

Tuesday, January 7, 2020
Medway Planning and Economic Development Board Workshop Meeting
Medway Senior Center
76 Oakland Street
Medway, MA 02053

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

ALSO PRESENT:

Susy Affleck-Childs, Planning and Economic Development Coordinator
Barbara Saint Andre, Director of Planning and Economic Development
Amy Sutherland, Recording Secretary

The Chairman opened the meeting at 7:00 pm.

There were no Citizen Comments.

Milway Auto Site Plan- 50 Alder Street Performance Security:

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

- Tetra Tech Bond Estimate dated 11-12-19 for \$50,000.
- 11-19-19 email from Medway Treasurer Joanne Russo approving Western Surety for performance guarantee
- Surety bond dated 12-3-19 from Western Surety for \$50,000
- 12-6-19 email from Allison Warren from Emery Webb Inc. indicating that Western Surety has declined to sign the Town's performance security agreement.
- 12-6-19 email from Jack Mee to owner Phil Anza re: occupancy permit
- Town of Medway surety agreement
- Milway Auto site plan decision from 5-8-18

The Board was brought up to date on 50 Alder Street. It was explained that the town is working with Phil Anza (Adler Street Realty, LLC) owner of 50 Adler Street, to finish up the site work at his new building so he can receive an occupancy permit. Mr. Anza provided a permit bond for \$50,000.00. Joanne Russo, Treasurer/Collector for the Town of Medway has indicated that Western Surety Company is an acceptable company.

Mr. Anza indicated that he will have no issue getting the remaining work done.

On a motion made by Tom Gay, and seconded by Rich Di Iulio, the Board voted unanimously to accept the bond from Western Surety Company indicating that the work will be completed by November 26, 2020.

There was rider provided by the applicant this evening for the Board to review. **(See Attached.)** This would allow the Building Inspector to issue a temporary occupancy permit for this project so the applicant can open while finishing up the outstanding issues.

The Chairman would like this document reviewed by Town Counsel. Member Gay sees no issues since the signatures on both documents are consistent.

Performance Security:

On a motion made by Tom Gay, and seconded by Rich Di Iulio, the Board voted to accept the surety for \$50,000 for 50 Alder Street from the Western Surety Company. (Vote passes 3 to 1 with Rodenhiser voting No)

Occupancy Permit:

On a motion made by Rich Di Iulio, and seconded by Matt Hayes, the Board voted to communicate with the Building Department to issue a temporary Occupancy Permit. (Vote passes 3 to 1 with Rodenhiser voting No)

The necessary documents were signed.

SALMON ARCPUD:

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

- Salmon drainage modification decision dated December 5, 2019
- Salmon drainage modification plan for endorsement
- Certificate of No Appeal from Town Clerk, dated December 26, 2019

The Board reviewed the documents pertaining to the modification to the installation of stormwater drainage facilities around the main campus building. The changes were needed to accommodate the structural fill that was brought in to provide necessary support for the building construction.

On a motion made by Rich Di Iulio, and seconded by Matt Hayes, the Board voted unanimously to endorse the site plan modification for drainage at the Salmon ARCPUD.

MEETING MINUTES:

December 3, 2019:

On a motion made by Rich Di Iulio, seconded by Matt Hayes, the Board voted unanimously to approve the minutes from December 3, 2019 with the noted revisions.

December 10, 2019:

On a motion made by Rich Di Iulio, seconded by Matt Hayes, the Board voted unanimously to approve the minutes from December 10, 2019.

ZONING PETITIONS:

The Planning and Economic Development Board will discuss the application to modify the previously issued variance and special permit for 14-16 R Franklin Street at their next meeting on January 14, 2020.

ZONING BYLAW AMENDMENTS DISCUSSION WORKSHOP:

Present for this discussion:

- Glenn Trindade, Member Board of Selectmen
- Jack Mee, Town of Medway Building Inspector

A packet of draft articles was provided. **(See Attached).**

Selectman Glenn Trindade was present. He communicated a concern he had regarding the Meehan Organization who may be developing a car dealership in town. The Meehan Organization recently acquired property along the south side of Main Street across from Drybridge and Medway Place. His concern is that the applicant may be using Tetra Tech for the Site Plan. It is his opinion that this is a conflict of interest since the Town uses Tetra Tech for peer review. The Town Administrator is aware of this situation and will address it with Tetra Tech. The Board is in agreement that this would be a conflict.

Selectman Trindade also wanted it in the record that he is speaking on behalf of himself and not as a representative as a Board of Selectmen. He does not want to see a full-blown car dealership on Main Street. It is his vision to have some mixed use with a housing component. This comment led to the Board discussing Table 1 Schedule of Uses within the Central Business zoning district. The chart was reviewed to see what type of businesses may need to be added or taken out of the table of uses. In relation to a car dealership, the Board reviewed what is allowed by right for indoor and outdoor auto sales. A question was asked if an applicant can build a giant building and put inventory inside.

The following are the Board's comments and recommendations:

- Change the indoor car sales from yes (allowed) to no (prohibited).
- Allowing mixed use in this area creates customers who could walk to the businesses. This would be beneficial to the area.
- Allow for multi-family housing in the Central Business District by itself without a mixed-use component.
- One idea was to have Senior Housing on Main Street allowing for walkability and proximity to businesses.
- There is a need for a 30,000-medical building in the Central Business district.
- Selectman Trindade noted his vision which is to move forward all development for Medway Place along Route 109 and have buildings with first level retail and restaurants with outdoor seating and above would be second floor housing. Town of Newton was referenced.
- Resident Steve Brody of West Street suggested that there be allowance for height increases in this area by special permit.
- There was someone who had wanted to establish a limousine business which is not specified as an allowed use.
- It was noted that there were a few items missing within the Use Table for the Oak Grove districts. Staff is aware of these and will make the changes and provide the draft back for the Board to review.
- Separate hotel and motel use.
- It was recommended to clean up allowable and prohibited uses to correspond with the terms in definitions.
- Add option to allow for a multi-family housing special permit on properties that are not in the MFHOD but which meet certain size and locational.
- It was suggested that the CBD, VC and NC have a minimum frontage of 50'. The Board was agreeable.

Site Plan Review:

The Board discussed the Site Plan section of the *Zoning Bylaw* along with the various levels of Site Plan Review, Major, Minor, and Administrative. There was also discussion about what triggers each of these areas.

The following was discussed:

- Chairman Rodenhiser explained that in the Town of Milford there is a site plan on every tenancy change. It was explained that this is not a change in use but tenancy. There is a requirement to demonstrate that everything is compliant.
- There was also agreement that there should be site plan review for municipal projects. There can be a waiver of fees but there needs to be review. The public is not exempt from the process. The rules need to be the same for public and private.
- Barbara St. Andre expressed that there is a difference between public versus private. If a project is built by the town, then the town can fix this. In regard to Administrative review, it is not a good use of time to decide what color something such as storage bins are. The town has control of the public projects and not the private. There was a comment that the Town projects are better after PEDB review. There could possibly be limitations for the review. With the DPW building project, Chairman Rodenhiser expressed that the process worked. Member Hayes noted that the snow storage has actually changed from what is shown on the DPW site plan. Selectmen Trindade will follow-up to find out what happened.
- Suggestion to establish a new sub-section for a Certificate of Zoning Compliance.

General Bylaw Ideas:

- Establish some stronger property maintenance regulations to address junk, blight etc. This could help with getting some properties cleaned up throughout town. Selectmen Trindade communicated that the town tried to pass a blight bylaw and it did not pass. It is his interpretation that the tone of the residents is changing and people may be more receptive.
- It was recommended by Jack Mee to revise the general bylaw to decrease required fence height around pools to 4' to be consistent with the state law so there is no conflict. There was not agreement that 4 ft. is tall enough.
- Selectman Trindade communicated that a resident in the community expressed concern that the town is not able to handle the current developments which are coming to town. The PEDB and Affordable Housing Committee is committed to work to provide affordable places for residents to live in the Town of Medway. These homes and developments are getting occupants. The Millstone units sold relatively quickly, many of the homes were sold before being built. The Board needs to work to create possibilities and incentives to build work force housing. Selectmen Trindade thinks it is a better idea for the town to take payments in lieu of requiring applicants to build affordable units. The affordable housing payment in lieu of formula needs to be reworked. The West Street project will be great for the Town of Medway since it will 100% affordable, much needed housing. There was a suggestion to not allow multifamily if there is less than an acre of land. With some of the recent projects in front of the PEDB, the Board was able to work through what would be the most allowable number units on a parcel of land looking at the density. There was a suggestion to possibly include language to offer options and clarify to make sure that the density noted is not considered an "entitlement".

Draft Housekeeping Articles:

The Board is in receipt of draft amendments (**See Attached**)

The following is recommended:

- Adding some language to not allow overbuilding of houses on a site after demolition. It was suggested to look at how the Town of Wellesley has addressed this issue.
- To amend the Zoning Bylaw, Section 4.2.A, Zoning Map to delete the list of the names of the members of the Planning and Economic Development Board.
- There will also be clarifications on Section 8.9 Registered Medical Marijuana Facilities Section 8.9.J.5.b.i by deleting the text that a project must not impact just abutters and other parties of interest as defined in G.L.c.40A, Section 11.
- Amend the Zoning Bylaw, Section 6.1, Table 2, Dimensional and Density Regulations, to require a minimum lot frontage of 50 ft. in the Central Business, Village Commercial, and Neighborhood Commercial Zoning Districts.
- There are proposed amendments to the Adaptive Use Overlay District Specifically Section 5.6.2D.2.a through h, and Section 5.6.2.D.3.c.
- There is also a recommendation to amend the Zoning Bylaw, Section 2 Definitions and also to amend Paragraph H. in Sub-Section 6.3. Accessory Building and Structures. Barbara Saint Andre communicated that the standard setback requirement list as specified in Table 2 Dimensional and Density Regulations shall not apply to the Incidental Accessory Objects and the noted list is not needed.
- The General Bylaw Amendment is to amend the General By-Laws, Article XII, Penal Laws, Section 12.12 (a) by deleting the last sentence as noted in the text. The fines will be increased as noted in text.

FUTURE MEETING:

- Tuesday, January 14, 2019.

ADJOURN:

On a motion made by Matt Hayes and seconded by Rich Di Iulio, the Board voted unanimously to adjourn the meeting.

The meeting was adjourned at 9:31 pm.

Prepared by,



Amy Sutherland
Recording Secretary

Reviewed and edited by,



Susan E. Affleck-Childs
Planning and Economic Development Coordinator



January 7, 2020
Medway Planning & Economic Development Board
Meeting

Milway Auto Site Plan – 50 Alder Street
Performance Security

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- Town of Medway surety agreement
- Milway Auto Site Plan decision from 5-8-18. See language from Conditions I and J on pages 15 and 16.

**TETRA TECH**

Bond Estimate
50 Alder Street
Medway, Massachusetts
 November 12, 2019

Marlborough Technology Park
 100 Nickerson Road
 Marlborough, MA 01752
 Tel 508.786.2200 Fax 508.786.2201

DESCRIPTION	QUANTITY	UNIT	UNIT COST ¹	ENGINEERS ESTIMATE
Mobilization	1	LS	\$1,500.00	\$1,500
Granite Curb Returns (sidewalk)	2	EA	\$475.00	\$950
Gravel Borrow (sidewalk)	5	CY	\$45.00	\$225
Fine Grading (Sidewalk)	15	SY	\$5.00	\$75
Concrete (sidewalk)	15	SY	\$55.00	\$825
Fine Grading (parking)	0	SY	\$5.00	\$0
HMA Binder Course	0	TON	\$135.00	\$0
Inspection Port Castings	0	EA	\$450.00	\$0
Cape Cod Berm	275	LF	\$10.00	\$2,750
HMA Top Course	97	TON	\$120.00	\$11,640
Striping	1	LS	\$800.00	\$800
Erosion Control Pad (drainage)	0	SY	\$60.00	\$0
Roof Leader Overflow Device	2	EA	\$200.00	\$400
Cap Retaining Wall	0	LS	\$1,000.00	\$0
Light Fixtures	1	EA	\$500.00	\$500
Landscaping	1	LS	\$5,000.00	\$5,000
Remove Erosion Controls	1	LS	\$500.00	\$500
As-Built Plans	1	LS	\$5,000.00	\$5,000
Legal Services	1	LS	\$9,835.00	\$9,835
Subtotal				\$40,000
25% Contingency				\$10,000
Total				\$50,000

Notes:

¹Unit prices are taken from the latest information provided on the MassDOT website. They utilize the MassDOT weighted bid prices (Combined - All Districts) for the time period 10/2018 - 10/2019. Quantities which are too small for accurate representation using the weighted bid pricing were estimated based on industry construction experience.

²Items shown in gray have changed since our previous estimate.

Susan Affleck-Childs

From: Joanne Russo
Sent: Thursday, November 21, 2019 1:27 PM
To: Susan Affleck-Childs
Subject: RE: Insurance bond for 50 Alder Street

Hello,

Western Surety Company (NKA CNA) is an acceptable company.
A+ Bond Rating with Standard and Poor.

~ Joanne ~

Joanne M. Russo C.M.M.T
Town Treasurer/Collector
Town of Medway
*Green Community-pay online @ www.townofmedway.org
1-508-533-3205

From: Susan Affleck-Childs
Sent: Thursday, November 21, 2019 10:45 AM
To: Joanne Russo
Subject: Insurance bond for 50 Alder Street

Hi Jo,

We are working with Phil Anza (Alder Street Realty, LLC) owner of 50 Alder Street, to finish up the site work at his new building.

He has provided a permit bond for \$50,000 from the Western Surety Company, Sioux Falls, South Dakota. See attached.

Is this an acceptable company? Please advise. Thanks.

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



Western Surety Company

SITE IMPROVEMENT Performance Bond

Bond # 72219180

KNOW ALL PERSONS BY THESE PRESENTS: That we _____

Alder Street Realty, LLC

Principal, and WESTERN SURETY COMPANY, a corporation authorized to do surety business in the State of Massachusetts as Surety, are held and firmly bound unto Town of Medway

as Obligee, in the sum of Fifty Thousand and 00/100 Dollars (\$ \$50,000.00) lawful money of the United States of America, for which payment well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors, and assigns firmly by these presents.

WHEREAS, the Principal has entered into an agreement with the Obligee, guaranteeing only that the Principal will complete site improvements as per estimate prepared by: _____

_____ attached to and made a part hereof at certain land known as 50 Alder St. , Medway, MA 02053

_____ all of which improvements shall be completed on or before the date set forth in the agreement or any extension thereof, and the Principal provides this bond as security for such agreement.

NOW, THEREFORE, the condition of this obligation is such, that if the Principal shall carry out all the terms of said agreement relating to the site improvements only and perform all such work as set forth in the attached agreement, then this obligation shall be null and void; otherwise, to remain in full force and effect.

No party other than the Obligee shall have any rights hereunder as against the Surety.
The aggregate liability of the Surety on this bond obligation shall not exceed the sum stated above for any reason whatsoever.

SIGNED, SEALED AND DATED THIS 3rd DAY OF December, 2019

PRINCIPAL:

Alder Street Realty, LLC

By: [Signature]

SURETY:



WESTERN SURETY COMPANY

By: Angela M. Nash
Angela M. Nash, Attorney-in-Fact

Western Surety Company

POWER OF ATTORNEY - CERTIFIED COPY

Bond No. 72219130

Know All Men By These Presents, that WESTERN SURETY COMPANY, a corporation duly organized and existing under the laws of the State of South Dakota, and having its principal office in Sioux Falls, South Dakota (the "Company"), does by these presents make, constitute and appoint ANGELA M. NASH

its true and lawful attorney(s)-in-fact, with full power and authority hereby conferred, to execute, acknowledge and deliver for and on its behalf as Surety, bonds for:

Principal: Alder Street Realty, LLC

Obligee: Town of Medway

Amount: \$1,000,000.00

and to bind the Company thereby as fully and to the same extent as if such bonds were signed by the Vice President, sealed with the corporate seal of the Company and duly attested by its Secretary, hereby ratifying and confirming all that the said attorney(s)-in-fact may do within the above stated limitations. Said appointment is made under and by authority of the following bylaw of Western Surety Company which remains in full force and effect.

"Section 7. All bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile."

If Bond No. 72219130 is not issued on or before midnight of November 26, 2020, all authority conferred in this Power of Attorney shall expire and terminate.

In Witness Whereof, Western Surety Company has caused these presents to be signed by its Vice President, Paul T. Bruflat, and its corporate seal to be affixed this 3rd day of December, 2019.

WESTERN SURETY COMPANY
STATE OF SOUTH DAKOTA
COUNTY OF MINNEAPHA

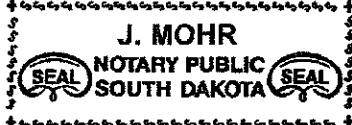
} ss

WESTERN SURETY COMPANY

Paul T. Bruflat

Paul T. Bruflat, Vice President

On this 3rd day of December, in the year 2019, before me, a notary public, personally appeared Paul T. Bruflat, who being to me duly sworn, acknowledged that he signed the above Power of Attorney as the aforesaid officer of WESTERN SURETY COMPANY and acknowledged said instrument to be the voluntary act and deed of said corporation.



J. Mohr

Notary Public - South Dakota

My Commission Expires June 23, 2021

I the undersigned officer of Western Surety Company, a stock corporation of the State of South Dakota, do hereby certify that the attached Power of Attorney is in full force and effect and is irrevocable, and furthermore, that Section 7 of the bylaws of the Company as set forth in the Power of Attorney is now in force.

In testimony whereof, I have hereunto set my hand and seal of Western Surety Company this 3rd day of December, 2019.

WESTERN SURETY COMPANY

Paul T. Bruflat

Paul T. Bruflat, Vice President

To validate bond authenticity, go to www.cnasurety.com > Owner/Obligee Services > Validate Bond Coverage.



PO Box 5077 Sioux Falls SD 57117-5077

1-800-331-6053
Fax 1-605-335-0357
www.cnasurety.com
uwservices@cnasurety.com

DATE: December 5, 2019

AGENT CODE: 31-20012

ATTENTION:

Number of Pages:

RE: Bond 72219180 - Alder Street Realty, LLC

Putting in Cement Sidewalk Leading From Town Sidewalk To Property-
Office Door Located at 50 Alder Street Medway Ma 02053
Contract Amount: \$50,000.00
Company Code: 601 - Western Surety Company

Thank you for placing this business with CNA Surety.

Please execute the requested bond(s) by using the following documents sent with this fax/email. Sign the bond(s) and attach a gold colored seal from your Western Surety Company bond kit to each bond issued.

Premium: \$1,500.00
30,
Effective: December 3, 2019

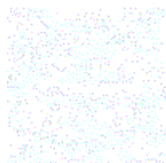
***Please reference the CNA Surety web site www.cnasurety.com for easy access to our Fast Track Application.

Please check your supply of gold seals periodically to ensure you have an adequate amount. To reorder gold seals, simply visit cnasurety.com and click on the "Order Supplies Here" icon under the Broker/Agent Services section.

Business Services

Susan Affleck-Childs

From: Allison Warren <awarren@emerywebb.com>
Sent: Friday, December 06, 2019 12:00 PM
To: Susan Affleck-Childs
Cc: oldmananza@yahoo.com; Craig Wert
Subject: Alder Street Realty LLC



Good morning.

Per our conversation our office has re-issued a bond and have overnighted it to our insured for Saturday delivery. He will be able to turn into your office on Monday 12/9/19. The bond will only include the required forms that Western Surety provides. The additional paperwork you requested be signed has been declined since the bond is issued with sufficient coverage. The carrier has been issuing these bonds to our office for many years and have not seen this requested or required by other towns.

I apologize for any inconvenience this may cause and am happy to answer any further questions that you might have.




Thank you for all of your patience.

Ali

Allison Warren | Client Service Representative

P: 845.896.6727 x1125 | F: 845.896.6877

EMERY & WEBB, INC. | 989 Main Street, Fishkill, NY 12524

Follow us:  @emeryandwebb   www.emerywebb.com

Please send all certificate requests to cert@emerywebb.com

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Jack Mee

From: Jack Mee
Sent: Friday, December 06, 2019 9:17 AM
To: 'Phil Anza'
Subject: RE: Alder st

Thank you for this update. I hope that things go well with you as you work on wrapping this project as it appears that you are getting close to completion. Just one clarification with your note below, you can certainly be in the building working within the scope of your current building permit, but you are not authorized to do any auto repair until you receive your Certificate of Occupancy.

Regards,
Jack Mee
Building Commissioner
Town of Medway

-----Original Message-----

From: Phil Anza [mailto:oldmananza@yahoo.com]
Sent: Thursday, December 05, 2019 2:49 PM
To: Jack Mee
Subject: Re: Alder st

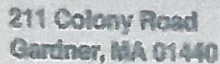
Hi Jack

Thanks for taking a walk through the garage today. I have a pretty good idea of what needs to be done Before you can approve a occupancy permit. They should be done next week if all goes as planned. As we discussed I will be in the garage working. I expect to be working with the electrician and carpenter as well as painting.

