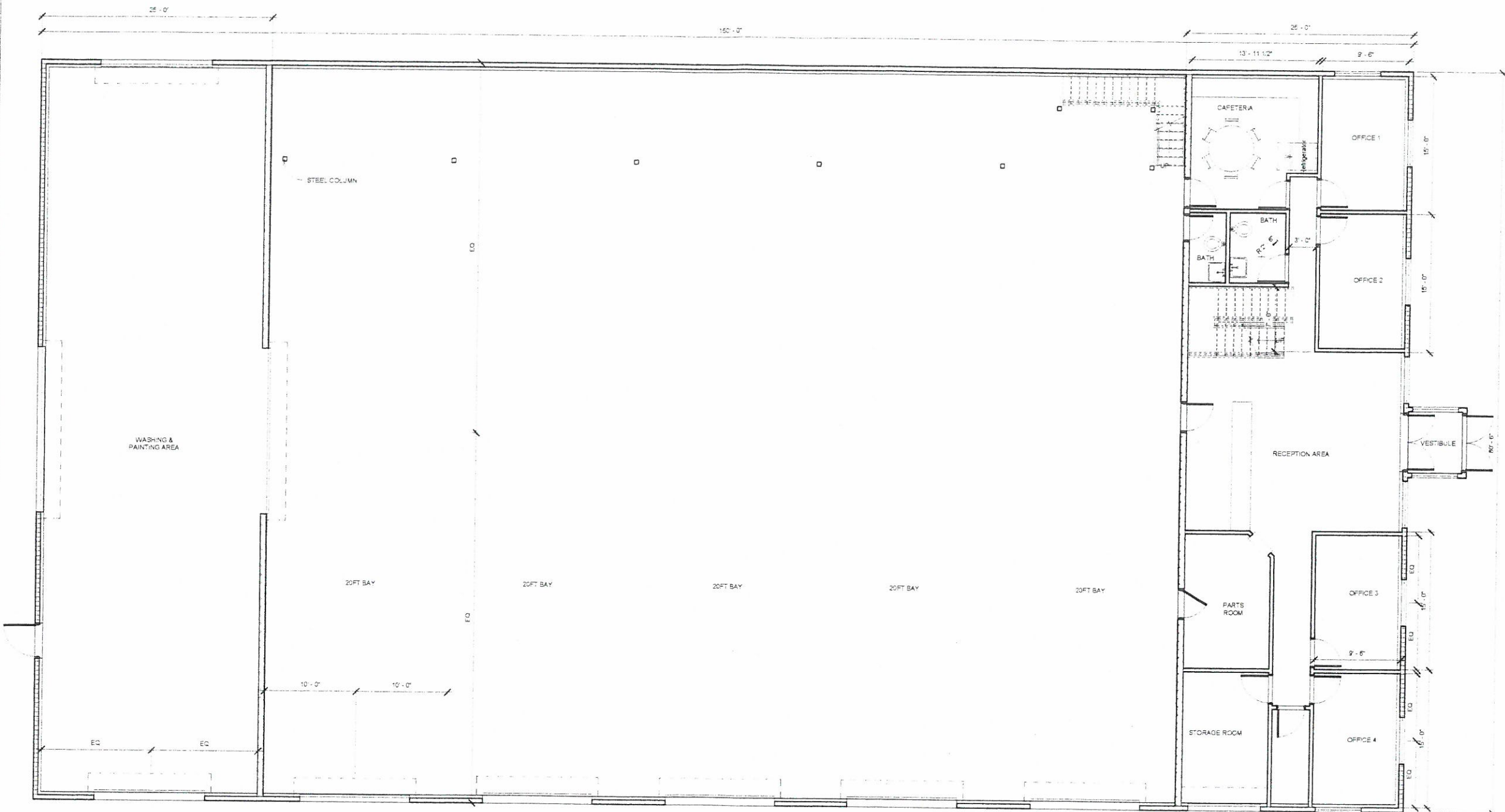
PROJECT NAME & ADDRESS:

PROPOSED 2ND FLOOR

Project Number:
 Date: 08/10/2020
 Drawn By: ALLEN LEMOS
 Checked By: ALLEN LEMOS
 Scale:

PROJECT INFORMATION AND PERSPECTIVES

A100



1 GROUND LEVEL PLAN
3/16" = 1'-0"

REVISION SCHEDULE	REVISOR	DATE

SOVEREIGN DESIGN ASSOCIATES LLC
201 WEST CENTRAL STREET SUITE 101
NATICK, MA 01760
OFFICE: 508-308-4524
DIRECT: 508-308-0180
WWW.SOVEREIGNDESIGNASSOCIATES.COM

PROJECT NAME & ADDRESS:

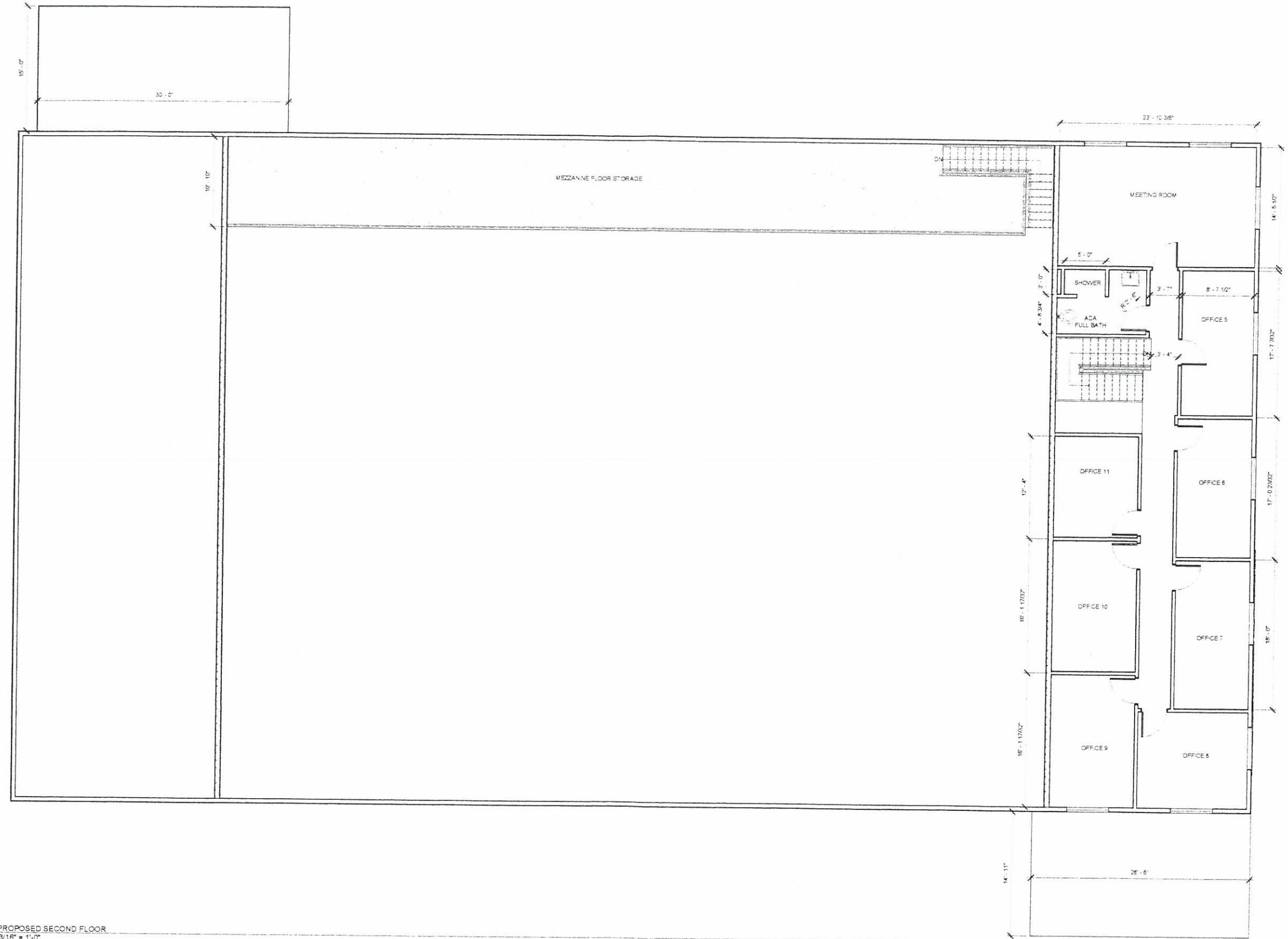
PROPOSED 2ND FLOOR

Project Number	
Date	08/10/2020
Drawn by	ALLEN LEMOS
Checked by	ALLEN LEMOS
Scale	3/16" = 1'-0"

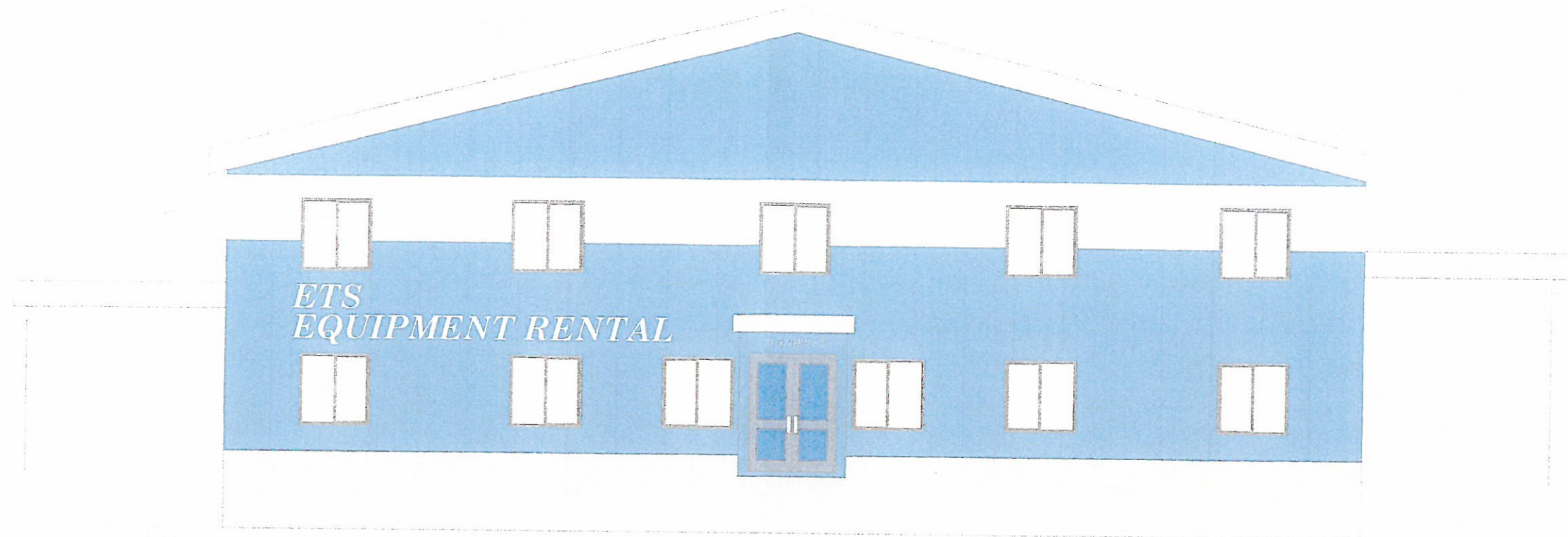
GROUND LEVEL
FLOOR PLAN

A101

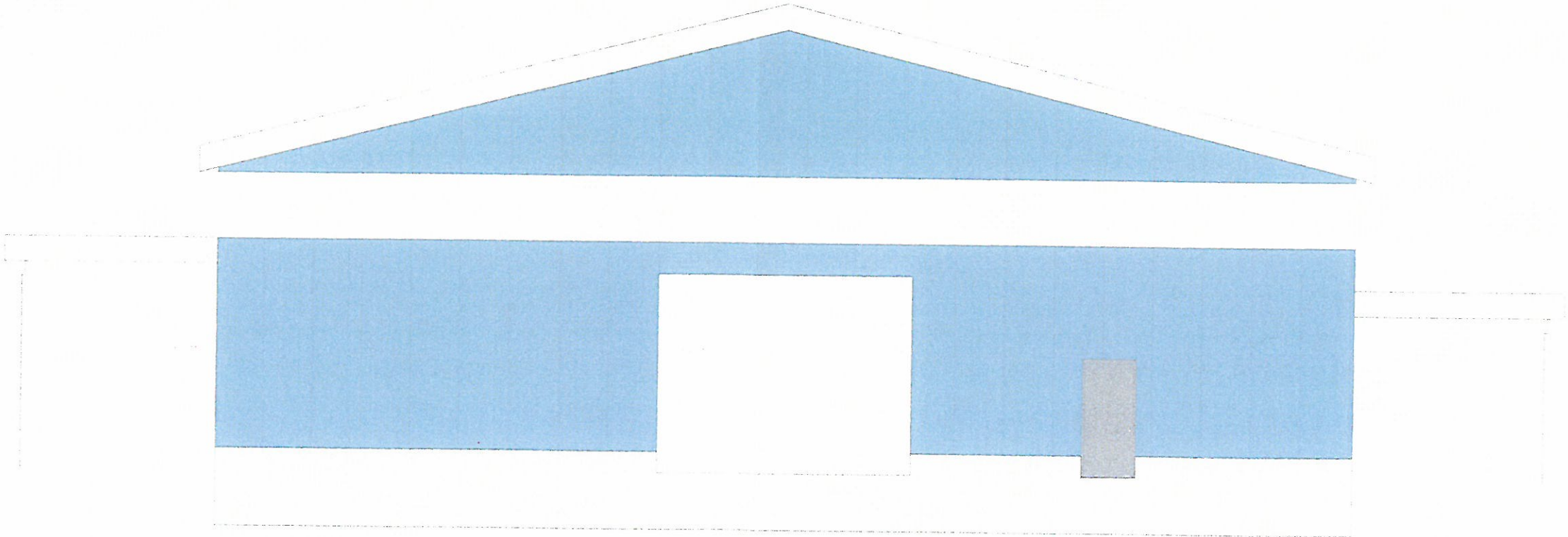
1 PROPOSED SECOND FLOOR
3/16" = 1'-0"



PROJECT NAME & ADDRESS		REVISION SCHEDULE	
209 WEST CENTRAL STREET SUITE 107 NATICK, MA 01760 OFFICE: 508-308-4524 DIRECT: 508-308-0180 WWW.SOVEREIGNDESIGNASSOCIATES.COM		REVISED BY	DATE
PROPOSED 2ND FLOOR			
PROPOSED SECOND FLOOR PLAN			
A102			

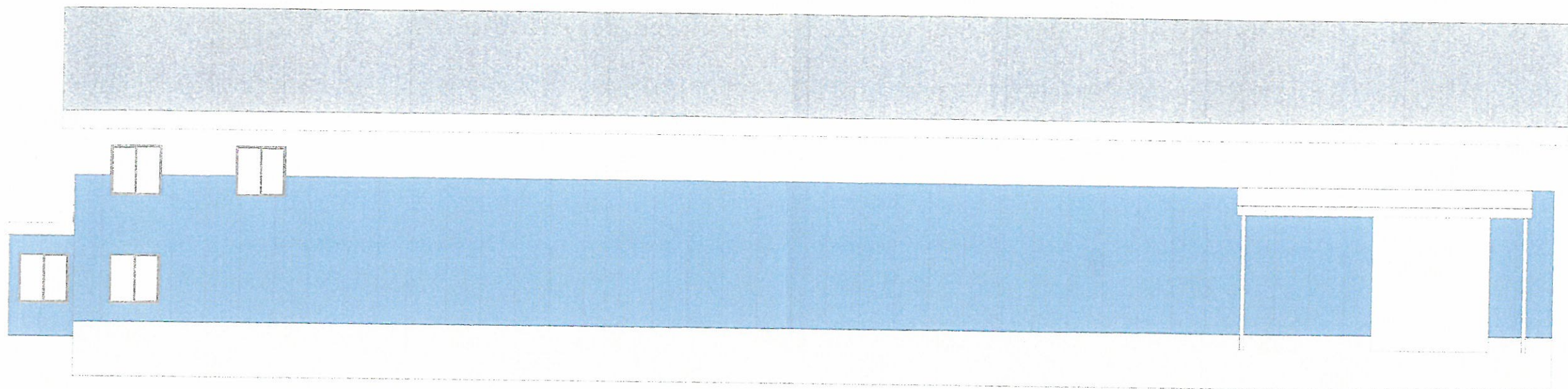


1 FRONT
1/4" = 1'-0"

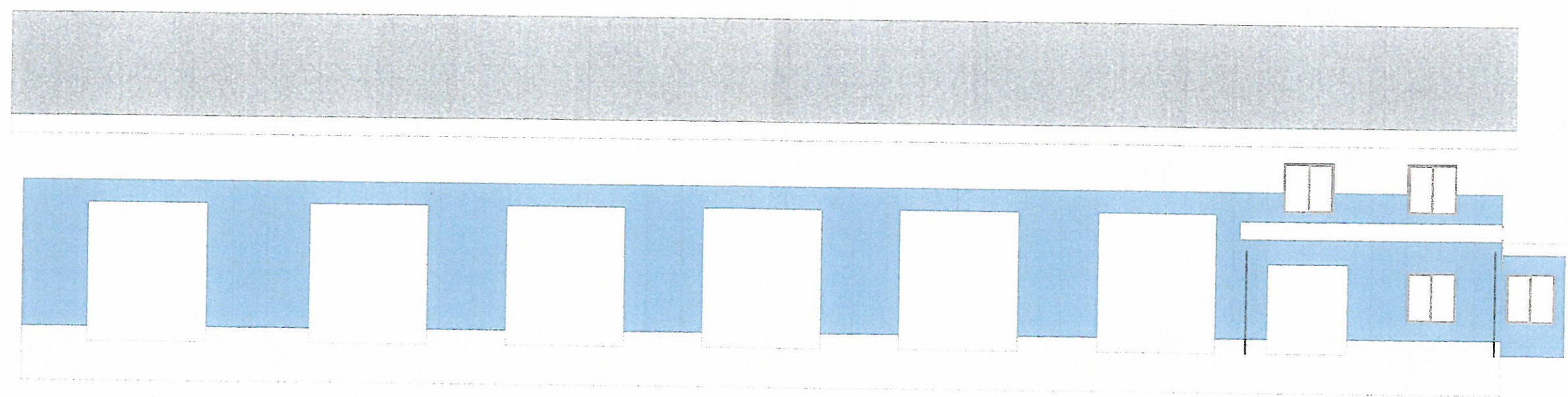


2 REAR
1/4" = 1'-0"

REVISION SCHEDULE	
REVISED BY	DATE
SOVEREIGN DESIGN ASSOCIATES LLC 209 WEST CENTRAL STREET SUITE 107 NATICK, MA 01760 OFFICE: 508-308-4524 DIRECT: 508-308-0180 WWW.SOVEREIGNDESIGNASSOCIATES.COM	
PROJECT NAME & ADDRESS	PROPOSED 2ND FLOOR
Project Number Date Drawn By Checked By Date	Project Number 09/10/2020 ALLEN LEMOS ALLEN LEMOS 1/4" = 1'-0"
PROPOSED ELEVATIONS	
A103	



1 RIGHT SIDE
3/16" = 1'-0"



2 LEFT SIDE
3/16" = 1'-0"

PROJECT NAME & ADDRESS SOVEREIGN DESIGN ASSOCIATES LLC 209 WEST CENTRAL STREET SUITE 107 NATICK, MA 01760 OFFICE: 508-308-4524 DIRECT: 508-308-0180 WWW.SOVEREIGNDESIGNASSOCIATES.COM		REVISION SCHEDULE REVISED BY DATE	
PROPOSED 2ND FLOOR		PROPOSED ELEVATIONS II	
A104			

7.1.3 Outdoor Storage

- A. Purposes – The purposes of this sub-section 7.1.3 are to protect the health, safety, and welfare of the Town’s residents, to provide for the appropriate location and design of outdoor storage areas in certain business and industrial zoning districts, to ensure that outdoor storage areas are suitably screened from view for residential abutters and the travelling public, and to establish limitations to mitigate any adverse impacts that outdoor storage may have on adjacent properties and rights-of-way.
- B. Applicability
1. Outdoor storage is allowed as an accessory use for business uses in the Business-Industrial and Energy Resource districts and for industrial uses in the Business-Industrial, Energy Resource, East Industrial, and West Industrial zoning districts, subject to the regulations herein.
 2. Outdoor storage and bulk storage are not permitted as a principal use anywhere in the Town of Medway.
 3. These regulations do not apply to temporary outdoor storage of construction materials at construction sites with an active building or development permit issued by an agency of the Town of Medway, construction trailers, and dumpsters as defined in the Zoning Bylaw.
- C. Requirements
1. Outdoor storage is allowed as an accessory use only when located on the same lot as and accessory to a principal use which includes a building from which the principal use conducts its business.
 2. The ground area devoted to outdoor storage shall not exceed 30% of the lot area. Any outdoor storage area or combination of areas which when combined exceeds 30% of the site requires a special permit from the Zoning Board of Appeals.
 3. Outdoor storage areas on commercial or industrial properties which abut residentially used properties shall be fully screened from the abutting residential properties with fencing and/or densely planted landscaping or buffer area at least six feet high. Higher screening may be required if what is stored is greater than six feet in height.
 4. Outdoor storage areas on commercial or industrial properties which are visible from a public or private way or from publicly accessible areas shall include fencing (or walls) and/or densely planted landscaping or a buffer area at least six feet high. Higher screening may be required if what is stored is greater than six feet in height.
 5. The accumulated height of the contents of an outdoor storage area shall not exceed 12’ feet. Anything higher than 12’ requires a special permit from the Zoning Board of Appeals. However, in no case shall the height of outdoor storage exceed the maximum allowed building height for the particular zoning district.

6. Outdoor storage areas shall not be permitted within any drive aisles, fire lanes, parking spaces, zoning setback areas, floodways, resource areas under the jurisdiction of the Medway Conservation Commission, or on steep slopes of 15% or greater.
 7. Outdoor storage areas shall be comprised only of items that are produced or used by a business operating in a building on the premises.
 8. Outdoor storage areas on property located within the Groundwater Protection District are also subject to the provisions of Section 5.6.3 herein.
- D. Temporary Use of Cargo Storage Containers and Membrane Structures are allowed as follows:
1. During construction of a building for a period of one hundred and eighty days or less.
 2. For any other purpose so long as the temporary cargo storage container or membrane structure remains on site for no longer than one hundred eighty days per year, fits on the driveway or hard surface, does not protrude into the right-of-way, is not positioned within the zoning setback area, and does not impede sight distance.
 3. Any use of a cargo storage container or membrane structure as temporary outdoor storage for a period longer than one hundred eighty days requires a special permit from the Zoning Board of Appeals.
- E. Outdoor Storage Requirements for Vehicle Sales
1. All vehicles shall be parked on asphalt or concrete or enclosed within a building. They may not be parked on gravel, grass or any other pervious surfaces.
 2. All parked vehicles, vehicle parking services, and vehicle displays shall meet the zoning district's setback requirements.
 3. All parked vehicles shall not be parked in the right-of-way nor block or impede site access, sidewalks or driving aisles.

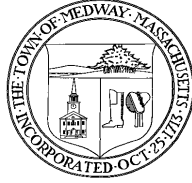
(This sub-section added 11-18-19)

APPLICABLE DEFINITIONS

Outdoor Storage: The outside storage or display, as an accessory use, of materials, supplies, goods or manufactured products, equipment, machinery, vehicles, and pallets, produced or used by the principal use of the property, for more than a twenty-four hour period. Also includes cargo storage containers and membrane structures which are located on the premises.

(Added 11-14-16 and amended 11-18-19)

Contractor's Yard: The premises of a building, construction, plumbing, wiring, landscaping, excavating, or other similar contracting or sub-contracting business, where any of the following purposes may be conducted for the contractor's business: indoor or outdoor storage of equipment, supplies and materials; the fabrication of sub-assemblies; servicing of equipment; the parking of wheeled equipment; the parking of two or more motorized vehicles with six wheels or more; the parking of one or more "commercial motor vehicles" as defined by the Massachusetts Registry of Motor Vehicles in 540 CMR 4.02; wholesale or retail sales; or showrooms of finished and unfinished products or materials.



November 10, 2020
Medway Planning & Economic Development Board
Meeting

CBD Zoning Project

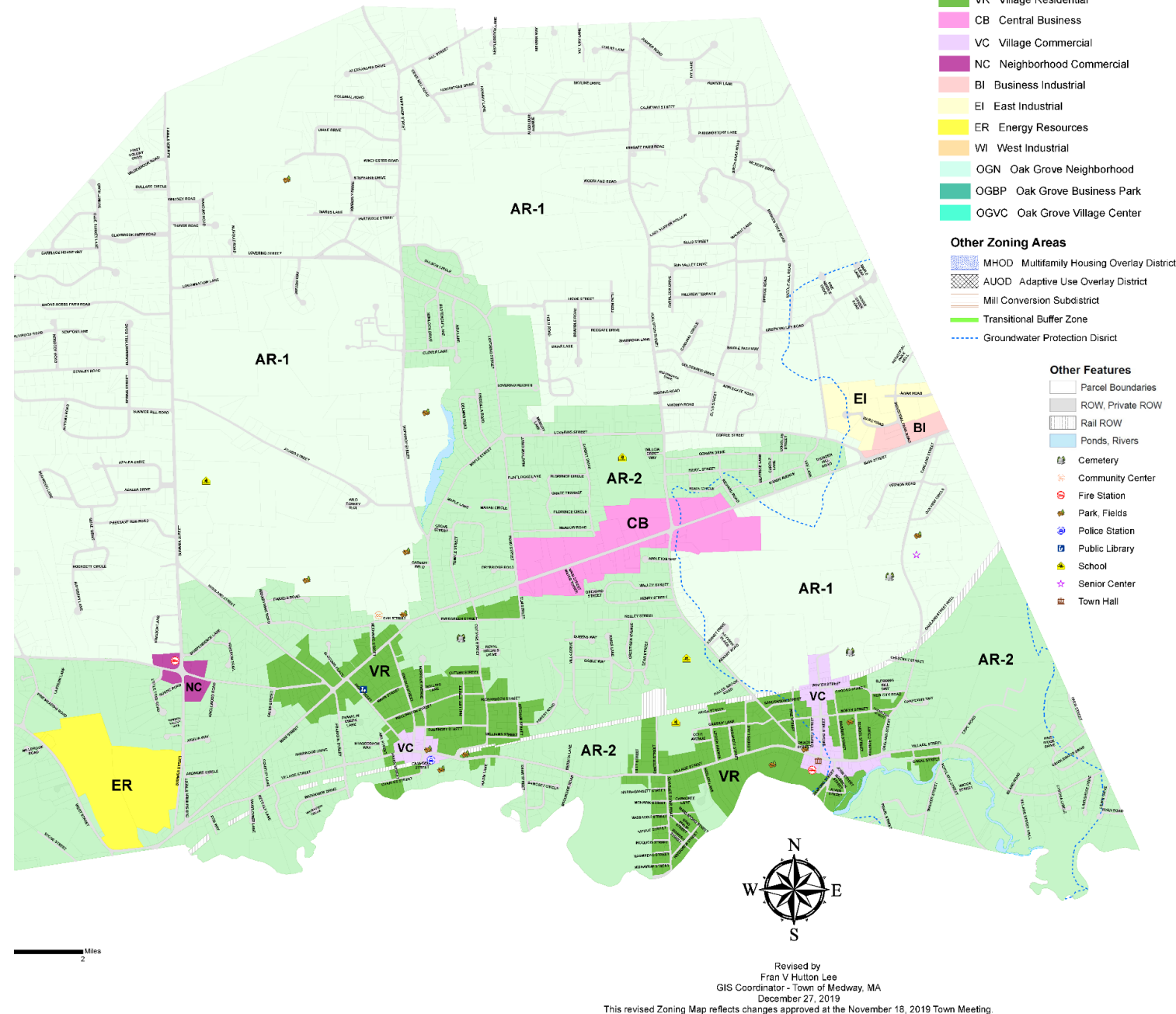
- MAIN STREET/ CENTRAL BUSINESS DISTRICT
PROPERTY & ZONING ANALYSIS Town of
Medway, MA, dated November 5, 2020,
prepared by zoning consultant Ted Brovitz
- Flyer for virtual CBD Zoning Community Forum
scheduled for November 18, 2020

MAIN STREET/ CENTRAL BUSINESS DISTRICT PROPERTY & ZONING ANALYSIS Town of Medway, MA

Consulting Team:

- Brovitz Community Planning & Design
- Dodson & Flinker

November 5, 2020



PROJECT SCOPE OF SERVICES

1. Review and analyze existing Medway Zoning Bylaw provisions related to development in the CBD.

- Section 5.4 - Table 1 - Schedule of Uses
- Section 5.4.1 - Special Permits in the CBD
- Section 6 - Dimensional Regulation
- Other Applicable Sections

2. Review prior Medway reports and planning documents pertaining to the CBD and mixed-use zoning.

- Review the boundaries of the CBD zoning district and abutting properties and recommend any changes (expansions or reductions) in the district boundaries.

3. Input and perspectives of Town officials.

- Community and Economic Development (CED) staff, Building Commissioner, and representatives of Town Boards (e.g. Economic Development Committee, Board of Selectmen, and the Design Review Committee).

4. Public meetings.

- Attend a minimum of four (4) Board meetings, either virtually or in person.

