

**July 28, 2015**  
**Medway Planning and Economic Development Board**  
**155 Village Street**  
**Medway, MA 02053**

<b>Members</b>	<b>Andy Rodenhiser</b>	<b>Bob Tucker</b>	<b>Tom Gay</b>	<b>Matt Hayes</b>	<b>Rich Di Iulio</b>
<b>Attendance</b>	<b>X</b>	<b>Absent with Notice</b>	<b>x</b>	<b>X</b>	<b>X</b>

**ALSO PRESENT:**

Susy Affleck-Childs, Planning and Economic Development Coordinator  
Gino Carlucci - Planning Consultant, PGC Associates  
Sean Reardon - Engineering Consultant, PGC Associates

The Chairman opened the meeting at 7:00pm.

There were no Citizen Comments

**Economic Development Committee Appointments:**

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

- Memo from Susy Affleck-Childs dated July 20, 2015
- Email from Ken Bancewicz dated July 14, 2015
- Resume of Scott Habeeb

Scott Habeeb was present and provided a brief overview of his background. His resume was supplied to Board.

**On a motion made by Rich Di Iulio and seconded by Matt Hayes, the Board voted unanimously to appoint to the Economic Development Committee Ken Bancewicz for a term through June 30, 2017, and Scott Habeeb for a term through June 30, 2016.**

**Tri Valley Commons Modification Plan Review Fee Estimate**

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

- Plan review fee estimate from PGC Associates dated July 22, 2015.

The applicant for Tri Valley Commons submitted a plan modification plan for the previously approved Tri Valley Commons Special Permit and site plan for 72 Main Street. The applicant is looking to increase the footprint of Building A by 349 sq. ft.; increase the number of service bays from 7 to 8; include an outdoor used tire storage area with landscaping; and modify the curbing material from granite to concrete.

**On a motion made by Matt Hayes and seconded by Rich Di Iulio, the Board voted unanimously to approve the PGC Associates estimate of \$760.00 for the review of the proposed modification of the Tri Valley Commons site plan.**

The hearing for this has been set for Tuesday, August 11, 2015.

### **Engineering Consultant's Report:**

#### **Pine Meadow II:**

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

- Memo from Tetra Tech dated July 16, 2015
- Tetra Tech Review letter dated July 15, 2015

The Board was made aware that the following needs to be addressed:

- Address right of way overgrown area
- Berm, sidewalk cracking
- Signage at proper height
- Detention basin northwest of Lantern Lane is overgrown.
- Fix the street sign

The applicant was made aware and plans to address the items. This could be ready for town meeting street acceptance in November.

#### **Millstone ARCPUD – Performance Security**

Susy reported that she has provided Town Counsel has the information from the developer's lender regarding the use of a line of credit as a means of performance surety. Town Counsel's response is forthcoming.

#### **PUBLIC HEARING - Site Plan for John's Auto Body, 25 Jayar Road:**

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

- Public Hearing notice dated July 7, 2015
- Site Plan Application dated June 25, 2015
- Tetra Tech plan review letter dated July 22, 2015
- PGC Associates plan review letter dated July 22, 2015
- ZBA special permit decision signed July 22, 2015

The Chairman opened the hearing for the Site Plan for John's Auto Body. The Board agreed to dispense with the reading of the public hearing notice.

Present for the hearing: Applicant John Solari and engineer David Faist.

Dave Faist informed the Board that the applicant proposes to construct a 5,000 sq. ft. steel building with a galvanized roof for use by John's Auto Body. This is on a .92 acre parcel. The building will provide covered space for 2 tow truck storage bays and 2 vehicle storage and maintenance bays.



The applicant received approval of a special use permit from the Zoning Board of Appeals and also received an Order of Conditions from the Conservation Commission. There is a 25 ft. no disturb zone, but the parking lot area will extend into this. A waiver for this was granted since the parking area was already there.

Consultant Carlucci communicated that the proposed use is allowed by right in the Industrial I district. The building meets the setbacks. In regards to the parking, the Site Plan Rules and Regulations provide that no parking is allowed within 15 ft. of a lot line and most of the spaces shown are within 15 ft. of the front or side lot lines. Also, parking spaces are supposed to be located such that backing out of the site would not impede traffic entering from a public way within the first 50 ft. Gino has not reviewed the waiver list.

Engineer Faist noted that the other entrance is for the occasional truck backing up into the building but it was suggested to put up a “Do Not Enter” sign at that driveway. The Board has no issue with the parking as proposed. A question was asked if there was going to be any kind outside storage. Engineer Faist responded that they are limited to what can be stored on site by the other decisions.

Most of the customers will come from the east. There is not an office in the new building. Customers will continue to go to the main building for John’s Auto Body to the east at 25 Jayar Road.

Member Gay communicated that the Design Review Committee reviewed this and has no recommendations.

The consultant letter from Tetra Tech was discussed and it was suggested that a filter fabric be required between the stone bedding and the surrounding subgrade material for the “Sand Filter Basin”. There also needs to be outlet protection at the location where the roof leaders discharge to the roof drain sand filter. There should also be a shut off valve for the drainage system to prevent fluids from entering the unit.

The Board reviewed the waiver list and has no issues with the items requested.

Susy will begin writing the decision for the Board’s review at its August 11 meeting.

**On a motion made by Rich Di Iulio and seconded by Matt Hayes, the Board voted unanimously to continue the hearing for John’s Auto Body to August 11, 2015 at 7:00 pm.**

**PUBLIC HEARING CONTINUATION - The Haven Definitive Subdivision Plan:**

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

- The Haven revised definitive subdivision plan dated July 8, 2015
- Letter from Merrikin Engineering dated July 10, 2015 in response to previous plan review letter from Tetra Tech and PGC Associates
- Tetra Tech review letter dated July 22, 2015 regarding the revised plan
- PGC review letter dated May 1, 2015 regarding the revised plan
- Email from abutter Mark Biocchi at 73 Milford Street dated May 1, 2015

- Email comments from DPS Director Tom Holder dated June 10, 2015

Present for the applicant was Dan Merrikin, Merrikin Engineering.

Dan Merrikin indicated that they had received comments from the consultants and have provided responses and plan revisions. The lot line needed to be changed. The Fire Chief wants the 18 ft. wide road to be 20 ft. wide. The new fire code regulation has changed for road width and it is now 20 ft. There is discretion. The current proposed road is 18 ft. and with the berms on both sides it would total 20 ft. The Board would like this discussed further with the Fire Chief to make sure he is comfortable with the width of the road. The Conservation Commission closed the public hearing and will vote on the Order of Conditions at its next meeting. There will be space provided for trash receptacles near Fisher Street. In relation to stormwater run-off, the house roofs will have underground storage to catch the water. This will be part of the operation and maintenance plan which will be submitted and recorded. There was a suggestion to put in place permanent markers to delineate the wetlands. Susy explained that the decision can reference a condition regarding the back taxes owed the Town and that construction could not begin until this is resolved. Susy will begin drafting the decision for the Board's review at the August 11<sup>th</sup> meeting.

**On a motion made by Matt Hayes and seconded by Rich Di Iulio, the Board voted unanimously to continue the public hearing for the Havens Definitive Subdivision Plan to August 11, 2015 at 7:45 pm.**

### **PUBLIC HEARING CONTINUATION - The Willows at Medway Adult Retirement Community:**

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

- Traffic study review letter prepared by Mike Hall, Tetra Tech, dated July 22, 2015
- Affordable Housing Narrative provided by the applicant (undated)
- Memo from Susy Affleck-Childs dated July 23, 2015
- Letter from Fire Chief Lynch dated July 8, 2015
- CONFIDENTIAL Email from Town Counsel dated 7-23-2015 (not included in minutes)
- Email from abutter Christine Kersnason, 2 Charles River Road, dated July 21, 2015.

The Chairman reopened the continued public hearing and explained that the focus of the meeting will be traffic and affordable housing.

The *Traffic Impact and Access Study* was prepared by McMahon Associates, Inc. It was reviewed by Mike Hall from Tetra Tech.

Erin Fredette, P.E. of McMahon Associates began the presentation by explaining that the study included looking at 10 intersections including the two proposed access driveways to the site from Village Street. The study evaluated turning movements, traffic counts and daily counts done for daily volume. There was an average of 6,300 cars/day on Village Street. The peak travel times are 7:15 am and 4:45 pm. The counts were done in March 2015 and have been adjusted by 8% to account for seasonal fluctuations in traffic flows.

Tetra Tech traffic consultant Mike Hall would like the applicant to provide the data and calculations to support this adjustment.

Consultant Fredette explained that a conservative analysis was used. The project has a level Service of B and C which is acceptable.

Consultant Hall recommended that the applicant provide additional information for the intersection of Franklin Street/Village Street. Most specifically, they should evaluate the 2013 crash data published by MassDOT. He also suggested that a collision diagram be provided along with a more detailed safety analysis of the patterns or trends at this intersection. There are some sight line issues with vegetation growth. The applicant indicated that the numbers do reflect some of the employees entering and leaving the site. Consultant Hall also indicated that in relation to the sight lines on the two exit drives, any proposed project signage should be installed with that in mind. There will be three shifts for employees for staff during day. The majority of residents are not drivers. There is a shuttle van service for residents. The road has plenty of capacity.

Consultant Fredette concurred and noted no increase for vehicles coming out. This is a level service B. The analysis noted no change and the road could handle the additional car increase per minute.

There is a concern about the west driveway and the egress along with the reduced reaction time for the elderly. Ms. Fredette responded that this is the average reaction time. The location of the curve provides additional site distance. It will be important to keep the vegetation below three feet.

Susy Affleck-Childs asked about crosswalks cross Village Street to the sidewalk on the north side of Village Street at the two driveways. Member Hayes suggested that there be an advance warning crosswalk sign on Village Street.

The applicant will look into this.

### **Affordable Housing:**

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

- Updated memorandum from Susy Affleck-Childs dated July 28, 2015
- Sheet with definitions of congregate housing provided by the applicant
- Schedule of fees for health care services provided by the applicant

The applicant has indicated that the cottage homes are subject to the Town's 10% affordability requirement. The applicant communicates that all the independent apartments and assisted living apartments do not fall under this requirement. The proposal is for 71 cottage units, thus 8 would be required to be affordable. The applicant wants to make a payment in lieu of construction for those 8 units instead of building them on site.

The Board reviewed the memo which was provided by Susy about the four affordable housing matters. The following need to be addressed:

- Which type of dwelling units are subject to the affordable housing requirements?

- What method will be used to fulfill the requirement?
- How to calculate the amount of payment in lieu of construction on site?
- What is the schedule for making the payment?

The Board discussed that the cottage style homes are subject to the 10% affordable bylaw. All were in agreement on that. None of the residents ever take title of the cottages units. The apartments will be rental. A decision needs to be made if the 56 independent apartments are subject to the affordable housing requirements. The applicant does not feel the 56 apartments should be subject to the affordable housing requirements. The Bylaw specifically excludes assisted living units from the affordable housing. All agreed on that.

The Board needs to determine the unit value for the payment in lieu of the cottage units. The payment in lieu of formula included in the affordable housing bylaw looks at the prior 36 months for sales of market rate single family homes. \$370,000 is the median for all types of dwelling units.

The Board was supplied with the definitions of congregate living from the applicant. This is a generic term and the definition provided are not specific to Massachusetts. The official MA definition of “congregate housing” requires congregate units to be registered and licensed; most congregate housing in Massachusetts is managed by local housing authorities. The applicant does not intend for the 56 apartments to be considered “congregate housing” under Mass statute. There is no specific formula for calculating payment in lieu of for apartment rentals.

Susy indicated that the Board needs to make a determination regarding the 56 non assisted living apartments. Do they meet the definition of “independent living” per the Zoning Bylaw? They will not be licensed or regulated by the Mass. Department of Elder Affairs as “assisted living” units nor do they constitute the type of “congregate housing” per Mass law.

Jeff Robinson indicated that residents of these units will have a care plan developed for them and will have access 24-7 to nursing personnel in the building. Residents of the independent cottages do not have these services.

All members were in agreement that the 56 independent apartment units will be excluded from the affordable housing calculations because they do not meet the definition of independent living included in the bylaw.

The Board discussed what the amount of the payment in lieu of construction would be. The Board agreed that the using the sales price of 2 bedroom condos was most appropriate as the cottage units will not have basements. The applicant indicated that they would make a payment in lieu of seven 2 bedroom condos @ \$14,600 per units and one 3 bedroom condo at \$172,300 per unit. The total comes to \$274,550.

The applicant proposed they would pay 1/8 of the amount based on occupancy of the first 10 cottage units, and a payment thereafter at occupancy of the next 10 cottage units. Jeff Robinson estimated this to be \$36,000 every ten units totaling approximately \$290,000.

The focus of the meeting on August 11, 2015 will be stormwater and site design.

**On a motion made by Rich Di Iulio and seconded by Matt Hayes, the Board voted unanimously to continue the public hearing for the Willows ARCPUD special permit to August 11, 2015 at 8:15 pm.**

**Discussion re: Zoning Bylaw amendment regarding backyard chickens:**

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

- A proposal to change Medway Zoning dated July 23, 2015 prepared by Medway resident, Michael Fahey

Mr. Fahey was present at the meeting to discuss a possible amendment to the Zoning Bylaw regarding the keeping of backyard chickens. Currently, chickens are only allowed on lots of 1 or more acres in the AR1 and ARII zoning districts. He is looking to have chicken allowed by right on smaller properties. There are currently regulations from the Board of Health and Animal Control regarding chickens that need to be looked at as well. If a resident wants to keep chickens, one must get a permit. The proposal is to be able to have up to ten chickens by right with no roosters allowed. The proposal recommends that the chickens must be kept in a fenced area, but there are no specifications about the height of fence. There are a number of towns which have supported the initiative for backyard chickens. Some towns have put in place that the coop must be 10 ft. from property line. The amount of needed space varies, but typically is it 3 sq. ft. per chicken. The proposal indicates that chickens would not be allowed to be cooped in the front of yards. The Board is willing to support this initiative. Susy Affleck-Childs will speak with the Animal Control Officer and the Board of Health about this initiative. The Board is in support of getting this on the Fall Town Meeting warrant.

**ANR Plan - 72 Main Street (Tri Valley Commons)**

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

- ANR Application and cover letter dated July 24 & 28, 2015
- ANR Plan dated July 24, 2015 prepared by Guerriere and Halnon
- PGC Associates plan review letter dated July 25, 2015

The applicant is looking to subdivide former Lot 1A into proposed Lot 1, Lot 2 and Parcel A and to subdivide former Lot 2A into proposed Lot 2 B and Parcel B. Parcels A and B are to be combined to create proposed new lot. All would be newly created lots and conform to the zoning bylaw.

Consultant Carlucci indicated that the ANR Plan does meet the requirements for endorsing and ANR plan.

**On a motion made by Rich Di Iulio and seconded by Tom Gay, the Board voted unanimously to endorse the ANR plan for 72 Main Street.**

**Reports:**

- There will be a SWAP legislative breakfast at Thayer House in September. The date is yet to be decided.



- The Design Review Guidelines will be finalized by the DRG Update Task Force at its meeting next Tuesday (8-4-15).
- The Willows representative Jeff Robinson will meet with the Open Space Committee on Tuesday August 4, 2015.

### **Acceptance of PEDB Meeting Minutes:**

#### **July 8, 2015:**

**On a motion made by Matt Hayes and seconded by Rich Di Iulio, the Board voted unanimously to accept the minutes from July 8, 2015.**

#### **July 14, 2015:**

The minutes from the July 14, 2015 PEDB will be held over until the next meeting.

The Chairman excused himself for the next agenda item as he is the developer of the Bay Oaks subdivision.

### **Certificate of Completion for Bay Oaks Subdivision:**

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

- Draft PEDB Certificate of Completion dated July 28, 2015

The Board is in receipt of the Certificate of Completion for Bay Oaks Subdivision. This will not be released until there is verification of the recording of the Medway Conservation Commission's Order of Conditions and Certificate of Compliance. The develop plans to record the PEDB's Certificate of Completion.

**On a motion made by Matt Hayes and seconded by Rich Di Iulio, the Board voted unanimously to sign the Certificate of Completion for the Bay Oaks Subdivision and to release it upon receipt of the recorded Order of Conditions and Certificate of Compliance from the Conservation Commission.**

### **Adjourn:**

**On a motion made by Matt Hayes and seconded by Rich Di Iulio, the Board voted unanimously to adjourn the meeting.**

**The meeting was adjourned at 9:30 pm.**

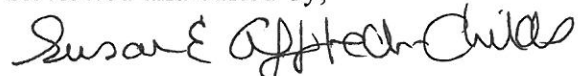
Respectfully Submitted,



Amy Sutherland  
Recording Secretary

Prepared from an audio recording

Reviewed and edited by,



Susan E. Affleck-Childs  
Planning and Economic Development Coordinator



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

July 20, 2015

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

Two individuals have expressed interest in serving on the Medway Economic Development Committee. They are Ken Bancewicz and Scott Habeeb.

Ken Bancewicz is Facilities Manager at the Cybex operation in Medway. Ken has previously served on the EDC. See attached email communication from him.

Scott Habeeb would be a new EDC member. His resume attached. Scott is relatively new to Medway. He is an attorney and works at State Street Bank. He will attend the July 28<sup>th</sup> PEDB meeting so you can get acquainted with him.

***I recommend the PEDB appoint Ken Bancewicz as a member of the EDC for a term through June 30, 2017.***

***I recommend the PEDB appoint Scott Habeeb to the EDC for a term through June 30, 2016.***

With these appointments, the EDC will be comprised of 10 members. The Medway General Bylaw which established the EDC provides for a committee of up to 11 members.



## Susan Affleck-Childs

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**From:** Stephanie Mercandetti  
**Sent:** Wednesday, July 15, 2015 3:45 PM  
**To:** Susan Affleck-Childs  
**Subject:** FW: Medway EDC

FYI. Ken Bancewicz would like to be reappointed to the EDC.

Stephanie A. Mercandetti  
Director, Community & Economic Development  
Town of Medway  
155 Village Street  
Medway, MA 02053  
Ph: 508.321.4918  
Email: [smercandetti@townofmedway.org](mailto:smercandetti@townofmedway.org)

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**From:** Ken Bancewicz [<mailto:kbancewicz@cybexintl.com>]  
**Sent:** Tuesday, July 14, 2015 5:40 PM  
**To:** Stephanie Mercandetti  
**Subject:** RE: Medway EDC

Hi Stephanie,

I would like to serve on the EDC, should the PEDC decide to reappoint me. Having attended the last few meetings, I believe the current committee membership is serious about addressing the issues that will encourage economic development in the town. The diversity of background and experience on the committee has provided interesting discussion and great idea generation. I have enjoyed working with the committee and would consider it an honor to be able to continue to contribute to the group's effort.

Thank you considering me for reappointment.

Sincerely,

**Ken Bancewicz**  
Facilities Manager

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**CYBEX**  
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e [kbancewicz@cybexintl.com](mailto:kbancewicz@cybexintl.com) w [www.cybexintl.com](http://www.cybexintl.com)



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**From:** Stephanie Mercandetti [<mailto:smercandetti@townofmedway.org>]  
**Sent:** Tuesday, July 14, 2015 2:43 PM  
**To:** Ken Bancewicz  
**Subject:** Medway EDC

Good afternoon Ken,

Hope all is well and you are enjoying the summer. Paul Yorkis mentioned to me at the Dollar Tree Ribbon Cutting on Saturday that you would like to be reappointed to the EDC. Is this true?

Could you please let me know if you are interested in serving on the EDC once again? Confirmation from you directly is what I need to forward to the PEDB.

I also understand from Paul that you have a conflict for July 28<sup>th</sup>. In speaking with Susy, there would be no need for you to attend the PEDB meeting as this is a reappointment even though the terms have not been consecutive. So you would not need to rush over after your other meeting.

Thank you.

Take care,  
Stephanie

Stephanie A. Mercandetti  
Director, Community & Economic Development  
Town of Medway  
155 Village Street  
Medway, MA 02053  
Ph: 508.321.4918  
Email: [smercandetti@townofmedway.org](mailto:smercandetti@townofmedway.org)

## **Scott Habeeb**

94 Lovering Street, Medway, MA 02053 (617) 875-4988, [sehabeeb@gmail.com](mailto:sehabeeb@gmail.com)

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### **WORK EXPERIENCE**

#### **STATE STREET BANK & TRUST COMPANY**

**Vice President and Counsel**

**August 2007 – May 2013**

Provided legal and regulatory services to a variety of investment company clients (exchange-traded funds (“ETFs”), open-end mutual funds and master-feeder structured products), including:

- Prepared and reviewed materials for investment company board meetings
- Drafted board memoranda and attended board meetings and recorded minutes
- Drafted, revised and negotiated contracts including investment management agreements, custodian agreements, transfer agency agreements, distribution agreements, authorized participant agreements for ETFs, audit engagement letters, tax services engagement letters and vendor servicing agreements
- Scheduled, drafted and filed documents with the Securities and Exchange Commission (the “SEC”) including, Form N-1A, Form N-CSR, Form N-PX, proxy statements on Schedule 14A, information statements on Schedule 14C and 17g-1 Fidelity Bond Filings
- Drafted comment response letters to the SEC regarding mutual fund registration statements

#### **VERIZON COMMUNICATIONS**

**Contract Analyst**

**June 2004 – August 2007**

Reviewed contracts, drafted contract amendments, composed legal letters

#### **GILLIATT AND ASSOCIATES LLP**

**Counsel**

**September 2002 – June 2004**

Provided counsel and contract review to small business owners and real estate buyers

#### **THOMPSON HINE LLC**

**Associate**

**June 2002 – August 2002**

Researched issues related to investment management regulation

#### **LIBERTY FUNDS**

**Counsel**

**November 2000 – June 2002**

Drafted prospectuses, proxy statements and contract amendments

#### **COLONIAL FUNDS**

**Legal Product Manager**

**June 1997 – February 1998**

Edited mutual fund prospectuses

#### **FIDELITY MANAGEMENT & RESEARCH COMPANY**

**Compliance Analyst**

**January 1996 – January 1997**

Developed regulatory procedures for mutual funds

#### **ROPES & GRAY**

**Legal Assistant**

**September 1993 – August 1995**

Performed various research, writing and contract review projects

#### **MFS**

**Legal Product Specialist**

**June 1991 – November 1992**

Revised mutual fund prospectuses

### **EDUCATION AND OTHER QUALIFICATIONS**

**Suffolk University Law School – Juris Doctor**

**May 2000**

**Boston College – Bachelor of Arts, Philosophy**

**May 1991**

Admitted to practice law in Massachusetts since 2000

**Rosie’s Place – Director**

**June 2010 – October 2013**

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**PGC ASSOCIATES, INC.**

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

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**MEMO TO:** Medway Planning Board

**FROM:** Gino D. Carlucci, Jr.

**DATE:** July 25, 2015

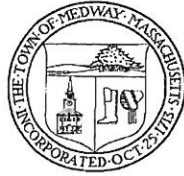
**RE:** Mecoba ANR on Main Street

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I have reviewed the ANR plan submitted for endorsement by Mecoba Properties and Medway Cooperative Bank of Medway. The plan was prepared by Guerriere and Hanlon Inc. of Milford, and is dated July 24, 2015. The plan proposes to divide two parcels totaling 320,677 square feet into 4 parcels of 114,461 (site of Charles River Bank), 109,496, 64,257 and 35,463 square feet. Respectively.

The plan is being proposed to facilitate the Tri-Valley Commons development. Lot 1 will be the site of the tire store and auto parts store, Lot 2 is the site of a future retail building, Lot 3 is remaining land and the site of the detention basin, and Lot 2B (reduced by 11,559 square feet) is the site of the existing Charles River Bank.

The plan meets the substantive and technical requirements for ANR endorsement. I recommend that the plan be endorsed.



**July 28, 2015**

**Medway Planning & Economic Development Board  
Meeting**

**Construction Reports – Pine Meadow**

- Tetra Tech inspection report and punch list dated 7-16-15
- Tetra Tech as-built plan review letter dated 7-15-15



## MEMORANDUM

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

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

**Re:** **Pine Meadow II  
Subdivision Review (Punchlist)  
Medway, MA**

**Dt:** July 16, 2015

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On July 9, 2015 at the request of the Medway Planning and Economic Development Board, Tetra Tech (TT), Medway Department of Public Services (DPS) and Medway Water/Sewer Department personnel performed a Punch List inspection of the Pine Meadow II Subdivision. The inspection was conducted based upon the approved plan set and available as-built plans.

