

MEETING MINUTES

Tuesday, October 7, 2014
Planning and Economic Development Board
155 Village Street
Medway, MA 02053

Members	Andy Rodenhiser	Bob Tucker	Karyl Spiller-Walsh	Tom Gay	Matt Hayes	Rich Di Iulio
Attendance	X	X	X	X	X	Not present

ALSO PRESENT:

- Consultant Gino Carlucci, PGC Associates
- Consultant Steve Bouley, Tetra Tech
- Susy Affleck-Childs, Planning and Economic Development Coordinator
- Consultant Judi Barrett, RKG Associates

The Chairman opened the meeting at 7:00 pm.

There were no Citizen Comments.

MAYLAND WOODS SUBDIVISION

The Board is in receipt of the following documents: **(See Attached)**

- Email from Steve Bouley with updated TT punch list and map dated October 1, 2014.
- Email from Susy Affleck-Childs to Mike Narducci dated October 2, 2014.

Consultant Bouley spoke with Mike Narducci about the remaining items. The punch list has been completed. Steve Bouley did send an email that the roadway west of property boundary at the on Howe Street with deteriorated pavement is not on Mr. Narducci’s property. The Town did look at manhole and there was sign off on that. Everything else looks good.

The Planning and Economic Board is not ready to put forth Mayland Woods for street acceptance for the Fall Town Meeting. The as-built plans and deeds need to be submitted. Susy will inform the applicant of this in writing.

The bond will not be reduced further since it is currently below the \$40,000 threshold. There will be additional money needed for the consultant work.

It was suggested that the Board could use the new legislation in regards to street acceptance for this subdivision.

FOX RUN FARM/MORNINGSIDE DRIVE

The Board is in receipt of the following documents: **(See Attached)**

- Email from Mujeeed Ahmed dated 10/2/14 regarding status of punch list.
- Revised As-Built plan dated 10/6/14 prepared by Outback Engineering.
- Updated review letter from Tetra Tech dated October 7, 2014 re: the As-Built Plan
- Revised Street Acceptance Plan dated 10/6/14 prepared by Outback Engineering.
- Updated Tetra Tech review letter dated 10/7/14 regarding Street Acceptance Plan

The Board was made aware that the driveway repair was completed. The host test was done. The Consultant will be on site tomorrow to confirm that the water is running to the catch basin. Consultant Bouley did look at the proposed plan with the road being two feet lower than the catch basin. This is house on 10 Morningside. The issues have been alleviated and fixed. The subdivision plan did not precisely locate the position of the house. The Board was surprised that the Building Department did not pick this up in their review of the building plans for that house. The stop line and road signs were completed. The trees were placed on the property. The applicant noted that sun never hits that part of the property and his concern is that the trees will die. The Board is comfortable with the applicant working with the homeowners about the landscape screening.

The Board recommends Fox Run Farm/Morningside Drive to move to the next level toward street acceptance, that being the laying out of the roadway by the Board of Selectmen. The Board of Selectmen will have a public hearing. The Department of Public Services will need to look at the street.

On a motion made by Bob Tucker and seconded by Matt Hayes, the Board voted unanimously to proceed and recommend the Board of Selectmen layout Morningside Drive in its entirety as a public hearing.

The date of the BOS public hearing will be Monday October 20, 2014.

SUMMER VALLEY LANE

The Board is in receipt of the following documents: **(See Attached)**

- Tetra Tech punch list dated September 15, 2014
- Email from Engineer Faist dated September 16, 2014 with attachments
- Explanatory email from Steve Bouley dated September 16, 2014

The Board was reminded that at the last meeting the Board had reduced the bond to \$40,000. However, the Board did not discuss the issue of the composition of the previously paved binder course of roadway. This will need to be resolved before Mr. Fasolino can make plans for the top course of paving.

Consultant Bouley reported that the paving of the binder course was done with top course material instead of the standard binder course. Now they are ready to pave the top course but want to make sure it is OK to do so. Consultant Bouley has no issue with this since there is not going to be a lot of traffic in this area because it is only a 2 lot subdivision. Although this was not done per the plan it will need to be called out as on the as-built plan. Structurally, there is no issue since it is essentially a driveway.

The Board is comfortable with this change.

OTHER BUSINESS

Millstone Village Sight Clearance:

The Board is in receipt of a letter dated October 2, 2014 with photos from Sergeant Jeff Watson regarding the need for further sight clearance on the west side of Winthrop Street for Millstone Village. (See Attached)

There was a recommendation that two utility poles be moved along with the removal of the large tree located near (north of) pole #47. The land grading should be continued from the first Verizon pole #46 to approximately 30 feet north of Verizon pole #47.

This information should be provided when the second scenic road permit public hearing takes place.

Susy informed the Board that the relocation of the Verizon utility poles has to be done through a public hearing with the Board of Selectmen and that Verizon had not yet applied to the BOS.

The tree is in the Town's right of way and egress out of the sight onto Winthrop Street is a problem. The sight distance up Winthrop Street was a factor in the original decision. This is part of the project and needs to be addressed by the developer.

Member Gay is concerned that this is the third time the applicant will need to do this. There was a public hearing on the scenic road. He feels this is an oversight on the Town's part. We keep having the applicant go back and request more of them. This is outside the original scope.

The Chairman is also concerned about the efficiency of the process.

Susy recommended that the Board can waive the filing fee on this for the second scenic road public hearing. It is \$150.00.

Consultant Bouley informed the Board that the contractor will be doing some ledge blasting. They will be completing the blasting permit and survey. The Fire Chief and DPS have been notified that this is forthcoming.

ZONING BYLAW RECODIFICATION

Consultant Barrett was present to discuss the 9/25/14 draft of the Zoning Bylaw Recodification which had been provided in electronic form.

Consultant Barrett informed the Board that the draft is almost complete. The definition of the Design Review Committee will need to be provided. She feels the document can be condensed further.

Site Plan Review: Section 3.5

Consultant Barrett reminded the Board that site plan review does not have any identity in the state zoning statute. She tried to leave in some of the language the Board had in the current zoning bylaw regarding minor and major site plan review. There will be language that says the bylaw will apply to certain situations and the rest of the details will be provided in the Site Plan Rules and Regulations.

There is a need for further definition which explains the lower threshold being the administrative review which does not trigger site plan review but administrative review with flexibility. It does not need to be so prescriptive. The intent is to have checklists within the Site Plan Rules and Regulations. These can be adopted after a public hearing and do not need to be part of the bylaw.

Member Spiller-Walsh wants to make sure that the site plan checklists are protected in the Rules and Regulations.

Consultant Barrett responded that it is referenced in the bylaw and it is protected. The law is in the bylaw and then the bylaw directs you to do what is required. It references that the standards for minor and major site plan will be in the regulations. Consultant Barrett further explained that the more prescriptive you are, it becomes easier for someone to attack what the language says. The Master Plan needs to be the guide. The Rules and Regulations carry out what the Bylaw says. The standard of review will be to design the application form to specify the information the Board needs to make its findings. Site plan is not for use of land but for the operation and function of site. How the use is carried out is the site plan. The applicant needs to know what is expected.

It was recommended that the lighting section be added since the Board was very specific about what was to be included.

Consultant Barrett informed that Board that she has not italicized the defined terms as requested, but will do that as she makes the other revisions. The definitions were added for affordable housing. The word “restriction” and definition was added.

There was a definition for ARCPUD resident services. Consultant Barrett indicated that we do not need to define this. It was recommended to provide a few examples such as barber shops.

The reference for assisted living relating only to ARCPUD was taken out, since this may want to be allowed without ARCPUD.

The term Certificate of Occupancy needs to be defined.

Member Tucker wanted to know if you need to define it based on the State definition in the building code.

Consultant Barrett explained that a building permit is essentially a Certificate of Compliance and the document says you are in compliance with zoning. The State regulations change so much and she does not recommend referencing the State definition. We are using the term as its role in zoning. We can cross reference the regulations.

For purposes of bylaw, the terms for building inspector are multiple as allowed in the building code.

Consultant Barrett clarified that the term building inspector simple stated that there is an official that is the inspector of buildings who also has the authority to enforce the zoning bylaws.

If the Board wants to consider having the Building Commissioner issue a Certificate of Zoning Compliance, this would need to be a separate zoning amendment article in the future.

The term contractor's yard and quarters need to be combined. These do not need to be two separate terms.

There had been no definition for retention/detention but it is now included.

The gross floor area definition needs to be consolidated in one place.

Another term which needs to be defined is long term care facility.

The discussion moved to what local convenience means.

The Board discussed that the intent was to promote a neighborhood store. This is not intended to be only an ARCPUD use.

Consultant Barrett recommended to have a term of "gasoline station with convenience retail". This could be its own category. This is retail and gas all in one. This will be included in the use schedule. Judi recommended using the term "retail accessory".

The definition for trailer and mobile home should be its own separate use.

It was recommended to take the words "living and sleeping" out of the trailer definition and take trailer out under mobile home and then it is covered.

Consultant Barrett communicates that the sign bylaw is the most complicated she has ever seen. It is difficult for any reader to know what is expected. It was suggested that things like the types of signs should be listed together. It could be done provided in Article 2. There could be a subordinate entry under Article 2. The definitions are hard to distinguish between each other and this section will need reviewed further.

The Board has no issue with the definitions staying under the sign bylaw due to the complexity of this section. The truly unique definitions can stay in specific section.

Consultant Barrett asks if the Board wants to separately define car sales, renting or leasing from retail. All agree that this should be separately defined. Judi explains that there are terms which need to be in Article 2. This needs to be looked at in its entirety.

The discussion moved to the Special Permit Criteria. The ZBL currently reads that an applicant must meet all six criteria. Judi does not think this is a good idea since an applicant may meet five of the six criteria. Is the Board going to deny this if the applicant has met only five? This language is tying the Boards hands by saying a development must meet “all” of the criteria. Judi does not recommend the language that a project must meet “all”.

Member Spiller-Walsh wants to review this section and will provide any comments or suggestions.

Susy notes that in some Special Permits there could be mitigations and conditions for impact of projects.

Judi will be back with the Board on Tuesday October 28, 2014. She will need comments by 10/21.

Susy recommends that page numbers be located on the bottom right in the footer.

CONSTRUCTION REPORTS

The Board is in receipt of the following construction reports from Tetra Tech (**See Attached**)

- Millstone Village ARCPUD Report #7 dated September 23, 2014.
- Millstone Village ARCPUD Report #8 dated September 30, 2014.

PLANNING CONSULTANT’S REPORT:

There is a SWAP meeting to be held on Wednesday, October 15, 2014 at 1:00 in Sherborn. The discussion topic is Long Range Transportation Plan.

ARTICLES FOR FALL TOWN MEETING

The Board is in receipt of the following Articles for Town Meeting 2014. (**See Attached**)

- Commercial 1 – Additional Revisions noted.
- ARCPUD and AH – Additional Revisions noted.
- Notice of the Public Hearing to be held on October 21, 2014.

Susy reported that abutters were notified about the Commercial I text changes and the Commercial V boundaries change.

Under Adult Retirement Community and Affordable Housing revisions, the words Medical Offices or Clinics and Adult Day Care were added.

The Commercial District I added the service of fitness facility.

There was discussion about the term Shopping Center which was listed as authorized by Special Permit. It was suggested to just leave it as shopping center. The language which was included is confusing.

PEDB MEETING MINUTES

August 26, 2014:

On a motion made by Bob Tucker and seconded by Matt Hayes, the Board voted unanimously to accept the minutes from the August 26, 2014 meeting.

September 2, 2014:

On a motion made by Bob Tucker and seconded by Matt Hayes, the Board voted unanimously to accept the minutes from the September 2, 2014 meeting.

September 6, 2014:

On a motion made by Bob Tucker and seconded by Matt Hayes, the Board voted unanimously to accept the minutes from the September 6, 2014 meeting.

September 16, 2014:

On a motion made by Bob Tucker and seconded by Tom Gay, the Board voted unanimously to accept the minutes from the September 16, 2014 meeting.

September 23, 2014:

On a motion made by Karyl Spiller-Walsh and seconded by Matt Hayes, the Board voted unanimously to accept the minutes from the September 23, 2014 meeting.

OTHER BUSINESS

The Board is in receipt of the PEDB memo dated October 1, 2014 from the PEDB to the ZBA regarding the Medway Shopping Center Zoning Variance Petition. **(See Attached)**

The Board is in receipt of a PEDB memo dated October 1, 2014 to Zoning Board of Appeals regarding the Maritime Housing Zoning Variance Petition. **(See Attached)**

On a motion made by Matt Hayes and seconded by Bob Tucker, the Board voted unanimously to extend the action deadline as requested for the ANR plan for 0 Kelly St. until November 14, 2014.

Susy reported that the job posting for the Town's Director of Community and Economic Development has been posted.

ADJOURN

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

The meeting was adjourned at 9:55 pm.

Respectfully Submitted,


Amy Sutherland
Recording Secretary

Reviewed and edited by,


Susan E. Affleck-Childs
Planning and Economic Development Coordinator



October 6, 2014
Medway Planning & Economic Development Board
Meeting

Mike Narducci Invited to Attend Meeting

MAYLAND WOODS SUBDIVISION
Punch List/Project Completion

- Email from Steve Bouley with updated TT punch list and map – 10/1/2014
- Email from Susy Affleck-Childs to Mike Narducci – 10/2/2014

Susan Affleck-Childs

From: Bouley, Steven <Steven.Bouley@tetrattech.com>
Sent: Wednesday, October 01, 2014 2:59 PM
To: Susan Affleck-Childs
Cc: Reardon, Sean
Subject: RE: Mayland Woods
Attachments: Memo-Mayland Woods Punch List 2013-08-28 (Revised 2014-10-01).pdf; Mayland Woods Punch List Items Map.pdf

Hi Susy,

I stand corrected. In light of the plans showing the rock wall and that being the property boundary at that end of Howe Street it appears that the deteriorated pavement in that area is not on Mr. Narducci's property. However, there are still items which are on his property that remain outstanding. I have attached a revised punch list for your use and a pdf showing where the remaining items are located. Let me know if you need anything else, thanks.

