

**June 10, 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:

Amy Sutherland, Meeting Recording Secretary
 Consultant Gino Carlucci, PGC Associates
 Consultant Steve Bouley, Tetra Tech
 Susy Affleck-Childs, Planning and Economic Development Coordinator

The Chairman opened the meeting at 7:00 pm.

There were no Citizen Comments.

PEDB REORGANIZATION:

Chairman:

On a motion made by Matt Hayes and seconded by Tom Gay, the Board voted unanimously to appoint Andy Rodenhiser as Chairman to the Planning and Economic Development Board.

Vice Chairman:

On a motion made by Karyl Spiller-Walsh and seconded by Matt Hayes, the Board voted unanimously to appoint Bob Tucker as Vice Chairman to the Planning and Economic Development Board.

Clerk:

On a motion made by Karyl Spiller-Walsh and seconded by Bob Tucker, the Board voted unanimously to appoint Tom Gay as clerk to the Planning and Economic Development Board.

The next agenda will have the liaison appointments for the various committees.

Member Tucker stated that he does not want the Board members to get pulled in other directions while being a liaison to another committee.

Consulting Planner Report:

Consultant Carlucci indicated that the Land Use Reform act is at a critical point and is at the Ways and Means Committee. It is important to contact State representatives to continue moving this reform forward.

On a motion made by Bob Tucker and seconded by Karyl Spiller-Walsh, the Board voted unanimously to send a letter in support of the land use reform bill.

Consulting Engineer’s Report:

Cumberland Farms:

Consultant Bouley reported that the blasting at Cumberland Farms is complete and the contractor is screening gravel on site. The DRC should take a visit to the site to select the boulders from the outcropping. This needs to be determined. Member Spiller-Walsh will follow-up with this item. There was a complaint about the dust at the site. Building Commissioner John Emidy did a site visit and ordered a water truck to be on site. There were no complaints relative to the blasting.

Azalea Drive:

The surveying contractor is working with town counsel and this is still ongoing. The entities are making sure the easement delineation on the as-built plan matches the easements shown on the plans of record.

Middle School parking lot:

The Middle School parking lot paving will begin tomorrow. There is no net increase to the parking. This will be a new surface and maintaining existing draining.

Public Hearing Continuation - Lawrence Waste Service Site Plan Modification 49 Adler St:

The Board is in receipt of the following documents:

- Revised Site Plan dated May 28, 2014. **(See Attached)**
- Guerriere and Halnon’s response letter dated 5/28/14 to PGC review letter dated 5/21/2014. **(See Attached)**
- Guerriere and Halnon’s response letter dated 5/28/14 to Tetra Tech review letter dated 5/22/2014. **(See Attached)**
- PGC’s updated plan review letter dated 6/4/14. **(See Attached)**
- Tetra Tech updated plan review letter dated 6/4/14. **(See Attached)**
- Waiver requests. **(See Attached)**

The applicant has revised the site plan and addressed the review comments. The electronic plans were provided to members. The drainage has not changed. The revisions reflect the comments from the consultants. This lighting also meets the criteria. The lighting will be the exact same as on the other plan. It was communicated that there are three bays but the drawing shows four. One of the doors is being eliminated. There are only four waivers requested.

Susy will work at drafting a decision for the June 24, 2014 meeting.

Continuation:

On a motion made by Matt Hayes and seconded by Bob Tucker, the Board voted unanimously to continue the public hearing for Lawrence Waste to June 24, 2014 at 7:45 pm.

Applegate Subdivision Memorandum of Understanding:

Susy explained that when the decision was written for Applegate, there was discussion about who is responsible for some of the items such as drainage. The decision included a requirement that a letter of understanding be created so that DPS and the applicant are aware of their responsibilities. Mr. Costello created a draft and it was forwarded for review by Susy and Tom Holder. They decided to forward to Town Counsel for further review. Upon review of the document, Town Counsel recommended that further language be included and having the agreement signed by the Board of Selectmen. (**See Attached**.) DPS Director Tom Holder and Susy are comfortable with the added language. Susy forwarded the revised version to Mr. Costello but they have not heard back from him. This was reviewed recently by Board of Selectmen in executive session.

On a motion made by Bob Tucker and seconded by Matt Hayes, the Board voted unanimously to support the Memorandum of Understanding for Applegate.

Starbucks Site Plan – Review of As-built Plan and Bond Release:

The Board is in receipt of the following documents regarding the Medway Commons/Starbuck Site Plan Project Closeout.

- Cover letter dated 5/29/2014 from Karen Johnson of Charter Realty and Development requesting release of bond. (**See Attached**)
- Engineer’s Certification dated 5/28/2014 from Greg Mikolaities, P.E. of Tighe and Bond. (**See Attached**)
- As-Built Plan dated 5/28/2014 prepared by Doucet Survey Co. (**See Attached**)
- Punch List and bond estimate dated 2/10/14 prepared by Tetra Tech. (**See Attached**)
- Tom Gay has reviewed the as-built plan, visited the site and prepared notes. (**See Attached**)

Member Gay conducted a site visit on June 6, 2014 to cross reference the as-built plan with the endorsed site plan. The following were observations:

1. The decision referenced that the west end crosswalk as being brick. It is painted.
2. The planters on the patio on the North side are all there; but they are not on the as-built as specified.
3. The concrete pad was noted; but in addition to the pad was a small area with a light gauge cedar stockade fence. It looks fine provided shielding from trash containers.

The Board discussed that the crosswalks are handicap accessible and the ramps have treads. There was concern that the fence will need to be maintained; but the Board is glad that the barrels are hidden from sight. The Board is also ok with paint versus brick.

On a motion made by Bob Tucker and seconded by Karyl Spiller-Walsh, the board voted unanimously to accept the as-built for Starbucks and authorize the release of the bond in the amount of \$25,000.

Learning Tree Center Site Plan, 157 Main Street – Plan Review Estimates

The Board is in receipt of the plan review estimates from PGC Associates and Tetra Tech. (See Attached)

On a motion made by Bob Tucker and seconded by Karyl Spiller-Walsh, the Board voted unanimously to accept the consultant estimates as presented.

It was suggested to provide the applicant with a cost estimate for Town Counsel's review.

Zoning Bylaw Recodification:

The codification process may take a little bit longer since the new town administrator may want to get involved. Also, coordination with various boards is needed.

Other Reports

The Chairman communicated that he has a drawing of the Medway Shopping plaza showing a concept plan for additional buildings. He will share those with the Board.

Public Hearing Continuation – Medway High School Athletics Fields Site Plan:

The Board is in receipt of the following documents:

- Traffic Sign Plan dated 4/23/14 by Gale Associates. (See Attached)

It should be noted that the Zoning Board of Appeals held a public hearing on 6/4/14 to hear the DPS petition for a special permit for stadium lighting. The ZBA voted to approve the Town's petition for a special permit for stadium lighting at the northern fields. The other two fields are exempt from special permit review due to the Dover Amendment.

The deadline for the PEDB action on the site plan application is June 16, 2014. Susy noted she had spoken with DPS Director Tom Holder about granting an extension.

The scheduling of field events will be done by DPS. The applicant indicated that the information required by Sergeant Watson is on plan.

Member Hayes noted that the R3-1 sign to west is not on the legend.

The proposed sign modifications were discussed. There will be additional no parking signs which were noted on the plans. There will be "one way" enter sign wrapping around high school,

and also “no parking signs” along the access road to limit parking. The fields are noted as “North’ and “South” on the plans. The contract will have the bid set.

The Board discussed some of the conditions relative to the draft decision.

It was suggested to add language that the applicant will try to hammer instead of blasting which will be the last resort. These were some of the other items:

1. #10: hours of operation for lights. We can reinforce the ZBA decision and mirror it and by consistent with lighting hours. There was some duration noted in the bylaw relative to events.
2. #15: scheduling of the fields will be incorporated.
3. #19 designated parking for safety vehicles. These need to be designated. The existing gravel access has a 12 ft. emergency gate at both North and South field for emergency access. This will be shown on the revised plan.
4. #4 incorporate sign management plan to be further revised.
5. There needs to be a communication plan with the crossing guards relative to the queuing concerns at Summer Street There was a question about who will pay for the training from Tetra Tech to review/train her? The Board would like this issue concerning the crossing guard to go into the decision.

The Board would like to get an estimate and it was recommended that the funding come from the high school field budget.

The primary use of fields will be after 3:00 pm which is after the crossing guard’s hours.

The decision will be revised further and voted on at the next meeting.

Dave D’Amico from the Department of Public Services agreed to the deadline extension to June 27, 2014. **(See Attached.)**

Deadline Extension:

On a motion made by Bob Tucker and seconded by Matt Hayes, the Board voted unanimously to extend the decision deadline to June 27, 2014.

Continuation:

On a motion made by Bob Tucker and seconded by Matt Hayes, the Board voted unanimously to continue the public hearing to June 24, 2014 at 8:15 pm.

Public Hearing Continuation - 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:

- Email dated 6/4/2014 from Tina Wright, Chairman of the Open Space Committee regarding the open space trails and parking. **(See Attached)**

- Email dated 6/3/2014 from Tom Holder, DPS Director re: water conservation measures. **(See Attached)**
- Copy of Minutes of 3/27/2014 from Conservation Commission meeting approving an extension of previously issued order of conditions for the Daniels Village ARCPUD to be used for Millstone Village ARCPUD. **(See Attached)**
- The ZBA voted on 6/4/2014 to not approve the applicant's petition for variance to allow for 20% of the dwelling units for people under age 55. **(See Attached)**
- Revised draft Millstone decision dated June 6, 2014. **(See Attached)**

Engineer Rob Truax of GLM Engineering indicated that he met on June 3, 2014 with the Open Space Committee and a recommendation was made for the trails and parking to be located on the easterly side. It was suggested that signage at the parking area will be needed noting the access to the trail. They will need to provide information about who owns the former Lovering Street right of way where the parking area is proposed and who has authority over it and who can approve putting parking in the noted location. Rob will also need to talk with Boston Edison. The layout and taking and title needs to be looked at. The road was realigned many years ago. The concept plan was prepared and no description of location. He wants to keep it as close to the street as practical.

The Chairman was at the meeting with the ZBA and the audience was in favor of what the applicant was seeking – an allowance for 20% of the units to be available to people under age 55.

Attorney Alex Parra for the applicant distributed a marked up version of the decision to the Board. **(See Attached.)** This is different from the last version Susy had included in the Board packet. His version took 95% of what was provided to Board. The language on page 9 regarding the open space trail connecting to the Town's open space parcel from the Evergreen Meadow subdivision was deleted. It was suggested putting a description of the parking. Information should also be included regarding offsite improvements. The outcome from the conservation restriction should be in place. The plan shows a path on their property and text noted that there is no linkage to Evergreen meadows. If it is decided to change this later, the language of the decision would need changed and a public hearing would need to be held. The abutters within 500 ft. would be notified.

The conservation restriction will be handled by the applicant. The applicant would provide the draft and get it approved by the Conservation Commission and Board of Selectmen and then supply it to the State. This is a circular round of negotiation. The BOS and Conservation Commission must both approve the restriction and then the state approves it at which point a formal acceptance vote takes place again by the BOS and Conservation Commission. This is a long process. It was recommended that the conservation restriction come with the sixth phase and it can be built out except for the last six units. The applicant wants an eight year build-out. The applicant noted that it will be a different board eight years from now.

The discussion next moved to affordable housing section on page 21. The applicant's Local Initiative Program application to the MA Department of Housing and Community Development needs to be approved by the BOS. A letter of support would need to come from the BOS. There is a concern that the applicant needs to make sure the application is filed quickly. The decision

just references that it has to be submitted. Community Housing Coordinator Doug Haven responded that the LIP application needs to be approved by various entities and it takes time. The applicant has already hired a firm to help with this. It was suggested to get preapproval from the state for the site plan indicating the location of the affordable dwelling units. . This would satisfy the needs. The risk is that the units needs to be built out and sold. The applicant does not have control about the regulatory process.

The Board is ok tying it to the submittal and was in agreement to eliminate Section H completely. It was suggested adding a date with some period of time for completion of the regulatory agreement.

The applicant asked how can the Board hold us responsible when we have no control of how long the State will take to review.

Susy will make the final revisions to the decision and the Board will do the final review of the draft decision at their next meeting.

Continuation for Millstone Village:

On a motion made by Bob Tucker and seconded by Karyl Spiller-Walsh, the Board voted unanimously to continue the public hearing for Millstone Village to June 24, 2014 at 8:45 pm.

Thayer Homestead - Site Plan As-Built:

The following documents were entered into the record:

- Draft of the As-built plan dated 5/6/14 prepared by Peter Nolan and Associates. (**See Attached**)
- Tetra Tech As-Built Plan Review memo dated 5/30/2014. (**See Attached**)
- Email response dated 6/3/2014 from Jonathan Taylor of LLB Architects. (**See Attached**)
- A letter from Jonathon Taylor of LLB Architects dated 6/21/2013. (**See Attached**)

The Board reviewed the consultant letters and wants the applicant to fix/add the items indicated. Some of these items include:

- Labeling of curb type/limits and pedestrian ramps.
- Signature of the professional land surveyor.
- Locus map.
- Site plan set approval with correct scale.
- Crosswalk striping adjacent to handicap parking needs to be fixed.
- Clean up the construction debris.

Susy will communicate the concerns to the project manager and John Emidy.

There was a suggestion that the operation manager be added to the distribution list.


PEDB Meeting Minutes:

unanimously to endorse the modified plan for Bay (

Adjourn Meeting:

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

Respectfully Submitted,



Amy Sutherland
Recording Secretary

Member Tom Gay, the Board voted seconded by Member Bob Tucker

Next Meeting:

The Board will develop a calendar for the next meeting. (See Attached.)

The Board proposed zoning amendments. The meeting will be held on the next possible day.

The Board voted to approve the subdivision covenant.

The Board voted

*Minutes of June 10, 2014 Meeting
Medway Planning & Economic Development Board
APPROVED – June 24, 2014*

May 27, 2014:

On a motion made by Karyl Spiller-Walsh, and seconded unanimously to accept the minutes from May 27, 2014, the Board abstained.

Calendar for Zoning Bylaw Amendments

It was reported that she had been asked by the Town of Medway Board's zoning bylaw work for the 2015 Annual Town Meeting.

The Board will be scheduling extra work sessions to review the zoning bylaw. It was recommended to have the third Tuesday of the month.

Bay Oaks Definitive Subdivision Plan Endorsement

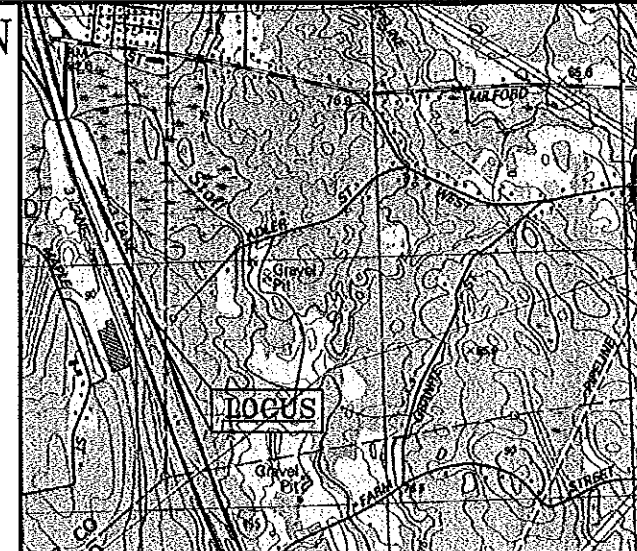
Chairman Rodenhiser left from table and abstained from voting.

On a motion made by Tom Gay and seconded by Member Bob Tucker,

- NOTES
- 1) THIS PLAN REFERS TO THE TOWN OF MEDWAY ASSESSORS ATLAS SHEET 34 LOT 3-41.
 - 2) SEE DEED BOOK 4668 PAGE 13 RECORDED WITH NORFOLK DISTRICT REGISTRY OF DEEDS.
 - 3) SEE THE FOLLOWING PLANS RECORDED WITH NORFOLK DISTRICT REGISTRY OF DEEDS:
 1977 ALDER STREET LAYOUT PB 283 NO 834
 1999 ALDER STREET EASEMENT PB464 NO 180
 LAND COURT 32712A NOV 15, 1963
 PB 6312 NO 127 PO 454 OF 1977
 PB 3385 NO 575 PG 489 OF 1962
 - 4) ZONING CLASSIFICATION IS INDUSTRIAL II.
 - 5) WAIVER REQUESTING NOT REQUIRING THE WRITTEN DEVELOPMENT IMPACT STATEMENT, FROM SECTION 204-3 PLANNING BOARD SUBMITTALS SUBSECTION A. 7) A WRITTEN DEVELOPMENT IMPACT STATEMENT.

LAWRENCE WASTE SERVICES SITE PLAN FOR 49 ALDER STREET IN MEDWAY, MASSACHUSETTS

OWNER/APPLICANT:
EAST HILL ASSOCIATES REALTY
 49 ALDER STREET
 MEDWAY, MA 02053
 DATE APRIL 29, 2014 (REVISED, MAY 28, 2014)

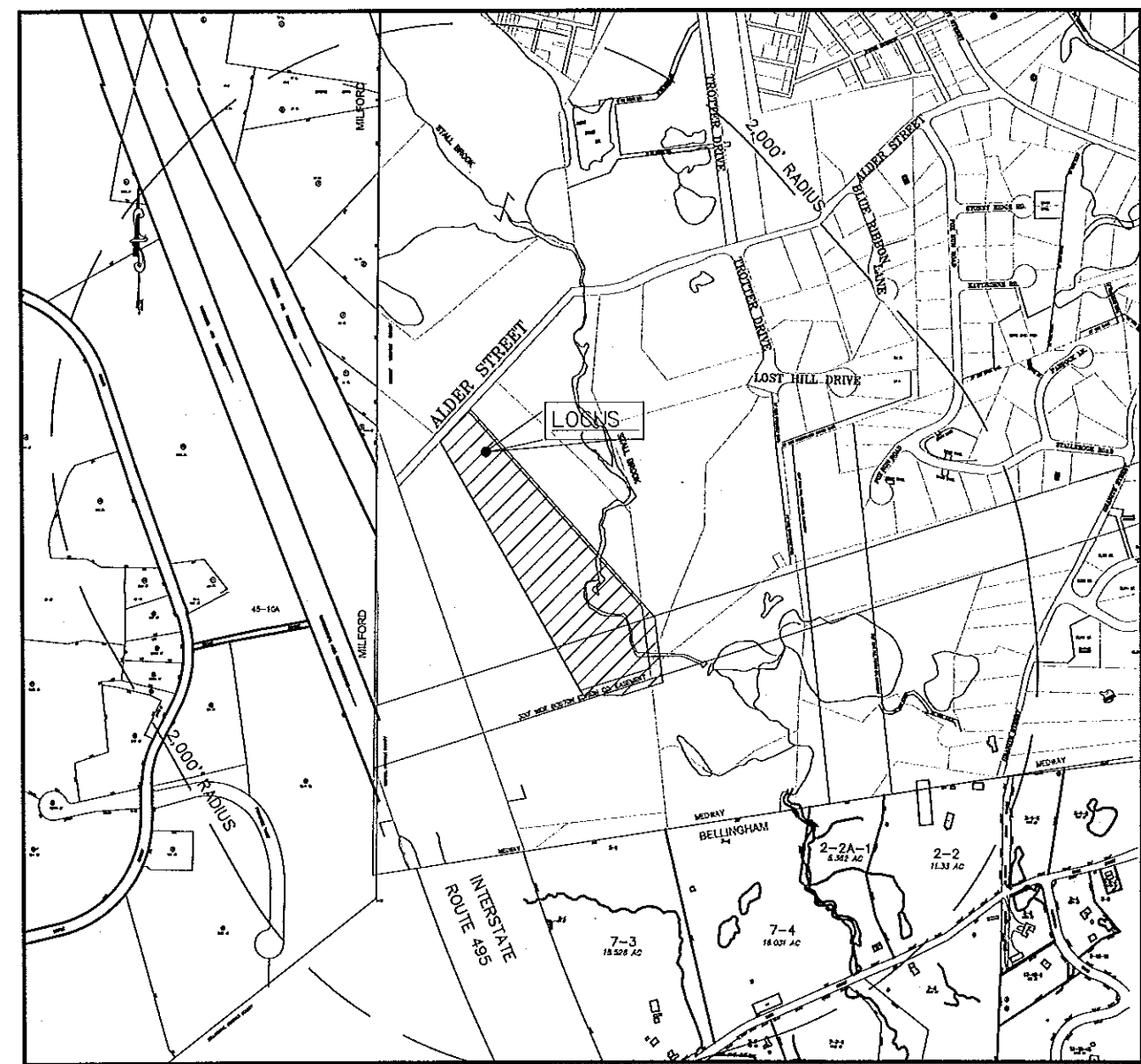
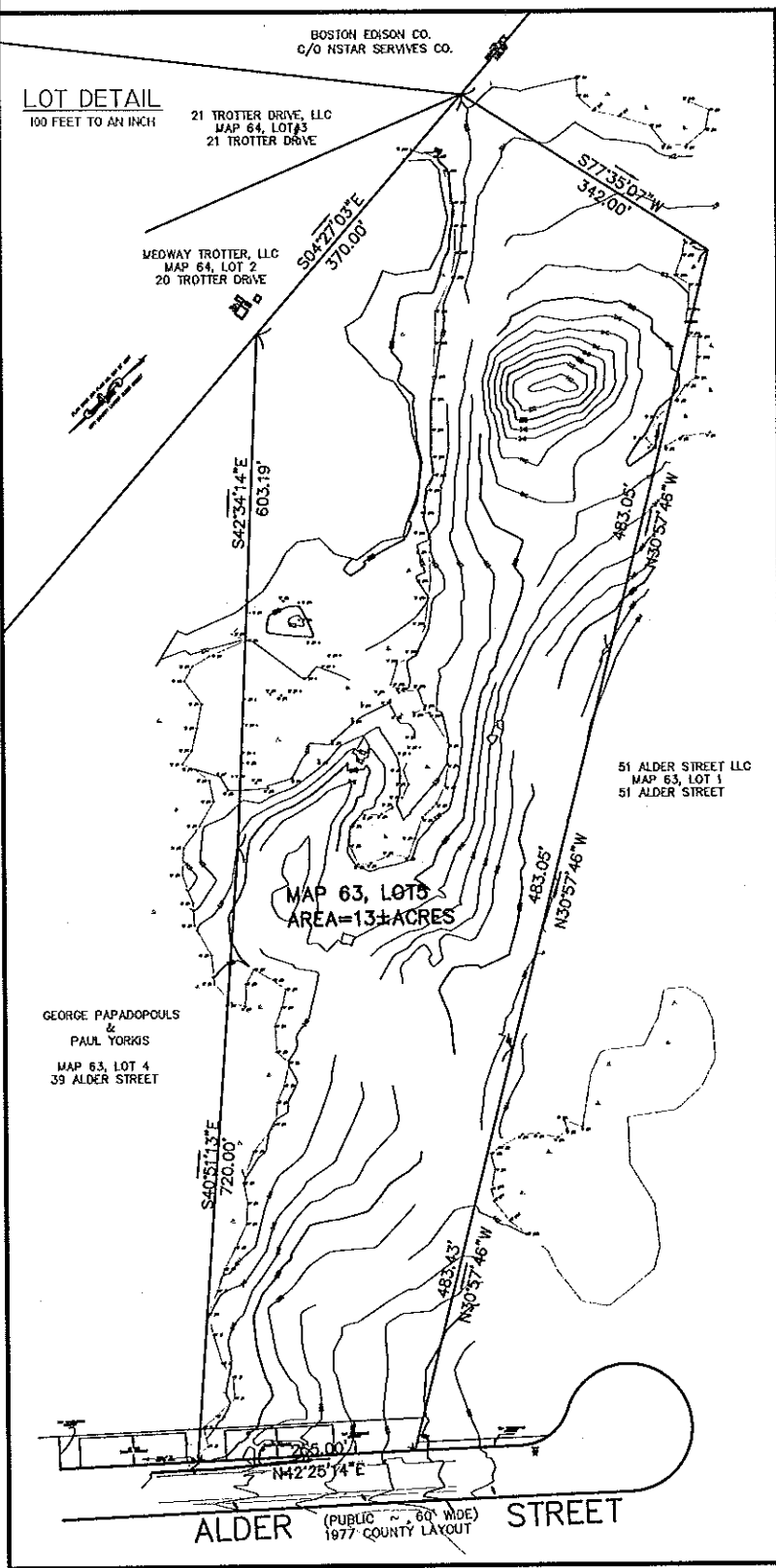


DATE: _____ DATE: _____

MEDWAY PLANNING AND ECONOMIC DEVELOPMENT BOARD APPROVAL

DATE: _____

SIGNATURE DATE: _____ BEING A MAJORITY



LOCUS MAP USGS
1,000 FEET TO AN INCH

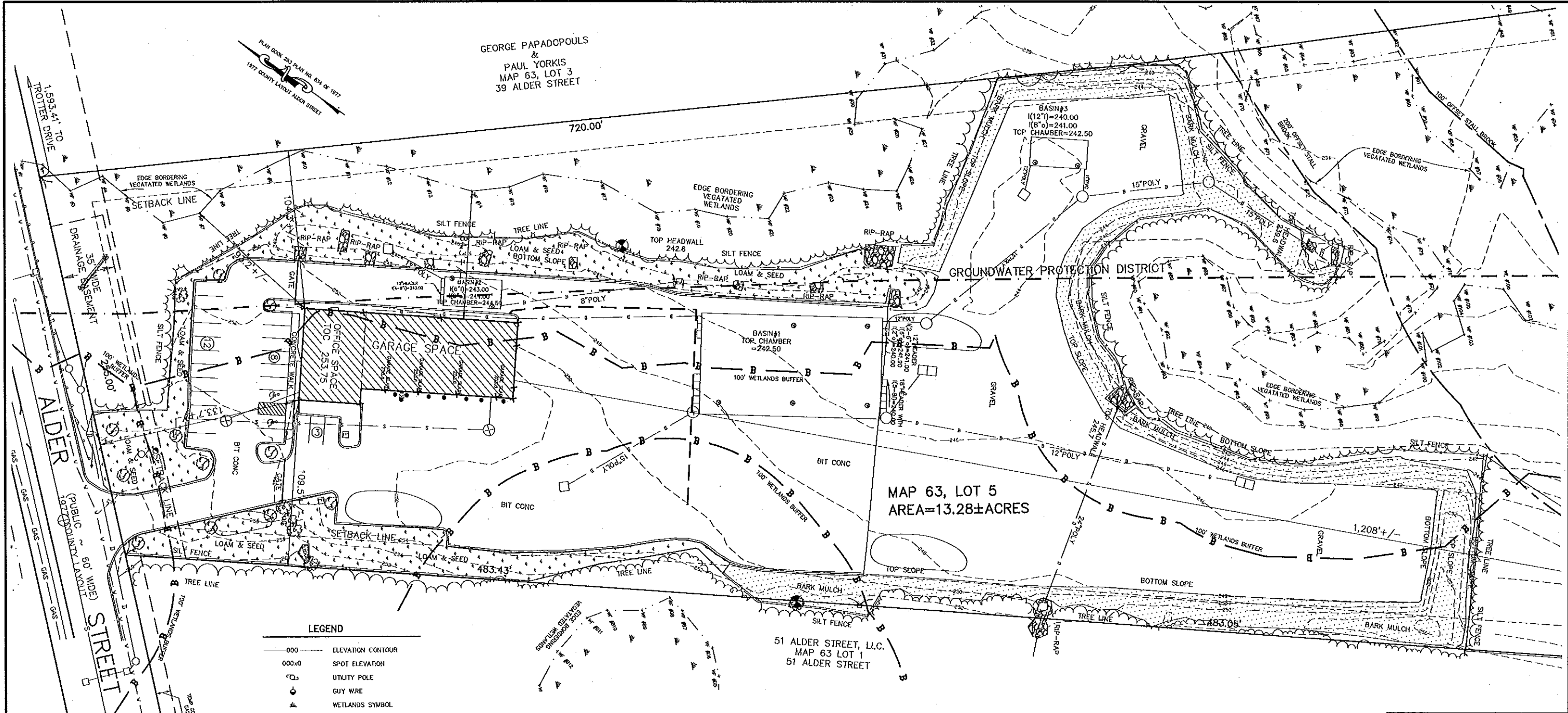
ZONE DESCRIPTION:	MIN. REQ'D/ MAX. ALLOWED	EXISTING	PROPOSED
ZONE - INDUSTRIAL II	INDUSTRIAL II		
LOT REQUIREMENTS:			
MIN. AREA (S.F.)	40,000 S.F.	13,284 ACRES	13,284 ACRES
MIN. WIDTH (FT.)	100'	255'	255'
MIN. FRONTAGE (FT.)	250'	255'	255'
YARD REQUIREMENTS:			
MIN. FRONT SETBACK (FT.)	30'	134'	134'
MIN. SIDE SETBACK (FT.)	20'	104'	104'
MIN. REAR SETBACK (FT.)	30'	1,208'	1,135'
BUILDING			
MAX % COVERAGE	40%	1.2%	1.2%
OPEN SPACE			
MIN % OF LOT AREA	-	66%	66%
BUILDING HEIGHT (FT.)			
MAX HEIGHT (FT.)	60'	30'	30'
PARKING			
MIN. NUMBER OF SPACES	**21	**22	**22
MIN. HANDICAPPED SPACES	1	2	2
PARKING REQUIREMENTS: ** INCLUDES NUMBER OF HANDICAP SPACES.			
OFFICE/GARAGE FACILITY: 2,400 S.F. OFFICE SPACE AND 6,500 S.F. LIGHT INDUSTRIAL SPACE			
1 SPACE PER 300 S.F. OF OFFICE SPACE 2,400 / 300 S.F. OF OFFICE SPACE = 8 SPACES			
1 SPACE PER 1,000 S.F. OF FLOOR SPACE. 6,500 S.F. / 1,000 S.F. = 6.5 SPACES			
1 SPACE FOR 2 EMPLOYEE ANTICIPATED 6 EMPLOYEES = 3 SPACES			
TOTAL SPACES REQUIRED = 21 SPACES			

INDEX

1. COVER SHEET
2. EXISTING CONDITIONS
3. SITE PLAN
4. DETAIL SHEET
5. BUILDING ELEVATIONS
6. LIGHTING PLAN

Guerriere & Halnon, Inc.
 Engineering & Land Surveying
 333 WEST STREET, MILFORD, MA 01757
 (508) 473-6630 FAX (508) 473-8243

GEORGE PAPADOPOULS
&
PAUL YORKIS
MAP 63, LOT 3
39 ALDER STREET



LEGEND

- 000 --- ELEVATION CONTOUR
- 000.0 SPOT ELEVATION
- UTILITY POLE
- GUY WIRE
- ▲ WETLANDS SYMBOL
- EDGE OF VEGATED WETLANDS
- WF XX WETLAND FLAG NUMBER
- 100' WETLAND BUFFER
- STREAM
- STREAM BUFFER
- TREE LINE
- CATCH BASIN
- DRAIN MANHOLE
- △ INVERT
- DRAIN LINE
- SEWER MANHOLE
- SEWER LINE
- RIP-RAP
- GAS GATE
- ELECTRIC TRANSFORMER
- PARKING SPACES
- HANDICAPPED PARKING
- LOAM AND SEED AREA
- BARK MULCH AREA
- BOLLARD
- SILT FENCE

NOTE: CONSTRUCTION ON THIS LOT IS SUBJECT TO ANY EASEMENTS, RIGHTS-OF-WAY, RESTRICTIONS, RESERVATIONS OR OTHER LIMITATIONS WHICH MAY BE REVEALED BY AN EXAMINATION OF THE TITLE.

"WARNING"
EXISTING UTILITY LINES INDICATED OR NOTED ON THESE DRAWINGS ARE SHOWN AS OBTAINED FROM EXISTING INFORMATION AND ARE ONLY APPROXIMATE IN LOCATION. THE CONTRACTOR SHALL TAKE CAUTION IN THESE AREAS TO AVOID DAMAGE TO EXISTING UTILITY LINES AND/OR HARM TO PERSONNEL ENGAGED IN WORKING IN THESE AREAS.
CALL "DIG SAFE" 1-888-DIG-SAFE (1-888-344-7233).
EXISTING LINES OTHER THAN THOSE INDICATED ON THESE DRAWINGS MAY BE ON THE SITE. THE CONTRACTOR IS WARNED.

REV.	DATE	DESCRIPTION	INIT
1	5-22-14	REVISED PER COMMENTS.	PWL

NOTES	LEGEND
	ND NO DISTURB LINE
	WET EDGE OF WETLANDS
	--- EXISTING TREE LINE
	--- EXISTING CONTOUR
	--- PROPOSED CONTOUR
	OH OVERHEAD WIRE
	D DRAIN LINE
	S SEWER LINE
	W WATER LINE
	UE UNDERGROUND ELECTRIC
	RD ROOF DRAIN
	--- PROPOSED MULCH SOCK
	--- 100' BUFFER ZONE
	○ EXISTING SEWER MANHOLE
	○ EXISTING DRAIN MANHOLE
	○ EXISTING CATCH BASIN
	○ EXISTING UTILITY POLE
	○ PROPOSED DRAINAGE MANHOLE
	○ PROPOSED UTILITY POLE
	○ PROPOSED CATCH BASIN
	WETLANDS
	○ HANDICAP SPACE
	○ TRAFFIC FLOW
	○ PROPOSED BUILDINGS
	○ MOUNTED LIGHT

DATE: _____ DATE: 6-20-14

MEDWAY PLANNING AND ECONOMIC DEVELOPMENT BOARD APPROVAL

DATE: _____

SIGNATURE DATE: _____ BEING A MAJORITY

OWNER / APPLICANT
EAST HILL ASSOCIATES LLC
49 ALDER STREET
MEDWAY, MA 02053

49 ALDER STREET

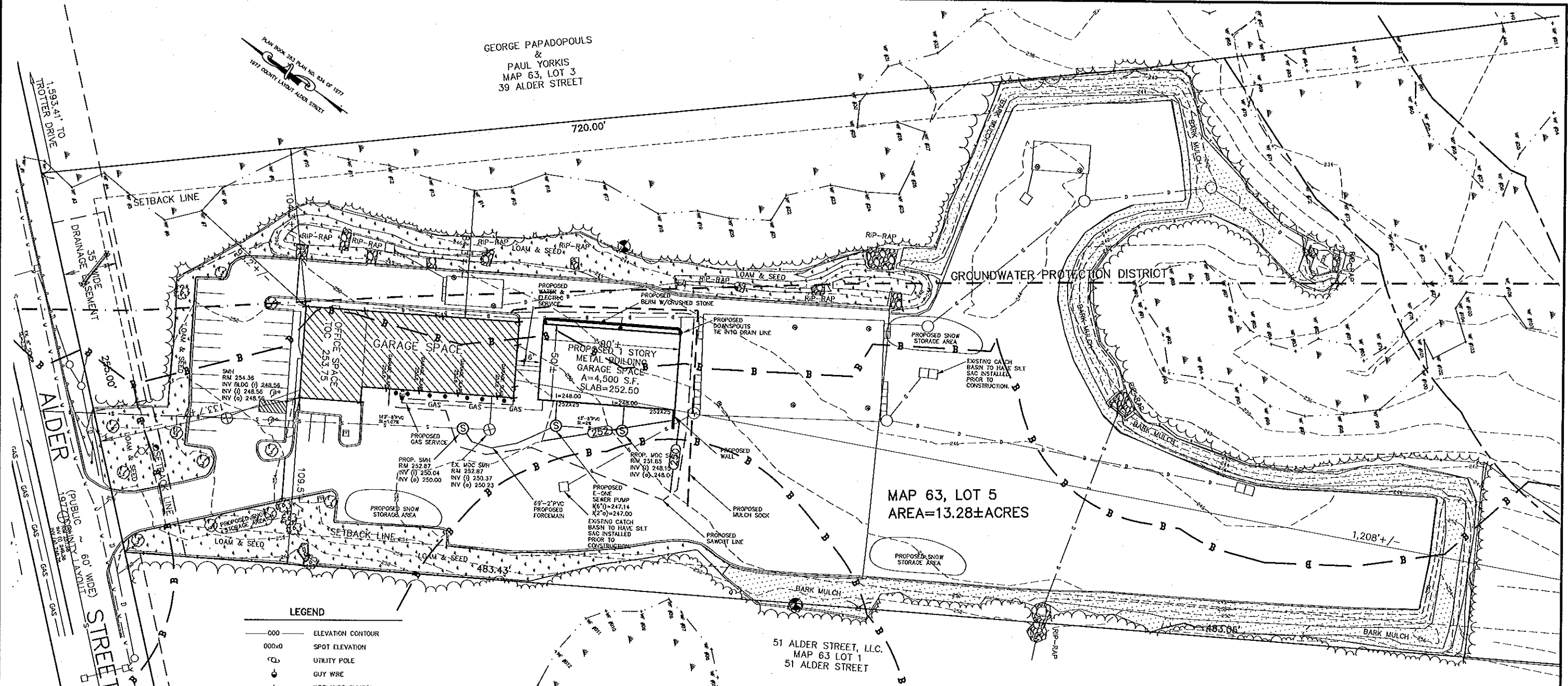
"EXISTING CONDITIONS"
PLAN OF LAND
IN
MEDWAY, MA

SCALE: 1"=30'
DATE: APRIL 29, 2014

Guerriere & Halnon, Inc.
Engineering & Land Surveying
333 WEST STREET, MILFORD, MASS. 01757
(508) 473-6630 FAX: (508) 473-8243

GEORGE PAPADOPOULS & PAUL YORKIS
MAP 63, LOT 3
39 ALDER STREET

PLAN BOOK 243 PLAN NO. 84 OF 1977
1977 COUNTY LAYOUT ALDER STREET



MAP 63, LOT 5
AREA=13.28±ACRES

51 ALDER STREET, LLC.
MAP 63 LOT 1
51 ALDER STREET

LEGEND

- 000 --- ELEVATION CONTOUR
- 000x0 SPOT ELEVATION
- ⊕ UTILITY POLE
- ⊙ GUY WRE
- WETLANDS SYMBOL
- EDGE OF VEGETATED WETLANDS
- W/XX WETLAND FLAG NUMBER
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- ⊕ ELECTRIC TRANSFORMER
- ⊕ PARKING SPACES
- ⊕ HANDICAPPED PARKING
- LOAM AND SEED AREA
- ⊕ BARK MULCH AREA
- ⊕ BOLLARD
- SLT FENCE

NOTES

- 1) THIS PLAN REFERS TO THE TOWN OF MEDWAY ASSESSORS ATLAS SHEET 63 LOT 5.
- 2) SEE DEED BOOK 466 PAGE 13 RECORDED WITH NORFOLK DISTRICT REGISTRY OF DEEDS.
- 3) SEE THE FOLLOWING PLANS RECORDED WITH NORFOLK DISTRICT REGISTRY OF DEEDS:
1977 ALDER STREET LAYOUT PB 263 NO 834
1999 ALDER STREET EASEMENT P484 NO 180
LAND COURT 32712A NOV 15, 1963
PB 5312 NO 127 PG 454 OF 1977
PB 3985 NO 575 PG 488 OF 1962
- 4) ZONING CLASSIFICATION IS INDUSTRIAL II.
- 5) ELEVATION BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88).
- 6) PLUMBERS AND DRAIN LAYERS OF ESTABLISHED REPUTATION AND EXPERIENCE WILL BE LICENSED BY THE BOARD OF DRAIN LAYERS AUTHORIZED TO PERFORM WORK.