I understand there have been concerns raised with me being in the building. As the owner of the building I feel I have every right to be in the building when subs are working. As well as painting and cleaning when they are finished. I am sending a copy of the work order from Royco. The dates and times show that they were working on the waste oil burner until about 6:00pm on the 26th and returned on the 27th to finish. I was a bit surprised to see Andy Rodenhiser taking pictures waiting for me to back out of the garage to go home. I explained that we had just finished working on the burner. He was pretty aggressive and suggested I had no right to be working in the building.

If the planning board wants to see what I am doing they are free to knock on the door. No need to sneak around at night.

Thanks
Phil



(978) 632-8151
FAX (978) 632-5261

TERMS:

WORK ORDER

PHONE	DATE OF ORDER 11/22/19
ORDER TAKEN BY	CUSTOMER'S ORDER NUMBER
<input type="checkbox"/> DAY WORK <input type="checkbox"/> CONTRACT <input type="checkbox"/> EXTRA	
JOB NAME/NUMBER	
JOB LOCATION	
JOB PHONE	STARTING DATE

[illegible]

Work ordered by _____

Signature _____
I hereby acknowledge the satisfactory completion of the above described work.

Thank You

TAX

TOTAL

Performance Secured by Surety Agreement
Planning & Economic Development Board – Town of Medway, MA

Bond No. 72219180

This Surety Agreement is entered into this ____ day of _____, 2019, among the Town of Medway, acting through its Planning and Economic Development Board, with an address of 155 Village Street, Medway, MA 02053 (hereinafter referred to as “the Board”), and Alder Street Realty, LLC of Medway, MA with an address of 50 Alder Street, Medway, MA 02053, (“Owner”), and Western Surety Company, a corporation duly organized and existing under the laws of the state of South Dakota, licensed and registered to do business in the Commonwealth of Massachusetts, and with a usual place of business and address of 101 South Reid Street, Sioux Falls, SD 57013, (“Surety”), to secure completion of the installation of required site improvements and landscaping and other associated items as shown on the approved site plan described below.

WHEREAS, on May 8, 2018, after a duly noticed public hearing, the Board issued a major site plan approval decision (attached) and subsequently endorsed a major site plan, which is entitled *Proposed 3,250 S.F. Commercial Building Site Plan, 50 Alder Street, Medway, MA*, dated March 30, 2016, last revised June 4, 2018, prepared by Grady Consulting, LLC of Kingston, MA, endorsed by the Board on June 12, 2018, hereinafter referred to as “the Site Plan”); and

WHEREAS, the Owner has requested the issuance of an occupancy permit from the Town of Medway for the building on the premises; and

WHEREAS, the Board is required by the site plan approval decision to secure completion of the required site improvements and landscaping and other associated items before an occupancy permit is issued; and

WHEREAS, the value of the remaining required site improvements, landscaping and other associated items is \$50,000 as specified in the bond estimate dated November 12, 2019 prepared by the Town’s engineering consultant, Tetra Tech (attached); and

WHEREAS, the Owner has decided to secure the installation of the required site improvements and landscaping and other associated items by means of a SURETY BOND in the penal sum of fifty thousand dollars (\$50,000.00).

NOW, THEREFORE, the parties agree as follows:

1. The Owner and Surety hereby bind and obligate themselves and their successors and assigns to the Town of Medway in the sum of \$50,000 and have secured this obligation by means of a SURETY BOND to be used to secure the performance by the Owner of required site improvements and landscaping and other associated items contained in the site plan decision and the endorsed site plan and the bond estimate dated November 12, 2019 prepared by the Town’s engineering consultant, Tetra Tech.

2. The Surety shall deliver a surety bond in a form acceptable to the Board to the Treasurer of the Town of Medway, at the time of the execution of this agreement, in the amount of \$50,000 or purpose of securing completion of the required site improvements and landscaping.
3. The Owner shall complete the installation of the required site improvements and landscaping by November 12, 2020.
4. Upon completion of all obligations as specified herein on or before the required completion date, or such later date as may be specified by vote of the Board with the concurrence of the Owner, the Board shall release the Owner and Surety from this surety agreement.
5. In the event the Owner should fail to complete the installation of the required site improvements and landscaping as specified in the approved Site Plan and Decision and within the time herein specified, the Board may apply the bond held by the Treasurer of the Town of Medway, in whole or in part, for the benefit of the Town of Medway to the extent of the reasonable costs to the Town of Medway to complete the required site improvements and landscaping as provided in this agreement. Any portion of the bond that is not applied as set forth above, shall be returned to the Surety upon completion of the required site improvements and landscaping by the Town of Medway
6. The Board, at its discretion, may grant an extension of time and/or reduce the penal amount of the bond and notify the Owner, the Surety and the Treasurer of the Town of Medway of any authorized adjustment.
7. The Owner and Surety agree and understand that the Board will not release this surety bond in full until the required site improvements and landscaping have been deemed by the Board to be constructed and installed in accordance with this agreement. This agreement does not expire until the Board releases the surety bond in full.
8. Failure to complete the required site improvements and landscaping may result in the Board's rescission of approval of the Site Plan.
9. If a court of competent jurisdiction determines that any provision of this agreement is unenforceable, such determination shall not affect the remaining provisions, which shall remain in full force and effect.

IN WITNESS WHEREOF we have hereunto set our hands and seals this _____ day of _____, 2019.

**TOWN OF MEDWAY
PLANNING & ECONOMIC DEVELOPMENT BOARD**

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS

On this ____ day of _____, 2019, before me, the undersigned notary public, personally appeared the Members of the Medway Planning and Economic Development Board, _____

proved to me through satisfactory evidence of identification, which was (personal knowledge) (Massachusetts driver's license), to be the persons whose names are signed on the preceding document, and acknowledged to me that it was signed voluntarily for its stated purpose as members of the Medway Planning and Economic Development Board.

Notary Public
My commission expires: _____

OWNER

By: _____
Phil Anza

Title/Position: Manager
Organization: Alder Street Realty, LLC

COMMONWEALTH OF MASSACHUSETTS

_____, SS

On this ____ day of _____, 2019, before me, the undersigned
notary public, personally appeared the above-named _____,
proved to me through satisfactory evidence of identification, which was (personal
knowledge) (Massachusetts driver's license), to be the person whose name is
signed on the preceding document, and acknowledged to me that it was signed
voluntarily for its stated purpose as _____
of _____.

Notary Public
My commission expires: _____

SURETY COMPANY

By: _____
Paul T. Bruflat

Title/Position: Vice President

Organization: Western Surety Company

STATE OF SOUTH DAKOTA
COUNTY OF MENNEHAHA

On this _____ day of _____, 2019, before me, the undersigned notary public, personally appeared the above-named _____, proved to me through satisfactory evidence of identification, which was (personal knowledge) (driver's license) to be the person whose name is signed on the preceding document, and acknowledged to me that it was signed voluntarily for its stated purpose as _____ of _____.

Notary Public
My commission expires: _____

APPENDICES

- ***Site Plan Decision dated May 8, 2018***
- ***Tetra Tech Bond Estimate dated November 12, 2019***



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

RECEIVED

MAY - 9 2018

TOWN CLERK

*Andy Rodenhiser, Chairman
Robert K. Tucker, Vice-Chairman
Thomas A. Gay, Clerk
Matthew J. Hayes, P.E.
Richard Di Iulio*

May 8, 2018

***Major Site Plan Review Decision
Milway Auto – 50 Alder Street
APPROVED with Waivers and Conditions***

Decision Date: May 8, 2018

Name/Address of Applicant: Alder Street Realty, LLC
119 Milford ST.
Medway, MA 02053

Name/Address of Property Owner: Alder Street Realty, LLC
119 Milford ST.
Medway, MA 02053

Project Location: 50 Alder Street
Assessors' Reference: 63-001-0001
Zoning District: West Industrial (formerly known as Industrial III)

Engineer: Grady Consulting, Inc.
71 Evergreen ST. Suite 1
Kingston, MA 02364

Site Plan: *Proposed 3,250 Sq. Ft. Commercial Building for 50 Alder ST*
Medway, MA
Dated March 30, 2016, last revised April 2, 2018



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

*Andy Rodenhiser, Chairman
Robert K. Tucker, Vice-Chairman
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Site Plan: *Proposed 3,250 Sq. Ft. Commercial Building for 50 Alder ST*
Medway, MA
Dated March 30, 2016, last revised April 2, 2018

I. PROJECT DESCRIPTION – The proposed project includes construction of a 3,250 sq. ft., one-story building for automobile sales and service with three garage bays and office space. The site plan shows a 7,774 sq. ft. parking lot for 17 parking spaces, landscaping, stormwater drainage facilities, and connections to municipal water and sewer. Site access/egress is planned with 2 curb cuts on Alder Street. The parcel is 1.03 acres. 60% of the property is located in Medway; the remaining portion of the property is located in Milford, MA. Approximately 12,900 sq. ft. of the parcel will be cleared for construction of the building, drainage system and parking.

A portion of the site lies within the 100' buffer zone of wetlands resources and is subject to review by the Medway Conservation Commission.

II. VOTE OF THE BOARD – After reviewing the application and information gathered during the public hearing and review process, the Medway Planning and Economic Development Board, on May 8, 2018, on a motion made by Robert Tucker and seconded by Richard Di Iulio, **voted to approve with WAIVERS and CONDITIONS** as specified herein, a site plan for the construction of an approximately 3,250 sq. ft. building and site improvements at 50 Alder Street as shown on *Proposed 3,250 sq. ft. Commercial Building for 50 Alder Street* prepared by Grady Consulting, of Kingston, MA, dated March 30, 2016, last revised April 2, 2018, to be further revised as specified herein.

All members voting on this Certificate of Action were present at all sessions of the public hearing or have provided a certification pursuant to General Laws c. 39 section 23D.

The motion was approved by a vote of 4 in favor and 0 opposed.

Planning & Economic Development Board Member	Vote
Richard Di Iulio	Yes
Matthew Hayes	Yes
Thomas A. Gay	Absent
Andy Rodenhiser	Yes
Robert Tucker	Yes

III. PROCEDURAL HISTORY

- A. January 11, 2019 - Site plan application and associated materials filed with the Medway Planning & Economic Development Board and the Medway Town Clerk
- B. January 18, 2018 – Site plan public hearing notice filed with the Town Clerk and posted at the Town of Medway web site.
- C. January 19, 2018 – Site plan information distributed to Town boards, committees and departments for review and comment.
- D. January 22, 2018 – Site plan public hearing notice mailed to abutters by certified sent mail.
- E. January 30 and February 5, 2018 - Site plan public hearing notice advertised in *Milford Daily News*.

- F. February 13, 2018 - Site plan public hearing commenced. The public hearing was continued to February 27, March 27, April 24th and May 8, 2018 when the hearing was closed and a decision rendered.
- G. March 22, 2018 - Applicant requested and Board approved (March 27, 2018) an extension of the action deadline to May 11, 2018.

IV. INDEX OF SITE PLAN DOCUMENTS

- A. The site plan application for the proposed Milway Auto project included the following plans, studies and information that were provided to the Planning and Economic Development Board at the time the application was filed:
 - 1. Major Site Plan Application dated January 11, 2018 with Project Description, Development Impact report, property owners' authorization, purchase and sale agreement, and certified abutters' list.
 - 2. *Proposed 3,250 Sq. Ft. Commercial Building for 50 Alder Street* site plan dated March 30, 2016, last revised August 22, 2016, prepared by Grady Consulting of Kingston, MA.
 - 3. *Stormwater Management Design Calculations dated March 30, 2016* prepared by Grady Consulting of Kingston, MA
 - 3. *Requests for Waivers from the Medway Site Plan Rules and Regulations*, prepared by Grady Consulting of Kingston, MA, dated August 22, 2018
 - 4. Building Elevations for Milway Auto dated November 2018 prepared by Clinton Design Architects of Holliston, MA
- B. During the course of the public hearing and review, a variety of other materials were submitted to the Board by the applicant and its representatives:
 - 1. Paul Seaberg of Grady Consulting, engineering consultant for the applicant – Letter dated February 21, 2018 in response to Tetra Tech, PGC and Medway Design Review Committee review comments.
 - 2. Paul Seaberg of Grady Consulting, engineering consultant for the applicant – Letter dated March 21, 2018 with revised plan plus Hantush mounding information, pipe/grate sizing analysis (25 year and 100 year storms) dated February 20, 2018, and TSS Removal Calculation Worksheet prepared 2-29-18.
 - 3. Lighting plan and specifications dated March 14, 2018 by Reflex Lighting of Boston, MA.
 - 4. *Proposed 3,250 Sq. Ft. Commercial Building* site plan dated March 30, 2016 revised March 19, 2018 prepared by Grady Consulting of Kingston, MA.
 - 5. Supplemental waiver request from the *Site Plan Rules and Regulations*, submitted March 22, 2018, prepared by Grady Consulting
 - 6. Paul Seaberg of Grady Consulting, engineering consultant for applicant – letter dated April 2, 2018 with revised site plan and information.
 - 7. *Proposed 3,250 Sq. Ft. Commercial Building* site plan dated March 30, 2016, revised April 2, 2018 prepared by Grady Consulting of Kingston, MA.

8. Letter dated April 19, 2018 from Christopher Davidson, PE from ESI regarding outdoor lighting. 30, 2016.
 9. Revised building façade drawings by Clinton Design Architects received April 17, 2018.
 10. Supplemental waiver requests from the *Site Plan Rules and Regulations*, submitted May 3, 2018, prepared by Grady Consulting
- C. All documents and exhibits received during the public hearing are contained in the Planning and Economic Development Board's project file.

V. TESTIMONY - In addition to the site plan application materials as submitted and provided during the course of the Board's review, the Board also received verbal or written testimony from:

- Steve Bouley, P.E. of Tetra Tech, Inc., the Town's Consulting Engineer – Site plan review letters dated February 8 and March 28, 2018 and commentary throughout the public hearing process.
- Gino Carlucci, PGC Associates, the Town's Consulting Planner – Site plan review letter dated February 6, 2018 and commentary throughout the public hearing process.
- Review letter from the Medway Design Review Committee dated February 7, 2018
- Fire Chief Jeff Lynch – Emails dated March 5 and March 12, 2018
- Susy Affleck-Childs – Emails dated March 6, 2018 to applicant Phil Anza re: uplands requirements and installation of American flag mural on building façade.
- Zoning Board of Appeals decision dated February 7, 2018 granting a use variance for automotive sales and service and a dimensional variance to allow a front yard setback of 24.9' instead of the standard 30'.
- Conservation Commission Order of Conditions for the subject property, dated August 29, 2016

VI. FINDINGS – In making its findings and reaching the decision described herein, the Board is guided by Board's *Site Plan Rules and Regulations*, and the *Medway Zoning Bylaw*. The Board also considered evidence and testimony presented at the public hearings and comments submitted by Town departments, boards and committees as well as the Board's peer review consultants and residents placed in the public record during the course of the hearings.

The Planning and Economic Development Board, at its meeting on May 8, 2018, on a motion made by Robert Tucker and seconded by Richard Di Iulio, voted to approve the following **FINDINGS** regarding the site plan and special permit applications for the Milway Auto building and site at 50 Alder Street. The motion was approved by a vote of 4 in favor and 0 opposed.

Site Plan Rules and Regulations Findings – The Planning and Economic Development Board shall determine whether the proposed development is in conformance with the standards and criteria set forth in the *Site Plan Rules and Regulations*, unless specifically waived. In making its decision, the Planning and Economic Development Board shall determine the following:

- (1) Has internal circulation, queuing and egress been designed such that traffic safety is protected, access via minor streets servicing residential areas is minimized, and traffic backing up into the public way is minimized?

Ingress and egress is off Alder Street, an industrial roadway designed to handle this type of facility. Two curb cuts are provided which will facilitate internal site movement. There are no residential properties abutting the subject parcel.

- (2) Does the site plan show designs that minimize any departure from the character, materials, and scale of buildings in the vicinity as viewed from public ways and places?

The proposed building and site are in an industrial style and scale with materials similar to other buildings within the industrial park. The building design has been positively reviewed by the Design Review Committee and is acceptable for its location.

- (3) Is reasonable use made of building location, grading and vegetation to reduce the visible intrusion of structures, parking areas, outside storage or other outdoor service areas (e.g. waste removal) from public views or from (nearby) premises residentially used and zoned.

No outside dumpster is planned. Trash will be stored inside the building in standard trash containers which was determined to be acceptable to the Medway Fire chief. The property immediately surrounding the building is industrially zoned or bordered by Interstate 495 so there are no impacts on residentially used or zoned property.

- (4) Is adequate access to each structure for fire and service equipment provided?

The building is accessible from three sides. There are 264' linear feet of frontage along Alder Street. The site plan was provided to the Fire Chief and no negative comments have been received.

- (5) Will the design and construction minimize, to the extent reasonably possible, the following environmental impacts?

- a) the volume of cut and fill;
- b) the number of trees to be removed with particular care taken with mature trees and root systems;
- c) the visual prominence of man-made elements not necessary for safety;
- d) the removal of existing stone walls;
- e) the visibility of building sites from existing streets;
- f) the impacts on waterways and environmental resource areas;
- g) soil pollution and erosion;
- h) noise.

The volume of cut and fill is the minimum necessary to construct the building and associated facilities. Large trees on site have been identified but much of the site needs to be cleared in order to accommodate the building, parking and drainage system. The proposed stormwater drainage system has been reviewed by the

Town's Consulting Engineer and has been determined to be adequate to protect waterways and environmental resources. Appropriate soil pollution and erosion controls have been incorporated into the plan. The Conservation Commission has issued an Order of Conditions for the project due to its location near wetlands resources.

- (6) Is pedestrian and vehicular safety both on the site and egressing from it maximized?

The entrance and egress to the site and its parking and loading facilities have been designed for safe operation and to minimize conflict. A sidewalk already exists along Alder Street. The turning movements for the loading area have been identified and reviewed by the Town's Consulting Engineer and found to be acceptable.

- (7) Does the design and will the construction incorporate, to the maximum extent possible, the visual prominence of natural and historic features of the site?

There are no visually prominent natural or historic features on site.

- (8) Does the lighting of structures and parking area avoid glare on adjoining properties and minimize light pollution within the town?

Site lighting does not produce glare to adjoining properties. .

- (9) Is the proposed limit of work area reasonable and does it protect sensitive environmental and/or cultural resources? The site plan as designed should not cause substantial or irrevocable damage to the environment, which damage could be avoided or ameliorated through an alternative development plan or mitigation measures.

The limit of work is reasonable for the proposed facility. The environmental resources on site have been reviewed by the Conservation Commission and are protected through an Order of Conditions dated August 29, 2016.

VII. WAIVERS – At its May 8, 2018 meeting, the Planning and Economic Development Board, on a motion made by Robert Tucker and seconded by Richard Di Iulio, voted to grant waivers from the following provisions of the *Rules and Regulations for the Submission and Approval of Site Plans, as amended December 3, 2002*. The Planning and Economic Development Board's action and reasons for granting each waiver request are listed below. All waivers are subject to the *Special and General Conditions of Approval*, which follow this section.

The motion was approved by a vote of 4 in favor and 0 opposed.

1. **Section 204-4 B. Standards for Site Plan Preparation** - The site plan shall be drawn at a scale of 1" = 40'.

The applicant has requested a waiver from this plan scale requirement and instead has proposed a scale of 1" = 20'. The developed portion of the site consists of approximately 15,000 sq. ft. The site plan would be difficult to read at

a scale of 1"=40'. The revised scale results in a more efficient review and construction process as the plan would be clearer, more readable and more accurately interpreted. Therefore, the Board APPROVES this waiver request.

2. **Section 204-5 C. 3. Existing Landscape Inventory** - An *Existing Landscape Inventory* shall be prepared by a Professional Landscape Architect licensed in the Commonwealth of Massachusetts. This inventory shall include a "mapped" overview of existing landscape features and structures and a general inventory of major plant species including the specific identification of existing trees with a diameter of one (1) foot or greater at four (4) feet above grade.

The applicant has requested a waiver from the full extent of this requirement as the planned developed portion of the site consists of roughly 13,000 sq. ft. of wooded area that has to be cleared to accommodate the building, drainage and parking. Instead, the applicant has provided an inventory of trees with a diameter of 18" or greater which is shown on the revised existing conditions sheet in the revised plan dated March 19, 2018. A landscaping plan has been provided which will enhance the site. Therefore, the Board APPROVES this waiver request.

3. **Section 204-5 D. 7 Landscape Architectural Plan** - A *Landscape Architectural Plan* shall be prepared by a Landscape Architect licensed in the Commonwealth of Massachusetts. This *Plan* shall be prepared as an overlay of the existing conditions sheets and shall incorporate, whenever possible, the significant features of the existing site and topography, particularly existing trees with a diameter of one (1) foot or greater at four (4) feet above grade. The *Landscape Architectural Plan* shall indicate the areas slated for excavation; any woodlands, trees or other existing features or structures to be retained; all new plantings by common and Latin name including their proposed locations and sizes at the time of installation. Plan graphics for tree canopies shall reflect, as closely as possible, the actual canopy dimension of proposed tree plantings at the time of installation with a "lesser" intensity graphic used to represent potential canopy at maturity.

