

March 19, 2013
Medway Planning and Economic Development Board
155 Village Street
Medway, MA 02053

BOARD MEMBERS PRESENT: Andy Rodenhiser, Karyl Spiller-Walsh, Bob Tucker, Tom Gay, Chan Rogers, and Associate member Matthew Hayes

ABSENT WITH NOTICE:

ALSO PRESENT: Susy Affleck-Childs, Planning and Economic Development Coordinator

The Chairman opened the meeting at 7:00 pm.

There were no Citizen Comments.

Other Business: The Board considered other business while waiting until 7:15 pm for the Tri Valley Commons public hearing.

Planning Consultant Report – Gino Carlucci

There was a SWAP Transit Study meeting. This was a productive meeting. Each town will review the maps which were sent electronically. Each town will draw out proposed transit route and then submit back to MAPC.

Engineering Report – Dave Pellegri

No new updates.

Zoning Bylaw Amendments:

Susy reported that she had attended a meeting with the Board of Selectmen about the various zoning bylaw amendments. The discussion on the parking bylaw and medical marijuana went well. There were many questions about the village residential bylaw. The various questions from the Board of Selectmen resulted in the withdrawal of this article. The capacity issue for 2 family homes was discussed and it was recommended that the Town needs to know our capacity before we start changing the zoning areas.

There will be a meeting set up with the PEDB, DPS and the Charles River Pollution Control District. The Town is at their maximum level in relation to water. The problem is that there is not enough capacity.

Charles River Village Open Space Residential Development – Public Hearing

The public hearing for Charles River Village Open Space Residential Development Definitive Plan was reopened and the new hearing was opened for the proposed modification of the Special Permit. All posting requirements have been met. **(The notice for the special permit modification public hearing is attached.)**

On a motion made by Chan Rogers and seconded by Karyl Spiller-Walsh, the Board voted unanimously to dispense of the formal reading of the public hearing notice for the special permit modification.

It was announced that the two hearings will run concurrently.

The applicant, John Claffey, was in attendance along with Paul Yorkis, his official representative.

The following documents were entered into the record:

- Notice of Intent to Demolish a Historically Significant Building dated February 5, 2013. **(See Attached)**
- An email from Fire Chief Lynch dated March 19, 2013. **(See Attached)**
- A letter dated March 19, 2013 from Patriot Real Estate regarding the description of the cottage style home. **(See Attached)**
- A letter from PGC Associates dated March 14, 2013. **(See Attached)**
- A letter from Medway Affordable Housing Trust dated March 4, 2013. **(See Attached)**
- A letter from Medway Affordable Housing Trust dated March 15, 2013. **(See Attached)**
- A review letter from Tetra Tech Rizzo dated March 11, 2013. **(See Attached)**
- An email dated February 28, 2013 from DPS Director Tom Holder regarding the additional sewage treatment capacity at the Charles River Pollution Control District **(See Attached)**
- A memo from the Design Review Committee dated March 18, 2013. **(See Attached)**
- A letter from O'Driscoll Land Surveying dated March 11, 2013 **(See Attached)**

Mr. Yorkis wanted to start with the Definitive Plan. The Board has received a review letter from the Design Review Committee.

The revised plans which the Board was in receipt of were dated February 15, 2013.

Mr. Yorkis explained that this was reviewed by Consultant Pellegrini and it was indicated that with the exception of the chimney, they are fine with the letter from Tetra Tech.

Mr. Yorkis provided a letter with description of a cottage style home. This was provided to the Board. The plans have been presented to the Design Review Committee and they recommended style D and other options which will complement Style D.

Mr. Yorkis also met with Fire Chief Jeff Lynch. The Fire Chief provided an email. The members were provided a copy. The Fire Chief raised a question about the width of the road way around storm basin one. It was suggested that the center basin should be 20 ft. and not 18 ft. at the circle.

Dave Pellegrini does not see this as an issue.

Susy notes that since we have a new Fire Chief, he may want to adhere to a different set of standards than the prior Chief.

Member Spiller-Walsh indicates that this has been designed to our standards with reduced pavements and the practice is 18 ft.

Mr. Yorkis is concerned about this recommendation since it will have a lot of impact on this development.

Member Gay responds that the literature presented does not reference 20 ft. as a standard.

The Chairman responds that the width as presented looks fine to him.

Mr. Yorkis would like to leave the plan as it is. He further discusses that in respect to item number (two) from the Fire Chief, he asked us to make sure that whatever is installed can handle 75,000 lbs. This can certainly be done. This could be put into the condition. It would be better if the grass access had less loam than what is called for in the design. He wanted less for the new ladder truck. The entrance now is 20 ft. narrowing to 18 ft. The technical issues from Tetra Tech have been resolved.

Susy wanted the memo from DPS entered into the record. This memo notes that there is no foreseeable problem with the sewer connections per a communication from the Charles River Pollution Control District.

Mr. Yorkis next discussed the application to modify the previously issued special permit. The Special Permit Modification would be to allow for a reduction from 13 to 11 units and to allow the applicant to make a payment in lieu of constructing 2 affordable dwelling units.

There are letters in the board's packet from the Affordable Housing Trust. It was explained that the payment can be made up front or periodically. The Trust is appreciative of receiving the funds, but had concerns about the nature of the distribution and the value of the money.

On a motion made by Bob Tucker and seconded by Chan Rogers, the Board voted unanimously to close both of the public hearings on Charles River Village.

Planning and Economic Development Coordinator's Report – Susy Affleck-Childs

- Cumberland Farms will be on the agenda for April 23, 2013 for an informal, pre-application discussion. The Design Review Committee will have them on the agenda for April 22, 2013. The Town's internal development review team met with the Cumberland Farms people on 3/18/13.
- The Board of Selectmen has reviewed the articles for the annual town meeting. Susy expects she will be asked to attend an upcoming FINCOM meeting.
- Susy noted that there is a meeting of the Route 109 Committee on 3/20.
- The Economic Development Coordinator, Claire O'Neill will be making a presentation at the upcoming Medway Business Council meeting. Mr. Calarese will also present on Tri Valley Commons.
- There will be another Public Forum on Oak Grove which will take place on April 11, 2013 at the Medway Library at 7:00 pm.
- There will be a meeting sponsored by MAPC on medical marijuana. This meeting will take place in Framingham. Susy is planning on attending.
- Starbucks is looking to have a drive thru at Medway Commons. Karen Johnson of Charter Real Estate met with Susy Affleck-Childs and John Emidy. This will need approval from the Zoning Board of Appeals. The site

plan will need modification and that will come to the Planning and Economic Development Board.

- Susy and Claire O’Neill will attend the executive board meeting of the Medway Business Council to brief them on the proposed zoning bylaw amendments.
- The BOS will hold a public hearing on street acceptance at its April 1, 2013 meeting. This pertains to Claybrook II and The Meadows subdivisions.

Thayer Homestead Site Plan Decision - Discussion

The Board is in receipt of a draft decision for Thayer Homestead Site Plan dated March 18, 2013. **(See Attached)**

Susy entered into the record the Mullins Rule certifications from Tom Gay and Bob Tucker. **(See Attached)** They were not able to attend the March 12, 2013 public hearing but listened to the audio recording and reviewed all reference materials. Accordingly, they may vote on this decision.

The Board reviewed the draft decision. A variety of typographical errors were noted and content edits were made as follows:

- Under Specific Conditions – Item C re: Trash Removal – it was agreed that trash could be removed during the same hours as construction (7 am to 7 pm).
- Under Specific Conditions – an Item F will be added to address forthcoming comments from the Fire Chief.
- Under Findings per the Zoning Bylaw – item 8) will be revised to indicate that the plan has been reviewed by the Board and Consulting Engineer
- Under Findings per the Zoning Bylaw – item 17) will be revised to indicate that the plan has been reviewed by the Board and Consulting Engineer.

On a motion by Chan Rogers, seconded by Bob Tucker, the Planning and Economic Development Board approved the WAIVERS from the *Site Plan Rules and Regulations* as specified in the 3-18-13 draft decision. The motion passed unanimously.

On a motion by Chan Rogers, seconded by Bob Tucker, the Planning and Economic Development Board approved the FINDINGS as specified in the 3-18-13 draft decision as edited. The motion passed unanimously.

On a motion by Chan Rogers, seconded by Bob Tucker, the Planning and Economic Development Board approved the site plan for the Thayer Homestead at 2B Oak Street subject to the Conditions and Waivers specified in the draft decision dated 3-18-13 as modified. The motion passed unanimously.

Meeting Minutes

January 15, 2013 – Joint Meeting of the PEDB and BOS

On a motion by Bob Tucker, seconded by Tom Gay, the minutes of the executive session of January 15, 2013 were approved. Karyl Spiller-Walsh and Chan Rogers abstained from voting.

February 19, 2013

On a motion by Bob Tucker, seconded by Tom Gay, the minutes of the February 19, 2013 meeting of the Planning and Economic Development Board were approved. Karyl Spiller-Walsh and Chan Rogers abstained.

OTHER BUSINESS

Member Tom Gay submitted a request to participate remotely in the March 26, 2013 PEDB meeting as he will be out of town. Tom will participate via a speakerphone. The Chairman signed that application.

Adjourn:

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

The meeting adjourned at 10:15 pm.

Respectfully Submitted,



Amy Sutherland

Recording Secretary

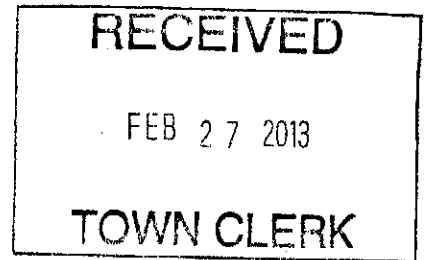
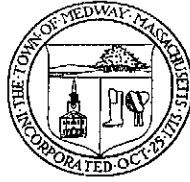
(based on listening to an audio recording)

Edited by



Susan E. Affleck-Childs

Planning and Economic Development Coordinator



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

Andy Rodenhiser, Chairman
Robert K. Tucker, Vice-Chairman
Thomas A. Gay, Clerk
Cranston (Chan) Rogers, P.E.
Karyl Spiller Walsh

February 27, 2013

LEGAL NOTICE - PUBLIC HEARING

Charles River Village Open Space Residential Development (OSRD)
Application to Modify the OSRD and Affordable Housing Special Permit
and OSRD Concept Plan

In accordance with the Medway Zoning Bylaw, Section V. Use Regulations, Sub-Section T. Open Space Residential Development (OSRD) and Sub-Section X. Affordable Housing and the provisions of Massachusetts General Laws, Chapter 40A, Sections 9 & 11, the Medway Planning & Economic Development Board will conduct a public hearing on **Tuesday, March 19, 2013 at 7:15 p.m. in Sanford Hall at Medway Town Hall, 155 Village Street, Medway, MA** to consider the application of Charles River Village LLC of Medway, MA for approval of a modification to the Charles River Village Open Space Residential Development (OSRD) and Affordable Housing Special Permit and OSRD Concept Plan previously approved by the Planning and Economic Development Board on March 30, 2011. The previously approved Charles River Village OSRD and Affordable Housing Special Permit and OSRD Concept Plan were recorded at the Norfolk County Registry of Deeds on November 20 and December 18, 2012.

