



TOWN OF MEDWAY

Planning & Economic Development Board

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Steps to Amend the Medway Zoning Bylaw

Q: Who may propose an amendment to the Medway Zoning Bylaw?

A: Any of the following - the Planning & Economic Development Board (PEDB), the Zoning Board of Appeals (ZBA), the Board of Selectmen (BOS), an individual owning land that would be affected by a change, a citizens' petition by registered voters in the community (10 for annual town meetings and 100 for special town meetings), and the regional planning agency (Metropolitan Area Planning Council (MAPC) - may submit a proposal to amend Medway's Zoning Bylaw to the BOS to be included on the warrant for a town meeting. In most cases, a Zoning Bylaw amendment is proposed by the PEDB.

Q: Who approves a change to the Medway Zoning Bylaw?

A:



TOWN MEETING

State law requires that any amendment to a municipal zoning bylaw must be approved by at least a 2/3 vote of Town Meeting. In Medway, there is an additional local requirement that at least 100 registered voters must be in attendance at a town meeting to consider a proposed amendment to the Zoning Bylaw. In Medway, town meetings regularly occur in May and November.

Q: Who reviews proposed amendments to the Medway Zoning Bylaw?

A: All proposed Zoning Bylaw amendments are discussed by the BOS at a public meeting before an article is placed on a town meeting warrant. Proposed articles are also reviewed by the Town's Legal Counsel. The BOS and the Finance Committee each recommend whether the proposed amendment should be approved.

State law also requires the PEDB to conduct a public hearing on any proposed amendment to the Medway Zoning Bylaw and to make a report to town meeting with its recommendation regarding adoption, further revision, withdrawal, or denial.



Q: *How is the public notified about a proposed amendment to the Medway Zoning Bylaw?*



The PEDB prepares and files the official public hearing notice with the Town Clerk at least 14 days before the hearing date. The hearing notice is posted on the calendar on the home page at the Town's web site. Information about the public hearing is also posted at Medway Cable Access, the Town's Facebook page and other community web sites.

A legal advertisement is published in the Milford Daily News once in each of two successive weeks before the date of the public hearing. A complete set of the text of the proposed amendments is provided to the Town Clerk and is posted to the Planning and Economic Development Board's web page for public review.



The PEDB has adopted a practice of notifying property owners within approximately 1,000 feet of the subject site, by first class mail, of the proposed amendment and the public hearing date when such a proposal is substantial or may have a significant impact on abutting properties. This is also true if changes to zoning district boundaries are proposed.



The PEDB may also hold a neighborhood meeting to inform property owners and abutters of the proposed amendment and to listen to their concerns and ideas.

A booklet containing all of the warrant articles to be acted upon at the annual town meeting is posted to the Town's web site in advance of the Town Meeting. The warrant booklet is also available at Town Hall, the Medway Senior Center, and the Medway Public Library. Residents can sign up at the Town's web site to be notified via email when the warrant is available.

Q: *What occurs at the public hearing?*

A: The proponent/sponsor of the amendment explains the proposal to amend the Zoning Bylaw. PEDB members ask questions and offer their general impressions. The public in attendance is invited to provide verbal or written commentary, ask questions, suggest changes, etc. If necessary, a public hearing may be continued to another specific date and time. After all testimony and comments are received, the public hearing is closed.



The PEDB then deliberates and may decide to revise the proposed amendment based on feedback from the public hearing. The PEDB must vote its recommendation on every proposed amendment. No more than six months may pass between the date of the PEDB's public hearing and the date of the town meeting vote on any given proposed amendment.



Q. *What happens at Town Meeting?*

A. At Town Meeting, the proponent/sponsor of the proposed amendment explains the article and the reasoning for the modification. The PEDB provides its recommendation to approve, revise, deny or withdraw the proposed amendment. Attendees may ask questions and offer opinions. Changes may be made to the article which narrow the focus of the proposal; revisions cannot be made that expand the scope of the proposed amendment. Motions for action are provided by the Finance Committee. After discussion, Town Meeting votes whether to approve the proposed amendment. State law requires that zoning bylaw amendments must be approved by a 2/3 vote of those present at Town Meeting.

Q: *When does an approved amendment take effect?*

A: After a town meeting is adjourned, the Town Clerk prepares and submits documentation regarding an approved Zoning Bylaw amendment to the Massachusetts Attorney General's office for its review and approval. This documentation includes verification that all procedural requirements prescribed by state law have been complied with. Zoning Bylaw amendments are effective on the date of the town meeting vote provided that the Attorney General's office approves the articles and the Town Clerk publishes the amendments in the community in accordance with state law.



For further information, please contact the PEDB office at 508-533-3291.