

**March 13, 2012
Medway Planning and Economic Development Board
Medway Senior Center
76 Oakland Avenue
Medway, MA 02053**

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

ABSENT WITH NOTICE:

ABSENT WITHOUT NOTICE: Bob Tucker

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

The Chairman opened the meeting at 7:00 pm.

There were no citizen comments.

Alternative Street Acceptance Procedure:

Mark Cerel, Franklin Town Counsel was present at the meeting to discuss the alternative street acceptance procedure which has been proposed for the warrant for the May 14, 2012 annual town meeting. Mark distributed a memorandum dated March 11, 2012 which explained the thinking behind this alternative approach that was developed in Franklin. (See Attached).

Attorney Cerel noted that the current process and procedure for road acceptance for subdivisions in Massachusetts is lengthy and cumbersome and involves three steps: laying out the public way, acceptance, and acquiring ownership. He further explained that Planning Boards have already addressed road creation issues through the public hearing process required by the subdivision control law. The roads have been surveyed, engineered, and shown on definitive subdivision plans, and it will have been constructed to public specifications. Thus the public acceptance and acquisition of those roadways should be a legal formality.

Susy Affleck-Childs provided some history on this issue. Franklin has successfully petitioned the State Legislature for authority to establish a more streamlined street acceptance procedure for subdivision roads. Susy suggested to the Town Administrator and Town Counsel that Medway consider something along these lines to address our street acceptance problem.

Town Counsel has drafted a warrant article and it needs a sponsor, thus the thought that the sponsor could be the Planning and Economic Development Board.

The warrant article would be to have Town Meeting vote to authorize the Board of Selectmen to petition the General Court for special legislation. **(See Attached).**

Member Spiller-Walsh communicated that the road standards change and asked at what point is it an approval or certificate.

Attorney Cerel responded that the Board would approve a street acceptance based on what the subdivision rules and regulations were at that time. The Board would be certifying based on whether it was built to the standards.

This is strictly layout and ownership.

Attorney Cerel believes that this should be added as a standard provision to the Subdivision Control Law.

Consultant Carlucci asked if this should be beyond construction including the public road standards.

Susy Affleck-Childs communicates that the intent would be to not look at the private permanent ways, only the subdivisions where the streets were clearly intended to be public.

The Board agreed to be the sponsors of the proposed warrant article for alternative street acceptance.

On a motion made by Chan Rogers and seconded by Tom Gay, the Board voted unanimously to sponsor the proposed warrant article as written for an alternative street acceptance.

PUBLIC BRIEFING - A123 Systems Minor Site Plan – 34 West Street:

On a motion made by Karyl Spiller-Walsh and seconded by Chan Rogers, the Board voted unanimously to open and waive the reading of the public briefing notice for the A123 Systems Minor Site Plan for 34 West Street.

The team was introduced:

A123 Systems, Chris Quaranta
GZA GeoEnvironmental, Inc., Michele Simoneaux
GZA GeoEnvironmental, Inc., Peter Williams
NSTAR Electric Easement Holder, Frank Snyder
NSTAR – Richard Anderson
NSTAR – Duane Boyce

The Board is in receipt of a letter from Jack Hughes of Exelon Power dated March 9, 2012. **(See Attached)**

Ms. Simoneaux gave a Power Point presentation. **(See Attached).**

Chairman Rodenhiser disclosed that Rodenhiser Plumbing Heating and Air Conditioning had done work for A123 Systems at their Hopkinton facility years ago. They are not presently a customer.

The minor site plan is for the installation of one mobile containerized battery energy storage system (BESS) on a 5,700 square foot portion of the NSTAR Gas and Electric #65 Substation site at 34 West Street near the intersection of West and Beech Streets.

This system will be installed on a small portion of the 48.78 acre parcel located in the Industrial II Zoning district. This property is owned by Sithe West Medway LLC, a subsidiary of Exelon Corporation with which NSTAR Electric holds a long term lease agreement for its substation.

A123 Systems has a 5 year lease with NSTAR for this pilot alternative technology project, which would be NSTAR's first in Massachusetts. This project will study, test, and showcase the performance and reliability benefits of using a BESS within a suburban electric grid system. This project is part of the ISO-NE Alternative Technology Regulation Pilot Program and is considered a green technology.

Member Spiller-Walsh asked if there are toxicities to the environment or to the water system that we need to be concerned about.

A123 responded that the transformer has a mineral oil which is not PCB based. The batteries are Lithium Ion. It is the same core stuff in a lap top battery but is more stable and does not have same risks. Keep in mind with any class 9 hazmat it does have precautions. This area will be monitored and if there is something wrong the system shuts down and will call out and the Fire Department will be notified.

It was explained that there is nothing toxic. There are precautions around the site.

There will be monthly monitoring. The control systems will be running around the clock.

Susy reported there was a review by the various departments prior to this meeting. Some of the Departments at the meeting were Public Works, Conservation Commission, Fire Department, and Board of Health.

Member Gay wanted to know what will happen with the program after the five years.

At the end of the contract there are several possibilities. NSTAR could take ownership. A123 may take ownership, or both parties may agree that this is not the right site and will need to remove everything. There is a contractual agreement.

Member Rogers asked if the technology will expand.

It was indicated that not at this site.

Susy Affleck-Childs wanted to know if there is a possibility that there will be more containers on site after 5 years.

A123 does not see this happening.

The Board would like to get something in writing about the decommissioning. There was a recommendation to put something in the decision about the decommissioning.

Member Spiller-Walsh wanted to know if they have a have a landscape plan showing what it will look like from the street. She would like to see more trees along the front outside the fence.

Chairman Rodenhiser communicates that he does not see this needing a landscaping plan. There will be a chain link fence.

A123 responded that they do not to block in anything. For landscaping they will visually break it up but they do not want to screen the entire thing.

The decommissioning will include taking out the foundation, testing the soil and then adding loam and grass over with whatever type of grass is good for this area.

Chairman Rodenhiser indicated that there is an agricultural group of farmers who may want to be able to cut the grass.

NSTAR does not see a problem with this; they can continue to cut there.

Consultant Carlucci provided input about the placement of the trees. Per the regulations, the evergreen trees need to be 15 ft. apart. The plan has a total of nine instead of six.

Dave Pellegrini inquired about the lighting.

A visual was shown. There is a spot light on the existing telephone pole. The plan is to not touch it.

The Board reviewed the letter from PGC Associates, Inc. dated March 8, 2012. **(See Attached)**. The report notes that there is no designated parking proposed. Also, no signage is proposed. If the applicant is proposing any sign, the applicant needs to conform to the sign requirements of the Zoning Bylaw.

Tetra Tech Rizzo presented a review letter which was dated March 9, 2012. **(See Attached)** This letter makes reference to the various items which were not in conformance with the Rules and Regulations. The letter makes reference to items 1-6 regarding Article IV – Site Plan Submission. The second recommendation is in relation to Article V – Development Standards. The majority of the runoff from the proposed pads and roof top drain to the crushed stone surrounding the structures.

The DPS has requested the first 36 feet of the driveway at West Street be asphalt.

The site distances were shown and indicate what is required based on AASHTO methods.

On a motion made by Chan Rogers and seconded by Tom Gay, the Board votes unanimously to close the briefing.

Susy Affleck-Childs will draft a decision and the Board can review it at the next meeting which will be March 27, 2012 at 8:45 pm.

Informal Site Plan – Pre-Application – 72 Main Street:

There was an informal discussion about a forthcoming site plan application for a commercial development at 72 Main Street. Roger Calarse was present along with the engineer Rob Paxon from Guerriere and Halnon. Mr. Calarese has a purchase and sale agreement to acquire the property from Charles River Bank.

The Board reviewed the plan entitled the Tri Valley Commons for 72 Main Street. **(See Attached)**

Susy Affleck-Childs reported that the applicant will be meeting with the Economic Development Committee March 20, 2012 at 7:00 pm.

Susy offered to facilitate a meeting with the Conservation Agent.

The applicant indicated that he is committed to having signage which complies with the rules and regulations but which is also beautiful. The applicant is willing to work with the Design Review Committee.

The applicant indicated that it is his intent is to build something that the Town of Medway is proud of.

The applicant will be getting a wetland delineation done within the next few months.

Member Rogers indicated that the applicant may want to see what the 109 Committee is proposing for curb cuts, etc.

Susy reported that the applicant's traffic engineers have met with the Town's traffic engineers for Route 109.

Mr. Calarese indicated he will be meeting with the Gould family to discuss sharing an entrance driveway that would serve both developments.

The applicant will follow-up with the Board when he is ready for formal submittal.

Zoning Bylaw Amendments:

The Board is in receipt of a memo dated March 6, 2012 from Susy Affleck-Childs relative to the proposed rezoning of small parcel west of I-495 from ARI to Industrial I (**See Attached**).

Susy Affleck-Childs communicates that after lengthy research, there is no evidence that this parcel was ever zoned ARI. She believes it was improperly shown on a zoning map in the mid 1980's and has been carried forward ever since.

Town Counsel has advised that the Board can simple correct the mapping mistake and withdraw the article from consideration by the 2012 annual town meeting.

On a motion made by Chan Rogers and seconded by Karyl Spiller-Walsh, the Board voted unanimously to withdraw the warrant article for the proposed rezoning of small parcel west of I-495.

Special Permit for Signs:

The Board is in receipt of a memo dated March 7, 2012 from Susy Affleck-Childs regarding the Zoning Bylaw amendment allowing for special permits for signs (**See Attached**). She had recommended that the Board add criteria and provided drafts.

The Board was in agreement that this needs more work.

On a motion made by Tom Gay and seconded by Karyl Spiller-Walsh, the Board voted unanimously to withdraw the proposed zoning bylaw amendment that would allow special permits for signs.

DISCUSSION on zoning bylaw proposals

Comments from Joe Musmanno:

The Board has in receipt of a copy of the email from Joe Musmanno with comments regarding the Board's proposed zoning bylaw amendments (**See Attached**).

The Board is also in receipt of response comments from Gino Carlucci and Susy Affleck-Childs to the comments from Joe Musmanno. (**See Attached**).

Discussion

Definitions:

Frontage:

On a motion made by Karyl Spiller-Walsh and seconded by Chan Rogers, the Board voted unanimously to modify the language as indicated in the staff/comments to better clarify that type of way to be shown on a plan and to reference "vehicular traffic."

Lot Area:

On a motion made by Karyl Spiller-Walsh and seconded by Chan Rogers, the Board votes unanimously to amend the language for the lot area as recommended by Joe Musmanno and the staff/consultant comments.

Sign Regulations:

On a motion made by Tom Gay, and seconded by Karyl Spiller-Walsh, the Board voted unanimously to strike the language re: special permits for signs as recommended by Joe Musmanno.

Accessory Family Dwelling Units:

On a motion made by Karyl Spiller-Walsh and seconded by Tom Gay, the board voted to remove the first sentence in paragraph 2 as recommended by Joe Musmanno and the staff/consultant comments.

Home Based Businesses:

On a motion made by Tom Gay and seconded by Chan Rogers, the Board votes unanimously to strike the phrase “by right” as recommended by Joe Musmanno and the staff/consultant comments.

Fox Run Farm 40B development

The Board is in receipt of a memo dated March 7, 2012 from Susy Affleck-Childs regarding Fox Run Farm. **(See Attached).**

Susy explained that the developer, Mujeeb Ahmad, had contacted the office. He has secured construction financing from Rockland Trust and wants to get back to work on the project. He is prepared to provide the performance security that the Board had previously indicated is needed.

The memo explains that since the bond estimate was prepared 14 months ago, Tetra Tech Rizzo was asked to complete a new estimate to determine if the bond estimate accurately reflects the most current Mass Highway pricing. The Board is also in receipt of the bond estimate from Tetra Tech Rizzo which is dated March 7, 2012. **(See Attached).** It is less than the first estimate.

The Board discussed that the developer needs to make a payment to the construction account before the Board will finalize the security for Fox Run Farm and release any lots for construction.

Susy Affleck-Childs will draft a letter to Mr. Ahmed about the expectations along with providing the invoice. The letter will also provide clarification about the utility service.

Chairman Rodenhiser indicated that he was concerned that the developer had already installed utilities for more units than the ZBA had finally approved with its most recent 40B permit. He wants the bond estimate to reflect any additional work that might be needed to address that. Also, the construction services estimate may need to be revised as well.

Dave Pellegrini of Tetra Tech will research that to determine if the bond estimate needs to be modified.

Susy will bring back revised bond and construction inspection estimates for the Board's review.

25 Summer Street Definitive Subdivision Plan Modifications:

Susy reported that the expected modified definitive subdivision plan for 25 Summer Street had been submitted as expected.

The Board is in receipt of a cost estimate from PGC Associates, Inc. to review and comment on the proposed modified definitive subdivision for 25 Summer Street. The estimate is \$552.50. **(See Attached)**

The Board is also in receipt of a cost estimate from Tetra Tech Rizzo for plan review services. The estimate is for \$1,810. **(See Attached)**

The Board would like a letter sent to the applicant for 25 Summer Street explaining and clarifying that the cost estimate reflects a scope of the plan review services that does NOT address the tie in of the two lots to the Speroni Acres sewer system. .

On a motion made by Tom Gay and seconded by Chan Rogers, the Board voted unanimously to accept the estimates from PGC Associates and Tetra Tech Rizzo as presented.

Evergreen Meadow Bond Release

The Board is in receipt of a memo from Susy dated March 7, 2012 regarding the bond release for Evergreen Meadow. **(See Attached)**

Susy reported the project was completed; the deeds, easements, street acceptance plan were all recorded today at the Norfolk County Registry of Deeds. The recommendation is to have \$2,500 of the bond release be provided to the Town of Medway for deposit to the Evergreen Meadow construction account which presently has a negative balance due to recent invoices from Petrini & Associates. The bond account balance of \$37,000 will be provided to SENEK LLC.

On a motion made by Tom Gay and seconded by Karyl Spiller-Walsh, the Board voted unanimously to release the Evergreen Meadow bond in its entirety - the amount of \$37,000+/- to SENEK, LLC but will put \$2,500 into the Town's Evergreen Meadow construction account to cover the most recent invoices.

Minutes February 28, 2012:

On a motion made by Karyl Spiller-Walsh and seconded by Tom Gay, the Board voted unanimously to accept the minutes from the February 28, 2012 PEDB meeting as presented.

PEDB 2011 Annual Report:

Susy Affleck-Childs provided a copy of the 2011 Annual Report for the Planning & Economic Development to the members. **(See Attached)**.

Engineer's Report:

49 Adler Street/Lawrence Waste Site Plan

The applicant has submitted revised plans and those have been provided to Tetra Tech Rizzo. Dave will provide a report for the March 27, 2012 PEDB meeting.

Claybrook II:

The surveyors were on site and will produce the as-built and street acceptance plans soon.

Applegate:

Dave took a drive by Applegate and it did not appear that any construction activity was taking place. There was a sewer permit pulled.

Consulting Planner's Report

Consultant Carlucci indicated that there will be a SWAP meeting on March 21, 2012 about the MAPC census data program. The location has not been determined. The town would like to host a SWAP meeting once the Sanford Hall renovation is complete.

Other Business

Strategic Plan - The Board is in receipt of a memo dated March 9, 2012 from Susy Affleck-Childs regarding strategic planning in Medway. **(See Attached)**

The Planning and Economic Development Board is in support of meeting with the Board of Selectmen and other town boards/committees to discuss the development issues, challenges and opportunities facing Medway. The Board also wants to be an active partner in pursuing this endeavor.

Susy submitted to the Board of Selectmen a copy of the 2009 Medway Master Plan as approved by the Planning and Economic Development Board and adopted at Town Meeting.

Adjourn:

On a motion made by Tom Gay and seconded by Chan Rogers, the Board voted unanimously to adjourn the meeting at 10:45 pm.

Respectfully Submitted,

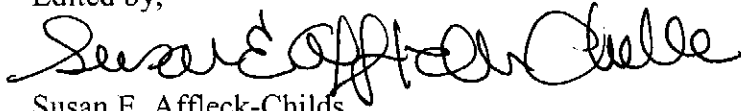


Amy Sutherland

Meeting Recording Secretary

*Minutes of March 13, 2012 Meeting
Medway Planning & Economic Development Board
Approved April 10, 2012t*

Edited by,

A handwritten signature in black ink, appearing to read "Susan E. Affleck-Childs". The signature is written in a cursive, flowing style.

Susan E. Affleck-Childs
Planning and Economic Development Coordinator

Town of Franklin



150 Emmons Street
Franklin, Massachusetts 02038

MEMORANDUM

TO: Jeffrey D. Nutting, Town Administrator

FROM: Mark G. Cerel, Town Attorney

RE: Analysis of Existing Municipal Road Acceptance Procedure
and Proposal for Simplifying

DATE: March 11, 2002

The existing municipal road acceptance procedure is found in statutes which significantly predate the subdivision control law and the primary purpose of which was to create new thoroughfares across largely undeveloped land to further public commerce and travel. Against this background, the procedure is both lengthy and cumbersome and involves three distinct steps: laying out (defining) the public way, acceptance (assuming obligation to maintain and repair) and acquiring ownership. The procedure is justifiable and necessary when one recognizes that, historically, a new public way would probably traverse the property of multiple owners, perhaps bisecting them. Furthermore, in many cases, the owners would receive only the indirect benefit of more convenient travel in common with others while incurring the burden of interference with the prior use of their land. It therefore makes sense, from a public policy standpoint, to employ a procedure with provisions for the engineering/surveying work involved with laying out a new road, public input from both affected landowners and the public at large, and property acquisition mechanism (voluntary conveyance or taking with compensation).

Neither this statutory procedure nor the underlying public policy considerations on which it is based are relevant to modern subdivision roads. In the first place, rather than providing thru ways for the traveling public, subdivision roads primarily exist to provide access for individual lot owners and neighborhood residents. The roads seldom provide a new through route and usually consist of a maze designed to create building lots which comply with zoning requirement for frontage. Frequently, they include dead-ends (cul-de-sacs) which serve no public interest. Secondly, the reasonable expectation of subdivision residents is that the roads are or will become public so that the residents will not be responsible for the cost of maintenance and repair. Thirdly, property owners' interest are not adversely impacted: the original owner(s) of a large

Memorandum to Jeffrey D. Nutting
March 11, 2002
Page 2

tract of land will have already subdivided creating multiple individual house lots abutting roads except for occasional easements (slope, sight, etc.), the roads do not generally infringe upon individual lots or interfere with the owners' use of their property. Public acquisition of the subdivision roads benefits the individual lot owners with no negatives except in the unusual situation where a subdivision connection actually creates a new through route.

With the foregoing in mind, I have drafted the attached proposed legislation which dramatically simplifies public acceptance of a subdivision road. It recognizes that the planning board has already largely addressed public road creation issues through the public hearing process embodied in the subdivision control law: the road will have been engineered/surveyed and shown on plans, and it will have been constructed to public specifications. As a result, public acceptance and acquisition should be a legal formality.

MGC:ce
Attachment



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

Approved to sponsor

MEMORANDUM

March 6, 2012

TO: Planning and Economic Development Board members
FROM: Susy Affleck-Childs
RE: Proposed Warrant Article for May 14, 2012 ATM - Alternative Street Acceptance

I have invited Mark Cerel to attend the 3-13 PEDB mtg to speak with you about an alternative street acceptance procedure that has been developed in Franklin. You may recollect that Mark serves as Town Counsel in Franklin.

Franklin has successfully petitioned the State Legislature for authority to establish a more streamlined street acceptance procedure for subdivision roads. I learned about this from Mark last fall.

I suggested to the Town Administrator and Town Counsel that Medway consider something along these lines to address our street acceptance problem. Barbara has spoken with Mark and has drafted a warrant article that would give the BOS permission to petition the legislature. See attached draft warrant article.

This warrant article needs a sponsor. Would you be willing to do so?

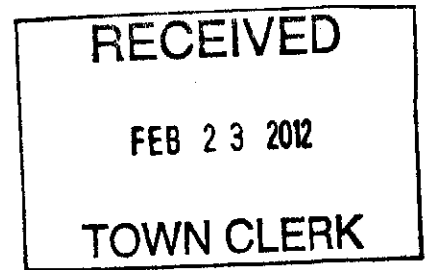
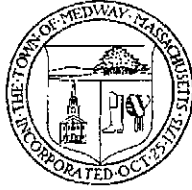
ARTICLE:

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for a special act providing that legislation be adopted in the form set forth below; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approve amendments to the bill before enactment by the General Court; and provided further that the Board of Selectmen be authorized to approve amendments which shall be within the scope of the general public objectives of the petition:

SECTION 1. Notwithstanding the provisions of Chapters 82 and 79 of the General Laws or any other general or special law to the contrary, the Town of Medway may employ the procedure hereinafter set out for municipal acceptance of roads constructed within a subdivision in accordance with a definitive subdivision plan which has been approved under the Subdivision Control Law. The Town of Medway Planning and Economic Development Board, on request of the Medway Board of Selectmen, the developer of the subdivision, or on its own initiative, shall prepare a written certification that a subdivision road or roads has been constructed in accordance with the Planning and Economic Development Board's rules and regulations and the approved definitive plan. The Planning and Economic Development Board shall submit its certification, together with original mylars of an acceptance plan, in required form for recording at the Registry of Deeds, and an "as-built" plan, to the Medway Board of Selectmen. The Board of Selectmen shall hold a public hearing, after first giving written notice by first-class mail, postage prepaid, to the owner of record of each property abutting the road or roads, as appears from municipal records, and giving notice by publication in a newspaper of local circulation at least seven days prior to the hearing. The sole purpose of the public hearing shall be to determine whether it is in the public interest to accept the road or roads as a public way. If the Medway Board of Selectmen determines, after the public hearing, that it is in the public interest to accept the road or roads, they shall so-vote, by a majority vote, and place an article on the warrant for the next annual or special town meeting for acceptance of the road or roads. Upon a two-thirds vote of Town Meeting to accept the road or roads, the Board of Selectmen shall cause to be prepared for recording at the Norfolk County Registry of Deeds an Order of Acceptance setting forth the vote of the Town Meeting. The Order of Acceptance, together with the original acceptance plan, shall be recorded within thirty days following the Town Meeting vote and, upon recordation, shall operate to vest ownership in fee to the road or roads, together with ownership of all utility, drainage access, and other easements shown on the plan, as well as all pipes, structures, and other improvements located therein, in the Town of Medway with no additional notice or other action required. No owner or interest holder of land abutting a road so-accepted or subject to an easement shown on said plan shall have any claim for compensation against the Town on account of said acceptance.

