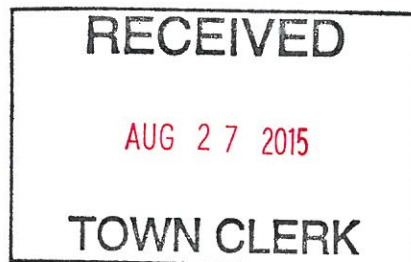




**TOWN OF MEDWAY**  
**Planning & Economic Development**  
155 Village Street  
Medway, Massachusetts 02053



*Andy Rodenhiser, Chairman*  
*Robert K. Tucker, Vice-Chairman*  
*Thomas A. Gay, Clerk*  
*Matthew J. Hayes, P.E.*  
*Rich Di Iulio*

August 25, 2015

## **SCENIC ROAD WORK PERMIT**

Southwest Corners of Main/Franklin and Main/Elm Streets  
Route 109 Reconstruction Project

**APPLICANT** – Town of Medway Department of Public Services

**LOCATION** – Southwest corners of Main/Franklin Streets and Main/Elm Streets. Elm and Franklin Street are designated *Medway Scenic Roads*.

**PROJECT DESCRIPTION** – The Town of Medway is undertaking a major reconstruction project of Route 109/Main Street from Holliston Street west to the intersection of Main, Milford, Franklin and Highland Streets in west Medway. As a whole, the project involves adding sidewalks on the south side of Main Street, installing decorative street lights, a complete roadway and sidewalk reconstruction, intersection improvements to improve sight lines and access, new traffic signals, landscaping and a new entrance to Choate Park/Thayer House.

At two locations along the Route 109 improvement route, the construction necessitates removal of some trees and the relocation of a stone wall located in the Town's right of way where two scenic roads (Franklin and Elm Streets) intersect with Main Street. These locations are adjacent to 121 and 201 Main Street.

**DATE OF PUBLIC HEARING** – Pursuant to Section 15C of Chapter 40 (*the Scenic Roads Act*) and Chapter 87 (*Shade Trees Act*) of M.G.L., the Medway Planning and Economic Development Board and the Tree Warden held a public hearing on August 25, 2015.

**ADVERTISEMENT** – The public hearing notice was published in the *Milford Daily News* on August 11 and 17, 2015.

### **POSTED NOTICE**

- The public hearing notice was posted with the Medway Town Clerk and to the Town of Medway web page on August 6, 2015
- Tree Warden Fred Sibley posted the public hearing notice on the applicable tree(s) and stone wall at least seven (7) days prior to the public hearing.

**ABUTTER NOTICE** - The public hearing notice was sent by first class mail to all abutters on August 10, 2015.

**PUBLIC HEARING** - At the public hearing, Medway Department of Public Services Deputy Director Dave D'Amico presented information about the two locations where trees and stone walls are located in the right-of-way adjacent to Medway Scenic Roads. He also reviewed what the Route 109 landscaping plan shows for replacement trees for these two areas. Abutter Matthew Buckley, owner of 201 Main Street, also provided comments about the proposed plans.

**DECISION CRITERIA - Pursuant to s. 405 – 7 of the Scenic Road Rules and Regulations**, the Planning Board shall consider the following in making its determination on an application for a Scenic Road Work Permit:

- A. Public safety;
- B. Scenic and aesthetic characteristics and quality of the area;
- C. Quality and extent of shade and *tree* canopy;
- D. Accident history within five hundred (500) feet of *tree(s)* and *stone walls* at issue;
- E. Commentary contributed by the Tree Warden, town agencies, *abutters* and other interested parties;
- F. Preservation of natural resources and environmental systems;
- G. Preservation of historical and cultural resources values;
- H. Compatibility with surrounding neighborhood;
- I. Recreational uses of the proposed Scenic Road, taking into account the nature and extent of such uses;
- J. Relationship of the *road* design to the standards of the Planning Board's *Subdivision Rules and Regulations* but recognizing that a variance from the standards should be allowed when a way has been designated as a Scenic Road by the Town Meeting;
- K. Adequacy and value of compensatory actions proposed, such as replacement of *trees* or *stone walls* or restoration of the same;
- L. Traffic patterns, volume, congestion and posted speed limit;
- M. Consistency with articulated Town policies and the Medway Master Plan;
- N. Feasibility for avoiding disturbance to *trees* or *stone walls* by proposing a safe location for a walkway, driveway or *road* elsewhere; and
- O. Other sound planning principles and considerations.

### **SPECIFIC FINDINGS**

#### **Main and Franklin Streets**

1. There are three trees located in the Town's right-of-way adjacent to 201 Main Street that are planned for removal – one 16" diameter tree and two 10" diameter trees. See attached Scenic Road Permit Application dated June 10, 2015 with attached photos. No stone walls in the Town's right-of-way are affected.
2. Section 405-8 B of the *Scenic Road Rules and Regulations* provides for tree replacement on a 1 sq. inch per 2 sq. inch replacement basis as follows:

Radius of tree<sup>2</sup> x 3.14 ÷ 2 = total sq. in. of replacement tree diameters

<b>3 Trees</b>	18 x 18 = 324 sq. inches
	x 3.14
	1017.36 sq. inches
	÷ 2
	508.68 sq. inches of replacement tree diameters
	÷ 7
	73 three-inch (3") caliper replacement trees

**Total Tree Replacement = 73 three-inch (3") caliper trees**

3. The trees to be removed are not distinctive.
4. Section 405 - 8 B. of the *Scenic Road Rules and Regulations* authorizes the Planning Board to waive full compliance with the tree restoration provisions and authorizes the Tree Warden to determine an appropriate compensatory value.
5. The Route 109 reconstruction plan specifies that the removed trees at the southwest corner of Main and Elm Streets will be replaced with one red oak and three serviceberry trees.

#### **Main and Elm Streets**

1. There are two trees located in the Town's right-of-way adjacent to 121 Main Street that are planned for removal – one 9" diameter tree and one 11" diameter tree. There is also a portion of the existing stone wall/fence that needs to be removed, relocated and reconstructed further back on the site to allow for a reconfiguration of the roadway intersection.
2. Section 405-8 B of the *Scenic Road Rules and Regulations* provides for tree replacement on a 1 sq. inch per 2 sq. inch replacement basis as follows:

Radius of tree<sup>2</sup> x 3.14 ÷ 2 = total sq. in. of replacement tree diameters

<b>2 Trees</b>	10 x 10 = 100 sq. inches
	x 3.14
	314 sq. inches
	÷ 2
	157 sq. inches
	÷ 7
	23 three-inch (3") caliper replacement trees

3. The trees to be removed are not distinctive.
4. Section 405 - 8 B. of the *Scenic Road Rules and Regulations* authorizes the Planning Board to waive full compliance with the tree restoration provisions and authorizes the Tree Warden to determine an appropriate compensatory value.
5. The Route 109 reconstruction plan specifies that the removed trees at the southwest corner of Main and Elm Streets will be replaced with one red oak tree. The stone wall will be deconstructed and reconstructed further back on the site in the same style and appearance.

**GENERAL FINDINGS** – The Route 109 Reconstruction project is a significant infrastructure improvement for the Town of Medway. The total project cost is estimated at \$ 13 million. The overall scope of the proposed work as described herein constitutes substantial mitigation for the limited nature of tree removal and stone wall relocation required by this reconstruction project.

