

Tuesday, March 9, 2021
Medway Planning and Economic Development Board
155 Village Street
Medway, MA 02053

Members	Andy Rodenhiser	Bob Tucker	Tom Gay	Matt Hayes	Rich Di Iulio	Jessica Chabot
Attendance	X	Absent with Notice	Absent with Notice	X	X	X

Pursuant to Governor Baker’s March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, and the Governor’s Orders imposing strict limitations on the number of people that may gather inside in one place, no in-person attendance will be permitted at this meeting. Board members will attend the meeting via ZOOM. Meeting access for the public is provided via ZOOM for the required opportunity for public participation in a public hearing. Information for participating via ZOOM is included at the end of this Agenda. Members of the public may also watch the meeting on Medway Cable Access: channel 11 on Comcast Cable, or channel 35 on Verizon Cable; or on Medway Cable’s Facebook page @medwaycable.

ALSO PRESENT VIA ZOOM:

- Susy Affleck-Childs, Planning and Economic Development Coordinator
- Amy Sutherland Recording Secretary (Zoom Participation)
- Steve Bouley, Tetra Tech (Zoom Participation)
- Barbara Saint Andre, Director of Community and Economic Development

Redgate Subdivision:

The Board discussed the Redgate Subdivision. The Board has requested a deed from the developer to convey the roads and drainage parcel and provide utility easements on two lots. Michael Bruce, on behalf of the developer, was present. He indicated they are prepared to provide the requested documents but would like some sort of agreement regarding release of the bond funds. The PEDB will reach out to Town Counsel to help with an agreement to move this forward. Susy Affleck-Childs will contact Mr. Bruce to secure the contact information for their attorney.

EXELON SITE PLAN COMPLETION:

The Board is in receipt of the following documents: **(See Attached)**

- Site Plan Completion paperwork.

The Board is in receipt of the Exelon Site Plan Completion paperwork. The applicant has requested a Certificate of Site Plan Completion and release of the security bond in the amount of \$363,691.25. This project was reviewed by BETA on February 18, 2021. Eric Las from Beals and Thomas, project engineer and Pete Callahan from Exelon were present for the discussion.

On a motion made by Rich Di Iulio, and seconded by Matt Hayes, the Board voted by Roll Call vote to approve site plan completion for Exelon and to release the security bond

in the amount of \$363,691.25.

Roll Call Vote:

Matthew Hayes **aye**
Rich Di Iulio **aye**
Andy Rodenhiser **aye**

The Board would like to arrange for a tour of the site.

MASTER PLAN UPDATE:

The Board is in receipt of the following documents: **(See Attached)**

- Master Plan consulting services proposal from selected consultant JM Goldson and team
- Scope for Master Plan Committee.

Consultant Jenn Goldson zoomed in to meet Board members.

The Board was informed that Jenn Goldson and team was selected to prepare the Master Plan. The contract will be signed at the Board of Selectmen's meeting next Monday night (March 15, 2021). The next step is for the PEDB to establish the Master Plan Committee. Consultant Goldson explained that this process will be a great team project for the town where it is meant to unify and becomes a community building process. The Board has an outline of the scope work for the committee. This will be an 18-20 month project with the time frame finishing October 2022. The recruiting of members for the Committee is currently underway.

On a motion made by Matt Hayes, and seconded by Rich Di Iulio, the Board voted by Roll Call vote to approve the Master Plan Committee scope of work as presented.

Roll Call Vote:

Matthew Hayes **aye**
Rich Di Iulio **aye**
Andy Rodenhiser **aye**

CONSTRUCTION REPORTS:

The Board is in receipt of the following reports: **(See Attached)**

- William Wallace Village Monthly Inspection Report (February) by Dan Merrikin
- William Wallace Field Report by Tetra Tech - 2/25/21
- Evergreen Village Field Reports by Tetra Tech - 11/4/20, 12/8/20, 2/25/21
- 21 Trotter Drive Field Reports by Tetra Tech - 12/7/20, 12/11/20, 2/25/21
- Choate Trail Field Report by Tetra Tech - 2/5/21

William Wallace:

Consultant Bouley provided a status report on William Wallace Village. There was a recent Zoom meeting with Steve, Susy, Bridget and Ryan Rucki who is helping to coordinate the project for developer Larry Rucki. The meeting was productive. Issues such as erosion control concerns were discussed.

Evergreen Village:

Consultant Bouley provided a status report on Evergreen Village. There were recent erosion control issues on site. The applicant has been made aware of these issues and will be taking care of them.

Marzilli (21 Trotter Drive):

There was a site visit with Conservation Agent Bridget Graziano. The Conservation Commission will be issuing an enforcement order since there was evidence of oil sheen in the stormwater basin. There will be a mitigation plan put in place since the violation was within the groundwater protection area.

Choate Trail Way:

The project site has been cleared and the staking was done.

Salmon:

There has been recent erosion control issues on site. Also there was stone recently pushed into the wetland area under the Bridge crossing. There will be a Zoom meeting with the developer to discuss clean up and there will be a mitigation plan to restore.

Millstone Village:

The developer is currently working through the punch list.

St. Joseph's Church Site Plan - Peer Review Fee:

The Board is in receipt of the following: (See Attached)

- Tetra Tech Plan Review Estimate

The Board is in receipt of the Tetra Tech Plan Review fee estimate of \$5,276.00.

The public briefing for this minor site plan project will be start on March 23, 2021.

On a motion made by Matt Hayes, and seconded by Rich Di Iulio, the Board voted by Roll Call vote to approve the Tetra Tech consultant review fee of \$5,276 for the minor site plan for St. Joseph's Church.

Roll Call Vote:

Matthew Hayes **aye**

Rich Di Iulio **aye**

Andy Rodenhiser **aye**

ZONING BYLAW AMENDMENTS PUBLIC HEARING:

The Board is in receipt of the following: (See Attached)

- Public Hearing Notice dated 2-18-21
- Article C – Site Plan Review
- Article D – Solar Installation
- Article E – Flood Plain
- Article F – Rezoning of parcels from AR11 to Energy Resource

- Article G – Non-Conforming Uses
- Article H – Cottage Cluster Development
- Article I – Electric Vehicle Charging Stations with digital advertising
- Article J – Accessory Family Dwelling Unit
- Article K – Residential Common Driveways

(Attached at the end of the minutes are the comments and questions from the ZOOM chat during this agenda item.)

NOTE – Building Commissioner Jack Mee was present via ZOOM for this agenda item discussion.

On a motion made by Matt Hayes, and seconded by Rich Di Iulio, the Board voted by Roll Call vote to waive the reading of the public hearing notice.

Roll Call Vote:

Matthew Hayes	aye
Rich Di Iulio	aye
Andy Rodenhiser	aye

Article B: Environmental Standards:

The Board is in receipt of the following: **(See Attached)**

- Draft dated 2-22-21 (same version as discussed at the 2-23-21 PEDB meeting)
- Comments from Building Commissioner Jack Mee dated 3-5-21 re: proposed odor language.
- Email dated 3-9-21 from Peter D’Agostino on behalf of Phototherapy for 6 Industrial Park Road
- Email dated 3-9-21 from John Lally.

Article B would be to replace Section 7.3 Environmental Standards, which governs noise, odor, vibration, dust, and other environmental concerns, in its entirety to include definitions, updated standards, procedures for investigation of complaints, and certain exemptions for farming, residential uses, repairs, and public works.

The Chairman explained that after discussions at the last meeting and with comments from the Building Commission, it was realized that there needs to be further professional assistance from a consultant. There have been many hours of work on this article but there continue to be areas which need to be refined further. There was a suggestion that instead of pushing this through for the May town meeting, it is recommended to pull this article. This needs to be a defensible bylaw. Chairman Rodenhiser reported that he had discussed this with Town Manager Michael Boynton and that there will be some funding provided so the Board can retain the needed consultants.

Susy Affleck-Childs informed the Board that she had sent them emails received from Building Commissioner Jack Mee and also Peter D’Agostino about the environmental standards.

Member Di Iulio communicated that he is disappointed that this article is being pulled since the

Board has spent many hours on this and it needs to have closure.

Member Chabot also agrees that there has been a lot of time on this, and she would be in favor of letting the people vote to see what they would like instead of pulling this.

Resident, Tracy Stewart: Ms. Stewart informed the Board that Representative Roy recently announced the creation of a roadmap for climate policies with pollution and sustainability with energy needs.

Resident Jeannine Clifford communicated that the Town of Medway is changing and people want the town to change in the right way and she would like to see this article pulled to work on this Article.

There was a note in chat that a resident agrees with what member Di Iulio has recommended.

Building Commissioner Mee expressed that as the enforcement officer he needs to enforce the regulations and standards and it is difficult when the language is not clear. He noted that Ellen Rosenfeld has spent almost a million dollars to mitigate the noise and sound issues at 2 Marc Road. The decisions which are made by enforcement need to be defensible with the law.

Resident John Lally commented that the mitigation which was done at 2 Marc Road was tremendous. He thanked Ellen Rosenfeld for addressing the issues. He further explained that then facilities do the proper mitigation it works best for the town.

On a motion made by Rich Di Iulio, and seconded by Matt Hayes, the Board voted by Roll Call vote to pull the environmental standards article from the warrant for the May 10, 2021 town meeting.

Roll Call Vote:

Matthew Hayes	aye
Rich Di Iulio	aye
Andy Rodenhiser	aye

Article A: Central Business District:

The Board is in receipt of the following: (See Attached)

- Revised draft dated 3-1-21
- Use Table amendments dated 3-1-21
- Email comments dated 2-26-21 from developer Joe Eddy who has been considering a mixed-use development at 72 Main Street.

A screen share was provided.

The revisions would be to revise Table 1, Schedule of Uses in Section 5.4, and to delete Section 5.4.1 Special Permit in the Central Business District, amend Section 6.1 Schedule of Dimensional and Density Regulations and Table 2, and also add a new Section 10: Central Business District Development Standards.

Realtor Paul Reo (Berkshire Hathaway) was present during the ZOOM meeting. He indicated he is also on the Board of the Charles River Bank which owns 72 Main Street. He has a prospective buyer for this area. However, that prospect is now not interested in the site since reviewing the draft warrant article for mixed use. Item 10.3D(5) was referenced as it relates to ratio of floor area. The formula would require a person to build 55,000 sq. ft. building for commercial. This formula is not realistic for a developer. There should be a maximum size not minimum. That size of building is not possible on this lot. This formula needs to be revisited.

Attorney Steven Kenney was also present on behalf of Charles River Bank. He referenced outdoor amenity space and asked whether this requirement pertains to just mixed use projects or is a general site standard for any form of development in the CB district. Chairman Rodenhiser indicated he understands it as a general site standard applicable to all project. The Board explained that the initial intent was to include a pocket park and outdoor amenities and areas for shoppers to recreate. There could be outdoor dining areas along a whole street walkway area. The Board needs to look at if this will apply everywhere or in only certain areas. The language of this needs to be reworked. The intent is to include it for all sites. Outdoor space could include many of the items listed. The list of outdoor amenity spaces was shown on the Share Screen Feature. Does a rooftop terrace count as open space or outdoor amenity space? This is confusing and needs to be clarified. A suggestion was to send an email to consultant Ted Brovitz to determine what the thought was on this standard.

Barbara Saint Andre communicated that the problem is the language regarding the gross square footage of the lot. This language can be corrected.

Developer Joseph Eddy (interested party for 72 Main Street) was present and expressed that he would like to develop this area with commercial in front and create a downtown area and have walkability.

Resident Jeannine Clifford communicated that the language of this as written is confusing. The intent is to attract mixed use but maintain business.

The members were in receipt of recommended edits provided by Attorney Judith Cutler from KP Law which will be reviewed and incorporated into the Article.

The recommendation was to rewrite the language on Article #5 and reconsider at the next hearing.

Article F Rezoning of parcels from ARII to Energy Resource:

The Board is in receipt of the following: (See Attached)

- Article F Rezoning with maps

This Article is to amend the Zoning Map to rezone certain parcels from the AR-II Zoning district to the Energy Resource Zoning District.

The Board reviewed and discussed Article F. A map and recommended article of this were shown on the Share Screen.

The list of the noted parcels were shown along with the maps. This area is along the south side of Milford Street. This is being rezoned due to the possibility for renewable energy uses for a battery storage facility. Much of the land is presently owned by NSTAR.

Resident Bryan Adams was present to speak and wanted clarification on the location of 0 Milford Street. It was indicated on the map.

The affected property owners were notified. Barbara Saint Andre indicated that Theresa Nelson who owns in this area is not sure if she wants the land rezoned.

A satellite aerial view was shown along with the gas line. There is already infrastructure into the ground there.

Chat questions from Zoom were asked and are attached to the minutes.

- A question was asked if there is a proposal for this area to develop and what is the rationale for rezoning? The rationale is that this is currently being used for energy transmission. It is the appropriate zoning classification for the use. There could be a battery storage facility on one of the parcels. This is a clean renewable energy source.
- Resident, John Flanigan, 10 Littletree – Mr. Flanigan is concerned about what could be built there in the future.
- Resident Adam Houser referenced property #56-06 property. It seems that this property is the driver of the zoning change.
- Resident Tracy Stewart asked if this warrant article does not pass, what changes in the process for owners to propose a battery storage could happen? Barbara Saint Andre communicated that the Town would prefer to work with the company and keep local control over the process instead of it sidestepping the Town and going directly to the Energy Facilities Siting Board at the state level.
- Another question asked was can the scope remain narrow and not so broad in description. Could some of the uses be limited?
- Resident Brian Adams wanted to know what is the total acreage of all the lots combined? He does not want a repeat of Exelon. The Board does not have the number of total acreage but Susy Affleck-Childs reported she could provide that information.

Article I: Electric Vehicle Charging Stations with Digital Advertising:

The Board is in receipt of the following document: (**See Attached**)

- Draft article dated 2-24-21
- Email from attorney Judith Cutler dated 3-9-21 with comments

This Article will add a definition in Section 7.2.6, Amend Table 1 Schedule of Uses in Section 5.4 and amend Section 7.2.6 B to allow electric vehicle charging stations with digital advertising signage in certain zoning districts by special permit of the Planning and Economic

Development and to also amend Section 3.5.3.A.2 to add electric vehicle charging stations with digital advertising to Minor Site Plan Review.

The Board is in receipt of an email from attorney Judith Cutler referenced that the new Section 7.2.6.B.4. She asked if it is intended as an accessory use regulation or whether it is intended to be a sign regulation. As this is written, Judith references that the special permit governs both the use and the signage connected with the use. As written this would allow a Special Permit as accessory in the CB, EI and WI districts, only those Electrical Charging Stations that have digital signage, but that all other electrical charging stations are prohibited. She offered suggestions for changes.

Resident Tracy Stewart referenced the Red Boxes which were placed at Cumberland Farms and wants to know how it works with the digital signs regarding with Advertising. She wanted to know if regulations will be put in for content. The Board explained that they are not allowed to regulate sign content since it is free speech but regulations on size and lighting are allowed.

The Board will be incorporating the comments from Town Counsel.

Article H Cottage Cluster Development:

The Board is in receipt of the following document: (**See Attached**)

- Article H Cottage Cluster Development dated 2-12-21.

This Article is to see if the Town will vote to amend the Zoning Bylaw by adding a new Section 8.12 Cottage Cluster Development. The purpose of this is to provide a variety of smaller, more affordable housing choices, including single-family dwelling units, duplexes, and carriage houses in order to meet the needs of a diverse population. The Board is in receipt of comments from Judith Cutler (Attorney from KP). The Board has not had a chance to review the comments and it is recommended to have follow-up discussions on this.

Medfield Town Planner and Medway resident Sarah Raposa left a message in the text chat box indicating she is in favor of this article.

Resident Tracy Stewart asked if the Conservation Commission was involved with the drafting of this article? Susy Affleck-Childs responded that they were not but any project with wetland resources would be required to go through the conservation process.

Article G Non-Conforming Uses:

The Board is in receipt of the following document: (See Attached)

- Article G Non-Conforming Uses dated 2-11-21

This Article is to amend Section 5.5.C.1 to specify that lawfully existing nonconforming structures (such as barns, garages and sheds) that are accessory to and on the same lot as nonconforming single-family and two family structures are afforded the same nonconforming protections. There are clarifications to amendments in Section 5.5.C.3.b. There was also specification that the Special Permit criteria in Section 3.4 do not apply to special permit

applications under Section 5.5.E Non-Conforming Structures other than one-family and two-family dwellings.

There were no questions on this.

Article J: Accessory Family Dwelling Unit:

The Board is in receipt of the following document: **(See Attached)**

- Article J Accessory Family Dwelling Unit dated 2-11-21

This Article is to add a new item 8 in Section 8.2.C with standards for accessory family dwelling units that are located in separate structures.

The Board has no issues putting this Article forward.

Article K – Residential Common Driveways:

The Board is in receipt of the following document: **(See Attached)**

- Article K – Residential Common Driveway dated 2-18-21

This article is to add regulations in Section 5.4.1 to allow residential common driveways by special permit from the Board.

The Board was informed that the DPW and Fire Department had provided considerable feedback on the draft which merits additional time for review and revision. It is recommended that the Board withdraw this article from the warrant for the May town meeting.

On a motion made by Rich Di Iulio, and seconded by Matt Hayes, the Board voted by Roll Call vote to withdrawal Article K Residential Common Driveway Article.

Roll Call Vote:

Matthew Hayes	aye
Rich Di Iulio	aye
Andy Rodenhiser	aye

Article E: Flood Plain:

The Board is in receipt of the following document: **(See Attached)**

- Article E Flood Plain dated 3-3-21

This article is to amend Section 5.6.1 in its entirety in order to comply with recent changes in regulatory requirements.

There were no comments in chat.

Article D: Solar Installation:

The Board is in receipt of the following document: **(See Attached)**

- Article D Solar dated 2-25-21

The Article is to add a new section with regulations for various types of solar electric installations.

There was discussion that the Board may require vegetative screening up to 30 ft. in depth in locations it deems necessary. The screening shall be composed of native trees which will be staggered in height and density and shall be properly maintained. Chapter 40 A has some exemptions which will not allow a town to regulate solar installation in certain areas. There is language added that the owner or operator shall notify the Building Commissioner in writing of the proposed date of discontinued operations and plans for removal. Review comments from attorney Judith Cutler dated 3-9-21 were shared with the Board. Those will be incorporated into the next version.

There were no comments in chat.

Article C: Site Plan Review:

The Board is in receipt of the following document: (See Attached)

- Article C: Site Plan dated 2-18-21

This Article is to modify which activities are subject to administrative site plan review. There will be adding a new section 3.5.3.A. 4 Façade Improvements Review. There was no further discussion as the Board had previously reviewed and there were no comments.

On a motion made by Rich Di Iulio and seconded by Matt Hayes, the Board voted by Roll Call to continue the public hearing for the Zoning Bylaw amendments to March 23, 2021 at 7:35 pm.

Roll Call Vote:

Andy Rodenhiser	aye
Matt Hayes	aye
Rich Di Iulio	aye

Public Comment:

Resident, Jane Harris of the Speroni Acres subdivision wanted an update on the insurance bond for Speroni Acres and street acceptance. The Board wanted to know if there has been a Homeowner's Association created by the neighbors. Ms. Harris communicated that the neighbors have gotten together but a HOA has not been set up. The resident communicated that the Board had agreed to contact developer Mr. O'Sullivan and to date that has not. The Board does not want to work on this until there is a HOA formed regarding the sewer system. The wastewater infrastructure will not be accepted by the Town but language needs to be clear that it will be covered by HOA. It was suggested that this be scheduled for a future PEDB meeting with the intent to send a letter to the residents to explain the expectations of the Homeowner's Association.

Country Cottage Site Plan Completion:

The Board is in receipt of the following document: (See Attached)

- DRAFT Certificate of Site Plan Completion for Country Cottage

On a motion made by Rich Di Iulio and seconded by Matt Hayes, the Board voted by Roll Call to approve the Certificate of Site Plan Completion for Country Cottage and to release the performance security funds in the amount of \$19,415,63 with interest.

Roll Call Vote:

**Andy Rodenhiser aye
Matt Hayes aye
Rich Di Iulio aye**

PEDB MEETING MINUTES:

February 23, 2021:

On a motion made by Rich Di Iulio and seconded by Matt Hayes, the Board voted by Roll Call to approve the PEDB meeting minutes of February 23, 2021.

Roll Call Vote:

**Andy Rodenhiser aye
Matt Hayes aye
Rich Di Iulio aye**

OTHER BUSINESS:

Town Meeting (Non-Zoning Articles)

In addition to the proposed zoning bylaw amendments, the PEDB has submitted two other Articles for the warrant for consideration for the May town meeting. **(See Attached)**

- Request for a \$30,000 appropriation for the Street Acceptance Account to offset the funds recently used in conjunction with street acceptance for Applegate subdivision.
- A proposed amendment to the Stormwater Management and Land Disturbance bylaw to authorize the PEDB and Conservation to develop rules and regulations for processing, review and issuance of land disturbance permits.

There will be a public hearing on the non-zoning articles by the Finance Committee. Susy will be attending this and also the Board of Selectmen meeting on Monday March 15, 2021.

On a motion made by Rich Di Iulio, and seconded by Matt Hayes, the Board voted by Roll Call vote to accept and promote the non-zoning articles as presented.

Roll Call Vote:

**Matthew Hayes aye
Rich Di Iulio aye
Andy Rodenhiser aye**

CORRESPONDENCE: (See Attached)

- Letter from Jack Mee dated 3-4-21 to Ryan Rucki re: William Wallace Village
- Summary information from KP Law on approved Housing Choice Legislation

- Preliminary Guidance from MASS Department of Housing and Community Development on recently approved Housing Choice legislation.

Selectmen Crowley thanked the PEDB for working so hard on behalf of the town.

FUTURE MEETING:

- Tuesday, March 9, 2021

ADJOURN:

On a motion made by Rich and seconded by Matt Hayes, the Board voted by Roll Call vote to adjourn the meeting.

Roll Call Vote:

Andy Rodenhiser aye

Matt Hayes aye

Rich Di Iulio aye

The meeting was adjourned at 10:30 pm.

Prepared by,
Amy Sutherland
Recording Secretary

Reviewed and edited by,
Susan E. Affleck-Childs
Planning and Economic Development Coordinator



March 9, 2021

**Medway Planning & Economic Development Board
Meeting**

**Exelon Site Plan – Certificate of Site
Plan Completion and Bond Release**

- DRAFT Certificate of Site Plan Completion
- Letter dated 1-6-21 from Eric Las, P.E., Beals and Thomas requesting Certificate of Site Plan Completion and certifying project completion
- As-Built Plan dated 12-4-20 by Beals and Thomas
- Deviations Exhibit dated 11-4-2020 by Beals and Thomas
- Letter dated 2-18-21 from William McGrath, P.E. BETA re: as-built plan and project completion.
- Medway Treasurer's certification on paid taxes 3-9-21



TOWN OF MEDWAY
Planning and Economic Development Board

**Certificate of SITE PLAN Completion and Release of
Performance Guarantee - Exelon West Medway Expansion**

March 9, 2021

Project Location: 34 West Street, 9 Summer Street, 65 Milford Street, 0 Milford Street, 61R
Milford Street and 53R Milford Street

Assessor's Map/Parcel Numbers: 66-012, 66-013, 56-001, 56-002, 56-003 and 56-004

Applicant's Name: Exelon West Medway, LLC and Exelon West Medway II, LLC

Applicant's Address: 300 Exelon Way
Kennett Square, PA 19348

Title of Site Plan: *West Medway II Facility*

Drawn by: Beals and Thomas, Inc. of Southborough, MA

Plan date: February 9, 2016, last revised June 17, 2016

Date of Site Plan Decision: July 26, 2016

Date of Site Plan Endorsement: August 23, 2016

As-Built Plan: *West Medway II Facility – As-Built Exhibit*

Drawn by: Beals and Thomas, Inc. of Southborough, MA

Plan date: November 4, 2020, last revised December 4, 2020

Project Status

☒ Certificate of Occupancy issued by Building Department: March 1, 2019

☒ Applicant's Project Engineer's Statement of Completion & Compliance for site plan work and/or stormwater management facilities: Eric Las, P.E., Beals and Thomas, dated January 6, 2021

☒ Town's Consulting Engineer's Project Completion Sign-off: Bill McGrath, P.E., BETA, dated February 18, 2021

☐ Acceptance of required public improvements by DPW or BOS: NA

☐ Acceptance of required private off-site improvements by PEDB: NA

☒ CONCOM Certificate of Compliance, if applicable: Issued December 10, 2020

☒ As-Built Plan submitted: January 6, 2021 by Beals and Thomas

☒ As-Built Plan reviewed and accepted by Town's engineer: Bill McGrath, P.E., BETA, February 18, 2021

☒ Treasurer's Certification of Taxes Paid: March 9, 2021

☒ Performance Security: \$363,691.25 insurance bond with Atlantic Specialty Insurance Company, January 22, 2019

☐ PEDB vote of project completion and release of performance security: _____

Susan E. Affleck-Childs
Planning and Economic Development Coordinator

Date

January 6, 2021

Andy Rodenhiser, Chairman
c/o Susan E. Affleck-Childs, Coordinator
Medway Planning & Economic Development Board
Town Hall
155 Village Street
Medway, Massachusetts 02053

Via: FedEx

Reference: Request for Certificate of Site Plan Completion
Exelon West Medway II
9 Summer Street
Medway, Massachusetts
B+T Project No. 1422.10

Dear Chairman Rodenhiser and Members of the Board:

On behalf of the Applicant, Exelon West Medway II, LLC, Beals and Thomas, Inc. (B+T) respectfully submits the enclosed Request for Certificate of Site Plan Completion with regard to the Site Plan Approval (the Approval) issued on July 26, 2016, for the construction of a new, fast-starting peaking facility including two simple-cycle peaking electric combustion turbines (the Project) at 9 Summer Street in Medway, Massachusetts (the Site).

This filing is submitted in accordance with the Town of Medway Massachusetts Zoning Bylaw and the Town of Medway Planning Board Rules and Regulations.

B+T conducted a post-construction site visit on June 23, 2020 to review the as-built conditions at the Site, and subsequently performed an as-built survey in September and October 2020. Upon review of the as-built conditions, it is our professional opinion that the Project has been constructed in substantial compliance with the Approval.

Please note that a Certificate of Compliance was granted for the Project (File No. 216-0879) by the Medway Conservation Commission at the December 10, 2020 public meeting.

For the Administrative Record, we note the following minor deviations between the approved plans and as-built conditions. Please refer to the enclosed Deviations Exhibit(s) and As-Built Exhibit(s) for locations of these features.

1. Minor deviations in the as-built locations of the following stormwater structures: AD-02, CB-07, CB-08, CB-18, DCB-03, DMH-02, DMH-03, and DMH-06.

144 Turnpike Road
Southborough, MA 01772

Regional Office: Plymouth, MA

Chairman Rodenhiser, Medway Planning & Economic Development Board
c/o Susan E. Affleck-Childs, Coordinator
January 6, 2021
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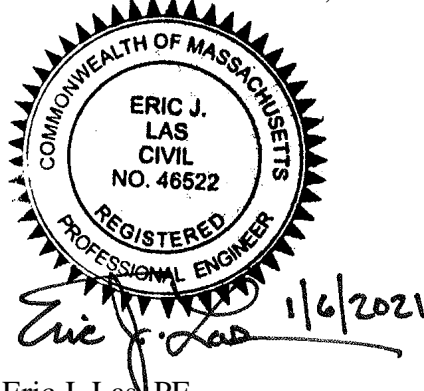
2. Minor deviations in concrete walkways to include additional walkways associated with exterior doors for the Protected Area and Admin building as well as throughout the Protected Area to assist in site accessibility.
3. Minor deviation in the cover type of the area surrounding the water tanks west of the Admin building from grass to crushed stone.
4. Minor deviations in plant type, size, and species for the landscaped visual mitigation berms both along the southern side of Infiltration Basin-01 and the emergency vehicle access off West Street.

In support of this request, please find attached a Deviations Exhibit, Red Line As-Built Plan, and Pierson Nurseries Quotation. We respectfully request notification of the date and time of the next available public meeting to address this request for project closeout.

Should you have any questions, please do not hesitate to contact us at (508) 366-0560.

Very truly yours,

BEALS AND THOMAS, INC.

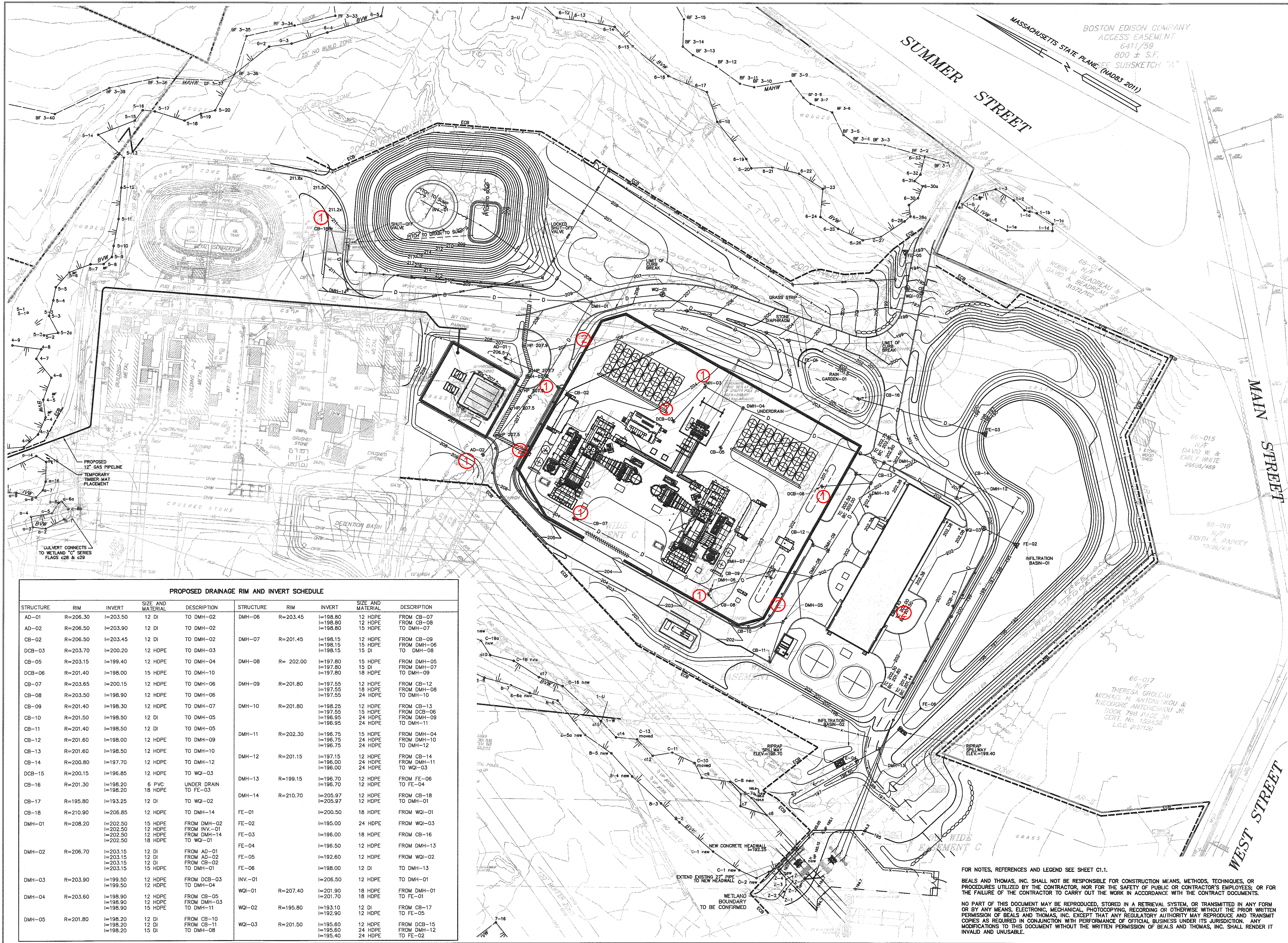


Eric J. Las, PE
Principal

Enclosures: Deviations Exhibit, dated November 4, 2020 (2 sheets)
Red-Line As-Built Plan, revised December 4, 2020
Pierson Nurseries Quotation, revised August 29, 2019

cc: Peter R. Callahan, Plant Manager, Exelon Generation (pete.callahan@constellation.com)
Douglas Blakeley, Sr Safety Pro, Exelon Generation (douglas.blakeley@constellation.com)

NPS/EJL/aak/142210LT017



PROPOSED DRAINAGE RIM AND INVERT SCHEDULE									
STRUCTURE	RIM	INVERT	SIZE AND MATERIAL	DESCRIPTION	STRUCTURE	RIM	INVERT	SIZE AND MATERIAL	DESCRIPTION
AD-01	R=206.30	I=203.50	12 DI	TO DMH-02	DMH-06	R=203.45	I=198.80	12 HDPE	FROM CB-07
AD-02	R=206.50	I=203.90	12 DI	TO DMH-02			I=198.80	12 HDPE	FROM CB-08
CB-02	R=206.50	I=203.45	12 DI	TO DMH-02			I=198.80	15 HDPE	TO DMH-07
DCB-03	R=203.70	I=200.20	12 HDPE	TO DMH-03	DMH-07	R=201.45	I=198.15	12 HDPE	FROM CB-09
CB-05	R=203.15	I=199.40	12 HDPE	TO DMH-04			I=198.15	15 HDPE	FROM DMH-06
DCB-06	R=201.40	I=198.00	15 HDPE	TO DMH-10			I=198.15	15 DI	TO DMH-08
CB-07	R=203.65	I=200.15	12 HDPE	TO DMH-06	DMH-08	R= 202.00	I=197.80	15 HDPE	FROM DMH-05
CB-08	R=203.50	I=198.90	12 HDPE	TO DMH-06			I=197.80	15 DI	FROM DMH-07
CB-09	R=201.40	I=198.30	12 HDPE	TO DMH-07			I=197.80	18 HDPE	TO DMH-09
CB-10	R=201.50	I=198.50	12 DI	TO DMH-05	DMH-09	R=201.80	I=197.55	12 HDPE	FROM CB-12
CB-11	R=201.40	I=198.50	12 DI	TO DMH-05			I=197.55	18 HDPE	FROM DMH-08
CB-12	R=201.60	I=198.00	12 HDPE	TO DMH-09			I=197.55	24 HDPE	TO DMH-10
CB-13	R=201.60	I=198.50	12 HDPE	TO DMH-10	DMH-10	R=201.80	I=198.25	12 HDPE	FROM CB-13
CB-14	R=200.80	I=197.70	12 HDPE	TO DMH-12			I=197.55	15 HDPE	FROM DCB-06
DCB-15	R=200.15	I=196.85	12 HDPE	TO WQI-03			I=196.95	24 HDPE	FROM DMH-09
CB-16	R=201.30	I=198.20	6 PVC	UNDER DRAIN TO FE-03			I=196.95	24 HDPE	TO DMH-11
CB-17	R=195.80	I=193.25	12 DI	TO WQI-02	DMH-11	R=202.30	I=196.75	15 HDPE	FROM DMH-04
CB-18	R=210.90	I=206.85	12 HDPE	TO DMH-14			I=196.75	24 HDPE	TO DMH-12
DMH-01	R=208.20	I=202.50	12 HDPE	FROM DMH-02	DMH-12	R=201.15	I=197.15	12 HDPE	FROM CB-14
		I=202.50	12 HDPE	FROM INV.-01			I=196.00	24 HDPE	FROM DMH-11
		I=202.50	12 HDPE	FROM DMH-14	DMH-13	R=199.15	I=196.70	12 HDPE	FROM FE-06
		I=202.50	18 HDPE	TO WQI-01			I=196.70	12 HDPE	TO FE-04
DMH-02	R=206.70	I=203.15	12 DI	FROM AD-01	DMH-14	R=210.70	I=205.97	12 HDPE	FROM CB-18
		I=203.15	12 DI	FROM AD-02			I=205.97	12 HDPE	TO DMH-01
		I=203.15	12 DI	FROM CB-02	FE-01		I=200.50	18 HDPE	FROM WQI-01
		I=203.15	15 HDPE	TO DMH-01	FE-02		I=195.00	24 HDPE	FROM WQI-01
DMH-03	R=203.90	I=199.50	12 HDPE	FROM DCB-03	FE-03		I=196.00	18 HDPE	FROM CB-16
		I=199.50	12 HDPE	TO DMH-04	FE-04		I=196.50	12 HDPE	FROM DMH-13
DMH-04	R=203.60	I=198.90	12 HDPE	FROM CB-05	INV.-01		I=206.50	12 HDPE	TO DMH-01
		I=198.90	12 HDPE	FROM DMH-03	WQI-01	R=207.40	I=201.90	18 HDPE	FROM DMH-01
		I=198.90	15 HDPE	TO DMH-11			I=201.70	18 HDPE	TO FE-01
DMH-05	R=201.80	I=198.20	12 DI	FROM CB-10	WQI-02	R=195.80	I=193.10	12 DI	FROM CB-17
		I=198.20	12 DI	FROM CB-11			I=192.90	12 HDPE	TO FE-05
		I=198.20	15 DI	TO DMH-08	WQI-03	R=201.50	I=195.60	12 HDPE	FROM DCB-15
							I=195.60	24 HDPE	FROM DMH-12
							I=195.40	24 HDPE	TO FE-02

PREPARED FOR:

**Exelon West
Medway, LLC and
Exelon West
Medway II, LLC**

300 Exelon Way
Kennett Square, PA 19348

LOCUS MAP
NOT TO SCALE

FOR PERMITTING
ONLY

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Reservoir Corporate Center
144 Turnpike Road
Southborough, Massachusetts 01772-2104
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8/17/16
1/3

8/17/16

5	
4	11/04/2020 DEVIATIONS EXHIBIT
3	08/17/2016 FOR ENDORSEMENT
2	06/17/2016 GENERAL REVISIONS
1	04/21/2016 GENERAL REVISIONS
0	02/09/2016 FIRST ISSUE
	ISSUE DATE DESCRIPTION

DES	DWN	CHK'D	APP'D
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PROJECT:

**WEST MEDWAY II
FACILITY**

MEDWAY, MASSACHUSETTS

SCALE: 1" = 60' DATE: FEBRUARY 09, 2016

METERS
0 10 25 50
FEET
0 30 60 120 180

GRADING AND
DRAINAGE PLAN

B+T JOB NO. 1422.10

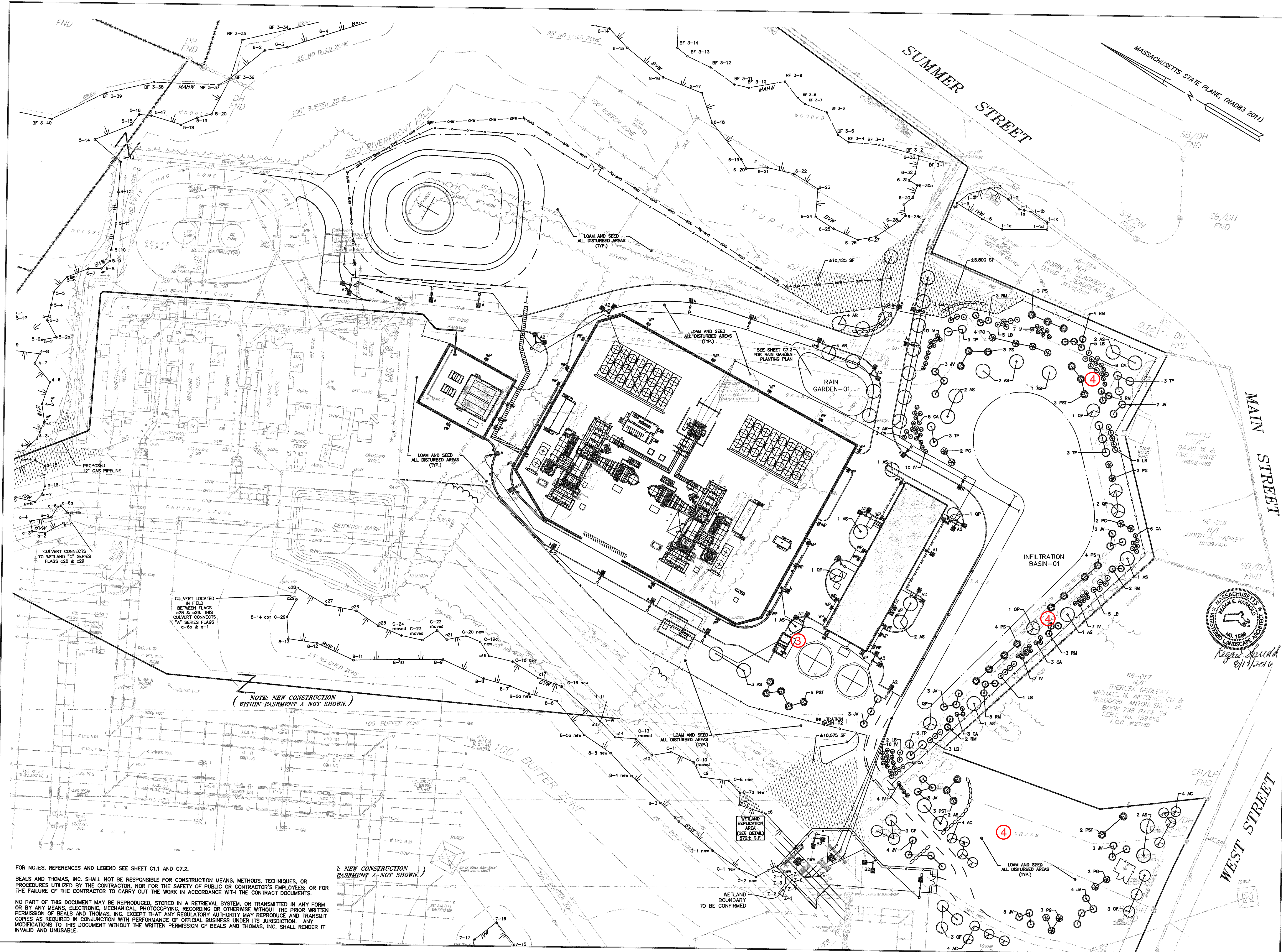
B+T PLAN NO.
142210P017D-004

C4.1

FOR NOTES, REFERENCES AND LEGEND SEE SHEET C1.1.

BEALS AND THOMAS, INC. SHALL NOT BE RESPONSIBLE FOR CONSTRUCTION MEANS, METHODS, TECHNIQUES, OR PROCEDURES UTILIZED BY THE CONTRACTOR, NOR FOR THE SAFETY OF PUBLIC OR CONTRACTOR'S EMPLOYEES, OR FOR THE FAILURE OF THE CONTRACTOR TO CARRY OUT THE WORK IN ACCORDANCE WITH THE CONTRACT DOCUMENTS.

NO PART OF THIS DOCUMENT MAY BE REPRODUCED, STORED IN A RETRIEVAL SYSTEM, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC, MECHANICAL, PHOTOCOPYING, RECORDING OR OTHERWISE WITHOUT THE PRIOR WRITTEN PERMISSION OF BEALS AND THOMAS, INC. EXCEPT THAT ANY REGULATORY AUTHORITY MAY REPRODUCE AND TRANSMIT COPIES AS REQUIRED IN CONJUNCTION WITH PERFORMANCE OF OFFICIAL BUSINESS UNDER ITS JURISDICTION. ANY MODIFICATIONS TO THIS DOCUMENT WITHOUT THE WRITTEN PERMISSION OF BEALS AND THOMAS, INC. SHALL RENDER IT INVALID AND UNUSABLE.



FOR NOTES, REFERENCES AND LEGEND SEE SHEET C1.1 AND C7.2.

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NEW CONSTRUCTION
EASEMENT A NOT SHOWN

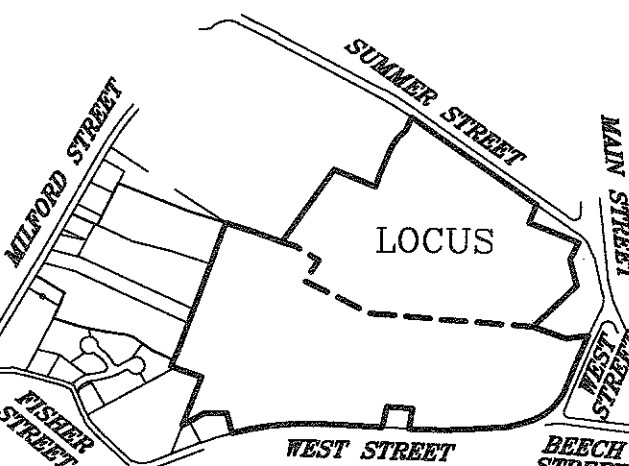
PREPARED FOR:

**Exelon West
Medway, LLC and
Exelon West
Medway II, LLC**

300 Exelon Way
Kennett Square, PA 19348

LOCUS MAP

NOT TO SCALE



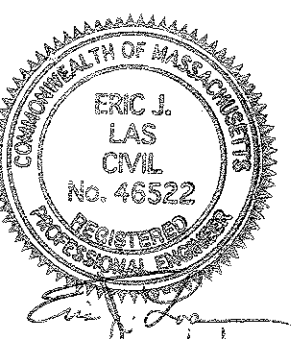
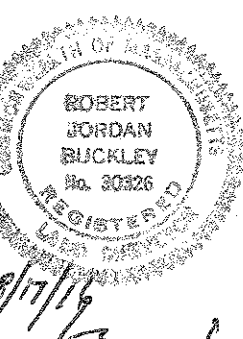
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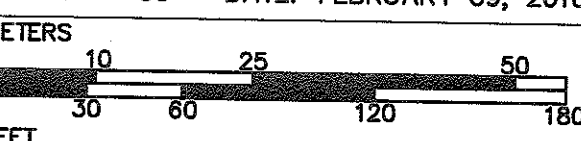


11/04/2020	DEVIATIONS EXHIBIT		
08/17/2016	FOR ENDORSEMENT		
06/17/2016	GENERAL REVISIONS		
04/21/2016	FOR DATE ONLY		
02/09/2016	FIRST ISSUE		
ISSUE DATE	DESCRIPTION		
DES	DWN	CHK'D	APP'D

PROJECT:

**WEST MEDWAY II
FACILITY**
MEDWAY, MASSACHUSETTS

SCALE: 1" = 60' DATE: FEBRUARY 09, 2016



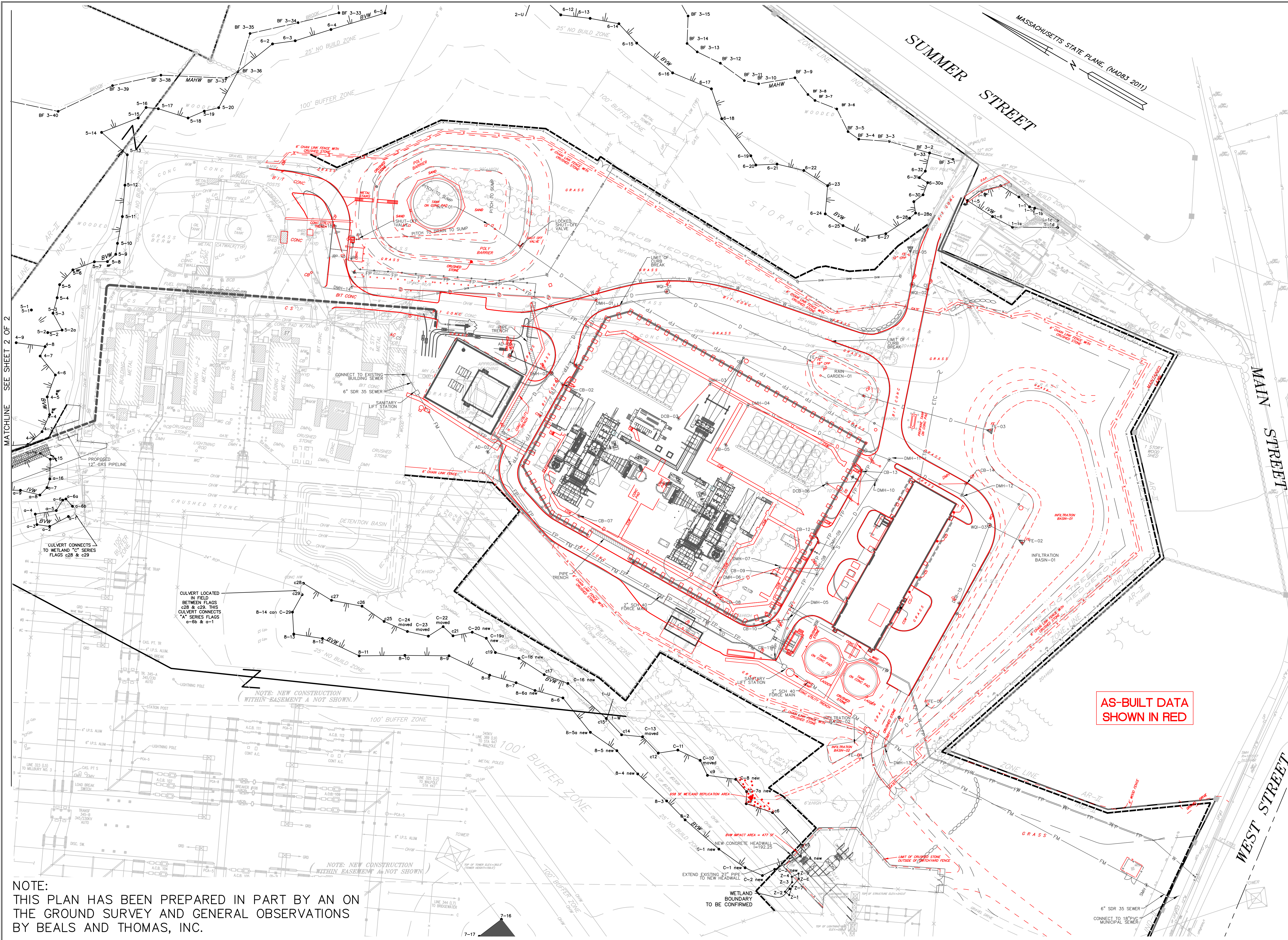
**LANDSCAPE AND
LIGHTING PLAN**

B+T JOB NO. 1422.10

B+T PLAN NO.
142210P0180-001

C7.1

MATCHLINE SEE SHEET 2 OF 2

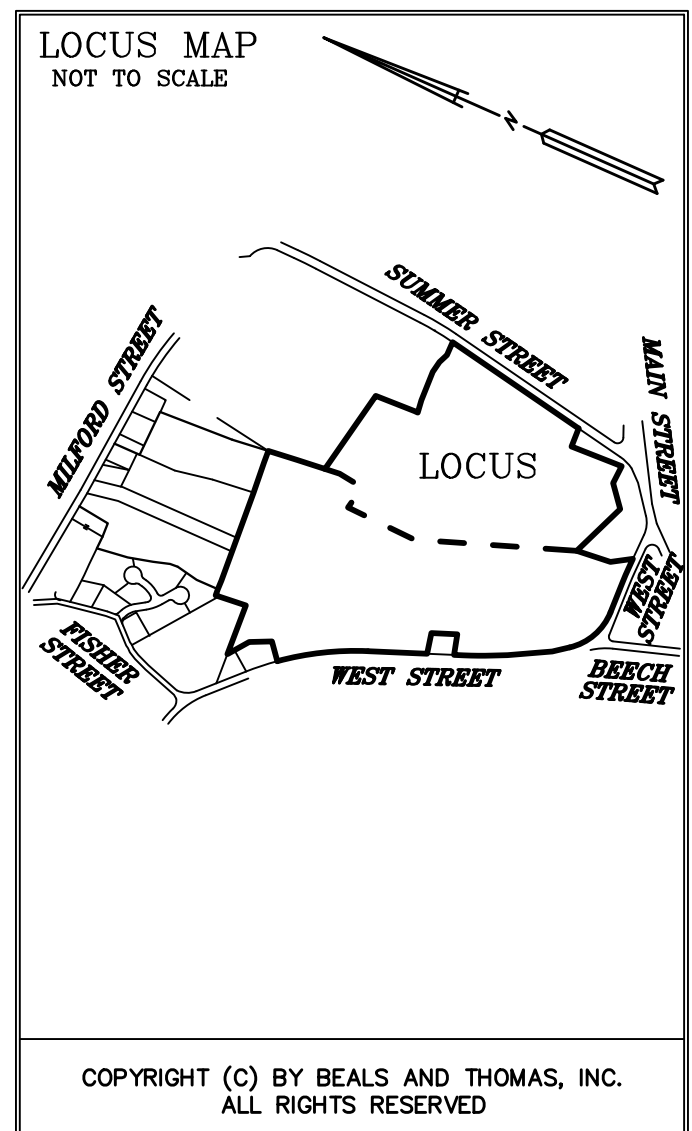


NOTE:
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THE GROUND SURVEY AND GENERAL OBSERVATIONS
BY BEALS AND THOMAS, INC.

PREPARED FOR:

**Exelon West
Medway, LLC and
Exelon West
Medway II, LLC**

300 Exelon Way
Kennett Square, PA 19348



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ERIC J. LAS
CIVIL
NO. 46522
REGISTERED
PROFESSIONAL ENGINEER
12/4/2020

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2	12/04/2020 REVISED AS-BUILT
1	11/10/2020 REVISED AS-BUILT
0	11/04/2020 AS-BUILT
ISSUE DATE	DESCRIPTION
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DES	DWN
	EJL
	CHK'D
	APP'D

PROJECT:

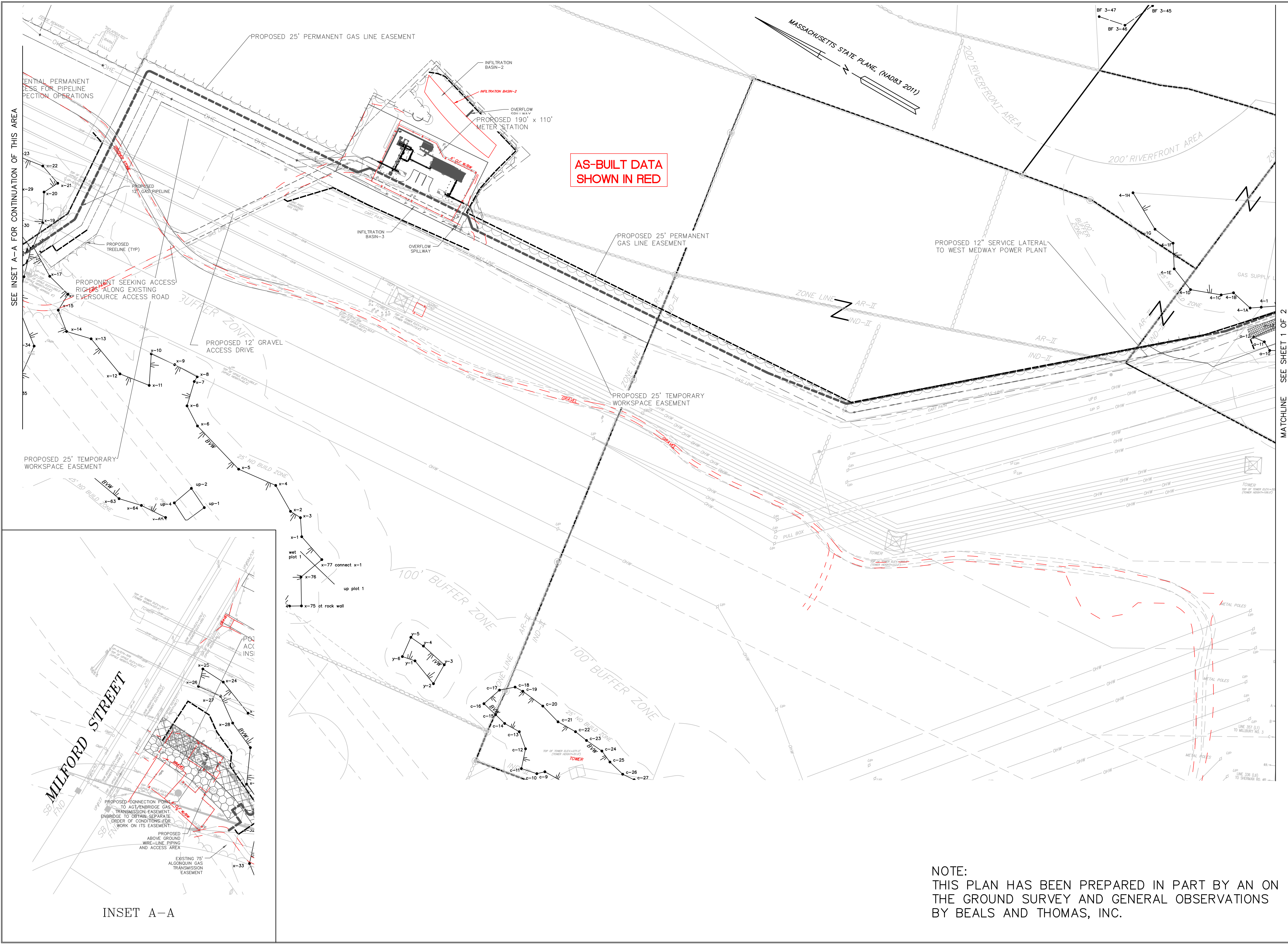
**WEST MEDWAY II
FACILITY**
MEDWAY, MASSACHUSETTS

SCALE: 1" = 60' DATE: NOVEMBER 4, 2020

METERS
0 10 25 50
FEET
0 30 60 120 180

AS-BUILT EXHIBIT

B+T JOB NO. 1422.10	EXH-1
B+T PLAN NO. 142210P108A-001	
SHEET 1 OF 2	



PREPARED FOR:

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Medway, LLC and
Exelon West
Medway II, LLC**

300 Exelon Way
Kennett Square, PA 19348

LOCUS MAP
NOT TO SCALE

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2	12/04/2020 REVISED AS-BUILT
1	11/10/2020 REVISED AS-BUILT
0	11/04/2020 AS-BUILT

ISSUE DATE	DESCRIPTION
NPS	NPS
DES	DWN
	CHK'D
	APP'D

PROJECT:

**WEST MEDWAY II
FACILITY**

MEDWAY, MASSACHUSETTS

SCALE: 1" = 60' DATE: NOVEMBER 4, 2020

AS-BUILT EXHIBIT

B+T JOB NO. 1422.10	EXH-2
B+T PLAN NO. 142210P108A-002	
SHEET 2 OF 2	

NOTE:
THIS PLAN HAS BEEN PREPARED IN PART BY AN ON
THE GROUND SURVEY AND GENERAL OBSERVATIONS
BY BEALS AND THOMAS, INC.



24 Buzzel Road, Biddeford, ME 04005

(207)499.2994 (207)282.7235 Fax (207)499.2912

sales@piersonnurseries.com www.piersonnurseries.com

QUOTATION

Page # 1 of 2

Order # 35170

Order Date: 3 JUL 2019

Exp Ship Date:

Date Revised: 29 AUG 2019

SOLD TO:

SUMCO ECO CONTRACTING
2 CENTENNIAL DRIVE SUITE 4D
PEABODY, MA 01960

Bus: (978) 744-1515

Fax: (815) 572-5022

Cell: (978) 335-3774

SHIP TO:

SUMCO ECO CONTRACTING
EXELON FACILITY
MEDWAY, MA

jdallesander@sumcoeco.com

Bus: (978) 744-1515

Fax: (815) 572-5022

Cell: (908) 307-2276

Ordered By	Ship Via	Customer PO #	Terms
JOSH Dallesander	PIERSON NURSERIES		N30

Ln	Description	Quantity	Unit Price	Total
----	-------------	----------	------------	-------

SHIPPING INSTRUCTIONS:
OCTOBER 2019

1)	ACER RUBRUM 2.5-3" BB	15		
2)	ACER SACCHARUM 2.5-3" BB	19		
3)	AMELANCHIER CANADENSIS 6-7' BB	12		
4)	ANDROPOGON GERARDII #2 LARGEST AVAILABLE	30		
5)	ASCLEPIAS TUBEROSA #1 LARGEST AVAILABLE	40		
6)	CLETHRA ALNIFOLIA 2-2.5' #5	30		
7)	COMPTONIA PEREGRINA SP5	30		
8)	CORNUS AMOMUM 3-4' #5	55		
9)	ILEX GLABRA 2-2.5' #3	35		
10)	ILEX VERT JIM DANDY 2-2.5' #2	5		
11)	ILEX VERT AURANTIACA 3-4' #5	45		
12)	IRIS VERSICOLOR #1	165		
13)	JUNIPERUS VIRGINIANA 6-7' BB NEED TO HARVEST SOON	28		
14)	LINDERA BENZOIN 3-4' #5	47		
15)	OSMUNDA CINNAMOMEA SP5 LARGEST AVAILABLE	30		
16)	PICEA GLAUCA 6-7' BB	18		
17)	PINUS STROBUS 10-12' BB	13		
18)	PINUS STROBUS 6-7' BB	14		
19)	QUERCUS PALUSTRIS 2.5-3" BB	7		
20)	RHODODENDRON MAXIMUM 3-4' BB	20		
21)	THUJA PLICATA GREEN GIANT 6-7' BB	13		
22)	VIBURNUM DENTATUM 3-3.5' #5	23		

NOTES:

BELOW ITEMS N/A

9 CORNUS FLORIDA 2-2.5" BB



24 Buzzel Road, Biddeford, ME 04005

(207)499.2994 (207)282.7235 Fax (207)499.2912

sales@piersonnurseries.com www.piersonnurseries.com

QUOTATION

Page # 2 of 2

Order # 35170

Order Date: 3 JUL 2019

Exp Ship Date:

Date Revised: 29 AUG 2019

SOLD TO:

SUMCO ECO CONTRACTING
2 CENTENNIAL DRIVE SUITE 4D
PEABODY, MA 01960

Bus: (978) 744-1515

Fax: (815) 572-5022

Cell: (978) 335-3774

SHIP TO:

SUMCO ECO CONTRACTING
EXELON FACILITY
MEDWAY, MA

jdallesander@sumcoeco.com

Bus: (978) 744-1515

Fax: (815) 572-5022

Cell: (908) 307-2276

Ordered By	Ship Via	Customer PO #	Terms
JOSH Dallesander	PIERSON NURSERIES		N30

Ln	Description	Quantity	Unit Price	Total
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Sub-Total

Shipping

SubTotal

MA

Total

January 6, 2021

Andy Rodenhiser, Chairman
c/o Susan E. Affleck-Childs, Coordinator
Medway Planning & Economic Development Board
Town Hall
155 Village Street
Medway, Massachusetts 02053

Via: FedEx

Reference: Request for Certificate of Site Plan Completion
Exelon West Medway II
9 Summer Street
Medway, Massachusetts
B+T Project No. 1422.10

Dear Chairman Rodenhiser and Members of the Board:

On behalf of the Applicant, Exelon West Medway II, LLC, Beals and Thomas, Inc. (B+T) respectfully submits the enclosed Request for Certificate of Site Plan Completion with regard to the Site Plan Approval (the Approval) issued on July 26, 2016, for the construction of a new, fast-starting peaking facility including two simple-cycle peaking electric combustion turbines (the Project) at 9 Summer Street in Medway, Massachusetts (the Site).

This filing is submitted in accordance with the Town of Medway Massachusetts Zoning Bylaw and the Town of Medway Planning Board Rules and Regulations.

B+T conducted a post-construction site visit on June 23, 2020 to review the as-built conditions at the Site, and subsequently performed an as-built survey in September and October 2020. Upon review of the as-built conditions, it is our professional opinion that the Project has been constructed in substantial compliance with the Approval.

Please note that a Certificate of Compliance was granted for the Project (File No. 216-0879) by the Medway Conservation Commission at the December 10, 2020 public meeting.

For the Administrative Record, we note the following minor deviations between the approved plans and as-built conditions. Please refer to the enclosed Deviations Exhibit(s) and As-Built Exhibit(s) for locations of these features.

1. Minor deviations in the as-built locations of the following stormwater structures: AD-02, CB-07, CB-08, CB-18, DCB-03, DMH-02, DMH-03, and DMH-06.

144 Turnpike Road
Southborough, MA 01772

Regional Office: Plymouth, MA

Chairman Rodenhiser, Medway Planning & Economic Development Board
c/o Susan E. Affleck-Childs, Coordinator
January 6, 2021
Page 2

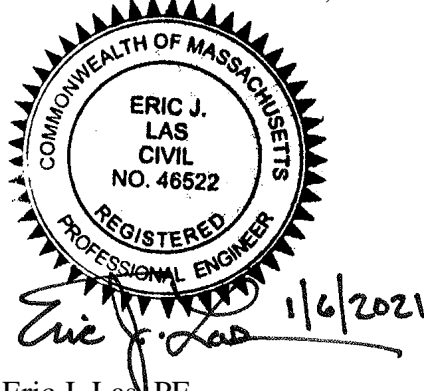
2. Minor deviations in concrete walkways to include additional walkways associated with exterior doors for the Protected Area and Admin building as well as throughout the Protected Area to assist in site accessibility.
3. Minor deviation in the cover type of the area surrounding the water tanks west of the Admin building from grass to crushed stone.
4. Minor deviations in plant type, size, and species for the landscaped visual mitigation berms both along the southern side of Infiltration Basin-01 and the emergency vehicle access off West Street.

In support of this request, please find attached a Deviations Exhibit, Red Line As-Built Plan, and Pierson Nurseries Quotation. We respectfully request notification of the date and time of the next available public meeting to address this request for project closeout.

Should you have any questions, please do not hesitate to contact us at (508) 366-0560.

Very truly yours,

BEALS AND THOMAS, INC.



Eric J. Las, PE
Principal

Enclosures: Deviations Exhibit, dated November 4, 2020 (2 sheets)
Red-Line As-Built Plan, revised December 4, 2020
Pierson Nurseries Quotation, revised August 29, 2019

cc: Peter R. Callahan, Plant Manager, Exelon Generation (pete.callahan@constellation.com)
Douglas Blakeley, Sr Safety Pro, Exelon Generation (douglas.blakeley@constellation.com)

NPS/EJL/aak/142210LT017



February 18, 2021

Andy Rodenhiser, Chairman
Planning and Economic Development Board
155 Village Street
Medway, MA 02053

Re: Request for Certificate of Site Plan Completion
Exelon West Medway II

Dear Mr. Rodenhiser:

At the request of the Board, BETA Group, Inc. has reviewed the Request for Certificate of Site Plan Completion for the Exelon West Medway II Project. The request was made by a letter to the Board from Beals + Thomas dated January 6, 2021. The request includes an As-Built plan dated December 4, 2020 (revised) and notes several minor deviations from the original design plan. These include:

1. Minor changes to the location of certain drainage structures.
2. Addition of walkways for building access at the Protected Area and Administration Building.
3. Change from grass to crushed stone for ground cover in the area of water tanks adjacent to the Administration Building.
4. Minor changes to site plantings.

BETA provided part time construction observation for the project. An initial punch list was developed in November 2018. A subsequent site visit was conducted in December 2019 at the request of the Developer to confirm completion of the punch list. During the site visit some additional work was noted to be needed to address minor drainage issues.

BETA completed a final site visit on February 12, 2021 to confirm that the follow-up work had been completed. A review of the plantings based on the contractor's invoice indicates that additional 11 arrowwood bushes and 9 Dogwood trees were planted.

We believe that the submitted As-Built plan is in reasonably close conformity to the approved design and that the noted deviations do not represent a substantial change. In our opinion, the project can be considered complete.

If we can be of any further assistance regarding this matter, please contact us at our office.

Very truly yours,
BETA Group, Inc.

A handwritten signature in dark ink, appearing to read "William P. McGrath", is written over a light blue rectangular background.

William P. McGrath, P.E.
Senior Associate
cc: File

**Exelon West
Medway, LLC and
Exelon West
Medway II, LLC**

300 Exelon Way
Kennett Square, PA 19348

PREPARED BY:



BEALS + THOMAS
Civil Engineers + Landscape Architects +
Land Surveyors + Planners +
Environmental Specialists

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3			
2	12/04/2020	REVISED AS-BUILT	
1	11/10/2020	REVISED AS-BUILT	
0	11/04/2020	AS-BUILT	
ISSUE DATE		DESCRIPTION	
NPS	NPS	EJL	EJL
DES	DWN	CHK'D	APP'D

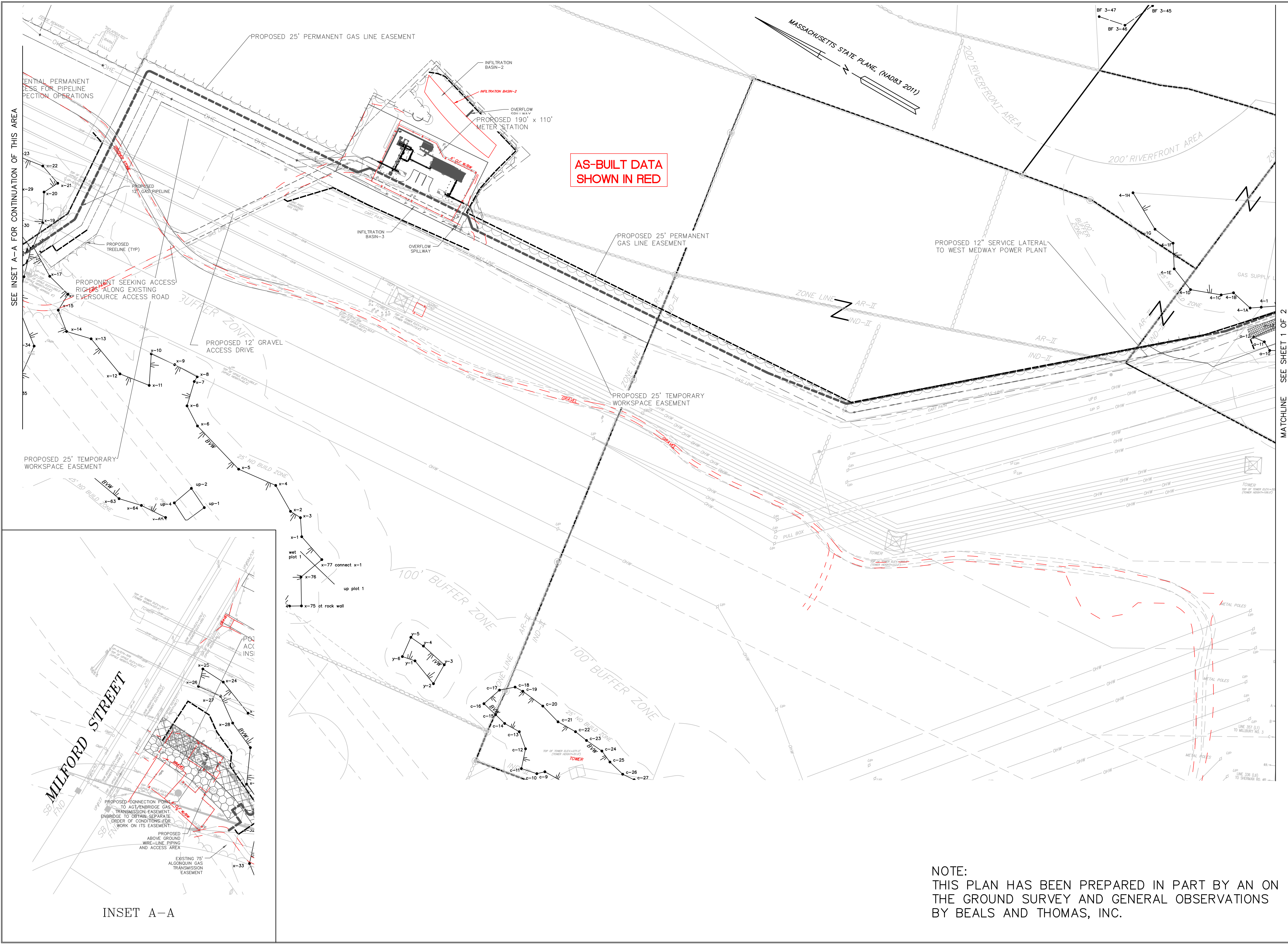
**WEST MEDWAY II
FACILITY**
MEDWAY, MASSACHUSETTS

AS-BUILT EXHIBIT

B+T PLAN NO.
142210P108A-001

EXH-1

NOTE:
THIS PLAN HAS BEEN PREPARED IN PART BY AN ON
THE GROUND SURVEY AND GENERAL OBSERVATIONS
BY BEALS AND THOMAS, INC.



PREPARED FOR:

**Exelon West
Medway, LLC and
Exelon West
Medway II, LLC**

300 Exelon Way
Kennett Square, PA 19348

LOCUS MAP
NOT TO SCALE

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Land Surveyors + Planners +
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BEALS AND THOMAS, INC.
Reservoir Corporate Center
144 Turnpike Road
Southborough, Massachusetts 01772-2104
T 508.366.0560 | www.btiweb.com

5	
4	
3	
2	12/04/2020 REVISED AS-BUILT
1	11/10/2020 REVISED AS-BUILT
0	11/04/2020 AS-BUILT

ISSUE DATE	DESCRIPTION
NPS	NPS
DES	DWN
	CHK'D
	APP'D

PROJECT:

**WEST MEDWAY II
FACILITY**

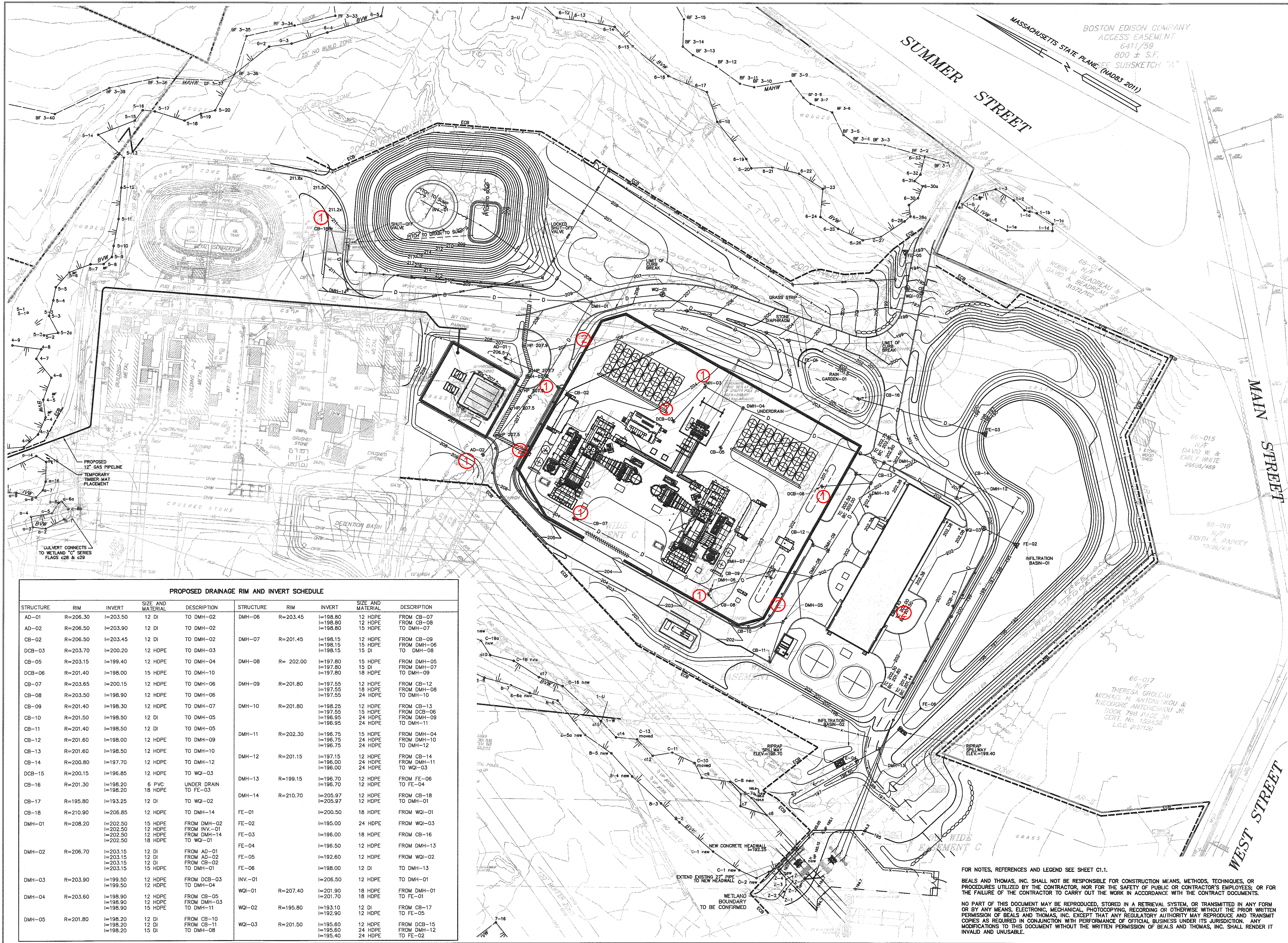
MEDWAY, MASSACHUSETTS

SCALE: 1" = 60' DATE: NOVEMBER 4, 2020

AS-BUILT EXHIBIT

B+T JOB NO. 1422.10	EXH-2
B+T PLAN NO. 142210P108A-002	
SHEET 2 OF 2	

NOTE:
THIS PLAN HAS BEEN PREPARED IN PART BY AN ON
THE GROUND SURVEY AND GENERAL OBSERVATIONS
BY BEALS AND THOMAS, INC.



PROPOSED DRAINAGE RIM AND INVERT SCHEDULE									
STRUCTURE	RIM	INVERT	SIZE AND MATERIAL	DESCRIPTION	STRUCTURE	RIM	INVERT	SIZE AND MATERIAL	DESCRIPTION
AD-01	R=206.30	I=203.50	12 DI	TO DMH-02	DMH-06	R=203.45	I=198.80	12 HDPE	FROM CB-07
AD-02	R=206.50	I=203.90	12 DI	TO DMH-02			I=198.80	12 HDPE	FROM CB-08
CB-02	R=206.50	I=203.45	12 DI	TO DMH-02			I=198.80	15 HDPE	TO DMH-07
DCB-03	R=203.70	I=200.20	12 HDPE	TO DMH-03	DMH-07	R=201.45	I=198.15	12 HDPE	FROM CB-09
CB-05	R=203.15	I=199.40	12 HDPE	TO DMH-04			I=198.15	15 HDPE	FROM DMH-06
DCB-06	R=201.40	I=198.00	15 HDPE	TO DMH-10			I=198.15	15 DI	TO DMH-08
CB-07	R=203.65	I=200.15	12 HDPE	TO DMH-06	DMH-08	R= 202.00	I=197.80	15 HDPE	FROM DMH-05
CB-08	R=203.50	I=198.90	12 HDPE	TO DMH-06			I=197.80	15 DI	FROM DMH-07
CB-09	R=201.40	I=198.30	12 HDPE	TO DMH-07			I=197.80	18 HDPE	TO DMH-09
CB-10	R=201.50	I=198.50	12 DI	TO DMH-05	DMH-09	R=201.80	I=197.55	12 HDPE	FROM CB-12
CB-11	R=201.40	I=198.50	12 DI	TO DMH-05			I=197.55	18 HDPE	FROM DMH-08
CB-12	R=201.60	I=198.00	12 HDPE	TO DMH-09			I=197.55	24 HDPE	TO DMH-10
CB-13	R=201.60	I=198.50	12 HDPE	TO DMH-10	DMH-10	R=201.80	I=198.25	12 HDPE	FROM CB-13
CB-14	R=200.80	I=197.70	12 HDPE	TO DMH-12			I=197.55	15 HDPE	FROM DCB-06
DCB-15	R=200.15	I=196.85	12 HDPE	TO WQI-03			I=196.95	24 HDPE	FROM DMH-09
CB-16	R=201.30	I=198.20	6 PVC	UNDER DRAIN TO FE-03			I=196.95	24 HDPE	TO DMH-11
CB-17	R=195.80	I=193.25	12 DI	TO WQI-02	DMH-11	R=202.30	I=196.75	15 HDPE	FROM DMH-04
CB-18	R=210.90	I=206.85	12 HDPE	TO DMH-14			I=196.75	24 HDPE	TO DMH-12
DMH-01	R=208.20	I=202.50	12 HDPE	FROM DMH-02	DMH-12	R=201.15	I=197.15	12 HDPE	FROM CB-14
		I=202.50	12 HDPE	FROM INV.-01			I=196.00	24 HDPE	FROM DMH-11
		I=202.50	12 HDPE	FROM DMH-14	DMH-13	R=199.15	I=196.70	12 HDPE	FROM FE-06
		I=202.50	18 HDPE	TO WQI-01			I=196.70	12 HDPE	TO FE-04
DMH-02	R=206.70	I=203.15	12 DI	FROM AD-01	DMH-14	R=210.70	I=205.97	12 HDPE	FROM CB-18
		I=203.15	12 DI	FROM AD-02			I=205.97	12 HDPE	TO DMH-01
		I=203.15	12 DI	FROM CB-02	FE-01		I=200.50	18 HDPE	FROM WQI-01
		I=203.15	15 HDPE	TO DMH-01	FE-02		I=195.00	24 HDPE	FROM WQI-01
DMH-03	R=203.90	I=199.50	12 HDPE	FROM DCB-03	FE-03		I=196.00	18 HDPE	FROM CB-16
		I=199.50	12 HDPE	TO DMH-04	FE-04		I=196.50	12 HDPE	FROM DMH-13
DMH-04	R=203.60	I=198.90	12 HDPE	FROM CB-05	INV.-01		I=206.50	12 HDPE	TO DMH-01
		I=198.90	12 HDPE	FROM DMH-03	WQI-01	R=207.40	I=201.90	18 HDPE	FROM DMH-01
		I=198.90	15 HDPE	TO DMH-11			I=201.70	18 HDPE	TO FE-01
DMH-05	R=201.80	I=198.20	12 DI	FROM CB-10	WQI-02	R=195.80	I=193.10	12 DI	FROM CB-17
		I=198.20	12 DI	FROM CB-11			I=192.90	12 HDPE	TO FE-05
		I=198.20	15 DI	TO DMH-08	WQI-03	R=201.50	I=195.60	12 HDPE	FROM DCB-15
							I=195.60	24 HDPE	FROM DMH-12
							I=195.40	24 HDPE	TO FE-02

PREPARED FOR:

**Exelon West
Medway, LLC and
Exelon West
Medway II, LLC**

300 Exelon Way
Kennett Square, PA 19348

LOCUS MAP
NOT TO SCALE

**FOR PERMITTING
ONLY**

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PREPARED BY:

BEALS + THOMAS
Civil Engineers + Landscape Architects +
Land Surveyors + Planners +
Environmental Specialists

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Reservoir Corporate Center
144 Turnpike Road
Southborough, Massachusetts 01772-2104
T 508.366.0560 | www.btiweb.com

8/17/16
1/3

DES	DWN	CHK'D	APP'D

PROJECT:

**WEST MEDWAY II
FACILITY**

MEDWAY, MASSACHUSETTS

SCALE: 1" = 60' DATE: FEBRUARY 09, 2016

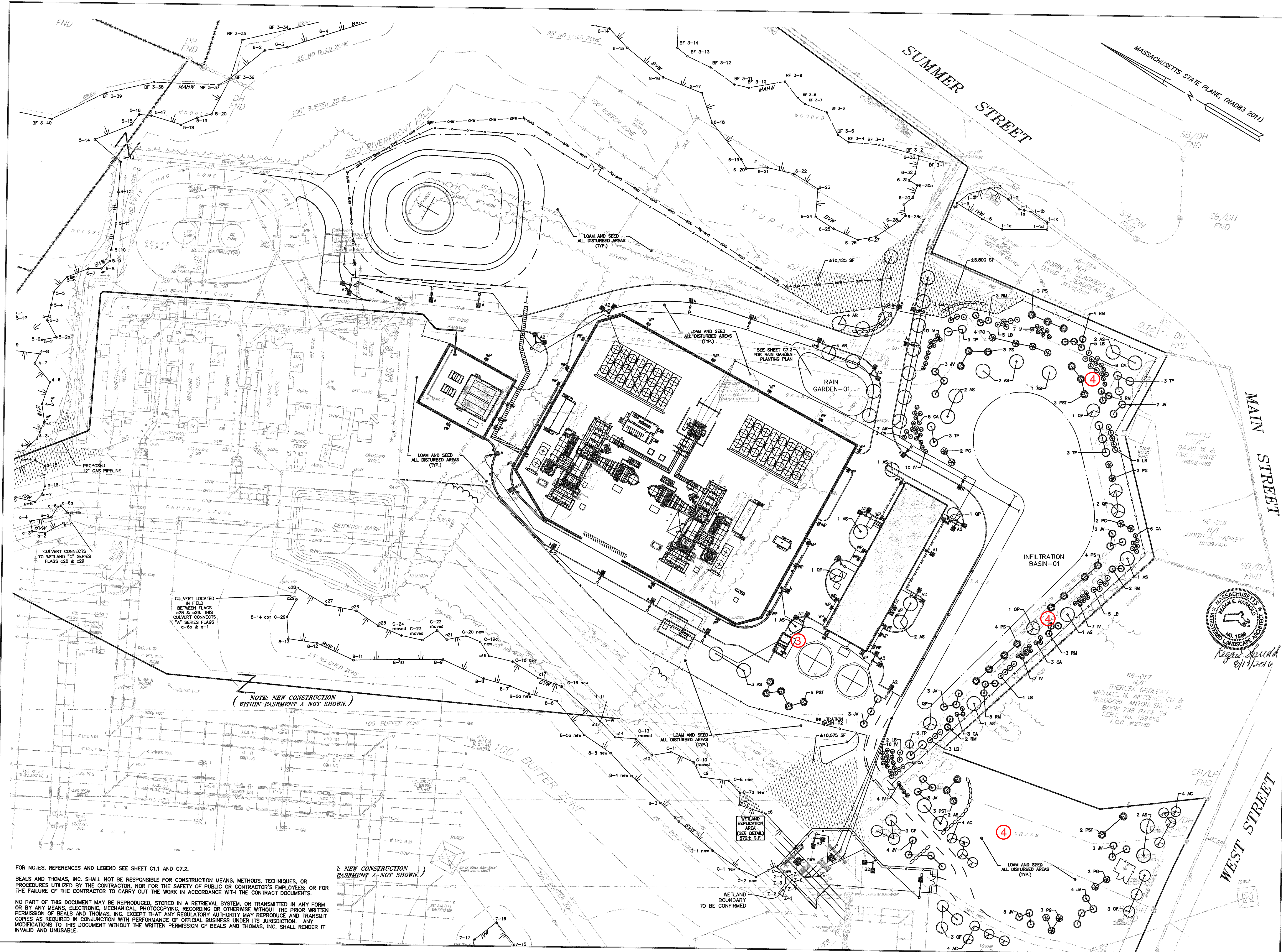
METERS
0 10 25 50
FEET
0 30 60 120 180

**GRADING AND
DRAINAGE PLAN**

B+T JOB NO. 1422.10

B+T PLAN NO.
142210P017D-004

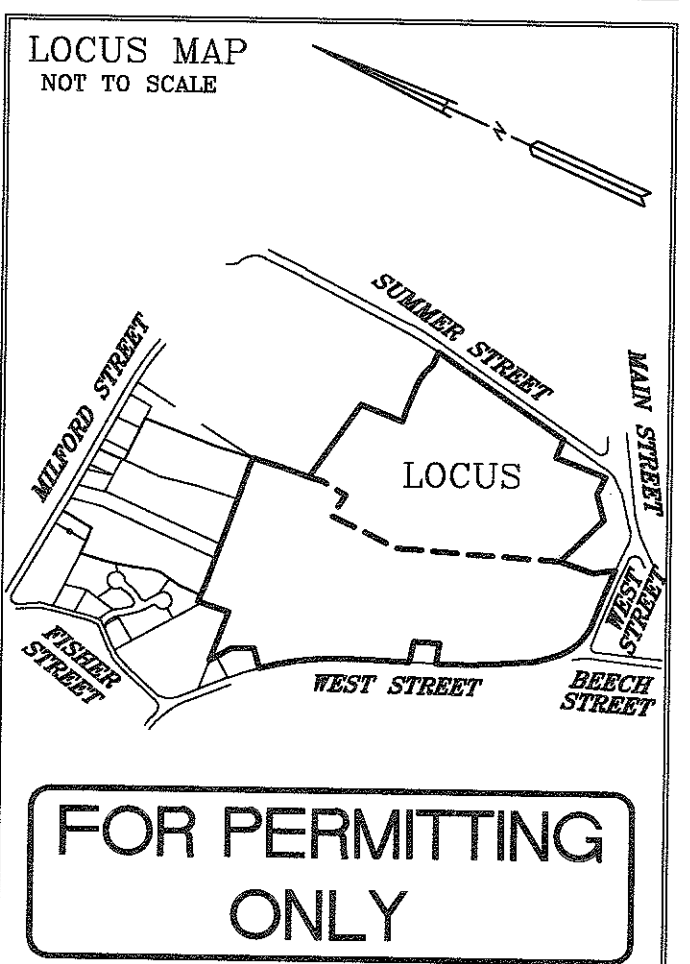
C4.1



PREPARED FOR:

**Exelon West
Medway, LLC and
Exelon West
Medway II, LLC**

300 Exelon Way
Kennett Square, PA 19348

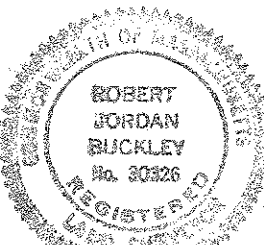



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ROBERT JORDAN BUCKLEY No. 20386 REGISTERED BIRTHS AND DEATHS		ERIC J. LAS CIVIL No. 45322 REGISTERED BIRTHS AND DEATHS	
4/1/16 J.S.J.		[Signature] 4/1/16	
5			
11/04/2020	DEVIATIONS EXHIBIT		
08/17/2016	FOR ENDORSEMENT		
06/17/2016	GENERAL REVISIONS		
04/21/2016	FOR DATE ONLY		
02/09/2016	FIRST ISSUE		
ISSUE DATE	DESCRIPTION		
DES	DWN	CHK'D	APP'D

PROJECT:

**WEST MEDWAY II
FACILITY**
MEDWAY, MASSACHUSETTS

SCALE: 1" = 60' DATE: FEBRUARY 09, 2016

METERS
0 10 25 50
FEET
0 30 60 120 180

**LANDSCAPE AND
LIGHTING PLAN**

B+T JOB NO. 1422.10

B+T PLAN NO.
142210P0180-001

C7.1

FOR NOTES, REFERENCES AND LEGEND SEE SHEET C1.1 AND C7.2.

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TOWN OF MEDWAY
Planning & Economic Development Board
155 Village Street
Medway, Massachusetts 02053

Andy Rodenhiser, Chair
Robert K. Tucker, Vice-Chair
Thomas A. Gay, Clerk
Matthew J. Hayes, P.E.
Richard Di Iulio
Jessica Chabot, Associate Member

March 8, 2021

**Request for Medway Treasurer/Collector's
Verification of Status of Paid Taxes - Exelon**

Applicant's Name: Exelon West Medway, LLC and Exelon West Medway, II, LLC
Kennett Square, PA

Property Owner's Name: Exelon West Medway, LLC and Exelon West Medway, II, LLC
Kennett Square, PA

Subject Property Address: 34 West Street, 9 Summer Street, 65 Milford Street, 0 Milford
Street, 61R Milford Street and 53R Milford Street

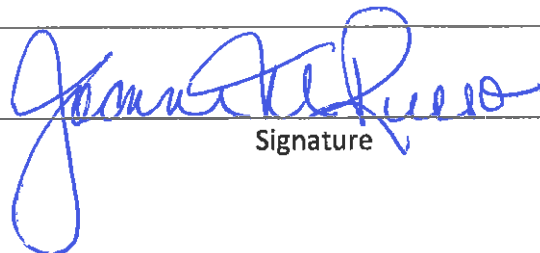
Map/Parcel Number(s): 56-001, 56-002, 56-003, 56-004, 66-012, 66-013


Project Name: Exelon Expansion Project

Type of Permit: Site Plan Approval – Project Completion and Release of
Performance Security

Please indicate the status of taxes/fees owed to the Town:

- ☒ By checking this box and with my signature below, I verify that all taxes owed the Town of Medway for the subject property(s) noted above are **paid in full** as of this date.
- ☐ By checking this box and with my signature below, I verify that the **Town is owed taxes** for the subject property(s) noted above. Briefly explain on the lines below. Please attach a report that indicates what taxes are owed and the respective amounts.


Signature


Date



March 9, 2021

**Medway Planning & Economic Development Board
Meeting**

Master Plan Update

- Master Plan consulting services proposal from selected consultant JM Goldson (and team).
- Scope for Master Plan Committee

NOTES

- Jenn Goldson will ZOOM in so you can meet each other.
- Contract will be reviewed and hopefully approved by the Select Board at its 3-15-21 meeting

REQUESTED ACTION - Discuss, refine and approve the Master Plan Committee scope.

J M GOLDSON

EMPOWERING PEOPLE.
CREATING COMMUNITY.

TOWN OF MEDWAY **MASTER PLAN** TECHNICAL PROPOSAL

FEBRUARY 4, 2021

PREPARED FOR:

Medway Town Manager's Office
Medway Town Hall, 2nd Floor
155 Village Street
Medway, MA 02053

SUBMITTED BY:

JM Goldson
Jenn Goldson, AICP
217 Beech Street, Roslindale, MA 02131
617-221-4003/jennifer@jmgoldson.com

SUBCONTRACTORS:

RKG Associates
Resilience Planning and Design

February 4, 2021

Michael E. Boynton, Town Manager
Town of Medway
155 Village Street
Medway, MA 02153

RE: Medway Master Plan Proposal

Dear Mr. Boynton and Members of the Selection Committee:

Our team, led by JM Goldson LLC, would be delighted to work with the Town of Medway to complete a comprehensive master plan that is consistent with the state's master plan requirements, incorporates the Town's current relevant plans, and is based on a robust planning process with open discussion on how to best accommodate housing and job growth. JM Goldson is known for our creativity, collaboration, and professional expertise. We are honored to have been awarded the 2020 MA-American Planning Association award for Outstanding Comprehensive Plan for the Winchester Master Plan (see [this video](#) for a short description of the award-winning features of this plan).

The process of updating a local master plan is an essential means for community members to understand forces that are shaping their built environment, to envision a desired future for their community, and to select effective strategies to achieve the community vision and goals. Our proposal includes a robust approach to project coordination and community engagement, offering both in-person and virtual options to accommodate the changing circumstances of regulations and recommendations related to the COVID-19 health crisis, as well as the Town's desires and objectives.

Our team will help the community grapple with complex issues and create a plan to move forward into the coming decades with confidence. We have carefully assembled a synergistic and highly qualified team of consultants, including RKG Associates, Inc. and Resilience Planning and Design.

Our hand-selected team provides a depth of experience, expertise, and creativity in sustainable land use planning; housing; economic development; natural resource, open space, and recreation planning; cultural asset development; historic preservation; municipal services; transportation planning; smart growth; GIS; community engagement; and comprehensive master planning, particularly in Massachusetts and New England.

Prime Consultant and Project Manager:

JM Goldson LLC

Project management and process architects, land use, housing, historic and cultural resources, open space and recreation resources, population and demographics, and community engagement

Sub Consultants:

RKG Associates, Inc.

Economic development; transportation; fiscal capacity and capital investment; and public facilities and services

Resilience Planning and Design LLC

Collaborative planning focused on community resiliency and sustainability

JM Goldson is a small and dynamic community planning consulting firm based in Boston, MA. After a decade working in the public sector, founder and managing director, Jenn Goldson, founded her consulting practice in 2006 and specializes in comprehensive master planning, strategic planning, housing, historic and community preservation, land use, community engagement, GIS mapping and spatial analysis, and open space and natural resource planning. The subconsultant team outlined above will support JM Goldson, bringing together a well-rounded and strategic team of planning professionals. More information about our team is provided in our proposal.

We hope you consider our proposal to be compelling and highly advantageous; we have provided a complete and comprehensive proposal and detailed qualifications, per the RFP.

If you need additional information or have any questions, please call me at 617-221-4003 x1 or email me at jennifer@jmgoldson.com. We look forward to hearing from you soon.

Sincerely,

A handwritten signature in blue ink, reading "Jenn M Goldson", with a long horizontal flourish extending to the right.

Jennifer M. Goldson, AICP
Founder and Managing Director



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PLANNING APPROACH

JM Goldson LLC is pleased to submit this proposal to provide professional planning services to assist the Town of Medway in developing a Master Plan, compliant with the G.L. c.41 §.81D. We have thoroughly reviewed the Town's expectations for this project as outlined in the RFP, and we have assembled a qualified and well-rounded team to support this endeavor. Our team brings both a fresh outside perspective and local familiarity and we are prepared to guide the Medway community as you take a step back from day-to-day activities to think holistically and decide what is important for the coming decade, keeping in mind a long-term outlook of 25-30 years.

How can local policies and regulations shape the type of development and preservation the community wants to see? How can the Town build community vitality and sustainability to provide the broadest benefits to its residents? What infrastructure, housing, and economic goals will need to be met in order to support the Town's growth? How can the Town build on its strengths? How can the Town reflect on impacts of the current health crisis to build resiliency and rejuvenate the local economy? How can the community prepare for and protect itself against climate threats? How can the Town create synergies with regional trends and development while retaining a unique identity and maintaining the quality of its natural resources? How should the Town invest in its transportation systems, connectivity, and access?

With a strong emphasis on community engagement and stakeholder input, we are prepared to help the Town of Medway understand the local and regional baseline conditions that set the context for future planning; develop a community-wide 10-year vision and associated goals; and create a robust, realistic, and fiscally-responsible implementation plan.

As illustrated in our approach and proposed schedule and scope, we are prepared to work closely and collaboratively with the Town and community to produce a compelling and accessible Master Plan. We have designed an 18-month planning process that is iterative and informative, as well as flexible, in response to the current health crisis circumstances.



Sanford Mills, Medway, MA.

Photo Credit: John Phelan, 4 February 2017

The scope of work will include all tasks described in the RFP, with no exceptions, including:

- Robust public process and creative community engagement strategy to stimulate open discussion and envision an aspirational outlook based on a wide and varied range of community perspectives
- Weaves sustainability throughout the plan and draws on best practices including MA Clean Energy and Climate Action Plan for 2020 and ICLEI's Sustainability Planning Tool Kit
- Existing conditions and projected needs analysis for all plan elements that identify issues, needs, and opportunities that pulls from existing plans and studies
- Strategies and an implementation plan that draws from best practices, regional considerations, and creative solutions
- Preparation of a final user-friendly and visually-appealing plan

We understand that community involvement – both educational/informative and interactive – is essential to the success of this planning effort and is very important to the Town. If selected, we will work closely with Town staff and the Master Plan Committee to finalize the details of the engagement plan as it best suits the Town's goals and desires, as well as expectations related to the concerns and limitations of the current health crisis.



A page from the 2020 Award-Winning Winchester Master Plan, JM Goldson 2020

INCLUSIVE & COMMUNITY-WIDE PARTICIPATION

Our team, led by JM Goldson, is known for designing and facilitating highly-interactive community engagement efforts that utilize a wide variety of participation tools and formats. Jenn Goldson has been designing and facilitating interactive community forums for over two decades.

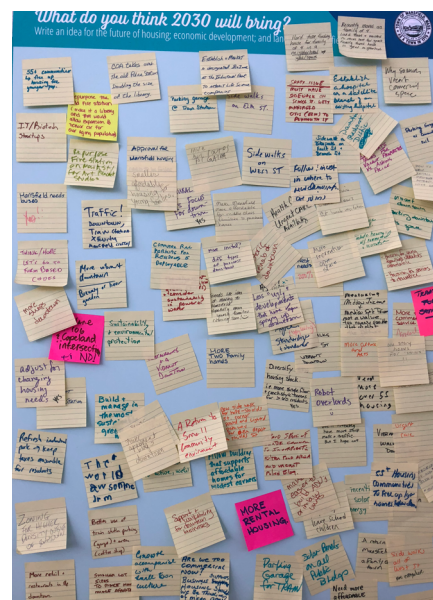
Now that all of our work has been online due to the COVID-19 restrictions, we have expanded to offer many digital options including tools through Zoom (digital polling, webinars, break-out rooms); Poll Everywhere and Miro platforms that provide real-time, creative collaboration and participation options; online and paper surveys; as well as Zoom focus groups and interviews.

An innovative and interactive public process is as important to the Town as it is to us, as planners. When in-person gatherings are again



Jenn Goldson and local Town Planner answer questions during a community workshop for Eastham's Five-Year Strategic Plan, JM Goldson 2019

Our approach identifies intersections and synergies among Plan elements with transparent and inclusive engagement. This results in strategic, realistic, and fiscally-responsible implementation strategies.



Resident input from an open house event for Mansfield's Master Plan, JM Goldson 2019

possible and safe, our engagement approach offers flexibility with optional in-person activities, including charrettes and public forums, cafe-style events, tabling at community functions, round-table discussions, as well as DIY-kits for hosting living room chats.

Our team can adjust the engagement scope upon consultation with Town staff and the Master Plan Committee and would be happy to explore other possibilities and options to remain flexible throughout the project during these unprecedented times.

A SYSTEMS-BASED APPROACH

Although comprehensive plans consist of multiple distinct elements, there are many intersections and synergies when viewed as systems. The systems framework is particularly important to ensure an effective comprehensive plan that does not consist of elements planned in silos, but rather, integrated elements that consider and reinforce each other to create a more powerful and interconnected whole.

VISION PILLARS	STATUTORY ELEMENTS	GOALS	STRATEGIES
BRINGING PEOPLE TOGETHER This pillar focuses on preserving what makes Mansfield—its people, the community, and its history.		3	17
ACCESSIBLE, CONNECTED, + WELL-PUBLICIZED GREEN SPACES This pillar celebrates Mansfield's parks, conservation areas, and natural resources.		3	11
DOWNTOWN AS DESTINATION This pillar seeks to transform Mansfield's downtown into a desirable place for people to live, work, play, and visit.		4	12
INTEGRATED + CONNECTED TRANSPORTATION NETWORK This pillar looks to improve Mansfield's transportation network, particularly integrating alternative modes into the existing network.		5	19
INDUSTRIAL PARKS AS ECONOMIC ENGINES This pillar focuses on elevating Mansfield's industrial parks to their highest and best use to better support their businesses and employees.		4	14
SUSTAINABLE + STRONG SERVICES + INFRASTRUCTURE This pillar prioritizes keeping Mansfield's services and infrastructure strong and looking for ways to make them sustainable.		4	13

Elements of transportation, housing, economic development, facilities and services, natural and environmental resources, recreation, population and demographics, fiscal considerations, and land use as well as sustainability and climate resilience, arts and culture, and public placemaking, all come together to shape how a place is experienced by people both inside and outside the community.

Understanding the system as a whole is far more important than only understanding each distinct piece. This systems framework is bolstered by our team approach where we foster a synergistic collective performance, both within our consultant team as well as between the team and the client.

Our approach also facilitates the integration of overarching issues, such as sustainability and public health, or resilience and social cohesion, that go beyond the traditional, statutory master plan elements. We'll use this approach to weave together different aspects of the plan and incorporate these components that may come up during the planning process.

Structural pillars of Mansfield's Master Plan update, based on overarching topics and themes of the community-wide vision, JM Goldson 2019

ASPIRATIONAL VISION AND GOALS

A plan's vision, when based on a clear understanding of community values, hopes, and dreams, are the heart of a Master Plan. A vision is an aspirational view of what residents hope the community will be like in the future, at its very best.

Before a meaningful plan can be created, the community needs to imagine the future it is aiming for. The vision statement then becomes the driving force behind the plan.

A plan's goals describe conditions to aim for to achieve the community vision over time. Goals describe what the community wants to achieve and often include metrics so that the community can measure progress over time and adjust strategies as needed to achieve success.



Original artwork to illustrate the components of a master plan,
JM Goldson 2020



A page from the Ipswich Community Development Plan, JM Goldson 2021

IPSWICH IN 2035...

is a scenic coastal community defined by its open space and natural resources, First Period historic resources, vibrant local businesses, strong schools and community partners, and a welcoming social fabric for residents and visitors of all ages, races, ethnicities, and backgrounds.

REALISTIC & FISCALLY-RESPONSIBLE STRATEGIES

Strategies describing how to achieve the community's goals. Strategies are ways that the Town will work to achieve the goals. They are actionable and will involve funding, regulations, programs, and/or use of other Town resources, such as staff or volunteer time. Community planning efforts have meaning only if they are implemented. It is vital to develop a strategic, realistic, and fiscally-responsible planning document with an implementation plan that is thoroughly vetted by local policy-makers.

Our approach incorporates department managers and key Town staff into the planning process to ground the plan's goals and strategies and ensure realistic outcomes. Our team's experience and broad knowledge of community planning and best practices will ensure that the community concludes this process with a meaningful Action Plan in hand that identifies estimated funding level (using a Zagat-type rating system), funding sources, key parties responsible, and the time frame for implementation.



A6. Increase Retail Diversity and Vibrancy

Strategy A6.3: Leverage the Town's new Cultural District status, streetscape improvements, wayfinding, and new branding to **increase visitation in Town Center and to reinforce synergies between economic activity areas in Winchester.**

Secondary Goals



Winchester's Town Center is a vibrant and beloved asset to the community and serves as the Town's municipal, economic, and community hub. Both large annual town-wide events, such as Town Day or the En Ka Fair, and smaller regularly occurring events, such as the weekend Farmers Market, are held there. However, throughout the Master Plan process, residents expressed a desire for more activity and reasons to visit downtown, including a greater variety of businesses.

Winchester's cultural district presents an opportunity to unite Winchester's many arts, culture, and historic organizations with its business and economic development groups, including Winchester's Cultural Council and District Commission; Winchester's Artist Network (WAN); Farmer's Market; the Historic Commission; Historical Society; Network for Social Justice; Chamber of Commerce, and others. The Town's Cultural District Partnership represents a unique opportunity for collaboration and coordination between the public and private sectors.

A Cultural District is a walkable, compact, and easily-identifiable geographic area with a concentration of cultural facilities, activities, and assets. Cultural Districts have four main goals—attracting artists and cultural enterprises, encouraging economic development and enhancing property values, establishing the district for tourism purposes, and fostering local cultural development and historic preservation.

BALANCING DEVELOPMENT WITH PRESERVATION • 38

Continued on next page

Strategy Type



Timing



Responsible Party (% responsible):

Town Manager, new Economic Development Taskforce, Cultural District Partnership, and Select Board (60%)

Historical Society, new Main Streets Organization, Chamber of Commerce, TTAC, new Communications and Engagement Coordinator, and Planning Department/Planning Board (40%)

Funding Cost

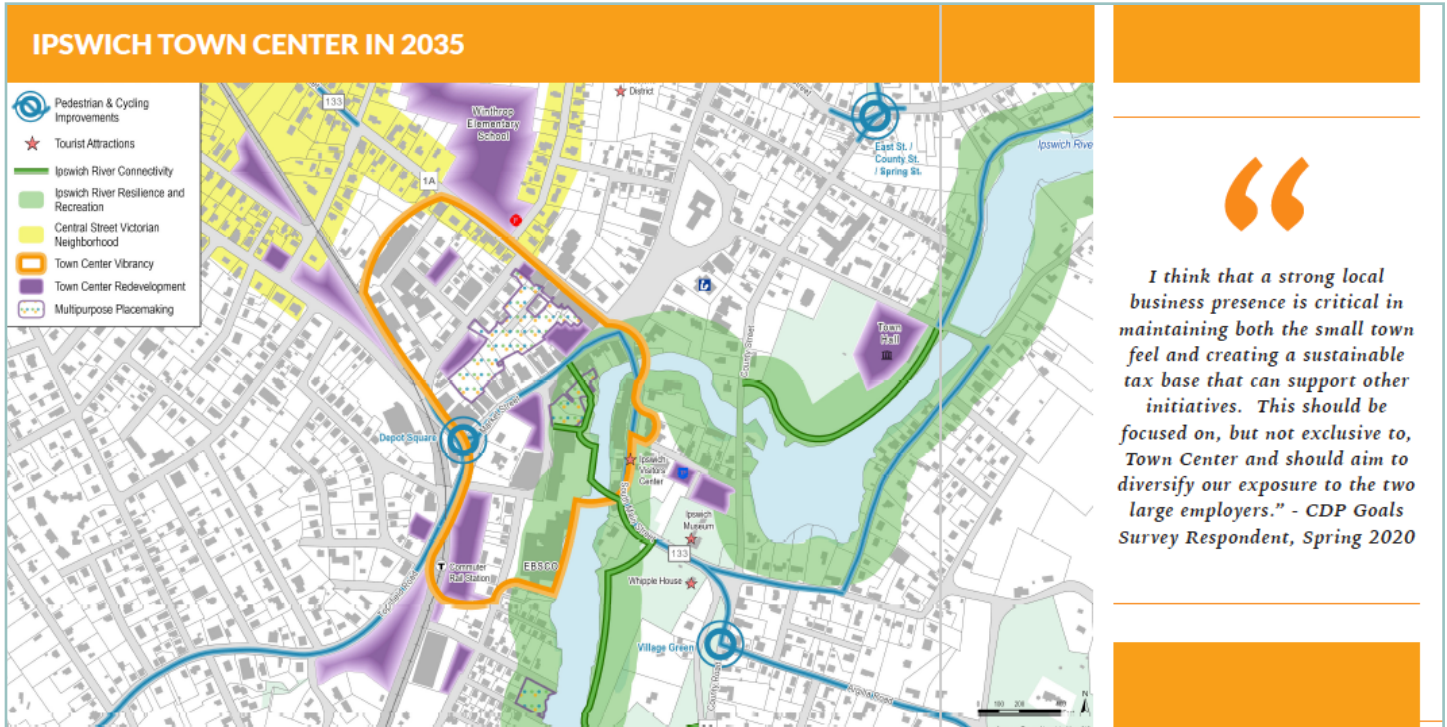
\$ — \$\$\$\$ and Staff Time

Funding Sources

Town Budget, Cultural Council Grants, and/or Capital Planning

COMPREHENSIVE & COMPELLING DELIVERABLES

Project deliverables will include comprehensive documents, including a section for goals and strategies; narrative sections for each of the Master Plan elements; and an Action Plan. Our reports are clear, concise, and visually compelling, making them highly readable and easily accessible to a variety of audiences. We strongly believe in the use of visualizations to describe data trends and key concepts – the importance we place on this shows throughout the work samples we have provided in this proposal.



Above is a page from the Ipswich Community Development Plan showing the Future Land Use Map for Town Center;

To the left is a page from the Winchester Master Plan showing the “Ensuring Sustainability” chapter’s vision and goals, JM Goldson 2020

ELEMENTS OF THE MASTER PLAN

Land Use

The Land Use element of a master plan, in many ways, is overarching in nature and ties together many of the other elements of the plan. Land use is a term to describe the way land within a municipality is used to serve a variety of purposes. Those may include housing people, civic and institutional services, jobs and economic activity, education, recreation, natural resource protection, or roads, utilities, and infrastructure.

When people talk about land use, they may refer to specific neighborhoods, businesses, or areas of town and the accompanying development pattern. People may refer to gridded tree-lined streets, winding roads and cul-de-sacs; large or small lot sizes; deep or shallow setbacks; or single-story or multi-story buildings. The way land is used can shape people's perceptions of a place, its desirability, and its economic value.

Land use and the built environment are heavily influenced by a community's zoning rules and regulations. Zoning provides the regulatory framework to develop or preserve land. These regulations guide allowable uses, building placement, building height, parking and access, and more.

Housing

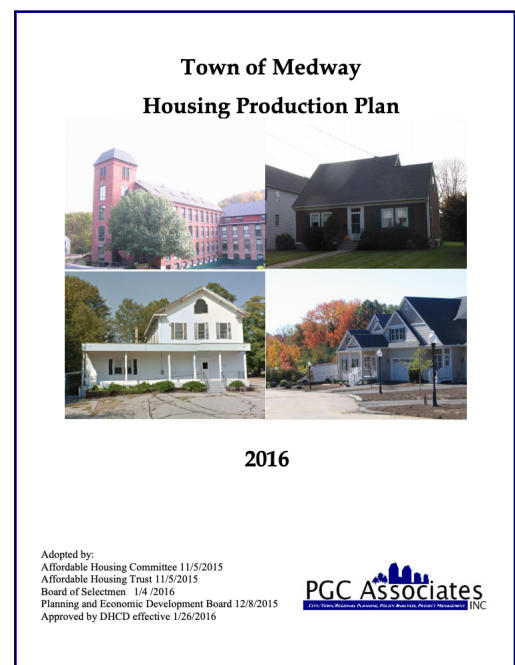
The characteristics of a town's residents, such as their life stage, wealth, household size, and race/ethnicity, are closely linked to the characteristics of a town's housing stock. The characteristics of a town's housing stock are affected by historical development patterns; the regional and local housing market; physical and environmental factors; the regulatory environment; and the availability of land for development or redevelopment.

To understand local housing needs and demand, one must also understand local and regional demographic characteristics and trends. This section of a master plan identifies the community's issues and opportunities associated with the preservation and development of housing in the community. The analysis of existing conditions will draw heavily from the Town's recently completed Housing Production Plan.

Economic Development

The economic conditions in a town are primarily driven by household income sources, the commercial and industrial base a community can attract and retain, and the uses a community chooses to allow on its land. The economies of each community then comprise a larger regional marketplace, where cities and towns are connected by a population and employment pool, an interrelated set of industries, and similar labor and trade characteristics. Economic regions are usually defined by similar development patterns, utility connections, and a shared system of roads, bridges, waterways, and in some cases public transportation.

The term "economic development" is often understood to mean the physical development of commercial and industrial space in a community. In fact, true economic development supports the improvement of the town and the people who live there. The economy of the community is comprised of many components that influence the decisions businesses make when choosing a location, including the town's labor force, tax structure, access to transportation, ease of doing business, housing stock, public utilities, school quality, and amenities. The overall development of the town's charm compared to regional competitors is also a way of attracting new business and increasing economic growth.



In Medway, the economic development element would build off of the bold vision and actions to create and implement the Oak Grove Urban Renewal Area in addition to the Town’s multiple initiatives to facilitate business investment in the community and increase the availability of industrial and commercial land for development.

Cultural & Historic Resources

Every community we have worked with has local historic and cultural assets that make the community special and authentic. Through the work of the master plan, our team will help the Town not only articulate what those assets are and why they are special, but how the community can build on those assets to improve the community for all of its current and future community members.

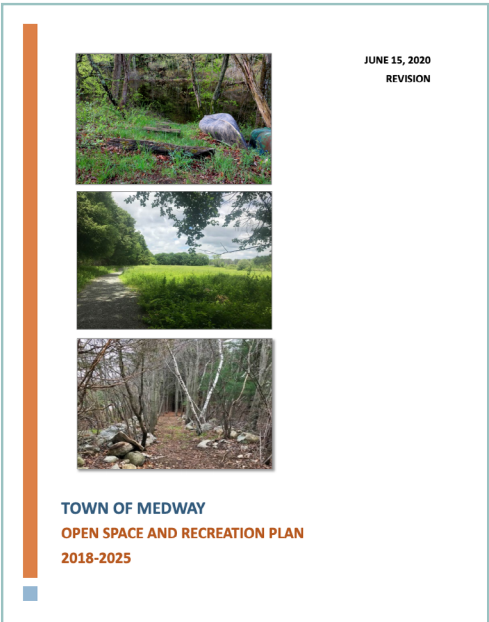
The Cultural and Historic Resources element of a master plan highlights the community’s prominent historic and cultural resources, Town and non-profit initiatives and programs, as well as an inventory of the cultural and historic resources. Among such resources are buildings, cemeteries, monuments, landscapes, public art, performance spaces, community gathering spaces, and the like. This element should guide future preservation efforts and community building initiatives.

Open Space, Natural Resources, & Recreation

The Open Space, Natural Resources, and Recreation element of a master plan serves as an inventory of existing natural resources, recreational amenities, environmental organizations, and sustainability initiatives. This element should help guide future decisions for improvements to—or expansions of—open space and recreation resources to meet the needs of the Town’s population today and into the future. This element also informs adaptation and resiliency efforts.

Precipitation events are increasing in frequency and intensity in many areas of the country, particularly in the Northeast, due to global warming. Stronger and more frequent storms will lead to higher instances of flooding, placing critical infrastructure at risk.. New construction and subdivisions increase the amount of non-permeable land—aggravating storm water runoff and flooding. Open space can help manage storm water, as well as improve quality-of-life and mitigate heat effects.

In Medway, this element will draw heavily from the recent Open Space and Recreation Plan, the MVP and Hazard Mitigation Plans, as well as the DPW Integrated Water Resources Management Plan.



Community Services & Facilities

The Community Services & Facilities element of a master plan serves as an inventory of existing municipal property that has been improved to serve a public purpose or a municipal service such as provision of sewer, water, or other public utilities. This element should help guide future decisions for improvements to—or expansions of—public facilities and services to meet the needs of the Town’s population today and into the future.

The way services are delivered—and facilities adapted—depends heavily on future changes to population, employment, and the built environment. They must also adapt to meet the expectations of the people who live and work in the community. Over time, new facilities and services may be needed to accommodate a changing population which may impact the way services are delivered, the facilities that house them, and the staff that administers them. These changes will require forward-thinking capital planning, a commitment to adequately invest in routine maintenance, and proper funding for capital and operation costs.

In Medway, this element will draw heavily from the Town Wide Facilities Study Report and any other relevant study's or plans.

Transportation, Circulation, & Transit

The Transportation, Circulation, & Transit element of a master plan describes the existing transportation network, including public transportation and multi-modal facilities, and ongoing local transportation initiatives. The element also identifies considerations for future transportation and circulation planning in the community.

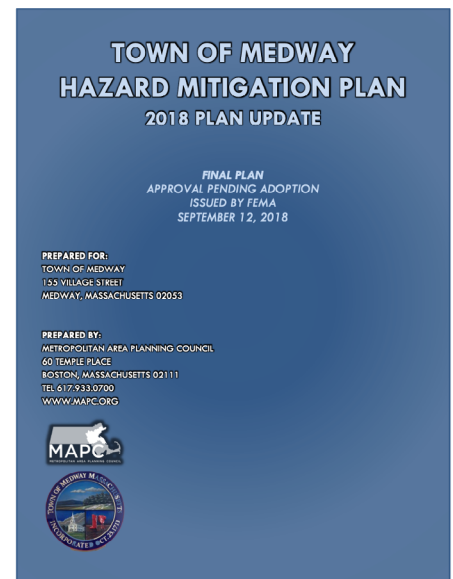
The transportation planning policies in place in many communities today promote safe, accessible, and town-wide pedestrian and bicycle routes, along with lowering speed limits and traffic calming. With heavy traffic volumes creating congestion and delays during certain times of day and at specific locations, a community's quality of life can be significantly impacted. Heavy vehicular volumes and increased speeds have also posed safety concerns for pedestrians, bicyclists, and other non-motorized vehicle users. Managing traffic volumes through walking and biking, and increasing safety are often at the core of community discussions to address the transportation needs for the next decade and beyond.

In Medway, this element will draw from the DPW Sidewalk and Roadway Improvement Plan as well as other relevant plans and studies.

Sustainability

While not a traditional master plan element, sustainability is critical for a healthy community. As ICLEI's Sustainability Toolkit describes, "Sustainability is not an end goal, but a journey that local governments can take to improve the social equity, environmental, and economic conditions of their jurisdiction." When we think of sustainability, there are many critical components including mitigating greenhouse gas emissions, adapting to climate change, and creating a just and equitable community that provides needed services to support residents and is financially sustainable.

As a Green Community, Medway has already made great strides to reduce municipal energy use and costs. Future changes due to climate change may transform the Town as environmental risks such as flooding impact ecosystems, water resources, residents, historic sites, local businesses, infrastructure, and public services. Environmental changes influence demand and may impact the effectiveness and viability of existing infrastructure. Conversely, well-planned and well-managed infrastructure and service capacity provides a protective barrier against future risks. A resilient community is one that has the ability to anticipate, prepare for, and respond to hazardous events, trends, or disturbances related to climate.

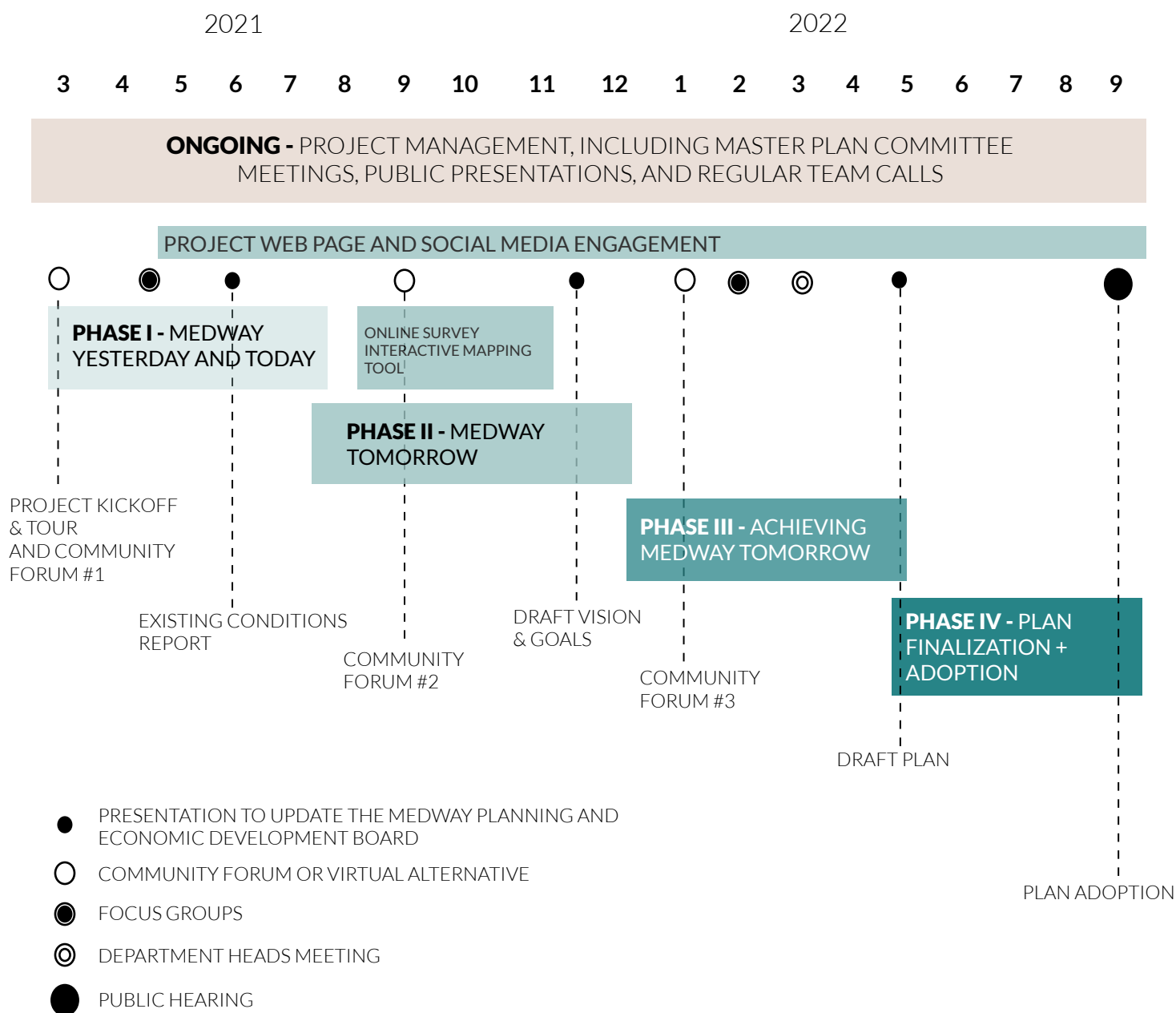


The Three Pillars of Sustainability

A diagram from the ICLEI Local Governments for Sustainability USA, "Sustainability Planning Toolkit."

PROJECT SCHEDULE

Our schedule for completing the Medway Master Plan spans a total of 19 months, with anticipated adoption by September 2022. Upon selection, our team would work closely with Town staff and the Master Plan Committee to prepare a detailed project schedule and work plan – including an integrated community engagement plan – that would lay out the schedule of project meetings, public events, milestones, and consultant deadlines. The proposed project schedule is structured around a four-phased approach: Phase I - Medway Yesterday and Today; Phase II - Medway Tomorrow; Phase III - Achieving Medway Tomorrow; and Phase IV - Plan Finalization and Adoption.



DELIVERABLES

PHASE I - MEDWAY YESTERDAY & TODAY

The Medway Master Plan project will start strong with Phase I in which the project team will lay the foundation for the plan. This phase includes a project kickoff meeting with the Master Plan Committee and Town staff as well as a guided tour of the community led by Town staff (during the health pandemic we recommend that the tour be conducted from separate vehicles and communicating by mobile phone). The project team will prepare a detailed work plan and project schedule, including a customized engagement plan. Next, the team will review all relevant local and regional plans and studies, collect necessary data, and consult with key staff and stakeholders, based on coordination between our team and Town staff. These consultations will include focus group discussions with key Town officials and other stakeholders to help the project team understand existing issues and current initiatives/programs and plans.

We will conduct an intensive fact-finding effort to define trends, challenges, and issues to be addressed through this planning effort. In the first phase, our team will compile the existing conditions for each element into a summary report, including an inventory of existing land use, and maps illustrating the current conditions of the built and natural environment and resident demographics.

Phase I will also include the first community forum as a public kickoff for the Master Plan project. We propose this first public kickoff be structured as an online meeting or webinar with interactive activities to encourage public participation.

Deliverables and Anticipated Schedule:

- Detailed project schedule (March 2021)
- Outreach checklist (March 2021)
- Summary of public input at the Community Forum (April 2021)
- Existing Conditions Report (June 2021)

PHASE II - MEDWAY TOMORROW

Throughout Phase II, our approach will guide the community to think aspirationally about what the ideal future could be for the Town. This phase focuses on developing a 10-year community vision and setting associated goals. Community engagement is critical to this phase. The consultants will work very closely with Town staff and the Master Plan Committee to implement an effective and flexible outreach and engagement plan that caters to the current circumstances and captures a broad cross-section of the community. Our proposal includes a creative and diversified approach to engagement that includes a variety of tools, such as a community forum and live polling technology, online community-wide surveys, a participatory online mapping tool, and a Town web page and a collaborative project Facebook page to elevate the project's visibility, encourage community conversations, and share information.

JM Goldson will work with Town staff and the Master Plan Committee at the outset of the project (and continually throughout as circumstances require) to determine the best outreach and engagement tools to implement. We utilize a structured engagement planning approach to guide clients through the creation of a robust and individualized outreach and engagement plan.

Given the current and uncertain future regulations and limitations around in-person events due to the COVID-19 health crisis, our proposal includes a combination of optional in-person and/or virtual forum-style community events and anticipated virtual meeting alternatives. The virtual forum-style events would include a live and/or recorded presentation that could incorporate information and live polling, along with an associated survey or a combination of other online or submission-based feedback tools.

In addition, our team is prepared to create informational and outreach materials and work collaboratively with Town staff to maximize outreach efforts.

Deliverables and Anticipated Schedule:

- Draft 10-year community vision and goals (November 2021)
- Aggregated summary and analysis of Phase II community engagement results (November 2021)

PHASE III – ACHIEVING MEDWAY TOMORROW

In Phase III, the community, stakeholders, Town staff, and Master Plan Committee will think critically about how best to achieve the future conditions identified in the vision statement and goals. As part of this, the project team will solicit input to prioritize goals and help determine which are the most important to focus on over the next 10 years through a third community forum.

In addition, this phase is centered around the development of implementation strategies for the Master Plan. The consultants will host a series of focus groups with key stakeholders identified by Town staff and the Master Plan Committee to dive deeper into the complexities of the Master Plan elements, and to inform the development of key strategies for implementation.

Our approach will rely on robust input from Town officials to ensure that strategies and the implementation plan are realistic and achievable. Working closely with the Master Plan Committee and Town staff through a department heads meeting, the consultants will create a draft implementation matrix, which will identify responsible entities, funding sources, and an implementation timeline for prioritized strategies. In addition, this phase will include a future land use map that will be created based on key decisions and visions for the future, including community-defined priorities for development and preservation.

Deliverables and Anticipated Schedule:

- Draft strategies responding to the community vision and goals (March 2022)
- Future land use map (March 2022)
- Summaries of Phase III community engagement results (March 2022)

PHASE IV – PLAN FINALIZATION AND ADOPTION

This phase focuses on refining strategies and the implementation program, as well as finalization and adoption of the complete Medway Master Plan. The plan will include a concise and graphic public-facing document that will outline the community's 10-year vision, prioritized goals and strategies, finalized future land use plan and map, summary of participation, and an associated detailed and well-organized Action Plan under separate cover. The plan will include all minimum requirements as stipulated in the RFP and required by the State in addition to customizations based on community input, including weaving sustainability throughout the plan.

The consultants will meet with Town staff and the Master Plan Committee to review and determine revisions, present the draft plan to the Planning and Economic Development Board as well as the public, and revise as needed to finalize the plan for adoption and state approval.

Deliverables and Anticipated Schedule:

- Draft Master Plan for Review (May 2022)
- Revised Draft Master Plan for Review (July/August 2022)
- Final Master Plan and Action Plan for Adoption (September 2022)
- Electronic files for all project process and final files, data, mapping packages, and other associated documents (September 2022)



PROJECT TEAM COLLABORATION

OUR APPROACH TO WORKING WITH THE COMMITTEE

The Master Plan Committee is a critical component of the project team. At JM Goldson, we are known for working collaboratively with our client communities, which includes not just Town staff but also the project committee. The Master Plan Committee has a very important role to oversee the project, provide input to shape the both the planning effort and the plan itself, share perspectives to help the consultant team better understand the community, and to ultimately recommend the plan for approval by the Planning and Economic Development Board.

The Master Plan Committee is not only the entity that oversees the project, but it also becomes the consultant team's sounding board. It will review and shape all working documents prior to broader distribution. Ideally, the Committee will also help with community outreach and engagement, taking an active role to drum up interest in events and online tools and help us reach a variety of voices and perspectives so that the plan is based on broad and representative public input.

We anticipate meeting with the Committee regularly (roughly once a month, including three community forums). We will plan for these meetings to be virtual until limitations are eased or lifted for in-person gathering. In addition, we will submit all work products electronically for the Committee's review at least one week prior to meetings. We will also provide summary minutes of meetings.

OUR EXPECTATIONS OF TOWN STAFF AND SERVICES

Town staff, particularly the Planning and Economic Development Director and Coordinator, are key members of the project team. We anticipate setting up a regular schedule for meetings or phone calls in between meetings with the Master Plan Steering Committee. We typically find that having a regular meeting/call at least twice per month throughout the project can be very helpful to ensure excellent and open lines of communication. We also prefer to have staff review our work products prior to submitting to the project oversight committee, if possible given the schedule.

If we are selected for this project, you will find that we set key milestone deadlines and meeting dates for the whole project as precisely as possible at the start of the project and that we stick to the schedule (outside of unforeseen events that are beyond our control). Even in the health pandemic our team kept the Winchester Master Plan project going so that the plan was adopted on March 23, just as our schedule anticipated.

In terms of what our team may expect of Town staff - in addition to being our primary day-to-day contact to help us schedule meetings and keep key town officials informed of project progress, we rely on staff to provide us with insights and local knowledge. Although as consultants, our fresh perspective is of value to the project, we find that staff is critical to help us understand the local dynamics at play, finding local information, or pointing us in the right direction especially during the due diligence phase of the project.

To use Town staff time efficiently, we try to be as organized as possible with specific data requests. This includes aggregating our team's data requests at the start of the project with one checklist of all data we anticipate needing for the existing conditions analysis. We also set up a project Dropbox where all data as well as project deliverables can be shared.

THE CONSULTANT TEAM

ORGANIZATION

Our proposal assembles a team of highly qualified professional planning consultants with a broad base of knowledge. Our team is dynamic and collaborative, with extensive experience providing planning services to municipal entities, including Master Plans.

PROJECT DIRECTOR

Jennifer Goldson, AICP, founder and managing director of JM Goldson LLC, will serve as principal consultant, providing guidance and expertise throughout the project and overseeing all aspects of the work.

PROJECT COORDINATOR

Barry Fradkin, Community Planning Analyst, will serve as project coordinator, providing day-to-day coordination. To ensure a smooth and collaborative process, our approach includes regularly scheduled calls in addition to in-person meetings. Barry has experience working with a wide range of communities, including oversight of multi-disciplinary teams and close coordination with clients.

LEAD AND SUPPORTIVE TEAM MEMBERS

With a robust team that brings in multiple professionals from Resilience Planning & Design and RKG Associates, JM Goldson will provide a highly-coordinated and communicative organizational structure and collaborative approach for the project team. Team members will lead and/or contribute to one or more elements as follows:



JM Goldson LLC:

Project Director and Coordinator; Community Engagement; Land Use; Cultural and Historic Resources; Open Space, Natural Resources, and Recreation; and Housing and Demographics

Jenn Goldson, AICP, Founder and Managing Director
Barry Fradkin, Community Planning Analyst



Resilience Planning & Design LLC:

Sustainability

Steve Whitman, Founder and Principal Planner
Liz Kelly, Project Planner



RKG Associates, Inc.:

Economic Development; Public Facilities and Services; and Transportation

Eric Halvorsen, AICP, Vice President and Principal
Jahangir Akbar, Project Analyst and Planner
Summer Pan, Urban Planner and Market Analyst

QUALIFICATIONS & EXPERIENCE

Our team brings broad and extensive experience in community planning, including visioning and goal setting, public engagement and outreach, communication and coordination, data collection and analysis, and implementation planning. In addition, we offer expertise in economic development, sustainability, land use, open space and recreation, cultural and historic resources, housing, transportation, and public services and facilities.

Familiarity with Medway

Our team has a wide range of experience providing professional planning services to municipal clients in New England and throughout Massachusetts, including the Town of Medway. Jenn Goldson prepared the 2011 Medway Affordable Housing Trust Action Plan and Eric Halvorsen (RKG) prepared a regional transit study while serving as the Assistant Director of Transportation at the Metropolitan Area Planning Council.

Experience

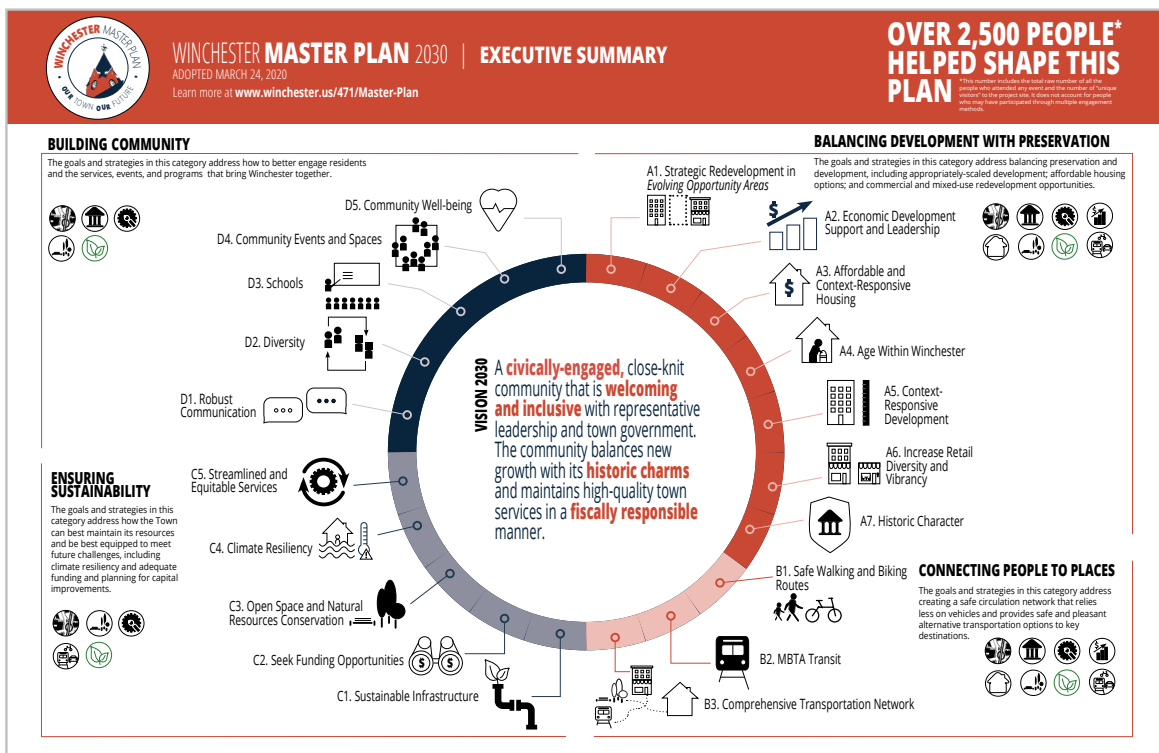
Collectively, we have prepared comprehensive master plans, community visions, community preservation plans, housing plans, market studies, economic development plans, open space and recreation plans, strategic conservation planning, community resiliency planning, and regional and watershed scale natural resource planning.

Award-Winning Master Plan

JM Goldson's most recent Master Plan example is from Winchester, MA. This spring, in the middle of the pandemic, our JM Goldson team, with support from RKG Associates, completed Winchester's first master plan in 67 years. We are proud to say that our team completed this highly collaborative 18-month project with no delays and that it culminated in what we believe is the first Master Plan approved at a virtual Planning Board meeting via video conference in the Commonwealth.

The momentum created by sticking to a project schedule is integral to maintaining enthusiasm and engagement from start to finish and to bring out the best collaboration, creativity, and widespread community support.

The Winchester Master Plan was recently honored with the 2020 MA American Planning Association award for Outstanding Comprehensive Plan. See the award video about the plan [here](#).



Winchester Master Plan executive summary in the form of a placemat, JM Goldson 2020

JM GOLDSON LLC

Founded in 2006, JM Goldson provides expertise in master planning, community visioning, historic preservation, community preservation, open space and recreation planning, land-use planning, and housing. The firm has a renowned approach for facilitating highly-interactive public engagement and a strong track record assisting communities with Master Plans; Community Vision Plans; Housing Production Plans; Community Preservation Plans; Open Space and Recreation Plans; and Affordable Housing Trust Action Plans. JM Goldson is structured as an LLC with two full-time professional planners. JM Goldson has been in business for over 14 years and is a certified Women Business Enterprise (WBE) in Massachusetts.

JENNIFER M. GOLDSON, AICP FOUNDER AND MANAGING DIRECTOR

Jennifer M. Goldson, a certified professional planner, formed JM Goldson LLC+, open space conservation, community engagement, and implementation of the Massachusetts Community Preservation Act. Jennifer is certified by the American Institute of Certified Planners.

Jennifer is the principal author of multiple guidebooks published by the Massachusetts Housing Partnership including the Community Preservation Act and Affordable Housing guidebook, Create, preserve, support (2016); the Municipal Affordable Housing Trust Implementation Manual (2015); and the award-winning Municipal Affordable Housing Trust Guidebook (2009). Jennifer holds a B.S. in Historic Preservation from Roger Williams University and a Master of Community Planning from the University of Rhode Island. Prior to forming JM Goldson, Jennifer served as a municipal planner for the Town of Brookline and City of Newton. Jennifer's AICP certification can be furnished upon request.



Jenn Goldson, AICP, Founder and Managing Director of JM Goldson

“ **Jenn has done an exceptional job communicating with town officials and town residents during multiple public workshops, synthesizing the public input and demographic data, and producing comprehensive, pragmatic, and well-reasoned reports. We would choose JM Goldson again 10 times out of 10.** ”

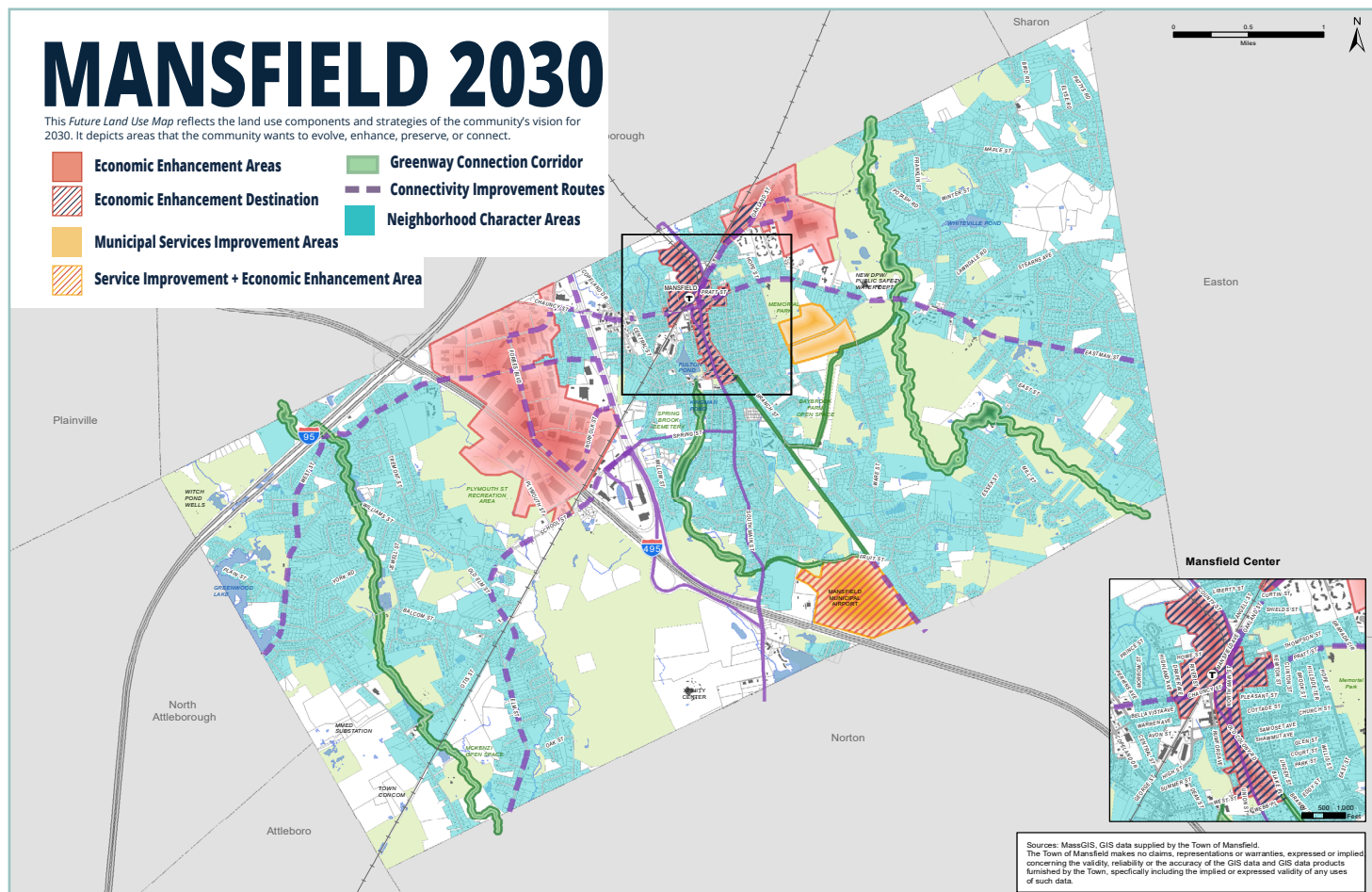
– Town of Agawam, Director of Planning and
Community Development, April 2017

BARRY FRADKIN, COMMUNITY PLANNING ANALYST

Barry Fradkin is a Geographic Information Systems (GIS) analyst with 10 years of experience working in local and regional planning both in Massachusetts and around the world. Barry's background combines urban and environmental planning with spatial analytics and data visualization.

Prior to joining the JM Goldson team, Barry worked at an international consulting firm, where he managed and worked on projects involving urban growth projections, hazard risk and resilience, poverty and socioeconomic analysis, and conservation in Latin America, Europe, the Caribbean, and across the U.S. at various scales. Barry also has experience working in eastern Massachusetts as part of the Data Services team at the Metropolitan Area Planning Council, performing data analytics, mapping, scenario modeling, and stakeholder engagement with various actors and entities. Barry has helped prioritize areas for conservation and development, evaluate accessibility to schools and jobs, create 3D visualizations of potential development around transit stations, perform hydrologic modeling, and identify nature-based solutions to mitigate climate impacts. He has also worked with various municipalities in updating their Hazard Mitigation Plans.

Barry completed a Master's in Environmental Sciences at the University of Massachusetts Boston, and is active in the GIS community, teaching introductory classes at UMass Boston.



Future Land Use Map for the Mansfield Master Plan prepared by Barry Fradkin, Community Planning Analyst at JM Goldson

RESILIENCE PLANNING AND DESIGN LLC

Resilience Planning & Design is a New England based firm providing collaborative planning, design, and education services. Our main office is located on Main Street in Plymouth, NH. Currently, we have two full-time planners and a GIS analyst on staff. Beyond this core team, we regularly collaborate with a network of other professionals on a project-by-project basis. While our firm has extensive experience working on a range of planning projects in communities of all sizes, we specialize in the facilitation of comprehensive planning projects with a focus on community resiliency and sustainability. We believe in helping communities and organizations formulate an overarching planning framework and subsequent implementation strategies that meet their goals, generate public support, and identify a clear path forward into the future. As a team, we have also been working to make planning documents and information more accessible and engaging to the public and municipal boards.



STEVE WHITMAN

Steve Whitman is a professional planner and educator who has been working in the public, non-profit, and private sectors for twenty-three years. Steve established Resilience Planning & Design to assist municipalities, agencies, and non-profit organizations with planning initiatives and implementation efforts that reinforce their visions and future plans. His work includes strategic conservation planning, community resiliency planning, comprehensive planning projects in small towns and large cities, and regional and watershed scale natural resource planning. Steve is also a published researcher on the value of holistic natural resource protection and regeneration at the municipal scale.

His article "[Beyond Stormwater: Capturing the unrealized potential of green infrastructure systems to solve 21st century challenges](#)" was recently published in Planning magazine. Steve is also an adjunct faculty member, municipal planning board member, and is an active board member for two environmental non-profits.

ELIZABETH (LIZ) KELLY

Elizabeth Kelly of Resilience Planning & Design is a professional planner and designer who holds a M.S. in Ecological Design and Planning. Liz has completed a variety of planning projects for municipalities and organizations focused on comprehensive planning, economic development, natural resource protection, open space planning, and placemaking throughout her career. She also has experience working in the public-sector of municipal planning and regional planning. She's a certified permaculture design teacher, and is highly skilled in facilitation, creative problem solving, plan writing, and document layout. An adjunct faculty member at Plymouth State University, Liz is also currently the Board chair for the Permaculture Association of the Northeast.

A Transect of Green Infrastructure Systems and Solutions

This cross section shows a range of green infrastructure examples from an urban area out to a more undeveloped setting. Ideally these would be interconnected systems that create a green infrastructure network throughout the community.



Illustration by Elizabeth Kelly, Resilience Planning & Design, for City of Portsmouth, New Hampshire.

Illustration by Liz Kelly for Steve Whitman's Planning Magazine article: *Beyond Stormwater*

Founded in 1981, RKG Associates provides private, public and institutional clients, nationwide, a comprehensive range of advisory, planning, and strategic consulting services related to real estate, land use and economic development. We are proud that most of the assignments for which we have been engaged are projects that are built... projects that happen... projects that work... with tangible results measured in terms of new jobs, new investments, expanded tax bases or new master plans based on strong community consensus.

Our firm has successfully blended the in-house expertise of professionals who have backgrounds in market research, economics, finance, real estate development and planning. We also call upon an extensive network of other professionals to provide complementary technical expertise in such areas as architecture, engineering, land use planning, legal services, and environmental science.

Whether it is a large-scale project or a smaller undertaking, we make our full range of skills and disciplines available to every client.

ERIC HALVORSEN, AICP, VICE PRESIDENT

Eric Halvorsen, AICP is a Vice President and Principal with RKG bringing over fourteen years of experience in economic development, land use, and transportation planning. Eric specializes in helping communities develop plans that bridge multiple topics of community development and his work includes master plans, downtown plans, corridor plans, and site specific plans. Eric's focus is on formulation of realistic and actionable plans that can be achieved incrementally over time. He also has significant experience with public engagement, crafting processes for groups as small as 5 and as large as 300. These include highly interactive open houses, site walks, town hall meetings, small group facilitation, focus groups, and project working groups. He believes in purposeful, meaningful, and inclusive engagement of all members of the community.

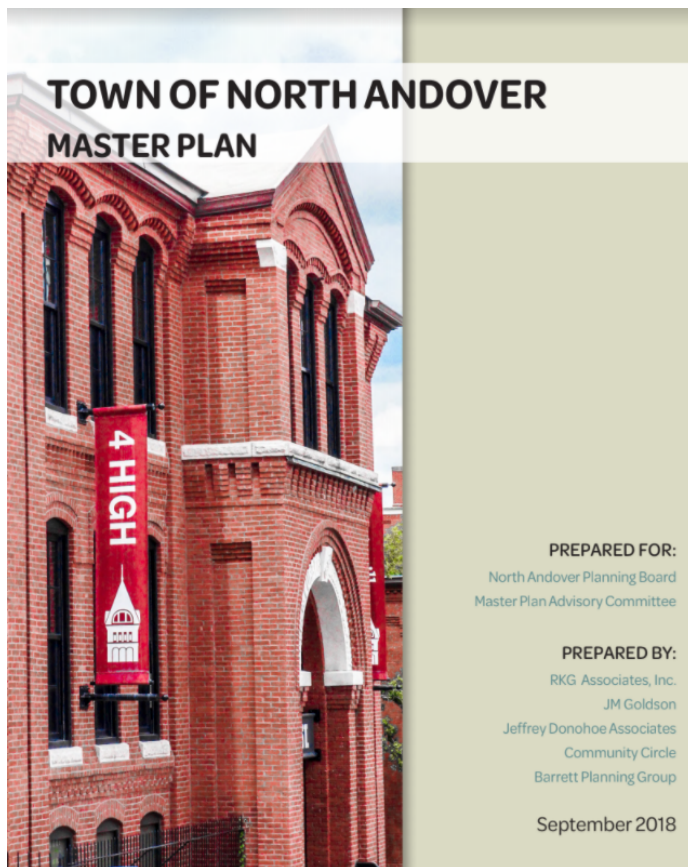
Eric also received facilitation training from the Interactive Institute for Social Change (IISC). Eric is a member of the American Planning Association, a member of the American Institute of Certified Planners (AICP), and was a founding Board member of the Boston Chapter of Young Professionals in Transportation. He graduated from Rutgers University with a degree in Environmental Planning and Design and graduated from the University of Illinois with a master's degree in Urban and Regional Planning.

JAHANGIR AKBAR, SENIOR PROJECT ANALYST

Jahangir Akbar is a Senior Project Analyst and Planner with RKG bringing over eight years of experience in the fields of planning, economic development, and affordable housing. He specializes in helping communities unlock their potential through strategic thinking and community planning efforts such as master plans, housing strategies and production plans, and downtown redevelopment initiatives. Jahangir brings years of experience analyzing, synthesizing, and communicating challenging data in a way that helps educate community members and informs productive communication. Jahangir's primary responsibilities at RKG include conducting demographic, employment, housing, and market analyses; development feasibility and impact analyses; economic impact analyses; and working with communities on engagement and public participation activities.

SUMMER PAN, PROJECT ANALYST AND PLANNER

Summer Pan is a Market Analyst and Urban Planner with RKG Associates. Summer has a specialty of assisting communities to envision and achieve redevelopment potential with a focus on livability. This spans from renovating a property to assisting with public-private partnerships for a global network of mayors. Summer brings experience working with municipal housing development departments and community boards to help them understand the housing demands and develop practical strategies that cater to local needs. She has worked on several Housing Plans, Economic Development Plans, and Master Plans across New York, Virginia, Maryland, Georgia, and Rhode Island, with an emphasis on multicultural and diverse communities.



A few pages from the North Andover Master Plan, led by Eric Halvorsen from RKG Associates working with Jenn Goldson lead designer and facilitator of community engagement, 2018

Economic Development

Planning Issues

The Need for a More Defined "Downtown"

Members of the public indicated that North Andover could benefit from a more well-defined and active downtown area. While the Downtown has a good mix of businesses that serve North Andover residents and visitors, questions were raised as to whether more housing in the area would help support a more vibrant downtown. This issue needs to be balanced against related concerns regarding parking, traffic, and the ability of community facilities to provide necessary services to residents. The primary focus being police, fire, and emergency response capabilities. Increasing the maximum allowable height for buildings was raised as a potential opportunity to increase density, although parking and traffic concerns would have to be evaluated. Similarly, some residents indicated a desire to remove overhead wires by putting utility services underground. This would require a significant financial investment to complete, with little associated revenue to support it, and the cost would likely have to be borne by ratepayers.

Lack of Available Developable Land

While the Town of North Andover has a significant amount of land area dedicated to uses that support economic activity, there are several issues which deserve consideration in terms of what future economic development activity may be supported. A major consideration is the environmental constraint on some properties which limit their development potential. This is particularly true along the Route 114 corridor, which has substantial wetlands. These sections of the corridor create development limitations which reduce the potential to support economic development and a broadening of the town's tax base.

Utility Systems

There are some businesses in proximity to the airport which are not connected to the Town's sewer system. Rather, some of these businesses connect directly with the Greater Lawrence Sanitary District's treatment plant, located in proximity to the airport, while others utilize septic systems for wastewater disposal. At the time of the agreement with the Greater Lawrence Sanitary District, capital outlays for the Town of North Andover were reduced saving the town money, but the Town also lost the opportunity to provide services to these users, and to generate revenue. The Town needs to ensure that adequate water and sewer service is available to meet the needs of new economic development activities, and to ensure that the Town's interests are adequately represented in terms of utility systems planning, upgrades, and future operations.



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REFERENCES & SAMPLE PLANS

MASTER PLANS

Winchester Master Plan, approved 2020 <i>JM Goldson led this plan and worked with subconsultants including RKG Associates. This plan weaves sustainability throughout and also has a chapter devoted to sustainability, both environmental and fiscal.</i>  Link to Final Plan: Winchester Master Plan Report	Brian Szekely, Planning Director bszekely@winchester.us 781-721-7120
Mansfield Master Plan, approved 2020 <i>JM Goldson led this plan and worked with subconsultants including RKG Associates</i> Link to Final Plan: Mansfield Master Plan Report	Shaun Burke, Director of Planning & Development sburke@mansfieldma.com 508-261-7363
North Andover Master Plan, approved 2018 <i>JM Goldson was a subconsultant for historic and cultural resources, open space and recreation, housing, and community engagement; RKG was the lead consultant</i> Link to Final Plan: North Andover Master Plan Report	Jean Enright, Planning Director jenright@northandoverma.gov 978-688-9542
Sharon Master Plan, approved 2019 <i>JM Goldson was a subconsultant for housing and historic and cultural resources; Civic Moxie was the lead consultant</i> Link to Final Plan: Sharon Master Plan Report	Pasqualino Pannone, Planning Board pasqualino.pannone@gmail.com 617-794-6877
Concord Master Plan, approved 2018 <i>JM Goldson was a subconsultant for housing; Civic Moxie was the lead consultant</i> Link to Final Plan: Concord Master Plan Report	Marcia Rasmussen, Director of Planning & Land Management mrasmussen@concordma.gov 978-318-3290

SIMILAR PLANS

Ipswich Community Development Plan, Draft 2021 <i>JM Goldson is leading this 18-month planning to completion - anticipated plan approval Spring 2021. This plan weaves sustainability throughout the plan and has a high focus on strategies to create a resilient community.</i>  Link to Draft Plan: Ipswich Community Development Plan	Ethan Parsons, Planning Director ethanp@ipswichma.gov 978-356-6607 x 2
Eastham Strategic Plan, 2019 <i>JM Goldson led this one-year planning effort. Sustainability emerged as one of the overarching goals of the plan.</i>  Link to the Final Plan: Eastham Strategic Plan	Paul Lagg, Planning Director plagg@eastham-ma.gov 508-240-5900 x3228



This symbol indicates that the plan specifically included a focus on community sustainability.



ATTACHMENTS

FIRM PROFILE AND RESUMES
REQUIRED FORMS

J M G O L D S O N

EMPOWERING PEOPLE.
CREATING COMMUNITY.

FIRM PROFILE

Founded in 2006, JM Goldson LLC assembles a team of professional planners to provide communities with a balanced approach to community preservation and planning. JM Goldson provides expertise in master planning, community visioning, historic preservation, community preservation, and affordable housing as well as a renowned approach for facilitating highly-interactive public engagement.

JM Goldson has a strong track record assisting communities with community visioning, master planning, community preservation act implementation and planning, and affordable housing planning, including Master Plans, Community Vision Plans, Housing Production Plans, Housing Needs Assessments, Open Space and Recreation Plans, Community Preservation Plans, and Affordable Housing Trust Action Plans.

JM Goldson's founder, Jenn Goldson, AICP, is the principal author of multiple guidebooks published by the Massachusetts Housing Partnership including the Community Preservation Act and Affordable Housing guidebook, Create, preserve, support (2016), the Municipal Affordable Housing Trust Implementation Manual (2015), and the award-winning Municipal Affordable Housing Trust Guidebook (2009).

Located in Boston, JM Goldson's work represents a wide range of projects tailored to best meet the individual needs of client communities. The firm's clientele includes a mix of public- and private-sector clients.

JENN GOLDSON

AICP, FOUNDER & MANAGING DIRECTOR



Jenn Goldson, a certified professional planner, formed JM Goldson LLC in 2006 to help communities create successful community visions and master plans, community preservation programs, and address affordable housing needs.

Her 25+ year professional background blends affordable housing, comprehensive planning, historic preservation, open space conservation,

community engagement, and implementation of the Massachusetts Community Preservation Act. Jenn is certified by the American Institute of Certified Planners.

JM Goldson provides client communities with a balanced approach to planning. JM Goldson's approach focuses on protecting community assets and enhancing housing choice in ways that are compatible with other community and regional goals. JM Goldson is known for facilitating highly-interactive public engagement and customizing services to best meet client communities' needs.

JM Goldson has a strong track record assisting communities with community visioning and master planning, community preservation, and affordable housing planning and implementation, including Master Plans, Community Vision Plans, Housing Production Plans, Housing Needs Assessments, Community Preservation Plans, and Affordable Housing Trust Action Plans.

Jenn is the primary author of Massachusetts Housing Partnership's (MHP) *Municipal Affordable Housing Trust Guidebook*, which received the 2010 Outstanding Planning Award from the Massachusetts Chapter of the American Planning Association. Jenn is also the primary author of MHP's *Municipal Affordable Housing Trust Implementation Manual*, released in November 2015, and the updated MHP and CHAPA *Community Preservation and Affordable Housing Guidebook Create, preserve, support*, released in early 2016.

In 2008, Jenn was the primary author of the Community Preservation Coalition's *CPA Update*, a monthly email-newsletter subscribed to by Community Preservation Committees across the state.

Prior to forming JM Goldson, Jenn managed the City of Newton's Community Preservation program, one of the first and largest CPA programs in Massachusetts. Under her management, Newton's CPA program funded over \$12 million in community housing, open space, recreation, and historic preservation projects, including the city's purchase of Angino Farm, the last farm in Newton, and Kessler Woods. Working with the city from inception of the CPA program, she established and administered a clear and effective evaluation and review process that the Community Preservation Committee relied on to select projects in highly competitive funding rounds.

As project manager for the Town of Brookline's comprehensive planning initiative, Jenn worked closely with the Comprehensive Plan Committee, town officials, and neighborhood groups to identify issues and opportunities in the areas of affordable housing, parks and open space, historic preservation, transportation, economic development, and community facilities. Jenn was primary author of *The Brookline Plan: Program & Progress*, a document culminating the first phase of the comprehensive planning process.

In addition to her experience in local government, Jenn has extensive experience in the private sector. She was a preservation planner for the Newport Collaborative

Architects, a full-service architecture and planning firm in Newport, Rhode Island, where she prepared community visioning and master plans. She also developed town-wide historic resource surveys for the Connecticut Historical Commission and prepared historic tax credit applications for rehabilitation projects in Rhode Island. Prior to that, Jenn was a preservation research associate for the Conservation Technology Group in Newport, a firm specializing in the conservation of historic sites, architecture, and monuments.

Jenn earned a Master's degree in Community Planning from the University of Rhode Island and a BS in Historic Preservation with a minor in Architecture from Roger Williams University. She was editor of the New England Planning Newsletter and served on the Board of the Massachusetts chapter of the American Planning Association.

Jenn currently serves on the MA-American Planning Association's Housing and Community Development Committee.

In her hometown, Jennifer served as vice president of the Roslindale Village Main Street (RVMS) Board of Directors, co-chair of the RVMS Design Committee, and was appointed by Mayor Menino as a member of the Roslindale Advisory Group for Strategic Planning & Rezoning. She was recognized by Mayor Menino for her contributions to the RVMS Design Committee as volunteer of the year.

BARRY FRADKIN

COMMUNITY PLANNING ANALYST



Barry Fradkin, a Geographic Information Systems analyst, joined JM Goldson LLC in October 2019. His background combines urban and environmental planning with spatial analytics and data visualization. Barry completed a Master's in Environmental Sciences at the University of Massachusetts Boston, and has worked in local and regional

planning for over 9 years. He entered the field as a GIS Analyst at the Metropolitan Area Planning Council, where he performed data analytics, mapping, scenario modeling, and stakeholder engagement in cities and towns around Boston, followed by more than 6 years as a consultant in international planning and sustainable development.

During his time as an international consultant, Barry explored topics including urban growth projections, hazard risk and resilience, poverty and socioeconomic analysis, conservation, and regional development, ranging from agricultural value chains to tourism planning. As a Senior Analyst, Barry coordinated projects that combined spatial and statistical analysis with design-based planning approaches to develop policy and infrastructure investment recommendations at local, regional, and national scales. He has developed participatory scenario planning workshops with interdisciplinary stakeholder groups in northern Alaska, modeled land use change in Florida and Latin America, and analyzed flooding and urban heat island exposure in Europe and the Caribbean. Through these experiences, Barry has honed his skills in research and data management, and worked with a wide range of communities and decision makers to compile relevant insights from spatial and demographic analysis, stakeholder engagement, and an understanding of local conditions and historical context.

Prior to his work in private consulting, Barry was involved in a variety of planning projects throughout eastern Massachusetts as part of the Data Services team at MAPC. He coordinated with local officials in Middlesex and Essex County to map evacuation routes and critical

infrastructure. He also assessed the accessibility of employers by public transit, analyzed the walkability of schools in Revere and Brockton, and updated the regional database of bike and pedestrian facilities. As part of the team that developed the 495/MetroWest Development Compact Plan in 2012, Barry developed a GIS-based evaluation system for Priority Development and Preservation Areas to recommend key areas for future investment. As part of the MBTA Green Line Extension project, Barry developed an interactive 3D scenario planning visualization of potential redevelopment alternatives around a proposed station at Mystic Valley Parkway. He also generated projections of residential development based on current zoning through a CommunityViz buildout analysis in Marshfield.

Barry has been active in the Geographic Information Science (GIS) community, teaching an introductory GIS class at UMass Boston, presenting at the Esri User Conference in San Diego and the Geospatial World Forum in Rotterdam, and attending the URISA GIS Leadership Academy in July 2017. He has training in hydrologic modeling of rivers and watersheds, and maintains a strong interest in how the built environment impacts flooding and water quality, and the value of open spaces in mitigating climate impacts. Barry has some proficiency in Spanish, and limited working knowledge of Portuguese and French. He holds a Bachelor of Science in Earth Systems from the University of Massachusetts in Amherst, MA.



ERIC HALVORSEN, AICP Vice President and Principal

Eric Halvorsen, AICP, has over fourteen years of experience in land use, economic development, housing, and transportation planning. Eric's diverse planning background provides a broad perspective making connections between the many facets that drive community decisions, inputs, and results. Eric also brings a wide range of project experience including work on master plans, downtown plans, economic and market studies, housing plans, and site specific plans. Additionally, he has managed multiple public engagement efforts, crafting processes for groups as small as five and as large as 300. These include highly interactive open houses, site walks, town hall meetings, small group facilitation, focus groups, and project working groups.

Eric's focus has been and continues to be the formulation of realistic strategies that help catalyze change in the short- and long-term. Making connections between each facet of community development is a critical component to success. Eric enjoys learning, understanding, and leveraging those elements of a place that make it unique.

EDUCATION

University of Illinois

Masters of City and Regional Planning

Rutgers University

B.S. in Environmental Planning and Design

Harvard University Executive Ed.

Urban Retail

PROFESSIONAL AFFILIATIONS

Urban Land Institute

Housing and Economic Development Council

American Institute of Certified Planners

American Planning Association

COMMUNITY MASTER PLAN EXPERIENCE

North Andover Master Plan

North Andover, Massachusetts

Natick Master Plan 2030+

Natick, Massachusetts

Littleton Master Plan

Littleton, Massachusetts

Kittery Master Plan

Kittery, Maine

Winchester Master Plan

Winchester, Massachusetts

Mansfield Master Plan

Mansfield, Massachusetts

South Hadley Master Plan

South Hadley, Massachusetts

ECONOMIC DEVELOPMENT AND MARKET STUDY EXPERIENCE

Economic Development Strategy

Framingham, Massachusetts

Economic Development Strategy

Plymouth, Massachusetts

Economic Development Plan

Southbridge, Massachusetts

Market Analysis & Development Feasibility Study

Springfield, Worcester, Fitchburg, and Lynn, Massachusetts

Market Analysis

Brockton, Massachusetts

Downtown Taunton Feasibility Study

Taunton, Massachusetts

**Additional Project Experience Provided Upon Request*



JAHANGIR AKBAR

Project Analyst and Planner

Jahangir has over eight years of experience in the fields of planning, economic development, and affordable housing. He specializes in helping communities unlock their potential through strategic thinking and community planning efforts such as master plans, housing strategies and production plans, and downtown redevelopment initiatives. Jahangir brings years of experience analyzing, synthesizing, and communicating challenging data in a way that helps educate community members and informs productive communication.

Jahangir's primary responsibilities at RKG include conducting demographic, employment, housing, and market analyses; development feasibility and impact analyses; economic impact analyses; and working with communities on engagement and public participation activities.

EDUCATION

Massachusetts Institute of Technology
Masters of City Planning

Towson University
B.S. Accounting

COMMUNITY MASTER PLAN EXPERIENCE

North Andover Master Plan
North Andover, Massachusetts

Natick Master Plan 2030+
Natick, Massachusetts

Littleton Master Plan
Littleton, Massachusetts

Kittery Master Plan
Kittery, Maine

Winchester Master Plan
Winchester, Massachusetts

Mansfield Master Plan
Mansfield, Massachusetts

ECONOMIC DEVELOPMENT AND MARKET STUDY EXPERIENCE

Economic Development Plan
Southbridge, Massachusetts

Market Analysis & Development Feasibility Study
Springfield, Worcester, Fitchburg, and Lynn, Massachusetts

Hartwell Avenue District Improvement Finance Plan
Lexington, Massachusetts

Mixed-Use Ratio Study
Somerville, Massachusetts

Downtown Quincy District Improvement Finance Plan
Quincy, Massachusetts

District Improvement Finance Plan
Somerville, Massachusetts

District Improvement Finance Plan
Chelsea, Massachusetts

**Additional Project Experience Provided Upon Request*



EDUCATION

Cornell University
Masters of City & Regional Planning

Beijing International Studies University
B.S. in Tourism Management & Planning

PROFESSIONAL AFFILIATIONS

American Planning Association

SUMMER PAN
Urban Planner and Market Analyst

Summer (Zhiyin) Pan, is a Market Analyst and Urban Planner with RKG Associates. Ms. Pan joined RKG in 2018 and has three years of experience in housing, economic development, land use, and real estate development. Ms. Pan has a specialty in assisting communities to envision and achieve redevelopment potential with a focus on livability and preserving local character. This spans from renovating a property to strategizing about public-private partnerships for a global network of mayors.

Summer brings experience working with municipal housing development departments and community boards to help them understand the housing demands and develop practical strategies that cater to local needs. She has worked on several Housing Plans, Economic Development Plans, with a focus on multicultural communities.

ECONOMIC DEVELOPMENT PLAN EXPERIENCE

Howard County Route 1 Corridor Plan
Howard County, Maryland

Warrenton Economic and Fiscal Model
Warrenton, Virginia

Dix Edge Area Plan
Raleigh, North Carolina

Silverline Extension Study (on-going)
Boston Area, Massachusetts

HOUSING STRATEGY EXPERIENCE

Analysis of Impediments to Fair Housing
Moore, Oklahoma

Analysis of Impediments to Fair Housing
Norman, Oklahoma

Anti-Displacement and Comprehensive Housing Strategy
Providence, Rhode Island

Housing Market Analysis
Chesapeake, Virginia

Housing Market Study
Harrisonburg, Virginia

Beltline Subarea 1 Plan
Atlanta, Georgia

Addressing Diversity & Equity of Service Delivery in HUD ESG Homelessness Funding
State of Colorado

Addressing Diversity & Equity of Service Delivery in HUD ESG Homelessness Funding
State of South Dakota

**Projects completed under previous employer.*

STEVE WHITMAN, EdD, AICP

Professional Planner, Designer, & Educator



P: 603.381.1798

E: steve@resilienceplanning.net

VOLUNTEER ACTIVITIES

Board of Directors, Root to Rise;
January 2018 – Present

Alternate, Plymouth Planning
Board; January 2015 – Present

Member, Plymouth Energy
Commission; July 2007 – 2017

Board of Directors, Plymouth
Area Renewable Energy
Initiative; August 2006 – 2017

Board Member,
Permaculture Association of the
Northeast; March 2016 - 2018

Founding Member,
American Planning Association
Sustainable Community Planning
Group;
2008 - Present

Planner of the Year,
New Hampshire Planners
Association; 2012

Eagle Scout, Boy Scouts of
America

EDUCATION

EdD Learning, Leadership and Community.

Plymouth State University, Plymouth, NH; December 2018

M.S. Regional Planning. Concentration: Environmental Policy and Planning

University of Massachusetts, Amherst, MA; May 1998

B.A. Marine Affairs. Concentration: Coastal Zone Management. Minor: Zoology

University of Rhode Island, Kingston, RI; May 1995

Associates Degree: Liberal Arts. Concentration: Math and Science

Dean College, Franklin, MA; May 1993

CERTIFICATIONS

Permaculture Teacher Certification

Central Rocky Mountain Permaculture Institute, Basalt, CO; September 2009

Permaculture Design Certificate

Crystal Waters Ecovillage, Queensland, Australia; May 2008

PROFESSIONAL EXPERIENCE

Planning Consultant. Resilience Planning and Design LLC, Plymouth, NH; January 2014 – Present

Founder and Principal of this New Hampshire based planning, ecological design and education firm providing a range of services to clients with a commitment to a more resilient future.

Sustainability Programs Coordinator & Teaching Lecturer. Plymouth State University, Plymouth, NH; January 2004 – Present

Contract staff for the Office of Environmental Sustainability. Currently teaching courses in Environmental Planning, Community Planning, Permaculture and Sustainability in the Social Science Department at the University. Developed and currently offering international field study courses focused on sustainability and permaculture.

Adjunct Professor. Colby Sawyer College, New London, NH; January 2011 – January 2018

Developed and co-taught the College's first Permaculture Design Course. Participants in these courses include Colby students, faculty, and members of the general public. Currently assisting the College with the development of a Community Based Sustainability major, and collaboration on projects in Franklin, NH.

Senior Planner. Jeffrey H. Taylor and Associates, Concord, NH; April 2003 – December 2013

Planning consultant offering facilitation and long range planning services. Projects included design charrettes, climate/energy projects, community and watershed scale master planning, policy audits, and natural resource based planning projects.

Principal Planner. Office of State Planning, Concord, NH; August 1999 – December 2003

Responsibilities included coordination and/or participation in major studies and projects dealing with smart growth land use issues in New Hampshire. Responsibilities also included planning the annual conference and other workshop opportunities for planners in New Hampshire; providing technical advice to municipalities and regional planning staff on land use planning related topics; preparing and coordinating the publication and distribution of technical bulletins; writing, administering, and coordinating contracts.

Regional Planner. Lakes Region Planning Commission, Meredith, NH; December 1997–August 1999

Provided technical planning assistance and workshops to Lakes Region Municipalities and other interested parties. Provided Circuit Rider Planning Assistance to the Town of Northfield, NH on a part-time basis.

ELIZABETH KELLY

Ecological Designer & Planner



P: 860.573.6458

E: liz@resilienceplanning.net

VOLUNTEER ACTIVITIES

President, Board of Directors.
Permaculture Association of
the Northeast
2017 - Present

Secretary, Plymouth
Community Garden
2019 - Present.

MEMBERSHIP

Northern New England
Chapter of American Planning

Ecological Landscape Alliance

American Herbalists Guild

EDUCATION

M.S. Ecological Design

The Conway School of Landscape Design, Northampton, MA; June 2014

B.S. Interdisciplinary Studies: Sustainability and Ecological Design

Plymouth State University, Plymouth NH; May 2013

Received Most Outstanding Interdisciplinary Studies student award.

TECHNICAL EXPERTISE

- Digital Design: Adobe Creative Suite, Auto CAD
- Permaculture and Ecological Design
- Community Resiliency
- Regional and Municipal Planning
- Natural Resource Planning
- Placemaking

CERTIFICATIONS

Fundamentals of AutoCAD Certificate

CAD Institute, Murray KY; December 2014

Advanced Permaculture Landscape Design Certificate

New London, NH; October 2014

Permaculture Design Teacher Certification

Dorchester, NH; August 2014

Permaculture Design Certification

Plymouth, NH; May 2012

PROFESSIONAL EXPERIENCE

Project Planner. Resilience Planning & Design LLC. Plymouth, NH. July 2017 - Present.

Provides community planning and ecological design services to municipalities, organizations, and property owners. Relevant project experience includes preparing municipal master planning documents, urban design guidelines, housing studies, site-level master plans, and open space planning documents.

Teaching Lecturer. Plymouth State University. Plymouth, NH. February 2018 - Present.

Develops curriculum and teaches courses in land use planning, ecological design, and sustainability.

Planner. Town of Bristol. NH. July 2017 - May 2018.

Conducted plan review for site plans, subdivisions, etc. Provided technical assistance and support to local land use boards. Drafted land use regulations. Communicated planning processes to the public and applicants. Applied for and managed grants related to historic preservation and transportation planning.

Planning Technician. Southwest Regional Planning Commission. Keene NH. January 2016 - June 2017.

Designed and authored regional and municipal planning documents and policy language. Managed all aspects of a grant funded regional free bike rack program including outreach, budget management, and fostering relationships with funding recipients. Produced graphics, maps, promotional materials, plans, and publications for a variety of projects.

Apprentice. Radical Roots Organic Farm and Plant Nursery. Keezletown VA. March 2015 - October 2015.

Engaged in all aspects of crop production of a five-acre organic permaculture farm and nursery including soil fertility maintenance, sowing, planting, harvesting, weeding, fertilizing, irrigating, cover cropping, and greenhouse maintenance.

CERTIFICATE of GOOD FAITH, NON-COLLUSION, TAX COMPLIANCE & AUTHORITY

The undersigned certifies under the pains and penalties of perjury that the proposal is in all respects bona fide, fair, and made without collusion or fraud with any other persons. As used in this paragraph, the word "person" shall mean any natural person, joint venture, partnership, corporation, or other business or legal entity.

Pursuant to M.G.L. Chapter 62C, Section 49A(b), the undersigned certifies under the pains and penalties of perjury that the contractor named below has complied with all laws of the Commonwealth of Massachusetts relating to taxes, reporting of employees and contractors, and withholding and remitting child support.

The undersigned certifies under the pains and penalties of perjury that he/she is the authorized on behalf of the contractor named below to submit bids and proposals and execute contracts in the name on behalf of said contractor. If the bidder is a corporation, a clerk's certificate of the vote of a Director's meeting will be provided.

83-2709651

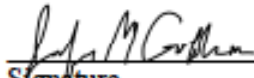
Social Security Number or Federal Identification Number

JM Goldson LLC

Company Name

Jennifer M. Goldson, AICP

Printed Name of Signer



Signature

1/28/21

Date

**Any person or corporation which fails to execute this document
will be considered a non-responsive bidder and will be rejected pursuant to MGL Chapter 30B.**

Medway Master Plan Committee

(REVISED DRAFT – March 2, 2021)

Mission

To guide the development of a comprehensive strategy for Medway's future by engaging the community and directing the process of preparing a comprehensive update to the Medway Master Plan, last adopted in 2009, and in accordance with G.L. 41, §81D. In so doing, the Master Plan Committee will partner with the Planning and Economic Development Board, the Medway Community and Economic Development Department, the consultant selected to prepare the Master Plan, various stakeholders, and the community at large.

Committee Composition

The Committee will be comprised of 11-15 members and shall represent a cross section of the community. Some members will serve as representatives of various Town boards and committees or community organizations. Others will serve as "at-large" members. Town staff will not be appointed as committee members but will be actively involved in the project. Membership on the Committee will be by appointment of the Planning and Economic Development Board (PEDB) for a term of two years. Members must be sworn in by the Town Clerk.

Time Frame – The MP Committee will perform its charge through the completion and adoption of the Master Plan. We anticipate this to be an 18-20 month process with the intention of completing the plan and obtaining PEDB approval by the end of October, 2022.

Committee Responsibilities:

Develop Plan

Working with the Master Plan consultant, the Planning and Economic Development Board, and Community and Economic Development Department staff, the MP Committee will produce a draft Master Plan update for the Town of Medway for review and approval of the Planning and Economic Development Board.

Engage Stakeholders

It is important that a broad cross section of the community provide input and comment throughout the process. Stakeholders should be representative of, but certainly not limited to, all age groups, ethnicities, various economic means, religious and secular associations, family structures, business community, etc.

The MP consultant will spearhead the community engagement process. The overall engagement strategy and schedule will be reviewed and approved by the MP Committee early in the process.

MP Committee members are expected to participate in various community engagement events, forums, activities, etc.

The MP Committee shall seek out the advice, counsel, assistance, input and comments from:

- Volunteer elected officials including the Board of Selectmen, Planning and Economic Development Board, Board of Health, Parks and Recreation Commission, Housing Authority, Board of Library Trustees, Redevelopment Authority, and School Committee; and
- Volunteer appointed boards and committees including, but not limited to: Affordable Housing Committee and Trust, Agricultural Commission, Board of Assessors, Capital Improvements Committee, Conservation Commission, Council on Aging, Cultural Council, Design Review Committee, Economic Development Committee, Energy and Sustainability Committee, Finance Committee, Historical Commission, Open Space Committee, Zoning Board of Appeals, and the soon to be established Inclusion, Equity and Diversity Committee; and

- Key Town staff including personnel of the Community and Economic Development Department, Department of Public Works, Finance, Town Manager's office, Library, Medway Public Schools, Building Department, Council on Aging, Health Department, Parks and Recreation Department, Police and Fire Departments.

Promotion and Buy-In

- Build interest, excitement and awareness of the master planning process and its value
- Interact with stakeholders, other entities, and the public at large
- Help identify and outreach to segments of the community that may not be readily engaged
- Ensure public participation retains a key place in the comprehensive planning process
- Members may be asked to use their own social media to circulate information about the master plan update process and various community engagement activities

Process

- Confirm milestones and deliverable due dates
- Ensure work is proceeding on schedule
- Establish guidelines for composition of subcommittees to study and report on specific topics as needed
- Identify obstacles and roadblocks to progress and help to resolve
- Provide guidance for the creation and review of data, findings, and draft documents and provide comments and input
- Build consensus. The MP Committee shall strive, at all times, to reach a consensus among its members. Voting should not be the default action taken by the Committee.
- Where appropriate, serve as liaison between the MP Committee and the board, committee or organization which the member represents, providing regular updates and soliciting input and comments.

Other Duties

- Serve as a sounding board for the MP consultant and staff
- The Committee shall publicly report its activities to the Planning and Economic Development Board at least monthly. Reports shall be made to the Board of Selectmen upon request of the Selectmen or Planning and Economic Development Board.

Implementation

- Lay the groundwork for a program to implement the Master Plan recommendations
- Establish a schedule and process for monitoring the Town's on-going progress on Master Plan implementation

Meetings - The MP Committee will meet at least monthly at a regularly scheduled time. The schedule for meetings will be established by the Committee. At its first meeting the Committee will elect its own Chair and Vice- Chair. Sub-committees may be established which may include non-MP Committee people. All meetings of the Committee will be public and will be posted and records will be kept of all Committee and sub-committee proceedings according to the Open Meeting Law.



March 9, 2021

**Medway Planning & Economic Development Board
Meeting**

Construction Reports

- William Wallace Village Inspection Report by Dan Merrikin
- William Wallace Village Field Report by Tetra Tech
- Evergreen Village Progress Report Summary
- Evergreen Village Field Reports by Tetra Tech, 11/4/2020, 12/8/2020, 2/25/2021
- 21 Trotter Drive Field Reports by Tetra Tech, 12/7/2020, 12/11/2020, 2/25/2021
- Choate Trail Field Report by Tetra Tech 2/5/2021



dan@legacy-ce.com
508-376-8883(o)
508-868-8353(c)
730 Main Street
Suite 2C
Millis, MA 02054

CONSTRUCTION INSPECTION REPORT

Date of Inspection: 3/2/2021 **Time On-Site:** 8:00 am **Weather:** 15F, Sunny

Location: William Wallace Village, 274 Village Street, Medway, MA

Inspection By: Daniel J. Merrikin, P.E.

Date of Report: 3/2/2021

Observation Requested by: DTRT LLC
Medway Planning & Economic Development Board

Activity Summary:

At the time of inspection, construction activities were focused on construction of Building 1, which is partially sided and trimmed. Renovation work on the original house structure is also ongoing.

There appeared to be no other substantive site construction activities since our last inspection.

Erosion Controls:

Perimeter erosion controls were inspected and found to be in good condition. Two temporary sediment basins have been excavated and appear to be functioning well. The construction entrance driveway was stable.

Recommended Improvements:

1. None
-





Tetra Tech
100 Nickerson Road, Suite 200
Marlborough, MA 01752

FIELD REPORT

Project William Wallace Village	Date 02/25/2021	Report No. 9
Location Village Street, Medway, MA	Project No. 143-21583-19012	Sheet 1 of 2
Contractor M. Phillips Industries (Site Contractor) Larry Rucci (Developer)	Weather A.M. P.M. CLEAR	Temperature A.M. P.M. 45 °F

FIELD OBSERVATIONS

On Thursday, February 25, 2021, Bradley M. Picard, EIT from Tetra Tech (TT) visited the project location to inspect the current condition of the site and monitor construction progress. The following report outlines observations made during the site visit.

1. OBSERVATIONS

- A. Site Conditions/Erosion Controls: Soft ground surface throughout the site due to recent snow melt. Excavated sediment basin at the northeast portion of the site still in place, basin is currently covered in snow. Further inspection of the basin will be performed once snow completely melts. Construction entrance from Village Street is stabilized with crushed stone material, and additional crushed stone material remains at the entrance of the demolished bituminous lot adjacent to dwelling at 276 Village Street and in front of Proposed Dwelling Units 1 and 2. No tracking of sediment was observed on Village Street. Stockpiles of excavated material and material from demolition are present throughout the site. One stockpile located just north of Unit 1/2 is sited adjacent to the erosion control line and is lacking proper cover due to dormant vegetation. This pile should be pulled back from the line and properly protected until vegetation can establish during the growing season. Silt fence barrier (SFB) and compost filter tubes remain around the perimeter of the site, several sections of SFB have fallen off their stakes- specifically along the eastern portion of the site adjacent to Bedelia Lane- and require immediate repair to ensure snowmelt does not displace unstabilized material from the site. Contractor to repair SFB that have fallen off stakes.
- B. Construction for proposed Dwelling Units 1 and 2 is ongoing. Windows, doors, and roof appear to be installed, Contractor currently installing siding.

CONTRACTOR'S FORCE AND EQUIPMENT					WORK DONE BY OTHERS	
Sup't		Bulldozer	1	Asphalt Paver	Dept. or Company	Description of Work
Foreman	1	Backhoe		Asphalt Reclaimer		
Laborers		Loader		Vib. Roller		
Drivers		Rubber Tire Backhoe/Loader		Static Roller		
Oper. Engr.		Skid Steer		Vib. Walk Comp.		
Carpenters	2	Hoeram		Compressor		
Masons		Excavator	1	Jack Hammer		
Iron Workers		Mini-Excavator		Power Saw		
Electricians		Grader		Conc. Vib.		
Flagpersons		Crane		Tack Truck		
Surveyors		Scraper		Man Lift		
Roofers		Conc. Mixer		Skidder	OFFICIAL VISITORS TO JOB	
Mechanical/HVAC		Conc. Truck		Compact Track Loader		
		Conc. Pump Truck		Porta-John		
		Pickup Truck		Dumpster (15 Yard)		
		Tri-Axle Dump Truck				
		Trailer Dump Truck				
Police Details:					RESIDENT REPRESENTATIVE FORCE	
Contractor's Hours of Work: 7:00 A.M. to 6:00 P.M.					Name	Time on-site
					Bradley M. Picard, EIT	12:00 P.M. – 12:30 P.M.

NOTE: Please use reverse side for remarks and sketches

Project William Wallace Village	Date 02/25/2021	Report No. 9
Location Village Street, Medway, MA	Project No. 143-21583-19012	Sheet 2 of 2

FIELD OBSERVATIONS CONTINUED

2. SCHEDULE

- A. Contractor to continue grading of driveway.
- B. Contractor to continue construction proposed Dwelling Units 1 and 2.
- C. TT will maintain communication with contractor and will inspect the site on an as-need basis.

3. NEW ACTION ITEMS

- A. Contractor to relocate portions of the stockpile adjacent to Unit 1/2 away from the erosion control line and properly protect the stockpile until vegetation can establish during the growing season.

4. PREVIOUS OPEN ACTION ITEMS

- A. Contractor to maintain and repair SFB as needed throughout the site.
- B. Clean leaves and debris from basin at entrance to Bedelia Lane. **TT Update: Due to current snow accumulations, TT will evaluate condition of basin once snow melts.**

5. MATERIALS DELIVERED TO SITE SINCE LAST INSPECTION

- A. Building materials.

Progress Report

Project Details

Project name	Evergreen	
Location	22 Evergreen Road	Medway MA
Owner	Sampson Pond Development	Medway MA
Reporting period	1-29-2020 thru 2-28 2021	
Report compiled by	Ron Tiberi P.E. 	9 Mass Ave Natick MA
Date inspected/ submitted	2/25/21	

Summary

Site contractor Mobilized; construction controls established. Erosion controls installed. Road rough graded to subgrade. Phase 1 Structure foundation installed

Activities

Activity 1 Construction Controls

Status	Achieved
Objective	Layout & Construction controls set and Provided by Cheney Engineering
Activity dates	
Progress	Set- grade stakes & offsets Building foundations
Comments	Sanitary Facilities on-site, No construction trailers

Activity 2 Erosion Controls

Status	Achieved
Objective	Erosion controls implemented and approved on site Temporary sedimentation basins installed & maintained
Activity dates	During Month
Progress	Completed & Maintained
Comments	

Activity 3 Access Road

Status	In progress
Objective	Subgrade, Base material installed to subgrade
Activity dates	
Progress	Partially completed 70%
Comments	

Activity 4 Water & Sewer Utilities

Status	Achieved
Objective	Sewer line and water lines connected at Evergreen and complete with stubs to end of access road
Activity dates	
Progress	Completed
Comments	

Activity 5 Building

Status	In Progress
Objective	Foundation poured and in place
Activity dates	
Progress	Completed Foundation Phase 1, Structure framing in process
Comments	

Photographs

#1



Sediment basin and temp. drainage

#2



Building Framing in progress

#3



General Site conditions

#4



Building Framing

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Marlborough, MA 01752

FIELD REPORT

Project Evergreen Village	Date 11/04/2020	Report No. 2
Location 22 Evergreen Street, Medway, MA	Project No. 143-21583-20001	Sheet 1 of 2
Contractor Mark Muntz (General Contractor)	Weather A.M. P.M. CLEAR	Temperature A.M. P.M. 50°F

FIELD OBSERVATIONS

On Wednesday, November 4, 2020, Bradley M. Picard, EIT from Tetra Tech (TT) visited the project location to inspect the current condition of the site and monitor construction progress. The following report outlines observations made during the site visit.

1. OBSERVATIONS

- A. Site Conditions/Erosion Controls: Dry ground surface that is firm throughout the property limits. Construction entrance has not been established. TT recommends construction entrance be installed at the site entrance per the project's approved plans to ensure tracking of sediment onto Evergreen Street is prevented. Contractor has installed erosion control barriers around the proposed limit of work. Silt fence barriers (SFB) has been placed around the limit of work and are in good condition. Compost filter tubes are staked just inside of the SFB and appear to be in good condition as well.
- B. Contractor not on-site upon inspection. Tree Buds' equipment on-site for proposed tree removal and removal process has begun. TT will continue to inspect the viability of trees within the southwest portion of the site as construction progresses. Trees that could pose a risk of root intrusion into subsurface systems may not be able to be saved.
- C. Contractor has rough graded limits of Balsam Way. Material present appears to be structurally sufficient for subgrade material and free of organics. It appears an existing drainage structure and appurtenant piping had been discovered on the southeast side of Balsam Way during rough grading, and removal of this structure and piping has left a large excavated hole within the driveway limit. Contractor to backfill and compact this region using processed gravel to proposed elevations. Contractor should also determine if pipe is actively connected to operating utilities in Evergreen Street and seal the daylighted end of the existing pipe that remains in place following investigation.

CONTRACTOR'S FORCE AND EQUIPMENT				WORK DONE BY OTHERS	
Sup't		Bulldozer		Asphalt Paver	
Foreman		Backhoe		Asphalt Reclaimer	
Laborers		Loader		Vib. Roller	
Drivers		Rubber Tire Backhoe/Loader		Static Roller	
Oper. Engr.		Skid Steer		Vib. Walk Comp.	
Carpenters		Hoeram		Compressor	
Masons		Excavator	1	Jack Hammer	
Iron Workers		Grader		Power Saw	
Electricians		Crane		Conc. Vib.	
Flagpersons		Scraper		Tack Truck	
Surveyors		Conc. Mixer		Man Lift	
Roofers		Conc. Truck		Skidder	
Mechanical/HVAC		Conc. Pump Truck		Compact Track Loader	
		Pickup Truck			
		Tri-Axle Dump Truck			
		Trailer Dump Truck			
Police Details: N/A				OFFICIAL VISITORS TO JOB	
Contractor's Hours of Work: 7:00 A.M. to 6:00 P.M.				RESIDENT REPRESENTATIVE FORCE	
				Name	Time on-site
				Bradley M. Picard, EIT	1:00 P.M. – 1:30 P.M.

NOTE: Please use reverse side for remarks and sketches

Project Evergreen Village	Date 11/04/2020	Report No. 2
Location 22 Evergreen Street, Medway, MA	Project No. 143-21583-20001	Sheet 2 of 2

FIELD OBSERVATIONS CONTINUED

2. SCHEDULE

A. TT will maintain communication with contractor and will inspect the site on an as-need basis.

3. NEW ACTION ITEMS

A. Install construction entrance per approved plans.

4. PREVIOUS OPEN ACTION ITEMS

A. N/A

5. MATERIALS DELIVERED TO SITE SINCE LAST INSPECTION

A. N/A

Tetra Tech
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FIELD REPORT

Project Evergreen Village	Date 12/08/2020	Report No. 3
Location 22 Evergreen Street, Medway, MA	Project No. 143-21583-20001	Sheet 1 of 2
Contractor Mark Muntz (General Contractor)	Weather A.M. CLOUDY P.M.	Temperature A.M. 25°F P.M.

FIELD OBSERVATIONS

On Tuesday, December 8, 2020, Bradley M. Picard, EIT from Tetra Tech (TT) visited the project location with Bridget Graziano of Medway Conservation Commission (ConCom) to inspect the current condition of the site and monitor construction progress. The following report outlines observations made during the site visit.

1. OBSERVATIONS

- A. Site Conditions/Erosion Controls: Dry ground surface that is firm throughout the limits of work. Construction entrance is established at the proposed Balsam Way entrance with rip rap approximately 15 feet into the site, TT recommends construction entrance be extended to the 50-foot minimum as indicated on the endorsed Plans to ensure tracking of sediment onto Evergreen Street is prevented. Silt fence barriers (SFB) has been placed around the limit of work and are in good condition. Compost filter tubes are staked just inside of the SFB and appear to be in good condition as well. Stockpiles of excavated material and construction equipment are present throughout the site.
- B. Contractor has excavated for foundations within the proposed limits of Units #4, #5, and #6. Through recent email exchanges and while on-site, TT and ConCom discussed the feasibility of proposed building construction without the installation of, at a minimum, temporary stormwater collection to protect downstream wetlands and buffer zone. TT recommends that prior to roof construction at proposed units, Contractor establish locations on-site where stormwater runoff can be collected and modify the project SWPPP as needed to accommodate current site conditions.
- C. Contractor has installed proposed water and sewer utilities within the project limits. Medway DPW performing inspections of water and sewer utilities.

CONTRACTOR'S FORCE AND EQUIPMENT					WORK DONE BY OTHERS	
Sup't		Bulldozer		Asphalt Paver	Dept. or Company	Description of Work
Foreman		Backhoe		Asphalt Reclaimer	Cheney Engineering Corp	Surveying
Laborers		Loader		Vib. Roller		
Drivers		Rubber Tire Backhoe/Loader		Static Roller		
Oper. Engr.		Skid Steer		Vib. Walk Comp.		
Carpenters		Hoeram		Compressor		
Masons		Excavator	1	Jack Hammer		
Iron Workers		Grader		Power Saw		
Electricians		Crane		Conc. Vib.		
Flagpersons		Scraper		Tack Truck		
Surveyors	2	Conc. Mixer		Man Lift		
Roofers		Conc. Truck		Skidder		
Mechanical/HVAC		Conc. Pump Truck		Compact Track Loader	Bridget Graziano	Medway ConCom
		Pickup Truck				
		Tri-Axle Dump Truck				
		Trailer Dump Truck				
Police Details: N/A					RESIDENT REPRESENTATIVE FORCE	
Contractor's Hours of Work: 7:00 A.M. to 6:00 P.M.					Name	Time on-site
					Bradley M. Picard, EIT	10:30 A.M. – 11:00 A.M.

NOTE: Please use reverse side for remarks and sketches

Project Evergreen Village	Date 12/08/2020	Report No. 3
Location 22 Evergreen Street, Medway, MA	Project No. 143-21583-20001	Sheet 2 of 2

FIELD OBSERVATIONS CONTINUED

2. SCHEDULE

A. TT will maintain communication with contractor and will inspect the site on an as-need basis.

3. NEW ACTION ITEMS

A. N/A

4. PREVIOUS OPEN ACTION ITEMS

A. Install construction entrance per the approved plans. **TT Update: Construction entrance has been installed. However, it does not meet the minimum 50-foot length as shown in the approved plans. This should be provided prior to spring thaw.**

5. MATERIALS DELIVERED TO SITE SINCE LAST INSPECTION

A. N/A

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FIELD REPORT

Project Evergreen Village	Date 02/25/2021	Report No. 4
Location 22 Evergreen Street, Medway, MA	Project No. 143-21583-20001	Sheet 1 of 2
Contractor Mark Muntz (General Contractor)	Weather A.M. P.M. CLOUDY	Temperature A.M. P.M. 45°F

FIELD OBSERVATIONS

On Thursday, February 25, 2021, Bradley M. Picard, EIT from Tetra Tech (TT) visited the project location to inspect the current condition of the site and monitor construction progress. The following report outlines observations made during the site visit.

1. OBSERVATIONS

- A. Site Conditions/Erosion Controls: Wet ground surface that is firm throughout the limits of work, some soft spots and puddles present due to recent snowmelt. Construction entrance is established at the proposed Balsam Way entrance with rip rap approximately 15 feet into the site, TT recommends construction entrance be extended to the 50-foot minimum as indicated on the endorsed Plans to ensure tracking of sediment onto Evergreen Street is prevented, particularly during the spring thaw season. Silt fence barriers (SFB) remain in place around the limit of work and are in good condition, however, a section of SFB along the edge of Evergreen Street is damaged and requires repairs. Compost filter tubes are staked just inside of the SFB, snow is covering compost filter tubes upon inspection and will be inspected once snow completely melts. Stockpiles of excavated material and construction equipment are present throughout the site.
- B. It appears Contractor has excavated swales along the edges of Units #4, #5, and #6 and temporary sedimentation basins downstream of the swales. TT will inspect the overall condition of these basins once snow completely melts and determine if temporary basins are within the limit of the proposed subsurface infiltration basin.
- C. Contractor currently constructing Units #4, #5, and #6. Framing and sheathing of structure is ongoing, Town of Medway to perform building inspections.

CONTRACTOR'S FORCE AND EQUIPMENT						WORK DONE BY OTHERS	
Sup't		Bulldozer		Asphalt Paver		Dept. or Company	Description of Work
Foreman		Backhoe		Asphalt Reclaimer		Team Work Construction	Building Construction.
Laborers	5	Loader		Vib. Roller			
Drivers		Rubber Tire Backhoe/Loader		Static Roller			
Oper. Engr.		Skid Steer		Vib. Walk Comp.			
Carpenters		Hoeram		Compressor			
Masons		Excavator	1	Jack Hammer			
Iron Workers		Grader		Power Saw			
Electricians		Crane		Conc. Vib.			
Flagpersons		Scraper		Tack Truck			
Surveyors	2	Conc. Mixer		Man Lift			
Roofers		Conc. Truck		Skidder		OFFICIAL VISITORS TO JOB	
Mechanical/HVAC		Conc. Pump Truck		Compact Track Loader			
		Pickup Truck					
		Tri-Axle Dump Truck					
		Trailer Dump Truck					
Police Details: N/A						RESIDENT REPRESENTATIVE FORCE	
Contractor's Hours of Work: 7:00 A.M. to 6:00 P.M.						Name	Time on-site
						Bradley M. Picard, EIT	1:30 P.M. – 2:00 P.M.

NOTE: Please use reverse side for remarks and sketches

Project Evergreen Village	Date 02/25/2021	Report No. 4
Location 22 Evergreen Street, Medway, MA	Project No. 143-21583-20001	Sheet 2 of 2

FIELD OBSERVATIONS CONTINUED

2. SCHEDULE

- A. TT will maintain communication with contractor and will inspect the site on an as-need basis.

3. NEW ACTION ITEMS

- A. Repair section of SFB along Evergreen Street.

4. PREVIOUS OPEN ACTION ITEMS

- A. Install construction entrance per the approved plans. **TT Update: Item remains outstanding, spring thaw is nearing, and we anticipate site traffic may track mud into Evergreen Street during the spring thaw period.**

5. MATERIALS DELIVERED TO SITE SINCE LAST INSPECTION

- A. Building materials

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FIELD REPORT

Project 21 Trotter Drive	Date 12/07/2020	Report No. 8
Location 21 Trotter Drive, Medway, MA	Project No. 143-21583-19018	Sheet 1 of 2
Contractor RP Marzilli (Site Contractor)	Weather A.M. P.M. OVERCAST	Temperature A.M. P.M. 35°F

FIELD OBSERVATIONS

On Monday, December 7, 2020, Bradley M. Picard, EIT from Tetra Tech (TT) visited the project location to inspect the current condition of the site and monitor construction progress. The following report outlines observations made during the site visit.

1. OBSERVATIONS

- A. General site conditions: Muddy ground surface that is relatively firm throughout, some soft spots due to snowmelt. Staging water is present at low points within the project limit. Silt fence barrier (SFB) and compost filter tubes have been installed around the perimeter of site as shown on the endorsed Plans and appear to be in good condition. Compost filter tubes are placed just inside of the SFB along the eastern portion of the erosion control limits and appear to be in good condition. Stockpiles of excavated material are present throughout the southern portion of the site. Infiltration Basin remains stabilized with erosion control blankets and is staging water at the time of inspection. Straw wattles remain along the perimeter of the rip rap at the bottom of the basin and appear to be in good condition. Proposed catch basins installed throughout the site have silt sacks installed and appear to be in good condition.
- B. Upon inspection, Contractor has installed CDS #5 and in the process of installing CB #7 adjacent to the proposed Infiltration Basin. Due to snowmelt, TT observed staging water within the excavations. TT recommended to the Contractor's crew to dewater excavations for structures and pipes during installation as needed to ensure the drainage infrastructure is installed on a dry and stable surface.
- C. Contractor has rough graded site in preparation for fine grading and binder course installation. Fine grading to be performed middle of the week, followed by binder course installation Thursday and Friday (12/10/2020 – 12/11/2020), weather permitting.
- D. Contractor has started construction of retaining wall along the west property line.

CONTRACTOR'S FORCE AND EQUIPMENT					WORK DONE BY OTHERS	
Sup't		Bulldozer	1	Asphalt Paver	Dept. or Company	Description of Work
Foreman		Backhoe		Asphalt Reclaimer		
Laborers	2	Loader	1	Vib. Roller		
Drivers		Rubber Tire Backhoe/Loader		Static Roller		
Oper. Engr.	2	Skid Steer	1	Vib. Walk Comp.		
Carpenters		Hoeram		Compressor		
Masons		Excavator	1	Jack Hammer		
Iron Workers		Grader		Power Saw		
Electricians		Crane		Conc. Vib.		
Flagpersons		Scraper		Tack Truck		
Surveyors		Conc. Mixer		Man Lift		
Roofers		Conc. Truck		Skidder		
Mechanical/HVAC		Conc. Pump Truck		Compact Track Loader		
		Pickup Truck	5+	Lull	1	
		Tri-Axle Dump Truck				
		Trailer Dump Truck				
Police Details: N/A					RESIDENT REPRESENTATIVE FORCE	
Contractor's Hours of Work: 7:00 A.M. to 6:00 P.M.					Name	Time on-site
					Bradley M. Picard, EIT	1:30 P.M. – 2:30 P.M.

NOTE: Please use reverse side for remarks and sketches

Project 21 Trotter Drive	Date 12/07/2020	Report No. 8
Location 21 Trotter Drive, Medway, MA	Project No. 143-21583-19018	Sheet 2 of 2

FIELD OBSERVATIONS CONTINUED

2. SCHEDULE

- A. Contractor to continue installation of drainage infrastructure on-site.
- B. Contractor to begin construction of retaining wall adjacent to the Infiltration Basin. Construction of retaining wall on the west side of the property to continue.
- C. Paving scheduled for 12/10/2020 and 12/11/2020. TT will maintain communication with contractor and will inspect the site on an as-needed basis.

3. NEW ACTION ITEMS

- A. N/A

4. PREVIOUS OPEN ACTION ITEMS

- A. Remove accumulated sediment within basin rip rap downgradient from the eroded slope. **TT Update: Basin repairs have been completed, this item has been addressed.**
- B. Repair eroded interior slope of the Infiltration Basin and stabilize as needed. **TT Update: Basin repairs have been completed, this item has been addressed.**
- C. Submit revised drainage to the Medway Conservation Commission for review.
- D. Contractor to submit photos of drainage system installed on the east side of the site, TT not present during installation.

5. MATERIALS DELIVERED TO SITE SINCE LAST INSPECTION

- A. N/A

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FIELD REPORT

Project 21 Trotter Drive	Date 12/11/2020	Report No. 9
Location 21 Trotter Drive, Medway, MA	Project No. 143-21583-19018	Sheet 1 of 2
Contractor RP Marzilli (Site Contractor)	Weather A.M. CLEAR P.M. CLEAR	Temperature A.M. 30°F P.M. 45°F

FIELD OBSERVATIONS

On Friday, December 7, 2020, Bradley M. Picard, EIT from Tetra Tech (TT) visited the project location to inspect the current condition of the site and monitor construction progress. The following report outlines observations made during the site visit.

1. OBSERVATIONS

- A. General site conditions: Dry ground surface that is firm throughout, some ponding water present on the ground surface due to freeze/thaw conditions. Silt fence barrier (SFB) and compost filter tubes have been installed around the perimeter of site as shown on the endorsed Plans and appear to be in good condition. Compost filter tubes are placed just inside of the SFB along the eastern portion of the erosion control limits and appear to be in good condition. Stockpiles of excavated material are present throughout the southern portion of the site outside of the current paved limit. Infiltration Basin remains stabilized with erosion control blankets and is staging water at the time of inspection. Straw wattles remain along the perimeter of the rip rap at the bottom of the basin and appear to be in good condition. Proposed catch basins installed throughout the site have silt sacks installed and remain in good condition.
- B. TT on-site to inspect binder course paving throughout the project site. Upon arrival, Harshaw Paving has started operations along the south side of the existing building. Contractor is paving a portion of the proposed parking lot, specifically the eastern side of the site around the proposed building addition and the main driveway entering the site. Temperatures during paving at the southern portion of the site from the eastern retaining all to the west side of the proposed building addition were below the recommended temperature of 40°F and rising. Ponding water from freeze/thaw conditions within the subbase were present at the southeast corner of the site and adjacent to DMH #8. Binder course conditions will be assessed in the Spring and deficient regions of binder course should be repaired as needed. Contractor is installing 3" (loose) of bituminous concrete pavement to achieve a 2.5" compacted finished depth. Temperatures of the asphalt were recorded between 325°F - 345°F out of the paver screed. As Harshaw is

CONTRACTOR'S FORCE AND EQUIPMENT						WORK DONE BY OTHERS	
Sup't		Bulldozer	1	Asphalt Paver	1	Dept. or Company	Description of Work
Foreman	1	Backhoe		Asphalt Reclaimer		Harshaw Paving	Binder Course Paving
Laborers	5+	Loader	1	Vib. Roller	2	T. Miozzi Paving	Fine Grading
Drivers	6	Rubber Tire Backhoe/Loader		Static Roller	1		
Oper. Engr.	2	Skid Steer	3	Vib. Walk Comp.	1		
Carpenters		Hoeram		Compressor			
Masons		Excavator	1	Jack Hammer			
Iron Workers		Grader	1	Power Saw	1		
Electricians		Crane		Conc. Vib.			
Flagpersons		Scraper		Tack Truck			
Surveyors		Conc. Mixer		Man Lift			
Roofers		Conc. Truck		Skidder		OFFICIAL VISITORS TO JOB	
Mechanical/HVAC		Conc. Pump Truck		Compact Track Loader	1		
		Pickup Truck	5+	Lull			
		Tri-Axle Dump Truck	5+				
		Trailer Dump Truck					
Police Details: N/A						RESIDENT REPRESENTATIVE FORCE	
Contractor's Hours of Work: 7:00 A.M. to 6:00 P.M.						Name	Time on-site
						Bradley M. Picard, EIT	8:00 A.M. – 12:30 P.M.

NOTE: Please use reverse side for remarks and sketches

Project 21 Trotter Drive	Date 12/11/2020	Report No. 9
Location 21 Trotter Drive, Medway, MA	Project No. 143-21583-19018	Sheet 2 of 2

FIELD OBSERVATIONS CONTINUED

paving, T. Miozzi Paving is finalizing fine grading operations within the main driveway on the northern side of the site. Upon departure, Contractor has completed paving operations along the southern portion of the site and nears completion of paving along the northern parking lot adjacent to the existing building. Contractor to continue paving northern parking lot and driveway up to Trotter Drive. Quantities of binder course asphalt totaled 1,110.98 tons, quantity determined from final paving slip collected by Contractor.

- C. Contractor has completed installation of 10" SDR35 PVC roof drain from existing and proposed buildings into the Infiltration Basin. Contractor has also completed installation of 18" HDPE pipe entering CDS #5, 24" outlet pipe and FES has been installed within the Infiltration Basin as well. Spaces between drainage structure and pipe have been sealed with mortar and lift holes have been sealed as well.
- D. Contractor has completed retaining wall construction adjacent to the Infiltration Basin. Construction of retaining wall on the west side of the property is ongoing.

2. SCHEDULE

- A. Contractor to continue installation of drainage infrastructure on-site.
- B. Construction of retaining wall on the west side of the property to continue.
- C. TT will maintain communication with contractor and will inspect the site on an as-need basis.

3. NEW ACTION ITEMS

- A. N/A

4. PREVIOUS OPEN ACTION ITEMS

- A. Submit revised drainage to the Medway Conservation Commission for review.
- B. Contractor to submit photos of drainage system installed on the east side of the site, TT not present during installation.

5. MATERIALS DELIVERED TO SITE SINCE LAST INSPECTION

- A. Bituminous concrete asphalt for binder course.

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FIELD REPORT

Project 21 Trotter Drive	Date 02/25/2021	Report No. 10
Location 21 Trotter Drive, Medway, MA	Project No. 143-21583-19018	Sheet 1 of 2
Contractor RP Marzilli (Site Contractor)	Weather A.M. CLEAR P.M.	Temperature A.M. 40°F P.M.

FIELD OBSERVATIONS

On Thursday, February 25, 2021, Bradley M. Picard, EIT from Tetra Tech (TT) visited the project location to inspect the current condition of the site and monitor construction progress. The following report outlines observations made during the site visit.

1. OBSERVATIONS

- A. General site conditions: Dry ground surface that is firm throughout, some ponding water present on the ground surface due to freeze/thaw conditions. Silt fence barrier (SFB) and compost filter tubes have been installed around the perimeter of site as shown on the endorsed Plans. Sections of silt fence on the east side of the site has fallen off their stakes and require repair. Compost filter tubes are placed just inside of the SFB along the eastern portion of the erosion control limits and appear to be in good condition. A portion of the erosion controls south of the proposed material bins on the west side of the site have been removed to provide landscaping vehicle access to the nursery stockyard. Unstabilized soils remain upgradient of this area and erosion controls are required to prevent impact to the B Series wetland and downgradient areas. Stockpiles of excavated material are present throughout the southern portion of the site outside of the current paved limit. Infiltration Basin slopes are covered in snow and basin is staging water at the time of inspection. Proposed catch basins installed throughout the site have silt sacks installed and remain in good condition.
- B. Contractor has started vertical construction of proposed building addition. Town of Medway to perform building inspections.
- C. Contractor in the process of constructing the proposed material storage bins along the west side of the site. Adjacent retaining wall construction from the material storage bins to the site entrance has been completed. Contractor to backfill top of retaining wall.

CONTRACTOR'S FORCE AND EQUIPMENT						WORK DONE BY OTHERS	
Sup't		Bulldozer	1	Asphalt Paver	1	Dept. or Company	Description of Work
Foreman	1	Backhoe		Asphalt Reclaimer			
Laborers	5+	Loader	1	Vib. Roller	2		
Drivers	6	Rubber Tire Backhoe/Loader		Static Roller	1		
Oper. Engr.	2	Skid Steer	3	Vib. Walk Comp.	1		
Carpenters		Hoeram		Compressor			
Masons		Excavator	1	Jack Hammer			
Iron Workers		Grader	1	Power Saw	1		
Electricians		Crane		Conc. Vib.			
Flagpersons		Scraper		Tack Truck			
Surveyors		Conc. Mixer		Man Lift			
Roofers		Conc. Truck		Skidder		OFFICIAL VISITORS TO JOB	
Mechanical/HVAC		Conc. Pump Truck		Compact Track Loader	1		
		Pickup Truck	5+	Lull			
		Tri-Axle Dump Truck	5+				
		Trailer Dump Truck					
Police Details: N/A						RESIDENT REPRESENTATIVE FORCE	
Contractor's Hours of Work: 7:00 A.M. to 6:00 P.M.						Name	Time on-site
						Bradley M. Picard, EIT	10:00 A.M. – 10:30 A.M.

NOTE: Please use reverse side for remarks and sketches

Project 21 Trotter Drive	Date 02/25/2021	Report No. 10
Location 21 Trotter Drive, Medway, MA	Project No. 143-21583-19018	Sheet 2 of 2

FIELD OBSERVATIONS CONTINUED

2. SCHEDULE

- A. Contractor to continue installation of drainage infrastructure on-site outside of current paved limit.
- B. Construction of retaining wall on the west side of the property to continue.
- C. TT will maintain communication with contractor and will inspect the site on an as-need basis.

3. NEW ACTION ITEMS

- A. Re-install erosion controls south of the proposed material storage bins located on the western portion of the site or provide sufficient stabilization to prevent impact to B Series wetland.

4. PREVIOUS OPEN ACTION ITEMS

- A. Submit revised drainage to the Medway Conservation Commission for review.
- B. Contractor to submit photos of drainage system installed on the east side of the site, TT not present during installation.

5. MATERIALS DELIVERED TO SITE SINCE LAST INSPECTION

- A. N/A

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FIELD REPORT

Project Choate Trail – Copper Drive	Date 2/25/2021	Report No. 3
Location 42 Highland Street, Medway, MA	Project No. 143-21583-20008	Sheet 1 of 2
Contractor Bob Pace (Owner/General Contractor) Rhino Construction (Site Contractor)	Weather A.M. CLEAR P.M.	Temperature A.M. 40°F P.M.

FIELD OBSERVATIONS

On Thursday, February 25, 2021, Bradley M. Picard, EIT from Tetra Tech (TT) visited the project location to inspect the current condition of the site and monitor construction progress. The following report outlines observations made during the site visit.

1. OBSERVATIONS

- A. Site Conditions/Erosion Controls: Site is generally firm with some soft areas due to snowmelt. Compost filter sock has been installed throughout the project limit as indicated on the endorsed Plans and appears to be in good condition. Silt fence has also been installed along the western portion of the site adjacent to the existing wetland resource area. A portion of the silt fence has fallen and requires maintenance, Contractor was informed through a phone call following the inspection and informed TT that repairs will be completed Friday (2/26). Stabilized construction entrance has not been installed, Contractor intends on installing construction entrance on Wednesday (3/3). In the meantime, Contractor plans to have a skid steer with sweeper attachment delivered to the site to ensure tracked sediment is removed from Highland Street.
- B. Contractor not on-site during inspection. Contractor has performed clearing operations throughout the proposed limit of work, stockpiles of cleared trees are present along the western and southern portion of the site. Contractor kept all staking and flagging in place and clearing limit appears to be as depicted on the approved plans.

CONTRACTOR'S FORCE AND EQUIPMENT					WORK DONE BY OTHERS		
Sup't		Bulldozer		Asphalt Paver		Dept. or Company	Description of Work
Foreman		Backhoe		Asphalt Reclaimer			
Laborers		Loader		Vib. Roller			
Drivers		Rubber Tire Backhoe/Loader		Static Roller			
Oper. Engr.		Skid Steer		Vib. Walk Comp.			
Carpenters		Hoeram		Compressor			
Masons		Excavator	1	Jack Hammer			
Iron Workers		Grader		Power Saw			
Electricians		Crane		Conc. Vib.			
Flagpersons		Scraper		Tack Truck			
Surveyors		Conc. Mixer		Man Lift			
Roofers		Conc. Truck		Skidder	1	OFFICIAL VISITORS TO JOB	
Mechanical/HVAC		Conc. Pump Truck		Compact Track Loader			
		Pickup Truck					
		Tri-Axle Dump Truck					
		Trailer Dump Truck					
Police Details: N/A					RESIDENT REPRESENTATIVE FORCE		
Contractor's Hours of Work: 7:00 A.M. to 6:00 P.M.					Name		Time on-site
					Bradley M. Picard, EIT		9:30 A.M. – 10:30 A.M.

NOTE: Please use reverse side for remarks and sketches

Project Choate Trail Way	Date 2/25/2021	Report No. 3
Location 42 Highland Street, Medway, MA	Project No. 143-21583-20008	Sheet 2 of 2

FIELD OBSERVATIONS CONTINUED

2. SCHEDULE

- A. TT will maintain communication with contractor and will inspect the site on an as-need basis.

3. NEW ACTION ITEMS

- A. Contractor shall install construction entrance prior to stumping and stripping topsoil.
- B. Contractor shall repair portion of silt fence that has fallen.

4. PREVIOUS OPEN ACTION ITEMS

- A. Install silt fence on the wetland side of the existing filter tubes at the wetland resource area. **TT Update: Silt fencing has been installed, this item has been addressed.**

5. MATERIALS DELIVERED TO SITE SINCE LAST INSPECTION

- A. N/A



March 9, 2021

**Medway Planning & Economic Development Board
Meeting**

**St. Joseph's Site Plan – Tetra Tech Plan
Review Estimate**

We have received an application from St. Joseph's Church for approval of a minor site plan and a land disturbance permit for proposed site work at their worship facility at 155 Village Street.

The applicant plans to reclaim and resurface the existing parking lot on the premises and install a new stormwater collection, treatment and infiltration system to recharge and infiltrate 100% of stormwater on site. The drainage system is designed to meet the Massachusetts Department of Environmental Protection (DEP) stormwater guidelines. The parking lot resurfacing will allow the proper placement of a handicap van and vehicle accessible parking space along with 40 standard parking spaces.

The public briefing will begin at the March 23rd meeting.

Attached is the Tetra Tech plan review estimate in the amount of \$5,276.



March 1, 2021

Ms. Susan E. Affleck-Childs
Medway Planning and Economic Development Coordinator
155 Village Street
Medway, MA 02053

**Re: St. Joseph's Church
Site Plan & Land Disturbance Review
151 Village Street
Medway, Massachusetts**

Dear Ms. Affleck-Childs:

We are pleased to submit this Proposal to the Town of Medway Planning and Economic Development Board (PEDB) (the Client) for professional engineering services associated with the St. Joseph's Church Site Plan and Land Disturbance Permit Review in Medway, Massachusetts (the Project). The objective of our services is to review the site plan package and provide comments as they relate to latest Town of Medway Rules and Regulations Chapter 200 – Submission and Review of Site Plans (Site Plan Regulations), latest Massachusetts Department of Environmental Protection Stormwater Management Standards (Stormwater Standards) and associated Stormwater Handbook (Handbook), Town of Medway Article 26 – Stormwater Management and Land Disturbance Bylaw (Stormwater Bylaw), applicable Town of Medway Stormwater Regulations and sound engineering practice. We have excluded from our scope, the review of the application package as it relates to Town of Medway Zoning By-Laws which will be conducted by separate consultant.

Scope of Services

The following specifically describes the Scope of Services to be completed:

Task 1 Site Visit

A. Perform one (1) site visit to review the site and its surroundings.

- Budget Assumption: 1 Visit
2 hours @ \$161/hr = \$322
Total = \$322

Task 2 Design Review

A. Review the permit Application, and supporting documentation, and incorporate comments into review letter in Item 2.D below.

- Budget Assumption: 1 hour @ \$161/hr = \$161
1 hour @ \$116/hr = \$116
Total = \$277

B. Review the proposed Plans against the regulations mentioned above and incorporate comments into review letter in Item 2.D below.

- Budget Assumption: 1 hour @ \$161/hr = \$161
4 hours @ \$116/hr = \$464
Total = \$625

- C. Review the Site Plans and Stormwater Report for compliance with the Stormwater Standards and associated Handbook and Town of Medway Stormwater Bylaw and incorporate comments into review letter in Item 2.D below.
- Budget Assumption: $\frac{6 \text{ hours @ } \$161/\text{hr} = \$966}{\text{Total} = \$966}$
- D. Prepare a letter summarizing findings for presentation to the Town of Medway PEDB.
- Budget Assumption: $\frac{4 \text{ hours @ } \$161/\text{hr} = \$644}{\frac{2 \text{ hours @ } \$116/\text{hr} = \$232}{\text{Total} = \$876}}$
- E. Coordinate with applicant to address items in initial review letter and issue one (1) revised letter upon receipt of modifications. This task is limited to minor changes in the site plans which directly address comments from our initial review letter. Major changes to the Plans and/or Stormwater Report will require additional funds.
- Budget Assumption: $\frac{4 \text{ hours @ } \$161/\text{hr} = \$644}{\frac{4 \text{ hours @ } \$116/\text{hr} = \$464}{\text{Total} = \$1,108}}$

Task 3 Meetings

- A. Participate in two (2) hearings/meetings with the Town of Medway PEDB.
- Budget Assumption: $\frac{2 \text{ Meetings @ } 3 \text{ hours per meeting} = 6 \text{ Hours}}{\frac{6 \text{ hours @ } \$161/\text{hr} = \$966}{\text{Total} = \$966}}$

Budget

Our cost for the above Scope of Services will be on a time and expenses basis in accordance with Tetra Tech's and existing Town of Medway then current contract rates. Direct expenses will be billed at a fixed fee of five (5) percent of labor costs. We suggest that you establish a budget identified below for these services, which will not be exceeded without your approval. Please be advised that this estimate is based on our current understanding of the Project needs and is for budget purposes only. The total cost of our services will depend greatly on the completeness and adequacy of the information provided.

The breakdown of this fee by task is as follows:

Task	Task Description	Budget
Task 1	Site Visit	\$322
Task 2	Design Review	\$3,736
Task 3	Meetings	\$966
	Labor Subtotal	\$5,024
	Expenses (5%)	\$252
	Total	\$5,276

Schedule and Conditions

We recognize that timely performance of these services is an important element of this proposal and will put forth our best effort, consistent with accepted professional practices to complete the work described within the Client's schedule. We are not responsible for delays in performance caused by circumstances beyond our control or that could not have been anticipated or prevented.

To signify your acceptance of this Agreement, please sign and return one copy and the retainer to us along with the attachments. When signed by representatives of both parties, this Proposal will become an agreement between Tetra Tech, Inc. (ENGINEER) and Town of Medway Planning and Economic Development Board

(CLIENT). The Agreement is subject to the attached Engineering, Environmental, and Transportation Statement of Terms and Conditions. The price is valid for 60 days from the date of this letter.

We appreciate the opportunity to provide these services, and we look forward to working with you. Please contact us if you have any questions or require additional information.

Very truly yours,



Steven M. Bouley, P.E.
Project Manager



Sean P. Reardon, P.E.
Vice President

Date Approved by Medway PEDB _____

Certified by:

Susan E. Affleck-Childs
Medway PEDB Coordinator

Date

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March 9, 2021
Medway Planning & Economic Development Board
Meeting

Zoning Bylaw Amendments
Public Hearing

- Public Hearing Notice dated 2-18-21
- Article C - Site Plan Review
- Article D - Solar Installation
- Article E - Flood Plain
- Article F - Rezoning of parcels from ARII to Energy Resource
- Article G - Non-Conforming Uses
- Article H - Cottage Cluster Development
- Article I - Electric Vehicle Charging Stations with Digital Advertising
- Article J - Accessory Family Dwelling Unit
- Article K - Residential Common Driveways

NOTE – Article A Central Business District and Article B Environmental Standards are provided as separate files



March 9, 2021

**Medway Planning & Economic Development Board
Meeting**

**Zoning Bylaw Amendments Public
Hearing – Environmental Standards**

UPDATED

- Draft dated 2-22-21 (same version as discussed at the 2-23-21 PEDB meeting)
- Comments from Building Commissioner Jack Mee dated 3-5-21 re: proposed odor language
- **Email dated 3-9-21 with attachment from John Lally**

ENVIRONMENTAL STANDARDS

Revised DRAFT - February 22, 2021 v. 3 – CLEAN

ARTICLE : To see if the Town will vote to amend the Zoning Bylaw, Section 7.3 Environmental Standards, by deleting it in its entirety and replacing it as follows:

7.3. ENVIRONMENTAL STANDARDS

- A. **Purpose.** The intent of this section is to provide standards for uses which, by their operation, may generate impacts that are potentially hazardous, harmful to the environment, disturbing, offensive or objectionable.
- B. **Enforcement:** The Zoning Bylaw, § 3.1, Enforcement, Violations, and Penalties authorizes the Building Commissioner, or designee, to interpret and enforce the Bylaw. At the discretion of the Building Commissioner, a technical consultant may be engaged by the Town of Medway to investigate and document violations pursuant to this section.
- C. **Definitions:** For purposes of this section of the Bylaw, the following terms shall be defined as follows:

Ambient Noise: The sound pressure level at a given location produced by everything else excluding the source of sound being monitored, analyzed, or evaluated. Also referred to as background noise. Ambient noise includes environmental noises from sources such as traffic, aircraft, waves, alarms, animals or noise from existing mechanical devices such as air conditioning, power supplies, or motors that are present prior to introduction of a new intrusive sound source that is being evaluated.

Commercial Zones - Properties located in the Central Business, Village Commercial, Neighborhood Commercial, Oak Grove Village Center, or Oak Grove Business Park zoning districts as shown on the Medway Zoning Map

(Hz)Hertz: A unit of frequency of change in the cycle of a sound wave

(dB)Decibel: A unit of measurement of the intensity of sound

(dBA)A weighted decibel: An expression of the relative loudness of sound in the air as perceived by the human ear.

Detection Threshold: The lowest concentration or intensity of noise, odor, vibration, or other environmental hazard regulated by this bylaw that is noticeable to a reasonable person with normal sensory sensitivities.

Disturbing, offensive or objectionable odors: Those which are at or above the detection threshold of a person with normal olfactory sensitivity.

Industrial Zones: Properties located in the East Industrial, West Industrial, Business/Industrial, or Energy Resource zoning districts as shown on the Medway Zoning Map

Octave Band: A frequency band where the highest frequency is twice the lowest frequency.

Odor Plume: The cloud of odor created when odor molecules are released from their source and are expanded through air movement.

Residential Zones: Properties located in the Agricultural-I, Agricultural-II, or Village Residential zoning districts as shown on the Medway Zoning Map

Sensitive Receptor: An occupied residence or facility whose occupants are more susceptible to the adverse effects of noise and odor including but not limited to hospitals, schools, daycare facilities, elderly housing, and convalescent facilities.

D. **Standards.** The following standards shall apply to all zoning districts.

1. **Smoke, Fly Ash, Dust, Fumes, Vapors, Gases, Other Forms of Air Pollution:** All activities involving smoke, fly ash, dust, fumes, vapors, gases, other forms of air pollution, as defined in [CMR 310, § 7](#), Air Pollution Control Regulations, as amended, which can cause damage to human health, to animals or vegetation, or other forms of property, or which cause any excessive soiling at any point are prohibited.
2. **Noise Disturbance:** The Building Commissioner may determine that a noise source is subject to investigation, and if it is determined to be in violation of this bylaw, may take appropriate enforcement action, including the issuance of orders requiring the development and implementation of corrective measures, and/or imposition of fines or non-criminal penalties.
 - a. **Standards.** No person or persons owning, leasing, or controlling the operation of any source or sources of noise shall permit the establishment of a condition of noise pollution. Disturbing, offensive or objectionable noises shall not be produced in any zoning district or impact any space where people live, work or assemble in a way that unreasonably interferes with the comfortable enjoyment of life or the use of property.
 - 1) **Continuous Noise.** For the purposes of this bylaw, continuous noise restrictions apply to permanent non-residential uses and home-based businesses where noise is a by-product of business operations (such as from exhaust equipment). Maximum permissible sound pressure levels measured at the property line of the noise source shall not exceed the values specified in the tables below. In addition, maximum permissible sound levels measured at sensitive receptors positioned anywhere on a property that is wholly or partially located within one-thousand feet of the property line of the source of continuously radiated noise shall not exceed the values in the

tables below. Daytime is defined as between the hours of 7:00 a.m. and 9:00 p.m. and Nighttime is defined as between the hours of 9:00 p.m. and 7:00 a.m.

Industrial Zoned Property to Industrial Zoned Property

Octave Band Center Frequency (Hz)	Daytime (dB) 7:00 a.m. – 9:00 p.m. @ Property Line	Nighttime (dB) 9:00 p.m. – 7:00 a.m. @ Property Line
63	72	67
125	60	55
250	53	48
500	47	42
1000	43	38
2000	40	35
4000	37	32
8000	33	28
Overall Level (dBA)	52	47

Industrial Zoned Property to Residential Zoned Property

Octave Band Center Frequency (Hz)	Daytime (dB) 7:00 a.m. – 9:00 p.m. @ Property Line	Nighttime (dB) 9:00 p.m. – 7:00 a.m.	
		@ Property Line	@ Sensitive Receptor
63	72	55	45
125	60	48	37
250	53	42	33
500	47	39	29
1000	43	36	27
2000	40	33	25
4000	37	30	23
8000	33	27	20
Overall Level (dBA)	52	42	32

Commercial Zoned Property to Residential Zoned Property

Octave Band Center Frequency (Hz)	Daytime (dB) 7:00 a.m. – 9:00 p.m. @ Property Line	Nighttime (dB) 9:00 p.m. – 7:00 a.m.	
		@ Property Line	@ Sensitive Receptor
63	67	55	45
125	55	48	37
250	48	42	33
500	42	39	29
1000	38	36	27
2000	35	33	25
4000	32	30	23
8000	28	27	20
Overall Level (dBA)	47	42	32

Compliance with all octave band limits is required. If the Building Commissioner determines that the noise source contributes significantly to ambient noise levels at any distance from the property, sound levels may be measured in those locations beyond the source property line.

- 2) **Temporary Noise.** For the purposes of this bylaw, non-continuous noise restrictions apply to permanent non-residential installations and home-based businesses where noise is periodically produced. No person shall use or cause the use of any noise-producing equipment or tool (such as for construction, repair, or demolition operations) between the hours of 9:00 p.m. and 7:00 a.m.
- 3) **Construction Noise.** Work at construction sites and in the operation of construction equipment including start-up and movement of trucks, vehicles, and machines shall commence no earlier than 7:00 a.m. and shall cease no later than 6:00 p.m., Monday through Saturday. No construction shall take place on Sundays, federal holidays or state legal holidays without the advance written approval of the Building Commissioner.

Advisory Note – State regulations authorize municipal police departments, fire departments, and board of health officials to enforce noise standards that are based on certain sections of [310 Code of Massachusetts Regulations \(CMR\), § 7](#), Air Pollution Control Regulations. Such regulations are distinct and separate from the Town’s zoning regulations for noise.

- b. **Investigation.** The Building Commissioner may determine that a noise source is subject to investigation, and, if it is determined to be in violation of this bylaw, may take appropriate enforcement action, including the issuance of orders requiring the development and implementation of corrective measures, and/or imposition of fines or

non-criminal penalties. If the Building Commissioner determines that an investigation is warranted, he or she or a designee, may undertake a noise study to determine if a non-compliant noise condition exists. The Building Commissioner may enlist the assistance of other Town personnel for the investigation. At the discretion of the Building Commissioner, a qualified acoustical consultant whose qualifications include Institute of Noise Control Engineering (INCE) board certification or equivalent experience may be engaged by the Town to assist in the investigation including measurements and documentation of violations. Depending on the particular site and its noise generators, the noise study shall include, at a minimum, measurements of:

- Ambient noise (Daytime and Nighttime) and
- Operational noise levels (Daytime and Nighttime) at the facility property line and at Sensitive Receptors located anywhere on a property that is wholly or partially located within one thousand feet of the facility property line.

- c. **Noise Control Plan.** If the Building Commissioner determines that there is a violation, he or she shall order the owner or operator to come into compliance. The owner and/or operator of the noise producing use shall provide a noise control, abatement and mitigation plan to the Building Commissioner for review and approval, or otherwise bring the property into compliance with this bylaw and the order of the Building Commissioner. The plan shall address how the site will become compliant. Compliance shall be achieved through industry best practices and suitable mitigation measures. The plan shall be prepared by a qualified acoustical consultant whose qualifications include Institute of Noise Control Engineering (INCE) board certification or equivalent experience.
- d. **Corrective Measures** - Non-residential uses that produce non-compliant noise must install and maintain noise reducing equipment in accordance with the approved noise control plan to meet the requirements of this section. The Building Commissioner may require the provision of reports to document ongoing noise compliance.
3. **Vibration:** No vibration which is discernible to the human sense of feeling for three minutes or more in any hour between 7:00 a.m. and 9:00 p.m. or for thirty seconds or more in any one hour from 9:00 p.m. to 7:00 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 on the most recent edition of Table 7, U.S. Bureau of Mines Bulletin NO. 442 (U.S. Department of the Interior).
4. **Odors:** The Building Commissioner may determine that an odor is disturbing, offensive or objectionable and is subject to investigation, and, if it is determined to be in violation of this bylaw, may take appropriate enforcement action, including the issuance of orders requiring the development and implementation of corrective measures, and/or the imposition of fines and non-criminal penalties.

- a. **Standards** – Disturbing, offensive or objectionable odors as defined in Paragraph C. shall not be produced in any zoning district or impact any space where people live, work or assemble in a way that unreasonably interferes with the comfortable enjoyment of life or the use of property. Failure to meet either the Reasonableness Standard or the Measurement Standard listed below shall constitute a violation of this section.
- 1) **Sensorial Reasonableness Standard** –The Building Commissioner, or designee, may determine, using only her or his sense of smell, that an odor is one which is disturbing, offensive or objectionable to a reasonable person with normal olfactory sensitivity.
 - 2) **Measurement Standards** – No disturbing, offensive or objectionable odor greater than that caused by the lowest odor detection thresholds as listed in the most recent edition of the [American Industrial Hygiene Association \(AIHA\) Odor Thresholds for Chemicals with Established Occupational Health Standards, Reported Odor Thresholds \(EG Table 6.3 in 2nd Edition\)](#) shall be permitted. Due to the potential of odorant mixtures causing more intense odors than individual odorant compounds in isolation, nothing in this Bylaw shall be interpreted as allowing for any disturbing, offensive or objectionable odors at or above the cited detection thresholds.
- b. **Investigation.** The Building Commissioner or designee shall investigate odor complaints until determined to be without merit or resolved to the satisfaction of the Building Commissioner.
- 1) **Assessment Area** – The Building Commissioner or designee shall investigate odor complaints for odors emanating from:
 - a) **Immediate Impact Zone** - Any resident, occupant, or owner of property located within 1,000 feet of the property line of the property with a source generating and emitting the disturbing, objectionable or offensive odor, as measured from property line to property line.
 - b) **Secondary Impact Zone** - A collection of complaints from five or more residents, occupants, or owners of property located within 2,500 feet of the property line of the property with a source generating and emitting the disturbing, objectionable or offensive odor as measured from property line to property line.
 - 2) The Building Commissioner or designee may investigate possible odor violations upon their own initiative or at the request of Town officials or staff and shall investigate public complaints about an odor of a suspicious or dangerous nature.
 - 3) If the Building Commissioner determines that an investigation is warranted, he or she or a designee, may undertake an odor observation to determine if a disturbing, objectionable or offensive odor exists. At the discretion of the Building

Commissioner, a technical odor consultant may be engaged by the Town to assist in the investigation including odor observation and documentation of violations. The odor consultant shall be trained in the practices of ASTM (American Society for Testing Materials) - E679 and meet the selection criteria of EN13725 (international olfactometry standard). As a component of such investigation, measurements may be done in the field by using:

- a) Undiluted odor field observations (i.e. sniffing) or odor sampling to be performed at a frequency, duration, and locations appropriate for the odor source under investigation and the locations of odor complaints that have been received by the Town including those beyond the source property lines. The purpose is to detect and assess the presence of recognizable odors linkable to a specific source in ambient air. This may be accomplished by:
 - i. Grid method of analysis - Odor hours for a geographic area of evaluation to establish an odor hour frequency measurement.
 - ii. Plume method of analysis – Measurement of extent of the area where an odor plume originating from a specific odor source can be perceived and recognized under specific meteorological and operating conditions.

The following other forms of measurement may be used only as supplemental methods to evaluate persistent problems or higher intensity odors as a way to determine the severity of the situation.

- b) Field Olfactometry - A method to quantify odors in ambient air by means of a portable odor detecting and measuring device known as a field olfactometer. A field olfactometer measures odor strength and persistence using a Dilution-to-Threshold (D/T) ratio. The Dilution-to-Threshold ratio is a measure of odor concentration by determining the number of carbon filtered air dilutions needed to make the odorous ambient air non-detectable. The formula for calculating D/T with a field olfactometer is:

$$D/T = \frac{\text{Volume of Carbon Filtered Air}}{\text{Volume of Odorous Air}}$$

- c) Chemical Analysis – Instrumental methods of characterizing odor involving the identification and quantification of chemical compounds in an odor sample by means of gas chromatography coupled with mass spectrometry, analysis of hydrocarbon molecules, and analysis of single gases such as ammonia and hydrogen sulfide.

- d) Instrumental Odor Monitoring – Instruments designed to mimic human olfaction in the detection and characterization of simple or complex odors. Also referred to as electronic (E) - noses.
 - e) Any other method or best practice determined to be appropriate by the Building Commissioner.
- c. **Odor Control Plan** – If, based on the investigation, the Building Commissioner determines that there is a violation, the owner and/or operator of the odor-producing use shall be required to provide an odor control, abatement and mitigation plan to the Building Commissioner for review and approval, or otherwise bring the property into compliance with this bylaw and the order of the Building Commissioner. The plan shall address how the site will become compliant and specify suitable corrective measures. Compliance shall be achieved through industry best practices and suitable mitigation measures. The plan shall be prepared by a certified environmental engineer, certified environmental professional, or certified industrial hygienist with experience in odor management, abatement and mitigation technologies. The Building Commissioner may also require the plan to include the provision of reports of ongoing odor monitoring and compliance.
- d. **Corrective Measures** - Non-residential uses that produce non-compliant odors shall be required to install and maintain odor-eliminating equipment in accordance with the approved odor control plan to meet the requirements of this section.

E. Exemptions

- 1) **Farming.** Impacts resulting from agricultural, farm-related, or forestry-related activities as defined by [G.L., c 128, Agriculture, § 1A](#), as amended, and Medway General Bylaws, ARTICLE XXXI, §2 Right to Farm, are exempt from these restrictions when such activities follow generally accepted practices ([G.L., c 111, §125A](#)).
- 2) **Residential Uses.** Impacts resulting from residential activities such as but not limited to barbecues, wood stove exhaust, driveway paving, gardening, and house painting are exempt from these restrictions.
- 3) **Repair and infrequent maintenance activities.** Repair and infrequent maintenance activities such as but not limited to those for septic and sewer systems are exempt from these restrictions.
- 4) **Construction.** Impacts resulting from construction, demolition, or repair work that occurs between 7:00 a.m. and 6:00 p.m. on public improvements authorized by a governmental body or agency, utility work and repairs, and other similar work on private property pursuant to an order by a governmental body or agency for safety purposes are exempt from these restrictions.

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

Susan Affleck-Childs

From: Lally, John - 0666 - MITLL <jlally@ll.mit.edu>
Sent: Tuesday, March 9, 2021 8:19 AM
To: Susan Affleck-Childs
Subject: Env Std Update Pub Hearing Input.
Attachments: Environmental_Standards_(2-22-21 edits sac-tg-bjs) v. 3.docx; 630410
commcan-_acentech_modeling_results_-_r1_6-26-19 (1)_WithOdBA_WtrMrk.pdf

Good morning Susy,

Below and attached are my input to the Environmental Standard Update Public Hearing, I respectfully request that you please forward this email and attachments to PEDB members for their consideration and also include them in the public record associated with the proposed updates to the Environmental Standards.

- 1.) With regard to the proposed noise levels causing a decrease in the industrial/commercial tax base the following is observed:
 - a. Referring to the 2 Marc Rd predicted mitigated noise levels on pages 15 and 16 of the attached, if a facility with the noise sources and mitigation of 2 Marc Rd were placed in the vacant industrial lots next to the residences on Coffee Street that facility would comply with the proposed noise levels, provided the noise sources were on any side of the facility other than the side directly facing the residences.
 - b. Characteristics of 2 Marc Rd Noise Sources:
 - i. Quantity =2, Rotary Chillers located side by side each with Sound Power Level of ~100dBA. Combined, I think this is over 500 Tons of chiller capacity.
 - ii. Chillers are ~30feet from property line.
 - c. If a facility with such intense noise sources as 2 Marc Rd could be located adjacent to residences and comply with the proposed updates it seems reasonable to expect most if not all facilities could comply as well, and therefore the industrial tax base should be preserved.
- 2.) I could support and vote for the Continuous Industrial Nighttime Noise Levels in the latest Environmental Updates Revision (2-22-21) that has: Ind/Ind=47dBA, Ind/Res=42dBA, and Sensitive Receptors=32dBA. See attached received from Susy.
- 3.) Because the proposed noise levels are already compromises that have evolved over the course of the past year I could not support, nor vote for increases to them:
 - a. Ind/Ind was 42dBA in the originally proposed updates and has been compromised to 47dBA to relieve Industrial concerns. 47dBA is already ~3.5X late night community noise levels and is not without risk to residents. Allowing continuous industrial nighttime noise above 47dBA in Medway would be inappropriate.
 - i. Please Note: 47dBA is already approaching the noise level at 3 out of the 4 property lines of pre-mitigated 2 Marc Rd:
 1. North=49dBA, South=49.2dBA, West=49dBA. These were measured by the Town's noise consultant.
 - b. Res/Ind was originally requested to be 40dBA, the generally recognized suburban nighttime noise limit. The town's noise consultant recommended this be increased to 42dBA to relieve Industrial concerns. 42dBA is already ~2.5X late night community noise levels in Medway, allowing greater than 42dBA at residential properties in Medway would be inappropriate.
 - c. The noise consultant Acentech has recommended that nighttime noise at residences not exceed ~30dBA (Ambient Minimum +3dBA =27dBA + 3dBA=30dBA), this has been compromised to Ambient Maximum=29dBA + 3dBA=32dBA. When Continuous Industrial Nighttime Noise (rotary chillers, sanders, saws, grinders, etc...) becomes the predominant noise at a residence that makes for dreadful living conditions. That's why when this type of noise exceeds 4dBA to 5dBA above ambient residents start complaining. Therefore, if continuous

industrial nighttime noise at homes is limited to +3dBA above ambient residents will be protected, otherwise they will not. This is why the DEP standard of +10dBA above ambient proved ineffective for 2 Marc Rd. Also, due to the unreliability of remote measurements and perhaps more importantly the compounding of noise from multiple facilities, residents will not be protected by solely relying on sensitive receptor noise levels. This makes reasonable noise level limits at Ind/Ind and Res/Ind locations essential.

- i. Please Note: Folks I've talked to who live around the Industrial Park understand when you live next to an industrial park industrial noise is to be expected, but those expectations are for reasonable business hours. What folks don't expect is harsh industrial noise to predominate continuously throughout the night at their homes, that's what causes quality of life impacts that result in complaints to the Town.

4.) Additionally, I could support and vote for the Proposed Odor updates in the attached.

Respectfully Submitted,
John Lally, Resident
35 Coffee Street
Medway, MA 02053.

Memorandum

TO Ellen Rosenfeld (CommCan)
FROM Andrew Carballeira
DATE June 26, 2019
PROJECT CommCan Medway Chiller Noise
SUBJECT Modeling Results
PROJECT NO 630410
CC Alex Odom (Acentech)

Dear Ellen,

This memo presents the results of our computer modeling of the chiller upgrades to the CommCan Medway facility.

Model Description

We have developed a computer model of facility sound using CadnaA, an acoustic modeling software which considers 3-dimensional propagation of sound. This model implements the methods and equations of ISO 9613-2 "Attenuation of sound during propagation outdoors -- Part 2: General method of calculation".

The facility has an existing chiller (Trane RTAC 225) on the southeast corner of the roof. In connection with the recent permit decision, the existing chiller will be relocated and a second chiller (Trane RTAF 310) will be added. Both chillers will be installed within a custom noise enclosure at ground level near the southwest corner of the facility. The chiller sound power levels as provided by Trane are given in TABLE I below.

TABLE I. Chiller sound power levels used in computer modeling

Description	Sound power level (dB re: 1pW)							
Octave-band center frequency (Hz)	63	125	250	500	1000	2000	4000	8000
RTAC 310 (new)	93	95	95	99	101	96	88	81
RTAC225 (existing)	103	104	100	101	98	93	88	85

APPENDIX A includes sound attenuation data from the enclosure vendor used in our computer model. The enclosure design as modeled includes 7-ft long attenuators on the air intakes (west face and roof of enclosure), and 4-ft long attenuators on the discharge (roof of enclosure). We have also considered sound transmission through the panels from which the north and south walls of the enclosure will be constructed. A 3D rendering of the modeled enclosure is shown in FIGURE 1 in APPENDIX B.

In addition to the enclosure, the chillers will be outfitted with source noise control treatments¹. These additional measures will be beneficial, but we have not included them in the model in order to make conservative predictions.

¹ BRD compressor and oil separator lagging wraps, as described in APPENDIX A

Model Results

We have reviewed the permit decision, which outlines the Medway noise ordinance in modern octave bands. We understand the noise ordinance to be applicable at the source property lines, the nearest of which is about 30 ft from the intake of the chiller enclosure.

Based on our computer model, we expect that the proposed equipment housed in the custom noise enclosure will comply with the Medway noise ordinance at all facility property lines. Further, the equipment will also comply with the ordinance at all nearby residential property lines. FIGURE 2 in APPENDIX B presents the receptor locations used in computer modeling, and TABLE II summarizes the calculated noise levels at the property lines. As shown in TABLE II, all estimated sound levels are below the octave-band provisions of the Medway noise regulation.

* * * * *

I trust this memo provides the information you need at this time. Please contact me with questions at 617-499-8025 or acarballeira@acentech.com.

Sincerely,



Andy Carballeira, INCE Bd Cert
Senior Consultant

APPENDIX A

NOISE ENCLOSURE SPECIFICATIONS

HUSH DUCT Submittal

Email: dan.burley@brd-nonoise.com
Web: www.Hushcore.net

HD-48/H
High Pressure Silencer
Tag: Exhaust

Dimensions

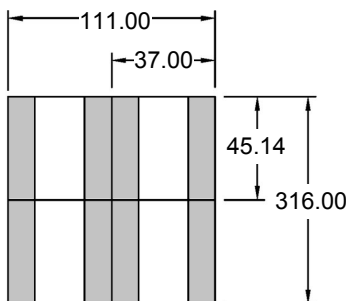
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Weight (lb): 5106

Bank

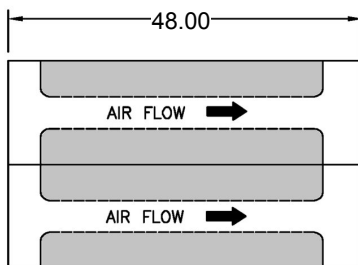
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Height (in.): 316.00
Length (in.): 48.00

Components

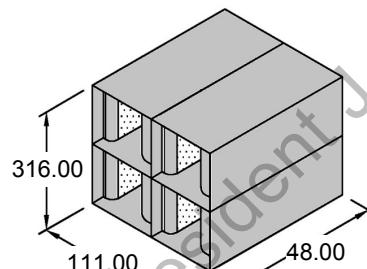
Quantity: 21
Width (in.): 37.00
Height (in.): 45.14



END VIEW



TOP VIEW



ISO VIEW

Images are generic representations of and not to scale. The actual configuration may not be shown.

Performance

Air Volume (cfm): 119725
Air Velocity (fpm): 492
Air Direction: Forward
Pressure Drop (in.w.g.): 0.09
Installed PD (in.w.g.): 0.12

Dynamic Insertion Loss (dB)

63 Hz	125 Hz	250 Hz	500 Hz	1000 Hz	2000 Hz	4000 Hz	8000 Hz
9	15	25	39	47	44	33	23

Generated Noise (dB)

63 Hz	125 Hz	250 Hz	500 Hz	1000 Hz	2000 Hz	4000 Hz	8000 Hz
56	33	40	49	48	44	34	27

Construction

Casing: 22 GA Galvanized
Perforated Liner: 22 GA Galvanized

Acoustic Media: Glass Fiber

Inlet Connection: 2" Slip
Outlet Connection: 2" Slip

Notes

- HUSH DUCT silencer material has flame spread classification < 25 and smoke development rating < 50 when tested in accordance with ASTM E84, UL723 and NFPA255.
 - System effects assume fan at the silencer inlet and ideal at the silencer outlet.
 - HUSH DUCT silencers consist of ASTM A653(M) steel casings and liners.
 - HUSH DUCT silencers are tested in our NVLAP-Accredited sound lab.
 - Performance data is derived from ASTM E477-13.
 - Silencer bank shall be structurally supported by Others.
 - Silencer shipped in multiple components for assembly by Others. Customer to confirm all dimensions.
- Performance data is obtained in a similar fashion as other silencer manufacturers using 24" x 24" cross section area test units.

PROJECT: CommCann
ENGINEER:
DESCRIPTION: High Pressure Silencer

CUSTOMER:
UNIT OF MEASURE: Imperial

SUBMITTAL DATE: 6/11/2019
QUOTE NO: DRAWING
REVISION:

HUSH DUCT Submittal

HD-48/H

High Pressure Silencer

Tag: Exhaust

Email: dan.burley@brd-nonoise.com

Web: www.Hushcore.net

Dimensions

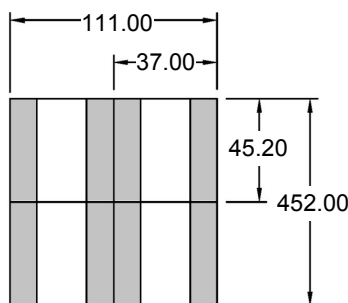
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Weight (lb): 7302

Bank

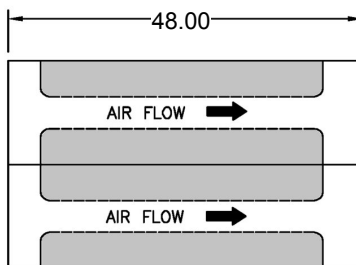
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Length (in.): 48.00

Components

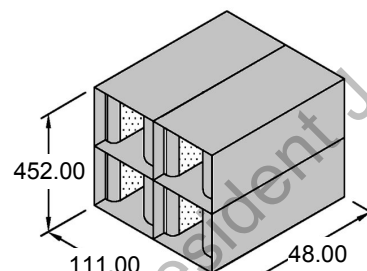
Quantity: 30
Width (in.): 37.00
Height (in.): 45.20



END VIEW



TOP VIEW



ISO VIEW

Images are generic representations of and not to scale. The actual configuration may not be shown.

Performance

Air Volume (cfm): 154000
Air Velocity (fpm): 442
Air Direction: Forward
Pressure Drop (in.w.g.): 0.08
Installed PD (in.w.g.): 0.10

Dynamic Insertion Loss (dB)

63 Hz	125 Hz	250 Hz	500 Hz	1000 Hz	2000 Hz	4000 Hz	8000 Hz
9	15	25	39	47	44	33	23

Generated Noise (dB)

63 Hz	125 Hz	250 Hz	500 Hz	1000 Hz	2000 Hz	4000 Hz	8000 Hz
55	31	39	48	48	42	32	25

Construction

Casing: 22 GA Galvanized
Perforated Liner: 22 GA Galvanized

Acoustic Media: Glass Fiber

Inlet Connection: 2" Slip

Outlet Connection: 2" Slip

Notes

- HUSH DUCT silencer material has flame spread classification < 25 and smoke development rating < 50 when tested in accordance with ASTM E84, UL723 and NFPA255.
 - System effects assume fan at the silencer inlet and ideal at the silencer outlet.
 - HUSH DUCT silencers consist of ASTM A653(M) steel casings and liners.
 - HUSH DUCT silencers are tested in our NVLAP-Accredited sound lab. Performance data is derived from ASTM E477-13.
 - Silencer bank shall be structurally supported by Others.
 - Silencer shipped in multiple components for assembly by Others.
 - Customer to confirm all dimensions.
- Performance data is obtained in a similar fashion as other silencer manufacturers using 24" x 24" cross section area test units.

PROJECT: CommCann
ENGINEER:
DESCRIPTION: High Pressure Silencer

CUSTOMER:
UNIT OF MEASURE: Imperial

SUBMITTAL DATE: 6/11/2019
QUOTE NO: DRAWING
REVISION:

HUSH DUCT Submittal

Email: dan.burley@brd-nonoise.com
Web: www.Hushcore.net

HD-84/M
Medium Pressure Silencer
Tag: Intake

Dimensions

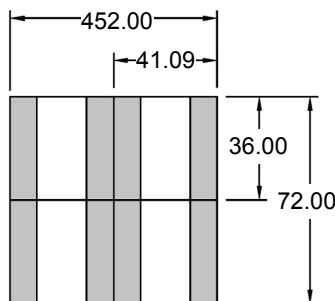
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Weight (lb): 8209

Bank

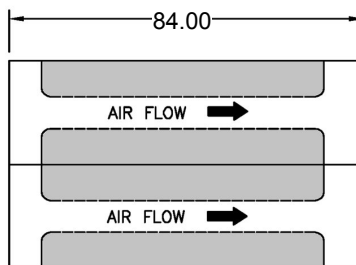
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Length (in.): 84.00

Components

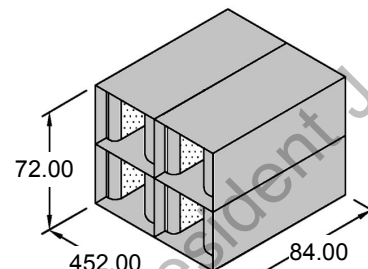
Quantity: 22
Width (in.): 41.09
Height (in.): 36.00



END VIEW



TOP VIEW



ISO VIEW

Images are generic representations of and not to scale. The actual configuration may not be shown.

Performance

Air Volume (cfm): 77000
Air Velocity (fpm): 341
Air Direction: Reverse
Pressure Drop (in.w.g.): 0.03
Installed PD (in.w.g.): 0.07

Dynamic Insertion Loss (dB)

63 Hz	125 Hz	250 Hz	500 Hz	1000 Hz	2000 Hz	4000 Hz	8000 Hz
11	21	36	50	55	53	46	29

Generated Noise (dB)

63 Hz	125 Hz	250 Hz	500 Hz	1000 Hz	2000 Hz	4000 Hz	8000 Hz
41	34	40	47	43	38	22	16

Construction

Casing: 22 GA Galvanized
Perforated Liner: 22 GA Galvanized

Acoustic Media: Glass Fiber

Inlet Connection: 2" Slip
Outlet Connection: 2" Slip

Notes

- HUSH DUCT silencer material has flame spread classification < 25 and smoke development rating < 50 when tested in accordance with ASTM E84, UL723 and NFPA255.
 - System effects assume ideal at the silencer inlet and abrupt plenum at the silencer outlet.
 - HUSH DUCT silencers consist of ASTM A653(M) steel casings and liners.
 - HUSH DUCT silencers are tested in our NVLAP-Accredited sound lab.
 - Performance data is derived from ASTM E477-13.
 - Silencer bank shall be structurally supported by Others.
 - Silencer shipped in multiple components for assembly by Others. Customer to confirm all dimensions.
- Performance data is obtained in a similar fashion as other silencer manufacturers using 24" x 24" cross section area test units.

PROJECT: CommCan
ENGINEER:
DESCRIPTION: Medium Pressure Silencer

CUSTOMER:
UNIT OF MEASURE: Imperial

SUBMITTAL DATE: 6/11/2019
QUOTE NO: RAWING
REVISION:

HUSH DUCT Submittal

Email: dan.burley@brd-nonoise.com
Web: www.Hushcore.net

HD-84/M
Medium Pressure Silencer
Tag: Intake

Dimensions

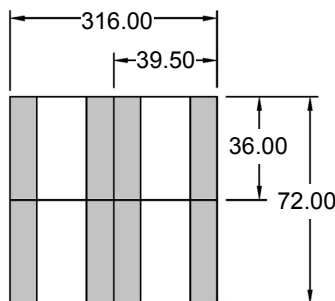
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Bank

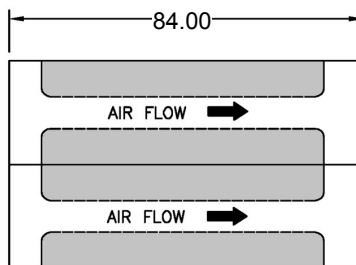
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Components

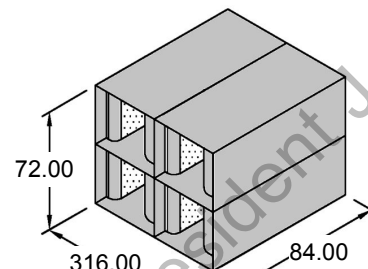
Quantity: 16
Width (in.): 39.50
Height (in.): 36.00



END VIEW



TOP VIEW



ISO VIEW

Images are generic representations of and not to scale. The actual configuration may not be shown.

Performance

Air Volume (cfm): 59862
Air Velocity (fpm): 379
Air Direction: Reverse
Pressure Drop (in.w.g.): 0.04
Installed PD (in.w.g.): 0.08

Dynamic Insertion Loss (dB)

63 Hz	125 Hz	250 Hz	500 Hz	1000 Hz	2000 Hz	4000 Hz	8000 Hz
11	21	36	50	55	53	46	29

Generated Noise (dB)

63 Hz	125 Hz	250 Hz	500 Hz	1000 Hz	2000 Hz	4000 Hz	8000 Hz
41	34	40	47	43	39	24	18

Construction

Casing: 22 GA Galvanized
Perforated Liner: 22 GA Galvanized

Acoustic Media: Glass Fiber

Inlet Connection: 2" Slip
Outlet Connection: 2" Slip

Notes

- HUSH DUCT silencer material has flame spread classification < 25 and smoke development rating < 50 when tested in accordance with ASTM E84, UL723 and NFPA255.
 - System effects assume ideal at the silencer inlet and abrupt plenum at the silencer outlet.
 - HUSH DUCT silencers consist of ASTM A653(M) steel casings and liners.
 - HUSH DUCT silencers are tested in our NVLAP-Accredited sound lab.
 - Performance data is derived from ASTM E477-13.
 - Silencer bank shall be structurally supported by Others.
 - Silencer shipped in multiple components for assembly by Others. Customer to confirm all dimensions.
- Performance data is obtained in a similar fashion as other silencer manufacturers using 24" x 24" cross section area test units.

PROJECT:
ENGINEER:
DESCRIPTION: Medium Pressure Silencer

CUSTOMER:
UNIT OF MEASURE: Imperial

SUBMITTAL DATE: 6/11/2019
QUOTE NO:
DRAWING REVISION:

Product Data Section

Removable/Reusable Blanket Insulation For Sound Attenuation At The Source



Ball Mill Wrap with exposed liner bolts at a cement plant.



HUSH COVER™ Model HC-500S-1" blankets for air cooled screw chiller compressors.

Advantages:

- Completely removable and reusable
- Easy to install
- Can be reused after maintenance
- Custom-fit to existing conditions
- Guaranteed fit
- Predictable performance based on laboratory tests
- Suitable for harsh environments where solvents, acids, oils, and other contaminants are present
- Outdoor weather-resistant construction
- High temperature capability
- Self-contained insulation system
- Asbestos free
- Good combination of acoustic and thermal performance

Applications:

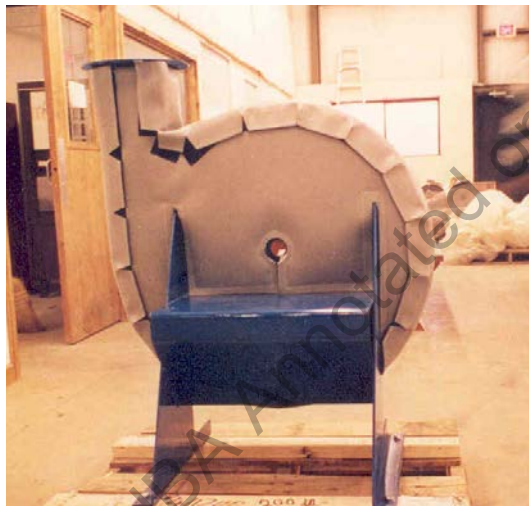
- Fans and blowers
- Compressor housings
- Gear boxes
- Valves
- Ejectors
- Steam and gas turbine casings
- Pumps
- Pipes and ducts
- Expansion joints
- Any hard to treat, irregular surface where removability is important
- Chillers and refrigeration equipment
- Engine exhaust systems
- Personnel protection (high temperature) for surfaces above 140°F
- Ball mills

GUARANTEED FIT ON ALL APPLICATIONS!

Product Data Section

About BRD HUSH COVER™ Acoustic Insulation:

BRD HUSH COVER™ acoustic blanket insulation is an extremely versatile and efficient solution to common industrial noise problems. It combines high density fiberglass mat with a mass-loaded vinyl sandwiched inside a weatherproof jacketing. The purpose of the fiberglass is to reduce reflected noise and to absorb noise energy, while the mass-loaded vinyl blocks transmitted noise. The fiberglass also has excellent thermal insulation qualities. Combining both an absorber material and a barrier material that are well matched yields a highly efficient and cost-effective means for solving industrial noise control problems.



Pressure blower housing treated with two-piece Velcro system.

Service:

The standard design (HC-450) can be used on equipment not exceeding 450°F (232°C). Other designs are available for equipment with temperatures exceeding 450°F.

Design Components For HC-500S

OUTER JACKET: 16 oz./yd.² PTFE
silicone impregnated
fiberglass cloth

ACOUSTIC BARRIER: Barium sulfate
loaded vinyl (1 lb. to 2 lb. density)

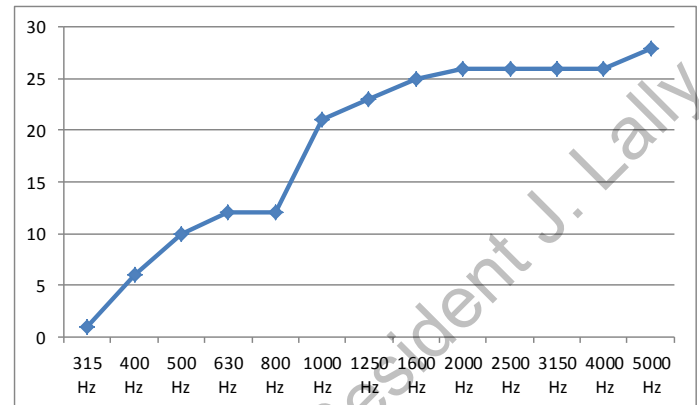
INSULATION: Fiberglass needle mat (11
lbs./ft.³ density)

INNER JACKET: 16 oz./yd.² PTFE
silicone impregnated
fiberglass cloth



HC-800 is suitable for up to 800° F. HC-1200 is suitable for up to 1200° F. Design components for these and other custom HUSH COVERS™ are available upon request.

Test Frequency (in Hz)	Noise Reduction (in dB)
315	1
400	6
500	10
630	12
800	12
1000	21
1250	23
1600	25
200	26
2500	26
3150	26
4000	26
5000	28



The above data is representative of ASTM test procedure E-1222-87 for the laboratory measurement of the insertion loss of pipe lagging systems. BRD will not be warranted for performance results of HUSH COVER™ blanket insulation expressed or implied. Additional test data is available for a variety of blanket constructions.



Liquid cooled screw chiller noise is tamed using HUSH COVER™ model HC-500S-1"

Acoustic Field Test Results

Based on previously tested installations, actual dBA reductions range between 3 – 5 dBA for HC-500S-1" and 4 – 6 dBA for HC-500S-2".



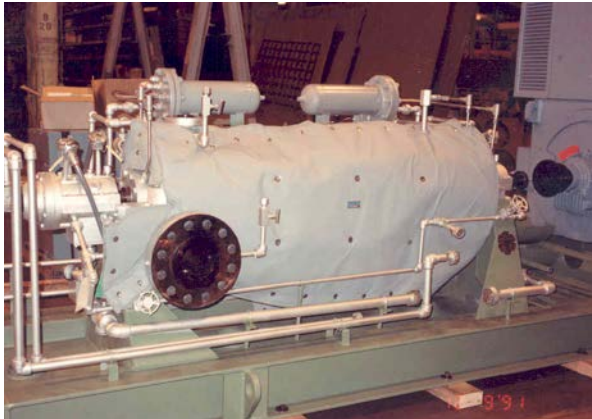
Ball mill HUSH COVER™ using HC-500S-1" with banding attachment.

True performance estimates must include field verification of dBA levels and frequency concentrations on an application basis.

Product Data Section

General Installation Instructions

1. Many of the blankets will have 2" flaps on the edges. These flaps are to be installed so that the flap on the upper blanket will cover over the edge of the lower blanket, creating a shingle effect.



Boiler feedwater pump at fit-up prior to lacing.

2. Blanket installation should follow the recommended order of installation provided on the assembly drawings. Most blankets will either seam at the horizontal or vertical centerlines. All panels are tagged for easy identification.

3. "D" Ring assemblies have been provided to ease installation. To use, simply lace the strap through the adjoining blankets "D" Ring assembly and secure. Velcro Flaps are provided to permanently secure closing seams and to lock material in place.

4. Occasionally, certain blankets may be difficult to install due to space limitations or obstructions. If this occurs, it may be necessary to modify the blanket's shape or size. Stainless steel staples are the recommended closure method for any modifications.

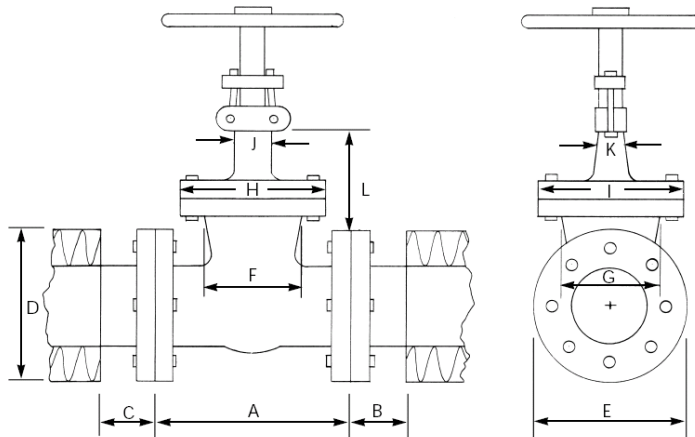
5. Generally, all tags should read from left to right and will be oriented horizontally. This will show the correct orientation of the acoustic blanket.

BRD Installation Services Available



Before and after views showing Velcro installation of HUSH COVER™ multi-piece design for a steam ejector.

Product Data Section



Valve Cover Take-Off Sheet

A	B	C	D
E	F	G	H
I	J	K	L

- HUSH COVER™ blankets can be quoted based on field sketches, equipment cut sheets or templates created in the field.
- Standard items such as valves, elbows, fittings, pumps, etc. can be quoted based on standardized take-off sheets such as the one shown above.
- Field measurements by a qualified BRD Representative may be required prior to fabrication.
- Fabrication techniques include computer aided design (CAD) capabilities to assure proper fit (see below).
- HUSH COVER™ designs are complete and require no additional tools or materials.
- When requesting a quotation, please supply the make and model of the equipment if known.
- For OEM applications, private labeling can be provided to meet customer specifications.



HUSH COVER™ on air cooled screw chiller suction lines, compressor, discharge line and oil separator.



Typical "D" ring and strap attachment feature

Product Data Section

Acoustic Performance Data:

Product	Sound Transmission Loss (dB) Frequency (Hz)						STC
	125	250	500	1000	2000	4000	
HG-200	17	23	34	47	55	57	37
HG-210	24	25	33	43	50	55	38
HG-400	21	28	39	48	56	58	40
HG-410	23	31	40	49	56	62	42
HG-420	27	34	41	46	53	59	44
HG-500	18	26	35	45	49	52	37

Product	Sound Absorption Coefficients Per Frequency (Hz)						NRC
	125	250	500	1000	2000	4000	
HG-200	0.15	0.66	1.07	1.06	0.97	0.86	0.95
HG-210	0.26	0.53	1.00	1.03	0.97	1.02	0.90
HG-400	0.60	1.13	1.12	1.09	1.03	0.91	1.00
HG-410	0.68	1.06	1.12	1.08	1.03	0.98	1.05
HG-420	0.45	0.96	1.15	1.10	1.05	0.97	1.05
HG-500	0.92	1.15	1.22	1.13	1.08	1.04	1.15

Panel Constructions:

	Thick- ness	Solid ¹ Skin	Perf. ¹ Skin ²	Weight per sq. ft.
HG-200	2"	18 ga.	22 ga.	4.0 lbs.
HG-210	2"	16 ga.	22 ga.	4.7 lbs.
HG-400	4"	18 ga.	22 ga.	5.0 lbs.
HG-410	4"	16 ga.	22 ga.	5.7 lbs.
HG-420	4"	16 ga.	22 ga.	9.6 lbs.
HG-500	5"	16 ga.	22 ga.	6.0 lbs.

1. Panel skins are all galvanized cold rolled steel.
2. Perf. skins have 3/32" holes on 3/16" staggered centers.
3. Optional aluminum and high density polyethylene constructions.
4. All stiffeners and panel channel framing is minimum 18 ga. steel with face sheets spot welded in place.
5. Panels are designed to withstand wind loads of 25 lbs/sq. ft., both negative and positive.
6. Panel fill is non-combustible high density semi-rigid non-hygroscopic HUSH BATT™ packed under 5% compression.

Panel Finishes:

1. Galvanized steel (std.)
2. Galvanneal "Paint Ready" steel
3. Air dried shop applied
4. Thermosetting TGIC Polyester Powder Coating in color selected by Architect
5. Custom as specified

Steel Finishes:

1. Prime Painted (standard)
2. Primer with air dried shop applied finish paint
3. Hot dip galvanized (availability dependent on final steel member sizing)
4. Colors available to match panels
5. Sand blasting prep only as specified by contractor
6. Custom as specified

APPENDIX B

MODELING RESULTS

Overall dBA Annotated on Pgs 15 & 16 by Resident J. Lally

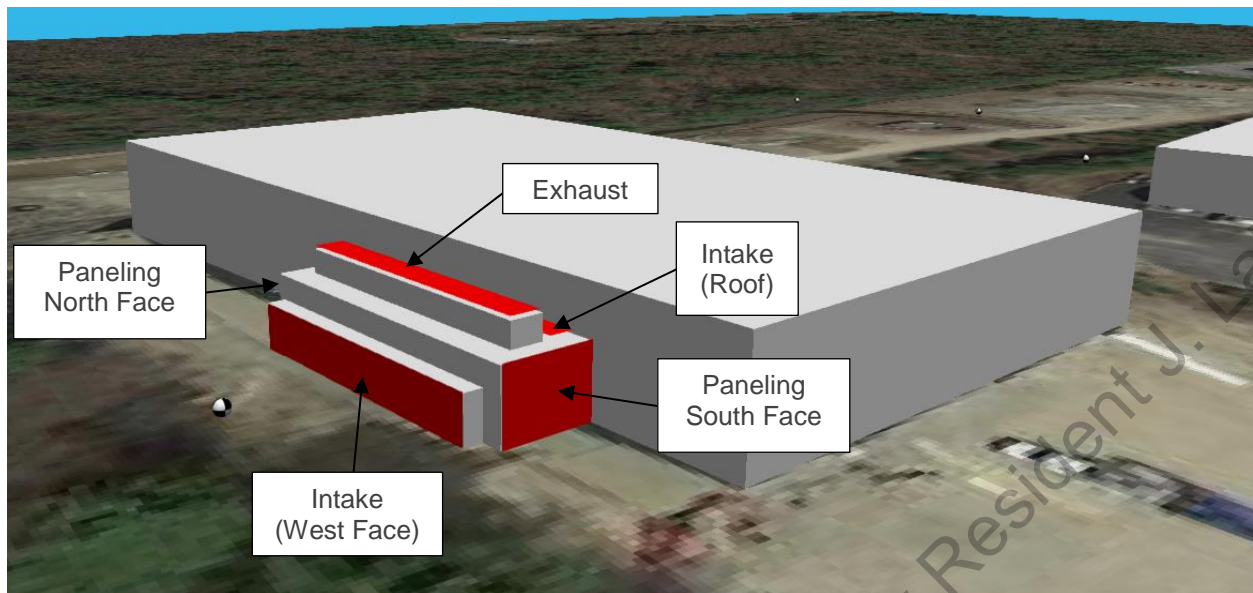


FIGURE 1. 3D Rendering of Modeled Enclosure, View from SW of Facility



FIGURE 2. Receptor points on source property line (see TABLE II)

TABLE II. Estimated octave-band sound levels at facility property lines (dB re: 20 µPa)

Property line location	63	125	250	500	1000	2000	4000	8000	Overall dB(A)
PL01	46	40	26	<20	<20	<20	<20	<20	<=29.4
PL02	54	47	35	26	<20	<20	<20	<20	<=34.6
PL03	61	52	35	22	<20	<20	<20	24	<=39.0
PL04	42	36	24	<20	<20	<20	<20	<20	<=28.1
PL05	28	<20	<20	<20	<20	<20	<20	<20	<=26.9
PL06	25	<20	<20	<20	<20	<20	<20	<20	<=26.9
PL07	26	<20	<20	<20	<20	<20	<20	<20	<=26.9
PL08	26	<20	<20	<20	<20	<20	<20	<20	<=26.9
PL09	29	20	<20	<20	<20	<20	<20	<20	<=26.9
PL10	32	22	<20	<20	<20	<20	<20	<20	<=26.9
PL11	34	24	<20	<20	<20	<20	<20	<20	<=27.0
PL12	35	25	<20	<20	<20	<20	<20	<20	<=27.0
PL13	40	32	<20	<20	<20	<20	<20	<20	<=27.4
PL14	41	34	21	<20	<20	<20	<20	<20	<=27.6
PL15	33	26	<20	<20	<20	<20	<20	<20	<=27.0
PL16	31	25	<20	<20	<20	<20	<20	<20	<=27.0
PL17	36	28	<20	<20	<20	<20	<20	<20	<=27.1
PL18	38	30	<20	<20	<20	<20	<20	<20	<=27.2
PL19	38	30	<20	<20	<20	<20	<20	<20	<=27.2
PL20	37	28	<20	<20	<20	<20	<20	<20	<=27.1
PL21	33	25	<20	<20	<20	<20	<20	<20	<=27.0
PL22	33	25	<20	<20	<20	<20	<20	<20	<=27.0
PL23	32	23	<20	<20	<20	<20	<20	<20	<=26.9
Medway Noise Ordinance	67	55	48	42	38	35	32	28	Max OdB(A)=39.0

Susan Affleck-Childs

From: Jack Mee
Sent: Friday, March 5, 2021 8:31 AM
To: Susan Affleck-Childs
Subject: Bylaw Definition

Susy,

As much as I realize that we need an updated Environmental Standard within our zoning Bylaws I am struggling with some of the recent proposals. Specifically, with the threshold and the “sense or smell” of the Building Commissioner. I have a deviated septum and don’t have a clear sense of smell. I do realize that the language clearly allows a designee...

Things are not clear enough in regards to threshold, steps to confirm, steps to correct... If a consultant is required where is the funding coming from...

Below are some examples of the language that I am struggling with:

Bylaw Definition. **“Disturbing, offensive or objectionable odor”**; Those which are at or above the detection threshold of a person with normal olfactory sensitivity.

4.a. “shall not be produced in any zoning district or impact any space where people live, work or assemble in a way that unreasonably interferes with the comfortable enjoyment of life or the use of property. Failure to meet either the Reasonableness, Standard or the Measurement Standard listed below shall constitute a violation of this section.

4.a.1 Sensorial Reasonableness Standard – The Building Commissioner, or designee, may determine, using only her or his sense of smell, that an odor is one which is disturbing, offensive or objectionable to a reasonable person with normal olfactory sensitivity.

4.b.3. ... a technical odor consultant may be engaged by the town to assist. ? at the towns expense?

On line search. Olfactory acuity (sensitivity) is defined as the **ability to detect an odor**. Threshold, a measure of acuity, refers to the lowest concentration of an odorant that an individual can identify, and varies enormously from person to person (Amoore, 1970).

Bylaw Definition. **“Sensitive Receptor”**. An occupied residence or facility whose occupants are more susceptible to the adverse effects of noise and odor including but not limited to hospitals, schools, daycare facilities, elderly housing, and convalescent facilities.

Noise Disturbance...



March 9, 2021

**Medway Planning & Economic Development Board
Meeting**

**Zoning Bylaw Amendments Public
Hearing – Central Business District**

UPDATED

- Revised draft dated 3-1-21
- Use Table amendments dated 3-1-21
- Email comments dated 2-26-21 from developer Joe Eddy who has been considering a mixed-use development at 72 Main Street
- **Emails between Ted Brovitz and Tom Gay about mix of commercial and residential and FAR**
- **3-1-21 draft with review comments from Town Counsel, The Honorable Judy Cutler (retired Land Court judge)**

~~Central Business District Zoning~~

ARTICLE : ~~To amend the Zoning Bylaw pertaining to the Central Business zoning district by deleting Section 5.4.1 Special Permits in the Central Business District and inserting a new SECTION 10. CENTRAL BUSINESS DISTRICT DEVELOPMENT STANDARDS as follows: To see if the Town will vote to amend the Zoning Bylaws, by deleting Section 5.4.1 in its entirety and adding a new Section 10, CENTRAL BUSINESS DISTRICT DEVELOPMENT STANDARDS; and by amending Section 5.4, Table 1, Schedule of Uses, and amending Section 6.1 Schedule of Dimensional and Density Regulations and Table 2; all as follows:~~

Commented [BSA1]: I think it would be better to state all the amendments up front, then each is explained below.

Add the following new Section 10:

SECTION 10: CENTRAL BUSINESS DISTRICT DEVELOPMENT STANDARDS

10.1. PURPOSES

- A. To further the goals of the Medway Master Plan.
- B. To encourage mixed-use development in the Central Business District with a balanced and vibrant mix of compatible business uses and multi-family residential development.
- C. To encourage revitalization and economic investment in the Central Business District in a manner which represents the qualities of a traditional New England town center.
- D. To encourage greater variety of housing to meet the needs of a diverse population with respect to income, ability, household types, and stage of life.
- E. To improve walkability within the district and provide better access between housing, shops, services, and employment.

10.2. GENERAL SITE DEVELOPMENT STANDARDS

Uses which are allowed in the Central Business District by right or by special permit shall be required to meet the following performance standards.

A. ~~Performance Standards~~ Vehicle Fuel Station With Convenience Store.

- ~~1. Performance Standards: Uses which are allowed in the Central Business District by right or by special permit shall be required to meet the following performance standards:-~~

~~Vehicle fuel station with convenience store:~~ Only eExisting vehicle fuel stations with repair service or convenience stores in the Central Business District ~~as of (adoption date)~~ may submit a site plan for substantial redevelopment or renovation as a Gas Station and Convenience Store under the development standards on Table 9.4.C.1.B. A special permit is required from the Planning and Economic Development Board ("PEDB"). New vehicle fuel stations are prohibited in the Central Business District.

B. Main Street Pedestrian Frontage Zone.

1. The Main Street Pedestrian Frontage Zone includes all properties with frontage on Route 109/Main Street from the intersection of Pond Street/Elm Street to the west to the driveway of Medfield Commons/Walgreens to the east. These frontages are prioritized for pedestrian-

oriented and active ground floor uses. Buildings fronting on the designated Pedestrian Frontage Zone shall be subject to the following requirements:

- a. Ground floor uses shall be reserved for retail, restaurant, and uses open to the public on an appointment or walk-in basis, including but not limited to personal service, office, repair, and municipal uses (“Publicly Oriented Uses”).
- b. Residential uses and non-residential uses which are not Publicly Oriented Uses shall be allowed to have access from the building frontage zone by an entrance that leads to the upper floors of the building, or by an entrance to the rear of the building.
- c. Residential uses and non-residential uses which are not Publicly Oriented Uses shall be allowed on ground floors where:
 - 1) The use is within a building with frontage on the street and the use is set back a minimum of sixty feet from the street right-of-way line; or
 - 2) The PEDB may waive this requirement if it determines that street-front residential and/or other non-Publicly Oriented Uses will not have an adverse impact on the continuity and vitality of the Publicly Oriented Uses.

C. Building Placement and Orientation.

1. Building Lot and Type: The minimum lot size in the Central Business District is identified on Table 2 - Dimensional and Density Regulations in Section 6.1 of the Zoning Bylaws. For specific building types, there are alternative dimensional standards for building lot and for building design that apply under Section 10.4 below.
2. Number of Buildings: There is no limit on the number of principal buildings allowed on a building lot except as limited by dimensional requirements and other site development standards in this section.
3. Building Step-back and Street Enclosure: Buildings in the Central Business District shall be set-back or stepped back from the street right-of-way line in accordance with Table 9.3.B.6 for the Village Center Street Type. Therefore, a building may have to be setback or stepped back further from the street right-of-way line in order to achieve the maximum height allowed. The purpose of this requirement is to enhance the pedestrian environment and prevent excessive enclosure and shadowing on Main Street. The space created by building setbacks is referred to as the Building Frontage Zone and streetscape treatments and outdoor amenities space is highly encouraged. (See Section 10.5.B below).
4. Facade Orientation: Buildings located within sixty feet of a street right-of-way line must be built parallel to the street and the front facade and entrance of the building oriented to the public sidewalk. If there is lot area provided between the front building facade and the street right-of-way line (Building Frontage Zone), it must be used for streetscape improvements and/or outdoor amenity space.

D. Parking Requirements.

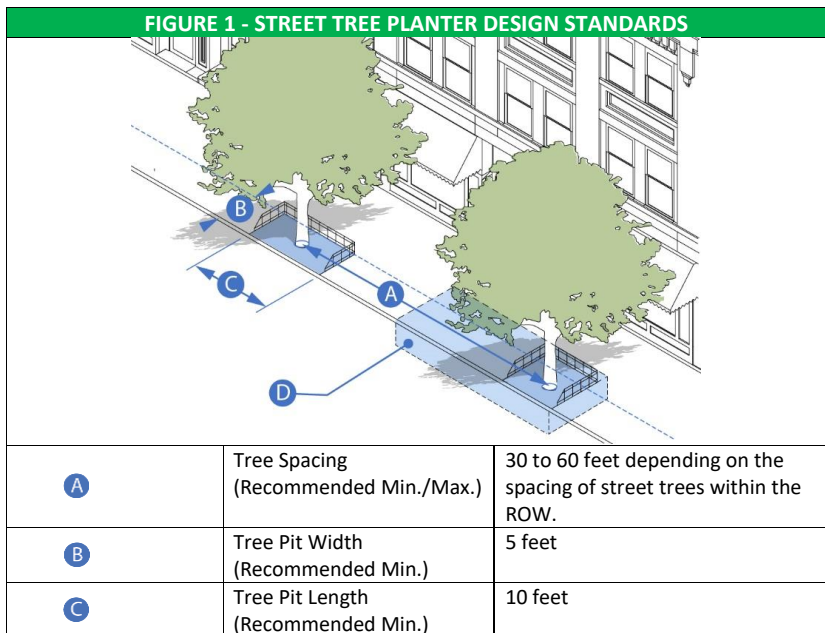
1. Purpose and Intent. The purpose and intent in applying parking standards in the Central Business District are as follows:
 - a. To improve walkability by minimizing sidewalk interruptions and conflict points between pedestrians, cyclist, and vehicles on Main Street and on site.

- b. To ensure adequate parking for existing and new development while minimizing excessive and inefficient off-street parking lots that result in lost opportunities to develop new buildings that expand business and the tax base.
 - c. To encourage the use of public transportation, bicycling, and walking as an alternative to motor vehicle use when a choice of travel mode exists.
2. Applicability. The parking requirements in Section 7.1.1 shall apply to the Central Business District with the following adjustments:
- a. Off-Street Parking Requirements. In the Central Business District (CB) the minimum number of off-street parking spaces required by use on Table 3 in Section 7.1.1.D. shall be interpreted to be both a minimum and the maximum amount of parking spaces required. A reduction of parking may be allowed by special permit under Section 7.1.1.J. Additional off-street parking spaces shall require a waiver from the Planning and Economic Development Board and the applicant shall demonstrate sufficiently that additional parking is necessary.
 - b. Parking Area Design. In addition to the standards provided in Section 7.1.1.F., the following standards shall be required in the ~~Central~~ Business District:
 - 1) Parking Area Plantings. In parking lots containing thirty or more spaces, a minimum of one deciduous tree and two shrubs exclusive of any required perimeter plantings must be planted for every three-thousand square feet of parking lot. When planted, deciduous trees must be a minimum height of ten feet and/or two and one half inches in caliper. Planting areas must each contain not less than fifty square feet of unpaved soil area. Trees and soil plots shall be so located as to provide visual relief and wind interruption within the parking area, and to assure safe patterns of internal circulation.
 - 2) Internal Pedestrian Access. In parking lots with more than seventy-five spaces, the expanse of pavement shall be interrupted by separating rows of parking spaces from each other by installing a combined planting strip and sidewalk at least eight feet in width. Design of these planting strips/sidewalks shall take into account the need to store snow, locate light poles, install deciduous trees, and allow safe pedestrian movement. In addition, if an existing parking lot is expanded to over seventy-five spaces, planting strips and sidewalks shall be required for the entire lot. All proposals to construct or modify such parking lots shall be reviewed by the Planning and Economic Development Board.
 - c. Parking Placement. As an exception to Section 7.1.1.G., all off-street parking shall be located behind or beside buildings located in the Pedestrian Frontage Zone and within sixty feet of the Main Street right-of-way line. Vehicular parking between the front building line and the street right-of-way line is permitted only if the Planning and Economic Development Board grants a special permit and the applicant can demonstrate that no other reasonable alternative exists.
 - d. Temporary Use of Off-Street Parking. In addition to provisions for reduced parking in Section 7.1.1.J., excess parking may be reprogrammed and utilized for temporary commercial uses such as for seasonal retail sales, food trucks, farmers' markets, craft shows, live entertainment, auxiliary space for one or more restaurants, and similar commercial uses. A special permit is required by the Planning and Economic Development Board and the applicant shall demonstrate that the excess parking spaces are not necessary to support existing businesses on site, and that the temporary

commercial use provides a sufficient level of safety for users.

E. Streetscaping, Landscaping and Screening.

1. General Standards. Landscaping shall comply with the Planning and Economic Development Board Rules and Regulations, Chapter 200 - Site Plans – Rules & Regulations for Submission and Review of Site Plans, Section 205-9. In the event of any conflict between the provisions of this bylaw and the provisions of said Regulations, the provisions of this bylaw shall apply.
2. Streetscape Treatments. In the Building Frontage Zone between the Main Street right-of-way line and the front facade of the building, streetscape treatments should be coordinated and complimentary to the public sidewalk and streetscape treatments within right-of way.
 - a. Sidewalk Expansion. A concrete walkway or terrace may be installed adjacent to the public sidewalk within the Building Frontage Zone where no landscaping has been installed on the outer edge of the right-of-way, in effect, expanding the public sidewalk. This expansion is required along the entire length of the frontage and connecting to existing or future sidewalk extensions on adjacent lots.
 - b. Street Trees. Deciduous street trees may be installed in the Building Frontage Zone that compliment street trees within the street right-of-way. Trees shall be a minimum of three and one-half inch caliper at least four feet above grade and of native species common to the area. All trees should be drought and salt tolerant. They should be regularly trimmed to provide clear visibility into the site from the street and provide shade over the walkway.



D	Recommended Soil Volume	600 cubic feet (min.) for small tree or 1,000 cubic feet (min.) for large tree
	Minimum soil surface area for alternate tree pit dimensions	≥50 square feet

- c. Ground Cover. Low lying and low maintenance grasses, shrubs, bushes, flowers, and similar vegetative materials may be planted evenly adjacent to the street right-of-way line. All ground cover must be maintained at no more than thirty inches to avoid blocking visibility for drivers entering or exiting the site.
- d. Other Enhancements in the Building Frontage Zone. Additional treatments and design standards are identified in Section 10.5.B.
3. Transitional Buffer Requirements. Transitional buffers are required between properties in the Central Business District and abutting residential districts to create a compatible transition with the surrounding neighborhoods. Where transitional areas occur, buffers may include a combination of natural or landscaped screening and fencing that provides an opaque visual barrier to a minimum height of eight feet above the ground. All buildings, accessory structures, and loading areas shall be setback a minimum of seventy-five feet, and parking shall be setback a minimum of fifty feet from the property line along all transitional buffer boundaries.
4. Public Utilities. All new public utilities (except structures and other facilities that require above-grade access) shall be installed underground.
5. Trash and Service Areas.
 - a. All service, loading, trash, and recycling storage areas viewable from a public right of way or from an adjacent residential district shall be screened by one or a combination of masonry, a wood screen, or evergreen plantings to reduce their visual impact.
 - b. Loading and service areas shall not face a residential district unless no other location is feasible.
 - c. Garage doors and loading spaces are prohibited on the street facing façade of any commercial, mixed use, or multi-family building unless no other location is feasible.
6. Sustainable Site Design Standards. Sustainable Design and Low Impact Development (LID) techniques shall be used in the Central Business District to reduce stormwater runoff, improve water quality, maintain canopy tree cover, protect natural landscapes, install appropriate planting materials, and encourage the production of local food. In achieving the requirements of this section, applicants shall comply with sustainable and low impact development techniques provided in the Planning & Economic Development Board Rules and Regulations, Chapter 200 - Site Plans – Rules & Regulations for Submission and Review of Site Plans, Section 205-4; Massachusetts Stormwater Management Standards; and Town of Medway General Bylaws Article XXVI, Stormwater Management and Land Disturbance.

F. Outdoor Amenity Space

1. General Standard. The amount of outdoor amenity space provided within a site development

shall be equal to the minimum amount of open space required in Section 6, Table 2 - Dimensional and Density Regulations of the Zoning Bylaws. Outdoor amenity space shall not include transitional buffer areas, landscaping within parking areas, or general landscaping alongside yard setbacks.

2. Permitted Outdoor Amenity Spaces. The outdoor amenity spaces and associated design standards identified in Table 9.6.B.1. and permitted in the Central Business District are listed below. The total amount of required outdoor amenity space may be any combination of those permitted in the Central Business District.
 - a. Dooryard (Residential Buildings Only)
 - b. Forecourt
 - c. Community Garden (Residential Buildings Only)
 - d. Courtyard
 - e. Plaza or Square
 - f. Pocket Park or Playground (Residential Buildings Only)
 - g. Outdoor Dining Terrace
 - h. Rooftop Terrace
3. Building Outdoor Amenity Spaces. Outdoor amenity spaces for individual buildings include rooftop gardens and terraces, decks, porches, stoops, balconies, pedestrian passages, and similar accessory spaces where outdoor seating can be provided.
4. Other Outdoor Amenity Space Types. Permitted by special permit by the Planning and Economic Development Board.

G. Signs. The sign regulations in Section 7.2 shall apply to the Central Business District except for the variations under Public Realm Interface in Section 10.5.B below.

10.3. MIXED USE DEVELOPMENT STANDARDS

A. Applicability

1. The Planning and Economic Development Board may grant a special permit for a Mixed-Use Development or a Mixed-Use Building in the Central Business District to include a combination of uses allowed by right and uses allowed by special permit as specified in Table 1 – Schedule of Uses.
2. The provisions of this Section are available by special permit from the Planning and Economic Development Board for uses permitted by right in order to achieve a flexible site design.

B. Definitions: See definitions of Mixed-Use Development, Mixed-Use Building, and Multi-Family Building in SECTION 2 DEFINITIONS.

C. Dimensional Requirements.

1. Mixed Use and Residential Development. The dimensional requirements for the Central Business District are provided in Section 6.1. Schedule of Dimensional and Density

Regulations. For residential and mixed use development, the following standards apply.

- a. Front-yard Setback Encroachments. Principal buildings shall be set back a minimum of 10 feet from the front lot line. Architectural features such as bay windows, porches, balconies, porticos, canopies, etc. shall not be subject to the ten-foot minimum setback.
- b. Side-Yard and Rear-Yard Setbacks. Notwithstanding the provisions of Section 10.2.E.3. For lot lines abutting a residential zoning district, twenty-five feet of which the first ten feet nearest each lot line shall not be used for the parking or storage of vehicles and shall be suitably landscaped. There is no side-yard or rear-yard setback for properties abutting other properties within the Central Business district.
- c. Maximum Building Height: Residential and mixed use buildings shall not exceed sixty feet and are subject to the building height step back requirements in Section 10.2.C.3.

D. Residential Uses in a Mixed Use Development.

1. Combination of Uses in a Mixed Use Building. A mixed-use building shall include multi-family residential units and retail, municipal, service, office, commercial or other business uses allowed in the zoning district (hereinafter referred to as “business uses”) in at least the minimum percentage as set forth in Subsection D.2 below.
2. Percentage and Location of Uses in a Mixed Use Building. Except as provided in Section D.4 below, in a two-story building at least fifty percent of the gross floor area shall be comprised of business uses, and no more than fifty percent of the gross floor area shall comprise multi-family dwelling units and common areas and support facilities associated with those multi-family dwelling units. In a three-story building, at least thirty-three percent of the gross floor area shall be comprised of business uses, and no more than sixty-seven percent of the gross floor area shall be comprised of multi-family dwelling units and common areas and support facilities associated with those multi-family units. In a building of four stories or more, at least twenty-five percent of the gross floor area shall be comprised of business uses, and no more than seventy-five percent of the gross floor area shall be comprised of multi-family dwelling units and common areas and support facilities associated with those multi-family units. The gross floor area comprised of business uses may include hallways, lobbies, maintenance areas, security areas, closets, and other areas which serve exclusively the business uses in that building.
3. Residential Use On Ground Floor Exception. Multi-family dwelling units may not be located on the ground floor of a mixed-use building or development unless:
 - a. The building with the multi-family dwelling units is set behind another building which has business uses on the ground floor and a front façade that faces a public way or primary access drive; or
 - b. The residential portion of the ground floor is set behind the business uses within the same building which has a front façade that faces a public way or primary access drive.
4. Residential Buildings in Mixed Use Development. A mixed-use development may include a building comprised of only multi-family dwelling units and common areas and support facilities associated with those multi-family dwelling units under the condition that the multi-family building shall meet the requirements of Section 10.3.D.5 below and shall be set back at least two hundred feet from the Main Street right-of way line on the north side and one

hundred feet from the Main Street right-of-way line on the south side.

5. Ratio of Residential to Business GFA in a Mixed Use Development. The business use potential shall be determined by calculating fifty percent of the total gross square footage of the lot or development tract resulting in a Floor Area Ratio (FAR) of .5. Stand-alone residential buildings shall not be permitted in a Mixed Use Development until the business use gross square footage achieves a FAR of .5
6. ~~Limit on Number of Bedrooms. No more than ten percent of the total number of a mixed use development's residential dwelling units shall have more than two bedrooms.~~
7. Affordability Requirements. The provisions of Section 8.6. Affordable Housing shall apply to Mixed-Use Developments.

Commented [BSA2]: Are we sure we want this section? Shouldn't it state that at least 10% will be more than two bedrooms?

E. Special Permit Review Criteria:

1. Special permits granted under this Section 10.3 are not subject to the special permit criteria under Section 3.4.
2. Before granting a special permit for a mixed-use development or flexible site design of a permitted use in the Central Business district, the Planning and Economic Development Board shall find that all of the following criteria are met:
 - a. The proposed uses and site design represent the qualities of a traditional New England town center;
 - b. The proposed site design is environmentally sound and is readily accessible to and useable by pedestrians;
 - c. The proposed site design reflects and advances the goals and objectives of the Medway Master Plan as updated;
 - d. Adequate pedestrian and (where applicable) vehicular linkages within the site and connecting to abutting properties are provided;
 - e. Streets, driveways, sidewalks, landscaped areas and public services are laid out in a safe manner;
 - f. Any detrimental impacts of the use on abutting properties and/or residential neighborhoods have been adequately mitigated; and
 - g. The site design incorporates the site's existing topography and protects natural features to the maximum extent ~~possible~~feasible.

10.4. BUILDING TYPES AND DESIGN STANDARDS

A. Building Façade Composition and Architectural Features.

1. Building Transparency: Street facing façades shall have windows and doors with highly transparent, low reflectivity glass measured on the ground floor between two feet and twelve feet. Upper floor transparency may vary with use.
2. Building Articulation and Modulation: Street-facing building façades should be vertically articulated with architectural bays to create an equal, central, or end articulated façade composition. Street-facing building façades should be horizontally articulated with a clearly defined base, middle, and top. See Diagram 9.3.C.2.

3. Surface Relief with Architectural Features: Street-facing building façades should provide surface relief through the use of bay windows, cladding, columns, corner boards, cornices, door surrounds, moldings, piers, pilasters, sills, sign bands, windows, and other architectural features that either recess or project from the average plane of the façade by at least four inches. See Diagram 9.3.C.3.

B. Exterior Treatments.

Unless otherwise required by the State Building Code, Fire Code, or other regulation, traditional construction materials such as brick, stone, clapboard, and shingle are suggested construction materials. Other contemporary construction materials such as glass, metal, block, and other siding materials may be appropriate in certain instances when compatible with more traditional materials. The main elements of the architectural treatment of the building's street-facing façade, including the materials used, should be continued around all sides of the building that are visible from existing streets or Outdoor Amenity Spaces.

C. Commercial, Residential and Mixed Use Building Types.

1. Building Design Standards: The building types and associated design standards permitted in the Central Business District are identified below:
 - a. Rowhouse (RH) on Separate Lot as set forth in ~~(See TABLES 9.4.C.1.A).~~
 - b. Rowhouse (RH) on Common Lot as set forth in ~~(See TABLES 9.4.C.1.A).~~
 - c. Multi-Family Building as set forth in ~~(See TABLES 9.4.C.1.A).~~
 - d. Mixed Use Building as set forth in ~~(See TABLES 9.4.C.1.B).~~
 - e. General Commercial Building as set forth in ~~(See TABLES 9.4.C.1.B).~~
 - f. Hotel as set forth in ~~(See TABLES 9.4.C.1.B).~~
 - g. Gas Station and Convenience Store as set forth in ~~(See TABLES 9.4.C.1.B).~~, applicable to substantial redevelopment or renovation of existing vehicle fuel stations only pursuant to Section 10.2.A.
 - h. Civic or Community Building as set forth in ~~(See TABLES 9.4.C.1.C).~~
2. Alternative Building Types: If a new building is proposed that cannot be classified as one of the allowed building types of this section by the Building Commissioner, the building type is subject to special permit review by the Planning and Economic Development Board.

10.5. PUBLIC REALM STANDARDS

A. Access Street Design Standards.

Access streets provide internal site access from existing public streets in the Central Business District. Access streets shall be engineered and constructed in accordance with the design standards in Section 7 of the Medway PEDB Land Subdivision Rules and Regulations. In the event of any conflict between the provisions of this bylaw and the provisions of said Regulations, the provisions of this bylaw shall apply. Access streets must have a minimum cross section of twenty-four feet with two travel lanes and at least one sidewalk connecting the public sidewalk with the front entrance of a primary building on site. Access streets may also include sidewalks on both sides, on-street parking, street trees, curb extensions, and crosswalks under the design standards in Section 9.7.B and as illustrated in DIAGRAM 9.7.B.5.

B. Public Realm Interface

1. **Building Frontage Zones.** A Building Frontage Zone is the setback space between the street facing façades of the building and the street right-of-way line (See DIAGRAM 9.7.C.1.). Utilization of the Building Frontage Zone should provide a compatible transition and interface between the private realm (on site buildings and uses) and the public realm (sidewalks, streets, and civic spaces). Outdoor Amenity Spaces are required in the Building Frontage Zone, and building interfaces are also encouraged within the Central Business District.
2. **Building Interface with Main Street ROW Line.** Selected building interfaces and related interactive components on TABLE 9.7.C.2. may be permitted with a special permit from the Planning and Economic Development Board in the Building Frontage Zone (BFZ) when they contribute to vibrant spaces for the enjoyment of the public and do not interfere with the public sidewalk. Standards for permissible building interfaces are set forth in TABLE 9.7.C.2. and allowed in the Central Business District as follows:
 - a. Sidewalk Dining (Building Frontage Zone only)
 - b. Storefront Display (Building Frontage Zone only)
 - c. Sidewalk Sign (Building Frontage Zone only)
 - d. Projecting Sign (Building Frontage Zone and over the public sidewalk)
 - e. Awning (Building Frontage Zone only)
 - f. Balcony (Building Frontage Zone only)
 - g. Bay Window (Building Frontage Zone only)
 - h. Gallery (Building Frontage Zone only)

And to amend the Section 5.4 Schedule of Uses and Table 1 as follows: (deleted language shown in ~~strike through~~, added language shown in **bold**)

Insert 5 pages of an Excel document after this page.

And to amend Section 6.1 Schedule of Dimensional and Density Regulations & Table 2 as follows:
(deleted language shown in ~~strike through~~, added language shown in **bold**)

TABLE 2. DIMENSIONAL AND DENSITY REGULATIONS										
Requirement	AR-I	AR-II	VR	CB	VC	NC	BI	EI	ER	WI
Minimum Lot Area (Sq. Ft.)	44,000	22,500	22,500	10,000	10,000	20,000	20,000	20,000	20,000	40,000
		30,000 ^{a, b}	30,000 ^{a, b}							
Minimum Lot Frontage (Ft.)	180'	150'	150'	50' NA ^f	50'	50'	75'	100'	150'	100'
Minimum Setbacks (Ft.) ^c										
Front	35'	35'	20' ^d	10'	20' ^d	35'	25'	30'	30'	30'
Side	15'	15'	10' ^d	10'	10' ^d	15'	15'	20'	20'	20'
				25' ^e						
Rear	15'	15'	10' ^d	25'	10' ^d	15'	15'	30'	30'	30'
Maximum Building Height (Ft.)	35'	35'	35'	40'	40'	40'	40'	60'	40'	60'
Maximum Lot Coverage (Pct. of lot) (Primary and accessory buildings and structures) – <small>Amended 5-8-17</small>	25%	30%	30%	80%	80%	40%	40%	NA	NA	NA
Maximum Impervious Coverage (Pct. of lot)	35%	40%	40%	NA	NA	80%	80%	80%	80%	80%
Minimum Open Space (Pct. of lot)	NA	NA	NA	15%	NA	20%	20%	20%	20%	20%

Notes to Table 2

NA means not applicable

- a. For a two family house. No parking shall be permitted within 10 feet of an adjoining lot line
- b. For a newly constructed two-family house or when a single family detached house is enlarged for 2 family house.
- c. When a nonresidential use abuts a residential use, the first 10 feet within the required side or rear setback of the nonresidential use along the lot line shall be used as a buffer
- d. Or the average setback of the existing primary buildings within 300' of the lot on the same side of the street and within the same zoning district, whichever is less.
- e. When abutting a residential district.
- f. **Properties in the Central Business District that do not have frontage on a public street shall be required to have an easement of a least 30 feet in width providing access to a public street.**

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

TABLE 1: SCHEDULE OF USES

	AR-I	AR-II	VR	CB	VC	NC	BI	EI	ER	WI	Form-Based Districts		
											OGVC	OGBP	OGN
A. Agriculture, Conservation, Recreation Uses													
Agriculture, excluding piggeries and fur farms on less than 5 acres of land, and excluding livestock on less than 44,000 sq. ft. of land.	Y	Y	N	N	N	N	N	N	N	N	N	N	Y
Poultry on less than 1 acre. Minimum lot size for poultry is 5,000 sq. ft. subject to Board of Health regulations.	Y	Y	Y	N	N	N	N	N	N	N	N	N	Y
Commercial Greenhouse	SP	SP	N	N	N	Y	Y	N	N	N	N	PB	N
Nursery	SP	SP	N	N	N	Y	Y	N	N	N	N	N	N
Recreational facility	SP	SP	N	N	N	N	Y	Y	N	N	Y	Y	PB
Ski Area	SP	SP	N	N	N	N	N	N	N	N	N	N	N
Golf course	SP	SP	N	N	N	N	N	N	N	N	N	N	N
Livery riding stable	Y	Y	N	N	N	N	N	N	N	N	N	PB	PB
B. PUBLIC SERVICE													
Municipal use	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Public utility	SP	SP	SP	SP	Y	Y	Y	Y	Y	Y	N	N	N
C.RESIDENTIAL USES													
Detached single-family house (<i>Amended 5-7-17</i>)	Y	Y	Y	N	Y	N	N	N	N	N	N	N	Y ¹
Two-family house/duplex, provided that the exterior of the dwelling has the appearance of a single-family dwelling. (<i>Amended 5-7-17</i>)	N	SP	SP	N	N	N	N	N	N	N	N	N	N
Infill dwelling unit, subject to Section 8.1.	N	PB	PB	N	N	N	N	N	N	N	N	N	N
Open space residential development, subject to Section	PB	PB	N	N	N	N	N	N	N	N	N	N	N
Assisted living residence facility	PB	PB	N	N	N	N	N	N	N	N	PB	N	N
Adult retirement community planned unit development, subject to Section 8.5	PB	PB	N	N	N	N	N	N	N	N	N	N	N
Rowhouse subject to Section 10.0	N	N	N	PB	N	N	N	N	N	N	Y²	N	Y
Multi-Family Building, Apartment Building, and Multi-Family Development (<i>Amended 11-18-19</i>)	Allowed by special permit from the Planning and Economic Development Board in the Multi-Family Overlay District (See Section 5.6.4) and the Medway Mill Conversion Subdistrict (See Section 5.6.2 E).										Y ²	N	Y
Mixed-Use Development and Mixed Use Building subject to Section 10.0 5.4.1 (<i>Amended 11-16-20</i>)	N	N	N	PB	N	N	N	N	N	N	Y	Y	N
Long-term care facility	SP	SP	N	N	N	N	N	N	N	N	PB	N	PB

	AR-I	AR-II	VR	CB	VC	NC	BI	EI	ER	WI	Form-Based Districts		
											OGVC	OGBP	OGN
Accessory Uses													
Accessory family dwelling unit, subject to Section 8.2	SP	SP	SP	N	SP	N	N	N	N	N	N	N	N
Home-based business, subject to Section 8.3	Y	Y	Y	N Y	Y	N	N	N	N	N	Y	N	Y
Boathouse	Y	Y	N	N	N	N	N	N	N	N	N	N	N
Greenhouse	Y	Y	Y	N	N	N	N	N	N	N	Y	N	Y
D. BUSINESS USES													
Retail Trade													
Retail bakery <i>(Added 11-16-15)</i>	N	N	N	Y	Y	Y	Y	N	N	N	Y	Y	N
Retail sales	N	N	N	Y	Y	Y	Y	N	N	N	Y	Y	N
Retail store larger than 20,000 sq. ft.	N	N	N	SP PB	N	N	SP	N	N	N	PB	PB	N
Retail sales, outdoors	N	N	N	N	N	N	Y	N	N	N	N	PB	N
Shopping center/multi-tenant development	N	N	N	SP PB	N	SP	SP	N	N	N	PB	PB	N
Auto parts	N	N	N	N	N	N	Y	N	N	N	N	N	N
Florist	N	N	N	Y	Y	Y	Y	N	N	N	Y	Y	N
Indoor sales of motor vehicles, trailers, boats, farm equipment, with accessory repair services and storage, but excluding auto body, welding, or soldering shop	N	N	N	N	N	N	N	N	N	N	N	PB	N
Hospitality and Food Services													
Restaurant providing food within a building, which may include outdoor seating on an adjoining patio	N	N	N	Y	Y	Y	Y	N	N	N	Y	Y	N
Restaurant providing live entertainment within a building, subject to license from the Board of Selectmen	N	N	N	Y	SP	SP	N	N	N	N	Y	Y	N
Brew pub	N	N	N	Y	Y	Y	Y	N	N	N	Y	Y	N
Motel <i>(Amended 11-16-20)</i>	N	N	N	SP PB	N	N	N	N	N	Y	PB	PB	N
Hotel <i>(Amended 11-16-20)</i>	N	N	N	SP PB	N	N	N	N	N	Y	Y	Y	N
Bed and breakfast	SP	N	N	N	N	N	N	N	N	N	Y	N	PB
Inn	SP	SP	SP	SP	SP	N	N	N	N	N	Y	N	N
Cultural and Entertainment Uses													
Studio	N	N	SP	Y	Y	Y	N	N	N	N	Y	Y	N
Museum	N	N	N	Y	SP	SP	N	N	N	N	Y	PB	N
Movie theatre/cinema	N	N	N	SP	N	N	N	N	N	N	Y	PB	N
Gallery	N	N	N	Y	Y	Y	N	N	N	N	Y	PB	N
Commercial indoor amusement	N	N	N	SP	N	N	Y	Y	Y	Y	Y	Y	N

	AR-I	AR-II	VR	CB	VC	NC	BI	EI	ER	WI	Form-Based Districts		
											OGVC	OGBP	OGN
Professional Uses and Financial Services													
Financial institution	N	N	N	Y	Y	Y	Y	N	N	N	Y	Y	N
Professional or business office	N	N	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	N
Services													
Personal care service establishments	N	N	N	Y	Y	Y	Y	N	N	N	Y	Y	N
Service establishment <i>(Amended 11-13-17)</i>	N	N	N	Y	Y	Y	Y	N	N	N	Y	Y	N
Doggie day care	N	N	N	N	N	N	SP	N	N	N	N	Y	N
Repair shop	N	N	N	N Y	Y	Y	Y	SP	N	N	Y	Y	N
Furniture Repair	N	N	N	N Y	Y	Y	Y	SP	N	N	N	Y	N
Educational/instructional facility, commercial	N	N	N	Y	Y	Y	Y	Y	N	N	Y	PB	N
Funeral home	SP	SP	N	SP	Y	Y	Y	N	N	N	N	N	N
Veterinary hospital	SP	SP	N	N PB	N	Y	Y	N	N	N	N	PB	N
Kennel	SP	SP	SP	N	SP	N	SP	SP	N	N	N	PB	N
Medical office or clinic	N	N	N	Y	Y	Y	Y	N	N	N	Y	Y	N
Adult day care facility, subject to Section 8.5	PB	PB	N	N PB	N	N	N	N	N	N	N	N	N
Automotive Uses													
Vehicle fuel station with repair services⁴	N	N	N	N PB	N	N	PB	N	N	N	N	N	N
Vehicle fuel station with car wash	N	N	N	N	N	N	PB	N	N	N	N	N	N
Car wash	N	N	N	N	N	N	PB	N	N	N	N	PB	N
Vehicle fuel station with convenience store⁴	N	N	N	N PB	N	N	PB	N	N	N	PB	N	N
Vehicle repair	N	N	N	N	PB	N	PB	Y	N	N	N	Y	N
Auto body shop	N	N	N	N	N	N	PB	Y	N	N	N	Y	N
Parking Lot† <i>(Added 11-16-20)</i>	N	N	N	N	N	N	N	N	N	N	N	N	N
Other Business Uses: Unclassified													
Adult uses	N	N	N	N	N	N	N	Y	N	N	N	N	N
Mixed-Use Development and Mixed Use Building subject to Section 10.0 5.4.1 <i>—(Added 11-16-20)</i>	N	N	N	PB	N	N	N	N	N	N	Y	Y	N
Accessory Uses													
Drive-through facility <i>(Amended 11-16-20)</i>	N	N	N	N PB	N	PB	PB	N	N	N	PB	PB	N
Outdoor display	N	N	N	SP	SP	SP	SP	N	N	N	Y	Y	N

	AR-I	AR-II	VR	CB	VC	NC	BI	EI	ER	WI	Form-Based Districts		
											OGVC	OGBP	OGN
G. MARIJUANA RELATED USES													
Recreational Marijuana Establishment <i>(Added 3-19-18 and amended 5-21-18)</i>	N	N	N	N	N	N	N	PB	N	PB	N	N	N
Recreational Marijuana Retailer <i>(Added 3-19-18 and amended 5-21-19)</i>	N	N	N	N	N	N	N	N	N	N	N	N	N
Recreational Marijuana Social Consumption Establishment <i>(Added 5-21-18)</i>	N	N	N	N	N	N	N	N	N	N	N	N	N
Registered Medical Marijuana Facility (Retail) <i>(Added 5-21-18)</i>	N	N	N	N	N	N	PB	N	N	N	N	N	N
Registered Medical Marijuana Facility (Non-retail) <i>(Added 5-21-18)</i>	N	N	N	N	N	N	N	PB	N	PB	N	N	N

Footnotes:

1. In the OGN District, detached single family homes are permitted if they meet the design standards for cottages under Section 9.4
2. In the OGVC District **and CB District**, multi-family dwellings and developments include rowhouses (attached single family units) which are subject to the design standards under Section 9.4
3. **Allowed by special permit from the Planning and Economic Development Board in the Multi-Family Overlay District (See Section 5.6.4) and the Medway Mill Conversion Subdistrict (See Section 5.6.2 E).**
4. **Vehicle fuel station with convenience store in the Central Business District (CB) is only allowed on the site of an existing vehicle fuel station with convenience store or an existing vehicle fuel station with repair services. Any substantial improvement to the existing building(s) or fueling station(s) shall require the site to comply with the design standards of Gas Station and Convenience Store in Section 9, Table 9.4.C.1.B**

3/1/2021 - REVISED

Susan Affleck-Childs

From: Joe Eddy <jeddy@jeproperties.com>
Sent: Friday, February 26, 2021 12:15 PM
To: Susan Affleck-Childs
Cc: Andy Rodenhiser; Barbara Saint Andre
Subject: RE: Medway - Central Business District zoning

Hi Susan – thanks for reaching out. The bank also reached out to us to rekindle the purchase and sale. You guys have clearly put a lot of thought into the zoning of this area.

We totally understand the town's desire to add commercial space to the Central Business District. However, if this is the final language the zoning is infeasible in today's environment and in the foreseeable future. Both retail and office will never be the same now that companies have learned that remote work saves money and is just as productive. A 0.5 FAR commercial requirement doesn't work. An FAR of 0.5 in the front 200 feet would be feasible, but it may not meet the Town's desire to create commercial space in that area at some point in the distant future. If the FAR commercial requirement changes to just the front part of the parcel, then we would be interested in developing it.

Thanks,

Joe

From: Susan Affleck-Childs <sachilds@townofmedway.org>
Sent: Friday, February 26, 2021 11:56 AM
To: Joe Eddy <jeddy@jeproperties.com>
Cc: Andy Rodenhiser <andy@rodenhiser.com>; Barbara Saint Andre <bsaintandre@townofmedway.org>
Subject: Medway - Central Business District zoning

Hi Joe,

Hope you are well.

The Planning and Economic Development Board has continued to work on developing new zoning for the central business district.

Attached is the latest draft of proposed amendments that we have submitted to the Board of Selectmen for inclusion on the warrant for the May 10th Town Meeting. Andy Rodenhiser asked me to forward this to you.

The public hearing on this and other proposed zoning bylaw amendments is scheduled for Tuesday, March 9th. I have attached the public hearing notice.

Best regards,

Susy Affleck-Childs

Susan E. Affleck-Childs
Planning and Economic Development Coordinator
Town of Medway
155 Village Street
Medway, MA 02053
508-533-3291

Susan Affleck-Childs

From: tag70c3@verizon.net
Sent: Friday, February 12, 2021 4:37 PM
To: Ted Brovitz
Cc: Susan Affleck-Childs; Barbara Saint Andre; Andy Rodenhiser
Subject: Re: Medway CBD - Draft #2

So... OK.... understood. However I think we need a higher number is needed. The developments of the last 20years you mention were done before an adjustment in the parking standards (downward), Gould's Plaza functions quite nicely even though it is a small parking area for the size of the facility and part of the whole CBD proposal is to suggest less cars and more walking.

Maybe a FAR of 50 is the right call....

TAG

On Feb 12, 2021 9:27 AM, Ted Brovitz <ted.brovitz@gmail.com> wrote:

I think we'd be better off with a clear standard that can be measured at the beginning of the development/redevelopment process. If a project is done in phases then the PEDB would have to recalculate as future proposals are made. Floor Area Ratio (the ratio of GFA to Lot GFA) might be a simple but effective way of creating a business use threshold. For example, the standard 10,000 SF lot that we're used would result in an FAR of .26. (that is, 10,000 SF Lot - Area in Setbacks (4,800 SF) = the Building Envelope (5,200 SF). Subtract 50% for Open Space and Parking = 2,600 SF or 26% (26 FAR) of the 10,000 SF Lot).

I've attached the CBD Property Inventory and Analysis. It includes a measurement of FAR for each property. The average FAR for the CBD is .15 with the higher examples being Gould Plaza (.61), Berkshire Hathaway Real Estate (.39), Medway Shopping Plaza (.32), Reardon Building (.46). The FAR for the only developments in the past 20 years are Medway Commons (.14) and Direct Tire (.21).

So if we set the Business Use Potential at a reasonable and measurable FAR (maybe .25). than if would clearly provide a threshold at which point residential could be constructed at ground level.

Thoughts?

On Thu, Feb 11, 2021 at 4:32 PM <tag70c3@verizon.net> wrote:

Hi Ted... real close...

Instead of 50% I would say "needed or required square footage". It could vary....

TAG

On Feb 11, 2021 12:22 PM, Ted Brovitz <ted.brovitz@gmail.com> wrote:

Hi Everyone,

I've attached a revised draft of the CBD amendment (2.1) which incorporates the business/residential ratio formula discussion by the PEDB for mixed use developments. I've also attached some diagrams that

illustrate the existing and proposed requirements. Tom - please let me know if I accurately captured your suggestions in the proposed alternative formula under Section 10.3D.5.

Thanks,

Ted

On Wed, Feb 10, 2021 at 12:41 PM Susan Affleck-Childs <sachilds@townofmedway.org> wrote:

Hi Ted,

Tom Gay would be glad to talk with you about the ratio of commercial to residential development.

You can call him at 508-341-5174.

Thanks.

Susy

From: Ted Brovitz [mailto:ted.brovitz@gmail.com]

Sent: Wednesday, January 27, 2021 5:12 PM

To: Barbara Saint Andre <bsaintandre@townofmedway.org>

Cc: Susan Affleck-Childs <sachilds@townofmedway.org>; Jack Mee <jmee@townofmedway.org>; Andy Rodenhiser <andy@rodenhiser.com>

Subject: Re: Medway CBD

Hi Everyone,

I've attached draft 2 of the Central Business District bylaw. There are a few issues that need further vetting with the board such as gas backwards on existing gas stations in the district and the ratio of commercial to residential space in a mixed use development. Also, there are a few changes to the table of use including allowing drive -thrus with special permit from the PEDB. Because these facilities could negatively impact walkability and pedestrian orientation, I've added some design standards for your consideration. Please let me know if you have any initial questions or comments.

Thanks,

Ted

On Sat, Jan 23, 2021 at 1:50 PM Ted Brovitz <ted.brovitz@gmail.com> wrote:

Hi Everyone. I've put together some development case studies for the board. It includes mixed use, residential, civic, and gas backwards examples of infill development in commercial districts. Please let me know if you have any questions or comments. Ted

On Fri, Jan 22, 2021 at 9:48 AM Ted Brovitz <ted.brovitz@gmail.com> wrote:

Thanks Barbara. I'll incorporate your edits and suggestions into version 2 of the draft amendment. One issue I'm still a little unclear on is the adjustments the Board wants to make on the ratio of commercial to residential development in Section 10.3.d.4.b of draft 1 below:

a. The amount of gross floor area of the building comprised of only multi-family dwelling units and common areas and support facilities associated with those multi-family dwelling units which would otherwise be required by Section D.2 above to include business uses shall be added to the required business uses gross floor area of the other building(s) of the mixed-use development as additional business use space, so that the total amount of gross floor area for business uses in the mixed-use development will equal or exceed the total gross floor area for business uses which would result if no building were devoted solely to multi-family dwelling units.

Tom had suggested an alternative but I need clarification before I add it to version 2.0.

In the meantime, I've attached the slides from the PEDB meeting earlier this week. Since we only had 30 minutes, I didn't go over all the slides during the meeting but the full Powerpoint version is included here.

Ted

On Thu, Jan 21, 2021 at 3:39 PM Barbara Saint Andre
<bsaintandre@townofmedway.org> wrote:

Ted, attached is the first draft of the CBD with my red-lined comments and proposed edits.

With respect to the Table of Uses, I have the following comments:

Home Based Business: Should be Y, not PB. Not a special permit use in any other district where it is allowed, and not appropriate for special permit in my view.

Repair Shop: Similarly, should be Y, not PB. One of the comments I have heard is that the town needs to allow more business uses by right, in my view this should not require a special permit.

Veterinary hospital and furniture repair should both be Y, or at least PB. We need to maximize business and commercial uses in this district, in my view, and these are appropriate.

Vehicle fuel station: Need to vet this.

Drive through facility: Should be either Y or PB.

Thanks

Barbara J. Saint Andre

Director, Community and Economic Development

Town of Medway

155 Village Street

Medway, MA 02053

(508) 321-4918

From: Ted Brovitz [mailto:ted.brovitz@gmail.com]

Sent: Thursday, January 7, 2021 9:02 AM

To: Susan Affleck-Childs <sachilds@townofmedway.org>

Cc: Barbara Saint Andre <bsaintandre@townofmedway.org>

Subject: Re: Medway CBD

Hi Susy and Barbara,

I've attached the first draft of the CBD zoning amendments. In doing so, I've created a new Section 10 which integrates the SP mixed use provisions of section 5.4.1. This new section also invokes some of the tools we used for Oak Grove Park including building placement, design and open space standards to create a more walkable mixed use CBD. There is also a lot of emphasis on the "Building Frontage Zone" (the space between Main Street ROW and the building facade). The goal here is to complement and expand the streetscape improvements completed within the Main Street ROW through landscaping, streetscaping, outdoor amenity space, and facade treatments on individual sites. Other proposed amendments include some

minor adjustments to parking, landscaping, and the use and dimensional tables specific to the CBD.

Please take a look and let me know if you have initiative questions, comments, or suggestions. Also, I can put together some slides for next Tuesday's PEDB meeting.

Thanks,

Ted

Central Business District Zoning
EDITS offered by Town Counsel Judith Cutler (3-8-21)

ARTICLE : ~~To amend the Zoning Bylaw pertaining to the Central Business zoning district by deleting Section 5.4.1 Special Permits in the Central Business District and inserting a new SECTION 10. CENTRAL BUSINESS DISTRICT DEVELOPMENT STANDARDS as follows:~~
To see if the Town will vote to amend the Zoning Bylaws, by deleting Section 5.4.1 in its entirety and adding a new Section 10, CENTRAL BUSINESS DISTRICT DEVELOPMENT STANDARDS; and by amending Section 5.4, Table 1, Schedule of Uses, and amending Section 6.1 Schedule of Dimensional and Density Regulations and Table 2; all as follows:

Commented [BSA1]: I think it would be better to state all the amendments up front, then each is explained below.

Add the following new Section 10:

SECTION 10: CENTRAL BUSINESS DISTRICT DEVELOPMENT STANDARDS

10.1. PURPOSES

- A. To further the goals of the Medway Master Plan.
- B. To encourage mixed-use development in the Central Business District with a balanced and vibrant mix of compatible business uses and multi-family residential development.
- C. To encourage revitalization and economic investment in the Central Business District in a manner which represents the qualities of a traditional New England town center.
- D. To encourage greater variety of housing to meet the needs of a diverse population with respect to income, ability, household types, and stage of life.
- E. To improve walkability within the district and provide better access between housing, shops, services, and employment.

10.2. GENERAL SITE DEVELOPMENT STANDARDS

Uses which are allowed in the Central Business District by right or by special permit shall be required to meet the following performance standards.

A. ~~Performance Standards~~ Vehicle Fuel Station With Convenience Store.

- ~~1. Performance Standards: Uses which are allowed in the Central Business District by right or by special permit shall be required to meet the following performance standards:-~~

~~Vehicle fuel station with convenience store:~~ Only Existing vehicle fuel stations with repair service or convenience stores in the Central Business District ~~as of (adoption date)~~ may submit a site plan for substantial redevelopment or renovation as a Gas Station and Convenience Store under the development standards on Table 9.4.C.1.B. A special permit is required from the Planning and Economic Development Board ("PEDB") for substantial redevelopment or renovation of an existing vehicle fuel station as a Gas Station and Convenience Store. New vehicle fuel stations are prohibited in the Central Business District.

Commented [JCC2]: This provision allowing existing stations to submit a site plan for substantial redevelopment seems to conflict with the statement that a special permit is required. Is the special permit required only if the existing fuel station does not have a repair service or convenience store?

Commented [JCC3]: I suggest changing the order of sentences in this paragraph by (1) placing this statement at the beginning of the paragraph, followed by (2) the second sentence ("a Special permit..."), and then followed by (3) the first sentence.

B. Main Street Pedestrian Frontage Zone.

- 1. The Main Street Pedestrian Frontage Zone includes all properties with frontage on Route 109/Main Street from the intersection of Pond Street/Elm Street ~~to~~ on the west to the

driveway of Medfield Commons/Walgreens ~~to~~ on the east. These frontages are prioritized for pedestrian-oriented and active ground floor uses. Buildings fronting on the designated Pedestrian Frontage Zone shall be subject to the following requirements:

- a. Ground floor uses shall be reserved for retail, restaurant, and other non-residential uses open to the public on an appointment or walk-in basis, including but not limited to personal service, office, repair, and municipal uses ("Publicly Oriented Uses").
- b. Residential uses and non-residential uses which that are not Publicly Oriented Uses shall be allowed to have access ~~from-through~~ the front of a building in the Pedestrian building Frontage Zone by an entrance that leads to the upper floors of the building, or by an entrance to the rear of the building.
- c. Residential uses and non-residential uses which that are not Publicly Oriented Uses shall be allowed on ground floors only where:
 - 1) The use is within a building with frontage on the street and the use is set back a minimum of sixty feet from the street right-of-way line; or
 - 2) The PEDB ~~may has~~ waived this requirement if it after determininges that street-front residential and/or other non-Publicly Oriented Uses on the ground floor will not have an adverse impact on the continuity and vitality of the Publicly Oriented Uses Pedestrian Frontage Zone.

Commented [JCC4]: I recommend using a distance measurement in feet, rather than referencing this particular driveway, since the driveway might be relocated in the future, or the business name might change.

Commented [JCC5]: What is meant by "and active"?

C. Building Placement and Orientation.

1. Building Lot and Type: The minimum lot size in the Central Business District is identified on Table 2 - Dimensional and Density Regulations in Section 6.1 of the Zoning Bylaws. For specific building types, there are alternative dimensional standards for building lot and for building design that apply under Section 10.4 below.
2. Number of Buildings: There is no limit on the number of principal buildings allowed on a building lot except as limited by dimensional requirements and other site development standards in this section.
3. Building Step-back and Street Enclosure: Buildings in the Central Business District shall be set-back or stepped back from the street right-of-way line in accordance with Table 9.3.B.6 for the Village Center Street Type. Therefore, a building may have to be set back or stepped back further from the street right-of-way line in order to achieve the maximum height allowed. The purpose of this requirement is to enhance the pedestrian environment and prevent excessive enclosure and shadowing on Main Street. The space created by building setbacks is referred to as the Building Frontage Zone ~~and in which~~ streetscape treatments and outdoor amenities space ~~is are highly strongly~~ encouraged. (See Section 10.5.B below).
4. Facade Orientation: Buildings located within sixty feet of a street right-of-way line must be built parallel to the street, with and the front facade and entrance of the building oriented to the public sidewalk. If there is lot area provided between the front building facade and the street right-of-way line (Building Frontage Zone), it must be used for streetscape improvements and/or outdoor amenity space.

Commented [JCC6]: But see Section 10.B.5 – "Outdoor Amenity Spaces are required in the Building Frontage Zone" and subparagraph 4 below – "[Building Frontage Zone] must be used for streetscape improvements and/or outdoor amenity space."

Commented [JCC7]: See previous comment. These two provisions should be reconciled with each other and with Section 10.5.B.

D. Parking Requirements.

1. Purpose and Intent. The purpose and intent in applying parking standards in the Central Business District are as follows:

- a. To improve walkability by minimizing sidewalk interruptions and conflict points between pedestrians, cyclist, and vehicles on Main Street and on site.
 - b. To ensure adequate parking for existing and new development while minimizing excessive and inefficient off-street parking lots that result in lost opportunities to develop new buildings that expand business and the tax base.
 - c. To encourage the use of public transportation, bicycling, and walking as an alternative to motor vehicle use when a choice of travel mode exists.
2. Applicability. The parking requirements in Section 7.1.1 shall apply to the Central Business District with the following adjustments:
- a. Off-Street Parking Requirements. In the Central Business District (CB) the minimum number of off-street parking spaces required by use on Table 3 in Section 7.1.1.D. shall be interpreted to be both ~~and the~~ minimum and the maximum amount of parking spaces required. A reduction of parking may be allowed by special permit under Section 7.1.1.J. Additional off-street parking spaces shall require a waiver from the ~~Planning and Economic Development Board PEDB~~ and the applicant shall demonstrate sufficiently that additional parking is necessary.
 - b. Parking Area Design. In addition to the standards provided in Section 7.1.1.F., the following standards shall be required in the ~~Central~~ Business District:
 - 1) Parking Area Plantings. In parking lots containing thirty or more spaces, a minimum of one deciduous tree and two shrubs exclusive of any required perimeter plantings must be planted for every three-thousand square feet of parking lot. When planted, deciduous trees must be a minimum height of ten feet and/or two and one half inches in caliper. Planting areas must each contain not less than fifty square feet of unpaved soil area. Trees and soil plots shall be so located as to provide visual relief and wind interruption within the parking area, and to assure safe patterns of internal circulation.
 - 2) Internal Pedestrian Access. In parking lots with more than seventy-five spaces, the expanse of pavement shall be interrupted by separating rows of parking spaces from each other ~~by installing with~~ a combined planting strip and sidewalk at least eight feet in width. Design of these planting strips/sidewalks shall take into account the need to store snow, locate light poles, install deciduous trees, and allow safe pedestrian movement. In addition, if an existing parking lot is expanded to over seventy-five spaces, ~~the combined planting strip* and sidewalk* requirement -shall be required for apply to~~ the entire parking lot. All proposals to construct or modify such parking lots shall be reviewed by the ~~Planning and Economic Development Board PEDB~~.
 - c. Parking Placement. As an exception to Section 7.1.1.G., all off-street parking shall be located behind or beside buildings located in the Pedestrian Frontage Zone and within sixty feet of the Main Street right-of-way line. Vehicular parking ~~between the front building line and the street right-of-way line~~ is permitted only if the Planning and Economic Development Board grants a special permit and the applicant can demonstrate that no other reasonable alternative exists.
 - d. Temporary Use of Off-Street Parking. In addition to provisions for reduced parking in Section 7.1.1.J., excess parking spaces may be reprogrammed and utilized for temporary commercial uses such as for seasonal retail sales, food trucks, farmers' markets, craft shows, live entertainment, auxiliary space for one or more restaurants, and similar commercial uses. Such temporary use of excess parking spaces requires a special permit

Commented [JCC8]: Parking lot expansions of existing parking lots to over 75 spaces? Or all construction or modification of parking lots?

Commented [JCC9]: As part of site plan review?

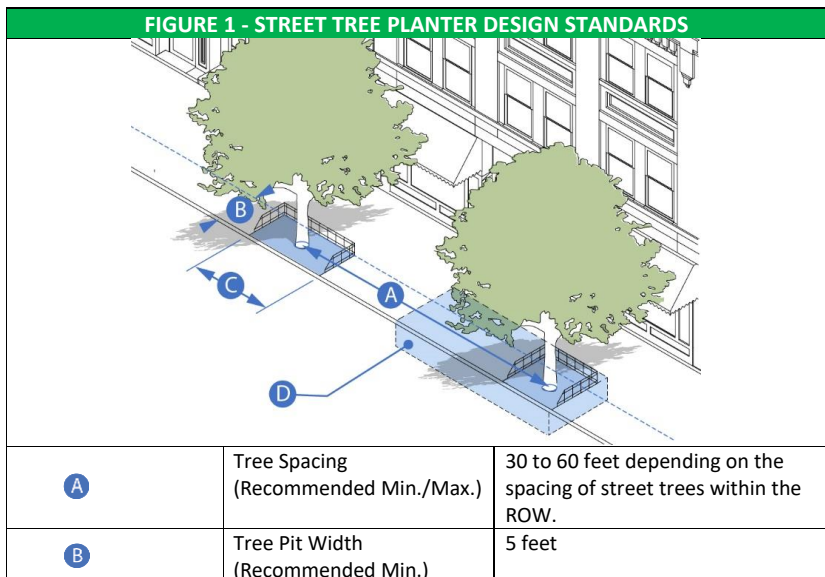
Commented [JCC10]: " in the Building Frontage Zone"?

from the PEDB. A special permit is required by the Planning and Economic Development Board and the applicant shall demonstrate that the excess parking spaces are not necessary to support existing businesses on site, and that the temporary commercial use provides a sufficient level of safety for users.

E. Streetscaping, Landscaping and Screening.

1. General Standards. Landscaping shall comply with the Planning and Economic Development Board Rules and Regulations, Chapter 200 - Site Plans – Rules & Regulations for Submission and Review of Site Plans, Section 205-9. In the event of any conflict between the provisions of this bylaw and the provisions of said Regulations, the provisions of this bylaw shall apply.
2. Streetscape Treatments. In the Building Frontage Zone between the Main Street right-of-way line and the front facade of the building, streetscape treatments should be coordinated and complimentary to the public sidewalk and streetscape treatments within right-of way.
 - a. Sidewalk Expansion. A concrete walkway or terrace may be installed adjacent to the public sidewalk within the Building Frontage Zone where no landscaping has been installed on the outer edge of the right-of-way, in effect, expanding the public sidewalk. This expansion is required along the entire length of the frontage, and connecting to existing or future sidewalk extensions on adjacent lots.
 - b. Street Trees. Deciduous street trees may be installed in the Building Frontage Zone that compliment street trees within the street right-of-way. Trees shall be a minimum of three and one-half inch caliper at least four feet above grade and of native species common to the area. They should be planted in accordance with the recommended standards set forth below in Figure 1. All The trees should be drought and salt tolerant. They should be regularly trimmed to provide clear visibility into the site from the street and provide shade over the walkway.

Commented [JCC11]: This just a suggestion. But I think some reference should be made to Figure 1.



C	Tree Pit Length (Recommended Min.)	10 feet
D	Recommended Soil Volume	600 cubic feet (min.) for small tree or 1,000 cubic feet (min.) for large tree
	Minimum soil surface area for alternate tree pit dimensions	≥50 square feet

- c. Ground Cover. Low lying and low maintenance grasses, shrubs, bushes, flowers, and similar vegetative ~~materials~~ ground cover may be planted evenly adjacent to the street right-of-way line. All ground cover must be maintained at a height of no more than thirty inches to avoid blocking visibility for drivers entering or exiting the site.
- d. Other Enhancements in the Building Frontage Zone. Additional treatments and design standards are identified in Section 10.5.B.
3. Transitional Buffer Requirements. Transitional buffers are required between properties in the Central Business District and abutting properties in residential districts to create a compatible transition with the surrounding neighborhoods. ~~Where Transitional areas occur,~~ buffers may include any combination of natural or landscaped screening and fencing that provides an opaque visual barrier to a minimum height of eight feet above the ground ~~installed along the property boundary line. Where transitional buffers are required, All~~ buildings, accessory structures, and loading areas shall be set back a minimum of seventy-five feet, and parking shall be set back a minimum of fifty feet from the property line ~~along~~ ~~at~~ ~~where the~~ transitional buffer ~~boundaries~~ is to be installed.
4. Public Utilities. All new public utilities (except structures and other facilities that require above-grade access) shall be installed underground.
5. Trash and Service Areas.
- All service, loading, trash, and recycling storage areas viewable from a public right of way or from an adjacent residential district shall be screened by one or a combination of masonry, a wood screen, or evergreen plantings to reduce their visual impact.
 - Loading and service areas shall not face any property in a residential district unless no other location is feasible.
 - Garage doors and loading spaces are prohibited on the street facing façade of any commercial, mixed use, or multi-family building unless no other location is feasible.
6. Sustainable Site Design Standards. Sustainable Design and Low Impact Development (LID) techniques shall be used in the Central Business District to reduce stormwater runoff, improve water quality, maintain canopy tree cover, protect natural landscapes, install appropriate planting materials, and encourage the production of local food. In achieving the requirements of this section, applicants shall comply with sustainable and low impact development techniques provided in the Planning & Economic Development Board Rules and Regulations, Chapter 200 - Site Plans – Rules & Regulations for Submission and Review of Site Plans, Section 205-4; Massachusetts Stormwater Management Standards; and Town of Medway General Bylaws Article XXVI, Stormwater Management and Land Disturbance.

Commented [JCC12]: What is intended here? Is this word necessary?

Commented [JCC13]: "may" or "shall"?

Commented [JCC14]: Be visible from?

F. Outdoor Amenity Space

1. General Standard. The amount of outdoor amenity space provided within a Mixed Use site development shall be equal to the minimum amount of open space required in Section 6, Table 2 - Dimensional and Density Regulations of thes Zoning Bylaws. Outdoor amenity space shall not include transitional buffer areas, landscaping within parking areas, or general landscaping alongside yard setbacks.
2. Permitted Outdoor Amenity Spaces. The outdoor amenity spaces and associated design standards identified in Table 9.6.B.1. and permitted in the Central Business District are listed below. The total amount of required outdoor amenity space may be include any combination of those permitted in the Central Business District, following:
 - a. Dooryard (Residential Buildings Only)
 - b. Forecourt
 - c. Community Garden (Residential Buildings Only)
 - d. Courtyard
 - e. Plaza or Square
 - f. Pocket Park or Playground (Residential Buildings Only)
 - g. Outdoor Dining Terrace
 - h. Rooftop Terrace
3. Building Outdoor Amenity Spaces. Outdoor amenity spaces for individual buildings include rooftop gardens and terraces, decks, porches, stoops, balconies, pedestrian passages, and similar accessory spaces where outdoor seating can be provided.
4. Other Outdoor Amenity Space Types. Permitted by special permit by the Planning and Economic Development Board PEDB.

Commented [JCC15]: This phrase is very vague, and may prove difficult to enforce. Is there another term that can be used instead?

G. Signs. The sign regulations in Section 7.2 shall apply to the Central Business District except for the variations under Public Realm Interface in Section 10.5.B below.

10.3. MIXED USE DEVELOPMENT STANDARDS

A. Applicability

1. The Planning and Economic Development Board PEDB may grant a special permit for a Mixed-Use Development or a Mixed-Use Building in the Central Business District to include any combination of uses allowed by right and uses allowed by special permit as specified in Table 1 – Schedule of Uses.
2. The provisions of this Section are available by special permit from the Planning and Economic Development Board for uses permitted by right in order to achieve a flexible site design.

Commented [JCC16]: What is intended here?

B. Definitions: See definitions of Mixed-Use Development, Mixed-Use Building, and Multi-Family Building in SECTION 2 DEFINITIONS.

C. Dimensional Requirements.

1. Mixed Use and Residential Development. The dimensional requirements for the Central Business District are provided in Section 6.1. Schedule of Dimensional and Density Regulations. For residential and mixed use development, however, the following standards apply.
 - a. Front-yard Setback Encroachments. Principal buildings shall be set back a minimum of 10 feet from the front lot line. Architectural features such as bay windows, porches, balconies, porticos, canopies, etc. shall not be subject to the ten-foot minimum setback.
 - b. Side-Yard and Rear-Yard Setbacks. Notwithstanding, and in addition to, the provisions of Section 10.2.E.3, there shall be a minimum setback of 25 feet from Ffor all side and rear lot lines abutting a residential zoning district, twenty-five feet of which the first ten feet nearest each lot line shall not be used for the parking or storage of vehicles and shall be suitably landscaped. There is no side-yard or rear-yard setback for properties abutting other properties within the Central Business district.
 - c. Maximum Building Height: Residential and mixed use buildings shall not exceed sixty feet in height, and are subject to the building height step back requirements in Section 10.2.C.3.

D. Residential Uses in a Mixed Use Development.

1. Combination of Uses in a Mixed Use Building. A mixed-use building shall include multi-family residential units and one or more retail, municipal, service, office, commercial or other business uses allowed in the zoning district (hereinafter referred to as “business uses”) in at least the minimum percentages as set forth in Subsection D.2 below.
2. Percentage and Location of Uses in a Mixed Use Building. Except as provided in Section D.4 below, in a two-story building at least fifty percent of the gross floor area shall be comprised of business uses, and no more than fifty percent of the gross floor area shall be comprised of multi-family dwelling units and any common areas and support facilities associated with those multi-family dwelling units. In a three-story building, at least thirty-three percent of the gross floor area shall be comprised of business uses, and no more than sixty-seven percent of the gross floor area shall be comprised of multi-family dwelling units and any common areas and support facilities associated with those multi-family units. In a building of four stories or more, at least twenty-five percent of the gross floor area shall be comprised of business uses, and no more than seventy-five percent of the gross floor area shall be comprised of multi-family dwelling units and any common areas and support facilities associated with those multi-family units. The gross floor area comprised of business uses may include hallways, lobbies, maintenance areas, security areas, closets, and other areas which serve exclusively the business uses in that building.
3. Residential Use On Ground Floor Exception. Multi-family dwelling units may not be located on the ground floor of a mixed-use building or development unless:
 - a. The building with the multi-family dwelling units is set behind another building which has business uses on the ground floor and a front façade that faces a public way or primary access drive; or
 - b. The residential portion of the ground floor is set-located behind the business uses within the same building which has a front façade that faces a public way or primary access drive.

4. Residential Buildings in Mixed Use Development. A mixed-use development may include a stand-alone building comprised of only multi-family dwelling units and common areas and support facilities associated with those multi-family dwelling units ~~under the condition provided~~ that the multi-family building shall meet the requirements of Section 10.3.D.5 below and shall be set back at least two hundred feet from the Main Street right-of way line on the north side and one hundred feet from the Main Street right-of-way line on the south side.
5. Ratio of Residential to Business GFA in a Mixed Use Development. The business use potential shall be determined by calculating fifty percent of the total gross square footage of the lot or development tract resulting in a Floor Area Ratio (FAR) of .5. Stand-alone residential buildings shall not be permitted in a Mixed Use Development until the business use gross square footage achieves a FAR of .5
6. ~~Limit on Number of Bedrooms. No more than ten percent of the total number of a mixed-use development's residential dwelling units shall have more than two bedrooms.~~
7. Affordability Requirements. The provisions of Section 8.6. Affordable Housing shall apply to Mixed-Use Developments.

Commented [JCC17]: What is the standard for determining that the FAR achieved? By area that is the subject of an occupancy permit, by area that has been leased? By area actually occupied? Or some other measure?

Commented [BSA18]: Are we sure we want this section? Shouldn't it state that at least 10% will be more than two bedrooms?

E. Special Permit Review Criteria:

1. Special permits granted under this Section 10.3 are not subject to the special permit criteria under Section 3.4.
2. Before granting a special permit for a mixed-use development or flexible site design of a permitted use in the Central Business district, the ~~Planning and Economic Development Board~~ shall find that all of the following criteria are met:
 - a. The proposed uses and site design represent the qualities of a traditional New England town center;
 - b. The proposed site design is environmentally sound and is readily accessible to and useable by pedestrians;
 - c. The proposed site design reflects and advances the goals and objectives of the Medway Master Plan as updated;
 - d. Adequate pedestrian and (where applicable) vehicular linkages within the site and connecting to abutting properties are provided;
 - e. Streets, driveways, sidewalks, landscaped areas and public services are laid out in a safe manner;
 - f. Any detrimental impacts of the use on abutting properties and/or residential neighborhoods have been adequately mitigated; and
 - g. The site design incorporates the site's existing topography and protects natural features to the maximum extent ~~possible~~feasible.

10.4. BUILDING TYPES AND DESIGN STANDARDS

A. Building Façade Composition and Architectural Features.

1. Building Transparency: Street facing façades shall have windows and doors with highly

transparent, low reflectivity glass measured on the ground floor between two feet and twelve feet. Upper floor transparency may vary with use.

2. Building Articulation and Modulation: Street-facing building façades should be vertically articulated with architectural bays to create an equal, central, or end articulated façade composition. Street-facing building façades should be horizontally articulated with a clearly defined base, middle, and top. See Diagram 9.3.C.2.
3. Surface Relief with Architectural Features: Street-facing building façades should provide surface relief through the use of bay windows, cladding, columns, corner boards, cornices, door surrounds, moldings, piers, pilasters, sills, sign bands, windows, and other architectural features that either recess or project from the average plane of the façade by at least four inches. See Diagram 9.3.C.3.

B. Exterior Treatments.

Unless otherwise required by the State Building Code, Fire Code, or other regulation, traditional construction materials such as brick, stone, clapboard, and shingle are suggested construction materials. Other contemporary construction materials such as glass, metal, block, and other siding materials may be appropriate in certain instances when compatible with more traditional materials. The main elements of the architectural treatment of the building's street-facing façade, including the materials used, should be continued around all sides of the building that are visible from existing streets or Outdoor Amenity Spaces.

C. Commercial, Residential and Mixed Use Building Types.

1. Building Design Standards: The building types and associated design standards permitted in the Central Business District are identified below:
 - a. Rowhouse (RH) on Separate Lot as set forth in (See TABLES 9.4.C.1.A).
 - b. Rowhouse (RH) on Common Lot as set forth in (See TABLES 9.4.C.1.A).
 - c. Multi-Family Building as set forth in (See TABLES 9.4.C.1.A).
 - d. Mixed Use Building as set forth in (See TABLES 9.4.C.1.B).
 - e. General Commercial Building as set forth in (See TABLES 9.4.C.1.B).
 - f. Hotel as set forth in (See TABLES 9.4.C.1.B).
 - g. Gas Station and Convenience Store as set forth in (See TABLES 9.4.C.1.B), applicable to substantial redevelopment or renovation of existing vehicle fuel stations only pursuant to Section 10.2.A.
 - h. Civic or Community Building as set forth in (See TABLES 9.4.C.1.C).
2. Alternative Building Types: If the Building Commissioner cannot classify a proposed new building is proposed that cannot be classified as one of the allowed building types of specifically allowed by this section, by the Building Commissioner, the building type is subject to issuance of a special permit review by the Planning and Economic Development Board PEDB.

10.5. PUBLIC REALM STANDARDS

A. Access Street Design Standards.

Access streets provide internal site access from existing public streets in the Central Business

District. Access streets shall be engineered and constructed in accordance with the design standards in Section 7 of the Medway PEDB Land Subdivision Rules and Regulations. In the event of any conflict between the provisions of this bylaw and the provisions of said Regulations, the provisions of this ~~Bylaw~~ shall apply. Access streets must have a minimum cross section of twenty-four feet with two travel lanes and at least one sidewalk connecting the public sidewalk with the front entrance of a primary building on site. Access streets may also include sidewalks on both sides, on-street parking, street trees, curb extensions, and crosswalks under the design standards in Section 9.7.B and as illustrated in DIAGRAM 9.7.B.5.

Commented [JCC19]: Is this provision intended as an alternative to the minimum cross section?

B. Public Realm Interface

1. Building Frontage Zones. A Building Frontage Zone is the setback space between the street facing façades of the building and the street right-of-way line (See DIAGRAM 9.7.C.1.). Utilization of the Building Frontage Zone should provide a compatible transition and interface between the private realm (on site buildings and uses) and the public realm (sidewalks, streets, and civic spaces). Outdoor Amenity Spaces are required in the Building Frontage Zone, and building interfaces are also encouraged within the Central Business District.
2. Building Interface with Main Street ROW Line. Selected building interfaces and related interactive components on TABLE 9.7.C.2. may be permitted with a special permit from the ~~Planning and Economic Development Board~~ PEDB in the Building Frontage Zone (BFZ) when they contribute to vibrant spaces for the enjoyment of the public and do not interfere with the public sidewalk. Standards for permissible building interfaces are set forth in TABLE 9.7.C.2. and allowed in the Central Business District as follows:
 - a. Sidewalk Dining (Building Frontage Zone only)
 - b. Storefront Display (Building Frontage Zone only)
 - c. Sidewalk Sign (Building Frontage Zone only)
 - d. Projecting Sign (Building Frontage Zone and over the public sidewalk)
 - e. Awning (Building Frontage Zone only)
 - f. Balcony (Building Frontage Zone only)
 - g. Bay Window (Building Frontage Zone only)
 - h. Gallery (Building Frontage Zone only)

Commented [JCC20]: See comments re: paragraphs 10.3.C 3 and 4 re: requirements for outdoor amenity space.

Commented [JCC21]: This shorthand for Building Frontage Zone has not been used elsewhere in Section 10.

And to amend the Section 5.4 Schedule of Uses and Table 1 as follows: (deleted language shown in ~~strike through~~, added language shown in **bold**)

Insert 5 pages of an Excel document after this page.

And to amend Section 6.1 Schedule of Dimensional and Density Regulations & Table 2 as follows:
 (deleted language shown in ~~strike through~~, added language shown in **bold**)

TABLE 2. DIMENSIONAL AND DENSITY REGULATIONS										
Requirement	AR-I	AR-II	VR	CB	VC	NC	BI	EI	ER	WI
Minimum Lot Area (Sq. Ft.)	44,000	22,500	22,500	10,000	10,000	20,000	20,000	20,000	20,000	40,000
		30,000 ^{a, b}	30,000 ^{a, b}							
Minimum Lot Frontage (Ft.)	180'	150'	150'	50' NA ^f	50'	50'	75'	100'	150'	100'
Minimum Setbacks (Ft.) ^c										
Front	35'	35'	20' ^d	10'	20' ^d	35'	25'	30'	30'	30'
Side	15'	15'	10' ^d	10'	10' ^d	15'	15'	20'	20'	20'
				25' ^e						
Rear	15'	15'	10' ^d	25'	10' ^d	15'	15'	30'	30'	30'
Maximum Building Height (Ft.)	35'	35'	35'	40'	40'	40'	40'	60'	40'	60'
Maximum Lot Coverage (Pct. of lot) (Primary and accessory buildings and structures) –	25%	30%	30%	80%	80%	40%	40%	NA	NA	NA

Amended 5-8-17

Maximum Impervious Coverage (Pct. of lot)	35%	40%	40%	NA	NA	80%	80%	80%	80%	80%
Minimum Open Space (Pct. of lot)	NA	NA	NA	15%	NA	20%	20%	20%	20%	20%

Notes to Table 2

NA means not applicable

- a. For a two family house. No parking shall be permitted within 10 feet of an adjoining lot line
- b. For a newly constructed two-family house or when a single family detached house is enlarged for 2 family house.
- c. When a nonresidential use abuts a residential use, the first 10 feet within the required side or rear setback of the nonresidential use along the lot line shall be used as a buffer
- d. Or the average setback of the existing primary buildings within 300' of the lot on the same side of the street and within the same zoning district, whichever is less.
- e. When abutting a residential district.
- f. **Properties in the Central Business District that do not have frontage on a public street shall be required to have an easement of a least 30 feet in width providing access to a public street.**

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD



March 9, 2021
Medway Planning & Economic Development Board
Meeting

Zoning Bylaw Amendments
Public Hearing

- Public Hearing Notice dated 2-18-21
- Article C - Site Plan Review
- Article D - Solar Installation
- Article E - Flood Plain
- Article F - Rezoning of parcels from ARII to Energy Resource
- Article G - Non-Conforming Uses
- Article H - Cottage Cluster Development
- Article I - Electric Vehicle Charging Stations with Digital Advertising
- Article J - Accessory Family Dwelling Unit
- Article K - Residential Common Driveways

NOTE – Article A Central Business District and Article B Environmental Standards are provided as separate files



Board Members

Andy Rodenhiser, Chair
Robert Tucker, Vice Chair
Thomas Gay, Clerk
Matthew Hayes, P.E.,
Member
Richard Di Iulio, Member
Jessica Chabot, Associate
Member

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www.townofmedway.org

TOWN OF MEDWAY

COMMONWEALTH OF MASSACHUSETTS

PLANNING AND ECONOMIC DEVELOPMENT BOARD

February 18, 2021

NOTICE OF PUBLIC HEARING

Proposed Amendments to Medway Zoning Bylaw

Tuesday, March 9, 2021

Pursuant to the *Medway Zoning Bylaw* and G.L. ch. 40A, §5, the Planning and Economic Development Board will conduct a public hearing on Tuesday, March 9, 2021 at 7:30 p.m. to receive comments on proposed amendments to the *Medway Zoning Bylaw*.

In accordance with Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, and the Governor's Orders imposing strict limitations on the number of people that may gather inside in one place, no in-person attendance will be permitted at this hearing. Board members will attend the meeting via ZOOM. Meeting access for the public is provided via ZOOM for the required opportunity for public participation in a public hearing. Instructions on how the public may access the hearing will be included on the agenda for the Board's March 9th meeting which will be posted at: <https://www.townofmedway.org/calendar/month/2021-03>.

The proposed amendments have been prepared for inclusion on the warrant for consideration at the May annual town meeting, scheduled for May 10, 2021. The subject matter of the proposed amendments is summarized below. The specific article identifiers will be revised as the Board of Selectmen finalizes the warrant and assigns warrant article numbers.

ARTICLE A – Central Business District

- Revise Table 1, Schedule of Uses in Section 5.4
- Delete Section 5.4.1 Special Permits in the Central Business District
- Amend Section 6.1 Schedule of Dimensional and Density Regulations and Table 2
- Add a new Section 10: Central Business District Development Standards

ARTICLE B – Environmental Standards, Section 7.3

- Replace Section 7.3 Environmental Standards, which governs noise, odor, vibration, dust, and other environmental concerns, in its entirety to include definitions, updated standards, procedures for investigation of complaints, and certain exemptions for farming, residential uses, repairs, and public works

ARTICLE C - Site Plan Review, Section 3.5

- Modify which activities are subject to administrative site plan review
- Add a new Section 3.5.3.A. 4 Façade Improvements Review

ARTICLE D – Solar Electric Installations; new Section 8.11

- Add a new section with regulations for various types of solar electric installations

ARTICLE E – Flood Plain District, Section 5.6.1

- Amend Section 5.6.1 in its entirety in order to comply with recent changes in regulatory requirements

ARTICLE F – Re-Zoning to Energy Resource District

- Amend the Zoning Map to rezone certain parcels from the AR-II zoning district to the Energy Resource zoning district

ARTICLE G - Nonconforming Uses and Structures, Section 5.5

- Amend Section 5.5.C.1 to specify that lawfully existing nonconforming structures that are accessory to and on the same lot as nonconforming single-family and two-family structures are afforded the same protections.
- Make clarifying amendment to Section 5.5.C.3.b.
- Specify that the special permit criteria in Section 3.4 do not apply to special permit applications under Section 5.5.E Nonconforming Structures Other Than One-Family and Two-Family Dwellings.

ARTICLE J – Cottage Cluster Development, new Section 8.12

- Add a new section to allow for cottage cluster developments by special permit from the Planning and Economic Development Board

ARTICLE I – Digital Advertising Signage for Electric Vehicle Charging Stations

- Add a definition in Section 7.2.6
- Amend Table 1 Schedule of Uses in Section 5.4 and amend Section 7.2.6. B to allow electric vehicle charging stations with digital advertising signage in certain zoning districts by special permit of the Planning and Economic Development
- Amend Section 3.5.3.A.2 to add electric vehicle charging stations with digital advertising to Minor Site Plan Review

ARTICLE J - Accessory Family Dwelling Units

- Add a new item 8 in Section 8.2.C with standards for accessory family dwelling units that are located in separate structures

ARTICLE K - Residential Common Driveways, new Section 5.4.1

- Add regulations in Section 5.4.1 to allow residential common driveways by special permit from the Planning and Economic Development Board

ARTICLE L - Housekeeping

- Amend the definitions of “accessory family dwelling unit” and “dwelling”, and add a definition of “mixed use building” in Section 2 Definitions
- Replace the term “parking lot” with the term “parking area” throughout the bylaw due to the previously approved definition of “parking lot”
- Amend Section 3.4.H.1 in Special Permits to clarify that the Zoning Board of Appeals serves as the special permit granting authority for all special permit applications under Section 5.5 Nonconforming Uses and Structures.
- Clarify Section 6.2.F. 1 in Dimensional Regulations

Drafts of the proposed amendments are on file at the offices of the Town Clerk and the Community and Economic Development Department at Medway Town Hall, 155 Village Street, Medway, MA and may be reviewed during regular business hours. The proposed amendments are posted online at the Planning and Economic Development Board's web page at: <https://www.townofmedway.org/planning-economic-development-board>. For further information or questions, please contact the Medway Planning office at 508-533-3291.

Interested persons or parties are invited to review the draft proposed amendments, and participate in the public hearing via ZOOM. Written comments are encouraged and may be sent to the Medway Planning and Economic Development Board, 155 Village Street, Medway, MA 02053 or emailed to: planningboard@townofmedway.org. All written comments will be entered into the record during the hearing.

Andy Rodenhiser

Planning & Economic Development Board Chairman

To be published in the Milford Daily News:

Monday, February 22, 2021 and Tuesday, March 2, 2021

SITE PLAN REVIEW

February 18, 2021

2021 ATM

Article ____ **Site Plan Review**

To see if the Town will vote to amend the Zoning Bylaw, Site Plan Review, Section 3.5 by amending Sections 3.5.3.A.1 through 3.5.3.A.4.a as follows, all other sections of Section 3.5.3 to remain as currently (deleted language shown in ~~striketrough~~, added language shown in **bold**):

3.5.3. Applicability

A. Site plan review shall apply to the following:

1. Major Site Plan Review:

- a. New construction or any alteration, reconstruction, renovation, and/or change in use of any multi-family, commercial, industrial, institutional, or municipal building or use which involves one or more of the following:
 - i. the addition of 2,500 square feet or more of gross floor area; or
 - ii. the addition of twenty or more new parking spaces
- b. The redesign, alteration, expansion or modification of an existing parking area involving the addition of twenty or more new parking spaces.
- c. The redesign of the layout/ **or** configuration of an existing parking area of forty or more parking spaces
- d. Construction of ground mounted solar photovoltaic installations of any size in any zoning district including solar canopy type systems in parking areas
- e. Removal, disturbance, and/or alteration of 20,000 square feet or more of existing impervious surface.

2. Minor Site Plan Review:

- a. New construction or any alteration, reconstruction, renovation, and/or change in use of any multi-family, commercial, industrial, institutional, or municipal building **or** use which is not subject to Major Site Plan Review but which involves one or more of the following:
 - i. the addition of 1,000 to 2,499 square feet of gross floor area; or

- ii. the addition of ten or more but less than twenty new parking spaces
 - b. The redesign, alteration, expansion or modification of an existing parking area involving the addition of ten or more but less than twenty new parking spaces; or
 - c. The redesign of the layout/ **or** configuration of an existing parking area of twenty to thirty-nine parking spaces
 - d. Any use or structure or expansion thereof exempt under Massachusetts G.L. c. 40A, § 3; only to the extent allowed by law.
 - e. Removal, disturbance, and/or alteration of 10,000 to 19,999 square feet of impervious surface.
 - f. Installation of a wireless communication facility as defined in Section 8.7 of this Zoning Bylaw.
3. **Administrative Site Plan Review** - New construction or any alteration, reconstruction, renovation or change in use of any multi-family, commercial, industrial, institutional, or municipal building or use which is not subject to Major or Minor Site Plan Review but which involves one or more of the following:
- a. The addition of **more than 500 but** less than 1,000 square feet of gross floor area, or
 - ~~b. Exterior alteration or renovation of an existing building or premises, visible from a public or private street or way which includes any of the following:~~
 - ~~i) installation or replacement of awnings~~
 - ~~ii) change in a building's exterior surface material~~
 - ~~iii) rearrangement or addition of windows or doors~~
 - ~~iv) façade reconstruction or replacement~~
 - ~~v) roofing if the Building Commissioner determines the roof to be a distinctive architectural feature of the building~~
 - ~~eb.~~ The redesign, alteration, expansion or modification of an existing parking area involving the addition of up to nine new parking spaces
 - ~~ec.~~ The creation of a new parking area involving the addition of up to nine new parking spaces
 - ~~ed.~~ The redesign of the layout/ **or** configuration of an existing parking area of ten to nineteen parking spaces
 - ~~fe.~~ A change in curb cuts/ **or** vehicular access to a site from a public way
 - ~~gf.~~ Installation or alteration of sidewalks and other pedestrian access improvements

- ~~h~~g. Removal of trees greater than 18 inches in diameter at four feet above grade
- ~~i~~h. Installation of fencing or retaining walls
- ~~j~~i. Outdoor placement of cargo containers, sheds, **and/or** membrane structures,; **the permanent installation of outdoor equipment; and/or the use of an outdoor area of 50 square feet or more for storage of and** materials
- ~~k~~j. Removal~~/~~, disturbance, **and/or** alteration of 5,000 ~~to– 9,999~~**10,000** square feet of impervious surface
- ~~l~~. ~~The conversion of a residential use to a permitted non-residential or mixed use~~
- ~~m~~k. Reduction in the number of parking spaces
- ~~n~~l. Installation of donation box

4. Façade Improvement Review

- a. Applicability.** This section shall apply to exterior alteration, reconstruction, or renovation of any multi-family, commercial, industrial, or institutional building which is not subject to Major, Minor, or Administrative Site Plan Review, where such alteration, reconstruction or renovation will be visible from a street and will include any of the following:
 - i) installation or replacement of awnings
 - ii) change in a building's exterior surface material
 - iii) rearrangement or addition of windows or doors
 - iv) façade reconstruction or replacement
- b.** No building permit shall be issued for any exterior building alteration that is subject to this Section 3.5.3.A.4 unless an application for façade improvement review has been prepared in accordance with the requirements herein and unless such application has been reviewed by the Medway Design Review Committee and a written recommendation is provided to the Building Commissioner or the Design Review Committee has failed to act within thirty days as provided in Section 3.5.3.A.4.d.
- c.** Before filing for a building permit with the Building Commissioner for the activities specified in Section 3.5.3.A.4, a facade improvement review application shall first be filed with the Community and Economic Development office for review by the Medway Design Review Committee for compliance with the Medway Design Review Guidelines. The submittal of the application shall be in form and format as specified by the Design Review Committee.
- d.** The Design Review Committee shall meet with the applicant or its representative to review the proposed façade improvements within fifteen days of receipt of a complete façade improvement application (referred to herein as the application date) by the Community and Economic Development office. No later than thirty days from the

application date, the Design Review Committee shall prepare and provide its written review letter with recommendations regarding the proposed façade improvements to the Building Commissioner. Failure of the Design Review Committee to act within said thirty days shall be deemed a lack of opposition thereto. These deadlines may be extended by mutual agreement of the Design Review Committee and the applicant.

45. Relationship to Other Permits and Approvals.

a. If an activity or use requires major or minor site plan review and one or more special permits, the Board shall serve as special permit granting authority, **except special permits under Section 5.5 Nonconforming Uses and Structures.**

or act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

SOLAR ELECTRIC INSTALLATIONS

Revised 2-25-21

Article ____: To see if the Town will vote to amend the Zoning Bylaw by adding a new Section 8.11, Solar Electric Installations, as follows:

SECTION 8.11 SOLAR ELECTRIC INSTALLATIONS

A. Purpose

The purpose of this bylaw is to facilitate and appropriately regulate the creation of Ground-Mounted Solar Electric Installations: (a) by providing standards for the approval, placement, design, construction, operation, monitoring, modification and removal of such installations to protect the public health, safety and welfare, including protection and preservation of Town infrastructure (including roads); providing for public safety; and mitigating any impacts upon environmental, scenic, and historic resources; (b) by providing adequate financial assurance for the eventual decommissioning of such installations; and (c) by protecting large, contiguous blocks of forest land, based on the understanding that large, contiguous tracts provide many ecological benefits, including improved water and air quality, sequestration of carbon, reduced movement of invasive species, provision of wildlife habitat and the support for greater biodiversity; and providing many recreational opportunities for town residents.

B. Definitions

Where the following terms appear in this section 8.11, they shall have the following meanings.

Forestland: A dense growth of trees and shrubs covering an area of one acre or more.

Ground-Mounted Solar Electric Installation: A Solar Electric System that is affixed to the ground (not roof-mounted) and all appurtenant fencing, access driveways, drainage infrastructure, electronics, and any surrounding shade management areas.

Large-Scale Ground-Mounted Solar Electric Installation: A Ground-Mounted Solar Electric Installation which occupies more than one acre of land and no greater than fifteen acres of land.

Small-Scale Ground-Mounted Solar Electric Installation: A Ground-Mounted Solar Electric Installation which occupies one acre or less of land.

Solar Electric System: A group of Solar Photovoltaic Arrays for the generation of electricity.

Solar Energy: Radiant energy received from the sun that can be collected in the form of heat or light by a solar collector.

Solar Parking Canopy: An elevated structure that hosts solar panels installed over parking lots or other hardscape areas.

Solar Photovoltaic Array: An active Solar Energy collection device that converts solar energy directly into electricity whose primary purpose is to harvest energy by transforming solar energy into another form of energy or transferring heat from a collector to another medium using mechanical, electrical, or chemical means.

C. Applicability

1. **Roof-mounted Solar Energy Facilities.** Solar energy panels mounted on the roof of a building as an accessory portion of the structure, and related equipment which is necessary for and incidental to those solar energy panels, are allowed by right in all zoning districts, and do not need to comply with the other provisions of this Section 8.11.
2. **Small-Scale Ground-Mounted Solar Electric Installations** which are accessory to an existing residential or non-residential use, and which generate electricity principally used by such residential or non-residential use, may be allowed by special permit, do not need to comply with the other provisions of this Section 8.11, but require Site Plan Review under Section 3.5 from the Planning and Economic Development Board, as well as a building permit, and must comply with all other applicable provisions of this Zoning Bylaw.
3. **Solar Parking Canopies** which are accessory to an existing residential or non-residential use may be allowed by special permit in all zones except AR-1, AR-11, and VR, and are subject to the requirements of this Section 8.11.
4. All other Small-Scale and Large-Scale Ground-Mounted Solar Electric Installations are subject to the requirements of this Section 8.11, and are allowed in zoning districts only as specified in Table 1: Schedule of Uses.
5. The Planning and Economic Development Board (the Board) shall be the special permit granting authority for all special permit applications under Section 8.11.

D. General Requirements

1. **Compliance with Laws, Bylaws, and Regulations** - The construction and operation of all Ground-Mounted Solar Electric Installations shall be consistent with all applicable local, state and federal requirements, including but not limited to all applicable safety, construction, electrical, and communications requirements.
2. **Mitigation for Loss of Carbon Sequestration and Forest Habitat** - If land that is Forestland or has been Forestland within the past year is proposed to be converted to a Ground-Mounted Solar Electric Installation, the plans shall designate thereon an area of unprotected (meaning, not subject to G.L. c. 184, sections 31-33 at time of application) land on the same lot and of a size equal to four times the total area of such installation. Such designated land shall remain in substantially its natural condition without alteration, including prohibition of commercial forestry or tree cutting not related to the maintenance of the installation, until such time as the installation is decommissioned; except in response to a natural occurrence, invasive species or disease that impacts the trees and requires cutting to preserve the health of the forest.
3. **Mitigation for Loss of Forest Habitat within the Installation** - If Forestland is proposed to be converted to a Ground-Mounted Solar Electric Installation, the plans shall show mitigation measures that create a wildflower meadow habitat within and immediately around the Solar Electric System, and a successional forest habitat in the surrounding areas managed to prevent shading until such time as the installation is decommissioned. The wildflower meadow shall contain a wide variety of plants that bloom from early spring into late fall, that are planted in clumps rather than single plants to help pollinators find them, and that are

native plants adapted to local climate, soil and native pollinators. At least 50% of the array footprint and perimeter shall be planned to have these flowering plants. Mowing shall be limited to no more than once annually. Plans for pollinator-friendly vegetation establishment and maintenance shall be compiled and written by a professional biologist or ecologist with relevant experience and expertise in pollinator habitat creation, grassland habitat restoration, and/or knowledge of native New England plant communities.

4. Mitigation for Disruption of Trail Networks - If existing trail networks, old Town roads, or woods or cart roads are disrupted by the location of the Ground-Mounted Solar Electric Installation, the plans shall show alternative trail alignments to be constructed by the applicant, although no rights of public access may be established hereunder.
5. Mitigation for Disruption of Historic Resources and Properties - Historic resources and properties, such as cellar holes, farmsteads, stone corrals, marked graves, water wells, or pre-Columbian features, including those listed on the Massachusetts Register of Historic Places or as defined by the National Historic Preservation Act, shall be excluded from the areas proposed to be developed, including clearing for shade management. A written assessment of the project's effects on each identified historic resource or property and ways to avoid, minimize or mitigate any adverse effects shall be submitted as part of the application. A suitable buffer area shall be established on all sides of each historic resource.
6. All plans and maps shall be prepared, stamped and signed by a Professional Civil Engineer licensed to practice in the Commonwealth of Massachusetts.
7. Vehicular access for the purpose of construction shall be from paved streets.
8. Lots for Ground-Mounted Solar Electric Installations shall have the required frontage on a street.
9. The special permit may be conditioned to effectuate and make enforceable these requirements.

E. Required Documents

The project applicant shall provide the following documents.

1. Site Plan. A Site Plan additionally showing:
 - a. Locations of wetlands and Priority Habitat Areas as defined by the Natural Heritage & Endangered Species Program (NHESP).
 - b. Locations of local or National Historic Districts.
 - c. Locations of all known, mapped or suspected Native American archaeological sites or sites of Native American ceremonial activity. Identification of such sites shall be based on responses, if any, to written inquiries with a requirement to respond within 35 days, to the following parties: all federally or state recognized Tribal Historic Preservation Officers with any cultural or land affiliation to the Medway area; the Massachusetts State Historical Preservation Officer; tribes or associations of tribes not recognized by the federal or state government with any cultural or land affiliation to the Medway area; and the Medway Historical Commission. Such inquiries shall serve as a notice to the aforesaid parties and shall contain a plan of the project, specific identification of the location of the project, and a statement that permitting for the project is forthcoming.

Accompanying the site plan shall be a report documenting such inquiries, the responses from the parties, a description of the location and characteristics, including photographs, of any Native American sites and the outcomes of any additional inquiries made based on information obtained from or recommendations made by the aforesaid parties. A failure of parties to respond within 35 days shall allow the applicant to submit the site plans.

- d. The project proponent must submit a full report of all materials to be used, including but not limited to the use of cleaning products, paints or coatings, hydro-seeding, fertilizers, and soil additives. When available, Material Safety Data Sheets will be provided.
2. Blueprints. Blueprints or drawings of the installation signed by a Professional Engineer licensed to practice in the Commonwealth of Massachusetts, showing:
 - a. The proposed layout of the system and any potential shading from nearby structures.
 - b. One- or three-line electrical diagram detailing the Ground-Mounted Solar Electric Installation, associated components, and electrical interconnection methods, with all Massachusetts and National Electrical Code compliant disconnects and overcurrent devices.
3. General Documentation. The following information shall also be provided:
 - a. A list of any listed hazardous or known carcinogenic materials proposed to be located on the site in excess of household quantities and a plan to prevent their release to the environment as appropriate.
 - b. Name, address, and contact information for proposed system installer.
 - c. The name, contact information and signature of any agents representing the project applicant.
4. Site Control - The project applicant shall submit documentation of actual or prospective access and control of the project site sufficient to allow for construction and operation of the proposed Ground-Mounted Solar Electric Installation.
5. Operation and Maintenance Plan - The project applicant shall submit a plan for the operation and maintenance of the Ground-Mounted Solar Electric Installation, which shall include measures for maintaining safe access to the installation, stormwater management (consistent with DEP's and, where appropriate, Medway's stormwater regulations), as well as general procedures for operational maintenance of the installation.
6. Financial Surety - Applicants for Ground-Mounted Solar Electric Installations shall provide a form of surety, either through a deposit of money, bond, triparty agreement, or other means acceptable to the Board, to cover the cost of removal in the event the Town must remove the installation and remediate the site to its natural preexisting condition, in an amount and form determined to be reasonable by the Board, but in no event to exceed more than 125% of the cost of removal and compliance with the additional requirements set forth herein. The project applicant shall submit a fully inclusive estimate of the costs associated with removal, prepared by a qualified engineer. The amount shall include a mechanism for calculating increased removal costs due to inflation.
7. Utility Notification - No Ground-Mounted Solar Electric Installation shall be constructed, nor building permit issued until evidence has been provided to the Building Commissioner that the utility company that operates the electrical grid where the installation is to be located has

approved the solar electric installation owner or operator's intent to install an interconnected customer-owned generator and that the utility has approved connection of the proposed generator into their power grid. Off-grid systems shall be exempt from this requirement.

8. Proof of Liability Insurance

F. Dimensional Requirements

1. Minimum setbacks for all Large-Scale Ground-Mounted Solar Electric Installations shall be:
 - Front setback: 500 feet
 - Side and rear setback: 100 feet
2. Minimum setbacks for all Small-Scale Ground-Mounted Solar Electric Installations shall be:
 - Front setback: 100 feet
 - Side and rear setback: 50 feet
3. Minimum setbacks for all Ground-Mounted Solar Electric Installations that are installed on or above existing paved parking areas (Solar Parking Canopies):
 - Front setback: 50 feet
 - Side and rear setback: 50 feet
4. Required setback areas shall not be counted toward a facility's total acreage.

G. Design and Performance Standards

1. Lighting - Large- and Small-Scale Solar Electric Installations shall have no permanently-affixed exterior lighting.
2. Signage
 - a. Sufficient signage shall be provided to identify the owner of the facility and provide a 24-hour emergency contact phone number.
 - b. Signage at the perimeter warning pedestrians is allowable.
 - c. Ground-Mounted Solar Electric Installations shall not be used for displaying any advertising except for reasonable identification of the manufacturer or operator of such installation.
3. Control of Vegetation - Herbicides or pesticides may not be used to control vegetation or animals at a Ground-Mounted Solar Electric Installation.
4. Visual Impacts
 - a. Ground-Mounted Solar Electric Installation shall be designed to minimize visual impacts including preserving natural vegetation to the maximum extent possible, blending in equipment with the surroundings, and adding vegetative buffers to provide an effective visual barrier from adjacent roads and driveways, and to screen abutting residential dwellings.
 - b. When possible, a diversity of plant species shall be used, with a preference for species native to New England.
 - c. Use of invasive or exotic plants, as identified by the most recent copy of the "Massachusetts Prohibited Plant List" maintained by the Massachusetts Department of

- Agricultural Resources, is prohibited.
- d. If deemed necessary by the Board, the depth of the vegetative screen shall be 30 feet and will be composed of native trees and shrubs staggered for height and density that shall be properly maintained.
 - e. The owner and operator shall not remove any naturally occurring vegetation such as trees and shrubs unless it adversely affects the performance and operation of the solar installation.
 - e. Landscaping shall be maintained and replaced as necessary by the owner and operator of the Ground-Mounted Solar Electric Installation.
5. Utility Connections - Electrical transformers, wires, or other utility interconnections shall be constructed as required by the utility provider and may be above ground if necessary; provided, however, that every reasonable effort shall be made to place all utility connections underground, depending on appropriate soil conditions and topography of the site and any requirements of the utility provider.
 6. All electric power generated at a Ground-Mounted Solar Electric Installation shall be from Solar Energy.
 7. Access Driveways shall be constructed to minimize finished width, grading, removal of stone walls or roadside trees, incompatible appearance from the roadway, and impacts to environmental or historic resources.

H. Safety and Environmental Standards

1. Emergency Services
 - a. Ground-Mounted Solar Electric Installations owner or operator shall provide a copy of the project summary, electrical schematic, and site plan to the Fire Chief.
 - b. The owner or operator shall cooperate with local emergency services to develop a written emergency response plan that is provided to police and fire departments
 - c. All means of shutting down the solar electric installation shall be clearly marked.
 - d. The owner or operator shall identify a responsible person for public inquiries throughout the life of the installation. Contact information shall be provided annually to the Town Manager including name, email and telephone number for the designated person and a back-up person.
2. Land Clearing, Soil Erosion and Land Impacts
 - a. The facility shall be designed to minimize impacts to open agricultural land and fields, even if not in production. Clearing of natural vegetation shall be limited to what is necessary for the construction, operation and maintenance of the Ground-Mounted Solar Electric Installation. Grading that substantially disturbs the existing soil profile and structure is prohibited; sites shall be selected where construction may be accomplished without such earth work.
 - b. Prior to any site disturbance and construction, the limits of the work shown on the approved site plan shall be surveyed and clearly marked by a Professional Land Surveyor. Upon completion of the survey, the Professional Land Surveyor shall verify to the Building Commissioner, in writing, that the limit of work, as shown on the approved site plans, has been established on site.

- c. The design shall minimize the use of concrete and other impervious materials to the maximum extent possible. Ground-Mounted Solar Electric Installation shall be installed on water permeable surfaces.
 - d. Locating Ground-Mounted Solar Electric Installations, including access driveways and any associated drainage infrastructure on original, pre development grades in excess of 15% is prohibited.
3. Habitat Impacts - Large-Scale Ground-Mounted Solar Electric Installations shall not be located on permanently protected land subject to G.L. c. 184, sections 31-33, Priority Habitat and Bio Map 2 Critical Natural Landscape Core Habitat mapped by the Natural Heritage and Endangered Species Program (NHESP) and "Important Wildlife Habitat" mapped by the DEP.
4. Wetlands
- a. In order to provide an adequate intervening land area for the infiltration of stormwater runoff from a Solar Electric Installation, ground alterations, such as stump removal, excavation, filling, and grading, or the installation of drainage facilities or solar panels, are prohibited within 100 feet of any wetlands or hydrologic features subject to the jurisdiction of the Conservation Commission.
 - b. The Board may impose conditions to contain and control stormwater runoff that might negatively impact identified wetlands or other hydrologic features even if the proposed work area is outside the jurisdiction of the Conservation Commission.

I. Monitoring, Maintenance and Reporting

1. Solar Electric Installation Conditions
- a. The Ground-Mounted Solar Electric Installation owner or operator shall maintain the facility in good condition.
 - b. Maintenance shall include, but not be limited to, painting, structural repairs, and integrity of security measures.
 - c. Site access shall be maintained to a level acceptable to the Fire Chief.
 - d. The owner or operator shall be responsible for the cost of maintaining the Solar Electric Installation and any access driveways.
2. Annual Reporting
- a. The owner or operator of a Ground-Mounted Solar Electric Installation shall submit an annual report demonstrating and certifying compliance with the Operation and Maintenance Plan, the requirements of this Section 8.11 and the approved special permit, including but not limited to continued management and maintenance of vegetation, compliance with the approved plans and any special permit conditions, continuation of liability insurance, and adequacy of road access.
 - b. The annual report shall also provide information on the maintenance completed during the course of the year and the amount of electricity generated by the facility.
 - c. The report shall be submitted to the Department of Community and Economic Development and Building Commissioner, no later than 45 days after the end of the calendar year.

K. Abandonment or Decommissioning

1. Removal Requirements
 - a. Any Ground-Mounted Solar Electric Installation which has reached the end of its useful life, has been abandoned, or taken off line shall be removed.
 - b. The owner or operator shall physically remove the installation no later than 150 days after the date of discontinued operations.
 - c. The owner or operator shall notify the Building Commissioner in writing of the proposed date of discontinued operations and plans for removal.
2. Decommissioning shall consist of:
 - a. Physical removal of all components of the Ground-Mounted Solar Electric Installation, including but not limited to structures, foundations, equipment, security barriers, and on-site above-ground transmission lines. Associated off-site utility interconnections shall also be removed if no longer needed.
 - b. Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations.
 - c. Restoration of the site to its natural preexisting condition, including stabilization or re-vegetation of the site as necessary to minimize erosion. The Board may allow the owner or operator to leave landscaping or designated below-grade foundations and electric lines in order to minimize erosion and disruption to vegetation.
3. Decommissioning by the Town - If the owner or operator of a Ground-Mounted Solar Electric Installation fails to remove such installation in accordance with the requirements of this Section 8.11 within 150 days of discontinued operations or abandonment, the Town may enter the property and physically remove the installation at the owner's expense, drawing upon the financial surety provided by the applicant.

or act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

FLOOD PLAIN – Revised draft 3-3-21

Article ____ Flood Plain: To see if the Town will vote to amend the Zoning Bylaws, Section 5.6.1, Flood Plain District, as follows, in order to comply with recent changes in regulatory requirements

5.6.1 Flood Plain District

- A. Purposes.** The purposes of the Flood Plain District are to ensure public safety by reducing threats to life and personal injury; eliminate new hazards to emergency response officials; prevent the occurrence of public emergencies resulting from water quality contamination and pollution due to flooding; avoid the loss of utility services which if damaged by flooding would disrupt or shut down the utility network and impact regions of the community beyond the site of flooding; eliminate costs associated with the response and cleanup of flooding conditions; and reduce damage to public and private property resulting from flooding waters.
- B. Overlay District.** The Flood Plain District shall be deemed to be superimposed over other districts in this Zoning Bylaw. The floodplain management regulations found in this Floodplain Overlay District section shall take precedence over any less restrictive conflicting local laws, by-laws or codes. The degree of flood protection required by this bylaw is considered reasonable but does not imply total flood protection. Property owners constructing structures and improvements in a Flood Plain District do so at their own risk. Natural changes can occur over time which may affect the flood elevations. In the event any regulations of this Flood Plain District are in conflict with the regulations of any other districts, the more restrictive regulation shall govern. The Town designates the Building Commissioner as the Town's floodplain administrator.
- C. Applicability.** The Flood Plain District includes: All special flood hazard areas designated as Zone A or AE on the Norfolk County Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program as may be updated or revised. These maps indicate the 1%-chance regulatory floodplain. The exact boundaries of the District may be defined by the 100-year base flood elevations shown on the FIRM and further defined by the Norfolk County Flood Insurance Study (FIS) with an effective date of July 16, 2015 and further defined by the Norfolk County Flood Insurance Study (FIS) report dated July 16, 2015. The FIRM and FIS report are incorporated herein by reference and are on file with the Town Clerk, Planning and Economic Development Board, Conservation Commission, Building Department and Board of Assessors. *(Amended May 8, 2017)*
- D. Definitions.** As used in this Section 5.6, the following terms shall have the following meanings:

Area of Special Flood Hazard: The land in the floodplain that is subject to a one percent or greater chance of flooding in any given year. The area may be designated as Zone A, AO, AH, A1-30, AE, A99, V1-30, VE, or V.

Base Flood: The flood having a one percent chance of being equaled or exceeded in any given year.

Development: Any manmade change to improved or unimproved real estate, including but not limited to building or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

District: Floodplain district.

Federal Emergency Management Agency (FEMA): The agency that administers the National Flood Insurance Program. FEMA provides a nationwide flood hazard area mapping study program for communities as well as regulatory standards for development in the flood hazard areas.

Flood Hazard Boundary Map (FHBM): An official map of a community issued by FEMA where the boundaries of the flood and related erosion areas having special hazards have been designated as Zone A or E.

Flood Insurance Rate Map (FIRM): An official map of a community on which FEMA has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

Flood Insurance Study: An examination, evaluation, and determination of flood hazards, and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of flood-related erosion hazards.

Floodway: The channel of a river, creek or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

Functionally Dependent Use: A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities

Highest Adjacent Grade: the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure

Historic Structure: any structure that is:

- (a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- (d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - (1) By an approved state program as determined by the Secretary of the Interior
 - or

(2) Directly by the Secretary of the Interior in states without approved programs

Lowest Floor: The lowest floor of the lowest enclosed area (including basement or cellar). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor, PROVIDED that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of NFIP Regulations 60.3.

New Construction: For floodplain management purposes, new construction means structures for which the "start of construction" commenced on or after the effective date of the first floodplain management code, regulation, by-law, or standard adopted by the authority having jurisdiction, including any subsequent improvements to such structures. *New construction includes work determined to be substantial improvement.*

One-Hundred-Year Flood: See Base Flood.

Recreational Vehicle: A vehicle which is:

- (a) Built on a single chassis;
- (b) 400 square feet or less when measured at the largest horizontal projection;
- (c) Designed to be self-propelled or permanently towable by a light duty truck; and
- (d) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use

Regulatory Floodway: See Floodway

Special Flood Hazard Area: The land area subject to flood hazards and shown on a Flood Insurance Rate Map or other flood hazard map as Zone A, AE, A1-30, A99, AR, AO, or AH.

Start of Construction: The date of issuance for new construction and substantial improvements to existing structures, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement or other improvement is within 180 days after the date of issuance. The actual start of construction means the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of a slab or footings, installation of pilings or construction of columns.

Permanent construction does not include land preparation (such as clearing, excavation, grading or filling), the installation of streets or walkways, excavation for a basement, footings, piers or foundations, the erection of temporary forms or the installation of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main building. For a substantial improvement, the actual "start of construction" means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building

Structure: As used in this Section and for floodplain management purposes, "structure" means a walled and roofed building, including a gas or liquid storage tank that is principally above ground, as well as a manufactured home.

Substantial Damage: As defined in the Massachusetts State Building Code.

Substantial Improvement: As defined in the Massachusetts State Building Code.

Substantial Repair of a Foundation: When work to repair or replace a foundation results in the repair or replacement of a portion of the foundation with a perimeter along the base of the foundation that equals or exceeds 50% of the perimeter of the base of the foundation measured in linear feet, or repair or replacement of 50% of the piles, columns or piers of a pile, column or pier supported foundation, the building official shall determine it to be substantial repair of a foundation. Applications determined by the building official to constitute substantial repair of a foundation shall require all existing portions of the entire building or structure to meet the requirements of 780 CMR.

Variance: a grant of relief by a community from the terms of a flood plain management regulation.

Violation: the failure of a structure or other development to be fully compliant with the community's flood plain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in §60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided

Zone A: an area of special flood hazard without water surface elevations determined.

Zone A1-30 and Zone AE: an area of special flood hazard with water surface elevations determined.

Zones B, C, and X: Areas identified in the Flood Insurance Study as areas of moderate or minimal flood hazard. Zone X replaces Zones B and C on new and revised maps.

E. Base Flood Elevation and Floodway Data.

1. Floodway Data. In Zones A and AE, along watercourses that have not had a regulatory floodway designated, the best available Federal, State, local or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.
2. In A Zones, in the absence of FEMA BFE data and floodway data, the building department will obtain, review and reasonably utilize base flood elevation and floodway data available from a Federal, State, or other source as criteria for requiring new construction, substantial improvements, or other development in Zone A as the basis for elevating residential structures to or above base flood level, for floodproofing or elevating nonresidential structures to or above base flood level, and for prohibiting encroachments in floodways.
3. In Zones A1-30 and AE, along watercourses that have a regulatory floodway designated on the Town's FIRM encroachments are prohibited in the regulatory floodway which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.

4. AO and AH zones drainage requirements. Within Zones AO and AH on the FIRM, adequate drainage paths must be provided around structures on slopes, to guide floodwaters around and away from proposed structures.
5. Base Flood Elevation Data. When proposing subdivisions or other developments greater than 50 lots or 5 acres (whichever is less), the proponent must provide technical data to determine base flood elevations for each developable parcel shown on the design plans.
6. If the Town acquires data that changes the base flood elevation in the FEMA mapped Special Flood Hazard Areas, the Town will, within 6 months, notify FEMA of these changes by submitting the technical or scientific data that supports the change(s.) Notification shall be submitted to: FEMA Region 1 Risk Analysis Branch Chief, 99 High Street, 6th floor, Boston, MA 02110, copy to: Massachusetts NFIP State Coordinator, MA Dept. of Conservation and Recreation, 251 Causeway Street, Boston, MA 02114

F. In a riverine situation, the Conservation Agent shall notify the following of any alteration or relocation of a watercourse: adjacent communities, NFIP State Coordinator (Department of Conservation and Recreation), and NFIP Program Specialist (FEMA Region 1).

G. Use Regulations.

1. Permitted Uses. The following uses shall be permitted in the Flood Plain District provided that the Conservation Commission has acted within the scope of its jurisdiction under G.L. c. 131, § 40.
 - a. Uses permitted in the underlying zoning district are allowed provided they meet the requirements of this Section 5.6.1 and the State Building Code dealing with construction in flood plains.
 - b. Uses directly related to the conservation of water, plants and wildlife.
 - c. Outdoor recreation activities and facilities, including unpaved play areas nature study; boating; fishing and hunting where otherwise legally permitted.
 - d. Wildlife management areas, landings; foot, bicycle and/or horse paths and bridges; provided such uses do not affect the natural flow pattern of any water course.
 - e. Grazing and farming, including truck gardening and harvesting of crops.
 - f. Forestry and nurseries.
 - g. Small non-residential structures of less than 100 square feet of floor area used in connection with recreation or the growing, harvesting, storage, or sale of crops raised on the premises.
 - h. Creation of ponds with a total water surface area at normal elevation not in excess of 40,000 square feet.
 - i. Removal of salt and other accumulated debris from a water course which tends to interfere with natural flow patterns of the water course.

- j. Access driveways to land outside the Flood Plain District not otherwise accessible.
 - k. Buildings lawfully existing prior to the adoption of these provisions.
2. All manmade changes to improved or unimproved real estate, including but not limited to building or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, including structural and nonstructural activities, whether permitted by right or by special permit, shall comply with G.L. c. 131, § 40, and the following:
 - a. Sections of the State Building Code (780 CMR) which address floodplain and coastal high hazard areas;
 - b. Wetlands Protection Regulations, Department of Environmental Protection (DEP) (currently 310 CMR 10.00);
 - c. Inland Wetlands Restriction, DEP (currently 310 CMR 13.00).
 - d. Minimum Requirements for the Subsurface Disposal of Sanitary Sewage, DEP (currently 310 CMR 15, Title 5).
 7. Any variances from the provisions and requirements of the above-referenced state regulations may only be granted in accordance with the required variance procedures of these state regulations.
 8. In A1-30, AH, and AE Zones, Zones, all recreational vehicles to be placed on a site must be elevated and anchored in accordance with the zone's regulations for foundation and elevation requirements or be on the site for less than 180 consecutive days or be fully licensed and highway ready.
 9. Prohibited Uses. The following shall be prohibited in the Flood Plain District:
 - a. New construction of a building or structure except as otherwise provided in this Section 5.6.1;
 - b. Movement, alteration, or expansion of an existing building or structure so as to increase its ground coverage by more than a total of 20 percent;
 - c. Dumping or filling or relocation of earth materials except as may be required for the uses permitted in Section 5.6.1 G (1) (h) (i) and (j).
 - d. Storage of road salt, fertilizer, manure, or other organic or chemical leachable material.

H. Subdivisions. All subdivision proposals shall be designed to assure that:

1. Such proposals minimize flood damage;
2. All public utilities and facilities are located and constructed to minimize or eliminate flood damage; and
3. Adequate drainage is provided to reduce exposure to flood hazards.

4. Existing contour intervals of site and elevations of existing structures must be included on plan proposal.

I. Lot Area Allowance. If any portion of a lot in a single-family residence district (AR-1 and AR-II) is overlaid by the Flood Plain District, said portion may be used to meet the minimum lot area regulations of the single-family district. However, no building or structure shall be erected on the portion outside the Flood Plain District unless it contains suitable space for a building or structure, for installation of adequate sewage disposal facilities in accordance with Title V of the State Environmental Code, and for meeting the setback, frontage, and other dimensional requirements of this Zoning Bylaw, but in no case less than 10,000 square feet.

J. A lot with a dwelling existing thereon at the time of the adoption of this Zoning Bylaw shall not be deemed a non-conforming lot solely because any portion of it lies within the Flood Plain District.

K. Special Permits. The Board of Appeals may grant a special permit for any of the following upon finding that the purposes of the Flood Plain District have been met.

1. A special permit from the Board of Appeals shall be required for construction on any lot in a commercial or industrial district when a portion of the lot is overlaid by the Flood Plain District.
2. Determination of Flooding and Suitability.
 - a. The Board of Appeals may grant a special permit for a use permitted in the underlying district if the Board determines that:
 - i. The proposed use of such land will not interfere with the general purposes for which the Flood Plain District has been established, and will not be detrimental to the public health, safety and/or welfare; and
 - ii. The proposed use or structure will comply with all other provisions of the underlying district within which the land is located.
 - b. The Board of Appeals shall refer such special permit applications to the Planning and Economic Development Board, Conservation Commission, and Board of Health for review and comment, and shall not act until these agencies have reported their recommendations or thirty-five days have elapsed after such referral and no report has been received.
 - c. Any special permit granted hereunder shall be conditional upon receipt of all other permits or approvals required by local, state, or federal law.
3. No construction requiring a public utility, including electric, water, gas, and telephone lines or waste disposal or drainage facilities, shall be permitted unless the Board of Appeals determines that all such utilities are located, elevated, and constructed so as to minimize or eliminate flood damage and that methods of disposal of sewage, refuse, and other wastes and methods of providing drainage are adequate to reduce flood hazards.

4. Special permit application, review, and decision procedures shall be in accordance with Section 3.4 of this Zoning Bylaw and the rules and regulations of the Board of Appeals.

L. Variances From Floodplain Bylaw. A variance from this floodplain bylaw must meet the requirements set out by State law, and in addition may only be granted if: 1) good and sufficient cause and exceptional non-financial hardship exist; 2) the variance will not result in additional threats to public safety, extraordinary public expense, or fraud or victimization of the public; and 3) the variance is the minimum action necessary to afford relief.

M. Variance from State Building Code. The Town will request from the State Building Code Appeals Board a written and/or audible copy of the portion of the hearing related to the any variance granted by that Board from the requirements for flood plain construction, and will maintain this record in the Town's files.

The Town shall also issue a letter to the property owner regarding potential impacts to the annual premiums for the flood insurance policy covering that property, in writing over the signature of a community official that (i) the issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage and (ii) such construction below the base flood level increases risks to life and property.

Such notification shall be maintained with the record of all variance actions for the referenced development in the floodplain overlay district.

N. The Town Medway requires a permit for all proposed construction or other development in the floodplain overlay district, including new construction or changes to existing buildings, placement of manufactured homes, placement of agricultural facilities, fences, sheds, storage facilities or drilling, mining, paving and any other development that might increase flooding or adversely impact flood risks to other properties. The permit review process includes the use of a checklist of all local, state and federal permits that will be necessary in order to carry out the proposed development in the floodplain overlay district. The proponent must acquire all necessary permits, and must submit the completed checklist demonstrating that all necessary permits have been acquired.

2021 ATM Rezoning - ARII to ER (BJS draft 12.31.2020)
sac edits 2-11-21

Article ____: To see if the Town will vote to rezone the properties located at:

- 49 Milford Street (Assessors' Parcels 56-006 and 46-055)
- 53 Milford Street (Assessors' Parcel 46-056)
- 53R Milford Street (Assessors' Parcel 56-004)
- 61A Milford Street (Assessors' Parcel 46-059-0001)
- 61 Milford Street (Assessors' Parcel 46-059)
- 61R Milford Street (Assessors' Parcel 56-003)
- 0 Milford Street (Assessor's Parcel 56-002)
- 55 Milford Street (Assessor's Parcel 46-057)

as shown on a map on file with the Town Clerk's office, from Agricultural Residential II (AR-II) to Energy Resource (ER), and to revise the Zoning Map accordingly.

or act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD



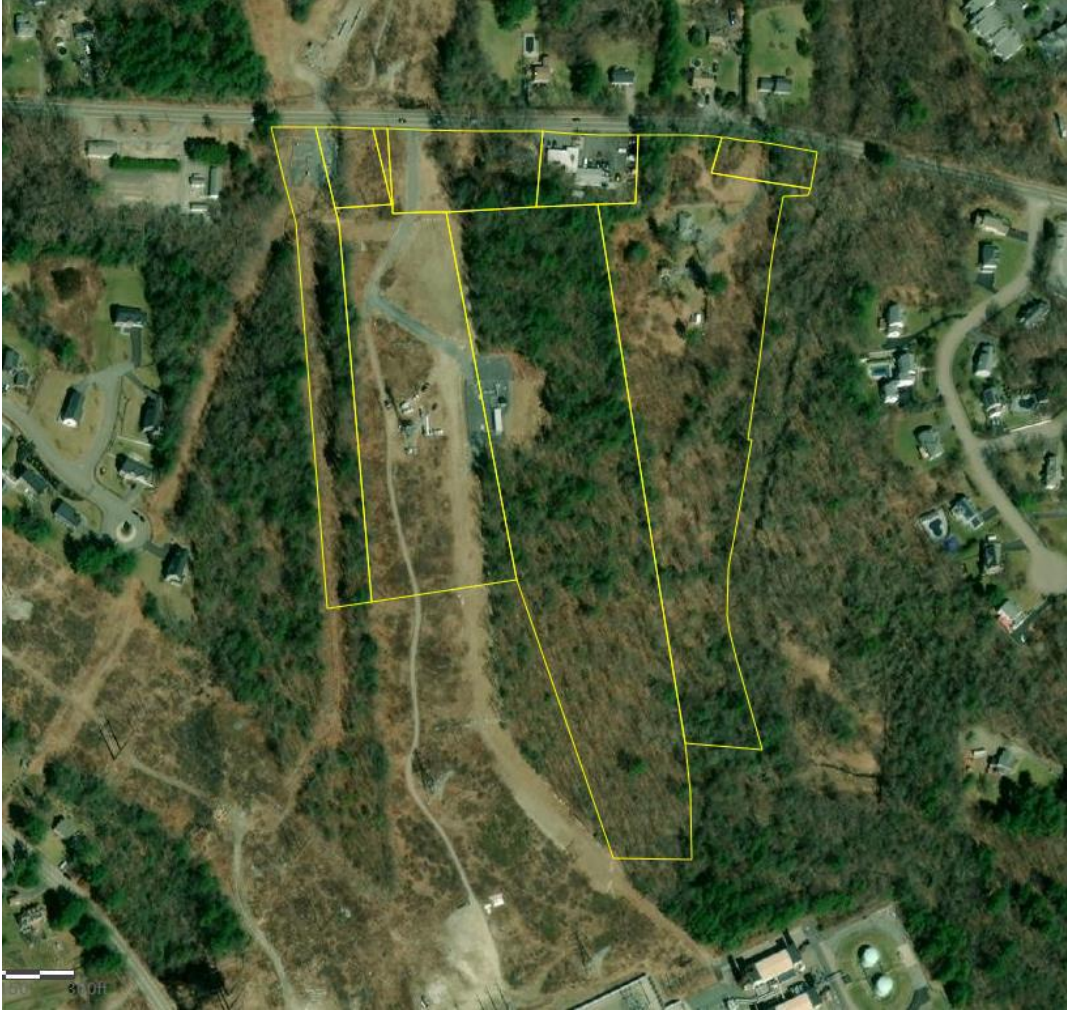
PROPOSED REZONING

ARII to Energy Resource District

February 11, 2021



- 49 Milford Street (Assessors' Parcels 56-006 and 46-055)
- 53 Milford Street (Assessors' Parcel 46-056)
- 53R Milford Street (Assessors' Parcel 56-004)
- 61A Milford Street (Assessors' Parcel 46-059-0001)
- 61 Milford Street (Assessors' Parcel 46-059)
- 61R Milford Street (Assessors' Parcel 56-003)
- 0 Milford Street (Assessor's Parcel 56-002)
- 55 Milford Street (Assessor's Parcel 46-057)



Nonconforming Uses

February 11, 2021

Article ____ Nonconforming Structures: To see if the Town will vote to amend the Zoning Bylaws, Section 5.5.C and Section 5.5.H, as follows, (deleted language shown in ~~strike through~~ , added language shown in **bold**):

C. Nonconforming One-Family and Two-Family Dwellings

1. No Increase in Nonconforming Nature. Lawfully existing nonconforming one-family and two-family structures may be reconstructed, extended, structurally changed or altered where the Zoning Board of Appeals finds that the reconstruction, extension, structural change or alteration does not increase the nonconforming nature of the structure. **For purposes of this subsection C, lawfully existing nonconforming one-family and two-family structures shall include lawfully existing nonconforming structures that are accessory to, and on the same lot as, a one-family or two-family structure. Such accessory structures shall be afforded the same protections under this subsection C as lawfully existing, nonconforming single-family and two-family structures.**
2. Increase in Nonconforming Nature. In the event that the Zoning Board of Appeals determines the nonconforming nature of the structure is increased, the Zoning Board of appeals may grant a special permit to allow such reconstruction, extension, alteration, or structural change upon finding that the proposed reconstruction, extension, alteration or structural change does not create a new nonconformity and will not be substantially more detrimental to the neighborhood than the existing nonconforming structure.
3. The provisions of sub-section C.1 and C.2 above shall not apply to the alteration, enlargement, structural change or reconstruction (collectively referred to herein as “alterations”) of a legally existing, nonconforming single or two family structure in the following circumstances:
 - a. The proposed alterations do not increase the maximum height of the pre-existing structure; and
 - b. The proposed alterations comply with setback requirements, or, if they do not comply, **the those** proposed alterations **that do not comply with setback requirements** do not result in a decrease in the distance between any lot line and the nearest point of the structure.

For the purpose of this Zoning Bylaw, alterations meeting the criteria set forth in this sub-section C.3 shall not be deemed to increase the nonconforming nature of the structure, and are allowable as a matter of right. Upon determination of the Building Commissioner that this sub-section C.3 is complied with, the Building Commissioner may issue a building permit for the alterations. This provision does not preclude the Zoning Board of Appeals from determining that other alterations, extensions or reconstruction to a legally existing, nonconforming single or two family home do not increase the nonconforming nature of the structure.

H. Special Permits. Special permits ~~granted~~ **applications** under Section 5.5.C. **and Section 5.5.E** are not subject to the special permit criteria under Section 3.4.

or act in any manner related thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

COTTAGE CLUSTER DEVELOPMENT

Revised Draft – February 12, 2021

ARTICLE : To see if the Town will vote to amend the Zoning Bylaw by adding a new Section 8.12 Cottage Cluster Development as follows:

Section 8.12 Cottage Cluster Development

A. Purposes. The purposes of Cottage Cluster Development are to;

1. provide a variety of smaller, more affordable housing choices, including single-family dwelling units, duplexes, and carriage houses, in order to meet the needs of a diverse population;
2. encourage new residential development types that foster community and a sense of place while allowing for flexibility in design based on site characteristics and context;
3. promote affordability and variety in housing design and site development while ensuring compatibility and integration with surrounding neighborhoods and land uses;
4. build community cohesion among Cottage Cluster residents through the design of internal pedestrian circulation, orientation of dwelling units, and inclusion of Courtyard(s);
5. provide common open space to be shared by Cottage Cluster residents
6. prioritize pedestrian connectivity and minimize the visual presence, noise, and impacts of vehicular traffic and parking.

B. Definitions. Where the following terms appear in this Section 8.12, they shall have the following meanings.

1. **Carriage House:** A small single-family dwelling located above an attached or detached garage structure in a Cottage Cluster Development.
2. **Community Building:** A building providing indoor and/or outdoor space available for use by all residents of the Cottage Cluster Development, including but not limited to a picnic shelter, tool shed, exercise room, lounge room for meetings, classes, or games, or child care room.
3. **Community Garden:** An open space designed as a collection of individual garden plots available to residents for horticultural purposes, including storage facilities for necessary equipment.
4. **Cottage:** A small detached, single-family dwelling unit with narrow massing.
5. **Cottage Cluster Development:** A Cottage Court or a cohesive grouping of Cottage Courts, carriage houses, and two family houses/duplexes. A Cottage Cluster Development may also include shared community garden plots, parking courts, and community buildings and facilities.
6. **Cottage Court:** A collection of small private homes arranged around a common courtyard which becomes an important community-enhancing element of the site.

Cottage Courts may also have shared community garden plots, parking courts, and recreation buildings and facilities.

7. **Courtyard:** A courtyard (or court) is a common open space, often surrounded by a building or buildings, that is open to the sky. Courtyards may include a variety of passive recreational activities, community gardens, and other amenities for community gatherings.
8. **Exclusive Use Area:** A private open space or private yard associated with a private residence for passive recreational use including but not limited to landscaped areas, gardens, and seating. The Exclusive Use Area is not intended for public access or access by other residents of the Cottage Cluster.
9. **Maximum unit size:** A limit on the gross floor area of a residential dwelling unit, based on the total size of the original construction and any additions or other subsequent alterations, expressed as a square foot measurement.

C. Applicability.

1. By Special Permit. The Planning and Economic Development Board may grant a special permit for a Cottage Cluster Development for up to eight dwelling units per acre for any tract of land in the AR-I, AR-II, and VR districts. A Cottage Cluster Development is subject to the requirements of site plan review, land disturbance permits, and all other generally applicable land use regulations.
2. Lots with legally pre-existing nonconforming buildings shall be eligible for a Cottage Cluster Development special permit provided there is no increase in any dimensional nonconformity or the creation of a new nonconformity, and the applicant can demonstrate compliance with the parking and density and dimensional requirements of this Section 8.12.

D. Affordable Housing. A Cottage Cluster Development is subject to Section 8.6 Affordable Housing of this Bylaw.

E. Use Regulations.

1. A Cottage Cluster Development special permit may provide for any or a combination of the following uses as determined by the Planning and Economic Development Board:
 - a. Carriage House
 - b. Cottage
 - c. Two Family House/Duplex
 - d. Community Building
2. Existing structures on the subject property may be incorporated into a Cottage Cluster Development.
3. A maximum of fifteen percent of the total number of dwelling units in a Cottage Cluster Development may be Carriage Houses.
4. A maximum of twenty-five percent of the total number of dwelling units in a Cottage Cluster Development may be Two Family Houses/Duplexes.

F. Density and Dimensional Regulations.

1. The dimensional regulations for Cottage Cluster Developments are given in Table 8.12 – 1 and illustrated in Figure 8.12 - 1. There are no minimum lot area, maximum lot

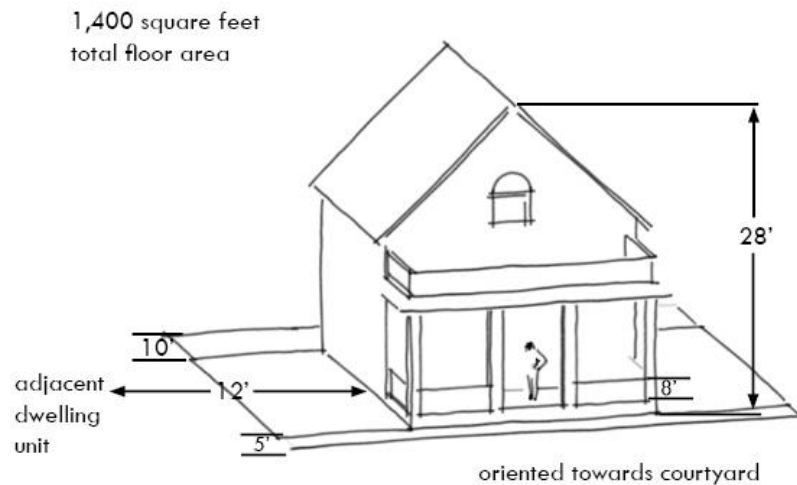
coverage, or minimum open space requirements except for the required Courtyard under this Section.

2. The total square footage of a dwelling unit in a Cottage Cluster Development shall not be increased beyond the maximum dwelling unit size specified in Table 8.12 – 1. Notation shall be placed on the title to any property for the purpose of notifying future owners of such limitation.

Table 8.12 - 1: Dimensional Standards for Cottage Cluster Developments

Maximum dwelling unit size	<p>Cottage: one thousand square feet on first floor; fourteen hundred square feet total</p> <p>Carriage House: eight hundred square feet</p> <p>Two Family House/Duplex: two thousand square feet on first floor; twenty-eight hundred square feet structure total</p> <p>Maximum dwelling unit size does not include the basement area or the area of an attached or detached garage.</p>
Minimum lot frontage	Fifty feet
Maximum impervious coverage	Fifty percent
Minimum building setback	From property adjacent to the Cottage Cluster Development: twenty feet from lot line
Minimum building setbacks	<p>When land is divided into lots.</p> <ul style="list-style-type: none"> • Side setback: six feet • Rear setback: ten feet <p>When land is not divided into lots.</p> <ul style="list-style-type: none"> • Minimum distance between buildings: twelve feet. The shared wall of a two family house/duplex is exempt. • Rear setback; ten feet, if the rear of a dwelling unit is adjacent to a parking area, alley or other common space. <p>Front setback</p> <ul style="list-style-type: none"> • five feet to porches; ten feet to porches of buildings wider than twenty-five feet. • If the dwelling unit is oriented towards a Courtyard or other common space, the front setback shall be that space between the edge of the porch and the edge of the Exclusive Use Area where it meets the Courtyard or other common space. • If the dwelling unit is oriented towards a street, the required standard front setback of the underlying zoning district applies.
Maximum Height	<p>Cottage: 28 feet</p> <p>Carriage House: 28 feet including the garage</p> <p>Two Family House/Duplex: 28 feet</p> <p>Other buildings or structures: 28 feet</p>

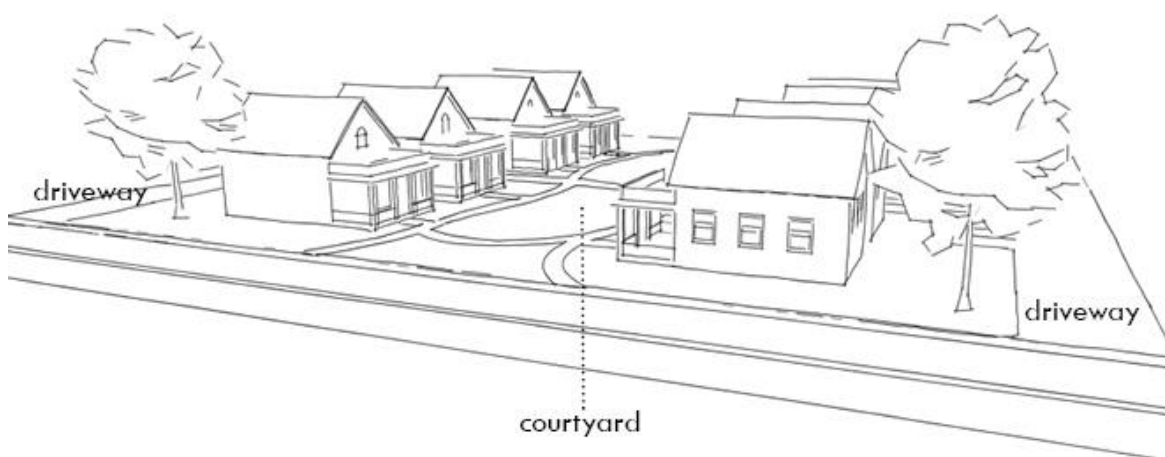
Figure 8.12 - 1. Cottage Dimensions



G. Site Design

1. The primary development configuration of a Cottage Cluster Development shall be a Cottage Court. See illustrative example in Figure 8.12 – 2. Cottage Court below. A minimum of seventy-five percent of the dwelling units in a Cottage Cluster Development must be developed within a Cottage Court, per Paragraph I herein. There is no limit to the number of Cottage Courts except as provided in the density limitations specified in Paragraph C.1 herein.
2. The secondary configuration of a Cottage Cluster Development may be developed in a manner that does not meet the Cottage Court standards of Paragraph H herein including the addition of carriage houses and two family/duplexes.

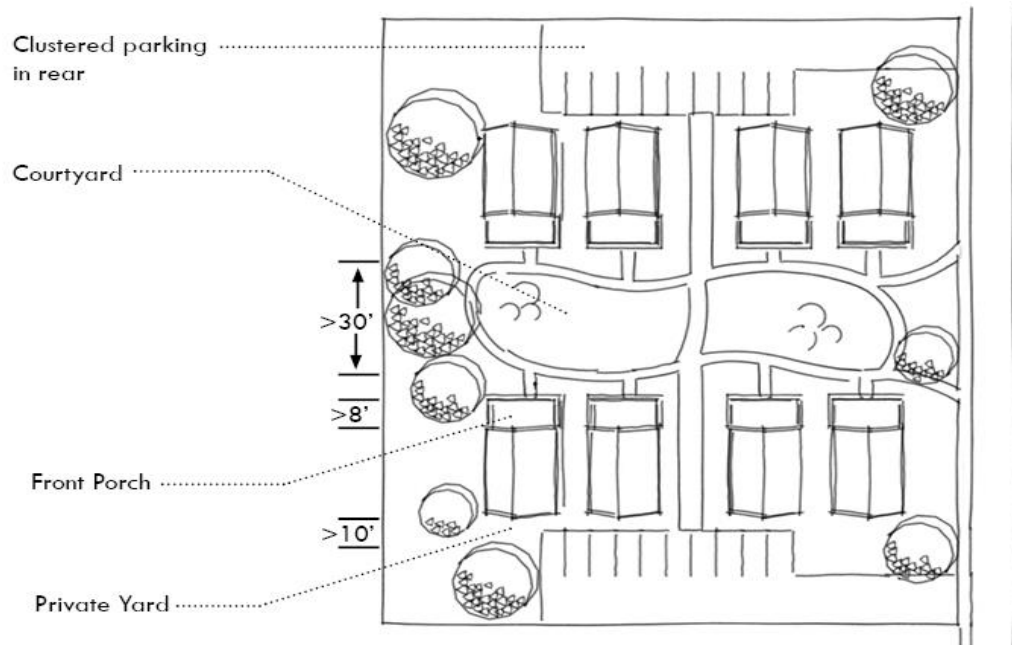
Figure 8.12 - 2. Cottage Court



H. Cottage Court Standards

1. See Figure 8.12 – 3. Cottage Court Standards below.

Figure 8.12 – 3. Cottage Court Standards



2. A Cottage Court shall be developed according to the following standards.
 - a. Size and Orientation
 - 1) Each Cottage Court shall have a minimum of four and a maximum of sixteen dwelling units.
 - 2) Every dwelling unit in a Cottage Court shall be oriented toward and have their front door opening to the Courtyard.
 - b. Courtyard
 - 1) Each Cottage Court shall have a Courtyard with a minimum dimension of thirty feet on all sides. Each Courtyard must be sized to provide at least four hundred square feet per dwelling unit. Parking areas, yard setbacks, spaces between buildings of less than fifteen feet or less in width, private open space, and driveways do not qualify as Courtyard space.
 - 2) Courtyards shall have dwelling units on at least two of its sides.
 - 3) Courtyards shall be improved for passive recreational use, including but not limited to landscaped areas, picnic areas, and gardens. Courtyards may also include community amenities, including but not limited to seating, landscaping, walkways, trails, gazebos, barbecue facilities, covered shelters, play areas, and other similar features. Community buildings may be included in the required Courtyard but may not occupy more than ten percent of the minimum required Courtyard area.
 - 4) Courtyards shall be held in common ownership through a homeowners' or condominium association.

- c. Exclusive Use Area
 - 1) Open space for exclusive use shall be provided on the front, side, or rear of each dwelling unit. Each dwelling unit must be provided with a minimum of two hundred square feet of usable Exclusive Use Area, with no dimension less than ten feet. Such open space requirement may be met with a combination of space in the front, side, or rear locations of the dwelling unit.
 - 2) The Exclusive Use Area shall be separated from the Courtyard by a walkway, landscaping, hedge, or fence. If a hedge or fence is provided, it shall not exceed three feet in height.
- d. Front Porch
 - 1) Each dwelling unit abutting a Courtyard must have a covered porch oriented toward the Courtyard.
 - 2) Each front porch must have a minimum area of one hundred square feet and a minimum depth of eight feet.
- e. Privacy - Dwelling units must be designed so that window placements do not allow residents in a dwelling to peer into the living space of adjacent dwellings closer than thirty feet apart. This can be accomplished by staggering window placements or by arranging dwellings with 'open' and 'closed' sides; the open side of a dwelling may have windows facing its own side or rear yard, and the closed side may have high windows, translucent windows, or skylights.

I. Cottage Cluster Development Standards

- 1. Relation to adjacent neighborhood
 - a. Each dwelling unit that abuts a public right-of-way (not including alleys) and that does not abut a Courtyard must have a front façade oriented towards the public right-of-way.
 - b. Gated access to a Cottage Cluster Development is prohibited.
- 2. Design - Building design should incorporate features of traditional New England architecture, utilizing forms such as steeply pitched roofs, gables, or dormers and be consistent with the *Medway Design Review Guidelines*. Variety in building design among the cottages within a Cottage Cluster Development is required. High-quality exterior materials and architectural details consistent with the building's cottage style should be used to provide visual interest.
- 3. Walkability - Pedestrian connections are required between each building and public right of way, Courtyard, and parking area.
- 4. Community buildings and other features are encouraged subject to the following:
 - a. Must be clearly incidental in use and size to the dwelling units
 - b. Must be no greater than 28' in height
 - c. Must be commonly owned by the residents
 - d. Must be architecturally compatible with Cottage style
- 5. A common driveway may be administered as part of a homeowners' or condominium association. Alternatively, it may be jointly owned in fee or as an easement as specified on the deeds of the owners of the properties to which it provides access.

J. Historic Properties - Any property proposed for a Cottage Cluster Development pursuant to this sub-section which includes a building that is 75 years of age or older shall be reviewed by the Medway Historical Commission to determine if it is an “historically significant building” and if it is a “preferably preserved historically significant building” in accordance with the criteria specified in Medway General Bylaws Article 17 Historical Properties. If so determined to be a preferably-preserved historically significant building, the property shall be incorporated into the Cottage Cluster development and comply with the following additional requirements for a special permit pursuant to this sub-section.

1. A preferably preserved historically significant building shall be not demolished unless:
 - a. The Building Commissioner has determined that it is unused, uninhabited or abandoned, and open to the weather; or
 - b. The Board of Selectmen or the Board of Health has determined it to be a nuisance or dangerous pursuant to applicable state laws and/or the State Building Code;
2. Renovation of a historically significant building shall be completed in a manner that preserves and/or enhances the building’s historic exterior architecture and features;
3. The project’s new construction shall be designed to reflect the historic nature of the property, its primary building, and buildings in the surrounding neighborhood including historic homes, carriage houses, barns, sheds, garages, agricultural buildings, other similar out buildings, and historic forms of house additions traditionally undertaken in the neighborhood.
4. Any property proposed for a Cottage Cluster development pursuant to this sub-section which had a building that was 75 years of age or older located on it, which building has been demolished without the authorization specified in J.1. herein, shall not be eligible to apply for a Cottage Cluster Development special permit until at least three years after the date that the demolition of said building was completed.

K. Parking Requirements

1. Number of Parking Spaces
 - a. Dwelling units less than eight hundred square feet: Minimum of one space per dwelling unit, maximum of one space per dwelling unit
 - b. Dwelling units greater than eight hundred square feet: Minimum of one space per dwelling unit, maximum of two spaces per dwelling unit only one of which may be located in a garage.
 - c. One guest parking space per four dwelling units.
 - d. Minimum and maximum parking space requirements shall include parking spaces in garages.
2. Location and Design
 - a. The location of parking spaces should be based on the scale of the overall development, rather than on a unit-by-unit basis. In so doing, the Board may consider the parking regulations included in Section 7.1.1 of the Bylaw.
 - b. Parking requirements may be met in clustered (shared) parking areas, along access alleyways, or in attached or detached garages. Each required parking space, not including guest spaces, must be located within three hundred feet of an entrance to the associated dwelling unit. Parking requirements may not be fulfilled by parking on a public street.

- c. Parking for dwelling units abutting a Courtyard shall be located at the rear or side of the dwelling units. Garages, carports, surface parking, and driveways shall not be located between the Courtyard and the dwelling units.
 - d. Where dwellings have garages accessed by a front entrance located off of a public street, such garages must be set back from the front façade of the dwelling by a minimum of one foot and have a maximum of one garage door not to exceed ten feet in width.
 - e. Surface parking areas should incorporate low impact development strategies to filter and minimize runoff. Parking areas may have gravel surfaces.
- I. Management** - The applicant must prove to the Town, based upon review by the Planning and Economic Development Board, that there will be a suitable legally-binding system in place, such as a homeowners association agreement or condominium association agreement, to ensure proper maintenance and funding of shared facilities and services, including but not limited to trash management, Courtyard, open space, shared parking areas, communal storage, communal mailbox, alleys, community building, stormwater management, and other site amenities and improvements.
- L. Conditions, Limitations and Safeguards** - The Planning and Economic Development Board may waive criteria and require additional criteria, including but not limited to building standards and site design, based on compelling reasons of fire safety submitted by the Medway Fire Department Chief during the public hearing.
- M. Special Permit Review Criteria** - The Planning and Economic Development Board may grant a Cottage Cluster Development special permit upon finding that:
- 1. The proposed plan meets the requirements of the Cottage Cluster Development Bylaw;
 - 2. The dwellings are sited and oriented in a complementary relationship to each other, the Courtyard, and the adjacent properties with respect to style, scale, mass, setback, proportions and materials;
 - 3. The site plan, ingress, egress, and internal circulation is designed to prioritize safe and convenient pedestrian access;
 - 4. Adjacent properties and nearby streets are protected and buffered from negative visual impacts of the development, if any, by landscaping or other site planning buffering techniques;
 - 5. Adequate provisions for water, sanitary sewer, and stormwater management and snow removal or on-site storage have been demonstrated; and
 - 6. The site design incorporates the site's existing topography and protects natural features to the maximum extent feasible.

And to add the following to Section 8.6 Affordable Housing, B. Applicability as follows:

- 1. In applicable zoning districts, this Section shall apply to the following uses:
 - e. **Cottage Cluster Development approved pursuant a Cottage Cluster Development special permit under Section 8.12 of this Zoning Bylaw.**

Or to act in any manner related thereto:

PLANNING AND ECONOMIC DEVELOPMENT BOARD

DIGITAL ADVERTISING SIGNAGE for Electric Vehicle Charging Stations

REVISED Draft – February 24, 2021

ARTICLE : To see if the Town will vote to amend the Medway Zoning Bylaw, Section 7.2 Signs, by adding the following definition in 7.2.1 C. Definitions, 2. Types of Signs.

Digital Advertising Signage – Signage that uses light emitting diodes (L.E.D.) or similar technology, controlled by electronic communication, to display static graphics, text, images, or multimedia content for informational or advertising purposes.

And by amending Section 7.2.6 Administration, B. Special Permits, to add the following.

4. 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.
 - 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).

And by amending Section 5.4 by inserting the following additional accessory use in Table 1: Schedule of Uses, D. BUSINESS USES to allow electric vehicle charging stations with digital

advertising signage in the Central Business district by special permit from the Planning and Economic Development Board as follows: (New text in **bold.**)

TABLE 1: SCHEDULE OF USES													
	AR-I	AR-II	VR	CB	V C	NC	BI	EI	ER	WI	Form-Based Districts		
											OG VC	OG BP	OG N
D. BUSINESS USES													
Accessory Uses													
Drive-through facility <i>(Amended 11-16-20)</i>	N	N	N	N	N	PB	PB	N	N	N	PB	PB	N
Outdoor display	N	N	N	SP	SP	SP	SP	N	N	N	Y	Y	N
Outdoor storage of materials and parking of vehicles and equipment associated with a business operated in a building on the premises, subject to Section 7.1.3 of the Zoning Bylaw. <i>(Amended 11-18-19)</i>	N	N	N	N	N	N	Y	Y	N	Y	N	PB	N
Electrical vehicle charging station with digital advertising signage, subject to Section 7.2.6.B.4 of the Zoning Bylaw.	N	N	N	PB	N	N	N	PB	N	PB	N	N	N

And by amending Section 3.5 Site Plan Review to add a new item g. in 3.5.3 Applicability, A. 2. Minor Site Plan Review as follows: (New text in **bold.**)

2. Minor Site Plan Review:

- a. New construction or any alteration, reconstruction, renovation, and/or change in use of any multi-family, commercial, industrial, institutional, or municipal building use which is not subject to Major Site Plan Review but which involves one or more of the following:
 - i. the addition of 1,000 to 2,499 square feet of gross floor area; or
 - ii. the addition of ten or more but less than twenty new parking spaces
- b. The redesign, alteration, expansion or modification of an existing parking area involving the addition of ten or more but less than twenty new parking spaces; or
- c. The redesign of the layout/configuration of an existing parking area of twenty to thirty-nine parking spaces
- d. Any use or structure or expansion thereof exempt under Massachusetts G.L. c. 40A, §3. only to the extent allowed by law.
- e. Removal, disturbance, and/or alteration of 10,000 to 19,999 square feet of impervious surface.
- f. Installation of a wireless communication facility as defined in Section 8.7 of this Zoning Bylaw. *(Added 11-18-19)*
- g. Installation of electric vehicle charging station(s) with digital advertising signage.**

Or act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

Accessory Family Dwelling Units
22-11-21 DRAFT

Article ____ **Accessory Family Dwelling Units**

To see if the Town will vote to amend the Zoning By-Law, Section 8.2., Accessory Family Dwelling Unit (AFDU), by adding a new subsection 8.2.C.9 as follows:

9. If the AFDU is located in a new, separate structure on the same premises as a detached single-family dwelling (principal dwelling unit), the following standards shall apply to the AFDU structure:
 - a. The AFDU shall be clearly accessory and incidental to the principal dwelling unit.
 - b. The AFDU shall be architecturally compatible with the principal dwelling unit.
 - c. The AFDU shall not be located closer to the front lot line than the principal dwelling unit.
 - d. In addition to the 800 square feet of gross floor area limitation set forth in subsection 8.2C.4, the gross floor area of the AFDU shall not exceed 50% of the gross floor area of the principal dwelling unit.

or act in any manner relating thereto.

Residential Common Driveways

2-18-21

Article ____ Residential Common driveways: To see if the Town will vote to amend the Zoning Bylaws by adding a new Section 5.4.1, Residential Common Driveways, as follows:

5.4.1 Residential Common Driveways

A. Purpose

The purpose of this Section is to promote public safety, provide for adequate sight distance, avoid site disturbance, minimize the alteration of topographical characteristics and natural resource areas, which include wetlands and historic resources, minimize stormwater runoff and retain a rural residential character. It is not the intent to make undevelopable land developable.

B. Applicability

This Section applies only to residential common driveways, which are limited to single driveways providing vehicular access to two lots for single or two-family dwellings (the “benefitted parcels”). Residential common driveways shall require a special permit from the Planning and Economic Development Board.

Residential common driveways must be privately owned and maintained, shall not be considered streets or public ways, and shall not constitute a part of the designated or legal frontage for any lot. Each lot served by a common driveway must meet the frontage requirements of the applicable zoning district.

C. Design Requirements

All residential common driveways must comply with the following design requirements:

1. The common driveway must extend from the benefitted parcels to a public street right of way. A common driveway, as well as the individual driveways beyond the common portion of the driveway, must be located entirely within the benefitted parcels. A common driveway must intersect the street right of way within the legal frontage of one of the benefitted parcels.
2. The benefitted parcels must have permanent access to the common driveway by easements recorded in the Norfolk County Registry of Deeds.
3. The deeds to the benefitted parcels shall require that the owners thereof must establish a maintenance association, the purpose of which is to provide for the maintenance and repair of the common driveway, or otherwise adequately provide for the maintenance and repair of the common driveway. The term “maintenance” shall include, but not be limited to, snow plowing, maintaining design specifications, and repair and maintenance of surfaces and stormwater management facilities. All property contiguous to the common driveway must be a part of the benefitted parcels which must be included within the maintenance association. The easement containing the common driveway shall be a minimum of 20 feet in width.
4. Minimum Construction Standards.

- a. The radius of the common driveway intersection with the street right of way must be sufficient to enable emergency vehicles to exit and enter the common driveway without leaving the surface of the common driveway. Common driveways shall accommodate the Single-Unit Truck (SU-30) vehicle turning radius at all curve radii, in accordance with the January, 2006 MassHighway Project Development and Design Guide or its latest amended version.
 - b. The surface of the common driveway shall be a material that will allow all season access. Asphalt is not required, and in some circumstances, may be discouraged because of drainage conditions. Granite roundings are required at the street intersection and a paved apron for the first 25 feet.
 - c. A minimum depth of 8 inches of gravel must be installed the full width of the entire common driveway traveled way.
 - d. The maximum grade of the common driveway shall be no greater than 5% within 40 feet of the street right of way. The maximum grade of a common driveway for its full length beyond the initial 40 feet shall be no greater than 15%.
 - e. All stormwater runoff from the common driveway shall be infiltrated on the benefitted parcels; no run-off to the street or other properties is allowed.
5. House numbers of sufficient visibility shall be provided at the entry point onto the street right of way and at each individual driveway along the common driveway, so that emergency vehicles can locate each dwelling.
 6. Adequate sight line distance must be provided for vehicles exiting the common driveway at the intersection with the public street right of way.
 7. The minimum width of the traveled way of a common driveway must be no less than 120 feet. In addition, there shall be two shoulders, at least two feet wide, for a total driveway width of at least 24 feet. Adequate areas for snow storage shall be provided.
 8. Passing turnouts shall be provided which provide a total width of at least 18 feet for a distance of 25 feet, where needed for safe sight lines of passage.
 9. Provisions to permit the turn around of a SU-30 vehicle shall be provided at the terminus of all common driveways longer than 500 feet.
 10. A common driveway, from its intersection with the adjacent public street right of way to the location where the common driveway splits into individual driveways, shall not extend longer than 400 feet.
 11. All stormwater runoff from the common driveway shall be infiltrated on the benefitted parcels. Stormwater shall not be allowed to run off to abutting properties or any public way. Driveways shall be pitched so as not to allow stormwater to run off into any public way; an exception may be made for the first five feet of the driveway abutting a public way, if necessary for safety reasons.

D. Administration

1. A special permit is required from the Planning and Economic Development Board (the Board) to construct a common driveway. A record owner desiring to construct a common driveway shall file with the Board an application, together with such plans, drawings, specifications, fees and additional information as required by the Board.

2. An Applicant must provide documentation and plans which are sufficient, in the opinion of the Board, for it to determine that the requirements, provisions and Approval Criteria of this Section are met. Such documentation shall include, but shall not be limited to, information on impacts to the environment, public safety, scenic roads and scenic views, and lot development.

3. Approval Criteria. Before the Board may issue the special permit, it shall determine each of the following:

- a. The common driveway will provide safe and reasonable access for fire, police and emergency vehicles.
- b. The common driveway meets the purpose and requirements of this Section.
- c. The common driveway will minimize the environmental impacts.
- d. The common driveway will not serve more than two lots for single or two-family dwellings.

E. Conditions. The Board may approve the special permit with conditions, which may include, but shall not be limited to: a) a performance bond, deposit of money or tri-party agreement, is posted with the Town to guarantee proper construction; and b) construction standards for the common driveway. and c) requirements for stormwater drainage facilities including low-impact development measures.

Susan Affleck-Childs

From: Barbara Saint Andre
Sent: Monday, February 22, 2021 8:01 AM
To: Susan Affleck-Childs
Cc: Andy Rodenhiser
Subject: FW: 2021 ATM Common driveways final
Attachments: Common driveways v. 2 Proposed 02182021MFD comments.docx

Here are Chief Lynch's comments. As Susy would say, oh my

Barbara J. Saint Andre
Director, Community and Economic Development
Town of Medway
155 Village Street
Medway, MA 02053
(508) 321-4918

From: Jeff Lynch
Sent: Friday, February 19, 2021 11:08 AM
To: Barbara Saint Andre <bsaintandre@townofmedway.org>
Subject: RE: 2021 ATM Common driveways final

Good morning Barbara, Hope you are well. I have some concerns about this. To me, it appears as though these are basically subdivisions but not being called subdivisions. Regardless if you call them driveways they are still access. I'd be glad to further discuss this but I have a great deal of reservation. We could potentially end up with 4 homes being in excess of 400 feet off the road and potentially have no or limited access due to road conditions. Not only do I have to worry about getting fire trucks there, the more likely scenario will be an ambulance. I am not completely opposed to the single means of access, we have historically allowed for exceptions to the two means of access provided the buildings are, for example, sprinklered, but I am concerned about the potential lack of width and the materials used for the "driveways". I don't believe they will support the 75,000 pound weight of our trucks. I have attached the proposal marked up with my concerns. Let me know if you'd like to meet about this or have any questions. Thanks. Jeff

Jeffrey P. Lynch
Chief of Department
Medway Fire Department
155 Village Street
Medway, MA 02053

Mailing address;
44 Milford Street
Medway, MA 02053

Jeff Lynch comments – 2-29-21

Residential Common driveways: To see if the Town will vote to amend the Zoning Bylaws by adding a new Section 5.4.1, Residential Common Driveways, as follows:

A. Purpose

The purpose of this Section is to promote public safety, provide for adequate sight distance, avoid site disturbance, minimize the alteration of topographical characteristics and natural resource areas, which include wetlands and historic resources, minimize stormwater runoff and retain a rural residential character. It is not the intent to make undevelopable land developable.

B. Applicability

This Section applies only to residential common driveways, which are limited to single driveways providing vehicular access to two lots for single or two-family dwellings. *This becomes a subdivision.* (the “benefitted parcels”). Residential common driveways shall require a special permit from the Planning and Economic Development Board.

Residential common driveways must be privately owned and maintained, shall not be considered streets or public ways, and shall not constitute a part of the designated or legal frontage for any lot. Each lot served by a common driveway must meet the frontage requirements of the applicable zoning district.

C. Design Requirements

All residential common driveways must comply with the following design requirements:

1. The common driveway must extend from the benefitted parcels to a public street right of way. A common driveway, as well as the individual driveways beyond the common portion of the driveway, must be located entirely within the benefitted parcels. A common driveway must intersect the street right of way within the legal frontage of one of the benefitted parcels.
2. The benefitted parcels must have permanent access to the common driveway by easements recorded in the Norfolk County Registry of Deeds.
3. The deeds to the benefitted parcels shall require that the owners thereof must establish a maintenance association, the purpose of which is to provide for the maintenance and repair of the common driveway, or otherwise adequately provide for the maintenance and repair of the common driveway. The term “maintenance” shall include, but not be limited to, snow plowing, maintaining design specifications, and repair and maintenance of surfaces and stormwater management facilities. All property contiguous to the common driveway must be a part of the benefitted parcels which must be included within the maintenance association. *The easement containing the common driveway shall be a minimum of 20 feet in width. Access roads need to be 20 feet wide, is there going to be enough room of the easement is only 20 feet? Will there be enough room for snow disposal?*

4. Minimum Construction Standards.

a. The radius of the common driveway intersection with the street right of way must be sufficient to enable emergency vehicles to exit and enter the common driveway without leaving the surface of the common driveway. Common driveways shall accommodate the Single-Unit Truck (SU-30) vehicle turning radius at all curve radii, in accordance with the January, 2006 MassHighway Project Development and Design Guide or its latest amended version. *18.1.1.3 The fire apparatus access road plans must include an analysis and evaluation of fire apparatus maneuvers throughout the access roads created by swept path analysis and turn simulation software.*

b. The surface of the common driveway shall be a material that will allow all season access. Asphalt is not required, and in some circumstances, may be discouraged because of drainage conditions. Granite roundings are required at the street intersection and a paved apron for the first 25 feet. *18.2.3.4.2 Surface.*

Fire department access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with an all-weather driving surface.

18.2.3.4.2.1 Permeable drivable surfaces, that meet loading of 18.2.3.4.2, are allowed when approved by the AHJ. When approved, the permeable surfaces shall be identified by a method acceptable to the AHJ. The AHJ will not approve permeable surfaces unless they are tar or cement and are clearly identifiable as a fire access and can be plowed without doing damage to the surface.

c. A minimum depth of 8 inches of gravel must be installed the full width of the entire common driveway traveled way.

d. The maximum grade of the common driveway shall be no greater than 5% within 40 feet of the street right of way. The maximum grade of a common driveway for its full length beyond the initial 40 feet shall be no greater than 15%. *18.2.3.4.6.1 The gradient for a fire department access road shall not exceed 10%, unless approved in writing by the AHJ.*
*18.2.3.4.6.2 **

The angle of approach and departure for any means of fire department access road shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m) or the design limitations of the fire apparatus of the fire department, and shall be subject to approval by the AHJ.

e. All stormwater runoff from the common driveway shall be infiltrated on the benefitted parcels; no run-off to the street or other properties is allowed.

5. House numbers of sufficient visibility shall be provided at the entry point onto the street right of way and at each individual driveway along the common driveway, so that emergency vehicles can locate each dwelling.
6. Adequate sight line distance must be provided for vehicles exiting the common driveway at the intersection with the public street right of way.
7. The minimum width of the traveled way of a common driveway must be no less than 20 feet. In addition, there shall be two shoulders, at least two feet wide, for a total driveway width of at least 22 feet. *See above regarding easement.*
8. Passing turnouts shall be provided which provide a total width of at least 18 feet for a distance of 25 feet, where needed for safe sight lines of passage. *See above regarding easement.*
9. Provisions to permit the turn around of a SU-30 vehicle shall be provided at the terminus of all common driveways longer than 500 feet. *18.2.3.4.4 Dead Ends.*

Dead-end fire department access roads in excess of 150 ft (46 m) in length shall be provided with approved provisions for the fire apparatus to turn around.
10. A common driveway, from its intersection with the adjacent public street right of way to the location where the common driveway splits into individual driveways, shall not extend longer than 400 feet. *Hydrants needed of beyond 600 feet from the edge of the house to the closest hydrant for 1 and 2 family homes. 400 feet otherwise.*

D. Administration

1. A special permit is required from the Planning and Economic Development Board (the Board) to construct a common driveway. A record owner desiring to construct a common driveway shall file with the Board an application, together with such plans, drawings, specifications, fees and additional information as required by the Board.
2. An Applicant must provide documentation and plans which are sufficient, in the opinion of the Board, for it to determine that the requirements, provisions and Approval Criteria of this Section are met. Such documentation shall include, but shall not be limited to, information on impacts to the environment, public safety, scenic roads and scenic views, and lot development.
3. Approval Criteria. Before the Board may issue the special permit, it shall determine each of the following:
 - a. The common driveway will provide safe and reasonable access for fire, police and emergency vehicles.
 - b. The common driveway meets the purpose and requirements of this Section.
 - c. The common driveway will minimize the environmental impacts.

- d. The common driveway will not serve more than two lots for single or two-family dwellings.
- E. Conditions. The Board may approve the special permit with conditions, which may include, but shall not be limited to: a) a performance bond, deposit of money or tri-party agreement, is posted with the Town to guarantee proper construction; and b) construction standards for the common driveway. and c) requirements for stormwater drainage facilities including low-impact development measures.

DRAFT

Susan Affleck-Childs

From: Barbara Saint Andre
Sent: Monday, February 22, 2021 10:07 AM
To: Susan Affleck-Childs
Cc: Andy Rodenhiser
Subject: FW: 2021 ATM Common driveways v. 3

Comments from Dave D'Amico

Barbara J. Saint Andre
Director, Community and Economic Development
Town of Medway
155 Village Street
Medway, MA 02053
(508) 321-4918

From: David Damico
Sent: Monday, February 22, 2021 9:59 AM
To: Barbara Saint Andre <bsaintandre@townofmedway.org>
Cc: Peter Pelletier <ppelletier@townofmedway.org>
Subject: RE: 2021 ATM Common driveways v. 3

Barbara,

We already have a Roadway Access By-Law 12.9. That By-Law deals mainly with the driveway access within the right-of-way, but not entirely. It does touch on some other things like construction standards, grading, etc. The proposed by-law doesn't quite line up with the existing by-law. The existing also gives authority to the Select Board of their designee which has been DPW. This would then be in conflict with this new by-law when a common drive is involved. I think this issue of jurisdiction and conflicting standards will need to be resolved before this gets to TM.

On a related front, what exactly is the purpose? It seems like we want to discourage this approach??? If the intent is to encourage this for protection of resources, I would suggest that it should be no more onerous than the requirements for a standard single family driveway except for some additional requirements on layout and ownership. Construction standards, grades, drainage, etc should be common for any residential driveway I would think. I would suggest a more holistic approach unless I'm missing something.

Thanks,

Dave
Medway DPW Director
Town of Medway
45B Holliston Street
Medway, MA 02053
508-533-3275
Check us out on-line at www.townofmedway.org

Please remember when writing or responding, the Massachusetts Secretary of State has determined that e-mail is a public record.

Housekeeping Article

2-11-21 DRAFT

Article ____ Zoning Amendments - Housekeeping:

To see if the Town will vote to amend the Zoning Bylaws as follows (deleted language shown in ~~striketrough~~ , added language shown in **bold**):

(1) Amend the following definitions in Section 2:

Accessory Family Dwelling Unit: A separate and complete housekeeping unit ~~contained within, or being an extension of, a single family dwelling~~ to accommodate additional family members **or caregivers** of a resident of the primary dwelling **which is granted a special permit under Section 8.2.**

Dwelling: A building or portion thereof designed exclusively for residential occupancy, including single family, two family, and ~~multiple family~~ **multi-family** dwellings, but not including hotels, motels, boarding houses, trailers, or structures solely for transient or overnight occupancy.

(2) Add the following new definition to Section 2:

Mixed Use Building: A building that typically accommodates a variety of ground floor commercial uses and upper floor residential and/or office uses at a scale that is compatible and complimentary to its given district.

(3) Amend Section 3.4.H.1 as follows:

1. If a proposed activity or use requires major or minor site plan review pursuant to Section 3.5 Site Plan Review and one or more special permits, **except special permits under Section 5.5 Nonconforming Uses and Structures**, the Planning and Economic Development Board shall serve as the special permit granting authority. The Planning and Economic Development Board shall review and conduct the public hearing concurrently and may issue a single decision.

(4) Amend Section 6.2.F.1 as follows:

1. **Minimum setbacks.** Every lot must have at least the minimum lot setbacks as set forth in Table 2 Dimension and Density Regulations for the zoning district in which the lot is located, **unless otherwise specifically provided in this Zoning By-law.**

(5) Amend the following sections to delete the term “parking lot” and replace it with “parking area”:

Section 7.1.1.A.2: To minimize excessive and inefficient off-street parking ~~lots~~ **areas** that result in unneeded paved impervious surfaces and lost opportunities to develop new buildings that expand the tax base.

Section 7.1.1.F.7: As part of its Site Plan Rules and Regulations, the Planning and Economic Development Board may supplement the requirements herein with parking ~~lot~~ **area** design standards.

Section 7.1.1.J.2.f.: The presence of a public or private parking ~~lot~~ **area** within 400 feet of the proposed use.

Section 7.1.1.K.1.e: The valet parking ~~lot~~ **area** is not located in a residential zoning district.

Section 7.1.1.K.4: Frontage parking. By special permit, the Board may allow a limited amount of off-street surface parking to be placed between a public street and the street facing façade of a primary building. Where this is permitted by the Board, the parking area will be setback a minimum of twenty feet from the street line and streetscape treatments including street trees, landscaping, and a minimum 5-foot sidewalk will be placed adjacent to the street line. The sidewalk shall also be connected to the front door of the primary building by a dedicated pedestrian connection. The portion of the parking ~~lot~~ **area** located in front of the primary building shall be limited to one double row of vehicles and associated parking aisle.

Section 8.4.G.1.f.4: Median strips, landscaped areas within parking ~~lots~~ **areas**, or narrow, unconnected strips of land.

Section 9.3.E.1: The main elements of the architectural treatment of the building's street-facing façade, including the materials used, should be continued around all sides of the building that are visible from existing and planned streets, Pedestrian Passages, parking **areas** ~~lots~~, or Outdoor Amenity Spaces.

Section 9.5.E.1.b: To ensure adequate parking for existing and new development while minimizing excessive and inefficient off-street parking ~~lots~~ **areas** that result in lost opportunities to develop new buildings that expand business and the tax base.

or act in any manner related thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD



TOWN OF MEDWAY
Planning and Economic Development Board

**Certificate of SITE PLAN Completion
and Release of Performance Guarantee
Country Cottage Children's Center**

DRAFT – March 5, 2021

Project Location: 35 & 37 Summer Street
Assessor's Map/Parcel Numbers: 56-017 and 56-018
Applicant's Name: Robin and David Beaudreau
Applicant's Address: 575 East Hartford Avenue, Uxbridge, MA 01569

Title of Site Plan: *Country Cottage Children's Center - A Site Plan in Medway, MA*
Drawn by: Engineering Design Consultants, Inc. of Southborough, MA
Plan date: August 24, 2017, last revised October 10, 2017

Date of Site Plan Decision: October 24, 2017
Date of Site Plan Endorsement: November 14, 2017

As-Built Plan: *Site As Built, Country Cottage Children's Center*
Drawn by: Engineering Design Consultants, Inc. of Southborough, MA
Plan date: January 28, 2019, last revised February 19, 2021

Project Status

- ☒ Certificate of Occupancy issued by Building Department: February 7, 2019
- ☒ Applicant's Project Engineer's Statement of Completion & Compliance for site plan work and/or stormwater management facilities: Walter Lewinski, P.E. Engineering Design Consultants, February 22, 2021
- ☒ Town's Consulting Engineer's Project Completion Sign-off: March 4, 2021
- ☒ Acceptance of required public improvements (fire hydrant): Barry Smith, Medway DPW, October 16, 2020
- ☐ Acceptance of required private off-site improvements by PEDB – NA
- ☐ CONCOM Certificate of Compliance, if applicable – NA
- ☒ As-Built Plan submitted: February 22, 2021
- ☒ As-Built Plan reviewed and accepted by Town's engineer: Steve Bouley, P.E., Tetra Tech, February 23, 2021

☒ X___ Treasurer's Certification of Taxes Paid: March 4, 2021

☒ X___ Performance Security: \$19,125 provided January 29, 2019; balance on 2-26-21 is \$19,415.63
(Charles River Bank)

_____ PEDB vote of project completion and release of performance security: _____

Susan E. Affleck-Childs
Planning and Economic Development Coordinator

Date

DRAFT

35 SUMMER ST

Certificate of Occupancy Number: 2018-

Permit Number: BP-2018-112

The Commonwealth of Massachusetts
Town of Medway

In accordance with the Massachusetts State Building Code, Section 120.0, this

CERTIFICATE OF USE AND OCCUPANCY

is issued to: **Jason Worthington**

Work Description: **Construct 5088 square foot one story daycare facility.**

I Certify that I have inspected the premises known as PARCEL **56-018** located at **35 SUMMER ST** in the **Town of Medway**, County of **Norfolk**, Commonwealth of Massachusetts. The building is hereby certified to be in compliance with the Basic Code and for the purpose stated below.



Jack Mee

Building Commissioner

Issue Date: **February 07, 2019**

Conditions:

Type of Construction: VB

Uses: E - Educational

Code Edition: 9th Edition

The building official shall be notified of any changes in the above information.

February 22, 2021

Ms. Susan E. Affleck-Childs
Medway Planning and Economic Development Coordinator
Medway Town Hall
155 Village Street
Medway, MA 02053

**Re: Country Cottage Children's Center
Site Plan Review
35-37 Summer Street
Medway, Massachusetts**

Dear Ms. Affleck-Childs:

Engineering Design Consultants (EDC) performed various as-built field surveys of the above referenced property during January 2019 and again in October and December of 2020 and this information was compiled and depicted on the Site As-built Country Cottage Children's Center Plan dated January 28, 2019 with final revision February 19, 2021. EDC hereby certifies that the building and site work has been completed in substantial compliance with the approved and endorsed site plan package for the Country Cottage Children's Center.

Very truly yours,

ENGINEERING DESIGN CONSULTANTS, INC.



Walter M. Lewinski, PE

cc. Robin & David Beaudreau

Susan Affleck-Childs

From: Bouley, Steven <Steven.Bouley@tetrattech.com>
Sent: Thursday, March 4, 2021 3:19 PM
To: Susan Affleck-Childs
Subject: Country Cottage Project Completion

Hi Susy,

We have reviewed the site against the endorsed plans titled "Country Cottage Children's Center, A Site Plan in Medway, Massachusetts" dated August 24, 2017, revised October 10, 2017, stamped and signed by Walter M. Lewinski, PE from Engineering Design Consultants, Inc. on October 10, 2017. The site was also reviewed against the PEDB Decision dated October 24, 2017.

We last inspected the site on September 14, 2020 and have since been provided photo evidence from the Applicant documenting completion of the minor items from that inspection. We have also been provided correspondence from the abutting resident south of the site, Judy Noturnno, approving of the modification of the fence/landscape along the southern property line.

We believe the project has been completed in substantial compliance with the approved plans and decision.

Please let me know if you need anything else, thanks.

Steve

Steven M. Bouley, P.E. | Project Manager
Direct +1 (508) 786-2382 | Business +1 (508) 786-2200 | Fax +1 (508) 786-2201 | steven.bouley@tetrattech.com

Tetra Tech | *Leading with Science*® | United States Infrastructure Division – INE Operating Unit
100 Nickerson Road, Suite 200 | Marlborough, MA 01752 | tetrattech.com

While we are operating remotely in response to COVID-19, Tetra Tech teams remain fully connected and hard at work servicing our clients and ongoing projects. We would also like to wish health and wellness to you and your family.

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Susan Affleck-Childs

From: Barry Smith
Sent: Friday, October 16, 2020 9:51 AM
To: Susan Affleck-Childs
Subject: country cottage

Susy,

We are all set with the fire hydrant location and position that is at county cottage day care, if you have any questions please let me know.

Thanks,

Barry Smith
Water/Sewer Superintendent
45b Holliston Street
Medway, MA 02053
O 508-321-4930
M 774-285-0482

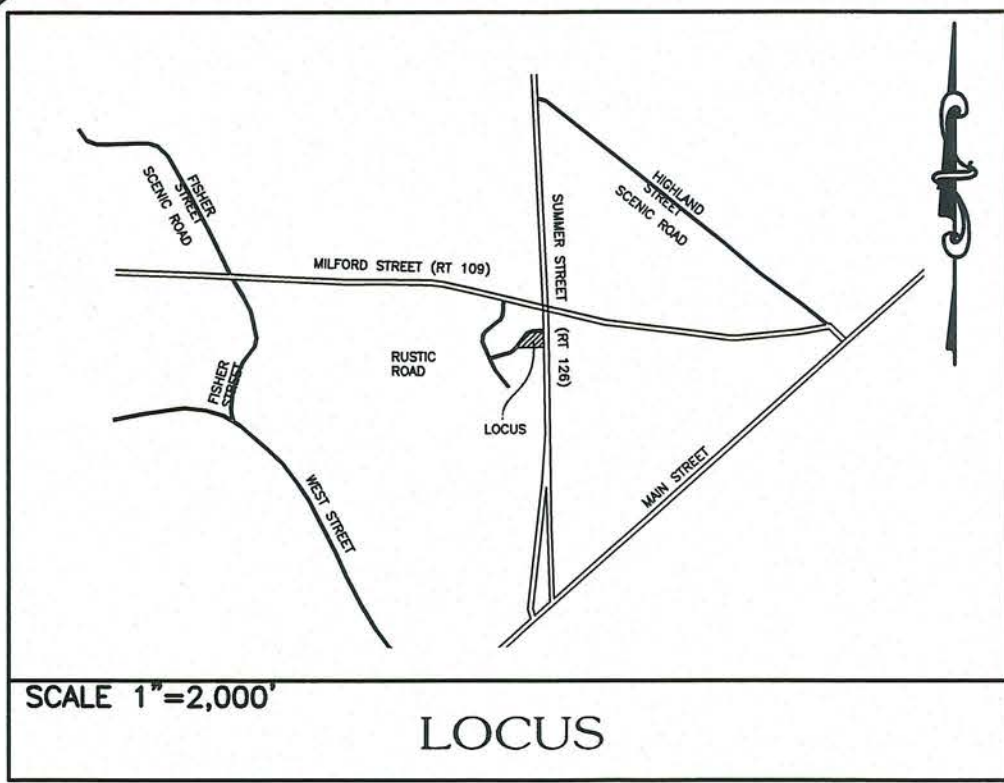


www.townofmedway.org

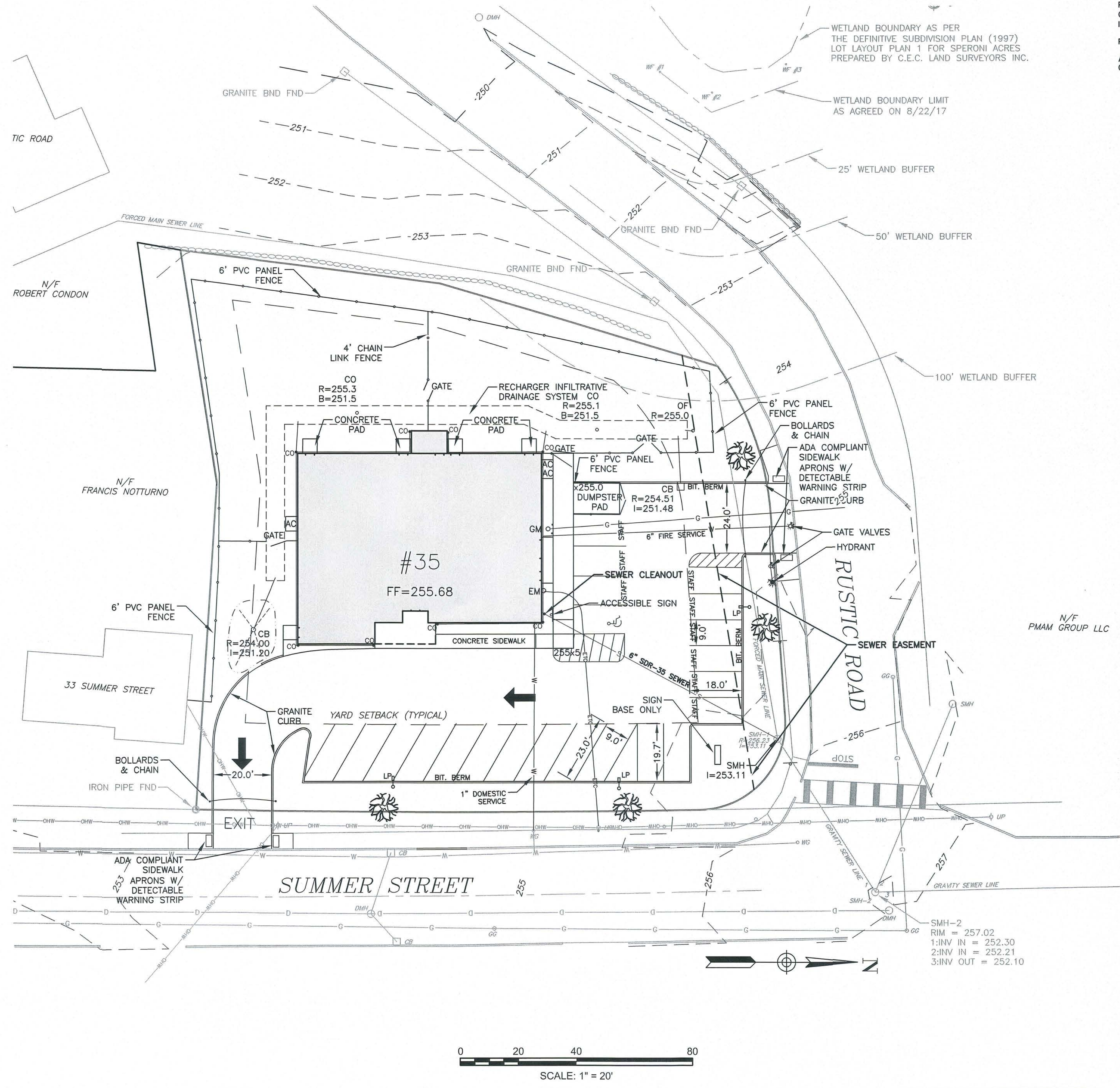
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PROJECT INFORMATION:
 CURRENT OWNER: ROBIN & DAVID BEAUDREAU
 575 EAST HARTFORD AVENUE
 UXBRIDGE, MA 01569
 MEDWAY ASSESSORS ID: 56-017 & 56-018
 DEED REFERENCE: BOOK 35175 PAGE 390
 PROPERTY LINES AND EASEMENTS ARE BASED ON THOSE RECORDED IN THE MASSACHUSETTS REGISTRY OF DEEDS IN A 1958 PLAN TITLED "PLAN OF LAND IN MEDWAY, MASS." BY BOWE ENGINEERING CO. AND IN A 1997 PLAN TITLED "SPERONI ACRES" BY C.E.C. LAND SURVEYORS, INC.
 PROJECT DATUM REFERS TO NAVD 88.
 AS-BUILT FIELD SURVEY WORK CONDUCTED DECEMBER 2019 AND SUPPLEMENTAL DRAFTING TASKS IN ORDER TO ADDRESS OUTSTANDING PEER REVIEW COMMENTS COMPLETED IN OCTOBER & DECEMBER 2020



LEGEND	
BIT CONC	BITUMINOUS CONCRETE
CB	BORING
CO	CATCHBASIN
CLF	CLEAN OUT
CONC	CHAIN LINK FENCE
CW	CONCRETE
DMH	CROSSWALK
D	DRAIN MANHOLE
ELEC	DRAIN LINE
EMH	ELECTRIC
ECB	ELECTRIC MANHOLE
FD	EROSION CONTROL BARRIER
GG	FOUNDATION DRAIN
GAS	GAS GATE
GG	GAS LINE
HC	GAS GATE
HYD	HANDICAPPED RAMP
INV	HYDRANT
LP	INVERT
LP	LIGHT POLE
OF	MANHOLE
PVC	OVERFLOW
RCP	POLY-VINYL-CHLORIDE
RD	REINFORCED CONCRETE PIPE
S	ROOF DRAIN
SMH	SEWER LINE
S	SEWER MANHOLE
SB/DH	STONE
TELE	STONE BOUND/DRILLHOLE
TMH	TELEPHONE LINE
TMH	TELEPHONE MANHOLE
TRANS	TEST PIT
W	TRANSFORMER
W	VERTICAL GRANITE CURB
W	WATER GATE
W	WATER LINE
W	WETLAND FLAG

NOTE: UNDERGROUND UTILITY LOCATIONS ARE NOT GUARANTEED.
 IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY LOCATIONS AND ELEVATIONS OF EXISTING UTILITIES PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION
 DIGSAFE IS TO BE NOTIFIED 72 BUSINESS HOURS IN ADVANCE OF CONSTRUCTION. CALL DIGSAFE AT 811

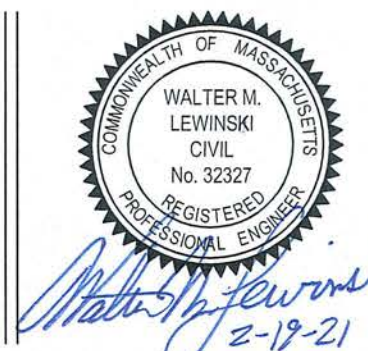


ALL RIGHTS RESERVED

ENGINEERING DESIGN CONSULTANTS, INC. SHALL NOT BE RESPONSIBLE FOR CONSTRUCTION MEANS, METHODS, TECHNIQUES, OR PROCEDURES UTILIZED BY THE CONTRACTOR, NOR FOR THE SAFETY OF PUBLIC OR CONTRACTORS EMPLOYEES, OR FOR THE FAILURE OF THE CONTRACTOR TO CARRY OUT THE WORK IN ACCORDANCE WITH THE CONTRACT DOCUMENTS.

OWN BY:	ZRB
CHKD BY:	PSB
APPROV BY:	WML

REVISIONS	DATE	DESCRIPTION
1	2/19/21	ADDRESS PEER REVIEW COMMENTS & REISSUE AS-BUILT SITE CONDITIONS AS OF 1/28/19
0	1/28/19	



PREPARED BY:
Engineering Design Consultants, Inc.
 32 Turnpike Road
 Southborough, Massachusetts
 ph:(508) 480-0225 fax:(800)832-5781

PROJECT:
COUNTRY COTTAGE CHILDREN'S CENTER
 35 SUMMER STREET
 MEDWAY, MASSACHUSETTS 02053

TITLE:
SITE AS-BUILT
COUNTRY COTTAGE CHILDREN'S CENTER
 OWNER/APPLICANT:
ROBIN & DAVID BEAUDREAU
 575 EAST HARTFORD AVENUE
 UXBRIDGE, MASSACHUSETTS 01569

FILE NO: 3561
 AS-BUILT
 DATE: JANUARY 28, 2019
 PLAN NUMBER:
 1 of 1
1

Susan Affleck-Childs

From: Bouley, Steven <Steven.Bouley@tetrattech.com>
Sent: Tuesday, February 23, 2021 10:01 AM
To: Susan Affleck-Childs
Subject: Country Cottage As-Built Review

Hi Susy,

We have reviewed the as-built plan titled "Site As-Built, Country Cottage Children's Center" dated January 28, 2019, revised February 19, 2021, stamped and signed by Walter M. Lewinski, PE from Engineering Design Consultants, Inc. on February 19, 2021. The Plans were reviewed against and meet the requirements of Section 6.7 of the PEDB Rules and Regulations Chapter 100 – Land Subdivision and all comments have been addressed by the Applicant. Please let me know if you need anything else, thanks.

Steve

Steven M. Bouley, P.E. | Project Manager
Direct +1 (508) 786-2382 | Business +1 (508) 786-2200 | Fax +1 (508) 786-2201 | steven.bouley@tetrattech.com

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100 Nickerson Road, Suite 200 | Marlborough, MA 01752 | tetrattech.com

While we are operating remotely in response to COVID-19, Tetra Tech teams remain fully connected and hard at work servicing our clients and ongoing projects. We would also like to wish health and wellness to you and your family.

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TOWN OF MEDWAY
Planning & Economic Development Board
155 Village Street
Medway, Massachusetts 02053

Andy Rodenhiser, Chair
Robert K. Tucker, Vice-Chair
Thomas A. Gay, Clerk
Matthew J. Hayes, P.E.
Richard Di Iulio

March 4, 2021

**Request for Medway Treasurer/Collector's
Verification of Status of Paid Taxes**

Applicant's Name: Robin and David Beaudreau
Uxbridge, MA

Property Owner's Name: Robin and David Beaudreau
Uxbridge, MA

Subject Property Address: 35 and 37 Summer Street

Map/Parcel Number(s): 56-017
56-018

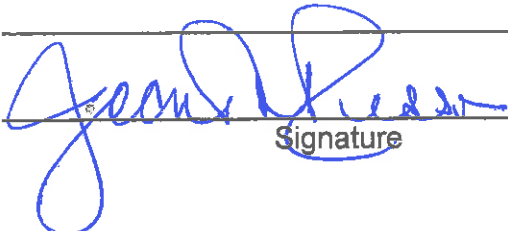
Project Name: Country Cottage Children's Center

Type of Permit: Site Plan Approval – Project Completion and
Release of Performance Security

Please indicate the status of taxes/fees owed to the Town:

☒ By checking this box and with my signature below, I verify that all taxes owed the Town of Medway for the subject property(s) noted above are **paid in full** as of this date.

☐ By checking this box and with my signature below, I verify that the **Town is owed taxes** for the subject property(s) noted above. Briefly explain on the lines below. Please attach a report that indicates what taxes are owed and the respective amounts.


Signature

3-4-2021
Date



March 9, 2021

**Medway Planning & Economic Development Board
Meeting**

**Country Cottage Site Plan
Project Completion**

- Draft Certificate of Site Plan Completion
- Certificate of Occupancy
- Project Engineer's certification
- Tetra Tech sign off on project completion
- DPW acceptance of fire hydrant installation
- As-Built plan by Engineering Design Consultants
- Tetra Tech sign off on as-built plan
- Treasurer's certification on paid taxes

REQUESTED ACTION – For the Board to approve the Certificate of Site Plan Completion and authorize full release of the performance security funds (\$19,415.63 plus any interest since 2-26-21)



March 9, 2021

**Medway Planning & Economic Development Board
Meeting**

Other Business

Town Meeting (Non-Zoning Articles)

In addition to the proposed zoning bylaw amendments, we have submitted two other articles for the warrant for consideration at the May town meeting.

- Request for a \$30,000 appropriation for the Street Acceptance Account to offset the funds recently used in conjunction with street acceptance for the Applegate subdivision.
- A proposed amendment to the Stormwater Management and Land Disturbance Bylaw to authorize the PEDB and Conservation Commission to promulgate rules and regulations for the processing, review and issuance of land disturbance permits.

STREET ACCEPTANCE FUNDING

ARTICLE

(Free Cash Transfer to Street Acceptance Account)

To see if the Town will vote to raise and appropriate, or transfer from available funds, the sum of \$30,000 to the street acceptance account, or act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

Stormwater Management and Land Disturbance Bylaw Amendments
DRAFT – February 10, 2021

ARTICLE : To see if the Town will vote to amend the Medway General By-Laws, ARTICLE XXVI. Stormwater Management and Land Disturbance, by inserting the following in Section 26.5 Land Disturbance and Construction Activity. New text is shown in **bold**.

26.5.2.3 Rules and Regulations.

The Conservation Commission and the Planning and Economic Development Board shall promulgate Land Disturbance Permit Rules and Regulations to implement the Land Disturbance Permit process provided herein. The Rules and Regulations shall include but are not limited to application requirements, procedures for submission and review of applications, filing and review fees, performance standards, waivers, decision criteria, construction monitoring, reporting and enforcement.

Or to act in any manner relating thereto.

SPONSOR



March 9, 2021

**Medway Planning & Economic Development Board
Meeting**

Correspondence

- Letter from Jack Mee dated 3-4-21 to Ryan Rucki (Harmony Village development) re: request for building foundation permits before site infrastructure meets minimum completion requirements
- Summary information from KP Law on the recently approved Housing Choice legislation
- Preliminary Guidance from the Mass Department of Housing and Community Development on the recently approved Housing Choice legislation



TOWN OF MEDWAY
COMMONWEALTH OF MASSACHUSETTS

BUILDING DEPARTMENT

*Medway Town Hall
155 Village Street
Medway, MA 02053
Phone (508) 533-3253
buildingdepartment@townofmedway.org*

Building Commissioner

Jack Mee

March 1, 2012

Ryan A. Rucki
Torres Scammon Hicks and Day
119 High Street
Boston, MA 02110

RE: The William Wallace Village Development. 274 Village St. Medway, MA

Dear Mr. Rucki,

I have received and reviewed your letter of February 22, 2021 in which you ask that the Building Department issue foundation permits for the construction of a foundation related to the remaining units to be constructed in the William Wallace Village development.

As you are aware and state in your letter, the Medway Planning and Economic Development Board granted DTRT a multifamily special permit with conditions to construct William Wallace Village. Condition VIII.I.2 "Building Permits" lays out the site infrastructure prerequisites prior to obtaining additional permits for construction. Due to the fact that these are requirements within the Special Permit and Site Plan Decision, I do not have the jurisdiction to approve your request.

You do have the right to apply to the Planning and Economic Development Board for a modification of the decision. If you feel aggrieved by my interpretation of your decision, you may appeal this opinion to the Zoning Board of Appeals, as provided in G.L. c 40A, s 8, as amended.

Regards,

Jack Mee

cc: Susy Affleck-Childs, Bridget Graziano, Steve Bouley, Barbara Saint Andres, Morgan Harris

Housing Choice Act of 2020 Update

February 1, 2021

On January 14, 2021, Governor Charlie Baker signed into law House Bill 5250 – “An Act Enabling Partnerships of Growth”, the so-called “Housing Choice Law”. The stated purpose of this legislation is to: “finance improvements to the commonwealth’s economic infrastructure and promote economic opportunity.” To that end, the legislation includes more than \$682,000,000 in capital authorizations. However, the Act also makes a number of substantial changes to housing and development statutes, including G.L. c.40R (Smart Growth Districts), G.L. c.40V (Housing Development Initiative Programs) and G.L. c.40A (the Zoning Act). The purpose of this Memorandum is to alert you to several important amendments to G.L. c.40A that took effect immediately upon the signing of the bill into law. Future updates will address other important provisions of the new legislation.

Among the important changes to the Zoning Act are: (1) amendments to Section 5 reducing from 2/3 to simple majority the quantum of vote required for the legislative body to approve specified categories of local zoning; (2) amendments to Section 9 reducing the quantum of vote required for issuance of specified categories of special permits; (3) the addition of a new Section 3A that mandates “as of right” multi-family housing districts in communities serviced by public transportation; and (4) the insertion in Section 1A of several new definitions. We have addressed these changes below, in turn.

As you will see, there may be value in reviewing existing zoning bylaws or ordinances to determine whether amendments will need to be made to address these revisions to state law.

Quantum of Vote Requirements Lowered for Certain Zoning Amendments

As of January 14, 2021, only a majority vote of the legislative body is required to enact the following types of local zoning:

1. A by-law or ordinance to allow any of the following as of right:
 - a. Multifamily housing or mixed-use development in an eligible location;
 - b. Accessory dwelling units, whether within the principal dwelling or a detached structure on the same lot; or
 - c. Open-space residential developments.
2. A by-law or ordinance to allow by special permit:
 - a. Multi-family housing or mixed-use development in an eligible location;
 - b. An increase in the permissible density of population or intensity of a particular use in a proposed multi-family or mixed use development;

- c. Accessory dwelling units in a detached structure on the same lot; or
 - d. A diminution in the amount of parking required for residential or mixed-use development.
3. A by-law or ordinance that:
- a. Provides for Transfer of Development Rights (TDR) zoning or natural resource protection zoning where adoption of such zoning promotes concentration of development in areas the municipality deems “most appropriate” for such development but which will not result in a diminution in the maximum number of housing units that could be developed within the municipality; or
 - b. Modifies zoning regulations beyond what would otherwise be permitted under the existing zoning with respect to bulk and height of structures, yard sizes, lot area, setbacks, open space, parking and building coverage requirements to allow for additional housing units.
4. The adoption of a “smart growth” or “starter home” zoning district in accordance with G.L. c.40R, §3, subject to specific requirements.

For cities and towns with councils of fewer than 25 members, the new law creates a process to increase the quantum of vote to 2/3. If the owners of 80% or more of the land area included in the zoning change, extending 300 feet therefrom, file a written protest prior to final action, then a 2/3 vote will be required to enact that particular change.

Finally, as will be addressed in more detail below, the Act amends G.L. c.40A, §1A to define the categories of zoning amendments requiring only a majority vote, including: “accessory dwelling unit”; “as of right”; “open space development”; “multi-family housing”; “mixed-use development”; “eligible location”; and “lot”.

Quantum of Vote Reduced for Certain Special Permits

Also immediately effective are amendments to the special permit provisions of G.L. c.40A, § 9, reducing the quantum of vote required for the grant of specified types of special permits. Specifically, instead of requiring approval by a supermajority vote of all of the members of the special permit granting authority, only a simple majority vote is now required to grant a special permit allowing any of the following:

- 1. Multifamily housing located within 1/2 mile of a commuter rail station, subway station, ferry terminal or bus station; provided, that not less than 10 per cent of the housing shall be affordable to and occupied by households whose annual income is less than 80% of the area-wide median income as determined by the United States Department of Housing and Urban Development and affordability is assured for a period of not less than 30 years through the use of an affordable housing restriction;
- 2. Mixed-use development in centers of commercial activity within a municipality, including town and city centers, other commercial districts in cities and towns and rural village districts; provided, that not less than 10% of the housing shall be affordable to and occupied by households whose annual income is less than 80% of the area-wide median income as determined by the United States Department of Housing and Urban Development and affordability is assured for a period of not less than 30 years through the use of an affordable housing restriction; or

3. A reduced parking space to residential unit ratio requirement; provided, that a reduction in the parking requirement will result in the production of additional housing units.

As noted above, the terms “multifamily housing” and “mixed-use development” are now defined terms in G.L. c.40A, §1A.

New Zoning Requirements for “MBTA Communities”

The new Housing Choice Law amends the Zoning Act, G.L. c.40A, by inserting a new section 3A. Chapter 40A, §3A requires each “MBTA Community” to “have a zoning ordinance or by-law that provides for at least 1 district of reasonable size in which multi-family housing is permitted as of right” An MBTA Community is now broadly defined in G.L. c.40A, §1A. A preliminary list of the MBTA Communities subject to the application of this law appears at the end of this document.

General Laws c.40A, § 3A mandates that a multi-family housing zoning district must exist in each MBTA Community and that (1) such zoning district shall not be subject to age restrictions and must be suitable for families with children; (2) such zoning district shall have a minimum gross density of at least 15 units per acre; and (3), if applicable, that such district be located not more than ½ mile from a commuter rail station, subway station, ferry terminal, or bus station.

Section 3A also creates a penalty for failure to ensure the existence or creation of such a district. MBTA Communities that fail to create a zoning district in which multi-family housing is permitted as of right will be ineligible for funds from the Housing Choice Initiative Program, the Local Capital Projects Fund, and the MassWorks Infrastructure Program. The Massachusetts Bay Transportation Authority and the Massachusetts Department of Transportation are charged with promulgating guidelines to determine if an MBTA Community is in compliance with this new section. When additional information is available concerning these regulations, we will update you.

Certain Zoning Terms Expressly Defined

Several of the amendments to G.L. c.40A introduced by this new legislation employ terms that were previously undefined. Now, the following 10 terms are specifically defined in G.L. c.40A, §1A:

- Accessory dwelling unit;
- As of right;
- Eligible locations;
- Gross density;
- Lot;
- MBTA community;
- Mixed-use development;
- Multi-family housing;
- Natural resource protection zoning; and
- Open space residential development.

Also of note, the new legislation replaces the definition of “Transfer of development rights” in G.L. c.40A, §1A, and substitutes the term “open space residential” for the word “cluster” in G.L. c.40A, § 9.

Conclusion

The above summary is intended to highlight the changes to the Zoning Act that have the most immediate and consequential impacts on the Commonwealth’s cities and towns. Notably, many of the terms now defined in G.L. c.40A, §1A have long been used and variously defined in local zoning by-laws and ordinances. While amendments to municipal zoning definitions may not be necessary immediately, municipalities should anticipate that differences between the new definitions in G.L. c.40A and those already employed in municipal zoning by-laws and ordinances may eventually lead to problems. This may be particularly important when determining the applicable quantum of vote requirements for certain zoning changes and special permits. For that reason, it will be useful to review the municipality’s current zoning bylaw or ordinance to determine if any immediate revisions are needed. In many towns, there may still be time to address these issues at the Annual or Special Town Meeting.

Should you have any questions regarding these changes or any other aspects of the new legislation, please contact your KP Law Attorney.

Preliminary List

MBTA COMMUNITIES (G.L. c. 40A, § 3A)

Abington	Acton	Amesbury	Andover	Arlington	Ashburnham
Ashby	Ashland	Attleboro	Auburn	Ayer	Bedford
Bellingham	Belmont	Berkley	Beverly	Billerica	Boston
Boxford	Boxborough	Braintree	Bridgewater	Brockton	Brookline
Burlington	Cambridge	Canton	Carlisle	Carver	Chelmsford
Chelsea	Cohasset	Concord	Danvers	Dedham	Dover
Dracut	Duxbury	East Bridgewater	Easton	Essex	Everett
Fitchburg	Foxborough	Framingham	Franklin	Freetown	Georgetown
Gloucester	Grafton	Groton	Groveland	Halifax	Hamilton
Hanover	Hanson	Harvard	Haverhill	Hingham	Holbrook
Holden	Holliston	Hopkinton	Hull	Ipswich	Kingston
Lakeville	Lancaster	Lawrence	Leicester	Leominster	Lexington
Lincoln	Littleton	Lowell	Lunenburg	Lynn	Lynnfield
Malden	Manchester-by-the-Sea	Mansfield	Marblehead	Marlborough	Marshfield
Maynard	Medfield	Medford	Medway	Melrose	Merrimac
Methuen	Middleborough	Millbury	Middleton	Millis	Milton
Nahant	Natick	Needham	Newbury	Newburyport	Newton
Norfolk	North Andover	North Attleborough	North Reading	Northborough	Northbridge
Norton	Norwell	Norwood	Paxton	Peabody	Pembroke
Plymouth	Plympton	Princeton	Quincy	Randolph	Raynham
Reading	Rehoboth	Revere	Rochester	Rockland	Rockport
Rowley	Salem	Salisbury	Saugus	Scituate	Seekonk
Sharon	Sherborn	Shirley	Shrewsbury	Somerville	Southborough
Sterling	Stoneham	Stoughton	Stow	Sudbury	Sutton
Swampscott	Taunton	Tewksbury	Topsfield	Townsend	Tyngsborough
Upton	Wakefield	Walpole	Waltham	Wareham	Watertown
Wayland	Wellesley	Wenham	West Boylston	West Bridgewater	West Newbury
Westborough	Westford	Westminster	Weston	Westwood	Weymouth
Whitman	Wilmington	Winchester	Winthrop	Woburn	Worcester
Wrentham					

**Please note that this list is preliminary, and not exhaustive. Communities may be subject to MBTA Community requirements as a result of special legislation.*

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GUIDANCE FOR LOCAL OFFICIALS ON DETERMINING VOTING THRESHOLDS FOR ZONING ORDINANCES AND BYLAWS

Chapter 358 of the Acts of 2020 (sometimes referred to as the economic development legislation of 2020) made several amendments to Chapter 40A of the General Laws, commonly known as the Zoning Act. Among these amendments are (1) changes to section 5 of the Zoning Act, which reduce the number of votes required to enact certain kinds of zoning ordinances and bylaws from a $\frac{2}{3}$ supermajority to a simple majority; and (2) changes to section 9 of the Zoning Act, making similar changes to the voting thresholds for the issuance of certain kinds of special permits.

Section 100 of said chapter 358 directs “[t]he executive office of housing and economic development [to] issue guidance to assist local officials in determining the voting thresholds for various zoning amendments. Such guidance shall be assembled in consultation with the department of housing and community development, the Massachusetts attorney general’s municipal law unit, and Massachusetts Housing Partnership.” This guidance is intended to comply with that directive.

Where does the Zoning Act apply?

The Zoning Act applies to all cities and towns in Massachusetts except the City of Boston, which has its own zoning enabling act.

What kinds of zoning ordinance or bylaw can be enacted with a simple majority vote?

Under the newly amended section 5 of the Zoning Act, a zoning ordinance or bylaw can be enacted by a simple majority vote, rather than the $\frac{2}{3}$ supermajority that applies to other zoning amendments, if that ordinance or bylaw does any of the following:

1. Allows for multi-family housing or mixed-use developments “as of right” in an eligible location.
2. Allows for open space residential development as of right.
3. Allows accessory dwelling units, either within the principal dwelling or within a detached structure on the same lot, as-of-right.
4. Allows by special permit accessory dwelling units in a detached structure on the same lot.
5. Reduces the parking requirements for residential or mixed-use development under a special permit.

6. Permits an increase in the permissible density of population or intensity of a particular use in a proposed multi-family or mixed-use development that requires a special permit.
7. Changes dimensional standards such as lot coverage or floor area ratio, height, setbacks, minimum open space coverage, parking, building coverage to allow for the construction of additional residential units on a particular parcel or parcels of land.
8. Provides for transfer of development rights zoning or natural resource protection zoning in instances where the adoption of such zoning promotes concentration of development in areas that the municipality deems most appropriate for such development, but will not result in a diminution in the maximum number of housing units that could be developed within the municipality.
9. Adopts a smart growth or starter home district in accordance with section 3 of Chapter 40R of the General Laws.

Key terms such as “multi-family housing,” “mixed-use development,” “accessory dwelling unit,” “transfer of development rights zoning,” “natural resource protection zoning,” and “eligible location” are now defined in section 1A of the Zoning Act.

Who decides which voting threshold applies to a particular zoning proposal?

Section 5 does not specify who determines whether a proposed zoning ordinance or bylaw is the kind that can be approved by a simple majority vote. The proponent of a zoning ordinance or bylaw that allows or facilitates the development of new housing should include in the petition a statement explaining if it meets any of the criteria for being approved by a simple majority vote. The Zoning Act provides that no vote on a proposed zoning amendment may occur until after the planning board in a city or town, and the city council (or a committee designated or appointed by the council) each has held a public hearing on the proposal. Additionally, no vote to adopt a zoning ordinance or bylaw may be taken until the planning board has submitted a report and recommendations to the town meeting or city council, or 21 days have elapsed after the hearing without submission of such report. It is recommended that the planning board, after consultation with municipal legal counsel, include in this report a determination of which voting threshold applies to the zoning proposal. The legislative body’s vote consistent with that recommendation will affirm the voting threshold.

Under section 32 of chapter 40 of the General Laws, all zoning bylaws adopted by a town must be submitted to the Attorney General for review and approval. A request for approval must include adequate proof that the town has complied with all of the procedural requirements for the adoption of the bylaw. If the Attorney General finds an inconsistency between the proposed bylaw and state law, the bylaw or portions of it may be disapproved.

How do I know if a particular land area qualifies as an eligible location?

Section 1A of the Zoning Act defines “eligible locations” as areas that by virtue of their infrastructure, transportation access, existing underutilized facilities or location make highly suitable locations for residential or mixed use smart growth zoning districts or starter home zoning districts, including without limitation: (i) areas near transit stations, including rapid transit, commuter rail and bus and ferry terminals; or (ii) areas of concentrated development, including town and city centers, other existing commercial districts in cities and towns and existing rural village districts.

Section 5 does not specify who determines whether the land area subject to a proposed zoning ordinance or bylaw is an eligible location. The proponent of a zoning ordinance or bylaw that allows or facilitates the development of new housing should include in the petition explaining if the land area affected meets any of the criteria for an eligible location. As noted above, no vote to adopt a zoning ordinance or bylaw may be taken until the proposal has received a public hearing and the planning board has submitted a report with recommendations to the town meeting or city council, or 21 days have elapsed after the hearing without submission of such report. It is recommended that the planning board, after consultation with municipal counsel, include in this report a determination of whether the affected land area is an eligible location, when such a determination is relevant to the voting threshold.

Is there any additional guidance for determining eligible locations?

The same definition of “eligible location” that appears in section 1A of Chapter 40A also appears in section 2 of Chapter 40R. The regulations implementing Chapter 40R (760 CMR 59) set forth detailed criteria that the Department of Housing and Community Development (DHCD) applies when it determines if a land area is an eligible location under that statute. Although 760 CMR 59 does not apply to Chapter 40A, municipalities may reasonably look to those regulations for additional guidance on what areas should be deemed eligible locations under Chapter 40A.

Under the statutory definition, a land area qualifies as an eligible location if it is located “near” a transit station, including rapid transit, commuter rail or bus or ferry terminals. Any parcel that is at least partially within 0.5 miles of the kind of transit station listed should be deemed to be an eligible location.

In addition, the statute includes within the definition of “eligible location” parcels that are within “an area of concentrated development, including a town or city center, or other existing commercial districts, or existing rural village district.”

All other land areas may be determined to be “eligible locations” if, in the judgment of the planning board, the land area is a highly suitable location for residential or mixed-use development based on its infrastructure, transportation access, or existing underutilized facilities.

If there is uncertainty about whether a zoning proposal affects an eligible location, the municipality may request an advisory opinion from the Executive Office of Housing and Economic Development. Such a request must be made by the mayor, city council, board of

aldermen, or planning board (when the zoning amendment is proposed in a city); or by the select board or planning board (when the zoning amendment is proposed in a town). A request may not be made by an individual member of the council or board. Communities are encouraged to submit their request for an advisory opinion as early as possible in the zoning amendment process. The request should be made by completing the application at the following website: www.mass.gov/forms/request-an-advisory-opinion-on-ch40a-eligible-locations. EOHEd will endeavor to provide a written advisory opinion within 30 days of receipt of a complete request.

What happens if a proposed zoning ordinance or bylaw includes some changes that can be adopted with simple majority vote, and other changes that require a $\frac{2}{3}$ supermajority?

Section 5 as amended provides that “any amendment that requires a simple majority vote shall not be combined with amendments that require a two-thirds majority vote.” A proposed zoning amendment cannot be adopted by a simple majority vote if it is combined into a single proposal with changes that require a $\frac{2}{3}$ supermajority. Drafters of new zoning proposals should take care not to combine provisions that require different voting thresholds, so that proposals that will encourage new housing production will get the benefit of the simple majority threshold. If a municipality desires to combine proposals with different voting thresholds, the municipality should first confer with the municipal law unit of the Attorney General’s Office.

What is a special permit and what are the required thresholds for special permit votes?

Section 9 of the Zoning Act provides that zoning ordinances or bylaws can provide for specific types of uses which shall only be permitted in specified districts upon the issuance of a special permit. Zoning ordinances or bylaws may also provide for special permits authorizing increases in density or intensity of a particular use in a proposed development if the petitioner or applicant agrees to conditions that serve the public interest. Special permits may also issue for other purposes set forth in section 9.

A special permit can be granted a $\frac{2}{3}$ vote of boards with more than 5 members, a vote of at least 4 members of a 5-member board, and a unanimous vote of a 3-member board. But, the recent amendments to section 9 provide that a special permit may be issued by a simple majority vote if the special permit does any of the following:

- Permits multi-family housing that is located within $\frac{1}{2}$ mile of a commuter rail station, subway station, ferry terminal or bus station; provided that not less than 10% of the housing is affordable to and occupied by households whose annual income is less than 80% of the area median income and affordability is assured for a period of not less than 30 years through the use of an affordable housing restriction as defined in section 31 of chapter 184.
- Permits mixed-use development in centers of commercial activity within a municipality, including town and city centers, other commercial districts in cities and towns and rural village districts; provided, that not less than 10% of the housing meets the same standard of affordability as noted above.

- Permits a reduced parking space to residential unit ratio requirement, provided such reduction in the parking requirement will result in the production of additional housing units.

Where can I find additional guidance about the voting thresholds for zoning ordinances and bylaws?

Answers to frequently asked questions (FAQs) will be posted at www.mass.gov/info-details/housing-choice-and-mbta-communities-legislation. Questions about zoning thresholds that are not answered in the FAQs can be directed to the Executive Office of Housing and Economic Development at housingchoice@mass.gov.

Issue date: February 26, 2021