November 12, 2013
Medway Planning and Economic Development Board
155 Village Street
Medway, MA 02053

BOARD MEMBERS PRESENT: Andy Rodenhiser, Bob Tucker, Karyl Spiller-Walsh, Matthew Hayes and Associate Member Richard DiIulio

NOTE - Member Tom Gay is participating remotely. **(Authorization form was signed October 23, 2013 by Chairman Andy Rodenhiser. See attached.)**

ABSENT WITH NOTICE: None

ALSO PRESENT:

Susy Affleck-Childs, Planning and Economic Development Coordinator
Amy Sutherland, Meeting Recording Secretary
Gino Carlucci, PGC Associates
Dave Pellegri, Tetra Tech

The meeting was opened at 7:00 pm.

There were no Citizen Comments.

131-133 Milford Street /Murphy Insurance Agency Site Plan Review Estimate:
The Board is in receipt of the following:

- PGC Associates cost estimate dated November 6, 2013 in the amount of $270.00. **(See Attached)**
- Tetra Tech proposal for site plan review in the amount of $3,345.00. **(See Attached)**

On a motion made by Bob Tucker and seconded by Karyl Spiller-Walsh, the Board voted unanimously to accept the plan review estimates as provided.

Applegate Farm Subdivision Modification – Review, Discussion and Vote:
The Board is in receipt of the following documents:

- Email from Ralph Costello dated November 8, 2013 **(See Attached)**
- Request for a Deadline Extension dated November 8, 2013 and signed by Ralph Costello **(See Attached)**

Mr. Costello sent an email and marked up of the draft Applegate modification decision. He wants an amendment to the plan without the restrictions included in the draft. He thinks that the Board has gone beyond the scope.

Susy explained that the decision was drafted from the perspective of the Board and that there were various issues raised during the public hearing which needed refining such as sidewalk construction and the scenic road work permit.

It was recommended that the public hearing should be reopened to address the various issues of concern to Mr. Costello.

The Board discussed that it would be helpful to have dialogue with Mr. Costello to see what his reasoning is behind the email.

The Board recommends that the applicant come in and meet with the Board.

Extension Deadline:
On a motion made by Matthew Hayes and seconded by Bob Tucker, the Board voted unanimously to extend the deadline the Board's action on the Applegate Farm Subdivision until January 30, 2014.

The Board wants to make sure that it is communicated to Mr. Costello that there will be a cost which he will incur to reopen the public hearing. Susy will provide him with the information.

On a motion made by Bob Tucker and seconded by Matt Hayes, the Board voted unanimously to reopen the public hearing to allow Mr. Costello an opportunity to come back to the Board.

PUBLIC HEARING CONTINUATION - Hill View Estates

Tony Biocchi was in attendance representing the applicant along with Paul DeSimone of Colonial Engineering.

The Board was in recent of the following information:

- A letter from Colonial Engineering dated October 29, 2013 **(See Attached)**
- A letter from Merrikin Engineering dated October 31, 2013. **(See Attached)**
- A plan review letter from Tetra Tech Rizzo dated November 6, 2013. **(See Attached)**
- A plan review letter from PGC Associates dated November 5, 2013. **(See Attached)**

The Board was made aware that the plans were further revised based on the consultants' November review comments. Those plans were distributed at the meeting. NOTE - The consultants did not review the recently revised plans.

Paul DeSimone explained that the plans had been revised to show shrub plantings around the stormwater basin in cul-de-sac. It was also indicated that the discharge level spreader had been divided so that each trench would have own discharge. The applicant divided the spreader with a dividing curb weir, which creates two separate discharge spreaders adjacent to one another.

Consultant Carlucci communicated that additional plantings and shrubs have been added around the basin within the cul-de-sac. The erosion control plan has been provided. It was also brought

up that the applicant noted that the areas within the easements are not basins but trenches. However, a waiver will need to be requested if the PEDB determines that the trenches are basins requiring a separate parcel.

The Board discussed the drainage being on a separate parcel.

These are separated and now there is a head wall on parcel A. The date of the plan referenced is October 28, 2013.

Susy wanted to know why this can't be on a separate parcel. It is required that it be on a separate parcel based on the regulations.

It was noted that this could make it difficult to attain frontage requirements.

Member Tucker indicated that the water goes into the spreader area and when water goes over this, it will be sheet flow over the drainage easement. The water will not stop and then what will happen to it? The water is in a concentrated area and this will cause it to go into the neighbor's yard.

The report from Merrikin Engineering references that the proposed infiltration structures are not basins but trenches.

Consultant Pellegri indicated that the flow on 10A is coming down, and there is a swale, and it may spread out some to flat area, the outlet is getting the same amount of flow. This is for the 100 year storm. This is going from pervious to impervious. This will not be a worse situation.

Consultant Carlucci noted that the term trench or basin will need to be determined.

Member Spiller-Walsh recommends that the applicant request a waiver.

The Board would like to continue this hearing to discuss further research and allow the consultant to review the definition to determine if this is a trench of a basin. He will provide a written response back to the board.

Continuation Hearing:
On a motion made by Bob Tucker and seconded by Matt Hayes, the Board voted unanimously to continue the hearing for Hill View Estates to November 26, 2013 at 8:00 pm

PUBLIC HEARING - 146 Main Street Adaptive Use Overlay District Special Permit Modification Plan Review

The Chairman opened the public hearing. **See attached notice.**

The Board is in receipt of the following documentation:

- Memorandum from Susy Affleck-Childs dated November 8, 2013 **(See Attached)**

Board

Gay regarding inspection dated November 2, 2013 **(See Attached)**
er Group dated November 1, 2013 **(See Attached)**
ty Director Dave D'Amico dated November 7, 2013. **(See**

ere present at the meeting.

Board decided to have member Gay conduct a site inspection and
Board reviewed the marked up versions of the as-built plans as
or Dave D'Amico also provided an email re: the status of the
in front of 146 Main Street as part of the 109 reconstruction

ned a contract with MA DOT, thus the language in this special
tion cannot be fulfilled.

PS has verified that the applicant has secured the needed street
ne driveway.

they did not install the lights along the edge of the parking lot
light emitted from the 2 lights attached to the building. The
ommodate the potential for 2 lights in the future. The applicant
equirement for a bicycle rack be removed since their customers or

with a check in the amount of $6,938.00 to be held in the escrow
uction.

the site inspection which was done by member Gay.

ification:
ucker and seconded by Matt Hayes, the Board voted
nodify the permit for 146 Main Street.

n and this will need to be recorded.

ucker and seconded by Karyl Spiller-Walsh, the Board voted
public hearing for 146 Main Street until November 26, 2013 at

ucker and seconded by Matt Hayes, the Board voted
-built for 146 Main Street and approve the project close out.

PUBLIC HEARING CONTINUATION - CUMBERLAND FARMS Special Use Permit and Site Plan Review

The Chairman reopened the continued public hearing for Cumberland Farms.

Work Change Order:
The Board is in receipt of a work change order dated November 8, 2014 from Tetra Tech. **(See Attached).**

On a motion made by Bob Tucker and seconded by Matthew Hayes, the Board voted unanimously to approve the change order for Tetra Tech in the amount of $6,800.

The public was made aware that the member Gay was participating remotely. The paperwork was submitted. **(See Attached)**

The Board is also in receipt of the Mullin's Rule certification for member Tucker's absence from the October 8, 2013 public hearing. **(See Attached)**

Documents Entered into Record:

- Resident Linda Tasker, 6 Cedar Farms Road – an email dated November 7, 2013. **(See Attached)**
- Resident Manuela Bartiromo, Cedar Farms Rd. – an email dated November 5, 2013. **(See Attached).**
- Resident Shaun and Shannon Montana, 13 Slocumb Place – an email dated November 12, 2013. **(See Attached)**
- Residents, Teighan and Jesse Bain, 37 Milford Street – a letter dated October 31, 2013. **(See Attached).**
- Joe Avellino, Medway Gardens owner/co-applicant with Cumberland Farms - A letter dated October 31, 2013 **(See Attached)**
- The notes from the October 28, 2013 Town staff and consultants briefing with residents. (audio available)
- A letter from Design Review Committee with recommendations dated November 8, 2013. **(See Attached)**
- An email communication dated October 28, 2013 from Attorney Paulousky indicating no selling of beer or wine. **(See Attached)**
- An email communication dated October 25, 2013 from Attorney Paulousky regarding the residents briefing meeting. **(See Attached)**
- Tighe and Bond proposal for traffic monitoring program dated October 28, 2013. **(See Attached)**
- Review letter from Mike Hall of Tetra Tech regarding the applicant's proposed traffic monitoring program dated November 5, 2013. **(See Attached)**
- Review letter dated November 6, 2013 from Mike Hall of Tetra Tech regarding the traffic volumes. **(See Attached)**

- Review letter dated November 7, 2013 from Mike Hall of Tetra Tech regarding cut thru traffic mitigation options. **(See Attached)**

The Chairman read the letter from Joseph Avellino, owner of Medway Gardens and co-applicant with Cumberland Farms.

Stormwater Flow:
Consultant Pellegri indicated that the applicant confirmed the location of pipe and outflow from the Summer Street drainage. The stormwater connection from site to street shall include backflow prevention. This was included.

The applicant supplied photographs for the Board to view.

The Board would like the applicant to put this into a letter summarizing the flow of this water and where it will come out.

Curb Cuts:
At the previous meeting, residents brought up concerns about the number of curb cuts.

Consultant Carlucci read from the general bylaw and noted that in Commercial districts, the curb cuts are subject to the permitting authority. It is his opinion that this is within the purview of the Board. The regulation regarding one curb cut for every 150 feet of frontage applies to residential property.

Resident Tracy Stewart referenced a prior letter from the Consultant about the bylaw regarding only one curb cut being allowed.

Consultant Carlucci indicated he does not believe that there is anything that notes that commercial areas are limited to one curb cut.

The Chairman responded that Cumberland Farms has indicated that they need the most easterly curb cut.

Consultant Carlucci referenced the regulation sited from Ms. Stewart in Section 205-3 A (Site Plan Rules and Regulations). He noted that this is not an absolute limit to one curb cut.

Resident Stewart wanted to know where the gate is going.

The Engineer indicated it on the plan.

Resident Stewart expressed her sympathies with the Bains since there will be more traffic and a curb cut close to their property.

Consultant Pellegri indicated that the curb cut is needed for circulation within the site. We talked about this at the preliminary meeting months ago.

Member Gay concurs with Consultant Pellegri. He noted there are actually three curb cuts today on site.

Ms. Stewart noted that the widths of the curb cuts are not consistent. Two are at 24 ft. and one is at 40 ft.

It was communicated that all driveways need to handle the traffic and turning radius differently so that they all work.

Susy noted that she had received an inquiry whether Cumberland Farms was planning on selling beer and wine. She reported receipt of an email from Attorney Peter Paulousky that Cumberland Farms has no intentions sell beer or wine. There are also no intentions to shut down the existing Cumberland Farms on Rt. 109 in Medway. This will continue to be a retail business

The Board is also in receipt of the Design Review Committee letter.

The lights need to be muted.

There are continued concerns from the abutters that the landscaping be maintained. They also want to make sure that there are no vending machines since these are not attractive nor appropriate for this site.

The discussion next moved to signage.

Engineer Phil Henry indicated that they did go to the ZBA and there was consensus about the monument sign. There were prepared comments. The three variances are in front of the Zoning Board of Appeals. The Board has yet to issue a decision on this.

Member Tucker does not want to see any lighting greater than zero at the property line.

The Engineer indicated that this can be modified at the property line

Susy noted that this can be added as a condition.

Zoning Board of Appeals member Tony Biocchi commented that he wants to know the spirit of the Board and the DRC regarding the sign variances. He noted the ZBA did receive a letter from Susy.

Susy explained that the letter sent to the Zoning Board of Appeals was not the opinion of the Board and not sent on behalf of the Board, but simply her opinion as she holds her position.

The Board's position is that the recent change to Zoning Bylaw regarding signs is what is appropriate for the area.

Tony noted that he is personally stuck on the roof façade issue and it being included in the height. He further stated that by taking the roof line out, it changes the design.

The Chairman communicated that the Zoning Board of Appeals hearing was closed and the information needs to be sought from them. The discussion needs to take place there and not at the Planning Board.

Ms. Stewart noted that she was at the Zoning Board of Appeals meeting and asked them to consider the recommendation letter from the Design Review Committee.

The Chairman stopped the discussion and reiterated this is an item for the Zoning Board of Appeals.

Resident Stewart responded that the DRC letter was not received and therefore not reviewed by the Zoning Board of Appeals before it closed its public hearing. This is a poor process.

Engineer Phil Henry presented a PowerPoint to show what was changed on the drawings. Most of the changes related to the Design Review Committee's letter. The parking was modified and required 18 spaces. The swing gate was noted on the plan. Some of the bollards were removed and four raised planters were included which will be changed seasonally. The planters will be concrete with limestone veneer. The color of the bollards has been changed from white to black.

Member Tucker wanted to know if the trees used will outgrow the site ten years from now.

The Engineer indicated that we started with the DRC recommendations for trees and we did create maintenance for such. We did update the plant material list to include larger specimen trees to be planted from 18 ft. minimum and 22 ft. We have replaced the four river birch trees with four Fraser furs. The fencing was changed from white to mocha and also from wood to vinyl. The fence will step up and will run for a total 224 linear feet. The last two end pieces will step up to 8 ft. at the request of the Bain's.

Resident 38 Milford St:
They want their foundation to be inspected prior to blasting.

Resident, 10 Cedar Farms:
This resident is concerned with traffic coming out of this area. She has not heard anything about this project. She has looked on the website and has seen nothing.

The Chairman informed the resident that the meetings are taped, and minutes are placed on the website. It was suggested that she contact Susy to inform her about where she can get the information.

Consultants Pellegri and Carlucci indicated that the comments from their reviews have been addressed.

The Board wants to make sure the correct size of the canopy is indicated on all plans.

The applicant indicated that they can put bushes on the Bain side, but it will not be the responsibility of Cumberland Farms to maintain those. This is a condition that can be added.

The Engineer for Cumberland Farms indicated that the trees were relocated at the request of the Bain's.

Mrs. Bain wanted to know if she can get a sample of the fence.

The Attorney responded that he could provide Mrs. Bain with an address and telephone number of where she can look at the fence.

There was discussion about the landscaping on the western curb cut and making sure that it does not block the site distance. Sheet 4.0 was referenced.

The discussion next moved to the crosswalk and the painted stop bar. The stop bar should be back 4 ft. from crosswalk. The plan shows this at the edge of the travel way.

Member Hayes does not think it is a good idea to have it right on the crosswalk. There should be some space. He also wanted to make sure the lane lines center is yellow with separated white lines.

Traffic Review:
The Board had asked the applicant to provide a proposal for a traffic monitoring program in response to concerns expressed by area residents on Rustic Road/Little Tree neighborhood and along Summer Street near the High School.

It was indicated that the criteria proposed by Tighe and Bond specifies that a 6 or more vehicle increase in cut through traffic in the post opening condition versus the baseline condition would constitute a significant increase. It was recommended that the traffic counts and queue observations should be performed prior to the start of construction rather that at the opening of the store.

The Board has essentially two options on how the traffic monitoring program may be executed. One option is for the applicant to be responsible for contracting with a traffic consultant to perform the traffic counts and queing/cut through traffic observations. The applicant would be responsible to provide escrow funds. The second option would be to have the applicant put money in escrow to have the baseline and post-opening traffic counts and traffic observations completed by a consultant hired by the town.

It is Tetra Tech's recommendation that option one be implemented since the funding for the counts/observations is the responsibility of town with applicant responsible for funding.

The third item would include mitigation measures.

Member Tucker reminded all that Rustic and Little Tree Roads are presently private ways. He asked how can we mitigate traffic issues on those streets if the Town has no control of them.

Consultant Hall agrees that this would be a legal question.

Member Spiller-Walsh responds that it is important is get to the (base-line) research.

Chairman Rodenhiser agrees that it established the baseline.

Susy responded that we could create some language in the decision that mitigation measures would be installed with the permission of the landowners. It could be undertaken as a collaborative effort with applicant, consulting firm, neighbors and property owners. We could see what Owen Sullivan wants to do.

Consultant Pellegri indicated that if signage is a condition and the applicant is willing to put it up and the residents on the private way do not want it, then that would show that the applicant did try to mitigate.

The condition needs to written knowing that some of the mitigation may not be permissible.

There was a suggestion that signage can also be put on Town owned land (roadway right-of-way).

There is a concern that modifying the roads with speed bumps is an issue, since this is a private road.

Member Tucker indicated that we are walking into a gray area and cautions the Board before walking down this path.

Susy responded that Consultant Mike Hall is describing the types of mitigation measures that are possible with examples.

Member Spiller-Walsh responds that it is important to get the baseline research to see if there is an egregious situation.

Susy responded that the Board has a responsibility to put in place some mitigation measures with permission of the land owner.

The attorney for Cumberland Farms responded that he has done lots of research on private versus public roads. There is case law which authorizes a Town to do such things as plowing and sanding, but one cannot provide funds to a private way.

Resident Donna Hainey indicated that Little Tree residents simply asked for a sign. This can be done easily. She is concerned about the safety for the residents and children.

Cumberland Farms responded that we can put up two signs. This can be done tomorrow on the Town property.

The last document which was presented by the applicant to the Board was a drawing showing the easement between Cumberland Farms and the property owner re: the access drive on the eastern edge of the property. Susy made copies for those interested in having a copy. This was entered into the record.

The Attorney for Cumberland Farms asked the Board to consider closing the hearing. The final plans have been provided.

Susy recommends to the Board to keep the hearing open for one more meeting since there may be more questions about the limitations to the entrance and exit. She also wants to draft conditions and findings and also look at decisions from other towns.

Resident Tracy Stewart commented that she does not want the hearing to be closed since the public has not been able to review the paperwork regarding the easement. These documents need to be put on the website and the residents should be able to review it.

The Chairman would like to leave it open since we may need to get an opinion from counsel.

Member Tucker indicated that we can have a condition regarding the easement subject to town counsel's approval. This has been done with other decisions.

Member Gay indicated that any question we may have can be put into the condition. He is ready to close the hearing.

Member Hayes is ready to close hearing.

Member Spiller-Walsh thinks the Board should keep it open one more meeting.

Request for Extension

On a motion made by Matt Hayes and seconded by Karyl Spiller-Walsh, the Board voted to approve the applicant's request for an extension of the action deadline until December 31, 2013. (See Attached).

Public Hearing Closing:

On a motion made by Matt Hayes and seconded by Bob Tucker, the Board voted to close the public hearing for Cumberland Farms. The motion passed.

Karyl Spiller Walsh	yes
Matt Hayes	yes
Bob Tucker	yes
Tom Gay	yes
Andy Rodenhiser	no

Susy explained that the next step will be to begin drafting the decision.

PEDB MEETING MINUTES:

October 8, 2013
On a motion made by Karyl Spiller-Walsh and seconded by Matt Hayes, the Board voted unanimously to accept the minutes from the October 8, 2013 meeting. (Member Tucker abstained from vote)

October 22, 2013
On a motion made by Karyl Spiller-Walsh and seconded by Matt Hayes, the Board voted unanimously to accept the minutes from the October 22, 2013 meeting.

Adjourn Meeting:
On a motion made by Karyl Spiller-Walsh and seconded by Matt Hayes, the Board voted unanimously to adjourn the meeting.

The meeting was adjourned at 10:45 pm.

Respectfully Submitted,

Amy Sutherland
Recording Secretary

Edited by,

Susan E. Affleck-Childs
Planning and Economic Development Coordinator

Town of Medway

Remote Participation Request

RECEIVED
OCT 23 2013
TOWN OF MEDWAY
PLANNING BOARD

I, THOMAS A. GAY (print name), hereby request to participate remotely at the meeting of the PLANNING (Board/Committee/Commission) to be held on NOV. 12, 2013 (date). I certify to the Chair that my absence is the result of one or more of the following factors which make my physical presence unreasonably difficult:

_____ (1) Personal Illness or Disability _____ (2) A Family or Other Emergency

_____ (3) Military Service _X_ (4) Geographic Distance (Employment / Board Business)

Explanation: BUSINESS/VACATION TRAVEL

During the meeting, I will be at the following location:

OCALA FLA.
Address

508 341 5174
Phone Number

Thomas A Gay
Signature of Member

10.22.13
Date

Please sign and return to Chair

Request received by _____ _____
Chair (please print) Date

Method of Participation _____ (e.g. speakerphone)

Request Approved _____ Request Denied* _____

_____ _____
Signature of Chair Date

Signed form to be appended to the meeting minutes.
***All Denied Requests are Final and Not Appealable.**

PGC ASSOCIATES, INC.
1 Toni Lane
Franklin, MA 02038-2648
508.533.8106
gino@pgcassociates.com

approved as presented 11-12-2013

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

RECEIVED
NOV 06 2013
TOWN OF MEDWAY
PLANNING BOARD

RE: Murphy Insurance Site Plan Modification

Dear Mr.Rodenhiser:

PGC Associates is pleased to present the following cost estimate to review and comment on the proposed site plan modification submitted by Dennis Murphy Jr. of Hudson, to expand the parking lot onto abutting property. The property is owned by Dennis Murphy and Mustafa Demir and Reyne Charest-Demir of Medway. The plan was prepared by David E. Ross Associates, Inc. of Ayer, and is dated August, 2013.

Task	**Hours**
Technical Review and comment of initial submittal for compliance with zoning and site plan regulations	1.0
Attendance at Planning and Economic Development Board meetings/hearings	1.0
Review and comment on revised plans	0.5
Review and comment on draft Certificate of Recommendation	0.5
Total	3.0
Cost Estimate (@$90)	**$270.00**

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

Sincerely,

Gino D. Carlucci, Jr.

TETRA TECH

RECEIVED
NOV 05 2013
TOWN OF MEDWAY
PLANNING BOARD

November 5, 2013

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

Re: Proposal for Site Plan Review
Modification of an Approved Major Site Plan
Planning and Economic Development Board
Murphy Insurance Agency
Medway, Massachusetts

Dear Ms. Affleck-Childs:

We are pleased to submit this Proposal to the Town of Medway (the Client) for professional engineering services associated with the proposed Murphy Insurance Site Plan Modification submittal in Medway, Massachusetts (the Project). The objective of our services is to review the proposed Site Plan Modification submittal package, including but not limited to the Plans, Application to Modify an Approved Site Plan and/or Site Plan Decision, and Stormwater Analysis, and provide review comments as they relate to the Medway Planning Board's Rules and Regulations for the Submission and Review of Site Plans (Chapter 200), Medway Department of Public Services Sewer and Water Regulations, Department of Environmental Protection Stormwater Management Regulations, and sound engineering practice. We will also review the original Site Plan Decision. We have excluded from our scope, the review of the application package as they relate to the Town of Medway Zoning By-Laws which will be conducted by a separate consultant.

Scope of Services

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

Task 1 Site Visit

A. Perform one (1) site visit to review the site and its surroundings;
   - Budget Assumption: 2 hours@155=$310

Task 2 Document Review

A. Review the proposed Application to Modify an Approved Site Plan, and other supporting documentation not identified below, prepared by David E. Ross Associates, Inc.(DRA) and incorporate comments into review letter in item D below;

   - Budget Assumption: 1 hours @$155=$155

B. Review the proposed "Murphy Insurance Agency Modification of Approved Site Plan" prepared by DRA dated August, 2013;
   - Budget Assumption: 3 hours @155=$465
     2 hours @ $115/hr= $230
     4 hours @ $90/hr= $360
     Total= $1,055

C. Review the Stormwater Analysis prepared by DRA dated October, 2013for compliance with the latest Department of Environmental Protection Stormwater Management Standards and good engineering practice;
   - Budget Assumption: 3 hours @ $115/hr=$345

D. Prepare a letter summarizing findings for presentation to the Town of Medway Planning and Economic Development Board;
   - Budget Assumption: 1 hour @ $155/hr=$155
     1 hours @ $90/hr= $90
     Total= $245

E. Coordinate with applicant to address items in review letter and issue an updated letter upon receipt of modifications:
   - Budget Assumption: 2 hour @ $155/hr=$310
     1 hour @ $115/hr= $115
     1 hour @ $90/hr=$90
     Total-$515

Task 3 Meeting Attendance

A. Participate in four (4) hearings/meetings with the Town of Medway Planning and Economic Development Board. This cost includes time for hearings and individual meetings attended by either the civil or traffic engineer.
   - Budget Assumption: 2 Meetings
     2 hrs/meeting @$155/hr= $620

Cost

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

TETRA TECH

The breakdown of this fee by task is as follows:

Task	Task Description	Fee
Task 1	Site Visit	$310
Task 2	Design Review	$2,315
Task 3	Meeting Attendance	$620
	Labor Subtotal	**$3,245**
	Expenses (3.5%)	$100
	Total Fee	**$3,345**

Schedule

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

General Terms and Conditions

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

Very truly yours,

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

Edward W. Ionata
Senior Vice President

Date Approved by Medway Planning and Economic Development Board_____

Certified by: _____ _____

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

Susan Affleck-Childs

From: Ralph Costello [rmc@uniquenewhomes.com]
Sent: Friday, November 08, 2013 11:44 AM
To: Susan Affleck-Childs
Subject: RE: Draft Applegate modification decision
Attachments: doc02092820131108110910.pdf

RECEIVED
NOV 08 2013
TOWN OF MEDWAY
PLANNING BOARD

Susy,
Attached please find my comments and red lined copy of the modification decision.
My expectation is a very simple amendment to the plan without restrictions.
Please review .
Thank you,

Ralph

From: Susan Affleck-Childs [mailto:sachilds@townofmedway.org]
Sent: Thursday, November 07, 2013 4:56 PM
To: Ralph Costello
Cc: tk@uniquenewhomes.com; Rob Truax
Subject: RE: Draft Applegate modification decision

Hi Ralph,

I am writing to ask if you will have any comments you wish to provide to the PEDB re: the draft Applegate modification decision.

Please advise at your earliest convenience. This matter is on the agenda for the 11/12 PEDB meeting and I will be compiling board packets tomorrow moring.

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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RECEIVED
NOV 08 2013
TOWN OF MEDWAY
PLANNING BOARD

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

Andy Rodenhiser, Chairman
Robert K. Tucker, Vice-Chairman
Thomas A. Gay, Clerk
Matthew J. Hayes, P.E.
Karyl Spiller-Walsh
Richard Di Iulio, Associate Member

DRAFT – October 22, 2013

CERTIFICATE OF ACTION
AMENDMENT to APPLEGATE FARM DEFINITIVE SUBDIVISION PLAN
(_____ with Waivers and Conditions)

I. BACKGROUND - At a duly called and properly posted meeting of the Medway Planning Board held on June 22, 2006, the Board approved a Certificate of Action for the ***Applegate Farm Definitive Subdivision Plan***, prepared by GLM Engineering, Inc. dated December 1, 2005, last revised April 25, 2006 subject to the *Specific and General Conditions* as specified in the Certificate of Action and with *Waivers* from the April 26, 2005 *Subdivision Rules and Regulations* as follows: 7.9.2 e); 7.9.5 c); 7.13.3; 7.19.5; 5.7.28; and 7.21.

