

**March 29, 2016  
Medway Planning and Economic Development Board Meeting  
155 Village Street  
Medway, MA 02053**

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

**ALSO PRESENT:**

Susy Affleck-Childs, Planning and Economic Development Coordinator  
Amy Sutherland, Recording Secretary  
Gino Carlucci, PGC Associates, Planning Consultant  
Jack Mee, Building Inspector  
Stephanie Mercandetti, Director of Community and Economic Development

The Chairman opened the meeting.

**PUBLIC HEARING – Proposed Amendments to Medway General By-Laws**

The public hearing was opened at 7:00 pm for the proposed amendments to the Medway General By-laws as sponsored by the Planning and Economic Development Board

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

The Chairman explained that the purpose of the hearing is to discuss the General By-Laws warrant articles.

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

- Public Hearing Notice dated March 9, 2016
- Proposed Article re: Design Review Committee
- Proposed Article re: Parking of Commercial and Recreational Vehicles
- Collection of illustrations and photos for Gross Vehicle Weight Rating

**Article re: Parking and Storage of Commercial Vehicles:**

It was explained that the purpose of this proposed bylaw is to regulate the on-street parking of certain commercial and recreational and the outdoor parking/storage of unregistered vehicles and certain commercial vehicles.

**Resident, Phil Giangarra: 24 Green Valley Road:**

Mr. Giangarra wanted to know about restrictions on the recreational vehicles. He wanted to know if his relatives from the west will be able to park their recreational vehicle on the street. It was explained that a recreational vehicle having a Class 4 gross weight will not be able to be parked on the street for a period of time in an excess of 4 hours in a 24 hours period. The intent of this is public safety. The size of the vehicles were shown on a power point slide.

He further wanted to know if he had a party, would guests be able to park on the street. If so, what is the difference? He is opposed to this article.

It was indicated that this is for any period in excess of four hours in any twenty-four hour period unless said vehicle is in the process of loading, unloading, or providing a temporary service to one or more adjacent properties.

**Resident, Wayne Podzka, 15 Broad Street:**

Mr. Pedzka is opposed to this article. It states any “recreational vehicle, or a commercial motor vehicle having a Class 4 gross vehicle weight rating or higher to be parked at any location on any public or private way within the Town of Medway ... Does this mean that if someone has a business vehicle that they will not be able to park on the street? He is opposed to this. What are the limitations and who will determine the enforcement?

Susy explains that the limitations are for a vehicle which is in the process of loading, unloading or providing temporary service to one or more adjacent properties. The enforcement will be determined by the Building Inspector.

**Resident James Myers, 10 Cardinal Circle:**

This resident was questioning the language “providing a temporary service”.... The term “temporary” needs to be defined.

If someone is zoned commercial and is operating as a home based business, how would this affect them?

The Chairman explained that you would not be able to park in setback with a Class 4 or greater vehicle.

**Selectmen Dennis Crowley, 6 Hill ST:**

Selectmen Crowley had two questions:

1. Can you give an explanation why the Planning and Economic Development Board proposed this article?
2. What is the intent regarding the monitoring and enforcement of this? Is this complaint driven?

The Chairman explained that the intent was to preserve residential neighborhoods along with property values. The Board was made aware that this was a concern and complaints have been made to the Building Department. The Board does not want to have tractor trailers parking on the streets.

Mr. Giangarra responded that what is proposed is too restrictive. If someone has a 30,000 lb vehicle and it is parked on the street 365 days a year, then yes the property around it declines. But if a visitor comes from Kansas and drives a recreational vehicle and wants to park on the street for a week, they should be able to. He also questions who is making the observations for the complaints.

Susy responded that there is Town staff who notice these type of occurrences when they drive around town.

It was explained that under the proposed bylaw, a resident can park a large truck used for work in their driveway as long as the resident is not operating a home-based business from that location. If it were a home based business, the vehicle would need to stay outside of the setback areas.

Selectmen Crowley suggested that this article be broken up into two different parts – one for the on-street parking to be addressed now and one to deal with the on-site parking to be dealt with at a future date. The enforcement is driven by complaints. He would like to see the vehicles off the streets.

Mr. Podzka responded that it is his belief that this is meant for some people unless there is a majority of complaints. Medway is a farm town and when people buy a house they know what you are buying. People now want to make the town “prim and perfect”. He would not recommend Medway to his friends that might be looking for a town to live in if this bylaw passes. We do not want to lose the character of the town.

The Chairman responded that it is inevitable that things will change in any town, but this is why the forum exists for resident to express their concerns. This bylaw does not become law until the town meeting. We need to respect what everyone wants and take it into consideration. We want to preserve the rural character of the town.

There was a concern expressed about a crane being on a property for commercial business. This will need to be used for business.

Susy Affleck-Childs responded that the owner would need to park it 15 ft. from the sideline.

**Mr. Morin, 98 Oakland St:**

This resident explained that Medway was a farm community and now the town wants to change the rules and put more restrictions on residents. Where does this stop? He is opposed to this article.

**Resident Liam McDermott, 39 Populatic St:**

Mr. McDermott thinks that there is good reason to divide the articles into two parts. It seems that the complaints seem to be about from Class 7 and higher vehicles. It appears that Class 4 make up most of the businesses in town, so maybe use Class 6 as a threshold.

Wayne Podzka suggested that another approach would be to regulate anything which requires a Commercial Driver's License (CDL) instead of using GVWR.

Building Inspector Jack Mee was present. He explained that the prime complaints received are from residential neighborhoods where tractor trailers are parked on streets. Some other businesses within residential neighborhoods which have a fleet of trucks and their employees are parking on the street. These employees are taking trucks to their work. The majority of his calls are neighbor to neighbor complaints.

**Resident James Brueckner, 24 Summer Hill Rd:**

Mr. Brueckner said that if someone has a truck vehicle for work and wants to park it on the street, they will now need to leave the vehicle at work and purchase a new vehicle (to drive to and from work). He is not in support of this.

Mr. Morin indicated that he moved to Medway from Natick since regulations like this were put in place there. This type of article forces business owners to rent storage space. This will effect the home businesses in town.

Mr. McDermott stated that in the scenario where residents bring home work trucks, they can park them, but if the business is based out of home you can't park. If does not meet requirements you will need a special permit or variance.

Community and Economic Development Director Stephanie Mercandetti responded that if the (home based business) requirements are met, there is no need for a special permit. If the requirements are not met, one would need to go the Zoning Board of Appeals for a special permit. The bylaw does reference the storage of materials and those needing to be within the setbacks.

The Chairman responded that the intent is to move the vehicles off 15 ft. from the side and 35 ft. from the front.

**Resident, Adam Houser, Little Tree Rd.:**

Mr. Houser wanted to know if there is a noise ordinance for someone who starts their vehicle at 4:00 am.

Susy Affleck-Childs responded that she is not sure about a noise ordinance but will check into this.

**Resident Denise Zinck, 7 Meryl Street:**

This resident wants to know if this will apply to school buses.

The Chairman responded that having a school bus is ok if you do not park it on the street for more than 4 hours.

**Resident Susan Dietrich, 46 Fisher St:**

It appears that if pre-existing non-conforming and vehicles out of setback are ok as stated in #2.



Mr. Giangarra also commented that what happens if someone has a pop-up camper that is right on the setback. He does not think the bylaw is good since it applies to any vehicle (trailer or recreational vehicle). He objects to this bylaw.

The Board noted it would only apply for on-street parking for recreational vehicles.

The first part of the bylaw references the purpose section. There was a question about the words “to promote aesthetic beauty”. Someone noted that in Medway we have landscaping vehicles, air conditioning vehicles, plumbers, electricians, septic businesses, State Troopers, etc. These are the people of Medway. The purpose section is nebulous. It looks like lots of options and the language needs work. We are a farming community and how do you sell this from a realtor’s perspective? Drive down streets and you can see who the workers are in the community from what they drive. We want those things in town. By regulating this, it is not positive.

Consultant Carlucci responded that the purpose section is the reason for the bylaw but there is no regulation that has standards for aesthetics which could be violated.

Ms. Mercandetti agreed that the word “beauty” needs to be looks at.

Dennis Crowley is concerned that this change will make small businesses have to get a special permit. Who does this effect if it passes?

