

October 11, 2016
Medway Planning and Economic Development Board Meeting
155 Village Street
Medway, MA 02053

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

ALSO PRESENT:

Susy Affleck-Childs, Planning and Economic Development Coordinator
Stephanie Mercandetti, Director of Planning and Economic Development
Mackenzie Leahy, Administrative Assistant
Gino Carlucci, PGC Associates
Town Counsel, Barbara St. Andre
Amy Sutherland, Recording Secretary

The Chairman opened the meeting at 7:00 pm.

There were no Citizen Comments.

Zoning Bylaw Amendments - Public Hearing Continuation

The Chairman opened the continued public hearing.

Town Counsel Barbara Saint Andre was present.

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

- Public Hearing Continuation Notice filed 10-6-2016 with Town Clerk.
- Collection of Zoning Bylaw Amendment Articles A-G.
- Collection of comparison charts.
- Collection of maps showing proposed zoning district boundaries.
- Marked up version of town meeting warrant from Town Counsel
- List of requested bylaw changes from 10-4-16 public hearing
- Lists of two family homes in Medway and in the proposed Village Residential district
- Map showing existing AR-II conforming lots within the proposed Village Residential district
- Map showing conforming lots under the proposed Village Residential dimensional regulations (75' frontage and 10,000 sq. ft. lot size)
- Map showing conforming lots under alternative Village Residential dimensional regulations (150' frontage and 10,000 sq. ft. lot size)

- Information table for Village Residential district
- Memorandum from Susy Affleck-Childs dated October 11, 2016 about Master Plan goals being addressed through various proposed amendments to the zoning bylaw.
- Proposed setback dimension packet.

Town Counsel advised the Board to be careful when defining common terms such as *boat* and also about over defining terms. She explained that there is no need to define *government facilities*. There is a lot of case law which exempts federal government facilities from local zoning regulation. In many cases the federal and state laws would override a local bylaw. If the Town wants to define the word municipal, do it very broadly.

The members are in receipt of the draft warrant dated 9-19-16. Each article pertaining to the PEDB was reviewed. The following comments were provided:

Definitions

- Auto body shop. Question re: use of word “manufactured”
- Delete Boat definition
- Brew Pub - Add language about how to measure amount of sales for off-site consumption and also language about it being accessory.
- Delete Building Materials definition
- Commercial indoor amusement – include words establishment and entertainment.
- Delete Dry Cleaner.
- Delete Family Child Care Home
- Delete Farm Equipment
- Delete Florist
- Delete Furniture Repair
- Gravel – include language about it being a commercial or business venture.
- Delete Group Home
- Delete Laundromat.
- Revise the wording for non-profit organization.
- Delete Optician.
- Delete Photocopying/printing
- Delete Religious Facility.
- Delete Shoe Repair
- Delete Tailor
- Delete Tourist home

There was a suggestion to do more vetting of the language re: regulation of gravel removal and land disturbance. The Board would like to put this on the list of bylaw ideas which need further discussion. Town Counsel indicated that gravel and loam operations have regulations under the Board of Health. It was suggested by Counsel that the use can be designed as a “no” (not allowed) throughout the use table.

Resident, Bob Parella, Broad Acres Farm Road:

Mr. Parella would like to see a separate definition for *assembly* and *distribution* which are part of manufacturing. He also indicated that this is not allowed in the C-V. He feels this should be an allowed use.

The Board discussed working on definitions for assembly and light manufacturing for the next town meeting. At this point, new definitions cannot be added.

The members next discussed the list dated 10-4-16 regarding the changes to the proposed bylaws as requested at the 10-4-16 public hearing. The list was reviewed item by item.

#1. Remove 2 and 6 Canal Street from VR:

- This was done.

#2. Retain drive-thru facility as a special permit use in CI/CB:

- The majority of the Board would like to stay with not allowing drive-thrus at all in CI/CB.

David Cassidy asked the Board to revisit the proposed change to not allow drive-thrus. It is his belief that if a business comes to town and wants a drive-thru the town should allow this. The current CVS has been a good business for town. He wanted to know if the representatives from the shopping plazas were notified about the proposed changes to the bylaw.

Andy Rodenhiser reported that the Board did reach out to the businesses and abutter notifications were sent.

#3. Retain Warehouse/Distribution facility as a “by right” use in CV.

Mr. Parella is concerned that if a business were to want this space they would not be able to have a showroom and an office. He would like the use to be changed from a no to yes. He knows of a company that wants to build robotics. With this change, this type of business would not be able to locate in C-V. Mr. Parella will write his request to the Board.

#4. Retain convenience store/vehicle fuel station as a “special permit” use in CV.

- Keep this as proposed.

#5. Adjust VR dimensional requirements to include proposed reduced setback changes without changing the current AR-II frontage (150') and area (22,500 sq. ft.) requirements

A resident from 180 Village Street wanted to know if he could subdivide his land into two lots of 15,000 or more and have two, two families on each lot.

The Chairman indicated yes.

Resident Mike Francis referenced the sheet Proposed Village Residential District Land Use Data dated 10/11/16. He was wondering what the full buildout of the VR will do to the town.

Resident Parella responded that this would be a financial loss for the Town since it would result in more children in the schools and also more demand for water and sewer services.

Some of the members of the audience would like two-family homes to be by special permit and not by right.

There was a suggestion to consider making the lot for a two family have a minimum of 100' of frontage and 22,500 sq. feet of area.

Resident Jeremy Barstow, 4 Narragansett Street:

Mr. Barstow does not want to reduce the frontage length in VR but does support the reduction in setbacks. This will change the character of the area. He reported that he called several banks and there are no negatives for a non-conforming lot when getting a loan. The only problem comes when there was building without a permit. He also noted that by allowing two-families by right, there are less control measures in place. He would like to have a two family by special permit and not by right.

Resident Eric Alexander – 3 Phillips Street:

Mr. Alexander responded that he has worked in housing development and there can be a problem with nonconforming for financing and it can be difficult to get title insurance. But bringing existing lots into conformance is a good thing and is easier for financing loans. He does not see that this will create a big change in the town.

Resident Bob Parella, Broad Acres Farm Road:

Mr. Parella indicated that he has been in banking for 20 years and conforming lots for residential is not the issue. No loans have been denied for non-conformity. These houses will be taken down and multifamily homes will be rebuilt. This will change the area in its entirety. He referred to the Town of Watertown.

Resident Brian Adams, Milford Street:

Mr. Adams asked if there is a law to protect the historic district. He references a property at 9 Milford Street which was torn down.

Susy Affleck-Childs stated that the Medway Historic Districts are nationally designated and are protected from adverse federal action but there are no specific local provisions for addressing renovation of buildings in the historic district.

The Board is comfortable with what was is being proposed for the VR district – 75' frontage and 10,000 sq. ft. of area for a single family home.

#6. Include existing business uses in CIII as by right such as contractor's yard, landscaping company, etc.

- Keep as proposed.

#7. Improve definition of buffer and restore notes on buffer from current dimensional table.

- Do further work to review the definition of buffer in the ARCPUD, and Open Space section. This needs to be reviewed further.

The Board discussed the definition of buffer. Resident Barstow indicated that there is a loophole regarding the interpretation of buffer. It was discussed that just land can provide a suitable buffer. Space and distance can also be a buffer. There was a suggestion to remove the proposed definition of buffer and discuss it further and then put forth a new definition for the next town meeting. There was also a recommendation to put a definition in and then this can be amended at a later date. The Board decided to remove the definition for now.

#8. Remove 2 Family by right in VR.

- Suggested to change it to "Special Permit". The Board concurred and agreed to change the dimensional requirements for a 2 family to 100' of frontage and 22,500 sq. ft. of area for new construction or addition.

Resident Jeremy Barstow, 4 Narragansett Street:

Mr. Barstow communicated that by allowing two families by right, there are less control measures in place. He would like to have a two family by special permit and not by right.

The Board is in receipt of a memorandum dated October 11, 2016 which indicated that the 2009 Master Plan goals are addressed through the various proposed amendments to the Medway Zoning Bylaw. It was suggested that the articles be aligned with this sheet.

Closing of Public Hearing:

On a motion made by Rich Di Iulio and seconded by Matt Hayes, the Board voted unanimously to close the public hearing for the zoning warrant articles.

Zoning Bylaw Recommendations:

On a motion made by Bob Tucker and seconded by Rich Di Iulio, the Board voted unanimously to recommend the zoning bylaw amendment articles as presented with the noted revisions.

Medway Gardens Site Plan Modification:

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

- Email request from Joe Avellino dated October 11, 2016 to extend the deadline of action on the site plan modification to November 11, 2016 and for the Board to continue the discussion to November 8, 2016.

On a motion made by Bob Tucker and seconded by Rich Di Iulio, the Board voted to rescind the previous vote for the action deadline extension for the Medway Gardens site plan modification and to extend it to November 11, 2016 instead.

Construction Reports: The Board was provided with the following reports: (See Attached)

- 2 Marc Road Construction Report #7 (9-30-16)

- 2 Marc Road Construction Report #8 (10-6-16)
- Dan Merrikin's Monthly report on 2 Marc Road (10-7-16)
- Millstone Construction Report #72 (9-30-16)
- Email memos dated 9-26-16 from Steve Bouley and Bridget Graziano

PEDB Meeting Minutes:

September 27, 2016:

On a motion made by Matt Hayes and seconded Rich Di Iulio, the Planning and Economic Development Board voted unanimously to accept the minutes of the September 27, 2016 meeting as presented.

August 16, 2016:

On a motion made by Bob Tucker and seconded Rich Di Iulio, the Planning and Economic Development Board voted unanimously to accept the minutes of the August 16, 2016 meeting as presented.

Adjourn:

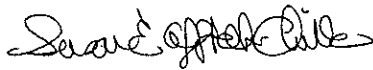
On a motion made by Rich Di Iulio and seconded by Matt Hayes, the Board voted unanimously to adjourn the meeting at 10:15 pm.

Respectfully Submitted,

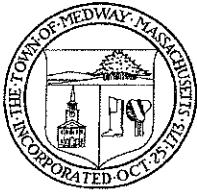


Amy Sutherland
Recording Secretary

Reviewed and edited by,



Susan E. Affleck-Childs
Planning and Economic Development Coordinator



October 11, 2016
Medway Planning & Economic Development Board
Meeting

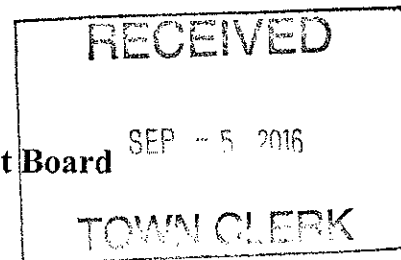
Zoning Bylaw Amendments
Public Hearing Continuation

- Public Hearing Continuation Notice filed 10-6-16 with Town Clerk
- Collection of Zoning Bylaw Amendment Articles A – G
- Collection of comparison charts
- Collection of maps showing proposed zoning district boundaries
- Marked up version of warrant from Town Counsel Barbara Saint Andre
- List of requested changes from 10-4-16 hearing
- Spreadsheet listing all existing 2-family properties throughout Medway
- Spreadsheet listing all existing 2-family properties within the proposed VR District
- Map showing location of all existing 2-family properties within the proposed VR district

Other research is forthcoming to you on Tuesday, either electronically or as a handout at the meeting. Stay tuned!



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



*Andy Rodenhiser, Chairman
Robert K. Tucker, Vice-Chairman
Thomas A. Gay, Clerk
Matthew Hayes, P.E.
Richard Di Iulio*

MEMORANDUM

October 5, 2016

TO: Maryjane White, Town Clerk
Town of Medway Departments, Boards and Committees

FROM: Susy Affleck-Childs, Planning & Economic Development Coordinator

RE: ***Public Hearing Continuation – Proposed Amendments to the Medway Zoning Bylaw***
CONTINUATION DATE – Tuesday, October 11, 2016 at 7:15 p.m.
LOCATION – Medway Town Hall, 155 Village Street

At its meeting on October 4, 2016, the Planning and Economic Development Board voted to continue the public hearing on proposed amendments to the *Medway Zoning Bylaw* to Tuesday, October 11, 2016 at 7:00 p.m. The public hearing will occur during a regular meeting of the Planning and Economic Development Board to be held in Sanford Hall at Medway Town Hall, 155 Village Street.

The proposals include the establishment of a new Village Residential Zoning District, a series of new definitions, changes to Table 1 - Schedule of Uses, changes to Table 2 – Dimensional and Density Regulations, changes to the names of several zoning districts and the corresponding changes to the Zoning Map, and adjustments to the allowed hours of operation for registered medical marijuana facilities. The proposals were developed by the Planning and Economic Development Board and have been submitted to the Board of Selectmen for placement on the warrant for the 2015 Annual Town Meeting.

The proposed amendments are available for review at:
<http://www.townofmedway.org/planning-economic-development-board/pages/warrant-articles-november-14-2016-town-meeting>

If you have any review comments, please direct them to me prior to October 10, 2016 so that they can be shared with the Board and entered into the public hearing record. Thanks.

Please contact me if you have any questions.

ARTICLE A

VILLAGE RESIDENTIAL ZONE

Draft – September 15, 2016

ARTICLE To see if the Town of Medway will vote to amend the Zoning Bylaw and Map to establish a new Village Residential Zoning district as follows:

- by rezoning a portion of the current Agricultural Residential II (ARII) zoning district to Village Residential (VR) and amending the Zoning Map to show the boundaries of the new district, a copy of which is on file with the Medway Town Clerk;
- by revising Section 4.1 Districts by adding *Village Residential* to the list of districts in A. Residential Districts;
- by revising Section 5.4 Schedule of Uses by inserting *Village Residential (VR)* to Table 1: Schedule of Uses; (*NOTE – The details for allowed uses in the Village Residential zone are provided in Article E*)
- by revising Section 6.1 Dimensional and Density Regulations by inserting *Village Residential (VR)* to Table 2: Dimensional and Density Regulations; (*NOTE – The details for dimensional and density regulations in the Village Residential zone are provided in Article F*)
- by revising Section 5.6.4 Multifamily Housing, B. Applicability, 1. by adding *Village Residential (VR)* to the list of locations for multifamily housing;
- by revising Section 7.2.5 Sign Standards by adding *Village Residential* to the header of Table 4; and by
- revising Section 8.1 Infill Housing A. Purposes and B. Applicability by adding *Village Residential (VR)* to the list of locations for infill dwelling units.

And to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

ARTICLE B

VILLAGE COMMERCIAL DISTRICT

Draft – September 15, 2016

ARTICLE ____ To see if the Town of Medway will vote to amend the Zoning Bylaw and Map to establish a new Village Commercial Zoning District as follows:

- by rezoning all of the parcels in the current Commercial III (C-III) and Commercial IV (C-IV) zoning districts to Village Commercial (VC) and amending the Zoning Map to re-label the name of Commercial III and Commercial IV to Village Commercial without changing the boundaries in any manner, as shown on a map, a copy of which is on file with the Medway Town Clerk;
- by deleting *Commercial III* and *Commercial IV* from the list in B. Nonresidential Districts in Section 4.1 Districts and inserting *Village Commercial* in its place and renumbering the list accordingly;
- by deleting *Commercial III (C-III)* and *Commercial IV (C-IV)* from Table 1: Schedule of Uses in Section 5.4 Schedule of Uses and inserting *Village Commercial (VC)* in its place;
- by deleting *Commercial III (C-III)* and *Commercial IV (C-IV)* from Table 2: Dimensional and Density Regulations in Section 6.1 Dimensional and Density Regulations and inserting *Village Commercial (VC)* in its place;
- deleting *Commercial Districts III and IV* from the header of Table 10 in Section 7.2.5 Sign Standards and inserting *Village Commercial District* in its place; and by
- deleting reference to *Commercial Districts III and IV* in Section 5.6.4 Multifamily Housing, B. Applicability, 1. and inserting *Village Commercial* in its place to the list of locations for multifamily housing.

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

ARTICLE C

CENTRAL BUSINESS DISTRICT

Draft – September 15, 2016

ARTICLE ____ To see if the Town of Medway will vote to amend the Zoning Bylaw and Map to establish a new Central Business zoning district as follows:

- by rezoning all of the parcels in the current Commercial I (C-I) district to Central Business (CB) district and amending the Zoning Map to re-label the name of Commercial I to Central Business district without changing the boundaries in any manner, as shown on a map, a copy of which is on file with the Medway Town Clerk;
- by deleting *Commercial I* from the list of B. Nonresidential Districts in Section 4.1. Districts and inserting *Central Business* in its place;
- by deleting *Commercial I (C-I)* from Table 1: Schedule of Uses in Section 5.4 Schedule of Uses and inserting *Central Business (CB)* in its place;
- by deleting *Commercial I (C-I)* from Table 2: Dimensional and Density Regulations in Section 6.1 Dimensional and Density Regulations and inserting *Central Business (CB)* in its place;
- by deleting *Commercial District I – Route 109 Business District* from the header of Table 5 in Section 7.2.5 Sign Standards and inserting *Central Business District* in its place;
- by deleting all references to *Commercial I District, C-I, and C1* in Section 5.4.1 Special Permits in the Commercial I District and inserting *Central Business District (CB)* in its place; and by
- by deleting *Commercial I* from Section 8.9. Registered Marijuana Dispensary, D. Eligible Locations and inserting *Central Business* in its place.

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

ARTICLE D

ZONING BYLAW AMENDMENTS – DEFINITIONS

REVISED DRAFT – September 15, 2016

ARTICLE : To see if the Town of Medway will vote to amend SECTION 2 Definitions of the Medway Zoning Bylaw by inserting the following definitions in alphabetical order:

Auto Body Shop - An establishment in which bodies and frames for damaged vehicles, such as automobiles, trucks, or the like, are manufactured, repaired, straightened, or painted and which may include vehicle repair services as an accessory use.

Auto Parts – An establishment selling various components which are used to build or repair automotive vehicles and keep them performing safely and efficiently. May also include the sale of associated supplies and tools for the maintenance and upkeep of motor vehicles and various automotive accessories.

Boat – A vessel of any size built for navigation on a river or other body of water propelled by oars or paddles or by sail or power generated by an internal combustion engine.

Boathouse – An enclosed or partially enclosed building or shed for sheltering a boat or boats and associated marine equipment on or near a river, stream, pond or lake.

Brew Pub – Restaurant licensed under the relevant state and federal statutes to produce and sell beer and/or ale at the location for on-premises consumption. May include facilities for customers to brew on-premises for personal consumption off-site. Beverages produced on the premises may be sold to other establishments but shall not exceed 50% of the establishment's production capacity.

Brewery, Distillery or Winery - A business establishment located in a building that uses equipment and/or processes for the production and distribution of malt, spirituous, or vinous beverages pursuant to MGL. ch. 138, §19. Such establishment may include on-site sampling, the sale of permitted beverages produced on the premises to consumers for off-site consumption, and the sale of commercial goods branded by the establishment. A tasting room, not to exceed 25% of the building's gross square footage, that allows patrons to sample or consume beverages that are produced on premises is permitted as an accessory use. The establishment may also host marketing events, special events, and/or factory tours.

Buffer – Open spaces, natural wooded or open areas, landscaped areas, fences, walls, earthen berms or mounds, or any combination thereof used to physically separate or screen one use or property from another so as to visually shield or block noise, lights or other nuisances, except as may be defined by other provisions of this Bylaw.

Building Materials – Natural materials and man-made products which are used for construction purposes including but not limited to lumber, plumbing, heating, ventilating, air conditioning, insulation, roofing and electrical products.

Child Care Facility – As defined in MGL, ch. 5D, §1A.

Commercial indoor amusement - A business establishment engaged in providing indoor entertainment or games for a fee to the general public and including but not limited to such activities as a dance hall, bowling alley, billiard or pool establishment, skate park, rock climbing, baseball, trampoline jumping, golf, family fun/entertainment/amusement center, playground, and other similar uses and which may include the provision of food and drink as an accessory use.

Community Center – A building used for recreational, social, educational, and cultural activities, open to the public or a designated part of the public, usually owned and operated by a public or non-profit group organization.

Doggie Day Care – A business establishment where dogs are dropped off and picked up for temporary daytime care on the premises and where they may be groomed, trained, exercised and socialized, but are not boarded overnight, bred, or sold.

Dry Cleaner – A business establishment where clothes, fabrics, textiles and other items are cleaned with dry-cleaning chemical solvents with little or no water.

Educational/Instructional Facility, commercial – Any building or part thereof which is designed, constructed or used for education or instruction in any branch of knowledge or skill, organized on a commercial basis including but not limited to schools for vocational and technical training, art, dance, gymnastics, yoga, martial arts and other sports activities.

Educational Facility, non-profit – Any building or part thereof which is designed, constructed or used for education or instruction in any branch of knowledge or skill, organized on a non-profit basis or operated on land owned or leased by the commonwealth or any of its agencies, subdivisions, or body politic, or by a religious sect or denomination, or by a nonprofit educational corporation.

Electric Power Generation – The process of generating electric power from other sources of primary energy such as electromechanical generators, heat engines fueled by chemical combustion, kinetic energy such as flowing water and wind, and other energy sources such as solar photovoltaic and geothermal power.

Family Day Care Home – As defined in MGL, ch. 28A, §9.

Farm Equipment – Equipment and implements that are used or intended for use in farming operations, including any tractor, combine, engine, motor or attachment including but not limited to a cultivator, tiller, harvester, reaper, hay conditioner, haymaker, or thresher.

Financial Institution – Establishments such as banks, savings and loans, credit unions, insurance companies, mortgage offices, and brokerage firms dealing in monetary transactions for consumers such as deposits, loans, investments and currency exchange.

Fitness Facility – An establishment providing exercise space, facilities and equipment or classes for the purposes of physical exercise. Commonly referred to as a fitness club, health or athletic club, fitness center, and gym. May also provide personal training, locker rooms, showers and fitness studios and other similar facilities and services.

Florist – An establishment which sells flowers and plants and accessory items thereto

Funeral Home – A building used for the preparation of the deceased for burial and the display of the deceased and rituals connected thereto before burial or cremation and which may include areas for a chapel, sale of caskets and other funeral supplies, and a crematorium.

Furniture Repair - Establishment primarily engaged in repairing, reupholstering, refinishing, reconstructing or restoring furniture.

Gallery – An established engaged in the display, sale or loan of works of art to the general public.

Golf Course – A tract of land laid out with at least nine holes for playing the game of golf and improved with tees, greens, fairways and hazards and that may include a clubhouse and shelter as accessory uses.

Government Facility – Any building, structure, facility or complex operated by any federal, state or county, or agency or instrumentality thereof such as but not limited to schools, libraries, police stations, fire stations, senior centers, offices, parks, playgrounds, fields, community centers, garages and other public works facilities, and other similar governmental uses.

Gravel/loam/sand or stone removal, commercial – A business establishment which removes soil including but not limited to sod, loam, sand, gravel, clay, peat, hardpan, rock, quarried stone or mineral products from land on the premises where the establishment is located.

Greenhouse – A building whose roof and sides are made largely of glass or other transparent or translucent material and in which the temperature and humidity can be regulated for the cultivation and protection of plants.

Greenhouse, commercial – A greenhouse which grows plants which are sold at retail or wholesale.

Group Home - Small, community-based residential facility, licensed by the Commonwealth of Massachusetts, designed to serve and provide on-going care, support for daily living and habilitation services for children or adults with chronic disabilities, of whom one or more are unrelated, and which operate as a single housekeeping unit. These homes usually have six or fewer occupants and are staffed 24 hours a day by trained caregivers.

Indoor Storage – An area within a non-residential establishment for the placement and safe keeping of materials, products or equipment

Impervious Coverage – That portion of a lot that is covered by buildings, including accessory buildings, and all paved and other impervious surfaces. Impervious coverage shall be determined by dividing the combined area of the footprint of all buildings and all paved and impervious surfaces on a lot by the total area of the lot

Infill Dwelling Unit – As specified in Section 8.1 of this Bylaw.

Inn – An establishment that provides temporary overnight lodging to the general public for compensation, not to exceed 10 guest rooms, for transient guests and where a dining room for the serving meals may be operated on the premises, and wherein the owner or operator may or may not maintain a place of principal residence.

Large Family Child Care Home - As defined in MGL, ch. 15D, §1A.

Laundromat – An establishment providing self-service washing, drying or dry-cleaning machines on the premises for rental use to the general public and which may include drop off-pick up service.

Livery/Riding Stable – An establishment designed and equipped for the feeding, boarding, exercising or training of horses not owned by the owner of the premises and for which the owner of the premises receives compensation and which may include instruction in riding, jumping or showing or where horses may be hired for riding.

Lodge or Club – A facility operated by a private, non-profit organization established around a common interest such as a fraternal, civic, alumni, social, recreational or sports club, or other similar organization, to which membership is limited or controlled. May include meeting space, dining facilities, and outdoor areas.

Motor Vehicle – A self-propelled device designed and used for the transportation of people or goods over land surfaces

Municipal Use – Any use, building, facility or area owned or leased by and operated by the Town of Medway for the general use and welfare of the Town, its inhabitants or businesses located within the Town.

Non-profit Organization - A corporation or an association that conducts business for the benefit of the general public or is dedicated to furthering a given cause. A non-profit organization operates without a profit motive, using any surplus revenues to further achieve its purpose rather than distributing its surplus income to shareholders. Organizations recognized by the Internal Revenue Service under section 501c are exempt from federal taxes.

