

May 13, 2014
Medway 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	X

ALSO PRESENT:

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

The Chairman opened the meeting at 7:00 pm.

Gould’s Plaza - Informal Site Plan Pre-Application Discussion:

Lester Gould was present for an informal, site plan pre-application discussion for Gould’s Plaza. He explained that they are seeking more parking by creating an island with landscaping. **(See Attached)**

It was suggested to put a stop line to get the flow of traffic to slow down.

The board is in receipt of a background email dated April 24, 2014 from Susy Affleck-Childs. **(See Attached)**

There will not be a shared entrance or traffic light where the new Tri Valley Commons development is being proposed. Stripping will be included going west to separate the travel way versus traffic flow. The applicant spoke with Dave D’Amico about this and he thought it would work well before the Rt. 109 project gets underway. It was also suggested that the applicant could refer to traffic report done by Tetra Tech, Mike Hall. The applicant is not opposed to putting a painted crosswalk or stop sign. The current sign will stay but the face will be upgraded. The sign was noted on the plan.

John Emidy will make the determination about the scope of work if it is a minor site plan review.

Susy recommends that a master signage plan be supplied with this site plan. The applicant had a good working session with the Design Review Committee.

The sign for the new restaurant will be revisited. The restaurant has the larger area but with the smallest frontage because of its inside corner location. The employees will be parking in the back.

A recommendation was made to consider islands at the end, to designate the road west. This will create vertical delineation.

This will need a planting plan.

Lawrence Waste Services Site Plan Modification – Plan Review Fee Estimates

The Board is in receipt of a plan review estimate from PGC Associates dated May 6, 2014 in the amount of \$360.00. (See Attached).

The Board is also in receipt of a review estimate from Tetra Tech dated May 8, 2014 in the amount of \$2,535. (See Attached)

The Chairman recommends that the members drive by the site before the hearing to get an idea of what is going on at the site. The applicant will be in front of the board on May 27, 2014.

There is a concern about what is going on at this site. There are 2/3 trailer and 1/3 containers. The building inspector will go to make a determination about if what is going on is in line with the zoning or if the substantial change will require a modification.

On a motion made by Tom Gay, and seconded by Matt Hayes, the board voted unanimously to approve the estimates for PGC Associates and Tetra Tech as presented.

Medway High School Athletic Fields Site Plan:

The board is in receipt of an email memo from Tom Holder seeking a continuation to May 27, 2014 since the traffic study did not get reviewed. (See Attached)

On a motion made by Bob Tucker, and seconded by Matt Hayes, the board voted unanimously to continue the hearing for Medway High School Athletic Field Site Plan to May 27, 2014 at 8:00 pm.

Informal Site Plan Pre-Application Discussion – Medway Gardens 35 Summer St.:

Joe Avellino was present to have an informal site plan pre-application discussion for 35 Summer Street.

The board is in receipt of a letter from John Emidy dated May 2, 2014 directing Mr. Avellino to prepare a site plan for this site. (See Attached)

This is a pre-application meeting before submittal.

Mr. Avellino showed the Board a preliminary plan. The applicant explained that he has dismantled one of the green houses and reattached it to the other side of the green house. The applicant would like to keep the gravel parking lot but wants to add yellow paint. There are 53 parking spots. The display area was cut back for parking. The bathrooms were noted in the

corner. There are also two handicap parking spots. The building inspector determined that the pergola is not a structure and he was ok with it.

The Chairman did confirm that the applicant needs to come in for site plan.

The applicant reported he had been told previously by the building inspector that he did not have to come in.

The Chairman noted that this site has changed substantially and requires review.

The heated greenhouses will stay but will be moved. The business has its most activity in May and they need all the parking they can get. The rest of the year they only need half the parking.

It was communicated to the applicant that the plan must show what is existing there and what is proposed including parking.

It was suggested to define this area with a chain and pave the length of the front and this will allow the parking to meet ADA requirements.

The drainage was discussed. There cannot be run off coming from the site. It was suggested to the applicant that Phil Henry put together a basic drainage evaluation.

The applicant did indicate that he has done some landscaping for mitigation for issues that the abutter expressed. The board would like this shown on the plan.

Member Spiller-Walsh wants to see some landscaping outside the chain link fence.

The applicant wanted to know the formula for parking spaces. Gino Carlucci responded it is 1 space for 300 square feet.

It was suggested to pave the parking spots and apron of the driveway without any arrows.

The applicant will follow-up with the building inspector, and Phil Henry.

Correspondence:

- The board is in receipt of an email dated May 6, 2014 from Joanne Kramer, 231 Village Street. **(See Attached)** This is in regard to Charles River Village. The board also referenced a document dated September 6, 2013 from the Chairman to Ms. Kramer **(See Attached)**. Her email references that she thought the fence was to run the entire length of the back of the property line. It also mentions that there was to be a 15 foot buffer. Susy will review the decision and minutes and will send a letter back to resident.
- The board is in receipt of an email date May 8, 2014 from Teigan Bain, 37 Milford Street. The email was in reference to the construction at Cumberland Farms. The board also has

the response from Susy dated May 8, 2014. (**See Attached**). The consultant will visit the site and provide follow-up back to the board.

Consulting Engineer's Report:

Cumberland Farms:

The site was visited on April 27, 2014 by Tetra Tech. Field observation report provided. (**See Attached**).

Erosion control has been put in place. There is ongoing clearing and relocating of boulders. The board is concerned about the run off. This needs to be looked at during a rain event. The run-off is not going into the catch basin.

Fox Run Farm:

The board is in receipt of a memo dated May 1, 2014 from Tetra Tech in regards to a complaint from the abutter. (**See Attached**)

The board was made aware that abutter Mr. Dacier whose property abuts Fox Run Farm is concerned about the drainage and landscape buffer. There was signs of channelized flow off the site during the inspection. In regards to the landscaping, the trees are dead.

A letter will be sent to the developer to address the noted issues.

Azalea Drive:

The as-built plans have been reviewed. The consultant provided comments and the final plans are being reviewed by town counsel.

Consulting Planner's Report:

- The Land Use Reform is close to acceptance.
- The MAPC assessment is propose to be .50 cent per capita. Medway Assessment will be \$7,000.
- There will be a workshop on Inclusionary Zoning planned by Judi Barrett. Doug Havens, Andy Rodenhiser and Susy will be attending.
- There will be an ANR plan submittal for 123 Main Street. This will be for four lots. The application will be reviewed at the next meeting. The two lots have frontage on Main Street. It meets the lot shape factor requirements. Consultant Carlucci will provide technical review.

Millstone Village Adult Retirement Community:

The Chairman opened the continued hearing for the Millstone Village Adult Retirement Community.

The board is in receipt of the following documents:

- Memo from J. Douglas Havens dated January 13, 2014 (See Attached)

- Memo from Design Review Committee dated May 11, 2014 (See Attached)

The applicant explained that there was a walk with the engineer Rob Truax, Open Space Chairman, Tina Wright and the Conservation Agent. The engineer has not been able to put a proposal together with recommendations since the meeting just occurred. They will provide this to the board once completed.

The board would like to get the recommendation from open space. There is no plan presented to date.

There was a recommendation to put the parking on the paper street.

The Open Space Committee will be holding their monthly meeting on June 3, 2014 at 7:00 pm at the Senior Center.

Susy will make an overture to open space to discuss this sooner.

The applicant does not want to have a formal conservation restriction, yet the bylaw requires that this be in perpetuity. Consultant Carlucci will look at the language and see if other language to address this. The language needs to be clear that land needs to be in perpetuity.

