

TOWN OF MEDWAY

Planning Board Rules and Regulations

Chapter 200 – Submission and Review of Site Plans

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NOTE – The Application for Site Plan Review is at the back of this document.

TOWN OF MEDWAY

Planning Board Rules and Regulations

Chapter 200 - Site Plans

Rules & Regulations for Submission and Review of Site Plans

*Approved and Adopted by the Medway Planning Board
April 14, 1998*

Amended: April 28, 2000

Amended: March 13, 2001

Amended: November 1, 2001

Amended: July 9, 2002

Amended: December 3, 2002

Medway Planning Board

Diane M. Borgatti, Chairman

James G. Wieler, Vice-Chairman

Daniel J. Hooper, Clerk

Matthew J. Hayes, P.E.

Karyl Spiller-Walsh

TOWN OF MEDWAY

Planning Board Rules and Regulations

Chapter 200 - Site Plans

Rules & Regulations for Submission and Review of Site Plans

ARTICLE I AUTHORITY

s. **201 – 1 Adoption** - The Medway Planning Board hereby adopts these *Rules and Regulations* to govern the submission and review of site plans pursuant to Section V. USE REGULATIONS, Subsection C. *SITE PLAN APPROVAL* of the *Medway Zoning By-Law*. Said adoption was by a vote taken by the Medway Planning Board on April 14, 1998 which became effective immediately.

s. **201 – 2 Revisions** – These *Rules and Regulations* were amended by action of the Medway Planning Board following duly called and advertised public hearings as follows:

- A. April 28, 2000
- B. March 13, 2001
- C. November 1, 2001
- D. July 9, 2002
- E. December 3, 2002

ARTICLE II GENERAL PROVISIONS

s. **202 – 1 Site Plan Necessity** - Site Plan review and approval may be required pursuant to the provisions of Section V. USE REGULATIONS, Subsection C. *SITE PLAN APPROVAL* of the *Medway Zoning By-Law*.

s. **202 – 2 Purpose** – The purpose of these *Rules and Regulations* is to protect the health, safety and welfare of the inhabitants of the Town of Medway by providing for a thorough review of site plans for uses and structures which may have impacts on traffic, parking, drainage, environmental quality, community economics, and community character.

s. **202 – 3 Overview** – The site plan review process requires an official filing of the site plan application with the Board of Selectmen, a public hearing before the Planning Board, and issuance of a *Certificate of Recommendation* by the Planning Board to the Board of Selectmen for their consideration and action. Any interested party may request an informal meeting with the Planning Board or its designee prior to filing a site plan application.

s. **202 - 4** *Issuance of Building Permits* – Pursuant to the *Medway Zoning By-law*, building permits shall not be issued and no person shall undertake any use, alteration, or improvement subject to these *Rules and Regulations* until the Planning Board has issued a *Certificate of Recommendation* and the Board of Selectmen has approved or conditionally approved a Site Plan Application or has allowed one hundred and twenty (120) days to elapse from the official date of submission, unless such date is extended by the applicant.

s. **202 – 5** *Definitions* - As used in these *Rules and Regulations*, the following term(s) shall have the meaning defined:

Abutter: Owners of land directly adjacent to property lines of the applicant and owners of land directly opposite on any public or private street or way, as they appear on the most recent applicable tax list, notwithstanding that the land of any such owner is located in another city or town, the Planning Board of the city or town, and the Planning Board of every abutting city or town.

Parties of Interest: The applicant, petitioner, abutters, owners of land directly opposite on any public or private street or way and abutters to the abutters within three hundred (300) feet of the property line of the petitioner, as they appear on the most recent applicable tax list, notwithstanding that the land of any such owner is located in another city or town, the Planning Board of the city or town, and the Planning Board of every abutting city or town.

Site Plan Application: The Site Plan Application shall include the application form, the site plan(s), and all ancillary documents as outlined within these *Rules and Regulations*

ARTICLE III SITE PLAN APPLICATION AND REVIEW PROCEDURE

s. **203-1** *Informal Pre-Application Meeting* – Prior to filing a Site Plan Application with the Board of Selectmen, an informal pre-application meeting with the Planning Board, or its designee, is strongly encouraged. This meeting provides an opportunity to discuss the project’s objectives, preliminary conceptual plan for the site, building design, site amenities or signage; review the Town’s site plan process and regulations; identify possible requests for waivers from these *Rules and Regulations*; clarify what submittal items are required based on the scope of the project; and develop a preliminary schedule for plan review and approval.

s. **203 – 2** *Site Plan Application Submission* – The application submittal process and the contents of the Site Plan Application shall conform to ARTICLE IV. SITE PLAN SUBMISSION of these *Rules and Regulations*.

s. **203 - 3** *Official Receipt of Site Plan Application* – After the applicant has filed the Site Plan Application with the Board of Selectmen at the Town Administrator’s office, the Board of Selectmen, pursuant to the *Medway Zoning By-law*, Section V. C. 1. b), shall give notice of receipt of such at its next regularly scheduled meeting. The date of this Board of Selectmen

meeting shall constitute the official date of submission of the Site Plan Application to the Town of Medway.

s. 203 - 4 Use of Outside Consultants – Upon receipt of the Site Plan Application, the Planning Board may determine that the assistance of outside consultants is warranted due to the size, scale, or complexity of the proposed project or its potential impact on the Town and community. In hiring outside consultants, the Planning Board may engage the services of engineers, planners, traffic consultants, lawyers, urban designers or other appropriate professionals who can assist the Planning Board in analyzing the application and project to ensure compliance with all relevant laws, by-laws and regulations. If the Planning Board determines that such services are required, the applicant shall pay a *Site Plan Review Fee* as specified in *s. 206 – 1 B.* of these *Rules and Regulations*.

s. 203 – 5 Review by Town Officials

A. Within twenty-one (21) days of receipt from the Board of Selectmen, the Planning Board shall circulate one copy of the Site Plan Application to the following boards, commissions, and departments, inform them of the public hearing schedule, and request their review and preparation of an advisory report to assist the Planning Board.

- 1) Inspector of Buildings/Zoning Enforcement Officer
- 2) Conservation Commission
- 3) Fire Department
- 4) Police Department
- 5) Water/Sewer Department
- 6) Assessor’s Office
- 7) Health Department
- 8) Department of Public Services
- 9) Others as determined to be appropriate depending on the nature of the project.

B. Said boards, commissions, and departments may submit an advisory report or recommendation to the Planning Board at their discretion. If no report is submitted to the Planning Board within twenty-one (21) days of distribution, this shall be deemed lack of opposition thereto.

C. The advisory report may include an assessment of the project’s impact on the community, the status of any meetings or actions the respective board or department has taken or is taking regarding the project, and any recommended conditions or remedial measures to avoid, accommodate or mitigate the expected impacts of the proposed development. All reports shall be entered into the public record during the public hearing.

D. The Inspector of Buildings/Zoning Enforcement Officer is requested to review the Site Plan Application and all associated submittals for compliance with the *Medway Zoning By-law* and provide written communication to the Planning Board, prior to the first public hearing date. Said communication may include, but not be limited to, the Inspector of Buildings/Zoning Enforcement Officer’s findings and any questions or concerns that could be clarified during the site plan review process so as to avoid the need for subsequent site plan modifications after plan endorsement by the Board of Selectmen.

E. At its discretion, the Planning Board may invite said boards, commissions and departments to meet together to review the Site Plan Application.

s. **203 – 6 Public Hearing**

A. **General** - Before the Planning Board submits its *Certificate of Recommendation* to the Board of Selectmen, the Planning Board shall hold a public hearing at which the applicant shall present their proposed site plan and the public shall have an opportunity to be heard, in person, or by agent or attorney, or in writing.

B. **Timing** - The public hearing shall commence within sixty (60) days after the Board of Selectmen officially receives submission of the Site Plan Application. The Planning Board may continue the public hearing as needed.

C. **Abutter Notice** - The Planning Board shall prepare the public hearing notice and provide it to the applicant who shall notify all abutters and parties of interest of the time, date and location of the public hearing. The notice shall include a brief description of the site plan project. Said notification shall be sent by certified mail, return receipt requested, at least fourteen (14) days prior to the date of the public hearing. The cost of certified mailing shall be borne by the applicant. The applicant shall submit the signed certified mail cards and receipts from all parties of interest to the Planning Board prior to the hearing.

