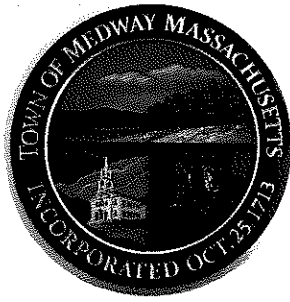


Board of Selectmen

Dennis P. Crowley, Chair
John A. Foresto, Vice-Chair
Richard A. D'Innocenzo, Clerk
Glenn D. Trindade
Maryjane White



Medway Town Hall
155 Village Street
Medway, MA 02053
Phone (508) 533-3264
Fax (508) 321-4988

TOWN OF MEDWAY
COMMONWEALTH OF MASSACHUSETTS

Board of Selectmen's Meeting

October 6, 2014, 6:30 PM

Sanford Hall, Town Hall

155 Village Street

Agenda

6:30 PM

- Call to order; Recitation of the Pledge of Allegiance
- Executive Session – Exemption 3: To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body [contract negotiations], and for Exemption 6: To consider the purchase, exchange, lease or value of real property if the chair declares that an open session may have a detrimental effect on the negotiating position of the public body [Oak Grove]

Other Business [Immediately following conclusion of Executive Session – approximately 7:15PM]

1. Healthcare Update – Tufts and EBS Foran
2. Appointment – Educational Fund Committee – Derek Phinney
3. Millstone Village Adult Retirement Community Planned Unit Development Presentation and Request for Letter of Support of Eight Affordable Units
4. Discussion – Proposed Zoning Articles
5. Discussion – Redevelopment Authority Articles
6. Authorization of Chairman to Execute Contract Amendment for Water Main Replacement Design – Weston & Sampson - \$41,400
7. Authorization of Chairman to Execute Contract for Food Inspections – Michael Sarasin - \$5,000
8. Presentation – 5 Year Budget Forecast/Discussion – FY16 Budget Policy
9. Approval – Treasurer's Award of \$4,508,950 BAN – Eastern Bank
10. Approval – One-Day Alcohol License Request – Peppers Fine Catering – Oct. 18, 2014, Thayer Homestead

11. Approval – One-Day Alcohol License Request – James and Sandra Gagliani – October 12, 2014
12. Action Items from Previous Meeting
13. Approval of Warrants
14. Approval of Minutes
15. Town Administrator’s Report
16. Selectmen’s Reports

Upcoming Meetings, Agenda and Reminders

October 20, 2014 ---- Regular Meeting

November 3, 2014 ---- Regular Meeting

Executive Session

Proposed Motion: I move that the Board enter into executive session under Exemption 3: To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body [contract negotiations], and for Exemption 6: To consider the purchase, exchange, lease or value of real property if the chair declares that an open session may have a detrimental effect on the negotiating position of the public body [Oak Grove], and to return to open session thereafter.

No associated back up materials.

AGENDA ITEM #1

**Discussion –
Healthcare – EBS Foran**

No associated back up materials.

AGENDA ITEM #2

Appointment – Educational Fund Committee – Derek Phinney

Associated back up materials attached.

- Email from Derek Phinney dated July 27, 2014
- Derek Phinney resume
- Email from Judy Evans, Superintendent of Schools, dated September 23, 2014

Proposed Motion: I move that the Board appoint Derek Phinney to the Educational Fund Committee for a three-year term through June 30, 2017.

Volunteer Interest – Educational Fund Committee

> -----Original Message-----

> From: Derek Phinney [<mailto:gsaderekp@aol.com>]

> Sent: Sunday, July 27, 2014 2:37 PM

> To: Board of Selectmen

> Subject: Letter of Interest

> Importance: High

>

> Dear Town of Medway Selectman,

>

> My name is Derek Phinney, four-year resident of 33 Village Street. I am sending this letter in response to the note in today's Boston Sunday Globe with regarding to volunteers for a wide range of boards and committees. I am a teacher (4 years) at a surrounding district. Prior to my career change, I worked in hockey as a player agent and general manager of a junior hockey organization, including three training centers. As you can see, I have extensive experience in sports, but I know the town recreation runs in conjunction with Franklin, so it might not be a possibility to assist in the capacity. In addition, I am a college and high school basketball and soccer official (6 years).

>

> My interest range in many areas, so anything to create community involvement, including anything health/wellness specific (I'm a health teacher) would peak my interest. Hopefully there is a board/committee that would be a good fit.

>

> Thank you for your time. I look forward to hearing from you.

>

> Regards,

>

> Derek Phinney

> 33 Village Street

> Medway, MA 02053

> 617.834.0691

> gsaderekp@aol.com

Derek Phinney
33 Village Street
Medway, MA 02053
617.834.0691
gsaderekp@aol.com

OBJECTIVE

To obtain employment with a accredited school district as a health/wellness educator.

PROFESSIONAL EXPERIENCE

Millis Public Schools, Millis, MA — August 2010 - Present

Teacher - High School & Middle School Health and Wellness

- Educate students from fifth to ninth grade in the subject area of health and wellness
- Developed new curriculum to utilize 21st Century Skills that maintained interest and provided interactive atmosphere, enabling students to achieve higher learning skills
- Implemented varied strategies and differentiated instruction to accommodate the needs all types of learners
- Class of 2014 Faculty Advisor (2010-2014) and High School Advisory Coordinator (2011 - Present)

Millis Public Schools, Millis, MA -- November 2009 - June 2010

Paraprofessional - Special Education

- One-on-one delivery of custom designed education plans to ease students back in the the classroom
- Assist students to make the necessary modifications to their decision making and modify their emotional reactions to stress
- Develop a trust with students that afforded them the opportunity to open up about concerns which improved the overall delivery and efficiency of education services
- Contributed to reports with Pupil Personnel Services on a daily basis to effectively create a program for the students I assisted

Millis Public Schools, Millis, MA — March 2009 - November 2009

Internship - High School Physical Education/Athletic Department

- Assist Athletic Director with master sports schedule, official assignments and payroll, field preparation, game day staff, equipment ordering, coach evaluations and home athletic contest supervision
- Engaged in 21st Century Thinking Skills group with Athletic Department's Captains Council about various cultural challenges with today's teams
- Observe and assist physical education department with instruction, lesson plans and participation

The Hockey Academy, Hudson, NH — January 2008 - April 2009

General Manager - New England Stars Junior Hockey Club/PHD Training Centers & Programming

- Managed new junior hockey franchise (IJHL), including all day-to-day operations for three teams (Jr A/Jr B/AAA Midget)
- Responsible for marketing & sales development of three PHD Training Centers located in Tyngsboro and Woburn, Massachusetts specializing in on-ice hockey training for youths to professional hockey players

Diversified Entertainment, Inc., Los Angeles, CA — June 2007 - April 2009

Chief Operating Officer/Co-Founder

- Responsible for managing new client projects for startup new media sport and entertainment agency
- Created marketing initiatives, website development and branding materials for new clients
- Negotiated contracts with Oakley, Salomon, Bonfire and Nike for professional snowboarder

School Goals, Hudson, NH -- October 2005 - September 2009

Director of Operations/Co-Founder

- Founding executive of consulting service that assists boys and girls with selecting a preparatory school or college which is the best fit academically as well as athletically

- Created market and sales campaign including the development of the School Goals website
- Produce client's marketing portfolio which is sent to every school recommended by our staff

Countrywide Home Loans, Boston, MA -- June 2004 - November 2006

Marketing Production Assistant

- Created and implemented marketing campaign for top producing loan officer to increase retention level of branch production
- Designed marketing and promotional materials including ad creation for direct mail campaigns
- Managed external and internal marketing activities of telemarketing and research

Nationwide Provident Life Insurance Company, Newton, MA -- February 1999 - April 2004

Marketing & Office Manager

- Managed office for leading New England financial services agency and supervised staff of seven
- Created marketing and promotional material for weekly radio program "Money Matters"
- Coordinated advertising for seminars including ad creation, cost analysis and print media placement
- Assisted agents with marketing, advertising, licensing, benefits, budgeting and compensation

ADDITIONAL EXPERIENCE

- Basketball (HS) and Soccer (HS & NCAA) Official: 2008-Present
- Massachusetts Hospital School - 2010 Summer Program
- Volunteer Official for Special Olympics and Bay State Games
- Internships: Millis High School: Athletic Department, Boston Bruins Professional Hockey Club (NHL), American Hockey League (AHL), PortlandPirates Hockey Club (AHL)

EDUCATION

Framingham State University - M.S., Special Education, 2013-Present

Fitchburg State University - Non-Degree Licensure Program, Physical Education, Grades 5-12, September 2009 - June 2010

Massachusetts Tests for Educator Licensure

Communication and Literacy Skills, January 2010; Health, March 2012

University of Massachusetts, Amherst - B.S., Sport Management, 1997

COMPUTER SKILLS

Extensive knowledge of Microsoft Word, Excel, Powerpoint, Publisher, Outlook, ACT 2005; Mac OS X, Photoshop, Dreamweaver, Internet

REFERENCES

Gladly furnished upon request.

From: Judy Evans [mailto:jevans@medway.k12.ma.us]
Sent: Tuesday, September 23, 2014 4:09 PM
To: Karen Kisty
Subject: Re: Candidate for Appointment to Educational Fund Committee

Go ahead and appoint. Thanks, Karen.

Karen Kisty <kkisty@townofmedway.org> writes:

Judy,

We tentatively have Derek Phinney on our BOS agenda for 10/6 and, if the intent is to invite him to come before the Board that night, we would like to afford him ample notice. If you would prefer to wait before offering a recommendation on his appointment, please let us know so that we can move him to a later date [and provide him with a status update].

Thanks,
Karen

Karen Kisty
Operations Manager

Town of Medway
155 Village Street
Medway, MA 02053
508.533.3264
508.321.4988 (fax)

AGENDA

ITEM #3

Presentation –
Millstone Village Adult Retirement
Community Planned Unit Development
Presentation *and*
Request –
Letter of Support of Eight Affordable
Units

Associated back up materials attached.

- Memorandum from Susy Affleck-Childs, Planning Coordinator, dated September 30, 2014
- Map prepared by GLM Engineering Consultants, Inc. dated October 15, 2013
- Letter from Maureen O'Hagan, MCO Housing Services dated September 17, 2014
- *Local Initiative Program Application for Local Action Units* materials

Proposed Motion: I move that the Board authorize the Chair to execute the *Local Initiative Program Application for Local Action Units* and to craft a letter of support of eight affordable units within this development to be signed by the Chair.



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

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

MEMORANDUM

September 30, 2014

TO: Medway Board of Selectmen
FROM: Susy Affleck-Childs, Planning and Economic Development Coordinator
RE: Millstone Village Adult Retirement Community (ARCPUD)
Local Action Unit (LAU) Application to Mass Department of Housing and Community Development (DHCD)

Requested Action: To vote to support the application of Elite Homes Builders, LLC of Westborough, MA to the Mass DHCD to officially count the 8 affordable dwelling units to be built at Millstone Village on the Town's Subsidized Housing Inventory (SHI) and to authorize the Chairman of the Board of Selectmen to sign the *LAU* application on behalf of the Town.

Background: On June 24, 2014, the Planning and Economic Development Board approved an ARCPUD special permit to authorize construction of an 80 unit adult retirement community development on 50+ acres on the west side of Winthrop Street, south of Lovering Street. The development will operate as a condominium community with 35 single family, detached homes and 45 town house homes in a mix of duplex and triplex buildings. 20+ acres will be retained as open space. A one page site plan of the development is attached.

Affordability: As required by the Zoning Bylaw, 10% of the ARCPUD dwelling units are "affordable" to households at or below 80% of the area's median household income. The 8 affordable dwelling units have to be acceptable to the Mass Department of Housing and Community Development to count on the Town's Subsidized Housing Inventory. The developer has hired MCO Housing Services to manage the affordable housing process, including preparation of the *LAU* application and running a lottery to select eligible candidates for the 8 affordable dwelling units.

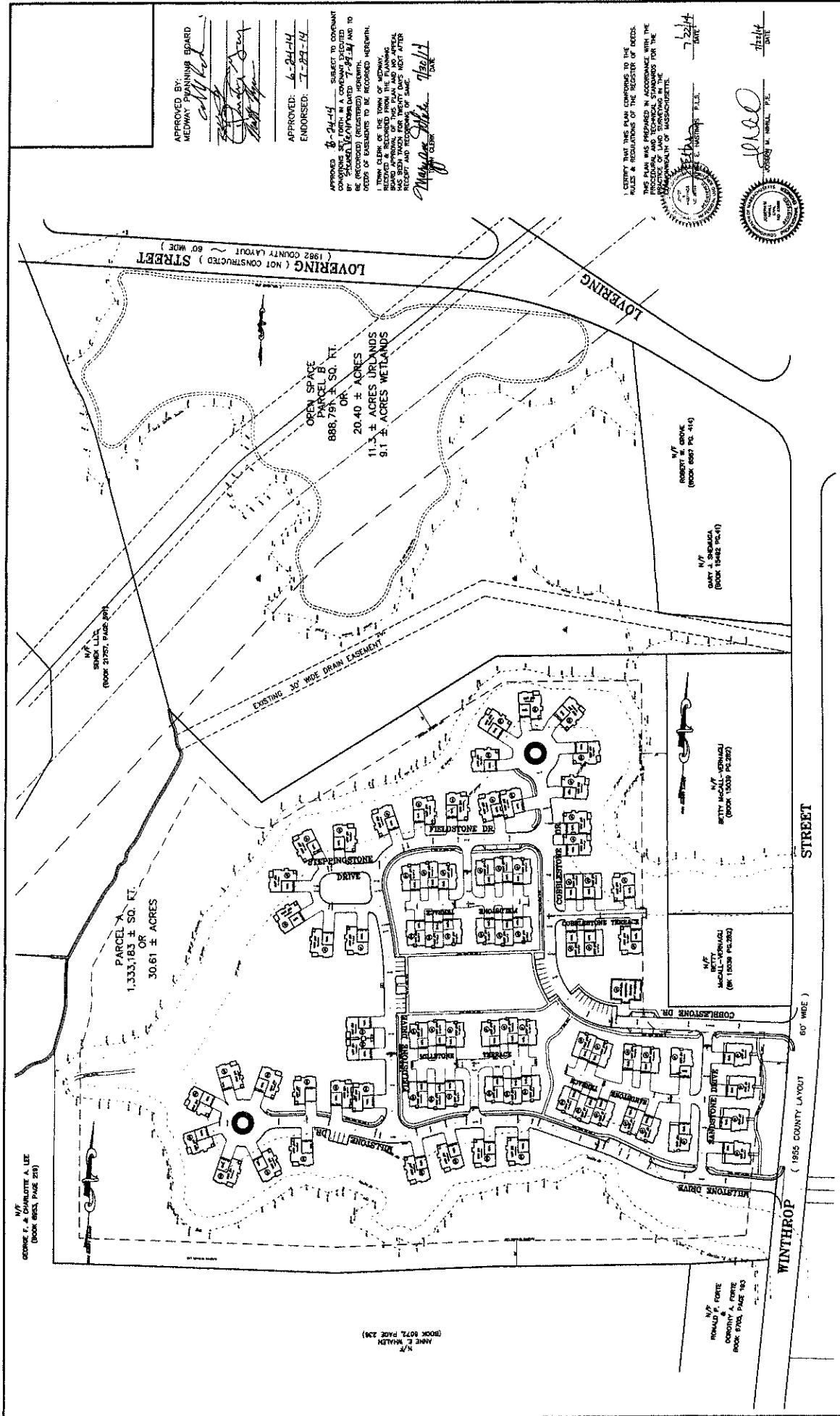
Telephone: 508-533-3291 Fax: 508-321-4987
planningboard@townofmedway.org

LAU Application: Mass DHCD requires developers to submit a *LAU* application. Such an application documents what the local action is that provides for the construction of affordable housing. In this instance, the "local action" is the ARCPUD special permit issued by the PEDB pursuant to the Medway Zoning Bylaw. The *LAU* application includes the marketing plan, local preference criteria, and the affordable housing deed restriction. See attached *LAU* application.

Maureen O'Hagan of MCO Housing Services has prepared the *LAU* application. She will attend the 10/6/14 BOS meeting, make a brief presentation to you, and answer any questions you may have.

Affordable Housing Trust and Committee: The AH Trust and Committee are meeting jointly on October 2nd to review the same *LAU* application. The AH Trust and AH Committee also are being asked to support this application. Medway Community Housing Coordinator Doug Havens will attend the 10/6/14 BOS meeting to inform you of their review and comments.

Recommended Motion – I move the Medway Board of Selection vote its support of Elite Home Builders' *Local Action Unit* application to the Mass Department of Housing and Community Development for the Millstone Village adult retirement community development and authorize the Chairman of the Board of Selectmen to sign the Millstone Village *LAU* application on behalf of the Town of Medway.



APPROVED BY:
MEDWAY PLANNING BOARD

APPROVED: 6-24-14
ENDORSED: 7-23-14

APPROVED 10-24-14 SUBJECT TO COMMENT
BY COMMISSIONER ST. JOHN IN A COVENANT DELETED
BY STONEMILL PLANNING BOARD 7-24-14 AND TO
RECORD TO THE RECORDS OF THE MEDWAY PLANNING
BOARD TO BE RECORDED AS A CONDITION OF THE
ISSUANCE OF A PERMIT TO CONSTRUCT. THE
TOWN CLERK OF THE TOWN OF MEDWAY
RECEIVED & RECORDED FROM THE PLANNING
BOARD 7-24-14. THE TOWN CLERK HAS BEEN ADVISED BY THE
PLANNING BOARD THAT THE TOWN CLERK HAS NOT
RECEIVED AND RECORDING OF SAME.

Signature
TOWN CLERK

VERIFY THIS PLAN conforms to the
RULES & REGULATIONS OF THE REGISTER OF DEEDS.
THIS PLAN WAS PREPARED IN ACCORDANCE WITH THE
PROCEDURAL AND TECHNICAL STANDARDS FOR THE
PREPARATION OF PLANS FOR THE
RECORDATION OF MASSACHUSETTS.

Signature
DATE: 7/27/14

Signature
DATE: 7/27/14

ADULT RETIREMENT, COMMUNITY PLANNED UNIT DEVELOPMENT
MELLSSTONE VILLAGE
MEDWAY, MASSACHUSETTS

OWNER: STONEMILL PLANNING BOARD LLC
17 PARTRIDGE STREET
MEDWAY, MASSACHUSETTS 02053

APPLICANT: ELITE P.L.C. BOY 12015
WESTBORO, MA 01581

GLM ENGINEERING CONSULTANTS, INC.
19 EXCHANGE STREET
HOLLISTON, MASSACHUSETTS 01746
(508)429-1100 fax: (508)429-7160

NO.	DATE	DESCRIPTION	DES. (S.D.)	DESIGN BY:
1	4/28/14	PROVIDE DRAINAGE TREATMENT UNITS		WHL
2	7/22/14	PLANNING BOARD CONDITIONS OF APPROVAL		WHL
				CHECKED BY: WHL

FIELD: REVISIONS

GRAPHIC SCALE
1 inch = 80 feet

26198
SCALE: 1"=80'
DATE: OCTOBER 15, 2013
SHEET No. 2 OF 21



September 17, 2014

Mr. Dennis Crowley
Chair, Board of Selectmen
Town of Medway
155 Village Street
Medway, MA 02053

RECEIVED
SEP 18 2014

MEDWAY
TOWN ADMINISTRATOR

RE: Local Action Unit Application for Millstone Village in Medway

Dear Mr. Crowley:

MCO Housing Services has been contracted by the developer for Millstone Village to manage the distribution of the affordable units. In order to begin the lottery process a Local Action Unit Application (LAU) needs to be completed and submitted to the Department of Housing and Community Development (DHCD). Before that can be done, the LAU must be signed off by Chief Elected Official for the Town of Medway and the Medway Affordable Housing Trust (Trust). As the Chairman of the Board of Selectmen enclosed is the complete LAU application for your review and signature.

A meeting is scheduled with the Trust on October 2nd to review and sign the application. I will be attending the meeting and will be available for any questions.

Once the Trust has signed the application then the BOS will review for signature. We are on the Board of Selectmen Agenda for October 6, 2014. I will also be attending this meeting and will be available to answer any questions. We sincerely hope you will be able to sign the application that evening so we can forward to DHCD.

DHCD will review the application and once they approve we will begin the affordable unit marketing for Millstone Village.

I look forward to meeting you on October 6th but in the meantime please do not hesitate to contact me if you have any questions.

Sincerely,

Maureen M. O'Hagan
MCO Housing Services

Enclosures

Cc: Alex Para, Esquire
Doug Havens, Medway Affordable Housing Trust
Susie Affleck-Childs, Planning Board Assistant

LOCAL INITIATIVE PROGRAM APPLICATION FOR LOCAL ACTION UNITS

Introduction

The Local Initiative Program (LIP) is a state housing initiative administered by the Department of Housing and Community Development (DHCD) to encourage communities to produce affordable housing for low- and moderate-income households.

The program provides technical and other non-financial assistance to cities or towns seeking to increase the supply of housing for households at or below 80% of the area median income. LIP-approved units are entered into the subsidized housing inventory (SHI) pursuant to Chapter 40B.

Local Action Units (LAUs) are created through local municipal action *other than* comprehensive permits; for example, through special permits, inclusionary zoning, conveyance of public land, utilization of Community Preservation Act (CPA) funds, etc.

The Department shall certify units submitted as Local Action Units if they meet the requirements of 760 CMR 56.00 and the Local Initiative Program Guidelines, which are part of the Comprehensive Permit Guidelines and can be found on the **DHCD website at www.mass.gov/dhcd**

To apply, a community must submit a complete, signed copy of this application to:

**Department of Housing and Community Development
100 Cambridge Street, Suite 300
Boston, MA 02114**

Attention: Janice Lesniak, LIP Program Coordinator

Telephone: (617) 573-1327

Email: Janice.Lesniak@state.ma.us

Community Support Narrative, Project Description, and Documentation

Please provide a description of the project, including a summary of the project's history and the ways in which the community fulfilled the local action requirement.

Elite Home Builders, LLC of Westborough, MA has acquired and resubmitted an application under the Adult Retirement Community Planned Unit Development (ARCPUD) Special Permit of the Medway Zoning Bylaw. The subject property is a 51 acre parcel, with 20.4 acres being dedicated as open space.

The project, Millstone Village, is to include 45 town homes in a mix of two and three unit buildings as well as 35 detached residences for a total of 80 new residences. There will be a total of 8 affordable homes within the property which shall be sold to income eligible homebuyers.

The development helps meet the needs of the Medway senior citizen population by offering a greater variety of housing types than is customarily provided in Medway and by reducing the maintenance burden on senior citizens associated with ownership of a convention single family home.

The project uses creative and innovative site planning to preserve Medway's limited land resources.

Signatures of Support for the Local Action Units Application

Chief Executive Officer:

defined as the mayor in a city and the board of selectmen in a town, unless some other municipal office is designated to be the chief executive officer under the provisions of a local charter

Signature: _____

Print Name: _____

Date: _____

Chair, Local Housing Partnership: (as applicable)

Signature _____

Print Name: _____

Date: _____

Municipal Contact Information

Municipal Contact Information

Chief Elected Official:

Name Dennis Crowley
Address 155 Village Street
Medway, MA 02053
Phone 508-533-3264
Email bos@townofmedway.org

Town Administrator/Manager:

Name Michael E. Boyton
Address 155 Village Street
Medway, MA 02053
Phone 508-533-3264
Email mboynton@townofmedway.org

City/Town Planner (if any):

Name Susan Affleck-Childs, Planning Board Asst.
Address 155 Village Street
Medway, MA 02053
Phone 508-533-3291
Email medwayplanningboard@townofmedway.org

Town Counsel:

Name Petrini and Associates
Attn: Barbara Saint Andre
Address 161 Worcester Road, Suite 304
Framingham, MA 01701
Phone (508) 665-4310
Email bsaintandre@petrinilaw.com

**Chairman, Local Housing
Partnership (if any):**

Name Doug Havens – Community Housing Coordinator
Address 155 Village Street
Medway, MA 02053
Phone 508-321-4922
Email dhavens@townofmedway.org

**Community Contact Person
for this project:**

Name Susan Affleck-Childs, Planning Board Asst.
Address 155 Village Street
Medway, MA 02053
Phone 508-533-3291
Email medwayplanningboard@townofmedway.org

The Project

Developer: Elite Home Builders, LLC

Project Site: Millstone Village

Address: between 63 and 81 Winthrop Street, Medway, MA

Is your municipality utilizing any HOME or CDBG funding for this project? Yes _____ No X

Local tax rate per thousand \$ 18.84 For Fiscal Year 2014

Site Characteristics: proposed or existing buildings by design, ownership type, and size.

<u>Project Style</u>	<u>Total Number of Units</u>	<u>Number of Units Proposed for LIP Units-Only Certification</u>
Single-family detached	35	0
Attached	45	8
Low-rise (less than 35 feet)	_____	_____
Mid-Rise (35-70 feet)	_____	_____
Other _____	_____	_____

Unit Composition

Type of Unit:	# of Units	# of BRs	# of Baths	Gross Square Feet	Livable Square Feet	Sale Prices/ Rent	Condo Fee
Condo Ownership							
Affordable:	8	2	2.5	n/a	2005-2040	\$170,000	\$100
Market:							
Condos	37	2-3	2.5	n/a	2050-2315	\$400,000 - \$450K	\$300
Detached	35	2-3	2.5	n/a	2049-2701	\$450,000 - \$600K	

Please attach the following documents to your application:

1. Documentation of municipal action (e.g., copy of special permit, CPA funds, land donation, etc.)
2. Long-Term Use Restrictions (request documents before submission):

For ownership projects, this is the Regulatory Agreement for Ownership Developments, redlined to reflect any proposed changes, and/or the model deed rider.

For rental projects, this is the Regulatory Agreement for Rental Developments, redlined to reflect any proposed changes.

For HOME-funded projects, this is the HOME covenant/deed restriction. When attaching a HOME deed restriction to a unit, the universal deed rider cannot be used.

3. Documents of Project Sponsor's (developer's) legal existence and authority to sign the Regulatory Agreement:
 - appropriate certificates of Organization/Registration and Good Standing from the Secretary of State's Office
 - mortgagee consents to the Regulatory Agreement
 - Trustee certificates or authorization for signer/s to execute all documents
4. For Condominium Projects Only: The schedule of undivided interest in the common areas in percentages set forth in the condominium master deed
5. MEPA (Massachusetts Environmental Policy Act) environmental notification form (ENF)--for new construction only (request form before submission)
6. Affirmative Fair Marketing and Lottery Plan, including:
 - ads and flyers with HUD logo
 - informational materials for lottery applicants
 - eligibility requirements
 - lottery application and financial forms
 - lottery and resident selection procedures
 - request for local preference and demonstration of need for the preference
 - measures to ensure affirmative fair marketing, including outreach methods and venue list
 - name of Lottery Agent with contact information

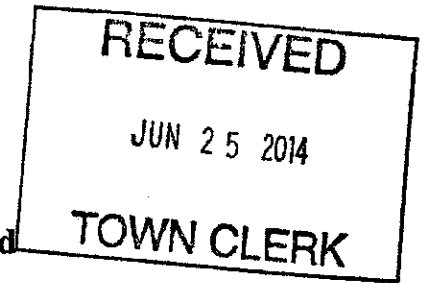
See Section III of the Comprehensive Permit Guidelines at www.mass.gov/dhcd for more information.

PLEASE contact our office if you have any questions: 617-573-1327.

DOCUMENTATION OF MUNICIPAL ACTION



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



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

APPROVED - June 24, 2014

SPECIAL PERMIT DECISION

Millstone Village Adult Retirement Community Planned Unit Development (ARCPUD)

APPLICANT: Elite Home Builders, LLC
PO Box 1205
Westborough, MA 01581

PROPERTY OWNER: Betty Ann McCall Vernaglia
12 Partridge Street
Medway, MA 02053

LOCATION: 129 R Lovering Street

ASSESSOR'S REFERENCE: 20-004

ZONING DISTRICT: Agricultural Residential I

ENGINEER/SURVEYOR: GLM Engineering
19 Exchange ST
Holliston, MA 01746

ARCHITECT: HPA Design, Inc.
200 Stonewall Boulevard
Wrentham, MA 02093

PLAN: Millstone Village ARCPUD
October 15, 2013, last revised February 7, 2014
Prepared by GLM Engineering.

DESCRIPTION of PROPOSED PROJECT

The application was filed under the Adult Retirement Community Planned Unit Development section of the Medway Zoning Bylaw (SECTION V. Use Regulations, Sub-Section U.) The subject property, a 51 acre site, is located at 129 R Lovering Street, between 63 and 81 Winthrop Street, south of Lovering Street and across from Clover Lane in the ARI zoning district (the site). The site is presently owned by Betty McCall-Vernagli of Medway, MA.

Elite Home Builders, LLC (“Applicant”; as used herein, “Applicant” will also refer to the Applicant’s successors and assigns) proposes to construct a residential condominium development on the site, to be known as Millstone Village, consisting of 80 condominium dwelling units in 53 buildings, which shall be age restricted; 3,270 linear feet of privately owned roadway (Millstone Drive and Millstone Court, Cobblestone Drive and Cobblestone Court, Fieldstone Drive and Fieldstone Court, Steppingstone Drive and Sandstone Drive); sewage and water service; drainage/stormwater management facilities; 20.4 acres of dedicated open space; paved sidewalks; walking trails/paths; a community house; and associated parking and landscaping. Site access and egress will be from Winthrop Street, a Medway Scenic Road.

The 80 condominiums will be comprised of 45 townhouse type residences constructed in groups of two or three units and 35 detached single family houses. The dwelling units range in size from 1600 to 2300 sq. ft. Each dwelling will have a 2 car garage plus 2 additional driveway parking spaces. Another 42 off-street parking spaces will be provided for visitors and guests. Eight dwelling units will be available for sale to low or moderate income household and comply with the requirements for inclusion in the Subsidized Housing Inventory prepared by the Department of Housing and Community Development pursuant to Massachusetts General Laws, Chapter 40B, §§20-23 (the “affordable housing units”).

The open space parcel identified on the Plan as Parcel B (888,791 sq. ft./20.40 acres) will be owned by the Millstone Village Condominium Trust and protected through a conservation restriction granted to the Town of Medway, acting through its Conservation Commission, for conservation and passive recreation purposes and permitting public access to the land, pathways and parking area to be constructed thereon.

HISTORICAL BACKGROUND

The proposed development substantially in its present configuration (*but without a community building*) was previously approved by the Planning and Economic Development Board in 2007 on the application of Barberry Homes. The applicant withdrew the application and the project was not constructed.

PROCEDURAL BACKGROUND – Current Application

The application for an Adult Retirement Community Planned Unit Development (ARCPUD) special permit was filed with the Planning and Economic Development Board (the Board) and the Town Clerk on November 18, 2013. The application package consisted of:

- *ARCPUD Special Permit Application* dated October 15, 2013
- Plan entitled *ARCPUD – Millstone Village, Medway, Massachusetts*, dated October 15, 2013 prepared by GLM Engineering of Holliston, MA

- a certified abutters list
- the associated stormwater drainage report prepared by GLM Engineering
- an application for street names; and
- documents from the previously approved Daniels Village ARCPUD from 2006 and 2007 – Certificate of Action, Scenic Road Work Permit, and waiver requests.

A public hearing was scheduled for January 14, 2014. Notice of the public hearing was published in the *Milford Daily News* on December 30, 2013 and January 6, 2014. Notices were sent by certified sent mail to abutters, parties of interest and the Planning Boards of all adjacent towns on December 26, 2013.

A email memo from the Planning and Economic Development Board dated December 20, 2013 was sent to the Building Commissioner, Board of Health, Conservation Commission, Design Review Committee, Police Chief, Fire Chief, and Department of Public Services. The memo noted that the public hearing was scheduled to begin on January 14, 2014 and requested plan review comments.

The Board convened the public hearing on January 14, 2014. The public hearing was continued to February 25, March 25, April 8, April 29, May 13, May 27, June 10 and June 24, 2014 when the public hearing was closed. At the public hearing, comments were received from the general public, municipal boards and/or departments, and the Planning and Economic Development Board's consultants including Tetra Tech, the Town's Consulting Engineer; PGC Associates, the Town's Planning Consultant; the applicant and GLM Engineering. All persons in attendance were provided the opportunity to comment and present evidence. All members voting on this Special Permit were present at all sessions or provided a Mullins Rule certification when absent.

All matters of record were available for public review in the office of the Planning and Economic Development Board and the Town Clerk for all times relevant thereto.

NOTE - The Applicant filed with the Medway Zoning Board of Appeals an application for a use variance as authorized by Section III.D.3 of the Town of Medway Zoning Bylaw ("Bylaw") from the provisions of Section V.U.4(c) (1) of the Bylaw, so as to allow the proposed ARCPUD with up to twenty (20%) percent of the units to be not age-restricted. At its June 4, 2014 meeting, the Medway Zoning Board of Appeals voted to not approve the requested relief.

EXHIBITS - PLANS AND DOCUMENTS

The following exhibits were submitted for the Board's review and deliberations at the time of application.

1. ARCPUD – Millstone Village, Medway, MA plans prepared by GLM Engineering, dated October 15, 2013.
2. Drainage Calculations for Millstone Village in Medway, MA dated October 15, 2013, prepared by GLM Engineering Consultants, Inc.
3. Street Naming Application and submittal letter dated October 15, 2013 prepared by GLM Engineering Consultants

Subsequent to the application package, the applicant submitted the following additional items.

1. Traffic Impact and Access Study – Proposed Millstone Village, Medway, MA; prepared by MS Transportation Systems, Inc., October 2006
2. Supplemental Stormwater Compliance Documents for Millstone Village, prepared by GLM Engineering Consultants, Inc., February 5, 2014
3. Request for Waivers prepared by GLM Engineering, Inc., March 18, 2014
4. Letter from GLM Engineering dated February 7, 2014 in response to January 2014 plan review letters from the Board's consultants - David Pellegrini, Tetra Tech and Gino Carlucci, PGC Associates
5. Revised Millstone Village ARCPUD Plan prepared by GLM Engineering, revised date February 7, 2014.
6. Letter from GLM Engineering to Medway Water/Sewer Superintendent Robert Donahue re: sewer capacity.
7. Letter dated January 31, 2014 from applicant Julie Venincasa informing the PEDB of the applicant's intention to petition the Medway Zoning Board of Appeals to allow up to 20% of the dwelling units to be sold to households who do not have at least one resident over the age of 55.
8. Scenic Road Work Permit application dated March 4, 2014.
9. Proposed Stone Wall/Entry elevation plan dated February 11, 2014 from Paul Apkarian Architects, Inc.
10. Revised Planting Plan dated March 11, 2014 prepared by Cosmos Associates and GLM Engineering.
11. Price Quote dated April 3, 2014 from Marlin Controls for Solar Powered Driver Speed Feedback Sign for Winthrop Street.
12. Development Phasing Plan prepared by GLM Engineering.
13. Application to the Zoning Board of Appeals for variance as authorized by Section III.D.3 of the Town of Medway Zoning Bylaw ("Bylaw") from the provisions of Section V.U.4(c)(1) of the Bylaw, so as to allow an Adult Retirement Community Planned Unit Development with up to twenty (20%) percent of the units to be not age-restricted.
14. Proposed open space trails and parking layout, prepared by GLM Engineering, provided 6/10/14.
15. DRAFT LIP/LAU application prepared by MCO Housing Services including Local Preference Criteria and Market Information, submitted June 18, 2014.
16. Open Space Parking plan, dated June 24, 2014, prepared by GLM Engineering.

PUBLIC HEARING TESTIMONY & EVIDENCE

Written Comments/Review Letters/Verbal Testimony from Town of Medway Departments, Boards, Committees and Consultants

1. Plan Review Letter dated January 8, 2014 – Gino Carlucci, PGC Associates
2. Plan Review Letter updated February 21, 2014 – Gino Carlucci, PGC Associates
3. Plan Review Letter dated January 10, 2014 – David Pellegrini, Tetra Tech

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4. Plan Review Letter updated February 2002014 – David Pellegrini, Tetra Tech
5. Email Communication dated March 24, 2014 – Michael Hall, Tetra Tech
6. Memorandum dated January 9, 2014 from Medway Conservation Agent Patty Barry
7. Plan review letter dated January 10, 2014 from Matthew Buckley, chairman of the Medway Design Review Committee
8. Memorandum dated January 13, 2014 from Medway Community Housing Coordinator Douglas Havens.
9. Email communication dated March 6, 2014 from Medway DPS Director Thomas Holder forwarding a March 6, 2014 email from Liz Schreiber communicating that the Charles River Pollution Control District will accept the sewage flow generated by Millstone Village
10. Memorandum dated March 10, 2014 from Medway Community Housing Coordinator Douglas Havens.
11. Sidewalk construction cost estimate dated March 10, 2014 from Tetra Tech.
12. Memorandum dated March 25, 2014 from Fred Sibley, Medway Assistant Tree Warden, regarding the scenic road work permit application.
13. Plan review status report dated March 24, 2014 from Matthew Buckley, chairman of the Medway Design Review Committee
14. Jeff Lynch, Medway Fire Chief - January 14, 2014
15. Missy Dzikczek, Council on Aging Director – January 14, 2014
16. Matthew Buckley, Chairman of the Medway Design Review Committee – January 14, 2014
17. Douglas Havens, Medway Community Housing Coordinator – January 14, February 25, March 25, June 8, and June 24, 2014 meetings.
18. Memorandum dated February 19, 2014 from Susan Affleck-Childs, Planning and Economic Development Coordinator re: status of scenic road work permit.
19. Memo from Doug Havens, Community Housing Coordinator, dated January 13, 2014.
20. Scenic Road Work Permit approved by the Board on April 8, 2014
21. Email dated April 4, 2014 from Bridget Graziano, Interim Conservation Agent re: the Conservation Commission's vote to grant a one year extension of the DEP #216-735 Order of Conditions (which had been granted to the previous ARCPUD applicant for this site).
22. Plan Review Memorandum dated April 27, 2014 from Sergeant Jeff Watson.
23. Email communication dated June 3, 2014 from Tom Holder, Medway DPS Director, recommending the use of various water conservation measures.
24. Memo from Doug Havens, Community Housing Coordinator, dated June 12, 2014
25. Memo from Doug Havens, Community Housing Coordinator, dated June 23, 2014
26. Various drafts of the ARCPUD special permit decision.

Professional Commentary during the Public Hearings

1. Rob Truax, GLM Engineering
2. David Pellegrini, P.E., Tetra Tech
3. Brian Marchetti, P.E., Tetra Tech
4. Gino Carlucci, AICP, PGC Associates
5. Attorney Alex Parra for the applicant

Applicant (Elite Home Builders, Inc.) Commentary

1. Julie Venincasa
2. Steve Venincasa
3. Leonardo DaSilva

Citizen/Abutter Commentary

1. Steven Kadlik, 2 Clover Lane
2. Frank Glass, 74 Winthrop Street
3. Laura Bockoven, 1 Iarussi Way
4. Karen Linstrom, 3 Iarussi Way
5. Henry Lewandowski, 72 Winthrop Street
6. Sean Barry, 70 Winthrop Street

Other Commentary

1. Letter dated March 13, 2014 from Sue Rorke, MetroWest Center for Independent Living

FINDINGS

To make its findings, decision, and conditions of approval, the Board carefully reviewed the Plan, and all the materials, studies and documentation presented by the applicant, the Board's consultants, letters and testimony from Town officials and boards, together with the comments and correspondence of abutters and members of the public, and carefully analyzed the general purpose of the ARCPUD provisions of the Zoning Bylaw and its specific requirements and standards, as well as the requirements of Section 9 of Chapter 40A of the Massachusetts General Laws specifically relating to special permits.

On June 24, 2014, on a motion made by Robert Tucker and seconded by Matthew Hayes, the Board voted to make the following **FINDINGS** regarding this application in accordance with the Medway Zoning Bylaw, SECTION V. USE REGULATIONS, Sub-Section U. Adult Retirement Community Planned Unit Development. The motion was approved by a vote of 5 in favor and 0 against.

1. The Board finds that the Millstone Village ARCPUD will be in harmony with the general purpose and intent of the Bylaw since it is located within the AR-I district and meets the purposes of the Adult Retirement Community Overlay District section of the Zoning Bylaw as noted more specifically below.
 - a. The project is a master planned community providing 80 condominium dwelling units to help accommodate Medway's growing active adult (+55) and senior citizen population by providing alternative housing opportunities

other than the conventional single family detached home.

- b. The development provides 45 townhouse type units which are not allowed by right in the underlying AR-I zoning district. This helps meet the needs of the senior citizen population by offering a greater variety of housing types than is customarily provided in Medway. The condominium form of ownership reduces the maintenance burden on senior citizens associated with ownership of a single family home in a conventional subdivision.
 - c. The project uses creative and innovative site planning to preserve Medway's limited land resources. Wetland resource areas are protected. By clustering the residential construction on the interior portion of the site, the remaining 888,791 sq. ft. /20.4 acres, or 40% of the 51.02 +/- acre parcel shall become permanent, protected open space. The open space is located adjacent to Lovering Street. An additional 65,000 +/- sq. ft. of land within the developed portion of the site will be used for designated, but unprotected open space as well.
 - d. A sense of neighborhood and high quality design aesthetic has been achieved. Building architecture for the townhouses and single family homes reflects New England character. Walking paths interconnect throughout the development.
 - e. The project helps preserve Medway's rural character by limiting the impact of potentially numerous access roadways on Winthrop Street, a Medway Scenic Road.
 - f. The project will provide 8 affordable housing units to eligible purchasers in compliance with the requirements for inclusion in the Subsidized Housing Inventory prepared by the Department of Housing and Community Development.
2. Subject to the conditions below, the Board finds that the Millstone Village ARCPUD complies with the **General Standards** of SECTION V., Sub-Section U, 4. (c). These requirements include, but are not limited to, the following:
- a. *(c) 1 – All dwellings in an ARCPUD shall be subject to an age restriction described in a deed/deed rider, restrictive covenant, or other document approved by the Planning and Economic Development Board that shall be recorded at the Registry of Deeds.* The dwellings within the Millstone Village ARCPUD will be subject to an age restriction limiting occupancy to at least one person who has attained a minimum age of fifty-five years and by: (i) spouses and/or persons providing health care services to a qualified owner of such Unit, (ii) a child or grandchild of a qualified occupant of such Unit, provided that such child or grandchild has attained the age of majority, and (iii) not more than one (1) person in addition to a spouse, health care provider and child or grandchild as aforesaid, provided that such person has attained the age of majority, or any guest of any age but such guest may only stay for six months in any calendar year.

- b. (c) 2 – *An ARCPUD shall be on a site that is a minimum of ten (10) acres in area.* The Millstone Village site consists of multiple, contiguous lots that in aggregate total 51.01 acres.
- c. (c) 3 – *The ARCPUD shall include at least one of the adult retirement community residential uses as defined in Section II of the Zoning Bylaw and may be developed in multiples phases.* The Millstone Village ARCPUD consists of “*Independent Living Residence Facilities*” provided in the form of a condominium community comprised of 45 attached townhouses and 35 detached single family homes on one building lot – Parcel A. The applicant has indicated the development will be constructed in five phases.
- d. (c) 4 – *Upon approval of the Planning and Economic Development Board, an ARCPUD may also include Local Convenience Retail use of no more than 7,500 sq. feet of gross building area.* No Local Convenience Retail is proposed so this requirement is not applicable.
- e. (c) 5 – *Upon approval of the Planning and Economic Development Board, an ARCPUD may include an ARCPUD Community Center intended for the use and benefit of the ARCPUD residents.* A 2,400 sq. ft. community center is proposed which does not exceed 10% of the gross building floor area to be constructed for the 80 residential dwelling units. The Community Center will be owned and maintained by the Millstone Village Condominium Trust pursuant to as specified in Condition #1(a) herein.
- f. (c) 6 – *The maximum number of permitted housing units in an ARCPUD shall be determined by multiplying the gross acreage of the ARCPUD site by a factor of three (3.0).* The plan shows a development of 80 residences on 51.01 acres. Considering the entire site, 153 units would be the maximum possible number of dwelling units allowed at 3 units per acre. For Parcel A alone, the maximum allowed would be 91 units.
- g. (c) 7 – *When an ARCPUD is within more than one base zoning district, applicable use standards will be based on the percentage of acreage in each district.* The Millstone Village ARCPUD is located entirely within the ARI zoning district, so this requirement is not applicable.
- h. (c) 8 – *The maximum number of permitted housing units within all permitted ARCPUD developments in the Town of Medway shall be limited to a number equal to ten percent (10%) of the existing detached single-family residential housing units (excluding ARCPUD units) located in the Town of Medway.* Per the Medway Board of Assessors, there were 5,246 detached single-family residential housing units in the Town of Medway on January 1, 2014. With the maximum 10% rule, that would allow for no more than a total of 527 ARCPUD units in Medway. There are presently no other adult retirement communities in Medway. The total of 80 proposed ARCPUD dwelling units for Millstone Village is well under Medway’s 10% threshold.
- i. (c) 9 – *At least 10% of the total number of ARCPUD residential dwelling units, rounded up to the next higher integer, shall be designated and made*

available as Affordable Housing Units as defined in the Zoning Bylaw. The applicant has agreed and the decision includes Condition #5 that 8 of the 80 (10%) of the dwelling units will be designated as affordable housing units.