Steve

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

From: Susan Affleck-Childs [mailto:sachilds@townofmedway.org]
Sent: Thursday, September 25, 2014 10:13 AM
To: Bouley, Steven
Cc: Reardon, Sean
Subject: RE: Mayland Woods

OK to wait until Monday. Thanks.

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

From: Bouley, Steven [mailto:Steven.Bouley@tetrattech.com]
Sent: Thursday, September 25, 2014 10:07 AM
To: Susan Affleck-Childs
Cc: Reardon, Sean
Subject: Re: Mayland Woods

Hi Susy,

I am not around today or tomorrow to be able to take a look at this. Is this something that can wait until Monday?

As far as Mr. Narducci's statement below, I don't believe there is any confusion on our part as to where the property line is on Howe St. It is clearly visible as there is a clear difference in asphalt types placed on an angle along the property line much like it is shown on the plan. I can have someone else head out if this is urgent. Let me know, thanks.

Steve

Sent from my iPhone

> On Sep 25, 2014, at 9:56 AM, "Susan Affleck-Childs" <sachilds@townofmedway.org> wrote:

>

> Hi there,

>
> See note below and attachments from Mike Narducci.
>
> Until we all have a chance to review this, please do NOT prepare a cost estimate for the punch list items that Mike is disputing are his responsibility.
>
> I would like to see a map where you denote the locations of the items in question.
>
> Thanks.

>
> From: Mary Narducci [mailto:marynarducci162@comcast.net]
> Sent: Thursday, September 25, 2014 9:48 AM
> To: Susan Affleck-Childs
> Subject: FW: Mayland Woods

>
> Morning Suzi

>
> Please see attached maps. As these maps show, this part of Howe St in question for repairs was accepted by the Town of Medway over 20 years ago--, which is the culdesac and beyond in the westerly direction. This is already town property.

>
> We believe that the planning board's engineer was confused as to where the lot line actually was. As you can see on the plan there is clearly a stone wall at the lot line. Therefore, we are definitely not responsible for the repairs to this area.

> .
> Please do not have your engineer prepare an estimate beyond this lot line.

>
> Thanks

>
> Mike

>
> From: john@desimonecorp.com<mailto:john@desimonecorp.com> [mailto:john@desimonecorp.com]
> Sent: Wednesday, September 24, 2014 7:20 PM
> To: MaryN
> Subject: Mayland Woods

>
> Plan Attached

> <Mayland Woods Plan 417-683.jpg>

> <Plan Book 354 Page 613.jpg>

> <Plan Book 403 Page 768.jpg>



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

Fr: Steven Bouley, E.I.T. – Tetra Tech (TT)

Re: **Mayland Woods
Subdivision Review (Punchlist)
Medway, MA**

Dt: August 28, 2013 (Revised September 15, 2014) (Revised October 1, 2014)

On August 14, 2013 at the request of the Medway Planning and Economic Development Board, Tetra Tech (TT) performed a Punch List inspection of the Mayland Woods Subdivision. The inspection was conducted based upon field observations of current conditions only, as an approved set of plans was not available.

On October 30, 2013, TT met with the developer of Mayland Woods (Mike Narducci) to review the drainage infrastructure. The drainage manholes were primarily located outside of the roadway in lawn areas while the basins were either in the woods or at the edge of wooded area, therefore the infrastructure was difficult to locate during the original inspection (no plans were provided). We have updated our comments as bulleted below the original comment and dated 11/5/13.

On August 18, 2014, TT met with the developer to review completed punch list items.

On September 3, 2014, TT met with Jim Smith with Medway DPS to discuss settling around catch basins on Fern Path which were not repaired by Mr. Narducci.

On October 1, 2014, TT visited the subdivision to confirm the limits of the property.

The following is a list of items and issues that should be repaired or resolved:

Roadway

1. The Fern Path street name sign at the intersection of Howe Street and Fern Path does not appear to be to the town standard. Refer to photo #1.
 - TT 8/18/14 Update: A new Fern Path street name sign has been installed to the town standard. No further action required for this item.



2. A stop sign/street name sign is not located at the intersection of Howe Street and Bramble Road. Refer to photo #2-3.
 - TT 8/18/14 Update: A stop sign and Bramble Road street name sign have been installed. No further action required for this item.
3. Cracking of the pavement is occurring along Howe Street, Fern Path, Bramble Road and Field Road. The cracks should be sealed to prevent further damage to the pavement structure. Refer to photo #4-7.
 - TT 8/18/14 Update: Cracks in the pavement have been sealed. No further action required for this item.
4. Settling of the pavement is occurring at many of the drainage/sewer structure locations throughout the subdivision. The settled areas should be repaired full depth to prevent further damage to the pavement structure. Refer to photo #8-11.
 - TT 8/18/14 Update: Settled areas have been repaired. No further action required for this item.
 - TT 9/15/14 Update: Two areas adjacent to #2 Fern Path were not repaired. These structures should be repaired to prevent further damage to the pavement structure.
- ~~5. The pavement at the western edge of the subdivision on Howe Street is in poor condition with major cracking and breaking up of the pavement structure. The damaged areas should be repaired to prevent further damage to the pavement structure. Refer to photo #12-14.~~
 - TT 8/18/14 Update: Mr. Narducci does not believe this item should be his responsibility to repair since it was not conducted as part of his project. TT explained that regardless of who did the work, this area is still part of his property. He stated he would have correspondence with the PEDB regarding this issue.
 - TT 10/01/14 Update: Based upon recently received plans and an additional inspection it appears that this item is not located on Mr. Narducci's property. No further action required for this item.



Drainage

~~6. Catch basins do not contain hoods. It is unclear if they were required on the approved subdivision plans.~~

- **TT 11/5/13 Update:** The hoods were not required by the existing subdivision regulations at the time of the subdivision approval and therefore this comment will be removed from the list and estimate.

7. It appears that all catch basin pairs are in-line with one another. Discharge points from the catch basin structures could not be located.

- **TT 11/5/13 Update:** Catch basins connect to drain manholes which are located primarily in the lawn areas. Most of them appeared to be visible and not covered. No further action required for this item.

8. Drainage manhole structures could not be located.

- **TT 11/5/13 Update:** The drain manholes were located primarily in the lawn areas and most appeared to be visible and not covered. No further action required for this item.

9. **TT 11/5/13 Update:** The outlet pipe discharging water to the drain easement behind Lot 4 could not be found. The system appears to be functioning adequately however the discharge point could not be located. The pipe should be located and uncovered/cleared of debris

- **TT 8/18/14 Update:** The outlet pipe was located and appears to be functioning adequately. No further action required for this item.

Water/Sewer*

~~10. The main gate box at house #11 (west end) is the old type and is leaning. The hydrant gate is off center because of the existing berm.~~

- **TT 8/18/14 Update:** Mr. Narducci does not believe this item should be his responsibility to repair since it was not conducted as part of his project. TT explained that regardless of who did the work, this area is still part of his



TETRA TECH

property. He stated he would have correspondence with the PEDB regarding this issue.

- TT 10/01/14 Update: Based upon recently received plans and an additional inspection it appears that this item is not located on Mr. Narducci's property. No further action required for this item.

11. The table and invert need to be flushed for the sewer at the intersection of Howe Street and Field Road.

- TT 8/18/14 Update: Mr. Narducci does not believe this item should be his responsibility to repair since it was not conducted as part of his project. TT explained that regardless of who did the work, this area is still part of his property. He stated he would have correspondence with the PEDB regarding this issue.
- TT 10/01/14 Update: This item is located on Mr. Narducci's property and should be resolved.

12. The box of the hydrant gate at the intersection of Howe Street and Bramble Road is cracked and chipped at the lid.

- TT 8/18/14 Update: This item has not been completed. Mr. Narducci stated he will contact TT once this item has been completed.

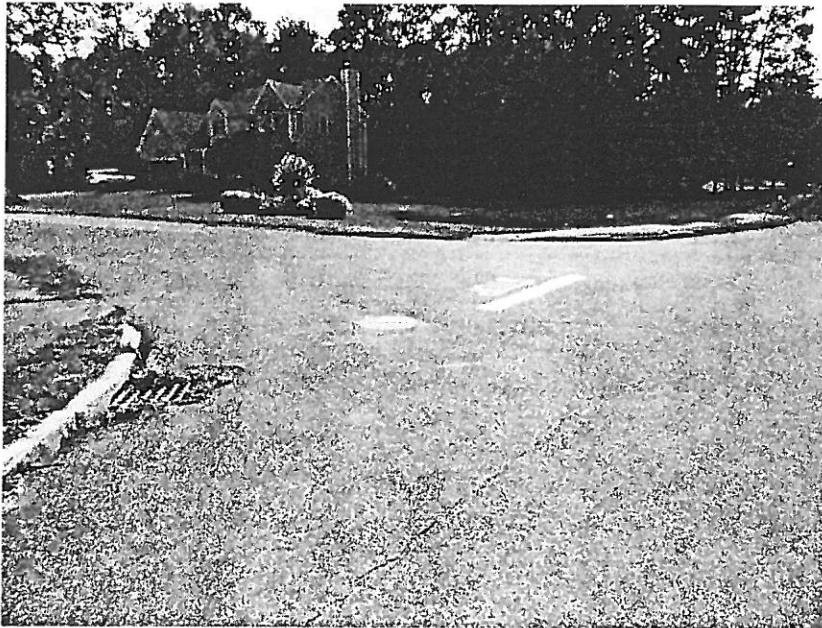
*Comments received from the Town of Medway Water & Sewer Department.