Nursery – Land used to raise plants, flowers, shrubs, bushes, or trees grown on the premises for sale or transplanting. May include greenhouses and retail sales of associated nursery goods and products.

Open Space – Those areas of a lot on which no building or structure is permitted except as authorized by other provisions of this Bylaw, and which shall not be used for streets, driveways, sidewalks, parking, storage or display. Open space may serve as areas for buffers, active and passive recreation, natural and scenic resource protection, land conservation, or other similar uses and may include landscaped areas.

Open Space Residential Development (OSRD) – As specified in Section 8.4 of this Bylaw.

Optician – A business establishment where eyeglasses and contact lenses are made and/or supplied to correct vision.

Outdoor Dining – A dining area with tables and seating available for restaurant-style eating outdoors, usually located on the sidewalk or an open area adjacent to its affiliated restaurant, and usually operated on a seasonal basis.

Outdoor Display – The temporary display of goods and products sold by a business establishment, located on the same premises but not including such display on any parking, delivery or loading areas, fire lanes, drive aisles, or sidewalks where less than 6 feet of sidewalk width remains for pedestrian access, or other features that could cause a safety hazard, and limited to the hours the business is open.

Outdoor Storage – An outside area for the storage or display of materials, goods or manufactured products produced or used by the principal use of the property, for more than a twenty-four hour period.

Personal Care Service Establishment – A business establishment providing personal care and grooming services to individuals including but not limited to a barber shop, beauty shop, hair salon, nail salon, tanning salon, cosmetology and spa services, and other similar services.

Photocopying/Printing – A business establishment that offers photocopying, printing and ancillary services.

Recreational Facility – A public or private establishment designed and equipped for the conduct of sports, recreational, educational, and/or leisure-time activities including but not limited to fields, courts, swimming pools, rinks, tracks, golf courses, mini-golf, driving ranges, and other similar uses. The facility may be comprised of indoor and outdoor facilities, a clubhouse and/or other customary accessory buildings and uses and may include the provision of seasonal, organized youth and/or family oriented programs and overnight accommodations.

Recreational Facility, Commercial – A recreational facility operated as a business and open to the general public for a fee.

Recreational Facility, Private – A recreational facility open only to bona fide members and guests of such organization.

Religious Facility – A structure, building or place used by a religious sect or denomination for worship, ceremonies, rituals, assembly, or study or education pertaining to a particular system of religious beliefs. May include a cathedral, chapel, church, convent, meeting house, monastery, mosque, sanctuary, shrine, synagogue, temple and other places of religious worship, and which may also include associated facilities whose purposes are substantially related to the religious purposes of such sect or denomination such as a rectory, parsonage, offices, meeting facilities, or outdoor recreational and open space.

Repair Shop - A business establishment where household machines, equipment, tools, appliances and other similar items can be taken to be repaired or serviced, but not including vehicle repair.

Sawmill – A place or building in which timber from off the premises is sawed, split, shaved, planed, stripped, chipped or otherwise processed by machinery into planks, boards, mulch, firewood or other wood products.

Shelter - An establishment giving temporary protective sanctuary to victims of crime, abuse or homelessness, by providing housing, food, counseling, support and educational services to those needing assistance, usually operated by a non-profit organization.

Shoe Repair – A business establishment where shoes, boots and other footwear can be taken to be repaired and which may offer shoe polishing and cleaning services and may sell footwear accessories and specialty shoe products.

Ski Area – An area developed for skiing, boarding or tubing with trails and which may include lifts, ski rentals and sales, and instruction and eating facilities

Studio – A building, room or space where a craftsperson, artist, sculptor, photographer, musician or other artisan, designer or craftsperson works and which may include incidental accessory uses such as a gallery, retail sales of art produced on the premises, and instruction.

Tailor – A business establishment where clothes and garments are made, mended or altered for individual customers

Trailer - A non-motorized vehicle, often a long platform or box/container with two or more wheels, which is pulled behind a motorized vehicle and used to transport things.

Veterinary Hospital – A building where animals are given medical care, observation and treatment including surgery for their diseases and injuries and which may include the short-term boarding of animals during their convalescence.

Warehouse/Distribution Facility – A building or area used primarily for the storage of raw materials, manufactured goods, products, cargo or equipment before their export or distribution for sale to retailers, wholesalers, or directly to consumers.

Wholesale - The business of selling things in large quantities to other businesses for resale rather than to individual retail consumers.

Wholesale Showroom - A room or space used for displaying a company's products, goods and merchandise not for direct sale to consumers.

And by revising the definition for **Manufacturing** by adding the language noted below in **bold text**:

Manufacturing – The transformation of raw materials or substances, components or parts into new products by the use of machines, tools, and labor through a mechanical, chemical or other process. Also includes the blending of materials and the assembly of component parts **and the packaging of products for distribution, storage and sale.**

And by deleting **Tourist Home** from the list of Definitions.

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

ARTICLE E

Table of Uses

Draft 9-16-16

ARTICLE: To see if the Town of Medway will vote to amend the Zoning Bylaw, Section 5.4 Schedule of Uses by deleting TABLE 1: Schedule of Uses in its entirety and inserting a new TABLE 1: Schedule of Uses in its place as follows:

NOTE - Deleted text is shown with a ~~strikethrough~~. New and revised language is shown in **highlighted bolded text**.

TABLE 1: SCHEDULE OF USES										
	AR-I	AR-II	VR	C-I CB	C-III & IV VC	C-V	BI	I-I	I-II	I-III
A. AGRICULTURE, CONSERVATION, RECREATION USES										
Agriculture, excluding piggeries and fur farms on less than 5 acres of land, and excluding livestock on less than 44,000 sq. ft. of land. <i>(Revised 11/16/15)</i>	Y	Y	N	N	N	N	N	N	N	N
Poultry on less than 1 acre. Minimum lot size for poultry is 5,000 sq. ft. subject to Board of Health regulations. <i>(Added 11/16/15)</i>	Y	Y	Y	N	N	N	N	N	N	N
Commercial Greenhouse	SP	SP	N	N	N	Y	Y	N	N	N
Nursery	SP	SP	N	N	N	Y	Y	N	N	N
Nonprofit recreational use	Y	Y		N	N	N	N	N	N	N
Recreational facility	SP	SP	N	N	N	N	Y	Y	N	N
Sawmill	SP	N		N	N	N	N	N	N	N
Boathouse, ski tow, golf course	SP	SP		N	N	N	N	N	N	N
Ski Area	SP	SP	N	N	N	N	N	N	N	N
Golf course	SP	SP	N	N	N	N	N	N	N	N
Livery riding stable	Y	Y	N	N	N	N	N	N	N	N
Gravel, loam, sand, or stone removal, except that in the AR-I and AR-II districts, no special permit shall be required when removal of such materials is incidental to the construction or alteration of buildings for which a permit has been issued by the Board of Selectmen. NOTE - This use is being moved to the INDUSTRIAL USES section of the Use Table	SP	SP		N	N	N	N	N	N	N

TABLE 1: SCHEDULE OF USES										
B. PUBLIC SERVICE										
Municipal use	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Public utility	SP	SP	SP	SP	Y	Y	Y	Y	Y	Y
Governmental facility	SP	SP	SP	Y	SP	Y	Y	Y	Y	Y

TABLE 1: SCHEDULE OF USES										
	AR-I	AR-II	VR	C-I CB	C-III & IV VC	C-V	BI	I - I	I - II	I - III
C. RESIDENTIAL AND INSTITUTIONAL USES										
Detached single-family dwelling	Y	Y	Y	N	Y	N	N	N	N	N
Two-family dwelling, provided that the exterior of the dwelling has the appearance of a single-family dwelling.	N	SP	Y	N	N	N	N	N	N	N
Infill dwelling unit, subject to Section 8.1.	N	SP	SP	N	N	N	N	N	N	N
Open space residential development, subject to Section 8.4	PB	PB	N	N	N	N	N	N	N	N
Assisted living residence facility	N PB	N PB	N	PB N	N	N	N	N	N	N
Adult retirement community planned unit development, subject to Section 8.5	PB	PB	N	N	N	N	N	N	N	N
Multifamily dwellings and multifamily developments subject to Section 5.6.2 E and Section 5.6.4 (Added 11/16/15)	N PB	PB	PB	N	PB	N	N	N	N	N
Multifamily units in combination with a commercial use that is permitted or allowed by special permit, subject to Section 5.4.1.	N	N	N	PB	N	N	N	N	N	N
Long-term care facility	SP	SP	N	N	N	N	N	N	N	N
Group home	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Shelter	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Accessory Uses										
Accessory family dwelling unit, subject to Section 8.2	SP	SP	SP	N	SP	N	N	N	N	N
Home-based business, subject to Section 8.3	Y	Y	Y	N	Y	N	N	N	N	N
Family day care home and large family child care home	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Boathouse	Y	Y	N	N	N	N	N	N	N	N
Greenhouse	Y	Y	Y	N	N	N	N	N	N	N

TABLE 1: SCHEDULE OF USES

	AR-I	AR-II	VR	C-I CB	C-III & IV VC	C-V	BI	I-I	I-II	I-III
D. BUSINESS USES										
Retail Trade										
Retail bakery <i>(Added 11/16/15)</i>	N	N	N	Y	Y	Y	Y	N	N	N
Retail store sales	N	N	N	Y	Y	Y	Y	N	N	N
Retail store larger than 20,000 sq. ft.	N	N	N	SP	N	N	SP	N	N	N
Shopping center/multi-tenant development	N	N	N	SP	N	SP	SP	N	N	N
Auto parts	N	N	N	N	N	N	Y	N	N	N
Nursery and Florist	N	N	N	N Y	N Y	Y	Y	N	N	N
Indoor sales of motor vehicles, trailers, boats, farm equipment, with accessory repair services and storage, but excluding auto body, welding, or soldering shop	N	N	N	Y	N	N	N	N	N	N
Sale and storage of building materials to be sold on the premises <i>NOTE - This has been moved to the Industrial Uses section</i>	N	N		N	N	N	Y	Y	N	N
Outdoor retail sales Retail sales, outdoors	N	N	N	N	N	N	Y	N	N	N
Hospitality and Food Services										
Restaurant providing food within a building, which may include outdoor seating on an adjoining patio	N	N	N	Y	Y	Y	Y	N	N	N
Restaurant providing live entertainment within a building, subject to license from the Board of Selectmen	N	N	N	SP Y	N SP	N SP	N	N	N	N
Brew pub	N	N	N	Y	Y	Y	Y	N	N	N
Motel or hotel	N	N	N	SP	N	N	N	N	N	N Y
Bed and breakfast	SP	SP	SP	N	SP	N	N	N	N	N
Inn	SP	SP	SP	SP	SP	N	N	N	N	N
Cultural and Entertainment Uses										
Studio for artists, photographers, interior decorators, other design-related uses	N	N	SP	N Y	N Y	Y	N	N	N	N
Museum	N	N	N	Y	SP	SP	N	N	N	N
Movie theatre/cinema	N	N	N	SP	N	N	N	N	N	N
Theatre	N	N	N	Y	SP	SP	N	N	N	N
Gallery	N	N	N	Y	Y	Y	N	N	N	N
Commercial indoor amusement <i>NOTE - This use was moved here from Business Uses - Services</i>	N	N	N	SP	N	N	Y	Y	Y	Y

TABLE 1: SCHEDULE OF USES

	AR-I	AR-II	VR	C-I CB	C-III & IV VC	C-V	BI	I-I	I-II	I-III
D. BUSINESS USES										
Professional Uses and Financial Services										
Bank or other f Financial institution	N	N	N	Y	Y	Y	Y	N	N	N
Professional or business office	N	N	N	Y	Y	Y	Y	Y	Y	Y
Services										
Barber shop, beauty shop, nail salon, and similar p Personal care service establishments	N	N	N	Y	N Y	Y	Y	N	N	N
Consumer services such as but not limited to health care, fitness facility, optician, dry cleaner, laundry, laundromat, florist, shoe repair, photocopy/printing, bakery, photography studio, tailor, and other similar businesses and services	N	N	N	Y	N Y	N Y	N Y	N	N	N
Doggie Day Care	N	N	N	N	N	N	SP	N	N	N
Repair shop for small equipment, bicycles, appliances, tools	N	N	N	Y N	N Y	N Y	N Y	N SP	N	N
Furniture Repair	N	N	N	N	Y	Y	Y	SP	N	N
Educational/instructional facility, commercial	N	N	N	Y	Y	Y	Y	Y	N	N
Commercial indoor amusement or recreation, or similar place of assembly <i>NOTE - This use was moved to Business Uses - Cultural and Entertainment</i>	N	N		SP	N	N	N	N	N	N
Funeral home, undertaker	N SP	N SP	N	Y SP	Y	Y	Y	N	N	N
Veterinary hospital	SP	SP	N	N	N	N Y	N Y	N	N	N
Kennel	SP	SP	SP	SP N	SP	SP N	SP	SP	SP N	SP N
Medical office or clinic	N	N	N	Y	Y	Y	Y	N	N	N
Child care facility	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Adult day care facility, subject to Section 8.5	PB	PB	N	N	N	N	N	N	N	N

TABLE 1: SCHEDULE OF USES

	AR-I	AR-II	VR	C-I CB	C-III & IV VC	C-V	BI	I-I	I-II	I-III
D. BUSINESS USES										
Automotive Uses										
Vehicle fuel station with repair services	N	N	N	N	N	N	PB	N	N	N
Vehicle fuel station, with car wash	N	N	N	SP N	N	N	N PB	N	N	N
Car wash	N	N	N	SP N	N	N	SP PB	N	N	N
Vehicle fuel station with convenience store	N	N	N	PB N	N	PB N	N PB	N	N	N
Vehicle repair	N	N	N	SP N	N PB	N	SP PB	Y	N	N
Auto body shop	N	N	N	N	N	N	PB	Y	N	N
Other Business Uses: Unclassified										
Adult uses	N	N	N	N	N	N	N	Y	N	N
Accessory Uses										
Drive-through facility	N	N	N	SP N	N	PB	SP PB	N	N	N
Outdoor dining accessory to a restaurant may be permitted by the Building Inspector	N	N		Y	N	N	N	N	N	N
Outdoor display	N	N	N	SP	SP	SP	SP	N	N	N
Outdoor storage of materials and parking of vehicles and equipment associated with a business operated in a building on the premises	N	N	N	N	N	N	Y	Y	N	N

TABLE 1: SCHEDULE OF USES

	AR-I	AR-II	VR	C-I CB	C-III & IV VC	C-V	BI	I-I	I-II	I-III
E. INDUSTRIAL AND RELATED USES										
Warehouse/ and distribution facility	N	N	N	N	N	Y N	N	N Y	N Y	N Y
Wholesale bakery <i>(Added 11/16/15)</i>	N	N	N	N	N	N	N	Y	Y	Y
Wholesale showroom or office, including warehouse	N	N	N	N	N	N	Y	Y	Y	Y
Manufacturing, processing, fabrication, packaging and assembly, and storage of goods manufactured on the premises	N	N	N	N	N	N	Y	Y	Y	Y
Contractor's yard	N	N	N	N	N	N	Y	Y	N	N
Research and development	N	N	N	N	N	N	Y	Y	Y	N Y
Brewery	N	N	N	N	N	N	Y	Y	Y	Y
Research and development and/or manufacturing of renewable or alternative energy products	N	N	N	N	N	N	Y	Y	Y	Y
Electric power generation including but not limited to renewable or alternative energy generating facilities such as the construction and operation of large-scale ground-mounted solar photovoltaic installations with a rated name plate capacity of 250 kW (DC) or more	N	N	N	N	N	N	N	N	Y	N
Gravel, loam, sand, or stone removal for which a permit has been issued by the Board of Selectmen except that in the AR-I and AR-II districts, no special permit shall be required when removal of such materials is incidental to the construction or alteration of buildings. <i>NOTE – This use was moved here from the Agricultural/Conservation/ Recreation Uses section of the Use Table</i>	SP	SP	N	N	N	N	N	N	N	N
Accessory Uses										
Outdoor storage of materials and parking of vehicles and equipment associated with a business operated in a building on the premises	N	N	N	N	N	N	Y	Y	Y	Y

TABLE 1: SCHEDULE OF USES										
	AR-I	AR-II	VR	C-I CB	C-III & IV VC	C-V	BI	I-I	I-II	I-III
F. INSTITUTIONAL USES										
Religious facility	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Community center	SP	SP	SP	SP	SP	SP	SP	N	N	N
Educational facility, non-profit	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Lodge or club	SP	SP	SP	N	N	N	N	N	N	N

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

ARTICLE F

DENSITY AND DIMENSIONAL REGULATIONS

September 15, 2016

ARTICLE : To see if the Town of Medway will vote to amend the Zoning Bylaw by deleting TABLE 2: Dimensional and Density Regulations in Section 6.1 Dimensional and Density Regulations in its entirety and replacing it with a new TABLE: Dimensional and Density Regulations as follows: NOTE – Deleted text is shown with a ~~striketrough~~ and new or revised text is shown in **highlighted bolded** text.

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

TABLE 2. DIMENSIONAL AND DENSITY REGULATIONS

Requirement	AR-I	AR-II	VR	G-1 CB	VC	G-III	G-IV	C-V ^a	B-I	I-1	I-2	I-3
Minimum Lot Area (Sq. Ft.)	44,000	22,500 ^b 30,000 ^a	10,000 15,000 ^b	20,000 10,000	10,000	20,000	20,000	20,000	20,000	20,000	20,000	40,000
Minimum Lot Frontage (Ft.)	180'	150'	75'	NA	NA	NA	NA	NA	100' 75'	NA 100'	NA 150'	NA 100'
Minimum Lot Width (Ft.)	NA	NA	NA	100'	NA	100'	100'	100'	NA	100'	100'	100'
Minimum Setbacks (Ft.) ^c												
Front ^{c, d}	35'	35'	20' ^d	50' 10'	20' ^d	35'	35'	50' 35'	35' 25'	30'	30'	30'
Side ^e	15'	15'	10' ^d	25' 10' 25' ^e	10' ^d	15'	15'	15'	15'	20'	20'	20'
Rear	15'	15'	10' ^d	25'	10' ^d	15'	15'	15'	15'	30'	30'	30'
Maximum Building Height (Ft.)	NA 35'	NA 35'	35'	40'	40'	40'	40'	40'	40'	40' 60'	40'	60'
Maximum Lot Coverage (Pct. of lot) (Primary and accessory buildings)	NA 25%	NA 30%	40%	30% 80%	80%	30%	30%	30% 40%	30% 40%	40% NA	40% NA	40% NA
Maximum Impervious Coverage (Pct. of lot)	35%	40%	50%	NA	NA	NA	NA	80%	80%	80%	80%	80%
Minimum Open Space (Pct. of lot)	NA	NA	NA	15%	NA	NA	NA	20%	20%	20%	20%	20%

Notes to Table 2

NA means not applicable

- a) For a two family house. No parking shall be permitted within 10 feet of an adjoining lot line.
- b) For a newly constructed two-family house or when a single family detached house is enlarged for a 2 family house.
- c) When a nonresidential use abuts a residential use, the first 10 feet within the required side or rear setback of the nonresidential use along the lot line shall be used as a buffer.
- d) Or the average setback of the existing primary buildings within 300' of the lot on the same side of the street and within the same zoning district, whichever is less.
- e) When abutting a residential district:

Previous Notes to Table 2

- a) In the C-V and B-I districts, when a nonresidential use abuts a residential use, the first 10 feet within the 15-ft side or rear setback along the boundary line adjoining the residential use shall be a landscaped buffer not used for parking or storing vehicles. However, when a nonresidential use in the C-I district abuts a residential use in a different district, the landscaped buffer shall extend at least 15 feet from the lot boundary shared with the residential use.
- b) For two-family dwelling, the minimum lot area is 30,000 sq. ft. No parking shall be permitted within 10 feet of an adjoining lot line.
- c) For a lot abutting existing dwellings in a residential district, the minimum front setback shall be the average front setback of the existing primary buildings within 300 feet on each side of the lot on the same side of the street and within the same zoning district.
- d) Within the 50-ft. front setback on lots in the C-I, C-V, and B-I districts, the first 10 feet closest to the street shall be landscaped and not used for parking. Within the C-I district, the next 20 feet shall be used for through traffic to adjoining lots unless waived by the Planning and Economic Development Board during site plan review.
- e) When a lot in any of the C or B-I districts abuts a residential use, the first 10 feet within the 15-ft side or rear setback along the boundary line adjoining the residential use shall be a landscaped buffer not used for parking or storing vehicles.

ARTICLE G

Registered Marijuana Dispensaries

Revised Draft – September 15, 2016

ARTICLE: To see if the Town of Medway will vote to amend the Zoning Bylaw, Section 8.9 Registered Marijuana Dispensary, E. General Requirements, 4. by deleting text noted in ~~strike through~~ below and replacing that with new text noted in **bold** as follows:

4. The hours of operation of RMDs shall be set by the Planning and Economic Development Board, but in no event shall ~~any RMD be open and/or operating~~ **the on-site retail sale or dispensing of medical marijuana and/or related products to customers occur** between the hours of 8:00 PM and 8:00 AM.

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

Comparison Charts

COMPARISON – Agricultural Residential I

	CURRENT Agricultural Residential I	PROPOSED Agricultural Residential I
Minimum Lot Area	44,000 sq. ft.	44,000 sq. ft.
Minimum Frontage along a roadway	180'	180'
Minimum Front Setback from street	35'	25'
Side Setback from abutting properties	15'	15'
Rear Setback from abutting properties	15'	15'
Maximum Building Height	None	35'
Maximum Lot Coverage (% of lot) – Primary and Accessory Buildings	None	25%
Maximum Impervious Surface (% of lot) Buildings and paved surfaces	None	35%
Minimum Open Space (% of lot)	None	None
Allowed Uses	<p>Agriculture, poultry, detached single-family dwelling, home-based businesses,</p> <p>Commercial greenhouse, OSRD, ARCPUD, accessory family dwelling unit, ski area, golf course, veterinary, kennel and public utility by special permit</p>	<p>Added livery riding stable as by right uses.</p> <p>Added nursery, recreational facility, assisted living residence facility, multi-family dwellings and developments, long-term care facility, bed & breakfast, inn, funeral home, adult day care facility, grave/loam/sand/stone removal, lodge or club, governmental facility, and community center by special permit</p>

10-4-2016

COMPARISON – Agricultural Residential II

	CURRENT Agricultural Residential II	PROPOSED Agricultural Residential II
Minimum Lot Area	22,500 sq. ft. 30,000 sq. ft. for 2 family dwelling	22,500 sq. ft. 30,000 sq. ft. for a two family house. No parking shall be permitted within 10 feet of an adjoining lot line.
Minimum Frontage along a roadway	150'	150'
Minimum Front Setback from street	35'	35'
Side Setback from abutting properties	15'	15'
Rear Setback from abutting properties	15'	15'
Maximum Building Height	None	35'
Maximum Lot Coverage (% of lot) – Primary and Accessory Buildings	None	30%
Maximum Impervious Surface (% of lot) Buildings and paved surfaces	None	40%
Minimum Open Space (% of lot)	None	None
Allowed Uses	Agriculture, poultry, detached single-family dwelling, home-based businesses by right. Two-family dwellings, infill dwellings, commercial greenhouse, OSRD, ARCPUD, multi-family dwellings and developments, accessory family dwelling unit, ski area, golf course, veterinary hospital, kennel and public utility by special permit.	Added livery riding stable as by right use. Added nursery, recreational facility, assisted living residence facility, long-term care facility, bed & breakfast, inn, funeral home, adult day care facility, gravel/loam/sand/stone removal, lodge or club, community center, and governmental facility by special permit.

copy to 2021/2022

COMPARISON – Agricultural/Residential II to Village Residential

	CURRENT Agricultural Residential II	PROPOSED Village Residential
Minimum Lot Area	22,500 sq. ft. 30,000 sq. ft. for any two family dwelling	10,000 sq. ft. 15,000 sq. ft. for a newly constructed 2 family house or when an existing single family house is enlarged to create a 2 family house
Minimum Frontage along a roadway	150 continuous linear feet	75 continuous linear feet
Minimum Front Setback from street	35'	20' or average setback of the existing primary buildings within 300' of the lot on the same side of the street, whichever is less
Side Setback from abutting properties	15'	10' or average setback of the existing primary buildings within 300' of the lot on the same side of the street, whichever is less
Rear Setback from abutting properties	15'	10' or average setback of the existing primary buildings within 300' of the lot on the same side of the street, whichever is less
Maximum Building Height	None	35'
Maximum Lot Coverage (% of lot) – Primary and Accessory Buildings	None	40%
Maximum Impervious Surface (% of lot) Buildings and paved surfaces	None	50%
Allowed Uses	Single family home and home based business by right. Two-family homes, infill dwellings, multi-family, OSRD, ARCPUD, and accessory family dwelling unit by special permit.	Single family, two-family homes and home based businesses by right. Infill dwellings, multi-family, accessory family dwelling units, bed & breakfast, inn, artist studios, public utility, community center, governmental facility, and lodge or club by special permit. ARCPUD and OSRD developments not allowed due to sizeable open space requirements.

