

April 6, 2020

Barbara J. Saint Andre, Director
Community and Economic Development
Town of Medway
155 Village Street
Medway, MA 02053

Re: Medway Residential LLC - Comprehensive Permit
33 and 39 Main Street, Medway, MA (Assessor Parcel nos. 41-035 and 41-035-001)

NOTICE OF PROJECT CHANGE:
REQUEST FOR APPROVAL OF SITE PLAN CHANGES

Dear Director Andre:

Reference is made to the Comprehensive Permit issued to SLV Medway I, LLC dated July 31, 2019 allowing development of a 190-unit development at 33 and 39 Main Street, Medway (the “Comprehensive Permit”). To assist the Zoning Board of Appeal in its assessment of the proposed changes, our architects and civil engineers have provided a set of updated plans in a digital file titled “**Town of Medway – 39 Main Street – 100% DD**”. Physical copies, dated 3/20/2020, will also be provided.

Medway Residential LLC hereby requests that the changes be approved as insubstantial changes by the Board. The page numbers below correspond to each sheet of the updated plans. These changes included represent variations to the plans in comparison to the approved plans referenced in the Comprehensive Permit. The changes are as follows:

LANDSCAPE AND ARCHITECTURAL DRAWINGS

Sheet 1 of 37: No changes

Sheets 2-3 of 37:

1. Lawn at driveway entrance expanded to create larger pervious surface.
2. Planting detail further developed.
3. Building footprint altered to match architectural plans (see sheets 4-8).

Sheets 4-9 of 37:

1. Adjusted angle of the building a few degrees at east wing for constructability purposes, distance from street to building remained unchanged.
2. Added Trellis feature at Main Entry.
3. Relocated Main Entrance from Western to Northern side of amenity clubhouse.

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4. Angled main entrance storefront for visibility to Drive Entrance & Visitor Parking.
5. Expanded clubhouse exterior walls to gain more ft² for amenity space.
6. Moved elevator cab 2 previously adjacent to the clubhouse to the northeast wing to provide an even allocation of elevator availability through building.
7. Relocated discussed bike storage location from east (now pool furniture storage) to western lower entrance.
8. Changed locations of units to work with adjusted massing as needed. (Unit Mix & Bed-count unchanged)
9. Adjusted unit types to provide variants as necessary to coincide with exterior building changes. (Unit Mix & Bed-count unchanged)
10. Deleted balcony at northeast building corner (courtyard side) as balcony conflicted with interior stairwell.
11. Removed the majority of fully projecting balconies in favor of fully recessed and semi-recessed balconies.
12. Added more bay style bumpouts at 5 story building section. Shortened bay bumpouts at primary building façade by one story, widened and angled to 12 degrees.

Sheets 10-18 of 37:

1. Windows in amenity space changed from double hung to storefront.
2. Updated exterior materials pallet on building facades regarding colors & styles, still utilizing Fiber Cement Lap Siding, FC Panel, Wood Look FC Lap Siding, and Cultured Stone as materials.
3. Removed blue colored siding from exterior.
4. Removed muntins in upper sashes of windows and sliding doors.
5. Balcony changes made according to changes described on sheets 4-9.

Sheets 19-21 of 37: No changes

CIVIL DRAWINGS

There is a slight reduction in total impervious area of the current design. The areas are listed below for reference:

July 31, 2019 Comp. Permit Site Plan impervious area = 186,655 SF

March 20, 2020 Design Development site plan impervious area = 186,412 SF

Every sheet includes the following changes:

1. Sheet size changed from 24" x 36" to 30" x 42" to conform to Construction Document format.
2. Sheet scale changed from 1"=40' to 1"=30' to take advantage of larger sheet size and to improve readability of 1/2 scale drawings.
3. Sheet numbering changed to conform to National CAD Standards.

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Sheet 22 of 37:

1. Line type and symbols changed to conform to Allen & Major Associates, Inc. (A&M) standards.

Sheet 23 of 37:

1. Line type and symbols changed to conform to A&M standards.
2. "General Notes" added.
3. Catch basin (CB) inlet protection added.
4. Additional notes added to the drawing to clarify the start/end point of the various erosion control materials.
5. Building footprint revised to reflect the current program.
6. Erosion Control fabric added to select areas.
7. Gates added to the stabilized construction entrances and tracking pads enlarged.

Sheet 24 of 37:

1. Building footprint revised to reflect current program.
2. Courtyard improvements revised to reflect current program.
3. Transformer and generator locations added.
4. Emergency generator location added.
5. Entrance monument sign location added.
6. Sidewalk connection to Main Street adjusted to provide accessible path (5% or less longitudinal slope).
7. Retaining wall along westerly lot line eliminated in lieu of vegetated slope.
8. 48" high chain link fence added along the top of the retaining walls at the easterly side of the site to provide fall protection.
9. "Play Area" re-purposed as "Dog Park".
10. Parking and turn-around in front of Courtyard revised per Toll Brothers (TB) request.
11. Landscape island added adjacent to front entrance per TB request.
12. Accessible parking spaces at front entrance relocated to match new entrance location.
13. Minor curbing revisions to provide for accessible sidewalk transitions.
14. "Crosswalk Ahead" signs added in compliance with Comprehensive Permit condition #41.
15. Signage added in compliance with Comprehensive Permit condition #42.
16. Curbing changed to Cape Cod berm except where concrete walkways are used as the curb line in accordance with Comprehensive Permit condition #58.
17. Retaining walls along easterly side of the site straightened to improve constructability (limit of work not changed in buffer zone).
18. Proposed tree line added to drawing.
19. Heavy Duty pavement locations added.

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20. Snow storage areas added to eliminate the need for a separate sheet to show snow storage.
21. Access ramp eliminated at the westerly building entrance to facilitate access to the bicycle storage areas and building entrance.
22. Access ramp at the easterly building entrance re-configured to improve constructability and avoid a switch-back condition.

Sheet 25 of 37:

1. Sheet match lines added for 1"=10' drawings labeled as Sheets C-103A through C-103F (Sheets 26-31). The 1"=10 scale drawings have been added to improve readability, provide additional spot grades and drainage information to improve constructability.
2. Drainage information has been removed from the Sheet C-7 (Sheet 32) "Utilities Plan" and added to the "Grading and Drainage Plan" to improve constructability.
3. General Notes added.
4. Area drains adjusted to reflect current building and courtyard program.
5. CB added at front entrance due to added island.
6. CB added along the westerly building side. The grades were adjusted here to eliminate the need of an access ramp to the westerly building entrance.
7. Additional pipe size and invert elevations added for the infiltration systems to improve constructability. There is no change in the design of the systems, only added information to improve constructability.
8. Finish floor elevation of the overall building changed from 169.1' to 169.0' to avoid confusion.
9. Finish floor of the amenities area changed to 168.0' to increase ceiling height.
10. Finish floor of Stair #3 lowered to 166.75' to address internal conflict.
11. Accessible ramp and stairs at the westerly entrance eliminated to improve access at this point (bike storage location).
12. Roof drain locations adjusted to reflect Plumbing Plans. Design intent of the stormwater report has been maintained to the extent practicable.
13. Foundation drain added along the westerly building side per Geotechnical Engineer recommendations.

Sheets 26-31 of 37:

1. Drainage information has been removed from the Sheet C-7 (Sheet 32) "Utilities Plan" and added to the 1"=10' scale Sheets C-103A through C-103F (sheets 26-31) "Grading and Drainage Plan" to improve constructability.

Sheet 32 of 37:

1. Transformers, generator and electrical/tele-data duct banks added to the drawing.

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2. Gas line has been added to the drawings.
3. Waterline connections adjusted to coordinate with MEP drawings.
4. Sewer pump chamber and force main added to address shallow sewer at the building and previously proposed flat sewer run (0.5%) to the Main Street connection. Connection point to the manhole in Main Street has not been changed and will be a gravity pipe. The force main transitions to a gravity line prior to leaving the site.
4. Hydrant location at south-easterly side of the building relocated to across from the rear (southerly) building entrance to eliminate a dead-end waterline condition.
5. General Notes and Construction Notes added.

Sheet 33 of 37:

1. Pole locations adjusted as needed to coordinate with building and courtyard changes. Poles heights have remained the same and are either 15' or 20' as shown on the Comp. Permit drawings.
2. Light fixture has been changed to better coordinate with the building architecture. The fixture is now a "Kim lighting, Entablature" fixture. The fixtures are still LED and dark sky compliant.
3. Photometric levels have been revised to reflect the current design. The "zero light spill" along the property line is maintained with the revised fixtures.
4. Bollard lights have been added to the courtyard and the sidewalk out to Main Street.
5. Small up-lighting fixtures have been added at select building locations and pergola columns.
6. General Notes and Construction Notes have been added.

Sheet 34 of 37:

1. Typical paving section (Detail #2) has been revised to incorporate the Geotechnical Engineer's recommendations for pavement and gravel base thicknesses. A gradation specification has been added.
2. Typical small block retaining wall (Detail #4) has been revised to include additional notes.
3. A fence post at top of retaining wall (Detail #5) has been added.
4. A concrete sidewalk with dowels at building entrances (Detail #7) has been added.
5. A wet set ADA replaceable tactile paver (Detail #9) has been added.
6. The concrete light pole base details have been revised to reflect two conditions – either adjacent to parking or adjacent to sidewalk (Detail #14 and Detail #15).

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Sheet 35 of 37:

1. Area drain (Detail #6) revised and notes added.
2. First Defense (Detail #8 and Detail #11) moved to this sheet.
3. Infiltration Basin Cross-Section (Detail #9) moved to this sheet.

Sheets 36 of 37:

1. Construction entrance (Detail #9) revised to reflect larger tracking pad.
2. Temporary security fence with (Detail #13) added.
3. Stockpile protection (Detail #14) added.
4. Erosion control fabric (Detail #15) added.
5. Foundation drain (Detail #16) added.
6. Generator concrete pad (Detail #17) added.

Sheet 37 of 37:

1. Sign Table (Detail #1) added.
2. Painted crosswalk (Detail #2) added.
3. Accessible parking sign post (Detail #3) added.
4. Sign post (Detail #4) added.
5. Rapid flashing beacon (Detail #5) added.
6. Sewer lift Station and valve pit with duplex pump (Detail #7) added.
7. Sewer lift station pump (Detail #8) added.
8. Sewer lift station pump specification (Detail #9) added.

760 CMR 56.07(4) (b) provides guidance to a Zoning Boards of Appeal as to what constitutes a substantial or insubstantial change to a comprehensive permit. Following are some examples of what circumstances ordinarily will and will not constitute a substantial change, as described in 760 CMR 56.07(4)(a).

“(c) The following matters generally will be substantial changes:

1. An increase of more than 10% in the height of the building(s);
2. An increase of more than 10% in the number of housing units proposed;
3. A reduction in the size of the site of more than 10% in excess of any decrease in the number of housing units proposed.
4. A change in building type (e.g., garden apartments, townhouses, high-rises); or
5. A change from one form of housing tenure to another.

(d) The following matters generally will not be substantial changes:

1. A reduction in the number of housing units proposed;
2. A decrease of less than 10% in the floor area of individual units;

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3. A change in the number of bedrooms within individual units, if such changes do not alter the overall bedroom count of the proposed housing by more than 10%;
4. A change in the color or style of materials used; or
5. A change in the financing program under which the Applicant plans to receive a Subsidy, if the change affects no other aspect of the proposal.”

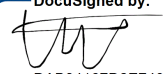
As is consistent with the aforementioned language, Medway Residential LLC respectfully submits that these changes are all insubstantial under the applicable regulations. In fact, the overwhelming majority of these changes are characteristic of normal changes that occur when moving from schematic drawings to construction level drawings. This notice is being provided pursuant to 760 CMR 56.05(11)(a). Pursuant to these regulations, the Board shall determine within twenty (20) days whether this request is a substantial or insubstantial change in accordance with 760 CMR 56.05(11)(c) and (d). If it is determined that they are insubstantial changes, or if notice is not provided to the applicant to the contrary within such twenty (20) day period, the Comprehensive Permit shall be deemed changed, as requested. The above process does not require a public hearing. A public hearing would be required if you determine that the requested changes are substantial changes, and if so, and pursuant to the aforesaid regulations, a public hearing is to be held within thirty (30) days.

Pursuant to our discussion with the Town of Medway we understand this matter will be scheduled for discussion on May 6th, 2020. The Applicant hereby grants an extension of time for the Zoning Board of Appeals to consider its modifications as requested in its correspondence dated April 6, 2020 and to notify the Applicant of its determination as to whether the Zoning Board of Appeals considers said modifications to be substantial or insubstantial to and including May 8, 2020. Please notify us by April 30th if the hearing on May 6th needs to be postponed; we are waiving the 20-day waiver for notification.

Thank you.

Very truly yours,

Bill Lovett

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