

**November 26, 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

ABSENT WITH NOTICE:

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.

Rolling Hills Subdivision:

The Board is in receipt of an email dated November 13, 2013 from applicant/developer Olga Guerrero regarding the Rolling Hills subdivision. She is requesting a refund of the construction inspection fee. (See Attached)

There was a request from Olga Guerrero to refund the construction account for Rolling Hills Subdivision location 25 Milford Street. The whole property has been sold and there is a new owner. This project got the automatic extension under the Permit Extension law for an extension four years. There is a balance in the consultant account.

Member Tucker disagrees with the Board releasing the money. This issue should have been addressed during the closing with the new owner.

The fund balance in the account is \$7,273.00. The money being in this account was a condition of the decision.

The Board discussed the other option which would be to rescind the decision and refund the money.

Ms. Guerrero informed the Board that the new owners do not know that she is seeking the refund.

Susy suggested that the Board communicate with the new owner and see what their plan is for the property.

The Board recommended that a certified letter be sent to the owner explaining the situation and provide them with a response deadline. It was also suggested to invite the new owner into a meeting. Ms. Guerrero will be copied on the letter. The date that they will be asked to come in is December 10, 2013.

**PUBLIC HEARING - 131-133 Milford Street /Murphy Insurance Agency Site
Plan Modification**

On a motion made by Matt Hayes and seconded by Bob Tucker, the Board voted unanimously to waive the reading of the public hearing notice for 131-133 Milford Street – Murphy Insurance Agency. (See Attached notice.)

The Attorney for Murphy Insurance was present to discuss the plans for 131-133 Milford Street/Murphy Insurance Agency. The property at 133 Milford Street is owned by Dennis Murphy. The property at 131 Milford Street to be acquired by Mr. Murphy is presently owned by Mustafa Demir.

The plan proposes to raze the existing structure at 131 Milford Street and expand the existing parking lot for the insurance company onto the abutting property. The number of parking spaces will increase. A total of 18 spaces are being requested. This will also include handicap spots. They will be nine feet wide. The pavement will be pervious which will reduce stormwater impacts.

The Board would like 10 ft. between spaces.

Associate Member DiIulio had a concern about exit only signs since people do not comply.

The Engineer noted that they can put up signs.

The Board is in receipt of a plan review letter from Consultant Gino Carlucci dated November 19, 2013. **(See Attached)**

It was recommended that the lighting bylaw be checked to see if the new lighting complies with the down lighting provisions of the bylaw.

Consultant Carlucci also mentioned that there is no photometric diagram that indicates the lighting levels.

The applicant informed the Board that the lighting will be done by Braza and Mancini. Information regarding lighting was provided to the Chairman.

The Board would like the lighting information provided on another sheet or placed on a separate sketch.

Consultant Carlucci responded that the lighting information could be added as a condition to the decision.

The Board was made aware that a landscape plan was provided but it was not prepared by a landscape architect. The applicant is seeking a waiver from that requirement. Seven new trees are proposed. There are also oak and maple trees between the old and new section of the parking lot.

The Board is also in receipt of a plan review letter from Tetra Tech engineer David Pellegrini dated November 21, 2013. **(See Attached).**

The project will include a proposed porous bituminous concrete parking area with improvements to the walkways and lighting. The porous pavement will provide required recharge volume. There will be Cape Cod berm around entire property. This will sheet at low point. The porous will be a good solution. There will be low salt on the driveway area with no sand. It was indicated that this will be maintained by vacuuming and sweeping twice a year. There are certain things which will be needed for maintenance.

It was recommended that the maintenance and inspection be included as a condition in the decision.

The owner was made aware that the parking can only be for Murphy Insurance. This parking area cannot be leased out for parking for another business. This can be called out as a condition.

Town Counsel did weigh in on the options and advised a condition on site plan that the two lots would need to be consolidated before a demolition permit is issued for the house.

The Board was pleased with the applicant's submittal.

Close Hearing:

On a motion made by Bob Tucker and seconded by Karyl Spiller-Walsh, the Board voted unanimously to close the hearing.

The action deadline is January 14, 2014.

Mayland Woods Subdivision:

The Board is in receipt of a letter dated November 13, 2013 from Andy Rodenhiser to Mike and Mary Narducci regarding Mayland Woods Subdivision. **(See Attached).**

Susy distributed an email dated November 26, 2013 from Mr. & Mrs. Narducci indicating that they are proceeding to take care of the issues on the punch list. **(See Attached).**

The Board would like a schedule for when the work will be done.

It was noted that the road paving cannot be done until spring 2014.

The Board does not want to pursue street acceptance on Mayland Woods at this point since it will not be ready for spring 2014 town meeting. It was discussed that this will likely not be ready for acceptance until the fall 2014 town meeting.

Street Acceptance List:

The Board will relook at the street acceptance list at the December 10, 2013 meeting and will report the status of that back to the Board of Selectmen.

Site Inspections:

Norwood Acres - Dave Pellegrini reported that the contractors started to cut down the roadway and the DPS had issues with the slope. Dave is planning on going on site tomorrow to discuss the situation.

Millstone Village:

The Board was informed that the public hearing for the Millstone Village ARCPUD application will take place January 14, 2013.

The current applicant bought the plans that had been developed for the Daniels Village ARCPUD. This development is for a site off of Winthrop Street. This is for 80 units for those over 55 years of age.

Hill View Estates – Public Hearing Continuation

The Board voted unanimously to reopen the continuation of the public hearing on Hill View Estates.

The Board is in receipt of an email from Consultant Dave Pellegrini of Tetra Tech dated November 21, 2013. (See Attached)

At the prior hearing, Consultant Pellegrini was asked to research the terms “basin” and “trench”. According to the Massachusetts Stormwater Handbook, an infiltration is defined as “shallow excavations filled with stone... designed to capture sheet flow or pipe inflow.” Technically, what is proposed functions more like a basin than a trench. With this determination, the basin would need to be on a separate parcel per the Subdivision Rules and Regs.

Engineer Dan Merrikin for the applicant provided an overview, and explained that the State prefers to have smaller basins such as rain gardens, which tend to distribute bits and pieces throughout. The basin is 12 inches deep and in his mind, he does not see the need to create a separate parcel. We can make an open trench and cover it with rip rap. He does not like this idea but it is an option and could be filled with stone. A second option would be to move it and carve out a parcel but this would take down more woods. The same owner will own the road and basin/trench.

The Board does not have an issue with calling this a trench.

The Board does not think a waiver is needed.

Karyl Spiller-Walsh wanted to know if there is a difference between the shape/size of a trench and basin.

Consultant Pellegrini responded that there is and referenced the DEP handbook, but there is a gray area here. With no clear delineation, it is at the Board's discretion. The intent of the trench is being met.

Closing Hearing:

On a motion made by Bob Tucker and seconded by Karyl Spiller-Walsh, the Board voted unanimously to close the hearing on Hill View Estates.

Extension:

On a motion made by Matt Hayes and seconded by Bob Tucker, the Board voted unanimously to grant the applicant's request to extend the deadline for action on Hill View Estates until January 31, 2014. (See Attached request.)

Coordinator's Report:

- The town has hired Donna Greenwood is the new assessor.
- The Board of Selectmen will appoint Rob Hubbard as Director of the Medway Redevelopment Authority on December 2, 2013.
- The Department of Energy Resources announced a new grant program last Friday that they will fund towns for two years to create a new or expand an existing Energy Manager position. This could be a shared position with Millis. The application is being put together.
- The Economic Development Committee is asking that the Board of Selectmen look into having a light at Trotter Drive. Consultant Carlucci indicated that the analysis of this was done a few years back and it did not meet the warrant criteria. The State did recommend the light years ago. Susy will sit with Suzanne about this next week.

146 Main Street Adaptive Use Overlay District Special Permit Modification – Public Hearing Continuation

The Board is in receipt of the draft decision for 146 Main Street. (See Attached).

The scope is to change one condition on page 4 of the prior decision regarding the sidewalk on Main Street. There is no guarantee that the Route 109 Reconstruction Project will take place. The applicant has chosen to meet the requirement by depositing \$6938.00 in lieu of constructing the sidewalk. If the Town enters into a contract with Mass DOT, the funds will be returned.

Findings:

On a motion made by Bob Tucker and seconded by Tom Gay, the Board voted unanimously to accept the Findings for 146 Main Street as presented.

Decision:

On a motion made by Bob Tucker and seconded by Matt Hayes, the Board voted unanimously to approve the decision for 146 Main Street.

Close Hearing:

On a motion made by Bob Tucker and seconded by Matt Hayes, the Board voted unanimously to close the hearing for 146 Main Street.

