

Letter of Response

October 2, 2026
Via Electronic Mail

Town of Medway
Conservation Commission
155 Village Street
Medway, MA 02053

Attention: Bridget Graziano, Conservation Agent

**RE: Response to Comments Letter
Project Comments
Mixed-Use Development
117 Main Street
Medway, MA 02053
Bohler Project #MAA240482.00**

Dear Mrs. Graziano

On behalf of the applicant, Rt. 85 Realty Corp., please allow this letter to serve as our formal response to the letter dated August 24, 2026, regarding the Notice of Intent (DEP #216-10XX) Project Comments for the Heritage on Main project, located at 107–119 Main Street and 1 and 3 Elm Street. The comments were prepared by the Town of Medway Conservation Commission for the above-referenced project.

For ease of reference, comments from the Conservation Commission ("CC") are shown in bold, and applicant team responses are shown standard font.

GENERAL COMMENTS:

1. **CC: Sheet C-406 – notes a play area – Prop 6" perforated underdrain in dig run area**

Response:

It is assumed this comment relates to Comment 8(e) and Comment 22 regarding how the underdrain functions. See associated response to Comment 22 for more information.

2. **CC: Provide information on whether the garage parking is required, could this be removed to lessen buffer zone impacts**

Response:

The garage parking is included in the overall parking count for zoning compliance. The overall parking count has been reduced significantly since the original filing.

3. **CC: Wetland F – while the wetland resource does not meet the Bylaw requirements for protection, please provide information on how this new, smaller wetland will be amended to show that water will not be graded or pushed on to the abutting properties not under the ownership of this company. This property which the wetland extends over is Reardon Main Property. (Land Disturbance Permit)**

Response:

The proposed development is expected to result in a net reduction in contributing land area by approximately 0.25± acres (from 0.39-ac to 0.14-ac) to Parcel 40-111 and the associated wetland. Per the reduction of in contributing area, the proposed project is not expected to result in an increase in runoff to the resulting wetland.

WPA COMMENTS:

4. **CC: Address Eco Tec Inc Comments on wetland resource June 24, 2026, noting Wetland A – omitted intermittent stream and Wetland C – line amendments.**

Response:

The revised plans include the Wetland A and Wetland C adjustments as noted in the Eco Tec Inc report.

5. **CC: The applicant is required to meet the two state performances standards which at this time. The Commission is considering the proposed work within the buffer zone to need to meet these criteria in order to meet the performance standards. These activities would impact on the wetland resources, if the additional information is not provided for items listed below within this section. It should be noted that the Commission requires that the applicant comply with 310 CMR 10.03(1)(a)3 when providing responses to concern for alteration of wetlands resources protected under the Act. The definitions are provided to show that the Commission reference to alteration of wetland resources is specifically referenced as an alteration in the definition of alteration.**
- a. **Two state performance standards that apply here are; 310 CMR 10.53(1) and 310 CMR 10.03(1)(a)3.**
 - i. **310 CMR 10.53 (1) If the Issuing Authority determines that a Resource Area is significant to an interest identified in M.G.L. c. 131, § 40 for which no presumption is stated in the Preamble to the applicable section, the Issuing Authority shall impose such conditions as are necessary to contribute to the protection of such interests. For work in the Buffer Zone subject to review under 310 CMR 10.02(2)(b)3., the Issuing Authority shall impose conditions to protect the interests of the Act identified for the adjacent Resource Area. The potential for adverse impacts to Resource Areas from work in the Buffer Zone may increase with the extent of the work and the proximity to the Resource Area. The Issuing Authority may consider the characteristics of the Buffer Zone, such as the presence of steep slopes that may increase the potential for adverse impacts on Resource Areas. Conditions may include limitations on the scope and location of work in the Buffer Zone as necessary to avoid alteration of Resource Areas. The Issuing Authority may require erosion and sedimentation controls during construction, a clear limit of work, and the preservation of natural vegetation adjacent to the Resource Area and/or other measures commensurate with the scope and location of the work within the Buffer Zone to protect the interests of M.G.L. c. 131, § 40. Where a Buffer Zone has already been developed, the Issuing Authority may consider the extent of existing development in its review of subsequent proposed work and, where prior development is extensive, may consider measures such as the restoration of natural vegetation adjacent to a Resource Area to protect the interest of M.G.L. c. 131, § 40. The purpose of preconstruction review of**

work in the Buffer Zone is to ensure that adjacent Resource Areas are not adversely affected during or after completion of the work and

ii. 310 CMR 10.03(1)(a)3

1. Burden of Proof.

a. Any person who files a Notice of Intent to perform any work within an Area Subject to Protection under M.G.L. c. 131, § 40 or within the Buffer Zone has the burden of demonstrating to the issuing authority:

- 1. that the area is not significant to the protection of any of the interests identified in M.G.L. c. 131, § 40; or**
- 2. that the proposed work within a resource area will contribute to the protection of the interests identified in M.G.L. c. 131, § 40 by complying with the general performance standards established by 310 CMR 10.00 for that area.**
- 3. that proposed work within the buffer zone will contribute to the protection of the interests identified in M.G.L. c. 131, § 40, except that proposed work which lies both within the riverfront area and within all or a portion of the buffer zone to another resource area shall comply with the performance standards for riverfront areas at 310 CMR 10.58. For minor activities as specified in 310 CMR 10.02(2)b.1. within the riverfront area or the buffer zone to another resource area, the Department has determined that additional conditions are not necessary to contribute to the protection of the interests identified in M.G.L. c. 131, § 40.**

b. The WPA recognizes that Buffer Zone play an important role in protecting the resource area, as noted under 310 CMR 10.53(1) and 310 CMR 10.02(2)(b)3.

c. The edge effect can be referred to as EI, Edge Influence. Harper et al. (2005) Table 1 defines edge effects, “Edge influence (EI) defined as the effect of processes (both abiotic and biotic) at the edge that result in a detectable difference in composition, structure, or function near the edge, as compared with the ecosystem on either side of the edge”.

Response:

The project as currently proposed by the applicant has been designed to maintain separation from and protect the most crucial portions of the 100-foot Buffer Zone by maintaining a 25-foot undisturbed strip between the edge of the resource area and the Limit of Work. While the proposed project will develop a portion of the 100-foot Buffer Zone onsite, no work will occur within 25' of a resource area. Further, the applicant is proposing the donation of two parcels of land on Kelley Street for protection by the Town as they see fit. This land consists of approximately 5.7 acres, which partially consists of otherwise developable upland. The protection of these parcels through donation to the town will serve to protect over 300 mature trees and ultimately will offset the alteration proposed to the buffer zone associated with the remaining

project at large. Finally, the implementation of robust stormwater management will provide treatment for untreated runoff that currently flows downgradient towards the resource areas.

6. **CC: Based on the regulations it is requested that the applicant provide a vegetated buffer zone in order to meet 310 CMR 10.53(1) or provide a preponderance of evidence how all areas were work such as retaining wall, dog parks, fueling station, will not alter the wetland resource. For the retaining wall, consider such as edge influence, invasive species encroachment from increase of light changing the plant composition, increase in soil temperature, increase in water temperature, change in hydrology, alteration of wildlife habitat, loss of pollution prevention, sedimentation, flood control, etc. under 310 CMR 10.03 (1)(a)3.**

Response:

310 CMR 10.53(1) does not contain applicable performance standards to be met. The project has been designed to protect the present resource areas to the greatest extent practicable. In compliance with the Town Bylaw, a separation of at least 25' has been maintained from all resource areas onsite. Erosion control barriers will be installed prior to the onset of any work to minimize the potential for downgradient alterations. The Limit of Work has been tightened upgradient to the greatest extent possible, with comprehensive stormwater management serving to improve the existing drainage conditions onsite, which currently result in sheet flowage downgradient towards the resource areas.

7. **CC: All locations at the limit of work is within the buffer zone, shall be planted with native seed mix, please detail this on the plans, if there is proposed rip rap, the areas should use geogrids to loam and seed.**

Response:

Rip rap aprons for the stormwater overflows have been designed to prevent scour. Outside of the rip rap aprons, native seed mix has been specified. The design slopes for these areas are 3:1 or less and therefore geogrid is not proposed.

8. **CC: Provide information on the following proposed activities;**
- Dog Park – nitrogen loading at the 25' No Disturb Line, with subsurface drainage which enter the Town groundwater and other impacts to the wetland resource, from animal excrement and other chemical used for washing turf. Possible washing or hosing of areas with high nitrogen and phosphorous. Dog Excrements cause excess nutrients which can feed massive growths of algae, and oxygen depletion within water sources. Remove this amenity and provide protection of the 0-25' No Disturb Zone from A-15 through A-17. Provide Operation and Maintenance Plan of this Park Area and the proposed materials be used for construction.**
 - Proposed Park Area – request to reduce this as the impacts to the wetland resources due to the loss of canopy. Reduce parking WF A-8 through A-15 to provide protection of 0-25' No Disturb Zone. Provide Operation and Maintenance Plan of this Park Area and the proposed materials be used for construction.**
 - Reduction in parking the applicant has proposed 20 additional parking spaces to the requirements for the Planning Board Site Plan Review**
 - Sheet C-402 – shows the grading of the retaining wall varying 10-12 above the 25' No Disturb Zone, based on trees to be removed, provided a shading plan for retaining wall, and times of the day the wall will be shading the 25' No Disturb Zone**
 - Provide the proposed composition of the proposed play area and its under drains, as the play area, does not show drains**

- f. **Provide SPCC Plan for Fueling station and the operations and maintenance plan**
- g. **Fueling Station add shut off valves for all catch basins which take water from locations which could be subject to a spill, shut off valves would be located within the manholes, prior to entry into the subsurface infiltration basins.**
- h. **Calculate the amount of fuel that could be isolated/contained during a spill within manholes and before entering the subsurface system.**
- i. **Memorial Plaza – provide a reduction in the proposed impacts to this area. Edge effects from salting and sanding along Main Street can be impactful. This amount of clearing close to the 25' along Main Street will impact the 0-25' buffer zone. This area should be reduced to signage only.**

Response:

Responses are provided per the associated comments:

- a. An impermeable barrier will be provided beneath the underdrain system and the dog park will be fully curbed. All runoff will be directed via closed-piping to infiltration system IS-3 for treatment prior to discharge. TP removal at the proposed dog park is achieved by providing the adequate infiltration volume for the dog park area. The provided infiltration volume is expected to result in a TP removal of 96%, per MA Stormwater Handbook, Appendix B: EPA SCM Performance Removal Curves (also added to Appendix F of the revised Drainage Report for reference). Additionally, the project will provide waste disposal bags and trash receptacles along with associated signage to encourage proper pet waste disposal. Additional Operation & Maintenance (O&M) language has been added to the Stormwater O&M Plan.
- b. Bohler assumes "Park Area" is referring to the parking area behind the retaining wall at the south-west corner of the project site near wetland flags A-8 through A-15. Per modifications to the site to decrease the parking count, the residential area parking count is in line with the required number parking spaces as required by the zoning bylaw.
- c. See response to B above.
- d. A shading plan is enclosed which demonstrates that during the typical growing season the proposed walls have a limited impact on the adjacent wetland buffer area.
- e. The PIP surface material is porous, with runoff being collected by the underdrain. The collected stormwater is then treated by a hydrodynamic separator before entering the proposed detention system.
- f. An SPCC plan and detailed gas station design plans will be provided prior to obtaining a Building Permit.
- g. Shut-off valves have been added upstream to the respective drainage basins in event of a spill.
- h. Expected fuel storage volume will be included as part of the SPCC plan prior to obtaining a Building Permit.
- i. This plaza area was proposed at the request of the Planning and Economic Development Board (PEDB) via the Site Plan Review process and preliminary planning with the Town Staff. The plaza was meant to create a pleasant seating area for the relocated 9/11 memorial seating benches. Providing only signage in this area would greatly reduce the benefit of the memorial. The grading of the area has been modified so runoff generated by snowmelt will direct runoff into the roadway instead of the wetland to reduce impacts to the 25-ft buffer zone.

MEDWAY GENERAL BYLAW ARTICLE 21

- 9. **CC: The proposed clearing of mature trees, which included a mix of deciduous and evergreen trees, native shrubs and groundcover, was likely to adversely affect the functions of the BVW through loss of shading, changes in temperature, as well as changes**

in the plant community (i.e., the reduction of shade tolerant plants and the introduction of non-native species) at the edge of the 25'.

- a. **Provide information on how the proposed work at the 25' will not impact the 25' (for Bylaw) and wetland resource for loss of canopy.**

Response:

The proposed Limit of Work (LOW) will not extend into the 25' No Disturb Zone at any portion onsite. Despite trees being removed within proximity to this No Disturb Zone, native tree plantings within the Buffer Zone will offset the changing shade conditions. The construction of the apartment building will further offer shading to the wetland during certain times of year, as depicted in the attached Shading Study. Despite tree removal proposed within proximity to the No Disturb Zone, the trees preserved through the donation of the Kelley Street parcels to the town will offset those removed.

10. CC: Section 23 – Tree and Vegetation Replacement – did not see the inventory of trees to be removed

- a. **Proposed tree list is cultivars and crossbreeds, need to be native within the jurisdiction of the conservation Commission. Replacement needs to take place within the buffer zone or it is not counted as meeting the performance standards for Section 23.**

Response:

The planting plan has been revised to include native species, with no cultivars, for proposed trees within the Conservation Commission's jurisdiction.

STORMWATER MANAGEMENT STANDARD COMMENTS:

11. CC: Please provide two separate maintenance Plans; Standard 4 and 9

- a. **Operation and Maintenance Plan that will act as the SWPPP, which will be for during construction how all the different the stormwater management system components will be protected and cleaned (maintained) during construction. These should be separated in the maintenance plans.**
- b. **Long Term Pollution Prevention Plan - this is how the different components will be maintained post-construction for the Homeowners association or the Town. It is not clear to the maintenance entity. Costs are supposed to be addressed as well (see stormwater standards).**
- c. **Standards 4 and 9 must be met and clear for maintenance they are not clear all the components are out together and do not have proper scheduled cleaning. For example- catch basins shall be cleaned when 50% or more full not just annually, this makes the unit not compliant with the Stormwater management standards as it does not achieve 25% TSS removal.**

Response:

Responses are provided per the associated comments:

- a. A separate Draft SWPPP has been added to the Drainage Report package. The Stormwater Operation and Maintenance Plan and Long-Term Pollution Prevention Plan are already included in the Drainage Report package and are intended to show long-term maintenance and management post-construction.
- b. The maintenance entity is defined as the "Responsible Party During Construction" and the "Responsible Party Post Construction".
- c. Frequency of the maintenance of each of the stormwater components have been provided under the O&M Plan. The language regarding the catch basin has been revised

to be cleaned when the sump capacity reaches 50%. Costs have been added as requested.

- 12. CC: Snow disposal locations need to be identified on plans, this cannot be pushed into stormwater management areas or wetlands, or vernal pools. It is also possible to draft where snow is NOT to be stored. This could be discussed.**

Response:

Sheets C-302 and C-303 have been revised to indicate where snow will *not* be stored as requested.

- 13. CC: Please Provide Water Quality Tanks - type proposed and manufactures manual for maintenance; this needs to be added to the O&M Plan and LTPPP**

Response:

Maintenance manuals for the proposed hydrodynamic separators have been added.

- 14. CC: Provide signage for the following areas;**

- a. Sensitive areas where snow storage and plowing is not allowed, all wetland resources, and all stormwater drainage structures.
- b. Stormwater Drainage Areas

Response:

The Applicant is committed to providing appropriate signage for the above-noted areas and will be included in sign package submitted to Building Department prior to construction.

- 15. CC: Provide a draft SWPPP for review by the Commission**

Response:

A draft SWPPP has been added to Appendix H of the revised Drainage Report Package.

- 16. CC: Provide a phased construction plan for during construction operations, temporary sedimentation basins, sequencing of construction, when stormwater management systems will be installed – per sediment and erosion control plan requirements**

Response:

Construction sequencing is provided on sheet C-803 (previously labelled C-802) as “Recommend Construction Sequence”. Sheet C-801, Soil Erosion & Sediment Control Plan, has been revised to show a Phase 1 and Phase 2 erosion control plan including the temporary sedimentation basins - see Sheets C-801 & C-802. HydroCAD analysis of the Phase 1 temporary sediment basins documenting reduction in peak flows up to the 100-yr storm event has been added to Appendix E of the Drainage Report. These revisions address comments provided in the Woodward & Curran review dated 09/01/2026 as well.

- 17. CC: Operations and Maintenance Plan**

- a. Amend to add requirements of Section 7 of the MA Stormwater Management Standards

Response:

The project is not a redevelopment. The Operation and Maintenance requirements outlined within the Handbook have been included in the O&M Plan.

18. CC: Long Term Pollution Prevention Plan

- b. Amend to add requirements of Section 26.5.9 of the Medway General Bylaw Article 26**
- c. Provide information for the entire facility be under the direct management of, this is the party responsible**

Response:

The party responsible is listed as the “Responsibly Party” in both the Stormwater O&M and the Long-term Pollution Prevention Plan. Upon review of the requirements listed in Section 26.5.9, the following changes have been made:

- Added language per Section 26.5.9.4 regarding changes to the O&M plans.
- Added language on providing annual reports to the Conservation Commission and the DPW by December 15.

No easements are proposed as the property will be under one ownership, which will be the party responsible.

19. CC: LHUPPL

- d. Provide a third-party review for the hydrodynamic separator, the applicant is taking 80% credit, show how this was determined. TSS train**

Response:

Third party review of the CDS unit has been added to Appendix F.

20. CC: Fueling station

- a. Provide the SPCC plan design required with shelter**
- b. Provide Letter from Engineer on fueling station and requirements for spills.**
- c. Amend plans to have shut off valves at manhole locations prior to entry into subsurface infiltration system, show the grades within these locations, showing the final grades and where the fuel may travel during a spill**

Response:

Responses are provided per the associated comments:

- a. As noted above, an SPCC plan will be provided prior to obtaining a Building Permit.
- b. A letter will be provided along with the SPCC plan prior to obtaining a Building Permit.
- c. Shut-off valves have been added upstream of the respective infiltration systems. Additionally, trench drains were added downgradient of the fueling stations (see Sheet C-406) to further constrain potential runoff reaching further west of the project site.

21. CC: Subsurface infiltration units

- a. Provide details on units and proposed chambers**
- b. Requires inspection ports to be shown on the plans**
- c. Provide how infiltration units near the dog park will meet the phosphorous removal requirements. Provide the Commission with the possible amount of extra phosphorous incorporated into the system from dog excrement.**
- d. Provide information on proposed fill and how the materials will act if subsurface infiltration systems are sitting within these. Please provide information on any structural fill proposed in and around the proposed buildings, how does this extend out, and will this impact the water to move through the subsurface infiltration system,**
- e. DS6 – requires test pit within the proposed system to determined ESHGW in order to design the proposed system**

Response:

Responses are provided per the associated comments:

- a. Details have been added to Sheet C-904 of the site development plans.
- b. Inspection ports and/or access manholes have been added to each of the subsurface stormwater management systems.
- c. See Bohler response to comment 8.a.
- d. The infiltration systems proposed near the residential building are located more than 20 feet from the building foundations and is expected to be outside the limits of the structural fill required for the buildings. The building foundations and associated fill is not expected to impede the movement of groundwater, particularly near the residential building, where groundwater appears to generally follow the existing topography towards the wetlands to the south and southwest of the site. Field conditions and fill placement will be verified during construction as well.
- e. DS-6 is a subsurface detention system designed for peak rate attenuation and is not intended to infiltrate. No additional test pits are required.

22. CC: Play Area

- a. **Provide information on how the underdrains for this system receive water from the PIP. The plans do not show water will enter this system.**
- b. **Provide information on the composition of the play area and what contaminates from the surface of the play area may enter the groundwater**
- c. **Provide whether there is PFAS within the PIP**
- d. **Provide Operations and Maintenance Plan**

Response:

Responses are provided per the associated comments:

- a. Refer to response to comment 8(e).
- b. Cut sheet of PFAS free material for the play area surface material are enclosed and proposed.
- c. See prior response to comment (b).
- d. Manufacturer's instructions to maintain the play area surface have been provided in the O&M plan.

23. CC: Snow Storage

- a. **Provide proposed snow storage plans**
- b. **Recommend the addition of signage noting, "no snow storage" at open infiltration basins near parking areas and access ways**
- c. **Recommend adding "no snow storage" signage so snow is not pushed over the retaining wall at the south, to west portions of the site, all locations along the wall where wetland resources are within 50'.**
- d. **Provide information on Dog Park and Play Area winter maintenance.**

Response:

Responses are provided per the associated comments:

- a. Per comment 12, the plan has been updated to show areas where snow cannot be stored.
- b. Refer to response to comment 14.
- c. Refer to response to comment 14.
- d. Snow removal in the Dog Park and Play area will be by hand to areas outside of the no snow storage areas identified.

Play area:

24. CC: Illicit discharge Compliance statement is not signed

Response:

The project commits to providing a signed copy of the document prior to construction as a condition of approval.

TREE BYLAW COMMENTS:

25. CC: Trees within the buffer zone should be added to the NOI portion of the proposed application not the Tree Preservation Permit Application.

Response:

Noted; tree removal within the buffer zone will be considered under the Notice of Intent application and identified on plans as such.

26. CC: Trees should be numbered in the field and on the plans, so this can be confirmed in the field

- a. **Trees within the Preservation Area to be removed**
- b. **Trees within the Buffer Zone**
- c. **Overlapping trees**

Response:

Trees within the buffer zone have been tagged and are shown in EX-04 of the enclosed Tree Exhibits. As there are a number of trees that overlap within the three tree ordinances applicable to the project, the applicant looks forward to continuing to work with the appropriate staff and boards on the final required mitigation.

The Tree Exhibits provided are as follows:

- EX-01 – SECTION 23 – TREE EXHIBIT: Shows all trees removed subject to Section 23 of the Medway Bylaws. These are trees within the 100-ft wetland buffer zone.
- EX-02 – SECTION 31 – TREE EXHIBIT: Shows all trees removed subject to Section 31 of the Medway Bylaws. These are trees within the “Tree Preservation Area”, i.e., the zoning setbacks.
- EX-03 – SECTION 207-19 – TREE EXHIBIT: Shows all trees removed subject to Section 207-19 of the Medway Bylaws. These are trees with a dbh of 15” or greater. These trees generally fall under the PEDB jurisdiction.
- EX-04 – TREE INFO EXHIBIT: Shows removed trees subject to Section 23, with the tags & species identified as requested.

27. CC: Confirm there are no trees to be preserved.

Response:

Trees external of the Limit of Work (LOW) are intended to be preserved. Trees on the edge of the LOW (within the LOW) may be considered for preservation. Upon review, two trees in northwestern corner associated with the proposed monument have been specifically identified for preservation.

28. CC: Overlapping trees are not removed from the calculation, they need to be counted for one other the other.

Response:

Comment acknowledged.

29. CC: Building Setback should be marked in the field for tree inventory review.

Response:

See response to Comment 26.

30. CC: Proposed Trees

- a. **Shown on the plans after buffer zone mitigation (367 within the buffer zone or wetland only)**
- b. **Shown on the plans as Tree Preservation Mitigation (129 anywhere on the property)**
- c. **Overlapping Tree need to be discussed, which section to add to.**

Response:

See response to Comment 26. Proposed trees are shown on the enclosed Tree Exhibits with a breakdown of total tree planting required (and proposed) per the regulations. Per the revised site development plans, a total of 115 trees are currently proposed, with 10 trees proposed to be cultivars outside the buffer zone. Additionally, the project is also proposing a 1,500-sf Miyawaki Forest. Under that initiative, the project is proposing 110 canopy (taller) trees and 180 sub-canopy (mid-sized) trees for a total of 290 trees within the forest.

31. CC: Sheet L-101 shows only 48 trees qualifying for the requirements of either Bylaw Article 21 and 31 for over 400 required trees.

- a. **Sweet Gum, Tulip Tree, Pin Oak, Red Oak, Balsam Fir, Eastern Red Cedar, Eastern Red Bud and Ester Dogwood.**

Response:

The planting plan has been revised to include native species, with no cultivars, for proposed trees within the Conservation Commission's jurisdiction.

32. CC: Trees under the Tree Preservation Bylaw which cannot be planted shall used Section 31.4.3.c.

Response:

Comment acknowledged.

33. CC: Provide color landscaping plans showing the Trees to be planted for Section 23 and Section 31. Mitigation shall not be shrubs, grasses, groundcover, or perennials (this is landscaping).

Response:

See response to Comment 26, which describe the exhibits pertaining to each bylaw section.

34. CC: Many areas are open for mitigation and are not used on the plans.

Response:

At this time, the primary source of mitigation is through the donation of the two Kelley Street parcels as land donations to the town. Other alternative mitigation options are being explored by the team.

Upon your review of the above, please do not hesitate to contact me directly with any questions.

Sincerely,

BOHLER ENGINEERING MA, LLC



Timothy Hayes, P.E.

Letter of Response

October 2, 2026
Via Electronic Mail

Town of Medway
Conservation Commission
155 Village Street
Medway, MA 02053

Attention: Jeremy Thompson | Town Planner, Community and Economic Development

**RE: Response to Comments Letter
Main Street Mixed-Use Development
Peer Review
117 Main Street
Medway, MA 02053
Bohler Project #MAA240482.00**

Dear Mr. Thompson:

On behalf of the Applicant, Rt. 85 Realty Corp., please allow this letter to serve as our formal response to the letter dated June 30, 2026, regarding the Main Street Mixed-Use Development Peer Review Task Order FY26-5, prepared by Woodard & Curran ('W&C'), for the above referenced project.

According to Chapter 200 of the Town of Medway Planning & Economic Development Board Rules and Regulations, dated 05/09/2023, the following items are required for a Major Site Plan Review. For your reference, excerpts of the requirements are italicized, relevant commentary from **Woodard & Curran is shown in bold**, and **applicant team responses are shown in blue**.

APPLICATIONS REVIEW:

Major Site Plan Review:

s. 204 – 3 Planning and Economic Development Board Submittals - The Applicant shall deliver in hand, or by registered or certified mail, the following submittals to the Board:

- A. *The Major Site Plan Application form signed by the Applicant, property owner(s), and designated representative, if any, on a form provided by the Board. **Included with application.***

Response:
No response required.

- B. *Two sets of the site plan (24" x 36") and one set of the site plan (11" x 17") prepared in conformance with these Rules and Regulations including all items as specified in s. 204 – 5 of these Rules and Regulations. **Presumably submitted, see below for discussion of s. 204-5 item commentary.***

Response:
No response required.

- C. *One written Project Narrative regarding the proposed development. At a minimum, the Narrative shall include the following information wherever applicable:*

As noted in the list of available documents a narrative was included as a cover letter with the submission.

Response:

No response required.

1. *current and proposed uses; Description included*

Response:

No response required.

2. *description of proposed site improvements including paving, stormwater management, landscaping, sidewalks, refuse storage and disposal facilities, site amenities, fencing, lighting, accessible site features, water and sewer service, open space, etc.; Description included*

Response:

No response required.

3. *description of proposed building construction, renovation, façade improvements, and/or demolition including the size of the proposed building(s) or additions; Description included*

Response:

No response required.

4. *projected water and sewer demand; Description included. The projected sewer demands as calculated in Table 3 of the Bohler Cover Letter were reviewed using Section 15.203: System Sewage Flow Design Criteria of the State Environmental Code, Title 5 (310 CMR 15).*

Based on the uses and levels of service of the proposed buildings described in the cover letter and shown on the Site Plan, the appropriate Title 5 flow design criteria were utilized in the sewage generation calculations. The proposed sewer generation for the fueling station is based on providing a 5-island gas station as shown on the Site Plan; however, the Architectural Plans show a 4-island fueling station. The Applicant should verify that the fueling station will include 5 islands or adjust the calculations as necessary.

It was assumed that the existing sewer generation calculations were correct and were not reviewed. Similarly, the water usage calculations performed in Table 3 of the cover letter were assumed applicable, correct, and were not reviewed.

Response:

The gas station is intended to have 5 islands as depicted on the Site Plan, which reflects the Title 5 calculations provided.

5. *expected number of employees and/or occupants; Partial description included. The number of proposed units in the apartment building was included in the narrative, and a bedroom count was shown on the architectural plans. No statement related to total number of occupants or employees for the apartment was found in the project documents.*

An employee count was listed for the restaurant as a note to Table 2 Development Summary and Parking Requirement. No mention of number of employees for the fueling station or bank was found in the narrative or other project documents.

Response:

Design occupant loads per 780 CMR are as follows:

1. Multi-family building:
 - a. First floor comprised of the following square footages & use groups
 - i. Residential: 49,850 SF @ 1/200 design load = 249 occupants
 - ii. Business areas: 1,200 SF @ 1/150 design load = 8 occupants
 - iii. Reading rooms: 1,000 SF @ 1/50 design load = 20 occupants
 - iv. Accessory storage areas: 1,200 SF @ 1/300 design load = 4 occupants
 - v. General recreation & exercise: 4,000 SF @ 1/50 design load = 80 occupants
 - vi. Subtotal First Floor occupant design load = 361
 - b. Typical Upper Level (3 floors total):
 - i. Residential: 61,780 SF @ 1/200 design load = 309 occupants (typ. Of three floors)
 - ii. Subtotal for three (3) Upper Levels occupant design load = 927
 - c. Total Multi-family building occupant design load = 1,288 Occupants
2. Country Store:
 - a. Stockroom area: 1,620 SF @ 1/300 design load = 5 occupants
 - b. Mercantile area: 3,780 SF @ 1/60 design load = 63 occupants
 - c. Total Country store building occupant design load = 68 occupants
3. Bank:
 - a. Business area: 2,000 SF @ 1/150 design load = 13 occupants
4. Restaurant:
 - a. Stockroom: 700 SF @ 1/300 design load = 2 occupants
 - b. Kitchen: 1,050 SF @ 1/200 design load = 5 occupants
 - c. Seating Area: 1,750 SF @ 1/15 design load = 116 occupants
 - d. Total Restaurant building occupant design load = 123 occupants

6. *proposed hours of operation*; **No discussion related to the hours of operation for the commercial facilities was included in the narrative.**

Response:

Typical hours of operation for the commercial facilities is anticipated as follows: Gas Station/Country Store: (5 a.m. - 10 p.m.). Bank (8p.m-6p.m), Restaurant (5 a.m - 11p.m).

7. *existing and proposed means of vehicular and pedestrian access and egress including the size and schedule of delivery vehicles*; **Description included.**

Response:

No response required.

8. *number of parking spaces required and how this number was determined*; **Description included.**

- **Architectural plans show 4 island gas station while civil plans and cover letter sewer calculations suggest 5 island gas station.**
 - **Need to verify which is correct as it impacts both parking and sewer design requirements.**
 - **Currently assuming the gas station provides 5 islands (10 fueling positions).**

Response:

As noted above, the gas station is intended to have 5 islands as depicted on the Site Plan, which reflects the Title 5 calculations provided.

- **Development summary table on Site Plan C-301 is inconsistent with the cover letter Table 2. The Site Plan table does not show the correct “Parking ratio required by zoning” for Buildings B & C. Adjust based on Cover Letter Table 2.**

Response:

The Development Summary and associated parking calculations have been updated.

- **Parking Requirements**
 - The parking requirements described in Section 7.1.1.E.1 of the Zoning Bylaw apply to the proposed parcels (residential and commercial). The residential parcel containing the apartment buildings will require a total of 401 parking spaces. The commercial parcel containing the bank, restaurant, convenience store, and fueling station will require 70 spaces.
 - Similarly, the ADA and EV parking space requirements should be calculated separately for the two proposed parcels. Provide ADA parking per the requirements described in 521 CMR 23.00 and EV parking per the requirements described in Section 7.1.1.E.4 of the Zoning Bylaw. The ADA and EV parking provided may be included in the total number of parking spots required per Section 7.1.1.E.1.
 - The ADA and EV parking spaces can be included in the total number of required parking spaces as calculated in accordance with Section 7.1.1.E.1 of the Zoning Bylaw.
 - Of the 401 spaces required for the residential parcel, a minimum of 9 EV and 9 ADA spaces are required. Additional EV spaces are needed as only 3 spaces are provided.
 - Of the 70 spaces required for the commercial parcel, a minimum of 3 EV and 3 ADA spaces are required.

Response:

Revised quantity and location of EV parking spaces to meet the requirements outlined above have been provided in the revised submission package.

- **Items of Non-Compliance not yet included in the Requested Waivers section of the cover letter.**
 - Parking in the front of the buildings. It is understood that a Special Permit is being sought for approval of this strategy. See the following sections:
 - Section 7.1.1.G of the Zoning Bylaw
 - Section 10.2.D.2.c of the Zoning Bylaw
 - Plans do not include any facilities for bicycle parking. Bicycle parking shall be provided in accordance with Section 7.1.1.I of the Zoning Bylaw.
 - Parking spaces are provided within 20 feet of building entrances/exits which is non-compliant with Section 207-12.G.3.a of the Site Plan Rules and Regulations.
 - Parking spaces are provided within 15 feet of the front and side of the property boundary which is non-compliant with Section 207-12.G.3.b of the Site Plan Rules and Regulations.

Response:

Responses are provided per the associated comments:

- The list of special permits has been updated to include as noted.
- Appropriate quantity and location of bicycle parking has been added to the plans.
- The list of requested waivers has been updated to include parking spaces within 20-ft of the building entrances/exits.
- The list of requested waivers has been updated to include parking spaces within 15-ft of the front and side of the property boundary within the side yards created by the future ANR.
- **Comments**
 - **Total provided parking exceeds the minimum standards for the two parcels. Parking spaces should be adjusted or removed to accommodate Section 207-12.G.3 of the Site Plan Rules and Regulations.**
 - **As noted in Section 10.2.D.2.a of the Zoning Bylaw the minimum number of off-street parking spaces required by use on TABLE 3 in Section 7.1.1.D shall be interpreted to be both the minimum and the maximum amount of parking spaces required. (underline added)**

Response:

The Development Summary and associated parking calculations have been updated, showing a reduction from the previous submission, however, the total parking proposed is still slightly in excess of the minimum/maximum zoning requirement based on user demand.

9. *calculation of proposed lot coverage and impervious surface*; **Lot coverage calculations are presented on Sheet C-301 of the Civil Plans, documenting compliance. A description of the total impervious surface is included in the narrative (382,600 sq-ft).**

Response:

The lot coverage remains in compliance; however, the lot coverage calculations have been updated to reflect the site plan revisions since the initial submission and are included on sheet C-301.

10. *timetable for project completion*; **No description of the proposed construction schedule was included in the cover letter narrative.**

Bohler Response:

The expected construction duration of the project is anticipated to be 18-20 months from mobilization.

11. *list of other required local, state, and federal permits needed for the project and the status of each*; **The narrative listed the following permits as required for the project, no discussion of status was provided.**

Medway Planning & Economic Development Board (PEDB): Under consideration

- Zoning Bylaw, Section 3.5: Major Site Plan approval, including application for any requested waivers from the PEDB Rules and Regulations governing site plans.
- Zoning Bylaw, Section 10.3: Special permit for Mixed-use Development in CB zoning district.
- Zoning Bylaw, Section 10.2.A: Special permit for fuel station.
- Zoning Bylaw, Section 10.2.D.C: Special permit to allow parking on front or side of building.
- Zoning Bylaw, Table 1 Schedule of Uses: Special permit for Drive-through.
- ANR plan to modify lot lines.

Medway Conservation Commission: [Under consideration](#)

- Notice of Intent (NOI) under WPA and Town General Wetlands Bylaw per Article 21 of General Bylaws.
- Land Disturbance Permit per Article 26 of General Bylaws.
- Tree Preservation Permit per Article 31 of General Bylaws for removal of trees of a certain diameter within zoning setbacks (Administrative permit from Conservation Agent).

Medway Historical Commission: [Received determination of no significance.](#)

- Structure Demolition per Article 17 of the General Bylaws, for structures 75 years old or older

Design Review Committee: [Under consideration](#)

- Sign permit (which includes review by the committee).

Additional relevant reviews/permits: [To be applied for post site plan/special permit approvals](#)

- Building Permit
- EPA, NPDES Construction General Permit
- 40 CFR Part 112 EPA Spill Prevention Control & Countermeasures (SPCC) Plan (for Fueling Station)
- DPW utility connection permits

Response:

The list of permits above has been updated with associated statuses. The project intends to apply for remaining required permits prior to construction.

12. *description of how the project has been designed to incorporate the use of low-impact design and nature-based techniques for stormwater management;* **No description related to managing stormwater with low-impact design or nature-based techniques was included in the narrative. Based on the site plans and stormwater management report it appears that no significant low-impact or nature-based measures are proposed.**

Response:

The site design concentrated on reducing the impervious area on site by clustering development away from natural resources to the extent feasible. This approach to reducing the impervious and developed area allows for the ability for the applicant is proposing the donation of two parcels of land on Kelley Street for protection by the Town as they see fit. This land consists of approximately 5.7 acres, which partially consists of otherwise developable upland. The protection of these parcels through donation to the town will serve to protect over 300 mature trees and ultimately will offset the alteration proposed to the buffer zone associated with the remaining project at large.

13. *description of how the project has been designed to comply with the Medway Design Review Guidelines;* **The Neighborhood Impact Assessment text (page 8 of the narrative) includes an architectural related summary of the project and states that “The proposed architectural features are consistent with the Town of Medway Design Review Guidelines...”. No other statements were found indicating that the project will comply with the Design Review Guidelines. The Board should determine if additional justification should be provided to explain how the proposed project is in compliance. It is assumed that the Design Review Committee will also determine whether additional information is required for their review.**

Response:

Medway's design guidelines were referenced heavily in the overall design of the architectural composition. The entire development has been imbued with an architectural theme that embraces traditional New England village vernacular. With a primary material palette comprised of clapboard siding, board & batten, brick and stone masonry, shingle-shakes, shingle roofs and standing-seam metal roofs, the proposed architectural design employs many of the materials encouraged for use in Medway's design guidelines. These materials are applied to building forms that make use of many of the New England-style architectural motifs encouraged by Medway's design guidelines (mansards, gables and dormers constitute the majority of the project's roof forms).

The multi-family building was carefully evaluated for compliance with Medway's design guidelines using multiple methods of design iteration and analysis. Each façade is treated with multiple plane changes, variations in color and materiality, and attention to shadow lines and light exposure to ensure that the building footprint's overall dimensions are broken down into subsequent human-scale masses which read as multiple buildings constructed over time – as one would see in many other New England downtowns in the surrounding region. The building's verticality was carefully evaluated to create distinctions between the 'base', 'middle' and 'cap' sections of the facades as outlined in the design guidelines (achieved through the use of varying ground-floor fenestrations and window heights, changes in materiality and projection, and roof forms that clearly identify the upper level as a 'cap'). The building's overall roofline composition is also composed of a variety of roof forms, ridge heights, window and balcony dormers and an array of trim and cornice profiles which accentuate the overall composition and establish direct dialogue with many of the New England-style buildings found around Medway. A cupola is also provided at the northwest corner of the multi-family building to establish direct dialogue with the new municipal complex proposed across Main Street and as a device which further accentuates the primary public entrance for the structure.

The three retail buildings on site (commercial business, restaurant and country store) were all designed to complement the overall architectural theme of the development. The same material palettes and architectural embellishments employed on the multi-family structure are also used on these smaller retail buildings, lending a unified theme to the overall development.

The walkability of the site and the overall resident and pedestrian experience of the project, when viewed from eye-level, were primary drivers behind many of the development's details. All buildings in the proposed development employ window and entrance treatments which add detail and texture to the pedestrian experience. Decorative and functional architectural façade lighting is used on all buildings, employing fixtures manufactured in traditional new England village style (gooseneck sconces, lamp-style pedestrian light posts, etc.) which both enrich the developments ambiance while also ensuring safety lighting is present throughout.

Combined with the site engineering and landscape design, the architectural composition of the development has been crafted with the pedestrian and human-scale experience in mind. When viewed wholistically, the development has been designed to read as a collection of New England style buildings, a central theme encouraged throughout Medway's Design Guidelines.

14. *description of energy conservation and sustainability measures incorporated into the site and building design;* **Limited discussion of energy conservation and proposed sustainability measures was included in the narrative. The Applicant does state "The building's construction is anticipated to be type 5, with the building envelope fully complying with the stretch energy code performance requirements. The entire building is designed to be fully electric, and will include provisions to allow for future solar panels, battery storage and utility infrastructure as required by the MA Stretch Energy Code."**

Response:

Comment acknowledged.

15. *any other information the Applicant believes will assist the Board in reviewing and understanding the site plan application.*
- D. *One list and three sets of mailing labels of all parties in interest as defined in G.L. c. 40A, §11 within three-hundred feet of the subject site as appearing on the most recent tax records list maintained by the Assessor's office. The list shall be certified by the Board of Assessors of Medway and all applicable adjacent communities. **The narrative cover letter indicated that an abutters list Form E was submitted accompanied by a GIS map and check. It is assumed that proper notification of interested parties occurred prior to the initial public hearing.***

Response:

It is the Applicant's understanding that proper notification was provided prior to the initial public hearing.

- E. *One copy of all relevant approvals, land use permits, or decisions received to date from other Town boards and committees (ZBA, Conservation Commission, Board of Health, Historical Commission, Department of Public Works, etc.) and federal or state government agencies. **As noted above several additional permits will be necessary prior to construction of the project. It is assumed that these are all in progress and no approvals have been obtained.***

Response:

As noted above. the Applicant has initiated or will initiate all necessary permit processes prior to construction.

- F. *A written Development Impact Statement which shall describe the potential and anticipated impacts of the proposed development, identify all positive and adverse impacts, and propose an acceptable program to prevent, reduce or mitigate adverse impacts.*

The narrative cover letter presented a Development Impact Statement that includes a Traffic Impact Statement, Environmental Impact Statement, Neighborhood Impact Assessment, and Parking Impact Assessment. The traffic assessment and study prepared by the Applicant will be reviewed by our partner Chappell Engineering Associates LLC and summarized in a separate review document.

Response:

Comment acknowledged.

The environmental impact statement includes commentary for the seven items listed in S.204-3.F.2)b) [1. damage or threat to wetlands and floodplain; 2. surface water and groundwater quality; 3. increases in impervious surfaces; flooding potential; and stormwater impacts; 4. noise levels and vibration in compliance with Section 7.3.D of the Zoning Bylaw; 5. air quality; harmful or noxious emissions; smoke; and odors in compliance with Section 7.3.D of the Zoning Bylaw; 6. damage or removal of trees 15 inches in diameter or greater at dbh; and 7. waste disposal]. The board should determine if the content is considered sufficient, noting that several of these aspects will be reviewed through the Conservation permitting process (wetlands, stormwater, tree removal, etc.).

Bohler Response:

Comment acknowledged. The Applicant has concurrently filed with the Conservation Commission separately.

The neighborhood impact assessment includes statements addressing the first three of four required items listed in S.204-3.F.3)b) [1. the neighborhood's visual, architectural, and historical character; 2. the goals of existing community plans (master plan, open space plan, housing production plan, etc.) applicable to the neighborhood; 3. the quality of life of its residents; and 4. the expected demand for municipal services.]. The board should determine if these descriptions adequately address the intent. No statements were included in the neighborhood impact assessment related to the proposed project's expected demand for municipal services. As noted above there is a section related to water and sewer calculations provided on pages 4 and 5 of the narrative.

Response:
Comment acknowledged.

The parking impact assessment includes statements related to the amount of parking proposed and screening and shade tree installation. Detailed comments related to the parking quantity were presented above. The board should determine if the screening and tree planting proposed is adequate.

Response:
Comment acknowledged. A revised site layout and landscaping plan are enclosed detailing additional screening and tree plantings.

G. *Stormwater Documentation*

1. *Post-Construction Stormwater Management Plan (see s. 207-14 of these Rules and Regulations) including a Long-Term Stormwater Operation and Maintenance Plan developed in accordance with Medway General Bylaws, Article XXVI, Stormwater Management and Land Disturbance and the Town's Land Disturbance Permit Rules and Regulations This requirement applies even if the extent of land disturbance does not trigger the requirement for a Land Disturbance Permit. Stormwater management plans were included with the drawing set and a stormwater report was submitted that contained a proposed operation and maintenance plan. These items will be reviewed through the Conservation permitting process as specified in ARTICLE XXVI, Stormwater Management and Land Disturbance of the Medway General Bylaws.*

Response:
Comment acknowledged. The Applicant has concurrently filed with the Conservation Commission separately.

2. *One copy of a Stormwater Report prepared in conjunction with the Post-Construction Stormwater Management Plan. The report shall be prepared in accordance with the most current standards of the MA Department of Environmental Protection (DEP) Stormwater Handbook and in conformance with Medway General Bylaws, Article XXVI, Stormwater Management and Land Disturbance, and the Town's Land Disturbance Permit Rules and Regulations. The drainage calculations shall be based on the rainfall data from the National Oceanographic and Atmospheric Administration (NOAA) Atlas 14+, as may be updated. The report shall also include phosphorus removal calculations. The stormwater report included discussion and documentation related to reported compliance with MA-DEP standards. As noted this will be reviewed in detail through the Conservation permitting process.*

Response:

Comment acknowledged. The Applicant has concurrently filed with the Conservation Commission separately.

3. *For development projects with planned land disturbance of one acre or more, a DRAFT of a Stormwater Pollution Prevention Plan (SWPPP) to manage stormwater during construction. The SWPPP shall comply with the standard SWPPP requirements under the National Pollution Discharge Elimination System (NPDES) permitting program of the U.S. Environmental Protection Agency (EPA). A draft SWPPP was not included with the documents provided for review or referenced in the cover letter narrative as an enclosed document.*

Response:

A draft SWPPP is being prepared and submitted through the Conservation Commission peer review process. A copy of the draft SWPPP will be provided to PEDB.

- H. *Earth Removal Calculations of the estimated volume of earth materials to be removed from the site which shall be prepared by and show the seal of a licensed Professional Engineer certified to practice in the Commonwealth of Massachusetts. The preliminary earthwork analysis prepared by Bohler, dated 4/20/2026, shows a net import of material to the site. The figure qualifies that the analysis is preliminary and to be refined as the design process progresses. It is recommended that an estimate of the quantity of material to be hauled offsite be included in future iterations of the analysis (i.e. topsoil removal, other existing material that cannot be reused on site, and subgrade cuts below structures and parking for base placement).*

Response:

As the design progresses and prior to seeking Building Permit, the Applicant team will work closely with the selected General Constructor, structural and geotechnical engineer to refine the earthwork analysis. A Soil Management Plan will be prepared and submitted for review by the Town's Consulting Engineer prior to earthwork activities commencing.

- I. *Earth Fill Estimates of the volume of earth materials in excess of 500 cubic yards to be brought on site from elsewhere which shall be prepared by and show the seal of a licensed Professional Engineer certified to practice in the Commonwealth of Massachusetts. NOTE – Earth filling standards are specified in s. 207-8 and may be subject to testing requirements. The preliminary earthwork analysis shows a total net fill (import) of approximately 22,000 cubic yards. The notes qualify that this is a preliminary value comparing proposed finish grade to the existing topography. Cuts are shown as a maximum of approximately 6-ft in the proposed parking area east of the apartment building and fills exceed 13-ft for the proposed parking area southwest of the apartment building.*

It is recommended that future versions of this plan include an allowance for additional fills that will be necessary to replace removed topsoil and other overburden that needs to be removed, such as the material above the proposed infiltration areas. Sanborn Head recommended removal of upper soils to assure proper subsurface flow connection for the proposed chamber systems in their attachment to the stormwater report. Accounting for these volumes and the subgrade preparation noted in Item H. above will likely increase the total volume of imported or offsite fill required. The Applicant may also consider quantifying the volumes of select materials and surface materials that will be placed to differentiate between common or structural fill and base aggregates, concrete, curbing, and asphalt, etc.

The board may consider requesting more information on the frequency and duration of truck traffic expected during construction. This could include both outgoing and incoming trucks, to account for the removal of excess materials that will not be reused on site and deliveries for anticipated amounts of fill and construction materials. As noted in Section 207-8.G of the Site Plan Rules: “Projects involving site filling in excess of two thousand cubic yards shall submit a Soil Management Plan to the Community and Economic Development office prior to the pre-construction meeting for review by the Town’s Consulting Engineer”.

Response:

As the design progresses and prior to seeking Building Permit, the Applicant team will work closely with the selected General Constructor, structural and geotechnical engineer to refine the earthwork analysis. A Soil Management Plan will be prepared and submitted for review by the Town’s Consulting Engineer prior to earthwork activities commencing.

- J. *Resource Areas Documentation - A copy of an Order of Resource Area Delineation (ORAD) from the Medway Conservation depicting the approved wetland resource affecting the proposed project or an Order of Conditions issued within the past three years, or a Determination of Applicability with a finding from the Conservation Commission that the proposed project is not within its jurisdiction., or a written communication from the Conservation Agent regarding the actual and/or possible resource areas on the subject property. An August 2023 ORAD was included as an attachment to the stormwater report. It is assumed that the Applicant is coordinating with the Conservation Commission to finalize the resource boundaries for the site.*

Response:

The Applicant has coordinated the resource area boundaries with the Conservation Commission and their peer reviewer. A revised wetland line for Series A and C has been agreed to and reflected on the revised submission package.

- K. *Property Ownership Documentation - A copy of the latest recorded deed to the property(s) comprising the proposed development site to document proof of ownership, or a purchase and sale agreement. The cover letter narrative referenced “Proof of ownership or pending ownership of land” as an enclosed document with the submittal. Complete legal site control of all affected parcels shall be demonstrated prior to issuance of permits and construction of the project.*

Response:

Comment acknowledged. Demonstration of site control will be provided prior to issuance of permits and construction.

- L. *Waivers - Requests for Waivers from these Rules and Regulations with specific reference to the applicable section(s) of these Rules and Regulations for which a waiver is requested, provided on the Board’s Site Plan Waiver Request form. Waiver requests may be combined where the regulations are related and the reasons for the waivers are the same. The Applicant has requested multiple waivers for the proposed project, as summarized in the narrative:*

Site Plan Rules and Regulations:

- 207-9.H – Request waiver from §207-9.H to allow sidewalks with a width of approximately 6 feet (including 0.5-foot curb) where 7 feet minimum is required where abutting parking.

- 207-11.A.14 – Request waiver from §207-11.A.14 to allow driveway/roadway grades exceeding 2% within the first 25 feet from the property line to the intersection where a 2% maximum is required.
- 207-12.G.3.c – Request waiver from §207-12.G.3.c to allow parking areas within 50 feet of the main entry drive where parking is generally required to be set back 50 feet to reduce backing conflicts with incoming traffic.
- 207-16.A – Request waiver from §207-16.A to allow utilities to be installed above ground where subsurface installation is required.
- 207-19.B.2 – Request waiver from §207-19.B.2 to allow spacing of new/replacement trees along a private road/driveway at greater than 25 feet (and/or on one side only), where trees are required every 25 feet along both sides.
- 207-19.B.3 – Request waiver from §207-19.B.3 to modify any Board-required no-cut zone along residential abutters.
- 207-19.F – Request waiver from §207-19.F to allow removal of trees fifteen or more inches in diameter.
- 207-19.G.1.d – Request waiver from §207-19.G.1.d to allow planting of replacement trees to fulfill the requirements for site and parking lot landscaping.

Zoning Bylaw:

- 10.2.D.2.b.2 – Request waiver from §10.2.D.2.b.2 to allow parking bay separation without an 8-foot-wide landscaped/sidewalk strip where such separation is required.
- 10.2.E.3 – Request waiver from §10.2.E.3 to allow parking within 50 feet of a property line where a transitional buffer is required and a 50-foot parking setback applies.
- 10.2.E.2.a – Request waiver from §10.2.E.2.a to allow sidewalk/terrace treatment that does not provide the required concrete walkway/terrace installation along the full length of frontage.
- 10.2.F.1 – Request waiver from §10.2.F.1 to allow outdoor amenity space of less than 15% of the lot/development site where a minimum of 15% is required
- 10.2.F.2 – Request waiver from §10.2.F.2 and the associated design standards in Table 9.6.B.1 to allow the proposed outdoor amenity program (types/locations/design details) to vary from the permitted spaces and standards.

As noted in the guidelines excerpted above separate waiver requests shall be provided on the Board's Site Plan Waiver Request form for each waiver requested. Waiver requests may be combined where the regulations are related and the reasons for the waivers are the same. The request forms were not available for review or cited in the enclosed documents section of the narrative.

Response:

[Waiver request forms are enclosed.](#)

In addition to the requested waivers several Special Permit approvals are requested for conditional uses:

Special Permits:

- Zoning Bylaw, Section 10.3: Special permit for Mixed-use Development in CB zoning district.
- Zoning Bylaw, Section 10.2.A: Special permit for fuel station.
- Zoning Bylaw, Section 10.2.D.C: Special permit to allow parking on front or side of building.
- Zoning Bylaw, Table 1 Schedule of Uses: Special permit for Drive-through.

The special permit application form includes a checklist item related to describing how the proposed work complies with the special permit criteria:

“Detailed narrative on how the proposed project meets the special permit criteria included in the Medway Zoning Bylaw, SECTION 3.4 Special Permit Criteria AND any specific approval criteria included in the particular section(s) of the Zoning Bylaw for which a special permit is sought.”

Although this item was checked on the application, discussion of these criteria for each special permit requested was not found in the cover letter narrative or referenced documents.

Response:

Special Permit narratives for each permit being sought have been included in the revised materials.

- M. *ALL APPLICATION MATERIALS (including forms, plans, reports, and attachments) SHALL ALSO BE SUBMITTED IN A SEARCHABLE ELECTRONIC FORMAT via email, on a portable electronic storage device, or to a central cloud repository on the internet. The email for such submittals is planningboard@townofmedway.org* **Electronic files were provided.**

Response:

No response required.

- N. *A Major Site Plan Filing Fee as authorized by s. 209 – 1.A.* **The filing fee was referenced in the narrative and presumably the appropriate value.**

Response:

No response required.

- O. *A deposit toward the Major Site Plan Review Fee as authorized by s. 209 – 1.B.* **The review fee was presumably received by the Town.**

Response:

No response required.

Plan Content Review:

The following items are listed as plan requirements for submittals requiring Major Site Plan Review. Italicized excerpts of the requirements are listed below with relevant commentary in bold as applicable. The requirements have been condensed where possible and commentary is primarily limited to questions or comments on the plan contents or additional items that appear necessary.

s. 204 – 5 Site Plan Contents – To be considered complete, a major site plan submitted pursuant to these Rules and Regulations shall include the information listed below.

- A. *Cover Sheet – The cover sheet shall include the project name and address, name and address of owner, name and address of Applicant, name and address of engineer and other professional firms responsible for the plan, plan date, list of plan revision dates, project Assessor's Map and Parcel number, zoning district classification, list of requested waivers from these Rules and Regulations, Board signature block for decision date and plan endorsement date, a complete index of drawings, and a listing of prior planning documents recorded at the Norfolk County Registry of Deeds.* **The**

cover sheet should be updated to include the list of requested waivers and if applicable a listing of prior planning documents recorded at the Registry of Deeds.

Response:

The cover sheet has been updated to include the full list of waivers being requested.

B. *Site Context Sheet which includes the following:*

1. *A locus plan showing the site and its boundaries in relation to all surrounding streets within two thousand feet of the perimeter of the site. The plan shall be at a maximum scale of one inch equals one thousand feet. Scenic roads shall be noted. Streets, buildings, brooks, streams, rivers, wooded areas, protected open spaces, recreation fields, landmarks and public facilities shall be shown on the locus plan with sufficient clarity to be easily discernable. A Site Context Plan was included with a zoning map as an inset. It does not extend to 2,000-ft from the perimeter of the parcel boundaries or show the detailed items listed in the requirements.*

Response:

The site context plan has been extended to identify the listed requirements.

2. *Abutters' names and property addresses with assessor's map/parcel references for properties within 300 feet of the development site. The Site Context Plan (C-104) does not appear to show parcel information extending 300-ft from the outside limits of the parcels proposed for development.*

Response:

The site context plan has been updated to show parcel information extending 300-ft from the site limits.

3. *Lot lines with dimensions and easement areas for the development site. Lot lines with dimensions and existing easements are shown on the existing conditions survey prepared by Control Point Associates, Inc. included with the Civil & LA plan set.*

Response:

No response required.

4. *Existing topography at two-foot intervals from USGS survey maps or actual land survey of the development site. 1-ft existing contours were provided.*

Response:

No response required.

5. *All easements (utility, conservation and other) and rights-of-way on the development site. As noted above existing easements are shown on the plans. Proposed easements are not shown.*

Response:

Comment acknowledged. Proposed easements are shown on revised site plans including relocating easement for abutters electrical power.

6. *Zoning district boundaries including groundwater protection district, flood plain zones, and multi-family overlay zones on the development site. Zoning districts and overlay zones are*

shown on the Site Context Plan. The Applicant should confirm the project is not located within a groundwater protection district.

Response:

The site is not located within a groundwater protection district.

C. Existing Conditions Sheet(s)

1. *The location of all existing man-made features and infrastructure on the site shall be delineated including but not limited to buildings and structures, streets, bridges, utility poles, utilities and underground infrastructure including water, gas, sewer, electric, cable, and telephone, fire hydrants and fire alarm boxes, wells, septic systems, utility easements and other property encumbrances, sidewalks, driveways, pedestrian walkways, sidewalks, trails, stone walls, fences, monuments, historic markers, and stormwater drainage infrastructure including basins, sub-surface systems, leaching galleys, swales and other methods to dispose of stormwater; refuse and solid waste storage and disposal facilities, and all entrances and exits on the site and within one hundred feet of the site. These features are shown on the existing conditions survey provided by Control Point Associates, Inc. and are used as the base plan for the site plans.*

Response:

No response required.

2. *Location and delineation of all existing natural features of the development site including but not limited to ledge or rock outcroppings, cliffs, sinkholes, ditches, all wetland resources as defined by the Wetlands Protection Act and Article 21 of the Medway General Bylaws, including their associated buffers per state and local laws, and natural drainage courses and swales. These features are shown on the existing conditions survey provided by Control Point Associates, Inc. and are used as the base plan for the site plans.*

Response:

No response required.

3. *An Existing Landscape Inventory including a “mapped” overview of existing landscape features and structures including the specific identification of existing hardwood trees with a diameter of fifteen inches or greater at four and one-half feet above grade (dbh) and any trees of fifteen inches or greater at dbh in zoning setbacks, all in order to determine their value for preservation. Tree drip lines (the outermost circumference of a tree’s canopy, from which water drips onto the ground) shall be shown or detailed in order to ensure trees are protected during construction. The mapped inventory shall also designate which of the above noted trees are expected to be removed during construction. Existing landscape features are shown on the existing conditions plan and throughout the site plans, including the location of surveyed trees. Information related to specific DBH of trees was not found on the site plans. Notes are included on the Existing Conditions/Demolition Plans indicating that all trees within the limit of work are to be removed.*

Response:

No response required.

4. *Locations of all historically significant sites or structures on the site including but not limited to barns, other buildings, cellar holes, stone walls, earthworks, graves, any structure over seventy-five years of age, and any property listed on the National Register of Historic Places, or included in a National Register Historic District or local historic district, or a Massachusetts*

Historic Landmark, or that has been recognized as historically significant to the Town of Medway by vote of the Medway Historical Commission. The Applicant indicated they will be seeking approval for removal of a structure greater than 75-years of age from the Medway Historical Commission. It was not readily apparent where this structure is located within the proposed project area.

Response:

Subsequent to the initial application the Applicant has filed an Application to Demolish a Structure 75 or more years old with the Historical Commission and received a finding of no significance on 06/17/2026.

D. Site Plan Information Sheets – NOTE, site plan information sheets may be combined.

1. *Location and dimensions of proposed buildings and structures including building setbacks from front, side, and rear lot lines. Generally included on the site plan sheets.*

Response:

No response required.

2. *Delineation of Land Disturbance Area as defined herein and a calculation of the amount of area included therein. A limit of disturbance (LOD) line is shown on the plans, although no calculation was found reporting the total surface area to be disturbed.*

Response:

Calculation has been added to the site plan..

3. *Site Grading - Topography showing proposed grading contours at two-foot intervals. Proposed grading with 1-ft contours is shown on the grading plans. It appears that the proposed grading may not accurately show the 6-inch reveal of the proposed curbing.*

Response:

The grading plans provide detailed spot elevation information depicting the change in curb elevations.

4. *Parking Plan - Location and dimensions of proposed parking, including lot line setbacks, loading, and unloading areas with traffic patterns, access lanes and curb radii. The Parking Plan shall be in conformance with the provisions of s. 207-12 of these Rules and Regulations, and Section 7.1.1 Off-Street Parking and Loading of the Zoning Bylaw. Generally included on the site plan sheets, as noted previously adjustments to the amount of parking proposed may be warranted.*

Response:

A revised parking summary is provided on the revised plans.

5. *Proposed Site Improvements - Location and dimensions of proposed improvements and site amenities including but not limited to, roads, driveways, maneuvering spaces and drive aisles, fire lanes, parking areas, loading and unloading areas, utility boxes, curbs, curb cuts, wheel stops, bollards, bumpers, decorative and retaining walls, fences, outdoor lighting, open space areas, recreational areas, improvements to provide for accessibility for persons with disabilities, service entries, snow storage areas, facilities for waste disposal and storage, sidewalks, pedestrian walkways and bike pathways with cross sections, design and materials details and dimensions, easements, and survey monument markers to denote boundaries of open space areas to be donated or subject to a conservation restriction. Generally included on the site plan sheets.*

Response:

No response required.

6. *Erosion and Sediment Control Plan* – Erosion control measures shall be specified including sedimentation barriers, construction entrances, stabilizing materials to be used on site during and after construction, and temporary blocking of entrances when construction is not active. The Erosion and Sediment Control Plan shall be as specified in Medway General Bylaws, ARTICLE XXVI, Stormwater Management and Land Disturbance or the Town's Land Disturbance Permit Rules and Regulations. **As noted previously this item will be reviewed through the Conservation permitting process.**

Response:

No response required.

7. *Stormwater Operations and Maintenance Plan During Construction* – Such plan shall comply with the requirements of Medway General Bylaws, ARTICLE XXVI Stormwater Management and Land Disturbance and the Town's Land Disturbance Rules and Regulations **As noted previously this item will be reviewed through the Conservation permitting process.**

Response:

No response required.

8. *Post-Construction Stormwater Management Plan* – **As noted previously this item will be reviewed through the Conservation permitting process.**

Response:

No response required.

9. *Text of the Long-Term Stormwater Operations and Maintenance Plan* - NOTE, this sheet may need to be updated if changes to the type of BMP measures are made during the course of the plan review process. **As noted previously this item will be reviewed through the Conservation permitting process.**

Response:

No response required.

10. *Site Utilities Plan* – All proposed utilities, mechanisms, materials and layouts for refuse and trash disposal enclosures and systems, water, electricity, gas, cable, fire hydrants, and telephone and internet service, sewage disposal. **Generally included on the utility plan sheets.**

Response:

No response required.

11. Landscape Plan

- a. A Landscape Plan shall be prepared by a Registered Professional Landscape Architect licensed to practice in the Commonwealth of Massachusetts, a Massachusetts Certified Landscape Professional (MA Association of Landscape Professionals), a Certified Professional Landscape Designer (Association of Professional Landscape Designers), or a Certified Professional Engineer with considerable experience in landscape design. **Detailed landscape**

plans were included in the L series sheets and stamped by a registered landscape architect.

Response:

No response required.

- b. *The Landscape Plan shall be prepared as an overlay of the Existing Conditions sheets and shall incorporate, whenever possible, the significant features of the existing site and topography to be retained, particularly existing trees with a diameter of fifteen inches or greater at dbh. These items were generally included, as noted above information related to specific DBH of trees was not found on the plans.*

Response:

DBH of the existing trees is provided on the survey sheets.

- c. *The Landscape Plan shall indicate the areas of proposed excavation; any woodlands, trees or other existing features or structures to be retained; all new plantings by common and Latin name including their proposed locations and sizes at the time of installation. Plan graphics for tree canopies shall reflect, as closely as possible, the actual canopy dimension of proposed tree plantings at the time of installation with a screened graphic used to represent expected tree canopy at maturity. See s. 207-19 regarding landscape materials. Detailed planting schedules were included listing the size of trees at the time of installation with graphical representations of approximate canopy width at maturity shown in plan view.*

Response:

No response required.

- d. *The Landscape Plan shall specify a suitable maintenance program to ensure the viability and longevity of the landscape installation. Maintenance requirements are specified on the landscape sheets.*

Response:

No response required.

12. *Building Elevations and Architectural Plan with dimensions and details of façade designs of each building from all directions including specifications on building style, architectural features, materials, and colors including awnings. Generally included on the architectural plans and renderings.*

Response:

No response required.

13. *Color Renderings of the project and buildings shall be provided from at least four directions depicting proposed structures, signage, landscaping, site amenities, and common views of the completed project as viewed from a public way and adjacent properties. These shall include 3D views of the site, buildings, and site improvements. Generally included on the architectural plans and renderings.*

Response:

No response required.

14. *Building Layout or Floor Plan with the use of all areas labeled. Generally included on the architectural plans and renderings.*

Response:

No response required.

15. *Entry and Exit to Structures. All means of entry and exit (main, service, emergency and mechanical) from the building including steps and ramps, designation of the primary entrance (front entrance) and loading docks and other access ways shall be shown as well as accessible entrance and approach features. Generally included on the architectural plans and renderings.*

Response:

No response required.

16. *Site Amenities Details for benches, bollards, planters, fences, walls, bike racks, seating areas, and any other forms of outdoor site amenities to be installed. Generally included on the site plans.*

Response:

No response required.

17. *For a multi-tenant development, Master Signage Plan with preliminary proposed designs, locations, materials, dimensions, and lighting for:*

- a. *the proposed development sign and all business identification signage, both freestanding and attached; and*
- b. *standards for tenant signs; and*
- c. *signage to identify surface stormwater infiltration basins with messages to prohibit the disposing of trash and debris in such basins.*

No information related to proposed project signage was found in the available documents.

Response:

A signage package will be prepared and submitted to the Building Department for review prior Building Permit.

18. *Lighting Plan prepared in conformance with Section 7.1.2 of the Zoning Bylaw. A detailed lighting plan including photometrics was included as the L-200 series sheets. These plans appear to be in conformance with the requirements of Section 7.1.2 of the Zoning Bylaw. The board should review these sheets to confirm their content is sufficient.*

Response:

No response required.

19. *Horizontal sight distances on the public way(s) at all entrances and exits in both directions. Sight distances are presented in the traffic study and will be addressed by our partner Chappell Engineering Associates LLC and summarized in a separate review document.*

Response:

No response required.

20. *A table outlining the proposed development's conformance with the Zoning Bylaw requirements including lot area, continuous frontage, front, side, and rear setbacks, building height, lot coverages, gross floor area, open space calculations, impervious coverage (existing and post-construction), uplands, lot shape factor, and number of parking spaces including accessible spaces based on maximum seating capacity, number of employees or otherwise as provided in the Zoning Bylaw, and other items as appropriate for the applicable zoning district and proposed uses. A zoning analysis table and development summary table are presented on the Overall Site Plan (C-301) documenting compliance with the zoning requirements applicable to the subject parcels.*

Response:

No response required.

21. *Locations of proposed fire hydrants, fire lanes and access for equipment shall be provided to the satisfaction of the Fire Department. Plan shall also show an analysis and evaluation of fire apparatus maneuvers throughout the drive aisles by swept path analysis and turn simulation software bearing the seal and signature of the responsible registered professional engineer. Fire service connections and proposed hydrants are shown on the Utility Plan sheets. It is assumed that these details will be reviewed with the Medway Fire Department to confirm compliance. No figures illustrating turning analyses or drive paths were found in the available documents.*

Response:

A fire apparatus swept path analysis exhibit has been distributed to the Medway Fire Department. The Applicant will continue to work with the MFD to review the site and building design prior to Building Permit.

22. *Any proposed off-site roadway and traffic management improvements. Improvements to the turning pattern and striping on Main Street are proposed. These strategies will be reviewed and addressed by our partner Chappell Engineering Associates LLC and summarized in a separate review document.*

Response:

No response required.

23. *Any proposed off-site improvements to mitigate project impacts on abutting properties. **Aside from the Main Street turning patterns and striping pattern mentioned above it does not appear that the Applicant is proposing offsite mitigation measures.***

Response:

No response required.

Upon your review of the above, please do not hesitate to contact me directly with any questions.

Sincerely,

BOHLER ENGINEERING MA, LLC



Timothy Hayes, P.E.

Letter of Response

October 2, 2026
Via Electronic Mail

Town of Medway
Conservation Commission
155 Village Street
Medway, MA 02053

Attention: Bridget Graziano, Conservation Agent

**RE: Response to Comments Letter
Main Street Mixed-Use Development
Peer Review
117 Main Street
Medway, MA 02053
Bohler Project #MAA240482.00**

Dear Mrs. Graziano

Please allow this letter to serve as our formal response to the letter dated August 5, 2026, regarding the Main Street Mixed-Use Development Peer Review Task Order FY26-6, prepared by Woodard & Curran ('W&C'), for the above referenced project. For your reference, the comments are shown in bold font type, comments provided by Woodard & Curran are shown in standard font type and Bohler responses are shown in italic font type.

APPLICATIONS REVIEW:

Stormwater Management and Land Disturbance Application Review:

- 1. A completed Land Disturbance Application Form with original signatures of the applicant and all owners.**

W&C Response: Included with application.

Response:
No response required.

- 2. Erosion and Sediment Control Plan;**

W&C Response: An erosion and sediment control plan was included in the plan set. Additional applicable information was included throughout the submittal package. As described in Section 6 – Erosion and Sediment Control Plan of the Stormwater Management and Land Disturbance Rules and Regulations, the following requirements for the erosion and sediment control plan do not appear to have been adequately provided:

Contents

- Trees and diameters have been identified in the existing conditions survey; however, species and forest communities have not been identified.

Response:

The species and forest communities have been added to the revised exhibit, “Natural Communities Map of Locus Site”, prepared by Goddard Consulting.

- Habitats mapped by the Massachusetts Natural Heritage & Endangered Species Program as Endangered, Threatened or of Special Concern, Estimated Habitats of Rare Wildlife and Certified Vernal Pools, and Priority Habitats of Rare Species within five hundred feet of any construction activity have not been included.

Response:

There are no known NHESP habitats within 500-ft of the project site as depicted on the attached graphics, “NHESP Habitat Exhibit (2021)” and “NHESP Habitat Exhibit (Draft 2026 Map)”, prepared by Goddard Consulting.

- Applicability and description of path and mechanism to divert uncontaminated water around disturbed areas, to the maximum extent practicable, have not been included.

Response:

The existing topography prevents off-site runoff from entering the limits of construction activity. The project proposes erosion control barriers along the perimeter of the construction area to manage potential runoff and sediment migration. Additional measures, such as diversion berms, may be implemented by the Contractor as means and methods as necessary. These measures are documented and further outlined in the draft SWPPP, included under Appendix H of the revised Drainage Report Package.

Design Requirements

- Minimize total area of disturbances and impacts to protected natural resources. Development is proposed within 100-foot wetland buffer area and up to the 25-foot wetland buffer areas. We understand that the Commission is reviewing the proposed limits of work with the Applicant to determine approval of the extent of the disturbance within the buffer areas.

Bohler Response:

The applicant is coordinating with the Town to donate approximately 5.7 acres of the rear area of the project site to the Town which contains both wetlands and upland area in order to minimize total area of disturbances and impacts to protected natural resources.

The applicant has coordinated with the Town’s Wetland Consultant, EcoTec, Inc., and agreed to the adjusted wetland limits of the “C” wetland series as identified in the June 24, 2026 EcoTech Peer Review report. The site layout, parking and stormwater infrastructure have been adjusted in the enclosed revised plan set reflecting the adjusted wetland line.

- Construction sequencing that minimizes simultaneous areas of disturbance has not been provided.

Response:

The final sequencing of work will be determined by the selected General Contractor, however, an estimated construction sequencing and additional detail have been included on the Erosion & Sediment Control Plan and Detail sheets.

- Documentation has not been provided demonstrating that the proposed sediment and erosion control measures can accommodate the point precipitation frequencies for rates within a twenty-four-hour period for a 100-year storm as provided in the NOAA Atlas 14+.

Response:

Temporary sediment basins have been added to Sheet C-801 of the site plans to accommodate up to the 100-yr storm event. HydroCAD analysis has been added to Appendix E of the Drainage Report. The Contractor may move or modify the basin layouts as means and methods as necessary.

- Prevent significant alteration of habitats mapped by the Massachusetts Natural Heritage & Endangered Species Program as Endangered, Threatened or Of Special Concern, Estimated Habitats of Rare Wildlife and Certified Vernal Pools, and Priority Habitats of Rare Species from the proposed activities. Documentation of these areas has not been provided.

Response:

There are no known NHESP habitats within 500-ft of the project site as depicted on the attached graphics, “NHESP Habitat Exhibit (2021)” and “NHESP Habitat Exhibit (Draft 2026 Map)”, prepared by Goddard Consulting.

3. **Drainage Calculations in compliance with the most current Massachusetts Stormwater Management Standards and the National Oceanic and Atmospheric Administration (NOAA) Atlas 14+ precipitation rates as may be updated:**

W&C Response: See Notice of Intent review section.

Response:

No response required.

4. Narrative on how the project meets the most current Massachusetts Stormwater Management Standards;

W&C Response: See Notice of Intent Review section.

Response:

No response required.

5. **Construction sequencing or phasing plan;**

W&C Response: Description included, however, a more detailed sequencing or phasing plan should be provided to illustrate how the project will minimize simultaneous areas of disturbance. See Erosion and Sediment Control Plan section above, specifically the items related to construction sequencing and minimizing disturbance.

Response:

The final sequencing of work will be determined by the selected General Contractor, however, an estimated construction sequencing and additional detail have been included on the Erosion & Sediment Control Plan and Detail sheets. No formal phasing is proposed. The construction timeline is expected to be 18-20 months.

6. **Calculations of limit of work;**

W&C Response: The Soil Erosion and Sediment Control Plan (C-801) states the total limit of proposed work encompasses approximately 11.5-acres. The Land Disturbance Permit

Application reports a total limit of work of 473,870 square-feet (~10.9-acres). The Applicant should clarify what the correct value is for the current design.

Response:

The total limit of proposed work has been updated to 10.6-acres per revisions made during the municipal review process. The site plan documents have been updated accordingly.

7. Stormwater Operations and Maintenance Plan during Construction;

W&C Response: As described in Section 7 – Stormwater Operations and Maintenance Plan during Construction, the applicant must submit a narrative titled “Stormwater Operations and Maintenance Plan during Construction” describing how the site will be managed during construction. A portion of the Stormwater Operation and Maintenance Plan pertains to the construction phase, and descriptions of operation and maintenance methods for stormwater and the erosion and sediment controls during construction are included in the details of the plan set. This document is in addition to, and separate from, the SWPPP that is also required in draft form for Conservation review. The items or descriptions for the following requirements of the Stormwater Operations and Maintenance Plan during Construction do not appear to have been adequately provided:

- Routine inspection of vehicles and equipment for leaks, spills, and other sources of pollutants.
- Spill prevention and response procedures.
- Proper management of deicing chemicals and snow.
- Storage and use of fertilizers, herbicides, and pesticides.
- Operation and maintenance of sanitary systems
- Provide a rain gauge on site during construction to measure precipitation.

Response:

A Draft SWPPP has been added to Appendix H of the Drainage Report Package. The SWPPP will serve as the “Stormwater Operations and Maintenance Plan during Construction,” and an NPDES eNOI will be filed for the site prior to construction as well. Additional language for compliance to the referenced bylaw has been added for additional clarity.

8. Post-Construction Stormwater Management Plan as specified in Section 26.5.8. of the Bylaw;

W&C Response: Sufficient descriptions, calculations, and relevant attachments were included in the Drainage Report to address the plan contents requirement of this item. See Notice of Intent Review section for additional discussion. The Applicant should comment on the low impact development design standards noted in the requirements (26.5.8.2 a.) as no discussion was included related to LID:

a. Low Impact Development.

Projects shall use Low Impact Development (LID) site planning and design strategies unless infeasible and shall comply with the following requirements:

- i. Reduce runoff and pollutant loading by managing runoff as close to its source as possible;
- ii. Utilize integrated LID and individual small-scale stormwater management practices (isolated LID practices) to promote the use of natural systems for infiltration, evapotranspiration, the harvesting and use of rainwater, and reduction of flows to drainage collection systems;
- iii. Reduce impervious cover;

- iv. Conserve and protect natural lands, especially open space landscapes, high quality wildlife habitat, and existing farmland;
- v. Utilize compact building design and increasing density to prevent sprawl, enhance walkability, and preserve more undisturbed natural areas;

Response:

As noted above, the applicant is coordinating with the Town to donate approximately 5.7 acres of the rear area of the project site to the Town which contains both wetlands and upland area in order to minimize total area of disturbances and impacts to protected natural resources.

9. Long-Term Stormwater Operations and Maintenance Plan as specified in Section 26.5.9. of the Bylaw;

W&C Response: See Notice of Intent Review section.

Response:

No response required.

10. Other permits already received for the project;

W&C Response: Application includes Order of Resource Area Delineations (ORADs) as part of the subsurface soil explorations report. It is understood that the Applicant is coordinating review of the wetland delineation shown on the current plans with the Commission.

Response:

As noted above, Goddard Consulting has coordinated with the Town's wetland consultant to update and verify the wetland limits. The updated wetland limits are provided in the revised plans for reference, with updates to the site made to accommodate the new wetland limits.

11. Request for Waivers from the provisions of Section 26.5 of the Bylaw if necessary;

W&C Response: This item was noted as 'Not Applicable' on the application form, indicating that no waivers are being requested.

Response:

No response required.

12. Application fee when applicable;

W&C Response: We defer to the Commission and the Conservation Agent to determine if the correct fees were submitted.

Response:

No response required.

Notice of Intent Review:

1. No new untreated stormwater discharges directly to or cause erosion in wetlands or waters of the Commonwealth;

W&C Response: Sufficient descriptions and calculations were included in the Drainage Report to confirm compliance with this requirement. Runoff will be treated prior to discharge and adequate scour protection was designed for each new outfall.

Response:

No response required.

- 2. Post-development peak discharge rates shall not exceed pre-development peak discharge rates;**

W&C Response: The Applicant should review the time of concentration flow paths assumed for subwatersheds EX 2.1 and EX 3.1, shown on the Existing Conditions Drainage Area Map, to confirm they are the longest times possible for these two subwatersheds. More distant starting points appear feasible.

Response:

Although the noted potential TOC starting point locations are physically more distant the modeled TOC's resulted in longer TOC durations based on the cover and slope characteristics at 6.3 min for EX2.1 and 11.7 min for EX3.1 and therefore provide the more conservative modeling approach.

The Applicant should clarify the intent and functionality of the two subsurface detention systems (DS5 & DS6) with respect to groundwater. Based on the adjacent test pits for DS5 this system appears to be proposed below observed groundwater elevations.

Response:

DS5 and DS6 are subsurface dry detention systems designed for peak rate attenuation and are not intended to infiltrate. The chambers will be designed to account for buoyancy and water-tightness.

- 3. The annual recharge from the post development site shall approximate the annual recharge from the pre-development conditions based on soil type;**

W&C Response: The Applicant should comment on the subsurface investigation completed by Sanborn Head related to the assumed infiltration rates provided (i.e. non-measured).

Response:

The drainage report has been revised to include a reference to the assumed infiltration rates.

No details for the subsurface systems were provided in the plans. The Applicant should consider providing additional details on the subsurface infiltration and detention systems noting chamber configuration, structures, groundwater elevation, and the strategy for any needed fill and connection of the infiltrated flow to the receiving layer discussed by Sanborn Head. Surface access points should also be shown on the appropriate plan view sheets.

Response:

See Sheet C-904 for proposed subsurface drainage chamber details and language regarding connection to the receiving infiltrating layer. Preliminary chamber configurations, the respective ESHGE, structure, and surface access points have been added over the subsurface systems.

- 4. Water Quality Standards: a) Long-term pollution prevention plan, b) Structural stormwater best management practices are sized to capture the required water quality volume determined in accordance with Massachusetts Stormwater Handbook or local regulations, and c) Pretreatment is provided in accordance with the Massachusetts Stormwater Handbook or local regulations;**

W&C Response: Per the Medway General Bylaws - Article 26 Stormwater Management and Land Disturbance, the Town's stormwater management water quality standards are more stringent than the state requirements for new developments. The Town requires that all stormwater management systems be designed to retain the volume equivalent to or greater than 1 inch of runoff over the post-construction impervious area and to remove 90% total suspended solids (TSS) and 60% of the average annual load of total phosphorus (TP) generated from the post-construction site. The Applicant discusses compliance with the Water Quality standard and provides calculations documenting sufficient TSS removal. There did not appear to be calculations included documenting adequate TP removal rates:

Response:

The project is designed to meet a minimum of 60% TP removal. The TP removal rates have been added to Appendix F of the revised drainage report package.

26.5.8.2 b.2.b) Pollutant removal shall be calculated consistent with EPA Region 1's BMP Performance Extrapolation Tool or other BMP performance evaluation tool provided by EPA Region 1, where available.

W&C Response: The TP removal calculations should also address the proposed dog park area and anticipated nutrient loading from this use.

Assumed TSS and TP removal percentages for any proprietary systems should be justified by submission of vendor certifications or third party testing results.

Response:

TP removal at the proposed dog park is achieved by providing required infiltration volume for the dog park area. Additionally, the project will provide waste disposal bags and trash receptacles along with respective signage to encourage proper pet waste disposal. The play area is not expected to be a significant source of phosphorous. Runoff generated from the play area will be treated by a Water Quality Unit (WQU) prior to discharge into the respective detention system.

The certifications / testing results have been added Appendix F of the revised drainage report package.

5. Land uses with higher potential pollutant loads (LUHPPL);

W&C Response: A description was included related to the proposed fueling station area in the northeast portion of the site as this is considered a LUHPPL. The Applicant is proposing to provide oil/grit separators for pretreatment of stormwater as required by the State Stormwater Standards. The design provides sufficient TSS removal and treatment for the 1" water quality storm as also required by the State Stormwater Standards.

The Applicant should provide information on spill prevention and containment procedures for the fueling facility, specifically during the fuel delivery process.

Response:

Spill prevention and containment procedures are documented in the added draft SWPPP in Appendix H of the drainage report package.

6. Stormwater discharges within critical areas;

W&C Response: Description included – not applicable.

Response:

No response required.

7. Redevelopment projects;

W&C Response: Description included – not applicable.

Response:

No response required.

8. Construction Period Pollution Prevention and Erosion and Sedimentation Control;

W&C Response: See Stormwater Management and Land Disturbance Application Review section.

Response:

No response required.

9. Long-Term Operation and Maintenance Plan;

W&C Response:

The requirements for the Long-Term Operations and Maintenance Plan are listed in the Massachusetts stormwater report checklist for NOI submittals and in Medway General Bylaws - Article 26 Stormwater Management and Land Disturbance (Section 26.5.9). The following items or descriptions do not appear to have been adequately provided:

- Person(s) responsible for financing maintenance and emergency repairs is not explicitly defined.
- Estimated operation and maintenance budget.
- The signatures(s) of the owner(s) for responsibility of maintenance.
- Description and delineation of public safety features.
- Proposed operations and maintenance map.
- Manufacturers inspection and maintenance manuals.
- Snow removal and storage procedures should also be described with specific prohibition of storage in wetlands, buffers, or stormwater management areas.

Response:

A bulleted list of responses to the respective comments is as follows:

- **The identified “Responsible Party Post Construction” will be the responsible party for financing maintenance and emergency repairs.**
- **Estimated budgets have been added.**
- **The project commits to providing a signed copy of the document prior to construction as a condition of approval.**
- **Description of the public safety features have been added to the Long-Term Pollution Prevention Plan narrative. An O&M map sheet has been added with the relevant public safety features delineated.**
- **An O&M map has been added.**
- **Manufacture inspection and maintenance manuals have been added.**
- **The requested language for snow storage has been added to the O&M document and plans.**

10. Prohibition of Illicit Discharges;

W&C Response: An unsigned statement was included along with spill prevention and response procedures for post construction conditions.

Response:

The Applicant commits to providing a signed copy of the document prior to construction as a condition of approval.

Upon your review of the above, please do not hesitate to contact me directly with any questions.

Sincerely,

BOHLER ENGINEERING MA, LLC



Timothy Hayes, P.E.

Letter of Response

October 2, 2026
Via Electronic Mail

Town of Medway
Medway Planning and Economic Development Board (PEDB)
155 Village Street
Medway, MA 02053

Attention: Town of Medway

**RE: Response to Comments Letter
117 Main Street
Medway, MA 02053
Bohler Project #MAA240482.00**

Please allow this letter to serve as our formal response to the comments provided per the interdepartmental review of the above-mentioned plans for the above-referenced project. For your reference, the comments provided by your office are shown in standard font type and Bohler responses are shown in bold font type.

TOPIC

Jonathan Ackley | Building Commissioner

Per comments on the email dated 05/14/2026.

1. Plans submitted do not show compliance with EV charging requirements of the Zoning Bylaw, or EV Ready parking requirements of the Building Code. The applicant has been notified, and they are working towards a resolution.

Response:

The site plan documents have been revised to include the EV and EV Ready parking requirements. See plan sheet C-301 for a summary of the proposed parking.

2. Applicant must establish final addresses with Tax Assessor and Fire Department prior to submission of any Building Permit applications.

Response:

Comment acknowledged. The project will establish final addresses prior to submission of any Building Permit applications.

Derek Kwok | Board of Health – Health Director

Per comments on the email dated 05/06/2026.

1. Provide pest control services prior to and during demolition and construction activities.

Response:

Pest control services are proposed per the draft SWPPP. A copy of the draft SWPPP has been added to Appendix H of the revised Drainage Report Package.

2. Any proposed food establishment will need to submit and receive an approved plan review application and food establishment permit.

Response:

Comment acknowledged. The project will apply for the relevant permit approvals prior to construction.

- Any proposed tobacco retail establishment will need to submit a tobacco product sales permit application and be issued a permit. The board of health/ health department has a cap on the number of tobacco product sales permits issued in Medway at any given time (no more than 12). We currently have 10 permits issued.

Response:

Comment acknowledged.

- Any proposed public or semi-public pool will need to submit and received an approved plan review application and pool permit. The board of health has required lifeguards for pools in similar developments.

Response:

Comment acknowledged. The project will acquire the relevant permit approvals prior to construction.

- Indoor trash chutes or indoor trash rooms are strongly discouraged.

Response:

Comment acknowledged. The applicant is planning to include sanitary cleaning systems within the chutes and within the trash / recycling rooms on each floor level.

- There appears to be only one trash enclosure for the three commercial properties. Are all three commercial buildings sharing a dumpster/ recycling bin? My concerns are that this might not be enough dumpster space for all three businesses, which includes two food establishments. Furthermore, a dedicated dumpster/ recycling receptacles for each business is strongly suggested.

Response:

A dedicated dumpster pad has been provided for Buildings B & C on the revised plans.

- Any proposed well needs a permit through the board of health.

Response:

Comment acknowledged. Currently, no wells are currently proposed. If an irrigation well is proposed, a permit will be obtained from the BOH prior to construction.

Peter Pelletier | DPW Director

Nolan Lynch | DPW Deputy Director

Stephanie Carlisle | Sustainability Coordinator

Per DPW review letter dated 05/22/2026. An email dated 05/18/2026 was also provided to Bohler, but these comments appeared to be duplicative to the DPW review letter.

- DPW permits for street openings, as well as water and sewer connections, will be required for all roadways, right-of-way (ROW), and utility work related to disconnection and reconnection activities.

Response:

Comment acknowledged. The project will acquire the relevant permit approvals prior to construction.

2. Sidewalk and roadway reconstruction must utilize materials matching the existing conditions. Restriping of all affected pavement markings will also be required.

Response:

Comment acknowledged. The project commits to utilizing materials matching the existing conditions and restriping disturbed pavement marking. Additionally, per the initially submitted site plan documents, the project proposes to mill and overlay the frontage of Main Street where the significant restriping effort will occur per the striping plans. The project will continue to coordinate with the DPW as well.

3. Snow storage must be included on the property. Snow storage within the ROW will not be permitted.

Response:

Sheets C-302 and C-303 have been revised to indicate where snow will *not* be stored as requested as part of the approval process via the conservation commission. Should larger snow storm occur, a contractor shall remove excess snow from the property per applicable local, state, and federal regulations.

4. The Municipal Land Disturbance Checklist (Appendix A) of the Stormwater Report is missing and must be included.

Response:

The checklist has been provided in the revised Drainage Report.

5. The Total Phosphorus Removal Calculations (Appendix F) are missing and must be included.

Response:

The project is designed to meet a minimum of 60% TP removal. The TP removal rates have been added to Appendix F of the revised drainage report package.

6. The catch basin sump depths must be included in the Operations and Maintenance Plan for accurate tracking and to determine if the sediment levels exceed 50% full at any given time.

Response:

The language has been revised in the O&M plan as requested.

7. Annual Operations and Maintenance Reports must be submitted to the DPW and Conservation Commission by December 15.

Response:

The O&M plan has been updated to include submission of annual reports to the respective authorities.

Alexander Williams | Treasurer/Collector

Per comments on the email dated 05/19/2026.

1. We would ask that no approvals be granted until the attached outstanding water/sewer/trash bills are paid related to 107, 113, 115A, and 117 Main Street. Total amount due dated to 05/26/26 is \$36,972.33.

Response:

Comment acknowledged.

Upon your review of the above, please do not hesitate to contact me directly with any questions.

Sincerely,

BOHLER, LLC



Timothy Hayes, P.E.