REV.	DATE	DESCRIPTION	INIT
1	5-28-14	REVISED PER COMMENTS.	PMW

NOTES

LEGEND

- ND NO DISTURB LINE
- WET EDGE OF WETLANDS
- EXISTING TREELINE
- EXISTING CONTOUR
- PROPOSED CONTOUR
- OH OVERHEAD WIRE
- D- DRAIN LINE
- S- SEWER LINE
- W- WATER LINE
- UE- UNDERGROUND ELECTRIC
- RD- ROOF DRAIN
- X-X- PROPOSED MULCH SOCK
- B- 100' BUFFER ZONE
- ⊙ EXISTING SEWER MANHOLE
- ⊙ EXISTING DRAIN MANHOLE
- ⊙ EXISTING CATCH BASIN
- ⊙ EXISTING UTILITY POLE
- ⊙ PROPOSED DRAINAGE MANHOLE
- ⊙ PROPOSED UTILITY POLE
- ⊙ PROPOSED CATCH BASIN
- WETLANDS
- ⊕ HANDICAP SPACE
- ⊕ TRAFFIC FLOW
- ⊕ PROPOSED BUILDINGS
- ⊕ MOUNTED LIGHT

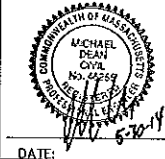
DATE: _____

MEDWAY PLANNING AND ECONOMIC DEVELOPMENT BOARD APPROVAL

DATE: _____

SIGNATURE DATE: _____

BEING A MAJORITY



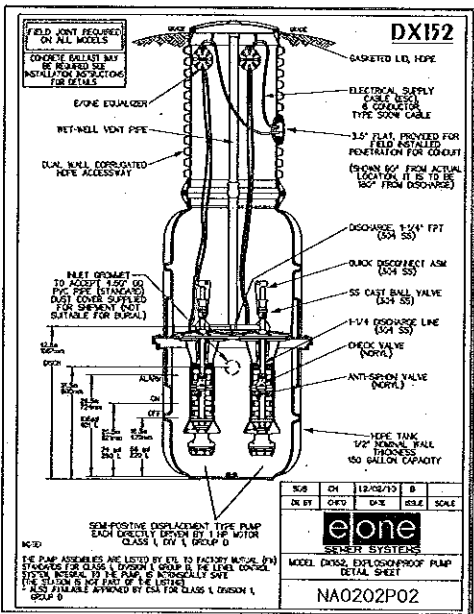
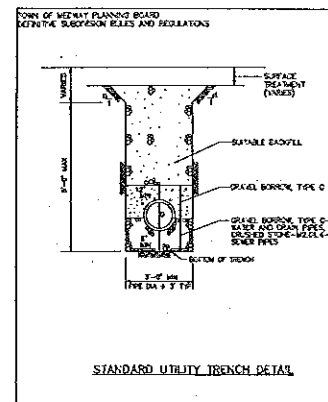
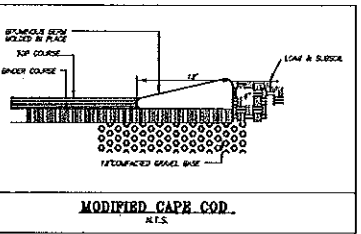
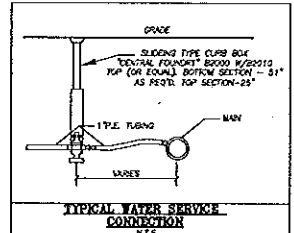
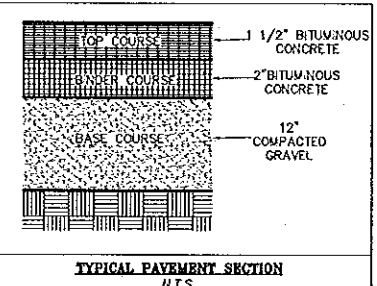
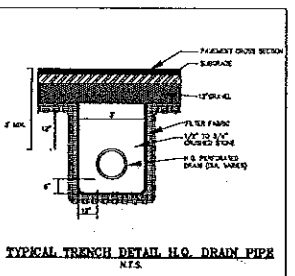
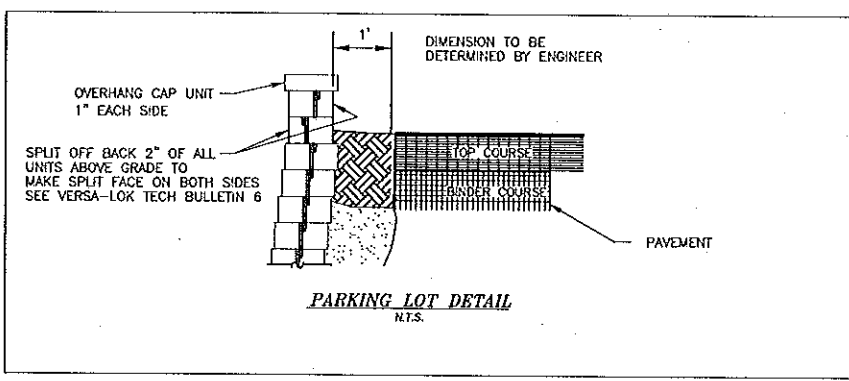
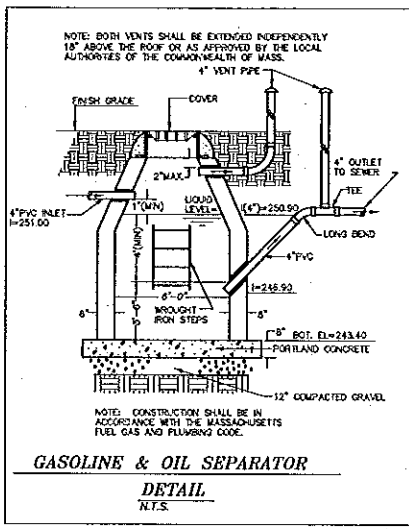
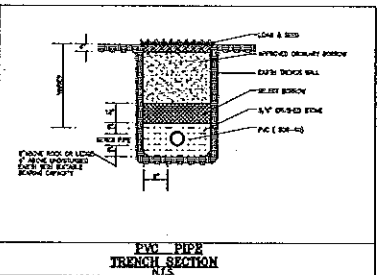
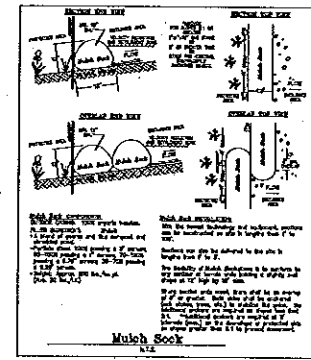
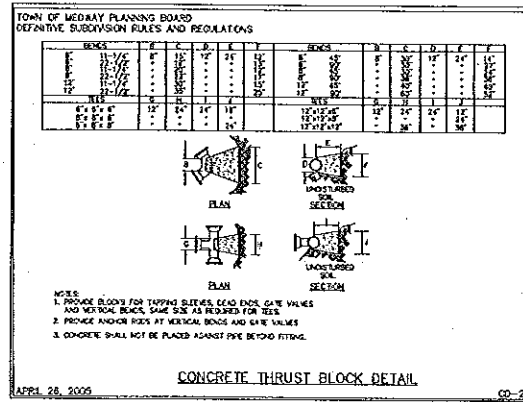
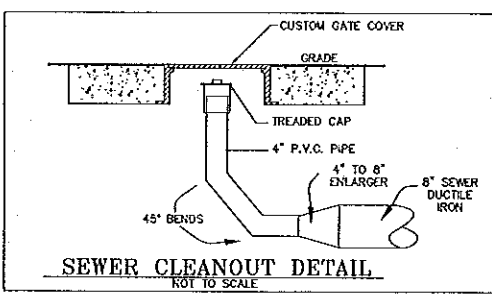
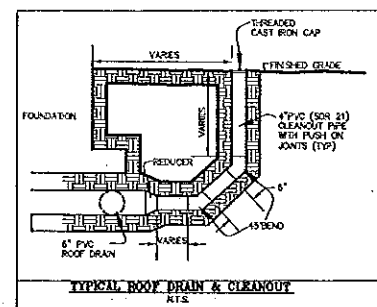
OWNER / APPLICANT
EAST HILL ASSOCIATES LLC
49 ALDER STREET
MEDWAY, MA 02053

49 ALDER STREET
"SITE" PLAN OF LAND
IN
MEDWAY, MA
SCALE: 1"=30'
DATE: APRIL 29, 2014

Guerriere & Halnon, Inc.
Engineering & Land Surveying
333 WEST STREET, WILFORD, MASS. 01757
(508) 473-6630 FAX: (508) 473-8243

ZONE INDUSTRIAL II
FRONT YARD - 30' MIN
SIDE YARD - 20' MIN
REAR YARD - 30' MIN
AREA = 40,000 S.F. MIN

"WARNING"
EXISTING UTILITY LINES INDICATED OR NOTED ON THESE DRAWINGS ARE SHOWN AS OBTAINED FROM EXISTING INFORMATION AND ARE ONLY APPROXIMATE IN LOCATION. THE CONTRACTOR SHALL TAKE CAUTION IN THESE AREAS TO AVOID DAMAGE TO EXISTING UTILITY LINES AND/OR HARM TO PERSONNEL ENGAGED IN WORKING IN THESE AREAS. CALL "DIG SAFE" 1-888-DIG-SAFE.
EXISTING LINES OTHER THAN THOSE INDICATED ON THESE DRAWINGS MAY BE ON THE SITE. THE CONTRACTOR IS WARNED TO PROCEED WITH CAUTION WITH ALL WORK, ESPECIALLY EXCAVATION WORK. HE IS TO MAKE ALL POSSIBLE INVESTIGATIONS AS TO POSSIBLE UNMARKED UTILITY LINES.



LEGEND

— WET	EDGE OF WETLANDS
— EX	EXISTING TREELINE
— SM	EXISTING CONTOUR
— CD	PROPOSED CONTOUR
— OH	OVERHEAD WIRE
— D	DRAIN LINE
— S	SEWER LINE
— W	WATER LINE
— UE	UNDERGROUND ELECTRIC
— RD	ROOF DRAIN
— X X X	PROPOSED FENCE
— B	100' BUFFER ZONE
⊙	EXISTING SEWER MANHOLE
○	EXISTING DRAIN MANHOLE
□	EXISTING CATCH BASIN
⊙	EXISTING UTILITY POLE
⊙	PROPOSED DRAINAGE MANHOLE
⊙	PROPOSED UTILITY POLE
■	PROPOSED CATCH BASIN
	WETLANDS
⊙	HANDICAP SPACE
→	TRAFFIC FLOW
⊙	PROPOSED BUILDINGS
⊙	MOUNTED LIGHT

OWNER / APPLICANT
EAST HILL ASSOCIATES LLC
49 ALDER STREET
MEDWAY, MA 02053

49 ALDER STREET

"DETAIL SHEET" PLAN OF LAND IN MEDWAY, MA

SCALE: NOT TO SCALE
DATE: APRIL 28, 2014

Guerriere & Halnon, Inc.
Engineering & Land Surveying
333 WEST STREET, MILFORD, MASS. 01757
(508) 473-6630 FAX: (508) 473-8243

SIGNATURE DATE: _____
BEING A MAJORITY

- NOTES**
1. THIS PLAN REFERS TO THE MEDWAY ASSESSORS ATLAS SHEET 34 LOT 3-41.
 2. ALL UTILITIES, STRUCTURES AND SITE FEATURES SHOWN ARE PROPOSED UNLESS NOTED OR OTHERWISE INDICATED AS EXISTING.
 3. ELEVATIONS REFER TO NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88).
 4. TRAFFIC GENERATION IS 600 VEHICLES PER DAY.
 5. SEWAGE FLOW:
75 GPD/1,000 S.F. OFFICE SPACE=2,475-180 GPD
125 GPD/SERVICE BAY=4x125 = 500 GPD
(GPD=GALLONS PER DAY) TOTAL=680 GPD
 6. TOPOGRAPHIC INFORMATION COLLECTED ON THE GROUND BY GUERRIERE AND HALNON, INC.
 7. FIRE LANES SHALL BE BUILT TO ACCOMMODATE 20 TON FIRE APPARATUS DURING CONSTRUCTION.
 8. FIRE LANES TO BE POSTED AND APPROVED BY THE MEDWAY FIRE AND POLICE DEPARTMENTS.
 9. EXTERIOR LIGHTS SHALL BE 200 WATT METAL HALIDE BULBS AND SHALL BE ORIENTED SO AS NOT TO GLARE ONTO ADJACENT PROPERTIES.
 10. SILTATION BARRIERS AND DEVICES TO BE IN PRIOR TO ALL CONSTRUCTION.
 11. NO EQUIPMENT SHALL BE STORED IN THE FIRE LANES. ALL FIRE LANES SHALL BE KEPT CLEAR AND PASSABLE AT ALL TIMES.
 12. NO COMBUSTIBLES CONSTRUCTION SHALL BE ALLOWED UNTIL ALL HYDRANTS ARE INSTALLED TO GRADE, TESTED AND IN SERVICE.
 13. ALL LOADING AREAS SHALL BE DESIGNED AND CONSTRUCTED SO THAT VEHICLES LOADING OR UNLOADING DO NOT OBSTRUCT THE FIRE LANE.
 14. ALL CURBING TO BE BITUMINOUS CONCRETE BERM UNLESS OTHERWISE NOTED.
 15. ALL DUMPSTERS TO BE ON CONCRETE PADS AND TO BE PROPERLY SCREENED.
 16. KNOX BOXES TO BE REQUIRED ON ALL BUILDINGS.
 17. ALL DRAINAGE PIPE TO BE SMOOTH BORE CORRUGATED POLYETHYLENE SIMILAR TO HDQ PIPE AND FITTINGS AS MANUFACTURED BY HANCOR FUNDLAY, OHIO, OR EQUIVALENT UNLESS OTHERWISE NOTED.
 18. ALL SEWER PIPE TO BE SDR 35 POLYVINYL CHLORIDE (PVC) UNLESS NOTED.
 19. ALL WATER PIPE TO BE 8" DUCTILE IRON(CLD)CLASS 52 UNLESS NOTED.
 20. DOMESTIC WATER SERVICE TO BE 2" COPPER TYPE K.
 21. ALL MATERIAL AND INSTALLATION SHALL FOLLOW MEDWAY WATER SPECIFICATIONS.
 22. GAS LINE SPECIFICATIONS BY UTILITY PROVIDER.
 23. PROPOSED FREE STANDING SIGNS TO COMPLY WITH THE TOWN OF MEDWAY ZONING BYLAW SECTION.
 24. ALL ENTRANCES TO BE HANDICAPPED ACCESSIBLE.
 25. ALL WATER LINE TO BE INSTALLED MINIMUM OF 4.5' BELOW EXISTING ROAD GRADE.

OWNER / APPLICANT
EAST HILL ASSOCIATES LLC
49 ALDER STREET
MEDWAY, MA 02053

49 ALDER STREET

"DETAIL SHEET" PLAN OF LAND IN MEDWAY, MA

SCALE: NOT TO SCALE
DATE: APRIL 28, 2014

Guerriere & Halnon, Inc.
Engineering & Land Surveying
333 WEST STREET, MILFORD, MASS. 01757
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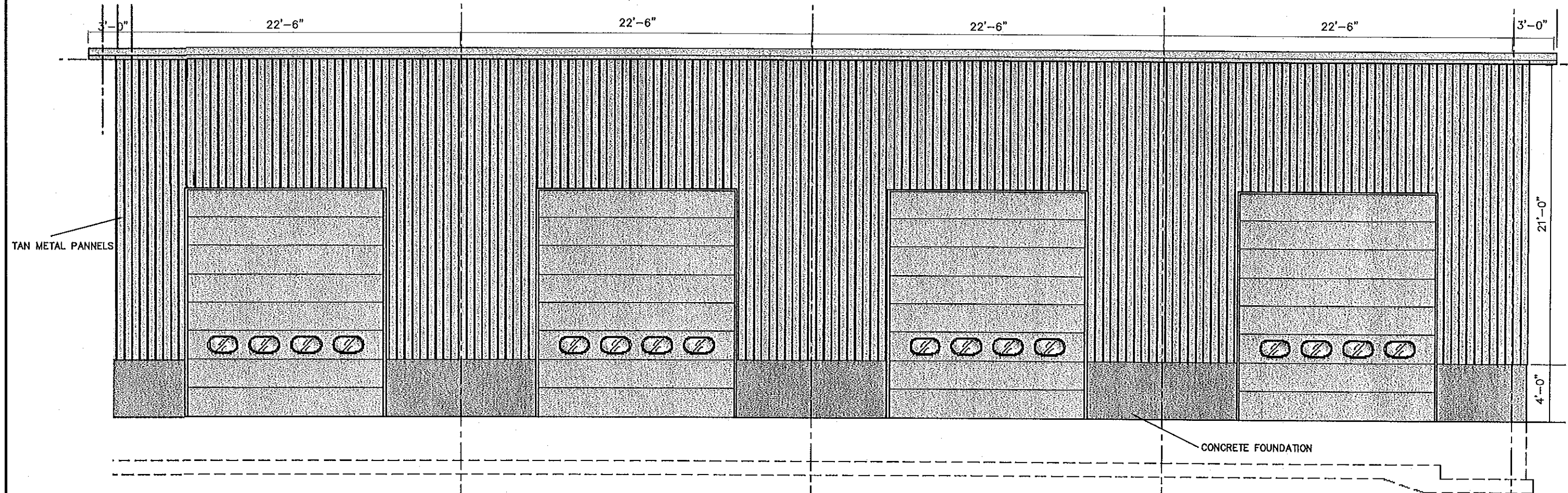
SIGNATURE DATE: _____
BEING A MAJORITY

REV.	DATE	DESCRIPTION	FWL	INT
1	5-28-14	REVISED PER COMMENTS.	FWL	

MEDWAY PLANNING AND ECONOMIC DEVELOPMENT BOARD APPROVAL
 DATE: _____

 SIGNATURE DATE: _____
 BEING A MAJORITY

G-9035



TAN METAL PANNELS

CONCRETE FOUNDATION

LAWRENCE WASTE SERVICES
 ALDER STREET
 MEDWAY, MA



OWNER / APPLICANT
 EAST HILL ASSOCIATES LLC
 49 ALDER STREET
 MEDWAY, MA 02053

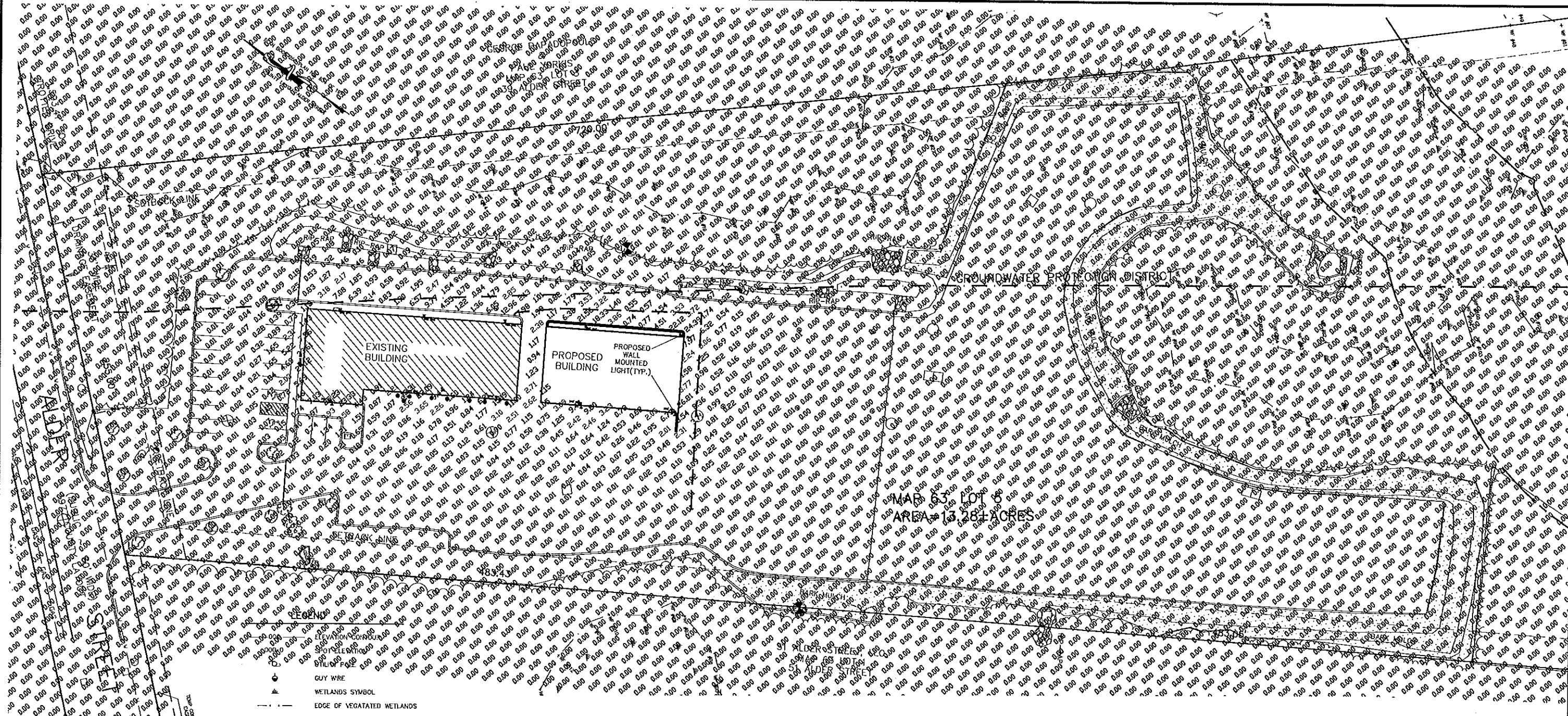
 49 ALDER STREET

 "DETAIL SHEET"
 PLAN OF LAND
 IN
 MEDWAY, MA

 SCALE: NOT TO SCALE
 DATE: APRIL 29, 2014

Guerriere & Halnon, Inc.
 Engineering & Land Surveying
 333 WEST STREET, MILFORD, MASS. 01757
 (508) 473-6830 FAX: (508) 473-8243

REV.	DATE	DESCRIPTION	INIT.
1	5-28-14	REVISED PER COMMENTS	PHL



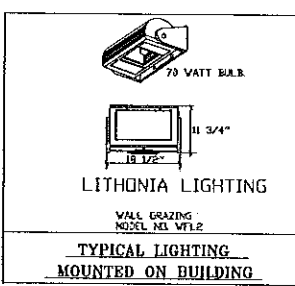
ZONE INDUSTRIAL EI
 FRONT YARD - 30' MIN
 SIDE YARD - 20' MIN
 REAR YARD - 30' MIN
 AREA = 40,000 S.F. MIN

"WARNING"
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EXISTING LINES OTHER THAN THOSE INDICATED ON THESE DRAWINGS MAY BE ON THE SITE. THE CONTRACTOR IS WARNED TO PROCEED WITH CAUTION WITH ALL WORK, ESPECIALLY EXCAVATION WORK, HE IS TO MAKE ALL POSSIBLE INVESTIGATIONS AS TO POSSIBLE UNMARKED UTILITY LINES.

- GUY WIRE
- WETLANDS SYMBOL
- EDGE OF VEGETATED WETLANDS
- W# XX WETLAND FLAG NUMBER
- 100' WETLAND BUFFER
- STREAM
- STREAM BUFFER
- TREE LINE
- TREE
- CATCH BASIN
- DRAIN MANHOLE
- INVERT
- DRAIN LINE
- SEWER MANHOLE
- SEWER LINE
- RP-RAP
- GAS GATE
- ELECTRIC TRANSFORMER
- PARKING SPACES
- HANDICAPPED PARKING
- LOAN AND SEED AREA
- BARK MULCH AREA
- BOLLARD
- SILT FENCE

LIGHTING NOTES
 THIS PHOTOGRAPHIC PLAN IS BASED SOLELY UPON PROPRIETARY INFORMATION SUPPLIED BY THE LUMINAIRE MANUFACTURER AND CLIENT RECOMMENDATION.
 LUMINAIRE LOCATIONS, LIGHTING PATTERNS, AND ILLUMINATION LEVELS HERE, PREPARED USING INFORMATION SUPPLIED BY THE LUMINAIRE MANUFACTURER AND THE SOFTWARE PACKAGE EMPLOYED, ITS VALUES SHOULD BE CONSIDERED APPROXIMATE IN NATURE AND SHALL BE VERIFIED BY THE LUMINAIRE MANUFACTURER PRIOR TO INSTALLATION.
 ACTUAL PERFORMANCE OF LIGHTING PATTERNS AND/OR ILLUMINATION VALUES MAY VARY DUE TO VARIATIONS IN LIGHT SOURCE ELECTRICAL VOLTAGE, LAMP WATTAGE, AND OTHER VISIBLE FIELD CONDITIONS, OR FROM A LUMINAIRE OTHER THAN SPECIFICALLY NOTED HEREON.
 GUERRIERE & HALON, INC. ASSUMES NO RESPONSIBILITY FOR ANY SAFETY AND/OR SECURITY RISKS DUE TO INADEQUATE LIGHT LEVELS WHICH MAY OCCUR AFTER INSTALLATION.



- NOTES**
- THIS PLAN REFERS TO THE TOWN OF MEDWAY ASSESSORS ATLAS SHEET 3 LOT 419.
 - SEE DEED BOOK 4666 PAGE 13 RECORDED WITH NORFOLK DISTRICT REGISTRY OF DEEDS.
 - SEE THE FOLLOWING PLANS RECORDED WITH NORFOLK DISTRICT REGISTRY OF DEEDS:
 1977 ALDER STREET LAYOUT PB 263 NO 834
 1999 ALDER STREET EASEMENT PB464 NO 180
 LAND COURT 32712A NOV 15, 1983
 PB 6312 NO 127 PG 454 OF 1977
 PB 3985 NO 575 PG 488 OF 1962
 - ZONING CLASSIFICATION IS INDUSTRIAL I1.

REV.	DATE	DESCRIPTION	INIT.
1	5-28-14	REVISED PER COMMENTS	PML
			INIT

NOTES

1. THIS PLAN REFERS TO THE TOWN OF MEDWAY ASSESSORS ATLAS SHEET 3 LOT 419.

2. SEE DEED BOOK 4666 PAGE 13 RECORDED WITH NORFOLK DISTRICT REGISTRY OF DEEDS.

3. SEE THE FOLLOWING PLANS RECORDED WITH NORFOLK DISTRICT REGISTRY OF DEEDS:
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 1999 ALDER STREET EASEMENT PB464 NO 180
 LAND COURT 32712A NOV 15, 1983
 PB 6312 NO 127 PG 454 OF 1977
 PB 3985 NO 575 PG 488 OF 1962

4. ZONING CLASSIFICATION IS INDUSTRIAL I1.

LEGEND

- ND NO DISTURB LINE
- NET EDGE OF WETLANDS
- EXISTING TRELISE
- EXISTING CONTOUR
- PROPOSED CONTOUR
- OVERHEAD WIRE
- DRAIN LINE
- SEWER LINE
- WATER LINE
- UNDERGROUND ELECTRIC
- ROOF DRAIN
- PROPOSED MULCH SOCK
- 100' BUFFER ZONE
- EXISTING SEWER MANHOLE
- EXISTING DRAIN MANHOLE
- EXISTING CATCH BASIN
- EXISTING UTILITY POLE
- PROPOSED DRAINAGE MANHOLE
- PROPOSED UTILITY POLE
- PROPOSED CATCH BASIN
- WETLANDS
- HANDICAP SPACE
- TRAFFIC FLOW
- PROPOSED BUILDINGS
- MOUNTED LIGHT

OWNER / APPLICANT

EAST HILL ASSOCIATES LLC
 49 ALDER STREET
 MEDWAY, MA 02053

49 ALDER STREET

"LIGHTING" PLAN OF LAND IN MEDWAY, MA

SCALE: 1"=30'
 DATE: APRIL 29, 2014

Guerriere & Halon, Inc.
 Engineering & Land Surveying
 133 WEST STREET, MILFORD, MASS. 01757
 (508) 473-6630 FAX: (508) 473-8243

SIGNATURE DATE: _____ BEING A MAJORITY

OWNER / APPLICANT

EAST HILL ASSOCIATES LLC
 49 ALDER STREET
 MEDWAY, MA 02053

49 ALDER STREET

"LIGHTING" PLAN OF LAND IN MEDWAY, MA

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SIGNATURE DATE: _____ BEING A MAJORITY

Medway Planning and Economic Development Board
FORM Q - Request for Waiver from Rules and Regulations
 Complete 1 form for each waiver request

Project Name:	49 Alder Street Proposed Site Plan
Property Location:	49 Alder Street Major Site Plan Project
Type of Project/Permit:	Section 204-5(C)(3) Existing Landscape Inventory
<i>Identify the number and title of the relevant Section of the applicable Rules and Regulations from which a waiver is sought.</i>	
<i>Summarize the text of the relevant Section of the Rules and Regulations from which a waiver is requested.</i>	Inventory prepare by Prof Landscape Architect to include a mapped overview of exist landscape features & specific ID of trees
<i>What aspect of the Regulation do you propose be waived?</i>	Waive Existing Landscape Inventory
<i>What do you propose instead?</i>	Minimize work within the paved area
<i>Explanation/justification for the waiver request. Why is the waiver needed? Describe the extenuating circumstances that necessitate the waiver request.</i>	Minimize cost to client
<i>What is the estimated value/cost savings to the applicant if the waiver is granted?</i>	Landscape Architect fees
<i>How would approval of this waiver request result in a superior design or provide a clear and significant improvement to the quality of this development?</i>	The proposed work will be done within a paved area. No vegetation exists in this area.
<i>What is the impact on the development if this waiver is denied?</i>	None
<i>What are the design alternatives to granting this waiver?</i>	None
<i>Why is granting this waiver in the Town's best interest?</i>	It will not affect the Town
<i>If this waiver is granted, what is the estimated cost savings and/or cost avoidance to the Town?</i>	None
<i>What mitigation measures do you propose to offset not complying with the particular Rule/Regulation?</i>	Minimal proposed plantings; maximum retention of existing vegetation wherever possible as shown on plans
<i>What is the estimated value of the proposed mitigation measures?</i>	None
<i>Other Information?</i>	
<i>Waiver Request Prepared By:</i>	Guerriere & Halnon, Inc.
<i>Date:</i>	Peter M Lavoie, Project Engineer 5-28-2014
Questions?? - Please contact the Medway PED office at 508-533-3291.	
<small>7/8/2011</small>	

**Medway Planning and Economic Development Board
FORM Q - Request for Waiver from Rules and Regulations**

Complete 1 form for each waiver request

Project Name:	49 Alder Street Proposed Site Plan
Property Location:	49 Alder Street
Type of Project/Permit:	Major Site Plan Project.
<i>Identify the number and title of the relevant Section of the applicable Rules and Regulations from which a waiver is sought.</i>	Section 204-5(7) Site Plan Contents; Site Plan information Sheets; Landscape Architecture Plan
<i>Summarize the text of the relevant Section of the Rules and Regulations from which a waiver is requested.</i>	Landscape Plan prepared by Landscape Architect showing existing features & proposed landscaping
<i>What aspect of the Regulation do you propose be waived?</i>	Preparation of plan by Landscape Architect
<i>What do you propose instead?</i>	No landscaping is being proposed
<i>Explanation/justification for the waiver request. Why is the waiver needed? Describe the extenuating circumstances that necessitate the waiver request.</i>	Minimize cost to client & use standard landscaping for industrial area
<i>What is the estimated value/cost savings to the applicant if the waiver is granted?</i>	Landscape Architect fees
<i>How would approval of this waiver request result in a superior design or provide a clear and significant improvement to the quality of this development?</i>	Engineer will minimize new plantings & maximize use/retention of existing vegetation
<i>What is the impact on the development if this waiver is denied?</i>	None
<i>What are the design alternatives to granting this waiver?</i>	None
<i>Why is granting this waiver in the Town's best interest?</i>	Does not affect the Town
<i>If this waiver is granted, what is the estimated cost savings and/or cost avoidance to the Town?</i>	None
<i>What mitigation measures do you propose to offset not complying with the particular Rule/Regulation?</i>	Use existing vegetation as buffer along the street as much as possible to retain the natural features of the land
<i>What is the estimated value of the proposed mitigation measures?</i>	None
<i>Other Information?</i>	
Waiver Request Prepared By:	Guerriere & Halnon, Inc. Peter M. Davoie, Project Engineer
Date:	5-28-2014
Questions?? - Please contact the Medway PED office at 508-533-3291.	

Medway Planning and Economic Development Board
FORM Q - Request for Waiver from Rules and Regulations
 Complete 1 form for each waiver request

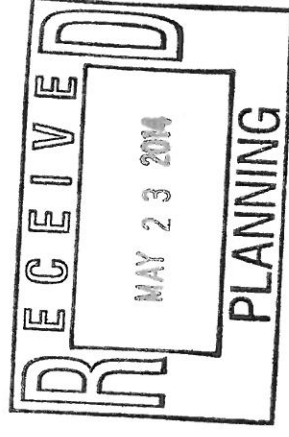
Project Name:	49 Alder Street Proposed Site Plan
Property Location:	49 Alder Street
Type of Project/Permit:	Major Site Plan Project
<i>Identify the number and title of the relevant Section of the applicable Rules and Regulations from which a waiver is sought.</i>	Section 204-5 Planning Board Submittals Sub-Section D.9: color rendering
<i>Summarize the text of the relevant Section of the Rules and Regulations from which a waiver is requested.</i>	Due to the size of the development and the location of the site & type of business, we feel the color rendering is not needed.
<i>What aspect of the Regulation do you propose be waived?</i>	Waive submittal of a Color Rendering
<i>What do you propose instead?</i>	Impacts are reflected on the Proposed Site pPlan
<i>Explanation/justification for the waiver request. Why is the waiver needed? Describe the extenuating circumstances that necessitate the waiver request.</i>	The new building will be constructed of the same material & will be the same color as the existing building.
<i>What is the estimated value/cost savings to the applicant if the waiver is granted?</i>	Engineering fees
<i>How would approval of this waiver request result in a superior design or provide a clear and significant improvement to the quality of this development?</i>	The new building will be constructed of the same material & will be the same color as the existing building
<i>What is the impact on the development if this waiver is denied?</i>	No impact on development
<i>What are the design alternatives to granting this waiver?</i>	None
<i>Why is granting this waiver in the Town's best interest?</i>	It will not affect the Town
<i>If this waiver is granted, what is the estimated cost savings and/or cost avoidance to the Town?</i>	None
<i>What mitigation measures do you propose to offset not complying with</i>	No mitigation measures are required
<i>What is the estimated value of the proposed mitigation measures?</i>	None
<i>Other Information?</i>	
<i>Waiver Request Prepared By:</i>	Guerriere & Halnon, Inc. Peter M. Lavoie, Project Engineer
<i>Date:</i>	5/28/2014
Questions?? - Please contact the Medway PED office at 508-533-3291.	
7/8/2011	



TETRA TECH

May 22, 2014

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



**Re: 49 Alder Street
Lawrence Waste Services Site Plan Review
Medway, Massachusetts**

Dear Ms. Affleck-Childs,

Tetra Tech (TT) has performed a review of the proposed Site Plan for the above mentioned project. The project includes the construction of a proposed 4,500 steel building for the operation of a waste removal business and will be constructed on an existing paved area next to the existing building.

TT is in receipt of the following materials:

- A plan (Plans) set entitled “Lawrence Waste Services Site Plan for 49 Alder Street in Medway, Massachusetts”, dated April 29, 2014, prepared by Guerriere & Halnon, Inc. (GHI).
- A drainage report (Drainage Report) entitled “Hydrologic & Hydraulic Report”, dated May 5, 2014, prepared by GHI.
- A letter (Project Description Letter) entitled “Site Plan Review Project Description and Development Impact Statement” dated March 18, 2014, prepared by Gale.

