



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

June 24, 2014

SITE PLAN MODIFICATION DECISION
Lawrence Waste Services - 49 Alder Street
Approved with Waivers and Conditions

Decision Date: June 24, 2014

Name/Address of Applicant: East Hill Associates Realty
49 Alder Street
Medway, MA 02053

Name/Address of Owner: East Hill Associates Realty
49 Alder Street
Medway, MA 02053

Engineer: Guerriere & Halnon, Inc.
P.O. Box 235
Milford, MA 01757

Site Plan: *Lawrence Waste Services Site Plan for 49 Alder ST,*
Medway, MA,
Prepared by Guerriere & Halnon, Milford, MA.
April 29, 2014, last revised May 28, 2014

Location: 49 Alder Street

Assessors' Reference: Map 3: Parcel 41

Zoning District: Industrial III

I. PROJECT DESCRIPTION - The applicant/property owner proposes to construct a one story, 4,500 sq. ft. steel garage building to support the operation of the existing waste removal business (pick-up and delivery of trash containers/dumpsters). The proposed garage will be constructed on the paved area located behind the existing Lawrence Waste Services building which was constructed in 2012. The new garage building will consist of three bays for dumpster maintenance plus a bathroom and is designed to match the existing structure. The building will have water, electric, gas and sewer connections as shown on the site plan. The roof stormwater runoff will be connected to the existing drain line from the existing building and directed into the existing underground basin. The site is presently serviced by public water and sewer and has gas service from Alder Street. There will be no waste stored on site, only clean waste containers.

The proposed scope of work constitutes a substantial modification to the previously approved site plan for Lawrence Services endorsed on June 26, 2012.

II. VOTE OF THE BOARD – After reviewing the application and information gathered during the public hearing and review process, the Medway Planning and Economic Development Board, on June 24, 2014, on a motion made by Robert Tucker, seconded by Matthew Hayes, **voted to APPROVE with WAIVERS and CONDITIONS** as specified herein, the application of East Hill Associates Realty of Medway, MA to modify the previously approved site plan for the construction of a 4,500 sq. ft. addition to the Lawrence Waste Services facility at 49 Alder Street. The vote was 5 in favor and 0 opposed.

Planning & Economic Development Board Member	Vote
Thomas Gay	YES
Matthew Hayes	YES
Andy Rodenhiser	YES
Karyl Spiller-Walsh	YES
Robert Tucker	YES

III. PROCEDURAL HISTORY

- A. April 30, 2014 - Site plan Modification application filed with the Medway Planning & Economic Development Board and the Medway Town Clerk
- B. May 6, 2014 – Public hearing notice posted with Town Clerk and posted at the Town of Medway web site
- C. May 9, 2014 – Site plan modification information distributed to Town boards, committees and departments for review and comment.
- D. May 7, 2014 - Public hearing notice mailed to abutters by certified sent mail.
- E. May 12 & 20, 2014 – Public hearing notice advertised in *Milford Daily News*.
- F. May 27, 2014 – Public hearing commenced. The public hearing was continued to June 10 and June 24, 2014 when the hearing was closed.