The applicant has requested a waiver from this requirement. Due to the small scale of the site and the amount of clearing needed to construct the building, parking and drainage system, the area for planting is extremely limited. A limited scope of planned landscaping has been provided both as part of the site plan and in conjunction with the Order of Conditions. Therefore, the Board APPROVES this waiver request.

4. **Section 205-3 Traffic – B. Internal Site Driveways, 2.** No part of any driveway shall be located within fifteen (15) feet of a side property line.

The applicant has requested a waiver from this regulation and proposes a 5' 1" setback from the eastern side property line for the internal driveway. Due to the wetlands on the property and the shape of the lot, the amount of land available for parking and driveways is limited. Without the reduced setback, the project will not meet the zoning bylaw requirements for the minimum number of parking spaces. The abutting properties are the right-of-way for Interstate 495 on the west

and a stone wall with undeveloped woods and wetlands on the east so there are no expected impacts on abutters.

5. **Section 205-6 Parking - G. Parking Spaces & Stalls, 3. a)** - Car parking spaces/stalls shall be ten (10) feet by twenty (20) feet, except that handicap stalls shall be in accordance with the current ADA standards. Each handicapped space/stall must be identified on the ground surface and by a sign.

The applicant has requested waiver from this regulation and has proposed parking space stalls at a size of 9' by 18' which is the allowed minimum standard parking space size per Section 7.1.1. E. 3. a. of the Medway Zoning Bylaw. Smaller parking spaces reduces the overall size needed for the parking area and the amount of impervious surface area. Without the reduced parking space size, the project will not meet the Zoning Bylaw requirements for the number of parking spaces. Therefore, the Board APPROVES this request.

6. **Section 205-6 Parking - G. Parking Spaces & Stalls, 4. b)** - Stalls shall not be located within 15' of the front, side or rear property lines.

The applicant has requested a waiver from this setback standard for the parking stalls located closest to the eastern and western property lines. The applicant has proposed a 1' 8" setback from the side property lines instead of the standard 15' setback. Without the reduced setback, the project will not meet the zoning bylaw requirements for the minimum number of parking spaces. The Town's consulting engineer has no objection to this waiver. The abutting properties are the right-of-way for Interstate 495 on the west and a stone wall with undeveloped woods and wetlands on the east so there are no expected impacts on abutters. Therefore, the Board APPROVES this waiver.

7. **Section 205 - 6 Parking - G. Parking Spaces & Stalls, 4. d)** After the last parking stall in any dead end row not adjacent to a travel lane parallel to the car stall, there shall be a twelve (12) foot long and twenty (20) foot wide turning area beyond the travel lane to allow proper maneuvering.

The applicant has requested a waiver from this requirement to allow for a vehicular turning area of 5' x 24'. Due to the wetlands on the property and the shape of the lot, the amount of land available for parking is limited. Without the reduced setback, the project will not meet the zoning bylaw requirements for the minimum number of parking spaces. Only employees will be moving vehicles within the site so as to manage this small area most efficiently. Therefore, the Board APPROVES this waiver.

8. **Section 205 – 9 Trees and Landscaping – Buffers, Parking Areas, Screening, Trees, Tree-Replacement, Tree Size.**

The applicant has requested a waiver from this entire section of the Site Plan Rules and Regulations and has proposed landscaping as shown on the revised site plan dated April 2, 2018. The developed portion of the site is compact due to the wetlands on the property and the shape of the lot. In consideration of the nature

of the lot and its location, the alternative landscaping plan is acceptable. Therefore, the Board APPROVES this waiver.

9. **Section 205 – 3 A. Curb Cuts, 2.** Curb cuts on public ways shall be minimized.
a) Curb cuts for contiguous commercial areas may be limited to one per street frontage unless compelling safety benefits or other siting considerations are demonstrated by the applicant.

The applicant has designed the site to include two curb cuts onto Alder Street; one existing curb cut to the site and one additional opening. The additional opening is needed for emergency access and safe vehicular movements within the parking area. The Board's Consulting Engineer does not oppose this waiver request due to the site location and use of property. Therefore, the Board APPROVES this waiver.

10. **Section 205 - 6 H. Curbing** – The perimeter of the parking area shall be bounded with vertical granite curb or similar type of edge treatment to delineate the parking lot.

The applicant proposes to use Cape Cod berm in lieu of granite curbing around the perimeter of the parking area. Granite curbing is very expensive and is not necessary for this site. The applicant believes the proposed alternative curbing material is an appropriate method to delineate the boundary of the proposed parking lot, is consistent with the general industrial park area and will appropriately improve the site. The Board has approved this same waiver request for other recent site plan projects in the 495 Business Park area.

VIII. CONDITIONS The *Special and General Conditions* included in this Decision shall assure that the Board's approval of this site plan is consistent with the *Site Plan Rules and Regulations*, that the comments of various Town boards and public officials have been adequately addressed, and that concerns of abutters and other town residents which were aired during the public hearing process have been carefully considered

SPECIFIC CONDITIONS OF APPROVAL

- A. **Plan Endorsement** - Within sixty (60) days after the Board has filed its *Decision* with the Town Clerk, the site plan for the project at 50 Alder Street dated March 30, 2016, last revised April 2, 2018 prepared by Grady Consulting, Inc. of Kingston, MA and Clinton Design Architects of Holliston, MA shall be further revised to reflect all Conditions and required revisions, including those as follows, and submitted to the Planning and Economic Development Board to review for compliance with the Board's *Decision*. (*Said plan is hereinafter referred to as the Plan*). The Applicant shall provide a set of the revised Plan in its final form to the Board for its signature/endorsement. All plan sheets shall be bound together in a complete set.
- B. **Cover Sheet Revisions** – Prior to plan endorsement, the cover sheet of the *Proposed 3,250 Sq. Ft. Commercial Building Site Plan* dated March 30, 2016, last revised April 2, 2018 shall be further revised to:

1. List the **approved** waivers from the *Site Plan Rules and Regulations* as specified herein.
 2. Reference the February 2018 ZBA use and dimensional variance decision.
 3. Update the information re: the record owner of the property
 4. Revise the Sheet Index List to add a reference to the building elevation and floor plan drawings by Clinton Design Architects and the Lighting Plan by ReflexLighting.
- C. **Other Plan Revisions** – Prior to plan endorsement, the following plan revisions shall be made to the *Proposed 3,250 Sq. Ft. Commercial Building Site Plan* dated March 30, 2017, last revised April 2, 2018.
1. Plan shall be revised to indicate that asphalt parking surfaces shall have a minimum of 3 ½ inch depth bituminous concrete surface.
 2. The most recent set of building elevation and floor plan drawings by Clinton Design Architects and the Lighting Plan by ReflexLighting shall be added to the site plan set to make it complete.
 3. Landscaping detail on Sheet 6 of the site plan set shall be revised to indicate that lemon thyme grass will be used instead of juniper plants.
 4. Add a Stormtech Isolator Row and a weir manhole to the drainage design in order to prevent premature failure of the system due to sediment loading.
 5. Show handicapped ramps to both curb cuts on Alder Street on the site plan and provide a detail showing compliant ramps per state and federal law.
- D. **Use Limitations** – Parking or use of the parking area on site at 50 Alder Street shall be limited only to vehicles for Milway Auto, its employees, deliveries and customers. The parking area may not be leased or made available to any other business for any purpose.
- E. **Site Access** – Access to the site is provided from Alder Street. The applicant shall instruct its employees, delivery companies and customers to use only Trotter Drive and not the portion of Alder Street east of Trotter Drive to access the property. Any printed or electronic marketing materials that provide directions to the Milway Auto site shall indicate the Trotter Drive route. Delivery vehicles shall park temporarily within the on-site parking area and not park on Alder Street. Wreckers accessing the property to deliver vehicles for service shall use the on-site driveway/parking area to the maximum extent possible and use the least possible amount of Alder Street for drop off.
- F. **Parking** – No parking on Alder Street is allowed for Milway Auto, its employees, customers and vehicles to be serviced.
- G. **Trash Removal** – Trash removal shall be scheduled to occur only between 7 am and 6 pm. Trash and recycling containers are to be kept inside the building and rolled out as needed for pick up. If the need develops in the future to have an outside dumpster, it shall be fully enclosed by wood appearance vinyl fencing of sufficient height to fully screen and conceal the dumpster equipment. The siting of such dumpster on the property shall be subject to Administrative Site Plan

review through the Town of Medway Community and Economic Development Department.

- H. ***Stormwater Management Operations and Maintenance Plan*** - The applicant and any future property owner has ongoing and perpetual responsibility and obligation to carry out the Post Construction Stormwater Operations and Maintenance Plan included as pages 71 – 73 in the Stormwater Management Design Calculations report dated March 30, 2016 prepared by Grady Consulting, Inc.
- I. ***Signage*** - A concept drawing of a proposed wall sign has been shared with the Design Review Committee and its planned position on the building is shown on the site plan. The applicant shall secure the required sign permit from the Medway Building Department which shall include review by the Design Review Committee before the permit is issued as specified in Section 7.2.6.3 Sign Regulation of the *Zoning Bylaw*.
- J. ***Lighting***
 - 1. Lighting shall not result in any light spillage off the property. This may be accomplished through the addition of light shields, the lowering and/or relocating of light fixtures, and other suitable measures.
 - 2. LED lights shall be of a lower color temperature [2700-3000K] to provide a more natural appearance.

GENERAL CONDITIONS OF APPROVAL

- A. ***Fees*** - Prior to site plan endorsement by the Planning and Economic Development Board, the Applicant shall pay:
 - 1. the balance of any outstanding plan review fees owed to the Town for review of the site plan by the Town's engineering, planning or other consultants; and
 - 2. any construction inspection fee that may be required by the Planning and Economic Development Board; and
 - 3. any other outstanding expenses or obligations due the Town of Medway pertaining to this property, including real estate and personal property taxes and business licenses.

The Applicant's failure to pay these fees in their entirety shall be reason for the Planning and Economic Development Board to withhold plan endorsement.
- B. ***Other Permits*** – This permit does not relieve the applicant from its responsibility to obtain, pay and comply with all other required federal, state and Town permits. The contractor for the applicant or assigns shall obtain, pay and comply with all other required Town permits.
- C. ***Restrictions on Construction Activities*** – During construction, all local, state and federal laws shall be followed regarding noise, vibration, dust and blocking of town roads. The applicant and its contractors shall at all times use all reasonable means to minimize inconvenience to abutters and residents in the general area. The following specific restrictions on construction activity shall apply.

1. *Construction Time* - Construction work at the site and in the building and the operation of construction equipment including truck/vehicular and machine start-up and movement shall commence no earlier than 7 a.m. and shall cease no later than 6 p.m. Monday – Saturday. No construction shall take place on Sundays or legal holidays without the advance approval of the Inspector of Buildings.
2. *Neighborhood Relations* – The applicant shall notify neighbors in the general area around the site when site work and construction are scheduled to begin and provide a phone number for them to use for questions and concerns that arise during construction.
3. The applicant shall take all measures necessary to ensure that no excessive dust leaves the premises during construction including use of water spray to wet down dusty surfaces.
4. There shall be no tracking of construction materials onto any public way. Daily sweeping of roadways adjacent to the site shall be done to ensure that any loose gravel/dirt is removed from the roadways and does not create hazardous or deleterious conditions for vehicles, pedestrians or abutting residents. In the event construction debris is carried onto a public way, the Applicant shall be responsible for all clean-up of the roadway which shall occur as soon as possible and in any event within twelve (12) hours of its occurrence.
5. The Applicant is responsible for having the contractor clean-up the construction site and the adjacent properties onto which construction debris may fall on a daily basis.
6. All erosion and siltation control measures shall be installed by the Applicant prior to the start of construction and observed by the Planning and Economic Development Board's consulting engineer and maintained in good repair throughout the construction period.
7. *Construction Traffic/Parking* – During construction, adequate provisions shall be made on-site for the parking, storing, and stacking of construction materials and vehicles. All parking for construction vehicles and construction related traffic shall be maintained on site. No parking of construction and construction related vehicles shall take place on adjacent public or private ways or interfere with the safe movement of persons and vehicles on adjacent properties or roadways.
8. *Noise* - Construction noise shall not exceed the noise standards as specified in the *Zoning Bylaw*, Section 7.3.C.2. Environmental Standards.

D. ***Landscape Maintenance***

1. The site's landscaping shall be maintained in good condition throughout the life of the facility and to the same extent as shown on the endorsed Plan. Any shrubs, trees, bushes or other landscaping features shown on the Plan that die shall be replaced by the following spring.

2. Within 60 days after two years after the occupancy permit is issued, the Town's Consulting Engineer or the Inspector of Buildings shall conduct an initial inspection of the landscaping to determine whether and which landscape items need replacement or removal and provide a report to the Board. At any time subsequent to this initial inspection, the Town's Consulting Engineer or the Inspector of Buildings may conduct further inspections of the landscaping to determine whether and which landscaping items need replacement or removal and provide a report to the Board. The Board may seek enforcement remedies with the Inspector of Buildings/Zoning Enforcement Officer to ensure that the comprehensive landscaping plan is maintained.

E. ***Snow Storage and Removal***

1. On-site snow storage shall not encroach upon nor prohibit the use of any parking spaces required by the *Zoning Bylaw*.
2. The applicant shall make the fullest possible effort to remove accumulated snow which exceeds the capacity of the designated on-site snow storage areas from the premises within 48 hours after the conclusion of a storm event.

F. ***Construction Oversight***

1. Construction Account

- a) Inspection of infrastructure and utility construction, installation of site amenities including landscaping, and the review of legal documents by Town Counsel is required. Prior to plan endorsement, the applicant shall establish a construction account with the Planning and Economic Development Board. The funds may be used at the Board's discretion to retain professional outside consultants to perform the items listed above as well as the following other tasks - inspect the site during construction/installation, identify what site plan work remains to be completed, prepare a bond estimate, conduct other reasonable inspections until the site work is completed and determined to be satisfactory, review as-built plans, and advise the Board as it prepares to issue a *Certificate of Site Plan Completion*).
- b) Prior to plan endorsement, the Applicant shall pay an advance toward the cost of these services to the Town of Medway. The advance amount shall be determined by the Planning and Economic Development Board based on an estimate provided by the Town's Consulting Engineer.
- c) Depending on the scope of professional outside consultant assistance that the Board may need, the Applicant shall provide supplemental payments to the project's construction inspection account, upon invoice from the Board.
- d) Any funds remaining in the applicant's construction inspection account after the *Certificate of Site Plan Completion* is issued shall be returned to the applicant.

2. Pre-Construction Meeting - Prior to the commencement of any work on the Property, the Applicant and the site general contractor shall attend a preconstruction conference with Planning and Economic Development Coordinator, the Building Commissioner, Department of Public Services Director, the Conservation Agent, the Town's Consulting Engineer and other Town staff or Applicant's representatives as may be determined. The general contractor shall request such conference at least one week prior to commencing any work on the property by contacting the Planning and Economic Development office.
3. Planning and Economic Development Board members, its staff, consultants or other designated Town agents and staff shall have the right to inspect the site at any time, for compliance with the endorsed site plan and the provisions of this Decision.
4. The Department of Public Services will conduct inspections for any construction work occurring in the Town's right-of way in conjunction with the Town of Medway Street Opening/Roadway Access Permit.
5. The applicant shall have a professional engineer licensed in the Commonwealth of Massachusetts conduct progress inspections of the construction of the approved site improvements. Inspections shall occur at least on a monthly basis. The engineer shall prepare a written report of each inspection and provide a copy to the Planning and Economic Development Board within 5 days of inspection.

G. *Modification of Plan and/or Decision*

1. This site plan approval is subject to all subsequent conditions that may be imposed by other Town departments, boards, agencies or commissions. Any changes to the site plan that may be required by the decisions of other Town boards, agencies or commissions shall be submitted to the Planning and Economic Development Board for review as site plan modifications.
2. Any work that deviates from the approved site plan or this Decision shall be a violation of the *Medway Zoning Bylaw*, unless the Applicant requests approval of a plan modification pursuant to Section 3.5.2.A.3.c. and such approval is provided in writing by the Planning and Economic Development Board.
3. Whenever additional reviews by the Planning and Economic Development Board, its staff or consultants are necessary due to proposed site plan modifications, the Applicant shall be billed and be responsible for all supplemental costs including filing fees, plan review fees and all costs associated with another public hearing including legal notice and abutter notification. If the proposed revisions affect only specific limited aspects of the site, the Planning and Economic Development Board may reduce the scope of the required review and waive part of the filing and review fees.

H. *Compliance with Plan and Decision*

1. The Applicant shall construct all improvements in compliance with the approved and endorsed site plan and this Decision any modifications thereto.
2. The Planning and Economic Development Board or its agent(s) shall use all legal options available to it, including referring any violation to the Building Commissioner/Zoning Enforcement Officer for appropriate enforcement action, to ensure compliance with the foregoing Conditions of Approval.
3. The Conditions of Approval are enforceable under Section 3.1. F. of the *Medway Zoning Bylaw* (non-criminal disposition) and violations or non-compliance are subject to the appropriate fine.

I. *Performance Security*

1. No occupancy permit for the building shall be granted until the Planning and Economic Development Board has provided a written communication to the Inspector of Buildings/Zoning Enforcement Officer that the project, as constructed, conforms completely and fully to the approved site plan and that any conditions including construction of any required on and off-site improvements, have been satisfactorily completed OR that suitable security/performance guarantee has been provided to the Town of Medway, to the Planning and Economic Development Board's satisfaction, to cover the cost of all remaining work.
2. If performance security is needed, the applicant shall propose a form of performance security which shall be of a source and in a form acceptable to the Planning and Economic Development Board, the Treasurer/Collector and Town Counsel. The Board requires that the performance guarantee be accompanied by an agreement which shall define the obligations of the developer and the performance guarantee company including:
 - a) the date by which the developer shall complete construction
 - b) a statement that the agreement does not expire until released in full by the Planning and Economic Development Board
 - c) procedures for collection upon default.
3. The amount of the performance guarantee shall be equal to 100% of the amount that would be required for the Town of Medway to complete construction of the site infrastructure including installation of stormwater management facilities, utilities, services, parking, pedestrian facilities and all site amenities as specified in the Site Plan that remain unfinished at the time the performance guarantee estimate is prepared if the developer failed to do so.
4. The security amount shall be approved by the Planning and Economic Development Board based on an estimate provided by the Town's Consulting Engineer based on the latest weighted average bid prices issued by the Mass Highway Department. The estimate shall reflect the cost for the Town to complete the work as a public works project which may necessitate additional engineering, inspection, legal and administrative services, staff time and

public bidding procedures. The estimate shall also include the cost to maintain the infrastructure in the event the developer fails to adequately perform such and the cost for the development of as-built plans. In determining the amount, the Board shall be guided by the following formula in setting the sum: estimate of the Town's Consulting Engineer of the cost to complete the work plus a twenty-five percent (25%) contingency.

5. Final release of performance security is contingent on project completion.

J. ***Project Completion***

1. Site plan and special permit approval shall lapse after one (1) year of the grant thereof if substantial use has not commenced except for good cause. Approved site plans shall be completed by the applicant or its assignees within two (2) years of the date of plan endorsement. Upon receipt of a written request by the applicant filed at least thirty (30) days prior to the date of expiration, the Planning and Economic Development Board may grant an extension for good cause. The request shall state the reasons for the extension and also the length of time requested. If no request for extension is filed and approved, the site plan approval shall lapse and may be reestablished only after a new filing, hearing and decision.
2. Prior to issuance of a final occupancy permit, the Applicant shall secure a ***Certificate of Site Plan Completion*** from the Planning and Economic Development Board and provide the ***Certificate*** to the Inspector of Buildings. The ***Certificate*** serves as the Planning and Economic Development Board's confirmation that the completed work conforms to the approved site plan and any conditions and modifications thereto, including the construction of any required on and off-site improvements. The ***Certificate*** also serves to release any security/performance guarantee that has been provided to the Town of Medway. To secure a ***Certificate*** of Site Plan Completion, the applicant shall:
 - a) provide the Planning and Economic Development Board with written certification from a Professional Engineer registered in the Commonwealth of Massachusetts that all building and site work has been completed in strict compliance with the approved and endorsed site plan, and any modifications thereto; and
 - b) submit an electronic version of an As-Built Plan, prepared by a registered Professional Land Surveyor or Engineer registered in the Commonwealth of Massachusetts, to the Planning and Economic Development Board for its review and approval. The As-Built Plan shall show actual as-built locations and conditions of all buildings and site work shown on the original site plan and any modifications thereto. The final As-Built Plan shall also be provided to the Town in CAD/GIS file format per MASS GIS specifications.

K. ***Construction Standards*** - All construction shall be completed in full compliance with all applicable local, state and federal laws, including but not limited to the

Americans with Disabilities Act and the regulations of the Massachusetts Architectural Access Board for handicap accessibility.

- L. **Conflicts** – If there is a conflict between the site plan and the Decision's Conditions of Approval, the Decision shall rule. If there is a conflict between this Decision and/or site plan and the Medway Zoning Bylaw, the Bylaw shall apply.

IX. APPEAL – Appeals if any, from this Decision shall be made to the court within twenty (20) days of the date the Decision is filed with the Town Clerk.

