

June 24, 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
 Susy Affleck-Childs, Planning and Economic Development Coordinator
 Consultant, Gino Carlucci, PGC Associates
 Consultant, Brian Marchetti, Tetra Tech

The meeting was convened at 6:30 p.m.

A motion was made by Bob Tucker and seconded by Matt Hayes that the PEDB enter into executive session to discuss strategy with respect to litigation where an open meeting may have a detrimental effect on the Town’s litigating position and the chair so declares, pursuant to General Laws Chapter 30 A Section 21 (a) (3) and Suffolk Construction Co., Inc. v. Division of Capital Asset Management, 449 Mass.444 (2007) with respect to Maritime Housing Fund, LLC v. Medway Planning and Economic Development Board.

Chairman Rodenhiser declared that an open meeting might have a detrimental impact on the Town’s litigating position.

Roll Call Vote:

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

The Chairman opened the regular meeting at 7:00 pm after coming out of executive session.

Thayer Homestead As-Built Plan:

The board is in receipt of the following documents:

- Revised As-Built Plan prepared by Peter Nolan and Associates. **(See Attached)**
- Email dated 6/19/2014 from Steve Bouley (Tetra Tech) re: the revised as-built plans. **(See Attached)**

Consultant Marchetti informed the Board that the as-built plans submitted for the Thayer Homestead need to be fixed since the text on the plan is too big. The Board does not want to vote on the Thayer Homestead until all the changes have been fixed.

Susy will send the applicant an email communicating the request of the Board.

Starbuck Site Plan – Project Completion:

On a motion made by Matt Hayes and seconded by Tom Gay, the Board voted to unanimously to approve the Certificate of Completion for the Starbucks Site Plan.

Consulting Engineer’s Report:

Open Space Committee

Consultant Marchetti indicated that he met with Mr. Wickett, the Vice Chairman for Open Space for property on Village Street. The consultant will put together a proposal for work. The proposal will include an ADA walkway to the river, also improvements to the canoe access, and also maintenance of the ADA access in the front. The property will need to have a survey done to design the project on the Village Street parcel using access for stairs to the path. A topography plan needs to be completed.

Cumberland Farms

The Board is in receipt of a requested construction change from engineer Phil Henry dated 6/18/2014. (See Attached.) The proposed change showed a photo of the proposed fence design. The recommended fence is for pedestrian safety purposes. The drainage will be started next week. Member Spiller-Walsh did a site visit to identify the rocks which will be saved. The consultant noted that the purpose of the fence is for aesthetic reasons.

On a motion made by Karyl Spiller-Walsh and seconded by Bob Tucker, the Board voted unanimously to accept the construction change order from Cumberland Farms as presented.

Learning Tree Site Plan – Public Hearing

On a motion made by Matt Hayes and seconded by Bob Tucker, the Board voted unanimously to dispense with the reading of the public hearing notice for Learning Tree Site Plan.

The Board is in receipt of the following documents:

- Public Hearing Notice dated June 5, 2014 (See Attached)
- Site Plan Application dated April 24, 2014 (See Attached)
- Email from John Emidy dated May 27, 2014. (See Attached)
- Letter from Design Review Committee dated June 23, 2014. (See Attached)
- Stormwater Report dated May 22, 2014 (See Attached)
- Building Elevations (See Attached)
- Existing and proposed landscaping (See Attached)
- Lighting Plan (See Attached)

- GIS Map showing wetlands adjacent to 157 Main St. **(See Attached)**
- PGC Plan Review letter dated 6/19/14. **(See Attached)**
- Review Comments DPS Director Tom Holder **(See Attached)**
- Review Comments Fire Chief Jeff Lynch **(See Attached)**
- Abutter Comments-Paul and Kathleen Yorkis, 159 Main St. **(See Attached)**

The owner of The Learning Tree Center, Lauren Nigro, was present along with her husband and her father, Steve Hansen, who owns the building. It was explained that the property was purchased about a year ago. They are looking to fix the existing building to provide an addition due to the enrollment demand. There will be an additional three classrooms and an office and an indoor play space. The applicant met with the Design Review Committee who provided excellent suggestions. The outside play area was identified on the plan.

Consultants Marchetti and Carlucci reviewed plan. The only concern from Consultant Carlucci was in regards to the parking. The requirement is 1 space per paid employee. The applicant indicated that the staff is not there all day; many staff have a flexible schedule. Some come in at 7:00 am and leave at 2:00 pm. There are currently 16 parking spots and this meets the standard.

The capacity for children will go from 36 to 80 with the addition.

The drop-off times also vary. There might be six families dropping off at the same time and then no one until another 20 minutes. Most of the traffic comes from Evergreen Street.

Consultant Marchetti suggested that this area is adequate for one way access and the parking is adequate. The applicant should provide an existing conditions plan to show the location of the man-made features such as gas, poles, utilities, fire hydrants etc. The Consultant wanted to make sure the ADA stalls are noted on the plans.

Susy reminded the applicant that with the easement in back on the adjacent parcel, she will need to get a copy of deed

Consultant Carlucci questions whether the easement and its rights include the permission to park within the driveway. The bylaw states it is one space per 300 square feet. The existing parking is gravel or crushed stone. There are two spaces on the east of the property and one appears to be on the abutter's property. There would need to be clarity in relation to the "right-of way" and permission to park there. The applicant would meet the criteria by specifying a time drop off. He also informed the applicant that the lighting plan exceeded .01 for candles. This will need to be changed.

Susy referenced a section in the exempt uses bylaw regarding exemption for uses based on site circumstances.

The applicant informed the Board that the poles are already there and are 8 feet. It was suggested to put in a condition that they will comply with the lighting regulations.

The following documents were entered into the record:

- Letter in support from resident Christine Riccio dated June 24, 2014. (See Attached)
- Letter in support from resident Kayla Gulla dated June 24, 2014. (See Attached)

Resident, Kristy Smith, 7 Iarussi Way stood up and spoke in support of the project.

The applicant needs to check with Conservation Commission.

The Board would like the dumpster in the back to be enclosed.

Consultant Marchetti informed the Board that this project is a redevelopment site regarding stormwater design. There is no additional impervious area, so the existing regulations need to be maintained. There is no increase in run off or recharge volume. The consultant needs the stormwater checklist on the MA DEP form.

It was suggested that the applicant look at the 75% design for the Rt. 109 project. Those are available on the website.

There are ten waiver requests as referenced in the letter from the consultant. (See Attached)

The following items need further follow-up at the next public hearing.

- The stormwater check list
- Routing on traffic
- Lighting

On a motion made by Matt Hayes and seconded by Karyl Spiller-Walsh, the Board voted unanimously to continue the hearing until July 8, 2014 at 7:15 pm.

Lawrence Waste Site Plan Modification – Public Hearing Continuation

The Chairman opened the hearing for Lawrence Waste Site Plan Modification for 49 Alder Street.

The following documents were entered into the record:

- Mullins Rule Certification from Bob Tucker 5/27/2014. (See Attached)
- Draft Site Plan Decision 6/16/2014.(See Attached)

The applicant has read the draft decision and is comfortable with the wording.

Waivers:

On a motion made by Bob Tucker and seconded by Matt Hayes the Board voted unanimously to approve the waivers as specified.

Findings

On a motion made by Bob Tucker and seconded by Matt Hayes the Board voted unanimously to approve the Findings.

Decision

On a motion made by Bob Tucker and seconded by Matt Hayes, the Board voted unanimously to approve the site plan subject to the approved findings, waivers and conditions.

The members signed the signature page and the applicant was informed that the decision will be filed with the Town Clerk on Thursday.

Close Hearing:

On a motion made by Bob Tucker and seconded by Karyl Spiller-Walsh, the Board voted unanimously to close the hearing for Lawrence Waste.

Tri-Valley Commons

The Chairman attended a meeting with the Tri Valley Commons applicant and representatives of the Town who have involvement with the Rt. 109 project. This included GPI, the Town's consulting engineer for the Route 109 project. There was discussion that there will be no dedicated left hand turn lanes going down the entire distance heading easterly.

The Board has a note from Tom Holder dated 6/19/2014 (**See Attached**) regarding who will pay the GPI Consultant on the Tri Valley Commons project. A \$2,500 advance on plan review funds has been collected from Mr. Landry. It was suggested to expand the scope of work for outside consultants to cover GPI.

Member Tucker responded that this is not a responsibility of the PEDB to make the review happen. DPS is riding shotgun and we need to put the requirement on the developer. There needs to be a distinction between the two.

This is a timing issue and execution of Rt. 109 project should be coordinated but there is still no plan executed to date and what can you hold them to.

DPS Director, Tom Holder, indicated that the 100% plans for the Route 109 project are to be submitted within this year.

The applicant has control of what he presents and this will impact the cost. This needs to be clarified upfront. The applicant needs to be notified.

Member Spiller-Walsh does not want to do anything until there is an actual site plan application from Mr. Landry.

It was suggested that GPI be used to do the all the traffic reviews.

DPS Director, Tom Holder is very comfortable with GPI doing the traffic review.

On a motion made by Matt Hayes and seconded by Tom Gay, the Board voted to use GPI as a traffic consultant for onsite and off-site traffic issues for the forthcoming Tri-Valley Commons site plan project. (Member Spiller-Walsh abstained from voting)

Medway High School Fields Site Plan – Public Hearing Continuation

The Board is in receipt of the following:

- Mullin's Certification (**See Attached**)
- Agreement with DPS and the School Committee regarding the scheduling of fields. (**See Attached**)
- Confidential email from Town Counsel dated June 11, 2014
- **Draft decision. (See Attached)**

The applicant is in receipt of the draft decision and has provided input.

Waivers:

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

Conditions:

On a motion made by Bob Tucker and seconded by Karyl Spiller-Walsh, the Board voted unanimously to approve the conditions as presented

Decision:

On a motion made by Bob Tucker and seconded by Karyl Spiller-Walsh, the Board voted unanimously to approve the decision as presented subject to the waivers, findings and conditions.

Close Hearing:

On a motion made by Bob Tucker and seconded by Matt Hayes, the Board voted unanimously to close the hearing.

The decision will be filed with the Town Clerk on June 25, 2014.

Millstone Village Adult Retirement Community – Public Hearing Continuation

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

The Board is in receipt of the following documents:

- Mullins Rule Certification from Bob Tucker for 5/27/2014 public hearing. (**See Attached**)
- 6/12/2014 memo from Community Housing Coordinator Doug Havens. (**See Attached**)
- Revised draft ARCPUD special permit decision dated 6/18/2014. (**See Attached**)
- Revised draft ARCPUD special permit decision dated 6/23/2014. Attorney Alex Parra for the applicant (**See Attached**)
- Draft local initiative program (LIP) application, Mass Development of Housing and Community Development received 6/18/2014 (**See Attached**)
- 6/18/2014 & 6/19/2014 emails from Doug Havens and Gino Carlucci re: draft LIP (**See Attached**)

- A memo dated 6/23/2014 from Doug Havens re: local distribution of AH units and DHCD's offer to review the Millstone Housing Market Study. **(See Attached)**

Open Space Parking:

Project Engineer Rob Truax noted that the Gravel will be outside of the right of way. The taking was noted. Come from parking on their property. The taking was from county and did not want to build parking lot in the public way. This will only be a gravel driveway. There is no abandonment of the road. Need to obtain permission. Will be putting boulders and no bushes.

The suggested language for the permit would be that the applicant constructs a parking area which will be gravel with room enough for 5 parking spaces and accessible from a public way to provide public access to the open space area and trails.

The Board is ok with what was presented and will reference the plan in the decision.

Affordable Housing:

The applicant's affordable housing consultant, Maureen O'Hagan, was present to speak about the demand for over 55 housing. She explained that the Town of Hopkinton just sold out of their age 55 developments. Brief research was completed on the surrounding town of Franklin. There has been one unit sold per month since 2012.

Doug Havens explained that he learned that DHCD is not likely to review the market study separate from the LAU application. He recommends that any language regarding the age restrictions be stricken and reference conformity with the DHCD requirements for inclusion on the subsidized housing inventory.

Susy has a concern that DHCD will determine that there is not a market demand for the over 55 dwelling units and the affordable units.

The Chairman responded that if DHCD comes back, we can always rescind the decision.

Maureen noted that the units will be marketed at an affordable rate. The builder has options for down the road to move forward if he has difficulty selling the affordable units. This is an ongoing process.

Doug Havens responded that there were no applicants for the last two affordable units at Williamsburg.

The Board is in agreement that the decision references that the tools are all there for these units and the applicant will need to follow through on their end.

There was further discussion about language in the further revised draft decision dated June 24, 2014. The Board wants the open space network and trail noted on the plan. The time frame for completing the open space trail improvements is to be four year after plan endorsement. The Board is comfortable with the language regarding the water conservation.

Comments from Public:

Resident, 70 Winthrop Street:

This resident is concerned about the two entrances off of Winthrop Street to the development. He believes that as proposed this is dangerous. It is a highly traveled road and now there will be additional traffic from Rhode Island. There is no stop sign. The average speed is not 35 mph but 45 to 60 mph. There have been many accidents on Winthrop Street. Another concern is the rise in the street. The second entrance is on the down side of the hill. This intersection is a concern. He recommends flattening the berm and putting in a four way stop sign at the intersection along with adding a sidewalk for walking. He expressed that someone will get hurt and this opens the Town up for litigation.

Resident, 72 Winthrop Street:

This resident was questioning the hours of construction operation. He was also concerned with the speeding.

Susy responded that the limits for construction are 7:00 am to 6:00 pm.

The Chairman indicated that our consultants who reviewed all the documentation did not think there would be significant impact on traffic.

Resident, 74 Winthrop Street:

This resident wanted to know if there was a plan for sidewalks. He also informed the Board that the speeding is bad on this road.

The Chairman responded that there is no plan for sidewalks except for inside the project. He informed the residents that they can call the police in regards to the speed on the street.

The Board began its review of the draft decision.

Findings:

On a motion made by Bob Tucker and seconded by Matt Hayes, the Board voted unanimously to approve the findings as presented.

Waivers:

On a motion made by Matt Hayes and seconded by Bob Tucker, the Board voted unanimously to approve the waivers as presented.

Decision:

On a motion made by Bob Tucker and seconded by Matt Hayes, the Board voted unanimously to approve the special permit subject to the findings, waivers and conditions as presented.

Close Hearing:

On a motion made by Bob Tucker and seconded by Karyl Spiller-Walsh, the Board voted unanimously to close the hearing for Millstone Village.

Committee Appointments:

The Board would like to keep their same liaison appointments from the previous year. (See Attached.)

Member Spiller-Walsh responded that she would like to continue her position as liaison to the Open Space Committee.

The following appointments were recommended:

- Capital Improvements: Matt Hayes
- Community Signage Group: Tom Gay
- Redevelopment Authority: Andy Rodenhiser (was recently elected to this committee and has been selected as chairman)

Economic Development Committee

Ken Bancewicz did not seek re-appointment to the Economic Development Committee. Paul Yorkis expressed interest in being reappointed.

On a motion made by Karyl Spiller-Walsh and seconded by Matt Hayes, the Board voted unanimously to appoint Paul Yorkis to the Economic Development Committee through June 30, 2016.

Open Space Committee:

The members open for appointment are:

- Jim Wickis, wants to be reappointed
- Glenn Murphy, does not want reappointment
- Bruce Hamblin, wants reappointed

Susy recommends Jim Wickis, but not Bruce Hamblin due to poor attendance.

On a motion made by Karyl Spiller-Walsh and seconded by Matt Hayes, the Board voted unanimously to appoint Jim Wickis to the Open Space Committee.

Design Review Committee:

On a motion made by Bob Tucker and seconded by Matt Hayes, the Board voted unanimously to appoint Matt Buckley, Rachel Walsh and Mary Weafer to the Design Review Committee.

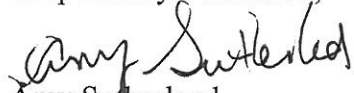
Meeting Minutes:

On a motion made by Matt Hayes and seconded by Tom Gay, the Board voted unanimously to accept the minutes from the June 10, 2014 meeting as written.

Adjourn:

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

Respectfully Submitted,

A handwritten signature in black ink that reads "Amy Sutherland". The signature is written in a cursive style with a large initial "A".

Amy Sutherland
Recording Secretary

2-B OAK STREET
MEDWAY, MA

SCALE: 1"=20'
DATE: 05/06/2014

FINAL
AS-BUILT
BY

PETER NOLAN & ASSOCIATES LLC
697 CAMBRIDGE STREET, SUITE 103 BRIGHTON, MA
TEL: 857-891-7478/617-782-1533 FAX: 617-202-5691
EMAIL: pnolan@pnasurveyors.com

NOTES:

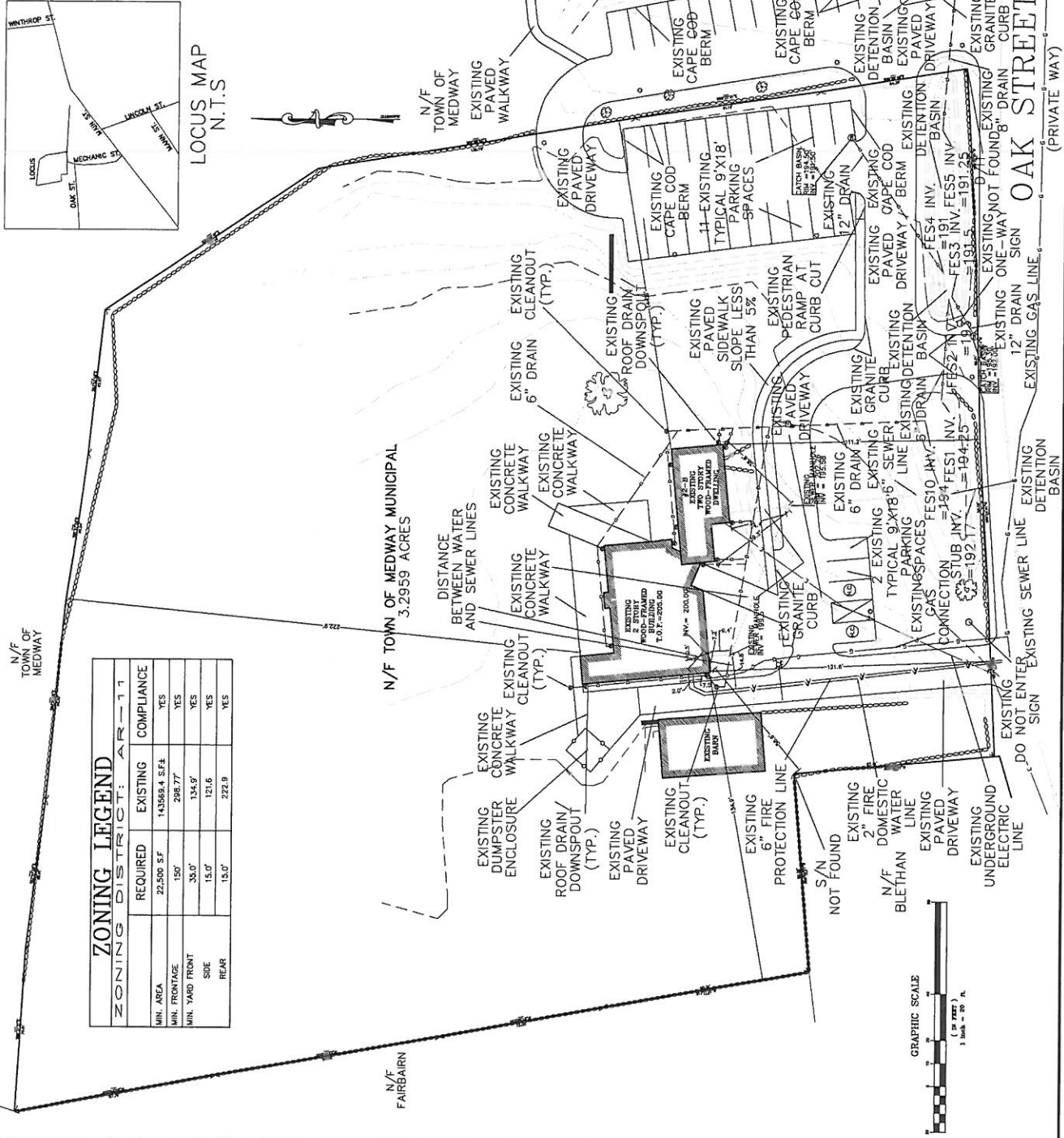
1. INFORMATION SHOWN ON THIS PLAN IS THE RESULT OF AN INITIAL FIELD SURVEY PERFORMED BY PETER NOLAN & ASSOCIATES AS OF 08-13-13. FINAL FIELD VISIT PERFORMED AS OF 04-29-14.
2. DEED REFERENCE: BOOK 21625, PAGE 88, NORFOLK COUNTY REGISTRY OF DEEDS. PLAN REFERENCE: PLAN NO. 434 OF 1988 IN PLAN BOOK 4516 PAGE 129, NORFOLK COUNTY REGISTRY OF DEEDS.
3. THIS PLAN IS NOT INTENDED TO BE RECORDED.
4. THE LOCATION OF UNDERGROUND UTILITIES IS BASED UPON PLANS AND INFORMATION PROVIDED BY THE RESPECTIVE UTILITY COMPANIES OR MUNICIPAL DEPARTMENTS SUPPLEMENTED BY FIELD IDENTIFICATION WHEREVER POSSIBLE.
5. THE LOCATION OF UNDERGROUND UTILITIES AS REPRESENTED ON THESE PLANS IS BASED UPON PLANS AND INFORMATION PROVIDED BY THE RESPECTIVE UTILITY COMPANIES OR MUNICIPAL DEPARTMENTS SUPPLEMENTED BY FIELD IDENTIFICATION WHEREVER POSSIBLE. NO WARRANTY IS MADE AS TO THE ACCURACY OF THESE LOCATIONS OR THAT ALL UNDERGROUND UTILITIES ARE SHOWN. THE CONTRACTOR SHALL CONTRACT DIG SAFE AT LEAST 72 HOURS PRIOR TO THE START OF CONSTRUCTION. DIG SAFE TELEPHONE NUMBER IS 1-800-322-4844.



EXISTING LEGEND	
Symbol	SEWER LINE
Symbol	SEWER MANHOLE
Symbol	WATER LINE
Symbol	GAS LINE
Symbol	UTILITY POLE
Symbol	GAS VALVE
Symbol	OVERHEAD ELECTRIC SERVICE
Symbol	WATER VALVE
Symbol	CATCH BASIN
Symbol	FENCE
Symbol	CONTOUR LINE (MFT)
Symbol	SPOT GRADE
Symbol	DRAIN MANHOLE
Symbol	HYDRANT
Symbol	TREE
Symbol	STONE WALL
Symbol	HANDICAP PARKING
Symbol	LIGHT POLE
Symbol	DRAIN LINE



LOCUS MAP
N.T.S.



ZONING DISTRICT: A-R-11		
REQUIRED	EXISTING	COMPLIANCE
MIN. AREA	14,356.4 SF ±	YES
MIN. FRONTAGE	288.77'	YES
MIN. YARD FRONT	35.0'	YES
SIDE	121.6'	YES
REAR	222.9'	YES



Susan Affleck-Childs

From: Bouley, Steven <Steven.Bouley@tetrattech.com>
Sent: Thursday, June 19, 2014 12:00 PM
To: Susan Affleck-Childs
Subject: RE: Thayer Homestead Survey AsBuilt

Hi Susy,

This plan is still not looking good. The text is still very large and congested and it doesn't look like they did anything from the previous submission. After speaking with the surveyor who worked on the plan I was under the impression that the text would be the correct size, much like the text as shown in the legend on the plan and as noted in our letter. The text shown on the plan is technically per the regulations since it is at a minimum of 1/8" but it does not look presentable at all. They also did not respond to our previous letter. Let me know how you would like to move forward with this because I know you wanted to have a determination today.

Steve

From: Susan Affleck-Childs [mailto:sachilds@townofmedway.org]
Sent: Wednesday, June 18, 2014 4:05 PM
To: Michael O'Connor, Jr
Cc: Jonathan Taylor (jtaylor@llbarch.com); 'Mike Josefek (acg@acgllc.comcastbiz.net)' (acg@acgllc.comcastbiz.net); Master Plan. Committee; jim@develliszrein.com; John Foresto; Andy Rodenhiser; Bouley, Steven
Subject: RE: Thayer Homestead Survey AsBuilt

Michael,

Thanks very much.

I will be in touch with Tetra Tech to finalize our review.

Best regards,

Susy Affleck-Childs

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

Town of Medway – A Massachusetts Green Community

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

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

From: Michael O'Connor, Jr [<mailto:mfoconnor@moccontracting.com>]
Sent: Wednesday, June 18, 2014 4:05 PM
To: Susan Affleck-Childs
Cc: Jonathan Taylor (jtaylor@lbarch.com); 'Mike Josefek (acg@acgllc.comcastbiz.net)' (acg@acgllc.comcastbiz.net); Master Plan. Committee; jim@develliszrein.com; John Foresto; Andy Rodenhiser; Steve Bouley
Subject: RE: Thayer Homestead Survey AsBuilt

Susan and others

Attached is the latest revision of the Survey As-Built for the Thayer Homestead project. It is my understanding that the surveyor spoke with Tetra Tech last week regarding the items on the memo. After review and discussion with Peter Nolan, I feel that the As Built meets the items noted in the Tetra Tech memos.

Thanks

Michael F. O'Connor, Jr.

M. O'Connor Contracting, Inc.

Tel. 617-327-3070

Fax 617-327-9731

mfoconnor@moccontracting.com

From: Susan Affleck-Childs [<mailto:sachilds@townofmedway.org>]
Sent: Wednesday, June 11, 2014 4:06 PM
To: Michael O'Connor, Jr
Cc: Jonathan Taylor (jtaylor@lbarch.com); 'Mike Josefek (acg@acgllc.comcastbiz.net)' (acg@acgllc.comcastbiz.net); Master Plan. Committee; jim@develliszrein.com; Eddie O'Connor; John Foresto; Andy Rodenhiser; Steve Bouley
Subject: RE: Thayer Homestead Survey AsBuilt

Michael,

Thanks very much for getting back to me so promptly. I appreciate it.

I will forward your comments along to the members of the Board and to Tetra Tech.

You may contact Steve Bouley at Tetra Tech directly to further discuss.

Best regards,

Susy Affleck-Childs

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

Town of Medway – *A Massachusetts Green Community*

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

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

From: Michael O'Connor, Jr [<mailto:mfoconnor@moccontracting.com>]
Sent: Wednesday, June 11, 2014 4:03 PM
To: Susan Affleck-Childs
Cc: Jonathan Taylor (jtaylor@lbarch.com); 'Mike Josefek (acg@acgllc.comcastbiz.net)' (acg@acgllc.comcastbiz.net); Master Plan. Committee; jim@develliszrein.com; Eddie O'Connor; John Foresto; Andy Rodenhiser
Subject: RE: Thayer Homestead Survey AsBuilt

Good afternoon

I have forwarded this survey review onto Peter Nolan and Associates for their review and comments.

Upon initial review of Tetra Tech's memo, I would like to respond to a few of the items.

Item 1 – Surveyor informed me that Tetra Tech's comments required them to change the text size which is why it is a bit more crowded. Their interpretation of the May 30 memo increased the font size for labels which contributed to the plan being confusing and difficult to read. That was an attempt to satisfy Item 1.

Item 2 – The contract document civil plans used a 1"=20' scale. It seemed only natural that the As Built be done similarly.

Item 4 – The curbing was labelled on the plan. A change in the font size should clarify.

Item 5 – I will review with surveyor the monumentation.

Item 7 – The specific language noted in the revised memo was not mentioned previously. I will review with surveyor the size of stamp. The size/location of surveyor stamp and electronic signature may be smaller to fit on the drawing because of the apparent misunderstanding regarding the text size item. The electronic signature was to help expedite the review process. I can get the surveyor to stamp and signed hard copies in the future. Stamp reads: "Commonwealth of Massachusetts Professional Land Surveyor Peter J. Nolan No. 49185 Registered"

Thank you

Michael F. O'Connor, Jr.