Susy Affleck-Childs responded that this bylaw is simply saying someone cannot park a large vehicle in the setback areas of their property.

Consultant Carlucci noted that this bylaw does not affect anything only that one cannot park in the setback area. This is all it states.

The Chairman noted a property near Cassidy Lane near Memorial School where there is a stone mason and an old truck with a GVWR greater than Class 4. This is a really narrow lot and the garage is right there. There is no way get the truck away from the setbacks. With that lot, he is going to be in situation where if he is a home based business he would need to get a variance under the zoning bylaw.

The Chairman polled the Board about parking Recreational Vehicles on the street.

Matt Hayes: Agrees with what is proposed but can also see the need for longer time limit.

Rich Di Iulio: Agrees that people do travel in Recreational Vehicles and has no problem if these are parked in the street for a short period of time if there is no room in the driveway with a two week limitation.

The Chairman does not want these type of vehicles parking on the streets for a long duration of time.

Adam Houser asked if a permit could be granted if someone wants to park there for a longer amount of time?

Mr. Giangarra wanted to ask about private ways. The Marshalls own a private way. Will they be able to park a truck on the street?

It was indicated that a private way creates legal frontage and is different than a driveway.

There was a suggestion to take out all reference to recreational vehicles in the bylaw.

The Building Inspector is in agreement with the language as presented.

Adam Houser asked if the complaints are being tracked. This information could determine what class of vehicle is captured in the data. He wonders if this whole bylaw is being created to address only 5 to 10 residents.

The Building Inspector responded that he does not track the complaints. When things come up, he addresses them.

The Chairman thought it would be a good idea to come up with a form and create a data base which could be put into the system but there is no administrative assistance to do this.

There was discussion that just a portion of this bylaw could be presented at the May town meeting, that being the part about parking on the street.

Stephanie Mercandetti indicated that there are mechanisms in place where residents can provide feedback but an email or name is needed. The DPS has a system where residents can report pot holes throughout town.

The Board will be meeting with the Finance Committee tomorrow night to present the warrant articles.

#### **Public Hearing Continuation**

**On a motion made by Matt Hayes and seconded by Rich Di Iulio, the Board voted unanimously to continue the public hearing on proposed general bylaw amendments to April 12, 2016 at 7:30 pm.**

**On a motion made by Matt Hayes and seconded by Rich Di Iulio, the Board voted unanimously to not further discuss the article about parking and storage until the next meeting.**

#### **Eversource Site Plan Public Hearing**

**On a motion made by Rich Di Iulio and seconded by Matt Hayes, the Board voted unanimously to open and continue the hearing for the Eversource site plan to April 12 at 7:00 pm at which time the draft decision will be reviewed.**

**Design Review Committee Bylaw Amendments:**

**On a motion made by Rich Di Iulio and seconded by Matt Hayes, the Board voted unanimously to table this discussion until the next meeting.**

**Public Hearing – Proposed Zoning Bylaw Amendments:**

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

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

- Public Hearing Notice dated March 9, 2016.
- Site Plan Review
- Accessory Family Dwelling Units
- Definitions
- Editing of the Zoning Bylaw
- Self-Storage Facilities
- Zoning District Boundaries
- Industrial II with map
- Memo from the Medway Economic Development Committee dated 3-8-16 regarding the Industrial II article.

**Site Plan Review and Approval**

**Resident Charlie Myers 9 Curtis Lane:**

Mr. Myers was present to discuss the proposed amendments to the site plan section of the Zoning Bylaw. He provided the Board with a copy of his recommendations dated March 3, 2016. (See Attached).

Mr. Myers had some comments he wanted to share with the Board. The memo displayed his suggested changes in shaded green. He suggested under Section 3.5.3 Applicability A. a. to add the words “or accessory structure” after “municipal use”. His memo also referenced several other sections where he suggested adding the wording “or accessory structure”.

He is concerned about the proposed language in Section 3.5.3 B Exemptions in which single-family and two-family homes, including additions or enlargements and accessory structures, are noted as being exempt from site plan review.

Mr. Myers feels that the language as presently proposed would exempt an accessory barn from site plan review. He would like large barns to have to go through the site plan review process. He indicated that the zoning bylaw has no definition for “accessory structure” but the term is used in Section 8.3 Home Based Business and specifically lists a shed as an example. Accessory should not include a barn as an exemption in Section 3.5.3 B. The exemption should reference “shed” and take out “accessory structure”.

Under the Definition section of the bylaw, Mr. Myers suggested using the wording accessory “structure” instead of “building”.

It was noted that the Board and the Building inspector just received a copy of Mr. Myers document tonight.

The Chairman is concerned that what Mr. Myers is proposing could be an increase in the scope of the originally proposed article.

Susy Affleck-Childs also has this concern that adding text it is an expansion of what was originally proposed. This is beyond the scope of what we can do in terms of Section 2 Definitions at this point. Changing accessory “building” to “structure” is an expansion.

Jack Mee expressed that he does understand what Mr. Myers is trying to put through.

Susy Affleck-Childs asked if the site plan review process is the best place to address his concern. Do we really want to add a requirement for a residential site plan?

There was a question about whether the Board of Selectmen would reopen the warrant at this point to add an additional article. Ms. Mercandetti responded that this is unlikely.

Mr. Myers used an example of a barn structure which is 30’ by 80’. This is 2650 sq. ft. In this example it is like building two houses on an existing single family lot. The width of structure is equal to body of house. The length is twice. We need to preserve the value of property when talking about scale. This needs to be in place to protect abutters. Scale of structures should be preserved.

Susy Affleck-Childs indicated that what Mr. Myers is representing has merit, but it is an expansion of what has been proposed.

The Chairman also agreed with what Mr. Myers has presented but it will need to be put forth at another time.

Mr. Myers asks if there could be a definition of accessory structure added. Mr. Myers would like the board to look at how these words are being inferred.

There is no method to deal with the language you want to add. The building inspector has no language to deal with that.

Jack Mee responded that if a building is set off of the primary building on residential lot, it defaults to being an accessory building.

There was discussion that the definition of accessory building and structure are tied to the definition of shed. There is an accessory structure which is not a shed. For example, a metal canopy fixed to the ground such as a carport. A ground mounted solar would need site plan review.

Susy Affleck-Childs suggested that the language in the exemptions need to be cleaned up.

The Chairman suggested that all the information be taken under consideration and this will be discussed further at the Board's meeting on April 12, 2016.

Mr. Myers suggested that the warrant be re-opened so that comments can be made about the presented suggestions.

Susy Affleck-Childs responded that with the suggestions offered by Mr. Myers, this article would need to be re-advertised. She questioned the unintended consequences of adding this language.

**Accessory Family Dwelling Units:**

The article regarding Accessory Family Dwelling Units was reviewed by the Gino Carlucci, Stephanie Mercandetti, Jack Mee and Susy Affleck-Childs. The Zoning Board of Appeals is aware of this article but there has been no official vote on this. The Zoning Board of Appeals will meet to make a recommendation on this at their April 6, 2016 meeting. The ZBA will provide their recommendations.

**Definitions:**

Recreational vehicle is defined the same in this article and in the general bylaw article re: parking of commercial vehicles.

It was noted the definitions need to be alphabetized.

**Medway Zoning Bylaw Editing Amendments:**

Susy will do a mark-up of a section and this will be the model. This will be presented to the Board for review. The language for this was provided by Town Counsel.

**Prohibited Uses:**

The Board was made aware that the Board of Selectmen are in support of this article which prohibits self-storage facilities.

**Zoning District Boundaries:**

The purpose of this article is to amend the language where a zoning district boundary line is shown on the zoning map as being within a public or private street or right of way, the center line of the street or right of way shall be the zoning district boundary line. This is common in many communities. Judi Barrett made this recommendation during the recodification process.

**Expand Industrial II:**

The Board is in receipt of a memo dated March 8, 2016 from Economic Development Committee. This committee voted to request that the PEDB withdraw the proposed article for the rezoning parcels from AR 11 to IND II.

It was reported that the Board of Selectmen do not recommend this article.