SECTION 2. This act shall take effect upon its passage.

or take any other action relative thereto.



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

February 23, 2012

MEDWAY PLANNING & ECONOMIC DEVELOPMENT BOARD
NOTICE OF PUBLIC BRIEFING – March 13, 2012
A123 Systems Minor Site Plan – 34 West Street

In accordance with the Medway Zoning By-Law, Section V. Use Regulations, Subsection C. Site Plan Review and Approval and the provisions of Chapter 40A, Massachusetts General Laws, notice is hereby given that ***the Medway Planning and Economic Development Board will conduct a Public Briefing on Tuesday, March 13, 2012 at 7:30 p.m. at the Medway Senior Center, 76 Oakland Street to consider the application of A123 Systems, Inc. of Westborough, MA for approval of a minor site plan for the installation of one mobile containerized Battery Energy Storage System (BESS) on a 5,700 square foot portion of the NSTAR Gas and Electric #65 Substation site at 34 West Street near the intersection of West and Beech Streets.***

Project Description - A123 Systems plans to install one mobile containerized BESS on a small portion of the 48.78 acre parcel (Medway Assessors' parcel #2-59) located in the Industrial II zoning district. The property is owned by Sithe West Medway LLC, a subsidiary of Exelon Corporation with which NSTAR Electric holds a long term lease agreement for its substation. A123 Systems has a 5 year lease with NSTAR for this pilot alternative technology project, which would be NSTAR's first in Massachusetts. The BESS uses advanced Nanophosphate lithium batteries to minimize and levelize changes in NSTAR's electric power system. This demonstration project will study, test and showcase the performance and reliability benefits of using a BESS within a suburban electric grid system for "capacity firming and ramp management." This project is part of the ISO-NE Alternative Technology Regulation (ATR) Pilot Program and is considered a green technology.

As proposed, the BESS will be located in a new fenced in yard adjacent to the existing NSTAR substation building. The BESS container measures 53' long x 8.5' wide x 9.5' high. Auxiliary components include a 2 MW external inverter and various cabinets for a chiller, transformers, meters,

RECEIVED
MAR 12 2012

TOWN OF MEDWAY
PLANNING BOARD

March 9, 2012,

Chairman Rodenhiser and Members of the Town of Medway Planning Board
Medway Town Hall
155 Village Street
Medway, MA 02053

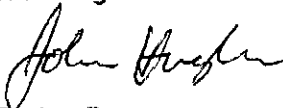
Re: Exelon Approval of Nstar and A123 Battery Storage Project

To Planning Board Members:

Exelon West Medway LLC (Exelon) is the owner of a large industrial parcel located in the Town of Medway at 9 Summer Street with frontage along both Summer Street and West Street. Nstar Electric and Gas Corp. (Nstar) has an easement agreement with Exelon for access, operation and installation of electric transmission and distribution equipment located on portions of the property along West Street. Exelon is aware of the battery storage project proposed by Nstar and A123 at 34 West Street in Medway. Pending site plan and building permit approvals, Exelon gives its support and approval for the construction and operation of the battery storage pilot project by Nstar and A123. The pilot project will provide useful information to both Nstar and ISO-NE for the development of this technology for enhancing the reliability of the electric power grid in New England.

Please do not hesitate to contact me for further help or answers to questions.

Jack Hughes



Exelon Power

New England Operations Manager

9 Summer St.
Medway, MA 02053

508-533-3919

CC:

Frank Snyder
Senior Engineer, Systems Planning
Nstar Electric and Gas Corp.
1 Nstar Way
Mail Stop Summit SE320
Westwood, MA 02090

Kathy Horelic, P.E., P.M.P.
Senior Project Engineer
Smart Grid Energy Storage Integration Team
A123 Systems, Inc.
155 Flanders Road
Westborough, MA 01581

Susan Affleck-Childs
Planning and Economic Development Coordinator
Town of Medway
Medway Town Hall
155 Village Street
Medway, MA 02053

Micelle Simoneaux
Project Manager, Wetland Scientist
GZA GeoEnvironmental, Inc.
One Edgewater Drive
Norwood, MA 02062

GZA
GeoEnvironmental, Inc.

*Engineers and
Scientists*

Requested List of Waivers from Section IV
Minor Site Plan Review
A123 Systems
Containerized Battery Energy Storage System (BESS)
West Street
Medway, Massachusetts



One Edgewater Drive
Norwood
Massachusetts
02062
781-278-3700
FAX 781-278-5701
<http://www.gza.com>

Name of Requirement	Citation
Development Impact Statement	Section IV s. 204-3(A)(7)
Existing Landscape Inventory	Section IV s. 204-5 (C)(3)
Landscape Architectural Plan	Section IV s. 204-5 (D)(7)
Building Layout/Floorplan	Section IV s. 204-5 (D)(10)

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

Project Name:	Battery Energy Storage System (BESS)
Property Location:	34 West Street (NSTAR Substation # 65)
Type of Project/Permit:	Energy Storage / Minor Site Plan Review
Identify the number and title of the relevant Section of the applicable Rules and Regulations from which a waiver is sought.	Section IV s. 204-3 (A) (7)- Development Impact Statement
Summarize the text of the relevant Section of the Rules and Regulations from which a waiver is requested.	The Development Impact Statement shall describe the potential and anticipated impacts of the proposed development, (positive and negative) and propose an acceptable program to prevent or mitigate adverse impacts.
What aspect of the Regulation do you propose be waived?	All Aspects: The Traffic Impact Assessment, Environmental Impact, Community Impact, Parking Impact
What do you propose instead?	This is a minor project that is in keeping with the existing use of the property and will appear to be a part of the NSTAR the Substation when complete; project will not add traffic to the area or add substantial impervious surface.
Explanation/justification for the waiver request. Why is the waiver needed? Describe the extenuating circumstances that necessitate the waiver request.	Only one maintenance vehicle will be at the site on a weekly basis; no trees will be cut; insignificant increase in impervious surface; no proposed office space and no daily employees will be at the site
What is the estimated value/cost savings to the applicant if the waiver is granted?	\$50,000
How would approval of this waiver request result in a superior design or provide a clear and significant improvement to the quality of this development?	The project is already designed using Best Management Practices, environmental sensitivity and is in compliance with local zoning.
What is the impact on the development if this waiver is denied?	Delayed project schedule, increased project budget
What are the design alternatives to granting this waiver?	Use Best Management Practices, design in compliance with the Wetlands Protection Act.
Why is granting this waiver in the Town's best interest?	There is only a minor change in the view from the road and the project does not warrant an in-depth study of traffic, parking and community impact by the Planning Board.
If this waiver is granted, what is the estimated cost savings and/or cost avoidance to the Town?	Consultant review expenditures; Planning Board time could be spent on other important matters and major projects.
What mitigation measures do you propose to offset not complying with the particular Rule/Regulation?	None
What is the estimated value of the proposed mitigation measures?	N/A
Other Information?	See Stormwater Report and Project Description letter
Waiver Request Prepared By:	GZA GeoEnvironmental, Inc.
Date:	2-Feb-12
Questions?? - Please contact the Medway PED office at 508-533-3291.	
<small>7/8/2011</small>	

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

Project Name:	Battery Energy Storage System (BESS)
Property Location:	34 West Street (NSTAR Substation # 65)
Type of Project/Permit:	Energy Storage / Minor Site Plan Review
Identify the number and title of the relevant Section of the applicable Rules and Regulations from which a waiver is sought.	Section IV s. 204-5 (C)(3) Existing Landscape Inventory AND s. 204-5 (D)(7)-Landscape Architectural Plan
Summarize the text of the relevant Section of the Rules and Regulations from which a waiver is requested.	The Landscape Architectural Plan shall be prepared as an overlay and depict site features including topography, woodlands, trees and areas slated for excavation. Plan to be completed by a Registered Landscape Architect.
What aspect of the Regulation do you propose be waived?	All aspects: No woodlands or wetlands will be cleared for this project and no individual trees will be cut. It is a 5-year pilot project.
What do you propose instead?	Six screening trees (Arborviteae) along the south and east line the chain link fence.
Explanation/justification for the waiver request. Why is the waiver needed? Describe the extenuating circumstances that necessitate the waiver request.	The proposed project will be located in a cleared area currently maintained and mown as a lawn.
What is the estimated value/cost savings to the applicant if the waiver is granted?	\$8,000
How would approval of this waiver request result in a superior design or provide a clear and significant improvement to the quality of this development?	This is a minor project and the requirement will not enhance the plan since there are no significant features to depict.
What is the impact on the development if this waiver is denied?	Delayed project schedule, increased project budget
What are the design alternatives to granting this waiver?	
Why is granting this waiver in the Town's best interest?	There is only a minor change in the view from the road and the project does not warrant an in-depth review by the Planning Board.
If this waiver is granted, what is the estimated cost savings and/or cost avoidance to the Town?	Consultant review expenditures; Planning Board time could be spent on other important matters and major projects.
What mitigation measures do you propose to offset not complying with the particular Rule/Regulation?	Planting six 6' Arbor vitae trees along two sides of the fence.
What is the estimated value of the proposed mitigation measures?	N/A
Other Information?	See Drawing 4 for mitigation details and tree locations.
Waiver Request Prepared By:	GZA GeoEnvironmental, Inc.
Date:	6-Feb-12
Questions?? - Please contact the Medway PED office at 508-533-3291.	

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

Complete 1 form for each waiver request

Project Name:	Battery Energy Storage System (BESS)
Property Location:	34 West Street (NSTAR Substation # 65)
Type of Project/Permit:	Energy Storage / Minor Site Plan Review
Identify the number and title of the relevant Section of the applicable Rules and Regulations from which a waiver is sought.	Section IV s. 204-5 (D)(10)-Building Layout/Floorplan
Summarize the text of the relevant Section of the Rules and Regulations from which a waiver is requested.	The Building Layout Floorplan depicts (with labels) the use of all areas.
What aspect of the Regulation do you propose be waived?	All aspects.
What do you propose instead?	The dimensions and purpose of each component of the BESS system is described in the narrative and labeled on the project plans.
Explanation/justification for the waiver request. Why is the waiver needed? Describe the extenuating circumstances that necessitate the waiver request.	This project does not propose a building that will be occupied by workers and does not have any internal work space.
What is the estimated value/cost savings to the applicant if the waiver is granted?	\$0
How would approval of this waiver request result in a superior design or provide a clear and significant improvement to the quality of this development?	This is a minor project and the requirement will not enhance the plan since there are no significant features to depict.
What is the impact on the development if this waiver is denied?	None- There is no building for which to design a floor plan
What are the design alternatives to granting this waiver?	N/A
Why is granting this waiver in the Town's best interest?	There is only a minor change in the view from the road and the project does not warrant an in-depth review by the Planning Board.
If this waiver is granted, what is the estimated cost savings and/or cost avoidance to the Town?	Consultant review expenditures; Planning Board time could be spent on other important matters and major projects.
What mitigation measures do you propose to offset not complying with the particular Rule/Regulation?	Planting four Arbor vitae trees on each corner of the fenced area.
What is the estimated value of the proposed mitigation measures?	N/A
Other Information?	
Waiver Request Prepared By:	GZA GeoEnvironmental, Inc.
Date:	6-Feb-12
Questions?? - Please contact the Medway PED office at 508-533-3291.	

PGC ASSOCIATES, INC.

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

March 8, 2012

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

R E C E I V E D
MAR 08 2012

**TOWN OF MEDWAY
PLANNING BOARD**

Re: A123 Minor Site Plan Review

Dear Mr. Rodenhiser:

I have reviewed the proposed site plan submitted by A123 Systems, Inc. of Westborough for property at 34 West Street, Assessor's Map 2, Parcel 59.. The plan was prepared by GZA GeoEnvironmental, Inc. of Norwood and is dated February 7, 2012. The property is owned by Sithe West Medway, LLC, a subsidiary of Exelon Corporation of Norwood. NStar holds an easement for use of the property and A123 holds a 5-year lease from NStar on the site.

The plan proposes to install a Battery Energy Storage System on the site, as a pilot project to test the system. I have comments as follows:

Zoning

1. The property is located within the Industrial II district. This district specifically allows by right both electrical power generation and research and development facilities including but not limited to renewable or alternative energy. The proposed system represents the research and development phase of a component that is integral to renewable or alternative energy production as well as conventional electric power generation.
2. The proposed development meets all dimensional requirements of the Industrial II district.
3. The Industrial II district requires a 30 foot green belt adjacent to residential district boundary lines., planted with evergreen shrubs not more than 15 feet apart. The plan proposes 3 arbor vitae plants across the front of the facility to the westerly side of the driveway and entrance to the fenced compound. Since the distance involved from the driveway to the meter and other equipment outside the fenced compound is approximately 80 feet, there should probably be 5 shrubs in that area to meet the technical requirement of the bylaw. It should be noted that while the area across West Street is zoned residential, it is currently occupied by construction/trucking facility.

There are 3 additional shrubs proposed on the easterly side of the facility. Again, to meet the 15 feet apart requirement, there should be an additional shrub on this side for a total of 9.

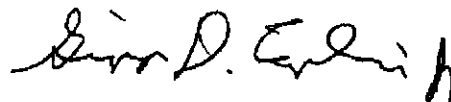
4. The submittal includes documentation demonstrating that the noise requirements of the Zoning Bylaw are met. The proposed new lighting to be mounted to the rear of the battery storage container also complies. However, an existing lamp post is proposed to be relocated to be in front of the facility. No information is provided as to whether this lamp post is in compliance with the lighting requirements.
5. No designated parking is proposed, but the site is not open to the public and there will be no employees on site. Occasional maintenance personnel can park within the fenced compound.
6. No signage is proposed. Any signage would need to conform to the sign requirements of the Zoning Bylaw.

Site Plan Rules and Regulations

7. Due to the limited nature of the proposed project, most of the site plan rules and regulations are not applicable. Waivers are requested for the requirements pertaining to submittals of a Development Impact Statement, Existing Landscape Inventory, Landscape Architectural Plan, and Building Layout/Floor plan. All of these requests are appropriate for this project.
8. There are some minor deviations from the site plan rules and regulations for which waivers have not been requested. For example, no scale is provided for the locus plan. The zoning district boundary is not shown on the site context plan. However, a very detailed and specific narrative statement is provided, which, combined with the plans, provides adequate information to determine that the proposal meets the criteria of Section 203-9 C.

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

Sincerely,



Gino D. Carlucci, Jr.



RECEIVED
MAR 09 2012

TOWN OF MEDWAY
PLANNING BOARD

March 9, 2012

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

**Re: 34 West Street
Site Plan Review
Medway, Massachusetts**

Dear Mr. Rodenhiser:

Tetra Tech (TT) has performed a review of the proposed Site Plan for the above – mentioned project. The project includes the installation of a mobile containerized Battery Energy Storage System adjacent to NSTAR's Substation on West Street in Medway. The site is primarily grass currently and the proposed improvements will disturb approximately 5,700 square feet of the property. The new facility will require the installation of utility connections, fencing, paved vehicular access drive, and a crushed stone equipment area underground electric from within the property.

TT is in receipt of the following materials:

- A plan (Plans) set entitled "Battery Energy Storage System (BESS), A123 Systems, Inc., NStar Station 65 West, 34 West Street in Medway, Massachusetts", dated February 7, 2012, prepared by Vine Associates A Division of GZA GeoEnvironmental, Inc. Engineers and Scientists. (GZA)
- A drainage report (Drainage Report) entitled "Stormwater Report, A123 Systems, Inc., BESS Project, 34 West Street, Medway", prepared by GZA
- Application for Review and Approval of a Minor Site Plan Project and Form Q-Request for Waiver from Rules and Regulations, prepared by GZA. dated February 9, 2012.

The Plans, Drainage Report and accompanying materials were reviewed for conformance with the Town of Medway, Massachusetts Planning Board Rules and Regulation, the MA DEP Storm Water Management Standards (Revised January 2008), and good engineering practice. The following is a list of comments generated during the review of the design

Engineering and Architecture Services
One Grant Street
Framingham, MA 01701
Tel 508.903.2000 Fax 508.903.2001



documents. Reference to the applicable regulation requirement is given in parentheses following the comments.

The following items were found to be not in conformance with the Rules and Regulations for the Submission and Review of Site Plan (Chapter 200), or requiring additional information:

Article IV-Site Plan Submission (Section 204)

1. The applicant requested a waiver for Development Impact Statement. (Ch. 200 §204-3.A-7)
2. The applicant should verify that scale 1" = 20' has been approved in advance by the Planning Board. (Ch. 200 §204-4.B)
3. Elevations shall refer to North American Vertical Datum of 1988 (NAVD88). (Ch. 200 §204-4.D)
4. A locus plan showing the site and its boundaries in relation to all surrounding streets within two thousand (2,000) feet of the perimeter of the site. The plan shall be a maximum scale of one (1) inch equals one thousand (1,000) feet. (Ch. 200 §204-5.B-1)
5. The applicant shall verify with Planning Board if partial lot lines with dimensions are acceptable. (Ch. 200 §204-5.B-3)
6. The applicant requested a waiver for the Existing Landscape Inventory being prepared by a Professional Landscape Architect licensed in the Commonwealth of Massachusetts. (Ch. 200 §204-5.C-3)
7. The applicant requested waiver for Landscape Architectural Plan. (Ch. 200 §204-5.D-7)
8. The applicant requested waiver for Building Layout/Floor Plan. (Ch. 200 §204-5.D-10)

Article V-Development Standards (Section 205)

9. The site must be evaluated as a whole in determining the number of curb cuts to be permitted. (Ch. 200 §205-3.A-1)



10. The applicant should add Siltsack Sediment Trap Detail for nearby catch basin. (Town of Medway's Construction Details CD-32) (Ch. 200 §205-11)

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

11. We do not agree with the designation of this project as a "redevelopment". The narrative states that the project is being constructed on a previously developed site therefore it qualifies as a redevelopment. Standard 7 of the MADEP Stormwater Regs defines a redevelopment project to include – *Development on previously developed sites, provided the redevelopment results in no net increase in impervious area.* The proposed project is sited on a fully established lawn area, and results in an increase in impervious area.
12. The drainage calculations were performed with the assumption that the site contains a Hydrologic Soil Group D Soil. Statements are made throughout the Redevelopment Checklist that standards were not met because of the poor soil condition. The NRCS Soil Survey provided in the report indicates that the soils are Udorthents, sandy, which is not indicative of an HSG "C" or "D" Soil.
 - General Stormwater Comment- We do agree with the overall statement that the peak flows and volumes are negligible and will not have a negative impact on the site, so we don't necessarily require a redesign based on the comments above at this time. The majority of the runoff from the proposed pads and roof top drain to the crushed stone surrounding the structures. This stone may provide the required recharge and water quality volumes required, in addition to providing peak flow mitigation and TSS removal. We recommend discussing this topic further at the hearing and identifying the best path moving forward.

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

13. The applicant shall verify the scale for the "Unnamed Aerial Plan" on the Cover sheet.
14. What types of erosion control are implemented for nearby catch basin and outlet (Conc. Headwall near the corner of Beech Street)?
15. The Narrative states that the system is temporary (5 year duration). What will happen to the site after that time?



16. It appears that there are a couple of buildings within the existing crushed stone area not identified on the existing conditions plan. I don't think that these structures will affect the proposed conditions in any way however, I'd like to confirm that they don't conflict with the underground electric conduit installation.
17. How thick is the crushed stone area within the proposed fence?
18. The plans provided in the Narrative states that the maximum slope of the proposed driveway shall be 3% yet the drawings indicate a 3.5% slope. The stamped drawings dictate in this case, and 3.5% is an acceptable slope, however, if the intent is to maintain a 3% maximum then the drawings should be modified accordingly.
19. The proposed underground electric line extending from Utility Pole #43/10 to the proposed fenced area runs through an existing fire hydrant. The electric line location should be modified to avoid this conflict.
20. Please identify what the required site distances are based on existing West Street classifications.
21. There is currently seven (7) arborvitae proposed in front of the proposed chain link along two sides of the development. Is this acceptable screening from the board? The Narrative states that the development is temporary. Additional screening may be desired if the fencing is intended to stay in place beyond the five (5) year period.
22. The limit of work line between Drawings 3 and 4 are not consistent. The line on Drawing 4 accommodates the soil stockpile.
23. If not already on the plans, please add a note that any areas disturbed during construction shall be restored with loam and seed or a suitable alternative.
24. On Drawing 4 there is a note that states "Lamp post to be reused and relocated from area in front of the property." There doesn't appear to be any existing lamp posts on the site that could be relocated. There is a utility pole adjacent to this area with a spotlight attached to it but I don't think the intent was to relocate the utility pole.



TETRA TECH

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

Very truly yours,

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

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TOWN OF MEDWAY
BUILDING DEPARTMENT
155 VILLAGE STREET
MEDWAY MASSACHUSETTS
PHONE 508-533-3253
FAX-508-533-3252
jemidy@townofmedway.org

March 6, 2012

Michele Simoneaux, Project Manager
GZA Geoenvironmental Inc.
One Edgewater Drive
Norwood, MA.
02062

Re: BESS Project

Dear Ms. Simoneaux:

I am in receipt of your letter dated February 16, 2012 regarding the above referenced location. You have requested an opinion whether the proposed BESS project would conform to the Medway Zoning By-Law, specifically: Section V USE REGULATIONS B AREA STANDARDS 2.(b) Noise. Attached to your request, is a copy of a report from your noise consultant Nancy S. Timmerman, P.E. . After reading her report, she has concluded that the Bess project as presented, will comply with the above referenced by-law section. Therefore, it is my opinion that the noise levels emitted from the proposed equipment as submitted shall be in compliance with the Zoning By-Law when measured at the property line.