IV. INDEX OF SITE PLAN DOCUMENTS

- A. The site plan application for Lawrence Waste Services at 49 Alder Street included the following plans, studies and information that were provided to the Planning and Economic Development Board at the time the application was filed:
1. *Lawrence Waste Services Site Plan for 49 Alder ST, Medway, MA*, prepared by Guerriere & Halnon, Milford, MA, April 29, 2014.
 2. *Project Description* prepared by Guerriere & Halnon.
 3. Email dated April 25, 2014 from Medway Inspector of Buildings John Emidy confirming that the scope of proposed work at 49 Alder Street constitutes a *substantial modification* to a previously approved site plan project.
- B. During the course of the review, the Applicant and its representatives submitted revised plans and a variety of other materials to the Planning and Economic Development Board as follows:
1. *Lawrence Waste Services Site Plan for 49 Alder ST, Medway, MA*, prepared by Guerriere & Halnon, Milford, MA, April 29, 2014; REVISED May 28, 2014)
 2. *Hydrologic & Hydraulic Report, Lot 3-41, 49 Alder Street in Medway, MA* updated May 5, 2014, prepared by Guerriere and Halnon
 3. Peter Lavoie, Project Engineer, Guerriere & Halnon, the applicant's engineering consultant:
 - a. Response letter dated May 28, 2014 to the May 21, 2014 site plan review letter from Gino Carlucci, PGC Associates
 - b. Response letter dated May 28, 2014 to the May 22, 2014 site plan review letter from Tetra Tech.
 4. *Requests for Waivers from the Site Plan Rules and Regulations*, dated May 28, 2014 prepared by Guerriere & Halnon
 5. Color photographs showing the existing building and site improvements at 49 Alder Street – Received May 27, 2014.
 6. Mass DEP Checklist for Stormwater Report prepared by Michael Dean, P.E., Guerriere and Halnon, dated May 30, 2014
- C. During the course of the review, a variety of other materials were submitted to the Planning and Economic Development Board or entered into the record by the Board:
1. Email communication dated 5/23/2014 from Interim Conservation Agent Bridget Graziano verifying the Conservation Commission's approval on 5/22/2014 of an Order of Conditions for the proposed addition.

V. TESTIMONY - In addition to the site plan application materials as submitted and provided during the course of our review, the Planning and Economic Development Board received written or verbal testimony from:

- Brian Marchetti, P.E., of Tetra Tech, Inc., the Town's Consulting Engineer – Site plan review letters dated May 22, 2014 and June 4, 2014.
- Gino Carlucci, PGC Associates, the Town's Consulting Planner – Site plan review letters dated May 21, 2014 and June 4, 2014.
- Peter Lavoie, Guerriere & Halnon - Verbal testimony provided at the public hearings on May 27, 2014.
- Paul Atwood, Guerriere & Halnon – Verbal testimony provided at the public hearing on June 10, 2014.
- Jim and Keith Lawrence, Lawrence Waste Services - Verbal Testimony provided at the public hearings on May 27 and June 10, 2014.

VI. WAIVERS – At its June 24, 2014 meeting, the Planning and Economic Development Board, on a motion made by Robert Tucker, seconded by Matthew Hayes, voted to approve granting waivers from the following provisions of the *Rules and Regulations for the Submission and Approval of Site Plans, as amended December 3, 2002*. The Planning and Economic Development Board's action and reasons for granting each waiver are listed below. All waivers are subject to the *Special and General Conditions of Approval*, which follow this section. The motion was approved by a vote of 5 in favor and 0 against.

A. SUBMITTAL REQUIREMENTS/PLAN CONTENTS

1. 204-3 A. 7) – A written *Development Impact Statement* shall be prepared. It shall describe the potential and anticipated impacts of the proposed development, identify all positive and adverse impacts, and propose an acceptable program to prevent or mitigate adverse impacts. The Development Impact Statement shall address traffic, environmental, community and parking impacts.

The waiver is granted. The proposed structure is adjacent to a newly constructed industrial building located within the 495 Business Park. The proposed project is relatively small in relation to other uses within the park. A small portion of the site was disturbed when the main structure was building in 2013 and most of the significant natural resources, including wetlands, riverfront area, Groundwater Protection District and natural habitat, were not disturbed. The plan indicates that the project will comply with stormwater management regulations.

2. 204-5 C. 3) – An *Existing Landscape Inventory* shall be prepared by a Professional Landscape Architect licensed in the Commonwealth of Massachusetts. This inventory shall include a “mapped” overview of

existing landscape features and structures and a general inventory of major plant species including the specific identification of existing trees with a diameter of one (1) foot or greater at four (4) feet above grade.

The waiver is granted. The current project is a new structure adjacent to the existing structure and no additional trees or landscaped features will be removed. The scope of work takes place on an existing paved area. The Planning and Economic Development Board believes that this requirement is not warranted for this modification.

3. 204-5 D. 7) – A *Landscape Architectural Plan* shall be prepared by a Landscape Architect licensed in the Commonwealth of Massachusetts. This *Plan* shall be prepared as an overlay of the existing conditions sheets and shall incorporate, whenever possible, the significant features of the existing site and topography, particularly existing trees with a diameter of one (1) foot or greater at four (4) feet above grade. The *Landscape Architectural Plan* shall indicate the areas slated for excavation; any woodlands, trees or other existing features or structures to be retained; all new plantings by common and Latin name including their proposed locations and sizes at the time of installation. Plan graphics for tree canopies shall reflect, as closely as possible, the actual canopy dimension of proposed tree plantings at the time of installation with a “lesser” intensity graphic used to represent potential canopy at maturity.