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

### **Right of Way**

1. The area within the right of way for a majority of the site is overgrown and requires maintenance. (See Appendix A, Photo #1-#4)
2. Bituminous berm along the northern edge of Lantern Lane is cracking due to overgrown brush. It is recommended the berm be repaired. (See Appendix A, Photo #5)
3. Portions of sidewalk along Lantern Lane are cracking. It is recommended these areas be repaired. (See Appendix A, Photo #6-#7)
4. The applicant should paint a stop line and the word “STOP” at the intersection of Pine Meadow Road with Lantern Lane and Fisher Street. (See Appendix A, Photo #8-#9)
5. The applicant should ensure site signage is at the proper height. Furthermore, the stop/street name sign at the intersection of Pine Meadow Road and Fisher Street is leaning and should be reset. (See Appendix A, Photo #8-#9)



TETRA TECH

6. The applicant should ensure that all bounds are at grade and able to be located. Damaged bounds should be replaced and reset. (See Appendix A, Photo #10)

### **Drainage**

7. The detention basin located northwest of Lantern Lane is overgrown and requires maintenance. It also appears areas of the basin have not been finish graded and remain in rough condition. The basin should be maintained as outlined in the operation and maintenance plan approved with the project. Re-seeding may be required as bare spots within the basin were observed during the inspection. (See Appendix A, Photo #11-#14)

### **Water\***

8. The applicant should ensure that all service/gate boxes are accessible to the water department for inspection/testing prior to town acceptance. (See Appendix A, Photo #15-#16)

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

If you have any questions or require additional information, please don't hesitate to contact me at (508) 786-2200.

P:\21583\143-21583-15012 (PINE MEADOWS II PEDB AS-BUILT REVIEW)\CONSTRUCTION\FIELDOBSERVATION\PUNCH LIST\MEMO-PINE MEADOW II PUNCH LIST\_2015-07-16.DOC



Photo 1



Overgrown Areas (Pine Meadow Road)

Photo 2



Overgrown Areas (Pine Meadow Road)

Photo 3



Overgrown Areas (Lantern Lane)

Photo 4



Overgrown Areas (Lantern Lane)

Photo 5



Cracked Bituminous Berm

Photo 6



Cracked Sidewalk

Photo 7



Cracked Sidewalk

Photo 8



Leaning sign and no pavement markings



Photo 9



Incorrect sign height and no pavement markings

Photo 10



Damaged Bound

Photo 11



Overgrown Detention Basin

Photo 12



Overgrown Detention Basin

Photo 13



Overgrown/Bare spots in detention basin

Photo 14



Overgrown/Bare spots in detention basin







July 15, 2015

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

**Re: Pine Meadow II Subdivision  
As-Built/Street Acceptance Review  
Medway, Massachusetts**

Dear Ms. Affleck-Childs,

Tetra Tech (TT) is in receipt of plans entitled "Street Acceptance & As-Built Plan for Pine Meadow II – Definitive Subdivision", dated January 10, 2012, revised April 16, 2015 prepared by O'Driscoll Land Surveying Co. and Faist Engineering, Inc. The As-Built Plan was reviewed for conformance with the appropriate section of the Town of Medway Planning Board Rules and Regulations (Chapter 100). The following list represents our comments regarding the plans.

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

**Section 6.7 – As-Built Plans**

1. The As-Built Plan shall be stamped by a professional land surveyor registered in the Commonwealth of Massachusetts. (Ch. 100 §6.7.3)
2. It is unclear on the plans whether homes on the site are serviced by sewer or individual septic systems. (Ch. 100 §6.7.4.g)
3. The 4" subdrain is not shown on the profile for Pine Meadow Road. (Ch. 100 §6.7.4.h)
4. House numbers are not shown on the plans. (Ch. 100 §6.7.4.j)

**Section 6.8 – Street Acceptance Plans**

5. The applicant has not provided a separate Street Acceptance Plan in addition to the above-mentioned as-built plan. (Ch. 100 §6.8.3)

One Grant Street  
Framingham, MA 01702  
Tel 508.903.2000 Fax 508.903.2001



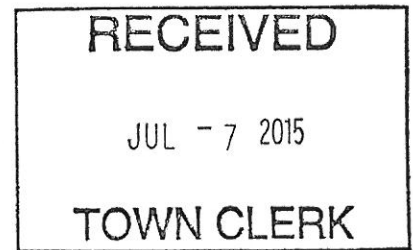
TETRA TECH

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,

Sean P. Reardon, P.E.  
Vice President

P:\21583\143-21583-15012 (PINE MEADOWS II PEDB AS-BUILT REVIEW)\DOCS\REVIEW\TR\_PINE MEADOW II-AS-BUILT REVIEW-2015-07-15.DOCX



**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.*  
*Richard Di Iulio, Associate Member*

July 7, 2015

***NOTICE OF PUBLIC HEARING***  
***John's Auto Body - 25 Jayar Road Site Plan***  
***July 28, 2015***

In accordance with the Medway Zoning Bylaw, Section V. Use Regulations, Subsection 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, July 28, 2015 at 7:15 p.m. at Medway Town Hall, 155 Village Street to consider the application of John and Caroline Solari of Medway, MA for site plan approval for the construction of a 5,000 sq. ft. building at 25 Jayar Road and associated site improvements.*** The *Site Plan – 25 Jayar Road* is dated October 16, 2014, revised June 8, 2015 and was prepared by Faist Engineering, Inc. of Sturbridge, MA and O'Driscoll Land Surveying, Co. of Medway, MA.

The applicant/property owner proposes to construct a 5,000 sq. ft. steel building with a galvanized roof for use by John's Auto Body on a .92 acre parcel (*Medway Assessors' Parcel 24-13*) at 25 Jayar Road. The property is located on the north side of Jayar Road in the Industrial I zoning district. The site is presently vacant but has been used as a parking area for the adjacent John's Auto Body at 27 Jayar Road since May 2000. Portions of the site include wetlands resources within the jurisdiction of the Medway Conservation Commission. The subject site is located in the Groundwater Protection District and has petitioned the Zoning Board of Appeals for a special permit for the proposed building and use.

The proposed building will provide covered space for 2 tow truck storage bays and 2 vehicle storage and maintenance bays. Access to the development is planned from Jayar Road in the form of two curb cuts/driveways. Proposed site work includes construction of the access driveways, curbing and sidewalks, improvements to the existing gravel/reclaimed asphalt parking area in the form of 13 paved parking spaces, retaining wall, landscaping, outdoor lighting, installation of stormwater drainage facilities, refuse storage and disposal, and site amenities. A series of waivers from the *Site Plan Rules and Regulations* are requested.

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 and may be reviewed during regular business hours. The application and plan are also posted at the Planning and Economic Development Board's web page at:

[http://www.townofmedway.org/Pages/MedwayMA\\_Bcomm/PlanEcon/ApplicationsDocs/recent](http://www.townofmedway.org/Pages/MedwayMA_Bcomm/PlanEcon/ApplicationsDocs/recent).

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

*John's Auto Body Site Plan  
Notice of July 28, 2015 Public Hearing*

Interested persons are invited to review the plans, attend the public hearing, and express their views at the designated time and place. Questions should be directed to the Medway Planning office at 508-533-3291. Written comments are encouraged and may be forwarded to the Planning and Economic Development Board by regular mail or by email to: [planningboard@townofmedway.org](mailto:planningboard@townofmedway.org).

Andy Rodenhiser, Chairman

Application for Review and Approval of a  
**MAJOR SITE PLAN PROJECT**

Planning & Economic Development Board – Town of Medway  
155 Village Street - Medway, MA 02053  
(508) 533-3291

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

Date: JUNE 25, 2015

The undersigned, being the applicant and the owner of all land included within the proposed site  
"SITE PLAN -#25 JAYAR ROAD 5,000 S.F. COMMERCIAL  
shown on the accompanying plan(s) entitled BUILDING, MEDWAY, MA

dated OCT. 16, 2014, prepared by FAIST ENGINEERING, INC.  
Revise: June 8, 2015

and O'DRISCOLL LAND SURVEYING, CO., herewith submits

this application and plan to the Medway Planning & Economic Development Board for Review  
and Approval of a *Major Site Plan Project*.

**PROPERTY/SITE INFORMATION**

1. Property Location Address #25 JAYAR ROAD

2. Assessor's Information Map: 24 Parcel: 013

3. Zoning District: INDUSTRIAL I

4. The owner's title to the land is derived under a deed from: \_\_\_\_\_

ELLEN REALTY TRUST dated 5/5/2000

and recorded in Norfolk County Registry of Deeds, Book 14144, Page 371

or Land Court Certificate of Title # N/A registered in Norfolk County District

Book \_\_\_\_\_ Page \_\_\_\_\_

5. Frontage: 195.00' (100' MIN.)

Yard Depth: Front 30' Side 20' Side 20' Rear 30'

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. Is any portion of the site within a groundwater protection area:  YES  NO  
 If YES, is it clearly shown on the plan?
9. Does any portion of the site have frontage on a Scenic Road?  YES  NO

### CONTACT INFORMATION

10a) **Property Owner:** JOHN J. & CAROLINE C. SOLARI  
 Address: 18 WINTHROP STREET  
MEDWAY, MA 02053  
 Primary Contact: JOHN SOLARI  
 Telephone: (508) 533-2800 FAX: \_\_\_\_\_  
 E-Mail address: johnsolari57@gmail.com

10b) **Applicant (if other than property owner):** (SAME AS 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.)*

10c) **NOTE** – If someone other than the property owner or the equitable owner is the applicant or will be representing the applicant, then the property owner or equitable owner must designate an Official Representative below:

**Official Representative:** \_\_\_\_\_  
 Address: \_\_\_\_\_  
 \_\_\_\_\_  
 Primary Contact: \_\_\_\_\_  
 Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_  
 E-Mail address: \_\_\_\_\_

11. **Engineer:** DAVID T. FAIST, P.E. - FAIST ENGINEERING, INC.  
 Address: 67 HALL ROAD  
STURBRIDGE, MA 01566  
 Primary Contact: DAVID T. FAIST, P.E.  
 Telephone: (508) 864-6802 FAX: \_\_\_\_\_  
 E-Mail address: dfaist@faisteng.com



12. **Surveyor:** DANIEL A. O'DRISCOLL, PLS - O'DRISCOLL LAND SURVEYING, CO.  
**Address:** 46 COTTAGE STREET  
MEDWAY, MA 02053  
**Primary Contact:** DANIEL A. O'DRISCOLL, PLS  
**Telephone:** (508) 533-3314 **FAX:**
13. **Architect:**  
**Address:**  
**Primary Contact:**  
**Telephone:** **FAX:**
14. **Contractor:**  
**Address:**  
**Primary Contact:**  
**Telephone:** **FAX:**

**PROJECT INFORMATION – Type of Project**

15. A major site plan project is defined as any multi-family, commercial, industrial, institutional, or municipal project, which involves:

**PLEASE CHECK (X) ALL THAT APPLY**

- New construction; or
- 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; or
- A change in use of a building or buildings or premises;

**and which includes one or more of the following:**

**PLEASE CHECK (X) ALL THAT APPLY**

- New Construction* – Construction of 2,500 or more sq. ft. of \*gross floor area\*  
Building Dimensions: 50' X 100' Gross Square Footage 5,000 S.F.
- New Construction* – Construction of a new building or addition requiring fifteen (15) or more parking spaces  
Building Dimensions: SAME Gross Square Footage SAME
- Change in Use* – A change in use of an existing building requiring fifteen (15) or more parking spaces  
Building Dimensions: Gross Square Footage

• "Gross floor area" includes the existing building and proposed addition if any, and/or proposed new building.

\_\_\_\_\_ *Change in Parking Area* – Construction, expansion redesign or alteration of an existing parking area involving the addition of fifteen (15) or more new parking spaces.

Building Dimensions: \_\_\_\_\_ Gross Square Footage \_\_\_\_\_

\_\_\_\_\_ *Other* – Any use or structure, or expansion thereof, exempt under MGL, c. 40A, s. 3, but only if one or more of the above criteria is met.

### **OTHER PROJECT INFORMATION**

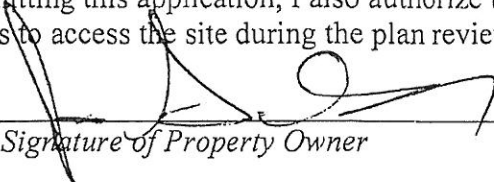
- 16. **Project Description** as specified in s. 204-3 of the *Site Plan Rules & Regulations*. Please attach a separate sheet fully describing the proposed work. Provide as much detail as possible.
- 17. **Development Impact Statement** as described in s. 204-3 of the *Site Plan Rules & Regulations*
- 18. Description of easements, option to purchase, purchase and sale agreement, court decision, or other legal restrictions (*Please attach separate sheets as needed.*)

### **SIGNATURES**

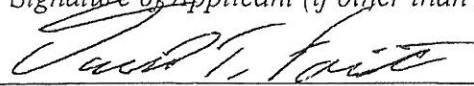
I hereby certify, under the pains and penalties of perjury, that the information contained in this application is true and complete to the best of my knowledge and belief.

If Applicable, I hereby authorize David Faist, P.E. - Faist Engineering, Inc. 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.

  
\_\_\_\_\_  
*Signature of Property Owner*

6/23/15  
\_\_\_\_\_  
*Date*

*Signature of Applicant (if other than Property Owner)*  
  
\_\_\_\_\_  
*Signature of Official Representative*

\_\_\_\_\_  
*Date*  
6/23/15  
\_\_\_\_\_  
*Date*

## **SUBMITTAL INSTRUCTIONS – Required Submittals**

### **Town Clerk**

- <sup>x</sup> One (1) copy of the signed Major Site Plan Project Application form
- <sup>x</sup> One (1) copy of the Project Description as specified in s. 204-3 of the *Site Plan Rules & Regulations*
- <sup>x</sup> One (1) set of Site Plan Documents prepared in conformance with s. 204-4 and s. 204-5 the *Site Plan Rules and Regulations*
- <sup>x</sup> One (1) copy of stormwater/drainage calculations prepared in conformance with s. 204-3 3) of the *Site Plan Rules and Regulations*.

### **Planning & Economic Development Board**

- <sup>x</sup> One (1) Major Site Plan Project Application form with original signatures
- <sup>x</sup> Sixteen (16) copies of the Project Description as specified in s. 204-3 of the *Site Plan Rules & Regulations*
- <sup>x</sup> Sixteen (16) copies of the *Development Impact Statement* as described in s. 204-3 of the *Site Plan Rules & Regulations*
- <sup>x</sup> Sixteen (16) sets of the Site Plan prepared in conformance with s. 204-4 and s. 204-5 of the *Site Plan Rules and Regulations*. Also, electronic version in pdf.
- <sup>x</sup> Three (3) copies of stormwater/drainage calculations prepared in conformance with s. 204-3 3) of the *Site Plan Rules and Regulations*.
- <sup>x</sup> List of all abutters and parties of interest as defined in s. 202-5 of the *Site Plan Rules & Regulations* (certified by Medway Board of Assessors)
- <sup>x</sup> One (1) copy of all relevant approvals received to date from other Town boards/ departments/commissions
- <sup>x</sup> List of requested waivers from the *Site Plan Rules & Regulations* with explanation and justification

\$2,250 Major Site Plan Project Filing Fee – Made payable to the Town of Medway

For projects up to 4,999 sq. ft. /gross floor area	\$ 750 + \$ .25/sq. ft.
*For projects of 5,000 - 9,999 sq. ft./gross floor area	\$1,000 + \$ .25/sq. ft.
For projects of 10,000 -14,999 sq. ft./gross floor area	\$1,500 + \$ .25/sq. ft.
For projects of 15,000 and more sq. ft./gross floor area	\$2,000 + \$ .25/sq. ft.

\$1,500 Major Site Plan Project Plan Review Fee – Made Payable to the Town of Medway

For projects up to 4,999 sq. ft./gross floor area	\$ 1,000 deposit
*For projects of 5,000 - 9,999 sq. ft./gross floor area	\$ 1,500 deposit
For projects of 10,000 -14,999 sq. ft./gross floor area	\$ 2,000 deposit.
For projects of 15,000 and more sq. ft./gross floor area	\$ 2,500 deposit

NOTE – Gross Floor Area includes the existing building and proposed addition if any, and/or proposed new building.

**NOTE – Two (2) separate checks are to be submitted.**

**MAJOR SITE PLAN APPLICATION**  
**"#25 JAYAR ROAD – MEDWAY, MA"**

June 25, 2015

## 16. Project Description

On behalf of the project Applicant, Mr. John Solari, *Faist Engineering, Inc. (FE)* is hereby submitting this "Major Site Plan Application" for the proposed site work located at #25 Jayar Road in Medway, Massachusetts (the "Site"). The Site is located within an Industrial I zone.

The 40,266 s.f. commercial property is located in a Groundwater Protection District (Zone II) within an Industrial I zoning district. 23,799 s.f. is currently occupied by a reclaim asphalt/gravel parking area associated with the adjacent John's Auto Body business. The remainder of the site consists of an on-site vegetated wetlands and drainage easement. The majority of the developed portion is within the 100 ft. buffer zone of the on-site wetland area. A portion of the existing reclaim asphalt / gravel parking area is also within the Town of Medway 25' no disturb zone.

John's Auto Body is proposing to construct a 5,000 s.f. building to provide covered space for tow truck & vehicle storage/maintenance and construct improvements to the existing parking area. The new building and parking layout will allow for two (2) bays for indoor tow truck storage and two (2) bays for automobile maintenance and adequate on-site maneuvering area.

The project involves a mix of new development (5,000 s.f. building) and re-development of the Site's existing 23,799 s.f. gravel/reclaim asphalt parking area.

We believe the parking area portion of the project is considered as "re-development" in accordance with the 310 CMR 10.04 definitions.

Redevelopment:

- (b) *development, rehabilitation, expansion and phased projects on previously developed sites provided the redevelopment results in no net increase in impervious area.*
- (c) *remedial projects specifically designed to provide improved stormwater management such as projects to separate storm drains and sanitary sewers and stormwater retrofit projects.*

## 16. Project Description (cont.)

The existing parking area has been in continuous use in association with the adjacent John's Auto Body since its purchase by the Applicant on May 5, 2000. Discussions with the Applicant also note this property may have been in use as an overflow parking area for a nearby building by the previous Owner, possibly as early as 1992.

The Medway Conservation Commission approved the project on June 11, 2015 and agreed that the parking lot was a "re-development". During our June 3, 2015 Site Visit it was shown that the existing reclaim asphalt surface is sufficiently impervious due to years of compaction of the parking area.

We believe the proposed project will result in "no significant adverse impact" to on-site wetland resource areas and improve existing conditions in accordance with the Town of Medway and MA-DEP Stormwater Management Standards. The "new development" stormwater standard is fully met for the proposed building. The parking area improvement portion of the project complies fully with all of the Stormwater Standards except for limited portions of Standard 3 & Standard 6, which are being met to the "maximum extent practicable".

### **Methods and hours of operation:**

**Monday – Friday 9:00 AM ~ 5:00 PM**

John's Auto Body, Inc. currently consists of 4-5 employees including the Owner, Mr. John Solari. There is no expected change to the number of employees at this time. However, the additional space could reasonably be expected to allow for an additional 3-4 employees in the future.

### **Timetable for project completion**

**Anticipated Start Date: September 2015 and Completion Date: September 2016.**

Estimate showing the costs of all improvements planned including but not limited to building construction, paving, drainage, retaining walls, landscaping, refuse storage and disposal, sidewalks, handicap access, site amenities and outdoor lighting, & proposed mitigation measures

### **Cost Estimate:**

A cost estimate is not currently available as it is dependant on the final approved Site Plans. The Applicant can provide this information if necessary upon request.

## 17. Development Impact Statement

### a. Traffic Impact

We do not anticipate any traffic related impacts from this project as it is currently used in a similar manner. The only change to the Site will be the addition of the steel building and paved parking area for the continued use as vehicles & tow truck storage. In addition, there is currently only minimal traffic associated with the few surrounding tenants due to the Site's location at the very end of Jayar Road (an existing dead end).

### b. Environmental Impact

The project will provide several positive environmental impacts including the following:

#### New Development

- 5,000 s.f. building (4-garage bays) for the indoor storage and maintenance of vehicles and tow trucks;
- “Galvalume” metal roofing – corrosion resistant metal roofing material
- Sand Filter Basin – for treatment of metal roof runoff & on-site stormwater recharge;
- MDC trap oil/water separator for interior building floor drains prior to connection with sanitary sewer;
- Site Long-term Operation and Maintenance plan.

Re-development - Proposed Site parking lot improvements to the “maximum extent practicable” will include:

- Additional 4,586 s.f. of grass / landscaping (including 1,155 s.f. restoration of 25' wetland buffer zone);
- Conversion of existing reclaim asphalt parking area to bituminous pavement
- One (1) Double Grate Deep Sump Catch Basin with hood
- Hydroworks HG4 storm water quality treatment unit (MASTEP Approved);
- Emergency Shut-off valve on water quality unit outlet pipe
- Diversion manhole for 1” water quality storm event to additional treatment / recharge
- Off-line 1,500 Gal. Oil / grit separator prior to stormwater recharge area
- 12” Diam. ADS Perforated Pipe stormwater recharge system for parking lot runoff

### c. Community Impact

We believe the proposed project will have a positive impact on the community by improving an existing Industrial building lot. The project is consistent with its location within an Industrial Zone and neighboring properties. The construction of an enclosed steel building will provide for the indoor storage of vehicles. On-site stormwater management improvements will help to improve area groundwater quality and provide for water quality treatment and limited spill containment.

### d. Parking Impact

N/A - Project is proposing < 30 parking spaces.

## 18. Description of Easements and Agreements

### Easements

There is an existing 20' wide "drainage easement" which contains an existing drainage ditch running parallel with the rear property line. This drainage easement also runs along the rear of both adjacent Jayar Road properties allowing for the flow of surface runoff within the wetlands area.

### Agreements

- N / A -

### Decisions by other town boards

#### **Medway Conservation Commission – Notice of Intent**

6/17/15 – Project Approval

6/25/15 – Order of Conditions to be issued (Pending)

#### **Medway Zoning Board of Appeals (ZBA) - Special Permit**

7/01/15 - Upcoming ZBA Meeting

(Decision Pending Issuance of Conservation Order of Conditions)

**MAJOR SITE PLAN APPLICATION**  
**“#25 JAYAR ROAD – MEDWAY, MA”**  
June 25, 2015

**19. Waivers**

**CHAPTER 200 - Site Plans**  
**Rules and Regulations for the Submission and Review of Site Plans**  
**(Amended December 3, 2002)**

- 204-4 B* To allow the Site Plan to be prepared at a scale of 1” = 20” instead of 1”=40’ due to the relative size of the project.
- 204-5 A* Waiver to not require a Cover Sheet as all relevant information is shown on Site Plan Sheet C-1 due to the relative size of the project.
- 204-5-D7* Waiver to not require a “Landscape Architectural Plan” due to the proposed site improvements and scope of the project.
- 204-5-D9* Waiver to not require “Color Renderings” in lieu of the proposed steel building Floor Plan & Elevation sheets prepared by Priggen Steel, 133 Franklin Street, Wrentham, MA .
- 204-5-D12* Waiver to not require “Signage Plan” as the proposed building will serve the adjacent “John’s Auto Body” business located at #27 Jayar Road. No new site or building signage is proposed at this time.
- 204-5-D13* Waiver to not require “Lighting Plan” with intensity grid. Applicant is only proposing building mounted lighting. We recommend the Planning Board require all fixtures be “dark sky compliant” and only placed on the South and East sides of the building.
- 204-5-D14* Waiver to not require horizontal site distances on the public way (s) at all entrances in both directions as Site is located at the end of Jayar Road, a “dead end” within an Industrial Park with minimal traffic.
- 205-3-B6* Waiver to not require the perimeter of the driveway to be bounded with vertical granite curbing. Bituminous curbing is proposed to match the existing curbing within industrial park along Jayar Road.



## 19. Waivers (cont.)

- 205-6-G3a* Waiver to not require 10'x 20' car parking spaces / stalls. 9' x 18' parking spaces are proposed, consistent with Section H.7 Parking Space Dimensions of the current Medway Zoning By-Law, dated June 20, 2014.
- 205-6-G4b* Waiver to allow parking spaces to be located within fifteen (15) feet of the front and side property lines, consistent with current Site conditions.
- 205-6-H* Waiver to not require the perimeter of the parking area to be bounded with vertical granite curbing. Bituminous curbing is proposed.
- 205-9* Waiver to allow for reduced additional trees and landscaping as the project will replace and estimated 4,835 s.f. of existing gravel / asphalt parking area w/ new grass / landscaping (including 1,155 s.f. restoration of 25' wetland buffer zone);

---

**PGC ASSOCIATES, INC.**

1 Toni Lane  
Franklin, MA 02038-2648  
508.533.8106  
508.533.0617 (Fax)  
pgca@comcast.net

---

July 22, 2015  
Mr. Andy Rodenhiser, Chairman  
Medway Planning Board  
155 Village Street  
Medway, MA 02053

**Re: John's Auto Body Site Plan**

Dear Mr. Rodenhiser:

I have reviewed the site plan submitted by John's Auto Body of Medway. The proposal is to construct a separate 50' x 100' on the site at 25 Jayar Road, plus associated parking, drainage, landscaping, etc. The plan was prepared by Faist Engineering, Inc. of Sturbridge. It is dated October 16, 2014 with revision dates of December 22, 2014, May 12, 2015 and June 3, 2015.