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

Conformance with Planning Board Rules and Regulations for Submission and Review of Site Plans (Chapter 200):

1. The applicant requested a waiver for Development Impact Statement (Ch. 200 §203-7)
2. Sheet 5 – Building Elevations shall be stamped, signed and dated by a qualified professional. (Ch. 200 §204-4.A)

3. The applicant shall verify with Planning Board that a scale of one (1) inch equals thirty (30) feet is acceptable. (Ch. 200 §204-4.B)
4. The applicant shall confirm that all existing and proposed elevations refer to North American Vertical Datum of 1988 (*NAD88*). (Ch. 200 §204-4.D)
5. The applicant shall provide Abutter's addresses with assessor's references. (Ch. 200 §204-5.B.2)
6. The applicant shall verify that the Existing Landscape Inventory is prepared by a Professional Landscape Architect licensed in the Commonwealth of Massachusetts. (Ch. 200 §204-5.C.3)
7. The applicant shall provide sedimentation barriers for the catch basins. (Ch. 200 §204-5.D.5)
8. The applicant shall provide dimensions and details for the Architectural Plan. (Ch. 200 §204-5.D.8)
9. Color Renderings of the project shall be provided depicting structures and common views of the site from a public way. (Ch. 200 §204-5.D.9)
10. The applicant shall show the locations of snow storage. (Ch. 200 §205-7)

Conformance with the MA DEP Storm Water Management Standards

11. The proposed project is a redevelopment project. Per MA DEP Storm Water Management Standards the applicant is required to submit a completed Stormwater Checklist with the supporting data to document compliance with the stormwater management standards.

Conformance with the Town of Medway Water/Sewer Department Rules & Regulations

12. The applicant shall add note "Plumbers and drain layers of established reputation and experience will be licensed by the Board as Drain Layers authorized to perform work." (Article III-2)

General Comments

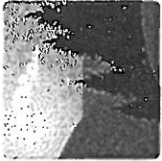
13. The applicant shall provide a detail for the proposed E-One Sewer Pump.
14. The applicant shall verify where the Gasoline & Oil Separator is being utilized.

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,



Brian R. Marchetti, P.E.
Project Manager



**Guerriere &
Halton, Inc.**
ENGINEERING & LAND SURVEYING
www.guerriereandhalton.com

Est. 1972

G-9035

Milford Office
333 West Street
Post Office Box 235
Milford, MA 01757-0235
Phone (508) 473-6630
Fax (508) 473-8243

Franklin Office
55 West Central Street
Franklin, MA 02038-2101
Phone (508) 528-3221
Fax (508) 528-7921

Whitinsville Office
1029 Providence Road
Whitinsville, MA 01588-2121
Phone (508) 234-6834
Fax (508) 234-6723

May 28, 2014

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

RE: 49 Alder Street, Lawrence Waste Site Plan

Dear Mr. Rodenhiser:

As you requested, this letter provides responses to the peer review comments provided in the PGC Associates, Inc. letter dated May 21, 2014 regarding the "Lawrence Waste Site Plan". I am also enclosing with this letter the following:

- A revised set of plans, revised as of May 28, 2014;
- A revised Hydraulic/Hydrologic Report, revised through March 13, 2012; and
- Waiver Request.

The following responses correlate with PGC's comments as set forth in PGC's May 21 letter:

Zoning Review

- 1 Response – No Change/Info Warranted:
- 2 Response – Parking requirements have been revised per comments please see cover sheet for updated parking calculations.
- 3 Response – Lighting Plan has been added to the plan set and it shows that no light trespass from the site on abutting properties.

Site Plan Rules and Regulations

- 4 ED Response – Waiver request enclosed.

- 5 Response – Waiver request enclosed.
- 6 Response – Waiver request enclosed.
- 7 Response – has been added to the building elevations. The proposed building will be the same color and style of the existing building. Waiver request enclosed.
- 8 Response – No change in the sign and no addition sign will be proposed..
- 9 Response – See enclosed Lighting Plan.
- 10 Response – Knox Box will have master key that fits all lock on the site for all buildings and gates.

If you have any additional questions, or if you need any more information, please do not hesitate to contact this office.

Sincerely,

Peter M. Lavoie, E.I.T.
Project Engineer

Enclosures

PGC ASSOCIATES, INC.

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

June 4, 2014

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

Re: Lawrence Waste Site Plan

Dear Mr. Rodenhiser:

I have reviewed the revised site plan modification submitted by owner/applicant East Hill Associates Realty of Framingham, MA. The plan is dated April 29, 2014 with a revision date of May 28, 2014, and it was prepared by Guerriere and Halnon, Inc. of Milford, MA. The property is located at 49 Alder Street in the Industrial III zoning district.

The plan proposes to construct an additional building of 4500 square feet (50' x 90') next to/behind the existing 7400 square foot building (including 5000 square feet of garage space and 2400 square feet of office space). The building will consist of additional garage space for working on dumpsters. I have repeated comments of my May 21, 2014 letter with new comments in **bold** as follows:

Zoning

1. The proposed use is general industrial in the form of storage and maintenance of waste containers (but no waste). This is allowed in the Industrial III zoning district, and the proposed development appears to comply with the Zoning Bylaw. – **No response necessary. OK**
2. The plan proposes no increase in parking spaces and no increase in the number of employees. There are currently 22 parking spaces, including two van-accessible handicapped spaces. The Zoning Bylaw requires 1 space per 2 employees and 1 per 1000 square feet of net floor area. The plan states that there will be 5 employees and calculates the parking requirement as 5 spaces for the 5 employees plus another 7.4 for the 7400 square feet of existing floor area and another 4.5 for the 4500 square feet of new floor area for a total of 17 spaces.

The parking requirement has changed since the facility was initially permitted. Parking is now calculated by uses that apply to all districts rather than separate parking requirements for each district. Since the facility has 2400 square feet of office space and 9500 square feet of light industrial, the most conservative calculation would be that 8 spaces are required for the office space (1 per 300 square feet), plus 10 for light industrial space (1 per 1000 square feet) for a sub-total of 18. Light industrial also requires 1 space per 2 employees, which would add 3 spaces for 5 employees for a total requirement of 21. Since 22 are provided, the requirement is met.

It should be noted, however, that the requirement is for **net floor area** while the preceding calculation is based on gross floor area because net was not available. Also, the office space parking requirement assumes that employee parking is included but the five employees are

Planning

Project Management

Policy Analysis



counted again for the light industrial count so the 22 spaces are more than adequate. – **While it was already clear that parking was not an issue, the applicant has revised the calculation to conform with the new requirements. OK.**

3. Section V. B. 7. (e) (1) states that light trespass onto any abutting street or lot is not permitted. There is no information about lighting so it is not possible to determine if the lighting requirements are met. – **A lighting plan has been submitted documenting compliance. OK.**

Site Plan Rules and Regulations

4. Section 204.3 A. (7) requires a Development Impact Report. This is not provided, and no waiver from this requirement is requested. – **A waiver is now requested.**
5. Section 204-5 C. (3). The Existing Conditions Sheet also does not include an Existing Landscape Inventory prepared by a Landscape Architect. No waiver is requested. – **A waiver is now requested.**
6. Section 204-5 D. (7) requires that a landscape architect prepare the landscape plan. Landscape details are shown on the site plan, but it was not prepared by a Landscape Architect and a no waiver from this requirement is requested. – **A waiver is now requested.**
7. Section 204-5 D. (8) requires a color scheme and color renderings of the buildings. These have not been provided and no waiver is requested. A drawing illustrating a single façade elevation of the proposed building has been provided. – **A waiver is now requested.**
8. Section 204-5 D. (12) requires a signage plan indicating the design, location, materials, dimensions and lighting. It appears that no additional signage is proposed. – **The applicant confirms that no additional signage is proposed and existing signage will not be changed. OK**
9. Section 204-5 D. (13) requires a lighting plan. As noted in #3 above, no lighting information has been provided. --**A lighting plan has now been submitted documenting compliance. OK.**
10. Section 204-5 (16) requires information about fire prevention and suppression. A “Knox Box” was required for the first building. Since the proposal is for a separate building, a second Knox Box may be needed. – **The applicant has explained that the existing lock box will contain a master key that will open all existing and proposed doors. OK**

General Comments

11. The plan appears to meet the criteria specified in Section 203-9 C.

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

Sincerely,



Gino D. Carlucci, Jr.



TETRA TECH

June 4, 2014

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



**Re: 49 Alder Street
Lawrence Waste Services Site Plan Review
Medway, Massachusetts**

Dear Ms. Affleck-Childs,

Tetra Tech (TT) has performed a review of the proposed Site Plan for the above mentioned project. The project includes the construction of a proposed 4,500 steel building for the operation of a waste removal business and will be constructed on an existing paved area next to the existing building.

TT is in receipt of the following materials:

- A plan (Plans) set entitled "Lawrence Waste Services Site Plan for 49 Alder Street in Medway, Massachusetts", dated April 29, 2014, prepared by Guerriere & Halnon, Inc. (GHI).
- A drainage report (Drainage Report) entitled "Hydrologic & Hydraulic Report", dated May 5, 2014, prepared by GHI.
- A letter (Project Description Letter) entitled "Site Plan Review Project Description and Development Impact Statement" dated March 18, 2014, prepared by Gale.

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

On June 2, 2014 TT received an updated package from the applicant's engineering including response to our original comments, revised plan and response letter. We have reviewed this package and update our comments as bulleted below the original comments and dated 06/04/14.

Conformance with Planning Board Rules and Regulations for Submission and Review of Site Plans (Chapter 200):

1. The applicant requested a waiver for Development Impact Statement (Ch. 200 §203-7)
 - **TT 06/04/14 Update:** Applicant requested a waiver from Section 203-7
2. Sheet 5 – Building Elevations shall be stamped, signed and dated by a qualified professional. (Ch. 200 §204-4.A)
 - **TT 06/04/14 Update:** Applicant requested a waiver from Section 204-4A and shall be noted in the Cover Sheet.
3. The applicant shall verify with Planning Board that a scale of one (1) inch equals thirty (30) feet is acceptable. (Ch. 200 §204-4.B)
 - **TT 06/04/14 Update:** This item has been addressed to our satisfaction.
4. The applicant shall confirm that all existing and proposed elevations refer to North American Vertical Datum of 1988 (*NAD88*). (Ch. 200 §204-4.D)
 - **TT 06/04/14 Update:** This item has been addressed to our satisfaction.
5. The applicant shall provide Abutter's addresses with assessor's references. (Ch. 200 §204-5.B.2)
 - **TT 06/04/14 Update:** This item has been addressed to our satisfaction.
6. The applicant shall verify that the Existing Landscape Inventory is prepared by a Professional Landscape Architect licensed in the Commonwealth of Massachusetts. (Ch. 200 §204-5.C.3)
 - **TT 06/04/14 Update:** Applicant requested a waiver from Section 204-5.C.3 and shall be noted in the Cover Sheet.
7. The applicant shall provide sedimentation barriers for the catch basins. (Ch. 200 §204-5.D.5)
 - **TT 06/04/14 Update:** This item has been addressed to our satisfaction.
8. The applicant shall provide dimensions and details for the Architectural Plan. (Ch. 200 §204-5.D.8)
 - **TT 06/04/14 Update:** This item has been addressed to our satisfaction.

9. Color Renderings of the project shall be provided depicting structures and common views of the site from a public way. (Ch. 200 §204-5.D.9)
 - **TT 06/04/14 Update:** Applicant requested a waiver from Section 204-5.D.8 and shall be noted in the Cover Sheet.
10. The applicant shall show the locations of snow storage. (Ch. 200 §205-7)
 - **TT 06/04/14 Update:** This item has been addressed to our satisfaction.

Conformance with the MA DEP Storm Water Management Standards

11. The proposed project is a redevelopment project. Per MA DEP Storm Water Management Standards the applicant is required to submit a completed Stormwater Checklist with the supporting data to document compliance with the stormwater management standards.
 - **TT 06/04/14 Update:** Applicant stated that the Check list was provided but it was not included in the revise submittal for review.

Conformance with the Town of Medway Water/Sewer Department Rules & Regulations

12. The applicant shall add note “Plumbers and drain layers of established reputation and experience will be licensed by the Board as Drain Layers authorized to perform work.” (Article III-2)
 - **TT 06/04/14 Update:** This item has been addressed to our satisfaction.

General Comments

13. The applicant shall provide a detail for the proposed E-One Sewer Pump.
 - **TT 06/04/14 Update:** This item has been addressed to our satisfaction.
14. The applicant shall verify where the Gasoline & Oil Separator is being utilized.
 - **TT 06/04/14 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,



Brian R. Marchetti, P.E.
Project Manager

P:\21583\143-21583-14010 (DESIGN REV & MEMO 49 ALDER ST)\DOCS\REVIEW\TR_49 ALDER STREE_2014-05-22 - REVISED 2014-06-04.DOCX

OK -
To attach to
Final
01/10/14

_____, 2014

MEMORANDUM OF UNDERSTANDING AND RELEASE

The Town of Medway by and through its Board of Selectmen, a Massachusetts municipal corporation, with a mailing address at Town Hall, 155 Village Street, Medway, Massachusetts (the Town), and Ralph Costello as Trustee of Cedar Trail Trust, established under Declaration of Trust dated October 15, 1992, and recorded with Norfolk County Registry of Deeds in Book 9591, Page 536, (Costello) and Unique Homes/The Custom Home Building Co., Inc. (Unique Homes) with a usual place of business at 503 Main Street, Medfield, MA), the developer for the Applegate Farm Subdivision, herein agree to the following:

Whereas, Costello is the record owner of the land shown on a definitive subdivision plan of land entitled "Definitive Subdivision Plan 'Applegate Farm' Twelve Lot Single Family Residential Subdivision, Medway, MA," prepared by GLM Engineering Consultants, Inc., dated December 1, 2005, revised January 12, 2007 and recorded at the Norfolk County Registry of Deeds as Plan 53 of 2007 in Plan Book 565 (the "Applegate Farm Subdivision Plan") (the "Site").

Whereas the Town, Costello, and Unique Homes mutually benefit by amending the Applegate Farm Subdivision Plan the following is understood and agreed:

1. Costello will install the drainage structures shown on a plan entitled "Amended Definitive Subdivision Plan 'Applegate Farm' Twelve Lot Single Family Residential Subdivision, Medway, Massachusetts," prepared by GLM Engineering Consultants, Inc., dated February 20, 2013, last revised April 28, 2014 (the "Amended Subdivision Plan") over the land in the Applegate Farm Subdivision – starting at the front lot line of Lot 7 Ellis Street and running through the drainage easement to the drain manhole located on Applegate Road, all of which is shown on the Amended Subdivision Plan and set forth in the Planning and Economic Development Board's Certificate of Action for the Amended Subdivision Plan.
2. The Medway Department of Public Works agrees to assume the cost and provision of necessary materials, not to exceed \$12,500, to make the drainage connection, and through the easement over the land in the Applegate Farm Subdivision, including gravel, concrete pipe, drain manholes, storm drains and structures.
3. Costello will install the drainage structures in the Applegate Farm Subdivision with provisions to accept the connection and stormwater flows associated with drainage from Ellis Street and Virginia Road in accordance. All drainage will be installed in compliance with the Amended Subdivision Plan, the Subdivision Control Law, the Certificate of Action, and the Rules and Regulations of the Planning and Economic Development Board.

4. After completion of the installation of drainage as aforesaid, Costello will convey to the Town of Medway a Utility Easement granting the perpetual non-exclusive right and easement in, through and under the following described areas (the "Easement Areas"). The Easement Areas are shown as (i) "Proposed 30' Wide Utility & Access Easement Area = 9,895± s.f." (the "Utility and Access Easement"); (ii) "Proposed Utility Easement 1,485± s.f." (the "Utility Easement"); (iii) "Proposed Access & Utility Easement" (the "Access and Utility Easement"); and (iv) "Proposed Utility & Access Easement 12,126± s.f." (the "Access and Utility Easement") on the Amended Subdivision Plan. Costello shall also convey to the town Parcel A as shown on the Amended Subdivision Plan.
5. The Medway Department of Public Services shall provide and construct the necessary drainage pipes and structures located within the public right-of-way for the purpose of conveying stormwater to the drainage system in the Applegate Farm Subdivision after completion of the installation of drainage by Costello as aforesaid.
6. Costello and Unique Homes (RELEASORS) do hereby remise, release and forever discharge the Town of Medway, and its agents, officials, employees, representatives and attorneys, (hereinafter "RELEASED PARTY") from all debts, demands, actions, causes of action, suits, sums of money, bonds, damages, executions, controversies, agreements, promises, doings, omissions, losses, liabilities and any and all other claims of every kind, nature and description whatsoever, whether known or unknown, in both law and equity, which they currently have or have had from the beginning of the world to the date of execution of this Memorandum of Understanding and Release, or which may accrue hereafter, including but not limited to any and all damages alleged or that could have been alleged as a result of the alleged diversion of storm water onto the Site including but not limited to any claims set forth in a letter dated May 22, 2012 from Ralph Costello, President of Unique Homes to Thomas Holder, Town of Medway.
7. It is expressly understood and agreed by RELEASORS that this Release reflects the settlement of a disputed claim and is not to be construed as an admission of liability on the part of said RELEASED PARTY and that said RELEASED PARTY expressly denies any liability for any injury or damage of any kind or nature to RELEASORS.
8. No promise or inducement which is not herein expressed has been made to RELEASORS in executing this Release. RELEASORS do not rely upon any statement or representation made or alleged to have been made by or on behalf of any of the RELEASED PARTY or any agent, servant, employee, attorney, insurer or any other person representing the RELEASED PARTY concerning the nature, extent or duration of said damages or losses or the legal liabilities. RELEASORS hereby understand and

acknowledge that this release contains the entire agreement between the parties hereto, and the terms of this release are contractual and not a mere recital. RELEASORS represent that they have carefully read this Memorandum of Understanding and Release and fully understand the contents thereof, and have had the opportunity to consult with counsel regarding this Memorandum of Understanding and Release, and that they are voluntarily executing this Memorandum of Understanding and Release.

Town of Medway
By its Board of Selectmen

Ralph Costello, Trustee
Cedar Trail Trust

Unique Homes/The Custom Home Building Co., Inc.

503 Main Street
Medfield, MA

By: Ralph Costello, President and Treasurer

Tom Holder, as

Director, Town of Medway Department of Public Works

Andy Rodenhiser, as

Chairman, Medway Planning and Economic Development Board



**CHARTER REALTY &
DEVELOPMENT CORP.**

800 Westchester Avenue • Suite S-632
Rye Brook, NY 10573
914 701-4002 • Fax 914 701-4003
www.chartweb.com

May 29, 2014

Susan Affleck-Childs
Planning & Economic Development Coordinator
Town of Medway
155 Village Street
Medway, MA 02053

RE: Site Plan Modification for Starbuck's Coffee, 67 Main Street

Dear Susy:

As you know, we submitted a \$25,000 cash bond last February for the completion of site work in order to obtain a Certificate of Occupancy for the Starbuck's drive-through and renovated restaurant. The site work is now complete and we prepared the written certification from Tigue & Bond as well as the As-Built Plan as required per the Site Plan Decision. Attached are these documents for your review. Please consider this a formal request to release the \$25,000 from the bond account

Thank you for your prompt attention to this matter.

Sincerely,

CHARTER REALTY & DEVELOPMENT CORP.


Karen Johnson, AICP

Other offices in:

183 Main Street • Westport, CT 06880 • 203 227-2922 • Fax 203 227-8388
1666 Massachusetts Avenue • Suite 4 • Lexington, MA 02420 • 617 623-4333 • Fax 617 623-1333

C-0924-2
May 28, 2014

Ms. Karen Johnson
Charter Realty and Development Corp.
1666 Massachusetts Avenue
Suite 4
Lexington, Massachusetts 02173

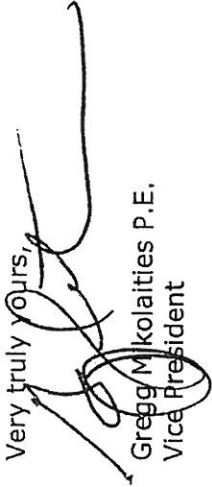
Re: Starbuck's Site Engineer's Certification

Dear Karen,

This letter is to certify that based on the surficial features and as-built information prepared by Doucet Survey Inc. dated May 28, 2014, the site appears to have been substantially completed in accordance with the Town of Medway zoning requirements and the approved plans entitled Site Plan Modifications Starbucks Coffee Drive-Thru last revised and endorsed on October 8, 2014, as approved by the Medway Planning Board on September 10, 2013.

If you have any questions or need additional information please feel free to contact me.

Very truly yours,



Gregg Mikolaities P.E.
Vice President

\\\\Srv\Projects\C\0924 Charter Realty - Medway, MA - Medway Commons\ADMIN\1209241-003(Starbucks Certification).Docx



TETRA TECH

MEMORANDUM

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

Fr: Steven Bouley-Tetra Tech (Tt)

Re: **Medway Commons-Starbucks Coffee Drive-Thru
Site Review (Bond Estimate)
Medway, MA**

Dt: February 10, 2014

At the request of the Medway Planning and Economic Development Board, please find below a list of outstanding items for the Medway Commons-Starbucks Coffee Drive-Thru project. The items are based upon the approved plans dated April 26, 2013, revised September 26, 2013.

Outstanding Items

1. The two (2) proposed painted “no parking” islands, one in the southeast portion of the site and the other east of the existing building should be painted. This also includes the demolition and removal of the existing curb stop.
2. The pavement markings including the word “STOP”, stop bar, and solid white lane lines should be painted at each of the six (6) stop sign locations.
3. Four (4) crosswalks should be installed (three (3) stamped brick and one (1) painted).
4. The proposed detectable warning panel leading south across the main access drive should be installed.
5. Loam and seed should be installed at the proposed locations.
6. Landscaping should be installed at the proposed locations.

If you have any questions or require additional information, please don't hesitate to contact me at (508) 903-2382.




TETRA TECH

Very truly yours,

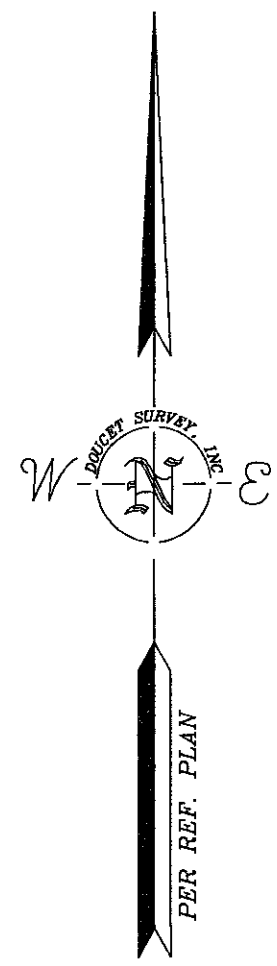
Steven Bouley, E.I.T.
Civil Engineer

P:\21583\143-21583-13013 (STARBUCKS SITE PLAN REV)\DOCS\MEMO\MEMO-MEDWAY COMMONS-STARBUCKS BOND ESTIMATE_2014-02-10.DOC

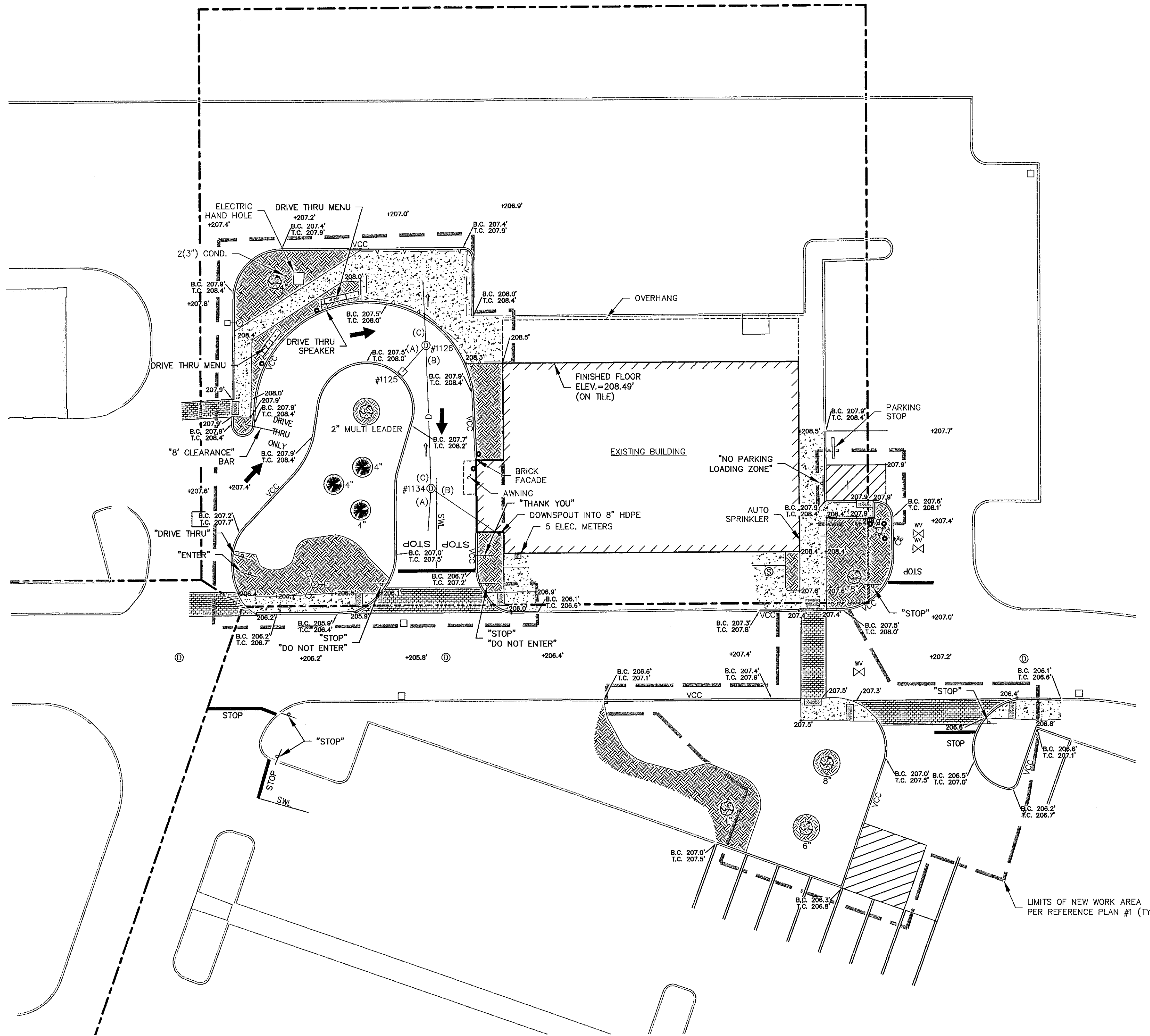
 TETRA TECH Medway Commons-Starbucks Coffee Drive-Thru Medway, Massachusetts February 10, 2014					Bond Value Estimate One Grant Street Framingham, MA 01701 Tel: 508.903.2000 Fax: 508.903.2001	
DESCRIPTION	QUANTITY	UNIT	UNIT COST	ENGINEERS ESTIMATE		
Pavement Markings	1	LS	\$2,000.00		\$2,000	
Stamped Brick Crosswalk ²	600	SF	\$16.50		\$9,900	
Detectable Warning Panel	1	EA	\$500.00		\$500	
Loam	50	CY	\$40.00		\$2,000	
Seeding	300	SY	\$2.00		\$600	
Landscaping	1	LS	\$5,000.00		\$5,000	
			Subtotal		\$20,000	
			25% Contingency		\$5,000	
			Total		\$25,000	

Notes:

1. Unit prices are taken from the latest information provided on the Mass DOT website. They utilize the Mass DOT weighted bid prices (Combined - All Districts) for the time period 02/2013 - 02/2014 when applicable.
2. Unit pricing for the stamped brick crosswalk taken from recent project conducted in Framingham, Massachusetts. This pricing was not included in the MassDOT bid pricing worksheet.



ROUTE 109
(MAIN STREET)



DRAINAGE TABLE	
CB #1125	RIM=207.1
WATER ELEVATION=202.6'	
(PIPE UNDER HOOD)	
DMH #1126	RIM=207.4'
(A)	12" H.D.P.E. INV.=201.8'
(B)	12" H.D.P.E. INV.=201.7'
(C)	12" H.D.P.E. INV.=201.6'
DMH #1134	RIM=207.8'
(A)	12" H.D.P.E. INV.=202.6'
(B)	8" H.D.P.E. INV.=203.0'
(C)	12" H.D.P.E. INV.=202.5'

LEGEND

- LIGHT POLE (ONE ARM)
- LIGHT POLE (THREE ARMS)
- SIGN
- FIRE HYDRANT
- WATER GATE VALVE
- WATER SHUTOFF VALVE
- ELECTRIC BOX
- CATCH BASIN
- DRAIN MANHOLE
- SEWER MANHOLE
- CONIFEROUS TREE W/DIAMETER
- DECIDUOUS TREE W/DIAMETER
- CONCRETE PAD/WALK
- PEDESTRIAN PAD
- LANDSCAPED AREA
- STAMPED BRICK CROSSWALK
- BOLLARD
- TRAFFIC FLOW DIRECTION ARROW
- DRAINAGE FLOW DIRECTION ARROW
- VERTICAL CONCRETE CURB
- CONDUIT
- SINGLE WHITE LINE
- BOTTOM OF CURB ELEVATION
- TOP OF CURB ELEVATION
- SPOT GRADE
- 36" STEEL PICKET FENCE
- DRAIN LINE
- APPROX. LOT LINES (PER REF. PLAN #2)
- LIMITS OF WORK AREA (PER REF. PLAN #2)

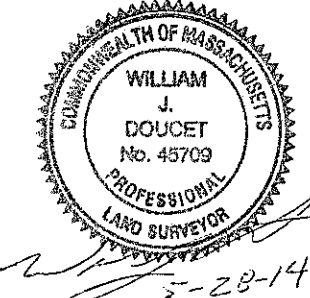
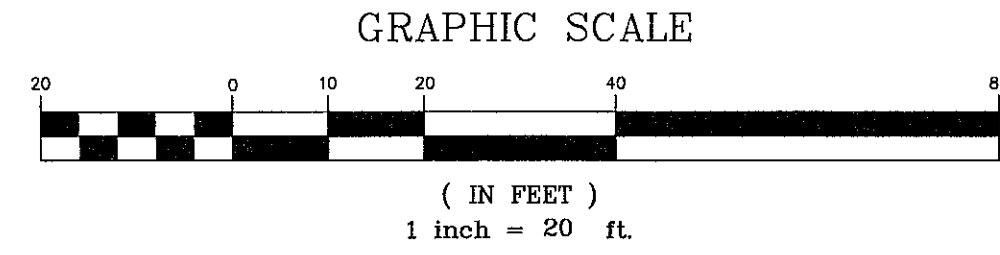
NOTES:

- REFERENCE: STARBUCK'S 67 MAIN STREET MEDWAY, MA
- FIELD SURVEY PERFORMED BY E.J.S. & W.D.C. DURING 05/2014 USING A TRIMBLE S6 TOTAL STATION WITH A TRIMBLE TSC3 DATA COLLECTOR AND A SOKKIA B21 AUTO LEVEL. TRAVERSE ADJUSTMENT BASED ON LEAST SQUARE ANALYSIS.
- HORIZONTAL DATUM BASED ON REFERENCE PLAN #2.
- VERTICAL DATUM BASED ON "BENCHMARK, HYDRANT BONNET BOLT, ELEV.=209.87' (NGVD 1929)" AS SHOWN ON REFERENCE PLAN #2. THIS ELEVATION HAS NOT BEEN INDEPENDENTLY VERIFIED TO NGVD29 BY DOUCET SURVEY, INC.
- THE ACCURACY OF MEASURED UTILITY INVERTS AND PIPE SIZES/TYPES IS SUBJECT TO NUMEROUS FIELD CONDITIONS, INCLUDING; THE ABILITY TO MAKE VISUAL OBSERVATIONS, DIRECT ACCESS TO THE VARIOUS ELEMENTS, MANHOLE CONFIGURATION, ETC.
- UNDERGROUND UTILITIES WERE NOT MARKED AT THE TIME OF THIS SURVEY.
- THE INTENT OF THIS PLAN IS TO SHOW NEW RECENT IMPROVEMENTS AS PER REFERENCE PLAN #1. THIS IS NOT INTENDED TO REPRESENT A FULL TOPOGRAPHIC SURVEY OF THE ENTIRE LOT. THIS PLAN MAKES NO CERTIFICATION AS TO COMPLIANCE WITH ZONING OR ANY OTHER CONDITIONS REQUIRED BY THE TOWN OF MEDWAY. THIS IS NOT A BOUNDARY SURVEY AND SHALL NOT BE USED AS SUCH.

REFERENCE PLANS:

- "MEDWAY COMMONS, RETAIL DEVELOPMENT SITE, PLAN MODIFICATION - STARBUCK'S COFFEE DRIVE-THRU, MEDWAY, MASSACHUSETTS" DATED MARCH 20, 2013 WITH A FINAL REVISION DATE OF 9/23/13, BY TIGHE & BOND CONSULTING ENGINEERS.
- "SITE AS-BUILT PLAN, MAIN AND HOLLISTON STREETS IN MEDWAY" DATED JULY 14, 2004, WITH A REVISION DATE OF 11-18-04, BY DAYLOR CONSULTING GROUP INC. (PROVIDED IN DIGITAL FORMAT BY TIGHE & BOND).

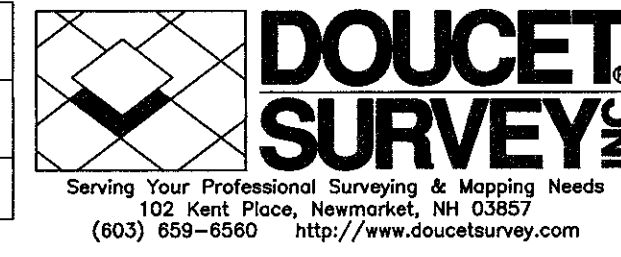
AS-BUILT PLAN
FOR
CHARTER MEDWAY II, LLC
OF THE
STARBUCK'S DRIVE THRU
67 MAIN STREET
MEDWAY, MASSACHUSETTS

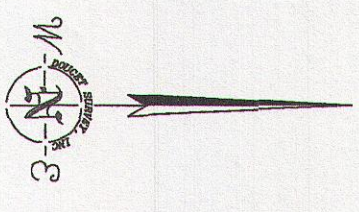


NO.	DATE	DESCRIPTION	BY

NOTE:
ALL ELECTRIC, GAS, TEL, WATER, SEWER AND DRAIN SERVICES ARE SHOWN IN SCHEMATIC FASHION, THEIR LOCATIONS ARE NOT PRECISE OR NECESSARILY ACCURATE. NO WORK WHATSOEVER SHALL BE UNDERTAKEN ON THIS SITE USING THIS PLAN TO LOCATE THE ABOVE SERVICES. CONSULT WITH THE PROPER AUTHORITIES CONCERNED WITH THE SUBJECT SERVICE LOCATIONS FOR INFORMATION REGARDING SUCH. CALL DIG-SAFE AT 1-888-DIG-SAFE.