The waiver is granted. The current project is a new structure adjacent to the existing structure and no additional trees or landscaped features will be removed or added. The scope of work takes place on an existing paved area. The Planning and Economic Development Board believes that this requirement is not warranted for this modification.

4. 204-5 D. 9) – *Color Renderings* of the project shall be provided depicting structures, signage and common views of the site from a public way and other views helpful in illustrating the totality of the proposed site improvements.

The waiver is granted. The current project is a new structure adjacent to the existing Lawrence Waste Services building. The applicant has provided drawings showing the building to be identical in design, materials and color to the existing structure.

VII. SPECIFIC CONDITIONS – This approval is subject to the following *Specific Conditions*:

- A. **Plan Revisions** - Prior to endorsement, the site plan set for 49 Alder Street last revised May 28, 2014 shall be further revised as follows and submitted to the Planning and Economic Development Board for review and approval.

1. Cover Sheet
 - a. The plan name shall be changed to Lawrence Waste Services Site Plan Modification

- b. All waivers from the *Site Plan Rules and Regulations* that have been granted as specified herein shall be listed on the cover sheet of the of the site plan presented for endorsement.
 - c. The cover sheet shall prominently display a final plan revision date.
- B. ***Wetlands Protection*** – Prior to plan endorsement, the Applicant is required to provide the Planning and Economic Development Board with a copy of the *Order of Conditions* from the Medway Conservation Commission.
- C. ***Snow Plowing/Trash Removal*** - The Applicant shall be responsible for providing snow plowing and trash pick-up with respect to the subject property. There shall be no outside storage of trash nor shall any dumpster be located on the property to accommodate the trash for the operation of Lawrence Waste Services on the site. Business trash shall be retained inside the building.
- D. ***Construction Inspection***
 1. Planning and Economic Development Board members, its staff, consultants or other designated Town agents and staff shall have the right to inspect the site at any time, for compliance with the endorsed site plan and the provisions of this Decision.
 2. The applicant shall have a professional engineer licensed in the Commonwealth of Massachusetts conduct progress inspections of the approved plan. Inspections shall occur at least on a monthly basis. The engineer shall prepare a written report of each inspection and provide a copy to the Planning and Economic Development Board within 5 days of inspection.
 3. In the event the applicant seeks an occupancy permit before all site plan work is satisfactorily completed (see VIII. General Condition F. 2 herein), the Applicant shall establish a construction inspection account with the Medway Planning and Economic Development Board. The Applicant shall pay a construction inspection fee to the Town of Medway in an amount to be determined by the Planning and Economic Development Board. The funds may be used at the Planning and Economic Development Board's discretion to retain professional outside consultants to inspect the site, identify what site plan work remains to be completed, prepare a bond estimate, conduct other reasonable inspections until the site work is completed and determined to be satisfactory, review as-built plans, and advise the Board as it prepares to issue a *Certificate of Site Plan Completion* (see VIII. General Condition G. 2 herein). Depending on the scope of professional outside consultant assistance that the Planning and Economic Development Board may need, the Applicant shall be required to provide supplemental payments to the project's construction inspection account, upon invoice. Any funds remaining in the applicant's construction inspection account after the *Certificate of Site Plan Completion* is issued shall be returned to the applicant.

VIII. GENERAL CONDITIONS OF APPROVAL

- A. **Plan Endorsement** - Within thirty (30) days after the Planning and Economic Development Board has filed its *Decision* with the Town Clerk, the Applicant shall submit a final site plan modification reflecting all Conditions and required revisions, if any, to the Planning and Economic Development Board to review for compliance with the Board's *Decision*. The Applicant shall provide one set of the revised site plan in its final form to the Planning and Economic Development Board for signature/endorsement. All plan sheets shall be bound together in a complete set.
- B. **Fees** - Prior to site plan endorsement by the Planning and Economic Development Board, the Applicant shall pay:
1. the balance of any outstanding plan review fees owed to the Town for review of the site plan by the Town's engineering, planning or other consultants; and
 2. any construction inspection fee required by the Planning and Economic Development Board; and
 3. any other outstanding expenses or obligations due the Town of Medway pertaining to this property, including real estate and personal property taxes and business licenses.