Please contact me if you have any questions.

Respectfully,

John F. Emidy C.B.O.
Building Commissioner
Zoning Enforcement Officer

JFE

Cc: file



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

MEMORANDUM

March 6, 2012

TO: Planning and Economic Development Board members
FROM: Susy Affleck-Childs
RE: Proposed Rezoning of small parcel west of I-495

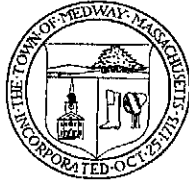
The PEDB has submitted a warrant article for the 2012 annual town meeting to rezone the small triangular shaped parcel of land that is west of Interstate 495 from ARI to Industrial III. This was proposed at the request/recommendation of Bruce Hamblin. I have some new information to share with you about the zoning of that parcel.

As you may recollect, Fran is updating the Medway Zoning Map using the ArcView software. Up until now, we have always contracted out the zoning map revisions. As part of this updating process, so we can accurately depict the zoning district boundaries, I asked Fran to review the annual town reports back to 1951 when zoning was first adopted in Medway. She has compiled a list of all zoning boundary changes approved by town meetings since 1951; she has reviewed the text of all warrant articles involving zoning boundary changes. With that information, she is revising the zoning district boundary lines on the zoning map to delineate the boundaries correctly so to accurately reflect the text descriptions.

Fran can find no evidence that the triangular shaped parcel west of I-495 was ever zoned ARI. We believe it shows that way on the current zoning map due to a mapping mistake that goes back to the 80's and was never caught. I believe the mistake probably occurred when I-495 was completed in 1982.

FYI . . . If there is ever a conflict between the map and text, the text describing the zoning boundary changes always takes precedence over what is shown on a map.

I have spoken with Town Counsel about this matter. She sees no need to have a warrant article to seek town meeting approval to correct a mapping mistake. We can just do it! Accordingly, I recommend the PEDB withdraw this article from consideration by the 2012 annual town meeting.



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

MEMORANDUM

March 7, 2012

TO: Planning and Economic Development Board
FROM: Susy Affleck-Childs
RE: Proposed Zoning Bylaw Amendment – Special Permit for Signs

I would recommend that the Article submitted to provide for special permits for signs be revised to establish specific criteria.

Warrant article language as presently proposed re: special permits for signs

10. c) A sign not specified in Sub-Section R. as either allowed or permitted may be authorized by special permit from the Zoning Board of Appeals.

Recommended revised language for this article:

10. c) The Zoning Board of Appeals may grant a special permit for a sign which does not meet the requirements of this sub-section for type, amount of sign surface area, location, quantity, or form of illumination if it finds that installation of the proposed non-conforming sign meets all of the following criteria:

1. will not constitute a public safety concern;
2. will be suitably sized and positioned to be compatible with the building's features or the site's characteristics;
3. the particular building, storefront or site where the proposed sign will be located has unique limiting physical features/characteristics whereby strict compliance of this sub-section's sign regulations would cause substantial hardship to the applicant because the basic purposes of business signage could not be achieved;
4. will not be detrimental to adjacent businesses, properties or neighborhoods;
5. will not significantly alter the character of the zoning district.

Article B - Definitions

"Common Driveway". The phrase "Common Driveway" does not appear anywhere in the ZBL, nor in your proposed amendments. So why define it? The attempt to limit a driveway's status as frontage is already in your definition of frontage. I recommend this paragraph be stricken.

The phrase "common or shared driveways" does appear in the Open Space Residential Development section of the Zoning Bylaw see (Section T. 10 (g))

Article B - Definitions

"Frontage", subpara 1: The proposed definition includes the phrase "...or a way certified by the Town Clerk that is maintained and used as a public way". I don't think there exists anywhere guidance for Town Clerks to decide what "maintained and used as a public way" should mean for any case other than as described in items 2 and 3. I recommend this phrase be deleted.

This language merely restates the language from the Subdivision Control Law, MGL Chapter 41, Section 81-L Definitions. That language is also intended to be used to determine when a plan must be endorsed by the Planning Board as not requiring approval under the Subdivision Control Law because it has frontage on an existing way.

Article B - Definitions

Article B, "Frontage", subpara 2: This wording is awkward. "...shown and constructed or secured..." leaves open the question, "Shown to whom?" I think what you want is "A way shown on an approved Definitive Subdivision Plan recorded at the Norfolk County Registry of Deeds, and either completely constructed, or secured through a suitable performance guarantee."

Again, this language is adapted from MGL 41, Section 81-L. We have changed this slightly from the state language in order to clarify that "a way shown on a plan theretofore approved under the subdivision control law" means a definitive plan and not an ANR plan. However, we agree that the language is somewhat awkward and propose to change it to "A way shown on a Definitive Subdivision Plan approved and endorsed under the Subdivision Control Law and recorded at the Norfolk Registry of Deeds, that is constructed or secured through a suitable covenant or performance guarantee."

Article B - Definitions

Article B, "Frontage", subpara 3: The problem with this paragraph is that the Subdivision Control Law became effective decades ago. Presumably, the Planning Board of that day should be on record as to which ways qualified at that time. If there is a disagreement about a particular way, it should be a matter for appeal under the normal appellate process. This subpara should be stricken, or it should refer to a map/plan showing all of the approved ways.

Again, this language is adapted from MGL 41, Section 81-L. However, the phrase "vehicular traffic" was inadvertently left out of the definition and we propose to restore it. Also, while any dispute about the status of any such way would, of course, still be subject to the normal appellate process.

Article B - Definitions

"Lot Area". This definition is terribly worded; the second phrase is ambiguous. I think what you meant was, "The total area of a lot, less the included area of any street rights-of-way." Did you mean to specify street, versus any other rights-of-way? I suspect you actually meant to exclude other rights, as well, since other types of public-access traffic would likewise reduce the availability of effective building area.

We agree that your suggested language is clearer and propose to amend the definition accordingly. It is not our intent to remove other types of easements across a lot from its lot area. We are addressing the specific instance when a property owner has a fee interest to the centerline of a street, and are clarifying that that portion of the street right-of-way is not to be included within the lot area, and your suggested language accomplishes this very well.

Article B - Definitions

"Lot Coverage". The second sentence is redundant with the first.

We agree that the second sentence is redundant, but we also believe that it helps to clarify how the building coverage figure is to be calculated.

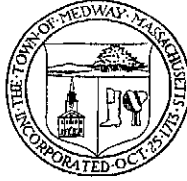
Article B - Definitions	<p>"Lot Line, [front, side, rear]". In attempting to be clever you are opening the ZBL to a world of loopholes. A simple inspection of a map of parcels in the town will illustrate these definitions to be ineffective at best. I suggest they be stricken.</p>	<p>We do not agree. We believe that these definitions help distinguish lot lines from one another for the purpose of determining setback requirements.</p>
Article B - Definitions	<p>Article B, "Retail Sales", etc. I submit that the ZBL is no place to restate the Oxford English Dictionary. I've been hearing zoning appeals for a long, long, time, and I have never witnessed any conflict as to what the phrases "retail sales", "outdoors", or "services" mean. Please strike them.</p>	<p>We do not think that there is any conflict over the meaning of these terms. We are simply distinguishing these uses from one another in order that they may be treated differently in different districts.</p>
Article B - Definitions	<p>Article B, "Vehicle Fuel Station" and "Vehicle Repair". You propose to substitute one definition for two, and then later propose to replace the reference to the single phrase with references to each of the two new phrases. The net result is exactly no change in policy, but a great increase in confusion. (To make matters worse, you subsequently refer to one of the phrases in two places with different requirements.)</p>	<p>Again, this separation of fuel sales from vehicle repair recognizes that the marketplace has changed and that these two uses are no longer assumed to be offered together. Consequently, our desire is to distinguish between them in order to address them differently.</p>
Article C - Kennels	<p>Article C, et seq: The effect of these proposals, if taken together (and assuming they all pass), would mean no change in any district but Commercial-II, where kennels would no longer be allowed. I suspect this is a simple oversight, and that the PEDB's intention was to continue allowance in all districts. In that case, I submit that the change is unnecessary, overly complicated, and fraught with problems. Given the PEDB's propensity to add overlay districts, I can't understand why there is a corresponding move to gut the "general requirements" applicable in all districts. (By the way, what will you do if Article C passes but any of the others fail due to other problems? You certainly won't get the intended result then.)</p>	<p>You are correct that this article does not propose a change, but merely a clarification. "Kennel" currently appears as an obscure sentence in Section V. A, rather than in the list of uses for each district making it difficult to find. Also, there is no longer a Commercial II zoning district. It was merged into Commercial I by action of the June 2008 town meeting. You raise a good point about the possibility of Article C passing and then not the subsequent one. This will need to be explained carefully at Town Meeting and the perhaps the replacement articles should be considered first.</p>
Article E - ARII	<p>(other than the part that is an extension of Article C) is pointless at best, and dangerous at worst. The language of paragraph 4 is fine the way it is. The fact that it's inclusive (re paragraph 5) is by design. Please leave it alone.</p>	<p>Adding the phrase "single family" to Paragraph 4 merely makes it consistent with Paragraphs 3 and 5 where the phrases "single-family" and "two-family" are used. The current language is inconsistent since "dwelling" is defined as including two-family and multi-family buildings. To say "Any dwelling" shall be located on a lot with 22,500 square feet is inconsistent with Paragraph 5 which then requires 30,000 for a two-family dwelling.</p>
Article F - Commercial I Article G - Commercial III Article H - Commercial IV	<p>Each have an improper first clause. I think what you mean is that you wish to delete items 1.b. and replace them, yes?</p>	<p>You are correct that this article proposes to replace the language of 1. b) with "Retail sales."</p>

<p>Article F - Commercial I</p>	<p>The major effect of the clauses subsequent to the first is to suggest that vehicle fuel stations will go through different permitting processes depending on whether there is any convenience retail associated with fuel sales. I think this is extremely dangerous and ill-conceived.</p>	<p>You are correct that the intent is to establish different permitting processes for vehicular fuel stations with and without convenience retail sales. Our opinion is that the multiple uses on the same site warrant a singular permitting process for site plan and special permit since site plan conditions are more critical to the multiple uses.</p>
<p>Articles G & H - Commercial III & IV</p>	<p>These Articles are humorous in that they attempt to clarify that business (which is already allowed) includes business that is home-based, while failing to clarify that homes themselves are allowed. I do not think that either of these clarifications are necessary; the language already present states it about as well as the proposed language does</p>	<p>These changes only apply to the C-III and C-IV districts which have many residential units within them. No rights are taken away by these changes. However, home-based businesses would become subject to the performance standards of home-based businesses. The current language of the bylaw does not provide for mixed uses in these districts so this article adds options to property owners.</p>
<p>Article J - Accessory Family Dwelling Units</p>	<p>I agree that the AFDU provisions need amendment. I have proposed adjustment of these paragraphs several years in a row. However, I have major issues with the proposal.</p>	<p>No comment.</p>
<p>Article J - Accessory Family Dwelling Units</p>	<p>Paragraph 1: is specious and should be deleted.</p>	<p>The practice of the Planning and Economic Development Board is to always have a purpose stated for each bylaw. The purpose reflects, and is intended to be consistent with, our understanding of what the ZBA thinks should be the limits of accessory family dwelling units. This clarifies that they are intended to accommodate specific family circumstances and not intended to convert single family residences into two-family homes.</p>
<p>Article J - Accessory Family Dwelling Units</p>	<p>Paragraph 2: The first sentence is redundant with language later in the Article. The second two sentences are redundant with MGL 40A. The whole paragraph should be stricken.</p>	<p>Paragraph 2 is the existing language that already appears in the Zoning Bylaw in the AR-I and AR-II districts. We agree that the first sentence is redundant and will remove it. However, we believe the 2nd and 3rd sentences clarify the rules.</p>
<p>Article J - Accessory Family Dwelling Units</p>	<p>Penultimate paragraph: seeks to add AFDU eligibility to commercial districts. I can think of no worse thing to do. Considering the allowed uses and other zoning requirements in those districts, AFDUs have no place and make no sense. With my absolute strongest conviction, I oppose this amendment.</p>	<p>Limited only to Commercial III and IV (village districts) where there are many existing residential properties</p>

Article J - Accessory Family Dwelling Units	<p>Article J, general: This is a good time to correct the biggest deficiency in the AFDU paragraphs. When the idea was originally put forth, the accessory was to be limited in size. This clause was eliminated at the last minute on advice which depended upon a misreading of MGL. The MGL clause barred towns from imposing size constraints, which was interpreted at the time to mean ANY size constraint. However, the context of the law has been generally upheld to mean towns are barred from imposing MINIMUM size constraints. I believe the debate concluded on the idea that towns are allowed to impose MAXIMUM size constraints, a fact which I think is made specific in the sections authorizing local control over zoning (e.g. "towns may limit size and bulk of structures"). The Board of Appeals formally recommended a maximum size limit when it proposed the use, and I strongly suggest such limit be reincorporated. (With my apologies, I cannot remember the specific number off the top of my head.)</p>	<p>We agree that a size limit is appropriate. This topic needs further discussion but the PEDB is willing to work with you on drafting such a limit for consideration at a future Town Meeting since it is too late to expand the scope of what is proposed for consideration now. We are not of the understanding that there has been a clear determination that Towns are barred from establishing maximum size limits. The Comprehensive Land Use Reform and Partnership Act now pending in the legislature would make this clear. In any case, there is no prohibition on size limits for uses such as this which are available only be special permit. Such maximum size limits, both in absolute area and percentage of total area, are common for accessory apartments throughout the Commonwealth.</p>
Article N - Flood Plain	<p>The language defining the area includes reference to plans "on file with" a series of Town bodies. It is a bad idea to list multiple agents with authoritative copies of a governing document--you'll be stuck if the documents aren't perfectly identical. I suggest that the entire phrase beginning with "and are on file" be stricken. Remember, it's the purpose of the ZBL to establish law, not to list for petitioner's convenience all of the sources of information.</p>	<p>The language refers to specific maps and documents that are produced by the federal government. The Town has no ability to change them so the multiple copies will of necessity be identical.</p>
Article N- Flood Plain	<p>Proposed paragraph Q.3.a. "Floodway data". Which data is the "best available"? This language needs revision.</p>	<p>The language for Article N is provided by the state and is required in order to continue eligibility for flood insurance in Medway.</p>
Article N- Flood Plain	<p>Proposed paragraph Q.3.b: Base flood elevation data is required *for what*? This language needs revision.</p>	<p>See above comment.</p>
Article N- Flood Plain	<p>Proposed paragraph Q.4: The first sentence potentially conflicts with paragraph Q and should be stricken. The second proposed sentence is much more awkward than the one it would replace, and it suffers the additional problem of citing items which zoning may not regulate. It MUST be deleted. Please leave the existing language untouched.</p>	<p>See above comment.</p>
Article N- Flood Plain	<p>Article N, proposed paragraph Q.4.b.10 is problematic. Since you don't distinguish what regulations you mean, one would have to conclude that you mean "since the Floodplain District was established". To the extent that the changes proposed today move the boundaries of that district, paragraph Q.4.b.10 will be in conflict with MGL 40A. Luckily, 40A already establishes what to do in the event of "grandfathered" uses, so best if the paragraph is simply stricken.</p>	<p>See above comment.</p>

Topic	Joe Musmanno's Comments	Response Comments - Draft 3/10/2012
Article N- Flood Plain	Article N, proposed paragraph Q.4.c. attempts to restate laws that are already stated, many of which are specifically out of the town's jurisdiction. This paragraph must be eliminated	See above comment.
Article N- Flood Plain	Article N, proposed paragraph Q.4.d. is improperly worded. It's not the floodway that would result in increase, it's the encroachment. This language needs revision.	See above comment.
Article N- Flood Plain	Article N, proposed paragraph Q.10 rather obviously has a blank in it. This language needs revision.	See above comment. The blank needs to be filled in. This should probably be the Building Inspector, but it could also be the Conservation Commission.
Article N- Flood Plain	Article N, proposed paragraph Q.10 a doesn't define what a community is, and therefore nobody can know which ones are adjacent. This language needs revision.	See above comment.
Article O - Sign Regulations	Article O seeks to make a bunch of meaningless language more strict. R.9 would actually be stronger if it were deleted altogether, because then it wouldn't conflict with MGL's extremely clear set of rules for permits. The penalties for violations would then be stiffer too.	This article merely reduces the maximum sign size from 8 to 6 square feet.
Article O - Sign Regulations	Item 10.c: Whoa!!! Have you lost your collective heads? What's the point of having a sign by-law at all, if, in effect, you give a board power to authorize any and all signs without regard to use standards? The value of Section R is that it may not be overridden. If you allow item 10.c, you might as well delete all the rest of Section R. This proposal is a singularly bad idea, and absolutely must be stricken.	We plan to add language that provides criteria for determining whether signs not specified should be granted a special permit.
Article P - OSRD	It still makes me laugh that the PEDB can consider a "PRE-application" to be REQUIRED. If it's required, it's an application. And requiring appearance of petitioners is tantamount to arrest. If it's for the petitioner's benefit, how can you demand it? (If the petitioner wants the plan to speak for itself, that's somehow grounds for permit denial?) I strongly suggest that this language be revised to use "may" instead of "shall."	This language is already in the existing bylaw and it has survived Attorney General review, most recently in 2009.
Article R - Affordable Housing	Proposed paragraphs 7.d and 9.c ought to be stricken, as they are not compatible with the stated purposes of the section.	Again, this language is already in the existing bylaw. We do not agree that it is in conflict with the stated purposes. The payment in-lieu option merely provides an additional option for complying.
Article R - Affordable Housing	Proposed paragraph 8.b.4 violates MGL (prefer to my discussion on Article J).	This language is already in the existing bylaw and it has survived Attorney general review.

<i>Topic</i>	<i>Joe Musmanno's Comments</i>	6	<i>Response Comments - Draft 3/10/2012</i>
Article 5 - Home Based Businesses	The phrase "by right" ought to be stricken. If it's truly by-right, there's no need for the section. If you seek to allow or limit it, it's something other than by-right.		We agree. We will remove that phrase.



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

MEMORANDUM

March 7, 2012

TO: Planning and Economic Development Board
FROM: Susy Affleck-Childs
RE: Fox Run Farm – 40 B development on Holliston Street

We were contacted by Mujeeb Ahmed, owner and developer. He seems ready to get resume work on the development. He indicates that he has secured construction financing from Rockland Trust. He wants to provide the bond.

There are several matters to decide:

1. Form of performance security. You cannot agree to a Letter of Credit as he has proposed.
2. Bond amount
3. Site work to be completed before releasing lots.
4. Funding for the Construction Observation Account.

Attached is my recent email communication to Mr. Ahmed, a copy of the "old" bond estimate from December 2010, the new bond estimate prepared by Tetra Tech, and an estimate from TTR for continued construction services.

Susan Affleck-Childs

From: Susan Affleck-Childs
Sent: Thursday, March 08, 2012 10:09 AM
To: 'Mujeeb Ahmed'
Subject: Bond for Fox Run Farm
Attachments: 12-20-2010 TTR Memo-Fox Run Farm Revised Bond Estimate.pdf;
KMBT20020120308095932.pdf

Good morning Mujeeb,

I have some answers to your questions about performance security for Fox Run Farm.

FORM OF PERFORMANCE SECURITY - The Medway Planning and Economic Development Board routinely accepts cash bonds and would be very pleased to do so for Fox Run Farm. I expect the Board would also be agreeable to changing the form of performance security over time. However, pursuant to the Massachusetts Subdivision Control Law, a letter of credit is NOT one of authorized forms of subdivision performance security that a municipal planning board is allowed to accept. The Board cannot legally entertain your proposal for a letter of credit. An allowed alternative to a letter of credit is a tri-party agreement that would be executed by you, Rockland Trust and the Medway Planning and Economic Development Board. With a tri-party agreement, the bond amount is incorporated into the construction financing. I suggest you ask your lender about that option. I would be glad to speak with anyone at Rockland Trust to discuss this alternative. We have a standard template for a tri-party agreement which we can provide on request. As with any subdivision performance security, the bond amount can only be reduced upon approval of the Board.

BOND AMOUNT - The bond amount as approved by the Medway Planning and Economic Development Board in December 2010 was \$93,701. A copy of that bond estimate dated December 20, 2010 from Tetra Tech Rizzo is attached. Since that estimate is now 14 months old, I have asked Tetra Tech Rizzo to review the bond estimate to determine if the various cost estimates accurately reflect the most current Mass Highway pricing, which is the standard Medway uses for calculating subdivision bonds. Depending on Tetra Tech's response, the bond amount may be adjusted. The Board will review a revised bond estimate for Fox Run Farm at its meeting on March 13, 2012.

CONSTRUCTION ACCOUNT - It will also be necessary for you to provide additional funds for the Fox Run Farm construction account. That account presently has a balance of -\$196.22. A copy of the recently updated spreadsheet is provided for you. As you may recollect, the Town uses funds in the Construction Account to pay the fees of outside consultants which the Town retain to assist the Board carry out its responsibilities. The funds you provided in November 2010 have been depleted due to the extensive inspections during the fall of 2010 and the legal services needed to review your previous proposals for performance security and construction releases. The Fox Run Farm construction account must be recapitalized to provide sufficient resources for the Town to pay the cost of outside consultants for future construction inspections including curbing and roadway top coat; preparation of punch lists and re-inspections; review of as-built/street acceptance plans; and for legal services that will be associated with the Town's acceptance of the street and infrastructure. I will discuss this matter with the Board on March 13 to establish a new invoice amount. I will forward that to you next week. Your payment of the forthcoming Construction Account invoice is required before the Board will finalize the performance security for Fox Run Farm and release any lots for construction.

