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**Town of Medway, MA  
Community and Economic Development Department  
LAND DISTURBANCE PERMIT APPLICATION**

**INSTRUCTIONS TO APPLICANT/OWNER**

This Application is made pursuant to the *Medway General Bylaws – ARTICLE XXVI - Stormwater Management and Land Disturbance*. The Bylaw is posted at:

[https://www.townofmedway.org/sites/g/files/vyhlif866f/uploads/sw\\_bylaw\\_clean\\_voted\\_at\\_june\\_8\\_2020\\_tm\\_final\\_bis.pdf](https://www.townofmedway.org/sites/g/files/vyhlif866f/uploads/sw_bylaw_clean_voted_at_june_8_2020_tm_final_bis.pdf)

Depending on the scope and location of the planned land disturbance and what other permits are required, this application shall be acted upon by the Medway Conservation Commission, the Medway Planning and Economic Development Board, or the Department's Administrative Team.

**This application must be filed at the same time as the associated land use permit applications are filed with the Conservation Commission and/or the Planning and Economic Development Board.**

The Town's Engineering Consultant may be asked to review the Application and associated plans and provide a review letter. A copy of any review letter will be provided to you.

You and/or your duly authorized Agent/Designated Representative are expected to attend the Board or Commission meetings at which your Application will be considered to answer any questions and/or submit such additional information as the Board or Commission may request.

Your absence at the hearings may result in a delay in review and action.

**Please see APPENDIX at the end of this form for definitions of key terms used throughout this application form.**

November 21, 2024

**APPLICANT INFORMATION**

Applicant's Name: Metal Beard Inc

Mailing Address: 16 Mowry Street  
Mendon, MA 01756

Name of Primary Contact: Mark Smith

Telephone: Office: 508-889-5431 Cell: \_\_\_\_\_

Email address: jaldm24@gmail.com

Please check here if the Applicant is the equitable owner (*purchaser on a purchase and sales agreement*)

**SITE INFORMATION**

Location Address: 20 Milford Street

The land shown on the plan is shown on Medway Assessor's Map # 47 as Parcel(s) # 113

Total Acreage of Land Area: 1.56

Description of Property and Existing Conditions (or provide and reference an existing conditions plan): Existing single-family dwelling and associated appurtenances located towards the front of the site.

Medway Zoning District Classification: Village Residential

Current Use of Property: Single-family dwelling

Site presently includes the following EXISTING stormwater management components. Check all that apply.

- Surface stormwater basin (detention, retention, rain garden)
- Sub-surface detention or infiltration systems (e.g. Cultec, Stormceptor units)
- Roof drains
- Perimeter drains discharging to: \_\_\_\_\_
- Previously approved stormwater connection to the Medway MS4. (Provide documentation of such approval from the Medway Department of Public Works)
- Unauthorized and/or Illicit stormwater connection to the Medway MS4. (Identify location and describe type of connection): \_\_\_\_\_
- \_\_\_\_\_  
Unauthorized illicit discharge to the Medway MS4. (Identify location of discharge and describe what is being discharged.): \_\_\_\_\_
- \_\_\_\_\_  
Other (Please describe) \_\_\_\_\_

NOTE – All of the above listed existing stormwater management components must be shown on the Erosion and Sediment Control Plan to be submitted with this application.

### PROPOSED DEVELOPMENT PROJECT INFORMATION

Provide a description of the proposed project that will result in a land disturbance. Attach an additional sheet if needed: \_\_\_\_\_

Type of Project - Check all that apply. NOTE - A project may include both New Development & Redevelopment.

New Development (See definition in Appendix)	Redevelopment (See definition in Appendix)
<input type="checkbox"/> Single family dwelling <input type="checkbox"/> Residential Subdivision (# of lots ____)	<input type="checkbox"/> Single family dwelling expansion
<input type="checkbox"/> Two family dwelling	<input type="checkbox"/> Two family dwelling expansion
<input checked="" type="checkbox"/> Multi-family development	<input type="checkbox"/> Multi-family development expansion
<input type="checkbox"/> Commercial, industrial, office development	<input type="checkbox"/> Commercial, industrial, office development expansion
<input type="checkbox"/> Site improvements (e.g., pool, patio, athletic court, landscaping, parking, etc.)	<input type="checkbox"/> Site improvements (e.g. pool, patio, athletic court, landscaping, parking, etc.)
<input type="checkbox"/> Grading and/or site work without a building or structure	<input type="checkbox"/> Grading and/or site work without a building or structure
<input type="checkbox"/> Accessory structure(s) (e.g., garage, barn, pavilion, storage facility, accessory family dwelling unit, etc.)	<input type="checkbox"/> Accessory structure(s) (e.g. garage, barn, pavilion, storage facility, accessory family dwelling unit, etc.)

Estimated Total Size of Land Disturbance (ft<sup>2</sup>) (Limit of Work): 54590

Area (ft<sup>2</sup>) of Impervious Surface (building footprint(s), pavement, parking, roofs, decks, patios, etc.). Complete table below.

Existing Impervious Surface Area (ft <sup>2</sup> )	Proposed Additional Impervious Surface Area (ft <sup>2</sup> )	Total Proposed Impervious Surface Area (ft <sup>2</sup> ) Post Construction
3616	19605	23221

Have you or will you apply for any of the following other permits for this project? Attach a copy of any permits received to date for this project.

Planning & Economic Development Board	Conservation Commission	Zoning Board of Appeals	Department of Public Works
<input type="checkbox"/> Subdivision	<input type="checkbox"/> ORAD (Order of Resource Area Delineation)	<input type="checkbox"/> Special Permit	<input type="checkbox"/> MS4 Connection and Discharge Permit
<input checked="" type="checkbox"/> Site Plan	<input type="checkbox"/> RDA (Request for Determination of Applicability)	<input type="checkbox"/> Variance	
<input checked="" type="checkbox"/> Special Permit	<input type="checkbox"/> Notice of Intent/Order of Conditions	<input type="checkbox"/> Comprehensive Permit (40B)	

NOTE - Please attach copies of any of the above permits already received to this application.

**EROSION AND SEDIMENT CONTROL PLAN INFORMATION** – To be prepared in accordance with Medway General Bylaws, ARTICLE XXVI, Section 26.5.8. The plan must show all existing stormwater management facilities.

Development Name: Henry Garnsey Condominiums  
 Plan Title: Henry Garnsey Condominiums Site Plan of Land in Medway, MA  
 Plan Date: 10/07/2024  
 Prepared by:  
 Name: Dan Merrikin  
 Firm: Legacy Engineering  
 Phone #: 508-376-8883 Email: dan@legacy-ce.com

**PROPERTY OWNER INFORMATION (If not applicant)**

Property Owner's Name: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_  
 \_\_\_\_\_  
 Primary Contact: \_\_\_\_\_  
 Telephone: Office: \_\_\_\_\_ Cell: \_\_\_\_\_  
 Email address: \_\_\_\_\_

The owner's title to the land that is the subject matter of this application is derived under deed from: Kent Wojtkiak to Metal Beard Inc. dated 08/01/2024 and recorded in Norfolk County Registry of Deeds, Book 41922 Page 504 or Land Court Certificate of Title Number \_\_\_\_\_, Land Court Case Number \_\_\_\_\_, registered in the Norfolk County Land Registry District Volume \_\_\_\_\_, Page(s) \_\_\_\_\_.

**CONSULTANT & DESIGNATED REPRESENTATIVE INFORMATION**

**ENGINEER**

Name of Firm: Legacy Engineering LLC  
Mailing Address: 730 Main Street, Suite 2C  
Millis, MA 02054  
Primary Contact: Daniel Merrikin  
Telephone: Office: 508-376-8883 Cell: 508-868-8353  
Email address: dan@legacy-ce.com  
Registered P.E. License #: 43309

**SURVEYOR**

Name of Firm: Colonial Engineering  
Mailing Address: 11 Awl St  
Medway, MA 02053  
Primary Contact: Tony Dellorco  
Telephone: Office: \_\_\_\_\_ Cell: \_\_\_\_\_  
Email Address: \_\_\_\_\_  
Registered P.L.S. License #: 34303

**WETLANDS SCIENTIST**

Name of Firm: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
\_\_\_\_\_  
Primary Contact: \_\_\_\_\_  
Telephone: Office: \_\_\_\_\_ Cell: \_\_\_\_\_  
Email Address: \_\_\_\_\_

**DESIGNATED REPRESENTATIVE (if not applicant)**

Name of Firm: Legacy Engineering LLC  
Mailing Address: 730 Main Street, Suite 2C  
Millis, MA 02054  
Telephone: Office: 508-376-8883 Cell: \_\_\_\_\_  
Email address: dan@legacy-ce.com

# Applicant Declaration

The undersigned, being the Applicant, herewith submits this application and associated plans and documents to the Medway Planning and Economic Development Board for review and approval. I hereby certify, under the pains and penalties of perjury, that the information contained in this application is a true, complete and accurate representation of the facts regarding the property and proposed development under consideration.

I understand the Board's engineering and planning consultants will review the application and associated materials for compliance with the *Medway Zoning Bylaw* and the applicable *Rules and Regulations*.

If applicable, I hereby authorize Daniel Merrikin to serve as my Agent/Designated Representative to represent my interests before the Board with respect to this application.

In submitting this application, I authorize members of the Board, its consultants and agents, Town staff, and members of other Town Boards and Committees to access the site during the plan review process.

I understand that pursuant to MGL 53G, the Board may retain outside professional consultants to review this application and that I am responsible for the costs associated with such reviews.

I understand that the Board, its agents, staff, consultants, and other Town staff and committees may request additional information which I am responsible for providing to assist them in reviewing the proposed development.

I understand I am expected to attend or be represented at hearings before the Board

I agree to abide by the *Medway Zoning Bylaw* and the *Rules and Regulations* applicable to this project, the decision, and approved plan.

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

11/21/2024  
Date

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

\_\_\_\_\_  
Date

Daniel Merrikin  
Signature of Agent/Designated Representative

11/21/2024  
Date

## LAND DISTURBANCE PERMIT APPLICATION CHECKLIST

**Submit 3 copies of each of the following documents to the Medway Community and Economic Development Department. Incomplete applications will not be accepted.**

**Also provide a flash drive or email all documents.**

**This application must be filed at the same time as the corresponding application(s) (Notice of Intent and/or Site Plan Review or Subdivision Approval) are filed with the Conservation Commission and/or the Planning and Economic Development Board.**

- Land Disturbance Permit Application Form with original signatures of applicant, owner and designated representative
- Erosion and Sediment Control Plan and associated documents prepared as specified in Medway General Bylaws, ARTICLE XXVI, Section 26.5.6
- Drainage Calculations in compliance with the most current Massachusetts Stormwater Management Standards and the NOAA Atlas 14 precipitation rates
- Narrative on how the project meets the most current Massachusetts Stormwater Management Standards
- Construction sequencing/phasing plan
- Stormwater Operations and Maintenance Plan for Construction
- Post-Construction Stormwater Management Plan as specified in Medway General Bylaws, ARTICLE XXVI, Section 26.5.8
- Post-Construction Long Term Stormwater Operations and Maintenance Plan as specified in Medway General Bylaws, ARTICLE XXVI, Section 26.5.9
- Other permits already received for the project
- If necessary, Request(s) for Waivers from the provisions of Medway General Bylaws, ARTICLE XXVI, Section 26.5
- Application/filing fee when applicable

**APPENDIX OF KEY TERMS** – Definitions include those taken from Medway General Bylaws, ARTICLE XXVI – Stormwater Management and Land Disturbance

**ILLCIT CONNECTION** – A direct or indirect connection, which allows an illicit discharge into the MS4, including without limitation sewage, process wastewater, or wash water and any connections from indoor drains, sinks, or toilets, regardless of whether said connection was previously allowed or approved before the effective date of this Bylaw.

**ILLCIT DISCHARGE** – Any discharge to a MS4 that is not composed entirely of stormwater except discharges pursuant to a NPDES permit (other than NPDES permit for discharges from the MS4) and discharges from firefighting activities.

**IMPERVIOUS SURFACE** - Any surface that prevents or significantly impedes the infiltration of water into the underlying soil. This can include, but is not limited to: roads, driveways, parking areas and other areas created using non porous material; buildings, rooftops, structures, artificial turf and compacted gravel or soil.

**LAND DISTURBANCE** – An action to alter the existing vegetation and/or underlying soil of a site, such as demolition, clearing, grading, site preparation (e.g., excavating, cutting and filling), soil compaction, construction, and movement and stockpiling of top soils.

**LIMIT OF WORK** – The boundaries of the full extent of the area of land to be altered or disturbed during a construction project. The boundary beyond which no construction work will take place. Includes but is not limited to the areas where trees and other vegetation will be cleared, where the sod layer and other earth materials will be removed, where excavation and grading will occur, where buildings and infrastructure will be constructed, and areas to be used for truck parking, equipment storage, and material storage during construction. Limit of Work is also known as the area encompassed by erosion controls.

**MS4 (Municipal Separate Storm Sewer System)** – A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, getters, ditches, manmade channels, or storm drains):

- a) Owned and operated by the Town that discharges to waters of the United States
- b) Designated or used for collection or conveyance stormwater

**NEW DEVELOPMENT** – Any construction activities or land alteration resulting in total land disturbances greater than one acre (or activities that are part of a larger common plan of development disturbing greater than one acre) on an area that has previously been developed which will now include impervious cover (post construction)

**NOAA** – National Oceanic and Atmospheric Administration. A federal agency within the U.S. Department of Commerce. See [https://hdsc.nws.noaa.gov/hdsc/pfds/pfds\\_map\\_cont.html](https://hdsc.nws.noaa.gov/hdsc/pfds/pfds_map_cont.html) for most current precipitation data.

**NPDES** – National Pollution Discharge Elimination System

**POLLUTANT** – Dredged spoil, solid waste, incineration residue, filter backwash, sewage, garbage, sewer sludge, munitions, chemical wastes, biological materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial, municipal and agriculture waste discharged into water.

**REDEVELOPMENT** – Any construction, land alteration, or improvement of impervious surfaces resulting in total disturbances greater than one acre (or activities that are part of a large common plan of development disturbing greater than one acre) that does not meet the definition of New Development.

**UNAUTHORIZED CONNECTION** – A connection that discharges to the Town's MS4 without written permit from the Town.