April 27, 1951

ARTICLE 8

VOTED: That the Town raise and appropriate the [illegible] $1,000.00 for Veterans' Benefits.

At this point, it was moved and seconded that Article [illegible] be taken up before Article 9.

ARTICLE 15

VOTED: That the Town establish Zoning By-Laws, [illegible] forth in Sections 1 to 3 inclusive, as reported by the [illegible] Committee, and as amended. (80 in favor—12 opposed)

A copy of the Zoning By-Laws and amendments [illegible], together with the approval of the Attorney General, follow:

As voted at Special Town Meeting of April 27, 1951.

Protective By-Law for Town of Medway, Mass.

Section 1: Introduction

1. *Districts.* In accordance with Chapter 40, General [illegible], Sections 25-30B, the Town of Medway is hereby [illegible] into two types of districts designated as: (a) [illegible] Commercial Districts, (b) Residential and Agricultural [illegible] Districts. Said districts are located as shown on the Protective By-Law Map dated February 1, 1951, and filed [illegible] the Town Clerk.

2. *Non-Conforming Uses.* Any lawful building or [illegible] use of a building, structure, or premises existing at the time this By-Law is adopted, even if not in conformity with its provisions, may be continued, rebuilt [illegible] damaged or destroyed, and, if authorized by the Board [illegible] Appeals, may be enlarged or changed to a specific new

Section II: Use Regulations

1. *In Residential and Agricultural Districts.* Buildings, structures, and premises may be used for lawful residential, municipal, religious, educational, or non-profit [illegible] purpose, for any agricultural use, except [illegible] piggeries and fur farms, and for uses customarily accessory thereto, and for the following commercial purposes [illegible] no others:

a. The display and sale at a roadside stand or [illegible] otherwise of natural products, the major portion [illegible] of which are raised on the farms of the town;

b. The use of a room or rooms in a dwelling or [illegible] accessory building for a customary home occupa-

tion or practice of a profession conducted by a resident of the premises, provided there is no external evidence of any business other than permitted signs;

c. The display of not more than two signs pertaining to a permitted use with a total area of not more than twelve square feet;

d. Any of the following other uses, provided it is not injurious, noxious, or offensive and only if authorized by the Board of Appeals subject to appropriate conditions where such are deemed necessary to protect the town;

(1) Greenhouse, icehouse, cider mill, or sawmill when not accessory to a farm.
(2) Aviation field, golf course, boat, livery riding stable, or ski tow.
(3) Gravel, loam, sand or stone removal.
(4) Dog kennel or veterinary hospital.
(5) Any other use determined by the board to be similar to one or more of the uses specifically authorized and not more detrimental to a neighborhood.

2. *In Commercial Districts.* Buildings, structures, and premises may be used for any lawful business, service, or public utility, except junk yards, and in addition, for any industry or manufacturing if authorized by the Board of Appeals subject to appropriate conditions and safeguards where such are deemed necessary. Not more than two signs, other than those which are attached to and are part of the architectural design of a building or structure, including a gas pump, shall be permitted on each of these premises.

Section III: Area Regulations

1. *Lot Frontage.* Any dwelling hereafter erected in any district shall be located on a lot having a frontage of not less than 100 feet on a street or way, provided that one dwelling may be erected on a lot having a lesser frontage where said lot existed at the time this By-Law is adopted and did not adjoin other land of the same owner available in connection with said lot.

2. *Front Yard.* Any building or structure, including roadside stands, gasoline pumps and accessory buildings hereafter erected shall extend not nearer the street line than 20 feet in all districts. The Board of Appeals may

make exceptions to this secti
request if the setbacks of buil
from this requirement.

3. *Side Yards.* In reside
provided at each side of every
less than ten (10) feet in cle
of the house and the side lot
all times clear from the front t

A true copy:

Attest:

B

Section IV: Ad

1. *Board of Appeals.* Th
peals of three members and
pointed by the Selectmen as p
eral Laws, Section 30, which s
in its jurisdiction under this
scribed in said Chapter of the

2. *Enforcement.* This By
the Board of Selectmen.

3. *Validity.* The invalidi
ion of this By-Law shall not
or provision hereof.

Proposed map is availabl

A true copy:

Attest:

E

AMENDMENTS TO Z

as voted at Special Town
Section 1, Paragraph 1.
DISTRICTS.

Section 2. Adding "3" I

make exceptions to this section upon appeal or written request if the setbacks of buildings on adjoining lots vary from this requirement.

3. *Side Yards.* In residential districts there shall be provided at each side of every dwelling a side yard of not less than ten (10) feet in clear width between the side of the house and the side lot line. Side yards shall be at all times clear from the front to the rear lines of the house.

A true copy:

Attest:

B. ISABELLE McGOURTY
Town Clerk of Medway

Section IV: Administration

1. *Board of Appeals.* There shall be a Board of Appeals of three members and two associate members appointed by the Selectmen as provided in Chapter 40, General Laws, Section 30, which shall act on all matters within its jurisdiction under this By-Law in the manner prescribed in said Chapter of the General Laws.

2. *Enforcement.* This By-Law shall be enforced by the Board of Selectmen.

3. *Validity.* The invalidity of any section or provision of this By-Law shall not invalidate any other section or provision hereof.

Proposed map is available for inspection.

A true copy:

Attest:

B. ISABELLE McGOURTY
Town Clerk of Medway

AMENDMENTS TO ZONING BY-LAWS

as voted at Special Town Meeting of April 27, 1951

Section 1, Paragraph 1. Adding "C" INDUSTRIAL DISTRICTS.

Section 2. Adding "3" INDUSTRIAL DISTRICTS.

Table of Contents

MEDWAY APPROVED ZONING BY-LAWS

Subject	Page
Zoning By-Law established	1
Planning Board established	4
Trailers	4
Gravel removal	5
Dwelling floor area	5
Appeals by aggrieved	6
Building permit	6
Commercial District	6
Commercial extended	7
Lot frontage--150 ft	7
Front-yard setbacks, all districts	7
Side-yard setbacks,, residential	8
R-1; 44,000 sq ft; 180 ft front	8
Commercial I and II	9
Industrial use regulations	9
Front-yard setbacks	10
Industrial areas regulations	10
Performance standards (Environmental conditions, all districts)	11
Industrial District	15
Single-family only	17
By-Law violation penalty	17
Recodified Zoning By-law	18
Commercial I extended	18
Commercial VI (new)	19
Commercial VI uses	19
AR-II uses--Board of Appeals	21
Village St., Commercial to AR-II	21
Barber St., Commercial to AR-II	21
General Residential Multifamily regulations	21
AR-II single-family only	25
General Residential Districts (for Multifamily Dwellings)	27
Site Plan Approval	31
Signs	33
Industrial District III Area Boundaries	36
Industrial District IV Area Boundaries	36
Industrial District III Uses	37
Industrial District IV Uses	38
Appendix A (Commercial I and II)	A-1
Appendix B (Recodified Zoning By-Law, 1968)	B-1

MEDWAY APPROVED ZONING BY-LAWS
(HISTORICAL SEQUENCE)

Subject	Town Meeting Approval Date	Article	Town Report Issue Year	Pages	Text
Zoning By-Law established	4/27/51	15	1951	39-42	Voted: That the Town establish Zoning By-Laws, as set forth in Sections I to III inclusive, as reported by the Committee, and as amended. Section I: Introduction 1. Districts. In accordance with chapter 40, General Laws, Sections 25-30B, the Town of Medway is hereby divided into two types of districts designated as: (a) Commercial Districts, (b) Residential and Agricultural Districts. Said districts are located as shown on the Protective By-Law Map dated February 1, 1951, and filed with the Town Clerk. (c) Industrial Districts. 2. Non-Conforming Uses. Any lawful building or structure or use of a building, structure, or premises existing at the time this By-Law is adopted, even if not in conformity with its provisions, may be continued, rebuilt if damaged or destroyed, and, if authorized by the Board of Appeals, may be enlarged or changed to a specific new use. Section II: Use Regulations 1. In Residential and Agricultural Districts. Buildings, structures, and premises may be used for lawful residential, municipal, religious, educational, or non-profit

Subject	Town Meeting Approval Date	Article	Town Report Issue Year	Pages	Text
Zoning By-Law established (Cont)					recreational purpose, for any agricultural use, except piggeries and fur farms, and for uses customarily accessory thereto, and for the following commercial purposes but no others: a. The display and sale at a roadside stand or otherwise of natural products, the major portion of which are raised on the farms of the town; b. The use of a room or rooms in a dwelling or accessory building for a customary home occupation or practice of a profession conducted by a resident of the premises, provided there is no external evidence of any business other than permitted signs; c. The display of not more than two signs pertaining to a permitted use with a total area of not more than twelve square feet; d. Any of the following other uses, provided it is not injurious, noxious, or offensive and only if authorized by the Board of Appeals subject to appropriate conditions where such are deemed necessary to protect the town; (1) Greenhouse, icehouse, cider mill, or sawmill when not accessory to a farm. (2) Aviation field, golf course, boat, livery riding stable, or ski tow. (3) Gravel, loam, sand or stone removal. (4) Dog kennel or veterinary hospital. (5) Any other use determined by the board to be similar to one or more of the uses specifically authorized and not more detrimental to a neighborhood. 2. In Commercial Districts. Buildings, structures, and premises may be used for any lawful business, service, or public utility, except junk yards, and in addition for any

Subject	Town Meeting Approval Date	Article	Town Report Issue Year	Pages	Text
Zoning By-Law established (Cont)					industry or manufacturing if authorized by the Board of Appeals subject to appropriate conditions and safeguards where such are deemed necessary. Not more than two signs, other than those which are attached to and are part of the architectural design of a building or structure, including a gas pump, shall be permitted on each of these premises. 3. In Industrial Districts. Any lawful manufacturing business, service or public utility, except junk yards. Section III: Area Regulations 1. Lot Frontage. Any dwelling hereafter erected in any district shall be located on a lot having a frontage of not less than 100 feet on a street or way, and an area of not less than 10,000 square feet, provided that one dwelling may be erected on a lot having a lesser frontage where said lot existed at the time this By-Law is adopted and did not adjoin other land of the same owner available in connection with said lot, or where a plan of said lot having such lesser frontage and area was recorded in the Norfolk County Registry of Deeds prior to adoption of these By-Laws. 2. Front Yard. Any building or structure, including roadside stands, gasoline pumps and accessory buildings hereafter erected shall extend not nearer the street line than 20 feet in all districts. The Board of Appeals may make exceptions to this section upon appeal or written request if the setbacks of buildings on adjoining lots vary from this requirement. 3. Side Yards. In residential districts there shall be provided at each side of every dwelling a side yard of not less than ten feet

Subject	Town Meeting Approval Date	Article	Town Report Issue Year	Pages	Text
Zoning By-Law established (Cont)					in width, clear of structures between the side of the house and the side lot line. Side yards shall at all times be clear of structures from the front to the rear lines of the house. Section IV: Administration 1. Board of Appeals. There shall be a Board of Appeals of three members and two associate members appointed by the Selectmen as provided in Chapter 40, General Laws, Section 30, which shall act on all matters within its jurisdiction under this By-Law in the manner prescribed in said Chapter of the General laws. 2. Enforcement. This By-Law shall be enforced by the Board of Selectmen. 3. Validity. The invalidity of any section or provision of this By-Law shall not invalidate any other section or provision hereof.
Planning Board established	9/29/52	4	1952	94	Voted that the Town accept Sections 81 a to y of Chapter 41 of the General Laws and that there be established a Planning Board of five members in the Town of Medway, said Board to be elected at the next Annual Town Election for terms of one, two, three, four, and five years, and thereafter one member shall be elected each year for a term of five years and that until such Board is qualified by election at the next Annual Town Election, the Board of Selectmen shall act as a Planning Board.
Trailers	9/28/55	14	1955	48	Voted: that the Town amend Section II of the Zoning By-Laws by adding the following subsection: 1,e. No automotive type of trailer, whether mobile or immobile, hereafter put in

Subject	Town Meeting Approval Date	Article	Town Report Issue Year	Pages	Text
Trailers (Cont)					place upon any land with the Town shall be occupied for living purposes or business purposes for a period exceeding thirty days in the aggregate in any one year. The Board of Appeals may permit the use of such trailer, such permit to be issued for an initial period of not more than one year. Such permits may be renewed by the Board of Appeals for successive periods of not more than six months each.
Gravel removal	9/28/55	15	1955	49	Voted: That the Town amend Section II of the Zoning By-Laws by adding the following subsection; (to replace present Section II-1,d(3): 1.d. (3) Gravel, sand, loam or stone removal: provided, however, that no authorization by the Board of Appeals shall be required for removal of such materials when incidental to the construction or alteration of buildings thereon for which a permit has been issued by the Board of Selectmen, or to the construction of a street or way in a sub-division which has been approved by the Planning Board.
Dwelling floor area	9/29/55	16	1955	49	Voted: That the Town amend Section III of the Zoning By-Laws by adding the following subsection: 4. Any building or structure erected, altered or used for dwelling purposes in any district shall provide not less than six hundred (600) square feet of floor area, provided, however, the Board of Appeals may issue a permit for temporary occupancy of a building or structure having

Subject	Town Meeting Approval Date	Article	Town Report Issue Year	Pages	Text
Dwelling floor area (Cont)					less than the above area, such permit to be issued for an initial period of not more than one year. Such permits may be renewed by the Board of Appeals for successive periods of not more than six months each.
Appeals by aggrieved	9/29/55	17	1955	49	Voted. That the Town amend Section IV of the Zoning By-Laws by adding the following sub-section: There shall be added to Sub-section 1 the following provision: Any officer or Board of the Town of Medway aggrieved by any order or decision of the Board of Selectmen or other administrative official made under the provisions of the Zoning By-Laws of the Town of Medway may appeal the order or decision to the Board of Appeals established hereunder.
Building permit	9/28/55	18	1955	49	Voted: That the Town amend the Zoning By-Laws by adding the following section: Section V. Permits. 1. No building shall be erected, externally altered by increasing the exterior dimensions, or changed in use, without a permit from the Selectmen; and the Selectmen shall withhold such permit until such erection, alteration or proposed new use is in conformity with the Zoning By-Laws of the Town of Medway.
Commercial District	7/27/56	13	1956	42	It was voted that the Town amend the Zoning By-Law Map, dated February 1, 1951, by creating a commercial district, consisting of approximately four and one-quarter acres on the northerly side of Main Street, bounded: Southerly by Main Street Westerly by land of Matthews

Subject	Town Meeting Approval Date	Article	Town Report Issue Year	Pages
Commercial District (Cont)				
Commercial extended	12/27/57	5	1957	35
Lot frontage--150 ft	12/29/58	4	1958	54
Front-yard setbacks, all districts	2/12/59	23	1959	25

Pag

Text

Northerly by land of Nirenberg and
Easterly by a proposed road,
said parcel being part of the Hurd property.