DRAWN BY:	J.A.G.	DATE:	MAY 28, 2014
CHECKED BY:	J.F.K.	DRAWING NO.:	3787
JOB NO.:	3787	SHEET	1 OF 1





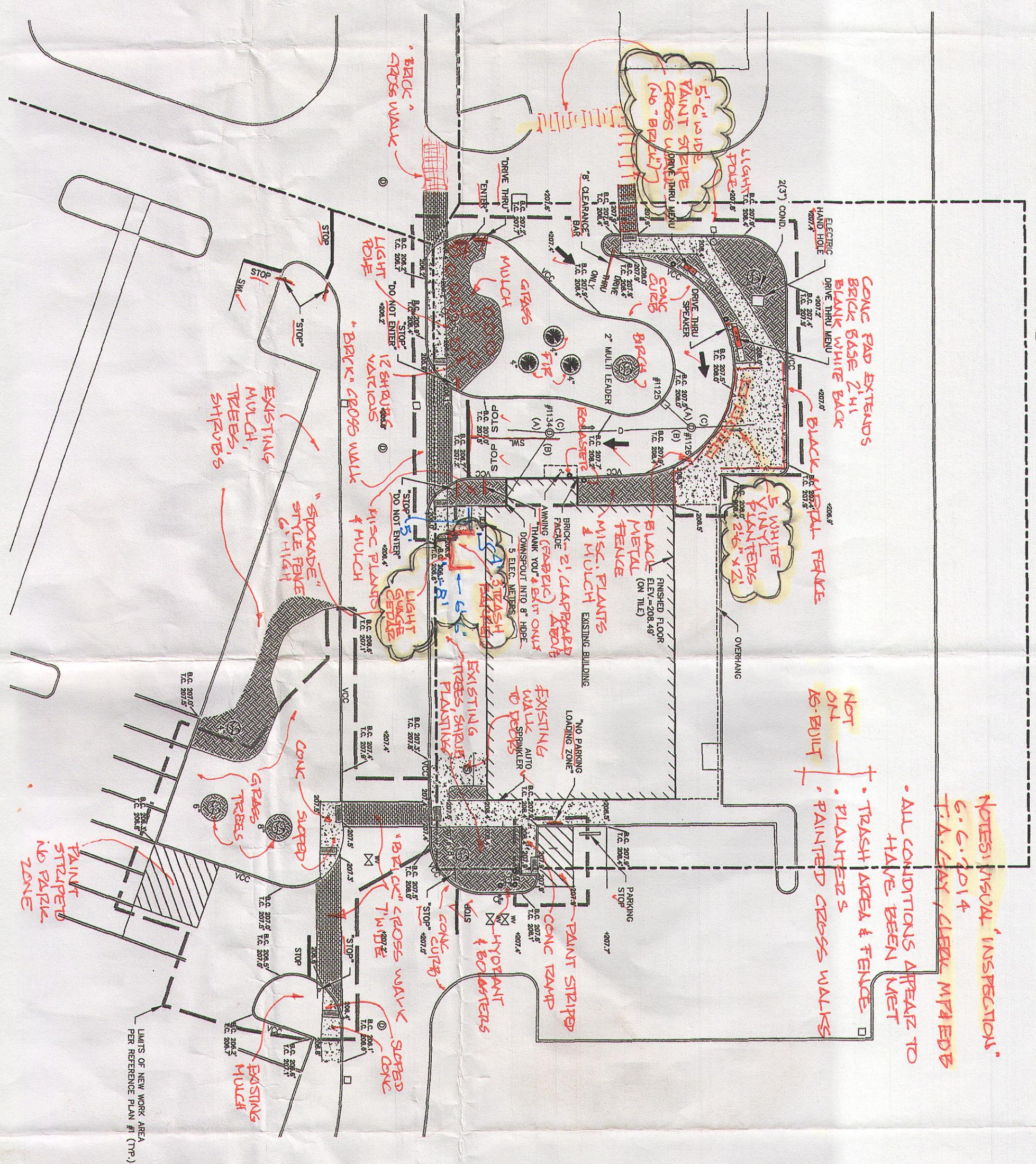
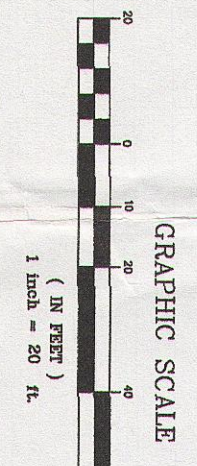
PER REF. PLAN

ROUTE 109
(MAIN STREET)

- LEGEND**
- LIGHT POLE (ONE ARM)
 - LIGHT POLE (THREE ARMS)
 - SIGN
 - FIRE HYDRANT
 - WATER GATE VALVE
 - WATER SCOPER VALVE
 - CATCH BASIN
 - DRAIN MANHOLE
 - CONCRETE TREE W/DIAMETER
 - DECIDUOUS TREE W/DIAMETER
 - CONCRETE PAD/WALK
 - PEDESTRIAN PAD
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 - DRAINAGE FLOW DIRECTION ARROW
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 - SINGLE WHITE LINE
 - BOTTOM OF CURB ELEVATION
 - TOP OF CURB ELEVATION
 - SPOT GRADE
 - 3/4" STEEL POCKET FENCE
 - APPROX. LOT LINES (PER REF. PLAN #2)
 - LIMITS OF WORK AREA (PER REF. PLAN #2)

NO.	DATE	DESCRIPTION	BY

NOTE:
ALL ELECTRIC, GAS, TEL, WATER, SEWER AND DRAIN SERVICES ARE SHOWN IN SCHEMATIC DRAWING. FIELD LOCATIONS ARE NOT TO BE USED TO LOCATE THE ABOVE SERVICES. CONSULT WITH THE PROPER AUTHORITIES CONCERNED WITH THE SUBJECT SERVICE LOCATIONS FOR INFORMATION REGARDING SUCH. CALL ONE-SAFE AT 1-800-ONE-SAFE.



NOTES: VISUAL INSPECTIONS
6.6.2014
T.A. CAR / CLEER MP AEDS

- ALL CONDITIONS APPEAR TO HAVE BEEN MET
- TRASH AREA & FENCE
- PAINTED CROSS WALKS
- NOT BUILT

DRAINAGE TABLE

CB #1125	WM=207.1'
WATER ELEVATION=202.6'	
(P&E UNDER 1929)	
DMH #1126	DM=207.6'
(A) 12" H.D.P.E. NY=201.8'	
(B) 12" H.D.P.E. NY=201.7'	
(C) 12" H.D.P.E. NY=201.5'	
DMH #1134	DM=207.6'
(A) 12" H.D.P.E. NY=203.0'	
(B) 12" H.D.P.E. NY=202.5'	
(C) 12" H.D.P.E. NY=202.5'	

- NOTES:**
1. REFERENCE: STARBUCK'S 67 MAIN STREET MEDWAY, MA
 2. FIELD SURVEY PERFORMED BY E.A.S. & W.O.C. DURING 09/20/14 USING A TRIMBLE S8 TOTAL STATION. ELEVATION DATA IS BASED ON LEAST SQUARE ANALYSIS.
 3. HORIZONTAL DATUM BASED ON REFERENCE PLAN #2.
 4. VERTICAL DATUM BASED ON "BENCHMARK, HYDRANT BOWMET BOLT, ELEV.=208.87' (NOV 1929)" AS SHOWN ON REFERENCE PLAN #2. THIS ELEVATION HAS NOT BEEN INDEPENDENTLY VERIFIED TO WADSWORTH BY DODGETT SURVEY, INC.
 5. THE ACCURACY OF MEASURED UTILITY INVERTS AND PIPE SIZES/TYPES IS SUBJECT TO NUMEROUS FIELD CONDITIONS, INCLUDING THE ABILITY TO MAKE VISUAL OBSERVATIONS, DIRECT ACCESS TO THE VARIOUS ELEMENTS, MANHOLE OBSTRUCTIONS, ETC.
 6. UNDERGROUND UTILITIES WERE NOT MARKED AT THE TIME OF THIS SURVEY.
 7. THE INTENT OF THIS PLAN IS TO SHOW NEW RECENT IMPROVEMENTS AS PER REFERENCE PLAN #1. THIS IS NOT INTENDED TO REPRESENT A FULL TOPOGRAPHIC SURVEY OF THE ENTIRE LOT. THIS PLAN IS NOT TO BE USED TO LOCATE OR DEFINE BOUNDARIES. THIS IS NOT A BOUNDARY SURVEY AND SHALL NOT BE USED AS SUCH.
- REFERENCE PLANS:**
1. "MEDWAY COMMONS, RETAIL DEVELOPMENT SITE, PLAN MODIFICATION - STARBUCK'S COFFEE DRIVE-THRU, MEDWAY, MASSACHUSETTS DATED MARCH 20, 2013 WITH A FINAL REVISION DATE OF 9/23/13, BY DODGETT SURVEY, INC. CONSULTING ENGINEERS.
 2. "SITE AS-BUILT PLAN, MAIN AND HOLLISTON STREETS IN MEDWAY" DATED JULY 14, 2004, WITH A REVISION DATE OF 11-18-04, BY DAVLOR CONSULTING GROUP INC. (PROVIDED IN DIGITAL FORMAT BY TIRE & BOND).

AS-BUILT PLAN
FOR
CHARTER MEDWAY II, LLC
OF THE
STARBUCK'S DRIVE THRU
67 MAIN STREET
MEDWAY, MASSACHUSETTS

DESIGN BY:	J.A.G.	DATE:	MAY 28, 2014
CHECKED BY:	J.F.K.	DRAWING NO.:	3787
JOB NO.:	3787	SHEET:	1 OF 1

DOUCET SURVEYS
Surveying & Mapping
1000 Main Street, Medway, MA 01955
(508) 538-8888



TETRA TECH

*Approved
6-10-2014*

June 9, 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
157 Main Street – The Learning Tree Center
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 Learning Tree Center Site Plan submittal in Medway, Massachusetts (the Project). The objective of our services is to review the proposed Site Plan submittal package, including but not limited to the Plans, 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 good 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 "Site Plan of Land in Medway, MA" Site Plans prepared by Sullivan Surveying Company, LLC dated April 24, 2014, revised May 21, 2014;
- Budget Assumption: 4 hours @ \$100/hr=\$400



TETRA TECH

- B. Review the “Stormwater Management Report” prepared by Creative Land & Water Engineering, LLC and dated May 22, 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: 6 hours @ \$100/hr=\$600

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%)	\$86
	Total Fee	\$2,536



TETRA TECH

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 project's 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,

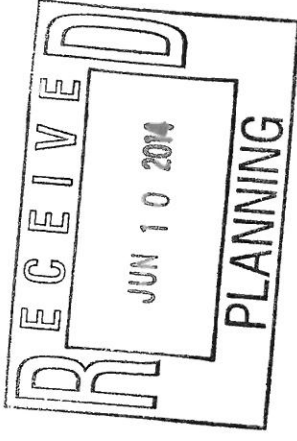
Brian Marchetti, P.E.
Project Manager

Date Approved by Medway Planning and Economic Development Board _____

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

PGC ASSOCIATES, INC.

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



June 10, 2014

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

Dear Mr. Rodenhiser:

PGC Associates is pleased to present the following cost estimate to review and comment on the proposed site plan submitted by Steven Hansen of Natick. The proposal is to construct a 52' x 40' two-story addition to the existing building at this address for use as a child care facility, plus associated parking, drainage, landscaping, etc. The plan was prepared by Sullivan Surveying Company of Natick. Inc. of Milford and is dated April 24, 2014 with a revision date of May 21, 2014.

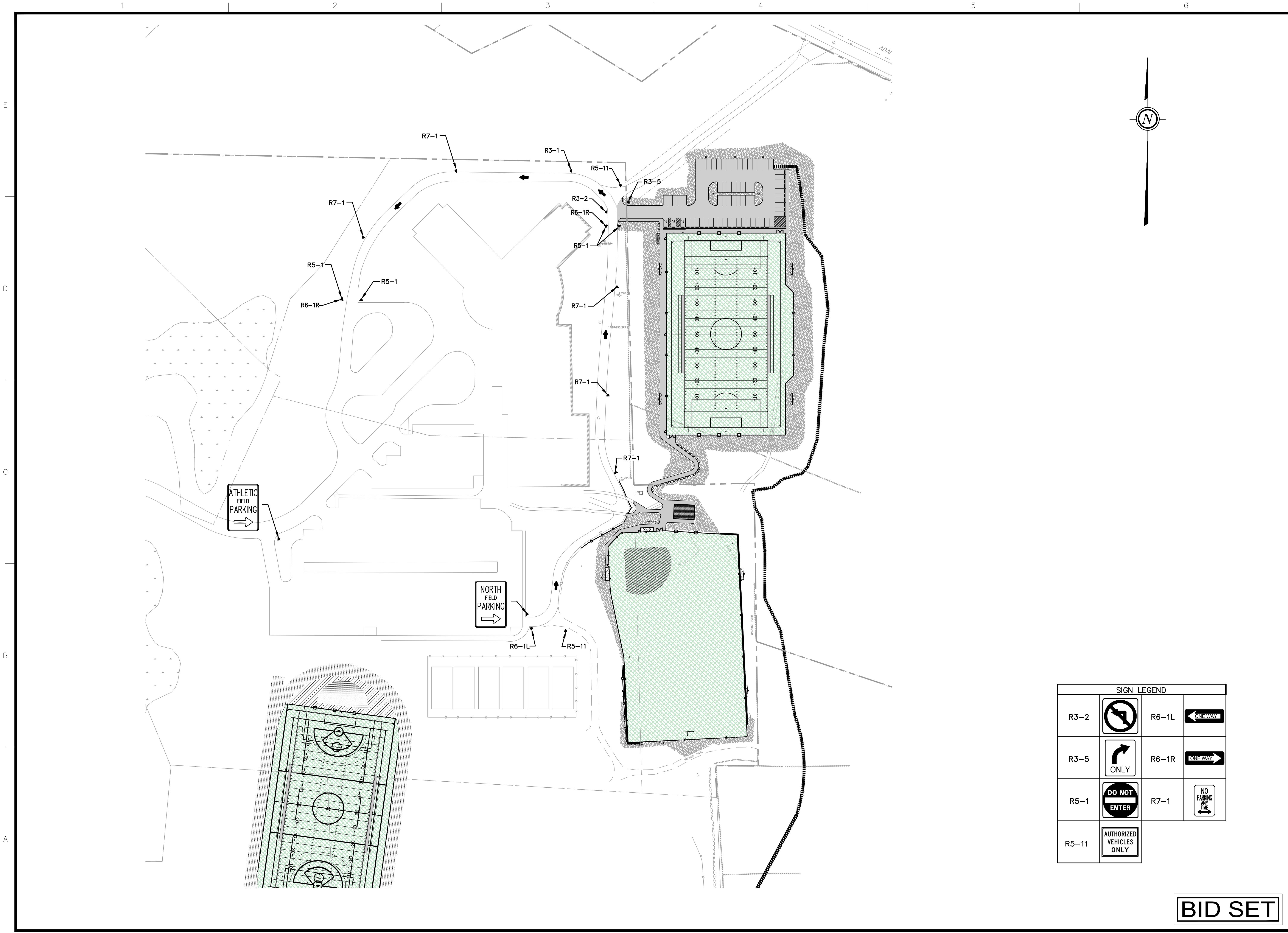
<u>Task</u>	<u>Hours</u>
Technical Review and comment on initial submittal for compliance with Zoning Bylaw and Site Plan Rules and Regulations	3.0
Attendance at Planning Board meetings/hearings	2.5
Review and comment on revised plans	1.5
Review and comment on draft Certificate of Action	2.5
Total	9.5
Cost Estimate (@\$90)	\$855.00

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

Sincerely,

A handwritten signature in black ink, appearing to read "Gino D. Carlucci, Jr." with a stylized flourish at the end.

Gino D. Carlucci, Jr.



Gale Associates, Inc.
 Engineers and Planners
 163 LIBBEY PARKWAY | WEYMOUTH, MA 02189
 P 781.335.6465 F 781.335.6467
 www.gainc.com
 Boston Baltimore Orlando San Francisco

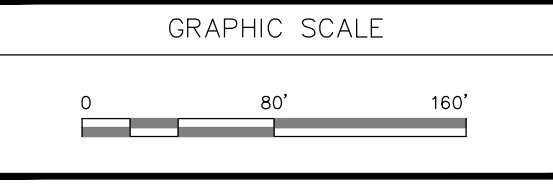
This drawing and the design and construction features disclosed are proprietary to Gale Associates, Inc. and shall not be altered or reused in whole or part without the express written permission of Gale Associates, Inc. Copyright © 2014

PROJECT
 TOWN OF MEDWAY
 ATHLETIC FACILITIES IMPROVEMENTS
 88 SUMMER STREET
 MEDWAY, MA 02053

OWNER
 TOWN OF MEDWAY
 155 VILLAGE ST.
 MEDWAY, MASSACHUSETTS

REVISIONS		
NO.	DATE	DESCRIPTION

CADD FILE	715821-TRAFFIC
DESIGNED BY	STB
DRAWN BY	WAH
CHECKED BY	WJS
DATE	APRIL 23, 2014
DRAWING SCALE	1"=80'-0"



SHEET TITLE
SITE TRAFFIC SIGN PLAN

SIGN LEGEND			
R3-2		R6-1L	
R3-5		R6-1R	
R5-1		R7-1	
R5-11			

BID SET

DRAWING NO.
G004
 PROJECT NO. 715821

Request for Extension of Deadline for Action by Medway Planning and Economic Development Board

June 10, 2014
Date

The undersigned applicant requests that the deadline for the Board's action on the application for:

- an ANR Plan
- a Preliminary Subdivision Plan
- a Definitive Subdivision Plan
- an Adult Retirement Community Planned Unit Development (ARCPUD) Special Permit
- an Adaptive Use Overlay District (AUOD) Special Permit
- an Open Space Residential Development (OSRD) Special Permit
- a Scenic Road Work Permit
- a Site Plan
- Other

for the project entitled Medway High School Athletics Fields
be extended to June 27, 2014

Respectfully submitted,

Name of applicant: Tang Medway - DPS
Signature of applicant or representative: [Signature]

Date approved by Planning and Economic Development Board: 6-10-2014

Date of deadline extension: 6-27-2014

ATTEST: [Signature]
Susan E. Affleck-Childs, Planning & Economic Development Coordinator

Susan Affleck-Childs



From: Tina Wright <Tina.Wright@tbrassociates.com>
Sent: Wednesday, June 04, 2014 12:57 PM
To: Susan Affleck-Childs
Cc: Jim & Betty Wickis; Paul and Carol Marble
Subject: Open Space Recommendations for Millstone Trail

Good afternoon, The engineer for the Millstone Project attended the meeting last nite and explained the parking area would be placed to the east of the open space contained with the development.

The committee voted to recommend – per past discussions with the developer, ConCom and the Planning Board – a mowed path be maintained around the perimeter of the open space – as far east/west/north south as possible, the wetlands on the western side and the southern area will more or less dictate the trail location.

We also recommend signage at the parking area – visible from the street noting the public access to the trail and area.

Respectfully submitted

Tina Wright
Chair Medway Open Space

Tina Wright
TBR Associates
308 West Central St
Suite D
Franklin, MA 02038
508 528 4300 xt 200
Cell 508 735 7711
Fax 508 590 0725

Susan Affleck-Childs

From: Thomas Holder
Sent: Tuesday, June 03, 2014 4:39 PM
To: Susan Affleck-Childs
Subject: Millstone Development

Hi Susy – In further evaluating the Millstone Project and knowing its reliance on the Town’s public water system, I believe it would be prudent to include water conservation aspects to its internal design scheme. The types of things that would complement the spirit of the Town’s Water Management Act Permit with the State Department of Environmental Protection would be items such as well-water for landscape irrigation, rain-gauge controlled irrigation systems, low flow household fixtures and conservation rated appliances. Through this aforementioned permit, the Town is held to a proper water-use standard which is appropriate to incorporate into extensions to the Town’s systems.

Please let me know if I can provide anything additional on this matter.

Thanks.
Tom

Thomas Holder | Director
Department of Public Services

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



MEDWAY CONSERVATION COMMISSION MEETING

Sanford Hall, Town Hall
155 Village Street, Medway, MA 02053
7:30 P.M.

Minutes
March 27th, 2014

The Medway Conservation Commission held its regularly scheduled meeting on March 27th, 2014 at Sanford Hall. In attendance were members Dave Travalini, Glenn Murphy, Ken McKay, Interim Conservation Commission Agent Bridget Graziano, and Sreelatha Allam, Night Board Secretary

- Call to order at 7:40PM

Request for Determinations of Applicability

1. 40, 42, 44, 46 Adams Street – Proposal to qualify change in agricultural commodity under the agricultural exemption 310 CMR 10.04 –
Motion made by Mr. Travalini to continue to the April 10th 2014 meeting, seconded by Mr. Murphy. Unanimous.

Public Hearings

1. Continued Notice of Intent- 10 Overlook Drive (DEP File # 216-831) –
Motion made by Mr. Travalini to continue the 10 Overlook Drive (DEP # 216-831) to the April 24th meeting, seconded by Mr. Murphy. Unanimous
2. Continued Abbreviated Notice of Resource Area Delineation- 102 Winthrop Street (DEP File # 216-821) –
Motion made by Mr. Travalini to continue the 102 Winthrop Street (DEP File # 216-821) continued to the April 10th, 2014 meeting, seconded by Ms. Murphy. Unanimous.
3. Continued Notice of Intent - 257 Village Street (DEP File # 216-832) –
Motion made by Mr. Travalini to continue the 257 Village Street (DEP File # 216-832) to the May 8th, 2014 meeting, seconded by Mr. Murphy. Unanimous.
4. Millstone Village (formally Daniels Village) Off Winthrop Street (DEP File # 216-735) – Present is Mr. Robert Truax from GLM Engineering. Mr. Truax presented the plans to the commission. This area went through the planning board process and determination of wetland lines in 2007. There was order of

conditions issued in March 2007 which expired in March 2010. It was extended for four years under the permit extension act which will expire in March 2014. An extension of the current order is being requested. Other than constructing a community building with 80 units, there is no change in the project from the Daniels Village portion of the site. The community building is outside the 100 ft. buffer and the project was initially flagged in 2006 and re-flagged in fall of 2013. Ms. Graziano suggested that the original order of conditions should be recorded since they were not recorded earlier. The requested extension of the order of conditions will be recorded separately. Mr. Truax enquired if the applicant's name could be changed on the extension. The changed applicant's name is Elite Home Builders, but the owner's name remaining the same, Ms. Betty McKolsky. Mr. Truax agreed to use the more restrictive wetland delineation line whether it was the new or old delineation to the revised plan to be submitted. **Motion made by Mr. Travalini to issue a one year extension to (DEP File # 216-735), seconded by Mr. Murphy. Unanimous.**

Discussion Items:

- 1. Update on Site Walk at Amphitheater** – Ms. Graziano made a site walk with Mr. Wickis and reported that the proposed area for improvements seemed reasonable and that building a bridge over the open ditch will be a better approach. She said it could be a small Eagle Scout project. She is working with Mr. Wickis to help him out with filing for the grants for the project and also with the ADA compliant requirements for handicap accessibility.
- 2. Schedule site visits for open projects** – Ms. Graziano enquired if the commission would like to schedule a site walk for the 10 Overlook Drive, or the 102 Winthrop Street properties. Mr. Travalini said that the 10 Overlook Drive property was inspected by Mr. Biocchi, Mr. McKay, and him. Mr. McKay said that a site visit will be scheduled again once the property owners finalize the plan. The site visit for 102 Winthrop Street should be scheduled to approve the wetland line. It's been decided that the site walks will be scheduled once the projects come in front of the commission.
- 3. Plans for Conservation Trust Fund**- Medway town administrator, Ms. Susan Kennedy requested Ms. Graziano to ask the conservation commission about using the conservation trust fund for land management plan for the conservation lands. There is 100,000 dollars available in the fund. Mr. McKay enquired if the monies will fund the consultant hired to do the work of if it will pay the interim agent for doing the work. Ms. Graziano said that the town has the discretion to select a consultant. Since the anticipated cost might be more than \$5000 dollars, she suggested going with the RFP process. She also suggested that this work could be accomplished in collaboration with the students at the Conway Graduate School in northern Massachusetts. These students have experience working on such projects and it is a possible that they might come up with plans for \$6,500 dollars. The CONCOM commission expressed their willingness to have Ms. Graziano work on this project. She said, due to the conflict of interest law, the conservation staff cannot be paid from the conservation fund. Since there is no urgency to make a decision on this matter right away it's been decided that it will be re-visited some time later this year.

4. Approval of Grant for ArcGIS-

Ms. Graziano requested the commission to approve and sign the application to request for a grant for ArcGIS for \$400 dollars. If the grant is approved, then the money for the grant will come out of the conservation trust fund.

5. **Wetland Delineation Review for Medway Recreational Fields- RDA** was submitted on 03-27-2014. The recreational fields have been moved outside the commission's jurisdiction but there is a small trail that is within the 25ft. no-touch zone. Ms. Graziano will make a site visit and provide a recommendation at the April 10th conservation commission meeting.
6. In a meeting with Mr. Travalini, the Board of Selectman requested an explanation of the by-law change. Mr. Travalini said that the board was in favor of the change.
7. Mr. Travalini will talk to the Boys Scouts to request for some volunteers for the Medway Clean Suite project.

A motion was made by Mr. Travalini to adjourn the meeting after the commission comes out of the Executive Session. On roll call, the vote was as follows:

VOTED:	Glenn Murphy	Yes
	Ken McKay	Yes
	Chairman David Travalini	Yes

Respectfully submitted,

Sree Allam
Minutes Clerk

Documents Presented at the March 27, 2014 Public Meeting

All documents shall be kept in the Conservation Commission Office files.

Discussions

1. Millstone Village (formally Daniels Village) Off Winthrop Street (DEP File # 216-735) – Site Plan
 - Plans titled, Adult Retirement Community Planned Unit Development “ Millstone Village”, dated October 15, 2013
 - Order of Conditions DEP #283-735 issued by the Medway Conservation Commission on March 2007
2. Approval of Grant for Arc GIS
 - MACMAPP Grant Application



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

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

REVISED DRAFT – June 6, 2014

SPECIAL PERMIT DECISION
Millstone Village Adult Retirement Community Planned Unit Development
(ARCPUD)

APPLICANT:

Elite Home Builders, LLC
PO Box 1205
Westborough, MA 01581

PROPERTY OWNER:

Betty Ann McCall Vemaglia
12 Partridge Street
Medway, MA 02053

LOCATION:

129 R Lovering Street

ASSESSOR'S REFERENCE:

20-004

ZONING DISTRICT:

Agricultural Residential I

ENGINEER:

GLM Engineering
19 Exchange ST
Holliston, MA 01746

SURVEYOR:

GLM Engineering
19 Exchange ST
Holliston, MA 01746

ARCHITECT:

HPA Design, Inc.
200 Stonewall Boulevard
Wrentham, MA 02093

PLAN:

Millstone Village ARCPUD
October 15, 2013, last revised February 7, 2014
Prepared by GLM Engineering.

DESCRIPTION of PROPOSED PROJECT

The application was filed under the Adult Retirement Community Planned Unit Development section of the Medway Zoning Bylaw (SECTION V. Use Regulations, Sub-Section U.) The subject property, a 51 acre site, is located at 129 R Lovering Street, between 63 and 81 Winthrop Street, south of Lovering Street and across from Clover Lane in the ARI zoning district (the site). The site is presently owned by Betty McCall-Vernagli of Medway, MA.

Elite Home Builders, LLC (“Applicant”); as used herein, “Applicant” will also refer to the Applicant’s successors and assigns) proposes to construct a condominium development on the site, to be known as Millstone Village, consisting of 80 condominium dwelling units in 53 buildings, which shall be age restricted; 3,270 linear feet of privately owned roadway (Millstone Drive and Millstone Court, Cobblestone Drive and Cobblestone Court, Fieldstone Drive and Fieldstone Court, Steppingsstone Drive and Sandstone Drive); sewage and water service; drainage/stormwater management facilities; 20.4 acres of dedicated open space; paved sidewalks; walking trails/paths; a community house; and associated parking and landscaping. Site access and egress will be from Winthrop Street, a Medway Scenic Road.

The 80 condominiums will be comprised of 45 townhouse type residences constructed in groups of two or three units and 35 detached single family houses. The dwelling units range in size from 1600 to 2300 sq. ft. Each dwelling will have a 2 car garage plus 2 additional driveway parking spaces. Another 42 off-street parking spaces will be provided for visitors and guests. Eight dwelling units will be available for sale to low or moderate income household and comply with the requirements for inclusion in the Subsidized Housing Inventory prepared by the Department of Housing and Community Development pursuant to Massachusetts General Laws, Chapter 40B, §§20-23 (the “affordable housing units”).

The open space parcel identified on the Plan as Parcel B (888,791 sq. ft./20.40 acres) will be owned by the Millstone Village Condominium Trust and protected through a conservation restriction granted to the Town of Medway, acting through its Conservation Commission, for conservation and passive recreation purposes and permitting public access to the land, pathways and parking area to be constructed thereon.

HISTORICAL BACKGROUND

The proposed development substantially in its present configuration (*but without a community building*) was previously approved by the Planning and Economic Development Board in 2007 on the application of Barberry Homes. The applicant withdrew the application and the project was not constructed.

PROCEDURAL BACKGROUND – Current Application

The application for an Adult Retirement Community Planned Unit Development (ARCPUD) special permit was filed with the Planning and Economic Development Board (the Board) and the Town Clerk on November 18, 2013. The application package consisted of:

- ARCPUD Special Permit Application dated October 15, 2013
- Plan entitled ARCPUD – Millstone Village, Medway, Massachusetts, dated October 15, 2013 prepared by GLM Engineering of Holliston, MA

- a certified abutters list
- the associated stormwater drainage report prepared by GLM Engineering
- an application for street names; and
- documents from the previously approved Daniels Village ARCPUD from 2006 and 2007
– Certificate of Action, Scenic Road Work Permit, and waiver requests.

A public hearing was scheduled for January 14, 2014. Notice of the public hearing was published in the *Milford Daily News* on December 30, 2013 and January 6, 2014. Notices were sent by certified mail to abutters, parties of interest and the Planning Boards of all adjacent towns on December 26, 2013.

A email memo from the Planning and Economic Development Board dated December 20, 2013 was sent to the Building Commissioner, Board of Health, Conservation Commission, Design Review Committee, Police Chief, Fire Chief, and Department of Public Services. The memo noted that the public hearing was scheduled to begin on January 14, 2014 and requested plan review comments.

The Board convened the public hearing on January 14, 2014. The public hearing was continued to February 25, March 25, April 8, April 29, May 13, May 27, June 10 and when the public hearing was closed. At the public hearing, comments were received from the general public, municipal boards and/or departments, and the Planning and Economic Development Board's consultants including Tetra Tech, the Town's Consulting Engineer; PGC Associates, the Town's Planning Consultant, the applicant and GLM Engineering. All persons in attendance were provided the opportunity to comment and present evidence. All members voting on this Special Permit were present at all sessions or provided a Mullins Rule certification when absent.

All matters of record were available for public review in the office of the Planning and Economic Development Board and the Town Clerk for all times relevant thereto.

NOTE - The Applicant filed with the Medway Zoning Board of Appeals an application for a use variance as authorized by Section III-B.3 of the Town of Medway Zoning Bylaw ("Bylaw") from the provisions of Section V.U.4(c) (1) of the Bylaw, so as to allow the proposed ARCPUD with up to twenty (20%) percent of the units to be not age-restricted. At its June 4, 2014 meeting, the Medway Zoning Board of Appeals voted to not approve the requested relief.

EXHIBITS - PLANS AND DOCUMENTS

The following exhibits were submitted for the Board's review and deliberations at the time of application.

1. ARCPUD – Millstone Village, Medway, MA plans prepared by GLM Engineering, dated October 15, 2013.
2. Drainage Calculations for Millstone Village in Medway, MA dated October 15, 2013, prepared by GLM Engineering Consultants, Inc.
3. Street Naming Application and submittal letter dated October 15, 2013 prepared by GLM Engineering Consultants

Subsequent to the application package, the applicant submitted the following additional items.

1. Traffic Impact and Access Study – Proposed Millstone Village, Medway, MA; prepared by MS Transportation Systems, Inc., October 2006
2. Supplemental Stormwater Compliance Documents for Millstone Village, prepared by GLM Engineering Consultants, Inc., February 5, 2014
3. Request for Waivers prepared by GLM Engineering, Inc., March 18, 2014
4. Letter from GLM Engineering dated February 7, 2014 in response to January 2014 plan review letters from the Board’s consultants - David Pellegrini, Tetra Tech and Gino Carlucci, PGC Associates
5. Revised Millstone Village ARCPUD Plan prepared by GLM Engineering, revised date February 7, 2014.
6. Letter from GLM Engineering to Medway Water/Sewer Superintendent Robert Donahue re: sewer capacity.
7. Letter dated January 31, 2014 from applicant Julie Venincasa informing the PFDB of the applicant’s intention to petition the Medway Zoning Board of Appeals to allow up to 20% of the dwelling units to be sold to households who do not have at least one resident over the age of 55.
8. Scenic Road Work Permit application dated March 4, 2014.
9. Proposed Stone Wall/Entry elevation plan dated February 11, 2014 from Paul Apkarian Architects, Inc.
10. Revised Planting Plan dated March 11, 2014 prepared by Cosmos Associates and GLM Engineering.
11. Scenic Road Work Permit approved by the Board on April 8, 2014
12. Price Quote for Solar Powered Driver Speed Feedback Sign for Winthrop Street.
13. Development Phasing Plan prepared by GLM Engineering.
14. Application to the Zoning Board of Appeals for variance as authorized by Section III.D.3 of the Town of Medway Zoning Bylaw (“Bylaw”) from the provisions of Section V.U.4(c)(1) of the Bylaw, so as to allow an Adult Retirement Community Planned Unit Development with up to twenty (20%) percent of the units to be not age-restricted.

PUBLIC HEARING TESTIMONY & EVIDENCE

Written Comments/Review Letters/Verbal Testimony from Town of Medway Departments, Boards, Committees and Consultants

- Plan Review Letter dated January 8, 2014 – Gino Carlucci, PGC Associates
- Plan Review Letter updated February 21, 2014 – Gino Carlucci, PGC Associates
- Plan Review Letter dated January 10, 2014 – David Pellegrini, Tetra Tech
- Plan Review Letter updated February 2002014 – David Pellegrini, Tetra Tech
- Email Communication dated March 24, 2014 – Michael Hall, Tetra Tech
- Memorandum dated January 9, 2014 from Medway Conservation Agent Patty Barry

- Plan review letter dated January 10, 2014 from Matthew Buckley, chairman of the Medway Design Review Committee
- Memorandum dated January 13, 2014 from Medway Community Housing Coordinator Douglas Havens.
- Email communication dated March 6, 2014 from Medway DPS Director Thomas Holder forwarding a March 6, 2014 email from Liz Schreiber communicating that the Charles River Pollution Control District will accept the sewage flow generated by Millstone Village
- Memorandum dated March 10, 2014 from Medway Community Housing Coordinator Douglas Havens.
- Sidewalk construction cost estimate dated March 10, 2014 from Tetra Tech.
- Memorandum dated March 25, 2014 from Fred Sibley, Medway Assistant Tree Warden, regarding the scenic road work permit application.
- Plan review status report dated March 24, 2014 from Matthew Buckley, chairman of the Medway Design Review Committee
- Jeff Lynch, Medway Fire Chief - January 14, 2014
- Missy Dziczek, Council on Aging Director – January 14, 2014
- Matthew Buckley, Chairman of the Medway Design Review Committee – January 14, 2014
- Douglas Havens, Medway Community Housing Coordinator – January 14, February 25, March 25, 2014 meetings.
- Memorandum dated February 19, 2014 from Susan Affleck-Childs, Planning and Economic Development Coordinator re: status of scenic road work permit.
- Memo from Doug Havens, Community Housing Coordinator, dated January 13, 2014.
- Email dated April 4, 2014 from Bridget Graziano, Interim Conservation Agent re: the Conservation Commission's vote to grant a one year extension of the DEP #216-735 Order of Conditions (which had been granted to the previous ARCPUD applicant for this site).
- Plan Review Memorandum dated April 27, 2014 from Sergeant Jeff Watson.

Professional Commentary during the Public Hearings

- Rob Truax, CEM Engineering
- David Pellegrini, P.E., Tetra Tech
- Gino Carlucci, AICP, PGC Associates
- Attorney Alex Parra for the applicant

Applicant (Elite Home Builders, Inc.) Commentary

- Julie Venincasa
- Steve Venincasa
- Leonardo DaSilva

Citizen/Abutter Commentary

- Steven Kadlik, 2 Clover Lane
- Frank Glass, 74 Winthrop Street
- Laura Bockoven, 1 Iarussi Way
- Karen Linstrom, 3 Iarussi Way

Other Commentary

- Letter dated March 13, 2014 from Sue Rorke, Metro West Center for Independent Living

FINDINGS

To make its findings, decision, and conditions of approval, the Board carefully reviewed the Plan, and all the materials, studies and documentation presented by the applicant, the Board's consultants, letters and testimony from Town officials and boards, together with the comments and correspondence of abutters and members of the public, and carefully analyzed the general purpose of the ARCPUD provisions of the Zoning Bylaw and its specific requirements and standards, as well as the requirements of Section 8 of Chapter 40A of the Massachusetts General Laws specifically relating to special permits. On [redacted], the Board voted [redacted] to make the following **FINDINGS** regarding this application, in accordance with the Medway Zoning Bylaw, SECTION V. USE REGULATIONS, Sub-Section U. Adult Retirement Community Planned Unit Development.

1. The Board finds that the Millstone Village ARCPUD will be in harmony with the general purpose and intent of the Bylaw since it is located within the AR-I district and meets the purposes of the Adult Retirement Community Overlay District section of the Zoning Bylaw as noted more specifically below.
 - a. The project is a master planned community providing 80 condominium dwelling units to help accommodate Medway's growing active adult (+55) and senior citizen population by providing alternative housing opportunities other than the conventional single family detached home.
 - b. The development provides 45 townhouse type units which are not allowed by right in the underlying AR-I zoning district. This helps meet the needs of the senior citizen population by offering a greater variety of housing types than is customarily provided in Medway. The condominium form of ownership reduces the maintenance burden on senior citizens associated with ownership of a single family home in a conventional subdivision.
 - c. The project uses creative and innovative site planning to preserve Medway's limited land resources. Wetland resource areas are protected. By clustering the residential construction on the interior portion of the site, the remaining 888,791 sq. ft. /20.4 acres, or 40% of the 51.02 +/- acre parcel shall become permanent, protected open space. The open space is located adjacent to Lovering Street. An additional 65,000 +/- sq. ft. of land within the developed portion of the site will be used for designated, but unprotected open space as well.