**DECISION** – On August 25, 2015, the Planning and Economic Development Board and Tree Warden Fred Sibley voted to approve a Scenic Road Work Permit allowing removal of the three trees in the right-of-way at the southwest corner of Franklin and Main Streets and two trees and the relocation of the stone wall in the right-of way at the southwest corner of Elm and Main Streets subject to the following conditions:

1. All replacement plants will be indigenous the region.
2. The replacement oak trees shall be at least 3” caliper.

***The provisions of this Permit shall apply and be binding upon the Applicant and all successors and assigns in interest. Failure to comply with all conditions stated herein shall be deemed cause to revoke or modify this Permit. This Permit does not relieve the Applicant or any other person of complying with all other applicable federal, state or local statutes, by-laws or regulations.***

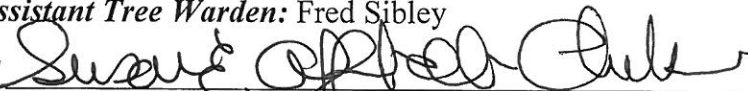
***VOTING THIS 25<sup>th</sup> day of August, 2015 IN FAVOR:***

***Planning and Economic Development Board Members:***

Andy Rodenhiser  
Robert K. Tucker  
Thomas A. Gay  
Matthew J. Hayes  
Richard Di Iulio

***Assistant Tree Warden:*** Fred Sibley

**ATTEST**



Susan E. Affleck-Childs  
Planning and Economic Development Coordinator

cc: Michael Boynton, Town Administrator  
Fred Sibley, Tree Warden  
David D’Amico, Department of Public Services  
Jack Mee, Inspector of Buildings

# MEDWAY SCENIC ROAD WORK PERMIT APPLICATION

Medway Planning Board  
155 Village Street, Medway, MA 02053 508-533-3291

This application for a Scenic Road Work Permit is made pursuant to the Planning Board's *Rules and Regulations for Review and Issuance of Scenic Road Work Permits* (adopted July 16, 2002). Please refer to the *Rules and Regulations* for specific definitions of all *italicized* words included in this application.

Date: June 10, 2015

1. Applicant/Location Information: Intersection of Main & Elm, Evergreen, Franklin,  
Location/Address on Scenic Road: High, Highland, Lincoln, and Winthrop  
Name of Applicant: Town of Medway  
Primary Contact: David D'Amico, Medway DPS Deputy Director  
Mailing Address: Town Hall, 155 Village Street, Medway, MA 02053  
Telephone: 508-533-3275 Email address: ddamico@townofmedway.org

2. Describe the *repair, maintenance, paving or reconstruction* work you wish to do in the Town's *right-of-way* on the Scenic Road: Main Street from Holliston Street to Franklin/Highland Street will be reconstructed beginning in 2016. Addition of a south side sidewalk, changes in profile, and intersection re-alignments will require some tree removal and stone wall relocation. See attached sheets for more information.

- 3A. Is there a *stone wall(s)*, in the Town's *right-of-way* of the Scenic Road where you propose to *repair, maintain, reconstruct or pave*? **You must contact the Medway Department of Public Services (DPS) at Town Hall, 155 Village Street, 508-533-3275 to answer this question. A representative of the DPS must visit the site to answer Questions 3A and 3B and sign below.**

YES - If YES, please answer 3B  NO - If NO, skip 3B and go to 4A



Signature of Medway DPS Representative

June 10, 2015

Date

- 3B. If you answered YES to 3A, does the proposed work to *repair, maintain, reconstruct or pave* in the Town's *right-of-way* of a Scenic Road involve the *tearing down or destruction of a stone wall or any portion thereof*?

YES  NO To be relocated and reconstructed.

- 4A. Are there any *tree(s)* located within the Town's *right-of-way* of the Scenic Road? **You must contact the Medway Tree Warden Brutus Cantoreggi to answer this question. Leave a message for him at 508-533-3275. The Tree Warden must visit the site to answer Questions 4A and 4B and sign below.**

YES - If YES, please answer 4B  NO - If NO, skip 4B and go to 5



Signature of Medway Tree Warden

June 10, 2015

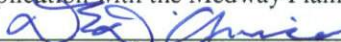
Date

- 4B. If you answered YES to 4A, does the proposed work to *repair, maintain, reconstruct or pave* in the Town's *right-of-way* of a Medway Scenic Road involve the *cutting or removal of a tree(s)*?

YES  NO

- 5A. If question 3B OR 4B was answered YES, a Scenic Road public hearing and Work Permit are required. You must complete the remainder of this application on the reverse side.

- 5B. If both questions 3B AND 4B were answered NO, a Scenic Road public hearing and Work Permit are NOT required; you do not need to complete the rest of this application. Please sign below and file this application with the Medway Planning Board. No further action is needed on your part.



Signature of Applicant

June 10, 2015

Date

## MEDWAY SCENIC ROAD WORK PERMIT APPLICATION

Medway Planning Board

155 Village Street, Medway, MA 02053 508-533-3291

**If you answered YES to Question 3B or 4B, a Scenic Road Public Hearing and Work Permit are required. Please complete the rest of this application. Prepare the following items as attachments. Sign below and file this application with all required supplemental materials to the Medway Planning Board, 155 Village Street, Medway, MA 02053. Submit the original application and 8 copies of each item A – E noted below.**

\_\_\_\_\_ A) Written description and plans/drawings showing the location of the proposed *disturbance area* (where work is proposed involving the *cutting or removal of trees* or the *tearing down or destruction of stone walls*), the location of *trees* and *stone walls*, and the boundaries of the Town's *right-of-way*.

\_\_\_\_\_ B) Written statement explaining the purpose and need to *cut or remove tree(s)* or *tear down or destroy stone walls, or portions thereof*.

\_\_\_\_\_ C) Written statement outlining alternatives, proposed compensatory actions (*such as the planting of replacement trees or the reconstruction of stone walls*) and mitigation measures (payment in lieu of new tree planting) to the proposed *cutting or removal of tree(s)* or the *tearing down or destruction of stone walls*.

\_\_\_\_\_ D) Photographs of all *stone walls and trees* within and adjacent to the proposed *disturbance area*.

\_\_\_\_\_ E) Any other explanatory material that you believe may be useful to the Planning Board in evaluating your project.

\_\_\_\_\_ F) A list of *abutters*, certified by the Board of Assessors. (For purposes of Scenic Roads, *abutters* are defined as owners of land immediately adjacent to and directly opposite from the proposed *disturbance area* land on any public or private street or way.)