**Public Hearing Continuation:**

**On a motion made by Matt Hayes and seconded by Rich Di Iulio, the Board voted unanimously to continue the hearing for the Zoning Warrant for April 12, 2016 at 8:00 pm.**

**Adjourn:**

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

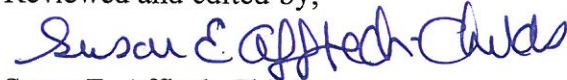
The meeting was adjourned at 9:47 pm.

Respectfully Submitted,



Amy Sutherland  
Recording Secretary

Reviewed and edited by,

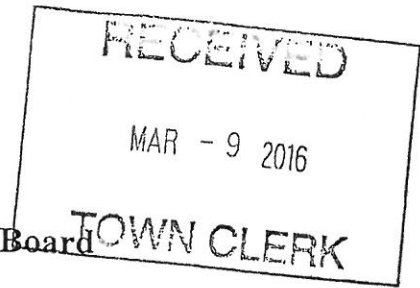


Susan E. Affleck-Childs  
Planning and Economic Development Coordinator





**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*

March 9, 2016

**NOTICE OF PUBLIC HEARING**  
**Town of Medway – Planning & Economic Development Board**  
**Proposed Amendments to Medway General By-Laws**

*The Medway Planning and Economic Development Board will conduct a public hearing on Tuesday, March 29, 2016 at 7:00 p.m.* at Medway Town Hall, 155 Village Street, Medway, MA to receive comments on proposed amendments to the *Medway General By-Laws*. The Board has submitted two proposed amendments to the Board of Selectmen for inclusion on the warrant for the May 9, 2016 Annual Town Meeting. The subject matter of the proposed amendments is indicated below. The proposed articles are designated by letters as the Board of Selectmen has not finalized the preparation of the warrant.

**MEDWAY GENERAL BYLAW – Proposed Amendments**

ARTICLE A: To amend Section 2.15 Design Review Committee in its entirety

ARTICLE B: To add a new Section 12.26 regarding the Parking and Storage of Commercial and Recreational Vehicles

The complete text of the proposed amendments to the *Medway General Bylaws* is on file with the Town Clerk and the Planning office at Medway Town Hall, 155 Village Street, Medway, MA and may be inspected during regular business hours. For further information, please contact the Medway Planning office at 508-533-3291.

Interested persons or parties are invited to review the proposed amendments, attend the public hearing, and express their views at the designated time and place. Written comments are encouraged and may be sent to the Medway Planning and Economic Development Board, 155 Village Street, Medway, MA 02053 or emailed to: [planningboard@townofmedway.org](mailto:planningboard@townofmedway.org).

*Andy Rodenhiser*  
Planning & Economic Development Board Chairman

To be published in the *Milford Daily News*:  
Monday, March 14, 2016  
Tuesday, March 22, 2016

Telephone: 508-533-3291      Fax: 508-321-4987  
[planningboard@townofmedway.org](mailto:planningboard@townofmedway.org)

# PROPOSED GENERAL BYLAW – ARTICLE A

## MEDWAY DESIGN REVIEW COMMITTEE Bylaw

REVISED – March 3, 2016

ARTICLE : To see if the Town of Medway will vote to amend the Medway General Bylaws, Section 2.15 Design Review Committee as follows. Items to be deleted are noted with a ~~strike through~~. Items to be added are noted in **bold text**.

### Section 2.15 – Design Review Committee

- (a) **Establishment** - There shall be a Design Review Committee (**DRC**) consisting of at least five ~~(5)~~ **and up to seven voting** members who reside in Medway ~~who~~ **and** shall be sworn to the faithful performance of their duties. **The DRC may also have up to three non-voting advisors who reside and/or work in Medway.**
- (b) **Mission** - To serve the people of Medway in a capacity that openly, creatively and appropriately reviews site, building and sign design for private and public development. The DRC is tasked with serving as an advocate for the preservation and enhancement of Medway's natural, scenic and aesthetic qualities to achieve the pleasing composition of places within the context of the *Medway Master Plan*. The DRC works with the broad intention of maintaining and/or improving the quality of life, value of property and viability of commerce through the use of thoughtful and community-appropriate design practices as represented by the *Medway Design Review Guidelines*.
- ~~(b)(c)~~ **Appointments** - ~~The Design Review Committee DRC members and advisors shall be appointed by the Planning and Economic Development Board. Committee Members shall serve two (2) year staggered terms, with the majority of the first members appointed for a two (2) year term and the remaining initial members appointed for a one (1) year term. Thereafter, each member shall serve for two (2) years or until his successor has been appointed. Advisors shall serve one (1) year terms.~~
- ~~(e)~~ (d) **Composition**
  - 1. **Members** - ~~The Design Review Committee DRC shall include one member of the Planning and Economic Development Board, and a representative of the Medway Business Council. The majority of the remaining members should have be design professionals with experience and/or training in architecture, landscape design, site design, graphic arts, graphic design, sign design, planning, environmental design, urban design or other suitable design professions. that could be helpful to the Committee's work. Other members may include individuals representing various business interests such as real estate, building trades, and local business organizations.~~
  - 2. **Advisors** – Advisors shall include individuals with particular design expertise who are able to provide periodic design consultation to the DRC in reviewing development permit applications and proposals.

(d) (e) Responsibilities of the Design Review Committee

1. Assist and advise the Planning and Economic Development Board, and its applicants, and other Town boards, committees and departments as may request such assistance, with regard to proposals, applications and plans for Town issued development permits, subdivisions, site plans, special permits, sign permits, scenic road work permits, and other development proposals. The Design Review Committee's recommendations are advisory and may include suggestions for modifications to proposed designs and conditions for approval of development proposals.
2. Serve as a design resource, providing site, building, landscape, signage, and graphic design expertise and assistance to Town boards, committees, and departments with regard to Town sponsored programs, proposals, capital improvement projects and municipal building projects.
3. The DRC's recommendations are advisory and may include suggestions for modifications to proposed designs, and/or conditions for approval of development proposals to be consistent with the *Medway Design Review Guidelines*.
2. Assist and advise the Planning Board regarding possible amendments to the *Medway Zoning Bylaw* and various *Rules and Regulations*.
3. Continue to promote and improve the use of the *Medway Design Guidelines*; recommend changes and improvements to the *Medway Design Guidelines*.
4. Perform other duties and responsibilities as may be specified by the *Medway Zoning Bylaw*, or other Town bylaws, and various land use *Rules and Regulations* as may be requested by various Town boards, committees and departments. the Planning and Economic Development Board.
5. Assist and advise the Planning and Economic Development Board regarding possible amendments to its various *Rules and Regulations* and to the *Zoning Bylaw*.
6. Promote and improve the use of the *Medway Design Review Guidelines* by both public and private entities. As needed, recommend changes and improvements to the *Design Review Guidelines* to the Planning and Economic Development Board.
5. Advocate for good design in municipal programs and capital projects.

(e) (f) **Design Review Guidelines** - In performing its work, the Design Review Committee shall be guided by the *Medway Master Plan* and by the *Medway Design Review Guidelines* to be developed by the Committee and as adopted and published by the Planning and Economic Development Board. after a duly called and advertised public hearing. The Planning Board may amend the *Design Guidelines* from time to time after a duly called and noticed public hearing in accordance with customary Planning Board practice.

Or to act in any manner relating thereto.

Planning and Economic Development Board  
Design Review Committee

# PROPOSED GENERAL BYLAW – ARTICLE B

## ARTICLE on Parking of Commercial and Recreational Vehicles REVISED – March 9, 2016

**ARTICLE** : To see if the Town of Medway will vote to amend the Medway General By-laws by adding the following Section 12.26 in Article XII:

### **Section 12. 26**      **Regulation of Parking and Storage of Recreational and Commercial Vehicles**

(a) **Purpose** - The purpose of this By-law is to regulate the on-street parking of certain commercial and recreational vehicles and the outdoor parking/storage of unregistered vehicles and certain commercial vehicles. This By-law is adopted to promote safe vehicular traffic, to preserve peace and good order, to protect the character of residential neighborhoods, to promote the aesthetic beauty of the community and hence the value of the property located therein, and to promote the health, safety and general welfare of the citizens of the Town of Medway.

#### (b) **Definitions**

- (1) **Commercial Motor Vehicle** - Any vehicle defined as such by the Massachusetts Registry of Motor Vehicles in 540 CMR 2.05
- (2) **Gross Vehicle Weight Rating (GVWR)** – The value specified by the manufacturer as the loaded weight of a single vehicle including the vehicle's chassis, body, engine, engine fluids, fuel, accessories, driver, passengers and cargo but excluding that of any trailers, as established by the National Highway Traffic Safety Administration, U.S. Department of Transportation.
- (3) **Recreational Vehicle** - A vehicular type portable structure without a permanent foundation that can be towed, hauled, or driven and that is primarily designed or modified to serve as a temporary living accommodation for recreational, camping and travel use and includes but is not limited to travel trailers, truck campers, caravans, camping trailers, and self-propelled motor homes.
- (4) **Trailer** - A non-motorized vehicle, often a long platform or box/container with two or more wheels, which is pulled behind a motorized vehicle and used to transport things.

#### (c) **Prohibitions/Limitations**

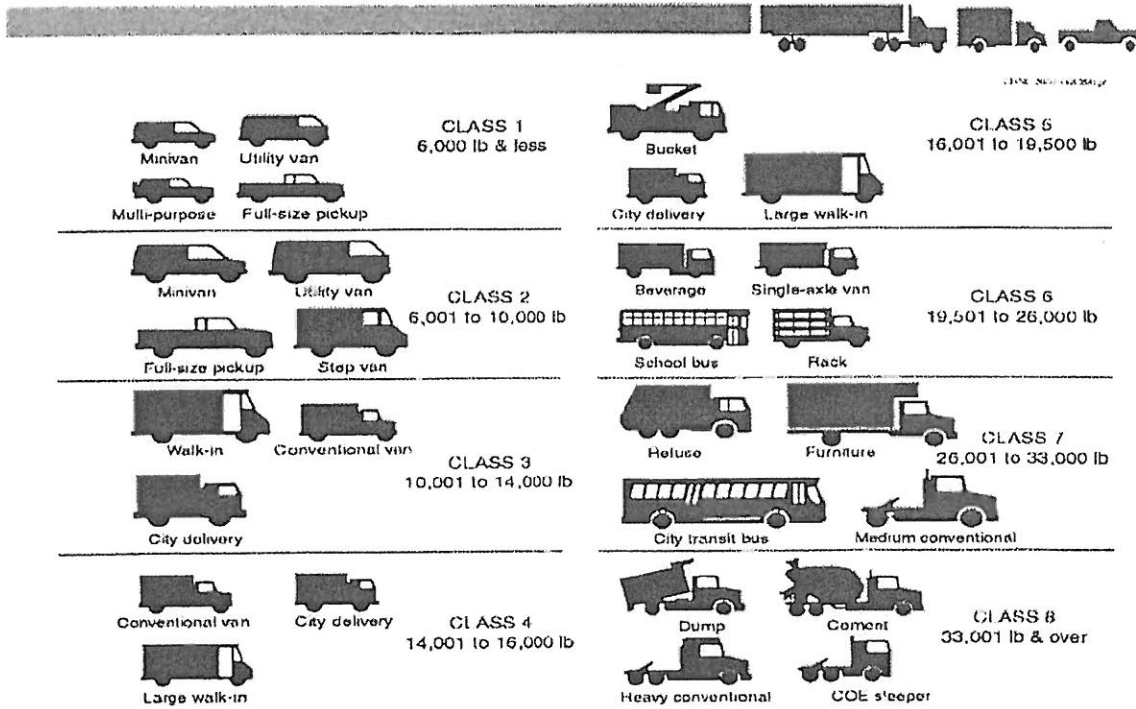
- (1) No person shall allow, permit, or cause a trailer, recreational vehicle, or a commercial motor vehicle having a Class 4 gross vehicle weight rating or higher to be parked at any location on any public or private way within the Town of Medway for any period in excess of four hours in any twenty-four hour period, unless said vehicle is in the process of loading, unloading, or providing a temporary service to one or more adjacent properties.

- (2) For a business use authorized by right, by special permit or variance, or for a pre-existing non-conforming business use, commercial motor vehicles with a Class 4 gross vehicle weight rating or higher shall not be parked within the standard front, side and rear setback areas established in the Zoning Bylaw for the applicable zoning district.
- (3) Not more than one unregistered vehicle of any kind may be parked or stored outside on any property in a residential zoning district.

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD  
INSPECTOR OF BUILDINGS

# Truck Classifications




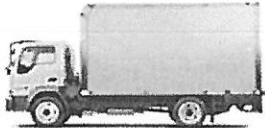









A Gross Vehicle Weight Rating (GVWR) of Class 4 and higher is for medium and heavy duty vehicles weighing 14,000 pounds and more. Examples of Class 4 GVWR vehicles include a Ford E-450, a Ford F-450, a Dodge Ram 4500 and a GM C4500.

Weight Class »	1	2	3	4	5	6	7	8
Common Category »	Light			Medium			Heavy	
Chevrolet Silverado 1500		2						
Chevrolet Silverado 2500HD		2						
Chevrolet Silverado 3500		2	3					
Dodge Ram 1500		2						
Dodge Ram 2500		2						
Dodge Ram 3500		2	3					
Dodge Ram 3500 Chassis Cab			3					
Dodge Ram 4500 Chassis Cab				4				
Dodge Ram 5500 Chassis Cab					5			
Ford F-150		2						
Ford F-250		2						
Ford F-350			3					
Ford F-450				4				
Ford F-550					5			
Ford F-650						6	7	
Ford F-750							7	
GMC Sierra 1500		2						
GMC Sierra 2500HD		2						
GMC Sierra 3500		2	3					
GM C4500				4	5			
GM C5500					5	6		
GM C6500						6	7	
GM C7500						6	7	8
GM C8500							7	8
Semi-trucks								8

A Gross Vehicle Weight Rating (GVWR) of Class 4 and higher is for medium and heavy duty vehicles weighing 14,000 pounds and more. Examples of Class 4 GVWR vehicles include a Ford E-450, a Ford F-450, a Dodge Ram 4500 and a GM C4500.

Weight Class »	1	2	3	4	5	6	7	8
Common Category »	Light	Medium			Heavy			
Chevrolet Silverado 1500	2							
Chevrolet Silverado 2500HD	2							
Chevrolet Silverado 3500	2	3						
Dodge Ram 1500	2							
Dodge Ram 2500	2							
Dodge Ram 3500	2	3						
Dodge Ram 3500 Chassis Cab		3						
Dodge Ram 4500 Chassis Cab			4					
Dodge Ram 5500 Chassis Cab				5				
Ford F-150	2							
Ford F-250	2							
Ford F-350		3						
Ford F-450			4					
Ford F-550				5				
Ford F-650					6	7		
Ford F-750						7		
GMC Sierra 1500	2							
GMC Sierra 2500HD	2							
GMC Sierra 3500	2	3						
GM C4500				4	5			
GM C5500					5	6		
GM C6500						6	7	
GM C7500						6	7	8
GM C8500							7	8
Semi-trucks								8

Class 4 Heavy Duty Vehicles (14,001-16,000 lbs. GVWR)	Flat bed and stake trucks	
Class 5 Heavy Duty Vehicles (16,001-19,500 lbs. GVWR)	Flat bed trucks and step-vans	 
Class 6 Heavy Duty Vehicles (19,501-26,000 lbs. GVWR)	Dump trucks, garbage trucks, and concrete trucks	 
Class 7 Heavy Duty Vehicles (26,001-33,000 lbs. GVWR)	Fuel trucks, dump trucks, and beverage delivery	 

Class 8a Heavy Duty Vehicles (33,001-60,000 lbs. GVWR)	Tractor trailer trucks (single)	 
Class 8b Heavy Duty Vehicles (>60,000 lbs. GVWR)	Tractor trailer trucks (double)	

## NOTES

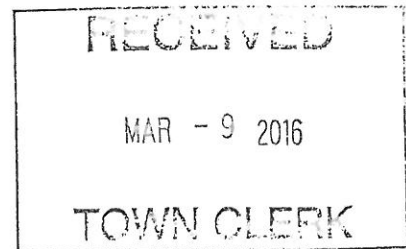
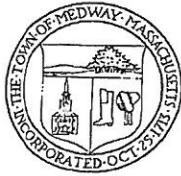
Chevy Tahoe is 7,100 lbs. GVWR is Class 2

Standard US Postal Service Delivery Van is 14,000 – 16,000 lbs. GVWR is Class 4.