The above noted plan was revised January 12, 2007 pursuant to the conditions of the Certificate of Action and was endorsed by the Planning Board on January 30, 2007. The endorsed Applegate Farm definitive subdivision plan was recorded at the Norfolk County Registry of Deeds on February 22, 2007 as Pages 53-56 in Plan Book 565 of 2007.

II. SUMMARY OF SUBDIVISION – The above noted *Applegate Farm Definitive Subdivision Plan* includes 12 single-family home lots *(Lots 1B – 12B)*, one drainage parcel, and approximately 1695 linear feet of roadway between Ellis and Coffee Street known as Applegate Road. The development site is a 16.9-acre parcel located at the northeast corner of Coffee and Ellis Streets in the Agricultural-Residential I zoning district. The original land parcel was owned by Cedar Trail Trust/Ralph Costello, Trustee. The plan also included construction of a stormwater drainage system with a detention pond to comply with Massachusetts DEP stormwater management requirements, disturbance of stone walls and tree removal in the Ellis Street (scenic road) right-of-way, and extension of Town water and sewer. In addition to the 12 single-family house lots, the Applegate development also includes ten adjacent Approval Not Required (ANR) lots on Coffee and Ellis Streets authorized in August 2005.

III. APPLICANT: Ralph Costello
Unique Homes, Inc.
503 Main Street
Medfield, MA 02054

Telephone: 508-533-3291 *Fax*: 508-321-4987

IV. MODIFICATION DESCRIPTION: The proposed subdivision plan amendment addresses a drainage problem at the intersection of Ellis Street and Virginia Road which impacts the Applegate subdivision property. The proposed AMENDED subdivision plan shows changes to the subdivision's stormwater drainage system including the installation of catch basins, manholes and culverts to convey surface water flowing off of Virginia Road within new drainage and access easements to be located on Lot 7, Lot 12B, Lot 9B, and Lot 8B as shown on the plan that are presently owned by the Cedar Trail Trust. That stormwater will flow to a detention area located on Parcel A as shown on the plan (13 Applegate Road). The size of the culverts within Applegate Road and the stormwater drainage basin are increased to accommodate the additional runoff flow and storage volume. The applicant and the Town of Medway Department of Public Services will share the cost and responsibility for the installation work.

To offset the applicant's cost of the changes to the stormwater system, the applicant seeks waivers from the *Subdivision Rules and Regulations* as follows:

- reduction in the width of the interior sidewalks from 6' to 5.5'
- the use of Cape cod berm edging within the subdivision instead of sloped granite curbing
- relief from the requirement to pay the filing and plan review fees for the subdivision plan modification
- relief from the requirement to install an independent drainage system to collect and discharge subsurface runoff from the house foundation drains
- relief from the requirement that a detention pond be located on a separate parcel.

The applicant also seeks relief from Condition 7. e. of the June 22, 2006 Applegate subdivision decision. That condition specified that the final subdivision plan show approximately 960 linear feet of sidewalk along the north side of Coffee Street from the eastern edge of the property to Ellis Street. The applicant wishes to not construct that portion of the sidewalk from Applegate Road east to the eastern edge of the Applegate property boundary.

V. PROCEDURAL SUMMARY: With respect to proposed modification to the *Applegate Farm Definitive Subdivision Plan,* the Planning and Economic Development Board hereby certifies that:

1. On April 10, 2013, it received an application for approval of the *Amended Definitive Subdivision Plan – Applegate Farm* dated February 20, 2013, prepared by GLM Engineering, Inc. of Holliston, MA. This application was NOT preceded by a preliminary subdivision plan.

   NOTE - It was determined that the application was not complete as the required plan review fee had not been provided. Upon receipt of the plan review fee on May 16, 2013, the application package was determined to be complete.

2. On June 25, 2013, it commenced a public hearing on the plan. The public hearing was duly noticed on June 10 and June 18, 2013 in the *Milford Daily News*. It was filed with the Medway Town Clerk on June 3, 2013. Abutter notice was sent by certified sent mail on June 4, 2013. The public hearing was continued to August 13, August 27, and September 10, 2013 when it was closed. The public hearing continuation notices were filed with the Town Clerk.

3. On August 8, 2013, the Board approved the Applicant's request to extend the deadline for the Board's action to September 15, 2013.

4. On September 10, 2013, the Board approved the Applicant's request to extend the deadline for the Board's action from September 15 to October 15, 2013.

5. On October 8, 2013, the Board approved the Applicant's request to extend the deadline for the Board's action from October 15, 2013 to October 30, 2013.

VI. PUBLIC HEARING SUMMARY: The public hearing and review of the proposed modification to the Applegate Farm Definitive Subdivision Plan was conducted over the course of four Planning and n Economic Development Board meetings during which substantive information was presented and evaluated. The plan was reviewed for compliance with the *Subdivision Rules and Regulations* dated April 26, 2005.

Specified below is a list of application materials, public comments, consultant and town review documents, and supplemental information filed by the Applicant and the Board. All information is on file with the Planning and Economic Development Board and is available for public review. By reference, the *Applegate Farm Definitive Subdivision Plan* endorsed on January 30, 2007 is included as part of the record.

Public Hearing Notice - June 3, 20006

Application Materials

- Application dated February 20, 2013
- Letter from Rob Truax, GLM Engineering dated February 19, 2013 summarizing the applicant's waiver requests
- Certified Abutters list prepared by the Medway Assessor's office
- AMENDED Applegate Farm Definitive Subdivision Plan – GLM Engineering Consultants, Inc. - February 20, 2013
- AMENDED Stormwater Drainage System for Applegate Farm Subdivision and Virginia Road dated November 8, 2011, prepared by GLM Engineering Consultants, Inc.

Waiver Requests - February 20, 2013 Waiver Requests prepared by Rob Truax, GLM Engineering Consultants, Inc.

Town Engineering Consultant – David Pellegri, P.E. - Tetra Tech.

- June 20, 2013 Plan Review comments
- August 20, 2013 Plan Review comments
- Construction Report from Tetra Tech dated August 20, 2013
- Memorandum dated August 20, 2013 regarding Tetra Tech construction report from 6/26/2013 which pertained to erosion control and maintenance of stormwater improvements
- Memorandum dated September 20, 2013 re: applicant's request to waive requirement to install independent drainage system to collect and discharge subsurface runoff from foundation perimeter drains

Medway Departmental/Board Review Comments

- Testimony of Thomas Holder, Director of the Medway Department of Public Services – June 25, 2013 public hearing
- Email communication with photographs dated September 10, 2013 from Thomas Holder, Director of the Medway Department of Public Services re: proposed sidewalk

Supplemental Information Provided By Applicant

- August 13, 2013 letter from Robert Truax, GLM Engineering responding to 6-20-2013 plan review comments of David Pellegri of Tetra Tech
- Construction cost estimates dated February 21, 2012 provided by Maricor Construction Services – submitted during the 8-13-2013 public hearing
- *AMENDED Applegate Farm Definitive Subdivision Plan* – GLM Engineering Consultants, Inc. further revised August 12, 2013

Citizen/Resident Letters

Email communication dated June 19, 2013, from Susan and Randy Wood, 23 Coffee Street

Citizen/Resident Testimony

Ray McCarthy, 22 Coffee Street	6/25/2013 public hearing
Robert Ruppert, 11 Virginia Road	6/2/5/2013 public hearing

Professional Review/Testimony

Dave Pellegri, P.E., Tetra Tech.
Robert S. Truax, Project Manager/Design Engineer, GLM Engineering, Inc.

Other Testimony

Ralph Costello, applicant

Information Provided by Medway Planning and Economic Development office

- The Board's construction services invoice for the Applegate Farm subdivision from February 2013
- Prior Applegate Farm Definitive Subdivision Plan *Certificate of Action* - June 26, 2006
- Tetra Tech Construction Reports dated 8/9/12, 8/13/12, 8/16/12, and 8/17/12 for Applegate subdivision.
- Mullins Rule Certification for Board Member Matthew Hayes re: August 13, 2013 public hearing
- Scenic Road Work Permit for Applegate Farm Subdivision dated June 8, 2006 with a modification dated March 10, 2010 *(time extension for tree pruning work)* and a further modification dated November 22, 2011 *(pertaining to a curb cut/driveway opening in the fieldstone wall at 69 Ellis Street).*

Tree pruning complete

VII. GENERAL FINDINGS – At a duly called and properly posted meeting of the Medway Planning and Economic Development Board held on October 22, 2013, a motion was made by _____ and seconded by _____ to _____ the General Findings indicated below. The motion was _____by a vote of ___ in favor and ___ opposed.

A. During construction of the Applegate Farm subdivision, a corrugated metal culvert was found extending from the west side of Ellis Street onto Lot 7 of the Applegate Farm development. Stormwater flow from this culvert was not accounted for in the original Applegate Farm Subdivision drainage analysis. The applicant then researched the existing drainage situation in this area and found that the existing culvert captures stormwater flow from a portion of Ellis Street where runoff sheets off the side of the road into a grass swale which is directed to the culvert. Stormwater runoff from portions of Virginia Road is directed to two existing leaching catch basins at the intersection of Ellis and Virginia Road. These leaching catch basins have no outlet pipes so when they overflow, water may also enter the adjacent grass swale which again is directed into the corrugated metal culvert and discharges to Lot 7. Due to the lack of outlet pipes, these leaching

By the Town Engineer OR the Applicant

structures are susceptible to flooding and therefore can cause safety concerns with icing on Ellis Street.

B. The proposed amendment to the Applegate Farm Definitive Subdivision Plan provides for substantial enhancements to the stormwater drainage system to accommodate stormwater runoff from Virginia Road onto Ellis Streets *(shown on Sheet 8)* and across to the Applegate subdivision property. The improvements have been reviewed and evaluated by David Pellegri, P.E. of Tetra Tech, the Town's Consulting Engineer and found to comply with the Town's *Subdivision Rules and Regulations*.

C. The proposed improvements to the drainage system at the intersection of Ellis and Virginia Road will alleviate a troublesome existing condition which is in the Town's best interest to address. The scope of the improvements is supported by the Medway Department of Public Services.

D. The applicant/developer and the Town of Medway Department of Public Services have agreed in principle to share the cost of constructing the stormwater drainage improvements shown on the proposed amended Applegate Farm Definitive Subdivision Plan. Condition #6 of this Decision requires the preparation and submittal to the Board *(before plan endorsement)* of a signed memorandum of understanding between the Medway Department of Public Services and the applicant specifying each party's responsibilities to complete the needed stormwater management improvements.

E. The Board finds that the applicant has not provided verification that the required $12,300 worth of tree pruning on Coffee and Ellis Street has occurred as specified in the Applegate Farm Scenic Road Work Permit dated June 8, 2006 as mitigation for removing one 27` oak tree on Ellis Street in order to construct Applegate Road.

F. The owner of the properties located at ____ Ellis and ____Coffee Street has constructed a stone wall in the Town's right of way. As presently positioned, the stone wall is mostly likely in the way of the planned sidewalk to be installed by the developer along Coffee Street.

G.

VIII. ACTION ON REQUEST FOR WAIVERS OF SUBDIVISION RULES & REGULATIONS – As part of this application, the Applicant has requested the following additional waivers from the Board's *Subdivision Rules and Regulations*, dated April 26, 2005.

SECTION 5.2.1: *"Any person who submits a Definitive Subdivision Plan to the Board for approval shall file with the Board all items required in sections 5.5 and 5.7 and the appropriate Definitive Plan Filing Fee and an advance on the Plan Review Fee . . . "*

EXPLANATION: The applicant proposes that the Board waive the filing fee and the plan review fee to offset costs incurred by the developer to install the drainage system for the Ellis and Virginia Road intersection.

FINDINGS: Because the Board has found that that the proposed improvements to the drainage system at the intersection of Ellis and Virginia Road are in the Town's best interest, the Board is willing to waive the application filing fee and have the Town forego those revenues. However, Board also finds that the proposed modification to the stormwater drainage system necessitate the review of the Town's engineering consultant to ensure the modified system is correctly designed. Accordingly, there must be a payment source to compensate the consultant. Therefore, the Board will not waive the plan review fees associated with this plan modification.

Request waiver of Consultant Fee.

SECTION 7.7.2 (p) *"Detention and retention basins and underground infiltration systems and any related drainage structures shall be located on separate parcels and shall not be included on individual houses/building lots."*

EXPLANATION: The applicant proposes that the Board waive the requirement that the detention pond be completely located on a parcel separate from a building lot.

FINDINGS: The additional stormwater runoff from Virginia Road that will flow to the Applegate detention pond on Parcel A (13 Applegate Road) necessitates its enlargement from what was previously approved. With the proposed plan amendment, a small portion of the southern end of the enlarged detention pond will extend onto the very northeasterly portion of the adjacent building lot at 13 Coffee Street. However, the enlarged pond is completely contained within the area shown for the drainage easement on Parcel A and 13 Coffee Street. Strict adherence to this particular Regulation would necessitate reducing the area of the 13 Coffee Street lot in order to enlarge Parcel A so that the detention pond would be located completely on Parcel A. That change would result in 13 Coffee Street not complying with the minimum lot area of 44,000 square feet per the Medway Zoning Bylaw. In light of the investment the developer is making to enhance the drainage system to accommodate stormwater runoff from Virginia Road, the Board finds that compliance with this Regulation would be an excessive and unreasonable consequence to the applicant. Therefore, the Board agrees to grant this waiver request.

SECTION 7.7.4. d) *". . . An independent drainage system shall be provided to collect and discharge subsurface runoff from the foundation perimeter drain for the houses along the proposed roadway. . . ."*

EXPLANATION: The applicant proposes that the Board waive the requirement to install independent drainage systems to collect and discharger subsurface runoff from the foundation perimeter drain for the houses along Applegate Road. The estimated cost savings is $20,000. The reason for the applicant's request is to offset costs incurred by the developer to install the drainage system for the Ellis and Virginia Road intersection.

FINDINGS: The building lots for which the applicant seeks a waiver from this Regulation are: 9R, 12B, 11B, 10B 9B and 8B. David Pellegri, P.E., of Tetra Tech, the Town's consulting engineer has reviewed the applicant's proposal to not install independent drainage systems for the above noted building lots. His 10/10/13 review indicates that the approved definitive and the proposed amended Applegate Subdivision Plan include a 2 part NOTE on Sheet 7 as follows:

1. *Perimeter foundation drains (4") to be outleted to daylight or connected to the 4" main trunkline.*
2. *Final building elevations and locations shall be in compliance with the Town of Medway Building Regulations. Basement floor elevations to be a min. of two feet above max. seasonable high ground water. Ground water elevation to be verified by certified soil evaluator.*

Consultant Pellegri further notes that the Massachusetts State Building Code requires the *"Owner or Applicant shall perform a subsurface soil investigation in accordance with780 CMR 1802.0 to determine the possibility of the ground water table rising above the proposed elevation of the floor or floors below grade."*

Based on the plan notes on Sheet 7 and the requirements of the State Building Code, consultant Pellegri has indicated that *"there is adequate assurance that the basement floor elevations will be designed and constructed above the seasonal high ground water elevation, therefore eliminating the need for a foundation drain." "In conclusion, we feel that the drain proposed below the sidewalk to accept the future perimeter drains in the original approved plans is not necessary and can be eliminated from the design."* He suggests that the Board may want to incorporate the Note from Sheet 7 into the decision. Therefore, subject to Condition # ____ specified herein, the Board agrees to grant this waiver request.

SECTION 7.10.2 *"Curbing shall be provided the full length of all streets along each side of the roadway. For a Local Street, the type of curbing shall be Sloped Granite Edging (Type S-B).*

EXPLANATION: The applicant proposes that the Board waive the requirement to install sloped granite curbing along the full length of Applegate Road and to allow the use of Cape Cod Berm instead. The estimated cost savings is $30,000. The reason for the applicant's request is to offset costs incurred by the developer to install the drainage system for the Ellis and Virginia Road intersection.

FINDINGS: In light of the investment the developer is making to enhance the drainage system to accommodate stormwater runoff from Virginia Road, the Board finds that the change to Cape Cod Berm for the curbing within the Applegate subdivision is a reasonable alternative to the sloped granite curbing as specified in the Regulations for a subdivision of this size. Therefore, the Board agrees to grant this waiver.

SECTION 7.13.2 *"Sidewalks shall extend the full length of the street and around the entire perimeter of the cul-de-sac. For a Local Street, the sidewalk shall be six feet on one side – Hot Mix Asphalt with a minimum six and one-half foot grass strip.*

EXPLANATION: The applicant proposes that the Board waive the requirement to install 6 foot wide sidewalk along the full length of Applegate Road and to allow a 5.5 foot sidewalk

instead. The estimated cost savings is $3,500. The reason for the applicant's request is to offset costs incurred by the developer to install the drainage system for the Ellis and Virginia Road intersection.

FINDINGS: In light of the investment the developer is making to enhance the drainage system to accommodate stormwater runoff from Virginia Road, the Board finds that the change in the ` width of the sidewalk within the Applegate subdivision to 5.5' is a reasonable alternative to the 6' wide sidewalk as specified in the *Regulations*. Therefore, the Board agrees to grant this waiver.

NOTE – The previously approved waiver findings and decisions specified in the June 22, 2006 Applegate Farm Definitive Subdivision Plan Certificate of Action remain in effect.

MITIGATION PLAN - The proposed AMENDED subdivision plan shows changes to the subdivision's stormwater drainage system including the installation of catch basins, manholes and culverts to convey surface water flowing off of Virginia Road within new drainage and access easements to be located on Lot 7, Lot 12B, Lot 9B, and Lot 8B as shown on the plan that are presently owned by the Cedar Trail Trust. That stormwater will flow to a detention area located on Parcel A as shown on the plan (13 Applegate Road). The size of the culverts within Applegate Road and the stormwater drainage basin are increased to accommodate the additional runoff flow and storage volume.

NOTE – The previously approved Waiver Mitigation Plan items 1-4 specified in the June 22, 2006 Applegate Subdivision Certificate of Action remains in effect.

Action on Waiver Findings - At a duly called and properly posted meeting of the Medway Planning and Economic Development Board held on October 22, 2013, a motion was made by _____ and seconded by _____ to _____ the above noted Waiver Findings. The motion was _____by a vote of ___ in favor and ___ opposed.

Action on Mitigation Plan - At a duly called and properly posted meeting of the Medway Planning Board held on October 22, 2013, a motion was made by _____ and seconded by _____ to approve the above noted Mitigation Plan. The motion was _____by a vote of ___in favor and ___ opposed.

Action on Waiver Request – At a duly called and properly posted meeting of the Medway Planning and Economic Development Board held on October 22, 2013, a motion was made by _____ and seconded by _____to _____the above noted Waivers from the *Subdivision Rules and Regulations*. The motion was _____by a vote of ___ in favor and ___ opposed.

IX. PROJECT EVALUATION CRITERIA – Before taking action on a proposed amendment to a Definitive Subdivision Plan, the Board shall evaluate the proposed subdivision according to the following criteria as specified in Section 5.16 of the *Subdivision Rules and Regulations*. At a duly called and properly posted meeting of the Medway Planning and Economic Development Board held on October 22, 2013, a motion was made by _____, seconded by _____ to _____the Project Evaluation Findings noted below. The motion passed by a _____vote.

5.16.1 Completeness and technical accuracy of all submissions.

FINDINGS – The Board finds that the submissions pertaining to the proposed amendment of the Applegate Farm Definitive Subdivision Plan were complete and technically accurate.

5.16.2 Determination that the street pattern is safe and convenient and that proper provision is made for street extension. The Board may disapprove a plan where it determines that dangerous traffic or unsafe conditions may result from the inadequacy of the proposed ways within the subdivision.

FINDINGS – As there is no change in the proposed street pattern from that previously approved, the Board finds this criterion is met.

5.16.3 Determination that development at this location does not entail unwarranted hazard to the safety, health and convenience of future residents of the development or of others because of possible natural disaster, traffic hazard or other environmental degradation.

FINDINGS – As there is no change in the development's location from that previously approved, the Board finds this criterion is met.

5.16.4 Determination, based on the environmental impact analysis, where submitted, that the subdivision as designed will not cause substantial and irreversible damage to the environment, which damage could be avoided or ameliorated through an alternative development plan.

FINDINGS – The scope of the proposed modification does not necessitate the preparation of an environmental impact analysis. The proposed change to the stormwater system has been reviewed by the Town's consulting engineer. The development is subject to an Order of Conditions from the Medway Conservation Commission to protect wetland resources. The Board finds that this criterion is met.

5.16.5 Determination that the roads and ways leading to and from the subdivision shall be adequate to provide emergency medical, fire and police protection as well as safe travel for the projected volume of traffic. The Board may disapprove a plan where it determines that dangerous traffic or unsafe conditions may result from the inadequacy of the proposed access or of any ways adjacent to or providing access to the subdivision.

FINDINGS – As there is no change in the roadway layout from that previously approved, the Board finds that the roads leading to and from the subdivision are adequate to provide emergency, medical, fire and police protection and safe travel for the neighborhood's projected volume of traffic. Therefore, the Board finds that this criterion is met.

5.16.6 Conformity with all applicable requirements of the Medway Zoning By-Law including but not limited to minimum area and frontage standards.

FINDINGS – The proposed change to the stormwater drainage complies with all applicable requirements of the Medway Zoning Bylaw. The Board finds that this criterion is satisfied.

5.16.7 Consistency with the purposes of the Subdivision Control Law.

FINDINGS – The proposed change to the stormwater drainage system complies with the applicable Subdivision Rules and Regulations. The Board finds that the project is consistent with the purposes of the Subdivision Control Law.

X. ***DECISION*** – At a duly called and properly posted meeting of the Medway Planning and Economic Development Board held on October 22, 2013, a motion was made by _____ _____ and seconded by _____to _____ the ***AMENDED Applegate Farm Definitive Subdivision Plan***, prepared by GLM Engineering, Inc. dated December _____ subject to the *Specific and General Conditions* as specified herein and with *Waivers* from the following sections of the *Subdivision Rules and Regulations* dated April 26, 2005:

(INSERT LIST APPROVED WAIVERS)

The motion was _____ by a vote of ___in favor ( ) and ___ opposed ( ).

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

Conditions

1. It is expressly understood that this AMENDMENT does not change the number of single-family house lots in the Applegate Farm subdivision from the 12 originally approved. As a permanent condition of this plan, no further subdivision will be allowed.

2. The Applicant shall complete construct the roadway and all related infrastructure including the modified stormwater management system, and install all utilities as shown on the AMENDED definitive subdivision plan, to the satisfaction of the Planning and Economic Development Board within _____ years of the date of endorsement of the AMENDED Applegate Farm Definitive Subdivision Plan.

3. The Applicant shall specifically reserve to itself ownership of the fee in Applegate Road and all 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 roadways and all easements to the Town of Medway before the Planning and Economic Development Board approves the final bond release.

4. Prior to the Board's endorsement of the AMENDED plan, the ***cover sheet*** of the plan set shall be revised to include the following:
   a. The final plan revision date
   b. List of ALL approved waivers
   c. Updated sheet index
   d. Reference that all subdivision lots are subject to the *Declaration of Protective Covenants & Restrictions Governing the Applegate Farm Subdivision.*
   e. Reference that the subdivision lots are subject to a new Subdivision Covenant.
   f.
   g.

5. Prior to the Board's endorsement of the AMENDED plan, the plan with its last revision date of August 12, 2013 shall be further revised to incorporate all conditions as specified in this Certificate of Action. The Applicant shall provide such AMENDED 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 AMENDED definitive subdivision plan.

6. *Ellis Street/Virginia Road Stormwater Work* - Prior to the Board's endorsement of the AMENDED plan, the applicant shall provide a written Memorandum of Understanding executed by the applicant and the Medway Department of Public Services to fully detail the agreed upon scope of work, construction responsibilities and funding for the supplemental stormwater management infrastructure indicated on the plan

7. *Scenic Road Work Permit*

We need to establish a new deadline by which the tree pruning work shall be completed or evidence provided that the work was already done. If not done by the time they request the first lot release, the value of the tree pruning ($12,800) should be included in the bond estimate.

8. *Sidewalk Construction*

A. *Coffee Street between Ellis and Holliston Street* – As specified in the original decision dated June 22, 2006, in lieu of constructing approximately 1,280 linear feet of curbed sidewalk along the east side of Ellis Street, the applicant will construct 6 foot (6') wide HMA sidewalk with Type 3 bituminous concrete curbs and all associated handicap access requirements in the Town's right of way on the north side of Coffee Street between Ellis and Holliston Streets, approximately eight hundred feet (800'). Construction shall be coordinated with, to the satisfaction of, and inspected by the Medway Department of Public Services pursuant to its Sidewalk Construction /Reconstruction Specifications November 9, 2004. Construction shall be completed by _____.

B. *Coffee Street between Ellis and the eastern boundary of the Applegate development parcel.* The Board hereby _____ the applicant's request to be relieved of the previously required condition of the June 22, 2006 Certificate of Action to install sidewalk on the north side of Coffee Street between Ellis Street and the easterly boundary of the Applegate development site. Therefore, the sidewalk construction plan as originally shown on Sheet 20 of the original Applegate Farm Definitive Subdivision Plan shall . . . . _____

_____

C. *Coffee Street between Applegate Road and Ellis Street.* Something about the sidewalk work – griffin property with stone wall

9. *Perimeter drains*

A. Perimeter foundations drains (4") are to be outleted to daylight or connected to the 4" main trunkline

B. Final building elevations and locations shall be in compliance with the Town of Medway Building Regulations. Basement floor elevations are to be a minimum of two feet above maximum seasonable high ground water. Ground water elevations are to be verified by a certified soil evaluator.

10. *Document/Plan Recording* - Within thirty (30) days of recording the AMENDED endorsed definitive subdivision plan, the Certificate of Action and the updated *Subdivision Covenant* 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

11. *Performance Security*

A. *Subdivision Covenant* - Prior to endorsement of the AMENDED plan, the Applicant shall sign a REVISED *Subdivision Covenant*, on a form provided by 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 new *Subdivision Covenant* shall be noted on the cover sheet of the AMENDED Definitive Subdivision Plan. The *Covenant* shall specify that the roadway and all 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 ____ years after the AMENDED plan is endorsed. The REVISED *Subdivision Covenant* shall apply to Lots 1B – 12B.

B. *Modification of Performance Security* - At such time as the Applicant wishes to secure a building permit for any lot within the subdivision, the security provided by the REVISED *Subdivision Covenant* shall be replaced by one of the types of performance guarantees set forth in M.G.L. Ch. 41, Section 81U, which method or combination of methods may be selected and from time to time varied by the applicant, in sufficient amount, source and form acceptable to the Planning and Economic Development Board, the Medway Treasurer/Collector and Town Counsel.

The performance guarantee shall be accompanied by an agreement which shall define the obligations of the developer and the performance guarantee company including:

1) the date by which the developer shall complete construction
2) a statement that the agreement does not expire until released in full by the Planning and Economic Development Board
3) procedures for collection upon default.

