

**August 9, 2011
Medway Planning and Economic Development Board Meeting
155 Village Street
Medway, MA**

BOARD MEMBERS PRESENT: Andy Rodenhiser, Bob Tucker, Chan Rogers, and Karyl Spiller-Walsh

ABSENT WITH NOTICE: Tom Gay

ABSENT WITHOUT NOTICE:

ALSO PRESENT: Susy Affleck Childs, Planning and Economic Development Coordinator
Amy Sutherland, Meeting Recording Secretary

The Chairman opened the meeting at 7:00 pm.

The Chairman asked for any citizen comments.

Proposal for Zoning Bylaw Change:

Bruce Hamelin a resident in Medway came to the Board with a proposal for a change to the zoning map. The parcel reference was shown on a map and is currently zoned as AR1. The area is a triangular shaped parcel that is immediately west of I-495. It abuts Bellingham and an industrial park in Milford. The remaining part of the parcel is east of I-495 and is zoned Industrial III zone. Overall, the parcel is .51 acres and assessed at \$800.00. This is currently owned by NSTAR. Mr. Hamelin recommends changing the zoning to Industrial III.

Member Rogers wanted to know if this was taken from a remnant of land leftover from building I-495. He believes that this was left with no use or compatibility.

Resident Hamelin does not know.

Susy Affleck-Childs communicated that it may be a good time to have a discussion with the Board of Selectmen and the Town Administrator to discuss zoning articles for the fall town meeting.

Village Estates Definitive Subdivision Plan – 272 Village Street:

The continued public hearing for Village Estates Definitive Subdivision Plan was opened at 7:15 pm.

Present for the applicant were Paul DeSimone of Colonial Engineering and Dottie Santoro.

The Board was provided a confidential document from Town Counsel Barbara Saint Andre relative to the Village Estates Subdivision and the 272 Village becoming non-conforming given it is a corner lot.

Paul DeSimone gave a brief overview of the plan revisions which were in relation to the previous comments from Tetra Tech Rizzo and PGC Associates. The revisions were noted in a memo from Colonial Engineering, Inc. dated July 25, 2011. **(See Attached)**

The revised plan shows the planting of shrubs around the stormwater management facilities. It also shows the 30' pine trees along the west side of the property that will be removed.

The Board is also in receipt of review memos from PGC Associates, Inc. dated August 1, 2011 regarding the revised plans and from Tetra Tech Rizzo dated August 3, 2011. **(See Attached)**

Mr. DeSimone had supplied the Board with a series of Waiver Requests from the Subdivision Rules and Regulations. **(See Attached)**

The applicant would like a waiver from the requirement of a looped water system. The reason for this is due to the fact that the proposed private way is very short in length. The water line cannot be extended, since there are no existing roads on abutting parcels to loop to. The water line would have to be run back down the middle of the road to Village Street.

The applicant proposes to install a water main line to the hydrant for fire protection and to service the proposed dwelling. There would also be a second water main back down the middle of the road to the main in Village Street. There will be three gate valves installed in Village Street at the tie into the water main.

The applicant is also seeking a waiver from 7.7.2 regarding stormwater management which requires the limits of detention and retention basins and related structures to not be closer than 30 feet to lot/parcel lines and any right of way. Tetra Tech Rizzo will provide further recommendation in relation to this issue. It was also suggested that there be some follow-up with the DPW Director.

The applicant is proposing shallow, unobtrusive infiltration trenches within the private roadway layout. This was shown on Parcel "A". Mr. DeSimone indicated that the goal of this design is to provide a low-impact development stormwater system. The design meets DEP stormwater standards and is aesthetically pleasing.

The next waiver requested is from 7.9.2 Roadway Alignment. The requirement is for a 40 foot curb radius. The applicant is seeking a 24 foot curb radius. The applicant communicated that a 24 foot radius is adequate for two house lots.

Paul DeSimone commented on the curb matter that Gino Carlucci had referenced in his review letter. There no curb. How will you finish it? The sidewalk will not be touched. The road is level with the concrete. The two driveways will be taken out.

Dave Pellegrini from Tetra Tech Rizzo communicated that the Town will be undertaking a project to fix this part of Village Street, including the sidewalks. The intent is to do the project this year. The Town will meet the existing grade. The question is does the Board want to fix the sidewalk

along this property when it is to be fixed in the future. Dave Pellegrini suggested showing the limit of what needs to be repaired

There is not a waiver proposed from the sidewalk requirement. There are sidewalks there but they are not in the best shape.

Paul DeSimone informed the Board that he is waiting to hear back from the DPW regarding sidewalks. He will show the limits and saw cuts of what needs to be repaired.

There are two driveways and one has a dip.

Member Tucker wants to make sure that the Board remains consistent with the action relative to the sidewalks and making sure it is equitable with the other decisions the Board has made.

Dave Pellegrini questions, does this sidewalk provide safe pedestrian standards? This needs to be determined. This is not clear.

Member Spiller-Walsh noted that the Board could write that a condition that improvements be made and this could be decided by Dave.

It was suggested to have Dave Pellegrini meet with Paul DeSimone and Tom Holder to come up with a solution relative to the sidewalks and this could move forward.

The Board next discussed the street layout.

The Chairman informed all that Town Counsel is looking at the road layout and how it would impact the adjacent properties.

The Board was looking for some clarity from the Building Commissioner, John Ernidy and Town Counsel. Susy-Affleck-Childs informed all that a confidential document was received from Town Counsel. Locating the roadway layout on the western edge of the parcel would put the building on the adjacent parcel to the west at 274 Village Street in non-conformity with the zoning bylaw as it would not be set back 35 feet from a street line. This is not a problem until the owner of 274 Village Street wants to build. Susy Affleck-Childs also read from the Subdivision Regulations that subdivision approval shall not be granted if the division by the land creates a zoning violation on an adjacent parcel. This is not a regulation the Board should waive.

Chairman Rodenhiser asked if the layout can be moved to the right (east) to get the clearance.

Susy Affleck-Childs communicated that the Board could agree to a reduced width for the right of way instead of 50'.

Paul DeSimone responded that a spite strip could be put in between but they would need to ask for a waiver from that requirement.

This was brought up in the very first meeting from Gino Carlucci.

There would be no basis to grant that waiver.

There needs to be a strip of land which goes with lot two.

This protects the abutter as well.

The spite strip was not addressed in the letter from Town Counsel.

Paul DeSimone commented that there needs to be clarity from Counsel.

There may need to be some flexibility with the right-of-way.

Member Tucker communicates that the definition of setback is based on property lines. The Board cannot waive the zoning requirement that a building be set back 35 feet from a street line.

Paul DeSimone communicated that he will come up with a drawing showing a spite strip.

Member Spiller-Walsh has a problem with the turning radius. She wants to know what is going to happen with the swales at the end.

Paul DeSimone responded that everything will be coming out and the lawn will be replaced.

Member Spiller-Walsh wanted to know what will be going to the left of the trees. She wanted to know what the plan is for landscaping.

Paul DeSimone responded that this will be lawn and not grass.

Dave Pellegrini noted that the large pines will need to be removed and the applicant might want to put in new trees for a buffer.

Paul DeSimone noted that there will be a good buffer remaining if the roadway layout moves (easterly). This will not change.

Chairman Rodenhiser noted that if the road moves, those trees can remain.

Karyl Spiller-Walsh noted that she visited the site to observe the water issue.

Abutter, Mr. Brundage, 268 Village Street noted that this area fills with water.

Mr. Brundage noted that the water stayed in the field. The grading has changed. The front where the road is going holds so much water. Where is the water going to go with a new road in?

Dave Pellegrini noted that the water will be controlled by the stormwater design. The condition will not be worse and the flow will not increase.

Member Spiller-Walsh asked Mr. DeSimone if they could create a swale or detention area to fix the problem.

Paul DeSimone communicated that he needs to take (survey) shots to see what is going on.

Chairman Rodenhiser asked the abutter if Mr. DeSimone can look to see grades.

Mr. Brundage does not want Paul DeSimone to be on his property.

Chairman Rodenhiser asked if Mr. Brundage has had his land surveyed. Mr. Brundage responded no.

Susy Affleck-Childs communicates that the applicant's engineer cannot design something without concise and precise data.

Mr. Brundage communicated that he has never had a chance to do the final grade.

The Chairman asks again if Mr. DeSimone can go onto his property.

Mr. Brundage is agreeable to allow Mr. DeSimone from Colonial Engineering come to his property to do take survey shots. He would like to be informed when they come.

Mr. Brundage showed a photo. At the west of the site, the picture shows an x where he was standing and took a picture and the sight line was shown. He contends that this is not 240 feet. He is questioning the line of site distance.

Paul DeSimone noted that this was done with instrumentation.

Dotie Santoro communicated that she does not want to pay to resolve problems which have long existed.

Susy Affleck-Childs communicated that there is deadline for Board action which is August 29, 2011.

The applicant Mrs. Santoro is comfortable granting an extension until September 30, 2011.

Dave Pellegrini will be meeting with Tom Holder about connecting to the sewer system.

The Board is in receipt of an email dated August 4, 2011 from Tom Holder, Director of Public Services. **(See Attached)** The email referenced that Mr. Holder would like to see hydrant detail included on plans noting thrust protection. Mr. Holder is also wondering if the extending of the public sewer extension would need MADEP approval.

On a motion made by Chan Rogers and seconded by Bob Tucker, the Board voted unanimously to continue the public hearing for Village Estates until Tuesday, August 23, 2011 at 7:15 pm.

On a motion made by Bob Tucker and seconded by Chan Rogers, the Board voted unanimously to extend the approval deadline for Village Estates until September 30, 2011.

Bay Oaks Preliminary Subdivision Plan – 104 Fisher Street

Chairman Rodenhiser recused himself from the discussion. Vice Chairman Tucker assumed responsibility for chairing the meeting for this agenda item.

Present were Rob Truax of GLM Engineering and Andy Rodenhiser, applicant.

Rob Truax explained that they have made further changes to the plan to address a few of the issues which were presented at the last meeting. (See Attached) The new revised plan dated August 3 and 2011 shows the proposed roadway as a common drive and it is narrowed into 18 ft with a hammerhead to lot 3 and 4. After speaking with abutter Reed, he had asked that the lot one come out on private road. There were changes to the total areas of the lots. Another change was to lot 4 which shows the existing 60 foot easement. The 50 foot easement through Lot 2 has been changed to put the driveway up the easement.

Member Tucker asked that when they go to revise the plans again, to please add a note about the 50 foot easement running all the way to Fisher Street. Please note that this does exist and is not a dead end at the cul-de-sac. The applicant will also need an easement for the driveway on Lot one to cross the adjacent lot.

Member Spiller-Walsh communicated that a house footprint would be relevant to shown on Lot 2 with the wetlands. Is it comfortable there with the wetlands? The footprint would be relevant.

Rob Truax communicated that there would be individual lot filings with the Conservation Commission.

Member Spiller-Walsh is concerned about the legality of the right of way. Could there be 5 lots?

Attorney Batog representing the Giovanella family responded that they have had people out there and there could be two lots on their property.

The Board will have until the next meeting to review all the letters.

Dave Pellegri from Tetra Tech Rizzo has not commented beyond the original letter.

Susy Affleck-Childs provided a chronology of 104 Fisher Street. (See Attached)

She also communicated to the Board that she has not been able to locate the Planning Board's subdivision decision from 1986. There is a subdivision covenant which was written in 1986. This information has been forwarded to Town Counsel.

Vice Chairman Tucker recommends that Susy Affleck-Childs provide information to Town Counsel relative to the 1986 covenant and ask for review.

Member Spiller-Walsh wanted to know what is done with all the snow during the winter.

Andy Rodenhiser indicated that the snow is stacked on both sides of the roadway. The snow has been removed with loaders in the past. He also communicated that the establishment of the Home Owners Association would address the snow removal.

Member Rogers indicated that individuals that buy lots may have concerns about the snow removal. It could be a condition to pull the snow out of there.

Vice Chairman Tucker noted that there could be a plan to control this.

The discussion moved to the massive retaining wall on either side of the existing roadway. The age of wall is at least 20 years. It was indicated that the back is sloped and staggered.

Member Spiller-Walsh wanted to know if there has been thought about thinning, trimming and crisping up some of the planting within the ledge to improve the landscaping.

Andy Rodenhiser informs the Board that he takes care of the driveway, trimming the trees and removing the leaves.

Member Spiller-Walsh communicates that the Design Review Committee may have some selective ideas with not much effort.

Susy Affleck-Childs indicates that the maintenance could come from the Homeowners Association.

This is only a preliminary plan and not even in an official public hearing. The Board is identifying the issues and does not need to sign or make a decision.

The Vice Chairman asked if the public had any comments.

The Board is in receipt of a letter dated August 9, 2011 from Phillips, Silver, Talman, & Sitrich, P.C. attorney for Andy Rodenhiser relative to the old subdivision covenant. (See **Attached**) The attorney indicates that the covenant was released by the Board and its provisions no longer apply.

The Board would like this letter to be forwarded to Town Counsel for review.

Attorney Batog responded explaining the parallel of the subdivision covenant and a ConCom Certificate of Compliance which is issued with the Order of Conditions. The covenant has to do with the road and runs with the land. The Zoning Board of Appeals has looked to former precedents with past decisions and regards to opinions and this is how she looks at this Covenant.

Attorney Batog is happy with the changes made to the plan. She also understands that the septic locations are firm based on perc tests and there is a question about the location of leeching field based on right of way. She has completed no further research, but will look into the cart paths and hoped that the Board will look at the enforceability of the subdivision covenant.

Mr. Truax explained that the plan shows cart paths which have not been located and a path that runs through lot 3. There will be a field location of this and will be picked up. The other runs up the existing driveway. This will show on the definitive plan.

Susy Affleck Childs suggests that the Board continue this informal discussion to the next meeting and request some information from Town Counsel on the Covenant issue.

Andy Rodenhiser does not want to rush this process and wants to maintain integrity.

Mr. Truax asked if the Board wants to see a further revised plan.

Vice Chairman Tucker indicated that a revised plan will be needed at the Definitive Stage.

Abutter: Mrs. Presswood, 92 Fisher St:

Mrs. Presswood is concerned about the serious flooding in 2009. Some of the properties sit on bubbling brooks. She is concerned about water quality, leeching, and septic. She is also hoping that the privacy around the perimeter of her property could remain. She was also wondering if blasting would have to be done and would this cause possible cracking of her house foundation.

Mr. Truax responded that there are big rocks, but he does not anticipate blasting.

Andy Rodenhiser responded that there was no blasting done when his house was built.

Vice Chairman Tucker stated that there are preblast surveys, notifications and legality issues which are worked out prior to blasting. He also explained that Town's Board of Health gets involved with approving septic systems and there are State regulations which need to be followed.

Abutter Presswood responds that there are no guarantees.

Susy Affleck-Childs recommends that Mrs. Presswood speak with Health Agent, Bill Fisher to answer her questions about leech fields and wells.

Vice Chairman Tucker responds that there can be damage to aquifer which can happen and have an impact on the quality of water. This is not common, but it can happen.

Member Spiller-Walsh communicates that an option for the abutters is to purchase the land and keep it as is. If you own it you can control it.

The Board continued the discussion to Tuesday, August 23, 2011 at 8:00 pm.

Medway Middle School Minor Site Plan – 45 Holliston Street:

Member Tucker recused himself from the discussion as he is chairman of the Medway Middle School Building Committee.

Andy Rodenhiser resumed chairing the meeting.

The application for review and approval for the minor site plan project for the Medway Middle School was dated July 27, 2011. (See Attached). The minor site plan status is in accordance with the Medway Zoning By-Law, Section V. Use Regulations, Subsection C.

The application pertains to the proposed new front entrance and lobby addition on the Holliston Street side of the Middle School building. The exterior work that is subject to the site plan review is one component of the multi-faceted Medway Middle School building improvement project.

Notification of the briefing was sent to property owners within 300 feet of the school or any official party of interest.

The Board is also in receipt of a memo dated July 27, 2011 from Christopher Garcia, from Garcia, Galucka, & Desousa Consulting Engineers regarding stormwater. (See Attached)

The Project Description (See Attached) explains that the project included the interior renovation of the existing building, demolition of the concrete front entrance and replacement with a new entry structure, full depth removal and replacement of portions of the existing parking lots on the eastern side of the existing building, removal and replacement of portions of the existing concrete sidewalks and improvements to ADA access within the site, replacement of site lighting poles, and installation of a new electrical service to the building. There will also be installation of a new emergency power generator and the installation of a new fire protection sprinkler service from the existing water main on the site.

The Board is in receipt of the Development Impact Report dated July 27, 2011 from Knight, Bagge and Anderson, Inc. KBA Architects. (See Attached) This memo references that during the construction period, the construction vehicle activity will be isolated and segregated from the school use activity. All construction vehicles will be parking in the parking lot at the North end of the site that is accesses off Kelley Street. There will be measures taken to mitigate noise.

It was also explained that there was a meeting with the Medway Fire Department to discuss a number of issues.

Member Spiller-Walsh communicated that they are continuing to work with the Design Review Committee. The Design Review Committee will be working on the coloring of the window frames.

Matt Buckley, Chairman of the Design Review Committee, informed the Board that the DRC is happy with the progress. It was suggested that the landscaping does need to be addressed. The Design Review Committee would like to have a landscape plan and be able to keep as many of

the existing plants. Some areas around the building are barren. The existing trees in the front of the school will need to be taken out.

The Chairman wanted to know if the funding for any landscaping plan has been addressed and will the Board putting in a condition in the site plan decision for a landscape plan be burdening for them.

Member Rogers proposed that the Board agree with whatever the Design Review Committee puts forth for implementation.

Bob Tucker explained that there has been some discretionary money put aside for landscaping, but the money is limited.

It was discussed that there could be a statement within the decision that the landscape items will be worked out. It was suggested that a list of items be created.

Member Spiller-Walsh added that the Design Review Committee discussed and is working on raising funds and is looking for local businesses to donate plantings and benches for the landscaping.

The Design Review Committee understands that the project budget does not fund the aesthetics.

Member Spiller-Walsh responded that the Design Review Committee is clear about the financial limitations.

The color palette will not be decided until this goes out to bid. The coloring coordination will be based on specification and options from the selected supplier.

Mr. Tucker reported that the School Committee is not in favor of a putting a logo on the interior floor of the new lobby.

Eric Hulstrom, 15 Dean Street:

Mr. Hulstrom was curious about the temporary construction, and wanted to know if there was going to be additional signage during the construction. He also thought that one of the trees at the intersection will be need to be trimmed.

Susy Affleck-Childs asked if there will be any direct mailing to abutters about the construction.

Member Tucker indicated that this will be done through email through the website. The School Department will also be direct mailing a newsletter to citizens.

Susy Affleck-Childs will prepare a draft decision for the next meeting.

The Board will place this as an agenda item for August 23, 2011. The Board would like a letter from the Design Review Committee at that time.

Candlewood Estimate:

There has been no action from the Board on this. There was an estimate provided August 3, 2011 estimate of punch list items is \$14,600.

Pine Ridge Bond Reduction:

An estimate for the remaining work to be done in the adjacent Candlewood subdivision was provided. (See Attached). It is dated August 3, 2011 and was provided by Tetra Tech Rizzo. The estimated cost for those items at Candlewood is \$14,600.

On a motion made by Bob Tucker and seconded by Karyl Spiller-Walsh, the Board voted unanimously to reduce to bond for the Village at Pine Ridge to \$40,000 based on the estimate provided by Tetra Tech Rizzo dated August 4, 2011.

Consultant Report:

Consultant Dave Pellegrini will provide paperwork in relation to Speroni Acres and Franklin Creek still under review and will provide feedback at the next meeting scheduled for August 23, 2011.

Minutes of July 26, 2011:

July 26, 2011:

On a motion made by Bob Tucker and seconded by Chan Rogers, the Board votes unanimously to approve the minutes from July 26, 2011 with noted revisions on page five.
(Andy Rodenhiser abstained from vote)

OTHER BUSINESS

1. A memo was received from 495/Metro West Development Compact providing an update of the 495/Metro West Development Compact. (See Attached)

The Chairman informed the Board that he had a conversation with someone who may be interested in putting solar panels on a three acre parcel in the Industrial III zoning district. The zoning bylaw does not authorize the solar farm use in that zone. (It is allowed in the Industrial II zoning district).

Susy Affleck-Chilids was also contacted by the same energy company. The parcel of interest is located within Industrial III and is not an authorized use. She encouraged the prospective buyer to look at Industrial II areas.

The Chairman suggested to the prospective buyer that the exemption may not be interrupted that way. He suggested that this person work with the EDC to explore other possibilities.

Member Tucker wanted to know what is the impact of solar power over open land. He is not sure if technology is where it needs to be for commercial use. He is not in favor of placing panels over open ground.

The Chairman responded that all of that would need to be worked out. This would need a site plan review.

Member Rogers disagrees with member Tucker about the underground effect of the solar panels. The Board should be motivated to look at the possibilities.

There are carbon credits to be sold and tax credits to be earned.

Susy Affleck-Childs will forward the letter which was sent from the energy company looking at the site in the Industrial III zone.

2. Susy Affleck-Childs reported that the Zoning Amendments from the June town meeting have been approved by the Attorney General Office.
3. Susy Affleck-Childs reported that she had submitted two proposals for the Capital Improvement budget – one for continued GIS work and one for a community signage project.
4. The Town is sponsoring a 2010 Census Workshop on August 23, 2011 at the High School. This is open to the Town Boards and Committees.

Adjourn:

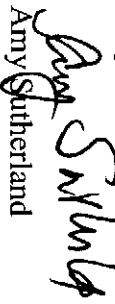
On a motion made by Karyl Spiller-Walsh, and seconded by Bob Tucker, the Board voted unanimously to adjourn the meeting at 10:50 pm.

Future Meetings:

The next meetings scheduled are: Tuesday, August 23rd and September 13, & 27, 2011.


The meeting was adjourned at 10:50 PM.

Respectfully Submitted,


Amy Sutherland

Meeting Recording Secretary

Reviewed and edited by,


Susan E. Affleck-Childs
Planning and Economic Development Coordinator

PGC ASSOCIATES, INC.

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August 1, 2011

Mr. Andy Rodenhiser, Chairman
Medway Planning Board
155 Village Street
Medway, MA 02053

R E C E I V E D
AUG 01 2011

**TOWN OF MEDWAY
PLANNING BOARD**

Re: Village Estates Definitive Subdivision Plan

Dear Mr. Rodenhiser:

I have reviewed the revised definitive subdivision plan submitted by Dorothy and Russell Santoro of Medway for property on Village Street. The plan was prepared by Merriken Engineering of Millis and Colonial Engineering, Inc. of Medway, and is dated May 19, 2011, with a revision date of July 25, 2011.

The plan proposes to construct a permanent private way cul-de-sac in order to create frontage and divide a lot on Village Street with an existing house on it into two lots. The existing house on the property would remain. The new lot exceeds 30,000 square feet so it qualifies for a duplex (subject to granting a special permit by the ZBA) and a duplex house is shown on the plan. The total size of the parcel is 2.026 acres.

I have repeated the comments from my June 23, 2011 letter with new comments in **bold** as follows:

Zoning

1. The lots in the subdivision as shown on the plan comply with area, frontage and lot shape requirements of the Zoning Bylaw.

Subdivision Rules and Regulations

2. Section 5.7.32 requires landscaping of a cul-de-sac island. No island is proposed since the dead-end street is proposed to have a hammerhead turnaround (as allowed for permanent private ways). However, an island effect is created by the proposed two driveways for each side of the duplex winding around opposite sides of a detention basin (labeled as Infiltration Trench #1) within the cul-de-sac right-of-way. While the presence of the basin will limit possibilities, consideration should be given to requiring a landscaping plan for this area. **The plan now shows the planting of shrubs around the stormwater management facilities. It also shows the 30" pines along the west side of the property that will be removed.**

3. Section 7.7.2 (p) requires drainage basins or other elements of a drainage system to be 30 feet from a lot line. All three infiltration trenches are less than 30 feet from the lot line and no

waiver has been requested. A waiver from this requirement is now requested. It should be noted that the plan indicates that the bottom of one basin will be at elevation 182 while the top of the foundation wall will be 188, leaving the basement floor at 180 or 181 and about 45 feet away from the basin.

4. Section 7.25.1 requires that bounds be placed on all points of curvature and angle points along the roadway layout. No bounds are shown on the plan. **The plan now shows concrete bounds to be set.**

5. Section 4.6.11 requires that a proposed street name be shown on the plan. No name is shown. Since this is a permanent private way adding 2 (possibly 1) residences and since the existing house already has a Village Street address, it may be preferable to leave the way without a name and assign Village Street addresses. However, since the existing house is #272 and the property next door is #274, the new dwelling units would need to be 272 with a letter attached. **A street name is now shown.**

General Comments

6. In considering whether there is a possibility of extending the way onto adjacent developable land, the abutting lots on both sides have excess land, but the lot to the east is mostly wetlands and the lot to the west has a second dwelling unit on it already.

7. The existing house currently has two driveways to Village Street. One is paved and one is gravel. A new driveway from the proposed new street is proposed for the existing house, and both existing driveways are proposed to be abandoned. The new road will overlap one of the existing curb cuts, but there should be a condition to require that the other curb cut is removed and that the curbing and sidewalk on each side be connected across this opening in accordance with DPS requirements. **The plan does not show closing of this curb cut, only that the driveway is to be abandoned.**

8. The plan states that the owner of Lot 2 will own the roadway layout. However, since the existing house on Lot 1 will also be accessed from the new roadway, there should be, at a minimum, an access easement on the new roadway in favor of Lot 1. The owner of Lot 1 should also be part of a homeowners association responsible for maintenance of the new roadway.

If there are any questions about these comments, please call or e-mail me.

Sincerely,



Gino D. Carlucci, Jr.



TETRA TECH

R E C E I V E D
AUG 05 2011

**TOWN OF MEDWAY
PLANNING BOARD**

August 3, 2011

Mr. Andy Rodenhiser
Chairman, Planning and Economic Development Board
Medway Town Hall
155 Village Street
Medway, MA 02053

**Re: Village Estates
Definitive Subdivision Review
Medway, Massachusetts**

Dear Mr. Rodenhiser:

Tetra Tech (TT) previously performed a review of the proposed Site Plan for the above-mentioned project. The project includes the construction of a new roadway to service one new residential house lot and an existing single family house currently on the property. The roadway is proposed to be a permanent private way upon completion of the project. The existing house is designated to remain, although the existing gravel driveway and barn will be demolished, with access now being proposed from the new roadway. The new house lot will require utilities servicing the parcel including sewer, water, private utilities, and stormwater. The stormwater design will incorporate the runoff from the proposed roadway and both parcels. The sanitary sewer will need to be extended from the intersection of Village Street and Brookside Road, within Village Street and through the end of the proposed "Road A" to service the new house lot.

TT previously received the following materials:

- A plan (Plans) set entitled "Village Estates, Definitive Subdivision, Permanent Private Way", dated July 25, 2011, prepared by Colonial Engineering, Inc. and Merrikan Engineering, LLP.
- A drainage report (Drainage Report) entitled "Stormwater Report: 272 Village Street, Medway, MA, 2-Lot Residential Subdivision", dated July 20, 2011, prepared by Merrikan Engineering, LLP.

The Plans, Drainage Report and accompanying materials were originally reviewed for conformance with the Town of Medway, Massachusetts Planning Board Rules and Regulations, Zoning Bylaw (ZBL) (Updated on September 18, 2007), the MA DEP Storm Water Management Standards (Revised January 2008), Town of Medway



TETRA TECH

Water/Sewer Department Rules and Regulations, and good engineering practice. The following is a list of comments generated during the review of the design documents. Reference to the applicable regulation requirement is given in parentheses following the comments.

On July 20, 2011, TT received updated plans and responses to our original comments from Merrikan Engineering, LLP. Their responses are provided in italics below our original comments. We have reviewed the applicant's responses and provided additional comments bulleted below the original comment or reply.

The following items were found to be not in conformance with Town of Medway, Massachusetts Zoning Bylaw & Map, or requiring additional information:

No comments

The following items were found to be not in conformance with the Rules and Regulations for the Review and Approval of Land Subdivisions (Chapter 100), or requiring additional information:

Section 5.0-Procedures for Submission, Review and Action on Definitive Subdivision Plans

1. Calculations for proposed piping system using the Rational Method for the 25-year storm event shall be provided (Ch. 100 §5.5.9 (h))

ME Response:

These calculations have been provided in the attached stormwater report supplement. It should be noted that only one pipe actually could be calculated using the rational method, that being the pipe from the westerly forbay at the beginning of the road. The other two pipe flows are dictated by the Hydrocad calculations and the infiltration trench outlet structures.

- TT 8/3/11 Update: This item has been addressed to our satisfaction.
2. Present widths of existing streets and Private ways within 700' shall be provided. (Ch. 100 §5.7.12)
 - TT 8/3/11 Update: This item has been addressed to our satisfaction.
 3. The existing and proposed location of the Base Flood Elevation shall be shown on the plans if encountered within 700' of the subdivision. (Ch. 100 §5.7.13)
 - TT 8/3/11 Update: This item has been addressed to our satisfaction.



TETRA TECH

4. The calculation of the lot shape factor shall be provided. (Ch. 100 §5.7.14)
 - TT 8/3/11 Update: This item has been addressed to our satisfaction.
5. Proposed layout of electric, telecommunications, natural gas, cable, and spare communications conduit shall be shown on the plans. (Ch. 100 §5.7.19)
 - TT 8/3/11 Update: Electric, telecommunications, natural gas and cable have all been shown on the revised plans. However, a spare conduit is not shown on the plans.
6. At least two benchmarks are to be shown on each plan and profile sheet. (Ch. 100 §5.7.20)
 - TT 8/3/11 Update: This item has been addressed to our satisfaction.
7. A note shall be added to the cover sheet of the Definitive Subdivision Plan indicating that all improvements shall be constructed in accordance with Mass DOT handicap requirements and the current ADA/AAB requirements in effect at the time of construction. (Ch. 100 §5.7.34)
 - TT 8/3/11 Update: This item has been addressed to our satisfaction.

Section 7.0-Design and Construction Standards

8. Water pipes shall be extended and connected to form a loop type system. (Ch. 100 §7.6.2 (b))
 - TT 8/3/11 Update: A waiver has been requested by the applicant for this item.
9. A spare communication conduit shall be installed in the same trench with electric, telephone, and cable conduit for future use by the Town of Medway. The board shall determine if this applies to private roadways. (Ch. 100 §7.6.2 (h))
 - TT 8/3/11 Update: A spare conduit is not shown on the plans.
10. Infiltration systems shall be located on separate parcels. The board shall determine if this applies to private roadways. (Ch. 100 §7.7.2 (p))
11. Substantial landscaping and planting shall be provided around detention and retention basins to the satisfaction of the board. We believe that the intent of



TETRA TECH

this regulation extends to large infiltration trenches such as that proposed on this project. (Ch. 100 §7.7.2(r))

ME Response:

The plan has been revised to add a planting scheme around the proposed infiltration trenches. It should be realized, however, that these infiltration trenches are less than one-foot deep and will barely be noticeable as a drainage feature in the landscape. As such, screening is not a significant concern. To the contrary, these shallow features could easily be moved on a regular basis as part of the lawn areas for the adjacent homes and would therefore be aesthetically pleasing, requiring no screening.

- TT 8/3/11 Update: This item has been addressed to our satisfaction.
12. The width of the Right of Way should be noted on the plans and meet the minimum requirements. (Ch. 100 §7.9.4 (a))
- TT 8/3/11 Update: This item has been addressed to our satisfaction.
13. Diameter of the cul-de-sac shall be provided on the plans and meet the minimum requirements. (Ch. 100 §7.9.4 (c))
- TT 8/3/11 Update: This item has been addressed to our satisfaction.
14. The applicant shall ensure that an adequate turnaround acceptable to the fire chief is provided. (Ch. 100 §7.9.6 (d))
15. Vertical granite curbing shall be installed at the intersection. A note and detail shall be provided on the plans. (Ch. 100 §7.10.1)
- TT 8/3/11 Update: This item has been addressed to our satisfaction.
16. Sidewalks exist along the entire frontage of the subdivision parcel along the existing Town way, however the board shall review and determine the ability of the existing sidewalk to provide safe pedestrian access and meet accessibility requirements. (Ch. 100 §7.13.3)
- TT 8/3/11 Update: If project is completed after the town sidewalk improvement project, the applicant shall meet and match existing sidewalk at entrance. If this project precedes town sidewalk improvement project, then new sidewalks will be required per the boards



TETRA TECH

discretion to provide safe pedestrian access. New sidewalks in this scenario shall meet and match existing.

17. Fire alarm system shall be installed and shown on plan. (Ch. 100 §7.17.1)

- TT 8/3/11 Update: A waiver has been requested by the applicant for this item.

18. To enhance the aesthetic quality of the streetscape, street Trees shall be planted. (Ch. 100 §7.19.2)

- TT 8/3/11 Update: We would recommend street trees be planted along west side of driveway to replace 30" pines designated to be removed to maintain buffer screening.

19. No street lights are proposed. (Ch. 100 §7.21)

- TT 8/3/11 Update: A waiver has been requested by the applicant for this item.

20. Monuments shall be installed along the roadway layout at all points of curvature and angle points. They shall also be installed along easements at each angle point. (Ch. 100 §7.25.1)

- TT 8/3/11 Update: This item has been addressed to our satisfaction.

21. A detail of the monument shall be provided on the plans. (Ch. 100 §7.25.2)

- TT 8/3/11 Update: This item has been addressed to our satisfaction.

The following items were found to be not in conformance with the MA DEP Storm Water Management Standards, or requiring additional information:

22. The Infiltration Trench #2 Detail is noted twice on the plan. This should be revised to include Infiltration Trench #3 Detail.

ME Response:

The trench #3 detail is on the plan, it was just labeled incorrectly, which has been corrected.

- TT 8/3/11 Update: This item has been addressed to our satisfaction. However, Infiltration Trench #3 was designed using an infiltration rate of 8.27 in/hr. Standard 3 located in Volume 1, Chapter 1, Page 7 of the



Massachusetts Stormwater Handbook states that... "To ensure the long-term operation of infiltration BMP's, pretreatment is required before discharge to an infiltration BMP... discharges to the ground within an area with a rapid infiltration rate (greater than 2.4 inches per hour)...at least 44% of the total suspended solids must be removed prior to discharge to an infiltration structure." Additionally, Standard 4 states that... "The required water quality volume equals 1.0 inch of runoff times the total impervious area of the post-development project site for a discharge if within an area with a rapid infiltration rate (greater than 2.4 inches per hour). Measures should be taken in the design to address these issues."

23. All infiltration trench details should note the groundwater elevation.

ME Response:

As requested, groundwater elevations have been added to each detail.

- TT 8/3/11 Update: This item has been addressed to our satisfaction.

24. The 3-3" diameter holes in the outlet headwall for infiltration trench #1 should be routed through device 4 (12" culvert) and not modeled as primary outlet.

ME Response:

The note for Infiltration Trench #1 has been revised to route the three 3-inch outlets routed through the pipe. Since the 3-inch orifices are the control, the re-routing does not change the results of the model in any way.

- TT 8/3/11 Update: This item has been addressed to our satisfaction.

25. The outlet headwall detail for infiltration trench #1 and infiltration trench #2 notes an 8 inch thick wall however in the Hydrocad model the weir has a width of 0.5 feet.

ME Response:

The plan detail has been changed to specify a 0.5" thick headwall section, consistent with the hydrology calculations.

- TT 8/3/11 Update: This item has been addressed to our satisfaction. However, we assumed the applicant meant a headwall section thickness of 0.5' as opposed to 0.5".



TETRA TECH

26. Redox was observed in hole OTH#3 at 15 inches (elev.178.05). The bottom elevation of infiltration trench #2 is 180.00; this only provides 1.95 feet separation.

ME Response:

It was noted that it appeared that the groundwater separation for this trench was only 1.95 feet. In reality, however, the ground elevation at OTH 3 is 179.25 (it was rounded up to the nearest tenth in the soils log), and therefore, the seasonal high-groundwater elevation is 178.0, which is two feet below the bottom of the infiltration trench. If desired, we could raise the trench by 0.05', but this would be a symbolic gesture, with no practical benefit.

• TT 8/3/11 Update: This item has been addressed to our satisfaction.

27. A mounding analysis shall be provided for all infiltration trenches and all infiltration fields since separation to groundwater is less than 4 feet.

ME Response:

We have performed a mounding analysis for each of the proposed infiltration trenches and fields as discussed in the attached stormwater report supplement.

• TT 8/3/11 Update: This item has been addressed to our satisfaction.

The following items were found to be not in conformance with the Town of Medway – Water/Sewer Department Rules and Regulations, or requiring additional information:

Water

28. Water hydrant shall be clearly identified on plan. It appears that there is a hydrant symbol located at the end of Road "A" but it is not labeled. (Construction Methods-1)

• • TT 8/3/11 Update: This item has been addressed to our satisfaction.

29. There should be three valves at the roadway intersection unless otherwise approved by the Department of Public Works (Construction Methods-5).

• TT 8/3/11 Update: This item has been addressed to our satisfaction.



ITEMS TO BE CHANGED

30. A hydrant detail should be provided. The detail should identify the hydrant be backed by $\frac{1}{2}$ yard of concrete against trench wall and be surrounded with $\frac{1}{4}$ yard of $\frac{3}{4}$ inch stone for drainage. (Construction Method-7).
- TT 8/3/11 Update: This item has been addressed to our satisfaction.
31. It is unclear by looking at the profiles whether or not the waterline is set to a depth of 4.5 feet below proposed grade. If not, the drawing shall be modified to reflect this minimum cover requirement. (Construction Method-8)
- TT 8/3/11 Update: This item has been addressed to our satisfaction.
32. Where will the electric and gas services be located? Water Services shall be 3' away. Private utilities should be added to the plans to determine the sufficient spacing. (Construction Method-14)
- TT 8/3/11 Update: This item has been addressed to our satisfaction.
33. The size of the existing waterline in Village Street shall be noted.
- TT 8/3/11 Update: This item has been addressed to our satisfaction.
34. The method of connection between the existing and proposed waterlines shall be noted.
35. Water service to the building should be shown on the plans.
- TT 8/3/11 Update: This item has been addressed to our satisfaction.
- Sewer
36. Sewer service to the building shall be shown on plans. (Construction Method-1)
- TT 8/3/11 Update: This item has been addressed to our satisfaction.
37. $\frac{3}{4}$ -inch crushed stone shall be installed six inches over and below the sewer pipe. A typical trench detail is provided, however it does not meet the requirements for sewer trenching. Separate details should be provided for the individual utilities proposed on the project.
- TT 8/3/11 Update: This item has been addressed to our satisfaction.



TETRA TECH

The following items were found to be not in conformance with good engineering practice or requiring additional information:

38. How will Village Street be repaired upon completion of the utility work? The plans should show sawcut lines, limits of pavement, curb, and sidewalk repairs. Private utility connections should also be shown since those locations may drive the limits of repair.

- TT 8/3/11 Update: Sawcut lines are now shown on plan. We would like to also see limits of sidewalk reconstruction. All work within Right-of-Way shall comply with the DPW conditions for their road opening permit.

39. Existing trees/brush should be shown on plans. It's unclear what trees/brush fall within the project limits on the southwest corner of the site. If there are additional trees identified for demolition, they should be noted on the plans.

- TT 8/3/11 Update: This item has been addressed to our satisfaction.

40. Is there existing vegetation (other than lawn/garden) designated for removal on Lot 2? If so, we would like to see some replacement trees/vegetation be added.

- TT 8/3/11 Update: This item has been addressed to our satisfaction.

41. Please provide fine grading at entrance to Road "A". It is currently difficult to understand how water will be directed towards the sediment forebay and not out to Village Street.

ME Response:

The 20 scale detail has been updated with additional spot elevations to clarify how the entry of the road will be graded to shed runoff into the adjoining sediment forebays.

- TT 8/3/11 Update: This item has been addressed to our satisfaction.

42. We would recommend some landscaping be proposed around large infiltration trenches.

- TT 8/3/11 Update: A waiver has been requested by the applicant for this item.

43. Are easements required in Private Roadway for public utilities?



TETRA TECH

44. Verify that the Water/Sewer board and/or the Medway Department of Public Works has confirmed sufficient capacities in both the existing water and sewer lines within Village Street to accept the additional flows from the proposed development.
45. Verify that silt fence is not required by the Conservation Commission.
- TT 8/3/11 Update: This item has been addressed to our satisfaction.
46. Please provide a note that the 12-inches of gravel below the proposed roadway shall meet the Massachusetts Department of Transportation specifications for gravel borrow.
- TT 8/3/11 Update: This item has been addressed to our satisfaction.
47. The majority of the house is within the 100-foot buffer zone. The applicant should update the Planning Board regarding the status of the Conservation Commission review.
48. A waiver is being requested for a reduction in radius for the curbing at the entrance to the site. The applicant should provide testimony from the fire department that this waiver will not negatively impact emergency vehicles.
49. One of the future driveways extends over bituminous berm. This should be modified or clarified.
- TT 8/3/11 Update: This item has been addressed to our satisfaction.
50. A Flared End section detail should be provided.
- TT 8/3/11 Update: This item has been addressed to our satisfaction.
51. A Thrust Block detail should be provided.
- TT 8/3/11 Update: This item has been addressed to our satisfaction.



TETRA TECH

These comments are offered as guides for use during the Town's review. If you have any questions or comments, please feel free to contact us at (508) 903-2000.

Very truly yours,

David R. Pellegrini, P.E.
Sr. Project Manager

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Colonial Engineering, Inc.

P.O. Box 95

Medway, Ma 02053

508-533-1644

July 25, 2011

Mr. Andy Rodenhiser
Planning Board
Medway Town Hall
155 Village Street
Medway, Ma 02053

RECEIVED
JUL 27 2011
TOWN OF MEDWAY
PLANNING BOARD

Ref: Village Estates
Definitive Subdivision
Review Comments Responses

Dear Members :

WE are in receipt of comments from your consultant's, Tetra Tech and PGC Associates, Inc. dated June 23, 2011.

Attached is the response from Merrikin Engineering concerning storm water and Colonial Engineering response to the other comments.

Tetra Tech Comments

Section 5.0 - Procedures for Submittal, review and Action on Definitive Subdivision Plans:

2. Present widths of existing streets within 700' has been updated on the Cover Sheet.
3. Base Flood Plain has been added to the Cover Sheet.
4. Lot shape Factor Calculations are now shown on the Legal Sheet
5. Layout of Utilities is addressed in note #3 on the Cover Sheet.
6. A second Benchmark has been added to the Plan and Profile & Proposed Grading Sheets.
7. Mass Dot handicapped note was added to Cover Sheet note #1

Section 7.0- Design and construction Standards

8. Looped water type system, we have requested a waiver on the Cover Sheet.
9. Layout of Utilities was addressed in note #3 on Cover Sheet.
10. This item has been addressed with the board at the public hearing.
12. Width of the Right of Way is shown on the legal sheet.
13. Diameter of the cul-de- sac is shown on the legal sheet.
14. Have not received answer from Fire chief.
15. Note #2 has been added to the cover sheet. Detail has been added to detail sheet #3. V.G.C label has been added on proposed grading sheet at curbing location.
16. Waiting for recommendation's from Medway DPW.
17. Fire alarm system, request for waiver shown on cover sheet.
18. Landscape Trees shown on Plan & Profile Sheets.
19. Street lights, request for waiver on Cover Sheet.
20. Monuments, have been added to Legal Sheet.
21. Detail of monuments shown on Detail Sheet 8 of 8.

Water

28. Water Hydrant labeled on Proposed Grading and Plan & Profile Sheets.
29. Three gate valves are now shown on the Plan & Profile Sheets.
30. Hydrant detail has been added to Detail Sheet 8 of 8.
31. See Detail Sheet 6 of 8 (Road Way Typical Section), water main shown at min. 5' under grass strip. Grass strip is 6" higher that road way. Note has been added to the profile under the water main min. of 4.5' under finished road grade.
32. Gas line and services have been added to the Proposed Grading and Profile Sheets.
Note has been added in regards to the electric lines and services on the Cover Sheet.

33. The existing water main size in Village Street has been added to the Existing Conditions Sheet.
34. The water connection type between the existing water line and proposed line has not been Answered by Water/Sewer Board
35. The proposed water service to the building has been added to the Proposed Grading and Plan & Profile Sheets.

Sewer

36. The proposed sewer lines and service to the building has been added to the Proposed Grading & Plan & Profile Sheets.
37. Typical trench detail shown on Detail Sheet 6 of 8 has been change to reflect this requirement.

Conformance With Good Engineering Practice

38. Note has been added to the Proposed Grading sheet showing location of saw cut lines and that all work shall be inspected by the Medway DPW.
39. Existing trees have been added to the existing Conditions Plan, and some have been labeled to be removed on the proposed Grading Sheet.
40. There are trees and vegetation within the protected wetland area that will not be disturbed.
42. See response from Merrikin Engineering on comment #11.
43. No, the utilities are private and are to be maintained by the owners.
44. Have not received answer from Water/Sewer Board.
45. No road work or utilities to be done within 100 ft. of wetlands. Owner will file with Conservation Commission upon start of permitting for proposed house.
46. Note has been added to the road cross section detail on Sheet 6 of 8
47. The 40 ft. x 80 ft. house box shown on the plan is per Subdivision requirements only.
The applicant has not finalized the house to be built, and will file with the Conservation Commission upon approval of Subdivision.

48. Have not received answer from Fire chief.
49. The berm has been removed at the driveway opening, and shown on the Plan & Profile Sheet.
50. Fared end section has been added to Detail Sheet 8 of 8.
51. Thrust block detail has been added to Detail Sheet 8 of 8.

PGC Associates, Inc. Comments

2. See response from Merrikin Engineering on comment #11.
3. Request for waiver noted on Cover Sheet.
4. Monuments are shown on Legal Sheet.
5. Street name provided by town and shown on Plan & Profile and Proposed Grading Sheet.
7. There is an existing concrete sidewalk across the two driveways that are to be abandoned. There is no curbing along Village Street at this location.
8. There will be a homeowners association formed after approval of Subdivision.

Please do not hesitate to contact me if you have any questions or comments.
Sincerely,

Colonial Engineering, Inc.

Paul Desimone

Medway Planning and Economic Development Board

FORM Q - Request for Waiver from Rules and Regulations

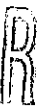
Complete 1 form for each waiver request

Project Name:	VILLAGE ESTATES
Property Location:	272 VILLAGE STREET
Type of Project/Permit:	DEFINITIVE SUBDIVISION
Identify the number and title of the relevant Section of the applicable Rules and Regulations from which a waiver is sought.	7.6.2.B WATER FACILITIES INSTALLATION
Summarize the text of the relevant Section of the Rules and Regulations from which a waiver is requested.	WATER PIPES SHALL BE EXTENDED AND CONNECTED TO FORM A LOOP TYPE SYSTEM
What aspect of the Regulation do you propose be waived?	LOOP TYPE SYSTEM
What do you propose instead?	WATER MAIN LINE TO HYDRANT FOR FIRE PROTECTION AND TO SERVICE THE PROPOSED DWELLING.
Explanation/justification for the waiver request. Why is the waiver needed? Describe the extenuating circumstances that necessitate the waiver request.	THE PROPOSED PRIVATE WAY IS VERY SHORT IN LENGTH. THE WATER LINE CAN NOT BE EXTENDED, BECAUSE THERE ARE NO EXISTING ROADS ON ABUTTING PARCELS TO FORM A LOOP TO THE WATER LINE WOULD HAVE TO BE RAN BACK DOWN THE MIDDLE OF THE ROAD TO VILLAGE STREET.
What is the estimated value/cost savings to the applicant if the waiver is granted?	OWNER WOULD HAVE TO GET A COST ESTIMATE TO DETERMINE ANY SAVINGS.
How would approval of this waiver request result in a superior design or provide a clear and significant improvement to the quality of this development?	NO SUPERIOR DESIGN, JUST NOT PRACTICAL IN THIS CASE.
What is the impact on the development if this waiver is denied?	THERE WOULD BE A SECOND WATER MAIN BACK DOWN THE MIDDLE OF THE ROAD TO TIE INTO THE MAIN IN VILLAGE STREET.
What are the design alternatives to granting this waiver?	ALTERNATIVE AS SHOWN ON PLANS.
Why is granting this waiver in the Town's best interest?	THERE WOULD BE 3 GATE VALVES INSTALLED IN VILLAGE STREET AT THE TIE INTO THE WATER MAIN, RATHER THAN 6 GATE VALVES THAT THE TOWN WOULD HAVE TO MAINTAIN OR REPAIR.
If this waiver is granted, what is the estimated cost savings and/or cost avoidance to the Town?	THE TOWN WOULD AVOID ANY COSTS ASSOCIATED WITH THE ADDITIONAL VALVES LEAKING OR HAVING TO BE REPAIRED.
What mitigation measures do you propose to offset not complying with the particular Rule/Regulation?	N/A
What is the estimated value of the proposed mitigation measures?	N/A
Other Information?	N/A
Waiver Request Prepared By:	PAUL DESIMONE

TOWN OF MEDWAY
PLANNING BOARD

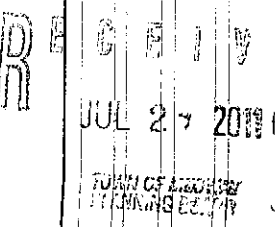
JUL 27 2011





Medway Planning and Economic Development Board
FORM Q - Request for Waiver from Rules and Regulations
 Complete 1 form for each waiver request

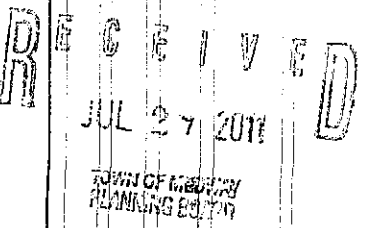
Project Name:	VILLAGE ESTATES
Property Location:	272 VILLAGE STREET
Type of Project/Permit:	DEFINITIVE SUBDIVISION
<i>Identify the number and title of the relevant Section of the applicable Rules and Regulations from which a waiver is sought.</i>	7.7.2 P STORMWATER
<i>Summarize the text of the relevant Section of the Rules and Regulations from which a waiver is requested.</i>	The limits of detention and retention basins and related structures shall not be closer than 30 feet to lot/parcel lines and any right of way.
<i>What aspect of the Regulation do you propose be waived?</i>	The proposed infiltration trenches (which may not actually fall under this regulation) are closer than 30 feet.
<i>What do you propose instead?</i>	Shallow, unobtrusive infiltration trenches within the private roadway layout shown as Parcel "A"
<i>Explanation/Justification for the waiver request. Why is the waiver needed? Describe the extenuating circumstances that necessitate the waiver request.</i>	The goal of this design is provide a low-impact-development (LID) friendly, decentralized stormwater system that will blend with the landscape and overall site. In addition, soils conditions on the site are restrictive.
<i>What is the estimated value/cost savings to the applicant if the waiver is granted?</i>	None. Similar facilities would need to be created in any case.
<i>How would approval of this waiver request result in a superior design or provide a clear and significant improvement to the quality of this development?</i>	This design is LID friendly, which encourages, small, decentralized stormwater BMPs that are spread out over a larger area than the detention basins that are common in older designs or in larger sites. The design meets DEP stormwater standards and is an improvement over centralized "detention basins" and is much more aesthetically pleasing.
<i>What is the impact on the development if this waiver is denied?</i>	Unclear. Small, shallow infiltration trenches are not included in the list of items to be setback 30 feet.
<i>What are the design alternatives to granting this waiver?</i>	Unclear. Small, shallow infiltration trenches are not included in the list of items to be setback 30 feet.
<i>Why is granting this waiver in the Town's best interest?</i>	It results in a low-impact-development (LID) design, which is highly encouraged by the DEP.
<i>If this waiver is granted, what is the estimated cost savings and/or cost avoidance to the Town?</i>	None. Similar facilities would need to be created in any case.
<i>What mitigation measures do you propose to offset not complying with the particular Rule/Regulation?</i>	The design itself is a mitigation, resulting in an integrated stormwater management system that will be unobtrusive and which will blend into the landscape due to the decentralized and shallow nature of the trenches.
<i>What is the estimated value of the proposed mitigation measures?</i>	n/a
<i>Other Information?</i>	n/a
Waiver Request Prepared By:	Daniel Merrin
Date:	26-Jul-11



Medway Planning and Economic Development Board FORM Q - Request for Waiver from Rules and Regulations

Complete 1 form for each waiver request


Project Name:	VILLAGE ESTATES		
Property Location:	272 VILLAGE STREET		
Type of Project/Permit:	DEFINITIVE SUBDIVISION		
Identify the number and title of the relevant Section of the applicable Rules and Regulations from which a waiver is sought.	7.9.2 ALIGNMENT		
Summarize the text of the relevant Section of the Rules and Regulations from which a waiver is requested.	REQUIRED 40 FT. CURB RADIUS AT STREET INTERSECTIONS		
What aspect of the Regulation do you propose be waived?	40 FT CURB RADIUS		
What do you propose instead?	24 FT CURB RADIUS		
Explanation/justification for the waiver request. Why is the waiver needed? Describe the extenuating circumstances that necessitate the waiver request.	LEFT SIDE OF ROAD IS DESIGNED ALONG PROPERTY LINE AND THERE IS NOT ENOUGH ROOM FOR THE 40 FT RADIUS. THE 24 FT RADIUS PROVIDED IS ADEQUATE FOR THE SMALL AMOUNT OF TRAFFIC FOR 2 HOUSE LOTS.		
What is the estimated value/cost savings to the applicant if the waiver is granted?	SMALL AMOUNT OF SAVINGS DO TO THE GRANITE CURBING WILL STILL BE INSTALLED.		
How would approval of this waiver request result in a superior design or provide a clear and significant improvement to the quality of this development?	THERE WILL BE NO VISABLE EFFECT ON THIS PROJECT		
What is the impact on the development if this waiver is denied?	NONE		
What are the design alternatives to granting this waiver?	MOVE PAVEMENT DESIGN OVER TO ONE SIDE. ROAD PAVEMENT WOULD NOT BE CENTERED IN ROAD LAYOUT.		
Why is granting this waiver in the Town's best interest?	NO BENEFIT TO TOWN, ROAD IS PERMANENT PRIVATE WAY.		
If this waiver is granted, what is the estimated cost savings and/or cost avoidance to the Town?	NO COSTS OR SAVINGS TO TOWN, ROAD IS PRIVATE.		
What mitigation measures do you propose to offset not complying with the particular Rule/Regulation?	N/A		
What is the estimated value of the proposed mitigation measures?	N/A		
Other Information?	N/A		
Waiver Request Prepared By:	PAUL DESIMONE		
Date:	25-Jul-11		



 JUL 27 2011
 MEDWAY PLANNING BOARD

Medway Planning and Economic Development Board
FORM Q - Request for Waiver from Rules and Regulations
 Complete 1 form for each waiver request

Project Name:	VILLAGE ESTATES
Property Location:	272 VILLAGE STREET
Type of Project/Permit:	DIFINITIVE SUBDIVISION
Identify the number and title of the relevant Section of the applicable Rules and Regulations from which a waiver is sought.	7.17.1 FIRE PROTECTION
Summarize the text of the relevant Section of the Rules and Regulations from which a waiver is requested.	A FIRE ALARM SYSTEM SHALL BE INSTALLED IN ACCORDANCE WITH THE SPECIFICATIONS OF AND LOCATED AS DIRECTED BY THE MEDWAY FIRE DEPT.
What aspect of the Regulation do you propose be waived?	ALL
What do you propose instead?	CALL FIRE DEPT. ON HOME PHONE OR CELL PHONE
Explanation/Justification for the waiver request. Why is the waiver needed? Describe the extenuating circumstances that necessitate the waiver request.	FIRE ALARM SYSTEM ARE OUT DATED AND IN MY OPINION THIS SYSTEM WAS INTENDED FOR LARGE PUBLIC SUBDIVISIONS WITH SEVERAL HOMES, OR IN LARGE COMMERCIAL BUILDING.
What is the estimated value/cost savings to the applicant if the waiver is granted?	OWNER WOULD HAVE TO GET A COST ESTIMATE TO DETERMINE ANY COST SAVINGS.
How would approval of this waiver request result in a superior design or provide a clear and significant improvement to the quality of this development?	THERE WOULD BE NO VISABLE FIRE BOXES.
What is the impact on the development if this waiver is denied?	NO IMPACT
What are the design alternatives to granting this waiver?	NO ALTERNATIVE DESIGN
Why is granting this waiver in the Town's best interest?	TOWN WOULD NOT HAVE TO RESPOND TO FALSE CALLS FROM CHILDREN PULLING THE ALARM BOX.
If this waiver is granted, what is the estimated cost savings and/or cost avoidance to the Town?	NO COST SAVINGS TO TOWN BECAUSE THIS IS A PRIVATE ROAD.
What mitigation measures do you propose to offset not complying with the particular Rule/Regulation?	N/A
What is the estimated value of the proposed mitigation measures?	N/A
Other Information?	N/A
Waiver Request Prepared By:	PAUL DESIMONE
Date:	25-Jul-11



 JUL 27 2011
 TOWN OF MEDWAY
 PLANNING BOARD

Medway Planning and Economic Development Board

FORM Q - Request for Waiver from Rules and Regulations

Complete 1 form for each waiver request

Project Name:	VILLAGE ESTATES
Property Location:	272 VILLAGE STREET
Type of Project/Permit:	DEFINITIVE SUBDIVISION
Identify the number and title of the relevant Section of the applicable Rules and Regulations from which a waiver is sought.	7.21 STREET LIGHTS
Summarize the text of the relevant Section of the Rules and Regulations from which a waiver is requested.	INSTALL STREET LIGHTING WITHIN THE SUBDIVISION AT THE ENTRANCE
What aspect of the Regulation do you propose be waived?	INTSALL LIGHTING WITHIN THE SUBDIVISION
What do you propose instead?	LAWN LAMPS AT PROPOSED AND EXISTING HOUSE
Explanation/justification for the waiver request. Why is the waiver needed? Describe the extenuating circumstances that necessitate the waiver request.	THE PROPOSED ROAD IS STRAIGHT AND IS ONLY 219 FEET IN LENGTH. THERE WILL ONLY BE ONE ADDITIONAL DWELLING IN THE SUBDIVISION. THE ROAD ENTRANCE IS MORE OF A DRIVEWAY, NOT A MAJOR INTERSECTION WHERE A LIGHT WOULD BE NEEDED.
What is the estimated value/cost savings to the applicant if the waiver is granted?	THE OWNER WOULD NEED TO GET AN ESTIMATE FOR ANY COST SAVINGS.
How would approval of this waiver request result in a superior design or provide a clear and significant improvement to the quality of this development?	THERE WOULD NOT BE A LIGHTPOLE WITH A LIGHT MOUNTED 25 FT ABOVE GRADE ON A SCENIC ROAD. THERE ARE EXISTING LIGHTS ALONG VILLAGE STREET CLOSE TO THIS INTERSECTION.
What is the impact on the development if this waiver is denied?	NO IMPACT.
What are the design alternatives to granting this waiver?	HOUSE LIGHTS AND LAWN LAMPS.
Why is granting this waiver in the Town's best interest?	THERE WOULD BE NO LIGHT FOR THE TOWN TO MAINTAIN.
If this waiver is granted, what is the estimated cost savings and/or cost avoidance to the Town?	AVIOD COST OF MAINTAINING AND ELECTRIC USAGE CHARGES.
What mitigation measures do you propose to offset not complying with the particular Rule/Regulation?	N/A
What is the estimated value of the proposed mitigation measures?	N/A
Other Information?	N/A
Waiver Request Prepared By:	PAUL DESIMONE
Date:	JULY 25 2011


 RECEIVED
 JUL 27 2011
 TOWN OF MEDWAY
 PLANNING DEPT.

Merrikin Engineering, LLP

Consulting Engineers

730 MAIN STREET
SUITE 2C

MILLIS, MA 02054

TELEPHONE (508) 376-8833
FAX (508) 376-8823

July 21, 2011

Mr. Andy Rodenhiser
Planning Board
Medway Town Hall
155 Village Street
Medway, MA 02053



Ref: Village Estates
Definitive Subdivision
Stormwater Responses

Dear Members:

We are in receipt of comments from your consultant, Tetra Tech, dated June 23, 2011. Attached is a stormwater report calculation supplement, which includes an updated narrative, mounding calculations, rational method calculations and a slightly revised post-construction model for the Village Street design point.¹ We offer the following responses to the stormwater system comments:

Section 5.0 – Procedures for Submission, Review and Action on Definitive Subdivision Plans:

1. Rational Method Calculations: These calculations have been provided in the attached stormwater report supplement. It should be noted that only one pipe actually could be calculated using the rational method, that being the pipe from the westerly forebay at the beginning of the road. The other two pipe flows are dictated by the Hydrocad calculations and the infiltration trench outlet structures.

11. Plantings around Infiltration Trenches: The plan has been revised to add a planting scheme around the proposed infiltration trenches. It should be realized, however, that these infiltration trenches are less than one-foot deep and will barely be noticeable as a drainage feature in the landscape. As such, screening is not a significant concern. To the contrary, these shallow features could easily be moved on a regular basis as part of the lawn areas for the adjacent homes and would therefore be aesthetically pleasing, requiring no screening.

¹ Given that the majority of the original report remains unchanged, it would be wasteful to reprint the entire volume for these minor changes.

Mass DEP Stormwater Management Standards:

22. Infiltration Trench #2 Detail: The Trench #3 detail is on the plan, it was just labeled incorrectly, which has been corrected.
23. Infiltration Trench Details: As requested, groundwater elevations have been added to each detail.
24. Infiltration Trench #1 Outlet Headwall: The node for Infiltration Trench #1 has been revised to route the three 3-inch outlets routed through the pipe. Since the 3-inch orifices are the control, the re-routing does not change the results of the model in any way.
25. Infiltration Trench Headwall Detail: The plan detail has been changed to specify a 0.5' thick headwall section, consistent with the hydrology calculations.
26. Infiltration Trench #2 Groundwater: It was noted that it appeared that the groundwater separation for this trench was only 1.95 feet. In reality, however, the ground elevation at OTH 3 is 179.25 (it was rounded up to the nearest tenth in the soils log), and therefore, the seasonal high-groundwater elevation is 178.0, which is two feet below the bottom of the infiltration trench. If desired, we could raise the trench by 0.05', but this would be a symbolic gesture, with no practical benefit.

27. Mounding Analyses: We have performed a mounding analysis for each of the proposed infiltration trenches and fields as discussed in the attached stormwater report supplement.

Engineering Practice:

41. Fine Grading at Road Entrance: The 20 scale detail has been updated with additional spot elevations to clarify how the entry of the road will be graded to shed runoff into the adjoining sediment forebays.

Other Revisions:

In addition, the revised plans include a minor modification of Infiltration Trench #1. In order to have a more aesthetic appearance, most of the trench will have a loam & seed bottom with two locations where the underlying crushed stone bed will project to the surface. These two surficial crushed stone areas will act as a conduit to quickly convey puddling water into the underlying stone for infiltration to enhance the infiltration that will otherwise occur through the loamed bottom. The stormwater calculations have been updated to reflect the reduction in storage capacity within the infiltration trench, the results of which have not changed significantly.

Please do not hesitate to contact me if you have any questions or comments.

Sincerely,

MERRIKIN ENGINEERING, LLP

A handwritten signature in black ink, appearing to read "Daniel Merrikin". The signature is fluid and cursive, with a long horizontal flourish at the end.

Daniel J. Merrikin P.E.

cc: File

Susan Affleck-Childs

RECEIVED
AUG 04 2011
TOWN OF MEDWAY
PLANNING BOARD

From: Thomas Holder
Sent: Thursday, August 04, 2011 12:43 PM
To: Susan Affleck-Childs
Cc: Pellegrin, David; William Donahue; David Damico
Subject: RE: Village Estates Definitive Subdivision Plan - 272 Village Street

Hi Suzy – I wanted to make a couple of comments on the proposed plan and to also get Dave’s input.

1. We have now standardized our hydrants so our expectation would be that the proposed hydrant at the end of Bedelia Lane would conform. We can offer this standard hydrant specification. I would also like to see a hydrant detail included on the plans noting thrust protection.
2. I have concerns with extending the public sewer system along Village Street to Bedelia Lane. I am not certain if this is considered a sewer extension which would need MADEP approval. Maybe Dave can offer insight on this.
3. Since Village Street is a primary arterial road, we would require that Control-Density-Fill (Flow-fill) be used as backfill for all excavations within the public right-of-way.

Thank you for the consideration.
Tom

Thomas Holder| Director
Department of Public Services

Town of Medway
155 Village Street
Medway, MA 02053
508-533-3275

Please remember when writing or responding, the Massachusetts Secretary of State has determined that e-mail is a public record.

The information in this e-mail, including attachments, may contain privileged and confidential information intended only for the person(s) identified above. If you are not the intended recipient, you are hereby notified that any dissemination, copying or disclosure of this communication is strictly prohibited. Please discard this e-mail and any attachments and notify the sender immediately.

From: Susan Affleck-Childs
Sent: Thursday, June 16, 2011 2:29 PM
To: Alan Tingley; Alison Slack ; Allison Potter; Andy Rodenhiser ; Ann Sherry ; Arlene Doherty ; Barbara Saint Andre ; Bill Fisher; Board of Selectmen; Bob Ferrari; Dave Pellegrin; David Damico; David Travalini; David Travalini ; Design Review Committee; Fran Hutton Lee; Frank Faist; Gino Carlucci; Jeff Watson; Jim Wickis ; John F. Emdy; John Schroeder; Joseph Musmanno; Julie Balise; Julie Fallon; Kai Imgenberg; Karon Skinner-Catrone; Mark Cerel ; Matt Buckley ; Melanie M. Phillips; Paul Trufant; Rob Pomponio; Rob Pomponio; Suzanne Kennedy; Thomas Holder; Tina Wright ; Will Naser; Zoning Board
Subject: RE: Village Estates Definitive Subdivision Plan - 272 Village Street

Hi,

The Board’s public hearing on this application for a 2 lot subdivision at 272 Village Street will begin June 28, 2011 at 7:15 p.m.

Attached is the definitive plan set. Please review. If you have any comments, please forward them to me by June 27th. If you would like to review a full size set of this plan in paper version, please let me know and I would be glad to supply one to you.

Best regards,

SUSY

Susan E. Affleck-Childs

Medway Planning and Economic Development Coordinator

155 Village Street

Medway, MA 02053

508-533-3291

saffleckchilds@townofmedway.org

Please remember when writing or responding, the Massachusetts Secretary of State has determined that e-mail is a public record.

The information in this e-mail, including attachments, may contain privileged and confidential information intended only for the person(s) identified above. If you are not the intended recipient, you are hereby notified that any dissemination, copying or disclosure of this communication is strictly prohibited. Please discard this e-mail and any attachments and notify the sender immediately.

From: Susan Affleck-Childs

Sent: Wednesday, June 01, 2011 1:52 PM

To: 'Alan Tingley'; Alison Slack ; Allison Potter; Andy Rodenhiser ; Ann Sherry ; Arlene Doherty ; Barbara Saint Andre ; Bill Fisher; Board of Selectmen; Bob Ferrari; Dave Pellegrini; David Danico; David Travalini ; David Travalini ; Design Review Committee; Fran Hutton Lee; Frank Faist; Gino Carlucci; Jeff Watson; Jim Wickis ; John F. Emidy; John Schroeder; Joseph Musmanno; Julie Balise; Julie Fallon; Kai Imgenberg; Karon Skinner-Catrone; Mark Cerel ; Matt Buckley ; Melanie M. Phillips; Paul Trufant; Rob Pomponio; Rob Pomponio; Suzanne Kennedy; Thomas Holder; Tina Wright ; Will Naser; Zoning Board
Subject: Village Estates

Hi all-

Attached please find the application for a 2-lot subdivision at 272 Village Street. A public hearing will be set for June 28, 2011 at 7:15 PM. I do not yet have a PDF version of the plans and stormwater report, so if you would like a hard-copy, let me know.

Stacey

SUSY

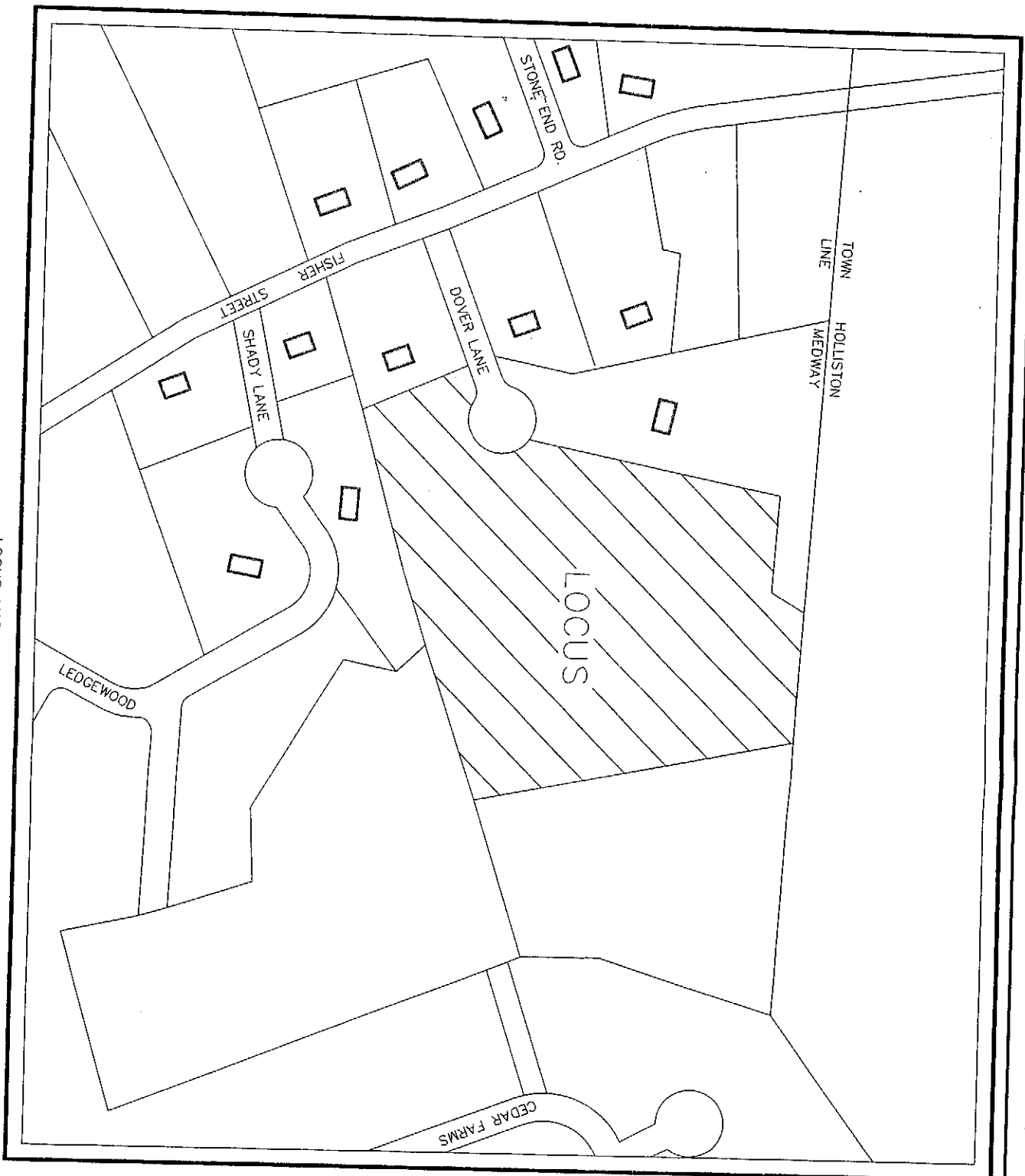
Susan E. Affleck-Childs

Medway Planning and Economic Development Coordinator

155 Village Street

Medway, MA 02053

508-533-3291



LOCUS MAP
1" = 100'