It was voted that the Town amend its present zoning by-law by extending the present commercial zone from its termination on Lincoln Street, northerly on Lincoln Street to Guernsey Street; thence easterly on Guernsey Street to Norfolk Avenue; thence southerly on Norfolk Avenue to the present commercial line; thence westerly by the present commercial line to the point of beginning on Lincoln Street.

It was voted that the Town amend Section III AREA REGULATIONS, Paragraph No. 1 LOT FRONTAGE of the Zoning By-Law to read as follows:
"Any dwelling hereafter erected in any district shall be located on a lot having a frontage of not less than 150 feet on a street or way and an area of not less than 22,500 square feet, provided that one dwelling may be erected on a lot having a lesser frontage and area where said lot existed at the time this By-law is adopted and did not adjoin other land of the same owner available in connection with said lot, or where a plan of said lot having such lesser frontage and area was recorded in the Norfolk County Registry of Deeds prior to adoption of these By-laws."

The report of the Planning Board was read by Mr. Joseph Malloy and it was then voted to amend the Zoning By-Law, Section III, Area Regulations, Paragraph No. 2, Front Yard, to read as follows: "Any building or structure, including roadside stands, gasoline pur

Subject	Town Meeting Article Date	Article	Town Report Issue Year	Pages	Text
Front-yard setbacks all districts (Cont)					and accessory buildings hereafter erected, shall extend no nearer the street line than twenty feet in all districts, in residential districts all buildings shall extend no nearer the street line than thirty-five feet.
Side-yard setbacks, residential	2/12/59	24	1959	25-26	The report of the Planning Board was read by Mr. Joseph Malloy and it was then voted to amend the Zoning By-Law, Section III, Area Regulations, Paragraph No. 3, Side Yards, to read as follows: "In Residential Districts there shall be provided at each side of every building a side yard of not less than fifteen feet in clear width between the side of the house and the side lot line. Side yards shall be at all times clear from the front to the rear lines of the house."
R-1; 44,000 sq ft; 180-ft front	1/14/65	1	1965	12-13	Voted: It was voted that the Town amend the Zoning By-Law Map, dated February 1, 1951, as amended, by creating a Residential District designated "R-1" as shown as proposed zoning on a map hereto annexed, dated July 1, 1964; and to amend Section III, Area Regulations, Paragraph #1, Lot Frontage of the Zoning By-Law to read as follows: "Only single family residences shall hereafter be erected in area designated as "R-1", indicated on Zoning Map dated July 1, 1964 and shall be located on a lot having a continuous frontage of not less than 180 feet on a street way, and an area of not less than 44,000 square feet, provided that one single family residence may be erected on a lot having a lesser frontage and area where said lot existed at the time this By-Law is adopted and did not adjoin other land of the same owner available for use in connection with said lot,

Subject	Town Meeting Approval Date	Article	Town Report Issue Year	Pages	Text
R-1; 44,000 sq ft; 180-ft front (Cont)					or where a plan of said lot having such lesser frontage and area was recorded in the Norfolk County Registry of Deeds prior to adoption of this By-Law."
Commercial I and II	2/10/66	1-2-4-5	1966	20-25	See Appendix A
Industrial use regulations	6/20/66	1	1966	48-49	Voted: It was voted that the Town amend the Protective Zoning By-Law. Section II, "Use Regulations" Paragraph 3, Industrial Districts by deleting the present Paragraph 3, and substituting in place thereof the following Paragraph 3: In Industrial Districts, buildings, structures and premises may be used for any of the following purposes and uses customarily accessory thereto but no others, subject to the regulations and conditions enumerated herein: a. Municipal, public utility, federal, or state uses. b. Churches and other religious institutions. c. Schools, colleges and dormitories accessory thereto. d. Public buildings for government or utility use. e. Wholesale office or showroom including warehouse facilities. f. General industrial uses including manufacturing, storage, processing, fabrication, packaging and assembly, except for the following: 1. Abbatoir and commercial slaughtering. 2. Manufacturing of corrosive, poisonous or malodorus acids and chemicals. 3. Cement, lime, gypsum, and plaster of paris manufacture. 4. Fertilizer manufacture. Fat rendering in manufacture of tallow, grease and ls.

Subject	Town Meeting Approval Date	Article	Town Report Issue Year	Pages	Text
Industrial use regulations (Cont)					5. Glue, size and gelatin manufacture. 6. Petroleum and kerosene refining or distillation and derivation of by-products. 7. Manufacture of explosives and the stores of explosives in bulk. 8. Smelting and reduction of copper, tin, zinc, and iron ores. 9. A yard for the storage or sale of used building or junk material. 10. Asphalt plants.
Front-yard setbacks, all districts	6/20/66	2	1966	49	Voted: It was voted that the Town amend the Protective Zoning By-Law by rewriting the first sentence of Section III, Paragraph 2, (Front Yard) as follows: Any building or structure, including roadside stands, gasoline pumps and accessory buildings hereafter erected shall extend no nearer the street line than twenty (20) feet in all districts, except Commercial I, Commercial II, Industrial and Residential districts.
Industrial area regulations	6/20/66	3	1966	50	Voted: It was voted that the Town amend the Protective Zoning By-Law, Section III, (Area Regulations) by inserting as Paragraph 5, the following dimensional regulations: as pertaining to permitted and allowable uses in Industrial Districts as enumerated in Article 1 of this warrant: Permitted and allowable uses as enumerated shall comply to the following dimensional regulations: a. Minimum lot size, 20,000 sq. ft. b. Maximum lot coverage, including secondary buildings, forty per cent. c. Minimum lot width 100 ft. d. Minimum front yard and rear yard set back, 30 ft.

Subject	Town Meeting Approval Date	Article	Town Report Issue Year	Pages	Text
Industrial area regulations (Cont)					e. Minimum side yard set back 20 ft. f. Maximum height: 40 ft. g. Off street parking requirements: one space for each two (2) persons employed or anticipated to be employed on the largest shift for all types of permitted industrial buildings and one (1) additional space for each 1,000 sq ft. of floor space. Adequate docking space will be provided so that no loading or unloading operation shall take place from any public or private way. h. A green belt not less than thirty (30) feet wide shall be provided adjacent to Residential District boundary lines, in a manner which will best shield said Residential District. For the purpose of this section, a green belt is defined as a protective screen which shall be planted and maintained in evergreen trees or shrubs, not more than 15 feet apart or less than 6 ft high at the time of planting, as approved by the Planning Board.
Performance standards (Environmental conditions, all districts)	6/29/66	4	1966	50-53	Voted: It was voted that the Town amend the Protective Zoning By-Law by inserting as Paragraph 6 in Section III "Area Regulations" the following performance standards for all districts: No land or building shall be used or occupied in any district in any manner which will produce a nuisance or hazard from: Fire or explosion, Radioactivity or Electrical Disturbance, Smoke, Fly Ash, Dust, Fumes, Vapors and other forms of Air Pollution. Liquid or Solid Wastes, Vibration, Noise, Odors, Glare in a

Subject	Town Meeting Approval Date	Article	Town Report Issue Year	Pages	Text
Performance standards (Environmental conditions, all districts) (Cont)					manner or in an amount as to affect the surrounding area. However, any use may be undertaken and maintained provided that it conforms to the use regulations schedule as applied to the district wherein the use is established and to the performance standards listed below. (a) The following performance standards shall apply to all districts and shall be determined at the location of the use: (1) Fire and Explosive Hazards. All activities and all storage of flammable and explosive materials, at any point, shall be provided with adequate fire-fighting and fire suppression equipment and devices: (2) Radioactivity or Electrical Disturbance. No activities which emit dangerous radioactivity at any point shall be permitted. No electrical disturbance (except from domestic household appliances and from communications equipment subject to control of the Federal Communications Commission or appropriate Federal agencies) adversely affecting the operation at any point of any equipment other than that of the creator of such disturbance shall be permitted. (3) Smoke. No emission of visible smoke of a shade darker than No. 2 on the Ringlemann Smoke Chart published by the U. S. Bureau of Mines shall be permitted. (4) Fly Ash, Dust, Fumes, Vapors, Gases, and Other Forms of Air Pollution. No emission which can cause any damage to health, to animals or vegetation, or other forms of property, or which can cause any excessive soiling at any point shall be permitted. In no event shall any emission from

Subject	Town Meeting Approval Date	Article	Town Report Issue Year	Pages	Text
Performance standards (Environmental conditions all districts) (Cont)					any chimney or otherwise of any solid or liquid particles in concentrations exceeding 0.3 grains per cubic ft. of the conveying gas or air at any point be permitted. For measurement of the amount of particles in gases resulting from combustion, standard corrections shall be applied to a stack temperature of 500 degrees Fahrenheit and 50 percent excess air. (5) Liquid or Solid Waste. No discharge, at any point, into private sewage disposal system, stream, or the ground, of any materials in such a way or of such nature or temperature as can contaminate any running stream or water supply, or otherwise cause the emission of dangerous or objectionable elements shall be permitted, except in accord with standards approved by the Massachusetts Department of Public Health. (b) The following performance standards shall apply to all districts and shall be determined at the property line of the use: (1) Vibration. No vibration which is discernible to the human sense of feeling for three minutes or more in any one hour between 7:00 A. M. and 7:00 P.M., or of 30 seconds or more in any one hour from 7:00 P.M. to 7:00 A.M. shall be permitted. No vibration at any time shall produce an acceleration of more than 0.1 g. or shall result in any combination of amplitudes and frequencies beyond the "safe" range of Table 7, U. S. Bureau of Mines Bulletin No. 442. (2) Noise. Maximum permissible sound pressure levels – measured at the property line nearest to the noise source – for noise radiated continuously from the noise source between 10:00 P.M. and 7:00 A.M., shall be as follows:

Subject	Town Meeting Approval Date	Article	Town Report Issue Year	Pages	Text
Performance standards (Environmental conditions all districts) (Cont)					

Frequency Band Cycles per second	Sound Pressure Level Decibels re 0.0002 dyne/cm2
2 - 72	69
75 - 150	54
150 - 300	47
300 - 600	41
600 - 1,200	37
1,200 - 2,400	34
2,400 - 4,800	31
4,800 - 10,000	28

For noise levels between 7:00 A.M. and 10:00 P.M., and if the noise is not smooth and continuous the following corrections shall be added to each of the decibel levels given above:

Daytime operation only plus 5

Noise source operates less than 20% of any one hour period plus 5

(c) The following performance standards shall apply to all districts:

(1) Odors.

No emission of odorous gases or odoriferous matter in such quantities as to be offensive shall be permitted. Any process which may involve the creation and/or emission of any odors shall be provided with a secondary safeguard system. No objectionable odor greater than that caused by .001202 oz. per thousand cubic ft. of hydrogen sulfide or any "odor threshold" as defined in Table III in Chapter 5 "Air Pollution Abatement Manual", copyright 1951 by Manufacturing Chemists Assoc. Inc., Washington, D. C. shall be permitted.

(2) Glare.

No direct or sky-reflected glare, whether from flood lights or from high temperature processes such as combustion or welding shall be permitted.

Subject	Town Meeting Approval Date	Article	Town Report Issue Year	Pages	Text
Industrial District	6/20/66	5	1966	53	Voted: It was voted that the Town amend the Zoning By-Law Map, dated February 1, 1951, as amended, by rezoning land on the northerly side of Main Street, from R-1 Residential District to Industrial District, said land described as follows: "Beginning at the Medway-Millis Town Line on the Northerly side of Main Street, at the beginning of the 1921 County Layout for said street, thence running westerly along the northerly sideline of Main Street 1039.50 ft to the intersection of Coffee Street 216.67 feet to a point between lots 5A and 6A; thence turning and running northerly along said property line and continuing straight about 1192.8 feet to the land of John R. and Mary A. Lally; thence turning and running easterly along said Lally land about 832 feet to the Medway-Millis town line; thence turning and running southerly about 992 feet along said town line to the point of beginning."
Industrial District	6/20/66	6	1966	53-55	Voted: It was voted that the Town amend the Zoning By-Law Map dated February 1, 1951, as amended, by rezoning land on the northerly side of Main Street and the easterly side of West Street from Residential and Agricultural District to Industrial District, said land described as follows: Land bounded easterly by Summer Street, One Thousand forty-nine and 76/100 (1049.76) feet; Northerly by a wall and the remains of a wall by land of William R. Bennett et ux, on five courses together measuring Five hundred forty-seven and 55/100 (547.55) feet; Easterly by a wall and said Bennett land, Twenty-three and 62/100 (23.62) feet;

Subject	Town Meeting Approval Date	Article	Town Report Issue Year	Pages	Text
Industrial District (Cont)					Northerly by a wall in part and the remains of a wall by land of Peter Speroni et al and David A. Topham et ux, Eight hundred five and 37/100 (805.37) feet; Northeasterly by land of David A. Topham et ux, Six hundred fifty-six and 92/100 (656.92) feet; Northerly by lands of Boston Edison Company, Harlow P. Andrews et ux, and Edgar J. Barnett et ux, Seven hundred fifty-four and 9/100 (754.09) feet; Westerly by lands of Edgar J. Barnett et ux and Boston Edison Company, Two hundred twenty and 35/100 (220.35) feet; Northerly by said Boston Edison Company land, Five hundred sixty-nine and 60/100 (569.60) feet; Southwesterly by West Street by three lines, the second of which is a curve having a radius of 2050 feet, measuring Two hundred fourteen and 98/100 (214.98) feet, Eight hundred fifty-nine (859) feet, and Two hundred seventy-three and 7/100 (273.07) feet, respectively; Southwesterly by land now or formerly of Harry C. Castle et ux, One hundred forty-three and 43/100 (143.43) feet; Southwesterly again by said Castle land, land of James R. Lambirth et ux, and C. Henry Hogan et ux, Nine hundred twenty and 90/100 (920.90) feet; Northwesterly by said Hogan land, Ninety-five and 72/100 (95.72) feet; Southwesterly again and Southerly by said West Street by four lines, the third of which is a curve having a radius of 400 feet, measuring Sixty-six and 18/100 (66.18) feet, One hundred twenty-two and 75/100 (122.75) feet, Three hundred eight-four and 26/100 (384.26)

Subject	Town Meeting Approval Date	Article	Town Report Issue Year	Pages	Text
Industrial District (Cont)					feet, and Three hundred ninetyfive and 48/100 (395.48) feet, respectively; Northeasterly by land of Edmond L. Groleau et ux, One hundred forty-eight and 85/100 (148.85) feet; Easterly again by said Groleau land, Two hundred forty-three and 82/100 (243.82) feet; Southwesterly by a wall of said Groleau land, Four hundred fourteen and 23/100 (414.23) feet; Southeasterly by land of Morris Merwise et ux, One hundred eight-five and 18/100 (185.18) feet; Southerly by said Merwise land, One hundred thirty and 36/100 (130.36) feet; Easterly by land of Frederick O. Sprague and Edward F. Simpson on two lines together measuring, Three hundred seventy and 81/100 (370.81) feet; and Southerly by last mentioned land, One hundred thirty-three and 79/100 (133.79) feet.
Single-family only	6/20/66	7	1966	55	Voted: It was voted that the Town amend the Protective Zoning By-Law, Section II, (Use Regulations), by adding a subparagraph "f" to paragraph 1 of Section II; said paragraph "f" to read as follows: "Only single family residences shall hereafter be erected in any Residential and Agricultural District", unless otherwise authorized by the Zoning Board of Appeals.
By-Law violation penalty	3/20/67	45	1967	26	Voted: It was voted that the Town amend the Zoning By-Law, under Section VI, Paragraph 1, by insertion of a new paragraph to read as follows: "Penalty - Whoever violates any provision of this By-Law may be punished by a fine not to exceed $50.00 for each offense. Each day that any

Subject	Town Meeting Approval Date	Article	Town Report Issue Year	Pages	Text
By-Law violation penalty (Cont)					violation continues shall constitute a separate offense."
Recodified Zoning By-Law	2/5/68	1	1968	11-32	See Appendix B
Commercial I extended	10/3/68	1	1968	67	Voted: That the Town vote to amend the Zoning By-Law Map dated September 23, 1966 by deleting area designated as Commercial District VI and by extending the present Commercial District I located on the northerly side of Main Street, beginning at the southeast corner of land of Hobart, easterly to Holliston Street, a distance of approximately 1325 feet, northerly along the west side of Holliston Street, a distance of approximately 685 feet to land of Grove, thence westerly along south boundary of land of Grove and south boundary of land of Town of Medway to the east boundary of land of Flaherty, thence southerly along land of Flaherty, ULD, Inc. and Albano, a distance of approximately 275 feet to land of Hobart, thence westerly along north boundary of land of Hobart to land of McSweeney a distance of approximately 75 feet, thence westerly along south boundary of land of McSweeney for a distance of approximately 100 feet, thence southerly along west boundary of land of Nirenberg for a distance of approximately 100 feet, thence easterly along south boundary of land of Nirenberg to land of Hobart, thence southerly along west boundary of land of Hobart to point of beginning on Main Street. There shall be a 50-foot wide buffer zone along that part of any boundary abutting residential property. The area of this extension of Commercial District I is approximately 21.5 acres. Locations of boundaries between this extension of Commercial District I and contiguous

Subject	Town Meeting Approval Date	Article	Town Report Issue Year	Pages	Text
Commercial I extended (Cont)					properties as herein described are shown on Town of Medway Assessors Atlas, Sheet 6. Area and use regulations for present Commercial District I shall apply to this extension of this district.
Commercial VI (new)	10/3/68	2	1968	67	Voted: That the Town vote to amend the Zoning By-Law Map dated September 23, 1966, to establish as Commercial District VI the area located at the southeast corner of the intersection of Main and Holliston Streets to be bounded on the west by Holliston Street, for a distance of approximately 345 feet south of the intersection of Main Street, on the south by land of Mikalop and land of Cassidy for a distance of approximately 300 feet from Holliston Street to a point 50 feet west of the center line of stream course, thence northerly to Main Street along a line parallel to and 50 feet west of the center line of stream course, and on the north by Main Street.
Commercial VI uses	10/3/68	3	1968	68	Voted: That the Town vote to amend the Zoning By-Law to change the designation of Sections VL and VM to become VM and VN respectively and to insert the following as Section VL: L. COMMERCIAL DISTRICT VI 1. Buildings, structures and premises may be used for any of the following purposes and uses customarily accessory thereto but no others, subject to the regulations and conditions enumerated herein: a. Municipal, public utility, federal or state use. b. Retail stores, the primary function of which is the distribution of merchandise to the general public; and the merchandise offered for sale by the retail store

Subject	Town Meeting Approval Date	Article	Town Report Issue Year	Pages	Text
Commercial VI uses (Cont)					in this district shall be stocked and displayed within the building. c. Bank or other financial institution. d. Restaurant or other establishment providing food and beverages within a building. e. Offices for business or professional use. 2. Not more than two signs other than those which are part of the architectural design of a building or structure shall be permitted. All signs must be approved by the Planning Board. 3. Permitted and allowable uses pertaining to this district shall comply with the following dimensional regulations: a. Minimum lot size: 20,000 square feet. b. Maximum lot coverage, including accessory buildings: 30% c. Minimum lot width: 100 feet d. Minimum front yard setback from street line for any building or structure hereinafter erected including roadside stands or accessory buildings shall be 35 feet. e. Minimum side yard and rear yard setback shall be 15 feet of which the first 10 feet nearest each lot line, if the adjacent use is residential in whole or in part, shall not be used for the parking or storage of vehicles but shall be suitably landscaped. f. There shall be a 50-foot wide buffer zone along the south boundary. g. Maximum building height: 40 feet. h. Off street parking: For every 300 square feet of gross floor space, at least one off-street parking space shall be provided.

Subject	Town Meeting Approval Date	Article	Town Report Issue Year	Pages	Text
AR-II uses--Board of Appeals	10/3/68	4	1968	69	Voted: To amend the Zoning By-Law Section VF1d by adding the following paragraph: (5) Any other use determined by the Board of Appeals to be similar to one or more of the uses specifically authorized and not detrimental to a neighborhood.
Village St., Commercial to AR-II	10/3/68	5	1968	69	Voted: To amend the Zoning By-Law Map dated September 23, 1966 by changing the north side of Village Street between Barber and Oakland Streets from Commercial to Agricultural-Residential II.
Barber St., Commercial to AR-II	10/3/68	6	1968	69	Voted: To amend the Zoning By-Law Map dated September 23, 1966 by changing from Commercial to Residential-Agricultural II the area on the west side of Barber Street beginning at the northeast boundary of land of Socony-Vacuum Oil Company, Inc. thence northerly to south boundary of land of Walter J. Malloy, thence westerly along south boundary of land of Malloy, thence southerly along west boundaries of all properties abutting Barber Street to north boundary of land of Socony-Vacuum Oil Company, Inc., thence easterly to point of beginning on Barber Street.
General Residential Multifamily regulations	11/18/68	5	1968	79-81	Voted: To amend the Zoning By-Law by adding the following as paragraph G to Section V and changing the present paragraph designations as follows: G to H, H to I, I to J, J to K, K to L, L to M. G. GENERAL RESIDENTIAL DISTRICTS 1. Multifamily dwellings shall be allowed in the Town of Medway only by special permit from the Zoning Board of Appeals.

Subject	Town Meeting Approval Date	Article	Town Report Issue Year	Pages	Text
General Residential Multifamily regulations (Cont)					2. Multifamily dwellings shall be not more than 2-1/2 stories high, shall have not less than 6 dwelling units and not more than 16 dwelling units in each building and no residential area shall be located below the first floor nor above the second floor. 3. Multifamily dwellings as heretofore described shall be located on a lot containing not less than 3 acres. 15,000 square feet shall be required for the first dwelling unit and 6,000 square feet for each additional dwelling unit of 2 bedrooms or less. For each additional bedroom in each dwelling unit the lot shall contain an additional 2,500 square feet. 4. In the General Residential Districts, a multiple residence or multiple residences on any one lot, including garages, stables, and other accessory buildings, and including covered porticoes and steps, shall only be constructed, altered, enlarged, extended, reconstructed, raised or moved so that the total area of all such buildings shall occupy at the level of the first story not more than 15% of the area of the lot. 5. No part of any multiple residence shall be constructed, altered, extended, reconstructed, raised or moved so as to be nearer than 75 feet to any street line or nearer than 50 feet to the line of any adjoining lot or nearer than 100 feet to any building used for residential purposes on the same lot or nearer than 10 feet to any part of any other building located on the same lot, except that roofs, porticoes and similar projections on multiple residences may extend 1 foot nearer to the line of an adjoining lot or to another building on the same lot. No part of any accessory building shall be constructed, altered, extended, reconstructed, raised or moved so as to be nearer than 15 feet to the line

Subject	Town Meeting Approval Date	Article	Town Report Issue Year	Pages	Text
General Residential Multifamily regulations (Cont)					of any adjoining lot or nearer than 15 feet to another building on the same lot. 6. Off-street parking: For all multiple family buildings there shall be provided on each lot a permanent paved off-street parking area or areas, indoor and/or outdoor, of sufficient size to allow 2 parking spaces for each dwelling unit to be accommodated on the lot. No parking area shall be located nearer than 10 feet to the line of an adjoining lot. No space shall be considered available for parking which reduces the effective width of a driveway providing access to more than one dwelling unit to less than 12 feet. 7. Outside windows: No new multiple residence building shall be constructed and no multiple residence building shall be altered, enlarged, extended, reconstructed, raised or moved so that any room in which a person lives or sleeps shall be without one window that opens directly to the outside air, and there shall be an unoccupied space of at least 3 feet, measured at right angles to the window, opposite such outside window. 8. Multiple family residences, if authorized by special permit of the Board of Appeals, shall be subject to appropriate conditions, limitations and safeguards, consistent with the general character of the neighborhood. Such conditions, limitations and safeguards shall be in writing and made a part of the permit by said Board and shall be subject to the following: a. A site plan and 4 copies thereof prepared by a registered architect or professional engineer showing the entire tract for which a permit is sought shall be submitted to the Board of Appeals. Such site plan shall include but is not limited to topography locations

Subject	Town Meeting Approval Date	Article	Town Report Issue Year	Pages	Text
General Residential Multifamily regulations (Cont)					and dimensions of all existing and proposed buildings, structures, parking spaces, driveways, driveway openings, service areas, and other open uses; all facilities for sewage, refuse and other waste disposal and for surface water drainage; all landscape features (such as fences, planting areas and walks) and the exterior architecture of all proposed buildings. b. The Board of Appeals shall transmit to the Planning Board a copy of the application and 2 copies of the site plan. The Planning Board shall review the site plan and shall submit a report thereon with recommendations to the Board of Appeals. The Board of Appeals shall not approve any application or site plan until such report of the Planning Board has been received or until 60 days have elapsed after receipt by the Planning Board of the application and site plan without such report being submitted. c. In reviewing a site plan the Board of Appeals and the Planning Board shall consider among other things the following: (1) Protection of adjoining premises and the general neighborhood from any detrimental use of the lot or tract. (2) Convenience and safety of vehicular and pedestrian movement within the site and in relation to adjacent streets properties or improvements. (3) Adequacy of the methods of disposal of sewage, refuse and other wastes and of the methods of drainage of surface water. (4) Provisions for off-street loading and unloading of vehicles incidental to the servicing of the buildings and related uses on the lot or tract.

Subject	Town Meeting Approval Date	Article	Town Report Issue Year	Pages	Text
General Residential Multifamily regulations (Cont)					(5) Adequacy of municipal facilities relative to fire and police protection, education, recreation, and other community services to meet the needs of the residents to be housed on the site. d. Building Permit: No permit to build or alter or expand any building or structure requiring a site plan review under the By-Law shall be issued by the Building Inspector until he shall have received from the Board of Appeals a written statement of approval by said Board. The Building Inspector shall enforce the fulfillment of any conditions or revisions which the Board of Appeals may impose in order to satisfy any of the factors upon which the site plan review is based. 9. In the General Residential Districts no new building or structures or part thereof shall be designed, constructed or used, and, except as provided in Section V, Paragraph D, no building or structure or part thereof shall be altered, enlarged, extended, reconstructed, or used; and no premises shall be used for any organized business, trade, manufacturing or commercial enterprise, except for one or more of the purposes allowable in the Residential-Agricultural District within which the General Residential District is located.
AR-II -- single-family only	11/18/68	6	1968	81	Voted: To amend the Zoning By-Law by deleting the present VE2 paragraph and substituting in place thereof the following: Only single-family residences shall hereafter be erected in this district.

Subject	Town Meeting Approval Date	Article	Town Report Issue Year	Pages	Text
AR-II -- single-family only	11/18/68	7	1968	82	Voted: To amend the Zoning By-Law by deleting the present VF2 paragraph and substituting in place there of the following: Only single-family residences shall hereafter be erected in this district.

Subject	Town Meeting Approval Date	Article	Town Report Issue Year	Pages	Text
General Residential Districts (For Multifamily Dwellings)	4/24/69	5	1969	46-49	Voted that the Town amend the Zoning By-law by changing in Section V the previous paragraph designations, G, H, I, J, K and L to be H, I, J, K, L and M respectively and amending new paragraph G to read as follows: G. GENERAL RESIDENTIAL DISTRICTS 1. Multifamily dwellings shall be allowed in the Town of Medway only in General Residential Districts and by special permit from the Zoning Board of Appeals. 2. Multifamily dwellings shall not be more than 2½ stories high, shall have not less than six dwelling units and not more than 16 dwelling units in each building and no residential area shall be located below the first floor level nor above the second floor. 3. Multifamily dwellings as heretobefore described shall be located on a lot containing not less than 3 acres, 15,000 square feet shall be required for the first dwelling unit and 6,000 square feet for each additional dwelling unit of 2 bedrooms or less. For each additional bedroom in each dwelling unit the lot shall contain an additional 2500 square feet. 4. In the General Residential Districts, a multiple residence or multiple residences on any one lot, including garages, stables and other accessory buildings and including covered porticoes and steps, shall be constructed, altered, enlarged, extended, reconstructed, raised or moved so that the total area of all such buildings shall occupy at the level of the first story not more than 15% of the area of the lot. 5. No part of any multiple residence shall be constructed, altered, extended, reconstructed, raised or moved so as to be nearer than 75 feet to any street line or nearer than 50 feet to the

Subject	Town Meeting Approval Date	Town Meeting Approval Article	Town Report Issue Year	Town Report Issue Pages	Text
General Residential Districts (For Multifamily Dwellings) (Cont)					line of any adjoining lot or nearer than 100 feet to any building used for residential purposes on the same lot or nearer than 15 feet to any part of any other building located on the same lot, except that roofs, porticoes and similar projections on multiple residences may extend 1 foot nearer to the line of an adjoining lot or to another building on the same lot. No part of any accessory building shall be constructed, altered, extended, reconstructed, raised or moved so as to be nearer than 15 feet to the line of any adjoining lot or nearer than 15 feet to another building on the same lot. 6. Off-street Parking: For all multiple family buildings there shall be provided on each lot a permanent paved off-street parking area or areas, indoor and/or outdoor, of sufficient size to allow 2 parking spaces for each dwelling unit to be accommodated on the lot. No parking area shall be located nearer than 10 feet to the line of an adjoining lot. No space shall be considered available for parking which reduces effective width of a driveway providing access to more than one dwelling unit to less than 12 feet. 7. Outside Windows: No new multiple residence building shall be constructed and no residence building shall be altered, enlarged, extended, reconstructed, raised or moved so that any room in which a person lives or sleeps shall be without one window that opens directly to the outside air and there shall be an unoccupied space of at least 3 feet measured at right angles to the window, opposite such outside window. 8. Multiple family residences, if authorized by special permit of the Board of Appeals, shall be subject to appropriate conditions, limitations and safeguards, consistent with the general character of the neighborhood. Such conditions,

Subject	Town Meeting Approval Date	Article	Town Report Issue Year	Pages	Text
General Residential Districts (For Multifamily Dwellings) (Cont)					limitations and safeguards shall be in writing and made a part of the permit by said Board and shall be subject to the following: a. A site plan and four copies thereof prepared by a registered architect or professional engineer showing the entire tract for which a permit is sought shall be submitted to the Board of Appeals. Such site plan shall include, but is not limited to topography; locations and dimensions of all existing and proposed buildings, structures, parking spaces, driveways, driveway openings, service areas and other open uses; all facilities for sewage, refuse and other waste disposal and for surface water drainage; all landscape features (such as planting, planting areas and walks); and the exterior architecture of all proposed buildings. b. The Board of Appeals shall transmit to the Planning Board a copy of the application and 2 copies of the site plan. The Planning Board shall review the site plan and shall submit a report thereon with recommendations to the Board of Appeals. The Board of Appeals shall not approve any application or site plan until such report of the Planning Board has been received or until 60 days have elapsed after receipt by the Planning Board of the application and site plan without such report being submitted. c. In reviewing a site plan the Board of Appeals and the Planning Board shall consider among other things the following: (1) Protection of adjoining premises and the general neighborhood from any

Subject	Town Meeting Approval Date	Article	Town Report Issue Year	Pages	Text
General Residential Districts (For Multifamily Dwellings) (Cont)					detrimental use of the lot or tract. (2) Convenience and safety of vehicular and pedestrian movement within the site and in relation to adjacent streets, properties or improvements. (3) Adequacy of the methods of disposal of sewage and other wastes and the methods of drainage of surface water. (4) Provision for off-street parking and unloading of vehicles incidental to the servicing of the buildings and related uses on the lot or tract. (5) Adequacy of municipal facilities relative to police and fire protection, education, recreation and other community services to meet the needs of the residents to be housed on the lot. d. Building Permit: No permit to build or alter or expand any building or structure requiring a site plan review under the By-law shall be issued by the Building Inspector until he shall have received from the Board of Appeals a written statement of approval by said Board. The Building Inspector shall enforce the fulfillment of any conditions or revisions which the Board of Appeals may impose in order to satisfy any of the factors upon which the site plan review is based. 9. In the General Residential Districts no new building or structure or part thereof shall be designed, constructed or used, and except as provided in Section V, Paragraph D, no building or structure or part thereof shall be altered, enlarged, extended or reconstructed; and no premises shall be used for any organized business, trade, manufacturing or commercial enterprise, except for

Subject	Town Meeting Approval Date	Article	Town Report Issue Year	Pages	Text
General Residential Districts (For Multifamily Dwellings) (Cont)					one or more of the purposes allowable in the Residential-Agricultural District within which the General Residential District is located.
Site Plan Approval	4/24/69	14	1969	55-56	It was voted that the Town amend the Town of Medway Zoning By-law, Section V, by adding the following as Paragraph C: C. SITE PLAN APPROVAL In all non-residential districts, Building or Use permits shall not be issued for the external enlargement or erection of a business or industrial building or for the establishment or expansion of a business or industrial use on a lot or tract of land until a site plan has been approved by the Board of Selectmen. Said site plan shall show, among other things, all existing and proposed buildings, structures, parking lot spaces, driveways, service areas and other open uses, facilities for sewerage, refuse and other waste disposal, and for surface water drainage, and all landscape features (such as fences, walls, planting areas and walks) on the lot. Any person desiring approval of a site plan under this paragraph shall submit said site plan to the Board of Selectmen. Within 20 days after receiving said plan the Board of Selectmen shall either approve, conditionally approve, or disapprove said site plan. Failure of the Board of Selectmen to act within this prescribed 20-day period shall constitute "approval by default" of said site plan. Building permits shall not be issued until the Board of Selectmen shall approve or conditionally approve the site plan, or shall allow 20-days to elapse from the date of receipt of same. The Board of Selectmen shall have the power to modify or amend its approval of a site plan on application of the person owning or leasing the premises

Subject	Town Meeting Approval Date	Article	Town Report Issue Year	Pages	Text
Site Plan Approval (cont)					shown on such site plan or, upon its own motion, in the event of a change in the physical condition of a site sufficient to justify such action within the intent of this sub-section; and the foregoing provisions wherever apt shall be applicable to any modification or amendment of such plan. Provision for off-street loading and unloading of vehicles incidental to the servicing of the buildings and related uses on the lot or tract shall be shown on the site plan. Within 15 days after the approval of said site plan a copy bearing thereon the approval of the Board of Selectmen shall be filed in the office of the Town Clerk, and the plan as approved shall be carried into effect and completed by the applicant for such site plan approval or his assigns within 1 year of date of approval. The Board of Selectmen may at the time of approval of such site plan, or thereafter, upon an application therefor, grant such extension of the time as it shall deem necessary to carry any site plan into effect, and, the Board of Selectmen shall certify to the Town Clerk that it has granted an extension of time and the date on which it shall expire. In an effort to maintain the New England town appearance in Medway, it is requested that all structures built in Commercial Districts be of colonial design and that sketches of said structures be submitted for architectural review by authorities appointed by the Board of Selectmen. Any person aggrieved under the provisions of this Zoning By-law may take an appeal to the Zoning Board of Appeals under provisions of Chapter 40A of the General Laws.

Subject	Town Meeting Approval Date	Article	Town Report Issue Year	Pages	Text
Signs	4/24/69	15	1969	56-57	It was voted that the Town amend the Town of Medway Zoning By-Law, Section V, Paragraph G-1-c to read as follows: c. Signs (1) Signs attached to a building are permitted providing that they aggregate not more than 20% of the front area of the building upon which the sign is to be attached, or extend above a flat roof or eave line of a pitched roof not more than 10% of the height of the front elevation of such building. (2) Free standing signs are permitted providing that they aggregate not more than 100 square feet. The area of a free-standing sign shall be considered to include all lettering, wording and accompanying designs and symbols, together with the background, whether open or closed, on which they are displayed. The supporting frame work, open or enclosed, may be part of the design, but for the purpose of this By-law, shall not be considered a part of the sign area unless used for lettering, wording or symbols. When the sign consists of individual letters or symbols attached to or painted on a surface, building, wall or window, the area shall be considered to be that of the smallest rectangular or other regular shape which encompasses all of the letters and symbols. (3) No sign shall project over a street or way used by the Public. (4) No sign shall move or flash or be designed to attract the eye by intermittent or repeated motion. (5) No sign shall constitute a hazard to vehicular traffic by the direction and amount of its illumination. (6) No sign shall be illuminated by expose eon or fluorescent tubes.

Subject	Town Meeting Approval Date	Article	Town Report Issue Year	Pages	Text
Signs	4/24/69	16	1969	57-58	It was voted that the Town vote to amend the Town of Medway Zoning By-law, Section V, Paragraphs I-2 and J-2 to read as follows: 2. SIGNS a. Signs attached to a building are permitted providing that they aggregate not more than 20% of the front area of the building upon which the sign is to be attached or extend above a flat roof or eave line of a pitched roof not more than 10% of the height of the front elevation of such building. b. Free-standing signs are permitted providing that they aggregate not more than 40 square feet and shall be set back a minimum distance of 15 feet from front and side lot lines. The area of a free-standing sign shall be considered to include all lettering, wording and accompanying designs and symbols, together with the background, whether open or enclosed on which they are displayed. The supporting framework, open or enclosed, may be part of the design, but for the purpose of this By-law shall not be considered a part of the sign area unless used for lettering, wording or symbols. When the sign consists of individual letters or symbols attached to or painted to a surface, building, wall or window, the area shall be considered that of the smallest rectangular or other regular shape which encompasses all of the letters and symbols. c. No sign shall project over a street or way used by the Public. d. No sign shall move or flash or be designed to attract the eye by intermittent or repeated motion. e. No sign shall constitute a hazard to vehicular traffic by the direction and amount of its illumination. f. No sign shall be illuminated by exposed or fluorescent tubes.

Subject	Town Meeting Approval Date	Article	Town Report Issue Year	Pages	Text
Signs	4/24/69	17	1969	58-59	It was voted that the Town vote to amend the Town of Medway Zoning By-Law, Section V by changing the present Paragraph H-1-j to H-1-k and inserting as Paragraph H-1-j the following: j. SIGNS (1) Signs attached to a building are permitted providing that they aggregate not more than 20% of the front area of the building upon which the sign is to be attached, or extend above a flat roof or eave line of a pitched roof not more than 10% of the front elevation of such building. (2) Free-standing signs are permitted providing that they aggregate not more than 100 sq ft. The area of a free-standing sign shall be considered to include all lettering, wording and accompanying designs and symbols, together with the background, whether open or enclosed, on which they are displayed. The supporting framework, open or enclosed, may be part of the design, but for the purpose of this By-Law, shall not be considered a part of the sign area unless used for lettering, wording or symbols. When the sign consists of individual letters or symbols attached to or painted on a surface, building, wall or window, the area shall be considered to be that of the smallest rectangular or other regular shape which encompasses all of the letters and symbols. (3) No sign shall project over a street or way used by the Public. (4) No sign shall move or flash or be designed to attract the eye by intermittent or repeated motion. (5) No sign shall constitute a hazard to vehicular traffic by the direction and amount of its illumination. (6) No sign shall be illuminated by exposed neon or fluorescent tubes.

Subject	Town Meeting Approval Date	Article	Town Report Issue Year	Pages	Text
Industrial District III Area Boundaries	3/9/70	38	1970	27	It was voted that the Town amend the Zoning By-Law map, dated February 1, 1951 as amended, by designating as Industrial District III an area beginning at a point on the Bellingham-Milford-Medway Town Corner, thence Northerly by the Milford Town Line to a point on Milford Street, thence Easterly along Milford Street, a distance of 1750 feet, more or less, to a point being the projection of the Stanley J. Cerel, Trustee and New England Power Company, property line Northerly to Milford Street, thence Southerly by the aforementioned property lines to the Northerly sideline of Alder Street, thence Southerly across Alder Street to the Southerly sideline of said street to a point, said point being the projections of the First Crestwood Corporation and William T. & Olive L. Brennan property line northerly to Alder Street, thence Southerly by the aforementioned property lines, and the Easterly property line of Varney Bros. Sand & Gravel, Inc, property to the Bellingham-Medway Town Line, thence Westerly a distance of 2350 feet, more or less, by the Bellingham-Medway Town Line to the point of beginning. Said parcel contains an area of 240 acres, more or less.
Industrial District IV Area Boundaries	3/9/70	39	1970	27	It was voted that the Town amend the Zoning By-Law map, dated February 1, 1951, as amended, by designating as Industrial District IV an area now known as the Reardon Industrial Park Trust consisting of approximately 11 acres, more or less, bounded on the East by Sanford Street and Whiting Street, on the South by the Charles River, on the West by land of Marcella Sheinkopf, and on the North by land of Edward C. and Ann M. Reardon, Fred P. Lomberto, John H. and Caroline W. Reardon,

Subject	Town Meeting Approval Date	Article	Town Report Issue Year	Pages	Text
Industrial District IV Area Boundaries (Cont)					Anna V. Newton, Walter P. and Helena A. Wasnewsky, P. Joseph and Mary T. Kenney, Robert and Jane Bayard, Donald P. and Marilyn T. Bukis, Medway Savings Bank and the Town of Medway.
Industrial District III Uses	3/9/70	40	1970	28-29	It was voted that the Town amend the Zoning By-Law by adding the following as Paragraph M to Section V: M. INDUSTRIAL DISTRICT III 1. Buildings, structures, and premises may be used for any of the following purposes and uses customarily accessory thereto but no others, subject to the regulations and conditions enumerated herein: a. Municipal, public utility, federal, or state use. b. Churches and other religious institutions. c. Schools, colleges, and dormitories accessory thereto. d. Wholesale offices or showrooms including indoor warehouse facilities. e. General industrial uses including manufacturing, storage, processing, fabrication, packaging and assembly, except the following: (1) Abbatoir and commercial slaughtering. (2) Manufacturing of corrosive, poisonous or malodorous acids and chemicals. (3) Cement, lime, gypsums, and plaster of paris manufacture. (4) Fertilizer manufacture or fat rendering in manufacture of tallow, grease, and oils. (5) Glue, size and gelatin manufacture. (6) Petroleum and kerosene refining or distillation and derivation by-products. (7) Manufacture of explosives and the storage of explosives in bulk. (8) Smelting and reduction of copper, tin, zinc, and iron ores.

Subject	Town Meeting Approval Date	Article	Town Report Issue Year	Pages	Text
Industrial District III Uses (Cont)					(9) A yard for the storage or sale of used building or junk material. (10) Asphalt plants 2. Permitted and allowable uses pertaining to this district shall comply with the following regulations: a. Minimum lot size: 5 acres. b. Maximum lot coverage, including accessory buildings: 40%. c. Minimum lot width: 100 ft. d. Minimum front and rear yard set backs: 30 ft. e. Minimum side yard set back: 20 ft. f. Maximum height: 40 ft. g. Off-street parking requirements: at least one space for each two persons employed or anticipated to be employed on the largest shift for all types of permitted industrial building and at least one additional space for each 1000 sq ft of floor space. Adequate docking space shall be provided so that no loading or unloading operation shall take place from any public or private way. h. No part of any industrial operation shall be located nearer than 200 ft to any pre-existing residence. A green belt not less than 30 ft wide shall be provided adjacent to residential district boundary lines, in a manner which will best shield said residential district. For the purpose of this section, a green belt is defined as a protective screen which shall be planted and maintained in evergreen trees or shrubs, not more than 15 ft apart or less than 6 ft high at the time of planting.
Industrial District IV Uses	3/9/70	41	1970	29-30	It was voted that the Town amend the Zoning By-Law by adding the following as Paragraph N to Section V:

Subject	Town Meeting Approval Date	Article	Town Report Issue Year	Pages	Text
Industrial District IV Uses (Cont)					N. INDUSTRIAL DISTRICT IV 1. Buildings, structures, and premises may be used for any of the following purposes and uses customarily accessory thereto but no others, subject to the regulations and conditions enumerated herein: a. Municipal, public utility, federal or state use. b. Churches and other religious institutions. c. Schools, colleges, and dormitories accessory thereto. d. Wholesale offices or showrooms including indoor warehouse facilities. e. General industrial uses including manufacturing, storage, processing, fabrication, packaging and assembly, except the following: (1) Abbatoir and commercial slaughtering. (2) Manufacturing of corrosive, poisonous or malodorous acids and chemicals. (3) Cement, lime, gypsum, and plaster of paris manufacture. (4) Fertilizer manufacture or fat rendering in manufacture of tallow, grease and oils. (5) Glue, size and gelatin manufacture. (6) Petroleum and kerosene refining or distillation and derivation of by-products. (7) Manufacture of explosives and the storage of explosives in bulk. (8) Smelting and reduction of copper, tin, zinc, and iron ores. (9) A yard for the storage or sale of used building or junk material. (10) Asphalt plants. 2. Permitted and allowable uses, pertaining to this district shall comply with the follow dimensional regulations:

Subject	Town Meeting Approval Date	Article	Town Report Issue Year	Pages	Text
Industrial District IV Uses (Cont)					a. Minimum lot size: 20,000 sq ft. b. Maximum lot coverage, including accessory buildings: 40%. c. Minimum lot width: 100 ft. d. Minimum front and rear yard set-backs: 30 ft. e. Minimum side yard set-back: 20 ft. f. Maximum height of buildings: 40 ft. g. Off-street parking requirements: at least one space for each two persons employed or anticipated to be employed on the largest shift for all types of permitted industrial buildings and at least one additional space for each 1000 sq ft of floor space. Adequate docking space shall be provided so that no loading or unloading operation shall take place from any public or private way. h. No part of any industrial operation shall be located nearer than 200 ft to any pre-existing residence. A green belt not less than 30 ft. wide shall be provided adjacent to residential district boundary lines, in a manner which will best shield said residential district. For the purpose of this section, a green belt is defined as a protective screen which shall be planted and maintained in evergreen trees or shrubs, not more than 15 ft apart or less than 6 ft high at the time of planting.

APPENDIX A

TOWN OF MEDWAY
AMENDMENTS TO ZONING BY-LAWS, as adopted at SPECIAL TOWN MEETING FEBRUARY 10, 1966

ARTICLE 1. Voted: It was voted to amend the Zoning By-Law Map dated February 1, 1951, as amended by rezoning land on the northerly side of Main Street from a part Commercial District and a part Residential and Agricultural District, to a Commercial I District, beginning at a point on the northerly side of Main Street 50' East of Pond Street, thence running northerly and parallel with Pond Street to the rear property line of the property owners on the southerly side of Meadow Road; thence running easterly along the property line of said owners to land of Hobart, thence southerly to Main Street, thence westerly along Main Street to point of beginning; all land as shown as "Proposed Commercial I" on a map, dated November 30, 1965 and entitled "Proposed Re-Zoning, Main Street, Medway, Mass., Scale 1" equals 300', and compiled by the Medway Planning Board; which map is on file with the Town Clerk and is available for inspection, and to see if the Town will vote to amend protective zoning by-laws, Section II thereof, (use regulations), paragraph 2 by adding the following:

2. In Commercial I districts—Buildings, structures and premises may be used for any of the following purposes and uses customarily accessory thereto but no others, subject to the regulations and conditions enumerated herein:

a. Municipal, public utility, federal, or state uses.

b. Retail stores, the primary function of which is the distribution of merchandise to the general public; and the merchandise offered for sale by the retail stores in this district shall be inventoried within the buildings.

c. Not more than 2 signs other than those which are part of the architectural design of a building or structure, shall be permitted; all signs must be approved by the Planning Board.

d. Any of the following uses if authorized by special permit by the Board of Appeals.

(1.) Restaurant or other establishment providing food and beverages within a building.

(2.) Offices for business or professional use.

Permitted and allowable uses as enumerated above shall comply to the following regulations:

a. Minimum lot size: 20,000 square feet

b. Maximum lot coverage, including secondary buildings: 30%

c. Minimum lot width: 100 feet.

d. Minimum front yard building setback 50 feet, of which the first 10 feet nearest the street line shall not be used for parking or storage of vehicles but shall be suitably landscaped; and the next 20 feet shall be utilized for through traffic to adjoining lots.

e. Minimum side yard and rear yard building setback 25 feet, of which the first 10 feet nearest each lot line, if the adjacent use is residential in whole or in part, shall not be used for parking or storage of vehicles but shall be suitably landscaped.

f. Maximum height: 40 feet.

g. Off-street parking.

(1.) For every 200 square feet of gross floor area in retail stores and in craft, consumer, professional or commercial service establishments, at least 1 off-street parking space.

(2.) For every 3 employees at least 1 off-street parking space, and for each 3 seats in restaurants or other establishments providing food and beverages at least 1 off-street parking space.

(3.) For every 25 square feet of gross floor area in drive-in or open air businesses, at least 1 off-street parking space.

(4.) For all other permitted uses, off-street parking as required by the Planning Board.

(5.) All off-street parking spaces shall be located on the same lot as the principal use they are intended to service and each space shall consist of approximately 300 aquare feet of appropriate dimensions for the parking of an automobile, including maneuvering area and aisles.

ARTICLE 2. Voted: It was voted to amend the Zoning By-Law Map dated February 1, 1951, as amended by rezoning land on the southerly side of Main Street from a part Commercial District and a part Residential and Agricultural District to a Commercial II District, beginning at a point on the southerly side of Main Street, 50' east of Elm Street, thence running easterly along Main Street to Holliston Street, thence southerly along Holliston Street to land of Pepin to a point distant 50' westerly of Holliston, thence southerly and westerly to a point distant 50' easterly of Elm Street, thence northerly by a line parallel with Elm Street to Main Street and the point of beginning, all land as shown as "Proposed Commercial II" on a map dated November 30, 1965, and entitled "Proposed Re-Zoning, Main Street, Medway, Mass., Scale 1" equals 300', and compiled by the Medway Planning Board," which map is on file with the Town Clerk and is available for inspection, and to see if the Town will vote to amend the Protective Zoning By-Law, Section II thereof (use regulations) paragraph 2, by adding the following:

2. In Commercial II Districts, buildings, structures and premises may be used for any of the following purposes and uses customarily accessory thereto, but no others, subject to the regulations and conditions enumerated herein:

a. Church orother religious purpose or any educational purpose which is religious, sectarian, denominational or public.

b. Municipal, public utility, federal or state uses.

c. Building materials.

d. Salesroom for motor vehicles, trailers, boats, farm implements or machinery with repair services and storage permitted but not including auto body, welding, or soldering shop.

e. Greenhouse.

f. Undertaking establishments or funeral home.

g. Restaurant or other establishment providing food and beverages within a building.

h. Offices for business or professional use.

i. Bank or other financial institution.

j. Any of the following uses if authorized by special permit by the Board of Appeals:

1. Restaurant or other establishment providing food, beverages and live entertainment within a building.

2. Hotel or motel.

3. Commercial indoor amusement or recreation place,or place of assembly.

Permitted and allowable uses as enumerated above shall comply to the following dimensional regulations:

a. Minimum lot size: 20,000 square feet.

b. Maximum lot coverage, including accessory buildings: 30%.

c. Minimum front yard building setback 50 feet, of which the first 10 feet nearest the street line shall not be used for parking or storage of vehicles but shall be suitably landscaped, and the next 20 feet shall be utilized for through traffic to adjoining lots.

e. Minimum side yard and rear yard building setback: 25 feet, of which the first 10 feet nearest each lot line, if the adjacent use is residential in whole or in part, shall not be used for parking or storage of vehicles but shall be suitably landscaped.

f. Maximum height: 40 feet.

g. Off-street parking.

(1.) for every 200 square feet of gross floor area in offices for business or professional use, at least 1 off-street parking space.

(2.) For every 3 employees, at least 1 off-street parking space, and for each 3 seats in restaurants or other establishments providing food and beverages, at least 1 off-street parking space.

(3.) For every 25 square feet of gross floor area in drive-in or open air businesses, at least 1 off-street parking space.

(4.) For all other permitted uses, off-street parking as required by the Planning Board.

(5.) All off-street parking spaces shall be located on the same lot as the principal use they are intended to serve and each space shall consist of approximately 300 square feet of appropriate dimensions for the parking of an automobile, including maneuvering area and aisles.

ARTICLE 4. Voted: It was voted to adopt a Protective Zoning By-Law to read as follows:

"In all non-residential districts no Building or Use Permit shall be issued for the external enlargement or erection of a business or industrial building or for the establishment or expansion of a business or industrial use on a lot or tract of land until a site plan has been approved by the Planning Board. Said site plan shall show among other things all existing and proposed buildings, structures, parking spaces, driveways, service areas, and other open uses, facilities for sewerage, refuse and other waste disposal, and for surface water drainage, and all landscape features (such as fences, walls, planting areas and walks) on the lot."

"Any person desiring approval of a site plan under this paragraph shall submit said plan to the Planning Board. Within twenty days after receiving said plan the Planning Board shall either approve, conditionally approve, or disapprove said site plan. Failure of the Planning Board to act within this prescribed twenty day period shall constitute an "approval by default" of said site plan.

"No building permit shall be issued until the Planning Board shall approve or conditionally approve the site plan, or shall allow twenty days to elapse from the date of receipt of the same. The Planning Board shall have the power to modify or amend its approval of a site plan on application of the person owning or leasing the premises shown on such site plan; or, upon its own motion, in the event of changes in the physical condition of the site sufficient to justify such action within the intent of this subsection; and the foregoing provisions wherever apt shall be applicable to any modification or amendment of such plan.

In considering a site plan under this subsection, the Planning Board shall assure to a degree consistent with a reasonable use of the site for the purposes permitted by the regulations of the district in which it is located:

1. Protection of adjoining district against seriously detrimental or offensive uses on the site.

2. Convenience and safety of vehicular and pedestrian movement within the site and in relation to adjacent streets and land.

3. Adequacy of the methods of disposal for sewage, refuse and other waste resulting from the uses permitted on the site, and the methods of drainage for handling all surface water.

4. Provision for all street loading and unloading of vehicles incidental to the servicing of the buildings and related uses on the lot or tract."

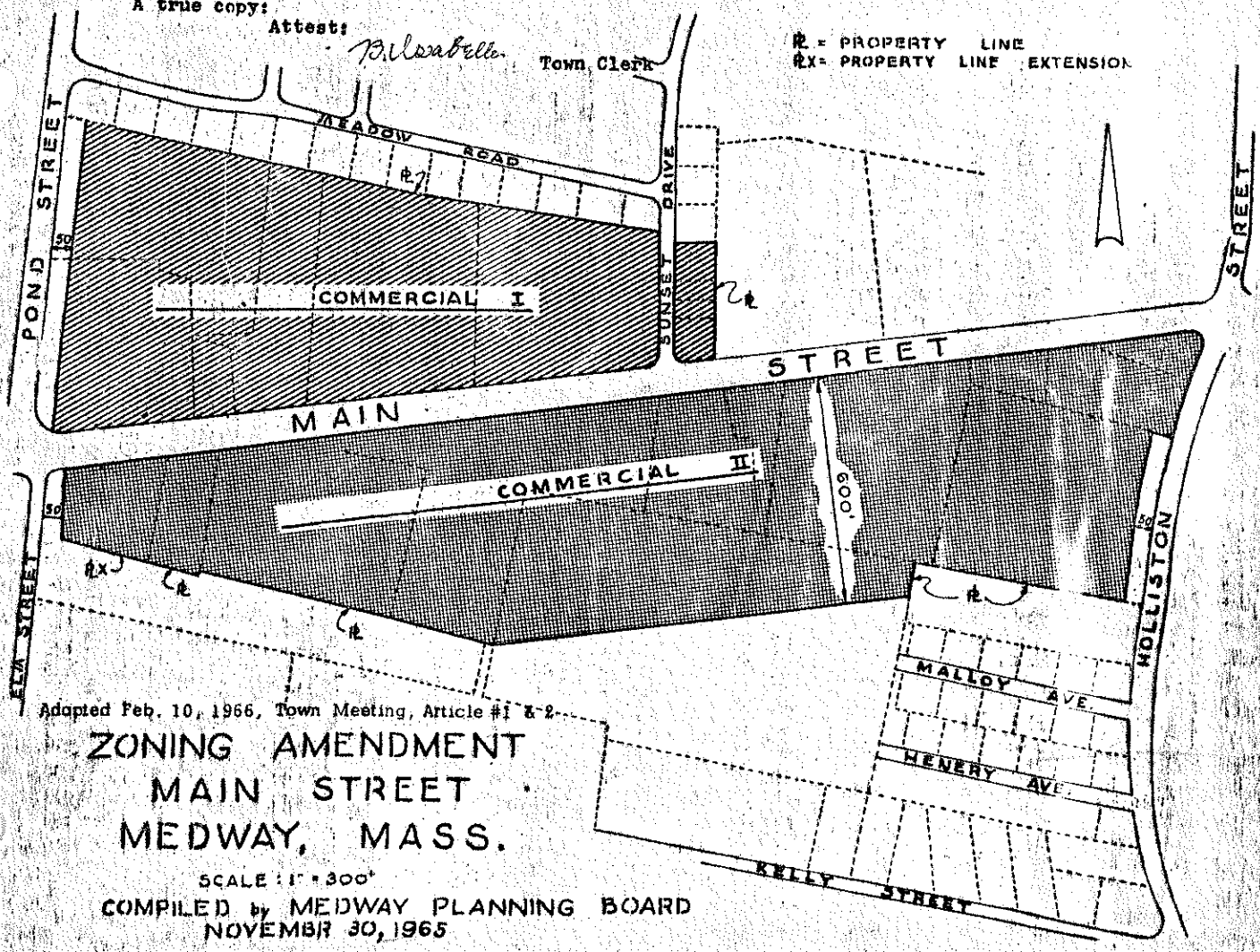
"Within fifteen days after the approval of said site plan a copy thereof bearing the approval of the Planning Board shall be filed in the office of the Town Clerk; and the plan as approved shall be carried into effect and completed by the applicant for such site plan approval or his assigns within one year of date of approval. The Planning Board may at the time of the approval of any site plan, or thereafter, upon an application therefore, grant such extensions of the time as it shall seem necessary to carry any site plan into effect; and the Planning Board shall certify to the Town Clerk that it has granted an extension of time and the date on which it shall expire."

"In an effort to maintain the New England town appearance on Main Street, Medway, it is requested that all new structure built in Commercial Districts I and II be of colonial design and sketches of said structures be submitted for architectural review by authorities appointed by the Selectmen of Medway."

The applicant shall have the same right of appeal under the provisions of this zoning by-law as any aggrieved person has from the decision of the Planning Board under the provisions of the Subdivision Control Law.

ARTICLE 5. Voted: It was voted to amend Section I, paragraph 1, subparagraph a., of the Protective Zoning By-Law dated February 1, 1951, as amended, as follows: (a) Commercial District to read (a) Commercial Districts, Commercial District I, Commercial District II.

A true copy:
Attest: B. Isabelle Town Clerk



Adopted Feb. 10, 1966, Town Meeting, Article #1 & 2

ZONING AMENDMENT
MAIN STREET
MEDWAY, MASS.

SCALE: 1" = 300'

COMPILED by MEDWAY PLANNING BOARD
NOVEMBR 30, 1965

APPENDIX B

RECODIFIED ZONING BY-LAW

MEDWAY PLANNING BOARD

MEDWAY, MASSACHUSETTS

The following 30 pages of this Appendix are the recodified Zoning By-Law as passed by the Medway Town Meeting on February 5, 1968.

CONTENTS

Subject	Page
I. Purpose	1
II. Definitions	1
III. Administration	4
A. The Planning Board	4
B. Permits	4
C. By-Law of Enforcement	4
D. Board of Appeals	4
E. Amendment	6
F. Repetitive Petitions	6
G. Validity	6
IV. Districts	7
V. Use Regulations	8
A. General Requirements	8
B. Area Standards	8
D. Non-Conforming Uses	12
E. Agricultural and Residential District I	12
F. Agricultural and Residential District II	15
G. Commercial District I	17
H. Commercial District II	19
I. Commercial District III	21
J. Commercial District IV	23
K. Industrial District I	25
L. Industrial District II	27
Zoning Map	29

ZONING BY-LAW

TOWN OF MEDWAY, MASSACHUSETTS

SECTION I

PURPOSE

To protect the health, safety, convenience, morals, and general welfare of the inhabitants of the Town of Medway, to lessen the danger from fire and congestion, and to improve the Town under the provisions of Chapter 40A of the General Laws, the use, construction, repair, alteration, and height of buildings and structures and the use of premises in the Town are hereby specified and regulated as hereinafter provided.

SECTION II

DEFINITIONS

In this by-law the following terms, unless a contrary meaning is required by the context or is specifically prescribed, shall have the following meanings:

1. Accessory Building or Use -- building or use customarily incidental to and located on the same lot with a principal building or use or on an adjoining lot under the same ownership.

2. Building -- an independent structure having a roof supported by columns or walls resting on its own foundations and designed for the shelter, housing, or enclosure of persons, animals, chattels, or property of any kind.

3. Dwelling -- a building or portion thereof designed exclusively for residential occupancy, including single-family, two-family, and

multiple-family dwellings, but not including hotels, motels, boarding houses, trailers, or structures solely for transient or over-night occupancy.

4. Dwelling Unit -- 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 eating.

5. Fur Animals -- animals usually kept and raised for the use and sale of their skins and fur.

6. Family -- 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.

7. Single-Family House -- a dwelling intended and designed to be occupied by a single family, but not including a trailer whether detached or attached to the ground.

8. Two-Family-House -- a dwelling intended and designed to be occupied by two families living independently in separate dwelling units.

9. Multifamily Dwelling or Apartment House -- a building intended and designed to be occupied by more than two families living independently in separate dwelling units.

10. Lot Line -- the established division line between lots or between a lot and the street.

11. Lot -- a single area of land in one ownership defined by bounds or boundary lines in a recorded deed or shown on a recorded plan.

12. Motel -- a building intended and designed solely for transient or over-night occupancy divided into separate units within the same building and with or without public dining room facilities.

13. One-Ownership -- an undivided ownership by one person or by several persons whether the tenure be joint, in common, or by entirety.

14. Premises -- a lot together with all buildings, structures, and uses thereon.

15. Recorded or of Record -- recorded or registered in the Norfolk County Registry of Deeds or a record title to a parcel of land disclosed by any or all pertinent public records.

16. Street -- public way established by or maintained under public authority or shown on a plan approved by the Planning Board.

17. Structure -- anything constructed or erected at a fixed location on the ground to give support or to provide shelter.

18. Public Utility -- a public service corporation, either private or municipal, supplying or transmitting gas, water, electricity, or communications to any or all members of the public and subject to Federal, State, or Town regulations by virtue of its natural or legal monopoly.

19. Trailer -- a vehicle without motive power designed to be drawn by a motor vehicle; used for living or sleeping purposes and standing on wheels or rigid supports.

20. Tourist Home -- a building of residential character with a resident family, offering lodging with or without meals to transients for compensation.

SECTION III

ADMINISTRATION

A. THE PLANNING BOARD

The Medway Zoning By-Law, prepared in accordance with the Zoning Enabling Act, Chapter 40A of the General Laws, adopted on February 1, 1951 by vote of a Town Meeting, and subsequently amended in accordance with Chapter 40A, shall be reviewed from time to time and, when appropriate, its further amendment shall be recommended by the Planning Board.

B. PERMITS

No building shall be erected or externally altered by increasing the exterior dimensions without a permit from the Building Inspector; and the Building Inspector shall withhold such permit until such erection or alteration is in conformity with this By-Law.

C. BY-LAW ENFORCEMENT

This By-Law shall be enforced by the Board of Selectmen.

Penalty -- Whoever violates any provision of this By-Law may be punished by a fine not to exceed $50 for each offense. Each day that any violation continues shall constitute a separate offense.

D. BOARD OF APPEALS

There shall be a Board of Appeals of three members and two associate members, appointed by the Board of Selectmen as provided in Chapter 40A of the General Laws, which shall act on all matters within its jurisdiction under this By-Law in the manner prescribed in Chapter 40A of the General Laws. The Board of Appeals shall have the following powers:

1. Appeals: To hear and decide on appeal taken by any person aggrieved by reason of his inability to obtain a permit from any administrative official under the provisions of Chapter 40A of the the General Laws or by any officer or board of the Town, or any person aggrieved by any order or decision of the Inspector of Buildings or other administrative official in violation of any provision of Chapter 40A of the General Laws, or of this By-Law.

2. Special Permits: To grant a special permit for an exception as provided by sections of this By-Law when it shall have found that the use involved will not be detrimental to the established or future character of the neighborhood and Town and subject to appropriate conditions or safeguards if deemed necessary.

3. Variances: To authorize, upon appeal or upon petition in cases where a particular use is sought for which no permit is required with respect to a particular parcel of land or to an existing building thereon, a variance from the terms of this By-Law where, owing to conditions especially affecting such parcel or such buildings but not affecting generally the zoning district in which it is located, a literal enforcement of the provisions of this By-Law would involve substantial hardship, financial or otherwise to the appellant, and where desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of this By-Law, but not otherwise.

E. AMENDMENT

This By-Law may be amended from time to time at an annual or special Town Meeting in accordance with the provisions of Section 6 of Chapter 40A of the General Laws.

F. REPETITIVE PETITIONS

No proposed by-law making a change in any existing zoning by-law which has been unfavorably acted upon by a Town Meeting shall be considered on its merits by a Town Meeting within 2 years after the date of such unfavorable action unless the adoption of such proposed by-law is recommended in the final report of the Planning Board required by Section 6 of Chapter 40A of the General Laws.

G. VALIDITY

The invalidity of any section or provision of this By-Law shall not invalidate any other section or provision thereof.

SECTION IV

DISTRICTS

For the purpose of this By-Law, the Town of Medway is hereby divided into the following districts:

Agricultural and Residential I

Agricultural and Residential II

Commercial I

Commercial II

Commercial III

Commercial IV

Commercial V

Commercial VI

Industrial I

Industrial II

Said districts are located as shown on the Protective Zoning By-Law Map dated September 23, 1966 and filed with the Town Clerk. The Zoning Map, with all explanatory matter thereon, is hereby made a part of this By-Law.

SECTION V

USE REGULATIONS

A. GENERAL REQUIREMENTS

The use of premises or the erection, reconstruction, alteration, or moving of buildings or structures in the Town of Medway shall be in conformity with the provisions of this By-Law. Any building, structure, or land shall be used only for a purpose or in a manner that is permitted within the district in which such building, structure, or land is located, or as set forth as permissible by special permit in said district and so authorized.

Any use not specifically authorized herein for such district shall be deemed prohibited. In accordance with Chapter 40A of the General Laws, this By-Law shall not prohibit or limit the use of land for any church or other religious purpose or for any educational purpose which is religious, sectarian, denominational, or public, or for any municipal purpose.

No automotive type of trailer, whether mobile or immobile, hereafter put in place upon any land within the Town shall be occupied for living or business purposes for a period exceeding 60 days in the aggregate in any 1 year. The Board of Appeals may permit the use of such a trailer, such permit to be issued for a period of not more than 1 year.

B. AREA STANDARDS

No land or building shall be used or occupied in any district in any manner which will produce a hazard or nuisance from fire, explosion, radioactivity, electrical disturbance, smoke, fly ash, dust, fumes, vapors, or other forms of air pollution, liquid or solid wastes,

vibration, noise, odors, or glare in a manner or amount as to affect the surrounding area. However, any use may be undertaken and maintained provided that it conforms to the use regulations schedule as applied to the district wherein the use is established and to the performance standards listed below:

1. The following performance standards shall apply to all districts and shall be determined at the location of use.

   a. Fire and Explosion Hazards. -- All activities and all storage of flammable and explosive materials, at any point, shall be provided with adequate fire-fighting and fire-suppression equipment and devices.

   b. Radioactivity or Electrical Disturbance.-- No activities which emit dangerous radioactivity at any point shall be permitted. No electrical disturbances (except from domestic household appliances and from communications equipment subject to control of the Federal Communications Commission or appropriate federal agencies) adversely affecting the operation at any point of any equipment other than that of the creator of such disturbance shall be permitted.

   c. Smoke.-- No emission of visible smoke of a shade darker than No. 2 on the Ringlemann Smoke Chart published by the U.S. Bureau of Mines shall be permitted.

   d. Fly Ash, Dust, Fumes, Vapors, Gases, Other Forms of Air Pollution.-- No emission which can cause damage to health, to animals or vegetation, or other forms of property, or which cause any excessive soiling at any point shall be permitted. In no event shall any emission from any chimney or otherwise of any solid or liquid particles in concentrations

(3) Gravel, loam, sand, or stone removal. No authorization by the Board of Appeals shall be required for the removal of such materials when incidental to the construction or alteration of buildings thereon for which a permit has been issued by the Board of Selectmen or to the construction of a street or way in a subdivision which has been approved by the Planning Board.

(4) The use of a room in a dwelling or accessory building for a customary home occupation.

2. Only single-family residences shall hereafter be erected in this district unless authorized by the Zoning Board of Appeals.

3. Any dwelling hereinafter erected in this district shall be located on a lot having a frontage of not less than 150 ft on a street or streets, and an area of not less than 22,500 sq ft, except that one dwelling may be erected on a lot having a lesser frontage and area where said lot existed at the time this By-Law was adopted and did not adjoin other land of the same owner available in connection with said lot.

4. All buildings shall extend no nearer to the street line than 35 ft, and shall be not less than 15 ft from the side lot lines and 15 ft from the rear lot line. The Board of Appeals may make exception to this upon appeal or written request if the setbacks of buildings on adjoining lots vary from this requirement.

5. Any building or structure erected, altered, or used for dwelling purposes shall provide not less than 768 sq ft of floor area; however, the Board of Appeals may issue a permit for

exceeding 0.3 grain per cubic foot of the conveying gas or air be permitted. For measurement of the amount of particles in gases resulting from combustion, standard corrections shall be applied to a stack temperature of 500°F and 50% excess air.

e. Liquid or Solid Waste.-- No discharge, at any point, into a private sewage disposal system, stream, or the ground, of any materials in such a way or of such a nature or temperature as can contaminate any running stream or water supply, or otherwise cause the emission of dangerous or objectionable elements, shall be permitted except in accord with standards approved by the Massachusetts Department of Public Health.

2. The following performance standards shall apply to all districts and shall be determined at the property line of the use.

a. Vibration. -- No vibration which is discernible to the human sense of feeling for 3 minutes or more in any one hour between 7 A.M. and 7 P.M. or of 30 seconds or more in any one hour from 7 P.M. to 7 A.M. shall be permitted. No vibration at any time shall produce an acceleration of more than 0.1g or shall result in any combination of amplitudes and frequencies beyond the "safe" range of Table 7, U. S. Bureau of Mines Bulletin No. 442.

b. Noise. -- Maximum permissible sound pressure levels -- measured at the property line nearest to the noise source -- for noise radiated continuously from the noise source between 10 P.M. and 7 A.M. shall be as follows:

Frequency Band (Cycles per Second)	Sound Pressure Level (Decibels RE 0.0002 Dyne/CM^2)
2 - 72	69
75 - 150	54
150 - 300	47
300 - 600	41
600 - 1,200	37
1,200 - 2,400	34
2,400 - 4,800	31
4,800 - 10,000	28

For noise levels between 7 A.M. and 10 P.M., and if the noise is not smooth and continuous, the following corrections shall be added to each of the decibel levels given above:

Daytime operation only	+5
Noise source operates less than 20% of any 1-hour period	+5

3. The following performance standards shall apply to all districts.

a. Odors. -- No emission of odorous gases or odoriferous matter in such quantities as to be offensive shall be permitted. Any process which may involve the creation and/or emission of any odors shall be provided with a secondary safe-guard system. No objectionable odor greater than that caused by 0.001201 oz. per thousand cubic feet of hydrogen sulfide or any odor threshold as defined in Table III in Chapter 5 of "AIR POLLUTION ABATEMENT MANUAL" (copyright 1951 by Manufacturing Chemists Assoc., Inc., Washington, D.C.) shall be permitted.

b. Glare.-- No direct or sky-reflected glare, whether from floodlights or from high-temperature processes such as combustion or welding shall be permitted.

D. NON-CONFORMING USES

1. Any lawful building or structure or use of a building, structure or premises existing at the time this By-Law is adopted, even if not in conformity with its provisions may be continued, rebuilt if damaged or destroyed and, if authorized by the Board of Appeals, may be enlarged or changed to a specific new use.
2. Abandonment. -- All non-conforming horticultural, and floricultural uses which have been abandoned or discontinued for more than 5 years shall not be reestablished. All other nonconforming uses except agricultural which have been abandoned or discontinued for more than 2 years shall not be reestablished. In either case, any future use shall be in conformity with this By-Law.
3. Changes. -- Once changed to a conforming use, no structure or land shall be permitted to revert to a non-conforming use without obtaining a variance from the Zoning Board of Appeals.

E. AGRICULTURAL AND RESIDENTIAL DISTRICT I

1. Buildings, structures, and premises may be used for lawful residential, municipal, religious, educational, or nonprofit recreational purposes, for any agricultural use, except piggeries and fur farms, and for uses customarily accessory thereto, and for the following commercial purposes but no others:

a. The display and sale at a roadside stand or otherwise of

natural products, the major portion of which are raised on the premises of the owner.

b. The office of a doctor or dentist or other member of a recognized profession residing on the premises, providing there is no display or advertising except for permitted signs.

c. The display of not more than two signs pertaining to a permitted use, with a total area of not more than 12 sq ft.

d. Any of the following uses, provided it is not injurious, noxious, or offensive and only if authorized by the Board of Appeals subject to appropriate conditions where such are deemed necessary to protect the Town:

(1) Greenhouse or sawmill.

(2) Aviation field, golf course, boathouse, livery riding stable, or ski tow.

(3) Gravel, loam, sand, or stone removal. No authorization by the Board of Appeals shall be required when the removal of such materials is incidental to the construction or alteration of buildings thereon for which a permit has been issued by the Board of Selectmen or to the construction of a street or way in a subdivision which has been approved by the Planning Board.

(4) Veterinary hospital.

(5) The use of a room in a dwelling or accessory building for a customary home occupation.

(6) Any other use determined by the Board of Appeals to be similar to one or more of the uses specifically authorized and not detrimental to a neighborhood.

2. Only single-family residences shall hereafter be erected in this district unless otherwise authorized by the Zoning Board of Appeals.

3. Any dwelling hereafter erected in this district, indicated on the Zoning By-Law Map dated September 23, 1966, shall be located on a lot having a continuous frontage of not less than 180 ft on a street or streets, and an area of not less than 44,000 sq ft, except that one single-family dwelling may be erected on a lot having a lesser frontage and area where said lot existed at the time this By-Law was adopted and did not adjoin other land of the same owner available for use in connection with said lot.

4. All buildings shall extend no nearer to the street line than 35 ft, and shall be not less than 15 ft from the side lot lines and 15 ft from the rear lot line. The Board of Appeals may make exception to this upon appeal or written request if the setbacks of buildings on adjoining lots vary from this requirement.

5. Any building or structure erected, altered, or used for dwelling purposes shall provide not less than 768 sq ft of floor area; however, the Board of Appeals may issue a permit of temporary occupancy of a building or structure having less than the above area, such permit to be issued for an initial period of not more than 1 year. Such permits may be renewed by the Board of Appeals for successive periods of not more than 6 months each.

6. No person shall sell or convey a portion of his land whereby the remaining land shall become non-conforming. A lot or parcel of land containing two or more dwellings at the time of the adoption of this By-Law, which cannot be divided in conformity with these

requirements may, under a special permit of the Board of Appeals, be divided in a manner complying as closely as possible with these requirements.

F. AGRICULTURAL AND RESIDENTIAL DISTRICT II

1. Buildings, structures and premises may be used for lawful residential, municipal, religious, educational, or nonprofit recreational purposes, for any agricultural use except piggeries and fur farms, and for uses customarily accessory thereto, except that livestock and poultry are prohibited on premises having a total land area less than 44,000 sq ft, and for the following purposes but no others:

   a. The display and sale at a roadside stand or otherwise of natural products, the major portion of which are raised on the premises of the owner.

   b. The office of a doctor or dentist or other member of a recognized profession residing on the premises, providing there is no display or advertising except for permitted signs.

   c. The display of not more than two signs pertaining to a permitted use, with a total area of not more than 12 sq ft.

   d. Any of the following other uses, provided it is not injurious, noxious, or offensive and only if authorized by the Board of Appeals subject to appropriate conditions where such are deemed necessary to protect the Town.

      (1) Greenhouse.

      (2) Aviation field, golf course, boat house, livery riding stable, or ski tow.

temporary occupancy of a building or structure having less than the above area, such permit to be issued for an initial period of not more than 1 year. Such permits may be renewed by the Board of Appeals for successive periods of not more than 6 months each.

6. No person shall sell or convey a portion of his land whereby the remaining land shall become non-conforming. A lot or parcel of land containing two or more dwellings at the time of the adoption of this By-Law, which cannot be divided in conformity with these requirements may, under a special permit of the Board of Appeals, be divided in a manner complying as closely as possible with these requirements.

G. COMMERCIAL DISTRICT I

1. Buildings, structures, and premises may be used for any of the following purposes and uses customarily accessory thereto but no others, subject to the regulations and conditions enumerated herein:

   a. Municipal, public utility, federal, or state use.

   b. Retail stores, the primary function of which is the distribution of merchandise to the general public, and the merchandise offered for sale by the retail store in this district shall be stocked and displayed within the building.

   c. Not more than two signs other than those which are part of the architectural design of a building or structure shall be permitted.

   d. Any of the following uses if authorized by special permit by the Board of Appeals:

(1) Restaurant or other establishment providing food and beverages within a building.

(2) Offices for business or professional use.

2. Permitted and allowable uses shall comply with the following dimensional regulations:

a. Minimum lot size: 20,000 sq ft

b. Maximum lot coverage, including accessory buildings: 30%

c. Minimum lot width: 100 ft

d. Minimum front yard setback: 50 ft, of which the first 10 ft nearest the street line shall not be used for the parking or storage of vehicles but shall be suitably landscaped, and the next 20 ft shall be utilized for through-traffic to adjoining lots.

e. Minimum side yard and rear yard setback: 25 ft, of which the first 10 ft nearest each lot line, if the adjacent use is residential in whole or in part, shall not be used for the parking or storage of vehicles but shall be suitably landscaped.

f. Maximum building height: 40 ft

g. Off-street parking:

(1) For every 200 sq ft of gross floor space, at least one off-street parking space.

(2) For every three employees, at least one off-street parking space, and for each three seats in restaurants or other establishments providing food and beverages, at least one off-street parking space.

(3) For all other permitted uses, off-street parking as required by the Planning Board.

(4) All off-street parking space shall be located on the same lot as the principal use they are intended to service and each space shall consist of approximately 300 sq ft of appropriate dimensions for the parking of an automobile, including maneuvering area and aisles.

H. COMMERCIAL DISTRICT II

1. Buildings, structures, and premises may be used for any of the following purposes and uses customarily accessory thereto but no others, subject to the regulations and conditions enumerated herein:

a. Church or other religious purpose or any educational purpose which is religious, sectarian, denominational or public.

b. Municipal, public utility, federal, or state use.

c. Sales and storage of building materials.

d. Salesroom for motor vehicles, trailers, boats, farm implements or machinery with repair services and storage permitted but not including auto body, welding, or soldering shops.

e. Greenhouse.

f. Undertaking establishment or funeral home.

g. Restaurant or other establishment providing food and beverages within a building.

h. Offices for business or professional use.

i. Bank or other financial institution.

j. Any of the following uses if authorized by special permit from the Board of Appeals:

(1) Restaurant or other establishment providing food, beverages, and live entertainment within a building.

(2) Motel or hotel.

(3) Commercial indoor amusement or recreation place, or place of assembly.

2. Permitted and allowable uses pertaining to this district shall comply with the following dimensional regulations.

a. Minimum lot size: 20,000 sq ft

b. Maximum lot coverage, including accessory buildings: 30%

c. Minimum lot width: 100 ft

d. Minimum front yard building setback: 50 ft, of which the first 10 ft nearest the street line shall not be used for the parking or storage of vehicles but shall be suitably landscaped, and the next 20 ft shall be utilized for through-traffic to adjoining lots.

e. Minimum side yard and rear yard building setbacks: 25 ft of which the first 10 ft nearest each lot line, if the adjacent use is residential in whole or in part, shall not be used for the parking or storage of vehicles but shall be suitably landscaped.

f. Maximum building height: 40 ft

g. Off-street parking:

(1) For every 200 sq ft of gross floor area in offices for business or professional use, at least one off-street parking space.

(2) For every three employees, and for each three seats in restaurants or other establishments providing food and beverages, at least one off-street parking space.

(3) For all other permitted uses, off-street parking as required by the Planning Board.

(4) All off-street parking spaces shall be located on the same lot as the principal use they are intended to service and each space shall consist of approximately 300 ft of appropriate dimensions for the parking of an automobile, including maneuvering area and aisles.

I. COMMERCIAL DISTRICT III

1. Buildings, structures, and premises may be used for any of the following purposes and uses customarily accessory thereto but no others, subject to the regulations and conditions enumerated herein:

a. Municipal, public utility, federal, or state use.

b. Retail stores, the primary function of which is the distribution of merchandise to the general public; and the merchandise offered for sale by the retail store in this district shall be stocked and displayed within the building.

c. Bank or financial institution.

d. Restaurant or other establishment providing food and beverages within a building.

e. Offices for business or professional use.

f. Undertaking establishment or funeral home.

2. Not more than two signs other than those which are part of the architectural design of a building or structure shall be permitted.

3. No dwellings other than single-family residences may hereafter be erected in this district.

4. Permitted and allowable uses pertaining to this district shall comply with the following dimensional regulations.

   a. Minimum lot size: 20,000 sq ft

   b. Maximum lot coverage, including accessory buildings: 30%

   c. Minimum lot width: 100 ft

   d. Minimum front yard setback from street line for any building or structure hereinafter erected including roadside stands or accessory buildings shall be 35 ft. The Board of Appeals may make exception to this upon appeal or written request if the setbacks of buildings on adjoining lots vary from this requirement.

   e. Minimum side yard and rear yard setback shall be 15 ft of which the first 10 ft nearest each lot line, if the adjacent use is residential in whole or in part, shall not be used for the parking or storage of vehicles but shall be suitably landscaped.

   f. Maximum building height: 40 ft

   g. Off-street parking:

      For every 300 sq ft of gross floor space, at least one offstreet parking space.

J. COMMERCIAL DISTRICT IV

1. Buildings, structures, and premises may be used for any of the following purposes and uses customarily accessory thereto but no others, subject to the regulations and conditions enumerated herein:
   a. Municipal, public utility, federal, or state use.
   b. Retail stores, the primary function of which is the distribution of merchandise to the general public; and the merchandise offered for sale by the retail store in this district shall be stocked and displayed within the building.
   c. Bank or other financial institution.
   d. Restaurant or other establishment providing food and beverages within a building.
   e. Offices for business or professional use.
   f. Undertaking establishment or funeral home.
2. Not more than two signs other than those which are part of the architectural design of a building or structure shall be permitted.
3. No dwellings other than single-family residences may hereafter be erected in this district.
4. Permitted and allowable uses pertaining to this district shall comply with the following dimensional regulations.
   a. Minimum lot size: 20,000 sq ft.
   b. Maximum lot coverage, including accessory buildings: 30%
   c. Minimum lot width: 100 ft
   d. Minimum front yard set-back from street line for any building or structure including roadside stands and accessory buildings hereafter erected shall be 35 ft. The Board of Appeals may make exception to this upon appeal or written request if the setbacks of buildings on adjoining lots vary from this requirement.

e. Minimum side and rear yard setbacks: 15 ft of which the first 10 ft nearest each lot line, if the adjacent use is residential in whole or in part, shall not be used for the parking or storage of vehicles but shall be suitably landscaped.

f. Maximum building height: 40 ft

g. Off-street parking:

For every 300 sq ft of gross floor space, at least one off-street parking space.

K. INDUSTRIAL DISTRICT I

1. Buildings, structures, and premises may be used for any of the following purposes and uses customarily accessory thereto but no others, subject to the regulations and conditions enumerated herein:

   a. Municipal, public utility, federal, or state use.

   b. Churches and other religious institutions.

   c. Schools, colleges, and dormitories accessory thereto.

   d. Wholesale offices or showrooms including indoor warehouse facilities.

   e. General industrial uses including manufacturing, storage, processing, fabrication, packaging and assembly, except the following:

      (1) Abattoir and commercial slaughtering.

      (2) Manufacturing of corrosive, poisonous or malodorous acids and chemicals.

      (3) Cement, lime, gypsum, and plaster of paris manufacture.

      (4) Fertilizer manufacture or fat rendering in manufacture of tallow, grease, and oils.

      (5) Glue, size, and gelatin manufacture.

      (6) Petroleum and kerosene refining or distillation and derivation of by-products.

      (7) Manufacture of explosives and the storage of explosives in bulk.

      (8) Smelting and reduction of copper, tin, zinc, and iron ores.

(9) A yard for the storage or sale of used building or junk material.

(10) Asphalt plants.

2. Permitted and allowable uses pertaining to this district shall comply with the following dimensional regulations.

a. Minimum lot size: 20,000 sq ft

b. Maximum lot coverage, including accessory buildings: 40%

c. Minimum lot width: 100 ft

d. Minimum front and rear yard set-backs: 30 ft

e. Minimum side yard set-back: 20 ft

f. Maximum height: 40 ft

g. Off-street parking requirements: one space for each two persons employed or anticipated to be employed on the largest shift for all types of permitted industrial buildings and one additional space for each 1000 sq ft of floor space. Adequate docking space shall be provided so that no loading or unloading operation shall take place from any public or private way.

h. A green belt not less than 30 ft wide shall be provided adjacent to residential district boundary lines, in a manner which will best shield said residential district. For the purpose of this section, a green belt is defined as a protective screen which shall be planted and maintained with evergreen trees or shrubs, not more than 15 ft apart or less than 6 ft high at the time of planting.

L. INDUSTRIAL DISTRICT II

1. Buildings, structures, and premises may be used for any of the following purposes and uses customarily accessory thereto but no others, subject to the regulations and conditions enumerated herein:

   a. Municipal, public utility, federal, or state use.

   b. Churches and other religious institutions.

   c. Schools, colleges, and dormitories accessory thereto.

   d. Wholesale offices or showrooms including indoor warehouse facilities.

   e. General industrial uses including manufacturing, storage, processing, fabrication, packaging and assembly, except the following:

      (1) Abattoir and commercial slaughtering.

      (2) Manufacturing of corrosive, poisonous or malodorous acids and chemicals.

      (3) Cement, lime, gypsum, and plaster of paris manufacture.

      (4) Fertilizer manufacture or fat rendering in manufacture of tallow, grease, and oils.

      (5) Glue, size, and gelatin manufacture.

      (6) Petroleum and kerosene refining or distillation and derivation of by-products.

      (7) Manufacture of explosives and the storage of explosives in bulk.

      (8) Smelting and reduction of copper, tin, zinc, and iron ores.

(9) A yard for the storage or sale of used building or junk material.

(10) Asphalt plants.

2. Permitted and allowable uses, pertaining to this district shall comply with the following dimensional regulations.

a. Minimum lot size: 20,000 sq ft

b. Maximum lot coverage, including accessory buildings: 40%

c. Minimum lot width: 100 ft

d. Minimum front and rear yard set-backs: 30 ft

e. Minimum side yard set-back: 20 ft

f. Maximum height of buildings: 40 ft

g. Off-street parking requirements: one space for each two persons employed or anticipated to be employed on the largest shift for all types of permitted industrial buildings and one additional space for each 1000 sq ft of floor space. Adequate docking space shall be provided so that no loading or unloading operation shall take place from any public or private way.

h. A green belt not less than 30 ft wide shall be provided adjacent to residential district boundary lines, in a manner which will best shield said residential district. For the purpose of this section, a green belt is defined as a protective screen which shall be planted and maintained in evergreen trees or shrubs, not more than 15 ft apart or less than 6 ft high at the time of planting.

RULES and REGULATIONS

GOVERNING

SUBDIVISION OF LAND

MEDWAY, MASSACHUSETTS

(Adopted under The Subdivision Control Law

Sections 81-K to 81-GG inclusive, Chapter 41, G. L.)

1958

Village Press, West Medway, Mass.

FORM B

Application Form

Mass.

19

To the Planning Board:

The undersigned desires to subdivide his property located in the town of Medway in accordance with the accompanying Plat.

1. Name of Subdivider
   Address
2. Name of Designer or Surveyor
   Address
5. Deed of property recorded in County Registry
   libro page
4. Location of property (bounds)

Received by Town of Medway Planning Board

Date

Signature of Planning Board

1 4

2 5

3

Signature of Owner

Address

PURPOSE (Section 81-M of Chapter 41, G. L.)

"The subdivision control law has been enacted for the purpose of protecting the safety, convenience and welfare of the inhabitants of the cities and towns in which it is, or may hereafter be, put in effect by regulating the laying out and construction of ways in subdivisions providing access to the several lots therein, but which have not become public ways, and ensuring sanitary conditions in subdivisions and in proper cases parks and open areas. The powers of a planning board and of a board of appeal under the subdivision control law shall be exercised with due regard for the provision of adequate access to all of the lots in a subdivision by ways that will be safe and convenient for travel; for lessening congestion in such ways and in the adjacent public ways; for reducing danger to life and limb in the operation of motor vehicles; for securing safety in the case of fire, flood, panic and other emergencies; for insuring compliance with the applicable zoning ordinances or by-laws; for securing adequate provision for water, sewerage, drainage and other requirements where necessary in a subdivision; and for co-ordinating the ways in a subdivision with each other and with the public ways in the city or town in which it is located and with the ways in neighboring subdivisions."

SECTION I. AUTHORITY

Under the authority vested in the Planning Board of the Town of Medway by Section 81-Q of Chapter 41 of the General Laws, said Board hereby adopts these rules and regulations governing the subdivision of land in the Town of Medway. Such rules and regulations shall be effective on and after the sixteenth day of January 1958.

SECTION II. GENERAL

A. Definitions

"Subdivision" shall mean the division of a tract of land into two or more lots and shall include re-subdivision, and, when appropriate to the context, shall relate to the process of subdivision or the land or territory subdivided; provided, however, that the division of

a tract of land into two or more lots shall not be deemed to constitute a subdivision within the meaning of the subdivision control law if, at the time when it is made, every lot within the tract so divided has frontage on (a) a public way, or (b) a way shown on a plan theretofore approved in accordance with the subdivision control law, or (c) a way in existence when the subdivision control law became effective in city or town in which the land lies, having in the opinion of the planning board, sufficient width, suitable grades and adequate construction to provide for the needs of vehicular traffic in relation to the proposed use of the land abutting thereon or served thereby, and for the installation of municipal services to serve such land and the buildings erected or to be erected thereon.

"Board" shall mean the Planning Board of the Town of Medway

B. Plan Believed Not to Require Approval

Any person who wishes to cause to be recorded in the Registry of Deeds or to be filed with the Land Court a plan of land and who believes that his plan does not require approval under the Subdivision Control Law, may submit his plan and application Form A (see Appendix) to the Planning Board accompanied by the necessary evidence to show that the plan does not require approval. Said person shall file, by delivery or registered mail, a notice with the Town Clerk stating the date of submission for such determination and accompanied by a copy of said application.

If the Board determines that the plan does not require approval, it shall without a public hearing and within fourteen days of submission endorse on the plan the words "Planning Board approval under Subdivision Control Law not required." Said plan shall be returned to the applicant and the Board shall notify the Town Clerk of its action. Two copies of said plans shall be left with the Planning Board.

If the Board determines that the plan does require approval under the Subdivision Control Law, it shall within fourteen days of submission of said plan so inform the applicant and return the plan. The Board shall also notify the Town Clerk of its determination.

C. Subdivision

No person shall make a subdivision within the meaning of the Subdivision Control Law of any land within the Town of Medway or proceed with the improvement or sale of lots in a subdivision, or the construction of ways, or the installation of municipal services therein, unless and until a Definitive Plan of such subdivision has been submitted to and approved by the Planning Board as hereinafter provided.

SECTION III. PROCEDURE FOR THE SUBDIVISION AND APPROVAL OF PLANS

A. Preliminary Plan

1. *General*

A Preliminary Plan of a subdivision may be submitted by the subdivider for discussion and tentative approval by the Board. The submission of such a Preliminary Plan will enable the subdivider, the Board, other municipal agencies and owners of property abutting the subdivision to discuss and clarify the problems of such subdivision before a Definitive Plan is prepared. Therefore, it is strongly recommended that a Preliminary Plan be filed in every case.

2. *Contents*

The Preliminary Plan may be drawn on tracing paper with pencil at a suitable scale and (two) prints shall be filed at the office of the Board. Said Preliminary Plan should show sufficient information about the subdivision to form a clear basis for discussion of its problems and for the preparation of the Definitive Plan. Such information will include major site features such as existing stone walls, fences, buildings, large trees, rock ridges and outcroppings, swamps and water bodies, and existing topography as required, together with the information required by items "A" to "D", inclusive, of the Contents of Definitive Plan (Section III-B-2). During discussion of the Preliminary Plan the complete information required for the Definitive Plan (Section II-B-2 Contents) and the financial arrangements (Section III-B-3 Performance Guarantee) will be developed.

3. *Tentative Approval*

The Planning Board may give such Preliminary Plan its tentative approval, with or without modification. Such tentative approval does not constitute approval of a subdivision but does facilitate the procedure in securing final approval of the Definitive Plan.

B. Definitive Plan

1. *General*

Any person who submits a Definitive Plan of a subdivision to the Planning Board for approval shall file with the Board the following:

a. An original drawing of the Definitive Plan and (three) contact prints thereof, dark line on white background. The original drawing will be returned after approval or disapproval.

b. A properly executed application Form B (see Appendix).

c. A deposit of $25.00 to cover the cost of advertising and notices. The applicant shall file by delivery or registered mail a notice with the Town Clerk stating the date of submission for such approval and accompanied by a copy of the completed application (Form B).

2. *Contents*

The Definitive Plan shall be prepared by an engineer or surveyor and shall be clearly and legibly drawn in black India ink upon tracing cloth. The plan shall be at a scale of one inch equals (forty feet or such other scale as the Board may accept to show details clearly and adequately. Sheet sizes shall preferably not exceed 24" x 36". If multiple sheets are used, they shall be accompanied by an index sheet showing the entire subdivision. The Definitive Plan shall contain the following information:

a. Subdivision name, boundaries, north point, date and scale.

b. Name and address of record owner, subdivider and engineer or surveyor.

c. Names of all abuttors as they appear in the most recent tax list.

d. Existing and proposed lines of streets, ways, lots, easements and public or common areas within the subdivision. (The proposed names of proposed streets shall be shown in pencil until they have been approved by the Board.

e. Sufficient data to determine the location, direction and length of every street and way line, lot line and boundary line, and to establish these lines of the ground.

f. Location of all permanent monuments properly identified as to whether existing or proposed.

g. Location, names and present widths of streets bounding, approaching or within reasonable proximity of the subdivision.

h. Suitable space to record the action of the Board and the signatures of the members of the Board.

i. Existing and proposed topography at a suitable contour interval as required by the Board.

j. Profiles on the exterior lines of proposed streets at a horizontal scale of one inch equals forty feet and vertical scale of one inch equals four feet, or such other scales acceptable to the Board. All elevations shall refer to the town datum.

k. Proposed layout of storm drainage, water supply and sewage disposal systems.

3. *Performance Guarantee*

a. Final approval with bonds or surety.

Before approval of a Definitive Plan of a subdivision, the subdivider shall either file a performance bond or deposit money or negotiable securities in an amount determined by the Board to be sufficient to cover the cost of all or any part of the improvements specified in Section V, or follow the procedure outlined in "b" below. Such bond or security if filed or deposited shall be approved as to form and manner of execution by the Town Counsel and as to sureties by the Selectmen, and shall be contingent on the completion of such improvements within two years of the date of the bond.

b. Final approval with conditions.

Instead of filing a bond or depositing surety, the subdivider may request approval of his Definitive Plan on condition that no lot in the subdivision shall be sold and no building shall be erected thereon until the improvements specified in Section V are constructed and installed so as to serve the lots adequately. Such conditions shall be endorsed upon the plan or contained in a separate vote or agreement which shall be referred to on the plan and recorded in the Registry of Deeds. When the subdivider has completed the required improvements specified in Section V for any lots in a subdivision, he may request a Release of Condi-

tions for said lots. If the improvements have been completed to the satisfaction of the Board, the Board will then execute and deliver to the subdivider such Release, which shall be in form for recording in the Registry of Deeds. Thereafter the conditions relating to such lots and so released shall terminate.

4. *Review by Board of Health as to Suitability of the Land*

The Planning Board shall within ten days after submission of a plan to it consult with the Board of Health. If the Board of Health is in doubt as to whether any of the land in the subdivision can be used as building sites without injury to the public health, it shall so notify the Planning Board in writing within thirty days. Any approval of the plan by the Planning Board shall then only be given on condition that the lots or land as to which such doubt exists shall not be built upon without prior consent of the Board of Health, and shall endorse on the plan such condition, specifying the lots of land to which said condition applies.

5. *Public Hearing*

Before approval of the Definitive Plan is given, a public hearing shall be held by the Planning Board. Notice of such hearing shall be given by the Board at the expense of the applicant at least ten days prior thereto by advertisement two times in a newspaper of general circulation in the Town of Medway. A copy of said notice shall be mailed to the applicant and to all owners of land abutting upon the subdivision as appearing in the most recent tax list.

6. *Certificate of Approval*

The action of the Board in respect to such plan shall be by vote, copies of which shall be certified and filed with the Town Clerk and sent by delivery or registered mail to the applicant. If the Board modifies or disapproves such plan, it shall state in its vote the reasons for its action. Final approval, if granted, shall be endorsed on the original drawing of the Definitive Plan by the signatures of a majority of the Board, but not until the statutory twenty day appeal period has elapsed following the filing of the certificate of the action of the Board with the Town Clerk and said Clerk has notified the Board that no appeal has been filed. After the Definitive Plan has been approved and endorsed, the applicant shall furnish the Board with one print thereof. Final approval of the Definitive Plan does not constitute the laying out or acceptance by the town of streets within a subdivision.

SECTION IV. DESIGN STANDARDS

A. Streets

1. *Location and alignment*

a. All streets in the subdivision shall be designed so that in the opinion of the Board, they will provide safe vehicular travel. Due consideration shall also be given by the subdivider to the attractiveness of the street layout in order to obtain the maximum livability and amenity of the subdivision.

b. Provision satisfactory to the Board shall be made for continuity and alignment with existing streets as far as practicable for the proper projection of streets; or for access to adjoining property which is not yet subdivided.

c. Reserve strips prohibiting access to streets or adjoining property shall not be permitted, except where in the opinion of the Board, such strips shall be in the public interest.

d. Street jogs with centerline offsets of less than one hundred and twenty-five (125) feet should be avoided.

e. The minimum centerline radii of curved streets shall be one hundred (100) feet. Greater radii may be required for principal streets.

f. Streets shall be laid out so as to intersect as nearly as possible at right angles. No street shall intersect any other street at less than sixty degrees.

g. Property lines at street intersections shall be rounded or cut back to provide for a curb radius of not less than twenty (20) feet.

2. *Width*

a. The minimum width of street rights-of-way shall be fifty (50) feet provided that the Board in its discretion may approve a width of not less than forty feet. Greater width shall be required by the Board when deemed necessary for present and future vehicular travel.

3. *Grade*

a. Grades of streets shall be not less than 0.5%. Grades shall not

be more than 6.0% for principal streets nor more than 12.0% for secondary streets.

4. *Dead-end Streets*

a. Dead-end streets shall not be longer than one hundred (100) feet unless, in the opinion of the Board, a greater length is necessitated by topography or other local conditions.

b. Dead-end streets shall be provided at the closed end with a turn-around having a roadway center line diameter of at least 100 feet, and a property line diameter of at least 150 feet.

5. *Street names*

No street shall be given a name already borne by an existing street in the Town of Medway.

B. Easements

1. Easements for utilities across lots or centered on rear or side lot lines shall be provided where necessary and shall be at least 12 feet wide.

2. Where a subdivision is traversed by a water course, drainage way, channel or stream, the Board may require that there be provided a storm water easement or drainage right-of-way of adequate width to conform substantially to the lines of such water course, drainage way, channel or stream, and to provide for construction or other necessary purposes.

C. Open Spaces

Before approval of a plan the Board may also in proper cases require the plan to show a park or parks suitably located for playground or recreation purposes or for providing light and air. The park or parks shall not be unreasonable in area in relation to the land being subdivided and to the prospective uses of such land. The Board may by appropriate endorsement on the plan require that no building be erected upon such park or parks without its approval for a period of three (3) years.

D. Protection of Natural Features

Due regard shall be shown for all natural features, such as large trees, water courses, scenic points, historic spots, and similar community assets, which, if preserved, will add attractiveness and value to the subdivision.

SECTION V. REQUIRED IMPROVEMENTS FOR AN APPROVED SUBDIVISION

A. Street and Roadway

1. The entire area of each street or way shall be cleared of all stumps, brush, roots, boulders, like materials and all trees not intended for preservation.

2. All loam and other yielding material shall be removed from the roadway area of each street or way and replaced with suitable material.

3. The center of said traveled way shall coincide with the center of the full right of way insofar as possible, and in no event shall it vary by more than four feet in either direction. Said way shall be bordered by shoulders.

4. Each street shall be brought to a finish grade as indicated on the final plan and profile, to a width of not less than twenty-six (26) feet, with the top 12 inches of said traveled way consisting of good binding gravel or better, applied in two layers of not less than six inches each, with each layer wet and rolled with a roller having a compaction weight of not less than 220 pounds per square inch.

5. The completed gravel surface shall be treated for the full width of the roadway with one application of asphalt or tar as specified by the Medway Highway Department at the rate of one (1) gallon per square yard or area of roadway. After being subjected to traffic for a period of at least thirty days, a second application at the rate of one quarter (¼) gallon per square yard shall be used as a seal coat. The initial and seal applications shall each be covered with sand evenly distributed. Each application must be under the supervision and approval of the Highway Supervisor of the Town of Medway.

B. Utilities

1. Suitable provisions must be made in the plan for a drainage system for the disposal of all surface water. In no case shall

less than 12 inch pipe be used for surface water drainage. Manholes shall be provided not over 400 feet apart and at every change in direction, and the drain between manholes shall be laid in straight lines. Maximum spacing of catch basins shall be 300 feet unless otherwise approved by the Planning Board. Catch basins shall not be less than 4 feet in diameter at a point 2½ feet below the bottom of the frame, and shall not be less than 3 feet in depth, measuring from the invert on the outlet pipe.

2. Water pipes and related equipment, such as hydrants and main shut-off valves shall be constructed to serve all lots on each street in the subdivision in conformity with specifications of the Medway Water Board.

C. Sidewalks

Sidewalks of not less than four feet in width shall be constructed on both sides of the street in conformity with specifications of the Highway Department when, in the opinion of the Board, such sidewalks are necessary.

D. Monuments

Monuments shall be installed at all street intersections, at all points of change in direction or curvature of streets and at other points where, in the opinion of the Board, permanent monuments are necessary. Such monuments shall be 6″ x 6″ x 42″ with finished top and drill hole in the center. No permanent monuments shall be installed until all construction which would destroy or disturb the monuments is completed.

SECTION VI. ADMINISTRATION

A. Variation

Strict compliance with the requirements of these rules and regulations may be waived when, in the judgment of the Board such action is in the public interest and not inconsistent with the Subdivision Control Law.

B. Reference

For matters not covered by these rules and regulations, reference is made to Sections 81-K to 81-GG, inclusive, of Chapter 41 of the General Laws.