

**October 11, 2011
Medway Planning and Economic Development Board
155 Village Street
Medway, MA 02053**

BOARD MEMBERS PRESENT: Bob Tucker, Tom Gay, and Chan Rogers

ABSENT WITH NOTICE: Andy Rodenhiser, Karyl Spiller-Walsh

ABSENT WITHOUT NOTICE:

ALSO PRESENT: Susy Affleck Childs, Planning and Economic Development
Coordinator
Amy Sutherland, Meeting Recording Secretary
Dave Pellegrini, Tetra Tech
Gino Carlucci, PGC Associates.

The Vice Chairman opened the meeting at 7:00 pm. He asked for any citizen comments. There were none.

Franklin Creek Lane:

The Board is in receipt of a letter dated October 6, 2011 from Tetra Tech Rizzo re: the paving issues. **(See Attached)**. The board is also in receipt of a draft letter **(See Attached)** prepared by Susy Affleck-Childs from Andy Rodenhiser which will be sent by the Board to the neighbors regarding the depth of the pavement.

The Board is comfortable with the language in the letter and is OK with the letter being sent.

Village Estates Definitive Subdivision Plan – Public Hearing Continuation

Mr. DeSimone of Colonial Engineering was present at the meeting.

The Board would like it noted in the record that the revised plans from the Engineer were not submitted until late morning on the day of the meeting. The Board has not had a chance to review the revised plans.

Mr. DeSimone noted that there is a low spot on the property and this was shown on the field. An apron was added to the roadway at the beginning where it meets Village Street. The trees are indicated on sheet 4 of 8.

The signs to indicate an upcoming street will be located 150 feet in either direction of Bedelia Lane on Village Street. Sergeant Jeff Watson also wants the name of the cross street to also be included. This would be a double sign. This should be a separate double sign. **(See Attached.)**

The Board would like a letter clarifying if 150 ft. is adequate.

The drainage still needs to be resolved. The low spot was located. The recommendation is to rework this area to make a trench or a swale in the low area. This will need to be reworked by Merrikin Engineering.

Abutter, Mr. Brundage wanted to know, what will happen with the rest of the extra water?

Mr. DeSimone indicated that the swale and infiltration will take care of this.

Mr. Brundage communicated that the applicant will be adding more water and it will be pitched toward his property. The soil is all clay.

Dave Pellegrini responded that the site is balanced between pre and post. There is a map from the drainage report. There are three water sheds. The E1 has been concentrated to alleviate the problem with water to Mr. Brundage. The rest has been balanced with the flow coming from the other areas. The water goes into the ground and into little detention systems and is stored. He believes that this was done to make sure that this complies with the regulations.

Mr. Brundage responded that he is planning to regrade his land.

Member Gay mentioned that the detail of the trench and where it runs has changed. He references sheet 5.

Dave Pellegrini confers and notes that this needs to be connected.

Paul DeSimone noted that this will be moved south.

The Board discussed that when the subdivision covenant is written reference must be made to the back lot and not the front. This needs to be written carefully. We do not want a repeat of what happened at 25 Milford Street/Rolling Meadows.

Susy Affleck-Childs noted for the record that both members Bob Tucker and Tom Gay have listened to the meetings which they did not attend, have filed Mullins Rule certifications and will be able to vote on this subdivision. **(See Attached)**.

The applicant was also made aware that the curb cut for the new roadway from Village Street may need a Scenic Road public hearing with the board.

Pine Meadows II Subdivision:

The Board in receipt of an email **(See Attached)** from adjacent land owner Nick Turi as he was not able to attend the meeting. The email is regarding the landscaping on the hill at the Pine Meadows II subdivision adjacent to his property. He is requesting that this be landscaped with plants instead of grass and weeds. He also indicated that he is willing to contribute some perennials. He wants to see the weeds cleared. He doesn't believe the wildflowers have taken hold.