The Applicant's failure to pay these fees in their entirety shall be reason for the Planning and Economic Development Board to withhold plan endorsement.

- C. **During Construction**
1. The applicant shall take all measures necessary to ensue that no excessive dust leaves the premises during construction.
 2. There shall be no tracking of construction materials onto any public way. Daily sweeping of roadways adjacent to the site shall be done to ensure that loose gravel/dirt does not create hazardous or deleterious conditions for vehicles, pedestrians or abutting residents. In the event construction debris is carried onto a public way, the Applicant shall be responsible for all clean-up of the roadway within twenty-four (24) hours of its occurrence.
 3. All erosion and siltation control measures shall be installed and observed by the Planning and Economic Development Board's consulting engineer or the Conservation Agent prior to the start of construction, and maintained in good repair throughout the construction period.
 4. **Construction Time** - Construction work at the site and in the building shall commence no earlier than 7 a.m. and shall cease no later than 7 p.m. No construction shall take place on Sundays or legal holidays.
 5. **Construction Traffic/Parking** – All parking for construction vehicles and construction related traffic shall be maintained on site. No parking of construction and construction related vehicles shall take place on adjacent public or private ways.

- D. **Other Town Permits** - The contractor for the applicant or assigns shall obtain, pay and comply with all other required Town permits, including but not limited to a Street Opening/Roadway Access Permit from the Department of Public Services.
- E. **Plan Modification**
1. This Site Plan Approval is subject to all subsequent conditions that may be imposed by other Town boards, agencies or commissions. Any changes to the site plan that may be required by the decisions of other boards, agencies or commissions shall be resubmitted to the Planning and Economic Development Board for review as site plan modifications pursuant to SECTION V. C. 10 of the *Medway Zoning Bylaw*.
 2. Any work that deviates from an approved site plan shall be a violation of the *Medway Zoning Bylaw*, unless the Applicant requests approval of a plan modification pursuant to SECTION V. C. 10 of the *Medway Zoning Bylaw* and such approval is provided in writing by the Planning and Economic Development Board.
 3. Whenever additional reviews by the Planning and Economic Development Board, its staff or consultants are necessary due to proposed site plan modifications, the Applicant shall be billed and be responsible for all supplemental costs including filing fees, plan review fees and all costs associated with another public hearing including legal notice and abutter notification. If the proposed revisions affect only specific limited aspects of the site, the Planning and Economic Development Board may reduce the scope of the required review and waive part of the filing and review fees.
- F. **Plan Compliance/Performance Security**
1. The Applicant shall construct all improvements in compliance with the approved and endorsed site plan and any modifications thereto.
 2. No occupancy permit shall be granted until the Planning and Economic Development Board has provided a written communication to the Inspector of Buildings that the project, as constructed, conforms to the approved site plan and any conditions including construction of any required on and off-site improvements, have been satisfactorily completed OR that suitable security/performance guarantee has been provided to the Town of Medway, to the Planning and Economic Development Board's satisfaction, to cover the costs of all remaining work.
 3. The Planning and Economic Development Board or its agent(s) shall use all legal options available to it, including referring any violation to the Building Commissioner/Zoning Enforcement Officer for appropriate enforcement action, to ensure compliance with the foregoing Conditions of Approval.
 4. The Conditions of Approval are enforceable under Section. V. C. 12 of the *Medway Zoning Bylaw* (non-criminal disposition) and violations or non-compliance are subject to the appropriate fine.