Abutters Concerns:

Resident, Laura Bockoven 1 Iarussi:

This resident and her husband are concerned about the open space trail which is proposed behind their backyard. She showed the board plans of the definitive subdivision which never showed the proposed walkway.

Concerns:

- Informed that this was never to be touched, it was protected.
- Walkway will be in to wetlands.
- Trees will have to be cleared for parking spots. This is too narrow. The headlights of these cars will be a nuisance.
- Concern is the natural buffer being gone
- Opposed to a public walkway and trespassing

The Chairman explained that the open space committee is the venue to handle this.

Resident Karen Linstrom, 3 Iarussi:

This resident is concerned that the builder never disclosed this to the residents.

Susy explained that the plan shows what the requirements were of the developer. The developer had no obligation for future plans of this area.

The current parcel is under the jurisdiction of the conservation and it must go through them on many levels for permitting.

The developer does not want the parking in this location either.

The site walk which took place was to look at the various options for parking.

The board recommended that Rob Truax attend the next open space committee meeting.

Affordable Housing:

The applicant is in receipt of an email from DHCD. This will be forwarded to Susy and Board members to view. The synopsis of the email is that DHCD will not consider the application until the special permit for the project. The applicant wanted to know how far into the construction process does the board want them to go until the affordable component must be met. The designated affordable housing have been noted on the plan. The concern of the applicant is that the State at times takes longer than necessary to provide an approval and they do not want to be handcuffed by the state. It was suggested that language in the decision be provided to allow for the project to proceed but with the understanding the affordable aspect must be met.

The board discussed that the zoning board hearing is coming up within the next week. The applicant reminded the board that they were going to send a letter to the Zoning Board for review. The applicant was informed that it will be their job to bring information about why this variance is needed to the Zoning Board of Appeals. The argument will need to be made.

A resident from Medway was present since she is going to be selling her property and wants to downsize. She wanted to know more information about the units at Millstone. She was informed that the units would have basements. She also wanted to know the formula to determine the affordable aspect.

There will be guidelines that stipulate no children under the age of 19 years old. If someone had a physical handicap or had special considerations we can address those separately. This is their discretion since they want to keep the character of the development. Grandchildren can go to the units, and live there for up to 30 days, but that is it.

Susy informed the board that the modifications to the decision came yesterday from Town Counsel and she has not had a chance to incorporate those into the decision.

Town Counsel is recommending against language by the applicant about flexibility regarding the Zoning Board of Appeals decision.

The board would like to finalize the decision on June 10, 2014.

The consultant will start the construction estimate:

Continuation Hearing Millstone:

On a motion made by Matt Hayes and seconded by Tom Gay the Board voted unanimously to continue the hearing for Millstone Village until May 27, 2014 at 8:45 pm.

PEDB Report:

Minutes:

April 29, 2014:

On a motion made by Karyl Spiller-Walsh, and seconded by Matt Hayes, the Board voted unanimously to accept the minutes from April 29, 2014 with revisions. (Member Gay was a no vote)

Discussion of Consultant Services:

The board discussed the construction services and what the applicant is doing to meet the storm water maintenance during construction. It was suggested that this item be included as part of the review. The conservation commission may have a role in this. The board does have the O&M plan from the applicants.

The consultant indicated that the applicant is required to put together a plan as part of regulations and there are specific standards to maintain. The task of checking if those inspections has never been requested, but it can be part of the reviews moving forward.

There was a suggestion that these can be checked quarterly instead of weekly at which point the consultant can ask for the reports and sign offs to check for compliance.

The consultant responded that this is an easy item to track and can be done easily.

It was suggested that a work session be held the DPS, Conservation and PEDB.

Street Acceptance:

Town meeting voted to allocate for special appropriation for street acceptance \$8200.00. Street acceptances for Azalea and Mayland Woods are moving forward.

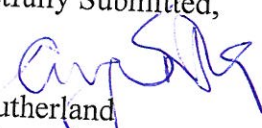
The Board was in agreement to proceed with working on the following street for acceptance:

- Cedar Farms –research status of lawsuit
- Dean Estates
- Red Gate – Lawsuit and status
- Speroni Acres with insurance company.
- Newton Lane

Adjourn Meeting:

On a motion made by Karyl Spiller-Walsh and seconded by Matt Hayes, the Board voted unanimously to adjourn the meeting at 10:00 pm.

Respectfully Submitted,


Amy Sutherland
Recording Secretary

Susan Affleck-Childs

From: Susan Affleck-Childs
Sent: Thursday, April 24, 2014 10:50 AM
To: Lester Gould
Cc: John F. Emidy; Andy Rodenhiser
Subject: Gould's Plaza

Hi Lester,

Thanks for stopping by today to discuss your ideas for modifying the site plan for Gould's Plaza. Based on our discussion, I understand you want to add some parking spaces to the east and behind the presently vacant building that was most recently occupied by Classic Properties. The reason for this is to accommodate the additional parking demand that is being generated by your new restaurant tenant. These changes will entail some adjustments to the stormwater area behind the building and include construction of an island with landscaping to separate the new parking area from the driveway into Gould's Plaza from Main Street.

I want to share some additional information with you as you consider your development plans for Gould's Plaza.

1. Town Meeting approved new parking regulations at its May 2013 town meeting. I expect these regulations may be less restrictive than those in place when the Plaza was first developed. The parking regulations are included on pages 41 – 47 of the Medway Zoning Bylaw which is posted on the Town's web site. http://www.townofmedway.org/Pages/MedwayMA_Bcomm/PlanEcon/ZoningBylawandMap.pdf
 - Standard parking spaces must be a minimum of 9' wide by 18' long.
 - Small vehicle parking spaces shall be a minimum of 8' wide by 15' long.
 - Motorcycle spaces must be a minimum of 4' wide by 8' long.
 - For a parking area the size of Gould's Plaza, up to 40% of the required number of parking spaces may be designed for small vehicles and up to 3% of the total number of required parking spaces may be designated for motorcycle use. Small vehicle and motorcycle parking spaces have to be grouped and clearly designated with signage.
 - ***Depending on the existing size of the parking spaces as presently laid out, you may be able to achieve a modest increase in the number of parking spaces by restriping all or sections of the Gould's Plaza parking lot to reflect the new minimum parking space size standards.***
 - As you consider the option of restriping, please also evaluate the possibility of adding a central landscaped island running along the north/south length of the primary parking area. This would greatly enhance the attractiveness of the existing "sea of asphalt" and contribute to the overall aesthetic improvements you seek to achieve.
2. The new parking regulations also require the provision of bicycle racks to accommodate one bicycle per 20 parking spaces. This would be a good opportunity for you to add some bicycle parking facilities to Gould's Plaza.
3. When you email me the drawing you showed me today, please also provide a complete written description of all the site and building work you intend to undertake including any plans for lighting modifications, and the façade improvements associated with new signs, etc. It will be more efficient for all of us if we bundle up all the improvements for one review process. I will provide that description to John Emidy for his review. Per the Zoning Bylaw, John has to determine whether the scope of work to modify the previously approved site plan is Substantial or Non-Substantial.

Thanks very much.

Susan Affleck-Childs

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Thanks very much.

ASSESSORS:
MAP 40, LOTS 52 & 53

ZONING:
C1 - COMMERCIAL DISTRICT I

REFERENCES:
DEED BOOK 437, PAGE 317
PLAN 27 OF 1979

RECORD OWNER:
NAGOG REALTY TRUST
Hudson, MA 01749

DIMENSIONAL REQUIREMENTS:

MINIMUM LOT SIZE (SQ FT)	20,000
MINIMUM LOT COVERAGE (%)	30
MINIMUM SIDE SETBACK (FT)	50
MINIMUM REAR SETBACK	25
MINIMUM BUILDING HEIGHT (FT)	40

NOTES:

- 1) METRIC DATA ESTABLISHED BY STRIPING AND SURVEYORS. ELEVATIONS SHOWN HEREON REFER TO THE NORTH AMERICAN DATUM OF 1988 (NAD83).
- 2) UNDERGROUND UTILITIES SHOWN HEREON ARE COMPILED FROM RECORD DRAWINGS AND FIELD SURVEY DATA. THE LOCATION OF ALL UTILITIES IS NOT GUARANTEED. THE CONTRACTOR SHALL VERIFY THE LOCATION OF ALL UTILITIES PRIOR TO ANY EXCAVATION, DEMOLITION OR CONSTRUCTION WORK.
- 3) THE LOCATION OF UNDERGROUND STORAGE TANKS, IF ANY, ARE SHOWN.
- 4) THE PREMISES IS LOCATED WITHIN FEMA ZONE P, SHAD ZONE P IS INSURANCE RATE MAP (FIRM) NUMBER 250202048E, WITH AN EFFECTIVE DATE OF JULY 12, 2002.

PORTUGAL
DEED BOOK 401, PAGE 181
LC 28706

MESWEENEY
DEED BOOK 450, PAGE 148
LC 28706

ALBANO
DEED BOOK 450, PAGE 23
LC 28706

FREIL REALTY II LLC
DEED BOOK 217, PAGE 307
LC 28706

MECOBA PROPERTIES INC
DEED BOOK 1350, PAGE 403
PLAN 410 OF 1980

MEDWAY REALTY LLC
DEED BOOK 607, PAGE 178

COLBEA ENTERPRISES LLC
DEED BOOK 1201, PAGE 529

GOULD'S COLONIAL PLAZA
74 Main Street
Medbury, MA

NAGOG REALTY TRUST
c/o Lester Gould
740 Green Road
Ayer, MA 01720

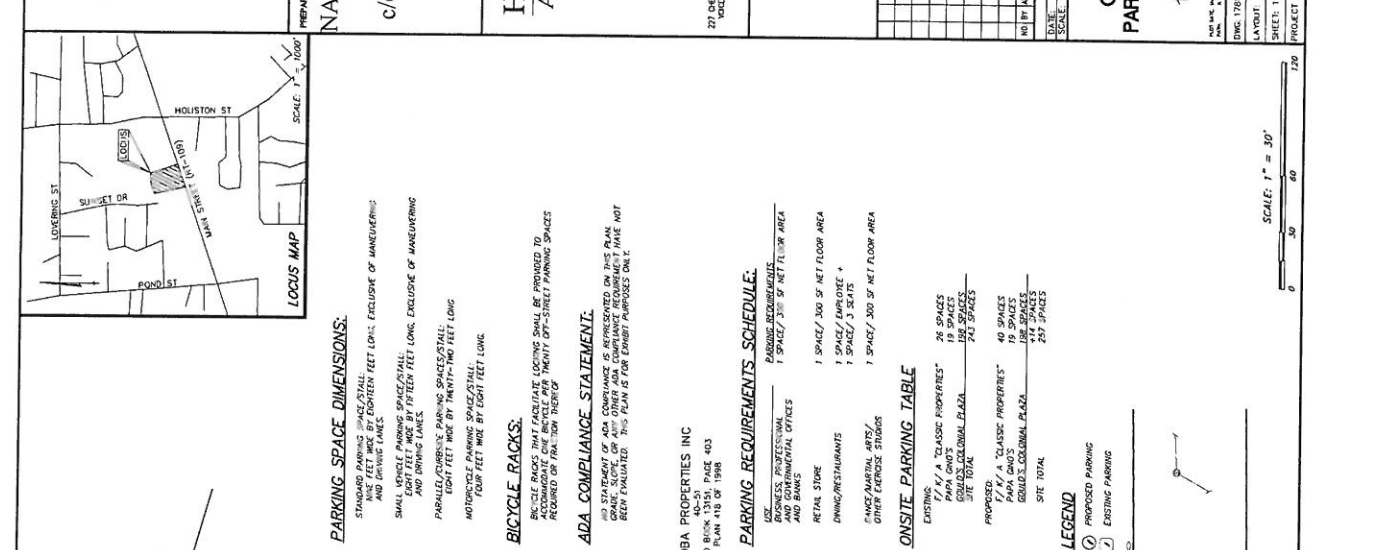
HANCOCK ASSOCIATES
Civil Engineers
Land Surveyors
Wetland Scientists

277 CHELSEA STREET, OKLAHOMA, MA 02874
PHONE: 781-262-0310, FAX: (781) 740-1133
WWW.HANCOCKASSOCIATES.COM

DATE	3/12/2014	DESIGN BY	BC
SCALE	AS SHOWN	CHECK BY	KE

CONCEPTUAL PARKING RESERVING
MEDWAY, MA

MAP 40, LOTS 52 & 53
DEED BOOK 437, PAGE 317
PLAN 27 OF 1979
LAYOUT: 02 (2)
SHEETS 1 OF 1
PROJECT NO.: 17818



PARKING SPACE DIMENSIONS:

STANDARD PARKING SPACE/STALL: EIGHT FEET WIDE BY FIFTEEN FEET LONG, EXCLUSIVE OF MANEUVERING AND DRIVING LANES.

SMALL VEHICLE PARKING SPACE/STALL: EIGHT FEET WIDE BY FIFTEEN FEET LONG, EXCLUSIVE OF MANEUVERING AND DRIVING LANES.

PARALLEL/PERPENDICULAR PARKING SPACE/STALL: EIGHT FEET WIDE BY TWENTY-TWO FEET LONG.

MOTORCYCLE PARKING SPACE/STALL: FOUR FEET WIDE BY EIGHT FEET LONG.

BICYCLE RACKS:

BICYCLE RACKS THAT FACILITATE LOCKING SHALL BE PROVIDED TO ACCOMMODATE BICYCLE PARKING. REQUIRED AT FIVE-TWO-TWO SPACE.

ADA COMPLIANCE STATEMENT:

ADA STATEMENT OF ADA COMPLIANCE IS REFERENCED ON THE PLAN. GRANT, SCHEP, OR ANY OTHER ADA COMPLIANCE REQUIREMENTS HAVE NOT BEEN EVALUATED. THIS PLAN IS FOR EXHIBIT PURPOSES ONLY.

PARKING REQUIREMENTS SCHEDULE:

OFFICE/PROFESSIONAL AND GOVERNMENTAL OFFICES	1 SPACE/300 SF NET FLOOR AREA
RETAIL STORE	1 SPACE/300 SF NET FLOOR AREA
DINING/RESTAURANTS	1 SPACE/EMPLOYEE + 1 SPACE/3 SEATS
FINANCE/BANKS, ARTS, OTHER SERVICE BUILDINGS	1 SPACE/300 SF NET FLOOR AREA

ONSITE PARKING TABLE

EXISTING	26 SPACES
177 K/A "CLASSIC PROPERTIES"	19 SPACES
PAPA JOHN'S	19 SPACES
74 MAIN STREET	14 SPACES
PROPOSED	40 SPACES
177 K/A "CLASSIC PROPERTIES"	19 SPACES
PAPA JOHN'S	19 SPACES
74 MAIN STREET	14 SPACES
SITE TOTAL	257 SPACES

LEGEND

⊙ PROPOSED PARKING

⊙ EXISTING PARKING

SCALE: 1" = 30'

0 30 60 120

PGC ASSOCIATES, INC.