- d. A sense of neighborhood and high quality design aesthetic has been achieved. Building architecture for the townhouses and single family homes reflects New England character. Walking paths interconnect throughout the development.
 - e. The project helps preserve Medway's rural character by limiting the impact of potentially numerous access roadways on Winthrop Street, a Medway Scenic Road.
 - f. The project will provide 8 affordable housing units to eligible purchasers in compliance with the requirements for inclusion in the Subsidized Housing Inventory prepared by the Department of Housing and Community Development.
2. Subject to the conditions below, the Board finds that the Millstone Village ARCPUD complies with the **General Standards** of SECTION V., Sub-Section U, 4. (c). These requirements include, but are not limited to, the following:
- a. *(c) 1 – All dwellings in an ARCPUD shall be subject to an age restriction described in a deed/deed rider, restrictive covenant, or other document approved by the Planning and Economic Development Board that shall be recorded at the Registry of Deeds. The dwellings within the Millstone Village ARCPUD will be subject to an age restriction limiting occupancy to at least one person who has attained a minimum age of fifty-five years and by: (i) spouses and/or persons providing health care services to a qualified owner of such Unit, (ii) a child or grandchild of a qualified occupant of such Unit, provided that such child or grandchild has attained the age of majority, and (iii) not more than one (1) person in addition to a spouse, health care provider and child or grandchild as aforesaid, provided that such person has attained the age of majority, or any guest of any age but such guest may only stay for six months in any calendar year.*
 - b. *(c) 2 – An ARCPUD shall be on a site that is a minimum of ten (10) acres in area. The Millstone Village site consists of multiple, contiguous lots that in aggregate total 51.01 acres.*
 - c. *3 - The ARCPUD shall include at least one of the adult retirement community residential uses as defined in Section II of the Zoning Bylaw and may be developed in multiples phases. The Millstone Village ARCPUD consists of “Independent Living Residence Facilities” provided in the form of a condominium community comprised of 45 attached townhouses and 35 detached single family homes on one building lot – Parcel A. The applicant has indicated the development will be constructed in five phases.*
 - d. *(c) 4 – Upon approval of the Planning and Economic Development Board, an ARCPUD may also include Local Convenience Retail use of no more than 7,500 sq. feet of gross building area. No Local Convenience Retail is proposed so this requirement is not applicable.*
 - e. *(c) 5 – Upon approval of the Planning and Economic Development Board, an ARCPUD may include an ARCPUD Community Center intended for the use*

and benefit of the ARCPUD residents. A 2,400 sq. ft. community center is proposed which does not exceed 10% of the gross building floor area to be constructed for the 80 residential dwelling units. The Community Center will be owned and maintained by the Millstone Village Condominium Trust pursuant to as specified in Condition #1(a) herein.

- f. (c) 6 – *The maximum number of permitted housing units in an ARCPUD shall be determined by multiplying the gross acreage of the ARCPUD site by a factor of three (3.0).* The plan shows a development of 80 residences on 51.01 acres. Considering the entire site, 153 units would be the maximum possible number of dwelling units allowed at 3 units per acre. For Parcel A alone, the maximum allowed would be 91 units.
 - g. (c) 7 – *When an ARCPUD is within more than one base zoning district, applicable use standards will be based on the percentage of acreage in each district.* The Millstone Village ARCPUD is located entirely within the ARI zoning district, so this requirement is not applicable.
 - h. (c) 8 – *The maximum number of permitted housing units within a permitted ARCPUD developments in the Town of Medway shall be limited to a number equal to ten percent (10%) of the existing detached single-family residential housing units (excluding ARCPUD units) located in the Town of Medway.* Per the Medway Board of Assessors, there were 5,246 detached single-family residential housing units in the Town of Medway on January 1, 2014. With the maximum 10% rule, that would allow for no more than a total of 527 ARCPUD units in Medway. There are presently no other adult retirement communities in Medway. The total of 80 proposed ARCPUD dwelling units for Millstone Village is well under Medway's 10% threshold.
 - i. (c) 9 – *At least 10% of the total number of ARCPUD residential dwelling units, rounded up to the next higher integer, shall be designated and made available as Affordable Housing Units as defined in the Zoning Bylaw.* The applicant has agreed and the decision includes Condition #5 that 8 of the 80 (10%) of the dwelling units will be designated as affordable housing units.
3. Subject to the conditions below, the Planning and Economic Development Board finds that the Millstone Village ARCPUD complies with the **Open Space Standards** of SECTION V. USE REGULATIONS, Sub-Section T. 4. (d). These requirements include, but are not limited to, the following:
- a. *A minimum of 40% of the total land area of the ARCPUD site shall be set aside and maintained as open space.* The plan shows the total open space land area to be 20.4 acres, which is 40% of the 51.01 acre site.
 - b. (d) 1 – *Community buildings, median strips, landscaped areas within parking lots, or lawn/landscaped areas on individual home sites or impervious areas for the open collection and management of storm water shall not be counted as part of the required ARCPUD open space.* The required open space area is comprised of one parcel and does not include any of the above noted items.

- c. (d) 2 - A minimum of 40% of the required open space shall be suitable for passive and/or active recreation purposes. Approximately 11.3 acres of the provided open space are suitable for passive and/or recreation purposes. Pursuant to the zoning bylaw standard, the minimum required open space area suitable for passive and/or recreation purposes is 8.16 +/- acres and thus, the open space area proposed for passive and/or active recreation purposes is 131% of what the zoning bylaw requires. Walking trails are among the amenities on this portion of the open space.
- d. (d) 3 - A minimum of 50% of the required open space shall be preserved in its natural, pre-development condition. Except for the walking trails to be installed, close to 100% of the provided open space is to be preserved in its natural state. Pursuant to the Zoning Bylaw standard, the minimum required open space area to be preserved in its natural state is 10.2 acres (50% of the open space parcel) and thus, the open space area proposed to be preserved in its natural state is approximately 200% of what the zoning bylaw requires, except for the trails.
- e. (d) 4 – Wetlands resource areas as defined by M.G.L., Chapter 81, shall comprise not more than 50% of the required ARCPUD open space area. Wetlands resource areas constitute 9.1 acres or 44.6% of the required open space area.
- f. (d) 5 - The required open space shall be contiguous. The 20 acre open space parcel functions as one large square area immediately to the north of the Development Parcel A. The open space is bisected by utility easements which run from the northeast to the southwest corners.
- g. (d) 6 - To the greatest extent possible, the required open space area should establish a network of open space within the site. The Millstone Village open space runs from Winthrop Street deep back into the parcel all the way to its western boundary. The open space is traversed with walking paths that interconnect with sidewalks serving the housing units. The trails will link with adjacent open space to the west from the Evergreen Meadow OSRD project which has been conveyed to the Town of Medway acting through its Conservation Commission.
- h. (d) 7 - A minimum of 50% of the required ARCPUD open space shall be set aside permanently as Protected Open Space. An area of 888,791 sq. ft. / 20.4 acres is proposed to be set aside as Protected Open Space. Pursuant to the zoning bylaw standard, the minimum required open space area to be set aside permanently as Protected Open Space is 10.2 +/- acres and thus, the open space area proposed to be set aside as Protected Open Space is 200% of what the zoning bylaw requires. The Protected Open Space will be subject to a conservation restriction granted to the Town of Medway, acting through its Conservation Commission, in perpetuity for conservation and passive recreation purposes and permitting public access to the land, pathways and parking area to be constructed thereon.

- i. (d) 8 – *Drainage facilities shall not be located in the open space areas.* There are no detention/retention basins located within the open space areas.
 - j. (d) 9 – *Open space shall be laid out to provide eco-corridors and other areas identified for open space preservation.* The open space is laid out to provide an eco-corridor by connecting to open space area to the west in the Evergreen Meadow OSRD project. No land within 50 feet of a dwelling unit is counted as open space.
 - k. (d) 10 – *Applicant must provide a written program describing how the open space will be maintained in perpetuity to standards satisfactory to the Planning and Economic Development Board.* All open space areas including the Common Areas and the Open Space Parcel B shall be owned and maintained by the Millstone Village Condominium Trust. The Condominium Trust documents shall require that the Open Space Parcel B and the walking trails provided thereon shall be maintained in a manner suitable for passive recreational uses, which maintenance shall be the responsibility of the Condominium Trust.
4. Subject to the Conditions below, the Board finds that the Millstone Village ARCPUD complies with the **Site Development Standards** of SECTION V, Sub-Section T. 4. (e). These requirements include, but are not limited to, the following:
- a. (e) 1 – *The contiguous lots on which an ARCPUD is located shall have a minimum of 250 linear feet of frontage on an existing public way.* The proposed Millstone Village ARCPUD contiguous lots have 495 feet of frontage on Winthrop Street.
 - b. (e) 2 – *Each building in the ARCPUD shall either face an existing street or a public or private way constructed within the ARCPUD.* Four single family residences will face Winthrop Street (2, 4, 6, & 8 Sandstone Drive). The remaining units will face at least one of the five private ways to be constructed in the development.
 - c. (e) 3 – *Each building in the ARCPUD shall have a minimum front yard of not less than twenty feet (20') from the edge of the paved way and a side yard of not less than ten feet (10').* As shown on the 2-7-2014 Plan, all Millstone Village ARCPUD buildings have a 20.5' front yard setback and a 20.5' side yard setback from the edge of the paved way to the closest point of the structure. Provided that Applicant complies with the applicable setback provisions of SECTION V. T. 4 (e) 3, the location of the actual buildings may be altered. Final house locations shall be shown on the as-built plans.
 - d. (e) 4 – *Each building in the ARCPUD shall be set back a minimum of fifty feet from the ARCPUD's perimeter lot line.* As shown on the 2-7-2014 Plan, each building in the Millstone Village ARCPUD is more than 50' from the site's perimeter property line. Provided that Applicant complies with the applicable provisions of SECTION V. T. 4 (e) 4, the location of the actual buildings may be altered. Final house locations shall be shown on the as-built plans.

- e. (e) 5 – Each building in the ARCPUD shall be set back a minimum of fifty feet (50') from the right of way line of any public way. Each Millstone Village ARCPUD building is set back a minimum of 50' from the right-of-way line of a public way (Winthrop Street).
- f. (e) 6 – In an ARCPUD Residential Subdivision, each Home Site Lot shall be a minimum of 6,000 square feet of area and meet the upland and lot space requirements of the Zoning Bylaw. This is not applicable as none of the dwelling units are in an ARCPUD residential subdivision.
- g. (e) 7- There shall be no minimum standards for internal lot line setbacks unless required by the Planning and Economic Development Board. The Board finds that there is no need for internal lot line setbacks within the Millstone Village ARCPUD.
- h. (e) 8 - A minimum of two (2) off-street parking spaces shall be required for each dwelling unit. For each dwelling unit there are two parking spaces in the garage and two parking spaces in the driveway. In addition, there are 42 off-street parking spaces for guests and visitors.
- i. (e) 9 – A minimum of one (1) off-street parking space is required for each 500 sq. ft. of gross building area occupied by a local convenience use. Since there is no Local Convenience Retail use proposed, this parking requirement is not applicable.
- j. (e) 10 - All two way roadways serving more than one dwelling shall be a minimum paved width of twenty-two feet. The paved width of a one-way roadway may be less than 22 feet if approved by the Planning and Economic Development Board. All roadways that service more than one dwelling are proposed to have a minimum paved width of twenty-two feet.
- k. (e) 11 - All roadways, driveways and parking areas shall be maintained by the applicant, developer of the ARCPUD, its assigns, or owners and their agents. The roadways, common driveways and parking areas shall be owned and maintained by the applicant, or its assignee, the Millstone Village Condominium Trust, which shall be responsible for all maintenance.
- l. (e) 12 - The landscape design shall give preference to the maintenance of existing healthy trees and groundcover. The landscape design has given preference to the maintenance of existing healthy trees by preserving as many specimens as possible as identified in the existing conditions plan. During construction, the contractor will coordinate with the site engineer. The existing ground cover of the proposed 20.4 acre open space area shall be preserved.
- m. (e) 13 – All utilities shall be underground. All permanent utilities in the Millstone Village ARCPUD are underground.
- n. (e) 14 - No mobile homes or trailers shall be allowed to be used as dwelling units in the ARCPUD. No mobile homes or trailers are to be used as dwelling units in the Millstone Village ARCPUD.

resulting in the preservation of the existing ground cover of the proposed 20.4 acres open space area.

- g. *(f) 7 - The ARCPUD demonstrates coordinated site development. The development appropriately integrates land uses and housing types, uses compatible architecture, establishes an area of preserved open space, includes an efficient vehicular access and circulation system; and establishes pedestrian a network within the site.*
- h. *(f) 8 - The ARCPUD roadway and infrastructure systems are sized to accommodate the overall service demand of all uses in the development. The roadway and infrastructure systems have been designed to accommodate the adult retirement residents of the community.*
- i. *(f) 9 - The roadway and infrastructure systems are linked to and coordinated with the surrounding off-site public roadways and infrastructure in a manner that is safe, efficient and non-injurious to the public and an improvement or benefit to the public where possible. The development provides two access/egress points with Winthrop Street which is beneficial for access by emergency services vehicles.*
- j. *(f) 10 - The ARCPUD includes appropriate provisions for the ownership and preservation of the required open space. The open space will be owned by the Millstone Village Condominium Trust and protected with a conservation restriction.*
- k. *(f) 11 - The ARCPUD includes appropriate deed restrictions or covenants requiring compliance of all development with the ARCPUD master plan and with any site plans or architectural guidelines or standards. The Millstone Village plan has been reviewed by the Medway Design Review Committee (DRC) and been found to be generally consistent with the Medway Design Review Guidelines.*
- l. *(f) 12 - The Board may require that ARCPUD regulations pertaining to age restrictions and limitations or prohibitions on the presence of mobile homes, trailers, boats, boat trailers or recreational vehicles be made part of the special permit decision. As noted below in Condition #2, this ARCPUD special permit is conditioned on the inclusion of appropriate deed restrictions, by laws or other legal documents that generally limit residency to persons of age 55 or older. Condition #14 limits or prohibits the presence of mobile homes or trailers, boats, boat trailers and recreational vehicles, unless stored inside garages.*
- m. *(f) 12 – The Board may, as a condition of an ARCPUD special permit, require that the land are on which the ARCPUD is located be maintained as one undivided lot and that the lot shall not be subdivided in the future without the express approval of the Board. As noted below in Condition #1, this ARCPUD special permit is conditioned on the prohibition of any further subdivision of any lot without the express approval of the Planning and Economic Development Board.*

- n. (f) *13 The Board may, as a condition of an ARDPUD special permit, require a legal mechanism that will assure that the ARCPUD will not be subdivided or that the ARCPUD will remain as rental housing, or that ownership will remain consolidated.* Since this ARCPUD has been planned to be developed with a condominium form of ownership, it is conditioned to prohibit the further subdivision of any lot or any condominium unit.

DECISION/NOTE

After reviewing the application and all information gathered during the public hearing process, the Medway Planning and Economic Development Board at a duly posted meeting held on _____, voted _____ to _____ an ARCPUD Special Permit to Elite Home Builders, LLC and to _____ the plan entitled ARCPUD - Millstone Village, Town of Medway, Massachusetts prepared by GLM Engineering, last revised February 7, 2014 to develop an 80-unit Adult Retirement Community Planned Unit Development (ARCPUD) subject to the PLAN MODIFICATIONS, CONDITIONS, AND LIMITATIONS listed below and certain WAIVERS from the *Subdivision Rules and Regulations*. This approval is transferable to successors in title of the subject property, or assignees.

Voting Planning and Economic Development Board Member Grant/Not Grant

Thomas A. Gay _____
Matthew J. Hayes _____
Andy Rodenhiser _____
Robert K. Tucker _____
Karyl Spiller-Walsh _____

MODIFICATIONS – Prior to plan endorsement, the Plan and the associated documents shall be further revised to include the additional, corrected, or modified information as specified herein.

Documents

1. The Declaration of Trust for the Millstone Village Condominium Trust shall include the following language: *The construction and operation of the condominium is governed by an ARCPUD Special Permit issued by the Medway Planning and Economic Development Board on _____, a copy of which is available for inspection at the Medway Town Clerk's office.*
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;
 - b. that the affordable units shall be sold to income eligible persons or households that meet the age restriction of the master deed;
 - c. that the local preference criteria for the sale and re-sale of the affordable units shall be in accordance with the Massachusetts Department of Housing and Community Local Initiative Program or other applicable state housing program that provides units that are eligible for inclusion in the Subsidized Housing Inventory; and
 - d. the affordable housing use restriction.

3. The Declaration of Trust for the Millstone Village Condominium shall reference the conservation restriction on Open Space Parcel B to be granted to the Town of Medway in perpetuity acting through its Conservation Commission, for conservation and passive recreation purposes and permitting public access to Open Space Parcel B and the pathways and parking area to be constructed thereon; the maintenance of trails on Open Space Parcel B as provided for herein; the condominium association's ownership of and responsibility for the roadways, open space, trash, snow plowing, stormwater drainage system, sewer system and water system; and the approved Stormwater and Operations Maintenance Plan.
4. The Plan shall be revised to include the following items:
 - a. Street Names and addresses
 - b. Development Phasing Plan
 - c. Cape Cod berm along all streets except that roundings shall be vertical granite curbing
 - d. Modified resource area delineation lines as authorized by the Medway Conservation Commission in its March 27, 2014 action to extend the previously issued Order of Conditions for this site to March of 2015.
 - e. Information regarding off-site improvements, if any.
 - f. Stormwater Operations and Maintenance Plan
 - g. Location of trails and parking area on the Open Space Parcel
 - h. Maintenance plan for the upkeep and care of the Open Space Parcel

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

1. Notwithstanding any future amendment of the Medway Zoning Bylaw, MGL G.L. C.40A or any other legislative act:
 - a. The maximum number of dwelling units to be constructed under this special permit shall be ~~eighty~~. In addition to the dwelling units there shall be one community building as shown on the Plans.
 - b. The tract(s) of land on which this ARCPUD is to be located shall not be altered or used except:
 - 1) as granted by this special permit;
 - 2) substantially as shown on the plan entitled ARCPUD – Millstone Village last revised February 7, 2014 to be modified as referenced herein; and
 - 3) in accordance with subsequent approved plans or amendments to this special permit.
 - c. The tracts of land and buildings comprising Millstone Village shall not be used, sold, transferred or leased except in conformity with this special permit and shall not be further divided.
2. **Age Restriction**
 - a. All units shall be subject to an age restriction limiting occupancy to at least one person who has attained a minimum age of fifty-five years (the “Qualified

Occupant”) and by:

- 1) spouses;
 - 2) persons providing health care services to a Qualified Occupant of such dwelling unit;
 - 3) a child or grandchild of a Qualified Occupant of such dwelling unit, provided that such child or grandchild has attained the age of majority; not more than one person in addition to a spouse, health care provider and child or grandchild as aforesaid, provided that such person has attained the age of majority; and
 - 5) or one other person who has reached the age of majority, or any guest of any age but such guest may only stay for six months in any calendar year;
- b. In the event of the death of the Qualified Occupant(s) of a unit or other involuntary transfer of a unit, a one year exemption shall be allowed to allow for the rental or sale of the unit to another Qualified Occupant(s) (the “Age Restriction”) so long as the provisions of the Housing Laws (defined below) are not violated by such occupancy,
- c. The Age Restriction is intended to be consistent with, and is set forth in order to comply with the Fair Housing Act, 42 USC section 3607, as amended, the regulations promulgated thereunder, 24 CFR Subtitle B, Ch. 1, section 100.300 et seq. and M.G.L. c. 151B, section 4 (the “Housing Laws”). This special permit shall be construed so as to be consistent with federal and state law, and nothing in this special permit shall require or permit the Applicant or its successors or assigns to take any action in violation of federal or state law.

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

3. Phasing Plan

a. The applicant plans to build-out this project in the following phases:

- 1) **Phase I A:**
 - 2, 4, 6 & 8 Sandstone Drive
- 2) **Phase I B:**
 - 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22 & 24 Millstone Drive
 - 17, 19, 21 & 23 Millstone Drive
 - 1, 3, 5, 7 & 9 Cobblestone Drive
 - 2 Cobblestone Drive (Community House)
- 3) **Phase II**
 - 2, 4 & 6 Cobblestone Court
 - 1, 3 & 5 Cobblestone Court
 - 4, 6, 8, 10, 12 & 14 Cobblestone Drive
 - 13 & 15 Cobblestone Drive

4) **Phase III**

- 1, 3, 5, 7, 9 & 11 Millstone Court
- 2, 4, 6, 8, 10 & 12 Fieldstone Court
- 1, 3, 5, 7, 9 & 11 Fieldstone Drive
- 11 Cobblestone Drive
- 2, 4, 6, 8, 10, 12 & 14 Fieldstone Drive
- 28 Millstone Drive

5) **Phase IV**

- 29, 31, 33 & 35 Millstone Drive
- 30, 32, 34 & 36 Millstone Drive

6) **Phase V**

- 1, 3 & 5 Steppingstone Drive
- 2, 4 & 6 Steppingstone Drive

- b. Any adjustments to the phasing plan require approval of the Board

4. **Open Space – Restriction; public access**

- a. The applicant shall convey Open Space Parcel B as shown on the Plan to the Millstone Village Condominium Trust, which shall be responsible for its upkeep and maintenance including the trails, and public parking area.

- b. The conveyance of Open Space Parcel B to Millstone Village Condominium Trust shall be subject to a conservation restriction granted to the Town of Medway in perpetuity, acting through its Conservation Commission, for conservation and passive recreation purposes and permitting public access to Open Space Parcel B and the pathways and parking area to be constructed thereon.

The aforementioned Conservation Restriction shall be reviewed and approved by the Medway Board of Selectmen, the Medway Conservation Commission, and the Secretary of Energy and Environmental Affairs (the Secretary) pursuant to G.L. c. 184, sections 32 and 33, to ensure that the restriction remains enforceable in perpetuity. The Applicant shall file the Conservation Restriction with the Secretary of Energy and Environmental Affairs within 120 days after the Board endorses the Plan of Record. The approved and executed Conservation Restriction shall be recorded at the Norfolk County Registry of Deeds before the Town issues the occupancy permit for the 41st dwelling unit

- d. The applicant's improvements to the Open Space Parcel including trails and parking area shall be completed by: _____

5. **Affordable Housing**

- a. Eight dwelling units within the Millstone Village ARCPUD will be affordable housing units that will comply with the requirements for inclusion in the Subsidized Housing Inventory prepared by the Department of Housing and Community Development (DHCD).
- b. Before the Town issues any building permits for Phase IB buildings, the applicant shall apply to DHCD's Local Initiative Program (LIP) and follow all requirements of LIP to ensure that the eight affordable housing units will be included in the Town's Subsidized Housing Inventory. Prior to submitting the LIP application, the applicant shall meet with the Medway Affordable Housing Committee and Trust regarding the marketing plan and location of affordable housing units.
- c. The eight affordable housing units shall each be subject to a perpetual affordable housing use restriction, in a form acceptable to DHCD, to be recorded at the Norfolk County Registry of Deeds with the deed for each affordable housing unit as required by LIP. Each affordable housing unit shall be sold and resold in accordance with the provisions of the affordable housing use restriction.
- d. The affordable housing units are to be located within the development as required by DHCD for approval of the project's LIP application. The applicant has proposed the interior units of each of the eight duplex townhouse buildings with the following addresses for the affordable housing units: 16 & 22 Millstone Drive (Phase IB); 3 & 9 Millstone Court, 3 & 9 Fieldstone Drive and 4 & 10 Fieldstone Court (all in Phase III). Upon direction by DHCD or request of the Applicant (*without effect to the Subsidized Housing Inventory eligibility*), the Planning and Economic Development Board may permit a change in the locations of the affordable housing units.
- e. The applicant has proposed that the initial Lottery Agent for the initial sales of the affordable housing units be MCO & Associates, Inc. of Harvard, MA or an agent designated by the Planning and Economic Development Board and the designation provided to the owner of record of the ARCPUD land. Any such Lottery Agent must meet the DHCD's experience requirements as determined by DHCD so that the affordable housing units may be counted on the Subsidized Housing Inventory.
- f. DHCD shall oversee the initial sales of the affordable housing units pursuant to the LIP program.
- g. The Board hereby names the Town of Medway Affordable Housing Trust if approved by DHCD as an additional Monitoring Agent for the sale and resale of the affordable housing units.
- h. Other than for the four Phase IA dwelling units (2, 4, 6 & 8 Sandstone Drive) and the Community Center building (2 Cobblestone Drive) no building permits shall be issued for this project until the applicant and the Town of Medway 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 housing units.

- i. Affordable Housing Regulatory Agreement – The Applicant shall prepare or cause to be prepared an Affordable Housing Regulatory Agreement for execution by the Town of Medway, the Massachusetts Department of Housing and Community Development and Elite Home Builders, Inc.(??), or its successors and assigns and recording at the Norfolk County Registry of Deeds. The affordable housing units are subject to the Regulatory Agreement and shall be sold and resold in accordance with its provisions. The Regulatory Agreement shall be fully executed and recorded before the Town issues the occupancy permit for the last unit in Phase IB.

6. Recording of Plans and Documents

- a. The Plan of Record associated with this special permit is ARCPUD – Millstone Village Town of Medway, MA, last revised February 7, 2014, to be further revised as specified herein, prepared by GLM Engineering Consultants, Inc.
- b. No construction shall begin on the site and no building permit shall be issued before the following documents/plans are recorded at the Norfolk County Registry of Deeds:
 - 1) This special permit decision
 - 2) The Plan of Record endorsed by the Planning and Economic Development Board
 - 3) Restrictive Covenant with the Town of Medway (FORM G – *Medway Subdivision Rules and Regulations*).
- c. The following documents which shall be in compliance with the conditions of this decision shall be recorded at the Norfolk County Registry of Deeds prior to the issuance of an occupancy permit for any building on the site.
 - 1) Millstone Village Condominium Master Deed
 - 2) Declaration of Trust of Millstone Village Condominium TrustThe following documents which shall be in compliance with the conditions of this decision shall be recorded at the Norfolk County Registry of Deeds before the Town issues the occupancy permit for the last unit in Phase IB.
 - 1) Affordable housing use restriction in compliance with the requirements of the Massachusetts Department of Housing and Community Development's Local Initiative Program.
- e. The following document which shall be in compliance with the conditions of this decision shall be recorded at the Norfolk County Registry of Deeds prior to the Town's issuance of the building permit for the 41st dwelling unit.
 - 1) Conservation Restriction on Open Space Parcel B granted to the Town of Medway in perpetuity acting through its Conservation Commission for conservation and passive recreation purposes and permitting public access to Open Space Parcel B and the pathways and parking area to be constructed thereon;

- f. The following document which shall be in compliance with the conditions of this decision shall be recorded at the Norfolk County Registry of Deeds prior to the Town's issuance of the last occupancy permit for buildings in Phase IB.
 - 1) Executed Affordable Housing Regulatory Agreement with DHCD, Town Medway and the Applicant.
 - g. Within thirty days of recording, the Applicant or his assign shall provide the Planning and Economic Development Board with a receipt from the Norfolk County Registry of Deeds indicating that all documents have been duly recorded, or supply another alternative verification that such recording has occurred.

7. Drainage/Stormwater Management

- a. Until transferred to the Millstone Village Condominium Trust, the Applicant shall be responsible for keeping the constructed stormwater drainage system in a clean and well-functioning condition, and shall do nothing which would alter the drainage patterns or characteristics as indicated on the Plan approved herein without the express written approval of the Planning and Economic Development Board.
- b. The stormwater drainage system, water and sewer systems shall be maintained by the applicant and its successors and assigns and shall not be dedicated to the Town. It is the intent of the Planning and Economic Development Board and the applicant that these systems not be accepted by Town Meeting.
- c. The applicant shall maintain the stormwater management system in accordance with the following guidelines for the operation and maintenance of the stormwater management system prepared by the applicant's registered professional engineer - *Millstone Village Stormwater Operation, Maintenance and Management Plan*, August 23, 2006, prepared by GLM Engineering.

In the event a management company is engaged, the guidelines shall be incorporated by reference in the management contract. In the event that the Applicant, its successors, or agent fails to maintain the stormwater management system in accordance with the applicable guidelines for operation and maintenance, the Town may conduct such maintenance or repairs as the Town determines in its sole discretion are reasonably necessary, and the Applicant hereby consents to allow the town and its agents, employees and contractors entry onto the Property to implement the measures set forth in such guidelines. In the event the Town conducts such maintenance or repairs, the Applicant shall promptly reimburse the Town for all reasonable expenses associated therewith; if the applicant fails to so reimburse the Town, the Town may place a lien on the site or any unit therein to secure such payment.

8. Wetlands/Streams

- a. On March 27, 2014, the Medway Conservation Commission extended the previously issued Order of Conditions for this development parcel to March 2015. The Commission also voted to refine the resource area delineation lines by using

the more restrictive wetland delineation lines from 2006 and 2013 as shown on drawings prepared by GLM Engineering Consultants, Inc. The Plan of Record shall include the refined resource area boundary lines to reflect the most restrictive boundaries.

- b. Any future plans approved by the Medway Conservation Commission pursuant to an Order of Conditions for this site shall be provided to the Planning and Economic Development Board. If there is any inconsistency between the endorsed ARCPUD – Millstone Village Plan and any plans as may be approved by the Conservation Commission, the Applicant shall submit an amended plan to the Planning and Economic Development Board for approval. Said amended plan shall be accompanied by a letter setting forth a description of any and all changes from the ARCPUD – Millstone Village plan as approved herein and shall include three sets of revised drainage calculations, if applicable.

9. **Scenic Road** - Any construction work, tree clearing, installation of light poles, fences and design features along the Winthrop Street frontage of the Millstone Village ARCPUD shall be completed in accordance with the ~~Set Back Road Work Permit~~ approved by the Planning and Economic Development Board on April 8, 2014 on file with the Medway Town Clerk.

10. **Construction Standards**

- a. Construction shall be completed in accordance with the standards of the Medway ~~Subdivision Rules and Regulations~~ dated April 26, 2005, except for waivers as specified in the applicant's Request for Waivers, dated March 18, 2014 and as further provided as approved herein by the Planning and Economic Development Board.
- b. All aspects of the site and building design shall comply with the requirements of the Massachusetts Architectural Access Board and the Americans with Disabilities Act.
- c. All details shall comply with and reference Mass Highway standards.

11 **Construction Observation/Inspection** - Inspection of the construction of the roadways, infrastructure, stormwater management facilities, water and sewer facilities, site amenities including landscaping, and other utilities by the Town's Consulting Engineer is required. Prior to plan endorsement, the Applicant shall pay a construction observation fee under G.L. c. 14 §53G to the Town of Medway for such inspections. The amount for each phase shall be determined by the Board based on an estimate provided by the Town's Consulting Engineer and shall be paid prior to Plan endorsement. A construction observation account shall be established with the Board. The Applicant shall provide supplemental payments to the Town of Medway, for reasonable construction inspection services, upon invoice from the Board until the road construction and stormwater drainage system are completed, municipal services are installed, and the as-built plan has been reviewed and determined to be satisfactory for filing with the Town.

12. **Right to Enter Property** – Duly authorized agent(s) of the Town of Medway shall have the right to enter upon the common areas of the condominium to ensure continued compliance with the terms and conditions of this special permit.
13. **Ownership/Maintenance of Common Area** - The Board hereby requires that the following aspects of the development shall be and shall remain forever private, and that the Town of Medway shall not have, now or ever, any legal responsibility for operation or maintenance of same:
 - a. All roadways and parking areas
 - b. Stormwater management facilities
 - c. Snowplowing/sanding
 - d. Landscaping
 - e. Trash removal
 - f. Street lighting
 - g. Open Space
 - h. Water
 - i. SewerSuch services shall be the responsibility of the Applicant and the Millstone Village Condominium Trust.

14. Appropriate deed restrictions, by-laws, or other legal documents shall require that mobile homes or trailers, boats, boat trailers and recreational vehicles shall be stored inside garages.

15. **Sidewalk Improvements** - In lieu of constructing 1234 linear feet of sidewalks/curbing along the property's frontage on the west side of Winthrop Street, the applicant shall make a payment of \$11,562 to the Town of Medway Sidewalk Fund prior to the Town's issuance of the first occupancy permit for the development.

16. **Restoration on Construction Activities** – During construction, all local, state and federal laws shall be followed regarding noise, vibration, dust and blocking of town roads. The applicant and its contractors shall at all times use all reasonable means to minimize inconvenience to abutters and residents in the general area. The following restrictions on construction activity shall apply:

- a. Construction shall not commence any day before 7 am and shall not continue beyond 6:00 p.m.
- b. There shall be no construction on any Sunday or legal holiday without the advance approval of the Inspector of Buildings.
- c. Blasting, if necessary, shall be limited to the hours between 9:00 am and 5:00 pm Monday through Friday.

17. **Payment of Balance of Fees/Taxes** - Prior to plan endorsement, the Applicant shall pay the balance of any outstanding plan review services provided by any outside consultants retained by the Board who assisted in the review of this project and any other outstanding expenses, taxes, betterments, charges, obligations or fees due the Town of Medway pertaining to this site. The Applicant shall also pay a fee for construction services to be

provided by outside engineering and legal consultants. The fee shall be established by the Planning and Economic Development Board. The Applicant shall also be current with the Medway Town Treasurer/Collector for all real estate taxes and any penalties and back charges resulting from the non-payment of taxes for all property included in this development.

18. **Performance Guarantee**

- a. *Restrictive Covenant* - Prior to plan endorsement, the applicant shall sign a Restrictive Covenant, to be reviewed and approved by Town Counsel, to secure construction of the roadways, installation of stormwater management facilities, utilities, services, pedestrian facilities/trails/pathways, all site amenities including but not limited to lighting and landscaping, and any off-site improvements, all as shown on the Plan of Record. Reference to the restrictive covenant shall be noted on the cover sheet of the Plan of Record and shall be recorded at the Norfolk County Registry of Deeds.
- b. *Performance Guarantee* - At such time as the Applicant wishes to obtain a building permit for any structure other than the four single family detached homes in Phase 1A (2, 4, 6 & 8 Sandstone Drive) and the Community Center (2 Cobblestone Drive) and the Applicant has completed the minimum infrastructure construction for Phase IB as specified in Section 6.6.3 of the *Subdivision Rules and Regulations*, the Restrictive Covenant may be replaced by one of the types of performance guarantees set forth in G.L. Ch. 41 Section 81U, which method or combination of methods shall be selected and from time to time varied by the Applicant, in a sufficient amount, source and form acceptable to the Planning and Economic Development Board, Treasurer/Collector, and Town Counsel. Such performance guarantee shall secure performance of the construction of the roadways and installation of stormwater management facilities, utilities, services, pedestrian facilities/trails/pathways, all appurtenances thereto, and all site amenities including but not limited to lighting and landscaping, and any off-site improvements all as shown on the Plan of Record. The performance guarantee agreement shall:
 - 1) define the obligations of the developer and performance guarantee company;
 - 2) specify a scheduled date by which the applicant shall complete construction in accordance with the Plan of Record; state that it does not expire until released in full by the Planning and Economic Development Board; and
 - 4) include procedures for collection upon default.
- c. *Amount* - The face amount of the performance guarantee shall be the amount that would be required for the Town of Medway to complete the construction of the roadways and installation of stormwater management facilities, utilities, services, pedestrian facilities/trails/pathways, all appurtenances thereto, and all site amenities including but not limited to lighting and landscaping, as specified in the Plan of Record and any off-site improvements that remain unfinished at the time the performance guarantee estimate is prepared. The estimate shall be based on

unit prices in the latest Weighted Average Bid Prices issued by the MassDOT. The estimate shall also include the cost to maintain the roadways, stormwater management system and other infrastructure in the event the applicant fails to adequately perform such. The estimate shall reflect the cost for the Town to complete the work as a public works project, which may necessitate additional engineering, inspection, legal and administrative fees, staff time and public bidding procedures. In determining the amount of the performance guarantee, the Board shall be guided by the following formula in setting the sum of the security.

- 1) the estimate of the Town's Consulting Engineer of the cost to complete the work; plus
- 2) a twenty-five percent (25%) contingency.

d. *Adjustment of Performance Guarantee* - At the Applicant's written request, the amount of the performance guarantee may be reduced, from time to time, by the Board and the obligations of the parties thereto released by the Board in whole or in part, upon the partial completion of the roadways and infrastructure improvements as defined herein. In order to establish the amount to adjust the performance guarantee, the Town's Consulting Engineer shall prepare an estimate of the current cost for the Town to complete all work as specified in the Plan of Record that remains unfinished at the time the estimate is submitted to the Board. The estimate shall be based on unit prices in the latest Weighted Average Bid Prices issued by the MassDOT. The estimate shall also include the cost to maintain the roadways, stormwater management system and other infrastructure in the event the developer fails to adequately perform such. The estimate shall reflect the cost for the Town to complete the work as a public works project, which may necessitate additional engineering, inspection, legal and administrative fees, staff time and public bidding procedures. The estimate shall also include the estimated cost to produce as-built plans and for project closeout services. In determining the amount of the adjustment of the performance guarantee, the Board shall be guided by the following formula to determine the reduction amount:

- 1) the estimate of the Town's Consulting Engineer of the Town's cost to complete the work; plus
- 2) a twenty-five percent (25%) contingency.

The first request for a reduction of the performance guarantee shall not be made until the applicant has completed the minimum roadway and infrastructure improvements as specified in Section 6.6.3 of the ***Subdivision Rules and Regulations*** for the Phase II area.

The Board shall not approve subsequent requests for a reduction of the performance guarantee until the applicant has completed the minimum roadway and infrastructure improvements as specified in Section 6.6.3 of the ***Subdivision Rules and Regulations*** for the area included in each subsequent Phase.

The applicant shall not make any request for a reduction of the performance guarantee of less than \$100,000 or such lesser amount remaining on the performance guarantee.

- e. Any such surety shall be released by the Planning and Economic Development Board in accordance with the procedures of GL c 41, § 81U.

19. **Neighborhood Relations**

- a. The Applicant shall regularly inform the residents of Winthrop Street and the adjacent neighborhoods (*as listed in the certified list of abutters accompanying the application*) of the construction schedule.
- b. The Applicant shall establish a construction telephone hotline or email contact and inform all parties of interest and all residents in the Winthrop Street and adjacent neighborhoods (*as listed in the certified list of abutters accompanying the application*) of the hotline number or email contact to use for questions, concerns and complaints. The applicant shall reply to such inquiries within a reasonable time.