M. O'Connor Contracting, Inc.

Tel. 617-327-3070

Fax 617-327-9731

mfoconnor@moccontracting.com

From: Susan Affleck-Childs [<mailto:sachilds@townofmedway.org>]
Sent: Wednesday, June 11, 2014 12:59 PM
To: Michael O'Connor, Jr
Cc: Jonathan Taylor (jtaylor@lbarch.com); 'Mike Josefek (acg@acgllc.comcastbiz.net)' (acg@acgllc.comcastbiz.net); Master Plan. Committee; jim@develliszrein.com; Eddie O'Connor; John Foresto; Andy Rodenhiser
Subject: FW: Thayer Homestead Survey AsBuilt

Good afternoon,

Upon receipt last Thursday of the revised as-built plan for Thayer (see attached), I immediately forwarded it to Tetra Tech, the Board's Consulting Engineer for review and comment.

Yesterday, Tetra Tech provided the attached review letter which the Planning and Economic Development Board discussed at last night's meeting.

The Board determined that the revised as-built plan, in its present form, is not acceptable. Please review the 6-9-2014 memo from Tetra Tech; the as-built plan needs to be further revised as specified and then submitted back to us.

Also, please update the date of the plan.

Thank you for your attention to these matters.

Best regards,

Susy Affleck-Childs

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

Town of Medway – A Massachusetts Green Community

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

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

From: Michael O'Connor, Jr [<mailto:mfoconnor@moccontracting.com>]
Sent: Thursday, June 05, 2014 5:19 PM
To: Jonathan Taylor (jtaylor@llbarch.com); Susan Affleck-Childs
Cc: 'Mike Josefek (acg@acgllc.comcastbiz.net)' (acg@acgllc.comcastbiz.net); Master Plan. Committee; jim@devellisrein.com; Eddie O'Connor
Subject: Thayer Homestead Survey AsBuilt

All
Attached is revised Site Survey for the Thayer Homestead project. I believe that it has addressed all the comments from the various reviews.
Thanks

Michael F. O'Connor, Jr.
M. O'Connor Contracting, Inc.
Tel. 617-327-3070
Fax 617-327-9731
mfoconnor@moccontracting.com

_____ Information from ESET NOD32 Antivirus, version of virus signature database 8359 (20130521)

The message was checked by ESET NOD32 Antivirus.

<http://www.eset.com>



TOWN OF MEDWAY
Planning and Economic Development Board

***Certificate of SITE PLAN Completion
and Final Release of Performance Guarantee***

The Medway Planning and Economic Development Board has received a request from Karen Johnson of Charter Realty and Development Corporation dated May 29, 2014 for the Medway Planning and Economic Development Board to issue a *Certificate of Completion and Final Release of Performance Guarantee* for the following site plan development:

Title of Plan: Medway Commons Retail Development – Starbucks Coffee Drive-Thru

Project Location: 67 Main Street

Assessor's Map/Parcel Numbers: 41-12-67A, 41-24, and 41-26-67C

Drawn by: Greg Mikolaites, PE. Tighe & Bond Consulting Engineers, Portsmouth, NH

P.E. Registration #: 33659 (Massachusetts)

Date of Plan: April 26, 2013 last revised October 8, 2013

Date of Site Plan Decision: September 10, 2013

Date of Site Plan Endorsement: October 8, 2013

Applicant's Name: Charter Medway I, LLC and Charter Realty II, LLC

Applicant's Address: 800 Westchester Avenue, Suite S-632, Rye Brook, NY 10573

Project Status

- OK** Final Inspection - Inspector of Buildings: *February 13, 2014*
- OK** Applicant's Project Engineer's Certification of Completion & Compliance for site plan work and/or stormwater management facilities – *Letter dated 5/28/14 from Greg Mikolaites, PE, Tighe and Bond*
- OK** Planning & Economic Development Board Site Inspection - *June 6, 2014 by PEDB Member Tom Gay*
- NA** DPS Inspection/sign-off (*if applicable*) _____
- NA** Town Engineer's Inspection/sign-off (*if applicable*) _____
- NA** Acceptance of required public off-site improvements by BOS and/or DPS _____
- NA** Acceptance of required private off-site improvements by PEDB _____

NA CONCOM Certificate of Compliance (if applicable) _____

OK As-Built Plans submitted and accepted: June 10, 2014 PEDB

OK Treasurer's Certification of Taxes Paid – June 5, 2014 by Joanne Russo, Assistant Treasurer/Collector

NA Other: _____

Susan E. Affleck-Childs
Planning and Economic Development Coordinator

Date

Planning & Economic Development Board Certification

The above noted site plan project has been fully and satisfactorily completed in accordance with the requirements of the Planning Board's *Site Plan Rules and Regulations* applicable to this project, the application submitted for approval of this development, the Site Plan Decision and all conditions of approval, the endorsed Site Plan, all conditions subsequent to approval of the site plan due to any amendment, modification, or revision of the Site Plan or Decision, all of the provisions set forth in any performance guarantee and any amendments thereto and the following additional documents (if any):

(hereinafter "approval instruments").

All existing methods for securing the construction of approved site plan work are hereby released. Specify details of security.

\$25,000 check turned over to the Medway Treasurer/Collector's office on 2/13/14

Planning and Economic Development Board Members

Member Date

Member Date

Member Date

Member Date

Member Date

Susan Affleck-Childs

From: phil.henry@cdgengineering.com
Sent: Wednesday, June 18, 2014 2:49 PM
To: Susan Affleck-Childs
Cc: dtaverna@cumberlandgulf.com; ajbarbato@tmcrowley.com; 'Lou Eyster'; kevin Leverone
Subject: Cumberland Farms_Fence Revision
Attachments: IMG_0031.jpg; CFG4.0.pdf; CFG9.3.pdf

Susy:

Per our phone conversation, I am attaching a revised site plan that proposes a minor change to provide additional edge control along the portion of retaining wall with the stone veneer finish. As approved, there was wooden guiderail extending from the bike rack to the westerly edge of the retaining wall proximate to parking space 19. In speaking with the Contractor, we would like to introduce a 48" high ornamental aluminum fence in addition to the guiderail for additional pedestrian safety. The attached site plan depicts the limit of the aluminum fence and the attached detail sheet provides a cross section for installation purposes, all of which are rev-clouded for your convenience. I am also including a photograph from a recently constructed Cumberland Farms that includes the specified fence. As we discussed, we consider this a minor change but wanted to forward to your attention. Please advise if there any concerns on the Town's behalf.

Thanks,

Philip R. Henry, P.E.
Principal

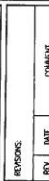
CIVIL DESIGN GROUP, LLC
21 HIGH STREET
SUITE 300A
NORTH ANDOVER, MA 01845
p: 978-794-5400
m: 617-921-4423
d: 978-965-3935
f: 978-965-3971
e: phil.henry@cdgengineering.com
w: www.cdgengineering.com



CONSTRUCTION PLANS

REV	DATE	COMMENTS
1	10-20-2011	ISSUED FOR PERMITS
2	10-23-2011	ISSUED FOR PERMITS
3	10-23-2011	ISSUED FOR PERMITS
4	10-23-2011	ISSUED FOR PERMITS

DESIGNED BY: _____
 CHECKED BY: _____
 SCALE: 1" = 10'-0"



PREPARED FOR:
GBC
 GERHARD BRONKHORST INC.
 14 BREAKNECK HILL ROAD
 SUITE 101
 LINCOLN 06255

Cumberland
 10 CROSSING BOULEVARD
 FRAMINGHAM, MA 01702

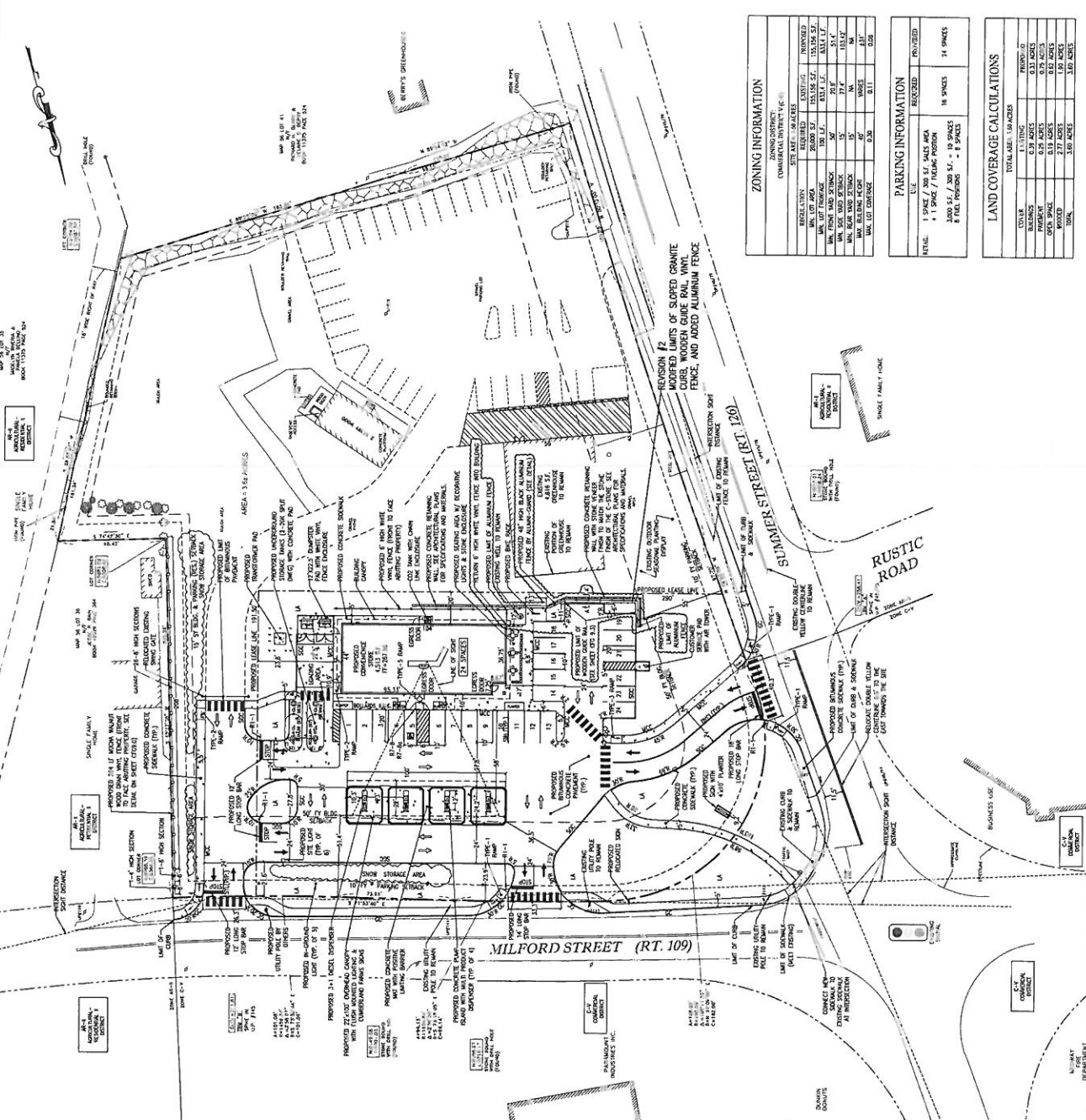
PROJECT:
 38 SUMNER STREET (ROUTE 1A)
 6 MILFORD STREET (ROUTE 109)
 NEWTON, MA 02459

STORE # FBI STATION # FBI

PREPARED BY:
Civil Design Group, I.L.C.
 31 HIGH STREET, 6TH FLOOR
 NORTH ANDOVER, MA 01845
 www.civildesigngroup.com
 P: 978-794-5400 F: 978-914-6161

SHEET:
SITE PLAN
CFG 4.0

DATE: 04/28/2013



GENERAL NOTES

1. REFER TO ARCHITECTURAL DRAWINGS FOR EXACT BUILDING DIMENSIONS AND DETAIL CONSTRUCTION INCLUDING BUT NOT LIMITED TO: FOUNDATION, ROOFING, INTERIORS, ETC.
2. ALL LIMITS OF FINISH SHALL BE CLEAR, UNLESS OTHERWISE NOTED.
3. FINISH GRADE SHALL BE ESTABLISHED WITH THE RIGHT OF WAY AND SHALL REMAIN AT THE ACCESSIBLE.
4. CURB WITHIN THE SITE LIMITS SHALL BE SLOPED GRANITE UNLESS OTHERWISE NOTED.
5. FINISH GRADE DIMENSIONS SHALL BE 1/8" INCH, 1/8" INCH, UNLESS OTHERWISE NOTED.
6. ACCESS RAMP SHALL BE A MINIMUM OF 4" WIDE.
7. PARKING DIMENSIONS AND SPACING SHALL COMPLY WITH THE 2009 INTERNATIONAL BUILDING CODE (IBC).
8. SIGNAGE SHALL BE 4" HIGH AND 24" WIDE UNLESS OTHERWISE NOTED.
9. SIGNAGE SHALL BE 4" HIGH AND 24" WIDE UNLESS OTHERWISE NOTED.
10. SIGNAGE SHALL BE 4" HIGH AND 24" WIDE UNLESS OTHERWISE NOTED.
11. SIGNAGE SHALL BE 4" HIGH AND 24" WIDE UNLESS OTHERWISE NOTED.
12. ALL CURB WITHIN THE RIGHT OF WAY SHALL CONFORM TO TOWN SPECIFICATIONS.
13. SIGN SHALL BE 4" HIGH AND 24" WIDE UNLESS OTHERWISE NOTED.
14. REFER TO ARCHITECTURAL PLANS FOR SIGN PLACEMENT, DIMENSIONS AND SPECIFICATIONS.
15. SIGN SHALL BE 4" HIGH AND 24" WIDE UNLESS OTHERWISE NOTED.
16. SIGN SHALL BE 4" HIGH AND 24" WIDE UNLESS OTHERWISE NOTED.

SITE LAYOUT NOTES

1. REFER TO ARCHITECTURAL DRAWINGS FOR EXACT BUILDING DIMENSIONS AND DETAIL CONSTRUCTION INCLUDING BUT NOT LIMITED TO: FOUNDATION, ROOFING, INTERIORS, ETC.
2. ALL LIMITS OF FINISH SHALL BE CLEAR, UNLESS OTHERWISE NOTED.
3. FINISH GRADE SHALL BE ESTABLISHED WITH THE RIGHT OF WAY AND SHALL REMAIN AT THE ACCESSIBLE.
4. CURB WITHIN THE SITE LIMITS SHALL BE SLOPED GRANITE UNLESS OTHERWISE NOTED.
5. FINISH GRADE DIMENSIONS SHALL BE 1/8" INCH, 1/8" INCH, UNLESS OTHERWISE NOTED.
6. ACCESS RAMP SHALL BE A MINIMUM OF 4" WIDE.
7. PARKING DIMENSIONS AND SPACING SHALL COMPLY WITH THE 2009 INTERNATIONAL BUILDING CODE (IBC).
8. SIGNAGE SHALL BE 4" HIGH AND 24" WIDE UNLESS OTHERWISE NOTED.
9. SIGNAGE SHALL BE 4" HIGH AND 24" WIDE UNLESS OTHERWISE NOTED.
10. SIGNAGE SHALL BE 4" HIGH AND 24" WIDE UNLESS OTHERWISE NOTED.
11. SIGNAGE SHALL BE 4" HIGH AND 24" WIDE UNLESS OTHERWISE NOTED.
12. ALL CURB WITHIN THE RIGHT OF WAY SHALL CONFORM TO TOWN SPECIFICATIONS.
13. SIGN SHALL BE 4" HIGH AND 24" WIDE UNLESS OTHERWISE NOTED.
14. REFER TO ARCHITECTURAL PLANS FOR SIGN PLACEMENT, DIMENSIONS AND SPECIFICATIONS.
15. SIGN SHALL BE 4" HIGH AND 24" WIDE UNLESS OTHERWISE NOTED.
16. SIGN SHALL BE 4" HIGH AND 24" WIDE UNLESS OTHERWISE NOTED.

SYMBOL	DESCRIPTION
[Symbol]	PROPOSED
[Symbol]	EXISTING
[Symbol]	PROPERTY LINE
[Symbol]	RIGHT OF WAY
[Symbol]	ADJACENT PROPERTY
[Symbol]	ADJACENT ROAD
[Symbol]	ADJACENT RAILROAD
[Symbol]	ADJACENT AIRPORT
[Symbol]	ADJACENT WATERWAY
[Symbol]	ADJACENT UTILITIES
[Symbol]	ADJACENT STRUCTURES
[Symbol]	ADJACENT LANDSCAPE
[Symbol]	ADJACENT VEGETATION
[Symbol]	ADJACENT OBSTACLES
[Symbol]	ADJACENT HAZARDOUS MATERIALS
[Symbol]	ADJACENT CONTAMINATION
[Symbol]	ADJACENT EROSION
[Symbol]	ADJACENT FLOODING
[Symbol]	ADJACENT SEISMIC
[Symbol]	ADJACENT TERRORISM
[Symbol]	ADJACENT OTHER

SYMBOL	DESCRIPTION
[Symbol]	PROPOSED
[Symbol]	EXISTING
[Symbol]	PROPERTY LINE
[Symbol]	RIGHT OF WAY
[Symbol]	ADJACENT PROPERTY
[Symbol]	ADJACENT ROAD
[Symbol]	ADJACENT RAILROAD
[Symbol]	ADJACENT AIRPORT
[Symbol]	ADJACENT WATERWAY
[Symbol]	ADJACENT UTILITIES
[Symbol]	ADJACENT STRUCTURES
[Symbol]	ADJACENT LANDSCAPE
[Symbol]	ADJACENT VEGETATION
[Symbol]	ADJACENT OBSTACLES
[Symbol]	ADJACENT HAZARDOUS MATERIALS
[Symbol]	ADJACENT CONTAMINATION
[Symbol]	ADJACENT EROSION
[Symbol]	ADJACENT FLOODING
[Symbol]	ADJACENT SEISMIC
[Symbol]	ADJACENT TERRORISM
[Symbol]	ADJACENT OTHER

SYMBOL	DESCRIPTION
[Symbol]	PROPOSED
[Symbol]	EXISTING
[Symbol]	PROPERTY LINE
[Symbol]	RIGHT OF WAY
[Symbol]	ADJACENT PROPERTY
[Symbol]	ADJACENT ROAD
[Symbol]	ADJACENT RAILROAD
[Symbol]	ADJACENT AIRPORT
[Symbol]	ADJACENT WATERWAY
[Symbol]	ADJACENT UTILITIES
[Symbol]	ADJACENT STRUCTURES
[Symbol]	ADJACENT LANDSCAPE
[Symbol]	ADJACENT VEGETATION
[Symbol]	ADJACENT OBSTACLES
[Symbol]	ADJACENT HAZARDOUS MATERIALS
[Symbol]	ADJACENT CONTAMINATION
[Symbol]	ADJACENT EROSION
[Symbol]	ADJACENT FLOODING
[Symbol]	ADJACENT SEISMIC
[Symbol]	ADJACENT TERRORISM
[Symbol]	ADJACENT OTHER

SYMBOL	DESCRIPTION
[Symbol]	PROPOSED
[Symbol]	EXISTING
[Symbol]	PROPERTY LINE
[Symbol]	RIGHT OF WAY
[Symbol]	ADJACENT PROPERTY
[Symbol]	ADJACENT ROAD
[Symbol]	ADJACENT RAILROAD
[Symbol]	ADJACENT AIRPORT
[Symbol]	ADJACENT WATERWAY
[Symbol]	ADJACENT UTILITIES
[Symbol]	ADJACENT STRUCTURES
[Symbol]	ADJACENT LANDSCAPE
[Symbol]	ADJACENT VEGETATION
[Symbol]	ADJACENT OBSTACLES
[Symbol]	ADJACENT HAZARDOUS MATERIALS
[Symbol]	ADJACENT CONTAMINATION
[Symbol]	ADJACENT EROSION
[Symbol]	ADJACENT FLOODING
[Symbol]	ADJACENT SEISMIC
[Symbol]	ADJACENT TERRORISM
[Symbol]	ADJACENT OTHER

SYMBOL	DESCRIPTION
[Symbol]	PROPOSED
[Symbol]	EXISTING
[Symbol]	PROPERTY LINE
[Symbol]	RIGHT OF WAY
[Symbol]	ADJACENT PROPERTY
[Symbol]	ADJACENT ROAD
[Symbol]	ADJACENT RAILROAD
[Symbol]	ADJACENT AIRPORT
[Symbol]	ADJACENT WATERWAY
[Symbol]	ADJACENT UTILITIES
[Symbol]	ADJACENT STRUCTURES
[Symbol]	ADJACENT LANDSCAPE
[Symbol]	ADJACENT VEGETATION
[Symbol]	ADJACENT OBSTACLES
[Symbol]	ADJACENT HAZARDOUS MATERIALS
[Symbol]	ADJACENT CONTAMINATION
[Symbol]	ADJACENT EROSION
[Symbol]	ADJACENT FLOODING
[Symbol]	ADJACENT SEISMIC
[Symbol]	ADJACENT TERRORISM
[Symbol]	ADJACENT OTHER

ZONING INFORMATION

REGULATORY	REQUIREMENTS	COMMENTS
MIN. LOT AREA	10,000 SQ. FT.	10,000 SQ. FT.
MIN. FRONT YARD SETBACK	10 FT.	10 FT.
MIN. SIDE YARD SETBACK	5 FT.	5 FT.
MIN. REAR YARD SETBACK	10 FT.	10 FT.
MAX. LOT COVERAGE	0.30	0.30

PARKING INFORMATION

REQUIREMENTS	PROVIDED
MIN. 1 SPACE / 300 SQ. FT. AREA	14 SPACES
MIN. 1 SPACE / 300 SQ. FT. = 10 SPACES	14 SPACES
MIN. 8 FT. CLEARANCE	14 SPACES

LAND COVERAGE CALCULATIONS

ITEM	AREA (SQ. FT.)	PERCENT
TOTAL AREA	10,000	100%
IMPERVIOUS	3,000	30%
PERMEABLE	7,000	70%
MIN. PERCENT	2,100	21%
EXCESS	4,900	49%

CONSTRUCTION PLANS

REV	DATE	COMMENT
1	09-20-13	ISSUED FOR PERMITS, COMMENTS & PERMITS
2	10-20-13	ISSUED FOR PERMITS, COMMENTS & PERMITS
3	04-12-14	ISSUED FOR PERMITS, COMMENTS & PERMITS
4	04-16-14	ISSUED FOR PERMITS, COMMENTS & PERMITS

SCALE: NOT TO SCALE

DESIGNED BY: PHILIP R. HENRY, P.E.



PREPARED FOR:
GBC
 GREENBANK HILL ROAD
 SUITE 101
 LINCOLN R. 02685

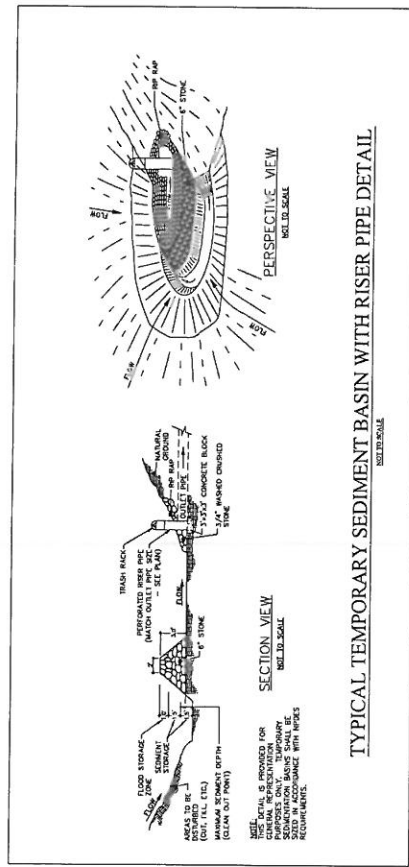
Cumberland
 CIVIL DESIGN GROUP, LLC
 100 CROSSING BOULEVARD
 FRAMINGHAM, MA 01702

PROJECT:
 38 SUMNER STREET (ROUTE 1A)
 @ MILLBURN STREET (ROUTE 1B)
 MEDWAY, MA 02655
 STORE # BED STATION # BED

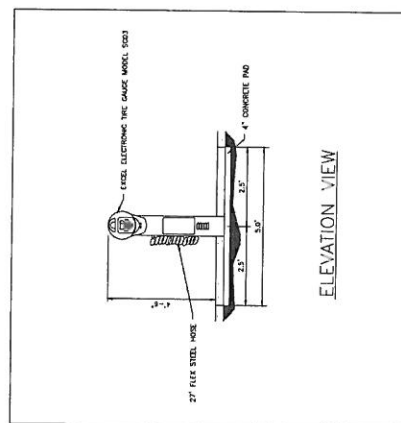
PROVIDED BY:
CIVIL DESIGN GROUP, LLC
 31 BIGHAM STREET SUITE 100A
 NORTH ANDOVER, MA 01845
 www.civil-design.com
 P: 978-794-5400 F: 978-914-6161

SHEET:
SITE CONSTRUCTION DETAILS
CFG 9.3

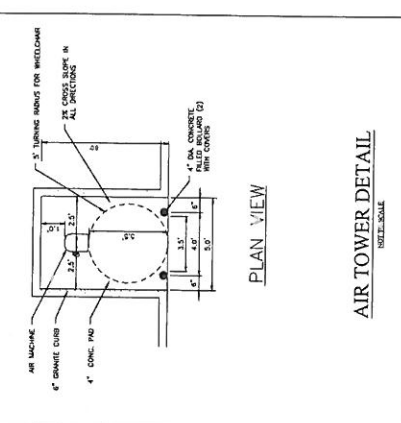
CON: PROJECT F: 13277
 DATE: 06/18/2013



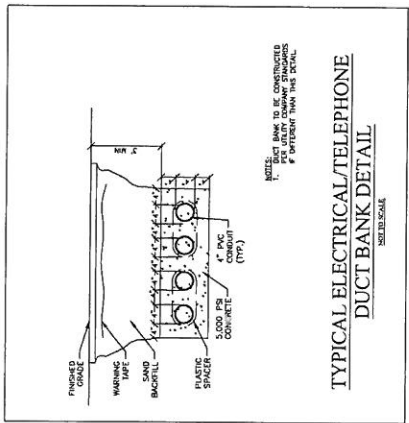
TYPICAL TEMPORARY SEDIMENT BASIN WITH RISER PIPE DETAIL
 SCALE: NOT TO SCALE



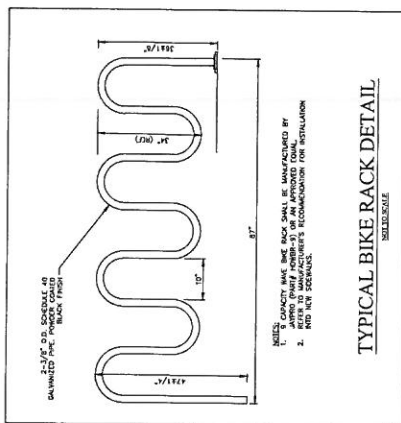
ELEVATION VIEW
 SCALE: NOT TO SCALE



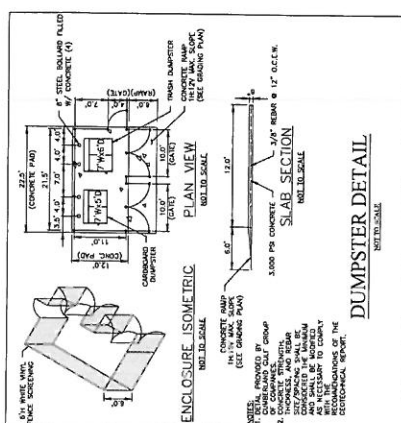
PLAN VIEW
 SCALE: NOT TO SCALE



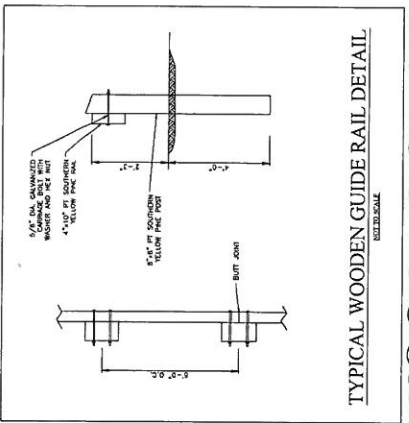
TYPICAL ELECTRICAL/TELEPHONE DUCT BANK DETAIL
 SCALE: NOT TO SCALE



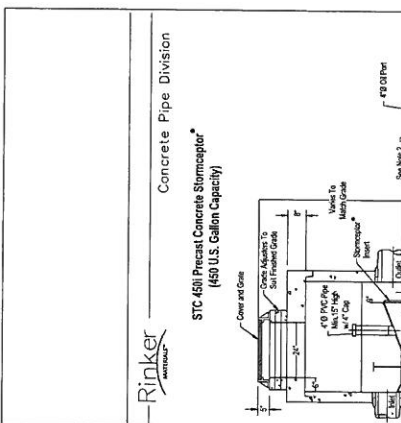
TYPICAL BIKE RACK DETAIL
 SCALE: NOT TO SCALE



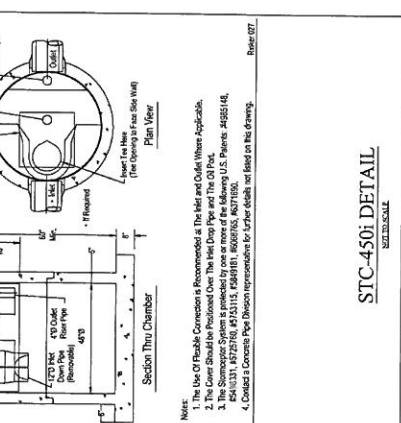
DUMPSTER DETAIL
 SCALE: NOT TO SCALE



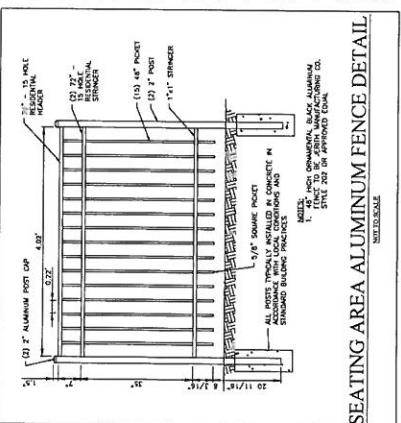
TYPICAL WOODEN GUIDE RAIL DETAIL
 SCALE: NOT TO SCALE



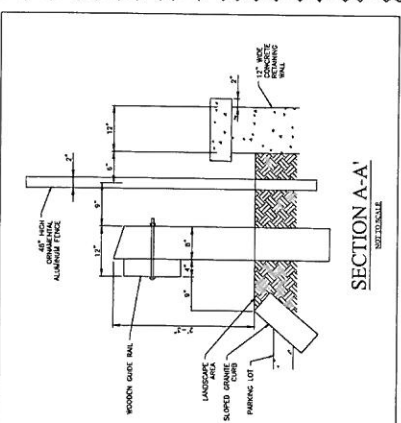
Concrete Pipe Division
 STC 480 Prestress Concrete Stormceptor
 480 U.S. Gallon Capacity