MINIMUM REQUIRED WORK BEFORE LOTS ARE RELEASED - I also need to draw your attention to the previously mentioned communication from Tetra Tech Rizzo dated December 20, 2010 in which several site items were noted as needing attention. You must complete items 1 (*rip rap apron reconstruction*) and 5 (*sidewalk binder installation*) to the Board's satisfaction before the Board will finalize the bond arrangements and release the lots for construction. That work will need to be inspected, so we will need the construction account funds as soon as possible.

Please contact me if you have any questions.

Thanks.

Susy Affleck-Childs

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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From: Mujeeb Ahmed [mailto:mujeebahmed58@yahoo.com]

Sent: Tuesday, March 06, 2012 2:32 PM

To: Susan Affleck-Childs; Susan Affleck-Childs

Subject: Question for Bond for Fox Run

Susan,

I have commitment letters for construction loan to build houses and Letter of credit for Bond from Rockland trust. But this will take 2 months. At this time, I want to get private loan to post the cash Bond and get the bldg permit, then at the loan closing i want to change to letter of credit and returned the loan. Is this Possible ??? or just wait till loan closing.

Thanks

Mujeebuddin Ahmed

Office:508-328-2377

Fax:508-507-3349

Email: mujeebahmed58@yahoo.com



TETRA TECH RIZZO

MEMORANDUM

To: Susan Affleck-Childs – Medway Planning and Economic Development Board
Coordinator

Fr: Steven Bouley–Tetra Tech Rizzo

Re: **Fox Run Farm
Bond Estimate
Medway, MA**

Dt: December 2, 2010 (revised December 20, 2010)

At the request of the Medway Planning and Economic Development Board, Tetra Tech Rizzo (TTR) has performed an inspection of the Fox Run Farm development in order to prepare a bond estimate for the remaining work to be completed by the developer. The inspection is also required to determine whether the developer has satisfactorily completed the minimum infrastructure improvements as specified in Section 6.6.3 of the Town of Medway Planning Board Rules and Regulations that need to be completed before the board authorizes a release to allow for construction of the dwelling units.

On Thursday, December 2, 2010, Steven Bouley from TTR performed an inspection to accomplish the tasks specified above. It was our determination that items remain outstanding and must be addressed prior to the board issuing a release. The outstanding items are as follows.

Section 6.6.3



1. *Drainage system completed to the proposed outfall with frame and grates set to binder grade, as well as detention basins, swales, infiltration systems or any other stormwater management facilities. (Ch. 100 §6.6.3c)*

- The flared end on the outlet pipe of the underground stormwater system and the rip-rap outlet protection does not appear to be constructed as detailed. A 3" layer of crushed stone has not been installed below the rip-rap. See attached photo #1-2.

TTR 12/20 Update: It was determined at the December 14, 2010 planning board meeting that the rip-rap outlet protection must be constructed as detailed on the plans. The filter fabric must be removed and the 3" layer of crushed stone must be installed per detail.



2. *As-built plan of each detention pond and forebay contoured in two foot (2') intervals; and all critical elevations and details of the structures, pipes and headwalls. (Ch. 100 §6.6.3d)*

- No As-Built Plan has been submitted.

TTR 12/20 Update: An as-built plan was submitted by Outback Engineering Inc. TTR reviewed the plan and found it to be acceptable. However, the site was constructed using a non-approved site plan dated October 14, 2010. It is at the discretion of the board to allow the as-built condition of the site per the modified site plan.

3. *Street name signs and "Street Not Accepted by the Town" signs in a size and form as specified by the Medway Department of Public Services, and all regulatory signs as specified in the approved plan. (Ch. 100 §6.6.3e)*

- No Street Signs have been installed.

TTR 12/20 Update: The necessary street signs have been installed per the approved plans.

4. *Stop line pavement markings. (Ch. 100 §6.6.3f)*

- A stop line and the word "STOP" have been painted in the roadway. However, the pavement markings do not appear to be per any standard. It is at the discretion of the town to allow the use of non-standard pavement markings. See attached photo #3-4.

TTR 12/20 Update: It was determined at the December 14, 2010 planning board meeting that the stop line and the word "STOP" are sufficient as painted.

5. *Sidewalk binder. (Ch. 100 §6.6.3g)*



- Sidewalk binder has not been installed.

Also, please find attached a draft bond estimate for preliminary discussion. This bond estimate will need to be revised prior to issuance, to include the outstanding items above. Once these items are addressed the attached bond estimate will be finalized and may be utilized by the planning board to assess a proper bond value. If you have any questions or require additional information, please don't hesitate to contact us at (508) 903-2000.



TETRA TECH RIZZO

Photo #1

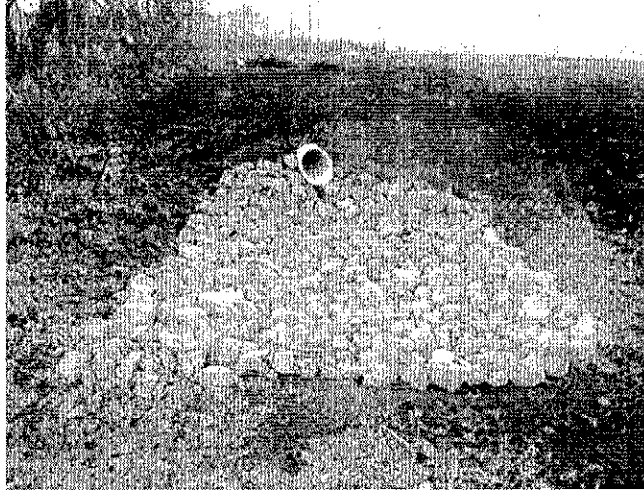
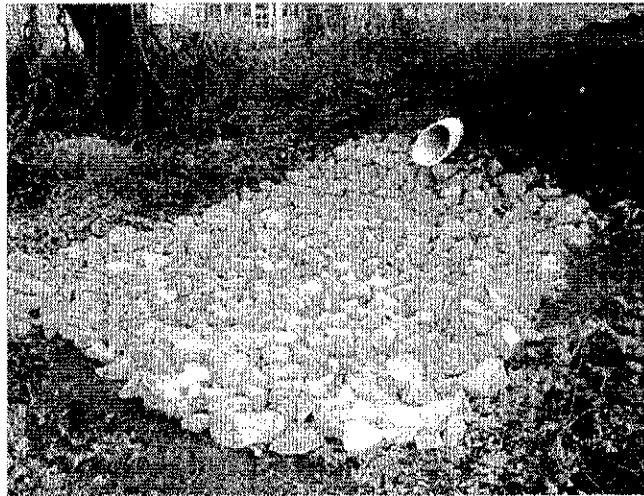


Photo #2





TETRA TECH RIZZO

Photo #3

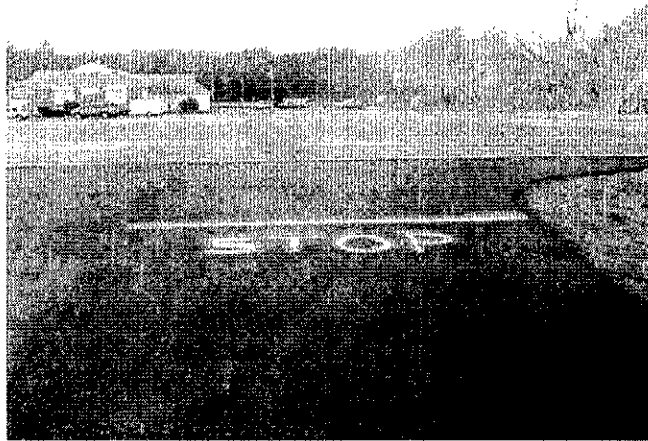


Photo #4





TETRA TECH RIZZO

**Bond Value Estimate
Fox Run Farm
Comprehensive Permit
Medway, Massachusetts
December 20, 2010**

One Grant Street
Framingham, MA 01701
Tel 508.903.2000 Fax 508.903.2001

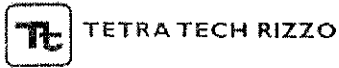
DESCRIPTION	QUANTITY	UNIT	UNIT COST	ENGINEERS ESTIMATE
HMA Top Course - 1 1/2" Depth (Roadway)	125	TON	\$100.00	\$12,500
HMA Top Course - 1 1/4" Depth (Sidewalk)	23	TON	\$100.00	\$2,300
HMA Binder Course - 1 3/4" Depth (Sidewalk)	32	TON	\$85.00	\$2,720
HMA Berm - Modified	402	LF	\$5.00	\$2,010
HMA Binder Repair ²	1	LS	\$1,700.00	\$1,700
Gravel Borrow (Sidewalk)	110	CY	\$57.50	\$6,325
Vertical Concrete Curb	333	LF	\$40.00	\$13,320
Vertical Granite Curb	125	LF	\$39.00	\$4,875
Concrete Wheelchair Ramp	30	SY	\$78.00	\$2,340
Loam ³	44	CY	\$40.00	\$1,760
Seeding ³	394	SY	\$1.50	\$591
Light Poles	3	EA	\$5,000.00	\$15,000
Pavement Markings	1	LS	\$250.00	\$250
2 year Snow Plowing	515	LF/YR	\$2.50	\$2,575
2 year Road Maintenance	515	LF/YR	\$2.00	\$2,060
2 year Drainage Maintenance	515	LF/YR	\$2.00	\$2,060
As-built Plans	515	LF	\$5.00	\$2,575

\$74,961

Subtotal	\$74,961
Contingency (25%)	\$18,740
Recommended Bond Value	\$93,701

Notes:

- Unit prices are taken from the latest information provided on the Mass DOT website. They utilize the Mass DOT weighted bid prices (Combined - All Districts) for the time period 12/2009 - 12/2010.
- Binder repair pricing includes the area of roadway that will require repair as described in inspection report #16. Pricing includes removal of the existing binder and top 4" of gravel base and the replacement of both. The area of pavement and gravel to be removed and replaced includes the area north of the centerline of the roadway between STA 0+40 to STA 0+60. Area could increase/decrease per an inspection at the time of removal.
- Loam and seeding pricing includes all non-hardscape areas within the right of way.



**Bond Value Estimate
Fox Run Farm
Comprehensive Permit
Medway, Massachusetts
March 7, 2012**

One Grant Street
Frammingham, MA 01701
Tel 508.903.2000 Fax 508.903.2001

DESCRIPTION	QUANTITY	UNIT	UNIT COST	ENGINEERS ESTIMATE
HMA Top Course - 1 1/2" Depth (Roadway)	125	TON	\$95.00	\$11,875
HMA Top Course - 1 1/4" Depth (Sidewalk)	23	TON	\$95.00	\$2,185
HMA Binder Course - 1 3/4" Depth (Sidewalk)	32	TON	\$100.00	\$3,200
HMA Berm - Modified	402	LF	\$5.00	\$2,010
HMA Binder Repair ²	1	LS	\$1,700.00	\$1,700
Gravel Borrow (Sidewalk)	110	CY	\$30.00	\$3,300
Vertical Concrete Curb	333	LF	\$38.00	\$12,654
Vertical Granite Curb	125	LF	\$40.00	\$5,000
Concrete Wheelchair Ramp	30	SY	\$75.00	\$2,250
Loam ³	44	CY	\$38.10	\$1,676
Seeding ³	394	SY	\$1.75	\$690
Light Poles	3	EA	\$5,000.00	\$15,000
Pavement Markings	1	LS	\$250.00	\$250
2 year Snow Plowing	515	LF/YR	\$2.50	\$2,575
2 year Road Maintenance	515	LF/YR	\$2.00	\$2,060
2 year Drainage Maintenance	515	LF/YR	\$2.00	\$2,060
As-built Plans	515	LF	\$5.00	\$2,575

\$71,060

Subtotal	\$71,060
Contingency (25%)	\$17,765
Recommended Bond Value	\$88,825

Notes:

1. Unit prices are taken from the latest information provided on the Mass DOT website. They utilize the Mass DOT weighted bid prices (Combined - All Districts) for the time period 3/2011 - 3/2012.
2. Binder repair pricing includes the area of roadway that will require repair as described in inspection report #16. Pricing includes removal of the existing binder and top 4" of gravel base and the replacement of both. The area of pavement and gravel to be removed and replaced includes the area north of the centerline of the roadway between STA 0+40 to STA 0+60. Area could increase/decrease per an inspection at the time of removal.
3. Loam and seeding pricing includes all non-hardscape areas within the right of way.

Susan Affleck-Childs

From: Pellegrini, David [david.pellegrini@tetrattech.com]
Sent: Wednesday, March 07, 2012 4:58 PM
To: Susan Affleck-Childs
Subject: RE:
Attachments: Bond Estimate_Fox Run Farm 2012-03-07.pdf

Actually the costs went down since based on the latest DOT prices. It's weird how that happens sometimes because you could have one job that cost a lot of money for one item and it skews the costs. Anyways, the revised estimate is attached. We can issue as you see fit.

From: Susan Affleck-Childs [mailto:sachilds@townofmedway.org]
Sent: Tuesday, March 06, 2012 3:37 PM
To: Pellegrini, David
Subject:

Hi Dave,

I just heard from Mujeeb Ahmed re: Fox Run Farm. They want to get back to work. He says he has lined up the funding to provide the subdivision security.

Attached is the revised bond estimate you prepared in December 2010. Do you think this estimate would be substantially different now with current Mass Highway pricing?

This gives us a great opportunity to collect more CO \$ from them so I can pay the outstanding invoice we owe you – I believe it dates back to March 2011.

I may need to ask you to prep an updated CO estimate on which I can base a new invoice to him. I need to look and see what the last one I have from you is for?

Thanks.

Susy

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

508-533-3291

saffleckchild@townofmedway.org

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TETRATECH

March 7, 2012

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

**Re: Revised Construction Administration Services
Fox Run Farm
Holliston Street, Medway, Massachusetts**

Dear Mr. Rodenhiser:

We are pleased to submit this Proposal to The Town of Medway (the Client) for professional engineering services associated with the proposed Fox Run Farm Residential Subdivision (the Project) in Medway, Massachusetts. This estimate represents our cost to provide limited construction administration services on behalf of the Town of Medway through completion of the project.

Scope of Services

We will undertake the following task:

Task 1 Inspectional Services

- Inspect construction activities for conformance with the approved plans and good engineering and construction practices. Inspections will be dictated by work schedule, however the attached spreadsheet represents the proposed allocation of our time based on our current understandings;
- Act as a technical liaison between the Owner/Contractor and the Town;
- Provide inspection reports for each site visit to the Client and the designated project Point of Contact;
- Provide monthly invoices to the Client.

Cost

Our cost for the above Scope of Services will be on a time and expense basis according to the breakdown provided in the Construction Inspection Budget. Hourly rates will be consistent with those included in the current contract between TTR and the Town of Medway. Direct expenses



will be billed at a fixed fee of three (3.5) percent of labor costs. The Construction Inspection Budget is attached, and breaks down the hours anticipated to be spent during the inspections. Please be advised that this estimate is based on our current understanding of the Project needs and is for budget purposes only. Changes to the project scope or schedule beyond that assumed by the engineer could require additional inspections if deemed necessary by the Planning and Economic Development Board. Additionally, the contractor's inefficiency, quality of work, or lack of communication may require additional inspections and compensation by the Owner.

Schedule

We are prepared to begin work immediately upon receipt of this executed Proposal. We recognize that timely performance of these services is an important element of this Proposal and will put forth our best effort, consistent with accepted professional practice, to complete the work in a timely manner. We are not responsible for delays in performance caused by circumstances beyond our control or which could not have reasonably been anticipated or prevented.

General Terms and Conditions

This proposal is subject to the General Terms and Conditions included in the existing contract between TTR and the Town of Medway. Should this proposal meet with your approval, please sign and return one (1) copy of this Proposal to us for our files. Your signature provides us full authorization to proceed. Please contact us if you have any questions or require additional information.

Very truly yours,

A handwritten signature in black ink, appearing to read 'David R. Pellegri'.

David R. Pellegri, P.E.
Project Manager

Accepted by: _____
Andy Rodenhiser
Medway Planning and Economic Development Chairman

_____ Date

Attachments

MASTT\DAVIDP\MEDWAY-CONSTRUCTION-REVISED FOX RUN FARM-2012-03-07.DOC

Item No.	Inspection	Site Visits	Hrs/Inspection	Rate	Total
1	Erosion Control	0	0	\$100.00	\$0.00
2	Clear & Grub	0	0	\$100.00	\$0.00
3	Subgrade/Staking	0	0	\$100.00	\$0.00
4	Drainage System	0	0	\$100.00	\$0.00
5	Underground Drainage System	0	0	\$100.00	\$0.00
6	Roadway Gravel	0	0	\$100.00	\$0.00
7	Water System	1	3	\$100.00	\$300.00
8	Sewer System	1	2	\$100.00	\$200.00
9	Roadway Binder	0	0	\$100.00	\$0.00
10	Curb/Berm	2	4	\$100.00	\$800.00
11	Private Utilities	0	0	\$100.00	\$0.00
12	Sidewalk Base/Gravel	1	2	\$100.00	\$200.00
13	Sidewalk Binder	1	4	\$100.00	\$400.00
14	Roadway Top	1	6	\$100.00	\$600.00
15	Sidewalk Top	1	4	\$100.00	\$400.00
16	Frames and Covers/Grates	0	0	\$100.00	\$0.00
17	Adjust Frames & Covers/Grates	1	2	\$100.00	\$200.00
18	DMH Inverts	1	4	\$100.00	\$400.00
19	Bounds	1	2	\$100.00	\$200.00
20	Landscape/Plantings	1	2	\$100.00	\$200.00
21	Roadway Sub-Drain	0	0	\$100.00	\$0.00
22	Guard Rail/Fencing	0	0	\$100.00	\$0.00
23	Periodic Inspections (See Note 1)	2	4	\$100.00	\$800.00
24	Bond Estimates	1	3	\$100.00	\$300.00
25	As-Built Plans	2	3	\$100.00	\$600.00
26	Meetings	2	2	\$120.00	\$480.00
27	Admin	1	1	\$50.00	\$50.00
Subtotal					\$6,130.00
Expenses				3.5%	\$306.50
TOTAL					\$6,436.50

Notes:

- 1 Periodic Inspection includes a final inspection and punch list memo provided to the town. It also includes one final inspection to verify that comments from the punch list have been addressed.
- 2 If installation schedule is longer than that assumed by engineer for any item above, or if additional inspections are required due to issues with the contract work, additional compensation may be required.

PGC ASSOCIATES, INC.

1 Toni Lane
Franklin, MA 02038-2648
508.533.8106
508.533.0617 (Fax)
gino@pgcassociates.com

March 6, 2012

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

Re: 25 Summer Street Definitive Subdivision Plan Modification

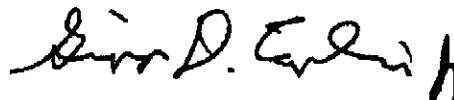
Dear Mr. Rodenhiser:

PGC Associates is pleased to present the following cost estimate to review and comment on the proposed modified definitive subdivision plan called "25 Summer Street" 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 February 28, 2012.

<u>Task</u>	<u>Hours</u>
Technical review and comment regarding conformance with Zoning, subdivision regulations and general planning issues.	2.5
Planning Board meetings	1.5
Review of any plan revisions	1.0
Review of input into Certificate of Action	1.5
Total	6.5
Cost Estimate (@\$85)	\$552.50

If there are any questions about this estimate, please call me.

Sincerely,



Gino D. Carlucci, Jr.



TETRATECH

March 5, 2012

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

**Re: Definitive Subdivision Amendment Review
Planning and Economic Development Board
25 Summer Street
Medway, Massachusetts**

Dear Ms. Affleck-Childs:

We are pleased to submit this Proposal to the Town of Medway (the Client) for professional engineering services associated with the proposed 25 Summer Street Definitive Subdivision Plan Amendment in Medway, Massachusetts (the Project). The objective of our services is to review the proposed amended Definitive Subdivision Plan, and associated application materials including, but not limited to, the Request for Waivers and the Stormwater Management Analysis, and provide review comments as they relate to the Medway Planning Board's Rules and Regulations for the Review and Approval of Land Subdivisions, Department of Environmental Protection Stormwater Management Regulations, and sound engineering practice.

Scope of Services

The following specifically describes the Scope of Services to be completed:

Task 1 Design Review

- A. Review the proposed Application to Amend, Modify, or Rescind an Approval of a Definitive Subdivision Plan and/or a Subdivision Decision Certificate of Action, prepared by Faist Engineering, Inc. and O'Driscoll Land Surveying Co. dated February 28, 2012;
 - Budget Assumption: Cost included in Task 1B.

- B. Review the proposed "25 Summer Street, Proposed Summer Valley Lane" Definitive Subdivision Modification plan prepared by Faist Engineering, Inc and O'Driscoll Land Surveying Co. dated February 28, 2012;
 - Budget Assumption: 2 hours @ \$115/hr= \$230
2 hours @ \$90/hr= \$180
Total= \$410

- C. Review the Request for Waivers from the Subdivision Rules and Regulations, dated February 28, 2012;
 - Budget Assumption: Cost included in Task 1B.



D. Review the revised Stormwater Calculations & Design and Long Term Operation and Maintenance Plan for compliance with the latest Department of Environmental Protection Stormwater Management Standards;

- Budget Assumption: 3 hours @ \$115/hr=\$345.

