

July 23, 2013
Medway Planning and Economic Development Board
155 Village Street - Medway, MA 02053

BOARD MEMBERS PRESENT: Andy Rodenhiser, Bob Tucker, Tom Gay, Karyl Spiller-Walsh and Matt Hayes

ABSENT WITH NOTICE:

ALSO PRESENT: Susy Affleck-Childs, Planning and Economic Town Coordinator
Gino Carlucci, PGC Associates
Mike Hall, Tetra Tech

The Chairman opened the meeting at 7:00 pm.

There were no Citizen Comments.

Cumberland Farms Site Plan and Special Permit - Consultant Review Fee Estimates

The Board was in receipt of estimates for the Cumberland Farms consultant review fees. The PGC Associates estimate dated July 22, 2013 is for \$1,575.00. **(See Attached)** Note - The estimate does include 5 hours for DRC work by the consultant. The Tetra Tech estimate dated July 19, 2013 is for \$ 11,435. **(See Attached)**

Member Tucker wants the Board to look at the past plan review projects to review actual expenditures for projects. It is important to look at how realistic the plan review estimates are compared to what is actually spent.

The applicant is required to pay prior to the first public hearing which will take place within the next month.

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

EDC Resignation Letters

The Board is in receipt of resignation emails from two members of the Economic Development Committee. The resignation letters are from Ray Himmel and Anne Sherry. **(See Attached)**.

It was suggested to ask the Medway Business Council if there may be some interested members.

On a motion made by Matthew Hayes and seconded by Tom Gay, the Board voted unanimously to accept with regret the resignations of Ray Himmel and Anne Sherry from the Economic Development Committee as presented.

Susy noted that the contract of the current EDC Director Claire O'Neill expired June 30, 2013. Negotiations with the Town Administrator are occurring.

PEDB Minutes

July 16, 2013

On a motion made by Bob Tucker and seconded by Karyl Spiller-Walsh, the Board voted unanimously to accept the minutes from July 16, 2013. Matthew Hayes recused himself as he did not attend the July 16th meeting.

June 19, 2013

On a motion made by Bob Tucker and seconded by Karyl Spiller-Walsh, the Board voted unanimously to accept the minutes of the joint meeting of the PEDB and the Medway Energy Committee held on June 19, 2013. Tom Gay abstained from voting as he did not attend the June 19, 2013 meeting.

PUBLIC HEARING CONTUATION – Medway Commons Site Plan Modification for Starbucks

The Chairman opened the continued public hearing for the Starbucks at Medway Commons. The applicant is Charter Realty and Development.

Karen Johnson of Charter Realty and Development was present to represent Medway Commons. She explained that the original site plan was approved 10 years ago. Currently, Starbucks wants to have a drive thru facility and as the landlord, Charter would like to assist this existing tenant. The Zoning Board of Appeals approved a special use permit for the drive-thru in May 2013. The initial site plan proposal has been provided to the Design Review Committee

Representatives of the engineering firm Tighe and Bond were also present.

The Board was informed that there have been some changes to the originally submitted plan. A small bump out for the drive-thru window will be constructed. The revised plan has the drive-thru window in a new location on the west façade of the building instead of on the south façade. This changes the orientation of the drive through plan. This new plan works better with fewer conflicts for traffic.

The Board and applicant have received a plan review letter from Tetra Tech dated July 17, 2013. **(See Attached)** Karen Johnson indicated they will prepare a response letter.

The Board received a memorandum from site engineer Jennifer Viarengo dated July 15, 2003 to Karen Johnson relative to site drainage. **(See Attached.)**

There will be a patio and landscaping along with new plantings. There will be a white birch tree along the back of the building. There will be planters for flowers. There will be one parking spot removed for delivery purposes. There was a slight change in the drainage. There will be another manhole and basin. The changes are minor in nature. There will be an asphalt crosswalk. There will be pedestrian access and connectivity.

The next topic discussed was traffic. The Board received a memorandum from traffic engineer Jason Plourde at Tighe and Bond dated February 15, 2013 to Karen Johnson. **(See Attached)**. The Saturday traffic count numbers were presented. This is consistent with what is there today. The traffic trip generation from the existing site was used. There will be minimal traffic added. This was based on Mass DOT standards. There will be one additional car every 4 ½ minutes. They obtained numbers from existing Starbucks sites in other communities which have drive-thrus. It could be anywhere from two to six vehicles queued up at any given time.

There were no conditions in the ZBA special use permit for parking. There is an overall reduction of 20 parking spaces to construct the drive-thru, but there is an oversupply adjacent.

There was a question why the traffic was not brought in to the North and to the right and down?

The response was that the new plan provides more distance and queuing would interfere with parking.

There are plans for a new Starbucks sign on the west façade. It would be the Starbucks logo only and it would be placed in the location of the round window in the gable.