COMPARISON – Commercial III & IV to Village Commercial

	CURRENT Commercial III and IV	PROPOSED Village Commercial
Minimum Lot Area	20,000 sq. ft.	10,000 sq. ft.
Minimum Frontage along a roadway	None	None
Minimum Front Setback from street	35'	20' or average setback of the existing primary buildings within 300' of the lot on the same side of the street, whichever is less
Side Setback from abutting properties	15'	10' or average setback of the existing primary buildings within 300' of the lot on the same side of the street, whichever is less
Rear Setback from abutting properties	15'	10' or average setback of the existing primary buildings within 300' of the lot on the same side of the street, whichever is less
Maximum Building Height	40'	40'
Maximum Lot Coverage (% of lot) – Primary and Accessory Buildings	30%	80%
Maximum Impervious Surface (% of lot) Buildings and paved surfaces	None	None
Allowed Uses	<p>Detached single family home, home-based business, retail stores, restaurant, bank, funeral home, offices and public utility by right.</p> <p>Multifamily dwelling and accessory family dwelling unit by special permit.</p>	<p>Same as Commercial III and IV. Added florist, brew pub, artist studio, gallery, personal care services, consumer services, repair shops, educational facilities, furniture repair, and medical office as by right uses.</p> <p>Added restaurant with live entertainment, bed and breakfast, inn, museum, theatre, vehicle repair, governmental facility, community center, and lodge or club by special permit.</p> <p>Indoor commercial amusement, retail stores larger than 20,000 sq. ft. and auto parts stores not allowed.</p>

COMPARISON – Commercial I to Central Business

	CURRENT	PROPOSED
Minimum Lot Area	Commercial I	Business District
Minimum Frontage along a roadway	20,000 sq. ft.	10,000 sq. ft.
Minimum Front Setback from street	None	None
Side Setback from abutting properties	50'	10'
Rear Setback from abutting properties	25'	10'
Maximum Building Height	25'	25' when abutting a residential district
Maximum Lot Coverage (% of lot) – Primary and Accessory Buildings	40'	25'
Maximum Impervious Surface (% of lot) Buildings and paved surfaces	30%	40'
Minimum Open Space (% of lot)	None	80%
Allowed Uses	None	None
	Retail stores, restaurants, banks, offices, personal care services, consumer services, repair shops, funeral home by right. Shopping center/multi-tenant development, motel/hotel, vehicle fuel station, vehicle repair, assisted living facility, drive-through facility, public utility, and multi-family units combined with commercial uses by special permit.	Added florist, restaurant with live entertainment, brew pub, artist studio, museum, theatre, gallery, educational facility, medical office, and governmental facility as by right uses. Added retail stores over 20,000 sq. ft., inn, movie theatre, indoor commercial amusement, funeral home, and community center by special permit. Removed assisted living residence facility as a special permit use. Specified auto parts, repair shops, furniture repair, brewery, vehicle fuel stations, car wash, vehicle repair, auto body, drive-through facility, and lodge/club as not allowed.

COMPARISON – Commercial V

	CURRENT Commercial V	PROPOSED Commercial V
Minimum Lot Area	20,000 sq. ft.	20,000 sq. ft.
Minimum Frontage along a roadway	None	None
Minimum Front Setback from street	50'	35'
Side Setback from abutting properties	15'	15'
Rear Setback from abutting properties	15'	15'
Maximum Building Height	40'	40'
Maximum Lot Coverage (% of lot) – Primary and Accessory Buildings	30%	40%
Maximum Impervious Surface (% of lot) Buildings and paved surfaces	None	80%
Minimum Open Space (% of lot)	None	20%
Allowed Uses	Commercial greenhouse, nursery, retail sales, florist, restaurant, artist studio, bank, office, personal care services, warehouse, funeral home, and public utility by right. Shopping center/multi-tenant development, and vehicle fuel station with convenience store by special permit.	Added brew pub, gallery, consumer services, repair shop, furniture repair, educational facility, medical office, veterinary hospital, and governmental facility as by right uses. Added restaurant with live entertainment, museum, theatre and community center by special permit. Vehicle fuel station, warehouse facility and kennel not allowed.

COMPARISON – Business Industrial

	CURRENT Business Industrial	PROPOSED Business Industrial
Minimum Lot Area	20,000 sq. ft.	20,000 sq. ft.
Minimum Frontage along a roadway	100'	75'
Minimum Front Setback from street	35'	25'
Side Setback from abutting properties	15'	15'
Rear Setback from abutting properties	15'	15'
Maximum Building Height	40'	40'
Maximum Lot Coverage (% of lot) – Primary and Accessory Buildings	30%	40%
Maximum Impervious Surface (% of lot) Buildings and paved surfaces	None	80%
Minimum Open Space (% of lot)	None	20%
Allowed Uses	Commercial Greenhouse, retail stores, florist, retail sales outdoors, restaurant, bank, offices, personal care establishments, funeral home, wholesale showroom, contractor's yard, R & D and/or manufacturing of renewable energy products and public utility by right. Shopping center/multi-tenant development, and kennel by special permit	Added nursery, recreational facility, brew pub, auto parts, commercial indoor amusement, consumer services, furniture repair, educational facility, repair shop, veterinary hospital, medical office, brewery, and governmental facility by right. Added retail stores larger than 20,000 sq. ft., vehicle fuel station, car wash, vehicle repair, auto body shop, drive-thru facility, and doggie day care, and community center by special permit.

COMPARISON – Industrial I

	CURRENT Industrial I	PROPOSED Industrial I
Minimum Lot Area	20,000 sq. ft.	20,000 sq. ft.
Minimum Frontage along a roadway	None	100'
Minimum Front Setback from street	30'	30'
Side Setback from abutting properties	20'	20'
Rear Setback from abutting properties	30'	30'
Maximum Building Height	40'	60'
Maximum Lot Coverage (% of lot) – Primary and Accessory Buildings	40%	None
Maximum Impervious Surface (% of lot) Buildings and paved surfaces	None	80%
Minimum Open Space (% of lot)	None	20%
Allowed Uses	Offices, wholesale showroom, wholesale bakery, manufacturing, contractor's yard, research and development, vehicle repair, public utility, adult uses by right. Kennel by special permit	Added recreational facility, commercial indoor amusement, educational facility, auto body shop, warehouse/distribution facility, brewery and governmental facility by right Added repair shop and furniture repair by special permit.

COMPARISON – Industrial II

	CURRENT Industrial II	PROPOSED Industrial II
Minimum Lot Area	20,000 sq. ft.	20,000 sq. ft.
Minimum Frontage along a roadway	None	150'
Minimum Front Setback from street	30'	30'
Side Setback from abutting properties	20'	20'
Rear Setback from abutting properties	30'	30'
Maximum Building Height	60'	60'
Maximum Lot Coverage (% of lot) – Primary and Accessory Buildings	40%	None
Maximum Impervious Surface (% of lot) Buildings and paved surfaces	None	80%
Minimum Open Space (% of lot)	None	20%
Allowed Uses	Offices, wholesale bakery, wholesale showroom, manufacturing, research and development, electric power generation and public utility by right. Kennel by special permit.	Added commercial indoor amusement, warehouse/distribution facility, brewery and governmental facility by right. Kennel not allowed.

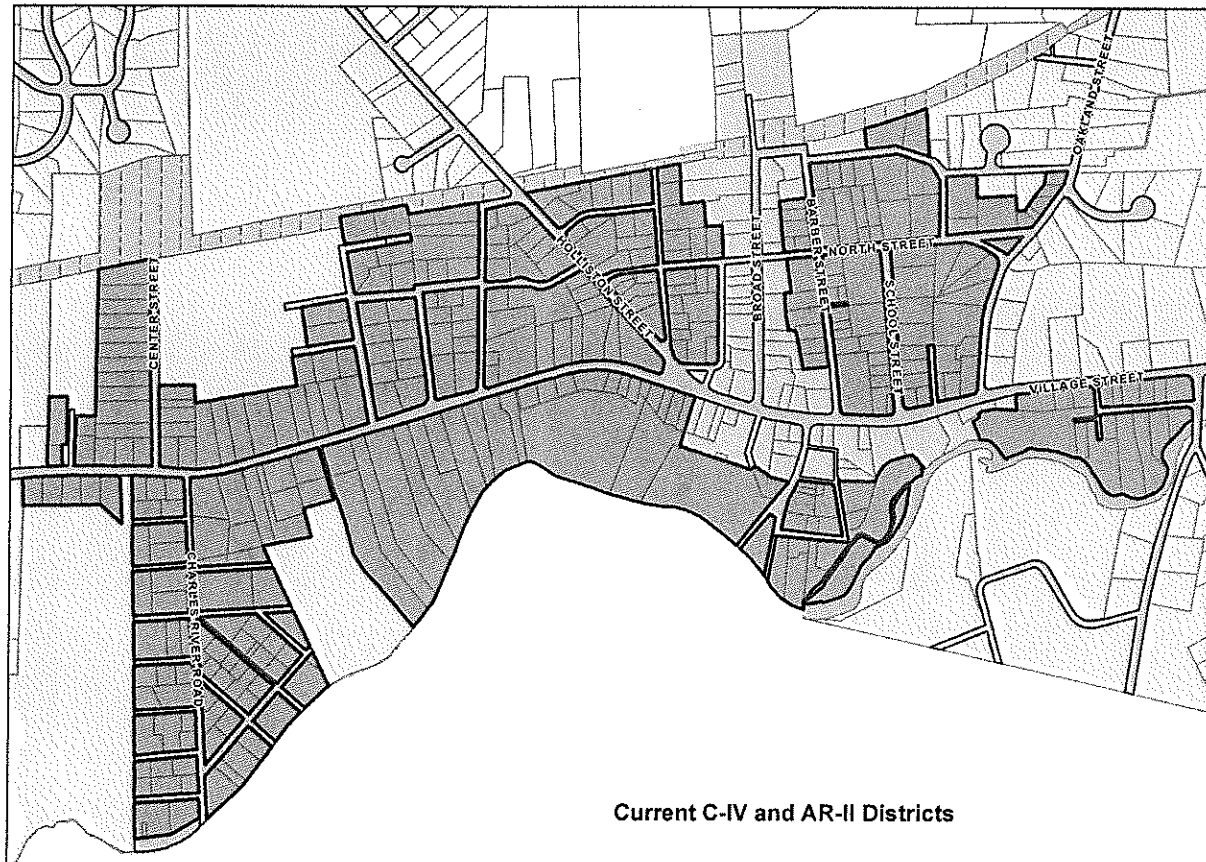
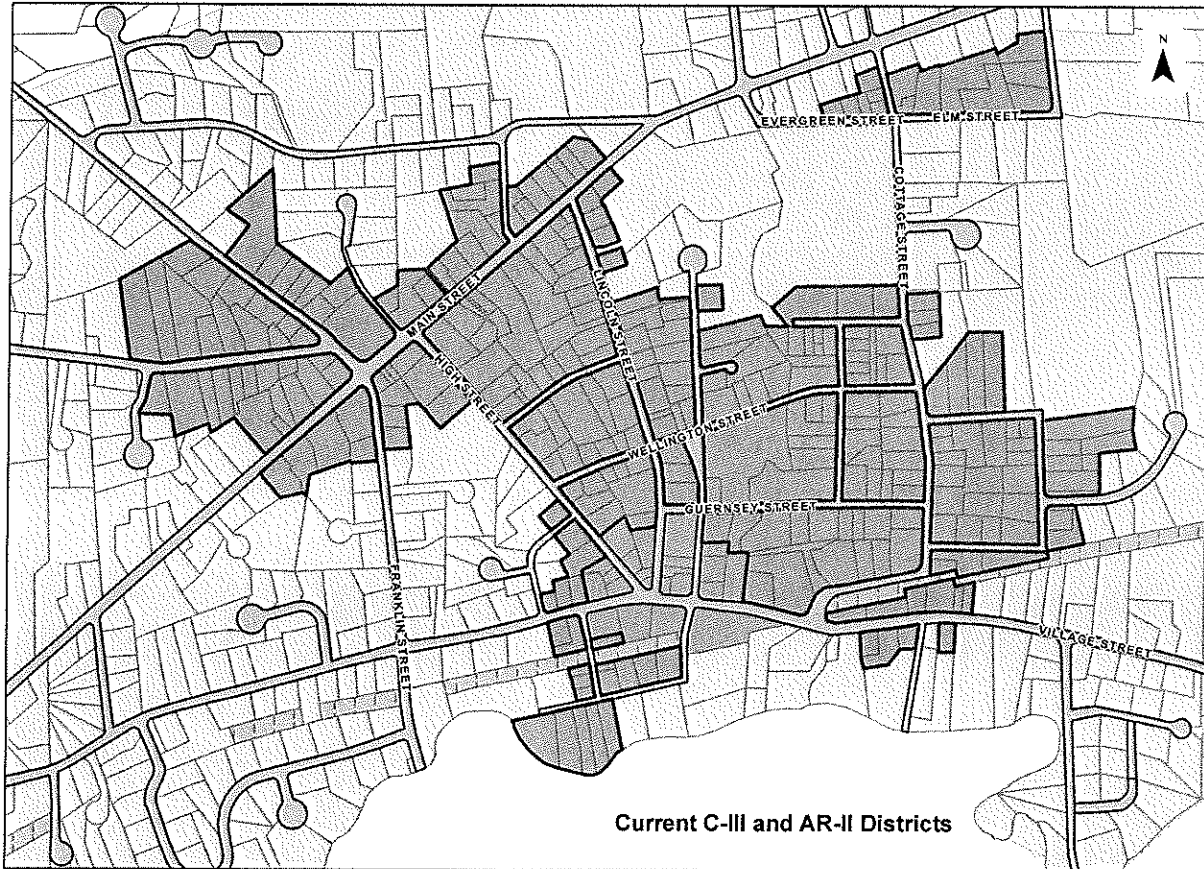
COMPARISON – Industrial III

	CURRENT Industrial III	PROPOSED Industrial III
Minimum Lot Area	40,000 sq. ft.	40,000 sq. ft.
Minimum Frontage along a roadway	None	100'
Minimum Front Setback from street	30'	30'
Side Setback from abutting properties	20'	20'
Rear Setback from abutting properties	30'	30'
Maximum Building Height	60'	60'
Maximum Lot Coverage (% of lot) – Primary and Accessory Buildings	40%	None
Maximum Impervious Surface (% of lot) Buildings and paved surfaces	None	80%
Minimum Open Space (% of lot)	None	20%
Allowed Uses	Offices, wholesale bakery, wholesale showroom, manufacturing, research and development and/or manufacturing of renewable energy products, and public utility by right. Kennel by special permit.	Added hotel/motel, commercial indoor amusement, warehouse/distribution facility, research and development, brewery as by right uses. Kennel not allowed.

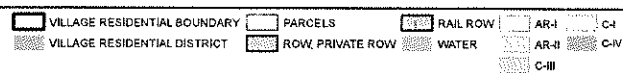
ZONING MAP AMENDMENTS

Proposed Village Residential District

Comprised of a Portion of the Present AR-II District



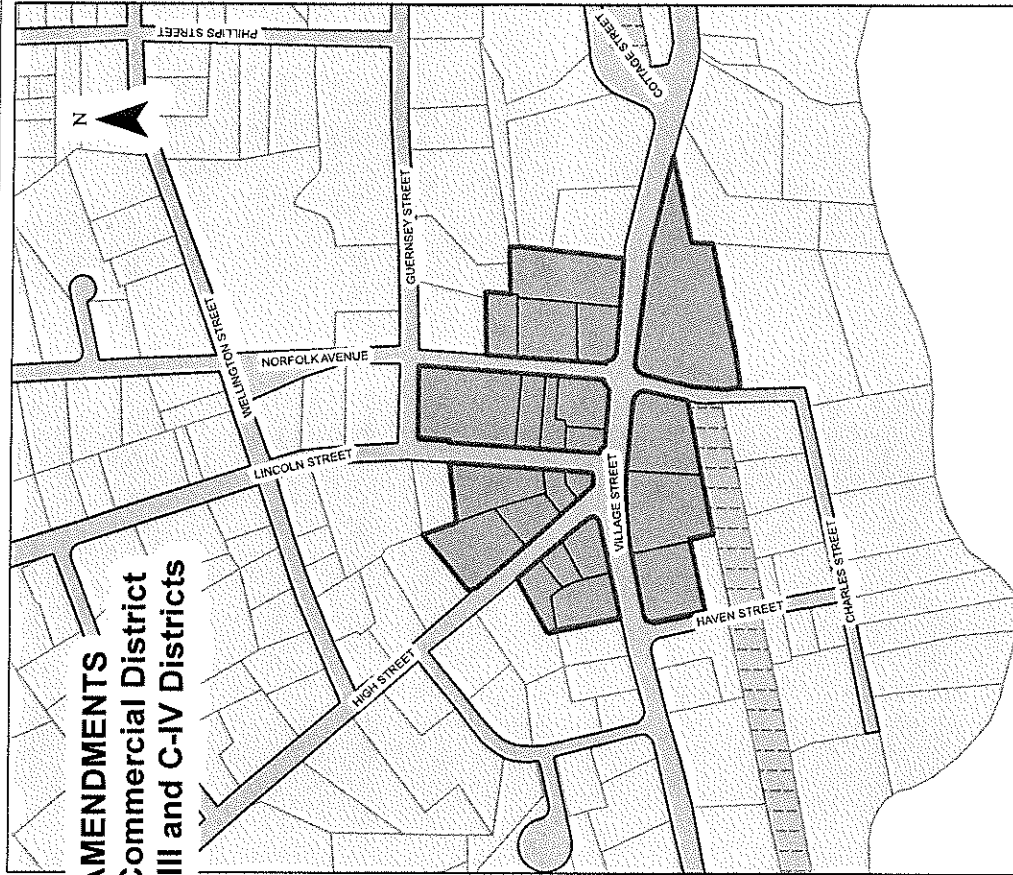
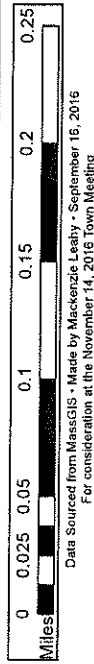
Data Sourced from MassGIS • Made by Mackenzie Leahy • September 19, 2018
For consideration at the November 14, 2018 Town Meeting



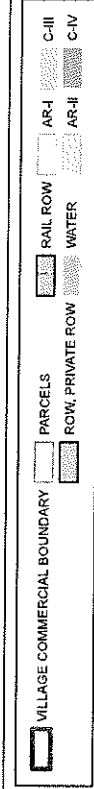
ZONING MAP AMENDMENTS **Proposed Village Commercial District** **Consolidation of C-III and C-IV Districts**



Current C-III District



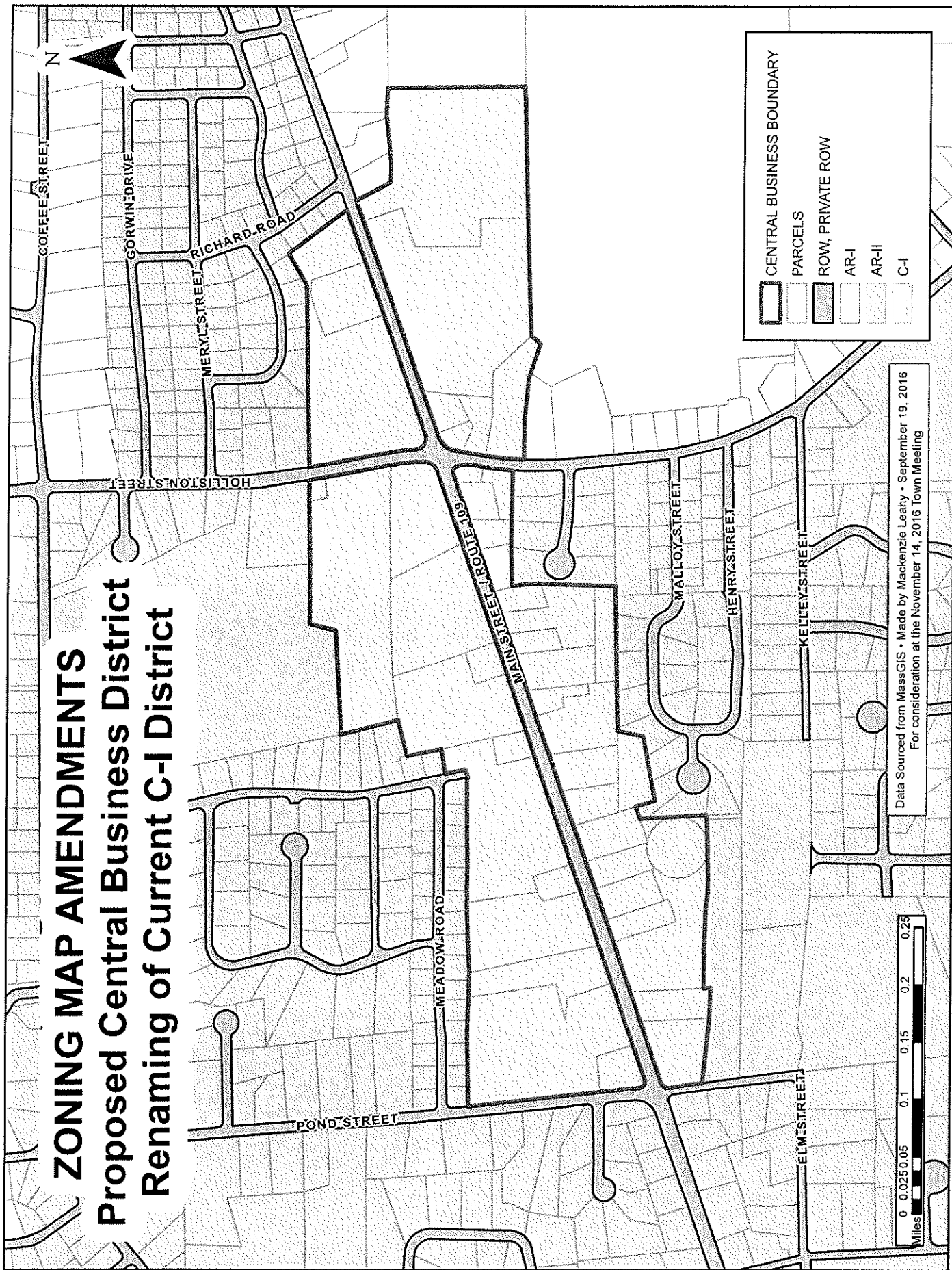
Current C-IV District



ZONING MAP AMENDMENTS

Proposed Central Business District

Renaming of Current C-I District



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9-19-16

**TOWN OF MEDWAY
WARRANT FOR 2016
FALL TOWN MEETING**

NORFOLK ss:

To either of the Constables of the Town of Medway

GREETING:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of said Town who are qualified to vote in Town affairs to meet at the Medway High School Auditorium, 88 Summer Street, on Monday, November 14, 2016 at 7:00 PM, then and there to act on the following articles:

ARTICLE 1: (Adjustment: Community Preservation Fund Statutory Set-Aside)
To see if the Town will vote to authorize the Town Accountant, with the approval of the Community Preservation Committee, to adjust the set-aside balances from prior fiscal years within the Community Preservation Fund account to comply with the statutory requirement to set aside for later spending not less than ten percent of the Community Preservation Fund annual revenues for each fiscal year in open space, for historic resources, and for community housing respectively, as required by Chapter 44B, section 6 of the Massachusetts General Laws, or to act in any manner relating thereto.

CPA Transfer from Retained Earnings to Reserve Accounts	
Community Housing	\$ 7,974
Open Space	\$ 7,974
Historical Preservation	\$ 7,974
Total	\$ 23,922

COMMUNITY PRESERVATION COMMITTEE

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 2: (Prior Year Bills)
To see if the Town will vote to transfer from the X Department's Fiscal Year 2017 X account the sum of \$X for the purpose of paying unpaid bills of prior years of the Town, or act in any manner relating thereto.

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9-19-16

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 3: (Fund EMS)

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to fund the provision of Fiscal Year 2017 Emergency Medical Services, or to act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 4: (Fund Rt. 109 Project Manager)

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$X to pay for costs associated with funding a Town representative project manager for the Route 109 construction project, or to act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 5: (Free Cash Transfer: Police Dept Generator Engineering)

To see if the Town will vote to transfer \$5,000 from certified free cash for the purpose of conducting an engineering assessment of the Police Department generator, or to act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 6: (Supplement FY17 Memorial Committee Budget)

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$2,500 to supplement the Fiscal Year 2017 Memorial Committee operating budget, or to act in any manner relating thereto.

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9-19-16

MEMORIAL COMMITTEE

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 7: (Relocate Drainage Easement: 15 Tulip Way)

To see if the Town will vote to ~~vote to relocate~~ abandon a portion of a drainage easement at 15 Tulip Way by removing twenty ~~(20)~~ feet from the western portion of the easement boundary, as shown on a map filed with the Town Clerk, and, further, to authorize the Board of Selectmen and Town officers to take any and all related actions necessary or appropriate to carry out the purposes of this article; or to act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 8: (Accept Easement: Walking Trail)

To see if the Town will vote to accept A Non-Exclusive Perpetual Access Easement on and over an Eversource Right of Way extending from X to X, as shown on a map on file with the Town Clerk's office (Parcel X-X on Medway Assessor's maps), for purposes of access to the Proposed Walking Trail, and further to authorize the Board of Selectmen and town officers to take any and all related actions necessary or appropriate to carry out the purposes of this article, or to act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 9: (CPA Funds: Walking Trail)

To see if the Town will vote to transfer from available Community Preservation Act funds the sum of \$X to fund the costs associated with the design, engineering and construction of a walking trail that will extend the existing Choate to High School trail, beginning on Town owned property at 40 Adams Street and extend across Chicken Brook, or act in any manner relating thereto.