E. Prepare a letter summarizing findings for presentation to the Town of Medway Planning Board;

- Budget Assumption: 1 hour @ \$155/hr=\$155
1 hours @ \$90/hr= \$90
Total= \$245

F. Coordinate with applicant to address items in review letter and issue an updated letter upon receipt of modifications:

- Budget Assumption: 1 hour coordination @ \$115/hr= \$115
2 hour plan review and update letter @ \$90/hr=\$180
Total-\$295

Task 2 Meeting Attendance

A. Participate in two (2) meetings with the Town of Medway Planning and Economic Development Board.

- Budget Assumption: 2 Meetings
1.5hrs/meeting @\$155/hr= \$465

Cost

Our cost for the above Scope of Services will be on a time and expenses basis in accordance with Tetra Tech Rizzo's and Medway's existing contract rates. Direct expenses will be billed at a fixed fee of three and a half (3.5) percent of labor costs. We suggest that you establish a budget identified below for these services, which will not be exceeded without your approval. Please be advised that this estimate is based on our current understanding of the Project needs and is for budget purposes only. The total cost of our services will depend greatly on the completeness and adequacy of the information provided.

The breakdown of this fee by task is as follows:

Task	Task Description	Fee
Task 1	Design Review	\$1,295
Task 2	Meeting Attendance	\$465
	Labor Subtotal	\$1,760
	Expenses (3.5%)	\$50
	Total Fee	\$1,810



TETRA TECH

Schedule

We are prepared to begin work immediately upon receipt of this executed Proposal. We recognize that timely performance of these services is an important element of this Proposal and will put forth our best effort, consistent with accepted professional practice, to comply with the projects needs. We are not responsible for delays in performance caused by circumstances beyond our control or which could not have reasonably been anticipated or prevented

General Terms and Conditions

This Proposal is subject to the existing Terms and Conditions signed by Tetra Tech Rizzo and the Town of Medway. Should this proposal meet with your approval, please sign and return a copy to us for our files. Your signature provides full authorization for us to proceed. We look forward to working with you on this Project. Please contact us with any questions, or if you require additional information.

Very truly yours,

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

Date Approved by Medway Planning and Economic Development Board _____

Certified by:

Susan E. Affleck-Childs
Medway Planning and Economic Development Coordinator

Date



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

MEMORANDUM

March 7, 2012

TO: Planning and Economic Development Board members
FROM: Susy Affleck-Childs
RE: Request for Bond Release – Evergreen Meadow

Evergreen Meadow developer Taniel Bedrosian has requested release of the subdivision bond. See attached email note dated March 4, 2012.

Bond History

10-17-205	Bond Established	\$ 153,638.58
11-28-2006	Bond Reduction to	\$ 100,000.00
6-20-2008	Bond Reduction to	\$ 80,062.69
6-28-2011	Bond Reduction to	\$ 40,000.00

This is a cash bond in an account at Charles River Bank.

Project Status

The November 2011 Town Meeting voted to accept Iarussi Way as a public way. Since then, the title research was completed, the neighborhood association was established for the purpose of maintaining the landscaped island in the cul-de-sac, and the Conservation Commission voted on March 1, 2012 to accept the deed conveying Parcel A and the open space parcel to the Town of Medway by and through the Conservation Commission. On March 8, 2012, the BOS is scheduled to accept the deed conveying the land comprised of Iarussi Way and the associated stormwater drainage easements to the Town of Medway by and through the Board of Selectmen. All documents will be recorded at the Norfolk County Registry of Deeds early next week.

Construction Account Status

I updated the construction account on 3/7/2012. See Attached. With the recent and expected invoices from Petrini, the account has a negative balance of \$ 995.33.

Recommendation

I recommend the PEDB vote to release the Evergreen Meadow subdivision bond in full. I would further recommend that \$2,500 of the bond release be provided to the Town of Medway for deposit to the Evergreen Meadow construction account to cover the above noted balance and any final expenses. The bond account balance of \$37,500 would be provided directly to SENEK, LLC.

Susan Affleck-Childs

From: Taniel Bedrosian [tbedros@gmail.com]
Sent: Sunday, March 04, 2012 7:39 AM
To: Susan Affleck-Childs
Subject: Evergreen Meadows

Hi Suzi,

As you know I have finally resolved the last remaining issues relating to the completion and acceptance of larussi way by the Town of Medway and at this time, I would like to request that the Planning board vote to release the remaining funds held by the town as surety for completion, as soon as possible.

Thank you very much

Taniel

SUBDIVISION - CONSTRUCTION OBSERVATION ACCOUNTING

PROJECT NAME: Evergreen Meadow

DATE: March 7, 2012

Date Check Received	Amount	Check #	Payment Source	Date Submitted to Treasurer	Consultant's Construction Observation Fee	Consultant's Name	Invoice Date	Invoice Number	Date Approved by Planning Board	Date Submitted to Town Act.	Balance
11/08/04	\$10,368.75	1044	Senek LLC	11/08/04							\$10,368.75
					\$790.68	VHB Eng.	07/28/05	32053			\$9,578.07
					\$349.70	VHB Eng.	08/25/03	33236			\$9,228.37
					\$1,438.84	VHB Eng.	09/23/05	34890			\$7,789.53
					\$4,938.62	VHB Eng.	10/20/05	35934			\$2,850.91
					\$718.51	VHB Eng.	11/16/05	37176			\$2,132.40
					\$642.00	VHB Eng.	05/03/06	45517			\$1,490.40
					\$345.00	VHB Eng.	08/21/06	50929			\$1,145.40
					\$584.04	VHB Eng.	10/19/06	54154			\$561.36
					\$610.02	VHB Eng.	11/14/06	55311			-\$48.66
					\$1,397.37	VHB Eng.	12/22/06	56639			-\$1,446.03
08/14/07	\$3,946.03	1456	Senek LLC	08/24/07							\$2,500.00
					\$424.22	VHB Eng.	04/28/08	82165			\$2,075.78
					\$979.35	VHB Eng.	05/27/08	83822			\$1,096.43
					\$172.92	VHB Eng.	11/12/08	93937			\$923.51
					\$316.14	Tetra Tech	09/25/09	50292922			\$607.37
					\$185.40	Tetra Tech	12/23/09	50318715			\$421.97
06/10/10	\$2,578.03	1940	Senek LLC								\$3,000.00
08/22/10	\$3,000.00	3850	Town of Medway - from Bond Reduction								\$2,635.38
					\$364.62	Tetra Tech	07/08/10	50368558			\$5,635.38
					\$2,075.72	Tetra Tech	08/18/11	50479523			\$3,559.66
					\$853.36	Tetra Tech	09/30/11	50491942			\$2,706.30
					\$468.00	Petrini	10/04/11	25904	legal		\$2,238.30
					\$564.00	Colby Welch	10/24/11	20816	title research		\$1,674.30
					\$663.84	Petrini	11/12/11	25996	legal		\$1,010.46
					\$78.00	Petrini	12/02/11	26149	legal		\$932.46
					\$507.20	Petrini	01/06/12	26281	legal		\$425.26
					\$296.64	Tetra Tech	01/03/12	50523670	legal		\$128.62
					\$97.50	Petrini	02/03/12	26396	legal		\$31.12
					\$324.45	Tetra Tech	02/22/12	50538953			-\$293.33
					\$643.50	Petrini	March date	Feb	legal		-\$936.83
					\$58.50	Petrini	April date	March	legal		-\$995.33
					\$20,888.14						-\$995.33
	\$19,892.81				Total						Balance
					Cons. Obsrvtn.						
					Fees						

MEDWAY PLANNING & ECONOMIC DEVELOPMENT BOARD 2011 ANNUAL REPORT

OVERVIEW – The mission of the Medway Planning and Economic Development Board and Office is to develop policies, program initiatives and zoning provisions to guide the future development of Medway in ways that are consistent with the vision and values outlined in the 2009 Medway Master Plan. We do that by providing planning support, planning advisory services and coordination of town officials, boards, and committees on issues involving land use, zoning, economic development, affordable housing, open space and land preservation, land management, development/redevelopment, smart growth, sustainable development and public transportation.

The Town's adoption of a new charter in the spring of 2008 resulted in an expansion of the Board's role to now include *economic development* and to that end we are working in an expanded capacity to try to meet the mandate of the new charter. We endeavor to serve the Town of Medway with the highest degree of consideration for Medway's citizens by preserving the community's land/natural resources while also working to facilitate economic development investment in Medway.

The updated Medway Master Plan influences the Board's decisions on subdivision plans, site plans and various special permit applications, the development of proposals to amend the *Medway Zoning Bylaw*, and the on-going fine-tuning of our administrative *Rules and Regulations*. We have focused on changes to promote economic development, affordable housing, historic preservation, low impact development techniques, improved commercial signage, and the preservation of open space.

State law also authorizes municipal planning boards to recommend street acceptance to Town Meeting, update the Zoning Map, and conduct Scenic Road public hearings. Pursuant to the *Medway Zoning Bylaw*, the Board also serves as the special permit granting authority for Adult Retirement Community Planned Unit Developments (ARCPUD), Open Space Residential Developments (OSRD), and rehabilitation projects in the Adaptive Use Overlay Districts (AUOD). The *Zoning Bylaw* also authorizes the Board to review and act on all applications for site plan approval.

BOARD COMPOSITION – The Board is comprised of five elected members and an Associate Member who is appointed jointly by the Board of Selectmen and the Planning and Economic Development Board. At the May 2011 election, Medway's registered voters re-elected Andy Rodenhiser and Bob Tucker to three year terms through May 2014. Following the general election, the Board selected its officers for the next 12 months. Andy Rodenhiser was re-elected to the position of Chairman, Bob Tucker was re-elected to serve as Vice-Chairman, and Tom Gay was re-elected to serve as Clerk. Karyl Spiller-Walsh and Chan Rogers round out the group. During 2011, there was no Associate Member.

MEETINGS - The Planning and Economic Development Board meets regularly on the second and fourth Tuesday evening of each month at 7 pm in Sanford Hall at Medway Town Hall. During 2011, the Board held 23 regular and 10 special meetings including site visits or joint meetings with other boards or committees. Public hearings were conducted for proposed site plans, open space residential developments (OSRD), subdivisions, and proposed amendments to the Medway Zoning bylaw. Staff is available for one-to-one meetings with prospective developers, consultants, and residents as they consider development options for their property.

The Board is also available for informal/pre-application discussions with prospective developers; those occur during a Board meeting.

2011 KEY ACCOMPLISHMENTS

- Continued to implement the establishment of a Geographic Information System with People GIS/Maps on Line, funded through the Capital Improvement budget. During 2011, global positioning system equipment (GPS) was purchased and Town staff were trained. The office began providing mapping services to other town boards/committees including the Town Administrator, Historical Commission, Open Space Committee and Department of Public Services.
- Continued work to expedite the land use permitting process in Medway. We are now able to receive, store and circulate electronic versions of proposed plans which are also loaded to the Town's web site for improved public awareness and access.
- Assisted with implementation of the Green Communities Program.
- Continued to amend the Medway Zoning Bylaw – Changes proposed and approved by the Medway Town Meeting during 2011 include amendments to the sign regulation and open space residential development sections. The Zoning Map was modified to revise the boundaries of the Commercial III district and to establish a new Adaptive Use Overlay District in the Medway Village area. Those amendments were certified by the Massachusetts Attorney General's office in August and September, 2011.
- Supported the Affordable Housing Committee and Affordable Housing Trust in their efforts to secure Community Preservation Act funding and hire a half time Community Housing Coordinator to implement the Affordable Housing Trust Action Plan
- Worked toward resolving street acceptance issues for the Birch Hill, Evergreen Meadow and Claybrook II subdivisions.
- Commenced a planning initiative with funding from MassDevelopment for an Oak Grove redevelopment feasibility study to evaluate development opportunities in the Oak Grove/bottle cap area of Medway.
- Assisted with the preparation of several grant proposals – Green Communities implementation funds, trail development funds for amphitheatre site, public transit feasibility study.
- *Community Outreach* - During 2011, we started to post information about current applications before the Board including pdf versions of proposed residential and commercial development plans. The web page also includes final subdivision, site plan and special permit decisions. We endeavor to continuously improve our web page to meet the needs of both our residents and the development community.

COLLABORATION – The Board continued its efforts to communicate and collaborate with other Town boards, committees and departments. Either a Board member or staff serves as a liaison to the following Town boards/committees - Community Preservation Committee, Design

Review Committee, Conservation Commission, Water and Sewer Board, Board of Selectman, Economic Development Committee, Open Space Committee, Affordable Housing Committee, and the Medway Community Farm Liaison Committee. Joint meetings were held with the Design Review Committee and the Open Space Committee to establish goals for 2012. We also continue to work to strengthen relations with other Town boards and departments which are impacted by the Board's activity. These include the Treasurer/Collector's office, Assessor's office, Building Department, Department of Public Services, Zoning Board of Appeals, and the Fire and Police Departments.

SUBDIVISIONS – In 2011, applications were filed for several “new” residential subdivisions. All would be permanent private way subdivisions.

- Definitive Plan for Village Estates – 2 lots/272 Village ST (Approved: June 2011)
- Definitive Plan 25 Summer ST – 2 lots (Approved: November 2011)
- Preliminary Plan for Hill View Estates – 2 lots at 32R Hill ST
- Preliminary Plan for Bay Oaks – 4 lots at 104 Fisher ST
- Preliminary Plan Norwood Acres – 2 lots at 61 Summer ST

The following provides a status report on previously approved subdivisions as of December 31, 2011.

- **Applegate Farm** (Applegate Way) – 22 lots at the northeast corner of Coffee and Ellis Streets. Site clearance work continued. Several houses went under construction during 2011.
- **Franklin Creek** (Franklin Creek Lane) – 3 lot, permanent private way subdivision on the east side of Franklin Street. The land comprising this approved subdivision was sold to a new owner in 2007. Construction continued on the roadway and infrastructure and house construction has concluded. The developer conveyed the road to the neighbors in the fall of 2011.
- **Pine Meadow II** (Pine Meadow Road/Lantern Lane) - 7 lot subdivision off of Fisher Street approved in 2005. Infrastructure construction is completed. The owners await an improvement in the real estate market before house construction will commence.
- **Hartney Acres** (Newton Lane) – 8 lot subdivision east of Nobscott Road. House construction continued.
- **Evergreen Meadow** (Iarussi Way) – 15 lot subdivision south of Lovering Street. Housing construction continued. The road and open space parcels were accepted at the November 2011 town meeting.
- **Rolling Hills** (Harmony Lane) – 3 lot private way subdivision on the south side of Milford Street. No construction has occurred on the roadway or infrastructure.
- **Daniels Wood II** (Daniels Road extension) – No construction has occurred for the house lot or roadway.
- **Speroni Acres** (Little Tree and Rustic Roads) – The Board continues to work with the developer's engineer about needed modifications to the stormwater management facilities.
- **Fox Run Farm 40B development** (Morningside Drive) – Construction at the site has halted.

During 2011, no applications were submitted for *Subdivision Approval Not Required (ANR) Plans*.

STREET ACCEPTANCE – The process of accepting subdivision roads as public ways is quite involved. The Board facilitates this process with the Board of Selectmen and Town Meeting. With the change in Town Counsel, a more rigorous standard has been established to ensure the Town receives acceptable title to the roads, open space parcels and associated utility easements. The Board and the Board of Selectmen have established a policy to accomplish street acceptance for one of the long-standing unaccepted subdivisions per year. During 2011, all street acceptance related activities for portions of Ivy and Hunter Lane were completed. Also approved was Iarussi Way in the Evergreen Meadow subdivision off of Lovering Street. The bond funds for the Claybrook II subdivision were received; the Town will begin the street acceptance process during 2011.

SITE PLANS – The Site Plan section of the *Zoning Bylaw*, as approved by the 2005 Town Meeting, simplified the site plan process by combining the reviewing and permit granting authority to rest solely with the Planning Board. The Site Plan provisions also distinguished between minor and major site plan projects. The Board makes itself available for informal, site plan pre-application meetings with businesses and developers interested in developing, expanding, or opening a business in Medway.

Medway Middle School, 45 Holliston Street – Building renovations as part of the Middle School repair project.

Lawrence Waste Services, 49 Alder Street – Pre application discussion for a 7,000 square foot building.

NW Greene, 71 Main Street – Pre-application discussion for a small addition to the existing structure.

OPEN SPACE RESIDENTIAL DEVELOPMENTS (OSRD) – Construction has been completed at the *Village at Pine Ridge*, a 20 unit, townhouse condominium community located off of Candlewood Drive. This OSRD project includes the permanent preservation of 14.4 acres of open space to be open to the general public as walking trails and natural wildlife areas; the land will be deeded to the Town through the Conservation Commission, but maintained by the future Pine Ridge condominium association. Several units remain to be sold.

In May 2009, the Board issued an OSRD Special Permit and approved a Concept Plan for the proposed *Williamsburg Condominium* development, to consist of nine duplex buildings (for a total of 18 residential dwellings including three affordable dwellings) located on a 13.86 acre site at 66A, 70, 70R and 72 West Street in the Agricultural Residential II zoning district. The site includes wetlands, a tributary of Hopping Brook, upland meadows, wet meadows, a pine grove, a vernal pool and several stone walls. Planned site improvements include construction of a sixteen foot wide one-way private way/driveway approximately 1,134 foot long, approximately 1,200 linear feet of interior sidewalks/pathways, connection to Town sewer and water services, associated stormwater drainage facilities, and 8.7 acres of permanently preserved open space to be accessible to the public with three designated visitor parking spaces. Site access and egress will be from West Street. 8.63 acres of the 13.86 acre site will be preserved as open space. In September 2009, a new owner of the property filed the application for the required Definitive OSRD plan which includes detailed engineering. That plan was approved and construction

commenced during 2010. The infrastructure is completed and construction has been concluded on 3 of the 9 buildings.

Charles River Village - The prospective owner of property at 9 Neelon Lane submitted an application in August 2010 for an OSRD special permit on the proposed development of a 13 unit single family cottage style condominium community. The subject property abuts the Charles River and will include 4+ acres of open space accessible to the public and 2 “affordable” dwelling units. The Board approved an OSRD special permit in March 2011. That decision was appealed by an abutter to the project; as of December 31, 2011, a lawsuit was still pending against the Planning Board and the developer. We expect it will be resolved early in 2012.

ADULT RETIREMENT COMMUNITY PLANNED UNIT DEVELOPMENTS (ARCPUD) –

An ARCPUD is a planned residential development for residents 55 years of age and older, also known as an active adult retirement community. During 2007, the Planning Board approved an ARCPUD Special Permit for **Walnut Creek on the Charles (formerly known as River Bend Village)**. To be developed by Abbott Real Estate of Boston, the 125-unit active adult/over 55 condominium development was to be located on a 58 acre site south of Village Street abutting the Charles River. The project was to include construction of 48 apartment style units and 77 townhouses, along with 26 acres of dedicated open space including 5500 linear feet of unpaved walking trails/paths, river access and a canoe launch available to the public. During the summer of 2007, the developer decided to not pursue the project due to the economy and financing difficulties in the troubled real estate market. The special permit issued in 2007 has expired. The property owner, Charlotte Realty Trust, continues to evaluate other development alternatives for the site.

In May 2007, the Planning Board approved an ARCPUD Special Permit for Barberry Homes of Wayland, MA to develop a 51 acre site located on the west side of Winthrop Street south of Lovering Street as **Daniels Village**, to be comprised of 80 single family homes and townhouses for active adult/over 55 persons. The plan included the dedication of 20.4 acres of preserved open space available to the general public. The special permit included a provision that the developer would donate \$108,000 to the Town to be used exclusively to support the construction of the Senior Center addition. Subsequent to the decision, Barberry Homes filed suit in Norfolk Superior Court against the Planning Board, alleging the Board exceeded its authority regarding the mitigation payment. The case went to trial in November 2008. The Court vacated the decision and remanded the project back to the Board for reconsideration. Subsequent to the court’s ruling, the developer/prospective buyer decided to withdraw their proposal from consideration. The property owner evaluated her options and also withdrew the project from further consideration as well.

ADAPTIVE USE OVERLAY DISTRICT (AUOD) SPECIAL PERMITS – An Adaptive Use Special Permit provides for the commercial and mixed use of residentially zoned property, in scale with the surrounding homes, on portions of Main Street/Route 109 between Mechanic Street and Elm Street. This special provision of the *Zoning Bylaw* encourages improvements to existing residentially zoned dwellings while promoting the highest and best use of these highly visible parcels. The goal is to facilitate economic investment and expand Medway’s tax base by allowing for building renovation and new construction to convert residential property to limited business uses with sensitivity to the neighborhood’s residential character.

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During 2010, an Adaptive Use Overlay District special permit was issued for the redevelopment of the property at **146 Main Street**. The approved project was to include extensive reconstruction of the existing structure and the construction of an approximately 7,000 sq. ft addition to be used for professional office space. During 2011, the applicant submitted a plan modification; the scope of work has been reduced and will focus primarily on the reconstruction of the existing structure. Construction is expected to commence in the spring of 2012.

SCENIC ROAD WORK PERMITS – Medway has designated 25 roadways as official Medway Scenic Roads. To protect the scenic/rural quality of these roadways, efforts are made to preserve the trees and stone walls that are located in the right of way of these Town streets. Whenever construction occurs on a scenic roadway that would result in the removal of trees or the destruction of stone walls that are located in the Town's right of way, the Medway Planning & Economic Development Board and the Tree Warden are required to conduct a public hearing and issue a Scenic Road Work Permit. In 2011, the Board modified a previous scenic road work permit for a minor change in plans for a curb cut on Ellis Street for a house in the Applegate subdivision.

PLANNING INITIATIVES

- The Town began a planning initiative to evaluate the Oak Grove/bottle cap lots area with funding support provided by Mass Development. The project was put on hold in April 2011 to conduct extensive title research on the backgrounds of the Oak Grove parcels. We expect it will resume in the summer of 2012.
- Medway participated in a parking study conducted by the Metropolitan Area Planning Council (MAPC). A series of parking improvement recommendations were provided in December 2011 which will be reviewed during 2012 and used to develop proposed amendments to the zoning bylaw and various rules/regulations which address parking.
- Medway actively participated in the development of the 495 MetroWest Compact Regional Plan by proposing target areas for preservation and development.

PERSONNEL – The Planning and Economic Development office is staffed by Susy Affleck-Childs who works full time as the Planning and Economic Development Coordinator and by Administrative Secretary Fran Hutton Lee whose time is split between the Planning/Economic Development and Building Departments. Amy Sutherland serves as a part-time recording secretary for Planning and Economic Development Board and the Economic Development Committee meetings. During 2011, the office provided staff support and professional services to the Design Review Committee, Open Space Committee, Affordable Housing Committee and Trust, the Economic Development Committee, and the Community Farm Liaison Committee.

Gino Carlucci, of PGC Associates, the Town's consulting planner, has increasingly aided the Board in developing strategies to improve the quality of the Town's residential and commercial development. His help has been instrumental in assisting the Board to develop proposals to amend the Medway Zoning bylaw. He participates in various regional planning and economic development organizations and chairs the Southwest Area sub-region of the Metropolitan Area Planning Council. Gino is a staunch advocate for Medway throughout the region and always represents us well.

Tetra Tech Rizzo (TTR), based in Framingham, serves as the Town's engineering consultant; we are ably assisted by professional engineer Dave Pellegrini. TTR assists the Board by conducting the technical engineering reviews for all development projects, focusing on road construction and stormwater management. TTR also conducts site inspections during infrastructure construction of subdivisions and other development projects and is the Board's eyes on the ground to ensure that roadway and infrastructure construction are completed in accordance with approved plans.

The Board is also grateful to Town Counsel Barbara Saint Andre of Petrini and Associates for her ready advice and assistance as we attempt to craft creative zoning initiatives and manage the legal details of subdivisions, special permits, and street acceptance. A high commitment to protecting the Town's best interests is inherent in all her work and we appreciate that diligence and care.

We sincerely appreciate Susy, Fran, Amy, Gino, Dave and Barbara for their loyal service to Medway's Planning and Economic Development Board and office.

LOOKING TO 2012 - PRIORITIES

- Pursue Street Acceptance for the Claybrook II and The Meadows subdivisions
- Resume work on Oak Grove/bottle cap lots planning project
- Continue efforts to improve the zoning bylaw
- Review site plan for a commercial development proposal at 72 Main Street
- Participate in the Metropolitan Area Planning Council's Local Energy Action Program (LEAP)
- Support the Economic Development Committee's efforts to expand the Town's economic development services
- Publish a fully updated zoning map

CLOSING COMMENTS – Although it has continued to be a very challenging economic period for development, we believe Medway is on the cusp of a reinvention that will invigorate and excite the possibilities for future generations of Medway's residents.

This Board continues to believe that good results come from good planning. With that philosophy, we hope that Medway will continue to contribute and support us as elected officials and support the fundamental soundness of good planning and engineering practices. With each passing year and the build-out of more of Medway's land, it becomes even more imperative that Medway be vigilant in its efforts to grow smartly. This is how we endeavor to serve.

We will work toward a vision that establishes and promotes a more diversified tax base for Medway, thereby creating a more stable community for us to live in. We will do that by utilizing proper planning techniques, giving attention to design elements that make our community attractive, respecting residents' opinions and perspectives, and balancing the community's vision with private property rights. Past Planning Boards built the platform from which the current Planning and Economic Development Board works. They developed and promoted the adoption of zoning bylaw amendments to expand the available supply of commercially zoned land and a broader range of business types. Other zoning changes allowed for alternative housing options such as adult retirement communities and open space subdivisions. Compared to conventional

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subdivisions, these types of residential development offer a wider array of housing options and preserve open space. Those bylaw changes are starting to bear fruit as reflected in the various developments described in this report.

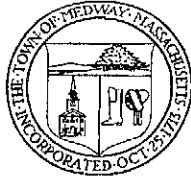
I would like to recognize the hard work of the allied committees with whom we work closely - the Design Review Committee, Open Space Committee, Economic Development Committee and the Affordable Housing Committee. I encourage you to read their individual annual reports for highlights of their activities during 2011.

It has been my privilege and pleasure to serve Medway during 2011 with my fellow Board members Tom Gay, Chan Rogers, Karyl Spiller-Walsh and Bob Tucker. I admire their dedication and thank them for providing their time, talents and thoughtful perspectives. I specifically want to thank Bob Tucker for his support and always being available to pitch in when I wasn't able to participate. I would also like to recognize Planning and Economic Development Coordinator Susy Affleck-Childs for her tireless work on our behalf and for her comprehensive vision of what community planning and economic development can be in a small community.

On behalf of the full Board, I want to thank the citizens of Medway for affording us the opportunity to help guide the growth and development of this wonderful community we call HOME!

Respectfully submitted,

Andy Rodenhiser, Chairman
3/13/2012



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

MEMORANDUM

March 9, 2012

TO: Board of Selectmen
FROM: Susy Affleck-Childs, Planning and Economic Development Coordinator
RE: Strategic Plan for Medway

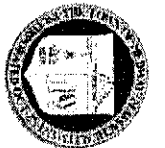
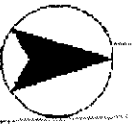


At the 3/8/2012 BOS meeting, you had a brief conversation about initiating a process to develop a strategic development plan for Medway. Chairman Foresto proposed that the BOS kick off such a project by meeting with various town boards/committees.

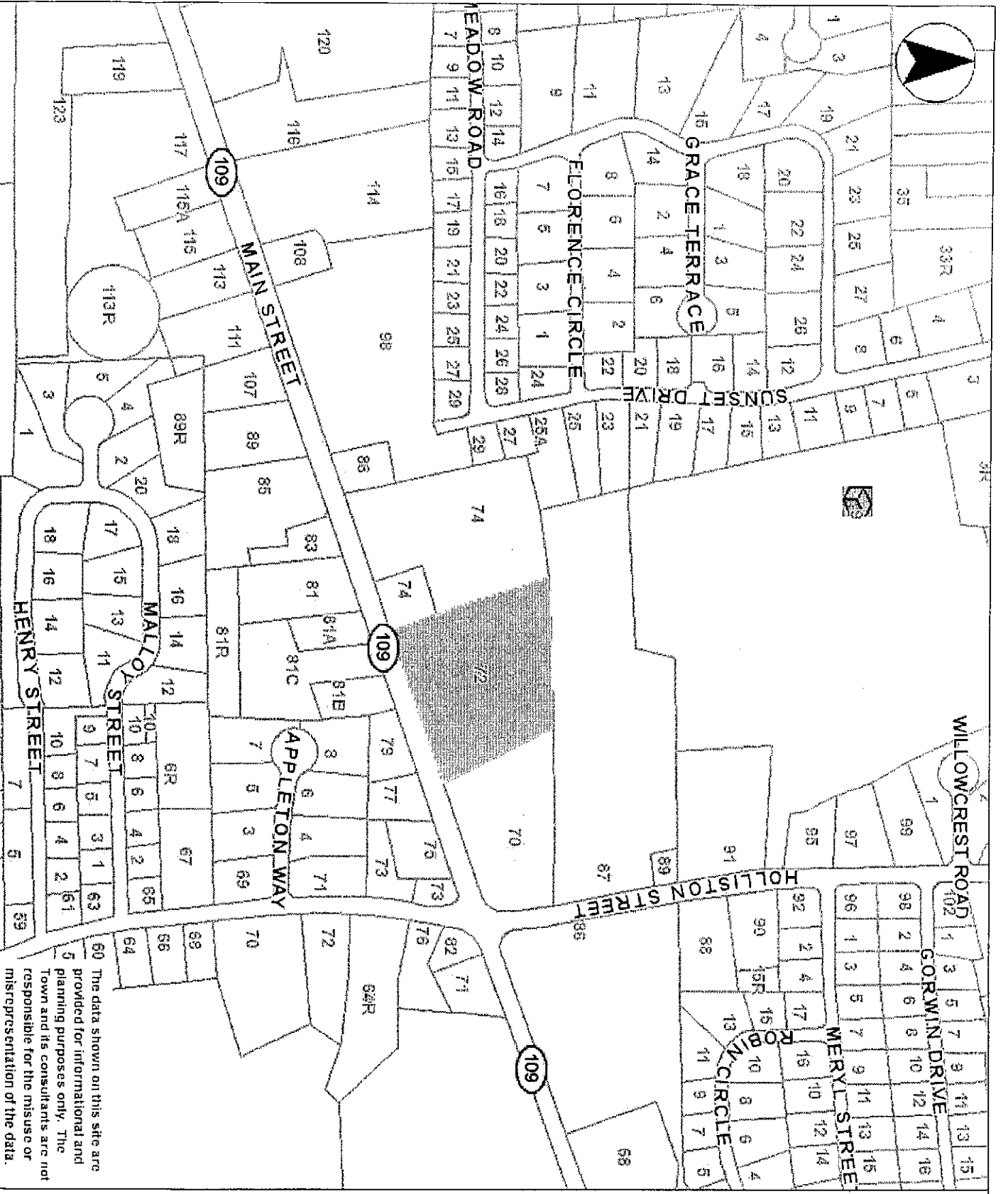
I know the Planning and Economic Development Board (PEDB) would welcome an opportunity to meet with the Board of Selectmen and other town boards/committees to discuss the development issues, challenges and opportunities facing Medway. I believe the PEDB would want to be a very active partner with you in this endeavor, as would I.

Attached is a copy of the 2009 Medway Master Plan as approved by the PEDB and adopted by Town Meeting. The preparation of the updated Master Plan was undertaken in 2008 by a group of talented Medway volunteers representing the various land use boards/committees. Guidance and support were provided by the PEDB, this office, and Gino Carlucci, the Town's planning consultant. As you begin to consider this important undertaking, I would encourage you to familiarize yourself with the Medway Master Plan and the thoughtful approach taken in its development.

Thanks.

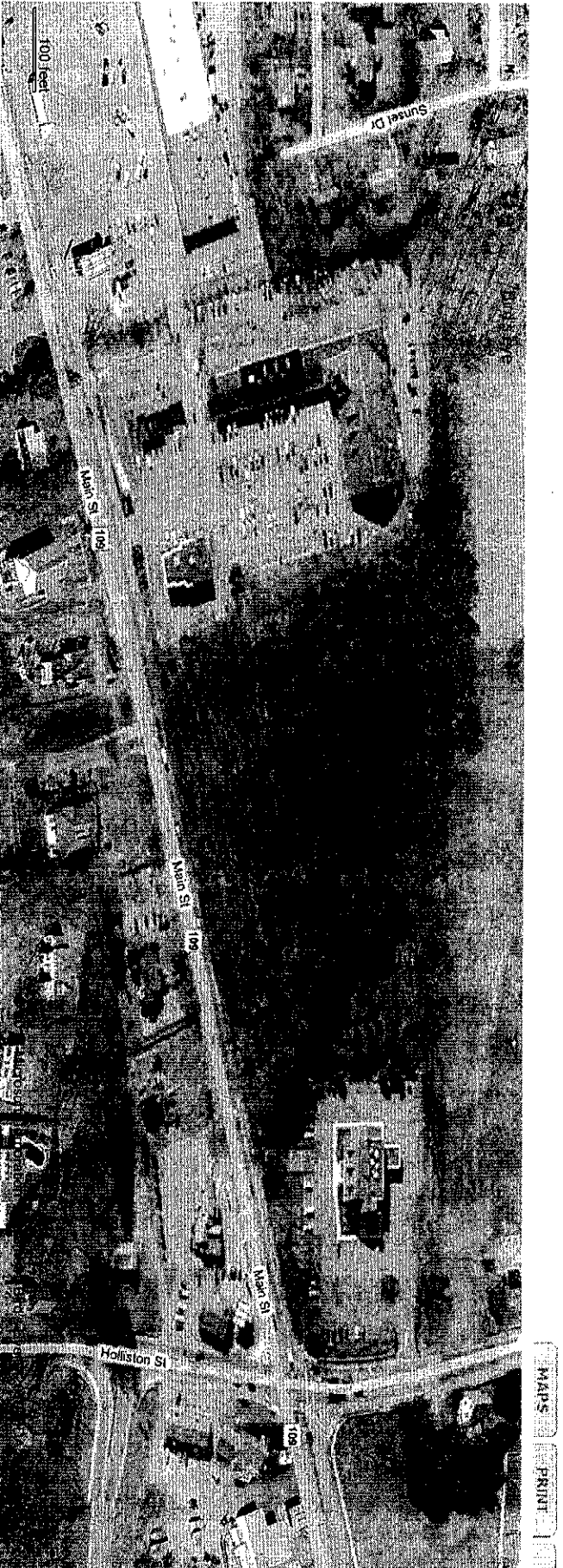


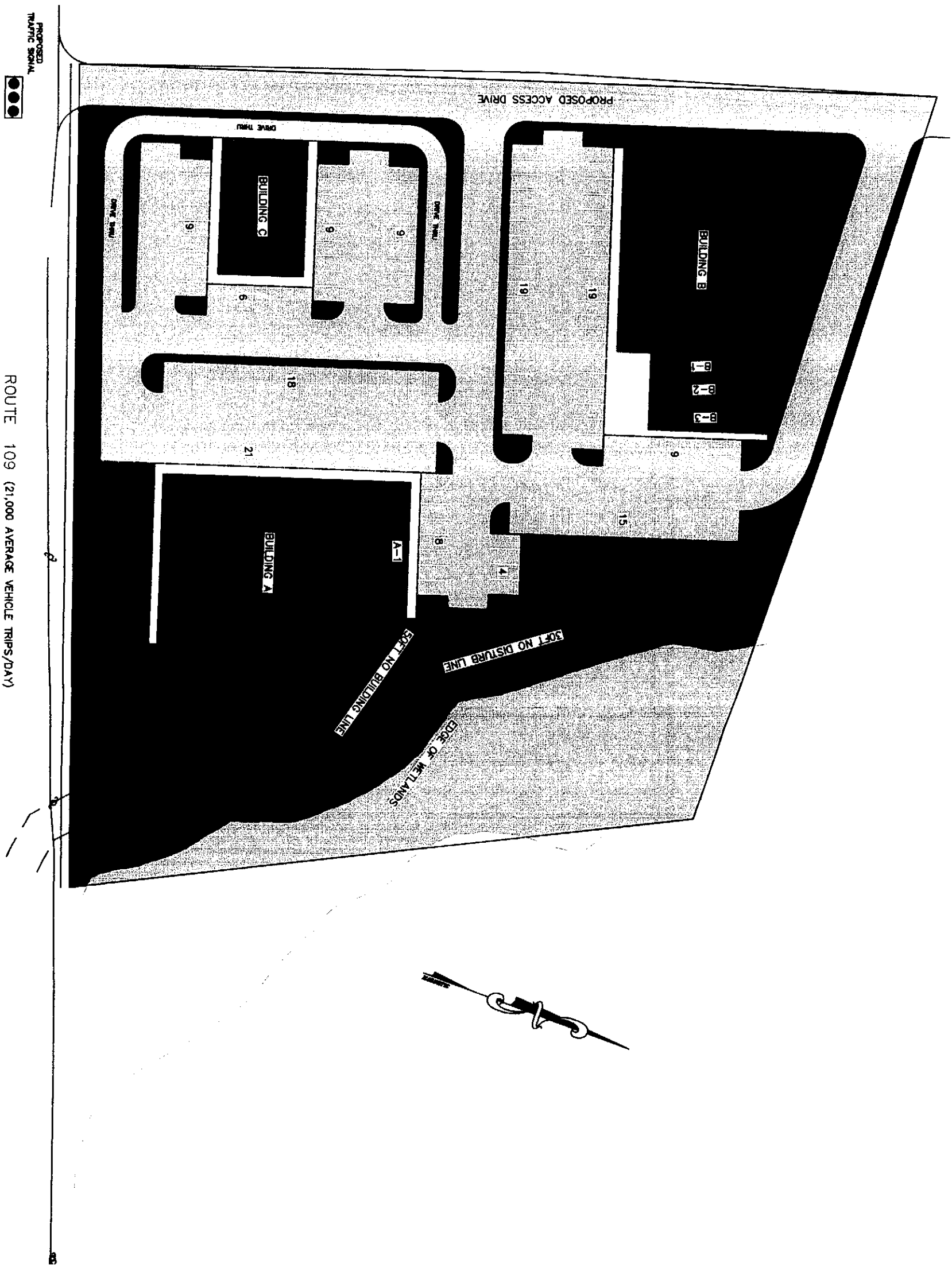
- Places**
- Fire Stations
 - Police Stations
 - Town Halls
 - Public Libraries
 - Schools
 - Commuter Rail Stations
 - Commuter Rail
 - Town Boundary
 - Streets
 - Buildings
 - Parcel With Aerials
 - Parcel



60 The data shown on this site are provided for informational and planning purposes only. The Town and its consultants are not responsible for the misuse or misrepresentation of the data.

1/2 Main St



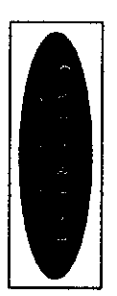


ROUTE 109 (21,000 AVERAGE VEHICLE TRIPS/DAY)

TABLE

BUILDING DIMENSIONS	AREA
A	100' X 130' 13,000 S.F.
A-1	80' X 15' 1,200 S.F.
B	90' X 120' 10,800 S.F.
B-1	70' X 15' 1,050 S.F.
B-2	70' X 15' 1,050 S.F.
B-3	70' X 15' 1,050 S.F.
C	50' X 80' 4,000 S.F.

146 PROPOSED PARKING APACES.



BUILDING DESIGN BY:
 LANTRY ARCHITECTS
 389 MAIN STREET
 SALEM, NH 03079

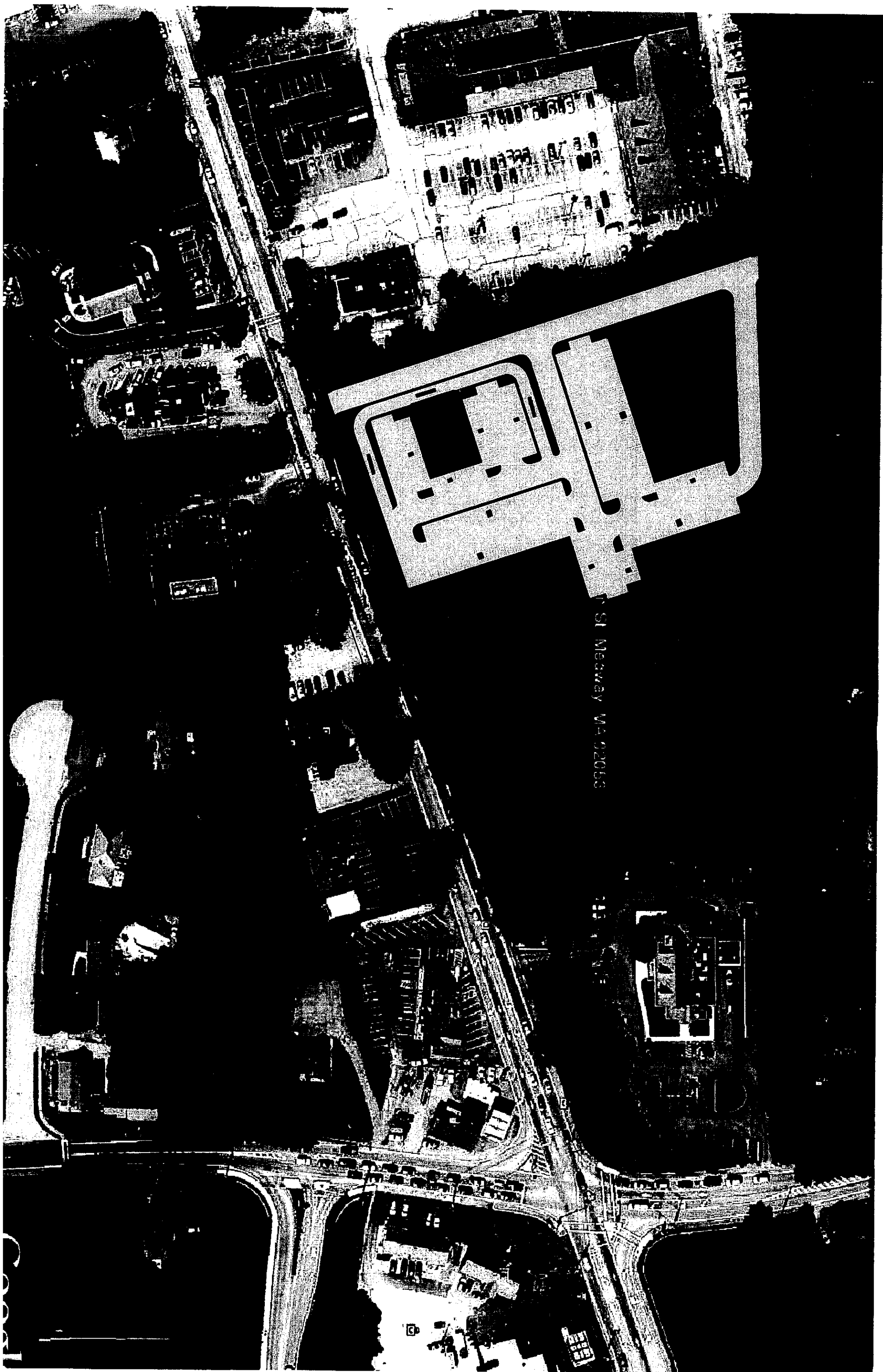
TRI VALLEY COMMONS

PRELIMINARY
 PLAN OF LAND

MEDWAY, MA

SCALE: 30 FEET TO AN INCH
 DATE: MARCH 1, 2012

Guerriere & Halnon, Inc.
 Engineering & Land Surveying
 155 WEST STREET, FLOOR 2000
 (603) 575-8800 FAX: (603) 575-2545



ST. MARYWAY MA 02068

BATTERY ENERGY STORAGE SYSTEM (BESS)