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

Photo # 1



Photo # 2





TETRA TECH

Photo # 3

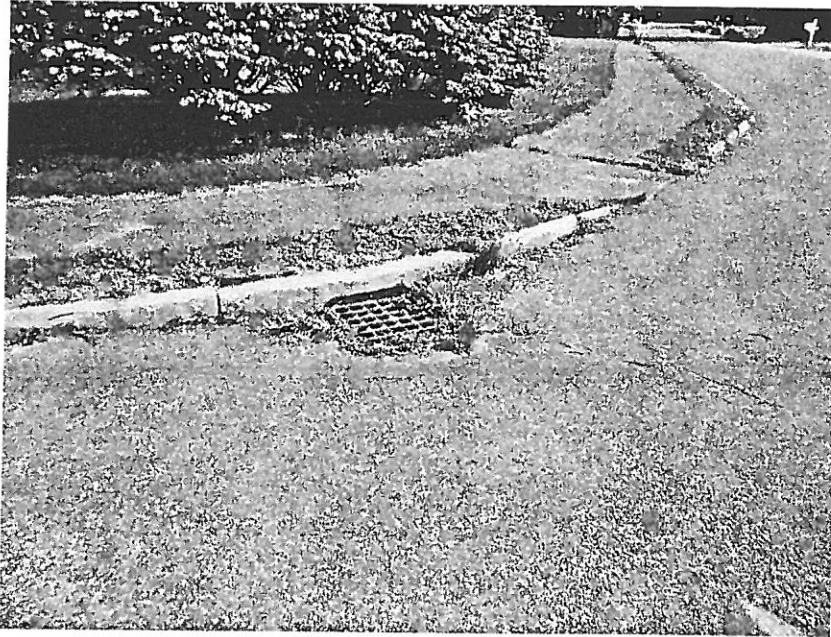


Photo # 4



Photo # 5

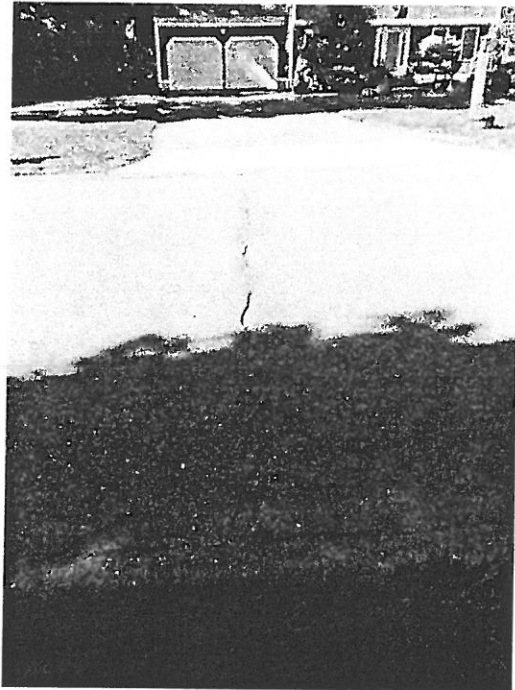


Photo # 6



Photo # 7



Photo # 8

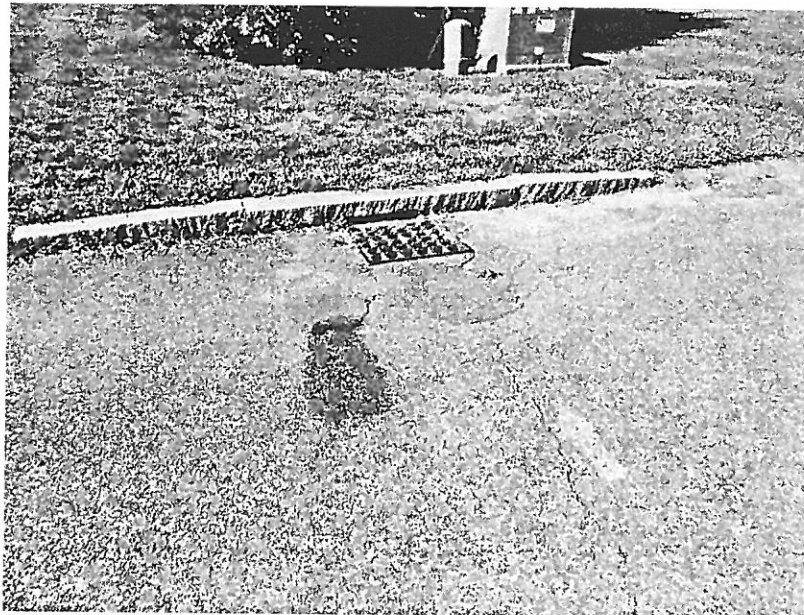


Photo # 9



Photo # 10

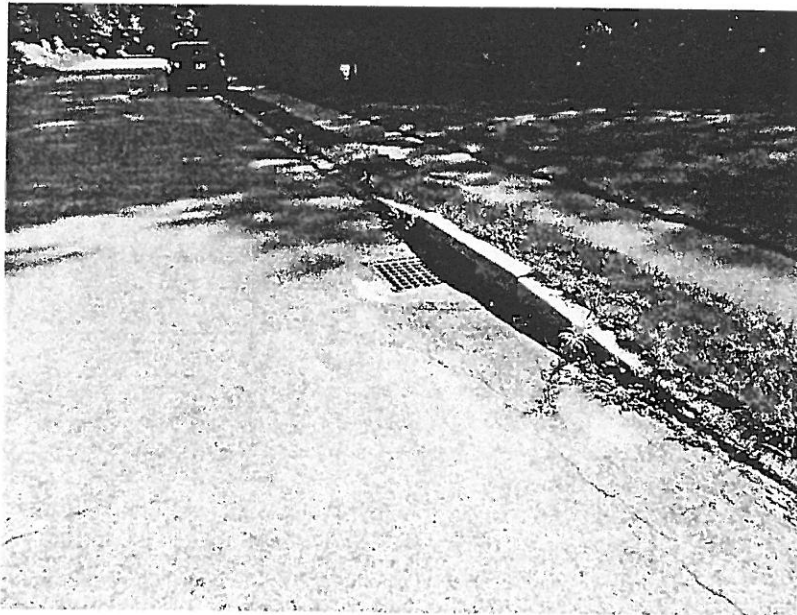


Photo # 11

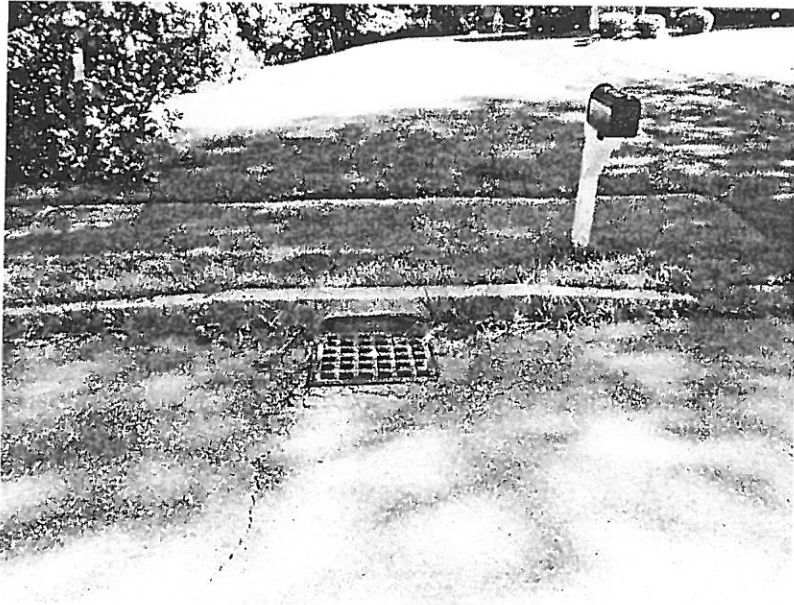


Photo # 12



Photo # 13



Photo # 14



Susan Affleck-Childs

From: Susan Affleck-Childs
Sent: Thursday, October 02, 2014 3:09 PM
To: 'Mary Narducci'
Subject: RE: Mayland Woods
Attachments: 10-1-2014 email from Steve Bouley re Mayland Woods with attachments.pdf

Hi Mike,

Tetra Tech engineer Steve Bouley has reviewed the subdivision maps for Mayland Woods and Redgate that you had forwarded to us.

He has provided an email dated 10-1-2014 in which he acknowledges that any repairs on Howe Street west of the western Mayland Woods boundary line (stone wall) are outside the scope of the Mayland Woods subdivision and should not have been included on the Mayland Woods punch list.

Based on that, Steve has prepared a revised punch list and map showing the locations of the still outstanding items. Please review the attached.

I am providing Steve's email note plus the revised punch list and map to the Planning and Economic Development Board for further review at its meeting on Tuesday, October 7th. You are invited to attend for the 7:15 pm discussion.

Please let me know if you are able to do so. Thanks.

Best regards,

Susy Affleck-Childs

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

Town of Medway – A Massachusetts Green Community

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From: Mary Narducci [mailto:marynarducci162@comcast.net]
Sent: Thursday, September 25, 2014 9:48 AM
To: Susan Affleck-Childs
Subject: FW: Mayland Woods

Morning Suzi

Please see attached maps. As these maps show, this part of Howe St in question for repairs was accepted by the Town of Medway over 20 years ago--which is the culdesac and beyond in the westerly direction. This is already town property.

We believe that the planning board's engineer was confused as to where the lot line actually was. As you can see on the plan there is clearly a stone wall at the lot line. Therefore, we are definitely not responsible for the repairs to this area.

Please do not have your engineer prepare an estimate beyond this lot line.

Thanks

Mike

From: john@desimonecorp.com [mailto:john@desimonecorp.com]
Sent: Wednesday, September 24, 2014 7:20 PM
To: MaryN
Subject: Mayland Woods

Plan Attached



October 6, 2014
Medway Planning & Economic Development Board
Meeting

FOX RUN FARM – MORNINGSIDE DRIVE

Project Completion – Paving

UPDATED – 10/7/2014

Mujeeb Ahmed Invited to Attend Meeting

- 10/2/14 email from Mujeeb Ahmed re: status on punch list items.
- **REVISED As-Built plan dated 10-6-2014 prepared by Outback Engineering**
- **Updated Tetra Tech review letter dated 10/7/2014 re: As-Built Plan**
- **REVISED Street Acceptance Plan dated 10-6-2014 prepared by Outback Engineering**
- **Updated Tetra Tech review letter dated 10/7/2014 re: Street Acceptance Plan**

Susan Affleck-Childs

From: Mujeeb Ahmed <mujeebahmed58@yahoo.com>
Sent: Thursday, October 02, 2014 4:36 PM
To: Susan Affleck-Childs
Cc: Steven.Bouley@tetrattech.com; Sean Reardon
Subject: Memo-Punch List_Fox Run Farm 2014-09-04.pdf
Attachments: Memo-Punch List_Fox Run Farm 2014-09-04.pdf; ATT00001.txt

Susan, Here is the status of the punch list that was send by Steve as follows.

4 the burned trees is being taken out and not replaced because the tree area never get the sun. - if I need to install it's not going to grow again - need advice - total 6-7 trees.

5 will be done Tomarrow-

Let
9A

Other items not in the punch list :

Demo part of driveway is done.

pouring the concrete Tomarrow.

Fix Asphalt will be on or before Monday.

I am hoping to get recommendation from planning bd on Tuesday night to board of selectmen to accept the morningside drive.

NOTE: ALL EXISTING UTILITY INFORMATION IS FROM THE BEST AVAILABLE INFORMATION SUPPLIED BY FIELD SURVEY RECONSTRUCTION. UNDEGROUND CONDITIONS SHOWN HEREON ARE APPROXIMATE. CONTRACTORS SHALL VERIFY ALL UTILITIES PRIOR TO THE ONSET OF ANY FUTURE CONSTRUCTION TO HAVE ALL EXISTING UTILITIES LOCATED AND CLEARLY MARKED.



APPROVED SUBDIVISION
PLAN REFERENCE:
MODIFICATION TO COMPREHENSIVE PERMIT
DRAINAGE PLAN DATED MAY 24, 2011, BY
REGISTERED PROFESSIONAL ENGINEER
REGISTERED IN THE STATE OF MASSACHUSETTS
REGISTERED PLAN BOOK 610, PAGE 62.

PROPERTY OWNER: THE PLAN SHOWS THE ACTUAL AS-BUILT CONDITIONS. THE CONTRACTOR SHALL VERIFY ALL UTILITIES PRIOR TO THE ONSET OF ANY FUTURE CONSTRUCTION TO HAVE ALL EXISTING UTILITIES LOCATED AND CLEARLY MARKED.

PROFESSIONAL LAND SURVEYOR DATE:

NO.	DATE	DESCRIPTION	PER REVIEW COMMENTS
1	10/02/14		

APPLICANT:
FOR RIN DEVELOPMENT
GROUP LLC
11 WESTFIELD WAY
UNCLAN, RI 02885

REVISIONS

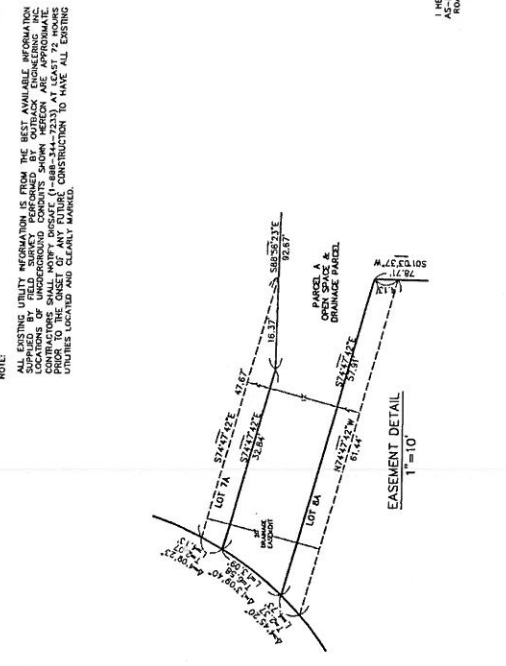
ROADWAY
AS-BUILT PLAN
IN
MORNINGSIDE DRIVE
MEDWAY
MASSACHUSETTS
DATE: SEPTEMBER 26, 2014



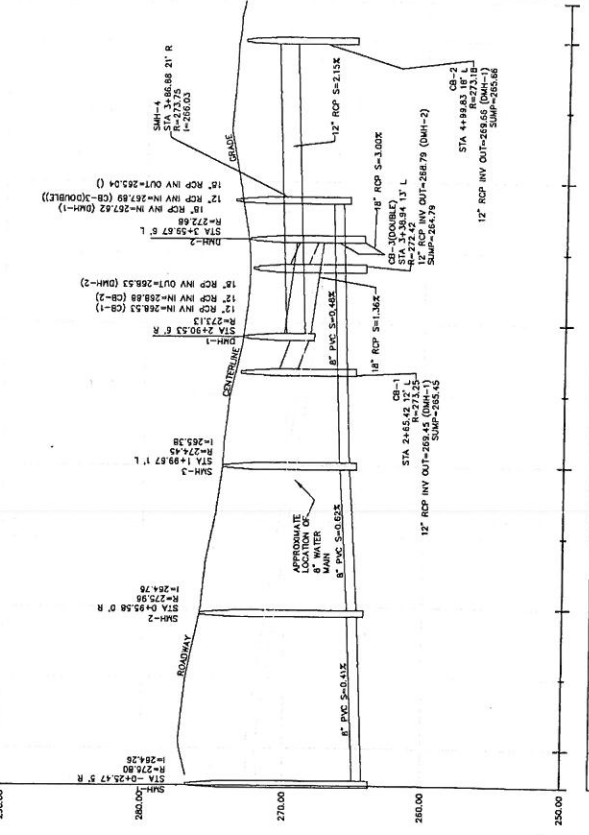
155 EAST GROVE STREET
MEDWAY, MA 01953
TEL: (508)-946-9231

DRAWN BY: B.L.G. CHECKED BY: P.B.
PROJECT NO: 1209 SHEET 1 OF 1
1250 ROAD - ADRIVE 40' 40' 150'

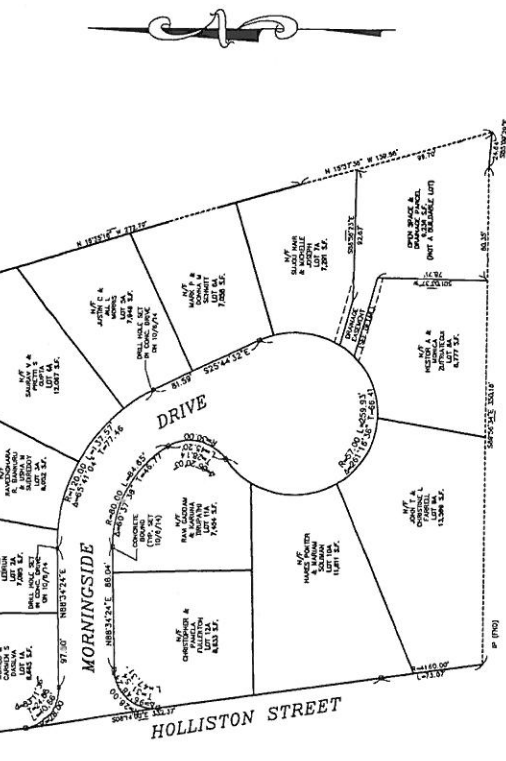
SCALE: 1" = 40'