20. **Timetable for Completion**

- a. This special permit shall lapse in accordance with Section III. D. 2 of the Medway Zoning Bylaw.
- b. A preconstruction conference with the developer, general contractor, Department of Public Services, Police and Fire Departments, the Conservation Agent, the Planning and Economic Development Coordinator, and the Town's Consulting Engineer shall be held prior to the commencement of construction. For the purposes of this decision, "commencement of construction" shall occur when the clearing and grubbing (*removal of stumps and topsoil*) has been initiated. The general contractor shall request such conference at least one week prior to commencing construction by contacting the Planning and Economic Development office. At the conference, a schedule of inspections shall be agreed upon by the developer, the Town's Consulting Engineer and other municipal officials or boards in accordance with Section 6.5 Construction Observation/Inspection of the *Subdivider's Rules and Regulations*. At the pre-construction meeting, the developer shall provide a copy of the final Stormwater Pollution Prevention Plan (SWPP) and a detailed construction schedule.
- c. The Applicant shall construct the roadways and all related infrastructure including the stormwater management system, and install all utilities as shown on the Record Plan, to the satisfaction of the Board, within 5 years of the date of endorsement of the plan, unless extended as provided in subparagraph d below.
- d. A request to extend the completion time limits as specified in Condition 20c must be made in writing to the Board at least thirty (30) days prior to the specified expiration date. The Board herewith reserves its right and power to grant or deny such an extension, to issue any appropriate changes to the special permit, and to require any appropriate modifications of the Plans.
- e. Issuance of Building and Occupancy Permits

- 1) Within each construction phase:
 - a) All the areas designated for construction will be secure with erosion control barriers as shown on the Plan as certified by the Town's Consulting Engineer before any other clearing, grading excavation or construction activities are commenced.
 - b) Sidewalks along streets shall be constructed at the time when the roads or common driveways for the dwelling units are constructed.

2. *Building permits may be obtained for the Phase IA dwelling units facing Winthrop Street (2, 4, 6 & 8 Sandstone Drive) and the Phase IB Community Center (2 Cobblestone Drive) upon completion of the following:*
 - a) the entire Phase IA area and the area around the Community Center have been protected by erosion control barriers per the Plan as certified by the Town's Consulting Engineer.

3. *Occupancy Permits may be obtained for the Phase IA dwelling units facing Winthrop Street (2, 4, 6 & 8 Sandstone Drive) and the Phase IB Community Center (2 Cobblestone Drive) upon completion of the following:*
 - a) the roadway binder course and utility services necessary to serve the four *Phase IA dwelling units* and the *Phase IB Community Center* have been completed;
 - b) the permanent drainage for the roadways servicing the four *Phase IA dwelling units* and the *Phase IB Community Center* from Winthrop Street has been constructed and is operational;
 - c) pedestrian pathways other than along streets have been completed;
 - d) guest parking is completed;
 - e) the Town's Consulting Engineer has issued a letter to the Board that these two requirements have been completed according to the Plan of Record;
 - f) DHCD has approved the project's LIP application;
 - g) the PED office has notified the Building Inspector that occupancy permits may be issued.

4. *Building Permits may be obtained for any Phase IB building upon completion of the following:*
 - a) the entire Phase IB area has been protected by erosion control barriers per the Plan as certified by the Town's Consulting Engineer.
 - b) the roadway binder course and utility services for the Phase IA and Phase IB areas are completed.
 - c) the permanent drainage for the roadway(s) servicing the Phase IA area and the temporary construction drainage for the Phase IB area are completed.
 - d) the Town's Consulting Engineer has issued a letter to the Board that these two requirements have been completed according to the Plan of Record.

- e) the applicant and the Town receive assurance from DHCD equivalent to final approval of the project's LIP application pursuant to 760 CMR56.04 (7), 56.05 (10) (b) regarding the LIP requirements for the affordable dwelling units.
 - f) the PED office has notified the Building Inspector that building permits for Phase IB may be issued.
5. *Occupancy permits may be obtained for the Phase IB dwelling units upon completion of the following:*
- a) the permanent drainage for the roadways servicing the Phase 1B area has been constructed and is operational;
 - b) pedestrian pathways other than along streets have been completed;
 - c) the guest parking areas have been completed;
 - d) the Town's Consulting Engineer has issued a letter to the Board that these requirements have been completed according to the Plan of Record;
 - e) the PEDB office has notified the Building Inspector that an occupancy permit may be issued.
6. *Building permits for the Phase II, III, IV and V dwelling units may be obtained upon completion of the following:*
- a. the entire area of the current phase has been protected by erosion control barriers per the Plan as certified by the Town's Consulting Engineer.
 - b. the roadway binder course and utility services for the current phase are completed.
 - c. the permanent drainage for the roadway(s) servicing the previous phases and the temporary construction drainage for the current phase area under construction are completed.
 - d. the Town's Consulting Engineer has issued a letter to the Board that these two requirements have been completed according to the Plan of Record.
 - e. The PED office has notified the Building Inspector that building permits for the current phase may be issued.
7. *Occupancy permits for the Phase II, III, IV and V dwelling units may be obtained upon completion of the following:*
- a. the roadway binder course, utilities, and sidewalk services in the current and previous phases have been completed.
 - b. the permanent drainage system for the roadway(s) servicing the previous phases and the temporary construction drainage for the current phase under construction are completed and as-built plans of any detention pond have been approved;
 - c. the remainder of the site drainage for that phase, either permanent or temporary, is fully functional;
 - d. the roadways for the current and previous phases in which the building is located have been fully completed up through the

- roadway binder course including street name signs, regulatory signs, and stop lines;
- e. pedestrian pathways have been completed;
 - f. guest parking areas have been completed.
 - g. the Town's Consulting Engineer has issued a letter to the Planning and Economic Development Board that these actions have been completed according to the plans; and
 - h. The PED office has notified the Building Inspector that an occupancy permit may be issued.
 - i. In no event shall an occupancy permit for the last five market rate dwelling units be issued before the total of eight affordable dwelling units are completed and consider occupancy permit ready by the Building Inspector.

21. **Modifications** – No modification shall be made to Plan of Record and development without modification of this special permit or as set forth herein. The approval of the Planning and Economic Development Board under then applicable zoning bylaw requirements shall be required for any modification of the decision or record plans, whether substantial or insubstantial. The Board reserves its right and power to modify or amend the Plan of Record and the terms and conditions of this special permit upon request of the Applicant, his designees or assigns. It shall be within the Board's sole discretion to determine whether any proposed modification is substantial or insubstantial and what constitutes such. Substantial modifications shall be subject to the same standards and procedures applicable to the original application for this special permit. The Board may authorize insubstantial modifications without a public hearing. If the Applicant petitions for amendments to the Plan of Record or this special permit, the applicant must submit all plans and information to the change as required by the applicable *Rules and Regulations*.
22. **Project Completion** – Upon completion of all work, and prior to the release of the last \$40,000 of performance guarantee, the following items shall be completed to the Board's satisfaction:
- a. *As-Built Plans* – The Applicant shall prepare and provide as-built plans of the roadways, utilities and other infrastructure prepared in accordance with the *Subdivision Rules and Regulations* in effect at the time the as-built plans are submitted, to the satisfaction of the Board. The Applicant shall provide the final as-built plan in electronic format. The Applicant shall pay any reasonable associated costs, as may be determined by the Board of Selectmen, to update the Medway GIS/ Assessor's maps relative to this development.
 - b. *Engineer's Certification* – The Applicant shall provide written certification from a Professional Engineer registered in the Commonwealth of Massachusetts that all roadway and infrastructure work was constructed and completed in substantial compliance with the Plan of Record.
23. **Enforcement** - The Town of Medway may elect to enforce compliance with this Special Permit using any and all powers available to it under the law.

LIMITATIONS – Other approvals or permits required by the Zoning Bylaw, Medway General Bylaws, or other governmental boards, agencies or bodies having jurisdiction shall not be assumed or implied by this Special Permit Decision.

WAIVERS – The Planning and Economic Development Board’s *ARCPUD Rules and Regulations* provide that the Construction Standards for ARCPUD projects shall be those as specified in the Medway Planning Board’s *Subdivision Rules and Regulations*, dated April 26, 2005. The Applicant’s *Request for Waivers*, dated _____ prepared by GLM Engineering was reviewed by the Planning and Economic Development Board during a duly called and properly posted public hearing on March 25, 2014.

On _____, a motion was made by _____ and seconded by _____ to _____ the Applicant’s *Request for Waivers*. The motion was _____ by a vote of _____ in favor and _____ opposed. Waivers from the following sections of the *Subdivision Rules and Regulations* were approved:

ARCPUD RULES & REGULATIONS

SECTION 303 – Standards for ARCPUD Plan Preparation - 2D. *All existing and proposed elevations shall refer to the North American Vertical Datum of 1099 (NAVD88).*

FINDINGS – The applicant requests to use NGVD 1929. The adjacent wetland has a 100 year flood study associated with it that is based on the NGVD 1929.

SUBDIVISION RULES & REGULATIONS

SECTION 7.7.4. (b) – Stormwater Management Construction – *All drain pipes except sub-drains shall be Class IV reinforced concrete pipe.*

FINDINGS – The applicant proposes to use corrugated plastic pipes. The life expectancy of plastic piping is greater than the reinforced concrete pipe. As this development will be permanently private, there is no compelling public reason to require the use of the concrete piping.

SECTION 7.9.2 – Streets and Roadways – Alignment b) *The minimum horizontal centerline radii of a local street, neighborhood street or permanent private way shall be one hundred fifty feet (150’).*

FINDINGS – There are five locations where the centerline radii are less than the 150 foot minimum required:

- Road A Station 4+87 – 111 foot radius;
- Road B Station 3+42 – 136 foot radius
- Road C Station 4+79 – 75 foot radius
- Road D Station +93 – 33 foot radius
- Road D Station 1+55 – 33 foot radius

These alternative radii are particular to this project and the design of the overall site layout. The layout aligns itself with existing site features to be preserved, i.e. wetlands, open fields, etc.

SECTION 7.9.2 – Street and Roadways – Alignment d) *Property lines at a street intersection shall be rounded or cut back to provide a property line radius of twenty-eight feet (28'), or for a curb radius of not less than forty feet (40'), whichever is more stringent.*

FINDINGS – The applicant proposes to have 30' paved roundings at the intersections in order to reduce the total amount of impervious surfaces. The applicant has demonstrated that a truck can enter and exit at all intersections.

SECTION 7.9.2 Street and Roadways – Alignment e) *The Board prefers curvilinear (road) alignments as opposed to long straight tangents. No tangent length shall exceed three hundred feet (300') unless authorized by the Board due to individual site factors such as topography, soil conditions, wetland locations, etc.*

FINDINGS - The applicant proposes to have two locations with a tangent length greater than 300 feet. On _____, it is 42 ft. longer; on _____ it is 20 feet longer. These alternative alignments preserve existing site features.

SECTION 7.9.5 Street and Roadways – Grade a) *The minimum centerline grade for any street shall not be less than two percent (2%).*

FINDINGS – The applicant proposes a minimum grade of 1.5%. This is to blend the proposed roadway with the existing contour. It minimizes cuts and fills.

SECTION 7.9.6 Streets and Roadways – Dead-End Streets e) *Turnarounds shall be designed as a cul-de-sac with a perimeter of 100 feet and shall include a 24' diameter center landscaped island or as a hammer-head or T-shaped turnaround.*

FINDINGS – The diameter of the proposed cul-de-sac turnaround is 90 feet to reduce the extent of impervious surface.

SECTION 7.9.7 Streets & Roadways – Roadway Construction g) – The minimum widths of the road pavement shall be 26 feet for a Local Street.

FINDINGS – The applicant proposes 16 foot wide common driveways and 22 foot wide two way roadways. The 22' conforms to the ARCPUD bylaw. The reduced pavement width will provide less impervious surfaces.

SECTION 7.13.2 Sidewalks – Sidewalks shall extend the full length of the street and around the entire perimeter of the cul-de-sac, with pedestrian ramps at both ends and shall have the following dimensions for a local street – 6’ wide sidewalk

FINDINGS – The plans show a 5 foot wide sidewalk with a 5 foot wide grass strip. This was done to reduce impervious surfaces. A 6’ wide sidewalk is needed when the Town will be plowing due to the size of the Town’s equipment. As this development will have privately owned sidewalks, this regulation is not applicable.

SECTION 7.10.2 - Curbing – Curbing shall be provided the full length of all streets along each side of the roadway. Curbing on local streets is specified as sloped granite edging.

FINDINGS – This is a private project that will be privately maintained. The Town will not be responsible for replacing the curbing if it becomes damaged. Vertical granite curbing will still be used on the roundings, which are the sections most vulnerable to damage from plowing or other causes.

MITIGATION - to be determined, if anything.

APPEAL - Appeals, if any, shall be made pursuant to Section 17 of Chapter 40A of the Massachusetts General Laws, as amended, and shall be filed within twenty days after the date of filing of this Decision in the Office of the Town Clerk.

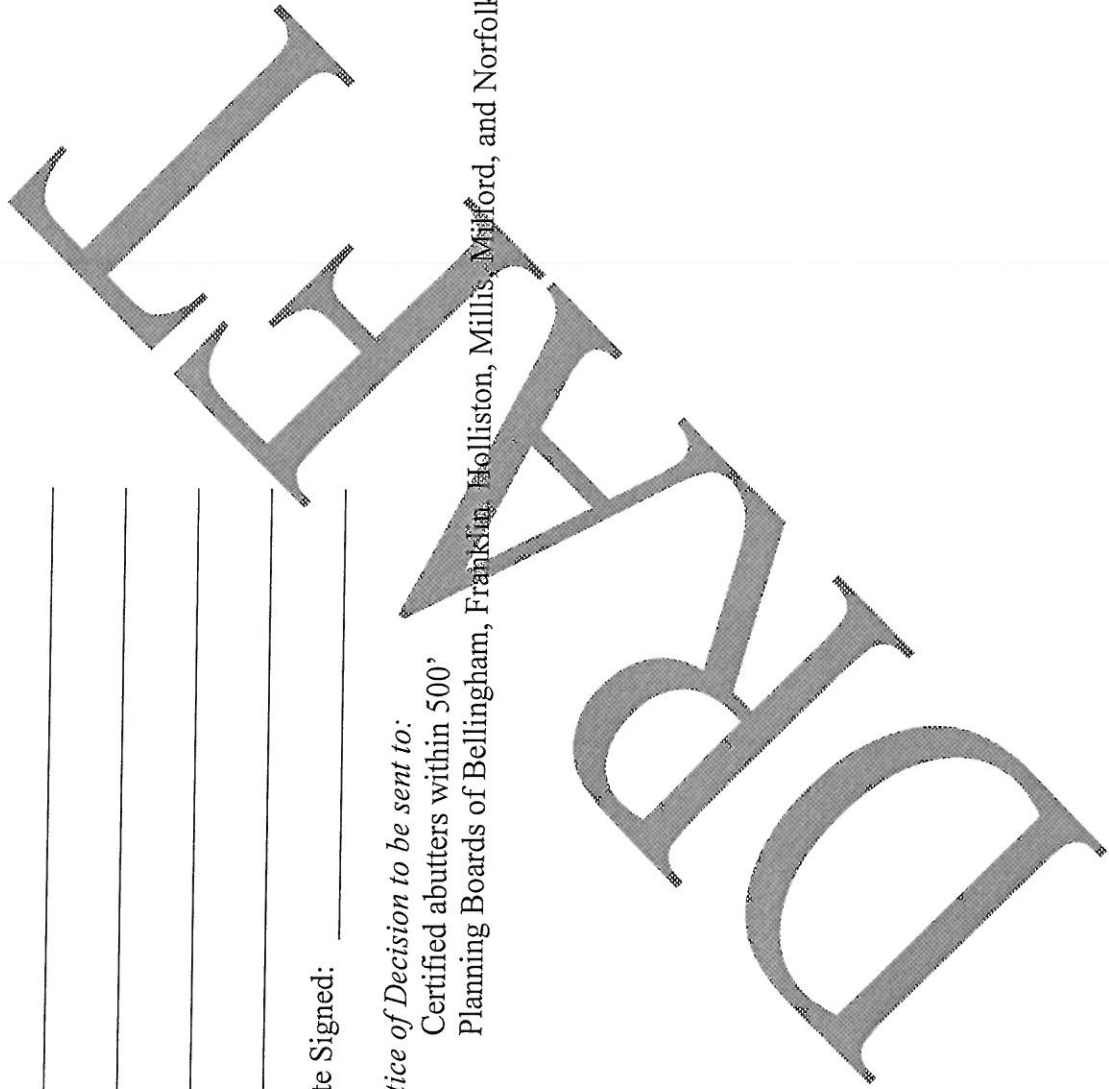
After the appeals period has expired, the Applicant shall obtain certified notice from the Town Clerk that no appeals have been made. Said notice must be filed with the Registry of Deeds with this Decision. The Applicant shall provide documentation of such recording to the Town Clerk and the Planning and Economic Development Board.

MEDWAY PLANNING AND ECONOMIC DEVELOPMENT BOARD

On _____, the following members of the Medway Planning and Economic Development Board voted to grant an ARCPUD Special Permit subject to the above-stated conditions limitations, waivers and mitigation measures.

Date Signed: _____

Notice of Decision to be sent to:
Certified abutters within 500'
Planning Boards of Bellingham, Franklin, Holliston, Millis, Milford, and Norfolk





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

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

REVISED DRAFT – June 10⁶, 2014

SPECIAL PERMIT DECISION

**Millstone Village Adult Retirement Community Planned Unit Development
(ARCPUD)**

APPLICANT: Elite Home Builders, LLC
PO Box 1205
Westborough, MA 01581

PROPERTY OWNER: Betty Ann McCall Vernaglia
12 Partridge Street
Medway, MA 02053

LOCATION: 129 R Lovering Street

ASSESSOR'S REFERENCE: 20-004

ZONING DISTRICT: Agricultural Residential I

ENGINEER: GLM Engineering
19 Exchange ST
Holliston, MA 01746

SURVEYOR: GLM Engineering
19 Exchange ST
Holliston, MA 01746

ARCHITECT: HPA Design, Inc.
200 Stonewall Boulevard
Wrentham, MA 02093

PLAN: Millstone Village ARCPUD
October 15, 2013, last revised February 7, 2014
Prepared by GLM Engineering.

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

DESCRIPTION of PROPOSED PROJECT

The application was filed under the Adult Retirement Community Planned Unit Development section of the Medway Zoning Bylaw (SECTION V. Use Regulations, Sub-Section U.) The subject property, a 51 acre site, is located at 129 R Lovering Street, between 63 and 81 Winthrop Street, south of Lovering Street and across from Clover Lane in the ARI zoning district (the site). The site is presently owned by Betty McCall-Vernagli of Medway, MA.

Elite Home Builders, LLC (“Applicant”; as used herein, “Applicant” will also refer to the Applicant’s successors and assigns) proposes to construct a condominium development on the site, to be known as Millstone Village, consisting of 80 condominium dwelling units in 53 buildings, which shall be age restricted; 3,270 linear feet of privately owned roadway (Millstone Drive and Millstone Court, Cobblestone Drive and Cobblestone Court, Fieldstone Drive and Fieldstone Court, Steppingstone Drive and Sandstone Drive); sewage and water service; drainage/stormwater management facilities; 20.4 acres of dedicated open space; paved sidewalks; walking trails/paths; a community house; and associated parking and landscaping. Site access and egress will be from Winthrop Street, a Medway Scenic Road.

The 80 condominiums will be comprised of 45 townhouse type residences constructed in groups of two or three units and 35 detached single family houses. The dwelling units range in size from 1600 to 2300 sq. ft. Each dwelling will have a 2 car garage plus 2 additional driveway parking spaces. Another 42 off-street parking spaces will be provided for visitors and guests. Eight dwelling units will be available for sale to low or moderate income household and comply with the requirements for inclusion in the Subsidized Housing Inventory prepared by the Department of Housing and Community Development pursuant to Massachusetts General Laws, Chapter 40B, §§20-23 (the “affordable housing units”).

The open space parcel identified on the Plan as Parcel B (888,791 sq. ft./20.40 acres) will be owned by the Millstone Village Condominium Trust and protected through a conservation restriction granted to the Town of Medway, acting through its Conservation Commission, for conservation and passive recreation purposes and permitting public access to the land, pathways and parking area to be constructed thereon.

HISTORICAL BACKGROUND

The proposed development substantially in its present configuration (*but without a community building*) was previously approved by the Planning and Economic Development Board in 2007 on the application of Barberry Homes. The applicant withdrew the application and the project was not constructed.

PROCEDURAL BACKGROUND – Current Application

The application for an Adult Retirement Community Planned Unit Development (ARCPUD) special permit was filed with the Planning and Economic Development Board (the Board) and the Town Clerk on November 18, 2013. The application package consisted of:

- ARCPUD Special Permit Application dated October 15, 2013
- Plan entitled ARCPUD – Millstone Village, Medway, Massachusetts, dated October 15, 2013 prepared by GLM Engineering of Holliston, MA

- a certified abutters list
- the associated stormwater drainage report prepared by GLM Engineering
- an application for street names; and
- documents from the previously approved Daniels Village ARCPUD from 2006 and 2007 – Certificate of Action, Scenic Road Work Permit, and waiver requests.

A public hearing was scheduled for January 14, 2014. Notice of the public hearing was published in the *Milford Daily News* on December 30, 2013 and January 6, 2014. Notices were sent by certified mail to abutters, parties of interest and the Planning Boards of all adjacent towns on December 26, 2013.

An email memo from the Planning and Economic Development Board dated December 20, 2013 was sent to the Building Commissioner, Board of Health, Conservation Commission, Design Review Committee, Police Chief, Fire Chief, and Department of Public Services. The memo noted that the public hearing was scheduled to begin on January 14, 2014 and requested plan review comments.

The Board convened the public hearing on January 14, 2014. The public hearing was continued to February 25, March 25, April 8, April 29, May 13, May 27, June 10 and [REDACTED] when the public hearing was closed. At the public hearing, comments were received from the general public, municipal boards and/or departments, and the Planning and Economic Development Board's consultants including Tetra Tech, the Town's Consulting Engineer; PGC Associates, the Town's Planning Consultant; the applicant and GLM Engineering. All persons in attendance were provided the opportunity to comment and present evidence. All members voting on this Special Permit were present at all sessions or provided a Mullins Rule certification when absent.

All matters of record were available for public review in the office of the Planning and Economic Development Board and the Town Clerk for all times relevant thereto.

NOTE - The Applicant filed with the Medway Zoning Board of Appeals an application for a use variance as authorized by Section III.D.3 of the Town of Medway Zoning Bylaw ("Bylaw") from the provisions of Section V.U.4(c) (1) of the Bylaw, so as to allow the proposed ARCPUD with up to twenty (20%) percent of the units to be not age-restricted. At its June 4, 2014 meeting, the Medway Zoning Board of Appeals voted to not approve the requested relief.

EXHIBITS - PLANS AND DOCUMENTS

The following exhibits were submitted for the Board's review and deliberations at the time of application.

1. ARCPUD – Millstone Village, Medway, MA plans prepared by GLM Engineering, dated October 15, 2013.
2. Drainage Calculations for Millstone Village in Medway, MA dated October 15, 2013, prepared by GLM Engineering Consultants, Inc.
3. Street Naming Application and submittal letter dated October 15, 2013 prepared by GLM Engineering Consultants

Subsequent to the application package, the applicant submitted the following additional items.

1. Traffic Impact and Access Study – Proposed Millstone Village, Medway, MA; prepared by MS Transportation Systems, Inc., October 2006
2. Supplemental Stormwater Compliance Documents for Millstone Village, prepared by GLM Engineering Consultants, Inc., February 5, 2014
3. Request for Waivers prepared by GLM Engineering, Inc., March 18, 2014
4. Letter from GLM Engineering dated February 7, 2014 in response to January 2014 plan review letters from the Board’s consultants - David Pellegrini, Tetra Tech and Gino Carlucci, PGC Associates
5. Revised Millstone Village ARCPUD Plan prepared by GLM Engineering, revised date February 7, 2014.
6. Letter from GLM Engineering to Medway Water/Sewer Superintendent Robert Donahue re: sewer capacity.
7. Letter dated January 31, 2014 from applicant Julie Venincasa informing the PEDB of the applicant’s intention to petition the Medway Zoning Board of Appeals to allow up to 20% of the dwelling units to be sold to households who do not have at least one resident over the age of 55.
8. Scenic Road Work Permit application dated March 4, 2014.
9. Proposed Stone Wall/Entry elevation plan dated February 11, 2014 from Paul Apkarian Architects, Inc.
10. Revised Planting Plan dated March 11, 2014 prepared by Cosmos Associates and GLM Engineering.
11. Scenic Road Work Permit approved by the Board on April 8, 2014
12. Price Quote for Solar Powered Driver Speed Feedback Sign for Winthrop Street.
13. Development Phasing Plan prepared by GLM Engineering.
14. Application to the Zoning Board of Appeals for variance as authorized by Section III.D.3 of the Town of Medway Zoning Bylaw (“Bylaw”) from the provisions of Section V.U.4(c)(1) of the Bylaw, so as to allow an Adult Retirement Community Planned Unit Development with up to twenty (20%) percent of the units to be not age-restricted.

PUBLIC HEARING TESTIMONY & EVIDENCE

Written Comments/Review Letters/Verbal Testimony from Town of Medway Departments, Boards, Committees and Consultants

- Plan Review Letter dated January 8, 2014 – Gino Carlucci, PGC Associates
- Plan Review Letter updated February 21, 2014 – Gino Carlucci, PGC Associates
- Plan Review Letter dated January 10, 2014 – David Pellegrini, Tetra Tech
- Plan Review Letter updated February 2014 – David Pellegrini, Tetra Tech
- Email Communication dated March 24, 2014 – Michael Hall, Tetra Tech
- Memorandum dated January 9, 2014 from Medway Conservation Agent Patty Barry

- Plan review letter dated January 10, 2014 from Matthew Buckley, chairman of the Medway Design Review Committee
- Memorandum dated January 13, 2014 from Medway Community Housing Coordinator Douglas Havens.
- Email communication dated March 6, 2014 from Medway DPS Director Thomas Holder forwarding a March 6, 2014 email from Liz Schreiber communicating that the Charles River Pollution Control District will accept the sewage flow generated by Millstone Village
- Memorandum dated March 10, 2014 from Medway Community Housing Coordinator Douglas Havens.
- Sidewalk construction cost estimate dated March 10, 2014 from Tetra Tech.
- Memorandum dated March 25, 2014 from Fred Sibley, Medway Assistant Tree Warden, regarding the scenic road work permit application.
- Plan review status report dated March 24, 2014 from Matthew Buckley, chairman of the Medway Design Review Committee
- Jeff Lynch, Medway Fire Chief - January 14, 2014
- Missy Dzikczek, Council on Aging Director – January 14, 2014
- Matthew Buckley, Chairman of the Medway Design Review Committee – January 14, 2014
- Douglas Havens, Medway Community Housing Coordinator – January 14, February 25, March 25, 2014 meetings.
- Memorandum dated February 19, 2014 from Susan Affleck-Childs, Planning and Economic Development Coordinator re: status of scenic road work permit.
- Memo from Doug Havens, Community Housing Coordinator, dated January 13, 2014.
- Email dated April 4, 2014 from Bridget Graziano, Interim Conservation Agent re: the Conservation Commission's vote to grant a one year extension of the DEP #216-735 Order of Conditions (which had been granted to the previous ARCPUD applicant for this site).
- Plan Review Memorandum dated April 27, 2014 from Sergeant Jeff Watson.

Professional Commentary during the Public Hearings

- Rob Truax, GLM Engineering
- David Pellegri, P.E., Tetra Tech
- Gino Carlucci, AICP, PGC Associates
- Attorney Alex Parra for the applicant

Applicant (Elite Home Builders, Inc.) Commentary

- Julie Venincasa
- Steve Venincasa
- Leonardo DaSilva

Citizen/Abutter Commentary

- Steven Kadlik, 2 Clover Lane
- Frank Glass, 74 Winthrop Street
- Laura Bockoven, 1 Iarussi Way
- Karen Linstrom, 3 Iarussi Way

Other Commentary

- Letter dated March 13, 2014 from Sue Rorke, MetroWest Center for Independent Living

FINDINGS

To make its findings, decision, and conditions of approval, the Board carefully reviewed the Plan, and all the materials, studies and documentation presented by the applicant, the Board's consultants, letters and testimony from Town officials and boards, together with the comments and correspondence of abutters and members of the public, and carefully analyzed the general purpose of the ARCPUD provisions of the Zoning Bylaw and its specific requirements and standards, as well as the requirements of Section 9 of Chapter 40A of the Massachusetts General Laws specifically relating to special permits. On [REDACTED], the Board voted _____ to

make the following **FINDINGS** regarding this application in accordance with the Medway Zoning Bylaw, SECTION V. USE REGULATIONS, Sub-Section U. Adult Retirement Community Planned Unit Development.

1. The Board finds that the Millstone Village ARCPUD will be in harmony with the general purpose and intent of the Bylaw since it is located within the AR-I district and meets the purposes of the Adult Retirement Community Overlay District section of the Zoning Bylaw as noted more specifically below.
 - a. The project is a master planned community providing 80 condominium dwelling units to help accommodate Medway's growing active adult (+55) and senior citizen population by providing alternative housing opportunities other than the conventional single family detached home.
 - b. The development provides 45 townhouse type units which are not allowed by right in the underlying AR-I zoning district. This helps meet the needs of the senior citizen population by offering a greater variety of housing types than is customarily provided in Medway. The condominium form of ownership reduces the maintenance burden on senior citizens associated with ownership of a single family home in a conventional subdivision.
 - c. The project uses creative and innovative site planning to preserve Medway's limited land resources. Wetland resource areas are protected. By clustering the residential construction on the interior portion of the site, the remaining 888,791 sq. ft. /20.4 acres, or 40% of the 51.02 +/- acre parcel shall become permanent, protected open space. The open space is located adjacent to Lovering Street. An additional 65,000 +/- sq. ft. of land within the developed portion of the site will be used for designated, but unprotected open space as well.

- d. A sense of neighborhood and high quality design aesthetic has been achieved. Building architecture for the townhouses and single family homes reflects New England character. Walking paths interconnect throughout the development.
 - e. The project helps preserve Medway's rural character by limiting the impact of potentially numerous access roadways on Winthrop Street, a Medway Scenic Road.
 - f. The project will provide 8 affordable housing units to eligible purchasers in compliance with the requirements for inclusion in the Subsidized Housing Inventory prepared by the Department of Housing and Community Development.
2. Subject to the conditions below, the Board finds that the Millstone Village ARCPUD complies with the **General Standards** of SECTION V., Sub-Section U, 4. (c). These requirements include, but are not limited to, the following:
- a. *(c) 1 – All dwellings in an ARCPUD shall be subject to an age restriction described in a deed/deed rider, restrictive covenant, or other document approved by the Planning and Economic Development Board that shall be recorded at the Registry of Deeds.* The dwellings within the Millstone Village ARCPUD will be subject to an age restriction limiting occupancy to at least one person who has attained a minimum age of fifty-five years and by: (i) spouses and/or persons providing health care services to a qualified owner of such Unit, (ii) a child or grandchild of a qualified occupant of such Unit, provided that such child or grandchild has attained the age of majority, and (iii) not more than one (1) person in addition to a spouse, health care provider and child or grandchild as aforesaid, provided that such person has attained the age of majority, or any guest of any age but such guest may only stay for six months in any calendar year.
 - b. *(c) 2 – An ARCPUD shall be on a site that is a minimum of ten (10) acres in area.* The Millstone Village site consists of multiple, contiguous lots that in aggregate total 51.01 acres.
 - c. *(c) 3 - The ARCPUD shall include at least one of the adult retirement community residential uses as defined in Section II of the Zoning Bylaw and may be developed in multiples phases.* The Millstone Village ARCPUD consists of “Independent Living Residence Facilities” provided in the form of a condominium community comprised of 45 attached townhouses and 35 detached single family homes on one building lot – Parcel A. The applicant has indicated the development will be constructed in five phases.
 - d. *(c) 4 – Upon approval of the Planning and Economic Development Board, an ARCPUD may also include Local Convenience Retail use of no more than 7,500 sq. feet of gross building area.* No Local Convenience Retail is proposed so this requirement is not applicable.
 - e. *(c) 5 – Upon approval of the Planning and Economic Development Board, an ARCPUD may include an ARCPUD Community Center intended for the use*

and benefit of the ARCPUD residents. A 2,400 sq. ft. community center is proposed which does not exceed 10% of the gross building floor area to be constructed for the 80 residential dwelling units. The Community Center will be owned and maintained by the Millstone Village Condominium Trust pursuant to as specified in Condition #1(a) herein.

- f. (c) 6 – *The maximum number of permitted housing units in an ARCPUD shall be determined by multiplying the gross acreage of the ARCPUD site by a factor of three (3.0).* The plan shows a development of 80 residences on 51.01 acres. Considering the entire site, 153 units would be the maximum possible number of dwelling units allowed at 3 units per acre. For Parcel A alone, the maximum allowed would be 91 units.
 - g. (c) 7 – *When an ARCPUD is within more than one base zoning district, applicable use standards will be based on the percentage of acreage in each district.* The Millstone Village ARCPUD is located entirely within the ARI zoning district, so this requirement is not applicable.
 - h. (c) 8 – *The maximum number of permitted housing units within all permitted ARCPUD developments in the Town of Medway shall be limited to a number equal to ten percent (10%) of the existing detached single-family residential housing units (excluding ARCPUD units) located in the Town of Medway.* Per the Medway Board of Assessors, there were 5,246 detached single-family residential housing units in the Town of Medway on January 1, 2014. With the maximum 10% rule, that would allow for no more than a total of 527 ARCPUD units in Medway. There are presently no other adult retirement communities in Medway. The total of 80 proposed ARCPUD dwelling units for Millstone Village is well under Medway’s 10% threshold.
 - i. (c) 9 – *At least 10% of the total number of ARCPUD residential dwelling units, rounded up to the next higher integer, shall be designated and made available as Affordable Housing Units as defined in the Zoning Bylaw.* The applicant has agreed and the decision includes Condition #5 that 8 of the 80 (10%) of the dwelling units will be designated as affordable housing units.
3. Subject to the conditions below, the Planning and Economic Development Board finds that the Millstone Village ARCPUD complies with the **Open Space Standards** of SECTION V. USE REGULATIONS, Sub-Section T. 4. (d). These requirements include, but are not limited to, the following:
- a. *A minimum of 40% of the total land area of the ARCPUD site shall be set aside and maintained as open space.* The plan shows the total open space land area to be 20.4 acres, which is 40% of the 51.01 acre site.
 - b. (d) 1 – *Community buildings, median strips, landscaped areas within parking lots, or lawn/landscaped areas on individual home sites or impervious areas for the open collection and management of storm water shall not be counted as part of the required ARCPUD open space.* The required open space area is comprised of one parcel and does not include any of the above noted items.

- c. (d) 2 - A minimum of 40% of the required open space shall be suitable for passive and/or active recreation purposes. Approximately 11.3 acres of the provided open space are suitable for passive and/or recreation purposes. Pursuant to the zoning bylaw standard, the minimum required open space area suitable for passive and/or recreation purposes is 8.16 +/- acres and thus, the open space area proposed for passive and/or active recreation purposes is 131% of what the zoning bylaw requires. Walking trails are among the amenities on this portion of the open space.
- d. (d) 3 - A minimum of 50% of the required open space shall be preserved in its natural, pre-development condition. Except for the walking trails to be installed, close to 100% of the provided open space is to be preserved in its natural state. Pursuant to the Zoning Bylaw standard, the minimum required open space area to be preserved in its natural state is 10.2 acres (50% of the open space parcel) and thus, the open space area proposed to be preserved in its natural state is approximately 200 % of what the zoning bylaw requires, except for the trails.
- e. (d) 4 – Wetlands resource areas as defined by M.G.L., Chapter 131, shall comprise not more than 50% of the required ARCPUD open space area. Wetlands resource areas constitute 9.1 acres or 44.6% of the required open space area.
- f. (d) 5 - The required open space shall be contiguous. The 20 acre open space parcel functions as one large square area immediately to the north of the Development Parcel A. The open space is bisected by utility easements which run from the northeast to the southwest corners.
- g. (d) 6 – To the greatest extent possible, the required open space area should establish a network of open space within the site. The Millstone Village open space runs from Winthrop Street deep back into the parcel all the way to its western boundary. The open space is traversed with walking paths that interconnect with sidewalks serving the housing units. ~~The trails will link with adjacent open space to the west from the Evergreen Meadow OSRD project which has been conveyed to the Town of Medway acting through its Conservation Commission.~~
- h. (d) 7 - A minimum of 50% of the required ARCPUD open space shall be set aside permanently as Protected Open Space. An area of 888,791 sq. ft. / 20.4 acres is proposed to be set aside as Protected Open Space. Pursuant to the zoning bylaw standard, the minimum required open space area to be set aside permanently as Protected Open Space is 10.2 +/- acres and thus, the open space area proposed to be set aside as Protected Open Space is 200% of what the zoning bylaw requires. The Protected Open Space will be subject to a conservation restriction granted to the Town of Medway, acting through its Conservation Commission, in perpetuity for conservation and passive recreation purposes and permitting public access to the land, pathways and parking area to be constructed thereon. The parking area shall be gravel and contain sufficient area for five (5) parking spaces and shall be accessed from the public way.

Commented [AC1]: There is no linkage.

