

TOWN OF MEDWAY
WARRANT FOR MAY 9, 2016
ANNUAL TOWN MEETING

NORFOLK ss:

To either of the Constables of the Town of Medway

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of said Town who are qualified to vote in Town affairs to meet at the **Medway High School, 88 Summer Street, on Monday, May 9, 2016** at 7:30 PM, then and there to act on the following articles:

ARTICLE 1: (Approve Exelon PILOT)

To see if the Town will vote to authorize the Board of Selectmen to execute the negotiated Payment In Lieu of Taxes (PILOT) agreement with Exelon West Medway, LLC and/or Exelon West Medway II, LLC (Exelon) for the new generation facilities proposed to be constructed and installed at Exelon's existing West Medway Generating Site on Summer Street, or act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 2: (ESCO Stabilization Reserve Transfer)

To see if the Town will vote to transfer the sum of \$38,546 from the ESCO Stabilization Fund to the Fiscal Year 2017 Debt Service expense account for the purpose of funding ESCO related debt service, or act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 3: (Appropriation: FY17 Operating Budget)

To see if the Town will vote to fix the salary and compensation of all elected officers of the Town, provide for a Reserve Fund, and determine what sums of money the Town will raise and appropriate, including appropriation from available funds, to defray charges and expenses of the

Town including debt and interest, for the Fiscal Year ending June 30, 2017, or to act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 4: (Appropriation: FY17 Water Enterprise Fund)
 To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$2,499,354 for the maintenance of the Water Department Enterprise Fund as follows, or to act in any manner relating thereto:

Direct Costs

	Amount
Salaries	\$ 647,208
Expenses	600,210
Debt	979,575
Direct Costs Total	\$2,226,993

Indirect Costs

And further to raise and appropriate or transfer from available funds the sum of \$272,361 for indirect costs consisting of health insurance, workers' compensation, Medicare, liability insurance, administrative and operational services.

Indirect Costs Total	\$272,361
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Total	\$2,499,354
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And further that the above listed appropriations be funded as follows:

Fees for Service [User Fees]	\$2,453,904
Retained Earnings	45,450
Total	\$2,499,354

WATER SEWER COMMISSION

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 5: (Appropriation: FY17 Sewer Enterprise Fund)

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$1,553,935 for the maintenance of the Sewer Department Enterprise Fund as follows, or to act in any manner relating thereto:

Direct Costs

	Amount
Salaries	\$ 224,924
Expenses	979,400
Debt	250,836
Direct Costs Total	\$1,455,160

Indirect Costs

And further to raise and appropriate or transfer from available funds the sum of \$98,775 for indirect costs consisting of health insurance, workers' compensation, Medicare, liability insurance, administrative and operational services.

Indirect Costs Total	\$98,775
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Total	\$1,553,935
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And further that the above listed appropriations be funded as follows:

Fees for Service [User Fees]	\$1,536,949
Sewer Betterment Stabilization	16,986
Total	\$1,553,935

WATER SEWER COMMISSION

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 6: (Appropriation: FY17 Solid Waste Enterprise Fund)

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of \$1,585,094 to operate the Solid Waste/Recycling Department Enterprise Fund as follows, or to act in any manner relating thereto.

Direct Costs

	Amount
Salaries	\$ 331,679
Expenses	1,113,620
Debt	14,626
Direct Costs Total	\$1,459,925

Indirect Costs

And further to raise and appropriate or transfer from available funds the sum of \$125,169 for indirect costs consisting of health insurance, workers' compensation, Medicare, liability insurance, administrative and operational services.

Indirect Costs Total	\$125,169
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Total	\$1,585,094
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And further that the above listed appropriations be funded as follows:

Trash Recycling Fees/Bag Revenues	\$1,460,000
Solid Waste Retained Earnings	125,094
Total	\$1,585,094

PUBLIC SERVICES DEPT.

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 7: (Appropriation: FY17 Ambulance Enterprise Fund)

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$759,464 to operate the Ambulance Enterprise Fund as follows, or act in any manner relating thereto.

Direct Costs

	Amount
Salaries	\$412,173
Expenses	185,012
Debt	38,300
Direct Costs Total	\$635,485

Indirect Costs

And further to raise and appropriate or transfer from available funds the sum of \$128,979 for indirect costs consisting of health insurance, workers' compensation, Medicare, liability insurance, administrative and operational services.

