

August 29, 2017
Medway Planning and Economic Development Board
155 Village Street
Medway, MA 02053

Members	Andy Rodenhiser	Bob Tucker	Tom Gay	Matt Hayes	Rich Di Iulio
Attendance	X	X	X	X	X

ALSO PRESENT:

Susy Affleck-Childs, Planning and Economic Development Coordinator
Mackenzie Leahy, Administrative Assistant
Jack Mee, Building Commissioner

The Chairman opened the meeting at 7:00 pm.

There were no Citizen Comments.

The primary purpose of the meeting was to review and discuss draft Zoning Bylaw amendment articles for the fall town meeting. (**See Attached drafts.**)

District Names and Descriptions:

The Board is in receipt of the following:

- District Names and Descriptions draft August 25, 2017.

The proposed article is to see if the Town will vote to amend THE Medway Zoning Bylaw, Section 4.1 Districts to change the names of the various zoning districts as follows:

B. Nonresidential Districts:

1. Central Business (CB) – stays the same
2. Village Commercial (VC) – stays the same
3. Commercial V – changes to Limited Business (LB)
4. Business/Industrial (BI)
5. Industrial I – changes to Medway Industrial Park (MIP)
6. Industrial II – changes to Energy Resource (ER)
7. Industrial III – changes to 495 Business Park (BP)

The idea is to delete reference to Commercial V, Industrial I, Industrial II, and Industrial III throughout the Bylaw. The Board reviewed the maps.

On a motion made by Tom Gay, and seconded by Bob Tucker, the Board voted to the following name changes:

1. Central Business (CB)
2. Village Commercial (VC)
3. Commercial V → Limited Business (LB)

4. Business/Industrial (BI)
5. Industrial I → East Industrial
6. Industrial II → Energy Resource (ER)
7. Industrial III → West Industrial

The vote failed by a vote of 1 aye and 4 nays (Tom Gay aye, Andy Rodenhiser nay, Matt Hayes nay, Bob Tucker nay, and Rich Di Iulio nay.)

Board members expressed that they are not comfortable with the term “limited business”. It was suggested to have this be Neighborhood Commercial or Crossroad Business.

On a motion made by Rich Di Iulio, and seconded by Bob Tucker, the Board voted unanimously to submit an article for the fall town meeting to amend the Zoning Bylaw to change the following zoning district names:

1. Central Business (CB)
2. Village Commercial (VC)
3. Commercial V → Neighborhood Commercial
4. Business/Industrial (BI)
5. Industrial I → East Industrial (EI)
6. Industrial II → Energy Resource (ER)
7. Industrial III → West Industrial (WI)

Zoning District Boundary Changes:

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

- Zoning District Boundary Changes draft 8-25-17.
- Maps A, B, and C showing boundary changes

The article is to see if the Town of Medway will vote to revise the Zoning Map to rezone various parcels according to the following maps:

- Proposed Changes to AR-I & AR-II Zoning Districts, August 25, 2017, Map A
- Proposed Changes to AR-I & AR-II Zoning Districts, August 25, 2017, Map B
- Proposed Changes to AR-I & AR-II Zoning Districts, August 25, 2017, Map C

It was explained that the articles and maps show those parcels that would be rezoned so that a portion which is presently zoned Agricultural Residential I and II district shall be converted to Agricultural Residential I district, so that the entire parcel is zoned Agricultural Residential I. In other cases some properties that are zoned Agricultural Residential I and II will be rezoned so that the entire property is in Agricultural Residential II. The addresses, parcel assessor ID #s, parcel size and current owners were noted. The red line on the proposed boundary line is 100 ft. from the edge of right-of-way of Gorwin Drive, Douglas Street, and is 500 ft. from the edge of Right-of-Way (Lovering Street) and 200 ft. from the edge of Right-of-Way (Winthrop Street)

It was explained that this does not cause a negative impact from a building perspective. It was indicated that some of the lots which were not conforming would now be conforming.

There was a suggestion to have the colors on the maps be changed so that for example the dark green corresponds with a light green within the appropriate district. There was also a recommendation to figure out where to create the eastern edge (0 Memory Lane).

On a motion made by Bob Tucker, and seconded by Rich Di Iulio, the Board voted unanimously to submit an article for fall town meeting to rezone the various parcels as noted in the draft article and maps as presented.

Services:

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

- Draft definitions of “services” dated August 25, 2017.

It was explained that the current definition of “services” is establishments engaged primarily in providing assistance, as opposed to products, to individuals or businesses and other enterprises, including but not limited to business, social, personal and educational services. The recommendation is to change the term from “Services” to “Service Establishments” and include a list of illustrative businesses - optician, dry cleaner, laundromat, repair shop, printing/copying tailor, music lessons, travel agency, fitness facility (which would include yoga).

There was discussion that there is no definition for a motor vehicle. The Board does not want small engine repair to be included as repair shop under Services and wants this removed. It was suggested to change the language from repair shop to shoe repair. Services are a use and an establishment is a place and building. The Board does not want the word establishment in the title. Jack Mee explained that he wanted the word “establishment” included due to a proposal for a limo service. There would not be an office associated with the business but the property would be used to store limousine vehicles.

This language would also need to be changed in the Table of Uses - D. Business Uses – Services. This would state “Service Establishments” without giving the examples. The examples would be incorporated into the definition.

On a motion made by Tom Gay, and seconded by Rich Di Iulio, the Board voted unanimously to recommend the revised definition for services.

Multi-Family Housing:

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

- Proposed Amendments dated August 25, 2017.

Mackenzie Leahy explained that there has been the inclusion of #7 noting historic properties. This is in response to 179 Main Street. The language proposes that any building proposed for a special permit for a multifamily dwelling or apartment house and/or multifamily development pursuant to this sub section which is determined by the Medway Historical Commission to be a “preferably preserved historically significant building” in accordance with the criteria specified in Medway General Bylaw Section 17 cannot be demolished.

There was also recommended language that historic properties shall not be demolished unless determined to be unsafe or uninhabitable by the Medway building officials; and shall be renovated to retain the appearance of the building’s historic exterior architecture to the greatest extent possible. There was a recommendation to delete the words “to the greatest extent possible”.

The members want to know if Town Counsel has reviewed this specific language. She has not. The proposed language was developed as a result of conversations with Jeanne Johnson, the Chairman of the Historical Commission.

The goal of the bylaw and this change is to encourage reinvestment and not want to change the total character of a neighborhood. It is the Historical Commission that determines if a building has historical/architectural merit. The Board would like language included about the financial feasibility or unfeasibility of preserving the site. This determination would need to be prior to this going to the building inspector. The standards should be that a developer should want to preserve the building. It was suggested to research surrounding towns to see if there is language about this already written.

Wireless Communication Facilities:

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

- Email dated from Mackenzie Leahy dated August 25, 2017.
- Draft – Section 8.7 Wireless Communications Facilities dated 8-25-17.

Mackenzie Leahy explained that the special permit for these facilities is handled through the Zoning Board of Appeals. The Zoning Board will be discussing this at their next meeting on Wednesday, September 6, 2017. It was explained that the bylaw was created in December 1998 and has not been revised since. There has been some changes to Federal/State regulations over the years. Town Counsel will need to review the proposed language. The current bylaw does not call out what is allowed by right and what requires a special permit. There are also no specific review criteria, descriptive design standards or options for free-standing monopoles in order to better accommodate potential for needs and growth of technology. The bylaw allows only for facility locations at existing high power tension structures. The Zoning Board of Appeals in the past has allowed for new facilities within utility easements. Currently, the facility at 113 R Main Street has no more room for co-location.