5. Conduct stakeholder interviews.

- Provide for public input into the process including a community visioning session and interviews with CBD business/property owners, and other public outreach as determined by the course of the review.

6. Evaluate the suitability of form-based code and 40R Zoning in the CBD area.

7. Prepare preliminary and final zoning amendments.

- Based on the outcome of the analysis, feedback from PEDB and other Town boards and committees, Town staff, public input, and best practices, produce recommendations for zoning amendments, and work with the Board to develop final proposed Zoning Bylaw amendments.

CENTRAL BUSINESS DISTRICT PROPERTY ANALYSIS

THE PROJECT AREA

There are an estimated 53 properties totaling 95.6 acres of land in the Central Business Zoning District (CBD) which is centered on the Route 109 corridor (Main Street) between Pond Street/Elm Street to the west and the Medway Commons entrance to the east.

SURROUNDING AREA

- There are several well established neighborhoods surrounding the CBD. These subdivisions were predominantly built between 1960 and 1990 with moderately-sized single family homes on lots ranging from 10,000 SF to an acre.
- Most of the surrounding land west of Holliston Street is in the Agricultural II District (AR-II) with a small area zoned Village Residential (VR) District on the east side of Elm Street. There is also a Multi-Family Housing Overlay District (MHOD) bordering the CBD between the south side of Main Street and east side of Elm Street.
- East of Holliston Street, the CBD is bordered by AR-II District to the north and AR-I and MHOD to the south.



CENTRAL BUSINESS DISTRICT PROPERTY ANALYSIS

CURRENT DEVELOPMENT PATTERNS & CHARACTERISTICS

Lot Dimensions and Building Placement

- Lot Size: There are 18 properties on the north side of Main Street totaling 46.7 acres with an average lot size of 2.59 acres.
- On the south side of Main Street there are 33 properties totaling 57.8 acres and averaging 1.75 acres.
- Lot Frontage: The average street frontage of lots in the CBD is 266 feet with lots on the north side averaging 280 feet and the south side averaging 192 feet.
- Lot Depth: The average lot depth in the CBD is 316 feet in the CBD with the north side of Main Street averaging 342 feet and the south side averaging 300 feet. This depth provides good opportunities for infill or redevelopment.



CENTRAL BUSINESS DISTRICT PROPERTY ANALYSIS

CURRENT DEVELOPMENT PATTERNS AND CHARACTERISTICS

Lot Dimensions and Building Placement

Buildings:

- There are 15 buildings totaling 266,725 square feet of Gross Floor Area (GFA) on the north side of Main Street with an average building size of 17,782 GFA.
- On the south side there are 25 buildings totaling 211,886 GFA with an average of 8,475 GFA.
- Previous Uses: The smaller average lot and building sizes on the south side of Main Street indicate that this was a residential area that has transitioned into a commercial district over several years.
- Current Use: The most common building uses are stores, offices, shopping centers and fast food.

BUILDING TYPE	NO.	%
BANK	3	8%
CAR WASH	1	3%
CONVENIENCE MARKET	1	3%
DRIVING RANGE	1	3%
FAST FOOD	5	13%
OFFICE	7	18%
OFFICE-PROFESSIONAL	1	3%
REPAIR GARAGE	2	5%
RESTAURANT	1	3%
SERVICE STATION	2	5%
SHOPPING CENTER	6	15%
SINGLE FAMILY HOME	1	3%
STORE	7	18%
SUPER MARKET	1	3%

CENTRAL BUSINESS DISTRICT PROPERTY ANALYSIS

CURRENT DEVELOPMENT PATTERNS AND CHARACTERISTICS

Lot Dimensions and Building Placement

- Building Setbacks: The average setback between the front lot line (along the street) and the building is 79 feet in the CBD.
- On the north side of Main Street the average depth to building is 86 feet while on the south side it is 73 feet.
- Floor Area Ratio: The average FAR is .16 (the ratio of building GFA to lot size). This is consistent with strip development but significantly lower than traditional village centers
- Building Height: Over half of the buildings in the district are 1 story and no buildings are taller than 2.5 stories

Stories	#	%
1 Story	27	55%
1.5 Story	4	8%
2 Story	5	10%
2.5 Story	2	4%



CENTRAL BUSINESS DISTRICT PROPERTY ANALYSIS

CURRENT DEVELOPMENT PATTERNS AND CHARACTERISTICS

Parking Ratios and Placement

- There are an estimated 2,106 formal parking spaces on properties within the CBD for an average of 56 per parking lot. Additionally, there are several properties that also contain informal parking areas predominantly located behind or to the side of buildings.
- The largest parking lots are located at Medway Place Shopping Center and Medway Commons.
- On average, parking lot size is at a ratio of about 1 parking space per 250 SF of building GFA. This is a common parking ratio for retail use that is a standard requirement in many suburban communities for commercial districts. However, more recent data provided by ULI and ITE suggests that parking ratios can be substantially lower, particularly where there are opportunities to share parking and where peak demand for parking are off-set by varying types of businesses.



CENTRAL BUSINESS DISTRICT PROPERTY ANALYSIS

CURRENT DEVELOPMENT PATTERNS AND CHARACTERISTICS

Parking Placement

- The trend of deeply setback buildings is consistent with the predominant pattern of placing the parking area in front of the building.
- Of the 16 buildings on the north side of Main Street, 14 have parking in front of the building.
- Of the 22 buildings on the south side of Main Street, 18 have parking between the Main Street (and sidewalk) and the building.



CENTRAL BUSINESS DISTRICT PROPERTY ANALYSIS

CURRENT DEVELOPMENT PATTERNS AND CHARACTERISTICS

Landscaping

Perimeter Landscaping:

- On site perimeter and internal landscaping is limited in the CBD.
- With the new Route 109/Main Street improvement plan there is now significantly more landscaping within the street ROW and along the frontage of individual parcels.
- The Landscape Plan for the project included a 4-foot green strip and deciduous trees in a consistent pattern throughout the corridor.
- On adjacent sites, street trees and low-lying shrubs and grasses were also installed. As these landscape elements grow, they will frame the street.



CENTRAL BUSINESS DISTRICT PROPERTY ANALYSIS

CURRENT DEVELOPMENT PATTERNS AND CHARACTERISTICS

Landscaping

Interior Landscaping:

- This is very limited.
- Medway Commons does have shade trees and other landscaping throughout the parking area. (Deciduous trees shade and cool the parking lot, absorb storm water, and are attractive). However, the landscape berm along the south side of Main Street creates a visual barrier for pedestrians and drivers.
- Other sites that have some amount of internal landscaping and shade trees include Walgreens, Metrowest Health Care, Advanced Auto Parts, Charles River Bank, Direct Tire, Hogan Tire, and Burger King.



CENTRAL BUSINESS DISTRICT PROPERTY ANALYSIS

LAND USE AND BUSINESS CHARACTERISTICS

Buildings

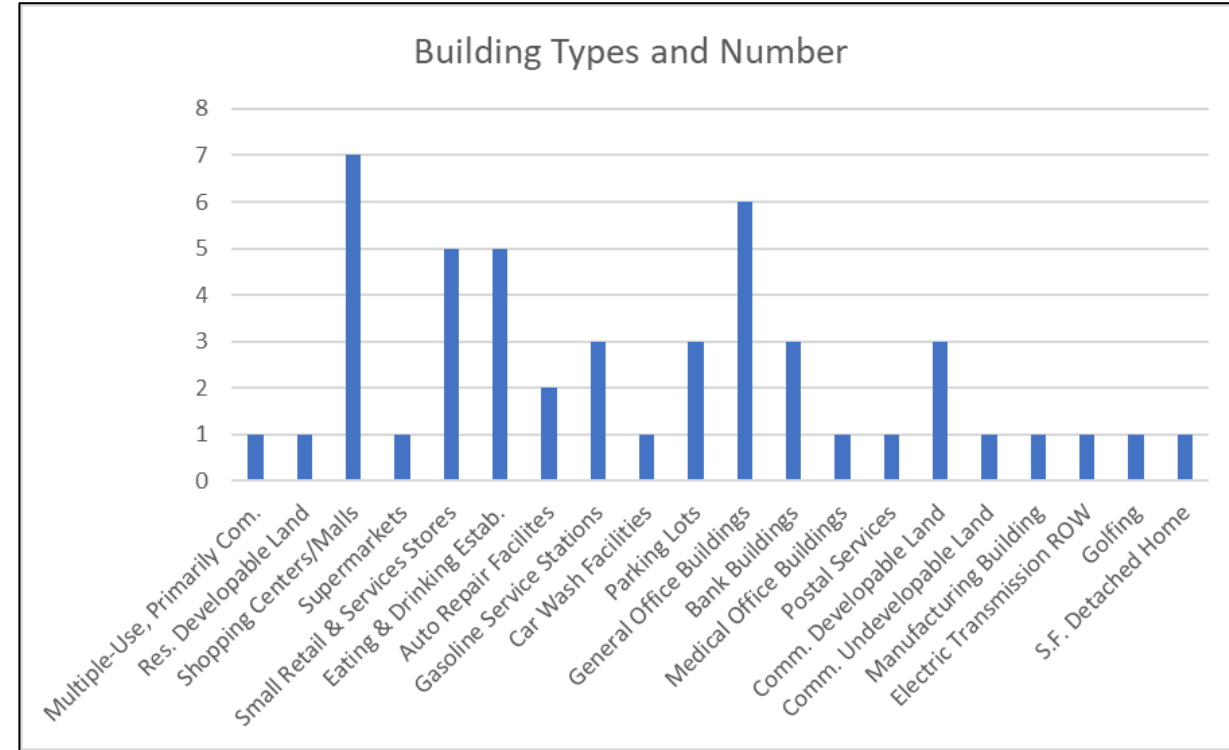
- The average building size is 11,902 GFA in the CBD with the average of 17,657 GFA on the north side of Main Street and 8,784 GFA on the south side.
- Most parcels have 1 buildings (38 of the 53 lots).

Building Age

- The average building in the CBD was constructed in 1966.
- Only 7 buildings have been constructed since 2000 and most of them were at Medway Commons.

Property Value

- The average building represents 62% of the total property value and is valued at about \$79 per square foot.
- The average total property value per acre is about \$501,904



	Building	Land	Total	Bldg/Total Value Ratio
Total Value	\$32,491,500	\$17,630,077	\$52,448,977	.62
Average Value	\$833,115	\$375,108	\$1,115,936	

CENTRAL BUSINESS DISTRICT PROPERTY ANALYSIS

LAND USE AND BUSINESSES IN THE CBD

CENTRAL BUSINESS DISTRICT PROPERTY USE CHARACTERISTICS

LUC	LAND USE DESCRIPTION	No.	AVE. YR BLT	TOTAL LOT S.F.	AVE. LOT S.F.	AVE. FAR	TOTAL BLDGS GFA	AVE. BLDG SIZE	TOTAL BLDG VALUE	AVE. BLDG VALUE	TOTAL LAND VALUE	AVE. LAND VALUE	TOTAL PROPERTY VALUE	AVE. TOTAL PROP. VALUE	RATIO BLDG TO TOTAL PROP. VALUE
031	Multiple-Use, Primarily Comm.	1	1953	21,786	21,786	0.18	4,020	4,020	\$185,200	\$185,200	\$212,400	\$212,400	\$404,100	\$404,100	46%
130	Res. Developable Land	1		81,022	81,022						\$165,500	\$165,500	\$165,500	\$165,500	0%
323	Shopping Centers/Malls	7	1983	1,064,660	152,094	0.20	212,003	30,286	\$12,228,300	\$1,746,900	\$5,709,000	\$815,571	\$18,143,900	\$2,591,986	67%
324	Supermarkets	1	2004	450,210	450,210	0.15	68,052	68,052	\$5,933,100	\$5,933,100	\$1,902,000	\$1,902,000	\$7,858,400	\$7,858,400	76%
325	Small Retail & Services Stores	5	1971	385,306	77,061	0.11	41,346	8,269	\$2,778,100	\$555,620	\$1,569,300	\$313,860	\$4,500,900	\$900,180	62%
326	Eating & Drinking Estab.	5	1978	141,060	28,212	0.13	17,719	3,544	\$2,496,800	\$499,360	\$1,263,500	\$252,700	\$3,855,000	\$771,000	65%
332	Auto Repair Facilites	2	2006	178,102	89,051	0.11	19,480	9,740	\$1,556,100	\$778,050	\$686,800	\$343,400	\$2,307,100	\$1,153,550	67%
334	Gasoline Service Stations	3	1950	69,337	23,112	0.10	6,979	2,326	\$412,400	\$137,467	\$715,000	\$238,333	\$1,306,900	\$435,633	32%
335	Car Wash Facilities	1	1988	30,000	30,000	0.10	2,896	2,896	\$151,700	\$151,700	\$861,900	\$861,900	\$402,800	\$402,800	38%
337	Parking Lots	3		171,750	57,250								\$649,300	\$216,433	0%
340	General Office Buildings	6	1943	180,875	30,146	0.22	39,724	6,621	\$1,796,200	\$299,367	\$1,394,400	\$232,400	\$3,220,400	\$536,733	56%
341	Bank Buildings	3	1985	203,434	67,811	0.15	30,540	10,180	\$3,332,900	\$1,110,967	\$855,800	\$285,267	\$4,229,700	\$1,409,900	79%
342	Medical Office Buildings	1	1976	25,730	25,730	0.16	4,000	4,000	\$311,300	\$311,300	\$225,200	\$225,200	\$546,200	\$546,200	57%
350	Postal Services	1	1968	41,250	41,250	0.12	4,899	4,899	\$240,800	\$240,800	\$1,124,500	\$1,124,500	\$524,000	\$524,000	46%
390	Comm. Developable Land	3		269,660	89,887								\$848,900	\$282,967	0%
392	Undevelopable Land	1		42,190	42,190										
400	Manufacturing Building	1	1950	361,940	361,940	0.07	23,801	23,801	\$777,700	\$777,700	\$467,400	\$467,400	\$1,288,400	\$1,288,400	60%
423	Electric Transmission ROW	1	1999 & 1985	70,698	70,698	0.02	1,072	1,072	\$141,000	\$141,000	\$301,800	\$301,800	\$1,869,100	\$1,869,100	8%
805	Golfing/Driving Range	1	1950	376,794	376,794	0.00	400	400	\$14,400	\$14,400	\$86,245	\$86,245	\$147,045	\$147,045	10%
805	Golf Course	1		10,890	10,890						\$3,403	\$3,403	\$3,403	\$3,403	0%
101 & 718	S.F. Detached Home	1	1800	349,656	349,656	0.00	1,680	1,680	\$149,900	\$149,900	\$175,577	\$175,577	\$328,377	\$328,377	46%
TOTAL		49		4,526,350			478,611		32,505,900		17,719,725		52,599,425		
AVERAGE			1960		117,942	0.11		11,362		814,552		444,859		1,091,785	0.41

CENTRAL BUSINESS DISTRICT PROPERTY ANALYSIS

LAND USE AND BUSINESS CHARACTERISTICS

Property Ownership

- 15 properties are owned by people with an address in Medway and 34 properties are owned by people or entities located outside of Medway.

Land Use Classification

- There are 20 different land uses in the CBD under the State’s land Use Code.
- The most common are Shopping Centers, General Office Buildings, Small Retail, and Eating & Drinking Establishments.

Property Sales

- The average date of a property sale is over 17 years old indicating that properties are not often listed for sale.

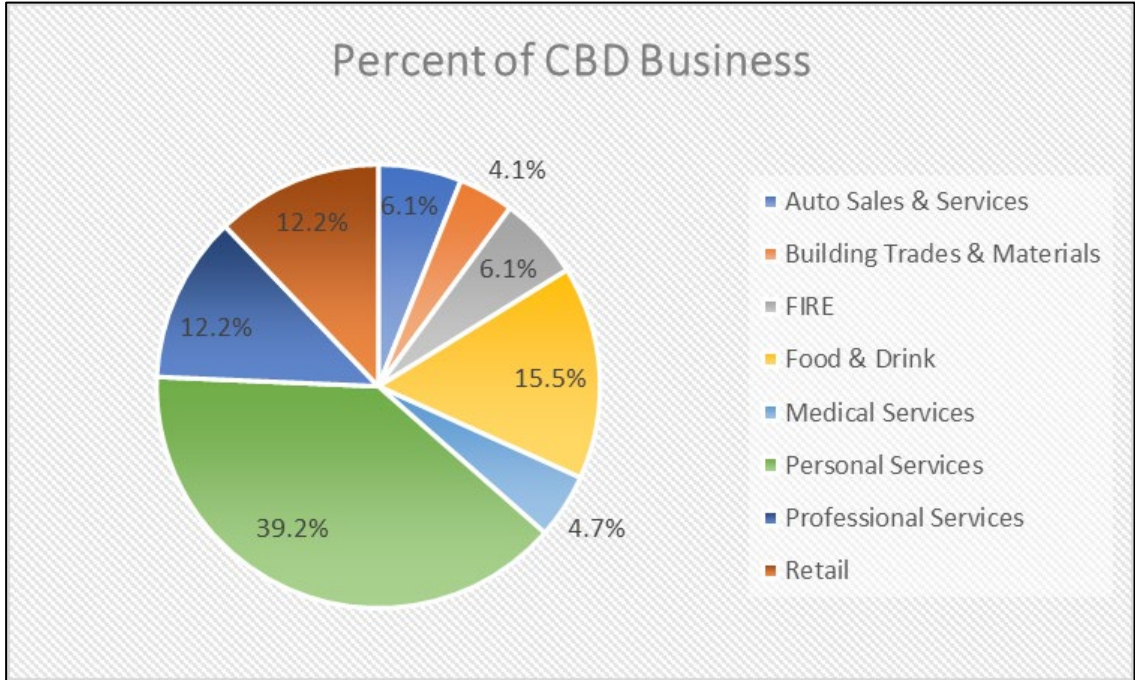
LAND USE		#	%
031	Multiple-Use, Primarily Commercial	1	2.0%
130	Developable Land	1	2.0%
323	Shopping Centers/Malls	7	14.3%
324	Supermarkets	1	2.0%
325	Small Retail & Services Stores	5	10.2%
326	Eating & Drinking Estab.	5	10.2%
332	Auto Repair Facilities	2	4.1%
334	Gasoline Service Stations	3	6.1%
335	Car Wash Facilities	1	2.0%
337	Parking Lots	3	6.1%
340	General Office Buildings	6	12.2%
341	Bank Buildings	3	6.1%
342	Medical Office Buildings	1	2.0%
350	Postal Services	1	2.0%
390	Developable Land	3	6.1%
392	Undevelopable Land	1	2.0%
400	Manufacturing Building	1	2.0%
423	Electric Transmission Right-of-Way	1	2.0%
805	Golfing	2	4.1%
101 & 718	Single Family Home (Detached) and Pasture	1	2.0%
TOTAL		49	

CENTRAL BUSINESS DISTRICT PROPERTY ANALYSIS

LAND USE AND BUSINESS CHARACTERISTICS

Businesses

- There are an estimated 200 businesses in the CBD.
- The most common are personal services followed by Food & Drink
- There are 2 Regional Franchises and 11 National Franchises



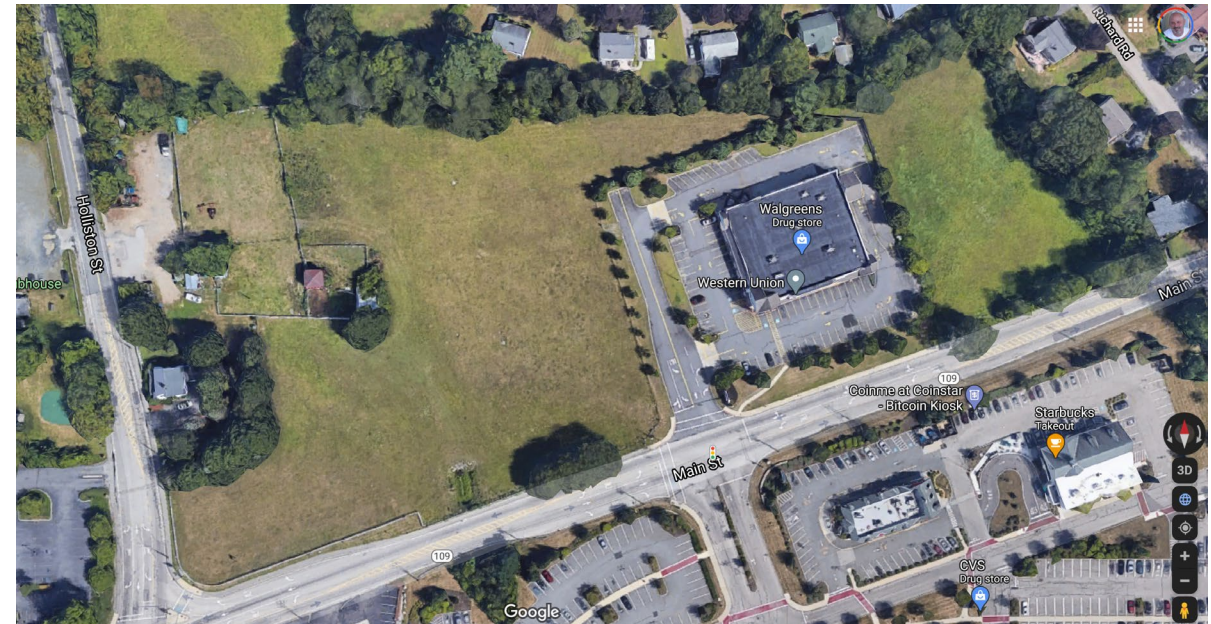
Type of Business	No.	%	No. of Franchises
Auto Sales & Services	9	6.1%	1 Regional
Building Trades & Materials	6	4.1%	
Finance, Insurance, R.E. (FIRE)	9	6.1%	
Food & Drink	23	15.5%	6 National
Medical Services	7	4.7%	
Personal Services	58	39.2%	1 National
Professional Services	18	12.2%	
Retail	18	12.2%	1 Reg., 4 National
	148		13

CENTRAL BUSINESS DISTRICT PROPERTY ANALYSIS

GROWTH POTENTIAL IN THE CBD & SURROUNDING AREA

Central Business District

- Growth potential in the CBD would be primarily through infill development and redevelopment.
- Property records indicated that only 6.2 acres are classified as “Developable Land”.
- Since 2000, there has been very little development and only 7 new buildings (5 of which are in Medway Commons).
- The best opportunities for open land development are the 2 Cassidy properties on Holliston Street (the single family home and the driving range).



CENTRAL BUSINESS DISTRICT PROPERTY ANALYSIS

GROWTH POTENTIAL IN THE CBD & SURROUNDING AREA

Surrounding Area

There is good potential for future residential development in the surrounding area. Currently, there are 3 significant residential developments in the pipeline within 3 miles of the Central Business District:

- Regency at Glen Ellen – A portion of this existing golf club is being converted into a 55+ luxury community in Millis by Toll Brothers. In total, there will be 324 residential units, including 108 single-family detached homes and 216 townhomes with resort-style amenities. This new development is within 3 miles of Main Street and the CBD.
- 39 Main Street Apartments – A friendly 40B residential development project with 190 units in a 4-story apartment complex adjacent to Medway Commons and within walking distance to the entire CBD.
- Timber Crest Estates & Kingsbury Estates – This 40B residential development includes 136 residential units (34 affordable at less than 80% AMI) located between Winthrop Street and Holliston Street north of Main Street. These small single family homes are located on 5,000-7,500 SF lots with 50 feet of frontage. No more than 30 new units per year. Both developments are within a ½ mile of Main Street.

Collectively, these residential developments alone will add another 650 homes over the next 10 years to the CBD's primary market and could improve the economic viability of the district, particularly those residential units that are within walking distance to Main Street.

CENTRAL BUSINESS DISTRICT PROPERTY ANALYSIS

GROWTH POTENTIAL IN THE CBD & SURROUNDING AREA

Surrounding Area

Collectively, these residential developments alone will add another 650 homes over the next 10 years to the CBD's primary market and could improve the economic viability of the district, particularly those residential units that are within walking distance to Main Street.



39 Main Street Apartments



Timber Crest Estates & Kingsbury Estates



Regency at Glen Ellen

TRANSPORTATION & MOBILITY

ROUTE 109/MAIN STREET CORRIDOR

Main Street/Route 109

- Route 109 is a regional corridor that runs southwest to northeast connecting Milford, Medway, Millis, Medfield, and Westwood. It is also a major connector between I-495 to the west and I-95/Rt. 128 to the east.
- Route 109 bisects Medway and becomes Main Street at the intersection of Highland Street and Franklin Street.
- The Main Street/Route 109 Corridor runs through the Central Business District (CBD) from the intersection of Elm Street/Pond Street to the west and the entrance to Medway Commons, approximately 200 feet east of the intersection of Main Street/Holliston Street, a distance of approximately .83 miles.

Traffic Control

- The corridor is posted for 35 MPH and there are signalized intersections on Main Street at Medway Place Shopping Center/Mobil, Holliston Street, and Medway Commons/Walgreens.

Pedestrian Safety

- Crosswalks are included on all legs of the signalized intersections. There is also a dedicated pedestrian crosswalk signals at 81 Main Street between Direct Tire and Dunkin Donuts.

TRANSPORTATION & MOBILITY

ROUTE 109/MAIN STREET CORRIDOR

Traffic Volume

- The average daily traffic on the Route 109/Main Street corridor in 2014 was about 19,375 vehicles per day (measured at Medway Commons). The State Traffic Counter on Rt 109 at Oakland Street to the east was 14,123 in 2019. (The reduction in AADT probably resulted from the on-going construction along the corridor)
- According to a recent traffic study for the apartment complex at 39 Main Street, peak hour traffic counts on Main Street in the CBD are as follows:

AM/PM Peak Hour Traffic – Main Street/Medway Commons/Walgreens		
(A) Seasonally Adjusted 2018 Traffic Volumes (a)	(B) 2011 Traffic Volumes (2)	(A - B) Difference
1,029/1,294	1,272/1523	-243/-229

General Background Traffic Growth

- Traffic-volume data compiled by MassDOT from Continuous Count Station No. 6213 located on Route 109 at the Medway/Millis town line indicate that traffic volumes generally increased by an average of approximately 0.2% per year over the past several years.
- A review of the 2011 traffic analysis prepared for the Route 109 reconstruction project indicated that a 0.5% per year compounded annual background traffic growth rate was used to establish future traffic volume conditions within the project area.

TRANSPORTATION & MOBILITY

MODAL ACCESS

Vehicle Access

Efficient and safe access for vehicles, bicyclists and pedestrians is important for any commercial or mixed use district. Less curb cuts along the corridor reduces potential conflict points between pedestrians, bicyclist, and vehicles. In the CBD, the access points are as follows:

- 1 Curb Cut = 16
- 2 Curb Cuts = 15
- 3 Curb Cuts = 1
- Shared Curbcuts (between 1 or more adjacent properties) = 11
- Open Curb Cuts (vehicle access is open through most or all of the street frontage) = 3

Drive-Thrus

- The number of use of drive thru lanes has increased in the US over the past 20 years. In the CBD there are 9 drive thrus of which all but 1 is located on the side of the buildings rather than the rear.

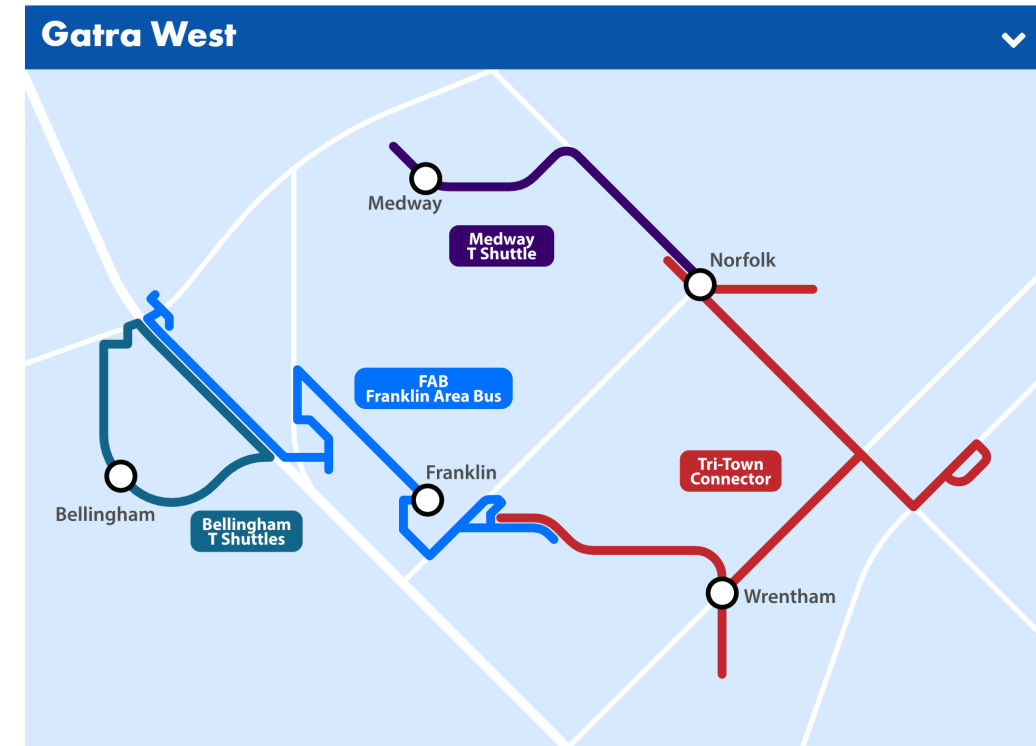


TRANSPORTATION & MOBILITY

MODAL ACCESS

Public Transportation

- There are no facilities for public transportation such as bus pull outs or shelters on the Rt. 109 corridor in the CBD.
- From the middle of the CBD, the Forge Park/495 MBTA commuter station is approximately 6.2 miles (about 14 minutes) and the Franklin MBTA station is about 5.7 miles (or 12 minutes)
- The Greater Attleboro Taunton Regional Transit Authority (GATRA) has fixed-route bus service by way of the Medway T Shuttle which provides service to Norfolk MBTA Commuter Station on the Franklin Line.
- The shuttle operates during the weekday AM and PM peak commuter periods (5:55 to 8:00 AM and 5:00 to 7:00 PM) and includes a stop at the Medway Middle School at 45 Holliston St.
- GATRA also operates Paratransit Services for seniors, the disabled and passengers who meet ADA requirements located within a $\frac{3}{4}$ mile radius of a fixed route bus service corridor.