The security amount shall be approved by the Planning and Economic Development Board and shall be based on an estimate provided by the Town's Consulting Engineer based on the latest weighted average bid prices issued by the Mass Highway Department. The amount of the performance guarantee shall be equal to 100% of the Town of Medway's cost to complete construction of the roadway and installation of stormwater management facilities, utilities, services, pedestrian facilities, all site amenities and infrastructure maintenance that remain unfinished at the time the performance guarantee estimate is prepared. The estimate shall reflect the cost for the Town to complete the work as a public works project which may necessitate additional engineering, inspection, legal and administrative services, staff time and public bidding procedures. The estimate shall also include the cost to maintain the roadways and infrastructure in the event the developer fails to adequately perform such and the cost for the development of as-built plans. In determining the amount, the Board shall be guided by the following formula in setting the sum: estimate of the Town's Consulting Engineer of the cost to complete the work plus a twenty-five percent (25%) contingency.

NOTE - **If the required sidewalk work on the north side of Coffee Street and the installation of a fieldstone wall along approximately fifty feet (50') of the property now or formerly owned by Jeffrey and Cassandra Grenon of 16 Coffee Street is not completed by the time the first lot release is requested, the value of that construction work shall be included in calculating the bond amount.**

C. *Adjustment of Performance Guarantee Amount* – At the developer's written request, the amount of the performance guarantee may be adjusted from time to time over the course of the construction project by vote of the Planning and Economic Development Board upon the partial completion of the roadways and infrastructure improvements. In order to establish the amount to adjust the performance guarantee, the Town's Consulting Engineer shall prepare an estimate of the current cost for the Town to complete all work as specified on the Definitive Plan that remains unfinished at the time the estimate is submitted to the Board. The estimate shall be based on unit prices in the latest Weighted Average Bid Prices issued by the MassHighway Department. The estimate shall also include the cost to maintain the roadways, stormwater management system and other infrastructure in the event the developer fails to adequately perform such. The estimate shall reflect the cost for the Town to complete the work as a public works project, which may necessitate additional engineering, inspection, legal and administrative fees, staff time and public bidding procedures. In determining the amount of the adjustment of the performance guarantee, the Board shall be guided by the following formula to determine the reduction amount: the estimate of the Town's Consulting Engineer of the cost to complete the work; plus a twenty-five percent (25%) contingency.

D. *Final Release of Performance Security* - Final release of performance security is contingent on project completion and street acceptance.

12. *Lot Deeds* – Each lot deed shall state that the Applicant shall reserve to itself ownership of the fee in the roadway and easements shown on the AMENDED definitive subdivision plan. Each deed shall refer to any and all easements shown on the AMENDED plan for that particular lot. The deed text shall include descriptive language specifying all easements, boundary delineations, specific usages and purpose. 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 the *Selective Cutting Zone*. The deed shall refer to the *Declaration of Protective Covenants & Restrictions Governing the Applegate Farm Subdivision. SOMETHINGHERE ABOUT SEEING THE DEEDS FOR THE LOTS SUBJECT TO THE NEW UTILITY AND ACCESS EASEMENT*

13. *Road Deed & Easements* – Prior to endorsement of the AMENDED plan, the Applicant shall provide the Board with a copy of a proposed REVISED document to convey the easements shown on the ANEBDED plan to the Town of Medway. The document shall be reviewed and approved by Town Counsel prior to plan endorsement.

14. Within thirty (30) days of endorsement of the AMENDED plan, the Applicant shall provide the Town with a set of the endorsed approved AMENDED plan in 24" x 36" and 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).

15. *Expiration of Appeal Period* - Prior to endorsement of the AMENDED plan, the Board must receive the statutory notification of the expiration of the twenty (20) day appeal period from the Town Clerk's office.

16. *Payment of Balance of Fees/Taxes* - Prior to endorsement of the AMENDED plan, the Applicant shall pay the balance of any outstanding plan review services by any outside consultants retained by the Board and any other outstanding expenses, obligations or fees due the Town of Medway by the applicant. The Applicant shall also be current with the Medway Town Treasurer/ Collector for all real estate taxes on property owned by the applicant or associated entities.

17. *Proof of Taxes Paid* - Prior to the Board's approval of a full or partial *Release of Covenant* for the building lots, the Applicant shall be current with the Medway Town Treasurer/Collector for real estate taxes and other fees due the Town of Medway for all property owned by the applicant or associated entities in Medway.

18. *Applicability of Conditions of Prior Certificate of Action* - Conditions #3, 5, 9, 10, 17, 24, 27, and 28 as specified in the original Certificate of Action dated June 22, 2006 shall continue to be in effect and shall apply to the amended Applegate Farm Definitive Subdivision Plan.

###

AMENDED APPLEGATE FARM DEFINITIVE SUBDIVISION PLAN CERTIFICATE OF ACTION

Date of Action: _____

AYE: *NAY:*

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

Date Signed: _____

Attest: _____ _____

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

Date Filed with the Town Clerk: _____

Copies To: Ralph Costello, Unique Homes

Rob Truax, GLM Engineering
Stephanie Bacon, Health Agent
Board of Assessors
Patty Barry, Conservation Agent
David D'Amico, DPS Deputy Director
John Emidy, Building Commissioner
Thomas Holder, DPS Director
Jeff Lynch, Fire Chief
Melanie Phillips, Treasurer/Collector
Suzanne Kennedy, Town Administrator
Barbara Saint Andre, Town Counsel
Jeffrey Watson, Police Safety Officer
Gino Carlucci, PGC Associates
Dave Pellegri, Tetra Tech

RECEIVED
NOV 08 2013
TOWN OF MEDWAY
PLANNING BOARD

Request for Extension of Deadline for Action by the Medway Planning & Economic Development Board

11/08/2013
Date

The undersigned Applicant (or official representative) requests an extension of the deadline for action by the Planning and Economic Development Board on the application of Ralph Costello for:

approved - 11-12-2013

____ ANR (Approval Not Required/81P Plan)

____ Preliminary Subdivision Plan

✓ Definitive Subdivision Plan (or modification)

____ Site Plan Approval (or modification)

____ Scenic Road Work Permit

for the development project known as: Costello

to the following date: 1.30.2014

Respectfully submitted,

Name of Applicant or official representative: Ralph Costello

Signature of Applicant or official representative: _____

Date approved by Planning and Economic Development Board: _____

New Action Deadline Date: _____

ATTEST: _____
Susan E. Affleck-Childs
Planning and Economic Development Coordinator

Merrikin Engineering, LLP

Consulting Engineers

730 MAIN STREET
SUITE 2C

MILLIS, MA 02054

TELEPHONE (508) 376-8883
FAX (508) 376-8823

October 31, 2013

RECEIVED
NOV 01 2013
TOWN OF MEDWAY
PLANNING BOARD

Medway Planning Board
155 Village Street
Medway, MA 02053

Ref: Hill View Estates Definitive Subdivision Plan

Dear Members of the Board:

We are in receipt of various comments with respect to the proposed subdivision design. We write to address issues related to the stormwater system design and therefore offer the following responses for the Board's consideration:

Memorandum dated February 7, 2013 from PCG Associates, Inc.

4. *Comment: Section 5.7.32 requires a cul-de-sac landscaping plan. In previous similar subdivisions where no actual roadway with a cul-de-sac island was proposed, the Board asked for a landscaping plan associated with the drainage basin that was within the cul-de-sac right-of-way. The plans indicate 6 trees to be planted about and outside the cul-de-sac right-of-way. However, they do not provide screening of the detention basins/trenches.*

   Response: The plans have been revised to provide for shrub plantings around the stormwater basin in the cul-de-sac.

6. *Comment: Section 7.7.2 requires that drainage basins be on a separate parcel. The plan shows drainage facilities within the cul-de-sac but also within easements on the new lot being created, rather than on a separate parcel. A waiver is requested from the setback distance but not from the requirement for a separate parcel.*

   Response: It should be noted that the proposed infiltration structures are not basins but rather are extremely shallow infiltration trenches (<1.1' total depth). The trench on Lot 10-A only captures and mitigates runoff from that specific lot's development and is thus independent from the roadway. Due to this unique configuration, it was our view that the trench #2 should reside on the lot from which it receives runoff. If this is not the case, please accept this as a request for the necessary waiver.

Memorandum dated February 7, 2013 from Tetra Tech

11. *Comment: The infiltration rate used in the analysis is not consistent with the Rawles Table used in the MADEP Stormwater Handbook. The Drainage analysis states that the site is comprised of B and C soils, however the applicant takes credit for an A soil (2.41 in/hr).*

    Response: The calculations for Infiltration Trench #1 have been updated to the sandy loam rate of 1.02 in/hr. In order to accommodate the minor change, the outlet configurations for both infiltration trenches changed slightly. Calculations have been updated accordingly in the attached revised stormwater report.

12. *Comment: The infiltration calculations, mounding calculations and draw down time should be recalculated with the appropriate hydraulic conductivity for a B soil from the Rawls Table.*

    Response: The revised stormwater report provides updated calculations for each of the items listed above.

13. *Comment: The automated TSS removal worksheets from MADEP should be used in the report. The applicant does receive the required 80% TSS removal utilizing an infiltration basin preceded by a sediment forebay; however the manual calculations provided for Infiltration Trench #1 and #2 in Attachment E are incorrect.*

    Response: Updated TSS removal sheets are included in the revised report. The results are unchanged.

14. *Comment: Substantial Landscape Plantings shall be provided around detention and retention basins and shall be included in the overall design of the drainage system. There do not appear to be landscape plantings included in the proposed design. (Ch. 100 S 7.7.2(r)).*

    Response: Plantings have been added to the subdivision plan.

23. *Comment: The grading in front of the proposed house on Lot 10-A appears to be directing runoff onto the adjacent property. Is it possible to modify the contours slightly to direct flow more in the direction of the drainage infrastructure similar to the existing conditions?*

    Response: The grading sheet has been revised accordingly.

In addition, we are aware that the Board requested that the discharge level spreader be divided such that each infiltration trench would have its own discharge. We have therefore divided the spreader with a dividing curb weir, which creates two separate discharge spreaders adjacent to one another.

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

Sincerely,

MERRIKIN ENGINEERING, LLP

Digitally signed by Daniel J. Merrikin, P.E.
Date: 2013.10.31 13:34:01 -04'00'

Daniel J. Merrikin P.E.

cc: File

COLONIAL ENGINEERING, INC.

Surveying and Engineering

RECEIVED
OCT 31 2013
TOWN OF MEDWAY
PLANNING BOARD

11 AWL STREET
MEDWAY, MA. 02053
(508) 533-1644
(508) 533-1645 FAX

October 29, 2013

Medway Planning Board
155 Village Street
Medway, Ma. 02053

RE: Hill View Estates Review Comments dated Feb. 7 2013

Tetra Tech

2) Bottom of sheet 6.
3) Cover Sheet changed from 100 scale to 200 scale.
4) Benchmarks on sheets 6 and 9.
5) NSTAR will provide location of utilities, once plan is approved.
6) Topo has been extended.
7) Note was changed on sheet 2 and 3.
8) Signs shown on sheet 6 and 7.
9) Grading limit added to sheet 6.
11) through 14) see Dan's notes.
15) Approx locations of septic and well shown on sheet 6.
16) Street name enlarged on cover sheet.
17) Added setback line to sheet 6.
18) Provided for the neighbor to the left.
19) Access has previously provided, tractor trailers, and oversized trucks for the Construction of the existing dwelling.
20) Permanent slope and utility easements provided on original plan, and recorded in the abutters deeds.
21) New drive to hse on lot 10A will be gravel, noted on sheet 6.
22) Just pedestrian access to barn is proposed.
23) Contours in front of hse on lot 10A have been changed to direct runoff to drainage infrastructure.
24) Termination shown on sheet 4, 6 and 7.

25) Existing utilities shown on sheet 4 and 6, proposed see note 5.
26) Note: changed on sheet 7, for stone and gravel.
27) Detail deleted.
28) Parcel A is the proposed private way.

PGC Associates
2) Shade trees are located on sheets 6 and 7. Detail on sheet 8.
3) Detail deleted.
4) Addition plantings added to sheet 6.
5) Erosion control shown on sheet 6 and detail shown on sheet 8.
6) Easement provided on sheet 6.
7) Added waiver on cover sheet.

Sincerely

Paul F. DeSimone GM

PGC ASSOCIATES, INC.
1 Toni Lane
Franklin, MA 02038-2648
508.533.8106
gino@pgcassociates.com

November 5, 2013

RECEIVED
NOV 06 2013
TOWN OF MEDWAY
PLANNING BOARD

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

Re: Hill View Estates Revised Definitive Subdivision Plan

Dear Mr. Rodenhiser:

I have reviewed the revised definitive subdivision plan submitted by Christine Price of Medway for property off Hill Street. The plan was prepared by Colonial Engineering, Inc. of Medway, and is dated March 12, 2012, with a revision date of October 28, 2013. The site is within the AR-I district.

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

The proposal is to leave the existing 12' bituminous concrete driveway with 3' gravel shoulders in place to serve as the street for the subdivision. The only actual construction proposed is a gravel hammerhead turnaround within the cul-de-sac portion of the way and drainage facilities within the cul-de-sac and easements on the new lot.

I have comments as follows:

Zoning

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

Subdivision Rules and Regulations

2. Section 5.7.24 requires shade trees along the street. No trees are proposed and no waiver is requested. **The trees are provided only around the cul-de-sac and not along the street itself and no waiver is requested.**

3. Section 5.7.25 requires a typical cross-section be shown. The plans include a typical cross-section for a permanent private way, but that is not what is proposed (waiver requested) so I am not sure why it is on the plans. **The detail has been deleted. OK.**

4. Section 5.7.32 requires a cul-de-sac landscaping plan. In previous similar subdivisions where no actual roadway with a cul-de-sac island was proposed, the Board asked for a landscaping plan associated with the drainage basin that was within the cul-de-sac right-of-way. The plans indicate 6 trees to be planted around and outside the cul-de-sac right-of-way. However, they do not provide screening of the detention basins/trenches. **Additional plantings (shrubs) have been added around the basin within the cul-de-sac.**

5. Section 7.5.1 requires an erosion control plan for construction near wetlands or with steep slopes. No erosion plan was provided. **An erosion control plan has now been provided. OK.**

6. Section 7.7.2 requires that drainage basins be on a separate parcel. The plan shows drainage facilities within the cul-de-sac but also within easements on the new lot being created, rather than on a separate parcel. A waiver is requested from the setback distance but not from the requirement for a separate parcel. **The applicant states that the areas within the easements are actually not basins but trenches. However, a waiver is requested if the PEDB does not agree that the trenches are not basins requiring a separate parcel.**

7. Section 7.9.5 specifies a maximum grade for a permanent private way of 8%. The grade is shown as 10.8%. This is an existing condition, bit no waiver is requested. **A waiver is now requested.**

General Comments

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

9. Since a portion of the subdivision is in Holliston, approval from the Holliston Planning Board may also be required. However, since no construction is proposed in Holliston, it is likely that no approval is needed.

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

Sincerely,

Gino D. Carlucci, Jr.

TETRA TECH

RECEIVED
NOV 07 2013
TOWN OF MEDWAY
PLANNING BOARD

February 7, 2013
(Revised November 6, 2013)

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

Re: Hill View Estates
Permanent Private Road
Definitive Subdivision Plan Review
Medway, Massachusetts

Dear Mr. Rodenhiser:

Tetra Tech (TT) has performed a review of the proposed Site Plan for the above-mentioned project. The project includes the subdivision of an existing 13 acre parcel into two buildable lots. The existing house will remain on one of the lots. The project proposes to widen the existing access roadway, install the necessary stormwater management, construct a driveway, and install a roof drain system associated with the proposed building.

TT is in receipt of the following materials:

- A plan (Plans) set entitled "Hill View Estates, Defintive Subdivision, Permanent Private Road-Medway Massachusetts", dated March 12, 2012, prepared by Colonial Engineering, Inc. (CEI) and Merrikin Engineering, LLP (Merrikin).
- A stormwater management report entitled "Stormwater Report, Hill View Estates, 32R Hill Street", dated March 12, 2012, prepared by Merrikin.
- Application for Approval of a Definitive Subdivision Plan (Form C) and a request for a waiver (Form Q).
- Additional miscellaneous application material including the Development Impact Report (Form F).

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

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

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

On November 1, 2013 TT received a second updated package from the applicant's engineer including revised plans, stormwater management report, and two comment response letters. We have reviewed this package and updated our comments as bulleted below the original comment and dated 11/6/2013.

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

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

1. The Planning and Economic Development Board shall verify that all forms listed in sections Ch. 100 §5.5.1 through 5.5.5 have been submitted.

   - **TT 11/6/13 Update:** This item has been addressed to our satisfaction.

2. The Applicant shall verify that existing and proposed elevations refer to North American Vertical Datum of 1988 (NAVD88). (Ch. 100 §5.6.3)

   - **TT 11/6/13 Update:** This item has been addressed to our satisfaction.

3. The plan shall show all property lines and buildings within five hundred feet and a locus map of a scale of two hundred feet per inch. (Ch. 100 §5.7.2)

   - **TT 11/6/13 Update:** This item has been addressed to our satisfaction.

4. Horizontal benchmarks should be provided. (Ch. 100 §5.7.4)

   - **TT 11/6/13 Update:** This item has been addressed to our satisfaction.

5. Private utilities such as electric, telecommunications, natural gas, cable TV, and spare communications conduit shall be shown on the plan? (Ch. 100 §5.7.19)

   - **TT 11/6/13 Update:** The applicant has stated that these locations will be provided by NSTAR at a later date but we recommend showing an approximate location now.

6. Topographic information should extend at least 20 feet beyond the property boundaries. (Ch. 100 §5.7.21)

- **TT 11/6/13 Update:** This item has been addressed to our satisfaction.

7. The total number of lots and parcels does not match number that was subdivided on Lot 10 and on the plans sheet 2 and 3. (Ch. 100 §5.7.26 (b))

   - **TT 11/6/13 Update:** This item has been addressed to our satisfaction.

8. The proposed location of street signs shall be shown on the plan. (Ch. 100 §5.7.27)

   - **TT 11/6/13 Update:** This item has been addressed to our satisfaction.

9. Clearing and grading limit lines shall be clearly shown on the plan. (Ch. 100 §5.7.35)

   - **TT 11/6/13 Update:** This item has been addressed to our satisfaction.

Section 7.0- Design and Construction Standards

10. Permanent Private Way minimum widths of the roadway pavement are Eighteen Feet (18'). A waiver has been requested for this item. (Ch. 100 §7.9.7(g))

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

11. The infiltration rate used in the analysis is not consistent with the Rawles Table used in the MADEP Stormwater Handbook. The Drainage analysis states that the site is comprised of B and C soils, however the applicant takes credit for an A soil (2.41 in/hr).

    - **TT 11/6/13 Update:** This item has been addressed to our satisfaction.

12. The infiltration calculations, mounding calculations and draw down time should be recalculated with the appropriate hydraulic conductivity for a B soil from the Rawls Table.

    - **TT 11/6/13 Update:** This item has been addressed to our satisfaction.

13. The automated TSS removal worksheets from MADEP should be used in the report. The applicant does receive the required 80% TSS removal utilizing an infiltration basin preceded by a sediment forebay; however the manual calculations provided for Infiltration Trench #1 and #2 in Attachment E are incorrect.

    - **TT 11/6/13 Update:** This item has been addressed to our satisfaction.

14. Substantial Landscape Plantings shall be provided around detention and retention basins and shall be included in the overall design of the drainage system. There do not appear to be landscape plantings included in the proposed design. (Ch. 100 §7.7.2(r))

    - **TT 11/6/13 Update:** This item has been addressed to our satisfaction.

The following items were found to be not in conformance with the Town of Medway Water/Sewer Rules and Regulations:

15. As noted on sheet 6 of 9, the Site is not accessible to Town water or sewer. Private well and septic will be installed on Lot 10-A. Those utilities shall be permitted and coordinated through the Medway Board of Health. We would recommend that the approximate locations be provided on the Definitive Subdivision Plans.

    - **TT 11/6/13 Update:** This item has been addressed to our satisfaction.

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

16. The street name on the cover sheet is not legible.

    - **TT 11/6/13 Update:** This item has been addressed to our satisfaction.

17. The Proposed Grading plan (sheet 6 of 9) does not shown the building in correlation with the building setback line?

    - **TT 11/6/13 Update:** This item has been addressed to our satisfaction.

18. Please explain at the hearing what the 25 foot no disturbance line is.

    - **TT 11/6/13 Update:** There is grading shown within the 25 foot no disturbance line.

19. Is the current layout at the intersection of the existing driveway and Hill Street sufficient to allow access to emergency vehicles? There doesn't appear to be any radius on the driveway.

    - **TT 11/6/13 Update:** Is it possible to increase the radius of the road at the intersection?

20. Please explain the purpose of the permanent slope and utility easements alongside the existing driveway.

    - **TT 11/6/13 Update:** The applicant has accurately depicted these easements, but the intent is still not clear.

21. Please verify that the proposed driveway to the new house on Lot 10-A is bituminous concrete. It seems a little awkward to go from bituminous to gravel back to bituminous in a 50 foot distance.

    - **TT 11/6/13 Update:** This item has been addressed to our satisfaction.

22. Please verify that there will there be no access drive or path to the barn.

    - **TT 11/6/13 Update:** This item has been addressed to our satisfaction.

23. The grading in front of the proposed house on Lot 10-A appears to be directing runoff onto the adjacent property. Is it possible to modify the contours slightly to direct flow more in the direction of the drainage infrastructure similar to the existing conditions?

    - **TT 11/6/13 Update:** This item has been addressed to our satisfaction.

24. Please verify where the gravel edge alongside the existing driveway terminates.

    - **TT 11/6/13 Update:** This item has been addressed to our satisfaction.

25. Please identify where the existing and proposed private utilities are located.

    - **TT 11/6/13 Update:** The applicant has stated that these locations will be provided by NSTAR at a later date but we recommend showing an approximate location now.

26. The dense graded crushed stone hammer head is proposed to be 4-inches in depth. This does not seem to be sufficient to support heavy vehicles. We feel that this

depth should be increased or documentation provided to verify that the depth is sufficient for emergency vehicles.

- **TT 11/6/13 Update:** This item has been addressed to our satisfaction.

27. Please identify where the "Permanent Private Roadway Typical Section" detail is to be utilized.

    - **TT 11/6/13 Update:** This item has been addressed to our satisfaction.

28. Please explain what the current status of Parcel A is. Is this an existing Private Road which is to be extended?

    - **TT 11/6/13 Update:** What is the existing state versus proposed.

The following Waivers were requested on Form Q and therefore the current non-compliance of these items with the regulations were not included in the comments above:

Section 7.6.2 (b)-Water Facilities Installation
Section 7.7.2 (p)-Stormwater
Section 7.9.7 (g)-Min. Roadway Width
Section 7.9.7 (h)-Roadway Construction
Section 7.10.1-Vertical Granite Curbing
Section 7.10.2-Curbs and Berms
Section 7.17.1-Fire Prevention
Section 7.21-Street Lights

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

Very truly yours,

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

P:\21583\127-21583-09006_MISC TASKS\HILL VIEW ESTATES\DOCS\HILL VIEW ESTATES-REVIEW COMMENT LETTER-2013-02-06.DOC

TETRA TECH

February 7, 2013
(Revised November 6, 2013)

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

Re: Hill View Estates
Permanent Private Road
Definitive Subdivision Plan Review
Medway, Massachusetts

Dear Mr. Rodenhiser:

Tetra Tech (TT) has performed a review of the proposed Site Plan for the above-mentioned project. The project includes the subdivision of an existing 13 acre parcel into two buildable lots. The existing house will remain on one of the lots. The project proposes to widen the existing access roadway, install the necessary stormwater management, construct a driveway, and install a roof drain system associated with the proposed building.

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One Grant Street
Framingham, MA 01701
Tel 508.903.2000 Fax 508.903.2001

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

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

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

1. The Planning and Economic Development Board shall verify that all forms listed in sections Ch. 100 §5.5.1 through 5.5.5 have been submitted.

   - **TT 11/6/13 Update:** This item has been addressed to our satisfaction.

2. The Applicant shall verify that existing and proposed elevations refer to North American Vertical Datum of 1988 (NAVD88). (Ch. 100 §5.6.3)

   - **TT 11/6/13 Update:** This item has been addressed to our satisfaction.

3. The plan shall show all property lines and buildings within five hundred feet and a locus map of a scale of two hundred feet per inch. (Ch. 100 §5.7.2)

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4. Horizontal benchmarks should be provided. (Ch. 100 §5.7.4)

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5. Private utilities such as electric, telecommunications, natural gas, cable TV, and spare communications conduit shall be shown on the plan? (Ch. 100 §5.7.19)

   - **TT 11/6/13 Update:** The applicant has stated that these locations will be provided by NSTAR at a later date but we recommend showing an approximate location now.

6. Topographic information should extend at least 20 feet beyond the property boundaries. (Ch. 100 §5.7.21)

- **TT 11/6/13 Update:** This item has been addressed to our satisfaction.

7. The total number of lots and parcels does not match number that was subdivided on Lot 10 and on the plans sheet 2 and 3. (Ch. 100 §5.7.26 (b))

   - **TT 11/6/13 Update:** This item has been addressed to our satisfaction.

8. The proposed location of street signs shall be shown on the plan. (Ch. 100 §5.7.27)

   - **TT 11/6/13 Update:** This item has been addressed to our satisfaction.

9. Clearing and grading limit lines shall be clearly shown on the plan. (Ch. 100 §5.7.35)

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10. Permanent Private Way minimum widths of the roadway pavement are Eighteen Feet (18'). A waiver has been requested for this item. (Ch. 100 §7.9.7(g))

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

11. The infiltration rate used in the analysis is not consistent with the Rawles Table used in the MADEP Stormwater Handbook. The Drainage analysis states that the site is comprised of B and C soils, however the applicant takes credit for an A soil (2.41 in/hr).

    - **TT 11/6/13 Update:** This item has been addressed to our satisfaction.

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14. Substantial Landscape Plantings shall be provided around detention and retention basins and shall be included in the overall design of the drainage system. There do not appear to be landscape plantings included in the proposed design. (Ch. 100 §7.7.2(r))

    - **TT 11/6/13 Update:** This item has been addressed to our satisfaction.

The following items were found to be not in conformance with the Town of Medway Water/Sewer Rules and Regulations:

15. As noted on sheet 6 of 9, the Site is not accessible to Town water or sewer. Private well and septic will be installed on Lot 10-A. Those utilities shall be permitted and coordinated through the Medway Board of Health. We would recommend that the approximate locations be provided on the Definitive Subdivision Plans.

    - **TT 11/6/13 Update:** This item has been addressed to our satisfaction.

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

16. The street name on the cover sheet is not legible.

    - **TT 11/6/13 Update:** This item has been addressed to our satisfaction.

17. The Proposed Grading plan (sheet 6 of 9) does not shown the building in correlation with the building setback line?

    - **TT 11/6/13 Update:** This item has been addressed to our satisfaction.

18. Please explain at the hearing what the 25 foot no disturbance line is.

    - **TT 11/6/13 Update:** There is grading shown within the 25 foot no disturbance line.

19. Is the current layout at the intersection of the existing driveway and Hill Street sufficient to allow access to emergency vehicles? There doesn't appear to be any radius on the driveway.