I have comments as follows:

**Zoning**

1. The proposed use is vehicle repair, which is allowed by right in the Industrial I district. The plan represents an expansion of an existing auto body shop on abutting land that was originally approved through a use variance granted by the ZBA in 1993. The Zoning Bylaw now allows the use by right.
2. The building meets required setback distances.
3. A table indicates that the Zoning Bylaw requires 21 spaces and 22 are provided. However, the calculation is based on a 5000 square foot building at 1 space per 300 square feet (17) plus 2 per bay at 2 bays for a total of 21. It appears that there are 4 bays with 4 garage doors on the east side of the building (and a fifth door on the south side). The applicant states that 2 of the bays will be used for indoor parking of tow trucks. Whether these still qualify as "bays" or not should be determined, since "bays" would require 4 more spaces, or 25 total.
4. Section 7.1.2 addresses lighting. However, no lighting is shown on the plan so it is not possible to determine compliance.
5. Section 7.2 addresses signage. No signs are shown other than handicapped parking sign.

**Site Plan Rules and Regulations**

6. Section 204-5 C. (3). The plans do not include an Existing Landscape Inventory prepared by a Landscape Architect. No waiver is requested.

7. Section 204-5 D. (7) requires that a landscape architect prepare the landscape plan. Landscape details are shown on the site plan, but it was not prepared by a Landscape Architect and a no waiver from this requirement is requested.
8. Section 204-5 D. (8) requires architectural plans. Sketches showing elevations and a floor plan have been provided. They do not show details including any mechanical equipment located on the ground or on the building.
9. Section 204-5 D. (9) requires a color scheme and color renderings of the buildings. These have not been provided and no waiver is requested. These may have been presented to the Design Review Committee.
10. Section 204-5 D. (12) requires a signage plan indicating the design, location, materials, dimensions and lighting. No signage plan has been provided.
11. Section 204-5 D. (13) requires a lighting plan. No lighting plan has been provided.
12. Section 204-5 (14) requires horizontal sight distances be show on the plan. This information was not provided.
13. Section 204-5 (15) requires a table indicating certain zoning requirements and how they are met. The table was provided but it does not indicate number of employees.
14. Section 204-5 (16) requires information about fire prevention and suppression. As discussed at the pre-hearing meeting, the location of a "Knox Box" should be added to the plan.
15. Section 205-3 A indicates that curb cuts should be minimized. The plan shows 2 curb cuts plus the site is connected to the lot next door, which also has 2 curb cuts. The requirement may be more applicable to commercial districts rather than industrial districts.
16. Section 205-3 D indicates that there should be facilities to accommodate pedestrians and bicycles. None are provided.
17. Section 205-6 (A) states that parking "should" be located to the side and rear of the building. This is not an absolute requirement but it also states that if parking is located close to the street, then it should be screened. There is parking in front and it is not screened.
18. Section 205-6 G (4) (b) says there not be parking spaces within 15 feet of a lot line. Most of the spaces shown are within 15 feet of the front or side lot lines.
19. Section 205-6 G (4) (c) requires that spaces be located such that backing out of it would not impede traffic entering from a public way within the first 50 feet. There are spaces that violate this principal.
20. Section 205-6 (H) requires vertical granite curbing around the perimeter of a parking lot. The plan proposes Cape Cod berm.

21. Section 205-9 C requires that there be substantial landscaped islands within parking lots to reduce the "sea of asphalt" effect. More specifically, Section 209-6 C requires at least 1 deciduous tree per 6 spaces and only trees that provide shade to the parking area are to count toward this requirement. No landscaping other than grass and 10 unidentified plants within the 25-foot "no-disturb" zone and required by the ConCom Order of Conditions is shown. No landscape buffers are provided between the parking spaces and street or between the site and abutter to the west.

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**

July 22, 2015

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

**Re: John's Auto Body, Inc  
25 Jayar Road  
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 one (1) new building of an area of 5,000 sf on a 0.92 ac site split between two parcels, Lot B1 and Lot B2. The project also proposes to construct a new curb cut on Jayar Road and new utility services will be constructed to accommodate the improvements. The stormwater design will consist of catch-basins, manholes, Oil/Grit Separator and perforated ADS piping recharge system.

TT is in receipt of the following materials:

- A plan (Plans) set entitled "#25 Jayar Road, 5,000 s.f. Commercial Building, Medway, MA 02053", dated October 16, 2014, revised June 8, 2015, prepared by Faist Engineering, Inc. (FE).
- A stormwater management report (Stormwater Report) entitled "Stormwater Report, #25 Jayar Road, Proposed 5,000 s.f. Commercial Building, John's Auto Body Inc, Medway, MA" dated October 20, 2014, revised May 12, 2015, prepared by FE.
- An Application for Review and Approval of a Major Site Plan project (Application) entitled "Site Plan - #25 Jayar Road, 5,000 s.f. Commercial Building, Medway, MA" dated October 16, 2014, prepared by FE and O'Driscoll Land Surveying Co. (OD).
- A project description (Project Description) entitled "Major Site Plan Application, #25 Jayar Road – Medway, MA" dated June 25, 2015 prepared by FE.

The Plans, Stormwater Report and accompanying materials were reviewed for conformance with the Town of Medway, Massachusetts Planning Board Rules and Regulations for the Submission and Review of Site Plans, the MA DEP Storm Water Management Standards 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.

Marlborough Technology Park  
100 Nickerson Road  
Marlborough, MA 01752  
Tel 508.786.2200 Fax 508.786.2201



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

- 1) The site plans are not stamped as required. (Ch. 200 §204-4.A)
- 2) The plans are not drawn to a scale of one (1) inch equals forty (40) feet. A waiver has been requested from this regulation. (Ch. 200 §204-4.B)
- 3) The applicant has not provided a Planning Board signature block on Sheet C-6, S-1 and S-2. (Ch. 200 §204-4.F)
- 4) The applicant has not provided a cover sheet. A waiver has been requested from this regulation. (Ch. 200 §204-5.A)
- 5) The applicant has not provided an Existing Landscape Inventory and prepared by a Professional Landscape Architect licensed in the Commonwealth of Massachusetts. (Ch. 200 §204-5.C.3)
- 6) The applicant has not provided a Landscape Architectural Plan. A waiver has been requested from this regulation. (Ch. 200 §204-5.D.7)
- 7) The applicant has not provided color renderings of the Architectural Plan. (Ch. 200 §204-5.D.8)
- 8) The applicant has not provided renderings of the site which would include common views of the site from a public way and other views helpful in illustrating the totality of the proposed site improvements. A waiver has been requested from this regulation. (Ch. 200 §204-5.D.9)
- 9) The applicant has not provided a Signage Plan. A waiver has been requested from this regulation. (Ch. 200 §204-5.D.12)
- 10) The applicant has not provided a Lighting Plan. Light spill from the site shall not be permitted beyond the property boundary. A waiver has been requested from this regulation. (Ch. 200 §204-5.D.13)
- 11) The applicant has not provided horizontal sight distances in both directions to the public way at the entrance of the site from Jayar Road. A waiver has been requested from this regulation. (Ch. 200 §204-5.D.14)
- 12) The applicant is proposing two entrances (curb cuts) along the frontage of the site with Jayar Road. The applicant should confirm if two entrances are necessary for the size of the proposed development. (Ch. 200 §205-3.A.3)



## TETRA TECH

- 13) The applicant has not provided vertical granite curb bounding the proposed driveway. Medway DPS should comment if proposed bituminous curb is acceptable within the right-of-way. A waiver has been requested from this regulation. (Ch. 200 §205-3.B.6)
- 14) The applicant has provided Type-2 Bituminous Curb material at the entrances to the site. Medway DPS should comment if proposed bituminous curb is acceptable within the right-of-way. (Ch. 200 §205-3.C.1)
- 15) Pedestrian accesses shall be designed to comply with ADA requirements. (Ch. 200 §205-3.D.5)
- 16) The applicant has not provided designated employee parking spaces. (Ch. 200 §205-6.C)
- 17) The applicant has not provided parking spaces at the specified 10' x 20' size. A waiver has been requested from this regulation. (Ch. 200 §205-6.G.3.a)
- 18) The applicant has located parking spaces within the 15' setback required for the front, side and rear property lines. A waiver has been requested from this regulation. (Ch. 200 §205-6.G.4.b)
- 19) The applicant has situated parking spaces adjacent to the western site entrance. This condition may impede traffic from entering the site and may also cause accidents while parked vehicles are backing out of the space to exit the site. (Ch. 200 §205-6.G.4.c)
- 20) The applicant has not provided vertical granite curbing along the perimeter edge to delineate the parking area. (Ch. 200 §205-6.H)
- 21) The applicant has not provided necessary landscaping as required in the regulations. A waiver has been requested from this regulation. (Ch. 200 §205-9)
- 22) Construction Standards - The requirements and construction standards of the *Rules and Regulations for the Subdivision of Land in Medway* shall be adhered to in matters not covered specifically by these *Site Plan Rules and Regulations*. Design and construction details not covered by either these *Rules and Regulations* or the *Subdivision Regulations* shall follow accepted engineering, construction, and landscape architectural practice. (Ch. 200 §205-11)
  - a) The applicant has not provided silt-sack inlet protection (or approved equal) for nearby catch basins. Filter fabric protection is not recommended due to issues with maintenance. (Medway Construction Detail CD-32).



**The following items were found to be not in conformance with the MA DEP Storm Water Management Standards, or requiring additional information as it relates to site drainage facilities:**

- 23) It appears additional filter fabric may be required between the stone bedding and the surrounding subgrade material for the "Sand Filter Basin". Fines have the potential to migrate into the stone and the 6" perforated pvc pipe if fabric is not present.
- 24) The applicant has not provided outlet protection at the location where the roof leaders discharge to the Roof Drain Sand Filter (RDSF).
- 25) The inspection ports for the RDSF shall be provided with water tight caps or raised to the WQ elevation. The concern is the caps will not be placed correctly after inspection and stormwater which is meant to permeate through the sand filter will discharge through the inspection ports without proper treatment.
- 26) The applicant has not provided outlet protection at the 6" outlets from the subsurface ADS Recharge system.
- 27) The applicant should ensure inverts match in the plans and HydroCAD report.
- 28) In order to prevent unnecessary maintenance of the Hydroworks unit in the event of a larger sized spill on-site. The shut-off valve for the drainage system is recommended to be placed upstream of the hydroworks unit to prevent hazardous fluids from entering the unit and requiring maintenance.

**The following items were found to be not in conformance with the Town of Medway Water/Sewer Rules and Regulations:**

- 29) 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 111-2)

**The following items were found to be not in conformance with good engineering practice or requiring additional information:**

- 30) The address on sheet S-1 & S-2 does not match the other plans in the set.
- 31) It does not appear the "143" contour ties out to existing conditions adjacent to the northwestern portion of the RDSF. Overlapping lines and text in that area are creating difficulty reading the plans.





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) 786-2200.

Very truly yours,

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

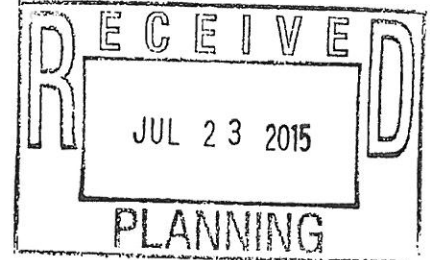
Sean P. Reardon, P.E.  
Vice President

P:\21583\143-21583-15013 (JOHNS AUTO BODY PEDB SITE PLAN REVIEW)\DOCS\REVIEW\TR\_JOHNS AUTO BODY SITE PLAN\_2015-07-22.DOCX

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS

IN THE MATTER OF:     **John Solari**  
                              **John's Auto Body, Inc.**  
                              **Petitioner**



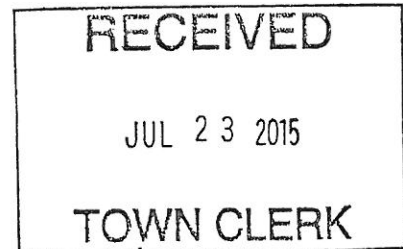
Owner                         **John J. and Catherine C. Solari**  
                                      **25 Jayar Road**  
                                      **Medway, MA 02053**

OPINION OF THE BOARD

REQUEST FOR A SPECIAL PERMIT  
25 Jayar Road, Medway, MA

Hearing: November 19, 2014  
Decision: July 8, 2015

MEMBERS PRESENT:     **David J. Cole, Chairman**  
                              **Carol Gould**  
                              **William Kennedy**  
                              **Craig Olsen**



*30 day*  
*AUG 12, 2015*

THE WRITTEN OPINION WAS DELIVERED ON July 22, 2015

## OPINION OF THE BOARD

This is a proceeding of the Zoning Board of Appeals of the Town of Medway, MA (hereinafter the Board) acting under the Zoning By-Law of the Town of Medway, MA, 02053, and Massachusetts General Laws, Chapter 40A, as amended, in which the petitioner, John Solari of John's Auto Body, Inc., requests a Special Permit under Section V.V.6.c) 3) and 5) and III.J to construct a 5,000 square foot addition at 25 Jayar Road, Medway.

### Hearing

Notice of the Public Hearing by the Zoning Board of Appeals in this matter was published in the Milford Daily News on November 5, 2014 and November 12, 2014. Notice also was sent to all "parties of interest" and posted in the Town Hall as required by Massachusetts General Laws, Chapter 40A Section 11.

The Public Hearing opened on November 19, 2014 and was continued to December 17, 2014. Additional sessions were held on January 7, 2015; February 4, 2015; April 15, 2015; June 17, 2015 and July 1, 2015. The Public Hearing closed on July 1, 2015. The Medway Zoning Board of Appeals Members present during the public hearing were David Cole, Chairman; Carol Gould, Clerk; Anthony Biocchi (who has since resigned from the Board); William Kennedy; and Craig Olsen. Mr. Olsen was not present at the November 19, 2014 hearing and filed the appropriate documents with the Town Clerk in accordance with the Mullin Rule. Ms. Gould was absent for the December 17, 2014 hearing and filed the appropriate documents with the Town Clerk in accordance with the Mullin Rule. Mr. Olsen participated remotely on June 17, 2015 pursuant to the Massachusetts Open Meeting Law regulations 940 CMR 29.00.

### Hearing Summary

The applicant, Mr. John Solari, and his engineer, Mr. David Faist of Faist Engineering, appeared before the Board to request a Special Permit to construct a 5,000 square foot addition and paved parking lot at 25 Jayar Road, Medway. The property consists of .92 acre and is located within the Town of Medway's Groundwater Protection District.

The property is currently used as a commercial parking lot for the adjacent John's Auto Body, Inc. The existing parking area consists entirely of gravel and reclaim asphalt with no present stormwater controls. The proposed project will replace the gravel parking area with a new 5,000 square foot accessory building for the existing business to provide indoor storage and maintenance area for vehicles. The project also includes a new paved parking area with a new stormwater management system including a water quality unit. The applicant will also restore an estimated 1,155 square feet of the 25' wetlands buffer zone currently occupied by the gravel and reclaim asphalt parking area.

The Board questioned the applicant and his engineer regarding the quantity and storage of hazardous materials on site and the containment of such materials to prevent spills. The Board also requested additional information be provided.

The applicant and his engineer explained that John's Auto Body, Inc. is considered a very small quantity generator by the Massachusetts Department of Environmental Protection. There will be no change to this status with the proposed addition. The applicant's engineer reviewed the list of chemicals, fuels, and other potentially hazardous materials to be used or stored on the premises in quantities greater than normal household quantities and provided more detail relative to storage and containment. The storage area will be an on indoor impervious surface away from interior floor drains with secondary containment. The applicant's engineer also prepared and explained the engineering analysis of pre and post-development drainage runoff conditions for the proposed 5,000 square foot commercial garage building and paved parking lot.

**Findings:**

By vote of 4-0:

1. The Applicant demonstrated that the project is in compliance with the requirements and standards set forth in Section V.V. and will in no way, during construction or thereafter, adversely affect the existing or potential quality or quantity of water that is available in the Groundwater Protection District, and is designed to avoid substantial disturbance of the soils, topography, drainage, vegetation, and other water-related natural characteristics of the site to be developed.
2. The grant of the requested Special Permit would not cause substantial detriment to the public good.
3. The grant of the requested Special Permit would not be inconsistent with criteria set forth in Section III.J of the Zoning By-Law.

**Relief Granted:**

By vote of 4-0:

The Zoning Board of Appeals hereby grants to the applicant, John Solari, a Special Permit under Sections V.V.6.c) 3) and 5) and III.J for construction of a 5,000 square foot accessory building for the existing auto body repair business at 25 Jayar Road, Medway MA 02053, in accordance with the plans provided at application and initialed by the Board, and the revised plans, with a revision date of 6/8/15, submitted and reviewed at the June 17, 2015 hearing, subject to the following terms and conditions:

1. Building and associated facility shall be constructed in accordance with the plans submitted.

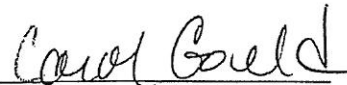
2. Total amount of oil stored on site at one time shall not exceed 270 gallons.
3. All oil shall be stored in free standing containers at a single location within the building with secondary containment adequate to contain a spill the size of the container's total storage capacity.
4. Signs shall be provided on the building as to the location of the storage.
5. Applicant shall restore approximately 1,100 square feet of the 25' of wetlands buffer zone currently occupied by the gravel and reclaim asphalt parking area.
6. The Applicant shall comply with the Order of Conditions issued by the Medway Conservation Commission.

The Board hereby makes a detailed record of its findings and proceedings relative to this petition, sets forth its reasons for its findings and decision, incorporates by reference any plan or diagram received by it, directs that this decision be filed in the office of the Town Clerk and be made a public record and that notice and copies of its decision be made forthwith to all parties or persons interested.

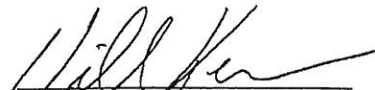
***IN ACCORDANCE WITH MASSACHUSETTS GENERAL LAW CHAPTER 40A,  
SECTION 11, NO VARIANCE, SPECIAL PERMIT OR CONSTRUCTIVE GRANT OF A  
VARIANCE TAKES EFFECT UNTIL RECORDED IN THE REGISTRY OF DEEDS.***



David J. Cole, Chairman



Carol Gould



William Kennedy



Craig Olsen



**July 28, 2015**

**Medway Planning & Economic Development Board  
Meeting**

**The Haven Definitive Subdivision Plan  
Public Hearing Continuation**

The first public hearing occurred on April 28, 2015. The hearing was continued to 6-9-15, 7-14-15 and 7-28-15

A revised definitive subdivision plan dated 7-8-15 was submitted to the PEDB office on 7-10-15. It was accompanied by a letter from Dan Merrikin of Merrikin Engineering in response to the initial plan review comments provided by Tetra Tech and PGC Associates.

The following documents are provided for your review:

- The Haven REVISED definitive subdivision plan dated 7-8-15.
- Letter from Merrikin Engineering dated 7-10-15 responding to the first consultant review letters from Tetra Tech and PGC Associates
- Subsequent plan review letter from Tetra Tech dated 7-22-15
- Subsequent plan review letter from PGC Associates dated 5-1-15
- Email memo dated 5-1-15 from abutter Mark Biocchi, 73 Milford Street.
- Email comments dated 6-10-15 from DPS Director Tom Holder

# Merrikin Engineering, LLP

*Consulting Engineers*

730 MAIN STREET  
SUITE 2C

MILLIS, MA 02054

TELEPHONE (508) 376-8883  
FAX (508) 376-8823

July 10, 2015

Mr. Andy Rodenheiser, Chairman  
Medway Planning and Economic Development Board  
Town Hall  
155 Village Street  
Medway, MA 02053

Ref: The Haven  
Definitive Subdivision Plan Review - Response to Comments

Dear Mr. Rodenheiser:

Please find enclosed the following revised documents for the Board's consideration:

- ✓ Eight Full-size copies of the revised subdivision plan;
- ✓ One 11x17 copy of the revised subdivision plan; and
- ✓ One copy of the revised stormwater report.

We are in receipt of comments from PGC Associates, Inc. dated April 21, 2015 and from Tetra Tech dated April 23, 2015 and offer the following responses for the Board's consideration:

## **PGC Associates Comments:**

1) *Comment: "The lots met the area and shape factor requirements of the zoning bylaw. However, Lot 2 is shown to have only 113.35 feet of frontage where 150 feet is required."*

**Response:** Lot 2-3 boundary has been revised to bring Lot 2 into compliance.

2) *Comment: "Section 5.7.32 and 7.19.9 require a landscaped island in the cul-de-sac. A hammerhead end is proposed rather than a circle so there is no center island. However, in the past, the Board has required a landscape plan for the area within the cul-de-sac bulb."*

**Response:** Proposed landscaping has been added to the profile sheet.

3) *Comment: "Section 5.7.34 requires a note on the cover sheet that the subdivision construction will comply with ADA/AAB handicapped accessibility standards."*

**Response:** No sidewalks are proposed in the subdivision, however a note has been added (note 13) to the legend sheet.

- 4) *Comment: "Section 5.7.34 requires stockpile areas to be shown on the erosion control plan. No stockpile areas are shown."*

**Response:** Stockpile areas have been added to the erosion control sheet. Stockpile areas are proposed on Lot 1, outside the 100' wetland buffer zone.

- 5) *Comment: "Section 5.7.36 requires house footprints to be shown at a dimension of 40'x80'. The applicant has requested a waiver because a footprint of that size will not fit within the setback areas on Lots 2 and 3."*

**Response:** No response required.

- 6) *Comment: "Section 7.7.4 (d) requires an independent drainage system for foundation perimeter drains. No drains are shown and no waiver is requested."*

**Response:** Proposed foundation drains for each dwelling were included on the grading sheet as part of the original submittal. They discharge independent from, but next to, the main drainage system's outfall to the northwest of the hammerhead tee. The design has been updated to be clearer.

- 7) *Comment: "Section 7.9.3 requires that intersection sight distances be shown on the plans. The distances are shown graphically but no dimensions are indicated."*

**Response:** Site distance dimensions have been provided on the grading plan.

- 8) *Comment: "Section 7.9.6 (c) requires that dead end streets be provided with extensions to abutting property where practical. It does not appear that such an extension is practical."*

**Response:** The abutting property to the north contains extensive wetland areas and extension of the private way would not be feasible.

- 9) *Comment: "Section 7.10 requires vertical granite curbs at the intersection roundings. A waiver is requested to use Cape Cod Berm. DPS should comment on this."*

**Response:** As discussed with the Planning Board at the last hearing, there was consensus that no curbing was necessary for this permanent private way. The plan and waiver request have been updated accordingly. The Fire Chief has requested a min. 20' paved road so the total width of pavement remains unchanged except that what was formerly cape-cod berm will be part of the paved private way.



10) *Comment: "Section 7.11.1 requires a 3' radius at driveway entrances. None of the driveways meet this. Lot 2 is especially awkward as the driveway is right against the lot line at a difficult angle."*

**Response:** Driveway radii have been added to the plans and the driveway to lot 2 has been reconfigured. It should also be noted that driveway locations and configurations are approximate as specific house designs have not been determined for each lot.

11) *Comment: "Section 7.11.6 encourages that a driveway onto the new subdivision street be provided to abutters. A strip of land is being provided to the direct abutter but there is no indication as to whether a driveway is being provided."*

**Response:** The Masterson garage is on the opposite side of their house so it is unlikely that a driveway would be constructed to the new road. However, Parcel A, the 10' wide strip of land north of the roadway, is to be deeded to abutter William Masterson. An access easement to the new roadway will be provided to Mr. Masterson, so that he can relocate his driveway to the new roadway in the future if he wishes to do so. A notation to this effect is included on sheet 2.

12) *Comment: "Section 7.19.2 requires at least 3 trees per lot spaced at 40' on center. No street trees are indicated and no waiver is requested."*

**Response:** Street trees are depicted on the profile sheet.

13) *Comment: "Section 7.21 requires streetlights at the subdivision entrance and other areas deemed necessary by the Safety Officer. A waiver from this requirement is requested."*

**Response:** No response required.

### **Tetra Tech Comments:**

1) *Comment: "A traffic study has not been provided. However, due to the size of the subdivision, traffic is not expected to negatively affect the surrounding area."*

**Response:** No response required.

2) *Comment: "The board should confirm that necessary documentation regarding the septic systems has been submitted to the Board of Health."*

**Response:** The subdivision plans and stormwater report (which includes the soil logs) were provided to the Board of Health. Lot specific septic testing will not be completed until lot development commences.

3) *Comment: "The applicant has not provided a certified list of abutters."*

**Response:** A certified list of abutters was provided with the subdivision submittal.

4) *Comment: "The applicant has not provided calculations for the proposed piping system."*

**Response:** A HydroCAD analysis is provided for each pipe segment in lieu of the Rational method. The HydroCAD analysis demonstrates that the proposed drainage piping is sized to convey the 100-year storm event.

5) *Comment: "The applicant has not provided calculations for the proposed catch basin grates to determine if they can maintain proper operation during a 25-year storm."*

**Response:** As the HydroCAD calculations demonstrate, the peak flow rate to either catch basin in a 25-year storm event is less than 1.1 cfs. Each catch basin sits in a depression with an available ponding depth of 0.4 feet. Each catch basin grate has a capacity of 4.6 cfs under this ponding condition and is therefore more than sufficient to accommodate the 25-year storm event.