Gary Feldman was present to discuss the Pine Meadows II Subdivision. Mr. Feldman informed the Board that wild flower spraying was completed in August. This is the second spraying completed. The wildflower mix was what was specified on the plans. Gary Feldman indicated that Mr. Fasolino communicated that he can write a guarantee for the two year wildflower mix if the Board would like.

Mr. Feldman also informed the Board that there was another section of fence to be added, but instead there will just be an end post. This will be completed next week.

There was also a discussion about conveying this land to Mr. Turi so that he could maintain the land. It was confirmed that this was included in the decision.

Mr. Feldman will be on the May 2012 agenda for a status report.

Medway Middle School Repair Project

The Board is in receipt of a memo from Design Review Committee summarizing their concerns about the Middle School site plan. **(See Attached.)** Member Tucker would like this sent to him electronically to provide it to the rest of the team.

Member Tucker communicated that the Middle School project has a draft GMP. This has come in from Consigli Construction. The Committee is in the process of reviewing this. The Committee is going through a question and answer phase and are looking at contingencies which may be in place for the unknown. Things are moving forward.

Susy Affleck-Childs communicated that the Middle School installed a new free standing sign without securing a sign permit from the Building Department. There was discussion with DRC about a free standing sign. There should be some landscaping around the base. One thought was to use some of the plants at the Middle School that will be removed for the construction. Bob Tucker will bring this up at his meeting tomorrow evening. He asked for an electronic version of the DRC memo.

Other Business

Consultant Carlucci informed the Board that the Metropolitan Planning Organization has increased its membership from 14 to 22. The Town of Medway is running for the SWAP seat. The election will be on October 26, 2011.

The Board is in receipt of a resignation of Hasan Husain who serves on the Economic Development Committee. **(See Attached).**

Some of the members took part in the Walkable Communities tour through Medway. The Committee was looking at how the streets, sidewalks and buildings interact with people.

Susy Affleck-Childs reported that the Zoning Bylaw amendment articles that the Board had submitted for the fall town meeting were not included on the warrant. Susy indicated that Andy Rodenhiser was contacting one of the BOS members to discuss.

Susy noted there will be a work session on permanent private way standards at the next PEDB meeting.

The Charles River Watershed Association will be holding a workshop in the future on stormwater management.

Adjourn:


On a motion made by Tom Gay, and seconded by Chan Rogers, the Board voted unanimously to adjourn the meeting at 8:30 pm.

Future Meetings:

The next meeting is scheduled for: Tuesday, October 25, 2011.

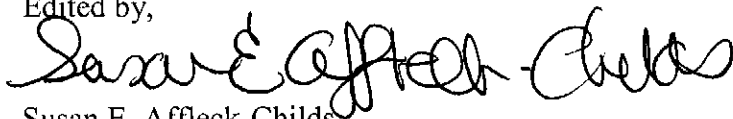
The meeting was adjourned at 8:30 PM.

Respectfully Submitted,



Amy Sutherland
Meeting Recording Secretary

Edited by,



Susan E. Affleck-Childs
Planning and Economic Development Coordinator



October 6, 2011

Medway Planning and Economic Development Board
Franklin Creek Lane
Medway, MA 02053

Re: Franklin Creek Roadway

Dear Board:

We are writing to update you on the status of the Franklin Creek roadway construction. As you know, the top course of bituminous concrete pavement was recently installed along Franklin Creek Lane. Per Section 6.5.4(d) of the Town of Medway Planning and Economic Development (PEDB) Board Rules and Regulations "Each application of hot mix asphalt on the street and sidewalk and placement of curbing must be approved by the Department of Public Services (DPS) and the Town's Consulting Engineer." Neither Tetra Tech (TT) nor the DPS were informed of the top course paving operations; therefore an asphalt inspection was not conducted on the roadway per the regulation above.