There was another question about the entrance to Medway Commons from Holliston Street. Is there anything that can be done to change the island to enable better turning in from southbound Holliston Street?

The response was that the NO left turn sign has been removed near the island on southbound Holliston Street. The original intent was to have the post there with the sign. We will need to replace the sign or the island needs to be reconfigured.

Karen Johnson explained that there are 569 spaces in Medway Commons and 492 are required. There is more than enough parking. The new configuration allows for a longer queue for the drive-up window.

The Board would like to address the loss of a pedestrian walkway to Starbucks with the new drive-thru layout.

Karen Johnson responded that it will be extremely difficult to add a sidewalk and it would have to go across the drive-thru entrance. This is not safe for pedestrians.

Susy Affleck-Childs noted that a deadline extension is needed for this project. Currently the deadline for PEDB action on the site plan is August 5, 2013.

Karen Johnson presented a request for a deadline extension until September 30, 2013. (See **Attached**)

On a motion made by Matt Hayes and seconded by Tom Gay, the Board voted unanimously to approve the applicant's request to extend the action deadline to September 30, 2013.

On a motion made by Matthew Hayes and seconded by Tom Gay, the Board voted unanimously to continue the Starbucks public hearing to August 27, 2013 at 7:15 p.m.

Reports:

Planning Consultant Gino Carlucci reported that there was a SWAP meeting to provide the results of the SWAP area transit feasibility study. The report was provided. It was 37 pages. The report does a good job of discussing the existing services. It helps to identify where connections can be made.

Susy Affleck-Childs reported that there was an internal development team meeting with department heads about a possible adult retirement community development. A developer has purchased the former plans and building designs from the prior applicant for the Daniels Wood project on Winthrop Street. This will be an over 55 development but not assisted living facility. The group is called Elite Builders. The Board should expect to see the Special Permit filed this fall.

Susy reported that the property at 131 Milford Street has a purchase and sale. The owners of Murphy Insurance are buying the property and want to use it for expanded parking. The Building Commissioner will need to decide if this needs a site plan modification.

Susy reported that the drafts for the online permitting applications are almost completed. Susy is working with the consultant on the formatting. Susy needs to meet with the State Inter Agency Permitting Board on August 14, 2013 to provide an update and demonstration. The program will allow for online payments. This will provide applicants with another option.

Susy reported that the abutter notices for the Cumberland Farms special permit and site plan public hearing were mailed last week. That public hearing will begin August 13, 2013.

Zoning Bylaw Amendment Ideas

The Board along with several representatives from various boards had a discussion about Zoning Bylaw Amendment ideas. (See **Attached handout dated 7-19-2013 prepared by Susy Affleck-Childs**).

Affordable Housing Trust Representative, Doug Haven

The Affordable Housing Trust recommends that we make sure to capture the full payment in lieu of affordable housing construction and the formula for applicants to provide cash of other means.

The Trust believes that the formula for market value to the Town is inadequate and the values used are from three years in the past. There are also hidden costs within the formula. This also affects the cost for marketing which could cost \$15,000. The Trust does not have any specific recommendations at this time, but will be working on this and will provide some recommendations in the near future. They are having difficulty doing the research. They are hoping to do outreach to other towns.

Doug indicated that the other issue is in relation to timing and the building of the affordable units. He would like to see the units built by developers and not get the money. The way it works, the understanding of timing should be in the bylaw and also the decision. The formula providing that fractional units are counted down should be changed to round up. The timing will need to be reworked and the Affordable Housing Trust will provide examples and input.

Susy reminded all that the fall town meeting articles will probably need to be submitted early in September.

Doug distributed invitations for a workshop by expert in 40B.

Economic Development Committee Representative Paul Yorkis

The Committee is concerned about the specific setback requirements within the zoning bylaw. Conceptually, the EDC would recommend changing the setbacks in the Commercial I Zone to bring buildings closer to the street and to make future development more pedestrian friendly. If setbacks lines were changed, there would be an opportunity for sidewalks, outside eating, and outside seating. On the Tri Valley Commons site for example, instead of a slab building, maybe it could be built with a basement for commercial use for lower level, commercial use for street grade, and residential use on the second floor, thus creating a mixed use environment, all by bringing the buildings closer to the street.

Member Spiller-Walsh noted she does not want to see tunnels of long corridors.

Paul responded that he would like to see casual environments for dining outdoors.

Route 109 and Summer Street are other opportunities for mixed uses. We need to use land at the highest and best use.

The Board agreed it could look to rework the setbacks on Route 109 within the Commercial I Zone.

Paul Yorkis indicated that the problem today is that if someone wants their building 10 feet away, the applicant needs to first go to the ZBA. The setback issue is an obstacle.

Consultant Carlucci noted that in Norfolk center, the front setbacks are 6-20 ft. They went to a more flexible approach.

