

TOWN OF MEDWAY
WARRANT FOR MAY 21, 2018
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 21, 2018** at 7:30 PM, then and there to act on the following articles:

ARTICLE 1: (ESCO Stabilization Reserve Transfer)

To see if the Town will vote to transfer the sum of \$9,655 from the ESCO Stabilization Fund to the Fiscal Year 2019 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 2: (Debt Stabilization Fund Transfer)

To see if the Town will vote to transfer the sum of \$450,000 from the Debt Stabilization Fund to the Fiscal Year 2019 Debt Service expense account for the purpose of offsetting a portion of debt exclusion projects, or act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 3: (Appropriation: FY19 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, 2019, or act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 4: (Appropriation: FY19 Water Enterprise Fund)

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$2,826,692 for the maintenance of the Water Department Enterprise Fund as follows, or act in any manner relating thereto.

Direct Costs

	Amount
Salaries	\$ 697,206
Expenses	650,450
Debt	1,173,020
Direct Costs Total	\$ 2,520,676

Indirect Costs

Indirect costs consisting of health insurance, workers' compensation, Medicare, liability insurance, administrative and operational services.

Indirect Costs Total	\$306,016
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Total	\$2,826,692
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And further that the above listed appropriations be funded as follows:

Fees for Service [User Fees]	\$2,826,692
Total	\$2,826,692

WATER SEWER COMMISSION

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 5: (Appropriation: FY19 Sewer Enterprise Fund)

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$1,851,076 for the maintenance of the Sewer Department Enterprise Fund as follows, or act in any manner relating thereto.

Direct Costs

	Amount
Salaries	\$ 253,171

Expenses	1,122,350
Debt	355,072
Direct Costs Total	\$1,730,593

Indirect Costs

Indirect costs consisting of health insurance, workers' compensation, Medicare, liability insurance, administrative and operational services.

Indirect Costs Total	\$120,483
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Total	\$1,851,076
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And further that the above listed appropriations be funded as follows:

Fees for Service [User Fees]	\$1,833,940
Sewer Betterment Stabilization	17,136
Total	\$1,851,076

WATER SEWER COMMISSION

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 6: (Appropriation: FY19 Solid Waste Enterprise Fund)

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$1,212,561 to operate the Solid Waste/Recycling Department Enterprise Fund as follows, or act in any manner relating thereto.

Direct Costs

	Amount
Salaries	\$ 40,335
Expenses	1,138,550
Direct Costs Total	\$1,178,885

Indirect Costs

Indirect costs consisting of health insurance, workers' compensation, Medicare, liability insurance, administrative and operational services.

Indirect Costs Total	\$ 33,676
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Total	\$1,212,561
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And further that the above listed appropriations be funded as follows:

Trash Recycling Fees/Bag Revenues	\$1,212,561
Total	\$1,212,561

PUBLIC SERVICES DEPT.

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 7: (Appropriation: FY19 Ambulance Enterprise Fund)

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$825,706 to operate the Ambulance Enterprise Fund as follows, or act in any manner relating thereto.

Direct Costs

	Amount
Salaries	\$406,322
Expenses	204,100
Debt	65,000
Direct Costs Total	\$675,422

Indirect Costs

Indirect costs consisting of health insurance, workers' compensation, Medicare, liability insurance, administrative and operational services.

Indirect Costs Total	\$150,284
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Total	\$825,706
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And further that the above listed appropriations be funded as follows:

General Fund Appropriation	\$150,000
Ambulance Retained Earnings	40,706
Insurance and Fees for Service	635,000
Total	\$825,706

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 \$2,065,231 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, 2019,

with unexpended funds as of June 30, 2019 being returned to the General Fund, or act in any manner relating thereto.

Project	Department	Cost
Various Road and Sidewalk Repair	DPS	\$750,000
Replace Front End Loader	DPS	\$189,000
Replace Street Sweeper	DPS	\$290,000
Purchase Stander Mower	DPS	\$ 8,500
Replace 2 Trailers	DPS	\$ 8,000
Rescue Airbags Replacement	Fire	\$ 7,125
Radio Fire Box System	Fire	\$125,000
Replace Command Vehicle	Fire	\$63,000
Install Enhanced Station Alerting System	Fire	\$43,000
Technology Equipment	Info. Services	\$162,000
Upgrade High School Auditorium Systems	Info. Services	\$65,000
Generator Replacement	Fire	\$100,000
Taser Purchases	Police	\$37,530
Cruiser Radio Purchases	Police	\$9,000
Sr. Center Roof Replacement	Council On Aging	\$76,057
Heated Sidewalks	Council On Aging	\$35,000
Install Prep. Sink & Countertops	Council On Aging	\$11,000
Kitchen Area Improvements	Library	\$8,000
Purchase Speed Radar Trailer	Police	\$7,964
Update Medway Master Plan	Planning	\$50,000
Purchase & Install Personnel System	Human Resources	\$20,055
Free Cash Total		<u>\$2,065,231</u>

**CAPITAL IMPROVEMENT
PLANNING COMMITTEE**

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 9: (Raise & Appropriate: Roads & Sidewalks)

To see if the Town will vote to raise and appropriate the sum of \$800,000 for the purposes of making repairs to various roads, sidewalks, bridges and related appurtenances, and to fund, as needed, design, engineering, and construction management services, or act in any manner relating thereto.

**CAPITAL IMPROVEMENT
PLANNING COMMITTEE**

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 10: (Transfer – Retained Earnings – Sewer Enterprise)

To see if the Town will vote to transfer the sum of \$200,000 from Sewer Enterprise Fund retained earnings for the purpose of funding the following Fiscal Year 2019 project(s), including associated engineering, personnel, maintenance and legal services costs:

Project	Department	Cost
Various Sewer Collection Projects	SEWER	\$200,000
Total		\$200,000

Or act in any manner relating thereto.

PUBLIC SERVICES DEPT.