Tetra Tech's primary objective during paving inspections is to verify that the depth of pavement placed meets the requirements of the approved plans and the town regulations. Since we did not witness the installation TT attempted to verify the thickness through other methods such as acquiring the paving slips to identify the quantities of pavement delivered to the site, and reviewing photographs of the installation provided by the paving contractor. Additionally, a quantity was calculated representing the amount of top course that should have been placed based on depths provided in the plans. This quantity varied from that provided on the paving slips. Due to this discrepancy and the inconclusive evidence provided, it was determined that additional tests were required to verify pavement depths.

With approval from the PEDB, TT directed the contractor to conduct cores within the roadway to provide sample depths. Six cores were taken along the roadway at strategic locations. The following thicknesses were measured for the depth of the top course: 1.50", 1.75", 2.00", 1.00", 1.50", and 1.25". Slight variations in paving thicknesses is typical and since the measurements average the 1.50" depth required by the plans, TT did not require additional cores in order to limit disturbance to the newly paved roadway.

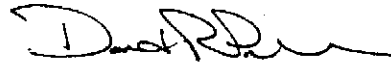
The paver, O'Brien Paving Inc. has agreed to guarantee the roadway for a period of three (3) years. Attached is their warranty which will be passed on to the homeowner's association. Although the tests conducted offer no reason to believe out of the ordinary structural issues will be encountered in the future, since we can't guarantee the depth of pavement placed on the roadway we recommend that it not be accepted as a public way any time in the future.

If you have any questions or require additional information, please don't hesitate to contact me at (508) 903-2000.

Very truly yours,



Steven Bouley
Civil Engineer



David R. Pellegri, P.E.
Senior Project Manager

FRANKLIN CREEK LANE
MEDWAY MA 02053

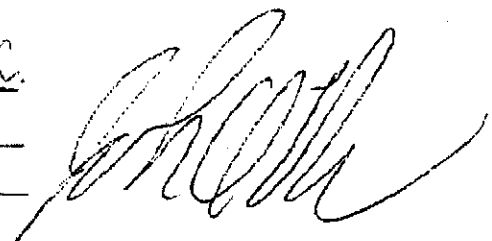
LIMITED WARRANTY

Project Location: 3

Note: This Limited Warranty specifically excludes consequential and incidental damages. There is a limitation of 3 years from the date of Substantial Completion of the Project in the duration of implied warranties.

1. **Person(s)/Entity(s) Covered.** This Limited Warranty is given by the Contractor to the Owner(s) of the Property and is transferable to, or enforceable by, any succeeding transferee or purchaser of the Property. Such transferee can be a person or business entity.
2. **Commencement and Duration of Coverages.** Each coverage under this Limited Warranty shall commence on the date of completion of the project and shall continue for a period of five years thereafter.
3. **General Coverages.** Excluding the matters and components covered by any manufacturers' or suppliers' warranties the coverage of this Limited Warranty are as follows:
 - a. **Cracking-** cracking that appears on the pavement caused by, but not limited to, faulty compaction of underlayment, soil, or deficiency of materials, and/or procedures used during installation.
 - b. **Sinking-** significant damage caused by complete or partial sinking of the driveway. Sinking may be caused by, but is not limited to, faulty compaction of underlayment, soil, or deficiency of materials, and/or procedures used during installation.
 - c. **Frost heaves-** heaving caused by, but not limited to, normal freeze/thaw cycles and climate caused damage.
 - d. **Flaking-** excessive flaking of all or part of the driveway's top surface caused by, but not limited to, poor quality or deficiency of materials, and/or procedures used during installation. This should also extend to areas designated for parking.
 - e. **Water Runoff-** defective or improper grading of the pavement causing puddles, pooling or in any way detrimental water runoff towards the structure's foundation, basement or accessory structures.
4. **Manufacturers' Warranties.** The Contractor hereby assigns transfers and passes through to the Owner each and every warranty, if any, made or furnished to the Contractor by the manufacturer and/or supplier of each of the materials installed at the Property and included in the scope of work. Copies of all such manufacturers' or suppliers' warranties are available to the Owner(s) upon request.
5. **Exclusions from Coverage.** The Contractor expressly disclaims responsibility for any of the following items, each of which is expressly excluded from this Limited warranty, to wit:
 - a. Loss or injury due to the elements, including conditions resulting from condensation on, or expansion or contraction of materials; and
 - b. Consequential or incidental damages.

