

# TOWN OF MEDWAY

## Development Handbook A Guide to the Development Process



*March 2008*

Medway Planning Board  
155 Village Street  
Medway, MA 02053  
508.533.3291



**TOWN OF MEDWAY**  
**Planning Board**  
155 Village Street  
Medway, Massachusetts 02053

*Andy Rodenhiser, Chairman*  
*Robert K. Tucker, Vice-Chairman*  
*Cranston (Chan) Rogers, P.E., Clerk*  
*Karyl Spiller Walsh*  
*Thomas A. Gay*  
*John W. Williams, Associate Member*

March 2008

Greetings from the Medway Planning Board,

Medway's Master Plan includes a series of specific goals to encourage economic investment in our community - rezoning property to expand the supply of industrial/commercial land, revising zoning, coordinating marketing, and making Medway more business friendly.

This **Development Handbook** is one of several initiatives to improve the Town's readiness and capability to facilitate economic development investment in our community. The **Handbook** is intended to serve as a reference guide to prospective businesses and developers regarding the local permitting process. It offers an overview of the various permits and requirements of Town boards, committees and departments and provides contact information.

Businesses, industry and commercial enterprises will find Medway to be a welcome place to locate their operation. Medway is committed to fostering a co-operative relationship with business and industry. We understand the need and are prepared to respond to today's demanding development schedule. Medway will soon install a comprehensive, inter-departmental permit tracking software system which will facilitate a more timely and coordinated development review process. When a developer's engineering team is well prepared and responsive they will find a permitting process in Medway that is stable, technologically advanced, and most importantly... fast.

We are eternally grateful to Gino Carlucci of PGC Associates for his assistance in securing millions of dollars in grants that have helped Medway improve its infrastructure. More specifically, our gratitude goes out to Gino for his outstanding work in producing this **Development Handbook** as well as obtaining the grants funds that supported its preparation.

Respectfully,

**Andy**

Andy Rodenhiser  
Chairman

March 2008

Dear Medway Resident/Business Colleague,

It is with great pleasure that I write this letter as President of the Medway Business Council. The Medway Business Council was founded in 1979 by 13 Medway business people who wanted an organization which would serve our local businesses. These original founders foresaw the need to develop an arena for the exchange of ideas and information, to address issues relevant to the Medway business community and to promote a healthy business climate in the town.

As we enter our 28<sup>th</sup> year, the Medway Business Council is proud of its history and involvement in the community. Our monthly meetings have provided an opportunity and forum for our members to hear speaker presentations covering a wide expanse of business issues and to promote members' products and services. In addition, the organization has supported numerous community projects including the Medway Christmas parade, Memorial Day parade, scholarships and sewer initiative.

We are proud of the positive relationship with our town government. Our input has been important in formulating by-laws and procedures relevant to both the business community and Medway as a whole!

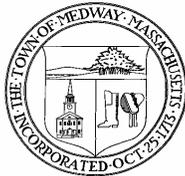
This "Development Handbook" is a fine example of the Medway Business Council and the Medway Planning Board working together to provide a "Guide to the Development Process" for the citizens and businesses of Medway.

The Medway Business Council is in strong support of these guidelines and thanks the Town of Medway and the Planning Board for including us in this process!

Sincerely,

**Richard A. Parrella**

President



## **MEDWAY INDUSTRIAL DEVELOPMENT COMMISSION**

155 Village Street  
Medway, MA 02053  
508-533-3291

March 2008

Greetings!

We would like to take this opportunity to welcome you to Medway and we are excited about you establishing your business in our outstanding community. If your business is already in Medway, we would like to thank you and let you know how much we appreciate you being a very important part of our community.

We are proud of Medway and we hope you are too! Medway is conveniently located to Boston, Providence and Worcester with excellent access to Route 495 and Route 109. Medway is committed to community involvement, quality public education, active opportunities for senior citizens, accessibility to information via an outstanding public library, and a clear vision for smart development and growth.

We hope this handbook can serve as a useful guide in understanding the Town's role in your plans and as a road map to streamline any permitting process that you may require.

The Industrial Development Commission is an additional resource that is available to you. We can act as a facilitator and to help those businesses that are looking to expand and see Medway as an ideal place to grow their business. We can facilitate this process by reaching out, marketing our community, and helping to answer important questions that potential new businesses have. We are here to help you.

Once again, thank you for choosing Medway as the home for your business and we look forward to working together to assure a long lasting, mutually beneficial relationship.

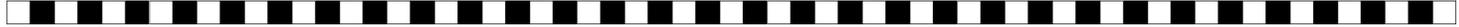
Sincerely,

*Bill*

**Bill Wright**  
Chairman, Industrial Development Commission

[idc@townofmedway.org](mailto:idc@townofmedway.org)

# Purpose



In recognition of environmental concerns and the need to protect the health, welfare, safety and aesthetics of our community, Medway has adopted and implemented zoning bylaws, subdivision and site plan rules and regulations, design review guidelines, health and environmental rules and regulations and a demolition delay bylaw. The local rules and regulations are generally based on state laws which set parameters or minimums and then allow individual cities and towns the discretion to vary these to suit local conditions and objectives. One exception is the Building Code, which is the same throughout the State, but local governments are required to administer and enforce it. Some of the boards, commissions and departments charged with adopting and/or enforcing these rules and regulations are the Planning Board, Conservation Commission, Board of Health, Design Review Committee, Building Department, Department of Public Services, Zoning Board of Appeals and Historical Commission.

This Handbook is intended to generally identify the procedures and processes which the Town of Medway uses to approve development projects, including:

- Necessary planning
- Required permitting
- Available options
- Resources and contact persons

The emphasis of this Handbook is on requirements for businesses so that the timeline for project development can be understood and streamlined. It is not intended to replace the more specific rules and regulations that each Board, Commission or Department is charged with promulgating and enforcing.

Finally, it should be noted that the Town is preparing an expedited permitting process for designated Priority Development Sites. This Handbook will be updated to include a description of that process as soon as it is adopted.



## Notice

*Familiarity with the rules and regulations at the beginning of a development project helps facilitate the approval process and can avoid costly and time-consuming design changes after substantial engineering or architectural work has been done.*

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# I. Overview of Permitting Entities



## Getting Started:

This Handbook is designed to assist you in identifying the steps and the permits that you will need to design and construct your project. In most cases, one or more of the following Boards, Commissions or Departments, will need to be involved: Building Inspector, Planning Board, Board of Health, Conservation Commission, Zoning Board of Appeals, Design Review Committee, Department of Public Services, Water and Sewer Commission, and Historical Commission. If you wish to research the rules and regulations in more detail prior to beginning the permitting process, documents that you may find useful include the Zoning Bylaws and Zoning Map, Planning Board Subdivision Rules and Regulations and Site Plan Regulations, Board of Health Regulations, the Conservation Commission's Wetlands and Riverfront Regulations, the Stormwater Management Bylaw, Street Repair and Construction Standards, Massachusetts Architectural Access Board regulations and the Design Review Committee's Design Guidelines.

Some of the factors you will need to consider include the existing zoning (which regulates the allowed uses, locations of buildings and other matters); impacts on wetlands, floodplains or streams; water supply and waste disposal; parking and traffic impacts; drainage and lighting. There are also requirements for minimizing temporary impacts during construction. This Handbook offers a general understanding of these factors as well as the processes and procedures you need to follow.

If you are not sure if the work you are planning requires any kind of permit, it is better to check with Town Hall first. The following list presents some, but not all, of the activities which require one or more permits or approvals from a Town Board, Commission or Department:

<i>New Houses/Buildings</i>	<i>Tennis courts/Swimming pools</i>	<i>Subdividing land</i>
<i>Additions</i>	<i>Tents</i>	<i>Establishing a business</i>
<i>Decks</i>	<i>New roofs</i>	<i>Changing a business use</i>
<i>Porches</i>	<i>New driveways</i>	<i>Altering a business property</i>
<i>Garages</i>	<i>New/replacement wells</i>	<i>Removing trees or altering a</i>
<i>Barns</i>	<i>New/replacement septic systems</i>	<i>stone wall within a scenic road</i>
<i>Sheds</i>	<i>Wood Stoves/fireplaces</i>	<i>right-of-way</i>
<i>Demolitions</i>	<i>Structural changes</i>	<i>Any construction/alteration</i>
<i>Conversion of a single family house</i>		<i>within 100' of a wetland</i>
<i>to two-family</i>		<i>or 200' of a stream</i>

### Presubmission Discussions

*Presubmission discussions with Town Boards and/or their staffs are strongly encouraged. Delays and costly design changes in your project can often be avoided by discussing it with the appropriate entities in advance of doing any work or applying for permits.*



The Town of Medway strongly encourages and welcomes pre-submission reviews for any and all projects. The amount of detail you need varies according to the nature of the project and the types of permits you will need. You may consult with the appropriate boards, commissions or departments to determine the level of detail that will be expected. At a minimum, your plans should show a rough layout and access to the lot as well as any likely wetlands, streams or flood plains that may be impacted, if available. Obtaining and reviewing the relevant rules and regulations from the pertinent boards, commissions or departments can significantly expedite the development process. At this point, it is not necessary to have a survey or engineered plans. You will receive guidance on the type of information and the level of detail required for your project.

When you know the location and approximate size of your building or development project and the uses contemplated, you should initiate contact with either the Building Department or Planning Board as noted above. Either of these will be able to direct you to the appropriate people in the Board of Health, Conservation Commission, Zoning Board of Appeals, Design Review Committee, Department of Public Services, Police Department, or Fire Department as necessary. These Town agencies can tell you if your project seems feasible or what changes you should consider. They will also tell you which permits you are likely to need, roughly how long it will take to get them and whether public hearings will be required. A brief discussion of the roles of each of the major boards, commissions and departments appears on the following pages.

For major development projects, a meeting of the Development Review Coordinating Council (DRCC) may be called. This provides an opportunity to present conceptual plans to representatives of the major development-related boards, commissions and departments in a single meeting. The meeting will provide guidance and feedback to the applicant in a coordinated manner to help avoid conflicts that may arise from the various sets of individual rules and regulations.

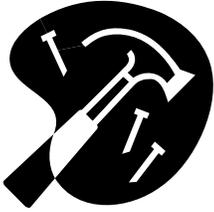
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### **Helpful Hint**

*To the extent feasible, you should try to determine which permits or processes may be done concurrently and which must be done consecutively. For example, if you are planning an addition that requires a new septic system, you will need a wetlands determination for each. Be sure to request that ALL ASPECTS of your project are included in any wetlands determination.*

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# Building Department:



The Building Department enforces the Medway Zoning By-law and the State Building Code. It also issues building, occupancy and sign permits. In your discussions with the Building Commissioner you will want to identify what Zoning standards apply (such as allowed uses, minimum lot size and building setbacks), and obtain a flood plain determination. If your present or proposed use, lot or building does not conform with Zoning, you may need a finding, special permit or variance from the Zoning Board of Appeals.

Under State law, specific criteria must be met in order for the Zoning Board of Appeals to grant a variance. The Building Commissioner can also provide guidance as to other departments, Boards or Commissions from which you may need permits or assistance.

As stated below, virtually all work performed on a structure, except minor non-structural repairs, requires a permit. This includes new structures or additions, bath and kitchen remodeling, reroofing, swimming pools, tennis courts, other fenced courts, etc. Items that do not require a permit include:

- Accessory buildings (such as a tool shed or playhouse) with a floor area of less than 120 ft<sup>2</sup>;
- Greenhouses covered exclusively with plastic film;
- Fences six feet in height or less,
- Retaining walls retaining less than 4 feet of unbalanced fill (and which the building inspector believes does not pose a public safety threat); and
- Ordinary repairs\* such as replacing or repairing trim, siding, gutters or an occasional roof shingle.

In order to obtain a building permit, you must file an Application Form that is filled out **completely**.. You also must submit plans or sketches of the project (the level of detail depends on the scale of the project), a plot plan indicating the proposed location of new structures or additions, and signed release forms from other boards as required for the specific project. Work must commence within six months or the permit expires. If you are unable to begin within six months, the Building Commissioner may grant an extension for six months upon written request by you, provided that no Zoning or Building Code changes affecting your project have been adopted. In no case will permit fees be returned due to work not beginning within the required period.



\*"Ordinary repairs" does **NOT** include the cutting away of any wall, partition, roof or portion thereof; the removal or cutting of any structural beam, column or other load-bearing support; the removal or change of any required means of egress, or rearranging the parts of a structure affecting egress requirements; alteration of, replacement or relocation of any standpipe, water supply, mechanical system, fire protection system, or energy

## State Building Code:

*"It shall be unlawful to construct, alter, repair, remove or demolish a structure; or to change the use or occupancy of a building or structure; or to install any equipment for which provision is made or the installation of which is regulated by the State Building Code without first filing written application with the building official and obtaining the required permit."*

# Planning Board:



The Planning Board's role in development is to review and approve the subdivision of land, site plans, certain special permits, and the removal or alteration of trees and stone walls within the Town right-of-way along designated Scenic Roads. The Planning Board is governed by local, state and federal statutes regulating the development of land. It therefore must ensure that each project meets the spirit and intent of the local Zoning By-laws and Rules and Regulations of the Medway Planning Board as well as state and federal law, and the Town's Master Plan. As previously mentioned, the Planning Board strongly recommends pre-submission review for guidance on any project that you may want to develop in Medway. Depending on the scale of the project, there may be a fee for this service. There is no limit on how many times you may appear before the Board for such pre-submission reviews.

In order to formally submit a project to the Planning Board for approval, an application form and a set of detailed plans prepared by an engineer (and possibly an architect, landscape architect and/or other professionals) are necessary. An application fee and a review fee must be paid by the applicant to enable the Planning Board to retain an engineering firm, landscape architect, planner or other consultant to advise it on traffic, drainage issues, construction standards and designs, and any other engineering-related or technical matters. Applicants are also responsible for legal advertising costs, recording fees, and possibly other incidental costs. The Planning Board acts on the following types of applications:

- **Approval Not Required (ANR)** plans can be used to simply adjust lot lines between abutting properties or to create new building lots on an existing street if the lots have sufficient area, frontage and adequate access. This is a simple process that does not require a public hearing
- **Subdivision** is a formal procedure requiring public hearings and abutter notifications. This process is required by the State's Subdivision Control Law if the project includes the construction of new streets as well as new building lots. It requires a careful analysis of construction standards, traffic patterns, drainage, etc. Of course, the subdivision process requires much more detailed information on many plan sheets while the ANR process requires only a single sheet.
- **Site plans** are generally required for new or expanding businesses or changes of use within a business district. The site plan must include detailed information addressing issues such as traffic and parking, drainage, landscaping, lighting, building designs, signage, etc. The Design Review Committee (DRC) will comment on design issues.
- **Special permits** are granted by the Planning Board for Open Space Residential Developments (OSRD), Adult Retirement Community Planned Unit Developments (ARCPUD), and certain uses within the Adaptive Use Overlay District (AUOD). The Board has rules and regulations for each of these special permits, and they each require detailed plans comparable to those required for subdivisions and site plans. Again, the DRC will comment on issues of design.
- **Scenic road hearings** are required prior to the removal of trees or stone walls within the right-of-way of designated scenic roads

## Special Permits

*These provide for certain uses and/or development standards that are not allowed by right in the zoning district in which they are proposed.*

# Conservation Commission:



The Conservation Commission administers the Massachusetts Wetlands Protection Act and Rivers Protection Act as well as Medway's own local Wetlands Bylaw and Regulations for Medway. The Conservation Commission has information on obtaining local, state or federal environmental permits. Any work within 100 feet of a wetland, including clearing, filling, grading, building or any other alteration of the topography may require a permit. Any work within 200 feet of a river or perennial stream also requires review by the Conservation Commission. Vernal pools (water holes that dry up during the dry summer months and serve as habitat for certain species) and the area within 100 feet of vernal pools are also within the jurisdiction of the Conservation Commission.