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

May 6, 2014

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

RE: Lawrence Waste Services Site Plan Modification

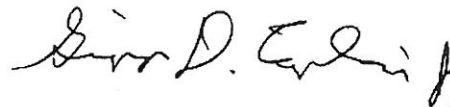
Dear Mr. Rodenhiser:

PGC Associates is pleased to present the following cost estimate to review and comment on the proposed site plan modification submitted by owner/applicant East Hill Associates Realty, to add a new 4500 square foot steel building to the site. The plan was prepared by Guerriere and Halnon of Milford and is dated April 29, 2014.

<u>Task</u>	<u>Hours</u>
Technical Review and comment of initial submittal for compliance with zoning and site plan regulations	1.5
Attendance at Planning and Economic Development Board meetings/hearings	1.5
Review and comment on revised plans	0.5
Review and comment on draft Certificate of Recommendation	0.5
Total	4.0
Cost Estimate (@\$90)	\$360.00

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

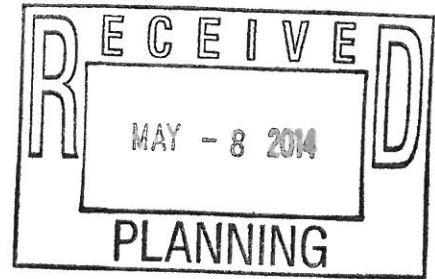
Sincerely,



Gino D. Carlucci, Jr.



May 8, 2014



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

**Re: Site Plan Modification Review
Planning and Economic Development Board
49 Alder Street
Medway, Massachusetts**

Dear Ms. Affleck-Childs:

We are pleased to submit this Proposal to the Town of Medway (the Client) for professional engineering services associated with the proposed 49 Alder Street Site Plan Modification submittal in Medway, Massachusetts (the Project). The objective of our services is to review the proposed Site Plan Modification submittal package, including but not limited to the Plans, Project Description and Supporting Stormwater Management Calculations and provide review comments as they relate to the Medway Planning Board's Rules and Regulations for the Submission and Review of Site Plans (Chapter 200), Medway Department of Public Services Sewer and Water Regulations, Department of Environmental Protection Stormwater Management Regulations, and sound engineering practice. We have excluded from our scope, the review of the application package as they relate to the Town of Medway Zoning By-Laws which will be conducted by a separate consultant.

Scope of Services

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

Task 1 Site Visit

- A. We will perform one (1) site visit to review existing conditions;
- Budget Assumption: 2 hours@ \$100/hr=\$200

Task 2 Design Review

- A. Review the proposed "Lawrence Waste Services Site Plan for 49 Alder Street in Medway, MA" Site Plans prepared by Guerrier & Halnon, Inc. dated April 29, 2014;
- Budget Assumption: 2 hours @ \$100/hr=\$200

One Grant Street
Framingham, MA 01702
Tel 508.903.2000 Fax 508.903.2001



- B. Review the “Hydrologic & Hydraulic Report” prepared by Guerriere & Halnon, Inc. and dated May 5, 2014 for compliance with the latest Department of Environmental Protection Stormwater Management Standards and good engineering practice;
 - Budget Assumption: 2 hours @ \$100/hr=\$200
- C. Prepare a letter summarizing findings for presentation to the Town of Medway Planning and Economic Development Board;
 - Budget Assumption: 4 hours @ \$100/hr=\$400
- D. Coordinate with applicant to address items in review letter and issue an updated letter upon receipt of modifications:
 - Budget Assumption: 8 hours @ \$100/hr=\$800

Task 3 Meeting Attendance

- A. Participate in two (2) hearings/meetings with the Town of Medway Planning and Economic Development Board. This cost includes time for hearings and individual meetings attended by the civil engineer.
 - Budget Assumption: 2 Meetings
2.5 hrs/meeting @\$130/hr= \$650

Cost

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

The breakdown of this fee by task is as follows:

Task	Task Description	Fee
Task 1	Site Visit	\$200
Task 2	Design Review	\$1,600
Task 3	Meeting Attendance	\$650
	Labor Subtotal	\$2,450
	Expenses (3.5%)	\$85
	Total Fee	\$2,535



Schedule

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

General Terms and Conditions

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

Very truly yours,

A handwritten signature in black ink, appearing to read 'Brian Marchetti'.

Brian Marchetti, P.E.
Project Manager

Date Approved by Medway Planning and Economic Development Board _____

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

Susan Affleck-Childs

From: Thomas Holder
Sent: Tuesday, May 06, 2014 9:58 AM
To: Susan Affleck-Childs
Cc: Sean T. Boyd
Subject: PEDB Meeting

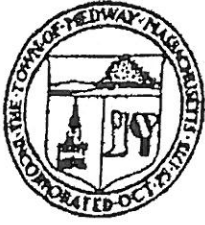
Hi Susy – In following with our phone conversation and hearing that Tetra Tech is unable to provide a review and response to the recently submitted Athletic Field Traffic Study in time for the scheduled May 13th hearing, I am agreeable to continue the hearing until May 27th at 8:00.

Thanks.

Tom

Thomas Holder | Director
Department of Public Services

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



TOWN OF MEDWAY
BUILDING DEPARTMENT
155 VILLAGE STREET
MEDWAY MASSACHUSETTS
PHONE 508-533-3253
FAX-508-533-3252
jemidy@townofmedway.org

OFFICIAL NOTICE

May 2, 2014

Onilleva Realty L.L.C.
Joseph Avellino
38 Summer Steet
Medway, MA.
02053

Re: Site improvements at 38 Summer Street

Dear Mr. Avellino:

On May 1, 2014, I conducted an inspection at the above referenced location for compliance with a building permit that was issued. It appeared to me that the scope of work being conducted exceeds the amount of work that may be conducted without site plan approval. Therefore, a site plan must be prepared and submitted to the Planning Board within thirty (30) days of this notice. It is my opinion this will be a Minor Site Plan Project due to the change in outside appearances of an existing building and premises.

You have the right of appeal of this opinion as stated in Section III D 1 of the Town of Medway Zoning By-Law.

Please contact me if you have any questions.

Respectfully,

John F. Emidy C.B.O.
Building Commissioner
Zoning Enforcement Officer

JFE

Cc: PEDB, file

Susan Affleck-Childs

From: J. Kramer <jmk_1@hotmail.com>
Sent: Tuesday, May 06, 2014 4:30 PM
To: Susan Affleck-Childs
Subject: Charles River Village Development

Dear Susy,

I am writing to the Planning and Economic Development Board about three issues regarding the Charles River Village Development:

1. I thought the fence along the border of my property was to run the entire length of the back of my property line. It only runs part way along my stone wall which will easily allow trespassers to just walk around the end of the fence. This was not my understanding of the length of the fence.
2. I thought there was supposed to be a 15 foot buffer around the property for public access. Did that mean that the fence should have been 15 feet away from my property line because it is only about a foot from the stone wall. Last Friday I asked John, the developer, about the buffer zone and he said "what buffer zone. Tell me where it is. The people buying the property are buying to the fence and they can do anything they want with their yard. It is their property". Is this what the board had in mind regarding the buffer zone? Is the developer complying with the plans? Is it in the new owner's deeds that their needs to be a 15 foot buffer? In addition, the first house behind my house has a completely fenced in back yard with absolutely no buffer zone and I believe the new owners may have already moved in.
3. At the far end of the property near the tennis club there is a pool of stagnant water which I am sure will become a breeding ground for mosquitoes in the next few weeks.

Can you please have the board address these issues and send me a response to my concerns.

Thank you so much.

Sincerely,
Joanne Kramer
231 Village Street



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 Hayes, P.E.
Karyl Spiller-Walsh

September 6, 2013

Mrs. Joanne Kramer
231 Village Street
Medway, MA 02053

Dear Mrs. Kramer,

The Planning and Economic Development Board (PEDB) is in receipt of your emails from August 21, 2013 and of Medway Planning Coordinator Susy Affleck-Childs' various email responses to you. Thank you for bringing to our attention your concerns regarding construction at Charles River Village (CRV), in particular the location of first house under construction at Charles River Lane which is adjacent/east of your property at 231 Village Street. We understand that Susy has supplied selected sheets of the endorsed CRV definitive plan set and copies of the various CRV decisions to you.

The PEDB discussed your emails at its meeting on Tuesday, August 27, 2013. We have the following responses to your requests and questions.

1. You have noted that the Charles River Village plan shows a 30' distance between the subject house and your back property line. We certainly acknowledge that the endorsed CRV plan shows that positioning of the house. However, we draw your attention to OSRD note #2 on Sheet 4 of the endorsed Charles River Village definitive plan. That note indicates that the location of houses and driveways shown on the plan is approximate and subject to change depending on field conditions. This is standard practice for all definitive plans – the house locations as shown are illustrative, not prescriptive.
2. You have represented that the house in question is set back 23' easterly from the shared rear lot line. Per the Medway Zoning Bylaw, 15' is the standard minimum setback distance between a structure and the rear property line in the Agricultural Residential II zoning district. The position of the house provides an additional 8' beyond what the builder is required to provide.
3. Based on the depiction of your house location on the Charles River Village plan, it appears that the eastern edge of your house at 231 Village Street is approximately 160' away from the property line behind the CRV house in question. That is certainly a substantial distance.

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

4. We believe that you had understood there would be a 15' buffer area in addition to the standard 15' rear setback. That is not the case. The language in the Open Space Residential Development section of Medway's Zoning Bylaw regarding the 15' buffer area reads as follows:

A minimum fifteen foot (15') buffer area consisting of natural vegetation, earthen materials and/or additional landscaping and/or fencing, acceptable to the Planning and Economic Development Board, shall be located on the perimeter of the Development Area where it abuts existing neighborhoods unless a reduction is otherwise authorized by the Planning and Economic Development Board. A determination to reduce the size of the buffer area shall be based on the proximity or lack thereof of abutting residences, the extent and screening effectiveness of any existing vegetation which may serve to buffer abutting properties, and/or the need to use the buffer area for access or utility easements.

Susy Affleck-Childs reviewed your question and the Medway Zoning Bylaw language with John Emidy, Medway's Building Commissioner. Per state law, a town's Building Commissioner is the official interpreter of the local Zoning Bylaw. The above noted text means that a 15' wide area on the CRV site next to your property has to be planted and/or fenced to provide a suitable buffer. The CRV plan shows 8 evergreen trees to be planted in the buffer area on the Charles River Village side of the shared property line behind the first house. However, landscaping is among the last items to be installed and is normally completed after house construction is finished, so it will be awhile before that buffer area is filled in as required. As you know, the Charles River Village landscaping plan also shows fencing, shrubs and additional evergreen trees to be planted within the 15' buffer/setback area for approximately 180' to the south of your property where three more CRV houses will be constructed.

5. The PEDB has no authority to issue a *cease and desist order* regarding the construction of the house. That authority rests only with Mr. Emidy. He has researched your questions and has determined that the builder does comply with the Medway Zoning Bylaw and the endorsed Charles River OSRD definitive plan. His determination stands and the PEDB has no authority to overrule it.
6. Please be advised that the distances shown on the CRV plan between the shared property line and the back of the other three CRV houses should also be taken as approximate. However, under no circumstances can those setbacks be less than 15'.

The Board empathizes that the landscape change occurring around you must be unsettling. It has to be very difficult to watch as the adjacent woodlands are so dramatically transformed.

The next Planning and Economic Development Board meeting is Tuesday, September 10th at Medway Town Hall. You are certainly welcome to attend and speak with the Board during the *Citizen Comments* portion of the meeting at 7 pm. However, if you would like to meet more formally with the Board, please contact Planning Coordinator Susy Affleck-Childs and she will schedule an agenda time for you at an upcoming Board meeting (September 17 or October 8th). Thank you.

Best regards,



Andy Rodenhiser
Chairman

cc: John Emidy, Building Commissioner

Susan Affleck-Childs

From: Susan Affleck-Childs
Sent: Thursday, May 08, 2014 11:22 AM
To: 'Teigan Bain'
Subject: RE: Revised Draft CF Decision

Hi Teigan,

Thanks for your note. I can only sympathize with the sights and sounds and disruption you are dealing with.

I have left a message with Kevin Leverone who is the general contractor for the development project. When he calls back I will remind him of the 7 am – 6 pm construction hours. I will also provide your note to the Planning and Economic Development Board at its meeting next week and will forward it to our site inspector as well.

RE: the Sunday issue with Medway Gardens, I will have to suggest that you speak directly with Joe Avellino. We presently have no jurisdiction over his work hours as there is no Planning Board permit or oversight.

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

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

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

From: Teigan Bain [mailto:snwlilacs@hotmail.com]
Sent: Thursday, May 08, 2014 11:05 AM
To: Susan Affleck-Childs
Subject: RE: Revised Draft CF Decision

Hello Susy,

I just wanted to reach out and see if you could point me in the right direction. The excavation project over at Cumberland Farms has been going for a few weeks now. I believe the construction hours on that project were set from 7am-6pm Monday-Saturday. We have been dealing with the devastating sight and sounds outside our home as well as possible. My main issue is the construction company starts before 7am on a regular basis. Today they began before 6:30 am and had the complete disrespect to run an excavator right on the other side of our driveway. I would think if they were going to break the rules and start early they could at the very least respect their only residential neighbor and not do it on our lot line. I contacted the police and they said they would send someone over but I was home until just past 7am and the police had not yet arrived. Is there someone else that should be monitoring this project that I should be speaking with?

Also, Mr. Avelino has been doing construction of his green houses and running excavators and back hoes on Sundays for the past month. I'm not sure how that is acceptable? We are supposed to have one day of peace from this nonsense and during that one day he has to do the construction on his site? I know that this whole project was approved with no information on Medway Gardens plans but how can this be acceptable?

We are reasonable people but this is ridiculous. Please point me in the right direction other than the police who are doing nothing about this.

Thank you,

Teigan Bain

From: sachilds@townofmedway.org
To: snwlilacs@hotmail.com
Subject: RE: Revised Draft CF Decision
Date: Wed, 18 Dec 2013 15:16:02 +0000

Hi Teigan,

The guy covering the meeting from Medway Cable wasn't able to make it due to a family emergency. We do have an audio recording of the meeting which I need to download from the recording device.

I will notify Medway Cable about the 12/23/13 meeting and I hope that they can have somebody cover it, but that is out of my control.

Attorney Paulousky was not allowed to provide any commentary last night.