\_\_\_\_\_ G) Scenic Road Permit Application Fee - \$100.00 if the project involves a *tree(s)* or a *stone wall(s)*; \$200.00 if the project involves *trees and stone walls*. (*Please make check payable to the Town of Medway.*)

*I hereby submit this application for a Scenic Road Work Permit to the Medway Planning Board. I acknowledge that I have read the Rules and Regulations for Review and Issuance of Scenic Road Work Permits (adopted July 16, 2002). I understand that, in addition to the Scenic Road Work Permit Application Fee, I am responsible for the additional expense of advertising the public hearing as specified in the Rules and Regulations. If my project involves a stone wall, I will post notice of the public hearing at least seven (7) days before by temporarily affixing a ribbon or other flagging material to the stone wall such that it is visible from the road. If my project involves a tree(s), I understand the Tree Warden will post a notice directly on the tree(s) at least seven (7) days before the public hearing. I will abide by the decision of the Medway Planning Board regarding restoration and/or compensatory measures as described in the Rules and Regulations. I understand that I may be fined if I violate these Rules and Regulations.*



Signature of Applicant

June 10, 2015

Date

Revised February 28, 2008

## **MEDWAY SCENIC ROAD PERMIT APPLICATION**

### *RT 109 RECONSTRUCTION PROJECT*

- A) RT 109 Main Street is currently on the State's transportation improvement project list for reconstruction beginning in 2016. The project extends from Holliston Street to Franklin/Highland Street. Seven scenic roads intersect Main Street within the project limits. These are Elm, Evergreen, Franklin, High, Highland, Lincoln, and Winthrop. The project as a whole involves adding sidewalk to the south side of Main Street, adding decorative streetlights, complete roadway and sidewalk reconstruction, new traffic signals, added street trees, a new Choate Park/Thayer House entrance, and much more. Total project cost will be \$13 million. Construction plans at each scenic road is included.
- B) As part of the roadway work, all vertical curves will be adjusted as much as possible to improve sightline distance. In addition, all intersections are widened and geometry improved, again, to improve access and sightlines. With this work, every scenic road will have some pavement and sidewalk work performed within the first 100 feet or so of Main Street. In two cases, Franklin and Elm, the work to be performed is substantial enough that trees and stone walls are impacted.

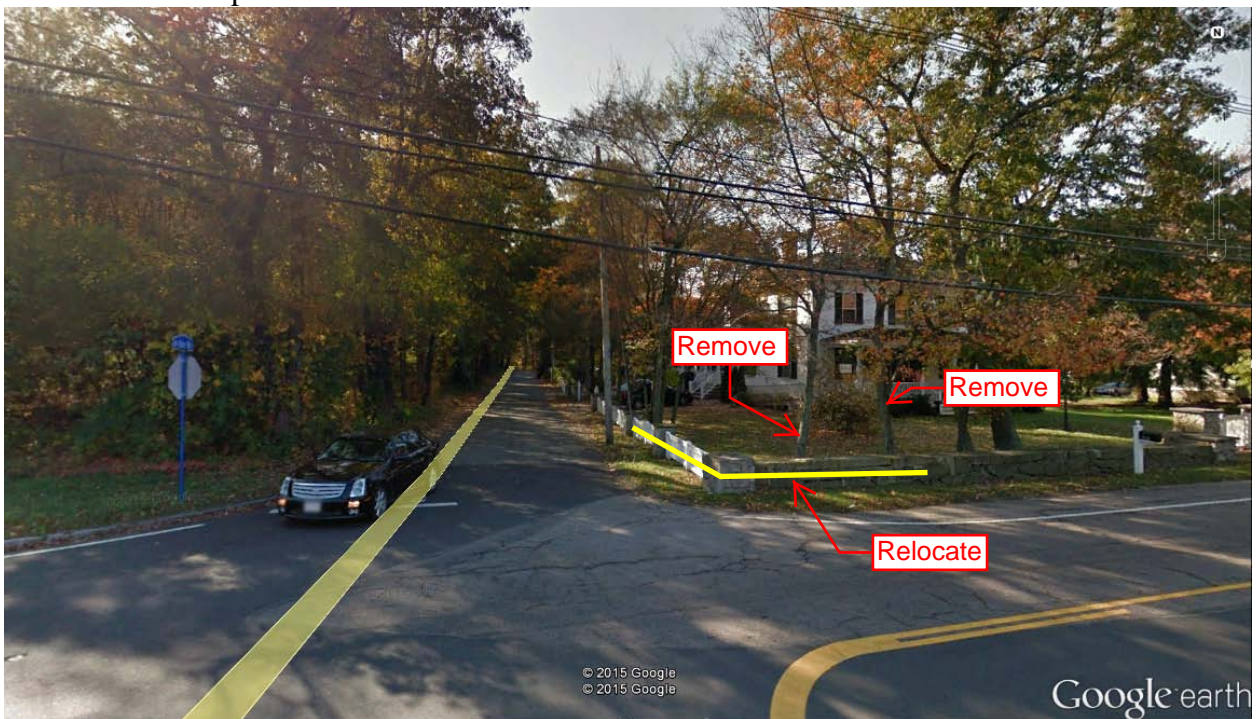
Franklin Street will have trees removed as indicated on the plans at the west side of the intersection with Main Street. Elm Street requires additional work due to its poor geometry. Again the west side is impacted. An existing stone wall will be curved to the south to allow for the change in approach. This will also require removal of trees in this location.

- C) MassDOT governs the design as it relates to vertical curves and intersections in accordance with best safety practices. Waivers can be granted in some cases, however Medway DPS believes that the changes as proposed are in the best interests of the community. Since the impacts are at the intersection of Main Street, the actual impact to the scenic nature of the roadways is negligible. Main Street will be gaining cement sidewalks on both sides with granite curbing, ornamental streetlights, added street trees, a new Choate Park/Thayer House entrance, and more. The proposed work will more than compensate for the tree removal and stone wall relocation required.

