

**February 9, 2016  
Medway Planning and Economic Development Board Meeting  
155 Village Street  
Medway, MA 02053**

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

**ALSO PRESENT:**

Susy Affleck-Childs, Planning and Economic Development Coordinator  
Stephanie Mercandetti, Director of Community and Economic Development  
Gino Carlucci, PGC Associates

The Chairman opened the meeting at 7:00 p.m.

There were no Citizen Comments.

**Discussion with Mary Becotte, Medway's New Communication Director**

Mary Becotte, Medway's new Director of Communications, was present. Ms. Becotte has been part of the Medway staff since December 2015. Her initial goal is to meet with Town department heads and learn about what the Town does. She is also working with the IT Director Rich Boucher on the new Town website which should be online in May 2016. She is planning on creating an electronic newsletter which will include Town events and other happenings in the community. Also, a bi-monthly cable TV show. She inquired about how she might be able to assist the PEDB.

The Board came up with some suggestions on how the Board may use Ms. Becotte's assistance.

**Tasks to Assist:**

- Getting information out to the public to help them understand the Planning Board's process for reviewing permits and amending the zoning bylaw. It was suggested to do a video segment on local cable TV or provide this information through a newsletter or social media. There could be a link provided with this information.
- Another suggestion is to create an email alert for residents which could include information about permit applications for property near them within 1500 feet. Residents would need to sign up for these alerts. This could also be tied into GIS.

Chairman Rodenhiser noted that there is a lot of misperception on the Friends of Medway Facebook page about how things work and decisions are made. We have done some handouts on how permitting works. Maybe you could take those and help us promote.

Member Tucker said Town boards don't select the businesses that move into Medway.

Mary will be monitoring the “Friends of Medway” FACEBOOK page. Other than Mary, Town staff has been directed to not engage in any activity on this site. Mary will be the one to provide information or response.

Mary does post to Friends of Medway about voter registration for example.

Member Di Iulio said we really need to help the public understand the process.

Mary stated she will work with Susy on putting something together to include in the new newsletter.

Member Hayes asked about how the newsletter will be distributed.

Mary responded that the schools have agreed to allow the Town to use their

### **Tri Valley Commons:**

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

- Sheet A2.2 of the 9-8-15 Endorsed Modified TVC Site Plan showing the Advanced Auto Building.
- 2 photos of the proposed paint treatment for decorative windows.

Rich Landry was present and wanted to discuss two issues:

- Remediation of decorative windows at Advance Auto building
- Consideration of performance security bond agreement and authorization to issue occupancy permit for the Advance Auto building.

The members did drive by to look at the sample of window painting on the back (north) façade. Member Di Iulio noted that it has a dollhouse feel. Glossy may be better than flat black. Are there fake doors too?

Rich Landry explained that there is a garage and man door on the back that are real, to be painted white. He is probably going to go with a high gloss dark charcoal gray color paint instead of black for the windows as it mimics the spandrel glass.

Member Tucker noted you should go with a contrasting color. I would shy away from colors that tend to fade. He expressed a preference for earth tones. A glossy finish would be less resistant to fading.

Rich Landry said he had talked with people about different treatments including film but was advised against it as it would not work well being applied to wood instead of glass and would peel. He wants something that will get as close as possible to a glass appearance. He said they also looked at Plexiglas windows but water would probably get behind those.

Member Gay noted the windows should have a reflective quality.

Member Hayes noted it is an improvement over what is there.

Barry Steinberg, owner of Direct Tire, one of the tenants at Tri Valley Commons was also present. He would like to add some contrast with a different color trim on his building, possibly light gray trim instead of white. Samples of the possible trim colors were shown as provided to Mr. Steinberg by a decorative painter. Rich showed the siding colors – Light Mist and Evening Blue. He would test the colors during the day to see which ones look most like glass. There needs to be some definition to the windows. The Board likes how the delivery door looks.

Design Review Committee Chairman Matt Buckley communicated his concern about the lack of dimensionality and that they do not appear to be windows. He is concerned about the repeated nature of the problem. There is no gradient of color where you would normally see reflections. He agrees this has a doll house look instead of decorative. It looks pretend. There needs to be some depth. The goal is to have this look like a natural window. A different type of treatment was suggested of having a Plexiglas panel.

Rich Landry said that wouldn't work due to weather. He will arrange for three different window treatments, all in high gloss, for the Board to review. He believes the issue is the monotone look.

Barry Steinberg said his decorative painter said a darker blue grey would be better than the black.

Matt Buckley said the building looks great. It would be a shame if the windows aren't right. We want them to look like a natural window.

Mr. Steinberg asked if it is OK if the two buildings have a bit of a different treatment. The Board was amenable to that.

Rich Landry noted that this probably won't be resolved until there is some better weather. He suggested breaking up the approach for the different parts of the Advance Auto building.

The Board next discussed the performance security for Tri Valley Commons.

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

- The template from bond agreement to be signed by PEDB, Richard Landry and Cincinnati Insurance Company.
- TVC bond estimate dated 12-24-16 prepared by Tetra Tech.
- Sign off memo dated 2-4-16 from Medway Treasurer Joanne Russo agreeing to accept Cincinnati Insurance Company for the surety.

Rich Landry provided the bond agreement signed by himself and the local representative for the Cincinnati Insurance Company along with the surety certificate.

Mr. Landry noted that several items on the list have already been done, but they are still included in the bond amount.

#### **TVC Bond Estimate:**

**On a motion made by Bob Tucker and seconded by Rich Di Iulio, the Board voted unanimously to accept the Tetra Tech bond estimate for \$161,679.00.**

**Sign Bond Agreement:**

**On a motion made by Bob Tucker and seconded by Matt Hayes, the Board voted unanimously to sign the performance agreement.**

**Length of Term:**

**On a motion made by Bob Tucker and seconded by Rich Di Iulio, the Board voted unanimously to specify a two year term for the performance security agreement.**

Member Hayes asked if the agreement pertains to the third building.

Susy Affleck-Childs clarified that the agreement only applies to the sites for the two buildings (Advance Auto and Direct Tire).

The Board signed 3 originals of the bond agreement.

Susy Affleck-Childs announced that the Board of Selectmen will be holding a public hearing on relocating a Main Street utility pole adjacent to the Tri Valley Commons site on March 7, 2016.

Mr. Landry noted that they had asked for power back in October.

Mr. Steinberg provided the window color samples to Susy and Matt Buckley.

Matt Buckley said the DRC will look at the examples of painted windows when they go up and provide comment at that time.

**PEDB Minutes:**

**On a motion made by Rich Di Iulio and seconded by Bob Tucker the Board voted unanimously to approve the minutes from the January 26, 2016 PEDB meeting with several spelling and corrections.**

**Salmon/Willows ARCPUD Public Hearing Continuation:**

The Chairman opened the continued public hearing on the proposed Salmon Willows ARCPUD.

Applicant Jeff Robinson was present and informed the Board that they had no new information to present.

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

- Letter from resident Dan and Kathy Hooper, 7 Naumkeag dated February 4, 2016.
- Letter from Design Review Committee dated February 9, 2016

The Chairman explained that the Board had received an opinion from Town Counsel and the Town planning consultant Gino Carlucci about the issue of a road being located in the 50 ft.



setback area. The Chairman asked if this topic needed any further vetting or if the Board members needed any additional information re: a road going in the 50' setback area. The Chairman polled the members. Tom Gay, Rich Di Iulio, Matt Hayes and Bob Tucker are fine with the presented information by the planning consultant and town counsel.

The letter from Design Review Committee was discussed. Chairman Rodenhiser asked if there were any questions from DRC Chairman Matt Buckley. The current plan for the eastern property line is not final as of yet. The Conservation Commission has not made any vote in regards to this project. The retaining wall around the stormwater facility to the south of main building was discussed. It was recommended that in addition to the serviceberry trees there should be added clusters of rhododendron to provide a more complete screen. The applicant had indicated that the materials for the retaining wall will be constructed from Versa-Lok blocks. The DRC recommends using the "Country Stone" style in a variegated pattern with granite and rust colors.

Member Di Iulio appreciated the images included in the DRC letter.

Chairman Rodenhiser asked if the applicant had any concerns about the DRC letter.

Jeff Robinson has a problem with #2 of the DRC recommendation about rhododendrons since Conservation does not want anything in the outer riparian zone. It was agreed to check with Conservation. If Conservation is OK, then he is fine with that.

The guard rail will be wood and that is fine. The structural engineer has not designed the wetland crossing yet so Jeff Robinson is not sure about putting on a stone veneer. He does not want to have to use a stone veneer on those portions of the bridge that no one will see but is amenable if it is exposed or visible from another house.

Susy Affleck-Childs noted that the sample bridge included in the DRC's letter was an example that Shane Oates from Coneco had provided. This will be a precast bridge and the grade will need to be exposed and should have a nice appearance.

It was acknowledged that these bridges would probably be cast and that the stone look can be incorporated into the casting.

Members Hayes noted that the stamped concrete for the bridges can't have varied colors like a versa-lok retaining wall.

Susy indicated that she has started to compile the information for the decision. She had wanted to wait until this discussion. She will provide a start of a draft at the next meeting. She asked if the Board members would articulate where they are at on the 50' area.

**Resident and abutter Dan Hooper, 6 Naumkeag Street:**

Mr. Hooper arrived at the meeting and addressed the Board regarding the letter that he had submitted last week.

Jeff Robinson indicated that he did not receive Mr. Hooper's comment letter dated February 4<sup>th</sup>. Susy will supply it to the applicant.

Mr. Hooper read the letter he had composed into the record and shared some additional comments interspersed throughout his reading.

Chairman Rodenhiser responded that Mr. Hooper's comment (#4) regarding the 50 ft. buffer is predicated on an assumption he is making about the Town attorney's opinion that Mr. Hooper seems to know. Mr. Rodenhiser stated that Mr. Hooper had come to a conclusion based on an assumption that the Town attorney has commented that the bylaw language about the buffer is vague or ill defined. *NOTE – Town Counsel's opinion in this matter is a confidential document.*

Mr. Hooper responded that this is relevant to the intent of the ARCPUD bylaw and how the change to the bylaw was enacted (May 2015) and how the Town's attorney sees the bylaw changes. The same attorney had viewed the zoning bylaw recodification which was voted at Town Meeting in May 2015. The same attorney still serves in the same capacity. Why did they not recommend a clearer, less ambiguous change in the language back then? It should be known how that attorney viewed this change from last year.

Mr. Hooper noted that this item is very personal to him as an abutter.

Consultant Carlucci responded that his interpretation about the 50 ft. buffer was presented at the last meeting in his letter. It is his opinion that the road can go in this space. The space between the buildings and the perimeter of the parcel is open space.

Applicant Jeff Robinson responded that his team looked at the ARCPUD bylaw and worked on the four step design process when developing the plan and came before the Board for a pre-application meeting.

Mr. Hooper noted that the Chairman did not have the applicant introduce himself prior to him speaking.

Mr. Hooper continued by asking about the timing of the applicant's pre-application meeting with the PEDB last year and the timing of the new zoning bylaw. Also, he sees no reference to anything about space between buildings and open space (in response to Mr. Carlucci's comments) and how it relates to the bylaw language. He noted that the 50 ft. is written in a sequential manner.

Consultant Carlucci was asked again to explain his interpretation. He noted that the reference is to the distance between buildings and the perimeter of the lot line. There is no definition for landscaped open space in the ARCPUD bylaw. The ARCPUD bylaw does reference open space in the OSRD bylaw. He looked at the definition of open space in the OSRD bylaw and it specifically says that roadways and pavement are allowed as part of the open space but cannot exceed 10% of the area. Mr. Carlucci stated that a roadway is definitely allowed as part of the open space.

The Chairman apologized to Mr. Hooper and asked the applicant to state his name to the recording secretary.

Mr. Robinson did so.

**Resident Tim Choate, 7 Iroquois St:**

Mr. Choate asked if the plans with the buffer that were shown last year at the pre-application meeting (January) are different than what was submitted in June before the bylaw was changed.

Susy Affleck-Childs stated that there were some slight adjustments in the text in the ARCPUD section as part of the zoning bylaw recodification last May.

Member Gay noted that there were other places where there were changes in the text of the zoning bylaw. All were subject to public hearing and town meeting approval. There was no attempt to push through something. There were other changes in the recodification.

Chairman Rodenhiser indicated that with any plan and application that comes in, it is the bylaw in effect at that submittal date that applies. He also noted that there have been iterations and drawing changes that have gone on during this plan review process based on abutter input.

Member Gay indicated there were sidewalk changes, size of building changes, trees changes which are a pretty substantive effort and a collaboration based on resident input to address concerns.

Jeff Robinson responded that after the neighborhood meetings with abutters, they did pull the buildings further away from the property lines. This was an outcome from the abutters input.

Dan Hooper responded that he is very stuck on Mr. Carlucci's interpretation of the bylaw with his comments regarding the space between buildings. The text (of the bylaw) mentions nothing about space between buildings. It is not identified here and does not exist. The bylaw does not mention distances between buildings. The language pertains to a specific area from the perimeter lot line and the 50 foot area. He noted that the Board's consultant must have recommended that.

Susy Affleck-Childs affirmed that the change in the ARCPUD language to consolidate several items had been recommended by the Board's bylaw consultant Judi Barrett.

Mr. Hooper said the bylaw text does not address anything about areas between buildings.

Susy Affleck-Childs indicated that perhaps Mr. Hooper misheard or misprocessed Gino Carlucci's comments

The Chairman thanked Mr. Hooper for writing the letter. If there is no new additional information, the Board will keep moving.

**Resident Kathy Hooper 7 Naumkeag St.:**

Mrs. Hooper identified words which are not defined in the ARCPUD bylaw and used the American Heritage Dictionary to define them. (See **Attached notes**)

- Buffer

- Maintain
- Natural
- Landscaped
- Open Space

Ms. Hooper read each word and the definitions from the American Heritage Dictionary and DPA. Her interpretation of the word “shall” means not-negotiable. It is a MUST. She further explained that it is her understanding that the intent of the Planning Board when the bylaw was written was to keep the 50’ area as a buffer for the neighboring properties and a swale is not natural maintained buffer. This is not a “natural” state. A swale is not a natural buffer. It takes out every tree. Swale is not an improvement or adorning of the space between us and the applicant’s property. A swale is a clear cut open space area, not naturalized or open space.

**Resident, Karyl Spiller-Walsh, 168 Holliston:**

Ms. Spiller-Walsh provided comments based on her prior serving on the Planning Board. The open space as part of the second sentence was designed because of conversations among the Planning Board members when we were describing the zoning bylaw. It was meant to be that if you happened to have a buffer that was 50 feet from a perimeter line and it happened to be a field and there have been some references that maybe Susy has made about the field and the OSRD on West Street which had just open land that would not be considered a buffer – if the land within the perimeter was an open field then it could be or should be landscaped to actually provide a substance of trees or plantings or some kind of wall for adornment between the two properties. That is how the language came about as I remember last year in that conversation about what to do about a perimeter and a buffer if it happened to be a field.

**Resident, Jeremy Barstow, 4 Narragansett St.:**

Mr. Barstow indicated that it is important to reference the buffer definition when interpreting the bylaw. He agrees that referencing other Town bylaws is needed. OSRD seems to be the one that is closest to this. You need to do your research. You need to look at the intention of an OSRD and that is to cluster houses to maintain as much open space as possible. I think translating a roadway as being considered natural or open space landscaped is different because (in an OSRD) it is all within the open space and you are using the roadway to access the housing or the open space.

(With this project) in this case, there is no access of any type, this is a buffer area. You have to look at the true intention of how it was written. You can argue the definition of any word in the dictionary.

Chairman Rodenhiser asked if there is any new information to provide.

Mr. Barstow said it was his perspective that is what he wanted to provide. You have to look at what was the intent of that part of the (ARCPUD) bylaw. His perspective is that there is not a direct correlation (between an ARCPUD) and an OSRD because the road in an OSRD is to access housing or open space. In this case, the (50’) area is to be a buffer and is not for accessing something else.

Member Gay noted that the (OSRD) bylaw also references one more use in that access and that is a recreational area. So that needs to be taken into context.

Mr. Barstow stated that accessing recreational areas is not within the intent of a buffer.

Member Gay stated that exemption for the amount to cover so there are 3 uses that the roadway coverage can be for.

Chairman Rodenhiser noted that there is some specific exclusion language that says no buildings can be constructed.

Member Gay read from the OSRD bylaw - 10% of the open space may be covered by gravel, pavement or structure accessory to the dedicated use of the open space. It talks about a conservation area or recreational area.

Mr. Barstow stated that the dedicated use of this area is as a buffer. Mr. Barstow argued that the road would not be considered to be landscaped open space because the dedicated use of this is being a buffer as stated in the (ARCPUD) bylaw and not recreational use.

**Tim Choate, 7 Iroquois Street**

Mr. Choate indicated that Member Gay had mentioned that the roadway could be used for recreation. The applicant indicated in previous meetings that this road would only be used for residents to access their homes and that all access for the public would have to come in from the main entrance. So the road in the buffer would not be used for recreational access.

Member Gay stated that this road would provide access to the Pond View Pavilion even for people coming from the main entrance.

Mr. Choate stated that the developer had previously said the Pavilion would not be open to the public.

Chairman Rodenhiser noted that there is a public canoe launch that would need to use this roadway.

Mr. Hooper reiterated that the buffer must be maintained in its natural state OR as a landscaped open space. He stated that the Board has discretion in this matter. This is a protective sentence for the residents. A "buffer" is a protective word.

Chairman Rodenhiser stated that the contention is whether the buffer is meant to keep buildings out of it or not. Clearly buildings are not allowed in it. Clearly roads are allowed in it.

Karyl Spiller Walsh indicated that it is a struggle to understand some of the issues that have come up late in the process.

Chairman Rodenhiser explained that the hearings for this have been ongoing and the fact that this question came to us late in the process does not mean it was not addressed. The Board had



its planning consultant and Town Counsel weigh in on this. The Board was provided with their interpretations of the ARCPUD bylaw buffer language. The Board is charged with creating a defensible decision.

The Chairman asked if there was any new information. He stated that if not the Board needs to move on and will stop taking testimony unless the Board needs something specific at which time we will ask for it.

Susy Affleck-Childs indicated that we should enter into the record the letter from Tim Choate received tonight. (**See Attached**). She stated that she will start crafting the decision and will infer from what she has heard that the Board does have a comfort level with the 50' area including the road, sidewalks, swale, landscaping, and fencing. The Board was reminded that there are still issues which need resolution from the Conservation Commission. That meeting will take place on Thursday night (2-11-16). Susy said the applicant has submitted plans to ConCom that have not been submitted to the Board so whatever plan they end up with ConCom has to be submitted here too.

Jeff Robinson indicated that they will be updating the plan based on the Conservation Commission meeting. They will take various things from Conservation and the feedback and do one more submittal. The versa-lok block needs to get into the plan and be referenced. It was suggested to reference the DRC letter as part of the decision and call it out as a condition.

Jeff Robinson stated they hoped to close the Conservation Commission meeting this week.

**On a motion made by Rich Di Iulio and seconded by Matt Hayes, the Board voted unanimously to continue the public hearing to February 23, 2016 at 8:00 pm.**

Susy Affleck-Childs asked if there were any attendance issues for that night.

Andy Rodenhiser indicated he would be in Vermont, but can call in.

Resident Tim Choate wanted to discuss further the height of the building.

Mr. Choate was informed that since the hearing had already been continued, the Board will need to address his letter at the next meeting. Chairman Rodenhiser confirmed that the members are in receipt of his letter.

### **Planning Consultant's Report:**

Consultant Carlucci indicated that there was going to be a change in the MBTA commuter rail schedule for the Franklin line. The new change to the schedule will be in effect May 2016.

### **Eversource Site Plan Review Fees:**

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

- Tetra Tech estimate dated 2-3-16.
- PGC estimate dated 2-2-16.



**On a motion made by Bob Tucker and seconded by Rich Di Iulio, the Board voted unanimously to approve the site plan review fees for Eversource as presented by Tetra Tech and PGC Associates.**

Susy Affleck-Childs announced the Eversource public hearing will begin in two weeks and that she has plans to provide the Board tonight.

**Zoning Bylaw Amendments:**

The Board is in receipt of revised drafts of the town meeting articles. (See Attached)

Charlie Myers was present to listen to the Board's discussion.

Susy Affleck-Childs reminded the Board that at its last meeting it had started to consider an article about what items could be located in zoning setbacks and that the Board had decided to set it aside and not submit it for the next town meeting as it needed more time, work and thinking. The Board had gotten bogged down in the issue of fences in setbacks.

**Parking of Commercial and Recreational Vehicles:**

The purpose if this is to regulate outdoor parking and storage of commercial and recreational vehicles. Susy Affleck-Childs reported that she had gone to her zoning definitions guidebook and looked at other towns as a reference and revised the definition for a recreational vehicle to be in line with what we normally think of as a recreational vehicle that being a camper type vehicle.

In public private ways (Item b (1)) – No person shall be allowed to park a commercial or recreational vehicle of a gross vehicle weight rating of 4 or higher to be parked at any location on any public or private way for excess of four hours in any twenty-four hour period unless it is in the process of loading, unloading, or providing some service to one of the adjacent properties. This is not limited to residential zones.

Member Hayes asked if “providing some service” could include storage.

Susy Affleck-Childs responded that it shouldn't. Perhaps temporary storage would be OK.

Member Tucker asked if there might be any unintended consequences.

Member Gay mentioned our prior discussion about tiny houses which are not on foundations but use mobile platforms. He wonders if we start to get into some difficulties. He referenced a recent newspaper article.

The Board discussed issues of connecting to water, electricity, etc.

Susy Affleck-Childs noted that this is not meant to pertain as a permanent residence. This is in context of parking and location of these vehicles.

The first part of the bylaw is about these vehicles not being allowed to park on streets. This is meant to address large vehicles. This is not limited to residential areas only. Item b (1) applies only to these vehicles being parked on a street.

Member Hayes asked about how this bylaw ties to any general bylaw the Town may already have in place re: on-street parking?

Susy Affleck-Childs responded that she wasn't sure if the Town has a general bylaw about on-street parking.

Member Tucker thought that only applied during winter months and pertained to snow issues.

Member Gay said this doesn't restrict an individual from having a recreational vehicle and parking it in his yard. This only applies to commercial vehicles.

Item b (2) would not allow the parking of commercial vehicles in the standard zoning setback areas. This would apply to commercial motor vehicles with a Class 4 gross vehicle weight rating or higher. There is concern about what if the property's driveway is already in the setback area.

As presently drafted, the proposed language would not regulate recreational vehicles being parked in people's yards. They would be allowed anywhere even in the zoning setbacks.

This is a general bylaw not zoning bylaw.

Member Tucker is struggling with b (2). I have an issue with saying you can't park a commercial vehicle in the setbacks. He has no problem with someone parking an 18 wheeler in their yard as long as they are not running a business from that address. It is OK if the vehicle is one that the person uses to go to work.

Andy Rodenhiser stated if you have a residential use and someone is backing a tractor trailer into the driveway every night like a loading dock, I think it diminishes the property value of the entire neighborhood plus the wear and tear on the roadway.

Stephanie Mercandetti noted that Town Meeting had approved a PEDB sponsored modification to the home based business section of the zoning bylaw this past fall regarding commercial vehicles. Large commercial vehicles are prohibited this unless they seek a special permit from the ZBA. The Board does not want to conflict with changes just made in the zoning bylaw.

Member Hayes looked at the GVWR charts. There was clarification that this is for Class 4 vehicles of 14,000 -16,000 pounds and higher. This is an issue since this could include a 6 wheel utility truck and that

There was a suggestion to change the applicability of this section to Class 6 vehicles which includes school buses.

It was noted that there are people who park school buses in their yards in this town.

Class 5 is 16,000 to 19,500 – bucket truck, straight job moving van, gas company utility truck, UPS truck.

Susy Affleck-Childs noted the classification we used before was tied to the US DOT - Federal Highway Administration categories. It is not a Registry of Motor Vehicles.

Resident Charlie Myers commented that when dealing with residential neighborhoods, there is a safety factor with children and bikes and this type of vehicle being in a residential development daily. What about 40' recreational vehicles? They have as much impact as a big 40' trailer.

Susy Affleck-Childs noted we have defined gross vehicle weight rating in the zoning bylaw. So, we should probably define gross vehicle weight rating in the body of this bylaw as well.

Susy Affleck-Childs indicated that one approach is just to include (b)(1) about parking on the streets for now.

Member Gay noted that he is struggling with creating a bylaw for things that punishes those responsible owners who have part-time recreational vehicles that they are taking care of the right way.

Member Tucker has no problem with these for people who have sufficient land who can put these large vehicles out behind their houses. They should be allowed to park these on their property.

Chairman Rodenhiser asked the board if they wanted to go with a partial approach.

Matt Hayes indicated he was OK to pare it down.

There was a consensus to include items (b) (1) and b (3) and NOT include item (b) (2) at all and to keep (a) as it relates to purpose.

It was agreed to rename (b) (3) to become (b) (2)

Susy Affleck-Childs stated she would add a new (b) that would include definitions (commercial vehicles, recreational vehicle, gross vehicle weight rating) and then change all the current (b) items to become (c).

Susy Affleck-Childs noted that the Board doesn't need to do a public hearing on this article as it is a general bylaw.

It was suggested that it would be a good idea to have a hearing on this proposed general bylaw when the board has its hearing on the zoning articles.

Susy Affleck-Childs stated that the Board could also include the proposed DRC bylaw changes in a public hearing.

**Site Plan:**

The Board reviewed the new language re: administrative site plan review.

Andy Rodenhiser asked about the time frame for decisions.

Susy Affleck-Childs reported that is 90 days for major site plan, 60 days for minor plan and 21 days for administrative review.

Member Di Iulio suggested making it 30 days for administrative.

Member Tucker concurred.

Stephanie Mercandetti reported that 21 days were allowed in Walpole for limited site plan review.

Susy Affleck-Childs noted that some of these things for administrative review do not need a building permit.

Member Tucker asked what is going to be the tickler to get people to come in.

Susy Affleck-Childs indicated that community education will be important and that we will have to work on that.

Member Hayes asked if less than 15 parking spaces would come to the PEDB under minor site plan review.

Susy Affleck-Childs asked if somebody is going to add one parking space, you want them to go to the PEDB?

Chairman Rodenhiser stated that parking involving less than 5 spaces should go to administrative site plan review. He noted that another item which needs to be addressed is when a parking area is changed from gravel to pavement. At times, this creates a stormwater issue. Any time a gravel driveway is replaced with asphalt, it creates more paved surface and increases stormwater runoff.

Member Tucker asked if that would apply to all residential properties.

Chairman Rodenhiser indicated no, just site plan projects.

Susy Affleck-Childs noted that the draft text here doesn't specific that a driveway extension would need review. That may be different than changing parking.

Chairman Rodenhiser noted that just going from gravel to paving needs to be looked at.

Susy Affleck-Childs asked Matt Hayes what size development triggers the state's stormwater regs. Is it an acre?

Member Hayes stated it was less than an acre.

The Board was in agreement that all site plans which have a change in stormwater will need to be reviewed by the Board. This is beyond the administrative review.

Stephanie Mercandetti responded that this could be added to the rules and regulations.

Susy Affleck-Childs noted that she would add the addition or redesign/alteration/modification of up to 4 parking spaces to administrative site plan review.

The Board would like to keep the language under Minor Site Plan Review. 2. a. New construction or any alteration, reconstruction, or renovation of any multi-family, commercial, industrial . . . In 2. a. ii, the Board would like the language to read “5 to 15 new parking spaces; Under b. the redesign, alteration or modification of an existing parking area involving.