3. Subject to the conditions below, the Planning and Economic Development Board finds that the Millstone Village ARCPUD complies with the **Open Space Standards** of SECTION V. USE REGULATIONS, Sub-Section T. 4. (d). These requirements include, but are not limited to, the following:
 - a. *A minimum of 40% of the total land area of the ARCPUD site shall be set aside and maintained as open space.* The plan shows the total open space land area to be 20.4 acres, which is 40% of the 51.01 acre site.
 - b. *(d) 1 – Community buildings, median strips, landscaped areas within parking lots, or lawn/landscaped areas on individual home sites or impervious areas for the open collection and management of storm water shall not be counted as part of the required ARCPUD open space.* The required open space area is comprised of one parcel and does not include any of the above noted items.
 - c. *(d) 2 - A minimum of 40% of the required open space shall be suitable for passive and/or active recreation purposes.* Approximately 11.3 acres of the provided open space are suitable for passive and/or recreation purposes. Pursuant to the zoning bylaw standard, the minimum required open space area suitable for passive and/or recreation purposes is 8.16 +/- acres and thus, the open space area proposed for passive and/or active recreation purposes is 131% of what the zoning bylaw requires. Walking trails are among the amenities on this portion of the open space.
 - d. *(d) 3 - A minimum of 50% of the required open space shall be preserved in its natural, pre-development condition.* Except for the walking trails to be installed, close to 100% of the provided open space is to be preserved in its natural state. Pursuant to the Zoning Bylaw standard, the minimum required open space area to be preserved in its natural state is 10.2 acres (50% of the open space parcel) and thus, the open space area proposed to be preserved in its natural state is approximately 200 % of what the zoning bylaw requires, except for the trails.
 - e. *(d) 4 – Wetlands resource areas as defined by M.G.L., Chapter 131, shall comprise not more than 50% of the required ARCPUD open space area.* Wetlands resource areas constitute 9.1 acres or 44.6% of the required open space area.
 - f. *(d) 5 - The required open space shall be contiguous.* The 20 acre open space parcel functions as one large square area immediately to the north of the Development Parcel A. The open space is bisected by utility easements which run from the northeast to the southwest corners.
 - g. *(d) 6 – To the greatest extent possible, the required open space area should establish a network of open space within the site.* The Millstone Village open space runs from Winthrop Street deep back into the parcel all the way to its

western boundary. The open space is traversed with walking paths and is adjacent to Town owned open space immediately to the west.

- h. *(d) 7 - A minimum of 50% of the required ARCPUD open space shall be set aside permanently as Protected Open Space. An area of 888,791 sq. ft. / 20.4 acres is proposed to be set aside as Protected Open Space. Pursuant to the zoning bylaw standard, the minimum required open space area to be set aside permanently as Protected Open Space is 10.2 +/- acres and thus, the open space area proposed to be set aside as Protected Open Space is 200% of what the zoning bylaw requires. The Protected Open Space will be subject to a conservation restriction granted to the Town of Medway, acting through its Conservation Commission, in perpetuity for conservation and passive recreation purposes and permitting public access to the land, pathways and parking area to be constructed thereon. (d) 8 – Drainage facilities shall not be located in the open space areas. There are no detention/retention basins located within the open space areas.*
 - i. *(d) 9 – Open space shall be laid out to provide eco-corridors and other areas identified for open space preservation. The open space is laid out to provide an eco-corridor by connecting to open space area to the west in the Evergreen Meadow OSRD project. No land within 50 feet of a dwelling unit is counted as open space.*
 - j. *(d) 10 – Applicant must provide a written program describing how the open space will be maintained in perpetuity to standards satisfactory to the Planning and Economic Development Board. All open space areas including the Common Areas and the Open Space Parcel B shall be owned and maintained by the Millstone Village Condominium Trust. The Condominium Trust documents shall require that the Open Space Parcel B and the walking trails provided thereon shall be maintained in a manner suitable for passive recreational uses, which maintenance shall be the responsibility of the Condominium Trust.*
4. Subject to the Conditions below, the Board finds that the Millstone Village ARCPUD complies with the **Site Development Standards** of SECTION V, Sub-Section T. 4. (e). These requirements include, but are not limited to, the following:
- a. *(e) 1 - The contiguous lots on which an ARCPUD is located shall have a minimum of 250 linear feet of frontage on an existing public way. The proposed Millstone Village ARCPUD contiguous lots have 495 feet of frontage on Winthrop Street.*
 - b. *(e) 2- Each building in the ARCPUD shall either face an existing street or a public or private way constructed within the ARCPUD. Four single family residences will face Winthrop Street (2, 4, 6, & 8 Sandstone Drive). The remaining units will face at least one of the five private ways to be constructed in the development.*
 - c. *(e) 3 – Each building in the ARCPUD shall have a minimum front yard of not*

less than twenty feet (20') from the edge of the paved way and a side yard of not less than ten feet (10'). As shown on the 2-7-2014 Plan, all Millstone Village ARCPUD buildings have a 20.5' front yard setback and a 20.5' side yard setback from the edge of the paved way to the closest point of the structure. Provided that Applicant complies with the applicable setback provisions of SECTION V. T. 4 (e) 3, the location of the actual buildings may be altered. Final house locations shall be shown on the as-built plans.

- d. *(e) 4 – Each building in the ARCPUD shall be set back a minimum of fifty feet from the ARCPUD's perimeter lot line. As shown on the 2-7-2014 Plan, each building in the Millstone Village ARCPUD is more than 50' from the site's perimeter property line. Provided that Applicant complies with the applicable provisions of SECTION V. T. 4 (e) 4, the location of the actual buildings may be altered. Final house locations shall be shown on the as-built plans.*
- e. *(e) 5 – Each building in the ARCPUD shall be set back a minimum of fifty feet (50') from the right of way line of any public way. Each Millstone Village ARCPUD building is set back a minimum of 50' from the right-of-way line of a public way (Winthrop Street).*
- f. *(e) 6 – In an ARCPUD Residential Subdivision, each Home Site lot shall be a minimum of 6,000 square feet of area and meet the upland and lot space requirements of the Zoning Bylaw. This is not applicable as none of the dwelling units are in an ARCPUD residential subdivision.*
- g. *(e) 7- There shall be no minimum standards for internal lot line setbacks unless required by the Planning and Economic Development Board. The Board finds that there is no need for internal lot line setbacks within the Millstone Village ARCPUD.*
- h. *(e) 8 - A minimum of two (2) off-street parking spaces shall be required for each dwelling unit. For each dwelling unit there are two parking spaces in the garage and two parking spaces in the driveway. In addition, there are 42 off-street parking spaces for guests and visitors.*
- i. *(e) 9 – A minimum of one (1) off-street parking space is required for each 500 sq. ft. of gross building area occupied by a local convenience use. No Local Convenience Retail use proposed so this requirement is not applicable.*
- j. *(e) 10 - All two way roadways serving more than one dwelling shall be a minimum paved width of twenty-two feet. The paved width of a one-way roadway may be less than 22 feet if approved by the Planning and Economic Development Board. All roadways that service more than one dwelling are proposed to have a minimum paved width of twenty-two feet.*
- k. *(e) 11 - All roadways, driveways and parking areas shall be maintained by the applicant, developer of the ARCPUD, its assigns, or owners and their agents. The roadways, common driveways and parking areas shall be owned and maintained by the applicant, or its assignee, the Millstone Village Condominium Trust, which shall be responsible for all maintenance.*

- l. *(e) 12 - The landscape design shall give preference to the maintenance of existing healthy trees and groundcover.* The landscape design has given preference to the maintenance of existing healthy trees by preserving as many specimens as possible as identified in the existing conditions plan. During construction, the contractor will coordinate with the site engineer. The existing ground cover of the proposed 20.4 acre open space area shall be preserved.
 - m. *(e) 13 – All utilities shall be underground.* All permanent utilities in the Millstone Village ARCPUD are underground.
 - n. *(e) 14 - No mobile homes or trailers shall be allowed to be used as dwelling units in the ARCPUD.* No mobile homes or trailers are to be used as dwelling units in the Millstone Village ARCPUD.
 - o. *(e) 15 – Permanent utilities and on-site storage shall be shielded from view by walls or fences.* The permanent utilities in the Millstone Village ARCPUD will be shielded from view by landscaping any electrical boxes. Condition #14 and the Condominium Master Deed require that mobile homes or trailers, boats, boat trailers and recreational vehicles shall be stored in garages.
 - p. *(e) 16 - Solid waste removal, including all expenses, within the ARCPUD shall be the responsibility of the residents, owners or their agents.* The removal of solid waste shall be the responsibility of, and maintained by the Millstone Village Condominium Trust, which shall be responsible for all exterior and site maintenance.
5. The Board finds that the Millstone Village ARCPUD satisfies the **Requirements and Features of an ARCPUD** as stated in SECTION V. Sub-Section T. 4. (f).
- a. *(f) 1 - The ARCPUD is a defined tract of a minimum of ten acres in area.* The Millstone Village ARCPUD is to be developed on a tract of land that is 50+ acres in size.
 - b. *(f) 2 - The ARCPUD is to be developed in a comprehensive, design-integrated manner according to an overall master plan and includes two types of senior residential uses.* The applicant has proposed a 6 phase construction plan over a 5 year period. The development includes single family detached and attached townhouse dwelling units in duplex and triplex buildings.
 - c. *(f) 3 - As noted above, the ARCPUD is consistent with all ARCPUD general standards and all applicable site development standards.* This project fully meets all ARCPUD general and site development standards.
 - d. *(f) 4 - The ARCPUD is consistent with the goals and objectives of the Town of Medway Master Plan.* The proposed development implements Land Use Goal #1, Open Space Goal #3, and Affordable Housing Goal #5 of the 2009 Medway Maser Plan.
 - e. *(f) 5 - The ARCPUD clusters development units in a manner that preserves natural open space, and provides usable and accessible open space for the*

recreation and enjoyment of ARCPUD residents and the general public. The ARCPUD site development has taken into consideration the unique topography of the locus, preserving 20.4 acres of open space area, which contain a series of walking trails. The design of the ARCPUD site development preserves natural open space, and provides usable and accessible open space for the recreation and enjoyment of the ARCPUD residents and the general public.

- f. *(f) 6 - The ARCPUD makes efficient use of land by properly considering topography and protection of significant natural features.* The ARCPUD site design has taken into consideration the unique topography of the land, the unique features of the natural resources and the wetlands by integrating the developed area into and in harmony with the environmental resources, thus resulting in the preservation of the existing ground cover of the proposed 20.4 acres open space area.
- g. *(f) 7 - The ARCPUD demonstrates coordinated site development.* The development appropriately integrates land uses and housing types, uses compatible architecture, establishes an area of preserved open space, includes an efficient vehicular access and circulation system; and establishes pedestrian a network within the site.
- h. *(f) 8 - The ARCPUD roadway and infrastructure systems are sized to accommodate the overall service demand of all uses in the development.* The roadway and infrastructure systems have been designed to accommodate the adult retirement residents of the community.
- i. *(f) 9 - The roadway and infrastructure systems are linked to and coordinated with the surrounding off-site public roadways and infrastructure in a manner that is safe, efficient and non-injurious to the public and an improvement or benefit to the public where possible.* The development provides two access/egress points with Winthrop Street which is beneficial for access by emergency services vehicles.
- j. *(f) 10 - The ARCPUD includes appropriate provisions for the ownership and preservation of the required open space.* The open space will be owned by the Millstone Village Condominium Trust and protected with a conservation restriction.
- k. *(f) 11 - The ARCPUD includes appropriate deed restrictions or covenants requiring compliance of all development with the ARCPUD master plan and with any site plan or architectural guidelines or standards.* The Millstone Village plan has been reviewed by the Medway Design Review Committee (DRC) and been found to be generally consistent with the Medway Design Review Guidelines.
- l. *(f) 12 – The Board may require that ARCPUD regulations pertaining to age restrictions and limitations or prohibitions on the presence of mobile homes, trailers, boats, boat trailers or recreational vehicles be made part of the*

special permit decision. As noted below in Condition #2, this ARCPUD special permit is conditioned on the inclusion of appropriate deed restrictions, by-laws, or other legal documents that generally limit residency to persons of age 55 or older. Condition #14 limits or prohibits the presence of mobile homes or trailers, boats, boat trailers and recreational vehicles, unless stored inside garages.

- m. *(f) 12 – The Board may, as a condition of an ARCPUD special permit, require that the land are on which the ARCPUD is located be maintained as one undivided lot and that the lot shall not be subdivided in the future without the express approval of the Board.* As noted below in Condition #1, this ARCPUD special permit is conditioned on the prohibition of any further subdivision of any lot without the express approval of the Planning and Economic Development Board.
- n. *(f) 13 The Board may, as a condition of an ARDPUD special permit, require a legal mechanism that will assure that the ARCPUD will not be subdivided or that the ARCPUD will remain as rental housing, or that ownership will remain consolidated.* Since this ARCPUD has been planned to be developed with a condominium form of ownership, it is conditioned to prohibit the further subdivision of any lot or any condominium unit.

DECISION/VOTE

After reviewing the application and all information gathered during the public hearing process, the Medway Planning and Economic Development Board, at a duly posted meeting held on June 24, 2014, on a motion made by Robert Tucker and seconded by Matthew Hayes, voted to grant an ARCPUD special permit to Elite Home Builders LLC and to approve the plan entitled ARCPUD Millstone Village, Town of Medway, Massachusetts, prepared by GLM Engineering, last revised February 7, 2014 to develop an 80 unit Adult Retirement Community Planned Unit Development (ARCPUD) subject to the PLAN MODIFICATIONS, CONDITIONS, AND LIMITATIONS listed below and certain WAIVERS from the *Subdivision Rules and Regulations*. This approval is transferable to successors in title of the subject property, or assignees. The motion was approved by a vote of 5 in favor and 0 against.

Planning and Economic Development Board Members

Thomas A. Gay
Matthew J. Hayes
Andy Rodenhiser
Robert K. Tucker
Karyl Spiller-Walsh

MODIFICATIONS – Prior to plan endorsement, the Plan and the associated documents shall be further revised to include the additional, corrected, or modified information as specified herein.

Documents

1. The Declaration of Trust for the Millstone Village Condominium Trust shall include the following language: *“The construction and operation of the condominium is governed by an ARCPUD Special Permit granted by the Medway Planning and Economic*

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Development Board on June 24, 2014 copy of which is available for inspection at the Town Clerk's office.

2. The Millstone Village Condominium Master Deed and all legal documents related to the affordable units shall include language to specify:
 - a. the unit numbers of the designated affordable units;
 - b. that the affordable units shall be sold to income eligible persons or households that meet the age restriction of the master deed;
 - c. that the local preference criteria for the sale and re-sale of the affordable units shall be in accordance with the Massachusetts Department of Housing and Community Local Initiative Program or other applicable state housing program
 - d. that provides units that are eligible for inclusion in the Subsidized Housing Inventory; and
 - e. the affordable housing use restriction.

3. The Declaration of Trust for the Millstone Village Condominium shall reference the conservation restriction on Open Space Parcel B to be granted to the Town of Medway in perpetuity acting through its Conservation Commission, for conservation and passive recreation purposes and permitting public access to Open Space Parcel B and the pathways and parking area to be constructed thereon; the maintenance of trails on Open Space Parcel B as provided for herein; the condominium association's ownership of and responsibility for the roadways, open space, trash, snow plowing, stormwater drainage system, sewer system and water system; and the approved Stormwater and Operations Maintenance Plan.

4. The Plan shall be revised to include the following items:
 - a. Street Names and addresses
 - b. Development Phasing Plan
 - c. Cape Cod berm along all streets except that roundings shall be vertical granite curbing
 - d. Modified resource area delineation lines as authorized by the Medway Conservation Commission in its March 27, 2014 action to extend the previously issued Order of Conditions for this site to March of 2015.
 - e. Information regarding off-site improvements, if any.
 - f. Stormwater Operations and Maintenance Plan
 - g. Location of trails and parking area on the Open Space Parcel
 - h. Maintenance plan for the upkeep and care of the Open Space Parcel.

CONDITIONS – The following conditions shall be binding upon the Applicant and its successors and assigns.

1. Notwithstanding any future amendment of the Medway Zoning Bylaw, MGL G.L. C.40A or any other legislative act:
 - a. The maximum number of dwelling units to be constructed under this special permit shall be eighty. In addition to the dwelling units there shall be one community building, as shown on the Plans.
 - b. The tract(s) of land on which this ARCPUD is to be located shall not be altered or used except:

- 1) as granted by this special permit;
 - 2) substantially as shown on the plan entitled ARCPUD – Millstone Village last revised February 7, 2014 to be modified as referenced herein; and
 - 3) in accordance with subsequent approved plans or amendments to this special permit.
- c. The tracts of land and buildings comprising Millstone Village shall not be used, sold, transferred or leased except in conformity with this special permit and shall not be further divided.

2. Age Restriction

- a. All units shall be subject to an age restriction limiting occupancy to at least one person who has attained a minimum age of fifty-five years (the “Qualified Occupant”) and by:
- 1) spouses;
 - 2) persons providing health care services to a Qualified Occupant of such dwelling unit;
 - 3) a child or grandchild of a Qualified Occupant of such dwelling unit, provided that such child or grandchild has attained the age of majority;
 - 4) not more than one person in addition to a spouse, health care provider and child or grandchild as aforesaid, provided that such person has attained the age of majority; and
 - 5) or one other person who has reached the age of majority, or any guest of any age but such guest may only stay for six months in any calendar year;
- b. In the event of the death of the Qualified Occupant(s) of a unit or other involuntary transfer of a unit, a one year exemption shall be allowed to allow for the rental or sale of the unit to another Qualified Occupant(s) (the “Age Restriction”) so long as the provisions of the Housing Laws (defined below) are not violated by such occupancy,
- c. The Age Restriction is intended to be consistent with, and is set forth in order to comply with the Fair Housing Act, 42 USC section 3607, as amended, the regulations promulgated thereunder, 24 CFR Subtitle B, Ch. 1, section 100.300 et seq. and M.G.L. c. 151B, section 4 (the “Housing Laws”). This special permit shall be construed so as to be consistent with federal and state law, and nothing in this special permit shall require or permit the Applicant or its successors or assigns to take any action in violation of federal or state law.
- d. The age qualification requirements for the affordable housing units shall be in conformity with DHCD’s requirements for inclusion on the Subsidized Housing Inventory.

3. Phasing Plan

- a. The applicant plans to build out the infrastructure of this project in the following phases:

- 1) **Phase IA:**
 - 2, 4, 6 & 8 Sandstone Drive
 - 2) **Phase IB:**
 - 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22 & 24 Millstone Drive
 - 17, 19, 21 & 23 Millstone Drive
 - 1, 3, 5, 7 & 9 Cobblestone Drive
 - 2 Cobblestone Drive (Community House)
 - 3) **Phase II**
 - 2, 4 & 6 Cobblestone Court
 - 1, 3 & 5 Cobblestone Court
 - 4, 6, 8, 10, 12 & 14 Cobblestone Drive
 - 13 & 15 Cobblestone Drive
 - 4) **Phase III**
 - 1, 3, 5, 7, 9 & 11 Millstone Court
 - 2, 4, 6, 8, 10 & 12 Fieldstone Court
 - 1, 3, 5, 7, 9 & 11 Fieldstone Drive
 - 11 Cobblestone Drive
 - 2, 4, 6, 8, 10, 12 & 14 Fieldstone Drive
 - 28 Millstone Drive
 - 5) **Phase IV**
 - 29, 31, 33 & 35 Millstone Drive
 - 30, 32, 34 & 36 Millstone Drive
 - 6) **Phase V**
 - 1, 3 & 5 Steppingstone Drive
 - 2, 4 & 6 Steppingstone Drive
- b. Any adjustments to the phasing plan require approval of the Board.
- c. Notwithstanding the foregoing, the Applicant may build and sell any of the dwelling units in the Project in any order, subject to the provisions of Condition 21 - Timetable for Construction herein.

4. Open Space – Restriction; public access

- a. The applicant shall convey Open Space Parcel B as shown on the Plan to the Millstone Village Condominium Trust which shall be responsible for its upkeep and maintenance, including the trails and public parking area.
- b. The conveyance of Open Space Parcel B to Millstone Village Condominium Trust shall be subject to a Conservation Restriction granted to the Town of Medway in perpetuity, acting through its Conservation Commission, for conservation and passive recreation purposes and permitting public access to Open Space Parcel B and the pathways and parking area to be constructed thereon.

- c. The aforementioned Conservation Restriction shall be reviewed and approved by the Medway Board of Selectmen, the Medway Conservation Commission, and the Secretary of Energy and Environmental Affairs (the Secretary) pursuant to G.L. c. 184, sections 31, 32 and 33, to ensure that the restriction remains enforceable in perpetuity. The Applicant shall file the proposed Conservation Restriction with the Secretary of Energy and Environmental Affairs within the later of 120 days after the Board endorses the Plan of Record or 30 days after preliminary approval of the proposed Conservation Restriction by the Medway Board of Selectmen and Medway Conservation Commission. The Applicant shall diligently pursue final approval of the Conservation Restriction by EEOA and the Medway Board of Selectmen and Conservation Commission. The approved and executed Conservation Restriction shall be recorded at the Norfolk County Registry of Deeds before the Town issues the occupancy permits for the final six dwelling units.
- d. The applicant shall construct a parking area which shall be gravel and contain sufficient area for five (5) parking spaces and shall be accessible from a public way to provide public access to the Open Space Parcel and trails.
- e. The applicant's improvements to the Open Space Parcel including trails and parking area shall be completed within four (4) years after plan endorsement.
- f. The Applicant and assigns shall be subject to the provisions included in the Conservation Restriction approved by the Secretary of Energy and Environmental Affairs for maintenance of the open space parcel, trails and parking area.

5. Affordable Housing

- a. In accordance with the Medway Zoning Bylaw, V. USE REGULATIONS, Sub-Section U. Adult Retirement Community Planned Unit Development, Paragraph 4. c) 9), eight dwelling units within the Millstone Village ARCPUD shall be affordable housing units that will comply with the requirements for inclusion in the Subsidized Housing Inventory prepared by the MA Department of Housing and Community Development (DHCD).
- b. Within the later of 120 days after the Board endorses the Plan of Record or 30 days after approval of the LIP application by the Medway Board of Selectmen and any other local authority required, if any, the Applicant shall apply to DHCD's Local Initiative Program (LIP) for inclusion of the proposed eight affordable dwelling units on the Subsidized Housing Inventory and thereafter shall diligently pursue DHCD approval of the LIP Application. Prior to submitting the LIP Application, the applicant shall meet with the Medway Board of Selectmen for purposes of securing its support for the LIP Application and with the Medway Affordable Housing Committee and Trust regarding the marketing plan, the location of affordable housing units within the development, local preference guidelines, and to secure their support for the LIP Application.

- c. The eight affordable housing units shall each be subject to a perpetual affordable housing deed rider, in a form acceptable to DHCD, to be recorded at the Norfolk County Registry of Deeds with the deed for each affordable housing unit as required by LIP. Each affordable housing unit shall be sold and resold in accordance with the provisions of the affordable housing deed rider.
- d. The affordable housing units are to be located within the development as required by DHCD for approval of the project's LIP application. The applicant has proposed the interior unit of each of the eight triplex townhouse buildings with the following addresses for the affordable housing units: 16 & 22 Millstone Drive (Phase IB); 3 & 9 Millstone Court, 3 & 9 Fieldstone Drive and 4 & 10 Fieldstone Court (all in Phase III). Upon direction by DHCD or request of the Applicant (*without effect to the Subsidized Housing Inventory eligibility*), the Planning and Economic Development Board shall permit a change in the locations of the affordable housing units.
- e. The applicant has proposed that the initial Lottery Agent for the initial sales of the affordable housing units be: MCO & Associates, Inc. of Harvard, MA or an agent designated by the Planning and Economic Development Board and the designation provided to the owner of record of the ARCPUD land. Any such Lottery Agent must meet the DHCD's experience requirements as determined by DHCD so that the affordable housing units may be counted on the Subsidized Housing Inventory.
- f. DHCD shall oversee the initial sales of the affordable housing units pursuant to the LIP program.
- g. The Board hereby names the Town of Medway Affordable Housing Trust if approved by DHCD as an additional Monitoring Agent for the sale and resale of the affordable housing units.
- h. Affordable Housing Regulatory Agreement – If and to the extent that DHCD approves the affordable units pursuant to 760 CMR 56.04(7) and 56.05 (10)(b), the Applicant shall prepare or cause to be prepared an Affordable Housing Regulatory Agreement as required by DHCD for execution and recording at the Norfolk County Registry of Deeds. To the extent approved by DHCD, the affordable housing units shall be subject to the Regulatory Agreement and shall be sold and resold in accordance with its provisions.

6. Recording of Plans and Documents

- a. The Plan of Record associated with this special permit is: ARCPUD – Millstone Village Town of Medway, MA, last revised February 7, 2014, to be further revised as specified herein, prepared by GLM Engineering Consultants, Inc.
- b. No construction shall begin on the site and no building permit shall be issued before the following documents/plans are recorded at the Norfolk County Registry of Deeds:
 - 1) This special permit decision
 - 2) The Plan of Record endorsed by the Planning and Economic Development

- Board
- 3) Restrictive Covenant with the Town of Medway (FORM G – *Medway Subdivision Rules and Regulations*).
- c. The following documents which shall be in compliance with the conditions of this decision shall be recorded at the Norfolk County Registry of Deeds prior to the issuance of an occupancy permit for any building on the site.
- 1) Millstone Village Condominium Master Deed
 - 2) Declaration of Trust of Millstone Village Condominium Trust
- d. The following documents which shall be in compliance with the conditions of this decision shall be recorded at the Norfolk County Registry of Deeds.
- 1) If and to the extent approved by DHCD, an affordable housing deed rider in compliance with the requirements of the Massachusetts Department of Housing and Community Development's Local Initiative Program.
- e. The following document which shall be in compliance with the conditions of this decision shall be recorded at the Norfolk County Registry of Deeds before occupancy permit for last six dwelling units.
- 1) Conservation Restriction on Open Space Parcel B granted to the Town of Medway in perpetuity (if and to the extent approved by the Secretary of Energy and Environmental Affairs) acting through its Conservation Commission for conservation and passive recreation purposes and permitting public access to Open Space Parcel B and the pathways and parking area to be constructed thereon;
- f. The following document which shall be in compliance with the conditions of this decision shall be recorded at the Norfolk County Registry of Deeds.
- 1) Executed Affordable Housing Regulatory Agreement with DHCD, if and to the extent approved by DHCD.
- g. Within thirty days of recording, the Applicant or his assign shall provide the Planning and Economic Development Board with a receipt from the Norfolk County Registry of Deeds indicating that all documents have been duly recorded, or supply another alternative verification that such recording has occurred.

7. Drainage/Stormwater Management

- a. Until transferred to the Millstone Village Condominium Trust, the Applicant shall be responsible for keeping the constructed stormwater drainage system in a clean and well-functioning condition, and shall do nothing which would alter the drainage patterns or characteristics as indicated on the Plan approved herein without the express written approval of the Planning and Economic Development Board.
- b. The stormwater drainage system, water and sewer systems shall be maintained by the applicant and its successors and assigns and shall not be dedicated to the Town. It is the intent of the Planning and Economic Development Board and the applicant that these systems not be accepted by Town Meeting.

- c. The applicant shall maintain the stormwater management system in accordance with the following guidelines for the operation and maintenance of the stormwater management system prepared by the applicant's registered professional engineer - *Millstone Village Stormwater Operation, Maintenance and Management Plan*, August 23, 2006, prepared by GLM Engineering.
- d. In the event a management company is engaged, the guidelines shall be incorporated by reference in the management contract. In the event that the Applicant, its successors, or agent fails to maintain the stormwater management system in accordance with the applicable guidelines for operation and maintenance, the Town may conduct such maintenance or repairs as the Town determines in its sole discretion are reasonably necessary, and the Applicant hereby consents to allow the town and its agents, employees and contractors entry onto the Property to implement the measures set forth in such guidelines. In the event the Town conducts such maintenance or repairs, the Applicant shall promptly reimburse the Town for all reasonable expenses associated therewith; if the applicant fails to so reimburse the Town, the Town may place a lien on the site or any unit therein to secure such payment.

8. Wetlands/Streams

- a. On March 27, 2014, the Medway Conservation Commission extended the previously issued Order of Conditions for this development parcel to March 2015. The Commission also voted to refine the resource area delineation lines by using the more restrictive wetland delineation lines from 2006 and 2013 as shown on drawings prepared by GLM Engineering Consultants, Inc. The Plan of Record shall include the refined resource area boundary lines to reflect the most restrictive boundaries.
- b. Any future plans approved by the Medway Conservation Commission pursuant to an Order of Conditions for this site shall be provided to the Planning and Economic Development Board. If there is any inconsistency between the endorsed ARCPUD – Millstone Village Plan and any plans as may be approved by the Conservation Commission, the Applicant shall submit an amended plan to the Planning and Economic Development Board for approval. Said amended plan shall be accompanied by a letter setting forth a description of any and all changes from the ARCPUD – Millstone Village plan as approved herein and shall include three sets of revised drainage calculations, if applicable.

9. **Scenic Road** - Any construction work, tree clearing, installation of light poles, fences and design features along the Winthrop Street frontage of the Millstone Village ARCPUD shall be completed in accordance with the *Scenic Road Work Permit* approved by the Planning and Economic Development Board on April 8, 2014 on file with the Medway Town Clerk. The stone walls to be constructed at the access/egress driveways to Millstone Village as shown on the Plan of Record shall have a highly rustic, dry laid appearance in keeping with the rural nature of other stone walls on Winthrop Street.

10. **Water Conservation** – The development is relying on the Town’s public water system and the Town is held to its Water Management Act Permit with the Mass Department of Environmental Protection. The Applicant shall incorporate the following water conservation measures: well water for landscape irrigation, rain-gauge controlled irrigation systems, low flow household fixtures, and conservation rated appliances.
11. **Construction Standards**
 - a. Construction shall be completed in accordance with the standards of the Medway *Subdivision Rules and Regulations* dated April 26, 2005, except for waivers as specified in the applicant’s Request for Waivers, dated March 18, 2014 and as further provided as approved herein by the Planning and Economic Development Board.
 - b. All aspects of the site and building design shall comply with the requirements of the Massachusetts Architectural Access Board and the Americans with Disabilities Act.
12. **Construction Observation/Inspection** - Inspection of the construction of the roadways, infrastructure, stormwater management facilities, water and sewer facilities, site amenities including landscaping, and other utilities by the Town’s Consulting Engineer is required. Prior to plan endorsement, the Applicant shall pay a construction observation fee under G.L. c. 44 §53G to the Town of Medway for such inspections. The amount for each phase shall be determined by the Board based on an estimate provided by the Town’s Consulting Engineer and shall be paid prior to Plan endorsement. A construction observation account shall be established with the Board. The Applicant shall provide supplemental payments to the Town of Medway, for reasonable construction inspection services, upon invoice from the Board until the road construction and stormwater drainage system are completed, municipal services are installed, and the as-built plan has been reviewed and determined to be satisfactory for filing with the Town.
13. **Right to Enter Property** – Duly authorized agent(s) of the Town of Medway shall have the right to enter upon the common areas of the condominium to ensure continued compliance with the terms and conditions of this special permit.
14. **Ownership/Maintenance of Common Area** - The Board hereby requires that the following aspects of the development shall be and shall remain forever private, and that the Town of Medway shall not have, now or ever, any legal responsibility for operation or maintenance of same:
 - a. All roadways and parking areas
 - b. Stormwater management facilities
 - c. Snowplowing/sanding
 - d. Landscaping
 - e. Trash removal
 - f. Street lighting
 - g. Open Space
 - h. Water
 - i. Sewer

Such services shall be the responsibility of the Applicant and the Millstone Village Condominium Trust.

15. Appropriate deed restrictions, by-laws, or other legal documents shall require that mobile homes or trailers, boats, boat trailers and recreational vehicles shall be stored inside garages.
16. **Sidewalk Improvements** – In lieu of constructing 1234 linear feet of sidewalks/curbing along the property's frontage on the west side of Winthrop Street, the applicant shall make a payment of \$11,562 to the Town of Medway Sidewalk Fund prior to the Town's issuance of the first occupancy permit for the development.
17. **Restriction on Construction Activities** – During construction, all local, state and federal laws shall be followed regarding noise, vibration, dust and blocking of town roads. The applicant and its contractors shall at all times use all reasonable means to minimize inconvenience to abutters and residents in the general area. The following restrictions on construction activity shall apply:
 - a. Construction shall not commence any day before 7 am and shall not continue beyond 6:00 p.m.
 - b. There shall be no construction on any Sunday or legal holiday without the advance approval of the Inspector of Buildings.
 - c. Blasting, if necessary, shall be limited to the hours between 9:00 am and 5:00 pm Monday through Friday.
18. **Payment of Balance of Fees/Taxes** - Prior to plan endorsement, the Applicant shall pay the balance of any outstanding plan review services provided by any outside consultants retained by the Board who assisted in the review of this project and any other outstanding expenses, taxes, betterments, charges, obligations or fees due the Town of Medway pertaining to this site. The Applicant shall also pay a fee for construction services to be provided by outside engineering and legal consultants. The fee shall be established by the Planning and Economic Development Board. The Applicant shall also be current with the Medway Town Treasurer/Collector for all real estate taxes and any penalties and back charges resulting from the non-payment of taxes for all property included in this development.
19. **Performance Guarantee**
 - a. *Restrictive Covenant* - Prior to plan endorsement, the applicant shall sign a Restrictive Covenant, to be reviewed and approved by Town Counsel, to secure construction of the roadways, installation of stormwater management facilities, utilities, services, pedestrian facilities/trails/pathways, all site amenities including but not limited to lighting and landscaping, and any off-site improvements, all as shown on the Plan of Record. Reference to the restrictive covenant shall be noted on the cover sheet of the Plan of Record and shall be recorded at the Norfolk County Registry of Deeds.

- b. *Performance Guarantee* - At such time as the Applicant wishes to obtain a building permit for any structure other than the four single family detached homes in Phase 1A (2, 4, 6 & 8 Sandstone Drive) and the Community Center (2 Cobblestone Drive) and the Applicant has completed the minimum infrastructure construction for Phase IB as specified in Section 6.6.3 of the *Subdivision Rules and Regulations*, the Restrictive Covenant may be replaced by one of the types of performance guarantees set forth in G.L. Ch. 41 Section 81U, which method or combination of methods shall be selected and from time to time varied by the Applicant, in a sufficient amount, source and form acceptable to the Planning and Economic Development Board, Treasurer/Collector, and Town Counsel. Such performance guarantee shall secure performance of the construction of the roadways and installation of stormwater management facilities, utilities, services, pedestrian facilities/trails/pathways, all appurtenances thereto, and all site amenities including but not limited to lighting and landscaping, and any off-site improvements all as shown on the Plan of Record. The performance guarantee agreement shall:
- 1) define the obligations of the developer and performance guarantee company;
 - 2) specify a scheduled date by which the applicant shall complete construction in accordance with the Plan of Record;
 - 3) state that it does not expire until released in full by the Planning and Economic Development Board; and
 - 4) include procedures for collection upon default.
- c. *Amount* - The face amount of the performance guarantee shall be the amount that would be required for the Town of Medway to complete the construction of the roadways and installation of stormwater management facilities, utilities, services, pedestrian facilities/trails/pathways, all appurtenances thereto, and all site amenities including but not limited to lighting and landscaping, as specified in the Plan of Record and any off-site improvements that remain unfinished at the time the performance guarantee estimate is prepared. The estimate shall be based on unit prices in the latest Weighted Average Bid Prices issued by the MassDOT. The estimate shall also include the cost to maintain the roadways, stormwater management system and other infrastructure in the event the applicant fails to adequately perform such. The estimate shall reflect the cost for the Town to complete the work as a public works project, which may necessitate additional engineering, inspection, legal and administrative fees, staff time and public bidding procedures. In determining the amount of the performance guarantee, the Board shall be guided by the following formula in setting the sum of the security.
1. the estimate of the Town's Consulting Engineer of the cost to complete the work; plus
 2. a twenty-five percent (25%) contingency.
- d. *Adjustment of Performance Guarantee* - At the Applicant's written request, the amount of the performance guarantee may be reduced, from time to time, by the Board and the obligations of the parties thereto released by the Board in whole or

in part, upon the partial completion of the roadways and infrastructure improvements as defined herein. In order to establish the amount to adjust the performance guarantee, the Town's Consulting Engineer shall prepare an estimate of the current cost for the Town to complete all work as specified in the Plan of Record that remains unfinished at the time the estimate is submitted to the Board. The estimate shall be based on unit prices in the latest Weighted Average Bid Prices issued by the MassDOT. The estimate shall also include the cost to maintain the roadways, stormwater management system and other infrastructure in the event the developer fails to adequately perform such. The estimate shall reflect the cost for the Town to complete the work as a public works project, which may necessitate additional engineering, inspection, legal and administrative fees, staff time and public bidding procedures. The estimate shall also include the estimated cost to produce as-built plans and for project closeout services. In determining the amount of the adjustment of the performance guarantee, the Board shall be guided by the following formula to determine the reduction amount:

1. the estimate of the Town's Consulting Engineer of the Town's cost to complete the work; plus
2. a twenty-five percent (25%) contingency.

The first request for a reduction of the performance guarantee shall not be made until the applicant has completed the minimum roadway and infrastructure improvements as specified in Section 6.6.3 of the *Subdivision Rules and Regulations* for the Phase II area.

The Board shall not approve subsequent requests for a reduction of the performance guarantee until the applicant has completed the minimum roadway and infrastructure improvements as specified in Section 6.6.3 of the *Subdivision Rules and Regulations* for the area included in each subsequent Phase.

The applicant shall not make any request for a reduction of the performance guarantee of less than \$100,000 or such lesser amount remaining on the performance guarantee.

- e. Any such surety shall be released by the Planning and Economic Development Board in accordance with the procedures of GL c 41, § 81U.

20. **Neighborhood Relations**

- a. The Applicant shall regularly inform the residents of Winthrop Street and the adjacent neighborhoods (*as listed in the certified list of abutters accompanying the application*) of the construction schedule.
- b. The Applicant shall establish a construction telephone hotline or email contact and inform all parties of interest and all residents in the Winthrop Street and adjacent neighborhoods (*as listed in the certified list of abutters accompanying the application*) of the hotline number or email contact to use for questions, concerns and complaints. The applicant shall reply to such inquiries within a reasonable time.

21. **Timetable for Completion**

- a. This special permit shall lapse in accordance with Section III. D. 2 of the Medway Zoning Bylaw.
- b. A preconstruction conference with the developer, general contractor, Department of Public Services, Police and Fire Departments, the Conservation Agent, the Planning and Economic Development Coordinator, and the Town's Consulting Engineer shall be held prior to the commencement of construction. For the purposes of this decision, "commencement of construction" shall occur when the clearing and grubbing (*removal of stumps and topsoil*) has been initiated. The general contractor shall request such conference at least one week prior to commencing construction by contacting the Planning and Economic Development office. At the conference, a schedule of inspections shall be agreed upon by the developer, the Town's Consulting Engineer and other municipal officials or boards in accordance with Section 6.5 Construction Observation/Inspection of the *Subdivision Rules and Regulations*. At the pre-construction meeting, the developer shall provide a copy of the final Stormwater Pollution Prevention Plan (SWPP) and a detailed construction schedule.
- c. The Applicant shall construct the roadways and all related infrastructure including the stormwater management system, and install all utilities as shown on the Record Plan, to the satisfaction of the Board, within 8 years of the date of endorsement of the plan, unless extended as provided in subparagraph d below.
- d. A request to extend the completion time limits as specified in Condition 20c must be made in writing to the Board at least thirty (30) days prior to the specified expiration date. The Board herewith reserves its right and power to grant or deny such an extension, to issue any appropriate changes to the special permit, and to require any appropriate modifications of the Plans.
- e. Issuance of Building and Occupancy Permits
 1. Within each construction phase:
 - a) All the areas designated for construction will be secure with erosion control barriers as shown on the Plan as certified by the Town's Consulting Engineer before any other clearing, grading excavation or construction activities are commenced.
 - b) Sidewalks along streets shall be constructed at the time when the roads or common driveways for the dwelling units are constructed.
 2. *Building permits may be obtained for the Phase 1A dwelling units facing Winthrop Street (2, 4, 6 & 8 Sandstone Drive) and the Phase 1B Community Center (2 Cobblestone Drive) upon completion of the following:*
 - a) the entire Phase IA area and the area around the Community Center have been protected by erosion control barriers per the Plan as certified by the Town's Consulting Engineer.

3. *Occupancy Permits may be obtained for the Phase 1A dwelling units facing Winthrop Street (2, 4, 6 & 8 Sandstone Drive) and the Phase 1B Community Center (2 Cobblestone Drive) upon completion of the following:*
 - a) the roadway binder course and utility services necessary to serve the four *Phase 1A dwelling units* and the *Phase 1B Community Center* have been completed;
 - b) the permanent drainage for the roadways servicing the four *Phase 1A dwelling units* and the *Phase 1B Community Center* from Winthrop Street has been constructed and is operational;
 - c) pedestrian pathways other than along streets have been completed;
 - d) guest parking is completed;
 - e) the Town's Consulting Engineer has issued a letter to the Board that the above four requirements have been completed substantially according to the Plan of Record;
 - f) the PED office has notified the Building Inspector that occupancy permits may be issued.

4. *Building Permits may be obtained for any Phase 1B building upon completion of the following:*
 - a) the entire Phase 1B area has been protected by erosion control barriers per the Plan as certified by the Town's Consulting Engineer.
 - b) the roadway binder course and utility services for the Phase 1A and Phase 1B areas are completed.
 - c) the permanent drainage for the roadway(s) servicing the Phase 1A area and the temporary construction drainage for the Phase 1B area are completed.
 - d) the Town's Consulting Engineer has issued a letter to the Board that the above three requirements have been completed substantially according to the Plan of Record.
 - e) the PED office has notified the Building Inspector that building permits for Phase 1B may be issued.

5. *Occupancy permits may be obtained for the Phase 1B dwelling units upon completion of the following:*
 - a) the permanent drainage for the roadways servicing the Phase 1B area has been constructed and is operational;
 - b) pedestrian pathways other than along streets have been completed;
 - c) the guest parking areas have been completed;
 - d) the Town's Consulting Engineer has issued a letter to the Board that these requirement has been completed according to the Plan of Record;
 - e) the PEDB office has notified the Building Inspector that an occupancy permit may be issued.

6. *Building permits for the Phase II, III, IV and V dwelling units may be obtained upon completion of the following:*

- a. the entire area of the current phase has been protected by erosion control barriers per the Plan as certified by the Town's Consulting Engineer.
 - b. the roadway binder course and utility services for the current phase are completed.
 - c. the permanent drainage for the roadway(s) servicing the previous phases and the temporary construction drainage for the current phase area under construction are completed.
 - d. the Town's Consulting Engineer has issued a letter to the Board that these two requirements have been completed according to the Plan of Record
 - e. The PED office has notified the Building Inspector that building permits for the current phase may be issued.
7. *Occupancy permits for the Phase II, III, IV and V dwelling units may be obtained upon completion of the following:*
- a. the roadway binder course, utilities, and sidewalk services in the current and previous phases have been completed.
 - b. the permanent drainage system for the roadway(s) servicing the previous phases and the temporary construction drainage for the current phase under construction are completed and as-built plans of any detention pond have been approved;
 - c. the remainder of the site drainage for that phase, either permanent or temporary, is fully functional;
 - d. the roadways for the current and previous phases in which the building is located have been fully completed up through the roadway binder course including street name signs, regulatory signs, and stop lines;
 - e. pedestrian pathways have been completed;
 - f. guest parking areas have been completed.
 - g. the Town's Consulting Engineer has issued a letter to the Planning and Economic Development Board that these actions have been completed according to the plans; and
 - h. The PED office has notified the Building Inspector that an occupancy permit may be issued.
 - i. In no event shall an occupancy permit for the last five market rate dwelling units be issued before the total of eight affordable dwelling units are completed and consider occupancy permit ready by the Building Inspector.
22. **Modifications** – No modification shall be made to Plan of Record and development without modification of this special permit or as set forth herein. The approval of the Planning and Economic Development Board under then applicable zoning bylaw requirements shall be required for any modification of the decision or record plans, whether substantial or insubstantial. The Board reserves its right and power to modify or amend the Plan of Record and the terms and conditions of this special permit upon request of the Applicant, his designees or assigns. It shall be within the Board's sole discretion to determine whether any proposed modification is substantial or insubstantial

and what constitutes such. Substantial modifications shall be subject to the same standards and procedures applicable to the original application for this special permit. The Board may authorize insubstantial modifications without a public hearing. If the Applicant petitions for amendments to the Plan of Record or this special permit, the applicant must submit all plans and information to the change as required by the applicable *Rules and Regulations*.

23. **Project Completion** – Upon completion of all work, and prior to the release of the last \$40,000 of performance guarantee, the following items shall be completed to the Board's satisfaction:
- a. *As-Built Plans* – The Applicant shall prepare and provide as-built plans of the roadways, utilities and other infrastructure prepared in accordance with the *Subdivision Rules and Regulations* in effect at the time the as-built plans are submitted, to the satisfaction of the Board. The Applicant shall provide the final as-built plan in electronic format. The Applicant shall pay any reasonable associated costs, as may be determined by the Board of Selectmen, to update the Medway GIS/ Assessor's maps relative to this development.
 - b. *Engineer's Certification* – The Applicant shall provide written certification from a Professional Engineer registered in the Commonwealth of Massachusetts that all roadway and infrastructure work was constructed and completed in substantial compliance with the Plan of Record.
24. **Enforcement** - The Town of Medway may elect to enforce compliance with this Special Permit using any and all powers available to it under the law.

LIMITATIONS – Other approvals or permits required by the Zoning Bylaw, Medway General Bylaws, or other governmental boards, agencies or bodies having jurisdiction shall not be assumed or implied by this Special Permit Decision.

WAIVERS – The Planning and Economic Development Board's *ARCPUD Rules and Regulations* provide that the Construction Standards for ARCPUD projects shall be those as specified in the Medway Planning Board's *Subdivision Rules and Regulations*, dated April 26, 2005. The Applicant's *Request for Waivers*, prepared by GLM Engineering was reviewed by the Planning and Economic Development Board during a duly called and properly posted public hearing on March 25, 2014. On June 24, 2014, the Planning and Economic Development Board, on a motion made by Robert Tucker and seconded by Matthew Hayes, voted to approve the Applicant's *Request for Waivers*. The motion was approved by a vote of 5 in favor and 0 opposed. Waivers from the following sections of the *ARCPUD and Subdivision Rules and Regulations* were approved:

ARCPUD RULES & REGULATIONS

SECTION 303 – Standards for ARCPUD Plan Preparation - 2D. All existing and proposed elevations shall refer to the North American Vertical Datum of 1099 (NAVD88).

FINDINGS – The applicant requests to use NGVD 1929. The adjacent wetland has a 100 year flood study associated with it that is based on the NGVD 1929.

SUBDIVISION RULES & REGULATIONS

SECTION 7.7.4. (b) – Stormwater Management Construction – All drain pipes except sub-drains shall be Class IV reinforced concrete pipe.

FINDINGS – The applicant proposes to use corrugated plastic pipes. The life expectancy of plastic piping is greater than the reinforced concrete pipe. As this development will be permanently private, there is no compelling public reason to require the use of the concrete piping.

SECTION 7.9.2 – Streets and Roadways – Alignment b) The minimum horizontal centerline radii of a local street, neighborhood street or permanent private way shall be one hundred fifty feet (150’).

FINDINGS – There are five locations where the centerline radii are less than the 150 feet minimum required:

- Road A Station 4+87 – 111 foot radius;
- Road B Station 3+42 – 136 foot radius
- Road C Station 4+79 – 75 foot radius
- Road D Station +93 – 33 foot radius
- Road D Station 1+55 – 33 foot radius

These alternative radii are particular to this project and the design of the overall site layout. The layout aligns itself with existing site features to be preserved, i.e. wetlands, open fields, etc.

SECTION 7.9.2 – Street and Roadways – Alignment d) Property lines at a street intersection shall be rounded or cut back to provide a property line radius of twenty-eight feet (28’), or for a curb radius of not less than forty feet (40’), whichever is more stringent.

FINDINGS – The applicant proposes to have 30’ paved roundings at the intersections in order to reduce the total amount of impervious surfaces. The applicant has demonstrated that a truck can enter and exit at all intersections.

SECTION 7.9.5 Street and Roadways – Grade a) The minimum centerline grade for any street shall not be less than two percent (2%).

FINDINGS – The applicant proposes a minimum grade of 1.5%. This is to blend the proposed roadway with the existing contour. It minimizes cuts and fills.

SECTION 7.9.6 Streets and Roadways – Dead-End Streets e) Turnarounds shall be

designed as a cul-de-sac with a perimeter of 100 feet and shall include a 24' diameter center landscaped island or as a hammerhead or T-shaped turnaround.

FINDINGS – The diameter of the proposed cul-de-sac turnaround is 90 feet to reduce the extent of impervious surface.

SECTION 7.9.7 Streets & Roadways – Roadway Construction g) - The minimum widths of the road pavement shall be 26 feet for a Local Street.

FINDINGS – The applicant proposes 16 foot wide common driveways and 22 foot wide two way roadways. The 22' conforms to the ARCPUD bylaw. The reduced pavement width will provide less impervious surfaces.

SECTION 7.13.2 Sidewalks – Sidewalks shall extend the full length of the street and around the entire perimeter of the cul-de-sac, with pedestrian ramps at both ends and shall have the following dimensions for a local street – 6' wide sidewalk

FINDINGS – The plans show a 5 foot wide sidewalk with a 5 foot wide grass strip. This was done to reduce impervious surfaces. A 6' wide sidewalk is needed when the Town will be plowing due to the size of the Town's equipment. As this development will have privately owned sidewalks, this regulation is not applicable.

SECTION 7.10.2 - Curbing – Curbing shall be provided the full length of all streets along each side of the roadway. Curbing on local streets is specified as sloped granite edging.

FINDINGS – This is a private project that will be privately maintained. The Town will not be responsible for replacing the curbing if it becomes damaged. Vertical granite curbing will still be used on the roundings, which are the sections most vulnerable to damage from plowing or other causes.

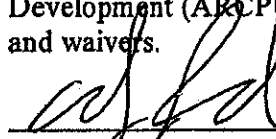
APPEAL - Appeals, if any, shall be made pursuant to Section 17 of Chapter 40A of the Massachusetts General Laws, as amended, and shall be filed within twenty days after the date of filing of this Decision in the Office of the Town Clerk.

After the appeals period has expired, the Applicant shall obtain certified notice from the Town Clerk that no appeals have been made. Said notice must be filed with the Registry of Deeds with this Decision. The Applicant shall provide documentation of such recording to the Town Clerk and the Planning and Economic Development Board.

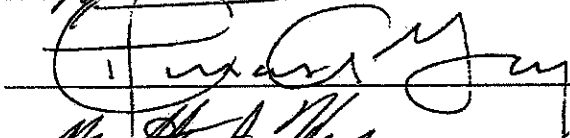
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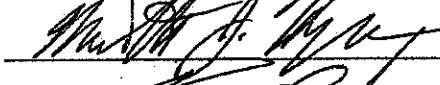
**Medway Planning and Economic Development Board
ARCPUD Special Permit Decision
Millstone Village**

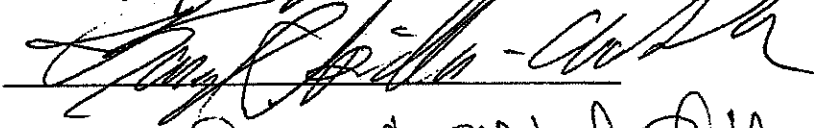
On June 24, 2014, the following members of the Medway Planning and Economic Development Board voted to grant an ARCPUD Special Permit and to approve the plan entitled ARCPUD Millstone Village, Town of Medway, Massachusetts, prepared by GLM engineering, last revised February 7, 2014 to develop an 80 unit Adult Retirement Community Planned Unit Development (ARCPUD) subject to the above-stated plan modifications, conditions, limitations and waivers.

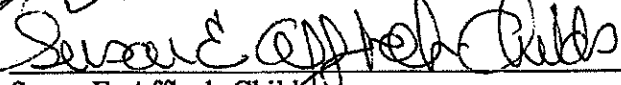










ATTEST: 
Susan E. Affleck-Childs
Planning and Economic Development Coordinator

6-24-2014
Date

LONG TERM USE RESTRICTIONS

LOCAL INITIATIVE PROGRAM
AFFORDABLE HOUSING DEED RIDER

*For Projects in Which
Affordability Restrictions Survive Foreclosure*

made part of that certain deed (the "Deed") of certain property (the "Property") from _____ ("Grantor") to _____ ("Owner") dated _____, 200__. The Property is located in the City/Town of _____ (the "Municipality").

RECITALS

WHEREAS, the Grantor is conveying that certain real property more particularly described in the Deed to the Owner at a consideration which is less than the fair market value of the Property; and

WHEREAS, the Property is part of a project which was: [check all that are applicable]

- (i) granted a Comprehensive Permit under Massachusetts General Laws Chapter 40B, Sections 20-23, from the Board of Appeals of the Municipality or the Housing Appeals Committee and recorded/filed with the _____ County Registry of Deeds/Registry District of Land Court (the "Registry") in Book _____, Page _____/Document No. _____ (the "Comprehensive Permit");
- (ii) subject to a Regulatory Agreement among _____ (the "Developer"), [Massachusetts Housing Finance Agency ("MassHousing"), [the Massachusetts Department of Housing and Community Development] ("DHCD") [the Municipality; and [_____, dated _____ and recorded/filed with the Registry in Book _____, Page _____/as Document No. _____ (the "Regulatory Agreement"); and
- (iii) subsidized by the federal or state government under the Local Initiative Program, a program to assist construction of low or moderate income housing the "Program"; and

WHEREAS, pursuant to the Program, eligible purchasers such as the Owner are given the opportunity to purchase residential property at less than its fair market value if the purchaser agrees to certain use and transfer restrictions, including an agreement to occupy the property as a principal residence and to convey the property for an amount not greater than a maximum resale price, all as more fully provided herein; and

WHEREAS, DHCD (singly, or if more than one entity is listed, collectively, the "Monitoring Agent") is obligated by the Program or has been retained to monitor compliance with and to enforce the terms of this Deed Rider, and eligible purchasers such as the Owner may be required to pay to the Monitoring Agent, or its successor, a small percentage of the resale price upon the Owner's conveyance of the Property, as set out in the Regulatory Agreement and as more fully provided herein; and

WHEREAS, the rights and restrictions granted herein to the Monitoring Agent and the Municipality serve the public's interest in the creation and retention of affordable housing for persons and households of low and moderate income and in the restricting of the resale price of property in order to assure its affordability by future low and moderate income purchasers.

NOW, THEREFORE, as further consideration for the conveyance of the Property at less than fair market value, the Grantor and the Owner, including his/her/their heirs, successors and assigns, hereby agree that the Property shall be subject to the following rights and restrictions which are imposed for the benefit of, and shall be enforceable by, the Municipality and the Monitoring Agent, and, if DHCD is a party to the Regulatory Agreement and is not the Monitoring Agent, by DHCD.

1. Definitions. In this Deed Rider, in addition to the terms defined above, the following words and phrases shall have the following meanings:

Affordable Housing Fund means a fund established by the Municipality for the purpose of reducing the cost of housing for Eligible Purchasers or for the purpose of encouraging, creating, or subsidizing the construction or rehabilitation of housing for Eligible Purchasers or, if no such fund exists, a fund established by the Municipality pursuant to Massachusetts General Laws Chapter 44 Section 53A, et seq.

Applicable Foreclosure Price shall have the meaning set forth in Section 7(b) hereof.

Appropriate Size Household means a household containing a number of members equal to the number of bedrooms in the Property plus one.

Approved Capital Improvements means the documented commercially reasonable cost of extraordinary capital improvements made to the Property by the Owner; provided that the Monitoring Agent shall have given written authorization for incurring such cost prior to the cost being incurred and that the original cost of such improvements shall be discounted over the course of their useful life.

Area means the Primary Metropolitan Statistical Area or non-metropolitan area that includes the Municipality, as determined by HUD, which in this case is _____.

Area Median Income means the most recently published median income for the Area adjusted for household size as determined by HUD. If HUD discontinues publication of Area Median Income, the income statistics used by MassHousing for its low and moderate income housing programs shall apply.

Base Income Number means the Area Median Income for a four (4)-person household.

Chief Executive Officer shall mean the Mayor in a city or the Board of Selectmen in a town unless some other municipal office is designated to be the chief executive officer under the provisions of a local charter.

Closing shall have the meaning set forth in Section 5(b) hereof.

Compliance Certificate shall have the meaning set forth in Section 6(a) hereof.

Conveyance Notice shall have the meaning set forth in Section 4(a) hereof.

Eligible Purchaser means an individual or household earning no more than eighty percent (80%) of Area Median Income (or, if checked [] _____ percent (___%) of Area Median Income, as required by the Program) and owning assets not in excess of the limit set forth in the Program Guidelines. To be considered an Eligible Purchaser, the individual or household must intend to occupy and thereafter must occupy the Property as his, her or their principal residence and must provide to the Monitoring Agent such certifications as to income, assets and residency as the Monitoring Agent may require to determine eligibility as an Eligible Purchaser. An Eligible Purchaser shall be a First-Time Homebuyer if required by the Program and as specified in the Regulatory Agreement.

First-Time Homebuyer means an individual or household, of which no household member has had an ownership interest in a principal residence at any time during the three (3)-year period prior to the date of qualification as an Eligible Purchaser, except that (i) any individual who is a displaced homemaker (as may be defined by DHCD) (ii) and any individual age 55 or over (applying for age 55 or over housing) shall not be excluded from consideration as a First-Time Homebuyer under this definition on the basis that the individual, owned a home or had an ownership interest in a principal residence at any time during the three (3)-year period.

Foreclosure Notice shall have the meaning set forth in Section 7(a) hereof.

HUD means the United States Department of Housing and Urban Development.

Ineligible Purchaser means an individual or household not meeting the requirements to be eligible as an Eligible Purchaser.

Maximum Resale Price means the sum of (i) the Base Income Number (at the time of resale) multiplied by the Resale Price Multiplier, plus (ii) the Resale Fee and any necessary marketing

expenses (including broker's fees) as may have been approved by the Monitoring Agent, plus (iii) Approved Capital Improvements, if any (the original cost of which shall have been discounted over time, as calculated by the Monitoring Agent); provided that in no event shall the Maximum Resale Price be greater than the purchase price for which a credit-worthy Eligible Purchaser earning seventy percent (70%) of the Area Median Income (or, if checked [] _____ percent (___%) of Area Median Income, as required by the Program) for an Appropriate Size Household could obtain mortgage financing (as such purchase price is determined by the Monitoring Agent using the same methodology then used by DHCD for its Local Initiative Program or similar comprehensive permit program); and further provided that the Maximum Resale Price shall not be less than the purchase price paid for the Property by the Owner unless the Owner agrees to accept a lesser price.

Monitoring Services Agreement means any Monitoring Services Agreement for monitoring and enforcement of this Deed Rider among some or all of the Developer, the Monitoring Agent, the Municipality, MassHousing and DHCD.

Mortgage Satisfaction Amount shall have the meaning set forth in Section 7(b) hereof.

Mortgagee shall have the meaning set forth in Section 7(a) hereof.

Program Guidelines means the regulations and/or guidelines issued for the applicable Program and controlling its operations, as amended from time to time.

Resale Fee means a fee of 2% of the Base Income Number (at the time of resale) multiplied by the Resale Price Multiplier, to be paid to the Monitoring Agent as compensation for monitoring and enforcing compliance with the terms of this Deed Rider, including the supervision of the resale process.

Resale Price Certificate means the certificate issued as may be specified in the Regulatory Agreement and recorded with the first deed of the Property from the Developer, or the subsequent certificate (if any) issued as may be specified in the Regulatory Agreement, which sets forth the Resale Price Multiplier to be applied on the Owner's sale of the Property, as provided herein, for so long as the restrictions set forth herein continue. In the absence of contrary specification in the Regulatory Agreement the Monitoring Agent shall issue the certificate.

Resale Price Multiplier means the number calculated by dividing the Property's initial sale price by the Base Income Number at the time of the initial sale from the Developer to the first Eligible Purchaser. The Resale Price Multiplier will be multiplied by the Base Income Number at the time of the Owner's resale of the Property to determine the Maximum Resale Price on such conveyance subject to adjustment for the Resale Fee, marketing expenses and Approved Capital Improvements. In the event that the purchase price paid for the Property by the Owner includes such an adjustment a new Resale Price Multiplier will be recalculated by the Monitoring Agent by dividing the purchase price so paid by the Base Income Number at the time of such purchase,

and a new Resale Price Certificate will be issued and recorded reflecting the new Resale Price Multiplier. A Resale Price Multiplier of _____ is hereby assigned to the Property.

Term means in perpetuity, unless earlier terminated by (i) the termination of the term of affordability set forth in the Regulatory Agreement or Comprehensive Permit, whichever is longer; or (ii) the recording of a Compliance Certificate and a new Deed Rider executed by the purchaser in form and substance substantially identical to this Deed Rider establishing a new term.

2. Owner-Occupancy/Principal Residence. The Property shall be occupied and used by the Owner's household exclusively as his, her or their principal residence. Any use of the Property or activity thereon which is inconsistent with such exclusive residential use is expressly prohibited.

3. Restrictions Against Leasing, Refinancing and Junior Encumbrances. The Property shall not be leased, rented, refinanced, encumbered (voluntarily or otherwise) or mortgaged without the prior written consent of the Monitoring Agent; provided that this provision shall not apply to a first mortgage granted on the date hereof in connection with this conveyance from Grantor to Owner securing indebtedness not greater than one hundred percent (100%) of the purchase price. Any rents, profits, or proceeds from any transaction described in the preceding sentence which transaction has not received the requisite written consent of the Monitoring Agent shall be paid upon demand by Owner to the Municipality for deposit to its Affordable Housing Fund. The Monitoring Agent or Municipality may institute proceedings to recover such rents, profits or proceeds, and costs of collection, including attorneys' fees. Upon recovery, after payment of costs, the balance shall be paid to the Municipality for deposit to its Affordable Housing Fund. In the event that the Monitoring Agent consents for good cause to any such lease, refinancing, encumbrance or mortgage, it shall be a condition to such consent that all rents, profits or proceeds from such transaction, which exceed the actual carrying costs of the Property as determined by the Monitoring Agent, shall be paid to the Municipality for deposit to its Affordable Housing Fund.

4. Options to Purchase. (a) When the Owner or any successor in title to the Owner shall desire to sell, dispose of or otherwise convey the Property, or any portion thereof, the Owner shall notify the Monitoring Agent and the Municipality in writing of the Owner's intention to so convey the Property (the "Conveyance Notice"). Upon receipt of the Conveyance Notice, the Monitoring Agent shall (i) calculate the Maximum Resale Price which the Owner may receive on the sale of the Property based upon the Base Income Number in effect as of the date of the Conveyance Notice and the Resale Price Multiplier set forth in the most recently recorded Resale Price Certificate together with permissible adjustments for the Resale Fee, marketing expenses and Approved Capital Improvements (as discounted), and (ii) promptly begin marketing efforts. The Owner shall fully cooperate with the Monitoring Agent's efforts to locate an Eligible Purchaser and, if so requested by the Monitoring Agent, shall hire a broker selected by the Monitoring Agent to assist in locating an Eligible Purchaser ready, willing and able to purchase the Property at the Maximum Resale Price after entering a purchase and sale

agreement. Pursuant to such agreement, sale to the Eligible Purchaser at the Maximum Resale Price shall occur within ninety (90) days after the Monitoring Agent receives the Conveyance Notice or such further time as reasonably requested to arrange for details of closing. If the Owner fails to cooperate in such resale efforts, including a failure to agree to reasonable terms in the purchase and sale agreement, the Monitoring Agent may extend the 90-day period for a period commensurate with the time the lack of cooperation continues, as determined by the Monitoring Agent in its reasonable discretion. In such event, the Monitoring Agent shall give Owner written notice of the lack of cooperation and the length of the extension added to the 90-day period.

(b) The Monitoring Agent shall ensure that diligent marketing efforts are made to locate an Eligible Purchaser ready, willing and able to purchase the Property at the Maximum Resale Price within the time period provided in subsection (a) above and to enter the requisite purchase and sale agreement. If more than one Eligible Purchaser is located, the Monitoring Agent shall conduct a lottery or other like procedure to determine which Eligible Purchaser shall be entitled to enter a purchase and sale agreement with Owner and to purchase the Property. Preference shall be given to Appropriate Size Households. The procedure for marketing and selecting an Eligible Purchaser shall be approved as provided in the Regulatory Agreement and any applicable Program Guidelines. If an Eligible Purchaser is located within ninety (90) days after receipt of the Conveyance Notice, but such Eligible Purchaser proves unable to secure mortgage financing so as to be able to complete the purchase of the Property pursuant to the purchase and sale agreement, following written notice to Owner within the 90-day period the Monitoring Agent shall have an additional sixty (60) days to locate another Eligible Purchaser who will enter a purchase and sale agreement and purchase the Property by the end of such sixty (60)-day period or such further time as reasonably requested to carry out the purchase and sale agreement.

(c) In lieu of sale to an Eligible Purchaser, the Monitoring Agent or the Municipality or designee shall also have the right to purchase the Property at the Maximum Resale Price, in which event the purchase and sale agreement shall be entered, and the purchase shall occur within ninety (90) days after receipt of the Conveyance Notice or, within the additional sixty (60)-day period specified in subsection (b) above, or such further time as reasonably requested to carry out the purchase and sale agreement. Any lack of cooperation by Owner in measures reasonably necessary to effect the sale shall extend the 90-day period by the length of the delay caused by such lack of cooperation. The Monitoring Agent shall promptly give Owner written notice of the lack of cooperation and the length of the extension added to the 90-day period. In the event of such a sale to the Monitoring Agent or Municipality or designee, the Property shall remain subject to this Deed Rider and shall thereafter be sold or rented to an Eligible Purchaser as may be more particularly set forth in the Regulatory Agreement.

(d) If an Eligible Purchaser fails to purchase the Property within the 90-day period (or such further time determined as provided herein) after receipt of the Conveyance Notice, and the Monitoring Agent or Municipality or designee does not purchase the Property during said period, then the Owner may convey the Property to an Ineligible Purchaser no earlier than thirty (30) days after the end of said period at the Maximum Resale Price, but subject to all rights and

restrictions contained herein; provided that the Property shall be conveyed subject to a Deed Rider identical in form and substance to this Deed Rider which the Owner agrees to execute, to secure execution by the Ineligible Purchaser and to record with the Deed; and further provided that, if more than one Ineligible Purchaser is ready, willing and able to purchase the Property the Owner will give preference and enter a purchase and sale agreement with any individuals or households identified by the Monitoring Agent as an Appropriate Size Household earning more than eighty percent (80%) but less than one hundred twenty percent (120%) of the Area Median Income.

(e) The priority for exercising the options to purchase contained in this Section 4 shall be as follows: (i) an Eligible Purchaser located and selected by the Monitoring Agent, as provided in subsection (b) above, (ii) the Municipality or its designee, as provided in subsection (c) above, and (iii) an Ineligible Purchaser, as provided in subsection (d) above.

(f) Nothing in this Deed Rider or the Regulatory Agreement constitutes a promise, commitment or guarantee by DHCD, MassHousing, the Municipality or the Monitoring Agent that upon resale the Owner shall actually receive the Maximum Resale Price for the Property or any other price for the Property.

(g) The holder of a mortgage on the Property is not obligated to forbear from exercising the rights and remedies under its mortgage, at law or in equity, after delivery of the Conveyance Notice.

5. Delivery of Deed. (a) In connection with any conveyance pursuant to an option to purchase as set forth in Section 4 above, the Property shall be conveyed by the Owner to the selected purchaser by a good and sufficient quitclaim deed conveying a good and clear record and marketable title to the Property free from all encumbrances except (i) such taxes for the then current year as are not due and payable on the date of delivery of the deed, (ii) any lien for municipal betterments assessed after the date of the Conveyance Notice, (iii) provisions of local building and zoning laws, (iv) all easements, restrictions, covenants and agreements of record specified in the deed from the Owner to the selected purchaser, (v) such additional easements, restrictions, covenants and agreements of record as the selected purchaser consents to, such consent not to be unreasonably withheld or delayed, (vi) the Regulatory Agreement, and (vii), except as otherwise provided in the Compliance Certificate, a Deed Rider identical in form and substance to this Deed Rider which the Owner hereby agrees to execute, to secure execution by the selected purchaser, and to record with the deed. **Said deed shall clearly state that it is made subject to the Deed Rider which is made part of the deed.** Failure to comply with the preceding sentence shall not affect the validity of the conveyance from the Owner to the selected purchaser or the enforceability of the restrictions herein.

(b) Said deed, including the approved Deed Rider, shall be delivered and the purchase price paid (the "Closing") at the Registry, or at the option of the selected purchaser, exercised by written notice to the Owner at least five (5) days prior to the delivery of the deed, at such other place as the selected purchaser may designate in said notice. The Closing shall occur at such

time and on such date as shall be specified in a written notice from the selected purchaser to the Owner, which date shall be at least five (5) days after the date on which such notice is given, and no later than the end of the time period specified in Section 4(a) above.

(c) To enable Owner to make conveyance as herein provided, Owner may, if Owner so desires at the time of delivery of the deed, use the purchase money or any portion thereof to clear the title of any or all encumbrances or interests, all instruments with respect thereto to be recorded simultaneously with the delivery of said deed. Nothing contained herein as to the Owner's obligation to remove defects in title or to make conveyance or to deliver possession of the Property in accordance with the terms hereof, as to use of proceeds to clear title or as to the election of the selected purchaser to take title, nor anything else in this Deed Rider shall be deemed to waive, impair or otherwise affect the priority of the rights herein over matters appearing of record, or occurring, at any time after the recording of this Deed Rider, all such matters so appearing or occurring being subject and subordinate in all events to the rights herein.

(d) Water and sewer charges and taxes for the then current tax period shall be apportioned and fuel value shall be adjusted as of the date of Closing and the net amount thereof shall be added to or deducted from, as the case may be, the purchase price payable by the selected purchaser.

(e) Full possession of the Property free from all occupants is to be delivered at the time of the Closing, the Property to be then in the same condition as it is in on the date of the execution of the purchase and sale agreement, reasonable wear and tear only excepted.

(f) If Owner shall be unable to give title or to make conveyance as above required, or if any change of condition in the Property not included in the above exception shall occur, then Owner shall be given a reasonable time not to exceed thirty (30) days after the date on which the Closing was to have occurred in which to remove any defect in title or to restore the Property to the condition herein required. The Owner shall use best efforts to remove any such defects in the title, whether voluntary or involuntary, and to restore the Property to the extent permitted by insurance proceeds or condemnation award. The Closing shall occur fifteen (15) days after notice by Owner that such defect has been cured or that the Property has been so restored. The selected purchaser shall have the election, at either the original or any extended time for performance, to accept such title as the Owner can deliver to the Property in its then condition and to pay therefor the purchase price without deduction, in which case the Owner shall convey such title, except that in the event of such conveyance in accordance with the provisions of this clause, if the Property shall have been damaged by fire or casualty insured against or if a portion of the Property shall have been taken by a public authority, then the Owner shall, unless the Owner has previously restored the Property to its former condition, either:

(A) pay over or assign to the selected purchaser, on delivery of the deed, all amounts recovered or recoverable on account of such insurance or condemnation award less any amounts reasonably expended by the Owner for any partial restoration, or

(B) if a holder of a mortgage on the Property shall not permit the insurance proceeds or the condemnation award or part thereof to be used to restore the Property to its former condition or to be so paid over or assigned, give to the selected purchaser a credit against the purchase price, on delivery of the deed, equal to said amounts so retained by the holder of the said mortgage less any amounts reasonably expended by the Owner for any partial restoration.

6. Resale and Transfer Restrictions. (a) Except as otherwise provided herein, the Property or any interest therein shall not at any time be sold by the Owner, or the Owner's successors and assigns, and no attempted sale shall be valid, unless the aggregate value of all consideration and payments of every kind given or paid by the selected purchaser of the Property for and in connection with the transfer of such Property, is equal to or less than the Maximum Resale Price for the Property, and unless a certificate (the "Compliance Certificate") is obtained and recorded, signed and acknowledged by the Monitoring Agent which Compliance Certificate refers to the Property, the Owner, the selected purchaser thereof, and the Maximum Resale Price therefor, and states that the proposed conveyance, sale or transfer of the Property to the selected purchaser is in compliance with the rights, restrictions, covenants and agreements contained in this Deed Rider, and unless there is also recorded a new Deed Rider executed by the selected purchaser, which new Deed Rider is identical in form and substance to this Deed Rider.

(b) The Owner, any good faith purchaser of the Property, any lender or other party taking a security interest in such Property and any other third party may rely upon a Compliance Certificate as conclusive evidence that the proposed conveyance, sale or transfer of the Property to the selected purchaser is in compliance with the rights, restrictions, covenants and agreements contained in this Deed Rider, and may record such Compliance Certificate in connection with the conveyance of the Property.

(c) Within ten (10) days of the closing of the conveyance of the Property from the Owner to the selected purchaser, the Owner shall deliver to the Monitoring Agent a copy of the Deed of the Property, including the deed rider, together with recording information. Failure of the Owner, or Owner's successors or assigns to comply with the preceding sentence shall not affect the validity of such conveyance or the enforceability of the restrictions herein.

7. Survival of Restrictions Upon Exercise of Remedies by Mortgagees. (a) The holder of record of any mortgage on the Property (each, a "Mortgagee") shall notify the Monitoring Agent, the Municipality and any senior Mortgagee(s) in the event of any default for which the Mortgagee intends to commence foreclosure proceedings or similar remedial action pursuant to its mortgage (the "Foreclosure Notice"), which notice shall be sent to the Monitoring Agent and the Municipality as set forth in this Deed Rider, and to the senior Mortgagee(s) as set forth in such senior Mortgagee's mortgage, not less than one hundred twenty (120) days prior to the foreclosure sale or the acceptance of a deed in lieu of foreclosure. The Owner expressly agrees to the delivery of the Foreclosure Notice and any other communications and disclosures made by the Mortgagee pursuant to this Deed Rider.

(b) The Owner grants to the Municipality or its designee the right and option to purchase the Property upon receipt by the Municipality of the Foreclosure Notice. In the event that the Municipality intends to exercise its option, the Municipality or its designee shall purchase the Property within one hundred twenty (120) days of receipt of such notice, at a price equal to the greater of (i) the sum of the outstanding principal balance of the note secured by such foreclosing Mortgagee's mortgage, together with the outstanding principal balance(s) of any note(s) secured by mortgage(s) senior in priority to such mortgage (but in no event shall the aggregate amount thereof be greater than one hundred percent (100%) of the Maximum Resale Price calculated at the time of the granting of the mortgage) plus all future advances, accrued interest and all reasonable costs and expenses which the foreclosing Mortgagee and any senior Mortgagee(s) are entitled to recover pursuant to the terms of such mortgages (the "Mortgage Satisfaction Amount"), and (ii) the Maximum Resale Price (which for this purpose may be less than the purchase price paid for the Property by the Owner)(the greater of (i) and (ii) above herein referred to as the "Applicable Foreclosure Price"). The Property shall be sold and conveyed in its then-current "as is, where is" condition, without representation or warranty of any kind, direct or indirect, express or implied, and with the benefit of and subject to all rights, rights of way, restrictions, easements, covenants, liens, improvements, housing code violations, public assessments, any and all unpaid federal or state taxes (subject to any rights of redemption for unpaid federal taxes), municipal liens and any other encumbrances of record then in force and applicable to the Property having priority over such foreclosing Mortgagee's mortgage, and further subject to a Deed Rider identical in form and substance to this Deed Rider which the Owner hereby agrees to execute, to secure execution by the Municipality or its designee, and to record with the deed, except that (i) during the term of ownership of the Property by the Municipality or its designee the owner-occupancy requirements of Section 2 hereof shall not apply (unless the designee is an Eligible Purchaser), and (ii) the Maximum Resale Price shall be recalculated based on the price paid for the Property by the Municipality or its designee, but not greater than the Applicable Foreclosure Price. **Said deed shall clearly state that it is made subject to the Deed Rider which is made part of the deed.** Failure to comply with the preceding sentence shall not affect the validity of the conveyance from the Owner to the Municipality or its designee or the enforceability of the restrictions herein.

(c) Not earlier than one hundred twenty (120) days following the delivery of the Foreclosure Notice to the Monitoring Agent, the Municipality and any senior Mortgagee(s) pursuant to subsection (a) above, the foreclosing Mortgagee may conduct the foreclosure sale or accept a deed in lieu of foreclosure. The Property shall be sold and conveyed in its then-current "as is, where is" condition, without representation or warranty of any kind, direct or indirect, express or implied, and with the benefit of and subject to all rights, rights of way, restrictions, easements, covenants, liens, improvements, housing code violations, public assessments, any and all unpaid federal or state taxes (subject to any rights of redemption for unpaid federal taxes), municipal liens and any other encumbrances of record then in force and applicable to the Property having priority over the foreclosing Mortgagee's mortgage, and further subject to a Deed Rider, as set forth below.

(d) In the event that the foreclosing Mortgagee conducts a foreclosure sale or other proceeding enforcing its rights under its mortgage and the Property is sold for a price in excess of the greater of the Maximum Resale Price and the Mortgage Satisfaction Amount, such excess shall be paid to the Municipality for its Affordable Housing Fund after (i) a final judicial determination, or (ii) a written agreement of all parties who, as of such date hold (or have been duly authorized to act for other parties who hold) a record interest in the Property, that the Municipality is entitled to such excess. The legal costs of obtaining any such judicial determination or agreement shall be deducted from the excess prior to payment to the Municipality. To the extent that the Owner possesses any interest in any amount which would otherwise be payable to the Municipality under this paragraph, to the fullest extent permissible by law, the Owner hereby assigns its interest in such amount to the Mortgagee for payment to the Municipality.

(e) If any Mortgagee shall acquire the Property by reason of foreclosure or upon conveyance of the Property in lieu of foreclosure, then the rights and restrictions contained herein shall apply to such Mortgagee upon such acquisition of the Property and to any purchaser of the Property from such Mortgagee, and the Property shall be conveyed subject to a Deed Rider identical in form and substance to this Deed Rider, which the Mortgagee that has so acquired the Property agrees to annex to the deed and to record with the deed, except that (i) during the term of ownership of the Property by such Mortgagee the owner-occupancy requirements of Section 2 hereof shall not apply, and (ii) the Maximum Resale Price shall be recalculated based on the price paid for the Property by such Mortgagee at the foreclosure sale, but not greater than the Applicable Foreclosure Price. **Said deed shall clearly state that it is made subject to the Deed Rider which is made part of the deed.** Failure to comply with the preceding sentence shall not affect the validity of the conveyance to the Mortgagee or the enforceability of the restrictions herein.

(f) If any party other than a Mortgagee shall acquire the Property by reason of foreclosure or upon conveyance of the Property in lieu of foreclosure, the Property shall be conveyed subject to a Deed Rider identical in form and substance to this Deed Rider, which the foreclosing Mortgagee agrees to annex to the deed and to record with the deed, except that (i) if the purchaser at such foreclosure sale or assignee of a deed in lieu of foreclosure is an Ineligible Purchaser, then during the term of ownership of the Property by such Ineligible Purchaser, the owner-occupancy requirements of Section 2 hereof shall not apply, and (ii) the Maximum Resale Price shall be recalculated based on the price paid for the Property by such third party purchaser at the foreclosure sale, but not greater than the Applicable Foreclosure Price. **Said deed shall clearly state that it is made subject to the Deed Rider which is made part of the deed.** Failure to comply with the preceding sentence shall not affect the validity of the conveyance to such third party purchaser or the enforceability of the restrictions herein.

(g) Upon satisfaction of the requirements contained in this Section 7, the Monitoring Agent shall issue a Compliance Certificate to the foreclosing Mortgagee which, upon recording in the Registry, may be relied upon as provided in Section 6(b) hereof as conclusive evidence

that the conveyance of the Property pursuant to this Section 7 is in compliance with the rights, restrictions, covenants and agreements contained in this Deed Rider.

(h) The Owner understands and agrees that nothing in this Deed Rider or the Regulatory Agreement (i) in any way constitutes a promise or guarantee by MassHousing, DHCD, the Municipality or the Monitoring Agent that the Mortgagee shall actually receive the Mortgage Satisfaction Amount, the Maximum Resale Price for the Property or any other price for the Property, or (ii) impairs the rights and remedies of the Mortgagee in the event of a deficiency.

(i) If a Foreclosure Notice is delivered after the delivery of a Conveyance Notice as provided in Section 4(a) hereof, the procedures set forth in this Section 7 shall supersede the provisions of Section 4 hereof.

8. Covenants to Run With the Property. (a) This Deed Rider, including all restrictions, rights and covenants contained herein, is an affordable housing restriction as that term is defined in Section 31 of Chapter 184 of the Massachusetts General Laws, having the benefit of Section 32 of such Chapter 184, and is enforceable as such. This Deed Rider has been approved by the Director of DHCD.

(b) In confirmation thereof the Grantor and the Owner intend, declare and covenant (i) that this Deed Rider, including all restrictions, rights and covenants contained herein, shall be and are covenants running with the land, encumbering the Property for the Term, and are binding upon the Owner and the Owner's successors in title and assigns, (ii) are not merely personal covenants of the Owner, and (iii) shall enure to the benefit of and be enforceable by the Municipality, the Monitoring Agent and DHCD and their successors and assigns, for the Term. Owner hereby agrees that any and all requirements of the laws of the Commonwealth of Massachusetts have been satisfied in order for the provisions of this Deed Rider to constitute restrictions and covenants running with the land and that any requirements of privity of estate have been satisfied in full.

9. Notice. Any notices, demands or requests that may be given under this Deed Rider shall be sufficiently served if given in writing and delivered by hand or mailed by certified or registered mail, postage prepaid, return receipt requested, to the following entities and parties in interest at the addresses set forth below, or such other addresses as may be specified by any party (or its successor) by such notice.

Municipality:

Grantor:

Owner:

Monitoring Agent[s]

(1) Director, Local Initiative Program
DHCD
100 Cambridge Street
Suite 300
Boston, MA 02114

(2) :

Others:

Any such notice, demand or request shall be deemed to have been given on the day it is hand delivered or mailed.

10. Further Assurances. The Owner agrees from time to time, as may be reasonably required by the Monitoring Agent, to furnish the Monitoring Agent upon its request with a written statement, signed and, if requested, acknowledged, setting forth the condition and occupancy of the Property, information concerning the resale of the Property and other material information pertaining to the Property and the Owner's conformance with the requirements of the Comprehensive Permit, Program and Program Guidelines, as applicable.

11. Enforcement. (a) The rights hereby granted shall include the right of the Municipality and the Monitoring Agent to enforce this Deed Rider independently by appropriate legal proceedings and to obtain injunctive and other appropriate relief on account of any violations including without limitation relief requiring restoration of the Property to the condition, affordability or occupancy which existed prior to the violation impacting such condition, affordability or occupancy (it being agreed that there shall be no adequate remedy at law for such violation), and shall be in addition to, and not in limitation of, any other rights and remedies available to the Municipality and the Monitoring Agent.

(b) Without limitation of any other rights or remedies of the Municipality and the Monitoring Agent, or their successors and assigns, in the event of any sale, conveyance or other transfer or occupancy of the Property in violation of the provisions of this Deed Rider, the Municipality and Monitoring Agent shall be entitled to the following remedies, which shall be cumulative and not mutually exclusive:

- (i) specific performance of the provisions of this Deed Rider;
- (ii) money damages for charges in excess of the Maximum Resale Price, if applicable;
- (iii) if the violation is a sale of the Property to an Ineligible Purchaser except as permitted herein, the Monitoring Agent and the Municipality shall have the option to locate an Eligible Purchaser to purchase or itself purchase the Property from the Ineligible Purchaser on the terms and conditions provided herein; the purchase price shall be a price which complies with the provisions of this Deed Rider; specific performance of the requirement that an Ineligible Purchaser shall sell, as herein provided, may be judicially ordered.
- (iv) the right to void any contract for sale or any sale, conveyance or other transfer of the Property in violation of the provisions of this Deed Rider in the absence of a Compliance Certificate, by an action in equity to enforce this Deed Rider; and
- (v) money damages for the cost of creating or obtaining a comparable dwelling unit for an Eligible Purchaser.

(c) In addition to the foregoing, the Owner hereby agrees and shall be obligated to pay all fees and expenses (including legal fees) of the Monitoring Agent and/or the Municipality in the event successful enforcement action is taken against the Owner or Owner's successors or assigns. The Owner hereby grants to the Monitoring Agent and the Municipality a lien on the Property, junior to the lien of any institutional holder of a first mortgage on the Property, to secure payment of such fees and expenses in any successful enforcement action. The Monitoring Agent and the Municipality shall be entitled to seek recovery of fees and expenses incurred in a successful enforcement action of this Deed Rider against the Owner and to assert such a lien on the Property to secure payment by the Owner of such fees and expenses. Notwithstanding anything herein to the contrary, in the event that the Monitoring Agent and/or Municipality fails to enforce this Deed Rider as provided in this Section, DHCD, if it is not named as Monitoring Agent, shall have the same rights and standing to enforce this Deed Rider as the Municipality and Monitoring Agent.

(d) The Owner for himself, herself or themselves and his, her or their successors and assigns, hereby grants to the Monitoring Agent and the Municipality the right to take all actions with respect to the Property which the Monitoring Agent or Municipality may determine to be necessary or appropriate pursuant to applicable law, court order, or the consent of the Owner to prevent, remedy or abate any violation of this Deed Rider.

12. Monitoring Agent Services; Fees. The Monitoring Agent shall monitor compliance of the Project and enforce the requirements of this Deed Rider. As partial compensation for providing these services, a Resale Fee [] shall [] shall not be payable to the Monitoring Agent on the sale of the Property to an Eligible Purchaser or any other purchaser in

accordance with the terms of this Deed Rider. This fee, if imposed, shall be paid by the Owner herein as a closing cost at the time of Closing, and payment of the fee to the Monitoring Agent shall be a condition to delivery and recording of its certificate, failing which the Monitoring Agent shall have a claim against the new purchaser, his, her or their successors or assigns, for which the Monitoring Agent may bring an action and may seek an attachment against the Property.

13. Actions by Municipality. Any action required or allowed to be taken by the Municipality hereunder shall be taken by the Municipality's Chief Executive Officer or designee.

14. Severability. If any provisions hereof or the application thereof to any person or circumstance are judicially determined, to any extent, to be invalid or unenforceable, the remainder hereof, or the application of such provision to the persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby.

15. Independent Counsel. THE OWNER ACKNOWLEDGES THAT HE, SHE, OR THEY HAVE READ THIS DOCUMENT IN ITS ENTIRETY AND HAS HAD THE OPPORTUNITY TO CONSULT LEGAL AND FINANCIAL ADVISORS OF HIS, HER OR THEIR CHOOSING REGARDING THE EXECUTION, DELIVERY AND PERFORMANCE OF THE OBLIGATIONS HEREUNDER.

16. Binding Agreement. This Deed Rider shall bind and inure to the benefit of the persons, entities and parties named herein and their successors or assigns as are permitted by this Deed Rider.

17. Amendment. This Deed Rider may not be rescinded, modified or amended, in whole or in part, without the written consent of the Monitoring Agent, the Municipality and the holder of any mortgage or other security instrument encumbering all or any portion of the Property, which written consent shall be recorded with the Registry.

Executed as a sealed instrument this _____ day of _____, 200_.

Grantor:

Owner:

By _____

By _____

COMMONWEALTH OF MASSACHUSETTS

_____ County, ss.

On this ____ day of _____, 200__, before me, the undersigned notary public, personally appeared _____, the _____ of _____ in its capacity as the _____ of _____, proved to me through satisfactory evidence of identification, which was [a current driver's license] [a current U.S. passport] [my personal knowledge], to be the person whose name is signed on the preceding instrument and acknowledged the foregoing instrument to be his or her free act and deed and the free act and deed of _____ as _____ of _____.

Notary Public
My commission expires:

COMMONWEALTH OF MASSACHUSETTS

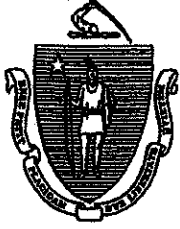
_____ County, ss.

On this ____ day of _____, 200__, before me, the undersigned notary public, personally appeared _____, the _____ of _____ in its capacity as the _____ of _____, proved to me through satisfactory evidence of identification, which was [a current driver's license] [a current U.S. passport] [my personal knowledge], to be the person whose name is signed on the preceding instrument and acknowledged the foregoing instrument to be his or her free act and deed and the free act and deed of _____ as _____ of _____.

Notary Public
My commission expires:

DOCUMENTS OF PROJECT SPONSOR

- 1. Certificates of Organization/Registration and Good Standing from the Secretary of State's Office**
- 2. Mortgagee Consents to Regulatory Agreement**
- 3. Trustee Certificates or Authorization for signer/s to execute all documents**



The Commonwealth of Massachusetts
Secretary of the Commonwealth
State House, Boston, Massachusetts 02133

William Francis Galvin
Secretary of the
Commonwealth

July 18, 2014

TO WHOM IT MAY CONCERN:

I hereby certify that a certificate of organization of a Limited Liability Company was filed in this office by

MILLSTONE BUILDERS

in accordance with the provisions of Massachusetts General Laws Chapter 156C on July 17, 2014.

I further certify that said Limited Liability Company has filed all annual reports due and paid all fees with respect to such reports; that said Limited Liability Company has not filed a certificate of cancellation or withdrawal; and that said Limited Liability Company is in good standing with this office.

I also certify that the names of all managers listed in the most recent filing are: **STEVEN F VENINCASA**

I further certify, the names of all persons authorized to execute documents filed with this office and listed in the most recent filing are: **STEVEN F VENINCASA, JULIE VENINCASA, LEONARDO LOPES DASILVA**

The names of all persons authorized to act with respect to real property listed in the most recent filing are: **LEONARDO LOPES DASILVA, JULIE VENINCASA**

In testimony of which,
I have hereunto affixed the
Great Seal of the Commonwealth
on the date first above written.



William Francis Galvin
Secretary of the Commonwealth

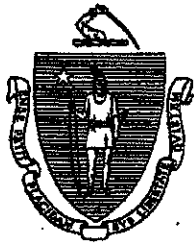
SCHEDULE OF UNDIVIDED INTEREST

Daniels Village Medway

Schedule of Beneficial Interest

UNIT TYPE	ROUNDED PERCENTAGE	x	# of Units	=	TOTAL
Single	1.47	x	35	=	51.45
Duplex	1.24	x	18	=	22.32
Triple	1.17	x	19	=	22.23
Affordable	0.50	x	8	=	4.00
TOTAL					100.0000%

MEPA



The Commonwealth of Massachusetts
Executive Office of Energy and Environmental Affairs
100 Cambridge Street, Suite 900
Boston, MA 02114

DEVAL L. PATRICK
GOVERNOR

TIMOTHY P. MURRAY
LIEUTENANT GOVERNOR

IAN A. BOWLES
SECRETARY

Tel: (617) 626-1000

Fax: (617) 626-1181

<http://www.mass.gov/envir>

June 8, 2007

**CERTIFICATE OF THE SECRETARY OF ENERGY AND ENVIRONMENTAL AFFAIRS
ON THE
ENVIRONMENTAL NOTIFICATION FORM**

PROJECT NAME : Daniels Village
PROJECT MUNICIPALITY : Medway
PROJECT WATERSHED : Charles River
EOEA NUMBER : 14008
PROJECT PROPONENT : Barberry Homes, Inc.
DATE NOTICED IN MONITOR : April 25, 2007

Pursuant to the Massachusetts Environmental Policy Act (G. L. c. 30, ss. 61-62H) and Section 11.06 of the MEPA regulations (301 CMR 11.00), I hereby determine that this project does not require the preparation of an Environmental Impact Report (EIR).

The proposed project consists of an eighty-unit Adult Retirement Community with associated infrastructure, which includes roadways, stormwater infrastructure, and water and sewer mains. The site will be serviced by municipal water and sewer. The site is currently undeveloped, comprised of open space pastures, low vegetation, wetlands and wooded areas.

The proposed project will result in alteration of approximately 18.7 acres of land, which includes creation of approximately 8.5 acres of impervious area. The remainder of the 51-acre project site will remain undisturbed and a Conservation Restriction will be placed on approximately 20 acres of the site. The project involves grading and drainage work in the 100-foot buffer zone of Bordering Vegetated Wetlands (BVW). Traffic impacts are estimated at 476 vehicle trips per day and the project includes 190 parking spaces. Water and wastewater generation is estimated at 17,600 gallons per day (gpd). The project includes construction of 0.7 miles of new water and sewer mains.

The project is undergoing review pursuant to Section 11.03(1)(b)(2) because it will result in creation of five or more acres of impervious area and Section 11.03(5)(b)(3)(c) because it involves construction of a new sewer mains of one half mile or more in length. The project

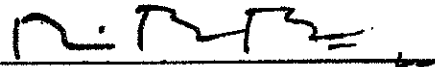
- A Conservation Restriction (CR) on approximately 20 acres (40%) of the project site, which will be held by the Medway Conservation Commission and the Upper Charles Conservation Land Trust. The CR will allow for walking trails and yearly haying to preserve agricultural land;
- Language in the project's Condominium Bylaws that will protect environmentally sensitive areas by restricting the use of pesticides, herbicides and fertilizers as part of Vegetation Management and Integrated Pest Management Plans;
- Language in the project's Condominium Bylaws that will protect wetlands resources by requiring a Snow and Ice Removal Plan that includes the use of environmentally sensitive alternatives for deicing;
- Measures to promote aquifer recharge with a particular focus on residences located in the wetlands buffer zone. Units 10-17, located along the south side of road "A", will be required to use dry-well systems for roof run-off;
- Landscaping that will feature native New England plantings;
- LID measures including a rain garden in the central garden area;
- Water conservation measures - the proponent will consider high efficiency toilets and front-loading washing machines;
- A project design that will meet the MassDEP Stormwater Management Policy standards and will use Best Management Practices (BMPs) to meet pre-development conditions for groundwater infiltration, run-off rates and volumes, and water quality.

I commend the proponent for its efforts to address the concerns of CRWA and DAR during the ENF review, and to incorporate LID and agricultural soils preservation. I encourage the proponent to also consider EnergyStar Certification and Leadership in Energy and Environmental Design (LEED) Certification for Homes, which can provide additional environmental and economic benefits.

I have determined that the ENF has sufficiently defined the nature and general elements of the project, and proposed measures to avoid, minimize and mitigate project-related impacts. Based on review of the ENF and comment letters received, I find that the impacts associated with the project do not warrant further MEPA review. I am satisfied that any remaining issues can be adequately addressed during the state and local permit and review processes.

June 8, 2007

DATE



Ian A. Bowles, Secretary

Comments Received (continued on next page):

5/16/07 Department of Environmental Protection, Central Regional Office
 5/16/07 Charles River Watershed Association
 5/22/07 Jim Williamson, Barberry Homes, Inc. (proponent)

requires a Sewer Extension Permit from the Massachusetts Department of Environmental Protection (MassDEP) and an Order of Conditions from the Medway Conservation Commissions (and, upon appeal only, a Superseding Order from MassDEP). The project may also require a National Pollutant Discharge Elimination System (NPDES) Construction Activities Permit from the U.S. Environmental Protection Agency (EPA).

The proponent is not seeking financial assistance from the Commonwealth. Therefore, MEPA jurisdiction applies to those aspects of the project within the subject matter of required Permits with the potential to cause Damage to the Environment as defined in the MEPA regulations. In this case, MEPA jurisdiction extends to wetlands, wastewater, land, stormwater and drainage.

According to the Environmental Notification Form (ENF), the zoning classification for the site is Agricultural-Residential and the site has the potential for 153 units allowed under zoning based on land area. The ENF and comment letters received indicate that the proponent considered alternative designs including an 118-unit senior residential development and an 86-unit alternative. The proponent subsequently redesigned the project with shorter roadways and narrower common driveways to reduce impervious area and wetlands disturbance.

In its comment letter dated May 16, 2007, the Charles River Watershed Association (CRWA) requested that the proponent be required to prepare an EIR, and raised concerns about wetlands resource impacts and the need for the project to emphasize Low Impact Development (LID) and to maximize recharge. Since then, the proponent has consulted with the CRWA to address their concerns, and has committed to using LID techniques and additional mitigation measures, as further detailed in the proponent's comment letters and its letter to the CRWA (dated June 1, 2007). The CRWA subsequently withdrew its request for an EIR and, as noted in the CRWA comment letter dated June 4, 2007, the proponent has committed to include a rain garden in the project design, direct rooftop run-off into drywells, incorporate Vegetation Management and Snow and Ice Removal language in condominium bylaws, and consider water conservation measures. I encourage the proponent to consider the additional drywells for homes located in the buffer zone as recommended by the CRWA.

The Department of Agricultural Resources (DAR), in its comment letter, asked that the proponent provide mitigation for project impacts, which include conversion of approximately 14 acres of prime farmland. The DAR expressed interest in permanently protecting the proposed open space parcel with an Agricultural Preservation Restriction (APR) or allowing use of the parcel for haying or other agricultural purposes. The proponent has consulted with DAR since receiving its comment letter to discuss mitigation, and has committed to allow yearly haying as part of the Conservation Restriction (CR) proposed for the 20-acre open space parcel.

Mitigation

The proponent has committed to the following measures to avoid, minimize, and mitigate project-related impacts:

AFFIRMATIVE FAIR MARKETING AND LOTTERY PLAN



your resource for Affordable Housing



Millstone Village Medway, MA

Marketing and Outreach Plan Lottery Plan

Introduction

Millstone Village is a new active adult 55+ community. The marketing program and minority outreach for Millstone Village in Medway, Massachusetts will be grass roots in nature with a strong focus on the local market. In the immediate market area including the Town of Medway there is an under served population of age-qualified households in need of quality affordable units. We are excited to have the opportunity to provide 8 new town homes for distribution to eligible age-qualified homebuyers.

The town homes will be distributed based upon criteria established by the Department of Housing and Community Development (DHCD) and the LIP Local Action Unit Program. Eight units will be distributed to two applicant pools. The first will be a Local pool, qualified under Medway's Local Preference criteria (which will receive 70% of the units) and the second pool, for At-Large applicants, will be distributed statewide.

The objective of the marketing program is to identify a sufficient pool of applicants for the available, affordable units. Based upon the lottery results, all applicants would have their proper rank in the appropriate pools. This will enable us to quickly determine who would have the first opportunity for the purchase of an upcoming home.

What follows is a list of activities and materials we intend to utilize to assist in our marketing of the units, processing of the applicants and our attempts to reach out to the Boston area or regional minority populations.

General Information

Elite Home Builders, LLC and the Town of Medway have worked together to provide affordable housing opportunities at Millstone Village in Medway, Massachusetts. Millstone Village will construct 45 townhomes and 35 detached homes. Eight of the townhome units will be distributed by lottery to eligible applicants.

All units will be sold, by lottery, to persons who meet the eligibility requirements and have incomes at or below 80% of the area median income, for the Boston-Cambridge-Quincy, MA-NH HUD Metro FMR

Area, adjusted for Household size. The unit pricing is \$170,000 for an approximately 2000 sq. ft. two-bedroom unit. Each two bedroom unit includes a two car garage, 2 ½ bathrooms and an unfinished basement.

All affordable units will have a "Deed Rider" that will be filed with the deed at the time of purchase. This deed rider restricts the amount that the unit can be resold for, based on a Resale Price Multiplier, and requires subsequent buyers to have a household income at or below 80% of the area median income at the time of resale. The deed rider insures that the unit stays affordable for the long term.

Elite Home Builders, LLC will be sponsoring an application process and lottery to rank the eligible program applicants. The application and lottery process as well as the eligibility requirements, are described in this plan. Elite Home Builders, LLC has contracted MCO Housing Services, LLC, of Harvard, MA, as their lottery agent. MCO Housing Services, LLC has been providing Lottery Services to area developers for over 15 years.

Marketing and Outreach Plan

Medway, MA is located 25 miles southwest of Boston, 24 miles southeast of Worcester and 30 mile north of Providence. Route 495 passes through Medway with Routes 109 and 126 serving the town. The MBTA Commuter Rail stops in the neighboring community of Franklin.

Application availability and a public information meeting will be announced, with a minimum of two ads, in the Country Gazette, the local newspaper. Additional ads will be placed in the CNC South A Classified section (See attached Marketing and Outreach Schedule for complete marketing program.) We will work closely with the Country Gazette to have articles placed to ensure awareness of the project and the available affordable housing opportunities.

Minority Outreach will be conducted through advertisements in Vocero Hispano, The Baystate Banner and Sampan.

A listing www.massaccesshousingregistry.org and www.massaffordablehomes.org will also announce the lottery and application availability. Additional announcements will be mailed to the following organizations:

City of Boston
Metropolitan Housing Opportunity Clearing Center (MetroList)
Boston City Hall
P.O. Box 5996
Boston, MA 02114-5996

Hillary Pizer
Massachusetts Affordable Housing Alliance
1803 Dorchester Ave
Dorchester, MA 02124

Medway Business Council
89 Main Street
Medway, MA 02053

Additionally, a mailing will be sent to local social service and public organizations. See attached list. Finally, listings on the local cable channel and town website will be pursued.

MCO Housing Services will post Millstone Village lottery information and application on line at www.mcohousingervices.com. Although online applications are the preferred choice for application submission, application packets will also be available to applicants who do not have access to a computer and can be requested through MCO Housing Services by phone, email or may be picked up at the Medway Town Hall and Medway Public Library. MCO Housing Services can be reached at:

MCO Housing Services. LLC
P.O. Box 372
Harvard, MA 01451
(978) 456-8388
FAX: (978) 456-8986
lotteryinfo@mcohousingervices.com

A local Public Information Meeting will be scheduled where questions regarding program eligibility requirements, preferences for selections and the lottery process will be addressed. Online applicants will receive their lottery code upon application submittal. A confirmation letter will be sent to each eligible applicant, who mailed in their application, stating which lottery pools they are eligible for and their lottery code after the application deadline. Lottery codes will be announced during the lottery drawing, to ensure applicants privacy.

Eligibility Requirements

Each lottery applicant must meet the following eligibility requirements:

1. The maximum allowable gross income guidelines, adjusted for household size, as follows:

Household Size	1	2	3	4
Max Allowable Income	\$47,450	\$54,200	\$61,000	\$67,750

(Note: This represents 80% of the annual household median income for the area and is subject to adjustments. This assumes a household size of 1-4 people. This income limit is subject to change based upon DHCD updating.)

2. At least one household member must be 55 years of age or older and all remaining household members are at least 18 years of age. Guests less than 18 years of age can visit for up to 6 months in any calendar year.

3. Total household assets shall not exceed \$275,000 for all applicants. This includes all equity if you have a home to sell. Assets divested within the last two years at below market value will be counted at full market value in determining eligibility.

Mortgage Guidelines, if applicable:

1. Be a fully amortizing fixed rate mortgage with a down payment of at least 3%, at least half of which must come from the buyer's own funds.
2. Be made by an institutional lender.
3. Have a fixed interest rate through the full term of the mortgage that is a current fair market interest rate.
4. No more than 2 points.
5. Monthly housing (inclusive of principal, interest, property taxes, hazard insurance, private mortgage insurance and condominium or homeowner association fees) may not exceed 38% of the buyers monthly income for the mortgage.
6. Non-household members shall not be permitted as co-signers of the mortgage.

Lottery Process and Preferences

MCO Housing Services will screen all applications. Eligible applicants will receive a confirmation upon submission of complete application. There are two pools for this lottery, Local and At-Large. The unit breakdown per pool is as follows:

Local Pool:	5 units
At-Large Pool:	3 units

Preferences

Five of the eight units have been set-aside for local residents. Each applicant must meet at least one of the following criteria to be in the local pool:

- Current Medway Resident
- Employee working for the Town of Medway
- Employee working in the Town of Medway

Proof of local preference will be required if they have an opportunity to purchase. Any question of local residency will be referred to the town and/or DHCD.

All applicants who have applied and meet the Lottery Eligibility Requirements, including those in the Local Pool, are included in the At-Large Lottery Pool.

Household Size

In all cases, preference for two bedroom units will be given to households who require two bedrooms. Second preference will be given to households who require one bedroom.

Unit preferences are based on the following:

- a. There is a least one occupant per bedroom.
- b. A husband and wife, or those in a similar living arrangement, shall be required to share a bedroom. Other household members may share but shall not be required to share a bedroom.
- c. A person described in (b) shall not be required to share a bedroom if a consequence of sharing would be a severe adverse impact on his or her mental or physical health and reliable medical documentation is provided substantiating the adverse impact.
- d. If the Applicant is in the process of a divorce or separation, the Applicant must provide proof that the divorce or separation has begun or has been finalized, as set forth in the application.

Minority Representation

A preliminary lottery will be held if the percentage of minority applicants in the Local Preference Pool is less than 27%, as determined by recent Census data in the Boston area. This lottery will be comprised of all minority applicants who did not qualify for the local pool. Applicants will be ranked in order of the drawing. The Local Pool will be adjusted by adding the required number of applicants, in rank order, to achieve the appropriate minority representation in the Local Pool.

Minority households are identified in accordance with the regulatory classifications established by HUD.

Resale of Affordable Units

The resale of the affordable units will be coordinated by DHCD. If you have an opportunity to purchase you will receive a copy of the LIP Homebuyer Disclosure Statement which outlines the limitation on profit, steps to resell the unit, time allowed to sell, and capital improvements etc. If you would like to receive a copy of this document send an email to maureen@mcohousingservices.com and a copy will be emailed to you.

Summary

We believe this outreach program will ensure that the Town of Medway and the surrounding communities will be notified of the available opportunities and the smooth and fair processing of all potential applicants. It is our intention to work with the Town of Medway to incorporate local requests and ideas.

**MillstoneVillage
Medway, MA
Estimated Affordable Unit Pricing as of September 17, 2014**

Purchase Price Limits	
Housing Cost:	
Sales Price	\$170,000
5% Down payment	\$8,500
Mortgage	\$161,500
Interest rate	4.37%
Amortization	30
Monthly P&I Payments	\$805.87
Tax Rate	\$18.84
monthly property tax	\$267
Hazard Insurance	\$57
PMI	\$105
Condo/HOA fees (if applicable)	\$100
Monthly Housing Cost	\$1,334
Necessary Income:	\$53,376
Household Income:	
# of Bedrooms	2
Sample Household size	3
80% AMI/"Low-Income" Limit	\$61,000
Target Housing Cost (80%AMI)	\$1,525
10% Window	\$53,375
Target Housing Cost (70%AMI)	\$1,334

Comments:

Sample affordable sale price for a 2-bdrm attached condo in Medway, MA using the applicable (MSA) regional 2013 income limit adjusted to the appropriate household size (i.e., 3-person) and assuming the local tax rate of \$18.84 and a time-sensitive interest rate of 4.58%, approximately a quarter percent above the latest prevailing fixed 30-year rate as listed on Freddie Mac's interest rate survey. For sample purposes only, the price assumes an initial affordable condo fee of \$100/mo. Please be aware that this is only an estimate being provided for



your resource for Affordable Housing



Millstone Village Medway, MA

September 2014

Dear Friend:

Millstone Village is a new 80 unit community for age-qualified (55+) homebuyers being built on Winthrop Street in the Town of Medway. The development consists of 45 town homes and 35 detached single family homes. Eight affordable town homes unit are available by lottery for eligible age-qualified (55+) homebuyers.

The two bedroom affordable units are priced at \$170,000 and include 2 ½ bathrooms, 2 car garage and unfinished basement in +/- 2000 sq. ft. of living space. All affordable units will be sold by lottery as outlined in the attached package. Please review the enclosed information packet in detail and complete the application and disclosure statement at the rear of the packet.

A Public Information Meeting will be held to answer specific questions and provide an overview of the lottery process. The meeting is scheduled for 6:30 p.m., _____ tbd _____ at the Medway Town Hall. If you have questions and can attend this meeting please hold them until that time.

Applications can be submitted on line at www.mcohousingservices.com. The application deadline is _____. You must submit an application postmarked on or before _____ to be in the lottery. The lottery is scheduled for 6:30 p.m., _____ at the Medway Town Hall.

Thank you for your interest in affordable housing at **MILLSTONE VILLAGE**. We wish you the best of luck. Please contact MCO Housing Services at 978-456-8388 or email us at lotteryinfo@mcohousingservices.com if you have any questions. We encourage you to advise other people or organizations that may be interested in this program and make copies of the relevant information as needed.

Sincerely,

Maureen M. O'Hagan

Maureen M. O'Hagan
MCO Housing Services for
Elite Home Builders, LLC

Potential applicants will not be discriminated against on the basis of race, color, religious creed, marital status, military status, disability, national origin, sex, age, ancestry, sexual preference, source of income, presence of children, or any other basis prohibited by local, state or federal law.



Rev. 9/17/14

Millstone Village
AFFORDABLE HOMES through LIP Question & Answer

What are the qualifications required for Prospective Buyers?

1. The maximum allowable gross income guidelines, adjusted for household size, as follows:

Household Size	1	2	3	4
Max Allowable Income	\$47,450	\$54,200	\$61,000	\$67,750

(Note: This represents 80% of the annual household median income for the area and is subject to adjustments. This assumes a household size of 1-4 people. This income limit is subject to change based upon DHCD updating.)

2. At least one homebuyer must be 55 years of age or older and the remaining households members must be 18 years of age or older.

3. Eligible households are allowed up to \$275,000 combination equity from home sale and assets. You can not purchase an affordable home unless your current home is sold. If you do not have a home to sell the asset limit is the same at \$275,000.

Assets are determined as follows:

- a. Individual retirement, 401K and Keogh accounts are included at 100% of the account value.
- b. The value of Retirement and Pension Funds differ if you are employed or are no longer working. If still employed the value is determined using the amount you can withdraw less any penalties or transaction costs. At retirement, termination of employment or withdrawal periodic receipts from pension and retirement funds are counted as income. Lump sum receipts are counted as assets.
- c. Assets divested at less than full market value within the past two years will be counted at full market value in determining eligibility.

Other program highlights for Lottery applicants:

- Units must be owner occupied. They cannot be rented or leased.
- Non-household members are not permitted to be co-signers on the mortgage.
- A mortgage pre-approval letter is required to participate in this lottery.
- Guests under the age of 18 may only stay up to 6 months in any calendar year.

Are there specific mortgage guidelines?

Yes, they are:

1. Be a fully amortizing fixed rate mortgage with a down payment of at least 3%, at least half of which must come from the buyer's own funds.
2. Be made by an institutional lender.
3. Have a fixed interest rate through the full term of the mortgage that is a current fair market interest rate.
4. No more than 2 points.
5. Monthly housing (inclusive of principal, interest, property taxes, hazard insurance, private mortgage insurance and condominium or homeowner association fees) may not exceed 38% of the buyers monthly income for the mortgage.
6. Non-household members shall not be permitted as co-signers of the mortgage.



Are there preferences for local residents?

Yes. Preference will be given to local residents for 5 of the 8 affordable units. Proof of local residency will be verified if you have the opportunity to purchase. See application for list of local preference criteria. Any questions regarding an applicant's local preference eligibility will be directed to the Town of Medway and/or DHCD for clarification.

Preference for the two bedroom units will be given to households which require a two bedroom unit. Second preference will be given to households who require one bedroom.

Unit preferences are based on the following:

- a. There is a least one occupant per bedroom.
- b. A husband and wife, or those in a similar living arrangement, shall be required to share a bedroom. Other household members may share but shall not be required to share a bedroom.
- c. A person described in (b) shall not be required to share a bedroom if a consequence of sharing would be a severe adverse impact on his or her mental or physical health and reliable medical documentation is provided substantiating the adverse impact.
- d. If the Applicant is in the process of a divorce or separation, the Applicant must provide proof that the divorce or separation has begun or has been finalized, as set forth in the application.

Is there preference for minorities?

If the percentage of minority applicants in the Local Preference Pool is less than the percentage of minorities in the Surrounding HUD-defined area, currently 27%, a preliminary lottery will be held, comprised of all the minority applicants who do not qualify for the Local Preference Pool. These minority applicants would be drawn until their percentage in the local pool closely approximates the percentage in the Boston area population. Applicants not selected for the local pool would be in the at-large pool only.

Are there any restrictions?

YES. Deed restrictions are used to protect the affordability of the town homes for future buyers. The deed restrictions encumber the property in perpetuity, with certain exceptions. If you choose to sell your unit, there is a limit on the resale price. The maximum resale price is determined using a Resale Price Multiplier, a figure calculated by taking the initial sales price and dividing it by the area median income. **For example**, the initial 2 bedroom affordable condominium unit price is \$170,000 and the current area median income is \$94,100, the Resale Price Multiplier would be $\$170,000 / \$94,100 = 1.8$.

Upon resale, the Resale Price Multiplier is multiplied by the updated area median income number to determine the maximum resale price. A resale fee up to 2% of the resale price may be added onto the resale price to be paid by the buyer to the Monitoring Agent.

Applicants are strongly encouraged to review the restrictions in the deed rider with their attorney.

How much money do I need to make to afford the condominiums?

The minimum income required to purchase is based solely upon an applicant's ability to secure a mortgage. Attached is an "Affordability Analysis" based upon current interest rates and anticipated real estate taxes and related housing expenses.



Lottery Process

Due to the nature of the affordable homes availability it is important for everyone to understand the procedure. Please understand the allowable income guidelines are adjusted based upon your household size. Also be advised that the program and its requirements are subject to changes in local, state or federal regulations.

Lottery Pools

Eight (8) town home units are available by lottery at Millstone Village. The lottery has two pools – Local and At-Large. The separation below provides the overall unit breakdown of the units only. The pools breakdown as follows:

<u>Pool</u>	<u>Qualifications</u>	<u># of Units</u>
Local Pool	Must meet at least one of the Local Preference Criteria as listed on the application.	5
At-Large Pool	All applicants – including local pool	3

Local applicants would have two opportunities to purchase a unit by being in both the Local and At-Large Pools.

Preference for the two bedroom units will be given to households which require a two bedroom unit. Second preference will be given to households who require one bedroom. Unit preferences are based on the following:

- a. There is a least one occupant per bedroom.
- b. A husband and wife, or those in a similar living arrangement, shall be required to share a bedroom. Other household members may share but shall not be required to share a bedroom.
- c. A person described in (b) shall not be required to share a bedroom if a consequence of sharing would be a severe adverse impact on his or her mental or physical health and reliable medical documentation is provided substantiating the adverse impact.
- d. If the Applicant is in the process of a divorce or separation, the Applicant must provide proof that the divorce or separation has begun or has been finalized, as set forth in the application.

All of the applicants for a given pool will be pulled at the time of the lottery. This will establish the rankings for the distribution of units. This means if you are a two person household and by the above definition (b) require a one bedroom unit and are drawn first in the lottery, we will move to the first applicant on the list that meet the unit preference for the two bedroom units. If we have gone through the list and have units remaining we will begin working from the top of the list and you may likely have an opportunity to purchase.

Time Frames

Millstone Village has not started construction. The first units are scheduled to be available ___TBD_____ and the remaining units ___TBD_____.

If you are selected and have the opportunity to purchase a unit you will speak or meet with a representative to review your application to verify all information. Applicants selected for units approaching completion will need to start working with an approved lender immediately to secure the necessary mortgage. Please be advised the official income verification will be done at the time you have an opportunity to purchase a unit. Meaning, if one year after the initial lottery you have the opportunity to purchase a unit and you are over income at that time, you may not be able to purchase.

Acceptance of Homes



It is important for all applicants to understand that specific units are attached to specific lottery rankings based upon the projected availability of the completed unit. Applicants will not have a choice of unit locations, style or schedules. You will not be able "pass" on a unit and wait for another unit. If you choose not to take the designated unit, you will go to the bottom of the list and will NOT have another opportunity.

Resale of Units

The resale of the affordable units will be coordinated by the Monitoring Agent. If you have an opportunity to purchase you will receive a copy of the LIP Homebuyer Disclosure Statement which outlines the limitation on profit, steps to resell the unit, time allowed to sell, and capital improvements etc. If you would like to receive a copy of this document send an email to maureen@mcohousingservices.com and a copy will be emailed to you.

Summary

We hope this helps explain the process by which the units will be distributed. It can be a lengthy and sometimes complicated process. We greatly appreciate your participation and wish you the best of luck in the lottery process.

AFFORDABILITY ANALYSIS (FOR ILLUSTRATION PURPOSES ONLY)

Home Price	\$ 170,000
<i>Interest Rate</i>	4.37%
<i>Down Payment (%)</i>	5%
Down Payment (\$)	\$ 8,500
Mortgage Amount	\$ 161,500
Monthly Expenses	
<i>Principal & Interest</i>	\$ 806.00
<i>Real Estate Taxes</i>	267.00
<i>Private Mortgage Insurance*</i>	105.00
<i>Insurance</i>	57.00
<i>Estimated Association Fee</i>	100.00
TOTAL Monthly Expenses	\$ 1,335.00

NOTES:

ALL Values are estimates and are subject to change.

Medway 2014 Residential Tax Rate = \$18.84 per thousand



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Unit Availability and Unit Distribution

Unit #	Designated Winner	Estimated Availability*
8	Local 1	TBD
54	ALP 1	TBD
57	Local 2	TBD
60	Local 3	TBD
63	ALP 2	TBD
66	Local 3	TBD
69	Local 4	TBD
75	ALP 3	TBD

Codes:

Local – Local Pool Applicants

ALP – At Large Pool Applicants

** All Dates are Estimates*



Millstone Village

LOTTERY APPLICATION

For Office Use Only:

Date Appl. Rcvd: _____

LOCAL Pool: Y / N

Household Size: _____

Lottery Code: _____

Application Deadline: _____ tbd _____

PERSONAL INFORMATION:

Date: _____

Name: _____

Address: _____ Town: _____ Zip: _____

Home Telephone: _____ Work Telephone: _____ Cell: _____

Email: _____ Have you ever owned a home? ___ If so, when did you sell it? ____

Do you meet any of the Local Preference Eligibility Criteria established by the Town of Medway? _____ Please check the appropriate category below*:

- Current Medway Resident
- Employed by the Town of Medway or the Medway Public Schools
- Employee working in a business working in the Town of Medway

Proof of local residency will be verified if you have the opportunity to purchase.

FINANCIAL WORKSHEET: (Include all Household Income, which includes gross wages, retirement income (if drawing on it for income), business income, veterans' benefits, alimony/child support, unemployment compensation, social security, pension/disability income, supplemental second income and dividend income.)

Borrowers Monthly Base Income (Gross) _____

Other Income, specify _____

Co-Borrowers Monthly Base Income (Gross) _____

Other Income, specify _____

TOTAL MONTHLY INCOME: _____

Household Assets: (This is a partial list of required assets. A complete list will be provided should you have an opportunity to purchase or you can view online at www.mcohousing.com. Complete all that apply with current account balances)

Checking (avg balance for 6 months) _____

Savings _____

Stocks, Bonds, Treasury Bills, CD or _____

Money Market Accounts and Mutual Funds _____

Individual Retirement, 401K and Keogh accounts _____

Retirement or Pension Funds (amt you can w/d w/o penalty) _____

Revocable trusts _____

Equity in rental property or other capital investments _____

Cash value of whole life or universal life insurance policies _____

Down Payment Gift _____

TOTAL HOUSEHOLD ASSETS _____



EMPLOYMENT STATUS: (include for all working household members. Attach separate sheet, if necessary.)

Employer: _____
Street Address: _____
City/State/Zip: _____
Date of Hire (Approx): _____
Annual Wage - Base: _____
Additional: _____ (Bonus, Commission, Overtime, etc.)

ABOUT YOUR FAMILY: (OPTIONAL)

You are requested to fill out the following section in order to assist us in fulfilling affirmative action requirements. Please be advised that you should fill this out based upon family members that will be living in the condominium. Please check the appropriate categories:

	Applicant	Co-Applicant	(#) of Dependents
Non-Minority	_____	_____	_____
Black or African American	_____	_____	_____
Hispanic or Latino	_____	_____	_____
Asian	_____	_____	_____
Native American or Alaskan Native	_____	_____	_____
Native Hawaiian or Pacific Islander	_____	_____	_____

The total household size is _____ (This is very important to determine the maximum allowable income for your household.)

Household Composition	Name _____	Relationship _____	Age _____
(including applicant(s))	Name _____	Relationship _____	Age _____
	Name _____	Relationship _____	Age _____
	Name _____	Relationship _____	Age _____

ADDITIONAL INFORMATION:

Applicants will be responsible for all closing costs associated with the purchase of a home. A copy of the deed rider can be found at www.mcohousing.com or you can email lotteryinfo@mcohousing.com for a copy.

SIGNATURES:

The undersign warrants and represents that all statements herein are true. It is understood that the sole use of this application is to establish the preliminary requirements for placement into a lottery to have an opportunity to purchase an affordable condominium at Millstone Village. I (we) understand if selected all information provided shall be verified for accuracy at the time of bank application.

Signature _____ Date: _____
Applicant(s)

Signature _____ Date: _____
Co-Applicant(s)

Based upon the preliminary information provided, it is my judgment that the applicant should be allowed to participate in the lottery for affordable units at Millstone Village. If selected all information provided shall be verified for accuracy at the time of bank application.

Signature _____ Date: _____
Certifying Agent (MCO Housing Services)

Return with signed Affidavit & Disclosure Form to:
MCO Housing Services,
P.O. Box 372, Harvard, MA 01451



Millstone Village

Affidavit & Disclosure Form

I/We understand and agree to the following conditions and guidelines regarding the distribution of the affordable condominiums at Millstone Village through the LAU program in Medway, MA:

1. The annual household income for my family does not exceed the allowable limits as follows:

Household Size	1	2	3	4
Max Allowable Income	\$47,450	\$54,200	\$61,000	\$67,750

Income from all family members must be included.

2. I/We certify that my/our total assets do not exceed the \$275,000 asset limit and the full value or a portion of our retirement assets will be included. I/We understand any equity we earn if we have a home to sell will be counted as part of the \$275,000 asset limit. Assets divested within the last two years at below market value will be counted at full market value in determining eligibility.
3. The household size listed on the application form includes only and all the people that will be living in the residence. All household members must be at least 18 years of age and at least one homebuyer must be 55 years of age.
4. I/We certify all data supplied on the application is true and accurate to the best of my/our knowledge and belief under full penalty of perjury. I/We understand that perjury will result in disqualification from further consideration.
5. I/We understand that by being selected in the lottery does not guarantee that I/we will be able to purchase a unit. I/We understand that all application data will be verified and additional financial information will be required, verified and reviewed in detail prior to purchasing a unit.
6. I/We understand that it is my/our obligation to secure a mortgage for the unit purchase through a bank familiar with deed restricted properties, if a mortgage is necessary. All expenses, including closing costs and down payments, are my responsibility. We also understand a deed rider is attached to the unit which restricts the resale price.
7. I/We further authorize MCO Housing Services to verify any and all income, assets and other financial information, to verify any and all household, resident location and workplace information and directs any employer, landlord or financial institution to release any information to MCO Housing Services and consequently the project's monitoring agency, for the purpose of determining income eligibility for Millstone Village.
8. I/We understand that if selected I/we will be offered a specific unit. I/We will have the option to accept the available unit, or to reject the available unit. If I/we reject the available unit I/we will move to the bottom of the waiting list and will likely not have another opportunity to purchase an affordable unit at Millstone Village.
9. Program requirements are established by DHCD and the Town of Medway. I/We agree to be bound by whatever program changes that may be imposed at any time throughout the process. If any program conflicts arise, I/we agree that any determination made by DHCD or the Monitoring Agent is final.
10. I/We certify that no member of our family has a financial interest in Millstone Village.
11. I/We understand that there may be differences between the affordable and market rate unit and accept those differences.
12. I/We understand this is a deed restricted unit and it is recommended we consult an attorney prior to purchase,

I/We have completed an application and have reviewed and understand the process that will be utilized to distribute the available condominiums at Millstone Village. I/We am qualified based upon the program guidelines and agree to comply with applicable regulations.

Applicant

Co-Applicant

Date

Return with completed application, complete financial documentation and Mortgage Pre-Approval to:



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MCO Housing Services, LLC, P.O. Box 372, Harvard, MA 01451



Rev. 9/17/14



your resource for Affordable Housing



LIST OF REQUIRED FINANCIAL DOCUMENTATION

Provide **one copy** of all applicable information.

1. 3 most recent Federal Tax Returns – 2011, 2012, 2013 (DO NOT SEND STATE RETURNS)
2. 3 most recent W2 and/or 1099-R Forms: 2011, 2012, 2013
3. Asset Statement(s): Five months **current** statements including checking accounts (full statement – all pages front and back), saving accounts (full statement), investment accounts including retirement, certificates of deposit, property, down payment gift amount etc.
4. Five (5) **consecutive** pay stubs ending within one month of unit application for all jobs (check/direct deposit stubs). For unemployment, copies of unemployment checks or DOR verification stating benefits received.
5. Social Security: official statement of monthly amount received for year in review and statement of total amount received for latest tax year.
6. Pension: statements indicating amount received for year in review and statement of total amount received for latest tax year.
7. Child support and alimony: divorce settlement indicating the payment amount.
8. Proof of student status for dependent household members over age of 18 and full-time students.
9. If you intend to utilize a gift from a family member to assist with the down payment, please advise us of the gift amount with the name and telephone number of the person providing the gift.
10. If you owned a home within the past 3 years but it was sold due to a divorce provide copy of divorce or separation papers and proof of the home sale showing equity received, HUD Settlement Statement.
11. If you are pregnant you may count the unborn child as a member of the household but you need to provide documentation of the pregnancy, i.e. letter from doctor.
12. If you are self employed you must submit a detailed expense/income spreadsheet for the last 5 months.
13. If you are separated or going through a divorce you must provide legal documentation of proceedings.

MORTGAGE GUIDELINES:

1. Be a fully amortizing fixed rate mortgage with a down payment of at least 3%, at least half of which must come from the buyer's own funds.
2. Be made by an institutional lender.
3. Have a fixed interest rate through the full term of the mortgage that is a current fair market interest rate.
4. No more than 2 points
5. Monthly housing (inclusive of principal, interest, property taxes, hazard insurance, private mortgage insurance and condominium or homeowner association fees) may not exceed 38% of the buyers monthly income for the mortgage.
6. Non-household members shall not be permitted as co-signers of the mortgage.

RETURN ALL DOCUMENTS WITH APPLICATION AND MORTGAGE PRE-APPROVAL TO:

MCO Housing Services, P.O. Box 372, Harvard, MA 01451



Rev. 9/17/14



MEDWAY AFFORDABLE (55+) HOUSING
Eight 2 Bedroom Townhomes

Price: \$170,000

MILLSTONE VILLAGE

Winthrop Street

Maximum Allowable Income

- 1 Person Household: \$47,450
- 2 Person Household: \$54,200
- 3 Person Household: \$61,000
- 4 Person Household: \$67,750

Household
Assets
to
\$275,000

Public Information Meeting
Application Deadline

2 1/2 baths,
2 car garage
+/- 2,000 sq. ft.
Units distributed by lottery
Use Restriction Apply



PHOTO

For Information and Application:

Pick Up: Medway Town Hall, Town Clerks Ofc or
Public Library
Phone: (978) 456-8388
Email: lotteryinfo@mcohousingservices.com

Application available at: www.mcohousingservices.com



your resource for Affordable Housing



**Millstone Village
A 55+ Community
Medway MA**

**Sale Price \$170,000
2 Bedroom Townhomes
2 1/2 Baths
Two Car Garage
+/- 2000 Sq Ft
1st Floor Master**

PHOTO

Beautifully designed Town homes. Spacious layout offers front to back kitchen, dining and living room . Great opportunity for eligible buyers.

PHOTOS

Why rent when you can own this home for only \$1350 per month... Call for details!!

For program information:
Maureen O'Hagan
(978) 456-8388
lotteryinfo@mcohousingservices.com
Applications available at Town Hall,
Town Clerks Ofc and Public Library

Visit our Website:
MCOHousingServices.com
Sign up for future offerings
and available listings.



Medway Org List

Org	Address	City
Burke Memorial School	16 Cassidy Lane	Medway, MA 02053
John D. McGovern School	9 Lovering Street	Medway, MA 02053
Medway Middle School	45 Holliston Street	Medway, MA 02053
Medway High School	88 Summer Street	Medway, MA 02053
Christ Church Medway	P.O. Box 156	Medway, MA 02053
Medway Village Church	170 Village Street	Medway, MA 02053
Medway Community Church	193 Main Street	Medway, MA 02053
St. Joseph Parish	151 Village Street	Medway, MA 02053
Medway Congregational Church	School Street	Medway, MA 02053
Medway House	17 Holliston Street	Medway, MA 02053
Horace Mann Educational Assoc.	50 Holliston Street	Medway, MA 02053
American Legion	6 Cutler Street	Medway, MA 02053
Veterans of Foreign Wars	123 Holliston Street	Medway, MA 02053
City of Boston, Metro List	P.O. Box 5996	Boston, MA 02114-5996
Michael Young - MAHA	1803 Dorchester Avenue	Dorchester, MA 02124
Alternatives	14 Church St	Milford, MA 01757
Healthy Families	375 Fortune Blvd	Milford, MA 01757
Milford Family & Comm. Network	31 W. Fountain St	Milford, MA 01757
Catholic Charities	126 Main St	Milford, MA 01757
Salvation Army	29 Congress St	Milford, MA 01757
Trinity Episcopal Church	17 Congress St	Milford, MA 01757
Milford Bible Baptist Church	7 Grant St	Milford, MA 01757
Freedom Life Church	204 Main St	Milford, MA 01757
First United Methodist Church	39 Exchange St	Milford, MA 01757
First Unitarian Universalist Church	23 Pine St	Milford, MA 01757
First Congregational Church	4 Congress St	Milford, MA 01757
Temple Beth Shalom	55 Pine St	Milford, MA 01757
Pine St Baptist Church	41 Pine St	Milford, MA 01757
St. Mary of the Assumption Parish	19 Winter St	Milford, MA 01757
Grace Exchange Foursquare Church	55 Exchange St	Milford, MA 01757
Sacred Heart of Jesus Parish	5 E Main St	Milford, MA 01757
Assembly of God	29 Spruce St	Milford, MA 01757
Criterion Child Enrichment	321 Fortune Blvd	Milford, MA 01757
Milford Regional Medical Center	115 Water St	Milford, MA 01757
Dana Farber/Brigham & Womens C	20 Prospect St	Milford, MA 01757
Umass Memorial Medical Group	91 Water St	Milford, MA 01757
Medway Business Council	89 Main St	Medway, MA 02053
Medway Housing Authority	600 Mahan Circle	Medway, MA 02053
Bellingham Housing Authority	10 Wrentham Mnr	Bellingham, MA 02019
Bellingham Housing Authority	10 Depot Ct.	Bellingham, MA 02019
Millis Housing Authority	310 Exchange St.	Millis, MA 02054
Medway Seniro Center	70 Oakland Street	Medway, MA 02053
Hopkinton Senior Center	28 Mayhew Street	Hopkinton, MA 01748
Bellingham Senior Center	40 Blackstone Street	Blackstone, MA 02019
Holliston Senior Center	15 Goulding Street	Holliston, MA 01746
Milford Senior Center	60 N. Bow Street	Milford, MA 01757
Franklin Senior Center	10 Daniel McCahill St	Franklin, MA 02038
Millis Senior Center	900 Main Street	Millis, MA 02054



Medway, MA Criteria for Local Preference for Millstone Village

1. According to the Multiple Listing Service (MLS) 7 condominiums have sold in the last 6 months for an average market sale price of \$193,857. All units sold are garden style condominiums in a renovated mill with an average 1000 sq. ft. These units are not comparable to Millstone Village. A household earning up to 80% of the area median income could afford a two bedroom townhome priced in the \$170,000 range.

There are currently 6 two bedroom condominiums for sale in Medway with an average list price of \$216,967. A household earning up to 80% of the area median income could afford a two bedroom townhome priced in the \$170,000 range.

3. 16% of Medway households earn between \$50,000 and \$74,999 annually. (Per City Data.com) The Town of Medway created a Comprehensive Master Plan in 2009 outlining various strategies to create affordable opportunities in town. The use of inclusionary zoning to secure homes throughout the town within new housing communities is a critical component of their plan to meet their affordable housing goals. A copy of the 2009 Master Plan Affordable Housing information is included for review.

4. There are currently 5.1% or 233 housing units in Medway restricted by income levels (per SHI).

In summary, there are no comparable units to Millstone Farm available for affordable buyers.

Millstone Village will be offering 8 affordable homes to households earning up to 80% of median income. They would like to offer 70% or 5 units to households that meet one of the following local preference criteria:

- Current Medway Resident
- Current Employee working for the Town of Medway
- Current Employee working in the Town of Medway

5 Housing Section

Introduction

This section provides an overview of Medway's housing stock including types, age and price/value of housing. The basics of Massachusetts' affordable housing policy are described. A synopsis of affordable housing in Medway is presented along with a brief explanation why affordable housing is important to the community. Additionally, we provide a review of the progress in meeting the Housing goals and action items of the 1999 Master Plan, and a summary of other housing related activities that have occurred since then to diversify Medway's housing inventory. There is a discussion of the results of the 2009 mail-in and on-line surveys from the residents of Medway concerning the issue of affordable housing, and how these opinions work into the goals and objectives of the town to provide affordable housing for the community, given the perspectives and concerns of the residents. We then present Housing goals and objectives for the future, with a particular emphasis on ways to expand the supply of affordable housing in Medway and provide increased diversity in the housing options available in the community.

Current Conditions

Background and Overview of Medway's Housing Stock

Table 7 below shows a breakdown of the types of housing units in Medway. The 2000 U.S. Census reported a total of 4,248 dwelling units in Medway. By 2008, that number had grown by 2.4% to a total of 4,349 dwelling units according to the Medway Board of Assessors. Between 1998 and 2008, 346 detached single family homes were added to Medway's housing inventory, which represents an increase of 10.6%.

Table 7: Inventory of Existing Housing Stock

Housing Type	Property Type State Classification Code	Number of units 1998	Number of units 2000*	Number of units 2007	Number of units 2008	Assessed Value '98 (in millions)	Assessed Value 2008 (in millions)
Single family detached	101	3267	3438	3604	3613	\$537.4 (\$164,493 average)	\$1,369.82 (\$379,136 average)
Condo-minium	102	146	100	230	232	\$12.1	\$54.60
2-family	104	112	242	111	116 buildings (232 units)	\$17.9	\$42.28
3-family	105	20	127	21	21 buildings (63 units)	\$3.4	\$7.84

Housing Type	Property Type State Classification Code	Number of units 1998	Number of units 2000*	Number of units 2007	Number of units 2008	Assessed Value '98 (in millions)	Assessed Value 2008 (in millions)
Multiple housing units on one parcel	109	9 buildings (23 units)		6 buildings	10 locations (21 units)	\$1.6	\$4.26
Rental Apartments 4 units and up	111 & 112	24 buildings (181 units)	341	7 buildings		\$7.6	
Rental Apartments 4-8 units	111				18 locations (82 units)		\$5.60
Rental Apartments 9 units and up	112				7 locations (106 units)		\$5.81
Total		3749	4248		4349	\$580	\$1,489.77

(Source: Medway Assessors' Database)

*Data from 2004 Medway Community Development Plan (CDP) based on 2000 Census

Today, although Medway does offer a range of housing types, more than 83% of Medway's dwellings are detached single family homes. 5.3% are attached single family homes (townhouse condominiums), 5.4 % are duplex units, and 1.4% are 3 family units. Rental apartments comprise only 4.3% of Medway's entire housing stock. By contrast, on a statewide basis, 52.4% of the housing units were single family detached units. For further information on Medway's growth, see the Build Out Analysis in the Land Use Section of this Master Plan.

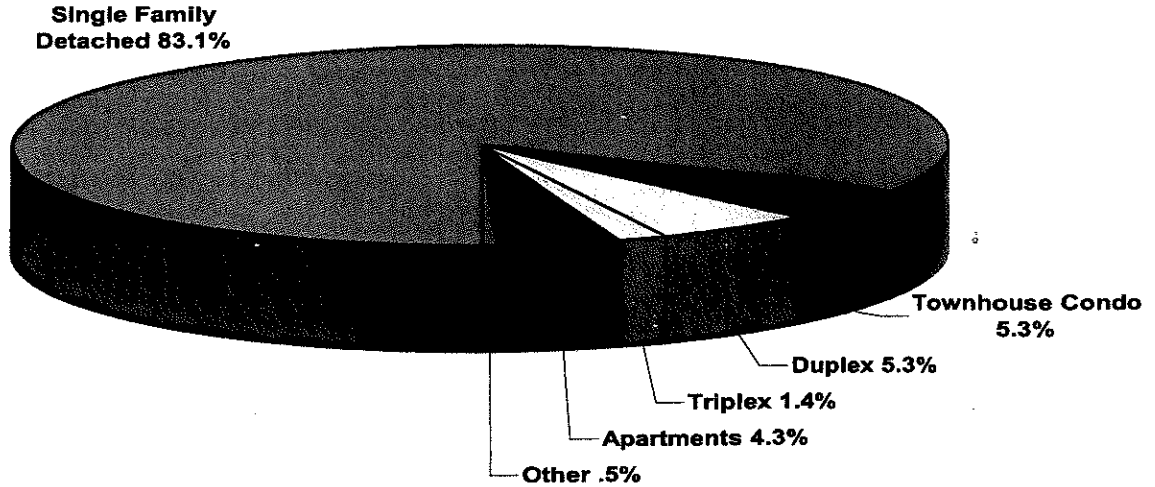


Figure 9: Medway Housing Inventory

In terms of rental housing, currently only 2.5% of Medway's housing stock is comprised of rental apartments in apartment type buildings (188 units). They range in size from studio to two-bedroom apartments; monthly rents range from around \$750-\$850 for one-bedroom apartments to around \$850 per month and a bit more for two bedroom apartments, depending on whether utilities are included. However, not all rentals are in apartment buildings; single family detached homes, townhouse condominiums, duplexes and triplexes can all function as rental property. According to the 2000 census, 15.9% of Medway's housing units were renter occupied; the average household size in Medway for renter occupied units was 1.96 people.

Table 8 shows dramatic growth in the assessed value of Medway's residential properties. In 1998, the average assessed value of a single family detached home in Medway was \$164,493. By 2008, the average assessed value of a single family detached home had increased just over 130% to \$379,136 spurred in great measure by the construction of large new homes in conventional subdivisions.

Another way to look at the cost of housing is to review the changes in sales price of homes over time; Table 8 also shows the annual median sales price for a single family home in Medway from 1990 to 2008. In 2005, at its highest level, the annual median sales price for a single family home in Medway had grown to \$437,000. In spite of the recent drop in home values during the past few years, the dramatic rise in housing values during the period between the late 1990s and 2005 was such that many people, including those who grew up in Medway, as well as young families, singles, and those who might fill municipal positions as police officers, fire fighters, and teachers, were effectively priced out of the housing market in this town.

Table 8: Median Sales Price of Single Family Homes in Medway

Year	1990	1995	1998	2000	2001	2002	2003	2004	2005	2006	2007	2008*
Median sales price (x \$1000)	\$163	\$180	\$225	\$291	\$316	\$338	\$360	\$406	\$437	\$401	\$385	\$339

(Source: Banker and Tradesman, Medway Assessors' Database, and The Warren Group, 2008)

Note: "Median Housing Unit Values for 1990 and 2000 are reported as \$175,300 and \$233,000 respectively, in the CDP report, with the source being MAPC 2003

*January through June only

The age of Medway's housing stock is presented in Table 9. As would be expected for a community that has experienced considerable growth in recent years, 20.4% of Medway's housing units were constructed from 1990 through March 2000. During this same period, only 8.3% of all of Massachusetts' housing stock was constructed. Furthermore, while 55.6% of the state's housing stock was built prior to 1960, only 37.2% of Medway's housing was constructed prior to that date. Again, this is to be expected as Medway's first large growth spurt occurred in the 1960's, then after a decline during the 1970's, picked up steam in the 1980's and 1990's.

Table 9: Age of Housing Units in Medway and Massachusetts, 2000

Year Built	Medway		Massachusetts	
	Number	Percentage	Number	Percentage
1999-March 2000	75	1.8	24,461	0.9
1995-1998	310	7.3	87,730	3.3
1990-1994	482	11.3	106,216	4.1
1980-1989	813	19.1	292,701	11.2
1970-1979	431	10.1	336,814	12.8
1960-1969	559	13.2	314,855	12.0
1940-1959	542	12.8	553,514	21.1
1939 or before	1036	24.4	905,698	34.5
TOTAL	4,248	100.0	2,621,989	100.0

(Source: U.S. Bureau of the Census, 2000)

With the recent national crisis in the housing market, it is instructive to review the status of residential foreclosures in Medway. According to the Warren Group, on a statewide basis during 2008, 12,430 foreclosure deeds had been filed in Massachusetts, up from 7,653 foreclosure deeds in 2007, a 62% increase. A foreclosure deed is the final step in the foreclosure process. In April 2009, according to foreclosure.com, 17 Medway properties were in varying states of foreclosure; foreclosure (2), preforeclosure (8), bankruptcy (5) or for sale by owner (2). The vast majority of the Medway properties are in relatively new subdivisions.

Affordable Housing in Massachusetts

The Commonwealth of Massachusetts has established a broad public policy that the housing inventory in every Massachusetts community should achieve the goal of having a minimum of 10% of their housing inventory to be Affordable. The Massachusetts Department of Housing and Community Development (DHCD) tracks the number of Affordable dwelling units in each community and compiles what is referred to as the Subsidized Housing Inventory (SHI). Each

community's SHI includes the public housing rental units managed by the local housing authority and other rental and ownership dwelling units constructed under various state or federal housing financing programs administered by MassHousing, MassDevelopment, the Massachusetts Department of Housing and Community Development and the U.S. Department of Housing and Urban Development.

According to the Citizens' Housing and Planning Association (CHAPA), as of October 2007, only 51 of Massachusetts' 351 cities and towns had met the 10% affordable housing standard.

What Does It Mean When a Dwelling Unit is "Affordable?"

The initial maximum sale price for a low and moderate income homeownership unit is set such that it is "Affordable" to a household whose income is between 70% and 80% of area median income. For purposes of this calculation, household income applicable to a particular dwelling unit is based on certain assumptions about the size of the family most likely to occupy the unit. Table 10 shows income eligibility for a few dwelling types. For example, in order to calculate the sales price of an "Affordable" 2-bedroom unit, the project sponsor/developer determines what is "Affordable" to a family earning 70% of area median income for a three-person household. For a 3-bedroom unit, the calculation should assume a four-person household, and for a 4-bedroom unit, a five-person household.

Table 10: Income Eligibility for Affordable Dwelling Units

2 Person Household	3 Person Household	4 Person Household	5 Person Household
\$52,950	\$59,550	\$66,150	\$71,450

(in Boston Metropolitan Statistical Area)
 2007 Median Household Income (family of 4) = \$82,400
 80% of Median Household Income

The "Affordable" sales price of a dwelling unit is determined based on a low and moderate income household spending no more than 30% of its income on housing costs. Housing costs include all payments made towards the principal and interest of any mortgages placed on the unit, property taxes, and insurance, as well as homeowner, neighborhood association or condominium fees.

Affordable Housing in Medway

As of September 2008, the State's Subsidized Housing Inventory indicates that Medway had 227 Affordable dwelling units, which comprise only 5.3% of the community's total housing inventory. For comparison purposes, see Table 11 below for a listing of communities around the greater Franklin/Milford area and their Subsidized Housing Inventory percentage.

Table 11: Subsidized Housing Inventory (SHI)

Community	2000 US Census Year Round Housing Units	Total SHI Dwelling Units	Percent SHI Units
Ashland	5,781	248	4.3%
Bellingham	5,632	532	9.4%
Franklin	10,296	1,058	10.3%

Community	2000 US Census Year Round Housing Units	Total SHI Dwelling Units	Percent SHI Units
Holliston	4,861	168	3.5%
Medfield	4,038	193	3.5%
Medway	4,243	227	5.3%
Millis	3,060	108	3.5%
Norfolk	2,851	111	3.9%
Walpole	8,202	472	5.5%

(Source: DHCD, September 9, 2008)

Of Medway's 227 Affordable dwelling units, 207 are owned and operated by the Medway Housing Authority as rental public housing and include:

- 164 elderly units (Mahan Circle, Lovering Heights and Kenney Drive)
- 32 family units (Maple Lane of which 2 are handicapped accessible)
- 9 units for handicapped persons.

Other than the Medway Housing Authority's 207 public housing units (the last of which was constructed in 1984), we are left with the hard reality that only 20 additional "Affordable dwelling units" have been built in Medway since the establishment of the state's 10% affordable housing goal. These 20 Affordable dwelling units are located in two 40B developments - 6 owner occupied townhouse condominiums at Colonial Park/Heritage Drive and 14 owner occupied townhouse condominiums at Woodside/Kingson Lane.

Based on 2000 Census date, Medway needs to have at least 200 more Affordable dwelling units to meet the Commonwealth's 10% Affordable housing mandate. However, due to Medway's residential growth in the early years of this decade, when the results of the 2010 Census become known, it is reasonable to predict that Medway's actual Affordable percentage will drop below 5%. In the absence of any proactive initiatives, Medway will actually lose ground. It is incumbent upon us to find ways to close this gap.

1999 Master Plan Housing Goals and Achievements

Since the adoption of the 1999 Medway Master Plan, the following Housing Goals and Objectives have been implemented.

Goal 1: Manage Rate of Residential Growth

- a) Develop a consistent and comprehensive site plan review process

ACTION – Town Meeting approved a major revision to the Site Plan section of the Zoning bylaw to consolidate site plan review with the Planning Board (vs. the previous 2 step process involving the Planning Board and the Board of Selectmen).

- b) Hire professional planner for the Town

ACTIONS

Since 2003, the Town has retained a consulting planner under contract.

The Planning Board's Administrative Secretary position was expanded to a full time position in 2003 (vs. half time in 1999) and the position was upgraded in 2005 to be Assistant to the Planning Board.

In FY09, funding was approved to add a new half time secretarial/ administrative support position for the planning office – Hired staff in September 2008.

Planning Board Assistant position was upgraded to Planning and Economic Development Coordinator in March 2009.

- c) Rezone portions of ARI and ARII for economic development/light industry

ACTIONS

New Commercial V zoning district was created at intersection of Routes 109/126 (formerly ARII) – May 2004.

Goal 2: Develop an Affordable Housing Plan

- a) Balance housing inventory to meet common needs and address state mandates on affordable housing (10%); Support changes to state laws to redefine affordability

ACTIONS – The Town prepared a Community Development Plan pursuant to Executive Order 418 – September 2004.

- b) Have Selectmen reactivate the Affordable Housing Committee

ACTION – The Affordable Housing Committee was reactivated in November 2000.

Goal 3: Target Housing Needs

- a) Ensure housing opportunities for senior citizens

ACTIONS – Town Meeting approved an Adult Retirement Community Planned Unit Development (ARCPUD) option within the Medway Zoning Bylaw (October 2000) - two developments approved; none constructed.

Town Meeting approved provisions allowing for accessory dwelling units for family members by special permit from the Zoning Board of Appeals (2004).

- b) Work with landowners and developers to provide for Planned Unit Development

ACTIONS - Town Meeting approved a new Open Space Residential Development option within the Medway Zoning Bylaw (June 2005); this allows for clustered housing by special permit and requires open space conservation. Three approved, two developments under construction; one development proposed – approval expected.

Goal 4: Maintain Current Character

- a) Develop a stricter demolition delay bylaw

ACTIONS – Town Meeting approved a new and improved demolition delay bylaw in 2001.

- b) Develop neighborhood conservation districts

ACTIONS - Town Meeting approved the Adaptive Use Overlay District for a portion of Route 109/Main Street (June 2004).

- c) Ensure that conversion of single family to two family residences adheres to local zoning frontage and area requirements and accounts for off street parking

ACTIONS - The Zoning Bylaw requires a special permit from the ZBA to convert a single family residence to a 2 family residence in the ARII zoning district.

Following the adoption of the 1999 Master Plan, the Town has taken the following additional actions in support of the above noted housing goals/objectives.

- Adoption of the Community Preservation Act – 2001
- Approval of several Chapter 40B comprehensive permit projects
 - Woodside/Deerview Meadow (Kingson Lane) – 53 townhouse condominium units constructed (14 affordable)
 - West Haven (West Street) – 22 units – 5 single family detached, five triplexes (6 affordable) – not yet constructed; site was submitted to the Planning and Economic Development Board for an 18 unit OSRD (approved March 2009) instead of proceeding with a 40B development.
 - Fox Run Farm (Holliston Street across from the VFW) – 15 duplex and townhouse condominium units approved (5 affordable) – not yet constructed
 - Maritime Housing (southeast corner of Main and Elm Streets) – 30 unit apartment development (8 affordable) – not yet constructed.
- Assignment to the Town of the Right of First Refusal for Chapter 61A Parcel at Coffee and Ellis Streets. NOTE – The developer challenged this action in court and won the right to pursue a conventional residential subdivision.
- Adoption of Affordable Housing section of the Medway Zoning Bylaw to require 15% affordable units in subdivisions and OSRD developments – June 2008
- Amended ARCPUD section of Medway Zoning Bylaw to require 10% affordable units – June 2006
- Authorization to Establish an Affordable Housing Trust Fund – June 2008
- Town Meeting approved use of a .9 acre parcel owned by the Town at 9 Walker Street for the construction of affordable housing – June 2008
- Historical Commission proposed and the National Park Service approved the establishment of the Medway Village National Register Historic District (December 2008)

2009 Master Plan Survey Housing Issues

According to the responses of the questions on the 2009 mail-in survey, Medway residents believe that affordable housing is a relatively important issue, and the majority is only “moderately” satisfied with the availability of affordable housing units in town. Most of those surveyed placed an average value (mid-range among possible values) on the importance of having a diverse housing stock, and a large majority rated their satisfaction with the amount of varied housing as average, as well. It would seem that respondents are fairly satisfied with the variety that presently exists.

Results from the 2009 on-line survey give a bit more detail in terms of how the residents would like to achieve the goal of providing sufficient affordable housing. The average respondent is averse to using tax dollars to acquire land, or to use open space, for the construction of affordable housing. In addition, a low priority was placed on the construction of multi-family housing, and only a slight majority would like to see more housing for seniors.

The large majority of respondents would like to see developers provide affordable units in the newly constructed or renovated housing. It is also clear from the surveys that residents want to avoid any increase in the density that could come with providing affordable housing units, and that any added units should “maintain” the rural character of the town.

In summary, respondents want more affordable housing but want the onus put on developers to help provide this, in lieu of using tax dollars and open space to achieve these goals. As a result, it seems that the most likely way for Medway to close the gap would be to focus on working with developers either to include affordable units in residential developments or to contribute money in lieu of building units to an affordable housing trust fund. In addition, the town must work to get as much alternative financing as possible, such as soliciting donations and investments from local and area businesses, and to work with organizations such as Habitat for Humanity and other non-profit groups.

Why is Affordable Housing Important?

The lack of affordable, and reasonably priced, housing is an important issue facing many residents in the MetroWest area of the state. Consider the information below provided by the Citizen’s Housing and Planning Association (CHAPA) in 2008. (From the CHAPA web site <http://www.masshomeatlast.org/MetroWest/why.html>)

- In 2003, the median single family home prices in the region ranged from \$260,000 in Bellingham to \$675,000 in Sherborn. Yet a person earning \$35,000/year – a typical salary for a starting teacher with a bachelor’s degree – can only afford to buy a home for about \$160,000. Someone earning a \$50,000 salary can buy a home priced at about \$232,000 – still below the lowest median price of homes in the area.
- In 2000, a household earning the median income for its community could afford the median-priced home in 26 of the 32 communities. By 2003, that number had dropped to 20 communities. And only 4 of the area’s communities would be considered affordable to first-time homebuyers (defined as those earning 80% of the community median income and purchasing a home priced at 80% of the median with a 10% down payment).
- 36% of renters in the thirty-two 495/MetroWest communities pay more than 30% of their income for rent and 15% pay more than 50%; 22% of homeowners pay more than 30% and 7% pay more than 50% for their mortgages. This means that nearly 16,500 renters and more than 26,000 homeowners are considered “cost burdened”, paying more than 30% of their income for housing. Included in these numbers are some 8,400 homeowners and 7,000 renters who are severely cost burdened, paying more than 50% of their income for housing.

Healthy communities provide a diversity of housing options by addressing both little “a” affordability needs (for reasonably priced market rate homes within the reach of modest income households) and official big “A” Affordability needs (income-restricted dwellings that can be included on the town’s Subsidized Housing Inventory). Generally, references to housing affordability in this section of the master plan should be read to include both market-rate, unrestricted housing that is affordable to the widest range of incomes possible (small “a”) and income-restricted housing options (big “A”). Specific references to big “A” housing production should be read in the overall context of providing a diverse supply of housing options to meet a range of community housing needs.

What is 40B?

As previously noted, the Commonwealth of Massachusetts has established a broad public policy that the housing inventory in every Massachusetts community should achieve the goal of having a minimum of 10% of their housing inventory to be affordable. In communities that have not achieved the 10% goal, state law (known as Chapter 40B) authorizes the local Zoning Board of Appeal (ZBA) to approve Affordable housing developments under a Comprehensive Permit. Chapter 40B is designed to encourage development of Affordable housing in municipalities. The statute authorizes local ZBAs to approve residential developments that provide a percentage of their units with Affordability restrictions by reducing restrictive barriers and providing for a streamlined decision making process. At least 25% of the dwelling units in a 40B development must be Affordable. Under 40B, a ZBA is empowered to grant all local approvals necessary and may bypass many of the community's standard zoning and land development review requirements (but not building codes, Title 5 and state Wetlands Act regulations). 40B developments are generally allowed anywhere in a community and at a considerably higher density than provided by the local zoning bylaw, resulting in the construction of a larger number of units than would normally be allowed in a "by right" development. Developers must also restrict their profits.

The presumption is that in a community with less than 10% Affordable housing, proposed Affordable housing developments are needed. The community has the burden to demonstrate otherwise. Any community falling short of the state's 10% Affordable housing goal is more vulnerable to the imposition of 40B developments because a developer has a right to appeal a local denial to the state Housing Appeals Committee; such decisions usually favour the developer. Communities that have achieved the 10% Affordability level have more control over which 40B developments can come into town and how they will be developed with regard to the size, number of units, site design style of construction, etc.

The aforementioned CHAPA report indicates that on a statewide basis since the early 1970's, more than 48,000 dwelling units in almost 900 developments have been created pursuant to the 40B law. Of these, approximately 33,700 are rental apartments and 14,600 are homeownership units.

Balancing the Addition of More 40B Housing in Medway

The only way to protect Medway from the prospect of aggressive 40B development applications is for the town to reach its 10% Affordable housing goal. Short of that, developers will have the option of pursuing developments under 40B pretty much anywhere in the community. The only question is what form the proposals will take and how much influence the Town can have over what is ultimately developed.

Until the town has reached the 10% goal of Affordable housing units, Medway should explore ways to gain some degree of control over where and how 40Bs are proposed, the nature of the proposals, and who is proposing them. A strategy of encouraging "friendly 40Bs," where the development proposed is generally in keeping with the needs, goals, and objectives of the Town, should be a priority. In such instances, the developer, the Town, and nearby residents, may work cooperatively and constructively, providing input to produce a best case scenario that addresses, to the extent possible, the various needs of all parties. For instance, active solicitation of 40B proposals in appropriate locations, and constructive negotiation during the ZBA public hearing process, may change the styles of the housing, the road layout, create buffer zones, and preserve a portion of open space or incorporate a neighborhood recreation area. In addition, because the state allows 100% of units developed as rental apartments under a 40B comprehensive permit to be counted as Affordable units on the town's Subsidized Housing Inventory (no matter what rents

are charged), this is one way to make good progress toward the goal of 10% Affordable units in town. Even a modest increase in the number of rental units that could be counted on the town's Subsidized Housing Inventory would help move Medway toward reaching the 10% Affordable housing goal. This would also help single people and small families with modest incomes to live in Medway.

The alternative - "hostile 40Bs" - is, in general terms, not in keeping with the needs, goals, and objectives of the Town. By being proactive in simultaneously working towards the 10% Affordable housing goal through the "normal" development process and by looking for opportunities to "team up" with developers on "friendly 40Bs," the Town will be in a better position to shape residential development in the future.

Goals and Objectives for Affordable Housing

Much of the housing in Medway is out of reach for lower-middle and lower income families, including those who work in areas that serve the community as well as young people and families who grew up in Medway. It is in the best interest of the town's economic health and vitality to provide a diversity of housing options for households of all incomes and backgrounds. The Medway Affordable Housing Committee, together with other Town boards and committees, are working to find creative ways to increase the supply and percentage of Affordable and affordable dwelling units in Medway. By having a goal to provide our community with more affordable housing, Medway will help to ensure that future generations of families will be more able to live where they grew up. In addition, the town will be able to attract and keep the kind of workers that the community needs – police officers, fire fighters, teachers, and nurses – who find it difficult or impossible to afford living here now.

There is also an important connection between Affordable/affordable housing and economic development. A companion reason for expanding the supply of affordable housing in Medway is to provide the business community with a plentiful employee base from which to get qualified workers who don't have to travel long distances to work in Medway. If Medway hopes to attract and retain the kinds of businesses that will diversify our tax base, we need to demonstrate a commitment to providing opportunities for a wider range of housing types and choices for employees. It is our hope that this section of the Master Plan will provide critical support to Medway's efforts to expand and diversify its business base.

Goal 1: identify housing needs.

The Medway Affordable Housing Committee, along with the newly authorized Affordable Housing Trust Fund, is in the process of developing a Housing Production Plan for the town. Housing Production Plans must comply with the guidelines and regulations required by the Massachusetts Department of Housing and Community Development (DHCD). A Housing Production Plan will include a complete profile of housing statistics and trends and identify target populations among the many different types of households in Medway in need of housing. In addition, a Housing Production Plan will present an affordable housing supply-demand gap analysis, provide recommendations for the location and types of new housing, and present strategies to accomplish housing goals. Housing production plans are submitted to the State for certification.

This plan will need to consider the present, as well as the future population demographics in order to meet the current and anticipated needs of the community. This includes affordable housing for senior citizens, young adults who have grown up in Medway, municipal workers, such as police officers and school teachers, and those currently living in public housing who could be encouraged to move up and out of public housing if

affordable units were available. This would also help free up public housing units to new families in need, since there are currently long waiting lists for Medway Housing Authority family units. The plan will also need to strike a balance between the needs and desires of the community with the state mandated goals of providing 10% of its housing stock to be affordable.

Once the community's more particular needs are identified, a community education program should be developed to inform the community and municipal leaders and build support for town guided affordable housing initiatives to expand the supply of diverse housing options in Medway.

Goal 2: Establish organizational infrastructure to implement housing plans.

The Town needs to have active committees, experienced personnel, and access to funding sources in order to facilitate and implement housing projects that are deemed necessary and desirable. Once this infrastructure is in place, the Town will be in a position to aggressively seek out development opportunities and facilitate project commencement and monitor progress towards goals. The Board of Trustees for the Medway Affordable Housing Trust Fund needs to be appointed and established to move forward on a highly proactive basis. Financial support should be sought from Medway's Community Preservation fund and other revenue opportunities should be pursued.

Goal 3: Identify locations, quantities, and types of housing.

The established town committees (from Goal 2) should prepare a comprehensive listing and map of undeveloped parcels, both town and privately owned, in order to proactively seek out appropriate sites for affordable housing developments for Medway.

The Town should seek opportunities to purchase appropriate land and buildings to reserve for restricted affordable housing. Particular emphasis should be placed on town committees working collaboratively toward reaching mutually beneficial town goals, such as preserving open space and producing affordable housing at the same time. In this manner, the Town can move closer towards the state mandated 10% while helping to preserve town character.

Goal 4: Identify needed changes in the zoning bylaw to encourage market and restricted income affordable development.

Existing zoning may prohibit projects from being developed or implemented in the most appropriate areas. For example, presently the Medway Zoning Bylaw does not provide for the "by right" construction of market rate apartments anywhere in Medway. This results in a heightened tension between the critical goals of providing for diverse housing needs while preserving character. The Affordable Housing Committee must coordinate and work together with other town boards such as the Open Space Committee, Planning and Economic Development Board, Zoning Board of Appeals, and the Design Review Committee to ensure that affordable housing can be developed in a way that balances the needs and wishes of various populations in the town.

Goal 5: Explore and utilize creative development opportunities.

The Town should coordinate with other organizations and agencies, such as developers, builders, architects, and consultants that specialize in affordable housing. Some examples are Habitat for Humanity and other not-for-profit development and architectural firms. In addition, the Town should work closely with other housing agencies, such as Citizen's Housing and Planning Association (CHAPA), the

Massachusetts Housing Institute, and the Massachusetts Housing Partnership, to guide the committee in its efforts to design and implement its affordable housing plan.

Finding creative methods for working with developers and builders to streamline the building or renovation of affordable housing units without sidestepping important bylaws designed to protect Medway should receive special emphasis. The current housing market presents unique challenges, but may also provide to Town with previously unavailable opportunities to provide both market and restricted affordable housing and move towards the 10% goal.

Please refer to Appendix B for the full listing of recommended Housing action items for the 2009 Master Plan.

AGENDA ITEM #4

Discussion – Proposed Fall Town Meeting Zoning Articles

Associated back up materials attached.

- 2014 Fall Town Meeting Warrant *DRAFT* [Reference Articles # 9, 19, 20, 21, 23, 24, 25, 26]
- Map – *Proposed Expansion of Commercial V Zoning District*
- Map – *AUOD and Medway Mill Conversion Subdistrict*

**TOWN OF MEDWAY
WARRANT FOR 2014
FALL TOWN MEETING - *DRAFT***

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 10, 2014 at 7:00 PM, then and there to act on the following articles:

ARTICLE 1: (Budget Transfer)

To see if the Town will vote to raise and appropriate and/or transfer a sum of money from available funds for the purposes of funding Fiscal Year 2015 departmental and incidental expenses, or to act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 2: (Appropriation: OPEB Trust Account)

To see if the Town will transfer the sum of \$ (Amount) from (Source) to the Other Post-Employment Benefits (OPEB) Trust Account, or to act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 3: (Rescind Borrowing: Deficit Financing)

To see if the Town will vote to rescind \$1,000,000 unissued balance of the \$3,000,000 authorized by vote of the Town under Article 2 of the March 20, 2006 Special Town Meeting and further authorized by the Commonwealth of Massachusetts by Special Legislation Chapter 70 of the Acts of 2006 for deficit financing, or to take any other action relative thereto.

FINANCE DIRECTOR/TREASURER

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 4: (Rescind Borrowing: Middle School Project)
To see if the Town will vote to rescind the \$9,600,000 unissued balance of the \$22,100,000 authorized by vote of the Town under Article 8 of the November 15, 2010 Fall Town Meeting, or to take any other action relative thereto.

FINANCE DIRECTOR/TREASURER

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 5: (Middle School Project: Transfer Funds to Site Improvements)
To see if the Town will vote to re-allocate funds originally authorized to be borrowed under Article 8 of the Warrant of the Fall Town Meeting held on at the November 15, 2010 to pay costs of making various repairs to the Middle School, which funds are no longer needed to pay costs of the project for which they were initially borrowed, to apply such funds, in the amount of (approximately \$12k) to pay costs of making various site improvements to the Middle School property, including re-paving, drainage improvements, exterior lighting improvements and other associated work, or to act in any manner related thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 6: (Free Cash Appropriation: Police Dept. Training)
To see whether the Town will vote to transfer the sum of \$27,000 from Certified Free Cash for the purpose of funding mandatory training of Police Department staff; or to act in any manner relating thereto.

*May be addressed by Art. 1

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 7: (Free Cash Appropriation: Fire Dept. Training)

*May be addressed by Art. 1

To see if the Town will vote to transfer the sum of \$20,000 from Certified Free Cash for the purpose of funding additional Fire Training in Fiscal Year 2015, or to act in any manner relating thereto.

FIRE DEPARTMENT

BOARD OF SELECTMEN RECOMMENDATION:

FINCOM RECOMMENDATION:

ARTICLE 8: (Free Cash Appropriation: Choate Park Building Maintenance Repairs)

To see if the Town will vote to transfer the sum of \$35,000 from Certified Free Cash to supplement the \$50,000 appropriation authorized under Article 7 of the May 14, 2014 Annual Town Meeting to complete the repair of the Choate Park Building, or to act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 9: (Free Cash Appropriation: Medway Design Guidelines)

To see if the Town will vote to transfer the sum of \$15,000 from Certified Free Cash for a review and revision of the Medway Design Guidelines, or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 10: (Free Cash Appropriation: Urban Renewal Plan for Oak Grove)

To see if the Town will vote to transfer the sum of \$80,000 from Certified Free Cash for the purpose of funding the preparation of an Urban Renewal Plan consistent with the requirements of Massachusetts General Law Chapter 121B for the Oak Grove Park area depicted on Assessor's Map 99, Oak Grove Insert Map, or to act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 11: (RT 109 Project Funding: Real Property)

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds the sum of \$360,000 for the purpose of acquiring the fee or other interest in real property necessary for the RT 109 Reconstruction Project and related expenses as authorized by Article 29 of the May 12, 2014 Annual Town Meeting vote, or to act in any manner relating thereto.

DEPT. OF PUBLIC SERVICES

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 12: (RT 109 Project Funding: Design)

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds the sum of \$190,000 for the purpose of funding additional design work associated with the RT 109 Reconstruction Project, or to act in any manner relating thereto.

DEPT. OF PUBLIC SERVICES

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 13: (Water Retained Earnings Appropriation: Purchase Chlorinators)

To see if the Town will vote to transfer the sum of \$165,000 from Water Retained Earnings for the purpose of purchasing and installing chlorinators in the Town's water tanks, or to act in any manner relating thereto.

DEPT. OF PUBLIC SERVICES

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 14: (Free Cash Appropriation: Fund Streetlight Conversion to LED)

To see if the Town will vote to transfer the sum of \$20,000 from Certified Free Cash for the purpose of funding the Town's matching funds for a Mass Dept. of Energy Resources grant for streetlight conversion to LED, or to act in any manner relating thereto.

DEPT. OF PUBLIC SERVICES

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 15: (Prior Year Bills)

To see if the Town will vote to authorize payment of a Fiscal Year 2014 unemployment insurance invoice in the amount of \$2,204 to be paid for from the Fiscal Year 2015 unemployment insurance account of the Town, or to act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 16: (CPA Fund Transfer: Amphitheater)

To see if the Town will vote to transfer the sum of \$20,000 from Community Preservation Act Fund Open Space Reserves to the Open Space Committee for the purpose of establishing handicap accessibility to the Amphitheater, or to act in any manner relating thereto.

OPEN SPACE COMMITTEE

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 17: (CPA Fund Transfer: Housing Production Plan)

To see if the Town will vote to transfer the sum of \$6,800 from Community Preservation Act Fund Community Housing Reserves to the Affordable Housing Trust for the purpose of funding an update to the 2010 Medway Housing Production Plan in order to comply with May, 2013 Guidelines, or act in any manner relating thereto.

AFFORDABLE HOUSING TRUST

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 18: (Adjustment: Community Preservation Fund Statutory Set-Aside)

To see if the Town will vote to authorize the Town Accountant, with the approval of the Community Preservation Committee, to adjust the set-aside balances from prior fiscal years within the Community Preservation Fund account to comply with the statutory requirement to set aside for later spending not less than ten percent of the Community Preservation Fund annual revenues for each fiscal year in open space, for historic resources, and for community housing respectively,

as required by Chapter 44B, section 6 of the Massachusetts General Laws, or to act in any manner relating thereto.

COMMUNITY PRESERVATION COMMITTEE

CPA Transfer from Retained Earnings to Reserve Accounts	
Community Housing	\$ 36,001
Open Space	\$ 36,001
Historical Preservation	<u>\$ 36,001</u>
Total	\$108,003

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION

ARTICLE 19: (Street Acceptance: Azalea Drive)

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 on file in the Office of the Town Clerk:

Azalea Drive in its entirety from Station 0+00 beginning at its intersection with Dogwood Lane running easterly, then northerly, then westerly through to its end at Station 24+87.19 and Azalea Drive from Station 0+00 beginning at Summer Street and running westerly to the end of that segment at Station 2+47.76, both as shown on the Azalea Drive Street Acceptance Plan dated 5/13/2014 prepared by Precision Land Surveying of Southborough, MA and Tetra Tech of Framingham, MA.

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

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

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 20: (Street, Drainage Parcel and Infrastructure Acceptance: Morningside Drive)

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 on file in the Office of the Town Clerk:

Morningside Drive in its entirety from Station 0+00 beginning at its intersection with Summer Street to its end at Station 5+27.55 as shown on the *Roadway Acceptance Plan for Morningside Drive in Medway, MA* dated 9/2/2014, prepared by Outback Engineering of Middleborough, MA.

And further to see if the Town will vote authorize the Board of Selectmen to accept as a gift from Fox Run Development Group LLC of Lincoln, RI, one parcel of land totaling 9,236 square feet, more or less, shown as Parcel A on "*Modification to Comprehensive Permit, Subdivision Lotting Plan, Fox Run Farm*" by Outback Engineering, dated May 24, 2011, recorded at the Norfolk County Registry of Deeds in Plan Book 610, Page 62, also known as 0 Morningside Drive/Medway Assessors' Parcel 22-053-008, said land to be used by the Town for stormwater drainage purposes.

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

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

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 21: (Easement Acceptance: Applegate Subdivision)

To see if the Town will vote to authorize the Board of Selectmen to accept as a gift the permanent utility and access easements shown on a plan entitled "Amended Definitive Subdivision Plan 'Applegate Farm' Twelve Lot Single Family Residential Subdivision, Medway, Massachusetts," prepared by GLM Engineering, Inc., dated February 20, 2013, last revised April 28, 2014, and further to authorize the Board of Selectmen and town officers to take any and all related actions necessary or appropriate to carry out the purposes of this article; or to act in any manner relating thereto.

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 22: (Grant of Easement: NStar)

To see if the town will vote to transfer to the Board of Selectmen to the extent necessary, and authorize the Board of Selectmen to convey a utility access easement over a portion of the Town's property at 0 Adams Street, Medway Assessors' Parcel 29-020, for the limited purpose of maintaining an existing transformer currently operated by NSTAR, provided that said easement shall not interfere with the Town's use of the property at 0 Adams Street, on such terms as the Board of Selectmen shall deem to be in the best interests of the Town, and to authorize the Board of Selectmen and other town officials to do all acts necessary to carry out the purposes of this article, or take any other action related thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 23: (Zoning Map Revision: Portions of ARII to Commercial V)

To see if the Town of Medway will vote to rezone the following parcels from Agricultural Residential II district zoning to Commercial V district zoning as shown on a map on file with the Town Clerk and to amend the Medway Zoning Map accordingly.

- 1.38 acre parcel at 32 Summer Street (Berry's Greenhouse) - Medway Assessor's parcel 56-041
- 0.09 acre parcel at 37 Summer Street (Alexander) - Medway Assessor's parcel 56-017
- 0.67 acre parcel at 35 Summer Street (Alexander) - Medway Assessor's parcel 56-018
- 0.42 acre parcel at 33 Summer Street (Notturmo) - Medway Assessor's parcel 56-019
- 0.34 acre parcel at 31 Summer Street (PMAM Group LLC) - Medway Assessor's parcel 56-020
- 0.52 acre parcel at 37 Milford Street (Bain) - Medway Assessor's parcel 56-036

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 24: (Zoning Map Revision: Adaptive Use Overlay District)
To see if the Town of Medway will vote to amend the Medway Zoning Map to depict the location and boundaries of the Medway Mill Conversion Subdistrict, all of which is located at 165 Main Street, Medway Assessor's Parcel 48-092, and is within the Adaptive Use Overlay District, as shown on a map on file with the Medway Town Clerk.

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 25:

To see if the Town of Medway will vote to amend the Medway Zoning Bylaw by deleting Sub-Section G. Commercial District I in SECTION V. USE REGULATIONS and replacing it as follows:

G. *COMMERCIAL DISTRICT I*

1. Purpose: To encourage the development and redevelopment of the district in a manner that represents the qualities, functions, and architectural features of a traditional New England town center as guided by the *Medway Design Review Guidelines*. Such features and functions include mixed business, service, civic, institutional and/or residential uses which are arranged in a compact pattern that is conducive to pedestrian access and use.
2. Buildings, structures and premises may be used for any of the following purposes and uses customarily accessory thereto but no others, subject to the regulations and conditions enumerated herein:
 - a) Municipal use
 - b) Retail Sales
 - c) Offices for business or professional use
 - d) Salesroom for motor vehicles, trailers, boats, farm implements or machinery with repair services and storage permitted but not including auto body, welding or soldering shops
 - e) Undertaking establishment or funeral home
 - f) Restaurant or other establishment providing food and beverage within a building. Outdoor dining may be permitted by the Building Inspector upon a determination that the location of the seating does not represent a safety hazard

- g) Bank or other financial institution
- h) Personal care services such as but not limited to barber shops, beauty parlors, and nail salons
- i) Services such as but not limited to health care and other miscellaneous business and social/human services
- j) Repair shops for small electronic equipment, appliances and tools
- k) Schools
- l) Any of the following uses if authorized by special permit:
 - 1) Live entertainment within a building.
 - 2) Motel or hotel
 - 3) Commercial indoor amusement or recreation place or place of assembly
 - 4) Vehicle Fuel Station
 - 5) Automotive car wash
 - 6) Shopping center.
 - 7) Drive-thru facility
 - 8) Kennel
 - 9) Vehicle Repair
 - 10) Assisted living residence facility as defined by M.G.L, chapter 19D.
 - 11) Mixed Use Development – A combination of multi-family dwelling units with any of the by right and/or special permit uses specified herein.

3. Coordination of Special Permit and Site Plan Review - In order to facilitate a streamlined permitting process, when the scope of the development project necessitates major or minor site plan review pursuant to SECTION V. USE REGULATIONS, Sub-Section C. Site Plan Review and Approval of the Medway Zoning Bylaw, the special permit granting authority shall be the Planning and Economic Development Board so that the special permit and site plan reviews can be consolidated and conducted concurrently. Otherwise, the special permit granting authority shall be the Zoning Board of Appeals.

4. By-right uses shall comply with the following dimensional regulations:

- a) Minimum lot size: 20,000 sq. ft.
- b) Maximum lot coverage, including accessory buildings: 30%
- c) Minimum continuous frontage: 100 ft.

- d) Minimum front-yard setback: 50 ft. of which the first 10 ft. nearest the street line shall not be used for the parking or storage of vehicles and shall be suitably landscaped
 - e) Minimum side-yard and rear-yard setback: 25 ft. of which the first 10 ft. nearest each lot line, if the adjacent use is residential in whole or in part, shall not be used for the parking or storage of vehicles and shall be suitably landscaped
 - f) Maximum building height: 40 ft.
5. Special Permit Regulations – The following provisions shall apply to Special Permit Uses and are also available to applicants for “By Right” uses who wish to seek a Special Permit to achieve flexible site design.
- a) Dimensional Requirements
 - 1) Minimum lot size: 10,000 sq. ft.
 - 2) Minimum continuous frontage: 50 ft.
 - 3) Minimum front-yard setback: Principle buildings shall be set back a minimum of 10 feet from the front lot line. Architectural features such as bay windows, porches, balconies, porticos, canopies, etc. shall not be subject to the 10-foot minimum setback.
 - 4) Minimum side-yard and rear-yard setback: For lot lines abutting a residential zoning district, 25 ft. of which the first 10 ft. nearest each lot line shall not be used for the parking or storage of vehicles and shall be suitably landscaped. There is no side-yard or rear-yard setback for properties abutting other properties within the C1 district.
 - 5) Maximum building height: 60 ft.
 - b) Residential Uses in a Mixed Use Development
 - 1) Except for assisted living residence facilities, a building comprised of 100% multi-family dwelling units shall not be permitted.
 - 2) In a 3 story building, no more than 67% of the gross floor area shall be comprised of multi-family dwelling units. In a 2 story building, no more than 50% of the gross floor area shall be comprised of multi-family dwelling units.
 - 3) Multi-family dwelling units may not be located on the ground floor of a mixed-use building or development unless:

- a. the building with the multi-family dwelling units is set behind another building which has business uses on the ground floor and a front façade that faces a public way or primary access drive;
 - b. the residential portion of the ground floor is set behind the business uses within the same building which has a front façade that faces a public way or primary access drive.
- 4) No more than 10% of the total number of a mixed-use development's residential dwelling units shall have more than 2 bedrooms.
- c) A minimum of 15% of the site shall function as landscaped and/or public space. The landscaped and/or public space shall be architecturally integral to the site and/or, as appropriate and practical, to abutting sites. No space that is used for vehicular parking or circulation, or loading shall be included as landscaped and/or public space.
- d) Special Permit Review Criteria
 - 1) Special permits granted under this sub-section are not subject to the special permit criteria specified in SECTION III. Sub-Section J of this Bylaw.
 - 2) Before granting a special permit for the specified special permit uses or for flexible site design of by-right uses in the Commercial I zoning district, the special permit granting authority shall find that in its judgment, all of the following criteria for granting the special permit are met:
 - a. The proposed site design represents the qualities of a traditional New England town center.
 - b. The proposed site design is environmentally sustainable, Economically viable and is readily accessible to and useable by pedestrians.
 - c. The design of buildings is consistent or compatible with traditional New England architectural styles as described in the *Medway Design Review Guidelines*.
 - d. The proposed site design reflects and advances the goals and objectives of the Medway Master Plan as updated.
 - e. Adequate pedestrian and (where applicable) vehicular linkages within the site and connecting to abutting properties are provided.
 - f. Streets, driveways, sidewalks, landscaped areas and public services are laid out in a safe, economical, and efficient manner.
 - g. Any detrimental impacts of the site design on abutting properties and/or residential neighborhoods have been adequately mitigated.
 - h. The development project incorporates site design and building construction features that minimize energy consumption and reduce environmental impacts.
 - i. The site design incorporates the site's existing topography and protects natural features to the maximum extent possible.

6. Design Requirements

- a) All facades of a building that are visible from a public way or an internal pedestrian or vehicular way shall be designed in accordance with the current *Medway Design Review Guidelines* and the Design Principles and Standards included in the *Site Plan Rules and Regulations*.
- b) All sites shall include pedestrian connections to abutting commercial properties and, where appropriate, to abutting residential neighborhoods. The pedestrian connections shall be well-defined and of a design and quality that will encourage significant use.
- c) Vehicular connections to abutting sites shall be provided where practical as determined by the Planning and Economic Development Board as part of the review process.
- d) Buildings and developments shall be made pedestrian friendly by use of amenities such as wide sidewalks/pathways, outdoor seating, and patios or courtyards. All structures, parking, pathways and other pedestrian amenities shall be designed to maximize ease of pedestrian access.

7. Sustainability – New buildings constructed in the Commercial I district after the passage of this bylaw are encouraged to promote sustainability by being environmentally responsible and resource-efficient throughout a building’s life-cycle from siting to design, construction, operation, maintenance, renovation and deconstruction. This may be accomplished by incorporating sustainable materials in the construction (e.g., reused, recycled-content, or made from renewable resources); create healthy indoor environments with minimum pollutants (e.g., reduced product emissions); and/or feature landscaping that reduces water usage (e.g., by using native plants that survive without extra watering). The criteria in the current Leadership in Energy and Environmental Design (LEED), Institute for Sustainable Infrastructure (ISI), and EPA’s Green Building program offer examples of measures that will help accomplish this goal.

AND to amend the Sub-Section H. Parking Regulations of SECTION V. USE REGULATIONS by adding the following to the Parking Requirements Schedule in Paragraph 4.

Multi-Family Dwelling in Commercial I – 1.5 spaces per dwelling unit.

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 26:

To see if the Town of Medway will vote to amend the Medway Zoning Bylaw, SECTION V. USE REGULATIONS, Sub-Section U. Adult Retirement Community Planned Unit Development (ARCPUD), 4. c) ARCPUD General Standards, item 4) to read as follows (new wording is underlined and wording that is being deleted is ~~stricken~~ through):

4. c) 4) Upon approval by the Planning and Economic Development Board, an ARCPUD also may include any combination of the following accessory uses:

- a. Local Convenience Retail;
- b. Medical Offices or Clinics; and
- c. Adult Day Care;

~~use of no more than 7,500 square feet of gross building area. If located within an ARCPUD development, by definition, provided that the total amount of building area occupied by Local Convenience Retail uses shall not exceed 4,500 square feet and the total of all such accessory uses shall not exceed five percent (5%) of the ARCPUD's total gross building area. or 7,500 square feet, whichever is greater.~~

AND to amend Sub-Section U. Adult Retirement Community Planned Unit Development (ARCPUD), Paragraph 4. c) ARCPUD General Standards, item 6) as follows (new wording is underlined and wording that is being deleted is ~~stricken~~ through):

4. c) 6) The maximum number of permitted housing units in an ARCPUD shall be determined by multiplying the gross acreage of the ARCPUD site by a factor of three (3.0). A housing unit shall be defined as equal to:
- a. A home site in an ARCPUD Residential Subdivision, a dwelling unit in an ARCPUD Independent Living Residence Facility, a townhouse, or a dwelling unit as defined in the Bylaw;
 - b. Two (2) dwellings or rooms in an ARCPUD Assisted Living Residence Facility or an ARCPUD Congregate Living Residence Facility, ~~provided such dwellings do not meet the definition of a dwelling unit;~~
 - c. Three (3) dwellings or rooms in an ARCPUD Long-Term Care Facility.

AND to amend Sub-Section U. 4. c) ARCPUD General Standards, by deleting item 9) in its entirety as follows (wording that is being deleted is ~~stricken~~ through):

4. c) 9) ~~Affordability—At least 10% of the total number of ARCPUD residential dwelling units, rounded up to the next higher integer, shall be designated and made available as Affordable Dwelling Units as defined in this Zoning Bylaw.~~

AND to amend SECTION II. DEFINITIONS by inserting the following definitions in alphabetical order (new wording is underlined):

Medical Office or Clinic – An establishment primarily engaged in furnishing medical, surgical, psychiatric or other health-related services to individuals, including the offices of physicians, dentists and other health practitioners, medical and dental laboratories, out-patient care facilities, and sale or rental of medical supplies.

Adult Day Care -- Also commonly known as adult day services, is a non-residential facility that supports the health, nutritional, social support, and daily living needs of adults in professionally staffed, group settings. Services may include transitional care and short-term rehabilitation following hospital discharge.

AND to amend SECTION V. USE REGULATIONS, Sub-Section X Affordable Housing, Paragraph 3. Applicability, a) by renumbering the current item 5) to become item 6) and by inserting a new item 5) as follows (new wording is underlined):

3. a) 5) Sub-Section U. Adult Retirement Community Planned Unit Development (ARCPUD) of SECTION V. USE REGULATIONS of the Medway Zoning Bylaw

AND in Paragraph 3. Applicability, c) by revising item 2) to read as follows (new wording is underlined and wording that is being deleted is ~~stricken~~ through):

3. c) 2) Adult Retirement Community ARCPUD Assisted Living Residence Facility, ARCPUD Congregate Living Facility, and an ARCPUD Long Term Care Facility approved pursuant to an ARCPUD Special Permit under SECTION V. USE REGULATIONS, Sub-Section U. Adult Retirement Community Planned Unit Development (ARCPUD)

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION

ARTICLE 27: (Zoning Bylaw Amendment: Temporary Special Event Signs)

To see if the Town will vote to amend the Medway Zoning Bylaw, SECTION V. USE REGULATIONS, Sub-Section R. Sign Regulations, Paragraph 7 Sign Standards – All Zoning Districts, item s) as follows (new text is underlined and deleted text is ~~stricken~~ through);

7. s) Temporary special event signs advertising civic/community functions extended over a public right-of-way may be permitted upon prior approval of the Board of Selectmen. Such signs shall not require a sign permit. ~~but shall be reviewed by the Design Review Committee and a recommendation provided to the Board of Selectmen prior to approval.~~ The Board of Selectmen may adopt a Banner Display Policy governing such signs. The Board of Selectmen may designate the Town Administrator to approve signs under this subsection and may specify the terms and circumstances under which the Town Administrator or his designee may approve such signs, and may revoke such designation at any time.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

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 20th day of October 2014.

A TRUE COPY:

SELECTMEN OF THE TOWN OF MEDWAY

Dennis Crowley, Chairman

John Foresto, Vice-Chairman

Richard D’Innocenzo, Clerk

Glenn Trindade, Member

Maryjane White, Member

**TOWN OF MEDWAY
WARRANT FOR 2014
FALL TOWN MEETING - *DRAFT***

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 10, 2014 at 7:00 PM, then and there to act on the following articles:

ARTICLE 1: (Budget Transfer)

To see if the Town will vote to raise and appropriate and/or transfer a sum of money from available funds for the purposes of funding Fiscal Year 2015 departmental and incidental expenses, or to act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 2: (Appropriation: OPEB Trust Account)

To see if the Town will transfer the sum of \$ (Amount) from (Source) to the Other Post-Employment Benefits (OPEB) Trust Account, or to act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 3: (Rescind Borrowing: Deficit Financing)

To see if the Town will vote to rescind \$1,000,000 unissued balance of the \$3,000,000 authorized by vote of the Town under Article 2 of the March 20, 2006 Special Town Meeting and further authorized by the Commonwealth of Massachusetts by Special Legislation Chapter 70 of the Acts of 2006 for deficit financing, or to take any other action relative thereto.

FINANCE DIRECTOR/TREASURER

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 4: (Rescind Borrowing: Middle School Project)
To see if the Town will vote to rescind the \$9,600,000 unissued balance of the \$22,100,000 authorized by vote of the Town under Article 8 of the November 15, 2010 Fall Town Meeting, or to take any other action relative thereto.

FINANCE DIRECTOR/TREASURER

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 5: (Middle School Project: Transfer Funds to Site Improvements)
To see if the Town will vote to re-allocate funds originally authorized to be borrowed under Article 8 of the Warrant of the Fall Town Meeting held on at the November 15, 2010 to pay costs of making various repairs to the Middle School, which funds are no longer needed to pay costs of the project for which they were initially borrowed, to apply such funds, in the amount of (approximately \$12k) to pay costs of making various site improvements to the Middle School property, including re-paving, drainage improvements, exterior lighting improvements and other associated work, or to act in any manner related thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 6: (Free Cash Appropriation: Police Dept. Training)
To see whether the Town will vote to transfer the sum of \$27,000 from Certified Free Cash for the purpose of funding mandatory training of Police Department staff; or to act in any manner relating thereto.

*May be addressed by Art. 1

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 7: (Free Cash Appropriation: Fire Dept. Training)

*May be addressed by Art. 1

To see if the Town will vote to transfer the sum of \$20,000 from Certified Free Cash for the purpose of funding additional Fire Training in Fiscal Year 2015, or to act in any manner relating thereto.

FIRE DEPARTMENT

BOARD OF SELECTMEN RECOMMENDATION:

FINCOM RECOMMENDATION:

ARTICLE 8: (Free Cash Appropriation: Choate Park Building Maintenance Repairs)

To see if the Town will vote to transfer the sum of \$35,000 from Certified Free Cash to supplement the \$50,000 appropriation authorized under Article 7 of the May 14, 2014 Annual Town Meeting to complete the repair of the Choate Park Building, or to act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 9: (Free Cash Appropriation: Medway Design Guidelines)

To see if the Town will vote to transfer the sum of \$15,000 from Certified Free Cash for a review and revision of the Medway Design Guidelines, or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 10: (Free Cash Appropriation: Urban Renewal Plan for Oak Grove)

To see if the Town will vote to transfer the sum of \$80,000 from Certified Free Cash for the purpose of funding the preparation of an Urban Renewal Plan consistent with the requirements of Massachusetts General Law Chapter 121B for the Oak Grove Park area depicted on Assessor's Map 99, Oak Grove Insert Map, or to act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 11: (RT 109 Project Funding: Real Property)

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds the sum of \$360,000 for the purpose of acquiring the fee or other interest in real property necessary for the RT 109 Reconstruction Project and related expenses as authorized by Article 29 of the May 12, 2014 Annual Town Meeting vote, or to act in any manner relating thereto.

DEPT. OF PUBLIC SERVICES

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 12: (RT 109 Project Funding: Design)

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds the sum of \$190,000 for the purpose of funding additional design work associated with the RT 109 Reconstruction Project, or to act in any manner relating thereto.

DEPT. OF PUBLIC SERVICES

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 13: (Water Retained Earnings Appropriation: Purchase Chlorinators)

To see if the Town will vote to transfer the sum of \$165,000 from Water Retained Earnings for the purpose of purchasing and installing chlorinators in the Town's water tanks, or to act in any manner relating thereto.

DEPT. OF PUBLIC SERVICES

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 14: (Free Cash Appropriation: Fund Streetlight Conversion to LED)

To see if the Town will vote to transfer the sum of \$20,000 from Certified Free Cash for the purpose of funding the Town's matching funds for a Mass Dept. of Energy Resources grant for streetlight conversion to LED, or to act in any manner relating thereto.

DEPT. OF PUBLIC SERVICES

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 15:

(Prior Year Bills)

To see if the Town will vote to authorize payment of a Fiscal Year 2014 unemployment insurance invoice in the amount of \$2,204 to be paid for from the Fiscal Year 2015 unemployment insurance account of the Town, or to act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 16:

(CPA Fund Transfer: Amphitheater)

To see if the Town will vote to transfer the sum of \$20,000 from Community Preservation Act Fund Open Space Reserves to the Open Space Committee for the purpose of establishing handicap accessibility to the Amphitheater, or to act in any manner relating thereto.

OPEN SPACE COMMITTEE

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 17:

(CPA Fund Transfer: Housing Production Plan)

To see if the Town will vote to transfer the sum of \$6,800 from Community Preservation Act Fund Community Housing Reserves to the Affordable Housing Trust for the purpose of funding an update to the 2010 Medway Housing Production Plan in order to comply with May, 2013 Guidelines, or act in any manner relating thereto.

AFFORDABLE HOUSING TRUST

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 18:

(Adjustment: Community Preservation Fund Statutory Set-Aside)

To see if the Town will vote to authorize the Town Accountant, with the approval of the Community Preservation Committee, to adjust the set-aside balances from prior fiscal years within the Community Preservation Fund account to comply with the statutory requirement to set aside for later spending not less than ten percent of the Community Preservation Fund annual revenues for each fiscal year in open space, for historic resources, and for community housing respectively,

as required by Chapter 44B, section 6 of the Massachusetts General Laws, or to act in any manner relating thereto.

COMMUNITY PRESERVATION COMMITTEE

CPA Transfer from Retained Earnings to Reserve Accounts	
Community Housing	\$ 36,001
Open Space	\$ 36,001
Historical Preservation	<u>\$ 36,001</u>
Total	\$108,003

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION

ARTICLE 19: (Street Acceptance: Azalea Drive)

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 on file in the Office of the Town Clerk:

Azalea Drive in its entirety from Station 0+00 beginning at its intersection with Dogwood Lane running easterly, then northerly, then westerly through to its end at Station 24+87.19 and Azalea Drive from Station 0+00 beginning at Summer Street and running westerly to the end of that segment at Station 2+47.76, both as shown on the Azalea Drive Street Acceptance Plan dated 5/13/2014 prepared by Precision Land Surveying of Southborough, MA and Tetra Tech of Framingham, MA.

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

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

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 20: (Street, Drainage Parcel and Infrastructure Acceptance: Morningside Drive)

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 on file in the Office of the Town Clerk:

Morningside Drive in its entirety from Station 0+00 beginning at its intersection with Summer Street to its end at Station 5+27.55 as shown on the *Roadway Acceptance Plan for Morningside Drive in Medway, MA* dated 9/2/2014, prepared by Outback Engineering of Middleborough, MA.

And further to see if the Town will vote authorize the Board of Selectmen to accept as a gift from Fox Run Development Group LLC of Lincoln, RI, one parcel of land totaling 9,236 square feet, more or less, shown as Parcel A on "*Modification to Comprehensive Permit, Subdivision Lotting Plan, Fox Run Farm*" by Outback Engineering, dated May 24, 2011, recorded at the Norfolk County Registry of Deeds in Plan Book 610, Page 62, also known as 0 Morningside Drive/Medway Assessors' Parcel 22-053-008, said land to be used by the Town for stormwater drainage purposes.

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

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

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 21: (Easement Acceptance: Applegate Subdivision)

To see if the Town will vote to authorize the Board of Selectmen to accept as a gift the permanent utility and access easements shown on a plan entitled "Amended Definitive Subdivision Plan 'Applegate Farm' Twelve Lot Single Family Residential Subdivision, Medway, Massachusetts," prepared by GLM Engineering, Inc., dated February 20, 2013, last revised April 28, 2014, and further to authorize the Board of Selectmen and town officers to take any and all related actions necessary or appropriate to carry out the purposes of this article; or to act in any manner relating thereto.

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 22: (Grant of Easement: NStar)

To see if the town will vote to transfer to the Board of Selectmen to the extent necessary, and authorize the Board of Selectmen to convey a utility access easement over a portion of the Town's property at 0 Adams Street, Medway Assessors' Parcel 29-020, for the limited purpose of maintaining an existing transformer currently operated by NSTAR, provided that said easement shall not interfere with the Town's use of the property at 0 Adams Street, on such terms as the Board of Selectmen shall deem to be in the best interests of the Town, and to authorize the Board of Selectmen and other town officials to do all acts necessary to carry out the purposes of this article, or take any other action related thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 23: (Zoning Map Revision: Portions of ARII to Commercial V)

To see if the Town of Medway will vote to rezone the following parcels from Agricultural Residential II district zoning to Commercial V district zoning as shown on a map on file with the Town Clerk and to amend the Medway Zoning Map accordingly.

- 1.38 acre parcel at 32 Summer Street (Berry's Greenhouse) - Medway Assessor's parcel 56-041
- 0.09 acre parcel at 37 Summer Street (Alexander) - Medway Assessor's parcel 56-017
- 0.67 acre parcel at 35 Summer Street (Alexander) - Medway Assessor's parcel 56-018
- 0.42 acre parcel at 33 Summer Street (Notturmo) - Medway Assessor's parcel 56-019
- 0.34 acre parcel at 31 Summer Street (PMAM Group LLC) - Medway Assessor's parcel 56-020
- 0.52 acre parcel at 37 Milford Street (Bain) - Medway Assessor's parcel 56-036

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 24: (Zoning Map Revision: Adaptive Use Overlay District)

To see if the Town of Medway will vote to amend the Medway Zoning Map to depict the location and boundaries of the Medway Mill Conversion Subdistrict, all of which is located at 165 Main Street, Medway Assessor's Parcel 48-092, and is within the Adaptive Use Overlay District, as shown on a map on file with the Medway Town Clerk.

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 25:

To see if the Town of Medway will vote to amend the Medway Zoning Bylaw by deleting Sub-Section G. Commercial District I in SECTION V. USE REGULATIONS and replacing it as follows:

G. *COMMERCIAL DISTRICT I*

1. Purpose: To encourage the development and redevelopment of the district in a manner that represents the qualities, functions, and architectural features of a traditional New England town center as guided by the *Medway Design Review Guidelines*. Such features and functions include mixed business, service, civic, institutional and/or residential uses which are arranged in a compact pattern that is conducive to pedestrian access and use.
2. Buildings, structures and premises may be used for any of the following purposes and uses customarily accessory thereto but no others, subject to the regulations and conditions enumerated herein:
 - a) Municipal use
 - b) Retail Sales
 - c) Offices for business or professional use
 - d) Salesroom for motor vehicles, trailers, boats, farm implements or machinery with repair services and storage permitted but not including auto body, welding or soldering shops
 - e) Undertaking establishment or funeral home
 - f) Restaurant or other establishment providing food and beverage within a building. Outdoor dining may be permitted by the Building Inspector upon a determination that the location of the seating does not represent a safety hazard

- g) Bank or other financial institution
- h) Personal care services such as but not limited to barber shops, beauty parlors, and nail salons
- i) Services such as but not limited to health care and other miscellaneous business and social/human services
- j) Repair shops for small electronic equipment, appliances and tools
- k) Schools
- l) Any of the following uses if authorized by special permit:
 - 1) Live entertainment within a building.
 - 2) Motel or hotel
 - 3) Commercial indoor amusement or recreation place or place of assembly
 - 4) Vehicle Fuel Station
 - 5) Automotive car wash
 - 6) Shopping center.
 - 7) Drive-thru facility
 - 8) Kennel
 - 9) Vehicle Repair
 - 10) Assisted living residence facility as defined by M.G.L, chapter 19D.
 - 11) Mixed Use Development – A combination of multi-family dwelling units with any of the by right and/or special permit uses specified herein.

3. Coordination of Special Permit and Site Plan Review - In order to facilitate a streamlined permitting process, when the scope of the development project necessitates major or minor site plan review pursuant to SECTION V. USE REGULATIONS, Sub-Section C. Site Plan Review and Approval of the Medway Zoning Bylaw, the special permit granting authority shall be the Planning and Economic Development Board so that the special permit and site plan reviews can be consolidated and conducted concurrently. Otherwise, the special permit granting authority shall be the Zoning Board of Appeals.

4. By-right uses shall comply with the following dimensional regulations:

- a) Minimum lot size: 20,000 sq. ft.
- b) Maximum lot coverage, including accessory buildings: 30%
- c) Minimum continuous frontage: 100 ft.

- d) Minimum front-yard setback: 50 ft. of which the first 10 ft. nearest the street line shall not be used for the parking or storage of vehicles and shall be suitably landscaped
 - e) Minimum side-yard and rear-yard setback: 25 ft. of which the first 10 ft. nearest each lot line, if the adjacent use is residential in whole or in part, shall not be used for the parking or storage of vehicles and shall be suitably landscaped
 - f) Maximum building height: 40 ft.
5. Special Permit Regulations – The following provisions shall apply to Special Permit Uses and are also available to applicants for “By Right” uses who wish to seek a Special Permit to achieve flexible site design.
- a) Dimensional Requirements
 - 1) Minimum lot size: 10,000 sq. ft.
 - 2) Minimum continuous frontage: 50 ft.
 - 3) Minimum front-yard setback: Principle buildings shall be set back a minimum of 10 feet from the front lot line. Architectural features such as bay windows, porches, balconies, porticos, canopies, etc. shall not be subject to the 10-foot minimum setback.
 - 4) Minimum side-yard and rear-yard setback: For lot lines abutting a residential zoning district, 25 ft. of which the first 10 ft. nearest each lot line shall not be used for the parking or storage of vehicles and shall be suitably landscaped. There is no side-yard or rear-yard setback for properties abutting other properties within the C1 district.
 - 5) Maximum building height: 60 ft.
 - b) Residential Uses in a Mixed Use Development
 - 1) Except for assisted living residence facilities, a building comprised of 100% multi-family dwelling units shall not be permitted.
 - 2) In a 3 story building, no more than 67% of the gross floor area shall be comprised of multi-family dwelling units. In a 2 story building, no more than 50% of the gross floor area shall be comprised of multi-family dwelling units.
 - 3) Multi-family dwelling units may not be located on the ground floor of a mixed-use building or development unless:

- a. the building with the multi-family dwelling units is set behind another building which has business uses on the ground floor and a front façade that faces a public way or primary access drive; or
 - b. the residential portion of the ground floor is set behind the business uses within the same building which has a front façade that faces a public way or primary access drive.
- 4) No more than 10% of the total number of a mixed-use development's residential dwelling units shall have more than 2 bedrooms.
- c) A minimum of 15% of the site shall function as landscaped and/or public space. The landscaped and/or public space shall be architecturally integral to the site and/or, as appropriate and practical, to abutting sites. No space that is used for vehicular parking or circulation, or loading shall be included as landscaped and/or public space.
- d) Special Permit Review Criteria
 - 1) Special permits granted under this sub-section are not subject to the special permit criteria specified in SECTION III. Sub-Section J of this Bylaw.
 - 2) Before granting a special permit for the specified special permit uses or for flexible site design of by-right uses in the Commercial I zoning district, the special permit granting authority shall find that in its judgment, all of the following criteria for granting the special permit are met:
 - a. The proposed site design represents the qualities of a traditional New England town center.
 - b. The proposed site design is environmentally sustainable, Economically viable and is readily accessible to and useable by pedestrians.
 - c. The design of buildings is consistent or compatible with traditional New England architectural styles as described in the *Medway Design Review Guidelines*.
 - d. The proposed site design reflects and advances the goals and objectives of the Medway Master Plan as updated.
 - e. Adequate pedestrian and (where applicable) vehicular linkages within the site and connecting to abutting properties are provided.
 - f. Streets, driveways, sidewalks, landscaped areas and public services are laid out in a safe, economical, and efficient manner.
 - g. Any detrimental impacts of the site design on abutting properties and/or residential neighborhoods have been adequately mitigated.
 - h. The development project incorporates site design and building construction features that minimize energy consumption and reduce environmental impacts.
 - i. The site design incorporates the site's existing topography and protects natural features to the maximum extent possible.

6. Design Requirements

- a) All facades of a building that are visible from a public way or an internal pedestrian or vehicular way shall be designed in accordance with the current *Medway Design Review Guidelines* and the Design Principles and Standards included in the *Site Plan Rules and Regulations*.
- b) All sites shall include pedestrian connections to abutting commercial properties and, where appropriate, to abutting residential neighborhoods. The pedestrian connections shall be well-defined and of a design and quality that will encourage significant use.
- c) Vehicular connections to abutting sites shall be provided where practical as determined by the Planning and Economic Development Board as part of the review process.
- d) Buildings and developments shall be made pedestrian friendly by use of amenities such as wide sidewalks/pathways, outdoor seating, and patios or courtyards. All structures, parking, pathways and other pedestrian amenities shall be designed to maximize ease of pedestrian access.

7. Sustainability – New buildings constructed in the Commercial I district after the passage of this bylaw are encouraged to promote sustainability by being environmentally responsible and resource-efficient throughout a building’s life-cycle from siting to design, construction, operation, maintenance, renovation and deconstruction. This may be accomplished by incorporating sustainable materials in the construction (e.g., reused, recycled-content, or made from renewable resources); create healthy indoor environments with minimum pollutants (e.g., reduced product emissions); and/or feature landscaping that reduces water usage (e.g., by using native plants that survive without extra watering). The criteria in the current Leadership in Energy and Environmental Design (LEED), Institute for Sustainable Infrastructure (ISI), and EPA’s Green Building program offer examples of measures that will help accomplish this goal.

AND to amend the Sub-Section H. Parking Regulations of SECTION V. USE REGULATIONS by adding the following to the Parking Requirements Schedule in Paragraph 4.

Multi-Family Dwelling in Commercial I – 1.5 spaces per dwelling unit.

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 26:

To see if the Town of Medway will vote to amend the Medway Zoning Bylaw, SECTION V. USE REGULATIONS, Sub-Section U. Adult Retirement Community Planned Unit Development (ARCPUD), 4. c) ARCPUD General Standards, item 4) to read as follows (new wording is underlined and wording that is being deleted is ~~stricken~~ through):

4. c) 4) Upon approval by the Planning and Economic Development Board, an ARCPUD also may include any combination of the following accessory uses:

- a. Local Convenience Retail;
- b. Medical Offices or Clinics; and
- c. Adult Day Care;

~~use of no more than 7,500 square feet of gross building area. If located within an ARCPUD development, by definition, provided that the total amount of building area occupied by Local Convenience Retail uses shall not exceed 4,500 square feet and the total of all such accessory uses shall not exceed five percent (5%) of the ARCPUD's total gross building area. or 7,500 square feet, whichever is greater.~~

AND to amend Sub-Section U. Adult Retirement Community Planned Unit Development (ARCPUD), Paragraph 4. c) ARCPUD General Standards, item 6) as follows (new wording is underlined and wording that is being deleted is ~~stricken~~ through):

4. c) 6) The maximum number of permitted housing units in an ARCPUD shall be determined by multiplying the gross acreage of the ARCPUD site by a factor of three (3.0). A housing unit shall be defined as equal to:
- a. A home site in an ARCPUD Residential Subdivision, a dwelling unit in an ARCPUD Independent Living Residence Facility, a townhouse, or a dwelling unit as defined in the Bylaw;
 - b. Two (2) dwellings or rooms in an ARCPUD Assisted Living Residence Facility or an ARCPUD Congregate Living Residence Facility, ~~provided such dwellings do not meet the definition of a dwelling unit;~~
 - c. Three (3) dwellings or rooms in an ARCPUD Long-Term Care Facility.

AND to amend Sub-Section U. 4. c) ARCPUD General Standards, by deleting item 9) in its entirety as follows (wording that is being deleted is ~~stricken~~ through):

4. c) 9) ~~Affordability—At least 10% of the total number of ARCPUD residential dwelling units, rounded up to the next higher integer, shall be designated and made available as Affordable Dwelling Units as defined in this Zoning Bylaw.~~

AND to amend SECTION II. DEFINITIONS by inserting the following definitions in alphabetical order (new wording is underlined):

Medical Office or Clinic – An establishment primarily engaged in furnishing medical, surgical, psychiatric or other health-related services to individuals, including the offices of physicians, dentists and other health practitioners, medical and dental laboratories, out-patient care facilities, and sale or rental of medical supplies.

Adult Day Care -- Also commonly known as adult day services, is a non-residential facility that supports the health, nutritional, social support, and daily living needs of adults in professionally staffed, group settings. Services may include transitional care and short-term rehabilitation following hospital discharge.

AND to amend SECTION V. USE REGULATIONS, Sub-Section X Affordable Housing, Paragraph 3. Applicability, a) by renumbering the current item 5) to become item 6) and by inserting a new item 5) as follows (new wording is underlined):

3. a) 5) Sub-Section U. Adult Retirement Community Planned Unit Development (ARCPUD) of SECTION V. USE REGULATIONS of the Medway Zoning Bylaw

AND in Paragraph 3. Applicability, c) by revising item 2) to read as follows (new wording is underlined and wording that is being deleted is ~~stricken~~ through):

3. c) 2) Adult Retirement Community ARCPUD Assisted Living Residence Facility, ARCPUD Congregate Living Facility, and an ARCPUD Long Term Care Facility approved pursuant to an ARCPUD Special Permit under SECTION V. USE REGULATIONS, Sub-Section U. Adult Retirement Community Planned Unit Development (ARCPUD)

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION

ARTICLE 27: (Zoning Bylaw Amendment: Temporary Special Event Signs)

To see if the Town will vote to amend the Medway Zoning Bylaw, SECTION V. USE REGULATIONS, Sub-Section R. Sign Regulations, Paragraph 7 Sign Standards – All Zoning Districts, item s) as follows (new text is underlined and deleted text is ~~stricken~~ through);

7. s) Temporary special event signs advertising civic/community functions extended over a public right-of-way may be permitted upon prior approval of the Board of Selectmen. Such signs shall not require a sign permit. ~~but shall be reviewed by the Design Review Committee and a recommendation provided to the Board of Selectmen prior to approval.~~ The Board of Selectmen may adopt a Banner Display Policy governing such signs. The Board of Selectmen may designate the Town Administrator to approve signs under this subsection and may specify the terms and circumstances under which the Town Administrator or his designee may approve such signs, and may revoke such designation at any time.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

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 20th day of October 2014.

A TRUE COPY:

SELECTMEN OF THE TOWN OF MEDWAY

Dennis Crowley, Chairman

John Foresto, Vice-Chairman

Richard D’Innocenzo, Clerk

Glenn Trindade, Member

Maryjane White, Member


Proposed Expansion of Commercial V Zoning District

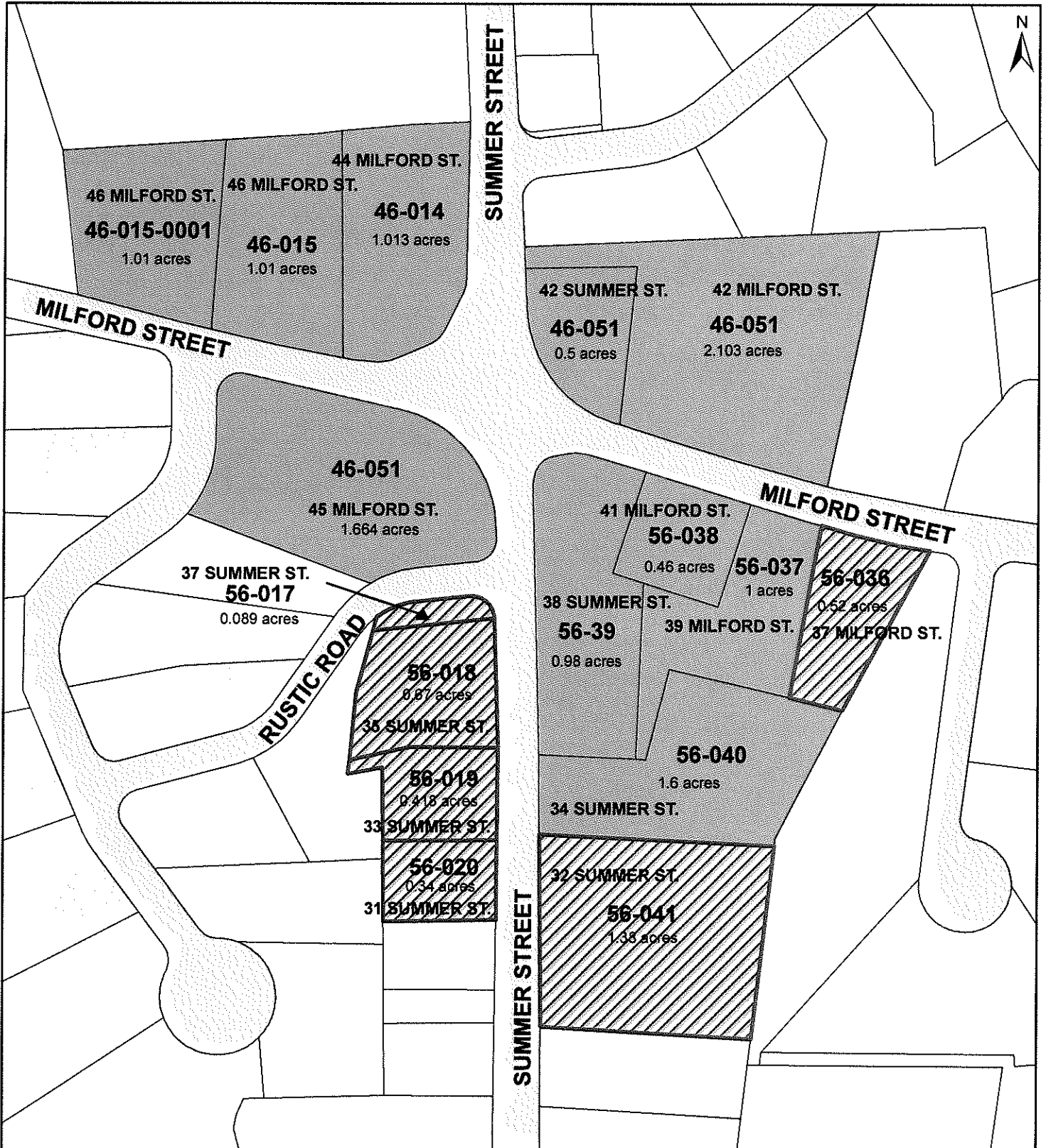
September 5, 2014

Data from MassGIS and the Town of Medway

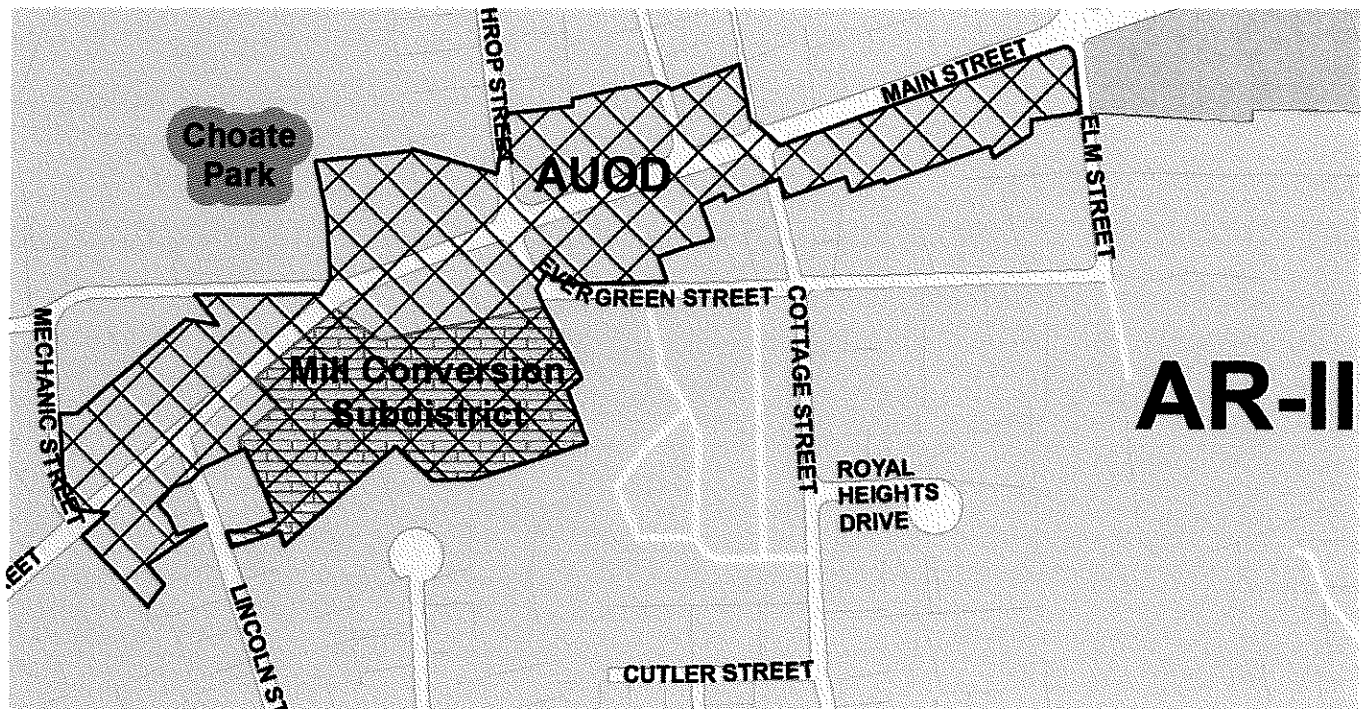
The information on this map is believed to be correct but errors in data entry or transmission may occur. The map is not to be used for legal purposes. The information on this map is subject to change or revision at any time.

 Existing C-V Zoning District

 Proposed Parcels to be Rezoned from AR-II to C-V



AUOD and Medway Mill Conversion Subdistrict



165 Main Street – Parcel 48-092

September 19, 2014

AGENDA ITEM #5

Discussion – Proposed Redevelopment Authority Article

Associated back up materials attached.

- 2014 Fall Town Meeting Warrant *DRAFT* [Reference Article #10]

AGENDA

ITEM #6

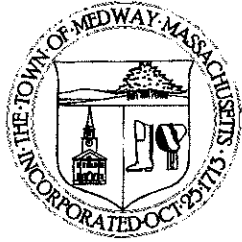
Authorization of the Chairman to Execute Contract Amendment for Water Main Replacement Design – Weston & Sampson - \$41,400

Associated back up materials attached.

- Memorandum from Tom Holder, DPS Director, dated September 29, 2014
- Contract Amendment #1 for Weston & Sampson

Proposed Motion: I move that the Board authorize the Chair to execute a contract amendment for water main replacement design with Weston & Sampson in the amount of \$41,400.

Note: Town Accountant cannot affix approval signature until BOS votes to approve associated BAN.




TOWN OF MEDWAY
DEPARTMENT OF PUBLIC SERVICES
MEDWAY, MASSACHUSETTS

*Entrusted To
Manage The
Public
Infrastructure*

THOMAS M. HOLDER
DIRECTOR

DAVID D'AMICO
DEPUTY DIRECTOR

MEMORANDUM

To: Board of Selectmen
From: Thomas Holder | Director, DPS 
Date: September 29, 2014
RE: Water Mains Project Financials
Weston and Sampson Contract Amendment

The following is a financial overview of the Water Mains Replacement Project:

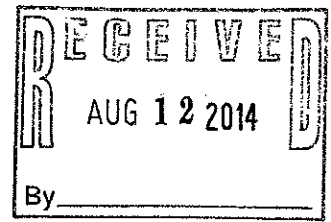
Town Appropriation (ATM 2013)	\$3,700,000.00
Gravity Construction Contract	\$1,093,401.50
Weston & Sampson Engineering Contract	\$ 157,800.00
Police Details	\$ 56,317.81
<u>Weston & Sampson Contract Amendment</u>	<u>\$ 41,400.00</u>
Appropriation Balance	\$2,351,080.69

Copy: Michael Boynton

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

TOWN OFFICES | 155 VILLAGE STREET | MEDWAY, MASSACHUSETTS 02053 | TEL 508-533-3275

**AMENDMENT 1 TO
AGREEMENT BETWEEN
TOWN AND CONTRACTOR**



THIS AMENDMENT 1 is made to the AGREEMENT for **Water Main Design Services**, (hereinafter referred to as the "Project"), made on the _____ day of _____, 2014, by and between Weston & Sampson Engineers, Inc., a corporation duly organized under the laws of the Commonwealth of Massachusetts, with a usual place of business at 5 Centennial Drive, (HQ), Peabody, MA, 01960-7985, (hereinafter referred to as the "CONTRACTOR"), and the Town of Medway, (hereinafter referred to as the "TOWN").

WITNESSETH that the CONTRACTOR and the TOWN, for the consideration hereinafter named, agree to incorporate the following changes by Amendment 1 as follows:

ARTICLE 2: SCOPE OF WORK

The CONTRACTOR shall furnish all materials, labor and equipment, and perform the following additional work as described below, and the CONTRACTOR agrees to do everything required by the Agreement and the Contract Documents:

Revised Scope:

- 2.1 Add the following bulleted item:
 - 4,400 feet of 12-inch DICL water main in Winthrop Street from Adams Street to Lovering Street

- 2.8 Add the following:
Prepare Request for Determination of Applicability for work in wetland buffer zones on Winthrop Street from Adams Street to Lovering Street. Submit to Conservation Commission.

- 2.9 Add the following:
Preparation of MassDEP SRF application forms and backup information for funding and approval of Highland Street and Winthrop Street is not included as part of Amendment 1 to this contract, but is covered under a separate contract.

Additional Scope:

- 2.12 Revise this section to read as follows:

Bidding Services
 - a. Advertise two separate contracts for public bidding.
 - b. Provide and issue 30 sets of contract bid documents to bidders or provide bidders access to copies of bid documents via electronic bid document distribution services.

- c. Issue additional information to bidders as required during the bidding period, which addresses bidders' questions through issuance of addenda to the bid documents.
- d. Assist the OWNER: (1) in securing and tabulating bids for the project; (2) in the review and analysis of the bid results; and (3) in recommending the award of the contract.

ARTICLE 4: THE CONTRACT SUM

The TOWN shall pay the CONTRACTOR for the performance of this Amendment the lump sum of \$41,400 (Forty-One Thousand Four Hundred Dollars), which is in addition to the previous Agreement sum of \$157,800 (One Hundred Fifty Seven Thousand, Eight Hundred Dollars).

IN WITNESS WHEREOF the parties hereto have executed copies of this Amendment 1 the day and year first below written. *

*If a Corporation, attach to each signed copy of this Agreement an attested copy of the vote of the Corporation authorizing the said signing and sealing.

CONTRACTOR: Weston & Sampson Engineers, Inc.

TOWN OF MEDWAY
By its Board of Selectmen

By: 

Bruce W. Adams, PE
Title: Vice President

Corporate Seal:

Town Accountant


Thomas Holder, DPS Director

Dated: _____

Dated: 8.13.14

Funding Source:

Account: _____

Approved As To Form



Town Counsel

Dated: 8/18/14

AGENDA

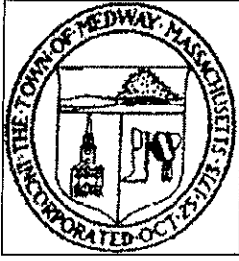
ITEM #7

Authorization of the Chairman to Execute Contract for Food Inspections – Michael Sarasin - \$5,000

Associated back up materials attached.

- Scope of work memorandum from Stephanie Bacon, Health, dated September 30, 2014
- Contract documents

Proposed Motion: I move that the Board authorize the Chair to execute a contract with Michael Sarasin for food inspection services in the amount of \$5,000.



OFFICE OF
BOARD OF HEALTH
155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
Office (508) 321-4923 -- Fax (508) 321-4982

Stephanie Bacon
sbacon@townofmedway.org
Health Agent

9-30-14

To: Board of Selectmen
Regarding: Contract with Michael Sarasin to perform food inspections

Dear Board:

The Board of Health is requesting your approval to have Michael Sarasin perform approximately 76 inspections, for the 2014/2015 calendar year. The rate of pay is based at \$65 per inspection or up to five thousand dollars. I will be giving Mr. Sarasin restaurants of high capacity or larger establishments such as Star Market to inspect. I currently use Mr. Sarasin as a food training proctor for local businesses to stay current on their food manager's certificates (Serv-Safe or equivalent). Presently, he is a culinary arts instructor at Lowell Technical High School and has an array of food industry experience. In addition to this, he is a Hazard Analysis and Critical Control Point (HACCP) certified manager.

Currently I have 76 food establishments to inspect, most of which, need to be inspected twice per year. This does not include re-inspecting after violations are found. In addition to these establishments, I have the Farmer's Markets, one day events, and sporting events involving food/food permitting. Not included in these inspections are tobacco, camps, tanning, body art/piercing, housing and Title 5 inspections. Mr. Sarasin's inspections will cover one round of my consistent food establishment inspections. My goal is to maintain food safety in Medway restaurants and food establishments, and better protect consumers through improved prevention.

Sincerely,

Steph Bacon
Health Agent

CONTRACT BETWEEN THE TOWN OF MEDWAY
and
MICHAEL SARASIN

This Agreement is made on this 21st day of August, 2014, between the Town of Medway, acting by and through its duly elected Board of Selectmen (hereinafter, the "Town") and Michael Sarasin (hereinafter, "Contractor") whereby the Town and Contractor contract for *goods or services* under the terms and conditions set forth herein.

I. GOODS

Contractor shall provide Food Establishment Inspections pursuant to the Town's specifications. The Contract Documents consist of the following, and in the event of conflicts or discrepancies among them, they shall be interpreted on the basis of the following priorities:

- 1) This agreement between the Town and Contractor
- 2) Contractor's bid or proposal
- 3) Invitation for bids, bid specifications, request for proposals or purchase description
- 4) Copies of all required certificates of insurance required under the contract,

EACH OF WHICH IS ATTACHED HERETO. These documents form the entire Agreement between the parties and there are no other agreements between the parties. Any amendment or modification to this Agreement must be in writing and signed by an official with the authority to bind the Town.

II. COMPENSATION

The Town agrees to pay the Contractor up to \$5000.00 (\$65/inspection) for the *goods or services* delivered pursuant to this contract. Upon delivery of the *goods or services* contained in paragraph one, the Contractor shall submit an invoice to the Town with any reasonable supporting documentation requested by the Town. Upon satisfactory review of said *goods or services*, invoice and documentation, the Town shall remit payment to the Contractor within forty-five days after receipt by the Town as stamped in by the appropriate Town office.

III. TIME FOR PERFORMANCE

All *goods or services* pursuant to this contract shall be delivered by the Contractor no later than June 30th, 2015.

IV. INDEMNIFICATION

The Contractor hereby indemnifies and agrees to hold harmless and defend the Town and its employees, officials and agents from and against all claims and liability, including all claims for bodily injury or property damage that may arise out of the Contractor's performance of its obligations under this contract. The Contractor hereby releases the Town from any claim for liability by itself or a subcontractor, officer, agent or employee.

V. INSURANCE

(a) The Contractor shall, at its own expense, obtain and maintain general liability and motor vehicle liability insurance policies protecting the Town in connection with any operations included in this Contract, and shall have the Town as an additional insured on the policies. General liability coverage shall be in the amount of at least \$1,000,000 per occurrence and \$2,000,000 aggregate for bodily injury liability and property damage liability.

(b) The Contractor shall, before commencing performance of this Contract, provide by insurance for the payment of compensation and the furnishing of other benefits in accordance with Mass. Gen. L. Ch. 152, as amended, to all employed under the Contract and shall continue such insurance in full force and effect during the term of the Contract.

(c) All insurance coverage shall be in force from the time of the contract to the date when all work under the Contract is completed and accepted by the Town. Certificates and any and all renewals substantiating that required insurance coverage is in effect shall be filed with the Town and shall list the Town as additional insured for each policy. Any cancellation of insurance required by this contract, whether by the insurers or the insured, shall not be valid unless written notice thereof is given by the party proposing cancellation to the other party and to the Town at least fifteen days prior to the intended effective date thereof, which date should be expressed in said notice. The Contractor shall provide a copy of additional insured endorsements for all policies that require the Town to be listed as an additional insured.

V. TERMINATION

This contract may be terminated by the Town upon ten days advance written notice by certified mail to Contractor.

VI. NOTICES

All notices required to be given under this Agreement shall be in writing and shall be effective upon receipt by hand delivery or certified mail to:

Town of Medway:
Town Administrator
Town of Medway
155 Village Street
Medway, MA 02053

Contractor:

Name: Michael Sarasin
Title: Food Inspector
430 North End Boulevard
Salisbury, MA 01952
978 518-5560


VII. GOVERNING LAW

This Agreement and performance thereunder are governed by the laws of the Commonwealth of Massachusetts and all other applicable by-laws and administrative rules, regulations and orders.

VIII. BINDING AGREEMENT AND ASSIGNMENT OF INTEREST

This Agreement shall be binding upon the Town and the Contractor and the partners, successors, heirs, executors, administrators, assigns and legal representatives of the Town and the Contractor. Neither the Town nor the Contractor shall assign, sublet or transfer any interest in this Agreement without the written consent of each other, and such consent shall not be unreasonably withheld.

Town of Medway by its
Board of Selectmen



For Michael Sarasin
By its duly authorized representative

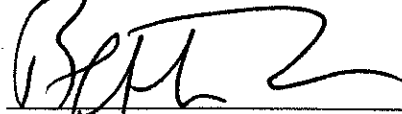
Date: _____

Date: _____

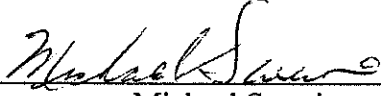
Approved as to availability of funds:

Approved as to form:


Town Accountant
01570002 5300


Town Counsel

Pursuant to General Laws Chapter 62C Section 49A, the undersigned certifies under the pains and penalties of perjury that **Michael Sarasin** is in compliance with the laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting child support.



For Michael Sarasin
By their duly authorized representative

Social Security number or Tax Identification number: 019-42-4667

General Contract for Goods-Services



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

08/20/2014

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Stephen J. Szczepanik Ins. 471 Aiken Avenue Dracut, MA 01826	Phone: 978-454-3106 Fax: 978-454-9376	CONTACT NAME: _____ PHONE (A/C, No, Ext): _____ E-MAIL ADDRESS: _____ PRODUCER CUSTOMER ID #: _____	FAX (A/C, No): _____													
	INSURED Michael A. Sarasin 430 North End Blvd Salisbury, MA 01952		<table border="1"> <thead> <tr> <th>INSURER(S) AFFORDING COVERAGE</th> <th>NAIC #</th> </tr> </thead> <tbody> <tr> <td>INSURER A: Lloyd's of London</td> <td></td> </tr> <tr> <td>INSURER B: Penn America Insurance Company</td> <td></td> </tr> <tr> <td>INSURER C:</td> <td></td> </tr> <tr> <td>INSURER D:</td> <td></td> </tr> <tr> <td>INSURER E:</td> <td></td> </tr> <tr> <td>INSURER F:</td> <td></td> </tr> </tbody> </table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A: Lloyd's of London		INSURER B: Penn America Insurance Company		INSURER C:		INSURER D:		INSURER E:		INSURER F:
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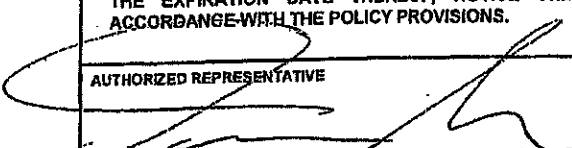
COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDITIONAL INSURER	POLICY NUMBER	POLICY EFF. (MM/DD/YYYY)	POLICY EXP. (MM/DD/YYYY)	LIMITS
B	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR Commercial Package GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC	XX	PAV0032062	08/14/14	08/14/15	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMPI/OP AGG \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS					COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$ \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DEDUCTIBLE RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$ \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input type="checkbox"/>	N/A			WC STATUTORY LIMITS <input type="checkbox"/> OTHER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

Town of Medway is named as an additional insured under this policy.

CERTIFICATE HOLDER Town of Medway 155 Village Street Medway, MA 02053	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
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CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
08/20/2014

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PRODUCER Stephen J. Szczepanik Ins. 471 Aiken Avenue Dracut, MA 01826	Phone: 978-454-3106 Fax: 978-454-9376	CONTACT NAME: PHONE (A/C, No, Ext): FAX (A/C, No): E-MAIL ADDRESS: PRODUCER CUSTOMER ID #: INSURER(S) AFFORDING COVERAGE INSURER A: Lloyd's of London INSURER B: Penn America Insurance Company INSURER C: INSURER D: INSURER E: INSURER F:
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INSURED Michael A. Sarasin
430 North End Blvd
Salisbury, MA 01952

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

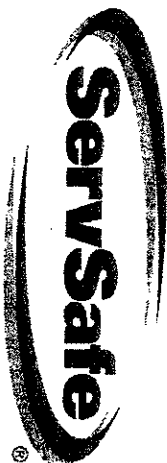
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INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSR	WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	GENERAL LIABILITY	XX		PSD00091362	08/14/14	08/14/15	EACH OCCURRENCE	\$
	<input type="checkbox"/> COMMERCIAL GENERAL LIABILITY							
	<input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR							
	<input type="checkbox"/> Commercial Package							
	<input checked="" type="checkbox"/> E & O / Misc Prof.							
GEN'L AGGREGATE LIMIT APPLIES PER:							GENERAL AGGREGATE	\$ 500,000
<input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC							PRODUCTS - COMP/OP AGG	\$
AUTOMOBILE LIABILITY							Each Wrongful Act	\$ 500,000
<input type="checkbox"/> ANY AUTO							COMBINED SINGLE LIMIT (Ea accident)	\$
<input type="checkbox"/> ALL OWNED AUTOS							BODILY INJURY (Per person)	\$
<input type="checkbox"/> SCHEDULED AUTOS							BODILY INJURY (Per accident)	\$
<input type="checkbox"/> HIRED AUTOS							PROPERTY DAMAGE (Per accident)	\$
<input type="checkbox"/> NON-OWNED AUTOS								\$
UMBRELLA LIAB <input type="checkbox"/> OCCUR							EACH OCCURRENCE	\$
EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE							AGGREGATE	\$
DEDUCTIBLE								\$
RETENTION \$								\$
WORKERS COMPENSATION AND EMPLOYERS' LIABILITY							WC STATU-TORY LIMITS	OTH-ER
<input type="checkbox"/> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)							E.L. EACH ACCIDENT	\$
If yes, describe under DESCRIPTION OF OPERATIONS below							E.L. DISEASE - EA EMPLOYEE	\$
							E.L. DISEASE - POLICY LIMIT	\$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

The Town of Medway is named as an additional insured under this policy

CERTIFICATE HOLDER Town of Medway 155 Village Street Medway, MA 02053	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
---	--



Certified ServSafe® Instructor &
Registered ServSafe Examination Proctor

CERTIFICATE NO. 101205

National Restaurant Association Solutions recognizes

Michael Sarasin

**for successfully completing the requirements to become a
Certified ServSafe Instructor and Registered ServSafe Examination Proctor**

- Maintaining a current ServSafe Food Protection Manager Certification *
- Passing the ServSafe Online Advanced Test
- Completing the online Instructor and Proctor Tutorials
- Agreeing to comply with the Performance Agreement

01/05/2009

DATE OF APPROVAL

01/05/2014

DATE OF EXPIRATION

**NATIONAL
RESTAURANT
ASSOCIATION**
S O L U T I O N S ™

A handwritten signature in dark ink, appearing to read "Mary M. Adell", is written over a horizontal line.

Mary M. Adell
President & COO, Products and Services Division
National Restaurant Association Solutions

*This certificate is confirmation of your dual role status as a Certified ServSafe instructor and as a Registered ServSafe Examination Proctor. This is NOT a ServSafe Food Protection Manager Certification and should not be conveyed as one. You must maintain a current ServSafe Food Protection Manager Certification. Ongoing requirements to maintain your status as a Certified ServSafe Instructor and Registered ServSafe Examination Proctor may be introduced by the NRA Solutions in a future date.
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v.08023



EXAM FORM NO. 4809
CERTIFICATE NO. 9706073

ServSafe® CERTIFICATION

TO **MICHAEL A SARASIN**

for successfully completing the standards set forth for the ServSafe® Food Protection Manager Certification Examination, which is accredited by the American National Standards Institute (ANSI)-Conference for Food Protection (CFP).

01/19/2013

DATE OF EXAMINATION

01/19/2018

DATE OF EXPIRATION

Local laws apply. Check with your local regulatory agency for recertification requirements.

Paul Hineman
Executive Vice President, National Restaurant Association



#0655

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v.1210

Michael A. Sarasin

430 North End Blvd Salisbury, MA 01952 (978) 499-0009 (978) 518-5560
michaelsarasin@yahoo.com

Experience

Food Inspector Town of Bellingham	2013
Culinary Arts Instructor Greater Lowell Technical High School	2000 - Present Tyngsboro, MA
Food Service Director New England Center for Children	1999 - 2000 Southboro, MA
Manager The Bagel Inn	1996 - 1998 Spencer, MA
Food Service Director The Gables of Fitchburg	1990 - 1995 Fitchburg, MA
Owner/Chef Michaels Restaurant	1983 - 1994 Lunenburg, MA
Owner/Chef Duk - In Restaurant	1978 - 1983 Fitchburg, MA
Executive Chef/Consultant Westminster Country Club	1975 - 1978 Westminster, MA

Certifications

HACCP certified manager, proctor/trainer ID# 24964	Feb 2013
ServSafe (Instructor ID # 2099096)	2002-present
ServSafe certified proctor/trainer	2008-present
OSHA (General Industry Outreach Trainer)	2004
Test Facilitator (Vocational Technical Teacher Testing Program)	2006

Education

Fitchburg State College Vocational Teacher Approval - Culinary Arts/Chef Certificate	2000 Fitchburg, MA
University of Massachusetts Hotel Restaurant Management, Associates	1970 - 1972 Amherst, MA

MICHAEL A SARASIN
DIANE J SARASIN
430 NORTH END BLVD
SALISBURY, MA 01952

Policy Number: 47532558-8

Underwritten by:
Progressive Direct Insurance Co
August 29, 2014
Policy Period: Jul 16, 2014 - Jan 16, 2015
Page 1 of 4

progressive.com

Online Service

Make payments, check billing activity, update
policy information or check status of a claim.

Auto Insurance Coverage Summary

This is your Coverage Selections Page
Your policy information has changed

Your coverage began on July 16, 2014 at 12:01 a.m. This policy expires on January 16, 2015 at 12:01 a.m.

This coverage summary replaces your prior one. This page and any attached endorsements form a part of your policy and contain a full explanation of your coverage. The policy limits shown for a vehicle may not be combined with the limits for the same coverage on another vehicle. The policy contract is form 9609D MA (03/14). The contract is modified by forms A057 MA (09/11), Z538 MA (10/08), Z624 MA (11/07), Z628 MA (11/07), Z629 MA (11/07) and 9869 MA (06/13).

Policy changes effective August 26, 2014

Changes requested on:	Aug 26, 2014 04:57 p.m.
Requested by:	MICHAEL A SARASIN
Premium change:	\$43.00
Changes:	The vehicle usage for the 2011 Honda Civic has been changed. TOWN OF MIDWAY STEPH has been added as an additional interest.

Drivers and household residents

	Additional information
MICHAEL A SARASIN	Named insured
DIANE J SARASIN	Named insured

Outline of coverage

This policy provides only the coverages for which a premium charge is shown.

Auto 1

2011 Honda Civic

VIN: 2HGFA1F5XBH536292

Principal garaging address: 01952

Coverages Parts 1-12

Compulsory insurance	Limits	Deductible	Premium
Bodily Injury to Others (Part 1)	\$20,000 each person/\$40,000 each accident		\$98
Personal Injury Protection (Part 2)	\$8,000 each person	\$0	14
Bodily Injury Caused by An Uninsured Auto (Part 3) (Compulsory Limits \$20,000/\$40,000)	\$100,000 each person/\$300,000 each accident		6
Damage to Someone Else's Property (Part 4) (Compulsory Limit \$5,000)	\$100,000 each accident		53

Optional insurance

	Limits	Deductible	Premium
Optional Bodily Injury to Others (Part 5)	\$100,000 each person/\$300,000 each accident		21
Medical Payments (Part 6)	\$5,000 each person		8
Collision (Part 7)	Actual Cash Value	\$500	132
Comprehensive (Part 9) Comprehensive Window Glass	Actual Cash Value	\$500 \$0 glass	33
Substitute Transportation (Part 10)	\$40 a day for a maximum of 30 days		28
Bodily Injury Caused by An Underinsured Auto (Part 12)	\$100,000 each person/\$300,000 each accident		9

Total premium for Auto 1 **\$402**

Auto 2

2013 Honda Civic

VIN: 2HGFB2F51DH562866

Principal garaging address: 01952

Coverages Parts 1-12

Compulsory insurance	Limits	Deductible	Premium
Bodily Injury to Others (Part 1)	\$20,000 each person/\$40,000 each accident		\$92
Personal Injury Protection (Part 2)	\$8,000 each person	\$0	11
Bodily Injury Caused by An Uninsured Auto (Part 3) (Compulsory Limits \$20,000/\$40,000)	\$100,000 each person/\$300,000 each accident		5
Damage to Someone Else's Property (Part 4) (Compulsory Limit \$5,000)	\$100,000 each accident		42

Optional insurance

	Limits	Deductible	Premium
Optional Bodily Injury to Others (Part 5)	\$100,000 each person/\$300,000 each accident		17
Medical Payments (Part 6)	\$5,000 each person		6
Collision (Part 7)	Actual Cash Value	\$500	115
Comprehensive (Part 9) Comprehensive Window Glass	Actual Cash Value	\$500 \$0 glass	27
Bodily Injury Caused by An Underinsured Auto (Part 12)	\$100,000 each person/\$300,000 each accident		7

Total premium for Auto 2 **\$322**

Total 6 month policy premium \$724.00



Part 5 - Optional Bodily Injury To Others

The limits shown for this Part are the total limits you have under Compulsory Bodily Injury to Others (Part 1) and this Part. This means that the Compulsory limits are included within the limits shown for this Part and are not in addition to them.

Part 12 - Bodily Injury Caused By An Underinsured Auto

The limits shown for this Part are subject to adjustment. We will only pay for any unpaid damages up to the difference between the total amount collected from the automobile bodily injury liability insurance covering the owner and operator of the underinsured auto and the limits shown for this Part.

Premium discounts

Several discounts are available and your premium has been reduced if one or more discounts are indicated below. Contact customer service for further details.

Policy

47532558-8

Residence Insurance, Online Quote, Three-Year Safe Driving, Continuous Insurance: Diamond, Multi-Car, Paid in Full and Five-Year Accident Free

Lienholder information

Vehicle

Lienholder

2013 Honda Civic
2HGFB2F51DH562866

AHFC-AMERICAN HONDA
HUNT VALLEY, MD 21065

Additional interest information

Additional Interest:

AHFC-AMERICAN HONDA
PO BOX 650201
HUNT VALLEY, MD 21065

Additional Interest:

TOWN OF MIDWAY STEPH
155 VILLAGE ST
MIDWAY, MA 02053

Driver information

Name		Date of birth
MICHAEL A SARASIN		Jul 29, 1952
License status	Years licensed	Operator status
Valid	45	Rated
Name		Date of birth
DIANE J SARASIN		Jan 14, 1957
License status	Years licensed	Operator status
Valid	41	Rated

Check carefully that all operators of your auto(s) are shown. Your failure to list a household member or any individual who customarily operates your auto may have very serious consequences.

NOTICE: If you or someone else on your behalf has knowingly given us false, deceptive, misleading or incomplete information and if such false, deceptive, misleading or incomplete information increases our risk of loss, we may refuse to pay claims under any or all of the Optional Insurance Parts and we may cancel your policy. Such information includes the description and the place of garaging of the vehicle(s) to be insured, the names of all household members and customary operators required to be listed and the answers given above for all listed operators. We may also limit our payments under Part 3 and Part 4. Check to make certain that you have correctly listed all operators and the completeness of their previous driving records. We may verify the accuracy of the previous driving records of all listed operators.

We will not pay for a collision or limited collision loss for an accident which occurs while your auto is being operated by a household member who is not listed as an operator on your policy. Payment is withheld when the household member, if listed, would require the payment of additional premium on your policy because the household member would be classified as an inexperienced operator or would require payment of additional premium on your policy under our rates.

Countersigned by 
Authorized Signature


Authorized Signature



AGENDA ITEM #8

Presentation– Five Year Budget Forecast and Discussion – FY2016 Budget Policy

Associated back up materials attached.

- *Town of Medway – General Fund Finance Team Budget Projections
FY16-FY20*

Town of Medway - General Fund

Finance Team Budget Projections

FY16 - FY20

	FY15 Town Mfg Budgeted Revenue	FY16 Budgeted Revenue	FY17 Projected Revenues	FY18 Projected Revenues	FY19 Projected Revenues	FY20 Projected Revenues
Revenues						
Property Tax Levy	\$ 31,524,176	\$ 32,772,912	\$ 33,550,109	\$ 34,348,861	\$ 35,169,707	\$ 36,013,199
State Aid	\$ 11,745,066	\$ 11,656,998	\$ 11,656,998	\$ 11,656,998	\$ 11,656,998	\$ 11,656,998
Local Receipts	\$ 1,944,444	\$ 1,944,444	\$ 1,944,444	\$ 1,944,444	\$ 1,944,444	\$ 1,944,444
Stabilization Funds	\$ 48,846	\$ 43,684	\$ 38,546	\$ 34,396	\$ 7,997	\$ -
Expenses						
EDUCATION - 300						
Salaries	\$ 19,815,242	\$ 20,361,547	\$ 20,918,778	\$ 21,487,153	\$ 22,066,896	\$ 22,658,234
Expenses	\$ 4,771,574	\$ 4,819,290	\$ 4,867,483	\$ 4,916,157	\$ 4,965,319	\$ 5,014,972
Total	\$ 24,586,816	\$ 25,180,837	\$ 25,786,260	\$ 26,403,311	\$ 27,032,215	\$ 27,673,207
Tri-County Voc/Tech	\$ 670,818	\$ 705,097	\$ 741,127	\$ 778,999	\$ 818,806	\$ 860,647
Norfolk County Agricultural	\$ 18,000	\$ 18,000	\$ 18,000	\$ 18,000	\$ 18,000	\$ 18,000
EDUCATION TOTAL	\$ 25,275,634	\$ 25,903,933	\$ 26,545,388	\$ 27,200,310	\$ 27,869,021	\$ 28,561,853
SELECTMEN - 122						
Salaries	\$ 320,569	\$ 326,980	\$ 333,520	\$ 340,190	\$ 346,994	\$ 353,934
Expenses	\$ 29,644	\$ 29,940	\$ 30,240	\$ 30,542	\$ 30,848	\$ 31,156
Total	\$ 350,213	\$ 356,921	\$ 363,760	\$ 370,733	\$ 377,842	\$ 385,090
HUMAN RESOURCES - 125						
Salaries	\$ 152,709	\$ 155,763	\$ 158,878	\$ 162,056	\$ 165,297	\$ 168,603
Expenses	\$ 51,486	\$ 52,001	\$ 52,521	\$ 53,046	\$ 53,577	\$ 54,112
Total	\$ 204,195	\$ 207,764	\$ 211,399	\$ 215,102	\$ 218,874	\$ 222,715
FINANCE COMMITTEE - 132						
Salaries	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Expenses	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000
Reserve Fund - 131	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000
Total	\$ 103,000	\$ 103,000	\$ 103,000	\$ 103,000	\$ 103,000	\$ 103,000
TOWN ACCOUNTANT - 135						
Salaries	\$ 174,293	\$ 177,779	\$ 181,334	\$ 184,961	\$ 188,660	\$ 192,434
Expenses	\$ 57,100	\$ 57,671	\$ 58,248	\$ 58,830	\$ 59,418	\$ 60,013
Total	\$ 231,393	\$ 235,450	\$ 239,582	\$ 243,791	\$ 248,079	\$ 252,446
ASSESSORS - 141						
Salaries	\$ 195,405	\$ 199,313	\$ 203,299	\$ 207,365	\$ 211,513	\$ 215,743
Expenses	\$ 26,475	\$ 26,740	\$ 27,007	\$ 27,277	\$ 27,550	\$ 27,825
Total	\$ 221,880	\$ 226,053	\$ 230,307	\$ 234,643	\$ 239,063	\$ 243,568
TREASURER/COLLECTOR - 145						
Salaries	\$ 247,415	\$ 252,363	\$ 257,411	\$ 262,559	\$ 267,810	\$ 273,166
Expenses	\$ 63,600	\$ 64,236	\$ 64,878	\$ 65,527	\$ 66,182	\$ 66,844
Total	\$ 311,015	\$ 316,599	\$ 322,289	\$ 328,086	\$ 333,992	\$ 340,010

Town of Medway - General Fund

Finance Team Budget Projections

FY16 - FY20

	FY15 Town Mgr Budget Expenditures	FY16 Budgeted Expenditures	FY17 Projected Expenditures	FY18 Projected Expenditures	FY19 Projected Expenditures	FY20 Projected Expenditures
LEGAL - 151						
Expenses	\$ 135,000	\$ 135,000	\$ 135,000	\$ 135,000	\$ 135,000	\$ 135,000
Total	\$ 135,000	\$ 135,000	\$ 135,000	\$ 135,000	\$ 135,000	\$ 135,000
MIS/TECHNOLOGY - 155						
Salaries	\$ 169,942	\$ 173,341	\$ 176,808	\$ 180,344	\$ 183,951	\$ 187,630
Expenses	\$ 126,990	\$ 128,260	\$ 129,542	\$ 130,838	\$ 132,146	\$ 133,468
Total	\$ 296,932	\$ 301,601	\$ 306,350	\$ 311,182	\$ 316,097	\$ 321,097
TOWN CLERK - 161						
Salary Elected Official	\$ 66,419	\$ 67,747	\$ 69,102	\$ 70,484	\$ 71,894	\$ 73,332
Salaries Other	\$ 41,722	\$ 42,556	\$ 43,408	\$ 44,276	\$ 45,161	\$ 46,064
Expenses	\$ 2,682	\$ 2,709	\$ 2,736	\$ 2,763	\$ 2,791	\$ 2,819
Total	\$ 110,823	\$ 113,013	\$ 115,246	\$ 117,523	\$ 119,846	\$ 122,215
ELECTIONS - 162						
Salaries	\$ 9,114	\$ 9,296	\$ 9,482	\$ 9,672	\$ 9,865	\$ 10,063
Expenses	\$ 13,800	\$ 13,938	\$ 14,077	\$ 14,218	\$ 14,360	\$ 14,504
Total	\$ 22,914	\$ 23,234	\$ 23,560	\$ 23,890	\$ 24,226	\$ 24,567
REGISTRAR - 163						
Salaries	\$ 450	\$ 450	\$ 450	\$ 450	\$ 450	\$ 450
Expenses	\$ 4,255	\$ 4,298	\$ 4,341	\$ 4,384	\$ 4,428	\$ 4,472
Total	\$ 4,705	\$ 4,748	\$ 4,791	\$ 4,834	\$ 4,878	\$ 4,922
CONSERVATION - 171						
Salaries	\$ 36,582	\$ 37,314	\$ 38,060	\$ 38,821	\$ 39,598	\$ 40,389
Expenses	\$ 1,929	\$ 1,948	\$ 1,968	\$ 1,987	\$ 2,007	\$ 2,027
Total	\$ 38,511	\$ 39,262	\$ 40,028	\$ 40,809	\$ 41,605	\$ 42,417
PLANNING BOARD - 175						
Salaries	\$ 96,871	\$ 98,808	\$ 100,785	\$ 102,800	\$ 104,856	\$ 106,953
Expenses	\$ 17,410	\$ 17,564	\$ 17,760	\$ 17,938	\$ 18,117	\$ 18,298
Total	\$ 114,281	\$ 116,373	\$ 118,545	\$ 120,738	\$ 122,973	\$ 125,251
ZONING BOARD OF APPEALS - 176						
Salaries	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Expenses	\$ 2,250	\$ 2,250	\$ 2,250	\$ 2,250	\$ 2,250	\$ 2,250
Total	\$ 2,250	\$ 2,250	\$ 2,250	\$ 2,250	\$ 2,250	\$ 2,250
ENERGY COMMITTEE - 178						
Salaries	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Expenses	\$ 800	\$ 800	\$ 800	\$ 800	\$ 800	\$ 800
Total	\$ 800	\$ 800	\$ 800	\$ 800	\$ 800	\$ 800
ENERGY MANAGEMENT - 177						
Salaries	\$ 10,407	\$ 10,407	\$ -	\$ -	\$ -	\$ -
Expenses	\$ 8,500	\$ 8,500	\$ -	\$ -	\$ -	\$ -
Total	\$ 18,907	\$ 18,907	\$ -	\$ -	\$ -	\$ -
ECONOMIC DEVELOPMENT - 182						
Salaries	\$ 87,923	\$ 141,000	\$ 143,820	\$ 146,696	\$ 149,630	\$ 152,623
Expenses	\$ 7,077	\$ 7,148	\$ 7,219	\$ 7,291	\$ 7,364	\$ 7,438
Total	\$ 95,000	\$ 148,148	\$ 151,039	\$ 153,988	\$ 156,995	\$ 160,061
ANNUAL TOWN REPORT - 195						
Expenses	\$ 750	\$ 575	\$ 575	\$ 575	\$ 575	\$ 575
Total	\$ 750	\$ 575	\$ 575	\$ 575	\$ 575	\$ 575
GENERAL GOVERNMENT TOTALS	\$ 2,262,569	\$ 2,349,716	\$ 2,368,519	\$ 2,406,943	\$ 2,446,094	\$ 2,485,986

Town of Medway - General Fund

Finance Team Budget Projections

FY16 - FY20

	FY16 Town Mtg Budgeted Expenditures	FY16 Budgeted Expenditures	FY17 Projected Expenditures	FY18 Projected Expenditures	FY19 Projected Expenditures	FY20 Projected Expenditures
Expenses						
DEBT SERVICE - 700						
Long Term Principal	\$ 2,529,609	\$ 2,799,797	\$ 2,799,797	\$ 2,799,797	\$ 2,799,797	\$ 2,799,797
Long Term Interest	\$ 674,292	\$ 982,587	\$ 982,587	\$ 982,587	\$ 982,587	\$ 982,587
Short Term Interest	\$ 50,200	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000
Total	\$ 3,454,101	\$ 3,882,384	\$ 3,882,384	\$ 3,882,384	\$ 3,882,384	\$ 3,882,384
UNCLASSIFIED						
Property/Liability Insurance - 194	\$ 225,814	\$ 225,814	\$ 225,814	\$ 225,814	\$ 225,814	\$ 225,814
Medicare - 910	\$ 388,147	\$ 399,779	\$ 409,783	\$ 420,142	\$ 430,708	\$ 441,485
Life Insurance - 910	\$ 8,000	\$ 8,000	\$ 8,000	\$ 8,000	\$ 8,000	\$ 8,000
Retirement - 911	\$ 1,596,065	\$ 1,721,356	\$ 1,856,483	\$ 2,002,216	\$ 2,159,390	\$ 2,328,903
Workers Comp - 912	\$ 115,000	\$ 115,000	\$ 115,000	\$ 115,000	\$ 115,000	\$ 115,000
Unemployment Insurance - 913	\$ 95,000	\$ 95,000	\$ 95,000	\$ 95,000	\$ 95,000	\$ 95,000
Health Insurance - 914	\$ 4,562,847	\$ 4,719,936	\$ 4,893,168	\$ 5,072,737	\$ 5,258,907	\$ 5,451,908
Salary Reserve	\$ -	\$ -	\$ 115,000	\$ 115,000	\$ 8,292,819	\$ 120,000
Total	\$ 6,980,873	\$ 7,284,886	\$ 7,718,238	\$ 8,053,909	\$ 8,292,819	\$ 8,786,110
TOWN WIDE GENERAL GOVERNMENT						
TOTAL	\$ 10,434,974	\$ 11,167,270	\$ 11,600,622	\$ 11,936,293	\$ 12,175,203	\$ 12,668,494

Town of Medway - General Fund		FY16 - FY20		FY16 - FY20		FY16 - FY20		FY16 - FY20		FY16 - FY20	
Finance Team Budget Projections		Budgeted Expenditures		Projected Expenditures		Projected Expenditures		Projected Expenditures		Projected Expenditures	
DEPT OF PUBLIC SERVICES	Expenses	FY16 Budgeted Expenditures	FY17 Projected Expenditures	FY18 Projected Expenditures	FY19 Projected Expenditures	FY20 Projected Expenditures	FY16 Budgeted Expenditures	FY17 Projected Expenditures	FY18 Projected Expenditures	FY19 Projected Expenditures	FY20 Projected Expenditures
	DPS Salaries - 422	\$ 528,785	\$ 550,148	\$ 561,151	\$ 572,374	\$ 583,821	\$ 528,785	\$ 550,148	\$ 561,151	\$ 572,374	\$ 583,821
	DPS Expenses - 422	\$ 330,400	\$ 337,041	\$ 340,411	\$ 343,816	\$ 347,254	\$ 330,400	\$ 337,041	\$ 340,411	\$ 343,816	\$ 347,254
	Street Lighting Expenses - 424	\$ 34,500	\$ 34,845	\$ 35,193	\$ 35,545	\$ 36,260	\$ 34,500	\$ 34,845	\$ 35,193	\$ 35,545	\$ 36,260
	Road Repair Expenses - 421	\$ 140,000	\$ 141,400	\$ 142,814	\$ 144,242	\$ 147,141	\$ 140,000	\$ 141,400	\$ 142,814	\$ 144,242	\$ 147,141
	Building Maintenance Salaries - 192	\$ 51,021	\$ 52,041	\$ 53,082	\$ 54,144	\$ 56,331	\$ 51,021	\$ 52,041	\$ 53,082	\$ 54,144	\$ 56,331
	Building Maintenance Expenses - 192	\$ 122,800	\$ 124,028	\$ 125,268	\$ 126,521	\$ 129,064	\$ 122,800	\$ 124,028	\$ 125,268	\$ 126,521	\$ 129,064
	Traffic Signals Expenses - 293	\$ 1,700	\$ 1,650	\$ 1,650	\$ 1,650	\$ 1,650	\$ 1,700	\$ 1,650	\$ 1,650	\$ 1,650	\$ 1,650
	Tree/Moth Agent Salary - 294	\$ 1,500	\$ 1,500	\$ 1,500	\$ 1,500	\$ 1,500	\$ 1,500	\$ 1,500	\$ 1,500	\$ 1,500	\$ 1,500
	Tree/Moth Agent Expense - 294	\$ 1,500	\$ 1,500	\$ 1,500	\$ 1,500	\$ 1,500	\$ 1,500	\$ 1,500	\$ 1,500	\$ 1,500	\$ 1,500
	Total	\$ 1,212,206	\$ 1,230,029	\$ 1,248,197	\$ 1,266,665	\$ 1,303,022	\$ 1,212,206	\$ 1,230,029	\$ 1,248,197	\$ 1,266,665	\$ 1,303,022
	SNOW AND ICE REMOVAL - 423										
	Salaries	\$ 41,500	\$ 41,500	\$ 41,500	\$ 41,500	\$ 41,500	\$ 41,500	\$ 41,500	\$ 41,500	\$ 41,500	\$ 41,500
	Expenses	\$ 384,377	\$ 384,377	\$ 384,377	\$ 384,377	\$ 384,377	\$ 384,377	\$ 384,377	\$ 384,377	\$ 384,377	\$ 384,377
	Total	\$ 425,877	\$ 425,877	\$ 425,877	\$ 425,877	\$ 425,877	\$ 425,877	\$ 425,877	\$ 425,877	\$ 425,877	\$ 425,877
	CEMETERY COMMISSION - 491										
	Expenses	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100
	Total	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100
	PUBLIC WORKS TOTAL	\$ 1,638,183	\$ 1,658,006	\$ 1,674,174	\$ 1,692,642	\$ 1,709,915	\$ 1,638,183	\$ 1,658,006	\$ 1,674,174	\$ 1,692,642	\$ 1,709,915
	FIRE - 220										
	Salaries	\$ 527,432	\$ 537,981	\$ 548,740	\$ 559,715	\$ 570,909	\$ 527,432	\$ 537,981	\$ 548,740	\$ 559,715	\$ 570,909
	Expenses	\$ 86,260	\$ 86,113	\$ 86,974	\$ 87,843	\$ 88,722	\$ 86,260	\$ 86,113	\$ 86,974	\$ 87,843	\$ 88,722
	Total	\$ 612,692	\$ 624,093	\$ 635,714	\$ 647,559	\$ 659,631	\$ 612,692	\$ 624,093	\$ 635,714	\$ 647,559	\$ 659,631
	POLICE - 210										
	Salaries	\$ 1,926,753	\$ 1,965,288	\$ 2,004,594	\$ 2,044,686	\$ 2,085,579	\$ 1,926,753	\$ 1,965,288	\$ 2,004,594	\$ 2,044,686	\$ 2,085,579
	Expenses	\$ 213,443	\$ 215,577	\$ 217,733	\$ 219,911	\$ 224,331	\$ 213,443	\$ 215,577	\$ 217,733	\$ 219,911	\$ 224,331
	Total	\$ 2,140,196	\$ 2,180,865	\$ 2,222,327	\$ 2,264,596	\$ 2,307,689	\$ 2,140,196	\$ 2,180,865	\$ 2,222,327	\$ 2,264,596	\$ 2,307,689
	POLICE/FIRE COMMUNICATIONS - 215										
	Salaries	\$ 234,371	\$ 239,058	\$ 243,840	\$ 248,716	\$ 253,691	\$ 234,371	\$ 239,058	\$ 243,840	\$ 248,716	\$ 253,691
	Expenses	\$ 13,080	\$ 13,211	\$ 13,343	\$ 13,476	\$ 13,611	\$ 13,080	\$ 13,211	\$ 13,343	\$ 13,476	\$ 13,611
	Total	\$ 247,451	\$ 252,269	\$ 257,182	\$ 262,193	\$ 267,302	\$ 247,451	\$ 252,269	\$ 257,182	\$ 262,193	\$ 267,302
	ANIMAL CONTROL - 292										
	Expenses	\$ 45,484	\$ 45,484	\$ 45,484	\$ 45,484	\$ 45,484	\$ 45,484	\$ 45,484	\$ 45,484	\$ 45,484	\$ 45,484
	Total	\$ 45,484	\$ 45,484	\$ 45,484	\$ 45,484	\$ 45,484	\$ 45,484	\$ 45,484	\$ 45,484	\$ 45,484	\$ 45,484
	BUILDING INSPECTOR - 241										
	Salaries	\$ 169,450	\$ 172,839	\$ 176,296	\$ 179,822	\$ 183,418	\$ 169,450	\$ 172,839	\$ 176,296	\$ 179,822	\$ 183,418
	Expenses	\$ 4,804	\$ 4,852	\$ 4,901	\$ 4,950	\$ 5,049	\$ 4,804	\$ 4,852	\$ 4,901	\$ 4,950	\$ 5,049
	Total	\$ 174,254	\$ 177,691	\$ 181,196	\$ 184,771	\$ 188,417	\$ 174,254	\$ 177,691	\$ 181,196	\$ 184,771	\$ 188,417
	PUBLIC SAFETY TOTAL	\$ 3,220,077	\$ 3,280,403	\$ 3,341,904	\$ 3,404,603	\$ 3,468,523	\$ 3,220,077	\$ 3,280,403	\$ 3,341,904	\$ 3,404,603	\$ 3,468,523

Town of Medway - General Fund
Finance Team Budget Projections
FY16 - FY20

	FY15 Town Mgr Budgeted Expenditures	FY16 Budgeted Expenditures	FY17 Projected Expenditures	FY18 Projected Expenditures	FY19 Projected Expenditures	FY20 Projected Expenditures
BOARD OF HEALTH - 510						
Salaries	\$ 71,715	\$ 73,149	\$ 74,612	\$ 76,105	\$ 77,627	\$ 79,179
Expenses	\$ 26,010	\$ 26,270	\$ 26,533	\$ 26,798	\$ 27,066	\$ 27,337
Total	\$ 97,725	\$ 99,419	\$ 101,145	\$ 102,903	\$ 104,693	\$ 106,516
COUNCIL ON AGING - 541						
Salaries	\$ 90,925	\$ 92,744	\$ 94,598	\$ 96,490	\$ 98,420	\$ 100,389
Expenses	\$ 46,935	\$ 47,404	\$ 47,878	\$ 48,357	\$ 48,841	\$ 49,329
Total	\$ 137,860	\$ 140,148	\$ 142,477	\$ 144,848	\$ 147,261	\$ 149,718
VETERANS SERVICES - 543						
Salaries	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Expenses	\$ 95,951	\$ 95,951	\$ 95,951	\$ 95,951	\$ 95,951	\$ 95,951
Total	\$ 95,951	\$ 95,951	\$ 95,951	\$ 95,951	\$ 95,951	\$ 95,951
HEALTH & HUMAN SERVICES TOTAL	\$ 331,536	\$ 335,518	\$ 339,573	\$ 343,701	\$ 347,905	\$ 352,185
PARKS DEPT - 650 *						
Salaries	\$ 160,748	\$ 163,963	\$ 167,242	\$ 170,587	\$ 173,999	\$ 177,479
Expenses	\$ 89,502	\$ 90,397	\$ 91,301	\$ 92,214	\$ 93,136	\$ 94,068
Total	\$ 250,250	\$ 254,360	\$ 258,543	\$ 262,801	\$ 267,135	\$ 271,546
LIBRARY - 610						
Salaries	\$ 191,933	\$ 195,772	\$ 199,687	\$ 203,681	\$ 207,754	\$ 211,910
Expenses	\$ 79,290	\$ 80,063	\$ 80,884	\$ 81,693	\$ 82,509	\$ 83,335
Total	\$ 271,223	\$ 275,835	\$ 280,571	\$ 285,373	\$ 290,264	\$ 295,244
SUNSHINE GROUP - 654						
Salaries	\$ 31,981	\$ 32,621	\$ 33,273	\$ 33,938	\$ 34,617	\$ 35,310
Expenses	\$ 14,040	\$ 14,180	\$ 14,322	\$ 14,465	\$ 14,610	\$ 14,756
Total	\$ 46,021	\$ 46,801	\$ 47,595	\$ 48,404	\$ 49,227	\$ 50,066
DISABILITY COMMISSION - 545						
Expenses	\$ 500	\$ 500	\$ 500	\$ 500	\$ 500	\$ 500
Total	\$ 500	\$ 500	\$ 500	\$ 500	\$ 500	\$ 500
MEMORIAL COMMISSION - 670						
Expenses	\$ 600	\$ 600	\$ 600	\$ 600	\$ 600	\$ 600
Total	\$ 600	\$ 600	\$ 600	\$ 600	\$ 600	\$ 600
HISTORICAL COMMISSION - 691						
Expenses	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
CULTURE AND RECREATION TOTAL	\$ 568,594	\$ 578,116	\$ 587,809	\$ 597,678	\$ 607,726	\$ 617,956
Total Town Manager Budgeted Expenditures	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000

*Parks - Projection does not include \$'s for expanded field support/SLA

Town of Medway - General Fund

Finance Team Budget Projections

FY16 - FY20

Expenditures Not requiring Appropriation		FY15 Town Mtg Budgeted Expenditures	FY16 Budgeted Expenditures	FY17 Projected Expenditures	FY18 Projected Expenditures	FY19 Projected Expenditures	FY20 Projected Expenditures
Tax Title		\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000
Cherry Sheet Offsets		\$ 414,254	\$ 414,254	\$ 414,254	\$ 414,254	\$ 414,254	\$ 414,254
Cherry Sheet Charges		\$ 702,156	\$ 702,156	\$ 702,156	\$ 702,156	\$ 702,156	\$ 702,156
Overlay		\$ 651,000	\$ 300,000	\$ 300,000	\$ 300,000	\$ 300,000	\$ 300,000
Enterprise IDC Offset		\$ (466,440)	\$ (475,769)	\$ (485,284)	\$ (494,990)	\$ (504,890)	\$ (514,987)
Fiscal Stability Reserve Req'd by Deficit Bond/		\$ 19,614	\$	\$	\$	\$	\$
Total		\$ 1,330,584	\$ 950,641	\$ 941,126	\$ 931,420	\$ 921,520	\$ 911,423
Total Operating Budget		\$ 45,062,151	\$ 46,221,603	\$ 47,389,118	\$ 48,556,130	\$ 49,723,142	\$ 50,890,155
MONETARY ARTICLES							
Ambulance Subsidy		\$ 176,381	\$ 176,381	\$ 176,381	\$ 176,381	\$ 176,381	\$ 176,381
Thayer House Revolving Fund		\$ 20,000	\$	\$	\$	\$	\$
GATRA Revolving Fund		\$ 4,000	\$	\$	\$	\$	\$
Library Books & Materials		\$	\$	\$	\$	\$	\$
Total Monetary Articles		\$ 200,381	\$ 176,381	\$ 176,381	\$ 176,381	\$ 176,381	\$ 176,381
Revenues (from Above)		\$ 45,262,532	\$ 46,418,038	\$ 47,190,097	\$ 47,984,699	\$ 48,779,146	\$ 49,614,641
General Fund Surplus/Deficit		\$	\$ 20,054	\$ (389,399)	\$ (705,472)	\$ (943,142)	\$ (1,412,225)

AGENDA ITEM #9

**Approval –
Treasurer’s Award of \$4,508,950 BAN –
Eastern Bank**

Associated back up materials attached.

- *Town of Medway – BAN(s) Issue - \$4,508,950*

Proposed Motion: I move that the Board of Selectmen approve the Treasurer’s award of the \$4,508,950 BAN to Easter Bank at a NIC of .394% with a premium of \$2,203.87.

**Town of Medway
BAN(s) Issue**

Settlement Date: October 15, 2014
BAN Amount: \$4,508,950

Bid Date: October 1, 2014
Maturity Date: April 1, 2015

Purposes:

The BAN funds are for the following purposes:

Field Construction	\$2,857,600	Authorized at May 12, 2014 TM	Article 13
Turf	\$ 729,750	Authorized at May 12, 2014 TM	Article 14
Hanlon Turf	\$ 640,200	Authorized at May 12, 2014 TM	Article 15
Sewer Collection	\$ 240,000	Authorized at May 12, 2014 TM	Article 17
Water Mains	\$ 41,400	Authorized at May 13, 2013 TM	Article 11

On October 1, 2014, we went to market without disclosure as it did not seem to be worth the cost for a six month issue in the current low rate environment. We received three bids of .55%, .45% and .394% NIC. The winning bid is Eastern Bank at .394% NIC with an interest rate of .5% and a premium of \$2,203.87 which yields a .394% net interest cost.

The winning bid does not require a BOS vote, however, I would appreciate the BOS affirming the award to Eastern Bank as a matter of protocol and respect.

Respectfully submitted by

Melanie M. Phillips, Finance Director/Treasurer

MOTION:

I move that the Board of Selectmen approve the Treasurer's award of the \$4,508,950 BAN to Eastern Bank at a NIC of .394% with a premium of \$2,203.87.

AGENDA

ITEM #10

Approval – One-Day Alcohol License – Peppers Fine Catering – October 18, 2014

Associated back up materials attached.

- One-Day Alcohol License application submitted by Peppers Fine Catering and associated supporting documentation
- Memorandum from Police Chief Tingley dated September 23, 2014

Proposed Motion: I move that the Board approve a One-Day Alcohol License for Peppers Fine Catering relative to a wedding reception scheduled at the Thayer Homestead on October 18, 2014 with the proviso that the conditions outlined in Police Chief Tingley's memorandum of September 23, 2014 are met and that the Board vote to waive the \$50 application fee.

Note: Certificate of Insurance from Peppers Fine Catering and/or alcohol server has been requested twice – license will be held pending receipt of same.

Board of Selectmen

Dennis P. Crowley, Chair
John A. Foresio, Vice-Chair
Richard A. D'Innocenzo, Clerk
Glenn D. Trindade
Maryjane White



Medway Town Hall
155 Village Street
Medway, MA 02053
Phone (508) 533-3264
Fax (508) 321-4988

**TOWN OF MEDWAY
COMMONWEALTH OF MASSACHUSETTS**

APPLICATION FOR SPECIAL ONE-DAY LIQUOR LICENSE

MGL c.138, §14

Application for the purpose of selling or dispensing the following beverages permitted by law. A Section 12 license holder may not also be granted a Section 14 (one-day) license unless event is held at a separate location. A person holding a Section 14 license cannot purchase alcoholic beverages from a package store. Purchase must be made from a licensed wholesaler/importer, manufacturer, farmer-winery/brewery, or special permit holder.

For Profit Businesses are eligible for wine and malt license only.

Application must be submitted at least two weeks prior to event.

Fee: \$50 (May be waived at Board of Selectmen's discretion)

All Alcohol Wine and Malt

Event Wedding Reception

Name of Organization/Applicant Peppers Fine Catering

Address 43 Hudson Street Northborough, MA

SS# or FID# [REDACTED]

Phone 508 393-6844 Fax () Email patricia@pepperscatering.com

Non-Profit Organization Y N
Attach non-profit certificate of exemption

Event Location Thayer Homestead

Event Date 10-18-14

Event Hours (No later than 1:00 AM; Last call 12:30 AM) 4:30pm-11pm

Is event open to the general public? Y N

Estimated attendance 40

Will there be an age restriction? Y N Family Event
Minimum age allowed: _____

How, where and by whom will ID's be checked? By the Bartender

May be a few children attending wedding

Is there a charge for the beverages? Y N
Price structure: _____

Alcohol server(s) _____
Attach Proof of Alcohol Server Training - Not sure who is serving yet. All
Full Bar Bartenders tips certified.

Provisions for Security, Detail Officer N/A

Does the applicant have knowledge of State liquor laws? Y N

Experience All Bartenders tips Certified. Licensed for 26 Years

The following may be required:
Police Dept. - Detail; Fire Dept. - Detail; Board of Health - Food Permit; Building Dept. - Tent Permit

Date of Application 9-22-14

Applicant's Signature [Signature]

Applicant's Name Peppers Fine Catering

Address 43 Hudson St. Northborough, MA 01532

Phone 608 393-6844 Fax () _____ Email patricia@pepperscatering.com

The Board of Selectmen's Office will forward this application to the Police, Fire, and Building Departments and the Board of Health for approval and recommendations.

Police Department _____
315 Village St _____ Date _____

Fire Department _____
44 Milford St _____ Date _____

Board of Health _____
Town Hall, 2nd Fl _____ Date _____

Building Department _____
Town Hall, 1st Fl _____ Date _____



Medway Police Department

315 Village Street
Medway, MA 02053

Phone: 508-533-3212
FAX: 508-533-3216
Emergency: 911

Allen M. Tingley
Chief of Police

September 23, 2014

To: Michael Boynston
Town Administrator

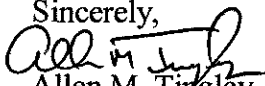
From: Allen M. Tingley
Chief of Police

Re: One day liquor license- Thayer Property- Wedding Reception

I have reviewed the request from Peppers Fine Catering, for a one day liquor license for a wedding reception, to be held at the Thayer House, 2B Oak Street, on October 18, 2014. I approve of the issuance of this one day liquor license with the stipulation that the alcohol wine and beer be purchased from a licensed alcohol wholesale distributor, as indicated on the license application and the Town of Medway's Alcohol Policy.

There will be no on-street parking on Mechanic Street and Oak Street

Sincerely,


Allen M. Tingley
Chief of Police

your Official TIPS® Certification Card.

With you as evidence of your skills and knowledge in the responsible consumption of alcohol.

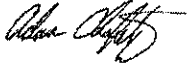
Congratulations!

After successfully completing the TIPS (Training for Intervention ProcedureS) you have taken your place in the forefront of a nationwide movement to reduce the tragedies resulting from the misuse of alcohol. We value your participation in the TIPS program.

Your help to provide a safer environment for your patrons, peers and/or employees by using the techniques you have learned and taking a positive approach towards alcohol use.

If you have any information you think would enhance the TIPS program, or if we can assist you in any way, please contact us at 703-524-1200. Thank you for your dedication to the responsible sale and consumption of alcohol.

Sincerely,



Adam F. Chafetz
President, HCI

IMPORTANT: Keep a copy of this card for your records. Write down your certification number because you will need it when contacting TIPS. For assistance or additional information, contact Health Communications, Inc. by using the information provided on the reverse side of your certification card. There is a minimal charge for a replacement card if your original card becomes lost, damaged or stolen.

TIPS	TIPS On Premise 2.0	SSN: XXX-XX-XXXX
Issued: 6/13/2014		Expires: 6/13/2017
ID#: 3748248		D.O.B.: XX/XX/XXXX
Lynne N Doody SKS Inc 43 Hudson St Northborough, MA 01532-1921		
For service visit us online at www.gettips.com		

Hurwitz / Peppers

AGENDA

ITEM #11

**Approval –
One-Day Alcohol License –
James and Sandra Gagliani –
October 12, 2014**

Associated back up materials attached.

- One-Day Alcohol License application submitted by James and Sandra Gagliani and associated supporting documentation
- Memorandum from Police Chief Tingley dated September 30, 2014.

Proposed Motion: I move that the Board approve a One-Day Alcohol License for James and Sandra Gagliani relative to an anniversary party scheduled at the Thayer Homestead on October 12, 2014 with the proviso that the conditions outlined in Police Chief Tingley's memorandum of September 30, 2014 are met and, further, that the Board vote to waive the \$50 application fee.

Board of Selectmen

Dennis P. Crowley, Chair
John A. Foresto, Vice-Chair
Richard A. D'Innocenzo, Clerk
Glenn D. Trindade
Maryjane White



Medway Town Hall
155 Village Street
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**TOWN OF MEDWAY
COMMONWEALTH OF MASSACHUSETTS**

APPLICATION FOR SPECIAL ONE-DAY LIQUOR LICENSE

MGL c.138, §14

Application for the purpose of selling or dispensing the following beverages permitted by law. A Section 12 license holder may not also be granted a Section 14 (one-day) license unless event is held at a separate location. A person holding a Section 14 license cannot purchase alcoholic beverages from a package store. Purchase must be made from a licensed wholesaler/importer, manufacturer, farmer-winery/brewery, or special permit holder.

For Profit Businesses are eligible for wine and malt license only.

Application must be submitted at least two weeks prior to event.

Fee: \$50 (May be waived at Board of Selectmen's discretion)

All Alcohol _____ Wine and Malt

Event ANNIVERSARY PARTY (50)

Name of Organization/Applicant JAMES & SANDRA GAGLIANI

Address 248 MAIN ST MEDWAY MA 02053

SS# or FID# [REDACTED]

Phone (508) 533-2155 Fax () _____ Email JANDSGAG@COMCAST.NET

Non-Profit Organization Y _____ N

Attach non-profit certificate of exemption

Event Location THAYER HOMESTEAD 23 OAK ST MEDWAY MA 02053

Event Date 10/12/2014

Event Hours (No later than 1:00 AM; Last call 12:30 AM) NOON - 5PM

Is event open to the general public? Y _____ N

Estimated attendance 50 people

Will there be an age restriction? Y _____ N X

Minimum age allowed: _____

How, where and by whom will ID's be checked? Paula & Josh Hoffman - daughter & Jim low

Is there a charge for the beverages? Y _____ N X

Price structure: _____

Alcohol server(s)

Attach Proof of Alcohol Server Training

Paula ; Josh Hoffman

Provisions for Security, Detail Officer _____

Does the applicant have knowledge of State liquor laws? Y ✓ N _____

Experience _____

The following may be required:

Police Dept. – Detail; Fire Dept. – Detail; Board of Health – Food Permit; Building Dept. – Tent Permit

Date of Application 9/26/2014

Applicant's Signature Sandra Gagliani

Applicant's Name Sandra Gagliani

Address 248 main st medway, ma 02053

Phone 508-533-2155 Fax () _____ Email Jandsgagi@comcast.net

The Board of Selectmen's Office will forward this application to the Police, Fire, and Building Departments and the Board of Health for approval and recommendations.

Police Department _____
315 Village St _____ Date _____

Fire Department _____
44 Milford St _____ Date _____

Board of Health _____
Town Hall, 2nd Fl _____ Date _____

Building Department _____
Town Hall, 1st Fl _____ Date _____

Food to be ordered through/ prepared by Olivia's (Milford)



EVIDENCE OF PROPERTY INSURANCE

DATE (MM/DD/YYYY)
9/26/2014

THIS EVIDENCE OF PROPERTY INSURANCE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFER NO RIGHTS UPON THE ADDITIONAL INTEREST NAMED BELOW. THIS EVIDENCE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS EVIDENCE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE ADDITIONAL INTEREST.

AGENCY L.S. Jack Insurance Agency 185 Village Street Medway MA 02053		PHONE (A/C, H/O, Ext) 508-533-6572	COMPANY Citation Insurance Company	
FAX (A/C, No): 508-533-2977		E-MAIL ADDRESS: wally@jackinsuranceagency.com		
CODE: 535		SUB CODE:		
AGENCY CUSTOMER ID # James K Gagliani & Sandra K Gagliani 248 Main St. Medway MA 02053		LOAN NUMBER	POLICY NUMBER H 355586	<input type="checkbox"/> CONTINUES UNTIL TERMINATED IF CHECKED
		EFFECTIVE DATE 12/03/2013	EXPIRATION DATE 12/03/2014	
THIS REPLACES PRIOR EVIDENCE DATED:				

PROPERTY INFORMATION

LOCATION/DESCRIPTION

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS EVIDENCE OF PROPERTY INSURANCE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

COVERAGE INFORMATION

COVERAGE / PERILS / FORMS	AMOUNT OF INSURANCE	DEDUCTIBLE
Homeowners Form HO-0003(04-01)		
A. Dwelling	\$277,000.	\$500
B. Other Structures	\$ 55,400.	
C. Personal Property	\$193,500.	
D. Loss of Use	\$110,500.	
E. Personal Liability	\$500,000.	
F. Medical Payments	\$ 1,000.	


REMARKS (including Special Conditions)

Personal liability coverage limit of \$500,000 extends to October 12, 2014 event at The Thayer Homestead at 28 Oak Street, Medway, MA 02053 owned by the Town of Medway, MA. There are no exclusions for the disbursement of liquor at this event.

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

ADDITIONAL INTEREST

NAME AND ADDRESS	<input type="checkbox"/> MORTGAGEE	<input type="checkbox"/> ADDITIONAL INSURED
	<input type="checkbox"/> LOSS PAYEE	
	LOAN #	
AUTHORIZED REPRESENTATIVE 		

ACORD 27 (2009/12)

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Medway Police Department

315 Village Street
Medway, MA 02053

Phone: 508-533-3212
FAX: 508-533-3216
Emergency: 911

Allen M. Tingley
Chief of Police

September 30, 2014

To: Michael Boynton
Town Administrator

From: Allen M. Tingley
Chief of Police

Re: Gagliani- One-Day Liquor request – Thayer House

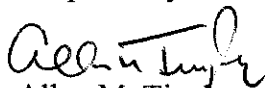
I have reviewed the application for the ^{one} day liquor license request for the Gagliani anniversary party scheduled for October 12, 2014 starting at 12:00 PM and ending at 5:00 PM.

I approve of the issuing of the permits with the following condition.

There will be no on-street parking on either side of Oak Street or Mechanic Street.

The serving of the beer and wine will comply with the standards set forth in the Town of Medway's liquor policy for a one day alcoholic beverage license (At the Boards discretion a certified server should be on the premises), and the Alcoholic Beverage Control Commissions rule concerning one day licenses (Special licensees cannot purchase alcoholic beverages from a package store and cannot accept donations of alcoholic beverages from anyone) are followed.

Respectfully Submitted


Allen M. Tingley
Chief of Police

AGENDA ITEM #12

Action Items from Previous Meetings

Associated back up materials attached.

- Action Item List

	DATE	ACTION ITEMS BOS	WHO	COMPLETED
1	7/6/2010	Street acceptance progress	S. Affleck-Childs	Ongoing
2	9/20/2010	Route 109 Project	T. Holder/M. Boynton	Ongoing
3	2/4/2013	Brentwood Project	DPS	Ongoing
4	4/1/2013	Speak with owner of Oakland St property re: possible park extension;	G. Trindade/M. Boynt	In process
5	2/3/2014	Cable license renewal process (commences 36 mos. ahead of license exp.)	BOS	begin no later than 9/16/14
6	2/24/2014	Report on unaccounted for water	T. Holder	Last report 8/11/14
7	7/22/2014	Net-metering Agreement	J. Foresto	Ongoing
8	7/28/2014	Policy - Responsibility for implementation School construction projects	BOS	October
9	7/28/2014	Zoning Bylaw recodification	SAC/Judi Barrett	2014 Fall Town Meeting
10	7/28/2014	DPS Facility Study	G. Trindade	1st Mtg - Sep 25
11	8/11/2014	McGovern School windows project (final design)	School Dept.	March or April 2015
12	8/11/2014	Discussion with CRPCD Reps	BOS	October 2014
13	8/11/2014	Banner Display Policy - Zoning Bylaw Amendment	TA's Office	2014 Fall Town Meeting
14	8/11/2014	Consideration of Local Meals Tax	BOS	Fall 2014

AGENDA

ITEM #13

Approval of Warrants

Warrants to be provided at meeting.

AGENDA ITEM #14

Approval of Minutes

- Board of Selectmen Meeting April 22, 2014
- Board of Selectmen Meeting July 28, 2014

1 **Board of Selectmen's Meeting**
2 **Tuesday, April 22, 2014 – 6:00 PM**
3 **Sanford Hall**
4 **155 Village Street**
5
6

7 **Present: Selectman Glenn Trindade, Chair; Selectman Dennis Crowley, Vice-Chair; Selectman Richard**
8 **D'Innocenzo, Clerk (6:23 PM); and Selectman John Foresto.**

9
10 **Absent: Selectman Maryjane White.**

11
12 **Also Present: Suzanne Kennedy, Town Administrator; Barbara Saint André, Town Counsel; Tom Holder,**
13 **Director, Department of Public Services.**

14
15 *****
16

17 **At 6:00 PM Chairman Trindade called the meeting to order and led the Pledge of Allegiance.**

18
19 **Executive Session:**

20 **At 6:01 PM Chairman Trindade moved that the Board enter executive session under Exemption 3 to**
21 **discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the**
22 **litigating position of the public body and the chair so declares [Woodside Condominiums] and**
23 **Exemption 6 to consider the purchase, exchange, lease or value of real property if the chair declares**
24 **than an open meeting may have a detrimental effect on the negotiating position of the public body**
25 **[American Legion, Mayer Property] with the intent to return to public session; Selectman Foresto**
26 **seconded. In both cases, the chair did so declare. Roll call vote: 3-0-0 – Crowley, aye; Foresto, aye;**
27 **Trindade, aye.**

28
29 *****
30

31 **At 6:32 PM Chairman Trindade reconvened public session.**

32
33 **Public Comments: None.**

34
35 **Authorization of Chairman to Execute Contract for Sewer Jet Cleaning and Sewer Camera Inspections,**
36 **Clogbusters Underground Technology, Inc., \$10,000:**

37 *The Board reviewed the following information: (1) Scope of work memo, dated April 22, 2014, from Tom*
38 *Holder, DPS Director.*

39
40 **Mr. Tom Holder reported that this contract is for two years. The vendor was the low bidder and has**
41 **worked in Medway before. He indicated they are very responsive and reliable.**

42
43 **Selectman Foresto moved that the Board authorize the Chairman to execute a contract with**
44 **Clogbusters Underground Technology, Inc. to perform sewer jet cleaning and sewer camera**
45 **inspections in an amount not to exceed \$10,000; Selectman D'Innocenzo seconded. No discussion.**
46 **VOTE: 4-0-0.**

47
48

1 **Authorization of Chairman to Execute Contract for Pavement Milling, Garrity Asphalt Reclaiming, Inc.,**
2 **\$30,000:**

3 *The Board reviewed the following information: (1) Scope of work memo, dated April 22, 2014, from Tom*
4 *Holder, DPS Director; and (2) Contract.*

5
6 Mr. Tom Holder reported that this is the third part of three components of the roadway restoration
7 program, and this vendor will work in collaboration with the paving company. He noted that the vendor
8 was the low bidder in the bid process, and that they have worked in Medway for a number of years. It is
9 also a two-year contract.

10
11 **Selectman Foresto moved that the Board authorize the Chairman to execute a contract with Garrity**
12 **Asphalt Reclaiming, Inc. to perform pavement million in an amount not to exceed \$30,000; Selectman**
13 **D’Innocenzo seconded. No discussion. VOTE: 4-0-0.**

14
15 **Authorization of Chairman to Execute Contract for Solid Waste and Recycling Collection, Waste**
16 **Management, \$600,000:**

17 *The Board reviewed the following information: (1) Scope of work memo, dated April 22, 2014, from Tom*
18 *Holder, DPS Director; and (2) Contract.*

19
20 Mr. Tom Holder reported that this contract is for single-stream recycling, noting that it was a hard
21 contract to put together and includes a lot of protections and details. He stated he is pleased with the
22 pricing and the scope of services. This contract includes the program for the recycling carts. After this
23 vote/approval, the Department of Public Services will execute a purchase order for the carts and begin
24 public outreach. This reduces the budget by \$150,000, and there is also a grant for \$58,000 to offset the
25 cost of the recycling carts. Regarding public outreach, he intends to utilize the cable television access
26 channel, the Town website, and mailings to reach as many households as possible. He is looking into
27 use of the school email program to provide information, as well.

28
29 Selectman Foresto wanted to know how to add the Thayer House to the list of municipal properties that
30 will be serviced. Mr. Holder responded that they will first see how much recycling is generated from
31 that property and then provide the appropriate size cart. The program’s cost is dependent on how often
32 containers are emptied so it is better to be emptied less frequently.

33
34 Responding to a question from Selectman D’Innocenzo, Mr. Holder stated residents can get a second
35 recycling cart if they have more than the original one will contain. The second one can be provided at a
36 cost of \$65. This is only if they exceed the amount collected/emptied in two weeks. Brief discussion
37 followed on use of smaller carts. Mr. Holder stated he would like to consider smaller carts based on
38 physical need and the inability to handle the larger cart.

39
40 Per Selectman Crowley’s request, Mr. Holder will provide the Board with a cost breakdown of collection
41 every week versus every other week. He did not have those figures with him tonight.

42
43 **Selectman Foresto moved that the Board authorize the Chairman to execute a contract with Waste**
44 **Management to perform solid waste and recycling collection in an amount not to exceed \$600,000;**
45 **Selectman D’Innocenzo seconded. It is noted that the pricing is a unit pricing contract estimate. No**
46 **further discussion. VOTE: 4-0-0.**

47
48 **Discussion – Legislative Earmark, Vietnam Moving Wall:**

1 *The Board reviewed an email, dated April 15, 2014, from Sarah Soan, Budget Analyst, Department of*
2 *Veterans Services.*

3
4 Ms. Kennedy reported the email came to Selectman Crowley, and it is possible there may have been an
5 earmark for the Town of Medway that was not utilized. It will be a check for \$15,000. The VFW is
6 collecting the invoices (they are sponsoring it), and the reimbursement has to come through the Town.

7
8 Ms. Kennedy will call Ms. Soan tomorrow and work out the details. It was noted that Senator Karen
9 Spilka spearheaded the effort.

10
11 **Re-opening and Closing of May 12 Special Town Meeting Warrant – Land Acquisition, Article 13:**

12 *The Board reviewed the revised Special Town Meeting Warrant.*

13
14 **Selectman Foresto moved that the Board re-open the May 12 Special Town Meeting warrant;**
15 **Selectman D’Innocenzo seconded. No discussion. VOTE: 4-0-0.**

16
17 Ms. Kennedy briefly reported on proposed Article 13 (Land Acquisition), noting that the method of
18 acquiring the property has been identified (eminent domain). Brief discussion followed.

19
20 **Selectman Foresto moved to accept Article 13 (Land Acquisition), as presented; Selectman**
21 **D’Innocenzo seconded. No discussion. VOTE: 4-0-0.**

22
23 **Selectman Foresto moved that the Board close the May 12 Special Town Meeting Warrant; Selectman**
24 **D’Innocenzo seconded. No discussion. VOTE: 4-0-0.**

25
26 **Annual Town Meeting Warrant**

27 **Selectman Foresto moved that the Board re-open the 2014 Annual Town Meeting Warrant; Selectman**
28 **D’Innocenzo seconded. No discussion. VOTE: 4-0-0.**

29
30 Ms. Kennedy stated that the new Article 18 is to repurpose funds designated for the Middle School
31 improvements in order to use the money for repairs to the parking lot. The dollar amount noted in the
32 article may or may not be sufficient, and Town Moderator Mark Cerel suggested re-opening and closing
33 the warrant to increase the dollar figure rather than relying on the Town Meeting motion to do so.

34
35 Selectman Crowley noted that the \$550,000 is the engineer’s estimate of the parking lot repairs. He
36 suggested that the dollar amount be increased to \$575,000 to be certain the actual amount will be
37 covered. Ms. Kennedy stated that any unused amount from a Town Meeting article has to be
38 repurposed at a subsequent Town Meeting. Brief discussion followed.

39
40 **Selectman Foresto moved that the Board revised the dollar amount in Article 18 to \$575,000;**
41 **Selectman D’Innocenzo seconded. No discussion. VOTE: 4-0-0.**

42
43 **Selectman Foresto moved that the Board close the 2014 Annual Town Meeting Warrant; Selectman**
44 **D’Innocenzo seconded. No discussion. VOTE: 4-0-0.**

45
46 **Action Items from Previous Meetings:**

47 *The Board reviewed a revised Action Items list.*

1 Ms. Kennedy reported the Water and Sewer report will be available next week. It will be sent to the
2 Water & Sewer Commission, and she will ask that the Board of Selectmen be included on the report
3 distribution.

4
5 **Town Administrator Selection Committee:**

6 Responding to Selectman Crowley's question, Ms. Kennedy stated that six individuals have been invited in
7 for interviews next week, after which the pool of candidates will be narrowed down to three. Selectman
8 Crowley asked if he could meet with each candidate on a one-on-one basis. Brief discussion followed. Ms.
9 Kennedy will check with Town Counsel and the Collins Center as to procedure.

10
11 **Approval of Minutes:**

12 *The Board reviewed draft minutes from meetings held on December 16, 2013; January 6, 2014 and*
13 *January 11, 2014.*

14
15 **Selectman Foresto moved that the Board approve the minutes of December 16, 2013, as drafted;**
16 **Selectman D'Innocenzo seconded. No discussion. VOTE: 3-0-1 Crowley abstained.**

17
18 **Selectman Foresto moved that the Board approve the minutes of January 6, 2014, as drafted;**
19 **Selectman D'Innocenzo seconded. No discussion. VOTE: 3-0-1 Crowley abstained.**

20
21 **Selectman Foresto moved that the Board approve the minutes of January 11, 2014, as drafted;**
22 **Selectman D'Innocenzo seconded. No discussion. VOTE: 3-0-1 Crowley abstained.**

23
24 **7:00 PM – Public Hearing on Wine & Malt License Transfer – JANL Corp. d/b/a The Little Store, Vivaan,**
25 **LLC d/b/a One Stop Convenience; Vote on Alcohol License Transfer:**

26 *The Board reviewed an ABCC application with supporting documentation.*

27
28 **At 7:00 PM Chairman Trindade moved that the Board open a public hearing on the proposed wine &**
29 **malt alcohol license transfer from JANL Corporation d/b/a The Little Store to Vivaan, LLC d/b/a One**
30 **Stop Convenience, to be located at 76 Holliston Street; Selectman Foresto seconded. No discussion.**
31 **VOTE: 4-0-0.**

32
33 Present: Henry S. Levin, Attorney for the applicant; Habib Patel, applicant.

34
35 Mr. Henry Levin stated the purchase is for both the real estate and the business. The entity buying the
36 property is White Pearl, LLC. Mr. Patel briefly reviewed his background in this kind of business, noting
37 he will be the manager and is the sole member of the LLC. Financing will be provided by the bank,
38 subject to the transfer of the license. Some renovation will occur in the building but Mr. Patel wanted to
39 make sure the license transfer would go through first.

40
41 Responding to a question from Selectman Crowley, Mr. Patel elaborated that this is his first business
42 where he is the owner, adding that he has been working in family businesses for some time. He has
43 been working with a cousin's family managing a liquor store in Oxford. Selectman Crowley asked if
44 there were plans to do something else with the large piece of land behind the business other than the
45 U-Haul business. Mr. Patel responded that, for now, it will be just the liquor business.

46
47 It was noted that this is a convenience store set-up with only beer and wine, along with milk, bread, and
48 basic groceries and will be renamed One Stop Convenience.

1
2 Ms. Karen Kisty reported that separate background checks were not done as ABBC will do those at their
3 end. She reminded the Board that the entire application consists of 331 pages.

4
5 **At 7:05 PM Chairman Trindade moved to close the public hearing; Selectman Foresto seconded. No**
6 **discussion. VOTE: 4-0-0.**

7
8 **Chairman Trindade moved that the Board approve the transfer of the wine & malt alcohol license**
9 **from JANL Corporation d/b/a The Little Store to Vivaan, LLC d/b/a One Stop Convenience to be**
10 **located at 76 Holliston Street; Selectman Foresto seconded. No discussion. VOTE: 4-0-0.**

11
12 **Presentation – Novus Agenda, Integrated Meeting and Agenda Management Software:**

13 *The Board reviewed Novus Solutions “NovusAGENDA” Meeting Management solution proposal*
14 *materials.*

15
16 Ms. Kennedy stated this was one of the topics of discussion at a recent regional meeting focusing on
17 how to more effectively communicate with staff as well as handle meeting minutes and scheduling. It
18 would provide uniformity in meeting minutes and excellent tools for the whole process.

19
20 It is noted that the presenter, Mr. Byron Gillin, participated remotely from his Florida home.

21
22 After introductions, Mr. Gillin explained that this program has been around for 14 years. All of their
23 business is with municipalities and automating business processes. As a “dynamic” program, it can be
24 utilized with any device without special programming and includes the following features:

- 25 ➤ Ability to do research on a particular topic
26 ➤ It can go right to a particular agenda item,
27 ➤ Items can be shared with other departments and groups,
28 ➤ Attendees can take notes on the agenda item, and
29 ➤ The program will retain them.

30
31 Responding to a question from Selectmen Foresto regarding data storage, Mr. Gillin stated the
32 information can be stored on either the Town’s server or theirs, and noted that most clients keep it on
33 the vendor’s server. Continuing, he stated that documents can be loaded from previous years,
34 cautioning that some of the program’s features will not work on old PDF documents. HTML is the
35 preferred format.

36
37 Selectman Crowley asked if there is any difference in the time it takes to load a document into the
38 system than the way we currently use it. Mr. Gillin responded that staff can utilize last year’s document,
39 and easily update it instead of revising an existing one. Brief discussion followed on earmarking
40 frequently used documents as well as streaming; Mr. Gillin clarified that streaming and indexing are an
41 extra fee, as are in-meeting tools such as voting.

42
43 **Approval of Warrants:**

44 *The Board reviewed Warrant 14-43, dated 4/24/14.*

45
46 Selectman Richard D’Innocenzo, Clerk, read aloud Warrant 14-43, dated 4/24/14, presented for
47 approval:

1	School Bills	\$ 414,954.47
2	Town Payroll	251,368.71
3	School Payroll	<u>795,258.02</u>
4	TOTAL	\$1,461,581.20

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Selectman Foresto moved that the Board approve Warrant 14-43 as read; Selectman Crowley seconded. No discussion. VOTE: 4-0-0.

Town Administrator's Report:

Ms. Kennedy reported there will be a meeting this week regarding a possible traffic light at the intersection of Route 109 and Trotter Drive. Data will be collected for a report to be issued this summer. If it is determined that there should be a traffic light there, the project could go on the MPO list. The Town would have to come up with 25% of the design fees, or approximately \$150,000.

Ms. Kennedy announced that \$600,000 of pothole money has to be spent by September 30, and the plan for it has to be developed by June 30.

Selectmen's Reports:

There were no reports.

At 7:28 PM Selectman Foresto moved to adjourn; Selectman D'Innocenzo seconded. No discussion. VOTE: 4-0-0.

Respectfully submitted,
Jeanette Galliardt
Night Board Secretary

1 **Board of Selectmen's Meeting**
2 **Monday, July 28, 2014 – 6:30 PM**
3 **Sanford Hall**
4 **15 Village Street**
5
6

7 **Present: Dennis Crowley, Chair; John Foresto, Vice-Chair; Richard D'Innocenzo, Clerk (6:43); Glenn**
8 **Trindade and Maryjane White.**
9

10 Also Present: Michael Boynton, Town Administrator; Barbara Saint André, Town Counsel; Susy Affleck-
11 Childs, Economic Development and Planning Coordinator; Missy Dziczek, Director, Council on Aging.
12

13 *****

14
15 At 6:30 PM Chairman Crowley called the meeting to order and led the Pledge of Allegiance.
16

17 **Executive Session:**

18 **At 6:32 PM Selectman Trindade moved that the Board enter Executive Session under Exemption 3 to**
19 **discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the**
20 **litigating position of the public body and the chair so declares [Ralph Costello – Applegate Subdivision]**
21 **with the intent to return to public session; Selectman Foresto seconded. The Chair did so declare. No**
22 **discussion. Roll Call Vote: 4-0-0 -- Crowley, aye; Foresto, aye; Trindade, aye; White, aye.**
23

24 *****

25
26 Chairman Crowley reconvened public session at 6:36 PM.
27

28 **Public Comments:**

29 At this time, Selectman Trindade announced that there is a new Friends of Medway Facebook page and a
30 recent discussion topic involved the Town's conversion to new recycling carts. A concern is that, even
31 with that large recycling cart, collection every two weeks is insufficient due to the volume of recycling
32 some families have. People are requesting additional bins, which the Department of Public Services is able
33 to accommodate. Residents have been encouraged to also come to meetings and share their thoughts
34 during the Public Comment period.
35

36 **Introduction of New Town Administrator – Michael Boynton:**

37 Chairman Crowley welcomed Mr. Michael Boynton to Medway, noting this is his first day as the new
38 Town Administrator. Mr. Boynton stated he was feeling a little overwhelmed at the moment, but
39 complimented Suzanne Kennedy, the former Town Administrator, for leaving everything in terrific order.
40 He added that he feels fortunate to be working with a fantastic group of people, noting that he fosters
41 an "open door" policy whenever possible.
42

43 **Authorization to Expend Grant Funds and Authorization of Chairman to Execute Associated Contract,**
44 **Department of Energy Resources (DOER) Green Communities Grant, \$205,925:**

45 *The Board reviewed the following information: (1) Notice of Grant Award; (2) Correspondence from*
46 *Department of Energy Resources Green Communities Division, dated July 14, 2014; (3) Contract between*
47 *the Town of Medway and the Commonwealth (DOER); and (4) Email, dated July 23, 2014, from Town*
48 *Counsel.*

1
2 Ms. Affleck-Childs reported she is pleased about the grant award. She indicated the Town has until April
3 2016 to spend the funds, noting that there are already several projects waiting. She clarified that the
4 Town needs to acknowledge the receipt of the grant funding which will be disbursed as the money is
5 spent. There will be a match of funds from the Fiscal 2016 budget resulting from a town-wide energy-
6 efficient article at Annual Town Meeting. Selectman Foresto pointed out that the funds are actually
7 more when the rebates are considered.
8

9 **Selectman Trindade moved that the Board approve the grant awarded by the Department of Energy**
10 **Resources (DOER) Green Communities Division in the amount of \$205,925, execute the associated**
11 **Notice of Grant Award and authorize the Chair to execute the associated contract; Selectman Foresto**
12 **seconded. No discussion. VOTE: 5-0-0.**
13

14 Regarding the new position of Energy Manager, the first round of interviews were conducted last week,
15 and a second round will be scheduled soon.
16

17 Ms. Affleck-Childs reported that Gino Carlucci and David D'Amico both worked on the grant application.
18 She stressed the importance of maintaining the Town's "Green Community" Designation, which makes
19 the Town eligible for grant programs such as this.
20

21 Brief discussion followed on energy and construction projects at the schools.
22

23 **Approval – Memorandum of Understanding, Ralph Costello/Applegate Subdivision:**

24 *The Board reviewed relevant materials in Executive Session.*
25

26 Chairman Crowley informed viewers that an understanding has been reached between Mr. Costello and
27 the Town relative to drainage issues in the Applegate Subdivision.
28

29 **Re-open Public Comment**

30 At this time, Chairman Crowley reopened the Public Comment period to allow a resident to speak. Ms.
31 Carrie David, 6 Kimberly Drive, expressed concerns about the recently-updated recycling collection
32 program, asking that it be changed to a weekly collection. Many families in her neighborhood are
33 experiencing overflowing recycling carts, and some of those residents are putting recyclable items into
34 their trash because their recycling carts are full. Ms. David acknowledged that having a second recycling
35 cart is a nice idea but people may not have adequate space to store them. It was noted that recyclable
36 items have to be separated if they are taken to the recycling center.
37

38 Selectman Trindade suggested taking photographs of the overfilling bins so there is a record. Chairman
39 Crowley stated the Board can ask the DPS to look into it. It was suggested that, while there may be an
40 additional charge for a second cart, that cart may be available at no extra cost. Chairman Crowley
41 pointed out that he has seen recycling carts with cardboard boxes that have not been broken down and
42 urged residents to compact the recyclable items as much as possible. There have not been a lot of
43 complaints from residents yet regarding the schedule or any other part of the program. He also pointed
44 out that the Town saves over \$100,000 with current bi-weekly collection, and there would likely be a
45 sizeable penalty if the contract is broken.
46

47 **Authorization to Expend Grant Funds – Executive Office of Elder Affairs Grant, Council on Aging, \$16,024:**

1 *The Board reviewed the following information: (1) Notice of Grant Award; and (2) Information from the*
2 *Executive Office of Elder Affairs – FY2015 Formula Grant/Allocation Authorization and COA Formula*
3 *Grant Preliminary Budget.*

4
5 Ms. Missy Dziczek reported this is an annual grant based on number of seniors, noting there are
6 presently over 2,000 senior citizens in Medway.

7
8 **Selectman Foresto moved that the Board accept the grant offered by the Executive Office of Elder**
9 **Affairs in the amount of \$16,024 and authorize the Chair to execute the *FY15 Grant/Allocation –***
10 ***Statement of Authority*; Selectman Trindade seconded. No discussion. VOTE: 5-0-0.**

11
12 Ms. Dziczek informed the Board of the annual birthday party for Medway residents 90 years of age and
13 older on Thursday, July 31, at noon. There are currently 45 residents who have reached that milestone.

14
15 **Approval – One Day Liquor License, Stephen Lawton, August 10, 2014:**

16 *The Board reviewed the following information: (1) Application submitted by Stephen Lawton; (2)*
17 *Insurance Certificate and email from Karen Kisty, Operations Manager, dated July 17, 2014; and (3)*
18 *Recommendation from Police Chief Tingley, dated July 15, 2014.*

19
20 It was noted that this event is a baby shower at the Thayer House.

21
22 **Selectman Foresto moved that the Board approve a Special One-Day Liquor License for Stephen**
23 **Lawton for an August 10, 2014 event to be held at the Thayer Homestead with the proviso that the**
24 **requirements set forth in Police Chief Tingley’s memorandum are met and the proper Certificate of**
25 **Insurance is received; Selectman Trindade seconded. No discussion. VOTE: 5-0-0.**

26
27 **Approval – One Day Liquor License, Medway Community Farm Farm to Fork Event, August 23, 2014:**

28 *The Board reviewed the following information: (1) Application submitted by Medway Community Farm;*
29 *(2) Recommendation, dated July 15, 2014, from Police Chief Tingley; and (3) Email, dated July 17, 2014,*
30 *from Karen Kisty, Operations Manager, and copy of BOS Alcohol License Policy/One-Day or Special*
31 *License Section.*

32
33 **Selectman Trindade moved that the Board approve a Special One-Day Liquor License for the Medway**
34 **Community Farm’s Farm to Fork event on August 23, 2014 with the proviso that the requirements set**
35 **forth in Police Chief Tingley’s memorandum are met and the proper Certificate of Insurance is**
36 **received; Selectman Foresto seconded. No discussion. VOTE: 5-0-0. The Board will hold approval**
37 **documents until the insurance certificate listing the Town as additional insured is received.**

38
39 **Approval – Entertainment License, Medway Community Farm Farm to Fork Event, August 23, 2014:**

40 *The Board reviewed a request, dated July 28, 2014, with supporting information.*

41
42 **Selectman Foresto moved that the Board approve an Entertainment License for the Medway**
43 **Community Farm’s Farm to Fork Event to be held on August 23, 2014; Selectman Trindade seconded.**
44 **No discussion. VOTE: 5-0-0.**

45
46 **Approval – FY15 Board/Commission/Committee Appointments and (Re)Appointments:**

47 *The Board reviewed the FY2015 Matrix.*

1 There was brief discussion regarding appointments to the Charles River Pollution Control District and
2 SWAP. Selectman Trindade volunteered to work with the Charles River Pollution Control District.

3
4 **Selectman Trindade moved to approve the reappointments to the various boards, commissions and**
5 **committees as set forth in the FY2015 Matrix; Selectman D’Innocenzo seconded. Chairman Crowley**
6 **offered a friendly amendment that the Board delay the appointments to the Charles River Pollution**
7 **Control District and SWAP. Selectman Trindade accepted the amendment; Selectman D’Innocenzo**
8 **seconded the amended motion. Brief discussion followed on the vacancy on Board of Assessors. No**
9 **further discussion on the motion. VOTE: 5-0-0.**

10
11 **Action Items**

12 Oakland Street property – Selectman Trindade reported there is an agreement with the owner that will
13 involve action at Fall Town Meeting.

14
15 Unaccounted for water –The Board will ask Mr. Holder to provide an update.

16
17 Brentwood drainage – The Board will ask Mr. Holder to provide an update.

18
19 Net Metering Contract – Selectman Foresto provided some information; brief discussion followed.

20
21 **Approval of Warrants**

22 *The Board reviewed Warrant 15-5.*

23
24 Selectman D’Innocenzo read aloud Warrant 15-5, dated July 31, 2014, presented for approval:

25			
26	15-5S	School Bills	\$ 159,731.33
27	15-5P	Town Payroll	302,014.80
28	15-5SP	School Payroll	144,924.98
29	E1-14SP	School Payroll	<u>413,928.00</u>
30		TOTAL	\$1,020,599.11

31
32 **Selectman Trindade moved to approve the Warrant as read, Selectman White seconded. No**
33 **discussion. VOTE: 5-0-0.**

34
35 **Approval of Minutes**

36 *The Board reviewed draft minutes from March 4, March 15, March 17, March 18, March 24, April 15,*
37 *May 12, May 19, June 4, and June 24, 2014.*

38
39 **Selectman Foresto moved that the Board approve the minutes of March 4, 2014, as amended;**
40 **Selectman D’Innocenzo seconded. No further discussion. VOTE: 5-0-0.**

41
42 **Selectman Foresto moved that the Board approve the minutes of March 15, 2014, as drafted; Selectman**
43 **White seconded. Brief discussion followed. Selectman Foresto withdrew his motion. Chairman Crowley**
44 **moved that the Board approve the minutes of March 15, 2014, as amended; Selectman White seconded.**
45 **No further discussion. VOTE: 4-0-1 – D’Innocenzo abstained as he was absent from the meeting.**

46
47 **Selectman Foresto moved that the Board approve the minutes of March 17, 2014, as drafted;**
48 **Selectman White seconded. No discussion. VOTE: 5-0-0**

1
2 **Selectman Foresto moved that the Board approve the minutes of March 18, 2014, as drafted;**
3 **Selectman White seconded. No discussion. VOTE: 5-0-0**

4
5 **Selectman Foresto moved that the Board approve the minutes of March 24, 2014, as drafted;**
6 **Selectman White seconded. No discussion. VOTE: 5-0-0.**

7
8 **Selectman Foresto moved that the Board approve the minutes of April 15, 2014; as drafted; Selectman**
9 **White seconded. No discussion. VOTE: 5-0-0.**

10
11 **Selectman Foresto moved that the Board approve the minutes of May 12, 2014, as amended;**
12 **Selectman D’Innocenzo seconded. No discussion. VOTE: 5-0-0.**

13
14 **Selectman Foresto moved that the Board approve the minutes of May 19, 2014, as drafted; Selectman**
15 **D’Innocenzo seconded. No discussion. VOTE: 5-0-0.**

16
17 **Selectman Foresto moved that the Board approve the minutes of June 4, 2014, as drafted; Selectman**
18 **White seconded. No discussion. VOTE: 5-0-0.**

19
20 **Selectman Foresto moved that the Board approve the minutes of June 24, 2014, as drafted; Selectman**
21 **White seconded. No discussion. VOTE: 5-0-0.**

22
23 **Re-open Public Comment**

24 Ms. Susan Robinson, 6 Shaw Street, indicated that some townspeople are not happy about bi-weekly
25 collection of recyclable items and only having one recycling cart. She reported that her recycling cart
26 was full the first week and requested a second one. She expressed concern that, if her family is away,
27 they miss the collection which is very inconvenient. Ms. Robinson reported that she also drives a school
28 bus in Medway and expressed concern that the carts will be in the road in the winter months. She asked
29 the Board to please reconsider the frequency of collection. Discussion followed. Residents were
30 encouraged to let the Board know their thoughts and comments on the program.

31
32 **Town Administrator’s Report**

33 Mr. Michael Boynton stated that it will take a little time to get up to speed. He briefly reported on the
34 following matters: energy manager interview process, cable television license renewal, Sansoucy utility
35 valuation project and a new position in Community Development. He noted that filling this position is a
36 priority, and acknowledged that he needs to learn more about how the position was created, how it will
37 be funded, and related facts.

38
39 **Selectmen’s Reports**

40 Selectman White reported that Medway residents Sue and Peter Cooper made a gift to the Town in the
41 form of portraits of Mr. Sanford and his wife. These will be on display at the Thayer Homestead.
42 Additionally, she announced that there is a new Garden Club in Medway, and their efforts can be seen
43 at the Fire Station, the Police Station and the Medway Public Library.

44
45 Selectman D’Innocenzo stated that Medway Day was terrific and complimented the efforts as being a
46 great job and nice fireworks. He reported that the Hanlon field project is moving along and should be
47 finished in early September. Chairman Crowley clarified for viewers that no funds from the Town
48 budget were used for either Medway Day or the Medway 300 celebration.

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No reports from Selectman Trindade and Selectman Foresto.

Chairman Crowley discussed the following topics:

- Snow and ice budget – are there any supplemental funds that might be available this year? Mr. Boynton responded there were none thus far.
- Status of zoning bylaw reorganization to be on Fall Town Meeting warrant -- Could there be an update on Action Items list at the next meeting. Mr. Boynton stated he will be meeting with Susy Affleck-Childs and Judi Barrett this week.
- DPS Facility Committee – Selectman Trindade reported that the group has not met yet. Now that Mr. Boynton is here, he will put the meeting together.
- Tobacco21 – this was on the May ballot and the Board of Health is enacting the necessary changes to regulations.
- Looking for update of FY14 budget with the final numbers.
- Looking for Charles River Pollution Control to provide update on its project, financing, etc.
- Need to discuss date for strategic planning initiative.

At 8:06 PM Selectman D’Innocenzo moved to adjourn; Selectman White seconded. No discussion.

VOTE: 5-0-0.

Respectfully submitted,
Jeanette Galliard
Night Board Secretary

AGENDA ITEM #15

Town Administrator's Report

AGENDA

ITEM #16

Selectmen's Reports