6) *Comment: "The applicant has not provided an ANRAD plan. Confirmation of a final order of conditions from the Medway Conservation Commission should be provided if an ANRAD plan has not been completed."*

**Response:** Wetlands delineations have been approved by the Conservation agent as part of the on-going Notice of Intent application for the subdivision. Note that there have been some revisions to the wetland line, which affected the watershed areas in the HydroCAD calculations. Also note that the pre- and post-construction watersheds were enlarged to encompass some land area to either side of the development that sheds through the site. The additional watershed area does not affect the stormwater system design as it equally influences pre- and post-construction calculations.

7) *Comment: "Once finalized, all plans should be submitted to the PEDB on mylar for board endorsement."*

**Response:** Mylars will be provided as required.

8) *Comment: "The applicant has requested a waiver to the requirement that all plans be submitted on NAVD88 Datum and would like to submit the plans on NAVD 29 Datum. TT does not recommend the PEDB grant this waiver as consistency amongst all submissions should be established regarding vertical datums."*

**Response:** As discussed at the last Planning Board hearing, the project was previously approved in 2005 and was based on the NGVD 29 datum. Adjusting the entire plan would seem unnecessary. To ensure there is no confusion on the plans, we have labelled all benchmarks as being on the NGVD 29 datum and also added notes to the plan sheets.

9) *Comment: "The applicant has not provided location of trees measuring one foot in diameter or greater on the existing conditions plan."*

**Response:** No trees will be removed within the 25' no-touch wetland setback. Outside this setback, trees greater than one foot in diameter have been added to the existing conditions plan.

10) *Comment: "The applicant has not provided details of the proposed septic systems."*

**Response:** The grading sheet shows the general location of each septic leaching field. The specific design of each system will not be completed until the lot development phase of the project.

11) *Comment: "The applicant has not provided benchmarks on plan and profile sheet."*

**Response:** Benchmarks have been provided on the existing conditions and profile sheets.

12) *Comment: "The applicant has not provided Operation and Maintenance details on the plans."*

**Response:** O&M details are shown sheet 2.

13) *Comment: "The applicant has not provided details of the proposed foundation drains."*

**Response:** The proposed foundation drain is shown on the grading sheet with notes regarding its installation. A standard drain pipe detail has been added to sheet 9.

14) *Comment: "The applicant has not provided a landscape/planting plan for street trees/shade trees."*

**Response:** Proposed landscaping for the roadway and street trees has been shown on the profile sheet.

15) *Comment: "The applicant has not provided a limit of clearing line as well as locations for stockpiling materials and equipment during construction."*

**Response:** A limit of clearing note and stockpile areas have been added to the grading and erosion control plans. Notes have also been added to these plans.

16) *Comment: "The applicant has requested a waiver to providing stormwater analysis for a forty-foot (40') by eight-foot (80') building footprint. TT has no objection to the waiver request as the proposed dwellings are smaller than the above-mentioned dimensions."*

**Response:** Note that in order to provide a measure of conservatism to the stormwater report, the stormwater calculations include an additional 1,000 s.f. of impervious coverage in Lot 2 beyond what is shown on the plan and an additional 750 s.f. of

impervious coverage in Lot 3 beyond what is shown on the plan to ensure that the final construction will be well within the capacity of the stormwater system design.

17) *Comment: "The board should confirm necessary turning area has been provided for fire access to the properties."*

**Response:** The fire chief has reviewed the plan and asked that the paved width be increased to 20', which has been implemented in the revised design.

18) *Comment: "The applicant has requested a waiver to the requirement that the centerline grade of the proposed roadway be a minimum of 2%. TT has no objection to this waiver as the proposed roadway grade of 1% will not negatively affect capturing stormwater and will require less earthwork/stockpiling material adjacent to the nearby wetlands."*

**Response:** No response required.

19) *Comment: "The applicant has requested a waiver to the requirement of installing granite curb at intersection radii. TT does not recommend the PEDB grant this waiver as the installation of granite curbing at intersection radii is standard for subdivisions in Medway and consistency amongst the subdivisions should be maintained."*

**Response:** As discussed at the last hearing, it was the consensus of the board that no curbing was needed for this particular project as there is no curbing on Fisher Street and since this is a permanent private way. We have revised the plans and waiver request accordingly.

20) *Comment: "Details of the sign installation have not been provided. The applicant should coordinate with Medway DPS prior to installation for town conforming post and sign style."*

**Response:** Notes and a standard detail (sheet 10) have been added referring the developer to the Medway DPS for sign requirements.

21) *Comment: "The applicant has requested a waiver to the streetlight requirement. TT has no objection to the waiver request due to the length of roadway, lack of sidewalks and proximity to wetlands."*

**Response:** No response required.

22) *Comment: "The applicant has not provided details of proposed monumentation."*

**Response:** Proposed roadway and property monuments are shown on the layout, grading and profile sheets. Note #7 under General Notes on the legend sheet details the construction requirements for the boundary monuments.

23) *Comment: "The applicant has not provided snow stockpile areas."*

**Response:** Snow stockpile areas have been added to the grading and erosion control plans.

24) *Comment: "The proposed infiltration basin is located less than 50' from the proposed septic system on Lot 2. The Massachusetts Stormwater Handbook recommends a general setback requirement of a minimum 50' setback from septic systems."*

**Response:** The proposed septic system location for Lot 2 has been relocated accordingly.

25) *Comment: "There does not appear to be any further sediment removal from stormwater beyond the downstream defender water quality unit. The concern is that sediment which is able to bypass the water quality unit will settle in the footprint of the infiltration basin and lower the storage/infiltrative capacity of the system as time passes."*

**Response:** The infiltration system is preceded by two catch basins and the Downstream Defender, far exceeding the TSS removal pretreatment requirements of the Stormwater Standards for an infiltration facility. The O&M plan requires the regular maintenance of these BMPs. It should also be noted that the proposed permanent private way is essentially a driveway and will not generate significant volumes of sediment. The transmission of sediment to the infiltration system is therefore quite unlikely. It is our respectful opinion that the addition of another pretreatment structure would be of little value. The infiltration field has inspection ports at the beginning of each Cultec line that could be used to vacuum sediment accumulations should it ever become necessary.

26) *Comment: "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."*

**Response:** A note has been added to sheet 2 (construction note 14).

27) *Comment: "Water work within the right-of-way should be in conformance with the Town of Medway Water Regulations. A note should be added to the plans for the contractor to coordinate with Medway Department of Public Services representatives prior to start of work. Trenching under existing asphalt in the right-of-way will require controlled density fill as backfill material."*

**Response:** A note has been added to sheet 2 (construction note 15).

28) *Comment: "Erosion control is not shown down-gradient of the proposed dwelling located on Lot 2 and may be necessary to maintain sediment on-site during construction."*

**Response:** Erosion controls have been extended along the entire length of the wetland boundary.

**Other Comments:**

- A series of other minor comments were made to within the plan and stormwater report at the request of the Conservation Commission.
- Per the request of Tom Holder of DPS, the grading plan identifies an area that will be designated for the weekly placement of trash barrels and recycling since the Town will not drive down the private way to pick-up these items.

Please do not hesitate to contact me if you have any questions or comments.

Sincerely,

MERRIKIN ENGINEERING, LLP

Daniel J. Merrikin P.E.

cc: File



**TETRA TECH**

April 23, 2015 (revised July 22, 2015)

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

**Re: The Haven  
Definitive Subdivision Plan Review  
Medway, Massachusetts**

Dear Ms. Affleck-Childs,

Tetra Tech (TT) has performed a review of the proposed Definitive Subdivision Plan for the above-mentioned project. The proposed project includes subdividing an approximate 2.5 ac parcel of land located along Fisher Street in Medway. The project proposes to raze existing structures located on the property and build three new houses with frontage along the proposed Sorrento Lane private way. New utility services will be constructed to accommodate the improvements which include septic systems for each dwelling, public water supply and elec/tel/data services. The stormwater design will consist of catch-basins, manholes and water quality units that outlet to an underground infiltration basin with emergency overflow discharging to adjacent wetlands.

TT is in receipt of the following materials:

- A plan (Plans) set entitled "The Haven, A Private Way, Definitive Subdivision Plan", dated November 3, 2003 and revised March 25, 2015 prepared by Merriken Engineering, LLP (ME).
- A stormwater management report (Stormwater Report) entitled "Stormwater Report for The Haven Definitive Subdivision" dated March 25, 2015, prepared by ME.
- Form C entitled "Application for Approval of a Definitive Subdivision Plan" prepared by ME.
- A scenic road work permit entitled "Medway Scenic Road Work Permit Application" by Louis Cheschi, TR dated March 25, 2015.
- Form D entitled "Designers Certificate" prepared by ME.
- Form F entitled "Development Impact Report (DIR)" prepared by ME.
- Form Q entitled "Request for Waiver from Rules and Regulations" prepared by ME.

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

Marlborough Technology Park  
100 Nickerson Road  
Marlborough, MA 01752  
Tel 508.786.2200 Fax 508.786.2201





Water Management Standards (Revised January 2008) and good engineering practice. The following is a list of comments generated during the review of the design documents. Reference to the applicable regulation requirement is given in parentheses following the comments.

On July 17, 2015 TT received an updated package from the applicant's engineer, ME, including responses to our original comments, revised plan and stormwater management report. ME's responses are provided in italics below the original comments. We have reviewed this package and updated our comments as bulleted below the original comments and dated 7/22/15.

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

- 1) A traffic study has not been provided. However, due to the size of the subdivision, traffic is not expected to negatively affect the surrounding area. (Ch. 100 §5.2.2)

*ME Response: No response required.*

- **TT 7/22/15 Update:** This item has been addressed to our satisfaction.

- 2) The board should confirm that necessary documentation regarding the septic systems has been submitted to the Board of Health (Ch. 100 §5.2.3)

*ME Response: The subdivision plans and stormwater report (which includes the soil logs) were provided to the Board of Health. Lot specific septic testing will not be completed until lot development commences.*

- **TT 7/22/15 Update:** This item has been addressed to our satisfaction.

- 3) The applicant has not provided a certified list of abutters. (Ch. 100 §5.5.4)

*ME Response: A certified list of abutters was provided with the subdivision submittal.*

- **TT 7/22/15 Update:** This item has been addressed to our satisfaction.

- 4) The applicant has not provided calculations for the proposed piping system. (Ch. 100 §5.5.h)

*ME Response: A HydroCAD analysis is provided for each pipe segment in lieu of the Rational method. The HydroCAD analysis demonstrates that the proposed drainage piping is sized to convey the 100-year storm event.*



## TETRA TECH

- **TT 7/22/15 Update:** This item has been addressed to our satisfaction.

- 5) The applicant has not provided calculations for the proposed catch basin grates to determine if they can maintain proper operation during a 25-year storm. (Ch. 100 §5.5.9.i)

***ME Response:** As the Hydrocad calculations demonstrate, the peak flow rate to either catch basin in a 25-year storm event is less than 1.1 cfs. Each catch basin sits in a depression with an available ponding depth of 0.4 feet. Each catch basin grate has a capacity of 4.6 cfs under this ponding condition and is therefore more than sufficient to accommodate the 25-year storm event.*

- **TT 7/22/15 Update:** This item has been addressed to our satisfaction.

- 6) The applicant has not provided an ANRAD plan. Confirmation of a final order of conditions from the Medway Conservation Commission should be provided if an ANRAD plan has not been completed. (Ch. 100 §5.5.14)

***ME Response:** Wetlands delineations have been approved by the Conservation agent as part of the on-going Notice of Intent application for the subdivision. Note that there have been some revisions to the wetland line, which affected the watershed areas in the Hydrocad calculations. Also note that the pre- and post-construction watersheds were enlarged to encompass some land area to either side of the development that sheds through the site. The additional watershed area does not affect the stormwater system design as it equally influences pre- and post-construction calculations.*

- **TT 7/22/15 Update:** This item has been addressed to our satisfaction.

- 7) Once finalized, all plans should be submitted to the PEDB on mylar for board endorsement. (Ch. 100 §5.6.2)

***ME Response:** Mylars will be provided as required.*

- **TT 7/22/15 Update:** This item has been addressed to our satisfaction.

- 8) The applicant has requested a waiver to the requirement that all plans be submitted on NAVD 88 Datum and would like to submit the plans on NGVD 29 Datum. TT does not recommend the PEDB grant this waiver as consistency amongst all submissions should be established regarding vertical datums. (Ch. 100 §5.6.3)

***ME Response:** As discussed at the last Planning Board hearing, the project was previously approved in 2005 and was based on the NGVD 29 datum. Adjusting the entire plan would seem unnecessary. To ensure there is no confusion on the plans, we have*



*labelled all benchmarks as being on the NGVD 29 datum and also added notes to the plan sheets.*

- **TT 7/22/15 Update:** This item has been addressed to our satisfaction.

- 9) The applicant has not provided location of trees measuring one-foot in diameter or greater on the existing conditions plan. (Ch. 100 §5.7.6)

***ME Response:** No trees will be removed within the 25' no-touch wetland setback. Outside this setback, trees greater than one foot in diameter have been added to the existing conditions plan.*

- **TT 7/22/15 Update:** This item has been addressed to our satisfaction.

- 10) The applicant has not provided details of the proposed septic systems. (Ch. 100 §5.7.19)

***ME Response:** The grading sheet shows the general location of each septic leaching field. The specific design of each system will not be completed until the lot development phase of the project.*

- **TT 7/22/15 Update:** This item has been addressed to our satisfaction.

- 11) The applicant has not provided benchmarks on plan and profile sheet. (Ch. 100 §5.7.20)

***ME Response:** Benchmarks have been provided on the existing conditions and profile sheets.*

- **TT 7/22/15 Update:** This item has been addressed to our satisfaction.

- 12) The applicant has not provided Operation and Maintenance details on the plans. (Ch. 100 §5.7.23.e)

***ME Response:** O&M details are shown sheet 2.*

- **TT 7/22/15 Update:** This item has been addressed to our satisfaction.

- 13) The applicant has not provided details of the proposed foundation drains. (Ch. 100 §5.7.23.f)

***ME Response:** The proposed foundation drain is shown on the grading sheet with notes regarding its installation. A standard drain pipe detail has been added to sheet 9.*

- **TT 7/22/15 Update:** This item has been addressed to our satisfaction.



## TETRA TECH

- 14) The applicant has not provided a landscape/planting plan for proposed street trees/shade trees. (Ch. 100 §5.7.2.4)

**ME Response:** *Proposed landscaping for the roadway and street trees has been shown on the profile sheet.*

- **TT 7/22/15 Update:** This item has been addressed to our satisfaction.

- 15) The applicant has not provided a limit of clearing line as well as locations for stockpiling materials and equipment during construction. (Ch. 100 §5.7.35)

**ME Response:** *A limit of clearing note and stockpile areas have been added to the grading and erosion control plans. Notes have also been added to these plans.*

- **TT 7/22/15 Update:** This item has been addressed to our satisfaction.

- 16) The applicant has requested a waiver to providing stormwater analysis for a forty-foot (40') by eighty-foot (80') building footprint. TT has no objection to the waiver request as the proposed dwellings are smaller than the above-mentioned dimensions. (Ch. 100 §7.7.2.e)

**ME Response:** *Note that in order to provide a measure of conservatism to the stormwater report, the stormwater calculations include an additional 1,000 s.f. of impervious coverage in Lot 2 beyond what is shown on the plan and an additional 750 s.f. of impervious coverage in Lot 3 beyond what is shown on the plan to ensure that the final construction will be well within the capacity of the stormwater system design.*

- **TT 7/22/15 Update:** This item has been addressed to our satisfaction.

- 17) The board should confirm necessary turning area has been provided for fire access to the properties. (Ch. 100 §7.8.1)

**ME Response:** *The fire chief has reviewed the plan and asked that the paved width be increased to 20', which has been implemented in the revised design.*

- **TT 7/22/15 Update:** This item has been addressed to our satisfaction.

- 18) The applicant has requested a waiver to the requirement that the centerline grade of the proposed roadway be a minimum of 2%. TT has no objection to this waiver as the proposed roadway grade of 1% will not negatively affect capturing stormwater and will require less earthwork/stockpiling material adjacent to the nearby wetlands. (Ch. 100 §7.9.5)

**ME Response:** *No response required.*



- **TT 7/22/15 Update:** This item has been addressed to our satisfaction.

19) The applicant has requested a waiver to the requirement of installing granite curb at intersection radii. TT does not recommend the PEDB grant this waiver as the installation of granite curbing at intersection radii is standard for subdivisions in Medway and consistency amongst the subdivisions should be maintained. (Ch. 100 §7.10.1)

*ME Response: As discussed at the last hearing, it was the consensus of the board that no curbing was needed for this particular project as there is no curbing on Fisher Street and since this is a permanent private way. We have revised the plans and waiver request accordingly.*

- **TT 7/22/15 Update:** This item has been addressed to our satisfaction.

20) Details of the sign installation have not been provided. The applicant should coordinate with Medway DPS prior to installation for town conforming post and sign style. (Ch. 100 §7.20.3)

*ME Response: Notes and a standard detail (sheet 10) have been added referring the developer to the Medway DPS for sign requirements.*

- **TT 7/22/15 Update:** This item has been addressed to our satisfaction.

21) The applicant has requested a waiver to the streetlight requirement. TT has no objection to the waiver request due to the length of roadway, lack of sidewalks and proximity to wetlands. (Ch. 100 §7.21)

*ME Response: No response required.*

- **TT 7/22/15 Update:** This item has been addressed to our satisfaction.

22) The applicant has not provided details of proposed monumentation. (Ch. 100 §7.25.2)

*ME Response: Proposed roadway and property monuments are shown on the layout, grading and profile sheets. Note #7 under General Notes on the legend sheet details the construction requirements for the boundary monuments.*

- **TT 7/22/15 Update:** This item has been addressed to our satisfaction.

23) The applicant has not provided snow stockpile areas. (Ch. 100 §7.27.2)

*ME Response: Snow stockpile areas have been added to the grading and erosion control plans.*



- **TT 7/22/15 Update:** This item has been addressed to our satisfaction.

The following items were found to be not in conformance with the MA DEP Storm Water Management Standards, or requiring additional information as it relates to site drainage facilities:

- 24) The proposed infiltration basin is located less than 50' from the proposed septic system on Lot 2. The Massachusetts Stormwater Handbook recommends a general setback requirement of a minimum 50' setback from septic systems.

***ME Response:** The proposed septic system location for Lot 2 has been relocated accordingly.*

- **TT 7/22/15 Update:** This item has been addressed to our satisfaction.

- 25) There does not appear to be any further sediment removal from stormwater beyond the Downstream Defender water quality unit. The concern is that sediment which is able to bypass the water quality unit will settle in the footprint of the infiltration basin and lower the storage/infiltrative capacity of the system as time passes.

***ME Response:** The infiltration system is preceded by two catch basins and the Downstream Defender, far exceeding the TSS removal pretreatment requirements of the Stormwater Standards for an infiltration facility. The O&M plan requires the regular maintenance of these BMPs. It should also be noted that the proposed permanent private way is essentially a driveway and will not generate significant volumes of sediment. The transmission of sediment to the infiltration system is therefore quite unlikely. It is our respectful opinion that the addition of another pretreatment structure would be of little value. The infiltration field has inspection ports at the beginning of each Cultec line that could be used to vacuum sediment accumulations should it ever become necessary.*

- **TT 7/22/15 Update:** This item has been addressed to our satisfaction.

The following items were found to be not in conformance with the Town of Medway Water/Sewer Rules and Regulations:

- 26) 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 111-2)

***ME Response:** A note has been added to sheet 2 (construction note 14).*

- **TT 7/22/15 Update:** This item has been addressed to our satisfaction.



**TETRA TECH**

- 27) Water work within the right-of-way should be in conformance with the Town of Medway Water Regulations. A note should be added to the plans for the contractor to coordinate with Medway Department of Public Services representatives prior to start of work. Trenching under existing asphalt in the right-of-way will require controlled density fill as backfill material.

*ME Response: A note has been added to sheet 2 (construction note 15).*

- **TT 7/22/15 Update:** This item has been addressed to our satisfaction.

The following items were found to be not in conformance with good engineering practice or requiring additional information:

- 28) Erosion control is not shown down-gradient of the proposed dwelling located on Lot 2 and may be necessary to maintain sediment on-site during construction.

*ME Response: Erosion controls have been extended along the entire length of the wetland boundary.*

- **TT 7/22/15 Update:** This item has been addressed to our satisfaction.

These comments are offered as guides for use during the Town's review. If you have any questions or comments, please feel free to contact us at (508) 786-2200.

Very truly yours,

Sean P. Reardon, P.E.  
Vice President



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**PGC ASSOCIATES, INC.**

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

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July 21, 2015

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

**Re: The Haven Definitive Subdivision Plan**

Dear Mr. Rodenhiser:

I have reviewed the revised Definitive subdivision plan called "The Haven" submitted by owner/applicant Louis Cheschi of Milford. The plan was prepared by Colonial Engineering, Inc. of Medway and Merrikin Engineering Co. of Millis, and is dated November 4, 2003 with a latest revision date of July 8, 2015. The site is within the AR-I district.

The plan proposes to construct a straight private way cul-de-sac right-of-way in order to create frontage and divide a 107,345 square foot lot on Fisher Street into three lots of 22,635 (Lot 1), 24,850 (Lot 2) and 38,937 (Lot3) as well as a 1300 square foot parcel (Parcel A) to be conveyed to an abutter. The road right-of-way would have an area of 19,620 square feet, and it would about 275 feet long. The proposed subdivision is located in the AR-II district.

I have left the comments from my April 21, 2015 letter and added new comments in **bold** as follows:

**Zoning**

1. The lots meet the area and shape factor requirements of the Zoning Bylaw. However, Lot 2 is shown to have only 113.35 feet of frontage where 150 feet is required. **All lots now have more than the minimum required frontage. OK.**

**Subdivision Rules and Regulations**

2. Section 5.7.32 and 7.19.9 require a landscaped island in the cul-de-sac. A hammerhead end is proposed rather than a circle so there is no center island. However, in the past, the Board has required a landscape plan for the area within the cul-de-sac "bulb." **The plans now show landscaping on both sides of the hammerhead. It should be noted that the two areas south of the hammerhead and on both sides of the roadway are also shown as snow storage areas. This may be OK if the proposed plants are snow and salt tolerant. OK.**
3. Section 5.7.34 requires a note on the cover sheet that the subdivision construction will comply with ADA/AAB handicapped accessibility standards. **The note is now on Sheet 2 with other notes. OK.**

4. Section 5.7.34 requires stockpile areas to be shown on the erosion control plan. No stockpile areas are shown. **Stockpile areas are now shown. OK.**
5. Section 5.7.36 requires house footprints to be shown at a dimension of 40' x 80'. The applicant has requested a waiver because a footprint of that size will not fit within the setback areas on Lots 2 and 3. **Waiver requested. OK.**
6. Section 7.7.4 (d) requires an independent drainage system for foundation perimeter drains. No drains are shown and no waiver is requested. **An independent foundation drain system is now more clearly shown. OK.**
7. Section 7.9.3 requires that intersection sight distances be shown on the plans. The distances are shown graphically but no dimensions are indicated. **The dimensions are now shown. OK.**
8. Section 7.9.6 © requires that dead end streets be provided with extensions to abutting property where practical. It does not appear that such an extension is practical. **OK.**
9. Section 7.10 requires vertical granite curbs at the intersection roundings. A waiver is requested to use Cape Cod berm. DPS should comment on this. **Waivers from the curb and berm requirements are now requested. OK.**
10. Section 7.11.1 requires a 3' radius at driveway entrances. None of the driveways meet this. Lot 2 is especially awkward as the driveway is right against the lot line at a difficult angle. **The driveways have been reconfigured and the applicant notes that house and driveway locations are conceptual at this point. OK.**
11. Section 7.11.6 encourages that a driveway onto the new subdivision street be provided to abutters. A strip of land is being provided to the direct abutter but there is n indication as to whether a driveway is being provided. **Parcel A is being conveyed to the abutter along with an access easement to the road. However, the abutter's garage is on the opposite side of the house so a connection is unlikely for now.**
12. Section 7.19.2 requires at least 3 trees per lot spaced at 40' on center. No street trees are indicated and no waiver is requested. **The street trees are now provided. OK.**
13. Section 7.21 requires streetlights at the subdivision entrance and other areas deemed necessary by the Safety Officer. A waiver from this requirement is requested. **OK if Safety Officer agrees.**

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

Sincerely,



Gino D. Carlucci, Jr.

## Susan Affleck-Childs

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**From:** Mark Bio <mbiocchi9@hotmail.com>  
**Sent:** Friday, May 01, 2015 11:02 AM  
**To:** Planning Board  
**Subject:** Planning & Economic Development The Heaven subdivision

Dear Chair Andy Rodenhister,

I had not retrieved my meeting notification in time to appear at Tuesday's (April 28th) meeting and being an abutter have several concerns of the 3-lot subdivision the Heaven located at 13 and 15A Fisher street.

- > I feel each house needs to have a captive roof drainage system to be maintain by the residents. This was proposed but I'm unsure what authority or committee would write and verify the final order of conditions.
- > The area soil types do not drain well and have slow soil percolation rates is there any plan for down sizing the subdivision or limiting house sizes. My area of concern is the larger lot #3 on the right side of proposed private road (Sorrento Lane) which contains a flagged wetland area with in its boundaries.
- > What board would verify or inspect final approval of the underground storm water drainage system on Sorrento Lane? Including the maintenance agreement that will be put in place for future repair.
- > I also feel that permanent markers should be set in place for the wetland buffer designating that the vegetation should be maintained. Is there a plan in place for this to occur?