After the appeal period has expired, the applicant must obtain a certified notice from the Town Clerk that no appeals have been made and provide such certification to the Planning and Economic Development Board before plan endorsement.

###

Medway Planning and Economic Development Board
SITE PLAN DECISION
Milway Auto, 50 Alder Street

APPROVED with Waivers and Conditions by the Medway Planning & Economic Development Board: May 8, 2018

AYE:

NAY:

ATTEST:

Susan E. Affleck-Childs
Planning & Economic Development Coordinator

Date

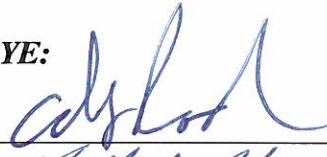
COPIES TO: Michael Boynton, Town Administrator
David D'Amico, DPS Director
Bridget Graziano, Conservation Agent
Donna Greenwood, Assessor
Beth Hallal, Health Agent
Jeff Lynch, Fire Chief
Jack Mee, Inspector of Buildings and Zoning Enforcement Officer
Joanne Russo, Treasurer/Collector
Barbara Saint Andre, Director of Community and Economic Development
Jeff Watson, Police Department Safety Officer
Phil Anza, Alder Street Realty LLC
Paul Seaberg, Grady Consulting Inc.
Steven Bouley, Tetra Tech
Gino Carlucci, PGC Associates

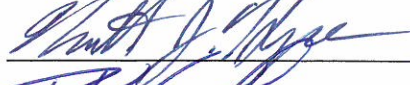
Medway Planning and Economic Development Board
SITE PLAN DECISION
Milway Auto, 50 Alder Street


APPROVED with Waivers and Conditions by the Medway Planning & Economic Development Board: May 8, 2018


AYE:

NAY:

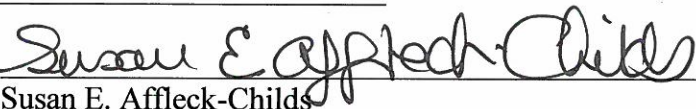








ATTEST:


Susan E. Affleck-Childs
Planning & Economic Development Coordinator

May 8, 2018
Date

COPIES TO: Michael Boynton, Town Administrator
David D'Amico, DPS Director
Bridget Graziano, Conservation Agent
Donna Greenwood, Assessor
Beth Hallal, Health Agent
Jeff Lynch, Fire Chief
Jack Mee, Inspector of Buildings and Zoning Enforcement Officer
Joanne Russo, Treasurer/Collector
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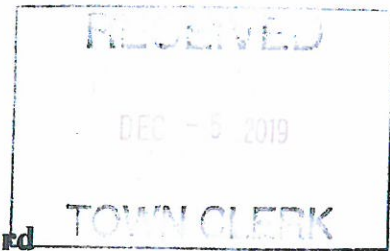
January 7, 2020

**Medway Planning & Economic Development Board
Meeting**

**Salmon Drainage Modification
Plan Endorsement**

- Salmon drainage modification decision dated December 5, 2019
- Salmon drainage modification plan for endorsement
- Certificate of No Appeal from Town Clerk, dated December 26, 2019

Please review enclosed documents and be prepared to endorse the plan sheets for the modified drainage.



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

Andy Rodenhiser, Chairman
Robert K. Tucker, Vice-Chairman
Thomas A. Gay, Clerk
Matthew J. Hayes, P.E.
Richard Di Iulio

December 5, 2019

MODIFICATION
ADULT RETIREMENT COMMUNITY PLANNED UNIT DEVELOPMENT (ARCPUD)
SPECIAL PERMIT PLAN
Continuing Care Management, LLC
The Willows at Medway and Whitney Place
259, 261, 261R and 263 Village Street

Name/Address/Applicant: Continuing Care Management, LLC
One Lyman Street
Westborough, MA 01581

Project Location: 259, 261, 261R and 263 Village Street

Assessor's Reference: Agricultural Residential II

Purpose: Amend the previously approved ARCPUD special permit plan

This is a decision of the Medway Planning and Economic Development Board (hereinafter "Board") to modify the previously approved and endorsed ARCPUD special permit plan dated June 12, 2015, last revised December 11, 2017, endorsed by the Board on December 12, 2017 and recorded at the Norfolk County Registry of Deeds on December 20, 2017, Book 665, Pages 1 – 68B.

BACKGROUND – The ARCPUD special permit decision approved by the Board on March 24, 2016 pertained to the construction of an age-restricted, active adult/senior residential living community on the site to be known as The Willows at Medway and Whitney Place. The approved development is to consist of 54 cottage style independent living homes located in 29 buildings, a main building to include 15 cottage style independent living homes, 40 memory care apartments, 60 assisted living apartments and 56 independent living apartments, a 3,522 sq. ft. community center pavilion, and a 11,475 sq. ft. medical office building.

Approved improvements include 5,498 linear feet of privately owned roadway (*Willow Pond Circle, Waterside Drive, Lilac Path, and Walnut Grove*); sewage and water service; stormwater management/drainage facilities; 37.4 acres of dedicated open space open to the public; paved sidewalks; walking trails/paths; and associated parking and landscaping. Site access and egress will be from Village Street, a Medway Scenic Road. The open space land is protected through a conservation restriction and easement granted to the Town of Medway, acting through the Conservation

Telephone: 508-533-3291 Fax: 508-321-4987
planningboard@townofmedway.org

Commission, for conservation and passive recreation purposes and to permit public access to the open space land, trails/pathways and parking area.

DESCRIPTION OF PROPOSED MODIFICATION – The proposed plan modifications were represented on the following plan sheets prepared by Coneco Engineers and Scientists of Bridgewater, MA and provided to the Board:

- Sheet 1 titled Campus Drainage dated 10-22-19
- Revised Sheet C24 dated 8-21-19
- Revised Sheet C25 dated 8-9-19
- Revised Sheet C26 dated 9-5-19
- Revised Sheet C27 dated 9-5-19
- Revised sheet C58 dated 11-18-19

These plan revisions reflect modifications to the installation of stormwater drainage facilities around the main campus building. The changes are needed to accommodate the structural fill that was brought in to provide necessary support for the building construction and placed below the nearby stormwater drainage infiltration facilities. The modification consists of rerouting roof runoff from the main building to alternative drainage facilities, resizing three infiltration trenches (trenches #16, #19 and #20) and removing two infiltration facilities (#17 & #18), and creating a hydraulic connection within the drainage facilities to ensure stormwater runoff is recharged to the underlying soils. The scope of the proposed changes required an amended Order of Conditions from the Medway Conservation Commission. That in turn triggered the need for a formal modification to the previously approved ARCPUD plan by the Board.

The proposed changes were reviewed by Tetra Tech, the Town's Consulting Engineer; a review letter and accompanying email was issued September 26, 2019. A follow-up email dated November 20, 2019 was also provided. Tetra Tech also advised the Conservation Commission on the proposed changes. The Commission held a public hearing on November 21, 2019 and voted to approve the proposed changes and amend the Order of Conditions. On November 25, 2019, an amended Order of Conditions was issued; it included conditions for additional inspections pursuant to the Long Term Stormwater Operations and Maintenance Plan.

PEDB REVIEW PROCESS

Application Received:	October 31, 2019
Public Hearing Notice Posted with Town Clerk:	November 12, 2019
Abutters Notified via Certified Sent Mail:	November 12, 2019
Legal Ad Published in the <i>Milford Daily News</i> :	November 12 and 18, 2019
Public Hearing:	November 26 and December 3, 2019

DECISION OF THE BOARD – The Medway Planning and Economic Development Board, at a duly posted meeting held on December 3, 2019, on a motion made by Robert Tucker and seconded by Richard Di Iulio, voted five in favor and none opposed to modify the previously approved and endorsed ARCPUD special permit plan for the stormwater drainage design for the 225 unit independent and assisted senior living community at 259, 261, 261R and 263 Village Street as described herein.

All documents associated with the previous decision and amendments are hereby acknowledged and made a part of the record for this modification.

The above noted plan sheets by Coneco Engineers and Scientists depicting the approved changes are attached to this decision.

CONDITIONS

1. The above noted plan sheets shall be revised to include a signature block for the Board's endorsement after this decision's 20 day appeal period has concluded. The Cover Sheet shall include a block to indicate the Town Clerk's certification of no appeal.
2. This decision with the noted plan sheets as endorsed shall be recorded at the Norfolk County Registry of Deeds and proof of such recording shall be provided to the Board.
3. The provisions of the Conservation Commission's November 25, 2019 Order of Conditions as such pertain to these changes shall also apply to this site plan modification.
4. All other conditions of approval of the ARCPUD special permit dated March 24, 2016 remain in force.

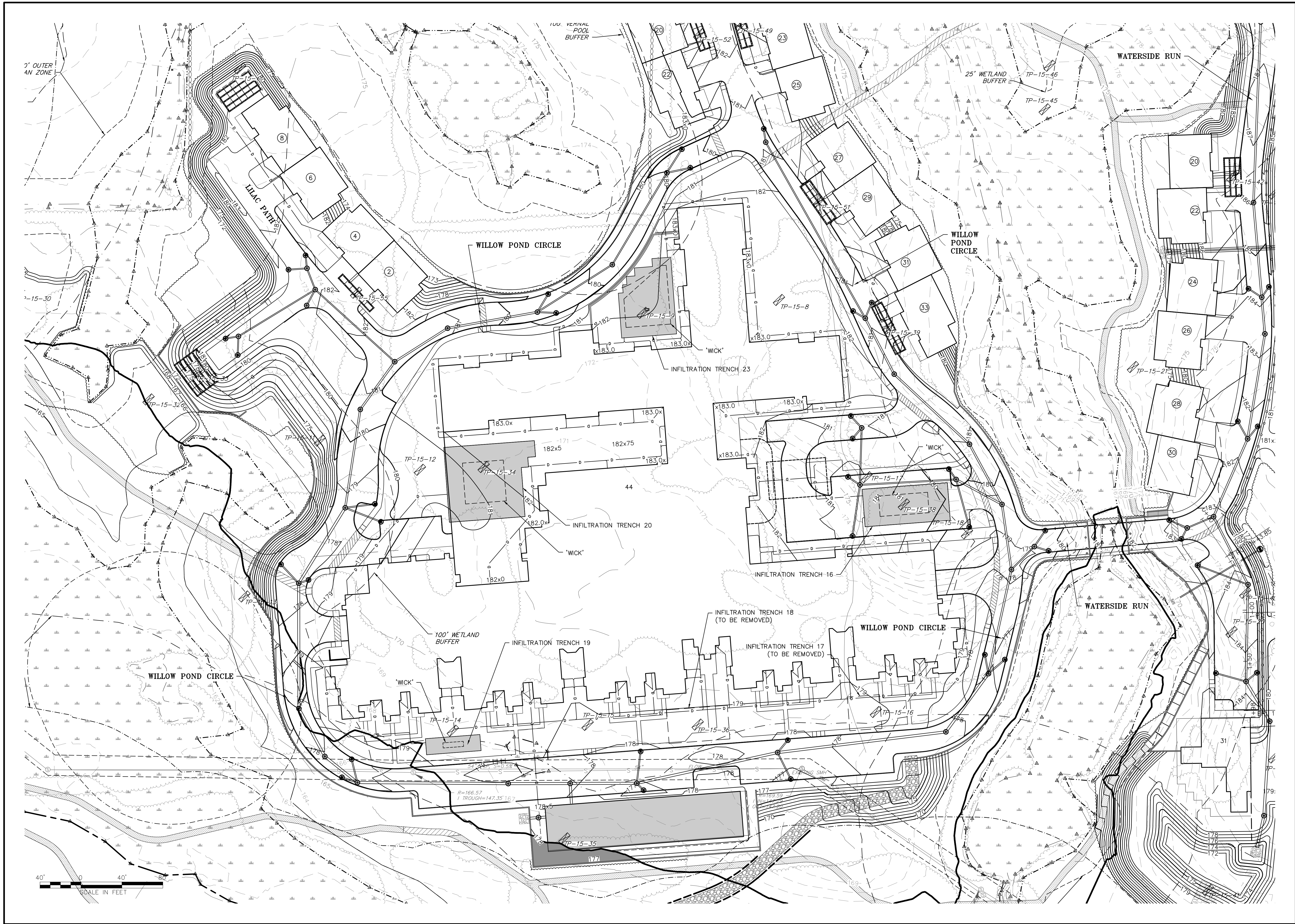
Attest:



Susan E. Affleck-Childs
Planning and Economic Development Coordinator

12-5-2019
Date

cc: Jack Mee, Building Inspector/Zoning Enforcement Officer
Jeff Robinson, Continuing Care Management, LLC
Jon Novak, Coneco Engineers and Scientists
Steve Bouley, Tetra Tech
Bridget Graziano, Conservation Agent



PROJECT:
SALMON HEALTH AND RETIREMENT
COMMUNITY
259, 261, 261R AND 263 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053

PREPARED FOR:
CONTINUING CARE MANAGEMENT, LLC
1 LYMAN STREET
WESTBOROUGH, MASSACHUSETTS 01581

DATE: 10/22/2019

DESIGNED: JEN

DRAFTED: DJD

SCALE: 1"=40'

PROJECT NO. 8548.0

SHEET NO.

DR/CK

DESCRIPTION

DATE

NO.

CONSTRUCTION
DOCUMENTS

CAMPUS DRAINAGE

CON E C O
Engineers & Scientists
4 FIRST STREET, BRIDGEWATER, MASSACHUSETTS 02324
PHONE 508-697-3191 OR 800-548-3355 FAX 508-697-5996
WEBSITE: www.coneco.com

1

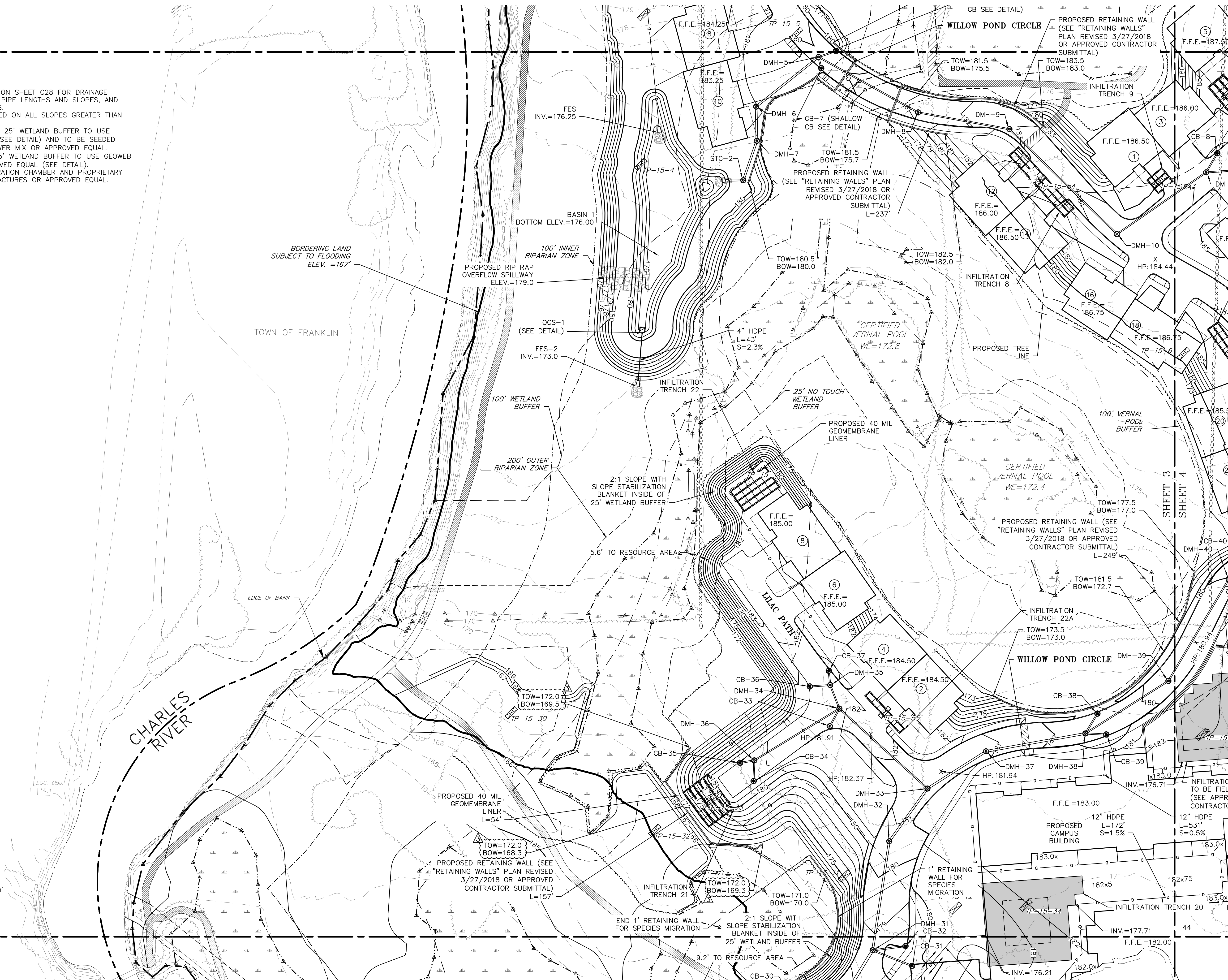
SHEET 1
SHEET 3

NOTES:

1. REFER TO DRAINAGE SCHEDULE ON SHEET C28 FOR DRAINAGE STRUCTURE RIMS AND INVERTS, PIPE LENGTHS AND SLOPES, AND INFILTRATION SYSTEM ELEVATIONS.
2. SLOPE STABILIZATION TO BE USED ON ALL SLOPES GREATER THAN 3:1.
3. ALL 2:1 SLOPES INSIDE OF THE 25' WETLAND BUFFER TO USE SLOPE STABILIZATION BLANKET (SEE DETAIL) AND TO BE SEEDED WITH A CONSERVATION/WILDFLOWER MIX OR APPROVED EQUAL.
4. ALL 2:1 SLOPES OUTSIDE OF 25' WETLAND BUFFER TO USE GEOWEB SLOPE STABILIZATION OR APPROVED EQUAL (SEE DETAIL).
5. CONTRACTOR TO INSTALL INFILTRATION CHAMBER AND PROPRIETARY SEPARATOR PER SHOWN MANUFACTURES OR APPROVED EQUAL.



SHEET 3
SHEET 5



NO.	DATE	DESCRIPTION	DR/CK	MSD/EN	MSD/EN	JEN/EN
1	04/29/19	CONSTRUCTION MODIFICATIONS				
2	06/09/19	CONSTRUCTION MODIFICATIONS				
3	08/21/19	RETAINING WALL HEIGHT MODIFICATION				

PREPARED FOR:
CONTINUING CARE MANAGEMENT, LLC
1 LYMAN STREET
WESTBOROUGH, MASSACHUSETTS 01581

DRAWING:
GRADING & DRAINAGE
SHEET 3 OF 6

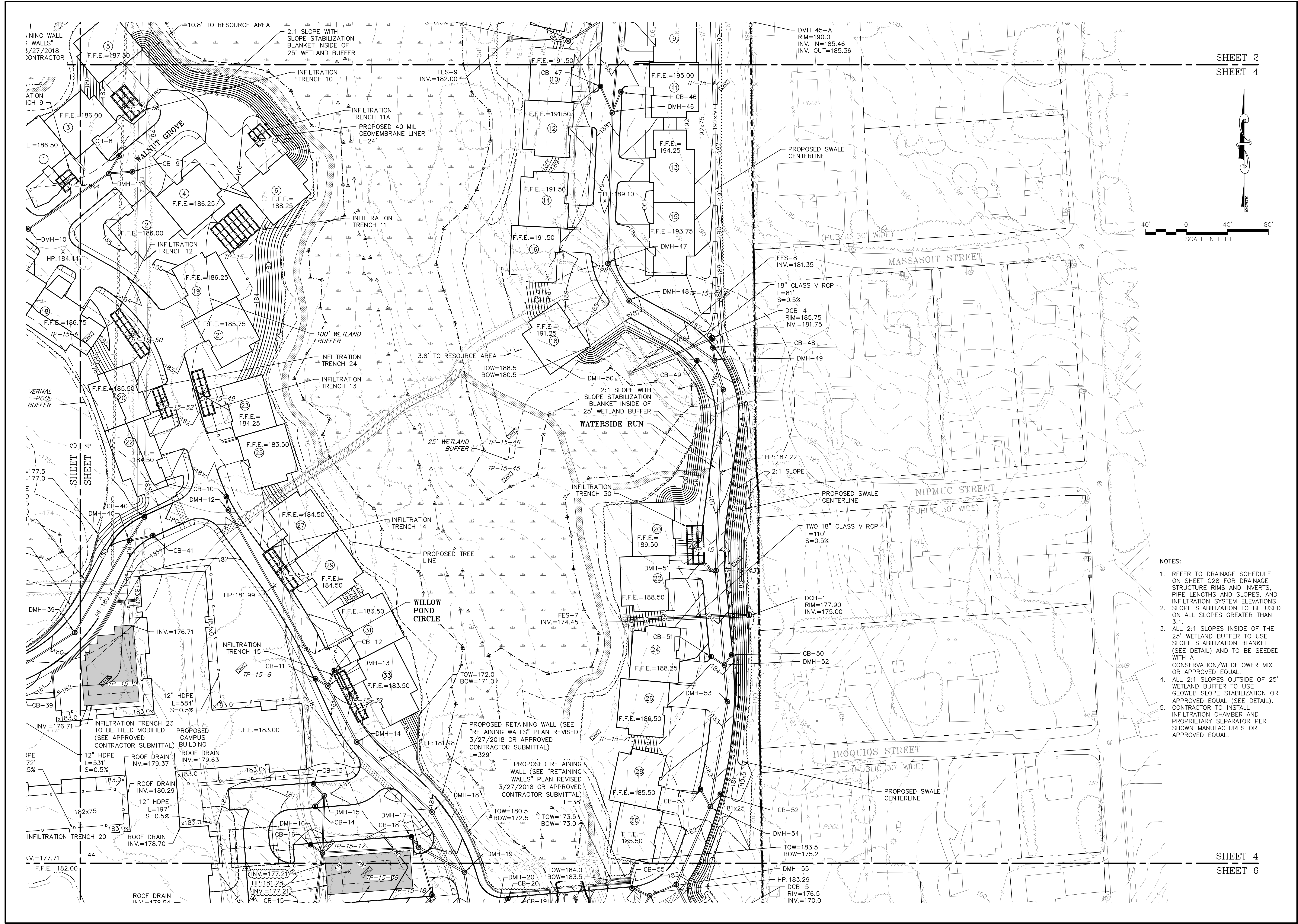
PROJECT:
SALMON HEALTH AND RETIREMENT
COMMUNITY
259, 261, 261R AND 263 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053

CONSTRUCTION
DOCUMENTS

CONECO
Engineers & Scientists

4 FIRST STREET, BRIDGEWATER, MASSACHUSETTS 02324
PHONE: 508-697-3191 OR 800-548-3355 FAX: 508-697-5996
WEBSITE: www.coneco.com

DATE	6/18/2018
DESIGNED: JEN	CHECKED: TLD
DRAFTED: DJD	IN CHARGE: SMO
SCALE:	1"=40'
PROJECT NO.	8548.0
SHEET NO.	C24



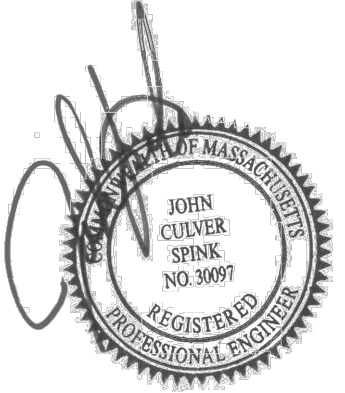
SHEET 2
SHEET 4



NOTES:

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SHEET 4
SHEET 6



REVISIONS	
NO.	DESCRIPTION
1	04/29/19
2	06/09/19

DATE: 04/29/19
DRAWN: 06/09/19

PROJECT: SALMON HEALTH AND RETIREMENT COMMUNITY
259, 261, 261R AND 263 VILLAGE STREET
WESTBOROUGH, MASSACHUSETTS 02053

PREPARED FOR: CONTINUING CARE MANAGEMENT, LLC
1 LYMAN STREET
WESTBOROUGH, MASSACHUSETTS 01581

PLAN SET: CONSTRUCTION DOCUMENTS

GRADING & DRAINAGE
SHEET 4 OF 6

DATE: 6/18/2018

DESIGNED: JEN
DRAFTED: DJD
SCALE: 1"=40'

CHECKED: TLD
IN CHARGE: SMO
PROJECT NO.: 8548.0

SHEET NO.

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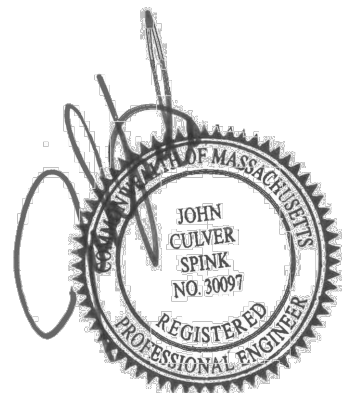
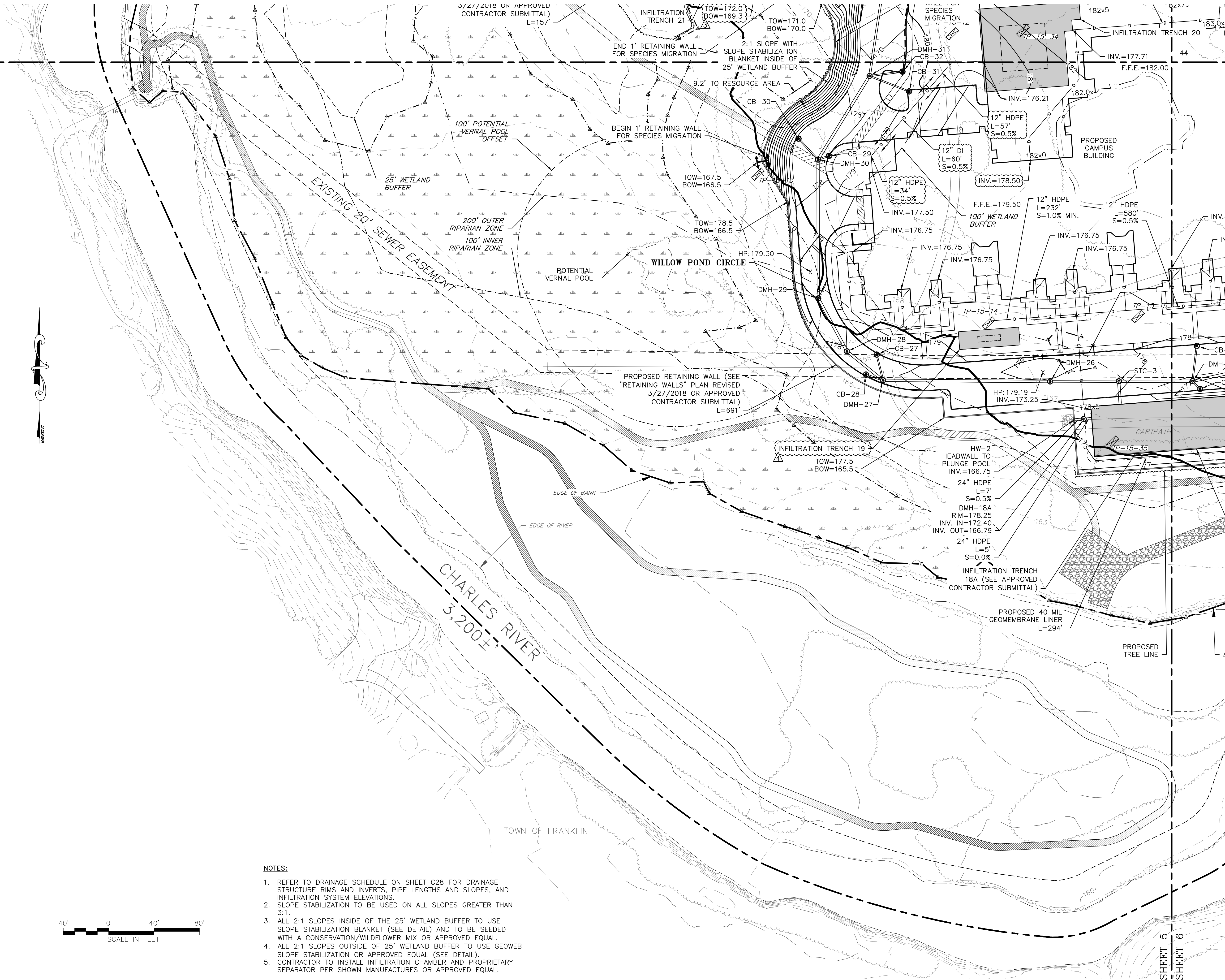
C25

SHEET 3
SHEET 5



NOTES:

1. REFER TO DRAINAGE SCHEDULE ON SHEET C28 FOR DRAINAGE STRUCTURE RIMS AND INVERTS, PIPE LENGTHS AND SLOPES, AND INFILTRATION SYSTEM ELEVATIONS.
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REVISIONS		DR/CK	DESCRIPTION	MSD/JEN	MSD/JEN	JEN/JEN
NO.	DATE					
1	04/29/19		CONSTRUCTION MODIFICATIONS			
2	06/09/19		CONSTRUCTION MODIFICATIONS			
4	09/06/19		BULLETIN 4			

PREPARED FOR:
CONTINUING CARE MANAGEMENT, LLC
1 LYMAN STREET
WESTBOROUGH, MASSACHUSETTS 01581

DRAWING:
GRADING & DRAINAGE
SHEET 5 OF 6

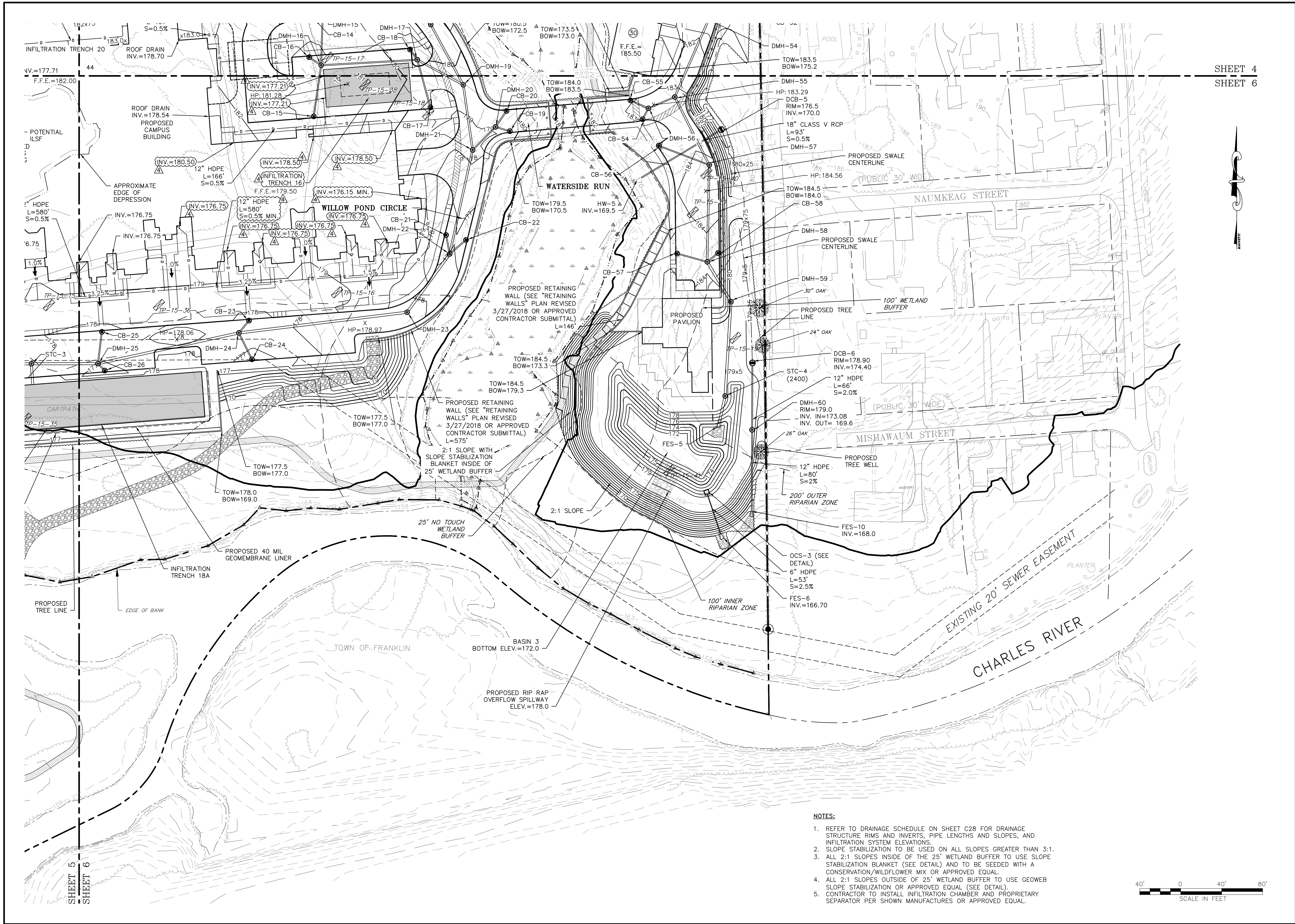
PROJECT:
SALMON HEALTH AND RETIREMENT
COMMUNITY
259, 261, 261R AND 263 VILLAGE STREET
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PLAN SET:
CONSTRUCTION
DOCUMENTS

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WEBSITE: www.coneco.com

DATE	6/18/2018
DESIGNED: JEN	CHECKED: TLD
DRAFTED: DJD	IN CHARGE: SMO
SCALE:	1"=40'
PROJECT NO.	8548.0
SHEET NO.	

C26



- NOTES:
1. REFER TO DRAINAGE SCHEDULE ON SHEET C28 FOR DRAINAGE STRUCTURE RIMS AND INVERTS, PIPE LENGTHS AND SLOPES, AND INFILTRATION SYSTEM ELEVATIONS.
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SHEET 4
SHEET 6

PROJECT: SALMON HEALTH AND RETIREMENT COMMUNITY
259, 261, 261R AND 263 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053

PREPARED FOR: CONTINUING CARE MANAGEMENT, LLC
1 LYMAN STREET
WESTBOROUGH, MASSACHUSETTS 01581

DATE: 6/18/2018

DESIGNED: JEN
CHECKED: TLD

DRAFTED: DJD
IN CHARGE: SMO

SCALE: 1"=40'

PROJECT NO. 8548.0

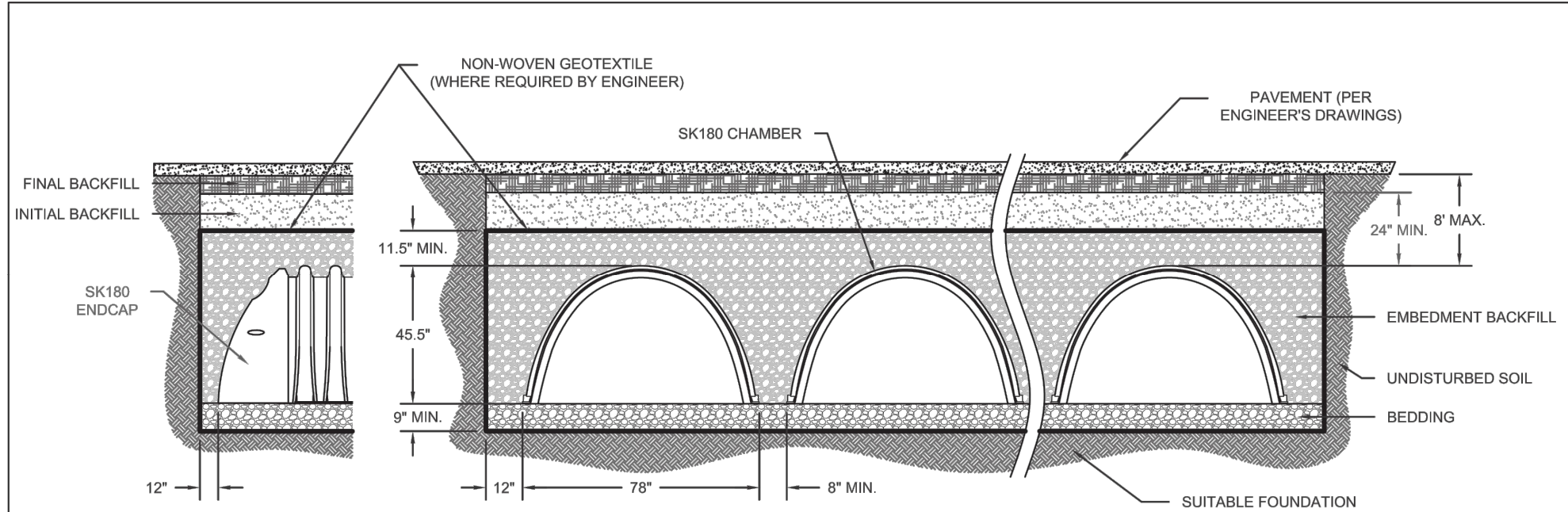
SHEET NO. C27

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PHONE 508-697-3191 OR 800-548-3355 FAX 508-697-5996
WEBSITE: www.conneco.com

GRADING & DRAINAGE
SHEET 6 OF 6

CONSTRUCTION DOCUMENTS

NO.	DATE	DESCRIPTION	DR/CK
1	04/29/19	CONSTRUCTION MODIFICATIONS	MSD/JEN
2	06/09/19	CONSTRUCTION MODIFICATIONS	MSD/JEN
4	09/06/19	BULLETIN 4	JEN/JEN



- NOTES:
- CHAMBER SYSTEMS SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S LATEST INSTALLATION GUIDELINES.
 - FOUNDATION: TRENCH BOTTOMS WITH UNSTABLE OR UNYIELDING MATERIAL SHALL BE EXCAVATED TO A DEPTH DIRECTED BY THE ENGINEER AND REPLACED WITH SUITABLE MATERIAL. FOR UNSTABLE MATERIALS, GEOTEXTILE MAY BE USED TO STABILIZE THE TRENCH BOTTOM. IF DIRECTED BY THE ENGINEER, THE DESIGN ENGINEER IS RESPONSIBLE FOR VERIFYING FOUNDATION SUITABILITY.
 - GEOTEXTILE: A 6oz NON-WOVEN GEOTEXTILE FILTER FABRIC SHOULD BE USED TO PREVENT NATIVE SOIL FROM MIGRATING INTO THE INITIAL BACKFILL MATERIAL.
 - BEDDING: SUITABLE MATERIAL SHALL BE A 3/4" - 2" INCH, CLEAN, CRUSHED ANGULAR STONE, OR AASHTO M43 SIZES (3, 357, 4, 467, 5, 56, 57) WITH CLEAN, CRUSHED, ANGULAR STONE ADDED TO THE GRADATION, e.g., CLEAN, CRUSHED, ANGULAR #3 (AASHTO M43) STONE. MINIMUM BEDDING THICKNESS SHALL BE 9 INCHES. COMPACTION SHOULD BE DONE IN LIFTS OF NO MORE THAN 9 INCHES TO A DENSITY OF 95% STANDARD PROCTOR DENSITY.
 - EMBEDMENT BACKFILL: SUITABLE MATERIAL SHALL BE A 3/4" - 2" INCH, CLEAN, CRUSHED ANGULAR STONE, OR AASHTO M43 SIZES (3, 357, 4, 467, 5, 56, 57) WITH CLEAN, CRUSHED, ANGULAR STONE ADDED TO THE GRADATION, e.g., CLEAN, CRUSHED, ANGULAR #3 (AASHTO M43) STONE. MINIMUM BEDDING THICKNESS SHALL BE 9 INCHES. EMBEDMENT BACKFILL SHALL EXTEND FROM TOP OF BEDDING TO NOT LESS THAN 11 1/2" INCHES ABOVE THE TOP OF THE CHAMBER. NO COMPACTION IS REQUIRED BUT AN EFFORT SHOULD BE MADE TO HAND KNIFE STONE INTO ALL CORRUGATIONS.
 - INITIAL BACKFILL: SUITABLE MATERIAL SHALL BE A GRANULAR, WELL GRADED SOIL WITH LESS THAN 35% FINES OR AASHTO M43 SIZES (3, 357, 4, 467, 5, 56, 57, 6, 67, 68, 7, 78, 8, 89, 9, 10) WITH CLEAN, CRUSHED, ANGULAR STONE ADDED TO THE GRADATION. INITIAL BACKFILL SHALL EXTEND FROM TOP OF EMBEDMENT BACKFILL TO NOT LESS THAN 24 INCHES ABOVE THE TOP OF THE CHAMBER. COMPACTION SHOULD BE BROUGHT TO A MINIMUM OF 95% STANDARD PROCTOR DENSITY.
 - FINAL BACKFILL: SUITABLE MATERIALS SHALL BE ANY SOIL DIRECTED BY THE ENGINEER. FINAL BACKFILL SHALL EXTEND FROM TOP OF INITIAL BACKFILL TO NO MORE THAN 8 FEET ABOVE THE TOP OF THE CHAMBER. COMPACTION LEVELS SHOULD FOLLOW ENGINEERS RECOMMENDATIONS.
 - MINIMUM COVER: FOR UP TO H-25 TRAFFIC APPLICATIONS A MINIMUM COVER OF 24 INCHES IS REQUIRED, MEASURED FROM THE TOP OF THE CHAMBER TO THE BOTTOM OF THE FLEXIBLE PAVEMENT. ADDITIONAL COVER MAY BE REQUIRED FOR CONSTRUCTION LOADS OR WHERE RUTTING MAY TAKE PLACE.
 - MAXIMUM COVER: A COVER HEIGHT OF OVER 8 FEET IS NOT RECOMMENDED. COVER HEIGHT IS MEASURED FROM THE TOP OF THE CHAMBER TO THE TOP OF THE PAVEMENT.