    - **TT 11/6/13 Update:** Is it possible to increase the radius of the road at the intersection?

20. Please explain the purpose of the permanent slope and utility easements alongside the existing driveway.

    - **TT 11/6/13 Update:** The applicant has accurately depicted these easements, but the intent is still not clear.

21. Please verify that the proposed driveway to the new house on Lot 10-A is bituminous concrete. It seems a little awkward to go from bituminous to gravel back to bituminous in a 50 foot distance.

    - **TT 11/6/13 Update:** This item has been addressed to our satisfaction.

22. Please verify that there will there be no access drive or path to the barn.

    - **TT 11/6/13 Update:** This item has been addressed to our satisfaction.

23. The grading in front of the proposed house on Lot 10-A appears to be directing runoff onto the adjacent property. Is it possible to modify the contours slightly to direct flow more in the direction of the drainage infrastructure similar to the existing conditions?

    - **TT 11/6/13 Update:** This item has been addressed to our satisfaction.

24. Please verify where the gravel edge alongside the existing driveway terminates.

    - **TT 11/6/13 Update:** This item has been addressed to our satisfaction.

25. Please identify where the existing and proposed private utilities are located.

    - **TT 11/6/13 Update:** The applicant has stated that these locations will be provided by NSTAR at a later date but we recommend showing an approximate location now.

26. The dense graded crushed stone hammer head is proposed to be 4-inches in depth. This does not seem to be sufficient to support heavy vehicles. We feel that this

depth should be increased or documentation provided to verify that the depth is sufficient for emergency vehicles.

- **TT 11/6/13 Update:** This item has been addressed to our satisfaction.

27. Please identify where the "Permanent Private Roadway Typical Section" detail is to be utilized.

    - **TT 11/6/13 Update:** This item has been addressed to our satisfaction.

28. Please explain what the current status of Parcel A is. Is this an existing Private Road which is to be extended?

    - **TT 11/6/13 Update:** What is the existing state versus proposed.

The following Waivers were requested on Form Q and therefore the current non-compliance of these items with the regulations were not included in the comments above:

Section 7.6.2 (b)-Water Facilities Installation
Section 7.7.2 (p)-Stormwater
Section 7.9.7 (g)-Min. Roadway Width
Section 7.9.7 (h)-Roadway Construction
Section 7.10.1-Vertical Granite Curbing
Section 7.10.2-Curbs and Berms
Section 7.17.1-Fire Prevention
Section 7.21-Street Lights

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

Very truly yours,

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

P:\21583\127-21583-09006_MISC TASKS\HILL VIEW ESTATES\DOCS\HILL VIEW ESTATES-REVIEW COMMENT LETTER-2013-02-06.DOC

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

MEMORANDUM

November 8, 2013

TO: Planning and Economic Development Board
FROM: Susy Affleck-Childs, Planning and Economic Development Coordinator
RE: 146 Main Street Adaptive Use Overlay District – MODIFICATION to SPECIAL PERMIT

Dick Steinhoff, developer of the 146 Main Street Adaptive Use Overlay District project, has submitted an application to modify the previously approved AUOD special permit dated June 28, 2011. The request pertains to Condition #6 of the special permit which required the replacement of 166 linear feet of sidewalk in front of 146 Main Street by 6/28/13 or a payment of $6,938 in lieu of sidewalk construction. Attached is page 9 of that decision.

Mr. Steinhoff seeks the Board's approval of a modification to the decision that would change the deadline for sidewalk construction from 6/28/13 to 6/28/16. The sidewalk work will be achieved through the Route 109 reconstruction project. According to Dave D'Amico, Deputy Director of the Medway Department of Public Services, construction is expected to commence in the spring of 2016.

Mr. Steinhoff has offered to deposit $6,938 to an account with the Town of Medway to be held as a form of surety.

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

RECEIVED
OCT 11 2013
TOWN CLERK

Andy Rodenhiser, Chairman
Robert K. Tucker, Vice-Chairman
Thomas A. Gay, Clerk
Matthew J. Hayes, P.E.
Karyl Spiller Walsh
Richard Di Iulio, Associate Member

October 11, 2013

PUBLIC HEARING NOTICE
The Steinhoff Building – 146 Main Street
Proposed Modification to Previously Approved
Adaptive Use Overlay District Special Permit

In accordance with the Medway Zoning Bylaw, Section V. Use Regulations, Sub-Section W. Adaptive Use Overlay District and the provisions of MGL, Chapter 40A, Sections 9 & 11, notice is given that the Medway Planning and Economic Development Board will conduct a Public Hearing on ***Tuesday, November 12, 2013 at 7:45 p.m. in Sanford Hall at Town Hall, 155 Village Street, Medway, MA,*** to consider the application of Steinhoff Realty LLC of Medway, MA for approval of a modification to the 146 Main Street Adaptive Use Overlay District (AUOD) Special Permit that was first issued on November 16, 2010 and subsequently replaced on June 28, 2011.

The 0.7 acre property (Medway Parcel 48-010) is located on the north side of Main Street west of Temple Street in the AR-II zoning district.

As previously approved, the existing 1,632 sq. ft. structure was substantially renovated. A 250 sq. ft. 1-story addition was constructed at the northwest corner of the building to house two lavatories, a mop room, and a computer server room. The addition also serves as the building's primary and handicap access. The special permit required that the building is to be used only for professional offices. The first floor is to become headquarters for ValuTrack Corporation, presently located at 133 Main Street in Medway, MA. The existing 187 sq. ft, 1-story addition off the western part of the main building was also renovated. Eight parking spaces were to be provided.

Pursuant to Medway's *Adaptive Use Overlay District Rules and Regulations*, any change to a condition of an AUOD Special Permit is considered to be a major revision which requires a public hearing before the Planning and Economic Development Board. Condition #6 of the 6/28/2011 AUOD special permit required the replacement of approximately 166 linear feet of sidewalk in front of 146 Main Street by 6/28/13. The applicant seeks a revision to Condition #6 to allow up to 5 years (6/28/16) for the sidewalk to be reconstructed or the applicant will make a payment into the Town's Sidewalk Fund in lieu of sidewalk construction.

Telephone: 508-533-3291 Fax: 508-533-3287
planningboard@townofmedway.org

The application for the proposed modification to the 146 Main Street AUOD special permit is on file with the Medway Town Clerk at the Medway Town Hall, 155 Village Street, Medway, MA and may be inspected Monday through Thursday from 8:00 a.m. to 4:00 p.m. and Fridays from 8:00 a.m. to 1:00 p.m. The application is also available for review at the Medway Planning and Economic Development office at 155 Village Street.

Any person or party who is interested or wishes to be heard on this proposal is invited to review the application and express their views at the date, time and place designated for the public hearing. Written comments are encouraged and may be forwarded to the Medway Planning & Economic Development Board at 155 Village Street, Medway, MA 02053 or emailed to the Board at: planningboard@townofmedway.org. All comments will be entered into the record during the public hearing.

Andy Rodenhiser
Chairman

To be published in the *Milford Daily News*: Tuesday, October 29, 2013
Monday, November 4, 2013

cc: *Planning Boards* - Bellingham, Franklin, Holliston, Milford, Millis and Norfolk

Medway Town Officials/Departments – Board of Selectmen, Board of Assessors, Board of Health, Building Inspector/Zoning Enforcement Officer, Community Preservation Committee, Conservation Commission, Design Review Committee, Energy Committee, Fire Department, Historical Commission, Police Department, Public Services Department, Town Administrator.

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OCT 08 2013
TOWN OF MEDWAY
PLANNING BOARD

Planning & Economic Development Board - Town of Medway, MA

ADAPTIVE USE OVERLAY DISTRICT (AUOD)

Application to Amend, Modify or Revise an Approved AUOD Special Permit and/or AUOD Plan

INSTRUCTIONS TO APPLICANT/OWNER

This Application is made pursuant to the Medway Zoning Bylaw.

The Town's Planning Consultant will review the Application and proposed modifications and provide a review letter to the Planning and Economic Development Board. A copy of that review letter will be provided to you in advance of the meeting.

You and/or your duly authorized Agent/Official Representative are expected to attend the Board meeting at which your Application will be considered to answer any questions and/or submit such additional information as the Board may request. Your absence may result in a delay the Board's review of the application. .

1 OCT, 2013

APPLICANT INFORMATION

Applicant's Name: STEINHOFF Realty LLC

Mailing Address: 133 Main St., Ste. 300
Medway MA 02053

Name of Primary Contact: Dick Steinhoff, Member

Telephone:
Office: 508, 533, 7633
Cell: 508, 446, 4183

Email address: rws@maltrack.com

___ Please check here if the Applicant is the equitable owner *(purchaser on a purchase and sales agreement.)*

Was the current applicant also the applicant when the original AUOD special permit was issued? (Previously: STEINHOFF Realty Trust)

✓ Yes ___ No. If no, who was the recipient of the original AUOD special permit?

ORIGINAL AUOD PERMIT & PLAN INFORMATION

Location Address: 146 Main St.

Development Name: The Steinhoff Building

Plan Title: TTG Project No. 3550

Plan Date: Sept 7, 2011

Prepared by:
Name: Jay Doherty
Firm: THE H. L. TURNER GROUP, INC.
Phone #: 603-228-1112
Email: JDOHERTY@HLTURNER.com

Date AUOD Special Permit was issued: June 28, 2011

Date AUOD Plan was endorsed: June 28, 2011

Recording Information:

REVISED AUOD Special Permit Book: ~~29523~~ Page: ~~29742~~ Date: ~~1/4/12~~

REVISED AUOD Plan Plan #: ~~1~~ Book: ~~612~~ Page: 513 7-21 Date: ~~1/4/12~~

* NEW 48-010

PROPERTY INFORMATION

Location Address: 146 MAIN STREET

The land shown on the plan is shown on Medway Assessor's Map # ~~41~~ as Parcel # ~~1~~

Total Acreage of Land: 0.7 A

General Description of Property: CONSTRUCTION of the buildings IS COMPLETED. The PARKING AREA AND LANDSCAPING IS being worked.

Scenic Road
Does any portion of this property have frontage on a Medway Scenic Road?

___ Yes X No If yes, please name street: _____

Wetlands
Is any portion of the property within a Wetland Resource Area? ___ Yes X No

The owner's title to the land that is the subject matter of this application is derived under deed from: STEINHOFF Realty Trust to STEINHOFF Realty LLC dated 12/5/12 and recorded in Norfolk County Registry of Deeds, Book 30763 Page 513 or Land Court Certificate of Title Number ___, Land Court Case Number ___, registered in the Norfolk County Land Registry District Volume ___, Page ___.

SCOPE of PROPOSED AMEDMENT/ MODIFICATION/REVISION

This is a petition to: (check all that apply)

1. ✓ ***Amend/Modify/Revise the previously approved AUOD Special permit or any conditions/limitations.***

What modifications are proposed to the decision? Provide a complete description.
This is an Administrative requested Change to Section VII, Para 6.B - MAIN Street Sidewalk
Why does the decision need to be modified? Provide a completion description.
Due to 2011-12 FINANCIAL ENVIRONMENT, FUNDING WAS NOT OBTAINED UNTIL DEC 2012. THE BUILDING PERMIT WAS NOT ISSUED UNTIL MARCH 2013.

2. ✓ ***Amend/Modify/Revise a previously approved AUOD Plan***

What modifications are proposed to the plan? Provide a complete description
Change 2ND SENTENCE FROM END OF PARA to READ: If, after 5 years of the date of this decision, nun
Why does the plan need to be modified?
The TOWN DPS ASKS WE DO NOTHING To The Sidewalk except keep IT usable. RT 109 FUNDING is expected in 2015.
Plan Modification Title: ADMINISTRATIVE REVISION

Plan Modification Date: _____

Prepared by:
Name: DICK STEINHOFF
Firm: STEINHOFF Realty LLC
Phone #: 508.533.7633 X301
Email: rws@valutrack.com

PROPERTY OWNER INFORMATION *(if not applicant)*
Property Owner's Name: STEINHOFF Realty LLC
Mailing Address: 133 MAIN ST, Ste 300
Medway MA 02053
Primary Contact: DICK STEINHOFF, Member

Telephone:
Office: 508.533.7633 X301
Cell: 508.446.4183
Email address: rws@valutrack.com

CONSULTANT INFORMATION

ENGINEER: N/A
Mailing Address: _____

Primary Contact: _____

Telephone:
Office: _____
Cell: _____

Email address: _____

Registered P.E. License #: _____

SURVEYOR: N/A
Mailing Address: _____

Primary Contact: _____

Telephone:
Office: _____
Cell: _____

Email Address: _____

Registered P.L.S. License #: _____

ARCHITECT: N/A

Mailing Address: _____

_____

Primary Contact: _____

Telephone:
Office: _____
Cell: _____

Email address: _____

Registered Architect License #: _____

OFFICIAL REPRESENTATIVE INFORMATION

Name: Kirk Steinhoff

Address: 6 Kings Lane
Medway

Telephone:
Office: 508.533.7633 x 308
Cell: 508.733.0387

Email address: KPS@valuehack.com

SIGNATURES

The undersigned, being the Applicant, herewith submits this application to modify a previously approved AUOD Special Permit and/or AUOD Plan to the Medway Planning and Economic Development Board for review and action.

I hereby certify, under the pains and penalties of perjury, that the information contained in this application is a true, complete and accurate representation of the facts regarding the property under consideration.

(If applicable, I hereby authorize Kirk Steinhoff *to serve as my Agent/Official Representative to represent my interests before the Medway Planning & Economic Development Board with respect to this AUOD application.)*

In submitting this application, I authorize the Board, its consultants and agents, Town staff, and members of the Design Review Committee to access the site during the plan review process.

Signature of Property Owner	1 Oct 13 *Date*
Signature of Applicant (if other than Property Owner)	*Date*
Signature of Agent/Official Representative	
Date	

AUOD MODIFICATION FEES

Filing Fee - $250

Advance on Plan Review Fee - $500 (payable only if the application includes a proposed modification to the originally approved AUOD plan)

Submit 2 separate checks each made payable to: Town of Medway

AUOD SPECIAL PERMIT APPLICATION CHECKLIST

NA IF APPLICABLE, an electronic version of the proposed modification of the previously approved AUOD plan.

NA IF APPLICABLE, eight (8) full size copies of the proposed modified AUOD Plan prepared in accordance with the *AUOD Rules and Regulations.*

NA Designer's Certificate – Form D

✓ Certified Abutters List from the Medway Assessor's office – for 300 feet around the subject property – Form E

NA Request for Waivers from the *Medway AUOD Rules and Regulations* – Form Q

✓ Filing Fee ($250) Payable to Town of Medway

NA Advance of Plan Review Fee – Payable to Town of Medway

C. All references to Phase I construction shall be deleted from the notes, titles and any other text on all plan sheets associated with this project.

3. This approval is conditioned on project completion in full compliance with the Steinhoff Office Building plan for 146 Main Street will be endorsed by the Planning and Economic Development Board.

4. *Parking* – The Project shall include at least 8 parking spaces, which shall be a permanent condition of this permit.

5. *Lighting* must comply with the Medway Zoning Bylaw, SECTION V. B. 7 Exterior Lighting Regulations. The exterior parking lot lights shall be turned off by 9:30 p.m.

6. *Main Street Sidewalk* – Dependent on federal and state funds, the Town plans to undertake a Route 109 Reconstruction Project that will include improvements in the right-of-way at 146 Main Street (approximately 166 linear feet). However, as federal and state construction funding has not yet been specifically authorized, there is no guarantee that the Route 109 Reconstruction Project will take place. The Board must hold the applicant responsible for the current sidewalk condition in the instance that the Route 109 Reconstruction Project does not occur. The applicant can meet this obligation in one of two ways:

A. By replacing as part of this development project, the existing sidewalk along the entire frontage of the property with a 5' wide, fully ADA/AAB compliant concrete sidewalk. If this option is selected, the project plans need to be revised to include this sidewalk construction before the Board endorses the plan.

or/

B. By depositing in a joint savings account with the Town of Medway, before an occupancy permit is issued, an amount equal to what the Town's cost would be ($6,938) to replace the entire length of sidewalk in front of 146 Main Street as estimated by Tetra Tech Rizzo, the Town's Consulting Engineer based on Mass Highway pricing. The Board will authorize the release of the funds held in the account with any interest accrued to Steinhoff Realty Trust within 30 days after the Town of Medway has executed a Mass Transportation Improvement Program (TIP) contract with the Massachusetts Department of Transportation for the purpose of constructing Route 109/Main Street including the area in front of 146 Main Street. If, after 2 years of the date of this decision, said contract has not been executed, the Board will transfer the funds to the Medway Sidewalk Special Account. Any interest earned on the joint savings account shall accrue to Steinhoff Realty Trust.

7. *Fees* - Prior to plan endorsement by the Board, the Applicant shall pay:

A. the balance of any outstanding plan review fees owed to the Town for review of the plans by the Town's engineering, planning or other consultants; and

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PLANNING BOARD

11/8/2013 Memo to the Medway Planning Board

Regarding Tom Gay's Notes on As Built Plan of 146 Main St. Site Inspection of 2Nov2013

Thank you for taking the time to review the As Built Plan for 146 Main Street. We have tried to address the observations made by Tom during his visit. Please ask any questions for further clarification.

1. **Parking Lot Pavement:** Per the approved plan a special order porous asphalt was installed. This is the finished product, not a typical asphalt base coat requiring a finish coat. Its water handling properties are exceptional in that there is no water runoff. Thus rain water will propagate through this asphalt and percolate into the ground.

2. **Stand out variance comments (This addresses each of Tom's specific comments)**
   a. The parking lot area was staked out at 50 ft. from the edge of the roadway. That the edge of the constructed area is at 47'5" is the result of the construction process. This was a construction error and was not intentional.
   b. Based on the light emitted from the 2 lights attached to the building, we believe the parking lot is adequately lite. Therefore we did not install the lights along the edge of the parking lot. If in the future we request an expansion of the parking lot, they would be reconsidered at that time. Electrical lines were run (but not connected) to accommodate the potential of 2 lights in the future.
   c. Per discussions with the Town DPS we were advised the sidewalk with green strip area to the street were part of the planned Rt. 109 Reconstruction Project. As such, we were asked only to fix any area impacted by construction. In fact, no area was so impacted.

d. The C2.ab Site As Built drawing will be corrected to include the electrical meter, AC Unit & Basement door/retaining wall on each side and add proper deck dimensions.
e. Due to parking lot construction variances, the line painter (Jim Smith) recommended making modifications to the park space layouts for the 8 approved spaces. Thus the difference in widths.
f. Due to the fact that the porous asphalt absorbs all water, the architect determined that the walkway could be at same level as the parking lot. Thus the curb was removed. There is 1 ft of crushed stone running length of parking lot to differentiate between walkway and parking lot.
g. Bicycle Rack – We are requesting that this requirement be removed. It would never get used by any employee or customer. Being that we are located on Rt 109 a bicycle rack would never be used. Bicycles are not a good mode of transportation on Rt 109. We would not encourage use of a bicycle due to the dangers of riding on Rt 109.
h. Please note that the 2 trees in the SE corner will be delivered this weekend and planted. The trees in the back part of the parking lot have been removed from the As Built. We do not believe the back lot trees are necessary due to the location and size the current trees will grow too. We have asked Turner to remove them from the As Built Drawing.
i. Note that old stone fire place in disrepair was left by the contractor. We asked to have it removed, but it never was. We have added it back to the As Built Drawing.
j. Bushes around the front sign will be planted. (May already be done by time of this meeting)
k. Need more clarification on comment regarding "Not Curved" at southern end of the sidewalk.

3. **Sidewalk:** We and the DPS agree that no sidewalk repair is needed at this time. In addition, as 146 Main St. is in the middle of the planned Rt. 109 Reconstruction Project, its sidewalk and associated green strip are planned to be completely replaced. The DPS has advised the project start is planned for 1 July 2015. This date is also known by the PBEC Board.

TURNER GROUP

THE H.L. TURNER GROUP Inc.

27 LOCKE ROAD, CONCORD, NH 03301-5417 TELEPHONE: 603-228-1122 FAX: 603-228-1126

November 01, 2013

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TOWN OF MEDWAY
PLANNING BOARD

Medway Planning & Economic Development Board
Medway Town Hall
155 Village Street
Medway, MA 02053
Phone 508.533.3291

SUBJECT: Certification of Completeness and Compliance
Steinhoff Realty, LLC
Valuetrack Headquarters Building
146 Main Street

Dear Board Members:

On behalf of the current Property Owner / Applicant, Steinhoff Reality, LLC, (Kirk Steinhoff, Manager), The H.L. Turner Group Inc. is providing this letter to verify completion of the Steinhoff Reality Trust project on Main Street in Medway, MA. The Applicant is also submitting the project's "As-Built" plan, C2.ab with notes requiring adjustments from PEDB approved construction plans

This letter of "completion and compliance" is signed under oath by the Property Owner / Applicant and the Professional Engineer Licensed in the Commonwealth of Massachusetts, who hereby attests and certifies that all facets of the project were constructed and completed in compliance with the approval and endorsed town regulations.

If you have any questions or require additional information, please feel free to contact me at (603) 228-1122, ext. 125.

Sincerely,

THE H.L. TURNER GROUP INC.

COMMONWEALTH OF MASSACHUSETTS
PAUL M. BECHT
STRUCTURAL
No. 38059
REGISTERED
PROFESSIONAL ENGINEER

Paul M. Becht, P.E. ~ Associate
Lead Structural Engineer
Cc: R. Steinhoff & J. Doherty
Attachment C2.ab

Kirk Steinhoff
Property Owner / Applicant

©Copyright 2013

Susan Affleck-Childs

From: David Damico
Sent: Thursday, November 07, 2013 12:23 PM
To: Richard Steinhoff
Cc: Susan Affleck-Childs; Thomas Holder
Subject: RE: 146 Main Street Sidewalk Status Update
Attachments: temp146 Main.pdf

Dick,

I spoke with Tom and he asked me to reply since I'm quite familiar with the topic. I've also attached the 25% design plan for RT 109 at 146 Main Street with call-outs to help interpret it. Specific answers to your questions are included below. Let me know if you need anything further.

Thanks,

Dave
DPS Deputy Director
Check us out on-line at www.townofmedway.org

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

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

From: Richard Steinhoff [mailto:rws@valutrack.com]
Sent: Thursday, November 07, 2013 8:48 AM
To: David Damico
Cc: 'Kirk Steinhoff'
Subject: FW: 146 Main Street Sidewalk Status Update

Per our discussion, pls see below.
Tks

Dick Steinhoff
SRLLC

From: Richard Steinhoff [mailto:rws@valutrack.com]
Sent: Monday, October 21, 2013 8:19 AM
To: Thomas Holder
Cc: 'Susan Affleck-Childs'; 'Kirk Steinhoff'
Subject: 146 Main Street Sidwalk Status Update

Town of Medway

Morning Tom,

On November 12th I am meeting with the PBEC to address the sidewalk in front of 146 Main St. As such, I would like to update my understanding of its status with respect to the DPS planned Route 109 Reconstruction. I understand:

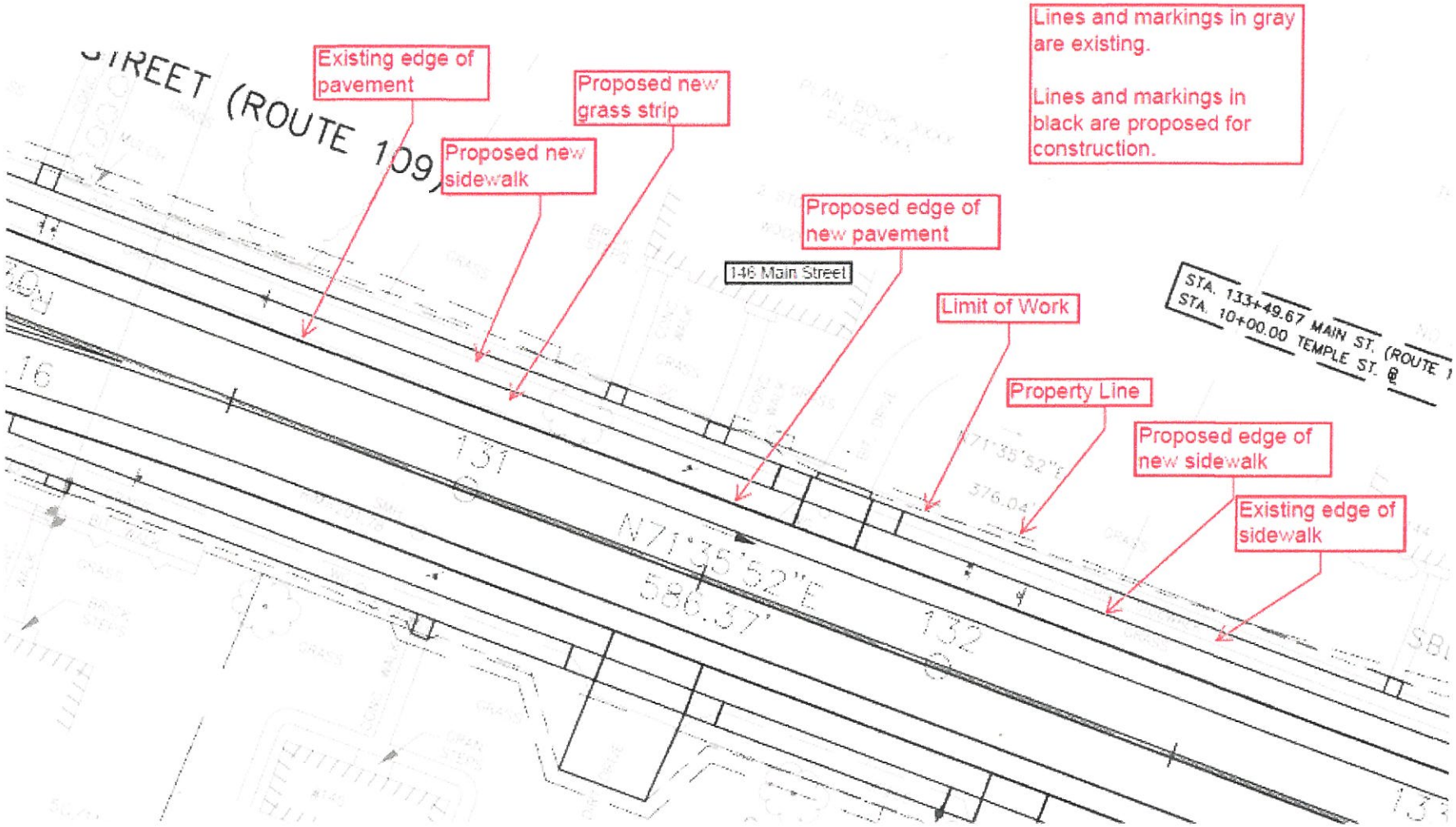
a. The sidewalk and area between it and the street are part of the planned reconstruction. This will include a new sidewalk and landscaping to meet construction criteria. That is correct.
b. I am to ensure construction at the site did not impact the sidewalks current status and am to repair it if needed. That is correct, however, if construction necessitated the disturbance of a sidewalk to install new utility services, new walkway, or a new driveway, more extensive construction/repairs would be required to properly meld the old and the new.
   In fact – the construction is completed and no damage to the existing sidewalk occurred. From work orders I have seen to date, I believe this a true statement. I assume the P&EDB engineer can attest to this as well.
c. The DPS expects funding to start in FY2015. Funding has actually already started for design. Construction funds are scheduled to be available for FY 2016, meaning July of 2015. However, we do not expect to see any major construction activity until spring of 2016. All of these dates are for large scale planning purposes and could change depending on design progress. Much of this decision process is out of our control and in the hands of the State.