The discussion moved to maximum build height.

Paul Yorkis wanted to know where you measure the building height from.

Consultant Carlucci responded that one option would be to take an average from the finished grade.

Zoning Board of Appeals representative Tony Biocchi

Tony communicated that the ZBA is limited by what the Bylaw says. When they make a decision it must meet the specific criteria. In regards to Tri-Valley Commons, the parking number was dictated by the ZBA. The decision was written regarding the parking. Tony suggested that all the boards should meet together to discuss these projects together.

There was a suggestion to tie Special Permit to the Site Plan process and consolidate that with the PEDB. NOTE – This would involve a bylaw amendment.

The Board agreed that it would be a good idea to have joint meetings on some of these projects with the Conservation Commission and Zoning Board of Appeals.

Another struggle the ZBA has is with the Commercial and Residential setbacks. The ZBA gets applications for variances to add additions for sheds and the toughest thing is to come up with a formula for side setbacks for smaller lots. One area to work on would be to come up with side setback specific to smaller lots.

Side Setback Options:

- Create a separate setback distance for accessory structures.
- Have reduced setbacks be approved by special permit instead of as a variance. This could be a case by case basis.
- Setbacks on corner lots need to be reviewed.

Public Hearing Continuation - Hill View Estates Subdivision – 32 R Hill Street

The applicant Christine Price and official representative Tony Biocchi were present.

The Board has a copy of the ZBA variance decision from 1994 for the subject property. (**See Attached**). The Board received copies of the previously issued review letters from Tetra Tech and PGC Associates (**See Attached**)

There was review of the ZBA variance by Town Counsel Barbara Saint Andre.

The Chairman indicated that there was a conference call with him, Susy Affleck-Childs and Town Counsel. There was also communication with the applicant's attorney John Fernandes. Town Counsel and the applicant's counsel disagree that the former variance goes away when a subsequent subdivision is approved.

Tony indicated that the PEDB could grant a subdivision but not a second house. He further explained that Attorney Fernandes sent case law to Town Counsel and the Town did not allow the applicant to see what Town Counsel had said. The applicant's counsel, John Fernandes, indicates that the Board can create a subdivision, and then the former variance goes away.

The applicant asked that the attorneys discuss this and come up with a resolution. The Board had concurred with that approach.

Tony claims that Town Counsel has not replied to John Fernandes' emails in regards to the case law he presented to back up his position.

Tony reminded the Board that when the ANR plan was done, the PB had requested a copy of the 1994 variance. They provided the variance and it all looked good at the time. The Board signed the ANR plan to establish the road, move the driveway, or get the land. We asked an abutter and all he wanted was a 10 ft. buffer. This was done and shown on the ANR plan. We went to the Registry and moved the lot lines.

The Chairman noted that the Board can grant a subdivision but there are no guarantees that the new lot will be considered buildable because of the language in the ZBA variance limiting the parcel to one house.

Tony emphasized that they feel the variance goes away when the subdivision is granted. Tony referenced one case law and this was delivered to Town Counsel.

Tony indicated that they would appeal if the building inspector decided to not allow for the construction of a house on the second lot. That decision would be appealed to the ZBA.

Christine Price noted that this has been a financially arborous process. Her whole intention is to put only two homes and not 23 units. She is trying to do the right thing.

The Chairman wanted to know when the revised drainage material will be presented.

Tony responded that the drainage information will be provided for the next meeting.

Susy noted that the revised drainage documents will need to be submitted to the Town by August 13, 2013 if the board is to consider the information at the August 27th meeting.

Hearing Continuation

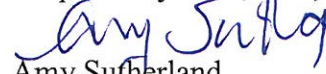
On a motion made by Bob Tucker and seconded by Karyl Spiller-Walsh, the Board voted unanimously to continue the hearing for Hill View Estates to August 27, 2013 at 8:00 pm.

ADJOURN

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

The meeting was adjourned at 10:10 pm.

Respectfully Submitted,



Amy Sutherland

Recording Secretary

Based on transcribing an audio recording

Edited by,



Susan E. Affleck-Childs

Planning and Economic Development Coordinator

PGC ASSOCIATES, INC.

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

July 22, 2013

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

RE: CUMBERLAND FARMS SITE PLAN

Dear Mr. Rodenhiser:

PGC Associates is pleased to present the following cost estimate to review and comment on the proposed site plan submitted by Cumberland Farms, Inc. of Framingham and Gersiman Brown Crowley, Inc. of Lincoln, RI. The owners are Onnileva Realty Trust., LLC of Medway.

The proposal is to construct a convenience store of 4513 square feet with 4 gasoline pumps, plus associated parking, drainage, landscaping, etc. The plan was prepared by a team including Civil Design Group of North Andover (civil engineering), Reed Land Surveying of Lakeville (surveying), Aharinian & Associates of Smithfield, RI (architecture), William Fleming Associates of Stoneham (landscape architecture) and Tighe and Bond of Portsmouth, NH (traffic engineer). The plan is dated is dated June 28, 2013.

<u>Task</u>	<u>Hours</u>
Technical review and comment on initial submittal	4.0
Attendance at Planning Board meetings/hearings	3.0
Assistance to Design Review Committee for its review and comment	5.0
Review and comment on revised plans	2.0
Review and comment on draft Certificate of Action	3.5
Total	17.5
Cost Estimate (@\$90)	\$1575.00

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

Sincerely,



Gino D. Carlucci, Jr.



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JUL 19 2013

TOWN OF MEDWAY
PLANNING BOARD

July 19, 2013

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

**Re: Site Plan Review
Planning and Economic Development Board
Cumberland Farms
Medway, Massachusetts**

Dear Ms. Affleck-Childs:

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

Scope of Services

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

Task 1 Site Visit

- A. Perform one (1) site visit to review the site and its surroundings;
- Budget Assumption: 3 hours@155=\$465

Task 2 Plan Review

- A. Review the proposed Application for Approval for Review and Approval of a Major Site Plan Project, the Request for Waivers, and other supporting documentation not identified below, prepared by Gershman Brown Crowley Inc. (GBC) and incorporate comments into review letter in item D below;



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- Budget Assumption: 1 hours @\$155=\$155
- B. Review the proposed "Cumberland Farms" Site Plans prepared by GBC dated June 28, 2013;
- Budget Assumption: 8 hours @155=\$1,240
4 hours @ \$115/hr= \$460
4 hours @ \$90/hr= \$360
Total= \$2,060
- C. Review the Stormwater Management Report prepared by Civil Design Group, LLC (CDG) and dated June 28, 2013 for compliance with the latest Department of Environmental Protection Stormwater Management Standards and good engineering practice;
- Budget Assumption: 6 hours @ \$115/hr=\$690
- D. Review the Traffic Impact & Access Study pertaining to the Site Plan design. The review will include the following;
- Site Visit to observe traffic patterns and roadway characteristics
 - Review of traffic information including existing count data, study limits, time periods, traffic volume assumptions, operational analysis and modeling assumptions, traffic safety analysis, impacts/mitigation.
 - Review of on-site circulation and pedestrian safety
 - Meetings and coordination with applicant's traffic consultant
 - Budget Assumption: 14 hours @155=\$2,170
10 hours @ \$115/hr= \$1,150
8 hours @ \$90/hr= \$720
Total= \$4,040
- E. Prepare a letter summarizing findings for presentation to the Town of Medway Planning and Economic Development Board;
- Budget Assumption: 3 hour @ \$155/hr=\$465
1 hours @ \$90/hr= \$90
Total= \$555
-
- F. Coordinate with applicant to address items in review letter and issue an updated letter upon receipt of modifications:
- Budget Assumption: 6 hour @ \$155/hr=\$930
4 hour @ \$115/hr= \$460
2 hour @ \$90/hr=\$180
Total-\$1,570



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Task 3 Meeting Attendance

A. Participate in four (4) hearings/meetings with the Town of Medway Planning and Economic Development Board. This cost includes time for hearings and individual meetings attended by either the civil or traffic engineer.

- Budget Assumption: 4 Meetings
2.5 hrs/meeting @\$155/hr= \$1,550

Cost

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

The breakdown of this fee by task is as follows:

Task	Task Description	Fee
Task 1	Site Visit	\$465
Task 2	Design Review	\$9,070
Task 3	Meeting Attendance	\$1,550
	Labor Subtotal	\$11,085
	Expenses (3.5%)	\$350
	Total Fee	\$11,435

Schedule

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



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General Terms and Conditions

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

Very truly yours,

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

Date Approved by Medway Planning and Economic Development Board _____

Certified by: _____ Date _____
Susan E. Affleck-Childs
Medway Planning and Economic Development Coordinator

Susan Affleck-Childs

From: Ann M. Sherry [ASherry@charlesriverbank.com]
Sent: Thursday, July 18, 2013 10:26 AM
To: Andy Rodenhiser; Claire O'Neill; Ken Bancewicz; Paul Yorkis ; Chan Rogers
Cc: Suzanne Kennedy; Glenn Trindade (glenntindade@verizon.net); Susan Affleck-Childs
Subject: Resignation from the EDC

Good morning,

I hereby resign from my position on Medway's Economic Development Committee.

I'd like to express my appreciation - especially to fellow members of the EDC, Susy Affleck-Childs, and Clare O'Neill – for all your hard work over the past 5 years. It has been a pleasure working with you.