APPROVED BY:
MEDWAY PLANNING BOARD

DATE: _____

ASSESSORS REFERENCE:
MAP 4, PARCEL 44A-5A

ZONING CLASSIFICATION:
AR-1
AREA: 44,000 S.F.
PERMITS: 197
LOT SWAGE FACTOR: 22

JOSE E. JUSTINIS P.L.S. _____ DATE _____

PAUL E. TRIOUX P.E. _____ DATE _____

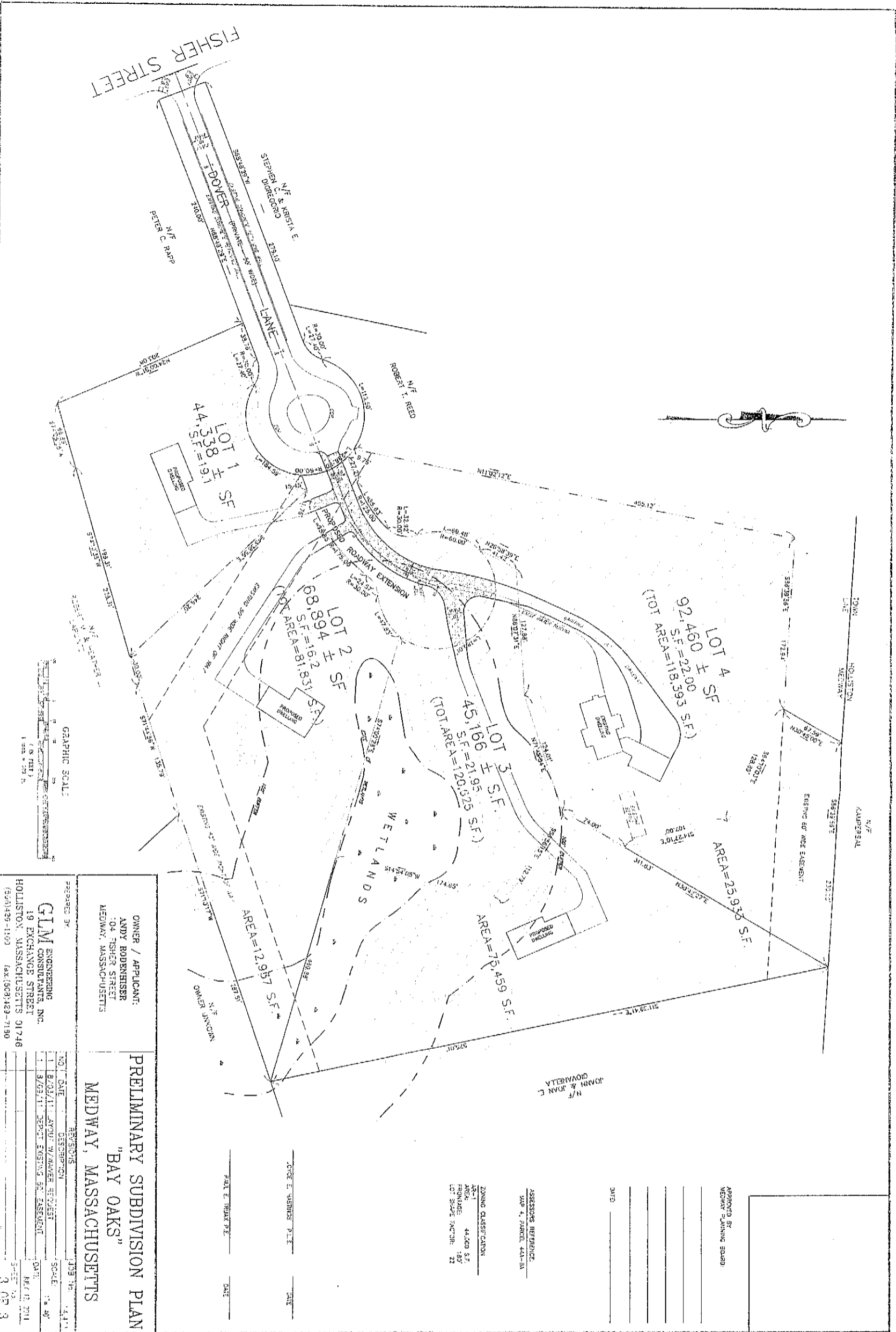
OWNER / APPLICANT:
ANDY RODENHISER
104 FISHER STREET
MEDWAY, MASSACHUSETTS

PRELIMINARY SUBDIVISION PLAN
"BAY OAKS"
MEDWAY, MASSACHUSETTS

PREPARED BY:
GIM ENGINEERING
CONSULTANTS, INC.
19 EXCHANGE STREET
HOLLISTON, MASSACHUSETTS 01746
(508) 429-1100 Fax: (508) 429-7160

NO.	DATE	REVISIONS	DESCRIPTION	JOB No.
1	9/03/11	LAYOUT W/WANDER REQUEST	SCALE: 1" = 100'	14,411
			DATE: JULY 12, 2011	
			SHEET No.	
			1 OF 3	

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OWNER / APPLICANT:
 ANDY RODENHISER
 104 FISHER STREET
 MEDWAY, MASSACHUSETTS

PRELIMINARY SUBDIVISION PLAN
 "BAY OAKS"
 MEDWAY, MASSACHUSETTS

GLM ENGINEERING
 CONSULTANTS, INC.
 19 EXCHANGES STREET
 HOLLISTON, MASSACHUSETTS 01746
 (508) 439-1100 Fax: (508) 423-7190

NO.	DATE	REVISIONS
1	8/22/11	APPLICANT W/RAWER REQUEST
2	8/29/11	DEPT. ENGINEERING COMMENT
3	9/12/11	DATE

NO. DATE REVISIONS
 1 8/22/11 APPLICANT W/RAWER REQUEST
 2 8/29/11 DEPT. ENGINEERING COMMENT
 3 9/12/11 DATE

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Chronology of 104 Fisher Street

TRANSACTION	DATE	EXPLANATION	RECORDING INFO
Longo Realty Trust conveys 23.5 acres on the east side of Fisher Street to Edward and Francis Giovannella (as tenants in common)	12/31/1980		Book 5827, Page 80 1-8-1981
Giovanellas divide (ANR plan) the 23.5 acre parcel into Lot 1 (18.13 acres with frontage on Fisher Street) and Lot 2 (5 acres of back land with no frontage); Lot 1 has a 60" easement/ROW	11/23/1982	Lot 1 has a 60' wide ROW running along the full length of the northern boundary (approximately 1130 feet) from Fisher Street on the west to Lot 2 on the east. On the ANR plan, Lot 2 is noted as being non-buildable.	Plan Book 300, #911-1982 12-3-1982
Giovanellas conveys Lot 1 to Racicot Realty Trust	12/3/1982	In conveying Lot 1, the Giovanellas reserve, in common with others entitled thereto, the right to use the 60' wide ROW on Lot 1 for any and all purposes for which public ways are commonly used in the Town of Medway. The Giovanellas retain ownership of Lot 2 in the back (5 acres).	Book 6085, Page 480 12-3-1982
Racicot Realty Trust divides lot 1 into 6 lots (ANR plan).	mid December, 1982	5 lots have frontage on Fisher Street. Lot 6 is a 12.373 acre wide strip of land approximately 320' long connecting the main part of the lot to Fisher Street	Plan Book 300, #911 of 1982 12-16-1982

TRANSACTION	EXPLANATION	DATE	RECORDING INFO
Racicot Realty Trust grants Giovanelas an easement over the 50' wide ROW on Lot 6	The ROW runs east to west in the southern portion of the lot covering the full width of the property between Fisher Street on the west and the Giovanelas property at the back on the east. The ROW is for the benefit of the Giovanelas to be used in common with Racicot (his successors and assigns) for all purposes for which public ways are used in the Town of Medway. In accepting the easement (ROW) the Giovanelas are responsible to share equally with the owner of lot 6 in the cost of maintaining and repairing the ROW.	7/25/1984	Book 6489, Page 606 9-5-1984
Medway PB approves a Definitive Subdivision Plan for Racicot Realty Trust	The plan divides Lot 6 into 2 house lots (6A and 6B) with a cul de sac for frontage. Lot 6A is shown with a 50' ROW running northeasterly from the end of the cul de sac to the western boundary of the Giovanelas' 5 acre parcel to the east. Lot 6A on the plan does NOT show the 50' ROW previously granted by Racicot to the Giovanelas in 1984 or the 60' easement along the northern edge of the property previously retained by the Giovanelas when they sold the land to Racicot in 1982. NOTE - sac cannot locate the subdivision Certificate of Approval from 1986.	Endorsed 4-8-1986; reaffirmed 9-27-1986	Plan Book 373, #1095 of 1988 10-5-1988
Subdivision Covenant signed by Racicot Realty Trust and the Medway PB	This is not the standard covenant to ensure performance. It looks like a combination of a conventional covenant and a PB subdivision decision.	4/23/1986	Book 8120, Pages 718-720 10-5-1988

RECORDING INFO	EXPLANATION	DATE	TRANSACTION
Plan Book 396, # 874-1990 12-6-1990	The ANR plan adjusts the boundary line between Lots 6A and 6B; it retains the cul de sac; it removes the ROW shown on the 9-7-1986 subdivision plan; it shows the previously granted ROWs from 1982 and 1984.	4/1/1989 and 11/13/1990	Medway PB endorses an ANR Plan for Dean Cooperative Bank
Book 8515 - Page 5 12-18-189	Foreclosure deed	11/9/1989	Dean Bank takes ownership of Lot 6
Book 8804, page 427; 12-6-1990	The conveyance is subject to the previously granted ROW easements from 1982 and 1984; Rodenhiser receive one half interest in the private way shown on the plan and the right to use the private way in common with the owner of Lot 6B subject to the owner of the easement/ROW to use the private way, and together with the right to install utilities in the private way. Subject to restriction that the private way will remain a private way. The owners of Lots 6A and 6B shall maintain the say and share costs equally. The premises was conveyed subject to a PB Covenant from April 15, 1986	12/4/1990	Dean Bank conveys Lots 6A (8.7 acres) to Andy and Audra Rodenhiser
Book 9088, Page 414 10-30-1991		12/11/1990	PB Releases Subdivision Covenant from April 1986
		6/28/2011	Audra Rodenhiser conveys Lot 6A to Andy Rodenhiser
Complied by sac 7-29-2011			

PHILLIPS, SILVER, TALMAN, AFRAME & SINRICH, P.C.

DAVID A TALMAN
JAY Z. AFRAME
SCOTT S. SINRICH
JESSICA PARENTI
SARAH L. HARRIS
CHRISTINE A. OLIVARI

LAW OFFICES
146 MAIN STREET, 5TH FLOOR
WORCESTER, MASSACHUSETTS 01608-1137
TELEPHONE (508) 754-8852
FACSIMILE (508) 754-1944

SUMNER SILVER
OF COUNSEL
JAMES J. PHILLIPS
OF COUNSEL

August 9, 2011

Mr. Andrew Rodenhiser
104 Fisher St.
Medway, MA 02053

RECEIVED
AUG 09 2011
TOWN OF MEDWAY
PLANNING DEPT

RE: Covenant Regarding Fisher Street
Medway Property

Dear Andy:

You have asked us to review the Covenant regarding your Fisher Street, Medway property dated April 16, 1986, recorded at the Norfolk County Registry of Deeds at Book 8120, Page 718, and the Release of Covenant and Conditions recorded at said Registry at Book 9088, Page 414. A question has arisen as to whether the Release releases the provisions of paragraph 11. of the Covenant, which states that the land shall not be further subdivided. Attorney Deborah Batog, representing the Giovanella family, owners of abutting property, has put forth the position at the July 26, 2011 meeting of the Medway Planning Board that the Release applies to the restrictions on construction, and not, what she refers to as, restrictions that run with the land.

In paragraph 15. of the Covenant, it states, "When the requirements of this covenant have been complied with as to a particular lot, then the foregoing restrictions as to the erecting or placing of a building on that lot shall be removed, and a certificate of partial compliance duly executed by a majority of the Board waiving this provision as to such particular lot(s), shall be filed and recorded in the Norfolk Registry of Deeds." That provision suggests that compliance as to certain of the building provisions shall be certified to by a certificate of compliance, not a release, and signed by the Planning Board.

The Release of Covenants and Conditions dated December 11, 1990, by its terms, would be a complete release of all covenants and conditions. It states, "We, the undersigned, being majority of the Planning Board of the Town of Medway, Norfolk County, Massachusetts, hereby certify that Lots 6A and 6B on a plan entitled... to which reference may be made for a more particular description, is hereby released from the terms, provisions, and conditions as set forth in a covenant between Kenneth S. Raitcof, Trustee and the Planning Board of the Town of Medway, dated April 16, 1986 recorded in Book 8121, Page 718 with said deeds." This language is very broad, and clearly states that it releases the lots from the terms, provisions and

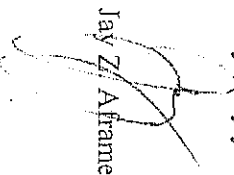
Mr. Andrew Rodenhiser
August 9, 2011
Page 2

conditions as set forth in the covenant, without any limitation thereon. In that regard, it can only be interpreted as a complete release of all of the provisions contained in the covenant, including the provision restricting the right of further subdivision.

To some degree whether the Release releases the restriction on further subdivision or not may be irrelevant, in that I believe it would be within the Planning Board's authority to now modify or release the covenant, if it still existed, which it appears it does not. So in the end, I believe it is up to the Planning Board whether to grant your right to further subdivide the lot, without being burdened by the previous covenant, which seemingly has been extinguished, subject to their normal parameters upon a request for subdivision.

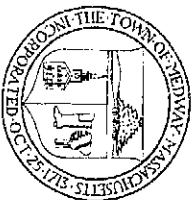
I hope this is helpful to you.

Very truly yours,

A handwritten signature in black ink, appearing to read "Jay Z. Aframe". The signature is stylized with a large, sweeping initial "J" and "A".

Jay Z. Aframe

JZA:les



RECEIVED

JUL 28 2011

TOWN OF MEDWAY

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

Andy Rodenhiser, Chairman
Robert K. Tucker, Vice-Chairman
Thomas A. Gray, Clerk
Cranston (Chan) Rogers, P.E.
Karyl Spiller Walsh

July 28, 2011

ABUTTER NOTIFICATION
Medway Middle School - 45 Holliston Street
Minor Site Plan Presentation & Discussion

In accordance with the Medway Zoning By-Law, Section V. Use Regulations, Subsection C. Site Plan Review and Approval and the provisions of Chapter 40A, Massachusetts General Laws, notice is given that ***the Medway Planning and Economic Development Board will have a public discussion on Tuesday, August 9, 2011 at 9:00 p.m. in the Sanford Room of Medway Town Hall, 155 Village St., Medway, MA*** to consider an application for review and approval of a *minor site plan* for the Medway Middle School at 45 Holliston Street.

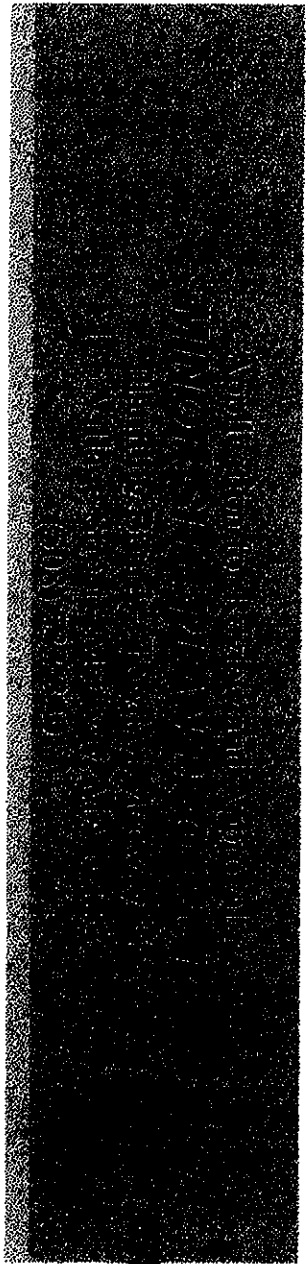
The application pertains to the proposed new front entrance and lobby addition on the Holliston Street side of the Medway Middle School building. The exterior work that is subject to site plan review is one component of the multi-faceted Medway Middle School building improvement project being undertaken by the Town of Medway. The Medway Middle School is located on the west side of Holliston Street in the Agricultural Residential II zoning district and is shown as Parcel 1C-118&26 on Medway Assessors Map 1-2 (January 1, 2010).

You are receiving this notification because you own property within 300 feet of the school or are an official party of interest. The application and plans depicting the proposed scope of work are on file with the Medway Town Clerk at the Medway Town Hall, 155 Village Street, Medway, MA and may be inspected Monday through Thursday from 8:00 a.m. to 4:00 p.m. and Fridays from 8:00 a.m. to 1:00 p.m. They are also available for review at the Medway Planning and Economic Development office at Town Hall. Additional information will be posted to the Planning and Economic Development Board's web page at www.townofmedway.org.

Interested persons or parties are invited to review the plans, attend the public hearing, and express their views at the designated time and place. Written comments are encouraged and may be sent to the Medway Planning and Economic Development Board, 155 Village Street, Medway, MA 02053 or emailed to: planningboard@townofmedway.org. For further information, please contact the Planning & Economic Development office at 508-533-3291.

Andy Rodenhiser, Chairman

Telephone: 508-533-3291 Fax: 508-533-3252
planningboard@townofmedway.org



This application for Site Plan Review and Approval is made pursuant to the Medway Zoning By-Law, Section V. USE REGULATIONS, Sub-Section C. SITE PLAN REVIEW & APPROVAL.

Date: July 26, 2011

The undersigned, being the applicant and the owner of all land included within the proposed site shown on the accompanying Site Plan entitled Site Demolition & Preparation Plan – C1.0, Site Layout Plan – C1.1 and Site Utility Plan C2.1 dated 7/1/2011 prepared by Christopher Garcia, of Garcia, Galuska, Desousa herewith submits this application to the Medway Planning Board for Review and Approval of a Minor Site Plan Project.

PROPERTY/SITE INFORMATION

1. Property Location Address: 45 Holliston Street, Medway, MA
2. Assessor's Information: Map: 1C Parcel: 118 & 26
3. Zoning District: _____
4. The owner's title to the land is derived under a deed from: _____ dated _____ and recorded in Norfolk County Registry of Deeds, Book _____, Page _____ or Land Court Certificate of Title # _____ registered in Norfolk County District Book _____ Page _____.
5. Frontage: _____
Yard Depth: Front _____ Side _____ Rear _____
6. Is any portion of the site within a flood plain area? _____ Yes No
If Yes, is it clearly shown on the plan? _____ Yes No
7. Is any portion of the site within a wetland resource area? _____ Yes No
If Yes, is it clearly shown on the plan? _____ Yes No
8. Does any portion of the site have frontage on a Scenic Road? _____ Yes No

CONTACT INFORMATION

9a) Property Owner: Town of Medway School Department
Address: 45 Holliston Street

Primary Contact: Dr. Judy Evans
Telephone: 508-533-3222 FAX: _____
E-mail: jevans@medway.k12.ma.us

9b) Applicant (if other than property owner): _____
Address: _____

Primary Contact: _____
Telephone: _____ FAX: _____
E-Mail: _____

Please check here if you are the equitable owner (purchaser on a purchase and sales agreement.)

9c) *NOTE – If someone other than the property owner or the equitable owner is the applicant or will be representing the applicant, then the property owner or equitable owner must designate an Official Representative below:*

Official Representative: Knight, Bagge & Anderson, Inc.
Address: 6 Thirteenth Street, Charlestown, MA 02129

Primary Contact: Daniel P. Bradford, AIA
Telephone: 617-241-2807 Fax: 617-241-2857
E-Mail: dbradford@kbaarchitects.com

10. Engineer: Garcia Galuska, Desousa
Address: 370 Faunce Corner Road
Dartmouth, MA 02747
Primary Contact: Chris

Garcia
Telephone: 508-998-5700 FAX: 508-998-0883
E-Mail: chris_garcia@g-g-d.com

11. Surveyor: _____
Address: _____

Primary Contact: _____ FAX: _____
Telephone: _____

12. Architect: Knight, Bagge & Anderson, Inc.
Address: 6 Thirteenth Street, Charlestown, MA 02129

Primary Contact: Daniel P. Bradford, AIA
Telephone: 617-241-2807 FAX: 617-241-2857

PROJECT INFORMATION TYPE OF PROJECT

13. A Minor Site Plan Project is defined as any construction, alteration, reconstruction, renovation project or change of use (*not included within the definition of a Major Site Plan Project*) which requires a building permit and which involves one or more of the following:

PLEASE CHECK (X) ALL THAT APPLY

Exterior Alteration – A change in the outside appearance of an existing building or premises, visible from a public or private street or way.

Building Dimensions: _____ Gross Floor Area 221,420 sf

_____ *Change in Use* – A change in use of an existing building requiring five (5) or more but less than fifteen (15) parking spaces

Building Dimensions: _____ Gross Floor Area _____

_____ *New Construction* – Construction of a new building or an addition to an existing structure requiring five (5) or more but less than fifteen (15) parking spaces

Building Dimensions: _____ Gross Floor Area _____

_____ *Change in Parking Area* – Construction, expansion, redesign or alteration of a parking area involving the addition of five (5) or more but less than fifteen (15) new parking spaces

_____ *Other* – A site, which through continuous or proposed use, may be detrimental to municipal infrastructure or public safety

Building Dimensions: _____ Gross Floor Area _____

_____ *Other* – Any use or structure, or expansion thereof, exempt under MGL, c. 40A, s. 3, but only if one or more of the above criteria is met

NOTE – Gross Floor Area includes the existing building and proposed addition if any, and/or proposed new building.

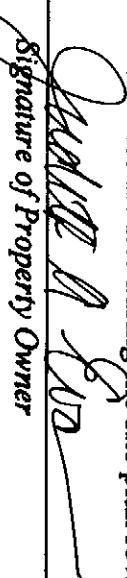
14. *Project Description* as specified in the Application Guidelines.
15. *Development Impact Report* as specified in the Application Guidelines.

SIGNATURES

I hereby certify, under the pains and penalties of perjury, that the information contained in this application is true and complete to the best of my knowledge and belief.

If applicable, I hereby authorize _____ to serve as my OFFICIAL REPRESENTATIVE to represent my interests before the Town of Medway with respect to this application for site plan review and approval.

In submitting this application, I also authorize the Planning Board, its agents, and other Town officials to access the site during the site plan review process.



Signature of Property Owner

7/27/11

Date



Signature of Applicant (if other than Property Owner)

7/26/11

Date



Signature of Officer Representative

7/26/11

Date

APPLICATION SUBMITTALS - REQUIRED

Town Clerk

- One (1) Minor Site Plan Project Application form with original signatures
- One (1) copy of the Project Description
- One (1) full size set of the Site Plan
- One (1) copy of the Development Impact Report
- One (1) copy of the Stormwater Drainage Evaluation

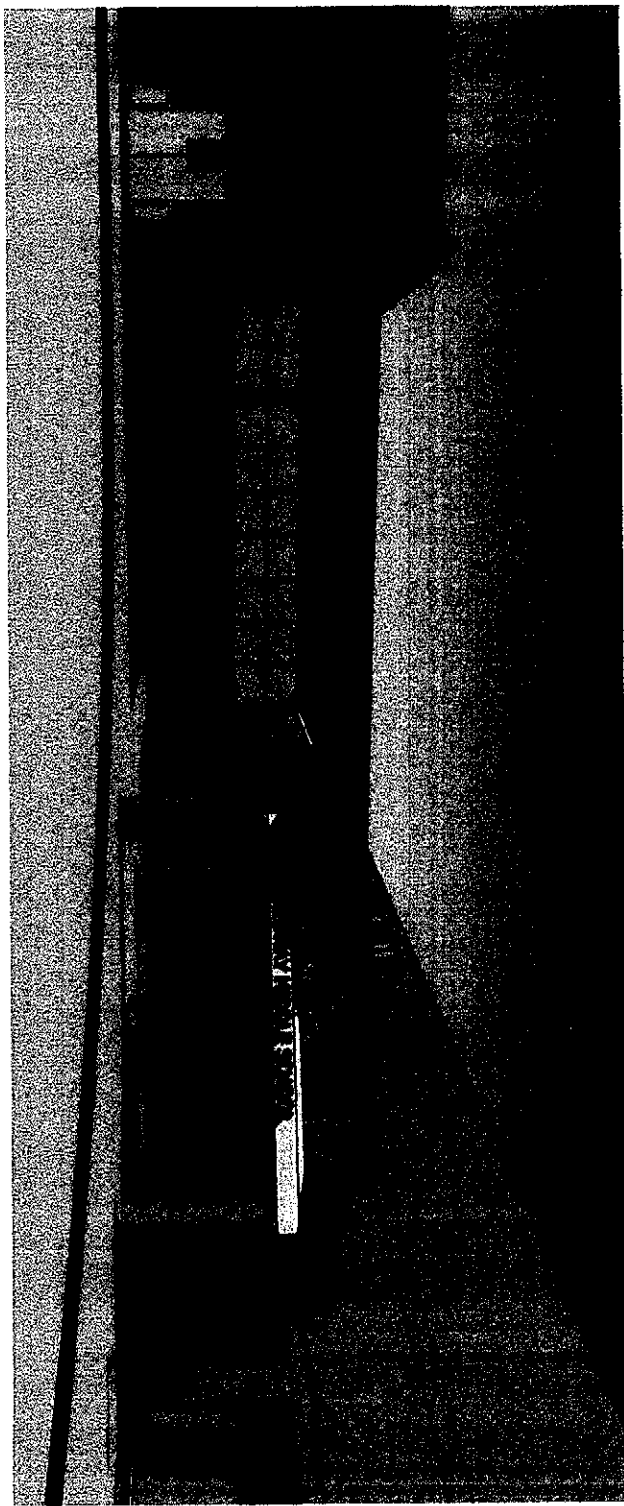
Planning Board

- One (1) Minor Site Plan Project Application form with original signatures plus sixteen (16) copies
- One (1) copy of the Inspector of Building's written determination that the proposed scope of work constitutes a Minor Site Plan.
- Sixteen (16) copies of the written Project Description as specified in the Application Guidelines.
- Sixteen (16) copies of a written Development Impact Report.
- Sixteen (16) sets of the Site Plan – 3 full size (24" x 36") and 13 reduced size (11" x 17").
- One (1) list of requested waivers from the DEVELOPMENT STANDARDS of the Site Plan Rules and Regulations.
- Three (3) copies of the Stormwater Drainage Evaluation
- One (1) certified list of all abutters and parties of interest within 300 feet
- One (1) copy of all relevant approvals received to date from other town boards and commissions
- Minor Site Plan Project Filing Fee – Made payable to the Town of Medway
\$250 + \$.10/sq. ft. of gross floor area
NOTE – Gross Floor Area includes the existing building and proposed addition if any, and/or the proposed new building
- Minor Site Plan Project Review Fee - Made payable to the Town of Medway
\$500 deposit

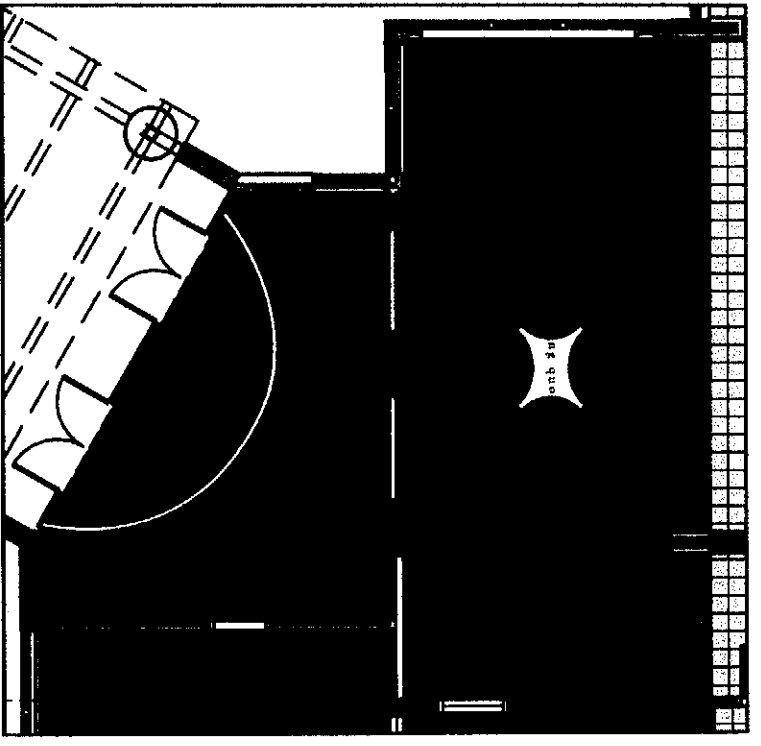
NOTE - 2 separate checks are to be submitted.



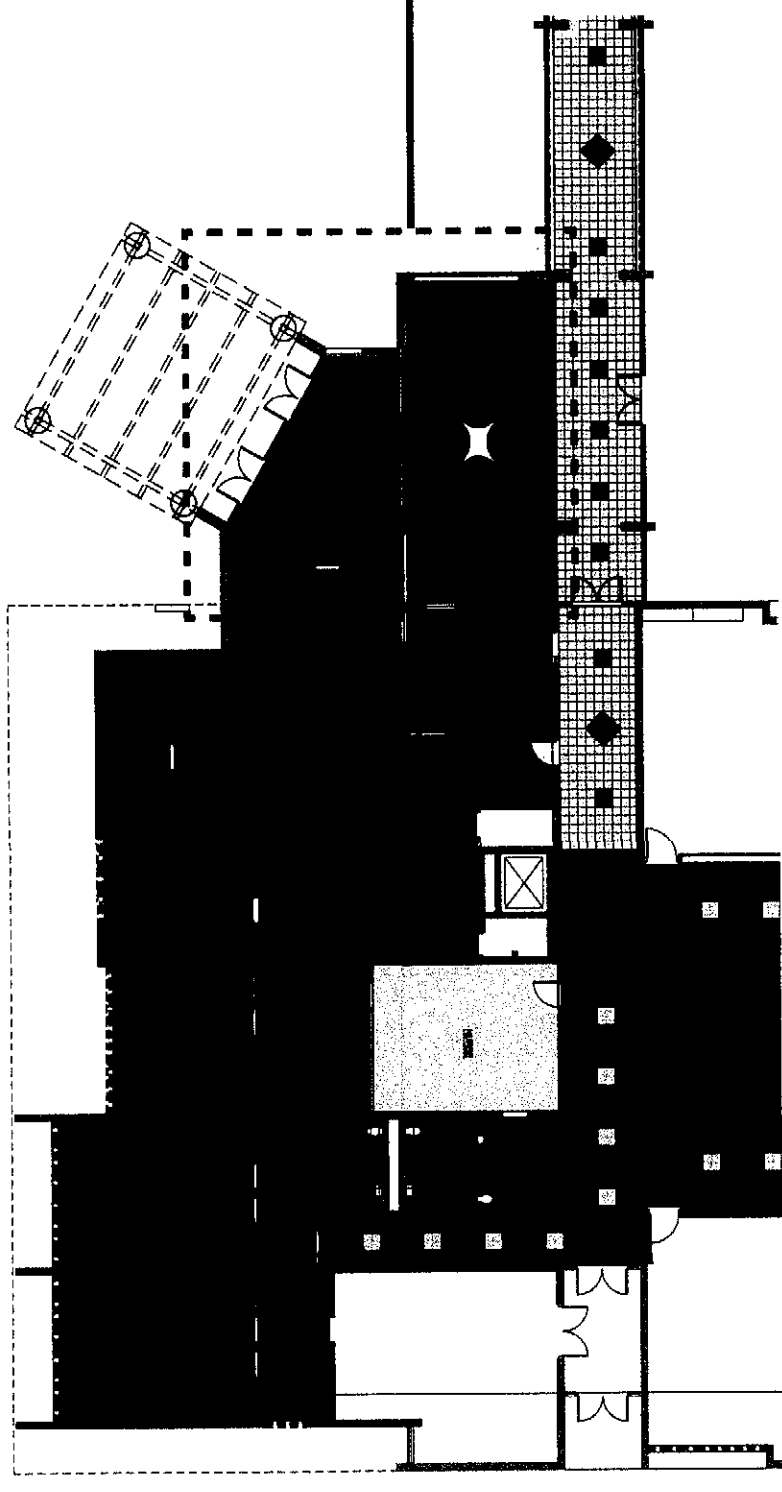
MAIN ENTRY PERSPECTIVE A



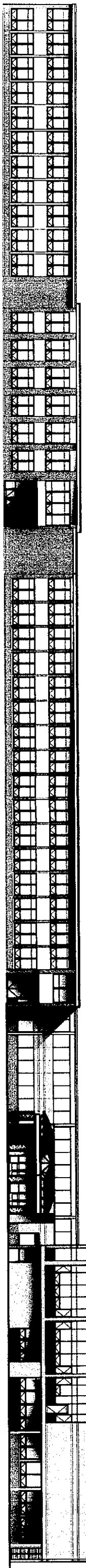
MAIN ENTRY PERSPECTIVE B



FLOOR GRAPHICS STUDY



MAIN OFFICE RENDERED FLOOR PLAN



EXTERIOR ELEVATION AT MAIN ENTRY

MEDWAY MIDDLE SCHOOL - Main Office

45 Holliston Street
Medway, MA 02053





GARCIA · GALUSKA · DESOUSA
Consulting Engineers Inc.

370 Faunce Corner Road, Dartmouth, MA 02747-1271

L#34522
J#445 001 00.00

July 27, 2011

Medway Planning Office
155 Village Street
Medway, MA 02053

Attn: Susan Affleck-Childs

Re: Medway Middle School
45 Holliston St
Medway, MA

Dear Ms. Affleck-Childs:

Enclosed please find 17 copies of the proposed site plans for the renovation of the Medway Middle School located at 45 Holliston Street.

The project includes the interior renovation of the existing building, demolition of the concrete front entrance plaza and replacement with a new entry structure, full depth removal and replacement of portions of the existing parking lots on the eastern side of the existing building, removal and replacement of portions of the existing concrete sidewalks in areas of disrepair, improvements to ADA access within the site, replacement of existing site lighting poles, installation of a new electrical service to the building, installation of a new emergency power generator and installation of a new fire protect sprinkler service from the existing water main on the site.

The existing drainage system consists of a closed-pipe network of catch basins, trench drains and drainage manholes throughout the main building areas as well as the parking lot located northwest of the building. The existing system in the area of the building and northwestern parking discharges to the municipal drainage network located in Holliston Street.

The proposed work on the site is anticipated to have no effect of peak runoff rates and volumes. Site regrading is limited to ADA accessible ramps at existing sidewalks and the area of impervious cover should match the existing conditions. Therefore, we expect no adverse effects to the existing drainage system on the site.

If you have any questions or comments regarding the enclosed material please feel free to contact our office at your earliest convenience.

Very truly yours,
GARCIA · GALUSKA · DESOUSA
Consulting Engineers Inc.

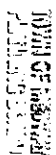
Christopher M. Garcia

NCK/jif

cc: Dan Bradford, AIA, KBA Architects
Enc.

RECEIVED
JUL 27 2011
TOWN OF MEDWAY
PLANNING DEPT

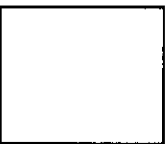




ARCHITECT'S

MEMORANDUM

Project Number:



Project Description

PROJECT: Repairs to Medway Middle School
45 Holliston Street
Medway, MA 02053

Date: 7/27/11

Current and proposed Uses:

The current building is used as the Medway Middle School for grades 5-8. It building also houses the School Department Administrative Office for the Superintendent and School Business Manager. There are no proposed changes to the use of the building and those functions will be maintained after the project is completed.

Proposed Site Improvements:

The proposed site improvements include increased HC accessibility onto and throughout the site with accessible parking and routes from parking into and around the building proposed. New site lighting is proposed to replace and improve the site lighting conditions. The landscaping scope is minimal and will be limited to repairs to all areas disturbed by the construction process and by the installation of new underground utilities, including a new electric service and a water line for the new sprinkler system. There is a proposed new entrance lobby addition at the front of the building. This addition will include revised concrete paving in front of the addition. General repairs are proposed to the concrete walk around the entire building and sections will be added to provide a continuous accessible loop around the building.

Construction/Demolition:

The predominance of the project scope is repairs replacement of existing interior systems. However, the exterior envelope will be altered with new replacement windows. There is a slight modification being proposed to reduce the size of the existing front entrance canopy which is at the former main entrance to the building before the addition was added in the 70's. The only new proposed construction is the lobby addition (approximately 2000 SF). Which will also include adding an enclosed corridor beneath the current 2nd floor bridge that links the original building to the 70's addition.

Intended Building Users:

The current building users (grades 5-8) and the school administration will be the intended users when the project is completed.

Existing/proposed pedestrian and vehicular access:

There are no proposed alterations to the vehicular or pedestrian access to and from the building. However, a heightened level of security will be implemented into the building so that the pedestrian access will be limited and controlled to only secured and supervised entrances.

RECEIVED
JUL 27 2011

Kevin J. Buckley, AIA
Daniel P. Bradford, AIA

ARCHITECT'S

MEMORANDUM

TOWN OF MEDWAY
PLANNING BOARD

Development Impact Report

Project Number:



PROJECT: **Repairs to Medway Middle School**

45 Holliston Street
Medway, MA 02053

Date: 7/27/11

Traffic Impact

The use of the building will remain as it currently exists as a Middle School. This project will incur no increased use of the building and at the completion of the repair work, there will be no impact on the traffic volume or traffic patterns as a result of the proposed project.

Exclusive of this project, the Medway Safety Department has plans to alter the vehicle access to and from the site to improve the efficiency of the car pick up and drop off patterns and to improve the safety of students and pedestrians as they approach the building during those peak periods.

During the construction period (from Fall 2011 through Summer 2013) the construction vehicle activity will be isolated and segregated from the school use activity. No construction access to the site will be allowed while school is in session, from the front access drives. But rather, all construction vehicles, including work force vehicles and deliveries, will be from the parking lot at the North end of the site that is accessed off Kelley Street. The Construction Manager, Consigli Construction Corp. has produced a series of Logistic Plans that identify this segregated traffic flow to the site.

Community Impact

At the completion of the project, since there will be no change of use or function of the building, there will be no increased or altered impact to the community as a result of this project. Throughout the duration of construction, measures will be taken to control and mitigate noise and site activity but the anticipated impact on the community during the construction period is negligible.

Parking Impact

At the completion of the repair work, there will be no increased parking requires as a result of the scope of this project. During the construction period, the back lot off Kelley Street will be occupied for all construction related parking. The existing parking lots to the south side of the site are adequate to handle the staff and visitors parking for the school use. Aside for some changes to the walking patterns for staff to the building from the parking, there is no impact on parking anticipated during construction.



TETRA TECH

Bond Value Estimate
The Village at Pine Ridge
Candlewood Drive Punch List Items
Medway, Massachusetts
August 3, 2011

One Grant Street
Framingham, MA 01701
Tel 508.903.2000 Fax 508.903.2001

DESCRIPTION	QUANTITY	UNIT	UNIT COST	ENGINEERS ESTIMATE
HMA Top Course - 1 1/2" Depth (roadway patching)	1	LS	\$750.00	\$750
Locate Bounds	3	EA	\$350.00	\$1,050
Crack Sealing	1	LS	\$500.00	\$500
Street Sweeping	1	LS	\$1,500.00	\$1,500
Clean Drainage System	1	LS	\$7,500.00	\$7,500
Adjust Drain Structure	4	EA	\$290.00	\$1,160
Drain Structure (replace: frame, cover, steps)	1	LS	\$1,000.00	\$1,000
Gas Trap	3	EA	\$400.00	\$1,200

\$14,660

Subtotal \$14,660
Recommended Bond Value (min.) \$40,000

Notes:

1. Unit prices are taken from the latest information provided on the Mass DOT website. They utilize the Mass DOT weighted bid prices (Combined - All Districts) for the time period 8/2010 - 8/2011.
2. Quantities and items are taken from punch list generated by VHB dated March 5, 2001.



495/METROWEST DEVELOPMENT COMPACT

DATE: July 18, 2011

RECEIVED
JUL 27 2011

TO: Chairs, Board of Selectmen, Planning Boards, and Conservation Commissions
Town Administrators and Town Planners

FROM: 495/MetroWest Development Compact Coordinating Committee (shown above)

**TOWN OF MARLBOROUGH
PLANNING BOARD**

RE: Update on the 495/MetroWest Development Compact

Thank you for participating in the *495/MetroWest Development Compact*. Your community's input on infrastructure needs, preservation opportunities and key development locations across the region is critical to the project's success, and we greatly appreciate your contributions.

Your input, as well as the recommendations of the other thirty-six municipalities within the *495/MetroWest Development Compact's* study area, led to the identification of 226 Priority Development Areas and 383 Priority Preservation Areas and a wide range of infrastructure priorities. These initial findings were incorporated into a series of maps that were discussed at two regional forums in Westborough on June 15 and in Boxborough on June 21.

In addition, a regional analysis prepared by the Metropolitan Area Planning Council's Data Center provided extensive economic and demographic data on the study area, such as:

- POPULATION: 40,000 new residents since 2000, growing at 6%, twice the state rate
- EMPLOYMENT: 400,000 jobs, with over 50% along the Route 9 corridor
- JOBS: Five communities (Framingham, Marlborough, Milford, Shrewsbury, Worcester) each host more than 10,000 jobs held by commuters
- DEVELOPMENT: From 1999 to 2005, 6,400 acres were developed while 2,000 acres were permanently protected

More information is available online at www.495partnership.org/compact, including the presentation from the forums; regional maps; and multi-municipal maps showing the development locations, preservation opportunities, and infrastructure needs identified by each community. As the study moves forward this summer, the local recommendations will be reviewed to identify areas of regional significance and in the fall we will hold additional public forums to present these findings. The study and final report are expected to be complete by the end of the year.

Please let us know if you have any questions or concerns, and we look forward to continuing our work with you on the *495/MetroWest Development Compact*, since it will form the framework for public decision-making in land use regulation and infrastructure investment within the region over the next twenty years.

For Further Information, visit www.495partnership.org/compact or contact any of the partners:

- | | |
|--|--|
| <i>Executive Office of Housing & Economic Development:</i> | <i>Mass Audubon:</i> |
| Robert Mitchell | Stephanie Elson |
| 617-788-3658 / robert.mitchell@state.ma.us | 781-259-2146 / selson@massaudubon.org |
| <i>495/MetroWest Partnership:</i> | <i>Metropolitan Area Planning Council:</i> |
| Paul Matthews | Steven Winter |
| cell: 508-479-8234 / paul@495partnership.org | 617-451-2770 / swinter@mapc.org |
| <i>Central Massachusetts Regional Planning Commission:</i> | <i>MetroWest Regional Collaborative:</i> |
| Megan DiPrete | Bruce Leish |
| 508-459-3315 / mdiPRETE@cmrpc.org | 508-881-2924 / bleish@mapc.org |