Susy

From: Teigan Bain [<mailto:snwlilacs@hotmail.com>]
Sent: Wednesday, December 18, 2013 10:02 AM
To: Susan Affleck-Childs
Subject: RE: Revised Draft CF Decision

Hi Susy,

Tetra Tech
 One Grant Street
 Framingham, MA 01701

Project Cumberland Farms	Date 04-27-14	Report No. 01
Location Milford St. (Rt. 109)/Summer St. (Rt. 126)	Project No. 143-21583-14007	Sheet 1 of 2
Contractor Highland Development Kevin Leverone	Weather A.M. P.M. CLOUDY	Temperature A.M. P.M. 50°

FIELD OBSERVATIONS

On Tuesday, April 27, 2014 Steve Bouley from Tetra Tech (Tt) visited the project site to inspect erosion control and the current condition of the site. The following observations were made:

1. Observations

- A. A straw wattle erosion control barrier and construction fence has been placed around the perimeter of the project site per plan.
- B. A stabilized construction entrance has been installed in the northeasterly portion of the site to allow access for construction vehicles on to Rt. 109. This is not located as shown on the plan but is located accordingly as the proposed location along Rt. 109 is much higher in elevation than roadway grade at the time of inspection.
- C. The site contractor is clearing, stripping and removing topsoil and relocating ledge boulders on site to be hammered by hoe-ram to suitable size for rock crushing. Topsoil was being exported off-site with trailer (18-wheel) dump trucks.
- D. Blasting drill rig and rubber tire mats stockpiled on site in preparation for blasting next week.

CONTRACTOR'S FORCE AND EQUIPMENT

WORK DONE BY OTHERS

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

OFFICIAL VISITORS TO JOB

Police Details:	RESIDENT REPRESENTATIVE FORCE	
Time on site: 12:30 P.M. – 1:30 P.M.	Name	Name
CONTRACTOR'S Hours of Work:		
	Resident Representative: Steve Bouley	

Project Cumberland Farms	Date 04-27-14	Report No. 01
Location Milford St. (Rt. 109)/Summer St. (Rt. 126)	Project No. 143-21583-14007	Sheet 2 of 2
Contractor Highland Development Kevin Leverone	Weather A.M. P.M. CLOUDY	Temperature A.M. P.M. 50°

FIELD OBSERVATIONS CONTINUED

2. Schedule

A. Blasting will commence next week and should last approximately two weeks, dependent on extent of rock removal.

3. New Action Items

A. N/A

4. Previous Open Action Items

A. N/A

5. Materials Delivered to Site Since Last Inspection:

A. N/A



TETRA TECH

MEMORANDUM

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

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

Re: Fox Run Farm Abutter Complaint

Dt: May 1, 2014

On May 1, 2014, at the request of the Town of Medway Planning and Economic Development Board (PEDB), Steven Bouley from Tetra Tech (Tt) met with Bill Dacier to determine the cause of his complaints regarding the proposed Fox Run Farm Residential Development. Mr. Dacier's property abuts Parcel A, Lot 8A and Lot 9A of the proposed development. The following memorandum outlines issues brought up by Mr. Dacier to the PEDB.

Drainage

Flow from what appears to be roof runoff infiltration chambers or foundation drains is discharging through what appears to be two 4-inch pvc outlets directed towards Mr. Dacier's property, one outlet each for Lot 8A and Lot 9A from the proposed development. Mr. Dacier stated that during, and for a short time after periods of rain, a stream of water flows from the outlets and onto his property. Tt did not observe any discharge at the time of inspection but signs of channelized flow in the soils downstream of each outlet was visible during the inspection (See attached Photo #1 - #4). The developer should ensure that runoff does not discharge onto abutting properties per the approved plans and at the direction of the PEDB.

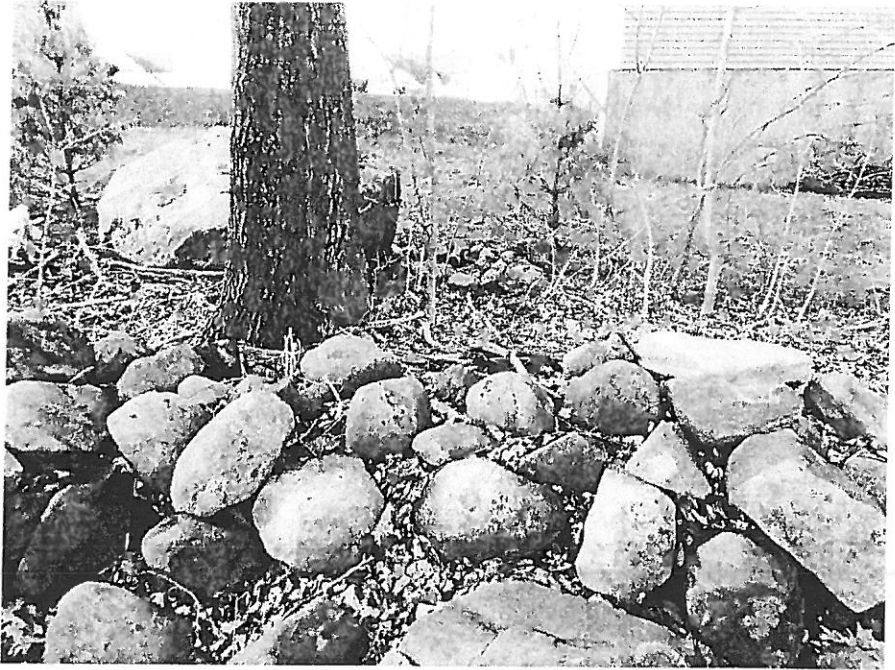
Landscaped Buffer

It appears that many of the Arborvitae that were planted as part of the landscaped buffer on Parcel A, Lot 8A and Lot 9A are dead and/or dying (See attached Photo #5 - #8). Mr. Dacier is concerned about privacy since the homes are close to one another and the screening does not appear to be adequate. The developer should replant all dead/dying trees per the approved plans at the direction of the PEDB.

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

Attachments:
Attachment A_Photo Log

Photo 1



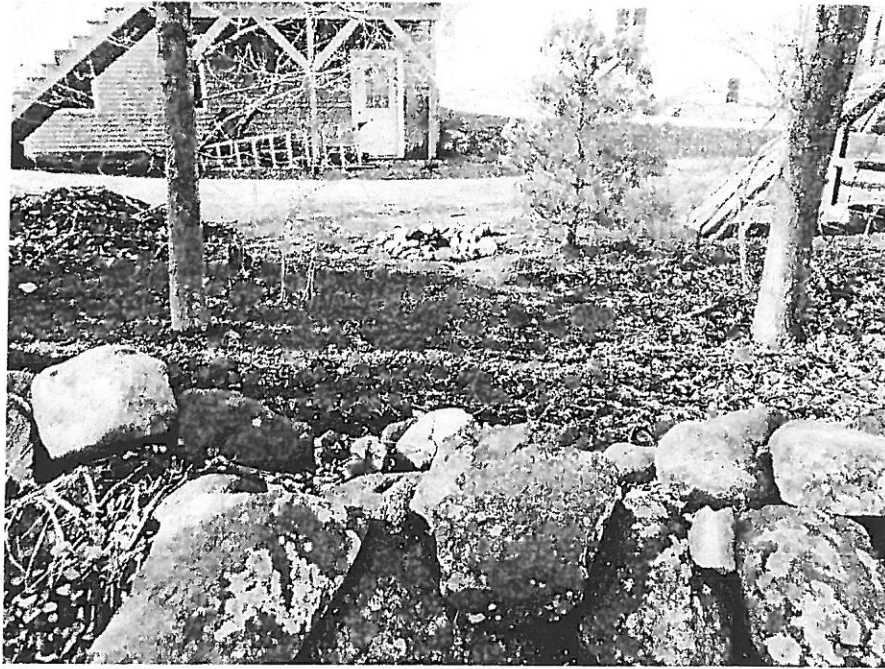
Lot 9A 4-inch Discharge Pipe

Photo 2



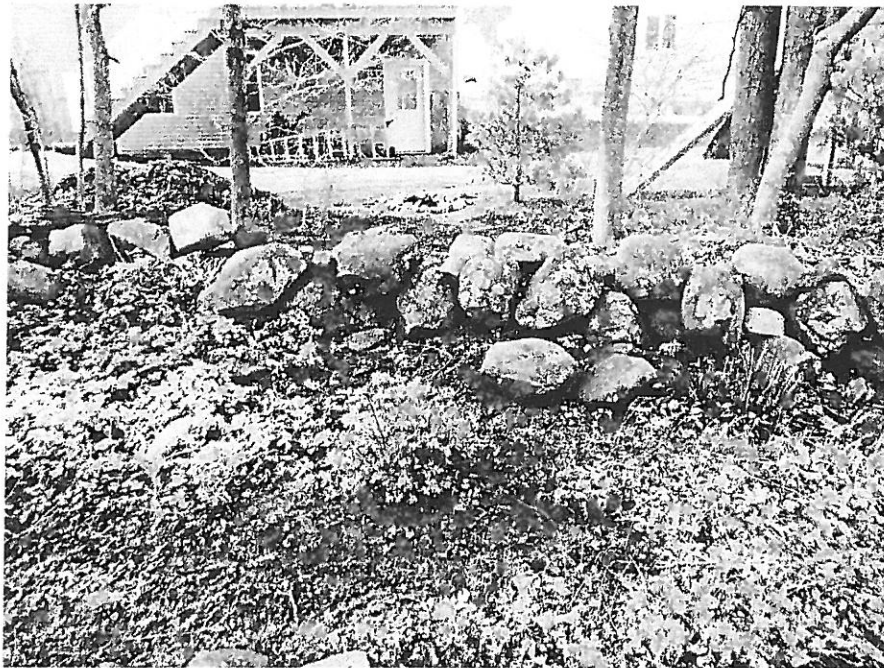
Signs of channelized flow on Dacier Property

Photo 3



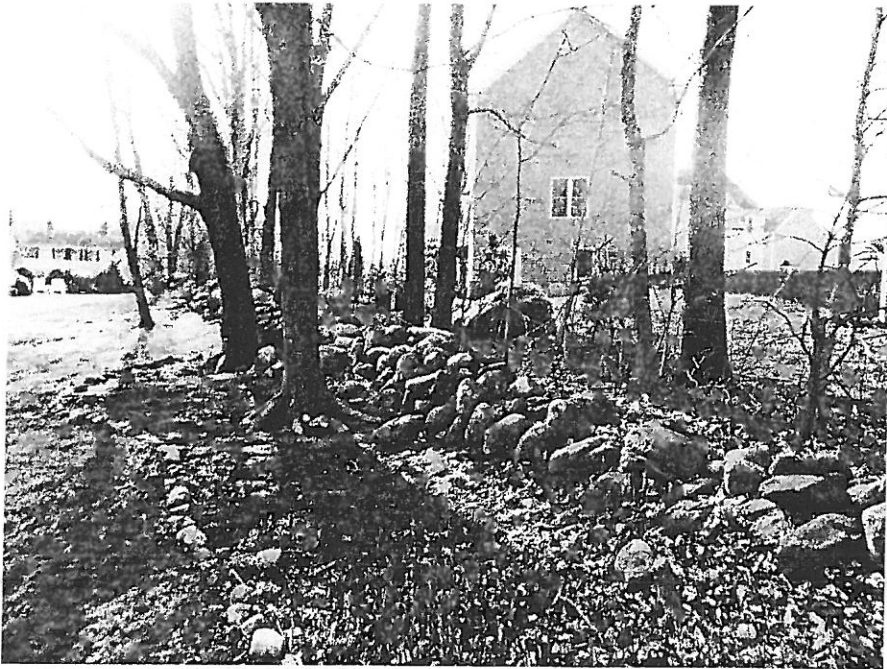
Lot 8A 4-inch Discharge Pipe

Photo 4



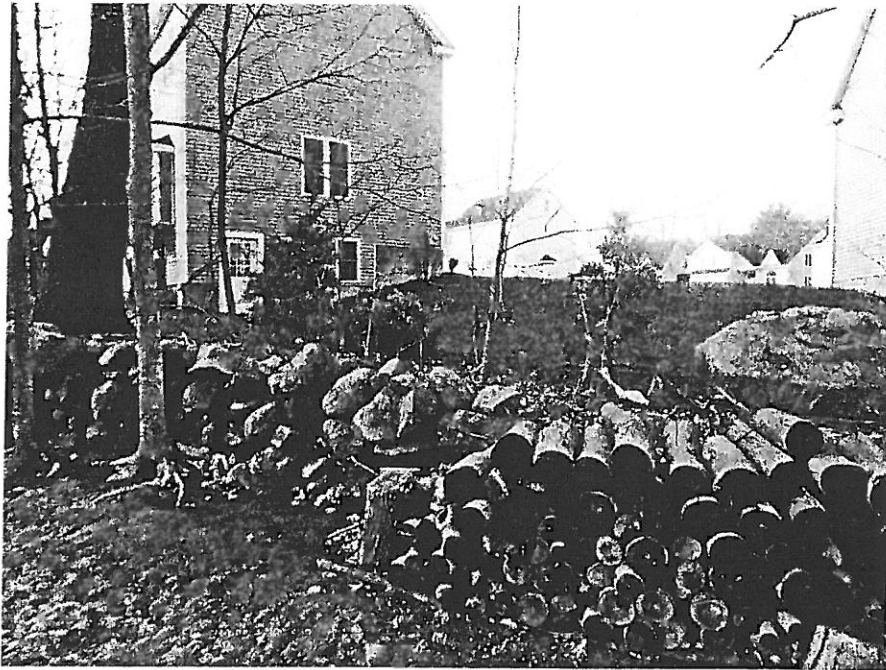
Signs of channelized flow on Dacier Property

Photo 5



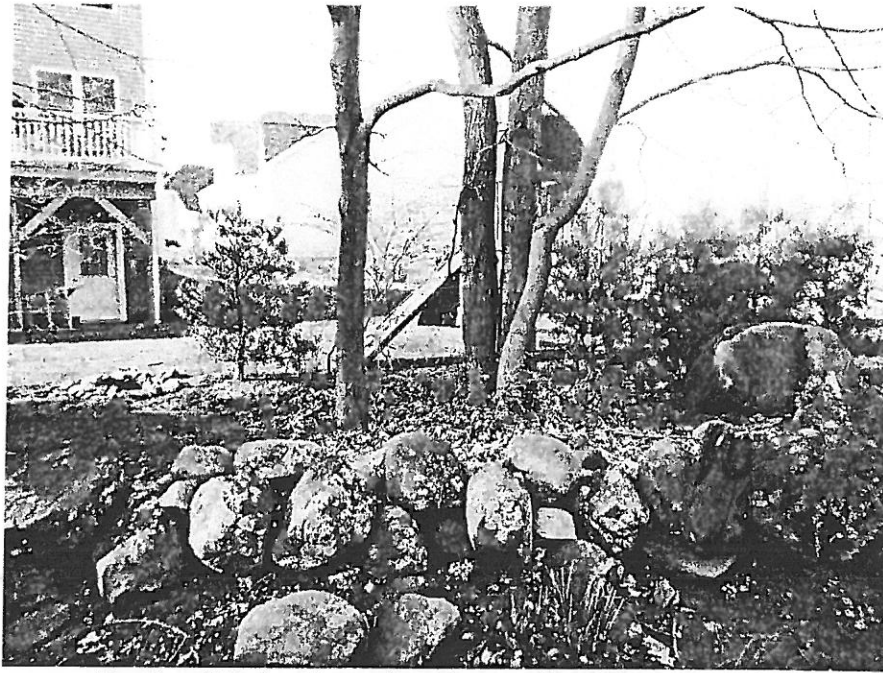
Dead and Dying Screening Trees at Lot 9A

Photo 6



Dead and Dying Screening Trees at Lot 9A

Photo 7



Dead and Dying Screening Trees at Lot 9A and Parcel A

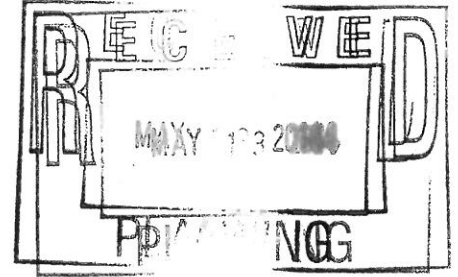
Photo 8



Dead and Dying Screening Trees at Lot 9A and Parcel A



Town of Medway



MEMORANDUM

Date: January 13, 2014
To: Andy Rodenhiser
Chair, Planning and Economic Development Coordinator
From: J. Douglas Havens
*Affordable Housing Trust Fund
Community Housing Coordinator*

I have been asked to comment on the DRAFT - *SPECIAL PERMIT DECISION Millstone Village Adult Retirement Community Planned Unit Development*. I respectfully request that the Planning Board consider adopting the changes listed below (indicated as stricken or underlined text) which, in my opinion, should fairly and best assure production of eight affordable units optimizing benefit to the community and qualifying for inclusion on DHCD's Subsidized Housing Inventory.

As mentioned in previous communications, the Board might want to consider monitoring adherence to any decisions affecting the age requirements of unit ownership and limit marketing of such units to "walk-in" households, i.e. prohibiting promotion of their availability beyond chance inquiry. I believe that these conditions would be consistent with practices permitted under Federal HOPA amendments to the Fair Housing Act.

Thank you.

MODIFICATIONS

Documents

2. The Millstone Village Condominium Master Deed and all legal documents related to the affordable units shall include language to specify:
 - a) the unit numbers of the designated affordable units, the placement of which shall be approved by DHCD and as required for the project's Local Initiative Program application.
 - b) that the affordable units shall be sold to income eligible persons or households that meet the age restriction as required to qualify units for inclusion on DHCD's Subsidized Housing Inventory.

CONDITIONS – The following conditions shall be binding upon the Applicant and its successors and assigns

15. Affordable Housing

- d. The affordable dwelling units are to be located within the development as ~~the interior unit of each of the triplex~~ required by DHCD for approval of the project's LIP application and thereby numbered as (specify addresses of all 8 units) provided, however, that upon direction by DHCD or request of the Applicant (without effect to Subsidized Housing Inventory eligibility), the Planning and Economic Development Board may permit the Applicant to change the designation of affordable dwelling units.
- f. The Board hereby names the Town of Medway Affordable Housing Trust if approved by DHCD ~~the~~ as an additional Monitoring Agent for the sale and resale of the affordable units.
- h. No building permits shall issue for this project until applicant receives assurance from DHCD equivalent to Final Approval of the project's LIP application pursuant to 760 CMR 56.04(7), 56.05(10)(b) regarding the LIP requirements for the affordable units.

16. Age Restriction

d. No changes shall be made to the age qualification requirements of the affordable units that disqualifies them from inclusion on DHCD's Subsidized Housing Inventory.

22. Timetable for Completion

e. Issuance of Building and Occupancy Permits

2. Occupancy Permits may be obtained for the four Winthrop Street frontage lots (Units 1, 2, 3 and 4) and the Community Center upon completion of the following:

e. DHCD's approval of the project's LIP application.

4. An occupancy permit for the residential units in each phase other than Units 1, 2, 3 and 4 may be obtained where:

h. excluding the phase immediately following the production of Units 1,2,3,and 4, at least a proportionate number of affordable units have been produced during the previous phase,

i. In no event shall the occupancy permit for the last 5 market rate units be issued before the total of eight affordable units are completed as qualified for occupancy in the opinion of the Zoning Enforcement Officer.

DESIGN REVIEW COMMITTEE

Town of Medway

155 Village Street

Medway, MA 02053

508-533-3291

drc@townofmedway.org



May 11, 2014

TO: Medway Planning and Economic Development Board
FROM: Julie Fallon, Vice-Chairman
RE: DRC Letter of recommendation
Millstone Village ARCPUD - Winthrop Street & Lovering Street

Thank you for referring the proposed site design and architectural renderings for the Millstone Village Adult Retirement Community Planned Unit Development (ARCPUD) Special Permit concept to the Medway Design Review Committee (DRC). The Design Review Committee (DRC) has reviewed several variations of this concept, beginning in 2006, and commends this final design as the best so far.

The proposal is for an 80 unit adult retirement community comprised of 35 single family detached homes and 45 attached townhouses clustered as duplexes and triplexes; 3,270 linear feet of private roadway; 20.4 acres of open space; community center. The property is located at 129R Lovering Street and Winthrop Street.

Please be advised this letter does not serve as an approval of the design for zoning and building permit purposes.

Pursuant to the Medway Zoning By-Law, SECTION V. Use Regulations, Sub-Section T. Adult Retirement Community Overlay District and Massachusetts General Laws, Chapter 40A, Section 9 - Special Permits, this letter serves as the DRC's recommendation.

Thank you for considering these recommendations:

- The DRC recommends that the four "spotlight homes" facing Winthrop Street be of varying color, with a dark shade in the mix for optimum attractiveness. Also, please apply this theory to the rest of the structures.
- The latest clubhouse has been shown in red. The DRC would recommend that the applicant consider their first attempt, which was shown in a dark brown. This had a "colonial" esthetic. Very pleasing.
- The applicant states that some of the trees at the entrance will be preserved, with new trees, Birch River @ 12-14', added. The DRC recommends trees of varying heights that are planted in clumps. They can grow together.

Design Review Committee Members

Matthew Buckley, Member & Chairman
Julie Fallon, Member & Vice Chair

Rod McLeod, Member
Karyl Spiller-Walsh
Planning Board Liaison

Rachel Walsh,
Member & Corresponding Secretary
Mary Weafer, Member & Recording Secretary
Bruce Hamblin, Associate Member

- Please consider making one of the entrances the “main” entrance, where the clubhouse and mail are and downplaying the other. These entrances are approx. 300 feet apart.
- DRC is concerned that there is a sight issue with one of the exits on Winthrop Street, hard to see cars coming with the dip in the road.
- The DRC recommends the final architecture of the homes as presented.
- The DRC recommends the final landscaping plan as presented.

The DRC would like to **emphasize** the discussions with applicant pertaining to the stone walls. The applicant states that they will be using stone from the site for the stone walls. Please keep with the rural esthetic of the property. Keep a natural stone appearance. **THIS IS KEY** to the success of the site.

The DRC would like to see the final signage plan when applicant is ready, with special emphasis on the entrance sign that is to be incorporated into the stone wall.

- The applicant agreed with the DRC to go with just one sign at main entrance, instead of the two that were proposed.

The DRC would also like to see the final plan for the placement of a millstone which is to be used as a feature within the landscape at the development’s entrance.

Design Review Committee Members

Matthew Buckley, Member & Chairman
Julie Fallon, Member & Vice Chair

Rod McLeod, Member
Karyl Spiller-Walsh
Planning Board Liaison

Rachel Walsh,
Member & Corresponding Secretary
Mary Weafer, Member & Recording Secretary
Bruce Hamblin, Associate Member