Chevy Kodiak is 17,500 lbs. GVWR is Class 5

Standard UPS box truck is 23,000 lbs. GVWR is Class 6

Compiled by sac (3-23-16)



**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*

March 9, 2016

**NOTICE OF PUBLIC HEARING**  
**Town of Medway – Planning & Economic Development Board**  
**Proposed Amendments to Medway Zoning Bylaw & Map**

Pursuant to the Medway Zoning Bylaw and G.L. c. 40A, Section 5, *the Medway Planning and Economic Development Board will conduct a public hearing on Tuesday, March 29, 2016 at 7:30 p.m.* at Medway Town Hall, 155 Village Street, Medway, MA to receive comments on proposed amendments to the *Medway Zoning Bylaw and Map*, last update published June 3, 2015. The Board has submitted these proposed amendments to the Board of Selectmen for inclusion on the warrant for the May 9, 2016 Annual Town Meeting. The subject matter of the proposed amendments is indicated below. The proposed articles are designated by letters as the Board of Selectmen has not yet finalized the preparation of the warrant.

**MEDWAY ZONING BYLAW and MAP – Proposed Amendments**

ARTICLE A: To amend Section 3.5. Site Plan Review in its entirety

ARTICLE B: To amend Section 8.2. Accessory Family Dwelling Unit in its entirety and to revise two definitions in Section 2. Definitions

ARTICLE C: To eliminate the definition of “building height” in Section 6.2. F. General Provisions and insert it in Section 2. Definitions, to add a series of new definitions in Section 2. Definitions, and to eliminate several definitions and replace them with revised definitions in Section 2. Definitions.

ARTICLE D: To add a new Section 1.7. regarding style and formatting edits

ARTICLE E: To amend Section 5.2.B. to add self-storage facilities as a Prohibited Use

ARTICLE F: To add a new Section 4.4 regarding Zoning District Boundaries

ARTICLE G. To change the zoning of nine parcels on West and Summer Street currently zoned Agricultural Residential II to Industrial II and to show the revised boundaries of the Industrial II and Agricultural Residential Zoning Districts on the Medway Zoning Map and to amend Table 1: Schedule of Uses in Section 5.4. to add Contractor’s Yard to the list of allowed uses in the Industrial II district.

The complete text of the proposed amendments to the *Medway Zoning Bylaw* and the proposed revisions to the *Medway Zoning Map* are on file with the Town Clerk and the Planning office at Medway Town Hall, 155 Village Street, Medway, MA and may be inspected during regular business hours. For further information, please contact the Medway Planning office at 508-533-3291.

Interested persons or parties are invited to review the proposed amendments, attend the public hearing, and express their views at the designated time and place. Written comments are encouraged and may be sent to the Medway Planning and Economic Development Board, 155 Village Street, Medway, MA 02053 or emailed to: [planningboard@townofmedway.org](mailto:planningboard@townofmedway.org).

*Andy Rodenhiser*

Planning & Economic Development Board Chairman

To be published in the *Milford Daily News*:

Monday, March 14, 2016

Tuesday, March 22, 2016



## SITE PLAN REVIEW

### REVISED 3-9-16

**ARTICLE** : To see if the Town will vote to amend the Medway Zoning Bylaw by deleting sub-SECTION 3.5 Site Plan Review and replacing it as follows: Note the text to be deleted is indicated with a ~~striketrough~~ and new or relocated text is indicated in **bold**.

### 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:

- 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***

~~Accordingly, 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)~~

#### 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 applicant has complied with or satisfied all conditions of the site plan review decision.**
- 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 Inspector to be an insubstantial change.**

#### ~~3.5.2~~ 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, **change in use** or renovation of any multi-family, commercial, industrial, institutional, or municipal use **which involves one or more of the following:** involving: 2,500 square feet or more of gross floor area;
    - i. **the addition of 2,500 square feet or more of gross floor area; or**
    - ii. **the addition of fifteen or more new parking spaces; or**
  - ~~b. New construction or any alteration, reconstruction, or renovation of an existing building, or any change in use of an existing building requiring fifteen or more parking spaces; or~~
  - ~~e. b. Construction, expansion, redesign, or alteration~~ **The redesign, alteration or modification** of an existing parking area involving the addition of fifteen or more new parking spaces.
  - c. Construction of ground mounted solar photovoltaic installations of any size including solar canopy type systems in parking areas.**
2. ~~Minor Site Plan Review: Any construction, alteration, reconstruction or renovation project or change of in use that is not subject to Major Site Plan Review but which requires a building permit and involves one or more of the following:~~
- a. **New construction or any alteration, reconstruction, change in use or renovation of any multi-family, commercial, industrial, institutional, or municipal 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 five or more but less than fifteen new parking spaces; or**
  - ~~a. Exterior alteration of an existing building or premises, visible from a public or private street or way, except where such alteration is exempt under Section B below; or~~
  - ~~b. New construction, expansion of an existing structure, or a change in use in an existing building requiring five or more but less than fifteen parking spaces; or~~
  - ~~e.b. Construction;~~ **The redesign, alteration or modification of a an existing** parking area involving the addition of five or more but less than fifteen new parking spaces; or
  - ~~d. c. Any use or structure or expansion thereof exempt under Massachusetts G.L. c. 40A, § 3. , if one or more of the above criteria a c also apply, and only to the extent allowed by law.~~
3. **Administrative Site Plan Review:**
- a. **New construction or any alteration, reconstruction, or renovation of any multi-family, commercial, industrial, institutional, or municipal use which is not subject to Major or Minor Site Plan Review but which involves one or more of the following:**
    - i. **The addition of less than 1,000 square feet of gross floor area, or**

- ii. Exterior alteration/renovation of an existing building or premises, visible from a public or private street or way which includes any of the following:
      - a) installation or replacement of awnings
      - b) change in a building's exterior surface material
      - c) rearrangement or addition of windows or doors
      - d) façade reconstruction/replacement
      - e) roofing if the Building Inspector determines the roof to be a distinctive architectural feature of the building
  - b. The redesign, alteration or modification of an existing parking area involving the addition of up to four new parking spaces
  - c. A change in curb cuts/vehicular access to a site from a public way
  - d. Installation or alteration of sidewalks and other pedestrian access improvements
  - e. Removal of hedges, living shrubs, and trees greater than four inches in caliper
  - f. Installation of fencing or retaining walls.
4. Consideration of planned activities subject to administrative site plan review may be advanced to minor site plan review status at the determination of the Building Inspector or the Board when the collective scope and/or quantity of the proposed activities is substantial enough to merit review at a public meeting.
- 3- 5. Relationship to Other Permits and Approvals.
- a. If an activity or use requires both **major or minor** site plan review and one or more special permits, the ~~Planning and Economic Development~~ Board shall serve as special permit granting authority.
  - b. If both a special permit and **major or minor** site plan review are required, ~~they shall be considered together under the provisions of Section 3.4. the Board shall review and conduct the public hearing concurrently and the Board may issue a single decision.~~
  - c. The Building Inspector 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.**

~~Any work done in deviation from an approved site plan shall be a violation of these Bylaws unless such deviation is approved in writing by the Board or determined by the Building Inspector to be an insubstantial change.~~

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 submitted to the PEDB under Section 8.5, Adult Retirement Community Planned Unit Development.~~
4. **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)**
  - a. ~~Architectural barrier removal to comply with the Americans with Disabilities Act (ADA) or regulations of the Massachusetts Architectural Access Board (AAB); or~~
  - b. ~~Installation of awnings, exterior siding, or roofing, or replacement of windows or doors;~~

#### **~~3.5.4 Site Plan Review Standards~~**

~~The Board's Site Plan Rules and Regulations shall adopt standards for site plan review that will at a minimum address the following:~~

- A. ~~Siting of facilities;~~
- B. ~~Design guidelines;~~
- C. ~~Open space and natural features;~~
- D. ~~Pedestrian, bicycle, and vehicular circulation;~~
- E. ~~Water quality;~~
- F. ~~Stormwater;~~
- G. ~~Utilities, exterior lighting, parking, and snow removal;~~
- H. ~~Trees and landscaping;~~
- I. ~~Town character and historic significance;~~
- J. ~~Impacts on public services and facilities;~~
- K. ~~Signage;~~
- M. ~~Safety;~~
- N. ~~Energy efficient site design;~~