Stephanie Mercandetti noted to the Board that with administrative site plan review, it won’t just rest with her, Jack and Susy. Input would be sought from other departments like Conservation and DPS.

It was suggested to create a mechanism in place to escalate a project up to a higher level of review.

Susy Affleck-Childs asked whether that should be in the bylaw itself or in rules and regs.

Member Tucker suggested it could be in the rules and regs.

Member Hayes thought it would be better to have text in the bylaw.

Member Tucker suggested putting in escalating language in the bylaw and then say in accordance with the procedures specified in the rules and regs.

Chairman Rodenhiser asked about how we arrange to take more than 90 days for site plan review.

Susy Affleck-Childs responded that the Board can take more than 90 days when the applicant agrees to extend the time period. She also noted that the 90 days is from date of application, not from the date of the start of the public hearing

Chairman Rodenhiser asked how we could improve those timetables. Could we set the fees at the pre-application meeting? Or could we defer approval of fee estimates to staff?

Susy Affleck-Childs stated probably not as the full application is needed for the consultants to review to provide a fee estimate.

Chairman Rodenhiser asked how important is it for the full board to review the fee estimates and asked if we could gain some time there?

Susy Affleck-Childs responded that having the Board review and approve the consultant review estimates does not hinder the time deadlines. As soon as an application comes in, it is forwarded to the consultant to prepare fee estimates for the PEDB to review at the next meeting. She said you could gain maybe a week. A lot depends on how big the mailing is to abutters.

Chairman Rodenhiser stated that the Board should be doing anything we can to streamline the process.

Susy Affleck-Childs reminded that Board that an applicant can provide everything that they are supposed to, but it is the quality of what they provide that makes the difference.

The Board discussed if there is anything on the list for administrative site plan review which is difficult to enforce. The example provided was installation or replacement of awnings as they may not need a building permit. Bob says they may not need a building permit.

Susy Affleck-Childs agreed that some of these may be hard to enforce.

Member Tucker stated that the installation of fencing and retaining walls will also be hard to pick up.

Member Di Iulio asked about having to come in to remove a tree of 2 in caliper.

For the administrative site plan review section, Susy suggested changing the caliper of trees to be removed from 2 inches to 4 inches as one of the actions that would trigger administrative review.

Susy Affleck-Childs stated that with the whole stormwater issue, we are just poking a pin at something that is a very intricate.

Chairman Rodenhiser asked so when do we deal with it.

Susy Affleck-Childs suggested that we don't do it in a piecemeal fashion. A number of us need to get together to look at the Town's stormwater bylaw and bring it up to date. She mentioned that the Conservation Commission budget has some funds to review and update the Town's stormwater bylaw and that Mr. Carlucci was going to be hired to do so.

Chairman Rodenhiser suggested that the Board hold off on stormwater.

The Board next discussed ground mounted solar installations in light of the idea of expanding the Industrial II district to include parcels on the west side of West Street. Industrial II is where ground mounted solar is allowed by right. The Chairman discussed the Industrial II area and he does not want to create a situation where ground mounted solar could be installed which would then effect possible future access to the currently undeveloped areas (26 acres +/-). The Board need to be cautious since many of these larger ground mounted solar systems are leased for 20 years.



Susy Affleck-Childs reminded the Board that they had decided at the last meeting to not have site plan review for ground mounted solar. She advised that Board that it should consider having major site plan review for ground mounted solar of 250 kw and up.

Member Tucker stated that he feels even smaller ground mounted solar should have a site plan.

Chairman Rodenhiser stated he thought ground mounted solar would already have to come in for site plan review.

Stephanie Mercandetti advised that you need to look at what triggers site plan review. The installation of ground mounted solar doesn't fit any of the triggers.

It was recommended to change the language so that any ground mounted solar needs to have major site plan review and this needs to come to the Board.

Charlie Myers asked whether solar canopies over parking areas would be included.

Member Tucker stated he thinks of solar canopies as being ground mounted.

Charlie Myers recommended that site plan review be required for ground mounted solar of 50 kw and up.

Susy Affleck-Childs indicated the language can specify both ground mounted and canopy solar installations.

The Board concurred. The words for solar canopy should also be included. Agreed.

### **Self-Storage Facilities**

The last article discussed was self-storage facilities. This will be added to Sub-Section 5.2.B as a Prohibited Use.

### **Reports**

Susy Affleck-Childs reported that the Conservation Commission and the Open Space Committee are meeting on Thursday (February 11<sup>th</sup>) to discuss trail route issues for the trail from Adams to Lovering Street. There was a walk this past weekend with members of the BOS.

### **Adjourn:**


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

**The meeting was adjourned at 9:41 pm.**

Respectfully Submitted,

  
Amy Sutherland  
Recording Secretary

Reviewed and edited by,

  
Susan E. Affleck-Childs  
Planning and Economic Development Coordinator



**February 9, 2016**  
**Medway Planning & Economic Development Board**  
**Meeting**

**Tri Valley Commons – Performance**  
**Security**

- Template for bond agreement to be signed by PEDB, Richard Landry and Cincinnati Insurance Company.
- TVC bond estimate dated 12-24-16 prepared by Tetra Tech
- Sign off memo dated 2/4/16 from Medway Treasurer Joanne Russo agreeing to accept Cincinnati Insurance for the surety.

## ***Performance Secured by Surety Agreement***

### ***Planning & Economic Development Board – Town of Medway, MA***

This Surety Agreement is entered into this \_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_, between the Town of Medway, acting through its Planning and Economic Development Board, with an address of 155 Village Street, Medway, MA 02053 (hereinafter referred to as "the Board"), and \_\_\_\_\_ ("Owner"), and \_\_\_\_\_ a corporation duly organized and existing under the laws of the state of \_\_\_\_\_, licensed and registered to do business in the Commonwealth of Massachusetts, and with a usual place of business and address of \_\_\_\_\_,

\_\_\_\_\_ ("Surety"), to secure the completion of the infrastructure and site improvements as shown on the Site Plan and set forth in the decisions of the Board (the Improvements) in the development shown on an approved site plan entitled "Site Development Plans for Proposed Thurken Medway, LLC Tri Valley Commons", prepared by Bohler Engineering, dated January 9, 2015, last revised July 14, 2015, and recorded at the Norfolk County Registry of Deeds in Plan Book \_\_\_\_\_ Page \_\_\_\_ (hereinafter referred to as "the Site Plan"), in accordance with , and all other applicable provisions of the Subdivision Control Law and General Laws; and

WHEREAS, on June 23, 2015, after a duly noticed public hearing, the Board approved a special permit and site plan for a parcel of land located at 72 Main Street and further described in a deed or deeds recorded in the Norfolk County Registry of Deeds in Book \_\_\_\_\_ Page \_\_\_\_\_ ; or is registered in \_\_\_\_\_ as Document No. \_\_\_\_\_ and noted on Certificate of Title No. \_\_\_\_\_; and

WHEREAS, the Board on August 11, 2015 after a duly noticed public hearing, the Board approved a modification of the special permit and site plan; and

WHEREAS, the Owner has requested the issuance of an occupancy permit for \_\_\_\_\_, and requested to secure the Improvements by means of a SURETY BOND in the penal sum of \_\_\_\_\_ dollars.

NOW, THEREFORE, the parties agree as follows:

1. The Owner and Surety hereby bind and obligate themselves, their executors, administrators, devisees, heirs, successors and assigns to the Town of Medway in the sum of \$\_\_\_\_\_, and have secured this obligation by means of a SURETY BOND to be used to secure the performance by the Owner of all covenants, conditions, agreements, terms and provisions contained in the following: the Zoning By-law; the application submitted for approval of this project; the Board's decisions and all conditions of approval of this project as set forth in the decisions; the approved Site Plan; all conditions subsequent to approval of this project due to any additional amendment, modification or revision of the Site Plan or decisions; all of the provisions set forth in this Agreement and any amendments

thereto; and the following additional documents: \_\_\_\_\_  
(hereinafter the "Approval Documents").

2. The Surety shall deliver a surety bond in a form acceptable to the Board to the Treasurer of the Town of Medway, at the time of the execution of this agreement, in the amount of \_\_\_\_\_ for purpose of securing construction of the Improvements.

3. The Owner shall complete the Improvements no later than \_\_\_\_ years from the date of this Agreement.

4. Upon completion of all obligations as specified herein on or before the required completion date, or such later date as may be specified by vote of the Board with the concurrence of the Owner, the Board shall release the Owner and Surety from this surety agreement.

5. In the event the Owner should fail to complete the Improvements as specified in the Approval Documents and within the time herein specified, the Board may apply the bond held by the Treasurer of the Town of Medway, in whole or in part, for the benefit of the Town of Medway to the extent of the reasonable costs to the Town of Medway to complete the Improvements as provided in this agreement. Any portion of the bond that is not applied as set forth above, shall be returned to the Surety upon completion of the Improvements by the Town of Medway

6. The Board, at its discretion, may grant an extension of time and/or reduce the penal amount of the bond and notify the Owner, the Surety and the Treasurer of the Town of Medway of any authorized adjustment.

7. The Owner and Surety agree and understand that the Board will not release this surety bond in full until the Improvements have been deemed by the Board to be constructed and installed in accordance with this agreement, which shall include demonstration of adequate construction and installation for six months prior to said release. This agreement does not expire until the Board releases the surety bond in full.

8. If a court of competent jurisdiction determines that any provision of this agreement is unenforceable, such determination shall not affect the remaining provisions, which shall remain in full force and effect.

IN WITNESS WHEREOF we have hereunto set our hands and seals this \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_.

**TOWN OF MEDWAY  
PLANNING & ECONOMIC DEVELOPMENT BOARD**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS

On this \_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_, before me, the undersigned  
notary public, personally appeared the Members of the Medway Planning and

Economic Development Board, \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

proved to me through satisfactory evidence of identification, which was (personal  
knowledge) (Massachusetts driver's license), to be the persons whose names are  
signed on the preceding document, and acknowledged to me that it was signed  
voluntarily for its stated purpose.

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_



**OWNER**

By: \_\_\_\_\_

Title/Position: \_\_\_\_\_

Organization: \_\_\_\_\_

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS

On this \_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_, before me, the undersigned notary public, personally appeared the above-named \_\_\_\_\_, Owner or person duly authorized to execute this surety agreement on behalf of the Owner, proved to me through satisfactory evidence of identification, which was \_\_\_\_\_, to be the person whose name is signed on the preceding document, and acknowledged to me that it was signed voluntarily for its stated purpose.

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

**SURETY COMPANY**

By: \_\_\_\_\_

Title/Position: \_\_\_\_\_

Organization: \_\_\_\_\_

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS

On this \_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_, before me, the undersigned notary public, personally appeared the above-named \_\_\_\_\_, representative of the surety, who is a person duly authorized to execute this surety agreement on behalf of the surety, proved to me through satisfactory evidence of identification, which was \_\_\_\_\_ to be the person whose name is signed on the preceding document, and acknowledged to me that it was signed voluntarily for its stated purpose.

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

**TETRA TECH**

**Bond Estimate**  
**Tri-Valley Commons**  
**Medway, Massachusetts**  
 December 3, 2015 (revised December 24, 2015)

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

DESCRIPTION	QUANTITY	UNIT	UNIT COST	ENGINEERS ESTIMATE
Top Course Pavement	0	TON	\$100.00	\$0
Raise Castings	0	EA	\$300.00	\$0
Bollards	13	EA	\$500.00	\$6,500
Concrete Mat	0	SF	\$8.50	\$0
Concrete Walk	0	SF	\$8.50	\$0
ADA Ramps	0	SY	\$80.00	\$0
Guiderail	0	LF	\$52.00	\$0
Chain Link Fence	319	FT	\$31.00	\$9,889
8' Wide Gate	1	LS	\$5,500.00	\$5,500
Trash Enclosure	0	LS	\$8,000.00	\$0
Retaining Wall	1	LS	\$40,000.00	\$40,000
Light Pole and Fixture	4	EA	\$2,000.00	\$8,000
Line Striping	1	LS	\$1,000.00	\$1,000
Monument Sign	1	EA	\$8,000.00	\$8,000
Signage	1	EA	\$300.00	\$300
Bike Rack	1	EA	\$1,000.00	\$1,000
Removable Planters	1	EA	\$1,500.00	\$1,500
Sitting Bench	1	EA	\$2,000.00	\$2,000
Transformer Pads	0	EA	\$500.00	\$0
Transformers (Electrical Installation)	1	LS	\$8,000.00	\$8,000
Trash Receptacle	2	EA	\$2,000.00	\$4,000
Remove Erosion Controls	1	LS	\$1,500.00	\$1,500
Rehandled Topsoil	0	CY	\$25.00	\$0
Seeding <sup>3</sup>	4,530	SY	\$1.80	\$8,154
Landscape Walls	1	LS	\$10,000.00	\$10,000
Landscaping	1	LS	\$5,000.00	\$5,000
As-built Plans	1	LS	\$6,000.00	\$6,000
Legal Services	1	LS	\$3,000.00	\$3,000
<b>Subtotal</b>				\$129,343
<b>25% Contingency</b>				\$32,336
<b>Total</b>				\$161,679

**Notes:**

- Unit prices are taken from the latest information provided on the MassDOT website. They utilize the MassDOT weighted bid prices (Combined - All Districts) for the time period 12/2014 - 12/2015. MassDOT pricing supplemented with pricing gathered from site contractor for non-MassDOT standard items.
- Items included in this estimate were generated based upon Phase I only as shown on Sheet 5 of the approved plan set. Construction in Phase II of the project has not started as of this date.
- Hydroseeding has been completed throughout this phase but has not yet germinated. TT recommends the PEDB keep seeding in the bond estimate until spring 2016 to determine if additional seeding is required at that time.

## Susan Affleck-Childs

---

**From:** Joanne Russo  
**Sent:** Thursday, February 04, 2016 3:03 PM  
**To:** Susan Affleck-Childs  
**Subject:** RE: insurance company for Tri Valley Commons performance bond

Dear Susie,

I have reviewed the Performance Security thru the Cincinnati Insurance Company and the company is acceptable to the Town of Medway.