PEDB MEETING MINUTES:

November 12, 2013

The minutes from November 12, 2013 will be tabled until the next meeting.

Plan Review Estimates for Millstone Village:

The Board is in receipt of a plan review estimate from Tetra Tech dated November 21, 2013 in the amount of \$8,945. (See Attached)

The Board is in receipt of a plan review estimate from PGC Associates dated November 19, 2013 in the amount of \$1,440.00. (See Attached)

On a motion made by Bob Tucker and seconded by Tom Gay, the Board voted unanimously to accept the plan review estimates for Millstone Village in the amount of \$1,440.00 from PGC Associates and \$8,945.00 from Tetra Tech.

The Board was made aware that the Tetra Tech estimate does not include reviewing a traffic study.

Susy noted that the previous applicant back in 2007 had prepared a full traffic study.

The Board does think the current traffic volume needs to be looked at and compared to the previous traffic study. This would mean the applicant would prepare a traffic memorandum, not a full study.

Cumberland Farms Special Permit and Site Plan Deliberations

The Board is in receipt of a letter date November 13, 2013 from resident Tracy Stewart. (See Attached.)

Member Tucker does not want to take this letter into consideration since the Cumberland Farms hearing was closed.

The Chairman responded that the letter from Ms. Stewart is not part of the testimony but more about the process.

Susy informed the Board that she did speak with Town Counsel inquiring about if all letters needs to be read into the record. The Board has acknowledged on the record all letters which were written or sent by email. According to Town Counsel, this is sufficient and acceptable.

The Chairman responded that he had read the letter by Mr. Avellino during the 11/12/2013 public hearing since he was the co-applicant.

To assist in its deliberations, the Board was provided with a copy of the minutes of all the Cumberland Farms public hearings.

The Board is in receipt of a conditions worksheet for Cumberland Farms Decision. (**See Attached**).

The Board discussed whether it should allow a Red Box (for movies) on site. The zoning bylaw is silent regarding Red Boxes, but the Planning Board can address it under the special permit

The Chairman responds that there are other locations where residents can use the Red Boxes. Shaw's Supermarket has one inside the building. The Cumberland Farms in Bellingham has an outdoors Red Box.

The Board discussed having no products for sale outside the facility to eliminate the look of clutter.

Ideas for Conditions:

The noted below were items discussed and added to the already recommended items.

Construction:

- Limit to 7:00 am to 5:00 pm Monday through Friday.
- Daily clean-up and no equipment running until 7:00 am

Blasting:

- Governed by State regulations

Outside Storage:

- Make sure large enough for shipping or packing materials
- No Tool Shed
- Keep sidewalk clear at all times with no vending machines.

Hours of Operation:

- 6:00 am to 10:00 pm

Deliveries:

- No deliveries early morning or late night (6:45 pm – 9:15 pm)
- Not during busy school times (check school hours)

Limitations on what vehicles can use fueling pumps:

- Eliminate this item

Lighting:

- Will check and reference regulations

Landscape Maintenance:

- Possible include the offsite shrub maintenance
- Include must be maintained a year after occupancy and replaced if recommended after the construction inspection if needed.

Off-Site Mitigation:

- The Board would like language about the speed signal. This could be a requirement placed on the occupancy permit so that it can be put in prior to construction.
- Additional signage (no left turn, no through traffic etc.)
- There needs to be further research about the traffic speed signal on Rt. 109 east of Rt. 126 regarding speed and when to install.

Fire Suppression:

- The only language here should reference NFPA regulations and compliance.

Signage:

- Make sure there is language to address temporary signage.

Outdoor Seating:

- The Board suggested speaking with the police department. There was a suggestion to add language about rescinding the outdoor seating if any issues arise.

Staffing:

- This item should be taken out since this is decision of the management of Cumberland Farms.

Snow Storage and Removal:

- The Board would like something included in this to address trash removal.

Operation of Traffic Signal:

- This is something which may need to be worked out at a later time. Dave Pellegri will have Consultant Hall review and provide written language.

The next document which the Board reviewed was the draft FINDINGS dated November 19, 2013 prepared by Gino Carlucci. **(See Attached)**

The following were recommendations made by the Board noting the specific Finding number.

Zoning Board Bylaw Section (Site Plan Section):

3. Include the word access site driveways. The Board would like to add language to address any mitigation measures
7. Include that the sidewalks will be ADA and ABA compliant.
11. Make reference to the Zoning Board of Appeals variance which has been granted. Also include the DRC letter which was presented.

Zoning Bylaw Commercial V Zoning District:

The Board would like to have another section added which would address the safety and convenience. This would be Section (a).

(b) The Board recommended that the letter from the Fire Chief be referenced indicating his opinion.

The discussion moved to the canopy. The extra length is required based on the Fire Chiefs recommendation. This should be referenced in the decision. We can check the safety codes or requirements.

The Board is more concerned about the safety of this site. The wording of safety needs to be stronger.

The canopy is closer to the intersection than the convenience store and the consultant had difficulty with this item. This criterion needs further discussion with the board.

We could tie it into the architectural aesthetics. This was the intent.

Susy suggested that there could be a connector piece and is part of the building and then it is a non-issue.

The center entrance does align with the center of the canopy.

Consultant Carlucci will review and make a recommendation.

Zoning Bylaw Special Permit:

(2) The Board would like to add some language included about the other gas stations throughout town. Also include that this is within the center of the district and it provides services not available to residents in that geographic location in the west side of town.

(3) The Board would like to add more language about the stormwater system. Susy will work with Dave Pellegrini on this section.

(5) It was recommended that more language be added here to reference the traffic reports and summaries along with the mitigation measures.

(6) Add language to include that will increase the commercial tax base without compromising the New England feel of the Town.

Site Plan Rules and Regulations:

(5) The Board would like more language to include the blasting measures based on state standards. Susy will work with Dave on this.

The Board of Selectmen is waiting for the PEBD decision before acting on the permit for the underground storage tanks.

Susy will provide revisions to this draft decision.

The Board will hold another meeting on December 17, 2013 to just act on this decision.


The Board was informed that there will be an Oak Grove Housing Workshop with MAPC on Wednesday December 11, 2013 at 7:00 pm.

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

Susan Affleck-Childs

From: Ohguerrero <ohguerrero@aol.com>
Sent: Wednesday, November 13, 2013 9:34 AM
To: Susan Affleck-Childs
Subject: Rolling Hill -request for construction inspection fee

Dear Susy,

We have agreed to sell the Rolling Hill subdivision to the owner of the house sitting on lot 1 of the subdivision. When we close on this property the whole subdivision will be owned by the same person, therefore complying with the covenants.

When this project was approved, the Planning Board required that the construction inspection fees be paid in advance, which we did. Now that we are selling the property, and no longer the builders, we are requesting a refund of that money, after providing proof of ownership transfer.

Please let me know if any other paperwork will be needed.

Sincerely,

Olga Guerrero

Guerrero&Assoc.
508-951-6293



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

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

November 5, 2013

TOWN OF MEDWAY PLANNING & ECONOMIC DEVELOPMENT BOARD
NOTICE OF PUBLIC HEARING

Site Plan Modification - Murphy Insurance Agency - 131 & 133 Milford Street

In accordance with the Medway Zoning Bylaw, Section V. Use Regulations, Subsection C. Site Plan Review and Approval and the provisions of Chapter 40A, Massachusetts General Laws, notice is given that **the Medway Planning and Economic Development Board will conduct a public hearing on Tuesday, November 26, 2013 at 7:15 p.m. in the Sanford Room of Medway Town Hall, 155 Village St., Medway, MA** to consider the application of Dennis F. Murphy, Jr. of Hudson, MA for review and approval of a "substantial modification" to the previously approved Site Plan for 133 Milford Street in Medway, MA, last revised August 15, 2008, prepared for Murphy Insurance by David E. Ross Associates, Inc. of Ayer, MA. The application and associated plans to modify the original site plan were filed with the Town of Medway on October 16, 2013.

The proposal pertains to the applicant's planned acquisition of 131 Milford Street in the Industrial III zoning district. The .25 acre lot (Medway Assessor's Parcel 99-131) is presently owned by Mustafa Demir and Reyne Charest Demir of Hudson, MA. Once acquired, the applicant intends to demolish the existing house at 131 Milford and consolidate that parcel with 133 Milford Street where the Murphy Insurance Agency is located.

The proposed construction at 131 Milford Street includes adding parking for 9 vehicles, sidewalks, lighting and landscaping. The use of porous pavement is proposed to address the treatment and infiltration of stormwater on the site. A driveway will connect the existing parking at 133 Milford Street to the new parking area at 131 Milford Street. The existing sidewalk on front of 133 Milford Street will be extended east along the frontage of 131 Milford Street.