D. **Legal Notice** - The Planning Board shall provide notice of the public hearing by advertisement in a newspaper of general circulation in the community fourteen (14) days prior to the public hearing and again eight (8) days prior to the public hearing. The cost of the advertisement shall be borne by the applicant who shall be billed directly by the newspaper for same. The Planning Board shall also file the public hearing notice with the Town Clerk for posting in a conspicuous place in Town Hall for a period of not less than fourteen (14) days before the day of the hearing;

E. **Closing the Public Hearing** – Before preparing its Certificate of Recommendation, the Planning Board shall close the public hearing.

s. **203 – 7 Deadline Extension** - The applicant may request an extension of time to the deadline by which the Planning Board must file its *Certificate of Recommendation* with the Board of Selectmen. The extension provides additional time for the applicant to revise their plans to comply with these *Rules and Regulations*, and for the Planning Board to review such changes and prepare its Certificate of Recommendation. The extended deadline for the Planning Board’s action shall automatically extend the Board of Selectmen’s action deadline by the same number of days as granted to the Planning Board for its deadline. Notice of the Planning Board’s acceptance of the applicant’s request for a deadline extension shall be provided in writing by the Planning Board to the Town Clerk and the Board of Selectmen.

s. **203 – 8 Site Plans and Scenic Roads** – Any proposed site plan which has land with frontage on a Scenic Road so designated by the Town of Medway may also need to comply with *the Rules and Regulations for the Review and Issuance of Scenic Road Work Permits*.

s. **203 – 9 Planning Board Action – Certificate of Recommendation**

A. **Timing** - After the close of the public hearing the Planning Board shall prepare a *Certificate of Recommendation* and file such with the Board of Selectmen and the Town Clerk. This action shall take place not more than ninety (90) days after the official date of receipt unless the applicant requests an extension.

B. **Considerations** - In preparing its *Certificate of Recommendation*, the Planning Board shall consider the information presented in the Site Plan Application and all revisions thereto, reports of its outside consultants, town boards, commissions and departments, the testimony presented at the public hearing, and any additional information available to the Planning Board, submitted to the Planning Board by any person, official or agency, or acquired by the Planning Board on its own initiative or research during the public hearing process. The *Certificate of Recommendation* shall include copies of reports from town boards, departments and commissions and shall specify recommended waivers, conditions, limitations and safeguards including plan revisions, design modifications, off-site improvements, construction observation, bonding provisions, plan compliance measures, and reasonable mitigation measures which the Planning Board believes are in the Town's best interests.

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

- 1) Internal circulation, queuing and egress are such that traffic safety is protected, access via minor streets servicing residential areas is minimized, and traffic backing up into the public way is minimized.
- 2) Departure from the character, materials, and scale of buildings in the vicinity as viewed from public ways and places is minimized.
- 3) Reasonable use is made of building location, grading and vegetation to reduce the visible intrusion of structures, parking areas, outside storage or other outdoor service areas (*e.g. waste removal*) from public views or from premises residentially used and zoned.
- 4) Adequate access to each structure for fire and service equipment is provided.
- 5) Design and construction shall minimize, to the extent reasonably possible, the following environmental impacts:
 - a) the volume of cut and fill;
 - b) the number of trees to be removed with particular care taken with mature trees and root systems;
 - c) the visual prominence of man-made elements not necessary for safety;
 - d) the removal of existing stone walls;
 - e) the visibility of building sites from existing streets;
 - f) the impacts on waterways and environmental resource areas;
 - g) soil pollution and erosion;

- h) noise.
- 6) Pedestrian and vehicular safety both on the site and egressing from it are maximized.
- 7) Design and construction shall incorporate, to the maximum extent possible, the visual prominence of natural and historic features of the site;
- 8) Lighting of structures and parking area avoids glare on adjoining properties, and minimizes light pollution within the town.
- 9) Proposed limit of work area is reasonable and protects sensitive environmental and/or cultural resources. The site plan as designed will not cause substantial or irrevocable damage to the environment, which damage could be avoided or ameliorated through an alternative development plan or mitigation measures.

D. ***Mitigation, Conditions, Limitations and Safeguards*** – In its *Certificate of Recommendation*, the Planning Board may recommend that the Board of Selectmen require mitigation measures, conditions, limitations and safeguards including, but not limited to, the following:

- 1) Controls on the location and type of access to the site;
- 2) Controls on the number, type and time that service vehicles access the site;
- 3) Limitations on the hours of operation;
- 4) Requirements for off-site improvements up to a maximum value of six (6) percent of the total development cost of the proposed project to improve the capacity and safety of roads, intersections, pedestrian ways, water, sewer, drainage, and other public facilities that are likely to be affected by the proposed development. The total development cost shall mean the total of the cost or value of land and all development related improvements and shall be determined on the basis of standard building or construction costs, such as published in the *Engineering News Record* or other source acceptable to the Planning Board, for the relevant type of structure and use.
- 5) Donation and/or dedication of land for right-of-way to provide for roadway and/or intersection widening or improvements;
- 6) Conditions to minimize off-site impacts and environmental quality during construction.
- 7) Requirements for screening parking facilities from adjoining premises or from the street by walls, fences, plantings or other devices to mitigate adverse impacts;
- 8) Conditions to mitigate adverse impacts to the neighborhood and abutters, including but not limited to adverse impacts caused by noise, dust, fumes, odors, lighting, headlight glare, hours of operation, or snow storage.

s. **203 - 10 Joint Meeting** – In filing its *Certificate of Recommendation* with the Board of Selectmen, the Planning Board may request a meeting with the Board of Selectmen to more fully present the Recommendation before the Board of Selectmen takes action on the Site Plan Application. The applicant shall be invited to the meeting and at this time may state any outstanding issues they have pertaining to the Planning Board’s *Certificate of Recommendation*.

s. **203 – 11 Board of Selectmen’s Action** – The Board of Selectmen’s actions regarding plan approval and endorsement are guided by the *Medway Zoning By-law* and its *Rules and Regulations for Site Plan Approval* which may be in effect.

s. **203 – 12 Construction of Required Improvements**

A. One Year Limitation – Any approved site plan shall receive an approval which shall be for a period of one (1) year from the date of approval.

B. The applicant must construct the improvements in compliance with the approved site plan. An applicant may make limited on-site changes based on unforeseen conditions, situations or emergencies. Prior to undertaking the on-site alterations, the applicant must submit a letter to the Inspector of Buildings/Zoning Enforcement Officer, the Planning Board and the Board of Selectmen detailing the proposed changes. The Inspector of Buildings/Zoning Enforcement Officer shall make a determination pursuant to s. 206 - 2 of these *Rules and Regulations*.

C. Certificate of Completion – A Certificate of Completion and an inspection fee shall be submitted to the Planning Board by the applicant’s engineer upon completion of all required improvements. The Planning Board, or its agent, shall complete a final inspection of the site within twenty-one (21) days of the filing of the Certificate of Completion with the Planning Board. If all work has been completed to the satisfaction of the Town of Medway, then the Planning Board, at its next regularly scheduled meeting, shall sign the Certificate of Completion. A Certification of Completion signed by the Planning Board officially ends the Planning Board’s involvement in the site plan process. If the Certificate of Completion is not signed, then a complete list of work yet to be completed on or off-site in compliance with the approved site plan shall be listed.

ARTICLE IV SITE PLAN SUBMISSION

s. **204 – 1 Board of Selectmen Submittals**

A. The applicant shall deliver in hand, or by registered or certified mail, the following submittals to the Board of Selectmen at the Town Administrator’s office:

- 1) Site Plan Application form with original signatures.
- 2) One (1) set of the Site Plans prepared in conformance with these *Rules and Regulations* including all items as specified in s. 204 - 5.

- 3) One (1) copy of the storm drainage calculations including technical supporting documents, using the Rational Method (*for pipe sizing*) and Soil Conservation Service Method (*TR55 and/or TR 20 for Stormwater Management*).

B. Filing of the application with the Board of Selectmen does not, of itself, constitute the official receipt date.

s. 204 – 2 Town Clerk Submittals

A. The applicant shall deliver in hand, or by registered or certified mail the following submittals to the Town Clerk:

- 1) A copy of the original Site Plan Application form.
- 2) One (1) set of the Site Plans prepared in conformance with these *Rules and Regulations* including all items as specified in s. 204 - 5.
- 3) One (1) copy of the storm drainage calculations including technical supporting documents, using the Rational Method (*for pipe sizing*) and Soil Conservation Service Method (*TR55 and/or TR 20 for Stormwater Management*).

B. Filing of the application with the Town Clerk does not, of itself, constitute the official receipt date.

s. 204 – 3 Planning Board Submittals.

A. The applicant shall deliver in hand, or by registered or certified mail the following submittals to the Planning Board:

- 1) A copy of the original Site Plan application form.
- 2) Sixteen (16) sets of the Site Plans prepared in conformance with these *Rules and Regulations* including all items as specified in s. 204 – 5.
- 3) Three (3) copies of the storm drainage calculations including technical supporting documents, using the Rational Method (*for pipe sizing*) and Soil Conservation Service Method (*TR55 and/or TR 20 for Stormwater Management*). Pre-development and post-development drainage calculations must be prepared by a Registered Professional Engineer and summarized in table form for comparison purposes. The supporting documentation must be organized and submitted for review by the Planning Board’s consultant to ensure conformance to these regulations. Tests pits and percolation tests must be performed to support infiltration calculations and assumptions related to the Stormwater Management Design.
- 4) One (1) list of all abutters and parties of interest as defined herein as appearing in the most recent tax list. The list shall be certified by the Board of Assessors of all applicable communities.