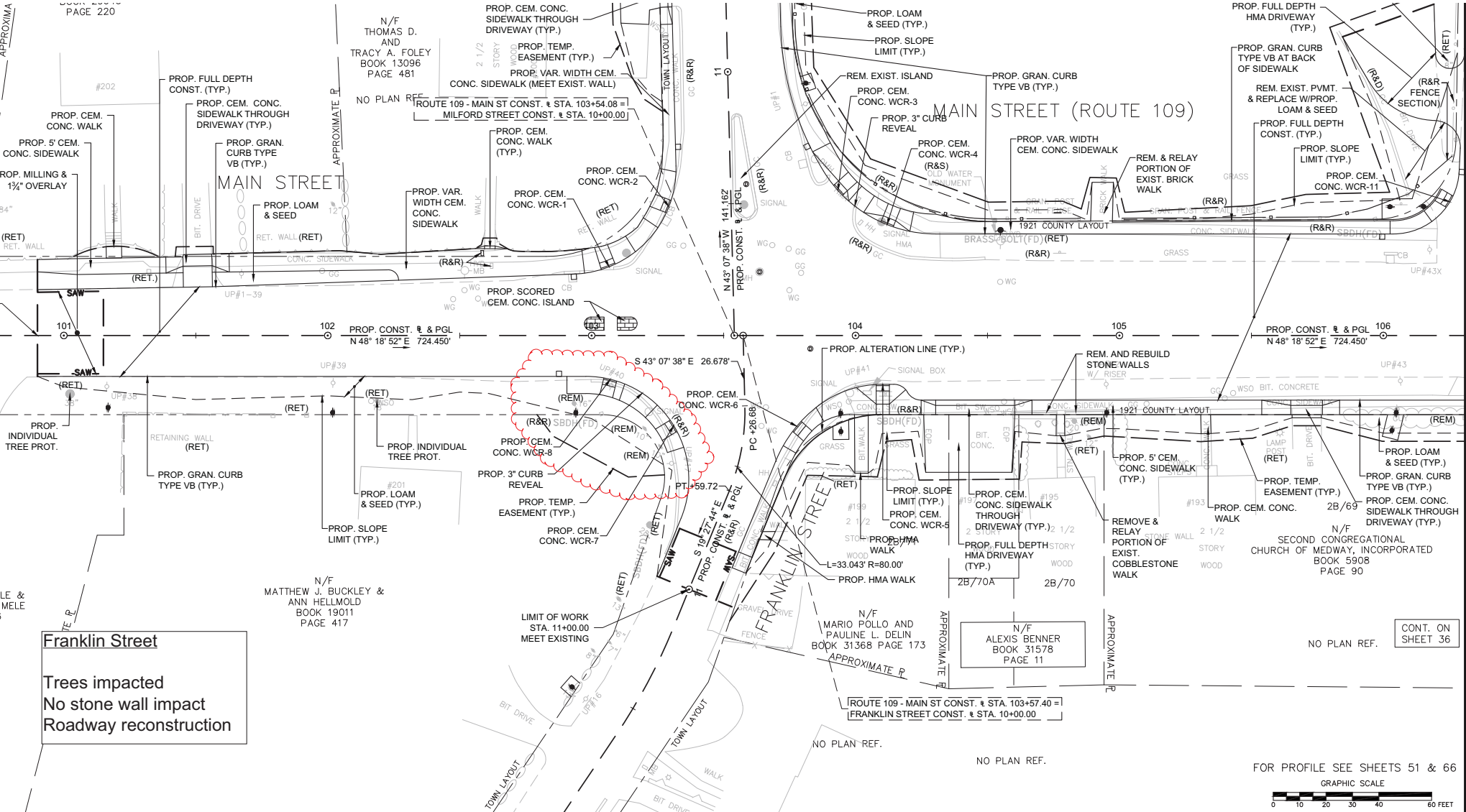
D) Franklin Street Impacted Area



Elm Street Impacted Area



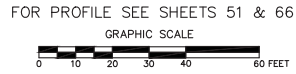




**Franklin Street**

Trees impacted  
No stone wall impact  
Roadway reconstruction

CONT. ON SHEET 36



**MEDWAY  
MAIN STREET (ROUTE 109)**

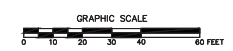
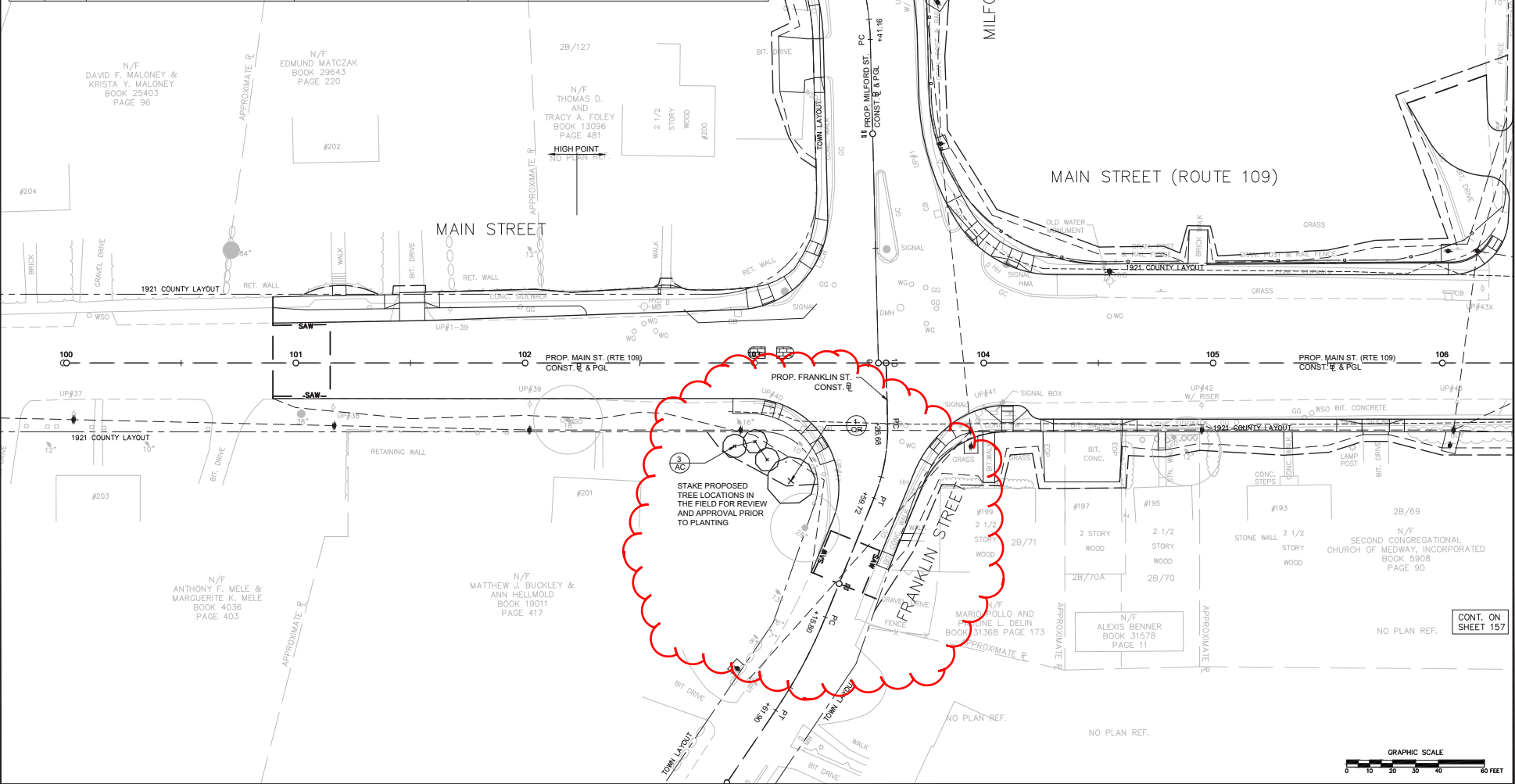
STATE	FED. AID PROJ. NO.	SHEET NO.	TOTAL SHEETS
MASS.	FED. AID	157	284
PROJECT FILE NO.		605667	

