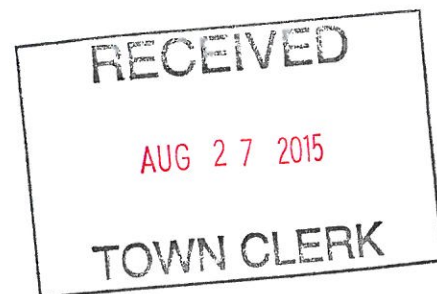




TOWN OF MEDWAY
Planning & Economic Development
155 Village Street
Medway, Massachusetts 02053



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

August 25, 2015

SCENIC ROAD WORK PERMIT

263 Village Street - The Willows Senior Living Community

APPLICANT – Continuing Care Management, LLC, Westborough, MA

LOCATION – South side of Village Street (*a designated Medway Scenic Road*) in the area where the proposed Willows senior living community is located (257, 261, 261R and 263 Village Street).

PROJECT DESCRIPTION – Continuing Care Management LLC proposes to construct a senior living community to be known as The Willows and Whitney Place on a 58 acre site at the above noted addresses. The proposed development includes a mixture of cottage style homes, and a variety of apartments for independent, assisted and memory care living. The Planning and Economic Development Board is currently reviewing an application for an adult retirement community planned unit development (ARCPUD) special permit for this site.

One of the two proposed roadways into the development necessitates the cutting and removal of one thirty inch (30”) ash tree that is located within the Town’s right-of-way adjacent to 263 Village 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. The hearing was closed on the same date.

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) 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 – During the public hearing, the Board heard testimony from Assistant Tree Warden Fred Sibley. Shane Oates from Coneco Engineering provided a presentation showing the location and photos of the subject tree.

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.

FINDINGS

- 1. The proposed Willows/Whitney Place ARCPUD has approximately 314 linear feet of frontage along this portion of Village Street, a Medway scenic road, where the subject tree is located.

2. There is one 30” ash tree located in the Town’s right-of-way adjacent to 263 Village Street that is proposed for removal. It is located exactly where the primary roadway (Willow Pond Circle) from Village Street into the development would be constructed. See attached photos and the Scenic Road Permit Application plan dated 7/23/15 prepared by Coneco Engineers and Scientists. No stone walls in the Town’s right-of-way are affected.
3. The planned roadway location was selected in part to preserve as many black walnut trees on the development site as possible. The grove of black walnut trees is an important natural resource of the development site which the Board and the Conservation Commission wish to preserve.
4. 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 tree² x 3.14 ÷ 2 = total sq. in. of replacement tree diameters

30 inch tree 15 x 15 = 225 sq. inches.

$$\begin{array}{r} \times 3.14 \\ \hline 706.5 \\ + 2 \\ \hline 353.25 \text{ sq. inches of replacement tree diameters} \\ + 7 \\ \hline 50 \text{ three-inch (3") caliper replacement trees} \end{array}$$

Total Tree Replacement = 50 three-inch (3") caliper trees

5. 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.
6. Tree Warden Fred Sibley has reported that ash trees as a species are dying as a result of disease and that there is little hope to prevent tree mortality from the Emerald Ash Borer. The Town’s cost to remove this tree in the future will be substantial. The aesthetic quality of this tree is minimal. Full restitution for the removal of this tree is not merited.

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 30 inch ash tree in the Village Street right of way subject to the following condition:

1. As recommended by Assistant Tree Warden Fred Sibley, Continuing Care Management LLC shall make a payment of \$600 to the Medway Tree Fund as mitigation for the removal of the 30” ash tree. Such payment shall be made within six months after site construction commences for The Willows development.

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.

The Willows Senior Living Community
Scenic Road Work Permit – 263 Village Street
August 25, 2015

VOTING THIS 25th 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-Chiles
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
Jeff Robinson, Continuing Care Management
Shane Oates, Coneco Engineering and Scientists

MEDWAY SCENIC ROAD WORK PERMIT APPLICATION

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

RECEIVED
AUG - 6 2015
TOWN CLERK

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: July 23, 2015

1. Applicant/Location Information:

Location/Address on Scenic Road: 259, 261, 261R and 263 Village Street
Name of Applicant: Continuing Care Managment, LLC.
Primary Contact: Jeffrey S. Robinson, Managing Partner
Mailing Address: 1 Lyman Street Westborough, MA 01581
Telephone: 508-898-3416 x3773 Email address: JRobinsonCCM@aol.com

2. Describe the *repair, maintenance, paving or reconstruction* work you wish to do in the Town's *right-of-way* on the Scenic Road: Two proposed paved access roadways from Village Street servicing a proposed retirement community.
Removal of a single tree will be required. Existing tree is a 30" diameter ash tree.