- 5) One (1) copy of all relevant approvals received to date from other town boards and commissions (*ZBA, Conservation Commission, Board of Health, etc.*) and other government agencies.
- 6) A written *Project Description* of the proposed development including: proposed construction or demolition; all uses; who the project is intended to serve; expected number of employees and/or occupants; methods and hours of operation; timetable for project completion; an estimate showing the costs of all improvements planned including but not limited to building construction/renovation, paving, drainage, retaining walls, landscaping, refuse storage and disposal facilities, sidewalks, handicap access, site amenities and outdoor lighting; and proposed mitigation measures.
- 7) A written *Development Impact Statement* which shall describe the potential and anticipated impacts of the proposed development, identify all positive and adverse impacts, and propose an acceptable program to prevent or mitigate adverse impacts.

At its discretion, the Planning Board, upon written request of the applicant, and based on the Board's preliminary assessment of the scale and type of development proposed, may waive or modify the requirements for submission of any of the elements of the *Development Impact Statement*.

The *Development Impact Statement* shall consist of the following four elements:

a) *Traffic Impact*

- (1) A brief analysis of traffic safety and capacity issues and a brief summary of anticipated traffic impacts; or
- (2) A full *Traffic Impact Assessment* is needed if the project involves one or more of the following characteristics:
 - (a) proposes an additional thirty (30) or more parking spaces;
 - (b) contains frontage or proposes access on a public way.

The Planning Board may require an applicant to prepare a full *Traffic Impact Assessment* even if the project does not meet either of the above criteria, if the Planning Board believes it is in the Town's best interest to do so.

- (3) The *Traffic Impact Assessment* shall:
 - (a) document existing traffic conditions including but not limited to conditions within one-quarter (1/4) mile of the proposed project;

- (b) describe the volume and effect of projected traffic generated by the proposed project; and
- (c) identify measures to mitigate any adverse impacts on traffic.

b) *Environmental Impact*

- (1) An *Environmental Impact Assessment* describes the impacts of the proposed development with respect to on-site and off-site environmental quality.
- (2) An *Environmental Impact Assessment* is needed if the project involves one or more of the following characteristics:
 - (a) proposes an additional thirty (30) or more parking spaces;
 - (b) proposes a building footprint of fifteen thousand (15,000) square feet or greater;
 - (c) proposes to disturb thirty thousand (30,000) square feet of land or greater.
- (3) If an Environmental Impact Assessment is needed, please contact the Planning Board for additional information on the format and scope of such assessment.
- (4) If the applicant is required to file a full Massachusetts Environmental Policy Act (MEPA) certification *with the Massachusetts Department of Environmental Protection* that document may serve to replace the *Environmental Impact Assessment* as may be required herein.

c) *Community Impact*

- (1) A *Community Impact Assessment* evaluates the impacts of the proposed development on the community.
- (2) A Community Impact Assessment includes:
 - (a) the community's visual and historical character, especially that of neighboring properties;
 - (b) the goals of existing community plans (*master plan, open space plan, etc.*); and
 - (c) the quality of life of its residents.

d) *Parking Impact*

- (1) A *Parking Impact Assessment* is needed if the project proposes the addition of thirty (30) or more parking spaces.
- (2) A *Parking Impact Assessment* documents existing parking conditions, evaluates off-site impacts of the proposed parking and proposed ways to mitigate any adverse parking impacts on the neighborhood.
- (3) A *Parking Impact Assessment* shall:
 - (a) identify existing off-site and on-street neighborhood parking conditions including streets likely to be affected by the development;
 - (b) identify the expected impact of proposed parking on the neighborhood; and
 - (c) propose mitigation measures including screening, creative parking lot design, use of alternative paving materials, and planting of trees for shading and buffer.
- 8) A list of waivers being requested by the applicant with specific reference to the applicable section(s) of these *Rules and Regulations*
- 9) Written authorization from the applicant and/or property owner for the Planning Board, its agents and other town officials to be allowed access to the site during the plan review process.
- 10) A Site Plan Filing Fee as established in s. 206 – 1, A. of these *Rules and Regulations*.
- 11) A \$500.00 deposit toward the Site Plan Review Fee as established in s. 206 – 1, B. of these *Rules and Regulations*.

B. Filing of the application and plans with the Planning Board does not, of itself, constitute the official receipt date.

s. **204 – 4 Standards for Site Plan Preparation**

A. The site plan shall be prepared, stamped, signed and dated by qualified professionals including a Registered Professional Engineer, a Registered Architect, and/or a Registered Landscape Architect or other professional registered in the Commonwealth of Massachusetts.

B. The site plan shall be drawn at a scale of one (1) inch equals forty (40) feet or such other scale that has been approved in advance by the Planning Board and that clearly and adequately represents the proposed improvements.

C. Sheet sizes shall be twenty-four (24) by thirty-six (36) inches.

D. All existing and proposed elevations shall refer to the North American Vertical Datum of 1988 (NAVD88).

E. All site plan sheets are to be bound together in a complete set.

F. All site plan sheets shall contain a referenced north arrow, Board of Selectmen's endorsement signature block, list of revisions and associated dates, name of project, name of plan, plan scale, sheet number, stamp of registered professional responsible for the content of said sheet, applicable notes, and other appropriate information.

s. **204 – 5 Site Plan Contents** – To be considered complete, site plans submitted pursuant to these *Rules and Regulations* shall include the information listed below. The Planning Board may require additional information, if necessary, to complete its review.

A. **Cover Sheet** – The cover sheet shall include the project name, name and address of owner, name and address of applicant, name and address of engineering and other professional firms responsible for the plan, current date, list of revision dates, project street address, project Assessor's Map and Parcel number, zoning district classification, list of requested waivers from these *Rules and Regulations*, Board of Selectmen's Signature Block, and a list of drawings/ contents.

B. **Site Context Sheet**

- 1) A locus plan showing the site and its boundaries in relation to all surrounding streets within two thousand (2,000) feet of the perimeter of the site. The plan shall be at a maximum scale of one (1) inch equals one thousand (1,000) feet. Scenic roads shall be noted.
- 2) Abutters' names and addresses with assessor's reference.
- 3) Lot lines with dimensions and easement areas.
- 4) Existing topography at two (2) foot intervals from USGS survey maps or actual land survey.
- 5) All easements (*utility, conservation and other*) and rights-of-way.
- 6) Zoning district boundaries including groundwater protection district, wetlands, and flood plain zones.

C. **Existing Conditions Sheet(s)**

- 1) The location of all existing man-made features shall be delineated including but not limited to buildings and structures, streets, bridges, utility poles, utilities and underground infrastructure including water, gas, electric, sewer, cable, and telephone, fire hydrants and fire alarm boxes, wells, septic systems, storm and sanitary sewers, easements and other property encumbrances, driveways, trails,

farm roads, rails, walls, fences, monuments, historic markers, milestones, wells, drainage fields, entrances, and exits on the site and within one hundred (100) feet of the site, including both sides to any abutting streets.

- 2) Location and delineation of all existing natural features of the site and within one hundred (100) feet thereof, including ledge/rock outcroppings, cliffs, sinkholes, ditches, swamps, all wetlands including their associated buffers per state and local laws, vernal pools, water bodies and natural waterways and watercourses including rivers, lakes, ponds and streams, natural drainage courses and swales, areas of high water table.
- 3) An *Existing Landscape Inventory* shall be prepared by a Professional Landscape Architect licensed in the Commonwealth of Massachusetts. This inventory shall include a “*mapped*” overview of existing landscape features and structures and a general inventory of major plant species including the specific identification of existing trees with a diameter of one (1) foot or greater at four (4) feet above grade.
- 4) Locations of all historically significant sites or structures on the property including but not limited to barns, other buildings, cellar holes, stone walls, earthworks and graves;
- 5) Location and design of existing stormwater systems, leaching galleys, swales, and methods to dispose of surface water on site; refuse disposal systems, water service, sewage disposal and methods of solid waste storage and disposal.

D. *Proposed Site Plan Information Sheets*

- 1) Location and dimensions of proposed buildings and structures including building setbacks from front, side and rear lot lines;
- 2) Location and dimensions of proposed parking, including lot line setbacks, loading and unloading areas with traffic patterns, access lanes and curb radii.
- 3) Location and dimensions of proposed improvements such as travel ways, roads, driveways, maneuvering spaces and aisles, parking areas, loading facilities, curbs, curb cuts, bumpers, decorative and retaining walls, fences, outdoor lighting, open space areas, recreational areas, pedestrian areas, service entries, snow storage areas, facilities for waste disposal and storage, sidewalks, pedestrian and bike pathways with cross sections, design and materials details and dimensions, and easements.
- 4) *Site Grading* - Topography showing proposed grading contours at two (2) foot intervals, limit of work and limit of clearing
- 5) *Drainage and Erosion Plan* – The following items shall be included: Location and design of proposed stormwater drainage systems, leaching galleys, swales, and methods to dispose of surface water on site including slopes, materials and

surfaces. Erosion control measures shall be specified including sedimentation barriers and stabilizing materials.