SECTION THRU CHAMBER
 SCALE: NOT TO SCALE



SEATING AREA ALUMINUM FENCE DETAIL
 SCALE: NOT TO SCALE



SECTION A-A'
 SCALE: NOT TO SCALE



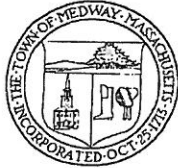
June 24, 2014
Medway Planning & Economic Development Board
Meeting

Public Hearing – 7:15 pm

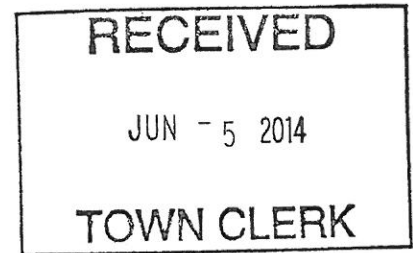
Learning Tree Center Site Plan - 157 Main Street

- Public Hearing Notice
- Site Plan Application
- Email from John Emidy
- Stormwater Report
- Site Plan
- Building Elevations
- Existing and Proposed Landscaping
- Lighting Plan
- GIS map showing wetlands adjacent to 157 Main ST
- PGC Plan Review Letter dated 6/19/2014
- Tetra Tech Plan Review letter dated 6/19/2014
- Review comments – DPS Director Tom Holder
- Review comments – Fire Chief Jeff Lynch
- Abutter comments – Paul and Kathleen Yorkis, 159 Main ST
- **NEW** - Design Review Committee letter dated 6/23/2014
- **NEW** – Requests for Waivers from Site Plan Rules & Regs

NOTE – I have requested a status report on the Conservation Commission's review of this project.



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



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

June 5, 2014

NOTICE OF PUBLIC HEARING
The Learning Tree Center – 157 Main Street
Site Plan Review and Approval

In accordance with the Medway Zoning Bylaw, Section V. Use Regulations, Sub-Section C. Site Plan Review and Approval and the provisions of Chapter 40A, Massachusetts General Laws, notice is given that *the Medway Planning and Economic Development Board will conduct a Public Hearing on Tuesday, June 24, 2014 at 7:15 p.m. at Medway Town Hall, 155 Village Street, Medway, MA to consider the application of Stephen P. Hansen of Natick, MA for approval of a major site plan for the construction of a 4,160 sq. ft. addition to the Learning Tree Center located at 157 Main Street.* The 157 Main Street Site Plan is dated 4/24/14, last revised 5/21/14 and was prepared by Sullivan Surveying Co. of Natick, MA.

The applicant seeks site plan approval to construct a two story, 52' by 40' addition to the back (south) of the existing child care facility. The addition would include space for 4 classrooms on the upper level and an indoor play area on the lower level. Planned site improvements include stormwater drainage facilities, exterior lighting, landscaping, and measures to ensure protection of adjacent wetlands resources. The entire facility will be used to provide child care/day care services.

The subject site is .76 acres in size and is located on the south side of Main Street, west of Cottage Street and east of the Medway Mill. It is identified as Medway Assessor's parcel #48-098. The property is owned by 157 Main Street Realty LLC and is located in the AR11 zoning district.

The application, proposed site plan and stormwater report are on file with the Medway Town Clerk and the Planning and Economic Development office at the Medway Town Hall, 155 Village Street, Medway, MA and may be inspected Monday through Thursday from 7:30 a.m. to 4:30 p.m. and Fridays from 7:30 a.m. to 12:30 p.m. The site plan and reports are posted at the Planning and Economic Development web page at: <http://www.townofmedway.org>. Interested persons or parties are invited to review the plans and reports, attend the public hearing, and express their views at the designated time and place. Written comments are encouraged and may be forwarded to the Board at: planningboard@townofmedway.org. Questions should be directed to 508-533-3291.

Andy Rodenhiser, Chairman

Telephone: 508-533-3291

Fax: 508-321-4987

planningboard@townofmedway.org

Application for Site Plan Review for
Chapter 40A, Section 3. Exempt Uses
Planning and Economic Development Board – Town of Medway
155 Village Street - Medway, MA 02053
(508) 533-3291

This application for Site Plan Review is made pursuant to the Medway Zoning By-Law, Section V. USE REGULATIONS, Subsection P. EXEMPT USES and Subsection C. SITE PLAN REVIEW and APPROVAL and the Planning Board's Rules and Regulations for the Submission and Review of Site Plans (as approved December 3, 2002)

Date: April 23, 2014

The undersigned, being the applicant and the owner of all land included within the proposed site shown on the accompanying plan(s) entitled 157 Main Street dated April 24, 2014, prepared by Sullivan Surveying Co. and Stephen P. Hansen, herewith submits this application and plan to the Medway Planning and Economic Development Board for Review and Approval.

PROPERTY/SITE INFORMATION

1. Property Location Address 157 Main Street
2. Assessor's Information Map: 48 Parcel(s): 98
3. Zoning District: ART II
4. The owner's title to the land is derived under a deed from: Michael R and Jeannie M. Buxbaum dated 6/17/2013 and recorded in Norfolk County Registry of Deeds, Book 31443, Page 467 or Land Court Certificate of Title # _____ registered in Norfolk County District Book 31443 Page 467
5. Frontage: 160.81
 Yard Depth: Front _____ Side _____ Side _____ Rear _____
6. Is any portion of the site within a flood plain area? Yes No
 If Yes, is it clearly shown on the plan? Yes No
7. Is any portion of the site within a wetland resource area? Yes No
 If Yes, is it clearly shown on the plan? Yes No
8. Does any portion of the site have frontage on a Scenic Road? Yes No

CONTACT INFORMATION

9a) Property Owner: Stephen P. Hansen
 Address: 24 Point Street
Natick, MA. 01760
 Primary Contact: Steve Hansen
 Telephone: 508 545 1187 FAX: Same
 E-Mail address: Steve@mwaappraisal.com

9b) Applicant (if other than property owner): _____
 Address: _____

 Primary Contact: _____
 Telephone: _____ FAX: _____
 E-Mail address: _____

_____ Please check here if you are the equitable owner (purchaser on a purchase and sales agreement).

9c) NOTE - If someone other than the property owner or the equitable owner is the applicant or will be representing the applicant for purposes of securing site plan approval, the property owner or equitable owner must designate an Official Representative below:

Official Representative: _____
 Address: _____

Primary Contact: _____
 Telephone: _____ Fax: _____
 E-Mail address: _____

10. Engineer: Sullivan Surveying Company
 Address: 209 West Central Street
Natick, MA. 01760
 Primary Contact: Joseph Sullivan
 Telephone: 508 655-0082 FAX: (508) 655-0083
 E-Mail address: SullivanSurvey@aol.com

11. Surveyor: Sullivan Surveying Company
 Address: 209 West Central Street
Natick, MA. 01760
 Primary Contact: Joseph Sullivan
 Telephone: 508 655-0082 FAX: (508) 655 0083

12. Architect: _____
 Address: _____

 Primary Contact: _____
 Telephone: _____ FAX: _____

13. Builder/Contractor: Stephen P. Hansen
 Address: 24 Myrtle Street
Framingham, MA. 01702
 Primary Contact: Steve Hansen
 Telephone: (508) 545 1187 FAX: Same

PROJECT INFORMATION

14. The proposed development pertains to a:
- Child Care Facility (as defined in Section 9 of Chapter 28A, MGL)
 - Religious Facility
 - Educational Facility
15. Please check (X) ALL THAT APPLY to the proposed development:
- Construction of a new building or an addition:
 - Building Dimensions: 52 x 26 Gross Floor Area 1352
 - Addition Dimensions: 52 x 40 Gross Floor Area 2080
 - Alteration, reconstruction or renovation work that will result in a change in the outside appearance of an existing building or premises, visible from a public or private street or way;
 - Building Dimensions: _____ Gross Floor Area _____
 - A change in use of an existing building or buildings or premises;
16. *Project Description* as specified in s. 204-3 of the *Site Plan Rules & Regulations*
Please attach a separate sheet fully describing the proposed project including building information, site improvements, parking, uses, etc. Provide as much detail as possible about the activity level expected on this site.
17. Written Determination from Inspector of Buildings whether:
- The proposed use is exempt under 40A, Section 3; and
 - The scope of the proposed project constitutes a major or minor site plan

SIGNATURES

I hereby certify, under the pains and penalties of perjury, that the information contained in this application is true and complete to the best of my knowledge and belief.

If Applicable, I hereby authorize _____ to serve as my *OFFICIAL REPRESENTATIVE* to represent my interests before the Town of Medway with respect to this application for site plan review and approval.

In submitting this application, I also authorize the Planning Board, its agents, and other Town officials to access the site during the plan review process.

Stephen P. Hansen
Signature of Property Owner

April 23, 2014
Date

Signature of Applicant (if other than Property Owner)

Date

Signature of Official Representative

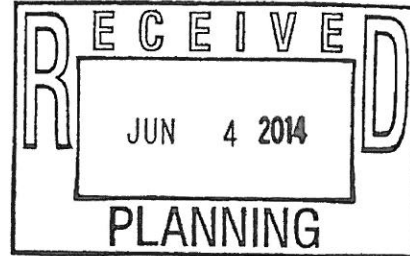
Date



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

May 27, 2014

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



Re: 157 Main Street

Dear Chairman Rodenhiser:

I reviewed the proposed addition consisting of a two story addition totaling 3952 square foot at the above referenced location. It is my opinion the proposed improvements due to the scope requires a Major Site Plan review and approval by the Board prior to the issuance of a Building Permit.

Please contact me if you have any questions.

Respectfully,

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

JFE

Cc: file



CREATIVE LAND & WATER ENGINEERING, LLC

Environmental Science and Engineering

Mailing address

P.O. Box 584

Southborough, MA 01772

Technical Office

303 Worcester Road

Framingham, MA 01701

508-281-4370 (Office)

774-454-0266 (cell)

508-281-4370 (Fax)

desheng@Creative-land-water-eng.com

WWW.CREATIVE-LAND-WATER-ENG.COM

Effective, Affordable, and Sustainable Solutions for Land & Water Environment

May 22, 2014

Stormwater Management Report
157 Main Street, Medway, MA

An addition is proposed for construction to an existing day care center at 157 Main Street, Medway, MA. Upon the request of the owner, 157 Main Street Realty, LLC, Creative Land & Water Engineering, LLC conducted a stormwater management study of the site. The letter presents the results.

The subject property has an existing building and associated driveway and parking lot. Part of the parking lot in the front is crushed stone surfaced, which is considered as pervious paving. Half of the building and majority of the driveway and the back parking lot are draining toward the steep slope to the wetland. Some slope erosion has been observed in the field during our site inspections with Conservation Agent. See Figure 1 and engineering site plan for location. There is no stormwater management system for the existing conditions. For proposed condition, the new roof and half of the back existing roof will be directed to a large dry well for ground water recharge. The driveway parking lot runoff will be filtered by road side grass strip and then going to an infiltration trench. The infiltration trench is designed to have some surface inlet grate to facilitate the infiltration. The glass strip will pretreat the driveway runoff and then through crushed stone surface before the water may overflow through the grate drain. Excessive flow will be directed to a level spreader and trickling down the riprap protected slope into wooded area. The proposed work is located in Merrimac soil or sandy fill. See Figure 2 for soil map. There will be a net 3441 square feet of impervious area reduction from existing to proposed conditions. See Table 1 for detailed land use breakdown.

Table 1. Land Use Table

Land Use	Existing , sf	Proposed, sf	Difference, sf
Pervious paving	25769	25882	113
Impervious paving	7341	3900	-3441
New Roof		1984	1984
Mitigated roof	0	1344	1344
Total	33110	33110	

Therefore, it is our professional opinion that the proposed project as a redevelopment meets the stormwater management standard to the maximum extent practicable. See Table 2 for details.

Table 2. Stormwater Management Standards Check

Stormwater Standard	Requirement	Design
1	No new stormwater conveyances (e.g. outfalls) may discharge untreated stormwater directly to or cause erosion in wetlands or waters of the Commonwealth.	No untreated discharge for proposed condition.
2	Stormwater management systems shall be designed so that post-development peak discharge rates do not exceed pre-development peak discharge rates.	Peak flows will be reduced due to the reduced impervious area and infiltration devices.
3	Loss of annual recharge to groundwater shall be eliminated or minimized through the use of infiltration measures including environmentally sensitive site design, low impact development techniques, stormwater best management practices, and good operation and maintenance.	Groundwater recharge was provided
4	Stormwater management systems shall be designed to remove 80% of the average annual post-construction load of Total Suspended Solids (TSS).	80% TSS removal provided through infiltration trench with 50% grass strip pretreatment
5	For land uses with higher potential pollutant loads, source control and pollution prevention shall be implemented in accordance with the Massachusetts Stormwater Handbook to eliminate or reduce the discharge of stormwater runoff from such land uses to the maximum extent practicable.	No a higher potential pollution loads land use.
6	Stormwater discharges within the Zone II or Interim Wellhead Protection Area of a public water supply, and stormwater discharges near or to any other critical area, require the use of the specific source control and pollution prevention measures and the specific structural stormwater best management practices determined by the Department to be suitable for managing discharges to such areas, as provided in the Massachusetts Stormwater Handbook.	Not located in such an environment sensitive area.
7	A redevelopment project is required to meet the following Stormwater Management Standards only to the maximum extent practicable: Standard 2, Standard 3, and the pretreatment and structural best management practice requirements of Standards 4, 5, and 6. Existing stormwater discharges shall comply with Standard 1 only to the maximum extent practicable.	As a redevelopment project, it meets all required standards.
8	A plan to control construction-related impacts including erosion, sedimentation and other pollutant sources during construction and land disturbance activities (construction period erosion, sedimentation, and pollution prevention plan) shall be developed and implemented.	Erosion control is provided in the site plan for construction.
9	A long-term operation and maintenance plan shall be developed and implemented to ensure that stormwater management systems function as designed.	The infiltration trench and dry wells shall be inspected quarterly and make sure no blockage and debris on the grates.
10	All illicit discharges to the stormwater management system are prohibited	No illicit discharges.

If you have any questions regarding above information, please feel free to contact us.

Sincerely,

Creative Land & Water Engineering, LLC
by:



The image shows a handwritten signature in cursive that reads "Desheng Wang". To the right of the signature is a circular professional seal. The seal has a serrated outer edge and contains the following text: "COMMONWEALTH OF MASSACHUSETTS" at the top, "DESHENG WANG" in the center, "CIVIL" below it, "No. 39511" below that, "REGISTERED" below that, and "PROFESSIONAL ENGINEER" at the bottom.

Desheng Wang, Ph.D., P.E.
Civil Engineer

Cc: Steve Hansen
Joe Sullivan

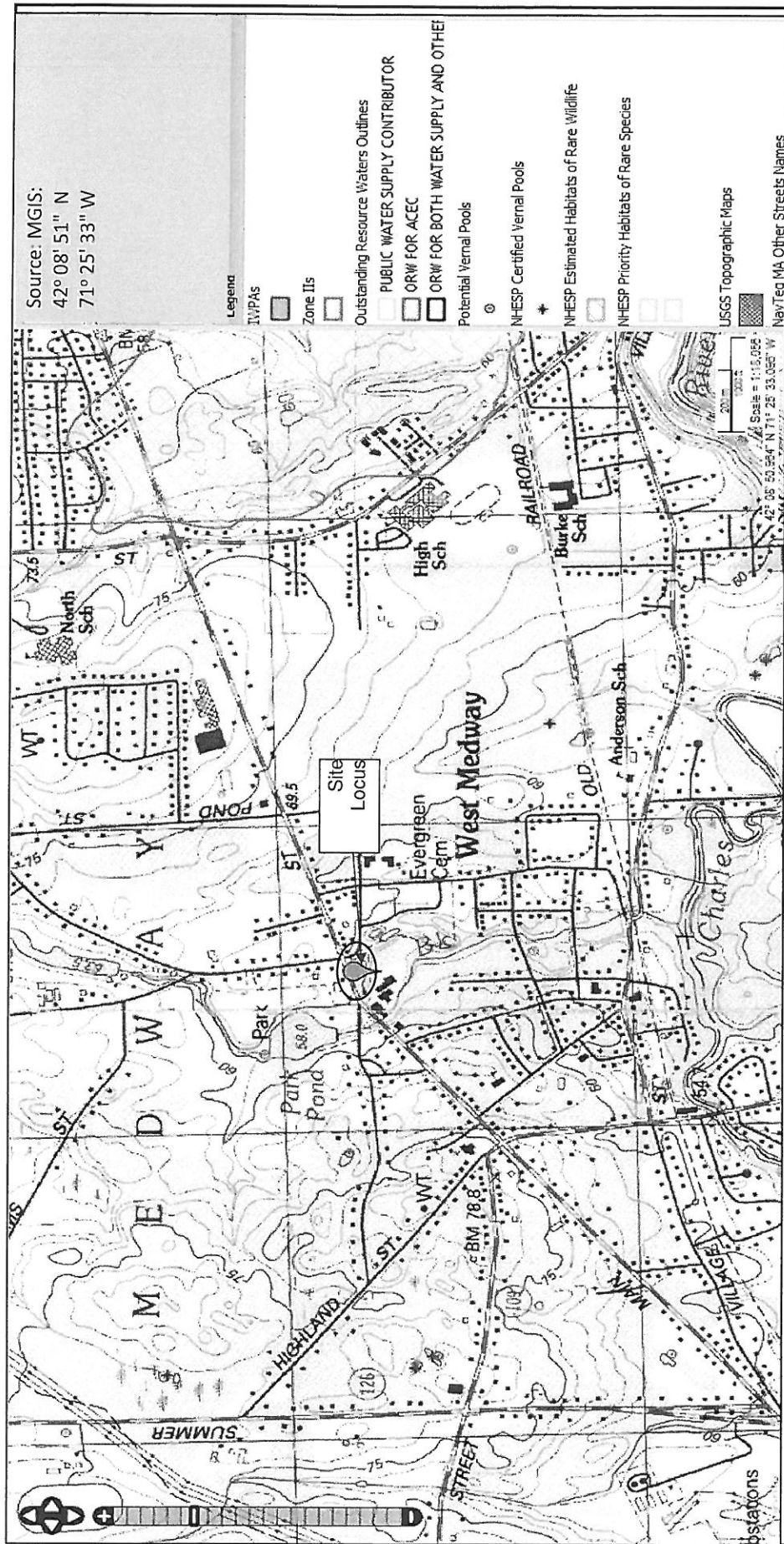


Figure 1.
 USGS Site Locus & Resources Map
 157 Main Street, Medway, MA

By: Desheng Wang, Ph.D., P.E.
 Creative Land & Water Engineering, LLC
 P.O. Box 584
 Southborough, MA 01772
 508-281-4370

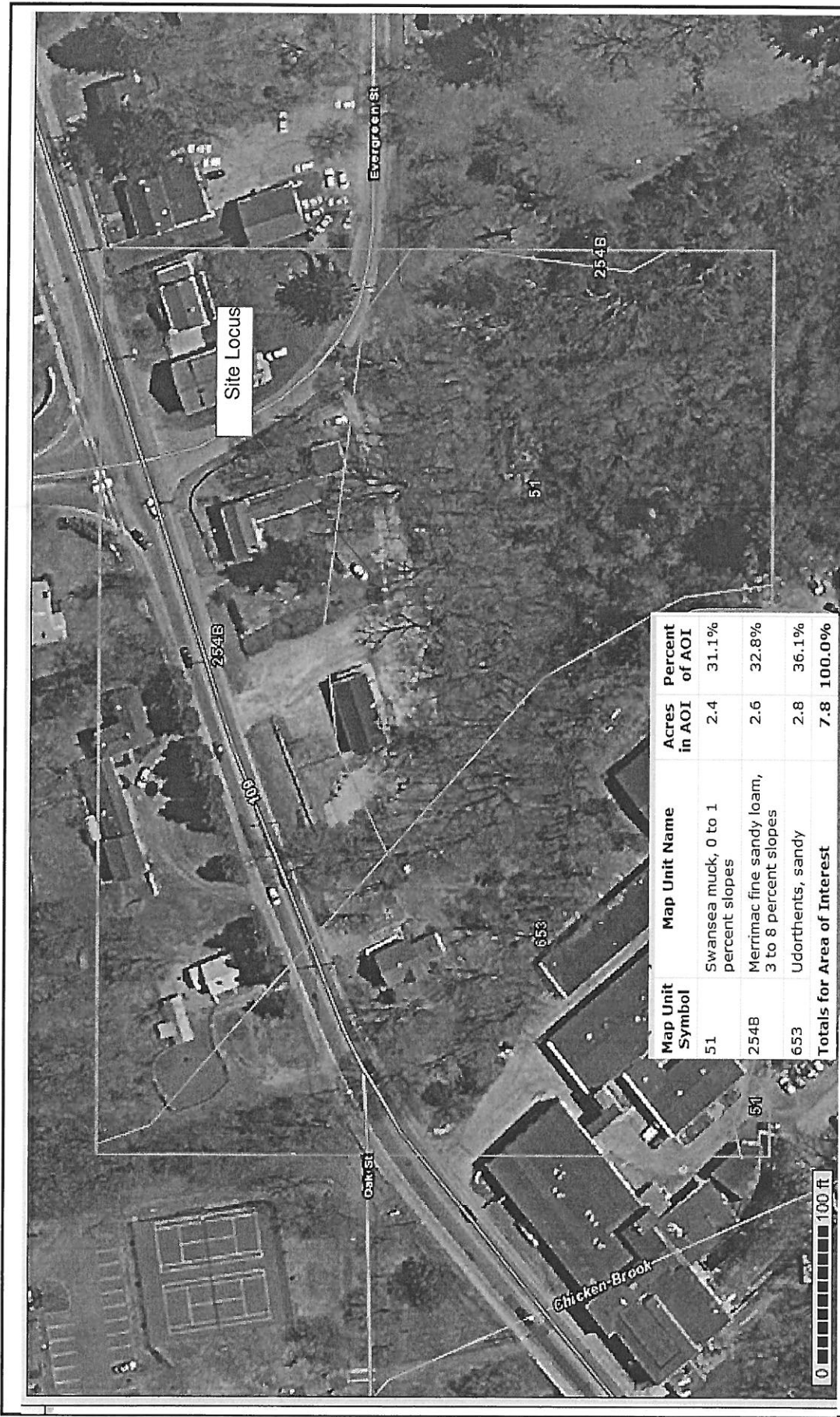


Figure 2. NRCS Soi Map
157 Main Street, Medway, MA

By: Desheng Wang, Ph.D., P.E.
Creative Land & Water Engineering, LLC
P.O. Box 584
Southborough, MA 01772
508-281-4370

SULLIVAN SURVEYING
 TOWNSHIP
 200 WEST CENTRAL ST
 NATICK, MASS. 01760
 PHONE: 508-653-0888
 FAX: 508-653-0885

**SITE PLAN
 OF LAND IN
 MEDWAY, MASS.**

OWNER / APPLICANT:
 STREET REALTY, LLC
 157 MAIN STREET
 MEDWAY, MA 02053

DEED REFERENCE:
 BOOK 31443, PAGE 487
 NORFOLK COUNTY REGISTRY OF DEEDS

ASSESSORS MAP REFERENCE:
 MAP 48 PARCEL 98

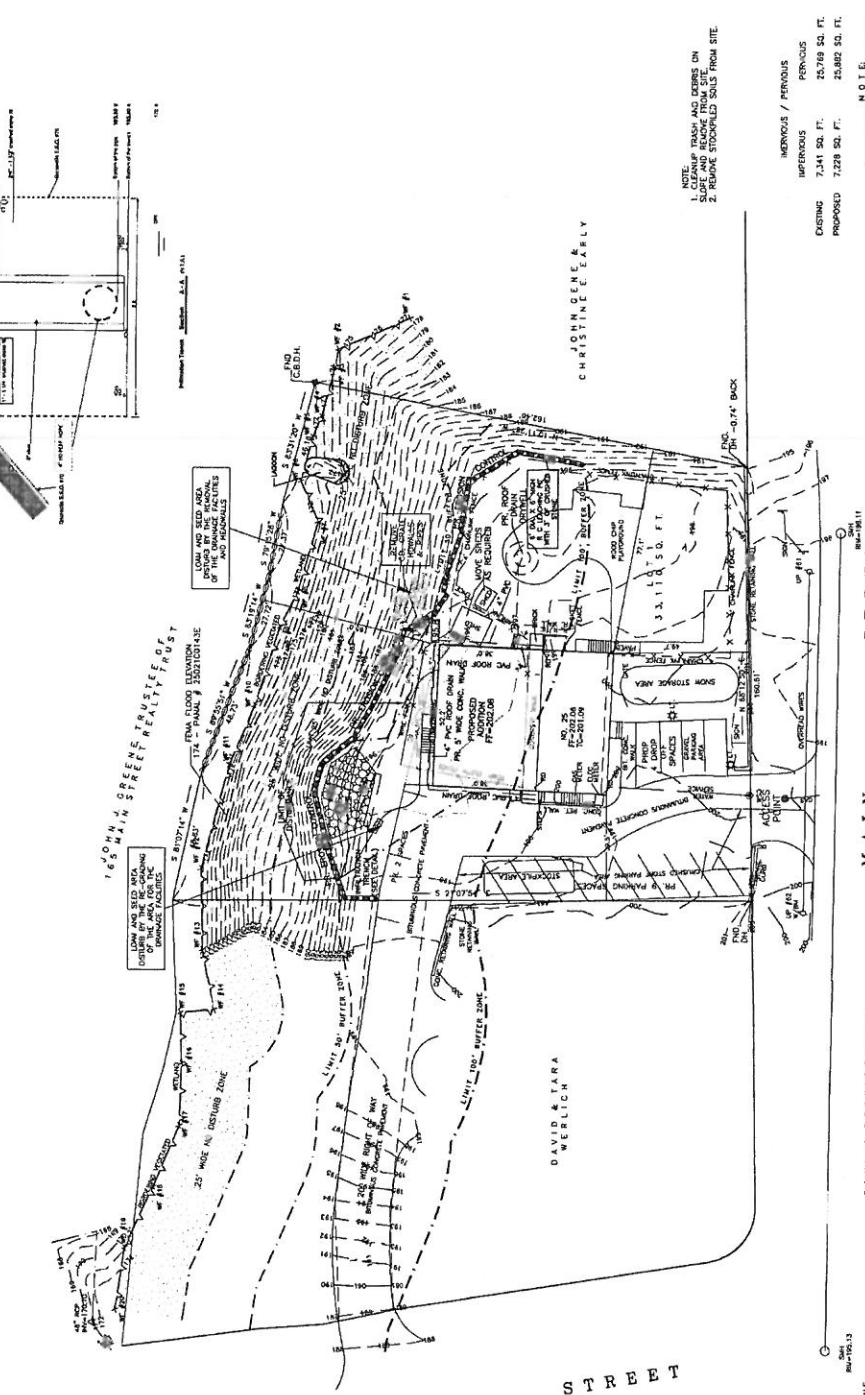
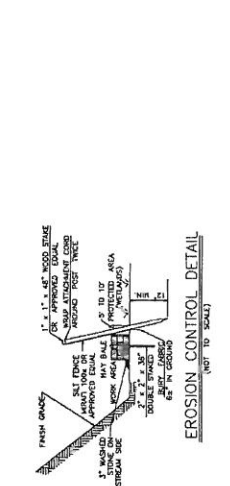
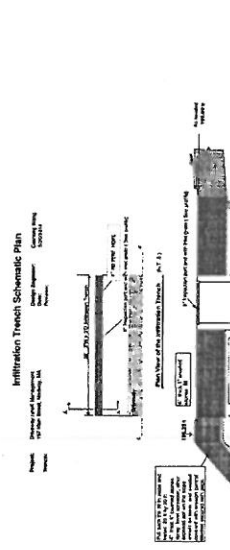
ZONING CLASSIFICATION: RP-1L, A-200
 NOTE: THIS DOCUMENT HAS BEEN PREPARED FOR THE PURPOSES OF THE SUBMITTAL TO THE PERMISSORS OF THE COMMONWEALTH OF MASSACHUSETTS. IT DOES NOT CONSTITUTE A CONTRACT OR WARRANTY OF ANY SUBSTANTIAL PORTION OF THE INFORMATION CONTAINED HEREIN. THE PERMISSORS OF THE COMMONWEALTH OF MASSACHUSETTS IS UNLAWFUL.



