

**February 22, 2017  
Medway Planning and Economic Development Board  
Thayer Homestead - 2 B Oak Street  
Medway, MA 02053**

<b>Members</b>	<b>Andy Rodenhiser</b>	<b>Bob Tucker</b>	<b>Tom Gay</b>	<b>Matt Hayes</b>	<b>Rich Di Iulio</b>
<b>Attendance</b>	<b>Absent</b>	<b>X</b>	<b>X</b>	<b>Absent</b>	<b>X</b>

**ALSO PRESENT:**

Susy Affleck-Childs, Planning and Economic Development Coordinator  
Stephanie Mercandetti, Director of Planning and Economic Development  
Mackenzie Leahy, Administrative Assistant  
Jack Mee, Building Enforcement Officer

**Members of the Affordable Housing Bylaw Update Advisory Committee Present:**

Sue Rorke, 34 Ellis Street  
Ann Sherry, 2 Newton Lane

The meeting was called to order by Vice-Chairman Bob Tucker.

Susy Affleck-Childs welcomed the public and explained that the purpose of the meeting is to explain the proposed warrant articles along with allowing the community to have time for discussion of the proposed warrants. The meeting was opened to questions. A handout including all the draft articles was provided. (**See Attached**).

**Bertrand Goemaere, 40 Granite Street:**

This resident wanted to know how this change will affect his taxes.

It was communicated that the town has only one tax rate, so there will be no change.

**Albert Babakhanov, 31 Highland Street:**

This resident indicated that he just bought the property and wanted to know if he will be allowed to put in solar.

The resident was informed that a site plan would need to be approved for ground mounted solar panels for his personal use.

**David Cassidy, 42 Ellis Street**

Mr. Cassidy informed Susy that the article re: zoning map changes notes 41 Broad Street and this is not accurate. Susy will follow-up.

**Sheila Donavon, 19 Winthrop:**

This resident wanted to know how this will change their property.

Susy indicated that this property will now be Agricultural II Zone.

**Corey Finklestein, CMR Investments, 117 Main Street:**

Mr. Finklestein agrees with the changes proposed. He noted that there should be inclusion of historic uses. He asked how the zoning change will impact the residential project in this area (adjacent to his property).

It was indicated that the previously approved comprehensive permit (for 123 Main Street) would allow for two buildings/for multi-family uses. However, that permit had expired. This area is the gateway to the primary business district.

**Non-Conforming Uses and Structures:**

- Construction period changed from six to twelve months

**Flood Plain/Wetland Protection District:**

- Deleting reference to wetland protection since it is no handled under the Town's Wetland Protection general bylaw.

**Internal Cross References:**

- This will correct the numbering of internal cross references to other sections or sub-sections.

**Definitions.**

- Amend definitions by adding certain new definitions which will be in alphabetical order, and will revise other definitions. A diagram was included to assist with clarity of types of lots.

**Paul Yorkis, 7 Independence Lane**

Mr. Yorkis suggested on page 7 for the "buffer" definition to take out the word "natural" and also remove the last sentence since it is not part of the definition.

**Table of Uses:**

- Amended the table of uses to add the term duplex and also light manufacturing. It references where this is allowed.

**OSRD:**

The article is looking to insert a new paragraph D. Affordable Housing to make clear that OSRD projects are subject to the Bylaw's affordable housing provisions. The paragraph on density and dimensional requirements has also been revised. Language is provided that the 15 ft. area from the perimeter lot line shall serve as a buffer. It also references that no buildings or structures shall be constructed within 50 ft. from the right-of-way line of a public way or within a 50 ft. from the perimeter lot line.

Mr. Yorkis made the following comments:

- E3: He wanted to reference that there may be a need for an underground utility connection to a proposed OSRD in the buffer area and that should be allowed.
- E4: He wanted to know the rationale behind the 50 ft. setback. There are some properties which could be developed to have a bus shelter or mailboxes with an overhang. This is constricting potential development.

It was indicated that the 50 ft. was discussed in length with the ARCPUD and OSRD. The Board wanted consistency.

### **Karyl Spiller-Walsh of 168 Holliston Street**

Ms. Spiller-Walsh noted that the 50 ft. and 15 ft. distances are arbitrary. The board should exercise its authority under the special permit for flexibility.

### **ARCPUD:**

- This article is to amend the definition for the adult retirement community planned unit development in the definition section. This is for any tract of land with ten or more acres. The word “residence” was added along with types of houses.

### **Special Permit:**

The Special Permit section was reviewed.

Mr. Yorkis made the following comments:

- Section 7.4. He noted that one is not legally able to pollute the air and the water etc. The term visually offensive structures, who determines this? It is subjective.
- Section 8.5: What are traffic conflicts?
- Section 9: What are traffic conflicts?

### **Accessory Uses and Structures:**

The suggestion for this was to separate the single definition for accessory uses and structures by splitting them into two separate definitions.

Mr. Yorkis had the following comments:

- Item 6 3B: What is the intent of the maximum 3,000 sq. ft. size for an accessory structure/building? How is that defined?
- Item 6.3 C: What constitutes the area? Footprint of building/total interior space?

Building Inspector Jack Mee indicated he thinks this would be the footprint, but he would need to check.

Karyl Spiller-Walsh wanted to know how the 3,000 sq. ft. maximum size determined.

It was explained that this size was based on the Massachusetts State Building Code.

### **Lot Frontage & Setbacks:**

The section on frontage and setbacks was further clarified to explain how this is measured.

### **Recreational Marijuana:**

The intent of this article is to put a moratorium in place until the state puts the regulations in place. This is the recommendation of town counsel. This would be until June 30, 2018.

### **Affordable Housing Bylaw:**

Susy reviewed a PowerPoint presentation with the audience. (**See Attached.**)

She explained that the Town put the affordable housing bylaw in place in 2008. The Town has applied this bylaw to several projects which include: Williamsburg, Millstone Village, Charles River, and Salmon Senior Living Community.

A consultant from Metropolitan Area Planning Committee assisted in providing technical assistance to improve this bylaw. A project timeline was created with the goal of adopting a revised affordable housing bylaw at the May 2017 town meeting. There were several work sessions. Developers noted that it is difficult to include affordable units in a small subdivision. It was suggested to increase the density bonus to help offset the cost of providing affordable units. The Bylaw Update Advisory Committee has taken the approach that one size does not fit all. If a project size is 6-12 units then 10% would need to be affordable.

The language for the ARCPUD and OSRD needs to be consistent and it needs to be clear that the affordable housing requirements apply to all types of development projects. The density bonus section will be amended to increase the total number of market-rate units by a number equal to the number of required affordable units. Another amendment would be that for fractions of affordable housing units of 0.5 or higher, the number would be rounded up to the next whole number. For fractions less than 0.5, a developer would be required to make a payment equal to the product of the fraction and the cash contribution for a whole affordable housing unit. Another recommendation pertains to the amount of the payment in lieu of construction. The developer would need to make a payment equal to the required number of affordable housing units multiplied by the median price of a comparable Medway market-rate home. Payments in lieu of would not be allowed for rental developments. The land donation will be eliminated as an option. The developer's responsibilities will include an affirmative marketing plan, regulatory agreement, and deed restriction. The unit design standards will be equal to that of market-rate units in material and quality of construction.

Mr. Yorkis made the following comments:

- Congratulates the PEDB and staff for having this meeting and providing the opportunity to share experiences to have the best set of rules and regulations.
- He referenced page 28 item #3. Is the median cost mean the sale price or assessed value? Also, it needs to be clarified to be clear who is making the determination.
- Page 28:E1 – A question was raised about the 4/5 vote needed for a special permit. What happens if someone needs to recuse themselves?
- Page 29: Item 2: What happens where there are no lots in a development and it is a condo? (ex. Williamsburg)
- Page 30: Since the Town is green community those standards need to be met, this is code.
- Item 5C: He strongly objects to the language. It will discourage development.
- Item 6C, There is no Medway Building Code- it should be the State building code.

- Item G 1A: add language licensed with the Commonwealth of MA.
- Page 31: Add word “Norfolk” county.
- Page 32 Item 2: Add words “Norfolk County of Registrar....
- It was suggested to have a document which would describe the process for affordable housing along with the regulatory agreement.

The Board thanked all for attending and informed them that the official public hearing for the warrant articles will be held on Tuesday, March 21, 2017.

**Future Meetings:**

- Tuesday, February 28, 2017
- Warrant Articles Public hearing, Tuesday, March 21, 2017
- Town meeting on Tuesday, May 8, 2017

**Adjourn:**

**On a motion made by Tom Gay and seconded by Rich Di Iulio, the Board voted to adjourn.**

**The meeting was adjourned at 8:30 pm.**

Respectfully Submitted,



Amy Sutherland  
Recording Secretary

Reviewed and edited by,



Susan E. Affleck-Childs  
Planning and Economic Development Coordinator

# MEDWAY COMMUNITY FORUM

## Proposed Zoning Bylaw and Map Amendments

**Wednesday, February 22, 2017**

**7 p.m. Thayer Homestead, 2B Oak Street**

Sponsored by  
the Medway  
Planning and  
Economic  
Development  
Board

508-533-3291

planningboard@  
townofmedway.org

Affordable  
Housing

Special Permit  
Criteria

Definitions

Frontage &  
Setbacks

ARCPUD

OSRD

Accessory Uses,  
Buildings &  
Structures

Lot Frontage &  
Setbacks

Non-  
conforming  
Uses

Moratorium on  
Non-Medical  
Marijuana  
Establishments

Zoning District  
Boundary  
Changes

Proposed amendments may be viewed online at:

<http://www.townofmedway.org/planning-economic-development-board/pages/aim-may-8-2017-proposed-amendments-zoning-bylaw-map>

# Spring 2017 Community Forum Proposed Zoning Bylaw & Map Amendments

# Nonconforming Uses



Flood Plain /  
Wetland Protection  
District

# Correction of Internal References

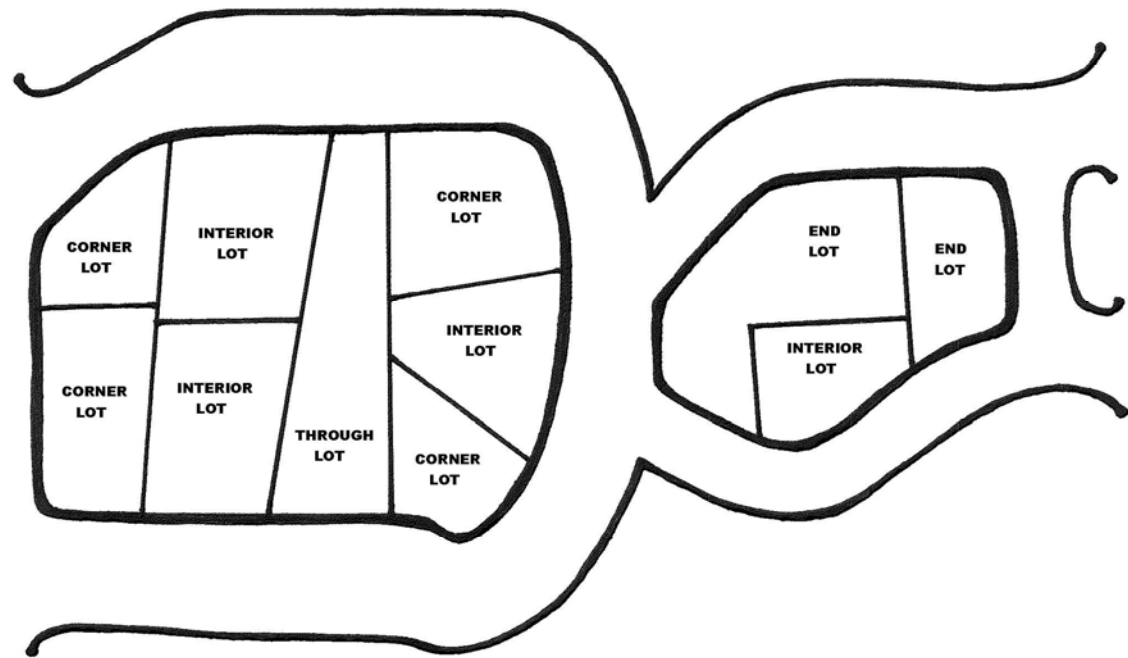
# Definitions

- Assisted Living
- Buffer Area
- Frontage
- Lot Area
- Lot Line
  - Lot Line, Front
  - Lot Line, Side
  - Lot Line, Rear

- Manufacturing
  - Assembly
  - Fabrication
  - Packaging
  - Processing
- Light Manufacturing
- Tract
- Two Family House / Duplex

## ○ Lot

- Lot, Corner
- Lot, End
- Lot, Interior
- Lot, Through



# Table of Uses

**TABLE 1: SCHEDULE OF USES**

	AR-I	AR-II	VR	CB	VC	C-V	BI	I-I	I-II	I-III
<b>C. RESIDENTIAL USES</b>										
Detached single-family dwelling house	Y	Y	Y	N	Y	N	N	N	N	N
Two family house/duplex dwelling, provided that the exterior of the dwelling has the appearance of a single-family house dwelling.	N	SP	SP	N	N	N	N	N	N	N
<b>E. INDUSTRIAL AND RELATED USES</b>										
Manufacturing, processing, fabrication, packaging and assembly, and storage of goods manufactured on the premises	N	N	N	N	N	N	Y	Y	Y	Y
Light Manufacturing	N	N	N	N	N	Y	Y	Y	Y	Y



Open Space  
Residential  
Development (OSRD)

Adult Retirement  
Community Planned  
Unit Development  
(ARCPUD)



# Special Permits

# Accessory Uses and Structures

# Lot Frontage and Setbacks

# Affordable Housing

- Separate Presentation -

Temporary  
Moratorium on Non-  
Medical Marijuana  
Establishments

# Zoning Map Boundary Changes

## Goal

Match zoning  
district boundary  
lines with parcel  
lines

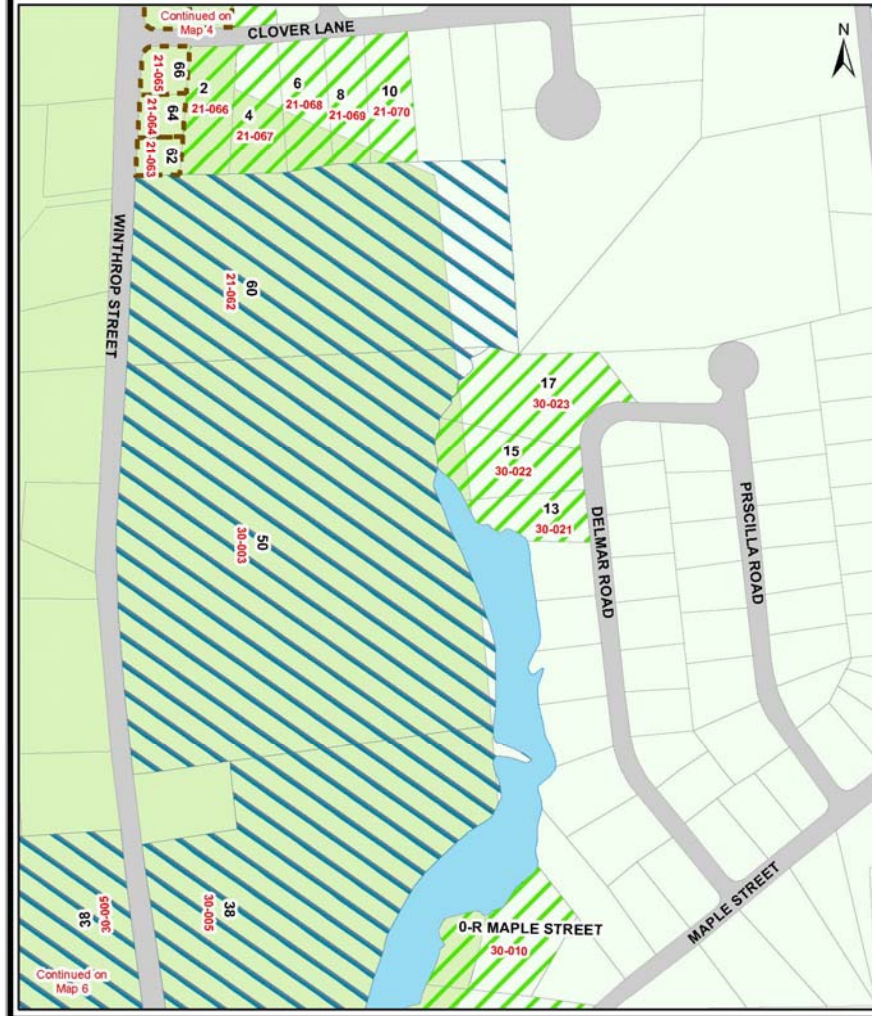
## Proposed Changes to AR-I & AR-II Zoning Districts

Draft Proposal - January 3, 2017

MAP 5 OF 7 (AR-I & AR-II BOUNDARY MAPS)

Data from MassGIS and the Town of Medway

- Existing AR-I Zoning District
- Existing AR-II Zoning District
- AR-I Parcels, to be Rezoned to AR-II
- AR-I / AR-II Split Parcels, to be Rezoned Entirely to AR-I
- AR-I / AR-II Split Parcels, to be Rezoned Entirely to AR-II



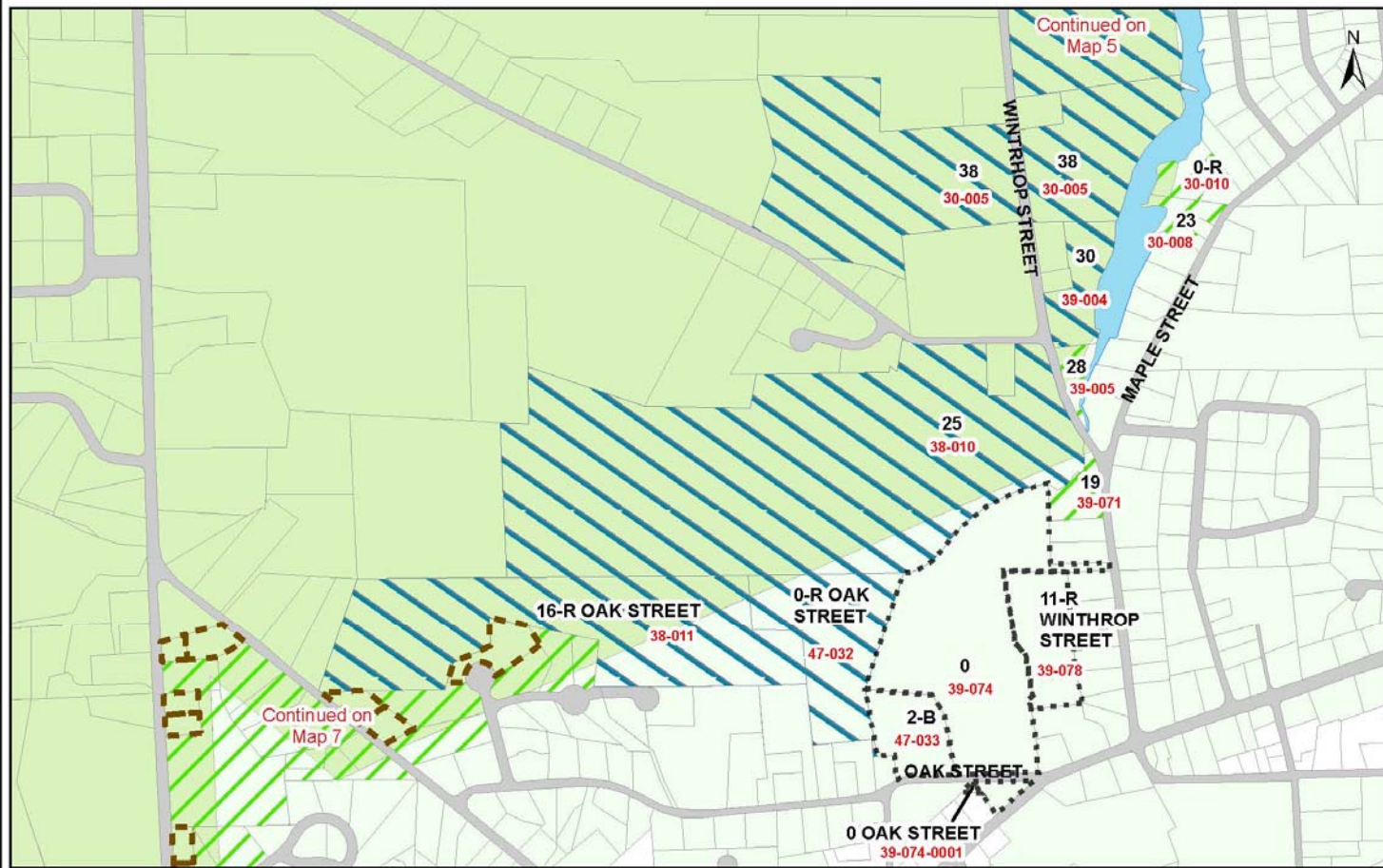
# Proposed Changes to AR-I & AR-II Zoning Districts

Draft Proposal - January 3, 2017

MAP 6 OF 7 (AR-I & AR-II ZONING BOUNDARY MAPS)

Data from MassGIS and the Town of Medway

- Existing AR-I Zoning District
- Existing AR-II Zoning District
- AR-II Parcels, to be Rezoned to AR-I
- AR-I Parcels, to be Rezoned to AR-II
- AR-I / AR-II Split Parcels, to be Rezoned Entirely to AR-I
- AR-I / AR-II Split Parcels, to be Rezoned Entirely to AR-II



# Proposed Changes to AR-I & AR-II Zoning Districts

Draft Proposal - January 3, 2017

MAP 7 OF 7 (AR-I & AR-II ZONING BOUNDARY MAPS)

Data from MassGIS and the Town of Medway

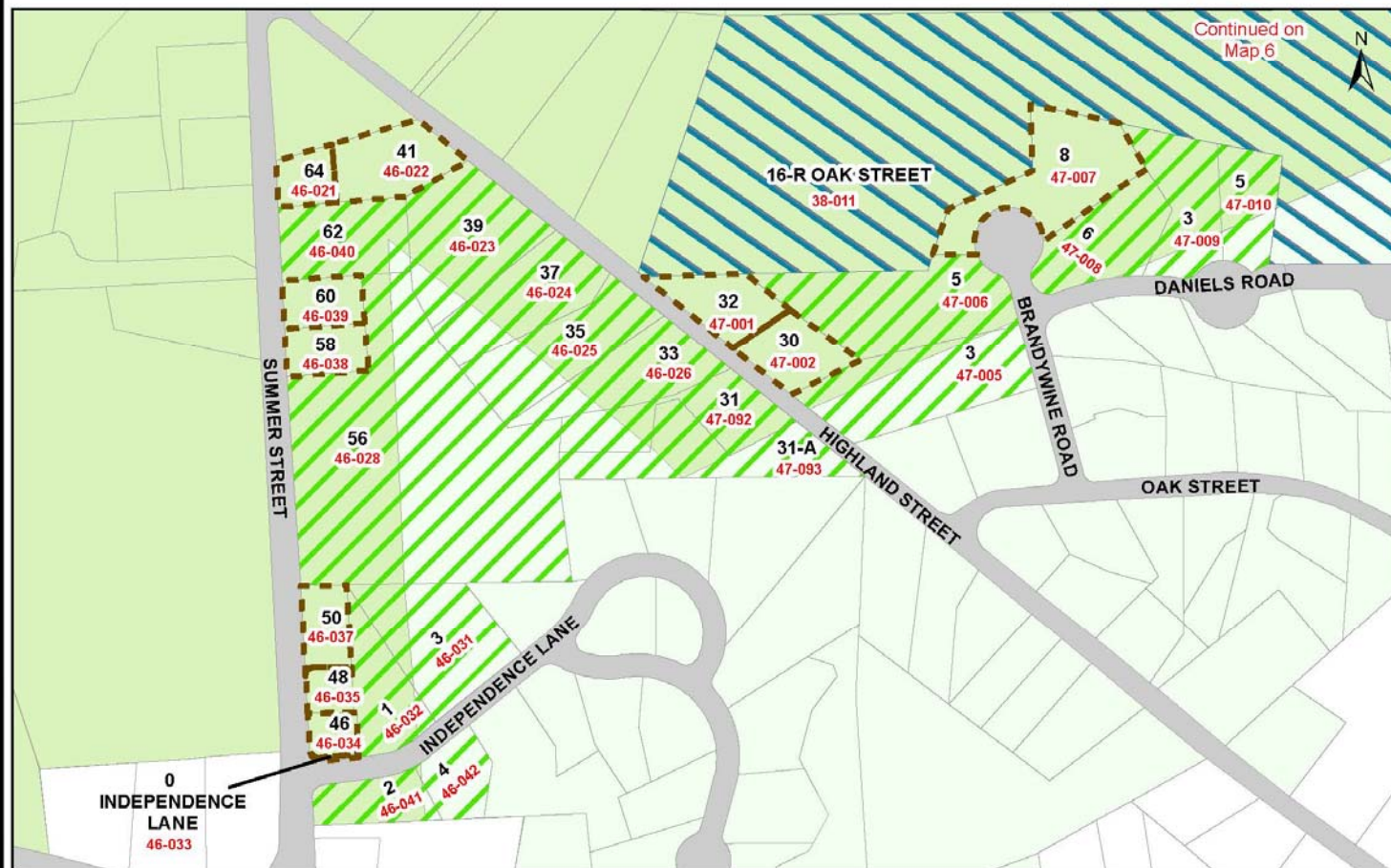
Existing AR-I Zoning District

Existing AR-II Zoning District

AR-I Parcels, to be Rezoned to AR-II

AR-I / AR-II Split Parcels, to be Rezoned Entirely to AR-I

AR-I / AR-II Split Parcels, to be Rezoned Entirely to AR-II

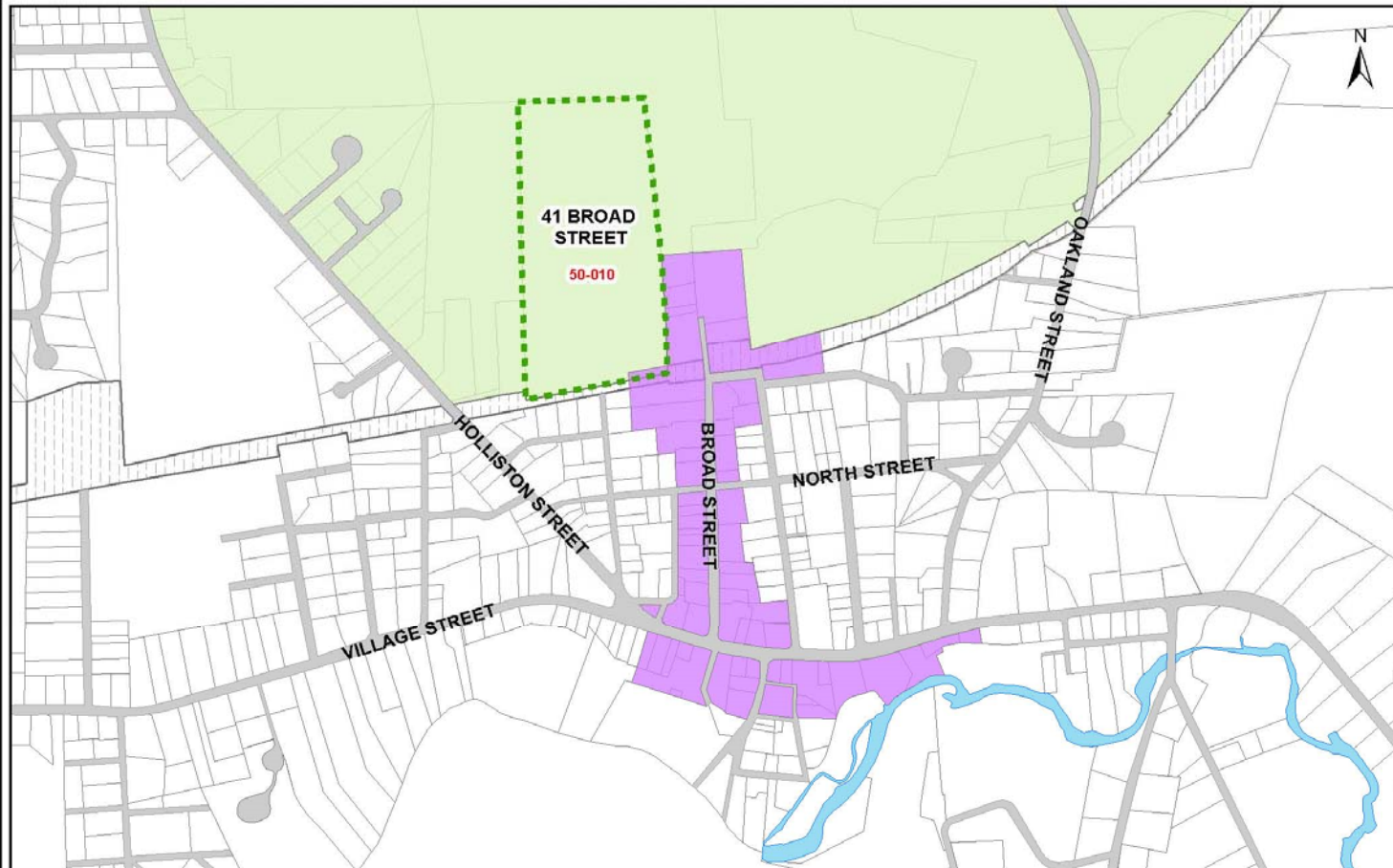


# Proposed Changes to AR-I & VC Zoning District

Draft Proposal - January 3, 2017

Data from MassGIS and the Town of Medway

- Existing AR-I Zoning District
- Existing VC Zoning District
- AR-I / VC Split Parcel, to be Rezoned Entirely to AR-I



## Proposed Revised AR-II Zoning District

Draft Proposal - January 3, 2017

Data from MassGIS and the Town of Medway

- Existing IND-III Zoning District
- Existing AR-II Zoning District
- IND-III / AR-II Split Parcels, to be Rezoned Entirely to AR-II

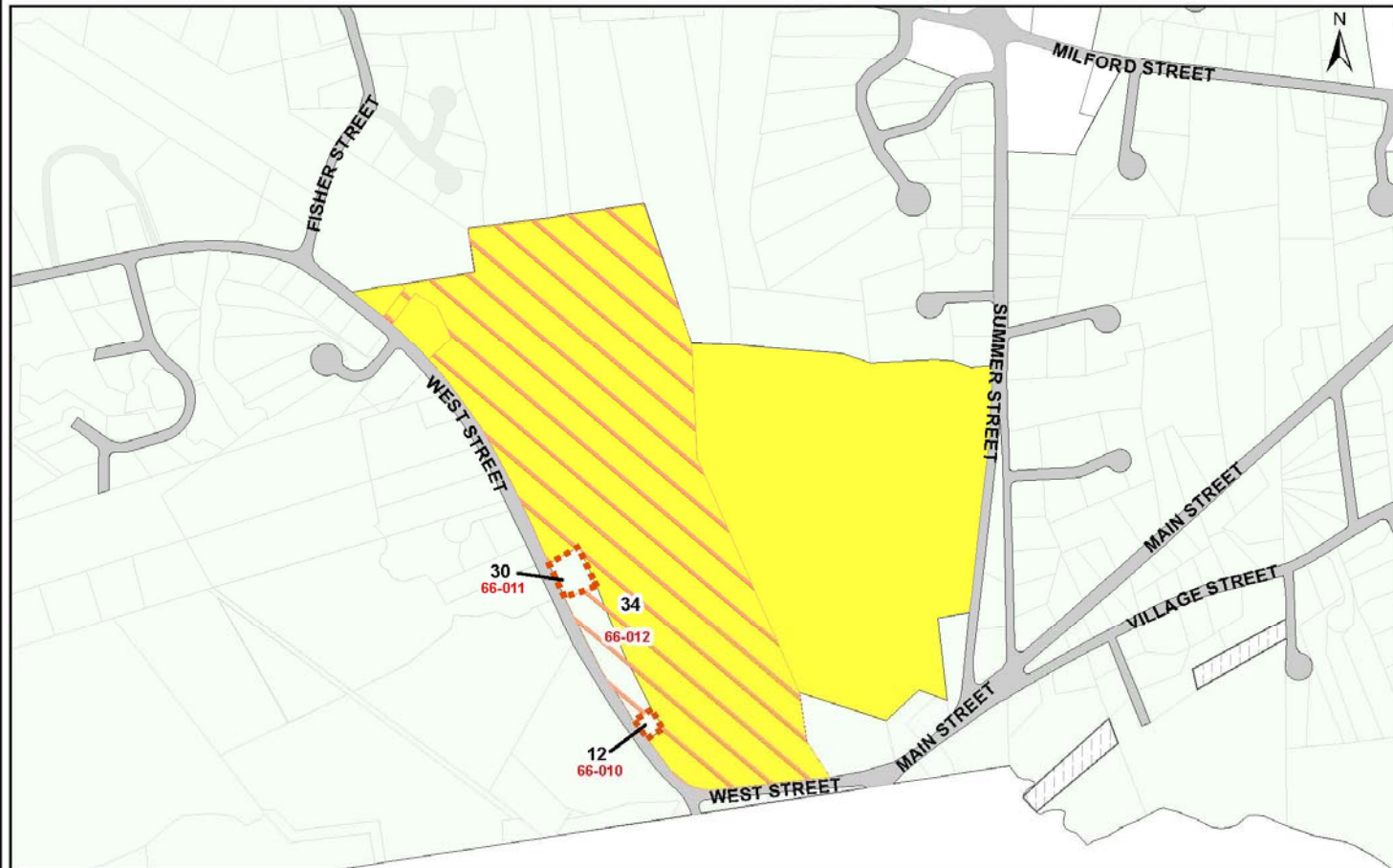


# Proposed Changes to IND-II & AR-II Zoning District

Draft Proposal - January 3, 2017

Data from MassGIS and the Town of Medway

- Existing AR-II Zoning District
- Existing IND-II Zoning District
- AR-II Parcels, to be Rezoned to IND-II
- AR-II / IND-II Split Parcels, to be Rezoned Entirely to IND-II

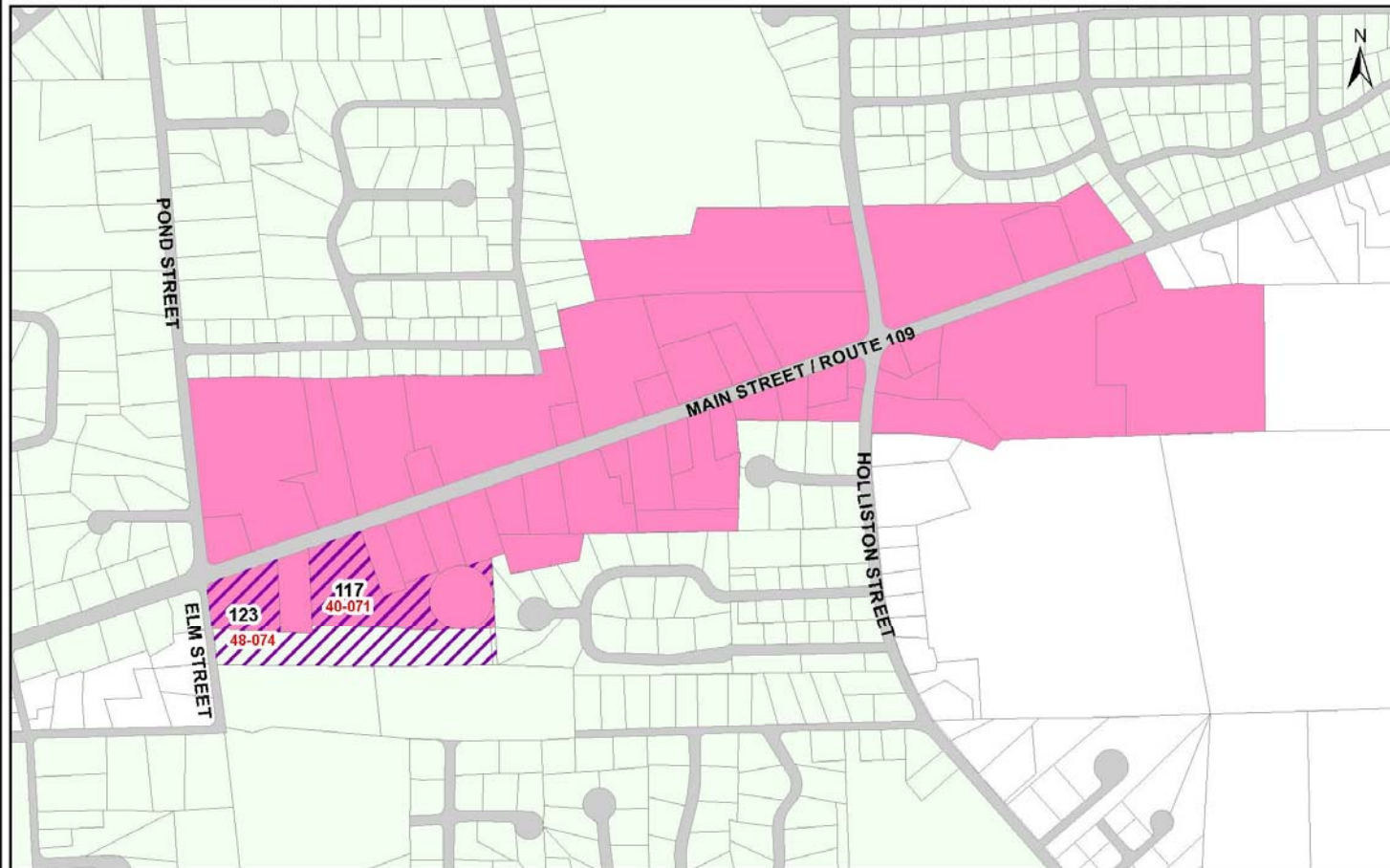


# Proposed Changes to CB & AR-II Zoning District

Draft Proposal - January 3, 2017

Data from MassGIS and the Town of Medway

- Existing AR-II Zoning District
- Existing CB Zoning District
- AR-II / CB Split Parcels, to be Rezoned Entirely to CB



# Medway Planning & Economic Development Board

## Community Forum – February 22, 2017

### Proposed Amendments to Zoning Bylaw & Map

#### *Zoning Bylaw Changes*

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Lot Frontage and Setbacks	23
Affordable Housing	25
Temporary Moratorium on Non-Medical Marijuana Establishments	33

#### *Zoning Map Boundary Changes*

Article A – 12 properties on Clover Lane, Delmar Road, Maple Street, Winthrop Street	35
Article B – 13 properties on Maple Street, Winthrop Street and Oak Street	37
Article C – 29 properties on Summer Street, Highland Street, Independence Lane, Brandywine, Road, Daniels Road, Oak Street	39
Article D – 1 property on Broad Street	41
Article E – 8 properties on Granite Street, Lost Hill Drive, Fox Run Road, Alder Street	43
Article F – 3 properties on West Street	45
Article G – 2 properties on Main Street	47



## **Non-Conforming Uses and Structures**

### **Revised Draft – February 3, 2017**

ARTICLE \_\_\_\_: To see if the Town will vote to amend Section 5.5. Paragraph B Nonconforming Uses and Structures of the Zoning Bylaw as follows:

**B. Commencement of Construction or Operation.** Construction or operations under a building permit or special permit shall conform to any subsequent amendments to this Zoning Bylaw, unless the use or construction is commenced within a period of not more than ~~six~~ **twelve** months after the issuance of the permit and in any case involving construction, unless such construction is continued through to completion as continuously and expeditiously as is reasonable.

Or act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD



# **FLOOD PLAIN/WETLAND PROTECTION DISTRICT**

## **Revised Draft – February 3, 2017**

ARTICLE : To see if the Town will vote to amend the Zoning Bylaw, Sub-Section 5.6.1 Flood Plain/Wetland Protection District by revising Paragraph C. Applicability as follows:

**C. Applicability.** The Flood Plain/Wetland Protection District includes:

1. 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~~. The map panels of the Norfolk County FIRM that are wholly or partially within the Town of Medway are panel numbers 25021C - 0136E, 0137E, 0138E, 0139E, 0141E, 0142E, 0413E, and 0144E with a preliminary date of June 12, 2009 and an effective date of July 17, 2012. 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 17, 2012. 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.

**And by deleting items 2-5 in Paragraph C. Applicability as noted below:**

~~2. All land bordering any natural water body that lies within a horizontal distance of twenty-five feet from the mean high water line except as otherwise defined on the Flood Plain/Wetland Protection District Map.~~

~~3. All water bodies encircled by boundary lines of the District.~~

~~4. All that land along the following named brooks and their tributaries: Stall Brook, Hopping Brook, Chicken Brook and certain unnamed brooks and streams that lie within a horizontal distance of twenty five feet of the thread of said brooks and streams except as otherwise defined on the Flood Plain/Wetland Protection District Map.~~

~~5. All those wetlands which may be described as upland swamps or marshes which lie at the source of the brooks or their tributaries or which lie in surface depressions without drainage outlets, as defined on the Flood Plain/Wetland Protection District Map.~~

**And by changing the name of Sub-Section 5.6.1 from Flood Plain/Wetland Protection District to Flood Plain District.**

**And by changing all references to Flood Plain/Wetland Protection District in Sub-Section 5.6.1 to Flood Plain District.**

**And by changing the reference to Flood Plain/Wetland Protection district in Paragraph C. 1 Overlay Districts in Section 4.1 Districts and in Paragraphs A and B in Section 4.2 Zoning Map to Flood Plain District.**

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD



## **Internal Cross References**

### **Revised Draft – February 3, 2017**

**ARTICLE** : To see if the Town will vote to amend the Zoning Bylaw at various locations throughout to correct the numbering of internal cross references to other sections or sub-sections of the Bylaw as follows:

In Sub-Section 5.6.2 Adaptive Use Overlay District, Paragraph E. Medway Mill Conservation Subdistrict.

- In the opening paragraph, by deleting the reference to SECTION 1 and inserting **5.6.2. A.** in its place.
- In item 1. Permitted Uses, by deleting the reference to Section D(1) and D(2) and inserting **5.6.2.D.1. and D.2.** in its place.

In Section 7.2 Signs, Sub-Section 7.2.2 Exempt Signs, Paragraph A. 16. c., by deleting references to Paragraphs 7 and 8 and replacing those with **7.2.4 and 7.2.5** in its place.

In Section 7.2 Signs, Sub-Section 7.2.6 Administration, Paragraph A. 1, by deleting the reference to Paragraph 5 and inserting **7.2.2** in its place.

In Section 7.3 Environmental Standards, by deleting the reference in Paragraph A. to Section 3 and inserting **SECTION 5.** in its place.

In Section 8.1 Infill Housing, by deleting the reference in Paragraph C. Basic Requirements, 4. to Section 5.5.1 and inserting **Section 8.1.** in its place.

In Section 8.5 Adult Retirement Community Planned Unit Development, Paragraph H. Open Space, 2. by deleting the reference to Section 5.5.3.(F) and inserting **8.4. F.** in its place.

In Section 8.4 Open Space Residential Development, Paragraph I. Special Permit Procedures, 3. Decision, by deleting the reference in a. to Section 5.5.3 and inserting **Section 8.4** in its place.

Or to act in any manner relating thereto.

**PLANNING AND ECONOMIC DEVELOPMENT BOARD**



## DEFINITIONS

Revised Draft – February 3, 2017

ARTICLE : To see if the Town will vote to amend the Zoning Bylaw, SECTION 2 DEFINITIONS by adding certain new definitions in alphabetical order, by revising other definitions, and inserting Figure A as follows: (deletions are noted with a ~~strike through~~):

**Assisted Living or Congregate Living Facility:** An assisted living residence facility as defined by G.L. c. 19D.

**Buffer Area** – Natural wooded, vegetated, landscaped or open areas, earthen berms or mounds, or any combination thereof including fences and walls, used to physically separate or screen one use or property from another use or property. A buffer area provides a visual and sound barrier between adjacent properties by shielding or reducing noise, lights or other nuisances.

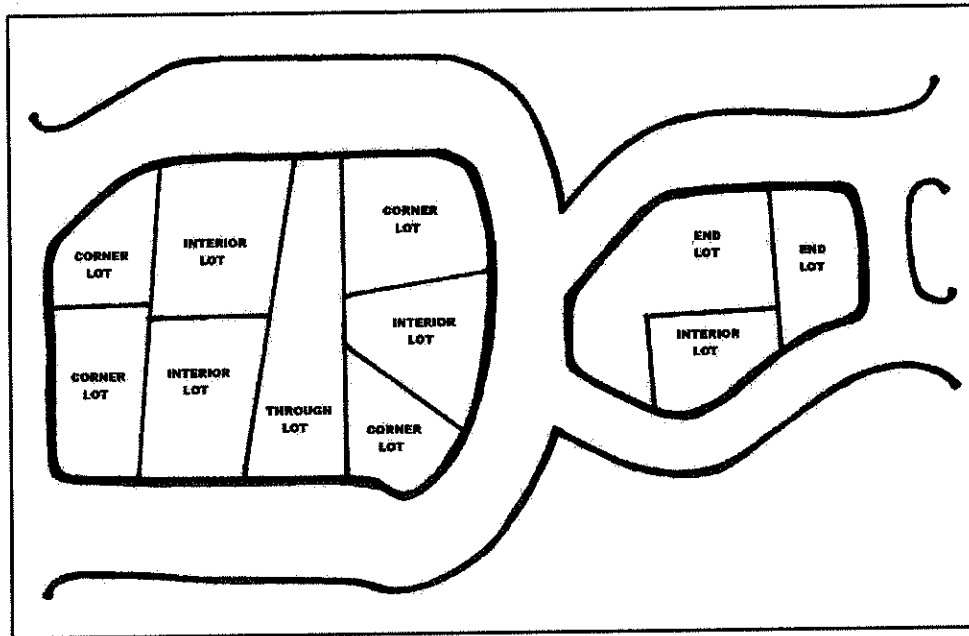
**Frontage:** That portion of a lot which fronts on a street or streets from which physical access to the principal building on the lot can be provided. ~~Frontage is measured as the distance between the points of intersection of the side lot lines with the front lot line. In the case of a corner lot bounding more than one street, the measurement on both streets may be used to determine if the lot meets the minimum frontage requirements of the particular zoning district. With a corner lot, the frontage is measured from the side lot line to the midpoint of the arc that constitutes the corner rounding at the intersection of the two streets. See Section 6.2., Paragraph E.~~

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

- **Lot, Corner:** A lot that is contiguous with the intersection of two streets meeting at an angle of less than one-hundred and thirty-five degrees. A corner lot has two front lot lines. A lot that is contiguous with one street and located at an arc of said street which is less than one hundred and thirty-five degrees shall also be defined as a corner lot.
- **Lot, End:** A lot that is contiguous with the intersections of one or more streets meeting at an angle of less than one-hundred and thirty-five degrees at two or more points. An end lot has at least three front lot lines. A lot that is contiguous with one or more streets and located at an arc of said streets which is less than one hundred and thirty-five degrees at two or more points shall also be defined as an end lot.
- **Lot, Interior:** Any lot which is not a Corner Lot or an End Lot.
- **Lot, Through:** An interior lot having a pair of parallel, or approximately parallel, front lot lines and street frontages.

*See Figure A – Lot Types*

**FIGURE A – Lot Types**



**Lot Area:** The total area of a lot, including land over which permanent easements have been granted, but not including the area of any adjacent street rights-of-way.

**Lot Line:** A line of record bounding a lot that divides one lot from another lot or from a way or any public space.

- **Lot Line, Front:** A lot line separating a lot from a street right of way.
- **Lot Line, Rear:** A line separating a lot from other lots or from land in a different ownership, being the boundary of a lot which is opposite or approximately opposite the front lot line. Any lot line other than a front or side lot line.
- **Lot Line, Side:** Any lot line other than a front or rear lot line. Any lot line which intersects a front lot line.

**Manufacturing –** The transformation or processing of raw materials or substances, components or parts into new finished or semi-finished products by the use of machines, tools, and labor through a mechanical, chemical or other process. Also includes May also include the blending of materials, fabrication, and the assembly of component parts, and the packaging of products for distribution, storage and sale.

- **Assembly –** The putting together of manufactured parts to make a machine or other completed product
- **Fabrication –** A manufacturing process in which an item is made from raw or semi-finished materials instead of being assembled from ready-made components or parts
- **Packaging –** The enclosing or protecting of manufactured products for distribution, storage, sale and use.

- **Processing** – A manufacturing process in which a series of mechanical or chemical operations takes place on something in stages or a sequence of actions taken in order to change or preserve something during production
- **Light Manufacturing** – The manufacturing of finished products or parts from predominantly previously prepared materials, which may include processing, fabrication, assembly, treatment, and packaging of such products, provided that all manufacturing activities are contained entirely within a building and any resulting noise, dust, glare, odor, smoke, heat, and vibration are confined entirely within the building.

**Tract:** An area, piece of land, property, site, parcel, or lot or a combination thereof that is the subject of an application to the Town of Medway for a land use permit.

**Two Family House/Duplex:** A building intended and designed to be occupied by two families living independently in separate dwelling units within the same building, each of which has direct access to the outside.

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD



## TABLE of USES

Revised Draft - February 3, 2017

ARTICLE : To see if the Town will vote to amend the Zoning Bylaw, Section 5.4 Schedule of Uses, TABLE 1: Schedule of Uses as shown below:

**NOTE:** **Table 1 Legend**  
Y: A use permitted by right  
N: A prohibited use  
SP: A use that may be allowed by special permit from the Zoning Board of Appeals

<b>TABLE 1: SCHEDULE OF USES</b>										
	<b>AR-I</b>	<b>AR-II</b>	<b>VR</b>	<b>CB</b>	<b>VC</b>	<b>C-V</b>	<b>BI</b>	<b>I-I</b>	<b>I-II</b>	<b>I-III</b>
<b>C. RESIDENTIAL USES</b>										
Detached single-family dwelling house	Y	Y	Y	N	Y	N	N	N	N	N
Two family house/duplex dwelling, provided that the exterior of the dwelling has the appearance of a single-family house dwelling.	N	SP	SP	N	N	N	N	N	N	N
<b>E. INDUSTRIAL AND RELATED USES</b>										
Manufacturing, processing, fabrication, packaging and assembly, and storage of goods manufactured on the premises	N	N	N	N	N	N	Y	Y	Y	Y
Light Manufacturing	N	N	N	N	N	Y	Y	Y	Y	Y

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD



**OSRD Clean up  
REVISED – February 3, 2017 7**

ARTICLE : To see if the Town will vote to amend the Zoning Bylaw, Section 8.4, Open Space Residential Development (OSRD) as described below:

**By inserting a new Paragraph D. Affordable Housing as follows and relabeling Paragraphs D through J to become E through K.**

**D. Affordable Housing.** An OSRD is subject to Sub-Section 8.6 Affordable Housing of this Bylaw.

**And by revising existing Paragraph E. Density and Dimensional Regulations, Item 3. as follows:**

**E. Density and Dimensional Regulations**

3. ~~There shall be a buffer area at least 15 feet side, consisting of natural vegetation, earthen materials and/or landscaping and/or fencing, located along the boundary of the site where it abuts existing neighborhoods unless waived by the Planning and Economic Development Board. The fifteen foot area from the perimeter lot line of the subject parcel shall serve as a buffer area as defined in this Bylaw. No buildings, structures, roadways, utilities or other infrastructure shall be constructed within this buffer area, however fencing/stone walls and walking paths/trails are permitted.~~

**And by inserting a new Item 4 as follows and relabeling the current item #4 to become #5.**

4. ~~No buildings or structures shall be constructed within fifty feet from the right-of-way line of a public way or within fifty feet from the perimeter lot line.~~

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD



## **ARCPUD CLEAN-UP NEEDED**

**Revised – February 3, 2017**

ARTICLE : To see if the Town will vote to amend the Zoning Bylaw, SECTION 2 DEFINITIONS by amending the definition for Adult Retirement Community Planned Unit Development (ARCPUD) in SECTION 2 DEFINITIONS as follows:

**Adult Retirement Community Planned Unit Development (ARCPUD):** A master-planned development of land ~~as a unified, self-contained~~ for a residential community, constructed expressly for use and residency by persons who have achieved a minimum age requirement for residency of fifty-five years of age or older in accordance with G.L. c. 151B, § 4 and also incorporating the preservation and/or establishment of ~~natural~~ open space areas as an integral element of the development. ~~An ARCPUD shall be permitted only in an Adult Retirement Community Overlay District and only upon the granting of a special permit by the Planning and Economic Development Board. An ARCPUD shall include at least one of the Adult Retirement Community Residential Uses defined below in this Section 2 of the Zoning Bylaw. The Planning and Economic Development Board in its granting of the ARCPUD special permit may specifically authorize other appropriate uses.~~ An ARCPUD may include a variety or combination of housing types that may be sold or leased to individual residents, or may be operated or ~~managed~~ sponsored ~~as a coordinated unit~~ by a corporation or organization having among its principal purposes the provision of housing and resident services for retired and/or aging persons.

And by amending Section 8.5, Adult Retirement Community Planned Unit Development as specified below:

**By amending Paragraph B. Applicability to read as follows:**

B. Applicability. The Planning and Economic Board may grant a special permit for an Adult Retirement Community Planned Unit Development (ARCPUD), ~~ARCPUD Assisted Living Residence Facility, ARCPUD Congregate Living Facility, or ARCPUD Long Term Care Facility~~ for any tract of land with ~~ten~~ 10 or more acres, whether in one parcel or a set of contiguous parcels in the AR-I and AR-II district.

**And by amending Paragraph D. Use Regulations, item 1. to read as follows:**

1. The ARCPUD shall include at least one of the following residential uses.

- a. ~~Congregate housing~~
- ~~a. b.~~ Assisted living ~~residence~~ facility
- ~~b. e.~~ Long-term care facility
- ~~c. d.~~ Coordinated unit
- ~~d. e.~~ Independent living ~~residence~~ facility
- ~~e. f.~~ Residential-s Subdivision

**And by amending Paragraph D. Use Regulations, item 2. to read as follows:**

2. The ARCPUD may include any ~~one or more~~ of the following:
  - a. Detached single-family dwelling ~~or cottage~~
  - b. Townhouse
  - c. ~~Two-family house/duplex~~ Multifamily dwelling
  - d. ~~Multifamily dwelling or apartment house~~
  - ~~d. e.~~ e. Conservation, agricultural, and recreation uses
  - e. f. Accessory uses, provided that aggregate floor area for accessory uses shall not exceed 5 percent of the total gross floor area of the buildings in the ARCPUD:
    - i. Local convenience retail, up to a maximum of 4,500 sq. ft. of gross floor area
    - ii. Medical office or clinic
    - iii. Adult day care
    - iv. Community center

**And by amending Paragraph E. Density and Dimensional Regulations, item 2. as follows:**

2. For purposes of this Section 8.5, a housing unit shall be defined as equal to:
  - a. A home site in an ARCPUD Subdivision, a dwelling unit in an ARCPUD Independent Living Residence Facility, ~~an ARCPUD Coordinated Unit~~, a townhouse, or a dwelling unit as defined in Section 2 of this Zoning Bylaw;
  - b. ~~Two studios or suites of rooms~~ apartments/suites in an ARCPUD Assisted Living Residence Facility ~~or Congregate Living Facility~~;

**And by amending Paragraph E. Density and Dimensional Regulations, item #5 as follows:**

5. No buildings ~~or structures~~ shall be constructed within ~~fifty~~ 50 feet from the right-of-way line of a public way or within ~~fifty~~ 50 feet from the perimeter lot line. ~~The 50-foot buffer shall be maintained in its natural state or a landscaped open space.~~

**And by amending Paragraph E. Density and Dimensional Regulations by inserting a new item #6 as follows and relabeling current items #6 and #7 to become items #7 and #8.**

6. ~~The fifteen foot area from the perimeter lot line of the subject parcel shall serve as a buffer area as defined in this Bylaw. No buildings, structures, roadways, utilities or other infrastructure shall be constructed within this buffer area, however fencing/stone walls and walking paths/trails are permitted.~~

**And by amending Paragraph H. Open Space, by adding item 5. as follows:**

- H. Open Space. At least 40 percent of the total land area of the ARCPUD shall be set aside and maintained as open space in accordance with the following standards:
  5. ~~Buffer areas required by E. 6 may be included in the required open space area.~~

**And by inserting a new Paragraph E. Affordable Housing as follows and relabeling Paragraphs E through M to become F through N.**

**E. Affordable Housing.** Except for a long-term care facility, an ARCPUD is subject to Section 8.6 Affordable Housing of this Bylaw.

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD



## **SPECIAL PERMITS**

**Revised Draft – February 3, 2017**

ARTICLE \_\_\_\_: To see if the Town will vote to amend Paragraphs B, C and D in Section 3.4. SPECIAL PERMITS of the Zoning Bylaw as follows:

### **3.4 SPECIAL PERMITS**

**B. Public Hearing.** The special permit granting authority shall hold a public hearing within sixty-five days of receipt of a special permit application, and shall issue a decision no later than ninety days from the ~~close~~ date of the public hearing. Notification requirements for a public hearing shall be in accordance with G.L. c. 40A, § 11.

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

- ~~1. The proposed use will not be detrimental to the public good.~~
- ~~2.6. The proposed use is consistent with the goals of the Medway Master Plan.~~
- ~~3.4. The proposed use is in harmony with the general purpose and intent of this Zoning Bylaw.~~
- ~~4.2. The proposed site use is in an appropriate location for such a use, and is not detrimental to the neighborhood and does not significantly alter the character of the zoning district.~~
- ~~5. The use as developed will not adversely affect the surrounding neighborhood and does not significantly alter the character of the zoning district.~~
- ~~6.3. Adequate and appropriate facilities will be provided for the operation of the proposed use.~~
- ~~7.4. The proposed use will not constitute a nuisance be detrimental or otherwise offensive to the adjoining zoning districts and neighboring properties due to the effects of air and water pollution, lighting, flood, odors, dust, smoke, noise, vibration sewage, refuse materials, or visually offensive structures and site features or other nuisances.~~
- ~~8.5. The proposed use will not cause undue traffic congestion or conflicts in the immediate area.~~
- ~~9. The use as developed will not create a hazard to abutters, vehicles, the environment or pedestrians.~~

**D. Conditions.** Special permits may be granted with such reasonable conditions, safeguards, or limitations on time or use, including performance guarantees, as the special permit granting authority may deem necessary to serve the purposes of this Zoning Bylaw. Such conditions may include but shall not be limited to the following:

1. Deadline to commence construction.
2. Dimensional standards more restrictive than those set forth in Section 6 of this Zoning Bylaw.
3. Limitations on signage, number of vehicles or parking spaces, noise, or hours of operation of construction equipment.
4. Limitation of size, method or hours of operation, extent of facilities, or other operating characteristics of a use.
5. Requirements pertaining to integrated emergency or alarm systems, maintenance, landscaping, dust control, wastewater disposal or water supply, bond or other performance guarantee.
6. Requirements for independent monitoring, at the expense of the applicant, and reporting to the Building Inspector, if necessary to ensure continuing compliance with the conditions of a special permit or of this Zoning Bylaw.
7. Term for years with or without automatic renewals, to the extent allowed by law.
8. The date of when the special permit shall commence.
9. On-site and off-site mitigation of traffic concerns and/or infrastructure mitigation to ensure that the petitioner properly mitigates the development's impacts on the Town and/or neighborhood.
10. Other limitations as may be reasonably related to reducing any adverse impact on, or increasing the compatibility of the proposed use, structure or activity with, the surrounding area.

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

## ACCESSORY USES and STRUCTURES

Revised Draft – February 3, 2017

ARTICLE : To see if the Town will vote to amend the Zoning Bylaw, SECTION 2.

DEFINITIONS by deleting the existing definition of *Accessory Building or Use* and by inserting the following definitions instead:

~~**Accessory Building or Use:** A building or use customarily incidental to and located on the same lot with a principal building or use or on an adjoining lot under the same ownership.~~

**Accessory Building or Structure:** A detached building or structure located on the same lot as the principal building or on an adjoining lot under the same ownership and in the same zoning district, which is customarily incidental and subordinate to the principal building

**Accessory Use:** A use of land or of a building or structure or a portion thereof located on the same lot as the principal use or on an adjoining lot under the same ownership and in the same zoning district, which is customarily incidental and subordinate to the principal use.

And by adding a new Section 6.3 Accessory Buildings and Structures in SECTION 6 DIMENSIONAL REGULATIONS as follows:

### 6.3 Accessory Buildings or Structures

- A. In a residential zoning district, there shall be no more than five accessory buildings or structures on any lot unless authorized by special permit from the Zoning Board of Appeals.
- B. In a residential zoning district, the total combined size of accessory buildings or structures shall not exceed 3,000 sq. ft. in area unless authorized by special permit from the Zoning Board of Appeals.
- C. In a residential zoning district, the area of any single accessory building or structure shall not exceed the area of the principle residential building on the premises unless authorized by special permit from the Zoning Board of Appeals.
- D. In any zoning district, the primary and accessory buildings and structures shall not exceed the maximum lot coverage requirements specified in TABLE 2 DIMENSIONAL AND DENSITY REGULATIONS of this Bylaw.
- E. In reviewing special permit applications for accessory buildings or structures in residential zoning districts, the Zoning Board of Appeals shall consider the *Medway Design Review Guidelines* applicable to residential zones.

And by amending Section 6.1 TABLE 2. DIMENSIONAL AND DENSITY REGULATIONS as follows:

TABLE 2. DIMENSIONAL AND DENSITY REGULATIONS										
Requirement	AR-I	AR-II	VR	CB	VC	C-V	BI	I-1	I-2	I-3
Maximum Lot Coverage (pct. of lot) (Primary and accessory buildings) and structures	25%	30%	30%	80%	80%	40%	40%	NA	NA	NA

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

## LOT FRONTAGE & SETBACKS

Revised – February 3, 2017

ARTICLE : To see if the Town will vote to amend the Zoning Bylaw, Section 6.2 General Provisions by revising Paragraph E. Lot Frontage, item 2. Measurement of Lot Frontage as follows:

### E. Lot Frontage

#### 2. Measurement of Lot Frontage.

- a. Frontage is measured in a continuous line along the sideline of the street right-of way between points of intersection of the side lot lines with the street- right-of way line. The measurement of lot frontage excludes jogs in the street width, backup strips and other irregularities in the street line.
- ~~b. The minimum frontage for a Corner Lot or End Lot shall be provided from one contiguous line along the front lot line, from the point of intersection with a side lot line to the midpoint of the corner arc.~~
- b. For a Corner Lot or End Lot, the measurement of multiple front lot lines may be used, however the entire minimum length of frontage shall be continuous without any breaks.
- c. For Through Lots, only one front lot line may be used to meet the minimum frontage length requirement.

And by inserting a new Paragraph F. Setbacks as follows:

### F. Setbacks

- a. Minimum setbacks. Every lot must have at least the minimum lot setbacks set forth in TABLE 2 Dimensional and Density Regulations for the zoning district in which the lot is located.
- b. For a Corner or End Lot, the required minimum front setback shall be required from all front lot lines.
- c. For Through Lots, the front setback shall be required on all front lot lines; side setbacks shall be required on all remaining side and rear lot lines.

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD



## **Affordable Housing**

### **Revised Draft – February 3, 2017**

ARTICLE : To see if the Town will vote to amend the Zoning Bylaw by adding or revising the definitions in SECTION 2 DEFINITIONS as follows:

**Affordable Housing Unit:** A dwelling unit that is affordable to and occupied by a low or moderate income household and meets the requirements for inclusion on the Massachusetts Department of Housing and Community Development (DHCD) Chapter 40B Subsidized Housing Inventory. ~~Affordable units shall remain as affordable units in perpetuity. These units shall have the same construction methods, physical characteristics as, and be intermingled with other units in the subdivision or development.~~

~~**Affordable Housing Trust Fund:** An account established and operated by the Town for the exclusive purpose of creating or preserving affordable housing units in the Town of Medway.~~

**Area Median Income (AMI):** The median income for households within the designated statistical area that includes the Town of Medway, as reported annually and adjusted for household size by the U.S. Department of Housing and Urban Development for the Boston Standard Metropolitan Statistical Area.

#### **Deed Rider:**

**DHCD:** Massachusetts Department of Housing and Community Development and its successors, as established and currently existing pursuant to M.G.L. ch. 23B and c. 6A.

**Eligible Household:** Any household whose total income does not exceed eighty (80) percent of the median income of households in the Boston Standard Metropolitan Statistical Area adjusted for family size, or such other equivalent income standard as may be determined by the Affordable Housing Trust Fund.

~~**Equivalent Affordable Housing Unit Value:** An amount equal to the difference between the median sale price for market rate single family homes sold in Medway during the thirty six months preceding the date of application, as determined by the Board of Assessors based on deeds recorded with the Norfolk Registry of Deeds for arms-length transactions, and the purchase price of a home that is affordable to a qualified purchaser as determined by (DHCD), assuming a household size of four, or one person per bedroom plus one additional person with the number of bedrooms being the average number in the development, whichever is less. For developments other than single family detached structures (e.g. duplexes or multifamily condominiums) the Planning and Economic Development Board may substitute the median sale price of the applicable type of market rate dwelling unit for the median sale price of single family homes in the preceding formula.~~

**LIP:** Massachusetts Local Initiative Program pursuant to M.G.L. c. 40B.

**Medway Affordable Housing Trust:** An organization established by the Town of Medway pursuant to Massachusetts General Laws, Chapter 44, Section 55C, to support the creation and preservation of affordable housing in order to secure rental and homeownership opportunities for low- and moderate-income households.



- d. Open Space Residential Development (OSRD) approved pursuant to an OSRD special permit under Section 8.4 of this Zoning Bylaw.
- e. Adult Retirement Community Planned Unit Development (ARCPUD) approved pursuant to an ARCPUD special permit under Section 8.5 of this Zoning Bylaw.
2. This Section shall not apply to the construction of ten or more single-family dwellings on individual lots if said lots were in existence prior to the effective date of this Section.
3. For projects not listed herein, affordable housing units may be provided voluntarily in exchange for density bonus pursuant to a special permit from the Planning and Economic Development Board.

**C. Mandatory Provision of Affordable Housing Units.**

1. In any development subject to this Section, the percentage of affordable housing units required will be as specified in Table ##, "Affordable Units Required by Project Size":

<b>TABLE ###</b>	
<b>Affordable Units Required by Project Size</b>	
<b>Project Size (Units)</b>	<b>Percent Affordable Units</b>
6-12*	10%
13-17	12%
18-20	15%
21 and over	20%

\*Projects consisting of less than 10 single-family detached units do not require an affordable set-aside.

2. The table above may generate a fractional affordable housing unit. A fractional affordable housing unit of 0.5 or higher shall be rounded up to the next whole number. Fractional housing units of less than 0.5 shall require a payment equal to the product of the fraction multiplied by the cash contribution for a whole affordable housing unit as specified in Paragraph D. 3. below. The applicant may choose to have the fractional housing unit of less than 0.5 rounded up to the next whole number, rather than converted to a cash payment.
3. Deed rider. Any affordable housing unit shall have a deed rider to regulate the future resale of the property. The applicant is required to prepare a deed rider for each affordable housing unit that is consistent with that used in the Local Initiative Program (LIP) and the Regulatory Agreement approved by DHCD to be recorded with the appropriate Registry of Deeds or Registry District of the Land Court.

**D. Methods of Providing Affordable Housing Units.** The Planning and Economic Development Board in consultation with the Affordable Housing Trust and Affordable Housing Committee may authorize one or more of the following methods for providing affordable housing units, alone or in combination.

1. On-site affordable housing units. Construction of affordable housing units within the development shall be permitted by right.
2. Off-site affordable housing units, or comparable affordable units on another site in Medway. Off-site units may be constructed by the applicant or be an existing dwelling unit that is rehabilitated. Off-site units need not be located in the same zoning district as the

development. The Board shall approve the location of the off-site affordable housing unit(s).

- a. The applicant shall provide a demonstration of site control, documenting that the applicant or a related entity holds title, ground lease, option, or contract for purchase.
  - b. The applicant shall demonstrate that the land is developable and suitable for the number of affordable housing units required in conformance with this Zoning Bylaw and any relevant state and local regulations governing the property.
  - c. The applicant shall provide a demonstration of the necessary financing to complete the off-site development or rehabilitation, an architect's conceptual site plan with unit designs and architectural elevations, a demonstration that the site plan can meet the Site Plan Review standards set forth in Section 3.5 of this Zoning Bylaw, and agreement that the off-site units will comply with this Section.
  - d. Preservation of existing dwelling units for affordable housing, rather than construction of off-site units, may be accomplished by purchasing deed restrictions and providing funds for capital improvements.
  - e. The Planning and Economic Development Board may require that the applicant submit appraisals of the off-site property in question, as well as other data relevant to the determination of equivalent value.
3. Payment of a fee in lieu of affordable housing units made to the Medway Affordable Housing Trust. The payment shall be an amount equal to the required number of affordable housing units multiplied by the median price of a Medway market-rate home comparable in type, size, and number of bedrooms over a period of eighteen months prior to the date of application submission.
    - a. Payments in lieu of affordable units shall not be accepted as part of a rental development, either mixed-use or multifamily.
    - b. Payments in lieu shall be made according to the *Provision of Units Schedule* set forth in Paragraph I herein.
  4. In no event shall the total value of newly constructed or rehabilitated off-site affordable housing units and/or cash payments provided be less than the median price of a Medway market-rate home comparable in type, size, and number of bedrooms over a period of eighteen months prior to the date of application submission multiplied by the number of affordable units required under Paragraph C.1.

#### **E. Density Bonus; Affordable Housing Special Permit.**

1. The Planning and Economic Development Board may grant an Affordable Housing special permit, by a four-fifths vote, to modify or waive this Bylaw's dimensional and density requirements as specified in Section 6.1 in order to increase the number of market-rate units as follows to help offset the affordable housing requirement:

- a. On-site provision of affordable housing units. A density bonus may be granted to increase the number of market-rate units by the required number of affordable housing units under Paragraph C. For example, for a development that must provide two affordable housing units, and the developer chooses to include those on the premises, an additional two market-rate units may be allowed.
  - b. Off-site provision of affordable housing units. A density bonus may be granted to increase the number of market-rate units by one-half the required number of affordable units under Paragraph C. For example, for a development that must provide two affordable housing units and the developer chooses to provide those off-site, one additional on-site market rate unit may be allowed.
  - c. The density bonus may be granted for a development not subject to Paragraph B. 1. that provides affordable units voluntarily.
  - d. No density bonus shall be granted when the requirements of this Section are met with a payment in lieu of units pursuant to Paragraph D. 3.
2. Adjustment of Dimensional Requirements. The Board may adjust the minimum lot area, minimum lot frontage, and minimum front, rear, and side setbacks required in the underlying zoning district for the subject development to allow for the increase in total number of dwelling units as long as the layout of all lots meets both of the following requirements:
    - a. No individual lot shall be reduced in area or frontage to less than eighty percent of the required minimum in the district, and
    - b. Any lot with an affordable dwelling unit shall be no smaller in area and frontage than the median of the lot area and frontage of all the lots in said development.
  3. Type of dwelling unit. The Board may authorize types of dwelling units not otherwise permitted in the underlying zoning district to allow for the increase in the total number of market rate dwelling units. For example, in a district where only single-family dwellings are allowed by right, a development with an affordable housing density bonus may be designed to include duplexes, townhouses, or multi-family dwellings.

**F. Location and Comparability of Affordable Housing Units.**

1. The permit application for the proposed development shall include a plan showing the proposed locations of the affordable housing units.
2. On-site affordable dwelling units shall be proportionately distributed throughout a development in terms of location and unit type, size and number of bedrooms in accordance with the (LIP) requirements. For example, a development consisting of a mix of single-family detached homes, attached townhouses, and apartments shall include affordable units of each housing type in proportion to the market-rate units.
3. On-site affordable dwelling units shall be as conveniently located to the development's common amenities as the market rate units.
4. Newly constructed on and off-site affordable dwelling units shall comply at a minimum with the LIP Design and Construction standards as they may be amended, including the requirement that affordable dwelling units shall be indistinguishable from market-rate units as viewed from the exterior.

5. On-site affordable dwelling units shall:

- a. be comparable to the market-rate units in terms of design, quality of construction and materials, mechanical systems, and energy efficiency; and
- b. include a garage(s) and/or parking space if the market-rate units include a garage(s) and/or parking space; and
- c. contain interior finishes, flooring, fixtures and appliances that are provided as standard features in the market rate units.

6. Off-site rehabilitated units for affordable housing shall comply at a minimum with the following criteria:

- a. Exterior renovations/improvements shall reflect the character of the surrounding neighborhood.
- b. DHCD's HOME/HSF/CIPF/CATNHP Construction/Rehabilitation Guidelines as may be amended.
- c. Medway Building Code

7. Newly constructed affordable units shall contain at least the minimum amount of interior living space, excluding basement space, as specified in the LIP Design and Construction Standards. The Planning and Economic Development Board may make reasonable exceptions for the size and number of bedrooms of existing dwelling units that are purchased and resold or rented as affordable housing units with an appropriate deed restriction.

8. The owners and tenants of market-rate and on-site affordable units shall have the same rights and privileges to use any common amenities within the development.

**G. Affordable Purchase and Rental Prices.**

1. The initial affordable purchase price shall comply with the LIP guidelines in effect when the Regulatory Agreement is filed with DHCD.

- a. The calculations used to determine an affordable purchase price shall be consistent with the terms, rates, fees, down payments, and other requirements of first-time homebuyer mortgage products available from lending institutions located in or serving Medway, in accordance with the requirements of DHCD.
- b. The initial affordable rent shall comply with DHCD requirements and LIP guidelines in effect when the affordable housing special permit application is filed.

**H. Applicant Responsibilities.**

1. Marketing Plan for Affordable Housing Units. The applicant shall select qualified purchasers or qualified renters via lottery under an Affirmative Fair Housing Marketing Plan prepared and submitted by the applicant and approved by the Planning and Economic Development Board in consultation with the Medway Affordable Housing Committee or the Medway Affordable Housing Trust. The marketing plan shall comply with LIP guidelines in effect on the date of filing the Regulatory Agreement with DHCD.

2. **Regulatory Agreement.** For both ownership and rental projects, the applicant shall prepare the Regulatory Agreement in consultation with the Town of Medway and DHCD. Said Regulatory Agreement will be executed by DHCD, the Town of Medway, and the applicant. The applicant shall record the Regulatory Agreement at the Registry of Deeds or filed with the Registry District of the Land Court.
3. **Deed restriction.** The applicant shall prepare a deed rider for each affordable housing unit that is consistent with that used in the LIP and the Regulatory Agreement to be recorded with the appropriate Registry of Deeds or Registry District of the Land Court.

**I. Timing of Construction of Affordable Housing Units**

1. On-site affordable housing units shall be constructed in accordance with the Table below. Proportionality shall be determined by the number of building permits issued for affordable and market-rate units. In accordance with the table below, affordable units shall not be the last units to be built in any development that is subject to this Section.

<b>TABLE ###</b>	
<b>Schedule for Completion of Affordable Housing Units</b>	
<b>Percent Market-Rate Units</b>	<b>Percent Affordable Units</b>
Up to 30%	None required
30% plus 1 unit	At least 10%
Up to 50%	At least 30%
Up to 75%	At least 50%
75% plus 1 unit	At least 70%
Up to 90%	100%

2. Construction or rehabilitation of Off-site affordable units shall be completed prior to issuance of the building permit for the unit representing fifty-one percent of the development triggering this Section.
3. In the case of payments in lieu of affordable units, the following methods of payment may be used at the option of the applicant:
  - a. The total amount due shall be paid upon the release of any lots or, in the case of a development other than a subdivision, upon the issuance of the first building permit; or,
  - b. The total amount due shall be divided by the total number of market rate units in the development. The resulting quotient shall be payable at, or prior to, the closing of each market rate unit; or,
  - c. A combination of the above methods if approved by the Planning and Economic Development Board.

**J. Preservation of Affordability.**

1. Homeownership and rental affordable housing units provided under this Section shall be subject to a DHCD approved affordable housing deed rider that complies with LIP requirements as they may be amended for inclusion in the Chapter 40B Subsidized Housing Inventory and is enforceable under G.L. c. 184, § 26 or §§ 31-32. Units required by and

provided under the provisions of this Section shall remain affordable to the designated income group in perpetuity, or for as long as legally permissible.

2. No building permit for any unit in a development subject to Paragraph B. shall be issued until the Town has approved the Regulatory Agreement and the applicant has submitted it to DHCD. Further, the building permit representing fifty-one percent of the development shall not be issued until the Regulatory Agreement has been approved by DHCD and recorded with the Norfolk Registry of Deeds.
3. For homeownership units, issuance of the certificate of occupancy for any affordable housing unit is contingent on a DHCD-approved affordable housing deed rider signed by the qualified purchaser.
4. Subsequent resale of an affordable housing unit shall be made to a qualified affordable housing purchaser in accordance with the deed restriction.
5. Right of first refusal to purchase. The purchaser of an affordable unit shall execute an affordable housing deed rider in a form provided by the DHCD, granting the Town of Medway the right of first refusal to purchase the property in the event that a subsequent qualified purchaser cannot be found.