- 6) *Site Utilities Plan* – All proposed utilities, mechanisms, materials and layouts for refuse/trash disposal systems, water, electricity, gas, cable, fire alarm, and telephone service, sewage disposal and methods of solid waste storage and disposal.
- 7) *Landscape Architectural Plan* – A *Landscape Architectural Plan* shall be prepared by a Landscape Architect licensed in the Commonwealth of Massachusetts. This *Plan* shall be prepared as an overlay of the existing conditions sheets and shall incorporate, whenever possible, the significant features of the existing site and topography, particularly existing trees with a diameter of one (1) foot or greater at four (4) feet above grade. The *Landscape Architectural Plan* shall indicate the areas slated for excavation; any woodlands, trees or other existing features or structures to be retained; all new plantings by common and Latin name including their proposed locations and sizes at the time of installation. Plan graphics for tree canopies shall reflect, as closely as possible, the actual canopy dimension of proposed tree plantings at the time of installation with a “lesser” intensity graphic used to represent potential canopy at maturity.
- 8) *Architectural Plan* with dimensions and details of façade designs of each building including specifications on style, materials, and colors from all elevations. A color rendering of the *Architectural Plan* shall be provided.
- 9) *Color Renderings* of the project shall be provided depicting structures, signage and common views of the site from a public way and other views helpful in illustrating the totality of the proposed site improvements.
- 10) *Building Layout/Floor Plan* with the use of all areas labeled.
- 11) *Entry/Exit to Structures*. All means of entry and exit (*main, service, emergency and mechanical*) from the building including steps and ramps, designation of the primary entrance (*front entrance*) and loading docks and other access ways shall be shown
- 12) *Signage Plan* which includes the design, location, materials, dimensions and lighting for:
 - (a) The proposed development and all building identification signage, both freestanding and attached; and
 - (b) standards for tenant signs.
- 13) *Lighting Plan* indicating type, height and location of all proposed lighting fixtures and devices and the radius of light patterns, brightness and intensity of proposed lighting. The manufacturer’s data and specifications for the proposed lighting fixtures shall be submitted. The *Lighting Plan* shall indicate proposed

lighting around all structures, driveways, driveway entrances, walkways, entrances, pathways and parking areas. The *Lighting Plan* shall include a night lighting plan which specifies the times of illumination and the location of fixtures which shall be illuminated.

- 14) Horizontal sight distances on the public way(s) at all entrances in both directions.
- 15) A table outlining the proposal's conformance with zoning requirements including lot area, continuous frontage, lot depth, lot width, front, side, and rear setbacks, buildings heights, lot coverages, gross floor area, maximum seating capacity, number of employees, and number of parking spaces including handicapped and employee spaces, and other items as appropriate for the zone and proposed uses.
- 16) Locations of proposed fire hydrants, fire alarm boxes, fire lanes and access for equipment shall be provided to the satisfaction of the Fire Department.
- 17) Information quantifying on-site generation of noise and odors, if applicable.
- 18) Any proposed roadway and traffic management improvements.
- 19) Other information the Planning Board may determine as necessary.

ARTICLE V. DEVELOPMENT STANDARDS – Based upon consideration of the qualities of the specific location, the proposed land use, the design of building form, grading, egress points, and other aspects of the development, development projects requiring site plan review shall be designed to the greatest extent feasibly to comply with the following:

s. 205-1 General Design Principles

A. Medway residents strongly desire that Medway retain the "feel" of a small, rural New England town characterized by distinct neighborhoods, open space and traditional architecture. Every reasonable effort shall be made to preserve residential New England architectural style and character in non-residential construction. The distinctive features that reflect the town's New England architecture shall be incorporated in the plan. New England architectural style is described as having pitched roofs, dormers, moldings, covered landings, doorways and carports. Architecture that would reflect historical attempts at coping with New England weather shall include characteristics of the following styles: colonial, Victorian and cape.

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

C. The Site Plan Review process aims to establish a consistent and cohesive character within commercial areas and to create a welcoming environment for pedestrians and neighbors alike.

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

- A. *Height* - The height of any proposed construction should be compatible with the character and scale of surrounding buildings and adjacent neighborhoods within zoning requirements. The proposed height is critical in the vicinity of historical and/or cultural landmarks.
- B. *Roof Shape* - The design and pitch of the roof should be compatible with the character of New England architectural style, i.e. gabled roofs, peaked roof forms. Parapets shall be utilized in the design to conceal roof top equipment. Uninterrupted flat-topped roofing is not permitted. All rooflines shall be pitched or incorporate pitched details,
- C. *Scale, Massing and Proportion* - The scale, massing and proportions of structures should be compatible with the style and character of New England architectural style.
- D. *Facade Lines, Shape and Profile* - Facades should be compatible with the character of New England architectural style. Any wall visible from an existing, proposed or approved way, should be compatible with New England architectural style. Building materials shall be shingles, clapboard siding, brick or stone for the façade.
- E. *Architectural Details* - Architectural details including signs, materials, colors and textures should be compatible with New England architectural style.
- F. Facades greater than one hundred (100) feet in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least three (3) percent of the length of the facade and extending at least twenty (20) percent of the length of the facade. No uninterrupted length of any facade shall exceed one hundred (100) horizontal feet.
- G. Ground floor facades shall have arcades, display windows, entry areas, canopies, awnings or other such features with pleasing aesthetics along no less than sixty (60) percent of their horizontal length.
- H. Buildings shall have architectural features that provide visual interest at the pedestrian scale and incorporate local character with detailing that is conservative in color and has a village feel, thus avoiding massive aesthetic effects.
- I. Repetitive elements at intervals of no more than thirty (30) feet, either horizontally or vertically, shall be used. Express architectural or structural bays through a change in plane no less than twelve (12) inches in width, such as an offset, reveal, or projecting rib.
- J. Variations in the rooflines shall be used to add interest to, and reduce the massive scale of large buildings. Roof features shall be compatible with and compliment the character of adjoining buildings and neighborhoods. Pitched roofs, no faux mansard roofs, shall be used.
- K. Parapets shall be used to conceal rooftop equipment. Parapets shall incorporate three

dimensional cornice treatments.

L. Traditional entry elements and features that give orientation and create aesthetically pleasing character to the building shall be used. Entry features can include: canopies, porticos, overhangs, recesses, projections, peak roof forms and gables, etc.

M. *Signage/Advertising Features* - The size, location, design, color, lighting and materials shall not detract from the use of the existing street and the surrounding properties and shall enhance the character of the surrounding area.

- 1) Freestanding signs shall not detract from the desired pedestrian character of the area. Materials shall be aesthetically of a village nature and shall incorporate the use of natural materials.
- 2) Wall signs in a multi-tenant building shall also be consistent in design and scale. Signs shall display a common identity, compatible with residential areas.

N. *Color* – The color of all commercial structures and signage shall be conservative and neutral.

O. *Lighting* – Within parking lots, pedestrian-scale light fixtures designed to shine entirely on the lot shall be used. Where necessary, lighting fixtures with baffles shall be used. Lighting shall be focused directly on the site and there shall be no “*spill*” onto the street, or on adjacent and neighboring properties, or skyward. Light levels should be sufficient to ensure easy vision and a sense of security within the parking area. Overly bright lighting shall be avoided. The location, height and design of all light standards and fixtures shall be shown on the plan. The use of appropriate New England style “*period*” lampposts and light fixtures is strongly encouraged.

P. *Building Location on Site* – New buildings should be sited toward the front of the lot to maintain a traditional relationship with the road.

s. 205 – 3 *Traffic* - The site plan must address safety and convenience of vehicular and pedestrian movement within the site as well as in relation to adjacent streets, properties or improvements.

A. *Curb Cuts*

- 1) The site must be evaluated as a whole in determining the number of curb cuts to be permitted.
- 2) Curb cuts on public ways shall be minimized.
 - a) Curb cuts for contiguous commercial areas may be limited to one per street frontage unless compelling safety benefits or other siting considerations are demonstrated by the applicant.

- b) Wherever possible, existing driveways should be combined and/or existing commercial sites interconnected.
 - c) All proposed curb cuts within a commercial district or a contiguous commercial area shall be designed to enhance traffic flow on major streets and to minimize additional traffic circulation on neighboring residential streets to ensure safe vehicular movement and pedestrian safety.
 - d) The applicant must receive written approval of the Police and Fire Departments and provide such to the Planning Board. The Planning Board will not recommend site plan action to the Board of Selectmen without such approvals from the Police and Fire Departments.
- 3) Vehicles must be able to enter, park and exit the property without difficulty. Entrance from public ways must be clearly delineated. Multiple entrances are discouraged and generally will not be allowed. Arrows or signs, ground signs, building signs or painted lines on the ground to control the traffic flow may be required. Consideration will be given to site access of delivery vehicles and the ability of these vehicles to maneuver on site. In general, passenger vehicles and delivery vehicles should be segregated.
 - 4) Where possible, curb cuts shall be aligned with curb cuts on the opposite side of the road to create common junctions.
 - 5) Curb cuts for entrance and exit driveways shall be located and designed so as to achieve maximum practicable distance from existing and proposed access connections from adjacent properties.
 - 6) Where a site occupies a corner of two (2) intersecting roads, the curb cut shall be as remote from the intersection as possible. No curb cut shall be located within fifty (50) feet of the point of tangency of the existing or proposed curb radius of that site.
 - 7) Driveways shall be so located and designed so as to discourage the routing of vehicular traffic to and through residential streets.

B. *Internal Site Driveways*

- 1) The driveway shall be located so as to afford maximum safety, convenient ingress and egress and minimize conflict with the flow of off-site traffic.
- 2) No part of any driveway shall be located within fifteen (15) feet of a side property line.
- 3) Driveways should intersect the road at an angle of ninety (90) degrees.