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 11: (Transfer – Retained Earnings – Water Enterprise)

To see if the Town will vote to transfer the sum of \$163,000 from Water Enterprise Fund retained earnings for the purpose of funding the following Fiscal Year 2019 project(s), including associated engineering, personnel, maintenance and legal services costs:

Project	Department	Cost
Replace Truck (2004 F-250 4x4)	WATER	\$45,000
Purchase Backhoe	WATER	\$118,000
Total		\$163,000

Or act in any manner relating thereto.

PUBLIC SERVICES DEPT.

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 12: (Borrowing – Water Enterprise)

To see if the Town will vote to raise and appropriate, borrow or transfer from available Water Enterprise funds the sum of \$1,224,000 for the purpose of funding a supply line from the Village Street well to the Populatic well site and the installation of a second well at the Populatic well site, including the associated engineering, personnel, maintenance, construction and legal service costs, any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount, or act in any manner relating thereto.

PUBLIC SERVICES DEPT.

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 13: (Borrowing – General Fund – School Repairs)

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds for Fiscal Year 2019 the sum of \$705,000 for the purpose of funding the replacement of boilers at the McGovern and Memorial Schools, including associated design, engineering, permitting, and legal services costs, any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount, or act in any manner relating thereto.

MEDWAY PUBLIC SCHOOLS

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 14: (Free Cash Transfer to General Stabilization)

To see if the Town will vote to transfer the sum of \$100,000 from Certified Free Cash to the General Stabilization Fund, or act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 15: (Appropriation: OPEB Trust)

To see if the Town will vote to raise and appropriate the sum of \$300,000 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: (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 17: (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 2019 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 2019, as follows:

CPC Administrative Expenses	\$15,000
CPC Salaries	5,000
CPC Debt Expense	454,525
<u>Transfer To Affordable Housing Trust:</u>	
Affordable Housing Trust Coordinator	23,500
Affordable Housing Trust Administrative	5,000
Affordable Housing Trust Legal Fees	5,000
Total Direct Costs	\$508,025

Reserves:

**10% of Estimated
Fund Revenues**

Open Space	89,407
Community Housing	55,907
Historical Preservation	89,407

or act in any manner relating thereto.

COMMUNITY PRESERVATION COMMITTEE

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 18: (Amend General Bylaws – Revolving Funds; Authorize FY19 Spending Limits)

To see if the Town will vote, pursuant to Massachusetts General Laws Chapter 44, Section 53E1/2, to amend the General Bylaws Article XXX, Revolving Funds, by further defining existing revolving funds and inserting a new revolving fund as shown in ***bold italics*** as follows:

ARTICLE XXX

Revolving Funds

There are hereby established in the Town of Medway pursuant to the provisions of General Laws Chapter 44, Section 53E½, the following Revolving Funds:

Program or Purpose	Authorized Representative or Board to Spend	Department Receipts
Self-supporting parks and recreation services, <i>including salaries and benefits</i>	Department of Public Services	Fees and charges received from permitting parks, fields, and recreational activities.
Dial-a-ride van service for seniors and disabled; shuttle service to Norfolk commuter rail station, and other necessary transportation services	Council on Aging Department	Fees, charges or donations received in connection with transportation services provided through the Council on Aging and the Greater Attleboro Taunton Regional Transit Authority (GATRA) reimbursement.
Library printer, copier and fax expenses	Library Department	Fees or charges received in connection with public use of this equipment.
Library meeting room	Library Department	Fees or charges received in connection with public use of meeting rooms.
Thayer Homestead partial self-support of property, <i>including salaries and benefits</i>	Town Administrator	Fees or charges received in connection with rental of the facility.
Tobacco license compliance inspections	Health Department	Tobacco license fees
<i>Self-supporting food services, including salaries and benefits</i>	<i>Council on Aging Director</i>	<i>Charges received from food sales.</i>

Expenditures from each revolving fund set forth herein shall be subject to the limitation established annually by Town Meeting or any increase therein as may be authorized in accordance with General Laws Chapter 44, Section 53E½.

And, further, to set Fiscal Year 2019 spending limits for revolving funds as follows:

Program or Purpose	FY2019 Spending Limit
Self-supporting parks and recreation services, <i>including salaries and benefits</i>	\$300,000
Dial-a-ride van service for seniors and disabled; shuttle service to Norfolk commuter rail station, and other necessary transportation services	\$120,000
Library printer, copier and fax expenses	\$ 3,000
Library meeting room	\$ 1,000
Thayer Homestead partial self-support of property, <i>including salaries and benefits</i>	\$ 65,000
Tobacco license compliance inspections	\$ 2,500

<i>Self-supporting food services, including salaries and benefits</i>	\$ 12,000
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Or act in any manner relating thereto.

BOARD OF SELECTMEN
(For the Various Departments Indicated)

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 19: (Establish Special Education Stabilization Fund)

To see if the Town will vote to accept the provisions of Massachusetts General Laws Chapter 40, Section 13E, to establish a reserved fund to be utilized for unanticipated or unbudgeted costs of special education, out-of-district tuition or transportation, or act in any manner relating thereto.

SCHOOL DEPARTMENT

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 20: (Conveyance of Real Property to Medway Redevelopment Authority)

To see if the Town will vote to transfer to the Board of Selectmen for the purpose of disposition by sale, lease, or otherwise, the parcels of Town-owned property in the Oak Grove Urban Renewal Area as shown on the Oak Grove Urban Renewal Plan, produced by BSC Group, dated March 2017, and approved by the Department of Housing and Community Development on August 18, 2017, on file with the Town Clerk, from the board or officer currently having care, custody, management, and control of said town-owned land; and further, to authorize the Board of Selectmen to sell, convey, or transfer to the Medway Redevelopment Authority for nominal consideration all or a portion of said land together with any and all buildings and improvements thereon owned by the Town, in connection with implementing a redevelopment and/or urban renewal plan for the Oak Grove project, any such disposition to be on such terms and conditions as the Board of Selectmen may deem necessary or appropriate in the best interests of the Town, which may include the reservation of easements and restrictions; and further, to authorize the Board of Selectmen to negotiate, enter into and execute any and all documents or agreements as may be necessary and appropriate therefor, or to act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 21: (Discontinue Public Way – Portion of Alder St)

To see if the Town will vote to discontinue as a public way a portion of Alder Street, shown as parcel No. T-2 on a plan entitled "Layout and Discontinuance Plan, Alder Street and Trotter Drive,

Medway, Massachusetts”, dated June 4, 1988, recorded at the Norfolk County Registry of Deeds in Plan Book 464, Plan No. 180 of 1999, and to abandon the Town’s easement in said portion of Alder Street discontinued as a public way, and to authorize the Board of Selectmen to execute any documents to accomplish said discontinuance and abandonment, and to file at the Norfolk County Registry of Deeds any documents to accomplish said discontinuance and abandonment, or take any action related thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 22: (Amend Zoning Bylaw: Registered Marijuana Dispensary)

To see if the Town will vote to amend the Zoning Bylaw, Section 8.9 Registered Marijuana Dispensary as follows. Text to be deleted is shown with a ~~strike through~~. New text is shown as underlined.

8.9 REGISTERED MEDICAL MARIJUANA FACILITIES DISPENSARY

A. Purposes. The purposes of this Section are to address possible adverse public health and safety consequences and impacts on the quality of life of the Town of Medway related to the passage of Chapter 369 of the Acts of 2012; provide for the limited establishment of a Registered Medical Marijuana Facility Dispensary (RMD) (RMMF) in an appropriate place and under strict conditions in accordance with Chapter 369 of the Acts of 2012, and 105 CMR 725.000; minimize the adverse impacts of a RMD RMMF on adjacent properties, residential neighborhoods, schools, playgrounds and other land uses potentially incompatible with such a facility; regulate the siting, design, placement, security, safety, monitoring, modification, and removal of RMDs RMMFs; and limit the overall number of RMDs RMMFs in the community to what is essential to serve the public necessity.

B. Applicability.

1. The commercial cultivation, production, processing, assembly, packaging, retail or wholesale sale, trade, distribution or dispensing of Marijuana for Medical Use is prohibited unless permitted as a RMMF RMD under this Section 8.9.
2. No RMD RMMF shall be established except in compliance with the provisions of this Section 8.9.
3. Nothing in this Section 8.9 shall be construed to supersede federal and state laws governing the sale and distribution of narcotic drugs.

C. Definitions. As used in this Section, the following terms shall have the following meanings:

Host Community Agreement (HCA): A written agreement between an operator of a Registered Medical Marijuana Facility Dispensary and the Town of Medway that specifies measures an operator will take to anticipate, mitigate and address potential adverse impacts of the Registered Medical Marijuana Facility Dispensary on the Town, neighborhood, or community at large, including but not limited to public safety services and infrastructure.

(Added 11/16/15)

Marijuana: The same substance defined as “marijuana” under 105 CMR 725.004.

Marijuana for Medical Use: Marijuana that is designated and restricted for use by, and for the benefit of, Qualifying Patients as defined in 105 CMR 725.004.

Registered Medical Marijuana ~~Dispensary (RMD)~~ Facility (RMMF): Shall mean a not-for-profit entity, as defined by Massachusetts law only, registered by the Massachusetts Department of Public Health under 105 CMR 725.000 that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to registered qualifying patients or their registered personal caregiver as determined by 105 CMR 725.000.

D. Eligible Locations for Registered Medical Marijuana ~~Facilities~~ ~~Dispensaries~~. Registered Medical Marijuana ~~Facilities~~ ~~Dispensaries~~, other than agricultural operations meeting exemption standards under G.L. c. 40A § 3, may be allowed by special permit from the Planning and Economic Development Board in the following zoning districts, provided the facility meets the requirements of this Section:

1. ~~East Industrial~~
2. ~~Energy Resource~~
3. ~~West Industrial~~
4. ~~Business/Industrial~~
5. ~~Central Business~~

<u>Retail RMMF</u>	<u>Non-Retail RMMF</u>
<u>Business Industrial (BI)</u>	<u>East Industrial (EI)</u>
	<u>West Industrial (WI)</u>

E. General Requirements and Conditions for all Registered Marijuana Dispensaries

1. All non-exempt RMMFs ~~RMDs~~ shall be contained within a permanent building or structure. No RMMF ~~RMD~~ shall be located inside a building containing residential units or inside a movable or mobile structure such as a van, trailer, cargo container or truck.
2. Size standards: *(Amended 11/16/15)*
 - a. A standalone ~~dispensary-retail RMMF~~ shall not exceed 3,500 sq. ft. for product display, client dispensary, and patient consultation area.
 - b. The RMMF ~~RMD~~ shall be of adequate interior space to accommodate all activities inside the building so as not to have outside patient queuing on sidewalks, in parking areas, or in other areas outside the RMD.
3. A RMMF ~~RMD~~ shall not be located in a building that contains any medical doctors’ offices or the offices of any other professional practitioner authorized to prescribe the use of medical marijuana.

4. The hours of operation of ~~RMMFs~~ ~~RMDs~~ shall be set by the Planning and Economic Development Board, but in no event shall the on-site retail sale or dispensing of medical marijuana and/or related products to customers occur between the hours of 8:00 PM and 8:00 AM.
(Amended 11-14-16)

5. Locational Criteria: ~~No RMD shall be located on a lot within 500 linear feet of any lot with the following:~~

- ~~a. Residence~~
- ~~b. Public school~~
- ~~c. Private educational entity that provides instruction to children and youth in an ongoing organized basis~~
- ~~d. Licensed registered childcare facility~~
- ~~e. Library~~
- ~~f. Religious facility~~
- ~~g. Playground, public park, or ball field~~
- ~~h. Recreation center~~
- ~~i. Registered Marijuana Dispensary that sells, distributes, dispenses or administers marijuana, products containing marijuana or related supplies to qualifying patients or personal caregivers~~
- ~~j. Halfway house or similar facility~~
- ~~k. Drug or alcohol rehabilitation facility.~~

a. A retail RMMF shall not be located on a lot within 500 feet of any lot with a residence, existing public or private school serving students in grades K-12, private educational entity that provides instruction to children and youth in an ongoing organized basis, licensed registered childcare facility, library, religious facility, playground, public park, ball field, recreation center, halfway house or similar facility, drug or alcohol rehabilitation facility, or another retail RMMF which sells, distributes, dispenses or administers marijuana, products containing marijuana or related supplies to qualifying patients and registered caregivers.