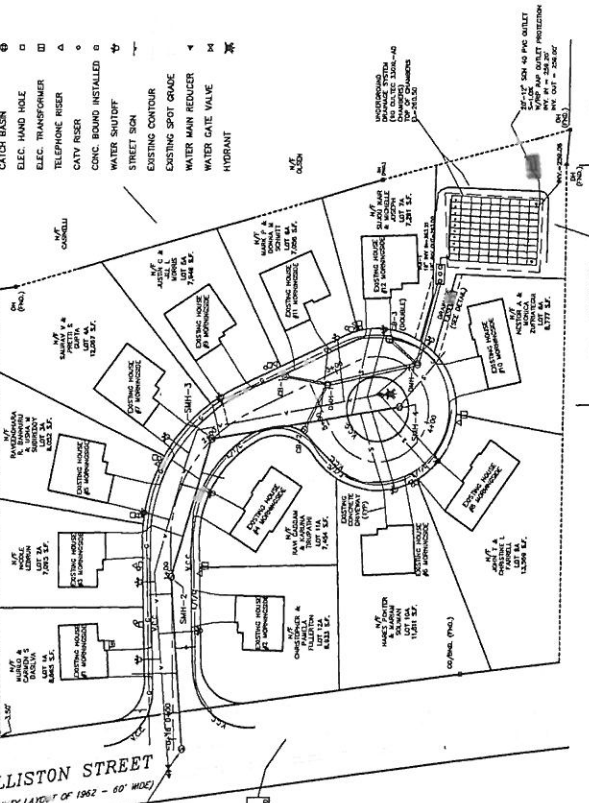
PROFILE - MORNINGSIDE DRIVE
SCALE: 1" = 40' H
1" = 4' V



427.55	430.00	432.50	435.00	437.50	440.00	442.50	445.00	447.50	450.00	452.50	455.00	457.50	460.00	462.50	465.00	467.50	470.00	472.50	475.00	477.50	480.00	482.50	485.00	487.50	490.00	492.50	495.00	497.50	500.00
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- LEGEND
- ⊕ BRAIN MANDOLE
 - ⊙ CATCH BASIN
 - ⊖ ELEC. HAND HOLE
 - ⊕ ELEC. TRANSFORMER
 - ⊕ TELEPHONE RISER
 - ⊖ CONC. ROUND INSTALLED
 - ⊖ WATER SHUTOFF
 - ⊖ STREET SIGN
 - ⊖ EXISTING CONTOUR
 - ⊖ EXISTING SPOT GRADE
 - ⊖ WATER MAIN REDUCER
 - ⊖ WATER GATE VALVE
 - ⊖ HYDRANT



CONTRACTOR SHALL VERIFY ALL UTILITIES PRIOR TO THE ONSET OF ANY FUTURE CONSTRUCTION TO HAVE ALL EXISTING UTILITIES LOCATED AND CLEARLY MARKED.



October 2, 2014 (Revised October 7, 2014)

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

**Re: Fox Run Farm Subdivision
Drainage As-Built Review
Medway, Massachusetts**

Dear Ms. Affleck-Childs,

Tetra Tech (TT) is in receipt of plan entitled "Road/Drainage As-Built Plan, Morningside Drive in Medway, Massachusetts", dated September 26, 2014, prepared by Outback Engineering Inc. The As-Built Plan was reviewed for conformance with the Town of Medway Planning Board Rules and Regulations (Chapter 100). The following list represents our comments regarding the plans.

TT is in receipt of the revised as-built plan entitled "Road/Drainage As-Built Plan, Morningside Drive in Medway, Massachusetts", dated September 26, 2014, revised October 6, 2014 prepared by Outback Engineering Inc. The items have been updated as shown below.

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 6.7 – As-Built Plans

1. The As-Built Plan shall be stamped by a professional land surveyor registered in the Commonwealth of Massachusetts. (Ch. 100 §6.7.3)
2. The drainage easement located adjacent to the Underground Detention System should be labeled. (Ch. 100 §6.7.4.b)
 - TT 10/7/14 Update: This item has been addressed to our satisfaction.
3. Curbing type not labeled for the vertical granite curb on the radii at the entrance to the subdivision. (Ch. 100 §6.7.4.e)
 - TT 10/7/14 Update: An incorrect label has been placed on the curb radii at the entrance to the roadway. It should read "V.G.C." on both radii.

One Grant Street
Framingham, MA 01702
Tel 508.903.2000 Fax 508.903.2001



4. The plan should include the dates in which monumentation was set. (Ch. 100 §6.7.4.f)
5. The benchmark labeled “BENCHMARK: EXIST. SMH RIM” in Holliston Street is not pointing to a sewer manhole. (Ch. 100 §6.7.4.f)
 - TT 10/7/14 Update: This item has been addressed to our satisfaction.
6. The line work for the spare conduit, electric/telephone/cable tv, gas and fire alarm system are not shown in the plan view. The symbol key should not include a light post since there are no light posts included in the subdivision. There are also several spelling errors in the symbol key (drain manhole and elec. hand hole). The symbol for the water gate at the connection to the water main in Holliston Street is not included in the symbol key. (Ch. 100 §6.7.4.g)
 - TT 10/7/14 Update: The above-mentioned lines have been placed in the plan but the electric/telephone/cable tv services which cross the road to service the units on the eastern side of the roadway should be shown. Edits to the symbol key have been addressed to our satisfaction.
7. The water main should be shown on the profile view and sump depths provided for the catch basins. (Ch. 100 §6.7.4.h)
 - TT 10/7/14 Update: This item has been addressed to our satisfaction.
8. The plan should include a “DIG-SAFE” notification as a warning before future excavation of the street. (Ch. 100 §6.7.4.k)
 - TT 10/7/14 Update: This item has been addressed to our satisfaction.
9. Grading should be provided for the site at a minimum 2-foot contour interval. (Ch. 100 §6.7.4.m)

The following items were found to be not in conformance with good engineering practice:

10. The note at the entrance to the subdivision referring to “Existing U.P. to be relocated” should be removed from the plan since the pole has been relocated in the as-built condition.
 - TT 10/7/14 Update: The relocated utility pole should be shown on the plan.
11. Text is overlapping lines and other text in much of the plan and is difficult to read.
 - TT 10/7/14 Update: This item has been addressed to our satisfaction.



12. Symbols should be consistent in size and shape to what is shown on the plan.

- TT 10/7/14 Update: This item has been addressed to our satisfaction.

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,

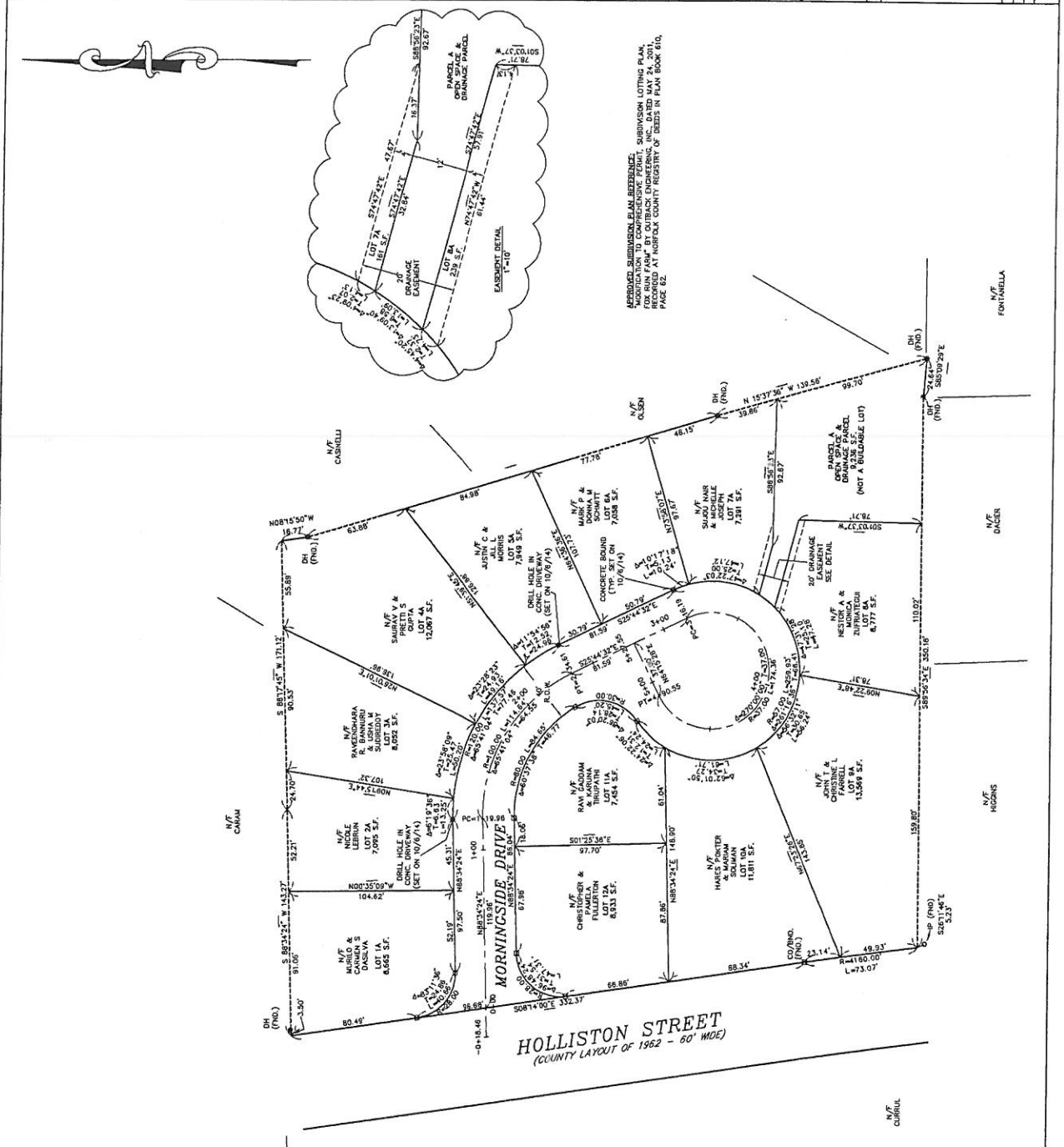
A handwritten signature in black ink, appearing to read 'S. P. Reardon', with a long horizontal flourish extending to the right.

Sean P. Reardon, P.E.
Vice President



LOCUS
SCALE: 1"=2000'

N/F WILL
MORNINGSID DRIVE BUILDING ASSOC.



APPROVED SUBDIVISION PLAN REFERENCE:
MODIFICATION TO COMPREHENSIVE PERMIT, SUBDIVISION LOTTING PLAN,
RECORDED AT NORFOLK COUNTY REGISTER'S OFFICE ON MAY 24, 2011,
RECORDED AT NORFOLK COUNTY REGISTER'S OFFICE IN PLAN BOOK 610,
PAGE 62.

FOR RECORD ONLY
I CERTIFY THAT THIS PLAN HAS BEEN
PREPARED IN CONFORMANCE WITH THE
REGISTRARS OF DEEDS.
THIS SURVEY AND PLAN WERE
PREPARED IN ACCORDANCE WITH THE
STANDARDS FOR THE PRACTICE OF
LAND SURVEYING IN THE COMMONWEALTH OF MASSACHUSETTS
PROPERTY LINES SHOWN HEREON ARE
THE LINES EXISTING OR AS SHOWN ON
STREETS AND WAYS SHOWN ARE
STREETS AND WAYS SHOWN ARE
FOR RECORD, AND THAT NO NEW LINES
MEMBERSHIP OR FOR NEW WAYS ARE
SHOWN.

DATE: PROFESSIONAL LAND SURVEYOR
APPROVAL UNDER THE SUBDIVISION
CONTROL LAW NOT REQUIRED.
MEDWAY PLANNING BOARD

DATE: _____
MEDWAY BOARD OF SELECTMEN

DATE: _____
PREPARED FOR
FOX RUN DEVELOPMENT GROUP LLC
11 WEST BUTTERFLY ROAD
LUDLOW, RI

STREET
ACCEPTANCE PLAN
FOR
MORNINGSIDE DRIVE
IN
MEDWAY
MASSACHUSETTS

DATE: OCTOBER 6, 2014
Outback Engineering
Incorporated
165 EAST GROVE STREET
MILFORD, MA 02148
TEL: (508) 846-9231
DRAWN BY: RLC | CHECKED BY: P.S.
PROJECT NO.: 0810140001
SHEET 1 OF 1
SCALE: 1"=100'

FOR COMPLETE LOT & ROADWAY REQUIREMENTS, INCLUDING
WARRANTS FROM TOWN ENGINEER, SEE PERMIT MODIFICATION
FARM, A 408 COMPREHENSIVE PERMIT MODIFICATION,
ISSUED BY MEDWAY ZBA ON NOVEMBER 4, 2009, AND
BOARD OF APPEALS DECISION ISSUED MAY 5, 2011
SOME GENERAL REQUIREMENTS LISTED BELOW.