Are the above correct? Is there something I missed that is pertinent to this stretch of the sidewalk?

I would appreciate your thoughts.

Tks,

Dick Steinhoff
Steinhoff Realty Trust/LLC
C: 508-446-4183
F: 508-533-4936
e: rws@energyneutraldesign.com


Existing edge of pavement
Proposed new grass strip
Proposed new sidewalk
Proposed edge of new pavement
Limit of Work
Property Line
Proposed edge of new sidewalk
Existing edge of sidewalk
Lines and markings in gray are existing.
Lines and markings in black are proposed for construction.
146 Main Street
STA. 133+49.67 MAIN ST. (ROUTE 1
STA. 10+00.00 TEMPLE ST.
N71°35'52"E
586.37'
131
132

MPD LAW, LLC
121 MAIN STREET
CHARLESTOWN, MASSACHUSETTS 02129-3533
PHONE: (617) 241-8332 | FAX: (617) 241-9401
WWW.MPD-LAW.COM

MARK P. DALY
JOHN C. MCCULLOUGH
DANIEL M. POLVERE
KEVIN M. WALSH
JOHN R. BATEMAN
MARY ANNE TYLER, PARALEGAL
ALSO ADMITTED IN CONNECTICUT

WILLIAM D. MCCARTHY
OF COUNSEL

November 5, 2013

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TOWN OF MEDWAY
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VIA EMAIL - SAChilds@townofmedway.org
Ms. Susan Affleck-Childs
Town of Medway
Planning and Economic Development Coordinator
155 Village Street
Medway, MA 02053

RE: ANR Application of Peters Family Limited Partnership
115 Holliston Street, Medway, MA

Dear Ms. Childs,

In connection with the above ANR Application on behalf of Peters Family Limited partnership (Medway County Manor Nursing Home) enclosed please find a PDF of the ANR plan, together with the executed Form A application and this letter of application.

Peters Family Limited Partnership is in the process of refinancing the nursing home located at 115 Holliston Street, Medway (lot one on plan) on 2.65 acres. Although the nursing home facility has been previously financed under the HUD 232 insured program the current lender in performing its due diligence has advised that there appears to be no subdivision plan of the nursing home site on record.

This ANR application with accompanying ANR plan is intended to clarify the public record demonstrating the designation of lot one as a single parcel of land.

As the Board may know the current configuration of the nursing home parcel has been in existence since the 1970's and an addition was constructed on the parcel in 1989. Lot 2 on the plan is owned by John Peters Sr.

Upon the approval of the ANR plan the plan will be promptly recorded in the Norfolk County Registry of Deeds.

Very Truly Yours,

John C. McCullough
Attorney for Peters Family Limited Partnership

Cc: J. Peters III

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

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TOWN OF MEDWAY
PLANNING BOARD

MEMO TO: Medway Planning Board

FROM: Gino D. Carlucci, Jr.

DATE: November 6, 2013

RE: Holliston Street ANR for Medway Country Manor/Peters Family Limited Partnership

I have reviewed the ANR plan submitted for endorsement by owner/applicant Peters Family Limited Partnership. The plan was prepared by R.E. Cameron and Associates, Inc. of Norwood, and is dated November 5, 2013. The plan proposes to correct the record by showing a lot for Medway Country Manor and a separate abutting parcel apparently owned separately by John Peters Sr. I have comments as follows:

1. Section 3.2.1 requires that the Registered Land Surveyor's stamp be on the plan. I reviewed an electronic copy without the stamp but the stamp needs to be on the mylar and prints signed by the PEDB.

2. Section 3.2.2 of the regulations requires that the Registry block and signature block be in the upper right hand corner of the plan. The Registry block is in the upper right corner and the signature block in the lower left side.

3. Section 3.2.6 requires that the names of abutters across the street be included on the plan. The direct abutters are shown but not the ones across the street.

4. Section 3.2.11 requires a statement as to whether the subject property is classified as Chapter 61A or 61B land. No statement about this is on the plan.

5. Since "Lot 2" is technically not a "lot," I recommend labeling it as a parcel (e.g. "Parcel A"). It also does not need to comply with the Lot Shape Factor so the calculation showing compliance could be removed. Also, if Lot 2 is to be in separate ownership, the applicant should consider an access easement since it will be landlocked. However, this is not a requirement and it could be conveyed to one of the abutting properties.

The plan qualifies for ANR endorsement I recommend that the technical deficiencies noted be corrected and resubmitted before endorsement by the Board.

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
Matthew Hayes, P.E.
Karyl Spiller Walsh
Richard Di Iulio, Associate Member

November 13, 2013

Mr. Matthew Elia
Accounting Manager | Finance
TD Bank
41 Donald B. Dean Drive
S. Portland, ME 04106

RE: Azalea Drive portion of Willow Green Subdivision – Medway, MA

Dear Mr. Elia,

At its meeting on November 12, 2013, the Medway Planning and Economic Development Board discussed the Azalea Drive portion of the Willow Green subdivision, originally known as Green Acres. This subdivision is located on the west side of Summer Street in the north central section of Medway. Our records indicate that Baltic Realty is the owner of Azalea Drive and the associated infrastructure and is listed on the four bond accounts for this subdivision. It is our understanding that Apex _____ now holds the properties and assets of Baltic Realty.

To the best of our knowledge, the following information pertains to the *Green Acres subdivision.*

History - Azalea Drive comprises the front portion of the 45 lot subdivision originally known as Green Acres that was developed by Kaplan Development Company. The 66 acre subdivision property also included what later became Dogwood Lane and a very small portion of Quail Drive. The approved definitive subdivision plan for Green Acres was recorded at the Norfolk County Registry of Deeds in October, 1988. We understand that Framingham Savings Bank provided the initial mortgage on the property and financed the road construction for the front portion of the parcel closest to Summer Street. Kaplan Development constructed the road and infrastructure and built and sold several homes, but went into default on their loan. By that that time, Framingham Savings Bank had been sold to MetroWest Savings Bank which took the property under the name of Baltic Realty; we believe that was in 1991 or so. Baltic Realty renamed the subdivision from Green Acres to Willow Green. As performance security, Baltic Realty posted four subdivision bonds with the Town for the front portion of the parcel; those subdivision bonds remain intact and combined now equal $56,357.69 (as of 10/31/2013). MetroWest gradually sold off the individual house lots on Azalea Drive; we understand most of

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the Azalea Drive homes were built in the early 90's. MetroWest also sold the undeveloped back portion of the original parcel where the Dogwood Lane connector and loop was located to a developer named Al Miraj. MetroWest Savings Bank was ultimately sold to TD Bank North which now holds the bond funds. MORE HERE ON OTHER ENTITIES SINCE BALTIC . . . .

CURRENT ACTION - At its meeting on November 12, 2013, the Planning and Economic Development Board determined that the construction of ways and installation of municipal services in accordance with the approved Green Acres Definitive Subdivision Plan have not been completed for the Azalea Drive portion of this subdivision. Tetra Tech, the Town's Consulting Engineer, has conducted a site inspection of the subdivision and has determined that there are a number of items that need to be completed for the Azalea Drive portion of the subdivision to conform to Medway's *1978 Subdivision Rules and Regulations*. See attached punch list and cost estimate dated November 6, 2013 and another chart that matches the punch list items to the corresponding section of the *1978 Subdivision Rules and Regulations*.

The purpose of this letter is to inform you of the needed work and to notify you that the Board has scheduled a public hearing for _____ as to whether the developer of record of the Azalea Drive portion of the Green Acres/Willow Green subdivision is in default under the Subdivision Control Law and the Board's 1978 *Subdivision Rules and Regulations*, for failure to complete the construction of ways and installation of municipal services. The hearing is scheduled for ____ pm and will take place during the regular meeting of the Planning and Economic Development Board at Medway Town Hall, 155 Village Street.

At the hearing, you will have the opportunity to be heard personally and/or through your counsel as to whether the Azalea Drive portion of the Green Acres/Willow Green subdivision should be found to be in default. The Board will discuss and determine whether it should vote to take the surety that is being held for the subdivision in order for the Town to complete the work itself.

Thank you for your attention to this matter. Please confirm that you or a representative of Apex will attend the _____ meeting of the Medway Planning and Economic Development Board.

Should you have any questions, kindly contact Medway Town Counsel, Barbara Saint Andre of Petrini and Associates in Framingham, MA at 508 -665-4310.

Best regards,

Andy Rodenhiser
Chairman

cc: Maryjane White, Town Clerk
Barbara Saint Andre, Town Counsel
David Pellegri, P.E., Tetra Tech
Melanie Phillips, Medway Treasurer/Collector

DRAFT

TETRA TECH

MEMORANDUM

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

Fr: David Pellegri–Tetra Tech (TT)

Re: **Azalea Drive**
Subdivision Review (Punchlist)
Medway, MA

Dt: November 6, 2013

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PLANNING BOARD

In September 2013 at the request of the Medway Planning and Economic Development Board, Tetra Tech (TT) coordinated with Medway Department of Public Services (DPS) to create a final Punchlist for the Azalea Drive Subdivision. The DPS performed the inspection and forwarded comments to our office which have been in corporate below. TT then applied costs to the improvements as provided in the attached spreadsheet. The following is a list of items and issues that should be repaired or resolved:

1. Proposed cul-de-sac was not built at the intersection of the northern leg of Azalea Drive at Dogwood.

2. Section of the sidewalk is in poor condition and needs prep and overlay.

3. Need to reduce granite radius at the entrance to allow for crosswalk.

4. The drainage system shall be flushed and cleaned. This shall include all structures and pipes, as well as the two (2) large retention basins on Summer Street, north and south of Azalea Drive. The basins shall be cleaned by removing vegetation as necessary to maintain proper function and the originally calculated capacity of basins.

5. There are five (5) drain manhole inverts that have not been installed.

6. Gate valve could not be located, and is either missing or buried.

7. Two (2) hydrant need to be raised.

8. The site requires two (2) sewer manhole covers.

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

9. An As-Built and Street Acceptance plan shall be submitted for review.

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

Very truly yours,

David R. Pellegri, PE
Project Manager

P:\21583\127-21583-09006\AZALEA DRIVE\DOCS\MEMOS\MEMO-AZALEA DRIVE PUNCH LIST 2013-08-30.DOC

Azalea Drive Subdivision Estimate

ITEM NO	WORK ACTIVITY	QUANTITY	UNIT	UNIT PRICE		TOTAL
	ITEMS REQUIRING MAINTENANCE/REPAIR/REPLACEMENT					
1	Cul-de-Sac	1	LS	10,000.00	$/LS	$ 10,000.00
2	Prep and Overlay Sidewlks	1	LS	16,000.00	$/LS	$ 16,000.00
3	Reduce Granite Radius at Entrance to allow for Crosswalk	1	EA	5,000.00	$/LS	$ 5,000.00
4	Flush and Clean Drainage System (See Note 5)	1	LS	16,500.00	$/LS	$ 16,500.00
5	Drain Manhole Invert	5	EA	300.00	$/EA	$ 1,500.00
6	Install Gates	4	EA	2,000.00	$/EA	$ 8,000.00
7	Hydrants to be Raised	2	EA	400.00	$/LS	$ 800.00
8	Sewer Manhole Cover	2	EA	400.00	$/EA	$ 800.00
9	As-Built Plan and Street Acceptance Plan	1	EA	10,750.00	$/EA	$ 10,750.00
	Subtotal					69,350
	Project Summation					$ 69,350.00
	Contingency	25%				$ 17,337.50
	Site Total					$ 86,687.50
	Project Total					$ 86,687.50

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Notes:

1 Unit prices are taken from the latest information provided on the Massachusetts Highway Department website. They utilize the Mass Highway weighted bid prices (Combined - All Districts) for the time period 8/2012 - 8/2013.

2 Mass Highway pricing for crack sealing was not available, therefore prices were taken from 2008 construction bid results from another Massachusetts municipality.

3 Exact quantities for the amount of material were not measured and are approximate values.

4 Hot mix asphalt quantity includes repairs to severely cracked pavement in between drainage structures and the pavement around the adjusted catch basin castings (2" top course, 2" binder course).

5 Cost for item 4 above includes $10,000 for cleaning the basins ($5,000 each), and $6,500 for flushing all structures and pipes.

Azalea Drive (Medway, MA) - Green Acres/Willow Green Subdivision

Needed Construction Work from 11/6/13 Punch List	Applicable Section of the 1978 Subdivision Rules and Regs	Tetra Tech Cost Estimate (11/6/2013)
ROADWAY		
Construct cul-de-sac at the intersection of the northern leg of Azalea Drive at Dogwood	V. A. Streets and Roadways, 1-4	$ 10,000.00
Prep and overlay portions of the sidewalk	V. D. Sidewalks, 1-5	$ 16,000.00
Reduce granite radius at the entrance to allow for crosswalk	V. E. Curbings	$ 5,000.00
DRAINAGE		
Flush and clean drainage system	V. B. Drains 1.	$ 16,500.00
Drain 5 manhole inverts	V. B. Drains 3.	$ 1,500.00
WATER	V. B. Drains 3.	
Install 4 missing gate valves	V. C. Utilities 1.	$ 8,000.00
Raise 2 fire hydrants	V. C. Utilities 1.	$ 800.00
SEWER		
Install 2 sewer manhole covers	V. C. Utilities 1. (a)	$ 800.00
AS BUILT and STREET ACCEPTANCE PLAN	III. C. As-Built Plan	$ 10,750.00
Sub-Total		$ 69,350.00
25% Contingency		$ 17,337.50
TOTAL		$ 86,687.50
11/6/2013		

Tetra Tech

Scope Change

1 Grant Street
Framingham, MA 01701
Tel: 508-903-2000
Fax: 508-903-2001

Date: November 8, 2013
TTR Project No.: 143-21583-13015
Cumberland Farm Site Plan Review
Scope Change No. 001

Additional Review Services
Name: Susan Affleck-Childs
Company: Medway, MA

NEED FOR SERVICE:

The Scope Changes identified below are required to finalize the review of the final designs, drainage, and traffic information submitted by the applicant. These services will be tracked and invoiced as identified below.

DESCRIPTION OF SCOPE CHANGES:

Tasks

1. **Additional Meetings-**The original budget assumed attendance at four (4) meetings by one representative. To date we have attended a total of six (6) meetings. We anticipate attendance at one (1) more hearing for the traffic engineer and two (2) more hearings for the civil engineer. - **$2,500**
2. **Additional Traffic Review and Coordination-** We have additional traffic review responsibilities not covered under our original scope including the review of traffic monitoring program and other data prior to the 11/12/13 hearing, and preparation of a traffic calming summary memo.- **$2,600.**
3. **Additional Site/Civil Review and Coordination-** We will have additional coordination and reviews required to complete the project.- **$1,700.**

Fee Adjustments

Original Contract-	**$11,435**
Scope Change No. 001	**$6,800**
Revised Contract Amount-	**$18,235**

SCHEDULE:

We are prepared to begin work immediately upon authorization of these Scope Changes.

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 Pellegri, P.E.
Sign:

AGREED AND ACCEPTED FOR
MEDWAY or its Agent
By:
Sign:
Date:

Town of Medway, Massachusetts

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

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

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

1. I am a member of PEDB.

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

Cumberland Farms Site Plan + Special Permit

which was held on October 8, 2013.

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

   a. ✓ audio recording of the missed hearing session; or

   b. _____ video recording of the missed hearing session; or

   c. ✓ a transcript of the missed hearing session.

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

Signed under the pains and penalties of perjury this 23 day of Oct, 2013

Signature of Board Member

Received as part of the record of the above matter:

Date: 10-23-2013

By: Susan E. Affleck-Childs

Position: Planning + Economic Development Coordinator

1-27-09

Susan Affleck-Childs

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NOV 07 2013
TOWN OF MEDWAY
PLANNING BOARD

From: lindatask@comcast.net
Sent: Thursday, November 07, 2013 4:38 PM
To: Susan Affleck-Childs
Subject: cumberland farms

I am writing to express my opposition to the Cumberland Farms development at the intersection of routes 109 & 126. As a resident living on Cedar Farms Rd., I feel that this will have a huge and negative impact on the already busy intersection and I know that many local residents feel the same. I plan on attending the next town meeting and hopefully help defeat this proposition. Linda Tasker 6 Cedar Farms Rd. Medway

Susan Affleck-Childs

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NOV 05 2013
TOWN OF MEDWAY
PLANNING BOARD

From: Manuela Bartiromo [mmbartiromo@gmail.com]
Sent: Tuesday, November 05, 2013 3:05 PM
To: Susan Affleck-Childs
Subject: Cumberland Farms

Hello,

I am a resident on Cedar Farms Road and was away for over a month when the Cumberland Farms service station proposal was discussed on October 8. I am just now reading my old mail. If it is not too late, I would like to note my objection to this proposal. I cannot imagine a worse plan for the area and truly fear the congestion that it will generate. I hope it was not passed. (I would greatly appreciate knowing what has transpired. I have looked on the Town of Medway website, but found no news pertaining to this issue.)

Thank you.

Sincerely,
Manuela M. Bartiromo

Susan Affleck-Childs

From: Shaun P. Montana <shaunpmontana@gmail.com>
Sent: Tuesday, November 12, 2013 11:27 AM
To: Susan Affleck-Childs
Cc: Shannon
Subject: Cumberland Farms Application

To the Medway Economic and Planning Development Board,

We are writing this e-mail to register our opposition to Cumberland Farms' request for a canopy over the gas pumps at their proposed site that extends 40 feet past the amount allowed for by the town's bylaws.

We are quite concerned by the excessive size of this canopy, both in terms of its appearance, and also the precedent this may set going forward for other similar projects. The town adopted its bylaws with an eye toward preserving its particular character and appearance as a "small New England town". By allowing a canopy that is so significantly greater than the amount in the town's bylaws, the Board will be disregarding the town's expressed desire to maintain its particular character and appearance, with unknown benefits in exchange.

We also do not understand how the Board, if it authorizes this excessively large canopy, will be able to tell any future applicant that it cannot build a canopy in excess of the amount provided for in the town's bylaws. What, such a future applicant will likely ask, is the difference between our project and the Cumberland Farms project of 2013? This sets a bad precedent that is, again, in direct contrast to the town's expressed desire on such matters.

We are also greatly concerned with the plans for the proposed entrances to the Cumberland Farms site. The plans clearly show that there will be two curb cuts on route 109 for the site. One is supposed to be for a driveway for the new Medway Gardens structure, yet the plans clearly show that it is connected to the proposed Cumberland Farms parking lot. The plans do not show any access gates or other obstructions that would prohibit customers or Cumberland Farms itself from making use of this driveway to enter the Cumberland Farms property. What guarantees are there that Cumberland Farms trucks and/or customers will not make use of this entrance way, effectively giving the location a second curb cut in violation of the town's bylaws. What guarantees are there that will prohibit this? Did the traffic study performed by Cumberland Farms take the potential second entrance way on route 109 into account? What kind of impact will allowing this have, not just on this project, but again as a precedent for the future, when other sites want a second curb cut?

Due to these numerous unanswered questions, we request that the Board does not authorize the excessively large canopy and examine more closely the second curb cut on route 109.

Thank you.

Shaun and Shannon Montana
13 Slocumb Place

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OCT 31 2013
TOWN OF MEDWAY
PLANNING BOARD

October 31, 2013

Hi Susy,

First we wanted to thank you and all of the other members who participated in the meeting with us earlier this week. We appreciate your time and information greatly. As discussed in the meeting we wanted to follow up with you on some conditions that we would like considered for the Cumberland Farms project.

During all phases of construction we request that the working hours be restricted to 9AM-5PM and only allowed Monday through Friday. Our reason for this request is so that most people will be at work during these hours and minimally effected by the construction sounds. We don't think they should be allowed to work on the weekends or holidays as there should be some time of peace for the residents nearby. We would like for the fence along our property to be installed as early in the construction process as possible so that we may have some shelter from construction debris that will inevitably land on our property as well as shielding view of the construction site. We request that the grounds in front of our home be cleaned up at least on a weekly basis during and after construction.

In regards to the blasting we respectfully request 24 hr notifications for each day that blasting will occur. We don't think that a blanket letter indicating that blasting will occur for dates ranging a month long is sufficient. We would like 24 hours notice so that we can plan to be out of the home and remove our dog while the blasting takes place as often as possible. We would be happy to give our email addresses and phone numbers so that we can be contacted whichever way is easiest. If there is a way to extend the 30 day report period for blasting damage it would be greatly appreciated, but if it out of your control we understand.

Once the store is open we would request that other then emergency/safety lights, all other lights be shut off at time of closing or shortly thereafter. We also request that no additional signage be allowed on the property and what we mean by that is the tacky standing cardboard and tent signs that Cumberland Farms is famous for.

We request that the delivery hours for fuel, food, beverage, and trash pickup be limited to 8AM-6PM. Ideally I would like to see the deliveries limited to 9AM-4PM so that it can have as little effect on the traffic as possible. The other reason for the request of this restriction is the noises of the trucks backing up will be extremely unpleasant to live with on a daily basis so the more that can happen while we are at work the better.

Lastly, if the board were to grant Cumberland Farms the authorization to have a Red Box, please consider having it placed inside the store. We think this will help greatly with keeping people out of that lot after store hours. We also think the police will have to pass by less if there is no Red Box outside, and the sounds of people late at night will be far less frequent.

Thank you in advance for taking the time to read this letter and our previous letters. We appreciate your consideration on any and all of our requests.

Teigan & Jesse Bain
37 Milford Street

NEWMAN & NEWMAN, P.C.
ATTORNEYS AT LAW
ONE MCKINLEY SQUARE
BOSTON, MASSACHUSETTS 02109
(617) 227-3361
FACSIMILE (617) 723-1710
WWW.NEWMANLEGAL.COM

MARSHALL F. NEWMAN
RICHARD JOYCE
REBECCA H. NEWMAN*
ALEXANDRA B. RUBIN

*ALSO ADMITTED IN NEW YORK

ABRAHAM NEWMAN
(1915 - 1995)
SAMUEL NEWMAN
(1912 - 2008)

October 31, 2013

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NOV 0[illegible] 2013
TOWN OF MEDWAY
PLANNING BOARD

Planning Board
Town of Medway
Municipal Building
155 Village Street
Medway, MA 02053

Attn: Susan Affleck-Childs,
Medway Planning Coordinator

Re: Application of Cumberland Farms
Routes 109 and 126, Medway

Dear Ms. Affleck-Childs:

I represent the owner of the subject property, Onilleva Realty LLC. I have enclosed herewith a letter signed by Joseph Avellino, Manager of the owner of the locus, and President of Medway Gardens.

I ask that you make this a portion of the record of the proceedings in the above-referenced matter.

Thank you for your courtesy and cooperation in this matter.

Very truly yours,

NEWMAN & NEWMAN, P.C.

By: Marshall F. Newman

MFN/jtd
Enclosure

cc: Peter J. Paulousky, Esquire
(via e-mail)

ONILLEVA REALTY LLC
38 Summer Street
Medway, MA 02053

RECEIVED
NOV 0[illegible] 2013
TOWN OF MEDWAY
PLANNING BOARD

To The Medway Planning Board:

My family has been in the nursery business for sixty years. We have been in Medway operating Medway Gardens for 35 years. When I started, Medway Gardens was a sufficiently profitable operation that was able to support comfortably my mother and father, myself and my family and my two brothers and their families, indeed my entire immediate family: My mother, brothers, sisters and their families all live in Medway.

Over the years, there have been big changes in the garden center business. It started with the Big Box Stores; Home Depot, Lowe's, BJ's, Walmart, K-Mart, Cosco, and even the supermarket chains started selling plants, flowers, shrubs, fertilizer and garden products. They sold an inferior product, but, because of their size, they sold at a greatly reduced price, and frankly, they buried us. They had a devastating effect on our business. It could no longer support our entire family. One brother has left the business, and for the last eight years, it has been just John and me. Then, with the downturn in the economy, the situation of Medway Gardens has become even bleaker. My brother John is now working on his resume, and Medway Gardens will soon be just me, Joseph Avellino.

In recent submissions to the Planning Board, some residents have expressed the desire that Medway Gardens remains open. The Avellino Family shares that desire. But the only way it will remain open is if we downsize our operation and find new sources of income for the business. This Cumberland Farms proposal will not mean the end of Medway Gardens. Just the opposite is true: our partnership with Cumberland Farms is the only means by which Medway Gardens will survive.

I would like to say some things about this Cumberland Farms Project. First, our property is 3.5 acres. We are not committing that acreage to Cumberland Farms. Their Project is only approximately 1¼ acres. That will allow us to maintain and improve our greenhouses and displays and to build a new, smaller but more efficient garden center.

Second, Cumberland Farms has, throughout the permitting process, been sensitive and responsive to the needs and concerns of the Community. They have worked with the Planning Board and the Design Review Committee to construct a building that is attractive and appropriate to the location and its surroundings. The operation itself will be state of the art, and will be environmentally sound. Cumberland Farms and the Town have worked together with traffic consultants to develop a traffic plan that meets the Community's needs and minimize any possible negative impact.

To those Residents who have expressed the sentiment that Medway Gardens should remain open, I thank you and my family thanks you, and we share that sentiment with you. To those Residents who think that approval of

this Cumberland Farms proposal will mean the end of Medway Gardens, I say that you are mistaken, and that the opposite is true: if this proposal is not approved, the future of Medway Gardens will be placed in grave jeopardy, and it will likely close. The closing of Medway Gardens will mean not only the end of a thirty-five year old Medway institution, but will also mean the sale of our entire acreage to a developer. We do not want that to happen, and I hope that nobody in Medway wants to see that happen.

I want to thank the Board for the work it has put into this application process. I want to thank the Residents for your concern for the well-being of Medway Gardens.

I would like to finish by stating that if any Resident wishes to discuss this matter privately with me, you can meet me most any day at Medway Gardens between 8 AM and 5 PM.

Sincerely,

ONILLEVA REALTY LLC

By: Joseph Avellino, Manager

CUMMINS NURSERY & FLOWERS, INC.,
d/b/a MEDWAY GARDENS

By: Joseph Avellino, President

Cumberland Farms – Residents' Briefing
October 28, 2013
Restaurant 45 – 45 Milford Street

Town Staff and Consultants Present:

Susy Affleck-Childs, Planning and Economic Development Coordinator
Dave Damico, Department of Public Services
Gino Carlucci, PGC Associates
Mike Hall, Tetra Tech Traffic Consultant
Dave Pellegri, Tetra Tech Engineering Consultant
Jeff Lynch, Fire Chief
Jeff Watson, Police Sergeant

The purpose of the meeting was to answer questions relating to the process for Cumberland Farms. It was made clear that this is a meeting and not part of the public hearing. There were no members of the Planning Board Economic Development present. The residents were informed that there will be a recording of the meeting and it will be transcribed and entered into the record at the next Planning and Economic meeting which will be November 12, 2013.