G. **Project Completion**

1. Site plan approval shall lapse after one (1) year of the grant thereof if substantial use has not commenced except for good cause. Approved site plans shall be completed by the applicant or its assignees within two (2) years of the date of plan endorsement. Upon receipt of a written request by the applicant filed at least thirty (30) days prior to the date of expiration, the Planning and Economic Development Board may grant an extension for good cause. The request shall state the reasons for the extension and also the length of time requested. If no request for extension is filed and approved, the site plan approval shall lapse and may be reestablished only after a new filing, hearing and decision.
2. Prior to issuance of a final occupancy permit, the Applicant shall secure a **Certificate of Site Plan Completion** from the Planning and Economic Development Board and provide the **Certificate** to the Inspector of Buildings. The **Certificate** serves as the Planning and Economic Development Board's confirmation that the completed work conforms to the approved site plan and any conditions and modifications thereto, including the construction of any required on and off-site improvements. The **Certificate** also serves to release any security/performance guarantee that has been provided to the Town of Medway. To secure a **Certificate** of Site Plan Completion, the applicant shall:
 - a) provide the Planning and Economic Development Board with written certification from a Professional Engineer registered in the Commonwealth of Massachusetts that all building and site work has been completed in strict compliance with the approved and endorsed site plan, and any modifications thereto; and
 - b) submit an electronic version of an As-Built Plan, prepared by a registered Professional Land Surveyor or Engineer registered in the Commonwealth of Massachusetts, to the Planning and Economic Development Board for its review and approval. The As-Built Plan shall show actual as-built locations and conditions of all work shown on the original site plan and any modifications thereto. The final As-Built Plan shall also be provided to the Town in an electronic format as may be specified by the Board of Assessors.

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

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

IX. **FINDINGS** – The Planning and Economic Development Board must determine whether the proposed project constitutes a suitable development based on conformance with the purposes of Site Plan Review as specified in the *Zoning Bylaw* and with the various site development standards and criteria set forth in the *Site Plan Rules and Regulations*. The

preceding *Special and General Conditions* included in this Decision shall assure that the Planning Board's approval of this site plan is consistent with the *Site Plan Rules and Regulations*, that the comments of various Town boards and public officials have been adequately addressed, and that concerns of abutters and other town residents which were aired during the public hearing process have been carefully considered.

The Planning and Economic Development Board, at its meeting on June 24, 2014, on a motion made by Robert Tucker, seconded by Matthew Hayes, voted to approve the following **FINDINGS** regarding the site plan modification for 49 Alder Street. The motion was approved by a vote of 5 in favor and 0 against.

A. ZONING BYLAW – Section V. C - Site Plan Review & Approval

- (1) Are the buildings, uses and site amenities properly located on the development site in relation to the terrain and scale of other buildings in the vicinity and adjacent neighborhoods?

The buildings, uses and site amenities are properly located. They are outside the most sensitive resource areas, and on the higher, flatter portion of the site reducing topographic change, so this criterion is met.

- (2) Are the construction and renovation of buildings and the installation of site amenities thoughtfully designed to reflect or be compatible with Medway's New England architectural style as further detailed in the *Design Guidelines*?

The new building has been designed to match the existing building which had previously been approved by the Design Review Committee. The site amenities are unaffected. Therefore, this criterion is met.

- (3) Are adjacent and neighboring properties protected from nuisance and harmful effects caused by noise, fumes, and the glare of headlights and other light sources generated by uses on the development site?

The applicant has provided a photometric plan documenting that light sources will not spill off the property. Most noise or fumes will continue to be generated inside the building, and will be in compliance with applicable requirements. Therefore, this criterion is met.

- (4) Are significant natural features on a development site (*i.e. hills, water bodies, wetlands, trees, tree groves, wooded areas, rock outcrops, native plants, wildlife habitats, and other areas of aesthetic and ecological interest*) preserved with as minimal site disturbance as possible?

The new building will be constructed on a portion of the existing parking lot which is outside the significant resource areas (including wetlands, riverfront area, Groundwater Protection District, and natural habitat). Therefore, this criterion is met.

- (5) Are off-street loading facilities and methods for unloading vehicles, goods, products materials and equipment incidental to the normal operation of the establishment(s) on the development site conveniently and safely provided while the visual intrusion thereof is appropriately screened from public view?

The primary nature of the business is the temporary storage of containers to be unloaded and loaded at the facility. Therefore, it was designed to maximize this utility. Also, the loading and unloading will occur deep within the site behind the location of the existing building so public view of the visual intrusion is minimized. Therefore, this criterion is met.

- (6) Are facilities for the storage, handling and disposal of sewage, refuse and other solid wastes resulting from the normal operations of the establishment(s) on the development site provided and adequately screened from public view?

