

**February 25, 2014**  
**Medway Planning and Economic Development Board**  
**155 Village Street**  
**Medway, MA 02053**

<b>Members</b>	<b>Andy Rodenhiser</b>	<b>Bob Tucker</b>	<b>Karyl Spiller-Walsh</b>	<b>Tom Gay</b>	<b>Matt Hayes</b>	<b>Rich Di Iulio</b>
<b>Attendance</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>

**ALSO PRESENT:**

Susy Affleck-Childs, Planning and Economic Development Coordinator  
Amy Sutherland, Meeting Recording Secretary

The Chairman opened the meeting at 6:30 pm and announced that the Board would enter into executive session for the purpose of discussing a complaint that was brought against members of the Planning and Economic Development Board. The Board will return to the public session at the conclusion of the executive session.

**On a motion made by Bob Tucker and seconded by Karyl Spiller-Walsh, the Board voted by roll call vote to go into executive session for the purpose of discussing a complaint brought against members of the Planning and Economic development board. The Board will return to the public session at the conclusion of the executive session.**

**Roll Call Vote:**

Bob Tucker	aye
Karyl Spiller-Walsh	aye
Matt Hayes	aye
Tom Gay	aye
Andy Rodenhiser	aye

HR Director Susan Ellis and Medway Labor Counsel Marc Terry were also present.

The Planning and Economic Development Coordinator, Recording Secretary, and Associate member were asked to leave the room.

The Board came out of the executive session and began regular session at 7:10 pm.

Steve Bouley from Tetra Tech attended the meeting.

There were no Citizen Comments.

**Hill View Estates:**

The Board is in receipt of a construction administration services estimate dated February 14, 2014 from Tetra Tech in the amount of \$4,595.40. **(See Attached)**

**On a motion made by Matt Hayes and seconded by Bob Tucker, the Board voted unanimously to accept the construction administrative service estimate in the amount of \$4,595.40 for Hill View Estates.**

**4 and 6 Fern Path:**

The Board is in receipt of an ANR plan.

**On a motion made by Bob Tucker and seconded by Karyl Spiller-Walsh, the Board voted unanimously to endorse the ANR plan for Fern Path dated February 13, 2014.**

**Millstone Village ARCPUD Public Hearing Continuation**

**Documents entered into the record:**

- Follow-up items list for Millstone Village from January 14, 2013 public hearing. **(See Attached)**
- A memorandum dated February 19, 2014 from Susy Affleck-Childs to the Board regarding Scenic Road Work Permit. **(See Attached)**
- Copy of the previous scenic road work permit for Daniels Village dated April 10, 2007. **(See Attached)**
- Plan review letter from Tetra Tech dated February 20, 2014 **(See Attached)**
- Plan review letter from PGC Associates dated February 21, 2014 **(See Attached)**
- Copy of the stone wall/entry elevation plan dated February 11, 2014 from Paul Apkarian Architects, Inc. **(See Attached)**

Since the last meeting, they revised the plans based on comments from Tetra Tech. Only item left is treatment of stormwater. Prior to water in underground there needs to be more treatment.

There is a new review comment letter from Dave Pellegrini.

Member Tucker's primary concern is from neighbors to the east side with draining and wants to make sure that we are not creating any back up other than what is there pre-existing.

The Engineer for the applicant, Rob Truax of GLM Engineering, indicated that this will be an underground recharge system. There is good soil and sand on site. There is no impact on the flood plan. There is no filling of wetlands for the project. The same waivers are being requested.

The requested waivers will be discussed at the next meeting.

It was requested that a landscape plan be submitted for the entrance that adds 3 to 4 large trees and some variation and probably show the sign. There is a need to screen in a softer way with a screening of the detention ponds.

This was only a conceptual plan. There will be a presentation coming on this.

The applicant will come up with something for the next meeting. Put the sign closer and wants to keep it as though it was existing.

The Chairman recommended that Design Review Committee should prepare a review letter.

There was a power point from Elite Home Builders LLC shown. It was explained that this is the joint ventures of two companies with over 40 years of building experience. Current projects were noted. Single family homes were shown; the interior single family photos were also shown. The 55 plus active adult community center in Westborough MA was referenced. The community center was also shown. The center could be used for baby shower, retirement center, and card playing room and used for special occasions.

Member Spiller-Walsh reminded the applicant that the Design Review Committee wanted to see an example of the affordable along with samples of the colors.

The applicant did bring color samples and will show this to the DRC.

Member Spiller-Walsh would like the applicant to provide more than 3 colors. She would like to see examples of a lighter or darker siding for greater value difference. She would like the samples brought to the next Design Review Committee meeting.

**Scenic Work Permit:**

The board would like the applicant to apply for a new scenic work permit since it expired seven years ago.

The applicant will file this immediately

**Street Naming:**

The street naming committee did meet and selected names.

Susy recommended that the applicant schedule an appointment with the Board of Assessor's.

There was discussion that some signs will need to be made to indicate the streets since not all of the homes face front.

The trail easement was provided in the first draft. The walking path will go through the open space. Those will need easements. This will be discussed with the attorney.

Tetra Tech could come up with an estimate for payment in lieu of amount or an off-site improvement.

Consultant Carlucci will research to see how many parking spaces are needed for the community center. There are 24 total. What is the building rated for?

The Board would like Tetra Tech to review the traffic. The applicant will provide the previous traffic information to Tetra Tech.

Doug Havens from the Affordable Housing Committee was present at the meeting and explained that he provided to the applicant a number of firms who deal with affordable housing. These firms are extremely busy this time of year seeking to secure financial funding.

Susy reminded the applicant that there needs to be a market analysis that the affordable units will be viable. This will need to be provided prior to the first building permit.

The board would like further clarity on the regulation which allows residents 55 or younger to be allowed to live in this development. Susy recollects that the applicant's father mentioned a law in Florida.

**74 Winthrop Street:**

The resident at 74 Winthrop Street wanted to view the plan of the road as it is in relation to his home. He has concerns about traffic, and lights.