THIS DETAIL DEPICTS RECOMMENDED INSTALLATION PRACTICES AND IS NOT INTENDED TO SUPERSEDE ANY NATIONAL, STATE OR LOCAL SPECIFICATIONS. LANE ENTERPRISES, INC. BEARS NO RESPONSIBILITY FOR ANY ALTERATIONS, REVISION AND/OR DEVIATION FROM THIS STANDARD DETAIL. LANE ENTERPRISES, INC. HAS NOT PERFORMED ANY ENGINEERING OR DESIGN SERVICE FOR THIS PROJECT. THE DESIGN ENGINEER SHALL REVIEW THESE DETAILS PRIOR TO CONSTRUCTION TO VERIFY SUITABILITY.



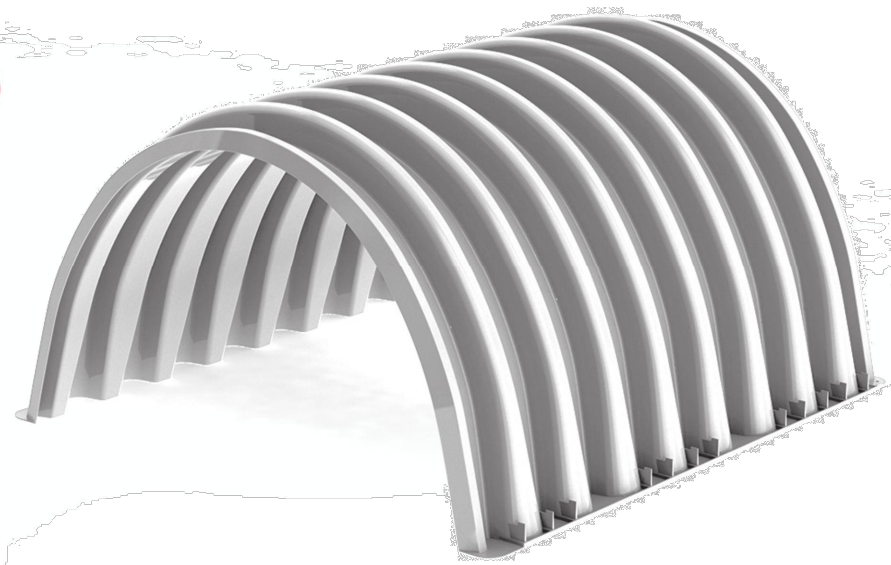
TYPICAL CROSS SECTION
SK180 CHAMBER

DRAWN BY	JAL
DATE	12/17/2014
SCALE	NTS
SHEET	1 of 1



StormKeeper SK180

The StormKeeper SK180 is the highest quality and structurally sound stormwater chamber available on the market. The StormKeeper family of chambers are designed utilizing the most sophisticated and comprehensive techniques to meet the stringent AASHTO LRFD and ASTM requirements. Intended for use under traffic and nontraffic areas, StormKeeper provides a truly cost-effective and structurally superior system to provide underground stormwater storage, saving valuable land and protecting the environment.



StormKeeper SK180

Nominal Dimensions

Size (L x W x H)	88.7" x 77.8" x 45.5"
Chamber Storage	113.6 cf
Min. Installed Storage	180.0 cf
Weight	127 lbs

StormKeeper SK180 End Caps

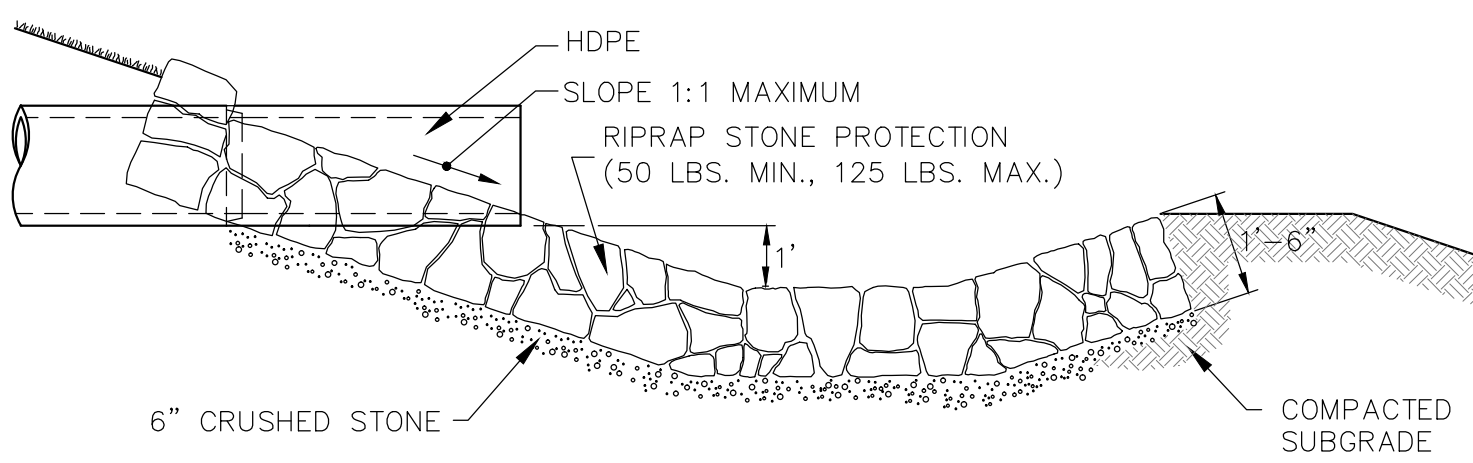
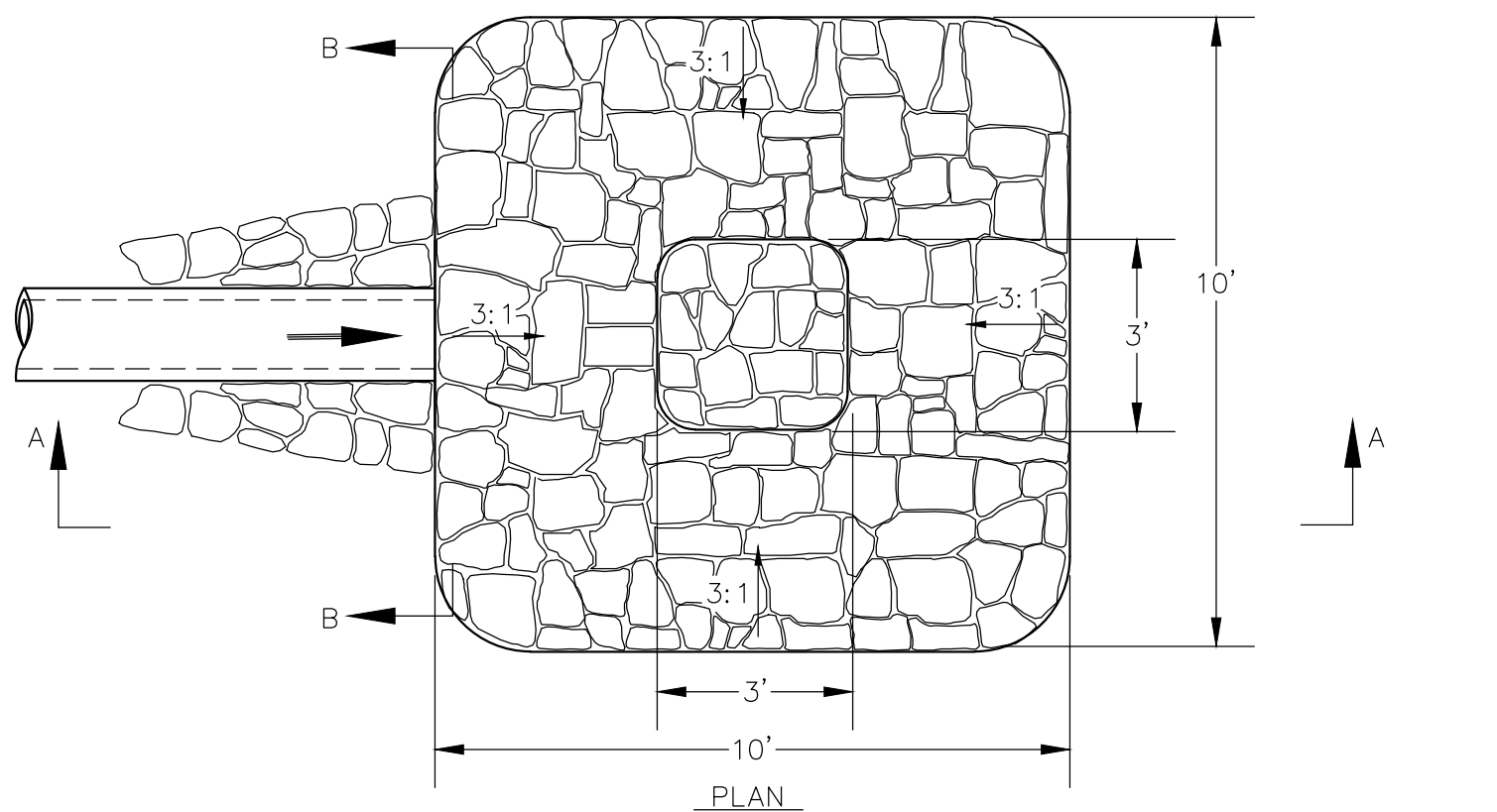
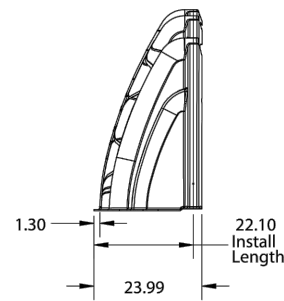
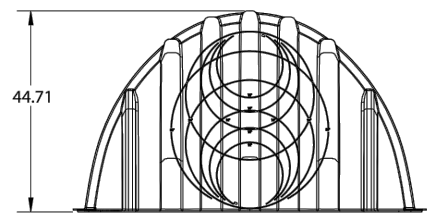
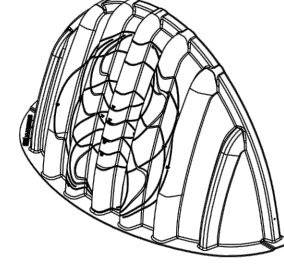
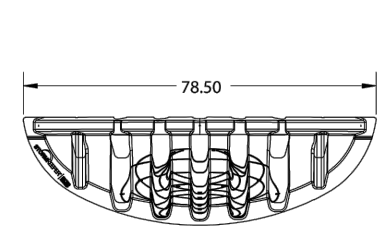
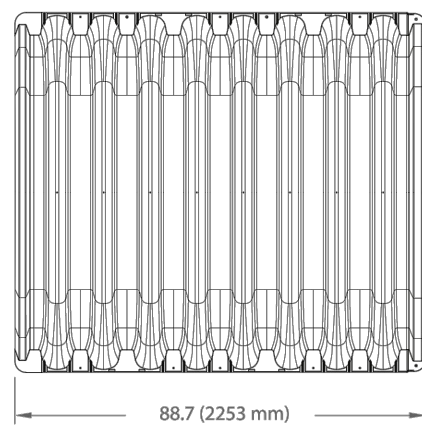
Nominal Dimensions

Size (L x W x H)	23.99" x 78.5" x 44.71"
End Cap Storage	15.3 cf
Min. Installed Storage	41.8 cf
Weight	52 lbs

Shipping

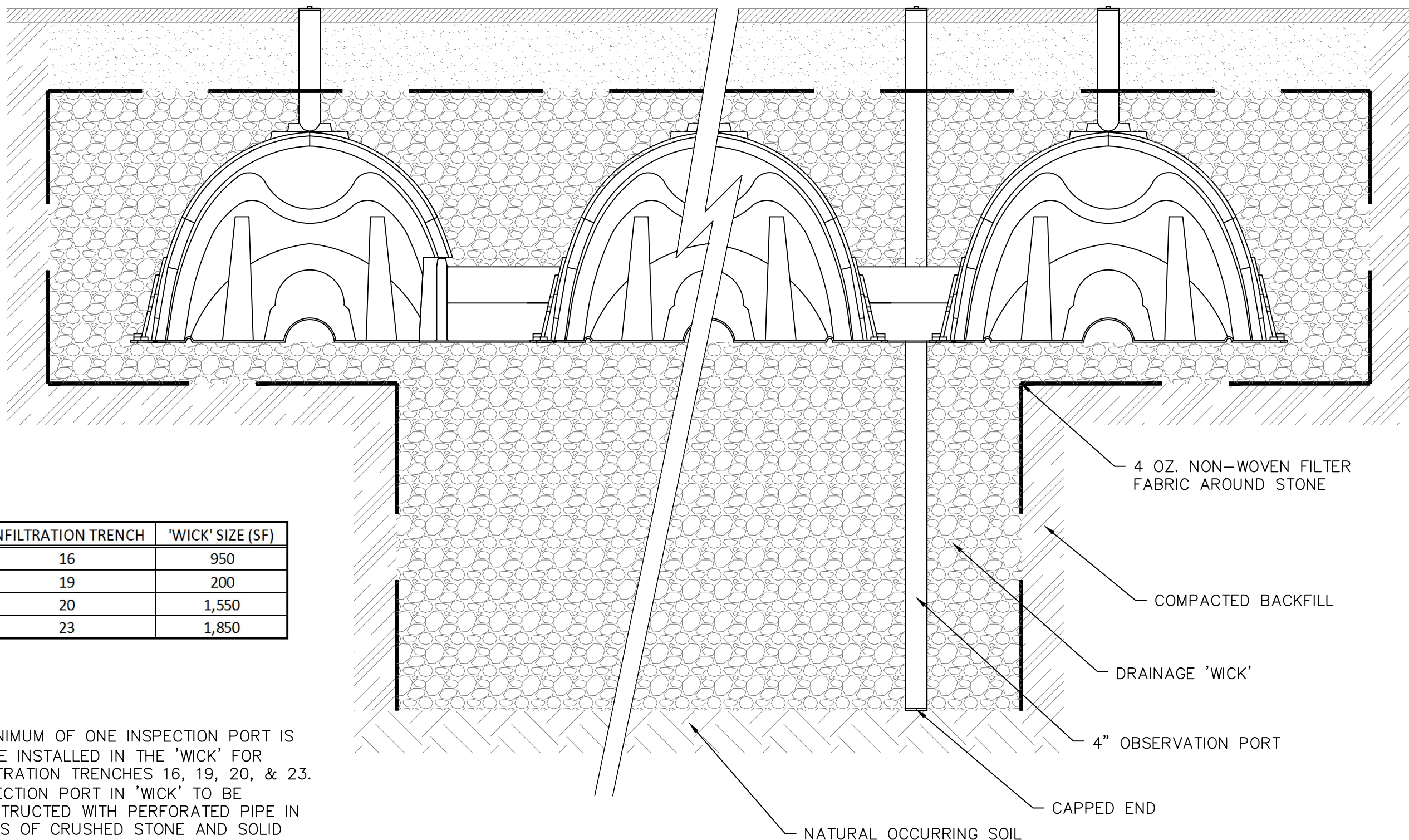
Nominal Dimensions

- 17 chambers per pallet
- 12 end caps per pallet
- 8 pallets per truck



NOTE: ACTUAL CONFIGURATION MAY VARY - SEE PLAN VIEW

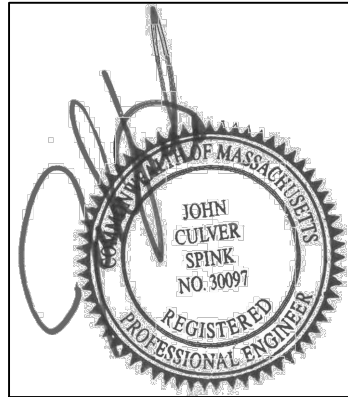
PLUNGE POOL DETAIL
N.T.S.



INFILTRATION TRENCH	'WICK' SIZE (SF)
16	950
19	200
20	1,550
23	1,850

- NOTES:
- A MINIMUM OF ONE INSPECTION PORT IS TO BE INSTALLED IN THE 'WICK' FOR INFILTRATION TRENCHES 16, 19, 20, & 23.
 - INSPECTION PORT IN 'WICK' TO BE CONSTRUCTED WITH PERFORATED PIPE IN AREAS OF CRUSHED STONE AND SOLID PIPE IN ALL OTHER AREAS.

INFILTRATION TRENCH 'WICK'
N.T.S.



NO.	DATE	REVISIONS			
		DESCRIPTION	DR/CK	MSD/JEN	
1	04/28/19	CONSTRUCTION MODIFICATIONS			
2	08/09/19	CONSTRUCTION MODIFICATIONS			
4	09/05/19	BULLETIN 4			
5	11/18/19	MODIFIED DETAILS			

PREPARED FOR:
CONTINUING CARE MANAGEMENT, LLC
1 LYMAN STREET
WESTBOROUGH, MASSACHUSETTS 01581

DRAWING:
CONSTRUCTION DETAILS
SHEET 8 OF 12

PROJECT:
SALMON HEALTH AND RETIREMENT
COMMUNITY
259, 261, 261R AND 263 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053

PLAN SET:
CONSTRUCTION
DOCUMENTS

CONECO
Engineers & Scientists

4 FIRST STREET, BRIDGEWATER, MASSACHUSETTS 03324
PHONE 508-697-1911 OR 800-548-3155 FAX 508-697-5996
WEBSITE: www.coneco.com

DATE: 6/11/2018
DESIGNED: JEN CHECKED: TLD
DRAFTED: DJD IN CHARGE: SMO
SCALE: N.T.S.
PROJECT NO. 8548.0
SHEET NO.

C58

MEDWAY TOWN CLERK

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-3204 • FAX: (508) 533-3287
mwhite@townofmedway.org

MARYJANE WHITE, CMMC

CERTIFIED MASSACHUSETTS MUNICIPAL CLERK

JUSTICE OF THE PEACE

NOTARY PUBLIC

CERTIFICATE

I, Maryjane White, Town Clerk of the Town of Medway, hereby certify that the notice of the special permit decision of the Medway Planning and Economic Development Board, has been received in the matter of

It was received and filed in this office on the following:

December 5, 2019

*The Willows at Medway and Whitney Place
259, 261, 261R and 263 Village St.
Medway, MA*

And no appeal was received during the next twenty days after such receipt and recording of said decision.

Dated at Medway, MA December 26, 2019

A true copy

ATTEST.....

Maryjane White
.....
Town Clerk



January 7, 2020
Medway Planning & Economic Development Board
Meeting

Zoning Discussion/Workshop

- Updated master list of zoning and general bylaw amendment ideas
- Site Plan section of ZBL – You wanted to review and discuss the various levels of site plan review (major, minor and administrative) and what activities trigger each.
- Multi-Family section of ZBL – Discussion about possible changes to this section. How is it going? What is needed?
- Table 1 – Schedule of Uses – Review for discussion about uses in the Central Business zoning district. The BOS has requested that you review this. Selectman Glenn Trindade has been invited to attend.

DRAFT Amendments

- Housekeeping article – miscellaneous minor items
- Minor revisions to Adaptive Use Overlay District
- Minor revisions to Use Table for certain uses in the Oak Grove Districts
- Incidental Accessory Objects
- General Bylaw Amendments

Ideas for Zoning & General Bylaw Work - UPDATED 1/6/2020

		Comments/Notes	PRIORITY	Assigned to?
	ZONING BYLAW IDEAS			
	DEFINITIONS - Section 2			
1	Kennel - Differentiate between animals as pets and/or home based business vs. a full commercial operation	Further discussion needed with Animal Control Officer and Board of Health. ZBA mentioned this as something of interest to them.		
2	Restaurant - Establish different definitions for different types of restaurants. Distinguish between "fast food" and others; then amend Use Table to allow non fast-food in industrial zones.	Suggested by Barbara.		
	ADMINISTRATION - Section 3			
	SITE PLAN REVIEW - Section 3.5			
3	Refine triggering activities for major, minor and administrative site plan review	PEDB continues to want to discuss this.		
4	Remove municipal projects from requirement for site plan review	Requested by Barbara.		
5	Refine language about requirements for sidewalks on the frontage of a project site to also include repairs to existing sidewalks	Suggested by Susy.		

		Comments/Notes	PRIORITY	Assigned to?
	POSSIBLE NEW SECTIONS			
6	Establish a new sub-section for a Certificate of Zoning Compliance	Discuss pros/cons of this with PEDB and Jack Mee. Gino has done some work on this. What is the process for reviewing building permit applications for zoning compliance? How do we know if a lot is exceeding the maximum lot coverage or impervious coverage standards? How about change of uses? Jack and Erika will research.		
7	Add a new sub-section to reference Design Review Guidelines			
	ESTABLISHMENT OF DISTRICTS - Section 4			
7	ZONING DISTRICT BOUNDARIES - Section 4.4	Are streets zoned? Question raised by Fran Hutton Lee. Discuss with Fran.		
	USE REGULATIONS - Section 5			
	SCHEDULE OF USES - Section 5.4 (Table 1)			
8	Determine where any newly defined use terms would be allowed by right, by special permit, or prohibited.			
9	Consolidate business and industrial marijuana uses into its own section of the Use Table			
10	Review all uses in the Central Business District	Requested by BOS.		
11	Separate hotel and motel uses	Suggested by Barbara.		

		Comments/Notes	PRIORITY	Assigned to?
	ADAPTIVE USE OVERLAY DISTRICT (AUOD) - Section 5.6.2			
12	What do we mean by residential scale lighting??	Height limitations, style, no risers.		
13	Clean up allowable and prohibited uses to correspond to terms in Definitions; change reference from Town way to Town street	Recommended by Barbara.		
14	Revise to provide that existing commercially used properties within the AUOD district could have the allowed ARCPUD commercial uses by right with adm. site plan review. This is in lieu of requiring a developer to go through a full special permit process. This change would apply only to properties within the AUOD districts which presently have business operations, most likely on a pre-existing, non-conforming basis.			
	MULTIFAMILY HOUSING - Section 5.6.4			
15	Revisit entire Section	Workshop Type Meeting to Discuss - Is this still needed? What changes would make for a better bylaw?		
16	Add requirement for sidewalks along property frontage			
17	Add option to allow for a multi-family housing special permit on properties that are not in the MFHOD but which meet certain size & locational criteria			
	DIMENSIONAL REGULATIONS - Section 6			

		Comments/Notes	PRIORITY	Assigned to?
	Section 6.1 Schedule of Dimension and Density Regulations - Table 2			
18	Review minimum lot frontage requirements for CBD, VC and NC zones	These districts have no minimum frontage. Consider a 50' minimum. Suggested by Barbara.		
	Section 6.2 General Provisions			
19	Revisit requirement included in recodified bylaw - "An owner shall provide a means of access for vehicles from the frontage to a principal building for emergency services, for deliveries and for off-street parking."	Do we want to continue to require that access to a parcel has to be from its legal frontage?? What about suitable access from a common driveway?		
	Section 6.3 Accessory Buildings or Structures			
20	Specify what accessory structures/buildings and incidental accessory objects (new term) can be included in the standard setback areas and what items cannot.	Items to be considered - fences, bus shelters, sheds, mailboxes, light posts, flagpoles, driveways, athletic courts, pools, etc. We have a list.		
21	Require that sheds and stored boats, trailers, swimming pools, etc. cannot be located within the front setback area of any lot	Suggested by Jack Mee. See Walpole bylaw. This could be easily done for May 2020		
22	Regulations to require paving for accessory structures in commercial districts, parking off-sets, screening, blending of color of accessory structures with main building; limitations on storage containers in residential zones	See Walpole bylaw.		
23	Specify minimum distance of edge of driveway to property line or a minimum distance between driveways			

[illegible]

		Comments/Notes	PRIORITY	Assigned to?
31	SIGN REGULATIONS - Section 7.2	Simplify, streamline, make more user friendly, eliminate duplication. Look at window signs, temporary signs, signs required by state law - Lottery, Auto Inspection, etc. Adjust amount of allowed sign surface area for wall signs to correspond to distance from street. Add text re: removal of old, pre-existing nonconforming signs before new sign permits are issued for replacement signs. Tom, Barbara and Susy are working on this now.		
	ENVIRONMENTAL STANDARDS - Section 7.3			
32	Remove/update many of the outdated environmental standards	\$15,000 funding article was approved by May Town Meeting. Weston & Sampson is the selected consultant. Contract to be approved by BOS on 1-6-2020. First mtg with consultant on 1-8-2020.		
32	Remove/update many of the outdated environmental standards	\$15,000 funding article was approved by May Town Meeting. Weston & Sampson is the selected consultant. Contract to be approved by BOS on 1-6-2020. First mtg with consultant on 1-8-2020.		
	SPECIAL REGULATIONS - Section 8			
33	REGISTERED MEDIAL MARIJUANA FACILITIES - Section 8.9	Revise to reflect change from DPH to Cannabis Control Commission. Review decision Findings/Criteria. What other changes may be needed?		

		Comments/Notes	PRIORITY	Assigned to?
34	ADULT USES - New Section 8.11	Change from by right to special permit???? If so, need to establish permitting criteria.		
	COMMON DRIVEWAYS - New Section 8.12			
35	Add regulations for Common Driveways. Allow by right or special permit? Anywhere!?!? NOTE - Common driveways are NOT private roadways. They provide access only, not frontage.	New sub-section to address criteria and basic standards for common driveways (length, width, stormwater, etc.) We already have a definition for common driveways and they have been used in ARCPUD and OSRD developments. OR . . Should this go in 7.1 Site Development Standards?		
36	BACK LOT ZONING - New Section 8.13	New sub-section to provide special permit option to allow a house to be built on an oversized parcel with insufficient frontage. Could include driveway construction. This option would remove need for a full subdivision process. We could also include provisions for stormwater management.		
37	MIXED USE - New Section 8.14	Move Section 5.4.1 Special Permits in Central Business to this part of the ZBL and revise.		

		Comments/Notes	PRIORITY	Assigned to?
37	TWO-FAMILY - New Section 8.15	Revisit definition of two-family/duplex. Establish criteria for special permits. Consider adding the Village Commercial District as a possible location. Are a 2 family and duplex the same thing? Do we want/need to distinguish between the two? Horizontal vs. vertical separation? Should there be some measure of the extent of connection between the two units?? Establish special regulations to address appearance, parking, open space, curb cuts, height, etc. Revisit requirement that a 2 family building has to have the appearance of a single family house.		
38	DRIVE-THRU FACILITIES - New Section 8.16	Establish special permit criteria for drive-thrus. See language provided by Ted Brovitz. NOTE - Drive-thrus are allowed only by special permit and only in the BI zone.		
39	ADULT USES - New Section 8.18	If decision is made to change this from by-right to special permit		
40	LAND CLEARING - New Section 8.19	Suggested by Jack. WE have a draft. Perhaps incorporate into Land Disturbance Bylaw amendments and Tree Preservation idea.		
NOTE - What other "Housekeeping" ZBL amendments are needed?				

		Comments/Notes	PRIORITY	Assigned to?
	NEW ZONING DISTRICTS			
A	Create a new Traditional Neighborhood Development overlay district for new construction that would allow for more dense, Smart Growth type neighborhood. Not the same level of density as required by a 40R district but denser than what we allow now.	This would be good for the Cassidy property behind Medway Commons. Look at Smart Growth report by Gino Carlucci from several years ago. Recommend waiting until the Town's sewer/capacity issues are resolved. Also need to talk with the Cassidy family to see about their long term ideas for their property.		
B	Create a Cottage Community special permit option	Medway is working with MAPC on this. PEDB has asked Gino to identify possible sites.		
C	Create an Early Suburban Zoning District with dimensional requirements to more closely match what exists on the ground.	This would be suitable for Brentwood and other smaller lot, early post WWII sub- divisions. Most of these areas are currently zoned ARII. Reduce minimum lot size, frontage and setbacks to better match what is actually on the ground.		
D	Create a new industrial zone for west side of West ST north of Route 126. Area is presently zoned ARII.	Need to discuss with EDC. Not to include ground mounted solar. Boundaries? Similar to Industrial I (East Medway Industrial Park or Business Industrial District for uses?) Allow for contractor's yards? Use Table and Zoning Map would also need to be revised.		
	ZONING MAP REVISIONS			
E	Expand boundaries of East Industrial zoning district	Get input from EDC on this. Expect neighborhood opposition.		
F	Establish another Village Commercial district on Main Street/Route 109 from Medway Mill west toward the Community Church			

		Comments/Notes	PRIORITY	Assigned to?
	GENERAL BY-LAW IDEAS			
I	Establish some stronger property maintenance regulations to address junk, dilapidation, blight, accumulated unregistered vehicles, collections of debris, etc.	Need input from Jack Mee. Property maintenance is an optional part of the Building Code but it pertains to structures, not sites. Is BOS interested in something like this? What do we presently have to address this? What is the statute that allows the BOH to act?? Staff recommends the PEDB discuss this with Jack Mee, Health Agent Beth Hallal, and the TA/BOS to gauge interest.		
II	Establish start and stop times for construction work	We have a draft. Needs work.		
III	Regulate the amount of and quality of fill being brought onto development sites.	Of interest to Bridget Graziano and Jack Mee. Bob Tucker says there are state laws that already address this. Difficult to enforce. Testing is expensive. We have a draft based on the Salisbury bylaw. Needs thorough discussion and vetting.		
IV	Revise general bylaw to decrease required fence height around pools to 4' to be consistent with state law.	Suggested by Jack Mee. Discussed with PEDB. Jack to take lead on this.		
V	Scenic Road bylaw	Take part of the <i>Scenic Road Rules & Regs</i> and turn into a bylaw. Broaden scope beyond the limited scope of the state statute.		
VI	Establish bylaw to promote universal accessibility and visitability of dwelling units	Suggested by Sue Rorke at 7/20/15 PEDB meeting. Something for a Disability Commission to consider.		
VII	Tree Preservation	This would be new. Suggested by Bridget Graziano. Conservation is working on this. Will need to coordinate with PEDB for site plan review.		
VIII	Stormwater Management/Land Disturbance	Revisit bylaw. Discuss splitting into two separate bylaws. Stormwater Team to work on this.		

		Comments/Notes	PRIORITY	Assigned to?
IX	Zoning Compliance	Require that issuance of certain Town permits such as business licenses and liquor licenses is dependent on property being in compliance with applicable zoning requirements, especially regarding use.		
X	Fees	Revise to provide a more aggressive fine schedule		
XI	Fix Bylaw on Parking of Commercial Vehicles in Residential Zones			
Updated 1-6-2020				

3.5 SITE PLAN REVIEW

3.5.1 Purposes

Site plan review is a means of managing the aesthetics and environmental impacts of land use by the regulation of permitted uses, not their prohibition. Its purpose is to:

- provide a standard process to review proposed development and redevelopment projects for compliance with the *Medway Zoning Bylaw* (Added 5-21-18)
- assure protection of the public interest consistent with a reasonable use of the site for the purposes permitted in the district; and
- promote and encourage desired community characteristics as expressed in the *Master Plan* and *Design Review Guidelines*

3.5.2 Requirements

- A. No building permit shall be issued for any use, site, or building alteration, or other improvement that is subject to this Section 3.5 unless an application for site plan review has been prepared in accordance with the requirements herein and unless such application has been approved by the Planning and Economic Development Board (hereinafter referred to in this Section as the Board) or its designee in the instance of administrative site plan review.
- B. Unless specifically authorized by the terms of the site plan review decision, a final certificate of occupancy shall not be issued until the project has been completed in accordance with the approved and endorsed plan and the applicant has complied with or satisfied all conditions of the site plan review decision. (Amended 5-21-18)
- C. Any work done in deviation from an approved site plan shall be a violation of this Bylaw unless such deviation is approved in writing by the Board or its designee or is determined by the Building Commissioner to be an insubstantial change.

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/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.

(Amended 5-21-18)

Minor Site Plan Review:

- b. 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)

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 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:

(Amended 5-13-19)

- 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 *(Amended 5-13-19)*
- v) roofing if the Building Commissioner determines the roof to be a distinctive architectural feature of the building
- c. The redesign, alteration, expansion or modification of an existing parking area involving the addition of up to nine new parking spaces *(Amended 5-13-19)*
- d. The creation of a new parking area involving the addition of up to nine new parking spaces *(Amended 5-13-19)*
- e. The redesign of the layout/configuration of an existing parking area of ten to nineteen parking spaces
- f. A change in curb cuts/vehicular access to a site from a public way
- g. Installation or alteration of sidewalks and other pedestrian access improvements
- h. Removal of trees greater than 18 inches in diameter at four feet above grade *(Amended 11-18-19)*
- i. Installation of fencing or retaining walls
- j. Outdoor placement of cargo containers, sheds, membrane structures, equipment and materials
- k. Removal/disturbance/alteration of 5,000 – 10,000 square feet of impervious surface
- l. The conversion of a residential use to a permitted non-residential or mixed-use
- m. Reduction in the number of parking spaces
- n. Installation of donation box

Amended 11-18-19)

4. 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.
- b. If both a special permit and major or minor site plan review are required, the Board shall review and conduct the public hearing concurrently and the Board may issue a single decision.

- c. The Building Commissioner shall not issue a building permit for any project subject to this Section 3.5 unless:
 - i. the Board has approved a site plan therefor or allowed ninety calendar days (in the instance of a major site plan project) to elapse from the site plan submission date unless the applicant has requested an extension in writing; or
 - ii. the Board has approved a site plan therefor or allowed sixty calendar days (in the instance of a minor site plan project) to elapse from the site plan submission date unless the applicant has requested an extension in writing; or
 - iii. Administrative site plan approval has been granted or twenty-one calendar days have elapsed from the site plan submission date unless the applicant has requested an extension in writing.
- d. Site plan projects may also be subject to other Town bylaws and/or permit requirements including but not limited to a Stormwater Management and Land Disturbance Permit, Scenic Road Work Permit, Order of Conditions, water and sewer connection permits, and a Street Opening/Roadway Access Permit. *(Added 5-13-19)*

B. Exemptions. The following shall be exempt from Site Plan Review under this Section 3.5:

- 1. Single-family and two-family homes, including additions or enlargements and accessory structures.
- 2. Residential subdivisions approved by the Board under the *Medway Subdivision Rules and Regulations*.
- 3. Projects in which the only exterior change that is visible from a public or private way, requiring a building permit, pertains to the removal of architectural barriers to comply with the Americans with Disabilities Act (ADA) or regulations of the Massachusetts Architectural Access Board (AAB).

3.5.4 Procedures for Site Plan Review

- A. Pre-Application Review – Before filing a site plan application, applicants for major site plan review shall and applicants for minor site review may schedule a pre-application meeting with the Town's interdepartmental project review team. Applicants may also request an informal, pre-application meeting with the Board to review conceptual plans.
- B. Applicants shall submit an application for major and minor site plan review to the Town Clerk and the Board.
- C. The site plan submission date shall be the date the site plan application is filed with the Town Clerk and the Board, unless the Board notifies the applicant within twenty-one days of submission that the application is incomplete. In such case, the site plan application will not be deemed to have been submitted.

- D. For Major Site Plan Review applications, the Board shall hold a public hearing on the proposed site plan. The public hearing shall conform to the requirements for public hearings and notice under G.L. c. 40A, § 11, and the Board's Site Plan Rules and Regulations. All costs of the public notice requirements shall be at the expense of the applicant.
- E. For Minor Site Plan Review applications, the Board shall review the site plan at a duly posted open meeting. Any public notice to abutters and other parties of interest shall be conducted in accordance with the Site Plan Rules and Regulations.
- F. The Building Commissioner shall review major and minor site plan applications and all associated submittals for compliance with the Zoning Bylaw and provide written communication to the Board, prior to the first public hearing date. The report shall identify any current zoning violations existing at the site which may be addressed through the site plan review process. *(Added 5-13-19)*
- G. The Board shall review and act upon applications for major and minor site plan review, requiring such conditions as necessary to satisfy the Site Plan Review Standards under Section 3.5.5 B. below, and notify the applicant of its decision. The decision shall be by majority vote of the membership, shall be made in writing and shall be filed with the Town Clerk within ninety days of the date of application for Major Site Plan Review, or sixty days of the application date for Minor Site Plan Review. The applicant may request, and the Board may grant by majority vote of the membership, an extension of the time limit set forth herein. *(Amended 5-13-19)*
- H. The Board may approve a major and minor site plan or approve it with conditions, limitations, safeguards and mitigation measures or deny a site plan only if the plan does not include adequate information as required by the Site Plan Rules and Regulations, or if the plan depicts a use or structure so contrary to health, safety and welfare of the public that no set of conditions would render the project tenable. *(Amended 5-13-19)*
- I. In its site plan decision, the Board may require reasonable mitigation measures to offset adverse impacts of the development on the community, including:
- a. Requirements for off-site improvements up to a maximum value of six percent of the total development cost of the proposed project to improve the capacity and safety of roads, intersections, bridges, pedestrian access, water, sewer, drainage, and other public facilities and infrastructure including traffic signals and controls, or municipal services, sufficient to service the development project. The total development cost shall mean the total of the cost or value of land and all development related improvements and shall be determined on the basis of standard building or construction costs published in the *Engineering News Record* or other source acceptable to the Board for the relevant type of structure(s) and use (s).
 - b. Donation and/or dedication of land for right-of-way to provide for roadway and/or intersection widening or improvements.
 - c. Unless the Board determines that adequate means of pedestrian travel is already provided to the site, sidewalks shall be provided along the entire frontage of the subject property along existing public ways, including the frontage of any lots held in common ownership with the parcel(s) within five years prior to the submission of the application for site plan

review and approval. In those instances where the Board determines that sidewalk construction is not feasible or practical, the Applicant will fund sidewalk construction elsewhere in the community. This may be accomplished either by constructing an equivalent length of sidewalk elsewhere in the community as authorized by the Department of Public Works or making a payment in lieu of sidewalk construction to the Town, or a combination of both.

(Added 5-13-19)

J. Procedures for Administrative Site Plan Review

- a. The Board may designate one person or an Administrative Site Plan Review Team which shall review and act on applications for administrative site plan review and may require conditions as necessary to satisfy the Administrative Site Plan Review Standards.
- b. Applications for Administrative Site Plan Review shall be provided to the Board.
- c. Consideration of activities subject to administrative site plan review may be advanced to minor or major site plan review status at the determination of the Building Commissioner, the Board, or the Administrative Site Plan Review Team when the collective scope and/or quantity of the proposed activities is substantial enough to merit review by the Board.
- d. If a proposed activity or use requires administrative site plan review and one or more special permits, the Planning and Economic Development Board shall serve as the permit granting authority for all.

(Added 11-18-19)

(Amended 5-13-19 and 11-18-19)

3.5.5 Site Plan Rules and Regulations

A. The Board shall promulgate, after public notice and hearing, *Site Plan Rules and Regulations* to effectuate the purposes and intent of this Section 3.5, including but not limited to the following requirements and procedures for:

1. submission and review of major and minor site plans
2. administrative review of small-scale projects by the Board's designee without a public hearing or meeting
3. waivers
4. conditions/limitations/safeguards and mitigation measures
5. performance security
6. construction inspection
7. standards of review consistent with Section 3.5.5 B. below
8. decision criteria
9. modification of approved site plans and/or decisions

B. The Board's *Site Plan Rules and Regulations* shall include standards for major, minor and administrative site plan review that will at a minimum address the following:

1. Siting of facilities
2. Design guidelines
3. Open space and natural features
4. Pedestrian, bicycle, and vehicular circulation
5. Water quality
6. Stormwater
7. Utilities, exterior lighting, parking, and snow removal
8. Trees and landscaping
9. Site Amenities
10. Town character and historic significance
11. Impacts on public services and facilities
12. Signage
13. Safety
14. Energy efficient site design
15. Potential adverse effects and mitigation thereof.

3.5.6 Appeal

- A. Any person aggrieved by the Board's major or minor site plan decision may appeal to the court within 20 days of the date the decision is filed with the Town Clerk, as provided in G.L. c. 40A, §17.
- B. Any person aggrieved by an administrative site plan decision may appeal to the Planning and Economic Development Board within twenty days of the date the decision is filed with the Town Clerk.

(Amended 5-13-19)

3.5.7 Lapse

Site plan approval shall lapse within two years, which shall not include such time required to pursue or await the determination of an appeal under G.L. c. 40A, § 17 or this bylaw, from the grant thereof, if a substantial use of the permit thereof has not sooner commenced except for good cause, or, in the case of a site plan approval for construction, if construction has not begun by such date except for good cause.

(Added 5-13-19)

(Section 3.5 was replaced in its entirety 5-9-16)

5.6.4 Multi-Family Housing

- A. **Purpose:** The purpose of this sub-section is to further the goals of the Medway Master Plan and the Medway Housing Production Plan to encourage the provision of a diversity of housing types, to promote pedestrian oriented development, to encourage the preservation of older and architecturally significant properties, and to increase the number of affordable housing units by establishing a special permit option to allow for the development of Multi-Family Buildings and Multi-Family Developments within the capacities of existing Town utilities and services.

(Amended 11-18-19)

B. Applicability:

1. The Planning and Economic Development Board shall be the special permit granting authority for Multi-Family Buildings, Apartment Buildings, and Multi-Family Developments. Multi-Family Buildings, Apartment Buildings, and Multi-Family Developments are allowed by special permit on tracts of land in the AR-I, AR-II, Village Residential, or Village Commercial zoning districts which have a minimum of fifty feet of frontage on an existing street located within the Multi-Family Housing Overlay District as shown on a map on file with the Medway Town Clerk. The tract of land may be one parcel or a set of contiguous parcels. The street that provides frontage shall, in the opinion of the Planning and Economic Development Board, have sufficient capacity to accommodate the projected additional traffic flow from the development.
2. Tracts of land within residential subdivisions approved and constructed under the Subdivision Control Law since September 29, 1952 or granted a special permit under the Medway Zoning Bylaw shall not be eligible for a special permit under this sub-section.
3. These provisions apply to the following:
 - a. The alteration, rehabilitation, conversion, or adaptive reuse of existing buildings
 - b. Construction of new buildings or additions to existing buildings.