OWNER:
SITHE WEST MEDWAY LLC.
A SUBSIDIARY OF EXELON CORPORATION
P.O. BOX 567
NORWOOD, MA 02062

A123 SYSTEMS, INC.
NSTAR STATION 65 WEST
34 WEST STREET
MEDWAY, MASSACHUSETTS

EASEMENT HOLDER:
NSTAR ELECTRIC
PROPERTY TAX DEPARTMENT
P.O. BOX 567
NORWOOD, MA 02062

ASSESSOR'S MAP 2 LOT 59
MEDWAY ZONING DISTRICT IND-II

APPLICANT:
A123 SYSTEMS, INC.
155 FLANDERS ROAD
WESTBOROUGH, MA 01581

ENGINEER:
GZA GEOENVIRONMENTAL, INC.
1 EDGEWATER DRIVE
NORWOOD, MA 02062

MEDWAY ZONING DISTRICT IND-II TABLE OF ZONING REQUIREMENTS

	REQUIRED	PROPOSED
LOT AREA	20,000 SF	48± ACRES
FRONTAGE	100 FEET	2300± FEET
LOT DEPTH		720± FEET
LOT WIDTH		2600± FEET
FRONT SETBACK	30 FEET	43± FEET
SIDE SETBACK	20 FEET	600± FEET
REAR SETBACK	30 FEET	560± FEET
LOT COVERAGE		1000± SF
PARKING SPACES		NONE



- DRAWING LIST:
- C COVER SHEET
 - 1 SITE CONTEXT PLAN
 - 2 EXISTING CONDITIONS PLAN
 - 3 PROPOSED SITE PLAN
 - 4 PROPOSED LANDSCAPING, ARCHITECTURAL AND LIGHTING PLAN
 - 5 DETAILS

LIST OF REQUESTED WAIVERS:

- DEVELOPMENT IMPACT STATEMENT
- EXISTING LANDSCAPE INVENTORY
- LANDSCAPE ARCHITECTURAL PLAN
- BUILDING LAYOUT/FLOORPLAN

SECTION IV S. 204-3 (A)(7)
SECTION IV S. 204-5 (C)(3)
SECTION IV S. 204-5 (D)(7)
SECTION IV S. 204-5 (D)(10)



PLANNING BOARD ENDORSEMENT

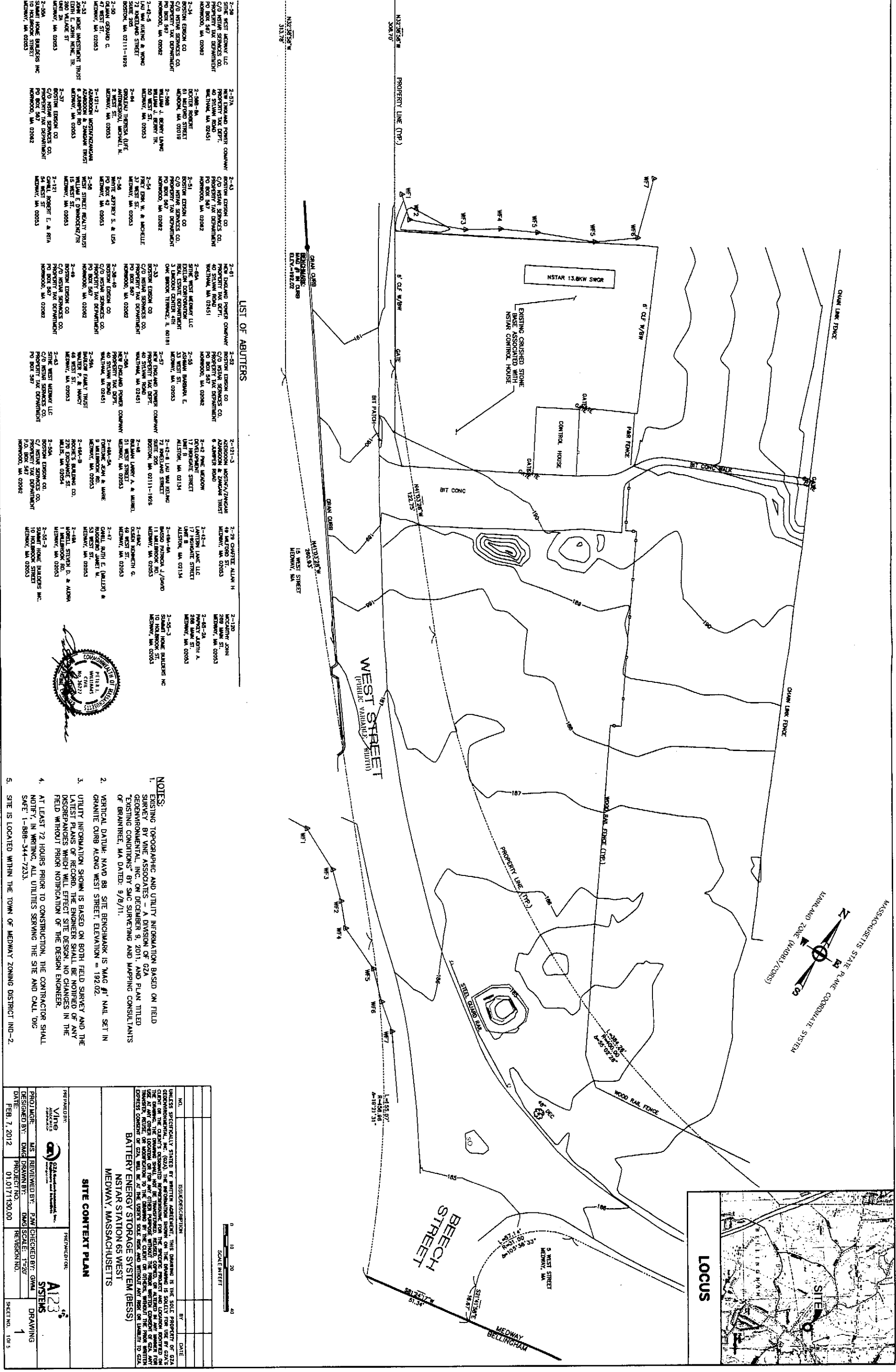
NO.	DESCRIPTION	BY	DATE

UNLESS SPECIFICALLY STATED BY WRITTEN AGREEMENT, THIS DRAWING IS THE SOLE PROPERTY OF GZA GEOENVIRONMENTAL, INC. (GZA). THE ENGINEER IS NOT RESPONSIBLE FOR THE SPECIFIC PROJECT AND LOCATION IDENTIFIED ON THIS DRAWING. THE DRAWING SHALL NOT BE REPRODUCED, COPIED, OR ALTERED IN ANY MANNER FOR THE PROJECT OR FOR ANY OTHER PROJECT WITHOUT THE WRITTEN CONSENT OF GZA. THE ENGINEER'S LIABILITY IS LIMITED TO THE DESIGN AND CONSTRUCTION OF THE PROJECT AND WITHOUT ANY OBLIGATION TO OBTAIN PERMITS OR TO OBTAIN ANY OTHER APPROVALS FROM ANY AGENCY OR AUTHORITY. THE ENGINEER'S LIABILITY IS LIMITED TO THE DESIGN AND CONSTRUCTION OF THE PROJECT AND WITHOUT ANY OBLIGATION TO OBTAIN PERMITS OR TO OBTAIN ANY OTHER APPROVALS FROM ANY AGENCY OR AUTHORITY.

BATTERY ENERGY STORAGE SYSTEM (BESS)
NSTAR STATION 65 WEST
MEDWAY, MASSACHUSETTS

COVER

PREPARED BY: A123 SYSTEMS	PROJECT NO. 01-0717150.00
DESIGNED BY: DMQ	REVISION NO.
CHECKED BY: GWA	DATE: FEB. 7, 2012
PROJECT NO. 01-0717150.00	SHEET NO. C OF 5



LIST OF ABUTERS

NO.	ADDRESS	OWNER	DATE
2-28	215 WEST LEBANON LDC C/O WEST LEBANON LDC PROPERTY TAX DEPARTMENT PO BOX 547 NORWOOD, MA 02062	WEST LEBANON LDC	9/8/11
2-29	2-31A NEW ENGLAND POWER COMPANY PROPERTY TAX DEPARTMENT 40 STILWELL ROAD WALTHAM, MA 02451	NEW ENGLAND POWER COMPANY	9/8/11
2-30	2-31 DEXTER ROBERT 61 BELFORD STREET MEDFORD, MA 02155	DEXTER ROBERT	9/8/11
2-31	2-31B WILLIAM J. BERRY LIVING 50 WEST ST. MEDFORD, MA 02053	WILLIAM J. BERRY LIVING	9/8/11
2-32	2-32 LNU WA KLING & WONG 72 BELLEWOOD STREET BOSTON, MA 02111-1876	LNU WA KLING & WONG	9/8/11
2-33	2-33 ANTONIOS THOMAS (LIFE) 2 WEST ST. MEDFORD, MA 02053	ANTONIOS THOMAS (LIFE)	9/8/11
2-34	2-34 JOHN HENK INVESTMENT TRUST EDEN E. JOHN HENK TR. UNIT 2A JACOB ST. MEDFORD, MA 02053	JOHN HENK INVESTMENT TRUST	9/8/11
2-35	2-35 C/O WEST LEBANON LDC PROPERTY TAX DEPARTMENT PO BOX 547 NORWOOD, MA 02062	WEST LEBANON LDC	9/8/11
2-36	2-36 C/O WEST LEBANON LDC PROPERTY TAX DEPARTMENT PO BOX 547 NORWOOD, MA 02062	WEST LEBANON LDC	9/8/11
2-37	2-37 C/O WEST LEBANON LDC PROPERTY TAX DEPARTMENT PO BOX 547 NORWOOD, MA 02062	WEST LEBANON LDC	9/8/11
2-38	2-38 C/O WEST LEBANON LDC PROPERTY TAX DEPARTMENT PO BOX 547 NORWOOD, MA 02062	WEST LEBANON LDC	9/8/11
2-39	2-39 C/O WEST LEBANON LDC PROPERTY TAX DEPARTMENT PO BOX 547 NORWOOD, MA 02062	WEST LEBANON LDC	9/8/11
2-40	2-40 C/O WEST LEBANON LDC PROPERTY TAX DEPARTMENT PO BOX 547 NORWOOD, MA 02062	WEST LEBANON LDC	9/8/11
2-41	2-41 C/O WEST LEBANON LDC PROPERTY TAX DEPARTMENT PO BOX 547 NORWOOD, MA 02062	WEST LEBANON LDC	9/8/11
2-42	2-42 C/O WEST LEBANON LDC PROPERTY TAX DEPARTMENT PO BOX 547 NORWOOD, MA 02062	WEST LEBANON LDC	9/8/11
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2-45	2-45 C/O WEST LEBANON LDC PROPERTY TAX DEPARTMENT PO BOX 547 NORWOOD, MA 02062	WEST LEBANON LDC	9/8/11
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2-61	2-61 C/O WEST LEBANON LDC PROPERTY TAX DEPARTMENT PO BOX 547 NORWOOD, MA 02062	WEST LEBANON LDC	9/8/11
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2-100	2-100 C/O WEST LEBANON LDC PROPERTY TAX DEPARTMENT PO BOX 547 NORWOOD, MA 02062	WEST LEBANON LDC	9/8/11

- NOTES:
- EXISTING TOPOGRAPHIC AND UTILITY INFORMATION BASED ON FIELD SURVEY BY VINE ASSOCIATES - A DIVISION OF GZA GEOTECHNICAL, INC. ON DECEMBER 9, 2011, AND PLAN TITLED "EXISTING CONDITIONS" BY SAG SURVEYING AND MAPPING CONSULTANTS OF BRANTREE, MA DATED: 9/8/11.
 - VERTICAL DATUM: NAVD 83. SITE BENCHMARK IS MAG #1 NAIL SET IN GRANITE CURB ALONG WEST STREET. ELEVATION = 192.02.
 - UTILITY INFORMATION SHOWN IS BASED ON BOTH FIELD SURVEY AND THE LATEST PLANS OF RECORD. THE ENGINEER SHALL BE NOTIFIED OF ANY DISCREPANCIES WHICH WILL EFFECT SITE DESIGN. NO CHANGES IN THE FIELD WITHOUT PRIOR NOTIFICATION OF THE DESIGN ENGINEER.
 - AT LEAST 72 HOURS PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL NOTIFY, IN WRITING, ALL UTILITIES SERVING THE SITE AND CALL DIG SAFE 1-888-344-7233.
 - SITE IS LOCATED WITHIN THE TOWN OF MEDWAY ZONING DISTRICT IND-2.

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMIT	2/10/12
2	REVISION	
3	REVISION	
4	REVISION	
5	REVISION	

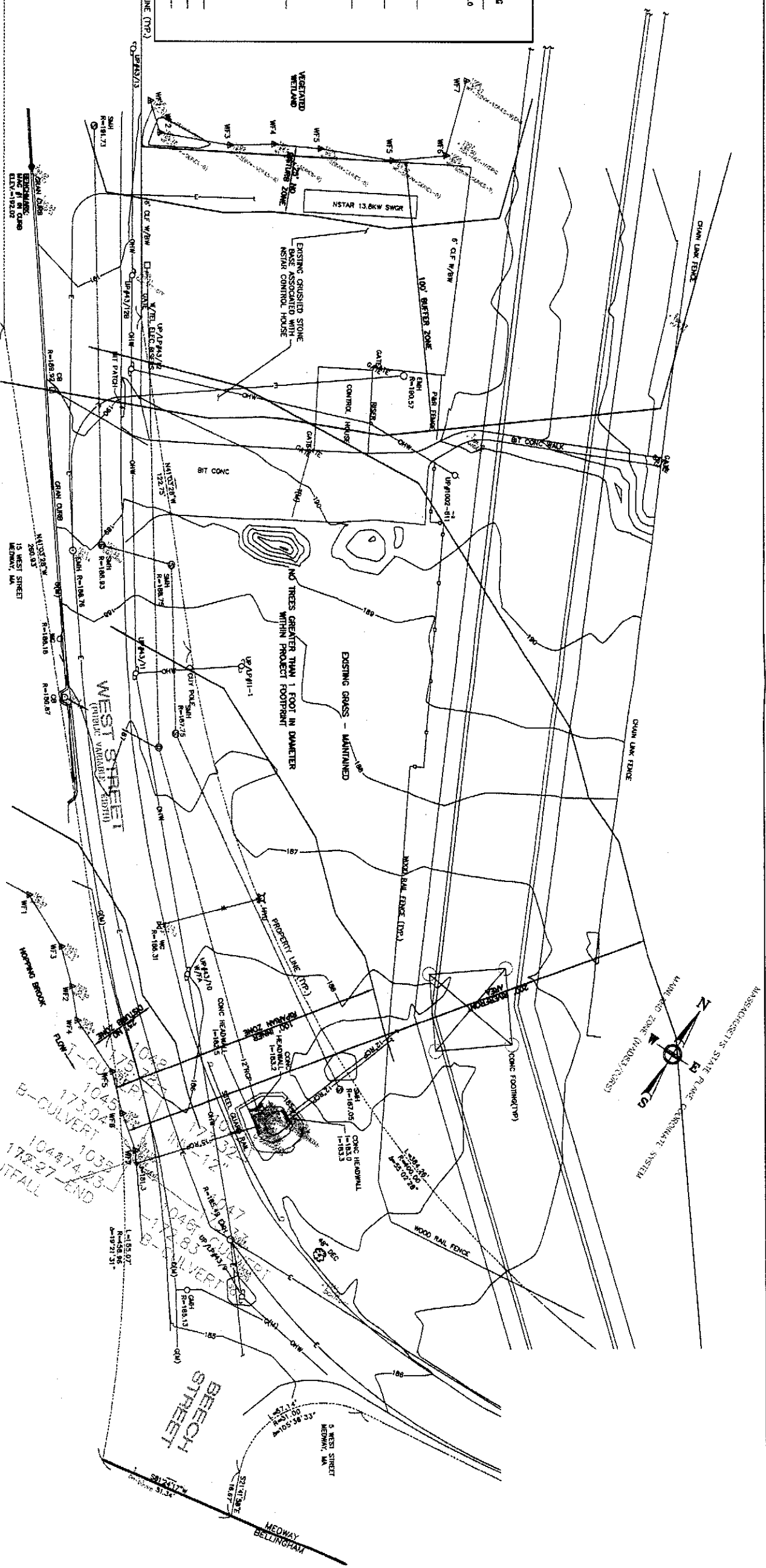
PREPARED BY: **Vine**
 DESIGNED BY: **MS** REVIEWED BY: **FWJ** CHECKED BY: **GMA**
 PROJECT NO: **01.017130.00** REVISION NO.:
 DATE: **FEB. 7, 2012** SHEET NO. **101.5**

MASSACHUSETTS STATE PLANE COORDINATE SYSTEM
 LOCAL AND ZONE (NAD83/CONUS)
 BEECH STREET
 MEDWAY BELLINGHAM
 LOCUS

LEGEND

EXISTING

- CONTOUR 15' - 20.0'
- SPOT GRADE
- DRAIN MANHOLE
- CATCH BASIN
- SEWER MANHOLE
- SEWER LINE
- SEWER VALVE
- WATER LINE
- WATER VALVE
- HYDRANT
- UTILITY POLE
- STREET LIGHT
- EROSION CONTROL
- GAS VALVE
- ELECTRIC MANHOLE
- TELEPHONE MANHOLE
- WETLAND FLAG
- ROADFRONT AREA
- BUFFER ZONE
- UNDERGROUND ELECTRIC CONDUIT



NOTES:
1. SEE SHEET 1 OF 5 FOR NOTES.

NO.	REVISION/DESCRIPTION	BY	DATE

UNLESS SPECIFICALLY STATED BY WRITTEN AGREEMENT, THIS DRAWING IS THE SOLE PROPERTY OF GZA. THE CLIENT'S RESPONSIBILITY IS TO OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE, AND FEDERAL AGENCIES. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE, AND FEDERAL AGENCIES. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE, AND FEDERAL AGENCIES.

EXISTING CONDITIONS PLAN

BATTERY ENERGY STORAGE SYSTEM (BESS)
NSSTAR STATION 65 WEST
MEDWAY, MASSACHUSETTS

PREPARED FOR: **Vine Systems**

DESIGNED BY: MS
DRAWN BY: DMG
PROJECT NO. 010171130.00

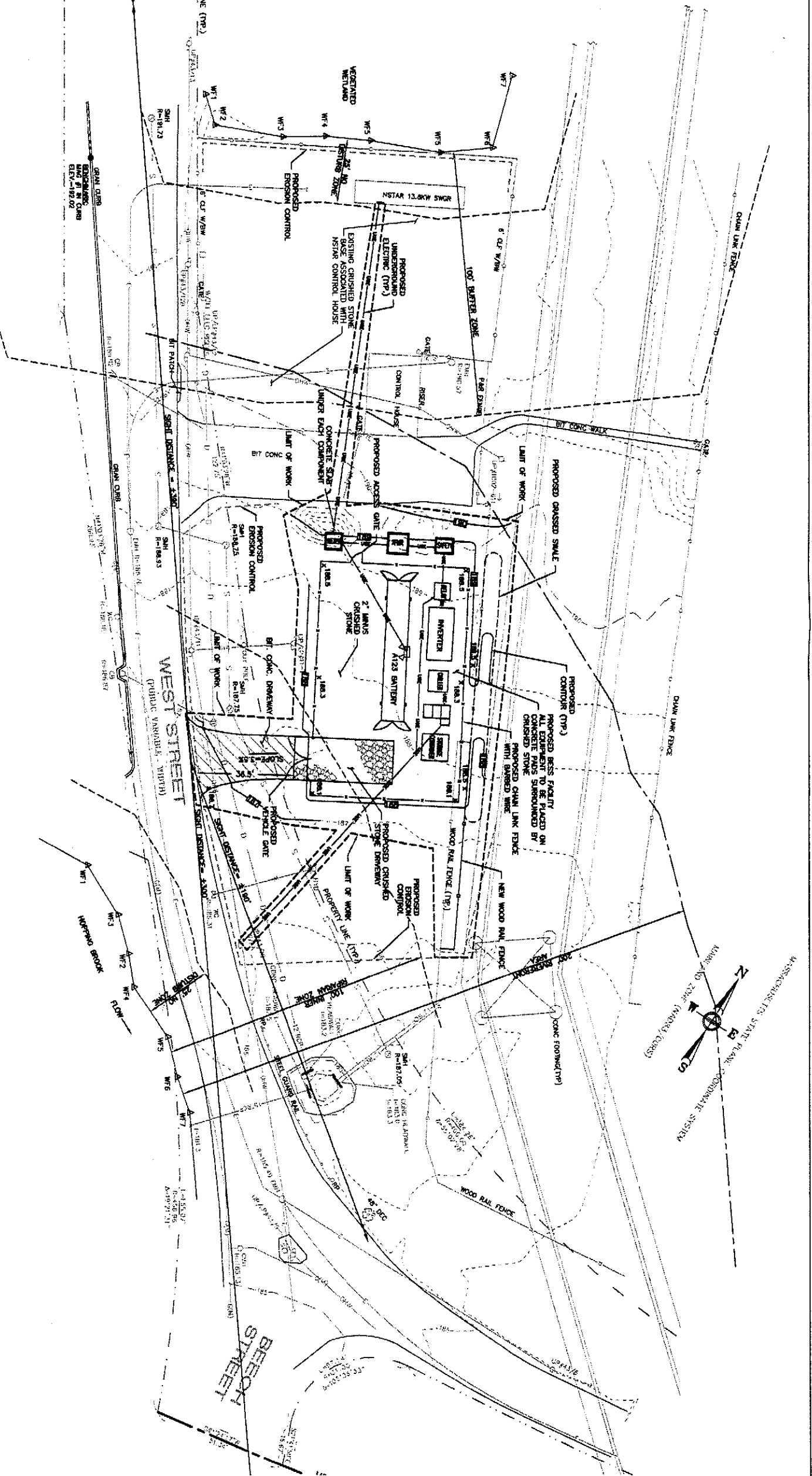
REVIEWED BY: PMW
CHECKED BY: GWM
SCALE: 1"=20'
REVISION NO.

