

**May 29, 2012
Medway Planning and Economic Development Board
155 Village Street
Medway, MA 02053**

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

ABSENT WITHOUT NOTICE:

ALSO PRESENT: Susy Affleck-Childs, Planning and Economic Town Coordinator
Amy Sutherland, Meeting Recording Secretary
Dave Pellegri, Tetra Tech Engineering

The Chairman opened the meeting at 7:00 pm.

There were no Citizen Comments.

Engineering Consultant Reports:

Franklin Creek:

Consultant Pellegri informed the Board that the patch paving at Franklin Creek has been rescheduled since the weather did not make paving possible two weeks ago.

Applegate Farms:

Consultant Dave Pellegri communicated that the installation of sewer has begun but will be delayed since the digging has hit ledge and will require blasting.

Consultant Pellegri does not think it is necessary for him to be on site for the blasting.

Member Tucker wanted to know if there has been a preblast survey done since the survey will protect all parties.

Consultant Pellegri indicated that he will check to make sure that the preblast application is being completed.

There was discussion about ownership and responsibilities for the drainage going onto the property from Virginia Road. The culvert going across Ellis Street from Virginia Road empties out onto this property. DPS has hired Rob Truax to provide a drainage plan and cost estimates.

Dave Pellegri is reviewing the estimate.

DPS Director Tom Holder and developer Ralph Costello have discussed the responsibilities. Both are getting legal assistance. There will be an internal meeting with Tom, Dave Pellegrini, Susy and Bob Tucker which will take place June 12, 2012.

Ralph is providing information about how much the easement is worth.

We need to get appraisals done about value and or loss of value of the lots due to adding a drainage easement.

There may need to be a subdivision plan modification to reflect the new drainage easements and this will have to come to the Board.

There will be a cost for the plan modification.

There is nothing that the Board needs to do at this point.

PUBLIC HEARING CONTINUATION - 25 Summer Street Definitive Subdivision Plan Modification:

The Chairman opened the continued public hearing for 25 Summer Street Definitive Subdivision Plan Modification.

Applicant Mike Fasolino was present.

The Board is in receipt of a cover list of five items of communication which have been provided to the Board in their packets.

(See Attached).

The Town of Medway Board of Health provided a memo dated May 22, 2012.

(See Attached).

There was email communication from Town Counsel dated May 16, 2012.

(See Attached).

Another email communication from Town Counsel dated May 16, 2012

(See Attached)

There was an email from Susy Affleck-Childs dated May 23, 2012 to Mike Fasolino.

(See Attached)

Draft Certificate of Action, dated May 2, 2012. **(See Attached).**

Susy reported that the Board did receive an extension of the Board's deadline for action from Mr. Fasolino.

Susy reported that the Board of Health still has issues with the right of way. The Planning Board is obligated to take the advice of the Board of Health per the subdivision control law. The Board of Health still has concerns about the sewer plan. They have not taken a vote for a formal recommendation.

Member Gay noted that the letter from the Board of Health seems to indicate confusion about what they are writing as an opinion. The adjacent homeowner is granting a right to get to the sewer system on their property; they are not providing approval to tie in. That is coming from Owen Sullivan, the original developer of Speroni Acres.

Mr. Fasolino wants to know why the Board of Health is being brought in two years later at the end of this.

Susy explained that the modification is really a new application for all intents and purposes.

Mr. Fasolino indicated that the old Health Agent did review this and had no problem.

Susy responded that the Planning Board did not receive any written communication from the prior Board of Health agent.

It was suggested that Mr. Fasolino get on the Board of Health agenda to discuss this matter with them.

Member Rogers was wondering about what is the possibility of Owen Sullivan filing a sewer easement now?

Susy reported that attorney Paul Kenney had communicated to her that there is no record of a separate recorded easement for the Speroni Acres force main sewer system. It is shown on the definitive subdivision plan.

A question was raised whether one can record something after the fact.

Member Tucker feels that Mr. Fasolino has provided everything the Board has asked and the outline of the drainage easement shows on plan (Speroni Acres definitive subdivision plan).

The Chairman notes that we need the easement recorded. This will show a good faith effort.

Member Gay notes that Mr. Sullivan has allowed him to tie in. This permission was provided to the Board previously and it was adequate.

The Board would like Susy to draft a letter to the Board of Health with further clarification.

Member Rogers notes that the Speroni Acres sewer easement has not been resolved and will probably not be resolved.

Member Gay communicated that even if it is solved, the ownership of the sewer system is by 25 people and the Town will not own this sewer system.

It was further discussed that the Board can only go by with what we know, even if there is no easement.

Susy wanted to know if Mike Fasolino asked Owen O'Sullivan to do anything more relative to the easement.

Mr. Fasolino indicated no. He has had no other dealings with Mr. Sullivan since getting the initial permission to tie in.

Susy noted there is no text on the Speroni Acres subdivision plan that notes this is a private sewer system.

Mr. Fasolino responded that he just wants to get two house lots. He noted that Karyl had mentioned at a previous Board meeting that she had been at a PB meeting back when Speroni Acres was approved and said herself that the intent was to allow the abutting property owners to tie into the sewer system. One of those abutters, Mr. Clark, told him the same. They were ok with me tying in.

Mr. Fasolino does not know what else he can provide to the Board.

Susy wanted to know if the Board would like Mr. Fasolino to reach out to Owen Sullivan.

The Chairman indicated that we did get a letter from Owen Sullivan.

This is a private forced main. Then the water goes into a manhole. So it is essentially on private property the whole way.

If you own the manhole, you own the pipe. The easement is shown on the plan.

Member Tucker noted that the system was designed for the appropriate connections and has not been taken over by the Town or conveyed. The abutter (the Lynches) has provided a letter stating that they are ok with crossing onto their property to connect. He has provided what we need.

A question was raised if it is too late for Owen Sullivan to record anything since he does not own the land.

Susy Affleck-Childs noted that maybe she should go to the Board of Health meeting to clarify.

The Board would like to get the letter from the Board of Health by their next meeting so that the hearing can be closed.

On a motion made by Bob Tucker and seconded by Chan Rogers, the Board voted unanimously to continue the hearing for 25 Summer Street to June 12, 2012 at 7:15 pm.

Change Work Orders:

Susy Affleck-Childs would like the Board to vote on the change order for consultant Pellegrini from Tetra Tech for the 25 Summer Street project in the amount of \$900.00 for plan review services. (See Attached.)

On a motion made by Bob Tucker and seconded by Chan Rogers, the Board voted to change the work order in the amount of \$900.00 provided by Tetra Tech Rizzo.

Andy Rodenhiser	aye
Tom Gay	aye
Chan Rogers	aye
Bob Tucker	aye
Karyl Spiller-Walsh	nay

Member Spiller-Walsh does not think Mr. Fasolino should have to share in the cost of the legal research regarding the Speroni Acres system.

Dave Pellegrini indicated that the primary increase is for the attendance at the meetings.

Pine Meadows:

Gary Feldman was present to discuss the situation at Pine Meadows.

The owner of several of the lots, Tony Pam, was also present.

Gary indicated that there are two other partners who own 3 lots and then there is 1 lot owned by Matt Barnett.

Member Tucker asked the owner if he knows what to do to get the job done.

Gary responded that Nick Turi, the abutter to the south, is the one who will need to maintain the property at the entry area to the subdivision. That small parcel of land will be conveyed to him. Mr. Turi wanted the wildflower mix.

Consultant Pellegrini asked what will you do if the wildflower mix does not take again.

Gary indicated that this area needs to be maintained.

Consultant Pellegrini indicated that unless something is decided, we will be in the same situation in the fall.

Susy Affleck-Childs will review the original subdivision decision to see if there were any conditions relating to the lawn maintenance.

The ownership of this area needs to be looked at to determine who presently owns the small piece of land next to the Turis. When the partnership split up, who ended up with this small parcel?

Susy reported there is currently \$2,300 left in the construction account. This will cover the review of the as-built plans, but this is not enough to cover the legal cost for street acceptance.

There is a \$40,000 bond. There will be no further bond reduction as this is the minimum amount.

Susy Affleck-Childs will check with Town Counsel about getting an estimate for the legal cost for street acceptance.

Susy Affleck-Childs recommended that they look at who owns the little piece of land that will be conveyed to Nick. The ownership of the road is shared.

The Board noted that the owners should make sure that they retain the fee in the road when the house lots are conveyed. That makes street acceptance much easier down the road.

The road will need to be conveyed to the Town in its entirety and with no encumbrances on it.

It was suggested that this be worded correctly so that the Town will accept this in the future.

Susy Affleck-Childs would be happy to speak with the developers' attorney.

Susy Affleck-Childs would like updated contact information for all the owners.

Chairman Rodenhiser wanted it noted for disclosure purposes that his company sells as a wholesaler representative for Portland for whom Gary Feldman works. The Chairman noted the business relationship has nothing to do with this project.

McDonalds:

The Board is in receipt of an email communication from Susy Affleck-Childs to Robin Boorstein, proprietor of the Medway McDonalds. dated May 23, 2012. **(See Attached).**

The email explains that the DRC would have liked to have been provided with the color rendering with the exact color selections for the recent repainting of McDonalds. It was also communicated that in the future, when making substantive changes to the building's exterior, it is recommended that the business meet with the Design Review Committee.

Susy Affleck-Childs communicated that this does bring up possible discussion about color selection for other buildings throughout town. We need to think about how we want to handle this with future decisions, particularly when paint color was a key component of the original review process.

Member Rogers asked if the bylaw addresses refurbishing and repainting of buildings.

Susy Affleck-Childs noted that in the future, decisions could include a condition referencing that the color plan needs to be adhered to and if changed there will need to be a plan modification.

The Design Review Guidelines are pretty much silent in regards to color.

Susy indicated that repainting does not need a building permit and is part of normal maintenance. Repainting does not constitute a plan modification under the current bylaw standards.

Design Review Committee Appointments:

On a motion made by Bob Tucker and seconded by Chan Rogers, the Board voted unanimously to appoint Rod MacLeod to the Design Review Committee through June 30, 2013.