REGISTERED PROFESSIONAL ENGINEER
 RICHARD M. BARVILLE
 REG. PROF. LAND SURVEYOR

NO.	DESCRIPTION	DATE
1	REVISED PER REVIEW COMMENTS	5/21/14

SCALE: 1" = 20'
DATE: APRIL 24, 2014
DRAWN BY: R.M.B.
CHECKED BY: J.P.S.
SHEET 1 OF 1
DRAWING NO. 37.060



NOTE:
 1. SEE PLAN AND NOTES ON SHEET 2 FOR PROPOSED SLOPE AND ROADWAY PROFILES.
 2. REMOVE STOCKPILED SOILS FROM SITE.

NONVIOUS / PERVIOUS
 IMPERVIOUS 7,441 SQ. FT. 25,769 SQ. FT.
 PERVIOUS 7,229 SQ. FT. 23,882 SQ. FT.

NOTE:
 1. PERMITS REQUIRED FOR ALL WORK ON SLOPE AND ROADWAY PROFILES.
 2. SET STAKE IN UTILITY POLE #12 SOUTHBOUND, MA ON APRIL 7, 2014. ELEV. 201.37' - 114.00'.
 3. SET STAKE IN UTILITY POLE #12 NORTHBOUND, MA ON APRIL 7, 2014. ELEV. 201.37' - 114.00'.

ZONING REQUIREMENTS
 MIN. SIDE YARD 15.00 FT. PROPOSED 33.10 FT.
 MIN. FRONT YARD 15.00 FT. PROPOSED 49.57 FT.
 MIN. FRONT SETBACK 15.00 FT. PROPOSED 15.00 FT.
 MIN. REAR YARD SETBACK 15.00 FT. PROPOSED 28.00 FT.

SCALE
 FEET: 0 10 20 30 40 50 60
 METERS: 0 5 10 15 20

ALL INFORMATION CONTAINED HEREIN IS FOR THE USE OF THE APPLICANT AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF SULLIVAN SURVEYING. THE APPLICANT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICANT'S LOCAL, STATE, AND FEDERAL AGENCIES. THE APPLICANT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICANT'S LOCAL, STATE, AND FEDERAL AGENCIES. THE APPLICANT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICANT'S LOCAL, STATE, AND FEDERAL AGENCIES.



NO.	DESCRIPTION	BY	DATE

SHEET TITLE:

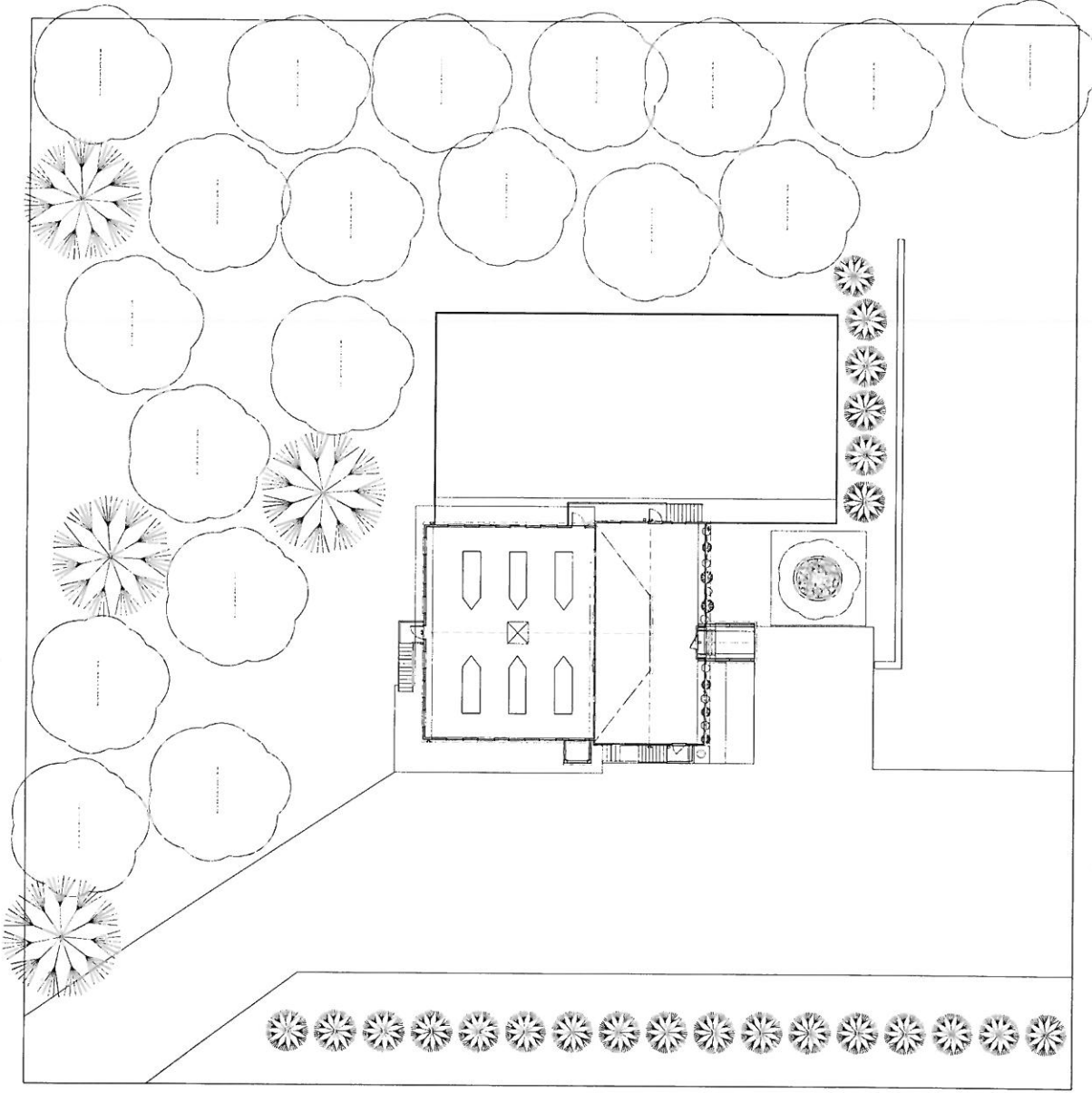
PROJECT DESCRIPTION:
151 MAIN STREET
MEDFORD, MA 02155

DRAWINGS PROVIDED BY:
Bob Fogarty
DBB Construction
Bfoga72@hotmail.com
508-504-6534

DATE:
6/13/2014

SCALE:

SHEET:
2



OVERHEAD VIEW
Scale: Not To Scale



NO.	DESCRIPTION	BY	DATE

SHEET TITLE:

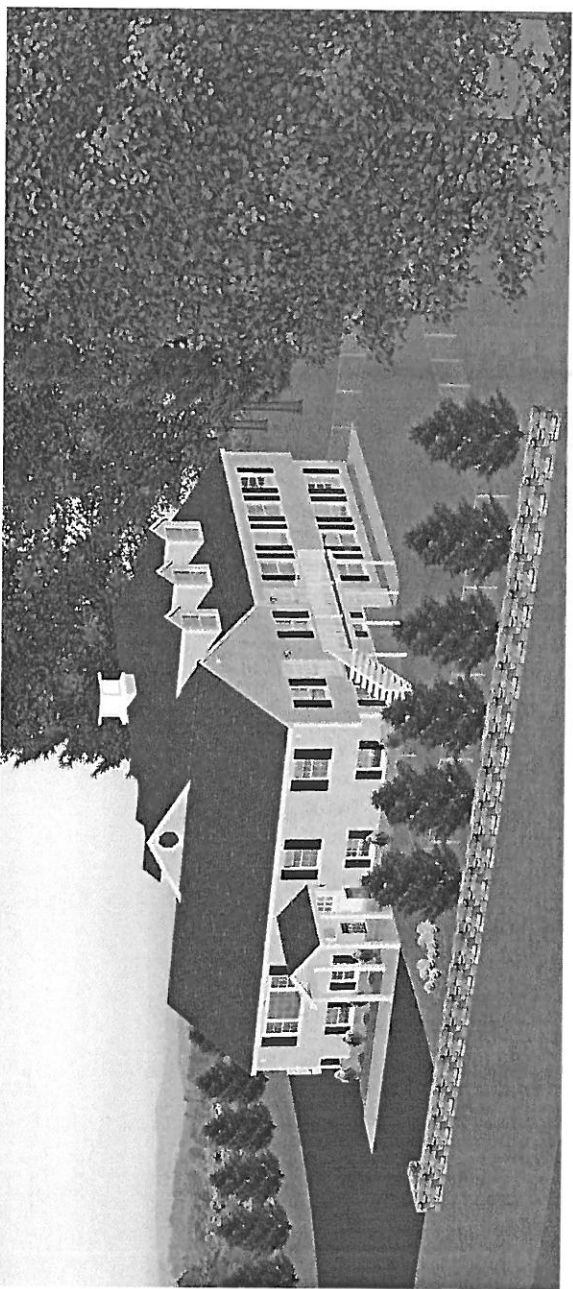
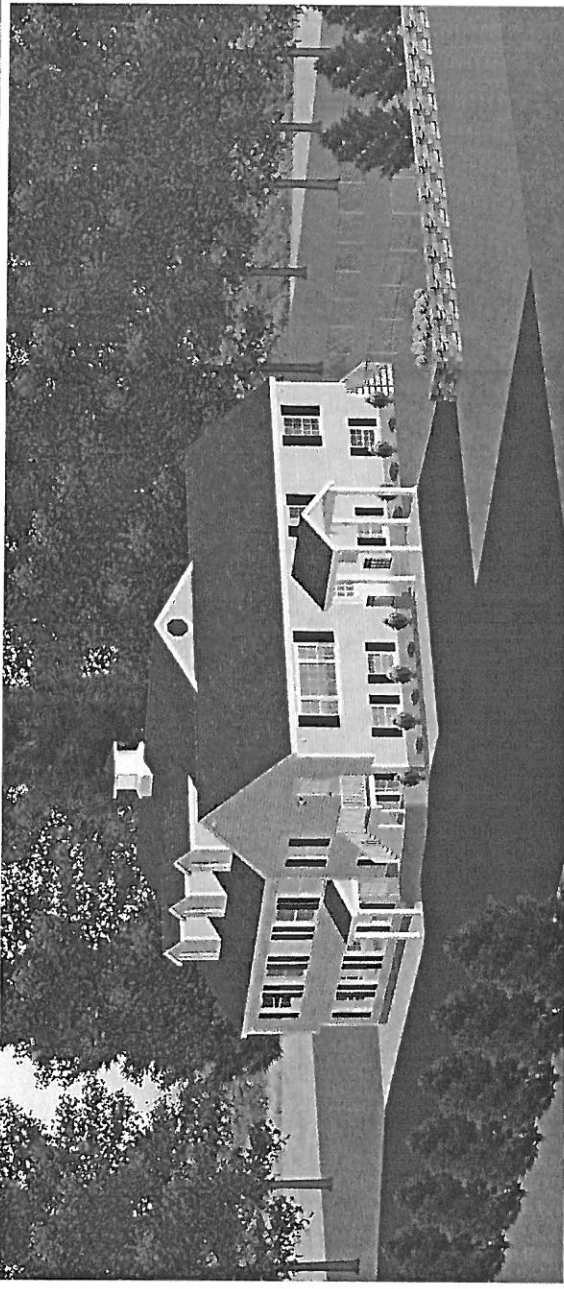
PROJECT DESCRIPTION:
151 MAIN STREET
HELDWY, MA 02053

DRAWINGS PROVIDED BY:
Bob Fogarty
D&B Construction
Bfogarty2@hotmail.com
508-591-6334

DATE:
6/13/2014

SCALE:

SHEET:
3



PERSPECTIVE VIEWS
Scale: Not To Scale



NO.	DESCRIPTION	BY	DATE

SHEET TITLE:

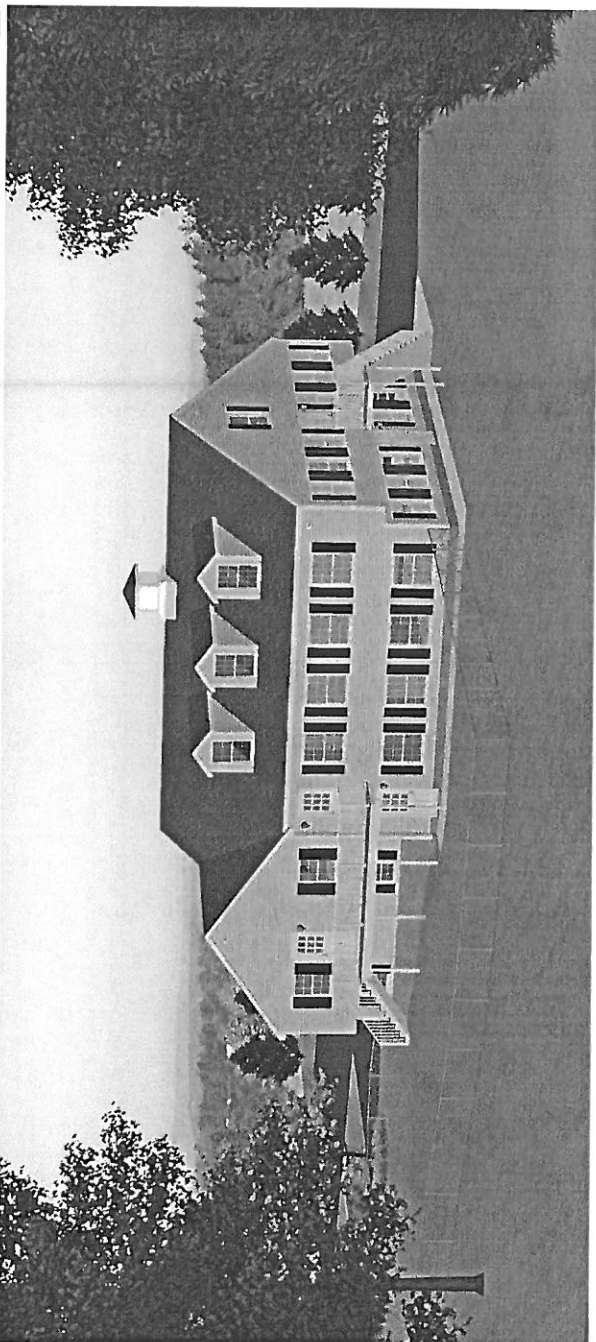
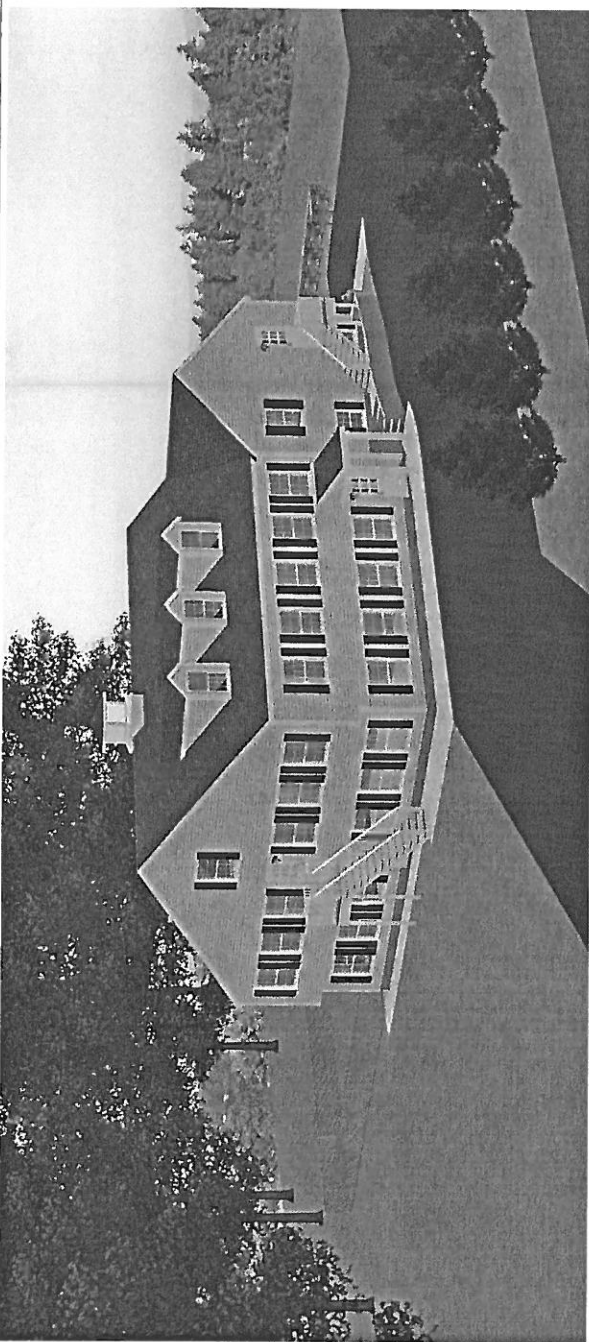
PROJECT DESCRIPTION:
151 MAIN STREET
HELDAY, MA 02053

DRAWINGS PROVIDED BY:
Bob Fogarty
D&B Construction
Drogosz@dbconstruction.com
508-561-6934

DATE:
6/13/2014

SCALE:

SHEET:
4



PERSPECTIVE VIEWS
Scale: Not To Scale



NO.	DESCRIPTION	BY	DATE

SHEET TITLE:

PROJECT DESCRIPTION:
151 MAIN STREET
MEDFORD, MA 02053

DRAWINGS PROVIDED BY:
Bob Fogarty
DB Construction
B.Fogarty@dbinc.com
508-594-6534

DATE:
6/13/2014

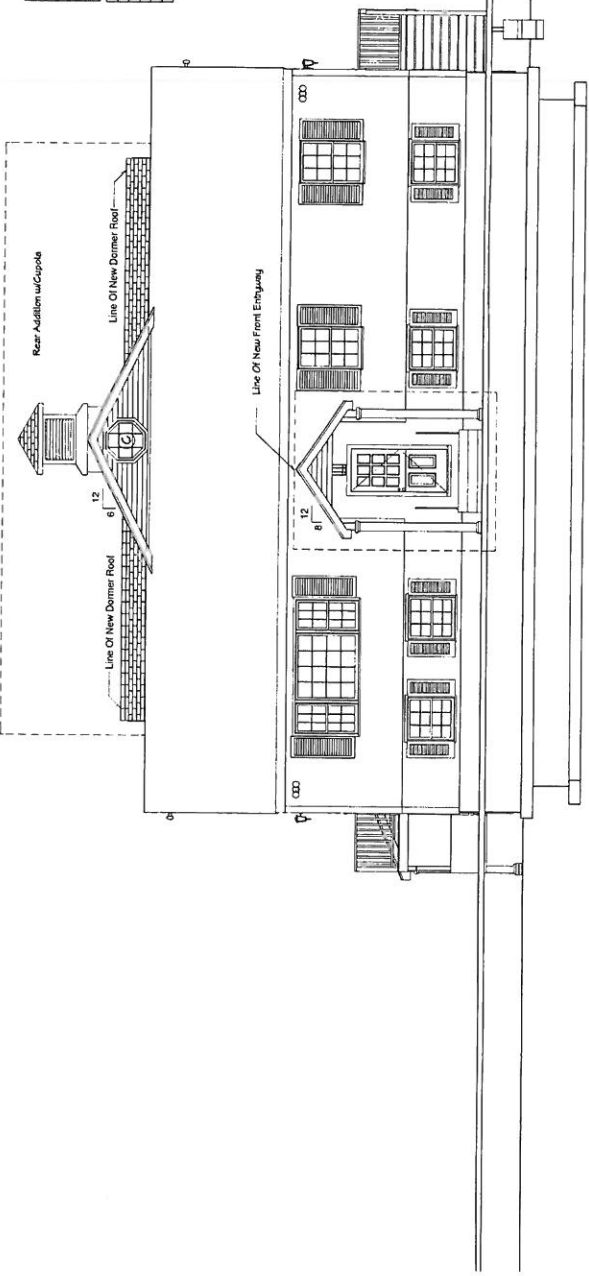
SCALE:

SHEET:

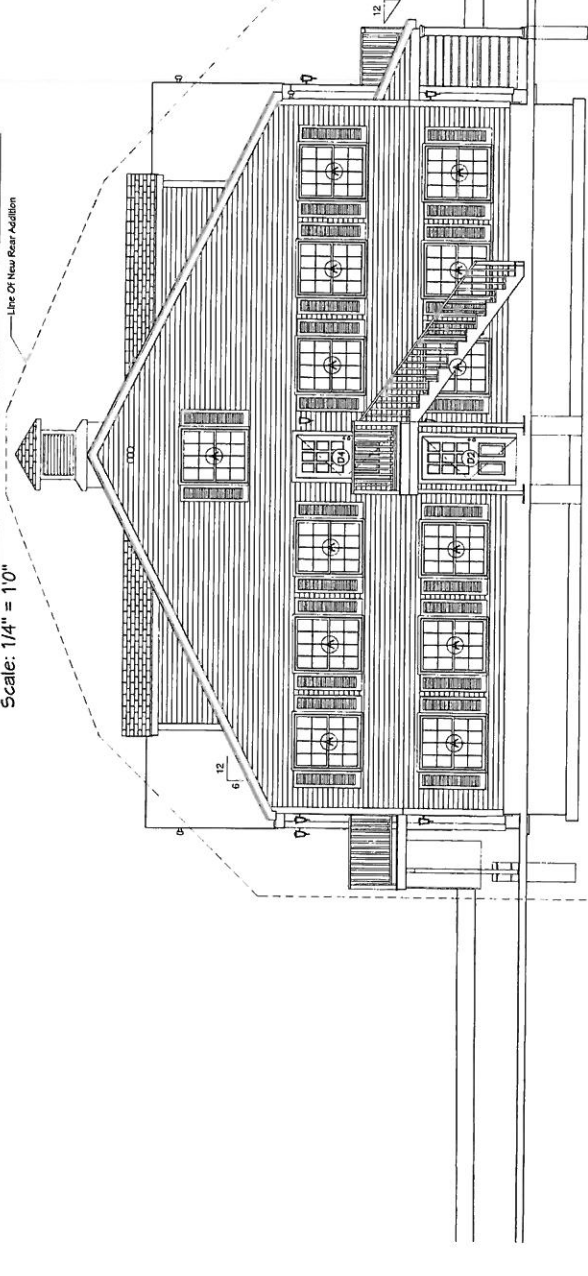
5

LABEL	QTY	FLOOR SIZE	WINDOW SCHEDULE	WIDTH	HEIGHT	RO	DESCRIPTION
A	14	0	3118/90/1	48.3/4"	56.3/4"	48.3/4" X 56.3/4"	DOUBLE HUNG
B	1	0	3118/90/1	48.3/4"	56.3/4"	48.3/4" X 56.3/4"	DOUBLE HUNG
C	6	2	306/90/1	56"	56 1/2"	57.75/2" X 57.75/2"	DOUBLE HUNG
D	1	1	306/90/1	56"	56 1/2"	57.75/2" X 57.75/2"	DOUBLE HUNG

LABEL	QTY	FLOOR SIZE	WIDTH	HEIGHT	RO	DESCRIPTION
01	1	0	3068 L X 58"	80"	37.75/2" X 34"	EXT. HINGED-DOOR EOR
02	1	0	3068 L X 58"	80"	37.75/2" X 34"	EXT. HINGED-DOOR EOR
03	1	0	3068 L X 58"	80"	37.75/2" X 34"	EXT. HINGED-DOOR EOR
04	1	0	3068 L X 58"	80"	37.75/2" X 34"	EXT. HINGED-DOOR EOR



FRONT ELEVATION
Scale: 1/4" = 10"



REAR ELEVATION
Scale: 1/4" = 10"



NO.	DESCRIPTION	BY	DATE

SHEET TITLE:

PROJECT DESCRIPTION:
151 MAIN STREET
MEDWAY, MA 02055

DRAWINGS PROVIDED BY:
Bob Fogarty
D&B Construction
Bfog@123@hotmail.com
508-504-6534