Ann M. Sherry

Senior Vice President

Customer Care & Relationship Development

Charles River Bank

70 Main Street

PO Box 740

Medway, MA 02053

Phone: (508)533-8661 ext. 3131

Fax: (508)533-3850

asherry@charlesriverbank.com

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Susan Affleck-Childs

From: Claire O'Neill
Sent: Wednesday, July 17, 2013 11:37 AM
To: Suzanne Kennedy; Susan Affleck-Childs
Subject: FW: Resignation

Please see below

Claire M. O'Neill
Economic Development Director - Town of Medway
155 Village Street, Medway, MA 02053
T: 508 816-4089
E: coneill@townofmedway.org

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From: Raymond_Himmel@waters.com [Raymond_Himmel@waters.com]
Sent: Wednesday, July 17, 2013 10:19 AM
To: Ann M. Sherry; andy@rodenhiser.com; kbancewicz@cybexintl.com; Claire O'Neill
Subject: Resignation

Dear Ann, Ken, Claire and Andy,

I do hereby resign my position on the Medway Economic Development Committee.

My decision is based on several factors, all of which have made it necessary for me to step away from my involvement in the town.

Thank you for all your support over the last 2-3 years and I wish the Planning Board and the EDC all the best in the future.

Sincerely,

Ray Himmel

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July 17, 2013

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

**TOWN OF MEDWAY
PLANNING BOARD**

**Re: Amendment to Modify a Previously Approved Site Plan
Design Review
Medway Commons (Starbucks)
67 Main Street
Medway, Massachusetts**

Dear Mr. Rodenhiser:

Tetra Tech (TT) has performed a review of the proposed modifications to the previously approved Site Plans for the above-mentioned project. The project includes the construction of a new drive-through addition at the existing 1,500 square foot Starbucks café located at 67A Main Street. The existing store space will expand from 1,500 to 1,700 square feet to accommodate the drive-through window. Additionally, this addition will require the modification of parking, curbing, drainage, landscaping, and pedestrian access ways.

TT is in receipt of the following materials:

- A plan (Plans) set entitled "Medway Commons, Retail Development, 67 Main Street, Medway, Massachusetts", dated April 26, 2013, with the latest revision date of July 8, 2013, prepared by Tighe & Bond Consulting Engineers, (T&B).
- A Traffic Impact Statement dated July 13, 2013 prepared by T&B.
- A Drainage letter dated July 15, 2013 prepared by T&B.
- An Application to Modify a Previously Approved Site Plan dated April 29, 2013 and accompanying material.

The Plans and accompanying materials were reviewed for conformance with the Town of Medway, Massachusetts Planning Board Site Plan Regulations, the MA DEP Storm Water Management Standards (Revised January 2008), Town of Medway Water/Sewer Department Rules and Regulations, and good engineering practice. The following is a list of comments generated during the review of the design documents. Reference to the applicable regulation requirement is given in parentheses following the comments.

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



TETRA TECH

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

1. A locus plan shall be a maximum scale of one (1) inch equals one thousand (1,000) feet. (Ch. 200 §204-5(B-1))
2. A Landscape Architectural Plan shall be prepared by a Professional Landscape Architect licensed in the Commonwealth of Massachusetts. (Ch. 200 §204-5(D-7))

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

3. The Traffic Impact Statement (TIS) notes that the parking impacts associated with the proposed project will be 14 spaces. Review of the site plans indicate that the impacts may be 17 spaces. The applicant should clarify the impact quantity and revise the TIS if necessary.
4. The number of "Additional Trips" forecast for the project that are noted Table 1 of the TIS are different from the Additional Trips presented in Table 2. The applicant should provide an explanation of the differences or revise the TIS so that the numbers are in agreement.
5. The TIS states that the proposed drive through lane can accommodate up to eight vehicles measured from the menu board. We request some additional information or clarification to confirm the queue storage capabilities. From our review of the site plans it does not appear that eight vehicles can be stored when measured from the menu board.
6. The TIS also states that based on observations conducted at other Starbucks facilities it is anticipated that the drive-through window will experience fewer than eight vehicles during normal operations. It will be helpful for this review if the applicant could provide data related to the observations made at other facilities, including drive-through customers per hour, observed queue lengths and average service time per transaction.
7. The TIS states that project will not have a significant impact on traffic operations at the intersection of Route 109 and the site drive. We concur that the project will not have a significant impact at this location or along Route 109.
8. The new entrance to the Star Market parking area appears to create a dangerous movement between pedestrian vehicles utilizing the two parking spaces adjacent to the new curb, and those entering the parking lot. This may require



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reconfiguration of the curbing at the entrance, or at a minimum restriping the spaces.

9. By eliminating the sidewalk extending along the west side of the Starbucks building, there is no longer a safe pedestrian path from the Medway Commons access road to the Starbucks front door via the west side of the site.
10. New crosswalks should be stamped bituminous concrete to match existing. They are currently identified as painted crosswalks.
11. The landscape plan does not call for any plantings along the back of sidewalk between the drive through entrance and exit. This appears to be inconsistent with the planting scheme throughout the plaza.
12. There appear to be multiple trees designated on the demolition plan as relocated, however there only appears to be one tree replanted as shown on the landscape plan. Please identify if it will be possible to relocate these trees and where they will be relocated to.
13. Is a detectable warning panel required/desired at the ramp adjacent to the newly designated "Loading Zone".
14. The proposed 207 contour in the landscaped area between the drive-through entrance and exit appears to be sheeting runoff away from existing catch basin number 2. Is this the intent?
15. Would it be more desirable to move PDMH1 slightly to the north to move the cover out of the middle of the road, and provide a smoother flow for the water in the pipes.
16. The applicant should confirm that annual inspections of the drainage system is being completed and submitted to the Department of Public Services.

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. Pellegrini, P.E.

Senior Project Manager

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

7/23/13
DATE

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

ANR (Approval Not Required/81P Plan)

Preliminary Subdivision Plan

Definitive Subdivision Plan

Site Plan Approval

Scenic Road Work Permit

for the development project known as: Mooney Commons

to the following date: 9/30/13

Respectfully submitted,

Name of Applicant or official representative: Karen Johnson

Signature of Applicant or official representative: [Handwritten Signature]

Date approved by Planning and Economic Development Board: 7-23-2013

New Action Deadline Date: September 30, 2013

ATTEST: [Handwritten Signature]

Susan E. Affleck-Childs
Planning and Economic Development Coordinator

Medway Commons: Minor Site Plan Modification- Drainage (Revised)

To: Karen Johnson, Charter Realty
FROM: Jennifer Viarengo P.E.
DATE: July 15, 2013

The revised site layout for Medway Commons includes the redevelopment of the parking field located to the west of the Starbucks for the construction of a drive thru window associated with the existing Starbucks Cafe. As part of the redevelopment, a new drive through aisle and landscape island will be constructed. As part of the project, the alignment of the drive aisle from the Star Market will also be modified to align the aisle with the easterly drive of Retail D. The redevelopment will approximate existing conditions with a negligible increase in impervious pavement (85 sf). A new landscaped island will be created to the west of the existing building with proposed plantings, and additional green space added in the area of the driveway realignment.

As part of the redevelopment a new manhole and catch basin will be constructed within the proposed drive through aisle. The drainage patterns are approximately the same due to the impervious and pervious areas being recreated as part of the redevelopment. The contributing areas to the catch basins and the existing impervious coverage will also be approximately the same. Due to the redevelopment there will be an insignificant increase in runoff to the catch basin to the south of the drive-thru. However, there is a decrease in runoff to the catch basin to the north. Both catch basins ultimately flow to the same manhole location within the access drive of the center and therefore there is no impact on the overall drainage system.

Medway Commons Starbucks Traffic Impact Statement (revised)

TO: Karen Johnson, AICP, Charter Realty & Development
FROM: Jason R. Plourde, P.E., PTP
DATE: July 15, 2013

Tighe & Bond has prepared a Traffic Impact Statement (TIS) for the proposed drive-through addition at the existing 1,500 square foot Starbucks café located at 67A Main Street, Medway, Massachusetts. The TIS addresses the proposed site modifications to accommodate a proposed drive-through window.

The existing Starbucks is located at the west end of an existing one-story, multiple-tenant building within the Medway Commons shopping center. The Starbucks café proposes to expand the existing space from 1,500 square feet to 1,670 square feet (increase of 170 square feet) to accommodate a drive-through window. As a result of the proposed modification, the existing parking area along the west side of the building is proposed to be reconstructed to accommodate a drive-through that will exit onto an existing private parking lot roadway within Medway Commons. The proposed parking layout will decrease from 583 spaces to 569 spaces (loss of 14 spaces) and will be in conformance with the local requirement of 492 spaces for this shopping center.

The proposed drive-through is signed to direct drive-through patrons to enter the shared driveway with the existing McDonald's restaurant located to the west of Starbucks. The proposed drive-through lane has the potential to accommodate eight drive-through vehicles, measured from the menu order board. Based on observations conducted at similar Starbucks facilities, the Starbucks drive-through window service is anticipated to experience fewer than eight vehicles during normal operating conditions.

The Institute of Transportation Engineers (ITE) *Trip Generation*¹ was used to calculate the future trip-generation changes as a result of the proposed drive-through lane and the additional 170 square feet of building area. Land Use Code (LUC) 936 Coffee/Donut Shop without Drive-Through Window and LUC 937 Coffee/Donut Shop with Drive-Through Window were compared for the existing and proposed conditions, respectively. Table 1 provides a summary of the projected trip-generation changes.

¹ Trip Generation Manual. 9th ed. Washington, DC: Institute of Transportation Engineers, 2012.

TABLE 1
Starbucks Total Trip-Generation Changes

Peak Hour/Direction	Existing Trips ^a	Proposed Trips ^b	Additional Trips
Weekday Morning:			
Enter	83	86	5
Exit	<u>79</u>	<u>82</u>	<u>4</u>
Total	162	168	9
Weekday Afternoon:			
Enter	32	37	6
Exit	<u>29</u>	<u>34</u>	<u>6</u>
Total	61	71	12
Saturday Midday:			
Enter	48	72	26
Exit	<u>51</u>	<u>69</u>	<u>19</u>
Total	99	141	45

^a ITE LUC 936 (Coffee Donut Shop without Drive-Through Window) for 1,500 sf.

^b ITE LUC 937 (Coffee Donut Shop with Drive-Through Window) for 1,670 sf.

The additional vehicle trips shown in Table 1 represent single-use trips to the Starbucks café on the study area system. Studies have shown it is realistic to assume there will be some *multi-use* trips within mixed-use or multi-use sites. This means some patrons could visit more than one of the uses within Medway Commons. The interaction of *multi-use* trips between the proposed Starbucks drive-through window and the existing uses within Medway Commons was based on data provided in the *ITE Trip Generation Handbook*.² This information revealed a 20 percent internal capture rate.

In addition, not all of the vehicle trips expected to be generated by the proposed development represent *new* trips on the study area roadway system. A portion of the vehicles visiting commercial/retail developments have been found to already be present in the adjacent passing traffic stream or are diverted from another route to the subject site. To be consistent with State guidelines for commercial/retail developments, 25 percent of the additional external site-generated traffic was considered *pass-by/diverted linked* traffic from Main Street (Route 109).

Table 2 summarizes the peak-hour trip-generation characteristics of the proposed Starbucks drive-through window.

² *Trip Generation Handbook, Second Edition: an ITE Recommended Practice*. Washington, D.C.: Institute of Transportation Engineers, 2004.

TABLE 2
Starbucks Drive-Through Window Trip-Generation Summary

Peak Hour/Direction	Additional Trips ^a	Multi-Use Trips ^b	External Trips ^c	Pass-By Trips ^d	New Trips ^e
Weekday Morning:					
<i>Enter</i>	3	1	2	1	1
<i>Exit</i>	<u>3</u>	<u>0</u>	<u>3</u>	<u>1</u>	<u>2</u>
<i>Total</i>	6	1	5	2	3
Weekday Afternoon:					
<i>Enter</i>	5	1	4	1	3
<i>Exit</i>	<u>5</u>	<u>1</u>	<u>4</u>	<u>1</u>	<u>3</u>
<i>Total</i>	10	2	8	2	6
Saturday Midday:					
<i>Enter</i>	24	4	20	4	16
<i>Exit</i>	<u>18</u>	<u>4</u>	<u>14</u>	<u>4</u>	<u>10</u>
<i>Total</i>	42	8	34	8	26

^a From Table 1.

^b 20% of Additional Trips.

^c Additional Trips minus Internal Trips.

^d 25% of External Trips.

^e External Trips minus Pass-By Trips.

As shown in Table 2 during the weekday morning peak hour, a total of 3 *new* additional trips (1 entering and 2 exiting) are estimated with the proposed modifications implemented. The proposed drive-through window project is projected to generate 6 *new* additional trips (3 entering and 3 exiting) during the weekday afternoon peak hour. The proposed project is anticipated to generate 26 *new* additional trips (16 entering and 10 exiting). Assuming that all additional site trips associated with the proposed drive-through window utilize the Main Street (Route 109) signalized driveway, these increases in site trips represent approximately 1 additional vehicle every 4.5 minutes to 1 hour during the critical time periods along Main Street (Route 109) beyond the Medway Commons driveways.

Based on the ITE *Trip Generation* methodology, the proposed drive-through window service with the additional 170 square feet of building space is anticipated to have minimal trip-generation increases during the weekday morning, weekday afternoon, and Saturday midday peak hour and therefore negligible impacts to the adjacent roadway system. In addition, the stacking area for the proposed drive-through lane is anticipated to be adequate to accommodate Starbucks drive-through patrons.