The facility is connected to municipal sewer. Adequate provisions have been made for refuse removal through a dumpster screened from public view. Therefore, this criterion is met.

- (7) Are pedestrian ways, access driveways, loading and parking facilities properly designed for the convenience and safety of customers, employees and the general public?

The plan has been reviewed by Town public safety officials as well as the Town's Consulting Engineer and Consulting Planner. The existing access driveways, loading and parking facilities were found to be adequately designed in the original site plan. They are not being changed and remain adequate for the proposed new building. Therefore, this criterion is met.

- (8) Is convenient and safe access for fire-fighting and emergency rescue vehicles provided to and within the development site in relation to adjacent streets?

The existing Knox Box will hold keys for the entire facility. No other issues have been identified. Therefore, this criterion is met.

- (9) Are satisfactory methods for drainage of surface water to and from the development site provided?

The new building is being constructed on the existing parking lot and impervious surface is actually being slightly reduced. The stormwater drainage system has been reviewed by the Town's Consulting Engineer and it remains in compliance with new Massachusetts Department of Environmental Protection stormwater management guidelines. Therefore, the Planning and Economic Development Board finds that this criterion is met.

- (10) Are public ways and private drives properly designed to be constructed to serve the intended use and provide an adequate level of service in relation to the traffic to be generated by the development site?

The public way, Alder Street, was specifically designed to accommodate industrial traffic. The private driveway has been reviewed by the Town's Consulting Engineer and found to be adequate. Therefore, this criterion is met.

- (11) Have the effects and impacts of the proposed use of land or structures on vehicular and pedestrian traffic, municipal services and utilities, roadways, parking, drainage, environmental quality, water resources, signage, lighting, and community economics, character, values, amenities and appearance been identified and evaluated?

The roadway, Alder Street, was designed for traffic from industrial uses within the business park. Municipal services are adequate to serve the proposed facility. Parking is adequate for the proposed use. Drainage is in compliance with Massachusetts Department of Environmental Protection stormwater management guidelines. The site was designed to minimize impacts on environmental quality and water resources. Signage is unchanged. Lighting is in compliance with the lighting provisions of the Zoning Bylaw. The building design has been approved by the Design review Committee. The facility will have a positive impact on community economics and is an allowed use within the Industrial III zoning district. Therefore, this criterion is met.

- (12) Have site design modifications been proposed and evaluated to lessen the negative and harmful impacts?

The site plan has been reviewed by Town officials and the Town's Consulting Engineer and Consulting Planner. Modifications were suggested and the applicant has responded to those comments with a revised plan. The revised plan has been reviewed and has addressed each of the comments received. Therefore, this criterion is met.

- (13) Have reasonable conditions, limits, safeguards and mitigation measures been established?

Section VII and VIII (above) of this Site Plan Decision impose specific and general conditions respectively. Therefore, this criterion is met.

B. SITE PLAN RULES AND REGULATIONS – The Planning and Economic Development Board shall determine whether the proposed development is in conformance with the standards and criteria set forth in the *Rules and Regulations*, unless specifically waived. In making its decision, the Planning and Economic Development Board shall determine the following:

- (14) Has internal circulation, queuing and egress been designed such that traffic safety is protected, access via minor streets servicing residential areas is minimized, and traffic backing up into the public way is minimized?

The internal circulation of the site largely unchanged. The design using an entrance driveway leading to a parking lot and loading and unloading areas have been designed such that traffic safety has been protected. There is no backing onto public ways due to the design, and there is direct access to the site through Route 109 and then through Trotter Drive and Alder Streets (the streets specifically designed to serve the business park). Access through residential areas is discouraged through design as well as regulation. Therefore, this criterion is met.

- (15) Does the site plan show designs that minimize any departure from the character, materials, and scale of buildings in the vicinity as viewed from public ways and places?

The design of the site plan is similar to other facilities within the business park. The building design has also been approved by the Design Review Committee. Therefore, this criterion is met.

- (16) Is reasonable use made of building location, grading and vegetation to reduce the visible intrusion of structures, parking areas, outside storage or other outdoor service areas (e.g. waste removal) from public views or from (nearby) premises residentially used and zoned.