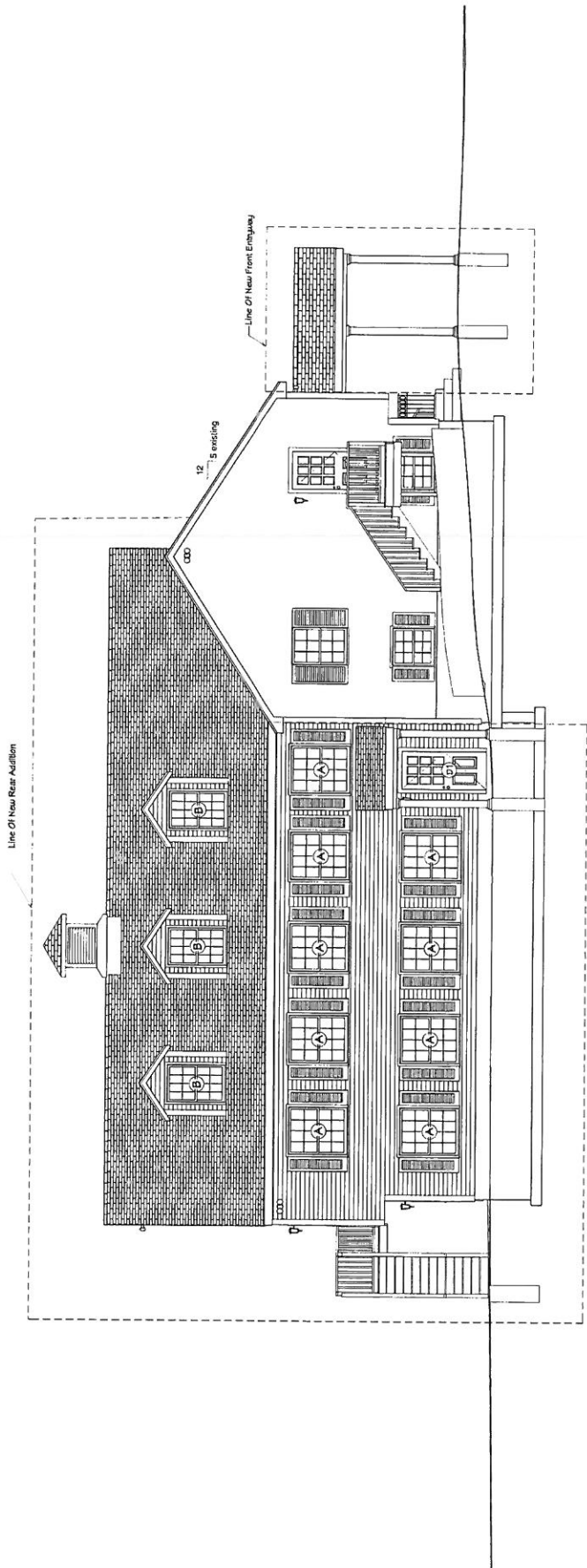
DATE:
6/13/2014

SCALE:

SHEET:
6

WINDOW SCHEDULE			
LABEL	QTY	LOC.	DESCRIPTION
A	14	0	31x48 2/8" EX. HINGE-DOOR E66
B	15	1	31x48 2/8" EX. HINGE-DOOR E66
C	2	2	48 3/4" x 57 3/4" DOUBLE HUNG
D	2	2	48 3/4" x 57 3/4" DOUBLE HUNG
E	1	1	35 1/2" x 35 1/2" FIXED GLASS-A1

DOOR SCHEDULE			
LABEL	QTY	LOC.	DESCRIPTION
01	1	0	30 1/2" x 80" EX. HINGE-DOOR E66
02	1	0	30 1/2" x 80" EX. HINGE-DOOR E66
03	1	1	30 1/2" x 80" EX. HINGE-DOOR E66
04	1	1	30 1/2" x 80" EX. HINGE-DOOR E66



EAST ELEVATION
Scale: 1/4" = 1'0"



NO.	DESCRIPTION	BY	DATE

PROJECT DESCRIPTION:
157 MAIN STREET
HEWAMY, MA 02059

DRAWINGS PROVIDED BY:
Bob Fogarty
DBB Construction
BobFogarty@protonmail.com
508-594-6334

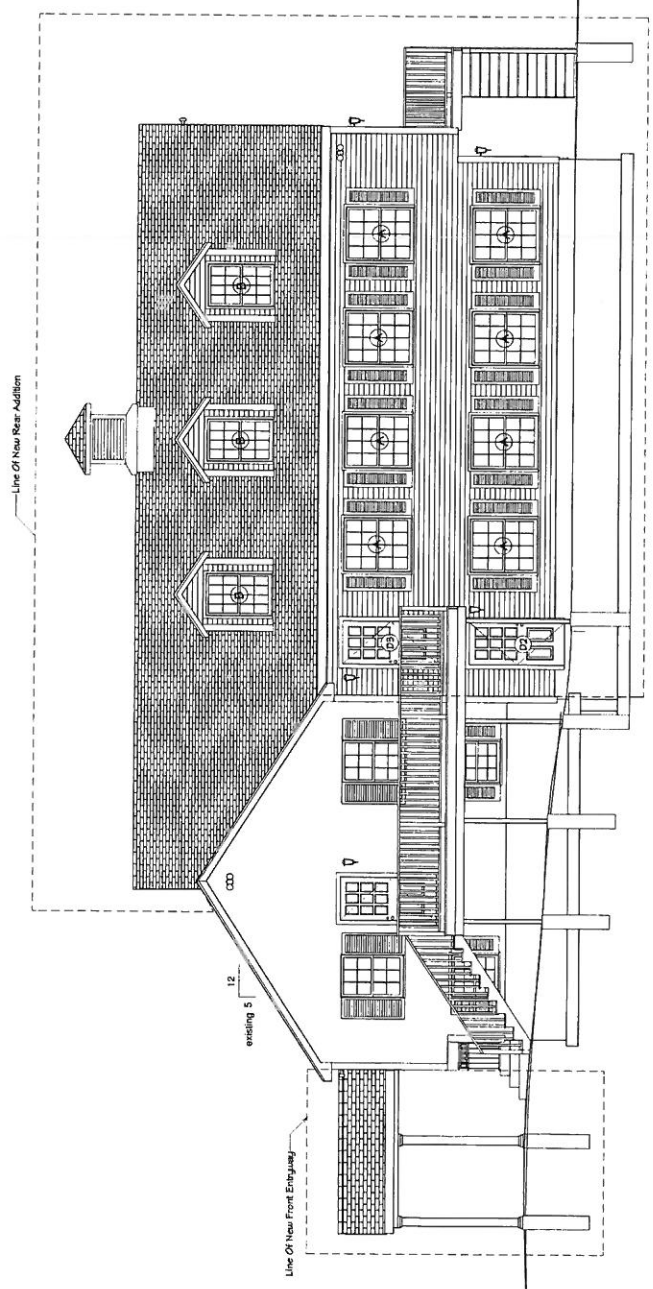
DATE:
6/13/2014

SCALE:

SHEET:
7

LABEL	QTY	FLOOR SIZE	WINDOW SCHEDULE	WIDTH	HEIGHT	DESCRIPTION
A	15	310x480H	1	45.34"	58.34"	DOUBLE HUNG
B	1	310x480H	2	45.34"	58.34"	DOUBLE HUNG
C	6	210x108x	3	34.12"	37.5717"	DOUBLE HUNG
D	1	5008 F EX 135	4	37.5717"	37.5717"	PIANO TRANSOM

LABEL	QTY	FLOOR SIZE	WINDOW SCHEDULE	WIDTH	HEIGHT	DESCRIPTION
01	1	5008 L EX 135	5	37.5717"	58.34"	3" X 62.342" EXT. HINGED DOOR E68
02	1	5008 L EX 135	6	37.5717"	58.34"	3" X 62.342" EXT. HINGED DOOR E68
03	1	5008 L EX 135	7	37.5717"	58.34"	3" X 62.342" EXT. HINGED DOOR E68
04	1	5008 F EX 135	8	37.5717"	58.34"	3" X 62.342" EXT. HINGED DOOR E68



WEST ELEVATION
Scale: 1/4" = 1'0"



NO.	DESCRIPTION	BY	DATE

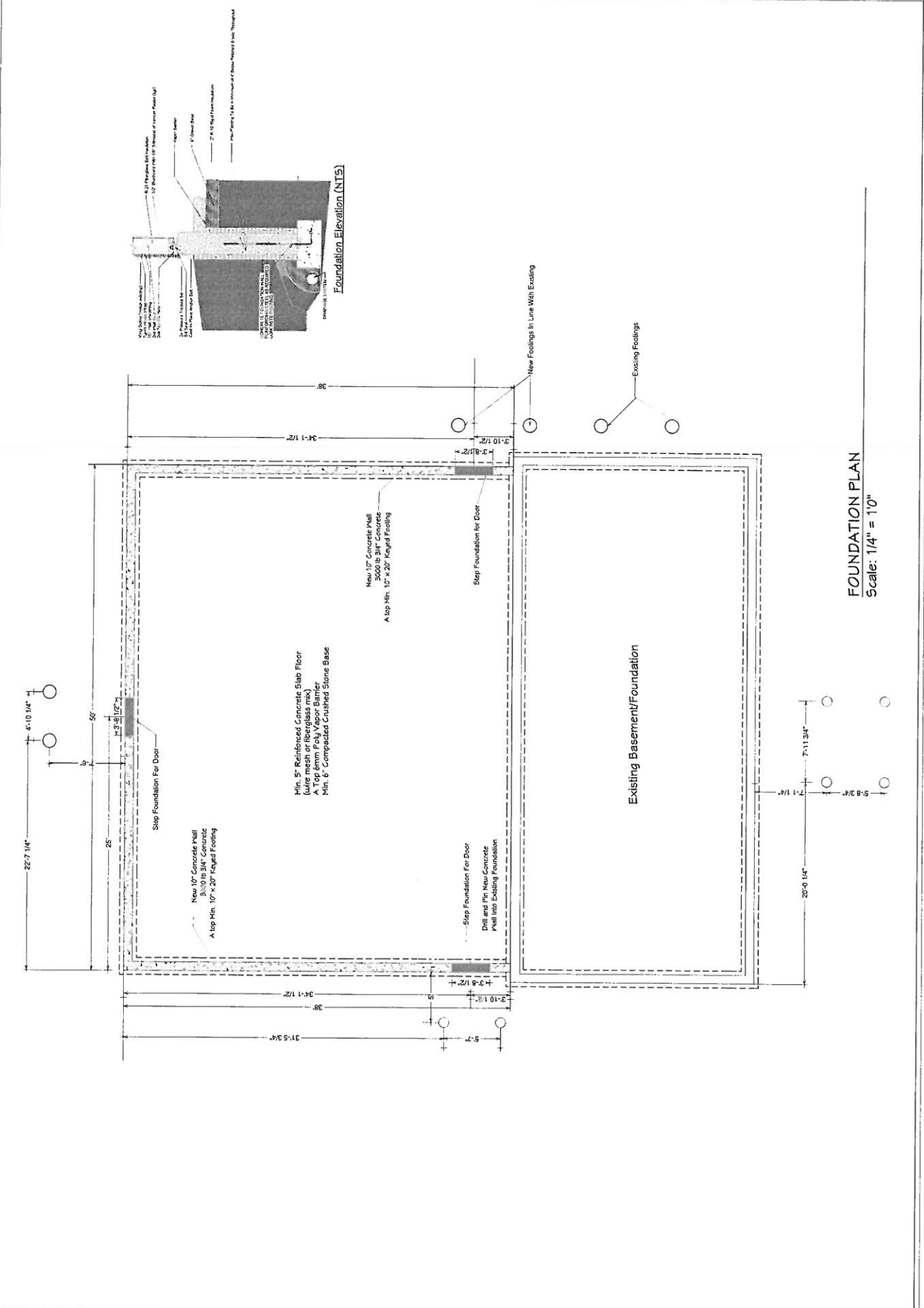
SHEET TITLE: _____

PROJECT DESCRIPTION:
157 HAN STREET
HEDWAY, PA 20293

DRAWINGS PROVIDED BY:
Bob Fogarty
DB Construction
Brog72@hotmail.com
508-504-6534

DATE: 6/13/2014
SCALE: _____

SHEET: 8



FOUNDATION PLAN
Scale: 1/4" = 10"



NO.	DESCRIPTION	BY	DATE

SHEET TITLE:

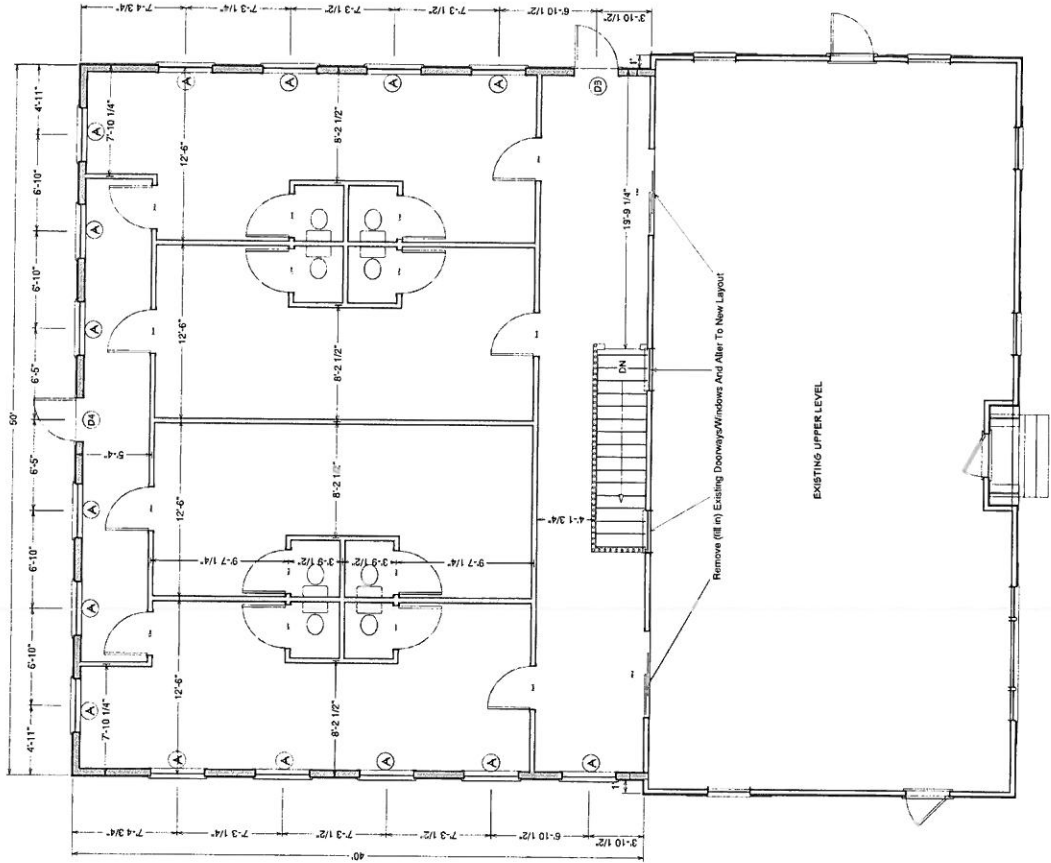
PROJECT DESCRIPTION:
 151 MAIN STREET
 MEDWAY, MA 02053

DRAWINGS PROVIDED BY:
 Bob Fogarty
 DBB Construction
 DBB@dbb22@hotmail.com
 508-524-8554

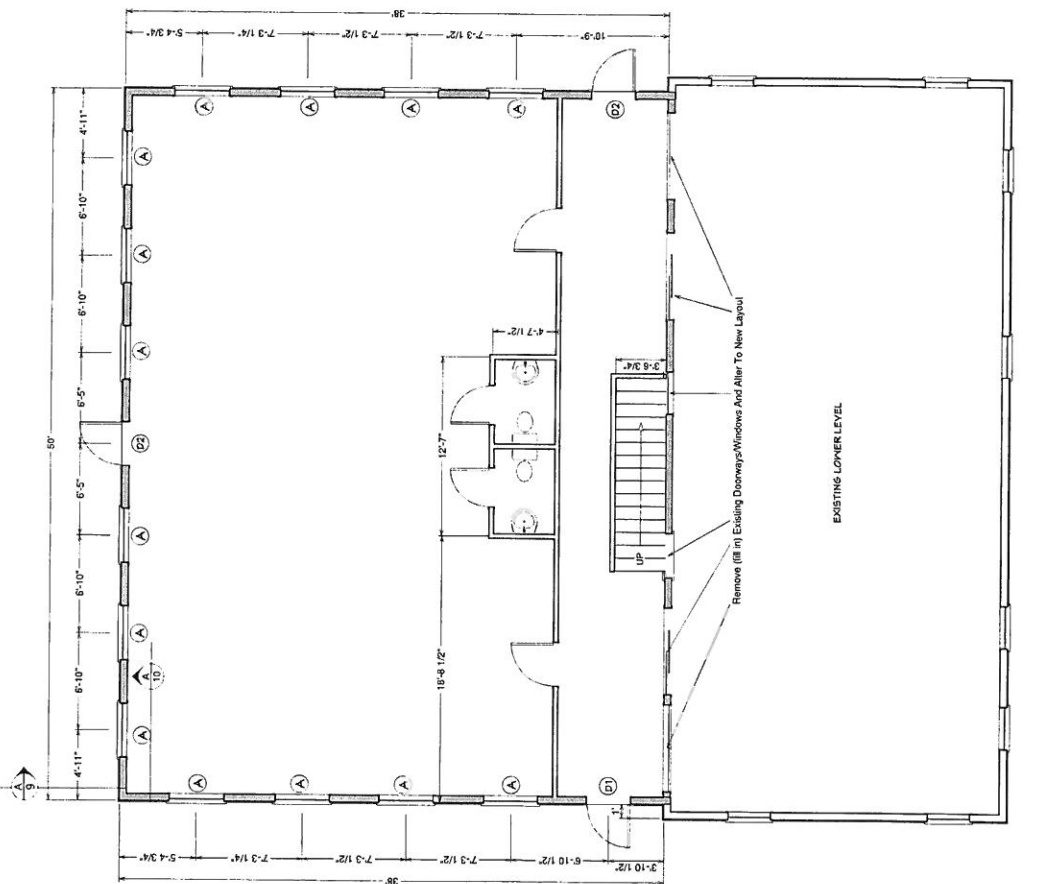
DATE:
 6/13/2014

SCALE:
 1/4" = 1'0"

SHEET:
 9



UPPER LEVEL PLAN
 Scale: 1/4" = 1'0"



LOWER LEVEL PLAN
 Scale: 1/4" = 1'0"



NO.	DESCRIPTION	BY	DATE

SHEET TITLE:

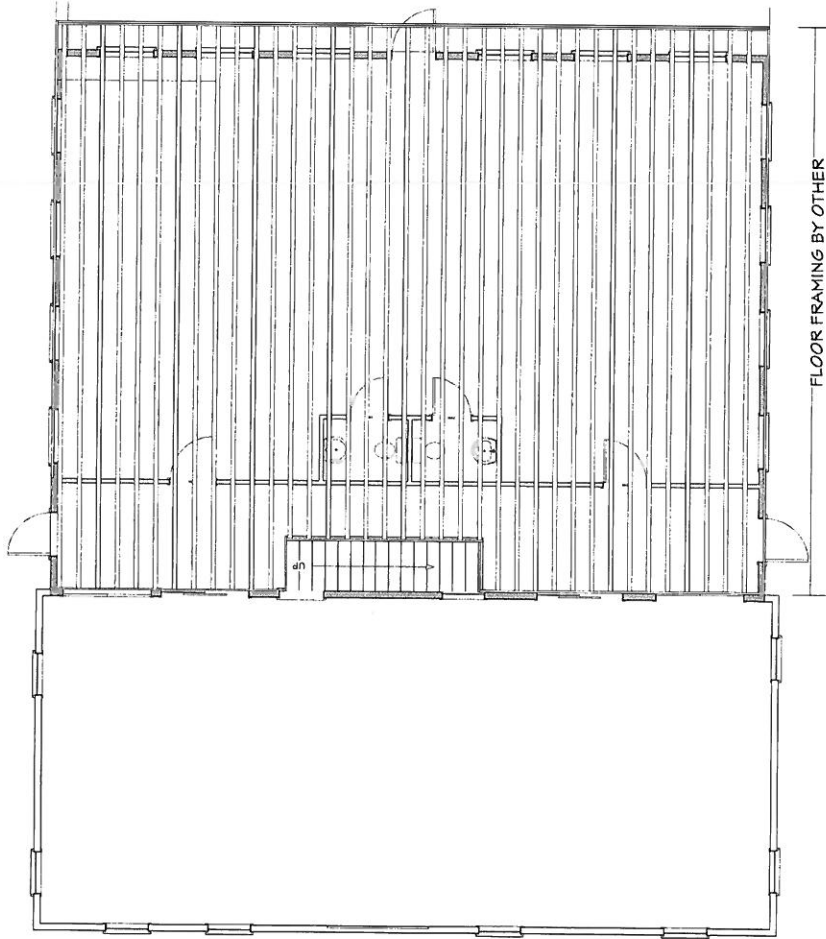
PROJECT DESCRIPTION:
 151 MAIN STREET
 BEDFORD, MA 02033

DRAWINGS PROVIDED BY:
 Bob Fogarty
 DBB Construction
 508-504-6534
 BobFogarty@protonmail.com

DATE:
 6/13/2014

SCALE:

SHEET:
 10



SECOND FLOOR FRAMING
 Scale: 1/4" = 1'0"



NO.	DESCRIPTION	BY	DATE

SHEET TITLE:

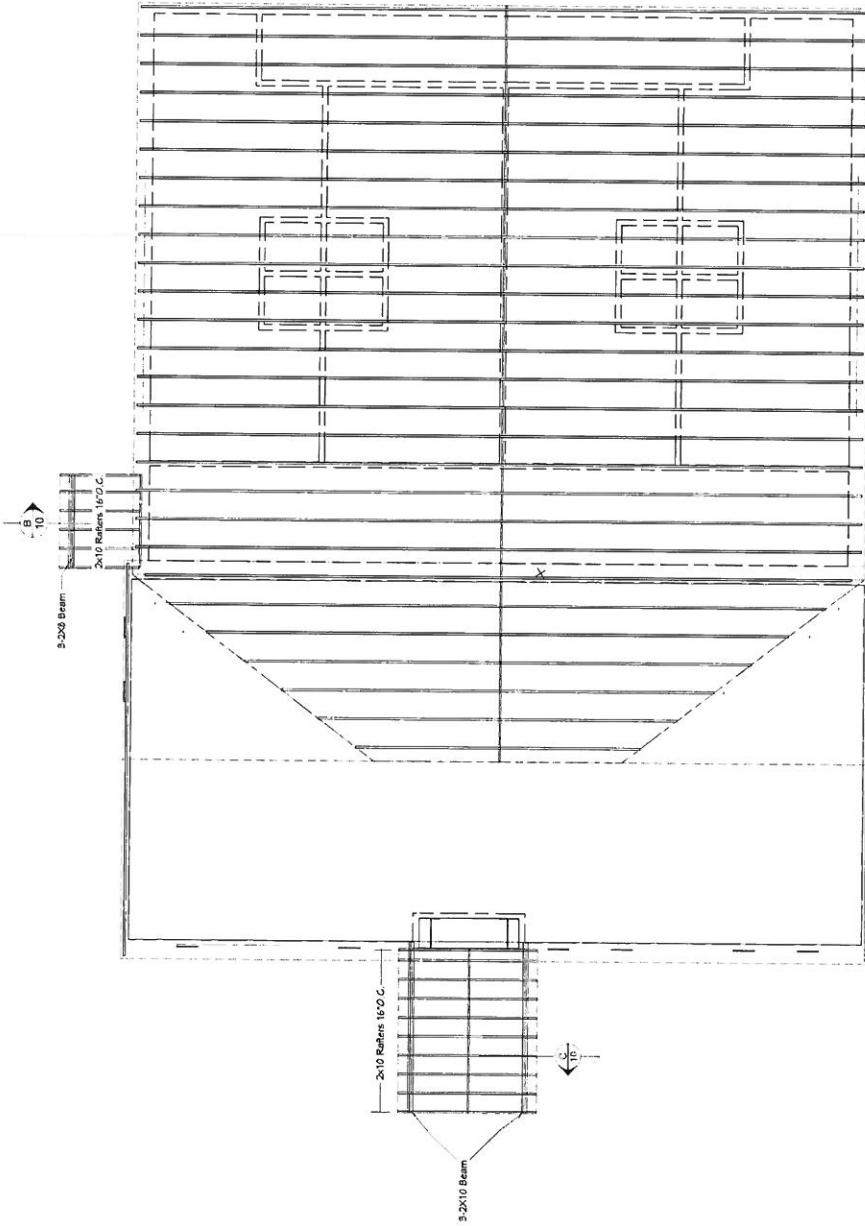
PROJECT DESCRIPTION:
 157 MAIN STREET
 MEDWAY, MA 02055

DRAWINGS PROVIDED BY:
 Bob Fogarty
 DB Construction
 Bob@dbcon.com
 508-594-6394

DATE:
 6/13/2014

SCALE:
 1/4" = 10'

SHEET:
 11



ROOF TRUSSES BY OTHER

ROOF FRAMING SECTION
 Scale: 1/4" = 10'



NO.	DESCRIPTION	BY	DATE

SHEET TITLE:

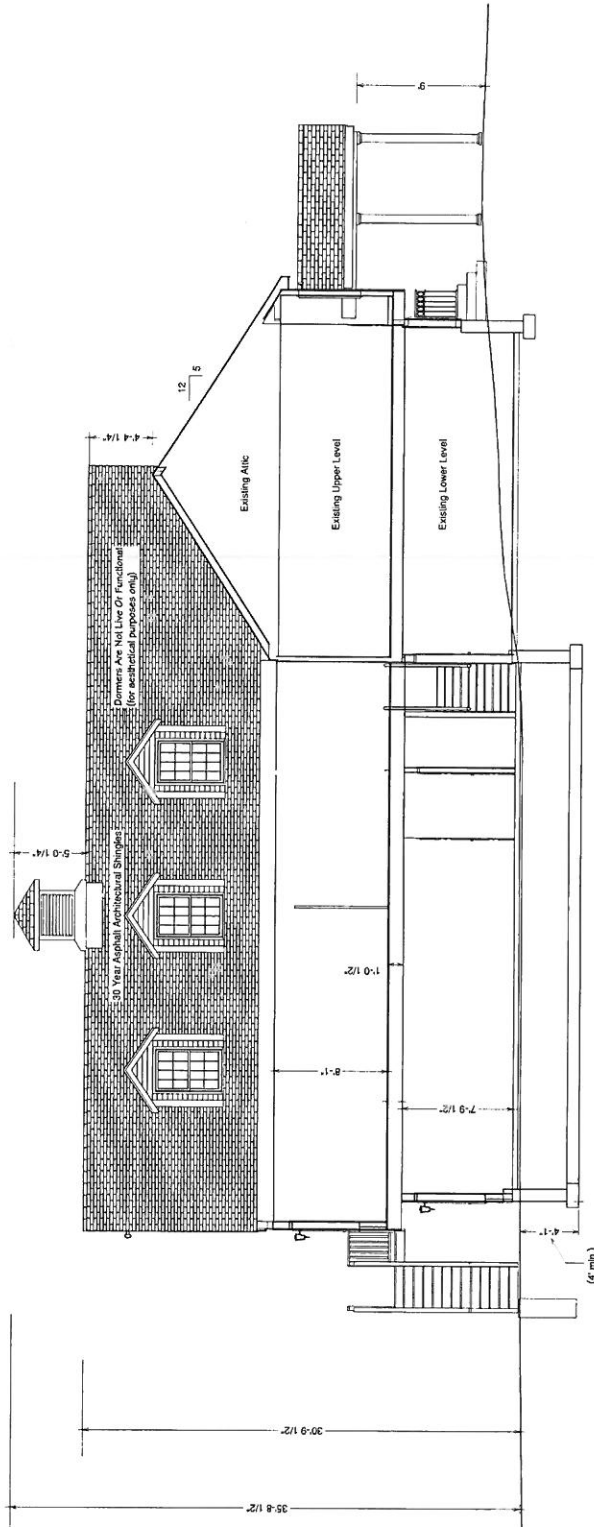
PROJECT DESCRIPTION:
 151 MAIN STREET
 HEDYMA, MA 02053

DRAWINGS PROVIDED BY:
 Bob Fogarty
 D&B Construction
 500-504-4534
 500-504-4534
 500-504-4534

DATE:
 6/13/2014

SCALE:

SHEET:
 13



A SECTION
 Scale: 1/4" = 1'0"



NO.	DESCRIPTION	BY	DATE

SHEET TITLE:

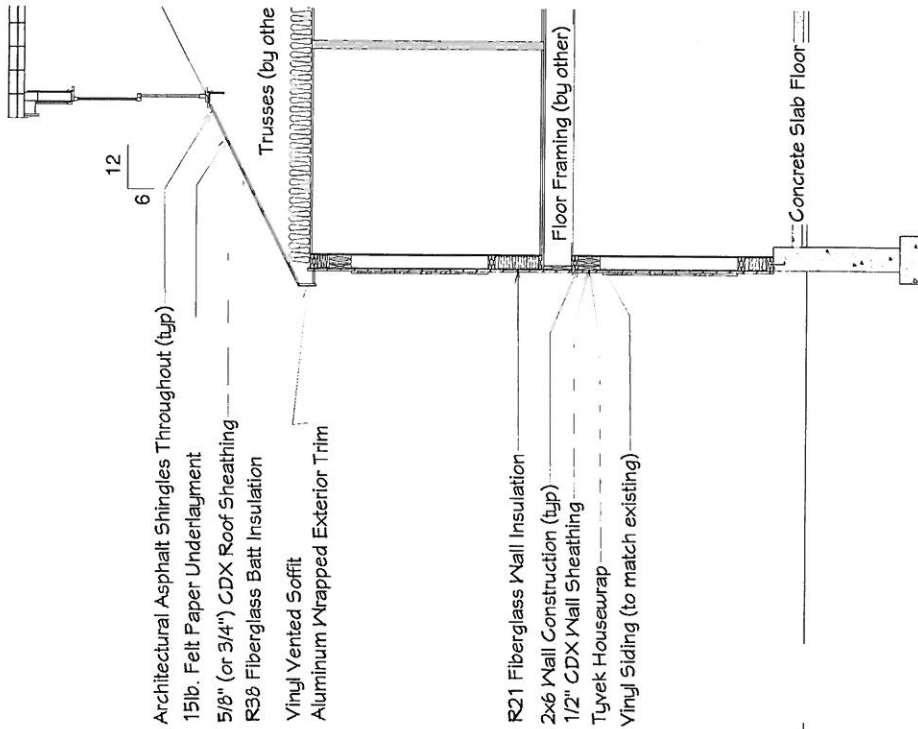
PROJECT DESCRIPTION:
157 MAIN STREET
HELDWY, MA 02033

DRAWINGS PROVIDED BY:
Bob Fogarty
DB Construction
Bfog922@hotmail.com
508-504-6334

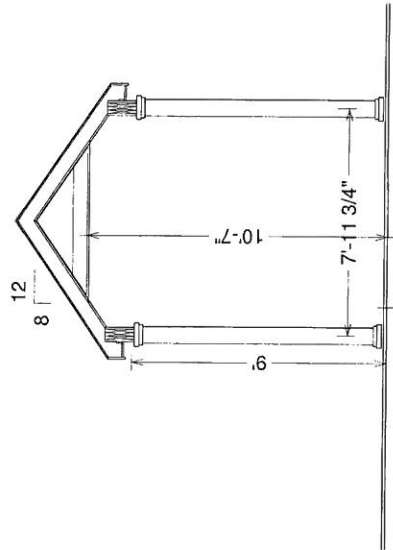
DATE:
6/13/2014

SCALE:

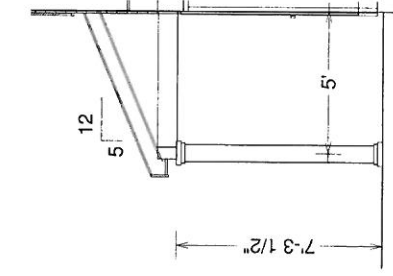
SHEET:
14



A BUILDING SECTION
Scale: 1/2" = 1'0"



B SIDE ENTRY SECTION
Scale: 1/2" = 1'0"



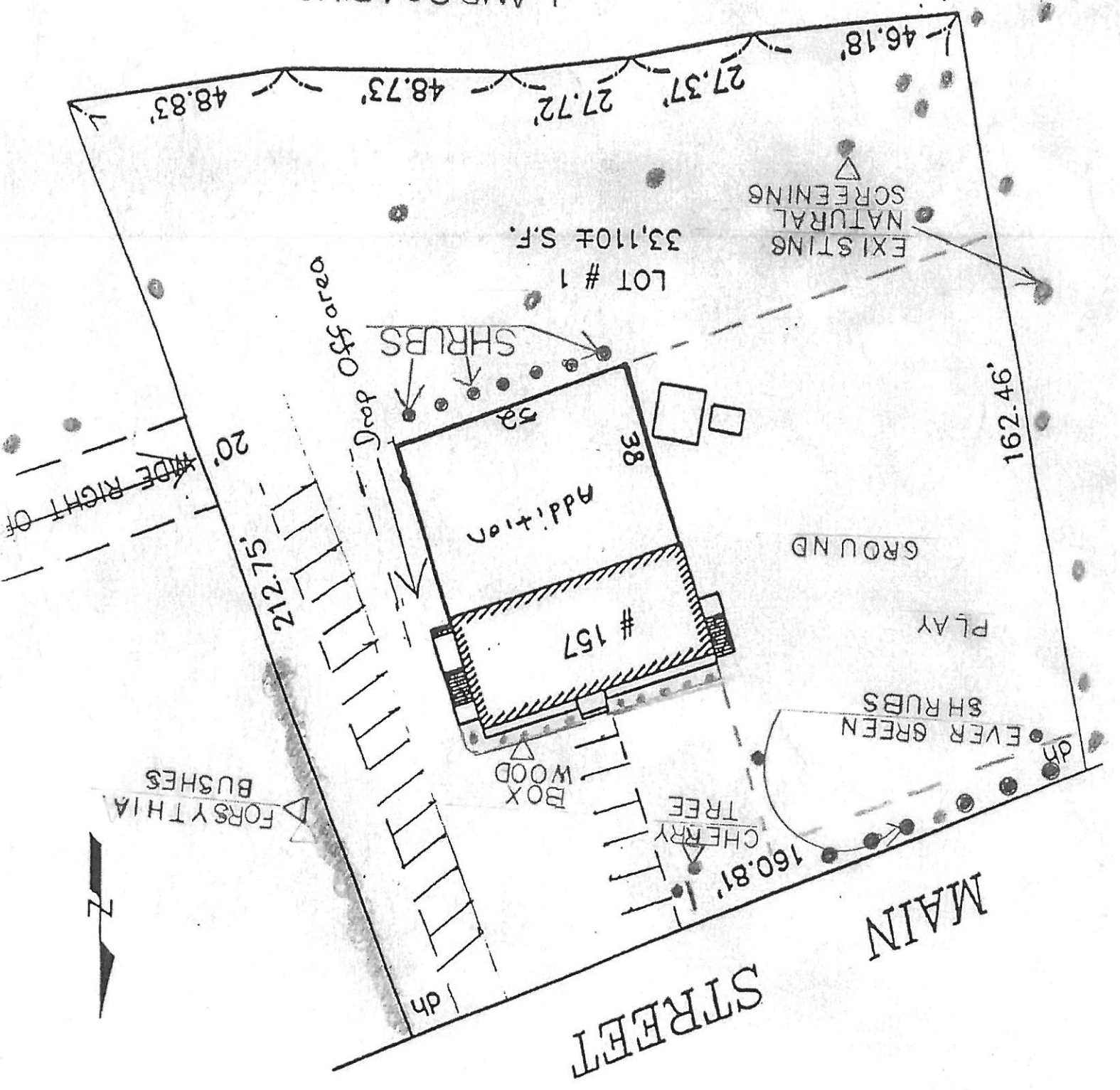
C ENTRYWAY SECTION
Scale: 1/2" = 1'0"

THAT THE DWELLING SHOWN ON THIS PLAN IS LOCATED ON THE
LITELY AS SHOWN AND CONFORMED TO THE DIMENSIONAL
THE ZONING BY-LAWS OF THE TOWN/CITY OF MEDWAY
TRUCTED OR IS EXEMPT FROM VIOLATION ENFORCEMENT ACTION
RAL LAWS CHAPTER 40A SEC. 7.

MADE TO: CHARLES RIVER BANK &
FIRST AMERICAN TITLE INS CO

7-204
58-569

LANDSCAPING
PLAN
EXISTING
PROPOSED



FORSYTHIA
BUSHES

20' WIDE RIGHT OF

Deck
Off area

SHRUBS

Addition

157

BOX
WOOD

CHERRY
TREE

EVER GREEN
SHRUBS

GROUND

PLAY

EXISTING
NATURAL
SCREENING

LOT # 1
33,110± S.F.

48.83'

48.73'

27.72'

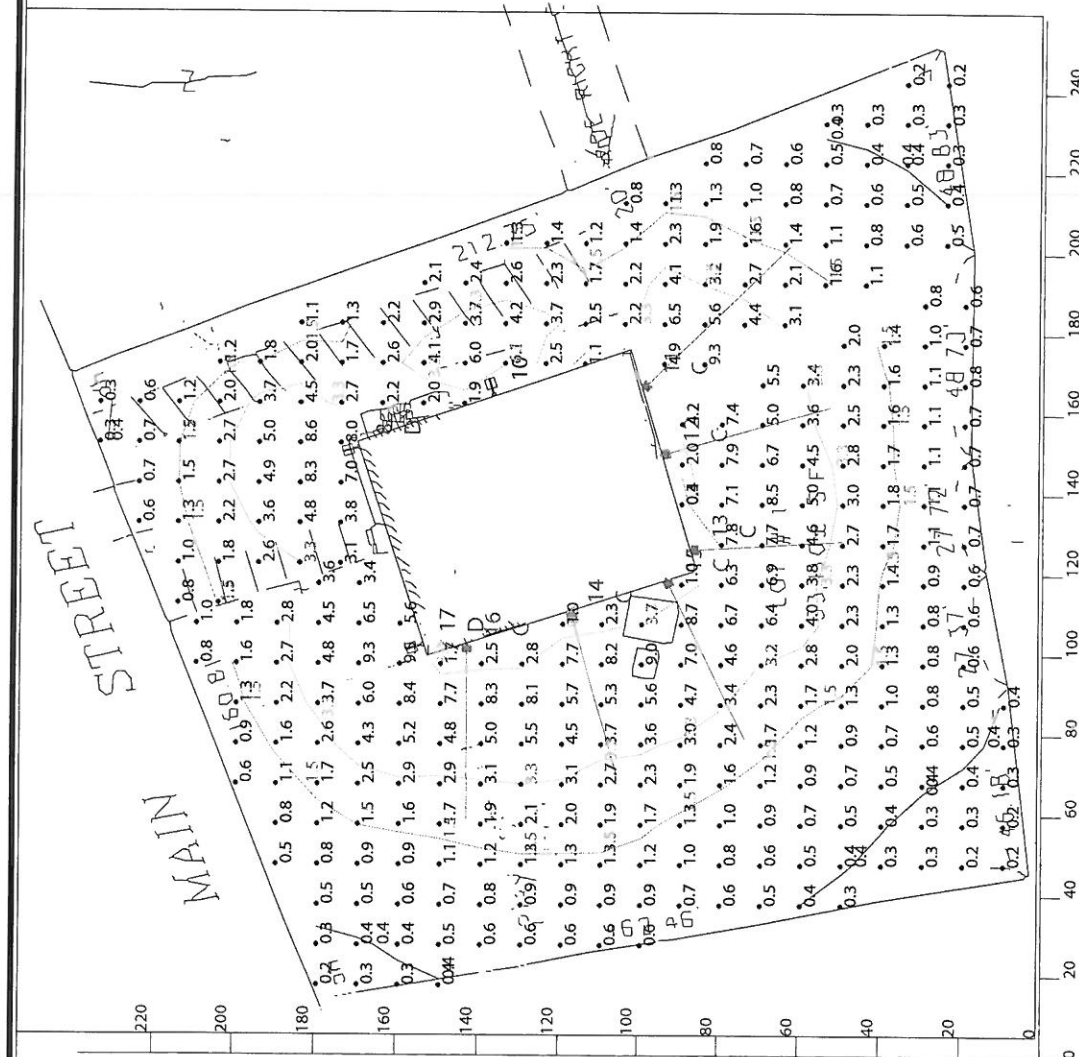
27.37'

46.18'

162.46'

STREET

MAIN



Scale: 1 inch = 30 Ft.

RAB
L I G H T I N G
Tel: (888) 722-1000 Fax: (888) 722-1232
WWW.RABWEB.COM

Prepared For:
Hobbrook Associated
35 Reservoir Park Drive
Rockland, MA 02370

Job Name:
157 Main Street
Medway, MA 02053
Lighting Layout
Version A

Scale: as noted
Date: 5/2/2014

Drawn By: Nigel Mcgregor

Filename: \\MMS-PT0364E-1\Draw\Site\Applications\Engineering\Job\Elec\Kirkwood\Assoc\Hobbrook\157 Main Street\Medway\051\157 Main Street Lighting Layout C09214.rvt

The information disclosed in this Lighting Analysis and Simulation is the exclusive PROPERTY OF RAB LIGHTING, INCORPORATED. The information is confidential and intended for the use of the person or company who provided the information. Any reproduction, distribution or use of the information contained herein for any other purpose without the express written consent of RAB LIGHTING, INCORPORATED is strictly prohibited. The information is provided "AS IS" without any warranty, express or implied, and shall not be used for any other purpose. The information is provided for informational purposes only and does not constitute an offer of any product or service. The information is provided for informational purposes only and does not constitute an offer of any product or service. The information is provided for informational purposes only and does not constitute an offer of any product or service. The information is provided for informational purposes only and does not constitute an offer of any product or service.

Calculation Summary

Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min	Description
CalcPts Parking	Illuminance	Fc	2.30	9.3	0.2	11.50	46.50	Readings Taken At 0'-0" AFG
CalcPts Playground	Illuminance	Fc	2.41	9.5	0.2	12.05	47.50	Readings Taken At 0'-0" AFG

Luminaire Schedule

Symbol	Qty	Label	Arrangement	Lum. Lumens	LLF	Description	Lum. Watts	Arr. Watts	Total Watts	Filename	Tag
☐	6	FXLED125SF	SINGLE	13,295	1.000	125 WLED	133.2	133.2	799.2	FXLED125 - Splitfitter - Cool -	C
☐	2	WPLED4T105	SINGLE	10,384	1.000	Wallpack (TYPE IV)	105.7	105.7	211.4	WPLED4T105 - Cool - TL80116IES	D
☐	1	WPLED3T105	SINGLE	9,112	1.000	Wallpack (TYPE III)	107.4	107.4	107.4	WPLED3T105 - Cool - TL80110IES	D

Luminaire Location Summary

LumNo	Label	X	Y	MTG HT	Orient	Tilt
8	WPLED4T105	151.28	170.012	18	107.055	0
10	WPLED3T105	165.007	136.933	18	17.238	0
11	FXLED125SF	166.903	98.624	18	314.305	70.026
12	FXLED125SF	150.002	93.49	18	286.064	66.862
13	FXLED125SF	126.042	86.258	18	273.476	63.621
14	FXLED125SF	109.611	117.236	18	196.496	66.394
15	FXLED125SF	117.656	92.761	18	206.464	67.285
16	FXLED125SF	101.225	143.08	18	180.229	66.991
17	WPLED4T105	102.081	154.204	18	107.572	0

Total Quantity: 9



C: FXLED125SF



WPLED3T105



D: WPLED4T105

NOTES:

* The light loss factor (LLF) is a product of many variables, only lamp lumen depreciation (LLD) has been applied to the calculated results unless otherwise noted. The LLF is the result (quotient) of mean lumens / initial lumens per lamp manufacturers' specifications.

* Illumination values shown (in footcandle) are the predicted results for planes of calculation either horizontal, vertical or inclined as designated in the calculation summary. Meter orientation is normal to the plane of calculation.

* The calculated results of this lighting simulation represent an anticipated prediction of system performance. Actual measured results may vary from the anticipated performance and are subject to means and methods which are beyond the control of RAB Lighting, Inc.

* Mounting height determination is job site specific, our lighting simulations assume a mounting height (mounting point of the luminaire symbol) to be taken at the top of the symbol for ceiling mounted luminaires and at the bottom of the symbol for all other luminaire mounting configurations.

* RAB Lighting, Inc. luminaires and product designs are protected under U.S. and International intellectual property laws. Patents issued or pending apply.



Tel: (888) 722-1000 Fax: (888) 722-1232
WWW.RABWEB.COM

Prepared For:
Holbrook Associated
35 Reservoir Park Drive
Rockland, MA 02370

Job Name:
157 Main Street
Medway, MA 02053
Lighting Layout
Version A

Scale: as noted
Date: 5/2/2014

Drawn By: Nigel Mcgregor

Filename: \\RAB-PT08062-1\Doc\Site\Applications\Eng\lights\157 Main Street Medway\01-157 Main Street Lighting Layout 050114A.dwg

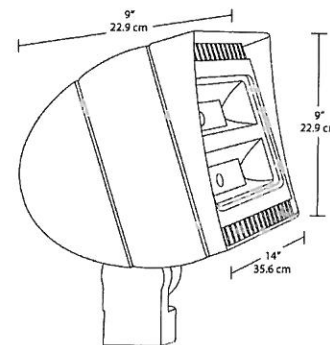
The information included in this Lighting Analysis and Simulation is the exclusive property of RAB LIGHTING INCORPORATED. The information is considered confidential and is not to be distributed, copied, or used in any way without the express written consent of RAB LIGHTING INCORPORATED. Any reproduction, distribution or use of the information contained herein for other than its intended purpose is strictly prohibited and will be prosecuted to the full extent of the law. The information is provided for your information only. The calculated results of the Lighting Analysis and Simulation represent an anticipated prediction of system performance. The calculated results shown herein are based on design parameters (mounting height, mounting height, applied depreciation factors, etc.) and may vary from the anticipated performance and are subject to means and methods which are beyond the control of RAB Lighting, Inc. The Lighting Analysis and Simulation represent predicted system performance based on input data and assumptions. The Lighting Analysis and Simulation are not a substitute for a lighting design. The Lighting Analysis and Simulation represent predicted system performance based on input data and assumptions. The Lighting Analysis and Simulation are not a substitute for a lighting design. The Lighting Analysis and Simulation represent predicted system performance based on input data and assumptions. The Lighting Analysis and Simulation are not a substitute for a lighting design.

FXLED125SF

Ultra high output, high efficiency LED floodlight with wide NEMA type 6H x 6V beam spread. Patent Pending airflow technology ensures long LED and driver lifespan. Use for general and security lighting for large areas, building facades, signs and landscapes.

Color: Bronze

Weight: 25.0 lbs



LED Info

Watts: 125W
 Color Temp: 5000K (Cool)
 Color Accuracy: 65
 L70 Lifespan: 100000
 LM79 Lumens: 13,169
 Efficacy: 99 LPW

Driver Info

Type: Constant Current
 120V: 1.12A
 208V: 0.70A
 240V: 0.61A
 277V: 0.52A
 Input Watts: 133W
 Efficiency: 94%

Technical Specifications

UL Listing:

Suitable for wet locations. Suitable for mounting within 1.2m (4ft) of the ground.

Lifespan:

100,000-hour LED lifespan based on IES LM-80 results and TM-21 calculations.

IP Rating:

Ingress Protection rating of IP66 for dust and water.

LEDs:

Multip-chip, high-output, long-life LEDs

Drivers:

Two Drivers, Constant Current, Class 2, 1750mA, 100-277V, 50/60Hz, 1.1A, Power Factor 99%

THD:

5.5% at 120V, 16.2% at 277V

Ambient Temperature:

Suitable for use in 40°C (104°F) ambient temperatures.

Effective Projected Area:

EPA = 2

Cold Weather Starting:

The minimum starting temperature is -40°F/-40°C.

Thermal Management:

Superior thermal management with external Air-Flow fins.

Housing:

Die-cast aluminum housing and door frame

Mounting:

Heavy-duty Slipfitter for 2 3/8"OD pipe.

Color Consistency:

7-step MacAdam Ellipse binning to achieve consistent fixture-to-fixture color.

Color Stability:

LED color temperature is warranted to shift no more than 200K in CCT over a 5 year period.

Color Uniformity:

RAB's range of CCT (Correlated Color Temperature) follows the guidelines of the American National Standard for Specifications for the Chromaticity of Solid State Lighting (SSL) Products, ANSI C78.377-2011.

Reflector:

Specular, vacuum-metalized polycarbonate

NEMA Type:

6H x 6V

Field & Beam Angles:

Horizontal Beam Angle (50%): 91.8°, Vertical Beam Angle (50%): 73.5° Horizontal Field Angle (10%): 121.0°, Vertical Field Angle (10%): 108.0°

Gaskets:

High-temperature silicone gaskets

Finish:

Our environmentally friendly polyester powder coatings are formulated for high-durability and long-lasting color, and contains no VOC or toxic heavy metals.

Green Technology:

Mercury and UV free, and RoHS compliant. Polyester powder coat finish formulated without the use of VOC or toxic heavy metals.



FXLED125SF - continued

IESNA LM-79 & LM-80 Testing:

RAB LED luminaries have been tested by an independent laboratory in accordance with IESNA LM-79 and LM-80, and have been received the Department of Energy "Lighting Facts" label.

DLC Listed:

This product is on the Design Lights Consortium (DLC) Qualified Products List and is eligible for rebates from DLC Member Utilities.

Replacement:

The FXLED125 replaces 320W Metal Halide Floodlights.

California Title 24:

FXLED125 complies with California Title 24 building and electrical codes.

Warranty:

RAB warrants that our LED products will be free from defects in materials and workmanship for a period of five (5) years from the date of delivery to the end user, including coverage of light output, color stability, driver performance and fixture finish.

Patents:

The design of FXLED125 is protected by patents pending in US, Canada, China, Taiwan and Mexico.

Country of Origin:

Designed by RAB in New Jersey and assembled in the USA by RAB's IBEW Local 3 workers.

Buy American Act Compliant:

This product is a COTS item manufactured in the United States, and is compliant with the Buy American Act.

Recovery Act (ARRA) Compliant:

This product complies with the 52.225-21 "Required Use of American Iron, Steel, and Manufactured Goods-- Buy American Act-- Construction Materials (October 2010).

Trade Agreements Act Compliant:

This product is a COTS item manufactured in the United States, and is compliant with the Trade Agreements Act.

GSA Schedule:

Suitable in accordance with FAR Subpart 25.4.

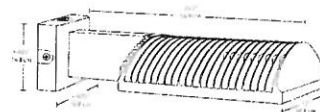


WPLED4T105

Ultra high output, high efficiency 105 Watt LED wallpacks. Patent Pending airflow technology ensures long LED and driver lifespan. 5 Year Warranty.

Color: Bronze

Weight: 34.8 lbs



LED Info

Watts: 105W
 Color Temp: 5000K (Cool)
 Color Accuracy: 65
 L70 Lifespan: 100000
 LM79 Lumens: 10,384
 Efficacy: 98 LPW

Driver Info

Type: Constant Current
 120V: 0.89A
 208V: 0.58A
 240V: 0.50A
 277V: 0.44A
 Input Watts: 106W
 Efficiency: 99%

Technical Specifications

UL Listing:

Suitable for wet locations.

Lifespan:

100,000-hour LED lifespan based on IES LM-80 results and TM-21 calculations.

IES Classification:

The Type IV distribution (also known as a Forward Throw) is especially suited for mounting on the sides of buildings and walls, and for illuminating the perimeter of parking areas. It produces a semiCircular distribution with essentially the same candlepower at lateral angles from 90° to 270°.

IP Rating:

Ingress Protection rating of IP66 for dust and water.

LEDs:

Multi-chip, high-output, long-life LEDs

Drivers:

Two Drivers, Constant Current, Class 2, 1400mA, 100-277V, 50/60Hz, 0.8A, Power Factor 99%

THD:

7.6% at 120V, 16.5% at 277V

Ambient Temperature:

Suitable for use in 40°C (104°F) ambient temperatures.

Cold Weather Starting:

The minimum starting temperature is -40°F/-40°C.

Thermal Management:

Superior thermal management with external Air-Flow fins.

Housing:

Die-cast aluminum housing, lens frame and mounting arm

Mounting:

Heavy-duty mounting arm with "O" ring seal & stainless steel screws

Color Consistency:

7-step MacAdam Ellipse binning to achieve consistent fixture-to-fixture color.

Color Stability:

LED color temperature is warrantied to shift no more than 200K in CCT over a 5 year period.

Color Uniformity:

RAB's range of CCT (Correlated Color Temperature) follows the guidelines of the American National Standard for Specifications for the Chromaticity of Solid State Lighting (SSL) Products, ANSI C78.377-2011.

Reflector:

Specular vacuum-metallized polycarbonate

Gaskets:

High-temperature silicone gaskets

Finish:

Our environmentally friendly polyester powder coatings are formulated for high-durability and long-lasting color, and contains no VOC or toxic heavy metals.

Green Technology:

Mercury and UV free, and RoHS compliant. Polyester powder coat finish formulated without the use of VOC or toxic heavy metals.



WPLED4T105 - continued

IESNA LM-79 & LM-80 Testing:

RAB LED luminaries have been tested by an independent laboratory in accordance with IESNA LM-79 and LM-80, and have been received the Department of Energy "Lighting Facts" label.

DLC Listed:

This product is on the Design Lights Consortium (DLC) Qualified Products List and is eligible for rebates from DLC Member Utilities.

California Title 24:

WPLED105 complies with California Title 24 building and electrical codes.

Dark Sky Approved:

The International Dark Sky Association has approved this product as a full cutoff, fully shielded luminaire.

For use on LEED Buildings:

IDA Dark Sky Approval means that this fixture can be used to achieve LEED Credits for Light Pollution Reduction.

Warranty:

RAB warrants that our LED products will be free from defects in materials and workmanship for a period of five (5) years from the date of delivery to the end user, including coverage of light output, color stability, driver performance and fixture finish.

Patents:

The design of WPLED105 is protected by patents pending in US, Canada, China, Taiwan and Mexico.

Country of Origin:

Designed by RAB in New Jersey and assembled in the USA by RAB's IBEW Local 3 workers.

Buy American Act Compliant:

This product is a COTS item manufactured in the United States, and is compliant with the Buy American Act.

Recovery Act (ARRA) Compliant:

This product complies with the 52.225-21 "Required Use of American Iron, Steel, and Manufactured Goods-- Buy American Act-- Construction Materials (October 2010).

Trade Agreements Act Compliant:

This product is a COTS item manufactured in the United States, and is compliant with the Trade Agreements Act.

GSA Schedule:

Suitable in accordance with FAR Subpart 25.4.

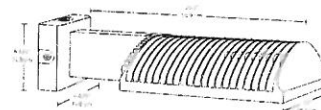


WPLED3T105

Ultra high output, high efficiency 105 Watt LED wallpacks. Patent Pending airflow technology ensures long LED and driver lifespan. 5 Year Warranty.

Color: Bronze

Weight: 34.8 lbs



LED Info

Watts: 105W
 Color Temp: 5000K (Cool)
 Color Accuracy: 65
 L70 Lifespan: 100000
 LM79 Lumens: 9,112
 Efficacy: 85 LPW

Driver Info

Type: Constant Current
 120V: 0.89A
 208V: 0.58A
 240V: 0.50A
 277V: 0.44A
 Input Watts: 107W
 Efficiency: 98%

Technical Specifications

UL Listing:

Suitable for wet locations.

Lifespan:

100,000-hour LED lifespan based on IES LM-80 results and TM-21 calculations.

IES Classification:

The Type III distribution is ideal for roadway, general parking and other area lighting applications where a larger pool of lighting is required. It is intended to be located near the side of the area, allowing the light to project outward and fill the area.

IP Rating:

Ingress Protection rating of IP66 for dust and water.

LEDs:

Multi-chip, high-output, long-life LEDs

Drivers:

Two Drivers, Constant Current, Class 2, 1400mA, 100-277V, 50/60Hz, 0.8A, Power Factor 99%

THD:

7.9% at 120V, 16.2% at 277V

Ambient Temperature:

Suitable for use in 40°C (104°F) ambient temperatures.

Cold Weather Starting:

The minimum starting temperature is -40°F/-40°C.

Thermal Management:

Superior thermal management with external Air-Flow fins.

Housing:

Die-cast aluminum housing, lens frame and mounting arm

Mounting:

Heavy-duty mounting arm with "O" ring seal & stainless steel screws

Color Consistency:

7-step MacAdam Ellipse binning to achieve consistent fixture-to-fixture color.

Color Stability:

LED color temperature is warranted to shift no more than 200K in CCT over a 5 year period.

Color Uniformity:

RAB's range of CCT (Correlated Color Temperature) follows the guidelines of the American National Standard for Specifications for the Chromaticity of Solid State Lighting (SSL) Products, ANSI C78.377-2011.

Reflector:

Specular vacuum-metallized polycarbonate

Gaskets:

High-temperature silicone gaskets

Finish:

Our environmentally friendly polyester powder coatings are formulated for high-durability and long-lasting color, and contains no VOC or toxic heavy metals.