TRANSPORTATION & MOBILITY

MODAL ACCESS

Bicycle Access

- A 5-foot bike lane is designated and marked on both sides of the Main Street corridor throughout the CBD.
- There are no designated bike lanes on intersecting streets so bicyclists are required to ride on the shoulder.

Pedestrians Facilities

- The Route 109 (Main Street) improvement plans included the construction of 5-foot concrete sidewalks on both sides of the street through most of the CBD. However, it discontinues east of the Holliston Street intersection on the south side and does not connect to the entrance of Medway Commons. The sidewalk does continue to extend eastward on the north side of Main Street to Walgreens and the residential area beyond.

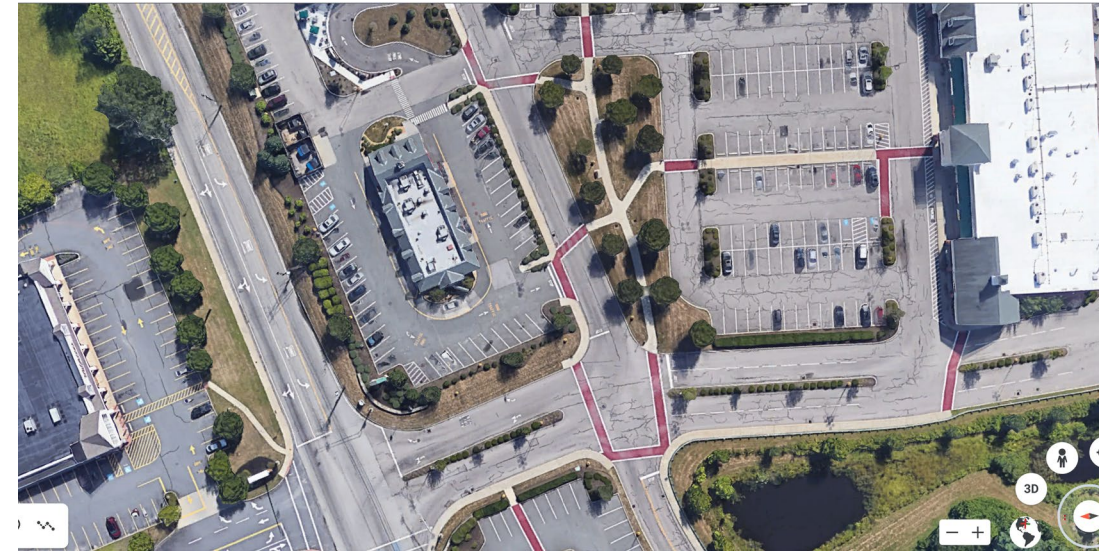


TRANSPORTATION & MOBILITY

MODAL ACCESS

Pedestrians Facilities

- In terms of internal pedestrian access, there are very few pedestrian connections between the public sidewalk and buildings on individual sites. These include the extensive network of pedestrian connections between the public sidewalk and buildings within Medway Commons and Walgreens. These connections are important for pedestrian access and safety as many buildings (and businesses) in the district are setback a long distance from the street line with parking lots in front creating potential conflict points between pedestrians and drivers.
- In terms of pedestrian access from surrounding neighborhoods, the sidewalk extends beyond the CBD segment of Main Street to west (both sides), east (north side); on Holliston Street with sidewalks on both sides to the south and on the west side to the north of Main Street; and on Pond Street with a sidewalk on the east side. There is no sidewalk on Elm Street.

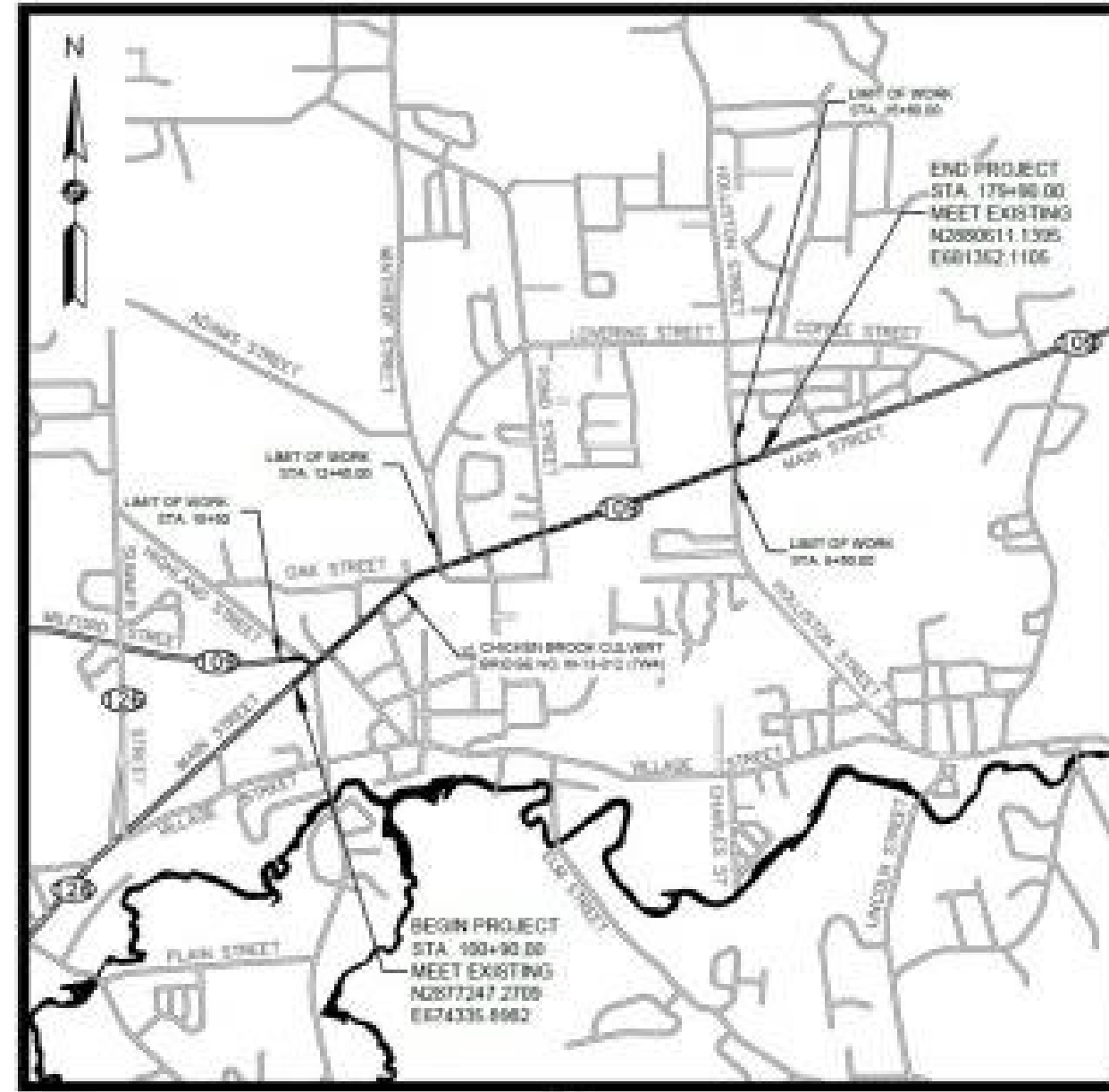


TRANSPORTATION & MOBILITY

RT. 109 CORRIDOR IMPROVEMENT PLAN

General Description

- The Route 109 Corridor Improvement Plan was constructed over the past few years and included the segment of Main Street from the Franklin Street/Highland Street intersection to the entrance to Medway Commons about 200 feet west of the Holliston Street intersection.
- The new Main Street corridor improvements create a significant upgrade to the “public realm” in the CBD, and a foundation for private reinvestment in properties within the district.



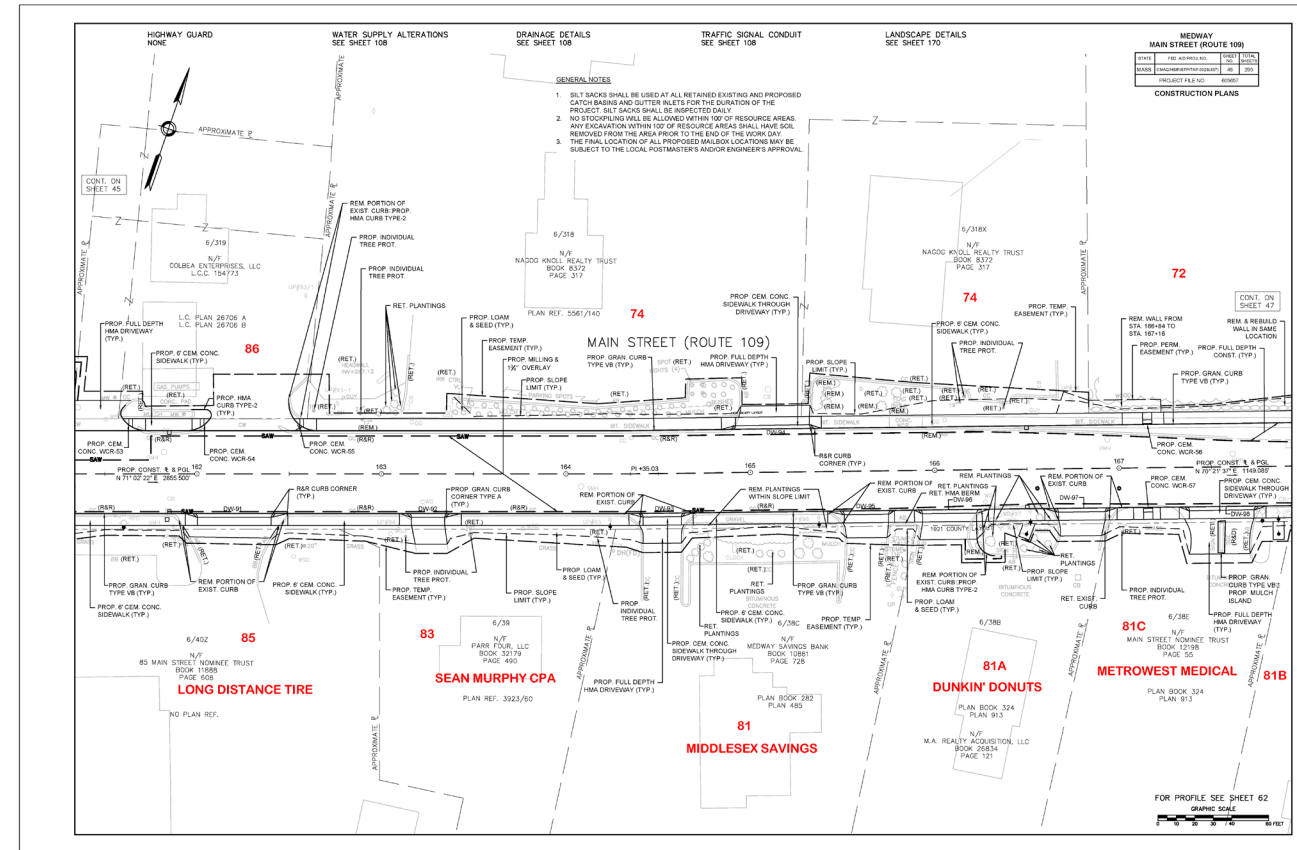
TRANSPORTATION & MOBILITY

RT. 109 CORRIDOR IMPROVEMENT PLAN

Project Elements

The project included reconstruction, resurfacing, signage, and other upgrades as follows:

- Concrete sidewalks with granite curbs on both sides of Main Street
- Two new traffic signals at Winthrop Street and at Mobil/Medway Shopping Center
- Two new pedestrian crossing signals at Choate Park and Dunkin Donuts
- New stonework entrance to Choate Park at the Medway Mill
- New decorative streetlights with banner attachments
- New two way left turn lane west of the Mobil/Medway Shopping Center entrances
- New Westbound left turn only lane onto Franklin Street



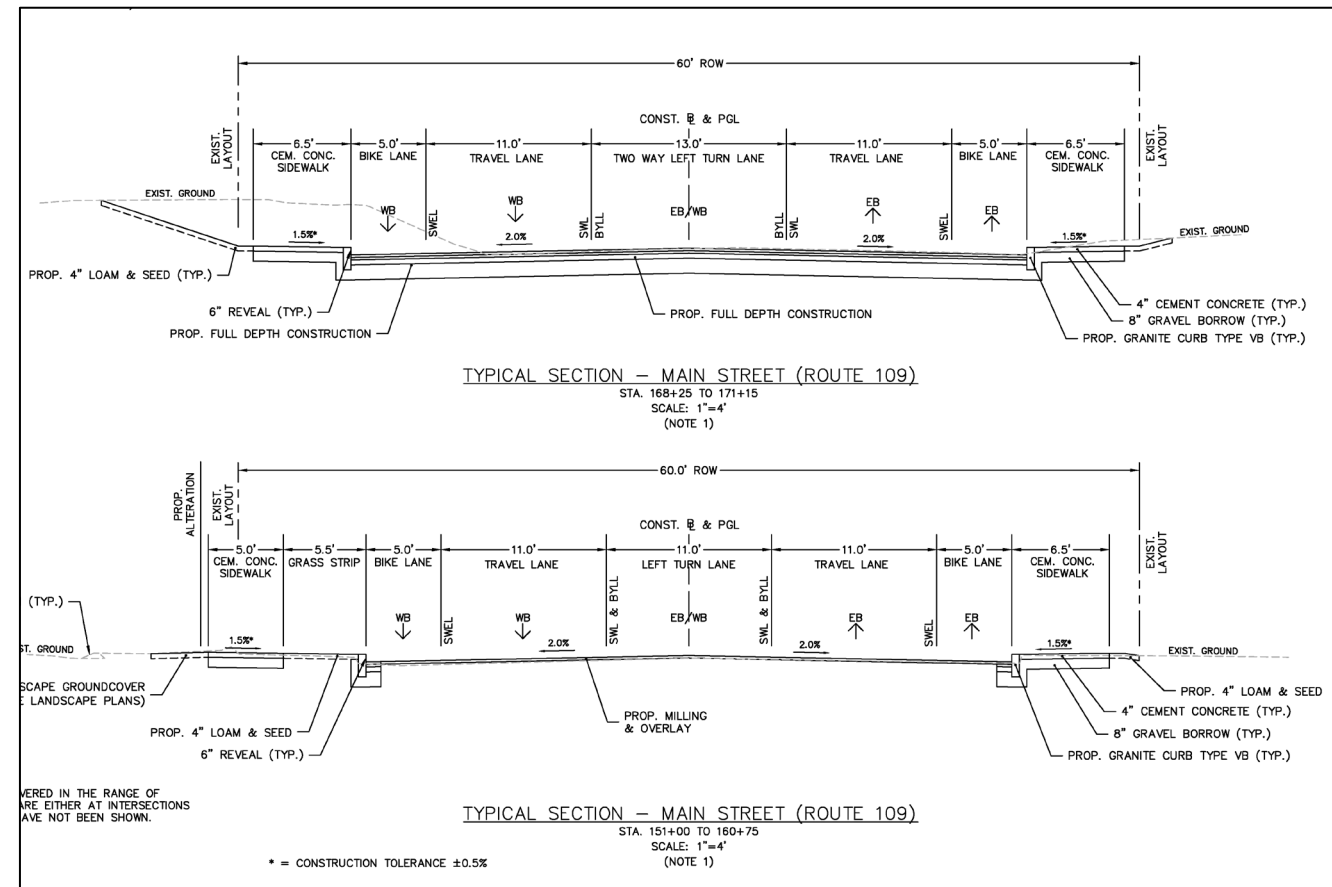
TRANSPORTATION & MOBILITY

RT. 109 CORRIDOR IMPROVEMENT PLAN

Typical Cross Section

The typical cross-section on Main Street in the CBD includes the following:

- Typical right-of-way is 60 feet with some extended areas for right-turn lanes or landscaping
- 3 vehicle lanes (2 travel lanes and intermittent center turn lane)
- 5-foot paved shoulder/bike lane on both sides
- Granite curbing on both sides of the street
- 5 to 6 foot concrete sidewalk on both sides
- 22-foot decorative pendant style streetlights with a 4-foot extended arm and brackets for banners
- Small caliper deciduous street trees intermittently planted on both sides of the street
- Overhead utilities are located on the south side of the corridor

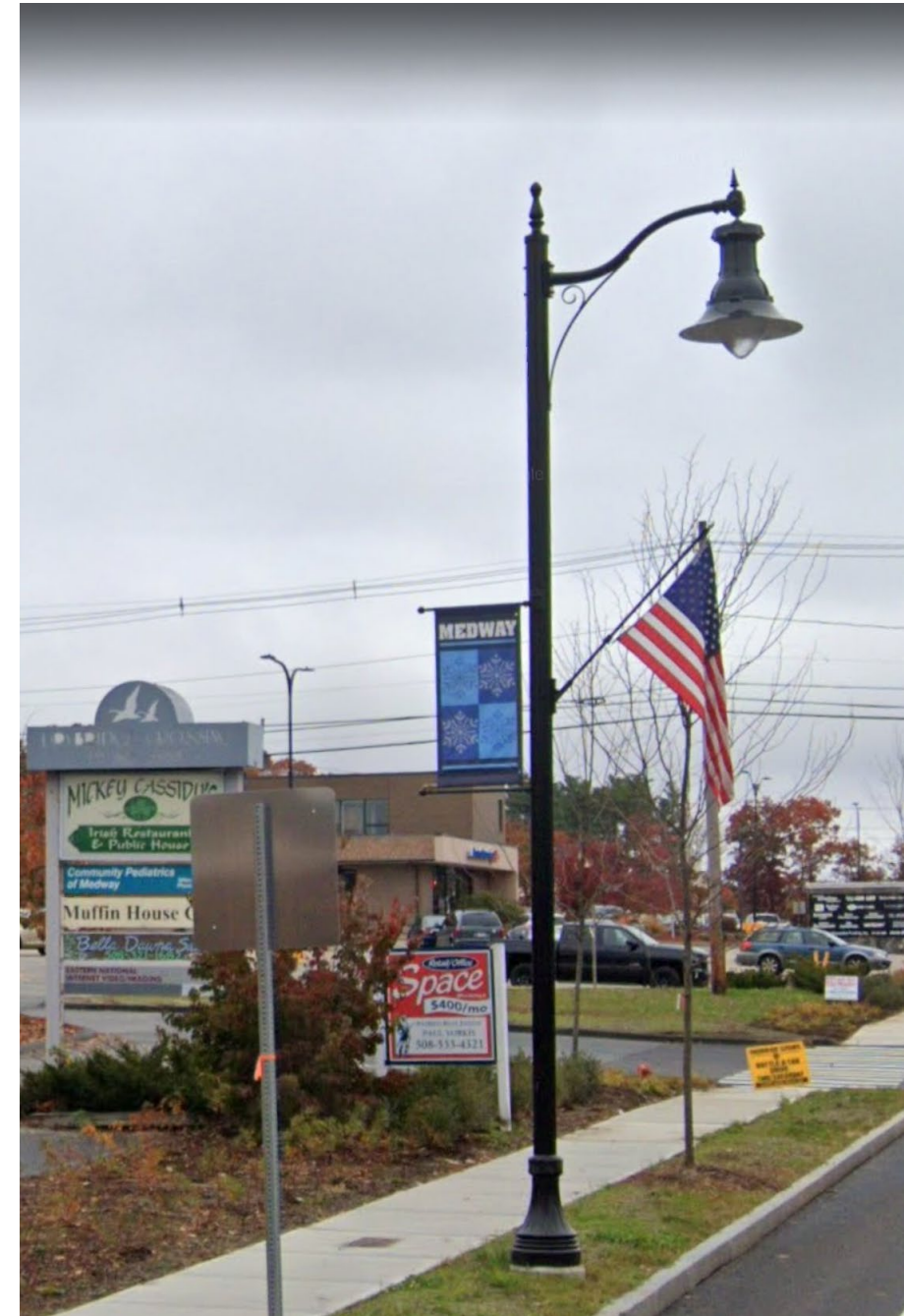


TRANSPORTATION & MOBILITY

RT. 109 CORRIDOR IMPROVEMENT PLAN

Medway Place Shopping Center Streetscape

- The street frontage of the plaza includes a 4-foot planting strip between the curb and the sidewalk which includes a limited number of small caliper street trees
- A second planting strip on the north side of the sidewalk with additional street trees and low lying shrubs and grasses.



CENTRAL BUSINESS DISTRICT ZONING ANALYSIS

SPECIAL PERMITS IN THE CENTRAL BUSINESS DISTRICT

Summary of Existing Bylaw & Proposed Amendments to Section 5.4.1/Warrant Article 14 Fall Town Meeting 2020

5.4.1 Special Permits in the Central Business District

A. Purposes

1. Further the goals of the Medway Master Plan
2. Encourage mixed-use development in the CBD with a balanced and vibrant mix of compatible business uses and multi-family development.
3. Encourage revitalization and economic investment in the CBD with qualities of a traditional New England town center.
4. Encourage greater variety of housing to meet the needs of a diverse population with respect to income, ability, household types, and stage of life.
5. Improve walkability within the CBD and provide better access between housing, shops, services, and employment.

Commentary: Under the proposed amendment, the purpose statements are added which are appropriate and summarized above.

CENTRAL BUSINESS DISTRICT ZONING ANALYSIS

SPECIAL PERMITS IN THE CENTRAL BUSINESS DISTRICT

Summary of Existing Bylaw & Proposed Amendments to Section 5.4.1/Warrant Article 14 Fall Town Meeting 2020

B. Applicability

1. A Mixed-Use Development allowed in the CBD by special permit from the PEDB including a combination of uses allowed by right and special permit as specified in Table 1 – Schedule of Uses.
2. Special permit from the PEDB for uses permitted by right in order to achieve flexible site design.
3. All developments subject to Site Plan Review and the Medway Design Review Guidelines.

Commentary: Under the proposed amendment, the Applicability section is added which is appropriate and summarized above.

CENTRAL BUSINESS DISTRICT ZONING ANALYSIS

SPECIAL PERMITS IN THE CENTRAL BUSINESS DISTRICT

Summary of Existing Bylaw & Proposed Amendments to Section 5.4.1/Warrant Article 14 Fall Town Meeting 2020

C. Definitions

Commentary: Under the proposed amendment, the Definitions section is added which is appropriate.

Mixed-Use Development: (See Section 2 – Definitions)

Commentary: The current definition is “A development project that combines retail/commercial, service, and/or office uses with residential in the same building or on the same site”. This definition is good as it recognizes both horizontal and vertical mixed use. However, the current CBD SP requirements only allow for mixed use buildings and no stand alone residential buildings. This issue is being addressed in the proposed amendment where stand alone residential buildings may be allowed as part of a mixed use development under specific requirements.

Multi-Family Building: (See Section 2 – Definitions)

Commentary: The current definition is “A building containing three or more dwelling units, intended and designed to be occupied by three or more families living independently in separate dwelling units”.

Commentary: Need a definition for “Mixed Use Building”. Possibly use the one in Section 9 – Oak Grove Park.

CENTRAL BUSINESS DISTRICT ZONING ANALYSIS

SPECIAL PERMITS IN THE CENTRAL BUSINESS DISTRICT

Summary of Existing Bylaw & Proposed Amendments to Section 5.4.1/Warrant Article 14 Fall Town Meeting 2020

D. Dimensional Requirements.

Commentary: The dimensional standards have not been amended and are supportive for both commercial and mixed use development in a traditional village pattern.

1. Minimum Lot Size: 10,000 square feet
2. Minimum Continuous Frontage: 50 feet
3. Minimum Front-Yard Setback:
 - *Principal Buildings* - 10 feet minimum from the front lot line;
 - *Building Encroachments* - Features such as bay windows, porches, balconies, porticos, canopies, etc. not be subject to the 10-foot min. setback.
4. Minimum Side-Yard and Rear-Yard Setback:
 - *Abutting Residential District* - 25 feet and first 10 feet nearest the lot line not to be used for the parking or storage and must be suitably landscaped.
 - *Abutting CBD Properties* - No side-yard or rear-yard setback.
5. Maximum Building Height: 60 feet

CENTRAL BUSINESS DISTRICT ZONING ANALYSIS

SPECIAL PERMITS IN THE CENTRAL BUSINESS DISTRICT

Summary of Existing Bylaw & Proposed Amendments to Section 5.4.1/Warrant Article 14 Fall Town Meeting 2020

E. Residential Uses in a Mixed-Use Development.

Commentary: The proposed amendment removes assisted living residence facilities as the exemption to the exclusion of stand alone residential buildings. Currently, stand alone residential buildings are not permitted in the CBD but under this amendment they are permitted under specific conditions.

- 1. Mixed Use Building: Includes multi-family residential units and retail, service, office, commercial or other business uses allowed in the CBD.
- 2. Mixed Use Ratios and GFA: Except as provided in Section E.4 below

Commentary: The proposed amendment establishes new standards for mixed use buildings and multifamily buildings which are summarized in the table below:

Mixed Use Buildings Business-Residential Ratios		
Stories	Business Use GFA Min.	Multi-Family Use GFA Max.
Ground Floor/ 1-Story Bldg	In front facing public street or access road	Behind mixed use building or behind business within the same building facing public street or access road
2-Story Bldg	50%	50%
3-Story Bldg	33%	67%
4-Story Bldg+	25%	75%

CENTRAL BUSINESS DISTRICT ZONING ANALYSIS

SPECIAL PERMITS IN THE CENTRAL BUSINESS DISTRICT

Summary of Existing Bylaw & Proposed Amendments to Section 5.4.1/Warrant Article 14 Fall Town Meeting 2020

E. Residential Uses in a Mixed-Use Development.

2. Mixed Use Ratios and GFA: Except as provided in Section E.4 below

- *Residential GFA* - GFA area is comprised of MF dwelling units, common areas, and support facilities associated with those MF units.
- *Business GFA* - GFA comprised of business uses may include hallways, lobbies, maintenance areas, security areas, closets, and other areas exclusively serving the business uses in the building.

Commentary: *This Ratio changes the current requirement to define the ratio of 4 story buildings and specially identify “business” as the other use in a mixed use building.*

CENTRAL BUSINESS DISTRICT ZONING ANALYSIS

SPECIAL PERMITS IN THE CENTRAL BUSINESS DISTRICT

Summary of Existing Bylaw & Proposed Amendments to Section 5.4.1/Warrant Article 14 Fall Town Meeting 2020

E. Residential Uses in a Mixed-Use Development.

3. Conditions for Ground Floor Residential. Dwelling units may not be located on the ground floor of a mixed-use building or development unless:
 - a. Dwelling units is set behind another building which has business uses on the ground floor and a front façade that faces a public way or primary access drive; or
 - b. Residential portion of the ground floor is set behind the business uses within the same building which has a front façade that faces a public way or primary access drive.

CENTRAL BUSINESS DISTRICT ZONING ANALYSIS

SPECIAL PERMITS IN THE CENTRAL BUSINESS DISTRICT

Summary of Existing Bylaw & Proposed Amendments to Section 5.4.1/Warrant Article 14 Fall Town Meeting 2020

E. Residential Uses in a Mixed-Use Development.

4. Residential Building within a Mixed Use Development. A mixed-use development may include a Multi-Family Building under the following conditions:
 - a. The Multi-Family Building is set back at least 100 feet from Main Street ROW; and
 - b. The business GFA which would be required by Section E.2 above for Mixed Use Building is added to the required business uses GFA of the other buildings of the Mixed-Use Development as additional business use space, so that the total amount of GFA for business uses in the mixed-use development will equal or exceed the total GFA for business uses which would result if no building were devoted solely to multi-family dwelling units.

Commentary: Under this proposed amendment, a stand alone residential building is only allowed where it is setback at least 100 feet from the Main Street ROW, and when the amount of business GFA that would have been required for a mixed use building is added to other mixed use buildings within the mixed use development. The 100 foot setback from the Main Street ROW is an important change to the regulations as the street frontage provides the best opportunities for businesses to succeed because of visibility and exposure to high traffic volumes. The requirement to transfer business GFA to other buildings in a mixed use development needs to be further evaluated to determine if it would pose a disincentive to future development.

CENTRAL BUSINESS DISTRICT ZONING ANALYSIS

SPECIAL PERMITS IN THE CENTRAL BUSINESS DISTRICT

Summary of Existing Bylaw & Proposed Amendments to Section 5.4.1/Warrant Article 14 Fall Town Meeting 2020

E. Residential Uses in a Mixed-Use Development.

5. Maximum Bedrooms - No more than 10% of the total number DUs may have more than 2 bedrooms.

6. Affordable Housing - Section 8.6 applies to Mixed-Use Developments.

- *Applicability* - Mixed-Use Development with net increase of 6 or more DUs by new construction or by the alteration of existing space, whether on one or more contiguous parcels.
- *Required Units* - Fractional Affordable Housing Unit of 0.5 or higher shall be rounded up to the next whole number.

Commentary: See commentary below regarding the affordable housing requirements under Section 8.6.

CENTRAL BUSINESS DISTRICT ZONING ANALYSIS

SPECIAL PERMITS IN THE CENTRAL BUSINESS DISTRICT

Summary of Existing Bylaw & Proposed Amendments to Section 5.4.1/Warrant Article 14 Fall Town Meeting 2020

F. Landscape and Open Space

Minimum of 15% of the site; Landscaping or public space shall be architecturally integral to the site or, as appropriate and practical, to abutting sites; No space used for vehicular parking or circulation, or loading shall be included as landscaped and/or public space.

Commentary: This section has not been amended. However, more definitive standards or design guidelines should be provided for landscaping and open space in the CBD and specifically for mixed use development. Key areas to be addressed are as follows:

- *Landscaping with a focus on streetscape improvements with street trees and enhanced walkability*
- *Safe pedestrian walkways between the parking lots and buildings, and parking ratios that recognize shared parking opportunities in mixed use development*
- *Quality open spaces including passive and active recreational uses and places for people to gather.*

Some of these are addressed in development standards within Section 9.0 Oak Grove Park Districts.

CENTRAL BUSINESS DISTRICT ZONING ANALYSIS

SPECIAL PERMITS IN THE CENTRAL BUSINESS DISTRICT

Summary of Existing Bylaw & Proposed Amendments to Section 5.4.1/Warrant Article 14 Fall Town Meeting 2020

G. Special Permit Review Criteria

Commentary: The proposed amendment includes some minor edits to the current criteria but this section is essentially the same and appropriate for mixed use development.

1. Not subject to the special permit criteria under Section 3.4.
2. PEDB must find that all of the following criteria are met:
 - a. The proposed uses and site design represent the qualities of a traditional New England town center;
 - b. The proposed site design is environmentally sound and is readily accessible to and useable by pedestrians;
 - c. The proposed site design reflects and advances the goals and objectives of the Medway Master Plan as updated;
 - d. Adequate pedestrian and (where applicable) vehicular linkages are provided within the site and connecting to abutting properties;
 - e. Streets, driveways, sidewalks, landscaped areas and public services are laid out in a safe manner;
 - f. Any detrimental impacts of the use on abutting properties and/or residential neighborhoods have been adequately mitigated; and
 - g. The site design incorporates existing topography and protects natural features to the maximum extent possible.

CENTRAL BUSINESS DISTRICT ZONING ANALYSIS

SPECIAL PERMITS IN THE CENTRAL BUSINESS DISTRICT

Summary of Existing Bylaw & Proposed Amendments to Section 5.4.1/Warrant Article 14 Fall Town Meeting 2020

H. Design Requirements

PEDB shall adopt CBD Special Permit rules and regulations to administer Section 5.4.1 including CBD design guidelines. Such guidelines may include any or all of the following:

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

CENTRAL BUSINESS DISTRICT ZONING ANALYSIS

SPECIAL PERMITS IN THE CENTRAL BUSINESS DISTRICT

Summary of Existing Bylaw & Proposed Amendments to Section 5.4.1/Warrant Article 14 Fall Town Meeting 2020

H. Design Requirements

Commentary: This section has not been amended. However, more definitive standards or design guidelines should be provided for parking placement and ratios, building design and sustainability and pedestrian access in the CBD and specifically for mixed use development. Key areas to be addressed are as follows:

- *Pedestrian connections between the public sidewalk and buildings.*
- *Parking lot placement to the side and rear of buildings, safe pedestrian walkways between the parking lots and buildings, and parking ratios that recognize shared parking opportunities in mixed use development*
- *Building design standards that ensure pedestrian oriented facades, sustainable building and site practices.*
- *Accessory commercial uses to improve business viability and customer experience such as outdoor dining, programming excess parking areas for food, entertainment, and trade.*

Several of these attributes are addressed in development standards within Section 9.0 Oak Grove Park Districts.

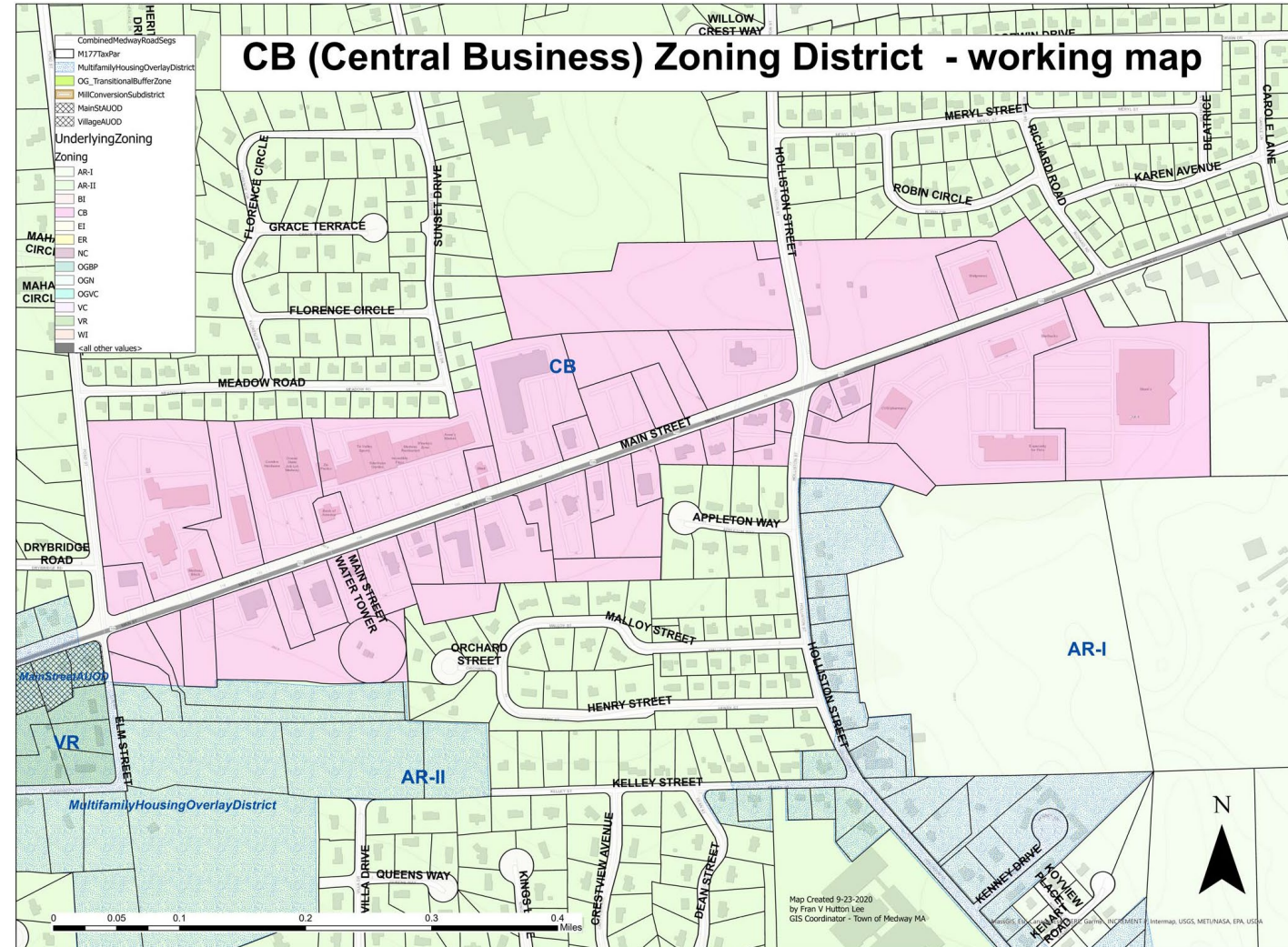
CENTRAL BUSINESS DISTRICT ZONING ANALYSIS

Potential Amendments Related to Section 5.4.1 – Mixed Use Development by Special Permit in the CBD

SECTION 4. ESTABLISHMENT OF DISTRICTS

4.1 Zoning Map

Commentary: The current boundaries of the Central Business District (CBD) appear to be appropriate in terms of incorporating existing and potential future commercial and mixed use development with sufficient transitional buffers from adjacent residential areas as needed.



CENTRAL BUSINESS DISTRICT ZONING ANALYSIS

Potential Amendments Related to Section 5.4.1 – Mixed Use Development by Special Permit in the CBD

SECTION 5. USE REGULATIONS

5.1 Schedule of Uses & Table 1

Commentary: The current use table as it applies to the Central Business District (CBD) appears to be appropriate in terms of the range and types of uses permitted in the district. However, there are several businesses in the CBD that would be considered pre-existing non-conforming uses such as all auto related service and sales, and drive-thrus. However, indoor auto sales with accessory services is permitted by right. Considering the goal of making the CBD a more walkable mixed use district, some potential changes should be considered

- *Home-Based Business, subject to Section 8.3 - Allow by PB Special Permit*
- *Repair Shop - Allow by PB Special Permit*
- *Furniture Repair - Allow by PB Special Permit*
- *Adult Day Care Facility, subject to Section 8.5 - Allow by PB Special Permit*
- *Vehicle Fuel Station and Convenience Store - Allow by PB Special Permit and under the requirements of “Gas Station Convenience and Store Store” in Section 9.4.C.1.B*
- *Lodge or Club - Allow by PB Special Permit*

CENTRAL BUSINESS DISTRICT ZONING ANALYSIS

Potential Amendments Related to Section 5.4.1 – Mixed Use Development by Special Permit in the CBD

SECTION 5. USE REGULATIONS

5.1 Schedule of Uses & Table 1

TABLE 1: SCHEDULE OF USES													
	AR-I	AR-II	VR	CB	VC	NC	BI	EI	ER	WI	Form-Based Districts		
											OGVC	OGPB	OGN
A. Agriculture, Conservation, Recreation Uses													
Agriculture, excluding piggeries and fur farms on less than 5 acres of land, and excluding livestock on less than 44,000 sq. ft. of land	Y	Y	N	N	N	N	N	N	N	N	N	N	Y
Poultry on less than 1 acre. Minimum lot size for poultry is 5,000 sq. ft. subject to Board of Health regulations	Y	Y	Y	N	N	N	N	N	N	N	N	N	Y
Commercial Greenhouse	SP	SP	N	N	N	Y	Y	N	N	N	N	PB	N
Nursery	SP	SP	N	N	N	Y	Y	N	N	N	N	N	N
Recreational facility	SP	SP	N	N	N	N	Y	Y	N	N	Y	Y	PB
Ski Area	SP	SP	N	N	N	N	N	N	N	N	N	N	N
Golf course	SP	SP	N	N	N	N	N	N	N	N	N	N	N
Livery riding stable	Y	Y	N	N	N	N	N	N	N	N	N	PB	PB
B. PUBLIC SERVICE													
Municipal use	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Public utility	SP	SP	SP	SP	Y	Y	Y	Y	Y	Y	N	N	N
C.RESIDENTIAL USES													
Detached single-family house (Amended 5-7-17)	Y	Y	Y	N	Y	N	N	N	N	N	N	N	Y1
Two-family house/duplex, provided that the exterior of the dwelling has the appearance of a single-family dwelling (Amended 5-7-17)	N	SP	SP	N	N	N	N	N	N	N	N	N	N
Infill dwelling unit, subject to Section 8.1.	N	PB	PB	N	N	N	N	N	N	N	N	N	N
Open space residential development, subject to Section 8.4	PB	PB	N	N	N	N	N	N	N	N	N	N	N
Assisted living residence facility	PB	PB	N	N	N	N	N	N	N	N	PB	N	N
Adult retirement community planned unit development, subject to Section 8.5	PB	PB	N	N	N	N	N	N	N	N	N	N	N
Multi-Family Building, Apartment Building, and Multi-Family Developments (Amended 11-18-19)	Allowed by special permit from the Planning and Economic Development Board in the Multi-Family Overlay District (See Section 5-6.4) and the Medway Mill Conversion Subdistrict (See Section 5-6.2 E)										Y2	N	Y

CENTRAL BUSINESS DISTRICT ZONING ANALYSIS

Potential Amendments Related to Section 5.4.1 – Mixed Use Development by Special Permit in the CBD

SECTION 5. USE REGULATIONS

5.1 Schedule of Uses & Table 1

[illegible]

CENTRAL BUSINESS DISTRICT ZONING ANALYSIS

Potential Amendments Related to Section 5.4.1 – Mixed Use Development by Special Permit in the CBD

SECTION 5. USE REGULATIONS

5.1 Schedule of Uses & Table 1

TABLE 1: SCHEDULE OF USES													
	AR-I	AR-II	VR	CB	VC	NC	BI	EI	ER	WI	Form-Based Districts		
											OGVC	OGBP	OGN
Restaurant providing food within a building, which may include outdoor seating on an adjoining patio	N	N	N	Y	Y	Y	Y	N	N	N	Y	Y	N
Restaurant providing live entertainment within a building, subject to license from the Board of Selectmen	N	N	N	Y	SP	SP	N	N	N	N	Y	Y	N
Brew pub	N	N	N	Y	Y	Y	Y	N	N	N	Y	Y	N
Motel or hotel	N	N	N	SP	N	N	N	N	N	Y			
Bed and breakfast	SP	N	N	N	N	N	N	N	N	N	Y	N	PB
Inn	SP	SP	SP	SP	SP	N	N	N	N	N	Y	N	N
Cultural and Entertainment Uses													
Studio	N	N	SP	Y	Y	Y	N	N	N	N	Y	Y	N
Museum	N	N	N	Y	SP	SP	N	N	N	N	Y	PB	N
Movie theatre/cinema	N	N	N	SP	N	N	N	N	N	N	Y	PB	N
Gallery	N	N	N	Y	Y	Y	N	N	N	N	Y	PB	N
Commercial indoor amusement	N	N	N	SP	N	N	Y	Y	Y	Y	Y	Y	N
Professional Uses and Financial Services													
Financial institution	N	N	N	Y	Y	Y	Y	N	N	N	Y	Y	N
Professional or business office	N	N	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	N
Services													
Personal care service establishments	N	N	N	Y	Y	Y	Y	N	N	N	Y	Y	N
Service establishment <small>[Amended 11-13-17]</small>	N	N	N	Y	Y	Y	Y	N	N	N	Y	Y	N
Doggie day care	N	N	N	N	N	N	SP	N	N	N	N	Y	N
Repair shop	N	N	N	N/PB	Y	Y	Y	SP	N	N	Y	Y	N
Furniture Repair	N	N	N	N/PB	Y	Y	Y	SP	N	N	N	Y	N
Educational/instructional facility, commercial	N	N	N	Y	Y	Y	Y	Y	N	N	Y	PB	N
Funeral home	SP	SP	N	SP	Y	Y	Y	N	N	N	N	N	N
Veterinary hospital	SP	SP	N	N	N	Y	Y	N	N	N	N	PB	N

CENTRAL BUSINESS DISTRICT ZONING ANALYSIS

Potential Amendments Related to Section 5.4.1 – Mixed Use Development by Special Permit in the CBD

SECTION 5. USE REGULATIONS

5.1 Schedule of Uses & Table 1

TABLE 1: SCHEDULE OF USES													
	AR-I	AR-II	VR	CB	VC	NC	BI	EI	ER	WI	Form-Based Districts		
											OGVC	OGBP	OGN
Kennel	SP	SP	SP	N	SP	N	SP	SP	N	N	N	PB	N
Medical office or clinic	N	N	N	Y	Y	Y	Y	N	N	N	Y	Y	N
Adult day care facility, subject to Section 8.5	PB	PB	N	N/PB	N	N	N	N	N	N	N	N	N
Automotive Uses													
Vehicle fuel station with repair services	N	N	N	N	N	N	PB	N	N	N	N	N	N
Vehicle fuel station with car wash	N	N	N	N	N	N	PB	N	N	N	N	N	N
Car wash	N	N	N	N	N	N	PB	N	N	N	N	PB	N
Vehicle fuel station with convenience store	N	N	N	N/PB	N	N	PB	N	N	N	PB	N	N
Vehicle repair	N	N	N	N	PB	N	PB	Y	N	N	N	Y	N
Auto body shop	N	N	N	N	N	N	PB	Y	N	N	N	Y	N
Other Business Uses: Unclassified													
Adult uses	N	N	N	N	N	N	N	Y	N	N	N	N	N
Accessory Uses													
Drive-through facility	N	N	N	N	N	PB	PB	N	N	N			
Outdoor display	N	N	N	SP	SP	SP	SP	N	N	N	Y	Y	N
Outdoor storage of materials and parking of vehicles and equipment associated with a business operated in a building on the premises, subject to Section 7.1.3 of the Zoning Bylaw.	N	N	N	N	N	N	Y	Y	N	Y	N	PB	N
E. INDUSTRIAL AND RELATED USES													
Warehouse/distribution facility	N	N	N	N	N	Y	N	Y	Y	Y	N	PB	N
Wholesale bakery <small>(Added 11-16-15)</small>	N	N	N	N	N	N	N	Y	Y	Y	N	Y	N
Wholesale showroom or office, including warehouse	N	N	N	N	N	N	Y	Y	Y	Y	N	Y	N
Manufacturing <small>(Amended 5-8-17)</small>	N	N	N	N	N	N	Y	Y	Y	Y	N	Y	N
Light Manufacturing <small>(Added 5-8-17)</small>	N	N	N	N	N	Y	Y	Y	Y	Y	N	Y	N
Contractor's yard	N	N	N	N	N	N	Y	Y	N	N	N	PB	N
Research and development	N	N	N	N	N	N	Y	Y	Y	Y	N	Y	N

CENTRAL BUSINESS DISTRICT ZONING ANALYSIS

Potential Amendments Related to Section 5.4.1 – Mixed Use Development by Special Permit in the CBD

SECTION 5. USE REGULATIONS

5.1 Schedule of Uses & Table 1

TABLE 1: SCHEDULE OF USES													
	AR-I	AR-II	VR	CB	VC	NC	BI	EI	ER	WI	Form-Based Districts		
											OGVC	OGBP	OGN
Brewery	N	N	N	N	N	N	Y	Y	Y	Y	N	Y	N
Research and development and/or manufacturing of renewable or alternative energy products	N	N	N	N	N	N	Y	Y	Y	Y	N	Y	N
Bulk Storage <small>(Added 11-18-19)</small>	N	N	N	N	N	N	N	N	N	N	N	N	N
Electric power generation including but not limited to renewable or alternative energy generating facilities such as the construction and operation of large-scale ground-mounted solar photovoltaic installations with a rated name plate capacity of 250 kW (DC) or more	N	N	N	N	N	N	N	N	Y	N	N	N	N
Gravel/loam/sand or stone removal, commercial	N	N	N	N	N	N	N	N	N	N	N	N	N
Recreational Marijuana Establishment <small>(Added 3-19-18 and amended 5-21-18)</small>	N	N	N	N	N	N	N	PB	N	PB	N	N	N
Registered Medical Marijuana Facility (non- retail) <small>(Added 5-21-18)</small>	N	N	N	N	N	N	N	PB	N	PB	N	N	N
Accessory Uses													
Outdoor storage of materials and parking of vehicles and equipment associated with a business operated in a building on the premises, subject to Section 7.1.3 of the Zoning Bylaw	N	N	N	N	N	N	Y	Y	Y	Y	N	PB	N
F. INSTITUTIONAL USES													
Community center	SP	SP	SP	SP	SP	SP	SP	N	N	N	Y	PB	PB
Lodge or club	SP	SP	SP	N/PB	N	N	N	N	N	N	Y	Y	N

Footnotes:

- 1. In the OGN District, detached single family homes are permitted if they meet the designs standards for cottages under Section 9.4
- 2. In the OGVC District, multi-family dwellings and developments include rowhouses (attached single family units) which are subject to the design standards under Section 9.4

NOTE – TABLE 1 was substantially amended at the 11-14-16 Town Meeting. The Oak Grove uses were added at the 11-18-19 Town Meeting.

CENTRAL BUSINESS DISTRICT ZONING ANALYSIS

Potential Amendments Related to Section 5.4.1 – Mixed Use Development by Special Permit in the CBD

SECTION 6. DIMENSIONAL REGULATIONS

6.1 Schedule of Dimensional and Density Regulations & Table 2

Commentary: The current dimensional standards for the Central Business District (CBD) are appropriate for the types of commercial, residential, and mixed use anticipated for the district:

- *The minimum lot size of 10,000 SF is appropriate and allows for small scale commercial and mixed use developments.*
- *The frontage requirement of 50 feet allows for narrow buildings to be developed along the street line which is a common pattern in traditional village centers*
- *The front yard setback of 10 feet and allowance for encroachment of building elements and outdoor spaces such as dining terraces enhances walkability and is a common attribute in thriving village centers.*
- *The 10 foot side setback allows for the buildings to be clustered together creating a street wall and enclosure which is a common attribute in thriving village centers.*
- *The 25 foot rear setback with a restriction on parking and storage in the 10 feet adjacent to the lot line provides a sufficient buffer from adjacent neighborhoods.*

CENTRAL BUSINESS DISTRICT ZONING ANALYSIS

Potential Amendments Related to Section 5.4.1 – Mixed Use Development by Special Permit in the CBD

SECTION 6. DIMENSIONAL REGULATIONS

6.1 Schedule of Dimensional and Density Regulations & Table 2

TABLE 2. DIMENSIONAL AND DENSITY REGULATIONS											
Requirement	AR-I	AR-II	VR	CB	CB with Mixed Use SP	VC	NC	BI	EI	ER	WI
Minimum Lot Area (Sq. Ft.)	44,000	22,500 30,000 ^{a, b}	22,500 30,000 ^{a, b}	10,000	10,000	10,000	20,000	20,000	20,000	20,000	40,000
Minimum Lot Frontage (Ft.)	180'	150'	150'	NA	50'	NA	NA	75'	100'	150'	100'
Minimum Setbacks (Ft) ^c											
Front	35'	35'	20' ^d	10'	10'	20' ^d	35'	25'	30'	30'	30'
Side	15'	15'	10' ^d	10' 25' ^e	10' 25' ^e	10' ^d	15'	15'	20'	20'	20'
Rear	15'	15'	10' ^d	25'	25' First 10' near lot line no parking or storage	10' ^d	15'	15'	30'	30'	30'
Maximum Building Height (Ft.)	35'	35'	35'	40'	60'	40'	40'	40'	60'	40'	60'
Maximum Lot Coverage (Pct. of lot) (Primary and accessory buildings and structures) – Amended 5-8-17	25%	30%	30%	80%	80%	80%	40%	40%	NA	NA	NA
Maximum Impervious Coverage (Pct. of lot)	35%	40%	40%	NA	NA	NA	80%	80%	80%	80%	80%
Minimum Open Space (Pct. of lot)	NA	NA	NA	15%	15%	NA	20%	20%	20%	20%	20%

CENTRAL BUSINESS DISTRICT ZONING ANALYSIS

Potential Amendments Related to Section 5.4.1 – Mixed Use Development by Special Permit in the CBD

SECTION 6. DIMENSIONAL REGULATIONS

6.1 Schedule of Dimensional and Density Regulations & Table 2

Commentary: The current dimensional standards for the Central Business District (CBD) are appropriate for the types of commercial, residential, and mixed use anticipated for the district:

- *The building height limits of 40 feet for commercial uses and 60 feet for mixed use development is appropriate for a walkable mixed use village center. However, while enclosure along the street with buildings is desirable, the town should consider a set back/stepback provision for taller buildings to so that they are less imposing if located along the street line.*
- *The 80% building coverage requirement is consistent with mixed use village centers.*
- *The 15% Open space requirement is appropriate for commercial and mixed use village centers. However, special standards for the quality and location of spaces should be adopted to ensure these amenities are contributing to the walkability and vitality of the district. The Outdoor Amenity Space (OAS) standards in Section 9.6 of the Zoning Bylaws.*
- *There is no impervious surface requirement in the CBD. This is acceptable but should be supported by sustainable stormwater and building best practices that are included in the Design Guidelines*
- *These is no density standard for mixed use buildings or developments. This is acceptable in a mixed use village center as the scale of individual projects will be controlled by other dimensional requirements such as lot size, setbacks, coverage height, and GFA limits. Another significant factor in the density limits will be the amount of parking required in the development.*

CENTRAL BUSINESS DISTRICT ZONING ANALYSIS

Potential Amendments Related to Section 5.4.1 – Mixed Use Development by Special Permit in the CBD

SECTION 7. GENERAL REGULATIONS

7.1 Site Development Standards

7.1.1 Off-Street Parking and Loading & Table 3

Commentary: The parking standards have been recently updated and are appropriate for residential and mixed use in the CBD. Some of the key parking standards that would support mixed use are the following:

- *Location of Parking (S.7.1.1.G.) - where placement of parking is located to the side or rear of the building unless no reasonable alternative.*
- *Maximizing Safety for Pedestrians (S.7.1.1.G.) – this provision could be enhanced with more specific requirements for walkway connections between the public sidewalk, parking lot, and building.*
- *Reduced Parking (S.7.1.1.J.) – The opportunity to eliminate excess parking by 30% based on context, and where the mix of uses provide an opportunity to share parking on or off site.*
- *Special Parking Types and Standards (S.7.1.1.K.) – Flexible parking types that reduce the footprint of parking such as tandem parking for residential development, valet parking for restaurants, parking structures for mixed use*

CENTRAL BUSINESS DISTRICT ZONING ANALYSIS

Potential Amendments Related to Section 5.4.1 – Mixed Use Development by Special Permit in the CBD

SECTION 8. SPECIAL REGULATIONS

8.6 Affordable Housing

Commentary: Under Section 8.6 the formula for the amount of affordable residential units required is identified on Table 11. Under this section, flexibility is allowed in terms of location and the units can be provided on site, off-site, or a payment can be made in lieu of the developer building on unit. A discussion with developers should consider the potential effects of the required percentages of affordable units, limitations on bedrooms, and location of units might have on project viability in the CBD.

Requirements

- Percent of Affordable Units – Based on Ratios in Table 11.

TABLE 11	
Affordable Housing Units Required by Project Size	
Project Size (Units)	Percent Affordable Units
6-12*	10%
13-17	12%
18-20	15%
21 and over	20%

CENTRAL BUSINESS DISTRICT ZONING ANALYSIS

Potential Amendments Related to Section 5.4.1 – Mixed Use Development by Special Permit in the CBD

SECTION 8. SPECIAL REGULATIONS

8.6 Affordable Housing

Requirements

- Deed Rider – Required for continued affordability.
- Location - On-Site, Off-Site, or Payment In Lieu affordable units are an option
- Value - Total value of affordable unit shall be less than the median price of a Medway market-rate home comparable in type, size, and number of bedrooms over a period of 18 months.
- Density Bonus – By 4/5 vote of PEDB, they may grant increase in density of market rate units to off set cost of affordable units.
 - On-site ratio - 1 market rate unit for each affordable unit required
 - Off site ratio - .5 market rate unit for each affordable unit
 - No density bonus for payment in lieu of affordable units.
- Waiver of Dimensional Standards – PEDB can waiver dimensional standards for affordable units. No lot may be less than 80% of required frontage and lot size in underlying district. No affordable unit lots shall be less than the median size an frontage for all lots in the development.

CENTRAL BUSINESS DISTRICT ZONING ANALYSIS

Potential Amendments Related to Section 5.4.1 – Mixed Use Development by Special Permit in the CBD

SECTION 8. SPECIAL REGULATIONS

8.6 Affordable Housing

Requirements

- Type of Dwelling Unit - PEDB may authorize types of Dwelling Units not otherwise permitted in the underlying zoning district to allow for the increase in the total number of market rate DU. For example, in a district where only SF dwellings are allowed by right, a development with an affordable housing density bonus may be designed to include duplexes, townhouses, or multi-family dwellings for both the market rate and Affordable Housing Units.
- Comparability - Requirements for location and comparability of affordable housing units.
- Pricing - Requirements for affordable purchase and rental prices.
- Phasing Units - Timing of Construction of Affordable Housing Units.
- Preservation - of affordability is required for as long as legally permissible.

TABLE 12	
Schedule for Completion of Affordable Housing Units	
Percent Market-Rate Units	Percent Affordable Units
Up to 30%	None required
30% plus 1 unit	At least 10%
Up to 50%	At least 30%
Up to 75%	At least 50%
75% plus 1 unit	At least 70%
Up to 90%	100%

CENTRAL BUSINESS DISTRICT ZONING ANALYSIS

Potential Amendments Related to Section 5.4.1 – Mixed Use Development by Special Permit in the CBD

SECTION 9. OAK GROVE PARK DISTRICTS

Commentary: The recently adopted Oak Grove Park District envisions a mixed use district with traditional village centers, neighborhoods, and business parks. Several standards have applicability to CBD and should be considered:

- *9.4. Building Types, Use and Design Standards – For Mixed Use Buildings, Rowhouses (SF attached), Multi-Family Building, and Hotel, Gas Station/Convenience Store.*
- *9.5. Development Standards – Utilities (F), Sustainable Site Design (G), Site Improvement Guidelines (H)*
- *9.6. Outdoor Amenity Space – The types of OAS and design standards. The most relevant would be a Plaza/Square, Pocket Park, Pedestrian Passage, Outdoor Dining, Rooftop Terrace*
- *9.7. Public Realm Standards – The most relevant standards are street and pathway design standards (B), public realm interface (C)*

CENTRAL BUSINESS DISTRICT ZONING ANALYSIS

Potential Amendments Related to Section 5.4.1 – Mixed Use Development by Special Permit in the CBD

SECTION 9. OAK GROVE PARK DISTRICTS

Commentary: The recently adopted Oak Grove Park District envisions a mixed use district with a traditional village centers. These standards could be applied to the CBD.