Indirect Costs Total	\$128,979
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Total	\$764,464
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And further that the above listed appropriations be funded as follows:

General Fund Appropriation	\$150,000
Ambulance Retained Earnings	78,464
Insurance and Fees for Service	536,000

Total	\$764,464
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FIRE DEPARTMENT

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 8: (Free Cash Appropriation: Capital and Other Items)

To see if the Town will vote to appropriate the sum of \$1,607,657 from Certified Free Cash for the purpose of funding the following capital and other items, including associated engineering, personnel, maintenance and legal service costs; said appropriations to be expended by June 30, 2017, with unexpended funds as of June 30, 2017 being returned to the General Fund, or act in any manner relating thereto:

Project	Department	Cost
Various Road/Sidewalk Improvements	DPS/HWY	\$750,000
Medium Duty Dump Truck (replacement)	DPS/HWY	78,000
Light Duty Dump Truck (replacement)	DPS/HWY	50,000
Medium Duty Dump Truck Retrofit	DPS/PARKS	35,000
Pickup Truck (replacement)	DPS/PARKS	55,000
Leaf Box Vacuum (replacement)	DPS/PARKS	57,000
Voting Booths	ELECTIONS	10,000
Hazard Mitigation Plan	EMERG. MGMT.	16,000
Bucket Truck (replacement)	FIRE/DPS	90,000
Refurbish Engine 2	FIRE	110,000
Defibrillators	POLICE	13,125
Radar Units (replacement)	POLICE	12,000
System-wide Security Cameras	SCHOOLS	277,532
High School Tennis Court Repairs	SCHOOLS	42,000
Repair Senior Center Door System	COA	12,000
Free Cash Total		<u>\$1,607,657</u>

**CAPITAL IMPROVEMENT
PLANNING COMMITTEE**

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 9: (Capital Program: Information Services)

To see if the Town will vote to transfer \$100,000 from Certified Free Cash and to raise and appropriate \$43,000 to fund a capital improvement program in the amount of \$143,000 for the Town of Medway Information Services Department for Fiscal Year 2017, or act in any manner relating thereto.

**CAPITAL IMPROVEMENT
PLANNING COMMITTEE**

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 10: (Water Enterprise - Equipment)
To see if the Town will vote to transfer from Fiscal Year 2015 Water Enterprise Retained Earnings the sum of \$201,000 for Fiscal Year 2017 from the Water Enterprise Fund for the purpose of funding the purchase of the following capital items, or act in any manner relating thereto:

Project	Department	Cost
Pickup Truck (replacement)	WATER	\$ 41,000
Dump Truck (replacement)	WATER	95,000
Gate Valve Vacuum Box	WATER	65,000
Total		\$201,000

PUBLIC SERVICES DEPT.

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 11: (Replacement Ambulance)
To see if the Town will vote to appropriate the amount of \$260,000 for the purpose of purchasing an ambulance and associated equipment; and that to meet this appropriation, the amount of \$120,000 be transferred from available funds, and the Town Treasurer, with the approval of the Board of Selectmen, be authorized to borrow \$140,000 under General Laws Chapter 44, section 7, or any other enabling law, and to authorize the Board of Selectmen and Town officers to take all related actions necessary or appropriate to carry out this article, or to act in any manner relating thereto.

FIRE/EMS DEPTS.

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 12: (Fiscal Stability Transfer – Security Improvements at Elementary Schools)
To see if the Town will vote to transfer from the Fiscal Stability Fund the sum of \$529,000 to fund security improvements at the Burke-Memorial Elementary School and the McGovern Elementary School, or act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 13: (Borrowing: Board of Health Water Pollution Abatement Projects)
To see if the Town will vote to borrow the sum of \$200,000 for the purpose of financing the following water pollution abatement facility projects: to repair, replace and/or upgrade residential septic systems, or residential connections to existing municipal sewer, pursuant to agreements with the Board of Health and residential property owners, including, without limitation, all costs thereof as defined in Section 1 of Chapter 29C of the General By-laws, and that to meet this appropriation, the Town Treasurer, with the approval of the Board of Selectmen, be authorized to borrow \$200,000 under General Laws Chapter 29C and/or Chapter 44, section 7 of the Massachusetts General Laws, or any other enabling law, or to act in any manner relating thereto.