DRAWING NO. 2
SHEET NO. 2015

LEGEND

EXISTING

- CONTOUR 15' 10'
- SPOT GRADE 1.20.0
- DRAIN MANHOLE (D)
- CATCH BASIN (CB)
- DRAIN LINE (DL)
- SEWER MANHOLE (S)
- SEWER LINE (SL)
- WATER VALVE (WV)
- WATER LINE (WL)
- HYDRANT (H)
- UTILITY POLE (UP)
- STREET LIGHT (SL)
- EROSION CONTROL (EC)
- GAS VALVE (GV)
- ELECTRIC MANHOLE (EM)
- TELEPHONE MANHOLE (TM)
- WETLAND FLAG (WF)
- RIVERBENT AREA (RA)
- BUFFER ZONE (BZ)
- APPROXIMATE TRENCHING FOR POWER (2" W/3" D TRENCH) (T)



NOISE ORDINANCE ZONING REQUIREMENTS

Less than and under:	63 Hz	125 Hz	250 Hz	500 Hz	1000 Hz	2000 Hz	4000 Hz	8000 Hz
Zoning	69	54	47	41	37	34	31	28
5 West	43	41.5	38	37	34.5	28	21	10.5
15 West	51.5	50.5	39.5	37.5	34.5	28	21	10.5



NOTES:
1. SEE SHEET 1 OF 4 FOR NOTES.

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BATTERY ENERGY STORAGE SYSTEM (BESS)
NSIAR STATION 65 WEST
MEDWAY, MASSACHUSETTS

PROPOSED SITE PLAN

PREPARED BY: VING ASSOCIATES, INC.
DESIGNED BY: MS
DRAWN BY: DMG
DATE: FEBRUARY 2012

PROJECT NO.: 010171130.00

REVISION NO.:
REVISION NO.:
REVISION NO.:

CHECKED BY: GMM
SCALE: 1"=20'

DRAWING NO.: 3
SHEET NO. 3 OF 4

PROJECT: NSIAR ELECTRIC

PREPARED BY: A123 SYSTEMS, INC. AND NSIAR ELECTRIC

MEDWAY ZONING DISTRICT IND-II
TABLE OF ZONING REQUIREMENTS

REQUIRED	PROPOSED
LOT AREA	20,000 SF
FRONTAGE	48± ACRES
LOT DEPTH	2300± FEET
LOT WIDTH	720± FEET
FRONT SETBACK	30 FEET
SIDE SETBACK	43± FEET
REAR SETBACK	600± FEET
LOT COVERAGE	560± FEET
PARKING SPACES	1000± SF
	NONE

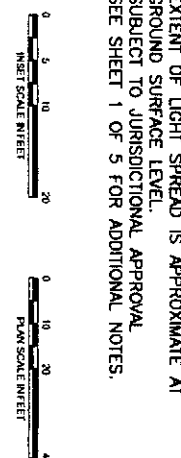
PA&B
FLEED39NW

DESCRIPTION
PROJECT: BATTERY ENERGY STORAGE SYSTEM (BESS) AT WEST STREET, MEDWAY, MASSACHUSETTS. PROJECT AREA: APPROXIMATELY 120,000 SQ. FT. (POLYFILLED UNDERGROUND COVERED).

SPECIFICATIONS

META TYPE: 100% RECYCLED ALUMINUM
LEDS: 100% RECYCLED ALUMINUM
CONCRETE: 100% RECYCLED AGGREGATE
PAINTING: IN OPPOSITE DIRECTIONS DOWNWARD MOUNTED CONTAINER
2 LED LIGHTS: POINTING IN OPPOSITE DIRECTIONS DOWNWARD MOUNTED CONTAINER
4' CRUSHED STONE: TYPICAL OUTSIDE OF FENCE
LAMP POST(S): TO BE REUSED AND RELOCATED FROM AREA IN FRONT OF THE PROPERTY. TO BE LOCATED EQUIDISTANT FROM ARBORVITAE.

- NOTES:**
1. LIGHT FIXTURE LOCATED AT AN APPROXIMATE EIGHT FOOT HEIGHT
 2. EXTENT OF LIGHT SPREAD IS APPROXIMATE AT GROUND SURFACE LEVEL.
 3. SUBJECT TO JURISDICTIONAL APPROVAL.
 4. SEE SHEET 1 OF 5 FOR ADDITIONAL NOTES.



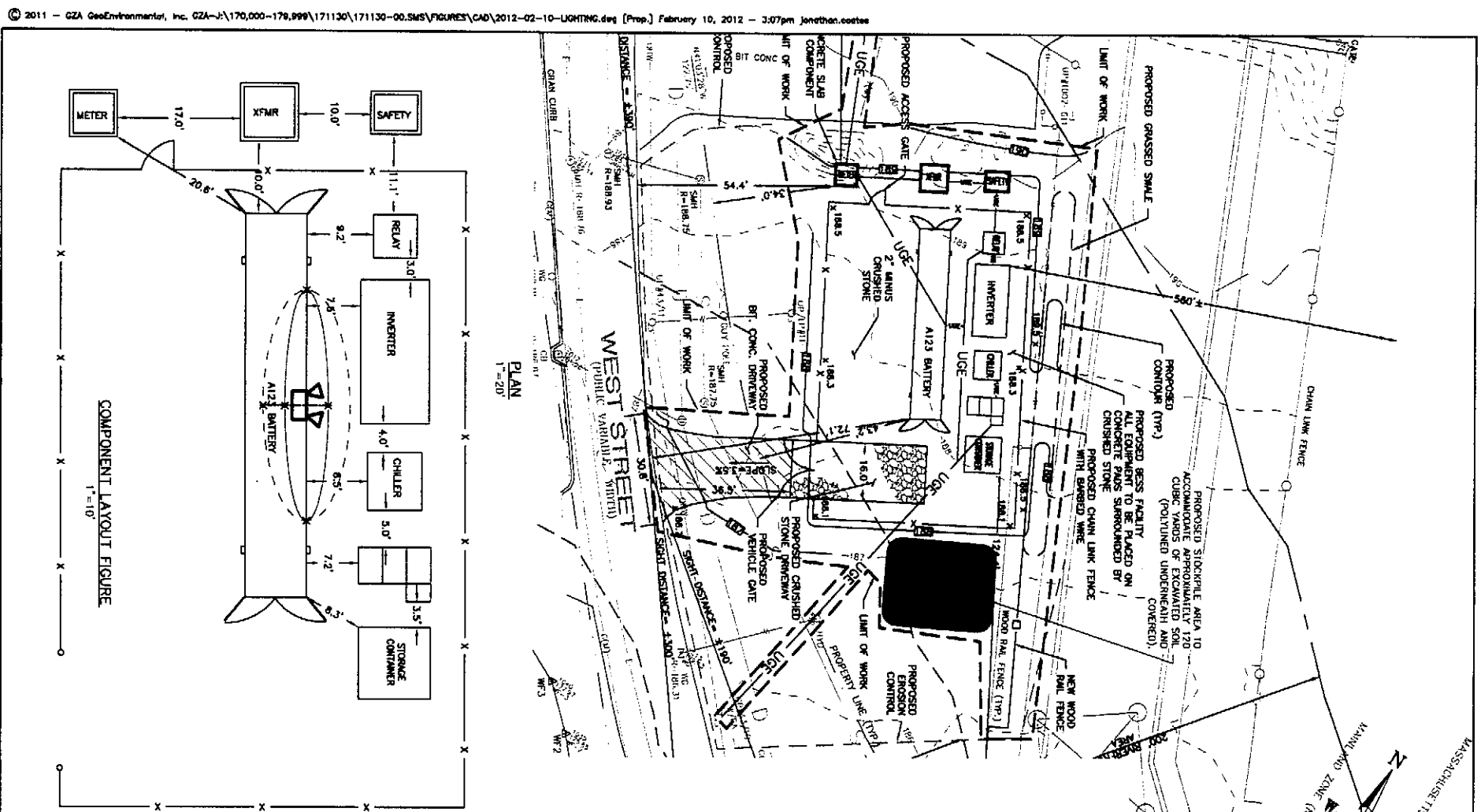
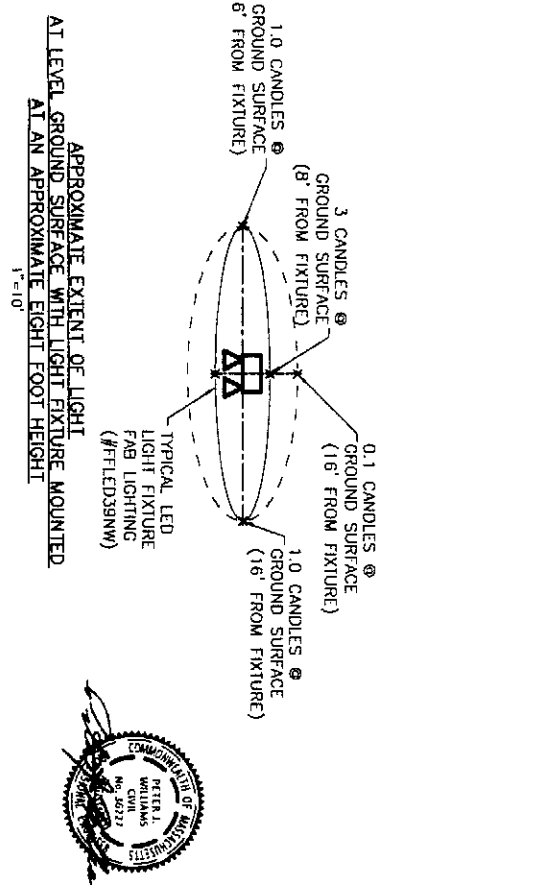
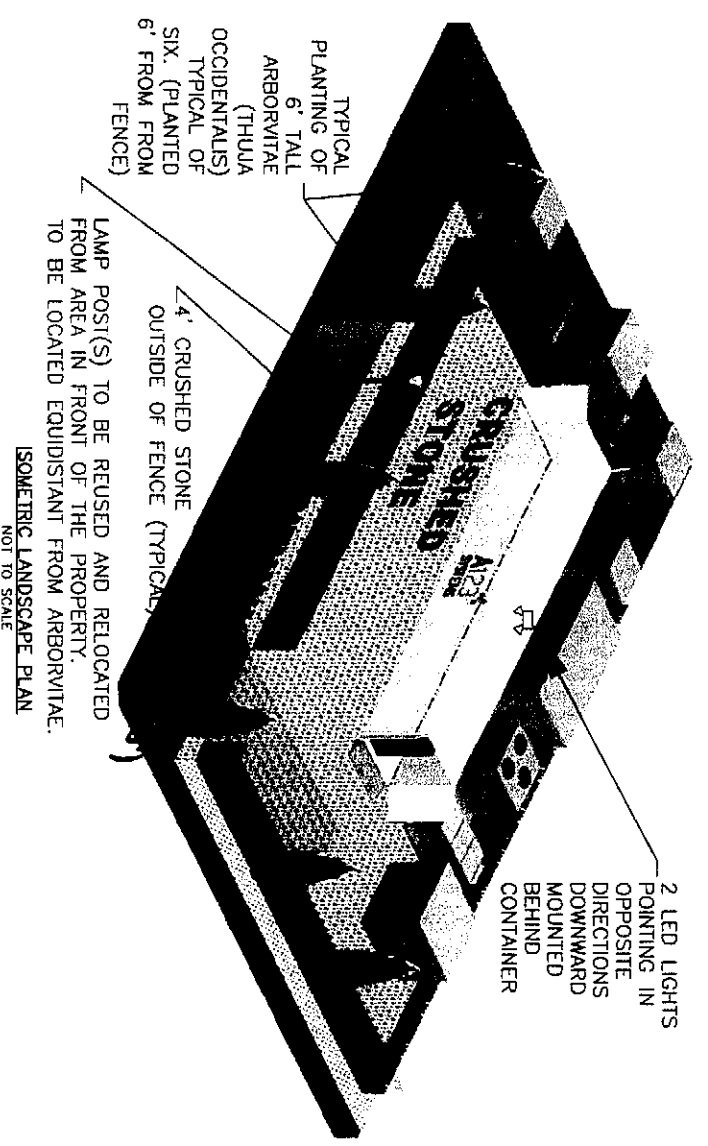
NO.	ISSUE/DESCRIPTION	BY	DATE

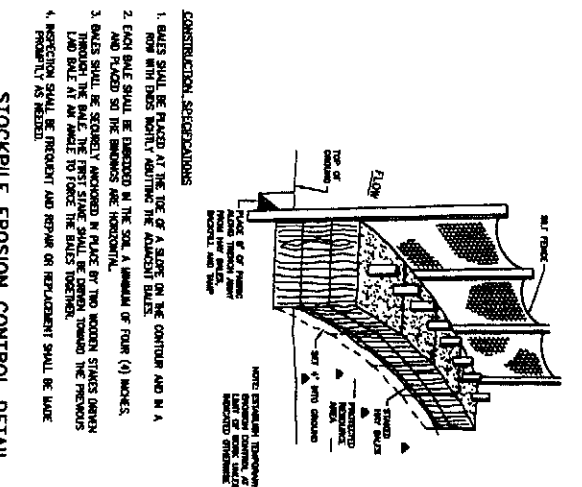
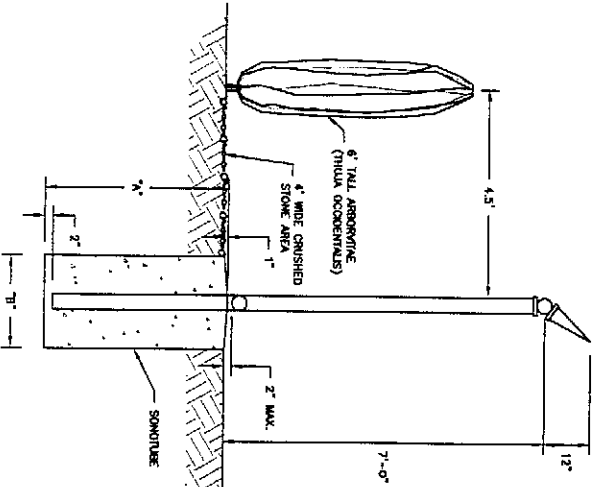
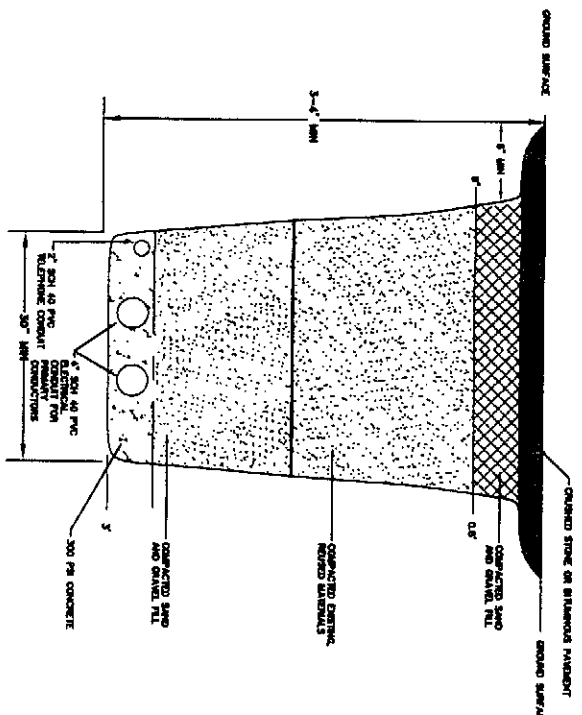
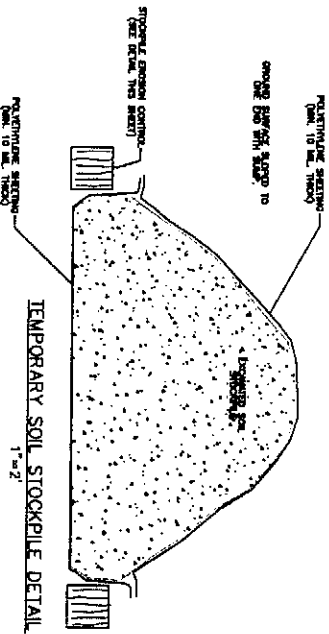
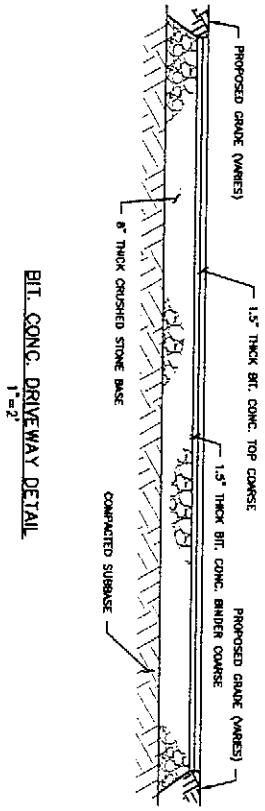
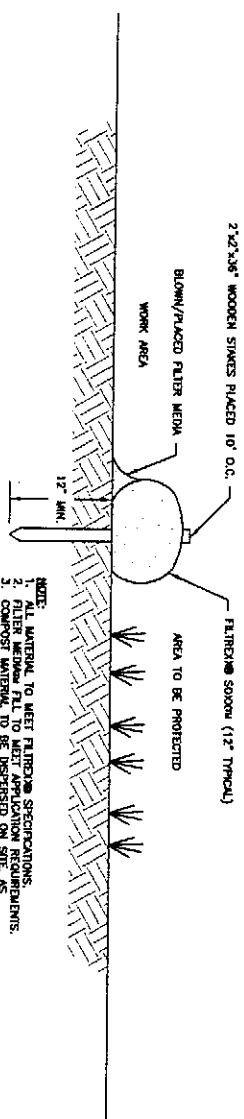
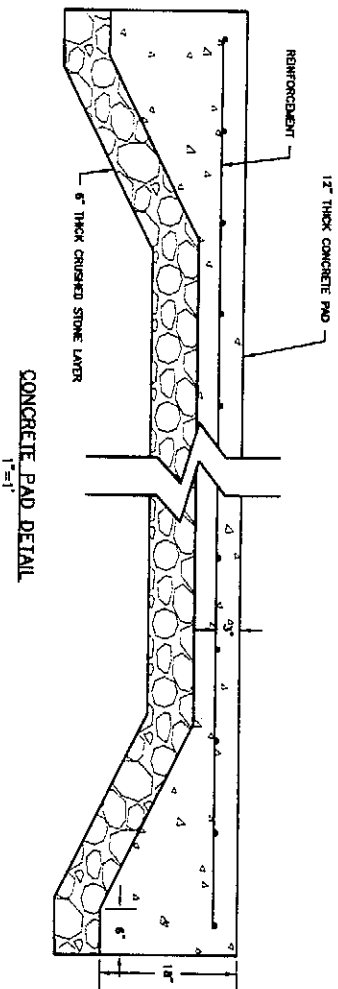
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LANDSCAPING, ARCHITECTURAL, AND LIGHTING PLAN
NSTAR STATION 65 WEST
MEDWAY, MASSACHUSETTS

PLAN LEGEND

EXISTING	EXISTING
CONTOUR	STREET LIGHT
SPOT GRADE	EROSION CONTROL
DRAIN MANHOLE	GAS VALVE
CATCH BASIN	ELECTRIC MANHOLE
DRAIN LINE	TELEPHONE MANHOLE
SEWER MANHOLE	WETLAND FLAG
SEWER LINE	RIVERFRONT AREA
WATER VALVE	BATTERY ZONE
WATER LINE	APPROXIMATE TRENCHING FOR POWER CONTROL CABLES (2"X3"0 TRENCH)
HYDRANT	
UTILITY POLE	





MATERIAL SIZES	HOW POST	O.D.
TOP RAIL	1 1/4"	1.800"
BOTTOM RAIL	1 1/4"	1.800"
RAIL	1 1/4"	1.800"
CORNER POST	2 1/2"	2.875"
LINE POST	2 1/2"	2.875"
SINGLE	0 FT. TO 6 FT.	4.000"
DOUBLE	7 FT. TO 10 FT.	6.875"
TRIPLE	11 FT. TO 12 FT.	4.000"
QUAD	13 FT. TO 20 FT.	6.875"
PEN	OVER 20 FT.	6.875"

- NOTES:
- FENCE TO HAVE 3 STRINGS OF ALUMINUM COATED STEEL BARRED
 - WIRE MOUNTED ON 45° ANGLE BRACKETS ON FENCE POSTS AND FASTENED TO THE TOP AND BOTTOM RAIL WITH #8 GALV. METAL BANDS SPACED 24" O.C.
 - ALL CONCRETE TO BE 3,000 PSI, 28 DAY STRENGTH.
 - ALL POSTS, BRACKETS, FITTINGS AND HARDWARE TO BE GALV. METAL.
 - INCLUDE BRACKETS SHALL POINT OUTSIDE THE ENCLOSURE, EXCEPT WHEN ON THE PROPERTY LINE THEY SHALL POINT INSIDE.
 - #8 STEEL TRESS ROD SHALL BE FITTED WITH A TURNBUCKLE.



NOTES:
1. SEE SHEET 1 OF 5 FOR NOTES.

NO.		ISSUE/DESCRIPTION		DATE	
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BATTERY ENERGY STORAGE SYSTEM (BESS) NSTAR STATION 65 WEST MEDWAY, MASSACHUSETTS					
DETAILS					
PREPARED BY:	Vine GZA GeoEnvironmental, Inc.				
DESIGNED BY:	MS REVIEWED BY: P.W. CHECKED BY: G.M. DRAWING				
DATE:	FEB. 7, 2012 PROJECT NO. 01.017130.00 REVISION NO. 5 SHEET NO. 5 OF 5				