OPEN SPACE COMMITTEE

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9-19-16

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 10: (Land Acquisition: 0R Oakland St)

To see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase, eminent domain or otherwise and to accept the deed to the Town of a fee simple interest in all or a portion of a parcel of land located at 0R Oakland Street, Assessors Map 42, Parcel 59, containing 1.79 acres more or less, upon such terms and conditions as the Board of Selectmen shall determine to be appropriate, to be under the management and control of Board of Selectmen for general municipal purposes, and, further, to see if the Town will vote to transfer from available funds or raise and appropriate the sum of \$8,000 or some other sum to pay costs of purchasing the property and for the payment of all other costs incidental and related thereto and to authorize the Board of Selectmen and Town officers to take all related actions necessary or appropriate to carry out this acquisition, including the submission, on behalf of the Town, of any and all applications deemed necessary for grants and/or reimbursements from any state or federal programs and to receive and accept such grants or reimbursements for this purpose, and/or any other purposes in any way connected with the scope of this Article, or act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 11: (Land Acquisition: DPS Facility)

To see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase, eminent domain or otherwise and to accept the deed to the Town of a fee simple interest in all or a portion of a parcel of land located at X Street, Assessors Map X, Parcel X, containing X acres more or less, upon such terms and conditions as the Board of Selectmen shall determine to be appropriate, to be under the management and control of Board of Selectmen for general municipal purposes, and, further, to see if the Town will vote to transfer from available funds or raise and appropriate a sum of money to pay costs of purchasing the property and for the payment of all other costs incidental and related thereto and to authorize the Board of Selectmen and Town officers to take all related actions necessary or appropriate to carry out this acquisition, including the submission, on behalf of the Town, of any and all applications deemed necessary for grants and/or reimbursements from any state or federal programs and to receive and accept such grants or reimbursements for this purpose, and/or any other purposes in any way connected with the scope of this Article, or act in any manner relating thereto.

BOARD OF SELECTMEN

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BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 12:

To see if the Town will vote to accept a Perpetual 50' Right-of-Way Easement for such uses as roads and ways are commonly used in the Town of Medway, including without limitation, the right but not the obligation to construct, inspect, repair, remove, replace, operate and forever maintain said right-of-way, and to do all the acts incidental to the foregoing on a 15,579 sq. ft.± portion of land on 9 Marc Road as shown on the plan entitled "9 Marc Road Right-of-Way Plan of Land in Medway, MA," dated September 15, 2016, prepared by Paul J. DeSimone, on file with the Medway Town Clerk, to be recorded with the Norfolk County Registry of Deeds, subject to Grantor reserving the right to use said right-of-way in any manner which does not interfere with Grantee's the Town's easement, and further to authorize the Board of Selectmen and town officers to take any and all related actions necessary or appropriate to carry out the purposes of this article;

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 13: (Zoning Bylaw Amendment: Village Residential Zoning District)

To see if the Town will vote to amend the Zoning Bylaw and Map to establish a new Village Residential Zoning district as follows:

- by rezoning a portion of the current Agricultural Residential II (ARII) zoning district to Village Residential (VR) and amending the Zoning Map to show the boundaries of the new district, a copy of which is on file with the Medway Town Clerk;
- by revising Section 4.1 Districts by adding *Village Residential* to the list of districts in A. Residential Districts;
- by revising Section 5.4 Schedule of Uses by inserting *Village Residential (VR)* to Table 1: Schedule of Uses; (*NOTE – The details for allowed uses in the Village Residential zone are provided in Article ____*)
- by revising Section 6.1 Dimensional and Density Regulations by inserting *Village Residential (VR)* to Table 2: Dimensional and Density Regulations; (*NOTE – The details for dimensional and density regulations in the Village Residential zone are provided in Article ____*)
- by revising Section 5.6.4 Multifamily Housing, B. Applicability, 1. by adding *Village Residential (VR)* to the list of locations for multifamily housing;
- by revising Section 7.2.5 Sign Standards by adding *Village Residential* to the header of Table 4; and by

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- revising Section 8.1 Infill Housing A. Purposes and B. Applicability by adding *Village Residential (VR)* to the list of locations for infill dwelling units.

And to act in any manner relating thereto.

PLANNING & ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 14: (Zoning Bylaw Amendment: Village Commercial Zoning District)
To see if the Town of Medway will vote to amend the Zoning Bylaw and Map to establish a new Village Commercial Zoning District as follows:

- by rezoning all of the parcels in the current Commercial III (C-III) and Commercial IV (C-IV) zoning districts to Village Commercial (VC) and amending the Zoning Map to re-label the name of Commercial III and Commercial IV to Village Commercial without changing the boundaries in any manner, as shown on a map, a copy of which is on file with the Medway Town Clerk;
- by deleting *Commercial III* and *Commercial IV* from the list in B. Nonresidential Districts in Section 4.1 Districts and inserting *Village Commercial* in its place and renumbering the list accordingly;
- by deleting *Commercial III (C-III)* and *Commercial IV (C-IV)* from Table 1: Schedule of Uses in Section 5.4 Schedule of Uses and inserting *Village Commercial (VC)* in its place;
- by deleting *Commercial III (C-III)* and *Commercial IV (C-IV)* from Table 2: Dimensional and Density Regulations in Section 6.1 Dimensional and Density Regulations and inserting *Village Commercial (VC)* in its place;
- deleting *Commercial Districts III and IV* from the header of Table 10 in Section 7.2.5 Sign Standards and inserting *Village Commercial District* in its place; and by
- deleting reference to *Commercial Districts III and IV* in Section 5.6.4 Multifamily Housing, B. Applicability, 1. and inserting *Village Commercial* in its place to the list of locations for multifamily housing.

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 15: (Zoning Bylaw Amendment: Central Business Zoning District)
To see if the Town of Medway will vote to amend the Zoning Bylaw and Map to establish a new Central Business zoning district as follows:

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- by rezoning all of the parcels in the current Commercial I (C-I) district to Central Business (CB) district and amending the Zoning Map to re-label the name of Commercial I to Central Business district without changing the boundaries in any manner, as shown on a map, a copy of which is on file with the Medway Town Clerk;
- by deleting *Commercial I* from the list of B. Nonresidential Districts in Section 4.1. Districts and inserting *Central Business* in its place;
- by deleting *Commercial I (C-I)* from Table 1: Schedule of Uses in Section 5.4 Schedule of Uses and inserting *Central Business (CB)* in its place;
- by deleting *Commercial I (C-I)* from Table 2: Dimensional and Density Regulations in Section 6.1 Dimensional and Density Regulations and inserting *Central Business (CB)* in its place;
- by deleting *Commercial District I – Route 109 Business District* from the header of Table 5 in Section 7.2.5 Sign Standards and inserting *Central Business District* in its place;
- by deleting all references to *Commercial I District, C-I, and C1* in Section 5.4.1 Special Permits in the Commercial I District and inserting *Central Business District (CB)* in its place; and by
- by deleting *Commercial I* from Section 8.9. Registered Marijuana Dispensary, D. Eligible Locations and inserting *Central Business* in its place.

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 16: (Amend Zoning Bylaw: Definitions)

To see if the Town of Medway will vote to amend SECTION 2 Definitions of the Medway Zoning Bylaw by inserting the following definitions in alphabetical order:

Auto Body Shop – An establishment in which bodies and frames for damaged vehicles, such as automobiles, trucks, or the like, are manufactured, repaired, straightened, or painted and which may include vehicle repair services as an accessory use.

Auto Parts – An establishment selling various components which are used to build or repair automotive vehicles and keep them performing safely and efficiently. May also include the sale of associated supplies and tools for the maintenance and upkeep of motor vehicles and various automotive accessories.

Boat – A vessel of any size built for navigation on a river or other body of water propelled by oars or paddles or by sail or power generated by an internal combustion engine.

Boathouse – An enclosed or partially enclosed building or shed for sheltering a boat or boats and associated marine equipment on or near a river, stream, pond or lake.

Commented [A1]: Is this the correct word? This may expand the use.

Commented [A2]: Although it is helpful to have more definitions in the bylaw, there are certain terms which seem to have a well-established common meaning. Providing specific definitions for all of these terms is not necessary in my opinion and could lead to unintended results. I have deleted some that I believe could be omitted in favor of simply applying the common usage/definition.

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Brew Pub – ~~A Restaurant~~ licensed under the relevant state and federal statutes to produce and sell beer and/or ale at the location for on-premises consumption. May include facilities for customers to brew on-premises for personal consumption off-site. Beverages produced on the premises may be sold to other establishments but such sales shall not exceed 50% of the establishment's production capacity.

Commented [A3]: Is this correct? Customers are allowed to brew on the premises?

Commented [A4]: Should we add "per month" or "per year"? I am not sure how this is measured.

Brewery, Distillery or Winery - ~~An business~~ establishment located in a building that uses equipment and/or processes for the production and distribution of malt, spirituous, or vinous beverages pursuant to M.G.L. ch. 138, §19. Such establishment may include on-site sampling, the sale of permitted beverages produced on the premises to consumers for off-site consumption, and the sale of commercial goods branded by the establishment. A tasting room, not to exceed 25% of the building's gross square footage, that allows patrons to sample or consume beverages that are produced on premises is permitted as an accessory use. The establishment may also host marketing events, special events, and/or factory tours.

Buffer – Open spaces, natural wooded or open areas, landscaped areas, fences, walls, earthen berms or mounds, or any combination thereof used to physically separate or screen one use or property from another so as to visually shield or block noise, lights or other nuisances, except as may be defined by other provisions of this Bylaw.

~~**Building Materials** – Natural materials and man-made products which are used for construction purposes including but not limited to lumber, plumbing, heating, ventilating, air conditioning, insulation, roofing and electrical products.~~

Child Care Facility – As defined in M.G.L. ch. 5D, §1A.

Commercial indoor amusement - ~~An business~~ establishment engaged in providing indoor entertainment or games for a fee to the general public and including but not limited to such activities as a dance hall, bowling alley, billiard or pool establishment, skate park, rock climbing, baseball, trampoline jumping, golf, family fun/entertainment/amusement center, playground, and other similar uses and which may include the provision of food and drink as an accessory use.

Commented [A5]: Why do some definitions say establishment and other say business establishment?

Commented [A6]: Not sure if entertainment is the right word

Community Center – A building used for recreational, social, educational, and cultural activities, open to the public or a designated part of the public, usually owned and operated by a public or non-profit group organization.

Doggie Day Care – ~~An business~~ establishment where dogs are dropped off and picked up for temporary daytime care on the premises and where they may be groomed, trained, exercised and socialized, but are not boarded overnight, bred, or sold.

~~**Dry Cleaner** – A business establishment where clothes, fabrics, textiles and other items are cleaned with dry cleaning chemical solvents with little or no water.~~

Educational/Instructional Facility, commercial – Any building or part thereof which is designed, constructed or used for education or instruction in any branch of knowledge or skill, on

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~~land that is not owned or leased by the Commonwealth or any of its agencies, subdivisions, or body politic, or by a religious sect or denomination, or by a nonprofit educational organization organized on a commercial basis~~ including but not limited to schools for vocational and technical training, art, dance, gymnastics, yoga, martial arts and other sports activities.

Educational Facility, non-profit – Any building or part thereof which is designed, constructed or used for education or instruction in any branch of knowledge or skill, ~~organized on a non-profit basis or~~ operated on land owned or leased by the Commonwealth or any of its agencies, subdivisions, or body politic, or by a religious sect or denomination, or by a nonprofit educational corporation.

Electric Power Generation – The process of generating electric power from other sources of primary energy such as electromechanical generators, heat engines fueled by chemical combustion, kinetic energy such as flowing water and wind, and other energy sources such as solar photovoltaic and geothermal power.

Family Day Child Care Home – As defined in M.G.L., ch. 28A15D, §91A.

~~Farm Equipment~~ – Equipment and implements that are used or intended for use in farming operations, including any tractor, combine, engine, motor or attachment including but not limited to a cultivator, tiller, harvester, reaper, hay conditioner, haymaker, or thresher.

Financial Institution – Establishments such as banks, savings and loans, credit unions, insurance companies, mortgage offices, and brokerage firms dealing in monetary transactions for consumers such as deposits, loans, investments and currency exchange.

Fitness Facility – An establishment providing exercise space, facilities and equipment or classes for the purposes of physical exercise. Commonly referred to as a fitness club, health or athletic club, fitness center, and gym. May also provide personal training, locker rooms, showers and fitness studios and other similar facilities and services.

~~Florist~~ – An establishment which sells flowers and plants and accessory items thereto

Funeral Home – A building used for the preparation of the deceased for burial and the display of the deceased and rituals connected thereto before burial or cremation and which may include areas for a chapel, sale of caskets and other funeral supplies, and a crematorium.

~~Furniture Repair~~ – Establishment primarily engaged in repairing, reupholstering, refinishing, reconstructing or restoring furniture.

Gallery – An establishment engaged in the display, sale or loan of works of art to the general public.

Golf Course – A tract of land laid out with at least nine holes for playing the game of golf and improved with tees, greens, fairways and hazards and that may include a clubhouse which may include dining facilities and shelter as accessory uses.

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Government Facility – Any building, structure, facility or complex operated by any federal, state or county, or agency or instrumentality thereof for a governmental use, such as but not limited to schools, libraries, police stations, fire stations, senior centers, offices, parks, playgrounds, fields, community centers, garages and other public works facilities, and other similar governmental uses.

Gravel/loam/sand or stone removal, commercial – ~~A business establishment which~~ The removal of soil or earth including but not limited to sod, loam, sand, gravel, clay, peat, hardpan, rock, quarried stone or mineral products from land ~~on the premises where the establishment is located.~~

Commented [A7]: Please note that, under state law, the state and its agencies are generally exempt from local zoning to the extent they are carrying out their essential government functions, except where the local regulations serve important purpose and have only a negligible effect on the ability of the state to perform its function. It is not clear if this definition is intended to expand on that exemption. A more detailed analysis of the exemption is beyond the scope of this note.

Greenhouse – ~~A building whose roof and sides are made largely of glass or other transparent or translucent material and in which the temperature and humidity can be regulated for the cultivation and protection of plants.~~

Greenhouse, commercial – A greenhouse which grows plants which are sold at retail or wholesale.

Group Home – ~~Small, community-based residential facility, licensed by the Commonwealth of Massachusetts, designed to serve and provide on-going care, support for daily living and habilitation services for children or adults with chronic disabilities, of whom one or more are unrelated, and which operate as a single housekeeping unit. These homes usually have six or fewer occupants and are staffed 24 hours a day by trained caregivers.~~

Commented [A8]: I would be careful about defining group homes, as the intent appears to be to comply with state and federal laws prohibiting discrimination in housing; the protections afforded under law are not limited to these circumstances.

Indoor Storage – An area within a non-residential establishment for the placement and safe keeping of materials, products or equipment

Impervious Coverage – That portion of a lot that is covered by buildings, including accessory buildings, and all paved and other impervious surfaces. Impervious coverage shall be determined by dividing the combined area of the footprint of all buildings and all paved and impervious surfaces on a lot by the total area of the lot

Infill Dwelling Unit – As specified in Section 8.1 of this Bylaw.

Inn – An establishment that provides temporary overnight lodging to the general public for compensation, not to exceed 10 guest rooms, for transient guests and where a dining room for the serving meals may be operated on the premises, and wherein the owner or operator may or may not maintain a place of principal residence.

Large Family Child Care Home - As defined in M.G.L., ch. 15D, §1A.

Laundromat – ~~An establishment providing self-service washing, drying or dry-cleaning machines on the premises for rental use to the general public and which may include drop-off-pick-up service.~~

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Livery/Riding Stable – A ~~facility~~ establishment designed and equipped for the feeding, boarding, exercising or training of horses not owned by the owner of the premises and for which the owner of the premises receives compensation and which may include instruction in riding, jumping or showing or where horses may be hired for riding.

Lodge or Club – A facility operated by a private, non-profit organization established around a common interest such as a fraternal, civic, alumni, social, recreational or sports club, or other similar organization, to which membership is limited or controlled. May include meeting space, dining facilities, and outdoor areas.

~~**Motor Vehicle** – A self-propelled device designed and used for the transportation of people or goods over land surfaces~~

Municipal Use – Any use, building, facility or area owned or leased by and operated by the Town of Medway, ~~for the general use and welfare of the Town, its inhabitants or businesses located within the Town.~~

Non-profit Organization - A corporation organized, registered and operated as a nonprofit organization under state or federal law, such as General Laws chapter 180 or recognized under Section 501(c)(3) of the IRS code, or an association that conducts business for the benefit of the general public or is dedicated to furthering a given cause. A non-profit organization operates without a profit motive, using any surplus revenues to further achieve its purpose rather than distributing its surplus income to shareholders. Organizations recognized by the Internal Revenue Service under section 501c are exempt from federal taxes.

Nursery – Land used to raise plants, flowers, shrubs, bushes, or trees grown on the premises for sale or transplanting. May include greenhouses and retail sales of associated nursery goods and products.

Open Space – Those areas of a lot on which no building or structure is permitted except as authorized by other provisions of this Bylaw, and which shall not be used for streets, driveways, sidewalks, parking, storage or display. Open space may serve as areas for buffers, active and passive recreation, natural and scenic resource protection, land conservation, or other similar uses and may include landscaped areas.

Open Space Residential Development (OSRD) – As specified in Section 8.4 of this Bylaw.

~~**Optician** – A business establishment where eyeglasses and contact lenses are made and/or supplied to correct vision.~~

Outdoor Dining – A dining area with tables and seating available for restaurant-style eating outdoors, usually located on the sidewalk or an open area adjacent to its affiliated restaurant, and usually operated on a seasonal basis.

Outdoor Display – The temporary display of goods and products sold by a business establishment, located on the same premises but not including such display on any parking,

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delivery or loading areas, fire lanes, drive aisles, or sidewalks where less than 6 feet of sidewalk width remains for pedestrian access, or other features that could cause a safety hazard, and limited to the hours the business is open.

Outdoor Storage – An outside area for the storage or display of materials, goods or manufactured products produced or used by the principal use of the property, for more than a twenty-four hour period.

Personal Care Service Establishment – A business establishment providing personal care and grooming services to individuals including but not limited to a barber shop, beauty shop, hair salon, nail salon, tanning salon, cosmetology and spa services, and other similar services.

~~**Photocopying/Printing** – A business establishment that offers photocopying, printing and ancillary services.~~

Recreational Facility – A public or private establishment designed and equipped for the conduct of sports, recreational, educational, and/or leisure-time activities including but not limited to fields, courts, swimming pools, rinks, tracks, golf courses, mini-golf, driving ranges, and other similar uses. The facility may be comprised of indoor and outdoor facilities, a clubhouse and/or other customary accessory buildings and uses and may include the provision of seasonal, organized youth and/or family oriented programs and overnight accommodations.

Recreational Facility, Commercial – A recreational facility operated as a business and open to the general public for a fee.

Recreational Facility, Private – A recreational facility open only to bona fide members and guests of such organization.

~~**Religious Facility** – A structure, building or place used by a religious sect or denomination for worship, ceremonies, rituals, assembly, or study or education pertaining to a particular system of religious beliefs. May include a cathedral, chapel, church, convent, meeting house, monastery, mosque, sanctuary, shrine, synagogue, temple and other places of religious worship, and which may also include associated facilities whose purposes are substantially related to the religious purposes of such sect or denomination such as a rectory, parsonage, offices, meeting facilities, or outdoor recreational and open space.~~

Commented [A9]: Again, I would be cautious about attempting to define what constitutes a religious facility.

Repair Shop - A business establishment where household machines, equipment, tools, appliances and other similar items can be taken to be repaired or serviced, but not including vehicle repair.

Sawmill – A place or building in which timber from off the premises is sawed, split, shaved, planed, stripped, chipped or otherwise processed by machinery into planks, boards, mulch, firewood or other wood products.

Shelter - An establishment giving temporary protective sanctuary to victims of crime, abuse or homelessness, by providing housing, food, counseling, support and educational services to those needing assistance, usually operated by a non-profit organization.

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Shoe Repair—A business establishment where shoes, boots and other footwear can be taken to be repaired and which may offer shoe polishing and cleaning services and may sell footwear accessories and specialty shoe products.

Ski Area – An area developed for skiing, boarding or tubing with trails and which may include lifts, ski rentals and sales, and instruction and eating facilities

Studio – A building, room or space where a craftsperson, artist, sculptor, photographer, musician or other artisan, designer or craftsperson works and which may include incidental accessory uses such as a gallery, retail sales of art produced on the premises, and instruction.

Tailor—A business establishment where clothes and garments are made, mended or altered for individual customers

Trailer - A non-motorized vehicle, often a long platform or box/container with two or more wheels, which is pulled behind a motorized vehicle and used to transport things.

Veterinary Hospital – A building where animals are given medical care, observation and treatment including surgery for their diseases and injuries and which may include the short-term boarding of animals during their convalescence.

Warehouse/Distribution Facility – A building or area used primarily for the storage of raw materials, manufactured goods, products, cargo or equipment before their export or distribution for sale to retailers, wholesalers, or directly to consumers.

Wholesale - The business of selling things in large quantities to other businesses for resale rather than to individual retail consumers.

Wholesale Showroom - A room or space used for displaying a company's products, goods and merchandise not for direct sale to consumers.

And by revising the definition for **Manufacturing** by adding the language noted below in **bold text**:

Manufacturing – The transformation of raw materials or substances, components or parts into new products by the use of machines, tools, and labor through a mechanical, chemical or other process. Also includes the blending of materials and the assembly of component parts **and the packaging of products for distribution, storage and sale.**

And by deleting **Tourist Home** from the list of Definitions.

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

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BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 17: (Amend Zoning Bylaw: Dimensional & Density Regulations)

To see if the Town of Medway will vote to amend the Zoning Bylaw by deleting TABLE 2: Dimensional and Density Regulations in Section 6.1 Dimensional and Density Regulations in its entirety and replacing it with a new TABLE: Dimensional and Density Regulations as follows:
NOTE – Deleted text is shown with a ~~strike through~~ and new or revised text is shown in **highlighted bolded** text.

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

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TABLE 2. DIMENSIONAL AND DENSITY REGULATIONS

Requirement	AR-I	AR-II	VR	G-1 C8	VC	G-III	G-IV	C-V ^a	B-I	I-1	I-2	I-3
Minimum Lot Area (Sq. Ft.)	44,000	22,500 ^b 30,000 ^a	10,000 15,000 ^b	20,000 10,000	10,000	20,000	20,000	20,000	20,000	20,000	20,000	40,000
Minimum Lot Frontage (Ft.)	180'	150'	75'	NA	NA	NA	NA	NA	100 75'	NA 100'	NA 150'	NA 100'
Minimum Lot Width (Ft.)	NA	NA	NA	100'	NA	100'	100'	100'	NA	100'	100'	100'
Minimum Setbacks (Ft.) ^c												
Front ^{c-d}	35'	35'	20' ^d	50' 10'	20' ^d	35'	35'	50' 35'	35'	30'	30'	30'
Side ^e	15'	15'	10' ^d	25' 10' 25' ^e	10' ^d	15'	15'	15'	15'	20'	20'	20'
Rear	15'	15'	10' ^d	25'	10' ^d	15'	15'	15'	15'	30'	30'	30'
Maximum Building Height (Ft.)	NA 35'	NA 35'	35'	40'	40'	40'	40'	40'	40'	40' 60'	40'	60'
Maximum Lot Coverage (Pct. of lot) (Primary and accessory buildings)	NA 25%	NA 30%	40%	30% 80%	80%	30%	30%	30% 40%	30% 40%	40% NA	40% NA	40% NA
Maximum Impervious Coverage (Pct. of lot)	35%	40%	50%	NA	NA	NA	NA	80%	80%	80%	80%	80%
Minimum Open Space (Pct. of lot)	NA	NA	NA	15%	NA	NA	NA	20%	20%	20%	20%	20%

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Notes to Table 2

NA means not applicable

- a) For a two family house. No parking shall be permitted within 10 feet of an adjoining lot line.
- b) For a newly constructed two-family house or when a single family detached house is enlarged for a 2 family house.
- c) When a nonresidential use abuts a residential use, the first 10 feet within the required side or rear setback of the nonresidential use along the lot line shall be used as a buffer.
- d) Or the average setback of the existing primary buildings within 300' of the lot on the same side of the street and within the same zoning district, whichever is less.
- e) When abutting a residential district.

Previous Notes to Table 2

- a) In the C-V and B-L districts, when a nonresidential use abuts a residential use, the first 10 feet within the 15 ft side or rear setback along the boundary line adjoining the residential use shall be a landscaped buffer not used for parking or storing vehicles. However, when a nonresidential use in the C district abuts a residential use in a different district, the landscaped buffer shall extend at least 15 feet from the lot boundary shared with the residential use.
- b) For two-family dwelling, the minimum lot area is 30,000 sq. ft. No parking shall be permitted within 10 feet of an adjoining lot line.
- c) For a lot abutting existing dwellings in a residential district, the minimum front setback shall be the average front setback of the existing primary buildings within 300 feet on each side of the lot on the same side of the street and within the same zoning district.
- d) Within the 50-ft. front setback on lots in the C-L, C-V, and B-L districts, the first 10 feet closest to the street shall be landscaped and not used for parking. Within the C-L district, the next 20 feet shall be used for through traffic to adjoining lots unless waived by the Planning and Economic Development Board during site plan review.
- e) When a lot in any of the C or B-L districts abuts a residential use, the first 10 feet within the 15 ft side or rear setback along the boundary line adjoining the residential use shall be a landscaped buffer not used for parking or storing vehicles.