BOARD OF HEALTH

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 14: (Appropriation: Medway Day)
To see if the Town will vote to raise and appropriate the sum of \$9,500 for Medway Day, or act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 15: (Fund OPEB Trust)
To see if the Town will vote to raise and appropriate the sum of \$100,000 to the Town of Medway Other Post-Employment Benefits (OPEB) Trust account, or act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 16: (Create Athletic Fields Stabilization Fund; Transfer \$25,000)
To see if the Town will vote to create a new Athletic Fields Stabilization Fund, and, further, vote to transfer the sum of \$25,000 from the Parks Revolving Fund, Hanlon Field Account, to the Athletic Fields Stabilization Fund, or act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 17: (Authorize Revolving Funds)

To see if the Town will vote to authorize the following revolving funds pursuant to Chapter 44, section 53E½ of the Massachusetts General Laws for Fiscal Year 2017 as follows:

FUND	REVENUE SOURCE	AUTHORITY TO SPEND	USE OF FUND	SPENDING LIMIT
Parks and Recreation	Permit Fees	Board of Parks Commissioners	Self-supporting recreation and parks services	\$150,000
Council on Aging	Donations/fees paid by riders and GATRA reimbursement	Council on Aging	Pay for dial-a-ride van service for seniors and disabled; shuttle service to Norfolk commuter rail station, and other necessary transportation services	\$114,000
Library Printer/Copier/Fax	Public printer use and copier and fax machine revenues	Board of Library Trustees	Printer, copier and fax machine expenses.	\$3,000
Library Meeting Room	Meeting room use fees	Board of Library Trustees	Meeting room maintenance, repairs and upgrades	\$1,000
Thayer Homestead	Facility use fees	Town Administrator	Partial self-support of property	\$50,000

**BOARD OF SELECTMEN
(For the Various Departments Indicated)**

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 18: (Appropriation: Community Preservation Committee)

To see if the Town will vote to act on the report of the Community Preservation Committee for the Fiscal Year 2017 Community Preservation budget and to appropriate, or reserve for later appropriations, monies from the Community Preservation Fund annual revenues or available funds for the administrative expenses of the Community Preservation Committee, the payment of debt service, the undertaking of community preservation projects and all other necessary and proper expenses for the Fiscal Year 2017, or act in any manner relating thereto.

COMMUNITY PRESERVATION COMMITTEE

BOARD OF SELECTMEN RECOMMENDATION: To Be Determined

FINANCE COMMITTEE RECOMMENDATION: To Be Determined

ARTICLE 19: (CPA Funds: Trail Design and Engineering)

To see if the Town will vote to transfer the sum of \$10,000 from Community Preservation Act Fund Open Space Reserves, to supplement the sum of \$35,000 appropriated at the 2015 Fall Town Meeting, to the Open Space Committee for the purpose of designing and engineering a trail system and boardwalks from the Medway High School Athletic Fields to Lovering Street, or to act in any manner relating thereto.

OPEN SPACE COMMITTEE

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 20: (CPA Funds: Historical Document Preservation)

To see if the Town will vote to transfer from Community Preservation Historical Reserve funds the sum of \$28,493 to the Historical Commission for the purpose of funding the preservation of historical documents, or act in any manner relating thereto.

HISTORICAL COMMISSION

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 21: (CPA Funds: Choate Park and Other Recreation Improvements)

To see if the Town will vote to raise and appropriate, borrow, and/or transfer from Community Preservation Funds a sum of money not to exceed \$450,000 for the purpose of funding design and engineering services and the preparation of public bid documents for the purpose of making improvements, including accessibility enhancements, to recreational facilities at Choate Park, the Medway Middle School, Cassidy Fields, and Oakland Park, and for the payment of all other costs incidental and related thereto, and to authorize the Board of Selectmen and Town officers to take all related actions necessary or appropriate to carry out this article, or act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 22: (Accept Gift of Land and Fund Related Acquisition Costs)

To see if the Town will vote to authorize the Board of Selectmen to acquire by gift or purchase and to accept the deed to the Town of a fee simple interest in all or a portion of the parcel of land located at 115R Holliston Street, Medway, Norfolk County, MA, identified on the Town of Medway Assessors Map 31, Parcel 005-0001, containing 5.910 acres more or less, which land is now owned by John David Health Facility, upon such terms and conditions as the Board of Selectmen shall determine to be appropriate, to be used for general municipal purposes, and to transfer the sum of

\$9,500 in Certified Free Cash to pay costs incidental and related thereto, or act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 23: (Authorization to Pursue Municipal Aggregation)

To see if the Town will vote to grant the Board of Selectmen authority to initiate the municipal aggregation process pursuant to chapter 164, section 134 of the Massachusetts General Laws, or any other enabling authority, to include, but not be limited to, researching, developing and entering into a contract, or contracts, to aggregate the electricity load of the residents and businesses within the Town of Medway and for other related services, including consulting services, independently, or in joint action with other municipalities for terms of more than three years, and for such consideration (if any), and on such other terms and conditions that the Board of Selectmen deems in the best interest of the Town, retaining the right of individual residents and businesses to opt-out of the aggregation, or take any other action relative thereto.

