

**March 8, 2011
Medway Planning and Economic Development Board
155 Village Street
Medway, MA 02053**

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

ABSENT WITH NOTICE:

ABSENT WITHOUT NOTICE:

ALSO PRESENT: Susan Affleck-Childs, Planning and Economic Development Coordinator
Amy Sutherland, Meeting Recording Secretary
Gino Carlucci, PGC Associates Planning Consultant

The Chairman opened the meeting at 7:05 pm.

The Chairman asked for any citizen comments. There were no citizen comments.

Plan Review Fee Norwood Acres Preliminary Subdivision Plan:

The Board is in receipt of a cost estimate in the amount of \$340.00 from PGC Associates to review and comment on the preliminary subdivision plan called “Norwood Acres”. This is for property at 61 Summer Street. (See Attached).

- **On a motion made by Bob Tucker and seconded by Chan Rogers, the Board voted unanimously to approve the cost estimate for Norwood Acres Preliminary Subdivision Plan in the amount of \$340.00.**

Appointment to EDC:

The Board is in receipt of a memo dated March 4, 2011 relative to the appointment to the EDC Committee. (See Attached).

- **On a motion made by Chan Rogers and seconded by Tom Gay, the Board voted unanimously to appoint Paul Yorkis to the Medway Economic Development Committee for a term through June 30, 2012.**

**Planning and Economic Development Board Meeting Minutes:
February 16, 2011**

On a motion made by Chan Rogers and seconded by Bob Tucker, the Board voted unanimously to accept the minutes from February 16, 2011 as presented.

PUBLIC HEARING - 25 Summer Street Definitive Subdivision Plan

The Chairman opened the public hearing for 25 Summer Street. The Chairman provided an introduction of the Board along with consultants.

On a motion made by Chan Rogers and seconded by Karyl Spiller-Walsh, the Board voted unanimously to excuse the Chairman from the reading of the public hearing notice. (See Attached).

The Board is in receipt of an application from Fasolino Home Improvements of Medway, MA. The plan submitted is dated January 10, 2011. This plan was prepared by Faist Engineering. The surveying was completed by O'Driscoll Land Surveying Co.

The applicant is proposing to develop a 2-lot private way residential subdivision on a 1.98 acre parcel. This parcel is located in Agricultural Residential II zoning district.

The parcel does have a bordering vegetated wetlands in the southwest corner.

The proposal includes a creation of a private roadway to establish legal frontage.

The applicant proposes to use swales and a small stormwater basin for infiltration of sewer and water to connect to existing systems.

Faist Engineering is in receipt of the letter from Tetra Tech dated March 4, 2010 and will address the noted comments. (See Attached).

There will be a forced main sewer system.

Member Rogers communicates that there has been a problem with the drainage due to the existing force main in the area. There have been failures in the past.

Abutter, John Clark 25 Summer Street: Mr. Clark communicated that there was a public meeting years prior at Speroni's Restaurant and there was an agreement that the property owners of the south side (of the Speroni Acres subdivision) would be allowed to hook into the sewer system. There must be a copy of this agreement somewhere!?

Affleck-Childs communicated that she will check the PB meeting minutes if there was an agreement made. This is not something that the Planning Board does, but maybe the Water and Sewer commission made such an agreement. Another place to check is the deeds. The burden is on the applicant to find this evidence.

Member Rogers communicated that he is the Chairman of the Water and Sewer commission and the only responsibilities this Commission has is to set the water rate. They are not able to sign or enter into agreements.

The approved plans for Speroni Acres were shown and the sewer runs through the back of the property.

The Chairman would like Affleck-Childs to consult with Town Counsel relative to the tie in.

Member Rogers communicates that it only becomes a problem if the applicant wants to pursue connecting. He can provide his own septic system on each lot.

Affleck Childs communicates that this would need to be shown on the plan.

Member Tucker indicates that Parcel A would be a paper street (to establish frontage) and that each lot would have its own driveway off of Summer Street.

Member Spiller-Walsh would like to see the driveways combined. She also noted that the detention pond is not on a separate lot (as is required by the *Subdivision Rules and Regs*).

Member Tucker communicated that the current plan would create an 18 inch puddle. He suggests using an underground holding tank such as a cultec unit to be located on the paper street parcel in lieu of the 18” puddle in order to comply with storm drainage regulations.

The Board suggested using a separate parcel for storm water management.

David Faist wanted to know if the Board would consider a waiver since the applicant is constrained by the Regulations.

Member Gay noted that Faist is taking a hard line engineer approach to the stormwater management.

Consultant Carlucci wanted to inform the applicant that the house footprints should be shown as 40’ by 80’.

David Faist indicated that the house footprints can be revised.

David Pellegrini of Tetra Tech Rizzo indicated that the only concern he has is the risk of increased peak flow at the driveways onto Summer Street.

The Chairman communicated that if a waiver was not granted and this is approved, it would set precedent. The Board needs to stay consistent.

Engineer Faist indicated that he can look into putting the drainage on Parcel A.

Member Spiller-Walsh wants to know if there was something written to not use paper streets. She thinks it was a standard practice or maybe a regulation was written.

Member Rogers responds that this could never be a public street since it is not being used as a street. The Board is not bound by anything related to paper streets.

David Faist indicated that by having two separate driveways, it makes it easier to put the drainage in.

The Chairman asked if there were public comments. There were none.

The Board continued the public hearing for the 25 Summer Street Definitive Subdivision Plan to Tuesday, April 12, 2011 at 7:15 pm.

The applicant will provide any revised plans to the Board two weeks prior to the next meeting (March 29, 2011).

Hill View Estates Preliminary Subdivision Plan (32R Hill St.)

The Board is in receipt of an application from Christine Price for the approval of a preliminary subdivision plan for a proposed two lot residential subdivision at 32R Hill Street to be known as Hill View Estates.

The plan was prepared by Paul DeSimone from Colonial Engineering. Mr. DeSimone began the presentation by explaining that this piece of property is on 12.706 acres and is located in the Agricultural Residential I zoning district.

The applicant is represented by Tony Biocchi of Medway, MA.

The plan shows that the division of land into two residential lots (one containing the existing dwelling at 32R Hill Street and a second lot for a new residential construction), the construction of an approximately 388 foot long, 18' wide permanent private roadway. This proposal is for a "by right" use in this zoning district.

Mr. DeSimone communicated that the applicant wants to put in blue stone pavers for a turnaround at the end of the roadway. He asks the Board to reference sheet 2. His objective for this project is to create a swale and he does not want to create any more than what is already there now. The applicant wants to provide a trail easement to access the back land. It is indicated that there are wetlands on property.

The Chairman wanted to know if a conservation easement will be done.

Mr. DeSimone indicated that a conservation easement would be done.

The Board is in receipt of a memo from PGC Associated dated March 3, 2011. (See Attached)

The letter from Consultant Carlucci makes reference that a statement block must be included on the plan sheets to make reference that the Board's endorsement does not constitute a determination of compliance with the Zoning Bylaw and that approval under the subdivision control law is not required.

Mr. Carlucci further explained that since only two lots are proposed, this subdivision would qualify as a permanent private way. The point that was brought up was that the Holliston Planning Board may need to approve this as well.

Susy Affleck-Childs noted that the Holliston Planning Board had been informed of this meeting, but neither a member of the Board nor the Town Planner was able to attend the meeting. They have asked for a copy of the meeting minutes.