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] 7/23/15
Signature of Medway DPS Representative 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

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] 7/23/15
Signature of Medway Tree Warden 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 Date

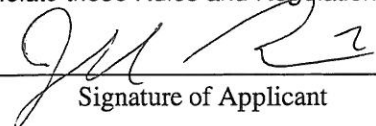
MEDWAY SCENIC ROAD WORK PERMIT APPLICATION

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

July 23, 2015

Date

Revised February 28, 2008



ENVIRONMENTAL
ECOLOGICAL
ENERGY
SURVEY
CIVIL

July 23, 2015

Town of Medway
Medway Planning Board
Attention: Susan Affleck-Childs
155 Village Street
Medway, MA 02053

**Re: Scenic Road Work Permit Application
259, 261, 261R, and 263 Village Street
Medway, Massachusetts**

Description

Proposed paved roadway access (two roadways) along Village Street in Medway, Massachusetts is a component of the Salmon Health and Retirement Senior Community proposed development. The Applicant of this project is Continuing Care Management LLC. The proposed development will have two access points along the southeastern side of Village Street. An assessment by Medway Department of Public Services Operation Manager and Assistant Tree Warden, Fred Sibley, was conducted on July 9, 2015. During this meeting a representative from Coneco Engineers and Scientists was on site to address questions Mr. Sibley had during the assessment and give an overview of the project. After the meeting with Mr. Sibley, and considering safety and constructability, it was determined a single tree must be removed from the Town's Right of Way.

The first proposed access is located on the south side of Village Street in the north-west corner of the subject parcel. This access will be a boulevard style entrance approximately one hundred feet wide and will require the removal of one tree which is within the jurisdiction of the Town of Medway's Planning Board Rules and Regulations Chapter 400-Scenic Roads. The tree is an ash tree approximately thirty inches in diameter with all of its branches hanging over the applicants parcel as a result of limb cutting within the Right of Way for power line clearance [Pictures 1-3]. This tree lies approximately fourteen feet from the edge of the pavement; placing the tree along the property line. This tree can be seen in figure 1 called out as a 30" Ash Tree.

The second proposed access is located on the south side of Village Street in the north-east corner of the subject parcel [Picture 4]. This proposed access will be approximately sixty feet wide along Village Street. There are no trees or rock walls within the Right of Way that will need to be removed or modified per order of the Town of Medway's Planning Board Rules and Regulations Chapter 400-Scenic Roads.

Purpose and Need to Cut Down Trees

The existing ash tree which falls within the jurisdiction of Town of Medway's Planning Board Rules and Regulations Chapter 400-Scenic Roads must be removed not only for roadway construction, but to provide vehicles entering and exiting the community adequate sight distance to safely traverse the intersection. Additionally, the tree has minimal aesthetic value to the roadway corridor since it no longer has any branches on the street side due to previous maintenance. As shown in the pictures, currently it is very difficult to see the tree from the roadway due to maintenance and the existing setback from Village Street.

Alternatives, Compensatory Actions, and Mitigations Measures

The only way to preserve the existing tree would be to limit access to one point on Village Street. However, this would result in negative impacts to public safety access for emergency services. Also, one access would impact traffic flow patterns and create larger concentrated volumes at a single point of access. Following the Town of Medway's Planning Board Rules and Regulations Chapter 400-Scenic Roads, the compensatory actions to be taken will begin with a determination of the square footage of the tree one foot above grade. Within one year of the permit being issued, trees must be planted which equal half of that square area of the tree taken down. The tree warden will specify what type of trees will be planted and any additional compensation that may be required.

If you have any questions or concerns regarding the information provided in this letter or require additional information please feel free call me at 508-697-3191 x110.

Sincerely,
Coneco engineers & Scientists



Shane M. Oates
Senior Project Manager – Engineering



Photo 1 (looking south)
30'' diameter Ash Tree to be removed



Photo 2 (looking northeast)
30'' diameter Ash Tree to be removed

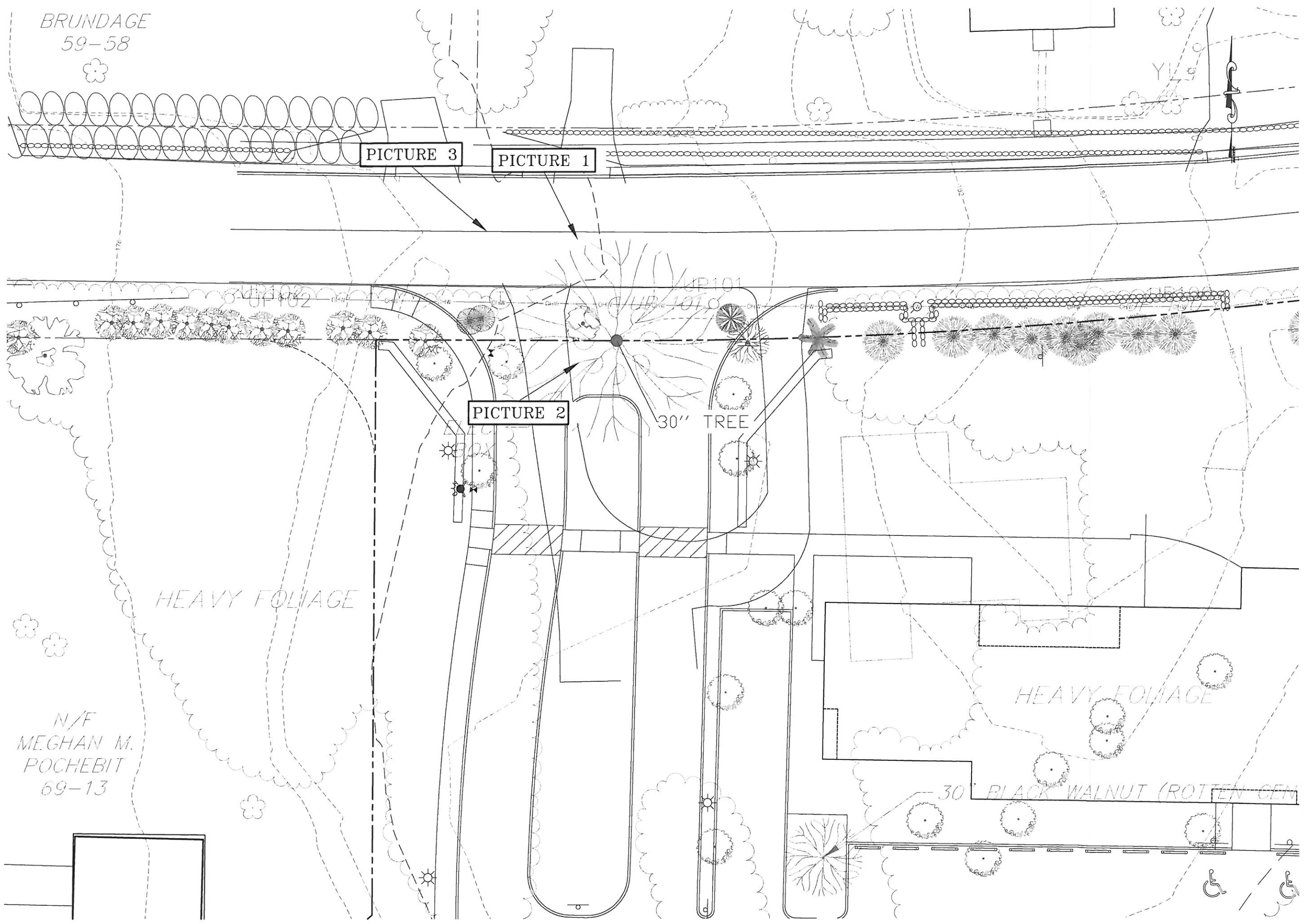


Photo 3 (looking southeast)
30'' diameter Ash tree to be removed



Photo 4 (looking southwest)
Proposed eastern entrance to the development

BRUNDAGE
59-58



N/F
MEGHAN M.
POCHEBIT
69-13

HEAVY FOLIAGE

30" TREE

HEAVY FOLIAGE

30" BLACK WALNUT (ROTTEN GEN)

REVISIONS	
NO.	DATE

PREPARED FOR:
CONTINUING CARE MANAGEMENT, LLC
1 LYMAN STREET
WESTBOROUGH, MASSACHUSETTS 01581

PROJECT:
SALMON HEALTH AND RETIREMENT
COMMUNITY
269.261R, AND 263 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053

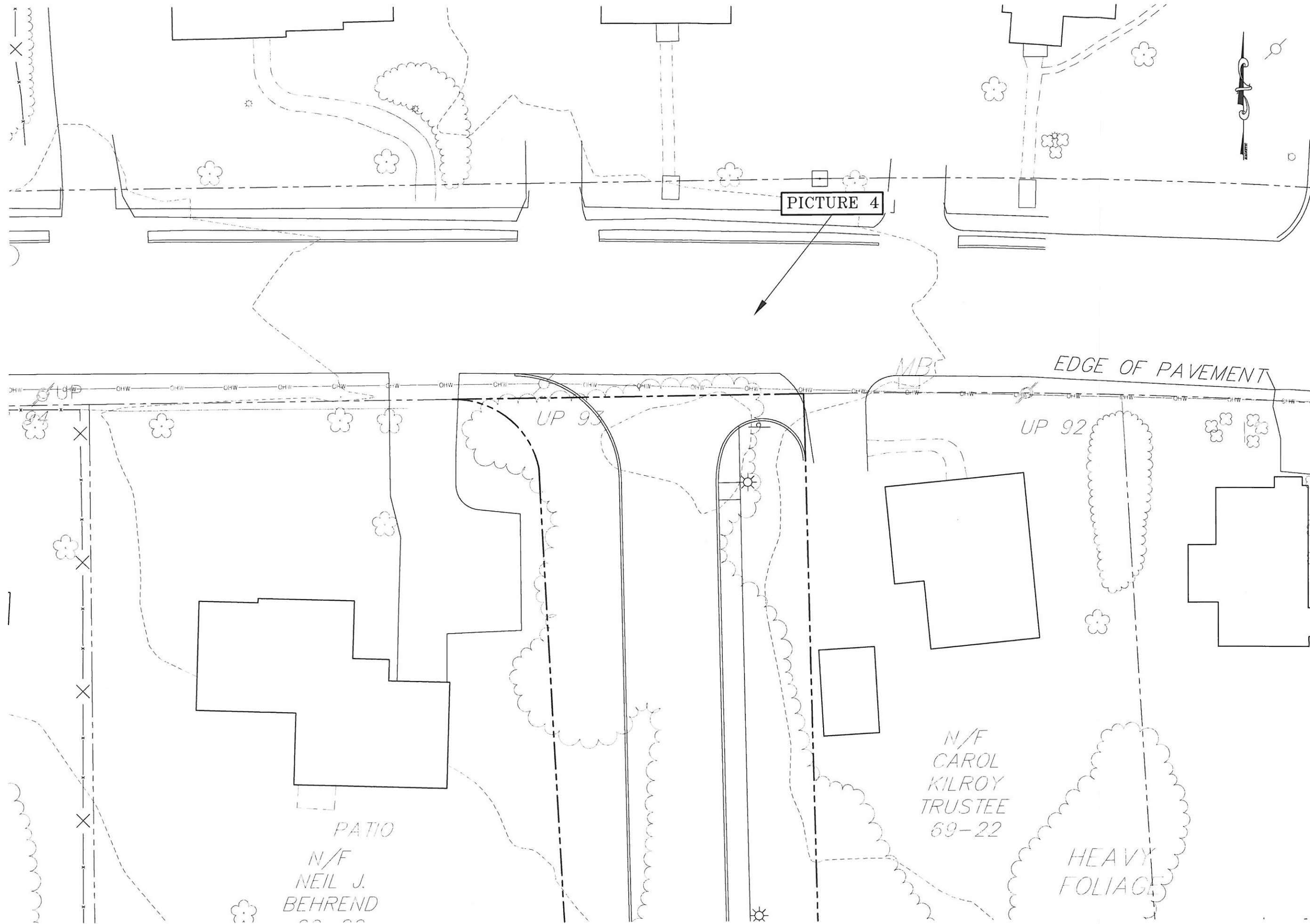
PLAN SET:
CONECO
Engineers & Scientists
4 FIRST STREET, BRIDGEWATER, MASSACHUSETTS 02324
PHONE 508-697-3191 OR 800-548-3355; FAX 508-697-5996
WEBSITE: www.coneco.com

DATE: 7/23/2015
DESIGNED: CHECKED: JEN
DRAFTED: WAS IN CHARGE:
SCALE: N.T.S.
PROJECT NO. 8548.0
SHEET NO.

S1

PLAN LAYOUT
SHEET 1-2

SCENIC ROAD PERMIT
APPLICATION



NO.	DATE	DESCRIPTION	DR/CK

PREPARED FOR:
 CONTINUING CARE MANAGEMENT, LLC
 1 LYMAN STREET
 WESTBOROUGH, MASSACHUSETTS 01581

DRAWING:
 PLAN LAYOUT
 SHEET 2-2

PROJECT:
 SALMON HEALTH AND RETIREMENT
 COMMUNITY
 259.261R, AND 263 VILLAGE STREET
 MEDWAY, MASSACHUSETTS 02053

PLAN SET:
 SCENIC ROAD PERMIT
 APPLICATION

CONECO
 Engineers & Scientists
 4 FIRST STREET, BRIDGEWATER, MASSACHUSETTS 02324
 PHONE 508-697-3191 OR 800-548-3355; FAX 508-697-5986
 WEBSITE: www.coneco.com

DATE: 7/23/2015
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 SHEET NO.

S2