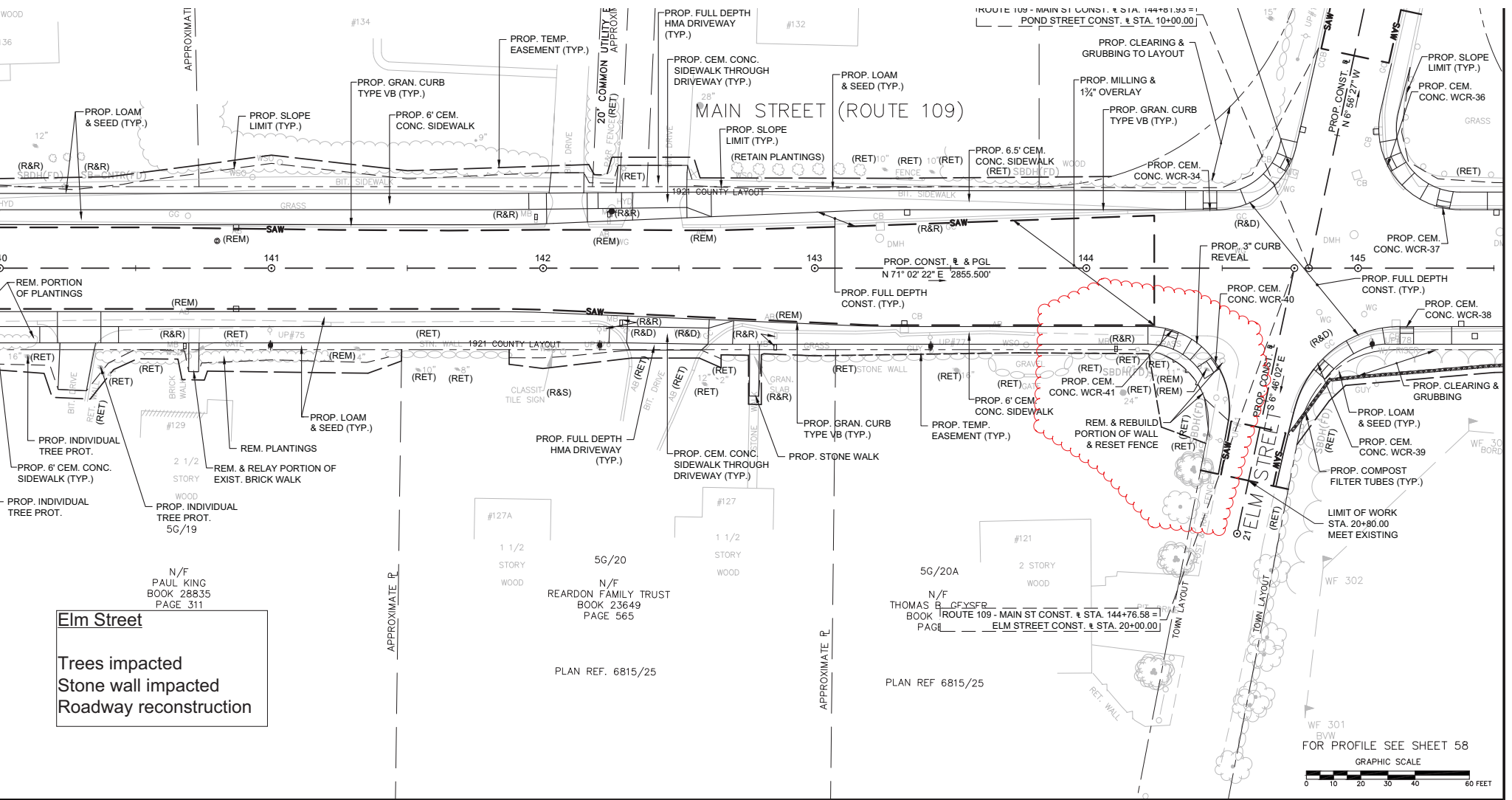
**LANDSCAPE PLAN**

**PLANTING NOTES**

1. CONTRACTOR SHALL HAVE ALL SUBSURFACE UTILITIES MARKED PRIOR TO THE START OF WORK.
2. FINAL LOCATION OF ALL PLANT MATERIAL WILL BE APPROVED BY THE RESIDENT ENGINEER PRIOR TO PLANTING.
3. ALL PLANT MATERIAL WILL HAVE TAGS INDICATING COMMON NAME, BOTANICAL NAME & SIZE.
4. ALL PLANTS WILL BE MULCHED PER THE PLANTING SPECIFICATIONS AND DETAILS, PLANTING DETAILS AND SPECIAL PROVISIONS.
5. ALL DISTURBED AREAS WILL BE LOAMED AND SEEDED UNLESS NOTED OTHERWISE.
6. SEE LANDSCAPE DETAIL SHEET FOR PLANTING AND SITE FURNISHING DETAILS.

PLANT SYM.	QTY.	BOTANICAL NAME	COMMON NAME	COMMENTS
AC	3	AMELANCHIER CANADENSIS	SERVICEBERRY	6" 8' HT. CLUMP, B&B, MATCHED SPECIMEN, MIN. 4 STEMS, HEADED AT 4'
QR	1	QUERCUS RUBRA	RED OAK	2 1/2" CALIPER, B&B, MATCHED SPECIMEN, CENTRAL LEADER, HEADED AT 6'





**Elm Street**

Trees impacted  
 Stone wall impacted  
 Roadway reconstruction

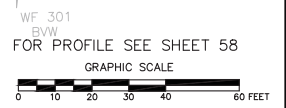
PLAN REF. 6815/25

N/F  
 PAUL KING  
 BOOK 28835  
 PAGE 311

N/F  
 REARDON FAMILY TRUST  
 BOOK 23649  
 PAGE 565

PLAN REF 6815/25

N/F  
 THOMAS B. CFYSFR  
 BOOK ROUTE 109 - MAIN ST CONST. & STA. 144+76.58 =  
 PAGE ELM STREET CONST. & STA. 20+00.00



MEDWAY MAIN STREET (ROUTE 109)			
STATE	FED. AID PROJ. NO.	SHEET NO.	TOTAL SHEETS
MASS.	FED. AID	165	284
PROJECT FILE NO.		605657	