~~O. Potential adverse effects and mitigation thereof.~~

### **3.5.3. 3.5.4 Procedures for Site Plan Review**

- ~~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 submission requirements and procedures for major and minor site plans, modification of approved site plans, delegating administrative review to the Board's designee for review of small-scale projects without a public meeting, and standards of review consistent with Section 3.5.4 below.~~
- 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 Board shall review and act upon the applications for major and minor site plan review, requiring such conditions as necessary to satisfy the Site Plan Review Standards under Section 3.5.4 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.**
- G. The Board may approve the a major and minor site plan or approve it with the 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. The Board's decision shall be by majority vote of the membership, and the decision shall be in writing.**
- ~~H. The applicant shall satisfy or comply with all conditions of the site plan review decision prior to the issuance of a building permit except for those conditions that by their terms are intended to be satisfied during construction or later.~~



- I. ~~Unless specifically authorized by the terms of the site plan review decision, a final certificate of occupancy shall not be issued until the applicant has complied with or satisfied all conditions of the site plan review decision.~~
- H. The Board's designee 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.

### **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.**

### **~~3.5.5~~ 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.**

## Accessory Family Dwelling Units Amendments – 3/8/2016

ARTICLE : To see if the Town of Medway will vote to amend the Zoning Bylaw by deleting SECTION 8.2 Accessory Family Dwelling Unit in its entirety and replacing it as follows: Note that eliminated text is shown with a **strikethrough** and new text is shown in **bold**.

### 8.2 ACCESSORY FAMILY DWELLING UNIT

A. Purposes. The purposes of this **sub-section** Accessory Family Dwelling Unit bylaw are to:

1. **establish an option for the creation of Accessory Family Dwelling units to provide suitable housing** ~~assist Medway residents with creating suitable housing to accommodate for~~ a family member **and/or a caregiver for a family member who is an occupant of the premises;**
2. **provide opportunities to support residents who wish to age in place; and**
3. **maintain the residential character of neighborhoods.**

B. Applicability. The Board of Appeals may grant a special permit for an accessory family dwelling unit in accordance with this Section 8.2 and Table 1: Schedule of Uses.

C. Basic Requirements.

1. An accessory family dwelling unit shall be located within:
  - a. a detached single-family dwelling (**principal dwelling unit**); ~~or and designed so as to preserve the appearance of the single-family dwelling.~~
  - b. **an addition to a detached single-family dwelling (principal dwelling unit); or**
  - c. **a separate structure on the same premises as a detached single-family dwelling (principal dwelling unit).**
2. There shall be ~~only no more than one~~ accessory family dwelling unit **associated with a detached single-family dwelling (principal dwelling unit).** ~~per premises on a lot, and no accessory family dwelling unit shall have more than one bedroom.~~
3. **No accessory family dwelling unit shall have more than one bedroom, unless a second bedroom is authorized by the Board of Appeals pursuant to 8.2.C. 8. herein.**
4. **An accessory family dwelling unit shall not exceed 800 sq. ft. of gross floor area unless:**
  - a. **there is an existing detached accessory structure larger than 800 sq. ft. located on the same lot as a detached single-family dwelling (principal dwelling unit) and the Board of Appeals determines its use as an accessory family dwelling unit is in character with the neighborhood; or**
  - b. **authorized by the Board of Appeals pursuant to 8.2.C.8. herein.**
- 3- 5. There shall be at least one **designated** off-street parking space for the accessory family dwelling unit in addition to parking for the **occupants of the detached single-family (principal dwelling unit).** The off-street parking **space** shall be located in a garage ~~or carport~~, or in the

driveway, and shall have vehicular access to the driveway. shall not be permitted within any required yard area or setback. There shall be no additional driveway or curb cut providing access to the accessory family dwelling unit. The location, quantity and adequacy of parking for the accessory family dwelling unit shall be reviewed by the Board of Appeals to ensure its location and appearance are in keeping with the residential character of the neighborhood.

6. Occupancy of the single-family dwelling (principal dwelling unit) and accessory family dwelling unit shall be restricted as follows:

- a. The owners of the property shall reside in one of the units as their primary residence, except for bona fide temporary absences due to employment, hospitalization, medical care, vacation, military service, or other comparable absences which would not negate the primary residency standard. For purposes of this section, "owners" shall mean one or more individuals who hold legal or beneficial title to the premises.
- b. ~~The unit not occupied by the owners may only be occupied by the owners' immediate family or step family members, grandparents, or in-laws. A notarized statement of the owner's relationship to the occupant shall be submitted to the Building Inspector prior to the issue of a certificate of occupancy for the accessory family dwelling unit.~~
- b. The accessory dwelling unit and the detached single-family dwelling (principal dwelling unit) shall be occupied by any one or more of the following:
  - i. the owner(s) of the property
  - ii. the owner's family by blood, marriage, adoption, foster care or guardianship
  - iii. an unrelated caregiver for an occupant of the detached single-family dwelling or the accessory family dwelling unit, who is an elder, a person with a disability, handicap or chronic disease/medical condition, or a child.

Prior to the Town's issuance of a certificate of occupancy for the accessory family dwelling unit, the property owner shall submit to the Building Inspector a notarized statement of the property owner's relationship to the occupant of the dwelling unit not occupied by the property owner.

7. An accessory family dwelling unit shall be designed so as to preserve the appearance of the single-family dwelling (principal dwelling unit) and be compatible with the residential character of the neighborhood. Any new separate outside entrance serving an accessory family dwelling unit shall be located on the side or in the rear of the building.
8. In order to encourage the development of housing units for disabled and handicapped individuals and persons with limited mobility or a chronic medical condition, the Board of Appeals may allow reasonable deviations from the Basic Requirements where necessary to install features in the accessory family dwelling unit to facilitate the care of, and access and mobility for, disabled and handicapped individuals and persons with limited mobility or a chronic medical condition. This may include, but is not limited to, authorizing a second bedroom in the accessory family dwelling unit.

D. ~~Limitations of Special Permit. The special permit for an accessory family dwelling unit shall expire not more than three years after the date of issuance unless extended by the Board of~~

Appeals. Upon transfer or conveyance of the property, the special permit granted hereunder shall become null and void.

#### **D. Decision**

1. The Board of Appeals, in making its decision, shall make findings that all of the special permit criteria specified in SECTION 3.4 C. herein are met.
2. Conditions, Limitations and Safeguards – Special permits shall be subject to the conditions, limitations, and safeguards set forth in SECTION 3.4.D. herein subject to such exceptions as the Board of Appeals may deem appropriate. Every special permit shall include the following conditions:
  - a. Recording. The special permit shall be recorded with the Registry of Deeds prior to issuance of an occupancy permit for the accessory family dwelling unit.
  - b. Transfer of Ownership. If the new owner(s) desires to continue to exercise the special permit, they must, within thirty (30) days of the conveyance, submit a notarized letter to the Building Inspector stating that they will occupy one of the dwelling units on the premises as their primary residence, except for bona fide temporary absences, and that the accessory family dwelling unit is to be occupied by one of parties specified in C. 6. b. herein.
  - c. Bi-Annual Certification. The owner of the property shall provide a bi-annual certification to the Building Inspector verifying that the unit not occupied by the owner is occupied by one of the parties specified in C. 6. b. herein or that the space is being used for another lawfully allowed use pursuant to this Bylaw.

And by deleting the current definition of Accessory Family Dwelling Unit in SECTION 2 DEFINITIONS and replacing it as follows:

~~Accessory Family Dwelling Unit: A separate and complete housekeeping unit contained within, or being an extension of, a single family dwelling to accommodate additional family members of a resident of the primary dwelling.~~

**Accessory Family Dwelling Unit: A separate dwelling unit contained within or attached to a detached single-family dwelling unit (principal dwelling unit) or in an accessory structure thereto and which is subordinate in size to the principal dwelling unit, that is designed to accommodate family members of and/or caregivers for a resident of the primary or accessory family dwelling unit and which includes its own living, sleeping, sanitary and food preparation facilities such that the occupant(s) of the accessory family dwelling unit does not need to rely on the corresponding facilities located in the principal dwelling unit.**

And by adding the following definition in SECTION 2 DEFINITIONS as follows:

**Caregiver: An individual who regularly looks after a child or a sick, elderly, disabled, or handicapped person or an individual with a chronic medical condition, by providing for or assisting with the tasks of daily living such as, but not limited to activities necessary to maintain good health, personal care, meal preparation, child care, household and property maintenance, and transportation.**

And to act in any manner relating thereto.

ZONING BOARD OF APPEALS

DRAFT

## Definition Ideas – 2/8/16

**ARTICLE :** To see if the Town of Medway will vote to amend the Zoning Bylaw by deleting item F. Building Height from Section 6.2. General Provisions and inserting the following definition in alphabetical order in SECTION 2 DEFINITIONS:

**Building Height** – The vertical distance from grade plane to the average height of the highest roof surface.

And by inserting the following definitions in alphabetical order in SECTION 2 DEFINITIONS:

**Garage, private residential:** A structure which is accessory to a residential building and used by the residents thereof for personal household storage and/or the parking and storage of motorized vehicles and other moveable items such as campers, boats and other types of recreational vehicles owned by the residents of the building, and which is not a separate commercial enterprise available to the general public.

**Membrane Structure:** An air-inflated, air-supported, tensioned, cable or frame-covered structure as defined by the International Building Code and not otherwise defined as a tent or canopy.

**Tent:** A structure, enclosure or shelter constructed of fabric or pliable material with or without sidewalls or drops, supported by any manner except by air or the contents that it protects.

**Self -Storage Facility:** A structure containing separate, individual, and private storage spaces of varying sizes leased or rented for varying periods of time for personal, household, and/or business storage.

**Automated Teller Machine (ATM) Kiosk:** A free-standing, electronic banking outlet which allows customers to complete various banking transactions without the aid of a branch representative or teller. NOTE – Sometimes referred to as automated banking machines.

**Abandonment of Use:** The intentional cessation or discontinuation of a particular use of property. The abandonment of a nonconforming use occurs when the owner forms an intent to abandon the use and engages in conduct that carries the implication of abandonment. Abandonment does not include temporary or short-term interruptions to a use or activity during periods of remodeling, maintaining, or otherwise improving or rearranging a facility, or during normal periods of vacation or seasonal closure.

**Museum:** A premises open to the public for the procurement, care, conservation, storage, study and display of inanimate objects of lasting historical, scientific, artistic or cultural interest or value.

**Movie Theatre/Cinema:** A venue, usually a building that contains an auditorium for viewing movies (films) for entertainment.

**Theatre:** A building, part of a building or outdoor area where plays, dramatic presentations and stage entertainment, etc., are performed.

**Recreational Vehicle:** A vehicular type portable structure without a permanent foundation that can be towed, hauled, or driven and that is primarily designed or modified to serve as a



temporary living accommodation for recreational, camping and travel use and includes but is not limited to travel trailers, truck campers, caravan, camping trailers, and self-propelled motor homes.

And by eliminating the following existing definitions in SECTION 2 DEFINITIONS (noted in strikethroughs) and replacing them (as noted in **bold text**) as follows:

~~Shopping Center (Current): A group of commercial establishments planned, constructed, and managed as a total entity, with customer and employee parking provided on-site and provision for good delivery separated from customer access.~~

**Shopping Center/Multi-Tenant Development** (proposed): A group of two or more business establishments designed, planned, constructed and managed as a total entity, located in one or more buildings on one or more lots under single or multiple ownership, with customer and employee parking provided on-site.

\*\*\*\*\*

~~Family (current): Any number of individuals living and cooking together on the premises as a single housekeeping unit, as distinguished from a group occupying a boarding or lodging house, motel or hotel.~~

**Family** (proposed):

- An individual or two or more persons including children, who are related by blood, marriage, foster care, legal adoption or guardianship, living together as a single housekeeping unit
- A group of up to four individuals not related by blood, marriage, foster care, legal adoption or guardianship, living together as a single housekeeping unit
- Two unrelated adults and their related children living together as a single housekeeping unit

\*\*\*\*\*

~~Commercial Motor Vehicle (current): Any vehicle licensed by the Commonwealth of Massachusetts as a commercial motor vehicle (540 CMR 4.02 Special Definitions)~~

**Commercial Motor Vehicle** (proposed): Any vehicle defined as such by the Massachusetts Registry of Motor Vehicles in 540 CMR 2.05

\*\*\*\*\*

~~Dwelling Unit (current): One or more rooms providing complete living facilities for one family, including equipment for cooking or provisions for same, and including room or rooms for living, sleeping, and food preparation.~~

**Dwelling Unit** (proposed): One or more rooms providing complete living facilities for one family, including room or rooms for living, sleeping, food preparation and sanitary facilities.

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD



## **ZBL Amendments - EDITING ZBL**

**February 3, 2016**

ARTICLE :

To see if the Town will vote to amend the Medway Zoning Bylaw by adding a new Section 1.7 as follows:

### **1.7 FORMAT**

The Planning and Economic Development Coordinator, under the auspices of the Planning and Economic Development Board, is authorized to edit this Zoning Bylaw for format only through use of bold, italics, underscores, bullets, font style, font size, spacing, and other similar editing measures to improve the Bylaw's readability and ease of use without changing the text, section and heading titles, numbering, or content in any manner; and to clearly denote those terms throughout the Bylaw that are officially defined within SECTION 2 of the Bylaw.

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

## **REVISE PROHIBITED USES**

Draft – February 8, 2016

**ARTICLE :** To see if the Town of Medway will vote to amend SECTION 5.2 of the Zoning Bylaw by inserting the following to Sub-Section 5.2 B. PROHIBITED USES:

B. 13. Self-Storage Facilities

And by revising the identification of item B. 13 to become B. 14.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

DRAFT

## **ZONING DISTRICT BOUNDARIES**

**Revised Draft – March 3, 2016**

**ARTICLE** : To see if the Town will vote to amend the Medway Zoning Bylaw by adding a new Section 4.4 as follows:

### **4.4 ZONING DISTRICT BOUNDARIES**

Where a zoning district boundary line is shown on the Zoning Map as being within a public or private street or right-of-way, the center line of the street or right-of-way shall be the zoning district boundary line.

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

**EXPAND INDUSTRIAL II**  
**January 22, 2016 draft**

ARTICLE: To see if the Town of Medway will vote to amend the Medway Zoning Map by rezoning the following parcels from ARII to Industrial II:

Address	Map/Parcel	Owner	Size	Notes
12 West Street	66 - 010	Sithe W. Medway LLC – c/o NSTAR	.2 acres	Electrical sub-station
Portion of 34 West Street	66 - 012	Sithe W. Medway LLC – c/o NSTAR	???	Electrical ROW. This parcel has split zoning – part Ind II and part ARII
30 West Street	66 - 011	New England Power Co	.7 acres	Electrical ROW
15 West Street	66 - 005	West ST. Realty Trust	6.97 acres	Mobile Excavating and American Stripping
23 West Street	65 - 028	New England Power Co	8.52 acres	Electrical ROW
27 West Street	66 - 004	New England Power Co	.37 acres	Electrical ROW
29 West Street	65 - 027	New England Power Co	12.97 acres	Electrical ROW
0 West Street	55 - 026	Boston Edison/NSTAR	6.7 acres	Electrical ROW
Portion of 0 Summer Street	66 - 013	Sithe W. Medway LLC - Excelon	???	Electricity Generation Facility. This parcel has split zoning – part Ind II and part ARII

And by revising Table 1 Schedule of Uses in Section 5.4 to add Contractor's Yard as an allowed, by right use, in the Industrial II zoning district.