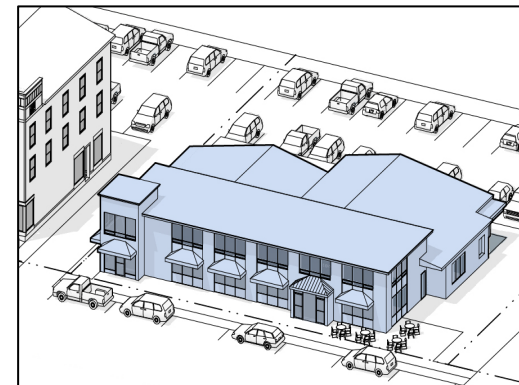
9.4 BUILDING TYPES, USE AND DESIGN STANDARDS

A. Allowable Uses

B. Determination of Building Type

C. Allowed Building Types

1. Rowhouse on a Separate Lot
2. Rowhouse on a Common Lot
3. Cottage
4. Multi-Family Building
5. Mixed Use Building
6. General Commercial Building
7. Hotel
8. Gas Station/Convenience Store
9. Fabrication or Flex Building
10. Civic or Community Buildings



CENTRAL BUSINESS DISTRICT ZONING ANALYSIS

Potential Amendments Related to Section 5.4.1 – Mixed Use Development by Special Permit in the CBD

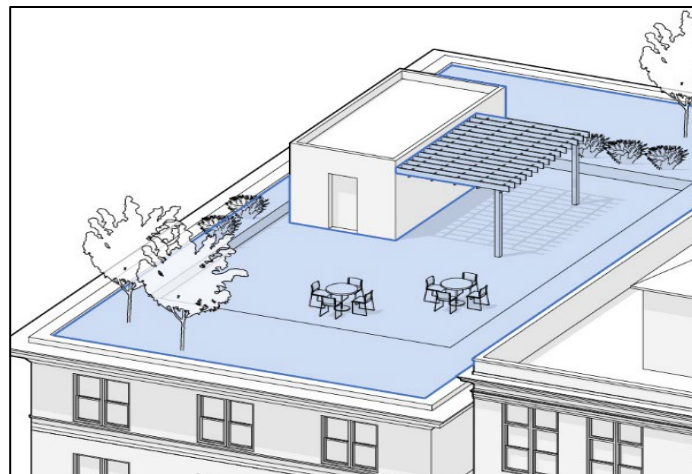
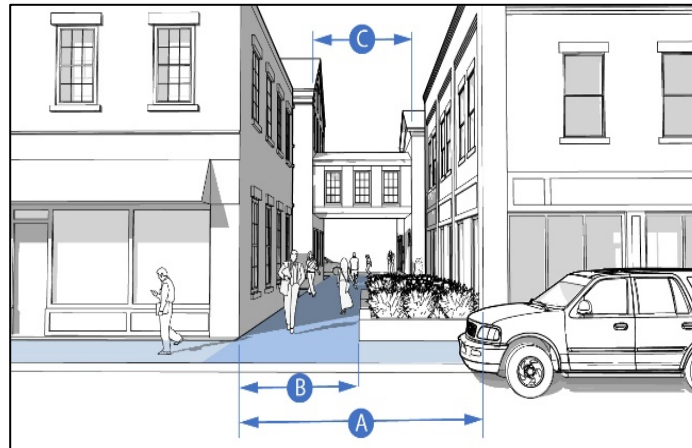
SECTION 9. OAK GROVE PARK DISTRICTS

Commentary: The recently adopted Oak Grove Park District envisions a mixed use district with a traditional village centers. These standards could be applied to the CBD.

9.6 OUTDOOR AMENITY SPACE

B. Permitted Outdoor Amenity Spaces

1. Private Yard
2. Dooryard
3. Forecourt
4. Community Garden
5. Courtyard
6. Plaza or Square
7. Pocket Park or Playground
8. Athletic Field or Ball Court
9. Common or Green
10. Neighborhood Park/Preserve
11. Pathway
12. Pedestrian Passage
13. Outdoor Dinning
14. Rooftop Terrace



CENTRAL BUSINESS DISTRICT ZONING ANALYSIS

Potential Amendments Related to Section 5.4.1 – Mixed Use Development by Special Permit in the CBD

SECTION 9. OAK GROVE PARK DISTRICTS

Commentary: The recently adopted Oak Grove Park District envisions a mixed use district with a traditional village centers. These standards could be applied to the CBD.

9.7 PUBLIC REALM STANDARDS

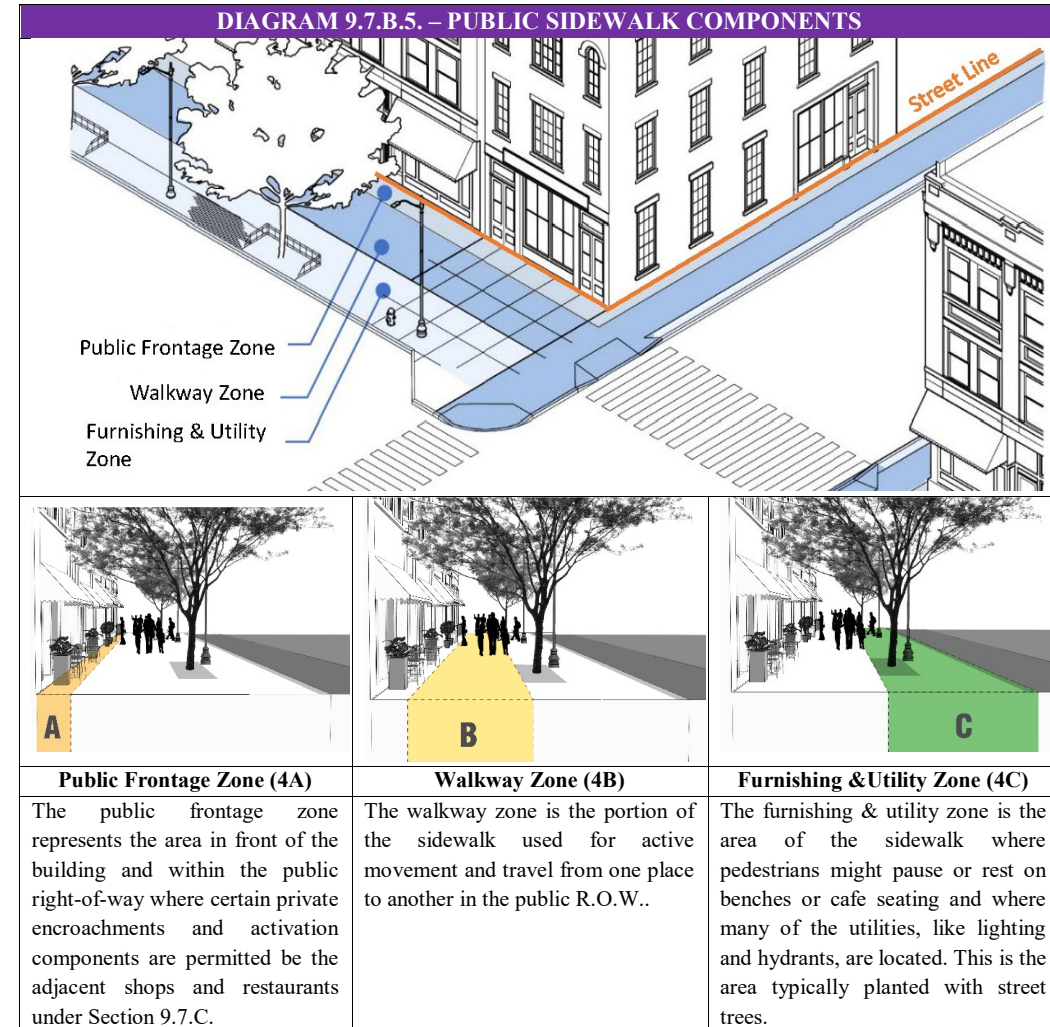
A. Purpose

B. Street & Pathway Design Standards

5. Sidewalks.
6. Street Enhancement Zones
7. Curb Extensions (Bulb-Outs)
8. Street Trees.
9. Driveway and Sidewalk Crossings.
10. Multi-Use Pathways and Walking Trails

C. Public Realm Interface

1. Building Frontage Zones
2. Building Interface within ROW
3. Parklets
4. Pedestrian Passages
5. Signs



CENTRAL BUSINESS DISTRICT ZONING ANALYSIS

Potential Amendments Related to Section 5.4.1 – Mixed Use Development by Special Permit in the CBD

Commentary: The current Design Guidelines apply to the CBD and should be used to enhance commercial, residential, and mixed use development in the district.

Medway Design Guidelines

SECTION 1. INTRODUCTION

A. PURPOSE AND OVERVIEW

B. NEW ENGLAND VILLAGE CHARACTER

1. Site Character
2. Building Character
3. Material Character

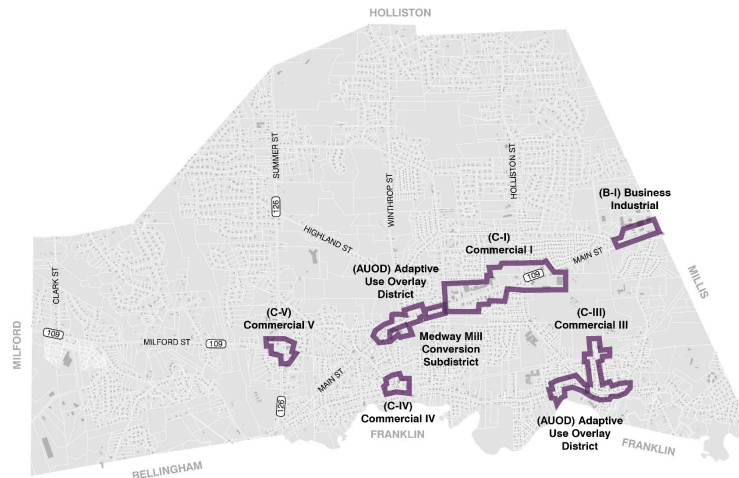
C. ORGANIZATION OF GUIDELINES

D. ADMINISTRATION

1. Pre-Application for Development
2. Application for Development
3. Application for Signage

E. COMPLIANCE ALTERNATIVES

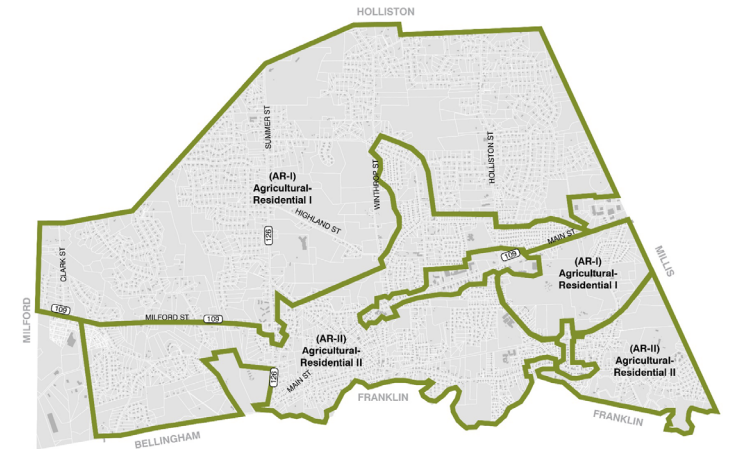
F. GLOSSARY OF TERMS



Disclaimer: For Official Zoning Map district boundaries and most current information refer to the Zoning Map in Section 6. References and Resources

Commercial Zones

TOWN OF MEDWAY
Design Review Guidelines



Disclaimer: For Official Zoning Map district boundaries and most current information refer to the Zoning Map in Section 6. References and Resources

Residential Zones

TOWN OF MEDWAY
Design Review Guidelines

CENTRAL BUSINESS DISTRICT ZONING ANALYSIS

Potential Amendments Related to Section 5.4.1 – Mixed Use Development by Special Permit in the CBD

Commentary: The current Design Guidelines apply to the CBD and should be used to enhance commercial residential, and mixed use development in the district.

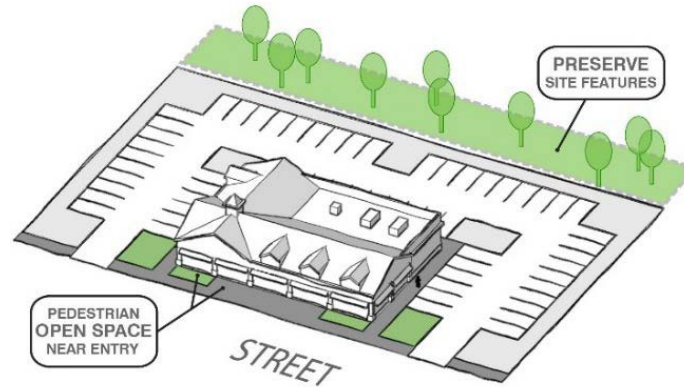
SECTION 2. COMMERCIAL ZONES

A. APPLICABILITY

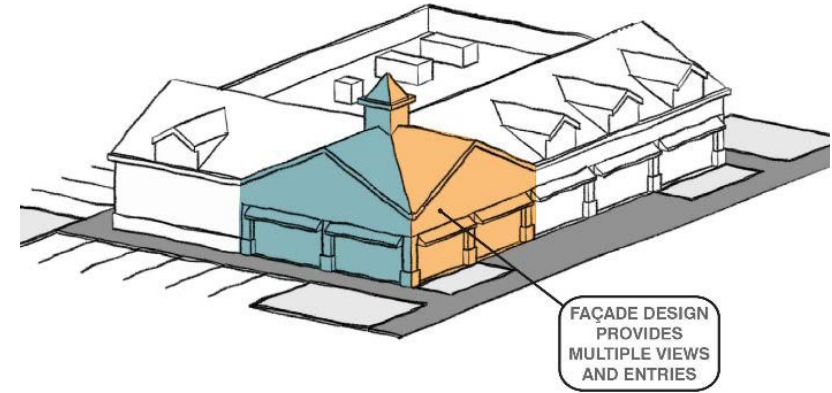
B. PRINCIPLES AND INTENTIONS

C. SITE IMPROVEMENT GUIDELINES

1. Site Composition
2. Building Orientation
3. Site Access
4. Internal Site Circulation
5. Parking
6. Landscape
7. Site Amenities
8. Site Lighting



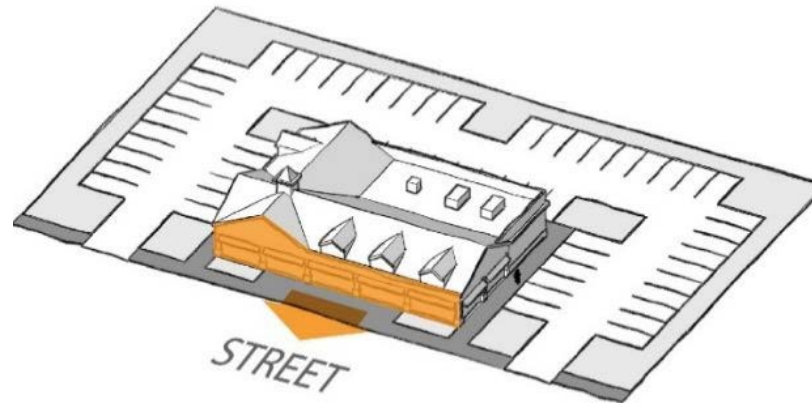
SITE FEATURES AND OPEN SPACE



MULTIPLE PRIMARY FAÇADES

D. ARCHITECTURAL GUIDELINES

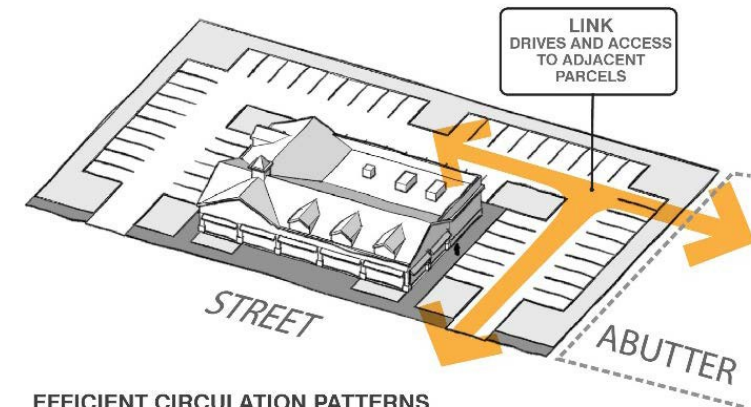
1. Building Massing
2. Façade Composition and Components
3. Building Roof Forms
4. Building Lighting



STREET-FACING ORIENTATION

E. SIGNAGE GUIDELINES

1. Principles and Intentions
2. Sign Harmony
3. Sign Characteristics
4. Site Signage
5. Building Signage
6. Sign Illumination



EFFICIENT CIRCULATION PATTERNS

CENTRAL BUSINESS DISTRICT ZONING ANALYSIS

Potential Amendments Related to Section 5.4.1 – Mixed Use Development by Special Permit in the CBD

Commentary: The current Design Guidelines apply to the CBD and should be used to enhance commercial residential, and mixed use development in the district.

SECTION 4. RESIDENTIAL ZONES

A. APPLICABILITY

B. PRINCIPLES AND INTENTIONS

C. SITE IMPROVEMENT GUIDELINES

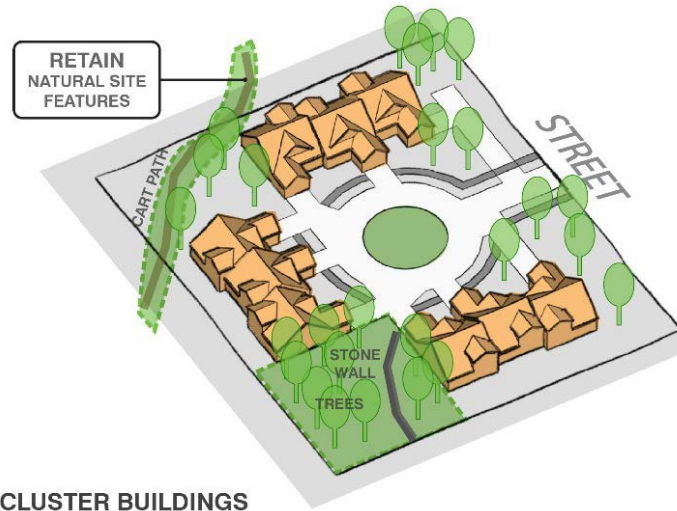
1. Site Composition
2. Building Orientation
3. Site Access
4. Internal Site Circulation
5. Parking
6. Open Space
7. Landscape
8. Site Amenities
9. Site Lighting

D. ARCHITECTURAL GUIDELINES

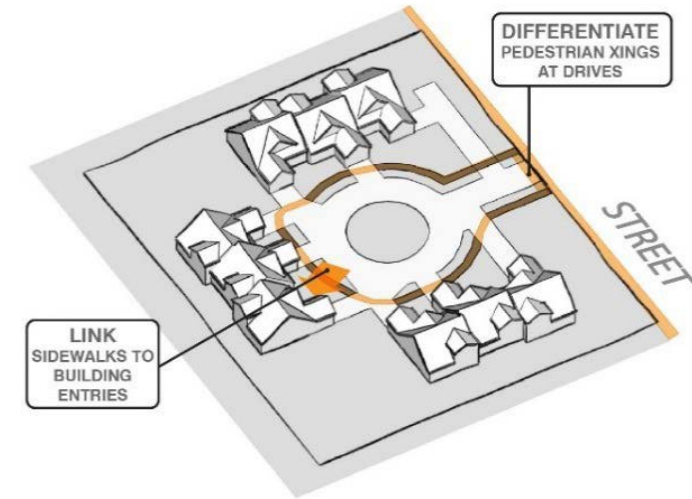
1. Building Massing
2. Façade Composition and Components
3. Historic Structures
4. Building Roof Forms
5. Building Lighting

E. SIGNAGE GUIDELINES

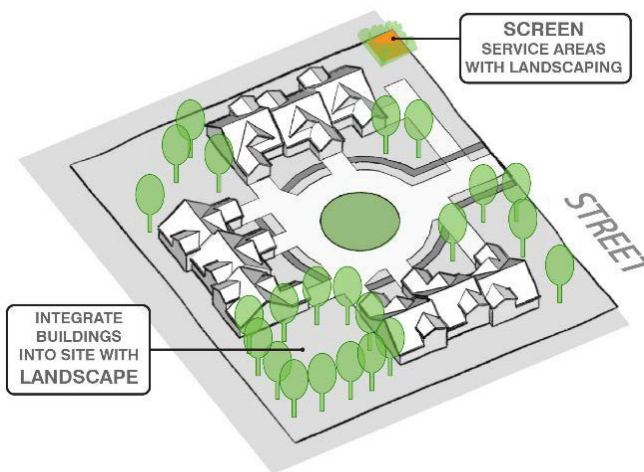
1. Principles and Intentions
2. Sign Harmony
3. Sign Characteristics
4. Site Signage
5. Sign Illumination



CLUSTER BUILDINGS



SIDEWALKS CONNECT TO SITE AMENITIES



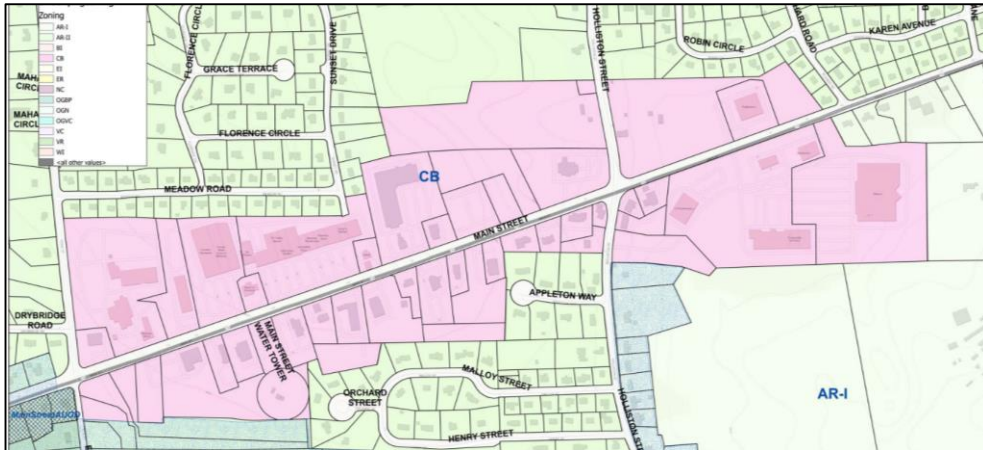
LANDSCAPING

CENTRAL BUSINESS DISTRICT – REFLECTION & DIRECTION



Medway has been planning for a vibrant and traditional mixed use village in the Central Business District since 2006 when the Town received a Smart Growth Technical Assistance Grant from the State and commissioned the preparation of a plan for the revitalization of Main Street in the CBD. This plan included a conceptual vision plan for a mixed use town center and a draft zoning bylaw to implement the plan, and revisions to the PEDB rules and regulations to incorporate new standards for Low Impact Development. The ongoing CBD zoning initiative is the continuation of the process of working with property/business owners, town officials, and residents to address this crucial area for economic growth and balanced development by facilitating high quality mixed use development.

Central Business District (CBD) Zoning Community Forum



Please join the Planning and Economic Development Board in a discussion on planning for the future of the Route 109 (Main Street) corridor - Medway's Central Business District.

Workshop Facilitators:

Planning & Design Consultants Ted Brovitz & Peter Flinker.

**Wednesday,
November 18, 2020
7:00 - 9:00 PM**

Agenda

- Introductions
- Current Conditions & Trends
- Future Challenges & Opportunities
- Public Visioning & Input
- Next Steps
- Adjourn

ZOOM Link - This will be a remote meeting. Members of the public can participate from their computer or tablet by clicking on the following link at the time of the meeting:

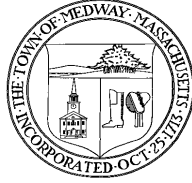
<https://us02web.zoom.us/j/89583056038?pwd=TDI4VWxpenQ0aXhjTkQ1KzJ2bWp2Zz09>

Meeting ID: 895 8305 6038

Passcode: 604649

Join by telephone: (929) 205-6099

More Information - Please contact the Medway Department of Community and Economic Development at (508) 321-4890.



November 10, 2020
Medway Planning & Economic Development Board
Meeting

Request for Lot Release – 8 Partridge
Street

The PEDB office was contacted by an attorney involved with the closing for the upcoming sale of 8 Partridge Street. The property is on the north side of Partridge Street between Kimberly and Winthrop Streets. It is part of a subdivision approved in 1977. The closing attorney cannot find any record of a lot release at the Registry of Deeds and has requested such from the Board. According to the Assessor's records, the house was built in 1977. The property is 46,937 sq. ft. per the most recent deed from 1990.

Attached are the following documents for your review.

- Subdivision Plan from May 1977. 8 Partridge Street is Lot #45.
- Subdivision Covenant from October 1977
- Draft Lot Release for your approval and signature

OFFICIAL NATIONAL

OFFICIAL RECORD

COUNTRY VIEW ESTATES SUBDIVISION

MEDWAY, MASS.

OWNED BY OAK RIDGE CORP., CO.
MAY 9, 1977
Franklin, Mass.

I hereby certify that I have prepared this plan in accordance with the rules and regulations of the Registrar of Deeds.

William A. Anderson
Reg. Long Senator



THIS PLAN IS APPROVED SUBJECT TO SAID RECOGNITION WITH THE CONDITIONS SET FORTH IN AN INSTRUMENT ENTITLED "GOVERNMENT OF MASSACHUSETTS PLAN OF COUNTY VIEW ESTATES" WHICH IS BE RECORDED HEREWITH AND FILED WITH THE TOWN CLERK AND IS MADE A PART THEREOF BY REFERENCE MADE TO /

■ indicates existing monuments
□ indicates monuments to be set

Notice of approval received and recorded Oct. 12, 1977. No notice of appeal was received during the statutory period allowed therefore.

MEADOWS
JUN 1964

Date Dec. 3, 1971

Approved MEDWAY PLANNING BOARD

James G. Thompson
William J. Burke

Date Oct. 12, 1977

10

MEDWAY PLANNING BOARD

[illegible]

Date _____

WARDS LANE

1

1

NOT
A N
O F F I C I A L
Conditions of Approval of Plan of Country View Estates
and
COVENANT

NOT
A N
O F F I C I A L
C O P Y

KNOW ALL MEN BY THESE PRESENTS that the undersigned has submitted an application dated May 17, 1977, to the Town of Medway Planning Board for approval of a definitive plan of a certain subdivision entitled "Country View Estates Subdivision in Medway, Mass." and dated May 9, 1977, and has requested the Board to approve such plan without requiring a performance bond.

In consideration of the Town of Medway Planning Board approving said plan without requiring a performance bond, and in consideration of one dollar in hand paid, the receipt of which is hereby acknowledged, the undersigned covenants and agrees with the Town of Medway as follows:

1. The undersigned will not sell any lot in the subdivision or erect or place any permanent building on any such lot until the construction of ways and municipal services necessary to serve adequately such lot has been completed in the manner specified in the aforesaid application, and in accordance with the covenants, conditions, agreements, terms and provisions thereof, and in accordance with the plan as finally approved and endorsed by the Town of Medway Planning Board, and the rules and regulations of said Planning Board, except sidewalks shall be constructed on one side of the street only, on the south and east sides of the streets within the subdivision.

NOT
AN
OFFICIAL
COPY

NOT
AN
OFFICIAL
COPY

2. It is the intention of the undersigned and it is hereby understood and agreed that this contract shall constitute a covenant running with the land included in the aforesaid subdivision and shall operate as restrictions upon said land.

3. It is understood and agreed that lots within the subdivision shall, respectively, be released from the foregoing conditions upon the recording of a release form executed by a majority of said Planning Board and enumerating the specific lots to be so released.

4. A proper sized culvert will be placed under Ward's Lane, as shown on the approved plan, by the installation of two (2) 24" reinforced concrete pipes.

5. A deed conveying the fee in ways together with all the utilities installed therein shall be conveyed upon completion of the project to the Town of Medway.

6. All drainage easements as shown on said plan, or any revisions thereof, shall include the right to enter thereon and to provide the necessary maintenance thereof.

7. No future drainage shall be allowed to enter this subdivision from any adjacent land situated to the north thereof.

8. All utilities to be installed and construction of all roads and sidewalks to be fully completed in accordance with the rules and regulations of the Town of Medway Planning Board in Three (3) years from date of approval of the plan.

9. The undersigned represents and covenants that undersigned is the owner in fee simple of all the land included in the aforesaid subdivision and that there are no mortgages of record or otherwise on any of said land.

10. The agreement shall be binding upon the executors, administrators, devisees, heirs, successors and assigns of the undersigned.

IN WITNESS WHEREOF the undersigned, applicant as aforesaid, does hereunto set his hand and seal this 24th day of October, 1977.

OAK RIDGE CONSTRUCTION CO., INC.

By Dennis F. Marguerite
Dennis Marguerite, President
and Treasurer
206 Maple Street, Franklin, MA. 02038

-3-

COMMONWEALTH OF MASSACHUSETTS

Norfolk ss.

October 24, 1977

Then personally appeared the above-named Dennis F. Marguerite, President and Treasurer of Oak Ridge Construction Co., Inc., and acknowledged the foregoing instrument to be the free act and deed of Oak Ridge Construction Co., Inc., before me.

Neil J. Roche
Neil J. Roche, Notary Public
My Commission Expires: June 12, 1981

Recorded Nov. 17, 1977 at 11h. 27m. A.M.

***Release of Restrictive Subdivision Covenant
Planning & Economic Development Board – Town of Medway, MA***

We, the undersigned members, being a majority of the Planning & Economic Development Board of the Town of Medway, Norfolk County, Massachusetts, hereby certify on this date that Lot 45 a/k/a Lot 45A (also known as 8 Partridge Street) on a plan entitled *Country View Estates Subdivision* in Medway, MA, dated May 9, 1977 prepared for Oak Ridge Construction Co., Inc. of Franklin, MA which was recorded on November 17, 1977 with the Norfolk County Registry of Deeds as Plan Number 960 of 1977, Page 263 to which reference may be had for a more particular description, is hereby released from the terms, provisions and conditions as to sale and building thereon as set forth in a Subdivision Covenant for the Country View Estates Subdivision in Medway, MA from Dennis Marguerite, President and Treasurer of Oak Ridge Construction Co., Inc. of Franklin, MA to the Medway Planning Board dated October 24, 1977, recorded with the Norfolk County Registry of Deeds on November 17, 1977 in Book 5407, Pages 268 – 270.

Executed under seal this 10th day of November, 2020.

Signatures of a majority of the members of the Planning & Economic Development Board of the Town of Medway:

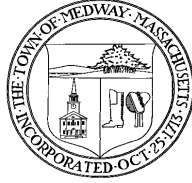
COMMONWEALTH OF MASSACHUSETTS

Norfolk County, SS. _____

On this ____ day of _____, before me, the undersigned notary public, personally appeared _____

_____,
members of the Medway Planning and Economic Development Board, proved to me through satisfactory evidence of identification, which was a Massachusetts Drivers License and personal knowledge, to be the persons whose names are signed on the above document, and acknowledged to me that they signed it voluntarily and for its stated purpose.

Notary Public
My commission expires:



November 10, 2020
Medway Planning & Economic Development Board
Meeting

Red Gate Subdivision – Performance
Security and Street Acceptance

- Andy Rodenhiser letter dated 11-2-20 to Michael Bruce acting on behalf of Red Gate Realty Trust
- Michael Bruce's response letter dated 11-4-20

Background Materials

- Definitive Subdivision Plan (October 4, 1986) – See **green** highlighted area for streets within the Red Gate subdivision
- DPW inspection report punch list dated 7-14-20
- Subdivision Covenant from January 1984 in which the developer agrees to abide by the requirements of the Subdivision Rules and Regulations.
- Subdivision Rules and Regulations from 1978; these were the Rules and Regs in effect when this subdivision was reviewed and approved. See Section III-C regarding the requirement for as-built plans.

Notes

- 1.** We do not have an as-built or street acceptance plan although the developer indicates they were previously provided to the Town.
- 2.** Michael Bruce has indicated the developer will provide deeds to convey 2 Redgate Drive (drainage parcel) and the various streets to the Town
- 3.** I have a separate confidential memo that will be provided to you under separate cover.

Board Members

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



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

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

November 2, 2020

Mr. Michael M. Bruce
Teng Solutions, LLC
PO Box 34
Oreland, PA 19075-0034

Re: Red Gate Estates Subdivision

Sent by email and via Certified Mail # 7009 3410 0002 2665 3572

Dear Mr. Bruce,

I write to you in your capacity as the designated representative of Red Gates Estates Realty Trust as authorized in a July 31, 2020 email from Jonathan M. Bruce, Trustee. This letter is in response to your communications regarding the Red Gate Estates subdivision, specifically your request for street acceptance for the subdivision roads and return of the performance security funds. Your request follows the Land Court's dismissal of the long-standing litigation against Red Gate Realty Trust by abutters George and Patricia Caram. The Red Gate subdivision roads include Redgate Drive and Briar Lane in their entireties and portions of Field Road, Fern Path and Bramble Road. According to the Medway Treasurer/Collector, the balance in the Redgate subdivision surety account is \$13,054.58 as of September 30, 2020.

The Planning and Economic Development Board discussed your request at its September 8th meeting. As is standard practice with any request for street acceptance and return of subdivision performance security, the Board asked the Medway Department of Public Works to inspect the subdivision infrastructure. Aside from the expected wear and tear and the absence of any ongoing maintenance in 30+ years, the DPW identified that the stormwater drain line installation in the roadway at 19 Bramble was set too high. DPW has advised that it is not possible to lower the catch basin any further to accept stormwater and function properly. The necessary fix is to remove the existing drain and reinstall it at a lower depth; this is estimated to cost \$100,000. A possible alternative, if the soils allow, would be to install a sub-surface stormwater recharge chamber at the end of the roadway and use it to infiltrate water in this area; that is estimated to cost approximately \$30,000.

At its November 10, 2020 meeting, the Board will hold a hearing to consider whether Red Gate Realty Trust has satisfactorily completed the construction of ways and installation of municipal services in the Red Gate subdivision and whether Red Gate Realty Trust is in default under the Subdivision Control Law and the Board's *Subdivision Rules and Regulations* for failure to adequately complete the construction of ways and installation of municipal services. The Board will also consider whether to

exercise the subdivision performance surety to address the needed public improvements as required by the Board's Subdivision Decision and *Subdivision Rules and Regulations*.

This letter serves to notify you of the hearing date and invite you to participate. The Board is holding its meetings online via ZOOM. Instructions for accessing the meeting via computer or mobile phone will be included on the agenda for that meeting and will be emailed to you later this week.

At the hearing, you will have the opportunity to be heard personally and/or through your representative as to whether the subdivision should be found to be in default. If the subdivision is found to be in default, the Board will discuss and determine whether it should take the surety that is being held for the subdivision in order to complete the work as specified in the Red Gate Estates subdivision plan. Your failure to appear at this meeting, or be represented by another party, without prior notice or reasonable cause, will not prevent the Board from taking action on this matter.

We also note that Red Gate Estates Realty Trust owns 2 Redgate Drive, shown as Lot-1 on the Red Gate Estates Subdivision Plan; the parcel is approximately 62,944 square feet in area and contains a stormwater basin. The Medway Treasurer/Collector has notified the Board that real estate taxes are owed on that parcel; the outstanding amount is \$9,367.44 (includes interest through October 30, 2020 and includes fiscal year 2021 taxes as well). See attached. We are informed that the real estate taxes will have to be satisfied at the time the surety is secured or released.

The following details pertain to the Red Gate Estates subdivision:

Plan Name: Red Gates Estates Subdivision, dated October 14, 1986, prepared by H2O Engineering Consulting, Associates of Weston, MA
Plan Endorsement: January 13, 1987
Plan Recording: Norfolk County Registry of Deeds, June 3, 1987, Plan Book 354, Page 613

Thank you for your attention to this matter. Please confirm that someone representing Red Gate Realty Trust will attend the November 10, 2020 meeting of the Medway Planning and Economic Development Board.

Best regards,

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

Andy Rodenhiser
Chair

cc: Jonathan M. Bruce
Mark R. Reich, K.P. Law

Susan Affleck-Childs

From: Joanne Russo
Sent: Wednesday, October 14, 2020 11:37 AM
To: Susan Affleck-Childs
Subject: 2 REDGATE -PARCEL 22-020
Attachments: SKM_224e20101412020.pdf; 2 REDGATE 10302020.pdf

Good morning,

It has been brought to my attention that the litigation regarding the Redgate subdivision has been dismissed. The owner has requested the Planning Board to release the funds.

Currently 2 Redgate is in TAX TITLE, the amount of Real Estate that is currently outstanding is \$9,367.44 (interest good thru 10/30/2020 and includes FY 21 taxes as well)

As of 09/30/2020 the Performance Bond that Town holds for the REDGATE subdivision has a balance of \$13,054.58. If the Bond is approved by the Board to be released the Town Real Estate taxes will have to be satisfied at that time.

Attachments- MUNIS parcel balance printout
-Sept Bank Statement

If you have any questions or need additional information please let me know.

Regards,
Joanne

Joanne M. Russo, CMMT
Town Treasurer/Collector
Town of Medway
155 Village Street
Medway, MA 02053
1-508-533-3205

10/14/2020 11:32
jrusso

LIVE DATABASE
Parcel Find

P 1
arbiling

PARCEL: 22-020-0000
LOCATION: ** MULTIPLE **
NAME: ** VARIOUS **

EFF DATE: 10/30/2020

YEAR	CAT	BILL	NSC	REFERENCE	BILLED/ADJ	UNPAID BAL	DUE NOW
2002	TL-R	36	N	2 REDGATE DR	502.93	502.93	1626.40
2003	TL-R	35	N	2 REDGATE DR	41.28	41.28	136.43
2004	TL-R	35	N	2 REDGATE DR	39.00	39.00	128.89
2005	TL-R	35	N	2 REDGATE DR	35.65	35.65	106.20
2006	TL-R	35	N	2 REDGATE DR	32.67	32.67	103.04
2007	TL-R	38	N	2 REDGATE DR	36.33	36.33	109.72
2008	TL-R	46	N	2 REDGATE DR	34.77	34.77	101.91
2009	TL-R	67	N	2 REDGATE DR	37.02	37.02	104.20
2010	TL-R	64	N	2 REDGATE DR	38.77	38.77	109.13
2011	TL-R	10049	N	2 REDGATE DR	54.19	54.19	135.26
2012	TL-R	120060	N	2 REDGATE DR	385.16	385.16	955.50
2013	TL-R	59	N	2 REDGATE DR	435.95	435.95	1011.55
2014	TL-R	62	N	2 REDGATE DR	442.76	442.76	885.86
2015	TL-R	68	N	2 REDGATE DR	391.94	391.94	731.09
2016	TL-R	65	N	2 REDGATE DR	388.40	388.40	662.00
2017	TL-R	58	N	2 REDGATE DR	423.75	423.75	657.24
2018	TL-R	45	N	2 REDGATE DR	433.86	433.86	604.66
2019	TL-R	48	N	2 REDGATE DR	420.26	420.26	516.24
2020	TL-R	51	N	2 REDGATE DR	455.84	455.84	473.02
2021	RE-R	3820	N	2 REDGATE DR	205.63	205.63	209.10
TOTAL DUE NOW							9367.44
TOTAL UNPAID							4836.16

** END OF REPORT - Generated by Joanne Russo **



Page: 1

00000540-0001079-0001-0001-MIMS8005490930201326

Account Number: 1068586
Statement Date: 09/30/20

REDGATE ESTATES REALTY TRUST
155 VILLAGE ST
MEDWAY MA 02053-1147

Stay on top of your account with customized account alerts in Rockland Trust Online and Mobile Banking. Set alerts for balance notifications, account activity, login attempts, important date reminders and so much more. To get started, click on the Alerts tab in online and mobile banking.

PROMO MUNI MMKT REDGATE ESTATES REALTY TRUST AND Acct 1068586

Beginning Balance	9/01/20	13,054.16	
Deposits / Misc Credits	1	.42	
Withdrawals / Misc Debits	0	.00	
** Ending Balance	9/30/20	13,054.58	**
Service Charge		.00	
Interest Paid		.42	
Interest Paid Year To Date		6.11	
Annual Percentage Yield Earned		.04%	
Number of Days for A.P.Y.E.		30	
Average Balance for A.P.Y.E.		13,054.16	

----- Posted Transactions -----

Date	Activity Description	Deposits	Withdrawals	Balance
9/30	INTEREST EARNED	.42		13,054.58



**Teng Solutions, LLC
1006 Winding River Lane
Phoenixville, PA 19460**

November 4, 2020

SENT VIA EMAIL TO SACHILDS@TOWNOFMEDWAY.ORG AND VIA USPS FIRST CLASS MAIL

Town of Medway Planning & Economic Development Board
Attention: Susan E. Affleck-Childs, Planning & Economic Development Coordinator
155 Village Street
Medway, MA 02053

Dear Ms. Affleck-Childs:

I am writing on behalf of Red Gate Estates Realty Trust, the developer of the Red Gate Estates subdivision located between Holliston Street and Lovering Street. I have received Mr. Rodenhiser's letter of November 2, 2020 and offer the following responses to the portions that are italicized below:

Aside from the expected wear and tear and the absence of any ongoing maintenance in 30+ years, the DPW identified that the stormwater drain line installation in the roadway at 19 Bramble was set too high.

Response: Regardless of DPW's estimation in 2020, all work was inspected and approved at the appropriate time, during construction, by the Town's consulting Professional Engineer. Please refer to the attached "Inspector's Record of Work Progress" of July 23, 1992. This report clearly indicates that the "drain pipes, manhole & catch basins" were duly inspected, found to be properly installed, and were "OK to backfill," per the Town's consulting Professional Engineer. As you know, the Town would not permit backfilling and paving had infrastructure been installed improperly.

It is significant that no complaint with respect to this structure was lodged by the Town until July of 2016. It is preposterous to think that the structure was installed improperly, higher than the surrounding asphalt, yet the defect went unnoticed for nearly a quarter of a century.

We also note that Red Gate Estates Realty Trust owns 2 Redgate Drive, shown as Lot-1 on the Red Gate Estates Subdivision Plan; the parcel is approximately 62,944 square feet in area and contains a stormwater basin. The Medway Treasurer/Collector has notified the Board that real estate taxes are owed on that parcel; the outstanding amount is \$9,367.44...

Despite the opinion of the Town Treasurer / Collector, according to the developer's counsel, the Town has no authority to withhold the release of the performance bond due to purported back taxes.

Lot-1 is entirely encumbered by wetlands replication and a stormwater management detention pond and appurtenances. It has always been expected that this land would be conveyed to the Town as part of the road acceptance. The developer is prepared to do so, and pursuant to M.G.L. Chapter 60, Section 77C, the Town has the ability to accept a deed in lieu of foreclosure.

Overall, it is important to remember that acceptance of Red Gate Estates is still a Board topic in 2020 because a disgruntled abutter filed a frivolous lawsuit decades ago. According to the Town's verbal and written guidance since then, that litigation was the only obstacle in the way of road acceptance. As the lawsuit was dismissed over a year ago, I again renew the developer's request for the Town to fulfill its obligation to the developer by releasing the bond and to the residents of Red Gate Estates by finally accepting the subdivision.

Sincerely,

A handwritten signature in black ink, appearing to read 'Michael Bruce', with a long, sweeping horizontal line extending to the right.

Michael Bruce, PE
Manager

cc via USPS: Red Gate Estates Realty Trust

**TOWN OF MEDWAY, MA
PLANNING BOARD**

P. M. P. ASSOCIATES
CIVIL ENVIRONMENTAL ENGINEER
76 ASHLEY DR., E. BRIDGEWATER, MA 02333
TELEPHONE 508 - 378 - 4519

**INSPECTOR'S RECORD OF
WORK PROGRESS**

DATE: 7-23-92

M T W (TH) F SA

PROJECT NAME: Redgate Estates
CONTRACTOR: _____

SUMMARY OF

CONSTRUCTION: Drain pipes, Manhole & catch
basins installed on stub road. Trench
left open for today's review. Ok to
backfill.

Reviewed sidewalk grades w/ J. Bruce. Sidewalks
are to pitch toward gutterline. Side slopes beyond
sidewalk will have to be adjusted.

Bit. Conc. Binder to be cut back at radius and
gravel placed where roadway base not
constructed.

Slope granite curbing expected next week

DIAGRAMS:

PLANNING BOARD AGENT: Michael Perreault PAGE 1 OF 1

CC: PLANNING BOARD
J. Bruce

DEPT. OF PUBLIC SERVICES

Redgate Subdivision – DPW notes (July 14, 2020)

Redgate Dr

The road asphalt is in very poor condition, which is not unusual for a road that is over 30 year old.

Sidewalks in fair condition. Drainage looks like it was installed correctly.

Briar Ln

The road asphalt is in very poor condition. Sidewalks in fair condition, Drainage installed correctly.

Field Rd.

The section road from Briar Ln around the circle is in good condition. The section from Briar Ln to Howe St is in poor condition. Sidewalks in fair condition.

Drainage looks like it was installed correctly.

Fern Rd.

The road and sidewalks are in fair condition, showing its age. Drainage looks like it was installed correctly.

Bramble Rd.

The road and sidewalks are in fair condition, showing its age.

The drainage at the end of Bramble appear to have been installed too high. The catch basins in front of number 19 are above the asphalt. They have a 4" frame and grate set on the top of the structure. The outlet pipe are about 12" below the top of the frame. With all the water not entering the catch basin we have had flooding problems.

The subdivision is 30+ years old and is showings its age. Other than the drainage on Bramble Rd. the normal wear and tears, everything else seems to be fine.

Thank You,

Jack Tucker, Highway Superintendent

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Plan 02500
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COVENANT WITH PLANNING BOARD
TOWN OF MEDWAY

KNOW ALL MEN BY THESE PRESENTS that Paul Wilson of 81 Lovering Street, Medway, Norfolk County, Massachusetts, has submitted an application dated October 14, 1986 to the Planning Board of the Town of Medway concerning property located west of Holliston Street and showing Twenty-eight (28) proposed lots and entitled Red Gate Estates by H20 Engineering Consulting Assoc., Inc., dated October 14, 1986, and has requested the said Board to approve such plan without requiring a performance bond in accordance with the provisions of General Laws, C. 41, Section 81U, as amended.

NOW, THEREFORE, THIS AGREEMENT WITNESSETH that in consideration of the Planning Board of the Town of Medway approving said plan without requiring a performance bond, and in consideration of One Dollar, in hand paid, the receipt of which is hereby acknowledged, the undersigned hereby covenants and agrees with the Town of Medway, as follows:

1. The undersigned will not sell any lot in the subdivision or erect or place any permanent building on any such lot until the construction of the ways and municipal services necessary to serve adequately such lot has been completed in the manner specified in the approval of the said subdivision plan and the application therefore; provided, that a mortgagee who acquires title to the mortgaged premises by foreclosure or otherwise and any succeeding owner of such premises or part thereof may sell any such lot, subject to that portion of the covenant which provides that no lot shall be built upon until such ways and services have been provided to serve such lot; and provided, further that nothing herein shall be deemed to prohibit a conveyance by a single deed, subject to such covenant, of either the entire parcel of land shown on the subdivision plan or of all lots not previously released by the Planning Board. A deed of any part of the subdivision in violation hereof shall be voidable by the grantee prior to the release of the covenant not later than three years from the date of such deed.

2. The undersigned agrees that all requirements of the Subdivision Control Law and applicable Rules and Regulations of the Planning Board of the Town of Medway shall be complied with, except for those terms, conditions and provisions which have been specifically waived by the said Planning Board, each of which is shown on the plan referred to hereinabove.

RECEIVED-RECORDED
OCT 16 - 3 PM '86

RECEIVED PLAN 10-13-1987 PM 3:54

P. 21. Vol. 8841 P. 602 (1-28 incl) Rechecked
Rechecked Vol. 8776 P. 311
See Vol. 8844 P. 483
Per Vol. 8844 P. 483

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85

3. The undersigned further agrees:

COPY

a. That the roadway shall be constructed as detailed on said plan.

4. The Planning Board hereby waives the requirement of two sidewalks; one sidewalk to be constructed as directed by the field supervisor for the Town of Medway. The Planning Board waives the requirement for bituminous berm and will permit the installation of a Cape Cod berm.

5. This agreement shall be binding upon the executors, administrators, devisees, heirs, successors, and assigns of the undersigned.

6. The Planning Board hereby waives the road turnaround requirement as stated in the rules and regulations, between Lots 2 and 3 and Lots six and five as shown on said plan.

7. The Planning Board hereby waives the minimum curb radius at the point of intersection on Holliston Street to the dimensions and radius detailed on the said plan.

8. The undersigned agrees that the roads designated A, B and C on said plan will be constructed from Holliston Street and road D from Howe Street.

9. The undersigned agrees that wiring provisions consisting of hand holes will be provided for five (5) lights at the 90° intersection shown on said plan.

10. The undersigned agrees that the detention ponds designated on said plan will be constructed prior to road and drainage construction.

11. The undersigned agrees to block off one of the 15" drainage outlets at the Howe Street end of the subdivision as shown on said plan. The pipe to be blocked is to be determined by inspection of said pipes and is to be based upon the condition of said pipes.

It is the intention of the undersigned and it is hereby understood and agreed that this Contract shall constitute a covenant running with the land included in the foresaid subdivision and operate as restrictions upon said land.

86

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It is understood and agreed that the lots within the subdivision shall, respectively, be released from the foregoing conditions upon the recording of a Certificate of Performance executed by a majority of said Planning Board and enumerating the specific lots to be so released.

IN WITNESS WHEREOF, the undersigned, applicant as aforesaid, and the Planning Board of the Town of Medway, set their hands and seals this 13 day of January 1987.

Paul Wilson
PAUL WILSON, Applicant

Alfred Horn

William Rombaldi

Gregory L. F.

Jim Ruyter

James J. Brodeur
Planning Board Town of Medway

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS

Then personally appeared the above-named and acknowledged the foregoing instrument to be their free act and deed, before me

John A. Ruyter
Notary Public
My Commission expires: 2/6/87

RECORDED
NORFOLK COUNTY REGISTRY OF DEEDS
BEDFORD, MA.
BOOK 8732 PAGE 1
ATTEST: *Barry F. Nathan*
BARRY F. NATHAN, REGISTRAR

71343

PLANNING BOARD RULES AND REGULATIONS

GOVERNING SUBDIVISION OF LAND

TOWN OF MEDWAY COMMONWEALTH OF MASSACHUSETTS

Medway, Mass. August 15 1990

A true copy of the record.

Attest: *Corinne M. O'Callaghan*
Town Clerk

Official Publication

NOV 28 1972

As revised, effective October 17, 1973

Adopted under the Subdivision Control Law
Sections 81K to 81GG inclusive, Chapter 41 of the General Laws

RECEIVED RECORDED
NORFOLK COUNTY
9:00 a.m.
SEP - 4 1990

MEDWAY PLANNING BOARD RULES AND REGULATIONS

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EXHIBIT A

A True Copy
Attest: MaryJane White
Town Clerk Medway

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PURPOSE
(Section 81-M of Chapter 41, G.L.)

"The subdivision control law has been enacted for the purpose of protecting the safety, convenience and welfare of the inhabitants of the cities and towns in which it is, or may hereafter be, put in effect by regulating the laying out and construction of ways in subdivisions providing access to the several lots therein, but which have not become public ways, and ensuring sanitary conditions in subdivisions and (in proper cases) in parks and open areas. The powers of a planning board and of a board of appeal under the subdivision control law shall be exercised with due regard for the provision of adequate access to all of the lots in a subdivision by ways that will be safe and convenient for travel; for lessening congestion in such ways and in the adjacent public ways; for reducing danger to life and limb in the operation of motor vehicles; for securing safety in the case of fire, flood, panic and other emergencies; for insuring compliance with the applicable zoning ordinances or by-laws; for securing adequate provision for water, sewerage, drainage and other requirements where necessary in a subdivision; and for coordinating the ways in a subdivision with each other and with the public ways in the city or town in which it is located and with the ways in neighboring subdivisions."

SECTION 1
AUTHORITY

Under the authority vested in the Planning Board of the Town of Medway by Section 81-Q of Chapter 41 of the General Laws, said Board hereby adopts these revised rules and regulations governing the subdivision of land in the Town of Medway. Such rules and regulations shall be effective on and after October 17, 1973.

71-8

SECTION 11
GENERAL INFORMATION

A. DEFINITIONS

"Subdivision" shall mean the division of a tract of land into two or more lots, shall include resubdivision and, when appropriate to the context, shall relate to the process of subdivision of the land or territory subdivided; however, the division of a tract of land into two or more lots shall not be deemed to constitute a subdivision within the meaning of the subdivision control law if, at the time it is made, every lot within the tract so divided has frontage under one of the following conditions:

1. It is on a public way.
2. It is on a way shown on a plan theretofore approved in accordance with the subdivision control law.
3. It is on a way in existence when the subdivision control law became effective in the Town of Medway having, in the opinion of the Planning Board, sufficient width, suitable grades, and adequate construction to provide for the needs of vehicular traffic in relation to the proposed use of the land abutting thereon or served thereby and for the installation of municipal services to serve such land and the buildings erected or to be erected thereon.

"Board" shall mean the Planning Board of the Town of Medway.

B. PLAN BELIEVED NOT TO REQUIRE APPROVAL

Any person who wishes to cause to be recorded in the Registry of Deeds or to be filed with the Land Court, a plan of land and who believes that his plan does not require approval under the subdivision control law, may submit his plan and application (see Figure 1, Appendix) to the Planning Board accompanied by the necessary evidence to show that the plan does not require approval. Said person shall file, by delivery or registered mail, a notice with the Town Clerk stating the date of submission for such determination accompanied by a copy of said application.

If the Board determines that the plan does not require approval, it shall, without a public hearing and within 14 days of submission, endorse on the plan the words "Planning Board approval under subdivision control law not required." Said plan shall be returned to the applicant and the Board shall notify the Town Clerk of its action. Three copies of said plans shall be left with the Planning Board.

If the Board determines that the plan does require approval under the subdivision control law, it shall, within 14 days of submission of said plan, so inform the applicant and return the plan. The Board shall also notify the Town Clerk of its determination.

C. SUBDIVISION

No person shall make a subdivision within the meaning of the subdivision control law of any land within the Town of Medway or proceed with the improvement or sale of lots in a subdivision, or the construction of ways, or the installation of municipal services therein, unless and until a Definitive Plan of such subdivision has been submitted to and approved by the Planning Board as hereinafter provided.

SECTION III
PROCEDURE FOR THE SUBMISSION AND APPROVAL OF PLANS

A. PRELIMINARY PLAN

1. General

A Preliminary Plan of a subdivision may be submitted by the subdivider for discussion and approval by the Board. The submission of such a Preliminary Plan will enable the subdivider, the Board, and other municipal agencies and owners of property abutting the subdivision to discuss and clarify the problems of such subdivision before a Definitive Plan is prepared. Therefore, it is strongly recommended that a Preliminary Plan be filed in every case (see Figure 2, Appendix).

2. Contents

The Preliminary Plan shall be drawn at a suitable scale and 10 prints shall be filed at the office of the Board. Said Preliminary Plan should show sufficient information about the subdivision to form a clear basis for discussion of its problems and for the preparation of the Definitive Plan. Such information will include major site features trees, rock ridges and outcroppings, swamps, and water bodies, and existing topography as required, together with the information required by items A to D, inclusive, of Section III B 2 (Contents of Definitive Plan). During discussion of the Preliminary Plan, the complete information required for the Definitive Plan (Section III B2, Contents) and the financial arrangements (Section III B3, Performance Guarantees) will be developed.

A copy of the Preliminary Plan shall be sent to the Board of Selectmen, the Town Counsel, the Board of Health, the Highway Department, the Sewer Commissioners and the Conservation Commission within seven days after the plan has been filed with the Town Clerk. Comments from the above mentioned Town Officials received within 45 days after the date the plans have been filed will be considered by the Planning Board when approving, altering or disapproving the Preliminary Plan. Failure to receive comments, in writing, from the above mentioned Town Officials may be considered as approval of these plans by these Officials.

- (a) The developer shall request, upon submission of Preliminary Plans to the Planning Board, that the Conservation Commission make a determination as to the applicability to the Wetland Protection Act (131-40) and to all Town Wetland and Flood Plain ordinances as applied. No alteration of the proposed development shall be undertaken until the Conservation Commission has made their determination.

- (b) The applicant has the responsibility and obligation to indicate to the best of his ability the location of wetland areas within the building site.

3. Approval

The Planning Board may give such Preliminary Plan its approval, with or without modification. Such approval does not constitute approval of a subdivision but does facilitate the procedure in securing final approval of the Definitive Plan. The Provisions of paragraph 81-9 of Chapter 41 of the General Laws shall govern the submission and approval or disapproval of such a plan.

Notification of the actions of the Board in respect to such plan shall be filed with the Town Clerk and sent by delivery or registered mail to the applicant (see Figure 3, Appendix).

B. DEFINITIVE PLAN

1. General

Any person who submits a Definitive Plan of a subdivision to the Planning Board for approval shall file with the Board the following:

- (a) An original drawing of the Definitive Plan and ten contact prints thereof, dark line on white background. The original drawing will be returned after approval or disapproval.
- (b) A properly executed application (see Figure 4, Appendix).
- (c) A review fee, payable to the Town of Medway by certified check. Said fee shall be equal to the amount determined by multiplying the number of lineal feet (by center line) of proposed street(s) within the subdivision by the sum of (\$1.30). Twenty five percent of the fee shall be paid at the time of submission of the definitive plan and seventy five percent of the fee shall be paid at the time of approval of the plan, and prior to the signing of the plan by the Planning Board. The applicant shall file by delivery or registered mail a notice with the Town Clerk stating the date of submission for such approval accompanied by a copy of the completed application (Figure 4).
- (d) Definitive Plans shall specifically delineate all flood plains/wetlands as indicated by existing Town flood plain/wetland maps, as well as those specified as a result of onsite inspection by the Conservation Commission.

2. Contents

The Definitive Plan shall be prepared by an engineer or surveyor and shall be clearly and legibly drawn in black India ink upon tracing cloth. The plan shall be at a scale of 1 inch equal to 40 feet or such other scale as the Board may accept to show details clearly and adequately. Sheet sizes shall preferably not exceed 24X36 inches. If multiple sheets are used, they shall be accompanied by an index sheet showing the entire subdivision. The Definitive Plan shall contain the following information:

- (a) Subdivision name, boundaries, north point, date and scale.
- (b) Name and address of record owner, subdivider, and engineer or surveyor.
- (c) Names of all abutters as they appear in the most recent tax list.
- (d) Existing and proposed lines of streets, ways, lots, easements, and public or common areas within the subdivision. (The proposed names of proposed streets shall be shown in pencil until they have been approved by the Board.)
- (e) Sufficient data to determine the location, direction and length of every street and way line, lot line and boundary line, and to establish these lines on the ground.
- (f) Location of all permanent monuments properly identified as to whether existing or proposed.
- (g) Location names and present widths of streets bounding, approaching or within reasonable proximity of the subdivision.
- (h) Suitable space to record the action of the Board and the signatures of the members of the Board.
- (i) Existing and proposed topography with two feet contour intervals or as required by the Planning Board must be provided based on a field survey by a Registered Land Surveyor. All elevations shall be based on U.S. Geodetic Survey bench marks.
- (j) Profiles of the center lines, gutter lines, storm drainage including easements and sewerage lines of proposed streets at a horizontal scale of 1 inch to 4 feet, or such other scales acceptable to the Board. All elevation shall be based on U.S. Coast and Geodetic data.

- (k) Proposed layout of storm drainage, water supply, gas telephone, and electrical lines, and sewerage disposal systems.

3. Performance Guarantee

- (a) Final approval with bonds or surety.

Before approval of a Definitive Plan of a subdivision, the subdivider shall either file a performance bond (see Figure 7, Appendix) or deposit money or negotiable securities (see Figures 8 and 9, Appendix) in any amount determined by the Board to be sufficient to cover the cost of all or any part of the requirements specified in Section V, or follow the procedure outlined in "b" below. Such bond or security, if filed or deposited, shall be approved as to form and manner of execution by the Town Counsel and as to sureties by the Selectmen, and final release of such bond or surety shall be contingent on the completion of the required installations within 1 year of the date of the bond or surety.

- (b) Final approval with conditions.

Instead of filing a bond or depositing surety, the subdivider may request approval of his Definitive Plan on condition that no lot in the subdivision shall be sold and no building shall be erected thereon until the installations specified in Section V are completed so as to serve the lots adequately (see Figure 10, Appendix). Such conditions shall be endorsed upon the plan or contained in a separate vote or agreement which shall be referred to on the plan and recorded in the Registry of Deeds. When the subdivider has completed the requirements specified in Section V for any lots in a subdivision, he may request a Release of Conditions for said lots. If the installations have been completed to the satisfaction of the Board, the Board will then execute and deliver to the subdivider such release (see Figure 11, Appendix) which shall be in form for recording in the Registry of Deeds. Thereafter, the conditions relating to such lots so released shall terminate.

4. Review by Board of Health as to Suitability of the Land

The Planning Board shall within 10 days after submission of a plan to it consult with the Board of Health (see Figure 13, Appendix). If the Board of Health is in doubt as to whether any of the land in the subdivision can be used as building sites without injury to the public health, it shall so notify the Planning Board in writing within 35 days. Any approval of the plan by the Planning Board shall then only be given on condition that the lots or land as to which such doubt exists shall not be built upon without prior consent of the Board of Health, and shall endorse on the plan such condition, specifying the lots of land to which said condition applies.

- (a) A copy of the Definitive Plan shall be forwarded to the Town Counsel, the Board of Health, the Highway Department, the Fire Department, the Water Department, the Sewer Commissioners, and the Conservation Commission within seven days after the plan is filed with the Town Clerk. A review of the Definitive Plan from the Board of Health, the Sewer Commissioners and the Conservation Commission must be received in writing as to whether or not it meets their approval or disapproval.

5. Public Hearing

Before approval of the Definitive Plan is given, a public hearing shall be held by the Planning Board. Notice of such hearing shall be given by the Board at the expense of the applicant first causing notice of the time and place of the hearing and subject matter sufficient for identification to be published in a newspaper of general circulation in the Town of Medway once in each of two successive weeks, the first publication being not less than 14 days before the day of such hearing. The applicant shall file with the Planning Board a list of abutters (see Figure 6, Appendix). The Planning Board shall mail copies of said notice of public hearing to the applicant and to all owners of land abutting upon the subdivision as appearing in the most recent tax list.

6. Certificate of Approval

Notification of the action of the Board in respect to such plan shall be filed with the Town Clerk and sent by delivery or registered mail to the applicant (see Figure 5, Appendix). If the Board modifies or disapproves such plan, it shall state in its vote the reasons for its action. Final approval, if granted, shall be endorsed on the original drawing of the Definitive Plan by the signatures of a majority of the Board, but not until the statutory 20-day appeal period has elapsed following the filing of the certificate of the action of the Board with the Town Clerk and said Clerk has notified the Board that no appeal has been filed. Within 7 days after the Definitive Plan has been approved and endorsed, the applicant shall furnish copies in accordance with Figure 18, Appendix. Final approval of the Definitive Plan does not constitute acceptance by the town of streets within a subdivision.

C. AS-BUILT PLANS

Upon the completion of the required installations as specified in Section V, the linen master of the certified as-built plans shall be furnished to the Planning Board by the developer as follows before the release of the covenant and/or surety or bond held under agreement between the developer and the Planning Board as assurance of satisfactory completion of a subdivision development.

1. A profile view of all drainage and sewerage system features, water, gas, electric, and telephone lines, as well as roadway details including center-line elevations and both gutter elevations at 50-foot stations.

2. A plan view of all existing drainage and sewerage system features, curbing, sidewalks, survey monuments, water and gas lines and valves, hydrants, telephone and electric lines and pedestals, and electric transformers.

D. RESCISSION

Failure of a developer to record a Definitive Plan within six months after the Planning Board endorsement of the definitive plan shall constitute sufficient reason for rescission of approval.

When no construction of roads and buildings has taken place in an approved subdivision five years after endorsement by the Planning Board, the endorsement may be rescinded with no damages applicable to the Town of Medway or to the members of the Planning Board in accordance with the requirements of Chapter 41, Section 81 W of the General Laws.

Rescission may take place following a majority vote of the Planning Board.

SECTION IV DESIGN STANDARDS

A. RUN-OFF STUDIES

To establish drainage parameters, a surface-water runoff study shall be required for any subdivision. (Run-off in industrial areas could be greater than in residential areas).

B. STREETS

1. Location and Alignment

- (a) All streets in the subdivision shall be designed so that, in the opinion of the Board, they will provide safe vehicular travel. Due consideration shall also be given by the subdivider to the attractiveness of the street layout in order to obtain the maximum livability and amenity of the subdivision.
- (b) Provision satisfactory to the Board shall be made for continuity and alignment with existing streets as far as practicable for the proper projection of streets, or for access to adjoining property which is not yet subdivided.
- (c) Reserve strips prohibiting access to streets or adjoining property shall not be permitted except where, in the opinion of the Board, such strips shall be in the public interest.
- (d) Street jogs with center-line offsets of less than 125 feet should be avoided.
- (e) The minimum center-line radii of curved streets shall be 100 feet. Greater radii may be required for principal streets.
- (f) Streets shall be laid out so as to intersect as nearly as possible at right angles. No street shall intersect any other street at less than 60 degrees.
- (g) Property lines at a street intersection shall be rounded or cut back to provide for a curb radius of not less than 40 feet on streets of 45-foot or 50-foot widths. Streets in Industrial Districts shall be 60 feet wide and shall have at least 60-foot curb radius at intersections.

2. Width

The minimum width of street rights-of-way shall be 50 feet except that the Board in its discretion may approve a width of not less than 45 feet. In areas zoned for industry, the minimum street rights-of-way shall be 60 feet. Greater widths shall be required by the Board when deemed necessary for present and future vehicular traffic.

3. Grades

Grades of streets in residential districts shall be at least 1.0% and not more than 6.0% for principal streets nor more than 10.0% for secondary streets. In Industrial Districts, grades shall be at least 1.0% and not more than 7.0%. The slope of any road grades of intersections shall be limited to a maximum of 3.0% for a distance of 100 feet in any direction. There shall be a principal street or streets in all districts one of which shall enter the subdivision from an existing town way and which shall have a grade of not more than 6.0% at any point and which shall provide access to all other streets within the subdivision.

4. Dead-End Streets

Dead-end streets shall not be longer than 400 feet unless, in the opinion of the Board, a greater length is necessitated by topography or other local conditions. Dead-end streets shall be provided with a turn-around having a roadway center-line diameter of at least 100 feet and a property-line diameter of at least 150 feet.

5. Street Names

No street shall be given a name similar to or already borne by an existing street in the Town of Medway.

6. Street Signs

Permanent street signs of an acceptable design shall be erected at locations indicated by the Planning Board. Such street signs shall be erected within 10 days of application of the finished street surface. At the start of foundation, temporary street signs shall be erected at the intersections of new streets with Town-accepted streets.

7. Shade Trees

Wherever feasible, shade trees with trunks 12 inches in diameter or larger shall not be removed. Where, in the opinion of the Planning Board, existing woodlands or suitable individual trees are not retained, at least two trees with trunks that are 2 inches in diameter or larger, of a species approved by the Tree Warden, shall be planted on each lot in the subdivision. Trees shall be placed 5 feet from the street lines.

C. EASEMENTS

1. Easements for utilities and/or drains across lots or centered on rear or side lot lines shall be provided where necessary and shall be at least 20 feet wide.

2. Where a subdivision is traversed by a water course, drainage way, channel, stream, or brook, the Board shall require that there be provided a storm water easement or drainage right-of-way of adequate width and length to provide for construction or other necessary purposes. A profile view of all such easements shall be presented to the Planning Board for approval.

3. When a new roadway in a subdivision intersects with a public way having approval-not-required lots on either side of the proposed roadway, easements in the name of the Town of Medway shall be obtained for a 20-foot strip of said lots along the edge of the new roadway for grading purposes.

D. OPEN SPACES

Before approval of a plan, the Board may also in proper cases require the plan to show a park or parks suitably located for playground or recreation purposes or for providing light and air. The park or parks shall not be unreasonable in area in relation to the land being subdivided and to the prospective uses of such land.

E. PROTECTION OF NATURAL FEATURES

Due regard shall be shown for all natural features, such as large trees, water courses, scenic points, historic spots, and similar community assets.

F. FLOOD PLAIN AREAS

To minimize damage to property or hardship to property owners, the following requirements shall be met with respect to the flood plain areas identified on the present "Flood Plain/Wetland Protection District Map" dated 1975, Medway, Mass.

1. The subdivision plan must show the extent of the flood plain in the proposed subdivision including floodway limits or encroachment lines.

2. Relocation, removal, or addition of fill in the channel or floodway that would restrict flow or reduce floodway area is prohibited.

3. The center lines of subdivision roads shall be 1 foot above the elevation of the indicated maximum flood level for the respective location as shown in the Flood Plain Information Report.

4. The lowest foundation floor elevation of any building shall be 1 foot above the indicated maximum flood level. There shall be a positive downward slope in the grade of the land from the foundation in all directions, including the slope to street level, of not less than 2-4 inches for a horizontal distance of 10 feet as specified in the Federal Housing Administration standard entitled "Minimum Property Standards for One and Two Living Units."

SECTION V
CONSTRUCTION STANDARDS
(See Figures 19 and 20 in Appendix.)

A. STREETS AND ROADWAYS

1. The entire area of each street or way shall be cleared of all stumps, brush, roots, boulders, like materials, and all trees not intended for preservation. All loam, subsoil, peat, and other yielding material shall be removed from the right-of-way area of each street or way.

2. The center of said traveled way shall coincide with the center of the full right-of-way insofar so possible. Said way shall be bordered with shoulders of adequate design.

3. Each street shall be brought to a finish grade as indicated on the final plan, and as shown on profiles of street and sidewalk designs of the Planning Board. Laying of pipes or paving of a roadway shall not be permitted if there is frost in the ground. The top 12 inches of said traveled way shall consist of good binding gravel or better with no stone more than 4 inches in diameter applied in two layers of at least 6 inches each, with each layer wet and rolled with a roller having a compaction weight of not less than 220 pounds per square inch. In areas where there is a preponderance of clay in the soil mixture, as determined by the Planning Board Field Representative, the top 18 inches of said traveled way shall consist of good binding gravel or better with no stone more than 4 inches in diameter applied in three layers of 6 inches each, with each layer wet and rolled with a roller having a compaction weight of not less than 220 pounds per square inch.

4. The roadway shall be paved to a thickness of 2- $\frac{1}{4}$ inches, but for industrial area roads to a thickness of 3 inches, compacted with two coats of Class 1 bituminous concrete pavement, Type 1-1, each course 1- $\frac{1}{4}$ inches thick, or 1- $\frac{1}{2}$ inches thick for industrial area roads. The aggregate shall be composed, mixed and laid hot in two courses as specified in the "Massachusetts Public Works Specifications, Section B-18 for Class 1 Bituminous Concrete Pavement" as specifically set forth in Sections 818.10 to 818.22.

B. DRAINS (See Figures 19 and 20, Appendix)

1. Suitable provisions must be made in the plan for a drainage system for the disposal of all surface water on lots and streets. All springs or subsurface water discovered during construction must be brought to the attention of the Planning Board or its Field Representative. If springs or subsurface water will cause conditions that would be damaging to a lot or roadway, suitable provisions for drainage must be made. Streets shall be brought up to subgrade before any drains and utilities are installed. All drains shall be installed

under the sideline strips, outside of the roadway, as designated by the Planning Board. All drainage systems shall be flushed and cleaned by the developer before completion of a project and its acceptance by the Planning Board.

2. Storm drains, culverts and related installations, including catch basins, gutters and manholes, shall be installed within or without the subdivision as necessary to permit unimpeded flow of all natural watercourses, to ensure adequate drainage of all low points along streets, and to intercept storm water runoff along streets in catch basins at intervals not exceeding 300 feet but still related to the extent and grade of the area drained. Storm drains and culverts shall be no less than 12 inches in inside diameter and shall be of greater size when required by the Board. All pipe shall be of reinforced concrete. The fill material shall be rammed and compacted around the pipe as laid for a depth of 1 foot over them, before completing the filling. At least 2- $\frac{1}{4}$ feet of cover shall be provided. Catch basin grates shall be so constructed that the length of the opening in the direction of travel shall not exceed 4 inches nor a width of 1- $\frac{1}{4}$ inches.

All pipes are to have joints cemented except where, in the opinion of the Planning Board Representative, subservice drainage is necessary; then said drain pipes shall be laid with open joints surrounded with a layer of 1- $\frac{1}{4}$ inch washed stone at least 6 inches thick and the trenches for said drains shall be back-filled with clean gravel. If the amount of ground water encountered is of such quantity as to necessitate the use of drain pipes of a larger size than called for in the original storm drainage plans, the required adjustments in size shall be made to handle the additional water. The size of the pipe to be used in a particular area should be arrived at by the use of formula. The Burklit-Zeigler or rational runoff formula for rainfall should be used.

Concrete headwalls shall be constructed at the open ends of any drainpipes. These head walls shall be of the shape and size directed by the Planning Board. If brooks or tributary ditches are left open within the development they shall be shaped to a cross section and gradient acceptable to the Planning Board Representative.

3. Manholes shall be provided at intervals not more than 400 feet apart and at every change in direction and grade of the pipe, and the drain between manholes shall be laid in a straight line and on grade. Maximum spacing of catch basins shall be 300 feet unless otherwise approved by the Planning Board. Catch basins shall not have less than a 3-foot sump, measuring from the invert on the outlet pipe. Details of catch basins, manholes, and curb inlets are shown in Figure 20.

4. Lot Drainage

Lots shall be so graded as to prevent low spots that will not drain. If low spots are unavoidable, they shall be drained by

D. SIDEWALKS

1. The installation of bituminous concrete sidewalks shall be carried out in accordance with the following specifications and in reasonably close conformity with the lines and grades shown on the plans or established by the Planning Board Field Representative.

2. Sidewalks of not less than 5 feet, 6 inches in width shall be constructed on both sides of all streets, or as otherwise specified by the Planning Board.

3. There shall be a grass strip of 3- $\frac{1}{2}$ or 4 feet in width, depending on the width of the roadway (see Figure 19 in Appendix) between the outer edge of each sidewalk and the roadway berm unless otherwise specified by the Planning Board.

4. Construction

- (a) The subgrade for the sidewalks shall be shaped parallel to the proposed surface of the walks and shall be thoroughly compacted. All depressions occurring shall be filled with suitable material and again compacted until the surface is smooth and hard.
- (b) A foundation of finely graded gravel with no stone more than 2 inches in diameter shall be applied after the subgrade has been prepared. After being compacted thoroughly, the foundation shall be at least 8 inches in thickness and parallel to the proposed surface of the walk. The foundation shall be at least 12 inches in thickness where there is a preponderance of clay in the soil mixture as determined by the Planning Board Field Representative.
- (c) The bituminous concrete walk surface shall be laid in two courses to a depth after rolling of 2- $\frac{1}{2}$ inches. The bottom course shall be 1- $\frac{1}{2}$ inches in thickness, and its surface after rolling shall be parallel to the proposed grade of the finished surface. The top course shall be 1- $\frac{1}{4}$ inches in thickness after rolling.

Unless otherwise directed, the walk shall have a pitch toward the berm 3/16 inch per foot of width to provide for proper drainage.

- (d) The surface shall be rolled with a self-propelled tandem roller weighing not less than 1- $\frac{1}{2}$ tons and not more than 5 tons. In places inaccessible to a power roller, compaction shall be obtained by means of mechanical rammers or by hand tampers weighing not less than 50 pounds and having a tamping face not exceeding 100 square inches.

means of drain pipes and catch basins connected to the nearest street drains, and necessary easements shall be provided. Reinforced retaining walls of concrete, stone, brick, or other suitable material satisfactory to the Planning Board, shall be constructed outside the street lines of a development where the final grade of the exterior street lines is above or below the grade of the adjacent land as the case may be, to a height designated, by said Board, if, in the opinion of the Board, such retaining walls are necessary for the public interest and the safety and protection of the abutters or the general public. The area outside the street lines of a development shall be sloped at the rate of 2 to 1 (2 feet horizontally to 1 foot vertically) to a point where it precisely coincides with the surrounding ground or the abutters' lawns or property. Six inches of loam shall be the minimum cover on all slopes. Slopes shall be seeded and rolled in the same manner as in grass plots. If ledge, the slope ratio shall be 1 foot horizontally to 4 feet vertically or as the Board may designate for the safety of the Public.

Buildings to be constructed on land subject to seasonal flooding, shall be built to an elevation recommended by the Planning Board Field Representative.

C. UTILITIES

1. Water pipes and related equipment, such as hydrants and main shutoff valves, shall be constructed to serve all lots on each street in the subdivision in conformity with specifications of the Medway Water Board.

- (a) Sewage pipes shall be laid to provide service to all lots on each street in a sub-division in conformity with specifications of the Medway Sewer Commissioners as put forth in their book entitled, "Rules and Regulations Concerning Sanitary Sewers". Volume 1, dated July 1, 1977 and any amendments added hereafter.

2. Planning Board inspections shall be performed at each phase during the installation of drainage, sewer and water systems and under no circumstances shall back-filling commerce without permission of the Inspector. The same notification in writing must be given the Field Representative as that required in Paragraph VI-C-1 under Inspections.

3. All utilities shall be installed under the sideline strips, outside of the roadway, and, all underground electrical wiring installed within the lots shall be placed in rigid conduit approved for the purpose, as designated by the Planning Board.

(e) When tested with a 10-foot strightedge placed parallel to the center line of the courses there shall be no deviation from a true surface in excess of $\frac{1}{4}$ of an inch.

5. Inspection shall be performed by the Planning Board Field Representative after subgrades have been shaped and compacted, after gravel has been placed and compacted, and during the laying of each course of bituminous concrete.

E. CURBINGS

Granite curbings shall be installed along the entire radius of all street intersections. Granite curbing inlets shall be installed at each catch basin. Machine-formed asbestos-fibered bituminous concrete curbings shall be installed along all portions of the roadway-gutter except where granite curbings are required.

F. MONUMENTS

Monuments shall be installed at all street intersections, at all points of change in direction or curvature of streets and at other points where, in the opinion of the Board, permanent monuments are necessary. Such monuments shall be 6x6x42 inches with finished top and drill hole in the center. No permanent monuments shall be installed until all construction which would destroy or disturb the monuments is completed.

G. FIRE ALARM SYSTEM

A fire alarm system shall be installed within the limits of the subdivision, including exact location of fire alarm boxes as specified by the Chief of the Medway Fire Department. The Medway Fire Department shall be notified at least 3 days before the start of installations of any part of the fire alarm system.

SECTION VI ADMINISTRATION AND INSPECTION

A. VARIATION

Strict compliance with the requirements of these rules and regulations may be waived when, in the judgement of the Board, such action is in the public interest and not inconsistent with the Subdivision Control Law.

B. REFERENCE

For matters not covered by these rules and regulations, refer to Sections 81-K to 81-GG, inclusive, of Chapter 41 of the General Laws.

For purposes of reference and records, or for convenience in maintaining communications between the Planning Board and other Town boards regarding subdivision control matters, forms additional to those directly referenced in these Rules and Regulations are included in the Appendix.

C. INSPECTION

1. The Planning Board Field Representative shall be formally requested in writing, note in hand, at least 24 hours prior to each and every inspection. Inspections by the Planning Board shall be performed at least daily during all phases of construction. No further work may take place until completion and approval of previous inspection has been secured.

2. Failure to comply with the inspection procedure may necessitate removal of improvements at the expense of the applicant or rescission of the approval of the plan in accordance with Chapter 41, Section 81 W of the General Laws of Massachusetts.

SECTION VII
SCENIC ROAD REGULATIONS

A. GENERAL

Chapter 40 Section 15 C: Upon recommendation or request of the Planning Board, Conservation Commission or Historical Commission of any city or town may designate any road in said city or town, other than a numbered route or state highway, as a scenic road.

1. Town Meeting designated the following 23 roads as Scenic Roads at a Special Town Meeting on December 30, 1975:

1. Adams Street
2. Brigham Lane (Now Country Lane) from Main St. to Village St.
3. Causeway Street
4. Charles River Road
5. Ellis Street
6. Elm Street
7. Evergreen Street
8. Farm Street
9. Fisher Street
10. Franklin Street
11. Granite Street
12. Guernsey Street
13. High Street
14. Highland Street
15. Hill Street
16. Lincoln Street
17. Lovering Street from Winthrop St. to Summer St.
18. Oakland Street
19. Partridge Street
20. Pearl Street
21. Populatic Street
22. Walker Street
23. Wellington Street

2. After a road has been designated as a scenic road any repair, maintenance, reconstruction, or paving work done with respect thereto shall not involve or include the cutting or removal of trees or the tearing down or destruction of stone walls, or portions thereof, except with the prior written consent of the Planning Board, after a Public Hearing duly advertised twice in a newspaper of general circulation in the area, as to time, date, place, and purpose, the last publication to occur at least seven days prior to such hearing.

B. PROCEDURES

1. Filing

Any person or organization seeking the consent of the Planning Board under Section 15 C, Chapter 40 of the General Laws (The Scenic Roads Act) regarding the cutting or removal of trees or the tearing down or destruction of stone walls, or portions thereof, in connection with the repair, maintenance, reconstruction or paving work on Scenic Roads shall submit a request to the Planning Board, together with the following:

- (a) The text of a legal notice identifying the location of the proposed action in terms enabling readers to reasonably locate it on the ground without need for additional plots or references, and describing the proposed changes to trees and stone walls.
- (b) A list of the owners of land abutting the scenic road on which the proposed work is to be performed, and, if the proposed work is only for a section of a scenic road, a list of the owners of land abutting and within 100 feet of the section.
- (c) Except in the case of town agencies, a deposit sufficient for the cost of advertising and notification.
- (d) A plan and explanatory material found adequate by the Town Engineer to inform the Planning Board prior to the Public Hearing.

Notice of submittal shall be concurrently filed with the Town Clerk.

2. Notice

The Planning Board shall, as required by statute, give notice of its Public Hearing by twice advertising in a newspaper of general circulation in the area. The Board shall also send copies of that notice to the Selectmen, Conservation Commission, Historical Society, Medway Citizens for Conservation, Planning Board Field Representative, Tree Warden, Department of Public Works, and owners of property within 100 feet of the proposed action.

3. Timing

The Planning Board shall hold a Public Hearing within thirty days from the date on which notice of submittal is received by the Town Clerk, and shall make a decision within forty-five days of that receipt, unless a longer time is agreed to by the applicant.

APPENDIX
FORMS INDEX

4. Tree Warden

Whenever feasible, Planning Board Hearings shall be held in conjunction with those to be held by the Tree Warden acting under Chapter 87, General Laws. Consent to an action by the Planning Board shall not be construed as inferring consent by the Tree Warden or vice versa.

C. DEFINITIONS

In the absence of contrary meaning established through legislative or judicial action pursuant to Section 15 C, Chapter 40 General Laws, these terms contained in that statute shall be construed as follows:

"Road" shall mean a vehicular travelled way plus its necessary appurtenances within the right-of-way, including bridge structures, drainage system, retaining walls, traffic control devices, and sidewalks, but not intersecting streets or driveways.

"Cutting or removal of trees" shall mean the destruction of more than one tree trunk of diameter four inches or more measured one foot from the ground.

"Tearing down or destruction of stone walls" shall mean the destruction of more than fifteen linear feet of stone wall involving more than one cubic foot of wall material per linear foot above existing grade, but shall not be construed to include temporary removal and replacement at the same location with the same materials.

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FIGURE 1.

APPLICATION FOR ENDORSEMENT OF PLAN BELIEVED NOT TO REQUIRE APPROVAL

_____ 19__

To the Planning Board of the Town of Medway, Massachusetts.

The undersigned wishes to record the accompanying plan and requests a determination by said Board that approval by it under the Subdivision Control Law is not required. The undersigned believes that such approval is not required for the following reasons:

1. The division of land shown on the accompanying plan is not a subdivision because every lot shown thereon has the amount of frontage, area and depth required by the Medway Zoning By-law and is on a public way, namely, _____
2. The division of land shown on the accompanying plan is not a subdivision for the following reason(s): _____

3. The owner's title to the land is derived under deed from _____ dated _____, 19__, and recorded in Norfolk County Registry of Deeds, Book _____, Page _____ or Land Court Certificate of Title No. _____, registered in Norfolk County District Book _____, Page _____

Received by Town Clerk: _____ Applicant's signature _____
Date _____ Applicant's address _____
Time _____
Signature _____

Owner's signature and address if not the applicant

Date received by the Planning Board _____

FIGURE 2.

APPLICATION FOR APPROVAL OF A PRELIMINARY PLAN

_____ 19__

To the Planning Board of the Town of Medway:

The undersigned, being the applicant as defined under Chapter 41, Section 81-L, for approval of a proposed subdivision shown on a plan entitled _____

By _____ Dated _____
(being land bounded as follows: _____

hereby submits said plan as a Preliminary subdivision plan in accordance with the Rules and Regulations of the Town of Medway Planning Board and makes application to the Board for approval of said plan.

The undersigned's title to said land is derived from _____
by deed dated _____ and recorded in the Norfolk County Registry of Deeds, Book No. _____ Page No. _____ or Norfolk County Registry District of the Land Court. Certificate of Title No. _____ Book No. _____ Page No. _____

Received by Town Clerk: _____ Applicant's signature _____
Date _____ Applicant's address _____
Time _____
Signature _____ Owner's signature and address if not the applicant

Date received by the Planning Board _____

FIGURE 3

NOTIFICATION OF PLANNING BOARD ACTION ON PRELIMINARY PLAN

You are hereby notified that the Town of Medway Planning Board on this date has not approved/approved with the following modifications the preliminary plan entitled

as submitted on _____ by _____

The modifications required on this plan are:

Reasons for disapproval:

Medway Planning Board

cc. Town Clerk

A-4

FIGURE 4.

APPLICATION FOR APPROVAL OF DEFINITIVE PLAN

To the Planning Board of the Town of Medway
 The undersigned, being the applicant as defined under Chapter 41, Section 81-L for approval of a proposed subdivision shown on a plan entitled _____ by _____ dated _____ 19____ being land bounded as follows: _____

hereby submits said plan as a DEFINITIVE plan in accordance with the Rules and Regulations of the Town of Medway Planning Board and makes application to the Board for approval of said plan.

The undersigned's title to said land is derived from _____

by deed dated _____ and recorded in the Norfolk County District Registry of Deeds Book _____, Page _____, or registered in the Norfolk County Registry District of the Land Court, Certificate of Title No. _____; and said land is free of encumbrances except for the following: _____

Said Plan has/has not evolved from a preliminary plan submitted to the Board on _____, 19____ and approved with modifications/disapproved on _____, 19____.

The undersigned hereby applies for the approval of said DEFINITIVE plan by the Board, and in furtherance thereof hereby agrees to abide by the Board's Rules and Regulations. The undersigned hereby further covenants and agrees with the Town of Medway, upon the approval of said DEFINITIVE plan by the Board:

1. to install utilities in accordance with the Rules and Regulations of the Planning Board, the Water Department, the Highway Superintendent, the Board of Health, and all general as well as zoning by-laws of said Town, as are applicable to the installation of utilities within the limits of ways and streets;
2. to complete and construct the streets or ways shown thereon in accordance with Section V of the Rules and Regulations of the Planning Board and the approved DEFINITIVE plan, profiles and cross sections of the same. Said plan, profiles, cross sections and construction specifications are specifically, by reference, incorporated herein and made a part of this application. This application and the covenants and agreements herein shall be binding upon all heirs, executors, administrators, successors, grantees of the whole or part of said land, and assigns of the undersigned; and
3. to complete the aforesaid installations and construction within two (2) years from the date hereof.