If you need any additional information, please let me know.

Thank you,

*~Joanne~*



*Joanne M. Russo*  
*Town Treasurer/Collector*  
*Town of Medway \*Green Community*  
*1-508-533-3205*

---

**From:** Susan Affleck-Childs  
**Sent:** Wednesday, January 27, 2016 2:35 PM  
**To:** Joanne Russo  
**Subject:** insurance company for Tri Valley Commons performance bond

Hi,

The owner/developer of the Tri Valley Commons project at 72 Main Street is planning to provide performance security through The Cincinnati Insurance Company, 6200 South Gilmore Road, Fairfield, Ohio.

Would you please review that company and let me know if it is acceptable to the Town.

The bond will be in the amount of \$161,679. See attached bond estimate prepared by Tetra Tech, the Town's consulting engineer.

Thanks.

Susy

Susan E. Affleck-Childs  
Planning and Economic Development Coordinator

Town of Medway  
155 Village Street  
Medway, MA 02053  
508-533-3291  
[sachilds@townofmedway.org](mailto:sachilds@townofmedway.org)

Town of Medway – *A Massachusetts Green Community*

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

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**February 9, 2016**  
**Medway Planning & Economic Development Board**  
**Meeting**

**Tri Valley Commons**  
**Decorative Windows**

- Sheet A2.2 of the 9-8-15 Endorsed Modified TVC Site Plan showing the Advanced Auto Building
- 2 photos of the proposed paint treatment

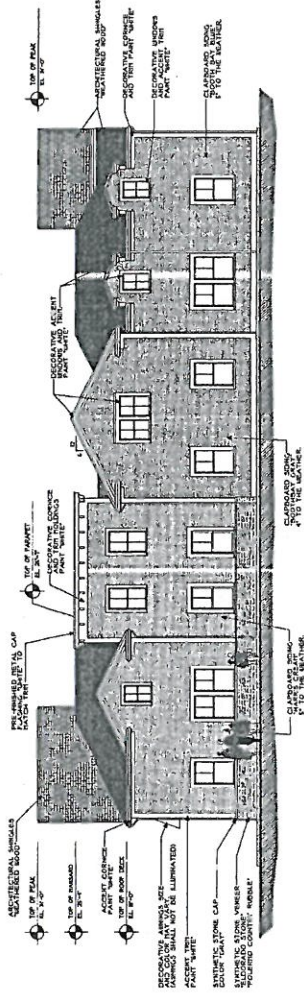
IF you haven't yet driven by and looked at the sample window painting on the back (north) façade, please do so before Tuesday night. Are you satisfied?



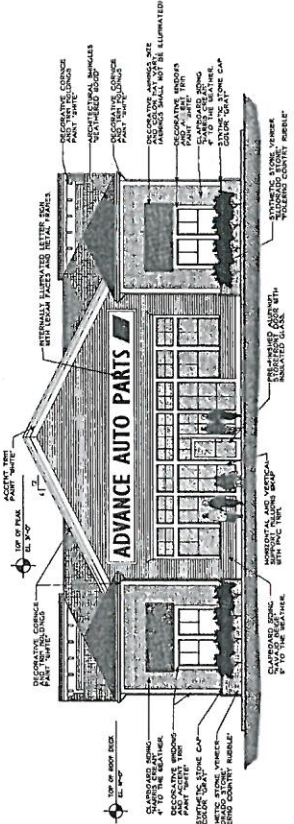
APPROVED DATE: 8-11-15  
 MEDWAY PLANNING AND  
 ECONOMIC DEVELOPMENT BOARD

*[Signature]*  
*[Signature]*

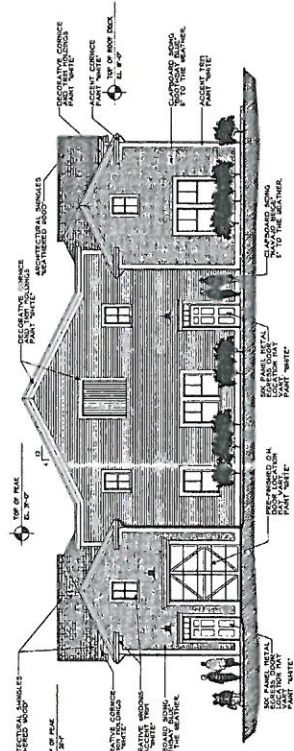
SIGNATURE DATE: 9-8-15  
 BEING A MAJORITY



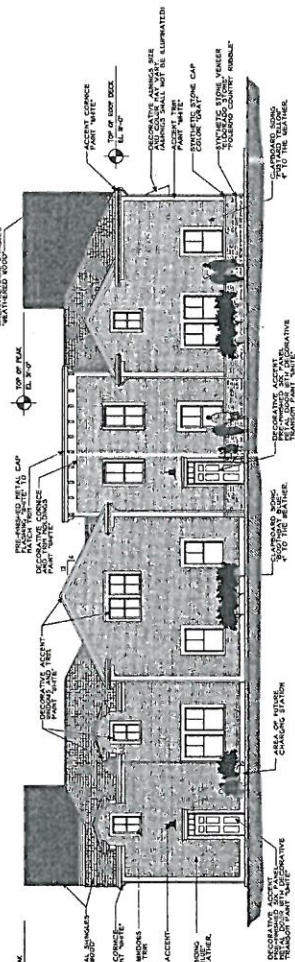
**RIGHTSIDE ELEVATION**  
 SCALE: 1/8" = 1'-0"



**FRONT ELEVATION**  
 SCALE: 1/8" = 1'-0"



**REAR ELEVATION**  
 SCALE: 1/8" = 1'-0"

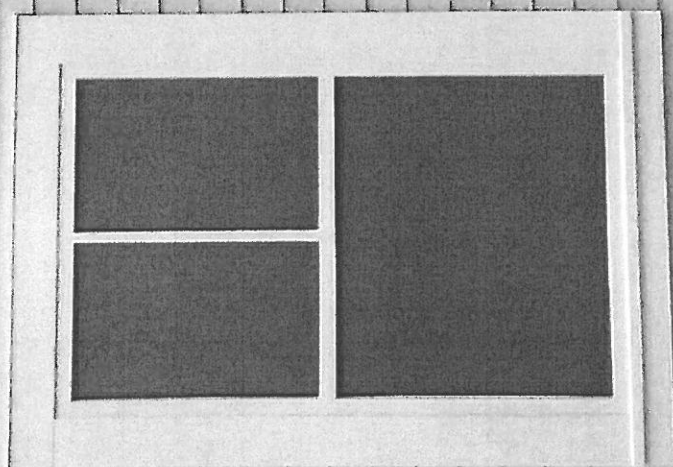
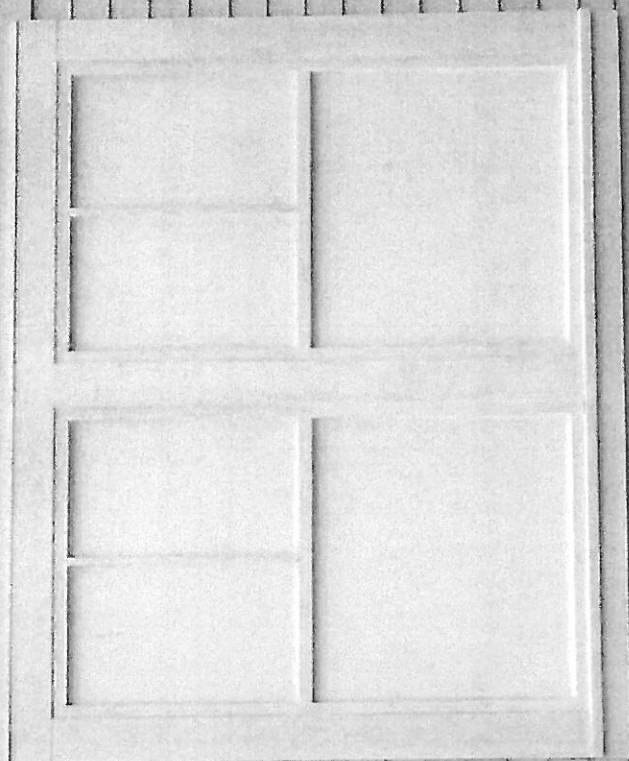


**LEFTSIDE ELEVATION**  
 SCALE: 1/8" = 1'-0"

NO.	DATE	DESCRIPTION
1	8-11-15	REVISED 4-15-S
2	8-11-15	REVISED 4-15-S
3	8-11-15	REVISED 4-15-S
4	8-11-15	REVISED 4-15-S
5	8-11-15	REVISED 4-15-S
6	8-11-15	REVISED 4-15-S
7	8-11-15	REVISED 4-15-S
8	8-11-15	REVISED 4-15-S
9	8-11-15	REVISED 4-15-S
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96	8-11-15	REVISED 4-15-S
97	8-11-15	REVISED 4-15-S
98	8-11-15	REVISED 4-15-S
99	8-11-15	REVISED 4-15-S
100	8-11-15	REVISED 4-15-S







**From:** dan.hooper@verizon.net [mailto:dan.hooper@verizon.net]  
**Sent:** Thursday, February 04, 2016 8:13 PM  
**To:** Susan Affleck-Childs  
**Cc:** kathyhooper1@verizon.net; jwieler@ieee.org; Kaeli@Ece.Neu.Edu; barstowbuilding@verizon.net; wingatefarm@hotmail.com  
**Subject:** Re: Salmon/Willows ARCPUD

Hi Susy,  
I've had troubles with attachments lately. Here is my letter below:

Comments for PEDB Meeting on 2/9/16  
date: 2/4/16

**Medway Zoning Bylaw, Section 8.5, E. 5. No buildings shall be constructed within 50 feet from the right-of-way line of a public way or within 50 feet from the perimeter lot line. The 50-foot buffer shall be maintained in its natural state or a landscaped open space.**

Our response to Salmon Health's attorney's ARCPUD bylaw interpretation of the above section:

1. Salmon claims a lack of specificity or definition within the second sentence above. The word "buffer" is defined. The "50-foot" reference at the outset of the second sentence could not be any clearer: 50 feet is 50 feet. "Buffer" is initially defined by the previous sentence's description of the same area, the area formed from the perimeter lot line or the right-of-way to 50 feet within the lot. Nowhere else in the ARCPUD bylaw is "50 feet" mentioned but here, in both of these 2 abutting sentences. That's because the two references relate to the definition of a buffer, with the first sentence outlining "no buildings" in that same area. The definition of "buffer" is further defined in the second sentence as: "... (land) to be maintained in its natural state or (as?) a landscape open space." Reasonable people would conclude that the description of this 50-foot buffer area/zone to be adequate, rendering further definition unnecessary (see #4).

2. Four of the 5 members of the PEDB sat on the same board in May/June 2015 when this ARCPUD section was updated. In the update, the second sentence above was modified to its current language. Was this bylaw section re-write authored by the PEDB? If so, what was the intent of the PEDB for the re-writing of this section?

3. The applicant's attorney outlines other cases in an attempt to demonstrate what this section of the bylaw does NOT say. It would be reasonable then to expect the PEDB to interpret for the public what this section DOES say, and more broadly, the spirit of what they intended it to say when it was changed at Town Meeting less than one year ago. We see no ambiguity but if there is, clarify what was intended, please. What does the 50-foot buffer mean? It means just what it is defined to mean in the totality of the above bylaw sentences.

4. It is assumed that Town Attorney reviews all proposed Zoning bylaw changes prior to Town Meeting. If this is so, the Town Attorney reviewed this ARCPUD bylaw before the proposal went to Town Meeting in May of 2015. This same attorney still serves in the same capacity for the Town of Medway today. If the current opinion by this attorney regarding this section of the ARCPUD bylaw states that the language in the second sentence is "ambiguous" or "ill-defined", why did this attorney not recommend a clearer, less ambiguous change in the

language just last year and prior to the bylaw's adoption at the 2015 Town Meeting? Lacking an explanation for not editing the language then, it would be reasonable to assume now that the bylaw language reviewed by our attorney in the spring of 2015 - the current bylaw language - was not ambiguous or lacking definition and specificity and, in fact, was adequate for its intended purpose.

5. The PEDB and its Planning Consultant went out of their way last meeting to summon theoretical meaning to the prescribed 50-foot buffer, and even tried to to somehow relate the specific 50-foot measurements to other "buffers" in the ZBL not relevant to the ARCPUD component of the bylaw. We would ask that you uphold the bylaw as it was written initially, edited by the PEDB last year and approved in each instance before Town Meeting. If you are not comfortable with this bylaw section's direct relevance to this application, or with the exactitude of its definitions, that is unfortunate, but that is irrelevant to your elected obligation to uphold the spirit, intent and letter of the bylaw on behalf of Medway. You are still in the process of assessing this application. Please adhere to what is written in the bylaw and do what is right by informing the applicant that they must comply with the buffer area as defined, a definition your board clarified just last year.

We appreciate your consideration of these concerns and look forward to a response.

Sincerely,  
Dan & Kathy Hooper  
6 Naumkeag Street

Dan Hooper  
Charles River Landesign  
p - 508.277.5981



Town of Medway  
**DESIGN REVIEW COMMITTEE**  
155 Village Street  
Medway MA 02053  
508-533-3291  
[drc@townofmedway.org](mailto:drc@townofmedway.org)

February 9, 2016

TO: Medway Planning and Economic Development Board  
FROM: Matthew Buckley, Chairman  
RE: DRC Update - Salmon Senior Living Community - The Willows and Whitney Place ARCPUD Special Permit

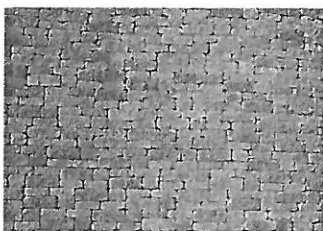
Dear Members of the Medway Planning and Economic Development Board

The DRC has met with the applicant informally [3] times for pre-application discussions on March 2<sup>nd</sup>, April 6<sup>th</sup>, April 27<sup>th</sup>, and [2] times July 6<sup>th</sup> and 27<sup>th</sup>, 2015 to review their submittal for an ARCPUD special permit.