The application and plans depicting the proposed modifications are on file with the Medway Town Clerk and the Planning and Economic Development office at Medway Town Hall, 155 Village Street, Medway, MA and may be inspected on Mondays from 7:30 a.m. to 5:30 p.m., Tuesdays thru Thursdays from 7:30 a.m. to 4:30 p.m., and Fridays from 7:30 a.m. to 12:30 p.m. The plans are also available for viewing online at:

http://www.townofmedway.org/Pages/MedwayMA_Bcomm/PlanEcon/ApplicationsDocs/recent.

Telephone: 508-533-3291 Fax: 508-321-4987
 planningboard@townofmedway.org

Interested persons or parties are invited to review the plans, attend the public hearing, and express their views at the designated time and place. Written comments are encouraged and may be sent to the Medway Planning and Economic Development Board, 155 Village Street, Medway, MA 02053 or emailed to planningboard@townofmedway.org. For further information, please contact the Medway Planning and Economic Development office at 508-533-3291.

Andy Rodenhiser, Chairman

To be published in the Milford Daily News - Tuesday, November 12, 2013 and Tuesday, November 19, 2013.

PGC ASSOCIATES, INC.

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

November 19, 2013

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

Re: Murphy Insurance Site Plan

Dear Mr. Hayes:

I have reviewed the site plan submitted by Dennis F. Murphy, Jr. of Hudson. MA. The plan is dated August, 2013, and it was prepared by David E. Ross Associates, Inc. of Ayer, MA. The property is owned by Dennis Murphy and Mustafa Demir and Reyne Charest-Demir of Medway.

The plan proposes to raze the existing structures on the site of 131 Millford Street and expand the existing parking lot for Murphy Insurance onto the abutting property with associated drainage, lighting, landscaping, etc. I have comments as follows:

Zoning

1. The proposed use is simply an expansion of the existing parking lot which is allowed in the Industrial III zoning district.
2. The plan proposes to double the number of spaces from 9 to 18, including two handicapped space. The Zoning Bylaw as amended in the Spring requires 1 space per 300 net square feet of space. The net square feet figure is not provided but it is moot since the gross square footage is 3309 square feet. This would require 12 spaces and 18 are being provided. It should be noted that the spaces are shown as 10 feet wide while the Zoning Bylaw only requires them to be 9 feet wide. It should also be noted that pervious pavement is proposed, which will reduce stormwater impacts.
3. It appears that 2 new lampposts are being provided, matching the ones on the existing site. No photometric plan has been submitted so it not possible to determine if there is any light spillage off the site. However, based on the style of fixture and their location, it does not appear that this would be the case. However, it is not clear whether the lanterns comply with the new lighting bylaw by providing down lighting only.

Site Plan Rules and Regulations

3. Section 204.3 A. (7) requires a Development Impact Report. This is not provided, and a waiver from this requirement is requested. In the applicant's request for a waiver, he describes the

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TOWN OF MEDWAY
PLANNING BOARD

minimal impact of the expansion on each of the main factors of the Development Impact Report.

4. Section 204-5 C. (3). The Existing Conditions Sheet also does not include the Existing Landscape Inventory prepared by a Landscape Architect. A waiver is requested and the applicant states that the site is currently a single-family house and that the few trees on the site that will be removed have been shown on the Existing Conditions sheet.
5. Section 204-5 D. (7) requires that a landscape architect prepare the landscape plan. A Landscape Plan has been provided but it was not prepared by a Landscape Architect and a waiver from this requirement is requested. The applicant states that the landscaping will be of comparable quality as on the existing site.
6. Section 204-5 D. (13) requires a lighting plan. The details of the proposed bollards and lights are provided on the Construction Details sheet. There is no photometric diagram that indicates appropriate lighting levels with no spillover to abutting properties.
7. Section 209-9 C requires that there be substantial landscaped islands within parking lots to reduce the "sea of asphalt" effect. Seven new trees are proposed (6 on the east side of the parking lot and 1 on the west side. There are also significant oak and maple trees between the old and new sections of parking lot.

General Comments

8. The plan appears to meet the criteria specified in Section 203-9 C.

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

Sincerely,



Gino D. Carlucci, Jr.



TETRA TECH

RECEIVED

NOV 22 2013

November 21, 2013

TOWN OF MEDWAY
PLANNING BOARD

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

**Re: Murphy Insurance
131 & 133 Milford Street
Modified Site Plan Review
Medway, Massachusetts**

Dear Mr. Rodenhiser,

Tetra Tech (TT) has performed a review of the proposed Site Plan for the above mentioned project. The project includes the construction of a proposed porous bituminous concrete parking area with accompanying improvements such as walkways, lighting, etc. on the existing parcel at 131 Milford Street. The construction of the proposed parking area requires the demolition of an existing residential property and the other existing infrastructure such as the bituminous concrete driveway, cess pool, etc.

TT is in receipt of the following materials:

- A plan (Plans) set entitled "Murphy Insurance Agency, Modification of Approved Site Plan", dated August, 2013, prepared by David E. Ross Associates, Inc. (DERAI).
- A drainage report (Drainage Report) entitled "Stormwater Analysis for Murphy Insurance Agency, 131 & 133 Milford Street, Medway, MA", dated October, 2013, prepared by David E. Ross Associates, Inc. (DERAI).
- Supplementary Information entitled "Site Plan Decision", dated July 15, 2008; prepared by Town of Medway Planning Board. (MPB)
- A letter (Submittal Letter) entitled "Modification of Approved Major Site Plan, Murphy Insurance Agency" dated October 15, 2013, prepared by Medway Building Department (MBD).
- A letter (Submittal Letter) entitled "Modification of Approved Major Site Plan, Request for Waivers from Rules and Regulations" dated October 15, 2013, prepared by Medway Building Department (MBD).
- A letter (Respond Letter) entitled "Town of Medway Building Department" dated October 16, 2013, prepared by David E. Ross Associates, Inc. (DERAI).

One Grant Street
Framingham, MA 01702
Tel 508.903.2000 Fax 508.903.2001



TETRA TECH

- Supplementary Information entitled "Site Plan Review, Application to Modify an Approved Site Plan and/or Site Plan Decision" dated August 2013; prepared by David E. Ross Associates, Inc. (DERAI).

The Plans and Drainage Report were reviewed for conformance with the Town of Medway, Massachusetts Planning Board Site Plan Regulations, 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. Reference to the applicable regulation requirement is given in parentheses following the comments.

Conformance with Planning Board Rules and Regulations for Submission and Review of Site Plans (Chapter 200)

1. A written Project Description of the proposed development is not provided. *Waiver has been requested by Applicant* (Ch. 200 §204-3.A.7)
2. The applicant shall verify the site plan scale of one (1) inch equals twenty (20) feet has been approved in advance by the Planning Board. (Ch. 200 §204-4.B)
3. The applicant shall verify all existing and proposed elevations refer to the North American Vertical Datum of 1988 (NAVD88). (Ch. 200 §204-4.D)
4. Existing topography at two (2) foot intervals from USGS survey maps is not provided on 133 Milford Street. (Ch. 200 §204-5.B.4)
5. An Existing Landscape Inventory has not been prepared by a Professional Landscape Architect licensed in the Commonwealth of Massachusetts. *Waiver has been requested by Applicant* (Ch. 200 §204-5.C.3)
6. The applicant shall verify that the Planting Plan is prepared by a Professional Landscape Architect licensed in the Commonwealth of Massachusetts. *Waiver has been requested by Applicant* (Ch. 200 §204-5.D.7)

Conformance with the MA DEP Storm Water Management Standards

7. Stormwater Management Standard 2 - The applicant states that the proposed stormwater controls attenuate peak flows for the 2, 10 and 100 year storm events. The post condition peak flows for the 2 year and 10 year storm events actually exceed the pre development condition; however the increase is less than 0.1 CFS and can be considered negligible.
8. Stormwater Management Standard 3 - The applicant states that the proposed porous pavement provides the required recharge volume and drawdown time, and provides the required numbers, however the supporting calculations specified in Volume 3 of the



TETRA TECH

Massachusetts Stormwater Handbook are not provided. Please provide the required calculations.

9. Stormwater Management Standard 4 - The applicant states that the proposed porous pavement provides the required water quality volume, and provides the required number, however the supporting calculations specified in Volume 3 of the Massachusetts Stormwater Handbook are not provided. Please provide the required calculations.
10. The porous pavement is located on a site with a rapid infiltration rate and therefore must attain 44% TSS removal prior to infiltration. The Stormwater Analysis provided does not explain how this requirement is met with the use of porous pavement. Please provide additional details.