On a motion made by Bob Tucker and seconded by Chan Rogers, the Board voted unanimously to reappoint Matt Buckley, Mary Weafer and Rachel Walsh to the Design Review Committee through June 30, 2014.

The Design Review Committee is still in need of another member. The hope is for someone who works in landscape design industry.

Report on Zoning Ideas for 2013

A copy of the memo from Susy dated May 15, 2012 that was sent to Town boards and departments is attached. It asks for recommendations on zoning amendments.

Susy Affleck Childs will be attending the Open Space Committee meeting next week, and she will also be going to the Historical Commission meeting. The purpose of her attending these meetings is to discuss suggestions and ideas for possible amendments to the Medway Zoning Bylaw. Susy has not heard back from the Zoning Board of Appeals.

Minutes:

May 8, 2012:

The minutes from May 8, 2012 will be tabled until next week.

May 14, 2012:

On a motion made by Bob Tucker and seconded by Chan Rogers, the Board votes unanimously to accept the minutes from May 14, 2012.

Announcements:

Susy reported that she expects three definitive subdivision plans to be submitted within the next three weeks. (Norwood Acres, Hill View Estates and Bay Oaks)

The Board was made aware of the resignation of Kent Scott from the Economic Development Committee. He is currently working on Medway's 300 birthday celebration and is doing video

productions for this project. He has been instrumental with the discussions this year on the Economic Development Committee.

Susy reported she is working with Open Space Committee on a PARC grant application. The grant would be for improvements at Idylbrook on trails and possible irrigation on fields. There are funds in the Town's FY 13 capital budget for park improvements that could be considered as the source for the required matching funds. There will be further meetings with members of the Parks Commissioners. Gino Carlucci will be writing the grant.

Susy reported that the Town Administrator has asked her to work on a project for the Energy Committee. This would involve preparing an RFP to seek a private vendor to provide solar net metering for the Town. There will be a request for proposals. She reported that there is also some discussion about participating in a regional solar project thru MAPC whereby a number of towns would go in together to seek a vendor for installation of solar panels on municipal facilities. Medway wants to look at this as a possibility for other town buildings.

Member Tucker has a concern about how much time Susy is being directed to give to other projects which are outside of the Planning Board's activities and budget. .

Susy noted that the budget is not really a Planning Board budget, but instead is really a Planning and Economic Development office budget.

The Board is concerned that Susy is being pulled into various projects. This has the potential of her getting side tracked.

The Chairman asked if it is effecting the work completion of the Planning Board projects.

Susy noted that if things pick up with project submittals, it may become an issue. She further explained that the Planning Board work is always a priority. The Planning Board has a broad compass including design review, open space and economic development.

Susy reported that the Town Administrator had directed her to not work on affordable housing matters.

Member Tucker does not want to see Susy overloaded.

Oak Grove Meeting:

There will be an Oak Grove Public Forum #3 meeting on June 19, 2012 at 7:00 pm at the Medway Public Library. There will be members of various Boards and Committees who will be attending. It was suggested that a microphone and speaker be placed in the room for audience members to ask questions.

Susy will speak with the IT people.

Conservation by Design Workshop

There will be a workshop on June 4, 2012 at Dean College with the presenter being Randell Arendt. The topic of discussion will be Conservation by Design.

2013 Committee Assignments:

There was a memorandum re: committee assignments in the packet. (See Attached.)

Susy was wondering from Tom if the Town Wide Facility Committee is still meeting. He indicated that the Town Wide Facility Committee is still in place and is on call. The report and recommendations have been submitted.

Susy offered to serve as liaison with the Historical Commission.

The Board is comfortable with the same appointments for 2013 as were for 2012.

Susy asked the members to think about Board leadership for the next year. This will be on the agenda for next month.

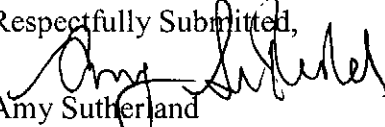
Future Meetings:

The next Planning and Economic Development meeting will be Tuesday, June 12, 2012 at 7:00 pm in Sanford Hall.

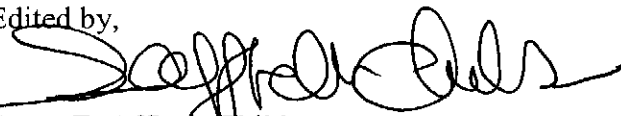
Adjourn:

On a motion made by Karyl Spiller-Walsh and seconded by Chan Rogers, the Board voted unanimously to adjourn the meeting at 9:00 pm.

Respectfully Submitted,


Amy Sutherland
Meeting Recording Secretary

Edited by,


Susan E. Affleck-Childs
Planning and Economic Development Coordinator

25 Summer Street Subdivision Modification Public Hearing Continuation

1. Email communication from SAC to Mike Fasolino – May 23, 2012
2. Memo dated May 22, 2012 from Stephanie Bacon, Health Agent on behalf of the Board of Health
3. Email communications between Barbara Saint Andre and Attorney Paul Kenney – May 10 and May 16, 2012
4. CONFIDENTIAL email communication from Barbara Saint Andre – May 16, 2012
5. Draft Certificate of Action – May 2, 2012 (unchanged from prior draft included in the board packet from the 5/8 meeting)



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

DRAFT – May 2, 2012

CERTIFICATE OF ACTION
25 SUMMER STREET – MODIFIED DEFINITIVE SUBDIVISION PLAN
A PERMANENT PRIVATE WAY
(APPROVED with Waivers and Conditions)

I. PROJECT DESCRIPTION: The proposed MODIFIED 25 Summer Street Definitive Subdivision Plan shows a 2-lot, 158 foot, permanent private way residential subdivision on a 1.98 acre parcel located at 25 Summer Street in the Agricultural Residential II zoning district. The parcel is owned by Fasolino Home Improvements, Inc. of Medway, MA and is shown on Medway Assessor's Map as Parcel 2B-7.

The proposal includes:

- creation of an approximately 173' long private road/right of way to provide conforming legal frontage for one of the two house lots. *(The other lot has sufficient frontage on Summer Street);*
- construction of a common driveway within the right of way to provide access to two new houses;
- use of swales and a small stormwater basin for drainage and infiltration;
- installation of sewer service to connect to the existing private system on Lot ___ (15 Little Tree Road) in the adjacent Speroni Acres neighborhood; and
- installation of water service to connect to the municipal water system on Summer Street.

The private roadway will be known as Summer Valley Lane.

II. APPLICANT:

Fasolino Home Improvements, Inc.
164 Main Street
Medway, MA 02053

III. BACKGROUND: On June 28, 2011, the Medway Planning and Economic Development approved a Certificate of Action for the 25 Summer Street Definitive Plan. The plan was never presented to the Board for endorsement nor was the Certificate of Action ever recorded at the Norfolk County Registry of Deeds.

The proposed plan MODIFICATION pertains to a needed change in the layout of the house lots and road right of way based on an additional wetlands area identified by the Medway Conservation Commission in late 2011. This extent of change to the plan constitutes a major modification.

IV. PROCEDURAL SUMMARY: With respect to the *MODIFIED 25 Summer Street Definitive Subdivision Plan*, the Planning and Economic Development Board certifies as follows:

1. On February 28, 2012, it received an application for approval of the *25 Summer Street Definitive Subdivision Plan MODIFICATION*, dated February 28, 2012 prepared by Faist Engineering of Southbridge, MA. A separate preliminary subdivision plan was not filed for this plan modification.
2. On March 1, 2012, it circulated the MODIFIED Definitive Subdivision Plan to various Town boards and departments, including the Board of Health, for review and comment. The Board of Health did not provide any written comments.
3. On March 27, 2012, it commenced a public hearing on the plan. The public hearing notice was filed with the Medway Town Clerk on March 1, 2012 and posted to the Town's web site on the same date. The hearing was advertised in the *Milford Daily News* on March 12 and 20, 2012. Abutter notice was sent by certified sent mail on March 5, 2012. The public hearing was continued to April 10, 24 and May 8, 2012. It was closed on _____.

IV. PUBLIC HEARING SUMMARY: The public hearing and the Board's review of the 25 Summer Street Definitive Subdivision Plan MODIFICATION were conducted over the course of _____ Planning and Economic Development Board meetings during which substantive information was presented and evaluated. The plan was reviewed by the Town's engineering and planning consultants for compliance with the *Medway Zoning Bylaw* and the *Subdivision Rules and Regulations* (dated April 26, 2005) in effect at the time the application was filed with the Town in February 2012.

Specified below is a list of application materials, public comments, consultant and town review documents, and supplemental information filed by the Applicant. All information is on file with the Board and is available for public review:

Definitive Subdivision Plan MODIFICATION – Faist Engineering, Inc.
February 28, 2012, last revised _____.

Stormwater Calculations & Design: Two (2) Lot Definitive Subdivision Modification - 25 Summer Street, Medway, MA - Faist Engineering, Inc.
February 28, 2012

Other Application Materials

- Form D – *Designer's Certificate*, February 28, 2012, signed by David Faist, PE and Daniel O'Driscoll, PLS
- Deed conveying 25 Summer Street from John and Veronica Clark to Fasolino Home Improvements, Inc., November 19, 2008, recorded at the Norfolk County Registry of Deeds on November 19, 2008, Book 26159, Page 264.

- *Long-Term Operation and Maintenance Plan – Site Stormwater Management System*, February 28, 2012 prepared by Faist Engineering.
- Form E – Certified List of Abutters & Owners within 300’, February 28, 2012, signed by

Waiver Requests

February 28, 2012 list prepared by Faist Engineering; revised April 18, 2012

Town Engineering Consultant Review Letters – Dave R. Pellegrini, P.E., Tetra Tech Rizzo
March 21, 2012

Town Planning Consultant Review Letters – Gino Carlucci, AICP, PGC Associates
March 20, 2012

Supplemental Information Provided By Applicant

- Revised Landscape Plan for 25 Summer Street provided by Fasolino Landscape Design and Construction, received _____
- Communication dated March 2, 2012 from Veronica Clark, the holder of the mortgage on the property at 25 Milford Street, consenting to the submittal of an application to modify the previously approved Definitive Subdivision Plan for 25 Summer Street.
- Letter dated April 9, 2012 from Bruce Eaton, P.E. of Civil Environmental Consultants LLC of Peabody, MA re: the adequacy of the pressure sewer system in the adjacent Speroni Acres subdivision
- *As-Built Plan* for Speroni Acres Subdivision, Sheet 1, dated 1/24/2004, last revised 4/5/2007, prepared by CEC Land Surveyors of Peabody, MA.
- Letter dated 4-27-2012 from Attorney Paul Kenney of Medway, MA regarding sewer easement on 15 Little Tree Road and an associated title report.