List of Possible Zoning Bylaw Amendments to Work on for FY 14

- Establish new Village Residential Zoning District – rezone portions of ARII to new VR
- Commercial I zoning district:
 1. revise so that all (most??) special permits would be authorized by the PEDB (instead of the ZBA);
 2. add a special permit option for multi-family residential (maximum density??)
 3. modify/reduce front set back requirements (similar to Millis)
 4. allow for tiered parking
 5. move parking around to the side or back
 6. allow for taller buildings
 7. require 4 sided architecture
- Medical marijuana treatment centers
- Multi-family residential special permit in ARI and ARII
- Modify site plan approval provisions to establish an administrative site plan review process for small projects and mini modifications
- Clean up some more zoning district boundaries so that boundaries follow property lines
- Commercial III and IV – allow for construction of residential duplexes, limited multi-family residential, and mixed use by right.
- Revise accessory family dwelling units
- Estate/Back Lot Zoning
- Oak Grove zoning

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COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS

IN THE MATTER OF: Michael Curatola
Petitioner

OPINION OF THE BOARD

REQUEST FOR VARIANCE

HEARING: September 7, 1994
DECISION: September 7, 1994

MEMBERS PRESENT: Jan V. Morris, Chairman
David E. D'Amico, Clerk
Stephen J. Reding
Dionne Levasseur
David J. Cole

REGISTERED
WITH THE COUNTY REGISTER OF DEEDS
SEDDING MA
LESTER
Barry T. Marston
BARRY T. MARSTON REGISTER

TOWN OF MEDWAY
RECEIVED
SEP 28 1994
.....A.M. P.M.
TOWN CLERK

RECEIVED
SEP 20 11 37
TOWN CLERK

20 Day Appeal Day October 18, 1994

THE WRITTEN OPINION WAS DELIVERED ON SEPTEMBER 15, 1994

OPINION OF THE BOARD

This is a proceeding of the Zoning Board of Appeals of the Town of Medway (hereinafter the Board) acting under the Zoning By-Laws of the Town of Medway, MA 02053 and the Massachusetts General Law C40A, as amended, in which the petitioner, Michael Curatola of 4 Curtis Lane, Medway, MA requests a Variance to construct a single family home on Lot #9, Hill Street, Medway, MA 02053

Following the giving of notice as required by law, a public hearing was held on September 7, 1994, in Sanford Hall, Medway Town Hall, Medway, MA 02053

Mr Curatola came before the Board to request relief from frontage requirements for the purpose of building a single family home Lot #9, Hill Street (Map 8, Parcel 16, Medway Assessors Maps) located in ARI consists of 15.73± acres with 115.35 feet of frontage on Hill Street. Frontage requirement for ARI is 180 feet. The lot had been approved by the Planning Board as a four lot sub-division with the 115 feet of frontage on Hill Street to be used as means of an access/egress and narrowing to some 70 feet wide into the open area. The abutting lot's side property lines run for some 220± feet in length to the open acreage. There is a Purchase & Sale Agreement between the owner and Mr Curatola to purchase the entire 15.73 ± acres. Mr Curatola wishes to build only one single family home which he will occupy, and leave the remaining acreage open. He has no plans to divide the lot in the future. He further stated that in an informal conversation with the Planning Board that they indicated favorability to the one lot, single family home on the large parcel, rather than the four lot sub-division plan

At the hearing three persons spoke in favor of the petition. No one spoke in opposition.

During deliberation, the Board determined that granting of the variance would not cause a detriment to the public good and would not substantially derogate from the intent or purpose of the By-Law. Further, noting that Hill Street is a narrow, winding country road, the one lot, single family home would serve the area more favorably than a four lot sub-division with lesser amounts of traffic flow in and out of the area. Therefore, in an unanimous decision, the Board voted to grant a 65 foot Variance to frontage, (from 180 feet to 115 feet) to allow the construction of a single family home at Lot #9, Hill Street, Medway, MA 02053 subject to the following conditions/restrictions:

- 1 Only one single-family home to be built on the lot.
2. Said single-family home to be no closer than 35 feet from any abutting property line.
- 3 A 20 foot wide paved driveway from Hill Street, and centered within the 70 foot access way to allow for snow removal and emergency vehicle access onto the property

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

Jan V Morris
Jan V Morris, Chairman

David E D'Amico
David E D'Amico, Clerk

Stephen J Reding
Stephen J Reding

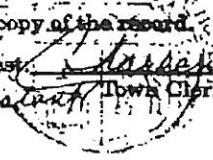
Dionne Levasseur
Dionne Levasseur

David J Cole
David J Cole

Medway, Mass. October 19 1994

A true copy of the record.

Attest: Marjorie R Waiter
Assistant Town Clerk



PK1070 03457

TOWN OF MEDWAY

MEDWAY, MASSACHUSETTS 02053
TEL (508) 533-4059



Town Clerk
Maryjane White

C E R T I F I C A T I O N

I, Town Clerk of the Town of Medway, hereby certify that notice of the decision of the Zoning Board of Appeals of the Town of Medway in the matter of:

Michael Curatola

was received and filed in this office on September 28...19.94. and no appeal was received during twenty days next after such receipt and recording of said decision.

Dated at Medway, Massachusetts October 19.....19.94

ATTEST: *Charlene L. Walter*
Assistant Town Clerk