Received by Town Clerk:

Date: _____

Time: _____

Signature: _____

Signature of Applicant _____

Address _____

Date received by the Planning Board _____

A-5

FIGURE 5.

NOTIFICATION OF PLANNING BOARD ACTION ON DEFINITIVE PLAN

You are hereby notified that the Planning Board of the Town of Medway on _____
has not approved/approved the Definitive Plan _____

as submitted on _____ by _____

Reasons for disapproval:

Medway Planning Board

cc: Town Clerk

A-6

FIGURE 8.

PERFORMANCE BOND SECURED BY DEPOSIT

Know all men by these presents that _____

hereby binds and obligates himself/itself/his/its executors, administrators, devisees, heirs, successors and assigns to the Town of Medway, a Massachusetts municipal corporation, in the sum of _____ Dollars, and has secured this obligation by the deposit with the treasurer of said Town of Medway of said sum in money or negotiable securities.

The condition of this obligation is that if the undersigned or his/its executors, administrators, devisees, heirs, successors and assigns shall fully and satisfactorily observe and perform in the manner and in the time herein specified, all of the covenants, conditions, agreements, terms and provisions contained in the application signed by the Principal and dated _____ 19____, under which approval of definitive plan of a certain subdivision, entitled _____

and dated _____, 19____ has been or is hereafter granted by the Town of Medway Planning Board, then this obligation shall be void; otherwise, it shall remain in full force and effect and the aforesaid security for said sum shall become and be the sole property of said Town of Medway as liquidated damages. IN WITNESS WHEREOF the undersigned has hereunto set his hand and seal this _____ day of _____, 19____.

Principal

By: _____
Title

A-9

FIGURE 9.

PERFORMANCE BOND SECURED BY BANK PASSBOOK¹

(Page 1 of 2)

AGREEMENT made this date between the Town of Medway and _____ 19__

KNOW ALL MEN by these presents that _____ of _____

hereby binds and obligates himself/his or its executors, administrators, devisees, heirs, accessors and assigns to the Town of Medway, a Massachusetts municipal corporation, in the sum of _____ Dollars, and has secured this obligation by the deposit with the Treasurer of the Town of Medway, Bank Book No. _____ drawn on the _____ Bank of _____ of _____ Dollars (all), _____ of said sum to be used to insure the performance by the obligor of all the covenants, conditions, agreements, terms and provisions contained in the application signed by _____ and dated _____ 19__, under which approval of a definitive plan of a certain subdivision entitled _____ and dated _____ 19__, has been or is hereinafter granted by the Town of Medway Planning Board.

In the event the obligor should fail to perform his obligations on said project in accordance with the rules and regulations of the Town of Medway Planning Board, the Town of Medway may use these funds, or any part thereof, to satisfy and complete the obligor's obligations on said project.

Upon completion of all the work required to be completed by the obligor aforesaid on or before _____ (date) the said Bank Book shall be returned to the obligor with all interest accrued thereon.

¹ Negotiable securities can also be used. The Planning Board should check with the Town Counsel when a passbook or securities are offered as security to be certain that they are free from encumbrances.

PERFORMANCE BOND SECURED BY BANK PASSBOOK (Cont)

(Page 2 of 2)

The Town of Medway, acting by and through its Planning Board hereby agrees to accept the aforesaid Bank Book as security for the performance of the project as aforesaid.

Majority of the
Planning Board
of the Town of
Medway _____

OWNER, AND/OR CONTRACTOR,
AND/OR DEVELOPER _____

COMMONWEALTH OF MASSACHUSETTS

_____, ss _____ 19__

Then personally appeared _____, one of the above named members of the Planning Board of the Town of Medway, Massachusetts and acknowledged the foregoing instrument to be the free act and deed of said Planning Board, before me

Notary Public _____

My commission expires _____

The _____ Bank of _____ hereby recognizes and accepts the conditions of this notice of agreement.

Authorized Signature _____

To be executed in four copies, all of which are to be considered originals. (Note: Two copies of this agreement form are to be forwarded to the above Bank and one signed copy returned to the Planning Board.)

FIGURE 10.

SAMPLE

(Page 1 of 2)

Know all men by these presents that whereas the undersigned has submitted an application dated _____, 19____, to the Town of Medway Planning Board for approval of a definitive plan of a certain subdivision entitled _____ and dated _____, 19____, and has requested the Board to approve such plan without requiring a performance bond.

NOW THEREFORE, THIS AGREEMENT WITNESSETH that in consideration of the Town of Medway Planning Board approving said plan without requiring a performance bond, and in consideration of one dollar in hand paid, receipt whereof is hereby acknowledged, the undersigned covenants and agrees with the Town of Medway as follows:

1. The undersigned will not sell any lot in the subdivision or erect or place any permanent building on any such lot until the construction of ways and municipal services necessary to serve adequately such lot has been completed in the manner specified in the aforesaid application, and in accordance with the covenants, conditions, agreements, terms and provisions thereof.
2. This agreement shall be binding upon the executors, administrators, devisees, heirs, successors and assigns of the undersigned.

It is the intention of the undersigned and it is hereby understood and agreed that this contract shall constitute a covenant running with the land included in the aforesaid subdivision and shall operate as restrictions upon said land.

It is understood and agreed that lots within the subdivision shall, respectively, be released from the foregoing conditions upon the recording of a release form executed by a majority of said Planning Board and enumerating the specific lots to be so released.

3. The undersigned represents and covenants that undersigned is the owner¹ in fee simple of all the land included in the aforesaid subdivision and that there are no mortgages of record or otherwise on any of said land, except such as are described below and subordinated to this contract, and the present holders of said mortgages have assented to this contract prior to its execution by the undersigned.

¹ If there is more than one owner, all must sign.

SAMPLE (Cont.)

(Page 2 of 2)

IN WITNESS WHEREOF the undersigned, applicant as aforesaid, does hereunto set his hand and seal this _____ day of _____, 19____.

Applicant's signature _____
Applicant's address _____

Received by Town Clerk:

Date _____
Time _____
Signature _____

Owner's signature and address if not the applicant: _____

Description of Mortgages: _____

(Give complete names and Registry of Deeds reference.)

Assent of Mortgagees: _____

COMMONWEALTH OF MASSACHUSETTS

_____, ss _____, 19____
Then personally appeared the above named _____

and acknowledged the foregoing instrument to be _____ free act and deed, before me.

Notary Public _____
My commission expires: _____

FIGURE 11 A

RELEASE OF SAMPLE AND CONDITIONS

We, the undersigned, being a majority of the Planning Board of the Town of Medway, Norfolk County, Massachusetts, hereby certify that lot(s) _____ on a plan entitled, _____, Subdivision of Land in Medway, Massachusetts, Owner & Developer: _____ dated _____, Surveyed by: _____ which is registered in Norfolk County Land Registry District as Document No. _____ and noted on Certificate and Title No. _____ in Registration Book _____ Page _____, to which reference may be made for a more particular description, is hereby released from the terms, provisions, and conditions as set forth in a covenant between _____ and the Planning Board of the Town of Medway, dated _____ 19____, recorded in Book _____, Page _____ with said deeds.

Signed and sealed at Medway, Massachusetts, this _____ day of _____ 19____

Norfolk, ss.

Dated _____

Then personally appeared the above named _____ and acknowledged the foregoing instrument to be his free act and deed, before me.

Notary Public

My commission expires _____

FIGURE 11B.

RELEASE OF SAMPLE AND CONDITIONS

RELEASE OF SAMPLE AND CONDITIONS

We, the undersigned, being a majority of the Planning Board of the Town of Medway, Norfolk County, Massachusetts, hereby certify that lot(s) _____ on a plan entitled, _____, Subdivision of Land in Medway, Massachusetts, Owner & Developer: _____ dated _____ 19____, Surveyed by: _____ which is filed with the Norfolk Registry of Deeds as Plan No. _____ of 19____, Plan Book _____, to which reference may be made for a more particular description, is hereby released from the terms, provisions, and conditions as set forth in a covenant between _____ and the Planning Board of the Town of Medway, dated _____ 19____, recorded in Book _____, Page _____ with said deeds.

Signed and sealed at Medway, Massachusetts, this _____ day of _____ 19____

Norfolk, ss.

Dated _____

Then personally appeared the above named _____ and acknowledged the foregoing instrument to be his free act and deed, before me.

Notary Public

My commission expires _____

FIGURE 12.

CONVEYANCE OF EASEMENTS AND UTILITIES

_____, of _____
County, Massachusetts, for good and adequate consideration, grant to the Town of Medway
a municipal corporation in Norfolk County, Massachusetts, the perpetual rights and easements
to construct, inspect, repair, renew, replace, operate and forever maintain water mains
with any manholes, pipes, conduits, drainage easements and other appurtenances thereto, and
to do all acts incidental thereto, in, through and under the following described land: _____

_____ appearing on a plan entitled _____
And, for the consideration aforesaid, the said grantor does hereby give, grant, transfer and
deliver unto the Town of Medway all water mains, manholes, pipes, conduits, drainage ease-
ments and all appurtenances thereto that are now or hereafter constructed or installed in,
through, or under the above described land by the grantor and the grantor's successors and
assigns.

The grantor warrants that the aforesaid easements are free and clear of all liens or encum-
brances, that he (it) has good title to transfer the same, and that he will defend the same
against claims of all persons.

For grantor's title see deed from _____ dated _____, 19____
and recorded in Norfolk County Registry of Deeds, Book _____, Page _____, or under
Certificate of Title No. _____ registered in Norfolk County District of the
Land Court, Book _____, Page _____.

And (to be completed if a mortgage exists) _____
(name and address) _____

the present holder of a mortgage on the above described land, which mortgage is dated
_____, 19____, and recorded in said Deeds, Book _____, Page _____, for
consideration paid, hereby releases unto the Town forever from the operation of said
mortgage the rights and easements hereinabove granted and assents thereto.

Authorized Signature of Mortgagor _____

Owner _____

IN WITNESS WHEREOF we have hereunto set our hands and seals this _____
day of _____, 19____.

COMMONWEALTH OF MASSACHUSETTS

ss _____, 19____
Then personally appeared the above named _____
and acknowledged the foregoing to be _____ free act and deed, before me.

Notary Public _____

My commission expires: _____

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FIGURE 13.

REFERRAL FORM

Town of Medway Planning Board

(Date) _____

Board of Selectmen _____

Town Counsel _____

Board of Health _____

Highway Department _____

Fire Department _____

Water Department _____

Sewer Commissioners _____

Conservation Commission _____

The attached definitive plans were submitted to the Planning
Board on _____ 19____. A public hearing has been scheduled
for _____ P.M., on _____ 19____ to discuss these plans.

May we have your comments and recommendations concerning this
subdivision by no later than _____ 19____. Please return
this form with your comments and recommendations.

Thank you,

Clerk, Planning Board

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FIGURE 14.

CONTROL FORM

Preliminary Plan Approval Date _____
Date of Definitive Plan _____
Submission Date(s) _____
Approval Deadline Date (S+60 days) _____
Hearing Date (H) _____
Date of Letters to Abutters (H-14 days) _____
Date of Newspaper Notices (2) (H-14 days) _____
Approval or Disapproval Date (A) _____
Appeal Deadline Date (A+20 days) _____
Date of Covenant _____
Date Plans and Covenant Recorded _____
Book No. _____ Page No. _____
1st Copy Subdivider's file _____
2nd Copy Planning Board Clerk for Follow-up _____
Date copy of definitive plan application form and set of
definitive plans sent to following (S+10) _____

1. Board of Health _____
2. Highway Dept. _____
3. Fire Department _____

Date copy of definitive plan application form and set of
definitive plans returned from the followin (S+45 days=Deadline)

1. Board of Health _____
2. Highway Department _____
3. Fire Department _____
4. Water Department _____
5. Seaver Commissioners _____
6. Conservation Commission _____

FIGURE 15.

NOTICE OF DEFINITIVE PLAN PUBLIC HEARING

TOWN OF MEDWAY, MASSACHUSETTS

_____, having submitted a definitive
(Applicant) _____
of land in Medway, a copy of which is on file with the Town Clerk, located at _____
as shown on plan by _____

(engineer or surveyor)

dated _____, 19____, a public hearing will be held thereon at the Town
Hall on _____, 19____, at _____ P.M., in accordance with the provisions
of General Laws, Chapter 41, Section 81-T, as amended.

Medway Planning Board

Chairman, _____

FIGURE 16.

RECEIPT FOR SUBDIVISION PLAN

Town Clerk
Medway, Massachusetts

Received from _____
a copy of a Preliminary/Definitive Subdivision Plan entitled _____
application for approval for which has been made to the Town of Medway Planning Board.

Town Clerk

Date of Filing

One copy of this form to go to Planning Board

FIGURE 17.

PLANNING BOARD AGENT INSPECTION FORM

Medway, Massachusetts
19__

Name of Subdivision _____
Street Name _____

From Sta.	To Sta.	Subject	Initials of Agent	Date of Inspection
		1. Clearing of Right-of-Way		
		2. Sub-grade Preparation		
		3. Drainage (Below-grade) Installation		
		4. A. Water System Fittings B. Water Line Installation		
		5. Fire Alarm Installation		
		6. Gravel Base		
		7. Curb Installation, Granite		
		8. Binder Course		
		9. Drainage (at surface) Installation		
		10. Finish Course		
		11. Berm Installation		
		12. Sidewalk Construction A. Gravel B. Base Course C. Finish Course		
		13. Street Trees and Planting		
		14. Grass Strips		
		15. Street Lights		
		16. Street Signs		
		17. Final Clean-up		
		18. Water Service to Lots		
		19. Monuments		
		20. Curtain Drains		
		21. Off-Site Drains		

COMMENTS: _____

COPY TO BE SUBMITTED TO PLANNING BOARD ON FIRST OF EACH MONTH BY
PLANNING BOARD AGENT

FIGURE 18.

DISTRIBUTION OF PLANS

TOWN OF MEDWAY PLANNING BOARD

AGENCY	Approval under Subdivision Control Law Not Required	SUBDIVISION PLANS		
		Date/✓ Preliminary	Date/+ Definitive	Date/★ Approved
Owner	Original Returned	Original Returned	Original Returned	Original Returned
Registry of Deeds	Owner files			Owner files
Planning Board	Original and 3 Prints	Original and 6 Prints	Original and 8 Prints	11 Prints
Board of Selectmen			1 Print from Planning Bd.	1 Print from Planning Bd.
Building Inspector				1 Print from Planning Bd.
Town Clerk	1 Print from Planning Bd.	1 Print from Planning Bd.	1 Print from Planning Bd.	1 Print from Planning Bd.
Board of Health		1 Print from Applicant	2 Prints from Applicant	1 Print from Planning Bd.
CONSEV. COMM		1 Print from Planning Bd.	1 Print from Planning Bd.	1 Print from Planning Bd.
Supt. of Streets			1 Print from Planning Bd.	1 Print from Planning Bd.
Town Counsel			1 Print from Planning Bd.	1 Print from Planning Bd.
Planning Board Field Representative		1 Print from Planning Bd.	1 Print from Planning Bd.	1 Print from Planning Bd.
Assessors	1 Print from Applicant (Note C)	1 Print from Applicant (Note C)	1 Print from Applicant (Note C)	1 Print from Planning Bd. (Note C)
Police Dept.				
Fire Dept. (Note A)		1 Print from Planning Bd.	1 Print from Planning Bd.	1 Print from Planning Bd. (Note C)
Water Dept. (Note A)		1 Print from Planning Bd.	1 Print from Planning Bd.	1 Print from Planning Bd. (Note D)
Telephone Co. (Note B)				1 Print from Applicant (Note D)
Electric Co. (Note B)				1 Print from Applicant (Note D)
Gas Co. (Note B)				1 Print from Applicant (Note D)

NOTE: Except for prints of Preliminary and Definitive Subdivision Plans, all originals and prints shall have the signatures of at least three members of the Planning Board.

- A - Fire Dept., Water Dept., and developer agree on location of hydrants.
 B - Developer to confer regarding the location of underground utilities.
 C - That part of the approved plan showing streets and lots.
 D - That part of the approved plan showing hydrants and underground utilities.

FIGURE 19.

ROAD CONSTRUCTION SPECIFICATIONS -- TYPICAL CROSS SECTIONS

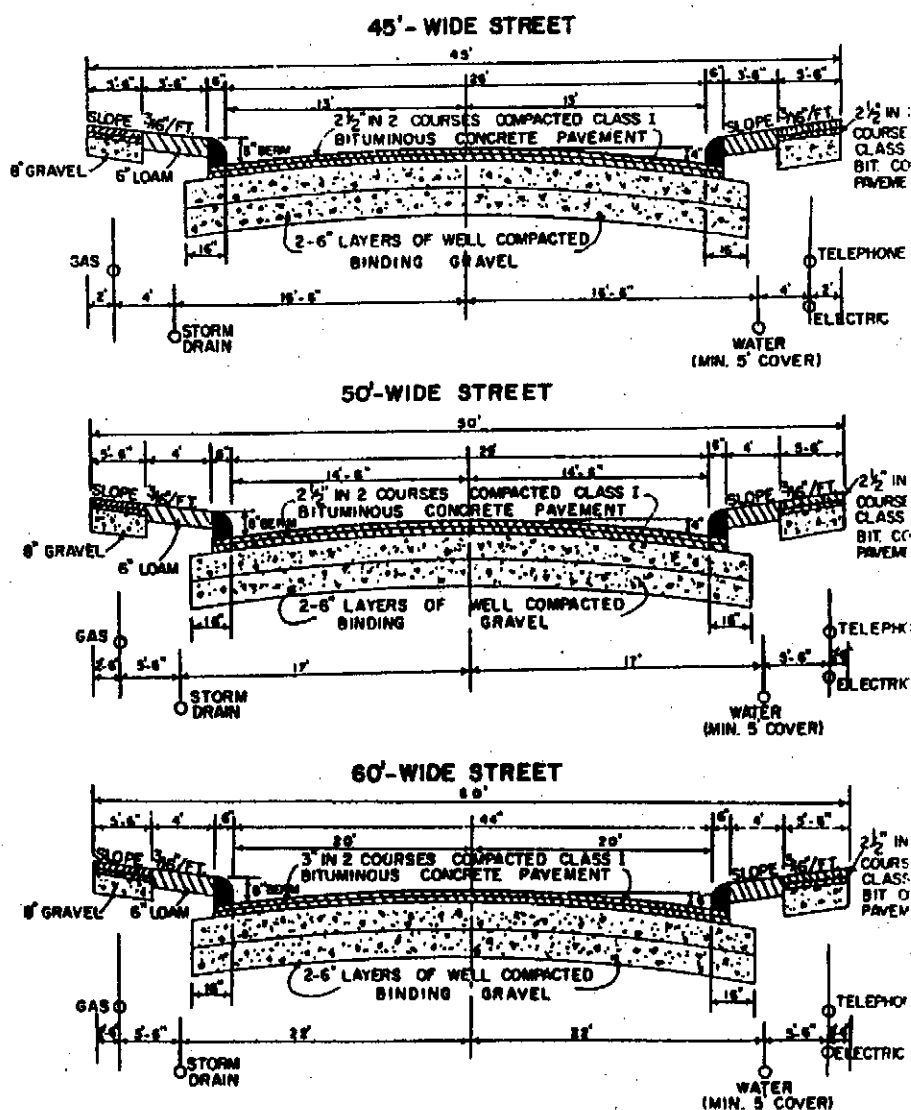
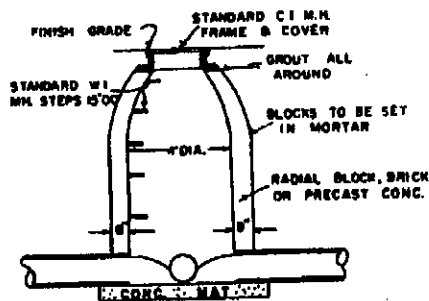
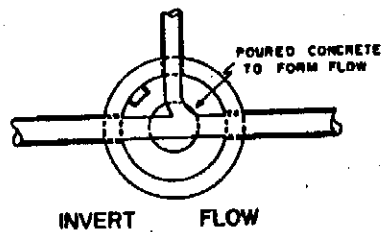
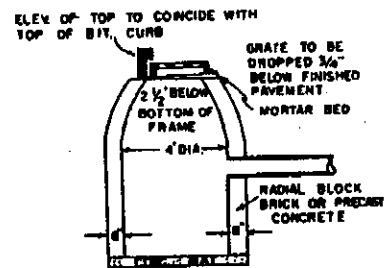
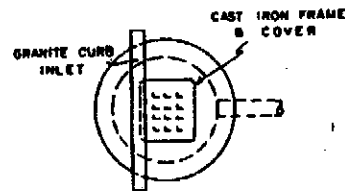


FIGURE 20.

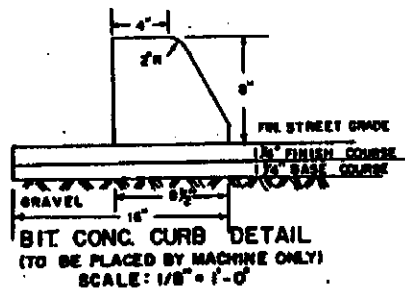
MANHOLE, CATCH BASIN AND CURBING SPECIFICATION

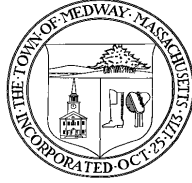


STANDARD MANHOLE DETAILS
SCALE: 1/4" = 1'-0"



STANDARD CATCH BASIN DETAILS
SCALE: 1/4" = 1'-0"





November 10, 2020
Medway Planning & Economic Development Board
Meeting

PEDB Meeting Minutes

- Draft Minutes of October 27, 2020 meeting

**Tuesday, October 27, 2020
Medway Planning and Economic Development Board
155 Village Street
Medway, MA 02053**

REMOTE AND LIVE MEETING

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

Pursuant to Governor Baker’s Orders imposing strict limitations on the number of people that may gather inside in one place, attendance by members of the public will be limited due to the size of the meeting space. All persons attending this meeting are required to wear a face covering, unless prevented by a medical or disabling condition. Meeting access via ZOOM is also provided and members of the public are encouraged to use ZOOM for the opportunity for public participation; information for participating via ZOOM is included at the end of the Agenda. Members of the public may watch the meeting on Medway Cable Access: channel 11 on Comcast Cable, or channel 35 on Verizon Cable; or on Medway Cable’s Facebook page @medwaycable.

ALSO PRESENT IN LIVE MEETING:

- Susy Affleck-Childs, Planning and Economic Development Coordinator

PRESENT VIA ZOOM MEETING:

- Amy Sutherland Recording Secretary (Zoom Participation)
- Gino Carlucci, PGC Associates (Zoom Participation)
- Steve Bouley, Tetra Tech (Zoom Participation)

**MEDWAY PLACE SHOPPING PLAZA SITE PLAN PUBLIC HEARING
CONTINUATION:**

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

- Public Hearing Continuation Notice dated 9-23-20.
- Email request from Attorney Gareth Orsmond dated 10-13-20 to continue the public hearing to 11-24-20.

On a motion made by Matt Hayes, and seconded by Rich Di Iulio, the Board voted by Roll Call vote to continue the hearing for Medway Place Shopping Plaza Site Plan to November 24, 2020 at 7:15 pm.

Roll Call Vote:

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

CONSTRUCTION REPORTS:

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

- Salmon Report #56 dated 10-1-20
- Salmon Report #57 dated 10-8-20
- William Wallace Village Report #8 dated 10-8-20

Salmon:

Consultant Bouley informed the Board that the western portion of the site along Willow Pond Circle is firm. There are straw wattles placed at the base of the large loam pile at the entrance.

William Wallace:

The contractor has started rough grading of Sterling Circle. The footings were poured for the Building for dwelling Units 1 and 2. The construction of foundations will continue.

Millstone:

The Millstone drainage modification work is going well. A punch list inspection list has been started. There is a \$96,000.00 bond in place.

APPLEGATE ROAD-LAYOUT:

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

- 10-20-20 email from BOS requesting the Board's recommendation on roadway layout
- Street Acceptance Plan dated October 12, 2020
- Email dated October 22, 2020 from Steve Bouley

The Board is in receipt of an email from the Board of Selectmen requesting that the Planning and Economic Development Board make a recommendation on the roadway layout for Applegate.

On a motion made by Bob Tucker and seconded by Matt Hayes, the PEDB voted by roll call to recommend that the Board of Selectmen approve the roadway layout for Applegate Road as represented on the Applegate Road Street Acceptance Plan dated October 21, 2020 prepared by GLM.

Roll Call Vote:

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

HARMONY VILLAGE PUBLIC HEARING CONTINUATION:

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

- Public Hearing Continuation Notice dated 9-23-20
- Revised Site Plan Concept dated 10-22-20
- Revised building elevations and floor plans dated 10-19-20 for a 4-unit quad building.
- Sheet C-3 of the Harmony Village site plan set dated 9-8-2020 (showing one duplex and one triplex)

The Chairman opened the continued public hearing for Harmony Village.

Applicant Gary Feldman and project engineer Drew Garvin were present and explained that the site plan has been revised. The revised concept plan includes a 4-unit quad building. The previous plan was for a 5 units (one duplex and one triplex). The new plan was shown in Share Screen. The revised plan reduces the massing on site and the impervious surface area. The infrastructure in the front stays the same. There is a turnaround for parking. There will be 21 parking spaces. There was a recommendation to have the applicant present this new revised plan to the Design Review Committee (11-2-20 meeting). The discussion was opened to the Board members. There continues to be concerns about the size of the units. It appears that part of the building is being hidden and does not connect well with Unit 5 and Unit 4. The consensus is this is a better plan but there is a suggestion to reduce the square footage. The Board would like to know if this was reviewed by the Fire Department.

Abutter Cathy Sutton, 216 Main Street:

This abutter was asking about the removal of trees and the lighting. The applicant responded that trees will be removed in the middle of the site. The trees will remain in the northwest portion of the site. The perimeter trees will stay. The houses will have light sconces. There are only three lampposts proposed. These are residential scale lamp posts.

Abutter, Denise Hallman, 212 Main Street:

She agrees that the reduction of density does help. She asked if the size of the living spaces of the units can be reduced. Do all the units need two car garages? The applicant responded that the average footprint of homes in the area is 1,400 square feet. These units are comparable to what is in the neighborhood except for the garages. The applicant also responded that the two car garages are highly desirable.

Consultant Comments:

Consultant Carlucci responded that he likes this alternative and will review once this is fully integrated into the site design. Consultant Bouley will be looking at the stormwater for this project. Consultant Bouley would like an updated stormwater report with the newly revised plan.

There was a question if there will be patios attached to the houses. The applicant responded that there will be no patios attached to the homes.

Abutter, Cathy Sutton 216 Main Street:

She wanted to know when the applicant was planning on breaking ground.

Gary Feldman responded that they hoped to start in the Spring.

On a motion made by Matt Hayes and seconded by Rich Di Iulio, the Board voted by Roll Call to continue the public hearing to November 24, 2020 at 7:30 pm.

Roll Call Vote:

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

MEDWAY DPW BUILDING SITE PLAN COMPLETION STATUS:

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

- As-Built Survey Plan dated September 22, 2020 by Reed Land Surveying, Inc of Lakeville, MA

The new Medway DPW building project is approaching completion. The Board has received an as-built survey plan. There are no separate construction observation funds and Tetra Tech has not been involved in construction inspections. PEDB Member Matt Hayes will conduct a site visit and review the as-built plan and report back to the Board.

PEDB MEETING MINUTES:

October 13, 2020 and October 20, 2020:

On a motion made by Rich Di Iulio and seconded by Matt Hayes, the Board voted by Roll Call to approve the PEDB meeting minutes of October 13, 2020 and October 20, 2020 as presented.

Roll Call Vote:

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

MASS DEVELOPMENT SITE READINESS GRANT:

The Medway Redevelopment Authority plans to submit an application to MassDevelopment for its Site Readiness grant program for \$100,000 to assist in the predevelopment phase of the Oak Grove Urban Renewal Area. If successful, funds would be used for title search, legal work, appraisals, etc.

On a motion made by Matt Hayes and seconded by Bob Tucker, the Board voted by Roll Call to support the Redevelopment Authority's application for the MassDevelopment Site Readiness Grant Program.

Roll Call Vote:

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

TOWN OF MEDWAY WEBSITE:

The Board viewed the Planning and Economic Development Board web page. Town Manager Michael Boynton has asked that each Department review their pages.

The following suggestions were made:

- Check to make sure the links for the videos of the meetings are posted and working.
- Add photos to the website within the project folders. It was suggested that engineering consultant Bouley could upload and provide photos which could be added to website.
- Try to get more drone photos of development sites
- Include a page for each project.
- Add a section on street acceptance
- Make sure the important links are listed and working.

OTHER BUSINESS:

- There will be a community forum about the Central Business District Zoning with Mr. Brovitz via ZOOM on November 18, 2020. It was suggested to see if there could be breakout sessions when ZOOM meetings happen for the public outreach sessions.
- Town meeting is scheduled for November 16, 2020 at Medway High School.

FUTURE MEETINGS:

- Tuesday, November 10, 2020
- Tuesday, November 24, 2020

ADJOURN:

On a motion made by Bob Tucker and seconded by Matt Hayes, the Board voted by Roll Call vote to adjourn the meeting.

Roll Call Vote:

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

The meeting was adjourned at 8:37 pm.

Prepared by,
Amy Sutherland
Recording Secretary

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

DRAFT