**Continuation Hearing**

**On a motion made by Matt Hayes and seconded by Bob Tucker, the Board voted unanimously to continue the hearing for Millstone Village to March 25, 2014 at 7:15 pm. (The applicant also wanted to be placed on the April 8<sup>th</sup>, at 7:15 pm.)**

**Possible Zoning Bylaw Amendments Discussion:**

The Chairman read a letter from Judi Barrett of RKG Associates about the structure of the zoning bylaw. (See Attached)

Ms. Barrett is recommending that the bylaw needs a comprehensive revision. Ms. Barrett suggests that the board does not propose any new zoning bylaw amendment articles at this time. The current bylaw has led to inconsistencies throughout the bylaw. This is quite difficult to navigate. The foundation elements need to be done as well as eliminating duplication. This will allow for easier usage.

Ms. Barrett will come to next week's meeting to talk about what she is recommending.

It was suggested that at the November town meeting the redrafted document would include the Commercial I changes.

Member Tucker is not comfortable to do a big change, people do not always trust that approach.

Article One would be a foundational change and Article Two would be commercial one.

The board is in agreement that the medical marijuana article can remain on the warrant for this year's town meeting.

The town administrator is seeking funding to make sure that a revision to the bylaw can occur.



The board could open the hearing and withdraw it from being submitted to the warrant.

Susy noted that there are some definitions, and enforcement, land clearing, and site plan.

The board would like the letter from Judi Barrett entered into the record at the public hearing.

For the foundation changes, there would be various meetings with the boards and committees to review this. Some of the committees would include Affordable Housing and Zoning Board of Appeals.

The board wanted to invite Ms. Barrett to the public hearing to speak about her recommendation.

### **Azalea Drive**

Town Counsel has provided language for the board to “take” in full the three deposits of money for Azalea Drive held by TD Bank.

There has been a question the estimate provided by Tetra Tech that the work in the punch list is \$86,687.60 and the amount in the cash book is \$49,965.00. There is a delta and the question is whether you want to try to get the bank to provide the additional money.

Member Tucker asked if this is a performance or hard money bond. If this is a performance bond, then no matter how much surety bond, they have guaranteed completion regardless of costs. This becomes a liability. If it is not, we only have cash value.

The board would like to discuss performance bonds at another time.

The board discussed that counsel should be providing the options whatever they may be to the board. The board does not feel like they have enough information to act on this item and does not know the liability involved.

Susy will ask town counsel to address the issue and a risk litigation assessment.

Member Tucker communicated that there needs to be a discussion about what we have for bonds. The way surety is written. It must be a cash or performance bond. We may need to provide more information to applicants on bonds to protect the town’s interest in case someone goes bankrupt in the middle of a company.

Susy will gather the information on the forms of surety bonds and she will provide the standard forms to the board.

### **Minutes:**

#### **November 19, 2013:**

**On a motion made by Bob Tucker and seconded by Matt Hayes, the Board voted unanimously to approve the minutes from November 19, 2013.**

**December 11, 2013:**

**On a motion made by Bob Tucker and seconded by Matt Hayes, the Board voted unanimously to approve the minutes from December 11, 2013.**

**January 7, 2014:**

**On a motion made by Karyl Spiller-Walsh and seconded by Bob Tucker, the Board voted unanimously to approve the minutes from January 7, 2014.**

**January 28, 2014:**

**On a motion made by Karyl Spiller-Walsh and seconded by Bob Tucker, the Board voted unanimously to approve the minutes from January 28, 2014.**

**February 11, 2014:**

**On a motion made by Karyl Spiller-Walsh and seconded by Matt Hayes, the Board voted unanimously to approve the minutes from February 11, 2013.**

**Design Consultants:**

The Board is in receipt of an email from Matt Buckley dated February 25, 2014 requesting services of design consultants. (See Attached).

The Chairman communicated that he is opposed to charging the applicant to have someone redo the project.

Member Spiller-Walsh indicated that she is opposed to the Town of Medway not doing the four step design process.

Susy indicated that there is no requirement yet for the four step design process for site plan approvals.

The Chairman reminded all that the people who created the charter were very specific to have the Board try to develop the commercial tax base and encourage economic development. The Design Review Committee can see if a project meets the Design Guidelines and provide recommendations; but you cannot change the entire project which an applicant submitted. The Chairman is fundamentally opposed to this.

Member Gay responds that the rules of engagement need to be better designed. He struggles with making an architect who designed his project having to pay for another review.

It was recommended that the Design Review Committee come up with the rules of engagement.

Susy did indicate that the Design Review Committee does have the ability to work through Consultant Carlucci to subcontract to bring architect services in.

It was recommended that member Spiller-Walsh bring the options back to the Design Review Committee.

**Bay Oaks Construction Services Estimate:**

**(See attached revised estimate)**

The Chairman recused himself from the Planning and Economic Development table at 9:50 pm.

The applicant Mr. Rodenhiser is in receipt of an estimate from Tetra Tech and it is an increase from the previous estimate. He would like an explanation of why?

Tetra Tech engineer Steve Bouley explained that the service level for engineer has changed. He explained that he has been promoted and they now bill more for his service.

**The applicant wants to know why should he pay more for different classification, when he was being billed at the cheaper rate prior to the engineer's promotion and that was good enough to do the job. He requested that the previous amount be honored.** The applicant does not think it is fair for him to have to pay the increase. If the services were quoted at a level one, then it should stay that.

The engineer for Tetra Tech will consult with Dave Pellegrini about this matter.

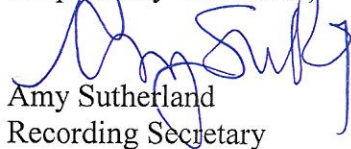
**Other Business:**

- The CPC meeting to consider requests for funds is being held on Monday, March 3, 2014.
- The Board is in receipt of a memo from the Design Review Committee seeking a joint meeting. **(See Attached)**

**Adjourn Meeting:**

**On a motion made by Karyl Spiller-Walsh and seconded by Matt Hayes, the Board voted unanimously to adjourn the meeting at 10:10 pm.**

Respectfully Submitted,

  
Amy Sutherland  
Recording Secretary

# GLM ENGINEERING CONSULTANTS, INC.

19 EXCHANGE STREET, HOLLISTON, MASSACHUSETTS 01746 - (508)429-1100 - FAX (508)429-7160

REGISTERED CIVIL ENGINEERS AND LAND SURVEYORS

November 12, 2013

Medway Planning Board  
155 Village Street  
Medway, MA 02053

**Re: Special Permit Application**  
**Adult Retirement Community Planned Unit Development**  
**"Millstone Village", Medway MA**  
**Applicant: Elite Home Builders LLC**

Dear Board Members,

On behalf of our client, Elite Home Builders LLC, we are filing a Special Permit Application to construct an Adult Retirement Community Planned Unit Development (ARCPUD) consisting of 80 units of age restricted condominium dwellings. The project was previously submitted as "Daniels Village" and approved May 29, 2007. The previous project was requested to be withdrawn without prejudice by the owner, Betty McCall-Vernaglia, on July 12, 2010. There is a valid Order of Conditions from the Conservation Commission for the previous project that would be valid for this application. A copy is included herewith for your files.

The proposed project utilizes the same architectural plans and site layout as the previously approved project, with the exception of providing a community building.

The subject property, a 51 acre site, is located between 63 and 81 Winthrop Street on the west side of the street, south of Lovering Street and across from Clove Lane in the ARI zoning district. The property is presently owned by Betty McCall-Vernagli of Medway, MA.

The applicant proposes to construct an age-restricted condominium development on the site, to be known as Millstone Village, consisting of 80 condominium dwelling units in 53 buildings. The proposed project will consist of approximately 3,270 linear feet of privately owned roadway and be serviced by the Town of Medway sewage and water system. Site access and egress will be from Winthrop Street.

The 80 condominiums will be comprised of 45 townhouse type residences constructed in groups of two or three units in 18 buildings and 35 detached single family houses. The condominium units range in size from 1600 to 2300 sq. ft. for a two bedroom unit. Each unit will have a 2 car garage plus 2 additional driveway parking spaces. Another 42 off-

RESIDENTIAL, COMMERCIAL AND INDUSTRIAL SITE PLANNING AND DESIGN - PUBLIC WORKS ENGINEERING - SEPTIC DESIGNS - HYDROLOGY AND FLOOD CONTROL - TOPOGRAPHIC SURVEYS - SOIL ANALYSIS - MORTGAGE AND LAND SURVEYS AVAILABLE - WILDLIFE AND ENVIRONMENTAL ANALYSIS - WETLAND DELINEATION - TITLE INSURANCE PLANS AND REPORTS - SITE APPRAISALS - TOWN CONSULTATION SERVICES

street parking spaces will be provided for visitors and guests. Eight (8) townhouse units will be considered to be low or moderate income units which will comply with the requirements for inclusion in the Subsidized Housing Inventory prepared by the Department of Housing and Community Development.

The parcel identified on the Millstone Village ARCPUD Plan as Parcel B (20.40 acres) will be dedicated open space owned by the Millstone Village Condominium Trust and protected through a Conservation Restriction granted to the Town of Medway.

Thank you for your consideration in this matter.

Yours truly,

Robert S. Truax  
Project Manager/Design Eng.

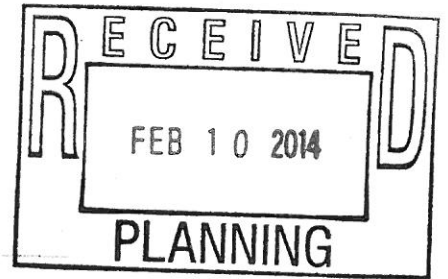
Follow-up Items for Millstone Village from 1/14/13 Public Hearing	WHO??	STATUS on 2/25/14
Check on status of former scenic road work permit	SAC	
Convene Street Naming Committee	SAC	
Develop easements, etc. For public access to open space	applicant	
Revise stormwater operations and maintenance plan and data info per updated DEP stormwater regs	GLM	
Include ADA compliant parking at community center	GLM	
Contact DPS about sidewalk construction options somewhere else in town in lieu of installing sidewalk on Winthrop ST	applicant	
Develop a landscape plan for area in front of 4 houses on	GLM	
Develop landscape plan for area around detention pond	GLM	
Develop landscape plan for 50 ft. buffer area near land on Winthrop street (behind the ANR lot)	GLM	
Develop landscape plan for area around community center	GLM	
Modify color palette for siding for houses	applicant	
Determine if the number of parking spaces near the community house is sufficient	Gino	
Find former traffic study completed for Daniels Village ARCPUD application and evaluate for update	GLM	
Letter to DPS Director Tom Holder re: sewer capacity	applicant	
Prepare market analysis	applicant	
Evaluate turning radii for Town's ladder truck	GLM	
Schedule mtg with DRC	applicant/SAC	
Check updated flood plain maps	GLM	
Letter to PEDB and ZBA to request flexibility on the +55 requirement	applicant	







129 Roving Street, Medway, MA 01854



January 31, 2014

Susan Atleck  
Planning & Economic Development Coordinator  
155 Village Street  
Medway, MA 02053

Re: Special Permit Application of Elite Home Builders LLC regarding 129-R Lovering Street, Medway, MA

Dear Members of the Board


In connection with the above matter, we intend to apply to the Board of Appeals for a variance from By-Law Regulation V C 4 D(1), so that up to 20% of the units in the project on the above property may be sold to persons who do not have at least one resident over the age of 55.

We would appreciate the Planning Board's public support of this application, as we believe it would make this project economically more feasible in that it will allow us to address inevitable fluctuations in the real estate market at any point in time.

Please put us on the agenda at the earliest opportunity so we can discuss this matter with you in more detail. Please advise us as to the scheduled time and date for same.

Thank you.

Elite Home Builders

  
By: Julie Venincasa, representative



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

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## **MEMORANDUM**

February 19, 2014

TO: PEDB Members  
FROM: Susy Affleck-Childs  
RE: Millstone Village ARCPUD - Scenic Road Work Permit



**SUMMARY** – The PEDB needs to decide whether to hold a scenic road public hearing for the Millstone Village ARCPUD project.

**BACKGROUND** – On April 10, 2007, the PEDB and Tree Warden issued a scenic road work permit on to Barberrry Homes, the previous applicant for an ARCPUD special use permit to develop an 80 unit, active adult/+55 community (Daniels Village). See attached. The scenic road work permit allowed the applicant to remove a 20' pine tree located in the Winthrop Street right of way where one of the development access roadways was to be constructed. At that time, a compensatory value of \$6,600 was determined by the Tree Warden per the formula specified in the *Scenic Road Rules and Regs*. In lieu of compensatory tree planting, the scenic road work permit specified that the applicant would undertake \$6,600 worth of tree pruning on Winthrop Street at locations to be determined by the Tree Warden. The work was to be completed within 30 days after the conclusion of the appeal period for the Daniels Village ARCPUD special use permit. The *Scenic Road Rules and Regs* specify that scenic road work permits are valid for one year. However, the permit does state that its provisions “shall apply and be binding upon the Applicant and all successors and assigns in interest.”

As you know, Barberrry Homes appealed the ARCPUD special use permit. The Court remanded it back to the PEDB for reconsideration after which Barberrry Homes withdrew the application. Consequently, the pruning work was not completed. There has been no permitting activity for this site until recently when a new developer, Elite Home Builders, submitted an application to the PEDB for an ARCPUD special use permit for a comparable ARCPUD project on the site.

**CURRENT SITUATION** – The new applicant for the ARCPUD special permit has asked to have the former scenic road work permit remain in effect.

### **ISSUES/QUESTIONS**

1. The overriding question before the PEDB is whether to conduct a new scenic road public hearing as almost 7 years have passed since the original scenic road work permit was issued.
2. Medway presently has a different Tree Warden than the individual who served in 2007. What would the present Tree Warden recommend for this situation?

*I have not yet spoken with Tree Warden Fred Sibley about this. I will try to do so before the 2/25/2014 PEDB mtg.*

3. Is the compensatory value of \$6,600 established in 2007 still valid in 2014?
4. How does the PEDB feel about the nature of the compensatory action? Three of the present five PEDB members participated in the prior scenic road work permit for Daniels Village.
5. Does the new applicant/developer constitute a “. . . successor and assign in interest”?

*I discussed this with Town Counsel. She indicated that this terminology usually pertains to the situation where one developer sells the property along with its associated permits to another developer. That is not the case here.*

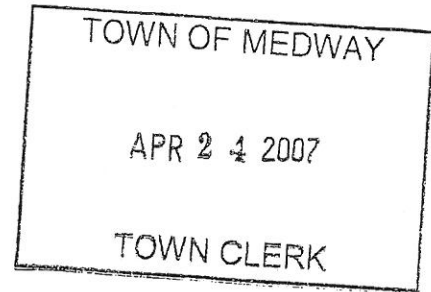
6. Is the former scenic road work permit still in effect? Does the Massachusetts Permit Extension Law apply to this?

*The Permit Extension Law provides that any development permit issued or in effect between August 15, 2008 and August 15, 2012 is extended by four years from the date on which the permit was otherwise set to expire.*

*I do not believe the Permit Extension Law applies to the Daniels Village scenic road work permit as it was no longer in effect on August 15, 2008 because the one year period for permit validity had already expired.*



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



APR 25 2007

April 10, 2007

Andy Rodenhiser, Chairman  
Cranston (Chan) Rogers, P.E., Vice-Chairman  
Karyl Spiller Walsh  
John C. Schroeder  
Robert K. Tucker  
Eric Alexander, Associate Member

## SCENIC ROAD WORK PERMIT

**APPLICANT** – Barberry Homes, Inc.

**LOCATION** – West side of Winthrop Street (*a designated Medway Scenic Road*) across from Clover Lane

**PROJECT DESCRIPTION** – Barberry Homes proposes to construct an 80 unit active adult retirement condominium community to be known as Daniels Village located on a 51 acre site between 61 and 83 Winthrop Street, on the west side of the street, south of Lovering Street. The proposed development includes 33 single family detached homes and 47 townhouse dwelling units. The proposed roadway into the development off of Winthrop Street requires the cutting and removal of one twenty inch (20”) pine tree that is located within the Town’s right-of-way of this scenic road.

**DATE OF PUBLIC HEARING** – Pursuant to Section 15C of Chapter 40 (*the Scenic Roads Act*) and Chapter 87 (*Shade Trees Act*) of M.G.L., the Planning Board and the Tree Warden commenced a public hearing on February 13, 2007; it was continued to March 13, 2007 when the hearing was closed.

**ADVERTISEMENT** – The public hearing notice was published in the *Milford Daily News* on January 30 and February 5, 2007.

### POSTED NOTICE

The public hearing notice was posted outside the Town Hall offices of the Town Clerk and the Planning Board on January 23, 2007

Tree Warden Philip Smith posted the public hearing notice on the applicable tree(s) at least seven (7) days prior to the public hearing.

**ABUTTER NOTICE** - The public hearing notice was sent by first class mail to all abutters on January 22, 2007.

**TREE WARDEN COMMENTS** - Tree Warden Phil Smith stated that he would prefer to use any tree replacement funds for tree pruning of some major oak trees on the east side of Winthrop Street

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

across the street from the proposed Daniels Village instead of replacement tree planting. This would involve substantial structural pruning to promote tree health.

**CITIZEN DISCUSSION** – None

*Pursuant to s. 405 – 7 of the Scenic Road Rules and Regulations*, the Planning Board shall consider the following in making its determination on an application for a Scenic Road Work Permit:

- A. Public safety;
- B. Scenic and aesthetic characteristics and quality of the area;
- C. Quality and extent of shade and *tree* canopy;
- D. Accident history within five hundred (500) feet of *tree(s)* and *stone walls* at issue;
- E. Commentary contributed by the Tree Warden, town agencies, *abutters* and other interested parties;
- F. Preservation of natural resources and environmental systems;
- G. Preservation of historical and cultural resources values;
- H. Compatibility with surrounding neighborhood;
- I. Recreational uses of the proposed Scenic Road, taking into account the nature and extent of such uses;
- J. Relationship of the *road* design to the standards of the Planning Board's *Subdivision Rules and Regulations* but recognizing that a variance from the standards should be allowed when a way has been designated as a Scenic Road by the Town Meeting;
- K. Adequacy and value of compensatory actions proposed, such as replacement of *trees* or *stone walls* or restoration of the same;
- L. Traffic patterns, volume, congestion and posted speed limit;
- M. Consistency with articulated Town policies and the Medway Master Plan;
- N. Feasibility for avoiding disturbance to *trees* or *stone walls* by proposing a safe location for a walkway, driveway or *road* elsewhere; and
- O. Other sound planning principles and considerations.