Comments Received from the Department of Public Services (DPS)

11. The cutting and capping of the water service shall be permitted by the DPW Water Division.
12. The closing of the existing curb cut and opening of new along with the new sidewalk installation within the Right-of-Way will be governed by DPS Street Opening Process including added requirements associated with a newly paved road (flowfill, infared, etc.)

General Comments:

13. A complete HydroCAD output for the existing and proposed models was not provided for review. Only the odd pages for the pre-development conditions and the even pages for the post-development conditions were provided.
14. Is an emergency vehicle able to make the turns provided between the two parking areas?
15. Please verify that the sidewalk specifications match the adjacent existing walkway. For example, the detail calls for a 2" troweled edge which is acceptable so long as the existing walk has a troweled edge as well.
16. The applicant shall meet Modified Cape Cod Berm detail. (Medway Construction Details, CD-11)
17. The applicant shall provide a sign detail.



TETRA TECH

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

Very truly yours,

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

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

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

November 13, 2013

Mr. Mike Narducci
162 Holliston Street
Medway, MA 02053

RE: Mayland Woods Subdivision

Dear Mike,

I am writing to follow-up on the email dated November 4, 2013 from Mary Narducci on your behalf to Susy Affleck-Childs in which Mary indicated that you were still looking into getting prices and that you would let us know when you decide how to proceed with completion of the Mayland Woods subdivision.

The Planning and Economic Development Board discussed this matter and that email response at its meeting on 11/12/2013. The Board wants to hear from you regarding your plans for Mayland Woods. Do you intend to complete the project or not? The Board requests a definitive written response from you before its next meeting on November 26, 2013. If you decide to undertake the specified work on the Tetra Tech punch list, please prepare a timetable for completion for the Board's review on 11/26/13.

If you would like an opportunity to meet with the Board to discuss this, I would be glad to schedule some time for you to meet with the Board that evening. Please contact Susy Affleck-Childs to schedule that.

Kindly provide a written response to this letter by November 26th.

Please be advised that if you do not respond in writing, the Board is prepared to begin the process at the November 26th meeting to seize the Mayland Woods subdivision bond.

Thank you for your attention to this matter. We appreciate your cooperation.

Best regards,

Andy Rodenhiser
Chairman

Telephone: 508-533-3291 Fax: 508-321-4987
planningboard@townofmedway.org

Susan Affleck-Childs

RECEIVED

NOV 26 2013

TOWN OF MEDWAY
PLANNING BOARD

From: Mary Narducci [marynarducci162@comcast.net]
Sent: Tuesday, November 26, 2013 3:54 PM
To: Susan Affleck-Childs
Subject: RE: Mayland Woods Subdivision - Next Steps??

Hi Suzie

Mike is proceeding to take care of items on the punch list. Weather affected items will have to wait until possible.

Mike and Mary

From: Susan Affleck-Childs [mailto:sachilds@townofmedway.org]
Sent: Monday, November 25, 2013 7:36 AM
To: Mary Narducci
Cc: 'Andy'; Andy Rodenhiser
Subject: RE: Mayland Woods Subdivision - Next Steps??

Hi Mary and Mike,

Thanks for the update indicating that you plan to complete the work at Mayland Woods.

Per the last sentence of the second paragraph of the November 13th letter from Andy Rodenhiser, the Board also requested a schedule for completion of the punch list items.

Please prepare that schedule and provide it to me by close of business tomorrow so I can distribute it to the Planning and Economic Development Board at its meeting on Tuesday night.

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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From: Mary Narducci [<mailto:marynarducci162@comcast.net>]
Sent: Saturday, November 23, 2013 8:02 PM
To: Susan Affleck-Childs
Subject: RE: Mayland Woods Subdivision - Next Steps??

Hi Suzi

As per your conversation with Mike yesterday morning, he will be completing the work at Mayland Woods.

Thanks for all your help

Mary Narducci for Mike Narducci

From: Susan Affleck-Childs [<mailto:sachilds@townofmedway.org>]
Sent: Thursday, November 14, 2013 8:46 AM
To: Mary Narducci
Subject: RE: Mayland Woods Subdivision - Next Steps??

Good morning Mike and Mary,

Please see attached letter from PEDB Chairman Andy Rodenhiser.

Best regards,

Susy

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

508-533-3291

saffleckchilds@townofmedway.org

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From: Mary Narducci [<mailto:marynarducci162@comcast.net>]
Sent: Monday, November 04, 2013 6:29 PM
To: Susan Affleck-Childs
Subject: RE: Mayland Woods Subdivision - Next Steps??

Hi Suzy

Spoke with Mike and he is still looking into getting prices. He has already spoken to Mr. Pellegrini. He'll let you know when he decides.

Thanks
Mary

From: Susan Affleck-Childs [<mailto:sachilds@townofmedway.org>]
Sent: Monday, November 04, 2013 8:38 AM
To: MaryN
Subject: Mayland Woods Subdivision - Next Steps??
Importance: High

Good morning Mary,

I am writing to follow-up on our prior emails to Mike re: Mayland Woods. See attached note I emailed on 10/24 which includes the previous email I sent on 10/9/13.

We are looking for a written response from Mike by the close of business today re: how he wants to proceed with Mayland Woods.

Thanks for your help.

Best regards,

Susy Affleck-Childs

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

508-533-3291

saffleckchild@townofmedway.org

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From: Susan Affleck-Childs
Sent: Thursday, October 24, 2013 3:31 PM
To: 'MaryN'
Cc: Suzanne Kennedy
Subject: Mayland Woods Subdivision

Hi Mary,

See attached letter. Please pass this along to Mike.

Thanks so much.

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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Susan Affleck-Childs

From: Pellegrini, David [david.pellegrini@tetratech.com]
Sent: Thursday, November 21, 2013 3:57 PM
To: Susan Affleck-Childs
Subject: Hill View Drainage Question

Hi Susy,

Please find below our opinion on the Hill View Drainage question:

As you know, Section 7.7.2 (p) of the subdivision regulations states that “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 house/building lots....”

The definition on page 5 of the subdivision regulations define a Detention Facility as “A detention basin or alternative structure designed for the purpose of temporary storage of stream flow or surface runoff and gradual release of stored water at controlled rates”

There are two “Infiltration Trenches” proposed for the project. The question that arose is do these “Infiltration Trenches” meet the definition of a detention basin and therefore would be required to be located on a separate parcel.

According to the Massachusetts Stormwater Handbook, an Infiltration Trench is defined as “shallow excavations filled with stone...designed to capture sheet flow or piped inflow”. According to the same source, a Detention Basin is defined as “an impoundment or excavated basin for short term detention of stormwater runoff from a completed development that allows a controlled release from the structure at downstream, predevelopment flow rates.”

It is our opinion that the “Infiltration Trenches” shown on the Hill View plans function as and appear more like Detention Basins than Infiltration Trenches per the definitions above. Therefore we feel that requirement 7.7.2 (p) above would apply.

Let us know if you have any additional questions.

Thanks,
Dave

David R. Pellegrini, P.E. | Senior Project Manager
Direct: 508.903.2408 | Main: 508.903.2000 | Fax: 508.903.2001
david.pellegrini@tetratech.com

Tetra Tech | Engineering and Architecture Services
1 Grant Street | Framingham, MA 01701 | www.tetratech.com

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

11/26/13
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

Scenic Road Work Permit

for the development project known as: Hill View Estates

to the following date: 1/31/14

Respectfully submitted,

Name of Applicant or official representative: Anthony Biocchi

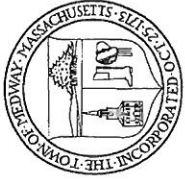
Signature of Applicant or official representative: [Signature]

Date approved by Planning and Economic Development Board: 11/26/2013

New Action Deadline Date: 1/31/14

ATTEST: [Signature]

Susan E. Affleck-Childs
Planning and Economic Development Coordinator



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

Approved
11/26/13

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

November 26, 2013

MODIFICATION TO ADAPTIVE USE SPECIAL PERMIT DECISION
Steinhoff Realty LLC for 146 Main Street

Name/Address of Owner/Applicant: Steinhoff Realty LLC
133 Main Street
Medway, MA 02053

Designer: The H.L. Turner Group
27 Locke Road
Concord, NH 03301

Project Location: 146 Main Street

Assessor's Reference: MAP 48, Parcel 10.

Zoning: Agricultural Residential II and Adaptive Use Overlay District

Purpose: Amend the previously approved REVISED AUOD Special Permit for 146 Main Street, Medway, MA to modify Condition #1 regarding the reconstruction of the sidewalk in front of 146 Main Street.

This is a decision of the Medway Planning and Economic Development Board (hereinafter “Board”) on the October 8, 2013 application of Steinhoff Realty LLC (hereafter “Applicant”) of 133 Main Street, Medway, MA 02053, to modify the previously approved REVISED Adaptive Use Overlay District (OSRD) Special Permit dated June 28, 2011 for property located at 146 Main Street owned by Steinhoff Realty LLC of Medway, MA. (hereinafter “Property”).

The proposed modification to the REVISED AUOD Special Permit for 146 Main Street is sought pursuant to Section 505-7 of the Medway Planning Board’s *Adaptive Use Overlay District Rules and Regulations*, adopted July 26, 2005.

I. BACKGROUND

The REVISED AUOD Special Permit for the subject property at 146 Main Street was approved June 28, 2011 by the Medway Planning and Economic Development Board. The approved scope of work involved the substantial renovation/reconstruction of the existing 1,632 sq. ft residential structure on the site, the construction of a 250 sq. ft addition to house 2 lavatories, a mop room and a computer server room. The addition would also serve as the primary and handicap access to the building. The approved project also included site improvements including associated parking (8 spaces), drainage, lighting, landscaping and connections to Town water and sewer services. All space was to be used for professional offices.

The previously approved REVISED AUOD Special Permit for 146 Main Street was recorded at the Norfolk County Registry of Deeds on January 4, 2012 in Book 29523, pages 29- 42. The corresponding REVISED AUOD Plan was recorded in Plan Book 612, pages 7-21.

All documents associated with the previous special permit decisions and plans for 146 Main Street are hereby acknowledged and made part of the record for this proposed revised decision.

II. DESCRIPTION OF PROPOSED MODIFICATION

The Petitioner seeks to modify the previously REVISED AUOD special permit for the subject property at 146 Main Street by amending Condition #1 pertaining to the reconstruction of the sidewalk in front of 146 Main Street. The applicant seeks to extend the deadline to June 28, 2016 for the sidewalk to be reconstructed. No other changes are proposed to the decision.

III. DECISION OF THE BOARD - After reviewing the application and information gathered during the public hearings when the proposed modification was considered, the Medway Planning and Economic Development Board, at a duly posted meeting held on November 26, 2013, on a motion by Rob, seconded by Tom, voted 5 in favor and 0 against to modify the REVISED Adaptive Use Special Permit for the subject property at 146 Main Street, Medway, MA. as represented in the application, as described at Board meetings and as shown on the revised plans, subject to the waivers, conditions, safeguards and limitations specified herein.

This special permit is general and runs with the land. It is the decision of this Board, as evidenced by its vote herein, that the aforesaid Property is a proper parcel to be developed under SECTION V. USE REGULATIONS, Sub-Section W. *Adaptive Use Overlay District of the Medway*

Zoning Bylaw (as amended June 6, 2005) in that it meets all the requisite site development standards and special permit criteria.

<u>Voting Planning & Economic Development Board Member</u>	<u>Grant/Not Grant</u>
Karyl Spiller-Walsh	_____
Andy Rodenhiser	_____
Matthew Hayes	_____
Robert K. Tucker	_____
Thomas A. Gay	_____

IV. PROCEDURAL HISTORY

On October 11, 2013, Steinhoff Realty LLC filed with the Board an application to modify the previously approved REVISED Adaptive Use Overlay District Special Permit for 146 Main Street. Because the proposed modification pertained to a specific condition of the previously approved REVISED Adaptive Use Overlay District Special Permit, it automatically is considered to be a major revision requiring a public hearing.

The Board's review of the proposed revised AUOD special permit was scheduled for a public hearing on November 12, 2013. The public hearing was advertised in the *Milford Daily News* on October 29 and November 4, 2013. The public hearing notice was posted with the Medway Town Clerk on October 11, 2013. The notice to abutters was mailed by certified sent mail on October 17, 2013.

Richard Steinhoff was present at the November 12, 2013 public hearing. Kirk Steinhoff was present at both the November 12 and November 26, 2013 public hearings. No other parties attended the public hearing.

The public hearing was opened on November 12, 2013 and was continued to November 26, 2013 when it was closed.

The Board carefully reviewed the revision submittals and all associated materials and information. The Board carefully analyzed the general purposes of the Adaptive Use Overlay District provision of the *Zoning Bylaw* and its specific requirements and standards as well as the requirements of Section 9 of Chapter 40A, M.G.L. specifically relating to Special Permits in makings its findings, conditions of approval and decision.

V. FINDINGS – On November 26, 2013, based on the evidence and testimony presented at the public hearings as documented in the application materials and the detailed record of this case, the Board, on a motion by Bob, seconded by Tom voted 5 in favor and 0 against to make the following finding regarding this application in accordance with *SECTION V. Sub-Section W. Adaptive Use Overlay District of the Town of Medway Zoning Bylaw (last amended November 19, 2007)*.

1. The proposed modification to the previously approved REVISED AUOD Special Permit decision is reasonable in that the Route 109 Reconstruction project has been placed on the Mass Department of Transportation TIP list for construction in FY16 and the applicant has

already posted \$6,938 in performance security with the Town of Medway for the sidewalk reconstruction work.

VI. APPROVED MODIFICATION

CONDITION #1 of the previously approved REVISED AUOD Special Permit decision is hereby deleted and replaced as follows:

1. *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 has chosen to meet this obligation by depositing \$6,938 in an account with the Town of Medway in lieu of constructing the sidewalk in front of 146 Main Street. The Board will authorize the release of the funds held in the account with any interest accrued to Steinhoff Realty LLC 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 June 28, 2016, said contract has not been executed, the Board ~~will~~ ^{may} transfer the funds to the Medway Sidewalk Special Account.

2. All other conditions of approval specified in the REVISED AUOD Special Permit for 146 Main Street remain in force.

VII. APPEAL – Appeals, if any, shall be pursuant to Section 17 of Chapter 40A, M.G.L., as amended, and shall be filed within twenty (20) days after the date of filing of this notice in the Office of the Town Clerk. After the appeals period has expired, the Applicant must obtain certified notice from the Town Clerk that no appeals have been made. Said notice must be filed with the Norfolk County Registry of Deeds with this special permit and the endorsed plan. A copy of said recording must be returned to the Town Clerk and the Board to complete the file.

The Board hereby makes a detailed record of its findings and proceedings relative to this petition, sets forth its reasons for its findings and decision, incorporates by reference any plan or document received by it, and directs that this decision be filed in the office of the Town Clerk and be made a public record and that notice and copies of its decision be made forthwith to all parties or persons interested.

**IN ACCORDANCE WITH MASSACHUSETTS GENERAL LAW, CHAPTER 40A, SECTION 11,
NO VARIANCE, SPECIAL PERMIT OR CONSTRUCTIVE GRANT OF A VARIANCE
TAKES EFFECT UNTIL RECORDED AT THE REGISTRY OF DEEDS.**

ADAPTIVE USE SPECIAL PERMIT – MODIFIED
146 Main Street – Medway, MA
Steinhoff Realty LLC
November 26, 2013

MEDWAY PLANNING & ECONOMIC DEVELOPMENT BOARD

I hereby certify that 20 days have elapsed from the date of this decision and that no appeal has been filed in this office.

Attest: _____ Date

Town Clerk

cc: Richard Steinhoff, Steinhoff Realty LLC
Kirk Steinhoff, Steinhoff Realty LLC

PGC ASSOCIATES, INC.

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

51-98-11
2300000

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

RE: Millstone Village ARCPUD

Dear Mr. Rodenhiser:

PGC Associates is pleased to present the following cost estimate to review and comment on the proposed ARCPUD special permit application submitted by Elite Home Builders LLC of Westborough. The property is owned by Betty McCall-Vernaglia of Medway. The plan was prepared by GLM Engineering Consultants, Inc. of Holliston, and is dated October 15, 2013.

The proposal is to construct 80 units of age-restricted housing, of which 45 would be multiple units and 35 would be single family units. The site includes 51.01 acres and 20.4 acres is proposed as open space.

Task

Hours

Technical Review and comment of initial submittal for compliance with zoning and ARCPUD site plan regulations	5.0
Attendance at Planning and Economic Development Board meetings/hearings	4.0
Review and comment on revised plans	2.5
Review and comment on draft special permit	4.5
Total	16.0
Cost Estimate (@\$90)	\$1440.00

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

Sincerely,



Gino D. Carlucci, Jr.

RECEIVED

NOV 19 2013

TOWN OF MEDWAY
PLANNING BOARD



TETRA TECH

*Approved
11-26-13*

R E C E I V E D

NOV 22 2013

November 21, 2013

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

TOWN OF MEDWAY
PLANNING BOARD

**Re: Planning and Economic Development Board
Engineering Review Services Proposal
Adult Retirement Community Planned Unit Development
Millstone Village
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 Millstone Village Adult Retirement Community Planned Unit Development (ARCPUD) Special Permit Application submittal in Medway, Massachusetts (the Project). The objective of our services is to review the proposed ARCPUD Plan submittal package, including but not limited to the Plans, Application (Special Permit Application), Special Permit Application letter, Waivers and the Drainage Calculations, and provide review comments as they relate to the Medway Planning Board's Rules and Regulations for the Review and Approval of the Subdivision, Department of Environmental Protection Stormwater Management Regulations, and sound engineering practice. As is typical, we have excluded from our scope, the review of the application package as they relate to the ARCPUD requirements in the Town of Medway Zoning By-Laws.

Scope of Services

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

Task 1 Site Visit

A. We have visited the site during past phases of this project and therefore a site visit is not required;

- Budget Assumption: \$2 hour @ \$155/hr=\$310

Task 2 Design Review

A. Review the proposed Application for Approval of an ARCPUD Plan, Application (Special Permit Application), Special Permit Application letter, Waivers and the Drainage Calculations, prepared GLM Engineering Consultants, Inc. (GLI,) and incorporate comments into review letter in item D below;



TETRA TECH

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

- B. Review the proposed "Millstone Village" ARCPUD Plans prepared by GLM dated October 15, 2013;
 - Budget Assumption:
 - 8 hours @\$155=\$1,240
 - 10 hours @\$115/hr= \$1,150
 - 8 hours @\$90/hr= \$720
 - Total= \$3,110

- C. Review the Stormwater Management Report prepared by GLM and dated October 15, 2013 for compliance with the latest Department of Environmental Protection Stormwater Management Standards and good engineering practice;
 - Budget Assumption: 8 hours @\$115/hr=\$920.

D. Prepare a letter summarizing findings for presentation to the Town of Medway Planning and Economic Development Board;

- Budget Assumption:
 - 4 hour @\$155/hr=\$620
 - 2 hours @\$90/hr= \$180
 - Total= \$800

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

- Budget Assumption:
 - 8 hour @\$155/hr=\$1,240
 - 6 hour @\$115/hr= \$690
 - 2 hour @\$90/hr=\$180
 - Total=\$2,110

Task 3 Meeting Attendance

A. Participate in four (4) meetings with the Town of Medway Planning and Economic Development Board.

- Budget Assumption: 4 Meetings
2 hrs/meeting @\$155/hr= \$1,240

Cost

Our cost for the above Scope of Services will be on a time and expenses basis in accordance with Tetra Tech 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	\$7,095
Task 3	Meeting Attendance	\$1,240
	Labor Subtotal	\$8,645
	Expenses (3.5%)	\$300
	Total Fee	\$8,945

Exclusions

No traffic report has been submitted with this application and therefore, the budget and scope identified above excludes a traffic review component. If a traffic review is required in the future, we can provide an additional scope and budget.

Schedule

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

General Terms and Conditions

This Proposal is subject to the existing Terms and Conditions signed by Tetra Tech 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,

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

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

Date Approved by Medway Planning and Economic Development Board _____

Certified by:

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

_____ Date

November 13, 2013

TO:

Town of Medway Planning and Economic Development Board
Town of Medway Zoning Board or Appeals
Town of Medway Board of Selectmen
Town of Medway Design Review Committee

RECEIVED

NOV 14 2013

TOWN OF MEDWAY
PLANNING BOARD

Dear Members of the above named Boards,

I am writing to formally request that the Planning and Economic Board of Medway enforce/adhere to Section K / Commercial Zone V of our Town's zoning bylaws and ONLY allow Cumberland Farms the maximum length allowed of 60FT.

I request that the boards address the resident's concern/inquiry regarding the 2nd curb cut on the easterly end of Milford Street. As stated by Mrs. Teigan Bain at the PEDB meeting on October 22nd, the applicant states: "The

The unfortunate response of the PEDB on November 12, 2013 was that by not allowing the second (easterly) curb cut (on Milford Street) the applicant could remove the westerly curb cut therein forcing more traffic onto the Easterly curb cut and proving more of an impact at the Bain Family's property line. It has been voiced many times that residents are discouraged that the PEDB is allowing for this by way of reading the grey area of a Zoning Bylaw and not enforcing what they can to protect a direct abutter. It would seem the PEDB is weighing the internal traffic flow for a project yet developed rather than having a greater consideration for pre-existing access for Medway Garden's deliveries (now 60 feet off the Bain's property line). Once again, I request that the PEDB along with town counsel review this in the greatest detail and enforce the 1 allowable curb cut by gating the exit/entrance at the most Easterly side of Milford Street for access by Medway Gardens deliveries and Cumberland Farms deliveries ONLY. Furthermore, remove any entrance/exit signs branded or designed by Cumberland Farms and replace the signs with "deliveries only" at the gated entrance on Milford Street.

Please also acknowledge and take action on the following:

- I request that the zoning board meeting minutes from Oct. 30th, 2013 show I, Tracy Stewart, requested the ZBA keep the public hearing open and they chose to close it. I stated the concern that the Letter of Recommendation in regards to the monument sign had not been drafted or submitted to the ZBA by the Design Review Committee. I wanted complete guarantee that the statements of Ms. Spiller-Walsh were accurate the recommendation of the full DRC. When I stated this at the ZBA meeting Ms. Spiller-Walsh's response was "the letter is coming". I requested a second time during the same meeting that the hearing not be closed. To the best of my knowledge, the said letter was submitted on NOV 12TH to the ZBA. Again, I find it poor practice to close a public hearing prior to receipt of documents that are of public record and relate to the hearing that is open.

Closing any hearing prior to receipt of LORs limits the residents' opportunity to voice their valid concerns of these documents that are of public record.

- I request that the Planning and Economic Development meeting minutes from November 12th 2013 show that I, Tracy Stewart, requested that the Public Hearing remain open due to new public documents that were submitted and the public has a right to review said documents. Chairman Rodenhieser's action was to make copies and hand them out and close the meeting. This was in poor practice and not fair to residents, as we now have no opportunity to review for public comment or consideration. I also acknowledge that the PEDB coordinator preferred the public hearing remain open while the findings are reviewed.

- I request that all Boards named above verbally read every letter received at their very next meetings from residents since August 2013 as they did for Mr. Joseph Avellino at the November 12th, 2013 meeting.

In response to Mr. Avellino's letter: at no time has this been about whether or not his business would survive or not survive with or without this Cumberland Farms project. The residents concern is with the scale and impact of this specific project. Truly, as a life-long resident I have heart-felt and practical concerns for my neighbors and my community and since my concern is for everyone, I welcome GCCF to develop this parcel only if they can build this project within all our Town's by-laws and rules + regulations without waivers or variances. The care and concern for our community would be to give the Bains a greater distance from this project by not utilizing the "Medway Gardens Access" road as blatant entrance/exit for the hundreds of cars wishing to access Cumberland Farms daily. I believe it is in The Planning Boards and Onelivva Real Estate's control to find a "more palatable" solution to the Easterly curb cut and access to it. I would ask the PEDB and Mr. Avellino to revisit this with GCCF and greatly weigh the effects this project has on the Bain Family.

With the closing of Public Hearings, this is the point in time when residents must trust that the Board members and fellow residents that they have elected will have the community's best interest at hand in the name of safety, community, aesthetic and overall impact.

Please confirm receipt of this correspondence.

Regards,

Tracy Stewart

CONDITIONS

ZONING BYLAW (Site Plan Section) - A Decision to approve a site plan may include but is not limited to waivers, conditions, limitations and safeguards including:

- required plan revisions
- design modifications
- access controls
- off-site improvements
- construction observation/inspection
- bonding or other performance guarantees
- as-built plan submittals
- site plan compliance mechanisms, and
- reasonable mitigation measures which the Board believes are in the Town's best interests.

Site Plan Rules and Regs - *The Board may require mitigation measures, conditions, limitations and safeguards including, but not limited to, the following:*

- a) Controls on the location and type of access to the site;
- b) Controls on the number, type and time that service vehicles access the site;
- c) Limitations on the hours of operation;
- d) Requirements for off-site improvements up to a maximum value of six (6) percent of the total development cost of the proposed project to improve the capacity and safety of roads, intersections, pedestrian ways, water, sewer, drainage, and other public facilities that are likely to be affected by the proposed development. The total development cost shall mean the total of the cost or value of land and all development related improvements and shall be determined on the basis of standard building or construction costs, such as published in the *Engineering News Record* or other source acceptable to the Planning Board, for the relevant type of structure and use.
- e) Donation and/or dedication of land for right-of-way to provide for roadway and/or intersection widening or improvements;
- f) Conditions to minimize off-site impacts and environmental quality during construction.
- g) Requirements for screening parking facilities from adjoining premises or from the street by walls, fences, plantings or other devices to mitigate adverse impacts;
- h) Conditions to mitigate adverse impacts to the neighborhood and abutters, including but not limited to adverse impacts caused by noise, dust, fumes, odors, lighting, headlight glare, hours of operation, or snow storage.

Cumberland Farms
DRAFT FINDINGS
pgc – November 19, 2013

FINDINGS

ZONING BYLAW (Site Plan Section) - Does the proposed project constitute a suitable development based on conformance with the purposes of Site Plan Review as specified in the Zoning Bylaw and with the various site development standards and criteria set forth in the Site Plan Rules and Regulations?

- (1) Are the buildings, uses and site amenities properly located on the development site in relation to the terrain and scale of other buildings in the vicinity and adjacent neighborhoods?

The buildings, uses and site amenities are properly located. The use is allowed by special permit in this location. This project is a redevelopment of a portion of the Medway Gardens site. It is designed to minimize the grade change from Summer Street and maximizes access with entrances and exits on both Summer Street and Milford Street. It is integrated with the Medway Gardens use by sharing a driveway on Milford Street, and it provides a decorative stone facade on the retaining wall where it is facing Medway Gardens and Summer Street. The approximately 4500 square foot building is in scale with other commercial and municipal buildings in the neighborhood. Therefore, this criterion is met.

- (2) Are the construction and renovation of buildings and the installation of site amenities thoughtfully designed to reflect or be compatible with Medway's New England architectural style as further detailed in the Design Guidelines?

The building and site design has been reviewed by the Design Review Committee (DRC) in light of the Design Guidelines, and most of the changes recommended by the DRC have incorporated into the building and site design. Some of the changes include reduced signage, changes to the canopy design, extending the water table stonework around the three sides of the building and on the rear retaining wall, changing the colors of the bollards to a neutral color, removing corporate colored banding from the building and canopy, including portions of the natural ledge on the site into the landscaping, and upgraded landscaping in general. Therefore, this criterion is met.

- (3) Are adjacent and neighboring properties protected from nuisance and harmful effects caused by noise, fumes, and the glare of headlights and other light sources generated by uses on the development site?

As conditioned herein, there will be no spillage of light beyond the property boundaries. The site driveways are located where they face other commercial properties rather than residential properties, thus minimizing headlight glare. The most significant noise generated from the site will be from gasoline delivery trucks and the times of delivery are restricted to minimize the impact of this noise. Therefore, this criterion is met.

(4) Are significant natural features on a development site (i.e. hills, water bodies, wetlands, trees, tree groves, wooded areas, rock outcrops, native plants, wildlife habitats, and other areas of aesthetic and ecological interest) preserved with as minimal site disturbance as possible?

As a redevelopment project, there are minimal natural features on the site. However, there are rock outcroppings. The outcroppings will not be preserved in place, but portions will be relocated and integrated into the landscape plan for the site. Therefore, this criterion is met.

(5) Are off-street loading facilities and methods for unloading vehicles, goods, products materials and equipment incidental to the normal operation of the establishment(s) on the development site conveniently and safely provided while the visual intrusion thereof is appropriately screened from public view?

During the course of the public hearing the gasoline storage tanks were moved to improve the safety and convenience of filling the tanks. The off-street loading facilities have been reviewed by the Town's consulting engineer and Police and Fire and Fire Chiefs and no issues have been identified. Visual intrusion is limited by virtue of the tanks being underground (i.e. there are no loading docks). The loading area for delivery of both gasoline and goods to the convenience store is located on the east side of the building, which is the least visible area on the site. Therefore, this criterion is met.

(6) Are facilities for the storage, handling and disposal of sewage, refuse and other solid wastes resulting from the normal operations of the establishment(s) on the development site provided and adequately screened from public view?

The facility is served by municipal sewer. A dumpster, properly screened, and located in the least visible area on the site, is provided to handle solid waste generated by the normal operations of the facility. Therefore, this criterion is met.

(7) Are pedestrian ways, access driveways, loading and parking facilities properly designed for the convenience and safety of customers, employees and the general public?

The plan has been reviewed by Town public safety officials as well as the Town's consulting engineers and consulting planner. The access driveways, loading and parking facilities have been found to be adequately designed. Sidewalks are provided along the entire frontage of the site and pedestrian pathways consisting of walkways and crosswalks are provided within the site. Parking is provided adjacent to walkways across the front and side of the building and a bike rack is also provided. Therefore, this criterion is met.

(8) Is convenient and safe access for fire-fighting and emergency rescue vehicles provided to and within the development site in relation to adjacent streets?

The Fire Chief has reviewed and approved the plans. Access is provided to three sides of the building, and there are three access points to the site. Therefore, this criterion is met.

(9) Are satisfactory methods for drainage of surface water to and from the development site provided?

The stormwater management plan has been reviewed by the Town's consulting engineer as well as by the Department of Public Services. It is in compliance with Massachusetts Department of Environmental Protection stormwater management guidelines. A waiver was necessary to allow for the discharge of stormwater off site because soil conditions on site preclude recharge on site. A satisfactory method off-site discharge was demonstrated in the form of connection to the Town's drainage system and no significant downstream impacts from such a connection were found. Therefore, this criterion is met.

10) Are public ways and private drives properly designed to be constructed to serve the intended use and provide an adequate level of service in relation to the traffic to be generated by the development site?

The site abuts two state-numbered highways and both are properly designed and constructed to serve the intended use and, as conditioned, to provide an adequate level of service in relation to the traffic generated by the development. There are three site drives serving the site. Following review by the Town's consulting engineers and public safety officials, the PEDB finds that these are adequate. Providing two driveways onto Milford Street was questioned during the public hearing. Most of the concern was directed at the easternmost driveway, which will be shared with Meadow Gardens. While this driveway has more impact on the abutters to the east, the PEDB finds that adequate buffers to the abutters is provided in the form an 8-foot fence and trees and shrubs along a 15-foot planting strip. Also, it was found that the westernmost access drive on Milford Street helps spread the traffic thus facilitating access. Therefore, this criterion is met.

(11) Have the effects and impacts of the proposed use of land or structures on vehicular and pedestrian traffic, municipal services and utilities, roadways, parking, drainage, environmental quality, water resources, signage, lighting, and community economics, character, values, amenities and appearance been identified and evaluated?

Milford Street (Route 99) and Summer Street (Route 126) are adequate for the proposed use. Municipal services are adequate to serve the proposed facility. Parking is adequate, and exceeds the minimum requirement, for the proposed use. Drainage is in compliance with Massachusetts Department of Environmental Protection stormwater management guidelines. The site was designed to minimize impacts on environmental quality and water resources. Signage is subject to review and compliance with the sign provisions of the Zoning Bylaw. Lighting is in compliance with the lighting provisions of the Zoning Bylaw. The building and site design has been approved by the Design Review Committee. The facility will have a positive impact on community economics, amenities and appearance. As a permitted use within the C-V zoning district and approved by Town Meeting, it will not detract from the character and values of the area. Therefore, this criterion is met.

(12) Have site design modifications been proposed and evaluated to lessen the negative and harmful impacts?

The site plan has been reviewed by Town officials and the Town's consulting engineers and consulting planner. Modifications were suggested and the applicant has responded to those comments with a revised plan. The revised plan has been reviewed and the applicant has addressed each of the comments received. Therefore, this criterion is met.

- (13) Have reasonable conditions, limits, safeguards and mitigation measures been established?
Specific reasonable conditions have been included in Sections ___ and ___ of this Site Plan Decision. Therefore, this criterion is met.

ZONING BYLAW (Commercial V Zoning District for Local Convenience Retail store with associated gasoline sales)

A Local Convenience Retail store with associated gasoline sales is allowed a maximum of 4 pumps. The PEDB finds that the proposed site does have a maximum of 4 pumps. The following additional criteria must also be met:

- (a) The convenience store shall be a minimum of 4,000 sq. ft.

The store is 4513 square feet so this criterion is met.

- (b) (i) Any canopy over the gasoline pumps shall not exceed 2,200 sq. ft. in area and shall not exceed 60 ft in length unless a greater length is authorized by the Planning and Economic Development Board

The proposed canopy is 2200 square feet and its length is 100 feet. The PEDB has authorized the greater length for three primary reasons. These are (1) the shape of the site provides a more efficient use of space if the four pumps are aligned in a single row rather than as two tandem sets of pumps; (2) the single row provides more convenient access to the pumps by motorists while also facilitating traffic movement within the site; and (3) the applicant is providing extensive landscaping with specimen trees to soften the aesthetic impact of the canopy. The PEDB finds that this criterion is met.

- (ii) The canopy shall be either an architecturally integral part of the local convenience store retail building or a separate structure located to the rear or the side of the local convenience store.

Since the address of the site is 38 Summer Street and there is access from Summer Street, Summer Street has traditionally been, and can technically serve as, the front of the site so the canopy is located to the side of the site and the PEDB finds that this criterion is met.

- (iii) The canopy shall not be located closer to the intersection than any part of the convenience store building.

[We need to discuss]

- (iv) The canopy shall not be closer than 50' to any lot used for residential purposes.

The canopy is located more than 50 feet from the closest lot used for residential purposes so this criterion is met.

ZONING BYLAW (Special Permits)

The Planning and Economic Development Board must find that the following criteria are met before granting a special permit:

- (1) The use is in harmony with the general purpose and intent of the zoning bylaw
The C-V district specifically allows for a Local Convenience Retail Store with associated gasoline sales by special permit so the PEDB finds that this criterion is met.
- (2) The use is in an appropriate location and is not detrimental to the neighborhood and does not significantly alter the character of the zoning district
The C-V district is the only district that specifically provides for this use so it is in an appropriate location and is in character with the zoning district. The building is in scale with other commercial buildings in the district and the building and site details have been reviewed by Town officials including, but not limited to, the Fire and Police Chiefs, Department of Public Services, and Design Review Committee, as well as the Town's consulting engineers (including a traffic engineer) and consulting planner to ensure that the use not detrimental to the neighborhood. The PEDB finds that this criterion is met.
- (3) Adequate and appropriate facilities will be provided for the operation of the proposed use.
The facility is served by municipal sewer. A dumpster, properly screened, and located in the least visible area on the site is provided to handle solid waste generated by the normal operations of the facility. The access driveways, loading and parking facilities have been found to be adequately designed. Sidewalks are provided along the entire frontage of the site and pedestrian pathways consisting of walkways and crosswalks are provided within the site. Parking is provided adjacent to walkways across the front and side of the building and a bike rack is also provided. Therefore, this criterion is met.
- (4) The proposed use will not be detrimental or otherwise offensive to the adjoining zoning districts and neighboring properties due to the effects of lighting, odors, smoke, noise, sewage, refuse materials, visual or other nuisances.
As conditioned herein, there will be no spillage of light beyond the property boundaries. The most significant noise generated from the site will be from gasoline delivery trucks and the times of delivery are restricted to minimize the impact of this noise. No smoke will be generated by the facility. Gasoline fumes must comply with state and federal regulations. The site is served by municipal sewer. A dumpster, properly screened, will handle refuse. As conditioned, the store's operation plan will require patrolling for and removing refuse and debris that may be found on the grounds. Outdoor displays are also limited by the conditions of this approval. Therefore, this criterion is met.

- (5) The proposed use will not cause undue traffic congestion in the immediate area.
- Extensive analysis of traffic information has been provided by the applicant and reviewed by the Town's traffic engineer. Changes in the plan as well as off-site mitigation of traffic impacts will minimize any additional traffic congestion generated by the project. Therefore, this criterion is met.*
- (6) The proposed use is consistent with the Medway Master Plan.
- One of the goals of the 2009 Medway Master Plan is to encourage additional commercial/industrial development. Therefore, this criterion is met.*

Site Plan Rules and Regulations - In making its recommendation, the Board shall find whether the proposed development is in conformance with the standards and criteria set forth in the Site Plan Rules and Regulations, unless specifically waived. In its recommendation, the Planning Board shall determine the following:

- (1) Has internal circulation, queuing and egress been designed such that traffic safety is protected, access via minor streets servicing residential areas is minimized, and traffic backing up into the public way is minimized?
- There are three site drives serving the site. Following review by the Town's consulting engineers and public safety officials, the PEDB finds that these are adequate. The single row of gasoline pumps facilitates internal circulation and the three access drives help spread the traffic to minimize internal congestion. The possibility of the development causing an increase in cut-through traffic on Rustic Drive and Littletree Road was discussed. As conditioned below, signage is being added to discourage such through traffic. The parking spaces are located such that no backing onto a public way is necessary. Therefore, this criterion is met.*
- (2) Does the site plan show design that minimize any departure from the character, materials, and scale of buildings in the vicinity as viewed from public ways and places?
- The design of the buildings, canopy and site was a major concern of the PEDB. The buildings and site went through several review sessions with the Design Review Committee and many of its recommendations were incorporated into the design of the canopy, signage and landscaping in order to better match the character of the area and the Town. The building size is in scale with others in the district. The landscaping has been designed specifically to soften the view of the canopy, and rock outcroppings are incorporated into the landscape plan in order to highlight one of the natural features of the area's character. Therefore, this criterion is met.*
- (3) Is reasonable use made of building location, grading and vegetation to reduce the visible intrusion of structures, parking areas, outside storage or other outdoor service areas (e.g. waste removal) from public views or from (nearby) premises residentially used and zoned.

The buildings, uses and site amenities are properly located. This project is a redevelopment of a portion of the Medway Gardens site. It is designed to minimize the grade change from Summer Street. It is integrated with the Medway Gardens use by sharing a driveway on Milford Street, and it provides a decorative stone façade on the retaining wall where it is facing Medway Gardens and Summer Street. Parking areas are away from the street. Outside storage is limited by the conditions of this site plan and special permit approval. Waste removal is addressed through a dumpster properly located and screened, as well as through an operations plan that requires monitoring and removal of waste on site. The landscaping plan both enhances the visual amenities of the site and helps soften views of the canopy. Therefore, this criterion is met.

(4) Is adequate access to each structure for fire and service equipment provided?

The building has access on three sides. The Fire Chief has reviewed and approved the plans. Therefore, this criterion is met.

(5) Will the design and construction minimize to the extent reasonably possible the following environmental impacts?

- a) the volume of cut and fill;
- b) the number of trees to be removed with particular care taken with mature trees and root systems;
- c) the visual prominence of man-made elements not necessary for safety;
- d) the removal of existing stone walls;
- e) the visibility of building sites from existing streets;
- f) the impacts on waterways and environmental resource areas;
- g) soil pollution and erosion;
- h) noise.

The project is a redevelopment of an existing developed site so environmental impacts are minimal. The volume of cuts and fills is minimized. Few trees will be removed since there are few on the site. Landscaping has been designed to reduce the visual prominence of man-made elements and buildings on the site. No stone walls are being impacted. The drainage plan complies with Massachusetts Stormwater Guidelines and has been reviewed by the Town's consulting engineer and Department of Public Services. An erosion control plan will minimize soil pollution and erosion during construction and noise generated by the site is minimal. Therefore, this criterion has been met.

(6) Is pedestrian and vehicular safety both on the site and egressing from it maximized?

The plan has been reviewed by Town public safety officials as well as the Town's consulting engineers and consulting planner. The access driveways, loading and parking facilities have been found to be adequately designed. Sidewalks are provided along the entire frontage of the site and pedestrian pathways consisting of walkways and crosswalks are provided within the site. Parking is provided adjacent to walkways across the front and side of the building and a bike rack is also provided. Therefore, this criterion is met.

(7) Does the design and will the construction incorporate, to the maximum extent possible, the visual prominence of natural and historic features of the site?

As an existing developed site, the only visually prominent natural feature are the rock outcroppings. The landscape plan has incorporated rock outcroppings to retain a form of this feature on the site. Therefore, this criterion is met.

- (8) Does the lighting of structures and parking area avoid glare on adjoining properties and minimize light pollution within the town?

As conditioned, there will be no off-site glare from the site and the lighting will comply with the s lighting section of the Zoning Bylaw. Therefore, this criterion is met.

- (9) Is the proposed limit of work area reasonable and does it protect sensitive environmental and/or cultural resources? The site plan as designed should not cause substantial or irrevocable damage to the environment, which damage could be avoided or ameliorated through an alternative development plan or mitigation measures.

The limit of work is reasonable and as a redevelopment project, the site plan will not cause substantial damage to the environment. Reasonable measures are included to minimize any impacts. Therefore, this criterion is met.

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