That approval pertained to Charles River Village, a thirteen (13) unit, cottage style residential condominium community located at 6 Neelon Lane, a 7.61 acre parcel in the Agricultural Residential II zoning district (Medway Assessor's Parcel 70-002). The approved OSRD Concept Plan is dated August 20, 2012 and was prepared by Faist Engineering of Southbridge, MA and O'Driscoll Land Surveying Co of Medway, MA. Presently owned by the estate of Michael Acquafresca and the estate of Carol Supernor, the subject property is located south of Village Street, west of Neelon Lane, east of the ends of Cherokee Lane, Massasoit Street and Riverview Streets, and is bounded on the south by the Charles River. The applicant/developer, Charles River Village LLC, is the prospective buyer/developer of the property.

The developer has proposed several changes to the special permit and concept plan. These include but are not limited to:

- reducing the number of dwelling units from thirteen to eleven;
- eliminating the construction of two affordable dwelling units on site and instead making a payment in lieu of construction to the Medway Affordable Housing Trust; and
- modifying the paving of the first 35 feet of Neelon Lane from Village Street to 20 foot width.

The proposed Concept Plan Modification (Sheet 3 of 5) is dated February 5, 2013 and was prepared by Faist Engineering of Southbridge, MA and O'Driscoll Land Surveying Co of Medway, MA.

Any person or party who is interested or wishes to be heard on this proposal is invited to review the proposed Concept Plan modification and express their views at the March 19, 2013 public hearing. The application materials and Concept Plan modification are on file with the Medway Town Clerk at the Medway Town Hall, 155 Village ST and may be inspected on Mondays from 8:00 am to 7:30 pm, Tuesday through Thursday from 8:00 am to 4:00 pm, and Fridays from 8:00 am to 1:00 pm. The documents are also available at the Planning and Economic Development office at Town Hall and are posted at the Board's page at the Town's web site: <http://www.townofmedway.org>.

Questions may be directed to the Planning and Economic Development office at 508-533-3291. Written comments are encouraged and may be forwarded to the Medway Planning and Economic Development Board at 155 Village Street, Medway, MA 02053 or emailed to: planningboard@townofmedway.org.

Andy Rodenhiser
Chairman

To be published in the *Milford Daily News*:

Monday, March 4, 2013

Tuesday, March 12, 2013

TOWN OF MEDWAY

NOTICE OF INTENT TO DEMOLISH A HISTORICALLY SIGNIFICANT BUILDING
(Pursuant to Article XVII of Medway General By-Law)

RECEIVED
FEB 21 2013
TOWN CLERK

Date this notice completed: February 5, 2013.

Address of building subject to proposed demolition: 6 Neelon Lane

Assessor's map and parcel number of building: Map 1D - 33

Year building was constructed: 1890

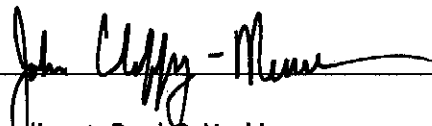
Year building was acquired by current owner: Current owners acquired ownership as a result of the deaths of Michael Acquafresca and Carol Supernor. Current owners have never occupied the premises.

Applicant Name: John Claffey, Charles River Village, LLC

Applicant Address: PO Box 1, Medway, MA 02053

Applicant Phone Number: 508-326-7505

Signature of Applicant: _____



Official Representative of Applicant: Paul G. Yorkis

Patriot Real Estate, Inc.

159 Main Street

Medway, MA 02053

Phone: 508-509-7860

Signature of Official Representative of Applicant: _____



Name of Owner #1: Lori Moran, Personal Representative of the Estate of Michael Acquafresca

Primary Contact:

Todd Gattoni, Attorney

Attorney for Lori Moran, Personal Representative of the Estate of Michael Acquafresca

232 Main Street, PO Box 94

Milford, MA 01757

Phone: 508-473-2200

Signature of Owner #1 _____



RECEIVED
FEB 21 2013

TOWN OF MEDWAY
PLANNING BOARD

Name of Owner #2: Cheryl Rodriguez, Personal Representative of the Estate of Carol Supernor

Primary Contact:

Austin Joyce, Attorney

Attorney for Cheryl Rodriguez, Personal Representative of the Estate of Carol Supernor

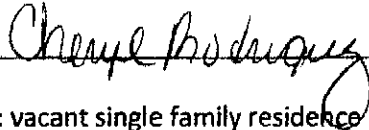
Reardon, Joyce & Akerson, P.C.

4 Lancaster Terrace

Worcester, MA 01609

Phone: 508-754-7285

Signature of Owner #2



Current use of building: vacant single family residence

Reason for proposed demolition: Building has been vacant for a number of years and is in substantial disrepair. Building Commissioner has requested building be demolished due to safety issues.

Proposed use of the site after building has been demolished: The Planning and Economic Development Board issued a special permit for an Open Space Residential Development to the applicant. The applicant has submitted a definitive plan and the hearing process is under way for an eleven (11) home subdivision.

Date notice filed with Town Clerk: _____

Date notice was review by Historical Commission: _____

Date Historical Commission filed Initial Determination with Town Clerk: _____

Determination:

_____ The Historical Commission has made an initial determination that the building is historically significant and a public hearing will be scheduled.

_____ The building is not historically significant. No action will be taken by the Historical Commission.

Please return form to:

Medway Building Inspector and Medway Town Clerk

155 Village Street, Medway, MA 02053, 508-533-3204

Susan Affleck-Childs

From: Jeff Lynch
Sent: Tuesday, March 19, 2013 6:48 PM
To: Susan Affleck-Childs
Subject: Charles View
Attachments: Access roads per Planned Building Groups.docx

Hello Susi, Sorry for the delay we've been straight out. Regarding the Charles View Lane sub-division;

- 1.) The plans show the road width to be 18 feet at the second circle. By Fire Code it should be at least 20 feet. I have attached a copy of the relevant section of the Standard.
- 2.) The proposed emergency access is not required by Fire Code. For required access Code requires using a hard surface maintainable year round for Fire Department access. As this is not a required access, if it IS going to be built I would make sure it is engineered to carry at least 75,000 pounds, the weight of our new ladder truck. It would be better if the proposed grass access have less loom over the top of it so the trucks don't slip or sink in bad weather.

Hope this is helpful and thanks for your help. Chief Lynch



PATRIOT REAL ESTATE

159 Main Street
Medway, MA 02053
Tel: 508-533-4321
Fax: 508-533-2295
www.patriotrealestate.com

March 19, 2013

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

RE: DESCRIPTION OF A STYLE COTTAGE HOME, CHARLES RIVER VILLAGE

Dear Mr. Rodenhiser:

The applicant has been asked to provide the Planning and Economic Development Board with description of the cottage style homes planned for Charles River Village.

The term "cottage style" has taken on different meanings depending upon which part of the country it is being used and in which country it is being used.

The applicant provided during the special permit hearing process renderings of different "cottage style" buildings that reflect his design goals for Charles River Village.

Each of building in the special permit is different from the others and is intended to show complimentary styles and features which reflect the "cottage style" of homes that are found in the northeast of the United States.

The "cottage style" homes projected to be constructed in Charles River Village reflect homes that may also be referred to as "Craftsman style", "Arts and Crafts style", "Stickley style", or "Bungalow style" which may have all or most of the following common elements including large front porch; hipped, gabled or shed style dormers sometimes in combination; double hung windows with multiple lights over single pane below as well as casement windows; and siding that is lapped, clapboard, or shingle.

The applicant has had plans prepared by an architect that have been presented to the Design Review Committee. The plans reflect house style "D" in the special permit. The applicant intends to build house style "D" in the special permit as the first building.

It was represented to the Design Review Committee and is represented to the Planning and Economic Development Board that the additional "cottage style" homes that will be constructed as part of Charles River Village will be in harmony with house style "D".

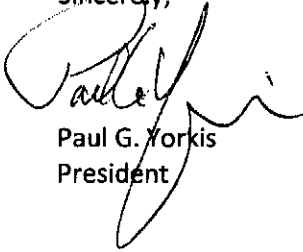
There are hundreds of "cottage style" house plans available to the applicant and potential buyers and the applicant is confident that each of the homes constructed will be complimentary in design,

features, architectural detail, and scale to one another while at the same time being consistent with the "cottage style" design objective.

I believe the above information responds to the PEDB request, is consistent with the special permit, and accurately reflects what the applicant plans to do should the PEDB issue an acceptable decision regarding the definitive plan application.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul G. Yorkis", written in a cursive style. The signature is positioned above the printed name and title.

Paul G. Yorkis
President

PGC ASSOCIATES, INC.

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

March 14, 2013

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

R E C E I V E D
MAR 15 2013

**TOWN OF MEDWAY
PLANNING BOARD**

Re: **Charles River Village OSRD Special Permit modification**

Dear Mr. Rodenhiser:

I have reviewed the application to modify the OSRD special permit for Charles River Village, submitted by Charles River Village LLC of Medway. The owners are the Estate of Michael Aquafresca and the Estate of Carol Supernor. A revised concept plan with a revision date of February 5, 2013 and prepared by Faist Engineering, Inc. of Sturbridge, was submitted with the application.

The primary change is a reduction in the number of units from 13 to 11, and, instead of constructing 2 affordable units on site, the applicant would make a contribution to the Affordable Trust Housing Fund. There are also some layout changes for the road and the location of the units. The original special permit for an OSRD was granted on March 30, 2011.

I have comments as follows:

Zoning

1. Section X 7 (d) of the OSRD does allow the option of providing a payment to the Affordable Housing Trust fund in lieu of constructing the units as part of a development. This option is at the discretion of the Board. Therefore, the modification request does warrant consideration by the Board.
2. No bonus units are allowed when the payment in lieu option is exercised. The OSRD formula allows 11 units on this site and 11 units are now proposed.

The following changes in the Special Permit would be needed if the modification request is approved:

General Comment

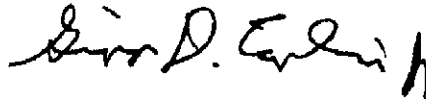
3. The changes in building location and in roadway configuration are relatively minor and can be addressed in the Definitive Plan approval. Condition #3 of the original OSRD Special Permit specifies that a definitive plan in compliance with the conditions of the Special Permit and the Rules and Regulations must be submitted, so considering those items as part of the definitive plan review is consistent with that condition.

Required Changes in Findings and Conditions of the OSRD Special Permit

4. Finding A 1 (i) pertains to the housing types and states that 2 affordable units will be provided. While it can be argued that the payment in lieu will provide 2 affordable units in the future, it would be more accurate to state the payment.
5. Finding A 7 specifies the maximum number of units as 13. It needs to change to 11.
6. Finding 8 e & f address the location of buildings (at least 30 apart) and the garage doors facing the street. These need to change to reflect the new concept plan.
7. Finding B 1-4 pertain to the affordable units to be constructed. It is no longer applicable and should be replaced with a reference to the payment in lieu.
8. Condition 1 a (specifies the maximum number of units as 13. It needs to change to 11.
9. Condition 6 includes requirements for affordable housing regulatory agreement, marketing plan, deed restriction, etc. as well as condominium documents. These would no longer be applicable and would need to be changed to refer to the payment in lieu.

If there are any questions, please call me.

Sincerely,

A handwritten signature in black ink, appearing to read "Gino D. Carlucci, Jr.", written in a cursive style.

Gino D. Carlucci, Jr.

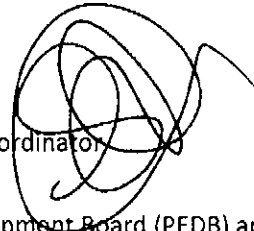


TOWN OF MEDWAY
Planning & Economic Development
155 Village Street
Medway, Massachusetts 02053

MEMORANDUM

March 4, 2013

TO: Medway Affordable Housing Trust
FROM: Susy Affleck-Childs, Planning and Economic Development Coordinator
RE: Affordable Housing at Charles River Village



BACKGROUND – In March 2011, the Medway Planning and Economic Development Board (PEDB) approved a special permit for the development of a 13 unit cottage style condominium community to be known as Charles River Village (CRV) at 6 Neelon Lane. Pursuant to the affordable housing regulations included within the Medway Zoning Bylaw, the CRV special permit included a requirement that 2 of the 13 dwelling units would be “affordable”.

CURRENT SITUATION – The applicant, Charles River Village LLC (John Claffey), is now in the definitive plan phase of review with the PEDB. He has proposed to make a “payment in lieu of” constructing the 2 affordable dwelling units on site. This is a less preferred, but allowable option under the Zoning Bylaw. To consider this change, the PEDB will commence a public hearing on 3/19/2013 to consider the applicant’s request to amend the CRV special permit from 2011.

The Zoning Bylaw specifies that payments in lieu of affordable housing construction may be directed to the Medway Affordable Housing Trust or another legally organized entity for the purpose of develop or preserve affordable housing in Medway for low and moderate income households. *“Using these contributions and donations, affordable housing may be provided through a variety of means, including but not limited to the provision of favorable financing terms, subsidized prices for purchase of sites, or affordable units within larger developments.”*

Based on the formula included in the Medway Zoning Bylaw and current data, we have determined that the amount of a payment in lieu of constructing 2 affordable dwelling units at Charles River Village would be \$322,200. See attached memorandum we provided to the applicant in November 2012. See the attached communication dated November 19, 2012 to Paul Yorkis, acting as Official Representative for the applicant.

Per the Zoning Bylaw, the “payment in lieu of” funds would be paid out over time while the Charles River development is constructed. As individual houses are sold, a payment of \$29,291 per dwelling unit would be provided at or prior to closing on each unit.

PROPOSAL – Is the Medway AHT agreeable to accepting \$322,200 in funds from Charles River Village LLC? If the Trust is not interested, another alternative affordable housing entity will need to be identified. Please provide a written communication to the PEDB regarding this matter so we can enter it into the public record during the 3/19/2013 public hearing.

From: Susan Affleck-Childs
Sent: Monday, November 19, 2012 10:36 AM
To: 'PGYORKIS@aol.com'
Subject: Responses to Questions Regarding Charles River Village OSRD
Attachments: OSRD section 7-15-2011 with amendments from 6-13-2011.pdf

Good morning Paul,

We have prepared answers to the various questions you posed regarding the Charles River Village development. See your questions below with our associated responses.

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

QUESTIONS FOR PLANNING AND ECONOMIC DEVELOPMENT BOARD

The applicant has reviewed the March 30, 2011 Charles River Village OSRD & Affordable Housing Special Permit Decision. In light of the length of time the appeal process took and in light in the change of the OSRD and Affordable Housing sections of the Zoning Bylaw and based upon the discussion with the Planning and Economic Development Board at the recent meeting, the applicant requests responses to the following questions:

1. Item 7 page 6:

- a. **What is the procedure if the applicant chooses not to build the two (2) affordable units and instead wants to make a payment in lieu of construction?**

ANSWER – Paragraph 9 of the Affordable Housing provisions of the Medway Zoning Bylaw specifies that the Board must approve the method or combination of methods for the provision of the affordable housing units. The special permit is the legal mechanism which authorizes the method of providing the affordable units. Therefore, any proposed change in the method requires the Board's approval through an amendment to the special permit which involves an application and filing fee, public hearing, abutter notification, legal advertisement, etc. So in conjunction with the definitive plan application, you would also need to apply to amend the special permit decision and modify the concept plan. In so doing, please specify your proposed method of meeting the affordable housing obligation.

The Bylaw specifies that the Board, in considering a proposal for payment in lieu of, must determine that the affordable housing units cannot be produced through the other methods – on site construction, off-site construction or rehabilitation, or a donation of land. The responsibility for making that case to the Board rests with the applicant/developer.

b. What is the amount of payment to be paid in lieu of construction?

ANSWER – For the Charles River Village development, the total amount of a payment in lieu of construction would be \$322,200. See explanation below.

c. What is the formula for determining the payment in lieu of construction?

ANSWER – Per Paragraph 9. d) 1) of the Affordable Housing provisions of the Medway Zoning Bylaw, the amount of a payment in lieu of construction is based on the number of required affordable housing units multiplied by the “*equivalent affordable housing unit value*” as defined in Paragraph 2.

The “*equivalent affordable housing unit value*” is equal to the difference between the median sale price for market rate single family homes sold in Medway during the 36 months preceding the application as determined by the Medway Board of Assessors and the purchase price of a home that is affordable to a qualified purchaser as determined by the Massachusetts Department of Housing and Community Development (DHCD) assuming a household size of 4.

The Medway Board of Assessors has prepared a spreadsheet showing the sales prices of single family homes sold in Medway between September 7, 2007 and September 6, 2010 (the date when the applicant filed the special permit application). There were 310 “arms length” transactions during that period. The median sale price of those transactions was \$361,500.

According to the Mass DHCD, the purchase price of a 3 bedroom (4 person) home affordable to a qualified purchaser is \$200,400.

$$\text{Equivalent AH unit value} = \$361,500 - 200,400 = \$161,100.$$

As the affordable housing obligation for this development is two affordable dwelling units, the required payment in lieu of amount for the Charles River Village development would be the Equivalent AH unit value x 2.

$$\$161,100 \times 2 = \$322,200$$

d. What is the time frame(s) for making payment(s) in lieu of construction?

ANSWER – Paragraph 11. d) of the Affordable Housing provisions of the Medway Zoning Bylaw provides an applicant with two options regarding the timing of making authorized payment(s) in lieu of construction. One option is to make a one-time payment upon the release of any lot or the issuance of the first building permit. Another option is to make a series of payments equivalent to the number of market rate units. Such payments would be due at or before the closing of each market rate unit. NOTE - A combination of the two noted options requires the Board's approval so please specify your preferred payment method in the application to modify the special permit.

NOTE regarding all of the questions pertaining to making a payment in lieu of the on-site construction of affordable housing units – Please be advised that Paragraph 7. f) of the Affordable Housing provisions of the Medway Zoning Bylaw states that *“No density bonus is provided when the requirements of this section are met with a Payment in Lieu of Direct Provision of Affordable Housing Units . . .”* In other words, for Charles River Village, the two previously approved bonus market rate units will NOT be permitted if the applicant is authorized to change the method of providing the affordable housing units from on-site construction to the payment in lieu of option. Accordingly, if the payment in lieu of option is authorized, the maximum number of market rate dwelling units for the Charles River Village development would be reduced from eleven to nine.

- e. **What is the procedure if the applicant chooses not to build the two (2) affordable units on the site and instead wants to rehabilitate a two family dwelling unit?**

ANSWER – Paragraph 9 of the Affordable Housing provisions of the Medway Zoning Bylaw, specifies that the Board must approve the method or combination of methods for the provision of the affordable housing units. As the special permit is the legal mechanism which authorizes the method of providing the affordable units, any proposed change in the method requires the Board's approval through an amendment to the special permit which involves an application and filing fee, public hearing, abutter notification, legal advertisement, etc. The Bylaw further specifies that the Board, in considering a change of the method of providing the affordable housing units, must determine that the affordable housing units cannot be produced through the other methods – on site construction, off-site construction or rehabilitation, or a donation of land. Again, the responsibility for making that case rests with the applicant/developer.

Paragraph 9. b) of the Affordable Housing provisions of the Medway Zoning Bylaw indicates that *“the location of the off-site affordable housing units shall be approved by the Planning and Economic Development Board and specified in the special permit decision.”* The criteria regarding the local of off-site affordable housing units are specified in the Bylaw. As the intent of the Affordable Housing provisions is to produce affordable housing units that will be listed as Local Initiative Units on the Town's Subsidized Housing Inventory, the Board would seek the approval of the Massachusetts Department of Housing and Community Development as to the location of the building, the scope of rehabilitation and any other factors applicable to the inclusion of such off-site affordable dwelling units on Medway's Subsidized Housing Inventory.

2. Item (e) page 7:

- a. **As discussed during the special permit hearing process the applicant provided the Board with sample plans and emphasized that other plans similar in style to the “cottage” style may be used as a result of buyer preferences. Is it the applicant's intention to provide approximate building envelopes. Is this acceptable to the Board?**

ANSWER – Showing the approximate location of building footprints/envelopes on the definitive plan is standard practice.

However, your inquiry raises a concern as to how the developer will determine if an alternative house plan proposal is in keeping with the approved “cottage” style concept for the development. The “cottage style” concept for the development must be maintained. What criteria will you use to determine whether another house plan put forth by a prospective buyer is “cottage style”? This is particularly important in light of Condition 3. d. 1) on page 20 of the decision. We would advise the applicant to develop a written description and graphic illustration of the essential elements of “cottage style” design and to submit such for the Board’s review and approval during the definitive plan review process. Such approved document would be referenced in the definitive plan decision and incorporated into the definitive plan for use by the developer in evaluating other house plan options.

- b. **Under the new OSRD provisions buildings may be closer than 30’ but must average no less than 20’ which gives greater flexibility in locating approximate building envelopes and provides more flexibility in leaving nature landscaping features within the development site. It is the applicant’s preference to site buildings under the revised OSRD regulations because the applicant believes it would result in a better subdivision. What is the process to accomplish this improvement? The applicant would prefer that it be done as part of the definitive plan hearing process.**

ANSWER – The Charles River Village Special Permit was issued on March 30, 2011. The applicable section of the OSRD provisions of the Medway Zoning Bylaw (Paragraph 8. e) which you want to be applied to the Charles River Village development was amended by Town Meeting on June 13, 2011. The public hearing on that and other proposed Zoning Bylaw amendments commenced March 24, 2011; the first publication of notice for that public hearing occurred in the Milford Daily News on March 8, 2011.

We have reviewed the timing of the Charles River decision and the advertising of the public hearing on the Zoning Bylaw amendments approved by Town Meeting on June 13, 2011 and discussed same with Town Counsel. You will note that there were additional revisions to the Bylaw beyond the specific one you have asked about. Based on MGL, Chapter 40A, Section 6, we conclude that ALL of the Zoning Bylaw amendments approved at the June 13, 2011 town meeting are applicable to the Charles River Village development. Accordingly the forthcoming Charles River Village definitive plan must be drawn to reflect those revised provisions. The applicable parts of the OSRD section of the Zoning Bylaw that were changed in June 2011 and with which the Charles River Village definitive plan must comply are as follows:

- Entire Paragraph 8. Adjustment of dimensional requirements
- Paragraph 9. e) What may and may not be included in the open space area
- Paragraph 9. g) Board’s approval of the open space area
- Paragraph 10. i) 15’ wide buffer on perimeter of development area where it abuts existing neighborhoods
- Paragraph 10. j) Parking
- Paragraph 10. l) Pedestrian circulation measures
- Paragraph 10. m) Provision of trails to access open space area

Please review the text of the above noted items. Attached is a copy of the OSRD section of the zoning bylaw as approved by the June 13, 2011 town meeting. As you prepare to submit the definitive plan application, please

include a brief narrative that describes how you have incorporated ALL of these revised required elements into the Charles River Definitive Plan.

- c. **In the second paragraph, the fact that a landscape buffer between houses is not shown on the plans is noted. Under what circumstances can the applicant leave the natural buffer between the dwellings?**

ANSWER – If you mean that the site’s existing vegetation will be retained to provide the required landscape buffer between dwellings, then show that on the plan and explain that it will be protected during construction. Conversely, if you mean that a new grassy lawn area will constitute the required landscape buffer between buildings, then the answer is NO. This may merit further discussion or is there a way to more precisely explain what you mean?

3. **Item (i) which begins on page 10 and continues to page 11 addresses shared driveways. The applicant may choose to use additional shared driveways within the subdivision. What is the process to allow this to happen?**

ANSWER – The language in the decision indicates that the Board is supportive of having additional shared driveways. The location for additional shared driveways should be shown on the definitive plan.

4. **Item B. 1. On page 12 addresses the two affordable units. Again, if the applicant chooses not to build the affordable units what is the process? See Item 1 above.**

ANSWER – See above answers to Question #1.

5. **Section 5.20.2 (a) on page 14 concerns a waiver. The applicant will request the waiver in light of the fact that there is only one lot and will request approval to build one unit.**

NO ANSWER NEEDED.

6. **Section 6.4.1 on page 14 concerns a waiver. The applicant will request the waiver and will provide a full explanation.**

NO ANSWER NEEDED.

7. **Section 7.91.1.e on page 17 concerns a waiver. The applicant will request a waiver and explain all of the construction standards to be followed. The applicant needs to know what the correct construction standards are in light of the fact that this is a private way.**

ANSWER – The construction standards of the *Subdivision Rules and Regulations* from which you need to request waivers are those applicable to *Local Streets*. A *Local Street* is used to provide access to six or more dwelling units and will not be used for through traffic. Per the *Subdivision Rules and Regulations*, the estimated traffic volume for a *Local Street* is for less than 400 vehicle trips per day based on an average of 10 vehicle trips per day per household. As the

Charles River Development is approved for a total of 13 dwelling units, the use of the *Local Street* standards is appropriate. If you pursue off-site alternatives for meeting the affordable housing responsibility and reduce the number of units on site, the *Local Streets* standards will still apply. We understand you will seek waivers to allow for construction in accordance with the standards for *Permanent Private Ways*.

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

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From: PGYORKIS@aol.com [mailto:PGYORKIS@aol.com]
Sent: Thursday, November 01, 2012 2:51 PM
To: Susan Affleck-Childs
Subject: Questions for PEDB Meeting Regarding Charles River

Good afternoon.

Attached please find a list of questions on behalf of the applicant.

Please call me or email me with any questions.

Paul G. Yorkis
President
Patriot Real Estate, Inc.
159 Main Street
Medway, MA 02053
Cell - 508-509-7860
Massachusetts 2011 Realtor of the Year



TOWN OF MEDWAY
Affordable Housing Trust

Michael Heineman, Esq.
Chair

Ann Sherry
Vice Chair

Douglas Havens
Housing Coordinator

March 15, 2013

Andrew Rodenhiser, Chairman
Planning & Economic Development Board
Town of Medway
155 Village Street
Medway, MA 02053

R E C E I V E D
MAR 15 2013

TOWN OF MEDWAY
PLANNING BOARD

Dear Mr. Chairman,

Having been notified of a possible option for "in lieu" payment by the developer of Charles River Village, the Board of Trustees of the Medway Affordable Housing Trust (the Trust) voted unanimously at its March 3, 2013 meeting to accept the payments in the amount determined by Town bylaws and for the purposes set forth therein.

That said, however, the Trust wishes to express its considered belief that payments "in lieu" are a poor substitute for the actual construction of affordable units. The Trust further is concerned that the current procedure which seems to allow for the developer to make payments over time serves to significantly de-value the "in lieu" payments based both on the value of money present day versus over time and on the fact that housing prices are likely to increase over time. As such, allowing a developer to fix the amount owed for "in lieu" payments as of the present time but allowing such payments to be spread over the entire course of the project, defeats the purpose of "in lieu" payments because the value received is not equal to the value of the actual units lost.

It is thus the Trust's strong preference that, barring extreme circumstances, developers construct, on site, the required affordable housing units as intended in the Affordable Housing Sub-section X of Medway's Zoning Bylaws. If this is not possible, the Trust requests that 'in lieu' payment schedules be front loaded as opposed to evenly distributed as the development is completed and sold to avoid having to wait extended periods to receive the funds. This would allow the Trust to find an alternate solution to build or acquire affordable units in a timely fashion and avoid the potentially significant fluctuation in housing prices, construction and land costs and the value of money over extended periods of time.

Further, we respectfully urge the Planning Board to consider amending the formula for determining the amount of "in lieu" payments to more accurately recompense the community for the subsequent replacement costs of affordable units not constructed by the developer. We doubt that it was the intent of the "in lieu" bylaw provision to offer an alternative that, for the reasons outlined above, can potentially result in fewer than the required new units being created.

We very much appreciate the energy and leadership behind the Board's bylaw initiatives designed to promote the development of affordable housing and its thoughtful application of their provisions. In due course, the Trust would appreciate the opportunity to discuss possible changes to the 'in lieu' payment formulas.

Best regards,

p.p. 

Michael Heineman, Esq.
Chair
Medway Affordable Housing Trust

Susan Affleck-Childs

From: Pellegrini, David [david.pellegrini@tetrattech.com]
Sent: Monday, March 11, 2013 1:13 PM
To: Susan Affleck-Childs; David Faist; pgyorkis@aol.com
Subject: Charles River Village
Attachments: 20130311121914.pdf

RECEIVED
MAR 12 2013

Susy,
Attached is our revised Charles River Village comment letter.

TOWN OF MIDWAY
PLANNING BOARD

Dave/Paul,
There are only a couple of items remaining to be addressed. They are as follows:

1. I still have a few questions about the swale which runs down the emergency access path (Cherokee) the angle of the discharge pipe looks like the water would have a hard time making that 90 degree turn. Anything we can do to soften that angle? Secondly, how does the swale terminate?
2. The fire chief responded to my question about the emergency access path. My question and his response taken from a longer e-mail is below.
"The applicant for Charles River Village proposed off Neelon Lane is proposing a gravel/loam & seed emergency access way. I would like to discuss with you if this is sufficient" (TT). "It is not, they are never kept maintained and are useless in snow and rain. (Chief Lynch)"
I would recommend having Paul talk to him directly regarding this subject and determining what the Chief is looking for.

Thanks,
Dave

David R. Pellegrini, P.E., Senior Project Manager
Direct: 508 903.2408 | Main: 508.903.2000 | Fax: 508 903.2001
david.pellegrini@tetrattech.com

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

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TETRA TECH

December 21, 2012
(Revised March 11, 2013)

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

RECEIVED
MAR 12 2013

TOWN OF MEDWAY
PLANNING BOARD

**Re: Charles River Village
Open Space Residential Development
Definitive Plan Review
Medway, Massachusetts**

Dear Mr. Rodenhiser:

Tetra Tech (TT) has performed a review of the proposed Definitive Plan for the above-mentioned project. The project includes the construction of a 13 unit residential condominium community with 2 affordable units. The project proposes to construct an approximately 600 foot private roadway extending from the end of Neelon Lane. The existing site is approximately 7.6 acres and is primarily wooded and abutting the Charles River. The 13 new units will require private utility connections including gas, electric, and telecommunications. The sewer and water will be connected to existing town infrastructure. The stormwater design will consist primarily of a rain garden and detention basin and will eventually discharge to grade and run overland hundreds of feet upland from the existing Charles River. The roof runoff will be collected and discharged separately either through ground infiltration chambers or overland discharges.