The Chairman was wondering if the applicant has to show the drainage design if the road is not to be fully constructed.

Consultant Carlucci indicated that the applicant can swale the entire road.

Mr. DeSimone responds that they can look into putting the drainage on a separate parcel but it was their main objective of putting in a swale.

Affleck-Childs expressed concerns about putting in a swale. After awhile, the owner forgets that the swale is there. A swale needs to be protected and it has a job to do.

Mr. DeSimone indicated that a fence could be put around it.

Member Rogers wanted to know if the applicant is asking to build a road?

Mr. DeSimone responded no.

Member Rogers wants to know why the Board is talking about drainage if there will be no road.

Affleck-Childs informs all that the current driveway to the existing house is functioning as a road.

Mr. DeSimone has a concern for the two major abutters on either side of the driveway. He does not want to change anything. His goal is to keep it simple with the least amount of disturbance.

Member Rogers communicates that the only change is to add another house.

Mr. DeSimone further explained that the applicant wants to provide a 6 foot wide trail easement which would be left in its natural state. The applicant would like to put a deed restriction on the property which would have language that no further development can occur.

Member Tucker wanted to know if the easement will be for public access.

Mr. DeSimone indicated that the some of the land may become public but with no vehicle parking.

Member Tucker communicates that based on the topography of the area, the Town would need to have proof that we can handle the run-off.

After checking the *Subdivision Rules and Regulations*, Consultant Carlucci explains that there is not a rule that says you have to design the road completely.

Mr. DeSimone responds that if we design the drainage, then it is opened up to an 18' width road, the whole idea is to not make this any bigger.

Member Gay communicates that an opening is already there, we are only talking about two lots.

Member Rogers communicates that you do not need to design a road. You can ask for a waiver from the designing and building of the road.

Affleck-Childs communicates to the Board that the options relative to the deed restriction, and the public versus private access must be discussed and options must be established.

Member Gay responds that the two options are to have a deed restriction or allow the public to enjoy it.

The Chairman communicated that if the applicant wants to have public access, they must go to Open Space Committee for input.

Member Gay prefers that the conservation area stays the way it is by simply putting together a conservation easement.

Member Spiller-Walsh communicated that her experiences with public land with access can cause some difficulty (for adjacent owners).

Member Rogers would like to leave the land as it is.

Mr. DeSimone asks if they need to construct a road. A list of waivers was supplied.

Member Tucker wants to make sure the applicant identifies what and where easements will be going across this property.

The Board recommends that the applicant speak to the Open Space Committee and come back to the Board before the definitive stage.

Charles River Village OSRD – Discussion and Deliberations

The Board was supplied with an updated OSRD Special Permit Review Criteria Worksheet. The revised draft date was March 4, 2011. (See Attached).

The Board is also in receipt of a supplemental documentation sheet. This is an accumulation of all the documents which were submitted in relation to the Charles River Village public hearing. (See Attached).

Affleck-Childs also informs the Board that the Conservation Commission has supplied a letter dated February 17, 2011 regarding the future conveyance of the open space parcel. (See Attached).

Affleck-Childs suggests that the Board go through the findings which Gino Carlucci drafted based on the Board's discussion from the last meeting. Pages 1 – 11 include the required findings per the Bylaw. There were additional findings talked about that are not necessarily prescribed by the Bylaw but are part of the practice of the board.

The Chairman asks the Board if they want to go through each section.

Member Rogers suggests the Board review the documents on our own and come back to the next meeting with recommendations.

Member Spiller-Walsh is comfortable discussing it now.

The Chairman asks if Spiller-Walsh has specific noted issues.
Member Spiller-Walsh will locate the issues.

Member Rogers moves to approve the document as is written. There is no second. The motion dies.

The Chairman references the letter from the Conservation Agent, Karon Skinner Catrone on behalf of the Conservation Commission. The letter references that “There be no restrictions associated with this donation to ban passive recreation on this land.”

Member Gay communicates that he is not saying that the Board should restrict public access, but he does not know if the Town should further facilitate this. There is impact on the site itself. The Board is talking about small streets in dense areas and creating parking spots which people have to drive down other streets to get to. This is not in the best interest of the Town. He feels the Town does not want to encourage this.

Affleck-Childs communicates that getting the open space is the trade off the Board is making in return for the cluster development.

The Board is comfortable with the document as written up to page two. The Board wanted to discuss further the waiving of the requirement for garages.

Susy Affleck Childs informs the Board that there is no provision for garages in the (2) affordable units (as shown on the concept plan). She is concerned that this might disqualify those units from being included on the Subsidized Housing Inventory as they could be identified as different from the market rate units.

The Chairman wanted to ask Mr. Yorkis if there are market rate units without garages.

Mr. Yorkis communicated that some may not have garages. We have made no determination yet. Mr. Yorkis stated there is no state law that requires garages.

Susy Affleck-Childs stated that she will check with the Mass Department of Housing and Community Development regarding the garage issue.

Consultant Carlucci will rewrite the language in regards to the garages.

The Board is comfortable with Consultant Carlucci rewriting this portion. This will be reviewed again by the members.

The Board next moved to discuss page 3, Section (c) relative to the open space.

Affleck-Childs reminds the Board that part of the Open Space rationale is to get land to be in open space for the enjoyment for the public. By protecting the land but not having it be publically accessible, are you meeting the intent of the bylaw? The Board has a responsibility to make it accessible to the public.

The Chairman noted that to compromise, guest parking could be available (on the street) near the trail head but it would not necessarily be designated for guests but it could be used by people wanting to walk the open space.

Member Spiller-Walsh responds that the Bylaw calls out that the Board may decide that the open space be active recreation or made available within the community or left as is and not accessible to the public. This does not mean we need to invite the entire town.

Member Gay agrees that yes we want open space, but asks do we need to encourage the access to this? He does not think so.

Chairman Rodenhiser responds that some of the vistas which member Spiller-Walsh has referenced are best seen from the river.

Member Spiller-Walsh disagrees. Those vistas are not the vistas which she was referencing.

Member Gay responds there is no open space to the west or east of this parcel. We have a responsibility to the people in the immediate area, and the property. The responsibility of the Board is to protect this area. It outweighs the need for two parking spaces. The trade off is to keep this area protected from further disturbance.

Member Spiller-Walsh agrees with member Gay.

Member Rogers wants to know what banning “passive recreation” means since it is indefinable. We simply do not add access or anything to this area, and the board should not make it anymore available.

Affleck-Childs asks, then why are we doing open space developments?

The members do not want to put anything there.

Affleck-Childs responds that you have to start somewhere.

The Chairman communicates that because the pathway already exists, why add more parking spaces. There is already access to this from four points. Are we going to require more parking for visitors?

There was a discussion about what is really passive recreation. Consultant Carlucci will research this and will report back to the Board about his understanding of this.

- **On a motion made by Chan Rogers and seconded by Tom Gay, the Board voted unanimously to not provide any parking spaces for public access in the open space.**

The Board next moves to discuss the overflow parking.

The Board next moves to discuss page 5 (a) under the Design Standards.

Member Spiller-Walsh communicates that this has not been a clear process relative to the required four step design process. She also notes that the first landscape architect had indicated he had not yet put pencil to paper while providing input to the applicant on the site analysis.

The Chairman wanted to know what may need to be added for overflow parking for guests.

Member Gay indicated that each driveway can handle two cars.

Member Tucker asks how many do we need to allot?

Member Gay responds that the proposed pavement will be 18 ft. wide. If the intent was to make the road one way around the circle instead of two ways, there would be parking on the street for overflow guests. There is no issue if the circle is one-way.

Mr. Yorkis indicates that the loop road will be one way only.

The Chairman responds that if you are not from the development, where can residents from the Town park?

It was communicated that the guests can park on the cul-de-sac.

The public parking would be available on Neelon Lane.

The Board next moves to page 5 under Design Standards (a).

Member Spiller-Walsh makes reference that in the FINDINGS provided by Consultant Carlucci, it calls out the bylaw's OSRD Design Standards. Member Spiller-Walsh begins reading "The most sensitive portions...." She communicates that there has not been a clear design standard. The problem is that a lot of the issues with the vistas and road layout should be subjective and should have been evaluated for the site analysis and not for evaluation for other aspects. There is nothing about this project that supersedes a conventional subdivision. There is no advantage to the Town with the exception of securing the open space.

Member Spiller Walsh quotes that the original landscape architect was quoted saying "I have not yet put anything to pencil and paper." The landscape architect did nothing, he stamped it.

Affleck-Childs understands that Spiller-Walsh is questioning if the applicant truly embraced the full four step design process as described in the OSRD bylaw. The quality of this assessment should have been addressed at the beginning of the process.

Member Rogers made a motion to accept the basic layout by the applicant as is and the details could be engineered and the applicant has followed the four step design process. There was no second. The motion dies.

Member Gay read a section from the existing OSRD bylaw and agrees with Consultant Carlucci. The applicant has the places noted where they cannot go. They have identified the places that they would rather not go, and they have located the street site within that. Member Gay does not agree with maximizing this yield and adding bonus, but he can't challenge it a whole lot. The affordable housing gives the bonuses based on numbers. He clearly understands Member Spiller-Walsh's frustration.

Member Spiller-Walsh understands that the applicant followed the formula, but there has to be some advantage of submitting an OSRD over a conventional subdivision. Why is this a better way? The applicant has not diversified housing by clustering the housing units.

Member Gay communicates that the open space on the river is very valuable.

The Chairman thinks the applicant has met the criteria.

Member Tucker communicates that the plan serves its purpose and its worthwhile, but not ideal.

The discussion then goes to page 11 of the draft FINDINGS.

Member Spiller-Walsh wants clarity on the turning radius at the end of Neelon Lane. She has a lot of trouble with this. The 18 feet within the 25 feet layout was a problem at the end of the road. This is inadequate access at the mouth of the road.

Mr. Yorkis wanted to ask that since Mr. Tucker is leaving, he is concerned about when the Board makes the decision, will it get the full consideration. Will this effect the deliberations?

Affleck-Childs responds that Mr. Tucker will review the changes which will be made to the FINDINGS.

Member Gay notes that this is an additional access, so do we need to define this better.

The section about additional FINDINGS will be reworked by Consultant Carlucci.

Member Tucker left at 10:15 pm.

The Board next discusses the garages. The bylaw requires that garage doors facing the street shall be set back a minimum of five feet (5') more than the front wall of the principle building. No more than fifty percent of the garage doors within an entire OSRD shall face the street from which it is accessed.

Member Gay had questions in relation to page two and the garages.

Affleck-Childs was wondering about the requirements for garages in the affordable housing units. There is a sensibility about them being the same.

Mr. Yorkis disagrees and notes that there is no requirement for garages for the affordable units. The affordable units will not be different as far as design. The garage does not constitute a discernable difference.

The Chairman asks if the market rate units have garages.

Mr. Yorkis is not sure about the final exterior plan for the garages. A final determination has not been made.

Member Gay notes that it has been identified that there are two units without garages.

Member Rogers notes that the length of the driveway may allow for more than two parking spaces for each unit.

The Chairman is assuming that there are three people driving in each unit.

Mr. Yorkis disagrees that this is an assumption that there will be three drivers per dwelling unit. This is not a correct assumption. There is adequate space within the driveway with less pavement. Why require three parking spaces for every dwelling? The layout is going to change slightly in the definitive stage. To make a decision on the number of parking spaces, there needs to be good planning making this decision.

Member Rogers feels this is an exception since it is for condominium housing.

Member Gay does not see that there is a big issue. It can maybe be addressed at the definitive stage.

Member Spiller-Walsh thinks that the square footage of the units will get bigger and not smaller.

Member Gay thinks that Unit 12 is the only one that may have a problem.

The Chairman brings up that the garages could go away all together.

Member-Spiller-Walsh recommends gravel.

Member Rogers communicates that the Board needs to vote on the plan as it was presented.

Member Gay wants to add language to include three off street parking places per dwelling unit.

The Chairman notes that we should specify that three off-street parking places be supplied.

Member Spiller-Walsh has no issue with three.

The Chairman asks Consultant Carlucci if there is anything that the Board has not covered.

Consultant Carlucci wants the Board to reference page 5 relative to the open space. The bold will be taken out.

The Board next moves to page seven (i). It was recommended that a condition be added to specify the visual buffer.

(k) The Board does find that this requirement is met. Consultant Carlucci suggests making a payment in lieu of sidewalk construction to the Town of Medway's Sidewalk Special Account.

Member-Spiller-Walsh thinks that there should be a contribution to the Sidewalk Fund.

Member Gay agrees with member Spiller-Walsh.

Mr. Yorkis wants clarity about the existing frontage on Neelon Lane. The property line for Neelon Lane is 25 feet frontage. The rest is an easement. The property line ends as noted and the easement extends beyond that and it is not being disputed. The frontage on Neelon Lane is 25 feet.

Consultant Carlucci is not 100% sure. He will look into it.

Member Rogers feels the question is mute.

Consultant Carlucci explained that those requirements can be waived by the Planning and Economic Board for corner lots where the garage door faces a different street than the front of the house. Regarding the 5 foot setback, Units 8 & 10 do not meet this requirement.

Consultant Carlucci commented that the Board will have to decide whether they waive this requirement. A rationale for waiving this could be that two units will not have garages at all and/or that the “spirit” of the requirement is met since only 2 out of 11 garages fail to meet this. It could also be waived subject to some kind of specific “attractive” garage door design. Alternatively, the applicant could be required to meet this requirement in the definitive plan submittal.

The Board is comfortable with the waiving of the five foot requirement of two garages. Consultant Carlucci will draft the language.

The Board then moves to page 9. Under Section (f).

Member Rogers was questioning what is the new street?

Consultant Carlucci will change this language to reference Neelon Lane as an existing statutory way.

Mr. Yorkis communicated that he understands from the Medway Department of Public Services that they will continue to maintain Neelon Lane in a manner that it is currently being maintained. This is an existing statutory way.

Consultant Carlucci will redraft language which will note that the OSRD will result in the improvement of an existing statutory way to the resulting new street only to the new cul-de-sac. The roadway internal to the development will be owned and maintained by a condominium association rather than at the Town’s expense.

The Board will review the new changes from Consultant Carlucci.

Susy Affleck-Childs will also consult with Town Counsel relative to the long-term options relative to the language of this.

There was a question about does it require modification at town meeting.

Mr. Yorkis communicates that it has been proven that Neelon Lane has already been proven as a statutory private way.

Member Gay is wondering why the bulb even needs to be there?

Mr. Yorkis indicates that it was asked to be there for safety purposes, trash trucks, and snow plows. They were asked to include it as a turnaround.