I realize some of these items are informational but If there is a continuation of them please let me know. Thank you for your time.

Best Regards,

Mark Biocchi  
508-498-5389

## Susan Affleck-Childs

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**From:** Thomas Holder  
**Sent:** Wednesday, June 10, 2015 1:35 PM  
**To:** Susan Affleck-Childs  
**Cc:** David Damico  
**Subject:** RE: The Haven Subdivision - Public Hearing Continuation Notice

Hi Susy – I know I haven't had a chance to perform a full review of this subdivision but one aspect comes to mind right now. As a private way, our trash and recycling vendor will likely not go up the drive to collect items. Some thought should be made to make space for trash and recycling carts located where the drive meets Fisher Street.

Thanks.  
Tom

Thomas Holder | Director  
Department of Public Services

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

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**From:** Susan Affleck-Childs  
**Sent:** Wednesday, June 10, 2015 11:02 AM  
**To:** Alison Slack ; Chief Tingley; Allison Potter; Andy Rodenhiser ; Ann Sherry ; Barbara Saint Andre ; Board of Selectmen; Bob Ferrari; Bridget Graziano; David Damico; David Travalini ; Design Review Committee; Donna Greenwood; Doug Havens ; Fran Hutton Lee; Gino Carlucci; Jack Mee; Jeanne Johnson; Jeff Lynch; Jeff Watson; Jim Wickis ; Julie Fallon; Karen Kisty; Mark Cerel ; Matt Buckley; Melanie M. Phillips; Michael Boynton; Paul Yorkis ; Sarah Pawluczzonek; Shelley Wieler; Stephanie Bacon; Stephanie Mercandetti; Steve Bouley ; Thomas Holder; Tina Wright ; Zachary Comeau; Zoning Board  
**Subject:** The Haven Subdivision - Public Hearing Continuation Notice

Good morning again,

Attached is the public hearing continuation notice for The Haven subdivision. The next public hearing will take place on July 14, 2015.

Please contact me if you have any questions.

Cheers!

*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.*









**NOTE:**  
 1. REFERENCE IS MADE TO THE DECLARATION OF PROTECTIVE COVENANTS & RESTRICTIONS AND PRIVATE ROADWAY MAINTENANCE AGREEMENT SUBDIVISION  
 2. NAD83 DATUM

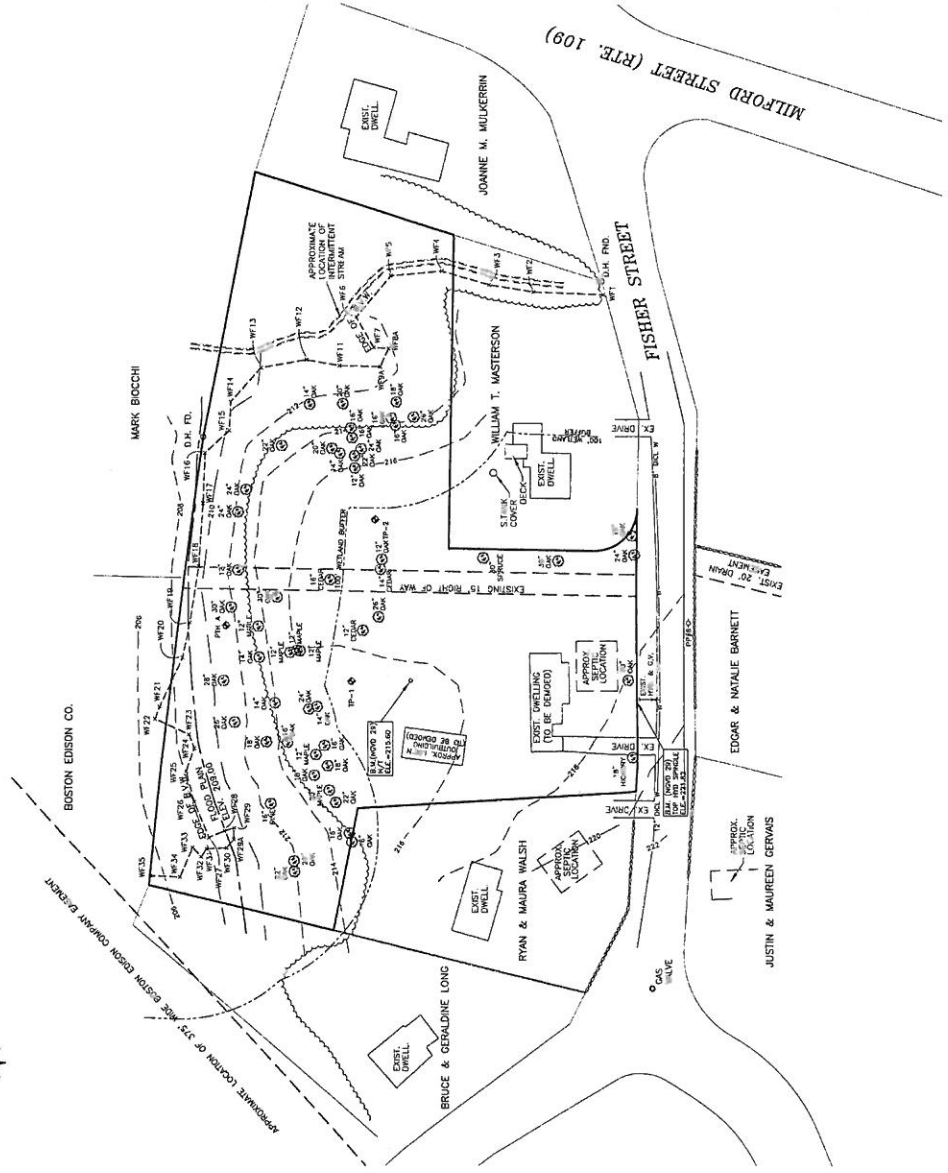
For Registry Use  
 I CERTIFY THAT THIS SUBDIVISION PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE REGISTERED LAND SURVEYORS OF THE COMMONWEALTH OF MASSACHUSETTS.

**REGISTERED LAND SURVEYOR**  
 I CERTIFY THAT THIS SURVEY AND PLAN CONFORMS TO THE ETHICAL, PROCEDURAL AND TECHNICAL STANDARDS FOR THE PRACTICE OF SURVEYING IN THE COMMONWEALTH OF MASSACHUSETTS.

**ZONING DISTRICT: RESIDENTIAL DISTRICT II**  
**ASSESSORS: PARCELS 45-038 & 45-041**  
**AND PORTION OF 55-014**  
**DRAWN: LOUIS J. CHESEBROUGH, JR.**  
**L & L REALTY TRUST**  
**MILFORD, MA**  
**REGISTERED: LOUIS J. CHESEBROUGH, JR.**  
**L & L REALTY TRUST**  
**9 HILLSIDE AVE.**  
**MILFORD, MA**

■ INDICATES BOUND TO BE SET  
 APPROVED \_\_\_\_\_ SUBJECT TO COVENANT CONDITIONS SET FORTH IN A COVENANT EXECUTED BY \_\_\_\_\_  
 I CERTIFY THAT 90 DAYS HAVE ELAPSED SINCE PLANNING BOARD APPROVAL AND NO APPEAL HAS BEEN FILED IN THIS OFFICE.  
 DATE: \_\_\_\_\_  
 TOWN CLERK \_\_\_\_\_  
 DATE APPROVED: \_\_\_\_\_  
 DATE ENDORSED: \_\_\_\_\_

PLANNING BOARD-TOWN OF MEDWAY  
**EXISTING CONDITIONS**  
**THE HAVEN**  
**DEFINITIVE SUBDIVISION**  
**PLAN OF LAND IN**  
**MEDWAY, MA**  
**COLONIAL ENGINEERING, INC.**  
**11 AWL ST., MEDWAY, MA**  
**MERRIKIN ENGINEERING, LLP**  
**CONSULTING ENGINEERS**  
**730 MAIN STREET, SUITE 2C**  
**MILLIS, MA 02054**



**GRADING NOTES:**

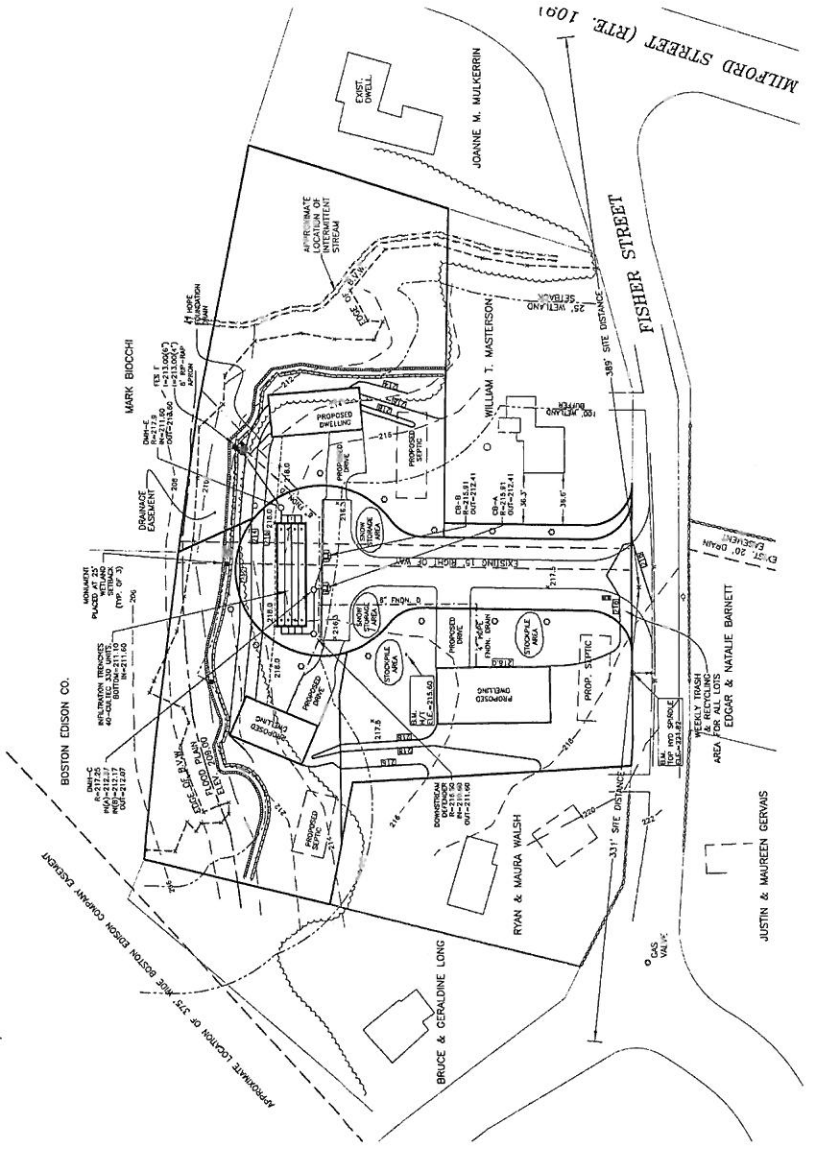
1. FERRATION DRAINS SHALL BE 6" HOPE, AND SHALL HAVE A SLOPE OF 1/4" PER FOOT AT ALL ELONGING DIRECTION TO DRAIN HOUSE FOUNDATION DRAINS.
2. ALL DRAINAGE SHALL BE TO THE STREET OR TO AN APPROVED DRAINAGE SYSTEM.
3. FINISH FROM DRAIN TO DOWNSPOUT AT INTERFERER SHALL BE 12" HOPE.
4. CLASS FROM DOWNSPOUT TO INFILTRATION TRENCH SHALL BE 1/4" HOPE.
5. INFILTRATION TRENCH TO DWH-E SHALL BE 12" HOPE AT 5'-0" DEPTH.
6. SPRING FROM DWH-E TO HW-F SHALL BE 6" HOPE.
7. APPROVED INFILTRATION TRENCH SHALL BE 12" HOPE TO DRAINAGE SYSTEM.
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**GRADING NOTES:**

1. LIMIT OF GRADING SHALL BE AS PROPOSED FURNISHABLE USE.
2. EQUIPMENT AND MATERIAL STOCKPILE AREAS SHALL BE LIMITED TO LOT 1, OUTSIDE THE 100' WETLAND BUFFER ZONE.

**NOTES:**

1. REFERENCE IS MADE TO THE REGULATION OF PROTECTIVE COVENANTS & RESTRICTIONS AND PRIVATE ROADWAY MAINTENANCE AGREEMENT SUBORDINATE TO THE TOWN WHICH IS PART OF THE APPROVAL OF THIS SUBORDINATE.
2. REFER TO PROFILE SHEET FOR PROPOSED PLANTINGS IN CUL-DE-SAC LAYOUT.
3. CONTRACTOR SHALL COORDINATE WITH THE MEDWAY BPS PRIOR TO CONSTRUCTION TO ENSURE COMPLIANCE WITH POST AND SIGN STYLE REQUIREMENTS.
4. SNOW SHALL BE STOCKPILED OUTSIDE THE BUFFER ZONE WHERE SHOWN. DO NOT STOCKPILE SNOW OVER STORMWATER SYSTEMS.
5. NOV 29 DATUM



For Regular Use  
 I CERTIFY THAT THIS SURVEY AND PLAN HAS BEEN PREPARED IN CONFORMANCE WITH THE RULES AND REGULATIONS OF THE REGISTERED PROFESSIONAL SURVEYORS OF MASSACHUSETTS.

REGISTERED LAND SURVEYOR  
 I CERTIFY THAT THIS SURVEY AND PLAN HAS BEEN PREPARED IN CONFORMANCE WITH THE RULES AND REGULATIONS OF THE REGISTERED PROFESSIONAL SURVEYORS OF MASSACHUSETTS.

REGISTERED LAND SURVEYOR  
 ZONING DISTRICT: RESIDENTIAL DISTRICT II  
 ASSESSORS: PARSELE 45-039 & 45-041  
 AND PARCELS OF 55-014

DRAWN: LOUIS J. ORESKA, JR.  
 L & L REALTY TRUST  
 MILLIS, MA

APPROVED: LOUIS J. ORESKA, JR.  
 L & L REALTY TRUST  
 9 HILLSIDE AVE.  
 MILLIS, MA

■ INDICATES BOUND TO BE SET  
 APPROVED SUBJECT TO  
 Covenants SET FORTH IN A  
 CEMENT EXECUTED BY

I CERTIFY THAT TO DATE HAVE ELAPSED  
 SINCE PLANNING BOARD APPROVAL AND NO  
 APPEAL HAS BEEN FILED IN THIS OFFICE.

DATE: \_\_\_\_\_  
 TOWN CLERK \_\_\_\_\_  
 DATE APPROVED: \_\_\_\_\_  
 DATE ENDORSED: \_\_\_\_\_

PLANNING BOARD-TOWN OF MEDWAY

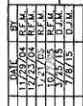
**GRADING SHEET**  
**THE HAVEN**  
**DEFINITIVE SUBDIVISION**  
**PLAN OF LAND IN**  
**MEDWAY, MA**  
**COLONIAL ENGINEERING, INC.**  
**11 AWL ST., MEDWAY, MA**  
**MERRIKIN ENGINEERING, INC.**  
**CONSULTING ENGINEERS**  
**730 MAIN STREET, SUITE 2C**  
**MILLIS, MA 02054**



DATE: NOV. 4, 2003

NO.	DATE	BY	DESCRIPTION
1	11/04/03	LOUIS J. ORESKA, JR.	PLANNING BOARD APPROVAL
2	11/04/03	LOUIS J. ORESKA, JR.	PLANNING BOARD APPROVAL
3	11/04/03	LOUIS J. ORESKA, JR.	PLANNING BOARD APPROVAL
4	11/04/03	LOUIS J. ORESKA, JR.	PLANNING BOARD APPROVAL
5	11/04/03	LOUIS J. ORESKA, JR.	PLANNING BOARD APPROVAL
6	11/04/03	LOUIS J. ORESKA, JR.	PLANNING BOARD APPROVAL
7	11/04/03	LOUIS J. ORESKA, JR.	PLANNING BOARD APPROVAL
8	11/04/03	LOUIS J. ORESKA, JR.	PLANNING BOARD APPROVAL
9	11/04/03	LOUIS J. ORESKA, JR.	PLANNING BOARD APPROVAL
10	11/04/03	LOUIS J. ORESKA, JR.	PLANNING BOARD APPROVAL

Scale 1" = 40 FT.



560-01

SHEET 5 OF 10

**NOTES:**

1. REFERENCE IS MADE TO THE "DECLARATION OF PROTECTIVE COVENANTS & RESTRICTIONS AND PRIVATE ROADWAY MAINTENANCE AGREEMENT" ATTACHED TO THE "MAP" WHICH IS PART OF THE APPROVAL OF THIS SUBDIVISION.
2. LIMIT OF CLEARING SHALL BE THE PROPOSED STAKEABLE LINE.
3. NOV029 DATUM

**EROSION CONTROL NOTES:**

1. EROSION CONTROLS SHALL BE INSTALLED PRIOR TO ANY EARTHWORK ON THE SITE.
2. EROSION CONTROLS (INCLUDING BEST PRACTICES) SHALL BE INSPECTED DAILY BY THE SITE SUPERVISOR AND MAINTAINED/REPLACED AS NEEDED.
3. SLOPES SHALL BE LEFT FOR A MINIMUM OF 72 HOURS BEFORE BEING SURROUNDED WITH SILT FENCE AND COVERED.
4. EXISTING AND NEWLY CONSTRUCTED STORMWATER SYSTEMS SHALL BE PROTECTED THROUGHOUT CONSTRUCTION. CATCH BASINS SHALL BE INSTALLED AT ALL POINTS OF CONSTRUCTION. THE STORMWATER TREATMENT SYSTEM SHALL BE ALLOWED TO RUN INTO THE STORMWATER TREATMENT SYSTEM UNTIL THE TREATMENT DEVICES ARE CONSTRUCTED AND FULLY OPERATIONAL.

For Record Use  
I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN CONFORMITY WITH THE REQUIREMENTS OF THE MASSACHUSETTS REGISTERED PROFESSIONAL ENGINEERS OF THE COMMONWEALTH OF MASSACHUSETTS.

REGISTERED LAND SURVEYOR  
I CERTIFY THAT THIS SURVEY AND PLAN CONFORMS TO THE ETHICAL, PROCEDURAL AND TECHNICAL STANDARDS FOR THE PROFESSION OF LAND SURVEYING AS ESTABLISHED BY THE BOARD OF REGISTRATION OF PROFESSIONAL LAND SURVEYORS OF THE COMMONWEALTH OF MASSACHUSETTS.

REGISTERED LAND SURVEYOR  
ZONING DISTRICT: RESIDENTIAL DISTRICT II  
ASSESSORS' PARCELS 45-039 & 45-041  
AND PORTION OF 55-014

DRAWN BY: LOUIS J. CHESCH, JR.  
L. J. CHESCH, JR.  
9 MILLIS AVENUE  
MILLIS, MA

APPROVED: LOUIS J. CHESCH, JR.  
L. J. CHESCH, JR.  
L & L REALTY TRUST  
1000 STATE AVENUE  
MILLIS, MA

INDICATES BOUND TO BE SET  
APPROVED: [Signature]  
SUBJECT TO THE REQUIREMENTS SET FORTH IN A COVENANT EXERCISED BY [Signature]

I CERTIFY THAT 20 DAYS HAVE ELAPSED SINCE PLANNING BOARD APPROVAL AND NO APPEAL HAS BEEN FILED IN THIS OFFICE.

DATE: \_\_\_\_\_  
TOWN CLERK: \_\_\_\_\_  
DATE APPROVED: \_\_\_\_\_  
DATE ENDORSED: \_\_\_\_\_

PLANNING BOARD: TOWN OF MEDWAY

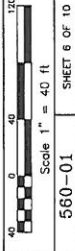
**EROSION CONTROL  
THE HAVEN  
DEFINITIVE SUBDIVISION  
PLAN OF LAND IN  
MEDWAY, MA**

**COLONIAL ENGINEERING, INC.  
11 AWL ST., MEDWAY, MA  
MERRIKIN ENGINEERING CO.  
CONSULTING ENGINEERS  
730 MAIN STREET, SUITE 2C  
MILLIS, MA 02054**

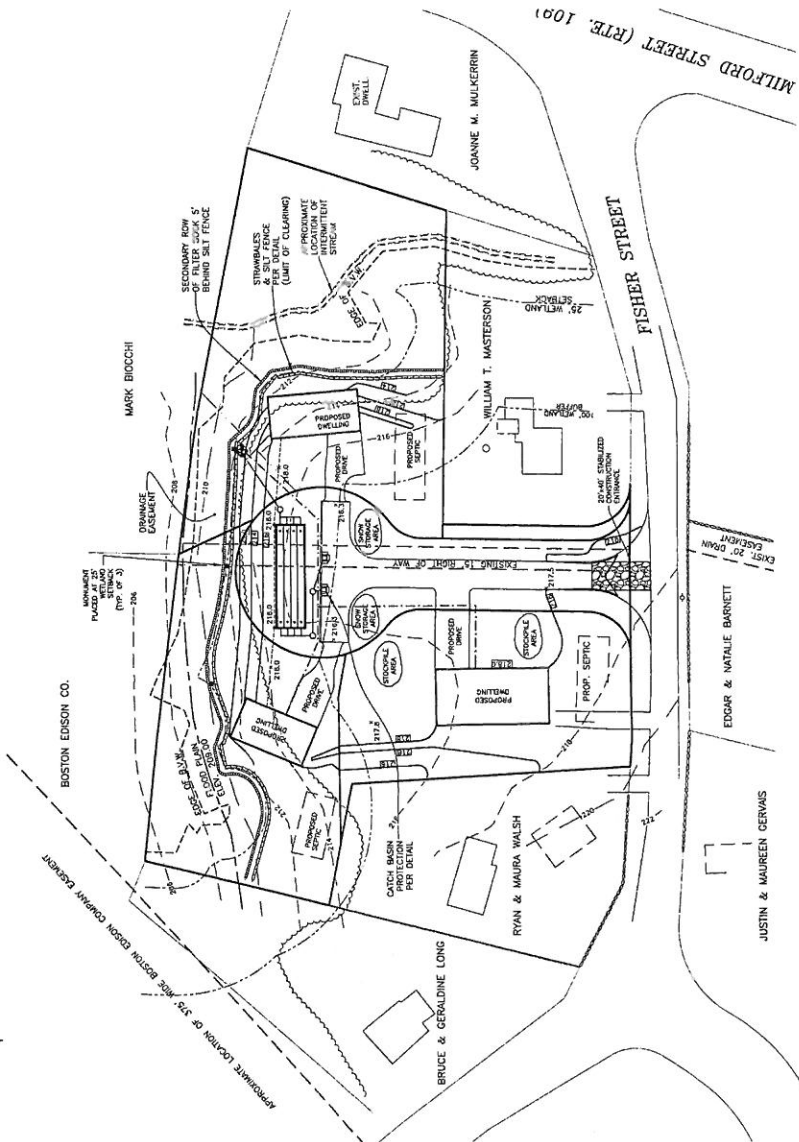


DATE: NOV. 4, 2003

NO.	DATE	BY	REVISIONS
1	11/04/03	LM	PLAN
2	11/27/03	LM	REVISION
3	12/17/03	LM	REVISION
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5	01/14/04	LM	REVISION
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7	01/14/04	LM	REVISION
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9	01/14/04	LM	REVISION
10	01/14/04	LM	REVISION



560-01 SHEET 6 OF 10















July 22, 2015

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

**Re: Salmon Health and Retirement Senior Community  
261 Village Street  
Medway, Massachusetts  
Traffic Impact and Access Study Review**

Dear Ms. Affleck-Childs:

Tetra Tech (TT) has performed a review of the April 2015 Traffic Impact and Access Study prepared by McMahon Associates, Inc. for the Salmon Health and Retirement Senior Community project located at 261 Village Street in Medway, Massachusetts. As we understand it, the proposed project includes the construction of a senior community development, which will consist of 15 units of attached senior housing, 56 units of detached senior housing, 56 units of congregate care, an assisted living facility with a maximum capacity of 120 persons, and a 14,000 square foot of medical/dental office building. The project will also provide access to the Charles River and walking trails located south of the site. Access to the site will be via two proposed unsignalized, full-access driveways on Village Street.

The Traffic Impact and Access Study was reviewed for conformance with standard professional practices in the state of Massachusetts for the preparation of traffic studies for projects of the size and nature proposed at Salmon Health and Retirement Senior Community. Following is a summary of our review.

### **Study Area**

- The traffic study area is comprised of 10 study intersections, including the two proposed access driveways. The number and location of the study intersections is appropriate for a project of this size and nature.

### **Study Hours**

- The traffic study evaluated the typical weekday morning and afternoon peak commuting hours. The hours evaluated are appropriate for this type of project.

## **Traffic Volumes**

- The traffic volumes used in the study were collected March 2015. As the data is less than three years old use of this data is appropriate for the study.
- The study adjusted (increased) the March volumes by approximately eight percent to account for seasonal fluctuations in traffic flows near the study area. However, the study did not provide supporting data in the appendices for this assumption.