- 4) Where possible, adjoining parcels shall have unified access and promote inter-parcel circulation.
- 5) Left-hand turns and other turning movements shall be minimized
- 6) The perimeter of the driveway shall be bounded with vertical granite curb or similar type of edge treatment.

C. *Traffic Flow*

- 1) The slope of the paved entrance way shall not exceed two (2) percent for the first twenty-five (25) feet measured perpendicular from the front property line. Plantings should be evaluated to ensure adequate sight distance is not affected. The maximum height of vegetation, except trees, at full growth or any other physical object shall not exceed three (3) feet in height to assure sight distance visibility from a vehicle. The entrance shall be clearly delineated by granite curbing or other approved material along the entire radius of the opening and extend at least twelve (12) feet beyond each side along the gutter line of the road, and sloped at the end to prevent a vertical obstruction to exist.
- 2) Provision shall be made for safe and convenient pedestrian and vehicular traffic movements within and connecting to the adjacent sites and ways, with particular emphasis on the layout of parking, off-street loading and unloading, and on the movement of people, goods, and vehicles upon access roads within the site, between buildings or structures, and between buildings and vehicles.

D. *Pedestrian and Bicycle Access and Connections*

- 1) Pedestrian-friendly connections shall be provided along sidewalks and in front of the stores and within the site. Sidewalk areas shall be provided within larger parking lots. For pedestrian safety and site design enhancement, on-site crosswalks between parking areas and the building (s) and where possible, on adjacent roadways shall have a change in materials. Sidewalk pavers such as cobblestones, bricks or textured concrete shall be incorporated into all crosswalks.
- 2) Pedestrian and bicycle circulation shall be maximized on and off site and shall be separated from motor vehicle circulation as much as practicable. Safe pedestrian and bicycle access to the site must be provided by walkways or other means which ensure protection and separation from vehicular traffic.
- 3) Existing pedestrian ways shall be maintained or improved.
- 4) Where no pedestrian ways exist, the applicant shall create pedestrian ways and connections between streets, the proposed development, surrounding neighborhoods, and other surrounding uses providing safe access to the nearest existing pedestrian facility or sidewalk.

5) Pedestrian accesses shall be designed to comply with ADA requirements.

E. **Mitigation** - The Planning Board may recommend that the Board of Selectmen require the applicant to provide mitigation for any impacts that are specified in the traffic impact analysis or Traffic Impact Assessment where the volume of traffic will otherwise create unsafe, or poor level of service conditions. Mitigation measures include but are not limited to the implementation of turning lanes, traffic signal improvements, roadway improvements, sidewalks, and acceleration and deceleration lanes.

s. **205 – 4 Drainage and Stormwater Management.**

A. The site shall be prepared and graded in such a manner that its development shall ensure proper protection of the roadway and adjacent properties. The applicant shall furnish evidence that adequate provisions have been made for the proper drainage of surface and underground waters.

B. Pre-development and post-development drainage calculations must be prepared by a Registered Professional Engineer and summarized in table form for comparison purposes. The supporting documentation must be organized and submitted for review by the Planning Board or its agent, to ensure conformance to these regulations. Test pits and percolation tests must be performed to support infiltration calculations and assumptions related to the Stormwater Management Design.

C. The applicant must demonstrate that there are not other suitable means of discharge other than tying into the public drainage system. Any private drainage system that must be connected to the public drainage system must not exceed the predevelopment contributions from the site to the roadway drainage system.

D. Runoff recharge to ground and surface drainage by means of swales and detention areas shall be required.

E. **Stormwater Management.** The following stormwater management design requirements shall be followed:

- 1) Pipes and grates shall be designed to accommodate a twenty-five (25) year storm;
- 2) Stormwater management facilities shall be designed to accommodate the one hundred (100) year storm;
- 3) Best Management Practices shall be implemented in accordance with the DEP Stormwater Management Policy.

F. Drainage structures shall be installed to adequately remove stormwater in accordance with DEP's Stormwater Management Policy and Best Management Practices.

s. **205 – 5** **Utilities** - All electric, telephone, cable TV, and other such utilities shall be located underground.

s. **205 – 6** **Parking**

A. **General** - Parking lots should be located to the side or rear of the lot. Placement of parking areas should not be near a high volume of traffic where it can obstruct traffic flow. Parking should be hidden to the maximum extent possible and located near the side and rear of the site. Parking should not create a hazard to abutters, vehicles or pedestrians. Where or when parking does exist near the street, plantings or appropriate fences, i.e. picket or post & rail, should be incorporated into the design to screen parking areas and reduce their visual impact.

B. **Pedestrian Protection.** - Pedestrian walkways through parking areas may require protection (*barriers or bollards*) or may require crosswalk striping.

C. **Designated Parking Areas** – Designated employee parking area, customer parking areas, and delivery areas as required under the *Medway Zoning By-Law* should be separated and shown on the plan.

D. **Asphalt Surface** - Parking areas are strongly encouraged to have an asphalt surface. Bituminous concrete surfacing should be a minimum of three and one-half (3½) inches over eight (8) inches of gravel borrow.

E. Appropriate access for emergency vehicles shall be provided.

F. Adverse impacts on abutters, residents or businesses in the area or on the character of the neighborhood shall be mitigated satisfactorily.

G. **Parking Spaces/Stalls**

- 1) General - The location of the parking stalls shall not impede proper traffic flow or the maneuvering of other vehicles.
- 2) Number of spaces/stalls - A sufficient number of lined, well-located parking spaces/stalls must be provided in accordance with the *Medway Zoning By-law*.
- 3) Space/stall design
 - a) Car parking spaces/stalls shall be ten (10) feet by twenty (20) feet, except that handicap stalls shall be in accordance with the current ADA; standards. Each handicapped space/stall must be identified on the ground surface and by a sign.
 - b) Wheel stops are required at the head of each car stall where a space/stall abuts a walkway, pedestrian way, or special site feature such as an abrupt change in grade. Acceptable materials include pre-cast concrete, granite, or like materials. All wheel stops shall be properly anchored into the ground and located approximately twenty-four (24) inches from the head of a car space/stall.

- 4) Location
 - a) Parking spaces/stalls shall not be located in the following areas: building entrances, building exits, loading dock areas, pedestrian ways and fire lanes.
 - b) The spaces/stalls shall not be located within fifteen (15) feet of the front, side and rear property lines.
 - c) Parking spaces/stalls shall be located such that a vehicle backing out of a space does not impede traffic entering from a public traveled way within the first fifty (50) feet into the site.
 - d) After the last parking stall in any dead end row not adjacent to a travel lane parallel to the car stall, there shall be a twelve (12) foot long and twenty (20) foot wide turning area beyond the travel lane to allow proper maneuvering.

H. **Curbing** – The perimeter of the parking area shall be bounded with vertical granite curb or similar type of edge treatment to delineate the parking lot.

I. Travel lanes in the parking area shall be a minimum of twenty-four (24) feet wide.

s. **205 - 7 Snow Removal** – The site must be designed to accommodate adequate snow storage for snow that is plowed from the paved parking and pedestrian areas. The snow storage area must be located and graded such that the runoff from melting snow will not enter the public way and so that the piled snow will not affect visibility and sight distance of vehicles entering and exiting the site.

s. **205 - 8 Outdoor Lighting**

A. General - Adequate lighting shall be provided to ensure safe movement of persons and vehicles as well as for security purposes. However, lighting shall be strictly limited to the minimum necessary for these purposes.

B Lighting shall be provided around all structures, driveways, driveway entrances, walkways, entrances, pathways and parking areas.

C. Lighting, including lighting on the exterior of a building and lighting in parking areas, shall be arranged to minimize glare and light spillover such that neighboring properties are not disturbed. Lighting should be directed onto the site. No light fixture shall be over twenty (20) feet in height. Overly bright lighting must be avoided. Foot-candle readings at neighboring residential property lines shall not exceed 0.01-foot candles at any elevation.

D. Lighting shall be provided at the lowest brightness and intensity levels possible to allow for emergency nighttime access and will take into account the uses of the site and the respective opening hours of businesses.

s. 205 – 9 **Trees and Landscaping**

A. **General** - Landscaping enhances the site, provides a pleasing environment and reduces the visual impact of the site on the surrounding areas. The Planning Board requires that every effort be made by the applicant to provide as much landscape treatment as possible. The Planning Board requires substantial planting islands in parking areas to break up the "sea of asphalt" appearance.

B. **Landscape Buffers** - The use of proportionally sized landscaped buffers and berms between the street and structures, between the street and parking fields, between the site and its neighbors, and throughout parking lot islands is encouraged to provide for more immediate visual screening and improved topographical variation.

- 1) Landscape buffers between the street and parking areas are required. Tree-lined sidewalks at the street front should be included. Plantings along the front property line and access to ways should take into consideration sight distance criteria. Planting of new or replacement trees every twenty-five (25) feet along both sides of an access road is required. Said trees shall be native, deciduous hardwoods from the list below:
 - a) Red Oak – *Quercus borealis*
 - b) Pin Oak - *Quercus palustris*
 - c) Scarlet Oak – *Quercus coccinea*
 - d) Red Maple – *Acer rubrum*
 - e) Silver Maple – *Acer saccharinum*
 - f) Sugar Maple – *Acer saccharum*
 - g) Thornless Honey Locust – *Gleditsia triacanthos intemis*
 - h) Green Ash – *Fraxinus pennsylvanica*
- 2) Four (4) season evergreen landscape buffers between the site and adjoining properties are encouraged. If a commercial site abuts residential property then four (4) season visual and sound buffers shall be required and shall protect the residential area to the greatest extent possible. At least fifty (50) feet of either supplemented existing woodland or dense, native vegetation shall be employed to buffer the proposed use from the residential area. The vegetation may be supplemented with earth berms of a reasonable height and quality fencing using wood or other materials approximating wood. Where buffers are required, one (1) native evergreen tree of at least six (6) feet in height shall be planted six (6) foot on center. If woodlands currently exist on the site as a natural buffer, they shall be incorporated into the plan. The buffer shall provide four (4) seasons of screening.
- 3) Perimeter Landscaping – Perimeter landscaping shall be provided around all parking lots and the entire site. Siting of the building on the lot shall impact the area of landscaping required. This landscaping shall provide four (4) seasons of screening.

C. **Parking Areas** - Internal landscape planted divisions (*islands and peninsulas*) shall be constructed within all parking lots to provide shading and buffering. At least one deciduous tree of a minimum two and one-half (2 1/2) inches caliper in diameter shall be provided for every six (6) parking spaces. Only trees providing shade to the parking area shall be counted as meeting this requirement. This requirement may be waived in lieu of the preservation of existing trees subject to approval by the Planning Board.

D. **Screening** – Where disturbance on the site is necessary beyond the building footprint, parking and access areas, or where the Planning Board determines that additional plantings are needed to achieve four (4) seasons of screening, the Landscape Architectural Plan shall include landscape plantings and other manmade hardscape structures such as fences and trellises sufficient enough to immediately screen one-hundred (100) percent of the HVAC equipment, utilities, dumpsters, etc from the view at any perimeter point on the site. The plantings shall be mature enough to immediately integrate the building and site into its surroundings. The scale of such planted landscaping shall be determined by the size of the building, the extent of disturbance to the existing landscape and the need for additional screening.

E. **Trees** - The *Landscape Architectural Plan* shall indicate when and where the trees are to be retained, planted, and the maintenance program. The applicant shall guarantee the health of the plantings for one calendar year after planting.

F. **Tree Replacement** – The total diameter of all trees over ten (10) inches in diameter that are removed from the site shall be replaced with trees that equal the total breast height diameter of the removed trees. The replacement trees may be placed on or off site as recommended by the Planning Board.

G. **Tree Size** – New and replacement trees shall be a minimum of two and one half (2.5) inches in breast height diameter and a minimum of ten (10) feet in height.

H. **Landscape Requirements** – All additional landscaping, including grass, shrubs, flowers, etc. shall be of the highest quality and shall meet the following requirements:

- 1) indigenous to the area or certified as “non-invasive” by a professional horticulturist
- 2) drought-tolerant
- 3) pest-tolerant

I. **Drainage** – No drainage areas or detention basins shall be considered part of the buffer or perimeter landscaping.

J. Proposed hardscape features and materials such as fences and stone walls shall be consistent with New England architectural style. Sight lines for all accesses, vehicle and otherwise, shall not be affected by such landscape features or built hardscapes.

K. **Invasive Species** – Whenever feasible, existing invasive species of flora shall be permanently removed from the site using accepted horticultural practices.

A. General - Environmental elements relating to the prevention of soil pollution and erosion, protection of significant vistas, preservation of trees, protection of water courses and water resources, topography, soil and noise shall be reviewed. The site plan shall minimize any adverse impacts on these elements.

B. Nuisance - The proposed development shall not create any significant emission of light, noise, dust, fumes, odors, noxious gases, radiation, or water pollutants, or any other similar significant adverse environmental impact.

C. The applicant shall provide adequate treatment of the slopes to prevent erosion. The final slope of the land shall not exceed one (1) foot vertical to three (3) feet horizontal, unless retaining walls or other suitable stabilization methods as determined by the Planning Board are provided.

D. The design of the proposed development shall minimize the destruction of unique natural features.

s. **205 – 11 Construction Standards** - The requirements and construction standards of the *Rules and Regulations for the Subdivision of Land in Medway* shall be adhered to in matters not covered specifically by these *Site Plan Rules and Regulations*. Design and construction details not covered by either these *Rules and Regulations* or the *Subdivision Regulations* shall follow accepted engineering, construction, and landscape architectural practice.

ARTICLE VI ADMINISTRATION

s. **206 – 1 Fee Structure** – The Planning Board shall adopt a *Fee and Bond Schedule* which shall specify the amount of filing, other applicable fees, and minimum bond amounts for all development projects.

A. **Site Plan Filing Fee** - A non-refundable *Site Plan Filing Fee* shall be remitted to the Planning Board at the time the application is filed with the Planning Board.

B. **Site Plan Review Fee**

1) **Applicability** – Pursuant to M.G.L Chapter 40, 22F, as adopted by the Medway Town Meeting on October 16, 2000, a *Site Plan Review Fee* may be established by the Planning Board for review of the site plan based on an itemized budget estimate prepared by an outside consultant(s). This fee shall be the reasonable costs to be incurred by the Planning Board to retain outside consultant(s) to assist in the review of the proposed project. The *Site Plan Review Fee* shall not be a fixed amount but will vary with the costs incurred by the Planning Board.

2) **Fee Payment** - The applicant shall remit a \$500 deposit toward the *Site Plan Review Fee* at the time the Site Plan Application is submitted. The balance shall be remitted upon receipt of an invoice from the Planning Board but prior to the

substantive review of the application by the outside consultants and before the public hearing. The failure to pay the *Site Plan Review Fee* shall constitute grounds for the Planning Board's recommendation of denial of the proposed site plan.

- 3) *Additional Review Fees* – If the expense of the consultant(s)' review of the site plan exceeds the original estimate or should the services of additional outside consultants be required after the initial *Site Plan Review Fee* has been expended, then the applicant shall be required to pay all additional fees incurred to cover the cost of additional reviews. The Planning Board shall prepare a new estimate for additional plan review services and remit same to the applicant. The applicant's failure to pay plan review fees in their entirety shall be reason for the Planning Board to recommend that the Board of Selectmen withhold approval and endorsement of the plan.

C. ***Other Costs and Expenses*** - All expenses for professional plan reviews, ancillary report reviews, supplemental studies, advertising, publication of notices, postage and mailings and all other expenses in connection with site plan review including without limitation sampling and/or testing, shall be borne by the applicant.

D. ***Payment of Fees***

- 1) Fees paid by the applicant shall be by certified check made payable to the Town of Medway and submitted to the Planning Board.
- 2) When the *Site Plan Review Fee* is received by the Planning Board pursuant to this section, it shall be deposited with the Town Treasurer who shall establish a special account for this purpose. Expenditures from this special account may be made at the direction of the Planning Board without further appropriation. Expenditures from the special account shall be made only for services rendered in connection with a specific project or projects for which a fee has been or will be collected from the applicant. Accrued interest may also be spent for this purpose.
- 3) At the completion of the project, any excess amount in the account, including interest, attributable to a specific project shall be repaid to the applicant or the applicant's successor in interest. Upon request, a final report of said account shall be made available to the applicant or the applicant's successor in interest. For the purpose of these *Rules and Regulations*, any person or entity claiming to be the applicant's successor in interest shall provide the Planning Board with documentation establishing such succession in interest.

s. **206 – 2** ***Modifications to Approved Site Plans***

A. ***Minor Modifications*** - If modifications to an approved site plan are needed, changes, which in the opinion of the Inspector of Buildings/Zoning Enforcement Officer are minor and

not substantive, may be reviewed by the Planning Board and approved by the Board of Selectmen without a public hearing.

B. Major Modifications

- 1) If modifications to an approved site plan are needed, and in the opinion of the Inspector of Buildings/Zoning Enforcement Officer, the changes are structurally or architecturally significant in terms of the size of the building or the location of the building on the site, access and exit curb cuts, overall parking layout, buffer strips or screening, overall appearance of the building and site amenities including materials and fenestration, or the type or intensity of use, or the changes pertain to the conditions of approval specifically addressed in the Board of Selectmen’s decision, then the plan modification shall be considered to be major. The applicant shall follow the same application and review process as described in these *Rules and Regulations*, including a public hearing, to secure approval of a major plan modification.
- 2) The Planning Board shall review the proposed modifications and issue a recommendation to the Board of Selectmen.