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ARTICLE 18: (Zoning Bylaw Amendment: Schedule of Uses)

To see if the Town of Medway will vote to amend the Zoning Bylaw, Section 5.4 Schedule of Uses by deleting TABLE 1: Schedule of Uses in its entirety and inserting a new TABLE 1: Schedule of Uses in its place as follows:

NOTE - Deleted text is shown with a ~~strike through~~. New and revised language is shown in **highlighted bolded text**.

TABLE 1: SCHEDULE OF USES

	AR-I	AR-II	VR	G-I CB	G-III & IV VC	C-V	BI	I-I	I-II	I-III
A. AGRICULTURE, CONSERVATION, RECREATION USES										
Agriculture, excluding piggeries and fur farms on less than 5 acres of land, and excluding livestock on less than 44,000 sq. ft. of land. <i>(Revised 11/16/15)</i>	Y	Y	N	N	N	N	N	N	N	N
Poultry on less than 1 acre. Minimum lot size for poultry is 5,000 sq. ft. subject to Board of Health regulations. <i>(Added 11/16/15)</i>	Y	Y	Y	N	N	N	N	N	N	N
Commercial Greenhouse	SP	SP	N	N	N	Y	Y	N	N	N
Nursery	SP	SP	N	N	N	Y	Y	N	N	N
Nonprofit recreational use	Y	Y	N	N	N	N	N	N	N	N
Recreational facility	SP	SP	N	N	N	N	Y	Y	N	N
Sawmill	SP	N	N	N	N	N	N	N	N	N
Boathouse, ski tow, golf course	SP	SP	N	N	N	N	N	N	N	N
Ski Area	SP	SP	N	N	N	N	N	N	N	N
Golf course	SP	SP	N	N	N	N	N	N	N	N
Livery riding stable	Y	Y	N	N	N	N	N	N	N	N
Gravel, loam, sand, or stone removal, except that in the AR-I and AR-II districts, no special permit shall be required when removal of such materials is incidental to the construction or alteration of buildings for which a permit has been issued by the Board of Selectmen. NOTE - This use is being moved to the INDUSTRIAL USES section of the Use Table	SP	SP	N	N	N	N	N	N	N	N

B. PUBLIC SERVICE

Municipal use	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Public utility	SP	SP	SP	SP	Y	Y	Y	Y	Y	Y
Governmental facility	SP	SP	SP	Y	SP	Y	Y	Y	Y	Y

Commented [A10]: Please note that government facilities are essentially exempt from local zoning regulations, see my earlier comment, thus requiring a special permit will probably be deemed as in excess of the town's authority. Also, these are already exempted under Section 5.3.

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TABLE 1: SCHEDULE OF USES

	AR-I	AR-II	VR	G-I CB	G-III & IV VC	C-V	BI	I - I	I - II	I - III
C. RESIDENTIAL AND INSTITUTIONAL USES										
Detached single-family dwelling	Y	Y	Y	N	Y	N	N	N	N	N
Two-family dwelling, provided that the exterior of the dwelling has the appearance of a single-family dwelling.	N	SP	Y	N	N	N	N	N	N	N
Infill dwelling unit, subject to Section 8.1.	N	SP	SP	N	N	N	N	N	N	N
Open space residential development, subject to Section 8.4	PB	PB	N	N	N	N	N	N	N	N
Assisted living residence facility	N PB	N PB	N	PB N	N	N	N	N	N	N
Adult retirement community planned unit development, subject to Section 8.5	PB	PB	N	N	N	N	N	N	N	N
Multifamily dwellings and multifamily developments subject to Section 5.6.2 E and Section 5.6.4 (Added 11/16/15)	N PB	PB	PB	N	PB	N	N	N	N	N
Multifamily units in combination with a commercial use that is permitted or allowed by special permit, subject to Section 5.4.1.	N	N	N	PB	N	N	N	N	N	N
Long-term care facility	SP	SP	N	N	N	N	N	N	N	N
Group home	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Shelter	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Accessory Uses										
Accessory family dwelling unit, subject to Section 8.2	SP	SP	SP	N	SP	N	N	N	N	N
Home-based business, subject to Section 8.3	Y	Y	Y	N	Y	N	N	N	N	N
Family day care home and large family child care home	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Boathouse	Y	Y	N	N	N	N	N	N	N	N
Greenhouse	Y	Y	Y	N	N	N	N	N	N	N

Commented [A11]: See prior comment; also, to the extent this use is exempt, this provision is not needed. See also §5.3 (which refers to c. 40A, §3).

Commented [A12]: See Section 5.3

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TABLE 1: SCHEDULE OF USES

	AR-I	AR-II	VR	C-I CB	C-III & IV VC	C-V	BI	I-I	I-II	I-III
D. BUSINESS USES										
Retail Trade										
Retail bakery (Added 11/16/15)	N	N	N	Y	Y	Y	Y	N	N	N
Retail store sales	N	N	N	Y	Y	Y	Y	N	N	N
Retail store larger than 20,000 sq. ft.	N	N	N	SP	N	N	SP	N	N	N
Shopping center/multi-tenant development	N	N	N	SP	N	SP	SP	N	N	N
Auto parts	N	N	N	N	N	N	Y	N	N	N
Nursery and Florist	N	N	N	N	N	Y	Y	N	N	N
Indoor sales of motor vehicles, trailers, boats, farm equipment, with accessory repair services and storage, but excluding auto body, welding, or soldering shop	N	N	N	Y	N	N	N	N	N	N
Sale and storage of building materials to be sold on the premises NOTE - This has been moved to the Industrial Uses section	N	N		N	N	N	Y	Y	N	N
Outdoor retail sales Retail sales, outdoors	N	N	N	N	N	N	Y	N	N	N
Hospitality and Food Services										
Restaurant providing food within a building, which may include outdoor seating on an adjoining patio	N	N	N	Y	Y	Y	Y	N	N	N
Restaurant providing live entertainment within a building, subject to license from the Board of Selectmen	N	N	N	SP Y	N SP	N SP	N	N	N	N
Brew pub	N	N	N	Y	Y	Y	Y	N	N	N
Motel or hotel	N	N	N	SP	N	N	N	N	N	N
Bed and breakfast	SP	SP	SP	N	SP	N	N	N	N	N
Inn	SP	SP	SP	SP	SP	N	N	N	N	N
Cultural and Entertainment Uses										
Studio for artists, photographers, interior decorators, other design-related uses	N	N	SP	N Y	N Y	Y	N	N	N	N
Museum	N	N	N	Y	SP	SP	N	N	N	N
Movie theatre/cinema	N	N	N	SP	N	N	N	N	N	N
Theatre	N	N	N	Y	SP	SP	N	N	N	N
Gallery	N	N	N	Y	Y	Y	N	N	N	N
Commercial indoor amusement NOTE - This use was moved here from Business Uses - Services	N	N	N	SP	N	N	Y	Y	Y	Y

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TABLE 1: SCHEDULE OF USES

	AR-I	AR-II	VR	C-I CB	C-III & IV VC	C-V	BI	I-I	I-II	I-III
D. BUSINESS USES										
Professional Uses and Financial Services										
Bank or other financial institution	N	N	N	Y	Y	Y	Y	N	N	N
Professional or business office	N	N	N	Y	Y	Y	Y	Y	Y	Y
Services										
Barber shop, beauty shop, nail salon, and similar personal care service establishments	N	N	N	Y	N Y	Y	Y	N	N	N
Consumer services such as but not limited to health care, fitness facility, optician, dry cleaner, laundry, laundromat, florist, shoe repair, photocopy/printing, bakery, photography studio, tailor, and other similar businesses and services	N	N	N	Y	N Y	N Y	N Y	N	N	N
Doggie Day Care	N	N	N	N	N	N	SP	N	N	N
Repair shop for small equipment, bicycles, appliances, tools	N	N	N	N Y	N Y	N Y	N Y	N SP	N	N
Furniture Repair	N	N	N	N	Y	Y	Y	SP	N	N
Educational/Instructional facility, commercial	N	N	N	Y	Y	Y	Y	Y	N	N
Commercial indoor amusement or recreation, or similar place of assembly <i>NOTE - This use was moved to Business Uses - Cultural and Entertainment</i>	N	N		SP	N	N	N	N	N	N
Funeral home, undertaker	N SP	N SP	N	N SP	Y	Y	Y	N	N	N
Veterinary hospital	SP	SP	N	N	N	N Y	N Y	N	N	N
Kennel	SP	SP	SP	SP N	SP	SP N	SP	SP	SP N	SP N
Medical office or clinic	N	N	N	Y	Y	Y	Y	N	N	N
Child care facility	N	N	N	Y	N	N	N	N	N	N
Adult day care facility, subject to Section 8.5	PB	PB	N	N	N	N	N	N	N	N

Commented [A13]: See Section 5.3

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TABLE 1: SCHEDULE OF USES

	AR-I	AR-II	VR	C-I CB	C-III & IV VC	C-V	BI	I-I	I-II	I-III
D. BUSINESS USES										
Automotive Uses										
Vehicle fuel station with repair services	N	N	N	N	N	N	PB	N	N	N
Vehicle fuel station, with car wash	N	N	N	SP N	N	N	N PB	N	N	N
Car wash	N	N	N	SP N	N	N	SP PB	N	N	N
Vehicle fuel station with convenience store	N	N	N	PB N	N	PB N	N PB	N	N	N
Vehicle repair	N	N	N	SP N	N PB	N	SP PB	Y	N	N
Auto body shop	N	N	N	N	N	N	PB	Y	N	N
Other Business Uses: Unclassified										
Adult uses	N	N	N	N	N	N	N	Y	N	N
Accessory Uses										
Drive-through facility	N	N	N	SP N	N	PB	SP PB	N	N	N
Outdoor dining accessory to a restaurant may be permitted by the Building Inspector	N	N		Y	N	N	N	N	N	N
Outdoor display	N	N	N	SP	SP	SP	SP	N	N	N
Outdoor storage of materials and parking of vehicles and equipment associated with a business operated in a building on the premises	N	N	N	N	N	N	Y	Y	N	N

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TABLE 1: SCHEDULE OF USES

	AR-I	AR-II	VR	C-I CB	C-III & IV VC	C-V	BI	I-I	I-II	I-III
E. INDUSTRIAL AND RELATED USES										
Warehouse/ and distribution facility	N	N	N	N	N	Y N	N	N Y	N Y	N Y
Wholesale bakery <i>(Added 11/16/15)</i>	N	N	N	N	N	N	N	Y	Y	Y
Wholesale showroom or office, including warehouse	N	N	N	N	N	N	Y	Y	Y	Y
Manufacturing, processing, fabrication, packaging and assembly, and storage of goods manufactured on the premises	N	N	N	N	N	N	Y	Y	Y	Y
Contractor's yard	N	N	N	N	N	N	Y	Y	N	N
Research and development	N	N	N	N	N	N	Y	Y	Y	N Y
Brewery	N	N	N	N	N	N	Y	Y	Y	Y
Research and development and/or manufacturing of renewable or alternative energy products	N	N	N	N	N	N	Y	Y	Y	Y
Electric power generation including but not limited to renewable or alternative energy generating facilities such as the construction and operation of large-scale ground-mounted solar photovoltaic installations with a rated name plate capacity of 250 kW (DC) or more	N	N	N	N	N	N	N	N	Y	N
Gravel, loam, sand, or stone removal for which a permit has been issued by the Board of Selectmen except that in the AR-I and AR-II districts, no special permit shall be required when removal of such materials is incidental to the construction or alteration of buildings. <i>NOTE – This use was moved here from the Agricultural/Conservation/ Recreation Uses section of the Use Table</i>	SP	SP	N	N	N	N	N	N	N	N
Accessory Uses										
Outdoor storage of materials and parking of vehicles and equipment associated with a business operated in a building on the premises	N	N	N	N	N	N	Y	Y	Y	Y

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TABLE 1: SCHEDULE OF USES

	AR-I	AR-II	VR	C-I CB	C-III & IV VC	C-V	BI	I-I	I-II	I-III
F. INSTITUTIONAL USES										
Religious facility	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Community center	SP	SP	SP	SP	SP	SP	SP	N	N	N
Educational facility, non-profit	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Lodge or club	SP	SP	SP	N	N	N	N	N	N	N

Commented [A14]: See Section 5.3

Commented [A15]: See Section 5.3

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 19:

(Amend Zoning Bylaw: Registered Marijuana Dispensary)

To see if the Town of Medway will vote to amend the Zoning Bylaw, Section 8.9 Registered Marijuana Dispensary, E. General Requirements, 4. by deleting text noted in ~~strike through~~ below and replacing that with new text noted in **bold** as follows:

4. The hours of operation of RMDs shall be set by the Planning and Economic Development Board, but in no event shall ~~any RMD be open and/or operating the on-site retail sale or dispensing of medical marijuana and/or related products to customers~~ occur between the hours of 8:00 PM and 8:00 AM.

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

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And you are hereby directed to serve this warrant by posting printed attested copies thereof at two (2) locations in each precinct at least FOURTEEN (14) days before the day of said meeting. Hereof fail not and make due return of this warrant with your doings thereon to the Clerk of said Town at or before the time of said meeting.

Given under our hands in Medway, this 3rd day of October 2016.

A TRUE COPY:

SELECTMEN OF THE TOWN OF MEDWAY

Glenn Trindade, Chairman

Maryjane White, Vice-Chairman

Richard D’Innocenzo, Clerk

Dennis Crowley, Member

John Foresto, Member

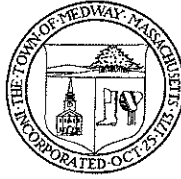
DRAFT
9-19-16

TOWN OF MEDWAY
CONSTABLE'S RETURN OF SERVICE

I, ***Paul Trufant***, a duly qualified Constable of the Town of Medway, Massachusetts affirm and certify that I posted attested copies of the November 14, 2016 Fall Town Meeting Warrant dated October 3, 2016, in at least eight (8) places in Town, consisting of at least two (2) places in each precinct of the Town, in addition to posting an attested copy of said warrant on the principal bulletin board in the Town Hall.

Dated at Medway: _____

Paul Trufant, Constable



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

Changes Requested at the 10-4-2016 Public Hearing

1. Remove 2 and 6 Canal Street from VR; keep those properties as ARII
2. Retain drive-thru facility as a special permit use in CI/CB
3. Retain warehouse/distribution facility as a "by right" use in CV
4. Retain convenience store/vehicle fuel station as a "special permit" use in CV
5. Adjust VR dimensional requirements to include the proposed reduced setback changes without changing the current AR-II 150' frontage and 22,500 sq. ft. area requirements.
6. Include existing business uses in Commercial III as by right, such as contractor's yard, landscaping company, auto body, auto repair, building contractor, tow shop, oil company, ambulance company, and fencing company.
7. Improve definition for buffer and restore notes on buffers from current Dimensional Table
8. Remove 2-family by right in VR. Change it to "special permit" use.
9. Remove Charles River Park properties from the VR zone and keep them in AR-II.

ST NO	STREET	PARCEL	OWNER	LOT SIZE
11	BARBER ST	60-220	ABRAMOVA OLGA (NADTOCHIJ)	0.39
12	BARBER ST	60-078	BRUCE RICHARD S / BRUCE ROSALYN E	0.12
14	BARBER ST	60-080	WILLIAMSON JOHN F. /	0.14
15	BARBER ST	60-218	BETHONY PETER T	0.50
21	BARBER ST	60-041	HELENA J WILHELM BURKE REV TRS / BURKE TRUSTEE HELENA J WILHELM	0.18
23	BARBER ST	60-040	SAWYER ERIC J	0.16
8	BRIGHAM ST	58-053	BERGHELLI WAYNE B.P./PAULENE R	0.60
32	BROAD ST	60-047	OLSEN NEAL R / OLSEN VIRGINIA F	0.16
2	CANAL ST	61-068	CANAL STREET REALTY TRUST / ARLENE F. & THOMAS HALL, TRS.	1.73
10	CANAL ST	61-064	STONIONIS LIFE ESTATE VITO A	1.11
20	CHARLES ST	58-132	CAMPANA ROBERT L TRS / CAMPANA NANCY C TRS	0.73
7	CHURCH ST	60-216	YOUNG ROY L III	0.06
19	COTTAGE ST	48-064	JUDITH A MALMBERG REVOCABLE TRUST / MALMBERG JUDITH & RICHARD II TRS	0.27
8	CROOKS ST	60-054	CASALI RICHARD D / CASALI NINA M	0.91
12	CROOKS ST	60-055	WILLIAMS PAUL R	0.73
15	CROOKS ST	61-096	SKELLY ELIZABETH A	0.71
7	CUTLER ST	48-074	FORGIONE JEAN M / FORGIONE PHILIP M	0.25
22	EVERGREEN ST	48-051	SHEA JOHN T III / SHEA CYNTHIA A	1.44
27	EVERGREEN ST	48-041	JAMES JEFFREY S	0.98
10	FRANKLIN ST	57-076	PICCININ JOHN A	0.52
12	FRANKLIN ST	57-077	MELE JOSEPH / MELE MICHELLE	0.69
8	GUERNSEY ST	58-184	FERGUSON AUDREY/YATES HEATHER / JOHN & AUDREY FERGUSON FAM TR	0.50
10	HIGHLAND ST	47-085	GORMAN JULIE N	0.55
18	HOLLISTON ST	60-017	HARCOVITZ CHARLES / HARCOVITZ LINDA	0.21
55	HOLLISTON ST	49-045	SCARANO STEPHEN D / SCARANO KATHRYN	0.60
133	HOLLISTON ST	22-019	THIBAUT BARBARA L & / RICHARD G. BESSETTE & JANET	1.13
4	LILLY ST	59-064	MAHAN ANDREW J / MAHAN COLLEEN E	4.36
15	LINCOLN ST	58-151	SWINIMER BRADLEY G	0.27
32	LINCOLN ST	48-085	BRIGGS RICHARD /	0.48
40	LINCOLN ST	48-091	COAKLEY JAMES R.	0.53
41	LINCOLN ST	48-106	MORRISON JENNIFER HARRINGTON / MORRISON HANS W	0.39
45	LINCOLN ST	48-104	VASQUEZ FEDERICO A /	0.15
63	LOVERING ST	30-049	LAPAN KEVIN A	0.41
28	MAIN ST	32-039	TRUFANT TRUSTEE SANDRA / 28 MAIN STREET REALTY TRUST	1.21
139	MAIN ST	48-025	RYAN TOM / RYAN DIANE	0.30
141	MAIN ST	48-026	HANDSPRING ENTERPRISES LLC /	0.49
142	MAIN ST	48-015	SOLBO BONNIE B	0.40
143	MAIN ST	48-023	AZAR JACK	0.45
144	MAIN ST	48-011	GIOVANGELO THOMAS / GIOVANGELO JUDITH	0.50
145	MAIN ST	48-022	EARLY CAPITAL LLC	0.69
173	MAIN ST	48-102	LINNELL STEVEN D	0.14
200	MAIN ST	57-034	FOLEY THOMAS D / FOLEY TRACY A	0.35
242	MAIN ST	57-006	OBRIEN STEVEN	0.64
254	MAIN ST	66-027	MALLOY ASHLEY R	0.40
260	MAIN ST	66-018	LOPES MARIA E / LOPES ANTERO	0.62
267	MAIN ST	66-045	DESMARAIS DANIEL R / DESMARAIS DEBORAH A	0.31
11	MANN ST	57-055	BAUMGARTNER WALTER L / BAUMGARTNER ROSEMARY	0.36
15	MAPLE ST	39-009	BIOCCHI FAMILY TRUST / MARK BIOCCHI ET AL	0.55
2	MASSASOIT ST	69-034	ZUMAN KATHERINE / ZUMAN JOHN	0.84
3	MASSASOIT ST	69-035	GLASHEEN CAROL A	0.34
14	MERYL ST	32-081	CROSBY GORDON L / CROSBY ELEANOR A	0.36

3	MILFORD ST	57-032	PERKINS JOHN B / PERKINS CATHERINE	0.20
5	MILFORD ST	57-031	DAPSAUSKI RONALD D / DAPSAUSKI ADELAIDE	0.37
4	NORFOLK AVE	58-206	SOLARI ANGELO D	0.39
18	NORFOLK AVE	58-029	LAURA SEARS BRADY REVOCABLE TR / BRADY LAURA SEARS	0.28
15	NORTH ST	60-032	LARRABEE ROBERT T / LARRABEE RITA S	0.33
16	NORTH ST	60-195	BETHONEY SR PETER T / BETHONEY JR PETER T	0.14
18	NORTH ST	60-196	FASLAND LLC / FASOLINO MATTHEW	0.14
45	NORTH ST	61-096-0001	SWANSON MARGARET /	0.26
51	NORTH ST	61-104	ROJEE PAUL J / ROJEE MICHAEL E	0.82
28	OAKLAND ST	61-009	REARDON WILLIAM F JR / REARDON DIANE	0.76
50	OAKLAND ST	51-024	KENNEY FAMILY TRUST / KENNEY TRUSTEE FRANCIS	0.50
95	OAKLAND ST	33-047	HEAVEY ROBERT J. / HEAVEY VIRGINIA I.	0.45
6	PINE ST	60-203	NICHOLAS BERTRAM A / NICHOLAS JEAN A	0.21
16	PINE ST	60-034	WARD KAREN A	0.34
19	PINE ST	60-022	WEST CHARLES M	0.28
18	POND ST	39-060	O'NEILL STEPHEN J.	0.92
13	POPULATIC ST	61-052	D'ALESSANDRO RICHARD TRUSTEE / SAULEN LIFE ESTATE ANNE V	4.20
14	POPULATIC ST	71-010	MCDONOUGH BUILDING, INC. /	0.69
2	RIVER ST	70-009	REARDON FAMILY REALTY TRUST / WM. JR./JAMES REARDON TRS.	0.78
3	RIVER ST	70-015	FABER TRUSTEE STEVEN J / BILLUPS TRUSTEE CYNTHIA K	0.27
8	SANDERSON ST	60-020	BOYD KERRY M / BOYD ERIC JAMES	0.27
7	SANFORD ST	60-088	HEAVEY ROBERT J / HEAVEY VIRGINIA I	0.53
11	SANFORD ST	70-010	BOZYCZKO JOSEPH M / BOZYCZKO VICTORIA	0.08
13	SANFORD ST	70-016	REARDON JOHN III / REARDON JANET	0.32
8	SLOCUMB PL	47-072	BAIN TRST RONALD S / BAIN TRST CLAIRE M	0.50
27	VERNON RD	42-008	HODGSON TRUSTEE GARY D / HODGSON TRUSTEE DEBORAH L	1.24
23	VILLAGE ST	72-015	ROBERTS JASON / ROBERTS JOHN R JR	2.26
49	VILLAGE ST	61-051	SPENCE MAE M / SPENCE ASHLEY N	1.11
70	VILLAGE ST	61-023	FINAZZO ANDREW D. / FINAZZO JAMIE L.	0.55
77	VILLAGE ST	61-058	COFFEY PAUL / LYON AMY L	0.19
79	VILLAGE ST	61-057	DOYLE-SIMARD 2015 FUNDING TRUST / DOYLE-SIMARD, LINDA TR SIMARD, RICHARD L II TR	0.32
84	VILLAGE ST	61-027	NTATIS DIMITRIS A	0.51
112	VILLAGE ST	61-088	CURTISS RICHARD P.	0.17
171	VILLAGE ST	60-117	CASSIDY DAVID L / CASSIDY CAROL E LEWIS	0.22
173	VILLAGE ST	60-116	BUKIS KEVIN / BUKIS KAREN J	0.22
175	VILLAGE ST	60-115	PANELLA DAVID	0.27
197	VILLAGE ST	60-107	CAULFIELD MICHAEL J / LAVEZZO GINA M	0.23
210	VILLAGE ST	60-160	BETHONEY RUSSELL J / BETHONEY JANE E	0.59
213	VILLAGE ST	60-099	CATON JOHN H / CATON SARA A	0.69
217	VILLAGE ST	70-006	DUNTON LAUREN M / VERISSIMO FULVIO V	2.62
235	VILLAGE ST	69-059	FIORI DONNA J	0.52
239	VILLAGE ST	69-055	NUTTING PATRICIA R	0.81
279	VILLAGE ST	58-096	MITCHELL PAUL F. & JANET A. / STEVEN & JENNIFER MITCHELL	0.50
282	VILLAGE ST	58-080	MACSWAIN DAVID A / MACSWAIN ROBERT W	0.92
287	VILLAGE ST	58-103	POWER MICHAEL F / POWER DEBORAH	1.47
323	VILLAGE ST	58-119	SOSKEN REALTY LLC	0.58
332	VILLAGE ST	58-140	MILL JOHN A JR / MILL STACEY A	0.27
340	VILLAGE ST	57-071	MOORE PHILIP / MOORE MARILYN ET AL	0.23
362	VILLAGE ST	57-139	HO EDMUND YU-ON & YIM CHING HO / CHARLENE C. HO & RYAN L OCAMPO	0.76
372	VILLAGE ST	57-143	SANTORO DOROTHY P.	1.00
379	VILLAGE ST	67-055	MURRAY PAUL / XIUQIN MURRAY	0.55

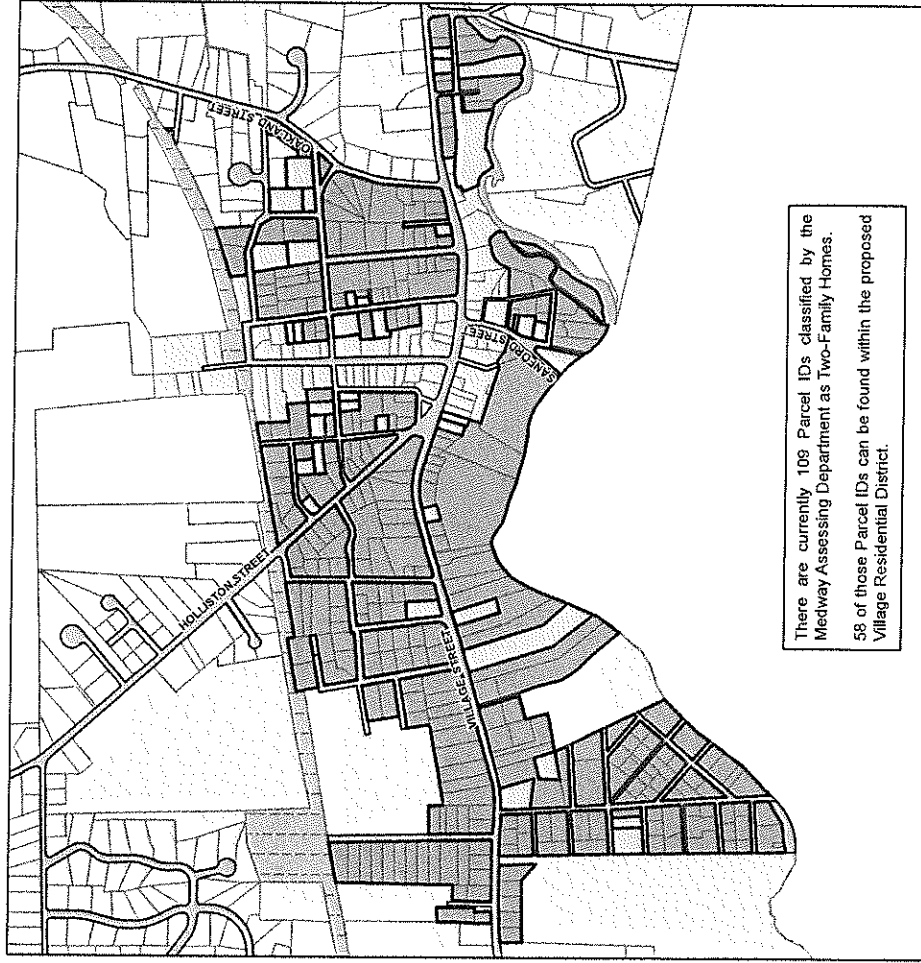
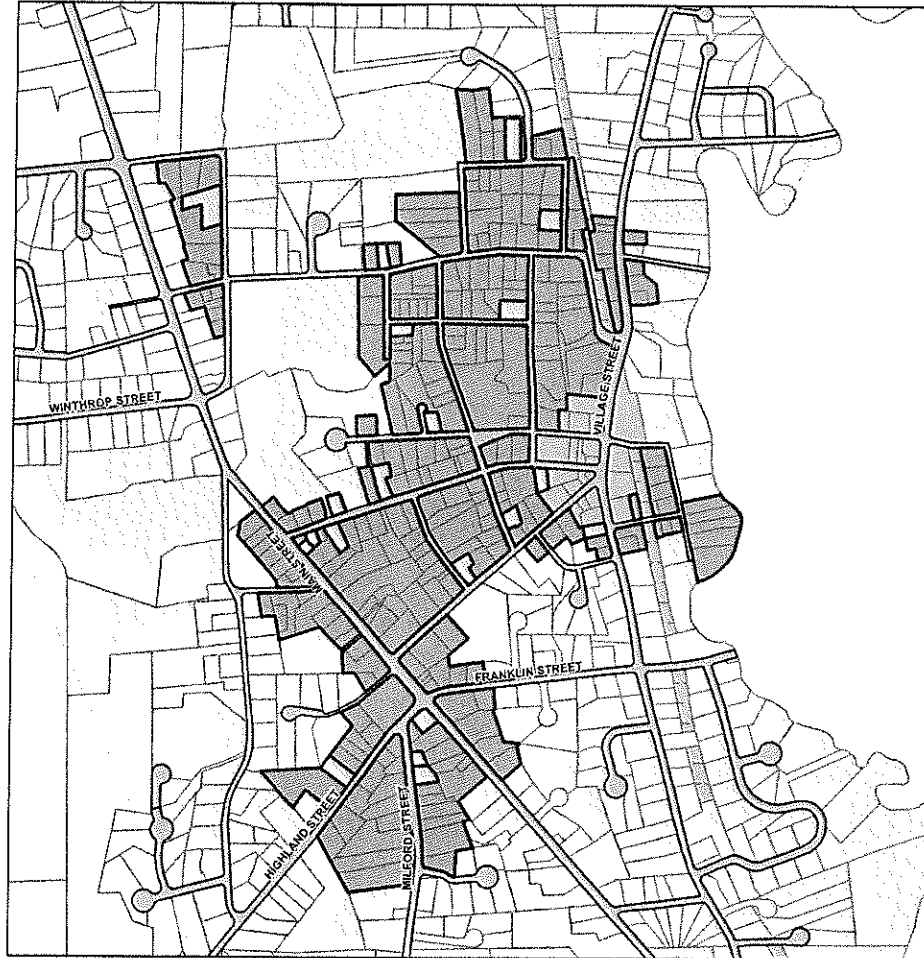
398	VILLAGE ST	66-036	SOLIS MILAGROS ABREU / SOLIS PEDRO	0.26
411	VILLAGE ST	66-046	BLETHEN RICHARD C / BLETHEN ANN M	1.30
31	WELLINGTON ST	58-146	GRIMES SCOTT C	0.29
7	WILLIAMS ST	58-067	HEAVEY MICHAEL J. / HEAVEY MARTHA M.	0.42
14	WINTHROP ST	39-090	POULTEN MEREDITH	0.50
42	WINTHROP ST	30-004	DUBRAWski EDWARD J JR / DUBRAWski SHEILA M	0.67
105	WINTHROP ST	08-049	KEEFE JANE E / KEEFE BRIAN A	1.01

ST NO	STREET	MAP PAR ID	OWNER	DISTRICT	DISTRICT L	AREA ACRES	AREA SQFT	HOUSETYPE
11	BARBER ST	60-220	ABRAMOVA OLGA (NADTOCHU)	VILLAGE RESIDENTIAL DISTRICT	EAST	0.39085	17025.33510	TWO FAMILY
12	BARBER ST	60-078	BRUCE RICHARD S	VILLAGE RESIDENTIAL DISTRICT	EAST	0.11390	4961.45607	TWO FAMILY
14	BARBER ST	60-080	WILLIAMSON JOHN	VILLAGE RESIDENTIAL DISTRICT	EAST	0.14281	6220.86462	TWO FAMILY
15	BARBER ST	60-218	BETHONY PETER T	VILLAGE RESIDENTIAL DISTRICT	EAST	0.57335	24974.97200	TWO FAMILY
21	BARBER ST	60-041	BURKE HELENA J WILHELM	VILLAGE RESIDENTIAL DISTRICT	EAST	0.18980	8267.75780	TWO FAMILY
23	BARBER ST	60-040	SAWYER ERIC J	VILLAGE RESIDENTIAL DISTRICT	EAST	0.15052	6556.77425	TWO FAMILY
8	BRIGHAM ST	58-053	BERGHELLI WAYNE B P /PAULENE R	VILLAGE RESIDENTIAL DISTRICT	WEST	0.67671	29477.56280	TWO FAMILY
2	CANAL ST	61-068	CANAL STREET REALTY TRUST	VILLAGE RESIDENTIAL DISTRICT	EAST	2.58974	112787.00700	TWO FAMILY
19	COTTAGE ST	48-064	JUDITH A MALMBERG REVOCABLE TRUST	VILLAGE RESIDENTIAL DISTRICT	WEST	0.26088	11363.85390	TWO FAMILY
8	CROOKS ST	60-054	CASALI RICHARD D	VILLAGE RESIDENTIAL DISTRICT	EAST	0.91813	39993.51370	TWO FAMILY
12	CROOKS ST	60-055	WILLIAMS PAUL R	VILLAGE RESIDENTIAL DISTRICT	EAST	0.73648	32080.81730	TWO FAMILY
15	CROOKS ST	61-096	SKELLY ELIZABETH A	VILLAGE RESIDENTIAL DISTRICT	EAST	0.78290	34103.01550	TWO FAMILY
7	CUTLER ST	48-074	FORGIONE JEAN M	VILLAGE RESIDENTIAL DISTRICT	WEST	0.24522	10681.58510	TWO FAMILY
27	EVERGREEN ST	48-041	JAMES JEFFREY S	VILLAGE RESIDENTIAL DISTRICT	WEST	1.00352	43713.24780	TWO FAMILY
8	GUERNSEY ST	58-184	FERGUSON AUDREY/MATES HEATHER	VILLAGE RESIDENTIAL DISTRICT	WEST	0.53232	23187.63720	TWO FAMILY
10	HIGHLAND ST	47-085	GORMAN JULIE N	VILLAGE RESIDENTIAL DISTRICT	WEST	0.49424	21528.99680	TWO FAMILY
18	HOLLISTON ST	60-017	HARCOVITZ CHARLES	VILLAGE RESIDENTIAL DISTRICT	EAST	0.19613	8543.50784	TWO FAMILY
15	HOLLISTON ST	58-151	SWINIMER BRADLEY G	VILLAGE RESIDENTIAL DISTRICT	WEST	0.28081	12231.88330	TWO FAMILY
32	LINCOLN ST	48-085	BRIGGS RICHARD	VILLAGE RESIDENTIAL DISTRICT	WEST	0.56342	24542.53630	TWO FAMILY
40	LINCOLN ST	48-091	COAKLEY JAMES R	VILLAGE RESIDENTIAL DISTRICT	WEST	0.28479	12405.38810	TWO FAMILY
41	LINCOLN ST	48-106	MORRISON JENNIFER HARRINGTON	VILLAGE RESIDENTIAL DISTRICT	WEST	0.36492	15895.92930	TWO FAMILY
45	LINCOLN ST	48-104	VASQUEZ FEDERICO A	VILLAGE RESIDENTIAL DISTRICT	WEST	0.15711	6843.67568	TWO FAMILY
173	MAIN ST	48-102	LINNELL STEVEN D	VILLAGE RESIDENTIAL DISTRICT	WEST	0.12601	5488.86052	TWO FAMILY
200	MAIN ST	57-034	FOLEY THOMAS D	VILLAGE RESIDENTIAL DISTRICT	WEST	0.35645	15526.68360	TWO FAMILY
11	MASSAIOIT ST	57-055	BAUMGARTNER WA	VILLAGE RESIDENTIAL DISTRICT	WEST	0.39832	17350.89320	TWO FAMILY
2	MASSAIOIT ST	69-034	ZUMAN KATHERINE	VILLAGE RESIDENTIAL DISTRICT	EAST	0.77660	33828.72100	TWO FAMILY
3	MASSAIOIT ST	69-035	GLASHEEN CAROL A	VILLAGE RESIDENTIAL DISTRICT	EAST	0.83404	14550.62280	TWO FAMILY
3	MILFORD ST	57-032	PERKINS JOHN B	VILLAGE RESIDENTIAL DISTRICT	WEST	0.18932	8246.86154	TWO FAMILY
5	MILFORD ST	57-031	DAPSASKI RONALD D	VILLAGE RESIDENTIAL DISTRICT	WEST	0.36227	15780.35080	TWO FAMILY
18	NORFOLK AVE	58-029	BRADY PAUL F JR	VILLAGE RESIDENTIAL DISTRICT	WEST	0.28415	12377.32270	TWO FAMILY
15	NORTH ST	60-032	LARRABEE ROBERT T	VILLAGE RESIDENTIAL DISTRICT	EAST	0.33350	14527.22290	TWO FAMILY
16	NORTH ST	60-195	POMEROY SUZANNE	VILLAGE RESIDENTIAL DISTRICT	EAST	0.19136	8335.54438	TWO FAMILY
18	NORTH ST	60-196	FASLAND LLC	VILLAGE RESIDENTIAL DISTRICT	EAST	0.17691	7706.00881	TWO FAMILY
45	NORTH ST	61-096-0001	SWANSON MARGARET	VILLAGE RESIDENTIAL DISTRICT	EAST	0.29065	12660.54680	TWO FAMILY
51	NORTH ST	61-104	ROJEE PAUL J	VILLAGE RESIDENTIAL DISTRICT	EAST	0.80513	35071.35420	TWO FAMILY
77	OAK ST	61-058	COFFEY PAUL	VILLAGE RESIDENTIAL DISTRICT	EAST	0.22410	9761.80220	TWO FAMILY
77	OAK ST	61-064	STONIONIS LIFE ESTATE VITO A	VILLAGE RESIDENTIAL DISTRICT	EAST	1.11505	48571.30200	TWO FAMILY
6	PINE ST	60-203	NICHOLAS BERTRAM A	VILLAGE RESIDENTIAL DISTRICT	EAST	0.19780	8616.13293	TWO FAMILY
16	PINE ST	60-034	WARD KAREN A	VILLAGE RESIDENTIAL DISTRICT	EAST	0.35980	15672.97360	TWO FAMILY
19	PINE ST	60-022	WEST CHARLES M	VILLAGE RESIDENTIAL DISTRICT	EAST	0.32621	14209.51110	TWO FAMILY
2	RIVER ST	70-009	REARDON FAMILY REALTY TRUST	VILLAGE RESIDENTIAL DISTRICT	EAST	0.61675	26865.65530	TWO FAMILY
3	RIVER ST	70-015	FABER TRUSTEE STEVEN J	VILLAGE RESIDENTIAL DISTRICT	EAST	0.25545	11127.41950	TWO FAMILY
8	SANDERSON ST	60-020	BOYD KERRY M	VILLAGE RESIDENTIAL DISTRICT	EAST	0.28309	12331.31460	TWO FAMILY
11	SANFORD ST	70-010	BOZYCKO JOSEPH M	VILLAGE RESIDENTIAL DISTRICT	EAST	0.07662	3337.71139	TWO FAMILY
13	SANFORD ST	70-016	REARDON JOHN III	VILLAGE RESIDENTIAL DISTRICT	EAST	0.34517	15035.51790	TWO FAMILY
79	VILLAGE ST	61-057	DOYLE-SIMARD 2015 FUNDING TRUST	VILLAGE RESIDENTIAL DISTRICT	EAST	0.28561	12441.13900	TWO FAMILY
112	VILLAGE ST	61-088	CURTIS RICHARD P	VILLAGE RESIDENTIAL DISTRICT	EAST	0.18048	7861.82135	TWO FAMILY
173	VILLAGE ST	60-116	BUKIS KEVIN	VILLAGE RESIDENTIAL DISTRICT	EAST	0.21754	9475.84170	TWO FAMILY
175	VILLAGE ST	60-115	PANELLA DAVID	VILLAGE RESIDENTIAL DISTRICT	EAST	0.26193	11409.50840	TWO FAMILY
197	VILLAGE ST	60-107	CAULFIELD MICHAEL J	VILLAGE RESIDENTIAL DISTRICT	EAST	0.23496	10234.94540	TWO FAMILY
210	VILLAGE ST	60-160	BETHONEY RUSSEL	VILLAGE RESIDENTIAL DISTRICT	EAST	0.58257	25376.70540	TWO FAMILY

213	VILLAGE ST	60-099	CATON JOHN H	VILLAGE RESIDENTIAL DISTRICT	EAST	0.67623	29456.36910	TWO FAMILY
217	VILLAGE ST	70-006	DUNTON LAUREN M	VILLAGE RESIDENTIAL DISTRICT	EAST	2.99325	130385.23900	TWO FAMILY
235	VILLAGE ST	69-059	FIORI DONNA J	VILLAGE RESIDENTIAL DISTRICT	EAST	0.52731	22969.66240	TWO FAMILY
239	VILLAGE ST	69-055	NUTTING PATRICIA R	VILLAGE RESIDENTIAL DISTRICT	EAST	0.81034	35298.40260	TWO FAMILY
332	VILLAGE ST	58-140	MCLAUGHLIN ANN	VILLAGE RESIDENTIAL DISTRICT	WEST	0.27050	11783.09200	TWO FAMILY
31	WELLINGTON ST	58-146	GRIMES SCOTT C	VILLAGE RESIDENTIAL DISTRICT	WEST	0.29250	12741.39850	TWO FAMILY
7	WILLIAMS ST	58-067	HEAVEY MICHAEL J.	VILLAGE RESIDENTIAL DISTRICT	WEST	0.44167	19239.00100	TWO FAMILY

Existing Two-Family Homes* within the Proposed Village Residential District

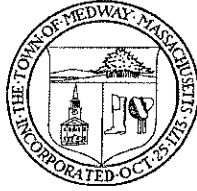
*As Classified by the Medway Assessing Department



There are currently 109 Parcel IDs classified by the Medway Assessing Department as Two-Family Homes.
58 of those Parcel IDs can be found within the proposed Village Residential District.

- TWO FAMILY HOMES
- PROPOSED VILLAGE RESIDENTIAL BOUNDARIES
- ROW, PRIVATE ROW
- WATER
- RAIL ROW
- PARCELS
- AR-I
- AR-II
- C-I
- C-II
- C-III
- C-IV

1 inch = 0.15 miles



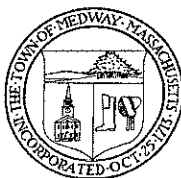
October 11, 2016

**Medway Planning & Economic Development Board
Meeting**

Medway Gardens Site Plan

- Draft site plan modification decision dated 9-13-16
- CONFIDENTIAL email communication dated 9-23-16 from Town Counsel Barbara Saint Andre re: agricultural exemption
- Letter from Joe Avellino dated 10-4-16
- CONFIDENTIAL email communication dated 10-4-16 from Town Counsel Barbara Saint Andre re: draft decision
- Deadline Extension to 10-20-16

Town Counsel Barbara Saint Andre has spoken with a representative of the law firm for Joe Avellino. She reports that they will be compiling some information to make their case to the Board that the agricultural use is exempt. Barbara expects that they may not be ready to present that at Tuesday night's meeting. If that is the case, you will need to continue this matter to another meeting (10-25-16). AND another action deadline extension will be needed. NOTE – I will be away on vacation the week of October 24th, so any deadline extension you approve should be for the following week. Thanks.



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

Andy Rodenhiser, Chairman
Robert K. Tucker, Vice-Chairman
Thomas A. Gay, Clerk
Matthew J. Hayes, P.E.
Richard Di Iulio

DRAFT – September 13, 2016

SITE PLAN DECISION
Medway Gardens Site Plan Modification
34 Summer Street

You are hereby notified that on September 13, 2016 at a duly called and properly posted meeting, the Medway Planning and Economic Development Board, after reviewing the application and information compiled during the public review process, voted on a motion made by _____ and seconded by _____ to approve with conditions as specified herein, the application of Onilleva Realty, LLC of Medway, MA to modify the previously approved site plan for Medway Gardens from August 2014.

This Decision includes the following sections:

- I. Project Location
- II. Background
- III. Project Description – Proposed Modification
- IV. Procedural Summary
- V. Index of Site Plan documents
- VI. Testimony
- VII. Special Conditions of Approval
- VIII. General Conditions of Approval

I. PROJECT LOCATION - Medway Gardens is located on a 2.27 acre portion of the property at 34 Summer Street (Parcel 56-039), in the Commercial V zoning district. The property is owned by Onilleva Realty, LLC of Medway, MA. The site is bounded on the west by Summer Street, on the north by Milford Street, on the east by property owned by Jesse and Teigan Bain at 37 Milford Street and by Madelyn Rivera and Pamela Bellino at 2 Knollwood Road, and on the south by property owned by Richard and Helen Barry at 32 Summer Street. The Cumberland Farms development is also located on this site.

II. BACKGROUND - The site plan decision for improvements at Medway Gardens was previously approved by the Medway Planning and Economic Development Board on August 12, 2014. Those improvements were shown on a plan dated August 21, 2014 which the Board endorsed on September 16, 2014. The approved scope of work included construction of a new greenhouse, a wooden pergola, and various site improvements including a reorganized and striped parking arrangement, perimeter landscaping/buffering, outside merchandise display, and improved access/egress to the site. The site plan decision specified that work was to be completed within a two year

period of plan endorsement. Based on a June 1, 2016 inspection of the site by Tetra Tech Engineering, the Board's consulting engineer, and the resultant punch list dated June 8, 2016, the Board determined that the scope of work had not been fully completed. The owner now wishes to modify/reduce the scope of site improvements.

III. PROJECT DESCRIPTION/PROPOSED MODIFICATION - The primary purpose of this application for site plan modification is to update the plan to depict the revised scope of improvements the applicant will implement. Pursuant to the application, the following scope of work is proposed:

Previously approved work to NOT be carried out includes paving 7 parking spaces in the parking area south of the wooden pergola. The owner wishes to be relieved of completing this particular site improvement. Gravel parking spaces will be provided instead.

The previously approved work which the applicant will install includes:

- Installation of a bituminous concrete apron and the appurtenant railroad ties at the Summer Street entrance
- Installation of 30 concrete wheel stops in the parking area to clearly designate the parking space locations
- Installation of directional and accessible parking signs
- Installation of a stockade fence and shrubs to enclose the existing dumpster
- Installation of a free-standing sign at the entrance driveway to the site from Summer Street
- Installation of landscaping along the southern and eastern perimeter of the site as a buffer to the adjacent parcels.

IV. PROCEDURAL HISTORY

- A. August 8, 2016 – Application to modify a previously approved site plan was filed with the Medway Planning & Economic Development Board.
- B. August 9, 2016 – Public briefing notice was filed with the Town Clerk, posted to the Town of Medway web site and mailed to abutters via first class mail.
- C. August 23, 2016 – Public briefing commenced. The public briefing was continued to September 13, 2016 when it was closed and the Board voted its decision.

V. INDEX OF SITE PLAN DOCUMENTS

- A. The application package to modify the previously approved Medway Gardens site plan submitted on August 8, 2016 included the following documents:
 - Application to Modify a Previously Approved Site Plan dated August 8, 2016
 - Project description dated July 12, 2016, received August 4, 2016
 - *Medway Gardens Site Plan*, dated July 22 2014, last revised July 22, 2016 prepared by Civil Design Group, LLC of North Andover, MA.
 - Certified abutters list
- B. During the course of the public briefing, the applicant provided the following additional documents:
 - A collection of site photos provided by the applicant during the August 23, 2016 to document completed work.

VI. TESTIMONY - In addition to the site plan application materials submitted and provided by the applicant during the course of its review, the Planning & Economic Development Board received written or verbal testimony as follows:

Written Documents

- Inspection report/punch list dated June 8, 2016 from Steve Bouley, Tetra Tech Engineering
- Site plan modification review letter dated August 16, 2016 from Gino Carlucci, the Town's consulting planner.
- Email communication dated August 21, 2016 from abutter Teigan Bain, 37 Milford Street including site photos.
- Email communication dated August 23, 2015 from abutter Pamela Bellino-Rivera of 2 Knollwood Drive

Verbal Testimony

- Joe Avellino, owner and applicant
- Gino Carlucci, consulting planner

VII. SPECIFIC CONDITIONS OF APPROVAL – Approval of this site plan modification is subject to the following specific conditions:

A. **Plan Revisions** - Prior to endorsement, the site plan titled *Medway Gardens Site Plan*, dated June 22, 2014, last revised July 22, 2016 prepared by Civil Design Group of North Andover, MA shall be further revised to show the following:

1. the location and description of 25' linear feet of fencing to be installed along the parcel's eastern boundary with property owned by Bellino-Rivera at 2 Knollwood Road
2. the establishment of a landscaped berm along the parcel's northern boundary (# of linear feet) with property owned by Bain at 37 Milford Street. The berm shall be ____ high and the landscaping shall consist of _____.
3. the free-standing sign to be located at the entrance driveway from Summer Street shall be noted as being a "new" sign instead of a "relocated" sign.
4. the notes regarding perimeter landscaping shall be revised to specify the height/size/type of evergreen trees to be planted every 20' and the height/size/type of native shrubs to be planted in between.
5. The landscaping along the eastern boundary line with the Bains at 37 Milford Street as shown on the endorsed Cumberland Farms site plan dated February 13, 2014, endorsed March 4, 2014, shall be added to the site plan."
6. Add a design detail for a new swing gate (Condition F).
7. Final revision date.
- 8.
- 9.

- B. The owner shall regularly water the landscape plantings to be located on the perimeter of the site as shown on the plan so that they will be maintained and thrive. To accomplish this, the owner will install soaker hoses for irrigating the plants.
- C. The owner will arrange for the regular spray painting of lines outlining the 9' x 18' parking spaces on the gravel parking areas wherever there are no wheel stops. Such striping shall be performed a minimum of ____ times per year.
- D. The owner shall continuously maintain the gravel access driveway to Milford Street such that weeds are regularly removed and the driveway appears neat and tidy and functions as a distinct driveway.
- E. A new free-standing, two sided Medway Garden Center sign shall be located near the entrance driveway from Summer Street. Said sign shall be in conformance with the Medway Zoning Bylaw.
- F. The owner shall replace the existing swing barrier gate at the northern edge of the internal driveway to Milford Street with a ____' high and ____' wide wood appearing swing gate to screen the back of the Medway Gardens site from the Cumberland Farms development and Route 109.
- G. The existing Conex container on the premises shall be removed
- H. A separate and distinct outside storage area shall be established and maintained to consolidate the storage of equipment, vehicles, palettes and other non-plant materials. Such area shall be screened from view with fencing and/or landscaping.
- I. The height of the dumpster enclosure shall fully screen the height of the dumpster inside. The enclosure shall screen all 4 sides of the dumpster.
- J. The landscaping along the eastern boundary line with the Bains at 37 Milford Street shall be maintained in good condition, including watering and trimming, by the owner.
- K. **Schedule for Project Completion** – The Planning and Economic Development Board's approval of this site plan modification shall lapse after ninety days of the grant thereof if substantial use has not commenced except for good cause. Construction shall be completed by the applicant or its assignees by June 30, 2017.

Upon receipt of a written request by the applicant filed at least thirty (30) days prior to the date of expiration, the Planning & Economic Development Board may grant an extension for good cause. The request shall state the reasons for the extension and also the length of time requested. If no request for extension is filed and approved, the site plan approval shall lapse and may be reestablished only after a new filing and hearing have been held.

L.

M.

N.

VIII. GENERAL CONDITIONS OF APPROVAL

- A. **Appeal** – Any person aggrieved by the Planning & Economic Development Board's Decision may appeal such to the court within twenty (20) days of the date the Decision is filed with the Town Clerk.
- B. **Plan Endorsement** - Within thirty (30) days after the Planning & Economic Development Board has filed its *Decision* with the Town Clerk, the Applicant shall submit a final site plan modification drawing reflecting all required revisions, if any, to the Planning and Economic Development Board to review for compliance with the Board's *Decision* before plan endorsement.
- C. **Fees/Taxes** - Prior to endorsement of the modified site plan by the Planning & Economic Development Board, the Applicant shall pay the balance of any outstanding plan review fees owed to the Town for review of the site plan by the Town's engineering and planning consultants, and any other outstanding expenses or obligations due the Town of Medway, including real estate and personal property taxes and business licenses. The Applicant's failure to pay these fees in their entirety shall be reason for the Planning & Economic Development Board to withhold plan endorsement.
- D. **Construction Standards** - All construction shall be in full compliance with all applicable local, state and federal laws, including but not limited to the Americans with Disabilities Act and the regulations of the Massachusetts Architectural Access Board for handicap accessibility.
- E. **Plan Revisions** – Any change to the approved site plan modification shall necessitate a further modification of the site plan requiring Planning & Economic Development Board approval pursuant to SECTION V. C. 8 of the Medway Zoning Bylaw. Whenever additional reviews by the Planning & Economic Development Board, its staff or consultants are necessary due to proposed site plan modifications, the Applicant shall be billed and be responsible for all supplemental costs including filing fees, plan review fees and all costs associated with another public hearing if required including legal notice and abutter notification. If the proposed revisions affect only very limited aspects of the site, the Planning & Economic Development Board may reduce the scope of the required review, public notice and waive part of the filing and review fees.
- F. **Project Completion** – At the conclusion of the installation/construction of the site plan improvements shall provide the Board with a written certification of a professional engineer registered in the Commonwealth of Massachusetts that all construction work has been completed in strict compliance with the decision and the endorsed site plan.

Approved by the Medway Planning & Economic Development Board: _____

ATTEST: _____

Susan E. Affleck-Childs
Planning & Economic Development Coordinator

Date

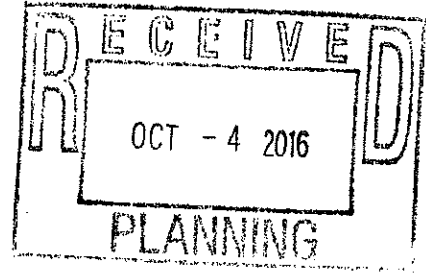
COPIES TO: Michael Boynton, Town Administrator
Bridget Graziano, Conservation Agent
Donna Greenwood, Assessor
Thomas Holder, DPS Director
Jeff Lynch, Fire Department

Jack Mee, Building Commissioner/Zoning Enforcement Officer
Stephanie Mercandetti, Director of Community and Economic Development
Joanne Russo, Treasurer/Collector
Jeff Watson, Police Department
Steve Bouley, Tetra Tech
Gino Carlucci, PGC Associates
Joe Avellino

DRAFT

October 4, 2016

Planning Board
Medway Town Hall
155 Village Street
Medway, MA 02053



RE: Medway Gardens, Inc. 34 Summer Street, Medway, MA

To Whom It May Concern,

I am writing to express my objection to the review of the Medway Gardens site plan at the Special meeting scheduled for Tuesday, October 4, 2016.

Moving this discussion to a date a week earlier than is customary for the board deprives me of the opportunity to prepare for this highly consequential discussion and decision making process.

As stated in the letter from my Attorney dated September 13, 2016, we believe firmly that we are not obliged to seek site plan approval based on state laws protecting horticultural uses of land, and take exception to the board's decision to move forward given that fact.

In addition to this, I still strongly assert that Mr. Rodenheiser's participation in the decision making process continues to represent a serious conflict of interest that impedes the board's ability to make impartial decisions in good faith with regard to my business.

Given the circumstances, it is difficult not to suspect that the decision of the board to move forward so quickly and with such little notice is aimed at suppressing public comment and my ability to defend my position.

Sincerely,

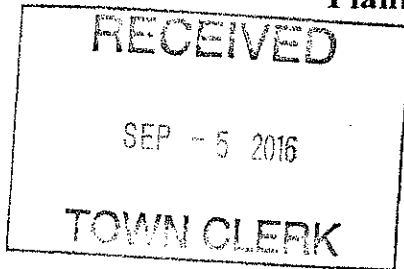
Joseph Avellino

A handwritten signature in black ink, appearing to be "JA" followed by a long horizontal stroke.



TOWN OF MEDWAY
Planning & Economic Development Board

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




Andy Rodenhiser, Chairman
Robert K. Tucker, Vice-Chairman
Thomas A. Gay, Clerk
Matthew J. Hayes, P.E.
Richard Di Iullo

MEMORANDUM

October 5, 2016

TO: Maryjane White, Town Clerk

FROM: Susan Affleck-Childs, Planning & Economic Development Coordinator 

RE: Medway Gardens Site Plan Modification – 34 Summer Street
Extension of Action Deadline

At its meeting on October 4, 2016, the Planning & Economic Development Board approved the request of applicant Joe Avellino/Onilleva Realty LLC to extend the deadline for the Planning & Economic Development Board to act on his application to modify the previously approved Medway Gardens Site Plan to October 20, 2016. A copy of the applicant's request is attached.

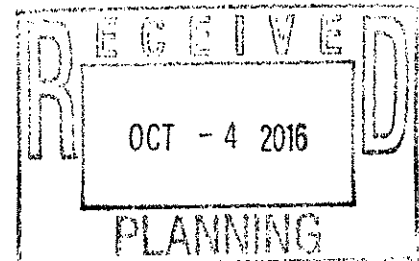
cc: Joe Avellino, Onilleva Realty Trust

**Request for Extension of Deadline
for Action by the
Medway Planning & Economic Development Board**

10/4/16
DATE

The undersigned Applicant (or official representative) requests an extension of the deadline for action by the Planning and Economic Development Board on the application of Joseph Avellino for:

- ☐ ANR (Approval Not Required/81P Plan)
- ☐ Preliminary Subdivision Plan
- ☐ Definitive Subdivision Plan (or modification)
- ☒ Site Plan Approval (or modification)



I need more time to demonstrate to the Board that we are not obliged to seek site plan approval
Scenic Road Work Permit

for the development project known as:

Medway Gardens

to the following date:

10/20/16

Respectfully submitted,

Name of Applicant or official representative:

Joseph Avellino

Signature of Applicant or official representative:

A handwritten signature in dark ink, appearing to read "Joe Avellino".

Date approved by Planning and Economic Development Board:

10-4-2016

New Action Deadline Date:

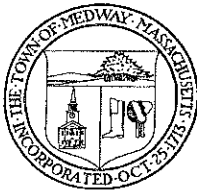
10-20-2016

ATTEST:

A handwritten signature in dark ink, appearing to read "Susan Affleck-Childs".

Susan E. Affleck-Childs

Planning and Economic Development Coordinator



October 11, 2016
Medway Planning & Economic Development Board
Meeting

Construction Reports

- 2 Marc Road Construction Report #7 (9-30-16)
- 2 Marc Road Construction Report #8 (10-6-16)
- Dan Merrikin's monthly report on 2 Marc Road (10-7-16)
- Millstone Construction Report # 72 (9-30-16)
- Email memos dated 9-26-16 from Steve Bouley and Bridget Graziano re: Millstone, Applegate, Village Estates and Tri Valley Commons

Tetra Tech
100 Nickerson Road
Marlborough, MA 01752

Project 2 Marc Road	Date 09-30-2016	Report No. 07
Location Marc Road	Project No. 143-21583-16009	Sheet 1 of 2
Contractor Rosenfeld Jon Rosenfeld	Weather A.M. CLEAR P.M.	Temperature A.M. 60° P.M.

FIELD OBSERVATIONS

On Friday, September 30, 2016 Frank Guthman from Tetra Tech (TT) visited the project site to inspect the current condition of the site and construction progress. The following observations were made:

1. Observations

- A. Upon arrival at the 2 Marc Road site, Rosenfeld workers were in the process of excavating existing material along the northern and southern proposed building wall, in order to start forming the concrete footing and piers.
- B. The contractor had the required footing rebar delivered to the site.
- C. The contractor had the required drain manhole and sewer manhole structures delivered to the site.
- D. The construction entrance does not appear to be constructed with the proper size rip-rap according to the approved plans; although there is no sign of sediment being tracked onto Marc Road at this time, TT will continue to monitor this issue throughout the fall and winter months.

CONTRACTOR'S FORCE AND EQUIPMENT

WORK DONE BY OTHERS

Sup't		Bulldozer		Asphalt Paver		Dept. or Company	Description of Work
Foreman	1	Backhoe		Asphalt Reclaimer			
Laborers	3	Loader		Vib. Roller			
Drivers		Rubber Tire Backhoe/Loader		Static Roller			
Oper. Engr.		Bobcat		Vib. Walk Comp.			
Carpenters		Hoeram		Compressor			
Masons		Excavator	2	Jack Hammer			
Iron Workers		Grader		Power Saw			
Electricians		Crane		Conc. Vib.			
Flag persons		Scraper		Rock Crusher			
Surveyors		Articulating Dump Truck		Chipper			
Driller		Conc. Truck		Screener			
Blast Crew		Pickup Truck	1	Drill Rig			
Sewer/Water Tester		Dump Truck 6 Whl		Boom Lift			
Town Inspector		Dump Truck 10 Whl		Water Truck			
		Dump Truck 14 Whl		Luill			
		Dump Truck 18 Whl		Gradall			

OFFICIAL VISITORS TO JOB

Police Details:

Time on site: 7:30 A.M. – 9:00 A.M.

CONTRACTOR'S Hours of Work:

RESIDENT REPRESENTATIVE FORCE

Name

Name

Resident Representative: Frank Guthman

Project 2 Marc Road	Date 09-30-2016	Report No. 07
Location Marc Road	Project No. 143-21583-16009	Sheet 2 of 2
Contractor Rosenfeld	Weather A.M. CLEAR P.M.	Temperature A.M. 60° P.M.

FIELD OBSERVATIONS CONTINUED

2. Schedule

- A. Rosenfeld will continue excavating for the proposed building footings and piers.
- B. The contractor will then form and fasten rebar for the footings and piers.
- C. The contractor will finish installing the retaining wall along the western property line.

3. New Action Items

- A. N/A

4. Previous Open Action Items

- A. Modify construction entrance in order to prevent sediment tracking onto Marc Road.

5. Materials Delivered to Site Since Last Inspection:

- A. Sanitary and drain manhole structures.
- B. Rebar for proposed building footings and piers.

Tetra Tech
100 Nickerson Road
Marlborough, MA 01752

Project 2 Marc Road	Date 10-06-2016	Report No. 08
Location Marc Road	Project No. 143-21583-16009	Sheet 1 of 2
Contractor Rosenfeld Jon Rosenfeld	Weather A.M. SUNNY P.M.	Temperature A.M. 60° P.M.

FIELD OBSERVATIONS

On Thursday, October 06, 2016 Frank Guthman from Tetra Tech (TT) visited the project site to inspect the current condition of the site and construction progress. The following observations were made:

1. Observations

- A. Upon arrival at the 2 Marc Road site, Rosenfeld workers were in the process of grading and compacting the material for the building footing and piers along the perimeter of the proposed building location.
- B. Upon inspection, TT observed standing turbid water in the swale adjacent to the northeast corner of the proposed building. It does not appear the swale is graded properly as standing water was observed and the area where the swale discharges was observed in a dry condition. It is unclear from the plan set whether the swale was intended to be graded to hold water but flow arrows clearly indicate direction of flow to the east which does not appear to be occurring. Contractor shall maintain stone/haybale check dams regularly to help prevent turbid water from flowing off-site.

CONTRACTOR'S FORCE AND EQUIPMENT

WORK DONE BY OTHERS

Sup't		Bulldozer		Asphalt Paver		Dept. or Company	Description of Work
Foreman	1	Backhoe		Asphalt Reclaimer			
Laborers	4	Loader	1	Vib. Roller			
Drivers		Rubber Tire Backhoe/Loader		Static Roller			
Oper. Engr.		Bobcat	1	Vib. Walk Comp.			
Carpenters		Hoeram		Compressor			
Masons		Excavator	2	Jack Hammer			
Iron Workers		Grader		Power Saw			
Electricians		Crane		Conc. Vib.			
Flag persons		Scraper		Rock Crusher			
Surveyors		Articulating Dump Truck		Chipper			
Driller		Conc. Truck		Screener			
Blast Crew		Pickup Truck	1	Drill Rig			
Sewer/Water Tester		Dump Truck 6 Whl		Boom Lift			
Town Inspector		Dump Truck 10 Whl		Water Truck			
		Dump Truck 14 Whl		Lull			
		Dump Truck 18 Whl		Gradall			

OFFICIAL VISITORS TO JOB

Police Details:

Time on site: 9:30 A.M. – 11:00 A.M.

CONTRACTOR'S Hours of Work:

RESIDENT REPRESENTATIVE FORCE

Name

Name

Resident Representative: Frank Guthman

Project 2 Marc Road	Date 10-06-2016	Report No. 08
Location Marc Road	Project No. 143-21583-16009	Sheet 2 of 2
Contractor Rosenfeld Jon Rosenfeld	Weather A.M. SUNNY P.M.	Temperature A.M. 60° P.M.

FIELD OBSERVATIONS CONTINUED

2. Schedule

- A. Rosenfeld will continue grading and compacting the material at the bottom of footing elevation.
- B. The contractor will have a compaction test performed before forming for the footing and piers.
- C. The contractor will finish installing the retaining wall along the western property line once the footing and piers are poured in place.

3. New Action Items

- A. Applicant/contractor to determine cause of standing water in swales and ensure final stabilized swales are clean of all sediment.

4. Previous Open Action Items

- A. Modify construction entrance in order to prevent sediment tracking onto Marc Road.

5. Materials Delivered to Site Since Last Inspection:

- A. N/A

Merrikin Engineering, LLP

Consulting Engineers

730 MAIN STREET
SUITE 2C

MILLIS, MA 02054

TELEPHONE (508) 376-8883

October 7, 2016

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

Ref: 2 Marc Road
Medical Marijuana Cultivation Facility
Applicant's Engineer: Monthly Construction Inspection Report #2

Dear Members of the Board:

Please be advised that I have performed various inspections at the 2 Marc Road site development over the last month. Construction progress since our last report is as follows:

- The proposed swale construction along the westerly side of the project has commenced.
- The applicant is in the process of excavating the perimeter foundation for footing installation, which is expected to commence within the next week or two.

Construction is progressing in accordance with the approved site plan and permits. Do not hesitate to contact me if you have any questions or comments.

Sincerely,

Daniel J. Merrikin P.E.

cc: File

Tetra Tech
100 Nickerson Road
Marlborough, MA 01752

Project Millstone Village	Date 09-30-2016	Report No. 72
Location Winthrop Street	Project No. 143-21583-14018	Sheet 1 of 2
Contractor Titan Contracting Dave Zercoe	Weather A.M. CLEAR P.M.	Temperature A.M. 60° P.M.

FIELD OBSERVATIONS

On Friday, September 30, 2016 Frank Guthman from Tetra Tech (TT) visited the project site to inspect the current condition of the site and construction progress. The following observations were made:

1. Observations

- A. Upon arrival at the Millstone Village site, no contractors were working at this time. TT inspected the current conditions of the site and found that machine sweeping is required due to the amount of sediment tracked onto the roadway throughout Phase I and Phase II.
- B. Straw wattles should be cut to size and installed inside the curb inlets throughout the site to prevent sediment from flowing into the drainage system during construction of the project.
- C. Vertical granite curb has been installed throughout Phase II.

CONTRACTOR'S FORCE AND EQUIPMENT

WORK DONE BY OTHERS

Sup't		Bulldozer		Asphalt Paver		Dept. or Company	Description of Work
Foreman		Backhoe		Asphalt Reclaimer			
Laborers		Loader		Vib. Roller			
Drivers		Rubber Tire Backhoe/Loader		Static Roller			
Oper. Engr.		Bobcat		Vib. Walk Comp.			
Carpenters		Hoeram		Compressor			
Masons		Excavator		Jack Hammer			
Iron Workers		Grader		Power Saw			
Electricians		Crane		Conc. Vib.			
Flag persons		Scraper		Rock Crusher			
Surveyors		Articulating Dump Truck		Chipper			
Driller		Conc. Truck		Screener			
Blast Crew		Pickup Truck		Drill Rig			
Sewer/Water Tester		Dump Truck 6 Whl		Boom Lift			
Town Inspector		Dump Truck 10 Whl		Water Truck			
		Dump Truck 14 Whl		Lull			
		Dump Truck 18 Whl		Gradall			

OFFICIAL VISITORS TO JOB

Police Details:	RESIDENT REPRESENTATIVE FORCE	
Time on site: 9:15 A.M. – 11:00 A.M.	Name	Name
CONTRACTOR'S Hours of Work:		
	Resident Representative: Frank Guthman	

Project Millstone Village	Date 09-30-2016	Report No. 72
Location Winthrop Street	Project No. 143-21583-14018	Sheet 2 of 2
Contractor Titan Contracting Dave Zercoe	Weather A.M. CLEAR P.M.	Temperature A.M. 60° P.M.

FIELD OBSERVATIONS CONTINUED

2. Schedule
 - A. N/A
3. New Action Items
 - A. Machine sweep the roadway throughout Phase I and Phase II.
 - B. Install straw wattles inside all curb inlets to prevent sediment from flowing into the draining system.
4. Previous Open Action Items
 - A. N/A
5. Materials Delivered to Site Since Last Inspection:
 - A. N/A

Susan Affleck-Childs

From: Bridget Graziano
Sent: Monday, September 26, 2016 5:14 PM
To: Bouley, Steven; Susan Affleck-Childs
Subject: RE: Today's Meeting

Hi !

Steve I think you did a great job of reporting our findings today.

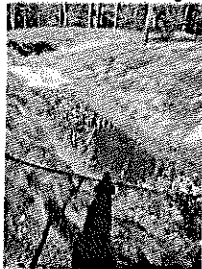
Applegate-

b. Basin to be cleaned and mowed, rip rap should be vegetation free



Tri Valley Commons

b. basin shows standing water and cat tails growing



c. It is important that we set up a meeting with Planning and Conservation to go over these issues that Steve and I have. It is important that the site must be stabilized prior to winter.

Susy- can you set up the meeting with Tri Valley Commons new owner? Or would you like to pass the information along and I can do it.

Village Estates

b. site needs to be stabilized prior to winter or next rain event, add erosion control blankets with seed. This will prevent loss of grade



I also think we need to call Russ Santoro and give him a deadline on seeding and stabilizing. Should I do that?

Millstone Village

a. Brian had all the sediments cleaned from the infiltration basin rip rap at the Millstone Drive Entrance.

Thanks Steve!

Bridget

From: Bouley, Steven [mailto:Steven.Bouley@tetrattech.com]
Sent: Monday, September 26, 2016 2:53 PM
To: Susan Affleck-Childs
Cc: Bridget Graziano
Subject: Today's Meeting

Hi Susy,

Bridget and I met this morning and visited a few of the sites to talk over some things. Overall I think the sites are in good shape but we noticed a few small things that should probably be taken care of:

1. Applegate

- a. It appears the applicant/contractor has swept the roadway, installed stone at the entrances to the house lots being constructed and replaced all of the silt sacks in the catch basins.
- b. They do need to remove grass growing in the rip-rap swale located downstream of the outlet of the drainage basin and also the woody vegetation growing in the rip-rap located at Headwall #33 as shown on Sheet 7 of the approved plan set.
- c. It also appears the basin needs to be mowed. They have been pretty good about maintaining this so this is something I'm a little less worried about.

2. Tri-Valley Commons

- a. It appears they have removed the soil pile that was located on the Phase II Lot and graded the area. However, they do need to hydroseed all disturbed areas on that lot to ensure proper cover is established.
- b. The detention basin is holding water and is not completely emptying out within the 72 hour time limit. Not sure how this works now that rich sold the property. We will have to have their engineer come in and determine what's going on there. I believe that silt washed into the basin during construction and choked out the soils lining the basin reducing its infiltrative capacity.
- c. Has the new owner come to speak to the board or anyone involved in the permitting of the site since she took it over from Rich? I think it would be good if we (planning and conservation) met with the new owner to convey the importance of completing these items since it seems now the site is in limbo.
- d. It appears the temporary drainage is still in place adjacent to the driveway leading into the Phase II lot. This would be another item we would speak to the new owner about. Depending on their schedule for developing that Phase II portion we may have to install something more permanent.

3. Village Estates

- a. The site overall looks like it's generally graded and much of the layout has been installed per the plan.
- b. The applicant needs to install the construction entrance and properly seed the site for stabilization. It appears he tried to seed with just throwing normal grass seed on the loam but it is definitely not going to grow without water or some matrix to allow for retainage of water.

4. Millstone Village

- a. It appears they cleaned the areas which Bridget and Frank found while I was out.
- b. We both spoke with Rob regarding the revised drainage design. He is going to send us an updated overall site plan with as-built building footprints and expected footprints of new buildings and a summary of what changed in impervious area since the plan was approved by the board. Bridget, I looked at the regs and didn't see anything requiring the full roof square footage to be infiltrated as I had previously thought.

Bridget, please add anything to the list above if I happened to miss anything. I think the sites are in pretty good shape for moving forward. Please let me know if you have any questions or concerns, thanks.

Steve

Steven M. Bouley, EIT | Project Engineer
Direct: 508.786.2382 | Main: 508.786.2200 | Fax: 508.786.2201
steven.bouley@tetratech.com

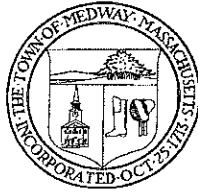
Tetra Tech, Inc. | Water, Environment and Infrastructure
Middletown Technology Park | 100 Nicholson Road, Suite 200 | Middletown, MA 01752 www.tetratech.com

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October 11, 2016
Medway Planning & Economic Development Board
Meeting

PEDB Meeting Minutes

- Draft of August 16, 2016 meeting
- Draft of September 27, 2016

**August 16, 2016
Medway Planning and Economic Development Board
155 Village Street
Medway, MA 02053**

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

Also Present:

Susy Affleck-Childs, Planning and Economic Development Coordinator
Stephanie Mercandetti, Director of Community and Economic Development
Mackenzie Leahy, Community and Economic Development Administrative Assistant
Ken Bancewicz, Economic Development Committee Member
Scott Habeeb, Economic Development Committee Member

Chairman Andy Rodenhiser opened the meeting at 7:07 p.m.

There were no Citizen Comments.

Andy Rodenhiser asked Susy Affleck-Childs to hand out the document listing the steps to amend the zoning bylaw. (**See Attached**) He asked if the document would be on the Medway Planning and Economic Development webpage to which Susy Affleck-Childs responded that she believed it already was. Andy indicated that the handout should be available to the public and asked Susy Affleck-Childs where they could find it. Susy Affleck-Childs stated that there is a section on the PEDB web page called "Zoning Bylaw Amendments" (correctly identified as "Warrant Articles").

Andy Rodenhiser asked if the Planning and Economic Development Board had any opening thoughts or ideas that they would like to share relating to any of the topics on the agenda. Stephanie Mercandetti asked if she could present the first topic on the agenda before any comments or questions. She provided an overview and recap of the role of the Economic Development Committee and its future work plan activities. She stated that the Economic Development Committee (herein "the Committee" or "EDC") had eight (8) members responsible for the long term planning and marketing in terms of economic growth for the town. They are an

advocate for planned business growth. They have had many discussions on how to best put together a work plan of activities for themselves and also what their mission would be. Some of their long term goals are to grow the commercial and industrial base, to improve the business friendly climate in town by trying to streamline and improve permitting processes, and provide guidance to businesses with respect to setting up or expanding operations in town. They want to promote the resources available to them not only at the local level but at the state level, in terms of business development resources and programs that are available to encourage economic growth. They've spent some time learning about those resources to be able to talk to other businesses about them as well as utilizing the town's website as an economic development tool. The EDC recently put together a business location form so if there are businesses that are interested in expanding or coming to town, the business can fill out a form which will be filtered to staff who can reach out to them in terms of what's available in the community—for available space, properties, land, buildings, and so forth.

Matt Hayes asked if the EDC was working directly with realtors and brokers. Stephanie Mercandetti replied yes and that the EDC is also working with property owners, so they are aware of listings in town. When a business submits the form online, the Committee works with those owners and brokers to be a contact for the business applicant. Matt Hayes also asked if the Committee had received any business applications yet, to which Stephanie replied yes.

Stephanie Mercandetti continued to explain the role of the EDC noting that the Committee is an advocate for the community and potential businesses that want to locate into town. They have looked at the business assistance piece, offered the space availability form, and looked at Medway's existing Development Handbook and revisions that can be made to it to better utilize the handbook as a tool. They have met with the Town's Communications Director to identify marketing opportunities and to use the website both as a tool for business attraction and growth and a way to better brand Medway to the development community and businesses. They have met with the Library Director regarding the "Maker Space," to learn how they might be able to assist that venture and grow that opportunity for business connections. They plan to look at business workshops and other business assistance programs to develop a slate of events to draw in more businesses and development from the region. They plan to develop a systematic approach to reviewing potential land parcels and development opportunities for planned economic growth. They also review potential proposals and amendments that the Planning and Economic Development Board has put forward for zoning changes.

Andy Rodenhiser asked if the vision statement that the EDC had been working on had been finalized. Stephanie Mercandetti responded that the Committee had not taken a final vote yet but was supportive overall. She noted that the vision statement could be shared upon decision. Susy Affleck-Childs suggested that the new vision statement might be something to look at once it is refined and adopted to then review the EDC's General Bylaw to "freshen it up" to reflect the more refined vision. This is something that could be considered for the spring town meeting. Andy noted that Keith Peden of the EDC was the point person for establishing the vision of the Committee and as a group, the Committee had a good sense of direction on what that vision should be.

Rich Di Iulio asked if the Medway Business Council was involved with the EDC. Stephanie Mercandetti replied yes. The EDC had a joint meeting with the Medway Business Council Board of Directors, which she believed was the first meeting between the two groups. Both parties agreed that it was important to know more about what they were each doing. Andy Rodenhiser noted that there was common interest and that the EDC represents the local business' perspective. Stephanie Mercandetti noted that there are a few members of the EDC who are also members of the Medway Business Council.

Matt Hayes asked if there was any connection between the Redevelopment Authority and the EDC. Andy Rodenhiser stated that there is no formal connection, but he serves on the Redevelopment Authority. Stephanie Mercandetti stated that there was some overlap between members that serve on both groups so there was a natural process of sharing information and supporting one another.

Andy Rodenhiser reported that the Redevelopment Authority had a great meeting that morning. Matt Hayes asked if anything else would come of the Redevelopment Authority's work or if it was focused only on the "bottle cap lots" area. Stephanie Mercandetti and Andy Rodenhiser responded that the primary focus of the Redevelopment Authority was currently the Oak Grove/"bottle cap lots" area but once there's been some success there they may work on other areas.

Stephanie Mercandetti continued back to the EDC, noting that the Master Plan had been a tool for the Committee to use as a "self-reflection" regarding the economic development goals and strategies that were outlined in the plan.

Discussion of Zoning Bylaw Amendment Ideas

Andy Rodenhiser asked if the Board had any ideas.

Matt Hayes asked if the meeting was going to be a work session to look at some of the proposed amendments in more detail. Susy Affleck-Childs replied that it was not intended that the discussion would be at the level of detail that the normal Planning and Economic Development meetings would be at for zoning amendments. This meeting was more to hear from the EDC regarding particular zoning issues that the Board and the Committee should work together to address.

Susy Affleck-Childs noted, in particular, the proposed expansion of the Industrial II zoning district to the west side of West Street. The Board had discussed this last spring, but there had been feedback by the EDC that it would be good to determine what were considered suitable uses for that area, to perhaps not include all the uses currently allowed in Industrial II, or that it could be a business industrial zone.

Andy Rodenhiser noted that the genesis for this joint meeting came about from the Board sharing the warrant articles with the EDC. The group came to the conclusion that it would be good to share the ideas and proposals in advance when it is a better time and more people are available for a meeting.

Stephanie Mercandetti noted that there were two ideas for this meeting, one being that the EDC might have thoughts on improvements for the Zoning Bylaw and also that the Planning Board could share proposals with the EDC. Stephanie stated that one of the topics that had come up frequently was the sign regulations and now there is a separate Task Force working on that. The Task Force will bring back some ideas for changes to the Planning and Economic Development Board. Susy Affleck-Childs stated that the hope is for that group to provide recommendations later in the fall that could then be considered at the spring 2017 town meeting.

Bob Tucker noted that it may be a topic for the next couple of town meetings to look at the current commercial and industrial zones that the town has. Andy Rodenhiser stated that the list being referred to was the Planning Board's master list of zoning bylaw ideas. Susy Affleck-Childs explained that there is a 6-7 page list of various ideas to strengthen and improve the Zoning Bylaw, covering many subjects, some of them economic development related. Susy Affleck-Childs further explained that every year the Board takes on "X" number of the subjects that can be tackled in the fall and the spring for town meeting. Bob Tucker said that maybe we can increase the quantity of articles that the Board brings before the town at a single time with the help of the EDC. Working together may be more beneficial and more efficient. Susy Affleck-Childs stated that there should be focused work. Bob Tucker said the Board and the Committee should work as a group. Andy Rodenhiser noted that it was interesting that board/committee members and staff

often look at the town and say that something “will not happen this year” but if the context isn’t created, it often happens in the surrounding communities. Andy continued by reporting that there were 200 or so acres at the Hopping Brook industrial park in Holliston that were being cleared, and site work was being completed to expand the park. If Medway created the opportunity ahead of time, the development and expansion could happen, it just takes the right investors to see the opportunity. Susy Affleck-Childs stated that years ago the Board had looked at expanding what is now the Industrial I zoning district but had decided not to proceed due to the opposition of residential abutters. Andy Rodenhiser stated that the town may finally have an egress into that area (donation by Ellen Realty Trust of a 50’ wide ROW easement on 9 Marc Road).

Mackenzie Leahy asked if the Board has looked at the size of the area for expanding the Industrial II zoning to the west side of West Street. She noted that there was a residential area in Bellingham just south of the Medway boarder. Andy Rodenhiser stated that the power lines would probably define that area, and that the buffer would be somewhat natural. He stated that there were twelve (12) acres across from Cumberland Farms (in Bellingham) separate from the twenty six (26) acres at the end of Stone Road. Andy stated that that he believed there were ideas about some sort of business district along (Route) 126 in that area. The Board had been to Bellingham to talk to them about the growth and land use in that area years ago. Susy Affleck-Childs stated that the meeting had occurred with the previous Bellingham Town Planner and that there would need to be a new discussion. Andy stated that at the time the Bellingham Planning Board was discussing “the Shoppes at Bellingham” and that it was bad timing for the discussion about Route 126 in Bellingham and Medway. Mackenzie Leahy stated that although (Route) 126 did already have a lot of commercial (uses), she questioned whether or not the traffic flow would come from Milford/Medway or from Bellingham. That would depend on what uses were allowed and where those businesses’ primary customers would come from. Susy Affleck-Childs suggested that we consider seeking a MAPC (Metropolitan Area Planning Council) technical assistance feasibility study which could evaluate what the land is, what uses might be suitable, and how far the boundary of the new or expanded district should go. Andy Rodenhiser noted that it was interesting that the district was bisected by so many utilities and wetlands. Stephanie Mercandetti stated that maybe the initial groundwork and analysis of the Bellingham piece and its present zoning along with Medway’s present zoning could be done in house. Mackenzie Leahy stated that such an expansion along with Oak Grove’s redevelopment would add a significant number of new uses and could result in a potentially busier roadway. It would be important to know if trucks

would be going down West Street, an issue that the Redevelopment Authority hopes to minimize through the Oak Grove urban renewal plan. Andy Rodenhiser stated that a concept plan of the area done a number of years ago by VHB, the predecessor to Tetra Tech Engineering, had shown a road going into the end of the industrial park. There are some possibilities there. Andy noted that there were substantial wetlands crossings, but there were many in Holliston's industrial park as well. Stephanie Mercandetti stated that there might be other technical assistance available through the Central Transportation Planning Staff, if the Board is talking about traffic as well. The Board could determine an area for review and the technical assistance could provide an analysis with respect to existing and potential land uses.

Ken Bancewicz stated that in general when looking at bylaws and regulations that are being proposed, the questions should be asked how the proposal is affecting the process that a business or land owner must go through. Is the town adding simplification or complexity to the process? More complexity adds time and cost. Will a proposal for a bylaw or regulation make it more difficult to get a business open and get development going? Andy Rodenhiser asked if Susy Affleck-Childs could address some of the things that the Board has done in the past few years to make the process simpler, administrative site plan for instance. Susy explained that at the spring 2016 town meeting an amendment was approved to the Site Plan Bylaw to establish an Administrative Site Plan review. With this, some of the smaller projects would not have to go through the Planning Board and but could be reviewed primarily through the Building Commissioner, Community and Economic Development Director, and the Planning and Economic Development Coordinator. This is instead of having a Planning Board hearing, and notice to abutters, etc. There is still some review involved, but a mechanism is in place to apply one day and the staff involved could hypothetically have a response within a few days. The Administrative Site Plan review is a work session with the applicant and staff. Staff has also put every possible piece of information available on the website to make it easier for an applicant to read and look at and then call office with questions. Andy Rodenhiser noted that things go smoothest when people read those documents rather than not doing so. In those instances, the Board ends up working with the applicant continually to be in compliance. Andy made note of the Design Review Committee. Rich Di Iulio also noted that the new Design Guidelines were adopted. Susy Affleck-Childs stated that the DRC was responding more readily to the applications that were coming in and giving written feedback comments to applicants within a few days and then providing regular updates to the Planning and Economic Development Board around the discussion of the

design issues. Andy Rodenhiser stated that the DRC and Design Guidelines are more simplistic but that he wasn't sure people saw it that way yet. The reputation of the DRC is negative in some communities or in the business community and the changes have not always caught up to the public perception in Medway. Ken Bancewicz stated that the DRC had to change because somewhere along the lines the DRC became less effective than it was intended to be and circled back to the notion that the Board and the Committee should not repeat the past mistakes and that they should do things that do not make the process difficult or cumbersome. Stephanie Mercandetti noted that there should be improvements to the processes in general with the bylaw, regulations, guidelines and checklists, but internally as well. There should be timeframes so having staff that is available, whether a small business or corporation, to provide guidance and also having staff review plans prior to filing or applying. That way an applicant knows what they will need for permits, how long it will take to get through the process, and what does the applicant need to pull together. Understanding the application process in advance will help in the long run. The Conservation Agent, Building Commissioner, Health Director, Community and Economic Development Director, and Planning and Economic Development Coordinator sit down to discuss projects in their queues to talk about if there are any issues and how the staff can resolve those. Staff is trying to remove the guesswork for the applicant by the assistance but is also just trying to keep things moving efficiently. Andy Rodenhiser also noted that adding an administrative staff member (Mackenzie Leahy) to the Community and Economic Development Department has allowed the Community and Economic Development Director and Planning and Economic Development Coordinator to breathe and get away from some of the transactional aspects of the office. Andy also noted the difference since the addition of Community and Economic Development Director Stephanie Mercandetti.

Matt Hayes asked that someone describe Ms. Leahy's position because he did not realize that she was staff. Mackenzie explained that she was the Administrative Assistant for the Community and Economic Development Department, had joined the staff at the beginning of June (2016) and that she did any work Stephanie Mercandetti or Susy Affleck-Childs needed completed. Andy Rodenhiser asked Mackenzie Leahy to explain her background. Mackenzie described that she went to Bridgewater State University, starting as a Music Ed. Major and had picked up a Geography Major her junior year. She had two internships, one with the Town of Carver and the other with Foxborough. She was hired by the Foxborough planner who passed away two weeks after she was hired so the town didn't have much time to focus on the interns. The town allowed her the freedom to do the research that

she proposed. She researched the downtown and the overlay district that had not been utilized yet. She looked at the bylaws in other downtowns and put together a presentation on that material. She finished college in December (2015) and could not find a job so she asked Foxborough if they would re-hire her as an intern doing more research for the Economic Development Committee looking at the old fire station redevelopment, business inventory, etc. while understanding that her intention with the internship was to look for a job. Then she was hired by Medway.

Susy Affleck-Childs noted that Mackenzie came highly recommended by Paige Duncan, the town planner in Foxborough and a mutual friend of Stephanie and her. Paige used to work in Wrentham and was recently hired in Foxborough. Andy Rodenhiser noted that he has been in meetings with Mackenzie. She speaks up and she has thoughtful contributions.

Rich Di Iulio stated that he liked the format of the new web site for the Planning and Economic Development Board. Susy Affleck-Childs noted that the format for the page was standard to the other Town of Medway pages, but on the left side of the page they can add subcategories.

Andy Rodenhiser asked Ken Bancewicz if the topics discussed covered the issues that he had raised earlier. Ken stated that some issues had been looked at earlier but was not sure if some of the topics from other meetings would also be addressed. Stephanie Mercandetti explained that Ken was referring to the Planning and Economic Development Board document/list of potential zoning bylaw amendments for future review and some issues where there is a need for more information, including the proposed village residential zoning district. Andy Rodenhiser explained that it was a giant list and some of the items may not be worked on for two (2) years because there are other priorities. Stephanie Mercandetti noted that some other issues of concern were outside storage, hours of operation, and sizes of accessory buildings being tied to the size of a site's primary building. Ken Bancewicz also noted the ideas for earth filling and land clearance bylaws were a concern.

Susy Affleck-Childs noted that she and the Board were working on a new village residential zoning district. Currently Medway has two (2) residential districts, one with 1-acre zoning and the other with half-acre zoning, and they are meant to reflect subdivisions. Neither of them are representative of the older parts of Medway where houses are not on new subdivision lots and are much smaller. By their existence, they are already nonconforming — they do not have one hundred

and fifty (150) feet of frontage, 22,500 square feet of area, thirty five (35) feet of front setback, and fifteen (15) foot setbacks from the sides or from the back. The Board has been discussing creating a zoning district more reflective of those older areas and what is actually on the ground. The Board has identified properties that are currently zoned AR-II but are suitable for being rezoned to a new Village Residential district. The idea is to take many of these properties and make them more conforming with more modest requirements for area, frontages, and side lots. The proposed boundaries pretty much match the historic districts, but now they are trying to match the lot sizes. Susy noted the idea it to hopefully make it easier for property owners if they want to make improvements to their properties or add porches or decks. Matt Hayes asked if there was a way to use GIS to get that information. The Board has the areas that they want—is there a way to list the lots, their frontages, and their areas. Bob Tucker noted that Gino Carlucci's list identifies the lots. Mackenzie Leahy stated that the lot size would be easy to add but the measurements of frontage would take longer because you would have to measure each one. Susy Affleck-Childs noted that the Board would not get actual setback data but would have to essentially go to the assessor's maps and look at each parcel and expand a spreadsheet to include that. Susy noted that it was being worked on, but wasn't sure if the proposed amendment would make it for the fall town meeting. Ken Bancewicz asked how the Village Residential would help or hurt workforce housing. Susy Affleck-Childs noted that one of the thoughts was that within the VR district, it would allow two-family houses by right. If it was by right it would be a more straight-forward process to take one of the houses within the district and modify it to be a two-family house. It wouldn't legally be "affordable," but it would be more affordable just by being the more modest in size. Matt Hayes asked if the multi-family overlay was a special permit process. Susy Affleck-Childs responded that it was.

Stephanie Mercandetti asked if the Board and Committee would like to discuss the other proposed amendments for the fall. Susy Affleck-Childs stated that the other areas they were looking at were the Dimensional Requirements and particularly the Commercial I district and adjusting the existing fifty (50) foot setback. Back when shopping centers of that era were being built it was not unusual, but the state of the art of development is much different, allowing buildings much closer to the road and parking along the side or back. It would be beneficial and bring opportunity, thinking about the big open space in the Medway shopping center and how much of it is under-utilized for probably 95% of the year. That area provides options for pad sites or buildings closer to the streets. She and the Board are also looking at the Use Table which needs freshening up and maybe adding more uses or limiting uses

that are less desirable. The next Planning Board and Economic Development Board meeting will be to work on those topics and maybe the Village Residential district too. Susy noted that one of the new uses that they are specifically looking at is for a brewery. Bob Tucker asked if it would be a brewery for manufacturing or for a use with a restaurant. Stephanie Mercandetti noted that it would fit under the state definitions with two categories—a manufacturer doing the brewing but with a tap room for tastings and a brew pub as more of a commercial use. Bob Tucker noted that there would be a lot of water use for that. Stephanie stated that as with every development, infrastructure is an issue. Andy Rodenhiser stated that his understanding was that with additional withdrawal demands but sufficient water conservation efforts, such as fixing leaks, you may apply for more water withdrawal. Bob Tucker stated that there had to be a way to adjust the water withdrawal limits, especially if there is the physical capacity to provide water. Stephanie Mercandetti explained that it would be a request to DEP to amend its water management act permit. Susy Affleck-Childs noted that it would be the Town applying for the permit not an individual. Andy Rodenhiser stated that with the resolution of some of the town's leaks that a request to DEP may be warranted and that the Town has a phenomenal water management plan. Rich Iulio stated that DPS had called to let him know he was using more water than he realized and that he did not find the leak until it was an issue. The fact that DPS is monitoring that and making residents aware is great. Andy Rodenhiser noted that DPS was using technology to modernize their process and continuing to do so.

Andy Rodenhiser thanked the EDC members for coming to the meeting.

A motion to adjourn was made by Rich Di Iulio, seconded by Matt Hayes; voted 4-0-0 by the Board.

The meeting was adjourned at 8:07 p.m.

Respectfully submitted,

Mackenzie Leahy
CED Secretary

Reviewed and edited by,

Susan E. Affleck-Childs
Planning and Economic Development Coordinator

**September 27, 2016
Medway Planning and Economic Development Board Meeting
155 Village Street
Medway, MA 02053**

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

ALSO PRESENT:

Susy Affleck-Childs, Planning and Economic Development Coordinator
Gino Carlucci, PGC Associates
Amy Sutherland, Recording Secretary

The Chairman opened the meeting at 7:00 pm.

There were no Citizen Comments.

Discussion Continuation - Medway Gardens Site Plan Modification

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

- Draft site plan modification decision dated 9-13-16.
- 9-13-16 letter from Attorney Marshall Newman on behalf of Joe Avellino challenging the PEDB's authority to undertake site plan review on this property due to its horticultural use.
- Notes re: agricultural use and zoning.
- 9-23-16 CONFIDENTIAL email memo from Town Counsel (not attached)
- Disclosure Form – Appearance of Conflict of Interest submitted by Andy Rodenhiser to Medway Town Clerk 9/26/2016

Mr. Avellino was present at the meeting.

The Chairman communicated that he had discussed the conflict of interest alleged by Mr. Avellino with Town Counsel. He informed the Board that he had submitted Disclosure of Appearance of Conflict of Interest form to the Town Clerk on September 26, 2016. Copies of the disclosure were distributed to the Board.

The Board is in receipt of the 9-23-16 CONFIDENTIAL email communication from Town Counsel which indicates that the burden is on Mr. Avellino to prove that Medway Garden Center is the primary use on the property in order to claim the agricultural use exemption.

Susy Affleck-Childs distributed a handout with information on parcel size and values for the subject parcel. (See Attached). The parcel includes 3 uses – Medway Gardens, a single family residence and the Cumberland Farms convenience store/gas station.

Mr. Avellino communicated that he disagrees that Cumberland Farms is the primary use of the property as Medway Gardens has more land area. He submitted a letter to the Board without further discussion and departed the meeting at 7:10 pm. (See Attached).

The Board began discussing the draft site plan modification decision dated 9-13-16.

The following revisions were recommended:

- Page 2 - procedural history: Add date of public briefing continuation – September 27, 2016.
- Page 3 - written documents: Include Andy Rodenhiser's disclosure form, Mr. Avellino's letter, and Town Counsel's email.
- Page 3 - specific conditions – Add lengths and height of berm.
- Page 3 - specific conditions – Add specifics about sign and reference sign bylaw.
- Page 3 - specific conditions – List multiple species as options and make sure plants will be drought resistant. If plants die, they need to be replaced.
- Page 4 - Include language that the applicant proposed to do this with a striping machine and include as needed.
- Page 4 - Eliminate Condition F.
- Page 4 - Combine with Condition G with H and designate the size.
- Page 4 - Change date for work to be completed to December 2017.
- Page 4 - Include item L with pergola.

The revisions to the draft decision will be completed and provided to the Board at the next meeting on October 4, 2016.

Informal, Pre-Application Discussion – Possible Multi-family development at 176-178 Main Street.

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

- Concept plan dated 9/5/2016.
- Multifamily Housing Overlay District provisions of the Medway Zoning Bylaw.

Prior to the discussion, the Chairman indicated that he has a previous business relationship with the current owner of the property but he does not presently have any business relations with them.

Engineer Ron Tiberi, on behalf of a prospective buyer, was present at the meeting for an informal discussing regarding 176-178 Main Street. This is for a possible 10 unit townhouse development to be developed under the provisions of the new multi-family housing overlay district bylaw. Both Stephanie Mercandetti and Susy Affleck-Childs have met with the Mr. Tiberi. There would be demolition of the existing vacant structure on the property. This plan did take into account the Rt. 109 project and the easements. The applicant will also be setting up a meeting with the Design Review Committee. All of the units will have master bedrooms on the main floor and some of the units will be at grade with no stairs. The garages in the back. The type of buildings were shown. These units will be brick. There will be one affordable unit. The parking will include two spaces per unit. The total parking needed is twenty spaces. There will be sidewalks along Main Street and Mechanic Street. A question about the snow storage areas was raised. This appears to be a small area and this should be revisited. Another

recommendation was to have one way going into the site from Main Street. Consultant Carlucci addressed the concern about the traffic impact with access. This will need to be reviewed. There was a suggestion to use down lighting on the back of the buildings instead of a light post. The Board is questioning if there needs to be two means of egress. The Board welcomes this application submittal.

Advance Auto Parts:

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

- Rough draft of a letter of understanding dated 9-23-16.

At the last meeting, the Board asked that a letter of understanding be written to Advance Auto Parts to address the issue of the business providing limited vehicle repair services such as changing windshield wipers and batteries. At the last meeting, the Board had discussed allowing such services only in two specific parking spaces toward the back of the building. There was a concern that the Board should not be getting involved since this is more so an issue between the tenant and landlord. Some of the members do not have an issue with the two services they provide. Susy Affleck-Childs noted that these services were limited and could be considered an accessory use. It was recommended that the Board let the business model run as presented. There is an advantage of having these services provided to the customers. The Chairman wanted it noted that he does not want to see this allowed on site.

The Board took no action on this item. A letter will be sent to the Advance Auto.

REVISED Timbercrest Comprehensive Permit Plan:

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

- Email communication dated 9-9-16 from Stephanie Mercandetti
- Revised Timber Crest Estates Plan dated 9-6-16
- PEDB letter from May 2016 re: Initial Timber Crest plan.

Director of Community and Economic Development Stephanie Mercandetti explained that the applicant has made a change to the plan. This is a result of the applicant's acquisition of a 7.4 acre parcel at 165 Holliston Street. It is being proposed to use this parcel to provide a direct access/egress to the development from Holliston Street. The second change pertains to a change in the type of residential use from the originally proposed townhouse use on the eastern side of the site to all single family detached homes on reduced size subdivision lots. The original plan called for 116 condominiums and the revised plan shows 85 single family homes. The new total number of homes for both the east and west sides of the development would be 157. There will be an emergency access near Olson Circle. There was discussion about Fern Path and the fact that this is not a publically accepted way. It was communicated that the applicant is claiming the right to use Fern Path for site access. The Board would like to see a playground in the plan.

The boards, committees and departments have been asked to provide review and comments. This information will be provided to the Zoning Board of Appeals at their meeting which is scheduled for Wednesday, October 5, 2016.

Susy will prepare updated comments from the Board based on the revised submittal.

Board and Committee Reports

Oak Grove:

The Medway Redevelopment Authority held the second community forum at the Thayer House. The proposed concept plan was presented. It was a productive meeting. The presentation included a question and answer period.

Economic Development Committee:

The Economic Development Committee met on Tuesday September 27, 2016 and talked about the proposed zoning articles. The Committee is supportive of what is being proposed.

Community Preservation Committee:

The Community Preservation Committee discussed the potential affordable housing projects for West Street and Cutler Street.

Request for Quotes:

The Town is putting out a request for quotes for the Choate Park redesign.

Sign Bylaw Meeting:

The Sign Bylaw Committee will be holding a meeting on Wednesday, September 28, 2016. The inventory of the signs has been completed. There will be a visual preference survey completed. The Economic Development Committee thought it would be a good idea to include signage as you enter the central business district and other noted districts.

PEDB Meeting Minutes

September 6, 2016:

On a motion made by Bob Tucker and seconded Rich Di Iulio, the Planning and Economic Development Board voted unanimously to accept the minutes from September 6, 2016.

September 13, 2016:

On a motion made by Bob Tucker and seconded Rich Di Iulio, the Planning and Economic Development Board voted unanimously to accept the minutes from September 13, 2016.

Adjourn:

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

The meeting was adjourned at 9:10 pm.

Respectfully Submitted,

Amy Sutherland
Recording Secretary