Updates provided in December were discussed by the DRC on January 4<sup>th</sup> and also during the January 12<sup>th</sup> PEDB public hearing. The relevant changes impact the buffers along the Eastern property line and a retaining wall to the South of the main building. The DRC has created a group of recommendation based on these discussions.

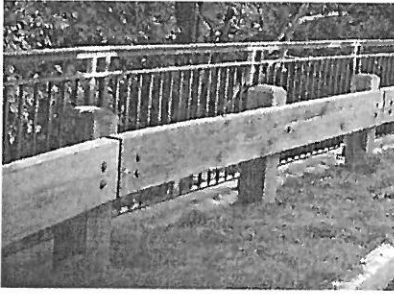
The DRC has noted, based on the discussions at the recent public hearing, that the current plans for the buffers at the Eastern property line may not be final. The DRC will provide recommendations to any updates to this key area of the site when appropriate.

- The new retaining wall around the storm water facility to the south of the main building facing the river was discussed. This lengthy wall will be visible from the open spaces along the river. [shown on pages C14-C15 and L1.05-06 on plans submitted 12/11/15] The current landscape plans indicate that [6] Serviceberry trees have been selected to screen this nearly 200 foot-long retaining wall. These small trees spaced at over 30 feet apart are inadequate.
- The DRC recommends, in addition to these trees, that clusters of [3-4] Rhododendron bushes be placed in the space between each tree to provide a more complete screen for the retaining wall behind.
- The applicant has indicated that the materials for this same wall will be constructed from Versa-Lok blocks. The DRC recommends that the blocks be from the "Country Stone" style and in a variegated pattern with granite and rust colors, which are typical to local stonewalls. An example from the manufacturer's website is shown here.

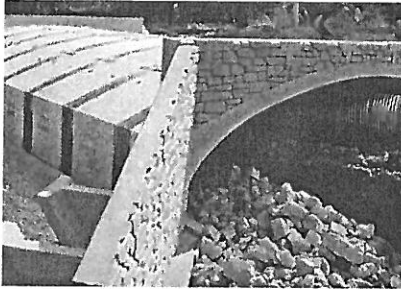




- The applicant has indicated that black aluminum pool-style fencing will be atop this wall. The DRC has indicated that this is appropriate and a similar example is pictured below.



- The applicant has also indicated that wood guardrail systems will be used at the motor vehicle wetland crossings. The DRC has indicated that this is appropriate and a similar example is pictured above within the same image.
- During the public hearing a selection of wetland crossing systems were shown during the presentation. The DRC recommends the applicant use the form that includes the impressed field stone pattern. An image of that style, taken from the presentation, is included here.



- The DRC commented on the position of the buffer fence along the Eastern property line during the public meeting on January 12<sup>th</sup>. Shown on sheets L1.02, 04 & 06 [pages 3, 5 & 7] and sheets C2, 4 & 6 [pages 11, 13 & 15], the fence is placed at varying distances from the road. The elevation of the road varies along this border and in some places the fence is shown at the toe of the slope. Some grade changes are greater than the fence height. In this condition no screening would be provided. The DRC recommends that the fence be positioned to provide the full height of screening. The fence must provide 6 feet of screening. Where slope is present the fence should be set at a base height equal to the top the top of slope.

The DRC respectfully submits the questions for the consideration of the PEDB and applicant for the Salmon Senior Living Community.

Sincerely,

Matthew Buckley  
Chairman



To: Medway Boards and Committees

For better than a year Medway Boards and abutters and parties of interest have been involved in the proposed development of the Willows project. The affiliated volunteer boards have worked hard to address the concerned abutter's and parties of interest apprehensions. In addition, there has been appreciative assistance with questions and clarifications by Susan Affleck-Childs and Bridget Graziano.

With the exception of a handful of Village St. abutters, an overwhelming majority of the concerned abutters and parties of interest are part of the Charles River Park community. Residents/Taxpayers on the eastern edge of the proposed development will suffer the greatest effects of this project.

The initial concern was water run-off from the side streets and the potential impacts it would have on the abutters. With the assistance of the Towns' engineering firm, re-engineering and submittal were required by the Town in order to protect the abutters with run-off. The down side of those efforts has become a slash and burn process of clearing vegetation that acted as buffers.

This has now caused significant alarm to the abutters and parties of interest as the current plan further negatively effects the situation. There is so much concern about this process that former Planning Board members who wrote the ARCPUD By-Law attended a meeting to clearly state their concerns and set the record that the intention was to provide a buffer to accommodate the neighbors. Which clearly this development proposal does not do. If past members/authors come back out to vocalize their concerns over the existing plan; that in itself should raise a flag for concern.

In a meeting this summer there was significant discussion over the sheer height of the main building. Zoning ARI/II doesn't have a maximum height restriction. After the meeting an inquiry was made to Ms. Childs why there was no height restriction. The reason given was that being a zone for homes the assumption was it would only be single family or duplexes which usually aren't tall. Abutters and parties of interest were concerned over a 71 foot tall building being implanted into a residential neighborhood. That issued has pretty much lain dormant until recently when it was brought up again.

The Medway May 2015 By-Law Section 6 table 2 outlines dimensional regulations. Zones ARI and II, the area affected do not have a listed height maximum. Under that table I3 has the maximum height of any proposed building in Medway is 60 feet. That restriction is in the Rt. 495 Business Corridor. This proposed development is placing a 71 foot tall building; bigger than what would ever be allowed anywhere in Medway, in a residential neighborhood. No amount of shrubs or fencing will block that monstrosity.

Under the TOWN OF MEDWAY Planning Board Rules and Regulations Chapter 200 – Submission and Review of Site Plans there are requirements for development standards under Article 5. In regards to Article V S. 205 I would like to affirm this article is being followed with plan review process. Bold is emphasized to assert issues of this development as how it affects the abutters.

**B. The natural environment of the site shall be preserved. Any adverse impact caused by the site shall be minimized including the visual impact on adjacent properties, the neighborhood and the town.** The removal or alteration of any historic features, tree, and where possible, corridors connecting wildlife habitats shall be discouraged.

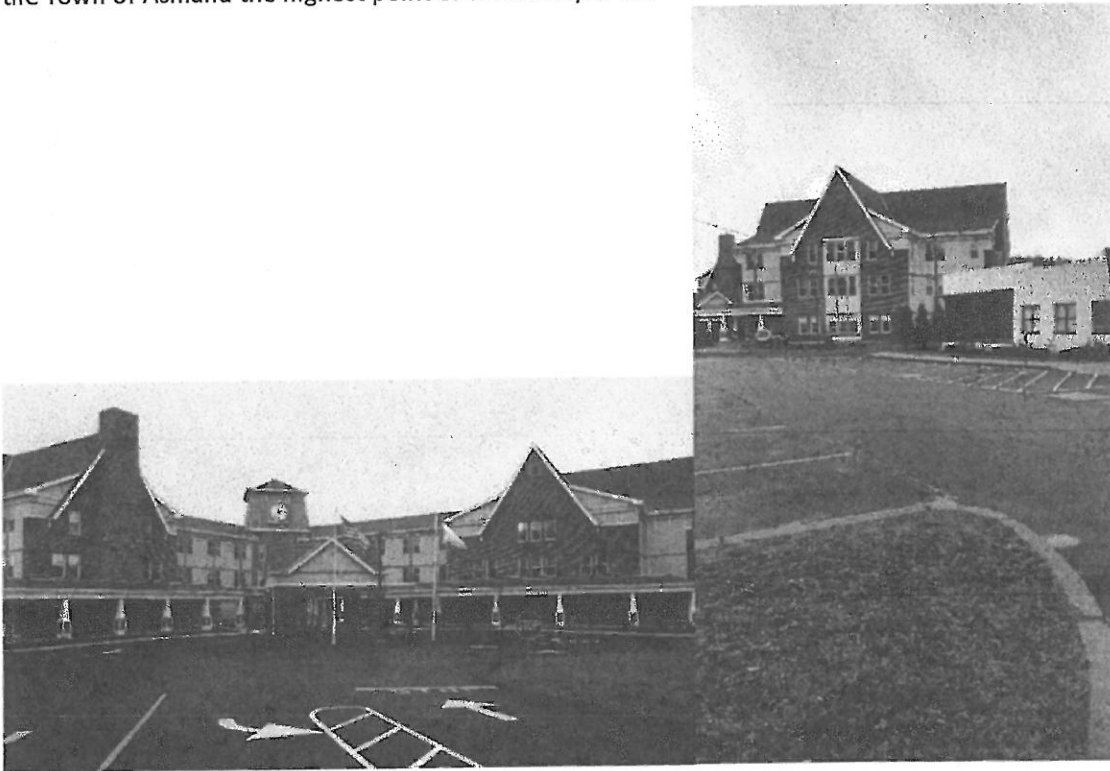
rec'd 2-9-2016

s. 205 – 2 Design Standards – The Planning Board strongly believes that the architectural and design elements which contribute to Medway's unique and rural New England character should be preserved and enhanced. **All new structures should not detract from the scale and character that the Town is committed to preserving as reflected in the Medway Master Plan.**

**A. Height - The height of any proposed construction should be compatible with the character and scale of surrounding buildings and adjacent neighborhoods within zoning requirements.** The proposed height is critical in the vicinity of historical and/or cultural landmarks.

Looking at these Rules and Regulations it would seem apparent that a 71' tall building in a residential neighborhood has a visual impact on the abutters and is a violation of the scale of the abutting property. Furthermore, as it is plainly stated in these rules and regulations the height of the building is not compatible with the character and scale of surrounding buildings and adjacent neighborhoods.

It is easy to throw numbers of height around without comparison. Below is a set of pictures showing a recent construction of a senior living facility at 369 Pond St in Ashland. According to official records of the Town of Ashland the highest point of the facility is 42'.



Please note the size comparison with the one story commercial building.

In comparison, please note the size of the next structure. This is a building being constructed at a former lower level parking lot of Framingham State University. This 5 story building is comparable to the proposed building of the Willows.

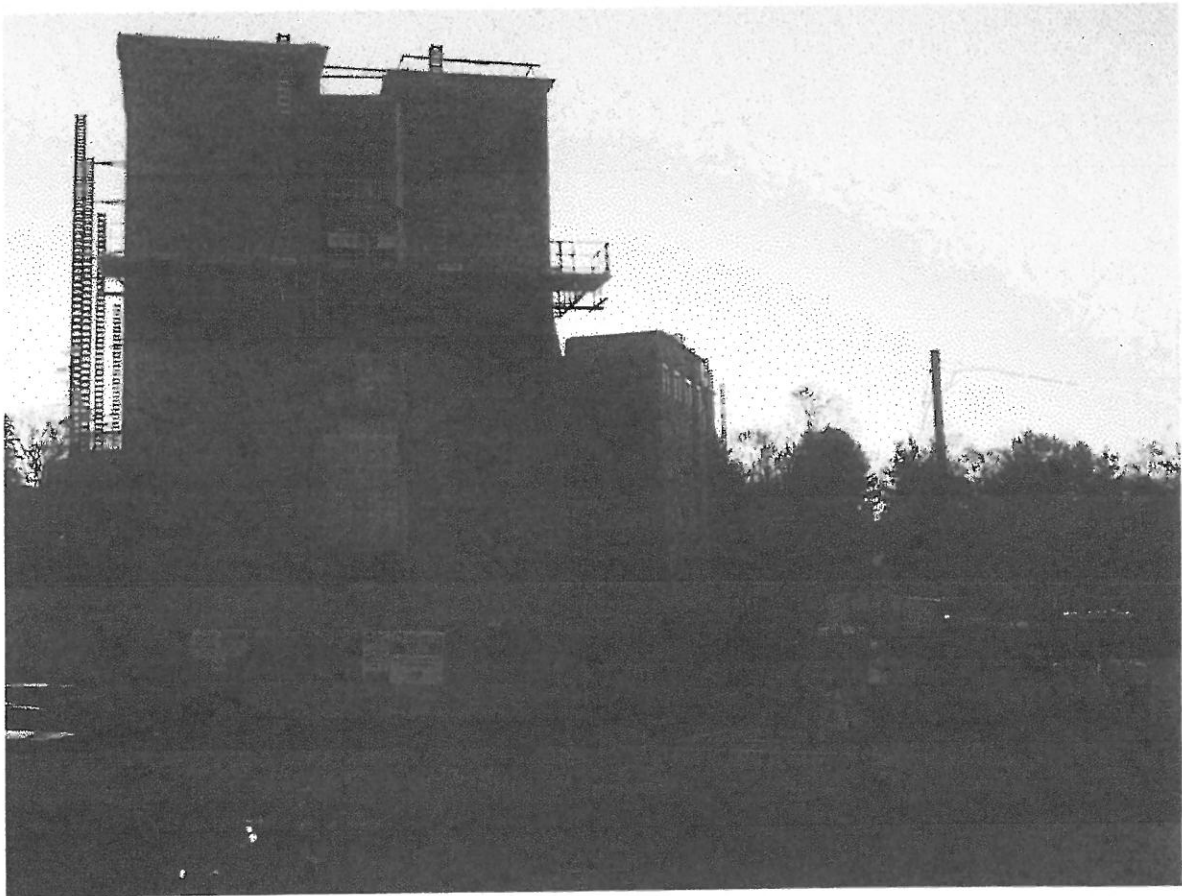


According to the site engineer of the project this building is between 70' and 75'.





According to the site engineer of the project this building is between 70' and 75'.





To permit a building of such magnitude in a residential neighborhood is an extreme dis-service to abutters and parties of interest and all Medway tax payers. The intent of the original ARCPUD By-Law was to provide a cooperative benefit to abutters, the parties of interest and the Town. The intent of the existing By-Laws and Rules and regulations is to protect intrusion of such anomalies into residential neighborhoods.