Green Technology:

Mercury and UV free, and RoHS compliant. Polyester powder coat finish formulated without the use of VOC or toxic heavy metals.

IESNA LM-79 & LM-80 Testing:

RAB LED luminaries have been tested by an independent laboratory in accordance with IESNA LM-79 and LM-80, and have been received the Department of Energy "Lighting Facts" label.

RAB
LIGHTING

Tech Help Line: 888 RAB-1000

Email: sales@rabweb.com

On the web at: www.rabweb.com

Copyright ©2014 RAB Lighting Inc. All Rights Reserved

Note: Specifications are subject to change without notice

WPLED3T105 - continued

DLC Listed:

This product is on the Design Lights Consortium (DLC) Qualified Products List and is eligible for rebates from DLC Member Utilities.

California Title 24:

WPLED105 complies with California Title 24 building and electrical codes.

Dark Sky Approved:

The International Dark Sky Association has approved this product as a full cutoff, fully shielded luminaire.

For use on LEED Buildings:

IDA Dark Sky Approval means that this fixture can be used to achieve LEED Credits for Light Pollution Reduction.

Warranty:

RAB warrants that our LED products will be free from defects in materials and workmanship for a period of five (5) years from the date of delivery to the end user, including coverage of light output, color stability, driver performance and fixture finish.

Patents:

The design of WPLED105 is protected by patents pending in US, Canada, China, Taiwan and Mexico.

Country of Origin:

Designed by RAB in New Jersey and assembled in the USA by RAB's IBEW Local 3 workers.

Buy American Act Compliant:

This product is a COTS item manufactured in the United States, and is compliant with the Buy American Act.

Recovery Act (ARRA) Compliant:

This product complies with the 52.225-21 "Required Use of American Iron, Steel, and Manufactured Goods-- Buy American Act-- Construction Materials (October 2010).

Trade Agreements Act Compliant:

This product is a COTS item manufactured in the United States, and is compliant with the Trade Agreements Act.

GSA Schedule:

Suitable in accordance with FAR Subpart 25.4.





- Fire Stations
- Schools
- Public Libraries
- Police Stations
- Ice Rinks
- Hospitals
- Community Health Centers
- MA DEP Wetlands
- Marsh/Bog
- Salt Marsh
- National Wetlands Inventory
- Freshwater Forested/Shrubland
- Base Flood Elevations
- Flood Hazard Zones
- AE
- X500
- Major Ponds
- Streams - Networked
- MA Highways
- Interstate
- US Highway
- State Highway
- Abutting Towns
- Town Boundary
- Streets
- Buildings
- Parcels



The data shown on this site are provided for informational and planning purposes only. The Town and its consultants are not responsible for any use or misinterpretation of the data.

PGC ASSOCIATES, INC.

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

June 19, 2014

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

Re: 157 Main Street Child Care Site Plan

Dear Mr. Rodenhiser:

I have reviewed the site plan submitted by 157 Main Street Realty, LLC of Medway. The proposal is to construct an addition of 2080 square feet (52' x 40') to an existing 1352 square foot building to expand the existing child care use, plus associated parking, drainage and landscaping. The lot has an area of 33,110 square feet, plus there is a 20-foot wide right-of-way to Evergreen Street. The plan was prepared by Sullivan Surveying Company of Natick and is dated April 24, 2014 with a revision date of May 21, 2014.

I have comments as follows:

Zoning

1. The proposed use is a child care facility. This is an exempt use so it is allowed in the AR-II (or any) district. It is subject to "reasonable regulations concerning the bulk and height of structures and determining yard sizes, lot area, setbacks, open space, parking and building coverage requirements." The proposed project does comply with AR-II requirements.
2. There is no specified parking requirement for child care facilities in Section V. H. The requirement for the closest use is 1 space per 300 square feet. Using this standard, 12 spaces would be required, and 16 are proposed. It appears that these are existing spaces that are made of gravel or crushed stone. Most of these are in front of the building. There are two spaces on the east side of the lot, but one of them extends onto the neighbor's property, but within the 20' right-of-way. It should be clarified as to whether the "right-of-way" includes a right to park there.
3. Section V. P. 1. (c)(1) does specify parking standards for exempt uses including child care facilities. It requires 1 space for every paid and unpaid employee. It is unclear how many employees there will be at the expanded facility when it is operational. It also requires dimensions of 9' x 18.' No dimensions are shown on the plan.

4. Section V. P. 1. (c)(2) also requires that no space shall be considered available for parking that reduces the width of a driveway providing access. There are two spaces along the 20' right-of-way that reduce its width.
5. Section V. P. 1. (c)(3) also requires no space be closer than 15 feet to the property line of an adjoining "residential lot." There are 9 spaces shown that directly abut the adjoining lot which is in the AR-II district. However, since that adjoining lot is used solely for a business, it may not be considered a "residential lot."
6. Section V. P. 1. (c)(5) also requires a drop-off and pickup area that is not part of the drive aisle, and that there be sufficient spaces for 1/3 of the licensed capacity of the facility. There are 5 spaces in the drop-off zone which would limit capacity to 15.
7. Section V. P. also provides the PEDB with the discretion to modify the regulations if it finds that strict adherence would result in prohibiting the uses.
8. Section V. B. 7. (e) (1) states that light trespass onto any abutting street or lot is not permitted. The applicant states that no increase in ambient light will occur. A photometric plan was provided and it indicates that the foot-candle level at the property lines exceed .01 in most places around the perimeter.
9. No signage is shown.

Site Plan Rules and Regulations

10. Section 204-5 A requires that requested waivers be shown on the cover sheet. No waivers are shown.
11. Section 204.5 B requires a Site Context Sheet. This is not provided, and no waiver from this requirement is requested.
12. 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.
13. Section 204-5 D. (7) requires that a landscape plan be prepared by a landscape architect. There is no indication that a landscape architect prepared the landscape plan and no waiver is requested. The landscape plan is not specific regarding the proposed species or specifications (caliper and/or height) of the plantings proposed.
14. Section 204-5 D. (12) requires a signage plan indicating the design, location, materials, dimensions and lighting. No sign information is provided.
15. Section 204-5 (14) requires horizontal sight distances be shown on the plan. This information was not provided.
16. Section 205-6 (A) states that parking "should" be located to the side and rear of the building. This is not an absolute requirement. There is parking in front of the building but this is an existing condition.

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

Sincerely,

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

Gino D. Carlucci, Jr.



TETRA TECH

June 18, 2014

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

**Re: 157 Main Street
The Learning Tree Center 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 two story, 3,952 square foot addition to the rear of the existing Learning Tree child care facility. The proposed addition is to be constructed within an existing paved area and improvements include stormwater drainage facilities, exterior lighting, and landscaping.

TT is in receipt of the following materials:

- A plan (Plans) set entitled "Site Plan of Land in Medway, Mass.," dated May 21, 2014, prepared by Sullivan Surveying Company, LLC (SSC).
- A drainage report (Drainage Report) entitled "Stormwater Management Report, 157 Main Street, Medway, MA", dated May 22, 2014, prepared by Creative Land & Water Engineering, LLC (CLWE)
- A sketch (Sketches) set entitled "Mortgage Inspection Plot Plan in Medway, Mass.," dated May 28, 2013, prepared by P.N. Associates, Inc. (PNA).
- A letter (Letter) entitled "157 Main Street" dated June 4, 2014, prepared by Town of Medway Building Department (MBD).
- A letter (Notice Letter) entitled "Notice to Public Hearing, The Learning Tree Center – 157 Main Street, Site Plan Review and Approval" dated June 5, 2014, prepared by Town of Medway Planning & Economic Development (MPED).
- A form (Application Forms) set entitled "Application for Site Plan Review for Chapter 40A, Section 3. Exempt Uses", dated April 23, 2014, prepared by SSC.

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 shall provide a written Development Impact Statement (Ch. 200 §204-7)
2. The site plan shall be prepared, stamped, signed and dated by qualified professionals including a Registered Architect and/or Registered Landscape Architect in the Commonwealth of Massachusetts. (Ch. 200 §204-4.A)
3. The site plan shall be drawn at a scale of one (1) inch equals forty (40) feet or such other scale that has been approved in advance by the Planning Board and that clearly and adequately represents the proposed improvements. (Ch. 200 §204-4.B)
4. Sheet sizes shall be twenty-four (24) by thirty-six (36) inches. (Ch. 200 §204-4.C)
5. All site plan sheets shall contain a Board of Selectmen's endorsement signature block, name of project, name of plan, and other appropriate information. (Ch. 200 §204-4.F)
6. A cover sheet should be provided. The cover sheet shall include the project name, name and address of owner, name and address of applicant, name and address of engineering and other professional firms responsible for the plan, current date, list of revision dates, project street address, project Assessor's Map and Parcel number, zoning district classification, list of requested waivers from these Rules and Regulations, Board of Selectmen's Signature Block, and a list of drawings/contents. (Ch. 200 §204-5.A)
7. A site context sheet should be provided. The site context sheet shall include a locus plan showing the site and its boundaries in relation to all surrounding streets within two thousand (2,000) feet of the perimeter of the site. The plan shall be at a maximum scale of one (1) inch equals one thousand (1,000) feet. Scenic roads shall be noted. (Ch. 200 §204-5.B-1)
8. An existing conditions plan should be provided. The plan should include the location of all existing man-made features shall be delineated including but not limited to buildings and structures, streets, bridges, utility poles, utilities and underground infrastructure including water, gas, electric, sewer, cable, and telephone, fire hydrants and fire alarm boxes, wells, septic systems, storm and sanitary sewers, easements and other property encumbrances, driveways, trails, farm roads, rails, walls, fences, monuments, historic markers, milestones, wells, drainage fields, entrances, and exits on the site and within one hundred (100) feet of the site, including both sides to any abutting streets. (Ch. 200 §204-5.C-1)
9. The existing conditions plan should include location and delineation of all existing natural features of the site and within one hundred (100) feet thereof, including ledge/rock outcroppings, cliffs, sinkholes, ditches, swamps, all wetlands including their

associated buffers per state and local laws, vernal pools, water bodies and natural waterways and watercourses including rivers, lakes, ponds and streams, natural drainage courses and swales, areas of high water table. (Ch. 200 §204-5.C-2)

10. The existing conditions plan should include an Existing Landscape Inventory which shall be prepared by a Professional Landscape Architect licensed in the Commonwealth of Massachusetts. This inventory shall include a “mapped” overview of existing landscape features and structures and a general inventory of major plant species including the specific identification of existing trees with a diameter of one (1) foot or greater at four (4) feet above grade. (Ch. 200 §204-5.C.3)
11. The existing conditions plan should include locations of all historically significant sites or structures on the property including but not limited to barns, other buildings, cellar holes, stone walls, earthworks and graves. (Ch. 200 §204-5.C.4)
12. The existing conditions plan should include location and design of existing stormwater systems, leaching galleys, swales, and methods to dispose of surface water on site; refuse disposal systems, water service, sewage disposal and methods of solid waste storage and disposal. (Ch. 200 §204-5.C.5)
13. A Landscape Architectural plan shall be prepared by a Landscape Architect licensed in the Commonwealth of Massachusetts. This *Plan* shall be prepared as an overlay of the existing conditions sheets and shall incorporate, whenever possible, the significant features of the existing site and topography, particularly existing trees with a diameter of one (1) foot or greater at four (4) feet above grade. The *Landscape Architectural Plan* shall indicate the areas slated for excavation; any woodlands, trees or other existing features or structures to be retained; all new plantings by common and Latin name including their proposed locations and sizes at the time of installation. Plan graphics for tree canopies shall reflect, as closely as possible, the actual canopy dimension of proposed tree plantings at the time of installation with a “lesser” intensity graphic used to represent potential canopy at maturity. (Ch. 200 §204-5.D.7)
14. An Architectural Plan with dimensions and details of façade designs of each building including specifications on style, materials, and colors from all elevations. A color rendering of the Architectural Plan shall be provided. (Ch. 200 §204-5.D.8)
15. A *Lighting Plan* indicating type, height and location of all proposed lighting fixtures and devices and the radius of light patterns, brightness and intensity of proposed lighting. The manufacturer’s data and specifications for the proposed lighting fixtures shall be submitted. The *Lighting Plan* shall indicate proposed lighting around all structures, driveways, driveway entrances, walkways, entrances, pathways and parking areas. The *Lighting Plan* shall include a night lighting plan which specifies

the times of illumination and the location of fixtures which shall be illuminated. (Ch. 200 §204-5.D.13)

16. A table outlining the proposal's conformance with zoning requirements including lot area, continuous frontage, lot depth, lot width, front, side, and rear setbacks, buildings heights, lot coverages, gross floor area, maximum seating capacity, number of employees, and number of parking spaces including handicapped and employee spaces, and other items as appropriate for the zone and proposed uses. (Ch. 200 §204-5.D.15)
17. Locations of Fire Truck access for equipment shall be provided to the satisfaction of the Fire Department. (Ch. 200 §204-5.D.16)

Conformance with the MA DEP Storm Water Management Standards

18. 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

19. 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

20. The applicant shall provide all required plans on appropriately sized sheets as stated in the regulations.
21. The applicant shall verify that handicap stalls are provided in accordance with current ADA guidelines.

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

Susan Affleck-Childs

From: Thomas Holder
Sent: Monday, June 09, 2014 5:15 PM
To: Susan Affleck-Childs
Cc: David Damico
Subject: RE: Site Plan for 157 Main Street

Hi Susy – Upon initial review, my point of interest is that the owner understands the impacts to their property as a result of the planned Route 109 project. I don't see anything alarming but would recommend the owner review the 75% Design plan site on the Town Website (as well as the site-specific set which was mailed to them) just so they are aware of those impending property impacts and include them in their renovation design scheme. Dave has had a number of conversations with the owners relative to these roadway elements and feels the owner is familiar with the impacts.

Thanks.
Tom

Thomas Holder | Director
Department of Public Services

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

From: Susan Affleck-Childs
Sent: Monday, June 09, 2014 8:51 AM
To: Bridget Graziano; Thomas Holder; Matt Buckley; Jeff Watson; Jeff Lynch
Cc: John F. Emidy; Suzanne Kennedy; Allison Potter; Karen Kisty; Stephanie Bacon; Donna Greenwood; Melanie M. Phillips
Subject: Site Plan for 157 Main Street

Good morning,

The Planning and Economic Development Board (PEDB) has received an application for review and approval of a major site plan for construction of an addition to The Learning Tree Center, a child care facility located at 157 Main Street.

The PEDB will begin the public hearing on this project on Tuesday, June 24, 2014.

Information re: the proposed development including the application, site plan, and public hearing notice can be found at:

http://www.townofmedway.org/Pages/MedwayMA_Bcomm/PlanEcon/ApplicationsDocs/Learning%20Tree.
You can download the documents from there for your use.

The Board asks that you review the site plan and forward written comments to the PED office by June 18, 2014 so that the comments may be entered into the record at the June 24th hearing. You are also invited to attend the public hearing to provide verbal testimony.

Please contact me if you have any questions.

Thanks for your help.

Susy

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

Town of Medway – *A Massachusetts Green Community*

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

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

_____ Information from ESET NOD32 Antivirus, version of virus signature database 8359 (20130521)

The message was checked by ESET NOD32 Antivirus.

<http://www.eset.com>

Susan Affleck-Childs

From: Jeff Lynch
Sent: Wednesday, June 11, 2014 3:01 PM
To: Susan Affleck-Childs
Subject: RE: Site Plan for 157 Main Street

Susy, from what I can see this plan looks good to me for fire code issues. Thanks. Jeff

From: Susan Affleck-Childs
Sent: Monday, June 09, 2014 8:51 AM
To: Bridget Graziano; Thomas Holder; Matt Buckley; Jeff Watson; Jeff Lynch
Cc: John F. Emidy; Suzanne Kennedy; Allison Potter; Karen Kisty; Stephanie Bacon; Donna Greenwood; Melanie M. Phillips
Subject: Site Plan for 157 Main Street

Good morning,

The Planning and Economic Development Board (PEDB) has received an application for review and approval of a major site plan for construction of an addition to The Learning Tree Center, a child care facility located at 157 Main Street.

The PEDB will begin the public hearing on this project on Tuesday, June 24, 2014.

Information re: the proposed development including the application, site plan, and public hearing notice can be found at:

http://www.townofmedway.org/Pages/MedwayMA_Bcomm/PlanEcon/ApplicationsDocs/Learning%20Tree.

You can download the documents from there for your use.

The Board asks that you review the site plan and forward written comments to the PED office by June 18, 2014 so that the comments may be entered into the record at the June 24th hearing. You are also invited to attend the public hearing to provide verbal testimony.

Please contact me if you have any questions.

Thanks for your help.

Susy

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

Town of Medway – A Massachusetts Green Community

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

Susan Affleck-Childs

From: PGYORKIS@aol.com
Sent: Wednesday, June 18, 2014 9:27 AM
To: Planning Board
Subject: 157 Main Street, Medway

Dear Planning Board Members:

I am providing this email regarding the application of Stephen P. Hansen of Natick for a major site plan modification for the construction of a 4160 square foot addition to the structure currently located at 157 Main Street.

This email is provided on behalf of myself and my wife Kathleen L. Yorkis

As owners of property that directly abuts of the applicant's property on the west side we wish to inform the Planning and Economic Development Board that we have no objections to the proposed plan.

It is our hope that the Board will act in an speedy manner so that the applicant can begin construction as soon as possible.

The child care service and the increased tax base for the Town of Medway are benefits that we both strongly support and encourage.

Paul G. Yorkis
Kathleen L. Yorkis
7 Independence Lane
Medway, MA 02053



Town of Medway
DESIGN REVIEW COMMITTEE
155 Village Street
Medway MA 02053
508-533-3291
drc@townofmedway.org

June 23, 2014

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

RE: THE LEARNING TREE DAYCARE AND PRESCHOOL, LLC
157 MAIN STREET

Dear Members of the Medway Planning and Economic Development Board,

The DRC has met with Mr. Steve Hansen on 4/28/2014, 6/2/2014 & 6/16/2014 to review the proposed site plan to expand the daycare facility. The preliminary presentation was incomplete and rudimentary but the plan successively improved through to our final meeting. The applicant was cooperative and worked to incorporate the DRC's recommendations. The proposed building will align with adjacent architecture and reflect appropriate design.

The DRC recommended several changes to the roofline including:

- Include dormers on addition to break up the large expanse of roof surface.
- Apply a bell tower style cupola to addition to also break large expanse and convey school purposes of the building.
- Allow north gable end of addition to emerge above existing roof ridge, to eliminate obtuse angles of roof unions and convey the appearance of barn type addition. A window could be included on this fascia of this peak.
- Produce matching roof pitch on front walk-way overhang to align with main buildings.

The DRC recommended that shutters be used on each window on the addition to match existing building.

The DRC recommend that the siding on the addition match the main building.

Design Review Committee Members

Matthew Buckley, Chairman
Julie Fallon, Vice Chair

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

Rachel Walsh, Member & Corresponding Secretary
Mary Weafer, Member

The Learning Tree Site Plan - 157 Main Street
June 24, 2014

The DRC recommended that the various landscape sites be enhanced and maintained and that further screening be provided to the play areas.

The DRC is available to clarify any of these recommendations.

Sincerely,

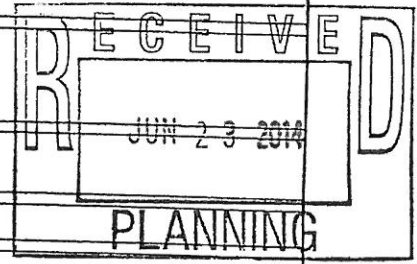
A handwritten signature in black ink, appearing to read "Matthew Buckley". The signature is written in a cursive style with a large, prominent initial "M".

Matthew Buckley
Chairman

cc: John Emidy, Building Commissioner

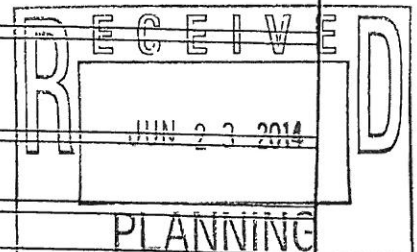
Medway Planning and Economic Development Board
Request for Waiver from Site Plan Rules and Regulations
 Complete 1 form for each waiver request

Project Name:	The Learning Tree Center
Property Location:	157 Main Street Medway
Type of Project/Permit:	Remodel/Addition
Identify the number and title of the relevant Section of the Site Plan Rules and Regulations from which a waiver is sought.	Chapter 200 (204-7)
Summarize the text of the relevant Section of the Rules and Regulations from which a waiver is requested.	Development Impact Statement
What aspect of the Regulation do you propose be waived?	entire
What do you propose instead?	grandfathered use
Explanation/justification for the waiver request. Why is the waiver needed? Describe the extenuating circumstances that necessitate the waiver request.	There is excellent egress/ingress accessibility from Main and Evergreen St There is no negative impact to the Community
What is the estimated value/cost savings to the applicant if the waiver is granted?	unknown
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?	The traffic flow is excellent as is and will be with the anticipated enrollment. The positive impact of the intersection upgrade.
What is the impact on the development if this waiver is denied?	
What are the design alternatives to granting this waiver?	none
Why is granting this waiver in the Town's best interest?	expedite the process of filling a need within the Community
If this waiver is granted, what is the estimated cost savings and/or cost avoidance to the Town?	unknown
What mitigation measures do you propose to offset not complying with the particular Rule/Regulation?	
What is the estimated value of the proposed mitigation measures?	none
Other Information?	
Waiver Request Prepared By:	Stephen P. Hansen
Date:	6/20/2014
Questions?? - Please contact the Medway PED office at 508-533-3291.	



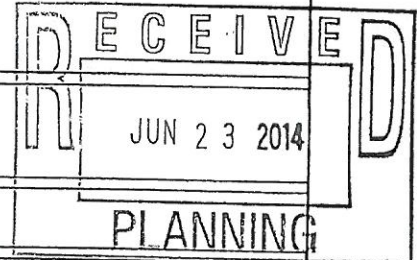
Medway Planning and Economic Development Board
Request for Waiver from Site Plan Rules and Regulations
 Complete 1 form for each waiver request

Project Name:	The Learning Tree Center
Property Location:	157 Main Street Medway
Type of Project/Permit:	Remodel / Addition.
<i>Identify the number and title of the relevant Section of the Site Plan Rules and Regulations from which a waiver is sought.</i>	Chapter 200 (204-4A)
<i>Summarize the text of the relevant Section of the Rules and Regulations from which a waiver is requested.</i>	Reg. Architect / Landscape Architect
<i>What aspect of the Regulation do you propose be waived?</i>	entire
<i>What do you propose instead?</i>	plans as submitted
<i>Explanation/justification for the waiver request. Why is the waiver needed? Describe the extenuating circumstances that necessitate the waiver request.</i>	
<i>What is the estimated value/cost savings to the applicant if the waiver is granted?</i>	none
<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>	plans approved by the Design Committee
<i>What is the impact on the development if this waiver is denied?</i>	
<i>What are the design alternatives to granting this waiver?</i>	none (plans as submitted)
<i>Why is granting this waiver in the Town's best interest?</i>	expedite the process.
<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>	none
<i>What is the estimated value of the proposed mitigation measures?</i>	none
<i>Other information?</i>	
Waiver Request Prepared By:	Stephen P. Hansen
Date:	6/20/2014
Questions?? - Please contact the Medway PED office at 508-533-3291.	



**Medway Planning and Economic Development Board
Request for Waiver from Site Plan Rules and Regulations
Complete 1 form for each waiver request**

Project Name:	The Learning Tree Center	
Property Location:	157 Main Street Medway	
Type of Project/Permit:	Remodel/Addition	
<i>Identify the number and title of the relevant Section of the Site Plan Rules and Regulations from which a waiver is sought.</i>	Section 204-5 A	
<i>Summarize the text of the relevant Section of the Rules and Regulations from which a waiver is requested.</i>	Cover sheet	
<i>What aspect of the Regulation do you propose be waived?</i>	All (entire)	
<i>What do you propose instead?</i>	plans as submitted	
<i>Explanation/Justification for the waiver request. Why is the waiver needed? Describe the extenuating circumstances that necessitate the waiver request.</i>		
<i>What is the estimated value/cost savings to the applicant if the waiver is granted?</i>	none	
<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>		
<i>What is the impact on the development if this waiver is denied?</i>		
<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>		
<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>	none	
<i>What is the estimated value of the proposed mitigation measures?</i>	none	
<i>Other information?</i>		
Waiver Request Prepared By:	Stephen P. Hansen	
Date:	6/20/2014	
Questions?? - Please contact the Medway PED office at 508-533-3291.		



- 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. The open space parcel is adjacent to Town owned open space immediately to the west that interconnect with sidewalks serving the housing units.
- ~~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

Commented [AC1]: There is no linkage.

Formatted: Font: (Default) Times New Roman, 12 pt

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.~~

~~i.h.~~ (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.i.~~ (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.i.~~ (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. No Local Convenience Retail use proposed so this 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 Maser 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 ARCPUD 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 June 24, 2014, 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

Planning and Economic Development Board Members

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 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.~~

Formatted: Indent: Left: 0.57", Space Before: 0.35 pt

Formatted: Body Text, Tab stops: 1.07", Left

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.
 - e. 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. I, 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. The age qualification requirements for the affordable housing units shall be in conformity with DHCD’s requirements for inclusion on the 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
 - 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.
- c. Notwithstanding the foregoing, the Applicant may build and sell any of the dwelling units in the Project in any order, subject to the provisions of Condition 21 - Timetable for Construction herein.

Formatted: Not Expanded by / Condensed by

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 proposed 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 preliminary approval of the proposed Conservation Restriction by the Medway Board of Selectmen and Medway Conservation Commission. 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.~~ The approved and executed Conservation Restriction shall be recorded at the Norfolk County Registry of Deeds ~~before the Town issues the occupancy permits for the final six dwelling units.~~

Commented [AC2]: 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 shall construct a parking area which shall be gravel and contain sufficient area for five (5) parking spaces and shall be accessible from a public way to provide public access to the Open Space Parcel and trails.~~
- d.e. ~~The applicant's improvements to the Open Space Parcel including trails and parking area shall be completed by:~~
- e.f. ~~The Applicant and assigns shall be subject to the provisions included in the Conservation Restriction approved by the Secretary of Energy and Environmental Affairs for maintenance of the open space parcel, trails and parking area.~~

5. Affordable Housing

- a. ~~In accordance with the Medway Zoning Bylaw, V. USE REGULATIONS, Sub-Section U. Adult Retirement Community Planned Unit Development, Paragraph 4 c) 9), eight dwelling units within the Millstone Village ARCPUD will shall be affordable housing units that will comply with the requirements for inclusion in the Subsidized Housing Inventory prepared by the MA 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) for inclusion of the proposed eight affordable dwelling units on the Subsidized Housing Inventory 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 Board of Selectmen for purposes of securing its support for the LIP Application and with the Medway Affordable Housing Committee and Trust regarding the marketing plan, and the location of affordable housing units within the development, local preference guidelines, and to secure their support for the LIP Application.~~
- c. ~~The eight affordable housing units shall each be subject to a perpetual affordable housing deed rider 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~~

Commented [AC3]: The Applicant cannot guarantee if and when the affordable dwelling units will be approved by DHCD.

Formatted: Right: 0.09", Space Before: 0 pt

accordance with the provisions of the affordable housing deed rider use-restriction.

- c. _____
- 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 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.~~
- ~~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 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.~~
- j.i. In the event that the MA DHCD does not approve a LIP application for this development project, any further issuance of building permits shall cease.

Formatted: Body Text, Right: 0.16", Space Before: 9.25 pt, Numbered + Level: 2 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 0.57" + Indent at: 1.07", Tab stops: 1.07", Left

Commented [AC4]: Applicant cannot guarantee if and when final approval by 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, an affordable housing use-restriction-deed rider 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-occupancy permit for the 41st dwelling unit, last six dwelling units.~~
 - 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 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.~~
- 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,

Formatted: Space Before: 0.55 pt

Formatted: Body Text, Right: 0.17", Numbered + Level: 2 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 0.57" + Indent at: 1.07", Tab stops: 1.07", Left

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.
- d. 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. The stone walls to be constructed at the access/egress driveways to Millstone Village shall have a highly rustic, dry laid appearance in keeping with the rural nature of other stone walls on Winthrop Street.
10. **Water Conservation** – The development is relying on the Town’s public water system and the Town is held to its Water Management Act Permit with the Mass Department of Environmental Protection. Accordingly, the Applicant shall incorporate water conservation measures into all aspects of the site and building design. This shall include but not be limited to the following measures: well water for landscape irrigation, rain-gauge controlled irrigation systems, low flow household fixtures, and conservation rated appliances.