b. A non-retail RMMF shall not be located within 500 feet of any lot with an existing public or private school serving students in grades K-12.

c. The distance requirement may be reduced by the Planning and Economic Development Board if the applicant demonstrates that the ~~RMMF~~ ~~RMD~~ would otherwise be effectively prohibited from locating within the municipality and that adequate security measures will be employed to prevent the diversion of medical marijuana to minors who are not qualifying patients.

d. ~~Distances~~ The distance between properties shall be calculated by direct measurement in a straight line without regard for intervening structures from the

nearest property line of the land used as noted above to the nearest ~~portion of the building in~~ property line of the land on which the ~~RMMF RMD~~ is to be located.

6. No smoking, burning or consumption of any product containing marijuana or marijuana-infused products shall be permitted on the premises of a ~~RMMF RMD~~.
7. A ~~RMMF RMD~~ may not have a drive-through service.

F. Signage.

1. Signage for the ~~RMMF RMD~~ shall include the following language: *"Registration card issued by the MA Department of Public Health required."*
2. The required text ~~for a sign for a RMMF~~ shall be a minimum of two inches in height.
3. No permitted ~~RMMF RMD~~ shall use any advertising material or graphics that are misleading, deceptive, or false, or designed to appeal to minors.
4. A ~~RMMF RMD~~ shall not display on the exterior of the facility any advertisement for medical marijuana or any brand name.
5. Off-site signage or advertising in any form, including billboards shall not be allowed.

G. Contact Information. The ~~RMMF RMD~~ shall provide the Medway Police Department, Building Inspector and the Planning and Economic Development Board with the names, telephone numbers and email addresses of all management staff and key holders to whom the Town can provide notice if there are operating problems associated with the establishment.

H. Prohibition against Nuisances. No ~~RMMF RMD~~ shall create a nuisance to abutters or to the surrounding area, or create any hazard, including but not limited to fire, explosion, fumes, gas, smoke, odors, obnoxious dust, vapors, offensive noise or vibration, flashes, glare, objectionable effluent or electrical interference, which may impair the normal use and peaceful enjoyment of any property, structure or dwelling in the area.

I. Openness of Premises.

1. Any and all cultivation, distribution, possession, storage, display, sales or other distribution of medical marijuana shall occur only within the restricted interior area of the RMD.
2. The ~~RMMF RMD~~ shall be designed and constructed such that no area or portion where marijuana is processed or stored is visible from the exterior of the building.
3. The front of the building which shall include the public entrance to the ~~RMMF RMD~~ shall be fully visible from the public street or building frontage.
4. Marijuana, marijuana infused products, and products that facilitate the use of medical marijuana shall not be displayed or clearly visible to a person from the exterior of the ~~RMMF RMD~~.

~~J. No marijuana or marijuana based products shall be sold, grown, or cultivated, interior or exterior to a residential dwelling except if a Hardship Cultivation Registration is granted by the Department of Public Health according to 105 CMR 725.035.~~

K. J. Special Permit Requirements.

1. A ~~RMMF RMD~~ shall only be allowed by special permit from the Planning and Economic Development Board in accordance with G.L. c. 40A, §9, subject to the following statements, regulations, requirements, conditions and limitations.
2. A ~~RMMF RMD~~ is subject to site plan review by the Planning and Economic Development Board pursuant to Section 3.5, which shall be coordinated with the special permit process.
3. A special permit for a ~~RMMF RMD~~ shall be limited to one or more of the following uses that shall be prescribed by the Planning and Economic Development Board:
 - a. Cultivation of Marijuana for Medical Use (horticulture);
 - b. Processing and packaging of Marijuana for Medical Use, including marijuana that is in the form of smoking materials, food products, tinctures, oils, aerosols, ointments, and other marijuana infused products;
 - c. Retail sale or distribution of Marijuana for Medical Use to Qualifying Patients or Registered Personal Caregivers;
 - d. Retail sale of products that facilitate the use of marijuana for medical purposes and of patient educational materials.
4. The ~~RMMF RMD~~-special permit application shall include the following:
 - a. The name and address of each owner of the facility;
 - b. Copies of all required licenses and permits issued for the ~~RMMF RMD~~ to the applicant by the Commonwealth of Massachusetts and any of its agencies;
 - c. Evidence of the Applicant's right to use the site of the ~~RMMF RMD~~ for the ~~RMMF RMD~~, such as a deed or lease;
 - d. A statement under oath disclosing all of the applicant's owners, shareholders, partners, members, managers, directors, officers, or other similarly-situated individuals and entities and their addresses. If any of the above are entities rather than persons, the Applicant must disclose the identity of the owners of such entities until the disclosure contains the names of individuals;
 - e. A certified list of all parties in interest entitled to receive notice of the hearing for the special permit application, taken from the most recent tax list of the Town and certified by the Town Assessor;
 - f. A detailed site plan that includes the following information:
 - i. A detailed floor plan of the premises of the proposed ~~RMMF RMD~~ that identifies the square footage available and describes the functional areas of the facility including but not limited to sales, storage, cultivation, processing, food preparation, etc.
 - ii. Proposed security measures for the ~~RMMF RMD~~, including lighting, fencing, gates and alarms, etc., to ensure the safety of qualifying patients, their caregivers, and facility employees and to protect the premises from theft.

- g. A copy of the policies/procedures for the transfer, acquisition, or sale of medical marijuana between approved RMMFs ~~RMD's~~ in compliance with 105 CMR 725.105(B)(2).
- h. A copy of the policies/procedures for patient or personal caregiver home-delivery.

5. Procedures.

- a. The special permit application and public hearing procedure for a RMMF ~~RMD~~ shall be in accordance with Section 3.4 and G.L. c. 40A, § 9.
- b. Mandatory Findings. The Planning and Economic Development Board shall not grant a special permit for a RMMF ~~RMD~~ unless it finds that:
 - i. The RMMF ~~RMD~~ is designed to minimize any adverse visual or economic impacts on abutters and other parties in interest, as defined in G.L. c. 40A, § 11;
 - ii. The RMMF ~~RMD~~ demonstrates that it will meet all the permitting requirements of all applicable agencies within the Commonwealth of Massachusetts and will be in compliance with all applicable state laws and regulations; and
 - iii. The applicant has satisfied all of the conditions and requirements of this Section and Section 3.4 of this Zoning Bylaw.

6. Conditions. In granting a special permit under this Section 8.9, the Planning and Economic Development Board shall impose conditions, limitations, and safeguards that are reasonably appropriate to:

- a. Improve site design, traffic flow, and public safety;
- b. Protect water quality, air quality and significant environmental resources;
- c. Preserve the character of the surrounding area.

These conditions, limitations, and safeguards may address but are not limited to:

- d. Hours of operation
- e. Landscaping and site amenities

~~L.~~ K. Annual Reporting. Each RMMF ~~RMD~~ permitted under this Zoning Bylaw shall as a condition of its special permit file an annual report with the Planning and Economic Development Board, the Building Inspector, the Health Agent, and the Police Chief no later than January 31st of each year, providing a copy of all current applicable state licenses for the RMMF ~~RMD~~ and/or its owners and demonstrate continued compliance with the conditions of the special permit.

~~M.~~ L. Duration of Special Permit. A special permit granted under this Section 8.9 shall remain exclusively with the applicant which shall be the owner or lessee of the premises described in the application. The special permit shall terminate automatically on the date the applicant alienates that title or leasehold interest in the premises.

~~N.~~ M. Abandonment or Discontinuance of Use. A RMMF ~~RMD~~ shall be required to remove all material, plants, equipment and other paraphernalia:

1. Prior to surrendering its state issued licenses or permits; or
2. Within six months of ceasing operations; whichever comes first.

Ø. N. Other Permits and Approvals. Receipt of a special permit from the Planning and Economic Development Board for a RMMF RMD does not preclude an applicant from having to secure other required local permits from other Town boards or departments, including but not limited to the Board of Health, Conservation Commission, or the Department of Public Services.

P. Q. Each RMMF RMD permitted under this Zoning Bylaw shall enter into a Host Community Agreement (HCA) with the Town of Medway.
(Added 11/16/15)

And by amending Section 5.4, Schedule of Uses, by adding the following text in Table 1 – Schedule of Uses under Business Uses and Industrial Uses as shown:

	Zoning District										
	<u>AR-I AR-II VR CB VC NC BI EI ER WI</u>										
D. BUSINESS USES											
Retail Trade											
<u>Registered Medical Marijuana Facility (Retail)</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>PB</u>	<u>N</u>	<u>N</u>	<u>N</u>	
E. INDUSTRIAL AND RELATED USES											
<u>Registered Medical Marijuana Facility (Non-Retail)</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>PB</u>	<u>N</u>	<u>PB</u>	

Or act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 23: (Amend Zoning Bylaw: Definitions; Delete Temporary Moratorium on Non-Medical Marijuana Establishments)

To see if the Town will vote to amend the Zoning Bylaw by revising SECTION 2 DEFINITIONS as follows:

By adding the following definition:

Recreational Marijuana Social Consumption Establishment: A Recreational Marijuana Social Consumption Establishment may purchase marijuana from licensed recreational marijuana establishments and sell single servings of marijuana to consumers for consumption on the premises.

And by adding the highlighted text to the following existing definitions:

Recreational Marijuana Retailer: An entity licensed to purchase and deliver marijuana and marijuana products from marijuana establishments and to deliver, sell or otherwise transfer marijuana and marijuana products to marijuana establishments and to consumers.

Recreational Marijuana Establishment (RME): A marijuana independent testing laboratory, marijuana product manufacturer, or marijuana cultivator, all as defined in General Laws chapter 94G, §1, but not including Recreational Marijuana Retailers or Recreational Marijuana Social Consumption Establishments.

And by deleting Section 8.10 TEMPORARY MORATORIUM ON NON-MEDICAL MARIJUANA ESTABLISHMENTS and replacing it with the following:

8.10 RECREATIONAL MARIJUANA

A. Purposes. The purposes of this Section are to address possible adverse public health and safety consequences and impacts on the quality of life of the Town of Medway related to the passage of Chapter 5 of the Acts of 2017 regarding recreational marijuana; provide for the limited establishment of a Recreational Marijuana Establishment (RME) in an appropriate place and under strict conditions in accordance with Chapter 5 of the Acts of 2017; minimize the adverse impacts of a RME on adjacent properties, residential neighborhoods, schools, playgrounds and other land uses potentially incompatible with such a facility; regulate the siting, design, placement, security, safety, monitoring, modification, and removal of RMEs; and limit the overall number of RMEs in the community to what is essential to serve the public necessity.

B. Applicability.

1. The commercial cultivation, production, processing, assembly, packaging, wholesale sale, trade, or distribution of Marijuana for Recreational Use is prohibited unless permitted as a RME under this Section 8.10.
2. No RME shall be established except in compliance with the provisions of this Section 8.10.
3. Nothing in this Section 8.10 shall be construed to supersede federal and state laws governing the sale and distribution of narcotic drugs.

C. Definitions. As used in this Section, the following terms shall have the following meanings:

Host Community Agreement (HCA): A written agreement between an operator of a Recreational Marijuana Establishment (RME) and the Town of Medway that specifies measures an operator will take to anticipate, mitigate and address potential adverse impacts of the RME on the Town, neighborhood, or community at large, including but not limited to public safety services and infrastructure.

Marijuana: The same substance defined as “marijuana” under Chapter 5 of the Acts of 2017

Recreational Marijuana Establishment (RME): See definition in SECTION 2.

Recreational Marijuana Retailer: See definition in SECTION 2

Recreational Marijuana Social Consumption Establishment: See definition in SECTION 2.

D. Eligible Locations for Recreational Marijuana Establishments. Recreational Marijuana Establishments may be allowed by special permit from the Planning and Economic Development Board in the following zoning districts, provided the facility meets the requirements of this Section:

1. East Industrial (*renamed from Industrial I on 11-13-17*)
2. West Industrial (*renamed from Industrial III on 11-13-17*)

E. General Requirements and Conditions for all Recreational Marijuana Establishments

1. All non-exempt RMEs shall be contained within a permanent building or structure. No RME shall be located inside a building containing residential units or inside a movable or mobile structure such as a van, trailer, cargo container or truck.
2. A RME shall not be located in a building that contains any medical doctors' offices or the offices of any other professional practitioner authorized to prescribe the use of medical marijuana.
3. The hours of operation of RMEs shall be set by the Planning and Economic Development Board.
4. No RME shall be located on a lot within 500 linear feet of any lot of an existing public or private school serving students in grades K-12.
 - a. The distance requirement may be reduced by the Planning and Economic Development Board if the applicant demonstrates that the RME would otherwise be effectively prohibited from locating within the municipality and that adequate security measures will be employed to prevent the diversion of medical marijuana to minors who are not qualifying patients.
 - b. The distance between properties shall be calculated by direct measurement in a straight line without regard for intervening structures from the nearest property line of the land used as noted in E. 4. above to the nearest property line of the land on which the RME is to be located.
5. No smoking, burning or consumption of any product containing marijuana or marijuana-infused products shall be permitted on the premises of a RME.
6. A RME may not have a drive-through service.

F. Signage.

1. No permitted RME shall use any advertising material or graphics that are misleading, deceptive, or false, or designed to appeal to minors.
2. A RME shall not display on the exterior of the facility any advertisement for marijuana or any brand name.
3. Off-site signage or advertising in any form, including billboards shall not be allowed.

G. Contact Information. The RME shall provide the Medway Police Department, Building Inspector and the Planning and Economic Development Board with the names, telephone

numbers and email addresses of all management staff and key holders to whom the Town can provide notice if there are operating problems associated with the establishment.

H. Prohibition against Nuisances. No RME shall create a nuisance to abutters or to the surrounding area, or create any hazard, including but not limited to fire, explosion, fumes, gas, smoke, odors, obnoxious dust, vapors, offensive noise or vibration, flashes, glare, objectionable effluent or electrical interference, which may impair the normal use and peaceful enjoyment of any property, structure or dwelling in the area.

I. Openness of Premises.

1. Any and all cultivation, distribution, possession, storage, or display of recreational marijuana shall occur only within the restricted interior area of the RME.
2. The RME shall be designed and constructed such that no area or portion where marijuana is processed or stored is visible from the exterior of the building.
3. The front of the building which shall include the public entrance to the RME shall be fully visible from the public street or building frontage.
4. Marijuana and marijuana infused products shall not be displayed or clearly visible to a person from the exterior of the RME.

J. Special Permit Requirements.

1. RME shall only be allowed by special permit from the Planning and Economic Development Board in accordance with G.L. c. 40A, §9, subject to the following statements, regulations, requirements, conditions and limitations.
2. A RME is subject to site plan review by the Planning and Economic Development Board pursuant to Section 3.5, which shall be coordinated with the special permit process.
3. A special permit for a RME shall be limited to one or more of the following uses that shall be prescribed by the Planning and Economic Development Board:
 - a. Cultivation of Marijuana (horticulture)
 - b. Manufacturing, processing and packaging of marijuana for recreational use and the delivery and transport of marijuana and marijuana products to other RMEs, but not to consumers
 - c. Independent testing laboratory
4. Recreational Marijuana Retailers and Recreational Marijuana Social Establishments are not allowed by right or special permit anywhere in Medway.
5. The RME special permit application shall include the following:
 - a. The name and address of each owner of the facility;
 - b. Copies of all required licenses and permits issued for the RME to the applicant by the Commonwealth of Massachusetts and any of its agencies;

- c. Evidence of the Applicant's right to use the site of the RME for the RME, such as a deed or lease;
- d. A statement under oath disclosing all of the applicant's owners, shareholders, partners, members, managers, directors, officers, or other similarly-situated individuals and entities and their addresses. If any of the above are entities rather than persons, the Applicant must disclose the identity of the owners of such entities until the disclosure contains the names of individuals;
- e. A certified list of all parties in interest entitled to receive notice of the hearing for the special permit application, taken from the most recent tax list of the town and certified by the Town Assessor;
- f. A detailed site plan that includes the following information:
 - i. A detailed floor plan of the premises of the proposed RME that identifies the square footage available and describes the functional areas of the facility including but not limited to sales, storage, cultivation, processing, food preparation, etc.
 - ii. Proposed security measures for the RME, including lighting, fencing, gates and alarms, etc., to ensure the safety of qualifying patients, their caregivers, and facility employees and to protect the premises from theft.
- g. A copy of the policies/procedures for delivery service.

6. Procedures.

- a. The special permit application and public hearing procedure for a RME shall be in accordance with Section 3.4 and G.L. c. 40A, § 9.
- b. Mandatory Findings. The Planning and Economic Development Board shall not grant a special permit for a RME unless it finds that:
 - i. The RME is designed to minimize any adverse visual or economic impacts on abutters and other parties in interest, as defined in G.L. c. 40A, § 11;
 - ii. The RME demonstrates that it will meet all the permitting requirements of all applicable agencies within the Commonwealth of Massachusetts and will be in compliance with all applicable state laws and regulations; and
 - iii. The applicant has satisfied all of the conditions and requirements of this Section and Section 3.4 of this Zoning Bylaw.

7. Conditions. In granting a special permit for an RME under this Section 8.10, the Planning and Economic Development Board shall impose conditions, limitations, and safeguards that are reasonably appropriate to:

- a. Improve site design, traffic flow, and public safety;
- b. Protect water quality, air quality and significant environmental resources;
- c. Preserve the character of the surrounding area.

These conditions, limitations, and safeguards may address but are not limited to:

- d. Hours of operation
- e. Landscaping and site amenities

K. Annual Reporting. Each RME permitted under this Section 8.10 shall as a condition of its special permit file an annual report with the Planning and Economic Development Board, the Building Inspector, the Health Agent, and the Police Chief no later than January 31st of each year, providing a copy of all current applicable state licenses for the RME and/or its owners and demonstrate continued compliance with the conditions of the special permit.

L. Duration of Special Permit. A special permit granted under this Section 8.10 shall remain exclusively with the applicant which shall be the owner or lessee of the premises described in the application. The special permit shall terminate automatically on the date the applicant alienates that title or leasehold interest in the premises.

M. Abandonment or Discontinuance of Use. A RME shall be required to remove all material, plants, equipment and other paraphernalia:

- a. Prior to surrendering its state issued licenses or permits; or
- b. Within six months of ceasing operations; whichever comes first.

N. Other Permits and Approvals. Receipt of a special permit from the Planning and Economic Development Board for a RME does not preclude an applicant from having to secure other required local permits from other Town boards or departments, including but not limited to the Board of Health, Conservation Commission, or the Department of Public Services.

O. Each RME permitted under this Zoning Bylaw shall enter into a Host Community Agreement (HCA) with the Town of Medway.

And by amending Section 5.4, Schedule of Uses, by revising and adding the following text in Table 1 – Schedule of Uses under Business Uses and Industrial Uses as shown:

NOTE – Proposed new text is **highlighted in grey** and proposed deleted text is shown with a ~~strike through~~.

		Zoning District									
		AR-I	AR-II	VR	CB	VC	NC	BI	EI	ER	WI
D. BUSINESS USES											
Recreational	Marijuana Retailer	N	N	N	N	N	N	N	N	N	N
Recreational	Marijuana Social Consumption Establishment	N	N	N	N	N	N	N	N	N	N
F. INDUSTRIAL AND RELATED USES											
Recreational	Marijuana Establishment	N	N	N	N	N	N	PB N	PB	N	PB

NOTE – PB means the use may be allowed by special permit from the Planning and Economic Development Board. N means the use is prohibited.

Or act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 24: (Amend Zoning Bylaw: Site Plan Review)

To see if the Town will vote to amend portions of Section 3.5 Site Plan Review of the Zoning Bylaw as follows: Deleted text is shown with a ~~strike through~~; new text is shown as underlined.

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:

- provide a standard process to review proposed development and redevelopment projects for compliance with the Medway Zoning Bylaw
- 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*

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 project has been completed in accordance with the approved and endorsed site plan and 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.

3.5.3. Applicability

- A. Site plan review shall apply to the following:

1. Major Site Plan Review:

- a. New construction or any alteration, reconstruction, renovation, and/or change in use ~~or renovation~~ of any multi-family, commercial, industrial, institutional, or municipal building or use which involves one or more of the following:
 - i. the addition of 2,500 square feet or more of gross floor area; or
 - ii. the addition of ~~fifteen~~ twenty or more new parking spaces; ~~or~~

b. The redesign, alteration, expansion or modification of an existing parking area involving the addition of ~~fifteen~~ twenty or more new parking spaces.

c. The redesign of the layout/configuration of an existing parking area of forty or more parking spaces

~~e. d.~~ Construction of ground mounted solar photovoltaic installations of any size in any zoning district including solar canopy type systems in parking areas.

e. Removal, disturbance, and/or alteration of 20,000 square feet or more of existing impervious surface.

2. **Minor Site Plan Review:**

a. New construction or any alteration, reconstruction, renovation, and/or change in use ~~or renovation~~ of any multi-family, commercial, industrial, institutional, or municipal building or 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~~ ten or more but less than ~~fifteen~~ twenty new parking spaces; ~~or~~

b. The redesign, alteration, expansion or modification of an existing parking area involving the addition of ~~five~~ ten or more but less than ~~fifteen~~ twenty new parking spaces; or

c. The redesign of the layout/configuration of an existing parking area of twenty to thirty-nine parking spaces.

~~e. d.~~ Any use or structure or expansion thereof exempt under Massachusetts G.L. c. 40A, § 3. only to the extent allowed by law.

e. Removal, disturbance, and/or alteration of 10,000 – 19,999 square feet of impervious surface.

3. **Administrative Site Plan Review:** ~~a.~~ New construction or any alteration, reconstruction, ~~or renovation, or change in use~~ of any multi-family, commercial, industrial, institutional, or municipal building or use which is not subject to Major or Minor Site Plan Review but which involves one or more of the following:

~~i. a.~~ The addition of less than 1,000 square feet of gross floor area; ~~or~~

~~ii. b.~~ 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 i.)~~ installation or replacement of awnings
- ~~b ii)~~ change in a building's exterior surface material
- ~~c iii)~~ rearrangement or addition of windows or doors
- ~~d iv)~~ façade reconstruction/replacement
- ~~e v)~~ roofing if the Building Inspector determines the roof to be a distinctive architectural feature of the building

~~b.c.~~ The redesign, alteration, expansion or modification of an existing parking area or the creation of a new parking area involving the addition of up to ~~four~~nine new parking spaces

~~d.~~ The redesign of the layout/configuration of an existing parking area of ten to nineteen parking spaces

~~e.~~ e. A change in curb cuts/vehicular access to a site from a public way

~~f.~~ f. Installation or alteration of sidewalks and other pedestrian access improvements

~~e.g.~~ Removal of hedges, living shrubs, and trees greater than four inches in caliper

~~f.h.~~ f.h. Installation of fencing or retaining walls.

~~i.~~ Outdoor placement of cargo containers, sheds, membrane structures, equipment and materials

~~j.~~ Removal/disturbance/alteration of 5,000 – 10,000 square feet of impervious surface

~~k.~~ The conversion of a residential use to a permitted non-residential or mixed-use

~~l.~~ Installation of a wireless communication facility as defined in this Zoning Bylaw

4. Consideration of ~~planned~~-activities subject to administrative site plan review may be advanced to minor or major 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 by the Board at a public meeting.

Or act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 25: (Amend Zoning Map: District Boundaries)

To see if the Town of Medway will vote to rezone the following parcels as shown on the map titled Proposed Boundary Changes to AR-I & AR-II Zoning Districts dated February 18, 2018 which is on file with the Town Clerk: and to amend the Zoning Map accordingly, such that:

The following split zoned parcels shall be rezoned so that the portion which is presently zoned Agricultural Residential I district shall be rezoned to Agricultural Residential II district, so that the entire parcel is zoned Agricultural Residential II:

Address	Medway Assessor's Parcel ID #	Parcel Size	Current Owner
36RF Lovering Street	31-034	.368	Carl & Carol Rice
36RE Lovering Street	31-035	2.550	Paul & Nydia Rice
36RD Lovering Street	31-036	2.734	Theodore Johnson
22 Lovering Street	31-014	3.56	Theodore & Paula Johnson
36RB Lovering Street	31-011	2.483	William and Amy Fletcher
107A Holliston Street	31-007	1.978	Harry Johnson Family Irrevocable Family Trust and Jeanne Johnson Family Irrevocable Trust

The following parcels shall be rezoned from the present Agricultural Residential I district zoning to Agricultural II district, so that the entire parcel is zoned Agricultural Residential II:

Address	Medway Assessor's Parcel ID #	Parcel Size	Current Owner
MAP A			
36RC Lovering Street	31-013	.23	Theodore Johnson
109 Holliston Street	31-006	3.3	Harry & Jeanne Johnson Life Estate Harry & Jeanne Johnson Family Irrevocable Trust

or act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 26: (Accept Easement: Pine Ridge Drive)

To see if the Town will vote to accept:

A Non-Exclusive Perpetual Access Easement on and over a portion of Pine Ridge Drive shown as "Prop. 24 Wide Public Access Easement" including three adjacent parking spaces and

A Non-Exclusive Perpetual Access Easement on and over a portion of Parcel B shown as "Prop, 20' Wide Public Access Easement

for purposes of enabling Town employees and officials and members of the public to access Parcel C Open Space, all as shown on a plan of land entitled "Village at Pine Ridge Open Space Residential Development (OSRD)" in Medway, MA dated March 28, 2006, last revised September 6, 2006, by Faist Engineering, recorded with the Norfolk County Registry of Deeds on October 18, 2006 in Plan Book 561, Page 32,

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 act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 27: (Street Acceptance, Land Conveyance and Infrastructure Acceptance – Candlewood Drive and Island Road Subdivisions)

To see if the Town will vote to accept as public ways, the following streets as laid out by the Board of Selectmen and as shown on a plan or plans on file in the Office of the Town Clerk:

Candlewood Drive as laid out by a vote of the Board of Selectmen and shown on a plan entitled “‘As-Built’ Acceptance Plan Candlewood Drive Medway, MA”, dated January 7, 1999, prepared by Engineering, Surveying, and Planning Associates, excluding from said layout the unconstructed portion of Candlewood Drive abutting Lots 8, 9, and 10, as shown on said plan.

Island Road in its entirety as laid out by a vote of the Board of Selectmen and shown on the plan entitled “Subdivision As-Built ‘Island Road’ Medway, MA”, dated February 15, 1995, prepared by Engineering, Surveying, and Planning Associates.

And further to authorize the Board of Selectmen to accept, as a gift from Pine Ridge Drive LLC of Holliston, MA, a parcel of land totaling 59,856 sq. ft. identified as “Parcel A” on a plan entitled “‘Candlewood’ Definitive Subdivision Plan in Medway (Norfolk County) in Massachusetts”, dated March 22, 1999, recorded at the Norfolk County Registry of Deeds in Plan Book 413 as Plan 260, to be used by the Town for drainage purposes and for public pedestrian access between the Candlewood and Island Road subdivisions;

And further to authorize the Board of Selectmen to acquire by gift, purchase, eminent domain or otherwise, and to accept the deed or deeds to the Town of a fee simple interest and/or easements in said streets and any drainage, utility, access and/or other easements related thereto, and also any trail or public access easements, as shown on said plans and other plans related thereto, and to appropriate a sum of money as funding therefor and costs related or incidental thereto;

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 act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

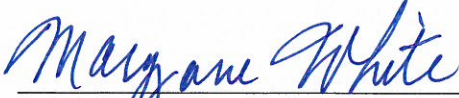
FINANCE COMMITTEE RECOMMENDATION: **Approve**

And you are hereby directed to serve this warrant by posting printed attested copies thereof at two (2) locations in each precinct at least SEVEN (7) days before the day of said meeting. Hereof fail not and make due return of this warrant with your doings thereon to the Clerk of said Town at or before the time of said meeting.

Given under our hands in Medway, this 26th day of March 2018.

A TRUE COPY:

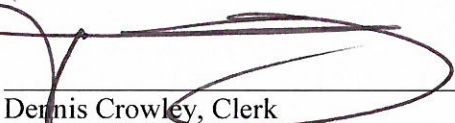
SELECTMEN OF THE TOWN OF MEDWAY



Maryjane White, Chairman



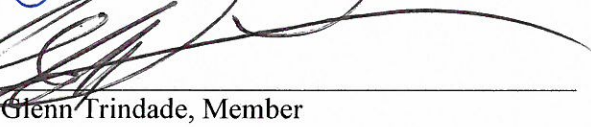
Richard D'Innocenzo, Vice Chairman



Dennis Crowley, Clerk



John Foresto, Member



Glenn Trindade, Member

ATTEST:



Paul Trufant, Constable