Furthermore to defend the concerns of the proposed development, Section 203 of the Planning board Rules/Reg state:

*s. 203 – 9 Planning Board Action – Certificate of Recommendation C. Criteria* – In making its recommendation, the Planning Board shall find whether the proposed development is in conformance with the standards and criteria set forth in these *Rules and Regulations*, unless specifically waived. In its recommendation, the Planning Board shall determine the following:

2) Departure from the character, materials, and scale of buildings in the vicinity as viewed from public ways and places is minimized.

It has been asked many times over by abutters and parties of interest why such a development of such magnitude would be permitted in a residential neighborhood. From the beginning the abutters and parties of interest were willing to work with the developer. One such proposal to address the water run off concerns, disturbance of the buffer and protection from “adverse impact caused by the site” was the halting of construction on the eastern portion of the development. This would also protect the full viewing of the 71’ tall building. From the beginning the developer told us it was all or nothing and it was not financially viable if he does not get 100% build out.

At the Planning Board meeting on January 26<sup>th</sup> a discussion of buildout was outlined. The development would take 18-24 months. All site work would be done first. When a question to the developer was asked what would happen to the project if projections were not met resulting in less build out, or if they lost financing, or if the project was halted due to the economy what would happen. At least a few times the developer stated the project would be viable and financially viable if they do not do 100% build out. When questioned about which one it was, the answer was they would still be viable. In his own words, if they don’t build the eastern edge of the project the development would still be viable.

Attendance of Planning Board meetings by many abutters and parties of interest is a clear indication of the overall concern taxpayers/residents of Medway have with this project. The below mentioned documents from the Rules and Regulations and Bylaws to the Town of Medway further point out additional confirmations for denial of the plans submitted for the project.

**s. 504-5 SPECIAL PERMIT STANDARDS AND CRITERIA** - To approve an Adaptive Use Special Permit, the Planning Board must make the following findings pursuant to SECTION V. USE REGULATIONS, Sub-Section W., paragraph 7 of the Zoning By-Law as follows: **B.** The site is adequate for the proposed use in terms of size, configuration and uses of abutting properties; **F.** The impact on the neighborhood’s visual character, including views and vistas, is positive;

### **3.4. SPECIAL PERMITS (By-Law)**

C. Decision Criteria. Unless otherwise specified herein, special permits shall be granted by the special permit granting authority only upon its written determination that the adverse effects of the proposed use will not outweigh its beneficial impacts to the town or the neighborhood, in view of the particular characteristics of the site, and of the proposal in relation to that site. The determination shall include findings that all of the following criteria for granting a special permit are met:

2. The use is in an appropriate location and is not detrimental to the neighborhood and does not significantly alter the character of the zoning district.

4. The proposed use will not be detrimental or otherwise offensive to the adjoining zoning districts and neighboring properties due to the effects of lighting, odors, smoke, noise, sewage, refuse materials, or visual or other nuisances.

With the proposed developments adverse effects of intrusion into the buffer, the alteration of a large commercial facility in a residential zoned neighborhood, the height of the building, the impact to the neighborhoods as well as the detrimental effects to the character of Medway and the abutting properties; there is apparent sufficient legal grounds as set forth by the Rules and Regulations and Town By-Laws to reject the proposal as submitted.

I truly am appreciative of all the work by the volunteer boards and committees, as well as Town of Medway employees who assisted in the process. I can only speak for myself but I'm sure my sentiments are agreed to in part or in whole by my fellow Medway residents. There is significant opposition to this development. I strongly urge the Planning Board to reject the plans as submitted for the Willows at Medway ARCPUD.

Respectfully submitted;

Timothy E. Choate  
7 Iroquois St. Medway

Section 8.5 of the Medway Zoning Bylaw, subsection e.5. concerning ARCPUD:

"The 50ft buffer shall be maintained in its natural state or a landscaped open space."

"shall" is synonymous with must from the bylaw perspective. It is not optional.

According to The American Heritage Dictionary of English Language (5<sup>th</sup> Edition, 2011)

Buffer is defined as:

- Something that lessens or absorbs the shock of impact
- One that protects by intercepting or moderating adverse pressures or influences.
- Something that separates potentially antagonistic entities.

Maintain is defined as:

2. to keep in an existing state, preserve or retain.

Natural is defined as:

- Present in or produced by nature
- Of, or related to, or concerning nature

4c. not produced or changed artificially

6. not altered, treated or disguised

Landscaped is defined as:

- To **adorn or improve** (a section of ground) by contouring and by planting flowers, shrubs or trees.

Open Space as defined by the EPA ([www3.epa.gov](http://www3.epa.gov))

Open space is any open piece of land that is undeveloped (has no building or other built structures) and is accessible to the public.

*from Kathy Hoyer  
received 2-9-16*



CAC  
notes

**8.5. E. 5.** *No buildings shall be constructed within 50 feet from the right-of-way line of a public way or within 50 feet from the perimeter lot line. The 50-foot buffer shall be maintained in its natural state or a landscaped open space.*

**Notes from SAC Conversations with PEDB Members**

Based on comments/opinions from Gino, Town Counsel and the applicant's attorney and my reading of all of the language re: buffers in the bylaw, a 50' buffer that is 100% natural seems out of context with our other requirements. In the absence of a specific definition of "landscaped open space", I am OK with allowing the road, swale, etc. in this area.

Reasonable that they put the sidewalk on the west side of the street. I don't like the idea of the road being so close to the neighbors. The narrow strip at the top of the roadway is of most concern. Could they address the drainage issues by some other means than locating the swale on the east side of the roadway?

Under the current wording, I am not uncomfortable with having the road, drainage and fencing in the 50' area. In my mind, roads, swales, and fencing are all suitably included within a "landscaped open space" area. The road is to provide passage. The fencing is to shield the abutters from the development. The far right portion of the land was clearly set-up to be a roadway. Drainage work (swale) helps the abutters.

Swale is part of landscaping. Road is part of landscaping. Fence is part of landscaping. The area in question is open space. It is NOT part of the official required OPEN SPACE.

**April 10, 2001 Zoning Bylaw includes the new ARCPUD text as approved on February 12, 2001**

*SAE  
notes*

Section V. T. 4. e) 4) – Each building in the ARCPUD shall be set back a minimum of fifty feet (50') from the ARCPUD's perimeter line. The setback area shall be maintained as natural open space or as a landscaped buffer.

**May 2015 – Recodified Bylaw text**

Section 8.5 E. 5. – No buildings shall be constructed within 50 feet from the right-of-way line of a public way or within 50 feet from the perimeter lot line. The 50-foot buffer area shall be maintained in its natural state or a landscaped open space.

It is the consensus of the PEDB that it is reasonable to include a roadway, drainage swales, parking, sidewalks, pedestrian lighting, fencing, and landscape materials as components of "landscaped open space" within the 50' buffer area inside the perimeter lot line of an ARCPUD development.

- The bylaw language does not list anything other than "buildings" that are specifically prohibited from being constructed within the 50' buffer area.
- The language in the ARCPUD section of the zoning bylaw does not specifically define what constitutes "landscaped open space".
- Therefore the PEDB may use its best judgment to determine what that means.



**February 9, 2016**  
**Medway Planning & Economic Development Board**  
**Meeting**

**Plan Review Fee Estimates – Eversource**  
**Energy Site Plan**

- Tetra Tech estimate dated 2-3-16
- PGC estimate dated 2-2-16



February 3, 2016

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

**Re: Major Site Plan Review  
Eversource Station 65 and 446 Control Buildings  
34 West Street  
Medway, Massachusetts 02053**

Dear Ms. Affleck-Childs:

We are pleased to submit this Proposal to the Town of Medway (the Client) for professional engineering services associated with the proposed Eversource Station 65 and 446 Control Buildings Major Site Plan Review submittal in Medway, Massachusetts (the Project). The objective of our services is to review the proposed Site Plan submittal package and provide review comments as they relate to the Medway Planning Board's Rules and Regulations for the Submission and Review of Site Plans (Chapter 200), Department of Environmental Protection Stormwater Management Regulations, and sound engineering practice. We have excluded from our scope, the review of the application package as it relates to the Town of Medway Zoning By-Laws which will be conducted by a separate consultant.

## **Scope of Services**

The following specifically describes the Scope of Services to be completed:

### **Task 1 Site Visit**

- A. Perform one (1) site visit to review the site and its surroundings;
- Budget Assumption: 3 hours @ \$105/hr = \$315

### **Task 2 Design Review**

- A. Review the Application for Major Site Plan Approval, and supporting documentation, prepared by Beals and Thomas, Inc. (BAT) and incorporate comments into review letter in item D below;
- Budget Assumption: 0.5 hour @ \$210/hr = \$105  
2 hours @ \$105/hr = \$210  
Total = \$315

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



## TETRA TECH

- B. Review the proposed Site Plans prepared by BAT dated January 26, 2016
- Budget Assumption: 1 hours @ \$210/hr = \$210  
4 hours @ \$105/hr = \$420  
Total = \$630
- C. Review the Stormwater Report prepared by BAT dated January 26, 2016 for compliance with the latest Massachusetts Department of Environmental Protection Stormwater Management Standards and good engineering practice;
- Budget Assumption: 1 hours @ \$210/hr = \$210  
4 hours @ \$105/hr = \$420  
Total = \$630
- D. Prepare a letter summarizing findings for presentation to the Town of Medway Planning and Economic Development Board;
- Budget Assumption: 1 hour @ \$210/hr = \$210  
4 hours @ \$105/hr = \$420  
Total = \$630
- E. Coordinate with applicant to address items in review letter and issue an updated letter upon receipt of modifications:
- Budget Assumption: 1 hours @ \$210/hr = \$210  
2 hours @ \$105/hr = \$210  
Total = \$420

### Task 3 Meeting Attendance

- A. Participate in three (3) hearings/meetings with the Town of Medway Planning and Economic Development Board.
- Budget Assumption: 3 Meetings  
6 hours @ \$210/hr = \$1,260

### Cost

Our cost for the above Scope of Services will be on a time and expenses basis in accordance with Tetra Tech's and existing Town of Medway contract rates. Direct expenses will be billed at a fixed fee of three and a half (3.5) percent of labor costs. We suggest that you establish a budget identified below for these services, which will not be exceeded without your approval. Please be advised that this estimate is based on our current understanding of the Project needs and is for budget purposes only. The total cost of our services will depend greatly on the completeness and adequacy of the information provided.

The breakdown of this fee by task is as follows:



**TETRA TECH**

Task	Task Description	Fee
Task 1	Site Visit	\$315
Task 2	Design Review	\$2,625
Task 3	Meeting Attendance	\$1,260
	Labor Subtotal	\$4,200
	Expenses (3.5%)	\$147
<b>Total Fee</b>		<b>\$4,347</b>

### **Schedule**

We are prepared to begin work immediately upon receipt of this executed Proposal. We recognize that timely performance of these services is an important element of this Proposal and will put forth our best effort, consistent with accepted professional practice, to comply with the project's needs. We are not responsible for delays in performance caused by circumstances beyond our control or which could not have reasonably been anticipated or prevented

### **General Terms and Conditions**

This Proposal is subject to the existing Terms and Conditions signed by Tetra Tech and the Town of Medway. Should this proposal meet with your approval, please sign and return a copy to us for our files. Your signature provides full authorization for us to proceed. We look forward to working with you on this Project. Please contact us with any questions, or if you require additional information.

Very truly yours,

Sean P. Reardon, P.E.,  
Vice President

Date Approved by Medway Planning and Economic Development  
Board \_\_\_\_\_

Certified by: \_\_\_\_\_

Susan E. Affleck-Childs  
Medway Planning and Economic Development Coordinator

\_\_\_\_\_  
Date

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**PGC ASSOCIATES, INC.**

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

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February 2, 2016

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

Dear Mr. Rodenhiser:

PGC Associates is pleased to present the following cost estimate to review and comment on the proposed site plan submitted by Eversource. The proposal is to construct two control buildings on the site at 34 West Street, plus associated drainage, etc. The plan was prepared by Eversource of Westwood. It is dated January 25, 2016.

<u>Task</u>	<u>Hours</u>
Technical Review and comment on initial submittal for compliance with Zoning Bylaw and Site Plan Rules and Regulations	2.0
Attendance at Planning Board meetings/hearings	2.0
Review and comment on revised plans	1.5
Review and comment on draft Certificate of Action	2.5
Total	8.0
<b>Cost Estimate (@\$95)</b>	<b>\$760.00</b>

If there are any questions about this estimate, please call me.

Sincerely,



Gino D. Carlucci, Jr.





**February 9, 2016**  
**Medway Planning & Economic Development Board**  
**Meeting**

**Town Meeting Articles**

Revised and/or new drafts of the following articles are provided for your review:

- Site Plan
- Accessory Family Dwelling Unit
- Definitions
- Parking of Commercial and Recreational Vehicles
- Prohibited Uses
- Design Review Committee

## SITE PLAN REVIEW

Amendment ideas (2-8-16)

**ARTICLE** : To see if the Town will vote to amend the Medway Zoning Bylaw by deleting sub-SECTION 3.5 Site Plan Review and replacing it as follows: Note the text to be deleted is indicated with a ~~strike through~~ and new or relocated text is indicated in **bold**.