Information Entered Into the Record by the Planning and Economic Development Board

- *Certificate of Action* on the original 25 Summer Street Definitive Subdivision Plan, dated June 28, 2011.
- April 8, 2011 letter from Sumner & Milford LLC (Owen Sullivan) giving permission to Mike Fasolino to connect to the existing sewer system at the adjacent Speroni Acres subdivision.
- *Medway Subdivision Rules and Regulations*, April 26, 2005, pages 48 & 49
- *Massachusetts Land Use and Planning Law*, by Mark Bobrowski, 2002, pages 538-539.
- Minutes of the January 24, 2012 Planning and Economic Development Board Meeting held with the Speroni Acres subdivision neighbors.

Other Information

- CONFIDENTIAL email communication dated February 9, 2012 from Town Counsel Barbara Saint Andre of Petrini & Associates, Framingham, MA re: whether the proposed changes constituted a plan modification Mass General Laws, Chapter 41, s.81W.
- CONFIDENTIAL email communication dated March 12, 2012 from Town Counsel Barbara Saint Andre of Petrini & Associates, Framingham, MA re: connecting to the private sewer system in the adjacent Speroni Acres subdivision.
- Something else from Town Counsel

Citizen/Resident Letters - None

Citizen/Resident Testimony - None

Professional Review/Testimony

Gino Carlucci, AICP, PGC Associates, Inc., for the Town of Medway
Dave R. Pellegri, P.E., Tetra Tech Rizzo for the Town of Medway
David T. Faist, P.E., Faist Engineering, Inc. for the applicant
Daniel O'Driscoll, PLS, O'Driscoll Land Surveying, Inc. for the applicant

Medway Departmental/Board Review Comments

Email communication from Karon Skinner-Catrone, Conservation Agent, dated March 7, 2012
re: the Conservation Commission's Order of Conditions for the subject parcels.

Something from the Board of Health

Something from the Fire Chief

V. ACTION ON REQUEST FOR WAIVERS OF SUBDIVISION RULES & REGULATIONS – The Applicant has requested waivers from the following sections of the *Medway Subdivision Rules and Regulations*, dated April 26, 2005.

SECTION 5.7.19 - Proposed layout (including plans and profiles) of street construction, storm drainage and stormwater management facilities, water supply, and sewage disposal system, including grades, and the proposed electric, telecommunications, natural gas, cable TV, and spare communications conduit. *NOTE* – The applicant or his representative will be responsible for field locating all utility installations during construction so they can be accurately represented on the as-built plans

FINDINGS The applicant requests a waiver from showing the electrical, telecommunications and cable TV lines on the plans. Instead the applicant plans to show the underground services on the subdivision as-built plans. Since NStar will not design the underground utilities until the subdivision plan is approved, the Board grants this waiver subject to the applicant showing the location of the underground utilities on the as-built plan.

SECTION 5.7.20 - Existing roadway profiles of the roadway center line drawn in fine black solid line and proposed profile of the finished center line drawn in heavy black solid line will be provided for all proposed streets at a horizontal scale of one inch (1") equals forty feet (40') and vertical scale of one inch (1") equals four feet (4'). At least two (2) benchmarks are to be shown on each plan and profile sheet, and proposed grade elevations shall be shown at 50 foot (50') station intervals except on vertical curves where elevations shall be shown at twenty-five foot (25') station intervals. Proposed intersections, sidewalks and probable location of driveways on lots shall be shown. Profiles shall extend across intersections to the outer layout line and to the layout line of the cul-de-sacs. The Board may require additional profile data when grading extends beyond the layout

FINDINGS: The applicant is proposing a permanent private way/shared driveway. The cross section detail for the driveway is shown on Sheet 5 of 5. Since this is a permanent private way to serve only two lots, the Board finds that the cross-section detail for the shared driveway is sufficient for this project and the waiver is granted.

SECTION 5.7.24 – Location and Species of Proposed Shade Trees – The Definitive Subdivision Plan shall specify which existing trees are to be retained, where new trees are to be planted, planting details, planting schedule, and the maintenance program.

FINDINGS – The applicant requests a waiver from the installation of new street trees on the new roadway. As this is a Permanent private way/shared driveway and since there are existing trees along the Summer Street frontage and since the applicant has proposed a landscaping plan creating a vista in the area where the shared driveway splits off to the two houses, the Board finds that this proposal is an acceptable substitute and the waiver request is granted.

SECTION 5.7.27 – The proposed location and approval of all street signs and traffic control signs on the proposed street, as well as, with the intersecting streets will be shown. The Town Safety Officer's correspondence will be required prior to endorsement by the Board.

FINDINGS – The applicant requests a waiver from this regulation because they wish to use Summer Street addresses. However, the addresses of 23 and 27 Summer Street are already in use. The Board finds that there is a need for a separately named roadway to provide suitable addresses for these two house lots. Therefore a street sign will be needed. This waiver request is denied.

SECTION 5.7.28 - Streetlight Locations – Proposed and existing streetlights shall be shown on the plan. Existing streetlights to be relocated at the expense of the developer shall also be shown on the plan.

FINDINGS: Since the applicant proposes a private roadway/shared driveway serving 2 houses, the Board finds that no street lighting is needed for this subdivision. Furthermore, there is an existing streetlight on Summer Street about 50-180 feet south of the shared driveway. Since this is actually a shared driveway, the Board believes that lighting along Summer Street is adequate and that no additional street light is necessary and therefore ~~The Board grants this waiver request.~~ [OR] Therefore, the waiver is denied and an additional light is required on the existing utility pole just south of the driveway entrance.

Note: The existing streetlight was about 50 feet (actually more like 60) from the original driveway location. However, that light is now about 180 feet south of the new location. There is a utility pole about 50 feet north of the driveway and another one about 40 feet south of the new driveway but they do not have street lights. The Board may wish to reconsider or still let it go. I have drafted it both ways.

SECTION 5.7.31 – Locations of proposed open space – Proposed park or open space areas suitably located within the subdivision for playground or recreation purposes or for providing light and air in accordance with M.G.L, Chapter 41, Section 81-U.

FINDINGS – The applicant is not proposing any open space with this subdivision and none is required. The Board finds that there is no need for open space or a park in this 2 lot subdivision so this waiver request is granted.

SECTION 5.7.32 – Cul-de-sac Island Landscaping – A landscape design plan, prepared by an experienced landscape designer, which shall include a plan view and a list of all plant and inorganic materials. The Board may require use of a professional landscape architect registered in the Commonwealth of Massachusetts.

FINDINGS – The applicant is not proposing a fully paved cul-de-sac with this subdivision so there is no island. However, the applicant has provided a landscape plan for the area within the cul-de-sac right-of way. Therefore, the Board grants this waiver request.

SECTION 6.8 – Procedure for Street/Infrastructure Acceptance.

FINDINGS – The Applicant proposes that 25 Summer Street will be constructed as a permanent private roadway, the Town will not be accepting this roadway. Therefore, the Board finds that there is no need for a street acceptance process and this waiver request is granted. An as-built plan for the roadway, drainage system and landscaping in accordance with Section 6.7 of the *Subdivision Rules and Regulations* is still required.

SECTION 7.7.2. p) – Stormwater Management Procedure: The limits of detention and retention basins and related structures shall not be closer than thirty feet (30') from its lot/parcel line and any right-of way.

FINDINGS – The Applicant proposes to install one dry detention basin within the separate Parcel A which also includes the shared driveway. The dry basin is located within 10 feet of the property line of both Lots #1 and #2 which will benefit from its construction. Due to the minimal size of the basin as well as the distance from the elevation of the proposed houses, the Board finds that this design is acceptable for this subdivision and the waiver request is granted.

SECTION 7.9.5. – *The minimum centerline grade for any street shall not be less than two percent (2%). A leveling area with a maximum grade of 2% for the first 100 feet of a street from an intersection shall be provided.*

FINDINGS - The Applicant proposes utilizing the existing driveway which has a grade between 5-8%. The Board finds that using the existing driveway will reduce the disturbance needed to construct the subdivision and is acceptable since the driveway will serve only one additional house. Therefore, the waiver request is granted.

SECTION 7.9.6 Dead End Streets

(a) *Dead end streets are not permitted except in the following circumstances: 1) A parcel of land would be rendered completely undevelopable if a dead-end is not allowed*

FINDINGS - The applicant has proposed a permanent private roadway that is 158 feet long. The creation of Lot #2 is not feasible without the proposed dead-end street. Also, there is no possible roadway connection between this subdivision and the adjacent Little Tree Road. Therefore, the waiver request is granted.

SECTION 7.9.6 Dead End Streets

(d) *To accommodate emergency vehicles, dead-end streets shall be provided at the closed end with an adequate turnaround acceptable to the Fire Chief.*

(e) *Turnarounds shall be designed in one of the two following ways: 1) A cul-de-sac turnaround . . . 2) A hammerhead or T-shaped turnaround.*

FINDINGS - The proposed road is, in reality, a shared driveway serving two houses. The “Y” where the driveways separate serves a hammerhead function. Also, both private sections of the driveways have turnarounds. The Fire Chief has reviewed the plans and does not object to this feature. Therefore, the waiver is granted.

SECTION 7.9.7 g) – *The minimum roadway width for a “Permanent Private Way” is eighteen (18) feet.*

FINDINGS - The Applicant proposes a single shared paved driveway/private roadway that will have fourteen (14) feet paved width within the right-of-way. The Board finds that this proposed paved width is acceptable in that it will serve only two houses. The waiver request is granted.

SECTION 7.10.2 – Curbs: *“Permanent Private Way” is hot mix asphalt Cape Cod berm.*

FINDINGS - The Applicant proposes to utilize a “country drainage” low impact design using roadside dry detention basins. Curbing is not proposed to be used along the edges of the shared driveway. The Board and its consulting engineer have reviewed the proposed drainage design and have found it acceptable. Therefore, this waiver request is granted.

SECTION 7.11.1 – Driveways shall be at least ten feet (10') wide and shall not exceed twenty-five feet (25') in width and shall have a three-foot (3') radius edge treatment consistent with the specific type of road construction.

FINDINGS - The Applicant proposes to utilize the existing curb cut that is within the Summer Street right-of-way, similar to the adjacent “Ardmore Circle” private way. The Board finds that since the curb cut already exists and leaving it as is will reduce the impact on the newly reconstructed Summer Street, the design is acceptable and this waiver request is granted.

SECTION 7.11.2 – The construction of driveway openings shall not be within sixty-five feet (65') of the intersection of the centerline of intersecting streets or within fourteen feet (14') feet of a catch basin...

FINDINGS – There is an existing catch basin located within the Summer Street right-of-way that is within 28 feet of the existing driveway curb cut. Since the curb cut and catch basin already exist in the current locations, the Board finds that leaving the curb cut as is will reduce the impact of the subdivision’s construction on the newly reconstructed Summer Street. Therefore, this waiver request is consistent with the *Subdivision Rules and Regulations* (April 26, 2005).

SECTION 7.13.3 – Sidewalks shall be provided along the entire frontage of a subdivision parcel along existing Town ways . . . In those instances where sidewalk construction is not feasible or practical, the Applicant shall make a payment in lieu of sidewalk construction to the Town of Medway, in an amount determined by the Town’s Consulting Engineer. Such funds shall be deposited to a revolving fund to be used to finance the construction of sidewalks and/or other public improvements.

FINDINGS – As there is a newly-constructed sidewalk along the entire Summer Street frontage of the property, no new sidewalk construction is needed nor is a payment in lieu of sidewalk construction appropriate in this instance. Therefore, the Board grants this waiver request.

You may wish to REVISIT THIS ONE – Approving this waiver request is NOT consistent with what the Board required for the 2 lot Village Estates private way subdivision at 272 Village Street. The Board previously granted this waiver in the original 25 Summer Street decision because both lots had some Summer Street frontage. With the modified plan, Lot #2 does not have Summer Street frontage.

SECTION 7.17.1 – A fire alarm system shall be installed in accordance with the specifications of and located as directed by the Medway Fire Department or a sum of money paid to the Town equal to the cost of installing a fire alarm system within the subdivision, for use by the Fire Department for capital purchases.

FINDINGS – The Applicant is not proposing to install a fire alarm system.

NOTE – The Fire Chief has determined that a payment of \$1,000 in lieu of fire alarm installation is appropriate.

SECTION 7.19.2 – To enhance the aesthetic quality of the streetscape, deciduous street trees of nursery stock conforming to the standards of the American Association of Nurserymen, shall be planted on each side of each street in a subdivision ...

FINDINGS – The Applicant requests a waiver from the installation of new street trees. As this is a shared driveway and a permanent private way and since there are existing trees along the Summer Street frontage and the applicant has proposed a landscaping plan creating a vista in the area where the shared driveway split off to the two houses, the Board finds that this proposal is an acceptable substitute and the waiver request is granted.

SECTION 7.21 – Street Lights.

FINDINGS – The Applicant proposes a private roadway/shared driveway serving only 2 homes. The Board finds that no street lighting is needed for such a small subdivision. Furthermore, there is an existing street light on Summer Street about 50 feet north of the private roadway/shared driveway. Therefore the Board grants this waiver request.

SECTION 7.22 – Walkways and Bikeways. It is the policy of the Board to maximize opportunities for pedestrian and bicycle access. Pedestrian walkways or trails and/or bikeways are required to ensure connections between adjacent subdivisions and between the subdivision and nearby schools, playgrounds, parks, shopping areas, public transportation open spaces and/or other public facilities or community services or for such other reasons as the Board may determine...

FINDINGS – The Applicant is proposing only one additional house lot. There is an existing sidewalk across the front of the subdivision on Summer Street and there will be minimal vehicular use of the shared driveway. Therefore, the Board finds that pedestrian and bicycle access is sufficient and no further measures are necessary.

MITIGATION PLAN

1. The new road will be private in perpetuity, owned and maintained by a homeowner's association, thus relieving the Town of this on-going responsibility and expense.
2. Maintenance and upkeep of the stormwater management facilities will be the responsibility of a homeowner's association, thus relieving the Town of this on-going responsibility and expense.
3. The reduced width of road paving will result in reduced disturbance to the topography and less impact on the site's wetlands and other natural resources.
4. In lieu of constructing a landscaped island in the cul-de-sac right of way, landscaping shall be provided within the roadway layout to the west of the driveway split of Parcel A.
5. The applicant has agreed that both house lots will be used only for single family residences. The applicant will not seek any special permits from the Medway Zoning Board of Appeals to use the house lots for 2 family dwellings.

Action on Waiver Findings - At a duly called and properly posted meeting of the Medway Planning and Economic Development Board held on _____, a motion was made by _____ seconded by _____ to approve the above noted Waiver Findings. The motion was approved by a vote of ___ in favor () and ___ opposed ().

Action on Mitigation Plan - At a duly called and properly posted meeting of the Medway Planning and Economic Development Board held on _____, a motion was made by _____, seconded by _____ to approve the above noted Mitigation Plan. The motion was approved by a vote of ___ in favor () and ___ opposed ().

Action on Waiver Requests - At a duly called and properly posted meeting of the Medway Planning and Economic Development Board held on _____, a motion was made by _____, seconded by _____, to act on the Applicant's request for all of the above noted waivers from the *Subdivision Rules and Regulations* as specified in the Findings for each waiver request. The motion was approved by a vote of ___ in favor () and ___ opposed ().

VI. DECISION - At a duly called and properly posted meeting of the Medway Planning and Economic Development Board held on _____, a motion was made by _____, seconded by _____, to approve the **25 Summer Street Private Way Definitive Subdivision Plan** MODIFICATION dated February 28, 2012, last revised _____, prepared by Faist Engineering, 600 Charlton Street, Southbridge, MA, subject to the *Specific and General Conditions* as specified herein and with *Waivers* from the sections of the *Subdivision Rules and Regulations* dated April 26, 2005 as listed above.

The motion was approved by a vote of ___ in favor () and ___ opposed ().

VII. CONDITIONS – The following specific and general conditions shall apply to the Applicant, its executors, administrators, devisees, heirs, successors and assigns:

Specific Conditions

1. *Scope of Project* - It is expressly understood that this subdivision is authorized for no more than 2 single-family house lots. As a permanent condition of this plan, no further subdivision will be allowed.
2. *Time for Completion* - The Applicant shall construct the roadway and all related infrastructure including the stormwater management system, and install all utilities as shown on the definitive subdivision plan, to the satisfaction of the Board, within three (3) years of the date of endorsement of the plan.
3. *Ownership of Summer Valley Lane* - It is understood that the private way at 25 Summer Street shall remain private in perpetuity. There is no intention or expectation that the Town of Medway will ever accept the roadway as constructed pursuant to this plan. There shall be established the Summer Valley Road Homeowners Association, to be comprised of the owners of lots 1 and 2 as shown on the MODIFIED 25 Summer Street Definitive Subdivision Plan. The Association shall ultimately own and maintain Parcel A (the private roadway/shared driveway), be responsible for snowplowing and sanding, maintain and operate the stormwater detention/infiltration system and related infrastructure, and maintain all landscaping, including the area west of the driveway split.
4. *Roadway Fee* - The Applicant shall specifically reserve to itself ownership of the fee in all roadway and easements shown on the subdivision plan in any deeds or other conveyances or transfers of any of the lots. The Applicant shall convey the fee in the roadway and all drainage easement to the Summer Valley Lane Homeowners Association before the Board approves the final bond release or, if there is no bond, then before approval of the as-built plan.
5. Prior to endorsement, the MODIFIED 25 Summer Street Definitive Subdivision Plan last dated _____ shall be further revised to include the following:
 - a. The final plan revision date on all plan sheets.
 - b. Update list of approved waivers on the cover sheet
 - c. Sheet 6 shall be modified to include the revised 25 Summer Street Landscape Plan produced by Fasolino Landscape Design and Construction.
 - d. Removal of the existing northern curb cut and details showing the restoration of sidewalk and curbing along Summer Street.
 - e. Show location of street and traffic control signs.
 - f. Reference the sewer easement document with the Lynchs at 15 Little Tree Road
 - g. Add a Sheet #7 to include the approved Stormwater Operation and Maintenance Plan dated _____.
6. *Payment in lieu of Fire Alarm system*
7. *Additional street light?*

7. Prior to endorsement, the plan shall be revised to incorporate all conditions as specified in this Certificate of Action. The Applicant shall provide such revised plan to the Board and the Town's Consulting Engineer for review and approval. All conditions of this Certificate of Action must be addressed to the satisfaction of the Town's Consulting Engineer and the Board before the Board will endorse the definitive subdivision plan.
8. *The Summer Valley Lane Homeowners Association* - Prior to endorsement, the Applicant shall provide a proposed Articles of Association or Incorporation establishing the Summer Valley Lane Homeowners' Association to be reviewed and approved by the Board and Town Counsel. At a minimum, the document shall include provisions for membership by the owners of Lots 1 and 2, management responsibilities, procedures for voting and fee assessment, and for the ownership and financial responsibility for the on-going maintenance, upkeep and repair of the shared driveway, landscaping and the stormwater management system.
9. *Declaration of Protective Covenants & Restrictions and Private Roadway Maintenance Agreement Governing the 25 Summer Street Subdivision* – The future owners of lots 1 and 2 are subject to a *Declaration of Protective Covenants & Restrictions and Private Roadway Maintenance Agreement Governing the 25 Summer Street Subdivision* to be executed and recorded with the definitive subdivision plan. Prior to endorsement, the Applicant shall provide a proposed *Declaration of Protective Covenants & Restrictions and Private Roadway Maintenance Agreement Governing the 25 Summer Street Subdivision* to be reviewed and approved by Town Counsel and the Planning Board. At a minimum, the *Declaration of Protective Covenants & Restrictions and Private Roadway Maintenance Agreement Governing the 25 Summer Street Subdivision* shall include language regarding the property owners' responsibility through a homeowners' association for the upkeep, repair, and on-going maintenance of the roadway including snowplowing and sanding, landscaping and the operation and maintenance of the stormwater management system.
10. *Lot Deeds* – Prior to endorsement, the Applicant shall provide the Board with copies of the proposed deed to convey or transfer each subdivision lot for review, comment, amendment and approval by Town Counsel. Each deed shall state that the Applicant shall reserve to itself ownership of the fee in the roadway and easements shown on the subdivision plan. Each deed shall refer to any and all easements shown on the plan for that particular lot. The deed text shall include descriptive language specifying all easements, boundary delineations, specific usages and purpose. Each deed shall clearly state that Summer Valley Lane as shown on the 25 Summer Street Definitive Plan is a permanent private way, not ever to be owned by the Town of Medway. The deed shall refer to and be accompanied by a Lot Sketch Plan to be recorded with each deed. The Lot Sketch Plan shall also depict all easements and *Selective Cutting Zone*. The deed shall refer to the *Declaration of Protective Covenants & Restrictions and Private Roadway Maintenance Agreement Governing the 25 Summer Street Subdivision*.
11. *Road Deed & Easements* – Prior to endorsement, the Applicant shall provide the Board with a copy of the proposed deed to convey the Parcel A (the private roadway/shared driveway) and all easements shown on the plan to the Summer Valley Lane Homeowners Association, for review, comment, amendment and approval by Town Counsel. ~~Easement TO THE TOWN FOR WATER??~~

12. *Document/Plan Recording* - Within thirty (30) days of recording the endorsed definitive subdivision plan, the Subdivision Covenant, the Declaration of Protective Covenants and Restrictions and Private Roadway agreement Governing the 25 Summer Street subdivision, any articles of association establishing the Summer Valley Lane Homeowners Association, with the Norfolk County Registry of Deeds, the Applicant or his assign shall provide the Board with a receipt from the Norfolk County Registry of Deeds indicating that all documents have been duly recorded, or supply another alternative verification that such recording has occurred
13. *Maintenance Responsibility During Construction* - The Applicant shall provide for snow plowing, sanding and full maintenance of the shared driveway and all related stormwater management infrastructure throughout the entire construction process until the roadway is conveyed to the Summer Valley Lane Homeowners Association.
14. The Applicant shall abandon the existing driveway opening onto Summer Street and reconstruct the opening as follows to match the existing Summer Street sidewalk conditions and materials: saw cut the gutter even with the curb and saw cut the section of sidewalk. Raise the granite curbing on either side of the opening. Install new granite curbing at the opening. Repave the sidewalk. Seal all seams after work is complete. The Applicant shall obtain a street opening permit from the Medway Department of Public Services for this work and pay all applicable fees and deposits.
15. The 2 houses in the subdivision will be connected to the sewer pipeline system that was installed by the developer of the adjacent Speroni Acres subdivision. This is a privately-owned, force main sewer system that will not be maintained by the Town of Medway. The applicant has represented and provided an engineering opinion that the Speroni Acres force main sewer system was designed to accommodate connection from his property. The applicant has also provided an easement document that will be recorded at the Registry of Deeds granting a for ensuring that any such agreements pertaining to such tie-in as well as the ongoing operation and maintenance of the pipeline system are a private matter between the applicant, the owner of that system and the adjacent property owner at 15 Little tree Road. The transmittal of the wastewater to and its treatment at the Charles River Water Pollution Control District plant shall be charged by the Town in the same manner as any property which sends its wastewater into that system. **WHAT ABOUT REQUIRING THESE 2 LOTS TO FINANCIALLY SUPPORT THE SPERONI ACRES HOMEOWNERS ASSOCIATION, IF SUCH IS EVER FORMED, TO MANAGE AND MAINTAIN THE FORCE MAIN SEWER SYSTEM??**

General Conditions

16. *Expiration of Appeal Period* - Prior to endorsement, the Planning and Economic Development Board must receive the statutory notification of the expiration of the twenty (20) day appeal period from the Town Clerk's office.
17. *Payment of Balance of Fees/Taxes* - Prior to endorsement, the Applicant shall pay the balance of any outstanding plan review services by any outside consultants retained by the Planning and Economic Development Board and any other outstanding expenses, obligations or fees due the Town of Medway pertaining to these properties. The Applicant shall also provide proof from

the Medway Town Treasurer/Collector that all real estate taxes are current for all property included in this subdivision

18. *Establishment of Bond Account* - Prior to endorsement, the Applicant shall establish a statement savings account (*with the Town of Medway*) at an area financial institution with which the Applicant is placing a cash bond.
19. *Subdivision Covenant* - Prior to endorsement, the Applicant shall sign a *Subdivision Covenant*, on a form acceptable to the Planning and Economic Development Board, to be reviewed and approved by Town Counsel, to secure construction of the ways and all related infrastructure and installation of utilities and services as specified in the approved subdivision plan. Reference to the *Subdivision Covenant* shall be noted on the cover sheet of the Definitive Subdivision Plan. The *Covenant* shall specify that the roadway and all relevant infrastructure including the stormwater management system shall be constructed and all utilities and services shall be installed to the satisfaction of the Planning and Economic Development Board within three (3) years of the date of plan endorsement.
20. *Subdivision Bond* – At such time as the Applicant wishes to secure a building permit for any lot within the subdivision, the security provided by the *Subdivision Covenant* shall be replaced by a cash Subdivision Bond. Prior to the Board's approval of the *Release of Covenant* for the first building lot, the Applicant shall deposit certified funds in the already established bank account with the Town of Medway in an amount equal to 100% of the amount that would be required for the Town of Medway to complete construction improvements and infrastructure maintenance if the Applicant failed to do so. The bond amount shall be approved by the Board based on an estimate provided by the Town's Consulting Engineer.
21. *Order of Conditions* - Prior to endorsement, the Applicant shall provide the Board with a copy of any and all "*Order of Conditions*" as issued by the appropriate agency, and recorded by the Applicant, pursuant to the Massachusetts Wetlands Protection Act. Any changes to the Definitive Plan that may be required under the "*Order of Conditions*" shall be presented to the Board by the Applicant, for review and approval as a modification to the Definitive Subdivision Plan. The Board reserves the right to negotiate with the issuing authority any mutually acceptable modifications to the "*Order of Conditions*" that may be deemed appropriate by the Board and the Town's Consulting Engineer. After the public hearing and acceptance of the modifications to the plan, the Board shall take action on the modified plan, reporting said action to the Town Clerk. The statutory notification of the expiration of the twenty (20) day appeal period must be received from the Town Clerk's office before the Board endorses the plan modification.

Additionally, upon issuance of any "*Order of Conditions*" requiring further individual filings under the Massachusetts Wetlands Protection Act, the Applicant shall prepare an amended plan clearly identifying the lots requiring further action under the Wetlands Protection Act. The Applicant shall provide this plan for endorsement by the Board and shall provide a receipt from the Registry of Deeds indicating that the endorsed amended plan has been duly recorded.

22. *Construction Observation and Fees* – Inspection of roadway and infrastructure construction by the Town’s Consulting Engineer is required. Prior to plan endorsement, the Applicant shall pay a construction observation fee to the Town of Medway for such inspections and for services of other outside consultants as may be needed during construction and project close-out. The amount shall be determined by the Board based on an estimate provided by the Town’s Consulting Engineer. A construction account shall be established with the Board prior to plan endorsement. The Applicant shall provide supplemental payments to the Town of Medway, for reasonable construction inspection and other outside consultant services, upon invoice from the Board, until the road construction and stormwater drainage system are completed, municipal services are installed, and the as-built plan has been reviewed and determined to be satisfactory for filing with the Town.
23. Within thirty (30) days of plan endorsement, the Applicant shall provide the Town with a set of the approved plan in 11” x 17” paper format. The Applicant shall also provide the approved plan in CAD format compatible with the Medway GIS and acceptable to the Medway Board of Assessors (ArcInfo shape file - .shp). The Applicant shall pay any reasonable associated costs, as may be determined by the Board of Selectmen, to update the Medway GIS/Assessor’s maps relative to this subdivision.
24. *Proof of Taxes Paid* - Prior to the Board’s approval of the *Release of Covenant* for the first building lot, the Applicant shall provide proof from the Medway Town Treasurer/Collector that all real estate taxes and other fees due the Town of Medway are current to that date for all property included in this subdivision.
25. *As-Built Plans* - The Applicant agrees to prepare and provide as-built construction plans prepared in accordance with the approved subdivision plan and with the *Subdivision Rules and Regulations* in effect at the time the as-built plans are submitted, to the satisfaction of the Planning Board. The Applicant shall provide the final as-built plan in CAD format compatible with the Medway GIS and acceptable to the Medway Board of Assessors (ArcInfo shape file - .shp). The Applicant shall pay any reasonable associated costs, as may be determined by the Board of Selectmen, to update the Medway GIS/Assessor’s maps relative to this subdivision.
26. *Compliance* - All construction shall be as specified in the approved definitive subdivision plan and in full compliance with the *Subdivision Rules and Regulations* and all applicable local, state and federal laws, including but not limited to the Americans with Disabilities Act, the NPDES permit requirements, the Massachusetts Department of Environmental Protection (DEP) Stormwater Management Policy requirements, MEPA requirements, the Massachusetts Wetland Protection Act (Chapter 131, Section 40, M.G.L.) and the regulations of the Massachusetts Architectural Access Board for handicap accessibility.