APPLICATION PROCESS

The discussion began with an explanation provided by Susy Affleck-Childs of the Planning Board process which the applicant must adhere to. The applicant first submits the application along with plans, reports and studies. The application and plans are circulated among town staff. This is done electronically. The application and plans are provided to the consultants. The consultants look at the technical review of the application. The abutters are then notified of the public hearing date. The consultants then provide plan review letters for Board. This is an initial review. The next step would be to have the applicants engineer respond to the consultant comments. The plan sheets are revised at a later date.

All comments are gathered from all and a comprehensive revision of the plan will be completed. Cumberland Farms is planning on having their comprehensive revisions submitted October 31, 2013. This plan then goes to the Town's consultant and staff and comments are solicited again. Eventually, we reach a point that the applicant submits all necessary paperwork and the answers to the questions have been addressed. The hearing is then closed. A decision will then be written. This part of the process can take a couple of weeks. The Planning Board then looks at the decision and it is usually revised. It is not for the public to comment on the decision. A draft decision will include conditions, limitations, and safeguards. The Planning Board then takes an official vote and the decision is filed with the town clerk. There is a 20 day appeal process. Anyone is able to appeal the decision. If the 20 day appeals goes without an appeal, the plan then needs to be updated to include everything referenced in the decision. The plan is the signed/ endorsed once the conditions are referenced on plan. The plan is then recorded at the registry of deeds.

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Andrea Kerr asked what would be the rationale for an appeal.

It was explained that an appeal may occur if someone thinks the rules and regulations were not followed. The decision must follow the set rules and regulations which were decided by the town.

Tracy Stewart wanted to know what happens when members of a Board have already shared their view of a project. She further explained that a group of residents went to the Board of Selectmen meeting with concerns about having another entrance on Milford Street and how the applicant is clearly finding their way around it. In her interpretation, Selectmen Trindade told them that the BOS can't discuss this. This was disheartening.

Susy responded that it was not for the Board of Selectmen to discuss that. It falls under the Planning Board. The meeting with the Board of Selectmen regarding Cumberland Farms was agenda specific to the underground fuel tanks.

CONSULTANT REVIEW PROCESS

Consultant Pellegri from Tetra Tech described the consultant review process. This involves reviewing the application against the Site Plan regulations,as set by the Town. The consultants must also review the documents against other various town and state regulations such as the Department of Public Works, Americans with Disabilities Act, National Fire Code, etc. There is also an in-depth review of the stormwater design which involves review for compliance with Department of Environmental Protection regulations, and other federal, state and local guidelines. Some projects depending on how big will require a traffic study which will be reviewed separately by a traffic engineer.

Consultants will then generate a comment letter identifying issues that require attention. Communication with the applicant is then done along with the engineer/consultant on the project to resolve those issues during the public hearing process.

The next part of the meeting focused on specific questions regarding stormwater.

STORMWATER QUESTIONS

What effect will the Stormwater connection have on the residents around the CF?

DPS representative Dave D'Amico responded that there have been no problems in this area. This will actually improve the situation. The run-off will go to the basins and then will go into the holding tanks. This will improve stormwater quality in the area.

Consultant Pellegri responded that he looks at this from the quality and quantity perspective. This drainage design will improve the existing water quality conditions on Summer St. The

DRAFT

water will need to be treated on-site first and this will improve the overall stormwater quality in Summer Street. From a quantity perspective, the peak runoff leaving the site cannot be increased. Because the project is considered a "Redevelopment" project by state definition, they are allowed to meet some stormwater regulations only to the "maximum extent practical". For example, the State requires infiltration of the stormwater on-site, however due to the amount of ledget at the project site this is not feasible. Therefore, the runoff is not able to infiltrate and thus the total volume of water leaving the site will not decrease. However, because the peak runoff rate is not increased, there should be no adverse effects.

What happens if the containers can't get into the ground?
Consultant Pellegri does not believe this will be an issue. The applicant may need to blast more, but he does not see this as an issue.

How many borings were done?
Consultant Pellegri responded that at least two test pits were done.

Susy responded if the applicant cannot put the tanks in the ground, then the applicant would need to modify the application. The process would stop until the modification is filed.

Who is the deciding voice about the connection?
The deciding voice on the connection to the Town's stormwater system is the Department of Public Services.

Consultant Carlucci explained that the waiver being sought is from the requirement to recharge on site. The connection permit is sought from the DPS.

If this is not a suitable lot and the system cannot recharge, then why approve it?
Consultant Pellegri responded that this is a "redevelopment" project versus a new project.

Who decided it is redevelopment?
There is a definition the State has that makes them qualify for such.

TRAFFIC

Mike Hall from Tetra Tech was present to answer questions about traffic.

It was explained that there has been a traffic study completed by Tighe and Bond.

Traffic Consultant Hall provided a summary of the findings. There are 20,000 cars passing by the site on Milford Street and Summer Street. This site for a use like Cumberland Farms is attractive since there is already lots of traffic going by the site. Traffic models are used to determine how well an intersection functions, with service ranges from level of service A

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through F. The rating for the intersection of Milford Street and Summer Street is level of service C. With the future build out of the project the rating will also be level of service C. There was a traffic report done back in 2007 by VHB and the service level was a C at that time. The traffic volumes have not changed a whole lot. The role of the traffic consultant is to try to look at the analysis as impartially as possible. Mike explained that he tries to separate the fact from the emotions.

Resident Stewart responded that she has an issue with vehicles not being able to get around. People are concerned about what this road will look like after 2:00 pm with the high school traffic. Her opinion comes from the experience of living in the town and knowing the traffic. We will also be dealing with residents from Walpole, Medfield and Holliston using Route 109 for the casino. She feels this is not a broad enough study.

Susy responded that we cannot address this issue and that would require a more in depth study.

A resident of Little Tree is concerned with cut through traffic. The residents have been to the police about the pass through traffic but no signs can be put up since it is not a recognized street. There is no recourse for safety. This is a concern.

Mike Hall noted that we are looking at putting in some conditions to deal with that, but we need to get the facts in regards to the traffic numbers. A study could be put in as one of the conditions of approval for post-opening traffic monitoring.

There is also a concern that the Fire Trucks cannot get down Rustic Road since people park on both sides of that street sometimes for Restaurant 45. Since the signs have been put in place it is not as bad.

There was a question if the Cumberland Farms on Rt.109 was closing.

The residents would like to get an update on that.

Another resident wanted to know it is possible to not have a turning lane into the CF from Rt.126.

A resident noted that this is a site safety issue since the widths are different.

The width of all three drives are 24 ft. This is on all the plans.

Another resident has a comment about the second access drive on Milford Street and communicated that the only reason for it is to have the tanker trucks be able to access it.

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Mike Hall responded that the access road is better for traffic as it disperses traffic among three driveways and is further away from the signal so drivers accessing the site can avoid queues from the signal.

Another resident referenced the bylaw indicating that there is only one cut allowed.

There was clarity provided that the curb cut requirement of only one per 150' of frontage is in regards to residential property. Commercial and industrial curb cuts are not specifically limited and it is up to the discretion of the Planning and Economic Development Board.

Another resident noted that the turning radius to Rt. 109 is a concern. The tanker trucks exiting the site will need to arc out into the westbound lane of traffic. She would like to see if a truck radii study could be done.

SITE SAFETY

What will be done with the loitering which may occur?

Sergeant Watson responded that this area along with other areas will be watched for loitering. This is part of our duty. We do not let kids hang out anywhere in town. This site will be no different.

Will the sign be illuminated during the closed hours?

The lighting for the main signs could be turned off.

The up lighting has been discussed and there was discussion about when the lights will be on and off, but the residents would like further clarity on this item.

Sergeant Watson responded that if there are no lights, this is very inviting to loitering. This is not a good idea to have no lighting.

When and where will the Redbox be available?
This could be included in the decision as a condition. The Redbox could be only inside the building.

It was suggested to not allow the gas trucks to enter the entrance to Medway Gardens, but only have it for Medway Garden. This would help the Bain's. There could be a control gate.

Why can't Medway Garden put their access on Summer Street?
The main focus of the plan is the access road. The residents want the applicant to be truthful about this and the paperwork is not written as such.

DRAFT

The next batch of plans will show the landscaping and renderings and we will comment on it.

The residents want the easement to be looked at further.

BLASTING

The residents were concerned about the blasting on the site and damage that may result to area structures from the blasting.

It was suggested that the residents talk with Board of Selectmen member Crowley about the safety concerns with blasting. He had suggested at one of the meetings that the applicant should assist with the procedures of form completion.

Susy responded that this is something the Board can put within the decision.

Resident Bain asked if the Fire chief has ever monitored blasting.

Fire Chief Jeff Lynch indicated no, but he will be sure to get the information prior to the blasting being done.

Residents expressed that a longer, two year provision be required during which abutters could file a damage claim. Consultant Pellegri communicated that the process and time limits are determined by the State. There are legal limitations to this.

It was expressed by staff that a 2 year window was probably excessive, but a one year term is something the Board might consider.

SIGNS

The Planning Board is not going to weigh in on the Zoning Board of Appeals decision regarding the signs. Susy wrote a letter as the planning coordinator, but not a representative of the planning board. She noted that she did not feel the petition met the criteria for granting a variance.

The Zoning Board of Appeals meeting is Wednesday night.

SITE MAINTENANCE

Who monitors the propane, fire wood and ice box outside of building?

This is something that can be written as a condition of the decision.

DRAFT

Susy suggested that the residents send an email with suggestions on conditions and safeguards that should be included in the decision.

Ideas:

- Hours of construction
- Specify day, and time for blasting (use the Town's text message notification system)
- Make notification radius for blasting notification larger than (300 ft.)

The meeting adjourned at 9:00 pm

Respectfully Submitted,

Amy Sutherland
Based on an audio recording of the meeting

Edited by,

Susan E. Affleck-Childs
Planning and Economic Development Coordinator
with input from Mike Hall, Dave D'Amico and Dave Pellegri

DRAFT

10-28-13
Cumberland Farms
Meeting

Please Sign In

Name	Address	email
Marcia Tudor	11 Little Tree Rd	marcia.tudor@verizon.ne
Chris Rogers	7 Populatic St.	crogers28@comcast
Jesse BAIN	37 MILFORD St.	
Teigan Bain	37 Milford Street	SNWLILACS@HOTMAIL.COM
Ricardo Menard	10 Freedom Trail	Ricardo.Menard@Gmail.com
Donna Hainey	6 Little Tree Rd	dlhainey@comcast.net
Nancy Williamson	9 Independence Lane	nnw67@yahoo.com
Penny Nielsen	1 Freedom Trail	bap623@earthlink.ne
Tracy Stewart	21 Lovering St.	
Andrea Kerr	37 Waterview Drive	spadora@hotmail.com
ROB CONDON	3 RUSTIC RD.	rcondon23@gmail.com

Dave Pellegri	Tetra Tech
Mike Hall	Tetra Tech
Gino Carlucci	PGC Associates
Dave D'Amico	DPS
Jeff Lynch	Fire Chief
Jeff Watson	Police
Susy Afftech-Chuds	PEDB

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

November 8, 2013

RECEIVED
NOV 08 2013
TOWN OF MEDWAY
PLANNING BOARD

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

RE: CUMBERLAND FARMS SITE PLAN REVIEW
38 SUMMER STREET

Dear Members of the Medway Planning and Economic Development Board,

The DRC has met with the Cumberland Farms applicant four times, on 4/22; 8/22; 9/22, and 10/17, 2013 to review the proposed site plan and building designs for Cumberland Farms gas station and convenience store. Through the process the applicant has demonstrated a willingness to employ the recommendations of the Design Review Committee [DRC].

The applicant is presenting a canopy measuring 100.5' x 22', located in front of the entrance to the retail building. The DRC maintains the position that the canopy be a maximum of 60 feet, in compliance with the zoning bylaw. This would better reflect Medway's New England architectural style as described in the Planning and Economic Development Board (PEDB) *Site Plan Rules and Regulations (SPRR)* and the *Medway Design Guidelines (MDG)*. The canopy does not properly relate in scale or terrain to any adjacent site or neighboring property (SPRR 205-1 A and B, MDG Part II (A) 4 and 5 (c)).

In the event of the proposed canopy being authorized by the PEDB, the DRC recommends an extensive landscaped buffer. The applicant has agreed to abide by this plan, which will serve to mitigate the visual impact of the canopy. This plan is now reflected in the site plan as well as a list of revisions received 10/31/13. It is the recommendation of the DRC, that these buffers be fully installed and successfully maintained.

Below is a list of revisions that were incorporated into the plan set.

- Added four (4) planters with rotational annuals adjacent to the building.
- Added one (1) Fraser Fir proximate to the westerly Route-109 curb cut.
- Added locations for blast rock placement.

Design Review Committee Members

Matthew Buckley, Chairman
Julie Fallon, Vice Chair
Karyl Spiller-Walsh, Planning and Economic Development Board Liaison
Rod MacLeod, Member
Rachel Walsh, Member & Corresponding Secretary
Mary Weafer, Member

- Added six (6) hydrangeas (paniculata).
- Modified white vinyl fence along easterly property line to a wood grain vinyl fence.
- Updated plant material list to reflect 18'high (minimum) for specimen grade coniferous trees.
- Updated plan material list to reflect 22' high (minimum) for specimen grade deciduous trees.
- Replaced four (4) River Birch trees with four (4) Fraser Fir trees at the intersection.
- Modified white vinyl fence along easterly property line to a wood grain vinyl fence.

Item number 9 on the list of revisions presented in the October 31 letter from Phil Henry of the Civil Design Group regarding the location of blasted rock lacked dimensions that were discussed with the DRC. The DRC suggested a height of 6 feet and a length of 10 feet for the rock outcroppings, and asks that the PEDB include these specifications in the decision. These outcroppings will be positioned behind the proposed hydrangea.

Buffers to the East abutter's property:

The applicant has prepared a planting scheme and a barrier fence, which is agreeable to the abutter. The abutter has asked for a wood grain textured fence in the color of natural wood rather than a white vinyl fence. The applicant appears to have accommodated this request, but should provide the DRC and the abutter with a fence material sample prior to installation.

Building Elements

The DRC has communicated specific recommendations regarding architecture during our four meetings. The DRC is pleased with the progression of the overall architecture.

Specific recommendations from the DRC that are now reflected in the plan include:

- Extend the water table stonework around the three front sides of the building and repeat that same stone along the face of the southwest retaining wall.
- Change colors of the numerous bollards to a neutral color. Conceal some bollards by becoming planters.
- Remove all corporate colored banding from both the building and canopy.
- Reduce the size of the façade signs on the north and west facing gables to fit more appropriately in the available space.
- Remove heavy bar lights for these signs and replace with fixtures with lower visual impact.

In order to comply with the *SPRR* and the *MDG,* the DRC recommends the following:

- Implement the use of indigenous materials in the façade such as:
  - Clapboards with coordinated molding and trim (SPRR, 205-2 D.),
  - Natural stone or similar stone-like materials (SPRR 205-2 D.),

- Architectural shingled roofs (SPRR 205-2 E.),
- Windows with coordinated mullions and moldings (SPRR 205-2 E, MDG Part II, (A) 5 (d)).
- Incorporate varied roofline and avoid mirror-image symmetry (SPRR 205-2 B, MDG Part II, (A) 5 (b)).

- In addition to the landscape plantings and rock outcroppings, the DRC recommends feature landscape lighting that complies with the Exterior Lighting section of the Zoning Bylaw (Section IV B. 7.) at the base of some large specimen trees to enhance the screening process.

Site Maintenance

The DRC has concerns regarding the maintenance of the site as it is proposed. The DRC recommends the following conditions be included in the decision prepared by the PEDB:

- Landscape screening shall be maintained as proposed for the duration.
- No additional signage shall appear on the site, such as promotional materials, window signs, product sale prices, etc.
- No materials or over stock shall be stored in public spaces on the site.
- Any vending machines shall reside within the building to reduce visual clutter of the illuminated box.

Signage

- The retail building will feature (2) façade signs located within the gables at both the North and West-Facing ends. Though the signage as presented was compliant, the reduction in size to 70% of the original square footage is less crowded within the architecture, and the mini-can-lighting will be a better solution to light the signage.
- The applicant has removed all signage and logo from the canopy itself.
- A free-standing monument sign has been proposed to be located at the Northwest corner of the parcel and be visible from both Rte 109 and Rte 126. The configuration of that sign awaits a ruling from the Zoning Board of Appeals.

The DRC will continue to assist the PEDB in reviewing the proposed Cumberland Farms site plan. We look to the PEDB to insure the inclusion on the plan of the outstanding requested items numbers 7-14 that appear on Mr. Philip Henry's letter of October 31, 2013.

Sincerely,

Matthew Buckley
Chairman

cc: John Emidy, Building Commissioner

Susan Affleck-Childs

RECEIVED
OCT 25 2013
TOWN OF MEDWAY
PLANNING BOARD

From: Peter Paulousky [PJP@dcdclaw.com]
Sent: Friday, October 25, 2013 10:24 AM
To: Susan Affleck-Childs
Subject: Grill 45 Meeting - Cumberland Farms Project Rte. 109 and Rte. 126.

Susan,

This email concerns the meeting scheduled at the Grill 45 Restaurant, October 28, 7:00PM ("Grill 45 Meeting"), which you have stated will be attended by members of the public together with certain Medway officials including yourself, the Police Safety Officer, the Director of Public Services and independent peer consultants responsible for review of materials related to the Cumberland Farms Project at Rte. 109 and Rte. 126, Medway, Massachusetts ("Project").

The Project has been under review by the Medway Planning and Economic Development Board ("Board") since it opened the public hearing in August, 2013. The public hearing remains the proper venue within which questions as to process and procedure as well as concerns about the Project should be presented and considered. Cumberland Farms is and intends to remain a good corporate neighbor. Cumberland Farms respects the Board's process and has made every effort to address concerns raised at each public hearing and will continue to do so until the hearing is closed.

As Cumberland Farms continues to believe that the Board remains the proper venue for all discussions and submissions relative to the Project, it will not provide its original Boards and/or Renderings for the meeting, as requested by you to the Project engineer, Mr. Phil Henry. Please submit to me a copy of any recording, note, and document/comment or any kind that is submitted to the Board as a result of the Grill 45 meeting. It is my understanding that copies of all plans and renderings have been submitted to your office and thus are of public record. For the same reason, Cumberland Farms will not pay for any time spent by the peer consultants attending the Grill 45 Meeting.

Cumberland Farms does not waive any right to file an applicable objection or complaint relative to the Grill 45 meeting.

Sent from my iPad

Susan Affleck-Childs

RECEIVED
OCT 28 2013
TOWN OF MEDWAY
PLANNING BOARD

From: Peter Paulousky [PJP@dcdclaw.com]
Sent: Monday, October 28, 2013 2:11 PM
To: Susan Affleck-Childs
Subject: Cumberland Farms - Medway, Beer and Wine License

This will confirm that Cumberland does not plan to sell Beer and Wine at the Medway location.

Peter J. Paulousky
Doherty, Ciechanowski, Dugan & Cannon, P.C.
Celebrating 10 years
124 Grove Street, Suite 220
Franklin, MA 02038

WEB : www.dcdclaw.com
TEL: 508-541-3000
FAX : 508-541-3008
PJP@dcdclaw.com

Please consider the environment before printing this email.

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RECEIVED
OCT 28 2013
TOWN OF MEDWAY
PLANNING BOARD

Tighe&Bond
www.tighebond.com

G-0616-1
October 28, 2013

Mr. AJ Barbato
Vice President of Real Estate
T.M. Crowley & Associates
14 Breakneck Hill Road, Suite 101
Lincoln, RI 02865

Re: **Scope of Work for Neighborhood Cut-Through and High School Evaluations**
Cumberland Farms – 38 Summer Street
Medway, Massachusetts

Dear AJ,

In an effort to address comments raised at the Medway Planning & Economic Development Board meetings for the proposed Cumberland Farms development to be located at 38 Summer Street, Tighe & Bond, Inc. has prepared this letter to outline a scope of study to evaluate cut-through vehicles through the nearby Little Tree Road and Rustic Road neighborhoods, as well as to assess the operations of the Medway High School driveway. Based on coordination efforts with the Town of Medway's traffic peer review consultant (Tetra Tech, Inc.), the scope of services for the cut-through study and the Medway High School observations outlined in the October 22, 2012 letter have been modified.

Neighborhood Cut-Through Scope of Work

The topic has been raised at the Medway Planning & Economic Development Board meetings regarding Milford Street (Route 109) eastbound vehicles destined for Summer Street (Route 126) southbound would potentially use neighborhood roadways to avoid the Milford Street and Summer Street signalized intersection. The thought is that any additional delay experienced by vehicles traveling along the Milford Street eastbound shared through/right-turn lane to the signalized intersection destined for Summer Street southbound would encourage drivers to seek an alternative route through the Little Tree Road and Rustic Road neighborhoods.

As presented in the June 14, 2013 *Traffic Impact and Access Study* prepared by Tighe & Bond, Inc. in Table 8, the delays and the 95th percentile vehicular queues along the Milford Street eastbound shared through/right-turn lane to Summer Street are anticipated to be minimal during the peak hours (delay increases between 0.1 and 1.2 seconds per vehicle, and queue increases less than 1 vehicle). Since there would be a negligible increase in delays and queuing along the Milford Street eastbound shared through/right-turn lane at Summer Street, it was concluded that there would not likely be an increase in vehicles that would cut-through the Little Tree Road and Rustic Road neighborhoods to avoid the signalized intersection in order to reach destinations along Summer Street to the south.

To satisfy the Town of Medway's concern, however, the applicant has agreed to prepare a study to evaluate the existing (before opening of the proposed Cumberland Farms) and future (≥6 months after occupancy of the proposed Cumberland Farms) traffic behaviors of motorists traversing the Little Tree Road and Rustic Road neighborhoods from Milford Street eastbound to Summer Street southbound.

Baseline Condition

The following outlines the work services in conducting an origin-destination study based on a license plate survey to track vehicles to develop a baseline condition (i.e., prior to opening of the proposed Cumberland Farms):

1. Record the last three digits of the license plates of vehicles traveling from Milford Street eastbound that turn right onto Little Tree Road (origin) during the weekday AM peak period (7:00-9:00 AM) and the weekday PM peak period (4:00-6:00 PM). Two trials will be conducted on two separate weekdays.

2. Record the direction and the last three digits of the license plates of vehicles traveling from Rustic Road at Summer Street (destination) during the weekday AM peak period (7:00-9:00 AM) and the weekday PM peak period (4:00-6:00 PM). Two trials will be conducted on the same days as the origin observations (see Note 1).

3. Conduct a manual turning movement and vehicle classification count (TMC) at the Milford Street and Little Tree Road intersection during the weekday AM peak period (7:00-9:00 AM) and the weekday PM peak period (4:00-6:00 PM).

4. Conduct a TMC at the Summer Street and Rustic Road intersection during the weekday AM peak period (7:00-9:00 AM) and the weekday PM peak period (4:00-6:00 PM).

5. Summarize the results of the existing origin-destination study in a technical memorandum for submittal to the Town of Medway.

Future Condition

The following outlines the work services in conducting an origin-destination study to develop a future condition (i.e., ≥6 months after occupancy of the proposed Cumberland Farms):

6. Record the last three digits of the license plates of vehicles traveling from Milford Street eastbound that turn right onto Little Tree Road (origin) during the weekday AM peak period (7:00-9:00 AM) and the weekday PM peak period (4:00-6:00 PM). Two trials will be conducted on two separate weekdays.

7. Record the direction and the last three digits of the license plates of vehicles traveling from Rustic Road at Summer Street (destination) during the weekday AM peak period (7:00-9:00 AM) and the weekday PM peak period (4:00-6:00 PM). Two trials will be conducted on the same days as the origin observations (see Note 6).

8. Conduct a TMC at the Milford Street and Little Tree Road intersection during the weekday AM peak period (7:00-9:00 AM) and the weekday PM peak period (4:00-6:00 PM).

9. Conduct a TMC at the Summer Street and Rustic Road intersection during the weekday AM peak period (7:00-9:00 AM) and the weekday PM peak period (4:00-6:00 PM).

10. Compare the existing and future license plate data and the TMC data to determine if there is a significant change in motorist travel patterns from Milford Street eastbound, through the Little Tree Road and Rustic Road neighborhoods, and destined for Summer Street southbound. If there is a significant increase in motorist travel patterns, then potential traffic calming measures will be evaluated. For purposes of this evaluation, a significant change would be defined as an increase in cut-through traffic along this travel route of 6 or more vehicles per hour over the measured baseline condition, which equates to 1 additional vehicle every 10 minutes.

11. Summarize the results of the future origin-destination study in a technical memorandum for submittal to the Town of Medway. The study will be completed and submitted to the Town between 6 months and 1 year after full occupancy of the site.

Medway High School Scope of Work

Comments have been made at the Medway Planning & Economic Development Board meetings regarding a deficient traffic condition resulting from the existing Medway Highway School located at 88 Summer Street. Public input has described vehicles queuing back from the Medway High School driveway to the Milford Street and Summer Street signalized intersection. The thought is that the long vehicular queues likely occur when a crossing guard at the High School driveway stops Summer Street mainline traffic to allow pedestrians to cross Summer Street and vehicles to exit from the High School driveway. Public input has identified the Medway High School driveway operations as negatively impacting the Summer Street and Milford Street signalized intersection as well as driveways and side streets along Summer Street to the north and south of Medway High School.

As presented in the June 14, 2013 *Traffic Impact and Access Study* prepared by Tighe & Bond, Inc. on Figures 4 and 5, the proposed Cumberland Farms development is anticipated to increase traffic volumes on Summer Street northbound north of Milford Street by 15 vehicles per hour during the weekday AM peak hour and by 11 vehicles per hour during the weekday PM peak hour. Similarly, the proposed Cumberland Farms development is anticipated to increase traffic volumes on Summer Street southbound north of Milford Street by 15 vehicles per hour during the weekday AM peak hour and by 11 vehicles per hour during the weekday PM peak hour. These minimal traffic increases represent 1 additional vehicle per 4 to 5.4 minutes per direction. As documented in the *Traffic Impact and Access Study*, these projected traffic-volume increases are based on a conservative trip-generation characteristic methodology that results in more vehicular trips to the study area roadways

beyond the site driveways than expected. Therefore, the traffic volumes along Summer Street northbound north of Milford Street are anticipated to be lower than as evaluated.

To satisfy the Town of Medway's concern, however, the applicant has agreed to evaluate the existing traffic operations of the Medway High School driveway at Summer Street. The following outlines the work services in conducting an assessment of the traffic operations at the Medway High School driveway and the resulting vehicular queues along Summer Street. The observations will be conducted prior to opening of the proposed Cumberland Farms:

1. Conduct a TMC at the Summer Street and Medway High School driveway during the weekday AM peak period (7:00-9:00 AM) and the weekday midday (2:00-4:00 PM).

2. Conduct queue observations along the Summer Street northbound and southbound approaches at the Medway High School driveway. These queue observations will be conducted by noting the number of vehicles queued along the Summer Street approaches in 5-minute intervals during the peak periods (see Note 1).

3. If the Summer Street northbound and southbound vehicular queues consistently extend beyond 5 vehicles or to the Milford Street intersection during the peak periods, then recommendations will be evaluated for the Town of Medway to implement in an effort to alleviate this existing deficiency.

4. Summarize the results of the Medway High School observations in a letter for submittal to the Town of Medway. The letter will be submitted to the Town within one year after full occupancy of the site.

Should you have any questions or require additional information, please feel free contact me at (603) 433-8818.

Very truly yours,

TIGHE & BOND, INC.

Jason R. Plourde

Jason R. Plourde, P.E., PTP
Project Manager

J:\G\G0616 Medway, MA Cumberland Farms\LTR\Cut-Thru+HS Observations\Cut-Thru +HS Observations Scope 102513.doc

TETRA TECH

RECEIVED
NOV 05 2013
TOWN OF MEDWAY
PLANNING BOARD

November 5, 2013

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

Re: Cumberland Farms
38 Summer Street (Route 126)
Medway, Massachusetts
Proposed Traffic Monitoring Program

Dear Mr. Rodenhiser:

On behalf of the Medway Planning and Economic Development Board (PEDB), Tetra Tech has reviewed the revised Traffic Monitoring Program proposed by Tighe & Bond, Inc. on behalf of the applicant for the Cumberland Farms in a letter dated October 28, 2013 (copy attached). The proposed Traffic Monitoring Program was developed in response to concerns expressed at recent PEDB meetings by area residents and Board members regarding potential traffic impacts that the proposed Cumberland Farms project may have on the Rustic Road/Little Tree Road neighborhood, and along Summer Street (particularly at the Medway High School driveway during peak arrival and departure times at the High School). Correspondingly, the Monitoring Program proposed by Cumberland Farms includes the following elements:

1. Traffic counts and cut-through traffic observations in the Rustic Road/Little Tree Neighborhood
2. Traffic counts and queuing observations at the Medway High School driveway

Rustic Road/Little Tree Road Cut-Through Traffic

We are in concurrence with the details of how the traffic count data and cut-through traffic observations should be made, as described in the October 28, 2013 Tighe & Bond letter. The program's details reflect comments/suggestions that Tetra Tech provided to Tighe & Bond after reviewing the first draft of the proposed monitoring program described in their letter of October 25, 2013.

We do offer one additional recommendation for the Board's consideration:

- The Baseline traffic counts and cut-through traffic observations should be performed prior to the start of construction at the Cumberland Farms store rather than prior to the opening of the store.

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

We also want to take this opportunity to provide the Board with some background on how the criteria for "significant impact" related to cut-through traffic was developed. Two factors were considered when looking at what might be considered a significant increase of traffic through the neighborhood:

1. The amount of existing traffic volume turning right out of Rustic Road onto Summer Street (Route 126) southbound.
2. The amount of existing traffic volume turning right from Milford Street (Route 109) eastbound onto Summer Street (Route 126) southbound at the Summer Street/Milford Street traffic signal.

As the existing right turn volumes in the PM peak hour on the Milford Street and Rustic Road eastbound approaches to Summer Street are significantly higher than in the AM peak, using the PM peak volumes as a baseline to gauge the significance of the potential cut-through impacts is appropriate as the cut-through phenomena would most likely occur in this period because of the higher right turn volumes on the Milford Street approach to Summer Street.

The criteria proposed by Tighe & Bond specifies that a 6 or more vehicle increase in the post-opening condition versus the baseline condition would constitute a significant increase. This would represent a 50 percent increase over the existing 12 right turns observed on Rustic Road in the PM peak (i.e., an increase from 12 right turns to 18 right turns in the peak hour would be significant). The 6 vehicles threshold also represents an approximate 10 percent diversion rate of the 64 existing right turn vehicles from Milford Street onto Summer Street southbound that were measured in the PM peak. As stated by Tighe & Bond, a 6-vehicle increase equates, on average, to one additional vehicle every 10 minutes.

Note: in the AM peak, a 6 vehicle increase represents a change from 2 to 8 right turns at Rustic Road and a diversion rate of approximately 30 percent from the Milford Street eastbound right turns at the signal (6 of 19 vehicles).

Summer Street/Medway High School Driveway Operations

We are in concurrence with the details of the how the traffic count data and queue observations should be made, as described in the October 28, 2013 Tighe & Bond letter. The program's details reflect comments/suggestions that Tetra Tech provided to Tighe & Bond after reviewing the first draft of the proposed monitoring program described in their letter of October 25, 2013.

We do offer the following additional recommendations for the Board's consideration:

- The traffic counts and queue observations should be performed prior to the start of construction at the Cumberland Farms store rather than prior to the opening of the store.
- The queue observations performed every five (5) minutes during the High School's AM and PM peak periods should also include the Medway High School driveway approach as well as the Summer Street (Route 126) northbound and southbound approaches.

- The queue data for the Summer Street southbound approach should differentiate queue lengths for the through lane and the left turn lane.

Execution of the Traffic Monitoring Program

There are two basic options available to the Board in terms how the Traffic Monitoring Program may be executed:

1. The applicant is responsible for contracting with a traffic consultant to perform the traffic counts and queuing/cut-through traffic observations, and preparing the reports for submittal to the Town. The applicant would be required to escrow funds with the Town of Medway to cover the following costs:

    a. Town's consultant to review the baseline and post-opening reports.

    b. Implementation of traffic calming measures in the Rustic Road/Little Tree Road neighborhood by the applicant (if warranted).

    If the post-opening data indicates that there is no significant impact to the Rustic Road/Little Tree Road neighborhood because of the project, then the amount escrowed for traffic calming implementation would be refunded to the applicant.

2. The applicant would be required to escrow funds with the Town of Medway to cover the following costs:

    a. Conduct of the baseline and post-opening traffic counts, queuing/cut-through traffic observations and report preparation by a consultant hired by the Town.

    b. Implementation of traffic calming measures in the Rustic Road/Little Tree Road neighborhood by the Town (if warranted).

    Again, if the post-opening data indicates that there is no significant impact to the Rustic Road/Little Tree Road neighborhood because of the project, then the amount escrowed for traffic calming implementation would be refunded to the applicant.

We recommend option 1, which will provide more certainty for the Town. If the estimates for the amount to be escrowed for the traffic counts and observations turned out to be less than the actual costs once the work was undertaken, it is possible the additional costs would be absorbed by the Town. With option 1, the applicant is responsible for funding the counts/observations no matter the costs.

Thank you for the opportunity to provide the Medway Planning and Economic Development Board with these peer review services. We trust that you will find the above comments helpful in your review of the proposed application. If you have any questions or comments regarding the above information, please feel free to contact me at (508) 903-2038.

Very truly yours,

Michael J. Hall
Senior Project Manager

Cc: Dave Pellegri, Tetra Tech

Attachments: 10/28/13 Tighe & Bond Letter (Scope of Work for Neighborhood and High School Evaluations)

P:\21583\143-21583-13015\DOCS\CUMBERLAND FARMS-TRAFFIC MONITORING COMMENT LETTER_2013-11-04.DOC

TETRA TECH

RECEIVED
NOV 06 2013
TOWN OF MEDWAY
PLANNING BOARD

November 6, 2013

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

Re: Cumberland Farms
38 Summer Street (Route 126)
Medway, Massachusetts
Review of Traffic Volume Data provided by the Town of Medway

Dear Mr. Rodenhiser:

On behalf of the Medway Planning and Economic Development Board (PEDB), Tetra Tech is providing herein a summary of traffic count data that was provided to us on October 28, 2013 by the Town of Medway (see attached). The data sent to us was counted by VHB, Inc. on behalf of the Town and was used for the design of the signal at the intersection of Summer Street (Route 126) and Milford Street (Route 109). The data includes the following:

- July 11, 2007 Automatic Traffic Recorder (ATR) data for 24-hours on each approach leg to the intersection of Summer Street (Route 126) at Milford Street (Route 109).
- July 11, 2007 AM and PM peak hour turning movement and vehicle classification counts (TMC) at the intersection of Summer Street and Milford Street.

  Note: ATRs are machine or "tube" counts that measure traffic crossing a specific point on a roadway for a specific period of time, typically 24 hours or more. TMCs are performed by people who count the left, through and right turn movements at an intersection (which cannot be measured by ATRs). These counts are typically performed during peak periods.

We reviewed the July 2007 data and compared it to the May 2013 data collected by Tighe & Bond, Inc. for their June 14, 2013 Traffic Impact and Access Study for the Cumberland Farms store. A summary comparison of the available traffic data is provided in Table 1.

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

Table 1 2007 vs. 2013 Traffic Volume Comparisons

Facility	Time Period	July 2007	May 2013	Change (%)	Annual Change
Turning Movement Count (TMC) Data					
Route 126/Route 109 intersection	AM Peak	1,480	1,755	+275 (+19%)	+3.1%
Route 126/Route 109 intersection	PM Peak	1,725	1,885	160 (+9%)	+1.5%
Automatic Traffic Recorder (ATR) data					
Route 126, south of 109 (northbound)	Daily	2,640	3,910	+1,270 (+48%)	+8.0%
Route 126,north of 109 (southbound)	Daily	4,050	--	--	--
Route 109, east of 126 (westbound)	Daily	6,065	5,375	-690 (-11%)	(-1.8%)
Route 109, west of 126 (eastbound)	Daily	6,905	--	--	--

Sources: 2007 = VHB, Inc., for the Route 126/Route 109 signal design
2013 = Tighe & Bond, Inc., Cumberland Farms Traffic Impact and Access Study

The weekday AM and PM peak hour data at the Milford Street/Summer Street intersection indicates that peak period traffic has grown by between 1.5 percent (PM) and 3.1 percent (AM) per year since 2007.

It is more difficult to draw conclusions from a comparison of the 24-hour ATR data because of data limitations (2013 data is only available on two of the four legs of the intersection) and the variability of the data. For example, the 2013 data indicates a significant increase (48 percent) on the Route 126 northbound approach to the intersection has occurred, while data for the Route 109 westbound approach indicates that traffic has actually decreased by 11 percent since 2007.

Because of the significant fluctuations in the 2007 vs. 2013 ATR data, we believe that the peak hour count data provides a better indication of how traffic has changed at the intersection since 2007. Traffic growth in the 1 to 3 percent per year range is generally consistent with trends we have seen in the region during this time period.

We offer one additional observation with regards to the 2007 count data. The sum of the daily ATR volumes indicates that approximately 19,660 vehicles per day passed through the intersection on a typical weekday. We think that it would be safe to assume that the daily volume now passing through the intersection is greater than 20,000 vehicles per day.

Thank you for the opportunity to provide the Medway Planning and Economic Development Board with these services. If you have any questions or comments regarding the above information, please feel free to contact me at (508) 903-2038.

Very truly yours,

Michael J. Hall
Senior Project Manager

Cc: Dave Pellegri, Tetra Tech

Attachments: July 2007 traffic count data

P:\21583\143-21583-13015\DOCS\CUMBERLAND FARMS-TRAFFIC VOLUME SUMMARY LETTER_2013-11-05.DOC

Transportation Data Corporation
P O. Box 334 Wakefield, MA 01880
Tel. (781) 587-0086 Fax (781) 587-0189
Email mperone1@comcast.net

Route 109 west of
Route 126
City/State: Medway, MA
Client: VHB/P. Nauyokas

Start Time	EB A.M		EB P.M		WB A.M.		WB P.M		Combined A.M.		Combined P.M		11-Jul-07 Wed
12:00	15		94		17		79		32		173		
12:15	10		84		10		107		20		191		
12:30	10		90		6		75		16		165		
12:45	14	49	90	358	3	36	92	353	17	85	182	711	
01:00	13		66		10		98		23		164		
01:15	9		94		3		111		12		205		
01:30	10		94		4		93		14		187		
01:45	3	35	82	336	4	21	95	397	7	56	177	733	
02:00	3		114		4		87		7		201		
02:15	9		104		5		90		14		194		
02:30	2		86		1		105		3		191		
02:45	1	15	106	410	1	11	92	374	2	26	198	784	
03:00	0		112		2		97		2		209		
03:15	2		92		4		100		6		192		
03:30	6		126		3		118		9		244		
03:45	2	10	150	480	1	10	109	424	3	20	259	904	
04:00	6		130		6		106		12		236		
04:15	9		138		1		115		10		253		
04:30	16		139		12		136		28		275		
04:45	14	45	141	548	6	25	104	461	20	70	245	1009	
05:00	20		**160**		16		**140**		36		**300**		
05:15	40		**183**		22		**140**		62		**323**		
05:30	33		**172**		29		**125**		62		**297**		
05:45	44	137	**169**	684	34	101	**124**	529	78	238	**293**	1213	
06:00	54		160		62		120		116		280		
06:15	60		134		92		118		152		252		
06:30	100		116		88		96		188		212		
06:45	104	318	109	519	110	352	84	418	214	670	193	937	
07:00	98		104		106		99		204		203		
07:15	90		95		142		102		232		197		
07:30	88		88		**156**		86		244		174		
07:45	104	380	85	372	**176**	580	79	366	**280**	960	164	738	
08:00	89		87		**164**		74		**253**		161		
08:15	94		68		**143**		56		**237**		124		
08:30	**130**		71		154		51		**284**		122		
08:45	**122**	435	50	276	142	603	62	243	264	1038	112	519	
09:00	**87**		49		120		49		207		98		
09:15	**100**		65		102		54		202		119		
09:30	90		62		104		44		194		106		
09:45	68	345	48	224	84	410	68	215	152	755	116	439	
10:00	68		35		72		42		140		77		
10:15	81		34		102		36		183		70		
10:30	82		36		80		27		162		63		
10:45	82	313	32	137	68	322	30	135	150	635	62	272	
11:00	90		32		92		28		182		60		
11:15	86		23		74		20		160		43		
11:30	104		28		88		22		192		50		
11:45	100	380	16	99	96	350	15	85	196	730	31	184	
Total	2462		4443		2821		4000		5283		8443		
Percent	46 6%		52.6%		53.4%		47 4%						
Day Total			6905				6821				13726		
Peak	08:30		05:00		07:30		05:00		07:45		05:00		
Vol.	439		684		639		529		1054		1213		
P.H F.	0 844		0 934		0 908		0.945		0.928		0.939		

Transportation Data Corporation
P.O. Box 334 Wakefield, MA 01880
Tel (781) 587-0086 Fax (781) 587-0189
Email mperone1@comcast.net

Route 109 east of
Route 126
City/State: Medway, MA
Client: VHB/P. Nauyokas

Start	EB				WB				Combined				11-Jul-07
Time	A.M		P.M		A.M		P.M		A.M.		P.M		Wed
12:00	14		97		15		82		29		179		
12:15	8		81		11		102		19		183		
12:30	5		75		9		76		14		151		
12:45	8	35	77	330	3	38	84	344	11	73	161	674	
01:00	10		60		6		90		16		150		
01:15	7		88		2		97		9		185		
01:30	9		74		4		82		13		156		
01:45	4	30	78	300	3	15	94	363	7	45	172	663	
02:00	3		101		2		70		5		171		
02:15	8		104		4		82		12		186		
02:30	2		76		2		93		4		169		
02:45	1	14	100	381	1	9	82	327	2	23	182	708	
03:00	0		96		0		91		0		187		
03:15	1		80		5		83		6		163		
03:30	4		110		5		86		9		196		
03:45	1	6	118	404	2	12	94	354	3	18	212	758	
04:00	1		108		6		98		7		206		
04:15	7		120		2		105		9		225		
04:30	10		126		12		122		22		248		
04:45	11	29	128	482	8	28	88	413	19	57	216	895	
05:00	13		136		19		**123**		32		**259**		
05:15	32		**151**		23		**118**		55		**269**		
05:30	21		**131**		30		**106**		51		**237**		
05:45	48	114	**144**	562	32	104	**115**	462	80	218	**259**	1024	
06:00	40		**144**		54		102		94		246		
06:15	64		110		70		115		134		225		
06:30	74		95		70		81		144		176		
06:45	100	278	93	442	99	293	64	362	199	571	157	804	
07:00	84		87		92		81		176		168		
07:15	86		65		**130**		87		216		152		
07:30	64		75		**144**		86		208		161		
07:45	80	314	67	294	**155**	521	71	325	**235**	835	138	619	
08:00	**84**		76		**156**		58		**240**		134		
08:15	**97**		62		128		43		**225**		105		
08:30	**106**		66		140		42		**246**		108		
08:45	**94**	381	39	243	120	544	52	195	214	925	91	438	
09:00	80		47		118		40		198		87		
09:15	78		60		102		43		180		103		
09:30	79		56		87		36		166		92		
09:45	70	307	47	210	82	389	36	155	152	696	83	365	
10:00	60		28		67		32		127		60		
10:15	74		32		96		33		170		65		
10:30	84		39		68		36		152		75		
10:45	70	288	29	128	74	305	26	127	144	593	55	255	
11:00	82		27		64		25		146		52		
11:15	85		21		73		19		158		40		
11:30	92		24		84		19		176		43		
11:45	86	345	8	80	84	305	10	73	170	650	18	153	
Total	2141		3856		2563		3500		4704		7356		
Percent	45.5%		52.4%		54.5%		47.6%						
Day Total		5997				6063				12060			
Peak	08:00		05:15		07:15		05:00		07:45		05:00		
Vol.	381		570		585		462		946		1024		
P.H.F	0.899		0.944		0.938		0.939		0.961		0.952		

Transportation Data Corporation
P.O Box 334 Wakefield, MA 01880
Tel. (781) 587-0086 Fax (781) 587-0189
Email: mperone1@comcast.net

Route 126 180' north of
Route 109
City/State: Medway, MA
Client: VHB/P Nauyokas

Start Time	NB A.M.		NB P.M.		SB A.M.		SB P.M.		Combined A.M.		Combined P.M.		11-Jul-07 Wed
12:00	8		26		13		47		21		73		
12:15	11		49		7		47		18		96		
12:30	5		40		2		41		7		81		
12:45	7	31	49	164	3	25	44	179	10	56	93	343	
01:00	7		35		9		48		16		83		
01:15	9		43		5		49		14		92		
01:30	5		56		2		48		7		104		
01:45	4	25	44	178	4	20	55	200	8	45	99	378	
02:00	3		45		8		60		11		105		
02:15	3		46		1		36		4		82		
02:30	0		44		5		60		5		104		
02:45	0	6	38	173	1	15	51	207	1	21	89	380	
03:00	3		52		9		84		12		136		
03:15	5		46		4		77		9		123		
03:30	6		50		0		93		6		143		
03:45	4	18	57	205	2	15	105	359	6	33	162	564	
04:00	7		75		2		94		9		169		
04:15	3		70		2		88		5		158		
04:30	6		56		5		99		11		155		
04:45	5	21	59	260	9	18	**107**	388	14	39	**166**	648	
05:00	10		51		12		**127**		22		**178**		
05:15	18		67		12		**112**		30		**179**		
05:30	41		77		16		**120**		57		**197**		
05:45	44	113	50	245	23	63	104	463	67	176	154	708	
06:00	40		**71**		22		94		62		165		
06:15	54		**64**		30		89		84		153		
06:30	72		**66**		38		97		110		163		
06:45	75	241	**67**	268	49	139	70	350	124	380	137	618	
07:00	72		61		47		57		**119**		118		
07:15	**84**		49		41		57		**125**		106		
07:30	**95**		52		49		53		**144**		105		
07:45	**82**	333	43	205	**63**	200	46	213	**145**	533	89	418	
08:00	**73**		42		**46**		56		119		98		
08:15	67		63		**50**		50		117		113		
08:30	63		53		**55**		30		118		83		
08:45	73	276	29	187	57	208	33	169	130	484	62	356	
09:00	71		27		47		36		118		63		
09:15	50		32		48		30		98		62		
09:30	41		33		48		31		89		64		
09:45	43	205	39	131	39	182	50	147	82	387	89	278	
10:00	43		34		46		29		89		63		
10:15	40		25		52		15		92		40		
10:30	41		22		38		24		79		46		
10:45	50	174	23	104	28	164	14	82	78	338	37	186	
11:00	32		12		54		17		86		29		
11:15	40		7		32		9		72		16		
11:30	61		8		52		12		113		20		
11:45	37	170	8	35	45	183	21	59	82	353	29	94	
Total	1613		2155		1232		2816		2845		4971		
Percent	56.7%		43.4%		43.3%		56.6%						
Day Total		3768				4048				7816			
Peak	07:15		06:00		07:45		04:45		07:00		04:45		
Vol.	334		268		214		466		533		720		
P.H.F.	0.879		0.870		0.849		0.917		0.919		0.914		

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Route 126 south of
Route 109
City/State: Medway, MA
Client: VHB/P. Nauyokas

Start Time	SB AM		SB PM		NB AM		NB PM		Combined AM		Combined PM		11-Jul-07 Wed
12:00	12		40		1		22		13		62		
12:15	5		42		8		40		13		82		
12:30	4		38		1		30		5		68		
12:45	7	28	32	152	6	16	29	121	13	44	61	273	
01:00	7		42		8		27		15		69		
01:15	2		32		4		34		6		66		
01:30	2		50		4		36		6		86		
01:45	4	15	36	160	2	18	32	129	6	33	68	289	
02:00	7		44		4		26		11		70		
02:15	0		34		2		40		2		74		
02:30	3		46		0		26		3		72		
02:45	1	11	36	160	1	7	31	123	2	18	67	283	
03:00	9		82		3		42		12		124		
03:15	3		63		3		31		6		94		
03:30	2		64		4		23		6		87		
03:45	1	15	96	305	4	14	**40**	136	5	29	136	441	
04:00	4		76		5		**48**		9		124		
04:15	2		73		3		**57**		5		130		
04:30	8		92		5		**38**		13		130		
04:45	6	20	**92**	333	6	19	35	178	12	39	**127**	511	
05:00	12		**106**		12		37		24		**143**		
05:15	10		**108**		14		44		24		**152**		
05:30	20		**106**		38		33		58		**139**		
05:45	18	60	83	403	34	98	31	145	52	158	114	548	
06:00	16		77		40		32		56		109		
06:15	25		75		54		41		79		116		
06:30	32		73		52		52		84		125		
06:45	37	110	54	279	**68**	214	40	165	**105**	324	94	444	
07:00	41		46		**58**		40		**99**		86		
07:15	32		50		**60**		40		**92**		90		
07:30	29		46		**80**		29		**109**		75		
07:45	40	142	35	177	64	262	26	135	104	404	61	312	
08:00	37		42		60		26		97		68		
08:15	**40**		40		44		40		84		80		
08:30	**44**		24		36		38		80		62		
08:45	**35**	156	23	129	48	188	19	123	83	344	42	252	
09:00	**45**		29		39		25		84		54		
09:15	37		32		22		24		59		56		
09:30	35		25		28		24		63		49		
09:45	36	153	23	109	29	118	30	103	65	271	53	212	
10:00	22		16		24		30		46		46		
10:15	31		17		29		17		60		34		
10:30	28		21		31		18		59		39		
10:45	32	113	11	65	38	122	8	73	70	235	19	138	
11:00	32		10		23		7		55		17		
11:15	32		9		37		2		69		11		
11:30	34		8		40		3		74		11		
11:45	32	130	17	44	20	120	3	15	52	250	20	59	
Total	953		2316		1196		1446		2149		3762		
Percent	44.3%		61.6%		55.7%		38.4%						
Day Total			3269				2642				5911		
Peak	08:15		04:45		06:45		03:45		06:45		04:45		
Vol.	164		412		266		183		405		561		
P.H.F.	0.911		0.954		0.831		0.803		0.929		0.923		

Transportation Data Corporation
P O. Box 334 Wakefield, MA 01880
Tel. (781) 587-0086 Fax (781) 587-0189

N/S: Summer Street (Route 126)
E/W: Milford Street (Route 109)
City/State: Medway, MA
Client: VHB/P Nauyokas

File Name : 03738A
Site Code : 03738
Start Date : 7/11/2007
Page No : 1

Groups Printed- Trucks

	Summer Street (Route 126) From North			Milford Street (Route 109) From East			Summer Street (Route 126) From South			Milford Street (Route 109) From West			
Start Time	Right	Thru	Left	Right	Thru	Left	Right	Thru	Left	Right	Thru	Left	Int. Total
07:00 AM	0	1	0	1	4	0	0	2	0	0	1	0	9
07:15 AM	0	1	0	1	2	0	0	2	0	0	1	0	7
07:30 AM	0	0	1	1	8	0	0	2	0	0	0	0	12
07:45 AM	1	1	0	1	3	0	0	2	0	0	4	0	12
Total	1	3	1	4	17	0	0	8	0	0	6	0	40
08:00 AM	2	2	1	2	1	0	0	3	0	0	2	1	14
08:15 AM	0	1	1	0	5	0	0	3	0	0	3	1	14
08:30 AM	1	2	0	0	3	0	0	0	0	0	8	3	17
08:45 AM	1	2	3	2	3	0	0	4	0	0	3	1	19
Total	4	7	5	4	12	0	0	10	0	0	16	6	64
Grand Total	5	10	6	8	29	0	0	18	0	0	22	6	104
Apprch %	23 8	47.6	28 6	21 6	78 4	0	0	100	0	0	78.6	21 4	
Total %	4 8	9.6	5 8	7 7	27 9	0	0	17 3	0	0	21 2	5 8	

	Summer Street (Route 126) From North				Milford Street (Route 109) From East				Summer Street (Route 126) From South				Milford Street (Route 109) From West				
Start Time	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Int. Total
Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 08:00 AM																	
08:00 AM	2	2	1	5	2	1	0	3	0	3	0	3	0	2	1	3	14
08:15 AM	0	1	1	2	0	5	0	5	0	3	0	3	0	3	1	4	14
08:30 AM	1	2	0	3	0	3	0	3	0	0	0	0	0	8	3	11	17
08:45 AM	1	2	3	6	2	3	0	5	0	4	0	4	0	3	1	4	19
Total Volume	4	7	5	16	4	12	0	16	0	10	0	10	0	16	6	22	64
% App Total	25	43.8	31 2		25	75	0		0	100	0		0	72.7	27.3		
PHF	500	875	417	.667	500	.600	.000	800	000	.625	.000	625	000	500	500	500	842