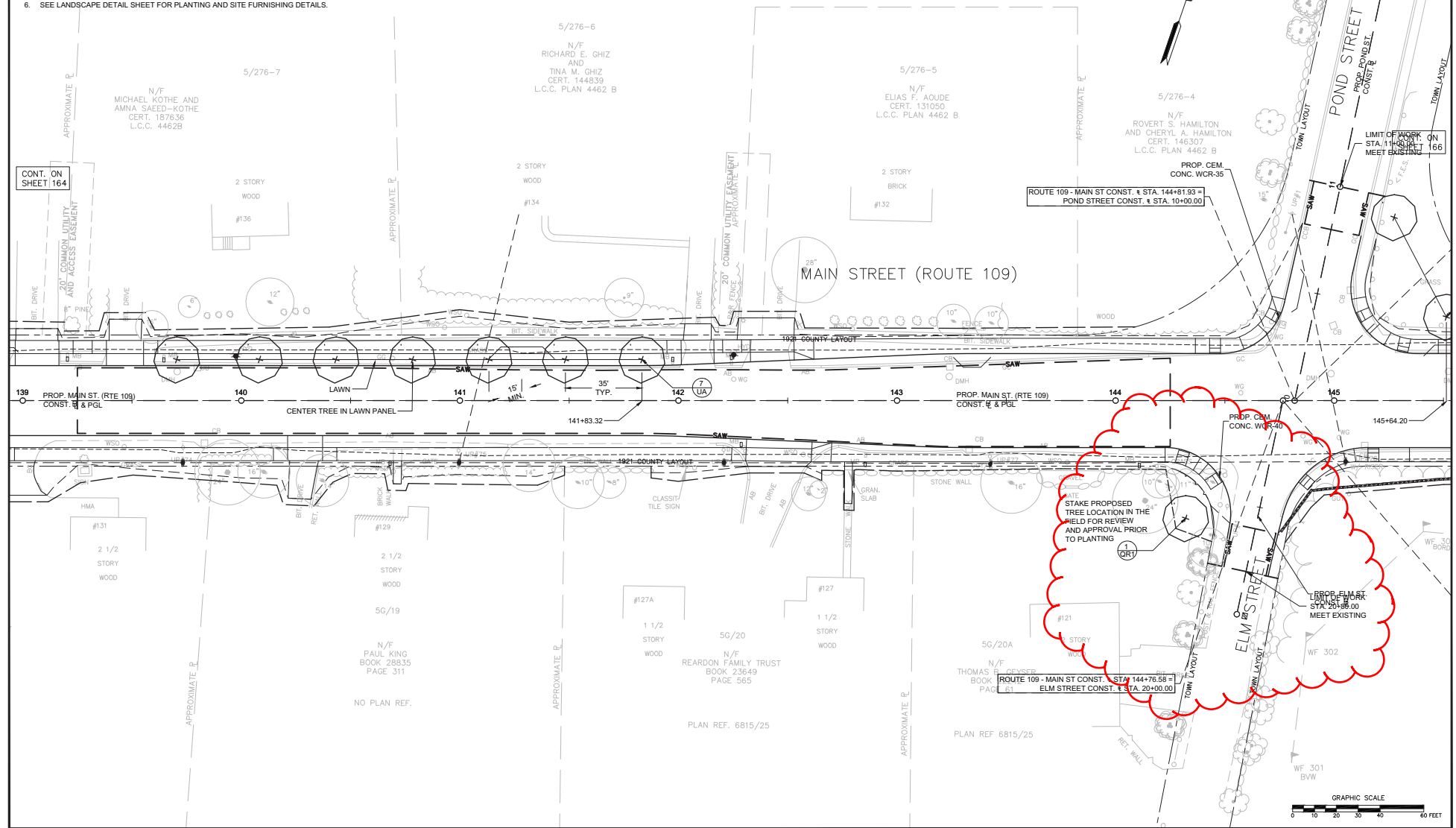
LANDSCAPE PLAN

PLANTING NOTES

- CONTRACTOR SHALL HAVE ALL SUBSURFACE UTILITIES MARKED PRIOR TO THE START OF WORK.
- FINAL LOCATION OF ALL PLANT MATERIAL WILL BE APPROVED BY THE RESIDENT ENGINEER PRIOR TO PLANTING.
- ALL PLANT MATERIAL WILL HAVE TAGS INDICATING COMMON NAME, BOTANICAL NAME & SIZE.
- ALL PLANTS WILL BE MULCHED PER THE PLANTING SPECIFICATIONS AND DETAILS. PLANTING DETAILS AND SPECIAL PROVISIONS.
- ALL DISTURBED AREAS WILL BE LOAMED AND SEEDED UNLESS NOTED OTHERWISE.
- SEE LANDSCAPE DETAIL SHEET FOR PLANTING AND SITE FURNISHING DETAILS.

PLANT LIST

SYM.	QTY.	BOTANICAL NAME	COMMON NAME	COMMENTS
QR1	1	QUERCUS RUBRA	RED OAK	3 3/4" CALIPER, B&B, MATCHED SPECIMEN, CENTRAL LEADER, HEADED AT 6'
UA	7	ULMUS 'PATRIOT'	PATRIOT HYBRID ELM	3 3/4" CALIPER, B&B, MATCHED SPECIMEN, CENTRAL LEADER, HEADED AT 6'