C. Modification Expenses - Whenever additional reviews by the Planning Board, its staff or consultants are necessary due to proposed site plan modifications, the applicant shall be billed and be responsible for the supplemental costs incurred including site plan filing fees, plan review fees, and all costs associated with another public hearing including legal notice and abutter notification. If the proposed revisions affect only specific limited aspects of the site, the Planning Board may reduce the scope of the required review and waive part of the Filing and Review Fees. Supplemental fees must be paid in full before the Planning Board recommends site plan modifications to the Board of Selectmen.

s. 206 – 3 Amendments to Rules and Regulations – These *Rules and Regulations* may be amended from time to time by the Planning Board. A public hearing on revisions to these *Rules and Regulations* shall be held with appropriate notice in compliance with state statute and local by-laws.

s. 205 – 4 Validity – If, in any respect, any provision of these *Rules and Regulations* in whole or in part, shall provide to be invalid for any reason, such invalidity shall only affect the part of such provisions which shall be held invalid and in all other respects these *Rules and Regulations* shall stand.

These Site Plan *Rules and Regulations* were adopted by a voice vote of the Medway Planning Board following proper legal notice published twice in the *Milford Daily News* and a copy thereof filed with the Town Clerk. Amendments to these *Rules and Regulations* were adopted by a voice vote of the Medway Planning Board following proper legal notice and take effect on the date of Planning Board approval.

Originally adopted: April 14, 1998
Amended: April 25, 2000
Amended: March 13, 2001
Amended: November 1, 2001
Amended: July 9, 2002
Amended: December 3, 2002

Attest:

Susan E. Affleck-Childs
Planning Board Administrative Secretary

Date

A true copy attest:

Maryjane White
Town Clerk

Date

Application for Review and Approval of a
MAJOR SITE PLAN PROJECT

Planning Board – Town of Medway
155 Village Street - Medway, MA 02053
(508) 533-3291

This application for Site Plan Review and Approval is made pursuant to the Medway Zoning By-Law, Section V. USE REGULATIONS, Subsection C. SITE PLAN APPROVAL and the Planning Board's Rules and Regulations for the Submission and Review of Site Plans (as approved December 3, 2002)

Date: _____

The undersigned, being the applicant and the owner of all land included within the proposed site shown on the accompanying plan(s) entitled _____ dated _____, prepared by _____ and _____, herewith submits this application and plan to the Medway Planning Board for Review and Approval of a *Major Site Plan Project*.

PROPERTY/SITE INFORMATION

1. Property Location Address _____

2. Assessor=s Information Map: _____ Lot: _____

3. Zoning District: _____

4. The owner's title to the land is derived under a deed from: _____

_____ dated _____

and recorded in Norfolk County Registry of Deeds, Book _____, Page _____

or Land Court Certificate of Title # _____ registered in Norfolk County District

Book _____ Page _____.

5. Frontage: _____
 Yard Depth: Front _____ Side _____ Side _____ Rear _____
6. Is any portion of the site within a flood plain area? _____ Yes _____ No
 If Yes, is it clearly shown on the plan? _____ Yes _____ No
7. Is any portion of the site within a wetland resource area? _____ Yes _____ No
 If Yes, is it clearly shown on the plan? _____ Yes _____ No
8. Does any portion of the site have frontage on a Scenic Road? _____ Yes _____ No

CONTACT INFORMATION

9a) Property Owner: _____
 Address: _____

 Primary Contact: _____
 Telephone: _____ FAX: _____
 E-Mail address: _____

9b) Applicant (*if other than property owner*): _____
 Address: _____

 Primary Contact: _____
 Telephone: _____ FAX: _____
 E-Mail address: _____

_____ *Please check here if you are the equitable owner (purchaser on a purchase and sales agreement.)*

9c) **NOTE** – If someone other than the property owner or the equitable owner is the applicant or will be representing the applicant, then the property owner or equitable owner must designate an Official Representative below:

Official Representative: _____
 Address: _____

 Primary Contact: _____
 Telephone: _____ Fax: _____
 E-Mail address: _____

10. Engineer: _____
 Address: _____

 Primary Contact: _____
 Telephone: _____ FAX: _____
 E-Mail address: _____

11. Surveyor: _____
 Address: _____

 Primary Contact: _____
 Telephone: _____ FAX: _____
12. Architect: _____
 Address: _____

 Primary Contact: _____
 Telephone: _____ FAX: _____
13. Contractor: _____
 Address: _____

 Primary Contact: _____
 Telephone: _____ FAX: _____

PROJECT INFORMATION – Type of Project

14. A major site plan project is defined as any multi-family, commercial, industrial, institutional, or municipal project, which involves:

PLEASE CHECK (X) ALL THAT APPLY

- New construction; or
- Alteration, reconstruction or renovation work that will result in a change in the outside appearance of an existing building or premises, visible from a public or private street or way; or
- A change in use of a building or buildings or premises;

and which includes one or more of the following:

PLEASE CHECK (X) ALL THAT APPLY

- New Construction* – Construction of 2,500 or more square feet of **gross floor area*:
 Building Dimensions: _____ Gross Square Footage _____
- New Construction* – Construction of a new building or addition requiring fifteen (15) or more parking spaces:
 Building Dimensions: _____ Gross Square Footage _____
- Change in Use* – A change in use of an existing building requiring fifteen (15) or more parking spaces:
 Building Dimensions: _____ Gross Square Footage _____

_____ *Change in Parking Area* – Construction, expansion redesign or alteration of an existing parking area involving the addition of fifteen (15) or more new parking spaces.

Building Dimensions: _____ Gross Square Footage _____

_____ *Other* – Any use or structure, or expansion thereof, exempt under MGL, c. 40A, s. 3, but only if one or more of the above criteria is met.

- *Gross floor area includes the existing building and proposed addition if any, and/or proposed new building.*

OTHER PROJECT INFORMATION

15. *Project Description* as specified in s. 204-3 of the *Site Plan Rules & Regulations*. Please attach a separate sheet fully describing the proposed work. Provide as much detail as possible.
16. *Development Impact Statement* as described in s. 204-3 of the *Site Plan Rules & Regulations*
17. Description of easements, option to purchase, purchase and sale agreement, court decision, or other legal restrictions (*Please attach separate sheets as needed.*)

SIGNATURES

I hereby certify, under the pains and penalties of perjury, that the information contained in this application is true and complete to the best of my knowledge and belief.

If Applicable, I hereby authorize _____ to serve as my *OFFICIAL REPRESENTATIVE* to represent my interests before the Town of Medway with respect to this application for site plan review and approval.

In submitting this application, I also authorize the Planning Board, its agents, and other Town officials to access the site during the plan review process.

Signature of Property Owner

Date

Signature of Applicant (if other than Property Owner)

Date

Signature of Official Representative

Date

SUBMITTAL INSTRUCTIONS – Required Submittals

Town Clerk

- _____ One (1) copy of the signed Major Site Plan Project Application form
- _____ One (1) copy of the Project Description as specified in s. 204-3 of the *Site Plan Rules & Regulations*
- _____ One (1) set of Site Plan Documents prepared in conformance with s. 204-4 and s. 204-5 the *Site Plan Rules and Regulations*
- _____ One (1) copy of stormwater/drainage calculations prepared in conformance with s. 204-3 3) of the *Site Plan Rules and Regulations*.

Planning Board

- _____ One (1) Major Site Plan Project Application form with original signatures plus 15 copies
- _____ Sixteen (16) copies of the Project Description as specified in s. 204-3 of the *Site Plan Rules & Regulations*
- _____ Sixteen (16) copies of the *Development Impact Statement* as described in s. 204-3 of the *Site Plan Rules & Regulations*
- _____ Sixteen (16) sets of the Site Plan prepared in conformance with s. 204-4 and s. 204-5 of the *Site Plan Rules and Regulations*.
- _____ Three (3) copies of stormwater/drainage calculations prepared in conformance with s. 204-3 3) of the *Site Plan Rules and Regulations*.
- _____ One (1) certified list of all abutters and parties of interest as defined in s. 202-5 of the *Site Plan Rules & Regulations*.
- _____ One (1) copy of all relevant approvals received to date from other town boards/ departments/commissions
- _____ List of requested waivers from the *Site Plan Rules & Regulations* with explanation and justification
- _____ Major Site Plan Project Filing Fee – Made payable to the Town of Medway
 - For projects up to 9,999 sq. ft./gross floor area \$ 500 + \$.10/sq. ft.
 - For projects over 10,000 sq. ft./gross floor area \$1,000 + \$.10/sq. ft.
- _____ Major Site Plan Project Plan Review Fee – Made Payable to the Town of Medway
 - For projects up to 9,999 sq. ft./gross floor area \$1,000 deposit
 - For projects of 10,000 sq. ft./gross floor area and over \$2,500 deposit.

NOTE – Gross Floor Area includes the existing building and proposed addition if any, and/or proposed new building..

NOTE – Two (2) separate checks are to be submitted.

Application for Review and Approval
MINOR SITE PLAN PROJECT

Planning Board – Town of Medway
155 Village Street - Medway, MA 02053
(508) 533-3291

This application for Site Plan Review and Approval is made pursuant to the Medway Zoning By-Law, Section V. USE REGULATIONS, Sub-Section C. SITE PLAN REVIEW & APPROVAL.

Date: _____

The undersigned, being the applicant and the owner of all land included within the proposed site shown on the accompanying Site Plan entitled _____ dated _____ prepared by _____, of _____ herewith submits this application to the Medway Planning Board for Review and Approval of a *Minor Site Plan Project*.

PROPERTY/SITE INFORMATION

1. Property Location Address: _____
2. Assessor=s Information: Map: _____ Parcel: _____
3. Zoning District: _____
4. The owner’s title to the land is derived under a deed from: _____
_____ dated _____
and recorded in Norfolk County Registry of Deeds, Book _____, Page _____
or Land Court Certificate of Title # _____ registered in Norfolk County District
Book _____ Page _____.
5. Frontage: _____
Yard Depth: Front _____ Side _____ Side _____ Rear _____
6. Is any portion of the site within a flood plain area? ___ Yes ___ No
If Yes, is it clearly shown on the plan? ___ Yes ___ No
7. Is any portion of the site within a wetland resource area? ___ Yes ___ No
If Yes, is it clearly shown on the plan? ___ Yes ___ No
8. Does any portion of the site have frontage on a Scenic Road? ___ Yes ___ No

CONTACT INFORMATION

9a) Property Owner: _____
Address: _____

Primary Contact: _____
Telephone: _____ FAX: _____
E-mail: _____

9b) Applicant (*if other than property owner*): _____
Address: _____

Primary Contact: _____
Telephone: _____ FAX: _____
E-Mail: _____

_____ *Please check here if you are the equitable owner (purchaser on a purchase and sales agreement.)*

9c) **NOTE** – If someone other than the property owner or the equitable owner is the applicant or will be representing the applicant, then the property owner or equitable owner must designate an Official Representative below:

Official Representative: _____
Address: _____

Primary Contact: _____
Telephone: _____ Fax: _____
E-Mail: _____

10. Engineer: _____
Address: _____

Primary Contact: _____
Telephone: _____ FAX: _____
E-Mail: _____

11. Surveyor: _____
Address: _____

Primary Contact: _____
Telephone: _____ FAX: _____

12. Architect: _____
Address: _____

Primary Contact: _____
Telephone: _____ FAX: _____

PROJECT INFORMATION - Type of Project

13. A Minor Site Plan Project is defined as any construction, alteration, reconstruction or renovation project or change of use (*not included within the definition of a Major Site Plan Project*) which requires a building permit and which involves one or more of the following:

PLEASE CHECK (X) ALL THAT APPLY

Exterior Alteration – A change in the outside appearance of an existing building or premises, visible from a public or private street or way.

Building Dimensions: _____ Gross Floor Area _____

Change in Use – A change in use of an existing building requiring five (5) or more but less than fifteen (15) parking spaces

Building Dimensions: _____ Gross Floor Area _____

New Construction – Construction of a new building or an addition to an existing structure requiring five (5) or more but less than fifteen (15) parking spaces

Building Dimensions: _____ Gross Floor Area _____

Change in Parking Area – Construction, expansion, redesign or alteration of a parking area involving the addition of five (5) or more but less than fifteen (15) new parking spaces

Other – A site, which through continuous or proposed use, may be detrimental to municipal infrastructure or public safety

Building Dimensions: _____ Gross Floor Area _____

Other – Any use or structure, or expansion thereof, exempt under MGL, c. 40A, s. 3, but only if one or more of the above criteria is met

NOTE – Gross Floor Area includes the existing building and proposed addition if any, and/or proposed new building.

14. *Project Description* as specified in the Application Guidelines.
15. *Development Impact Report* as specified in the Application Guidelines.

SIGNATURES

I hereby certify, under the pains and penalties of perjury, that the information contained in this application is true and complete to the best of my knowledge and belief.

If applicable, I hereby authorize _____
to serve as my OFFICIAL REPRESENTATIVE to represent my interests before the Town of Medway with respect to this application for site plan review and approval.

In submitting this application, I also authorize the Planning Board, its agents, and other Town officials to access the site during the site plan review process.

Signature of Property Owner

Date

Signature of Applicant (if other than Property Owner)

Date

Signature of Official Representative

Date

APPLICATION SUBMITTALS - Required

Town Clerk

- _____ One (1) Minor Site Plan Project Application form with original signatures
- _____ One (1) copy of the Project Description
- _____ One (1) full size set of the Site Plan
- _____ One (1) copy of the Development Impact Report
- _____ One (1) copy of the Stormwater Drainage Evaluation

Planning Board

- _____ One (1) Minor Site Plan Project Application form with original signatures plus sixteen (16) copies
- _____ One (1) copy of the Inspector of Building's written determination that the proposed scope of work constitutes a Minor Site Plan.
- _____ Sixteen (16) copies of the written Project Description as specified in the Application Guidelines.
- _____ Sixteen (16) copies of a written Development Impact Report.
- _____ Sixteen (16) sets of the Site Plan – 3 full size (24" x 36") and 13 reduced size (11" x 17").
- _____ One (1) list of requested waivers from the DEVELOPMENT STANDARDS of the Site Plan Rules and Regulations.
- _____ Three (3) copies of the Stormwater Drainage Evaluation
- _____ One (1) certified list of all abutters and parties of interest within 300 feet
- _____ One (1) copy of all relevant approvals received to date from other town boards and commissions
- _____ Minor Site Plan Project Filing Fee – Made payable to the Town of Medway
\$250 + \$.10/sq. ft. of gross floor area
NOTE – Gross Floor Area includes the existing building and proposed addition if any, and/or the proposed new building
- _____ Minor Site Plan Project Review Fee - Made payable to the Town of Medway
\$500 deposit

NOTE - 2 separate checks are to be submitted.

APPLICATION TO MODIFY AN APPROVED SITE PLAN

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

This application to modify an approved Site Plan is made pursuant to the Medway Zoning By-Law, Section V. USE REGULATIONS, Subsection C. SITE PLAN APPROVAL and the Planning Board's Rules and Regulations for the Submission and Review of Site Plans (as approved December 3, 2002)

Date: _____

The undersigned, being the applicant and the owner of all land included within the site shown on the previously approved site plan entitled _____ dated _____, prepared by _____ and _____, herewith submits this application to modify the approved site plan.

1. **Property Location Address:** _____

2a) **Property Owner:** _____

Address: _____

Primary Contact: _____

Telephone: _____ FAX: _____

2b) **Applicant (if other than property owner):** _____

Address: _____

Primary Contact: _____

Telephone: _____ FAX: _____

Email address: _____

_____ *Please check here if you are the equitable owner (purchaser on a purchase and sales agreement.)*

- 2c) *NOTE* – If someone other than the property owner or the equitable owner is the applicant or will be representing the applicant, then the property owner or equitable owner must designate an Official Representative below:

Official Representative: _____

Address: _____

Primary Contact: _____

Telephone: _____ Fax: _____

Email address: _____

3. **Engineer:** _____

Address: _____

Primary Contact: _____

Telephone: _____ FAX: _____

Email address: _____

4. **Surveyor:** _____

Address: _____

Primary Contact: _____

Telephone: _____ FAX: _____

5. **Architect:** _____

Address: _____

Primary Contact: _____

Telephone: _____ FAX: _____

6. **Prior Site Plan**
a. Approval Date: _____

b. Was the prior site plan determined to be major or minor? _____

7. **Project Description** – Please attach an explanation of why the approved site plan needs to be modified and include a detailed description of the changes you propose.

8. **Building Inspector's Determination - Scope of Proposed Modification**

- On-Site Construction Change
- Minor Site Plan - Modification
- Major Site Plan – Substantial Modification
- Major Site Plan - Not Substantial

Please attach a copy of the Building Inspector's determination.

SIGNATURES – I hereby certify, under the pains and penalties of perjury, that the information contained in this application is true and complete to the best of my knowledge and belief. *(If Applicable, I hereby authorize _____ to serve as my Official Representative to represent my interests before the Town of Medway with respect to this application to modify an approved site plan.)* In submitting this application, I also authorize the Planning Board, its agents, and other Town officials to access the site during the site plan modification review process.

_____	_____
<i>Signature of Property Owner</i>	<i>Date</i>
_____	_____
<i>Signature of Applicant (if other than Property Owner)</i>	<i>Date</i>
_____	_____
<i>Signature of Official Representative</i>	<i>Date</i>

SUBMITTAL INSTRUCTIONS – Required Submittals

Town Clerk

- One (1) Site Plan Modification Application form with original signatures
- One (1) set of the proposed revised Site Plan prepared in conformance with the *Site Plan Rules and Regulations*
- One (1) copy of revised storm drainage calculations *(if applicable)*

Planning Board

- One (1) Site Plan Modification Application form with original signatures
- Twelve (12) sets of the proposed revised Site Plan prepared in conformance with the *Site Plan Rules and Regulations*
- Two (2) copies of revised storm drainage calculations *(if applicable)*
- For a *substantial* modification to a major site plan, an updated list of all abutters and parties of interest as defined in the *Site Plan Rules & Regulations*, certified by the Assessor
- Site Plan Modification Filing Fee** – Made payable to the Town of Medway
 - For projects up to 4,999 sq. ft./gross floor area \$ 500
 - For projects of 5,000 – 9,999 sq. ft./gross floor area \$ 750
 - For projects of 10,000 -14,999 sq. ft./gross floor area \$ 1,000
 - For projects of 15,000 sq. ft./gross floor area and more \$ 1,500
- Advance toward *Site Plan Review Expenses* – Made payable to Town of Medway - \$1,000

NOTE – These must be two separate checks.