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

# Proposed Expansion of Industrial II Zoning District

## IND-II

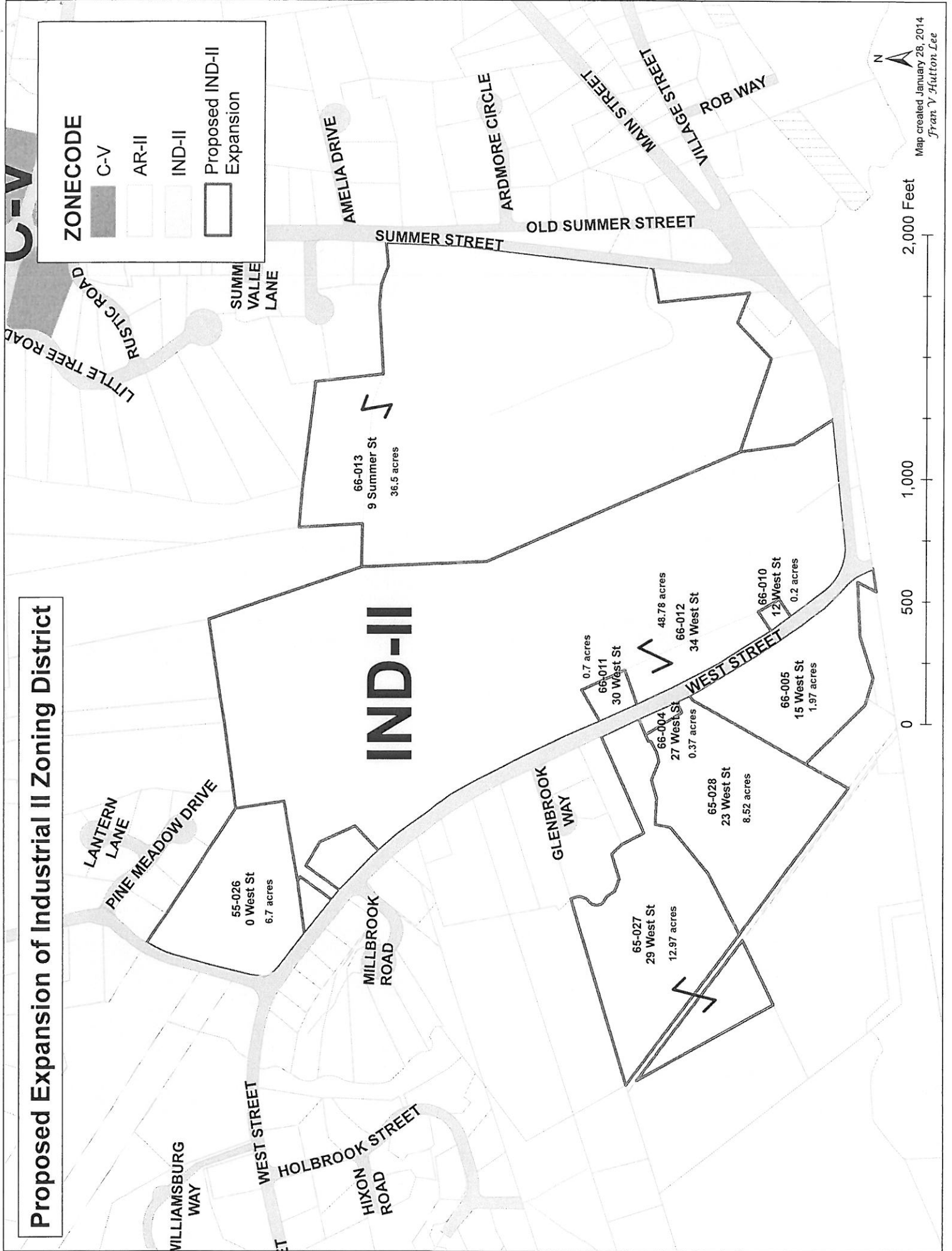
### ZONE CODE

C-V

AR-II

IND-II

Proposed IND-II  
Expansion





Town of Medway  
**Economic Development Committee**  
155 Village Street, Medway MA 02053  
(508) 321-4918 • FAX: (508) 321-4988

*Paul Yorkis, Chairman  
Andy Rodenhiser, Vice Chairman  
Eric Arbeene, Member  
Ken Bancewicz, Member  
Tina Chemini, Member  
Scott Habeeb, Member  
Hugh McKinnon, Member  
Keith Peden, Member  
Alissa Rodenhiser, Member  
Cranston Rogers, Member*

Date: March 8, 2016

To: Planning and Economic Development Board

From: Economic Development Committee

Re: Proposed Town Meeting warrant article relative to rezoning parcels from ARII to INDII

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At our February 10, 2016 meeting and during a discussion on long-term planning for economic development, it was brought to the Committee's attention that the Planning and Economic Development Board submitted a warrant article to rezone some parcels along West Street from ARII to INDII for inclusion on the 2016 Annual Town Meeting warrant. The Economic Development Committee would like to see an evaluation performed to make sure that the highest and best use of this area is explored. Further discussion on the rezoning of this area is warranted and we ask for a joint meeting to discuss.

Therefore by a vote of 6-0-1, the Economic Development Committee voted to request that the Planning and Economic Development Board withdraw the proposed article at this time and ask that the Board work with this Committee to make sure that the parcels on West Street will be utilized for the highest and best use.

## SECTION 2. DEFINITIONS

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

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

Shed: A detached **accessory structure** not exceeding one hundred and twenty square feet in gross floor area and ten feet in height.

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

### 8.3. HOME-BASED BUSINESS

#### C. Basic Requirements

1. The business use is subordinate to the residential use of the premises. No more than 20 percent of the gross floor area of the dwelling and any **accessory structures**, up to a maximum of 1,000 square feet of gross floor area, shall be used for the home-based business.

3. There shall be no outside storage associated with the home-based business. **Accessory structures such as sheds, detached garages, and barns** may be used for unheated storage of the home-based business's stock in trade, commodities, tools, equipment, or products.



- a. New construction or any alteration, reconstruction, **change in use** or renovation of any multi-family, commercial, industrial, institutional, or municipal use **or accessory structure which involves one or more of the following**: involving: 2,500 square feet or more of gross floor area;

**i. the addition of 2,500 square feet or more of gross floor area; or**

**ii. the addition of fifteen or more new parking places; or**

- b. ~~New construction or any alteration, reconstruction, or renovation of an existing building requiring fifteen or more parking spaces; or~~

- e. ~~b. Construction, expansion, redesign, or alteration~~ **The redesign, alteration or modification** of an existing parking area involving the addition of fifteen or more new parking spaces.

**c. Construction of ground mounted solar photovoltaic installations of any size including solar canopy type systems in parking areas.**

2. ~~Minor Site Plan Review: Any construction, alteration, reconstruction or renovation project or change of in use that is not subject to Major Site Plan Review but which requires a building permit and involves one or more of the following:~~

- a. ~~New construction or any alteration, reconstruction, change in use or renovation of any multi-family, commercial, industrial, institutional, or municipal use or accessory structure 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 five or more but less than fifteen new parking spaces; or**

- a. ~~Exterior alteration of an existing building or premises, visible from a public or private street or way, except where such alteration is exempt under Section B below;~~

- b. ~~New construction, expansion of an existing structure, or a change in use in an existing building requiring five or more but less than fifteen parking spaces; or~~

- e. ~~b. Construction,~~ **The redesign, alteration** or modification of a **an existing** parking area involving the addition of five or more but less than fifteen new parking spaces; or

- d. ~~c. Any use or structure or expansion thereof exempt under Massachusetts G.L. c. 40A, § 3, if one or more of the above criteria a-c also apply, and only to the extent allowed by law.~~

### **3. Administrative Site Plan Review:**

- a. ~~New construction or any alteration, reconstruction, or renovation of any multi-family, commercial, industrial, institutional, or municipal use or accessory structure which is not subject to Major or Minor Site Plan Review but which involves one or more of the following:~~

**i. The addition of less than 1,000 square feet of gross floor area, or**

~~Any work done in deviation from an approved site plan shall be a violation of these Bylaws unless such deviation is approved in writing by the Board or determined by the Building Inspector to be an insubstantial change.~~

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~~ **sheds**.
2. Residential subdivisions approved by the Board under the Medway Subdivision Rules and Regulations.
3. ~~Projects submitted to the PEDB under Section 8.5, Adult Retirement Community Planned Unit Development.~~
4. **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)**
  - a. ~~Architectural barrier removal to comply with the Americans with Disabilities Act (ADA) or regulations of the Massachusetts Architectural Access Board (AAB); or~~
  - b. ~~Installation of awnings, exterior siding, or roofing, or replacement of windows or doors;~~