The Commission's mission is to protect public interest including public and private water supplies, ground water, flora and fauna and their habitat, and areas for passive recreation. It also endeavors to prevent or reduce flooding, and prevent erosion and pollution. It does this by overseeing any activity that may alter a resource area or its buffer zone. Resource areas include any bank, fresh water wetland, beach, marsh, wet meadow, bog, swamp, estuary, creek, river, stream, pond, lake, or vernal pool or any land under said waters. They also include bordering land subject to flooding (consisting of the 100-year flood plain) and isolated land subject to flooding. The following are the primary types of applications to the Conservation Commission:

- **Request for Determination (RFD)** — If you are not sure whether there are any resource areas on your site, the first step in designing any project that includes a new building, addition, septic system, well, driveway, demolition, swimming pool, tennis court, paddock, regrading, land clearing, etc. is to apply for an RFD. A site visit will determine whether resource areas are present.
- **Abbreviated Notice of Resource Area Delineation (ANRAD)** — If you know there are resources present, but need them identified, then you apply for an ANRAD. Again, a site visit will result in identifying the resource areas on your site.
- **Notice of Intent (NOI)** — The RFD or ANRAD will determine whether there is a resource area that will be affected by your project and whether or not you need to submit an NOI. The NOI requires a public hearing and another site visit may be made. The Commission then issues a permit called an "Order of Conditions" that, as the name implies, specifies protective and mitigating measures that must be done along with the proposed work

## **Work in the Buffer Zone**

*The first 25 feet outward from the edge of a resource area is considered a **no alteration zone**, and generally no work is allowed within this area. Work may be allowed in the area that is 25 to 100 feet out from the resource area, usually with conditions requiring erosion control and other measures designed to protect the resource.*

# Board of Health:

The Board of Health and its Agent enforce the state and local health and environmental codes. Among the many permits and certificates the Board of Health issues are those for wells and septic systems, and other groundwater issues, and food and beverage permits for eating establishments. In addition, solid waste disposal, recycling, hazardous waste and air quality are all issues under the jurisdiction of the Board of Health. If your property is located in an area where there is either no municipal water or sewer service, it is important to obtain Board of Health regulations applicable to your project very early in the design phase of development.

For new buildings (outside the service area of municipal sewer and/or water system), an approved septic system and/or well are necessary before a building permit can be issued. The first step is to determine if the soil is suitable for a septic system. This is done by a percolation test (or “perc” test) to evaluate the rate at which water seeps into the ground. A second test, called a deep hole test, is to determine the groundwater level. If the groundwater level is too high, a septic system may not be able to be located on the lot. Perc tests must be performed by an engineer and witnessed by the Health Agent. Septic systems serving new construction must meet the strict requirements of the local Board of Health regulations, in addition to the requirements of Title 5 (the State Environmental Code). Wells must be able to produce water of sufficient quality and volume to serve the intended use.

For additions, the Board of Health must determine whether the septic system can accommodate any additional flow that may be generated. If not, a new system may be required. In the case of failed systems serving an existing house, the Board will consider waivers from its regulations as long as the regulations are met to the maximum extent feasible.

The Board of Health staff is available to explain the types of permits you may need and the procedures in obtaining them.



## **Bedroom Count**

*The number of bedrooms allowed in a house is determined by the capacity of the septic system. This may mean that a house cannot be expanded unless the septic system is replaced with one with a higher capacity. If the soils on a lot do not permit a larger system, it may not be possible to expand a house.*

# Zoning Board of Appeals:

The Zoning Bylaw divides the town into various residential, commercial and industrial districts, and specifies uses, dimensional requirements and other rules for each district as well as rules that apply in all districts. Like most rules, there are sometimes circumstances where the literal application or enforcement of the Zoning Bylaw creates a hardship or otherwise may be considered “unfair.” There are provisions known as variances and special permits that allow deviations from the Zoning Bylaw as follows:

- **Variances** — The Board of Appeals is charged with deciding when a variance is warranted. Under State law, a variance can only be justified if the soil conditions, shape, or topography of the land would result in a hardship to the landowner if the Bylaw were enforced literally. This is a stringent standard, and it is generally up to the applicant to document that his situation meets these requirements.
- **Special Permits** — Special permits differ from variances in that they are expressly authorized in the Bylaw and the conditions under which they can be granted are specified. The Zoning Board of Appeals is responsible for special permits for certain non-residential uses in residential districts, certain business uses in some commercial districts, certain uses within the Floodplain/Wetlands Protection and Groundwater Protection Districts, wireless communications facilities, two-family and multifamily dwellings, and accessory apartments in the residential districts.

Both variances and special permits require notification of abutters and a public hearing.

The Zoning Board of Appeals is also the Board that reviews comprehensive permit applications under Chapter 40B of the Massachusetts General Laws. Under that law, developments that do not meet local requirements for zoning, subdivision regulations, or other local regulations can be approved by the ZBA if at least 25% of the housing units proposed meet state standards as affordable housing. The ZBA has a set of rules and regulations governing the submittal of such projects. If the ZBA denies a 40B project or imposes conditions which results in the project becoming “uneconomic,” the developer may appeal to the State Housing Appeals Committee for relief.



## **Variances**

*Variances require that soil conditions, or the shape or topography of the individual lot present a hardship to the applicant if the Zoning Bylaw is applied strictly.. In addition, granting the variance must still reflect the intent of the bylaw and not be detrimental to the public good.*

# Department of Public Services:



The Department of Public Services (DPS) Department is responsible for maintaining the Town's roads and sidewalks (including plowing), and parks, fields and playgrounds. The Department is also responsible for issuing permits called a Street Opening and Roadway Access (SORA) Permit for curb cuts or any other work within the public right-of-way. A SORA permit is required for:

- Driveway openings
- Street trenching for utility connections
- Connections of private perimeter drainage to the roadway stormwater drainage system
- Stone wall repairs

SORA permits are not required on private roads or roads under development that are not yet accepted by the Town.

The most important factors in evaluating proposed work in the public right-of-way are safety and long-term dependability. DPS ensures that such work conforms with:

- Medway Street Repair and Construction Standards
- Medway Stormwater Management By-Law requirements
- Massachusetts Architectural Access Board requirements
- Other State or Federal standards that may apply.

Applications must include:

- A sketch showing location and extent of proposed work
- Contractor's insurance
- Schedule of planned work (no work is permitted after November 14th and before April 1)
- Fee (rates vary by nature of work)
- Refundable deposit (rates vary) to be returned following an acceptable inspection by DPS one year after completion
- Applicant's signature

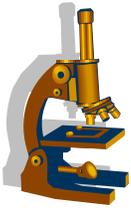
Police details may be required, and periodic inspections will be made while work is in progress.



## Scenic Road Hearings

*Any work within the Town right-of-way on a scenic road that affects a stone wall or a tree with a diameter greater than 1 1/2" requires a public hearing before the Planning Board (if stone wall only) or a joint hearing before the Planning Board and Tree Warden (if trees are involved). If it not on a Scenic Road, but a public shade tree is affected, then a hearing must be held before the Tree Warden*

# Board of Water/Sewer Commissioners:



The Board of Water/Sewer Commissioners is responsible for constructing and maintaining the Town's water supply wells and distribution system as well as the sewer system. The Board also licenses installers of water and sewer lines and all such installations must be performed by licensed contractors.

The Board has established specifications for water and sewer line construction materials and installation practices. The Board reviews proposals for installation of new water and sewer lines in new subdivisions, other development projects and individual homes or businesses to ensure compliance with the regulations. All work is inspected and tested prior to acceptance by the Board. As-built drawings of the completed work are also required.

The Board issues the following types of permits:

**Water Connection** — In addition to ensuring that material specifications and construction standards are met, the Board ensures that the water system is protected against backflows from unauthorized tanks or other potential sources of contamination. The fee schedule for water use is progressive, with higher rates for higher volumes of water use in order to discourage wasteful practices and encourage conservation.

**Sewer Connection** — Again, in addition to the material specifications and construction standards, the Board must ensure that no unauthorized discharges are made to the sewer system. In particular, discharges of ground, storm and surface waters (e.g. roof runoff, subsurface drainage, etc.) and of certain pollutants are prohibited. In addition to its own regulations, the Board must enforce the standards of the Charles River Pollution Control District (which operates the treatment plant) as well as state and federal environmental agencies.

**Industrial Discharge Permit** — Users that discharge other than sanitary wastewater must obtain an Industrial Discharge Permit. Pretreatment prior to discharge of such wastes may be required to ensure public safety as well as the integrity of treatment processes.



## Hydrants

*Hydrants are for fire protection, training, and rust control only. They are not to be used by for any reason by unauthorized persons.*

# Other Relevant Boards and Commissions

**Design Review Committee** — The Design Review Committee is appointed by the Planning Board to assist and advise the Board, its applicants, and other town boards as may request such assistance, with regard to the review of applications for subdivisions, site plans, special permits, sign permits, scenic road work permits, and other development proposals. The Design Review Committee's recommendations are advisory and may include suggestions for modifications to proposed designs and conditions for approval of development proposals. In performing its work, the Design Review Committee is guided by the Medway Master Plan and by [Design Guidelines](#) developed, adopted and published by the Planning Board.

**Disability Commission** — The Disability Commission reviews development plans to ensure universal access and compliance with the American Disability Act (ADA) and the Massachusetts Architectural Access Board (AAB) regulations. These requirements are wide-reaching and apply to buildings with public access and public sidewalks.

**Fire and Police Departments** — The Fire Department is responsible for reviewing building plans to ensure fire safety including the locations of smoke detectors, and, in the case of commercial buildings, the need for sprinkler and fire alarm systems and the location of hydrants. The Police and Fire Departments review development plans to ensure emergency access and egress, traffic circulation and public safety in general.

**Historical Commission** — When a building of a certain age is proposed to be demolished, the Historical Commission is asked to review it to determine if it has historical significance. If it finds that it does have historical significance, a demolition delay of up to 9 months can be invoked. The purpose of this delay is to determine whether an alternative development plan that includes preservation of the building can be devised.

**Industrial Development Commission** — Though not a permit-issuing entity, this board can serve as an advocate for business development as well as a source of demographic and statistical information about Medway. It can also provide guidance and assistance regarding the permitting process.



## II. Determine Permits/Approvals Needed



The table on the following pages is a list and description of the various types of permits and approvals that are issued by the Town and the types of projects that they apply to. The list is meant to be illustrative only. You may need a ruling from the applicable board or commission to determine exactly which permits you need.

The table is intended to address permits related to the development process, not all permits issued or needed to do business in Town. For example, liquor licenses are not listed, but would be needed in order to sell alcoholic beverages.

For new businesses, the most important documents are the Zoning Bylaw and Zoning Map. They have the biggest influence on which uses are allowed in which locations. Another significant process is site plan review. New and expanded sites are required to meet certain standards regarding access and egress, drainage, parking, loading, lighting, landscaping, etc. In some cases, special permits may be needed from the Planning Board or Zoning Board of Appeals. The Conservation Commission will be involved if there are wetlands, vernal pools or streams on or near the site. Permits may be required for water and/or sewer hookups, and a sign permit from the Building Commissioner is likely to be needed.

Often, the various permits can be done concurrently, saving the applicant time. This handbook is intended to facilitate understanding of the processes and permits needed so that the applicant can proceed in the most advantageous manner possible.



### **Development Review Coordinating Council**

*The Development Review Coordinating Council includes representatives from all the major Boards, Commissions and Departments involved in development. A meeting with the DRCC provides the opportunity for coordinated guidance regarding procedures and requirements that may help avoid potential conflicts that occasionally occur due to multiple regulations from organizations with different objectives*

## List of Development-Related Town Permits

Agency	Permit/ Approval	Needed For	Comments
<b>Board of Health</b>	Wells	Any new well	Not necessary where Town water is available.
	Septic Systems	New or repaired systems	Not necessary where Town sewer is available
	Percolation and deep hole tests	Septic system application submittals	Maximum allowable perc rate is 60 minutes per inch
	Other	Food establishments, massage therapy, tanning facilities	
<b>Board of Water/Sewer Commissioners</b>	Water and Sewer Connection, and Industrial Discharge Permits	Connecting to the municipal water and/or sewer systems.	Pretreatment may be necessary for industrial discharges
<b>Building Department</b>	Building permits	Any building or structure, including additions, plus wood burning stoves and certain other facilities	Structures less than 120 square feet in area and not permanently attached to the ground are exempt An approved site plan is required <b>prior</b> to a building permit for new or expanded businesses
	Plumbing and electrical permits	Virtually all wiring and plumbing jobs	
	Sign Permits	All signs except certain exempt ones	See Section V.R of the Zoning Bylaw
<b>Conservation Commission</b>	Abbreviated Notice of Resource Area Delineation	To establish wetlands or other protected resources on your property	This allows resources to be identified prior design in order to minimize its impact on the resources
	Notice of Intent	Disturbance within 100 feet of wetlands, 150 feet of a vernal pool or 200 feet of a stream	An Order of Conditions will specify mitigating actions to minimize the impacts of the project.
	Request for Certificate of Compliance	To ensure compliance with Order of Conditions	This is issued following an inspection after completion.
<b>Department of Public Services</b>	Street Opening and Roadway Access (SORA) permit	New or relocated driveways that intersect with a public way, water or sewer connections, etc	If a tree or stone wall within the road right-of-way is affected, a Shade Tree or Scenic Road hearing may be required
<b>Design Review Committee</b>	Not applicable. Advisory only	Virtually all development projects as well as signs	Appearance before the Design Review Committee early in the design process is strongly encouraged
<b>Continued</b>			

## List of Development-Related Town Permits (Continued)

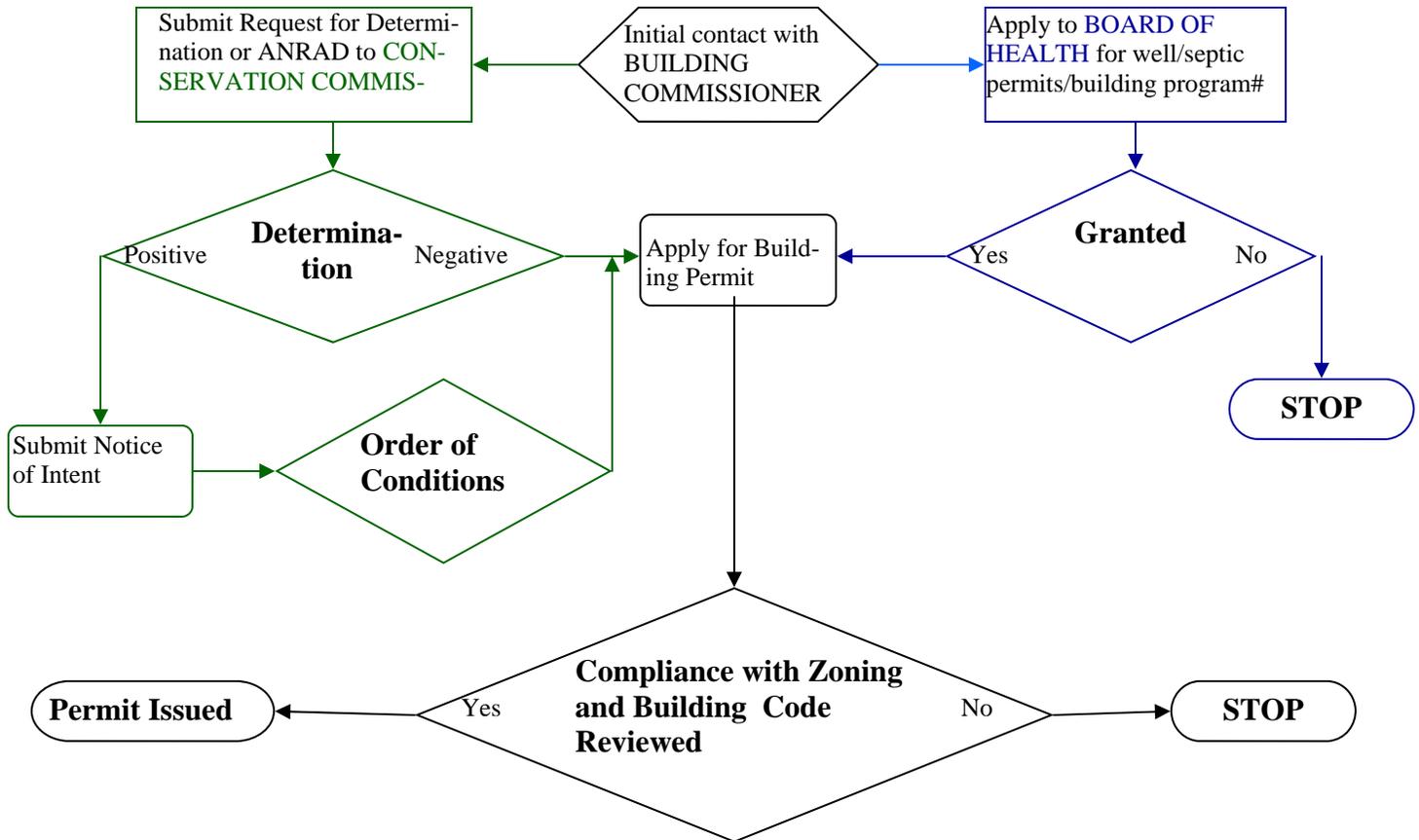
Agency	Permit/Approval	Needed For	Comments
<b>Fire and Police Departments</b>	Fire Dept.:Smoke alarms and sprinkler systems	New buildings as required by Building and Fire Codes	Both departments review development plans for public safety issues
<b>Historical Commission</b>	Demolition	Demolition of historical buildings	For qualifying buildings, demolition can be delayed for up to 9 months to allow time for an alternative plan that preserves the building
<b>Planning Board</b>	Approval-Not-Required Plan	To create a new lot with sufficient frontage on an existing street	This is also used to convey property from one lot to an abutting lot, either by sale or exchange.
	Subdivision Plans	Creating new lots by constructing a new road	A preliminary plan is highly recommended
	Site Plans	New or expanded businesses	This assures that parking, drainage, lighting, landscaping, etc. are adequate.
	Special Permits	Open space subdivisions, adaptive use overlay district, adult retirement PUD	Special permits are strictly discretionary on the part of the Planning Board. Specific criteria must be met to qualify.
	Scenic Road Hearing	For removing any tree or portion of a stone wall on a scenic road	When a tree is involved, the hearing is a joint one with the Tree Warden.
<b>Zoning Board of Appeals</b>	Special permits in residence districts	Accessory apartments and certain non-residential uses that are not prohibited in residence districts	Examples include, but are not limited to greenhouses and sawmills, golf courses, earth removal, veterinary hospital and home occupations.
	Special permits for certain business uses in commercial districts	In C1: restaurant, service station, car wash and shopping center; C2: Same as C1 plus hotel and indoor recreation; C6: Same as C1 except restaurant is allowed use.	Other uses may require a use variance.
	Variances	For relief from dimensional requirements or for uses not otherwise allowed.	By State law, variances must be justified by soil conditions or shape or topography of lot and result in hardship id not granted.
	Special permits in floodplains and groundwater protection districts	Certain uses in these districts require a special permit	Generally, mitigating actions are required for activities within these overlay districts.
	Comprehensive permits	Projects developed under Chapter 40B of M.G.L.	ZBA has a separate set of rules for submitting and reviewing such projects.

# Step Three — Obtain Permits



The following flow charts illustrate the processes required for obtaining approvals for (a) new houses and additions; (b) new or expanded businesses or change of use;

## (a) New House or Addition on an Existing Lot

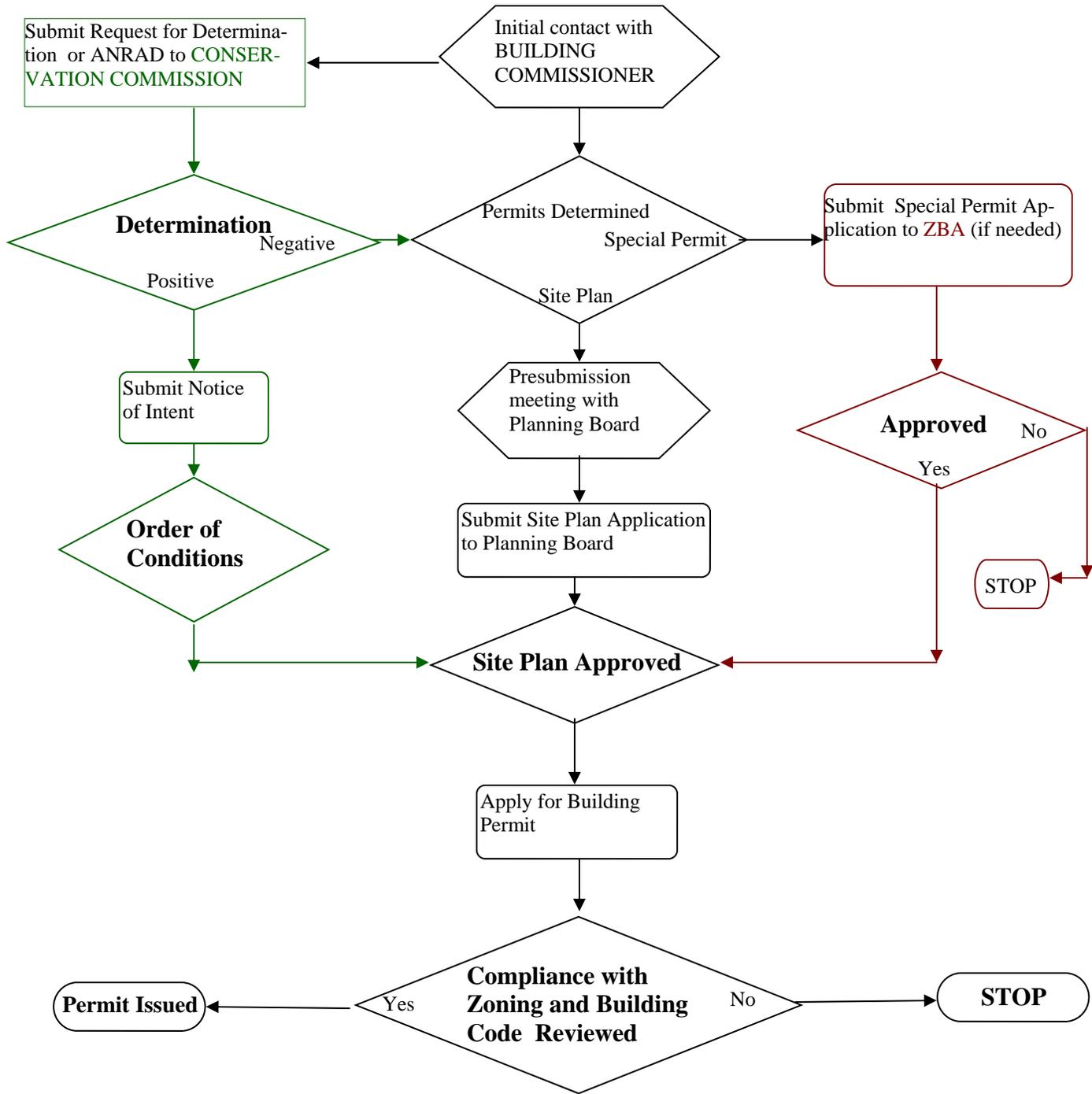


**#It may be advantageous to meet with Conservation Commission and/or Health Agent prior to applying. If municipal water and sewer service is available to the lot, Board of Health approval is not required, but water and sewer connection permits are required from the Board of Water/Sewer Commissioners.**

# Step Three — Obtain Permits (Continued)



(b) New or expanded businesses :



#It may be advantageous to meet with Conservation Commission prior to applying.

# Resources

The following documents contain the specific bylaws, rules and regulations that apply to development projects in Medway. The table below includes information about obtaining paper copies of these documents.

Document	Available From	Price
Zoning Bylaws	Town Clerk	\$25.00*
Subdivision Rules and Regulations	Town Clerk	\$25.00*
Site Plan Rules and Regulations	Town Clerk	\$15.00*
ARCPUD Rules and Regulations	Town Clerk	\$15.00*
AOUD Rules and Regulations	Town Clerk	TBD
Scenic Road Rules and Regulations	Town Clerk	\$10.00*
Wetlands Bylaw	Town Clerk	Free*
Regulations of the Board of Health	Town Clerk	\$10.00
General Bylaws	Town Clerk	\$25.00
Street Opening and Roadway Access Rules	Department of Public Services	Free*
Water/Sewer Connection Rules and regulations	Board of Water/Sewer Commissioners	Free

\* Available on-line at [www.townofmedway.org](http://www.townofmedway.org)

In addition to the above, individual boards, commissions and departments may have additional materials that pertain to specific types of projects. The Town website, [www.townofmedway.org](http://www.townofmedway.org), contains additional information that may be useful.

The Medway Business Council (508-533-3859) and the Town’s Industrial Development Commission may also be of assistance.

**[NOTE: In on-line version, each of the above documents that are on-line should be a hyperlink as they appear above and wherever else they appear in this document]**

# Contact Information



	Telephone	E-mail
Board of Health	508.533.3206	Go to Town of Medway web site: <a href="http://townofmedway.org">http://townofmedway.org</a> for email links to all boards, commissions and departments
Board of Selectmen	508.533.3264	
Building Department	508.533.3253	
Conservation Commission	508.532.0070	
Department of Public Services	508.533.3275	
Design Review Committee	508.533.3291	
Development Review Coordinating Council	508.533.3291	
Fire Department	508.533.3213	
Industrial Development Commission	508.533.3291	
Historical Commission		
Planning Board	508.533.3204	
Town Clerk	508.533.3204	
Water/Sewer Commission	508.533.3208	
Zoning Board of Appeals	508.533.3204	