###

**25 SUMMER STREET DEFINITIVE SUBDIVISION PLAN
CERTIFICATE OF ACTION**

Date of Action by the Medway Planning & Economic Development Board

AYE:

NAY:

Date Signed: _____

Attest: _____
Susan E. Affleck-Childs
Planning & Economic Development Coordinator
Date _____

- Copies To:** Mike Fasolino, Applicant
David Faist, Faist Engineering, Inc.
Stephanie Bacon, Health Agent
Tom Holder, Director of Public Services
Suzanne Kennedy, Town Administrator
Will Naser, Principal Assessor
Melanie Phillips, Treasurer/Collector
John Emidy, Inspector of Buildings
Barbara Saint Andre, Town Counsel
Karon Skinner-Catrone, Conservation Agent
Paul Trufant, Fire Chief
Jeffrey Watson, Police Safety Officer
Maryjane White, Town Clerk
Gino Carlucci, PGC Associates
Dave Pellegri, Tetra Tech Rizzo

Date Filed with the Town Clerk:

TETRA TECH

CHANGE ORDER

1 Grant Street
Framingham, MA 01702

Tel: 508-903-2000
Fax: 508-903-2001

Date: May 29, 2012

TTR Project No.: 127-21583-12004	Project:	Medway-25 Summer Street-Plan Review
Change Order No. 1	Name:	Susy Affleck-Childs
	Company:	Town of Medway Planning and Economic Development Board
	Change Order Description:	Additional Meetings and Review (Sewer)

NEED FOR EXTRA SERVICE:

Additional coordination and review is required for the above mentioned project due to the complexity of the issues and rights associated with the proposed sewer connection. The original proposal submitted to the Client by TT provided assumptions for the number of meetings/hearings, and the number of reviews required to complete the project. These assumptions are included in the itemizations below.

DESCRIPTION OF TASKS:

1.1- Additional Meetings- The original proposal included the participation in two meetings/hearings with the Medway Planning and Economic Development Board (PEDB) to discuss this project. At this time we have already attended three meetings, on 4/10/12, 4/24/12, and 5/8/12. Due to the delay in resolving the sewer issues, we have assumed that three additional meetings may be required. Assuming 3 meetings @1 hour/meeting@\$150/hour= \$450

1.2 - Additional Design Review-The original proposal included the review of the plans and stormwater analysis. We are anticipating, that due to the sewer issues that we will be required to review the plans an additional time. We have assumed that this review and associated correspondence will require 3 hours of time@\$150/hour= - \$450

Change Order 1 Total - \$900

CHANGES TO THE CONTRACT PRICE:

Contract Summary


Original Contract Amount	= \$1,810
Change Order 1	= \$900
Adjusted Contract Amount	= \$2,710

CHANGES TO THE COMPLETION DATES:

We are prepared to begin work immediately upon authorization and receipt of a signed change order.

As confirmation of your authorization to provide these services and as approval of the budget, please execute and return one copy of this agreement for our records.

TETRA TECH

By: 
 David R. Pellegrini, P.E.
 Senior Project Manager

AGREED AND ACCEPTED FOR:
THE TOWN OF MEDWAY.

By: _____
 Susan Affleck-Childs-
 Medway PEDB Coordinator

Date: _____
 Date Approved
 by PEDB: _____

1 Grant Street
Framingham, MA 01702

Tel: 508-903-2000
Fax: 508-903-2001

Date: May 29, 2012

TTR Project No.: 127-21583-12004

Project: Medway-25 Summer Street-Plan Review

Change Order No. 1

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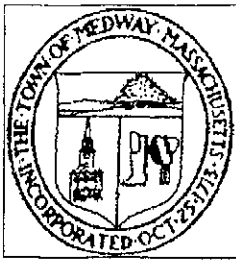
As confirmation of your authorization to provide these services and as approval of the budget, please execute and return one copy of this agreement for our records.

TETRA TECH

By: 
David R. Pellegrini, P.E.
Senior Project Manager

AGREED AND ACCEPTED FOR:
THE TOWN OF MEDWAY.

By: _____
Susan Affleck-Childs-
Medway PEDB Coordinator
Date: _____
Date Approved
by PEDB: _____



Stephanie Bacon
Health Agent

OFFICE OF
BOARD OF HEALTH
155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
Office (508)321-4923 – Fax (508)533-3276
sbacon@townofmedway.org

5-22-12

Subject: Fasolino sewer tie-in proposal
Reference: 25 Summer Street

R E C E I V E D
MAY 22 2012

**TOWN OF MEDWAY
PLANNING BOARD**

Dear Susy,

At our Board meeting on Tuesday May 15th, 2012, the Board reviewed records regarding 25 Summer Street. The Board appreciated the fact that they were provided with proof of capacity and that an easement was agreed upon by the homeowner owning the property the stub is located on in order for Mr. Fasolino to tie in. Although these items were recognized, the Board still questions the subject of ownership. They are not convinced that it is one homeowners right to grant approval for someone to tie into a system served by numerous other homeowners. I know that your Board was continuing to pursue a resolution to this issue, and any new information would be helpful for our Board to be fully satisfied in giving our acceptance for the tie in. At this time, we would not be able to fully endorse the tie in. If you should have any questions, please do not hesitate to contact me.

Sincerely,

Stephanie Bacon
Health Agent

Susan Affleck-Childs

From: Susan Affleck-Childs
Sent: Wednesday, May 23, 2012 6:33 PM
To: Mike Fasolino
Cc: 'Paul Kenney'; David Faist ; 'Andy Rodenhiser'
Subject: 25 Summer Street

Hi,

I am preparing the board packets for the 5/29 meeting of the Planning and Economic Development Board. You are scheduled for a public hearing continuation at 7:15 pm. The meeting will be held here at Town Hall.

What additional information do you have to provide to the Board? I recollect you were going to provide a letter or something from the Lynches agreeing to the easement. Of course, we would like to see the assents from the Lynches mortgage companies. Also, I believe something from Mike indicating he was would require the future property owners of the two lots to become members of the Speroni Acres Homeowners Association if such is ever established.

Will you be able to provide any documentation re: the original sewer easement for Speroni Acres? Was such an easement ever recorded? Please provide the book/page number.

You have the note from the Board of Health that I forwarded to you. Their concerns really have to be addressed.

Many thanks.

Susy

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

508-533-3291

saffleckchilds@townofmedway.org

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

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Susan Affleck-Childs

From: Barbara Saint Andre [bsaintandre@petrinilaw.com]
Sent: Wednesday, May 16, 2012 1:20 PM
To: Paul Kenney
Cc: Susan Affleck-Childs
Subject: RE: GRANT OF EASEMENT (3).doc

Paul, I have reviewed the revised easement that you forwarded and it looks fine as to form, I have no changes. With respect to the mortgagees, I understand that the mortgages were no doubt granted after the existing utility easements shown on the plan were established. However, this would be the grant of a new easement by the Lynches; the standard mortgages that I have seen require the assent of the mortgagee for the grant of any easement on the property. Is there some particular language in these mortgages that would allow this easement without mortgagee assent? Also, do you have any case law you can cite with respect to your position on the other issue as to allowing an abutting land owner to tie into the private Speroni subdivision sewer system? Any additional information would be helpful as the Planning and Economic Development Board reviews this matter with a goal of trying to close the hearing and vote on a decision.

Barbara J. Saint André
Petrini & Associates, P.C.
372 Union Avenue
Framingham, MA 01702
Tel. (508) 665-4310
Fax (508) 665-4313
bsaintandre@petrinilaw.com

<http://www.petrinilaw.com/>

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IRS CIRCULAR 230 DISCLOSURE: To ensure compliance with the requirements imposed by the IRS, Petrini & Associates, P.C. hereby provides notice to the recipient(s) of this e-mail that any U.S. tax advice herein contained in this communication, including any attachments hereto, is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein.

From: Paul Kenney [<mailto:pkenney@kenney-law.com>]
Sent: Thursday, May 10, 2012 3:43 PM
To: Barbara Saint Andre
Cc: saffleckchilds@townofmedway.org; mike@fashome.com
Subject: GRANT OF EASEMENT (3).doc

Barbara,
Attached please find the Lynch easement with some requested revisions from the Lynch's for review. My client attended the Planning Board meeting as scheduled on Tuesday, and he relayed to me that Carol Walsh, a board member, indicated she was at the Speroni Acres hearing and recalled discussions that the location of the utility easement abutting the Summer Street properties was to allow those properties to tie into the sewer. I believe this gives further evidence that it was the intent of the creator of the easement to allow the abutting properties to tie in, and therefore, there is no overburdening of the easement. I'm also informed that at least one of the abutting Summer Street properties has already tied into the system. The Lynch's are prepared to sign the easement upon your review. My client also indicated the Board is looking to close the public hearing next week and move forward with a decision. Please review and advise.
Thank you.
Paul Kenney
Paul Kenney

Susan Affleck-Childs

From: Barbara Saint Andre [bsaintandre@petrinilaw.com]
Sent: Wednesday, May 16, 2012 1:18 PM
To: Susan Affleck-Childs
Cc: Suzanne Kennedy
Subject: FW: 25 summer street subdivision - plan modification

CONFIDENTIAL NOT A PUBLIC RECORD
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Susy, in response to the comments and questions from the PEDB on Monday night, please see below the email that I sent on March 12, 2012, outlining the applicable Subdivision Rules and Regulations for requiring assurances that there will be adequate means for disposal of sewage. Of particular note is Section 5.21.17, which provides that the subdivision plan shall not be endorsed until "The Applicant has provided verification that title to the premises shown on said plan and appurtenances thereto including any off-site easements and rights of way is in the Applicant's name and free of all encumbrances or that the encumbrances set forth will not preclude any required subdivision improvements." As noted in my prior email, assent of the Lynches' mortgagees is generally required for the grant of an easement. There is also the potential issue of whether the Lynches may grant an easement for the owner of land outside the Speroni Acres Subdivision to tie into the private sewer system. The applicant's attorney has taken the position that the applicant (once the Lynches sign the easement and it is duly recorded) have provided those assurances.

The PEDB has asked if it can approve the modification with conditions that would require that the applicant provide the physical hook-up to the Speroni subdivision sewer, presumably prior to issuance of any building permits for the Summer Street subdivision. If the hook-up is actually made, but subsequent claims or litigation should follow with respect to whether the sewer connection was properly allowed, members of the PEDB asked about potential liability. It is difficult to predict what future events may take place and what claims could be made against the town. See Meridian at Windchime, Inc. v. Earth Tech, Inc., 81 Mass. App. Ct. 128 (2012) (subdivision developer sued engineering firm hired by town to inspect developer's work in constructing subdivision, claiming consultant was negligent in failing to identify deficiencies in work in a timely manner).

With respect to potential liability, municipal liability for torts is governed by the Tort Claims Act, General Laws chapter 258. Prior to the enactment of the Tort Claims Act in 1978, cities and towns were generally immune from liability arising out of the negligent or wrongful acts of their employees under the doctrine of sovereign immunity. See Breault v. Chairman of the Board of Fire Commissioners of Springfield, 401 Mass. 26, 35 (1987). The Tort Claims Act waived that sovereign immunity for cities and towns for tortious conduct, subject to certain limitations and exceptions, and provides in section 2:

Public employers shall be liable for injury or loss of property or personal injury or death caused by the negligent or wrongful act or omission of any public employee while acting within the scope of his office or employment, in the same manner and to the same extent as a private individual under like circumstances....The remedies provided by this chapter shall be exclusive....

There are, however, a number of exceptions to this broad waiver of sovereign immunity set forth in chapter 258. Section 10 of chapter 258 provides that the Tort Claims Act does not apply to a number of situations, including:

(e) any claim based upon the issuance, denial, suspension or revocation or failure or refusal to issue, deny, suspend or revoke any permit, license, certificate, approval, order or similar authorization.

Exceptions (e) through (j) were added to the statute in 1994, clarifying the immunity of cities and towns from damages claims for negligence in the permitting and inspection process, referred to as the "public duty rule". There have been a number of cases where a municipality was sued under the Tort Claims Act for injuries or damages suffered where a town did not enforce the state building code or other regulations after being aware of a violation. Most of these cases were decided before the amendment to the Tort Claims act that codified the public duty rule.

In Dinsky v. Framingham, 386 Mass. 801 (1982), the owners of a residence sued the town for damage to their property caused by flooding, allegedly because the building inspector issued building and occupancy permits despite the builder failing to comply with board of health requirements for grading the property. The Court determined that the building code

was enacted to protect the public at large, and did not create an individual cause of action against the town. Similarly, in Nolan v. Parker, 15 Mass. App. Ct. 475 (1983), a tenant was injured in a fire after the building inspector had cited the owner of the building for code violations. The tenant sued the town, alleging that the building inspector failed to follow up and enforce the code. The court again ruled that there was no cause of action against the town. In Ribeiro v. Granby, 395 Mass. 608 (1985) a tenant died in an apartment fire more than a year after the building inspector cited the building for various code violations, including lack of a second exit. The plaintiffs alleged that the town was liable for failing to take action to compel compliance with the building code. The court weighed a number of factors in determining that the claim for damages against the town for failure to compel correction of code violations should be dismissed.

In Zocchi v. Hinsdale, 30 Mass. App. Ct. 803 (1991), the court ruled that the town was not liable to property owners for alleged negligence by the building inspector in giving the contractor permission to build on property which was subject to the Wetlands Protection Act. The conservation commission issued a cease and desist after construction started, and the plaintiffs were unable to satisfy the requirements of the Act and unable to build their house. Finally, in Wasserman v. Bellingham, 1997 WL 311510 (Superior Court 1997), the court found Bellingham not liable for the issuance of a building permit that allegedly caused an increase in flooding on Wasserman's property.

Accordingly, should the PEDB approve the subdivision modification and a claim for damages is later asserted due to inability to tie into the Speroni Subdivision sewer or similar claim, in my opinion, the town would have a defense as outlined above. Nevertheless, there is no certainty as to whether the town could be held liable.

If you have further questions in this regard, do not hesitate to contact me.

Barbara J. Saint André
Petrini & Associates, P.C.
372 Union Avenue
Framingham, MA 01702
Tel. (508) 665-4310
Fax (508) 665-4313
bsaintandre@petrinilaw.com

<http://www.petrinilaw.com/>

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From: Barbara Saint Andre
Sent: Monday, March 12, 2012 10:09 AM
To: 'Susan Affleck-Childs'
Cc: Andy Rodenhiser; andyrodenhiser@gmail.com; Thomas Holder; 'Suzanne Kennedy'
Subject: 25 summer street subdivision - plan modification

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Susy, I am not sure that I have the most recent version of the PEDB's Subdivision Regulations, but I note that Section 5.21 provides that the definitive plan shall not be endorsed until: "5.21.17 The Applicant has provided verification that title to the premises shown on said plan and appurtenances thereto including any off-site easements and rights of way is in the Applicant's name and free of all encumbrances or that the encumbrances set forth will not preclude any required subdivision improvements." If the applicant has only provided a copy of a deed for the easement, that does not establish that the applicant has an easement free of all encumbrances. A title report would provide more specific information as to the validity of the title.

In my further opinion, the PEDB has the authority to ensure that a subdivision that is planning to use sanitary sewers that will tie in (eventually) to the public sewer system has an adequate system and a means of entering the public sewer. With respect to PEDB regulations ensuring adequate provision for sanitary sewers, see Section 1.3 Purpose; §5.7.19; and §5.16.3 (determination that development does not entail unwarranted hazard to safety, health, and convenience of future residents of the development or of others because of possible environmental degradation). Most clearly on point, Section 7.6.2(d) provides that proper extensions to existing public sewer systems shall be provided and made.

General Laws chapter 41, §81M provides that the Subdivision Control Law is enacted to protect the safety, convenience and welfare of the public, including ensuring sanitary conditions in subdivisions. "The powers of a planning board... shall be exercised with due regard for... securing adequate provisions for water, sewerage, drainage..." G.L. c. 41, §81M. In K. Hovnanian at Taunton v. Planning Board of Taunton, 32 Mass. App. Ct. 480 (1992), the court upheld the planning board's denial of a subdivision where the developer could not show that it would be able to tie in to the town sewer. The subdivision plan showed a tie in to a line on South Walker Street, but the developer had been informed by the sewer department that it could not tie into that line. Taunton had an agreement with the town of Dighton for sewage disposal, but the agreement was silent as to whether a land owner, such as the plaintiff, could tie into the South Walker Street line without the approval of the town of Dighton. The planning board regulations were discussed by the court:

Section 211(2)(C) of art. II provides that, if the applicant proposes to interconnect with the Taunton municipal sewerage system, the definitive plan must be accompanied by (i) a statement by the supervisor of the sewer department "of the conditions on which the city will sewer the subdivision," and (ii) a statement of the supervisor approving the engineering features of the proposed sanitary sewers. To the same effect is art. III, § 315(1), which provides that sanitary sewers shall be designed "to provide connection to municipal sewerage system, as approved by the sewer supervisor." These regulations are reasonable requirements designed to assure an adequate and proper sewerage system for the subdivision.

Id. at 484. The court ruled that the developer had not complied with the regulations and that the regulations were within the scope of the board's authority. "Moreover, the required regulations may impose the reasonable obligation that an applicant show that it "has *perfected arrangements* which will make possible service of the subdivision by the usual utilities ..., " including sewer." (emphasis added) Id. In my opinion the Medway regulations, in particular Section 7.6.2(d) require the developer to demonstrate that it can tie into the town sewer system.

If you have further questions in this regard, do not hesitate to contact me.

Barbara J. Saint André
Petrini & Associates, P.C.
372 Union Avenue
Framingham, MA 01702
Tel. (508) 665-4310
Fax (508) 665-4313
bsaintandre@petrinilaw.com

<http://www.petrinilaw.com/>

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Susan Affleck-Childs

From: Susan Affleck-Childs
Sent: Wednesday, May 23, 2012 4:23 PM
To: 'robinboorstein@comcast.net'
Cc: karen@chartweb.com; 'Andy Rodenhiser'; John F. Emidy
Subject: RE: McDonald's in Medway

Hi Robin,

Thanks so much for contacting us. I really appreciate it.

The members of the Medway Design Review Committee (DRC) and I were VERY surprised when we noticed the new red paint job at the Medway McDonald's. One member was concerned that it seemed like an attempt to emulate McDonald's corporate colors by making the building look similar to McDonalds red French-fries box!!

We are all very glad to learn that the orange/salmon color that now appears is just the tinted primer and is not what you plan for the building to look like upon completion.

When the Medway Commons plans were first developed, the color scheme for the buildings was given a great deal of thought and consideration. DRC Members are very disappointed that you did not contact the committee to discuss your recent painting plans. They would have been very pleased to meet with you and your design consultants to better understand the business issues you face and to brainstorm ideas.

The goal of the DRC is to create a better Medway by helping Medway developers, businesses and organizations to design and develop their buildings and signs as long-term investments, designed with appropriate materials in a manner that suits budgetary constraints and enhances the community's appearance and appeal. The Committee is comprised of volunteer Medway residents who are design professionals who offer their advice in the pursuit of this goal.

We would be most appreciative if you would provide a color rendering of the building showing the new color scheme with specifications on the exact color selections. Please forward this to us at your earliest possible convenience. Thanks so much.

I do request that in the future, when you consider making other substantive changes to the building's exterior, please plan to meet with the Design Review Committee well in advance. The DRC would be most pleased to provide you with design consultation as you evaluate various options. The DRC meets twice a month and any such meeting can be scheduled through this office.

Thanks so much. Good luck with the project.

Best regards,

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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-----Original Message-----

From: robinboorstein@comcast.net [mailto:robinboorstein@comcast.net]

Sent: Tuesday, May 22, 2012 8:30 PM

To: Susan Affleck-Childs

Cc: karen@chartweb.com

Subject: McDonald's in Medway

Hi

I wanted to reach out because I spoke with Karen Johnson and she let me know that you are concerned about the painting at my restaurant. Thus I figured it would be good for me to clarify what I am painting and what color the final product will be.

First let me say that the weather has not been kind, which is why the tinted primer has been the visible color for several days now, and even that is partial. That is not the final color - I frankly wouldn't be happy if it was - too much orange undertone - kind of tacky. In fact when I chose the colors I wanted to make sure to reflect the more upscale look that I think you all are going for while still becoming more visible.