The height requirements on page 4 was discussed. This shall be constructed at a “minimum height necessary to accommodate the anticipated and future use of the facility. A WCF shall not excess 120 feet under any circumstances.” There was a question about what happens when the units need to be taken down. The board would like to make sure that a bond is in place. The Board agree that this bylaw is needed and would like to see what Town Counsel recommends.

Adaptive Use

The Adaptive Use Overlay section will be held over and discussed at the next meeting.

Other Business:

Town Charter Review - The Chairman explained that the Board is in receipt of a questionnaire regarding the town charter. The Board discussed the section related to the proposing of warrant articles for the Fall Town meeting. The Board wants to make sure that zoning articles are accepted. Section 7 makes reference to the Industrial Committee which is now the Economic Development Committee. There also needs to be recognition of the Open Space Committee and Design Review Committee. The Board would also like language included about the establishment of the Community and Economic Development Department. The Medway Redevelopment Authority should also be identified within the document along with Affordable Housing Committee and Trust. The Communication Director’s position should be included. The Board would like to have Susy fill out the form but they would like to see the responses prior to submittal.

Adjourn:

On a motion made by Matt Hayes and seconded by Tom Gay, the Board voted unanimously to adjourn the meeting.

The meeting was adjourned at 9:50 pm.

Respectfully Submitted,

A handwritten signature in blue ink that reads "Amy Sutherland".

Amy Sutherland
Recording Secretary
From audio and video recording

Reviewed and edited by,

A handwritten signature in black ink that reads "Susan E. Affleck-Childs".

Susan E. Affleck-Childs
Planning and Economic Development Coordinator

District Names and Descriptions

DRAFT – August 25, 2017

ARTICLE : To see if the Town will vote to amend the Medway Zoning Bylaw, Section 4.1 Districts to change the names of the various zoning districts as follows:

B. Nonresidential Districts

1. Central Business (CB)
2. Village Commercial (VC)
3. ~~Commercial V (C-V)~~ **Limited Business (LB)**
4. Business/Industrial (BI)
5. ~~Industrial I (I-I)~~ **Medway Industrial Park (MIP)**
6. ~~Industrial II (I-II)~~ **Energy Resource (ER)**
7. ~~Industrial III (I-III)~~ **495 Business Park (BP)**

and to delete references to Commercial V, Industrial I, Industrial II, and Industrial III throughout the Bylaw and insert the above indicated corresponding replacement names in their places.

ZONING DISTRICT BOUNDARY CHANGES
DRAFT 08-25-17 (ml with sac edits)

ARTICLE: (Zoning Map Revisions)

To see if the Town of Medway will vote to rezone the following parcels as shown on the following maps on file with the Town Clerk:

- “Proposed Changes to AR-I & AR-II Zoning Districts, August 25, 2017, MAP A,”
- “Proposed Changes to AR-I & AR-II Zoning Districts, August 25, 2017, MAP B,” and
- “Proposed Changes to AR-I & AR-II Zoning Districts, August 25, 2017, MAP C”

and to amend the Zoning Map accordingly, such that:

The following split zoned parcels shall be rezoned so that the portion which is presently zoned Agricultural Residential II district shall be converted to Agricultural Residential I district, so that the entire parcel is zoned Agricultural Residential I:

Address	Medway Assessor's Parcel ID #	Parcel Size	Current Owner
MAP A			
104 Holliston St	31-070	1.149	Susan Dunham
10 Coffee St	32-144	1.6	Matthew & Stacy Fasolino
12 Coffee St	32-145	1.13	Matthew & Stacy Fasolino
14 Coffee St	32-146	1.311	Attubato Family Trust, Albert Attubato Trust
16 Coffee St	32-147	1.011	Jeffrey & Cassandra Grenon
18 Coffee St	32-148	1.012	Norman & Miriam Chesmore
18 A Coffee St	32-149	1.013	Patricia McKay
MAP B			
1 Memory Lane	30-067	1.01	Paul Melia
2 Memory Lane	30-066	1.01	Tina Wright
3 Memory Lane	30-065	1.013	David & Marie Marchetti
4 Memory Lane	31-033	1.739	Carl Rice
68 Lovering St	30-064	3.88	Robert Symonds
70 Lovering St	21-094	2.77	Medway Housing Authority
82 Lovering St	21-093	20.3	Paul Wilson
6 Howe St	21-088	1.048	Michael & Kara Gulla
3 Howe St	21-084	1.702	Alan & Joann Osborne
5 Howe St	14-010	1.710	Andrew & Lindsay Leech
7 Howe St	14-009	1.842	Richard & Megan Grady
0 R Woodland Rd	14-005	115.100	Henry Wickett & Henry Wickett Jr.
MAP C			
12 Ohlson Cir	14-059	1.02	Gary & Mary Whitaker
15 Ohlson Cir	14-019	1.145	Peter Schubert

The following parcels shall be rezoned from the present zoning in the Agricultural Residential I district to Agricultural Residential II district, so that the entire parcel is converted to Agricultural Residential II:

Address	Medway Assessor's Parcel ID #	Parcel Size	Current Owner
MAP A			
22 Coffee St	32-151	.30	Chris & Nadia Sullivan
MAP C			
86 Winthrop St	14-054	.25	Matthew Maccarrick Trust & Family Nominee Maccarrick Trust
88 Winthrop St	14-055	.25	Kathleen & Julie Ann Fallon
90 Winthrop St	14-056	.25	Alexander & Allison Stroshane
92 Winthrop St	14-043	.25	Sandra St. John Life Estate, Stacy Murphy, Christine Tiemann, & David St. John
112 Lovering St	14-053	.25	Michael & Sonya Murphy
68 Winthrop St	21-008	.25	Alan Weiner & Pamela Tatelman- Weiner

The following split zoned parcels shall be rezoned so that the portion which is presently zoned Agricultural Residential I district shall be converted to Agricultural Residential II district, so that the entire parcel is zoned Agricultural Residential II:

Address	Medway Assessor's Parcel ID #	Parcel Size	Current Owner
MAP A			
20 Coffee St	32-150	.541	Richard & Frances Scannell
24 Coffee St	32-152	.49	Susan & Sergio Gomez
102 Holliston St	31-069	.29	William & Francis Obrien Trustee
1 Gorwin St	31-068	.22	John Fasolino & Meghann Mckenney
3 Gorwin St	31-067	.27	John Wooster & Patricia Mathaisel
5 Gorwin St	31-066	.379	David Jones
7 Gorwin St	31-065	.32	George & Eileen Kornmuller
9 Gorwin St	31-064	.263	Daniel Williams
11 Gorwin St	32-170	.27	Max, Constance, & Robert Greenberg
13 Gorwin St	32-169	.26	Chester Mosher & Lorraine Gorwin Life Estate
15 Gorwin St	32-168	.25	Patricia Treanor
17 Gorwin St	32-167	.24	Joel & Judith Goldstein
19 Gorwin St	32-166	.24	Lawrence & Ellen Johnson
21 Gorwin St	32-165	.23	Charles & Barbara Hutt
23 Gorwin St	32-164	.23	Tina Sheppard

25 Gorwin St	32-163	.23	Denise Bartone & Kenneth Gormley
27 Gorwin St	32-162	.23	Michael & Teresa ORourke
29 Gorwin St	32-161	.23	Walter & Judit Baer
31 Gorwin St	32-160	.23	Roy Young
33 Gorwin St	32-159	.23	Gloria Achmakjian
35 Gorwin St	32-158	.30	John & Jennifer Dougherty
37 Gorwin St	32-157	.30	John & Ethel Maguire
39 Gorwin St	32-156	.30	Jeffrey & Cheryl Foss
MAP B			
0 Memory Lane	31-031	.162	Carl Rice
MAP C			
22 Ohlson Cir	14-060	.602	William & Susan Callahan
24 Ohlson Cir	14-061	.565	Michelle Diebler
28 Ohlson Cir	14-062	.565	Michael & Karen Tudino
30 Ohlson Cir	14-063	.565	Michael Boys & Kristine Kaktins
32 Ohlson Cir	14-064	.621	Charles & Kathleen Dwyer
31 Ohlson Cir	14-046	.788	Robert & Patricia Comtois
33 Ohlson Cir	14-045	.679	Andrew & Kathleen Anderson
35 Ohlson Cir	14-044	.517	Derek & Jessica Baldassarre
108 Lovering St	14-051	.77	Jayson & Lori-Ann Sumner
110 Lovering St	14-052	.25	Kenneth Lawrence
107 Lovering St	14-030	.25	Jennifer Lindsey
70 Winthrop St	21-007	.5	Sean Barry
72 Winthrop St	21-006	.5	Meeri Lewandowski & Edward Lewandowski Trust
74 Winthrop St	21-005	.5	Frank Glass & Anne Buddenhagen
76 Winthrop St	21-004	.62	Marshall & Elizabeth Gustin
78 Winthrop St	21-003	.853	Joseph & Mary Vadakekalam
78 A Winthrop St	21-002	.902	Anthony & Lynda Bertone
80 Winthrop St	21-001	.722	Craig & Janice Dresser
82 Winthrop St	14-029	1.0	Jeffrey Devine
84 Winthrop St	14-028	.5	Romas & Niucole Banaitis
6 Hemlock Dr	21-019	.5	William & Mildred Beachman
12 Hemlock Dr	21-015	.5	Brianna & Matthew Boyce
14 Hemlock Dr	21-016	.5	William Oldmixon & Takeda Karou
16 Hemlock Dr	21-014	.5	Charlotte Porreca
18 Hemlock Dr	21-013	.5	Martin Concannon Trustee & Dawn Rose Trustee
20 Hemlock Dr	21-014	.5	Alan & Myrtle Miller
3 Clover Lane	21-009	.25	Joanne Davenport
5 Clover Lane	21-010	.25	William & Roberta Scherer

And to act in any manner relating thereto.







PLANNING AND ECONOMIC DEVELOPMENT BOARD

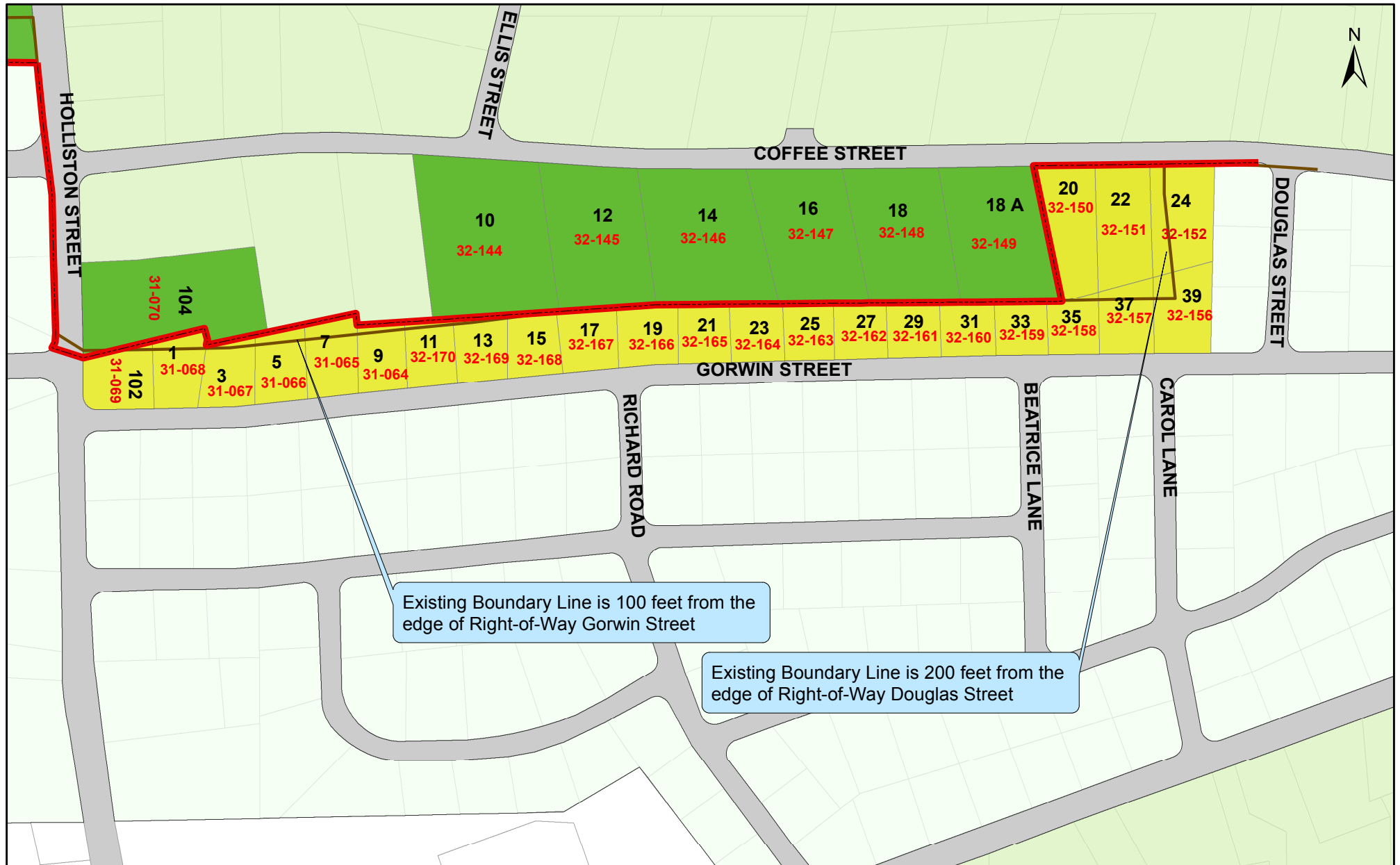
Proposed Changes to AR-I Zoning District

August 25, 2017

MAP A

Data from MassGIS and the Town of Medway

- | | |
|--|--|
|  Existing AR-I Zoning District |  Proposed Inclusions of AR-I Zoning District |
|  Existing AR-II Zoning District |  Proposed Inclusions of AR-II Zoning District |
|  Existing Boundary Line |  Proposed New Boundary Line |









Proposed Changes to AR-I & AR-II Zoning District

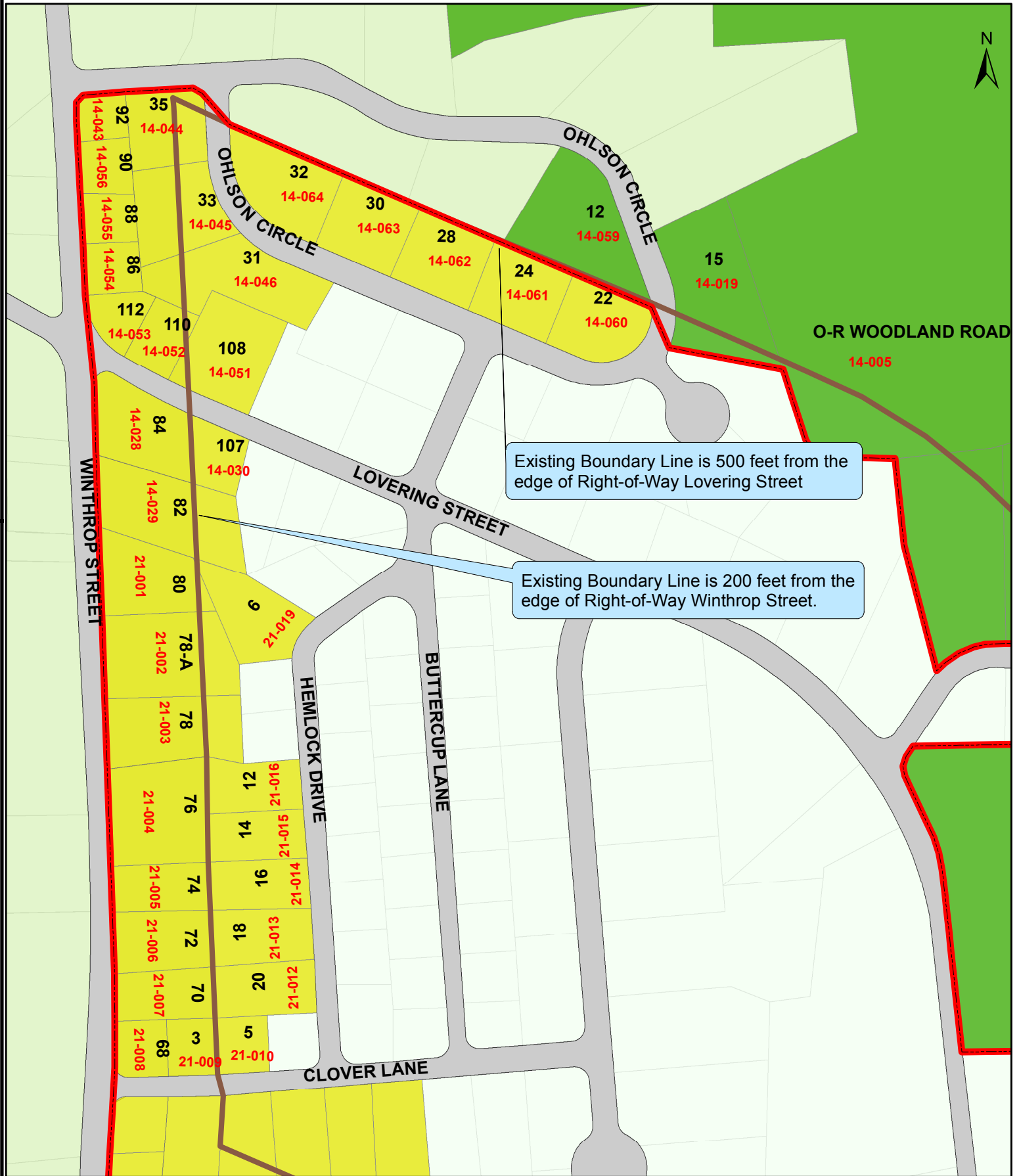
August 25, 2017

MAP B

Data from MassGIS and the Town of Medway

- | | |
|--|---|
|  Existing AR-I Zoning District |  Proposed Inclusions of AR-I Zoning District |
|  Existing AR-II Zoning District |  Proposed Inclusions of AR-II Zoning District |
|  Existing Boundary Line |  Proposed New Boundary Line |





Services

DRAFT - August 25, 2017

Current Definition of “Services” – Establishments engaged primarily in providing assistance, as opposed to products, to individuals or businesses and other enterprises, including but not limited to business, social, personal and educational services.

1. I would suggest changing this term to **Service Establishments** and revising the above definition as follows:

Service Establishments – Establishments engaged primarily in providing assistance, as opposed to products, to individuals or businesses and other enterprises, including but not limited to **such** business, social, personal and educational services **as optician, dry cleaner, laundromat, repair shop, tailor, printing/copying, music lessons, travel agency, fitness facility, etc.**

2. I would change the language in the Table of Uses – D. BUSINESS USES – Services

Current Text - Consumer services such as but not limited to fitness facility, optician, dry cleaner, laundromat, shoe repair, photocopying/printing, tailor, and other similar businesses and services.

Proposed – **Service Establishments** without giving any examples

Commented [SM1]: Suggested definition:

Service Establishments: An establishment engaged primarily in providing assistance, as opposed to products, to individuals or businesses and other enterprises, including but not limited to optician, dry cleaner, laundromat, repair shop, printing/copying, tailor, music lessons, travel agency, fitness facility, etc.

5.6.4 Multifamily Housing

A. **Purpose:** The purpose of this sub-section is to further the goals of the Medway Master Plan and the Medway Housing Production Plan to encourage the provision of a diversity of housing types, to promote pedestrian oriented development, and to increase the number of affordable housing units by establishing a special permit option to allow for the development of Multifamily Dwellings or Apartment Houses, and Multifamily Developments within the capacities of existing Town utilities and services.

B. **Applicability:**

1. The Planning and Economic Development Board may grant a Multifamily Housing special permit for a Multifamily Dwelling or Apartment House, and/or a Multifamily Development on a tract of land within the AR-I, AR-II, Village Residential, Village Commercial zoning districts whether on one parcel or a set of contiguous parcels, with a minimum of fifty feet of frontage on an existing street located within the Multifamily Housing Overlay District as shown on a map on file with the Medway Town Clerk. The street shall, in the opinion of the Planning and Economic Development Board, have sufficient capacity to accommodate the projected additional traffic flow from the development.

(Amended 11-14-16)

2. Tracts of land within residential subdivisions approved and constructed under the Subdivision Control Law since September 29, 1952 or granted a special permit under the Medway Zoning Bylaw shall not be eligible for a special permit under this Sub-Section.
3. Multifamily Dwellings or Apartment Houses and Multifamily Developments within the Adaptive Use Overlay District must comply with the Medway Zoning Bylaw, Adaptive Use Special Permit Site Development Standards.
4. These provisions apply to the following:
 - a. The alteration/rehabilitation and conversion/adaptive reuse of existing buildings
 - b. Construction of new buildings or additions to existing buildings.

C. **Dimensional Regulations:**

1. The minimum dimensional requirements for area and setbacks shall be the same as for the underlying zoning district in which the parcel is located. However, the Planning and Economic Development Board may adjust these dimensional requirements by a four-fifths vote if, in its opinion, such adjustment will result in a more desirable design of the development or provide enhanced buffering for adjacent residential properties.
2. Legally pre-existing nonconforming buildings shall be eligible for a Multifamily Housing special permit provided there is no increase in any dimensional nonconformity or the creation of a new nonconformity, and the applicant can demonstrate compliance with the parking and open space requirements of this section.
3. Maximum building height: 40'

D. **Density Regulations:** The density of a Multifamily Dwelling or Apartment House, and a Multifamily Development shall not exceed twelve dwelling units per acre or portions thereof,

except that the Planning and Economic Development Board may grant a density bonus for one or more of the following:

1. + one unit when the project involves the rehabilitation/adaptive reuse of an existing structure at least seventy-five years of age and is completed in a manner that preserves and/or enhances the exterior architectural features of the building;
2. + one unit for each three thousand sq. ft. of existing interior finished space that is substantially rehabilitated in accordance with the Board's *Multifamily Housing Rules and Regulations*.
3. + two units when twenty-five percent of the dwelling units are designated as affordable independent of the provisions of the Section 8.6 Affordable Housing.