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N/S: Summer Street (Route 126)
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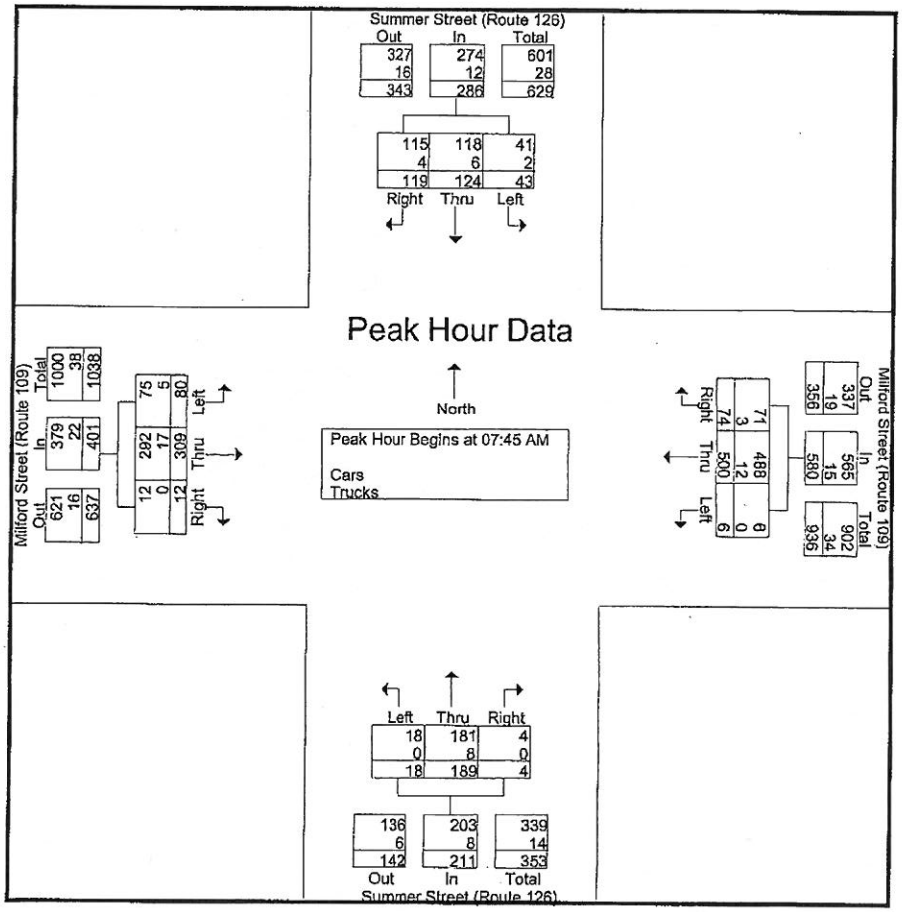
City/State: Medway, MA
Client: VHB/P. Nauyokas

File Name : 03738A
Site Code : 03738
Start Date : 7/11/2007
Page No : 1

	Summer Street (Route 126) From North				Milford Street (Route 109) From East				Summer Street (Route 126) From South				Milford Street (Route 109) From West				
Start Time	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Int. Total
Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 07:45 AM																	
07:45 AM	33	34	5	72	20	143	1	164	1	57	7	65	1	72	25	98	399
08:00 AM	19	28	18	65	20	135	2	157	1	54	5	60	4	72	14	90	372
08:15 AM	30	28	6	64	20	104	3	127	1	41	4	46	5	73	19	97	334
08:30 AM	37	34	14	85	14	118	0	132	1	37	2	40	2	92	22	116	373
Total Volume	119	124	43	286	74	500	6	580	4	189	18	211	12	309	80	401	1478
% App. Total	41.6	43.4	15		12.8	86.2	1		1.9	89.6	8.5		3	77.1	20		
PHF	804	912	597	.841	925	874	500	.884	1.000	829	643	.812	600	840	800	.864	926
Cars	115	118	41	274	71	488	6	565	4	181	18	203	12	292	75	379	1421
% Cars	96.6	95.2	95.3	95.8	95.9	97.6	100	97.4	100	95.8	100	96.2	100	94.5	93.8	94.5	96.1
Trucks	4	6	2	12	3	12	0	15	0	8	0	8	0	17	5	22	57
% Trucks	3.4	4.8	4.7	4.2	4.1	2.4	0	2.6	0	4.2	0	3.8	0	5.5	6.3	5.5	3.9



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N/S: Summer Street (Route 126)
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City/State: Medway, MA
Client: VHB/P Nauyokas

File Name : 03738A
Site Code : 03738
Start Date : 7/11/2007
Page No : 1

Groups Printed- Cars - Trucks

	Summer Street (Route 126) From North			Milford Street (Route 109) From East			Summer Street (Route 126) From South			Milford Street (Route 109) From West			
Start Time	Right	Thru	Left	Right	Thru	Left	Right	Thru	Left	Right	Thru	Left	Int. Total
07:00 AM	28	34	13	19	79	0	2	65	1	0	80	18	339
07:15 AM	28	29	5	22	104	0	0	56	2	0	62	22	330
07:30 AM	31	27	9	16	123	0	1	75	2	1	67	17	369
07:45 AM	33	34	5	20	143	1	1	57	7	1	72	25	399
Total	120	124	32	77	449	1	4	253	12	2	281	82	1437
08:00 AM	19	28	18	20	135	2	1	54	5	4	72	14	372
08:15 AM	30	28	6	20	104	3	1	41	4	5	73	19	334
08:30 AM	37	34	14	14	118	0	1	37	2	2	92	22	373
08:45 AM	30	26	10	18	114	3	1	43	3	6	76	30	360
Total	116	116	48	72	471	8	4	175	14	17	313	85	1439
Grand Total	236	240	80	149	920	9	8	428	26	19	594	167	2876
Apprch %	42.4	43.2	14.4	13.8	85.3	0.8	1.7	92.6	5.6	2.4	76.2	21.4	
Total %	8.2	8.3	2.8	5.2	32	0.3	0.3	14.9	0.9	0.7	20.7	5.8	
Cars	231	230	74	141	891	9	8	410	26	19	572	161	2772
% Cars	97.9	95.8	92.5	94.6	96.8	100	100	95.8	100	100	96.3	96.4	96.4
Trucks	5	10	6	8	29	0	0	18	0	0	22	6	104
% Trucks	2.1	4.2	7.5	5.4	3.2	0	0	4.2	0	0	3.7	3.6	3.6

	Summer Street (Route 126) From North				Milford Street (Route 109) From East				Summer Street (Route 126) From South				Milford Street (Route 109) From West				
Start Time	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Int. Total
Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 07:45 AM																	
07:45 AM	33	34	5	72	20	143	1	164	1	57	7	65	1	72	25	98	399
08:00 AM	19	28	18	65	20	135	2	157	1	54	5	60	4	72	14	90	372
08:15 AM	30	28	6	64	20	104	3	127	1	41	4	46	5	73	19	97	334
08:30 AM	37	34	14	85	14	118	0	132	1	37	2	40	2	92	22	116	373
Total Volume	119	124	43	286	74	500	6	580	4	189	18	211	12	309	80	401	1478
% App. Total	41.6	43.4	15		12.8	86.2	1		1.9	89.6	8.5		3	77.1	20		
PHF	.804	.912	.597	.841	.925	.874	.500	.884	1.000	.829	.643	.812	.600	.840	.800	.864	.926
Cars	115	118	41	274	71	488	6	565	4	181	18	203	12	292	75	379	1421
% Cars	96.6	95.2	95.3	95.8	95.9	97.6	100	97.4	100	95.8	100	96.2	100	94.5	93.8	94.5	96.1
Trucks	4	6	2	12	3	12	0	15	0	8	0	8	0	17	5	22	57
% Trucks	3.4	4.8	4.7	4.2	4.1	2.4	0	2.6	0	4.2	0	3.8	0	5.5	6.3	5.5	3.9

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N/S: Summer Street (Route 126)
E/W: Milford Street (Route 109)
City/State: Medway, MA
Client: VHB/P. Nauyokas

File Name : 03738AA
Site Code : 03738
Start Date : 7/11/2007
Page No : 1

Groups Printed- Trucks

	Summer Street (Route 126) From North			Milford Street (Route 109) From East			Summer Street (Route 126) From South			Milford Street (Route 109) From West			
Start Time	Right	Thru	Left	Right	Thru	Left	Right	Thru	Left	Right	Thru	Left	Int. Total
04:00 PM	0	0	1	1	0	0	0	1	0	0	0	1	4
04:15 PM	0	1	0	1	1	0	0	0	0	0	4	0	7
04:30 PM	0	2	0	0	2	0	0	0	0	0	2	0	6
04:45 PM	1	0	0	0	0	0	0	1	0	0	1	1	4
Total	1	3	1	2	3	0	0	2	0	0	7	2	21
05:00 PM	0	2	0	0	4	0	0	0	0	0	1	2	9
05:15 PM	1	1	1	0	3	0	0	2	0	0	1	0	9
05:30 PM	1	3	0	0	3	0	0	0	0	0	0	0	7
05:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	2	6	1	0	10	0	0	2	0	0	2	2	25
Grand Total	3	9	2	2	13	0	0	4	0	0	9	4	46
Apprch %	21 4	64 3	14 3	13 3	86 7	0	0	100	0	0	69 2	30 8	
Total %	6 5	19 6	4 3	4 3	28 3	0	0	8 7	0	0	19.6	8 7	

	Summer Street (Route 126) From North				Milford Street (Route 109) From East				Summer Street (Route 126) From South				Milford Street (Route 109) From West				
Start Time	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Int. Total
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 04:45 PM																	
04:45 PM	1	0	0	1	0	0	0	0	0	1	0	1	0	1	1	2	4
05:00 PM	0	2	0	2	0	4	0	4	0	0	0	0	0	1	2	3	9
05:15 PM	1	1	1	3	0	3	0	3	0	2	0	2	0	1	0	1	9
05:30 PM	1	3	0	4	0	3	0	3	0	0	0	0	0	0	0	0	7
Total Volume	3	6	1	10	0	10	0	10	0	3	0	3	0	3	3	6	29
% App. Total	30	60	10		0	100	0		0	100	0		0	50	50		
PHF	750	500	250	625	000	625	000	625	000	375	000	375	000	750	375	500	806

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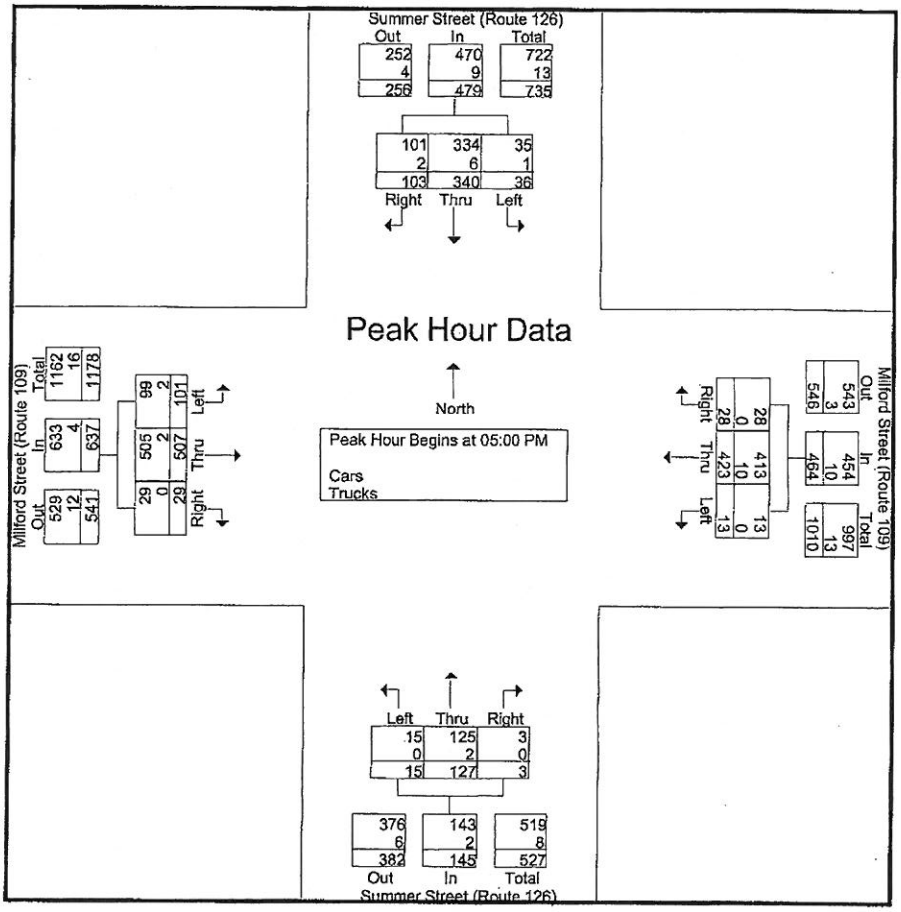
	Summer Street (Route 126) From North				Milford Street (Route 109) From East				Summer Street (Route 126) From South				Milford Street (Route 109) From West				
Start Time	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Int. Total
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 05:00 PM																	
05:00 PM	26	89	13	128	8	108	2	118	1	32	5	38	6	122	16	144	428
05:15 PM	20	90	10	120	9	106	3	118	0	36	4	40	12	129	30	171	449
05:30 PM	28	92	9	129	6	105	6	117	1	27	3	31	8	120	34	162	439
05:45 PM	29	69	4	102	5	104	2	111	1	32	3	36	3	136	21	160	409
Total Volume	103	340	36	479	28	423	13	464	3	127	15	145	29	507	101	637	1725
% App. Total	21.5	71	7.5		6	91.2	2.8		2.1	87.6	10.3		4.6	79.6	15.9		
PHF	.888	924	692	928	.778	979	542	.983	750	882	.750	906	604	932	.743	931	.960
Cars	101	334	35	470	28	413	13	454	3	125	15	143	29	505	99	633	1700
% Cars	98 1	98 2	97 2	98 1	100	97.6	100	97.8	100	98 4	100	98 6	100	99 6	98.0	99 4	98.6
Trucks	2	6	1	9	0	10	0	10	0	2	0	2	0	2	2	4	25
% Trucks	1 9	1 8	2 8	1 9	0	2 4	0	2 2	0	1 6	0	1 4	0	0 4	2 0	0 6	1 4



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File Name : 03738AA
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Groups Printed- Cars - Trucks

	Summer Street (Route 126) From North			Milford Street (Route 109) From East			Summer Street (Route 126) From South			Milford Street (Route 109) From West			
Start Time	Right	Thru	Left	Right	Thru	Left	Right	Thru	Left	Right	Thru	Left	Int. Total
04:00 PM	22	68	10	10	81	1	1	48	4	3	100	24	372
04:15 PM	20	70	5	10	99	2	2	49	2	7	110	17	393
04:30 PM	18	78	12	10	112	4	0	29	4	3	105	24	399
04:45 PM	22	90	4	4	92	3	1	32	3	8	119	12	390
Total	82	306	31	34	384	10	4	158	13	21	434	77	1554
05:00 PM	26	89	13	8	108	2	1	32	5	6	122	16	428
05:15 PM	20	90	10	9	106	3	0	36	4	12	129	30	449
05:30 PM	28	92	9	6	105	6	1	27	3	8	120	34	439
05:45 PM	29	69	4	5	104	2	1	32	3	3	136	21	409
Total	103	340	36	28	423	13	3	127	15	29	507	101	1725
Grand Total	185	646	67	62	807	23	7	285	28	50	941	178	3279
Apprch %	20 6	71 9	7 5	7	90.5	2 6	2 2	89 1	8 8	4 3	80.5	15 2	
Total %	5.6	19.7	2	1.9	24.6	0.7	0 2	8.7	0.9	1.5	28.7	5.4	
Cars	182	637	65	60	794	23	7	281	28	50	932	174	3233
% Cars	98.4	98.6	97	96 8	98.4	100	100	98.6	100	100	99	97 8	98.6
Trucks	3	9	2	2	13	0	0	4	0	0	9	4	46
% Trucks	1 6	1 4	3	3 2	1 6	0	0	1 4	0	0	1	2 2	1 4

	Summer Street (Route 126) From North				Milford Street (Route 109) From East				Summer Street (Route 126) From South				Milford Street (Route 109) From West				
Start Time	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Int Total
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 05:00 PM																	
05:00 PM	26	89	13	128	8	108	2	118	1	32	5	38	6	122	16	144	428
05:15 PM	20	90	10	120	9	106	3	118	0	36	4	40	12	129	30	171	449
05:30 PM	28	92	9	129	6	105	6	117	1	27	3	31	8	120	34	162	439
05:45 PM	29	69	4	102	5	104	2	111	1	32	3	36	3	136	21	160	409
Total Volume	103	340	36	479	28	423	13	464	3	127	15	145	29	507	101	637	1725
% App Total	21.5	71	7.5		6	91.2	2.8		2.1	87.6	10.3		4.6	79.6	15.9		
PHF	.888	.924	.692	.928	.778	.979	.542	.983	.750	.882	.750	.906	.604	.932	.743	.931	.960
Cars	101	334	35	470	28	413	13	454	3	125	15	143	29	505	99	633	1700
% Cars	98 1	98 2	97 2	98 1	100	97.6	100	97.8	100	98 4	100	98 6	100	99 6	98 0	99 4	98.6
Trucks	2	6	1	9	0	10	0	10	0	2	0	2	0	2	2	4	25
% Trucks	1 9	1 8	2 8	1 9	0	2 4	0	2 2	0	1 6	0	1 4	0	0 4	2 0	0.6	1.4

TETRA TECH

RECEIVED
NOV 07 2013
TOWN OF MEDWAY
PLANNING BOARD

November 7, 2013

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

Re: Cumberland Farms
38 Summer Street (Route 126)
Medway, Massachusetts
Potential Cut-Through Traffic Mitigation Options

Dear Mr. Rodenhiser:

On behalf of the Medway Planning and Economic Development Board (PEDB), Tetra Tech is providing herein a summary of potential traffic mitigation measures that could be implemented if the Cumberland Farms Traffic Monitoring Program indicates that a significant impact to the Rustic Road/Little Tree Road neighborhood has occurred because of the proposed Cumberland Farms project.

The specifics of the Traffic Monitoring Program are provided in a letter from Tighe & Bond, Inc. dated October 28, 2013. In that letter Tighe and Bond also provided a definition of what would constitute a 'significant" impact (i.e., an increase of 6 or more cut-through trips above the baseline conditions), thereby triggering a need to implement mitigation in the neighborhood. Tetra Tech has reviewed the proposed Traffic Monitoring Program and offered recommendations for the Board's consideration in a letter dated November 5, 2013. This letter is limited to a discussion of what potential mitigation measures may be considered by the Town/neighborhood to mitigate a significant increase in cut-through traffic through the Rustic Road/Little Tree Road neighborhood.

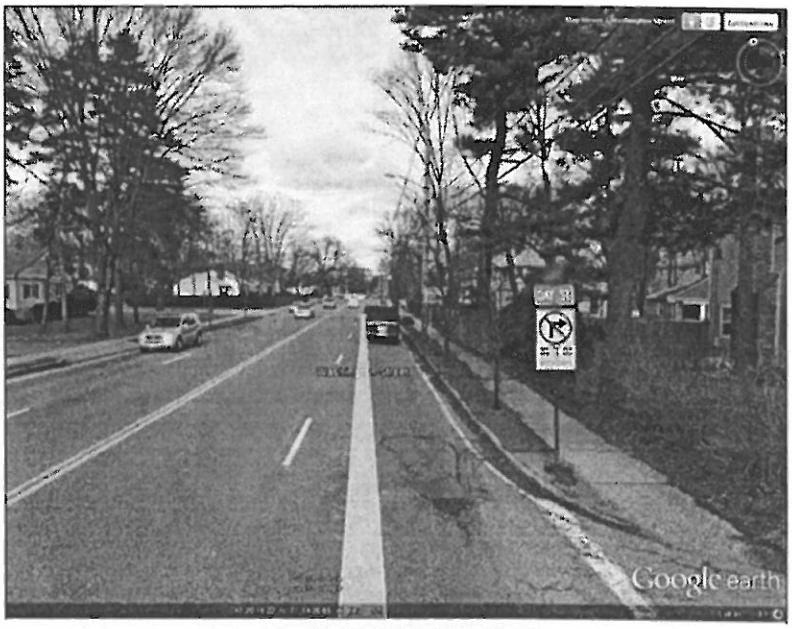
The intent of the mitigation measures would be to reduce or eliminate cut-through traffic by either limiting travel into the neighborhood or by reducing travel speeds within the neighborhood (thereby disincentivizing drivers from using the Little Tree and Rustic Roads as a short-cut route). We recommend an incremental approach to address the impacts (should they occur); starting with the least intrusive measures and increase the intensity of the actions should the initial measures not be successful. Therefore, the Town and the neighborhood may want to consider implementation of mitigation in a three tier process which would include the following options:

1. Signage
2. Pavement Markings
3. Speed Humps or Speed Tables

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

Signage

There are a couple of options for signage to limit cut-through activity in the neighborhood. For example, other communities in Massachusetts have restricted right turns from busy arterial roadways onto residential streets during the morning and afternoon peak periods. To implement this measure for the Rustic Road/Little Tree Road neighborhood, the sign(s) would be posted within the Town's right-of-way on Milford Street (Route 109) eastbound at the intersection with Little Tree Road (facing eastbound drivers). Because Milford Street is a public way, approval from the Town of Medway will be required for the installation and location of the sign, as well as the sign's message. An example of this type of sign is provided below, as well as a photo of an installation of this type of sign in Newton, MA. A sign panel exempting residents from the turn restrictions could be added to the bottom of the sign.



Route 16 (Newton, MA)

A second option is to post signs at the end of Little Tree Road (facing drivers on Route 109), that advise drivers that the street is for local or residential use only; no cut-through traffic is permitted. Although Little Tree Road and Rustic Road are private ways, we recommend that if this type of sign is installed, that it conforms with MassDOT standards and that the neighbors seek input and concurrence from the Town of Medway with regards to the location and message of the sign(s). Examples of this type of sign are provided below.

Pavement Markings

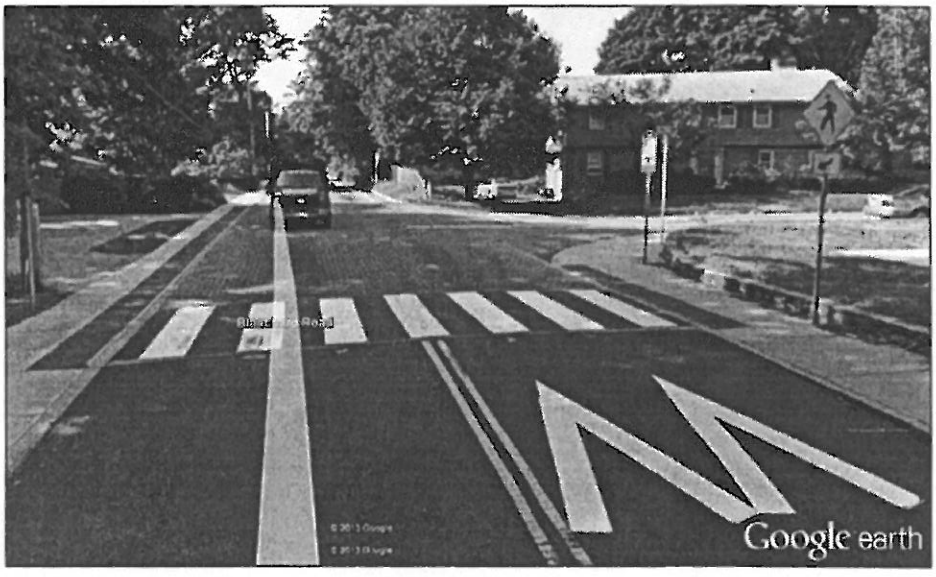
Should signage not be sufficient to alleviate the cut-through traffic problem, then the signs could be augmented by pavement markings, the intent of which is to slow travel speeds through the neighborhood thereby making traveling through the neighborhood a less attractive option for drivers as compared to staying on Milford Street.

The existing pavement widths on Rustic Road and Little Tree Road are approximately 28 to 30 feet. Currently, there are no pavement markings on either road, such as lane lines or striped shoulders. This lack of definition gives the driver a sense that the much of the road's width is available for their use, resulting in higher travel speeds. To create travel-way definition and slow vehicles, the 28 feet of pavement could be restriped to provide two 11-foot travel lanes with 3-foot shoulders on each side (white lines), with the two travel lanes separated by a single yellow center line. Given the curvilinear nature of both roads, this type of lane striping would likely be effective in reducing speeds. The photos below illustrate existing conditions on Little Tree Road and what this portion of Little Tree Road would look like with the suggested pavement markings.

Speed Humps or Speed Tables

The most rigorous of the potential mitigation measures for the Rustic Road/Little Tree Road neighborhood is the installation of speed humps or speed tables. They are the more rigorous than signage or pavement markings because they introduce a physical change to the road's surface as a means to slow drivers who are traveling through the neighborhood (both residents and cut-through divers). Speed humps differ from the "speed bumps" that Board members may have encountered in parking lots or access roads on private property. Speed bumps are typically 3 to 5 inches in height and are only one to three feet in length. Speed humps are longer and less dramatic as they ramp up 3 to 4 inches from the paved surface to a plateau area prior to ramping back down to the original pavement level. Speed tables provide for a longer plateau area at the top of the speed hump, and when located at the junction of two roads, are referred to as a raised intersection. The following photos provide examples of a speed hump and a speed table/raised intersection.

Typical Speed Hump



Speed Table/Raised Intersection (Belmont, MA)

Implementation Considerations

If the traffic monitoring program results indicate that a significant impact has resulted from the proposed Cumberland Farms project, it will then be important to establish a neighborhood process prior to implementation of any potential mitigation measures. Participants in the process should include the residents of Rustic Road/Little Tree Road neighborhood, Town officials (e.g., Planning, Public Services, Fire and Police departments), the subdivision developer (Owen Sullivan), the applicant's traffic consultant and the Town's traffic consultant. At least one neighborhood meeting should be held to discuss the potential options and reach consensus on what measure(s) should be implemented. In fact, the measures to be implemented should be voted on by the residents after being fully vetted with Town officials and the transportation professionals. The recommended practice is that a "super majority" of the affected residents endorse the measures to be implemented. Other communities have defined super majorities as a 67%, 70% or 75% positive vote for implementation, with each affected property allotted one vote. The super majority threshold needed to endorse implementation should be agreed upon at the beginning of the neighborhood process.

The costs of organizing and facilitating the neighborhood process, and for the physical implementation of the agreed upon mitigation measures, would be the responsibility of the proposed Cumberland Farms applicant. The funds to be escrowed with the Town should be sufficient to cover the implementation costs of the most rigorous measure that may be required (i.e., speed humps). Typically, mitigation funds would be escrowed by the applicant at the time when the decision of the PEDB is finalized (i.e. after the appeal period and prior to the plans being filed with the registry of deeds).

Thank you for the opportunity to provide the Medway Planning and Economic Development Board with these services. If you have any questions or comments regarding the above information, please feel free to contact me at (508) 903-2038.

Very truly yours,

Michael J. Hall
Senior Project Manager

Cc: Dave Pellegri, Tetra Tech

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Request for Extension of Deadline for Action by the Medway Planning & Economic Development Board

11 12 13
DATE

The undersigned Applicant (or official representative) requests an extension of the deadline for action by the Planning and Economic Development Board on the application for:

_____ANR (Approval Not Required/81P Plan)

_____Preliminary Subdivision Plan

_____ Definitive Subdivision Plan

✓ Site Plan Approval + Special Permit

_____Scenic Road Work Permit

RECEIVED
NOV 12 2013
TOWN OF MEDWAY
PLANNING BOARD

for the development project known as: Cumberland Farms/Gulf, LLC

to the following date: 12/31/13

Respectfully submitted,

Name of Applicant or official representative: Attorney for Cumberland Farms

Signature of Applicant or official representative: _____

****

Date approved by Planning and Economic Development Board: 11/12/2013

New Action Deadline Date: 12/31/2013

ATTEST: _____
Susan E. Affleck-Childs
Planning and Economic Development Coordinator

10-23-09