O'BRIEN PAVING, INC.
WALPOLE, MA 02081
1-508-734-5360



8-18-11

DRAFT letter to Franklin Creek neighbors
10-6-2011

Dear _____,

We are writing to update you on the status of the Franklin Creek Lane roadway construction. As you are probably aware, the subdivision developer recently contracted for the installation of the top course of bituminous concrete pavement on Franklin Creek Lane. You are also aware that the subdivision was approved by the Board in _____ with the condition that Franklin Creek Lane would become permanent private way, to be conveyed by the subdivision developer to the future homeowners association.

The Town of Medway's standards for subdivision road construction require the Medway Department of Public Services (DPS) and the Town's Consulting Engineer which is Tetra Tech (TT) to approve each application of hot mix asphalt on a street, on sidewalks and for the placement of curbing. Unfortunately, for Franklin Creek Lane, neither the subdivision developer nor the paving contractor notified Tetra Tech and the Medway DPS when the top course paving operation was scheduled. Consequently, the Franklin Creek Lane top coat paving occurred without an asphalt inspection.

Tetra Tech's primary objective during any paving inspection is to verify that the actual depth of pavement that is placed on the roadway meets the requirements of the approved subdivision plan and the Town's regulations. The required depth for the top coat of bituminous concrete pavement is 1.5". Since Tetra Tech did not witness the actual installation of the top coat paving on Franklin Creek Lane, they attempted to verify the thickness of the pavement through other methods such as reviewing photographs of the installation provided by the paving contractor. Tetra Tech also acquired and reviewed the paving slips from the paving contractor to identify the quantities of pavement delivered to the site. A quantity was calculated representing the amount of top course paving material that should have been installed based on the paving depths specified in the Franklin Creek subdivision plan. The comparison concluded that the amount of paving material indicated on the contractor's paving slips was somewhat less than the amount specified by the subdivision plan.

Due to this discrepancy and the inconclusive evidence provided, the Board determined that additional tests were necessary to check on the adequacy of the pavement depths. At the Board's request, Tetra Tech directed the paving contractor to conduct core tests within Franklin Creek Lane to provide sample depths. Six core samples were taken at

strategic locations along the roadway. The following thicknesses were measured for the depth of the top course: 1.50", 1.75", 2.00", 1.00", 1.50", and 1.25". Slight variations in paving thicknesses are typical. Since these measurements average the 1.50" depth required by the regulations and the plan, Tetra Tech did not require additional core samples to be taken in order to limit disturbance to the newly paved roadway. However, the Board clearly cannot guarantee that the top course along the entire length and width of Franklin Creek Lane is paved to a consistent depth of 1.5".

The paver, O'Brien Paving Inc., has agreed to guarantee the roadway paving for a period of three (3) years. Attached is their warranty which will be passed on to the homeowner's association. Although the tests conducted offer no reason to believe that the roadway will encounter any out of the ordinary structural issues, we want you to be aware that the Town cannot guarantee the depth of pavement placed on the roadway.

If you have any questions or require additional information, please don't hesitate to contact _____.

Very truly yours,

Andy Rodenhiser
Chairman

DRAFT

Susan Affleck-Childs

From: Nicholas Turi [videreman@hotmail.com]
Sent: Tuesday, October 11, 2011 6:26 PM
To: Susan Affleck-Childs
Subject: RE: Medway Planning and Economic Development Board Meeting - Pine Meadow discussion

Hi Susy,

I can't attend. I am out of town. Would you please convey my thoughts to Gary and the owners about the landscaping on the hill adjacent to my property and the request to have it landscaped with plants instead of grass and weeds. I will contribute some perenials but I would need a plan and a decent starting point. I suggest clearing all the weeds and fresh top soil then planting in a reasonable time frame.