So - the body color is Merlot Red (it's Benjamin Moore - a warm, brick red with a red/brown tone - the online sample isn't quite right though). The main trim areas will be a cream/off white so the the contrast is pretty and warm, not stark which the bright white might be. The soffit area will stay white, the shingles are staying gray and the brick is not being painted. I realize that the trend now is to paint the brick but personally I think it looks more classy (and classic) with the brick staying brick and the shingles staying unpainted as well.

I hope that helps - if you have any control with the weather - pray for a dry, sunny stretch of days so that we can get it looking the way it should.

Thanks

Robin Boorstein
Robinboorstein@comcast.net
Cell 617-312-3946

Sent from Xfinity Mobile App



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

May 24, 2012

TO: Planning and Economic Development Board
FROM: Susy Affleck-Childs, Planning and Economic Development Coordinator
RE: Appointments to the Medway Design Review Committee

The term of office for current DRC members Matt Buckley, Mary Weafer and Rachel Walsh expires on June 30, 2012.

All three have written to me and asked to be reappointed for another 2 year term through June 30, 2014. I would recommend these reappointments.

Presently, the other members of the DRC are:

Julie Fallon (term thru 6-30-2013)
Bruce Hamblin (term thru 6-30-2013)

Of course, Karyl Spiller-Walsh serves as the PEDB's representative to the DRC.

The provisions of the Medway General Bylaw which established the DRC require that there be at least 5 members; a maximum number of members is NOT specified so we have room to grow! However the bylaw specifies that the DRC is to include one member of the Planning Board and a representative of the Medway Business Council. In recent years, the Medway Business Council has not been successful in regularly supplying a member to serve on the DRC, but we may have a candidate soon. The remaining members of the DRC should have experience and/or training in architecture, landscape design, site design, graphic design, sign design, planning, or other suitable professions that could be helpful to the Committee's work. With Dan Hooper's recent resignation, we could still use someone with some landscape design background. Of course, we are always looking for an architect!!

ZONING

Susan Affleck-Childs

From: Susan Affleck-Childs
Sent: Tuesday, May 15, 2012 10:48 AM
To: John F. Emidy; 'Joseph.Musmanno@L-3com.com'; Sandy Trufant; 'Alison Slack'; Bob Ferrari; Doug Havens; Mike Heineman ; 'Matt Buckley'; 'Raymond_Himmel@waters.com'; 'Ann M. Sherry'; Suzanne Kennedy; Board of Selectmen; Tina Wright ; Jim Wickis ; Thomas Holder; Karon Skinner-Catrone; Rob Pomponio; Stephanie Bacon
Cc: Andy Rodenhiser ; 'Gino Carlucci'; 'Barbara Saint Andre'; 'Jim Wieler'; andyrodenhiser@gmail.com; 'Mark Cerel'
Subject: Zoning Bylaw - Amendment Ideas for 2013

Good morning,

The Planning and Economic Development Board has begun to discuss possible amendments to the *Medway Zoning Bylaw* for consideration at the **2013** Annual Town Meeting.

The Board and I have our own long list of topics that we feel need attention and some ideas about new provisions as well. But we would like to know what *Zoning Bylaw* amendments you believe are needed from the perspective of your individual board/committee/department. These could include changes to existing sections of the *Zoning Bylaw* or the establishment of entirely new provisions.

Would you discuss this matter and communicate to us in writing with a list of *Zoning Bylaw* amendment topics of interest to you? Please be as specific as possible. We would appreciate hearing from you July 1st. If you have samples of good language from another community, please forward that to us as well.

If it would be helpful, I would be glad to attend a meeting of your board/committee for such a discussion. Please give me a couple of weeks notice and I will get the date onto my calendar.

For your reference, the recently updated *Medway Zoning Bylaw* is on line at the PEDB page at townofmedway.org.

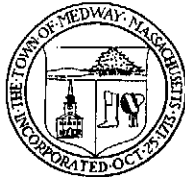
Upon receipt of ideas and suggestions from various departments/boards/committees, the Planning and Economic Development Board will review all the possibilities to determine what topics to focus on during the coming year.

Please don't hesitate to contact me if you have any questions. Many thanks for your cooperation.

Best regards,

Susy Affleck-Childs

Susan E. Affleck-Childs
Medway Planning and Economic Development Coordinator
155 Village Street
Medway, MA 02053
508-533-3291
sachilds@townofmedway.org



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

May 23, 2012

TO: Planning & Economic Development Board Members
FROM: Susy Affleck-Childs
RE: Board/Committee Liaisons

We need to consider PEDB membership and PEDB liaison assignments with other Town boards and committees. Please review the list below and be prepared to discuss at the 5/29/2011 PEDB meeting.

Presently Assigned

FY 13

The PEDB has official representation on the following committees:

Community Preservation Committee	Bob Tucker	_____
Design Review Committee	Karyl Spiller-Walsh	_____
Street Naming Committee	Susy Affleck-Childs	_____
Economic Development Committee	Andy Rodenhiser	_____
Town Wide Facilities Mgmt Study Committee	Tom Gay	Is this committee still active?
Energy Committee	Bob Tucker	_____
Medway Community Farm Liaison Committee	Bob Tucker	_____

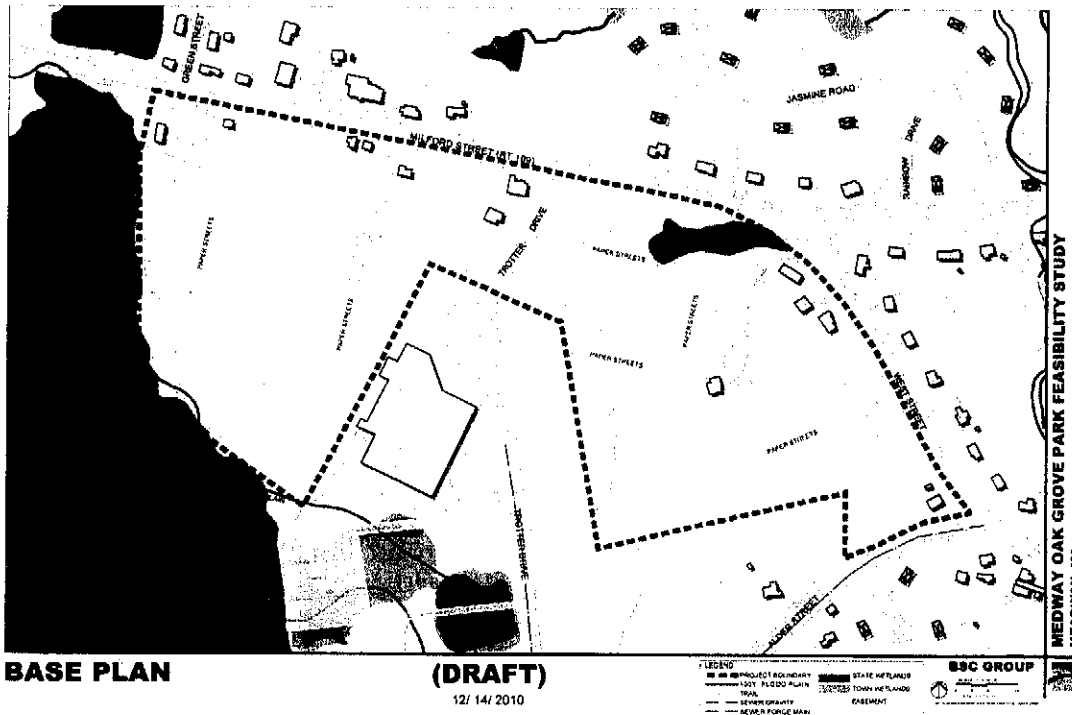
Board/Committee Liaisons

Affordable Housing Committee & Trust	Susy Affleck-Childs	_____
Board of Assessors	Andy Rodenhiser	_____
Board of Health	Andy Rodenhiser	_____
Board of Water/Sewer Commissioners	Chan Rogers	_____
Capital Improvements Planning	Chan Rogers	_____
Conservation Commission	Bob Tucker	_____
Disability Commission	Susy Affleck-Childs	_____
FinCom	Andy Rodenhiser	_____
GIS Task Force	Tom Gay	_____
Historical Commission	<i>Vacant</i>	_____
Medway Business Council	Andy Rodenhiser	_____

Medway 300 th Anniversary	<i>Vacant</i>	_____
Oak Grove Task Force	Andy Rodenhiser	_____
Open Space Committee	Karyl Spiller-Walsh	_____
Route 109 Reconstruction	Chan Rogers	_____
SWAP	Chan Rogers	_____
Town Administrator/Board of Selectmen	Andy Rodenhiser	_____
Zoning Board of Appeals	Andy Rodenhiser	_____
2B Oak Street/Thayer House Committee	Karyl Spiller-Walsh	_____

PUBLIC FORUM

Development Options for Medway's Oak Grove/Bottle Cap Lot Area



Tuesday, June 19, 2012 – 7 pm

Medway Public Library – 26 High Street
Cole Rooms A & B – Ground Floor

Presentation of Proposed Preferred Oak Grove Development Concept Plan

Your attendance, comments and feedback are requested.

This Public Forum is sponsored by the
Medway Planning & Economic Development Board and the
Medway Economic Development Committee.
Funding support for this project is provided by MassDevelopment.

For additional information, please contact the Medway Planning & Economic Development office
at 508-533-3291 or email: saffleckchilds@townofmedway.org.

Smarter Subdivisions Conservation by Design Workshop



Monday, June 4, 2012, 6 pm to 9 pm
Featuring Designer Randall Arendt

Dean College, Guidrey Center
109 West Central Street, Franklin, MA 02038



Learn about subdivision design principles that maintain both rural character and development value while building a network of conservation lands. Randall Arendt is a leading advocate for “greener” neighborhood development and author of *Conservation Design for Subdivisions*.

Free and open to the public

Sandwiches and other refreshments will be provided. Visit MAPC.org for more information

To reserve a space, and to request an accessibility accommodation,
contact Cynthia Wall at 617-451-2770, ext. 2058 or email CWall@mapc.org