- i. (d) 8 – Drainage facilities shall not be located in the open space areas. There are no detention/retention basins located within the open space areas.
 - j. (d) 9 – Open space shall be laid out to provide eco-corridors and other areas identified for open space preservation. The open space is laid out to provide an eco-corridor by connecting to open space area to the west in the Evergreen Meadow OSRD project. No land within 50 feet of a dwelling unit is counted as open space.
 - k. (d) 10 – Applicant must provide a written program describing how the open space will be maintained in perpetuity to standards satisfactory to the Planning and Economic Development Board. All open space areas including the Common Areas and the Open Space Parcel B shall be owned and maintained by the Millstone Village Condominium Trust. The Condominium Trust documents shall require that the Open Space Parcel B and the walking trails provided thereon shall be maintained in a manner suitable for passive recreational uses, which maintenance shall be the responsibility of the Condominium Trust.
4. Subject to the Conditions below, the Board finds that the Millstone Village ARCPUD complies with the **Site Development Standards** of SECTION V, Sub-Section T. 4. (e). These requirements include, but are not limited to, the following:
- a. (e) 1 - The contiguous lots on which an ARCPUD is located shall have a minimum of 250 linear feet of frontage on an existing public way. The proposed Millstone Village ARCPUD contiguous lots have 495 feet of frontage on Winthrop Street.
 - b. (e) 2- Each building in the ARCPUD shall either face an existing street or a public or private way constructed within the ARCPUD. Four single family residences will face Winthrop Street (2, 4, 6, & 8 Sandstone Drive). The remaining units will face at least one of the five private ways to be constructed in the development.
 - c. (e) 3 – Each building in the ARCPUD shall have a minimum front yard of not less than twenty feet (20') from the edge of the paved way and a side yard of not less than ten feet (10'). As shown on the 2-7-2014 Plan, all Millstone Village ARCPUD buildings have a 20.5' front yard setback and a 20.5' side yard setback from the edge of the paved way to the closest point of the structure. Provided that Applicant complies with the applicable setback provisions of SECTION V. T. 4 (e) 3, the location of the actual buildings may be altered. Final house locations shall be shown on the as-built plans.
 - d. (e) 4 – Each building in the ARCPUD shall be set back a minimum of fifty feet from the ARCPUD's perimeter lot line. As shown on the 2-7-2014 Plan, each building in the Millstone Village ARCPUD is more than 50' from the site's perimeter property line. Provided that Applicant complies with the applicable provisions of SECTION V. T. 4 (e) 4, the location of the actual buildings may be altered. Final house locations shall be shown on the as-built plans.

- e. *(e) 5 – Each building in the ARCPUD shall be set back a minimum of fifty feet (50') from the right of way line of any public way. Each Millstone Village ARCPUD building is set back a minimum of 50' from the right-of-way line of a public way (Winthrop Street).*
- f. *(e) 6 – In an ARCPUD Residential Subdivision, each Home Site lot shall be a minimum of 6,000 square feet of area and meet the upland and lot space requirements of the Zoning Bylaw. This is not applicable as none of the dwelling units are in an ARCPUD residential subdivision.*
- g. *(e) 7- There shall be no minimum standards for internal lot line setbacks unless required by the Planning and Economic Development Board. The Board finds that there is no need for internal lot line setbacks within the Millstone Village ARCPUD.*
- h. *(e) 8 - A minimum of two (2) off-street parking spaces shall be required for each dwelling unit. For each dwelling unit there are two parking spaces in the garage and two parking spaces in the driveway. In addition, there are 42 off-street parking spaces for guests and visitors.*
- i. *(e) 9 – A minimum of one (1) off-street parking space is required for each 500 sq. ft. of gross building area occupied by a local convenience use. Since there is no Local Convenience Retail use proposed, this parking requirement is not applicable.*
- j. *(e) 10 - All two way roadways serving more than one dwelling shall be a minimum paved width of twenty-two feet. The paved width of a one-way roadway may be less than 22 feet if approved by the Planning and Economic Development Board. All roadways that service more than one dwelling are proposed to have a minimum paved width of twenty-two feet.*
- k. *(e) 11 - All roadways, driveways and parking areas shall be maintained by the applicant, developer of the ARCPUD, its assigns, or owners and their agents. The roadways, common driveways and parking areas shall be owned and maintained by the applicant, or its assignee, the Millstone Village Condominium Trust, which shall be responsible for all maintenance.*
- l. *(e) 12 - The landscape design shall give preference to the maintenance of existing healthy trees and groundcover. The landscape design has given preference to the maintenance of existing healthy trees by preserving as many specimens as possible as identified in the existing conditions plan. During construction, the contractor will coordinate with the site engineer. The existing ground cover of the proposed 20.4 acre open space area shall be preserved.*
- m. *(e) 13 – All utilities shall be underground. All permanent utilities in the Millstone Village ARCPUD are underground.*
- n. *(e) 14 - No mobile homes or trailers shall be allowed to be used as dwelling units in the ARCPUD. No mobile homes or trailers are to be used as dwelling units in the Millstone Village ARCPUD.*

- o. *(e) 15 – Permanent utilities and on-site storage shall be shielded from view by walls or fences. The permanent utilities in the Millstone Village ARCPUD will be shielded from view by landscaping any electrical boxes. Condition #14 and the Condominium Master Deed require that mobile homes or trailers, boats, boat trailers and recreational vehicles shall be stored in garages.*
 - p. *(e) 16 - Solid waste removal, including all expenses, within the ARCPUD shall be the responsibility of the residents, owners or their agents. The removal of solid waste shall be the responsibility of, and maintained by the Millstone Village Condominium Trust, which shall be responsible for all exterior and site maintenance.*
5. The Board finds that the Millstone Village ARCPUD satisfies the **Requirements and Features of an ARCPUD** as stated in SECTION V, Sub-Section T. 4. (f).
- a. *(f) 1 - The ARCPUD is a defined tract of a minimum of ten acres in area. The Millstone Village ARCPUD is to be developed on a tract of land that is 50+ acres in size.*
 - b. *(f) 2 - The ARCPUD is to be developed in a comprehensive, design-integrated manner according to an overall master plan and includes two types of senior residential uses. The applicant has proposed a 6 phase construction plan over a 5 year period. The development includes single family detached and attached townhouse dwelling units in duplex and triplex buildings.*
 - c. *(f) 3 - As noted above, the ARCPUD is consistent with all ARCPUD general standards and all applicable site development standards. This project fully meets all ARCPUD general and site development standards.*
 - d. *(f) 4 - The ARCPUD is consistent with the goals and objectives of the Town of Medway Master Plan. The proposed development implements Land Use Goal #1, Open Space Goal #3, and Affordable Housing Goal #5 of the 2009 Medway Master Plan.*
 - e. *(f) 5 - The ARCPUD clusters development units in a manner that preserves natural open space, and provides usable and accessible open space for the recreation and enjoyment of ARCPUD residents and the general public. The ARCPUD site development has taken into consideration the unique topography of the locus, preserving 20.4 acres of open space area, which contain a series of walking trails. The design of the ARCPUD site development preserves natural open space, and provides usable and accessible open space for the recreation and enjoyment of the ARCPUD residents and the general public.*
 - f. *(f) 6 - The ARCPUD makes efficient use of land by properly considering topography and protection of significant natural features. The ARCPUD site design has taken into consideration the unique topography of the land, the unique features of the natural resources and the wetlands by integrating the developed area into and in harmony with the environmental resources, thus*

resulting in the preservation of the existing ground cover of the proposed 20.4 acres open space area.

- g. *(f) 7 - The ARCPUD demonstrates coordinated site development. The development appropriately integrates land uses and housing types, uses compatible architecture, establishes an area of preserved open space, includes an efficient vehicular access and circulation system; and establishes pedestrian a network within the site.*
- h. *(f) 8 - The ARCPUD roadway and infrastructure systems are sized to accommodate the overall service demand of all uses in the development. The roadway and infrastructure systems have been designed to accommodate the adult retirement residents of the community.*
- i. *(f) 9 - The roadway and infrastructure systems are linked to and coordinated with the surrounding off-site public roadways and infrastructure in a manner that is safe, efficient and non-injurious to the public and an improvement or benefit to the public where possible. The development provides two access/ egress points with Winthrop Street which is beneficial for access by emergency services vehicles.*
- j. *(f) 10 - The ARCPUD includes appropriate provisions for the ownership and preservation of the required open space. The open space will be owned by the Millstone Village Condominium Trust and protected with a conservation restriction.*
- k. *(f) 11 - The ARCPUD includes appropriate deed restrictions or covenants requiring compliance of all development with the ARCPUD master plan and with any site plan or architectural guidelines or standards. The Millstone Village plan has been reviewed by the Medway Design Review Committee (DRC) and been found to be generally consistent with the Medway Design Review Guidelines.*
- l. *(f) 12 - The Board may require that ARCPUD regulations pertaining to age restrictions and limitations or prohibitions on the presence of mobile homes, trailers, boats, boat trailers or recreational vehicles be made part of the special permit decision. As noted below in Condition #2, this ARCPUD special permit is conditioned on the inclusion of appropriate deed restrictions, by-laws, or other legal documents that generally limit residency to persons of age 55 or older. Condition #14 limits or prohibits the presence of mobile homes or trailers, boats, boat trailers and recreational vehicles, unless stored inside garages.*
- m. *(f) 12 - The Board may, as a condition of an ARCPUD special permit, require that the land are on which the ARCPUD is located be maintained as one undivided lot and that the lot shall not be subdivided in the future without the express approval of the Board. As noted below in Condition #1, this ARCPUD special permit is conditioned on the prohibition of any further subdivision of any lot without the express approval of the Planning and Economic Development Board.*

- n. (f) 13 The Board may, as a condition of an ARDPUD special permit, require a legal mechanism that will assure that the ARCPUD will not be subdivided or that the ARCPUD will remain as rental housing, or that ownership will remain consolidated. Since this ARCPUD has been planned to be developed with a condominium form of ownership, it is conditioned to prohibit the further subdivision of any lot or any condominium unit.

DECISION/VOTE

After reviewing the application and all information gathered during the public hearing process, the Medway Planning and Economic Development Board, at a duly posted meeting held on [redacted], voted [redacted] to [redacted] an ARCPUD Special Permit to Elite Home Builders, LLC and to [redacted] the plan entitled ARCPUD - Millstone Village,

Town of Medway, Massachusetts prepared by GLM Engineering, last revised February 7, 2014 to develop an 80-unit Adult Retirement Community Planned Unit Development (ARCPUD) subject to the PLAN MODIFICATIONS, CONDITIONS, AND LIMITATIONS listed below and certain WAIVERS from the *Subdivision Rules and Regulations*. This approval is transferable to successors in title of the subject property, or assignees.

Voting Planning and Economic Development Board Member

Grant/Not Grant

- Thomas A. Gay _____
- Matthew J. Hayes _____
- Andy Rodenhiser _____
- Robert K. Tucker _____
- Karyl Spiller-Walsh _____

MODIFICATIONS – Prior to plan endorsement, the Plan and the associated documents shall be further revised to include the additional, corrected, or modified information as specified herein.

Documents

- 1. The Declaration of Trust for the Millstone Village Condominium Trust shall include the following language: “The construction and operation of the condominium is governed by an ARCPUD Special Permit issued by the Medway Planning and Economic Development Board on [redacted], a copy of which is available for inspection at the Medway Town Clerk’s office.”
- 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;
 - b. that the affordable units shall be sold to income eligible persons or households that meet the age restriction of the master deed;
 - c. that the local preference criteria for the sale and re-sale of the affordable units shall be in accordance with the Massachusetts Department of Housing and Community Local Initiative Program or other applicable state housing program

- d. that provides units that are eligible for inclusion in the Subsidized Housing Inventory; and
- e. the affordable housing use restriction.

3. The Declaration of Trust for the Millstone Village Condominium shall reference the conservation restriction on Open Space Parcel B to be granted to the Town of Medway in perpetuity acting through its Conservation Commission, for conservation and passive recreation purposes and permitting public access to Open Space Parcel B and the pathways and parking area to be constructed thereon; the maintenance of trails on Open Space Parcel B as provided for herein; the condominium association’s ownership of and responsibility for the roadways, open space, trash, snow plowing, stormwater drainage system, sewer system and water system; and the approved Stormwater and Operations Maintenance Plan.
4. The Plan shall be revised to include the following items:
 - a. Street Names and addresses
 - b. Development Phasing Plan
 - c. Cape Cod berm along all streets except that roundings shall be vertical granite curbing
 - d. Modified resource area delineation lines as authorized by the Medway Conservation Commission in its March 27, 2014 action to extend the previously issued Order of Conditions for this site to March of 2015.
 - ~~e. Information regarding off site improvements, if any.~~
 - ~~f. Stormwater Operations and Maintenance Plan~~
 - ~~g. Location of trails and parking area on the Open Space Parcel~~
 - ~~h. Maintenance plan for the upkeep and care of the Open Space Parcel, which shall be subject to the proposed Conservation Restriction.~~

Commented [AC2]: Have the matters in paragraphs 4e, f and g been agreed to?

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

1. Notwithstanding any future amendment of the Medway Zoning Bylaw, MGL G.L. C.40A or any other legislative act:
 - a. The maximum number of dwelling units to be constructed under this special permit shall be eighty. In addition to the dwelling units there shall be one community building, as shown on the Plans.
 - b. The tract(s) of land on which this ARCPUD is to be located shall not be altered or used except:
 - 1) as granted by this special permit;
 - 2) substantially as shown on the plan entitled ARCPUD – Millstone Village last revised February 7, 2014 to be modified as referenced herein; and
 - 3) in accordance with subsequent approved plans or amendments to this special permit.
 - c. The tracts of land and buildings comprising Millstone Village shall not be used, sold, transferred or leased except in conformity with this special permit and shall not be further divided.
2. **Age Restriction**
 - a. All units shall be subject to an age restriction limiting occupancy to at least one person who has attained a minimum age of fifty-five years (the “Qualified

Occupant”) and by:

- 1) spouses;
 - 2) persons providing health care services to a Qualified Occupant of such dwelling unit;
 - 3) a child or grandchild of a Qualified Occupant of such dwelling unit, provided that such child or grandchild has attained the age of majority;
 - 4) not more than one person in addition to a spouse, health care provider and child or grandchild as aforesaid, provided that such person has attained the age of majority; and
 - 5) or one other person who has reached the age of majority, or any guest of any age but such guest may only stay for six months in any calendar year;
- b. In the event of the death of the Qualified Occupant(s) of a unit or other involuntary transfer of a unit, a one year exemption shall be allowed to allow for the rental or sale of the unit to another Qualified Occupant(s) (the “Age Restriction”) so long as the provisions of the Housing Laws (defined below) are not violated by such occupancy,
- c. The Age Restriction is intended to be consistent with, and is set forth in order to comply with the Fair Housing Act, 42 USC section 3607, as amended, the regulations promulgated thereunder, 24 CFR Subtitle B, Ch. 1, section 100.300 et seq. and M.G.L. c. 151B, section 4 (the “Housing Laws”). This special permit shall be construed so as to be consistent with federal and state law, and nothing in this special permit shall require or permit the Applicant or its successors or assigns to take any action in violation of federal or state law.
- d. No changes shall be made to the age qualification requirements of the affordable housing units that disqualifies them from inclusion on DHCD’s Subsidized Housing Inventory.

3. **Phasing Plan**

- a. The applicant plans to build out the infrastructure of this project in the following phases:
- 1) **Phase IA:**
 - 2, 4, 6 & 8 Sandstone Drive
 - 2) **Phase IB:**
 - 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22 & 24 Millstone Drive
 - 17, 19, 21 & 23 Millstone Drive
 - 1, 3, 5, 7 & 9 Cobblestone Drive
 - 2 Cobblestone Drive (Community House)
 - 3) **Phase II**
 - 2, 4 & 6 Cobblestone Court
 - 1, 3 & 5 Cobblestone Court
 - 4, 6, 8, 10, 12 & 14 Cobblestone Drive

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- 13 & 15 Cobblestone Drive

- 4) **Phase III**
 - 1, 3, 5, 7, 9 & 11 Millstone Court
 - 2, 4, 6, 8, 10 & 12 Fieldstone Court
 - 1, 3, 5, 7, 9 & 11 Fieldstone Drive
 - 11 Cobblestone Drive
 - 2, 4, 6, 8, 10, 12 & 14 Fieldstone Drive
 - 28 Millstone Drive

- 5) **Phase IV**
 - 29, 31, 33 & 35 Millstone Drive
 - 30, 32, 34 & 36 Millstone Drive

- 6) **Phase V**
 - 1, 3 & 5 Steppingstone Drive
 - 2, 4 & 6 Steppingstone Drive

b. Any adjustments to the phasing plan require approval of the Board.

b-c. ~~Notwithstanding the foregoing, the Applicant may build and sell any of the dwelling units in the Project in any order.~~

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4. **Open Space – Restriction; public access**

- a. The applicant shall convey Open Space Parcel B as shown on the Plan to the Millstone Village Condominium Trust which shall be responsible for its upkeep and maintenance, including the trails and public parking area, to the extent and as permitted by the proposed Conservation Restriction.

- b. The conveyance of Open Space Parcel B to Millstone Village Condominium Trust shall be subject to a conservation restriction granted to the Town of Medway in perpetuity, acting through its Conservation Commission, for conservation and passive recreation purposes and permitting public access to Open Space Parcel B and the pathways and parking area to be constructed thereon.

- c. The aforementioned Conservation Restriction shall be reviewed and approved by the Medway Board of Selectmen, the Medway Conservation Commission, and the Secretary of Energy and Environmental Affairs (the Secretary) pursuant to G.L. c. 184, sections 31, 32 and 33, to ensure that the restriction remains enforceable in perpetuity. The Applicant shall file the Conservation Restriction with the Secretary of Energy and Environmental Affairs within the later of 120 days after the Board endorses the Plan of Record or 30 days after approval of the Conservation Restriction by the Medway Board of Selectmen and Medway Conservation Commission. The approved and executed Conservation Restriction shall be recorded at the Norfolk County Registry of Deeds. The Applicant shall diligently pursue final approval of the Conservation Restriction by EEOA and the Medway Board of Selectmen and Conservation Commission, before the Town issues the occupancy permit for the 41st dwelling unit.

Commented [AC3]: Approval by the State may reasonably not occur by the occupancy permit for the 41st dwelling unit and, alternatively, there is always a possibility that the State may not approve the Conservation Restriction. EEOA will want the trails and parking area to be completed before acceptance of the CR.

- d. The applicant's improvements to the Open Space Parcel including trails and parking area shall be completed by:

5. **Affordable Housing**

- a. Eight dwelling units within the Millstone Village ARCPUD will be affordable housing units that will comply with the requirements for inclusion in the Subsidized Housing Inventory prepared by the Department of Housing and Community Development (DHCD).
- b. ~~Before the Town issues any building permits for Phase IB buildings, Within the later of 120 days after the Board endorses the Plan of record or 30 days after approval of the LIP Application by the Medway Board of Selectmen and any other local authority required, if any, the Applicant shall apply to DHCD's Local Initiative Program (LIP) and thereafter shall diligently pursue DHCD approval of the LIP Application, and follow all requirements of LIP to ensure that the eight affordable housing units will be included in the Town's Subsidized Housing Inventory.~~ Prior to submitting the LIP Application, the applicant shall meet with the Medway Affordable Housing Committee and Trust regarding the marketing plan and location of affordable housing units.
- c. The eight affordable housing units shall each be subject to a perpetual affordable housing use restriction, in a form acceptable to DHCD, to be recorded at the Norfolk County Registry of Deeds with the deed for each affordable housing unit as required by LIP. Each affordable housing unit shall be sold and resold in accordance with the provisions of the affordable housing use restriction.
- d. The affordable housing units are to be located within the development as required by DHCD for approval of the project's LIP application. The applicant has proposed the interior unit of each of the eight triplex townhouse buildings with the following addresses for the affordable housing units: 16 & 22 Millstone Drive (Phase IB); 3 & 9 Millstone Court, 3 & 9 Fieldstone Drive and 4 & 10 Fieldstone Court (all in Phase III). Upon direction by DHCD or request of the Applicant (*without effect to the Subsidized Housing Inventory eligibility*), the Planning and Economic Development Board may permit a change in the locations of the affordable housing units.
- e. The applicant has proposed that the initial Lottery Agent for the initial sales of the affordable housing units be: MCO & Associates, Inc. of Harvard, MA or an agent designated by the Planning and Economic Development Board and the designation provided to the owner of record of the ARCPUD land. Any such Lottery Agent must meet the DHCD's experience requirements as determined by DHCD so that the affordable housing units may be counted on the Subsidized Housing Inventory.
- f. DHCD shall oversee the initial sales of the affordable housing units pursuant to the LIP program.
- g. The Board hereby names the Town of Medway Affordable Housing Trust if approved by DHCD as an additional Monitoring Agent for the sale and resale of the affordable housing units.
- h. ~~Other than for the four Phase IA dwelling units (2, 4, 6 & 8 Sandstone Drive) and the Community Center building (2 Cobblestone Drive) no building permits shall~~

Commented [AC4]: The Applicant cannot guarantee if and when the affordable dwelling units will be approved by DHCD.

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~~be issued for this project until the applicant and the Town of Medway 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 housing units.~~

Commented [AC5]: Applicant cannot guarantee if and when final approval by DHCD.

- i. h. Affordable Housing Regulatory Agreement – If and to the extent that DHCD approves the affordable units pursuant to 760 CMR 56.04(7) and 56.05 (10)(b).
~~The Applicant shall prepare or cause to be prepared an Affordable Housing Regulatory Agreement as required by DHCD for execution and recording by the Town of Medway, the Massachusetts Department of Housing and Community Development and Elite Home Builders, Inc. (???) or its successors and assigns and recording at the Norfolk County Registry of Deeds. To the extent approved by DHCD, the affordable housing units shall be subject to the Regulatory Agreement and shall be sold and resold in accordance with its provisions. The Regulatory Agreement shall be fully executed and recorded before the Town issues the occupancy permit for the last unit in Phase IB.~~

Commented [AC6]: Approval of the Regulatory Agreement, which the Town of Medway may not be a party to, is subject to discretion of DHCD.

6. **Recording of Plans and Documents**

- a. The Plan of Record associated with this special permit is: ARCPUD – Millstone Village Town of Medway, MA, last revised February 7, 2014, to be further revised as specified herein, prepared by GLM Engineering Consultants, Inc.
- b. No construction shall begin on the site and no building permit shall be issued before the following documents/plans are recorded at the Norfolk County Registry of Deeds:
- 1) This special permit decision
 - 2) The Plan of Record endorsed by the Planning and Economic Development Board
 - 3) Restrictive Covenant with the Town of Medway (FORM G – *Medway Subdivision Rules and Regulations*).
- c. The following documents which shall be in compliance with the conditions of this decision shall be recorded at the Norfolk County Registry of Deeds prior to the issuance of an occupancy permit for any building on the site.
- 1) Millstone Village Condominium Master Deed
 - 2) Declaration of Trust of Millstone Village Condominium Trust
- d. The following documents which shall be in compliance with the conditions of this decision shall be recorded at the Norfolk County Registry of Deeds ~~before the Town issues the occupancy permit for the last unit in Phase IB.~~
- 1) If and to the extent approved by DHCD, a Affordable housing use restriction in compliance with the requirements of the Massachusetts Department of Housing and Community Development’s Local Initiative Program.
- e. The following document which shall be in compliance with the conditions of this decision shall be recorded at the Norfolk County Registry of Deeds ~~prior to the Town’s issuance of the building permit for the 41st dwelling unit.~~
- 1) Conservation Restriction on Open Space Parcel B granted to the Town of Medway in perpetuity (if and to the extent approved by the Secretary of Energy and Environmental Affairs) acting through its Conservation

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Commission for conservation and passive recreation purposes and permitting public access to Open Space Parcel B and the pathways and parking area to be constructed thereon;

- f. The following document which shall be in compliance with the conditions of this decision shall be recorded at the Norfolk County Registry of Deeds ~~prior to the Town's issuance of the last occupancy permit for buildings in Phase IB.~~
 - 1) ~~If and to the extent approved by DHCD, Executed Affordable Housing Regulatory Agreement with DHCD, Town Medway and the Applicant.~~
- g. Within thirty days of recording, the Applicant or his assign shall provide the Planning and Economic Development Board with a receipt from the Norfolk County Registry of Deeds indicating that all documents have been duly recorded, or supply another alternative verification that such recording has occurred.

7. **Drainage/Stormwater Management**

- a. Until transferred to the Millstone Village Condominium Trust, the Applicant shall be responsible for keeping the constructed stormwater drainage system in a clean and well-functioning condition, and shall do nothing which would alter the drainage patterns or characteristics as indicated on the Plan approved herein without the express written approval of the Planning and Economic Development Board.
- b. The stormwater drainage system, water and sewer systems shall be maintained by the applicant and its successors and assigns and shall not be dedicated to the Town. It is the intent of the Planning and Economic Development Board and the applicant that these systems not be accepted by Town Meeting.
- c. The applicant shall maintain the stormwater management system in accordance with the following guidelines for the operation and maintenance of the stormwater management system prepared by the applicant's registered professional engineer - *Millstone Village Stormwater Operation, Maintenance and Management Plan, August 23, 2006, prepared by GLM Engineering.*

In the event a management company is engaged, the guidelines shall be incorporated by reference in the management contract. In the event that the Applicant, its successors, or agent fails to maintain the stormwater management system in accordance with the applicable guidelines for operation and maintenance, the Town may conduct such maintenance or repairs as the Town determines in its sole discretion are reasonably necessary, and the Applicant hereby consents to allow the town and its agents, employees and contractors entry onto the Property to implement the measures set forth in such guidelines. In the event the Town conducts such maintenance or repairs, the Applicant shall promptly reimburse the Town for all reasonable expenses associated therewith; if the applicant fails to so reimburse the Town, the Town may place a lien on the site or any unit therein to secure such payment.

8. **Wetlands/Streams**

- a. On March 27, 2014, the Medway Conservation Commission extended the previously issued Order of Conditions for this development parcel to March 2015. The Commission also voted to refine the resource area delineation lines by using

the more restrictive wetland delineation lines from 2006 and 2013 as shown on drawings prepared by GLM Engineering Consultants, Inc. The Plan of Record shall include the refined resource area boundary lines to reflect the most restrictive boundaries.

- b. Any future plans approved by the Medway Conservation Commission pursuant to an Order of Conditions for this site shall be provided to the Planning and Economic Development Board. If there is any inconsistency between the endorsed ARCPUD – Millstone Village Plan and any plans as may be approved by the Conservation Commission, the Applicant shall submit an amended plan to the Planning and Economic Development Board for approval. Said amended plan shall be accompanied by a letter setting forth a description of any and all changes from the ARCPUD – Millstone Village plan as approved herein and shall include three sets of revised drainage calculations, if applicable.
9. **Scenic Road** - Any construction work, tree clearing, installation of light poles, fences and design features along the Winthrop Street frontage of the Millstone Village ARCPUD shall be completed in accordance with the *Scenic Road Work Permit* approved by the Planning and Economic Development Board on April 8, 2014 on file with the Medway Town Clerk.
10. **Construction Standards**
- a. Construction shall be completed in accordance with the standards of the Medway *Subdivision Rules and Regulations* dated April 26, 2005, except for waivers as specified in the applicant's Request for Waivers, dated March 18, 2014 and as further provided as approved herein by the Planning and Economic Development Board.
 - b. All aspects of the site and building design shall comply with the requirements of the Massachusetts Architectural Access Board and the Americans with Disabilities Act.
 - c. ~~All details shall comply with and reference Mass Highway standards.~~
11. **Construction Observation/Inspection** - Inspection of the construction of the roadways, infrastructure, stormwater management facilities, water and sewer facilities, site amenities including landscaping, and other utilities by the Town's Consulting Engineer is required. Prior to plan endorsement, the Applicant shall pay a construction observation fee under G.L. c. 44 §53G to the Town of Medway for such inspections. The amount for each phase shall be determined by the Board based on an estimate provided by the Town's Consulting Engineer and shall be paid prior to Plan endorsement. A construction observation account shall be established with the Board. The Applicant shall provide supplemental payments to the Town of Medway, for reasonable construction inspection services, upon invoice from the Board until the road construction and stormwater drainage system are completed, municipal services are installed, and the as-built plan has been reviewed and determined to be satisfactory for filing with the Town.

Commented [AC7]: Inconsistent with 10.a.

12. **Right to Enter Property** – Duly authorized agent(s) of the Town of Medway shall have the right to enter upon the common areas of the condominium to ensure continued compliance with the terms and conditions of this special permit.
13. **Ownership/Maintenance of Common Area** - The Board hereby requires that the following aspects of the development shall be and shall remain forever private, and that the Town of Medway shall not have, now or ever, any legal responsibility for operation or maintenance of same:
 - a. All roadways and parking areas
 - b. Stormwater management facilities
 - c. Snowplowing/sanding
 - d. Landscaping
 - e. Trash removal
 - f. Street lighting
 - g. Open Space
 - h. Water
 - i. Sewer

Such services shall be the responsibility of the Applicant and the Millstone Village Condominium Trust.

14. Appropriate deed restrictions, by-laws, or other legal documents shall require that mobile homes or trailers, boats, boat trailers and recreational vehicles shall be stored inside garages.
15. **Sidewalk Improvements** – In lieu of constructing 1234 linear feet of sidewalks/curbing along the property’s frontage on the west side of Winthrop Street, the applicant shall make a payment of \$11,562 to the Town of Medway Sidewalk Fund prior to the Town’s issuance of the first occupancy permit for the development.
16. **Restriction on Construction Activities** – During construction, all local, state and federal laws shall be followed regarding noise, vibration, dust and blocking of town roads. The applicant and its contractors shall at all times use all reasonable means to minimize inconvenience to abutters and residents in the general area. The following restrictions on construction activity shall apply:
 - a. Construction shall not commence any day before 7 am and shall not continue beyond 6:00 p.m.
 - b. There shall be no construction on any Sunday or legal holiday without the advance approval of the Inspector of Buildings.
 - c. Blasting, if necessary, shall be limited to the hours between 9:00 am and 5:00 pm Monday through Friday.
17. **Payment of Balance of Fees/Taxes** - Prior to plan endorsement, the Applicant shall pay the balance of any outstanding plan review services provided by any outside consultants retained by the Board who assisted in the review of this project and any other outstanding expenses, taxes, betterments, charges, obligations or fees due the Town of Medway pertaining to this site. The Applicant shall also pay a fee for construction services to be

provided by outside engineering and legal consultants. The fee shall be established by the Planning and Economic Development Board. The Applicant shall also be current with the Medway Town Treasurer/Collector for all real estate taxes and any penalties and back charges resulting from the non-payment of taxes for all property included in this development.

18. **Performance Guarantee**

- a. *Restrictive Covenant* - Prior to plan endorsement, the applicant shall sign a Restrictive Covenant, to be reviewed and approved by Town Counsel, to secure construction of the roadways, installation of stormwater management facilities, utilities, services, pedestrian facilities/trails/pathways, all site amenities including but not limited to lighting and landscaping, and any off-site improvements, all as shown on the Plan of Record. Reference to the restrictive covenant shall be noted on the cover sheet of the Plan of Record and shall be recorded at the Norfolk County Registry of Deeds.
- b. *Performance Guarantee* - At such time as the Applicant wishes to obtain a building permit for any structure other than the four single family detached homes in Phase 1A (2, 4, 6 & 8 Sandstone Drive) and the Community Center (2 Cobblestone Drive) and the Applicant has completed the minimum infrastructure construction for Phase IB as specified in Section 6.6.3 of the *Subdivision Rules and Regulations*, the Restrictive Covenant may be replaced by one of the types of performance guarantees set forth in G.L. Ch. 41 Section 81U, which method or combination of methods shall be selected and from time to time varied by the Applicant, in a sufficient amount, source and form acceptable to the Planning and Economic Development Board, Treasurer/Collector, and Town Counsel. Such performance guarantee shall secure performance of the construction of the roadways and installation of stormwater management facilities, utilities, services, pedestrian facilities/trails/pathways, all appurtenances thereto, and all site amenities including but not limited to lighting and landscaping, and any off-site improvements all as shown on the Plan of Record. The performance guarantee agreement shall:
 - 1) define the obligations of the developer and performance guarantee company;
 - 2) specify a scheduled date by which the applicant shall complete construction in accordance with the Plan of Record;
 - 3) state that it does not expire until released in full by the Planning and Economic Development Board; and
 - 4) include procedures for collection upon default.
- c. *Amount* - The face amount of the performance guarantee shall be the amount that would be required for the Town of Medway to complete the construction of the roadways and installation of stormwater management facilities, utilities, services, pedestrian facilities/trails/pathways, all appurtenances thereto, and all site amenities including but not limited to lighting and landscaping, as specified in the Plan of Record and any off-site improvements that remain unfinished at the time the performance guarantee estimate is prepared. The estimate shall be based on

unit prices in the latest Weighted Average Bid Prices issued by the MassDOT. The estimate shall also include the cost to maintain the roadways, stormwater management system and other infrastructure in the event the applicant fails to adequately perform such. The estimate shall reflect the cost for the Town to complete the work as a public works project, which may necessitate additional engineering, inspection, legal and administrative fees, staff time and public bidding procedures. In determining the amount of the performance guarantee, the Board shall be guided by the following formula in setting the sum of the security.

- 1) the estimate of the Town’s Consulting Engineer of the cost to complete the work; plus
 - 2) a twenty-five percent (25%) contingency.
- d. *Adjustment of Performance Guarantee* - At the Applicant’s written request, the amount of the performance guarantee may be reduced, from time to time, by the Board and the obligations of the parties thereto released by the Board in whole or in part, upon the partial completion of the roadways and infrastructure improvements as defined herein. In order to establish the amount to adjust the performance guarantee, the Town’s Consulting Engineer shall prepare an estimate of the current cost for the Town to complete all work as specified in the Plan of Record that remains unfinished at the time the estimate is submitted to the Board. The estimate shall be based on unit prices in the latest Weighted Average Bid Prices issued by the MassDOT. The estimate shall also include the cost to maintain the roadways, stormwater management system and other infrastructure in the event the developer fails to adequately perform such. The estimate shall reflect the cost for the Town to complete the work as a public works project, which may necessitate additional engineering, inspection, legal and administrative fees, staff time and public bidding procedures. The estimate shall also include the estimated cost to produce as-built plans and for project closeout services. In determining the amount of the adjustment of the performance guarantee, the Board shall be guided by the following formula to determine the reduction amount:

- 1) the estimate of the Town’s Consulting Engineer of the Town’s cost to complete the work; plus
- 2) a twenty-five percent (25%) contingency.

The first request for a reduction of the performance guarantee shall not be made until the applicant has completed the minimum roadway and infrastructure improvements as specified in Section 6.6.3 of the ***Subdivision Rules and Regulations*** for the Phase II area.

The Board shall not approve subsequent requests for a reduction of the performance guarantee until the applicant has completed the minimum roadway and infrastructure improvements as specified in Section 6.6.3 of the ***Subdivision Rules and Regulations*** for the area included in each subsequent Phase.

The applicant shall not make any request for a reduction of the performance guarantee of less than \$100,000 or such lesser amount remaining on the performance guarantee.

- e. Any such surety shall be released by the Planning and Economic Development Board in accordance with the procedures of GL c 41, § 81U.

19. **Neighborhood Relations**

- a. The Applicant shall regularly inform the residents of Winthrop Street and the adjacent neighborhoods (*as listed in the certified list of abutters accompanying the application*) of the construction schedule.
- b. The Applicant shall establish a construction telephone hotline or email contact and inform all parties of interest and all residents in the Winthrop Street and adjacent neighborhoods (*as listed in the certified list of abutters accompanying the application*) of the hotline number or email contact to use for questions, concerns and complaints. The applicant shall reply to such inquiries within a reasonable time.

20. **Timetable for Completion**

- a. This special permit shall lapse in accordance with Section III. D. 2 of the Medway Zoning Bylaw.
- b. A preconstruction conference with the developer, general contractor, Department of Public Services, Police and Fire Departments, the Conservation Agent, the Planning and Economic Development Coordinator, and the Town’s Consulting Engineer shall be held prior to the commencement of construction. For the purposes of this decision, "commencement of construction" shall occur when the clearing and grubbing (*removal of stumps and topsoil*) has been initiated. The general contractor shall request such conference at least one week prior to commencing construction by contacting the Planning and Economic Development office. At the conference, a schedule of inspections shall be agreed upon by the developer, the Town’s Consulting Engineer and other municipal officials or boards in accordance with Section 6.5 Construction Observation/Inspection of the *Subdivision Rules and Regulations*. At the pre-construction meeting, the developer shall provide a copy of the final Stormwater Pollution Prevention Plan (SWPP) and a detailed construction schedule.
- c. The Applicant shall construct the roadways and all related infrastructure including the stormwater management system, and install all utilities as shown on the Record Plan, to the satisfaction of the Board, within 58 years of the date of endorsement of the plan, unless extended as provided in subparagraph d below.
- d. A request to extend the completion time limits as specified in Condition 20c must be made in writing to the Board at least thirty (30) days prior to the specified expiration date. The Board herewith reserves its right and power to grant or deny such an extension, to issue any appropriate changes to the special permit, and to require any appropriate modifications of the Plans.
- e. Issuance of Building and Occupancy Permits

Commented [AC8]: Completion of the project may take longer than 5 years.