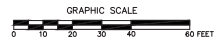


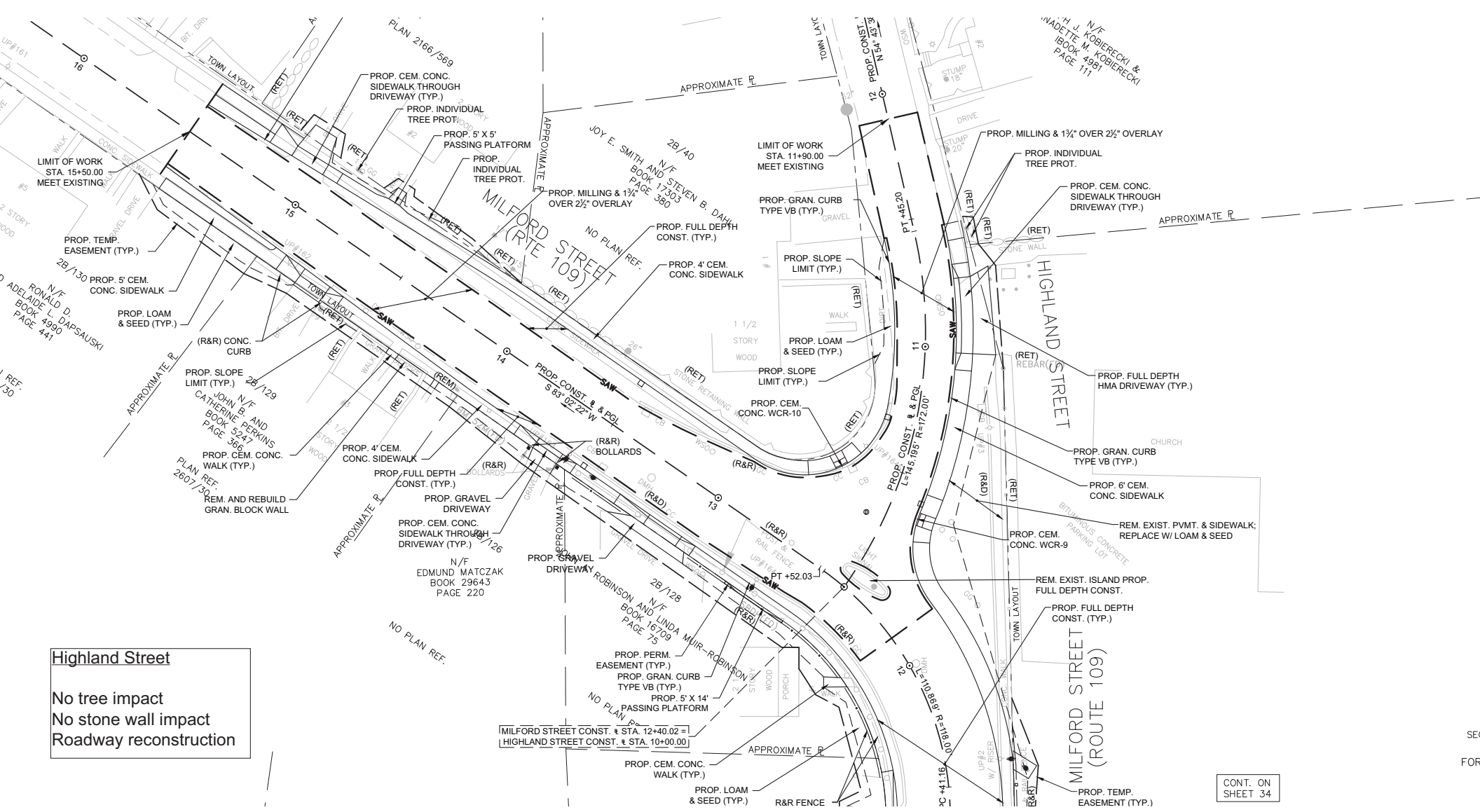
CONT. ON SHEET 164

ROUTE 109 - MAIN ST CONST. & STA. 144+81.93 - POND STREET CONST. & STA. 10+00.00

ROUTE 109 - MAIN ST CONST. & STA. 144+76.58 = 1 ELM STREET CONST. & STA. 20+00.00

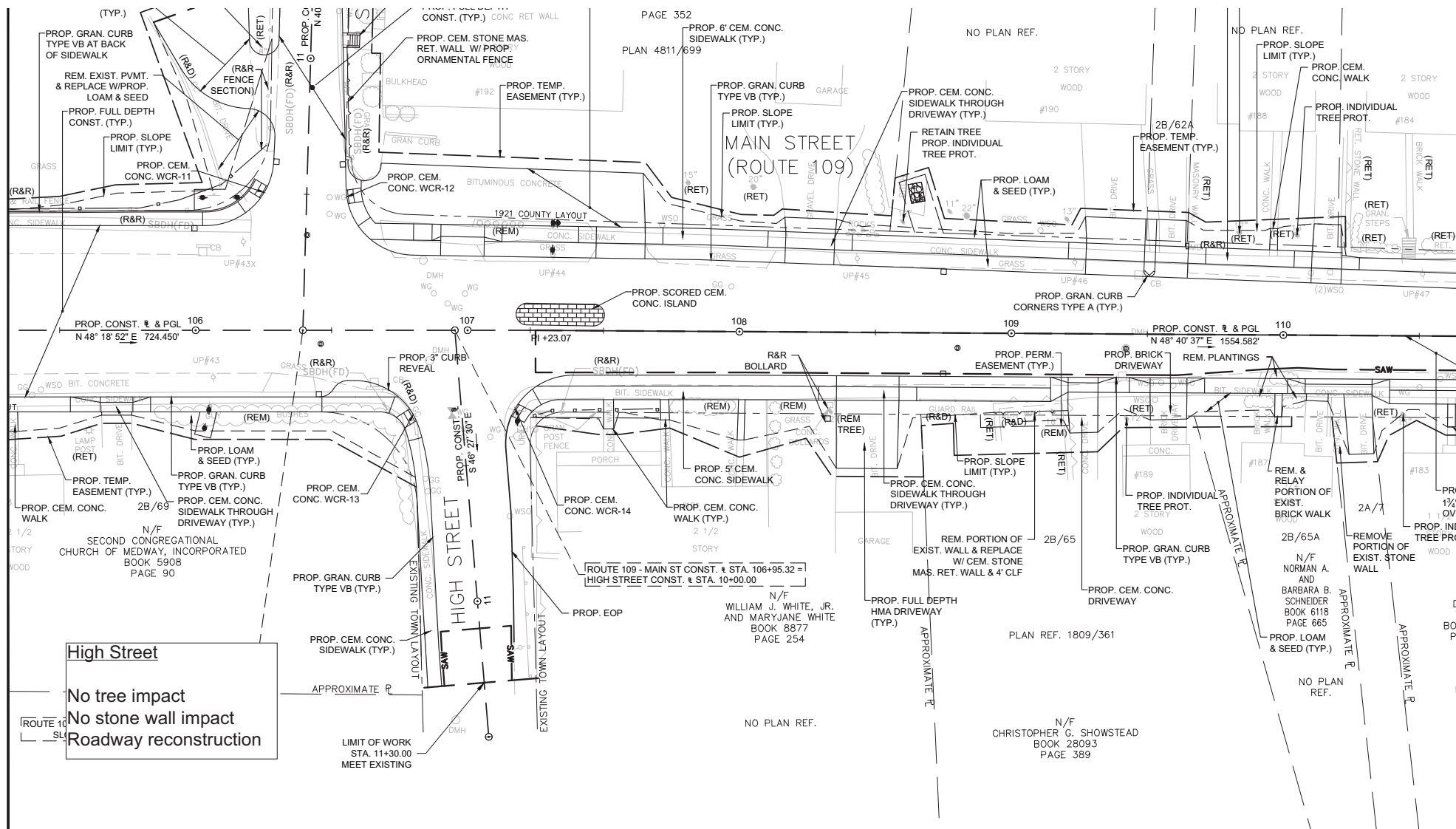
NOTE: STAKE PROPOSED TREE LOCATION IN THE FIELD FOR REVIEW AND APPROVAL PRIOR TO PLANTING





Highland Street  
 No tree impact  
 No stone wall impact  
 Roadway reconstruction

CONT. ON  
 SHEET 34



PAGE 352  
PLAN 4811/699

MAIN STREET  
(ROUTE 109)