(Amended 11-14-16, 11-19-18 and 11-18-19)

(Amended 11-19-18)

C. Dimensional Regulations:

1. The minimum dimensional requirements as specified in Table 2 shall be the same as for the underlying zoning district in which the parcel is located. However, the Planning and Economic Development Board may adjust these dimensional requirements by a four-fifths vote if, in its opinion, such adjustment will result in a more desirable design of the development or provide enhanced buffering for adjacent residential properties.
2. Legally pre-existing nonconforming buildings shall be eligible for a Multi-Family Housing special permit provided there is no increase in any dimensional nonconformity or the

(Amended 11-19-18)

creation of a new nonconformity, and the applicant can demonstrate compliance with the parking and open space requirements of this sub-section. *(Amended 11-19-18)*

3. Maximum building height: 40' except that the maximum building height for a property located within the Medway Village or Rabbit Hill Historic Districts shall not exceed 35'. *(Amended 11-19-18)*
4. The minimum lot size for an Apartment Building shall be one acre. *(Added 11-18-19)*

D. Density Regulations:

1. For lots of one acre or more:
 - a. The density of a Multi-Family Building or a Multi-Family Development without an Apartment Building shall not exceed 8 dwelling units per whole acre. For example, the maximum density of a 1.8 acre lot shall not exceed 8 dwelling units.
 - b. The density of an Apartment Building or a Multi-Family Development which includes an Apartment Building shall not exceed 12 dwelling units per whole acre.
2. For lots under one acre, the density of a Multi-Family Building and a Multi-Family Development shall not exceed its relative portion of an acre. For example, the maximum density of a .5 acre lot shall not exceed 4 dwelling units. *(Amended 11-19-18 and 11-18-19)*

E. Special Regulations:

1. Affordable Housing Requirement: Projects approved pursuant to this sub-section shall comply with the Town's Affordable Housing requirements as specified in Section 8.6 Affordable Housing. *(Amended 11-19-18)*
2. Open Space: There shall be an open space or yard area equal to at least fifteen percent of the parcel's total area. This area shall be unpaved and may be landscaped or left natural, with the balance being trees, shrubs and grass suitable for the site. This area shall not be built upon but may include a play area.
3. Parking: At least one and one-half off-street parking spaces shall be provided for each dwelling unit plus one additional visitor parking space for every two dwelling units.
4. There shall be Town water and sewer available in the street on which the Multi-Family Development or Multi-Family Development has its frontage and said water and sewer lines shall have sufficient capacity to accommodate the project. *(Amended 11-18-19)*
5. A Multi-Family Building or Apartment Building shall not contain more than twelve dwelling units per building. *(Amended 11-19-18 and 11-18-19)*
6. Any Multi-Family Development shall not exceed forty dwelling units.
7. Historic Properties - Any property proposed for a Multi-Family Building and/or Apartment Building and/or a Multi-Family 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 comply with the following additional requirements for a special permit pursuant to this sub-section.

- a. A preferably preserved historically significant building shall be not demolished unless:
 - 1) The Building Commissioner has determined that it is unused, uninhabited or abandoned, and open to the weather; or
 - 2) 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;
- b. 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;
- c. The project may include new construction which shall be designed to be consistent with the historic nature of the property, its primary building, and the surrounding neighborhood including buildings which characterize historic homes, carriage houses, barns, sheds, garages, agricultural buildings, other similar out buildings, and historic forms of house additions traditionally undertaken in the neighborhood.
- d. Any property proposed for a Multi-Family Building and/or a Multi-Family Development and/or an Apartment Building 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, shall not be eligible to apply for a Multi-Family Building or Multi-Family Development or Apartment Building special permit until at least three years after the date that the demolition of said building was completed.

(Item 7 added 11-19-18 and amended 11-18-19)

F. Rules and Regulations: The Planning and Economic Development Board shall adopt *Multi-Family Housing Rules and Regulations* which shall include application submittal requirements, public hearing and review procedures, and site development and design standards including but not limited to landscaping, buffering, lighting, building style, pedestrian access, off-street parking, utilities, and waste disposal. Such *Multi-Family Housing Rules and Regulations* shall be filed with the Town Clerk

(Amended 11-19-18)

G. Development Limitation: The maximum number of Multi-Family Building units authorized pursuant to this sub-section shall not exceed five percent of the number of detached single-family dwellings located in the Town of Medway, as determined by the Board of Assessors.

(Amended 11-18-19)

H. Special Permit Procedures:

1. The special permit application, public hearing, and decision procedures shall be in accordance with this sub-section, the Planning and Economic Development Board’s *Multi-Family Housing Rules and Regulations*, Section 3.4 Special Permits, and Section 3.5 Site Plan Review.
2. Application Requirements. The Applicant shall submit a Multi-Family Housing special permit application together with the size, form, number, and contents of the required plans

(Amended 11-19-18)

and any supplemental information as specified in the Planning and Economic Development Board's *Multi-Family Housing Rules and Regulations*. (Amended 11-19-18)

3. The special permit review of Multi-Family Building and Multi-Family Developments shall incorporate site plan review pursuant to Section 3.5 Site Plan Review.

(Amended 11-19-18 and 11-18-19)

- I. **Decision:** The Planning and Economic Development Board may grant a Multi-Family Housing special permit with any conditions, safeguards, and limitations necessary to mitigate the project's impact on the surrounding area and to ensure compliance with this sub-section, Section 3.4 Special Permits, and Section 3.5 Site Plan Review and Approval, upon finding that the Multi-Family Building or the Multi-Family Development will:

1. meet the purposes and requirements of this sub-section, and the Planning and Economic Development Board's *Multi-Family Housing Rules and Regulations* and *Site Plan Rules and Regulations*;
2. is consistent with the goals of the Medway Housing Production Plan; (Amended 11-19-18)
3. not have a detrimental impact on abutting properties and adjacent neighborhoods or such impacts are adequately mitigated;
4. provide for greater variety and type of housing stock;
5. be designed in a manner that is reflective of or compatible with the character of the surrounding neighborhood. (Item 5 added 11-19-18)

- J. **Effective Date:** The amendments to this sub-section 5.6.4 adopted on November 18, 2019 shall not apply to any application for a special permit pursuant to this sub-section which was submitted to and accepted as complete by the Planning and Economic Development Board prior to November 18, 2019, unless the applicant waives the protection of this sub-section 5.6.4.J in the same manner provided in the last paragraph of General Laws chapter 40A, section 6, and elects to proceed under the amended by-law. (Added 11-18-19)

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 8.4	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
Multi-Family Building, Apartment Building, and Multi-Family Developments <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

TABLE 1: SCHEDULE OF USES

	AR-I	AR-II	VR	CB	VC	NC	BI	EI	ER	WI	Form-Based Districts		
											OGVC	OGBP	OGN
Multi-Family units in combination with a commercial use that is permitted or allowed by special permit, subject to Section 5.4.1.	N	N	N	PB	N	N	N	N	N	N	Y	N	N
Long-term care facility	SP	SP	N	N	N	N	N	N	N	N	PB	N	PB
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	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	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	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	Y	N	N	N	N	N	N	N	PB	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
Recreational Marijuana Retailer <i>(Added 3-19-18 and amended 5-21-18)</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

TABLE 1: SCHEDULE OF USES

	AR-I	AR-II	VR	CB	VC	NC	BI	EI	ER	WI	Form-Based Districts		
											OGVC	OGBP	OGN
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 or hotel	N	N	N	SP	N	N	N	N	N	Y			
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
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	SP	N	N	Y	Y	N
Furniture Repair	N	N	N	N	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	N	Y	Y	N	N	N	N	PB	N

TABLE 1: SCHEDULE OF USES

	AR-I	AR-II	VR	CB	VC	NC	BI	EI	ER	WI	Form-Based Districts		
											OGVC	OGBP	OGN
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	N	N	N	N	N	N	N	N	N
Automotive Uses													
Vehicle fuel station with repair services	N	N	N	N	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 store	N	N	N	N	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
Other Business Uses: Unclassified													
Adult uses	N	N	N	N	N	N	N	Y	N	N	N	N	N
Accessory Uses													
Drive-through facility	N	N	N	N	N	PB	PB	N	N	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
E. INDUSTRIAL AND RELATED USES													
Warehouse/distribution facility	N	N	N	N	N	Y	N	Y	Y	Y	N	PB	N
Wholesale bakery <i>(Added 11-16-15)</i>	N	N	N	N	N	N	N	Y	Y	Y	N	Y	N
Wholesale showroom or office, including warehouse	N	N	N	N	N	N	Y	Y	Y	Y	N	Y	N
Manufacturing <i>(Amended 5-8-17)</i>	N	N	N	N	N	N	Y	Y	Y	Y	N	Y	N
Light Manufacturing <i>(Added 5-8-17)</i>	N	N	N	N	N	Y	Y	Y	Y	Y	N	Y	N
Contractor's yard	N	N	N	N	N	N	Y	Y	N	N	N	PB	N
Research and development	N	N	N	N	N	N	Y	Y	Y	Y	N	Y	N
Brewery	N	N	N	N	N	N	Y	Y	Y	Y	N	Y	N

TABLE 1: SCHEDULE OF USES

	AR-I	AR-II	VR	CB	VC	NC	BI	EI	ER	WI	Form-Based Districts		
											OGVC	OGBP	OGN
Research and development and/or manufacturing of renewable or alternative energy products	N	N	N	N	N	N	Y	Y	Y	Y	N	Y	N
Bulk Storage <i>(Added 11-18-19)</i>	N	N	N	N	N	N	N	N	N	N	N	N	N
Electric power generation including but not limited to renewable or alternative energy generating facilities such as the construction and operation of large-scale ground-mounted solar photovoltaic installations with a rated name plate capacity of 250 kW (DC) or more	N	N	N	N	N	N	N	N	Y	N	N	N	N
Gravel/loam/sand or stone removal, commercial	N	N	N	N	N	N	N	N	N	N	N	N	N
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
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
Accessory Uses													
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	Y	Y	N	PB	N
F. INSTITUTIONAL USES													
Community center	SP	SP	SP	SP	SP	SP	SP	N	N	N	Y	PB	PB
Lodge or club	SP	SP	SP	N	N	N	N	N	N	N	Y	Y	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, multi-family dwellings and developments include rowhouses (attached single family units) which are subject to the design standards under Section 9.4

Draft HOUSEKEEPING Article

December 11, 2019 (bjs with sac edits 1-6-2020)

Article _____

To see if the Town will vote to amend the Zoning Bylaw, Section 4.2.A, Zoning Map, as follows (new text in **bold**, deleted text in ~~striketrough~~):

A. Except for the Flood Plain District and Groundwater Protection District, the boundaries of these districts are defined and bounded on the map entitled, "Town of Medway Zoning Map," dated December 4, ~~2014~~ **27, 2019**, as may be amended and revised, ~~with a list of the names of the members of the Planning and Economic Development Board~~ and filed with the Town Clerk, which map, ~~together with all explanatory matter thereon~~, is hereby incorporated in and made a part of this Zoning Bylaw.

And amend the Zoning Bylaw, Section 8.9 Registered Medical Marijuana Facilities, specifically Section 8.9.J.5.b.i as follows (deleted text in ~~striketrough~~):

5. Procedures.

- a. The special permit application and public hearing procedure for a RMMF shall be in accordance with Section 3.4 and G.L. c. 40A, § 9.
 - b. Mandatory Findings. The Planning and Economic Development Board shall not grant a special permit for a RMMF unless it finds that:
 - i. The RMMF is designed to minimize any adverse visual or economic impacts ~~on abutters and other parties in interest, as defined in G.L. c. 40A, § 11;~~
 - ii. The RMMF demonstrates that it will meet all the permitting requirements of all applicable agencies within the Commonwealth of Massachusetts and will be in compliance with all applicable state laws and regulations; and
 - iii. The applicant has satisfied all of the conditions and requirements of this Section and Section 3.4 of this Zoning Bylaw.
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And amend the Zoning Bylaw, Section 6.1, TABLE 2, Dimensional and Density Regulations, to require a minimum lot frontage of 50 feet in the Central Business, Village Commercial, and Neighborhood Commercial zoning districts.

Or act in any manner related thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

ADAPTIVE USE OVERLAY DISTRICT

Proposed Amendments

Draft – December 11, 2019 (bjs) with sac edits 1-6-2020

Article _____

To see if the Town will vote to amend the Zoning Bylaw, Adaptive Use Overlay District, specifically Section 5.6.2.D.2. a through h, and Section 5.6.2.D.3. c, as follows (new text in **bold**, deleted text in ~~strikethrough~~):

1. **Uses Allowed As of Right:** All uses permitted in the underlying zoning district shall be permitted within the Adaptive Use Overlay District unless prohibited under sub-section D.3 hereof.
2. **Uses Allowed by Special Permit:** In approving an Adaptive Use Special Permit, the Planning and Economic Development Board may provide for the following uses or combination of uses and no others. The Adaptive Use special permit shall identify the uses that are specifically allowed, and may impose any conditions, safeguards and limitations deemed necessary by the Planning and Economic Development Board.
 - a. **Professional or business offices** ~~for business or professional uses.~~
 - b. ~~Studios for artists, photographers, interior decorators, and similar design-related uses.~~
 - c. Retail sales for handcrafted merchandise, original arts and crafts or copies thereof, antiques, second-hand goods, gifts, clothing, accessories, and decorative home furnishings. *(Amended 11-16-15)*
 - d. Food services including, but not limited to bakeries, cafes, coffee shops, delicatessens, frozen dessert shops, pastry shops, sandwich shops and other specialty food items, not to exceed 3,000 sq. ft. *(Amended 11-16-15)*
 - e. ~~Repair shops for small electronic equipment, appliances or tools.~~
 - f. Personal care services **establishments** ~~such as barber shops, beauty parlors and nail salons.~~
 - g. Florists
 - h. **Service establishments** ~~Individual consumer services including but not limited to opticians, personal fitness, tailor, shoe repair, music lessons and travel agency.~~ *(Added 11-1-15)*
 - i. Museum *(Added 11-19-18)*
 - j. The alteration of, addition to, and/or conversion of an existing building to one or two residential dwelling units and one or more business uses listed in items a-i above, provided that the appearance of the building is characteristic of a single-family dwelling.

3. **Prohibited Uses:** The following uses are prohibited in the Adaptive Use Overlay District:

- a. Motor vehicle sales, repair, or sales of parts
- b. Manufacturing
- c. Drive-through **facilities** ~~windows of any kind~~
- d. Exterior storage of equipment or materials

And to amend Section 5.6.2.C, Applicability, as follows (new text in **bold**, deleted text in ~~striketrough~~):

C. Applicability. The Planning and Economic Development Board may grant an Adaptive Use Special Permit for any property with at least 50 feet of frontage on a ~~Town-way~~ **street** in the Adaptive Use Overlay District, provided that each lot in the development includes at least one building constructed prior to June 28, 2004.

Or act in any manner related thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

USE TABLE AMENDMENTS

Draft – December 11, 2019 (bjs with sac edits 1-6-2020)

Article _____

To see if the Town will vote to amend the Zoning Bylaw, Section 5.4, TABLE 1, Schedule of Uses, by adding a new Section G. Marijuana Related Uses, and moving the following marijuana related uses now found in Section D. Business Uses, and Section E. Industrial and Related Uses to Section G. Marijuana Related Uses, without any changes to the uses that are allowed, prohibited, or require a special permit (new text in **bold** and shaded):

	AR-I	AR-II	VR	CB	VC	NC	BI	EI	ER	WI	FORM-BASED DISTRICTS		
											OGVC	OGBP	OGN

G. MARIJUANA RELATED USES

Registered Medical Marijuana Facility (Retail) <i>(Added 5-21-18)</i>	N	N	N	N	N	N	PB	N	N	N	N	N	N
Recreational Marijuana Retailer <i>(Added 3-19-18 and amended 5-21-18)</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
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
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

And change the use category “Motel or hotel” to two separate categories, “motel” and “hotel”, and provide for whether such uses are allowed in the Oak Grove Zoning districts:

Hotel	N	N	N	SP	N	N	N	N	N	Y	Y	Y	N
Motel	N	N	N	SP	N	N	N	N	N	Y	PB	PB	N

And amend the provisions related to Drive-through facilities to provide for whether such uses are allowed in the Oak Grove Zoning districts:

Drive-through facility	N	N	N	N	N	PB	PB	N	N	N	PB	PB	N
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Or act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

ACCESSORY USES AND INCIDENTAL ACCESSORY OBJECTS

Draft – December 31, 2019

ARTICLE : To see if the Town of Medway will vote to amend the Zoning Bylaw, Section 2 DEFINITIONS by inserting the following definition in alphabetical order:

Incidental Accessory Object – A visible, functional or ornamental object or a man-made site feature that is subordinate to a principal building/structure or use and is located on the same lot as the principal building/structure or use or on an adjoining lot under the same ownership and in the same zoning district.

And by amending Paragraph H. in Sub-Section 6.3 Accessory Building and Structures as follows:

H. Incidental Accessory Objects. ~~The setback requirements specified in Table 2 DIMENSIONAL AND DENSITY REGULATIONS shall not apply to public bus stop shelters.~~

1. The standard setback requirements specified in Table 2 DIMENSIONAL AND DENSITY REGULATIONS shall not apply to the following Incidental Accessory Objects:

- a. Arbor, trellis or pergola
- b. Bench
- c. Bike rack
- d. Birdhouse
- e. Fence or stone wall or retaining wall
- f. Flagpole
- g. Gardens and landscaping
- h. Historical marker or artifact
- i. Light or lamp post
- j. Mailbox
- k. Public bus stop shelter
- l. Other incidental accessory objects which, in the opinion of the Building Commissioner, are similar to the above noted items.

2. The standard setback requirements specified in Table 2 DIMENSIONAL AND DENSITY REGULATIONS shall apply to the following Incidental Accessory Objects:

- a. Animal hutch or pen
- b. Athletic or sports court
- c. Bathhouse or cabana
- d. Gazebo or pavilion exceeding one hundred and twenty square feet in gross floor area and taller than ten feet in height.
- e. Ground mounted solar photovoltaic panel
- f. Hot tub
- g. Membrane structure exceeding one hundred and twenty square feet in gross floor area and taller than ten feet in height.
- h. Patio or free-standing deck

- i. Outdoor fireplace or fire pit
- j. Outdoor kitchen, bar or dining area
- k. Outdoor play gym or structure or playhouse
- l. Pond or water feature
- m. Shed exceeding one hundred and twenty square feet in gross floor area and taller than ten feet in height.
- n. Sun shade or canopy
- o. Swimming pool
- p. Trash dumpster/enclosure
- q. Wind generating device
- r. Other incidental accessory objects which, in the opinion of the Building Commissioner, are similar to the above noted items.

For Reference Purposes – Existing Definitions

Accessory Building or Structure - A detached building or structure located on the same lot as the principal building or structure 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.

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

Structure – Anything constructed or erected at a fixed location on the ground to give support or to provide shelter.

GENERAL BYLAW AMENDMENTS

Draft December 11, 2019 (bjs)

Article ____

To see if the Town will vote to amend the General By-laws, Article XII, Penal Laws, Section 12.12(a) by deleting the last sentence as follows: (deleted text in ~~striketrough~~):

“(a) No person without a permit or license from the Board of Selectmen shall store, keep or allow to remain on his premises more than one unregistered automobile, truck, or the body or chassis of a motor vehicle unless that same is stored or kept in a garage. ~~Violation of this By-law shall be subject to a fine of not more than \$50.00.~~”

And by amending the General By-laws, Article XII, Penal Laws, Section 12.15 as follows (new text in **bold**, deleted text in ~~striketrough~~):

“(a) The penalty for the violation of any ~~Penal Law~~ **Medway General By-law as to which no other fine is provided therein** shall be a fine not exceeding ~~\$100.00~~ **\$300.00** for each offense. **Each day during which any portion of a violation continues shall constitute a separate offense.** All forfeitures under any of the By-laws of the Town shall be recovered by complaint and shall inure to the use of the Town of Medway. **As an alternative, for violation of any Medway General By-law, non-criminal disposition of violations as provided for in Article XX of the Medway General By-laws may be used, in accordance with the following schedule of non-criminal penalties, unless the specific By-law otherwise provides for non-criminal penalties:**

First offense:	warning (verbal or written)
Second offense:	\$100.00
Third offense:	\$200.00
Fourth and subsequent offenses:	\$300.00”

And by amending the General By-laws, Article XII, Penal Laws, Section 12.21(a) by changing the first sentence to read as follows (new text in **bold**, deleted text in ~~striketrough~~):

“(a) Every outdoor swimming pool having 24 inches or more in depth or a surface area of 250 square feet or more, whether or not filled with water, shall be completely surrounded at all times by a fence or wall not less than ~~5~~ **four** feet above grade.”

Or act in any manner relating thereto.

SPONSOR???

Article ____

To see if the Town will vote to amend the Zoning By-laws, Section 6.2.F, Setbacks, by adding new Sections 6.2.F.4 and 6.2.F.5 as follows:

“4. Fences installed within ten feet of any front lot line shall not exceed three feet in height.

5. No structure or swimming pool shall be constructed within the front setback, and no boat, trailer, or unregistered vehicle shall be stored within the front setback, of any lot.”

Or act in any manner relating thereto.