~~10.11.~~ **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.
12. **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.
 13. **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.

14. **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.
15. 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.
16. **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.
17. **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.
18. **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.

19. **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 1B 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.

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

20. **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.

21. **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 5 8 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

Commented [AC5]: Completion of the project may take longer than 5 years.

- b) excavation or construction activities are commenced.
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 1A dwelling units facing Winthrop Street (2, 4, 6 & 8 Sandstone Drive) and the Phase 1B Community Center (2 Cobblestone Drive) upon completion of the following:*
- a) the entire Phase 1A 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 1A dwelling units facing Winthrop Street (2, 4, 6 & 8 Sandstone Drive) and the Phase 1B Community Center (2 Cobblestone Drive) upon completion of the following:*
- a) the roadway binder course and utility services necessary to serve the four *Phase 1A dwelling units* and the *Phase 1B Community Center* have been completed;
 - b) the permanent drainage for the roadways servicing the four *Phase 1A dwelling units* and the *Phase 1B 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 the above four 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 1B building upon completion of the following:*
- a) the entire Phase 1B 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 1A and Phase 1B areas are completed.
 - c) the permanent drainage for the roadway(s) servicing the Phase 1A area and the temporary construction drainage for the Phase 1B area are completed.
 - d) the Town's Consulting Engineer has issued a letter to the Board that the above three ~~se the two~~ 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~~e) 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:
- the permanent drainage for the roadways servicing the Phase IB area has been constructed and is operational;
 - pedestrian pathways other than along streets have been completed;
 - the guest parking areas have been completed;
 - the Town's Consulting Engineer has issued a letter to the Board that these requirement has been completed according to the Plan of Record;
 - 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:
- 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.
 - the roadway binder course and utility services for the current phase are completed.
 - 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.
 - 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
 - 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:
- the roadway binder course, utilities, and sidewalk services in the current and previous phases have been completed.
 - 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;
 - the remainder of the site drainage for that phase, either permanent or temporary, is fully functional;
 - 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;
 - pedestrian pathways have been completed;
 - guest parking areas have been completed.
 - 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.
22. **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*.
23. **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.
24. **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*, 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 approved 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
- 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 7.9.5 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.

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.

DRAFT

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.

DRAFT



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 18²⁴, 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/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-Vemagli 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 residential 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 sent 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 June 24, 2014 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. Price Quote dated April 3, 2014 from Marlin Controls for Solar Powered Driver Speed Feedback Sign for Winthrop Street.
12. Development Phasing Plan prepared by GLM Engineering.
13. 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.
14. Proposed open space trails and parking layout, prepared by GLM Engineering, provided 6/10/14.
- 14.15. DRAFT LIP/LAU application prepared by MCO Housing Services including Local Preference Criteria and Market Information, submitted June 18, 2014.
- 15.16. INFO on ownership of “old” county layout of Lovering Street.

Formatted: Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.07" + Indent at: 0.57"

Commented [AP1]: A new plan is expected based on ownership information.

PUBLIC HEARING TESTIMONY & EVIDENCE

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

1. Plan Review Letter dated January 8, 2014 – Gino Carlucci, PGC Associates
2. Plan Review Letter updated February 21, 2014 – Gino Carlucci, PGC Associates
3. Plan Review Letter dated January 10, 2014 – David Pellegrini, Tetra Tech

*Millstone Village ARCPUD Special Permit
Draft – June 18~~24~~, 2014 – Alex Parra comments*

4. Plan Review Letter updated February 2002014 – David Pellegrini, Tetra Tech
5. Email Communication dated March 24, 2014 – Michael Hall, Tetra Tech
6. Memorandum dated January 9, 2014 from Medway Conservation Agent Patty Barry
7. Plan review letter dated January 10, 2014 from Matthew Buckley, chairman of the Medway Design Review Committee
8. Memorandum dated January 13, 2014 from Medway Community Housing Coordinator Douglas Havens.
9. 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
10. Memorandum dated March 10, 2014 from Medway Community Housing Coordinator Douglas Havens.
11. Sidewalk construction cost estimate dated March 10, 2014 from Tetra Tech.
12. Memorandum dated March 25, 2014 from Fred Sibley, Medway Assistant Tree Warden, regarding the scenic road work permit application.
13. Plan review status report dated March 24, 2014 from Matthew Buckley, chairman of the Medway Design Review Committee
14. Jeff Lynch, Medway Fire Chief - January 14, 2014
15. Missy Dzikczek, Council on Aging Director – January 14, 2014
16. Matthew Buckley, Chairman of the Medway Design Review Committee – January 14, 2014
17. Douglas Havens, Medway Community Housing Coordinator – January 14, February 25, March 25, 2014 meetings.
18. Memorandum dated February 19, 2014 from Susan Affleck-Childs, Planning and Economic Development Coordinator re: status of scenic road work permit.
19. Memo from Doug Havens, Community Housing Coordinator, dated January 13, 2014.
20. Scenic Road Work Permit approved by the Board on April 8, 2014
21. 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).
22. Plan Review Memorandum dated April 27, 2014 from Sergeant Jeff Watson.
23. Email communication dated June 3, 2014 from Tom Holder, Medway DPS Director, recommending the use of various water conservation measures.
23. Forthcoming comment memos from Doug Havens and Gino Carlucci re: draft LIP/LAU application

Professional Commentary during the Public Hearings

1. Rob Truax, GLM Engineering
2. David Pellegrini, P.E., Tetra Tech
3. Gino Carlucci, AICP, PGC Associates

4. Attorney Alex Parra for the applicant

Applicant (Elite Home Builders, Inc.) Commentary

1. Julie Venincasa
2. Steve Venincasa
3. Leonardo DaSilva

Citizen/Abutter Commentary

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

Other Commentary

1. 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 _____, 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. ~~The open space parcel is adjacent to Town owned open space immediately to the west that interconnect with sidewalks serving the housing units.~~
- 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

Commented [AP2]: Not discussed at hearing.

Commented [AC3]: There is no linkage.

Formatted: Font: (Default) Times New Roman, 12 pt

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. (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.

- i. (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.
 - j. (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.* No Local Convenience Retail use proposed so this 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 June 24, 2014, 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

Planning and Economic Development Board Members

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 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.

Formatted: Body Text, Indent: Left: 0.57", Tab stops: 1.07", Left

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.
 - e. 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. The age qualification requirements for the affordable housing units shall be in conformity with DHCD’s requirements for inclusion on the 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
 - 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.
- c. Notwithstanding the foregoing, the Applicant may build and sell any of the dwelling units in the Project in any order, subject to the provisions of Condition 21 - Timetable for Construction herein. z

Formatted: Not Expanded by / Condensed by

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.
- 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 proposed 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 preliminary approval of the proposed Conservation Restriction by the Medway Board of Selectmen and Medway Conservation Commission. The Applicant shall diligently pursue final approval of the Conservation Restriction by EEOA and the Medway Board of

Selectmen and Conservation Commission. The approved and executed Conservation Restriction shall be recorded at the Norfolk County Registry of Deeds before the Town issues the occupancy permits for the final six dwelling units. —

- d. The applicant shall construct a parking area which shall be gravel and contain sufficient area for five (5) parking spaces and shall be accessible from a public way to provide public access to the Open Space Parcel and trails.
- e. The applicant's improvements to the Open Space Parcel including trails and parking area shall be completed by: _____.
- f. The Applicant and assigns shall be subject to the provisions included in the Conservation Restriction approved by the Secretary of Energy and Environmental Affairs for maintenance of the open space parcel, trails and parking area.

5. Affordable Housing

- a. In accordance with the Medway Zoning Bylaw, V. USE REGULATIONS, Sub-Section U. Adult Retirement Community Planned Unit Development, Paragraph 4. c) 9), eight dwelling units within the Millstone Village ARCPUD shall be affordable housing units that will comply with the requirements for inclusion in the Subsidized Housing Inventory prepared by the MA Department of Housing and Community Development (DHCD).
- b. 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) for inclusion of the proposed eight affordable dwelling units on the Subsidized Housing Inventory and thereafter shall diligently pursue DHCD approval of the LIP Application. Prior to submitting the LIP Application, the applicant shall meet with the Medway Board of Selectmen for purposes of securing its support for the LIP Application and with the Medway Affordable Housing Committee and Trust regarding the marketing plan, the location of affordable housing units within the development, local preference guidelines, and to secure their support for the LIP Application. —
- c. The eight affordable housing units shall each be subject to a perpetual affordable housing deed rider, 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 deed rider.
- e.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

Formatted: Body Text, Right: 0.16", Space Before: 9.25 pt, Numbered + Level: 2 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 0.57" + Indent at: 1.07", Tab stops: 1.07", Left

(without effect to the Subsidized Housing Inventory eligibility), the Planning and Economic Development Board ~~may shall~~ permit a change in the locations of the affordable housing units.

- d.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.
- e.f. DHCD shall oversee the initial sales of the affordable housing units pursuant to the LIP program.
- f.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.
- g.h. ~~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 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.~~
- ~~h. In the event that the MA DHCD does not approve a LIP application for this development project, any further issuance of building permits shall cease.~~

Commented [AP4]: Rejected deletion. This was agreed at last hearing

Commented [AP5]: Rejected deletion. This deletion was not discussed at the hearing. The applicant will prepare the regulatory agreement, but will be governed by the DHCD regulatory agreement as approved by DHCD.

Commented [AP6]: This is contrary to what was agreed at last hearing. If DHCD disapproves, it will be for a reason and Applicant is entitled to resubmit to address DHCD concerns.

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.-
 - 1) If and to the extent approved by DHCD, an affordable housing deed rider 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 before occupancy permit for -last six dwelling units.
 - 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 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.
 - ~~2)1) If and to the extent approved by DHCD, Executed Affordable Housing Regulatory Agreement with DHCD~~
- f.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.

Formatted: Body Text, Right: 0.17", Numbered + Level: 2 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 0.57" + Indent at: 1.07", Tab stops: 1.07", Left

Commented [AP7]: Rejected deletion. Language was accepted at last hearing.

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.
- d. 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. The stone walls to be constructed at the access/egress driveways to Millstone Village shall have a highly rustic, dry laid appearance in keeping with the rural nature of other stone walls on Winthrop Street. be as shown on a plan entitled “_____”

Commented [AP8]: Stone wall shown on landscaping plan.

10. **Water Conservation** – The development is relying on the Town’s public water system and the Town is held to its Water Management Act Permit with the Mass Department of Environmental Protection. Accordingly, the Applicant shall incorporate the following water conservation measures into all aspects of the site and building design. This shall include but not be limited to the following measures: well water for landscape irrigation, rain-gauge controlled irrigation systems, low flow household fixtures, and conservation rated appliances.

Commented [AP9]: The language should be changed to expressly state what measures are required.

~~10.11.~~ **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.
12. **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.
13. **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.
14. **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.
15. 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.

16. **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.
17. **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.
18. **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.
19. **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 1B 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.

20. **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.

21. **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 8 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 1A dwelling units facing Winthrop Street (2, 4, 6 & 8 Sandstone Drive) and the Phase 1B Community Center (2 Cobblestone Drive) upon completion of the following:*
 - a) the entire Phase 1A 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 1A dwelling units facing Winthrop Street (2, 4, 6 & 8 Sandstone Drive) and the Phase 1B Community Center (2 Cobblestone Drive) upon completion of the following:*
 - a) the roadway binder course and utility services necessary to serve the four *Phase 1A dwelling units* and the *Phase 1B 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 the above four requirements have been completed substantially according to the Plan of Record;
 - f) 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 the above three requirements have been completed substantially according to the Plan of Record.
 - e) 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 IB 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

- d. 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.
22. **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*.

23. **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.
24. **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*, 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 approved 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
- Road C Station 4+79 – 75 foot radius
- Road D Station +93 – 33 foot radius
- Road D Station 1+55 – 33 foot radius

DRAFT

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 7.9.5 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.

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.

DRAFT

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.

DRAFT



www.mcohousingervices.com

206 Ayer Road, Suite 5, P.O. Box 372, Harvard, MA 01451 • (978) 456-8388 • FAX: (978) 456-8986

June 17, 2014

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

RE: Millstone Village, Medway, MA
LAU Application & Components

Dear Susan:

Enclosed please find a draft LAU Application regarding the proposed "Millstone Village". Upon the issuance of a special permit for the project, this application with related exhibits would be submitted to the Town for acceptance by the Board of Selectman and then forwarded to DHCD for their subsequent review and approval.

This package includes the LAU Application, Affirmative Fair Marketing Plan, Lottery Application and related information, a Local Preference Request as well as a market review of local condominiums. Please be advised some additional materials from the developer will also be submitted to DHCD which will include condominium documents, certificate of legal existence, etc.

We work extensively with DHCD on a variety of projects including comprehensive permits, LAU units, age restricted affordable homes and rental properties. We are confident based upon the information we have received from the developer the LAU units would be acceptable to DHCD.

Please review the related materials and feel free to contact myself or Maureen O'Hagan at 978-456-8388 with any questions you may have.

Sincerely,

Mark C. O'Hagan

Mark C. O'Hagan
MCO Housing Services, LLC

LOCAL INITIATIVE PROGRAM APPLICATION FOR LOCAL ACTION UNITS

Introduction

The Local Initiative Program (LIP) is a state housing initiative administered by the Department of Housing and Community Development (DHCD) to encourage communities to produce affordable housing for low- and moderate-income households.

The program provides technical and other non-financial assistance to cities or towns seeking to increase the supply of housing for households at or below 80% of the area median income. LIP-approved units are entered into the subsidized housing inventory (SHI) pursuant to Chapter 40B.

Local Action Units (LAUs) are created through local municipal action *other than* comprehensive permits; for example, through special permits, inclusionary zoning, conveyance of public land, utilization of Community Preservation Act (CPA) funds, etc.

The Department shall certify units submitted as Local Action Units if they meet the requirements of 760 CMR 56.00 and the Local Initiative Program Guidelines, which are part of the Comprehensive Permit Guidelines and can be found on the **DHCD website at www.mass.gov/dhcd**

To apply, a community must submit a complete, signed copy of this application to:

**Department of Housing and Community Development
100 Cambridge Street, Suite 300
Boston, MA 02114**

Attention: Janice Lesniak, LIP Program Coordinator

Telephone: (617) 573-1327

Email: Janice.Lesniak@state.ma.us

Community Support Narrative, Project Description, and Documentation

Please provide a description of the project, including a summary of the project's history and the ways in which the community fulfilled the local action requirement.

Elite Home Builders, LLC of Westborough, MA has acquired and resubmitted an application under the Adult Retirement Community Planned Unit Development (ARCPUD) Special Permit of the Medway Zoning Bylaw. The subject property is a 51 acre parcel, with 20.4 acres being dedicated as open space.

The project, Millstone Village, is to include 45 town homes in a mix of two and three unit buildings as well as 35 detached residences for a total of 80 new residences. There will be a total of 8 affordable homes within the property which shall be sold to income eligible homebuyers.

The development helps meet the needs of the Medway senior citizen population by offering a greater variety of housing types than is customarily provided in Medway and by reducing the maintenance burden on senior citizens associated with ownership of a convention single family home.

The project uses creative and innovative site planning to preserve Medway's limited land resources.

Signatures of Support for the Local Action Units Application

Chief Executive Officer:

defined as the mayor in a city and the board of selectmen in a town, unless some other municipal office is designated to be the chief executive officer under the provisions of a local charter

Signature: _____

Print Name: _____

Date: _____

Chair, Local Housing Partnership: (as applicable)

Signature _____

Print Name: _____

Date: _____

Municipal Contact Information

Municipal Contact Information

Chief Elected Official:

Name Glenn Trindade
Address 155 Village Street
Medway, MA 02053
Phone 508-533-3264
Email bos@townofmedway.org

Town Administrator/Manager:

Name Suzanne Kennedy
Address 155 Village Street
Medway, MA 02053
Phone 508-533-3264
Email chanson@townofmedway.org

City/Town Planner (if any):

Name Susan Affleck-Childs, Planning Coordinator
Address 155 Village Street
Medway, MA 02053
Phone 508-533-3291
Email medwayplanningboard@townofmedway.org

Town Counsel:

Name Petrini and Associates
Attn: Barbara Saint Andre
Address 161 Worcester Road, Suite 304
Framingham, MA 01701
Phone (508) 665-4310
Email

**Chairman, Local Housing
Partnership (if any):**

Name Doug Havens – Community Housing Coordinator
Address 155 Village Street
Medway, MA 02053
Phone 508-321-4922
Email dhavens@townofmedway.org

**Community Contact Person
for this project:**

Name Susan Affleck-Childs, Planning Coordinator
Address 155 Village Street
Medway, MA 02053
Phone 508-533-3291
Email medwayplanningboard@townofmedway.org

The Project

Developer: Elite Home Builders, LLC
 Project Site: Millstone Village
 Address: between 63 and 81 Winthrop Street, Medway, MA

Is your municipality utilizing any HOME or CDBG funding for this project? Yes _____ No X_____

Local tax rate per thousand \$ 18.84 _____ For Fiscal Year 2014 _____

Site Characteristics: proposed or existing buildings by design, ownership type, and size.

<u>Project Style</u>	<u>Total Number of Units</u>	<u>Number of Units Proposed for LIP Units-Only Certification</u>
Single-family detached	35	0
Attached	45	8
Low-rise (less than 35 feet)	_____	_____
Mid-Rise (35-70 feet)	_____	_____
Other _____	_____	_____

Unit Composition

Type of Unit:	# of Units	# of BRs	# of Baths	Gross Square Feet	Livable Square Feet	Sale Prices/ Rent	Condo Fee
Condo Ownership							
Affordable:	8	2	2.5	n/a	2005-2040	\$168,900	\$100
Market:							
Condos	37	2-3	2.5	n/a	2050-2315	\$400,000 - \$450K	\$300
Detached	35	2-3	2.5	n/a	2049-2701	\$450,000 - \$600K	

Please attach the following documents to your application:

1. Documentation of municipal action (e.g., copy of special permit, CPA funds, land donation, etc.)
2. Long-Term Use Restrictions (request documents before submission):

For ownership projects, this is the Regulatory Agreement for Ownership Developments, redlined to reflect any proposed changes, and/or the model deed rider.

For rental projects, this is the Regulatory Agreement for Rental Developments, redlined to reflect any proposed changes.

For HOME-funded projects, this is the HOME covenant/deed restriction. When attaching a HOME deed restriction to a unit, the universal deed rider cannot be used.

3. Documents of Project Sponsor's (developer's) legal existence and authority to sign the Regulatory Agreement:
 - appropriate certificates of Organization/Registration and Good Standing from the Secretary of State's Office
 - mortgagee consents to the Regulatory Agreement
 - Trustee certificates or authorization for signer/s to execute all documents
4. For Condominium Projects Only: The schedule of undivided interest in the common areas in percentages set forth in the condominium master deed
5. MEPA (Massachusetts Environmental Policy Act) environmental notification form (ENF)--for new construction only (request form before submission)
6. Affirmative Fair Marketing and Lottery Plan, including:
 - ads and flyers with HUD logo
 - informational materials for lottery applicants
 - eligibility requirements
 - lottery application and financial forms
 - lottery and resident selection procedures
 - request for local preference and demonstration of need for the preference
 - measures to ensure affirmative fair marketing, including outreach methods and venue list
 - name of Lottery Agent with contact information

See Section III of the Comprehensive Permit Guidelines at www.mass.gov/dhcd for more information.

PLEASE contact our office if you have any questions: 617-573-1327.

Susan Affleck-Childs

From: gino4634@gmail.com on behalf of Gino Carlucci <gino@pgcassociates.com>
Sent: Thursday, June 19, 2014 11:23 AM
To: Doug Havens
Cc: Susan Affleck-Childs
Subject: Re: Millstone Village - DRAFT LAU Application and Related Materials

I agree with Doug's comments. Also, the market data provided appears to be for units in general. Obviously there is no data for age-restricted units in Medway, but there is data on how they have been selling in the region and I would think some documentation of that should be provided. I realize that DHCD is concerned with the affordable units but if the age-restricted units are not marketable, the affordable would not get built. We normally don't get involved in marketability since it is at the applicant's risk, but since market information is required anyway, I think it makes sense to include some data on age-restricted units.-- Gino

On Wed, Jun 18, 2014 at 11:52 AM, Doug Havens <dhavens@townofmedway.org> wrote:
Hi Susy and Gino,

The LAU Application & Local Preference Criteria look to be in good order.

Despite the cover letter's broad assurances of LAU acceptance, I am troubled by the complete absence of market data on AH units: reportedly the most difficult to move (and if condo fees rise sharply near impossible for fixed-income elders to keep). We know the difficulty we have moving units even without the age restriction. Is there more data on the number of AH eligible 55+households that can swing the financing?

Regards,

Doug

J. Douglas Havens
Community Housing Coordinator
[774-292-1456](tel:774-292-1456)

Town of Medway
Affordable Housing Trust
155 Village Street
Medway MA 02053

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

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

From: Susan Affleck-Childs
Sent: Wednesday, June 18, 2014 9:30 AM
To: Doug Havens; Gino Carlucci
Subject: Millstone Village - DRAFT LAU Application and Related Materials

Good morning,

Just received this from Mark O'Hagan at MCO Housing Services.

I would like both of you to review the documents at your earliest convenience and provide me with a review memo outlining any issues/concerns. Is that doable by Friday morning at 9 am?

I will include the documents in the packet for the 6/24 board meeting and will add them to the list of documents included in the ever evolving special permit decision!

Thanks so much.

Susy

From: Mark O'Hagan [mailto:markohagan@mcoassociates.com]
Sent: Wednesday, June 18, 2014 9:12 AM
To: Susan Affleck-Childs
Cc: 'Louis Levine'; sv@casarealty-builders.com; 'Julie Venincasa'; 'Maureen OHagan'
Subject: LAU Application and Related Materials

Hi Susan:

We are working with Millstone Village regarding the LAU Application.

Attached please find a cover letter, LAU Application, Local Preference request and some market information.

Please review and feel free to contact me with any questions.

Sincerely,

Mark C. O'Hagan

MCO Housing Services, LLC

PO Box 372

Harvard, MA 01451

Tel 978/456/8388

Cell 508/395/1211

www.mcoassociates.com



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

June 17, 2014

TO: Planning & Economic Development Board Members
FROM: Susy Affleck-Childs
RE: Board/Committee Liaisons

It is that time of year to consider PEDB membership on and PEDB liaison assignments with other Town boards and committees. Please review the list below and be prepared to discuss your interests at the 6/24/2014 PEDB meeting.

Presently Assigned

FY 15

***The PEDB has official representation on the following committees.
This involves regular attendance at meetings.***

Community Preservation Committee	Bob Tucker	_____
Design Review Committee	Karyl Spiller-Walsh	_____
Street Naming Committee	Susy Affleck-Childs	_____
Economic Development Committee	Andy Rodenhiser	_____
Energy Committee	Bob Tucker	_____
Medway Community Farm Liaison Committee	Bob Tucker	_____

Board/Committee Liaisons

Affordable Housing Committee & Trust	Andy Rodenhiser	_____
Board of Assessors	Andy Rodenhiser	_____
Board of Health	Andy Rodenhiser	_____
Board of Water/Sewer Commissioners	<i>Vacant</i>	_____
Capital Improvements Planning	Matt Hayes	_____
Conservation Commission	Bob Tucker	_____
Disability Commission	<i>Vacant</i>	_____
FinCom	Andy Rodenhiser	_____
GIS Task Force	Tom Gay	_____
Historical Commission	<i>Vacant</i>	_____

Medway Business Council	Andy Rodenhiser	_____
Medway 300th Anniversary	Vacant	_____
Oak Grove Task Force	Andy Rodenhiser	_____
Open Space Committee	Karyl Spiller-Walsh	_____
Route 109 Reconstruction	Matt Hayes	_____
SWAP	Andy Rodenhiser	_____
Town Administrator/Board of Selectmen	Andy Rodenhiser	_____
Zoning Board of Appeals	Andy Rodenhiser	_____
2B Oak Street/Thayer House Committee	Karyl Spiller-Walsh	_____



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

June 17, 2014

TO: Planning and Economic Development Board
FROM: Susy Affleck-Childs
RE: Appointments to Medway Economic Development Committee (EDC)

The term of office for the following members of the EDC expires on June 30, 2014:
Ken Bancewicz and Paul Yorkis.

Paul Yorkis wishes to be reappointed and I recommend you do so for a 2 year term through 6-30-2016.

Ken Bancewicz has asked to not be reappointed due to frustration with the organizational and staffing difficulties the EDC has faced over the past year.

Andy Rodenhiser has served as the PEDB's representative to the EDC for a number of years.

You may recollect that both Ann Sherry and Ray Himmel resigned from the EDC during the summer of 2013, so the committee is definitely lean.

NOTE – FYI . . . the other continuing EDC members are: Alissa Parlee, Hugh McKinnon and Tina Chemini. Their term of office expires 6-30-2015.

The Medway General Bylaw which established the EDC provides for up to 11 members. So, we clearly are in need of some additional people to serve on the EDC. EDC members have to reside OR work in the community.



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

MEMORANDUM

June 17, 2013

TO: Planning & Economic Development Board Members
FROM: Susy Affleck-Childs
RE: Appointments to the Open Space Committee

The term of office for the following members of the Open Space Committee expires on June 30, 2014: Jim Wickis, Glenn Murphy, and Bruce Hamblin.

Jim Wickis and Bruce Hamblin have expressed their desire to continue to serve on the DRC. Glenn Murphy has decided not to stay on. Glenn has served for many years as the unofficial Conservation Commission representative on the OSC.

I heartily recommend the PEDB reappoint Jim Wickis to the OSC for a term through June 30, 2016. I cannot provide the same recommendation for Bruce Hamblin. Bruce's attendance at OSC meetings has been irregular; he was present for 67% of the meetings in 2012, 43% of the 2013 meetings, and 67% of the meetings so far in 2014.

NOTE – FYI . . . the other members of the Open Space Committee include Tina Wright, Pat McHallam, Mike Francis and Paul Marble. Their terms expire on June 30, 2015.

The Medway General Bylaw which established the Open Space Committee provides for up to 9 people to serve on the Committee. As the group presently has just 5 members, there is room for 4 more people. ***I believe both the PEDB and the OSC need to do some recruiting.***

Andy did approach Jennifer Bosselman, a relatively new member of the Conservation Commission, to ask if she would also serve on the Open Space Committee. She has declined to do so but is amenable to serving as an informal liaison.

Thanks.



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

June 17, 2014

TO: Planning and Economic Development Board
FROM: Susy Affleck-Childs, Planning and Economic Development Coordinator
RE: Appointments to the Medway Design Review Committee

The term of office for current DRC members Mary Weafer, Matt Buckley and Rachel Walsh expires on June 30, 2014. All 3 individuals wish to be reappointed.

I would recommend re-appointing Mary Weafer, Matt Buckley and Rachel Walsh for another 2 year term through 6-30-2016. Each has been an active member of the DRC.

Presently, the other members of the DRC are:

Julie Fallon (term thru 6-30-15)
Rod MacLeod (term thru 6-30-15)

Karyl Spiller-Walsh has served as the PEDB's representative on the DRC.

The provisions of the Medway General Bylaw which established the DRC require that there be at least 5 members; a maximum number of members is NOT specified.

The Bylaw provides that the DRC is to include one member of the Planning Board and a representative of the Medway Business Council (MBC). In recent years, the Medway Business Council has not been able to supply a representative to serve on the DRC. Matt Buckley and I continue to stay in touch with the MBC to try and secure a local business person representative to serve.

The remaining members of the DRC are to have experience and/or training in architecture, landscape design, site design, graphic design, sign design, planning, or other suitable professions that could be helpful to the Committee's work.

Telephone: 508-533-3291

Fax: 508-321-4987

Email: sachilds@townofmedway.org