# **Recreational Marijuana**

**2-3-17 Revised DRAFT - BSA**

**ARTICLE** (Amend Zoning Bylaw: **SECTION 8. Special Regulations, Add Section 8.10 Temporary Moratorium on Non-Medical Marijuana Establishments**)

To see if the Town will vote to amend the Zoning Bylaw, **SECTION 8. SPECIAL REGULATIONS**, by adding a new Section 8.10 as follows:

## **8.10 TEMPORARY MORATORIUM ON NON-MEDICAL MARIJUANA ESTABLISHMENTS**

- A. Purposes.** On November 8, 2016, the voters of the Commonwealth approved a law regulating the cultivation, processing, distribution, possession and use of marijuana for recreational purposes (new G.L. c. 94G, Regulation of the Use and Distribution of Marijuana Not Medically Prescribed). The law, which allows certain personal use and possession of marijuana for persons at least twenty-one years of age took effect on December 15, 2016 and (as amended on December 30, 2016; Chapter 351 of the Acts of 2016) requires a Cannabis Control Commission to issue regulations regarding the licensing of commercial activities by March 15, 2018 and to begin accepting applications for licenses by April 1, 2018.

The law authorizes municipalities to adopt ordinances or bylaws regulating the time, place and manner of operations of marijuana establishments. Further it authorizes municipalities to enact ordinances or bylaws or hold local ballot questions to impose additional limitations regarding the types and number of Marijuana Establishments to be allowed in a community and whether to allow for marijuana cafes for the consumption of marijuana and marijuana products on the premises where they are sold.

Currently under the Zoning Bylaw, a non-medical Marijuana Establishment (hereinafter, a "Non-Medical Marijuana Establishment"), as defined in G. L. c. 94G §1 is not specifically addressed. Regulations to be promulgated by the Cannabis Control Commission may provide guidance on certain aspects of local regulations of Non-Medical Marijuana Establishments. The regulation of Non-Medical Marijuana Establishments raises novel and complex legal, planning, and public safety issues. The Town needs time to study and consider the regulation of Non-Medical Marijuana Establishment and address such issues. Questions and concerns have been raised regarding the timeline for implementation, local control mechanisms, regulation of marijuana products, amount of tax, licensing of non-medical marijuana establishments, and additional matters. The Town needs to consider the potential impact of the State regulations on local zoning, and to undertake a planning process to consider amending the Zoning Bylaw regarding regulation of Non-Medical Marijuana Establishments.

The Town intends to adopt a temporary moratorium on the use of land and structures in the Town for Non-Medical Marijuana Establishments so as to allow the Town sufficient time to engage in a planning process to address the effects of such structures and uses in the Town and to enact bylaws in a manner consistent with sound land use planning goals and objectives.

- B. **Definitions.** As used in this Sub-Section, the following term shall have the following meaning:

**Non-Medical Marijuana Establishment:** A marijuana cultivator, marijuana testing facility, marijuana product manufacturer, marijuana retailer or any other type of marijuana-related business as defined by G.L. c. 94G.

- C. **Temporary Moratorium.** For the reasons set forth above and notwithstanding any other provision of the Zoning Bylaw to the contrary, the Town hereby adopts a temporary moratorium on the use of land or structures for Non-Medical Marijuana Establishments and other uses related to personal use of marijuana. The moratorium shall be in effect through June 30, 2018 or until such time as the Town adopts Zoning Bylaw amendments that regulate Non-Medical Marijuana Establishments, whichever occurs earlier. During the moratorium period, the Town shall undertake a planning process to consider how the Town will address the potential impacts of Non-Medical Marijuana Establishments in the Town, and to consider the Cannabis Control Commission's regulations regarding Non-Medical Marijuana Establishments, and shall consider amending the Zoning Bylaw in response to these new issues. This temporary moratorium shall not affect in any way the use of land or structures for Registered Marijuana Dispensaries, (for medical marijuana), which are governed by Section 8.9 of this Zoning Bylaw.

Or to act in any manner relating thereto.

#### **PLANNING AND ECONOMIC DEVELOPMENT BOARD**

## **ZONING MAP CHANGES**

### **Revised Draft – February 3, 2017**

ARTICLE A: To see if the Town will vote to rezone the following parcels as shown on a map titled "Proposed Changes to AR-I & AR-II Zoning Districts, January 3, 2017, MAP 5 OF 7" on file with the Town Clerk and to amend the Zoning Map accordingly, such that:

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

<b>Address</b>	<b>Medway Assessor's Parcel ID #</b>	<b>Parcel Size</b>	<b>Current Owner</b>
10 Clover Lane	21-070	.68	Joseph & Shari Meehan
8 Clover Lane	21-069	.68	Paul & Deborah Rossi
6 Clover Lane	21-068	.68	Michael & Janice Kaslosky
4 Clover Lane	21-067	.68	Michael & Dawn Heffron
2 Clover Lane	21-066	.68	Stephen & Gail Kadlik
13 Delmar Road	30-021	.4	Edward & Helen Richard
15 Delmar Road	30-022	.87	Matthew Parabolicoli & Heidi Dragon
17 Delmar Road	30-023	1.446	Dale & Vanessa Lambirth
OR Maple Street (also listed in Article B)	30-010	.5	Robert Briggs

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

<b>Address</b>	<b>Medway Assessor's Parcel ID #</b>	<b>Parcel Size</b>	<b>Current Owner</b>
60 Winthrop Street	21-062	10	Michael & Elaine Ruggieri
50 Winthrop Street	30-003	14	Town of Medway Conservation Commission
38 Winthrop Street (also listed in Article B)	30-005	32.00	Shady Oaks Rlty, Robert Briggs Et. Al. Trst.

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

Address	Medway Assessor's Parcel ID #	Parcel Size	Current Owner
62 Winthrop Street	21-063	.25	Bernard & Donna Peck
64 Winthrop Street	21-064	.25	Anne Marie Price
66 Winthrop Street	21-065	.25	Steven & Myra Abate

And to act in any manner relating thereto.

**PLANNING AND ECONOMIC DEVELOPMENT BOARD**

## **ZONING MAP BOUNDARY CHANGE – CORRECTED February 13, 2017**

ARTICLE B :To see if the Town will vote to rezone the following parcels as shown on a map titled “Proposed Changes to AR-I & AR-II Zoning Districts, January 3, 2017, MAP 6 OF 7” on file with the Town Clerk and to amend the Zoning Map accordingly, such that:

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

<b>Address</b>	<b>Medway Assessor's Parcel ID #</b>	<b>Parcel Size</b>	<b>Current Owner</b>
OR Maple Street (also listed in Article A)	30-010	.5	Robert Briggs
23 Maple Street	30-008	.735	Thomas & Kathleen Gay
28 Winthrop	39-005	.7	David & Phyllis Linardy
19 Winthrop Street	39-071	1.18	Sheila Donovan

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

<b>Address</b>	<b>Medway Assessor's Parcel ID #</b>	<b>Parcel Size</b>	<b>Current Owner</b>
38 Winthrop Street (also listed in Article B)	30-005	32.00	Shady Oaks Rlty, Robert Briggs Et. Al. Trst.
30 Winthrop Street	39-004	3.29	Robert Briggs
25 Winthrop Street	38-010	47	Shady Oaks Realty Trust
OR Oak Street	47-032	9.15	Town of Medway Conservation Commission
16R Oak Street (also listed in Article C)	38-011	30.1	Town of Medway Conservation Commission

The following parcels shall be rezoned from the present zoning in the Agricultural Residential II district to Agricultural Residential I district, so that the entire parcels is converted to Agricultural Residential I.

Address	Medway Assessor's Parcel ID #	Parcel Size	Current Owner
11-R Winthrop Street	39-078	4.4	Town of Medway
0 Oak Street	39-074	10.0	Town of Medway Conservation
0 Oak Street	39-074-0001	.060	Town of Medway Conservation
2-B Oak Street	47-033	3.29	Town of Medway

And to act in any manner relating thereto.

**PLANNING AND ECONOMIC DEVELOPMENT BOARD**

## **ZONING MAP BOUNDARY CHANGE - Revised February 3, 2017**

ARTICLE C: To see if the Town will vote to rezone the following parcels as shown on a map titled "Proposed Changes to AR-I & AR-II Zoning Districts, January 3, 2017, MAP 7 OF 7" on file with the Town Clerk and to amend the Zoning Map accordingly, such that:

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

<b>Address</b>	<b>Medway Assessor's Parcel ID #</b>	<b>Parcel Size</b>	<b>Current Owner</b>
3 Independence Lane	46-031	1.443	James & Darlene Lane
1 Independence Lane	46-032	.826	John & Tanya Green
2 Independence Lane	46-041	.574	Mendes Realty Trust
4 Independence Lane	46-042	.518	John Khoury
56 Summer Street	46-028	6.0	Michael & Paulene DelGenio
62 Summer Street	46-040	.96	Dennis & Susan Nickerson
39 Highland Street	46-023	1.5	Francis Davis
37 Highland Street	46-024	1.219	Barbara Phillips & Marlene Levine Phillips
35 Highland Street	46-025	1.312	Daniel & Barbara Tramontozzi
33 Highland Street	46-026	1.25	Harlan Peterson
31 Highland Street	47-092	1.04	Glen & Tammy Reed
31A Highland Street	47-093	1.02	Robert & Charlene Coakley
3 Brandywine Road	47-005	1.585	Brian & Tina Marie Bartel
5 Brandywine Road	47-006	1.824	John & Rosanne Hamblin
6 Brandywine Road	47-008	1.01	Edward & Eileen Paulsen
3 Daniels Road	47-009	1.01	Susan Steinhauer
5 Daniels Road	47-010	.769	Robert & Stephanie Kenney

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

<b>Address</b>	<b>Medway Assessor's Parcel ID #</b>	<b>Parcel Size</b>	<b>Current Owner</b>
16R Oak Street (also listed in Article B)	38-011	30.1	Town of Medway Conservation Commission

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

Address	Medway Assessor's Parcel ID #	Parcel Size	Current Owner
0 Independence Lane	46-033	.019	Town of Medway
46 Summer Street	46-034	.23	Peter & Regina Bates
48 Summer Street	46-035	.23	Tara & Christopher Rice
50 Summer Street	46-037	.417	Kristopher Loper
58 Summer Street	46-038	.39	Sally Newton
60 Summer Street	46-039	.46	Vicki Boyd
64 Summer Street	46-021	.3	BHR Development
41 Highland Street	46-022	.75	Daniel & Stephanie McMullin
32 Highland St	47-001	.6879	Erin & Gregory Cabral
30 Highland St	47-002	.593	Richard & Jessica Scalzo
8 Brandywine Road	47-007	1.01	Gary & Lauri Kline

And to act in any manner relating thereto.

#### PLANNING AND ECONOMIC DEVELOPMENT BOARD

## **ZONING MAP BOUNDARY CHANGE - Revised February 3, 2017**

ARTICLE D: To see if the Town will vote to rezone the following parcels as shown on a map titled "Proposed Changes to AR-I & VC Zoning Districts, January 3, 2017" on file with the Town Clerk and to amend the Zoning Map accordingly, such that:

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

<b>Address</b>	<b>Medway Assessor's Parcel ID #</b>	<b>Parcel Size</b>	<b>Current Owner</b>
41 Broad Street	50-010	21.90	Hidden Acres Realty II, LLC

And to act in any manner relating thereto.

**PLANNING AND ECONOMIC DEVELOPMENT BOARD**



## **ZONING MAP BOUNDARY CHANGE – Revised February 3, 2017**

ARTICLE E: To see if the Town will vote to rezone the following parcels as shown on a map titled “Proposed Changes to AR-II & IND-III Zoning Districts, January 3, 2017” on file with the Town Clerk and to amend the Zoning Map accordingly, such that:

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

<b>Address</b>	<b>Medway Assessor's Parcel ID #</b>	<b>Parcel Size</b>	<b>Current Owner</b>
1 Lost Hill Drive	64-007	1.078	Matthew & Kelly Rice
2 Lost Hill Drive	64-013	.92	John & Eileen Aviza
5 Lost Hill Drive	54-125	1.5	Jeffrey & Eileen Kalukin
28 Fox Run Road	64-020	4.82	Marie Fortune
0 Granite Street	64-066	11.54	Boston Edison/NSTAR
40 Granite Street	64-073	10.79	Bertrand & Julie Goemaere
42 Granite Street	74-002	7.5	Michael Charney
19 Alder Street	54-126	1.687	Edward Griffin

And to act in any manner relating thereto.

### **PLANNING AND ECONOMIC DEVELOPMENT BOARD**



## **ZONING MAP BOUNDARY CHANGE – Revised February 3, 2017**

ARTICLE F: To see if the Town will vote to rezone the following parcels as shown on a map titled “Proposed Changes to IND-II & AR-II Zoning Districts, January 3, 2017” on file with the Town Clerk and to amend the Zoning Map accordingly, such that:

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

<b>Address</b>	<b>Medway Assessor's Parcel ID #</b>	<b>Parcel Size</b>	<b>Current Owner</b>
34 West Street	66-012	48.7	Sithe West Medway LLC NStar Services Co.

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

<b>Address</b>	<b>Medway Assessor's Parcel ID #</b>	<b>Parcel Size</b>	<b>Current Owner</b>
30 West Street	66-011	.7	New England Power Company Property Tax Dept
12 West Street	66-010	.2	Sithe West Medway LLC NStar Services Co.

And to act in any manner relating thereto.

### **PLANNING AND ECONOMIC DEVELOPMENT BOARD**



## **ZONING MAP BOUNDARY CHANGE – Revised February 3, 2017**

ARTICLE G: To see if the Town will vote to rezone the following parcels as shown on a map titled "Proposed Changes to CB & AR-II Zoning Districts, January 3, 2017" on file with the Town Clerk and to amend the Zoning Map accordingly, such that:

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

<b>Address</b>	<b>Medway Assessor's Parcel ID #</b>	<b>Parcel Size</b>	<b>Current Owner</b>
123 Main Street	48-047	6.3	Maritime Housing Fund
117 Main Street	40-071	4.112	CMR Investments LLC

And to act in any manner relating thereto.

### **PLANNING AND ECONOMIC DEVELOPMENT BOARD**





# **Proposed Update to the Medway Affordable Housing/ Inclusionary Zoning Bylaw**

FOR CONSIDERATION AT THE MAY 2017 TOWN MEETING

**Presented by Medway Planning and Economic Development Board**

**February 22, 2017**

# Medway's Affordable Housing Bylaw

- Included in the Zoning Bylaw as Section 8.6
- First adopted in 2008
- Has been applicable to the following projects:
  - ❖ Williamsburg OSRD – 2 units
  - ❖ Millstone Village ARCPUD – 8 units
  - ❖ Charles River Village OSRD – payment in lieu
  - ❖ Salmon Senior Living Community ARCPUD – payment in lieu
  - ❖ Medway Green Multifamily Housing – 1 unit



# Project Overview



- 
- Consultants from the Metropolitan Area Planning Council (MAPC) assisted the Town through MAPC's District Local Technical Assistance Program .
  - Process was guided by the Affordable Housing Bylaw Update Advisory Committee including representatives of the Planning and Economic Development Board, Affordable Housing Committee, Affordable Housing Trust and Town staff.

# Project Timeline

## #1 Advisory Committee Mtg.

August 8  
Project kick-off mtg.  
Review of best practices

## Developers Roundtable

October 16

## Medway Zoning Analysis

MAPC assesses  
2013 and 2016  
bylaws

## #2 Advisory Committee Mtg.

November 21  
MAPC recommends  
changes

## First Draft Amendments

MAPC prepares  
draft revised  
zoning language

## Revised Zoning

MAPC revises  
draft bylaw based  
on Town feedback

## #3 Advisory Committee Mtg.

January 10  
MAPC's final  
presentation with  
Committee & PEDB

## Further Refinement

Town staff working  
with Advisory  
Committee

## Spring Town Meeting

Adoption of  
revised AH Bylaw

# Medway Affordable Housing Bylaw

## Overview of existing bylaw as of June 2016

Mandatory/ Voluntary	Geography	Project Size Threshold	Income Groups	AH Set-Aside Requirement	Payment in Lieu of construction
Mandatory for projects of a certain size	Townwide	Net increase of 6 dwelling units	80% of AMI (area median income)	10% (fractions are rounded up)	By SP; equal to number of required AH units multiplied by EAHUV
Off-Site Units	Incentives	Incentives	Design Standards	Term of Affordability	Provision Schedule
By SP (as is donation of developable land to AHT)	Density bonus by SP; increase in # of market rate units equal to ½ AH units	Relief on dimensional regulations and type of dwelling unit by SP.	AH units to be dispersed, integrated, comparable exteriors, LIP, size, BRs	Restriction that complies with LIP for inclusion on Town's SHI	AH units to be built in proportion to market rate units

# Comments from Developers' Roundtable



- Difficult to include an affordable unit in a small subdivision
- Increase density bonus to help offset cost of providing affordable units
- Costs for carrying and marketing affordable units is high
- Delete off-site option
- Establish different AH requirements for ownership vs. rental projects and by size of development
- Minimum dimensional requirements for affordable units are too high

# Recommended Changes

Based on the review of best practices, the analysis of the existing bylaw, the feedback obtained from the developers' roundtable, and the Town's experience to date, the Advisory Committee and MAPC have recommended a series of changes to Medway's Affordable Housing bylaw.



# One Size Does Not Fit All

**Take an approach to applicability based on economies of scale**

- Bylaw is currently triggered by any residential project of 6 dwelling units or more
- Recommended change – Have the bylaw be applicable to multifamily developments of 6 or more units and single-family developments of 10 or more units
- Recommended change - Project size determines the number of affordable units required. The larger the development, the higher the % of affordable units to be provided.

## Affordable Housing Requirement

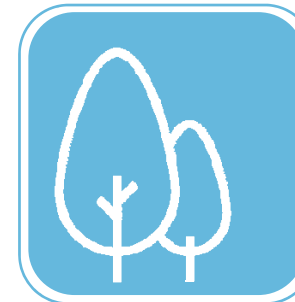
Project Size (# of Units)	Affordable Units (%)
6-12	10%
13-17	12%
18-20	15%
21 and over	20%

# ARCPUD + OSRD

**Clarify applicability of AH requirements to all types of development projects**

## **Be Consistent**

- **Section 8.6, Affordable Housing should clearly apply to Sections 8.4 and 8.5, ARCPUD and OSRD, without qualification**
- **Revise language in Sections 8.4 and 8.5 to cross reference the requirements of Section 8.6**



# Density Bonus

**Increase market rate density bonus so it serves as an incentive**



## Density Bonus

- Current market rate density bonus is  $\frac{1}{2}$  the number of affordable units required
  - Recommended Change - Amend the density bonus to increase the total number of market-rate units by a number equal to the number of required affordable units
- 
- **NOTE - Density bonus also allows for adjustments in setbacks, frontage, lot area and type of dwelling unit to accommodate the additional market rate units.**

# Fractional Units

**Have a two-pronged approach to fractions depending on size**



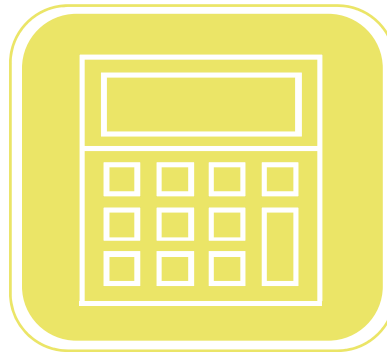
- Any fraction of a required affordable housing unit is currently rounded up to the next whole number, which serves as a disincentive to developers of smaller projects in particular
- Recommended changes
  - For fractions of 0.5 or higher, round up to the next whole number
  - For fractions less than 0.5, require a payment equal to the product of the fraction and the cash contribution for a whole affordable housing unit

# Payment In Lieu Of Construction

## Recommendations - Simplify formula and clarify applicability

### Formula

PILU formula should be straightforward and easy to calculate. The current formula is not.



### Fee

The required sum should reflect current market conditions.



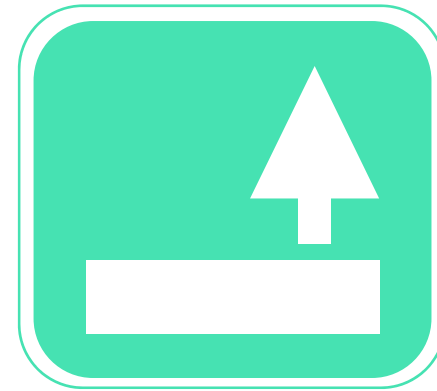
### Recommended Changes

- Make the payment equal to the required number of affordable housing units multiplied by the median price of a comparable Medway market-rate home.
- Do not accept PILU as part of rental development.

# Off-Site Units and Land Donation

## Recommendations:

- Eliminate the option of donating off-site land as an alternative to providing AH units on site.
- Continue to offer the option for off-site provision of AH units.



# Developer Responsibilities

**Clarify what the developer is responsible for and what support the Town will or won't provide**



**Developer is responsible for:**

- **Affirmative Market Plan**
- **Regulatory Agreement**
- **Deed restriction**



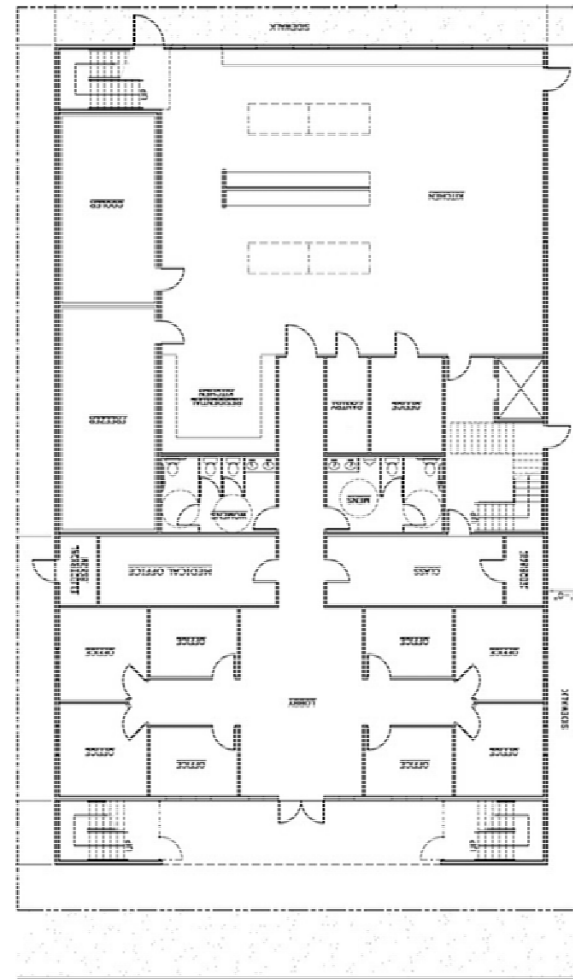
**Strike language suggesting the Town will purchase affordable units.**

# Unit Design Standards

Make sure affordable units are well-designed and meet household needs

**Affordable units must be:**

- ✓ Equal to that of market-rate units in materials and quality of construction
- ✓ Furbished with appliances, fixtures, and finishes comparable to those of market-rate units
- ✓ Meet minimum square footage standards, including 600 square feet for 1-bedroom units
- ✓ Include one or more 3-bedroom units in any residential project of 15 or more dwelling units in which one or more is a 3-bedroom unit

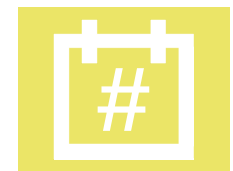
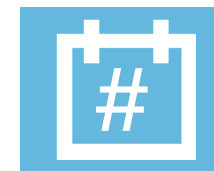
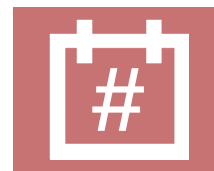
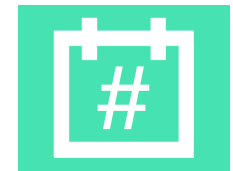
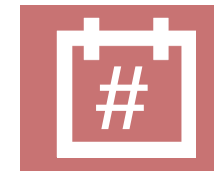
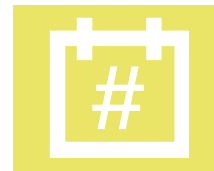
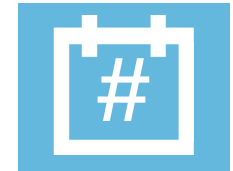
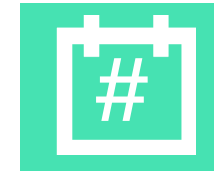
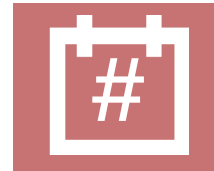
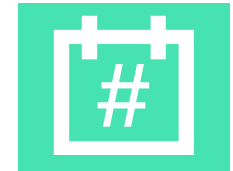
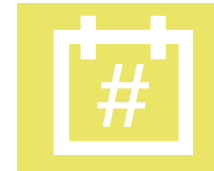
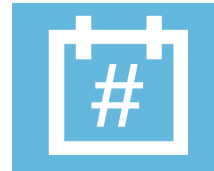


# Term of Affordability

**Clarify that units will be affordable in perpetuity**

## **Affordability Preservation**

- To ensure long-term affordable housing inventories, require affordability in perpetuity
- Don't issue any building permits until the Town has approved the Regulatory agreement and it's been submitted to DHCD
- For homeownership units, issue certificate of occupancy for any affordable housing unit only when a DHCD-approved deed rider has been signed by the qualified purchaser



# Timing of Compliance

Ensure on-site affordable units are produced in a timely manner

## Schedule of Unit Production

Market-Rate (%)	Affordable (%)
Up to 30%	None required
30% plus 1 unit	At least 10%
Up to 50%	At least 30%
Up to 75%	At least 50%
75% plus 1 unit	At least 70%
Up to 90%	100%

- On-site affordable units must be produced in proportion to market-rate units
- Affordable units cannot be the last units built

# Timing of Compliance

**Ensure off-site units are produced in a timely manner**



**Off-site affordable units must be completed prior to the issuance of the building permit for the unit representing 51% of the development**

# Next Steps

- Further Refinements
- Public Hearing – March 21, 2017
- Town Meeting – May 9, 2017



Discussion  
+  
Questions.  
  
Thank You!