Thank you all very much,
Nick Turi

From: sachilds@townofmedway.org
To: videreman@hotmail.com
Subject: RE: Medway Planning and Economic Development Board Meeting - Pine Meadow discussion
Date: Tue, 11 Oct 2011 12:28:30 +0000

Hi Nick,

We haven't done a letter yet, but Gary Feldman and one of the owners is scheduled to attend tonight's PB meeting. 7:45pm. Can you attend?

Susy

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

508-533-3291

saffleckchilds@townofmedway.org

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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: Nicholas Turi [mailto:videreman@hotmail.com]
Sent: Monday, October 10, 2011 5:03 AM
To: Susan Affleck-Childs
Subject: RE: Medway Planning and Economic Development Board Meeting - Pine Meadow discussion

Hi Susy,

Did you have chance to work up a letter to Pine Meadow owners about the front hill landscaping? Would you please send me a copy when you have it.

Thank you,



Town of Medway
DESIGN REVIEW COMMITTEE
155 Village Street
Medway MA 02053
508-533-3291
drc@townofmedway.org

MEMORANDUM

October 4, 2011

TO: Medway Planning and Economic Development Board
FROM: Matt Buckley, Chairman
RE: Medway Middle School Repair Project

The Design Review Committee has been reviewing the proposed repair project of the Medway Middle school. We are pleased to have met twice with Bob Tucker, chairman of the Medway School Building Committee, and the project architects at scheduled DRC meetings on both June 6th and July 11th. During the Planning and Economic Development Board meeting of August 9th, 2011, we confirmed with you the design topics discussed with Mr. Tucker during the previous DRC meetings. At that time we agreed to continue our participation in this ongoing process to clarify a number of forthcoming topics.

Those aspects of the Middle School repair project that were discussed were as follows:

- Unification of the old and new architecture through the continuation of a brick detail along the base of the new building
- Emblem in the floor inside the new entrance
- Walkway/sidewalk from side parking facility to provide access to the new entrance, edged by some landscaping
- Consideration to offset the removal of all mature trees currently located in front of the catwalk/breezeway, by creating a landscape plan with seating area and planters of some type
- Transplanting of garden beds at the left of the "new" addition to the front of the building along the adjacent walkway.
- Interior courtyard with mature rhododendrons and other plantings to be preserved, moved, or replaced by a new plan for plantings.
- Incorporating the original High School bell, currently on site, into the landscaping/seating area
- Color scheme of breezeway panels, and entrance canopy structure to be determined.
- Lighting plan – are exterior lights currently sufficient and in good condition. If not and they are replaced, what type of fixture?

Some of these topics and others to come, will need further clarification as they have not been presented during our discussions. For instance, no color schemes or materials have been selected for the façade of the new entrance or for the surroundings of the replacement windows. Nor has a concept or landscape plan been prepared for a green space in the area to the left of the new entrance.

We are very glad to be included in this process and are pleased that we have been invited to continue our participation as the project moves forward. Mr. Tucker has indicated that he will present the topics to the DRC for review as they become available.

Design Review Committee Members

*Matthew Buckley, Chairman
Julie Fallon, Vice Chairperson*

*Dan Hooper, Associate Member
Karyl Spiller-Walsh, Planning &
Economic Development Board Liaison*

*Rachel Walsh, Member & Corresponding
Secretary
Mary Weafer, Member and Recording Secretary*

Susan Affleck-Childs

From: Hasan Husain [hmhusain@yahoo.com]
Sent: Friday, October 07, 2011 1:14 PM
To: Susan Affleck-Childs
Subject: EDC position

Dear Andy,

I regret to advise that I am resigning my position on the Economic Development Committee. Due to personal reasons I will be unable to fulfill my responsibilities on the committee. I do apologize for this as I had hoped to be much more active in the coming months. I have enjoyed working with everyone on the committee and hope to once again be of service.