LOT AREA & FRONTAGE REQUIREMENTS
(FOR 3 PARCELS INVOLVED)
FRONT YARD - 30'
REAR YARD - 15'

BUILDING SETBACK REQUIREMENTS
FRONT - 30'
REAR - 15'

* NOTE:
A 30 FT. WIDE (MINIMUM) GREENBELT ADJACENT TO PROJECT OUTER
BOUNDARIES SHALL BE MAINTAINED TO THE EXTENT OF ANY OF THE
PROPERTY LINES, BUT BEYOND, STAIRS AND OTHER ANGLINARY APPROACH ANY
CLOSER THAN 25 FT. TO THE PROJECT'S OUTER PROPERTY LINES.



TETRA TECH

September 8, 2014 (Revised October 7, 2014)

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

**Re: Fox Run Farm/Morningside Drive
Street Acceptance Plan Review
Medway, Massachusetts**

Dear Ms. Affleck-Childs,

Tetra Tech (TT) has performed a review of Street Acceptance Plan for the above mentioned project and is in receipt of the following materials:

- A plan (Plans) entitled "Roadway Acceptance Plan", dated September 2, 2014, prepared by Outback Engineering, Inc. (OEI).
- A plan (Plans) entitled "Roadway Acceptance Plan", dated October 6, 2014, prepared by Outback Engineering, Inc. (OEI).

The Plan was reviewed for conformance with the Town of Medway, Massachusetts Planning Board Regulations. The following is a list of comments generated during the review of the Plan. Reference to the applicable regulation requirement is given in parentheses following the comments.

Conformance with Planning Board Rules and Regulations for the Review and Approval of Land Subdivisions (Chapter 100):

- 1) The Plan is not drawn at the appropriate scale as stated in the regulations. However, it is drawn at a scale previously acceptable by the PEDB. (Ch. 100 §6.8.3.a)
 - 2) The Plan does not include a certification that all permanent monumentation has been set. (Ch. 100 §6.8.3.b.4)
 - 3) The Plan should be entitled "Street Acceptance Plan" and include the subdivision name and surveyors name. (Ch. 100 §6.8.3.b.6)
- TT 10/7/14 Update: This item has been addressed to our satisfaction.

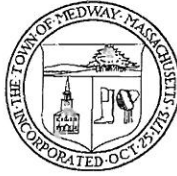
- 4) The Plan should be dated, signed and stamped by a registered land surveyor. (Ch. 100 §6.8.3.c)

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,

A handwritten signature in black ink, appearing to read "S. P. Reardon". The signature is fluid and cursive, with a long horizontal stroke at the end.

Sean P. Reardon, P.E.
Vice President



October 6, 2014
Medway Planning & Economic Development Board
Meeting

SUMMER VALLEY LANE

- Tetra Tech punch list dated 9/15/2014
- Email dated 9/16/14 from engineer David Faist with attachments
- Explanatory Email dated 9/16/14 from Steve Bouley

At the last meeting, the Board reduced the bond to \$40,000. However, we did not discuss the issue of the composition of the previously paved binder course of roadway. That needs to be resolved before Mr. Fasolino can make plans for the top course paving.

*GRF to
go with top
coat -
Email Mike F ✓*

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

Fr: Steven Bouley, E.I.T. – Tetra Tech (TT)

Re: **Summer Valley Lane
Subdivision Review (Punchlist)
Medway, MA**

Dt: September 15, 2014

On September 15, 2014 at the request of the Planning and Economic Development Board, Tetra Tech (TT) met with Mike Fasolino, the applicant, and performed a Punch List inspection of Summer Valley Lane subdivision. The inspection was conducted based upon the approved plan set entitled “25 Summer Street, Proposed Summer Valley Lane, Medway, Massachusetts” dated February 28, 2012, revised March 14, 2013, and our memo dated December 5, 2013, revised January 29, 2014.

The following is a list of items and issues that should be repaired or resolved:

Site

1. The contractor shall install HMA top course. The existing “binder” course should be swept and tacked prior to HMA top course paving. As noted in our memo dated January 29, 2014, TT is awaiting a confirmation letter from Faist Engineering Inc. stating that the top course material is sufficient to utilize as a binder course. (See Photo #1)
2. The contractor should reset the street name/stop signs to the appropriate height. The applicant should coordinate with Medway DPS for the proper placement of the signage. (See Photo #2)
3. The contractor should paint a stop line and the word “STOP” at the approved location once HMA top course paving is complete.
4. The contractor should install the proposed grass swale as shown on the approved plans.



TETRA TECH

5. The contractor should provide an as-built of the grading and drainage to ensure it has been constructed per the approved plans.

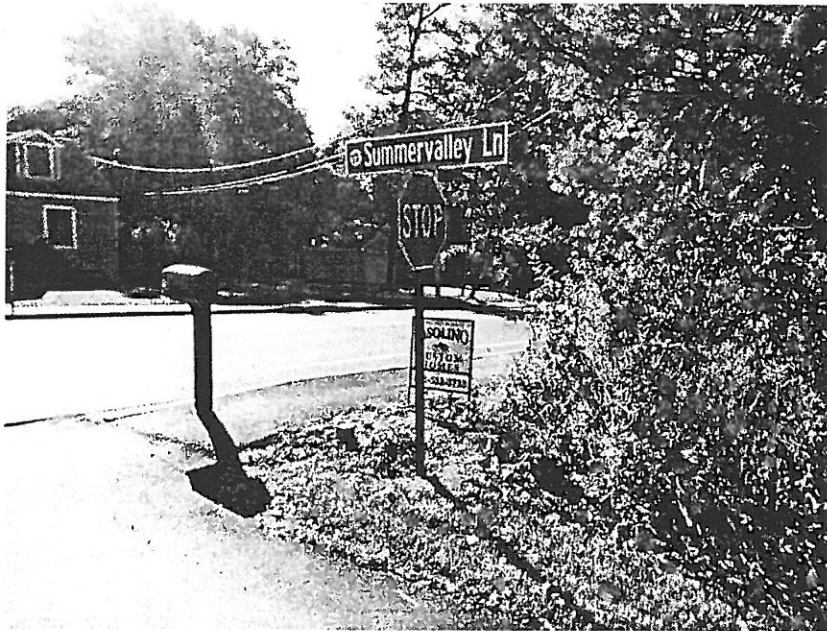
If you have any questions or require additional information, please don't hesitate to contact me at (508) 903-2000

.P\21583\127-21583-11012\CONSTRUCTION\PUNCH LIST\MEMO-SUMMER VALLEY LANE PUNCH LIST 2014-09-15.DOC

Photo # 1



Photo # 2



Susan Affleck-Childs

From: David Faist <dfaist@faisteng.com>
Sent: Tuesday, September 16, 2014 4:19 PM
To: Steven.Bouley@tetrattech.com
Cc: Susan Affleck-Childs; 'Mike Fasolino'
Subject: Summer Valley Lane - Binder Course
Attachments: Field Report-25 Summer Street-Report No 16-2013-11-20.pdf; Fassolino Regarding Summer Street.pdf

Hi Steve,

Could you please review the attached Tetrattech Field report which states that the correct binder course was installed at Summer Valley Lane.

Also attached is a letter from Asphalt Engineering to Mike Fasolino regarding the same issue from this past summer.

There is some confusion about this, and I'm trying to resolve this issue.

I know your most recent memo references a January 29, 2014 memo that I don't have.

Also, I don't have the expertise to certify that an asphalt product is sufficient to use as binder course, so I'm not sure how my name got in there.

I'm hoping the attached documents will satisfy this requirement. Please let me know.
Call with questions (508) 864-6802.

Thank you.

David

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

Tetra Tech
 One Grant Street
 Framingham, MA 01701

Project Summer Valley Lane	Date 11-20-2013	Report No. 16
Location 25 Summer Street, Medway, MA	Project No. 143-21583-11012	Sheet 1 of 2
Contractor Landsite Construction (Robert Roach)	Weather A.M. SUNNY P.M.	Temperature A.M. 40 P.M.

FIELD OBSERVATIONS

On Wednesday, November 20, 2013 Jeffrey Eisenhaur from Tetra Tech (TT) visited the project site to inspect the installation of bituminous concrete binder course and general site conditions. The following observations were made:

1. Observations

- A. The contractor completed the paving of the proposed roadway extension. TT was on-site to confirm that the correct thickness of pavement was placed. The pavement was installed at a loose depth of 3" for the length of the roadway in order to compensate for compaction to achieve the 2¹/₂" final compacted depth. It was determined that the bituminous concrete binder course was placed correctly and to the appropriate depth.
- B. The bituminous concrete binder course conformed to MassDOT sieve specification for dense binder course.
- C. The joints in the sidewalk where the proposed work meets the existing walk were sealed with a bituminous sealant upon completion of the paved roadway.

CONTRACTOR'S FORCE AND EQUIPMENT

WORK DONE BY OTHERS

Sup't					Dept. or Company	Description of Work
Foreman	1	Bulldozer	Asphalt Paver	1		
Laborers	1	Backhoe	Asphalt Reclaimer			
Drivers		Loader	Vib. Roller	1		
Oper. Engr.	1	Rubber Tire Backhoe/Loader	Static Roller			
Carpenters		Bobcat	Vib. Walk Comp.			
Masons		Hoeram	Compressor			
Iron Workers		Excavator	Jack Hammer			
Electricians		Grader	Power Saw			
Flag persons		Crane	Conc. Vib.			
Surveyors		Scraper	Tree Remover			
Owner		Conc. Mixer	Chipper			
		Conc. Truck	Screener			OFFICIAL VISITORS TO JOB
		Pickup Truck	1	Drill Rig		
		Dump Truck 6 Whl		Boom Lift		
		Dump Truck 10 Whl		Water Tank		
		Dump Truck 14 Whl		Lull		
		Dump Truck 18 Whl		Gradall		

Police Details: n/a	RESIDENT REPRESENTATIVE FORCE	
Time on site: 9:00 AM-10:00 AM.	Name	Name
CONTRACTOR'S Hours of Work:		
	Resident Representative: Jeffrey Eisenhaur	

Project Summer Valley Lane	Date 11-20-2013	Report No. 16
Location 25 Summer Street, Medway, MA	Project No. 143-21583-11012	Sheet 2 of 2
Contractor Landsite Construction (Robert Roach)	Weather A.M. SUNNY P.M.	Temperature A.M. 40 P.M.

FIELD OBSERVATIONS CONTINUED

2. Schedule

- A. The contractor will schedule the installation of bituminous asphalt top course after the construction of the site.

3. New Action Items

4. Previous Open Action Items

- A. TT informed the contractor that a sieve test would need to be submitted for both the gravel borrow and the dense graded crushed stone to be imported to the site. *The contractor submitted a sieve test that passed for gravel borrow. The contractor also asked if this material was sufficient to be used as the dense graded crushed stone proposed immediately below the pavement. TT said that the material was not sufficient because it was too large and did not meet the sieve requirements for the dense graded material. The contractor agreed to import different material for the dense graded crushed stone.*
- B. When the roadway is paved, the joints in the sidewalk where the proposed work meets the existing walk shall be sealed with a bituminous sealant. *The joints were sealed at the interface between the road and sidewalk but TT should confirm that the joints in the sidewalk were sealed as well.*

5. Materials Delivered to Site Since Last Inspection:

- A. Bituminous concrete binder course conformed to MassDOT sieve specifications



Mike Fassolino
Regarding Summer Street Medway
7/29/14

We paved this project with a 2.5" Basecoat and it is structurally sound. As of today, July 29 2014 it is a solid road with no issues and ready for a topcoat application.

Asphalt Engineering
Nathan Moreland



Allen M. Tingley
Chief of Police

Medway Police Department

315 Village Street
Medway, MA 02053

Phone: 508-533-3212
FAX: 508-533-3216
Emergency: 911

October 2, 2014

To: Medway Board of Selectman
Medway Planning Board and Economic Development Board

From: Jeffrey W. Watson
Sergeant/Safety Officer
Medway Police Department

Ref: Millstone Village
Adult Retirement Community
Sight line issues

I would like to make the Board of Selectmen and the Medway Planning and Economic Development Board aware of a safety concern at the Millstone Village currently under construction on Winthrop Street.

While checking the construction site I noticed a safety concern when exiting the North entrance/exit. There is not a proper sight line on the North side. While stopped looking North, Verizon pole #46 is presently in a bad location. However the new location that is marked with a white stick would put the pole directly in the exiting driver's line of sight. Pole #46 should be moved further back (west) at least five feet from the new location. Verizon Pole #47 is also in the sight line and should also be moved back (westerly).

Per my previous recommendation and in compliance with the approved Millstone Village Plan, the developer properly graded and removed any and all shrubs that would have restricted the sight line. However, just after Verizon pole #47 the grade of the land along with another large tree and other small trees interfere with the sight line.

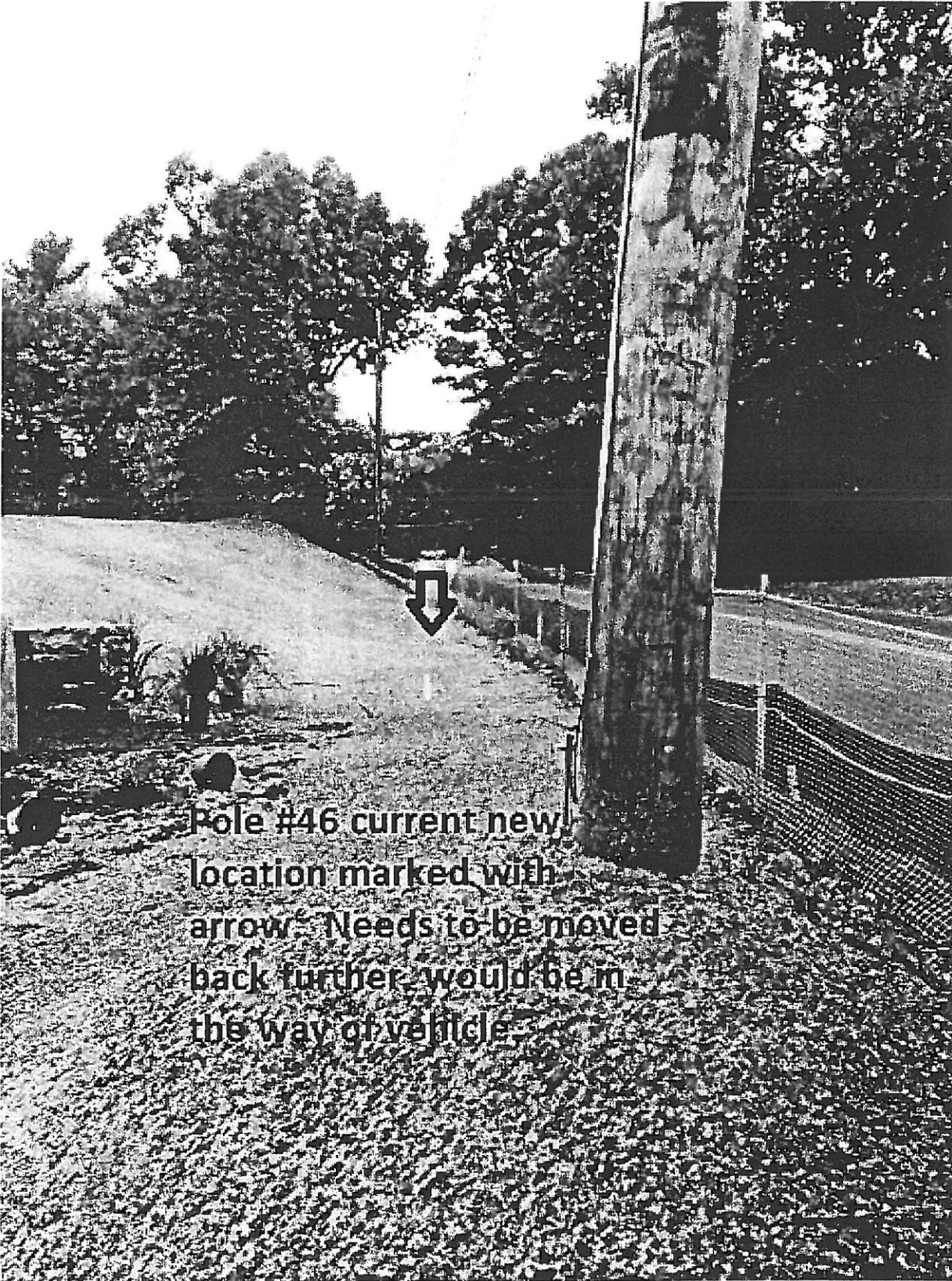
It would be my recommendation, that both poles be moved along with the removal of the large tree located near pole #47. The grading should be continued from the first Verizon pole #46 to approximately 30 feet north of Verizon pole #46. These revisions would allow for a safer egress onto Winthrop Street from the development.

Respectfully,

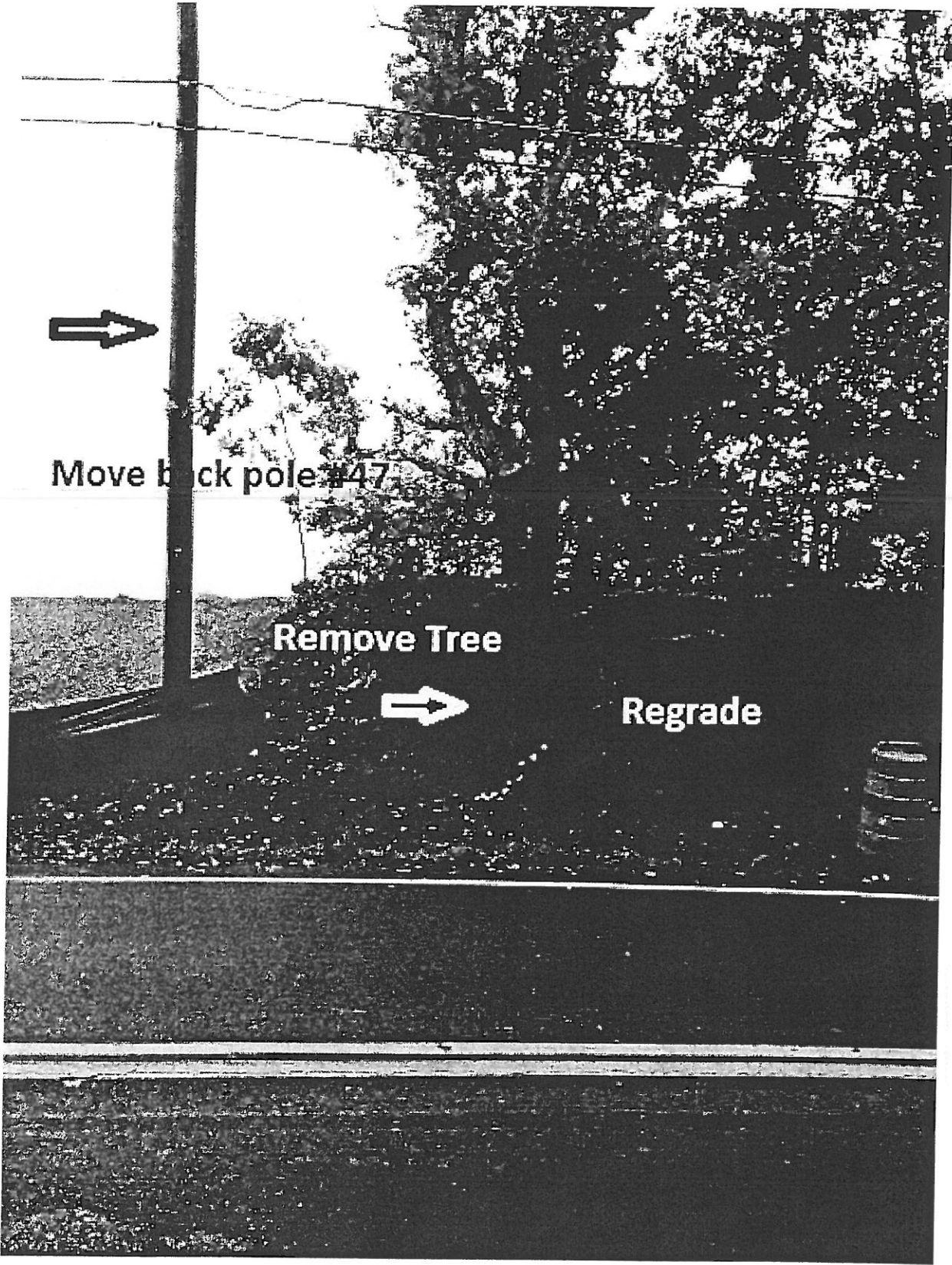
Jeffrey W. Watson
Sergeant/Safety Officer
Medway Police Department



View From Inside Vehicle



Pole #46 current new location marked with arrow. Needs to be moved back further, would be in the way of vehicle.



Move back pole #47

Remove Tree

Regrade

Tetra Tech One Grant Street Framingham, MA 01701		
Project	Date	Report No.
Millstone Village	09-23-14	07
Location	Project No.	Sheet 1 of
Winthrop Street	143-21583-14018	2
Contractor	Weather	Temperature
Titan Contracting Dave Zercoe	A.M. SUNNY P.M.	A.M. 60° P.M.

FIELD OBSERVATIONS

On Tuesday, September 23, 2014 Jeffrey Eisenhour from Tetra Tech (Tt) visited the project site to inspect the current condition of the site and construction progress. The following observations were made:

1. Observations

- A. The contractor is in the process of installing sewer mainline. The contractor has installed SMH #3 and pipe up to STA 5+50. Pipe and structures have been installed per the approved plans. The contractor is awaiting delivery of sewer chimney's for many of the house services along Millstone Drive.
- B. The contractor is in the process of installing the foundation for Unit #4.

CONTRACTOR'S FORCE AND EQUIPMENT

WORK DONE BY OTHERS

Sup't					Dept. or Company	Description of Work
Foreman		Backhoe		Asphalt Reclaimer		
Laborers	3	Loader	1	Vib. Roller		
Drivers	1	Rubber Tire Backhoe/Loader		Static Roller		
Oper. Engr.	5	Bobcat		Vib. Walk Comp.	1	
Carpenters		Hoeram	1	Compressor		
Masons	5	Excavator	3	Jack Hammer		
Iron Workers		Grader		Power Saw		
Electricians		Crane		Conc. Vib.		
Flag persons		Scraper		Tree Remover		
Surveyors		Articulating Dump Truck		Chipper		
		Conc. Truck		Screener		OFFICIAL VISITORS TO JOB
		Pickup Truck		Drill Rig		
		Dump Truck 6 Whl		Boom Lift		
		Dump Truck 10 Whl		Water Truck	1	
		Dump Truck 14 Whl		Lull		
		Dump Truck 18 Whl		Gradall		

Police Details:	RESIDENT REPRESENTATIVE FORCE	
Time on site: 8:30 A.M. – 9:30 A.M.	Name	Name
CONTRACTOR'S Hours of Work:		
	Resident Representative: Jeffrey Eisenhour	

Project Millstone Village	Date 09-23-14	Report No. 07
Location Winthrop Street	Project No. 143-21583-14018	Sheet 2 of 2
Contractor Titan Contracting Dave Zercoe	Weather A.M. SUNNY P.M.	Temperature A.M. 60° P.M.

FIELD OBSERVATIONS CONTINUED

2. Schedule

- A. The contractor expects to continue the installation of the sewer for the rest of the week and through next week.

3. New Action Items

- A. N/A

4. Previous Open Action Items

- A. Contractor to finish pave sewer/water trenches in Winthrop Street.
- B. Contractor requesting change in drain pipe material from HDPE to RCP. Awaiting board decision on the matter. *TT Update: The board has accepted the change in material. No further action required for this item.*

5. Materials Delivered to Site Since Last Inspection:

- A. N/A

Tetra Tech
 One Grant Street
 Framingham, MA 01701

Project Millstone Village	Date 09-30-14	Report No. 08
Location Winthrop Street	Project No. 143-21583-14018	Sheet 1 of 2
Contractor Titan Contracting Dave Zercoe	Weather A.M. CLOUDY P.M. CLOUDY	Temperature A.M. 65° P.M. 75°

FIELD OBSERVATIONS

On Tuesday, September 30, 2014 Steven Bouley from Tetra Tech (Tt) visited the project site to inspect the current condition of the site and construction progress. The following observations were made:

1. Observations

- A. The contractor is in the process of installing sewer mainline along Sandstone Drive. Ledge was encountered between STA 1+00 and 1+50 on the Sandstone Drive sewer alignment. To date, the contractor has installed sewer pipe and SMH structures #1A through #5 along Millstone Drive. Pipe and structures have been installed per the approved plans. Trenches have been left open at service locations along Millstone Drive in order to install chimneys once they arrive on-site.
- B. The contractor was in the process of installing the outlet control structure for Detention Basin #1P. It appeared that the structure was being installed per plan. The emergency spillway and all headwalls have been placed in Detention Basin #1P as well.
- C. The contractor is in the process of installing the foundation for Unit #3. The footing has been poured and the foundation walls were being formed at the time of inspection.
- D. The fieldstone wall adjacent to Winthrop Street has been completed. Areas adjacent to the wall have been loamed and hydro-seeded.

CONTRACTOR'S FORCE AND EQUIPMENT

WORK DONE BY OTHERS

Sup't					Dept. or Company	Description of Work
Foreman	1	Bulldozer		Asphalt Paver		
		Backhoe		Asphalt Reclaimer		
Laborers	3	Loader	1	Vib. Roller		
Drivers		Rubber Tire Backhoe/Loader		Static Roller		
Oper. Engr.	3	Bobcat		Vib. Walk Comp.		
Carpenters		Hoeram	1	Compressor		
Masons		Excavator	2	Jack Hammer		
Iron Workers		Grader		Power Saw		
Electricians		Crane		Conc. Vib.		
Flag persons		Scraper		Tree Remover		
Surveyors		Articulating Dump Truck		Chipper		
		Conc. Truck		Screener		
		Pickup Truck		Drill Rig		
		Dump Truck 6 Whl		Boom Lift		
		Dump Truck 10 Whl		Water Truck		
		Dump Truck 14 Whl		Lull		
		Dump Truck 18 Whl		Gradall		

OFFICIAL VISITORS TO JOB

RESIDENT REPRESENTATIVE FORCE

Police Details:		Name	Name
Time on site: 8:00 A.M. – 1:30 P.M.			
CONTRACTOR'S Hours of Work:			
		Resident Representative: Steven Bouley	

Project Millstone Village	Date 09-30-14	Report No. 08
Location Winthrop Street	Project No. 143-21583-14018	Sheet 2 of 2
Contractor Titan Contracting Dave Zercoe	Weather A.M. CLOUDY P.M. CLOUDY	Temperature A.M. 65° P.M. 75°

FIELD OBSERVATIONS CONTINUED

2. Schedule

- A. The contractor expects to continue the installation of the sewer for the rest of the week and through next week.

3. New Action Items

- A. N/A

4. Previous Open Action Items

- A. Contractor to finish pave sewer/water trenches in Winthrop Street.

5. Materials Delivered to Site Since Last Inspection:

- A. N/A

ARTICLE 26: (Adult Retirement Community and Affordable Housing Revisions)

To see if the Town of Medway will vote to amend the Medway Zoning Bylaw, SECTION V. USE REGULATIONS, Sub-Section U. Adult Retirement Community Planned Unit Development (ARCPUD), 4. c) ARCPUD General Standards, item 4) to read as follows (new wording is underlined and wording that is being deleted is ~~stricken~~ through):

4. c) 4) Upon approval by the Planning and Economic Development Board, an ARCPUD also may include any combination of the following accessory uses:

- a. Local Convenience Retail;
- b. Medical Offices or Clinics; and
- c. Adult Day Care;

~~use of no more than 7,500 square feet of gross building area. If located within an ARCPUD development, by definition, provided that the total amount of building area occupied by Local Convenience Retail uses shall not exceed 4,500 square feet and the total of all such accessory uses shall not exceed five percent (5%) of the ARCPUD's total gross building area. or 7,500 square feet, whichever is greater.~~

AND to amend Sub-Section U. Adult Retirement Community Planned Unit Development (ARCPUD), Paragraph 4. c) ARCPUD General Standards, item 6) as follows (new wording is underlined and wording that is being deleted is ~~stricken~~ through):

4. c) 6) The maximum number of permitted housing units in an ARCPUD shall be determined by multiplying the gross acreage of the ARCPUD site by a factor of three (3.0). A housing unit shall be defined as equal to:

- a. A home site in an ARCPUD Residential Subdivision, a dwelling unit in an ARCPUD Independent Living Residence Facility, a townhouse, or a dwelling unit as defined in the Bylaw;
- b. Two (2) dwellings or rooms in an ARCPUD Assisted Living Residence Facility or an ARCPUD Congregate Living Residence Facility, ~~provided such dwellings do not meet the definition of a dwelling unit;~~
- c. Three (3) dwellings or rooms in an ARCPUD Long-Term Care Facility.

AND to amend Sub-Section U. 4. c) ARCPUD General Standards, by deleting item 9) as follows (wording that is being deleted is ~~stricken~~ through):

4. c) 9) ~~Affordability— At least 10% of the total number of ARCPUD residential dwelling units, rounded up to the next higher integer, shall be designated and made available as Affordable Dwelling Units as defined in this Zoning Bylaw.~~

AND to amend Sub-Section U. 4. e) 8) *ARCPUD Site Development Standards*, (new wording is underlined and wording that is being deleted is ~~stricken~~ through):

8) Within the ARCPUD a minimum of two (2) off-street parking spaces shall be required for each dwelling housing unit as calculated in Sub-Section U. 4. c) 6). The required parking space(s) shall be provided on the same lot as the dwelling(s) or on a contiguous lot (within the ARCPUD) provided that there are easements ensuring rights of access, use and maintenance. The Planning and Economic Development Board may, as a condition of granting a special permit for the ARCPUD, require additional off-street parking areas to be provided for use in common by dwelling unit owners or residents and their guests, or reduce the required number of parking spaces based on documentation from the applicant, including but not limited to standards from the Institute of Transportation Engineers Parking Generation Manual or data from similar facilities.

AND to amend SECTION II. DEFINITIONS by inserting the following definitions in alphabetical order (new wording is underlined):

Medical Office or Clinic – An establishment primarily engaged in furnishing medical, surgical, psychiatric or other health-related services to individuals, including the offices of physicians, dentists and other health practitioners, medical and dental laboratories, out-patient care facilities, and sale or rental of medical supplies.

Adult Day Care -- Also commonly known as adult day services, is a non-residential facility that supports the health, nutritional, social support, and daily living needs of adults in professionally staffed, group settings. Services may include transitional care and short-term rehabilitation following hospital discharge.

AND to amend SECTION V. USE REGULATIONS, Sub-Section X Affordable Housing, Paragraph 3. Applicability, a) by renumbering the current item 5) to become item 6) and by inserting a new item 5) as follows (new wording is underlined):

3. a) 5) Sub-Section U. Adult Retirement Community Planned Unit Development (ARCPUD) of SECTION V. USE REGULATIONS of the Medway Zoning Bylaw

AND in Paragraph 3. Applicability, c) by revising item 2) to read as follows (new wording is underlined and wording that is being deleted is ~~stricken~~ through):

3. c) 2) Adult Retirement Community ARCPUD Assisted Living Residence Facility, ARCPUD Congregate Living Facility, and an ARCPUD Long Term Care Facility approved pursuant to an ARCPUD Special Permit under SECTION V. USE REGULATIONS, Sub-Section U. Adult Retirement Community Planned Unit Development (ARCPUD)

ARTICLE 25: (Revise Commercial I)

To see if the Town of Medway will vote to amend the Medway Zoning Bylaw by deleting Sub-Section G. Commercial District I in SECTION V. USE REGULATIONS and replacing it as follows:

G. COMMERCIAL DISTRICT I

1. Purpose: To encourage the development and redevelopment of the district in a manner that represents the qualities, functions, and architectural features of a traditional New England town center as guided by the *Medway Design Review Guidelines*. Such features and functions include mixed business, service, civic, institutional and/or residential uses which are arranged in a compact pattern that is conducive to pedestrian access and use.
2. Buildings, structures and premises may be used for any of the following purposes and uses customarily accessory thereto but no others, subject to the regulations and conditions enumerated herein:
 - a) Municipal use
 - b) Retail Sales
 - c) Offices for business or professional use
 - d) Salesroom for motor vehicles, trailers, boats, farm implements or machinery with repair services and storage permitted but not including auto body, welding or soldering shops
 - e) Undertaking establishment or funeral home
 - f) Restaurant or other establishment providing food and beverage within a building. Outdoor dining may be permitted by the Building Inspector upon a determination that the location of the seating does not represent a safety hazard
 - g) Bank or other financial institution
 - h) Personal care services such as but not limited to barber shops, beauty parlors, and nail salons
 - i) Services such as but not limited to health care, fitness facility, and other miscellaneous business and social/human services
 - j) Repair shops for small electronic equipment, appliances and tools
 - k) Schools

- l) Any of the following uses if authorized by special permit:
 - 1) Live entertainment within a building.
 - 2) Motel or hotel
 - 3) Commercial indoor amusement or recreation place or place of assembly
 - 4) Vehicle Fuel Station
 - 5) Automotive car wash
 - 6) Shopping center – ~~For initial development. A turnover in tenants to the same permitted uses or to one of the above by-right uses does not require a new or amended special permit, but may require site plan approval.~~
 - 7) Drive-thru facility
 - 8) Kennel
 - 9) Vehicle Repair
 - 10) Assisted living residence facility as defined by M.G.L, chapter 19D.
 - 11) Mixed Use Development – A combination of multi-family dwelling units with any of the by right and/or special permit uses specified herein.
3. Coordination of Special Permit and Site Plan Review - In order to facilitate a streamlined permitting process, when the scope of the development project necessitates major or minor site plan review pursuant to SECTION V. USE REGULATIONS, Sub-Section C. Site Plan Review and Approval of the Medway Zoning Bylaw, the special permit granting authority shall be the Planning and Economic Development Board so that the special permit and site plan reviews can be consolidated and conducted concurrently. Otherwise, the special permit granting authority shall be the Zoning Board of Appeals.
4. By-right uses shall comply with the following dimensional regulations:
 - a) Minimum lot size: 20,000 sq. ft.
 - b) Maximum lot coverage, including accessory buildings: 30%
 - c) Minimum continuous frontage: 100 ft.
 - d) Minimum front-yard setback: 50 ft. of which the first 10 ft. nearest the street line shall not be used for the parking or storage of vehicles and shall be suitably landscaped
 - e) Minimum side-yard and rear-yard setback: 25 ft. of which the first 10 ft. nearest each lot line, if the adjacent use is residential in whole or in part, shall not be used for the parking or storage of vehicles and shall be suitably landscaped
 - f) Maximum building height: 40 ft.
5. Special Permit Regulations – The following provisions shall apply to Special Permit Uses and are also available to applicants for “By Right” uses who wish to seek a Special Permit to achieve flexible site design.

a) Dimensional Requirements

- 1) Minimum lot size: 10,000 sq. ft.
- 2) Minimum continuous frontage: 50 ft.
- 3) Minimum front-yard setback: Principle buildings shall be set back a minimum of 10 feet from the front lot line. Architectural features such as bay windows, porches, balconies, porticos, canopies, etc. shall not be subject to the 10-foot minimum setback.
- 4) Minimum side-yard and rear-yard setback: For lot lines abutting a residential zoning district, 25 ft. of which the first 10 ft. nearest each lot line shall not be used for the parking or storage of vehicles and shall be suitably landscaped. There is no side-yard or rear-yard setback for properties abutting other properties within the C1 district.
- 5) Maximum building height: 60 ft.

b) Residential Uses in a Mixed Use Development

- 1) Except for assisted living residence facilities, a building comprised of 100% multi-family dwelling units shall not be permitted.
- 2) In a 3 story building, no more than 67% of the gross floor area shall be comprised of multi-family dwelling units. In a 2 story building, no more than 50% of the gross floor area shall be comprised of multi-family dwelling units.
- 3) Multi-family dwelling units may not be located on the ground floor of a mixed-use building or development unless:
 - a. the building with the multi-family dwelling units is set behind another building which has business uses on the ground floor and a front façade that faces a public way or primary access drive; or
 - b. the residential portion of the ground floor is set behind the business uses within the same building which has a front façade that faces a public way or primary access drive.
- 4) No more than 10% of the total number of a mixed-use development's residential dwelling units shall have more than 2 bedrooms.

- c) A minimum of 15% of the site shall function as landscaped and/or public space. The landscaped and/or public space shall be architecturally integral to the site and/or, as appropriate and practical, to abutting sites. No space that is used for

vehicular parking or circulation, or loading shall be included as landscaped and/or public space.

d) Special Permit Review Criteria

- 1) Special permits granted under this sub-section are not subject to the special permit criteria specified in SECTION III. Sub-Section J of this Bylaw.
- 2) Before granting a special permit for the specified special permit uses or for flexible site design of by-right uses in the Commercial I zoning district, the special permit granting authority shall find that in its judgment, all of the following criteria for granting the special permit are met:
 - a. The proposed site design represents the qualities of a traditional New England town center.
 - b. The proposed site design is environmentally sustainable, Economically viable and is readily accessible to and useable by pedestrians.
 - c. The design of buildings is consistent or compatible with traditional New England architectural styles as described in the *Medway Design Review Guidelines*.
 - d. The proposed site design reflects and advances the goals and objectives of the Medway Master Plan as updated.
 - e. Adequate pedestrian and (where applicable) vehicular linkages within the site and connecting to abutting properties are provided.
 - f. Streets, driveways, sidewalks, landscaped areas and public services are laid out in a safe, economical, and efficient manner.
 - g. Any detrimental impacts of the site design on abutting properties and/or residential neighborhoods have been adequately mitigated.
 - h. The development project incorporates site design and building construction features that minimize energy consumption and reduce environmental impacts.
 - i. The site design incorporates the site's existing topography and protects natural features to the maximum extent possible.

6. Design Requirements

- a) All facades of a building that are visible from a public way or an internal pedestrian or vehicular way shall be designed in accordance with the current *Medway Design Review Guidelines* and the Design Principles and Standards included in the *Site Plan Rules and Regulations*.
- b) All sites shall include pedestrian connections to abutting commercial properties and, where appropriate, to abutting residential neighborhoods. The pedestrian connections shall be well-defined and of a design and quality that will encourage significant use.
- c) Vehicular connections to abutting sites shall be provided where practical as determined by the Planning and Economic Development Board as part of the review process. In cases

where physical connections are not currently possible, easements and a design to provide for potential future connections may be required.

- d) Buildings and developments shall be made pedestrian friendly by use of amenities such as wide sidewalks/pathways, outdoor seating, and patios or courtyards. All structures, parking, pathways and other pedestrian amenities shall be designed to maximize ease of pedestrian access.
- 7. Sustainability – New buildings constructed in the Commercial I district after the passage of this bylaw are encouraged to promote sustainability by being environmentally responsible and resource-efficient throughout a building’s life-cycle from siting to design, construction, operation, maintenance, renovation and deconstruction. This may be accomplished by incorporating sustainable materials in the construction (e.g., reused, recycled-content, or made from renewable resources); create healthy indoor environments with minimum pollutants (e.g., reduced product emissions); and/or feature landscaping that reduces water usage (e.g., by using native plants that survive without extra watering). The criteria in the current Leadership in Energy and Environmental Design (LEED), Institute for Sustainable Infrastructure (ISI), and EPA’s Green Building program offer examples of measures that will help accomplish this goal.

AND to amend the Sub-Section H. Parking Regulations of SECTION V. USE REGULATIONS by adding the following to the Parking Requirements Schedule in Paragraph 4.

Multi-Family Dwelling in Commercial I – 1.5 spaces per dwelling unit.

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD



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

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

October 1, 2014

NOTICE OF PUBLIC HEARING
Town of Medway – Planning & Economic Development Board
Proposed Amendments to Medway Zoning Bylaw & Map

Pursuant to the Medway Zoning Bylaw and M.G.L. Ch. 40A, Section 5, *the Medway Planning and Economic Development Board will conduct a public hearing on Tuesday, October 21, 2014 at 7:15 p.m.* at Medway Town Hall, 155 Village Street, Medway, MA to receive comments on proposed amendments to the *Medway Zoning Bylaw and Map* (last update published July 7, 2014). The proposed amendments have been submitted for inclusion on the warrant for the November 10, 2014 Fall Town Meeting. The subject matter of the proposed amendments is indicated below. The noted warrant article numbers may change as the warrant is finalized and published.

MEDWAY ZONING BYLAW – Proposed Amendments

ARTICLE 23: Amend the *Medway Zoning Map* by rezoning 6 parcels of land (31, 32, 33, 35 & 37 Summer ST and 37 Milford ST) from Agricultural-Residential II zoning to Commercial V zoning. A map showing the parcels proposed for rezoning is on file with the Medway Town Clerk.

ARTICLE 24: Amend the *Medway Zoning Map* to depict the boundaries of the Medway Mill Conversion Subdistrict (165 Main Street) within the Adaptive Use Overlay District. A map showing the designated area is on file with the Medway Town Clerk.

ARTICLE 25: In SECTION V. USE REGULATIONS, delete Sub-Section G. Commercial District I in its entirety and replace it with a completely new Sub-Section G. Commercial District I.

ARTICLE 26: In SECTION V. USE REGULATIONS, Sub-Section U. Adult Retirement Community Planned Unit Development (ARCPUD), amend as follows:

- 4. c) 4) - Add *Medical Offices or Clinics and Adult Day Care* as allowed accessory uses and provide size limitations thereon; and
- 4. c) 6) - Refine the language regarding the maximum number of ARCPUD housing units by type of housing unit; and
- 4. c) 9) - Remove the affordable housing regulation in its entirety; and
- 4. e) 8) - Revise the parking requirements to allow flexibility depending on the types of ARCPUD housing units.

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

AND In SECTION II. DEFINITIONS - Add definitions for *Medical Office or Clinic* and for *Adult Day Care*;

AND in SECTION V. USE REGULATIONS, Sub-Section X. Affordable Housing as follows:

- 3. a) - Add a new item 5) Adult Retirement Community Planned Unit Development (ARCPUD) to the list of developments subject to the Town's general affordable housing requirements; AND
- 3. a) - Renumber the existing item 5) to item 6); AND
- 3. c) 2) - Exempt ARCPUD assisted living residence facilities, ARCPUD congregate living facilities, and ARCPUD long-term care facilities from the affordable housing requirements.

ARTICLE 27: In SECTION V. USE REGULATIONS, Sub-Section R. Sign Regulations - Revise the language regarding the process for the review and approval of temporary, special event banners across a public right-of-way.

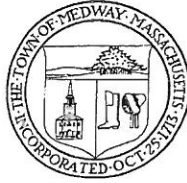
The complete text of the proposed amendments to the *Medway Zoning Bylaw* and the *Medway Zoning Map* are on file with the Medway Town Clerk and the Planning and Economic Development office at Medway Town Hall, 155 Village Street, Medway, MA and may be inspected Monday through Thursday from 7:30 a.m. to 4:30 p.m. and Fridays from 7:30 am to 12:30 p.m. The information may also be viewed online at the Planning and Economic Development Board web page <http://www.townofmedway.org>. For further information, please contact the Planning and Economic Development office at 508-533-3291.

Interested persons or parties are invited to review the proposed amendments, attend the public hearing, and express their views at the designated time and place. Written comments are encouraged and may be sent to the Medway Planning and Economic Development Board, 155 Village Street, Medway, MA 02053 or emailed to: planningboard@townofmedway.org.

Andy Rodenhiser

Planning & Economic Development Board Chairman

To be published in the *Milford Daily News*:
Monday, October 6, 2014
Tuesday, October 14, 2014



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

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

MEMORANDUM

October 1, 2014

TO: Medway Zoning Board of Appeals
FROM: Medway Planning and Economic Development Board
RE: Petition of Medway Realty LLC for variances for signs for Medway Shopping Center

The Medway Planning and Economic Development Board (PEDB) has reviewed the petition to the ZBA dated August 27, 2014 from Medway Realty LLC of Boston, MA regarding the Medway Shopping Center properties located at 98, 104 and 114 Main Street. We understand the applicant is seeking a variance from the Sign Regulation section of the Zoning Bylaw to allow the construction of two new identically sized free-standing signs to replace two existing free-standing signs which date back to 1986. The height and sign surface area of the proposed signs exceed that of the existing already non-conforming signs and far exceed the maximums specified in the Zoning Bylaw for the Commercial I zoning district as approved by Town Meeting in June 2004.

The PED office has prepared an analysis of the existing signs, the proposed signs, and the Zoning Bylaw's signage regulations applicable to the Commercial I zoning district. ***See attached chart.*** We hope this information may be helpful to the ZBA as you consider the applicant's petition.

1. *Sign Surface Area* - The two *existing* free-standing development signs for the Medway Shopping Center have a total 277 sq. ft. of sign surface area. This calculation includes the amount of sign surface area on both sides of both signs. The designs for the two *proposed* signs show 700 sq. ft. of sign surface area (350 sq. ft. per sign – both sides). This is 2.5 times the amount of sign surface area of the existing signs and 5.4 times the amount of sign surface area allowed by the Zoning Bylaw for “development signs” in the Commercial I zoning district.
2. *Sign Height* – With the two *existing* signs, one is 18' high and the other is 12' tall. The two *proposed* signs are each 22'7” in height. The maximum height per the Zoning Bylaw for a “development sign” in the Commercial I zoning district is 12' for a primary sign and 6' for a secondary sign.

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

There are a number of other comments to share with the ZBA.

1. Some of the signs in the Commercial I zoning district which the applicant has cited as justification for the increased height and sign surface area are pre-existing, non-conforming (*Reardon Building, Malloy Insurance and Hair Salon*). From a planning perspective, it does not make sense to use run down, non-conforming signs as an acceptable standard for new signs in Medway's primary business district.
2. It seems reasonable to think that granting these variances could prompt petitions from other businesses/property owners for similar height and size variances. The long term result of taller and bigger signs is a clutter-filled and unattractive aesthetic (*think of Route 1 and Route 9*) for our primary commercial district. This is a contradiction to one of the purposes of the Sign Regulation section of the Zoning Bylaw – *to minimize and current and potential visual clutter and height of signs by requiring conformance to the Bylaw and encouraging sign design excellence pursuant to the Medway Design Review Guidelines.*
3. The applicant purports that the tenants' façade/wall signs at Medway Shopping Center are not sufficient to attract business and therefore each tenant needs an inset panel on a free-standing sign. We are uncertain whether a development sign which includes individual business inset panels will generate the added value the tenants expect.
4. The applicant has stated that the proposed signs "*may help to alleviate traffic bottlenecks from vehicles slowing down in front of the Center trying to identify businesses located therein which are not advertised on the existing pylons.*" Is there any traffic safety evidence to support this perspective?
5. The Town's Route 109 reconstruction project certainly needs to be considered in any plan for new and repositioned signs. The 75% Design Plan includes a new Main Street traffic signal at a location which will become the main entrance to the Shopping Center. To accommodate the traffic signal, the Shopping Center needs to establish a primary access driveway and the parking lot needs to be reconfigured which will necessitate repositioning one of the existing pylon signs. According to the Medway Department of Public Services, Route 109 construction is expected to begin in the spring of 2016. The Town and the owners of the Medway Shopping Center are in the process of developing an agreement as to the particulars of that entrance, access drive and parking lot design.
6. The Planning and Economic Development Board has submitted an article for consideration at the fall town meeting to amend the Commercial I section of the zoning bylaw. If approved, those provisions will allow for reduced setback requirements and for mixed residential-business use buildings which could result in one or more new, 2-story freestanding buildings. The owners of the Medway Shopping Center have expressed interest in these zoning changes and are evaluating their options for redeveloping the shopping center with these new opportunities. We question how the signage needs of those future tenants will be addressed with the existing signage proposal. From a planning perspective, the applicant's petition may be somewhat premature as there is not yet a complete picture of what a full build-out of this shopping center site could be under the proposed zoning amendments and with the changes involved resulting from the Route 109 reconstruction project. It would be preferable for the applicant to develop a master signage plan as part of a comprehensive site redevelopment plan for the entire site.

Thank you for considering these comments. We ask that this communication be entered into the record during the public hearing on this petition.

Medway Shopping Center Free-Standing Development Signs

Existing Signs		Proposed Signs		Zoning Bylaw Provisions for Commercial 1				
Overall Size	Sign Surface Area*	Overall Size	Sign Surface Area*	Maximum Height	Maximum Sign Surface Area*	Maximum Sign Surface Area*	Maximum Sign Surface Area*	
Sign #1 - Easterly entrance	18' high x 10' wide	167 sq. ft. (both sides)	Internal	22' 7" high x 13' 2" wide	350 sq. ft. (both sides)	Internal	Primary Sign 100 sq. ft. (both sides) Secondary Sign 30 sq. ft. (both sides)	1 per curb cut not to exceed 1 per street frontage (1 sign is primary, any others are secondary)
Sign #2 - Westerly entrance	12' high x 8' 10" wide	110 sq. ft. (both sides)	Internal	22' 7" high x 13' 2" wide	350 sq. ft. (both sides)	Internal	External	
Total		277 sq. ft.			700 sq. ft.		130 sq. ft.	

* Sign Surface Area - Shall be considered to be that of the smallest single rectangle as measured with vertical and horizontal lines, enclosing the entire graphic display area of a sign including but not limited to all lettering and wording, all accompanying designs, logos or symbols, and the extreme limits thereof of the accompanying background or mounting panel that is attached to the building or structure. All faces of a multi-faced sign shall be counted in computing a sign's total sign surface area. Structural members, framework and bracing that are incidental to the sign itself and do not bear advertising matter shall not be included in computing sign surface area unless such are internally illuminated.



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Richard Di Iulio, Associate Member

MEMORANDUM

October 1, 2014

TO: Medway Zoning Board of Appeals
FROM: Medway Planning and Economic Development Board
RE: Petition of Maritime Housing Fund for 123 Main Street

The Medway Planning and Economic Development Board (PEDB) has reviewed the petition dated August 26, 2014 submitted by Maritime Housing LLC to the ZBA regarding the property at 123 Main. We believe the applicant is seeking a use variance to allow the construction of four duplex structures on this 6.3 acre site along with a common driveway to serve those dwellings. The property has split zoning - the northern portion is in Commercial I and the southern and eastern portions are located in the ARII district. The petition includes a drawing prepared by Colonial Engineering dated 5/9/2014, last revised 8/26/14, which shows the parcel divided into 4 house lots with a common driveway coming into the site off of Main Street.

The PEDB has a number of comments/questions to share with the ZBA.

1. We are uncertain whether Maritime Housing is petitioning the ZBA to use the subject site as one parcel with a development comprised of 4 duplex residential structures or whether the applicant intends to divide the property into 4 separate house lots and is seeking a special permit to allow the construction of four 2-family buildings. ***Please be advised that the PEDB has NOT approved a subdivision plan or an Approval Not Required (ANR) Plan for the 6.3 acre subject parcel.*** At its 5/27/2014 meeting, the PEDB voted to NOT endorse a Subdivision Approval Not Required Plan (ANR) plan by Colonial Engineering dated 5/9/2014 to divide the property into 4 lots. The PEDB concluded the ANR plan as presented was an attempt to avoid the requirements of the Subdivision Control Act whereby a proper road, infrastructure, and drainage would have to be constructed. The PEDB also questioned whether the proposed lots could meet the Zoning Bylaw's requirement for 50% contiguous uplands. Further, we were not confident the houses could be accessed from the frontages on Main and Elm Streets without extensive wetland crossings on Lots 2, 3 and 4. Lastly, the Board was made aware of a 2009 Massachusetts Appeals Court case, *Bruni vs. Planning Board of*

Ipswich in which the Court ruled that access to a residential development could not be provided through a commercial district in which the residential use was not permitted. Subsequent to the PEDB's decision to not endorse the ANR plan, the applicant brought suit against the Board in Norfolk Superior Court to appeal that decision; that suit is still pending.

2. Medway's Commercial I zoning district through which the applicant proposes to construct a common driveway, does not allow the construction of single family or two family homes.
3. The information provided with the petition does not include a drawing to show where the houses/structures would be located on the site/parcel nor any information about "driveway" construction, drainage, parking and site amenities.
4. The PEDB believes the Zoning Bylaw is silent on the use of common/shared driveways EXCEPT for a residential development authorized under an Open Space Residential Development (OSRD) special permit. In this absence, we question whether a common driveway may be authorized.
5. The *Subdivision Rules and Regulations* include specific provisions for small, private way subdivisions with less demanding construction standards for roadway widths, curbing and sidewalks. This is certainly an alternative approach the applicant could consider for this site. The applicant's request for a common driveway seems to be an overt attempt to not comply with the Subdivision Control Law.
6. The Planning and Economic Development Board has submitted an article for this fall's town meeting to modify the provisions of the Commercial I zoning district to allow for mixed residential-business uses. If approved, the new Commercial I zoning may provide expanded development opportunities for this site that the applicant could consider. Such mixed uses might be quite suitable for this property as it sits on the edge of the Commercial and ARII districts.
7. You may wish to advise the applicant that the development of eight dwelling units is subject to the Town's affordable housing requirements as specified in SECTION V., Sub-Section X of the Medway Zoning Bylaw; one of the eight dwelling units would be required to be "affordable" in accordance with standards of the Mass Department of Housing and Community.
8. If the ZBA is inclined to grant a use variance or special permit to allow for four duplexes on one parcel, we would recommend that you condition the decision on the applicant securing site plan approval as the entire site needs to be reviewed for drainage and suitable site amenities.

Thank you for your attention to these comments. We ask that you enter this communication into the record during the October 1, 2014 public hearing.