**FINDINGS**

1. The proposed Daniels Village ARCPUD has approximately 1294 linear feet of frontage along Winthrop Street, a Medway scenic road.
2. There is one tree located in the right of way that is proposed for removal. It is a 20 inch pine tree. It is located exactly where one of two proposed roadways from Winthrop Street into the development would be constructed. See attached photo dated 1/18/07 and the Daniels Village Scenic Road Plan, dated January 10, 2007, prepared by GLM Engineering.





Scenic Road  
Daniels Village  
Medway, MA

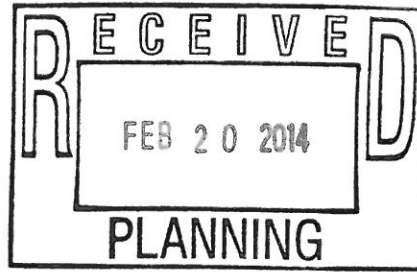
*West side of  
Winthrop  
Street*

01/18/2007

← 20" Pine  
to be removed.



TETRA TECH



January 10, 2014  
(Revised February 20, 2014)

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

**Re: Millstone Village  
ARCPUD Plan Review  
Medway, Massachusetts**

Dear Ms. Affleck-Childs,

Tetra Tech (TT) has performed a review of the proposed Adult Retirement Community Planned Unit Development (ARCPUD) for the above mentioned project. The project includes the construction of a proposed 80 units of age restricted condominium. The project was previously submitted as "Daniels Village" and approved May 29, 2007. The new applicant basically utilizes the same design with the exception of providing a community building to the project.

TT is in receipt of the following materials:

- A plan (Plans) set entitled "Adult Retirement Community Planned Unit Development, Millstone Village", dated October 15, 2013 and revised February 7, 2014, prepared by GLM Engineering Consultants, Inc. (GLM).
- A drainage report (Drainage Report) entitled "Supplemental Stormwater Compliance Documents for Millstone Village, Medway, MA", dated February 5, 2014, GLM Engineering Consultants, Inc. (GLM).
- Supplementary Information entitled "Adult Retirement Community Planned Unit Development (ARCPUD) Special Permit Application", dated July 15, 2008; prepared by Town of Medway Planning Board. (MPB)
- A Storm Water Pollution Prevention Plan report (SWPPP Report) entitled "Storm Water Pollution Prevention Plan (SWPPP) for the "Millstone Village" Adult Retirement Community located off Winthrop Street" dated February 3, 2014, prepared by GLM Engineering Consultants, Inc. (GLM).
- A letter (Response Letter) entitled "Response to Site Plan and Drainage Design Review comments, Millstone Village ARCPUD (Project), Located off Winthrop Street" dated February 14, 2014, prepared by GLM Engineering Consultants, Inc. (GLM).

The Plans and Drainage Report were reviewed for conformance with the Town of Medway, Massachusetts Planning Board Regulations, the MA DEP Storm Water Management

One Grant Street  
Framingham, MA 01702  
Tel 508.903.2000 Fax 508.903.2001



TETRA TECH

Standards (Revised January 2008), Town of Medway Water/Sewer Department Rules and Regulations, and good engineering practice. Our review primarily focused on only the elements that have changed since the 2007 submittal package. However, we did provide a cursory review of the remainder of the project to attempt to identify any larger design issues. The following is a list of comments generated during the review of the design documents. Reference to the applicable regulation requirement is given in parentheses following the comments.

On February 10, 2014 TT received an updated package from the applicant's engineer including response to our original comments, revised plans and supplemental stormwater compliance documents. We have reviewed this package and update our comments as bulleted below the original comments and dated 02/20/14.

#### **Conformance with the MA DEP Storm Water Management Standards**

1. It is our understanding that the original project was approved in 2007 and withdrawn in 2010, and the project is now coming before the Board as a new application. As such it is our opinion that the new project should meet the current MassDEP and Town of Medway Stormwater Regulations, and the submitted application should include the latest stormwater checklist and supporting documentation as required in Volume 3 of the Massachusetts Stormwater Handbook. As adopted in 2008, the revised MassDEP Stormwater Regulations require additional documentation and enforce stricter guidelines and recharge requirements.

#### **• TT 02/20/14 Update:**

- A. The applicant utilizes deep sump hooded manholes and claims a 25% TSS removal rate in his BMP treatment train. While this structure may provide a level of TSS removal, it is not recognized in the MADEP regulations as a stormwater BMP and allocated a specific TSS removal rate. Since drain manholes are an in line component of the stormwater conveyance system, concentrated flow passes through them. Utilizing deep sump hooded manholes, this concentrated flow will re-suspend sediments and allow it to discharge from the storm drain system. Standard manholes should be incorporated into the design with no TSS removal credit.
- B. In order to meet the 44% TSS removal requirement prior to discharging to the infiltration BMP's the applicant has proposed deep sump hooded catch basins in addition to the deep sump hooded manholes. As discussed in comment 1 above deep sump hooded manholes should not be used, therefore as designed the 44% requirement will not be met. The applicant should consider a water quality unit prior to discharging to the underground infiltration BMP's. Another pretreatment practice to consider is an isolator row incorporated into the underground infiltration system that is accessible for maintenance. It is not





TETRA TECH

clear from the details of the Cultec system whether an isolator row is a component of the system.

**Department of Public Services (DPS) Comments:**

- **TT 02/20/14 Update:** This item has been addressed to our satisfaction.
  
- **TT 02/20/14 Update:** This item has been addressed to our satisfaction.
  
- 4. Verify waiver stating that dwellings are designed to ensure the cellar floor elevations are above the maximum seasonal high water table.
  - **TT 02/20/14 Update:** Contractor requested a discussion with the Building Inspector prior to construction.
  
- 5. Verify with Fire Department, that the roadway widths, sidewalk widths, turning/corner radius, smaller cul-de-sac, are sufficient.
  - **TT 02/20/14 Update:** Contractor has stated that the forty (40) long fire truck can safely maneuver throughout the project. This item will be closed upon receipt of fire department letter.
  
- **TT 02/20/14 Update:** This item has been addressed to our satisfaction.
  
- **TT 02/20/14 Update:** This item has been addressed to our satisfaction.
  
- **TT 02/20/14 Update:** This item has been addressed to our satisfaction.



TETRA TECH

- **TT 02/20/14 Update:** This item has been addressed to our satisfaction.

**General Comments:**

10. The applicant should summarize accessible parking approach throughout the site. At a minimum we would assume accessible parking is required at the community building.

- **TT 02/20/14 Update:** Confirm that one space is van accessible.

- **TT 02/20/14 Update:** This item has been addressed to our satisfaction.

- **TT 02/20/14 Update:** This item has been addressed to our satisfaction.

13. The applicant shall verify that the Cul-De-Sac dimensions and design comply with the Cul-De-Sac Typical Section detail (Medway Construction Details CD-9 or Sheet No. 18)

- **TT 02/20/14 Update:** Contractor requested wavier on Section 7.9.6(e).

14. Vertical Granite Curb does not meet Medway Construction Details CD-12

- **TT 02/20/14 Update:** Contractor shall verify proposed vertical granite detail to have a 7" reveal.

- **TT 02/20/14 Update:** This item has been addressed to our satisfaction.

- **TT 02/20/14 Update:** This item has been addressed to our satisfaction.





TETRA TECH

- **TT 02/20/14 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,

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

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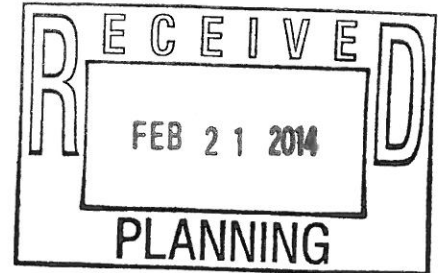
**PGC ASSOCIATES, INC.**

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

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February 21, 2014

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



Re: Millstone Village ARCPUD special permit application

Dear Mr. Rodenheiser:

I have reviewed the revised ARCPUD special permit plan submitted by Elite Home Builders, LLC of Westborough. The owner of the property is Betty McCall-Vernagli of Medway. The engineer for the project is GLM Engineering Consultants, Inc. of Holliston. The plans are dated October 15, 2013 (Landscape Plan is original from 2006- 2007) with a revision date of February 7, 2014.

The plan proposes to construct 80 units, including 35 single-family homes, 9 triplexes (27 units) and 9 duplexes (18 units). The total size of the parcel is 51.01 acres located on the west side of Winthrop Street and south of Lovering Street.

Most of the comments in my original letter of January 8, 2014 verified compliance of the plan with the Zoning Bylaw and ARCPUD Rules and Regulations so revisions in response to those comments were not needed. However, the one substantive comment was as follows:

**General Comments**

12. The Landscape Plan is the original one from 2006-2007. Accordingly, it does not include the proposed community center. It also does not show the trail connection to Winthrop Street. This plan should be updated to reflect these features.

No revised Landscape Plan was provided. In fact, there is no longer a Landscape Plan included in the plan set. I presume that means that the previously submitted Landscape Plan is still applicable (and, similarly, the building elevations and floor plans were not included in the revised set). However, that original plan needs to be updated to include the community center and trail connection. A possible alternative would be to provide an additional Landscape Plan that addresses only the community center and trail connection.

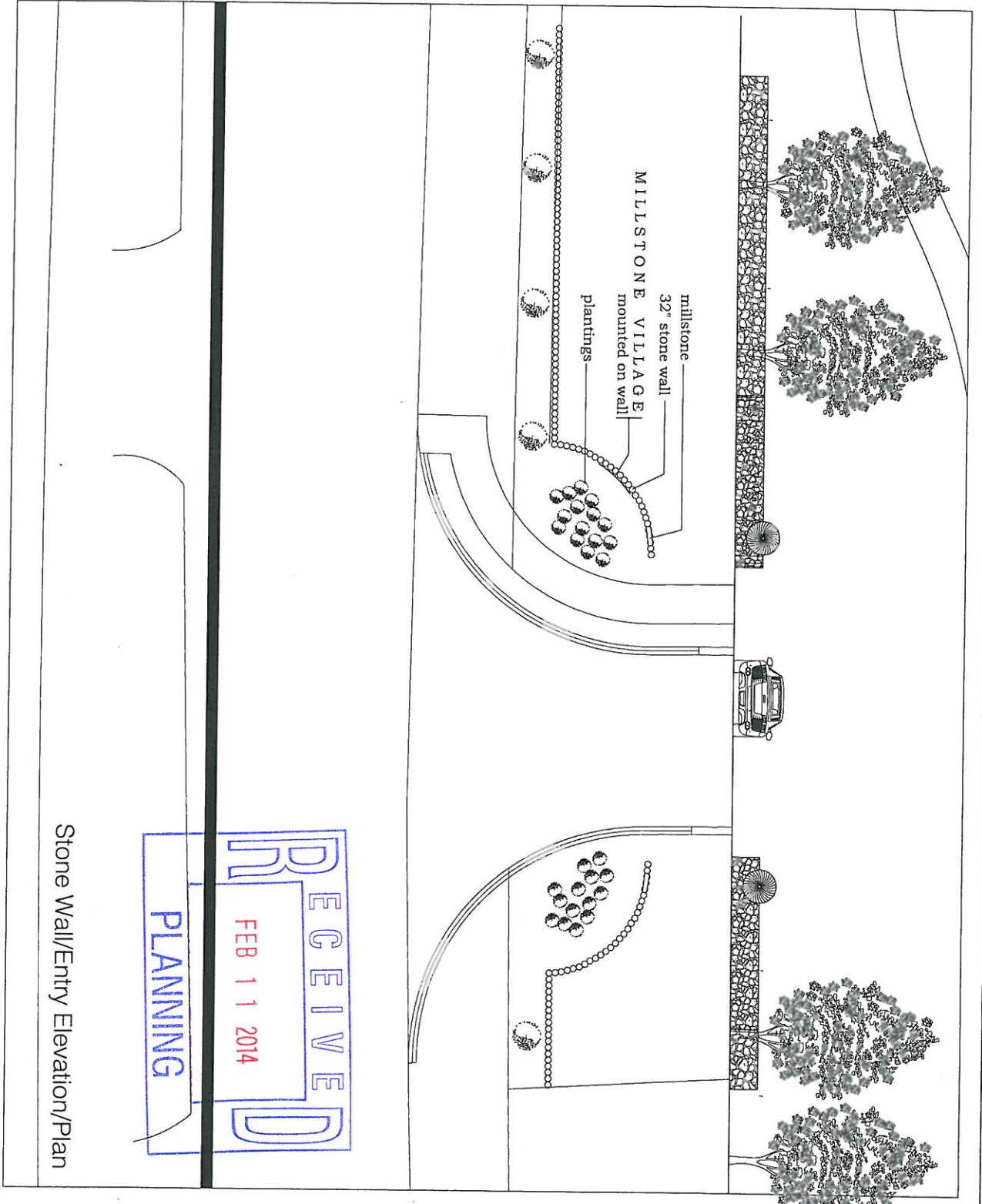
One other minor comment is that 3 of the parking spaces in front of ht community center were converted into 2 handicapped spaces with a van accessible aisle in between. This changes the additional parking spaces count from 42 to 41. The reduction is not significant and the number of spaces still exceeds the requirement but the cover sheet should be revised to correct the count.