TT is in receipt of the following materials:

- A plan (Plans) set entitled "Charles River Village, Neelon Lane-Medway Massachusetts, Open Space Residential Development (OSRD), Definitive Plans", dated November 20, 2012, prepared by Faist Engineering, Inc. (Faist) and O'Driscoll Land Surveying Co. (O'Driscoll).
- A stormwater management report entitled "Stormwater Management Report, Charles River Village-OSRD", dated November, 2012, prepared by Faist.
- Application for Approval of an OSRD Definitive Plan (Form C-2) and a Waiver Worksheet, prepared by Faist.
- Additional miscellaneous application material including the Special Permit Decision and Conditions, and a Special Permit Condition response letter.

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



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

On February 26, 2013, TT received an updated package including a comment letter providing response to our original comments, and revised plans and drainage report. We have reviewed this package and have updated our comments as bulleted below the original comment and dated 3/11/13. All of the items requested as waivers should be reviewed independently from the comments below and will no longer be tracked through this format.

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. A Development Impact Report shall be submitted. (Ch. 100 §5.5.11)
 - **TT 3/11/13 Update:** This item has been addressed to our satisfaction.
2. An ANRAD determination from the Medway Conservation Commission shall be submitted. The applicant has requested a waiver relating to the OSRD by-law for this item, but an additional waiver may be required to address this requirement. (Ch. 100 §5.5.11)
 - **TT 3/11/13 Update:** This item has been addressed to our satisfaction.
3. The plan shall show all property lines and buildings within five hundred feet (Ch. 100 §5.7.2)
 - **TT 3/11/13 Update:** This item has been addressed to our satisfaction.
4. Horizontal benchmarks should be provided. (Ch. 100 §5.7.4)
 - **TT 3/11/13 Update:** This item has been addressed to our satisfaction.



TETRA TECH

5. Please explain how existing trees were selected to be shown on the plan individually. (Ch. 100 §5.7.6)
 - **TT 3/11/13 Update:** This item has been addressed to our satisfaction.
6. The location of minimum lines of building setbacks shall be shown on the plans. (Ch. 100 §5.7.14)
 - **TT 3/11/13 Update:** This item has been addressed to our satisfaction.
7. Topographic information should extend at least 20 feet beyond the property boundaries. (Ch. 100 §5.7.21)
 - **TT 3/11/13 Update:** This item has been addressed to our satisfaction.
8. Long term Operation and Maintenance provisions shall be shown on the plan. (Ch. 100 §5.7.23 (e))
 - **TT 3/11/13 Update:** This item has been addressed to our satisfaction.
9. An independent drainage system to collect and discharge subsurface runoff from the foundation perimeter drains shall be shown on the plans. (Ch. 100 §5.7.23 (f))
 - **TT 3/11/13 Update:** This item has been addressed to our satisfaction.
10. The proposed location of street signs shall be shown on the plan. (Ch. 100 §5.7.27)
 - **TT 3/11/13 Update:** This item has been addressed to our satisfaction.
11. A note shall be added to the cover sheet indicating that all improvements shall be constructed in accordance with current ADA/AAB requirements. (Ch. 100 §5.7.34)
 - **TT 3/11/13 Update:** This item has been addressed to our satisfaction.

Section 7.0- Design and Construction Standards

12. Dense binder shall be used as the intermediate course. (Ch. 100 §7.9.7(h))
 - **TT 3/11/13 Update:** This item has been addressed to our satisfaction.



TETRA TECH

13. There is a vertical granite curbing detail provided on the plans, however it is unclear where it is proposed. There is a waiver requesting the change from sloped granite to bituminous concrete berm. (Ch. 100 §7.6.2 (h))

- **TT 3/11/13 Update:** This item has been addressed to our satisfaction.

14. Catch basins shall not be located within 14 feet of driveways. (Ch. 100 §7.11.2)

- **TT 3/11/13 Update:** A waiver has been requested for this item.

15. A fire alarm system shall be installed or a sum of money paid to the Town. (Ch. 100 §7.17.1)

- **TT 3/11/13 Update:** This item has been addressed to our satisfaction.

16. Proposed monument locations should be provided on the plans. (Ch. 100 §7.25.3)

- **TT 3/11/13 Update:** This item has been addressed to our satisfaction.

17. Permanent open space shall be marked by the installation of iron pins with survey caps at each point of change of direction of the property lines and at intervals of not more than 100 feet. (Ch. 100 §7.25.4)

- **TT 3/11/13 Update:** This item has been addressed to our satisfaction.

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

18. The FES discharging runoff from Outfall 2S onto Cherokee Lane is conveying concentrated flow overland to an existing pavement gutter line. This could cause potential flooding, scouring and sediment deposition onto Cherokee lane. More detail should be provided on the drainage network in Cherokee Lane that will be receiving this runoff, in addition to what consideration has been given to the potential for icing, flooding and scouring.

- **TT 3/11/13 Update:** This item has been addressed to our satisfaction.

19. The hydraulic connection (12" culvert) between the rain garden and infiltration basin must be modeled to determine if tailwater within the basin will have an effect on the performance of the rain garden. The culvert should be modeled as the primary and the double grate should be a device to the primary.



- **TT 3/11/13 Update:** This item has been addressed to our satisfaction.
20. The hydraulic connection (15" culvert) between the infiltration basin and grass swale should be modeled to validate the design of the outlet configuration of the basin. The culvert should be modeled as the primary and the double grate and 4" orifices should be devices to the primary. Additionally, on the Grading and Drainage Plan (Sheet 5 of 16) the outlet pipe is labeled as a 15", however the note pointing to DMH 4 labels the outlet pipe as a 12".
- **TT 3/11/13 Update:** This item has been addressed to our satisfaction.
21. The 12" pipe connection from CB-6 to DMH-3 as labeled on the Grading and Drainage Plan (Sheet 5 of 16) will cause reverse flow. The invert out of the catch basin should be higher than the downstream manhole connection.
- **TT 3/11/13 Update:** This item has been addressed to our satisfaction.
22. The hydraulic grade line from the infiltration basin through FES 3 to CB-4 and CB-5 should be modeled to verify that flooding within the roadways will not occur during the modeled rainfall events. As designed, stormwater will not be conveyed to the infiltration basin in a free flow condition due to the inlet invert elevations being at or near the bottom of the basin. As designed, the 100-year flood elevation is at 224.99' which equates to only 2 inches below the lowest catch basin rim elevation (225.16') in the subdivision roadway. The tailwater condition on the inlet pipe will likely increase the hydraulic grade line in the piped system causing flooding within the roadway for the 100-year storm and potentially for the lower frequency events as well.
- **TT 3/11/13 Update:** This item has been addressed to our satisfaction.
23. The pre-treatment train of gravel and a 4 foot grass strip does not appear to be adequate. Please provide documentation that this is sufficient to allow a 90% TSS removal rate for the rain garden.
- **TT 3/11/13 Update:** This item has been addressed to our satisfaction.
24. FES-4 discharges runoff into a proposed swale which then directs concentrated flows over an existing path/walkway south of the development. This condition has a potential to erode or wash out the path. Applicant should consider eliminating the swale and piping the runoff from the detention basin, under the walkway and daylighting the pipe on the existing slope south of the walk way.



TETRA TECH

- **TT 3/11/13 Update:** This item has been addressed to our satisfaction.
25. The proposed design is increasing the slope adjacent to the Charles River Tennis Club which will increase velocity of the runoff to that site. Please investigate the impact of this modification.
- **TT 3/11/13 Update:** This item has been addressed to our satisfaction.
26. The proposed design appears to direct runoff towards the property owned by Mrs. Kramer where the pre-conditions did not. Please modify the proposed contours as necessary to ensure that additional flow is not directed to that property.

- **TT 3/11/13 Update:** This item has been addressed to our satisfaction.

The following items were found to be unclear within the Charles River Village-Special Permit Conditions Response Letter:

27. The response to condition #5 states that the walking path will be maintained as a walking path. Please clarify what will be done and by whom. (Condition #5)
- **TT 3/11/13 Update:** This item has been addressed to our satisfaction.
28. The response to condition #6 states that bench and light post specs will be added to the definitive plan. I don't see specs or layout of any benches. (Condition #6)
- **TT 3/11/13 Update:** This item has been addressed to our satisfaction.
29. Condition #8 requires a 15-foot visual buffer along the perimeter of the developable area. Please verify whether this exists along the northern property line and between the path and the proposed houses. (Condition #8)
- **TT 3/11/13 Update:** This item has been addressed to our satisfaction.
30. The response to condition g) states that the existing trees along Neelon lane have been evaluated by the applicant's consultants. Does this include evaluating the impact of the roadway widening on the tree/roots, etc.? (Condition g)
- **TT 3/11/13 Update:** This item has been addressed to our satisfaction.



TETRA TECH

The following items were found to be unclear within the Charles River Village-OSRD Waiver Worksheet:

31. The applicant is asking for a waiver for the design of the proposed private utilities, however the private utilities appear to be included in the design plans. (Waiver 5.7.19)

- **TT 3/11/13 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:

32. There shall be three (3) valves at every roadway intersection. (Article V-Number 5).

- **TT 3/11/13 Update:** This item has been addressed to our satisfaction.

33. There shall be a gate valve for every hydrant. (Article V-Number 6).

- **TT 3/11/13 Update:** This item has been addressed to our satisfaction.

34. The gravity sewer chimney detail should include a "Y-Branch" and stopper. (Sewer Chimney Detail)

- **TT 3/11/13 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:

35. Please be prepared to identify at the meeting the specific location of the canoe launch area as identified on the Locus Plan. (Sheet 1).

- **TT 3/11/13 Update:** This item has been addressed to our satisfaction.

36. The waiver request for 7.9.6 should have a (b) added for specificity. (Sheet 1)

- **TT 3/11/13 Update:** This item has been addressed to our satisfaction.

37. Please provide soil and groundwater information for the wells and test pits shown on the plan. There is some information provided in the Stormwater Management Report, however we'd like to review the information not utilized for stormwater design as well if possible (Sheet 3).