- 1) Within each construction phase:
 - a) All the areas designated for construction will be secure with erosion control barriers as shown on the Plan as certified by the Town's Consulting Engineer before any other clearing, grading excavation or construction activities are commenced.
 - b) Sidewalks along streets shall be constructed at the time when the roads or common driveways for the dwelling units are constructed.
2. *Building permits may be obtained for the Phase IA dwelling units facing Winthrop Street (2, 4, 6 & 8 Sandstone Drive) and the Phase IB Community Center (2 Cobblestone Drive) upon completion of the following:*
 - a) the entire Phase IA area and the area around the Community Center have been protected by erosion control barriers per the Plan as certified by the Town's Consulting Engineer.
3. *Occupancy Permits may be obtained for the Phase IA dwelling units facing Winthrop Street (2, 4, 6 & 8 Sandstone Drive) and the Phase IB Community Center (2 Cobblestone Drive) upon completion of the following:*
 - a) the roadway binder course and utility services necessary to serve the four *Phase IA dwelling units* and the *Phase IB Community Center* have been completed;
 - b) the permanent drainage for the roadways servicing the four *Phase IA dwelling units* and the *Phase IB Community Center* from Winthrop Street has been constructed and is operational;
 - c) pedestrian pathways other than along streets have been completed;
 - d) guest parking is completed;
 - e) the Town's Consulting Engineer has issued a letter to the Board that these ~~three~~ requirements have been completed substantially according to the Plan of Record;
 - ~~f) DHCD has approved the project's LIP application;~~
 - ~~g) the PED office has notified the Building Inspector that occupancy permits may be issued.~~
4. *Building Permits may be obtained for any Phase IB building upon completion of the following:*
 - a) the entire Phase IB area has been protected by erosion control barriers per the Plan as certified by the Town's Consulting Engineer.
 - b) the roadway binder course and utility services for the Phase IA and Phase IB areas are completed.
 - c) the permanent drainage for the roadway(s) servicing the Phase IA area and the temporary construction drainage for the Phase IB area are completed.
 - d) the Town's Consulting Engineer has issued a letter to the Board that these ~~three~~ requirements have been completed substantially according to the Plan of Record.

~~e) the applicant and the Town receive 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 dwelling units.~~

f) the PED office has notified the Building Inspector that building permits for Phase IB may be issued.

5. *Occupancy permits may be obtained for the Phase IB dwelling units upon completion of the following:*
 - a) the permanent drainage for the roadways servicing the Phase 1B area has been constructed and is operational;
 - b) pedestrian pathways other than along streets have been completed;
 - c) the guest parking areas have been completed;
 - d) the Town's Consulting Engineer has issued a letter to the Board that these requirement has been completed according to the Plan of Record;
 - e) the PEDB office has notified the Building Inspector that an occupancy permit may be issued.

6. *Building permits for the Phase II, III, IV and V dwelling units may be obtained upon completion of the following:*
 - a. the entire area of the current phase has been protected by erosion control barriers per the Plan as certified by the Town's Consulting Engineer.
 - b. the roadway binder course and utility services for the current phase are completed.
 - c. the permanent drainage for the roadway(s) servicing the previous phases and the temporary construction drainage for the current phase area under construction are completed.
 - d. the Town's Consulting Engineer has issued a letter to the Board that these two requirements have been completed according to the Plan of Record
 - e. The PED office has notified the Building Inspector that building permits for the current phase may be issued.

7. *Occupancy permits for the Phase II, III, IV and V dwelling units may be obtained upon completion of the following:*
 - a. the roadway binder course, utilities, and sidewalk services in the current and previous phases have been completed.
 - b. the permanent drainage system for the roadway(s) servicing the previous phases and the temporary construction drainage for the current phase under construction are completed and as-built plans of any detention pond have been approved;
 - c. the remainder of the site drainage for that phase, either permanent or temporary, is fully functional;
 - d. the roadways for the current and previous phases in which the building is located have been fully completed up through the

- roadway binder course including street name signs, regulatory signs, and stop lines;
 - e. pedestrian pathways have been completed;
 - f. guest parking areas have been completed.
 - g. the Town's Consulting Engineer has issued a letter to the Planning and Economic Development Board that these actions have been completed according to the plans; and
 - h. The PED office has notified the Building Inspector that an occupancy permit may be issued.
 - i. In no event shall an occupancy permit for the last five market rate dwelling units be issued before the total of eight affordable dwelling units are completed and consider occupancy permit ready by the Building Inspector.
- 21. **Modifications** – No modification shall be made to Plan of Record and development without modification of this special permit or as set forth herein. The approval of the Planning and Economic Development Board under then applicable zoning bylaw requirements shall be required for any modification of the decision or record plans, whether substantial or insubstantial. The Board reserves its right and power to modify or amend the Plan of Record and the terms and conditions of this special permit upon request of the Applicant, his designees or assigns. It shall be within the Board's sole discretion to determine whether any proposed modification is substantial or insubstantial and what constitutes such. Substantial modifications shall be subject to the same standards and procedures applicable to the original application for this special permit. The Board may authorize insubstantial modifications without a public hearing. If the Applicant petitions for amendments to the Plan of Record or this special permit, the applicant must submit all plans and information to the change as required by the applicable *Rules and Regulations*.
- 22. **Project Completion** – Upon completion of all work, and prior to the release of the last \$40,000 of performance guarantee, the following items shall be completed to the Board's satisfaction:
 - a. *As-Built Plans* – The Applicant shall prepare and provide as-built plans of the roadways, utilities and other infrastructure prepared in accordance with the *Subdivision Rules and Regulations* in effect at the time the as-built plans are submitted, to the satisfaction of the Board. The Applicant shall provide the final as-built plan in electronic format. The Applicant shall pay any reasonable associated costs, as may be determined by the Board of Selectmen, to update the Medway GIS/ Assessor's maps relative to this development.
 - b. *Engineer's Certification* – The Applicant shall provide written certification from a Professional Engineer registered in the Commonwealth of Massachusetts that all roadway and infrastructure work was constructed and completed in substantial compliance with the Plan of Record.
- 23. **Enforcement** - The Town of Medway may elect to enforce compliance with this Special Permit using any and all powers available to it under the law.

LIMITATIONS – Other approvals or permits required by the Zoning Bylaw, Medway General Bylaws, or other governmental boards, agencies or bodies having jurisdiction shall not be assumed or implied by this Special Permit Decision.

WAIVERS – The Planning and Economic Development Board’s *ARCPUD Rules and Regulations* provide that the Construction Standards for ARCPUD projects shall be those as specified in the Medway Planning Board’s *Subdivision Rules and Regulations*, dated April 26, 2005. The Applicant’s *Request for Waivers*, dated _____ prepared by GLM

Engineering was reviewed by the Planning and Economic Development Board during a duly called and properly posted public hearing on March 25, 2014.

On _____, a motion was made by _____ and seconded by _____ to _____ the Applicant’s *Request for Waivers*. The motion was by a vote of _____ in favor and _____ opposed. Waivers from the following sections of the *Subdivision Rules and Regulations* were approved:

ARCPUD RULES & REGULATIONS

SECTION 303 – Standards for ARCPUD Plan Preparation - 2D. All existing and proposed elevations shall refer to the North American Vertical Datum of 1099 (NAVD88).

FINDINGS – The applicant requests to use NGVD 1929. The adjacent wetland has a 100 year flood study associated with it that is based on the NGVD 1929.

SUBDIVISION RULES & REGULATIONS

SECTION 7.7.4.(b) – Stormwater Management Construction – All drain pipes except sub-drains shall be Class IV reinforced concrete pipe.

FINDINGS – The applicant proposes to use corrugated plastic pipes. The life expectancy of plastic piping is greater than the reinforced concrete pipe. As this development will be permanently private, there is no compelling public reason to require the use of the concrete piping.

SECTION 7.9.2 – Streets and Roadways – Alignment b) The minimum horizontal centerline radii of a local street, neighborhood street or permanent private way shall be one hundred fifty feet (150’).

FINDINGS – There are five locations where the centerline radii are less than the 150 feet minimum required:

- Road A Station 4+87 – 111 foot radius;
- Road B Station 3+42 – 136 foot radius

Millstone Village ARCPUD Special Permit
REVISION 1
Road C Station 4+79 – 75 foot radius
Road D Station +93 – 33 foot radius
Road D Station 1+55 – 33 foot radius

These alternative radii are particular to this project and the design of the overall site layout. The layout aligns itself with existing site features to be preserved, i.e. wetlands, open fields, etc.

SECTION 7.9.2 – Street and Roadways – Alignment d) Property lines at a street intersection shall be rounded or cut back to provide a property line radius of twenty-eight feet (28’), or for a curb radius of not less than forty feet (40’), whichever is more stringent.

FINDINGS – The applicant proposes to have 30’ paved roundings at the intersections in order to reduce the total amount of impervious surfaces. The applicant has demonstrated that a truck can enter and exit at all intersections.

SECTION 7.9.2 Street and Roadways - Alignment e) The Board prefers curvilinear (road) alignments as opposed to long straight tangents. No tangent length shall exceed three hundred feet (300’) unless authorized by the Board due to individual site factors such as topography, soil conditions, wetland locations, etc.

FINDINGS - The applicant proposes to have two locations with a tangent length greater than 300 feet. On [redacted], it is 42 ft. longer; on [redacted] it is 20 feet

longer. These alternative alignments preserve existing site features.

SECTION 7.9.5 Street and Roadways – Grade a) The minimum centerline grade for any street shall not be less than two percent (2%).

FINDINGS – The applicant proposes a minimum grade of 1.5%. This is to blend the proposed roadway with the existing contour. It minimizes cuts and fills.

SECTION 7.9.6 Streets and Roadways – Dead-End Streets e) Turnarounds shall be designed as a cul-de-sac with a perimeter of 100 feet and shall include a 24’ diameter center landscaped island or as a hammerhead or T-shaped turnaround.

FINDINGS – The diameter of the proposed cul-de-sac turnaround is 90 feet to reduce the extent of impervious surface.

SECTION 7.9.7 Streets & Roadways – Roadway Construction g) - The minimum widths of the road pavement shall be 26 feet for a Local Street.

FINDINGS – The applicant proposes 16 foot wide common driveways and 22 foot wide two way roadways. The 22’ conforms to the ARCPUD bylaw. The reduced pavement width will provide less impervious surfaces.

SECTION 7.13.2 Sidewalks – Sidewalks shall extend the full length of the street and around the entire perimeter of the cul-de-sac, with pedestrian ramps at both ends and shall have the following dimensions for a local street – 6’ wide sidewalk

FINDINGS – The plans show a 5 foot wide sidewalk with a 5 foot wide grass strip. This was done to reduce impervious surfaces. A 6’ wide sidewalk is needed when the Town will be plowing due to the size of the Town’s equipment. As this development will have privately owned sidewalks, this regulation is not applicable.

SECTION 7.10.2 - Curbing – Curbing shall be provided the full length of all streets along each side of the roadway. Curbing on local streets is specified as sloped granite edging.

FINDINGS – This is a private project that will be privately maintained. The Town will not be responsible for replacing the curbing if it becomes damaged. Vertical granite curbing will still be used on the roundings, which are the sections most vulnerable to damage from plowing or other causes.

MITIGATION – . . . to be determined, if anything.

APPEAL - Appeals, if any, shall be made pursuant to Section 17 of Chapter 40A of the Massachusetts General Laws, as amended, and shall be filed within twenty days after the date of filing of this Decision in the Office of the Town Clerk.

After the appeals period has expired, the Applicant shall obtain certified notice from the Town Clerk that no appeals have been made. Said notice must be filed with the Registry of Deeds with this Decision. The Applicant shall provide documentation of such recording to the Town Clerk and the Planning and Economic Development Board.

MEDWAY PLANNING AND ECONOMIC DEVELOPMENT BOARD

On _____, the following members of the Medway Planning and Economic Development Board voted to grant an ARCPUD Special Permit subject to the above-stated conditions limitations, waivers and mitigation measures.

Date Signed: _____

Notice of Decision to be sent to:
Certified abutters within 500'
Planning Boards of Bellingham, Franklin, Holliston, Millis, Milford, and Norfolk

DRAFT



TETRA TECH

MEMORANDUM

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

Fr: Steven Bouley–Tetra Tech (TT)

Re: **Thayer Homestead
As-Built Review and Punchlist
Medway, MA**

Dt: May 30, 2014

On May 30, 2014 at the request of the Medway Planning and Economic Development Board, Steven Bouley from Tetra Tech (TT) performed a Punch List inspection of the Thayer Homestead site as well as an as-built plan review.

TT is in receipt of the following materials:

- A plan (Plans) set entitled “Submission for Site Plan Approval, The Thayer Homestead” dated December 21, 2012, revised February 28, 2013, prepared by Lerner Ladds and Bartels, Inc. (LLB) and DeVellis Zrein Inc. (DZI).
- An as-built plan entitled “2-B Oak Street, Medway, MA, Final As-Built” dated May 6, 2014, prepared by Peter Nolan and Associates LLC (PNA).
- A letter entitled “2B Oak Street-Renovation of Thayer Homestead, Non-substantial modification of approved site plan” dated October 7, 2013 prepared by LLB.
- A sketch entitled “SKC-2 Relocate CB to Avoid Tree” dated July 19, 2013, prepared by DZI.
- A Site Plan Decision from the Town of Medway Planning and Economic Development Board (PEDB) entitled “Thayer Homestead-2B Oak Street, Approved with Waivers and Conditions” dated March 19, 2013.

The as-built plan was reviewed for conformance with the Town of Medway, Massachusetts Planning Board Rules and Regulations.

The following items were found to be not in conformance with the Rules and Regulations for the Review and Approval of Land Subdivisions (Chapter 100), or requiring additional information:



TETRA TECH

1. The final As-Built Plans shall be drawn with a minimum lettering height of one-eight inch (1/8") (*Registry of Deeds Standards*) and stamped by a Professional Land Surveyor registered in the Commonwealth of Massachusetts. (Ch. 100 §6.7.3)
2. The applicant shall require approval to submit plans drafted at one-inch (1") = twenty foot (20') scale as opposed to the one-inch (1") = forty foot (40') scale required by the regulations. The board did approve a scale of one-inch (1") = twenty foot (20') scale for the Site Plan Approval plan set.(Ch. 100 §6.7.3)
3. The As-Built plans shall contain a Locus Map. (Ch. 100 §6.7.4d)
4. The As-Built plans shall label curbing type/limits and pedestrian ramps (Ch. 100 §6.7.4e)
5. The As-Built plans shall show all monumentation, including dates set and vertical benchmarks. (Ch. 100 §6.7.4f)
6. "DIG SAFE" notification as a warning before future excavation of the streets shall be added to the plans. (Ch. 100 §6.7.4k)
7. The applicant shall provide the signature of the Professional Land Surveyor registered in the Commonwealth of Massachusetts preparing such As-Built Plan shall be endorsed on the plan in the following form from the regulations. (Ch. 100 §6.7.4l)

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

Site

8. The crosswalk striping adjacent to the handicap parking south of the Homestead does not continue across the drive aisle as shown on Sheet C-1 of the approved Plans. (See Appendix A, Photo #1)
9. It appears that construction debris (small roof) has been stockpiled under the tree to the east of the Homestead. (See Appendix A, Photo #2)
10. A parking space has been added to the easternmost parking layout. The approved plans show 13 spaces and 14 have been striped.



TETRA TECH

Drainage

11. Basin 2 does not appear to contain the level spreader and spillway as shown on Sheet C-2 of the approved Plans. (See Appendix A, Photo #3)

Utilities

12. The casting for SMH 2 could not be located during the inspection per the approved plans. The as-built plan does not show SMH 2 as being installed. The applicant should confirm if SMH 2 was installed. If SMH 2 was not installed, why was the plan changed? (See Appendix A, Photo #4)

Safety Concerns

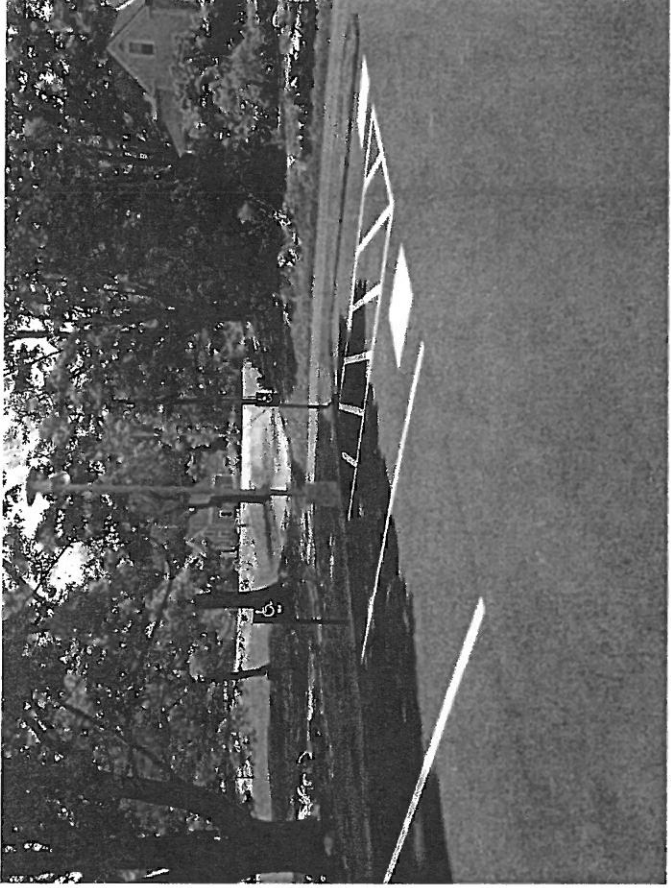
13. The bituminous concrete walkway which runs along the drive aisle to the northwest of Basin 1 may be a possible trip hazard when walking from the Homestead along the walkway to the south. The bituminous walkway blends in with the driveway and it is difficult to determine where the drop off occurs when the sidewalk meets the sloped granite edging. To limit any trip hazards the applicant may want to paint the edge of the walkway along the drive aisle to warn pedestrians of the drop off. (See Appendix A, Photo #5 and #6)

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

Very truly yours,

Steven Bouley
Civil Engineer

Photo 1



Crosswalk striping does not continue across the driveway

Photo 2



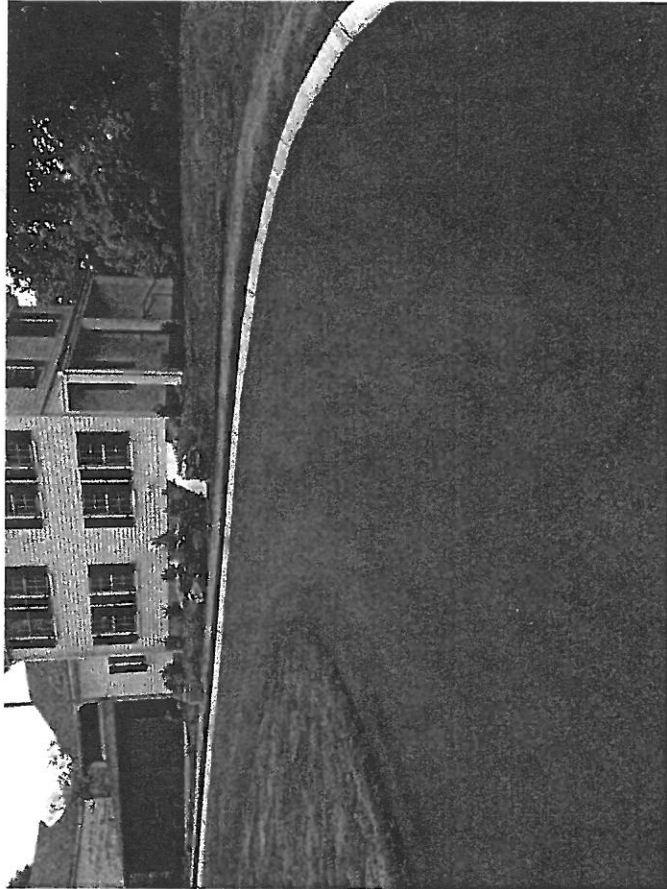
Debris under existing tree

Photo 3



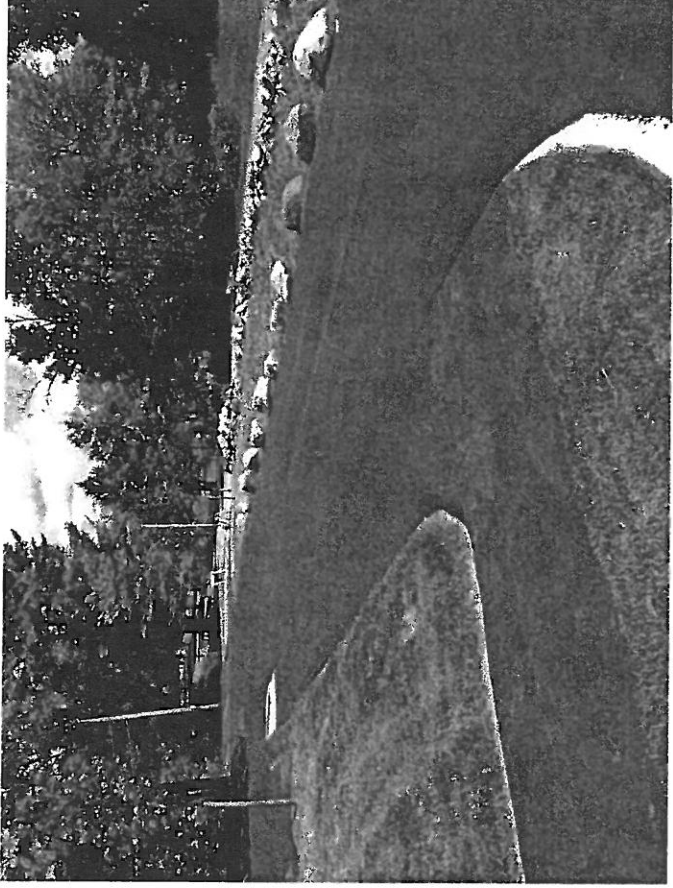
No level spreader or spillway on Basin 2

Photo 4



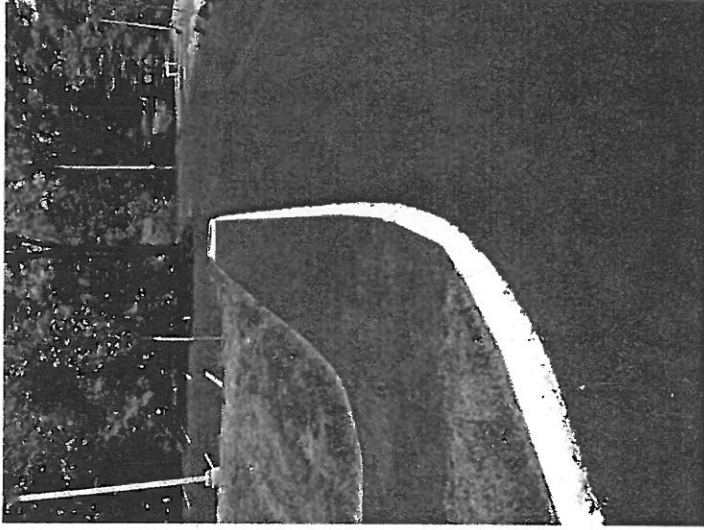
SMH 2 not observed in the driveway

Photo 5



Safety concern at bituminous sidewalk

Photo 6



Safety concern at bituminous sidewalk

Susan Affleck-Childs

From: Jonathan Taylor <jtaylor@llbarch.com>
Sent: Monday, June 02, 2014 4:29 PM
To: Susan Affleck-Childs
Cc: Master Plan. Committee; 'Mike Josefek (acg@acgllc.comcastbiz.net)'; mfoconnor@moccontracting.com; David Damico; John F. Emidy; Allison Potter; Andy Rodenhiser ; Drayton Fair
Subject: RE: Thayer Homestead - site asbuilts
Attachments: 13-0621-PB-sewer-letter.pdf; 5-30-2014 TT memo - punchlist and as-built plan review - Thayer Homestead.pdf

Thanks Susy. Below are my responses to the Tetra Tech's 13 items.

1. Contractor (copied herein) is asked to address on resubmission.
2. Contractor (copied herein) is asked to address on resubmission.
3. Contractor (copied herein) is asked to address on resubmission.
4. Contractor (copied herein) is asked to address on resubmission.
5. Contractor (copied herein) is asked to address on resubmission.
6. Contractor (copied herein) is asked to address on resubmission.
7. Contractor (copied herein) is asked to address on resubmission.
8. Diagonal paint striping was installed per contractor's submittal to LLB, which I approved. LLB requests PEDB acceptance of this Work as installed. Diagonally striped paint was provided at just the access aisles between the two accessible parking spaces, as shown on enlarged detail 2/drawing C-4, and the Work is in accordance with 521 CMR 23.4.6. Paint was not continued north of the access aisle to create a crosswalk, which is not required by 521 CMR.
9. This is not construction debris. I believe this is the Boy Scout Eagle project that the town will be reinstalling.
10. This 14th parking space was listed in the Architect's project inspection list (item #536), and was accepted by the owner. LLB requests PEDB acceptance of this Work as installed.
11. Contractor (copied herein) is asked to address on resubmission.
12. SMH #2 was not installed. Attached June 21, 2013 letter addresses this item.
13. Owner will be informed of suggestion.

Thank you.
Jonathan

Jonathan Matthew Taylor, AIA
NCARB, LEED AP BD+C

LLB Architects
Lerner Ladds Bartels
161 Exchange St.
Pawtucket, RI 02860

401.421.7715
www.LLBarch.com

From: Susan Affleck-Childs [mailto:sachilds@townofmedway.org]

Sent: Monday, June 02, 2014 2:32 PM

To: Jonathan Taylor

Cc: Master Plan. Committee; 'Mike Josefek (aeg@acgllc.comcastbiz.net)'; mfoconnor@moccontracting.com; David Damico; John F. Emidy; Allison Potter; Andy Rodenhiser
Subject: RE: Thayer Homestead - site asbuilts

Hi Jonathan.

On Friday, May 23rd, I forwarded the 5/6/2014 version of the as-built plan for Thayer Homestead to Tetra Tech for review. I did this to try to facilitate a timely review and not lose time while I was on vacation last week. This is the only version of the as-built plan which has been submitted to the PED office and that was on 5/20/2014.

Attached is the review memo and punch list I just received from Tetra Tech.

Please advise asap as to your schedule to address these various items and revise the as-built plans as specified.

Best regards,

Susy Affleck-Childs

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

Town of Medway – A Massachusetts Green Community

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From: Jonathan Taylor [<mailto:jtaylor@llbarch.com>]
Sent: Tuesday, May 20, 2014 5:14 PM
To: Susan Affleck-Childs
Cc: Master Plan. Committee; 'Mike Josefek (acg@acgllc.comcastbiz.net)'; mfoconnor@moccontracting.com; David Damico; John F. Emidy; Allison Potter; Andy Rodenhiser
Subject: RE: Thayer Homestead - site asbuilts

Hi Susy,

Understanding that time is of the essence, I've requested Jim and Katie at DZI expedite their review so a design team response is available Thursday.

Thanks,
Jonathan

Jonathan Matthew Taylor, AIA
NCARB, LEED AP BD+C

LLB Architects
Lerner Ladds Bartels
161 Exchange St.
Pawtucket, RI 02860

401.421.7715
www.LLBarch.com

From: Susan Affleck-Childs [<mailto:sachilds@townofmedway.org>]
Sent: Tuesday, May 20, 2014 4:37 PM
To: Jonathan Taylor
Cc: Master Plan. Committee; 'Mike Josefek (acg@acgllc.comcastbiz.net)'; mfoconnor@moccontracting.com; David Damico; John F. Emidy; Allison Potter; Andy Rodenhiser
Subject: RE: Thayer Homestead - site asbuilts

Hi Jonathan,

Thanks very much for the update!!

When can we expect to receive the site as-built plans? I will be on vacation next week and will not be available to organize a review, etc. while I am away.

Susy

From: Jonathan Taylor [<mailto:jtaylor@llbarch.com>]
Sent: Tuesday, May 20, 2014 4:34 PM
To: Susan Affleck-Childs
Cc: Master Plan. Committee; 'Mike Josefek (acg@acgllc.comcastbiz.net)'; mfoconnor@moccontracting.com; David

Damico; John F. Emidy; Allison Potter; Andy Rodenhiser
Subject: RE: Thayer Homestead - site asbuilts

Hi Susy,

You do have impeccable timing!

I just received this submittal from the contractor within the last 10 minutes, and have forwarded it to the civil engineer of record for their review.

Thank you,
Jonathan

Jonathan Matthew Taylor, AIA
NCARB, LEED AP BD+C

LLB Architects
Lerner Ladds Bartels
161 Exchange St.
Pawtucket, RI 02860

401.421.7715
www.LLBArch.com

From: Susan Affleck-Childs [<mailto:sachilds@townofmedway.org>]

Sent: Tuesday, May 20, 2014 4:24 PM

To: Jonathan Taylor

Cc: Master Plan. Committee; 'Mike Josefek (acg@acgllc.comcastbiz.net)'; mfoconnor@moccontracting.com; David

Damico; John F. Emidy; Allison Potter; Andy Rodenhiser

Subject: RE: Thayer Homestead - site asbuilts

Importance: High

Hello again,

No one has responded to my email from last Thursday.

Could someone please inform me of the status of the as-built plans for the Thayer site plan? Nothing has been submitted to the Planning and Economic Development office. When can we expect to receive them?

The as-built site plan must be reviewed and a site inspection conducted before the Planning Board will approve and authorize John Emidy to issue a final certificate of occupancy. The Board's upcoming meetings are on May 27, June 10 and June 24th.

Thank you.

Susy Affleck-Childs

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

Medway, MA 02053

Town of Medway – A Massachusetts Green Community

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From: Susan Affleck-Childs
Sent: Thursday, May 15, 2014 2:39 PM
To: 'Jonathan Taylor'
Cc: Master Plan. Committee; 'Mike Josefek (acg@acgllc.com)'; 'mfoconnor@moccontracting.com'; David Damico; John F. Emidy; Allison Potter
Subject: RE: Thayer Homestead - site asbuilts

Hi,

Just checking in on the site plan as-builts for Thayer House.

I am hearing that events are scheduled at Thayer in June. I believe a CO is needed for those events to occur.

Per the site plan decision, the PEDB needs to sign off on the site plan project before the CO can be issued. We need to receive the as-built plans, inspect the site to compare the original site plan to the as-built plan and see if everything is done!

Susy

From: Jonathan Taylor [<mailto:jtaylor@llbarch.com>]
Sent: Friday, April 25, 2014 2:27 PM
To: Susan Affleck-Childs
Cc: Master Plan. Committee; 'Mike Josefek (acg@acgllc.com)'; David Damico
Subject: FW: Thayer Homestead - site asbuilts

Suzy,

See below email response from MOC. It appears the site survey will take place next week. From this I would anticipate that MOC would submit as-builts to us for our review (either next week or the week after). If approved by us, then the town would be informed and a copy provided.

To keep you informed, I'll let you know once I receive them.

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

June 21, 2013

Ms. Susan Affleck-Childs
Planning & Economic Development Coordinator
c/o Planning & Economic Development Board
155 Village Street
Medway, MA 02053

Re: 2B Oak Street - Renovation of Thayer Homestead
Non-substantial modification of approved site plan

Dear Ms. Affleck-Childs,

This letter and attached sketch SKC-001 reiterates, and elaborates on our 6/14 phone conversation.

The general contractor for the Thayer Homestead project, M. O'Connor Contracting, Inc. has informed the project team that the town would prefer the sewer line to connect to the municipal line at Oak Street, not at the existing street manhole (as shown on the approved site plan) but instead at an existing stub connection further west on Oak Street.

John Foresto (Board of Selectmen & Thayer Homestead Development Committee member) has confirmed with David Damico, DPS Deputy Director that, "using the existing stub to connect the sewer at the Thayer House is the preferred method."

This alternative approach reduces the length of on-site sewer piping; also on-site manhole SMH #2 will not need to be installed. Piping will still leave on-site manhole SMH #1 and will be directed instead to the existing stub at Oak Street. The attached sketch depicts this modification. There will be no impact to any other site work, finish grade, basins or vegetation. The visual impact of this change is limited to one less manhole on the entry driveway.

The contractor is proceeding with this non-substantial modification. The contractor will also reflect this modification on their as-built drawings.

Sincerely,

Jonathan M. Taylor, AIA, NCARB, LEED AP BD+C
Project Manager, LLB Architects

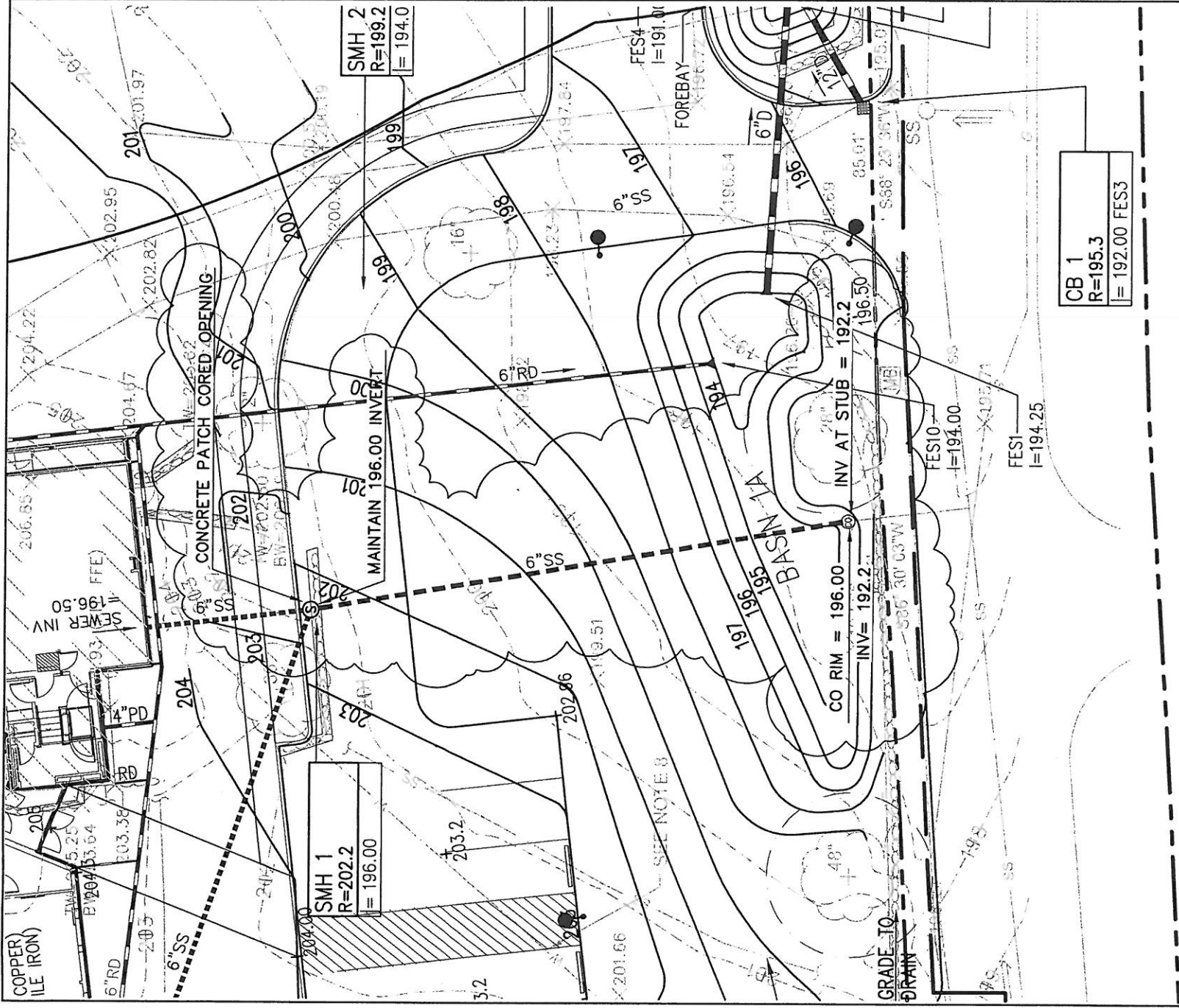


Lerner Ladds Bartels

161 Exchange St.
Pawtucket, RI 02860

401.421.7715
www.LLBArch.com

cc: John F. Emidy, Building Commissioner
Michael Josefek, Owner's Project Manager, ACG



SMH 1
R=202.2
I=196.00

SMH 2
R=199.2
I=194.0

CB 1
R=195.3
I=192.00 FES3

DZI
Site Planning, Civil Engineering, Landscape Architecture
Po Box 307
Fostorough, MA
508.393.8583 phone
devellisrelin.com

Sketch No.
SKC-001
Project
THAYER
HOMESTEAD

Job #	2018-127
Drawn by	CRM
Checked By	LJD
Date	6.20.2013
Scale	1"=20'

reference: Drawing C-2

Title: REVISION TO SEWER LINE

Proposed Schedule - 2015 Annual Town Meeting - Zoning Bylaw Amendments

8/12/2014 - Tuesday	Identify/discuss zoning amendment priorities for 2015 ATM
10/21/2014 - Tuesday	Special PEDB workshop meeting to review draft zoning articles
11/18/2014 - Tuesday	Special PEDB workshop meeting to review draft zoning articles
12/16/2014 - Tuesday	Special PEDB workshop meeting to review draft zoning articles
12/30/2014 - Tuesday	File PH Notice with Town Clerk and submit legal ad to MDN for 1/20/2015 public hearing. Mail notices to property owners in zoning districts where changes are proposed.
1/20/2015 - Tuesday	PEDB public hearing on zoning bylaw amendments
1/27/2015 - Tuesday	PEDB public hearing on zoning bylaw amendments
2/2/2015 - Monday	Deadline to Submit DRAFT zoning articles to TA's office
3/10/2015 - Tuesday	PEDB develops its recommendations to the BOS; submits final versions of zoning bylaw amendments for ATM warrant
3/16/2015 - Monday	BOS votes its recommendations on zoning bylaw articles submitted by PEDB
4/28/2015 - Tuesday	PEDB votes its recommendations to Town Meeting
5/11/2015 - Monday	2015 Annual Town Meeting
DRAFT - 6/3/2014	