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

Sincerely,

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

Gino D. Carlucci, Jr.



RECEIVED  
 FEB 11 2014  
 PLANNING

Stone Wall/Entry Elevation/Plan

MILLSTONE VILLAGE Medway, Massachusetts	No. _____ Date _____ Description _____	<b>Paul Apkarian Architects, Inc.</b> architecture • interiors • planning www.paai.net 508.561.0157 (t) paul@paai.net
	FOUNDATIONS	

S1.0.2



**MEMORANDUM**

**TO:** Suzanne Kennedy, Town Administrator  
Andy Rodenhiser, Chair, Planning & Economic Development Board

**FROM:** Judi Barrett

**DATE:** February 25, 2014

**SUBJECT:** Zoning Bylaw Revision

**CC:** Susan Affleck-Childs, Planning Coordinator

---

I am writing to confirm our discussion yesterday about the Medway Zoning Bylaw. Per RKG's current contract, I have been reviewing the structure and organization of the Zoning Bylaw, along with its ease of use, clarity, consistency, application and decision procedures, and potential duplication with other bylaws and regulations. I had hoped to interview some developers and others who can speak from an applicant's perspective, but to date, we have not been able to arrange a meeting with them. Nevertheless, I have continued my own review based on past and present experience with other towns. I have also reviewed several draft zoning amendments that may be proposed at the 2014 Annual Town Meeting.

I strongly recommend that the Town postpone all but one of the proposed amendments, that being the so-called medical marijuana bylaw. I say this because the Zoning Bylaw needs a comprehensive revision – a task that cannot be accomplished with incremental changes. Over the past several years, Medway has made noble efforts to modify and update the Zoning Bylaw. The most recent amendment history (six years) is as follows:

May 2012: 18 amendments  
June 2011: 4 amendments  
June 2010: 9 amendments  
June 2009: 5 amendments  
November 2008: 7 amendments  
June 2008: 9 amendments  
November 2007: 4 amendments  
May 2007: 22 amendments

These 78 amendments were preceded by 114 amendments between 2000 and 2006, for an overall 2000-2012 average of about 15 amendments per year. This is very unusual. Unfortunately, the process of making so many text changes has led to some unintended consequences, e.g., inconsistencies, problems with definitions (unclear, missing,



inconsistent, or scattered throughout the Bylaw), duplication, and generally a bylaw that is quite difficult to navigate. In a situation such as this, the preferred remedy is a comprehensive update to fix the "foundation" elements of the Zoning Bylaw: reformatting, reorganizing, updating language, eliminating duplication and inconsistencies, clarifying terminology and procedures, and removing older provisions that conflict with the statute or current case law. This type of update generally involves no policy-level changes. Its purpose is to make the Zoning Bylaw easier to use, understand, and administer.

Once the Zoning Bylaw has been improved for format, structure, language, and so forth, the Town could resume working on the amendments that have been submitted for the 2014 Annual Town Meeting. Some of the amendments may be addressed as part of the update process that I have recommended in this memo. Assuming sufficient funds can be made available to reorganize and recodify the Zoning Bylaw very soon, it should be possible to take the revised Bylaw to town meeting in the fall. As part of my final report under the present contract, I will suggest a new organization and structure for the revised Bylaw and we can discuss it when we meet again. My plan is to provide a draft report by the end of next week (March 7, 2014).

As always, please contact me if you have any questions. I can be reached at (617) 847-8912 or [jbarrett@rkgassociates.com](mailto:jbarrett@rkgassociates.com).



## Susan Affleck-Childs

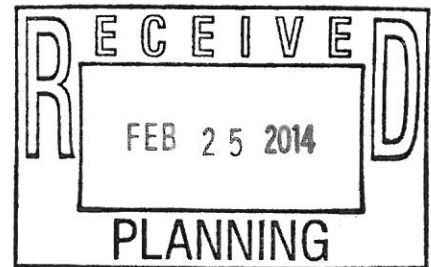
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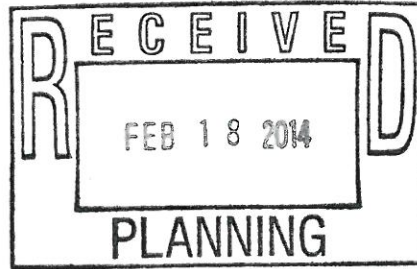
**From:** Matt Buckley <matt\_buckley2@yahoo.com>  
**Sent:** Tuesday, February 25, 2014 2:30 PM  
**To:** Susan Affleck-Childs; Fallon Julie; Spiller-Walsh Karyl; Rodenhiser Andy  
**Subject:** Site review

Hi Susy

The DRC would like to request that we retain the services of design consultants for the forthcoming site review of TVC. The assistance of both an architect and landscape architect will enable a more succinct and effective review process. Their input and insights should be available to both the DRC and PEDB. While it may be difficult to attain these service by the time of our informal meeting on March 10th, I would ask that we act quickly to have them in place prior to the public hearing. Please contact me for any clarification Thank you Matt Buckley DRC chair

From Matt Buckley's mobile





February 14, 2014

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

*approved  
2-25-14*

**Re: Construction Administration Services  
Hill View Estates Subdivision  
Hill Street, Medway, Massachusetts**

Dear Mr. Rodenhiser:

We are pleased to submit this Proposal to The Town of Medway (the Client) for professional engineering services associated with the proposed Norwood Acres Subdivision (the Project) in Medway, Massachusetts. The objective of our services is to provide limited construction administration services on behalf of the Town of Medway.

### Scope of Services

We will undertake the following task:

#### **Task 1 Preconstruction Meeting**

- Prepare preconstruction agenda and attend meeting with the applicant, contractor, and appropriate Town of Medway officials;

#### **Task 2 Inspectional Services**

- Inspect construction activities for conformance with the approved plans and good engineering and construction practices. Inspections will be dictated by work schedule, however the attached spreadsheet represents the proposed allocation of our time based on our current understandings;
- Act as a technical liaison between the Owner/Contractor and the Town;
- Provide inspection reports for each site visit to the Client and the designated project Point of Contact;
- Provide monthly invoices to the Client.



**TETRA TECH**

**Cost**

Our cost for the above Scope of Services will be on a time and expenses basis in accordance with the Contract Fee Schedule. The Construction Inspection Budget is attached, and breaks down the hours anticipated to be spent during the inspections. Please be advised that this estimate is based on our current understanding of the Project needs and is for budget purposes only. Changes to the project scope or schedule beyond that assumed by the engineer could require additional inspections if deemed necessary by the Planning and Economic Development Board. Additionally, the contractor's inefficiency, quality of work, or lack of communication may require additional inspections and compensation by the Owner.

**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 complete the work in a timely manner. We are not responsible for delays in performance caused by circumstances beyond our control or which could not have reasonably been anticipated or prevented.

**General Terms and Conditions**

This Proposal shall be in accordance to the Terms and Conditions signed for the general services agreement between the Town of Medway and Tetra Tech. Should it 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.

Very truly yours,

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

Sean P. Reardon, P.E.  
Vice President

Date Approved by Medway Planning and Economic Development Board \_\_\_\_\_

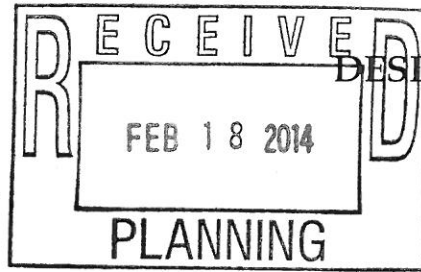
Certified by: \_\_\_\_\_ Date \_\_\_\_\_  
Susan E. Affleck-Childs  
Medway Planning and Economic Development Coordinator

**Attachments**

Item No.	Inspection	Site Visits	Hrs/Inspection	Rate	Total
1	Erosion Control	1	3	\$100.00	\$300.00
2	Clear & Grub (included in Item 1)			\$100.00	\$0.00
3	Subgrade/Staking	1	3	\$100.00	\$300.00
4	Drainage System	4	3	\$100.00	\$1,200.00
5	Detention Pond (Included in Item 4)			\$100.00	\$0.00
6	Roadway Gravel	1	3	\$100.00	\$300.00
7	Water System			\$100.00	\$0.00
8	Sewer System			\$100.00	\$0.00
9	Roadway Binder (N/A)			\$100.00	\$0.00
10	Curb/Berm/Edge Treatment			\$100.00	\$0.00
11	Private Utilities (N/A)			\$100.00	\$0.00
12	Sidewalk Base/Gravel (N/A)			\$100.00	\$0.00
13	Sidewalk Binder (N/A)			\$100.00	\$0.00
14	Sidewalk Reconstruction			\$100.00	\$0.00
15	Roadway Top (4" Processed Crushed Stone)	1	3	\$100.00	\$300.00
16	Roadway Top (Apron)			\$100.00	\$0.00
17	Sidewalk Top (N/A)			\$100.00	\$0.00
18	Frames and Covers/Grates			\$100.00	\$0.00
19	Adjust Frames & Covers/Grates (N/A)			\$100.00	\$0.00
20	SMH Inverts (Included in Item 17)			\$100.00	\$0.00
21	Bounds (Monumentation)			\$100.00	\$0.00
22	Landscape/Plantings	1	4	\$100.00	\$400.00
23	Roadway Sub-Drain (N/A)			\$100.00	\$0.00
24	Guard Rail/Fencing (N/A)			\$100.00	\$0.00
25	Periodic Inspections (See Note 1)	1	3	\$100.00	\$300.00
26	Bond Estimates	1	3	\$100.00	\$300.00
27	As-Built Plans	1	4	\$100.00	\$400.00
28	Meetings	1	2	\$120.00	\$240.00
29	Admin			\$50.00	\$0.00
30	Project Closeout (See Note 3)	1	1	\$400.00	\$400.00
	<b>Subtotal</b>				\$4,440.00
	<b>Expenses</b>			3.5%	\$155.40
	<b>TOTAL</b>				<b>\$4,595.40</b>

Notes:

- 1 Periodic Inspection includes a final inspection and punch list memo provided to the town. It also includes one final inspection to verify that comments from the punch list have been addressed.
- 2 If installation schedule is longer than that assumed by engineer for any item above, or if additional inspections are required due to issues with the contract work, additional compensation may be required.
- 3 Closeout price is a lump sum value assessed to the project for extra items not listed above. This value has been placed in the breakdown due to past experience on other subdivision reviews.



Town of Medway  
DESIGN REVIEW COMMITTEE  
155 Village Street  
Medway MA 02053  
508-533-3291  
[drc@townofmedway.org](mailto:drc@townofmedway.org)

February 10, 2014

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

RE: JOINT MEETING WITH DESIGN REVIEW COMMITTEE AND PLANNING AND ECONOMIC DEVELOPMENT BOARD

Dear Members of the Medway Planning and Economic Development Board,

For the purposes of creating the most productive inter-board relationship, the DRC is requesting a joint meeting with the Planning and Economic Development Board to discuss the following topics.

Sign applications:

- Effectiveness of sign processes.
- Internal efficiency of application execution.

Site plans:

- Initial evaluation process.
- Preliminary site plan discussions.
- Briefing between Planning Board and DRC - ongoing dialogue.
- Availability of professional consultants

Municipal Projects:

- How to get municipal sites to participate in the process called out in the Design Guidelines. eg: signage, landscaping, advertising, municipal fields, site plan review.

I respectfully request an appointment for the DRC at an upcoming meeting and will gladly answer any questions in the interim.

Sincerely,

Matthew Buckley  
Chairman

**Design Review Committee Members**

*Matthew Buckley, Chairman  
Julie Fallon, Vice Chair*

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

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