TOWN-WIDE ENERGY COMMITTEE

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 24: (Amend General Bylaw – Hunting on Town Land)

To see if the Town will vote to amend Medway General By-Laws Section 12.20 (a) by replacing the text in said section in the entirety with the following:

- (a) No person shall fire or discharge any firearm within the limits of any school, park, playground, or other **Town and/or** private property, or hunt or fire or discharge any firearm on private property without written consent of the owner or legal occupant thereof, **or in the case of Town property from the Chief of Police.**

Or to act in any manner relating thereto.

OPEN SPACE COMMITTEE

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 25: (Easement Acceptances: Neelon Lane and Charles View Lane)

To see if the Town will vote to accept:

A Perpetual Easement for public access and maintenance by the Town of Medway on and over the extension of Neelon Lane, shown as “Access and Maintenance Easement (6,863 S.F.)” on a plan of land entitled, ‘Definitive Plan “Charles River Village” Open Space Residential

Development (OSRD) in Medway, Massachusetts Date: November 20, 2012 Revise Dates: February 15, 2013, and May 30, 2013 prepared by O'Driscoll Land Surveying Co.', recorded with the Norfolk County Registry of Deeds in Plan Book 624, Page 5, for all purposes for which public ways may be used in the Town of Medway, in common with others entitled thereto; and

A Non-Exclusive Perpetual Access Easement on and over the Proposed Public Access Trail extending from Neelon Lane and Charles View Lane, for purposes of accessing Open Space Parcel "B" (Parcel 70-002-0100 on Medway Assessor's maps) as shown on said plan.

And further to authorize the Board of Selectmen and town officers to take any and all related actions necessary or appropriate to carry out the purposes of this article;

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 26: (Amend General Bylaws: Design Review Committee)

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

Section 2.15 – Design Review Committee

(a) **Establishment** - There shall be a Design Review Committee (**DRC**) consisting of at least five ~~(5)~~ **and up to seven voting** members who reside in Medway ~~who~~ **and** shall be sworn to the faithful performance of their duties. **The DRC may also have up to three non-voting advisors who reside and/or work in Medway.**

(b) **Mission** - **To serve the people of Medway in a capacity that openly, creatively and appropriately reviews site, building and sign design for private and public development. The DRC is tasked with serving as an advocate for the preservation and enhancement of Medway's natural, scenic and aesthetic qualities to achieve the pleasing composition of places within the context of the *Medway Master Plan*. The DRC works with the broad intention of maintaining and/or improving the quality of life, value of property and viability of commerce through the use of thoughtful and community-appropriate design practices as represented by the *Medway Design Review Guidelines*.**

~~(b)-(c)~~ **Appointments** - ~~The Design Review Committee~~ **DRC members and advisors** shall be appointed by the Planning **and Economic Development** Board. ~~Committee~~ **Members** shall serve two ~~(2)~~ year staggered terms, ~~with the majority of the first members appointed for a two (2) year term and the remaining initial members appointed for a one (1) year term. Thereafter, each member shall serve~~ **for two (2) years or until his successor has been appointed. Advisors shall serve one (1) year terms.**

~~(c)~~ **(d) Composition**

1. **Members** - ~~The Design Review Committee~~ **DRC** shall include one member of the Planning and Economic Development Board, ~~and a representative of the Medway Business Council.~~ The majority of the remaining members should ~~have be~~ **design professionals with** experience and/or training in architecture, landscape design, site design, **graphic arts**, graphic design, sign design, planning, **environmental design, urban design** or other suitable **design** professions. ~~that could be helpful to the Committee's work.~~ **Other members may include individuals representing various business interests such as real estate, building trades, and local business organizations.**

2. **Advisors** – **Advisors shall include individuals with particular design expertise who are able to provide periodic design consultation to the DRC in reviewing development permit applications and proposals.**

~~(d)~~ (e) Responsibilities of the Design Review Committee

1. Assist and advise the Planning and Economic Development Board, ~~and its applicants, and other Town boards, committees and departments as may request such assistance,~~ with regard to **proposals, applications and plans for Town issued development permits.** ~~subdivisions, site plans, special permits, sign permits, scenic road work permits, and other development proposals. The Design Review Committee's recommendations are advisory and may include suggestions for modifications to proposed designs and conditions for approval of development proposals.~~

2. **Serve as a design resource, providing site, building, landscape, signage, and graphic design expertise and assistance to Town boards, committees, and departments with regard to Town sponsored programs, proposals, capital improvement projects and municipal building projects.**

3. **The DRC's recommendations are advisory and may include suggestions for modifications to proposed designs, and/or conditions for approval of development proposals to be consistent with the Medway Design Review Guidelines.**

~~2. Assist and advise the Planning Board regarding possible amendments to the Medway Zoning Bylaw and various Rules and Regulations.~~

~~3. Continue to promote and improve the use of the Medway Design Guidelines; recommend changes and improvements to the Medway Design Guidelines.~~

4. Perform other duties and responsibilities as may be specified by the *Medway Zoning Bylaw*, ~~or other Town bylaws,~~ **and various land use Rules and Regulations** as may be requested by **various Town boards, committees and departments.** ~~the Planning and Economic Development Board.~~

5. **Assist and advise the Planning and Economic Development Board regarding possible amendments to its various Rules and Regulations and to the Zoning Bylaw.**

6. **Promote and improve the use of the Medway Design Review Guidelines by both public and private entities. As needed, recommend changes and improvements to the Design Review Guidelines to the Planning and Economic Development Board.**

~~5. Advocate for good design in municipal programs and capital projects.~~

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

Or to act in any manner relating thereto.

**PLANNING AND ECONOMIC DEVELOPMENT BOARD
DESIGN REVIEW COMMITTEE**

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 27: (Amend General Bylaws: New Section - Parking & Storage of Recreational and Commercial Vehicles)

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

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

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

- (b) **Definitions**
 - (1) **Commercial Motor Vehicle** - Any vehicle defined as such by the Massachusetts Registry of Motor Vehicles in 540 CMR 2.05

 - (2) **Gross Vehicle Weight Rating (GVWR)** – The value specified by the manufacturer as the loaded weight of a single vehicle including the vehicle's chassis, body, engine, engine fluids, fuel, accessories, driver, passengers and cargo but excluding that of any trailers, as established by the National Highway Traffic Safety Administration, U.S. Department of Transportation.

 - (3) **Recreational Vehicle** - A vehicular type portable structure without a permanent foundation that can be towed, hauled, or driven and that is primarily designed or modified to serve as a temporary living accommodation for recreational, camping and travel use and includes but is not limited to travel trailers, truck campers, caravans, camping trailers, and self-propelled motor homes.

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

(c) **Prohibitions/Limitations**

- (1) No person shall allow, permit, or cause a trailer, recreational vehicle, or a commercial motor vehicle having a Class 4 gross vehicle weight rating or higher to be parked at any location on any public or private way within the Town of Medway for any period in excess of four hours in any twenty-four hour period, unless said vehicle is in the process of loading, unloading, or providing a temporary service to one or more adjacent properties.
- (2) For a business use authorized by right, by special permit or variance, or for a pre-existing non-conforming business use, commercial motor vehicles with a Class 4 gross vehicle weight rating or higher shall not be parked within the standard front, side and rear setback areas established in the Zoning Bylaw for the applicable zoning district.
- (3) Not more than one unregistered vehicle of any kind may be parked or stored outside on any property in a residential zoning district.

Or to act in any manner relating thereto.

**PLANNING AND ECONOMIC DEVELOPMENT BOARD
INSPECTOR OF BUILDINGS**

BOARD OF SELECTMEN RECOMMENDATION: To Be Determined

FINANCE COMMITTEE RECOMMENDATION: To Be Determined

ARTICLE 28: (Amend Zoning Bylaw: Accessory Family Dwelling Unit)
To see if the Town of Medway will vote to amend the Zoning Bylaw by deleting SECTION 8.2 Accessory Family Dwelling Unit in its entirety and replacing it as follows: Note that eliminated text is shown with a **strikethrough** and new text is shown in **bold**.

8.2 ACCESSORY FAMILY DWELLING UNIT

- A. Purposes. The purposes of this ~~sub-section Accessory Family Dwelling Unit bylaw~~ are to:
 - 1. **establish an option for the creation of Accessory Family Dwelling units to provide suitable housing** ~~assist Medway residents with creating suitable housing to accommodate for~~ a family member **and/or a caregiver for a family member who is an occupant of the premises;**
 - 2. **provide opportunities to support residents who wish to age in place; and**
 - 3. **maintain the residential character of neighborhoods.**
- B. Applicability. The Board of Appeals may grant a special permit for an accessory family dwelling unit in accordance with this Section 8.2 and Table 1: Schedule of Uses.

C. Basic Requirements.

1. An accessory family dwelling unit shall be located within:
 - a. a detached single-family dwelling; ~~or and designed so as to preserve the appearance of the single family dwelling.~~
 - b. an addition to a detached single-family dwelling; or**
 - c. a separate structure on the same premises as a detached single-family dwelling.**
2. There shall be ~~only~~ **no more than** one accessory family dwelling unit **associated with a detached single-family dwelling. per premises** on a lot, ~~and no accessory family dwelling unit shall have more than one bedroom.~~
3. **No accessory family dwelling unit shall have more than one bedroom, unless a second bedroom is authorized by the Board of Appeals pursuant to 8.2.C. 8. herein.**
4. **An accessory family dwelling unit shall not exceed 800 sq. ft. of gross floor area unless:**
 - a. there is an existing detached accessory structure larger than 800 sq. ft. located on the same lot as a detached single-family dwelling and the Board of Appeals determines its use as an accessory family dwelling unit is in character with the neighborhood; or**
 - b. authorized by the Board of Appeals pursuant to 8.2.C.8. herein.**
- ~~3.~~ 5. There shall be at least one **designated** off-street parking space for the accessory family dwelling unit in addition to parking for the **occupants of the detached single-family principal** dwelling. The off-street parking **space** shall be located in a garage ~~or carport~~, or in the driveway, and **shall have vehicular access to the driveway.** ~~shall not be permitted within any required yard area or setback. There shall be no additional driveway or curb cut providing access to the accessory family dwelling unit. The location, quantity and adequacy of parking for the accessory family dwelling unit shall be reviewed by the Board of Appeals to ensure its location and appearance are in keeping with the residential character of the neighborhood.~~
6. Occupancy of the single-family dwelling and accessory family dwelling unit shall be restricted as follows:
 - a. The owners of the property shall reside in one of the units as their primary residence, **except for bona fide temporary absences due to employment, hospitalization, medical care, vacation, military service, or other comparable absences which would not negate the primary residency standard.** For purposes of this section, "owners" shall mean one or more individuals who hold legal or beneficial title to the premises.
 - ~~b. The unit not occupied by the owners may only be occupied by the owners' immediate family or step family members, grandparents, or in laws. A notarized statement of the owner's relationship to the occupant shall be submitted to the Building Inspector prior to the issue of a certificate of occupancy for the accessory family dwelling unit.~~
 - b. The accessory dwelling unit shall be occupied by any one or more of the following:**

- i. the owner(s) of the property
- ii. the owner's family by blood, marriage, adoption, foster care or guardianship
- iii. an unrelated caregiver for an occupant of the detached single-family dwelling or the accessory family dwelling unit, who is an elder, a person with a disability, handicap or chronic disease/medical condition, or a child.

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

- 7. An accessory family dwelling unit shall be designed so as to preserve the appearance of the single-family dwelling and be compatible with the residential character of the neighborhood. Any new separate outside entrance serving an accessory family dwelling unit shall be located on the side or in the rear of the building.
- 8. In order to encourage the development of housing units for disabled and handicapped individuals and persons with limited mobility or a chronic medical condition, the Board of Appeals may allow reasonable deviations from the Basic Requirements where necessary to install features in the accessory family dwelling unit to facilitate the care of, and access and mobility for, disabled and handicapped individuals and persons with limited mobility or a chronic medical condition. This may include, but is not limited to, authorizing a second bedroom in the accessory family dwelling unit.

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

D. Decision

- 1. The Board of Appeals, in making its decision, shall make findings that all of the special permit criteria specified in SECTION 3.4 C. herein are met.
- 2. Conditions, Limitations and Safeguards – Special permits shall be subject to the conditions, limitations, and safeguards set forth in SECTION 3.4.D. herein subject to such exceptions as the Board of Appeals may deem appropriate. Every special permit shall include the following conditions:
 - a. Recording. The special permit shall be recorded with the Registry of Deeds prior to issuance of an occupancy permit for the accessory family dwelling unit.
 - b. Transfer of Ownership. If the new owner(s) desires to continue to exercise the special permit, they must, within thirty (30) days of the conveyance, submit a notarized letter to the Building Inspector stating that they will occupy one of the dwelling units on the premises as their primary residence, except for bona fide temporary absences, and that the accessory family dwelling unit is to be occupied by one of parties specified in C. 6. b. herein.

- c. **Bi-Annual Certification.** The owner of the property shall provide a bi-annual certification to the Building Inspector verifying that the unit not occupied by the owner is occupied by one of the parties specified in C. 6. b. herein or that the space is being used for another lawfully allowed use pursuant to this Bylaw.

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

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

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

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

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

And to act in any manner relating thereto.

**PLANNING AND ECONOMIC DEVELOPMENT BOARD
ZONING BOARD OF APPEALS**

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 29: (Amend Zoning Bylaw: Site Plan Review)

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

3.5. SITE PLAN REVIEW

3.5.1 Purposes

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

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

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

3.5.2 Requirements

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

~~3.5.2~~ 3.5.3. Applicability

- A. Site plan review shall apply to the following:
 - 1. Major Site Plan Review:
 - a. ~~New construction or any alteration, reconstruction, or renovation of any multi-family, commercial, industrial, institutional, or municipal use~~ **change in use or renovation of any multi-family, commercial, industrial, institutional, or municipal use which involves one or more of the following:** ~~involving: 2,500 square feet or more of gross floor area;~~
 - i. the addition of 2,500 square feet or more of gross floor area; or**
 - ii. the addition of fifteen or more new parking spaces; or**
 - b. ~~New construction or any alteration, reconstruction, or renovation of an existing building, or any change in use of an existing building requiring fifteen or more parking spaces; or~~
 - e. b. Construction, expansion, redesign, or alteration The redesign, alteration or modification of an existing parking area involving the addition of fifteen or more new parking spaces.**
 - c. **Construction of ground mounted solar photovoltaic installations of any size including solar canopy type systems in parking areas.**

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

3. Administrative Site Plan Review:

- a. **New construction or any alteration, reconstruction, or renovation of any multi-family, commercial, industrial, institutional, or municipal use which is not subject to Major or Minor Site Plan Review but which involves one or more of the following:**
 - i. **The addition of less than 1,000 square feet of gross floor area, or**
 - ii. **Exterior alteration/renovation of an existing building or premises, visible from a public or private street or way which includes any of the following:**
 - a) **installation or replacement of awnings**
 - b) **change in a building's exterior surface material**
 - c) **rearrangement or addition of windows or doors**
 - d) **façade reconstruction/replacement**
 - e) **roofing if the Building Inspector determines the roof to be a distinctive architectural feature of the building**
- b. **The redesign, alteration or modification of an existing parking area involving the addition of up to four new parking spaces**
- c. **A change in curb cuts/vehicular access to a site from a public way**

- d. **Installation or alteration of sidewalks and other pedestrian access improvements**
 - e. **Removal of hedges, living shrubs, and trees greater than four inches in caliper**
 - f. **Installation of fencing or retaining walls.**
4. **Consideration of planned activities subject to administrative site plan review may be advanced to minor site plan review status at the determination of the Building Inspector or the Board when the collective scope and/or quantity of the proposed activities is substantial enough to merit review at a public meeting.**

~~3.~~ 5. Relationship to Other Permits and Approvals.

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

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

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

- 1. Single-family and two-family homes, including additions or enlargements **and accessory structures.**
- 2. Residential subdivisions approved by the Board under the Medway Subdivision Rules and Regulations.
- ~~3. Projects submitted to the PEDB under Section 8.5, Adult Retirement Community Planned Unit Development.~~
- ~~4.3.~~ Projects in which the only exterior change that is visible from a public or private way, requiring a building permit, pertains to **the removal of architectural barriers to comply**

with the Americans with Disabilities Act (ADA) or regulations of the Massachusetts Architectural Access Board (AAB)

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

3.5.4 Site Plan Review Standards

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

- ~~A. Siting of facilities;~~
- ~~B. Design guidelines;~~
- ~~C. Open space and natural features;~~
- ~~D. Pedestrian, bicycle, and vehicular circulation;~~
- ~~E. Water quality;~~
- ~~F. Stormwater;~~
- ~~G. Utilities, exterior lighting, parking, and snow removal;~~
- ~~H. Trees and landscaping;~~
- ~~I. Town character and historic significance;~~
- ~~J. Impacts on public services and facilities;~~
- ~~K. Signage;~~
- ~~M. Safety;~~
- ~~N. Energy efficient site design;~~
- ~~O. Potential adverse effects and mitigation thereof.~~

3.5.3. 3.5.4 Procedures for Site Plan Review

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

- C. The site plan submission date shall be the date the site plan application is filed with the Town Clerk and the Board, unless the Board notifies the applicant within twenty-one days of submission that the application is incomplete. In such case, the site plan application will not be deemed to have been submitted.
- D. For Major Site Plan Review applications, the Board shall hold a public hearing on the proposed site plan. The public hearing shall conform to the requirements for public hearings and notice under G.L. c. 40A, § 11, and the Board's Site Plan Rules and Regulations. All costs of the public notice requirements shall be at the expense of the applicant.
- E. For Minor Site Plan Review applications, the Board shall review the site plan at a duly posted open meeting. Any public notice to abutters and other parties of interest shall be conducted in accordance with the Site Plan Rules and Regulations.
- F. The Board shall review and act upon ~~the~~ **applications for major and minor site plan review**, requiring such conditions as necessary to satisfy the Site Plan Review Standards under Section ~~3.5.4~~ **3.5.5 B.** below, and notify the applicant of its decision. The decision shall be **by majority vote of the membership, shall be made** in writing and shall be filed with the Town Clerk within ninety days of the date of application for Major Site Plan Review, or sixty days of the application date for Minor Site Plan Review. The applicant may request, and the Board may grant by majority vote of the membership, an extension of the time limit set forth herein.
- G. The Board may approve ~~the~~ **a major and minor** site plan or approve it with ~~the~~ conditions, **limitations, safeguards and mitigation measures** or deny a site plan only if the plan does not include adequate information as required by the Site Plan Rules and Regulations, or if the plan depicts a use or structure so contrary to health, safety and welfare of the public that no set of conditions would render the project tenable. ~~The Board's decision shall be by majority vote of the membership, and the decision shall be in writing.~~
- H. ~~The applicant shall satisfy or comply with all conditions of the site plan review decision prior to the issuance of a building permit except for those conditions that by their terms are intended to be satisfied during construction or later.~~
- I. ~~Unless specifically authorized by the terms of the site plan review decision, a final certificate of occupancy shall not be issued until the applicant has complied with or satisfied all conditions of the site plan review decision.~~
- H. The Board's designee shall review and act on applications for administrative site plan review and may require conditions as necessary to satisfy the Administrative Site Plan Review Standards.**

3.5.5 Site Plan Rules and Regulations

- A. The Board shall promulgate, after public notice and hearing, Site Plan Rules and Regulations to effectuate the purposes and intent of this Section 3.5, including but not limited to the following requirements and procedures for:**
 - 1. submission and review of major and minor site plans**
 - 2. administrative review of small-scale projects by the Board's designee without a public hearing or meeting**
 - 3. waivers**

4. conditions/limitations/safeguards and mitigation measures
 5. performance security
 6. construction inspection
 7. standards of review consistent with Section 3.5.5 B. below
 8. decision criteria
 9. modification of approved site plans and/or decisions
- B. The Board's Site Plan Rules and Regulations shall include standards for major, minor and administrative site plan review that will at a minimum address the following:**
1. Siting of facilities
 2. Design guidelines
 3. Open space and natural features
 4. Pedestrian, bicycle, and vehicular circulation
 5. Water quality
 6. Stormwater
 7. Utilities, exterior lighting, parking, and snow removal
 8. Trees and landscaping
 9. Site Amenities
 10. Town character and historic significance
 11. Impacts on public services and facilities
 12. Signage
 13. Safety
 14. Energy efficient site design
 15. Potential adverse effects and mitigation thereof.

3.5.5 3.5.6 Appeal

- A. Any person aggrieved by the Board's **major or minor** site plan decision may appeal to the court within 20 days of the date the decision is filed with the Town Clerk, as provided in G.L. c. 40A, § 17.
- B. **Any person aggrieved by an administrative site plan decision may appeal to the Planning and Economic Development Board.**

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 30: (Amend Zoning Bylaw: Editing Zoning Bylaws)

To see if the Town of Medway will vote to amend the Medway Zoning Bylaw by adding a new Section 1.7 as follows:

1.7 FORMAT

The Planning and Economic Development Coordinator, under the auspices of the Planning and Economic Development Board, is authorized to edit this Zoning Bylaw for format only through use of bold, italics, underscores, bullets, font style, font size, spacing, and other similar editing measures to improve the Bylaw's readability and ease of use without changing the text, section and heading titles, numbering, or content in any manner; and to clearly denote those terms throughout the Bylaw that are officially defined within SECTION 2 of the Bylaw.

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 31: (Amend Zoning Bylaw: New Section - Zoning District Boundaries)

To see if the Town will vote to amend the Medway Zoning Bylaw by adding a new Section 4.4 as follows:

4.4 ZONING DISTRICT BOUNDARIES

Where a zoning district boundary line is shown on the Zoning Map as being within a public or private street or right-of-way, the center line of the street or right-of-way shall be the zoning district boundary line.

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 32: (Amend Zoning Bylaw: Definitions)

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

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

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

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

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

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

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

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

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

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

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

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

Recreational Vehicle: A vehicular type portable structure without a permanent foundation that can be towed, hauled, or driven and that is primarily designed or modified to serve as a temporary living accommodation for recreational, camping and travel use and includes but is not limited to travel trailers, truck campers, caravan, camping trailers, and self-propelled motor homes.

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

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

Shopping Center/Multi-Tenant Development (proposed): A group of two or more business establishments designed, planned, constructed and managed as a total entity, located in one or more

buildings on one or more lots under single or multiple ownership, with customer and employee parking provided on-site.

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

Family (proposed):

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

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

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

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

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

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 33: (Amend Zoning Bylaw: Prohibited Uses)

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

B. 13. Self-Storage Facilities

And by revising the identification of item B. 13 to become B. 14, or act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve