

July 20, 2022

Town of Medway  
Planning and Economic Board  
155 Village Street  
Medway, MA 02053

RE: Application for Special Permit

Applicant: Volta Charging, LLC (“Volta” or the “Applicant”)

Site: Medway Commons Plaza, Shaw’s Parking Lot at 65 Main Street  
(Assessor’s Parcels 41-023 and 41-024)

Zoning District: Central Business

Owner: Hidden Acres Realty I, LLC (c/o Shaws, Inc.)

Relief Requested: Special Permit pursuant to: Sections 3.4 and 5.4.2 of the Town of Medway Zoning Bylaw (hereinafter, the “Bylaw”); and Minor Site Plan Review pursuant to Section 3.5.3(A)(2)(g) of the Bylaw and Massachusetts General Laws Chapter 40A, Section 9, and such other relief as deemed necessary, all rights reserved. for the installation, operation and maintenance of two Electric Vehicle Charging Stations with digital advertising.

Dear Honorable Members of the Town of Medway Planning and Economic Board:

On behalf of Volta, we are pleased to submit this letter to the Town of Medway Planning and Economic Board (the “Board”) in support of the application by Volta for a special permit and Minor Site Plan Review for the installation, operation, and maintenance of two Electric Charging Stations, as well as signs incorporated into Volta’s charging stations at the Site. The following provides background information regarding the charging stations and addresses the applicable sections of the Bylaw.

## BACKGROUND

Volta was founded in 2010 out of a passion for advancing electric transportation and since then Volta has mastered the art and science of developing cutting-edge electric vehicle charging networks. By providing seamless, simple and free charging experiences, Volta is accelerating the electric vehicle movement. Thoughtfully located along the paths of daily life,



Volta chargers are the most heavily used in the charging industry. With the support of forward-thinking brand partners, Volta delivers free charging solutions to real estate owners, power to the electric vehicle community and impactful brand stories to everyone. [www.voltacharging.com](http://www.voltacharging.com)

The Volta charging station is a unique concept as it does not charge customers for the electricity but gives it away instead in order to encourage the use of electric vehicles. As the electricity ultimately must be purchased, Volta sells advertising space to brand name advertisers on the screens on its charging stations to generate the revenue needed to pay for the electricity. Notable advertising partners include Netflix, Jaguar, Alaska Airlines and Haagen Dazs. The advertisements shown on the screens are an integral part of the charging station and the electricity would not be available to give away to the public for free without them.

Volta currently has nearly 1,500 charging stations installed throughout the country including many here in Massachusetts in the following communities: Bellingham, Belmont, Boston, Burlington, Cambridge, Feeding Hills, Framingham, Greenfield, Hyannis, Marlborough, North Adams, North Andover, Northborough, Peabody, Pembroke, Sandwich, Wakefield, Walpole, Wareham and Worcester.

Charging stations are typically situated near retailers such as grocery stores.

Volta is also proud of its commitment to assist local communities with displaying emergency messaging on its charging station screens. The Volta Response System allows participating Towns to show public service announcements and emergency messaging for free for a one year period. This community service allows towns to reach communities such as the elderly, without expending local government resources having signs or buying ad space. In fact, the Shaw's charging stations in Medway were running Covid messages from the CDC on their screens prior to the stations going off-line.

The clean energy impact from the Volta charging stations is immense:

- Powering over 81,000,000 free electric miles.
- To date, Volta has offset over 38,000,000 pounds of CO2.
- Total equivalent of over 469,000 trees planted.
- Volta charging stations are the most used in the charging industry.

The Medway Energy and Sustainability Committee recognizes the green impact of the proposed facility and supports Volta's proposal.



## THE SITE

Volta has two electric charging stations at the Medway Commons Plaza, Shaw's parking lot Site at 65 Main Street, capable of providing free electricity to the public for charging electric vehicles. The charging units measure 2.71' wide x 7.19' high. On each face of the unit, there is a screen for advertisements. The advertising screen measures 48" x 27". The ads are stationary and change every 8 seconds. The screens are backlit like a TV screen and target those on foot, not drivers. Although the display screens are intended for pedestrian traffic, out of an abundance of caution Volta follows an 8 second minimum advertisement loop which is the length recommended by the Federal Highway Administration.

The proposed signs will not have an adverse impact upon the aesthetics of the area. The charging stations are located within the parking lot near the existing Shaw's market grocery store and the commercial nature of the proposed signage is not inconsistent with that of the business advertisements already located within the plaza including; a lit sign above the door of a restaurant advertising pizza and Pepsi Cola; liquor store windows featuring separate lit signs advertising eight different types of beer; and two menu signs for the fast food drive through which appear to be internally lit. Furthermore, the light from the proposed signs will not significantly add to the overall amount of light in the plaza because, in addition to the light from existing buildings and other lit signs, there are many street lamps illuminating the parking area and driveways in the plaza.

As mentioned, the charging stations are located near the Shaw's grocery store, which is nearly 450 feet away from the closest public street or right of way. In between the charging stations and Main Street, there are existing buildings, street lights, signs and shrubbery. Given the distance to the street and the existing obstructions, the proposed signage will not be visible from any public road.

As evidenced by Section 7.1.1(E)(4) of the Bylaw, the Town of Medway has made a commitment to the accommodation of electric vehicles by requiring industrial, commercial and multi-family housing developments with fifteen or more spaces to provide a certain number of spaces with charging stations for electric vehicles. By installing charging stations in the existing commercial development, which has well over 100 parking spaces, Volta is assisting the Town's commitment by accommodating electric vehicles in a previously developed commercial plaza.

Approval of the design of the proposed signage will not create a concerning precedent in the Town of Medway. Specifically, the advertisements featured on the Volta screens do not necessarily advertise the charging stations themselves, but rather whatever product the advertiser is selling. The advertisements pay for the electricity offered at no charge to the public. This arrangement is unique as the advertisements pay for the electricity, but do not generate interest in the electricity proffered at the charging station. This differs from advertisements within the



plaza and elsewhere throughout Town which seek to generate interest in the products for sale within the various businesses, but do not themselves pay for the products therein.

## **RELIEF REQUESTED**

Volta respectfully requests a special permit pursuant to: Sections 3.4 and 5.4.2 of the “Bylaw”; and Minor Site Plan Review pursuant to Section 3.5.3(A)(2)(g) of the Bylaw and Massachusetts General Laws Chapter 40A, Section 9, and such other relief as deemed necessary, all rights reserved. for the installation, operation and maintenance of two Electric Vehicle Charging Stations. The Board is specifically empowered to grant the requested relief by Sections 5.4.2 and 3.5.3(A)(2)(g) of the Bylaw.

As will be further demonstrated by Volta by evidence submitted to the Board at the public hearing(s) in connection herewith, such relief is appropriate as the facility satisfies all pertinent provisions and standards contained in the Bylaw and Massachusetts General Laws for the granting of special permits as enumerated below.

## **COMPLIANCE WITH SECTION 5.4.2 OF THE BYLAW**

### **5.4.2 Special Permits for Electric Vehicle Charging Station(s) with Digital Advertising - The Planning and Economic Board may grant a special permit for Electric Vehicle Charging Station(s) with Digital Advertising Signage (“Charging Station”).**

- A. The charging service for such Charging Stations shall be provided at no cost to users. For each Charging Station, the sign surface area shall not exceed nine square feet per side, not to exceed two sides per Charging Station. No audio or video displays shall be permitted. Level 1 Charging Stations (those having a 120-volt connection) are not permitted. The display area and no part of the Charging Station may revolve, simulate motion, flash, blink, or include animation. Internal illumination of the display area is permitted. Advertising may include commodities or services which may not be found or available on the premises hosting the Charging Station. There shall be no reduction in handicap accessible and compact car parking spaces to accommodate installation of Charging Stations. The number of Charging Station spaces shall not exceed five percent of the total number of parking spaces on the premises. The Charging Station shall be capable of charging electric vehicles produced by multiple manufacturers.**

Volta’s proposed Electric Charging Stations will comply with this provision of the Bylaw.



- B. In granting a special permit, the Board may impose limitations, safeguards, and conditions on but not limited to the following: quantity of Charging Stations with digital advertising signage on the premises; frequency of message changes (dwell time); Charging Station height; form of message transition; brightness of display illumination; number of charging ports per Charging Station; hours of operation for charging and digital advertising signage; visibility of display area from a public street; location and positioning of Charging Stations on the premises; other forms of signage to designate spaces for EV charging; handicap accessibility; impact or level of disruption of Charging Stations on business and tenant operations; ease and safety of accessibility to the Charging Stations; landscaping, buffering and screening; and type or charging level of the Charging Station. This may also include correlating the amount of allowed digital advertising display space to the type and charging level of the Charging Station and correlating the number of allowed Charging Station spaces on the premises to the percentage of electric vehicles in Massachusetts (according to an appropriate state agency such as the Registry of Motor Vehicles or the Executive Office of Energy and Environmental Affairs).**

Volta will comply with any reasonable conditions which may be placed upon a favorable decision.

#### **COMPLIANCE WITH SECTION 3.4 OF THE BYLAW**

- C. Decision Criteria. Unless otherwise specified herein, special permits shall be granted by the special permit granting authority only upon its written determination that the adverse effects of the proposed use will not outweigh its beneficial impacts to the town or the neighborhood, in view of the particular characteristics of the site, and of the proposal in relation to that site. In making its determination, the special permit granting authority, in addition to any specific factors that may be set forth in other sections of the Zoning Bylaw, shall make findings on all of the applicable criteria specified below:**

- 1. The proposed site is an appropriate location for the proposed use.**

The proposed site is an appropriate location for the proposed Electric Charging Stations, being located within the parking area of an existing shopping plaza, and set back a distance from any street so that they will not be visible from any Town streets or public rights of way. Further, the signs will be located in the Central Business (CB) Zoning District where



illuminated signage is expected and commonplace. Though the signs will be of a modern design and will not be of wood or other traditional materials, the materials of the signage will be consistent with the existing commercial signage within the existing shopping plaza. The charging stations provide a public benefit in the form of free electricity, which promotes the use of green energy.

**2. Adequate and appropriate facilities will be provided for the operation of the proposed use.**

Electric service is already on Site. The Electric Charging Stations will be unmanned, have no need of water or sewer services, and will not generate waste.

**3. The proposed use as developed will not create a hazard to abutters, vehicles, pedestrians or the environment.**

The Electric Charging Stations will not create a hazard to abutters, vehicles, pedestrians or the environment because the use is passive in nature and will not produce unreasonable noise, smoke, odors, or waste. The Electric Charging Stations are set up in line with the existing parking patterns of the parking lot, and will not pose a hazard to pedestrians or vehicles and will not interfere with existing traffic patterns on the site.

**4. The proposed use will not cause undue traffic congestion or conflicts in the immediate area.**

The Electric Charging Stations are set up in line with the existing parking patterns of the parking lot, and will not pose a hazard to pedestrians or vehicles and will not interfere with existing traffic patterns on the site.

**5. The proposed use will not be detrimental to the adjoining properties due to lighting, flooding, odors, dust, noise, vibration, refuse materials, or other undesirable visual, site or operational attributes of the proposed use.**

Volta's Electric Charging Stations will be unmanned and will not generate unreasonable noise, odor, smoke, or waste. The charging stations are located near the Shaw's grocery store, which is nearly 450 feet away from the closest public street or right of way. In between the charging stations and Main Street, there are existing buildings, street lights, signs and



shrubbery. Given the distance to the street and the existing obstructions, the proposed signage will not be visible from any public road.

**6. The proposed use as developed will not adversely affect the surrounding neighborhood or significantly alter the character of the zoning district.**

Volta's Electric Charging Stations will be unmanned and will not generate unreasonable noise, odor, smoke, or waste. The charging stations are located near the Shaw's grocery store, which is nearly 450 feet away from the closest public street or right of way. In between the charging stations and Main Street, there are existing buildings, street lights, signs and shrubbery. Given the distance to the street and the existing obstructions, the proposed signage will not be visible from any public road.

**7. The proposed use is in harmony with the general purpose and intent of this Zoning Bylaw.**

The proposed site is an appropriate location for the proposed Electric Charging Stations, being located within the parking area of an existing shopping plaza, and set back a distance from any street so that they will not be visible from any Town streets or public rights of way. Further, the signs will be located in the Central Business (CB) Zoning District where illuminated signage is expected and commonplace. Though the signs will be of a modern design and will not be of wood or other traditional materials, the materials of the signage will be consistent with the existing commercial signage within the existing shopping plaza. The charging stations provide a public benefit in the form of free electricity, which promotes the use of green energy.

**8. The proposed use is consistent with the goals of the Medway Master Plan.**

The proposed site is an appropriate location for the proposed Electric Charging Stations, being located within the parking area of an existing shopping plaza, and set back a distance from any street so that they will not be visible from any Town streets or public rights of way. Further, the signs will be located in the Central Business (CB) Zoning District where illuminated signage is expected and commonplace. The charging stations provide a public benefit in the form of free electricity, which promotes the use of green energy.



**9. The proposed use will not be detrimental to the public good.**

The proposed Electric Charging Stations will not be detrimental to the public good. In fact, the charging stations provide a public benefit in the form of free electricity, which promotes the use of green energy.

**COMPLIANCE WITH SECTION 7.3 OF THE BYLAW**

- A. 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, 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. Any use may be undertaken and maintained provided that it conforms to the use regulations in Section 5 and to the performance standards listed below:**

Volta's proposed charging stations will comply with this provision of the Bylaw.

- B. The following performance standards shall apply to all districts and shall be determined at the location of use:**

- 1. 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.**
- 2. 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 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, Fume, 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 concentration 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.

5. **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 streams 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.

Volta's proposed charging stations will comply with these provisions of the Bylaw.

- C. **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 3 minutes or more in any 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 amplitude and frequencies beyond the "safe" range or Table 7, U.S. Bureau of Mines Bulletin NO. 442.

Volta's proposed charging stations will comply with this provision of the Bylaw.

2. **Noise.**
  - a. **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 PM and 7 AM shall be as follows:**

**Frequency Band**

**Sound Pressure Level**



(Cycles per Second)	(Decibels re 0.0002 Dyne/CM <sup>2</sup> )
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

Volta's proposed charging stations will comply with this provision of the Bylaw.

- b. 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 operated less than 20% of any 1-hour period: +5

Volta's proposed charging stations will comply with this provision of the Bylaw.

- D. **Odors.** In all districts, no emission of odorous gases or odoriferous matter in such quantities as to be discernible outside the property line shall be permitted. Any industrial 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 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, DC) shall be permitted.

Volta's proposed charging station will not produce waste or odors.

## **COMPLIANCE WITH THE PLANNING BOARD SITE PLAN REVIEW RULES AND REGULATIONS**

### ***204 – 4 Standards for Site Plan Preparation***



- A. The site plan shall be prepared, stamped, signed and dated by qualified professionals including a Registered Professional Engineer, a Registered Land Surveyor, a Registered Architect, and/or a Registered Landscape Architect or other professional, registered in the Commonwealth of Massachusetts.**
- B. The site plan shall be drawn at a scale of one inch equals forty feet or one inch equals thirty feet or one inch equals twenty feet or such other scale that has been approved in advance by the Board and that clearly and adequately represents the proposed improvements.**
- C. All existing and proposed elevations shall refer to the North American Vertical Datum of 1988 (NAVD88).**
- D. All site plan sheets shall be bound together in a complete set including building elevation plans.**
- E. All site plan sheets shall contain a referenced north arrow, sheet number, plan dates and plan revision dates, name of project, name of plan, plan scale, legend, stamp of registered professional responsible for the content of said sheet, applicable notes, the Board's signature block, including Decision and plan endorsement dates, and the Town Clerk's no appeal certification.**

Please refer to the Plans submitted herewith. Volta respectfully asserts that it has submitted Plans and materials of sufficient detail for the Board to render an informed decision. To the extent that the Plans do not strictly comply with this provision of the Planning Board Site Plan Review Rules and Regulations (the "Regulations"), Volta requests any waivers.

**205 – 3 Planning and Economic Development Board Submittals - The Applicant shall deliver in hand, or by registered or certified mail the following submittals to the Board:**

- A. The Minor Site Plan Application form signed by the Applicant, property owner(s), and designated representative, if any, on a form provided by the Board.**

Volta has complied with this provision of the Regulations.

- B. Two sets of the site plan (24" x 36") and one set of the site plan (11" x 17") prepared in conformance with these Rules and Regulations including all items as specified in s. 205 – 5. of these Rules and Regulations.**

Volta has submitted the requisite Plans.



**C. One written Project Narrative regarding the proposed development. At a minimum, the Narrative shall include the following information:**

- 1) current and proposed uses;**
- 2) description of proposed site improvements including paving, stormwater management, landscaping, sidewalks, refuse storage and disposal facilities, site amenities, fencing, lighting, water and sewer service, open space, etc.;**
- 3) description of proposed building construction, renovation, façade improvements, and/or demolition including the size of the proposed building(s) or additions;**
- 4) projected water and sewer demand;**
- 5) expected number of employees and/or occupants;**
- 6) proposed hours of operation;**
- 7) existing and proposed means of vehicular and pedestrian access and egress;**
- 8) number of parking spaces required and how this number was determined;**
- 9) calculation of proposed lot coverage and impervious surface;**
- 10) timetable for project completion;**
- 11) proposed on and off site mitigation measures;**
- 12) list of other required local, state and federal permits and the status of each; and**
- 13) any other information the Applicant believes will assist the Board in reviewing and understanding the site plan application.**

These supporting statements are submitted in compliance with this provision of the Regulations.

**D. A Stormwater Drainage Evaluation report signed and stamped by a Professional Engineer licensed in the Commonwealth of Massachusetts. This report shall:**

- 1) Describe the existing stormwater drainage patterns and system on the site; and**
- 2) Identify how the proposed site improvements will impact the existing stormwater drainage patterns and system; and**
- 3) Describe the location and design of proposed stormwater management measures to be used for the on-site disposal of added surface water resulting from the proposed site changes.**

**NOTE - During the course of its public review of the application, the Board may require more extensive drainage information as provided in s. 205-7.A of these Rules and Regulations.**



Volta's Electric Vehicle Charging stations will be located upon an area of previous disturbance and will not increase the amount of impervious surface on the Site or adversely impact current drainage patterns. Volta respectfully asserts that a Stormwater Drainage Evaluation is not necessary given the scope of this project and requests a waiver from this provision of the Regulations.

- E. One list of all parties in interest as defined in G.L. c. 40A, §11 as appearing in the most recent tax records list. The list shall be certified by the Board of Assessors of all applicable communities.**

Please refer to the certified abutters list submitted herewith.

- F. One copy of the latest recorded deed to the property(s) comprising the proposed development site.**

Please refer to the Deed submitted herewith.

- G. One copy of all relevant approvals received to date from other Town boards and committees (ZBA, Conservation Commission, Board of Health, Historical Commission, etc.) and other federal and state government agencies.**

The proposed Electric Vehicle Charging Stations have not received any approvals to date.

- H. Requests for waivers from these Rules and Regulations with specific reference to the applicable section(s) of these Rules and Regulations for which a waiver is requested, provided on the Board's Site Plan Waiver Request form.**

Please refer to the Waiver Request Forms submitted herewith.

- I. ALL APPLICATION MATERIALS (including forms, plans, reports, and attachments) SHALL ALSO BE SUBMITTED IN A SEARCHABLE ELECTRONIC FORMAT via email, on a portable electronic storage device, or to a central cloud repository on the web. The email for such submittals is [planningboard@townofmedway.org](mailto:planningboard@townofmedway.org)**

Volta has complied with this requirement of the Regulations.

- J. A Minor Site Plan Filing Fee as authorized in s. 209-1 A. of these Rules and Regulations and as specified in the Board's Fee and Bond Schedule.**

Volta has submitted the filing fees.



- K. A deposit toward the Minor Site Plan Review Fee as authorized in s. 209 – 1 B. of these Rules and Regulations and as specified in the Board’s Fee and Bond Schedule.**

Volta has submitted the deposit.

***s. 205 – 4 Standards for Site Plan Preparation – See s. 204 – 4 of these Rules and Regulations.***

***s. 205 – 5 Site Plan Contents – To be considered complete, a minor site plan submitted pursuant to these Rules and Regulations shall include the information listed below.***

- A. Cover Sheet - The cover sheet shall include the project name and address, name and address of owner, name and address of Applicant, name and address of engineer and other professional firms responsible for the plan, plan date, list of plan revision dates, project Assessor’s Map and Parcel number, zoning district classification, list of requested waivers from these Rules and Regulations, Board Signature Block, and an index of drawings.**

Please refer to the Plans submitted herewith. Volta respectfully asserts that it has submitted Plans and materials of sufficient detail for the Board to render an informed decision. To the extent that the Plans do not strictly comply with this provision of the Planning Board Site Plan Review Rules and Regulations (the “Regulations”), Volta requests any waivers.

**B. Site Context Sheet**

- 1) A locus plan showing the site and its boundaries in relation to all surrounding streets within two thousand feet of the perimeter of the site. The plan shall be at a maximum scale of one inch equals one thousand feet. Scenic roads shall be noted. Streets, buildings, brooks, streams, rivers, wooded areas, protected open spaces, recreation fields, landmarks and public facilities shall be shown on the locus plan with sufficient clarity to be easily discernable.**
- 2) Abutters' names and addresses with assessor's references for properties within 300' of the development site.**
- 3) Lot lines with dimensions and easement areas for the development site.**
- 4) Existing topography at two foot intervals from United States Geological Survey (USGS) survey maps or actual land survey of the development site.**
- 5) All easements (utility, conservation and other) and rights-of-way located on the development site.**



**6) Zoning district boundaries including groundwater protection district and flood plain zones on the development site.**

Please refer to the Plans submitted herewith. Volta respectfully asserts that it has submitted Plans and materials of sufficient detail for the Board to render an informed decision. To the extent that the Plans do not strictly comply with this provision of the Planning Board Site Plan Review Rules and Regulations (the “Regulations”), Volta requests any waivers.

**C. *Existing Conditions Sheet* – A plan showing all bearings and distances of property lot lines and existing structures and buildings; topography; easements; existing uses of land; freestanding signs; driveways, parking spaces and walkways; utilities; fences and walls; trash disposal facilities; impervious surfaces; significant landscape and natural features, and wetlands and other natural resources under the jurisdiction of the Medway Conservation Commission, all at a minimum scale of one inch equals one hundred feet.**

Please refer to the Plans submitted herewith. Volta respectfully asserts that it has submitted Plans and materials of sufficient detail for the Board to render an informed decision. To the extent that the Plans do not strictly comply with this provision of the Planning Board Site Plan Review Rules and Regulations (the “Regulations”), Volta requests any waivers.

**D. *Plot Plan*, certified by a land surveyor, indicating total land area boundaries, angles, and dimensions of the site and a north arrow.**

Please refer to the Plans submitted herewith. Volta respectfully asserts that it has submitted Plans and materials of sufficient detail for the Board to render an informed decision. To the extent that the Plans do not strictly comply with this provision of the Planning Board Site Plan Review Rules and Regulations (the “Regulations”), Volta requests any waivers.

**E. *Site plan*, at a minimum scale of one inch equals forty feet, showing the following:**

- 1) Property boundaries, dimensions of the site and a north arrow;**
- 2) Proposed use(s) of land and buildings;**
- 3) Dimensions of proposed building(s) or other structures including height, setbacks from front, side and rear lot lines, total square footage of building area;**
- 3) Design features of the construction or renovation of buildings (s) and structures, including building elevations, materials, colors, etc.;**



- 4) **For non-residential buildings and for non-residential uses in any building, the total square footage of building area on each floor or the total square footage occupied on a given floor by non-residential uses;**
- 5) **Site grading;**
- 6) **Locations and dimensions of any proposed easements, public or private rights-of way, or other encumbrances;**
- 7) **All parking and loading areas, including surface parking lots, showing the number, location, and dimension of parking and loading spaces, driveways, travel aisles, sidewalks and the like;**
- 8) **Horizontal sight distances on the public way(s) at all entrances and exits in both directions;**
- 9) **Proposed site improvements including, but not limited to walls, fences, signs, utilities, trash disposal facilities and enclosures, landscaping, utilities, lighting, utility boxes, snow storage areas, etc.;**
- 10) **Erosion and sediment control measures;**
- 11) **Stormwater management facilities as noted in s. 205 – 3 D. of these Rules and Regulations; and**
- 12) **A table outlining the proposal's conformance with the zoning requirements including lot area, continuous frontage, lot depth, lot width, front, side and rear setbacks, building height, lot coverages, gross floor area, open space calculations, and the number of parking spaces.**

Please refer to the Plans submitted herewith. Volta respectfully asserts that it has submitted Plans and materials of sufficient detail for the Board to render an informed decision. To the extent that the Plans do not strictly comply with this provision of the Planning Board Site Plan Review Rules and Regulations (the "Regulations"), Volta requests any waivers.

### ***207 - 1 Design Principles***

- A. Commercial/Business Zoning Districts – See Medway Design Review Guidelines, Section 2 - Commercial Zone Guidelines, Sub-Section B. Principles and Intentions**

Please refer to the discussion below.

- B. Industrial Zoning Districts - See Medway Design Review Guidelines, Section 3 – Industrial Zone Guidelines, Sub-Section B. Principles and Intentions**

The Site is not within the Industrial zoning district and this provision of the Regulations does not apply to this Application.





**C. Residential Zoning Districts - See Medway Design Review Guidelines, Section 4 – Residential Zone Guidelines, Sub-Section B. Principles and Intentions**

The Site is not located within a Residential zoning district and this provision of the Regulations does not apply to this Application.

***207 – 2 Site Design***

**A. Commercial/Business Zoning Districts – See Medway Design Review Guidelines, Section 2 - Commercial Zone Guidelines, Sub-Section C. 1. Site Composition and C. 2. Building Orientation**

Please refer to the discussion below.

**B. Industrial Zoning Districts - See Medway Design Review Guidelines, Section 3 – Industrial Zone Guidelines, Sub-Section C. 1 Site Composition and C. 2. Building Orientation**

The Site is not located within the Industrial zoning district and this provision of the Regulations does not apply to this Application.

**C. Residential Zoning Districts - See Medway Design Review Guidelines, Section 4 – Residential Zone Guidelines, Sub-Section C. 1 Site Composition and Building Orientation**

The Site is not located within a Residential zoning district and this provision of the Regulations does not apply to this Application.

***207 – 3 Architecture***

**A. Commercial Zoning Districts – See Medway Design Review Guidelines, Section 2 - Commercial Zone Guidelines, Sub-Section D. Architectural Guidelines**

Please refer to the discussion below.

**B. Industrial Zoning Districts - See Medway Design Review Guidelines, Section 3 – Industrial Zone Guidelines, Sub-Section D. Architectural Guidelines**

The Site is not located within an Industrial zoning district and this provision of the Regulations does not apply to this Application.



**C. Residential Zoning Districts - See Medway Design Review Guidelines, Section 4 – Residential Zone Guidelines, Sub-Section D. Architectural Guidelines**

The Site is not located within a Residential zoning district and this provision of the Regulations does not apply to this Application.

***207 – 4 Energy Efficiency and Sustainability***

- A. New buildings should be positioned on the site to take advantage of the existing terrain and solar gains. Where possible, elongate the buildings on the east/west axis, maximize north and south exposures for daylighting, minimize east and west facing windows, and orient the most populated areas of a building to the north and south. Green roofs are encouraged.**

Volta does not propose the construction of new buildings as a part of this project.

***207 - 5 Environmental Considerations***

- A. General - Environmental elements relating to the prevention of soil pollution and erosion, protection of significant vistas, preservation of trees, protection of water courses and water resources, topography, soil and noise shall be reviewed. The design of the proposed development shall minimize the destruction of trees and protect unique natural features. The site plan shall show measures to minimize any adverse impacts on these elements.**

The proposed Electric Vehicle Charging Stations will not produce unreasonable noise, odors, smoke, or waste. No trees will be removed as a part of this project. The Electric Charging Stations will not adversely impact water courses or water resources. There will be no change in topography of the Site. The charging stations are located within the parking area of an existing shopping plaza, set back a distance from any street so that they will not be visible from any Town streets or public rights of way. Further, the charging stations will be located in the Central Business (CB) Zoning District where commercial signage is expected and commonplace. The materials of the signage will be consistent with the existing commercial signage within the existing shopping plaza. The charging stations provide a public benefit in the form of free electricity, which promotes the use of green energy.

- B. Low Impact Development (LID) – Applicants shall incorporate Low Impact Development (LID) management practices in site design and incorporate environmentally sensitive design principles in site improvements, stormwater**



**management facilities, landscaping, and buildings when practicable. See Appendix A to these Rules and Regulations.**

Volta will comply with this provision of the Regulations to the extent applicable, all rights reserved.

**C. Nuisance - The proposed development shall comply with Section 7.3 Environmental Standards of the Zoning Bylaw.**

Please refer to the above responses to Section 7.3 of the Bylaw.

**D. Energy Conservation – Development projects involving the construction or use of a building with 10,000 sq. ft. or more or containing ten or more residential units are encouraged to include a solar or other renewable energy system.**

Volta's charging stations do not involve construction of a building and this provision of the Regulations does not apply to this Application.

***s. 207 – 6 Erosion and Sediment Control***

**A. Erosion and sediment control measures shall comply with ARTICLE XXVI Stormwater Management and Land Disturbance of the Medway General Bylaws, Section 26.7.**

Given the limited scope of the project, Volta does not propose any additional erosion and sediment control measures on Site.

**B. The final slope of the land shall not exceed one foot vertical to three feet horizontal, unless retaining walls or other suitable stabilization methods as determined by the Board are provided.**

There will be no change to existing topography as a result of Volta's charging stations.

**C. Permanent vegetation and other erosion control measures shall be installed as soon as possible after construction ends.**

Given the location within the existing parking lot, Volta does not propose any additional vegetation on Site as a part of this project.



**D. All disturbed areas shall be permanently stabilized within six months of occupancy.**

Volta's charging stations will be located on a previously disturbed portion of the Site.

**207 – 7 Site Clearing and Grubbing – See Section 7.4 of the Medway Subdivision Rules and Regulations.**

There will be no clearing or grubbing on the Site as a part of this project and this provision does not apply to this Application.

**207 – 8 Earth Filling & Grading**

- A. Prohibited materials.** Solid or hazardous waste, refuse, junk, industrial waste, volatile, explosive or flammable materials, building materials, construction and demolition debris, glass, metal, toxic, infectious, radioactive, corrosive or reactive materials or waste shall not be used as fill. Fill material shall have no concentration of oil or hazardous material, toxic substance or infectious biological material greater than federal, state or local reportable or action criteria or materially greater than pre-fill conditions prevailing in the area to be filled. Fill material shall also be free from organic material such as trees, stumps, and garbage, and shall contain fifteen percent or less of total organic carbon by lab analysis.
- B. Permitted fill materials.** Fill materials shall include only clean sand, gravel, clay, stone, quarried rock, topsoil, borrow, rock, sod, loam, peat, humus, or other subsurface products free from solid waste, with an aggregate size of twelve inches or less.
- C. Final Cover.** The area within the limits of fill shall be established to meet the final cover as designed and, in all instances, shall prevent erosion from the site. Proposed pervious areas (i.e. lawn, landscape beds, pad sites, etc.) shall be covered with a minimum four inches of organic topsoil including soil amendments if required and shall be seeded and/or mulched to establish final cover. Where filling is incidental to proposed hardscaped areas (i.e. driveways, parking lots, patios, etc.), the fill material shall be covered with suitable base material meeting the specifications of the particular hardscape (i.e. gravel borrow and/or dense graded crushed stone for pavement sub-base).
- D. Additional Conditions.** The Board may set reasonable conditions including but not limited to hours of the day during which filling may take place, maximum load sizes, truck routes to be used to access the site, and grasses, shrubs and trees to be planted. The Board may also impose requirements for monitoring the type and



**distribution of fill on the subject site and reporting on the quality and source of the fill materials.**

- E. Development sites shall not be used for the temporary storage of fill materials intended for use elsewhere.**
- F. Projects involving site filling in excess of two thousand cubic yards shall submit a Soil Management Plan to the Planning and Economic Development office prior to the preconstruction meeting for review by the Town's Consulting Engineer. The Soil Management Plan shall include the following:**
  - a) Agreement that bills of lading in the form specified by the Board will be exclusively used for the transport and acceptance of earth materials for fill;**
  - b) Complete descriptions of pre-fill environmental conditions and findings and sample locations;**
  - c) Procedures for verification of fill material origin and acceptance;**
  - d) Record keeping practices;**
  - e) Site security, fill operation inspection and site control;**
  - f) Transport routes, times and days of operation, locations of equipment parking and storage, and duration of fill activities;**
  - g) Qualifications of applicant personnel responsible for adhering to the soil management plan;**
  - h) Erosion, dust and stormwater controls and inspection and maintenance thereof;**
  - i) Effects of the filling on groundwater recharge;**
  - j) Quality assurance and quality control procedures including testing protocols**
  - k) Emergency response and notification procedures, including telephone numbers and contact individuals and firms;**
  - l) Total proposed earth material fill volume;**
  - m) Daily personnel procedures and operation management procedures, including types, numbers, locations and hours of operation of any processing equipment on site;**
  - n) Environmental monitoring plan to maintain protection of human health, public safety, welfare and the environment during and following fill operations; and**
  - o) Cover material, revegetation, erosion and pollution control, and monitoring and maintenance plan.**

There will be no site filling as a part of Volta's project and these provisions of the Regulations do not apply to this Application.



**A. *Pedestrian and Bicycle Access***

- 1) Pedestrian ways shall be provided within the site to connect buildings with parking areas, other buildings, and site amenities.**
- 2) For pedestrian safety and site design enhancement, on-site crosswalks between parking areas and the building (s) and where possible, on adjacent roadways shall be provided and have a change in materials and/or color, texture or pattern.**
- 3) Pedestrian and bicycle circulation shall be maximized on and off site and shall be separated from motor vehicle circulation as much as practicable. Safe pedestrian and bicycle access to the site shall be provided by walkways or other means which ensure protection and separation from vehicular traffic.**
- 4) Existing pedestrian ways shall be maintained or improved.**
- 5) Where no pedestrian ways exist, the Applicant shall create safe and convenient pedestrian ways and connections between streets, the proposed development, surrounding neighborhoods, adjacent commercial developments, and other surrounding uses.**
- 6) Curbing adjacent to sidewalks shall be vertical granite or concrete.**
- 7) Sidewalks and pedestrian ways and connections shall comply with the requirements of the Americans with Disabilities Act (ADA).**

There will be no changes to existing pedestrian and bicycle access or circulation patterns as a result of Volta's charging stations.

**B. *Sidewalks***

- 1) Five foot wide sidewalks shall be provided within parking areas. Where sidewalks abut parking areas, the sidewalk width shall be increased by two feet to accommodate vehicular bumper overhang so as to not impede foot traffic.**



- 2) **For buildings where tenants wish to use interior site sidewalks for temporary outdoor display purposes, sidewalks shall be increased in width such that at least five feet is maintained for pedestrian passage.**
- 3) **Pursuant to Section 5.5.4. I, c. of the Zoning Bylaw, sidewalks shall be provided along the entire frontage of the subject property along existing public ways.**

There will be no changes to existing sidewalks as a result of Volta's charging stations.

#### ***207 – 10 Paving***

- A. **Drive aisle paving materials – Asphalt or cement concrete or other durable materials shall be used for drive aisle paving. The surface of driveways shall be designed and maintained to support the loads of the Fire Department's apparatus, and provided with an all-weather and structurally stable driving surface.**
- B. **Off-street loading and unloading areas and the associated maneuvering areas shall be paved with hot mix asphalt, or other satisfactory hard surface paving.**

There will be no additional paved surfaces as a result of Volta's charging stations.

***207 – 11 Traffic and Vehicular Circulation*** - The site plan must address safety and convenience of vehicular and pedestrian movement within the site as well as in relation to adjacent streets, properties or improvements.

#### ***A. Site Access - Curb Cuts, Entrance and Egress Driveways***

- 1) **The site shall be evaluated as a whole to determine the number of curb cuts to be allowed.**
- 2) **Curb cuts on public ways shall be minimized.**
  - a) **Curb cuts for commercial properties shall be limited to one per street frontage unless compelling safety benefits or other siting considerations are demonstrated by the Applicant or if the scale of the development merits multiple curb cuts to ensure suitable access for safety and emergency vehicles.**
  - b) **Wherever possible, existing driveways should be combined.**



- c) All proposed curb cuts within a commercial district or for commercial properties shall be designed to enhance traffic flow on major streets and to minimize additional traffic circulation on neighboring residential streets in order to maximize safe vehicular movement and pedestrian safety.**
- 3) Site entrance and exit driveways shall have an unobstructed paved width of at least twenty feet.**
- 4) Site entrances and exits shall be clearly delineated by vertical granite curbing or other approved material along the entire radius of the opening, shall extend at least twelve feet beyond each side along the gutter line of the road and at least the first twenty-five feet of a driveway, and shall be sloped at the end to prevent a vertical obstruction to exist.**
- 5) The site design shall allow vehicles to enter, park and exit the property without difficulty. Arrows, signs, and/or pavement markings to control the traffic flow may be required. Consideration shall be given to site access for delivery vehicles and the ability of these vehicles to maneuver on site. Passenger vehicles and delivery vehicles should be segregated where possible.**
- 6) Where possible and as appropriate to site conditions, curb cuts shall be aligned with curb cuts on the opposite side of the road to create common junctions.**
- 7) Curb cuts shall be located and designed so as to achieve maximum practicable distance from existing and proposed access connections from adjacent properties.**
- 8) Where a site occupies a corner of two intersecting roads, curb cuts shall be located at the maximum distance practicable from the intersection. At a minimum, a curb cut shall be located at least fifty feet from the point of tangency of the intersection.**
- 9) Driveways shall be located so as to afford maximum safety, convenient ingress and egress and minimize conflict with the flow of off-site traffic.**
- 10) Driveways shall be located to maximize sight distances where the proposed driveway meets an existing way. Sight distances for turning movements to and from the development shall meet current minimum AASHTO standards and shall be clearly shown on the site plan.**





- 11) **Left-hand egress turns should be minimized.**
- 12) **Driveways should intersect the road at an angle of ninety degrees.**
- 13) **No part of any driveway shall be located within fifteen feet of a side property line when the property abuts a residential use or zone.**
- 14) **The slope of the paved entrance way should not exceed two percent for the first twenty-five feet measured perpendicular from the front property line. The angle of approach and egress from a site shall not exceed a one foot drop in twenty feet of length.**
- 15) **Driveways shall be designed so that stormwater, dirt, gravel, stones, or other materials will not wash onto adjacent public or private streets from the driveway.**
- 16) **The surface of driveways shall be designed and maintained to support the loads of the Fire Department's apparatus, and shall be constructed of a hard, allweather, and structurally stable driving surface to support at least 75,000 pounds.**
- 17) **Emergency Vehicle Access - The site shall be designed to provide adequate accessibility by fire, police, and emergency personnel, equipment and vehicles to each building. The access shall be maintained and kept in passable condition at all times. Applicants are strongly encouraged to meet with Medway Fire officials early on in the site design process to incorporate provisions of the National Fire Protection Association (NFPA 1) Fire Code.**

**B. *Internal Site Circulation and Parking Lot Drive Aisles***

- 1) **Where possible, adjoining parcels shall have unified access and promote interparcel circulation. Provisions should be made for safe and convenient traffic movement to connect sites with adjacent commercial sites.**
- 2) **The perimeter of drive aisles shall be bounded with vertical granite curb.**
- 3) **Internal drive aisle width – Two-way drive aisles shall be twenty-four feet wide. The width of one-way drive aisles shall be twenty feet.**



- 4) **Drive aisle materials – Asphalt or cement concrete or other durable materials shall be used for drive aisle paving. Drive aisles shall be designed so that stormwater, dirt, gravel, stones, or other materials will not wash onto adjacent public or private streets from the driveway. The surface of driveways shall be designed and maintained to support the loads of the Fire Department’s apparatus, and provided with an all-weather and structurally stable driving surface. Driveways shall be constructed to support at least 75,000 pounds.**
  - 5) **Provision shall be made for safe and convenient pedestrian and vehicular traffic movements within the site with emphasis on the layout of parking and off-street loading and unloading areas, and the movement of people, goods, and passenger and delivery vehicles on access roads, on drive aisles, and between buildings or structures within the site.**
  - 6) **Fire lanes (road, path or other passageways) developed to allow passage of fire apparatus and access to the buildings on the site shall be provided in accordance with Medway Fire Department regulations. The number of required fire lanes shall depend on the size of the building. Fire lanes shall be clearly marked and posted.**
  - 7) **When the driveway, drive aisles or roadways are more than 150’ in length, provisions shall be made for fire and emergency apparatus to turn around.**
  - 8) **The turning radius for internal driveways, drive aisles and roadways must be approved by the Medway Fire Department and shall accommodate the Department’s largest and longest apparatus.**
- C. ***Mitigation* - The Board may require the Applicant to provide mitigation where project related increased traffic volume will create unsafe, or poor level of service conditions based on findings of the traffic study. Mitigation measures include but are not limited to the implementation of turning lanes, traffic signal installation and improvements, roadway improvements, sidewalks, and acceleration and deceleration lanes.**

Volta respectfully asserts that it has submitted Plans and materials of sufficient detail for the Board to render an informed decision. To the extent that the Plans do not strictly adhere to these provisions of the Bylaw, Volta requests any waivers as there will be no changes to the existing traffic and circulation patterns of the Site.



## ***207 – 12 Parking***

**A. Parking shall be provided in full compliance with Section 7.1.1 of the Zoning Bylaw.**

No additional parking spaces will be installed on Site as a result of Volta's charging stations.

**B. To the maximum extent possible, parking shall be located to the side and rear of the site. Placement of parking areas should not be near a high volume of traffic where parking movements can obstruct traffic flow. Parking shall not create a hazard to abutters, vehicles or pedestrians. Where parking is proposed adjacent to the street, plantings or appropriate fencing shall be incorporated to screen parking areas and reduce their visual impact.**

No additional parking spaces will be installed on Site as a result of Volta's charging stations.

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

No additional parking spaces will be installed on Site as a result of Volta's charging stations.

**D. Designated Parking Areas – Areas for small vehicles and motorcycles may be shown.**

No additional parking spaces will be installed on Site as a result of Volta's charging stations.

**E. Asphalt Surface - Parking areas shall have durable, all-weather paved surfaces. Hot mix asphalt surfacing shall be a minimum of three and one-half inches over eight inches of gravel borrow or as required by site conditions.**

No additional parking spaces will be installed on Site as a result of Volta's charging stations.

**F. Adverse impacts of parking on abutters, residents or businesses in the area shall be mitigated.**

No additional parking spaces will be installed on Site as a result of Volta's charging stations.



## **G. Parking Spaces**

- 1) ***Number of spaces*** - See Section 7.1.1 D. of the Zoning Bylaw – Table 3 Schedule of Off-Street Parking Requirements and Section 7.1.1.I. regarding bicycle parking requirements.

No additional parking spaces will be installed on Site as a result of Volta's charging stations.

- 2) ***Parking space design***

- a) **Dimensional Standards** – See Section 7.1.1 E. 3. of the Zoning Bylaw. All handicap parking spaces shall comply with state and federal regulations.
- b) **Angle parking** - In the event site constraints limit drive aisles to one-way travel, angled parking may be permitted. The Applicant shall provide analysis that proper maneuverability through the site can be achieved, stalls are of proper length to limit overhang into the drive aisle, and proper lane width is designed to provide suitable reverse turning movements. Pull through angle parking stalls shall not be allowed.

No additional parking spaces will be installed on Site as a result of Volta's charging stations.

- 3) ***Location***

- a) **The location of parking spaces shall not impede proper traffic flow or the maneuvering of other vehicles. Parking spaces shall not be located in fire lanes or within twenty feet of building entrances, building exits, emergency access points, loading and unloading areas, pedestrian ways, and locations for fire hydrants, and sprinkler and standpipe connections.**
- b) **Parking spaces shall not be located within fifteen feet of the front, side and rear property lines.**



- c) **Parking spaces shall be located such that a vehicle backing out of a space does not impede traffic entering from a private or public street within the first fifty feet of the driveway entering the site.**
- d) **Drive aisles shall have a minimum paved width of twenty-four feet and provide for two-way traffic, and shall extend a minimum of five feet beyond the last parking space in any dead end parking row.**

No additional parking spaces will be installed on Site as a result of Volta's charging stations.

#### **H. Curbing**

- 1) **The perimeter of the parking area shall be bounded with vertical granite curb, bituminous concrete curb, or cement concrete curb to delineate the parking lot and collect and direct stormwater runoff.**
- 2) **All curbing shall have a minimum radius of three feet and shall transition tangentially. No protruding angle points shall be allowed.**

No additional parking spaces will be installed on Site as a result of Volta's charging stations.

- I. ***Electric Vehicle Charging Stations* – Industrial, commercial, and multifamily housing sites with fifteen or more parking spaces shall provide parking spaces with electric vehicle charging stations for employee, customer and resident use. The quantity of such parking spaces shall be as follows:**

<b>Total # of Parking Spaces</b>	<b># of Electric Vehicle Parking Spaces</b>
15-25	1
26-50	2
51-75	3
76-100	4
101-150	5
151-200	6
201-300	7
301-400	8
401-500	9
501-1000	2% of total



Volta proposes two electric vehicle charging stations in two existing parking spaces.

**207 – 13 Loading and Unloading - At the time of erection of any principal building or enlargement of any principal building or the establishment of any activity on open land, there shall be created adequate off-street loading and unloading areas as follows:**

- A. One or more off-street loading and unloading areas shall be provided for any business that is regularly serviced by delivery vehicles so that adequate areas are provided to accommodate all delivery vehicles expected at the premises at any one time.**
- B. The location of off-street loading and unloading areas and facilities shall be designed with an adequate off-street maneuvering area so that it will not be necessary for delivery vehicles to use a public way to maneuver into a loading or unloading space and so that egress from such spaces will not require backing onto a public way.**
- C. Loading and unloading areas shall in all cases be on the same lot as the use they are intended to serve unless there is common ownership of an adjacent property. In no case shall the required loading and unloading areas be part of the area used to satisfy the parking requirements of the Zoning Bylaw.**
- D. Loading and unloading areas should be located at either the side or rear of each building to be removed from view and to mitigate noise impacts.**
- E. Loading and unloading areas shall be designed to avoid traffic conflicts with vehicles which use the site or adjacent sites.**
- F. Each loading and unloading area shall not be less than twelve feet in width and not less than sixty-five feet in length. Height clearance shall not be less than fourteen feet.**
- G. Loading and unloading areas and spaces shall not encroach on parking spaces or maneuvering space, nor shall they obstruct access to fire hydrants, sprinkler connections, or fire or emergency vehicle lanes.**
- H. Off-street loading and unloading areas and the associated maneuvering areas shall be paved with hot mix asphalt, or other satisfactory hard surface paving.**



- I. Loading areas shall not face any residential area.**
- J. Loading areas are prohibited on the front façade of any building.**
- K. All service, loading and trash storage areas viewable from a public way or from an adjacent residential area shall be screened by one or a combination of masonry, a wood screen, or evergreen plantings to reduce their visual impact.**

No additional loading areas will be installed on Site as a result of Volta's charging stations.

#### ***207 – 14 Stormwater Management***

- A. The Post-Construction Stormwater Management Plan and its associated Long Term Operation and Maintenance Plan shall comply with ARTICLE XXVI Stormwater Management and Land Disturbance of the Medway General Bylaws, Section 26.8, the current Massachusetts Stormwater Management Standards, and the DEP Stormwater Management Handbook Volumes I and II.**
- B. *Low Impact Development (LID)* – Applicants shall incorporate Low Impact Development (LID) management practices in designing the stormwater management system. See Appendix A to these Rules and Regulations for resource information.**
- C. Infiltration basins shall be designed to be integrated into the site's topography and natural features such that the basin contours are softened and a naturalized appearance is achieved.**
- D. Subsurface detention and infiltration systems shall be designed with access manholes and inspection ports to provide means to properly inspect and maintain the system. All subsurface detention and infiltration systems shall contain an internal "forebay" or pretreatment chamber row which will allow treatment of first flush runoff (the first 1" of any rain storm) prior to discharging stormwater to the remainder of the system and shall be designed to allow for proper access for inspection and maintenance.**
- E. Infiltration measures shall be provided to mitigate post development increases in runoff resulting from proposed rooftops. Runoff from proposed**



rooftops throughout the site shall be directly routed to dedicated infiltration Best Management Practices (BMPs). Discharge of roof runoff directly to surface grade is strictly prohibited. If runoff is directed to infiltration BMPs which also mitigate surface runoff, the roof runoff shall be directly discharged to the BMP and not allowed to comeingle with untreated surface runoff prior to discharge to the BMP. Metal roofs shall be properly treated prior to infiltration if located within critical areas listed in the DEP Stormwater Management Handbook.

- F. Headwalls that are visible from a roadway or driveway shall be fabricated to have a natural stone appearance to the satisfaction of the Board.
- G. See s. 207 – 19 E of these *Rules and Regulations* for landscaping requirements around stormwater detention and retention areas.

Volta's charging stations will not entail additional impervious surfaces on Site and Volta respectfully requests a waiver from the Post-Construction Stormwater Management Plan and its associated Long Term Operation and Maintenance Plan submission requirement of these provisions of the Regulations.

#### ***207 - 15 Water Supply and Sewage Disposal***

- A. ***Water Supply*** - Unless proven to be unfeasible, projects requiring site plan approval shall connect to the public water supply distribution system, except that connection to the public water supply system for on-site irrigation of landscaping is not permitted. Wells are permitted through the Board of Health. The locations of any proposed wells shall be shown on the site plan. Water connections shall be in accordance with regulations of the Medway Department of Public Works. Any needed water line extensions shall be at the Applicant's expense.

Volta's charging stations will be unmanned and will not require a water supply.

- B. ***Sewage Disposal*** – The proposed method of sanitary sewage disposal for all buildings and uses shall be shown on the site plan. It shall meet the applicable Town regulations for sewage disposal systems and connections whether it is an on-site septic system (Medway Board of Health) or is connected to the Town's municipal sewer system (Medway Department of Public Works). The Town of Medway currently prohibits extensions of the Town's municipal sewer system beyond that in existence on March 9, 2015.





Volta's charging stations will be unmanned and will not require sewage disposal services.

- C. *Fire Hydrants* –Applicants are strongly encouraged to meet with Medway Fire officials early on in the site design process to incorporate provisions of the NFPA 1 Fire Code pertaining to the quantity and type of fire hydrants for the site.**

No additional fire hydrants will be installed on Site as a result of Volta's charging stations.

#### ***207 – 16 Utilities***

- A. All electric, telephone, cable TV, and other utilities shall be located underground.**

Volta's charging stations will comply with this provision of the Regulations.

- B. Permanently installed generators shall be positioned on cement pads, be located to the rear of the site, and shall be fully screened or bermed to mitigate noise and appearance.**

No generators will be installed on Site as a part of Volta's charging stations.

- C. Utilities shall be installed in accordance with Section 7.6 Utilities of the Medway Subdivision Rules and Regulations.**

Volta's charging stations will comply with this provision of the Regulations.

- D. Architectural features shall be incorporated into the building design to screen rooftop HVAC and other utilities.**

Volta does not propose a building as a part of this project.

#### ***207 – 17 Solid Waste Removal - Dumpsters, Trash and Recycling Containers and Enclosures***

- A. The Town does not provide solid waste removal services for commercial, industrial and multi-family or mixed use development projects.**

- B. Dumpsters and recycling and trash containers and enclosures shall be located to the rear of the site such that their view from streets is minimized.**



- C. Dumpsters and recycling and trash containers shall be fully screened on all sides and to the full height of the dumpster or container by suitable fencing or enclosure and/or evergreen plantings. The size of enclosure shall be large enough to accommodate both trash and recycling containers and include sufficient space around and between the containers enclosed therein to be easily maneuvered for pick-up.**
- D. Multi-tenant developments shall incorporate the use of shared trash compactors.**
- E. Egress to dumpsters and trash containers shall provide for the efficient removal of trash with a minimum of backing up required by service vehicles.**

Volta's charging stations will not produce solid waste and no additional dumpsters, trash or recycling containers will be located on Site as a result of this project.

#### ***207 - 18 Outdoor Lighting***

- A. Outdoor lighting shall comply with Section 7.1.2 of the Zoning Bylaw.**
- B. For new construction, no overhead wiring for outdoor lighting is permitted.**
- C. Light fixture design should comply with the Medway Design Review Guidelines.**

Though the charging station signs will be internally illuminated, no additional exterior lighting will be added to the Site as a part of Volta's charging stations.

#### ***207 – 19 Landscaping***

- A. *General* - Landscaping enhances the site, provides a pleasing environment and reduces the visual impact of the site on the surrounding areas. The Board requires that the Applicant provide sufficient landscape treatment to create adequate buffering for neighboring properties and provide positive visual impacts as provided herein. The preservation of existing trees and vegetation where feasible and appropriate in lieu of or in addition to new landscaping as required herein is permitted and encouraged.**

No additional landscaping is proposed on Site as a result of Volta's charging stations.



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

- 1) Landscape buffers between the street and parking areas are required. Tree-lined sidewalks at the street front shall be included. Plantings along the front property line and access roads shall take into consideration sight distance criteria. Planting of new or replacement trees every twenty-five feet along both sides of an access road is required. The Board may waive this requirement in favor of the preservation of existing site trees.
- 2) Perimeter landscaping shall be provided around the entire site. Four season evergreen landscape buffers between the site and adjoining properties are required, particularly to protect adjacent residential uses to the greatest extent possible. Landscaped buffer areas shall be a minimum of fifteen feet in depth and may be comprised of existing woodlands and native vegetation supplemented by new landscape plantings. Vegetation in buffer areas may also be augmented with earth berms of a reasonable height and high quality and durable fencing using materials approximating wood.

No additional landscaping is proposed on Site as a result of Volta's charging stations.

**C. *Parking Areas***

- 1) Internal landscape planted divisions (islands and peninsulas) shall be constructed within all parking areas containing ten or more parking spaces to provide visual relief from expanses of pavement and vehicles and provide shade.
  - a) A minimum of ten percent of the total internal parking area shall be provided as landscaped island areas, exclusive of perimeter landscaping.
  - b) The ends of parking aisles that have more than fifteen parking spaces in length shall incorporate enclosing landscape islands at both ends of the rows. The width of such landscaped islands shall be at least four feet at the ends



- c) **Where the length of parking aisles exceeds twenty-five spaces, intermediary landscaped islands shall be installed at regular intervals, not to be more than every thirteen spaces.**
- d) **At least one deciduous shade or canopy tree of a minimum three inches caliper with a height of not less than twelve feet above grade shall be provided for every six parking spaces. Only trees providing shade to the parking area shall be counted as meeting this requirement. The Board may waive this requirement in favor of the preservation of existing site trees.**

No additional landscaping is proposed on Site as a result of Volta's charging stations.

- 2) **Landscaping shall be provided around the perimeter of all parking areas to prevent direct views of parked vehicles from streets and sidewalks, avoid spillover light, glare, noise or exhaust fumes onto adjacent properties, and to provide parking areas with a reasonable measure of shade. Such vegetation shall be no less than five feet high at the time of planting.**

No additional landscaping is proposed on Site as a result of Volta's charging stations.

- 3) **Parking entrances at curb cuts shall be landscaped with a combination of trees, shrubs and flowering plants. These areas may also be used for signage pursuant to Section 7.2.4 F. 5 of the Zoning Bylaw. No trees or shrubs shall be planted in a manner that would obstruct sight line visibility for vehicles entering and exiting a site. The maximum height of vegetation, except trees, at full growth or any other physical object within the Sight Distance Triangles of a curb cut shall not exceed three feet in height.**

No additional landscaping is proposed on Site as a result of Volta's charging stations.

- 4) **To the maximum extent feasible, plant materials used in landscaped islands and in the perimeter of parking areas shall be drought resistant, salt tolerant, noninvasive species as identified in The Evaluation of Non-Native Plant Species for Invasiveness in Massachusetts by the Massachusetts Invasive Plant Advisory Group.**



No additional landscaping is proposed on Site as a result of Volta's charging stations.

- 5) Landscaped areas should be designed to receive and accommodate stormwater runoff in accordance with the Massachusetts DEP Stormwater Handbook through the use of rain gardens and bio-retention areas.**

No additional landscaping is proposed on Site as a result of Volta's charging stations.

- D. *Screening and Buffers* – Where disturbance on the site is necessary beyond the building footprint, parking and access areas, or where the Board determines that additional plantings are needed to achieve four seasons of screening, the Landscape Plan shall include landscape plantings, berms, and/or manmade hardscape structures such as fences, stone walls and trellises sufficient to immediately screen one-hundred percent of the HVAC equipment, utilities, dumpsters, storage areas, truck loading areas, machinery, utility buildings, and accessory structures etc. from the view at any perimeter point on the site. The proposed plantings shall be of sufficient maturity to immediately integrate the building and site into its surroundings. The scale, extent and density of such landscape and hardscape treatment shall be determined by the size of the building, the extent of planned disturbance to the site's existing landscape, the adjacent uses, and the need for additional screening.**

Volta's charging stations will not extend beyond the existing parking area and this provision of the Regulations does not apply to this Application.

- E. *Landscaping Around Stormwater Infiltration Basins* – Substantial landscaping shall be provided around stormwater detention and retention basins and shall be included in the design of the stormwater drainage system to the satisfaction of the Board. For screening purposes and to minimize the visual impact of stormwater basins, such landscaping should include two staggered rows of suitable trees and shrubs. Landscaping shall be designed to not obstruct access to the stormwater basins for maintenance purposes.**

No changes or additions are proposed to the existing stormwater drainage systems on Site and this provision of the Regulations does not apply to this Application.

- F. *Trees shall be non-invasive, deciduous hardwoods. The following species are preferred:***



- 1) Red Oak - *Quercus borealis*
- 2) Pin Oak - *Quercus palustris*
- 3) Scarlet Oak - *Quercus coccinea*
- 4) Red Maple - *Acer rubrum*
- 5) Sugar Maple - *Acer saccharum*
- 6) Thornless Honey Locust - *Gleditsia triacanthos intemis*
- 7) London Plane Tree
- 8) Ginko (Fruitless male)
- 9) Swamp White Oak
- 10) Zelcova
- 11) Sweetgum (*Rotundiloba*/fruitless)
- 12) Linden

**Smaller variety trees:**

- 13) Crab Apple (if insect and disease resistant)
- 14) Kousa Dogwood
- 15) Serviceberry
- 16) Henge Maple

**Evergreen species:**

- 17) Norway Spruce
- 18) Hemlock
- 19) Capitata Yew
- 20) Cedar

The Applicant may propose alternative trees that may be better choices for the particular site based on proximity to utility lines, sidewalks and pavement, area available for root growth, tolerance to salt, rooting characteristics, resistance to disease and insects, tolerance to root pruning, branching habit, fruit and seed production, maintenance needs or other reasons. The Board may seek the advice of the Medway Tree Warden to evaluate alternative tree proposals.

No additional landscaping is proposed on Site as a result of Volta's charging stations.

- G. *Tree Preservation* - Wherever feasible, existing trees of fifteen inches or more in diameter as measured four feet above finish grade should be preserved.**

No existing trees will be removed as a result of Volta's charging stations.



- H. *Tree Replacement* – All hardwood trees twenty-four inches or more in diameter as measured four feet above finish grade that are to be removed from the site shall be replaced with new trees on the site.**

No existing trees will be removed as a result of Volta's charging stations.

- I. *Tree Size* – New and replacement trees shall have a diameter of at least an average of two and one-half inches as measured four feet above finish grade and shall be a minimum of twelve feet in height.**

No additional trees will be planted on Site as a result of Volta's charging stations.

- J. *Landscape Requirements* – To the maximum extent feasible, all additional landscaping shall be drought resistant, pest tolerant, non-invasive species as identified in The Evaluation of Non-Native Plant Species for Invasiveness in Massachusetts by the Massachusetts Invasive Plant Advisory Group. Tree species should be native and hardy for Zone 6.**

No additional landscaping is proposed on Site as a result of Volta's charging stations.

- K. *Irrigation* – On-site wells, cisterns to capture rainfall, or private watering service is required to maintain landscaping installations. The Town does not permit connection to the Town's water service for landscape irrigation. Well locations shall be shown on the site plan and are subject to approval of the Medway Board of Health.**

No wells are proposed on Site as a result of Volta's charging stations.

#### ***207 – 20 Site Amenities***

- A. When incorporated as part of a site plan or included as mitigation measures, the selection of types and materials for fencing, retaining walls, gates, benches, planters, bike racks, seating areas, and other site amenities should comply with the *Medway Design Review Guidelines*.**
- B. Proposed hardscape features and materials such as fences and stone walls shall be compatible with the design of the building. Vehicle sight lines shall not be affected by such landscape features or built hardscapes.**

Volta does not propose any additional site amenities listed in these provisions of the Regulations as a part of its charging stations.



**207 – 21      *Snow Removal***

**The site shall be designed to accommodate adequate snow storage for snow that is removed from the paved areas. The snow storage area(s) shall be located and graded such that the runoff from melting snow shall not enter the public way or wetland resource areas. Stored snow shall not affect visibility and sight distance of vehicles entering and exiting the site. Snow storage areas shall safely accommodate a minimum volume equal to six inches over the entire site area subject to snow removal. The Board may condition a site plan decision to require removal of excess snow off-site.**

There will be no change to existing snow removal measures on the Site as a result of Volta's charging stations.

**207 – 22      *Outdoor Storage***

**To the maximum extent possible, outdoor storage of materials, goods, and equipment if permitted, shall be screened from view from adjacent and nearby streets and properties by suitable fencing and/or evergreen plantings, and in accordance with Zoning Bylaw regulations. Check *Table 1 Schedule of Uses of the Zoning Bylaw* for areas where outdoor storage is permitted.**

There will be no additional outdoor storage areas added to the Site as a result of Volta's charging stations.

**COMPLIANCE WITH MEDWAY DESIGN REVIEW GUIDELINES**

**B.      Principles and Intentions**

**The Design Review Guidelines for the commercial zones are intended to shape commercial development to reinforce the traditional New England village character of Medway. For commercial zones, the following design principles encourage a human-scaled, well-designed, New England village environment:**

- **An overall development character that reflects the heritage of the Town of Medway and highlights features of the development or site that may connect the current design to the Town's history**





- **Building massing and site composition with a configuration and appearance that suggest evolution or modification over time through organic and incremental growth**
- **Building scale and site composition that reinforces the human scale of the built environment with buildings that are relatable to the pedestrian and a walkable site design with inviting streetscapes or small public spaces for socializing and gathering**
- **Building architecture that is varied and eclectic in style that echoes traditional New England building character with traditional details, materials and colors**

The proposed electric vehicle charging stations will not derogate from the intent or purpose of the Bylaw because the charging stations are located within the parking area of an existing shopping plaza, set back a distance from any street so that they will not be visible from any Town streets or public rights of way. Further, the signs will be located in the Central Business (CB) Zoning District where charging stations are now expected and more commonplace. The charging stations provide a public benefit in the form of free electricity, which promotes the use of green energy.

**C. Site Improvement Guidelines The following guidelines outline the site design and layout practices that should be viewed as baseline components for a well-designed commercial development in the Town of Medway.**

- 1. Site Composition The development's land planning and site design should provide a thoughtful and responsive approach that adapts the development program and site requirements to the conditions of the land.**
  - a) Reinforce New England Village Environment – Site design should be used to reinforce the sense of a New England village environment by clustering buildings and site features. Purposeful composition of buildings and site features encourages a sense of community and frames open spaces. It also provides opportunities to maintain existing scenic views and to reinforce deliberate clearings for a variety of vistas and views.**
  - b) Integrate Natural Site Features – The site design should take advantage of the natural site features by maintaining, incorporating or adapting the inherent characteristics of the**



**property (topography, landscape features and vegetation, rock formations, stone walls, etc.) to guide and benefit the layout and design of the site.**

- c) Cluster Components – Site and building components should be clustered to maintain the maximum amount of natural and undisturbed open space on the property.**
- d) Reduce Impact of Parking – Site layout should be designed to minimize the visibility and impact of parking, service and utility-oriented functions of the property.**

Volta's charging stations will be a de minimis addition to the existing shopping plaza and will be located upon a small portion of the existing parking lot.

- 2. Building Orientation Buildings should be sited to organize development on the land, reinforce a sense of community, frame open space, and conceal parking, service and loading areas.**
  - a) Orient Building to the Street – Primary building facades should be oriented to public street frontages and/or open spaces.**
  - b) Position Entry to the Street – The front facades and primary pedestrian entries to a building should face the public street that provides primary access to the property.**
  - c) Respect Patterns of Context – Building setbacks should be consistent with the zoning requirements and consider the pattern of buildings on adjacent parcels. A setback distance similar to neighboring buildings reinforces a rhythm and pattern of the district. Front setback distances should be minimized to encourage a relationship between the building and the primary street frontage.**
  - d) Articulate Multiple Primary Façades – For buildings with multiple frontage orientations, design for all views and façades should be considered with multiple primary façades and building entries.**
  - e) Anticipate Future Improvement – Building design and orientation should anticipate that abutting vacant land may be a future development opportunity. Thoughtful attention should be paid to anticipating potential future development that could**



**change the context of a building façade to enhance adjacent relationships and avoid awkward building orientations.**

Volta's electric vehicle charging stations do not entail the construction of any buildings on Site and this provision of the Design Review Guidelines does not apply to this Application.

**D. Architectural Guidelines The following guidelines outline the architectural design elements that should be viewed as a baseline for well-designed architecture in the Town of Medway.**

- 1. Building Massing Building massing should be designed to reduce the overall perceived scale and provide simple and evocative forms that reinforce both a sense of a New England village and a sense of a human-scaled environment.**
  - a) Strengthen Prominence of Building Entry – Building massing should reinforce the purpose and readability of the building. For example, building massing should emphasize and highlight the location of the primary building entrance.**
  - b) Visually Reduce Larger Building Scale – Large building masses should be broken down through variations in roof lines, bays, setbacks, upper-level stepbacks, horizontal or vertical articulation, or other types of architectural detailing as described in Façade Composition and Components. Overall building form should be appropriate to the scale of the building and not become overly complicated.**
  - c) Simplify Smaller Buildings – Smaller building masses should remain simple and not overly complicated.**
  - d) Reinforce Corners and Gateways – Sites located at a prominent corner, intersection, or gateway should have building features and orientation that recognize the corner or gateway and respond to it with a suitable building form. Examples of prominent building features include tower or cupola elements, corner detailing, additional building height, or other building forms that provide a visual anchor.**
  - e) Integrate Historic Structures – Existing historic structures should be integrated into any new development plan. New buildings and additions should complement and reflect the style of existing older structures. Historic buildings should be considered for restoration, sensitive rehabilitation,**



**preservation or adaptive reuse as may be appropriate to the historic structure and nature of its reuse. Refer to the Secretary of the Interior's Standards for Rehabilitation.**

- f) Integrate Accessibility Features – Accessibility ramps, lifts or other access requirements should be integrated into the design of the building entry at the building exterior and interior. Accessibility components should be a purposeful part of the building entry design.**

Volta's electric vehicle charging stations do not entail the construction of any buildings on Site and this provision of the Design Review Guidelines does not apply to this Application.

- 2. Façade Composition and Components Composition of building façades should include architectural features and building components that reduce the scale of large building masses, reinforce the character of the building to reflect a New England village style, and provide detail and articulation of the overall building, particularly in areas with pedestrian traffic.**

- a) Emphasize Façade Rhythm and Patterns – A building façade should be broken into vertical and horizontal parts that reinforce a rhythm and pattern. Vertically, a building should be seen to have a base, middle and top. Horizontally, the building should be broken down into sections that correspond to and indicate bays of the structural system.**
- b) Avoid Long and Blank Façades – Building façades should be differentiated at intervals typically not less than 50 feet or less by a change in material, a variation in the plane of the wall, decorative components, or functional element such as entryway or portico. Sections of continuous, uninterrupted, or blank building façades typically should not exceed 50 feet.**

## **CONCLUSION**

As evidenced by the materials submitted with this Application and as will be further demonstrated by the Applicant through evidence submitted to the Board at the public hearing(s) in connection herewith, the proposed signage satisfies the intent and objectives of the Bylaw in light of the size of the parcel, the commercial nature of the shopping plaza, as well as the charging station placement within the plaza. The charging stations will minimize potential



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adverse impacts to the surrounding neighborhood and the Town of Medway as a whole as it will not be seen from the streets or neighboring parcels. Volta respectfully requests that the Board approve the design of the charging station signage and grant the requested special permit and Minor Site Plan Review.

Respectfully Submitted,

**BROWN RUDNICK LLP**

By:   
Michael R. Dolan, Esq.



## **LIST OF EXHIBITS**

1. Application Forms
2. Certified Abutters List
3. Deed
4. Plans
5. Photos
6. Filing Fee
7. Waiver Requests