There is no residentially zoned or used property within sight of the proposed facility. Also, the outside storage areas for containers are located to the rear of the building location and a significant distance from view from the public way. Therefore, this criterion is met.

- (17) Is adequate access to each structure for fire and service equipment provided?

The Police and Fire Chiefs have not raised any issues. Therefore, this criterion is met.

- (18) Will the design and construction minimize, to the extent reasonably possible, the following environmental impacts?

- a) the volume of cut and fill;
- b) the number of trees to be removed with particular care taken with mature trees and root systems;
- c) the visual prominence of man-made elements not necessary for safety;
- d) the removal of existing stone walls;
- e) the visibility of building sites from existing streets;
- f) the impacts on waterways and environmental resource areas;
- g) soil pollution and erosion;
- h) noise.

The new building will be constructed on the existing parking lot. Therefore, approximately 2/3 of the site will remain undisturbed. Also, the existing building, parking and site facilities are located primarily outside the significant resource areas (including wetlands, riverfront area, Groundwater Protection District, and natural habitat). As conditioned above, this criterion is met.

- (19) Is pedestrian and vehicular safety both on the site and egressing from it maximized?

The plan has been reviewed by Town public safety officials as well as the Town's Consulting Engineer and Consulting Planner. The access driveways, loading and parking facilities were found to be adequately designed in the original site plan and they remain largely unchanged. A sidewalk is located along the entire length of Alder Street on the opposite side of the street (and locating a sidewalk on the same side is not practical). Therefore, this criterion is met.

- (20) Does the design and will the construction incorporate, to the maximum extent possible, the visual prominence of natural and historic features of the site?

The design of the site plan is similar to other facilities within the business park. The building design has also been approved by the Design Review Committee. The site utilizes existing vegetation along the frontage of the site. Therefore, this criterion is met.

- (21) Does the lighting of structures and parking area avoid glare on adjoining properties and minimize light pollution within the town?

The applicant has provided a photometric plan documenting that light sources will not spill off the property. It is in compliance with the lighting provisions of the Zoning Bylaw. Therefore, this criterion is met.

- (22) Is the proposed limit of work area reasonable and does it protect sensitive environmental and/or cultural resources? The site plan as designed should not cause substantial or irrevocable damage to the environment, which damage could be avoided or ameliorated through an alternative development plan or mitigation measures.

The construction of the new building will take place entirely on the existing parking lot on already disturbed ground. Approximately 2/3 of the site will continue to remain undisturbed. Also, the building, parking and site facilities are located primarily outside the significant resource areas (including wetlands, riverfront area, Groundwater Protection District, and natural habitat). As conditioned above, this criterion is met.

X. APPEAL – Appeals if any, from this Decision shall be made to the court within twenty (20) days of the date the Decision is filed with the Town Clerk.

After the appeal period has expired, the applicant must obtain a certified notice from the Town Clerk that no appeals have been made and provide such certification to the Planning and Economic Development Board before plan endorsement.


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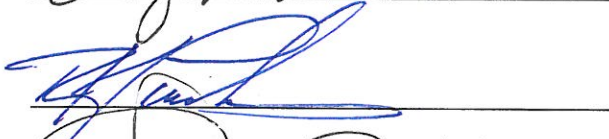
**Medway Planning and Economic Development Board
SITE PLAN MODIFICATION DECISION
Lawrence Waste Services – 49 Alder Street**

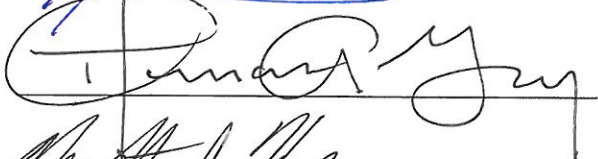
Approved by the Medway Planning & Economic Development Board: June 24, 2014


AYE:


NAY:



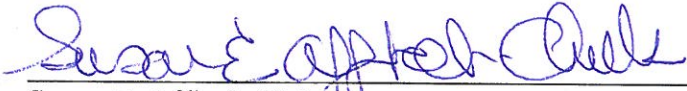









ATTEST:



Susan E. Affleck-Childs
Planning & Economic Development Coordinator



Date