In no case shall total density, including bonus units, exceed twenty dwelling units per acres.

E. Special Regulations:

1. Affordable Housing Requirement: Projects approved pursuant to this Sub-Section shall comply with:
 - a. The Town's Affordable Housing requirements as specified in Section 8.6 Affordable Housing;
 - b. the Massachusetts Department of Housing and Community Development (DHCD)'s Local Initiative Program (LIP) Guidelines, July 1996, as may be amended; and
2. Open Space: There shall be an open space or yard area equal to at least fifteen percent of the parcel(s) total area. This area shall be unpaved and may be landscaped or left natural, with the balance being trees, shrubs and grass suitable for the site. This area shall not be built upon but may include a play area.
3. Parking: At least one and one-half off-street parking spaces shall be provided for each dwelling unit plus one additional visitor parking space for every two dwelling units.
4. There shall be Town water and sewer available in the street on which the Multifamily Dwelling or Apartment House or Multifamily Development has its frontage and said water and sewer lines shall have sufficient capacity to accommodate the project.
5. A Multifamily Dwelling or Apartment House shall not contain more than twelve dwelling units.
6. Any Multifamily Development shall not exceed forty dwelling units.
7. Historic Properties: Any building proposed for a Multifamily Dwelling or Apartment House, and/or a Multifamily Development pursuant to this sub-section which is determined by the Medway Historical Commission to be a "preferably preserved historically significant building" in accordance with the criteria specified in Medway General Bylaws Section 17.
 - a. shall not be demolished unless determined to be unsafe or uninhabitable by Medway building officials; and

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b. shall be renovated to retain the appearance of the building's historic exterior architecture to the greatest extent possible.

- F. **Rules and Regulations:** The Planning and Economic Development Board shall adopt *Multifamily Housing Rules and Regulations* which shall include application submittal requirements, public hearing and review procedures, and site development and design standards including but not limited to landscaping, buffering, lighting, building style, pedestrian access, off-street parking, utilities, and waste disposal.
- G. **Development Limitation:** The maximum number of Multifamily Dwelling units authorized pursuant to this sub-section shall not exceed five percent of the number of detached single-family dwellings located in the Town of Medway, as determined by the Board of Assessors.
- H. **Special Permit Procedures:**
1. The special permit application, public hearing, and decision procedures shall be in accordance with this Sub-Section, the Planning and Economic Development Board's *Multifamily Housing Rules and Regulations*, and Section 3.5 Site Plan Review and Approval.
 2. Application Requirements. The Applicant shall submit a Multifamily Housing special permit application together with the size, form, number, and contents of the required plans and any supplemental information as required in the Planning and Economic Development Board's *Multifamily Housing Rules and Regulations*.
 3. The special permit review of Multifamily Dwelling or Apartment Houses, and Multifamily Developments shall incorporate site plan review pursuant to Section 3.5 Site Plan Review and Approval.
- I. **Decision:** The Planning and Economic Development Board may grant a Multifamily Housing special permit with any conditions, safeguards, and limitations necessary to mitigate the project's impact on the surrounding area and to ensure compliance with this Sub-Section and Section 3.5 Site Plan Review and Approval, upon finding that the Multifamily Dwelling or Apartment House, or the Multifamily Development will:
1. meet the purposes and requirements of this Sub-Section, and the Planning and Economic Development Board's *Multifamily Housing Rules and Regulations* and *Site Plan Rules and Regulations*;
 2. is consistent with the goals of the Medway Master Plan and the Medway Housing Production Plan;
 3. not have a detrimental impact on abutting properties and adjacent neighborhoods or such impacts are adequately mitigated;
 4. provide for greater variety and type of housing stock.

Susan Affleck-Childs

From: Mackenzie Leahy
Sent: Friday, August 25, 2017 3:58 PM
To: Stephanie Mercandetti; Susan Affleck-Childs
Subject: Wireless Communications Proposal - MRL - 08.25.17
Attachments: Wireless Communications Facilities - existing.docx; Wireless Communications Facilities - Proposed - 08.25.17.docx; Wireless Communications Facilities - Proposed - 08.25.17 - without track change.docx

Hi there,

I've attached my proposed changes to the Wireless Communications Facilities bylaw. Due to the large amount of changes, I would suggest that if the proposal goes to Town Meeting, that the proposal replaces the existing section entirely (rather than showing every change). I've attached the existing and proposed sections without track changes if viewing the proposal is too confusing.

The Wireless Communications Facility bylaw was created in December of 1998 and has not been revised since. I believe there have been some changes to Federal/ State regulations regarding these facilities and would like Town Counsel to provide input and review. Our bylaw is outdated and it is clear that most of the towns surrounding us have updated their bylaws since—they all have very similar language, and I have used that language as a starting point for this draft.

Some of the main issues with the current bylaw seems to be that:

- The bylaw does not call out what is allowed by right and what requires a special permit
- The bylaw does not offer options beside free standing monopoles in order to better accommodate potential needs and growth of technology
- The bylaw only allows for facility locations at existing high power tension structures (though there is a precedent that the ZBA has allowed for new facilities within utility easements)
- I believe that our primary facility referenced in the bylaw, 113 R Main St, has no more room for co-location
- The bylaw does not have any descriptive design standards
- The bylaw does not specific review criteria

Have a great weekend and have fun reading!

Mackenzie Leahy
Administrative Assistant
Community & Economic Development
Town of Medway
155 Village Street
Medway, MA 02053
508.321.4915
mleahy@townofmedway.org

8.7. WIRELESS COMMUNICATIONS FACILITIES

A. Purpose. The purpose of these regulations is to minimize adverse impacts of wireless communication facilities on adjacent properties and residential neighborhoods (included but not limited to visual public safety, and property value impacts), and to limit the number and height of these facilities to only what is essential, to promote shared use of existing facilities to reduce the need for new facilities, and to protect the interest of the general public.

No WCF shall be constructed except in compliance with the provisions of this Section and by special permit of the Zoning Board of Appeals.

B. Definitions. The definitions herein, especially that of a “device” and “WCF,” are intended to encompass such devices as they may evolve through technological advances.

- 1. Tower:** Any structure to which a device may be attached for the purpose of transmitting or receiving wireless communications, including but not limited to water towers, church steeples, flag poles, or parking lights (typ.), but not including any residential, commercial or industrial building, accessory building, and/or rooftop.
 - a. Self-Supporting Tower:** Any lattice or monopole tower to which a device may be attached for the purpose of transmitting or receiving wireless communications. Self-Supporting Towers are ground-mounted, but may include an above-grade base made of concrete or other similar material.
- 2. Height:** A distance measured from the mean finished grade of the land surrounding the device to its highest point, surface or projection, in the case of free standing devices, or a distance measured from the average finished grade of the land surrounding the exterior walls to the highest point, surface or projection, in the case of devices mounted on existing buildings or structures.
- 3. Device:** Any antenna, or other apparatus that performs the function of antennas, together with any telecommunications satellite dishes and other necessary equipment.
 - a. Mounted Device:** Any device which is affixed to a Tower.
 - b. Building Mounted Device:** Any device which is affixed to a residential, commercial, or industrial building, accessory building, and/or rooftop.
 - c. Free Standing Device:** Any device which is affixed to a Self-Supporting Tower.
- 4. Wireless Communications Facility (WCF):** Any buildings, structures, towers, and appurtenant equipment and storage that are used for the express purpose of conducting wireless telecommunication services regulated by the Federal Communications Commission (FCC) and defined as “personal wireless services” in Section 704, or other sections of the Federal Telecommunications Act of 1996 as amended. By way of example, but not limitation, “WCF” includes cellular telephone services, personal communication

services, paging services, specialized mobile radio, including wireless intended for the transmission of data or internet, and also including antennas, towers, satellite dishes, or other devices or equipment for transferring wireless transmissions with or without a building to house and/or maintain such equipment.

C. By Right Provisions. The following devices may be constructed, erected, installed, placed and/or used within the Town subject to the issuance of a building permit by the Building Department in those instances when a building permit is required:

1. A device for customary private household use, including but not limited to, a conventional chimney-mount television antenna or home satellite dish no to exceed 3 feet in width;
2. A device (or combination of devices) installed on a building or other structure within any commercial or industrial district provided that such device or combination thereof, including its supports, is:
 - a. Finished in a manner designed to be aesthetically consistent with the exterior finish of such building or structure and otherwise in accordance with the Design Standards set forth herein; and
 - b. Mounted in such a manner that it does not:
 - i. Extend above the highest point of a building or structure by more than 10 feet;
 - ii. Obscure any window or other exterior architectural feature;
 - iii. Extend beyond the face of any wall or exterior surface by more than 18 inches;
 - iv. Extend below the top of the roof line of any single-story building or structure; or
 - v. Extend more than more than 8 feet below the roof line of any multi-story building or structure.
 - c. Not comprised of any device or devices which have a visible surface area facing surrounding streets and/or residential districts that exceeds 50 square feet in area.
3. A devices owned by and located on the property of an amateur radio operator licensed by the FCC, which device shall be installed at the minimum height necessary for the proper functioning of amateur radio communications in accordance with the licensing requirements for that location;
4. A device installed wholly within and not protruding from the interior space of an existing building or structure (including interior space behind existing roofs or within existing mechanical penthouse space) or behind existing rooftop mechanical screens in such a manner that the device would not be visible from surrounding streets and/or residential districts only for so long as such device remains wholly within such space or behind such roofs or screens; and
5. Any proposed modification of an existing ~~facility~~WCF, such as addition of a ~~device~~cells, antennas or panels, that does not ~~substantially~~change the physical dimensional ~~areas~~ of the

tower or base station may be allowed by right by the Building ~~Inspector~~Commissioner. Any other modification, as well as construction of any new facility or any replacement facility, shall be subject to a ~~new~~ application with the Board.

~~1. Special Permit An attachment shall not exceed ten feet in height above the level of its attachment to structure.~~

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B-D. General Requirements.

- ~~1. No wireless communications facility shall be constructed except in compliance with these guidelines and by special permit of the Zoning Board of Appeals.~~
- ~~2.1 Only free standing monopoles, with associated antennas and/or panels are allowed. Lattice style towers and similar facilities requiring three or more legs and/or guy wires for support are not allowed prohibited.~~
- ~~3.2 To the greatest extent feasible, all service providers shall co-locate on a single facility at existing facilities. Wireless communication facilities shall be designed to accommodate the maximum number of users as technically practical.~~
3. When co-location on an existing ~~monopole~~WCF is not feasible, the applicant must demonstrate that another site is required to address a substantial gap in coverage and the location must, for technical reasons, be located in the Town of Medway.
4. The height of a WCF shall be constructed at the minimum height necessary to accommodate the anticipated and future use of the facility. A WCF shall not exceed 120 feet under any circumstances.
5. A WCF shall meet all setback requirements as provided for in Section 6, Dimensional Regulations, of the Medway Zoning Bylaw.
6. Where the applicant seeks approval for a device owned or controlled by the applicant, approval of equipment shall be contingent upon the agreement of the applicant to reasonably cooperate with other wireless communications service providers in permitting the co-location of antennas on such structures, on commercially reasonable terms, unless:
 - a. There are structural or other limitations which would make it unfeasible to accommodate the proposed WCF; or
 - b. The proposed facility would interfere with the wireless communications of one or more existing occupants at the site, including the applicant.

C-E. Location of Wireless Communication Facilities.

- ~~1. The primary wireless communication facility location for the Town currently exists at a site on the south edge of property located at 113 Main Street. All new applications must demonstrate technical inability to co-locate at this an site existing WCF, or that there is a gap in coverage elsewhere. Existing facilities are located at:~~

- a. 113 R Main Street;
- b. 40 Hill Street;
- c. 34 West Street;
- d. 61 R Milford Street;

~~a-c.~~

2. ~~The second location for wireless communication facilities shall be on any existing high-tension power structures.~~ Should the applicant demonstrate the requirements that there is a technical inability to co-locate or that there is a need for a WCF due to a gap in coverage elsewhere, the following locations may be allowed by special permit:

- a. Any land zoned Industrial;
- b. Any land located within a transmission easement or land own by a utility provider, as shown on a map on file with the Town Clerk and incorporated herein by reference; or
- c. Any land owned by the Town of Medway on which a water tower, water tank/well, emergency service building (i.e. police or fire station), or other buildings/structures, not including schools, are located, as shown on a map on file with the Town Clerk and incorporated herein by reference.

3. ~~No addition to a power structure shall be within 200 feet from the base of that structure to a residential property line. No WCF with a Mounted or Building Mounted Device(s) shall be located, erected, or modified nearer to any residential dwelling(s) than a distance equal to one and a half times the vertical height of the facility (inclusive of any appurtenant buildings/structures).~~

4. ~~A facility shall not be erected or modified nearer to any property line than a distance equal to the vertical height of the facility (inclusive of any appurtenant devices), measured at the mean finished grade of the facility base.~~

4. No WCF with a Free Standing Device(s) shall be located, erected, or modified nearer to any building or structure than two times the vertical height of the facility (of any appurtenant buildings/structures).

5. No WCF shall be located on land under jurisdiction of the Conservation Commission under G.L. c. 31-33, land with a Conservation Restriction, or land within a FEMA Flood Zone, except X500 may be allowed.

6. No WCF shall be located on land under status of G.L. c. 61A or c. 61B, as may be on record with the Assessor's Office.

- 5-7. No WCF shall be located within a National or Local Historic District unless the Board finds, following review by the Historical Commission, that the facility is properly concealed with adequate buffering and screening and does not alter the character of that district, property, building, or structure where it is located.

Commented [ML1]: Check records for other locations

Commented [ML2]: or: within transmission easements or land

Commented [ML3]: check with departments & BOS

Commented [ML4]: Intended for safety of residents – potential sound/vibration levels, visual, other hazards

Commented [ML5]: Intended for safety of buildings – “fall zone”

F. Design Standards.

1. Wireless facilities shall be suitably screened from abutters and residential neighborhoods. Painting, ~~and~~ landscaping, fencing, buffering and screening, when deemed necessary by the Zoning Board of Appeals, will be required at the expense of the owner.
2. To the extent reasonably possible, devices shall be camouflaged by location and/or design to disguise them from the public view, whether by designing the device so as to disguise it as an existing or new building or structure appropriate in type and scale to its location (e.g. a parking light adjacent to a recreational area, a flagpole in a park, a silo in a field, an artificial tree monopole in a wooded area) where the WCF are hidden within or mounted on a structure to make them essentially invisible, or whether located in a place and manner that renders the device essentially invisible (e.g. siting the device within existing trees, providing effective screening by the use of landscaped buffers which camouflage the device at the time of planting and are effective year-round).
3. Existing on-site vegetation shall be preserved to the maximum extent practicable. The Board may require additional buffering and screening if it finds that the existing vegetation is insufficient.
4. A different color scheme shall be used to blend the structure with the landscape below and above the tree or building line, as deemed necessary by the Board.
- 6-5. Fencing shall be provided to control access to ~~wireless facilities~~ the WCF and shall be compatible with the rural and scenic character of the area and of the Town. Fencing shall not be constructed of razor wire (or similar materials) or chain link.
- 7-6. There shall be no signs or advertisement signs permitted on or in the vicinity of a WCF, except for announcement signs, no trespassing signs, and a required sign, not to exceed four square feet in area for each device installation, which shall display a phone number where the person responsible for the maintenance of the WCF may be reached on a giving a phone number for twenty-four hour access to owner or agent basis. All other signage shall be consistent with Section 7.2, Signs, of the Zoning Bylaw.
7. Night lighting of any WCF shall be prohibited, except as required by the FCC, Federal Aviation Administration (FAA), or that needed ~~and~~ for emergency service, security, and safety requirements. All lighting shall be consistent with Section, 7.1.2, Outdoor Lighting, of the Zoning Bylaw.
8. There shall be a minimum of one parking space for each facility, large enough for an electric utility vehicle, to be used only in connection with the maintenance of the site and not for the permanent storage of vehicles or other equipment.
9. To the extent feasible, the equipment to relay the wireless transmissions shall be located inside an existing building/structure. Otherwise, such equipment shall be located in a new, enclosed structure in allocation where the visual impact to the surrounding properties and streets will be minimized. The Board may impose conditions on the siting and screening of such structure.

D-G. Procedures for Special Permit.

1. All applications for modification of existing or construction of new wireless communications facilities shall be submitted in accordance with the rules and regulations of the Zoning Board of Appeals.
2. Documentation must be provided for the rights to the property and/or use of buildings/structures (i.e. ownership), a portion of land and/or use of buildings/structures (i.e. a lease or rent), or other means of legal access. Applicants proposing to erect a WCF on municipally-owned land, buildings, or structures shall provide evidence of a contractual authorization by the Town to conduct wireless communication services on such properties.
- ~~4-3.~~ 3. A field inspection/site visit shall be conducted on all applications for a WCF prior to the hearing for the special permit. The results of the inspection shall become a permanent part of the applicant's file and shall bear the date of inspection and comments by the inspecting town agents. A site visit shall include, but not be limited to, the following agents as determined necessary: Building Commissioner/Zoning Enforcement Officer, Conservation Agent, Department of Public Services Staff, and Zoning Board of Appeals Staff.
- ~~2-4.~~ 4. The following information must be provided, prepared by a professional engineer, licensed in the state of Massachusetts:
 - a. ~~A locus plan at a scale of 1" = 40' will~~shall be provided showing the exact location of existing and proposed ~~structures~~buildings, structures and tower(s), as well as:
 - i. ~~Landscaping and lighting~~e features;
 - ii. ~~Buffering and screening~~;
 - iii. ~~Fencing and controlled entry~~;
 - iv. ~~Abutting streets, residential dwellings and all buildings/structures within 500~~300 feet of the tower base and the distance at grade from the proposed WCF to each building on the plan;
 - v. ~~Grading and utilities at two-foot contours; and~~
 - ~~i-vi.~~ vi. Zoning requirements, as well as building and structural setbacks.
 - b. Elevation plans and/or colored rendition showing details of the tower(s) and devices, as well as any buildings/structures associated with the WCF. Plans should also provide details of buffering and screening, landscaping (including species, height, and breadth of trees and shrubbery), lighting, fencing, and colors and materials for the entire project site.
 - ~~b-c.~~ c. Description of facility, ~~and as well as all~~ technical, economic, and other reasons for the proposed location, height and design;
 - ~~e-d.~~ d. Confirmation that the facility complies with all applicable Federal and State standards;

- e. Description of facility capacity including number of type of ~~devices, panels, antennas and/or transmitters~~ that can be accommodated and basis for calculations. For existing towers, confirmation that the WCF has the structural and technical capacity for an additional device;
- f. Specifications for construction, lighting, and wiring in accordance with State and National building codes;
- ~~d-g.~~ Environmental Assessment, as may be required by the FCC;
- h. ~~Written statement~~Confirmation that proposed facility complies with FAA and Federal Communications Commission (FCC) guidelines;
- i. Written statement demonstrating that there are no adverse impacts to residents and the general public—visual, safety, or otherwise; and
- j. A plan showing the existing WCF locations and service provider coverage in and surrounding the Town of Medway, as well as the proposed WCF location and service coverage of that facility. This plan should be provided by a ~~certified radio frequency engineer(s) or other certified telecommunications specialist~~.

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H. Special Provisions for a Gap in Wireless Coverage.

- 1. The Board is authorized to issue a special permit for a wireless communications facility, in accordance with the provisions of this Section, in areas where a WCF is otherwise prohibited, if and only if the following terms and conditions are met entirely:
 - a. The Board, after public hearing and presentation of substantial evidence by the applicant, determines that a significant gap in wireless coverage exists in a portion of the town; and
 - b. That to disallow the location/construction/placement of a WCF within a zoning district where a WCF would not be permitted would be an effective prohibition of said use and a violation of Section 704 of the Federal Telecommunications Act of 1996; and
 - c. An application for a significant gap in wireless coverage determination must provide information such as mapping of existing areas of coverage, maps depicting location of wireless coverage gaps, reports, affidavits, and other supplemental narrative information, from a suitably qualified radio frequency engineer(s) or other telecommunications specialist, to clearly demonstrate that a gap in coverage existing and there are no other suitable locations for the placement of a WCF tower, building, or structure close to the gap that would otherwise be allowed by right or by special permit within the provisions of Section 8.7.E.
 - d. An application for a special permit relying upon a significant gap in wireless coverage determination shall comply with all general, design, and procedural requirements of this Section 8.7, as well as all other applicable sections of the ~~Medway Zoning Bylaw~~.

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I. Construction, Maintenance, & Cessation of Use.

1. Upon receipt of a special permit from the Board, the applicant shall apply to the Building Department for a permit to construct a WCF and shall provide written evidence that all preconstruction conditions, as may be part of the special permit decision have been satisfied.
2. The owner of the facility and/or devices shall be responsible for ongoing proper maintenance of the WCF or device as allowed by Special Permit. Verification of maintenance and structural integrity by a certified structural engineer shall be required at the request of the Building Commissioner/Zoning Enforcement officer on a biennial basis.
3. If applicable, annual certification demonstrating continuing compliance with the standards of the FCC, FAA, and the American National Standards Instituted and required maintenance shall be filed with the Building Commissioner/Zoning Enforcement Officer by the special permit holder.
- ~~(A) All facilities or parts thereof or accessory facilities which have not been used for one year shall be dismantled and removed at the owner's expense within 90 days.~~
4. WCF devices and/or structures shall be removed within one year of cessation of use.
- ~~3-5.~~ Should the owner and/or operator, or the owner of the land or structure on which the device is located, fail to remove a device within one year of cessation of use, the Town may remove the same. A performance guarantee may be required as a condition of any special permit granted under this Section, in an amount deemed sufficient to cover the Town's cost of the demolition and removal of the device in the event of cessation of use.

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Adaptive Use Overlay District – Possible Edits

August 25, 2017 DRAFT

5.6.2 ADAPTIVE USE OVERLAY DISTRICT

- A. **Purposes.** The purposes of the Adaptive Use Overlay District are to promote economic development and preserve community character by encouraging conversion of existing buildings in a manner that maintains their architectural integrity; to provide for limited business uses within portions of residential districts, subject to design and performance standards, in order to preserve older buildings by providing economic uses for structures that may be obsolete for their original intended uses; and implement the goals of the Medway Master Plan.
- B. **Overlay District.** The Adaptive Use Overlay District shall be as shown on the Zoning Map on file with the Town Clerk.
- C. **Applicability.** ~~The Planning and Economic Development Board may grant an Adaptive Use Special Permit for a~~ Any property with at least 50 feet of frontage on a Town way in the Adaptive Use Overlay District, provided that each lot in the development includes at least one building constructed prior to June 28, 2004.
- D. **Use Regulations.**
1. **Uses Allowed As of Right:**
 - a. All uses permitted in the underlying zoning district shall be permitted within the Adaptive Use Overlay District unless prohibited under sub-section D.3 hereof.
 - b. For properties located within the Adaptive Use Overlay District that are presently being used or historically have been used consistently for commercial/business purposes, the following uses or combination of uses and no others are allowed by right subject to administrative site plan review pursuant to Section 3.5. of the Zoning Bylaw.
 1. Offices for business or professional uses.
 2. Studios for artists, photographers, interior decorators, and similar design-related uses.
 3. Retail sales for handcrafted merchandise, original arts and crafts or copies thereof, antiques, second-hand goods, gifts, clothing, accessories, and decorative home furnishings.
 4. Food services including, but not limited to bakeries, cafes, coffee shops, delicatessens, frozen dessert shops, pastry shops, sandwich shops and other specialty food items, not to exceed 3,000 sq. ft.
 5. Repair shops for small electronic equipment, appliances or tools.

6. Personal care services such as barber shops, beauty parlors and nail salons.
 7. Florists
 8. Individual consumer services including but not limited to opticians, personal fitness, tailor, shoe repair, music lessons and travel agency.
 9. Other non-specified businesses comparable to those listed above.
 10. The alteration of, addition to, and/or conversion of an existing building to one or two residential dwelling units and one or more business uses listed in items 1 – 9 above.
2. **Uses Allowed by Special Permit:** For all other properties within the Adaptive Use Overlay District not covered by Section 5.6.2 D. 1. b, In approving an Adaptive Use Special Permit, the Planning and Economic Development Board may provide approve an Adaptive Use special permit for the following uses or combination of uses and no others. The Adaptive Use special permit shall identify the uses that are specifically allowed, and may impose any conditions, safeguards and limitations deemed necessary by the Planning and Economic Development Board.
- a. Offices for business or professional uses.
 - b. Studios for artists, photographers, interior decorators, and similar design-related uses.
 - c. Retail sales for handcrafted merchandise, original arts and crafts or copies thereof, antiques, second-hand goods, gifts, clothing, accessories, and decorative home furnishings. *(Amended 11/16/15)*
 - d. Food services including, but not limited to bakeries, cafes, coffee shops, delicatessens, frozen dessert shops, pastry shops, sandwich shops and other specialty food items, not to exceed 3,000 sq. ft. *(Amended 11/16/15)*
 - e. Repair shops for small electronic equipment, appliances or tools.
 - f. Personal care services such as barber shops, beauty parlors and nail salons.
 - g. Florists
 - h. Individual consumer services including but not limited to opticians, personal fitness, tailor, shoe repair, music lessons and travel agency. *(Added 11/16/15)*
 - i. Other non-specified businesses comparable to those listed above.
 - ~~i-j.~~ j. The alteration of, addition to, and/or conversion of an existing building to one or two residential dwelling units and one or more business uses listed in items a-g-i above, provided that the appearance of the building is characteristic of a residential single-family dwelling.
3. **Prohibited Uses:** The following uses are prohibited in the Adaptive Use Overlay District:

- a. Motor vehicle sales, repair, or sales of parts
- b. Manufacturing
- c. Drive-through ~~windows~~ facilities of any kind
- d. Exterior storage of equipment or materials

E. **Medway Mill Conversion Subdistrict.** The existing Medway Mill building and property within the Adaptive Use Overlay District present unique features and opportunities as part of the district. In addition to the purposes listed in 5.6.2 A, the Mill property provides an opportunity to promote diverse housing types and mixed uses. In recognition of these unique features, there is hereby created the Medway Mill Conversion Subdistrict within the Adaptive Use Overlay District, as shown on the Zoning Map. The following provisions shall apply to the Medway Mill Conversion Subdistrict.

1. **Permitted Uses.** In addition to the uses listed above in 5.6.2 D. 1 and D. 2 multifamily dwellings may be allowed by special permit within any of the existing buildings or within any new buildings on the premises, provided that the average number of bedrooms in the development shall not exceed two per unit.

2. **Density and Dimensional Requirements.**

- a. Residential density shall not exceed 12 units per acre, exclusive of any wetlands as determined by the Conservation Commission. Residential space, measured in square feet, shall not exceed 25 percent of the usable building space on the premises, and the amount of commercial space at the time of adoption of this Section shall not be reduced by conversion to housing unless the Planning and Economic Development Board finds that a greater percentage and/or conversion of commercial space to housing is in the Town's best interests as evidenced by a documented need for the type of housing proposed.
- b. Maximum building coverage shall be 1.25 times the footprint of buildings existing as of the date of adoption of this Section.

F. **Adaptive Use Site Development Standards.** The Planning and Economic Development Board shall adopt Adaptive Use Rules and Regulations to administer this Section 5.6.2. Such Rules and Regulations shall include submission requirements and procedures and may provide for site development standards addressing any or all of the following:

- 1. Restoration and renovation standards, and guidelines for new construction;
- 2. Amount and location of off-street parking, and provisions for parking waivers;
- 3. Stormwater management and erosion control;
- 2. Curb cuts;
- 3. Pedestrian and bicycle access, and bicycle parking.
- 4. Landscaping;

5. Exterior lighting; and
 6. Business signage, which shall comply with Section 7.2, Sign Regulations.
- G. Sidewalks shall be provided or replaced along the entire frontage of the Adaptive Use parcel along existing Town ways, including the frontage of any lots held in common ownership with the parcel within five years prior to the submission of the Adaptive Use Special Permit application. Where sidewalk construction is not feasible or practical, the Planning and Economic Development Board may require the applicant to provide a sidewalk in another location or make a payment in lieu of sidewalk construction to the Town of Medway special sidewalk fund in an amount determined by the Planning and Economic Development Board.
- H. **Procedures.** Submission requirements and review procedures shall be in accordance with the Planning and Economic Development Board's Adaptive Use Rules and Regulations. ~~The uses and improvements for which an Adaptive Use special permit is granted shall be exempt from Site Plan Review.~~ **Site plan review shall be combined with the special permit review process.**
- I. **Special Permit Decision Criteria.** The Planning and Economic Development Board may grant an Adaptive Use Special Permit upon finding that:
1. The proposed use is allowed under this Section 5.6.2.
 2. The site is adequate for the proposed use in terms of size, configuration, and use of abutting properties.
 3. Provisions for traffic and parking are adequate for the proposed use.
 4. Provisions for pedestrian and bicycle access are adequate, based on site characteristics and the proposed use.
 5. The proposal restores or enhances the aesthetic appeal of the primary building and its site.
 6. The impact on neighborhood visual character, including views and vistas, is positive.
 7. The provisions for utilities, including sewage disposal, water supply and stormwater management are adequate.
 8. The proposed project complies with the goals of the Medway Master Plan and the purposes of this Section 5.6.2.