- **TT 3/11/13 Update:** This item has been addressed to our satisfaction.

38. There is a label which identifies the width of the bituminous sidewalk proposed within the emergency access drive as three (3) feet (there's also a similar label on Sheet 5). This conflicts with an adjacent label and other notations on other sheets identifying the width as four (4) feet. (Sheet 4)

- **TT 3/11/13 Update:** This item has been addressed to our satisfaction.

39. The bit. sidewalk proposed within the emergency access drive does not appear to be ADA compliant (steep slopes). Please identify whether or not this sidewalk is intended to be, and/or required to be ADA compliant. (Sheet 4)

- **TT 3/11/13 Update:** This item has been addressed to our satisfaction.

40. With no sidewalks and berm in front of the driveways, the development will have no accessible routes. This comment is not intended to state that an accessible route is required for the private development, however we would like to identify this to the board. (Sheet 4).

- **TT 3/11/13 Update:** This item has been addressed to our satisfaction.

41. Is there going to be any parking proposed for public access to the open space? I thought previous plans had included this. (Sheet 4)

- **TT 3/11/13 Update:** This item has been addressed to our satisfaction.

42. It appears that there are no proposed improvements to the existing bituminous concrete surface of Neelon Lane. We recommend that this be inspected to verify the integrity of the existing pavement. The widening of the existing street appears important to the viability of this development, and we would like to understand how the roadway will be widened if there are no improvements proposed to the existing roadway. (Sheet 4)

- **TT 3/11/13 Update:** This item has been addressed to our satisfaction.

43. Please identify the location of all bounds/rods proposed. (Sheet 4).

- **TT 3/11/13 Update:** This item has been addressed to our satisfaction.



TETRA TECH

44. It appears based on the proposed grading that the erosion control needs to be modified slightly to provide room to transition the grades from proposed to existing. (Sheet 5)

- **TT 3/11/13 Update:** This item has been addressed to our satisfaction.

45. Is any signage proposed/required for open space? (Sheet 5).

- **TT 3/11/13 Update:** This item has been addressed to our satisfaction.

46. The 229 contour near station 0+00 appears to be sheeting water away from the low point of the rain garden. (Sheet 5).

- **TT 3/11/13 Update:** This item has been addressed to our satisfaction.

47. Please identify how the drainage on Neelon lane is collected and if there are any existing drainage issues within Neelon or at the collection point. (Sheet 5).

- **TT 3/11/13 Update:** This item has been addressed to our satisfaction.

48. A 227 contour within the roadway appears to be frozen. (Sheet 5)

- **TT 3/11/13 Update:** This item has been addressed to our satisfaction.

49. The LP designation at CB 2 & 3 does not appear to be accurate, unless there is a high point between that location and CB 4 & 5. If there is a high point, the adjacent 226 contour may need to be modified. (Sheet 5)

- **TT 3/11/13 Update:** This item has been addressed to our satisfaction.

50. Will the proposed FES-4 erode the slope or walking path? If so maybe the line should be daylighted after the path. (Sheet 5)

- **TT 3/11/13 Update:** This item has been addressed to our satisfaction.

51. Where is FES-5 discharging? It appears to be discharging within the gravel emergency access path. If so, erosion may be an issue. (Sheet 5)

- **TT 3/11/13 Update:** This has been improved from the original design, however we would still like to discuss the angle of the pipe discharge and the termination location of the swale with the applicant's engineer.



52. Please identify the slope of the sidewalk at the property line within the emergency access path. It appears to slope significantly at the property line. If that is not the intent, the limits of transition grading should be shown. (Sheet 5)

- **TT 3/11/13 Update:** This item has been addressed to our satisfaction.

53. Please identify how the private utilities will be brought to the site. It appears that they currently run overhead and then will be brought below ground via a proposed utility pole at the southern property line adjacent to the emergency access. (Sheet 6)

- **TT 3/11/13 Update:** This item has been addressed to our satisfaction.

54. Please add a note that Y connections shall be utilized for all sewer services. The services on the plan appear to be coming into the main at angles greater than allowed. (Sheet 6)

- **TT 3/11/13 Update:** This item has been addressed to our satisfaction.

55. Please verify the method for tapping the existing water main in Village Street. I assume by the notes a tapping sleeve will be utilized. (Sheet 7)

- **TT 3/11/13 Update:** This item has been addressed to our satisfaction.

56. The cut within Village Street may want to be more rectangular in shape depending on the width of the cut required for the tap itself. This should be coordinated with DPW and included on the final plans. (Sheet 7)

- **TT 3/11/13 Update:** This item has been addressed to our satisfaction.

57. Do we know where the existing utility services are located for the Hoffman property? (Sheet 7)

- **TT 3/11/13 Update:** This item has been addressed to our satisfaction.

58. Do the existing water services/valves for any of the existing houses on Neelon lane require replacement? (Sheet 7)

- **TT 3/11/13 Update:** This item has been addressed to our satisfaction.



TETRA TECH

59. There appears to be an existing gas line within Neelon Lane. Is this utilized by the houses on Neelon? It doesn't appear that gas will be utilized within the proposed development, but please verify. (Sheet 7)

- **TT 3/11/13 Update:** This item has been addressed to our satisfaction.

60. Please verify the existing condition of the existing SMH within Cherokee Lane where the plan proposes a connection. Is it sufficiently sound structurally to accept a core or connection? (Sheet 8)

- **TT 3/11/13 Update:** This item has been addressed to our satisfaction.

61. There are two existing water services designated for replacement on Cherokee Lane. Is one of those for House #3? (Sheet 8)

- **TT 3/11/13 Update:** This item has been addressed to our satisfaction.

62. Please identify the proposed method for connecting to the existing water line in Charles River Road.

- **TT 3/11/13 Update:** This item has been addressed to our satisfaction.

63. Please verify with the Department of Public Services that there is sufficient capacity in the existing water and sewer lines within Charles River Road to accept the increased flows. (Sheet 8).

- **TT 3/11/13 Update:** This item has been addressed to our satisfaction.

64. Please verify that Cherokee Lane will not be utilized for construction access/egress. (Sheet 9).

- **TT 3/11/13 Update:** This item has been addressed to our satisfaction.

65. Can we modify the 12" of subgrade material proposed below the new pavement to be 4-inches of dense graded crushed stone overlaying 8-inches of gravel borrow? This is not required per the regulations, however we feel it performs better at little to no additional cost. (Sheet 10)

- **TT 3/11/13 Update:** This item has been addressed to our satisfaction.

66. Please verify the surface treatment for the emergency access path. It is labeled as "12'-Wide Gravel Access w/Sidewalk" however it shows 3-inches of loam and



seed for a surface treatment. Is it intend to remain gravel or grass? If grass is the intent, why does the depth of loam vary from that utilized within the development? (Sheet 10)

- **TT 3/11/13 Update:** A response from the Fire Chief indicated that a loam and seed emergency access path is not acceptable to him. The applicant should coordinate directly with the Chief to accommodate their needs for emergency access.

67. Please confirm with the Conservation Commission what stone is recommended for the construction entrance. We feel that the 2-inch stone proposed is too small, and that a 3 to 5-inch stone may be more appropriate. (Sheet 10)

- **TT 3/11/13 Update:** This item has been addressed to our satisfaction.

68. Please add a detail for the patch in Village Street. This will require different material than a typical pavement patch. (Sheet 10)

- **TT 3/11/13 Update:** This item has been addressed to our satisfaction.

69. A hydrant detail should be added to the plan. (Sheet 11)

- **TT 3/11/13 Update:** This item has been addressed to our satisfaction.

70. A water service detail should be added to the plan. (Sheet 11)

- **TT 3/11/13 Update:** This item has been addressed to our satisfaction.

71. Please verify the intent of the "Utility Trench Detail". It states that it applies to the private utilities as well as water, however there is an independent detail already provided for private conduit. If the detail is for water only please label as such. Also, confirm with DPS what material is preferred for backfill over water pipe. The detail shows sand but I don't believe that is preferred by the town. (Sheet 11)

- **TT 3/11/13 Update:** This item has been addressed to our satisfaction.

72. Is there enough existing vegetation to act as screening along the northern property line and between the public access trail and the back of the proposed buildings. (Sheet 14).

- **TT 3/11/13 Update:** This item has been addressed to our satisfaction.



TETRA TECH

73. Is the light pole proposed the same as those installed at the Williamsburg development? If so, have there been any complaints/issues since installation? (Sheet 15).

- **TT 3/11/13 Update:** This item has been addressed to our satisfaction.

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 5.17.19-Layout of private utilities
Section 5.20.2 (a)-Covenant for ways and services
Section 6.4.1-Allow for one building permit
Section 6.6.3-Partial Bond Release
Section 6.8.1-Street Acceptance
Section 6.8.2-Street/Infrastructure acceptance fee
Section 6.8.3-Street Acceptance Plan
Section 6.8.4-Pre-Acceptance Inspection
Section 6.8.6-Board Recommendation
Section 6.8.7-Town Meeting Warrant
Section 6.8.8-Established Roadway Layout
Section 6.8.9-Approval of Street Acceptance Plans
Section 6.8.10-Town Meeting Acceptance
Section 6.8.11-Recording
Section 7.9.1 (a)-Number of Dwellings
Section 7.9.4 (a)-ROW width
Section 7.9.5 (a)-Centerline Grade
Section 7.9.6 (b)-Max. Length of Dead End Streets
Section 7.9.7 (g)-Min. Roadway Width
Section 7.10.2-Sloped Granite Edging
Section 7.13.2-Sidewalks
Section 7.13.3-Sidewalks along Frontage
Section 7.19.2, 7.19.4-Street Trees

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\143-21583-13002\DOCS\CHARLES RIVER VILLAGE-REVIEW COMMENT LETTER-REVISED-2013-03-11.DOC

Susan Affleck-Childs

From: Thomas Holder
Sent: Thursday, February 28, 2013 5:02 PM
To: Susan Affleck-Childs; dfaist@faisteng.com; Paul Yorkis ; claffey107@aol.com
Cc: David Damico; Sarah Pawluczonek; chanrogers@verizon.net; 'Peter Gluckler Jr.'; bobwilson@nationalwaterservices.com
Subject: FW: Charles River Village - Proposed Sewer Flows

Good Evening All – Please see favorable remarks relative to Charles River Village from CRPCD below.

Best Regards,
Tom

Thomas Holder | Director
Department of Public Services

Town of Medway
155 Village Street
Medway, MA 02053
508-533-3275

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: Cheri Cousens [<mailto:ccousens.crpcd@verizon.net>]
Sent: Thursday, February 28, 2013 11:10 AM
To: Thomas Holder
Cc: Liz Schreiber
Subject: RE: Charles River Village - Proposed Sewer Flows

Hello Tom,

Thank you for taking a proactive approach regarding anticipated wastewater flows from the Town of Medway. I do not foresee a problem approving the 11-unit development mentioned in the email below. Moving forward, the District would appreciate being included in the initial approval process for sewer connections from residential, commercial and industrial developments. Hopefully this approach will be beneficial to all involved.

Thank you,

Cheri R. Cousens, P.E.
Executive Director
Charles River Pollution Control District
66 Village Street
Medway, MA 02053
Ph. 508-533-6762
Fax 508-533-7652

From: Thomas Holder [<mailto:tholder@townofmedway.org>]
Sent: Thursday, February 28, 2013 10:42 AM
To: ccousens.crpdc@verizon.net
Cc: Susan Affleck-Childs; Paul Yorkis ; dfaist@faisteng.com; claffey107@aol.com
Subject: FW: Charles River Village - Proposed Sewer Flows

Hi Cheri - We have a proposed 11-unit residential development working its way through the Town review process. I have asked the engineer, Dave Faist, to provide proposed sewer flows associated with the development. Please see Dave's projections below. In knowing we are near our permitted sewer capacity, I am recommending we receive your approval of these types of anticipated flows well prior to Town sign-off. Please let me know your thoughts on this process and this development in particular.

Many thanks.
Tom

Thomas Holder | Director
Department of Public Services

Town of Medway
155 Village Street
Medway, MA 02053
508-533-3275

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

From: David Faist [<mailto:dfaist@faisteng.com>]
Sent: Wednesday, February 27, 2013 3:21 PM
To: Thomas Holder
Cc: claffey107@aol.com; pgyorkis@aol.com
Subject: FW: Charles River Village - Proposed Sewer Flows

Tom,
I just found out, a few of the 11-units may also have 4 bedrooms. (Estimate 3 - Units w/ 4 bedrooms & 8 w/ 3 bedrooms)

Estimated Daily Sewage Flow (@110 gpd/bedroom) range = 3,630 gpd ~ 3,960 gpd

David
David T. Faist, P.E.
Faist Engineering, Inc.
dfaist@faisteng.com
p. (508) 864-6802

From: David Faist [<mailto:dfaist@faisteng.com>]
Sent: Wednesday, February 27, 2013 2:41 PM

To: 'tholder@townofmedway.org'
Cc: 'pgyorkis@aol.com'; 'claffey107@aol.com'
Subject: Charles River Village - Proposed Sewer Flows

Tom,

This is a follow up to our meeting a few weeks ago regarding the Charles River Village – Open Space Residential Development (OSRD) project.

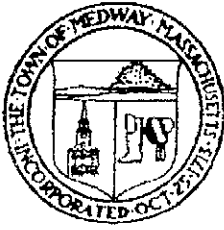
The final Definitive Plan (Revise Date Feb. 15, 2013) proposes a total of eleven (11) single family homes, each with 3-bedrooms.

Estimated Daily Sewage Flow (@110 gpd/bedroom) = 3,630 gpd.

Please let us know if you need any additional information. Thank you.

David

David T. Faist, P.E.
Faist Engineering, Inc.
dfaist@faisteng.com
p. (508) 864-6802



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

March 18, 2013

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

RE: DRC RECOMMENDATION FOR CHARLES RIVER VILLAGE SUBDIVISION PLAN:
ARCHITECTURAL ELEVATION

Dear Mr. Rodenhiser,

Thank you for referring the site plan and building design for Charles River Village to the Medway Design Review Committee (DRC). We met with John Claffey and his agent Paul Yorkis, on Monday March 4th. At the meeting we reviewed [1] four-sided elevation of the proposed architecture for a single home type; a altered version of "Style D" from the previously submitted images for Charles River Village. The plans were developed by Anson Courtright, AIA Architecture of Pembroke, MA. They have proposed the following:

- An Arts and Crafts/Stickley style single-family home (which will be a condominium) featuring a front porch with graduated columns, back porch, and north facing garage.
- The home will feature architectural shingles, vinyl siding, and accents of cedar-shake-style vinyl siding. Samples of these materials were presented at the meeting.
- The plan is referred to as "style D" and drawings are numbered EL-1, and EL-2.
- The home will be energy efficient in all aspects, and as such, will not include a chimney.

The DRC offers the following comments/recommendations regarding the proposed architectural designs:

- The DRC feels that "style D", as submitted, is both attractive, as well as appropriate in design and size for the intended development.

Design Review Committee Members

Matthew Buckley, Member & Chairman
Julie Fallon, Member & Vice Chair
Bruce Hamblin, Associate Member

Karyl Spiller-Walsh Planning and
Economic Development Board Liaison
Rod MacLeod, member

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

O'DRISCOLL LAND SURVEYING Co.
46 COTTAGE STREET
MEDWAY, MASSACHUSETTS 02053
Phone (508) 533-3314

Planning and Economic Development Board
Town of Medway
155 Village Street
Medway, MA 02053

March 11, 2013

RE: Tree location Neelon Lane

Dear Board Members,

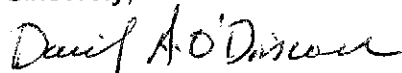
I am writing this letter to address the location of the thirty inch diameter oak tree on Neelon Lane.

Based upon a field survey, the location of the main tree trunk is not within the Village Street layout, and lies approximately five feet beyond the southerly side line of Village Street.

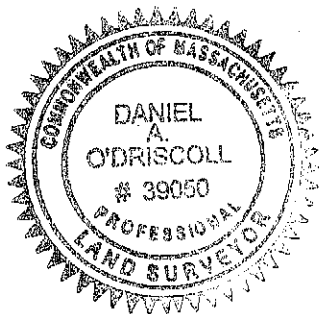
The tree trunk is located on property of Bancewicz and within the limits of the private way known as Neelon Lane.

Please feel free to contact me if you have questions concerning this matter.

Sincerely,



Daniel A. O'Driscoll
Professional Land Surveyor
Certified Soil Evaluator





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

Andy Rodenhiser, Chairman
Robert K. Tucker, Vice-Chairman
Thomas A. Gay, Clerk
Cranston (Chan) Rogers, P.E.
Karyl Spiller Walsh
Matthew Hayes, P.E., Associate Member

Draft – March 18, 2013

SITE PLAN DECISION
Thayer Homestead – 2B Oak Street
Approved with Waivers and Conditions

Decision Date: March 19, 2013

Name/Address of Applicant: Town of Medway
155 Village Street
Medway, MA 02053

Name/Address of Owner: Town of Medway
155 Village Street
Medway, MA 02053

Engineer: Devellis Zrein
PO Box 307
Foxborough, MA 02035

Architect: LLP Architects
161 Exchange Street
Pawtucket, RI 02860

Site Plan Dated: January 17, 2012; last revised March 26, 2012

Location: 2B Oak Street (3.29 acres)

Assessors' Reference: 47 – 033 and a portion of 39-074

Zoning District: Agricultural Residential II

- B. January 23, 2013 – Public hearing notice posted with Town Clerk and posted at the Town of Medway web site
- C. January 25, 2013 - Public hearing notice mailed to abutters by certified sent mail.
- D. January 28 and February 5, 2013– Public hearing notice advertised in *Milford Daily News*.
- E. February 4, 2013 – Applicant meets with the Design Review Committee
- F. February 12, 2013 – Public hearing commenced. The public hearing was continued to March 12, 2013 when the hearing was closed.

IV. INDEX OF SITE PLAN DOCUMENTS

- A. The site plan application for Thayer Homestead at 2B Oak Street included the following plans, studies and information that were provided to the Planning and Economic Development Board at the time the application was filed:
 - 1. The site plan entitled *Thayer Homestead* dated December 19, 2012 prepared by DeVellis Zrein Inc. of Foxboro, MA and LLB Architects of Pawtucket, RI.
 - 2. *Thayer Homestead* architectural floor plans and building elevations received January 14, 2013, prepared by LLB Architects of Pawtucket RI
 - 3. *Drainage Report and Stormwater Management Plan – Thayer Homestead, 2B Oak Street, Medway, MA* dated January 3, 2013 prepared by LLB Architects of Pawtucket, RI and DeVellis Zrein, Inc. of Foxboro, MA
 - 4. *Project Description* dated January 3, 2013 prepared by Thayer Development Committee
 - 5. *Development Impact Statement* dated January 3, 2013 prepared by Thayer Development Committee
- B. During the course of the review, the Applicant and its representatives submitted revised plans and a variety of other materials to the Planning and Economic Development Board as follows:
 - 1. Letter and updated drainage information dated February 28, 2013 from James DeVellis, P.E., of DeVillis Zrein, Inc. in response to the February 7, 2014 review letters from the Board's consultants – Tetra Tech and PGC Associates.
 - 2. Request for Waivers from the *Site Plan Rules and Regulations*, dated February 12, 2013, prepared by DeVillis Zrein
 - 3. Revised *Thayer Homestead* site plan dated February 28, 2013 prepared by DeVillis Zrein, Inc.

This waiver is granted. The applicant's consultants have provided 30" by 42" plans. This is acceptable to the Board as the alternative size eliminates cut sheets and more adequately displays the site size and configuration.

3. *204-5 B. 2-6 - Site Context Sheet* – Site context sheet shall include:
 - abutters names and addresses with assessor's reference;
 - lot lines with dimensions and easement areas;
 - existing topography at two foot intervals from USGS survey maps or actual survey;
 - all easements;
 - zoning district boundaries including groundwater protection district, wetlands and flood plain zones.

This waiver is granted. The applicant has asked to have these requirements waived due to the very large size of the property. Mapping all these items is unnecessarily onerous for a project that has already been approved and funded by Town Meeting.

B. CONSTRUCTION STANDARDS

1. *205-3 B. Internal Site Driveways*
 - 6) The perimeter of the driveway shall be bounded with vertical granite curb or a similar type of edge treatment.

This waiver is granted. The applicant has requested that this requirement be waived to allow for a variety of curbing treatment depending on the area. Granite curbing will be used at the entrances, Cape Cod berm will be used elsewhere to direct stormwater and no curbing will be provided in some locations to be in keeping with the site's simplistic design.

2. *205-3 B. Traffic – Internal Site Driveways*
 - 2) No part of any driveway shall be located within fifteen feet of a side property line

This waiver is granted. The western edge of the eastern driveway entrance to the site and primary parking area is located within 10 feet of a side lot line. This an existing condition and there is no benefit to changing its location.

3. *205-3 C. Traffic Flow*
 - 1) The slope of the paved entrance way shall not exceed 2% for the first 25' measured perpendicular from the front property line.

This waiver is granted. Of the 3 entrance ways, the most westerly 2 have slopes of 6% and 5% respectively. The applicant has asked to have this construction standard waived so they can match existing grades and/or the entrance grade and locations to better accommodate the needed site improvements.

This waiver is granted. 6 trees with a diameter of 10+ inches have to be removed from the site (totals 90 inches). This removal is necessary for the site layout. The applicant is providing six new trees (3.5 inches for a total of 21 inches). The applicant asks to have this requirement for additional tree planting waived to maintain the open site views and the simplistic farm feel. More than 50% of site remains undisturbed.

VII. SPECIFIC CONDITIONS – This approval is subject to the following *Specific Conditions*:

- A. ***Plan Revisions*** - Prior to endorsement, the site plan set for the Thayer Homestead last revised February 28, 2013 shall be further revised as follows and submitted to the Planning and Economic Development Board for review and approval/endorsement.
1. The site plan set shall include the sheets provided by LLB Architects in the supplemental submittal of January 14, 2013 as may have been revised.
 2. Cover Sheet
 - a. All waivers from the *Site Plan Rules and Regulations* that have been granted as specified herein shall be listed on the cover sheet of the of the site plan presented for endorsement.
 - b. The cover sheet shall prominently display a final plan revision date.
 - c. The cover sheet shall be revised to also list the floor plans, elevations, materials specifications and various renderings noted in A. 1 above.
 3. A signature box on each sheet of the entire plan set shall be provided for the Medway Planning and Economic Development Board to endorse its approval.
 4. Any unresolved items identified in the March 6, 2013 plan review letter from Tetra Tech must be adequately addressed to the satisfaction of Tetra Tech and the Board and any such resolutions shall be reflected in the revised plans or notes as appropriate.
 5. All sheets of the final plan set shall be stamped by a professional engineer, landscape architect or architect.
- B. ***Wetlands Protection*** – Prior to plan endorsement, the Applicant is required to provide the Planning and Economic Development Board with a copy of the *Order of Conditions* from the Medway Conservation Commission.
- C. ***Trash Removal*** – The dumpster located on to the Thayer Homestead property shall be used only by entities holding events at the Thayer Homestead and associated grounds. Its use is not to be available to other organizations using only the upper land area for community events.

2. There shall be no tracking of construction materials onto any public way. Daily sweeping of roadways adjacent to the site shall be done to ensure that loose gravel/dirt does not create hazardous or deleterious conditions for vehicles, pedestrians or abutting residents. In the event construction debris is carried onto a public way, the Applicant shall be responsible for all clean-up of the roadway within twenty-four (24) hours of its occurrence.
 3. All erosion and siltation control measures shall be installed and observed by the Planning and Economic Development Board's consulting engineer or the Conservation Commission prior to the start of construction, and maintained in good repair throughout the construction period.
 4. *Construction Time* - Construction work at the site and in the building shall commence no earlier than 7 a.m. and shall cease no later than 7 p.m. No construction shall take place on Sundays or legal holidays.
 5. *Construction Traffic/Parking* - All parking for construction vehicles and construction related traffic shall be maintained on site. No parking of construction and construction related vehicles shall take place on adjacent public or private ways.
- D. ***Other Town Permits*** - The contractor for the applicant or assigns shall obtain and comply with all other required Town permits, including but not limited to a Street Opening/Roadway Access Permit from the Department of Public Services.
- E. ***Plan Modification***
1. This Site Plan Approval is subject to all subsequent conditions that may be imposed by other Town boards, agencies or commissions. Any changes to the site plan that may be required by the decisions of other boards, agencies or commissions shall be resubmitted to the Planning and Economic Development Board for review as site plan modifications pursuant to SECTION V. C. 10 of the *Medway Zoning Bylaw*.
 2. Any work that deviates from an approved site plan shall be a violation of the *Medway Zoning Bylaw*, unless the Applicant requests approval of a plan modification pursuant to SECTION V. C. 10 of the *Medway Zoning Bylaw* and such approval is provided in writing by the Planning and Economic Development Board.
 3. Whenever additional reviews by the Planning and Economic Development Board, its staff or consultants are necessary due to proposed site plan modifications, the Applicant shall be billed and be responsible for all supplemental costs including plan review fees and all costs associated with another public hearing including legal notice. If the proposed revisions affect only specific limited aspects of the site, the Planning and Economic Development Board may reduce the scope of the required review and waive part of the filing and review fees.
- F. ***Project Completion***
1. Site plan approval shall lapse after one (1) year of the grant thereof if substantial use has not commenced except for good cause. Approved site

addressed, and that concerns of abutters and other town residents which were aired during the public hearing process have been carefully considered.

The Planning and Economic Development Board, at its meeting on March 19, 2013, on a motion by _____, seconded by _____ voted unanimously to approve the following **FINDINGS** regarding the site plan application for the Thayer Homestead at 2B Oak Street.

A. ZONING BYLAW – Section V. C - Site Plan Review & Approval

- 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. Two buildings are existing and the new construction is an addition to the existing house. The sympathetic addition is sited to take advantage of the site and views. New parking is an expansion of the existing parking. The scale of the addition is appropriate given the existing house and barn and for a site abutting Choate Pond and Park. Also, as the addition is located behind the existing house, it is away from other houses 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 addition, renovation and site amenities are designed to enhance and compliment the architectural style of one of Medway's most prominent historic buildings, as well as its setting adjacent to Choate Park. The design has been reviewed and approved by the Design Review Committee. 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?

The addition is oriented toward Choate Park and planned activities are focused on the rear of the property. The parking is adjacent to existing parking near Chicken Brook and is as far from neighboring properties as is practical, so glare from headlights is not an issue. Other site lighting is the minimal needed for public safety and most will only be used during events, further minimizing the impacts. A photometric plan provided by the applicant documents that there will be no light trespass onto adjacent properties. Most noise and fumes will occur inside the building, but there will be outdoor events that may have an unavoidable impact. 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

The proposed stormwater drainage system has been reviewed by the Town's Consulting Engineer and is in compliance with new Massachusetts Department of Environmental Protection stormwater management guidelines. Therefore, the Planning and Economic Development Board finds that 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 public way, Oak Street, already exists. Site distances from the entrance/exit points are found to be adequate. The private drives have been reviewed by the Town's Consulting Engineer and found to be adequate. 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?

The roadway, Oak Street, is adequate for the proposed use. Municipal services are adequate to serve the proposed facility. Parking is adequate 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 economic, character, values, amenities and appearance. 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 Engineer 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.

- 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 site is already developed so disturbance is minimal. Measures such as narrowing parking lot aisles have been taken to preserve trees on site. Construction avoids the riverfront area to the maximum extent practicable. Therefore, this criterion is met.

- 19) 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 Engineer and Consulting Planner. The access driveways, loading and parking facilities have been found to be adequately designed. Therefore, this criterion is met.

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

The site is designed to protect and maximize views of natural features such as a large beech tree, Choate Pond and Chicken Brook. The building addition is also designed to complement the architectural style of one of the most prominent historic structures in Medway. Therefore, this criterion is met.

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

The parking is adjacent to existing parking near Chicken Brook and is as far from neighboring properties as is practical, so glare from headlights is not an issue. Other site lighting is minimal needed for public safety and most will only be used during events, further minimizing the impacts. A photometric plan provided by the applicant documents that there will be no light trespass onto adjacent properties. Therefore, this criterion is met.

- 22) 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.

Medway Planning and Economic Development Board
SITE PLAN DECISION
Thayer Homestead – 2B Oak Street

Approved by the Medway Planning & Economic Development Board:

AYE:

NAY:

ATTEST:

Susan E. Affleck-Childs
Planning & Economic Development Coordinator

Date

COPIES TO: Stephanie Bacon, Health Agent
Matt Buckley, Design Review Committee
John Emidy, Inspector of Buildings and Zoning Enforcement Officer
Ray Himmel, Economic Development Committee
Tom Holder, Department of Public Services
Suzanne Kennedy, Town Administrator
Jeff Lynch, Fire Department
Will Naser, Board of Assessors
Melanie Phillips, Treasurer/Collector
Karon Skinner-Catrone, Conservation Agent
Jeff Watson, Police Department
Gino Carlucci, PGC Associates
James DeVillis, DeVillis & Zrein
Dan Hooper, Thayer Homestead Committee
Drayton Fair, LLB Architects
David Pellegrini, Tetra Tech Rizzo
Jonathan Taylor, LLP Architects

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

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

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

1. I am a member of PLANNING & ECONOMIC DEVELOPMENT.

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

Thayer Homestead Site Plan

which was held on 3-12-2013.

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 19 day of MARCH, 2013



Signature of Board Member

Received as part of the record of the above matter:

Date: 3-19-2013

By: S. Jeffrey Davis

Position: Planng + Eco Dev Coordinator

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

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

I, THOMAS A. GAY (name), hereby certify under the pains and penalties of perjury as follows:

1. I am a member of MEDWAY PLANNING & ECONOMIC DEVELOPMENT BOARD
2. I missed a public hearing session on the matter of

THAYER HOMESTEAD

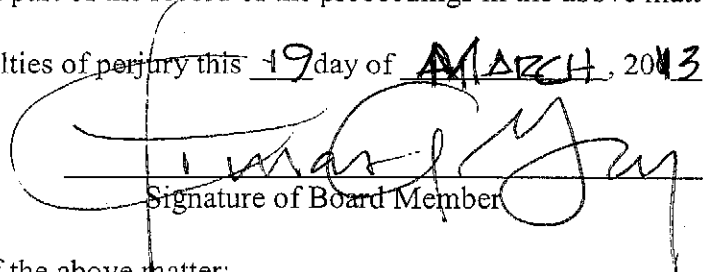
which was held on 3.12.2013

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 19 day of MARCH, 2013.


Signature of Board Member

Received as part of the record of the above matter:

Date: 3-19-2013

By: Joseph Cole

Position: Planng & Eco Dev Coordinator