### 3.5. SITE PLAN REVIEW

#### 3.5.1 Purposes

Site plan review is a means of managing the aesthetics and environmental impacts of land use by the regulation of permitted uses, not their prohibition. Its purpose is to:

- assure protection of the public interest consistent with a reasonable use of the site for the purposes permitted in the district; **and**
- **promote and encourage desired community characteristics as expressed in the *Master Plan and Design Review Guidelines***

~~Accordingly, no building permit shall be issued for any use, site, or building alteration, or other improvement that is subject to this Section 3.5 unless an application for site plan review has been prepared in accordance with the requirements herein and unless such application has been approved by the Planning and Economic Development Board (hereinafter referred to in this Section as the Board)~~

#### 3.5.2 Requirements

- A. **No building permit shall be issued for any use, site, or building alteration, or other improvement that is subject to this Section 3.5 unless an application for site plan review has been prepared in accordance with the requirements herein and unless such application has been approved by the Planning and Economic Development Board (hereinafter referred to in this Section as the Board) or its designee in the instance of administrative site plan review.**
- B. **Unless specifically authorized by the terms of the site plan review decision, a final certificate of occupancy shall not be issued until the applicant has complied with or satisfied all conditions of the site plan review decision.**
- C. **Any work done in deviation from an approved site plan shall be a violation of this Bylaw unless such deviation is approved in writing by the Board or determined by the Building Inspector to be an insubstantial change.**

#### 3.5.2 3.5.3. Applicability

A. Site plan review shall apply to the following:

1. Major Site Plan Review:

- a. New construction or any alteration, reconstruction, or renovation of any multi-family, commercial, industrial, institutional, or municipal use, **or any change in use of an existing building, which involves one or more of the following:** ~~involving 2,500 square feet or more of gross floor area;~~
    - i. the addition of 2,500 square feet or more of gross floor area; or**
    - ii. the addition of fifteen or more new parking spaces; or**
  - ~~b. New construction or any alteration, reconstruction, or renovation of an existing building, or any change in use of an existing building requiring fifteen or more parking spaces; or~~
  - ~~e. b. Construction, expansion, redesign, or alteration~~ **The redesign, alteration or modification** of an existing parking area involving the addition of fifteen or more new parking spaces.
2. Minor Site Plan Review: ~~Any construction, alteration, reconstruction or renovation project or change of in use that is not subject to Major Site Plan Review but which requires a building permit and involves one or more of the following:~~
- a. **New construction or any alteration, reconstruction, or renovation of any multi-family, commercial, industrial, institutional, or municipal use, or any change in use of an existing building, which is not subject to Major Site Plan Review but which involves one or more of the following:**
    - i. the addition of 1,000 to 2,499 square feet of gross floor area; or**
    - ii. the addition of five or more but less than fifteen new parking spaces; or**
  - ~~a. Exterior alteration of an existing building or premises, visible from a public or private street or way, except where such alteration is exempt under Section B below; or~~
  - ~~b. New construction, expansion of an existing structure, or a change in use in an existing building requiring five or more but less than fifteen parking spaces; or~~
  - ~~e. b. Construction, The redesign, alteration or modification of a an existing~~ parking area involving the addition of five or more but less than fifteen new parking spaces; or
  - ~~d. c. Any use or structure or expansion thereof exempt under Massachusetts G.L. c. 40A, § 3, if one or more of the above criteria a-c also apply, and only to the extent allowed by law.~~
3. Administrative Site Plan Review:
- a. **New construction or any alteration, reconstruction, or renovation of any multi-family, commercial, industrial, institutional, or municipal use which is not subject to Minor Site Plan Review but which involves one or more of the following:**
    - i. The addition of less than 1,000 square feet of gross floor area, or**
    - ii. Exterior alteration/renovation of an existing building or premises, visible from a public or private street or way which includes any of the following:**
      - a) installation or replacement of awnings**

- b) change in a building's exterior surface material
- c) rearrangement or addition of windows or doors
- d) façade reconstruction/replacement
- e) roofing if determined by the Building Inspector to be a distinctive architectural feature of the building

- b. A change in curb cuts/vehicular access to a site from a public way
- c. Installation or alteration of sidewalks and other pedestrian access improvements
- d. Removal of hedges, living shrubs, and trees greater than two inches in caliper
- e. Installation of fencing or retaining walls.

~~3.~~ **4. Relationship to Other Permits and Approvals.**

- a. If an activity or use requires both site plan review and one or more special permits, the ~~Planning and Economic Development~~ Board shall serve as special permit granting authority.
- b. If both a special permit and site plan review are required, ~~they shall be considered together under the provisions of Section 3.4.~~ **the Board shall review and conduct the public hearing concurrently and the Board may issue a singular decision.**
- c. The Building Inspector shall not issue a building permit for any project subject to this Section 3.5 unless:
  - i. the Board has approved a site plan therefor or allowed ninety calendar days (in the instance of a major site plan project) **to elapse from the site plan submission date unless the applicant has requested an extension in writing; or**
  - ii. **the Board has approved a site plan therefor** or allowed sixty calendar days (in the instance of a minor site plan project) to elapse from the site plan submission date unless the applicant has requested an extension in writing; or
  - iii. **Administrative site plan approval has been granted or twenty-one calendar days have elapsed from the site plan submission date unless the applicant has requested an extension in writing.**

~~Any work done in deviation from an approved site plan shall be a violation of these Bylaws unless such deviation is approved in writing by the Board or determined by the Building Inspector to be an insubstantial change.~~

**B. Exemptions.** The following shall be exempt from Site Plan Review under this Section 3.5:

- 1. Single-family and two-family homes, including additions or enlargements **and accessory structures.**
- 2. Residential subdivisions approved by the Board under the Medway Subdivision Rules and Regulations.
- ~~3. Projects submitted to the PEDB under Section 8.5, Adult Retirement Community Planned Unit Development.~~

4.3. Projects in which the only exterior change that is visible from a public or private way, requiring a building permit, pertains to **the removal of architectural barriers to comply with the Americans with Disabilities Act (ADA) or regulations of the Massachusetts Architectural Access Board (AAB)**

- a. ~~Architectural barrier removal to comply with the Americans with Disabilities Act (ADA) or regulations of the Massachusetts Architectural Access Board (AAB); or~~
- b. ~~Installation of awnings, exterior siding, or roofing, or replacement of windows or doors;~~

### **3.5.4 Site Plan Rules and Regulations**

The Board shall promulgate, after public notice and hearing, **Site Plan Rules and Regulations** to effectuate the purposes and intent of this Section 3.5, including but not limited to the following requirements and procedures for:

- A. **submission and review of major and minor site plans**
- B. **modification of approved site plans**
- C. **administrative review of small-scale projects by the Board's designee without a public hearing or meeting**
- D. **waivers**
- E. **conditions/limitations/safeguards and mitigation measures**
- F. **performance security**
- G. **construction inspection**
- H. **standards of review consistent with Section 3.5.6 below**
- I. **decision criteria**

### **3.5.3. 3.5.5 Procedures for Site Plan Review**

- A. ~~The Board shall promulgate, after public notice and hearing, Site Plan Rules and Regulations to effectuate the purposes and intent of this Section 3.5, including submission requirements and procedures for major and minor site plans, modification of approved site plans, delegating administrative review to the Board's designee for review of small scale projects without a public meeting, and standards of review consistent with Section 3.5.4 below.~~
- A. **Pre-Application Review – Before filing a site plan application, applicants for major site plan review shall and applicants for minor site review may schedule a pre-application meeting with the Town's interdepartmental project review team. Applicants may also request an informal, pre-application meeting with the Board to review conceptual plans.**
- B. Applicants shall submit an application for **major and minor** site plan review to the **Town Clerk and the** Board.
- C. The site plan submission date shall be the date the site plan application is filed with the Town Clerk and the Board, unless the Board notifies the applicant within twenty-one days of

submission that the application is incomplete. In such case, the site plan application will not be deemed to have been submitted.

- D. For Major Site Plan Review applications, the Board shall hold a public hearing on the proposed site plan. The public hearing shall conform to the requirements for public hearings and notice under G.L. c. 40A, § 11, and the Board's Site Plan Rules and Regulations. All costs of the public notice requirements shall be at the expense of the applicant.
- E. For Minor Site Plan Review applications, the Board shall review the site plan at a duly posted open meeting. Any public notice to abutters and other parties of interest shall be conducted in accordance with the Site Plan Rules and Regulations.
- F. The Board shall review and act upon the **applications for major and minor** site plan **review**, requiring such conditions as necessary to satisfy the Site Plan Review Standards under Section ~~3.5.4~~ **3.5.6**, below, and notify the applicant of its decision. The decision shall be **by majority vote of the membership, shall be made** in writing and shall be filed with the Town Clerk within ninety days of the date of application for Major Site Plan Review, or sixty days of the application date for Minor Site Plan Review. The applicant may request, and the Board may grant by majority vote of the membership, an extension of the time limit set forth herein.
- G. The Board may approve the **a major and minor** site plan or approve it with the conditions, **limitations, safeguards and mitigation measures** or deny a site plan only if the plan does not include adequate information as required by the Site Plan Rules and Regulations, or if the plan depicts a use or structure so contrary to health, safety and welfare of the public that no set of conditions would render the project tenable. ~~The Board's decision shall be by majority vote of the membership, and the decision shall be in writing.~~
- H. ~~The applicant shall satisfy or comply with all conditions of the site plan review decision prior to the issuance of a building permit except for those conditions that by their terms are intended to be satisfied during construction or later.~~
- I. ~~Unless specifically authorized by the terms of the site plan review decision, a final certificate of occupancy shall not be issued until the applicant has complied with or satisfied all conditions of the site plan review decision.~~
- H. **The Board's designee shall review and act on applications for administrative site plan review and may require conditions as necessary to satisfy the Administrative Site Plan Review Standards.**

#### **~~3.5.4.~~ 3.5.6 Site Plan Review Standards**

The Board's Site Plan Rules and Regulations shall adopt standards for **major, minor and administrative** site plan review that will at a minimum address the following:

- A. Siting of facilities;
- B. Design guidelines;
- C. Open space and natural features;
- D. Pedestrian, bicycle, and vehicular circulation;
- E. Water quality;

F. Stormwater;

G. Utilities, exterior lighting, parking, and snow removal;

H. Trees and landscaping;

**I. Site Amenities;**

~~I~~**J.** Town character and historic significance;

~~J~~**K.** Impacts on public services and facilities;

~~K~~**L.** Signage;

~~L~~**M.** Safety;

~~M~~**N.** Energy efficient site design;

~~N~~**O.** Potential adverse effects and mitigation thereof.

**P. Plan and decision modifications**



## Accessory Family Dwelling Units

### DRAFT Amendments – 2/4/2016

ARTICLE : To see if the Town of Medway will vote to amend the Zoning Bylaw by deleting SECTION 8.2 Accessory Family Dwelling Unit in its entirety and replacing it as follows: Note that eliminated text is shown with a **strikethrough** and new text is shown in **bold**.

#### 8.2 ACCESSORY FAMILY DWELLING UNIT

A. Purposes. The purposes of this ~~sub-section Accessory Family Dwelling Unit bylaw~~ are to:

1. **establish an option for the creation of Accessory Family Dwelling units to provide suitable housing** ~~assist Medway residents with creating suitable housing to accommodate for a family member~~ **and/or a caregiver for a family member who is an occupant of the premises;**
2. **provide opportunities to support residents who wish to age in place; and**
3. **maintain the residential character of neighborhoods.**

B. Applicability. The Board of Appeals may grant a special permit for an accessory family dwelling unit in accordance with this Section 8.2 and Table 1: Schedule of Uses.

C. Basic Requirements.

1. An accessory family dwelling unit shall be located within:
  - a. ~~a detached single-family dwelling; or and designed so as to preserve the appearance of the single-family dwelling.~~
  - b. **an addition to a detached single-family dwelling; or**
  - c. **a separate structure on the same premises as a detached single-family dwelling.**
2. ~~There shall be only no more than one accessory family dwelling unit associated with a detached single-family dwelling. per premises on a lot, and no accessory family dwelling unit shall have more than one bedroom.~~
3. **No accessory family dwelling unit shall have more than one bedroom, unless a second bedroom is authorized by the Board of Appeals pursuant to 8.2.C. 8. herein.**
4. **An accessory family dwelling unit shall not exceed 800 sq. ft. of gross floor area unless:**
  - a. **there is an existing detached accessory structure larger than 800 sq. ft. located on the same lot as a detached single-family dwelling and the Board of Appeals determines its use as an accessory family dwelling unit is in character with the neighborhood; or**
  - b. **authorized by the Board of Appeals pursuant to 8.2.C.8. herein.**
3. ~~5.~~ **There shall be at least one designated off-street parking space for the accessory family dwelling unit in addition to parking for the occupants of the detached single-family principal dwelling. The off-street parking space shall be located in a garage or carport, or in the driveway, and shall have vehicular access to the driveway. shall not be permitted within any**

required yard area or setback. There shall be no additional driveway or curb cut providing access to the accessory family dwelling unit. **The location, quantity and adequacy of parking for the accessory family dwelling unit shall be reviewed by the Board of Appeals to ensure its location and appearance are in keeping with the residential character of the neighborhood.**

**6. Occupancy of the single-family dwelling and accessory family dwelling unit shall be restricted as follows:**

- a. **The owners of the property shall reside in one of the units as their primary residence, except for bona fide temporary absences due to employment, hospitalization, medical care, vacation, military service, or other comparable absences which would not negate the primary residency standard.** For purposes of this section, "owners" shall mean one or more individuals who hold legal or beneficial title to the premises.
- b. ~~The unit not occupied by the owners may only be occupied by the owners' immediate family or step-family members, grandparents, or in-laws. A notarized statement of the owner's relationship to the occupant shall be submitted to the Building Inspector prior to the issue of a certificate of occupancy for the accessory family dwelling unit.~~
- b. **The accessory dwelling unit shall be occupied by any one or more of the following:**
  - i. **the owner(s) of the property**
  - ii. **the owner's family by blood, marriage, adoption, foster care or guardianship**
  - iii. **an unrelated caregiver for an occupant of the detached single-family dwelling or the accessory family dwelling unit, who is an elder, a person with a disability, handicap or chronic disease/medical condition, or a child.**

**Prior to the Town's issuance of a certificate of occupancy for the accessory family dwelling unit, the property owner shall submit to the Building Inspector a notarized statement of the property owner's relationship to the occupant of the dwelling unit not occupied by the property owner.**

**7. An accessory family dwelling unit shall be designed so as to preserve the appearance of the single-family dwelling and be compatible with the residential character of the neighborhood. Any new separate outside entrance serving an accessory family dwelling unit shall be located on the side or in the rear of the building.**

**8. In order to encourage the development of housing units for disabled and handicapped individuals and persons with limited mobility or a chronic medical condition, the Board of Appeals may allow reasonable deviations from the Basic Requirements where necessary to install features in the accessory family dwelling unit to facilitate the care of, and access and mobility for, disabled and handicapped individuals and persons with limited mobility or a chronic medical condition. This may include, but is not limited to, authorizing a second bedroom in the accessory family dwelling unit.**

**D. — Limitations of Special Permit.** ~~The special permit for an accessory family dwelling unit shall expire not more than three years after the date of issuance unless extended by the Board of Appeals. Upon transfer or conveyance of the property, the special permit granted hereunder shall become null and void.~~

#### **D. Decision**

- 1. The Board of Appeals, in making its decision, shall make findings that all of the special permit criteria specified in SECTION 3.4 C. herein are met.**
- 2. Conditions, Limitations and Safeguards – Special permits shall be subject to the conditions, limitations, and safeguards set forth in SECTION 3.4.D. herein subject to such exceptions as the Board of Appeals may deem appropriate. Every special permit shall include the following conditions:**
  - a. Recording. The special permit shall be recorded with the Registry of Deeds prior to issuance of an occupancy permit for the accessory family dwelling unit.**
  - b. Transfer of Ownership. If the new owner(s) desires to continue to exercise the special permit, they must, within thirty (30) days of the conveyance, submit a notarized letter to the Building Inspector stating that they will occupy one of the dwelling units on the premises as their primary residence, except for bona fide temporary absences, and that the accessory family dwelling unit is to be occupied by one of parties specified in C. 6. b. herein.**
  - c. Bi-Annual Certification. The owner of the property shall provide a bi-annual certification to the Building Inspector verifying that the unit not occupied by the owner is occupied by one of the parties specified in C. 6. b. herein or that the space is being used for another lawfully allowed use pursuant to this Bylaw.**

And by deleting the current definition of Accessory Family Dwelling Unit in SECTION 2 DEFINITIONS and replacing it as follows:

~~Accessory Family Dwelling Unit: A separate and complete housekeeping unit contained within, or being an extension of, a single family dwelling to accommodate additional family members of a resident of the primary dwelling.~~

**Accessory Family Dwelling Unit: A separate dwelling unit contained within a detached single-family dwelling unit or in an accessory structure thereto and which is subordinate in size to the principal dwelling unit, that is designed to accommodate family members of and/or caregivers for a resident of the primary or accessory family dwelling unit and which includes its own living, sleeping, sanitary and food preparation facilities such that the occupant(s) of the accessory family dwelling unit does not need to rely on the corresponding facilities located in the primary dwelling unit.**

And by adding the following definition in SECTION 2 DEFINITIONS as follows:

**Caregiver: An individual who regularly looks after a child or a sick, elderly, disabled, or handicapped person or an individual with a chronic medical condition, by providing for or assisting with the tasks of daily living such as, but not limited to activities necessary to maintain good health, personal care, meal preparation, child care, household and property maintenance, and transportation.**

And to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD  
ZONING BOARD OF APPEALS

## Definition Ideas – 2/8/16

**ARTICLE :** To see if the Town of Medway will vote to amend the Zoning Bylaw by deleting item F. Building Height from Section 6.2. General Provisions and inserting the following definition in alphabetical order in SECTION 2 DEFINITIONS:

**Building Height** – The vertical distance from grade plane to the average height of the highest roof surface.

And by inserting the following definitions in alphabetical order in SECTION 2 DEFINITIONS:

**Garage, private residential:** A structure which is accessory to a residential building and used by the residents thereof for personal household storage and/or the parking and storage of motorized vehicles and other moveable items such as campers, boats and other types of recreational vehicles owned by the residents of the building, and which is not a separate commercial enterprise available to the general public.

**Membrane Structure:** An air-inflated, air-supported, tensioned, cable or frame-covered structure as defined by the International Building Code and not otherwise defined as a tent or canopy.

**Tent:** A structure, enclosure or shelter constructed of fabric or pliable material with or without sidewalls or drops, supported by any manner except by air or the contents that it protects.

**Self-Storage Facility:** A structure containing separate, individual, and private storage spaces of varying sizes leased or rented for varying periods of time for personal, household, and/or business storage.

**Automated Teller Machine (ATM) Kiosk:** A free-standing, electronic banking outlet which allows customers to complete various banking transactions without the aid of a branch representative or teller. NOTE – Sometimes referred to as automated banking machines.

**Abandonment of Use:** The intentional cessation or discontinuation of a particular use of property. The abandonment of a nonconforming use occurs when the owner forms an intent to abandon the use and engages in conduct that carries the implication of abandonment. Abandonment does not include temporary or short-term interruptions to a use or activity during periods of remodeling, maintaining, or otherwise improving or rearranging a facility, or during normal periods of vacation or seasonal closure.

**Museum:** A premises open to the public for the procurement, care, conservation, storage, study and display of inanimate objects of lasting historical, scientific, artistic or cultural interest or value.

**Movie Theatre/Cinema:** A venue, usually a building that contains an auditorium for viewing movies (films) for entertainment.

**Theatre:** A building, part of a building or outdoor area where plays, dramatic presentations and stage entertainment, etc., are performed.

**REVISED - Recreational Vehicle:** A vehicular type portable structure without a permanent foundation that can be towed, hauled, or driven and that is primarily designed or modified to



serve as a temporary living accommodation for recreational, camping and travel use and includes but is not limited to travel trailers, truck campers, caravan, camping trailers, and self-propelled motor homes.

And by eliminating the following existing definitions in SECTION 2 DEFINITIONS (noted in strikethroughs) and replacing them (as noted in **bold text**) as follows:

~~Shopping Center (Current): A group of commercial establishments planned, constructed, and managed as a total entity, with customer and employee parking provided on-site and provision for good delivery separated from customer access.~~

**Shopping Center/Multi-Tenant Development** (proposed): A group of two or more business establishments designed, planned, constructed and managed as a total entity, located in one or more buildings on one or more lots under single or multiple ownership, with customer and employee parking provided on-site.

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~~Family (current): Any number of individuals living and cooking together on the premises as a single housekeeping unit, as distinguished from a group occupying a boarding or lodging house, motel or hotel.~~

**Family** (proposed):

- An individual or two or more persons including children, who are related by blood, marriage, foster care, legal adoption or guardianship, living together as a single housekeeping unit
- A group of up to four individuals not related by blood, marriage, foster care, legal adoption or guardianship, living together as a single housekeeping unit
- Two unrelated adults and their related children living together as a single housekeeping unit

\*\*\*\*\*

~~Commercial Motor Vehicle (current): Any vehicle licensed by the Commonwealth of Massachusetts as a commercial motor vehicle (540 CMR 4.02 Special Definitions)~~

**Commercial Motor Vehicle** (proposed): Any vehicle defined as such by the Massachusetts Registry of Motor Vehicles in 540 CMR 2.05

\*\*\*\*\*

~~Dwelling Unit (current): One or more rooms providing complete living facilities for one family, including equipment for cooking or provisions for same, and including room or rooms for living, sleeping, and food preparation.~~

**Dwelling Unit** (proposed): One or more rooms providing complete living facilities for one family, including room or rooms for living, sleeping, food preparation and sanitary facilities.

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

## **ARTICLE on Parking of Commercial and Recreational Vehicles**

### **REVISED Draft – January 22, 2016**

**ARTICLE** : To see if the Town of Medway will vote to amend the Medway General By-laws by adding the following Section 12.26 in Article XII:

#### **Section 12. 26 Regulation of Parking and Storage of Recreational and Commercial Vehicles**

(a) **Purpose** - The purpose of this By-law is to regulate the outdoor parking and storage of commercial and recreational vehicles. This By-law is adopted to promote safe vehicular traffic, to preserve peace and good order, to protect the character of residential neighborhoods, to promote the aesthetic beauty of the community and hence the value of the property located therein, and to promote the health, safety and general welfare of the citizens of the Town of Medway.

#### **(b) Prohibitions/Limitations**

(1) **Public and Private Ways** - No person shall allow, permit, or cause a recreational vehicle or a commercial motor vehicle, bus or trailer having a Class 4 gross vehicle weight rating or higher to be parked at any location on any public or private way within the Town of Medway for any period in excess of four hours in any twenty-four hour period, unless said vehicle is in the process of loading, unloading, or providing some service to one or more adjacent properties.

#### **(2) Private Property**

a. For a business use authorized by special permit or variance by the Board of Appeals or for a pre-existing non-conforming business use, commercial motor vehicles with a Class 4 gross vehicle weight rating or higher shall not be parked within the standard front, side and rear setback areas established in the Zoning Bylaw for the applicable zoning district.

b. No person shall allow, permit, or cause a commercial motor vehicle with a Class 4 gross vehicle weight rating or higher to be parked on private property located within a residential zoning district unless done temporarily in connection with a bona fide commercial service, sales or delivery to such property not to exceed four hours in any twenty-four hour period.

(3) Not more than one unregistered vehicle of any kind may be parked or stored outside on any property.

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD  
INSPECTOR OF BUILDINGS



## **REVISE PROHIBITED USES**

Draft – February 8, 2016

**ARTICLE :** To see if the Town of Medway will vote to amend SECTION 5.2 of the Zoning Bylaw by inserting the following to Sub-Section 5.2 B. PROHIBITED USES:

B. 13. Self-Storage Facilities

And by revising the identification of item B. 13 to become B. 14.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

## MEDWAY DESIGN REVIEW COMMITTEE Bylaw

Draft – February 6, 2016

ARTICLE : To see if the Town of Medway will vote to amend the Medway General Bylaws, Section 2.15 Design Review Committee as follows. Items to be deleted are noted with a ~~strike through~~. Items to be added are noted in **bold text**.

### Section 2.15 – Design Review Committee

- (a) **Establishment** - There shall be a Design Review Committee (**DRC**) consisting of at least five (5) **and up to seven (7) voting** members who reside in Medway who shall be sworn to the faithful performance of their duties. **The DRC may also have up to three (3) non-voting advisors who reside and/or work in Medway.**
- (b) **Mission** - To serve the people of Medway in a capacity that openly, creatively and appropriately addresses issues of site, building and sign design for private and public development. The DRC is tasked with serving as an advocate to preserve and enhance Medway's natural, scenic and aesthetic qualities and to achieve the pleasing composition of places within the context of the *Medway Master Plan* and its overall goal of maintaining Medway's traditional New England village feel and appearance. The DRC works with the broad intention of maintaining and/or improving the quality of life of Medway's citizens, the value of property and the viability of commerce through the use of thoughtful and community-appropriate design and development practices as represented by the *Medway Design Review Guidelines*.
- ~~(b)(c)~~ **Appointments** -~~The Design Review Committee~~ **DRC members and advisors** shall be appointed by the Planning **and Economic Development** Board. ~~Committee~~ **DRC** members shall serve two (2) year staggered terms. **DRC advisors shall serve one (1) year terms.** ~~with the majority of the first members appointed for a two (2) year term and the remaining initial members appointed for a one (1) year term. Thereafter, each member shall serve for two (2) years or until his successor has been appointed.~~
- ~~(e)~~ (d) **Composition**
  - 1. ~~The Design Review Committee~~ **DRC** shall include one member of the Planning **and Economic Development** Board. ~~and a representative of the Medway Business Council.~~ The **majority of the** remaining members should ~~have be~~ **be design professionals with** experience and/or training in architecture, landscape design, site design, **graphic arts**, graphic design, sign design, planning, **environmental design**, **urban design** or other suitable **design** professions that could be helpful to the **DRC**. ~~Committee's work.~~ **Other members may include individuals representing various business interests such as reach estate, building trades, and local business organizations.**
  - 2. **DRC Advisors shall be individuals with particular design expertise who are able to provide periodic design consultation to the DRC in reviewing development permit applications and proposals.**
- ~~(d)~~ (e) **Responsibilities of the Design Review Committee**
  - 1. Assist and advise the Planning **and Economic Development** Board; ~~and its applicants, and other~~ **† Town boards, committees and departments as may**

~~request such assistance, with regard to~~ **proposals, applications and plans** for **Town issued development permits, subdivisions, site plans, special permits, sign permits, scenic road work permits, and other development proposals.** The Design Review Committee's recommendations are advisory and may include suggestions for modifications to proposed designs and conditions for approval of development proposals.

2. **Serve as a design resource and provide design expertise to assist and advise Town boards, committees, and departments regarding Town sponsored programs, proposals, capital improvement projects, and municipal building projects on municipally owned property and viewed in the public realm as such relate to site, building, landscape, signage, and graphic design matters.**
3. **The DRC's recommendations are advisory and may include suggestions for modifications to proposed designs and conditions for approval of development proposals to be consistent with the Medway *Design Review Guidelines*.**
- ~~2. Assist and advise the Planning Board regarding possible amendments to the *Medway Zoning Bylaw* and various *Rules and Regulations*.~~
- ~~3. Continue to promote and improve the use of the *Medway Design Guidelines*; recommend changes and improvements to the *Medway Design Guidelines*.~~
4. **Perform other duties and responsibilities as may be specified by the *Medway Zoning Bylaw*, or other Town bylaws, and various land use *Rules and Regulations* or and as may be requested by various Town boards, committees and departments.** ~~the Planning and Economic Development Board.~~
5. **Assist and advise the Planning and Economic Development Board regarding possible amendments to its various *Rules and Regulations* and to the *Zoning Bylaw*.**
6. **Promote and improve the use of the *Medway Design Review Guidelines* by public and private entities and recommend changes and improvements to the *Design Review Guidelines* to the Planning and Economic Development Board.**
- ~~5. Advocate for good design in municipal programs and capital projects.~~

(e) (f) **Design Review Guidelines** - In performing its work, the Design Review Committee shall be guided by the *Medway Master Plan* and by **the Medway Design Review Guidelines** ~~to be developed by the Committee and as adopted and published by the Planning and Economic Development Board.~~ after a duly called and advertised public hearing. ~~The Planning Board may amend the *Design Guidelines* from time to time after a duly called and noticed public hearing in accordance with customary Planning Board practice.~~

Or to act in any manner relating thereto.

Planning and Economic Development Board  
Design Review Committee