Susy Affleck-Childs will speak with Town Counsel.

This will be further discussed at the March 22, 2011 meeting.

Birch Hill Street Acceptance:

The Board will table this matter until the next meeting.

Proposed Zoning Articles:

The Public Hearing for the Zoning Articles will be Thursday, March 24, 2011.

Adjourn:

On a motion made by Chan Rogers, and seconded by Karyl Walsh-Spiller, the Board voted unanimously to adjourn the meeting at 11:15 pm.

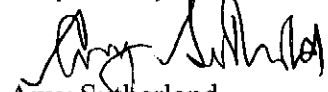
Future Meetings:

The next meetings scheduled are:

- Regular Meetings on March 8 & 22, 2011
- 2011 Annual Town Meeting – Monday, May 9, 2011

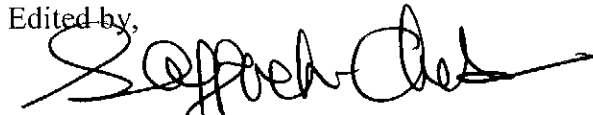
The meeting was adjourned at 10:30 PM.

Respectfully Submitted,

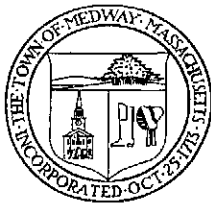


Amy Sutherland
Meeting Recording Secretary

Edited by,



Susan E. Affleck-Childs
Planning and Economic Development Coordinator



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

Approved

March 4, 2011

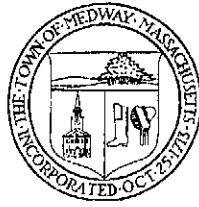
TO: PEDB Members
FROM: Susy Affleck-Childs
RE: Appointment to Medway EDC

You may recollect that Paul Yorkis resigned from the Medway Economic Development Committee in early December. He did so because that committee (among many other town boards/committees) had not been specifically designated by the Board of Selectmen to have its members serve as “special municipal employees” under state law. Special municipal employees have certain parameters under which they can serve on municipal boards/committees without concern for violating state conflict of interest laws. Without that status, Mr. Yorkis might have been in violation of the conflict of interest laws because of his role as both an EDC member and as official representative of an applicant before the Planning and Economic Development Board (Charles River Village OSRD).

At its February 21, 2011, meeting the Board of Selectmen voted to determine that the members of an extensive list of Town boards and committees are “special municipal employees”. That list includes a number of committees for which the PEDB is the appointing authority (Economic Development Committee, Open Space Committee and Design Review Committee).

Accordingly, Mr. Yorkis is now able to serve on the EDC and has asked to be considered for re-appointment.

I would recommend a term through June 30, 2012.



RECEIVED

FEB 10 2011

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

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

NOTICE OF PUBLIC HEARING
25 Summer Street Definitive Subdivision Plan

In accordance with the provisions of Chapter 41, Section 81A – 81GG, Massachusetts General Laws and the Medway Planning Board's *Rules and Regulations for the Review and Approval of Land Subdivisions*, notice is given that **the Medway Planning & Economic Development Board will conduct a public hearing on Tuesday, March 8, 2011 at 7:15 p.m. in the Sanford Room of Town Hall, 155 Village Street, Medway, MA to consider the application of Fasolino Home Improvements, Inc. of Medway, MA for approval of the 25 Summer Street Definitive Subdivision Plan.** The plan is dated January 10, 2011 and was prepared by Faist Engineering of Southbridge, MA and O'Driscoll Land Surveying Co of Medway, MA.

The applicant proposes to develop a 2-lot, private way residential subdivision on a 1.98 acre parcel located at 25 Summer ST (*Medway Assessors Map/Parcel 2B-7*) in the Agricultural Residential II zoning district. Owned by Fasolino Home Improvements, Inc. the property is bounded on the east by Summer ST; on the north by property owned by Heuklom and Lynch; on the west by land owned by Mohka and Burill; and on the south by property owned by Jason. The parcel includes a small bordering vegetated wetlands area in its southwest corner. The proposal includes creation of an approximately 158 foot private roadway to establish legal frontage; use of swales and a small stormwater basin for infiltration; and installation of sewer and water to connect to existing systems.

You are receiving this notice as you are the record owner of property located within 300 feet of 25 Summer ST. The *25 Summer Street Definitive Subdivision Plan* is on file with the Medway Town Clerk at 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 am to 1:00 p.m. It is also available for viewing at the Medway Planning and Economic Development office at Town Hall.

Interested persons or parties are invited to review the plan, attend the public hearing, and express their views at the designated time and place. Written comments are encouraged and may be sent to planningboard@townofmedway.org. For additional information, please contact the Medway Planning and Economic Development office at 508-533-3291.

Andy Rodenhiser
Chairman

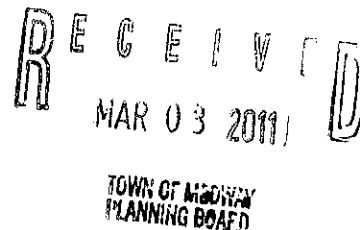
Telephone: 508-533-3291 Fax: 508-533-3252
planningboard@townofmedway.org

PGC ASSOCIATES, INC.

1 Toni Lane
Franklin, MA 02038-2648
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508.533.0617 (Fax)
pgca@comcast.net

March 3, 2011

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



Re: **25 Summer Street Definitive Subdivision Plan**

Dear Mr. Rodenhiser:

I have reviewed the definitive subdivision plan submitted by owner/applicant Fasolino Home Improvements, Inc. of Medway and prepared by Faist Engineering, Inc. of Southbridge and O'Driscoll Land Surveying Company of Medway. The plan is dated January 10, 2011. The plan divides a lot of 86,367 square feet into 2 lots with areas of 33,837 and 38,813 square feet plus a private way of 13,717 square feet. The property is located within the AR-II district. I have comments as follows:

Zoning

1. The lots in the subdivision plan appear to comply with the zoning bylaw.

Subdivision Rules and Regulations

2. Section 5.7.12 requires that the ROW and pavement width of streets within 700 feet of the subdivision be provided. No dimensions are provided but the pavement location for Summer Street is shown on the plan.
3. Section 5.7.16 requires that waiver requests be listed on the cover sheet. No waivers are listed, but one waiver was separately.
4. Section 5.7.18 requires that a note indicating that the plan is subject to a covenant, which is to be recorded with the plan, be on all sheets. There is a note on the cover sheet regarding the Certificate of Action, but the note regarding the covenant should be on all sheets near the signature block.
5. Section 5.7.19 requires that electrical, telecommunications and cable TV lines be shown on the plan. This was not done, and a waiver is requested.
6. Section 5.7.20 requires that roadway profiles be included on the profiles. This was not done, and a waiver is requested.