Best regards,
Hasan Husain
1 Independence Lane
Medway, MA 02053

Town of Medway, Massachusetts

CERTIFICATION
PURSUANT TO G. L. c. 39, SECTION 23D
OF PARTICIPATION IN A SESSION OF AN
ADJUDCATORY HEARING
WHERE THE UNDERSIGNED MEMBER MISSED
A SINGLE HEARING SESSION

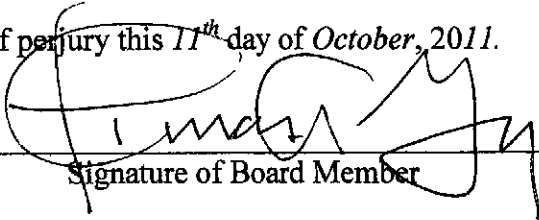
Note: This form can only be used for missing one single public hearing session.
This cannot be used for missing more than one hearing session.

I, *Thomas A. Gay* (name), hereby certify under the pains and penalties of perjury as follows:

1. I am a member of the *Medway Planning & Economic Development Board*.
2. I missed a public hearing session on the matter of *Village Estates* which was held on *August 9th, 2011*.
3. I have reviewed all the evidence introduced at the hearing session that I missed which included a review of (initial which one(s) applicable):
 - a. *TA* audio recording of the missed hearing session; or
 - b. _____ video recording of the missed hearing session; or
 - c. *TA* a transcript of the missed hearing session.

This certification shall become a part of the record of the proceedings in the above matter.

Signed under the pains and penalties of perjury this *11th* day of *October*, 2011.



Signature of Board Member

Received as part of the record of the above matter:

Date: *10-11-2011*
By: *S. Affleck-Chiles*
Position: *Planning & Economic Development
Coordinator*

Town of Medway, Massachusetts

CERTIFICATION
PURSUANT TO G. L. c. 39, SECTION 23D
OF PARTICIPATION IN A SESSION OF AN
ADJUDCATORY HEARING
WHERE THE UNDERSIGNED MEMBER MISSED
A SINGLE HEARING SESSION

Note: This form can only be used for missing one single public hearing session.
This cannot be used for missing more than one hearing session.

I, ROBERT TUCKER (name), hereby certify under the pains and penalties of perjury as follows:

1. I am a member of PLANNING & EC. DEV. BOARD

2. I missed a public hearing session on the matter of
Village Estates Subdivision

which was held on September 13, 2011

3. I have reviewed all the evidence introduced at the hearing session that I missed which included a review of (initial which one(s) applicable):

- a. RT audio recording of the missed hearing session; or
- b. _____ video recording of the missed hearing session; or
- c. RT a transcript of the missed hearing session.

This certification shall become a part of the record of the proceedings in the above matter.

Signed under the pains and penalties of perjury this 11 day of October, 2011.

[Signature]
Signature of Board Member

Received as part of the record of the above matter:

Date: 10-11-2011

By: Safford Chell

Position: Planning & Economic Development
Coordinator

Susan Affleck-Childs

From: Sgt. Jeffrey Watson [watson@medwaypolice.com]
Sent: Wednesday, October 05, 2011 11:57 AM
To: Susan Affleck-Childs
Subject: Village Estates Subdivision

RECEIVED
OCT 05 2011

TOWN OF MEDWAY
PLANNING BOARD

To: Medway Planning Board and Economic Development

From: Sgt. Jeffrey W. Watson
Medway Police Department

Ref: Village Estates Subdivision

After looking at the plans dated May 19, 2011 the Medway Police Department would recommend the following signs.

1. Stop sign
2. Stop line painted
3. Street Sign
4. Cross Street Sign

All signs must follow the rules and regulations of the Town of Medway.

Sent from my HTC on the Now Network from Sprint!