HIGH STREET

High Street  
No tree impact  
No stone wall impact  
Roadway reconstruction

ROUTE 109 - MAIN ST CONST. STA. 106+95.32 = 1  
HIGH STREET CONST. STA. 10+00.00

N/F  
WILLIAM J. WHITE, JR.  
AND MARYJANE WHITE  
BOOK 8877  
PAGE 254

PLAN REF. 1809/361

N/F  
CHRISTOPHER G. SHOWSTEAD  
BOOK 28093  
PAGE 389

LIMIT OF WORK  
STA. 11+30.00  
MEET EXISTING

SHEET 37  
AEL F. OLIVIAL  
BOOK 27608  
PAGE 391

FRANCIS J. AND MARGARET YERED  
BOOK 4488  
PAGE 166

PAGE 33

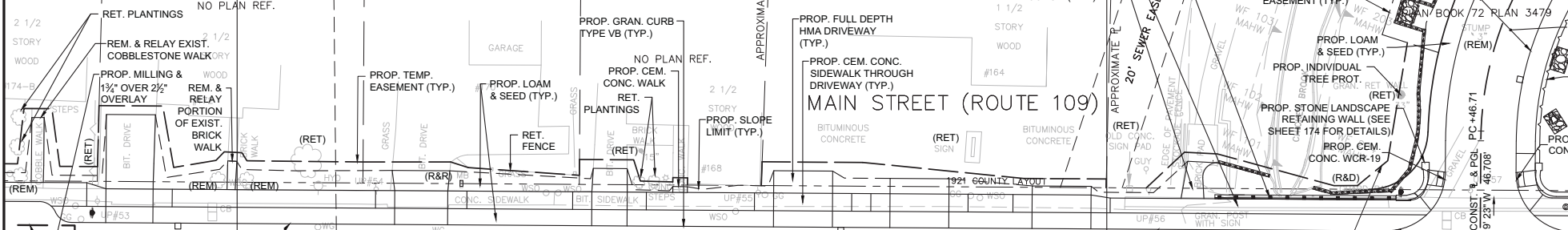
JAMAL KAZIAN, SR. AND GERTRUDE STEFAN  
BOOK 8789  
PAGE 714

FASULINO REALTY TRUST  
L.C.C. 924273

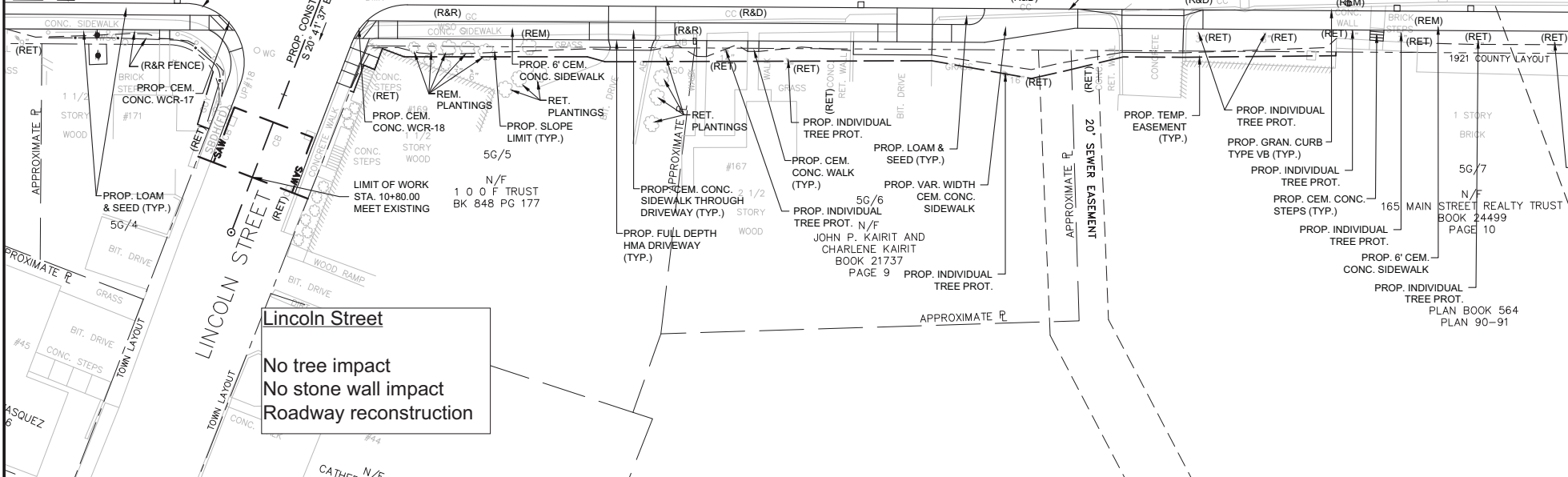
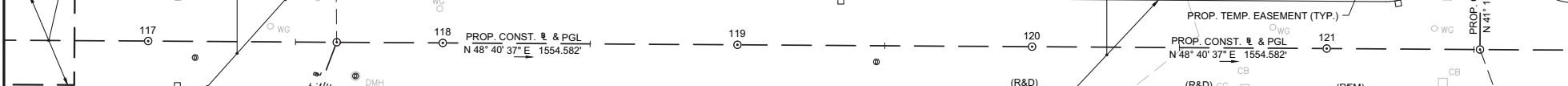
PROP. 5' CEM.  
CONC. SIDEWALK

REM. & RELAY PORTION OF  
EXIST. BRICK WALK  
L.C. PLAN 37575 A PROP. FULL DEPTH  
CONST. (TYP.)

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WF 104 MAHW  
WF 103 MAHW  
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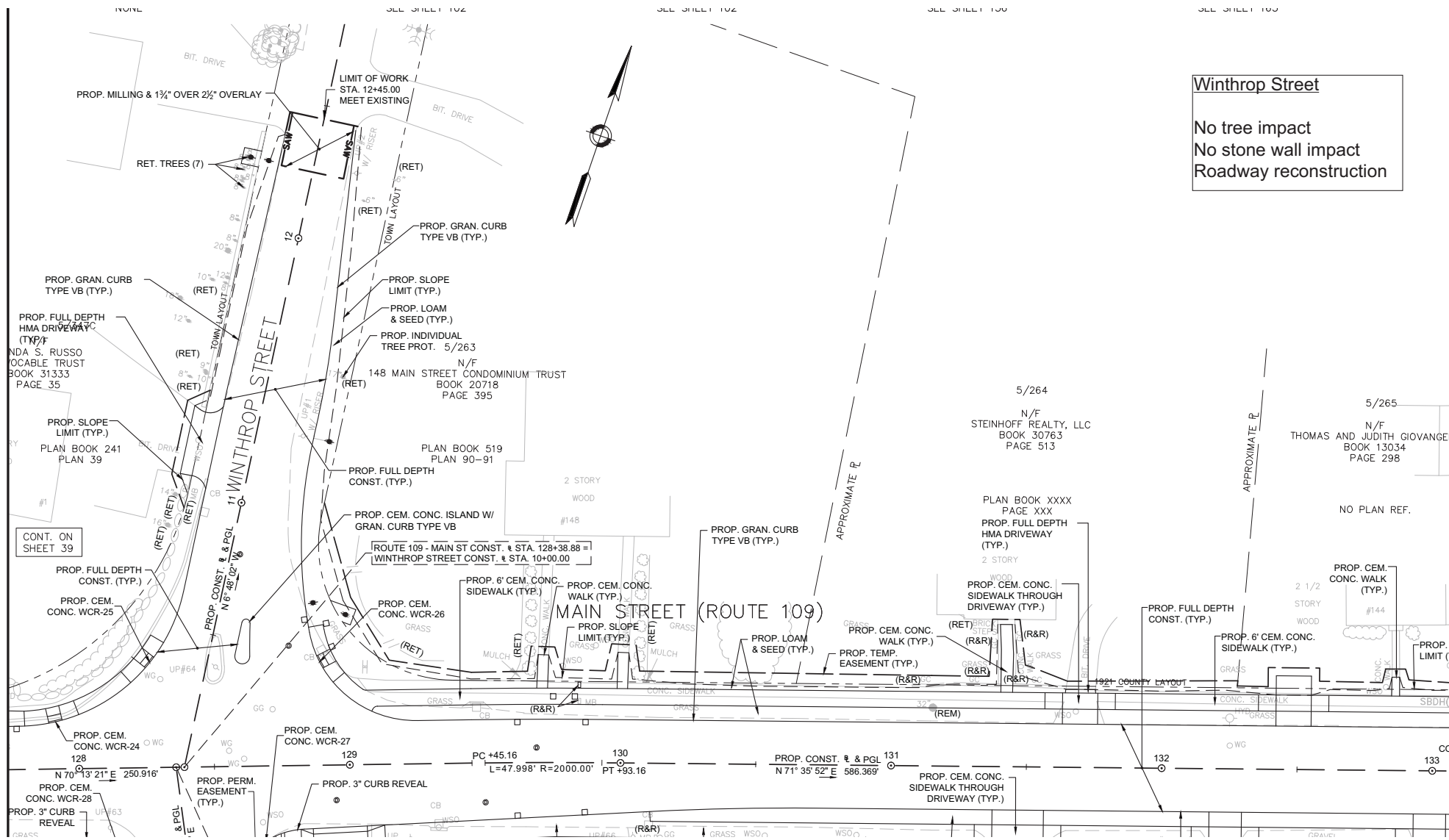


### MAIN STREET (ROUTE 109)



**Lincoln Street**  
No tree impact  
No stone wall impact  
Roadway reconstruction

PLAN BOOK 564  
PLAN 90-91



**Winthrop Street**

No tree impact  
 No stone wall impact  
 Roadway reconstruction



N/F  
STEINHOFF REALTY, LLC  
BOOK 30783  
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N/F  
THOMAS AND JUDITH GIOVANELLO  
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**Evergreen Street**  
No tree impact  
No stone wall impact  
Roadway reconstruction