7. Section 5.7.21 requires that topography be shown at least 20 feet beyond the property boundaries. This was not done and no waiver is requested.
8. Section 5.7.22 requires soil tests be provided indicating ledge, water table, etc. It is not clear if this was provided.
9. Section 5.7.23 requires stormwater information including a long-term operations and maintenance plan to be shown on the plans. This was not done.
10. Section 5.7.24 requires information on street trees. This was not done, and a waiver is requested.
11. Section 5.7.27 requires that street and traffic control signs be shown on the plans. This was not done, presumably because two driveways are shown rather than an actual street.
12. Section 5.7.28 requires that streetlights be shown on the plans. This information was not provided, but a waiver has been requested.
13. Section 5.7.31 requires open space to be shown. None is proposed and a waiver is requested.
14. Section 5.7.32 requires cul-de-sac landscaping. No actual cul-de-sac is proposed and a waiver from the landscaping requirement is requested.
15. Section 5.7.33 requires a Preliminary Stormwater Pollution Prevention Plan. This was not done, and a waiver is requested.
16. Section 5.7.36 requires that house footprints of 40' x 80' be shown. Smaller footprints are shown and no waiver is requested.
17. Section 7.7.2 (p) requires detention and retention basins to be on a separate parcel. This was not done, and a waiver is requested.
18. Section 7.9.3 requires that intersection sight distances be shown on the plan. This was not done, and no waiver is requested.
19. A waiver is requested from Section 7.9.5 requiring a minimum centerline grade of 2%, but the proposed grade is not indicated.
20. Section 7.9.6 prohibits dead-end streets except where development would not be feasible otherwise or in open space subdivisions to minimize impacts on resources. The subdivision includes a dead end street. A waiver is requested.
21. Section 7.9.6 (d) and (e) require a turnaround for dead end streets of either a cul-de-sac or hammerhead. This was not done, and a waiver is requested.

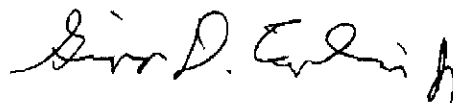
22. A waiver is requested from Section 7.9.7 regarding width of a local street (26'). However, the request should be from the requirement for a permanent private way (18'). No actual street is proposed, only a single driveway within the right-of-way (See Comment #30 below).
23. Similarly, a waiver is requested from Section 7.10.2 requiring granite curbs. The waiver should be from the Cape Cod berm required on permanent private ways.
24. Section 7.13.3 requires that a sidewalk be provided along the frontage of a subdivision, including property that was held in common ownership within the past five years. An existing sidewalk is shown along the portion of the frontage.
25. Section 7.19.2 requires that street trees be 12 feet high and with a 2 ½ inch caliper at 4 feet above grade. This section also specifies that they be located outside the right-of-way and at intervals of every 40 feet. No new trees are shown. A waiver is requested.
26. Sections 7.19.9 requires the center island of a cul-de-sac to be 24' in diameter with a 10' apron around it. The island shown exceeds this dimension. No center island is shown
27. Section 7.20.1 requires that applicants obtain a street name from the Street Naming Committee prior to submitting a definitive plan. This was not done, and a waiver is requested.
28. Section 7.21.1 pertains to street lights. None are proposed and a waiver is requested.
29. Section 7.22 provides the Board discretion to require walkways, trails, and/or bikeways. None are proposed and a waiver is requested.

General Comments

30. There is an existing circular driveway on the site that served a house that has been removed. The applicant proposes to use each of the curb cuts from the circular driveway to serve each of the two new houses that are proposed. One of the curb cuts (and proposed driveway) is completely outside the proposed street right-of-way. Consideration should be given to requiring that the driveways for both houses be located within the right-of-way and that the common portion of that driveway (the "street"), if not 18 feet, be sufficient to serve 2 houses.

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

Sincerely,



Gino D. Carlucci, Jr.

PGC ASSOCIATES, INC.

1 Toni Lane
Franklin, MA 02038-2648
508.533.8106
508.533.0617 (Fax)
pgca@comcast.net

March 3, 2011

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

RECEIVED
MAR 03 2011

TOWN OF MEDWAY
PLANNING BOARD

Re: Hill View Estates Preliminary Subdivision Plan

Dear Mr. Rodenhiser:

I have reviewed the preliminary subdivision plan submitted by Christine Price of Medway for property off Hill Street. The plan was prepared by Colonial Engineering, Inc. of Medway, and is dated November 25, 2010. The site is within the AR-I district.

The plan proposes to construct a private way cul-de-sac in order to create frontage and divide an existing nonconforming lot on Hill Street with an existing house on it into two lots. It appears that an existing house on the property would remain. It should be noted that the portion of Hill Street from the existing gets its access is in Holliston (as is 1369 square feet of the lot area). The total size of the parcel is 12.706 acres. The new lots would have areas of 8.089 and 4.029 acres respectively.

I have comments as follows:

Zoning

1. As noted above, the existing lot is currently nonconforming. Due to the proposed road layout, both new lots in the subdivision as shown on the plan appear to comply with the zoning bylaw.

Subdivision Rules and Regulations

2. Section 4.4 requires that an engineer and surveyor prepare the plan. Only a surveyor is indicated on the plans, although an engineer is named in the application.

3. Section 4.6.7 requires general information on existing and proposed drainage, sewer disposal and water distribution. The plan indicates an existing driveway with 3 feet of gravel on each side for drainage. A septic system and well serving the existing house are also shown on the plan. The application states that the new house will also be served by a well and septic system. The plan indicates a drainage easement off the cul-de-sac, and the application states that Merrikin Engineering will be performing drainage calculations and design the drainage system at the definitive plan stage. It should be noted that a separate parcel is required for a detention basin or underground infiltration system.

4. Section 4.6.10 requires that existing and proposed topography be shown at 2' intervals. The existing topography is shown but the proposed topography is the same as no changes are

proposed within the right-of-way except for a hammerhead. It also requires that a datum reference be shown. No datum reference is provided. The definitive plan regulations require NAVD88 be used.

5. Section 4.6.11 requires that a proposed street name be shown on the plan. The road is shown as "Road A."

6. Section 7.9.5 specifies a maximum grade for a permanent private way of 8%. The grade is not shown, but the road does up a steep hill.

7. Section 7.9.6 requires a turnaround on dead ends. A hammerhead design is proposed that would consist of compacted blue stone (not paved).

General Comments

8. The signature block includes the statement that endorsement does not constitute a determination of compliance with the Zoning Bylaw and that approval under the subdivision control law is not required. These statements are required on ANR plans but not on subdivision plans. While it is technically true that approval of a preliminary subdivision plan is not required under the subdivision control law, such a statement on a preliminary plan could create the impression that a definitive plan is not required.

9. The plan also has a statement for Town Clerk to sign that 20 days have elapsed without an appeal. This statement is not necessary on a preliminary plan.

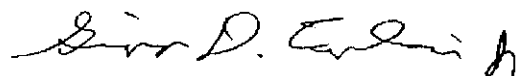
10. Since only two lots are proposed, this subdivision would qualify as a permanent private way. In considering whether there is a possibility of extending the way onto adjacent developable land, it does not appear an extension is likely or possible due to surrounding development.

11. Since a portion of the subdivision is in Holliston, approval from the Holliston Planning Board may also be required.

12. Waivers are requested to allow the existing 12-foot driveway with 3-foot shoulders remain as the road in lieu of an 18-foot paved way. A waiver is also requested from the requirement for Cape Cod berms.

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

Sincerely,



Gino D. Carlucci, Jr.

DRAFT PROPOSED REVISIONS TO OSRD BYLAW
Further revised 2-28, 2011

WARRANT ARTICLE : To see if the Town will vote to amend the Medway Zoning Bylaw, SECTION V. USE REGULATIONS, Sub-Section T. Open Space Residential Development (OSRD) as follows:

In **Paragraph 1 Purpose and Intent**, delete “discourage sprawl and” in item e) and delete the word “diversity” in item k) and replace it with “diversify”

Delete Paragraph 4 Pre-Application Phase in its entirety and replace it as follows:

4. ***Pre-Application Phase***

- a) *Pre-Application Review* -The purpose of the pre-application review is to minimize the applicant's costs of engineering and other technical experts, and to commence negotiations with the Planning and Economic Development Board at the earliest possible stage in the development. The applicant is required to schedule a pre-application review at a regular business meeting of the Planning and Economic Development Board. The Planning and Economic Development Board shall invite the Conservation Commission, Open Space Committee, Board of Health, and Design Review Committee to attend the informal pre-application review. At the pre-application review, the applicant shall
- 1) outline the proposed OSRD (including presentation of a preliminary Site Context and Analysis Plan prepared with input from a Registered Landscape Architect)
 - 2) seek preliminary feedback from the Planning and Economic Development Board and/or its agents,
 - 3) review potential open space, trails and trail connections
 - 4) present a preliminary concept for handling stormwater runoff
 - 5) discuss potential mitigation measures pursuant to paragraph 13. B) herein
 - 6) and set a timetable for submittal of a formal application.

At the applicant’s request and expense, the Planning and Economic Development Board may engage technical experts to review the applicant’s informal plans and facilitate submittal of a formal application for an OSRD special permit.

- b) *Site Visit* – As part of a request for a pre-application review, the applicant shall grant permission to Planning and Economic Development Board and Open Space Committee members and agents to visit the site, either as a group or individually, so that they may become familiar with the site and its surrounding area.

Delete Paragraph 5. Four-Step Design Process in its entirety and replace it as follows:

5. ***Four-Step Design Process*** - At the time of the application for an OSRD Special Permit, an applicant is required to demonstrate to the Planning and Economic Development Board that the following *Four-Step Design Process* was performed with the assistance of a Registered Landscape Architect (RLA) and considered in determining the layout of proposed streets, house lots and/or dwelling units, and open space.

a) *Identify Conservation & Potential Development Areas*

1) Identify and delineate Conservation Areas. This includes:

- a. *Primary Conservation Areas* such as wetlands, riverfront areas, and floodplains regulated by state or federal law, and verified by the Medway Conservation Commission through an Abbreviated Notice of Resource Area Delineation (ANRAD)
- b. *Secondary Conservation Areas* including unprotected elements of the natural landscape such as steep slopes, mature woodlands, prime farmland, meadows, wildlife habitats and cultural features such as historic and archeological sites and scenic views.

2) Identify and delineate Potential Development Area(s). To the maximum extent feasible, the Potential Development Area(s) shall consist of land outside identified *Primary and Secondary Conservation Areas*.

The specific features of the parcel that are proposed to be preserved shall be identified. The Planning and Economic Development Board may require that certain features (including but not limited to specimen trees, stone walls, etc.) within the Potential Development Area be preserved.

b) *Locate Dwelling Unit Sites* - Locate the approximate sites of individual houses and/or attached dwelling units within the Potential Development Area(s) and include the delineation of private yards and shared amenities, so as to reflect an integrated community, with emphasis on consistency with the Town's historical development patterns. The number of homes enjoying the amenities of the development should be maximized.

c) *Align the Streets and Trails* - Align streets in order to access the house lots or dwelling units. Additionally, new streets and trails shall be laid out to create internal and external connections to existing and/or potential future streets, sidewalks, existing or proposed new open space parcels and trails on abutting public or private property.

d) *Draw in Parcel Lines*

A narrative and accompanying illustrations documenting the findings and results of each of the four steps shall be provided.

Delete Paragraph 6. a) in its entirety and replace it as follows:

6. OSRD Application

- a) Contents - An application for an OSRD Special Permit shall include
- 1) *Site Context and Analysis Plan* - The *Site Context and Analysis Plan* shall illustrate the tract's existing conditions and its relationship with adjoining parcels and the surrounding neighborhood. Using existing data sources and field inspections, it should indicate the important natural resources or features within the site as well as on adjoining lands. Such resources include, but are not limited to, wetlands, streams and riparian areas, floodplains, steep slopes, ledge outcroppings, woodlands, hedgerows, farmland, unique or special wildlife habitats, historic or cultural features (including old structures and stone walls), unusual geologic formations and scenic views.
 - 2) *Concept Plan* - The *Concept Plan* shall be prepared by a Registered Landscape Architect, or by a multi-disciplinary team of which one member must be a Registered Landscape Architect. The *Concept Plan* shall show the proposed Development Area(s) and proposed Open Space Parcels and shall address the general features of the land, give approximate configurations of the lots, building footprints, open space, stormwater management facilities, utilities and roadways, pedestrian ways and include the information listed in Preliminary Plan section of the *Subdivision Rules and Regulations*. The *Concept Plan* shall incorporate the results of the Four-Step Design Process, according to Paragraph 5 above, and the Design Standards according to Paragraph 10 below, when determining a proposed design for the development. (Revised June 15, 2009)
 - 3) *Yield Plan* – See Paragraph 7 herein.
 - 4) *Design Plan* – The *Design Plan* shall include a preliminary design scheme for the development including, at a minimum, sample façade designs for the buildings and a preliminary landscaping plan identifying typical features, such as fences, stone walls, light posts, or other items in addition to vegetation that are being considered.
 - 5) *Mitigation Plan* – Proposed mitigation measures in compliance with Sub-section 13^b (b) shall be included as part of the application.
 - 6) Narrative statement that describes how the proposed OSRD meets the general purposes and evaluation criteria of this bylaw and why it is in the best interests of the Town to grant the OSRD Special Permit rather than approve a conventional subdivision plan.
 - 7) *Other Information* - The submittals and permits of this section shall be in addition to any other applicable requirements of the Subdivision Control Law or any other provisions of this Zoning Bylaw, including, but not limited to the Affordable Housing provisions of Section X.

Delete Paragraph 8. Reduction of Dimensional Requirements in its entirety and replace it as follows:

8. *Adjustment of Dimensional Requirements* - The Planning and Economic Development Board may authorize modification of lot size, shape, and other bulk requirements for lots within an OSRD, subject to the following limitations:

- a) Lots having reduced area or frontage shall not have frontage on a street other than a street created by a subdivision involved, provided, however, that the Planning and Economic Development Board may waive this requirement where it is determined that such reduced lot(s) are consistent with existing development patterns in the neighborhood.
- b) Lot frontage shall not be less than fifty feet (50’).
- c) Each structure shall have a front setback of at least twenty-five feet (25’) unless a reduction is otherwise authorized by the Planning and Economic Development Board.
- d) Each lot shall have a minimum of fifty percent (50%) of the minimum required lot area for the zoning district in which it is located.
- e.) In order to allow flexibility and creativity in siting building locations while also promoting privacy, buildings shall be separated as follows:

Type/Size of Building	Average Separation Distance (feet)
Single family detached dwelling units with 2500 ft ² or less of habitable space	20
Two or three attached dwelling units with an average of 2500 ft ² or less of habitable space each	
Single family detached dwelling units with more than 2500 ft ² of habitable space	30
Four or five attached dwelling units with an average of 2500 ft ² or less of habitable space each	
Four or five attached dwelling units with an average of more than 2500 ft ² of habitable space each	35

The average separation distances shall be calculated based on the buildings that can be connected with an imaginary line that does not cross a roadway. Thus, on a through road, the separation distances on each side of the road shall be calculated separately. On a cul-de-sac, all of the buildings that can be connected by an imaginary line on both sides and around the bulb of the cul-de-sac shall be counted. On a loop road, the buildings on the exterior and interior of the loop will be calculated separately. Detached accessory buildings such as garages or sheds shall not be considered in the calculations.

f) Garage doors facing the street shall be set back a minimum of five feet (5') more than the front wall of the principle building. No more than fifty percent (50%) of the garage doors within an entire OSRD shall face the street from which it is accessed. These requirements may be waived by the Planning and Economic Development Board for corner lots where the garage door faces a different street than the front of the dwelling unit or for other extraordinary circumstances that the Planning and Economic Development Board deems to be in the Town's best interests.

In Paragraph 9. Open Space Requirements, delete item e) and replace it as follows:

- e) The following shall not qualify toward the required minimum open space area:
- 1) Surface stormwater management systems serving the OSRD such as retention and detention ponds.
 - 2) Sub-surface drainage, septic and leaching systems per Title 5
 - 3) Seventy-five percent (75%) of the land area subject to any type of utility easement
 - 4) Land within thirty feet (30') of any dwelling unit
 - 5) Local Convenience Retail buildings or Community buildings or other buildings housing common facilities and any associated parking.
 - 6) Median strips, landscaped areas within parking lots or landscaped areas on individual home lots.
 - 7) Strips of land equal to or less than fifteen feet (15') wide, unless, in the opinion of the Planning and Economic Development Board, they serve as necessary pedestrian connectors to a public way, trail, or another open space parcel.
 - 8) Buffer areas in the Development Area as required in Subsection 10 (i).

In Paragraph 9. Open Space Requirements, delete item g) and replace it as follows:

g) The Planning and Economic Development Board shall make the final determination regarding the open space parcels. This shall include the location, size, shape, configuration and use of all proposed open space. Following such a determination, the Board may consider this to be an inappropriate contribution of open space and may require additional land to satisfy this requirement.

In Paragraph 10. General Design Standards, delete item i) in its entirety and replace it as follows:

i) A minimum fifteen foot (15') wide buffer area consisting of natural vegetation, earthen materials and/or additional landscaping and/or fencing, acceptable to the Planning and Economic Development Board, shall be located on the perimeter of the Development Area where it abuts existing neighborhoods unless a reduction is otherwise authorized by the Planning and Economic Development Board. A determination to reduce the size of the buffer area shall be based on the proximity or lack thereof of abutting residences, the extent and screening effectiveness of any existing vegetation which may serve to buffer abutting properties, and/or the need to use the buffer area for access or utility easements.

In Paragraph 10, General Design Standards, delete item j) Parking in its entirety and replace it as follows:

j) Parking – A minimum of three (3) off-street parking spaces shall be required for each dwelling unit. The Planning and Economic Development Board may require additional off-street parking areas for use in common by residents and their guests. Locations for additional guest parking shall be shown on the Concept Plan.

In Paragraph 10, Design Standards, add item l) and m) as follows:

l) Pedestrian circulation measures shall be provided to facilitate movement within the Development Area as well as between it and the Open Space and the abutting existing neighborhood(s).

m) Trails shall be provided to facilitate public access to the Open Space unless the Planning and Economic Development Board finds that it is not in the best interests of the Town to locate a trail on a particular parcel.

In Paragraph 11, Decision of the Planning and Economic Development Board, correct the labeling of item l) to k) and item m) to l).

Or to act in other manner relating thereto.

Planning and Economic Development Board

Zoning Map Changes

Revised 3-1-2011

WARRANT ARTICLE : To see if the Town will vote to amend the Medway Zoning Map as follows:

Revise the boundaries between the Commercial III and Agricultural Residential I (AR1) and Agricultural Residential II (AR2) zoning districts by rezoning the following parcels so that the zoning district boundaries follow parcel lines:

- from AR2 to Commercial III:
 - 1B-111 7 Sanford Street
 - 1B-112 139 Village Street
 - 1B-113 131 Village Street

- from AR1 to Commercial III
 - 1B-6 45 Broad Street
 - 1B-5 43 Broad Street
 - 1B-4 41 Broad Street
 - 1B-3 & 3A 39 Broad Street
 - 1B-7 42 Broad Street
 - 1B-7a 40 Broad Street

- from AR1 to split AR1 and Commercial III
 - 1B-2 0-R Broad Street
 - (That portion, approximately .2 acres, of Lot 1B-2 that lies between Lots 1B-3 & 3A and Lot 1B-4 and east of a line formed by connecting the rear lot lines of Lots 1B-3 & 3A and Lot 1B-4 would become Commercial III; the rest of Lot 1B-2 remains AR1)*

- from split AR2 and Commercial III to being completely in Commercial III
 - 1B-41 25 Barber Street
 - 1B-52 35 Broad Street
 - 1B-97 171 Village Street
 - 1B-98 169 Village Street
 - 1B-100A 155A Village Street
 - 1B-119 125 Village Street
 - 1B-164 136 Village Street
 - 1B-165 144 Village Street
 - 1B-198 16 Broad Street
 - 1B-207 3 Barber Street

- from split AR2 and Commercial III to being completely in AR2
 - 1B-42 23 Barber Street
 - 1B-43 21 Barber Street
 - 1B-44 19 Barber Street
 - 1B-46 23 North Street
 - 1B-117 3 John Street
 - 1B-118 1 John Street

1B-202	15 Barber Street
1B-203	11 Barber Street
1B-203-1	13 Barber Street
1-47	12R River Street

- from split AR2 and Commercial III to split AR2 and Commercial III but with an adjusted boundary line

1B-51 37 Broad Street
(That portion, approximately .25 acres, of Lot 1B-51 that lies east of a line formed by a northerly extension of the rear lot line of Lot 1B-52 is zoned AR2; the remainder of Lot 1B-52 is zoned Commercial III)

All as shown on a map on file with the Medway Town Clerk

Or to act in any manner relating thereto.

Planning and Economic Development Board

DRAFT

Proposed C-III District Adjustment



Revised sac draft 3/1/2011
AUOD

WARRANT ARTICLE : To see if the Town will vote to amend the Medway Zoning Bylaw, SECTION V. USE REGULATIONS, Sub-Section W. Adaptive Use Overlay District as follows:

To delete item a) in Paragraph 2 General Requirements in its entirety and replace it as follows:

- a) Location: The Adaptive Use Overlay District is superimposed on:
 - 1) That portion of the ARII zoning district along the north side of Main Street between Mechanic Street and a line formed by the extension of the centerline of Cottage Street across Main Street except for Choate Park/Pond (Assessors Map 5, Parcel A) and along the south side of Main Street between a line formed by the extension of the centerline of Mechanic Street across Main Street and the western boundary of the Commercial I zoning district at Elm Street; and
 - 2) The entire Commercial III district and portions of the ARII zoning district in the Medway Village area on the north and south sides of Village Street.

Both as shown on maps on file with the Town Clerk's office.

To delete item b) in Paragraph 2 General Requirements and replace it as follows:

- b) Frontage: Only properties with a minimum of 50' of frontage on a Town way within the Adaptive Use Overlay District shall qualify for a special permit granted by the Planning and Economic Development Board (hereinafter referred to as an "Adaptive Use Special Permit".

To delete item a) in Paragraph 3 Permitted Uses in its entirety and replace it as follows:

- a) Uses Allowed As of Right: All uses allowed as of right in the underlying zoning district shall remain as of right within the Adaptive Use Overlay District

To delete item b) in Paragraph 5 Site Development Standards in its entirety and replace it as follows:

- b) Each Adaptive Use project shall include the restoration, renovation or improvement of the primary existing building (s) on the site sufficient to maintain or enhance the building's original architectural integrity and character. Construction of an addition to an existing building or construction of a new building on the premises may be permitted provided that it is designed to be compatible with the other building (s) on the lot and maintain the overall character of the underlying zoning district.

To add new items j) and k) in Paragraph 5 Site Development Standards as follows:

- j) Sidewalks shall be provided or replaced along the entire frontage of the AUOD parcel along existing Town ways, including the frontage of any lots held in common ownership with the parcel within five (5) years prior to the submission of the AUOD Special Permit application. In those instances where sidewalk construction is not feasible or practical, the Planning and Economic Development Board shall require that the applicant support sidewalk construction elsewhere in the community. This may be accomplished either by constructing an equivalent length of sidewalk elsewhere in the community as recommended by the Medway Department of Public Services or by making a payment in lieu of sidewalk construction to the Town of Medway's Special Sidewalk Account in an amount determined by the Board at the recommendation of the Town's Consulting Engineer.
- k). Business signage is permitted as specified in SECTION V. USE REGULATIONS, Sub-Section R. Sign Regulations of the Medway Zoning Bylaw.

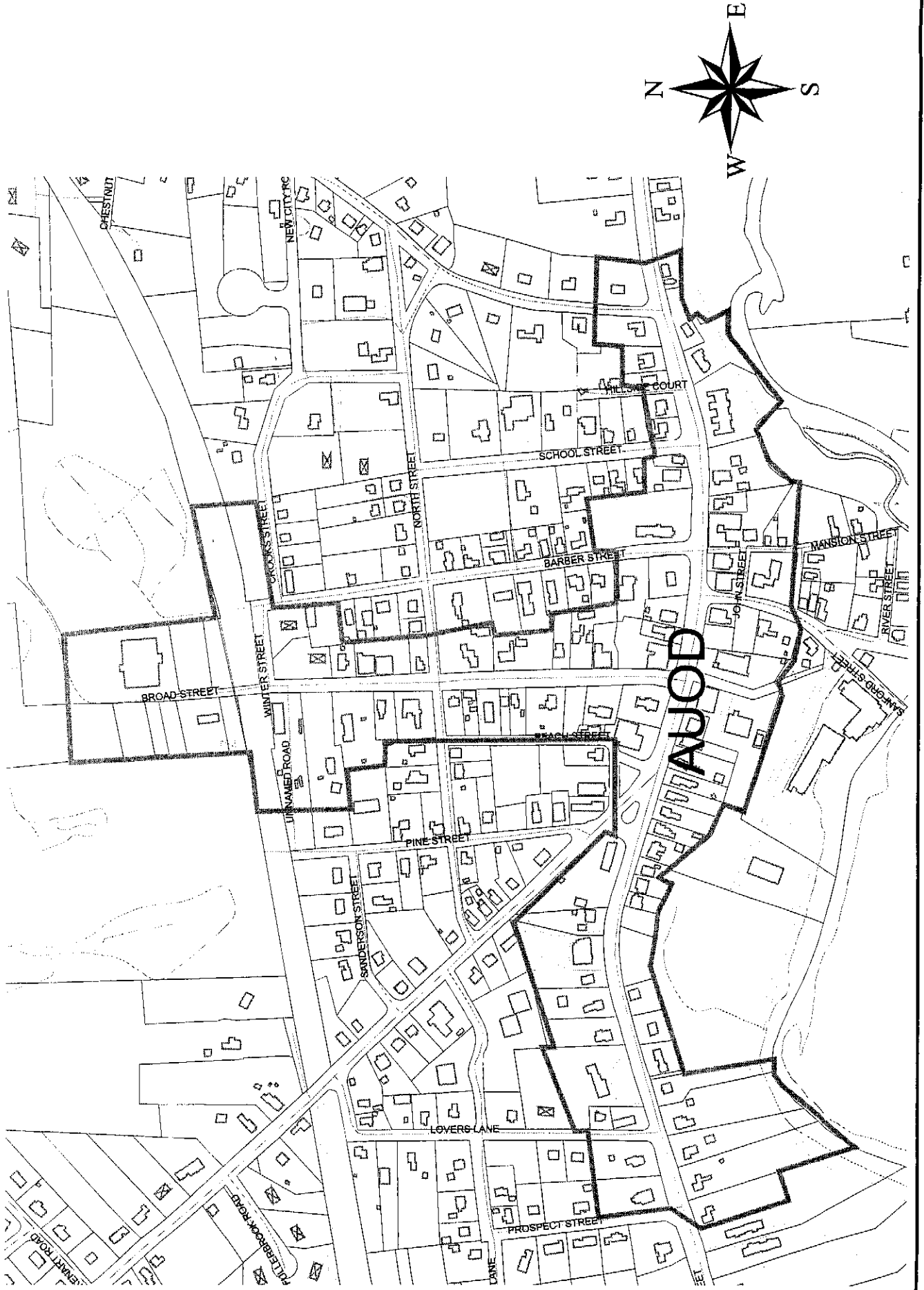
AND to amend the Medway Zoning Map to show the additional AUOD in the Medway Village area as shown on a map on file with the Medway Town Clerk.

Or to act in any manner relating thereto.

Planning and Economic Development Board

DRAFT

Proposed AUOD District



Warrant Article : To see if the Town will vote to amend the Medway Zoning Bylaw, SECTION V. USE REGULATIONS, Sub-Section R. Sign Regulations as follows:

To add the following item 3) in Paragraph 4. m) Types of Illumination

3) *Light emitting diodes (LED)* - An electronic semi-conductor device that emits visible light in one direction when applied voltage (electric current) passes through it; used in lamps and digital displays

And to add item t) in Paragraph 6 Prohibited Signs

t) Signs which use light emitting diodes (LED) for illumination.

Or to act in any manner relating thereto.

Planning and Economic Development Board



TOWN OF MEDWAY
CONSERVATION COMMISSION

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053

RECEIVED
FEB 21 2011

TOWN OF MEDWAY
PLANNING BOARD

Susan E. Affleck-Childs
Medway Planning and Economic Development Coordinator
155 Village Street
Medway, MA 02053

February 17, 2011

Ms. Affleck-Childs:

Please be advised that at the Medway Conservation Commission meeting of February 17, 2011, the Commission unanimously agreed to support the donation of a 3.92 acre parcel shown on the plan dated July 28, 2010 revised December 30, 2010, titled "CHARLES RIVER VILLAGE SPECIAL PERMIT – CONCEPT PLANS OPEN SPACE RESIDENTIAL DEVELOPMENT (OSRD) IN MEDWAY, MASSACHUSETTS" associated with the Charles River Village development proposed on Neelan Lane.

In addition to the recommendations from the Open Space Committee, documented in the letter from the Committee dated September 14, 2010 the Conservation Commission would like the Planning Board to take the following recommendations into consideration:

1. The Conservation Commission are to be stewards of this land supervising any requests from the public to manage or improve the parcel.
2. The path along the river be preserved as a path, with at least minimal maintenance from the neighborhood association.
3. That there be no restrictions associated with this donation to ban passive recreation on this land.

The Commission is pleased that this parcel may be included in the Town's open space inventory.

On behalf of the Medway Conservation Commission,

Karon Skinner Catrone
Conservation Agent
Town of Medway