*The applicant should provide data and/or calculations to support this adjustment.*

## **Safety Analysis**

- The safety analysis presented in the study was based on crash data provided by MassDOT for the years 2010 through 2012. This is consistent with the MassDOT Transportation Impact Assessment (TIA) Guidelines. However, a table should have been included in the report summarizing the crash data collected for each location under study, as well as copies of the detailed MassDOT crash records in the appendix.

*The applicant should prepare a crash summary table by intersection and provide copies of the MassDOT crash data.*

- According to the traffic report, the MassDOT 2010-2012 Crash data shows a high crash rate at the intersection of Franklin Street/Village Street. The traffic report specifies there was a total of 10 crashes in a three year period, all of which were angle crashes. Additionally, eight of 10 crashes occurred in a single year: 2012. Tetra Tech reviewed the MassDOT Top Crash Location Interactive Map for 2010-2012 and this location is not included on that list. That said, based on data provided by the applicant to date, it is not known if dramatic increase in crashes documented in 2012 is a statistical anomaly, or the start of a trend.

*Therefore, the applicant should provide additional safety information for the intersection of Franklin Street/Village Street including the following:*

- *Evaluation of 2013 crash data, which was recently published by MassDOT.*
- *Preparation of a collision diagram for this location for all crashes that occurred between 2010 and 2013, including relevant details such as time of crash, type of crash, light conditions, weather conditions, road surface conditions, etc.*
- *If the more detailed safety analysis indicates a pattern or trend at this intersection, the applicant should identify potential corrective measures.*

## **Future Traffic Projections (non-project)**

- Future traffic volumes were projected for a seven year time horizon (2022) and existing volumes were increased by approximately seven percent (one percent per

year). Considering there will be no off-site development projects planned in the near future within a mile of the proposed site location, the growth rate and time horizon used in the study are appropriate.

### **Project Trip Generation**

- The study used Institute of Transportation Engineers (ITE) Trip Generation Manual (9<sup>th</sup> edition) and the following Land Use Codes (LUC) for the trip generation calculations:
  - LUC 251 – Senior Adult Housing – Detached (based on 56 units). This is an appropriate LUC to estimate trip generation for this component of the project.
  - LUC 252 – Senior Adult Housing – Attached (based on 15 units). This is an appropriate LUC to estimate trip generation for this component of the project.
  - LUC 253 – Congregate Care Facility (based on 56 units). This is an appropriate LUC to estimate trip generation for this component of the project.
  - LUC 254 – Assisted Living (based on 120 beds). This is an appropriate LUC to estimate trip generation for this component of the project.
  - LUC 720 – Medical/Dental Office Building (based on 14,000 s.f.). This is an appropriate LUC to estimate trip generation for this component of the project.
- In addition, the study used the number of proposed parking spaces that will be provided for visitors to the recreational facilities (Charles River and its walking trails) to project the number of trips that will be generated by this amenity. This is a reasonable method to estimate trip generation for this component of the project.
- Although the “site” peak hours for this type of project do not necessarily coincide with the local “street” peak hours, to present a conservative analysis the traffic study evaluated a “worst-case scenario”, wherein the highest number of trips generated by the site (i.e., the site peak) would occur during the local street peak hours. This methodology is reasonable and appropriate.
- Data on peak hour trip generation was presented in tabular form in the study, however, no data related daily trip generation was presented.

*The applicant should provide a summary of daily trip generation estimates, by land use component, for the proposed project.*
- Tetra Tech found a minor mistake in the trips reported in Table 2 for the LUC 252, resulting in a difference of one trip less in the total trips generated by the site. Considering the difference is negligible and likely will not make a difference in level of service results in the study, no changes to the report are necessary.

*To facilitate completion of Tetra Tech's review of the study, the applicant should provide a figure(s) showing the projected site generated trips for the morning and afternoon peak hours.*

### **Project Trip Distribution**

- The study assumed an approximate distribution to/from the site of 50 percent to the west and 50 percent to the east, based on the existing distribution of traffic on Village Street. This assumption is reasonable.

### **Intersection Operational Analysis**

- The intersection capacity and queuing analyses presented in the study were performed in accordance with the 2010 *Highway Capacity Manual* and are consistent with professional practices in Massachusetts.
- The traffic study presented capacity analysis and queuing results during each of the peak hours evaluated for the existing (2015) and future (2022) conditions. The study examined 2022 future conditions with and without the proposed project (i.e., the No-Build and Build scenarios).
- According to Table 3 in the report, the results of the analysis presented in the study indicate that in the future the project will have a minimal impact on traffic operations at the intersections along Village Street and that the additional traffic from the proposed project will not change the existing level of service (LOS) at the majority of the intersections. However, the LOS table in the report does not show details in operational changes from one condition to the other (e.g., the actual changes in delay or v/c ratios from No-Build to Build).

*The applicant should revise Table 3 of the study to reflect the actual delay and v/c results from the Synchro worksheets.*

*The applicant should also revise Table 3 of the study to report operational results for each approach at the intersection of Village Street/Franklin Street, not just the "critical" movement.*

- Based on the Synchro model results provided in the appendices, the peak hour factors (PHF) used at each of the study intersections for future No-Build and Build conditions analyses were the same as the existing conditions, except at two intersections: Village Street at High Street and Village Street at Holliston Street Extension. These two intersections were analyzed with higher peak hour factors (PHF) during the afternoon peak hour in the future conditions.

*The applicant should explain the reason of this inconsistency.*

## Sight Distance Analysis

- The sight distance analysis performed for the study indicates that there will be adequate sight distance at the proposed site drive. The analysis methodology and results are appropriate. However, supportive documentation such as photos, calculations, field sketches, etc. were not provided in the report or report appendices.

*The applicant should provide documentation to support sight distance measurements collected on the field.*

- In order to ensure adequate sight lines on the two exit drives, any proposed project signage should be installed in locations that will not obstruct visibility for drivers exiting the site. Similarly, any landscaping proposed at the driveways should be low growing so as to not impact sight lines.

## Proposed Site Plan/Driveways

- No site plans or plans of the proposed driveway intersections with Village Street were provided in the report.

*The applicant should provide concept plans of the proposed driveways showing relevant information such as intersection control signs, lane configuration, sidewalks and crosswalks, etc.*

Thank for affording Tetra Tech with the opportunity to provide the Town of Medway with these peer review services. We trust that you will find the above comments helpful in your review of the proposed application. If you have any questions or comments regarding the above information, please feel free to contact me at (508) 786-2338.

Very truly yours,



Michael J. Hall  
Senior Project Manager

P:\21583\143-21583-15011 (WILLOWS ARCPUD REVIEW)\DOCS\TIAS STUDY REVIEW\SALMON HEALTH & RETIREMENT SENIOR COMMUNITY -PEER REVIEW COMMENT LETTER\_FINAL DRAFT.DOC

## **SALMON Health and Retirement Senior Community**

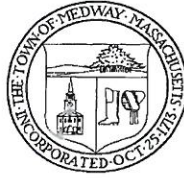
### **Affordable Housing Narrative**

Salmon Health and Retirement proposes to develop the following senior community,

- Independent cottage homes (attached to the main building): 15
- Independent cottages homes (detached/separate from the main building): 56
- Independent congregate apartment homes: 56
- Traditional assisted living apartments: 60
- Memory impaired assisted living apartments: 40
- Medical office building
- Pavilion building (clubhouse type)

Per the Town of Medway ARPUD by-law, 10 percent of the cottage homes are subject to the affordability requirements. All the independent apartments and assisted living apartments do not fall under this requirement. We are proposing 71 cottage units, therefore we are subject to 8 affordable cottage units. Per the Town of Medway ARPUD by-law, a developer is allowed to make a payment in Lou per unit to satisfy the ARPUD affordability requirements; this is how we plan to satisfy such requirement.





**TOWN OF MEDWAY**  
**Planning & Economic Development**

155 Village Street  
Medway, Massachusetts 02053  
508-533-3291  
sachilds@townofmedway.org

**MEMORANDUM**

**UPDATED – July 28, 2015**

TO: Medway Planning and Economic Development Board  
FROM: Susy Affleck-Childs, Planning and Economic Development Coordinator  
RE: The Willows – Payment in Lieu of Affordable Housing Construction

The proposed Willows ARCPUD development includes:

- **60 assisted living apartments** all on level 2 of the main building. These are certified by the Mass Department of Elder Affairs as “assisted living” (651 CMR 12.02). An assisted living residence is defined as a facility which “*provides room and board, provides Personal Care services, and collects payments or third party reimbursements from or on behalf of residents to pay for the provision of assistance with the Activities of Daily Living, or arrange for the same*”. The proposed assisted living apartments range in size from a 1 bedroom unit of 576 - 672 sq. ft. to a 2 bedroom unit of 768 - 1,088 sq. ft. Each unit will have a bathroom and a kitchenette with a sink, small refrigerator and microwave.
- **40 memory impaired assisted living apartments** on the first floor of the main building. These are also certified by the Mass Department of Elder Affairs as “assisted living” (651 CMR 12.02). The units range in size from a 1 person Studio Unit of 384 - 432 sq. ft. to a 2 resident Companion Unit with 768 sq. ft. Each unit will have a bathroom and a mini kitchenette with a sink and small refrigerator.
- **56 apartments** on levels 3 and 4 of the main building. These units range in size from a 1 bedroom unit of 672 – 720 sq. ft. to a 2 bedroom unit of 1,008 – 1,584 sq. ft. These units will have a complete kitchen including a sink, refrigerator, stove/oven, microwave and dishwasher, and washer/dryer. The applicant refers to these units in a generic way as congregate housing. Residents in these units will have a care plan developed and overseen by a registered nurse. The main building has nursing personnel on staff 24-7 who can respond to routine medical situations for all residents in the facility as needed.

These 56 apartments will not be licensed or regulated by the Mass Department of Elder Affairs as “assisted living” units nor do they constitute the type of “congregate housing”

that is also regulated by the Mass Department of Elder Affairs. That form of “congregate housing” is defined as a *“shared living environment designed to integrate the housing and services needs of elders and younger disabled individuals. The goal of Congregate Housing is to increase self-sufficiency through the provision of supportive services in a residential setting. Services are made available to aid residents in managing Activities of Daily Living in a supportive, but not custodial environment. Each resident has a private bedroom, but shares one or more of the following: kitchen facilities, dining facilities and/or bathing facilities.”* With this type of “congregate housing” an individual has to apply to the local housing authority which determines whether someone is eligible for “congregate housing” because of age or disability, and whether they meet certain financial eligibility guidelines. The applicant does not intend for the 56 apartments to constitute “congregate housing” as regulated by the Mass Department of Elder Affairs in conjunction with a local housing authority.

- 71 independent living, single story cottages. These are arranged as 26 duplex buildings, 4 single cottages, and five sets of three attached cottages constructed as part of the main building. All cottage unit models will include at least 2 bedrooms and some have 3 bedrooms, plus a den, 2 bathrooms, living area, dining area, full kitchen, washer/dryer, and garage space. The cottage units range in size from 1,600 – 2,548 sq. ft. These units are not defined, licensed or regulated by the State. Residents pay a refundable entrance deposit for these units at the time of occupancy. Residents may use the various facilities at the main building and can purchase meal plans. No care plan is developed for residents of the cottages.

**The PEDB has four affordable housing matters to consider and resolve as part of the Willows special permit process and decision.**

1. Which type of dwelling units at The Willows are subject to the Town’s affordable housing requirements as specified in Section 8.6 of the Zoning Bylaw? The AH requirements clearly apply to the 71 independent living cottages, detached and attached. What isn’t so clear is whether the 56 non-assisted living and non-memory care apartments in the main building are also subject to the Town’s AH requirements.
2. By what method or combination of methods will the applicant fulfill its affordable housing responsibilities?
3. How shall we calculate the amount of the payment in lieu of constructing on-site affordable housing units?
4. By what schedule (payment plan) shall the developer make the payment in lieu of construction to the Medway Affordable Housing Trust?

## **1. Which type of dwelling units at The Willows are subject to the affordable housing requirements?**

The provisions of the Medway Zoning Bylaw, Section 8.6 Affordable Housing “*shall also apply to an Adult Retirement Community Planned Unit Development (ARCPUD) or an ARCPUD Independent Living Residence approved pursuant to an ARCPUD special permit under Section 8.5 of this Zoning Bylaw.*”

**The issue is which dwelling units in The Willows meet Medway’s definition of an ARCPUD Independent Living Residence and are therefore subject to the Town’s affordable housing requirements.**

Section 8.5 of the Medway Zoning bylaw defines an *ARCPUD Independent Living Residence Facility* as follows: *A facility that provides residential accommodations for senior adults who are in good health and do not require medical or skilled nursing care. Residents shall have individual dwellings with living and bathroom facilities, and which may have individual kitchens. The Independent Living Residence Facility may include an ARCPUD Community Center or Community Building or similar common areas such as a common dining facility and space for the provision of social, physiological and educational programs. The facility may provide home health care or other community-based services on an individual basis and offer meals, linen and housekeeping services. The Independent Living Residence Facility may provide residence for a superintendent or for maintenance staff, but there shall be no on-site residence of medical or other staff.*”

Per Section 8.6 Affordable Housing of the Medway Zoning Bylaw, an ARCPUD applicant is responsible for providing 10% of the units in an *ARCPUD Independent Living Residence Facility* as “affordable”. 71 independent living cottages are proposed. Therefore, 8 affordable housing units are required for that component of the Willows residences.

What is less precise is the applicability of Section 8.6 Affordable Housing to the 56 apartment units in the main building which are neither assisted living units nor memory care units. These units are definitely not assisted living as they will not be regulated by the Mass Department of Elder Affairs. Do those units meet the definition of an “*ARCPUD Independent Living Residence Facility*”? In my opinion, it is not a perfect match, but is very close.

The Board may want to consider seeking some guidance from Building Commissioner Jack Mee and/or Town Counsel Barbara Saint Andre for an interpretation on how to categorize the 56 apartments.

## **2. How will the applicant fulfill its Affordable Housing Responsibilities?**

Section 8.6 of the Zoning Bylaw specifies that an applicant may address their affordable housing responsibilities in a number of or combination of ways subject to approval of the PEDB.

- Construct affordable units on site
- Construct affordable units off site

- Donate land in Medway capable of being developed for an equivalent number of required affordable housing units.
- Make a payment in lieu of constructing affordable units on site, constructing affordable units off-site, or donating land in Medway.

The applicant has proposed to fulfill their affordable housing requirements to the Town by making a payment to the Medway Affordable Housing Trust in lieu of constructing 8 affordable units on site. This is based on construction of the 71 cottage type dwellings.

If the PEDB determines that the applicant is also responsible for some additional number of affordable units as a result of how the 56 apartments in the main building are ultimately categorized, the applicant may be responsible for providing an additional payment in lieu of 6 affordable units for a total of 14 units.

### 3. Calculate the Amount of the Payment in Lieu of Construction

The Bylaw specifies that a payment in lieu of constructing on-site affordable units shall be an amount equal to the number of affordable housing units required by Section 8.6 multiplied by the calculated *Equivalent Affordable Housing Unit Value* for that development. See definition below.

***Equivalent Affordable Housing Unit Value:*** *An amount equal to the difference between the median sale price for market rate single family homes sold in Medway during the thirty six months preceding the date of application, as determined by the Board of Assessors based on deeds recorded with the Norfolk Registry of Deeds for arms-length transactions, and the purchase price of a home that is affordable to a qualified purchaser as determined by (DHCD), assuming a household size of four, or one person per bedroom plus one additional person with the number of bedrooms being the average number in the development, whichever is less. For developments other than single-family detached structures (e.g. duplexes or multifamily condominiums) the Planning and Economic Development Board may substitute the median sale price of the applicable type of market rate dwelling unit for the median sale price of single family homes in the preceding formula.*

Based on an email communications with Janice Lesniak of the Mass Department of Housing and Community Development on 7/8/15 and 7/22/15, the affordable sales price for a 1 bedroom ownership unit is \$163,900; the affordable sales price of a 2 bedroom ownership home is \$184,300, and the affordable sales price for a 3 bedroom ownership home is \$204,700.

The next step is to determine the median sale price of single family homes in Medway. The ***standard approach*** is to look at the median sale price for ***all market rate single family homes*** sold in Medway during the 36 months preceding the date of the project application. The application was filed in June 2015; the three year look back period runs from June 2012 – May 2015.



The Zoning Bylaw defines a single family home as “a dwelling intended and designed to be occupied by a single family, but not including a trailer whether detached or attached to the ground.” The definition does not specify that a single family home has to be a detached structure.

During that 3 year time period, based on data from the Medway Assessor’s office, there were 438 arms-length single family residential sales in Medway ranging in price from a low of \$103,500 for a small apartment style condo unit at Sanford Mill to the highest sale of \$850,000 for a newly constructed home on Applegate Road. The median sale price for all 438 market rate single family homes sold during this period is \$370,000.

For proposed developments such as The Willows which is to be comprised of residential units other than single-family detached structures, the Zoning Bylaw gives the PEDB the authority to substitute the median sale price of the *applicable type of market rate dwelling unit* for the median sale price of single family homes. Medway does not have another development that is really comparable to the proposed 1 story cottages at the Willows. So, to apply this option, I considered a number of alternatives – all condo sales, all sales of townhouse type condos, all sales of apartment style condos, all sales of 2 bedroom condos, and all sales of 3 bedroom condos.

During the 3 year time period prior to The Willows ARCPUD application, there were 62 arms-length **condo sales** in Medway ranging from a low of \$103,500 for a small apartment style condo unit at Sanford Mill to a high of \$490,551 for a detached house condo on Charles View Lane. The median sale price for all condo sales is \$256,000.

I then sorted the data to consider sales of just **townhouse type condos** (Heritage Drive, Kingson Lane, Pine Ridge, Williamsburg, Lovering ST, Village ST). This eliminates the sales of apartment type condos at Sanford Mill and Anderson Village and the detached house condo sales at Charles View Lane. There were 36 arms-length sales of townhouse type condos during this time period ranging from a low of \$139,900 (Lovering Street) to a high of \$490,000 (Pine Ridge). The median sales price of all townhouse condos is \$361,200.

The next sort I made was to consider the sales of just **apartment style condos** (Sanford Mill and Anderson Village). This eliminates the townhouse type condos and the detached house condo sales at Charles View Lane. It is this this type of dwelling unit that is most comparable to the 56 non-assisted and non-memory care apartments in the main building. There were 22 arms-length sales of apartment type condos during this time period ranging from a low of \$103,500 at 166 Village Street to a high of \$240,000 at Sanford Mill. The median sales price of all apartment type condos is \$184,000.

For **all sales of 2 bedroom condos**, there were 32 sales ranging from a low of \$139,900 for a property on Lovering Street to a high of \$424,900 for a townhouse at Williamsburg. The median sales price for all 2 bedroom condo sales is \$198,900 for all styles of 2 bedroom condos.

For **all sales of 3 bedroom condos**, there were 21 sales ranging from a low of \$185,000 for a Heritage Drive townhouse to a high of \$490,441 for a detached condo at Charles River Village. The median sales price for all 3 bedroom condo sales is \$377,050 for all 3 bedroom condos.

At some point, the Board will need to decide the type of single family housing on which to base the calculations for equivalent affordable housing unit value – all single family home sales, all condo sales, just townhouse sales, just apartment type sales, just 2 bedroom sales, just 3 bedroom sales or a combination thereof. The table below shows this data and calculations of various payments in lieu of construction depending on how one evaluates the type of unit.

See the Table below for the payment in lieu of construction amount for the above noted options. The chart does not show calculations for a payment in lieu if the applicant is determined to be responsible for a total of 14 affordable housing units (8 for the cottage type dwellings and 6 for the apartment units).

	A. Number of Sales	B. Median Sales Price	C.	D. Equivalent Affordable Housing Unit Value (B – C)	E. Total Payment in Lieu of On-Site Affordable Housing Construction (D x 8 AH units)
			Affordable Sales Price of a 2 bedroom dwelling per DHCD		
			Affordable Sales Price of a 3 bedroom dwelling per DHCD		
All Sales of Single Family Homes Including Condos	438	\$370,000	\$184,300	\$185,700	\$1,486,600 for 8 AH units
			\$204,700	\$165,300	\$1,322,400 for 8 AH units
All Sales of Condos	62	\$256,000	\$184,300	\$71,700	\$573,600 for 8 AH units
			\$204,700	\$51,300	\$410,400 for 8 AH units
All Sales of Townhouse Condos	36	\$361,200	\$184,300	\$176,900	\$1,415,200 for 8 AH units
			\$204,700	\$156,500	\$1,252,000 for 8 AH units



	A.	B.	C.	D.	E.
	Number of Sales	Median Sales Price	Affordable Sales Price of a 2 bedroom dwelling per DHCD	Equivalent Affordable Housing Unit Value (B - C)	Total Payment in Lieu of On-Site Affordable Housing Construction (D x 8 AH units)
All Sales of Apartment Type Condos	22	\$184,000	\$184,300 NOTE – 3 BR sales would not apply	- \$300	0
All Sales of 2 Bedroom Condos	32	\$198,900	\$184,300	\$14,600	\$116,800
All Sales of 3 Bedroom Condos	21	\$377,050	\$204,700	\$172,350	\$1,378,800

#### 4. Determine the Schedule for Making the Payment in Lieu of Construction

Section 8.6 of the Zoning Bylaw addresses the schedule of payments in lieu of construction of affordable housing units as follows:

1. *In the case of payments in lieu of affordable units, the following methods of payment may be used at the option of the applicant:*
  - a. *The total amount due shall be paid upon the release of any lots or, in the case of a development other than a subdivision, upon the issuance of the first building permit; or,*
  - b. *The total amount due shall be divided by the total number of market rate units in the development. The resulting quotient shall be payable at, or prior to, the closing of each market rate unit. or,*
  - c. *A combination of the above methods if approved by the Planning and Economic Development Board.*

The applicant has indicated their proposed construction phasing plan as follows:

- 15 detached cottages to be available in the fall of 2016
- 15 attached cottages to be available in the fall of 2017



- 56 apartments to be available by the fall of 2017
- 41 detached cottages to be available by the fall of 2018

I do not expect the applicant would want to make an upfront 100% payment in lieu of construction in accordance with option a. above. I expect option b. will be more workable for the applicant. A series of payments to the Medway Affordable Housing Trust could be tied to occupancy of each of the 71 cottages and to the 56 apartments if the Board determines that they are subject to the AH requirements.

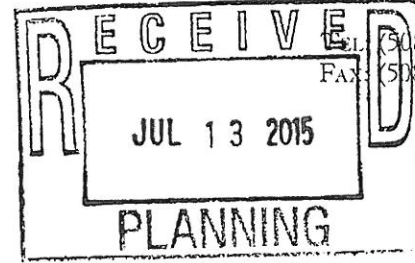


44 MILFORD STREET  
MEDWAY, MA 02053

# TOWN OF MEDWAY

FIRE DEPARTMENT

JEFFREY P. LYNCH  
FIRE CHIEF



TEL: (508) 533-3211  
FAX: (508) 533-3254

Medway Planning and Economic Development Board  
155 Village Street  
Medway, MA 02053

Members of the Board,

July 8, 2015

I have reviewed preliminary plans for the Willows Senior Living facility to be located off Village Street.

Please be advised that NFPA is the National Fire Protection Association and they write Fire Standards and Fire Codes. The State of Massachusetts has adopted NFPA 1 as the Massachusetts Fire Code with Massachusetts amendments.

The Authority Having Jurisdiction is defined as follows;

*3.2.2\* Authority Having Jurisdiction (AHJ). Shall be the Head of the Fire Department or the State Fire Marshal and their designees, as defined in M.G.L. c. 148.*

At the present time there is no information regarding the separation distances of the duplex houses. Separation distance must be a minimum of 30 ft.

*NFPA 1141 6.2.1 Unless governed by other locally adopted regulations, any building shall be separated from another building by at least 30 ft (9.144 m) and shall be set back at least 30 ft (9.144 m) from a property line.*

*6.2.1.1 If adjacent buildings are both protected with automatic sprinkler systems meeting NFPA 13, Standard for the Installation of Sprinkler Systems, the separation between the structures or separation from a property line shall be permitted to be reduced to 15 ft (4.5 m).*

*6.2.1.2 If an accessory building is 400 ft<sup>2</sup> (37 m<sup>2</sup>) or less in ground floor area, the separation from the principal structure shall be permitted to be reduced to 15 ft (4.5 m) where both buildings have a separation from a property line of at least 30 ft (9.144 m).*

*6.2.1.3 If an accessory building is 400 ft<sup>2</sup> (37 m<sup>2</sup>) or less in ground floor area, the separation from a property line shall be permitted to be reduced to 15 ft (4.5 m) where the accessory building has a separation from the principal structure of at least 30 ft (9.144 m).*

*6.2.2 Any building that exceeds two stories or 30 ft (9.144 m) in height above average adjacent ground elevation and is not protected by an automatic sprinkler system installed and maintained according to NFPA 13, Standard for the Installation of Sprinkler Systems, or NFPA 13R, Standard for the Installation of Sprinkler Systems in Residential Occupancies up to and Including Four Stories in Height, shall be separated from any other structure by at least 50 ft (15.2 m) and shall be set back at least 30 ft (9.144 m) from a property line.*

The road surface must be a hard surface all weather surface with a minimum width of 20 feet and be capable of supporting a minimum of 75,000 pounds.

*527 CMR 1.0 18.2.1 Fire department access and fire department access roads shall be provided and maintained in accordance with Section 18.2.*

***18.2.2\* Access to Structures or Areas.***

***18.2.2.1 Access Box(es).*** *The AHJ shall have the authority to require an access box(es) to be installed in an accessible location where access to or within a structure or area is difficult because of security. The access box(es) shall be of an approved type listed in accordance with UL 1037.*

***18.2.2.2 Access to Gated Subdivisions or Developments.*** *The AHJ shall have the authority to require fire department access be provided to gated subdivisions or developments through the use of an approved device or system.*

***18.2.2.3 Access Maintenance.*** *The owner or occupant of a structure or area, with required fire department access as specified in 18.2.2.1 or 18.2.2.2, shall notify the AHJ when the access is modified in a manner that could prevent fire department access.*

***18.2.3 Fire Department Access Roads.***

***18.2.3.1 Required Access.***

***18.2.3.1.1*** *Approved fire department access roads shall be provided for every facility, building, or portion of a building hereafter constructed or relocated.*

***18.2.3.1.2*** *Fire department access roads shall consist of roadways, fire lanes, parking lot lanes, or a combination thereof.*

***18.2.3.1.3\**** *The provisions of 18.2.3.1 through 18.2.3.2.1 shall be permitted to be modified by the AHJ where any of the following conditions exists:*

- (1)

*One- and two-family dwellings protected by an approved automatic sprinkler system in accordance with Section 13.1*

- (2)

*Existing one- and two-family dwellings*

- (3)

*Private garages having an area not exceeding 400 ft<sup>2</sup>*

- (4)

*Carports having an area not exceeding 400 ft<sup>2</sup>*

- (5)

*Agricultural buildings having an area not exceeding 400 ft<sup>2</sup>*

- (6)

*Sheds and other detached buildings having an area not exceeding 400 ft<sup>2</sup>*

*18.2.3.1.4 When fire department access roads cannot be installed due to location on property, topography, waterways, nonnegotiable grades, or other similar conditions, the AHJ shall be authorized to require additional fire protection features.*

**18.2.3.2 Access to Building.**

*18.2.3.2.1 A fire department access road shall extend to within 50 ft (15 m) of at least one exterior door that can be opened from the outside and that provides access to the interior of the building.*

*18.2.3.2.1.1 Where a one- or two-family dwelling, or townhouse, is protected with an approved automatic sprinkler system that is installed in accordance with NFPA 13D or NFPA 13R, as applicable, the distance in 18.2.3.2.1 shall be permitted to be increased to 150 ft (46 m).*

*18.2.3.2.2 Fire department access roads shall be provided such that any portion of the facility or any portion of an exterior wall of the first story of the building is located not more than 150 ft (46 m) from fire department access roads as measured by an approved route around the exterior of the building or facility.*

*18.2.3.2.2.1 When buildings are protected throughout with an approved automatic sprinkler system that is installed in accordance with NFPA 13, NFPA 13D, or NFPA 13R, the distance in 18.2.3.2.2 shall be permitted to be increased to 450 ft (137 m).*

*18.2.3.3 Multiple Access Roads. More than one fire department access road shall be provided when it is determined by the AHJ that access by a single road could be impaired by vehicle congestion, condition of terrain, climatic conditions, or other factors that could limit access.*

**18.2.3.4 Specifications.**

**18.2.3.4.1 Dimensions.**

*18.2.3.4.1.1 Fire department access roads shall have an unobstructed width of not less than 20 ft (6.1 m).*

*18.2.3.4.1.2 Fire department access roads shall have an unobstructed vertical clearance of not less than 13 ft 6 in. (4.1 m).*

*18.2.3.4.1.2.1 Vertical clearance shall be permitted to be reduced, provided such reduction does not impair access by fire apparatus, and approved signs are installed and maintained indicating the established vertical clearance when approved.*

*18.2.3.4.1.2.2 Vertical clearances or widths shall be increased when vertical clearances or widths are not adequate to accommodate fire apparatus.*

*18.2.3.4.2 Surface. Fire department access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with an all-weather driving surface.*

**18.2.3.4.3 Turning Radius.**

**18.2.3.4.3.1** *The turning radius of a fire department access road shall be as approved by the AHJ.*

**18.2.3.4.3.2** *Turns in fire department access roads shall maintain the minimum road width.*

**18.2.3.4.4 Dead Ends.** *Dead-end fire department access roads in excess of 150 ft (46 m) in length shall be provided with approved provisions for the fire apparatus to turn around.*

**18.2.3.4.5 Bridges.**

**18.2.3.4.5.1** *When a bridge is required to be used as part of a fire department access road, it shall be constructed and maintained in accordance with nationally recognized standards.*

**18.2.3.4.5.2** *The bridge shall be designed for a live load sufficient to carry the imposed loads of fire apparatus.*

**18.2.3.4.5.3** *Vehicle load limits shall be posted at both entrances to bridges where required by the AHJ.*

**18.2.3.4.6 Grade.**

**18.2.3.4.6.1** *The gradient for a fire department access road shall not exceed the maximum approved.*

**18.2.3.4.6.2\*** *The angle of approach and departure for any means of fire department access road shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m) or the design limitations of the fire apparatus of the fire department, and shall be subject to approval by the AHJ.*

**18.2.3.4.6.3** *Fire department access roads connecting to roadways shall be provided with curb cuts extending at least 2 ft (0.61 m) beyond each edge of the fire lane.*

**18.2.3.4.7 Traffic Calming Devices.** *The design and use of traffic calming devices shall be approved by the AHJ.*

**18.2.3.5 Marking of Fire Apparatus Access Road.**

**18.2.3.5.1** *Where required by the AHJ, approved signs, approved roadway surface markings, or other approved notices shall be provided and maintained to identify fire department access roads or to prohibit the obstruction thereof or both.*

**18.2.3.5.2** *A marked fire apparatus access road shall also be known as a fire lane.*

**18.2.4\* Obstruction and Control of Fire Department Access Road.**

**18.2.4.1 General.**

**18.2.4.1.1** *The required width of a fire department access road shall not be obstructed in any manner, including by the parking of vehicles.*

**18.2.4.1.2** *Minimum required widths and clearances established under 18.2.3.4 shall be maintained at all times.*

*18.2.4.1.3\* Facilities and structures shall be maintained in a manner that does not impair or impede accessibility for fire department operations.*

*18.2.4.1.4 Entrances to fire department access roads that have been closed with gates and barriers in accordance with 18.2.4.2.1 shall not be obstructed by parked vehicles.*

*18.2.4.2 Closure of Accessways.*

*18.2.4.2.1 The AHJ shall be authorized to require the installation and maintenance of gates or other approved barricades across roads, trails, or other accessways not including public streets, alleys, or highways.*

*18.2.4.2.2 Where required, gates and barricades shall be secured in an approved manner.*

I have also attached a copy of the Massachusetts amendments to the above section.

The turnaround on Lilac Path by building # 50 should be longer to accommodate fire apparatus and ambulances.

The square footage of the Pavilion is not provided.

It appears access to the medical building is only provided on one side. The building appears to be 6,375 square feet and should be access to at least two sides of the building by fire lanes.

When numbering the apartments I request the fire department be consulted so they are numbered in a manner such that they are in order and make sense to first responders.

If you have any questions please feel free to contact me.

Thank you for your consideration in this matter.



Jeffrey P. Lynch  
Chief of Department

94, § 329 relating to the sale and use of certain lacquer sealers during the course of commercial wood floor finishing operations.

**16.9.2 Flammable Floor Finishing Product.** Flammable floor finishing product as used herein, shall mean any clear or pigmented wood finish, formulated with nitrocellulose or synthetic resins to dry by evaporation and without chemical reaction, having a flashpoint below 100°F, and having a vapor pressure not exceeding 40 psi at 100°F, including clear lacquer sanding sealers.

**16.9.3 Fire Safety Requirements.** No person shall sand, strip, or re-finish wood floors where such sanding, stripping, or vapor would create an explosive atmosphere from dust or vapor that when dispersed could be ignited in the air without first complying with the following fire/explosion safety requirements. The requirements in (1) and (3) are not applicable if ventilation or a dust collection equipment system is used continuously to reduce vapor or dust from accumulating in concentrations that could cause ignition or explosion:

(1) **Sources of Ignition.** All fires, open flames, or other sources of ignition, including smoking materials, spotlights, halogen lights or appliance pilot lights shall be eliminated from the area or unit.

(2) **Electrical Permit Required.** An electrical permit is required when connecting any floor-refinishing machine directly to the electrical panel in accordance with 527 CMR 12.00: *Massachusetts Electrical Code*.

(3) **Warning Signs.** Any person or other entity sanding or stripping floors in a building containing more than one dwelling unit shall post suitable warning signs indicating the danger of dust and fire/explosion hazard and shall be conspicuously posted on all doors and entrances to the building and/or unit. Such notice is to be printed in contrasting colors and shall have lettering at least 2 inches high and should state the name of the operator in charge, the date and time of the operation, and the area or unit where work is to be performed. Warning signs shall be posted at least 24 hours prior to engaging in such work.

(4) No Smoking signs, featuring the international pictograph prohibiting smoking, must be posted at all entrances to the house or building before floor sanding or finishing begins and until 24 hours after the end of all floor sanding and finishing activities.

**16.9.3.4 Waste Materials.** A metal waste-can with a self closing cover shall be provided for all waste materials, including wood, dust, and rags. All such materials shall be removed from the building and disposed of daily.

## **Chapter 17 Wildland Urban Interface**

Delete Chapter 17 in its entirety.

## **Chapter 18 Fire Department Access and Water Supply**

Modify this Chapter by adding, deleting or replacing the following Sections in Chapter 18 as provided below:

Add the following Section:

**18.1.1.3** The fire apparatus access road plans must include an analysis and evaluation of fire

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apparatus maneuvers throughout the access roads created by swept path analysis and turn simulation software.

Add the following Section:

**18.1.1.4** The fire apparatus access plans shall bear the seal and signature of the responsible registered professional engineer.

Add the following Section:

**18.1.1.5** Nothing in this Section shall reduce the requirements established by cities or towns under MGL 40A and planning and zoning by-laws.

Add the following Section:

**18.2.2.1.1.1** Approval of access roads shall be subject to the AHJ and capable of supporting the imposed loads of fire apparatus and shall be provided with an all-weather driving surface and shall be maintained as provided.

Replace with the following Section:

**18.2.2.3 Access Maintenance.** The owner or occupant of a structure or area, with required fire department access as specified in 18.2.2.1 or 18.2.2.2, shall notify the AHJ when the access is modified.

Replace the following title:

**18.2.3.2 Access to Buildings and Facilities.**

Add the following Section:

Replace with the following Section:

**18.2.3.2.2.1** When buildings are protected throughout with an approved automatic sprinkler system that is installed in accordance with NFPA 13, the distance in 18.2.3.2.2 shall be permitted to be increased to 250 feet.

Replace with the following Section:

**18.2.3.4.1.1** Fire department access roads shall have an unobstructed width of not less than 20 feet (6.1 m). Fire department access roads constructed in the boulevard-style shall be allowed where each lane is less than 20' but not less than 10' when they do not provide access to a building or structure.

Add the following Section:

**18.2.3.4.2.1** Permeable drivable surfaces, that meet loading of 18.2.3.4.2, are allowed when approved by the AHJ. When approved, the permeable surfaces shall be identified by a method acceptable to the AHJ.

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Replace with the following Section:

**18.2.3.4.3.1** The minimum inside turning radius of a fire department access road shall be 25 feet. The AHJ shall have the ability to increase the minimum inside turning radius to accommodate the AHJ's apparatus.

Replace with the following Section:

**18.2.3.4.6.1** The gradient for a fire department access road shall not exceed 10%, unless approved in writing by the AHJ.

Add the following Section:

**18.2.3.4.8 Travel in the Opposing Lane.** The use of the opposite travel lane is prohibited in the design of all new fire apparatus access roads.

Delete the following Sections:

**18.2.4.2.3 through 18.2.4.2.6**

Delete the following Sections:

**18.3 through 18.3.1.1\***

Delete the following Sections:

**18.4 through 18.4.5.3\***

Delete the following Sections:

**18.5.7 through 18.5.7.3\***

## **Chapter 19 Combustible Waste and Refuse**

Modify this Chapter by adding the following Sections in Chapter 19 as provided below:

Add the following title:

**19.3 Special Hazards, Rubbish.**

Add the following Section:

**19.3.1** Substances subject to spontaneous heating or ignition, such as oily or greasy rags, or other materials or combinations of materials, shall not be deposited in combustible containers or so kept or stored as to ignite combustible material. Such substances shall not be mixed with combustible rubbish or stored in the same containers. Materials subject to spontaneous ignition shall be kept in listed metal receptacles equipped with self-closing hinged covers designed to guard against the hazard of spontaneous combustion. Contents shall be emptied every night and disposed of properly.

Add the following Section:

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19.3.1.2 Hot coals, cinders, hot scrap metal, and similar substances shall not be deposited in combustible containers, or kept or stored so as to ignite combustible material. Such substances shall not be mixed with combustible rubbish or stored in the same containers. Such substances shall be kept, handled, or stored inside buildings only in noncombustible receptacles approved by the Head of the Fire Department for that purpose and location. Such substances shall be kept, handled, or stored outside of building locations so that they cannot ignite buildings on the premises or adjacent premises and will not endanger people.

Add the following Section:

19.4 Containers which require mechanical assistance to be moved, shall be marked with the name and telephone number of the company or person from which emergency service to expedite movement of the container can be obtained.

Add the following Section:

19.5 Waste storage rooms shall not contain boilers or furnaces used for the central heating of buildings, nor shall rooms with boilers or furnaces be used for waste storage of any kind. (See Section 10.19.5.1)

## **Chapter 20 Occupancy Fire Safety**

Modify this Chapter by adding, deleting and replacing the following Sections in Chapter 20 as provided below:

Replace with the following Section:

**20.1.1 Application.** New and existing assembly occupancies shall comply with Section 20.1.

Delete the following Section:

20.1.1.2

Replace with the following Section:

**20.1.3.1 General.** Interior finish shall be in accordance with the building code.

Delete the following Sections:

20.1.3.2 through 20.1.3.5.4

Replace with the following Section:

**20.1.4.1\* General.** Special amusement buildings, regardless of occupant load, shall meet the requirements for assembly occupancies, in addition to the requirements of 20.1.4 and the building code.

Delete the following Section:

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## Susan Affleck-Childs

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**From:** Christine Kersnason <ckersnason@gmail.com>  
**Sent:** Tuesday, July 21, 2015 2:20 PM  
**To:** Susan Affleck-Childs  
**Subject:** Willows

Hi Susie,

Did you say that there were letters written by town officials regarding Willows? Is this or any other correspondence available on web site for review? I could not see any posted, but maybe I am not looking in the correct spot.

Concerns About Salmon for planning board:

Myself and several people from neighborhood were surprised that Salmon is proposing a dark vinyl fence to run along boundaries with access if requested. What happen to all the beautiful landscaping that was presented by Salmon? I seems to remember a park like setting at the end of each street in our neighborhood. Will they present the new vision for everyone to see? Will the fence be landscaped on the Charles River side or only for their residents? Will drainage be placed on our side?

How do they arrive at a contribution for 8 affordable units when ARCPUD says that 10% should be available. 10% of 149 (official count) is at least 14 or 15.

I noticed on one of the diagrams that a proposed construction entrance was located on the East end of development where residents were told there would be no commercial traffic or employees entering. I think that maybe proposing a sign directing employees and commercial traffic to use main entrance would be a good thing.

Why does Salmon think that having crosswalks are not necessary on Village Street. This is a development that is suppose to be welcoming the general public to share the site and the open space. Kind of difficult if you get run over by a car trying to cross Village. Many people in Medway walk on Village Street and would only be natural for them to cross and walk through the Willows.

Also drainage from our side streets is a major issue. I noticed that every answer seemed to be given that they would not add to drainage even though they are changing elevations. If Salmon cuts off existing drainage which follows the natural contours of land, Medway will have street drainage problems that will need to be dealt with.

Please save as many trees as possible and make them replant as required in regulations. The trees they are proposing to chop down can not be replaced in our life times. It seems like 19,000 is a small price compared to the total budget for counting trees. I can see exempting the wetlands but the uplands should all be surveyed and counted. If we don't know what we are losing how can we put a value on what should be replaced. I am glad that the planning board took a stand on this. Maybe they could make contribution to tree planting fund....

Questions about Charles River Village

I went for walk to Charles River Village to explore the beautiful cart path with the incredible pine trees. Still no signs for open space or trails. Seems like project is near very end. Temporary road is built. There is a very

unsightly large pipe exposed on Cherokee on the right hand side of temporary road looking toward the development with what looks like a narrow newly planted grass swale. Will overflow be directed down Cherokee? Maybe it just isn't finished but looks terrible.

# Congregate housing | definition of congregate housing by Medical dictionary

<http://medical-dictionary.thefreedictionary.com/congregate+housing>

---

## congregate housing

Also found in: Dictionary/thesaurus, Legal, Financial, Encyclopedia.

### housing [howz'ing]

one or more buildings where people live.

**congregate housing** a living arrangement for healthy older adults in which residents live in their own apartments and may take their meals in a common dining room, with various opportunities for socialization with other residents. Housekeeping and maintenance services are provided, but health maintenance services are scheduled independently by the residents. Called also **independent living facilities**.

Miller-Keane Encyclopedia and Dictionary of Medicine, Nursing, and Allied Health, Seventh Edition. © 2003 by Saunders, an imprint of Elsevier, Inc. All rights reserved.

## congregate housing (kong'gra-git, -gat?)

A group residence, usually for older persons, which encourages independence and community living. The tenants may need some medical or social assistance, but not enough to require hospitalization or nursing home care. Congregate housing can also be used by head-injured patients, spinal cord-injured patients, recovering alcoholics, and others.

See: **assisted living**

Medical Dictionary, © 2009 Farlex and Partners

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A Mode Tend Parenting Partnership

# What Is...Congregate Care?

By Gilbert Guide

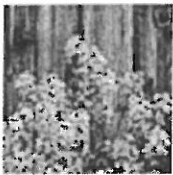
~~1 Comments (#comment-widget)~~

100% helpful

Congregate care is similar to independent living. Residents of congregate care live independently, for the most part. This type of housing environment usually offers at least one communal meal per day, and it's common for services and activities to be offered to residents. Independent living, on the other hand, typically offers only living quarters and limited services.

## Top Cities for Assisted Living

- ~~Assisted Living in Memphis~~
- ~~Assisted Living in Murfreesboro~~
- ~~Assisted Living in GLADSTONE~~
- ~~Assisted Living in Twin Falls~~
- ~~Memory and Alzheimer's Care in Mission Viejo~~
- ~~Alzheimer's Care in Tucker~~
- ~~Find Memory and Alzheimer's Care Near You~~
- ~~Find Assisted Living Near You~~



## Assisted Living Costs Nearby

Compare pictures, pricing, options.

[Get Info Now](#)



## COMPARISON OF ASSISTED LIVING, CONGREGATE HOUSING, BASIC CARE, AND NURSING HOMES

	Assisted Living	Congregate Housing	Basic Care	Nursing Homes
<b>Definition</b>	An environment where a person lives in an apartment-like setting and arranges for services necessary to accommodate that person's needs and abilities in order to maintain as much independence as possible.	An environment where a person lives in an independent apartment setting which may include a central lobby, dining room, and activity areas.	An institutionalized setting that provides room and board to individuals who, because of impaired capacity for independent living, require health, social, or personal care services but do not require regular 24-hour medical or nursing services.	An institutionalized setting that provides room and board and 24-hour care under the supervision of a licensed health care practitioner.
<b>Comparison</b>	Assisted living environments emphasize the freedom of choice. Residents live in apartment-like units. The services provided vary according to individual needs and may include meals, housekeeping, laundry, activities, 24-hour supervision, personal care, medication reminders, and varying levels of health care. Residents may choose their own additional home health service providers, if needed.	In congregate housing environments, residents usually live in independent apartments. The emphasis is on community/common spaces which may include a central lobby, dining room, and activity areas. Usually one meal a day is available in a common dining area. The provision of other services such as transportation and minimal housekeeping may or may not be provided.	Basic care facilities are an institutionalized setting used to provide room and board, as well as health, social, and assistance with daily living activities 24 hours a day. Other services offered include recreational and therapeutic activities, dietary consultation, and the administration of medications.	Nursing home facilities are an institutionalized setting used to provide nursing, medical, and rehabilitative care, room and board, recreational activities, and assistance with daily living and protective supervision 24 hours a day.
<b>Funding Sources</b>	Assisted living environments provide and charge residents separately for housing costs and for the cost of any daily living activities assistance. Individuals living in an assisted living environment may be private pay or utilize public assistance programs.	Currently the Medicaid waiver for the aged and disabled, SPED program, and expanded SPED program do not participate in congregate housing. Therefore, all individuals living in a congregate housing environment are private pay residents. Residents of congregate housing can receive public housing	Basic care facility residents are charged one rate, which provides for room and board, personal care, and daily living activities assistance. Basic care facility residents can be either private pay or state pay through the state's basic care program.	Nursing home facility residents are charged one rate, which provides for room and board, personal care, and daily living activities assistance. Nursing home facility residents can be either private pay or state pay through the Medicaid program.

	Assisted Living	Congregate Housing	Basic Care	Nursing Homes
	<p>If the individual qualifies, housing assistance programs may be utilized to help the individual with housing costs.</p> <p>If the individual qualifies, the Medicaid waiver for the aged and disabled, SPED program, and expanded SPED program may be utilized to help the individual with the cost of daily living activities assistance.</p>	<p>Congregate housing is not licensed by the state.</p>	<p>Basic care facilities are licensed by the State Department of Health.</p>	<p>Nursing home facilities are licensed by the State Department of Health.</p>
<p><b>License</b></p>	<p>Based on a May 3, 1994, Attorney General's opinion, the following criteria describe residential environments which provide assisted living but which are not basic care facilities:</p> <ul style="list-style-type: none"> <li>• The tenant may freely choose personal service providers.</li> <li>• The apartment-like unit in an assisted living facility must include a kitchen.</li> <li>• The tenant determines the services that allow the tenant to maintain the degree of independence the tenant believes appropriate.</li> <li>• Each tenant must be competent or must have an existing onsite method or substitute decision-making (live-in spouse, parent, or adult child).</li> </ul>			

	<b>Assisted Living</b>	<b>Congregate Housing</b>	<b>Basic Care</b>	<b>Nursing Homes</b>
	<p>The opinion also states that the question of whether a residential environment is "institutional" in nature, and accordingly subject to licensure by the state, is a question which must be answered on a case-by-case basis.</p>			

**APPENDIX B  
HEALTH CARE SERVICES**

Blood Pressure monitoring (daily visit to Health Service Office)	\$10.00/week
Safety check in apartment	5.00 per each check
Safety check every (2) hours	20.00/day
Dressing changes plus cost of supplies	10.00/small
	12.00/medium
	14.00/Large
Eye drop assistance (in Health Service Office)	10.00/week
*Injectable medication	5.00/each
Medication Management	2.50/prescription/week
Medication reminder 1 x/day	22.00/week
2 x/day	33.00/week
3 x/day	44.00/week
4 x/day	55.00/week
R.N. assessment/assistance (billed in quarter hour increments)	60.00/hour
Insulin Draws	15.00 per week

**PERSONAL CARE**

<b>Personal Care Assistant</b> - (billed in quarter hour increments)	\$41.00/hour
Includes assistance with dressing, Teds (Support Hose), bathing, whirlpool, meal preparation, wheelchair service	

**TRANSPORTATION**

Wheelchair service to & from Cascades Restaurant	\$ 2.00
--	---------

**HEALTH SERVICE OFFICE**

**FREE BLOOD PRESSURE SCREENING**

**TUESDAYS & FRIDAYS 1:00 pm - 2:00 pm**

**PODIATRY SERVICES**

**DR. KARADIMOS: Call 508-836-0200 to make your appointment**

**DR. TICKNER: Call 1-978-562-2155 to make your appointment**

**WELLNESS CLINIC**

**MONDAY, WEDNESDAY, THURSDAY 2:00 pm - 3:00 pm**

\*Available by arrangement subject to nurse's judgment

9:15pm



July 28, 2015  
Medway Planning & Economic Development Board  
Meeting

**Discussion with Michael Fahey re:**  
**Backyard Chickens**

Michael Fahey attended a previous PEDB meeting several months ago to begin discussions with you about the possibility of amending the Zoning Bylaw to allow for residents to have backyard chickens on property less than 1 acre in size. He has prepared some information for you to review which is attached. He will attend the meeting and make his presentation. Mr. Fahey resides at 208 Village Street.

Also attached are the Board of Health's *Regulations of Domesticated or Exotic Animals, Reptiles and Apiaries*.

The PEDB needs to decide how to proceed. Do you wish to sponsor a zoning bylaw amendment for the fall town meeting to allow for backyard chickens? What additional input would you like to secure?

# A Proposal to Change Medway Zoning

Allowing Backyard Chickens in  
Residential Areas ARI and ARII



Michael Fahey  
208 Village Street  
23 July 2015

# The Situation Today

- Backyard Chickens are only allowed in lots of 1 acre or more in Medway in ARI or ARII
- No roosters
- Max 10 chickens
- 50 feet from property boundary
- Chickens in Medway are grouped in with large animals such as horses, cows, etc.
- Backyard Chickens are becoming more popular
  - Follows a 'back to roots' trend towards locally grown produce, organic farming, farmers markets, etc.



*Animal Control Rules??*



# Proposal for Medway

- Residences in ARI and ARII can have Backyard Chickens



- By Right (No ZBA)
- Up to 10 hens and one clutch \*
- No roosters\*
- Must be in a fenced in area\*
- Must be cooped from sunset to sunrise

*Height of fence 7' H 38 in*

- Coop 10 feet from the property line and 50 feet from neighboring residence, set back from the front to at least the front of the residential structure,  $\geq 3$  sq. ft. per chicken\*\*

- Permit from BOH\*
- Subject to inspection by BOH or Animal Control\*
- Minimum lot size 5000 sq ft

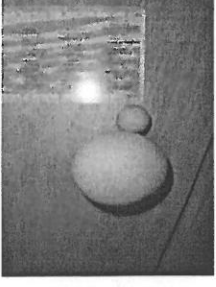
*ASK Stephen  
How many spe  
Permit to build*

\*as per existing Medway regulations for chickens

\*\*per recommendation from Mass Dept of Agricultural Resources ref University of Georgia



# Comparable Towns



Town	Allows Chickens	Notes
Medfield	Yes	Up to 10 hens < 1 acre, 10 feet from property line, fenced
Millis	Yes	Up to 10 hens , 10 feet from property line, fenced, >10 sq ft/chicken
Milford	ZBA Approval needed	
Holliston	Yes	Permit needed in some districts
Framingham	Permit BOH	
Natick	Permit BOH	
Franklin	Permit BOH	Up to 24 hens or as permit allows, >50 ft set back, must be fenced
Wrentham	Yes	Not in commercial district
Bellingham	No	
Hopkinton	Yes	Coop >50 ft from front, no permit needed, must be fenced, roosters allowed
Southborough	Yes	No permit needed
Westwood	Yes	Up to 10 hens < 1 acre, 10 feet from property line, fenced
Scituate	Permit by Animal Control	Subject to Inspection, not detract from neighborhood
Hingham	Permit by Animal Control	
Norwell	Permit	
Andover	Yes	Up to 6 hens
Burlington	Yes	Up to 6 hens

**Thank You**



## REGULATIONS OF DOMESTICATED OR EXOTIC ANIMALS, REPTILES, APIARIES

The Medway Board of Health has adopted the following regulations at their regularly scheduled meeting on 06/16/1999 by the authority under the provisions of Chapter 111, Section 31 and Section 122 of the General Laws of the Commonwealth of Massachusetts.

### Permit Requirements

1. No person or persons shall keep within the limits of the Town in any building or on any premises of which he/she may be the owner/lessee, tenant or occupant, any Cows, Goats, Sheep, Horses (or any Equine), Poultry, Swine, Birds, Reptiles, Bees, Ferrets, Llamas, Alpacas, Rheas, Emus, Ostriches, or other domesticated farm animals or exotic animal(s) without a permit from the Board of Health unless otherwise specified herein. All such permits expire on December 31st of each year and may be revoked by the Board of Health at any time for just cause. Applications therefor shall be on forms provided at the office of the Board of Health and shall be acted upon within 60 days or such other reasonable and definite time as the Board of Health may find reasonable.
2. Owners of **five (5) or more birds** (parakeets, parrots, etc.) and one clutch of offspring are required to have a permit from the Board of Health.
3. A Clutch shall be defined as the offspring from a single mating pair of birds or animals and less than 8 weeks of age.
4. Owners of **five (5) or more cats** are required to have a permit from the Board of Health.
5. Owners of **five (5) or more rabbits** are required to have a permit from the Board of Health.

### Maintenance of Animal Facilities

6. The owners or persons in control of any building or premises in which Cows, Goats, Sheep, Horses, Poultry, Birds, Swine, Reptiles, Bees, Rabbits, Llamas, Alpacas, Rheas, Emus, Ostriches or other domesticated farm animals or exotic animal(s), to include all animals contained within attached Appendix I are kept shall keep the building and premises clean from decaying food, filth, dirt and stagnant water. The buildings and pens shall be clean at all times and may be ordered by the Board of Health to be cleaned and disinfected.
- Provisions shall be made for the disposal of manure and bedding material in a manner which will prevent the contamination of surface and/or groundwaters, prevent infestation by rodents and insects or the release of objectionable odors.
  - All animal manure or wastes shall be contained **at least fifty (50) feet** from any abutting lot line and **at least 100 feet** from any year-round surface water body.
  - Provisions shall be made for the storage of feed in a manner which will prevent infestation by rodents and insects or the release of objectionable odors.
  - Access of barnyard animals to surface water bodies shall be restricted, as necessary, to prevent stream bank erosion or the contamination of surface water.
  - No building for livestock may be **less than fifty (50) feet** from any lot line or public way.
  - Animals must be kept in a fenced area, and fencing must be maintained properly to prevent animals from roaming at large.

### Keeping of Fowl

7. Hen houses or an enclosed area providing shelter for fowl shall be **at least fifty (50) feet** from **any** dwelling or adjacent property line.
8. Fowl will be restricted to the owner's property and not allowed to roam at large.
9. No person shall keep any fowl in a building used as a dwelling.
10. No rooster(s) are allowed in a residential area.
11. Any rooster on a commercial or industrial property must be kept **at least 250'** from an abutting residential property line.
12. The maximum number of live fowl to be kept in a hen house or enclosure in a residential area shall be no more than **ten (10)**.

### Keeping of Swine

13. Definition of swine: Any animal of various stout bodies, short-legged omnivorous mammals (family Suidae) with thick, bristly skin and long, mobile snout, commonly known as pigs and hogs. These include such names as Chinese, Vietnamese, Mini-pigs, Pot Belly, etc.

Miniature and/or "Pet Type" Swine are considered to be breeding animals (as opposed to feeder swine destined for slaughter or food use), and as such are subject to all state requirements for breeding swine.

14. Definition of piggery: **Three or more pigs** constitute a piggery.
15. A minimum of two (2) acres is required for the keeping of pigs on any premises and shall be limited to two (2) pigs. All pigs shall be kept in a penned area which is setback a minimum of 100' from all property lines and public ways. These penned areas shall be located in the backyard. All pigs shall be suitably isolated and maintained in such a manner that no nuisance shall be created thereby.
16. Pigs shall be restricted to the owner's property and not allowed to roam at large.
17. All garbage fed to swine shall be thoroughly heated to at least 212 F degrees for 30 minutes. Adequate shelter must be provided.
18. Pigs are to kept free of filth. Feeding areas must be cleaned daily.
19. **There shall be a Public Hearing before the Board of Health prior to the granting of a permit for the keeping of swine. Commercial piggeries that have been in operation for at least five (5) years are exempt from a Public Hearing. The petitioner shall notify all abutters by registered mail ten (10) days prior to the hearing, and shall advertise the hearing with a Legal Notice in a local newspaper two (2) weeks prior to the Public Hearing. The Legal Notice shall contain the purpose, date, time and location of the Hearing.**

### Keeping of Dangerous Animals

20. Definition of Dangerous Animal: For the purpose of this regulation, the term “dangerous animal” means and includes any wild mammal, reptile, fowl, or a species which is not naturally tame or gentle, but is of the wild nature or disposition and which, because of its size and/or breeding, vicious nature or other characteristics which would constitute a danger or threat to human life or property if not kept or maintained in a safe manner or in a secured environment.
21. Classification of Dangerous Animal: Includes the following: all poisonous animals and Arachnids: crocodilians greater than 24”, constrictor snakes greater than 36”, fighting birds, pit bulls, piranhas, sharks, wolves, coyotes, etc. The foregoing list is not deemed to be all inclusive.
22. It shall be unlawful for any person to keep, maintain, or have in his possession or under his control within the Town of Medway any wild or dangerous animal, reptile, or carnivorous wild animal or other animal of vicious or dangerous propensities without obtaining an annual permit from the Board of Health.
23. **There shall be a Public Hearing before the Board of Health prior to the Granting of a permit for the keeping of a dangerous animal(s). The Petitioner shall notify all abutters by registered mail ten (10) days prior to the hearing, and shall advertise the hearing with a Legal Notice in a Local newspaper two (2) weeks prior to the Public Hearing. The Legal Notice shall contain the purpose, date, time and location of the Hearing.**

### Keeping of Bees

24. Beehives must be located **at least fifty (50’)** from any adjacent property line or public way.

### Keeping of Cats

25. Any person or persons keeping **five (5) or more cats** within the Town of Medway in any building or on any premises, of which he/she may be the owner, lessee, tenant or occupant shall obtain a permit from the Board of Health for the keeping thereof. This permit shall require the owner to restrain the cats to the premises and shall be granted conditionally and shall be subject to spot inspections by any agent of the Board of Health or the Animal Control Officer. A litter of kittens may be kept for a period not to exceed six (6) weeks.
26. Any person, firm or corporation engaged in the keeping and/or sale of cats and kittens shall be required to secure a permit from the Board of Health authorizing the business. All permits will be issued after an on-site inspection by a designated agent of the Board of Health or the Animal Control Officer.



**Feral Cats and Dogs**

27. Any homeowner that feeds or shelters any feral cat(s), dog(s) or kitten(s) assumes complete responsibility for the animal(s) including vaccines, spaying/neutering, and disposal.

**EXEMPTIONS**

28. All dog owners in the Town of Medway shall comply with the Town's Bylaws (Reference Section 12.16) which will be enforced by the Animal Control Officer.

29. **Agricultural Exemption:** There is exempt from the provisions of this regulation any such animals kept or maintained on land consisting of five (5) consecutive acres or more that is used for the primary purpose of agriculture, horticulture, floriculture or viticulture, including those facilities for the sale of produce, wine and dairy products, insofar as a majority of such products for sale have been produced by the owner of the land on which the facility is located. Existing parcels of land consisting of at least five consecutive acres used for agricultural/farming purposes for at least five (5) years prior to the adoption of these regulations are included in this exemption.

The invalidity of any section, paragraph, sentence, clause, phrase or word of these regulations shall not invalidate any other section or provision thereof, nor shall it invalidate any order of condition or permit previously issued.

The Board of Health reserves the right to modify or deny any application if, in the opinion of the Board of Health, it would be serving the best interest of the public health. An inspection by the Board of Health Agent or Animal Control Officer may be required before a permit is issued.

These Animal Regulations were approved by the Board of Health on June 16, 1999 and are effective on said date.

**MEDWAY BOARD OF HEALTH MEMBERS:**

\_\_\_\_\_  
Catherine Chenard, Chairman

\_\_\_\_\_  
Michael Heavey, Clerk

\_\_\_\_\_  
Robert Collum, Member

Approved as to form:

\_\_\_\_\_  
Town Counsel  
Richard D. Maciolek

## Penalties

Violation of any section contained within these Animal Regulations shall be assessed according to the following fine structure:

1<sup>st</sup> offense: Warning

2<sup>nd</sup> offense: \$50.00 fine

Subsequent offense: \$50.00 fine each day of non-compliance.

## Appendix I : Classification of Animals

These Animal Regulations include all animals belonging to, but not limited to, the scientific classification listed below:

### *Phylum: Arthropoda*

Class: Arachnida (spiders, scorpions)

Class: Insecta

Order: Hymenoptera (bees, wasps)

Family: Apidae (bees) Genus/Species: *Apis mellifera*

### *Phylum: Chordata*

Class: Amphibia

Class: Reptilia

Order: Squamata

Family: Iguanidae (iguanas)

Family: Helodermatidae (Gila Monsters)

Family: Varanidae (monitors)

Order: Crocodylia

Family: Crocodylidae (crocodiles)

Family: Alligatoridae (alligators)

Class Aves:

Order: Rheiformes (rheas)

Order: Struthioniformes (ostriches)

Order: Casuariformes (emus)

Order: Passeriformes (songbirds)

Order: Anseriformes (ducks, geese, swans)

Order: Galliformes: (grouse, quail, pheasants, turkey, peacocks, chickens)

Class Mammalia:

Order: Marsupialia

Order: Insectivora

Order: Chiroptera (bats)

Order: Primates (monkeys, apes)

Order: Lagomorpha

Family: Leporidae (rabbits, hares)

Order: Rodentia (beavers, rats)

Order: Carnivora

Family: Canidae (dogs, coyotes, wolves, fox)

Family: Ursidae (bears)

Family: Felidae (cats, ocelots, lynx)

Order: Perissodactyla (odd-toed, hoofed mammals)

Family: Equidae (horses, zebras)

Order: Artiodactyla (even-toed, hoofed mammals)

Family: Suidae (pigs, hogs, boars)

Family: Camelidae (camels, llamas, alpacas, vicuna)

Family: Cervidae (deer, caribou)

Family: Bovidae (cattle, sheep, goats, antelopes, oxen)



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Halnon, Inc.**  
ENGINEERING & LAND SURVEYING  
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Est. 1972

G-9421

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

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

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

July 27, 2015

Medway Planning Board  
155 Village Street  
Medway, MA 02053

RE: 70-72 Main Street  
ANR Plan

Dear Board Members:

On behalf of the applicant, Thurken Medway, LLC, P.O. Box 857, New Castle, NH 03854, we are submitting the attached ANR plan for your review and approval.

The purpose of the plan is to subdivide former Lot 1A into proposed Lot 1, Lot 2 and Parcel A and to subdivide former Lot 2A into proposed Lot 2B and Parcel B. Parcel A and Parcel B are to be combined to create proposed Lot 3.

All newly created lots (Lot 1, Lot 2, Lot 3, Lot 2B) conform to minimum frontage, area, access and shape factor as defined in the Medway Zoning ByLaws.

If you have any questions, please do not hesitate to contact us.

Sincerely,

John M. Nenart  
Survey Manager

Enclosure

LAND SUBDIVISION – FORM A

Application for Endorsement of Plan  
Believed Not to Require Subdivision Approval (ANR)

Planning & Economic Development Board - Town of Medway, MA

INSTRUCTIONS TO APPLICANT/OWNER

This Application is made pursuant to the Medway Planning Board Subdivision Rules and Regulations.  
Please complete this entire Application.

Submit two (2) signed originals of this Application, one copy of the ANR Plan, and one Project Explanation  
to the Town Clerk who will date stamp both Applications.

Provide one original ANR Application date stamped by the Town Clerk, one Project Explanation, eight  
copies of the ANR Plan, an electronic version of the ANR plan and the appropriate ANR Filing Fee  
to the Medway Planning & Economic Development office.

The Applicant certifies that the information included in this Application is a true, complete and accurate  
representation of the facts regarding the property under consideration.

In submitting this application, the Applicant and Property Owner authorize the Planning & Economic  
Development Board and its agents to access the site during the plan review process.

The Town's Planning Consultant will review the Application, Project Explanation and ANR plan and  
provide a recommendation to the Planning & Economic Development Board. A copy of that letter  
will be provided to you.

You or your duly authorized agent is expected to attend the Board meeting  
when the ANR Plan will be considered to answer any questions and/or submit such  
additional information as the Board may request.  
Your absence may result in a delay in its review.

July 24, 2015

TO: The Planning & Economic Development Board of the Town of Medway, MA

The undersigned, wishing to record the accompanying plan of property in the Town of  
Medway and believing that the plan does not constitute a subdivision within the meaning of the  
Subdivision Control Law, herewith submits this Application and ANR Plan to the Medway  
Planning and Economic Development Board and requests its determination and endorsement  
that the Board's approval under the Subdivision Control Law is not required.

ANR PLAN INFORMATION

Plan Title: PLAN OF LAND IN MEDWAY, MASSACHUSETTS

Prepared by: GUERRIERE AND HALLON, INC.

P.E. or P.L.S registration #: 34615 Plan Date: JULY 24, 2015

PROPERTY INFORMATION

ANR Location Address: 70-72 MAIN STREET, MEDWAY

The land shown on the plan is shown on Medway Assessor's Map # 40 Parcel # 50 & 51

Total Acreage of Land to be Divided: 7.43 +/-

Subdivision Name (if applicable):

Medway Zoning District Classification: C-1

Frontage Requirement: NA Area Requirement: 20,000

Is the road on which this property has its frontage a designated *Medway Scenic Road*? No

The owner's title to the land that is the subject matter of this application is derived under deed from: MECOBA PROPERTIES, INC. to MEDWAY CO-OPERATIVE BANK dated JAN. 8, 1999 and recorded in Norfolk County Registry of Deeds, Book 13151 Page 403 or Land Court Certificate of Title Number \_\_\_\_\_, Land Court Case Number \_\_\_\_\_, registered in the Norfolk County Land Registry District Volume \_\_\_\_\_, Page \_\_\_\_\_.

**APPLICANT INFORMATION**

Applicant's Name: THURKEN/MEDWAY LLC

Applicant's Signature: [Signature]

Address: P.O. BOX 857

NEWCASTLE, NH 03854

Telephone: 603-890-6414 Email: r@landryarchitects.com

The Applicant hereby appoints \_\_\_\_\_ to act as its Agent/ Official Representative for purposes of submitting this application for endorsement of this ANR Plan.

**PROPERTY OWNER INFORMATION (if different than applicant)**

Property Owner Name: MECOBA PROPERTIES, INC. MEDWAY CO-OPERATIVE BANK

Owner's Signature: [Signature] President + CEO

Address: 70 MAIN STREET 70 MAIN STREET

MEDWAY, MA MEDWAY, MA

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

**ENGINEER or SURVEYOR INFORMATION**

Name: GUERRIERE AND HALNAN, INC.

Address: 333 WEST STREET

MILFORD, MA 01757

Telephone: 508-473-6630 Email: www.gandhengineering.com

**ATTORNEY INFORMATION**

Name: CORNETTA FICCO & SIMMLER PC / RICHARD CORNETTA

Address: 4 WEST STREET

FRANKLIN, MA 02038

Telephone: 508-528-5300 Email: rcornetta@cfsvlaw.com

PROJECT EXPLANATION

Provide a cover letter with a detailed explanation of how you propose to divide the land, what land transaction will occur, and what land reconfiguration will result from the endorsement and recording of this ANR Plan.

APPROVAL NOT REQUIRED JUSTIFICATION

The Applicant believes that the Board's approval under the Subdivision Control Law is not required for the following reasons: (Check all that apply.)

- 1. The accompanying plan does not show a division of land.
- 2. Every lot shown on the plan has frontage as required by the Medway Zoning Bylaw. The frontage required by the Zoning Bylaw is located on MAIN STREET (name of way(s), which is:
  - a. A public way. Date of street acceptance: 1921 LAYOUT
  - b. A way certified by the Town Clerk as being maintained and used as a public way. (Attach Town Clerk's certification)
  - c. A way shown on a definitive subdivision plan entitled \_\_\_\_\_ that was previously endorsed by the Planning and Economic Development Board on \_\_\_\_\_ and recorded at the Norfolk County Registry of Deeds on \_\_\_\_\_ Provide detailed recording information: \_\_\_\_\_
  - d. A private way in existence on the ground before 1952 when the Subdivision Control Law was adopted in the Town of Medway, which has, in the opinion of the Planning & Economic Development Board, adequate width, suitable grades, and adequate construction to provide vehicular access to the lot(s) for their intended purpose of \_\_\_\_\_ and to permit the installation of municipal services to serve the lot(s) and any buildings thereon.

- 3. The division of land shown on the accompanying plan is not a "subdivision" for the following reasons: \_\_\_\_\_

FRONTAGE, AREA AND ACCESS ON AN EXISTING PUBLIC WAY.

\_\_\_\_\_

\_\_\_\_\_



**ANR PLAN FILING FEE**

\$250 plus \$100/lot or parcel for a plan involving three (3) or more lots/parcels,  
not to exceed a maximum of \$750.

Please prepare two checks: one for \$95 and one for the balance.  
Each check should be made payable to: Town of Medway

Fee approved 11-2-06

**APPLICATION CHECKLIST – All items must be submitted**

- \_\_\_\_\_ 2 signed original ANR applications (FORM A)
- \_\_\_\_\_ 8 prints of ANR plan – 1 for Town Clerk and 7 for Planning
- \_\_\_\_\_ Electronic version of ANR plan for Planning
- \_\_\_\_\_ Project Explanation - 1 for Town Clerk and 1 for Planning
- \_\_\_\_\_ Application/Filing Fee (2 checks)

\*\*\*\*\*

Date Form A, ANR Plan, and Project Explanation Received by Planning & Economic  
Development Board: 7/24/15 + 7/28/15.

ANR Application/Filing Fee Paid: Amount: 555.00 Check # 29340  
Plan Review 95.00 Check # 29339  
fee



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**PGC ASSOCIATES, INC.**

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

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July 22, 2015

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

**RE: TRI-VALLEY COMMONS SITE PLAN**

Dear Mr. Rodenhiser:

PGC Associates is pleased to present the following cost estimate to review and comment on the proposed site plan modification submitted by Thurken III LLC of New Castle, New Hampshire. The owner is Mecoba Properties, Inc. of Medway.

The proposal is to modify Building A to accommodate a different tire company tenant by increasing the size, changing the elevations, adding 2 parking spaces and adding landscaping. The plan was prepared by a team including Landry Architects of Salem, NH (architecture), and Bohler Engineering (civil engineering) of Southborough. The plan is dated January 9, 2015 with a revised date of July 14, 2015.

The property is located at 72 Main Street in the Commercial I zoning district.

<u>Task</u>	<u>Hours</u>
Technical review and comment on initial submittal	2.0
Attendance at Planning Board meetings/hearings	3.0
Review and comment on revised plans	1.0
Review and comment on draft Certificate of Action	2.0
Total	8.0

**TOTAL ESTIMATE (@\$95) \$760.00**

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

Sincerely,



Gino D. Carlucci, Jr.



July 28, 2015

Medway Planning & Economic Development Board  
Meeting

**Bay Oaks Subdivision**  
**Project Completion**

Owner/developer Andy Rodenhiser has requested a *Certificate of Completion* for the Bay Oaks Subdivision at 104 Fisher Street.

A draft Certificate is provided for your review.

We await verification that the Conservation Commission Order of Conditions and its Certificate of Compliance has been recorded.



**TOWN OF MEDWAY  
PLANNING AND ECONOMIC DEVELOPMENT BOARD**

***Certificate of Completion*  
BAY OAKS SUBDIVISION**

July 28, 2015

The Medway Planning and Economic Development Board has received a request from Andy Rodenhiser of Medway, MA, developer and owner of the Bay Oaks subdivision at 104 Fisher Street for a *Certificate of Completion* for the Bay Oaks subdivision.

**Title of plan:** Modified Definitive Subdivision Plan – Bay Oaks

**Drawn by:** GLM Engineering Consultants, Inc. Holliston, MA

**Surveyor's Registration:** Joyce E. Hastings, PLS, #39393

**Engineer's Registration:** Joseph M. Nihill, PE, #45889

**Date of Subdivision Certificate of Action:** October 23, 2012

**Date of Plan:** May 18, 2012, last revised July 28, 2014

**Date of Plan Endorsement:** July 29, 2014

**Owner's Name:** Andy Rodenhiser

**Owner's Address:** 104 Fisher Street, Medway, MA

**Subdivision Plan Recording Information:** Plan Book 634, Pages 54 – 30; October 9, 2014

**Decision Recording Information:** Book 32611, Page 371; October 9, 2014

**Tetra Tech Sign off on Project Completion and As-Built Plan Review:** December 15, 2014

**Conservation Commission Certificate of Compliance approved:** \_\_\_\_\_

**Conservation Commission Certificate of Compliance recorded:** \_\_\_\_\_

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**Subdivision Bond released in full by PEDB:** December 16, 2014

The Planning and Economic Development Board has determined that the Bay Oaks Subdivision as approved has been fully and satisfactorily completed in accordance with the requirements of:

- M.G.L., ch. 41, Sections 81K – 81GG (*the Subdivision Control Law*);
- the Planning Board's *Subdivision Rules and Regulations* applicable to this subdivision;
- the application submitted for approval of this subdivision;
- the Certificate of Action and all conditions of approval of this subdivision
- the recommendations, if any, of the Board of Health;
- the approved definitive subdivision plan;
- all conditions subsequent to approval of this subdivision due to any amendment, modification, or rescission of the approval of the definitive subdivision plan;
- all of the provisions set forth in any performance guarantee and any amendments thereto.

**MEDWAY PLANNING and ECONOMIC DEVELOPMENT BOARD**

_____	_____
Board Member	Date
_____	_____
Board Member	Date
_____	_____
Board Member	Date

**COMMONWEALTH OF MASSACHUSETTS**

Norfolk, SS. \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_, before me, the undersigned notary public, personally appeared the above named members of the Medway Planning and Economic Development Board: \_\_\_\_\_

proved to me through satisfactory evidence of identification, which was personal knowledge to be the person (s) whose name is signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily and for its stated purpose.

\_\_\_\_\_  
Notary Public  
My commission expires: