

TOWN OF MEDWAY
WARRANT FOR MAY 13, 2013
ANNUAL TOWN MEETING

NORFOLK ss:

To either of the Constables of the Town of Medway

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of said Town who are qualified to vote in Town affairs to meet at the **Medway High School, 88 Summer Street**, on **Monday, May 13, 2013** at 7:30 PM, then and there to act on the following articles:

ARTICLE 1: (ESCO Stabilization Reserve Transfer: FY14 Operating Budget)

To see if the Town will vote to transfer the sum of \$53,046 from the ESCO Stabilization Fund to the Fiscal Year 2014 Debt Service expense account for the purpose of funding ESCO related debt service, or act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 2: (Transfer from Operational Stabilization Fund)

To see if the Town will vote to transfer the sum of \$40,366 from the Operational Stabilization Reserve Fund to fund the Fire Department training program, or act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 3: (Appropriation: FY14 Operating Budget)

To see if the Town will vote to fix the salary and compensation of all elected officers of the Town, provide for a Reserve Fund, and determine what sums of money the Town will raise and appropriate, including appropriation from available funds, to defray charges and expenses of the Town including debt and interest, for the Fiscal Year ending June 30, 2014, or to act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 4: (Appropriation: FY14 Water Enterprise Fund)

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$1,862,744 for the maintenance of the Water Department Enterprise fund as follows, or to act in any manner relating thereto:

Direct Costs

	Amount
Salaries	\$553,162
Expenses	\$524,050
Short Term Debt – Interest	\$ 10,000
Long Term Debt – Principal	\$566,250
Long Term Debt – Interest	\$209,282
Direct Costs Total	\$1,862,744

Indirect Costs

And further to raise and appropriate or transfer from available funds the sum of \$193,200 for indirect costs consisting of health insurance, workers' compensation, Medicare, liability insurance, administrative and operational services.

Indirect Costs Total	\$193,200
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Total	\$2,055,944
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And further that the above listed appropriations be funded as follows:

Fees for Service [User Fees]	\$2,055,944
	\$2,055,944

WATER SEWER COMMISSION

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 5: (Appropriation: FY14 Sewer Enterprise Fund)

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$907,611 for the maintenance of the Sewer Department Enterprise fund as follows, or to act in any manner relating thereto:

Direct Costs

	Amount
Salaries	\$173,906
Expenses	\$525,540
Short Term Debt - Interest	\$ 10,000
Long Term Debt – Principal	\$156,350
Long Term Debt – Interest	\$ 41,815
Direct Costs Total	\$907,611

Indirect Costs

And further to raise and appropriate or transfer from available funds the sum of \$71,892 for indirect costs consisting of health insurance, workers’ compensation, Medicare, liability insurance, administrative and operational services.

Indirect Costs Total	\$71,892
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Total	\$979,503
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And further that the above listed appropriations be funded as follows:

Fees for Service [User Fees]	\$979,503
Total	\$979,503

WATER SEWER COMMISSION

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 6: (Appropriation: FY14 Solid Waste Enterprise Fund)

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of \$1,335,761 to operate the Solid Waste/Recycling Department Enterprise Fund as follows, or to act in any manner relating thereto.

Direct Costs

	Amount
Salaries	\$ 289,211
Expenses	\$1,046,550
Direct Costs Total	\$1,335,761

Indirect Costs

And further to raise and appropriate or transfer from available funds the sum of \$96,544 for indirect costs consisting of health insurance, workers’ compensation, Medicare, liability insurance, administrative and operational services.

Indirect Costs Total	\$96,544
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Total	\$1,432,305
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And further that the above listed appropriations be funded as follows:

Trash Recycling Fees/Bag Revenues	\$1,432,305
Total	\$1,432,305

PUBLIC SERVICES DEPT.

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 7: (Appropriation: FY14 Ambulance Enterprise Fund)
 To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$563,115 to operate the Ambulance Enterprise Fund as follows, or act in any manner relating thereto.

Direct Costs

	Amount
Salaries	\$371,915
Expenses	\$155,500
Long Term Debt – Interest	\$ 5,700
Long Term Debt – Principal	\$ 30,000
Direct Costs Total	\$563,115

Indirect Costs

And further to raise and appropriate or transfer from available funds the sum of \$101,905 for indirect costs consisting of health insurance, workers’ compensation, Medicare, liability insurance, administrative and operational services.

Indirect Costs Total	\$101,905
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Total	\$665,020
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And further that the above listed appropriations be funded as follows:

General Fund Appropriation	\$169,654
Ambulance Retained Earnings	\$ 40,366
Insurance and Fees for Service	455,000
Total	\$665,020

FIRE DEPARTMENT

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 8: (Free Cash Appropriation: Capital Items)

To see if the Town will vote to appropriate the sum of \$1,500,639 for Fiscal Year 2014 from Certified Free Cash for the purpose of funding the following capital items, including associated engineering, personnel, maintenance and legal service costs, or act in any manner relating thereto:

Project	Department	Cost
VARIOUS ROAD/BRIDGE/SIDEWALK IMPROVEMENTS	Roads	\$700,000
REPLACE BALLISTIC VEST w/ TRAUMA PLATES	POLICE	\$22,475
REPAIR LIBRARY FRONT WALKWAY	LIBRARY	\$6,000
EMERGENCY GENERATOR REPLACEMENT – MCGOVERN	SCHOOLS	\$33,332
SENIOR CENTER SIDEWALK & KITCHEN IMPROVE	AGING COUNCIL	\$23,000
RE-ROOF BUILDINGS AT WATER STREET	DPS	\$18,500
TECHNOLOGY EQUIPMENT	IT	\$250,000
FIREFIGHTING EQUIPMENT	FIRE	\$68,281
INSTALL EMERGENCY OPS CENTER	POLICE	\$49,051
REPLACE TRUCK (P-3)	DPS	\$40,000
REPLACE EXTERIOR DOORS	SCHOOLS	\$20,000
REPLACE PAVED ENTRANCE - MCGOVERN	SCHOOLS	\$40,000
SECURITY SYSTEM UPGRADE	SCHOOLS	\$40,500
VAN	SCHOOLS	\$20,000
CASSIDY FIELD SEWER DESIGN	DPS	\$15,000
PURCHASE WING MOWER	DPS	\$71,000
PURCHASE FUEL EFFICIENT VEHICLES (2)	TOWN	\$50,000
PURCHASE FUEL EFFICIENT VEHICLE	SCHOOLS	\$25,000
REBUILD KELLEY STREET SOFTBALL DIAMOND	DPS	\$8,500
Free Cash Total		<u>\$1,500,639</u>

**CAPITAL IMPROVEMENT
PLANNING COMMITTEE**

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 9: (Borrowing: Capital Item – Fire Dept.)

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds the sum of \$270,000 for the purpose of funding the following capital item, including associated engineering, personnel, maintenance and legal service costs, or act in any manner relating thereto:

Project Department Cost

TANK TRUCK (TENDER)	FIRE	\$270,000
		\$270,000

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 10: (Capital Item – Water Enterprise Retained Earnings)

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds the sum of \$100,000 for the purpose of funding the following capital item, including associated engineering, personnel, maintenance and legal service costs, or act in any manner relating thereto:

Project	Department	Cost
INSTALL LOVERING TANK MIXER EQUIPMENT	DPS	\$100,000
		\$100,000

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 11: (Borrowing: Capital Projects - Water Enterprise)

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds the sum of \$3,690,000 for Fiscal Year 2014 from for the purpose of funding the following item, including associated engineering, personnel, maintenance, and legal services costs, or act in any manner relating thereto.

HIGHLAND ST WATER MAIN	WATER	\$680,000
VILLAGE ST WATER MAIN	WATER	\$1,150,000
WINTHROP ST WATER MAIN	WATER	\$1,200,000
ADAMS ST WATER MAIN	WATER	\$660,000
		\$3,690,000

PUBLIC SERVICES DEPT.

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 12: (Capital Item: Sewer Enterprise Retained Earnings)

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds the sum of \$75,000 for Fiscal Year 2014 from the Sewer Enterprise Fund for the purpose of funding

the following items, including associated engineering, personnel, maintenance, and legal services costs, or act in any manner relating thereto.

SEWER COLLECTION SYSTEM IMPROVEMENTS	SEWER	\$75,000
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PUBLIC SERVICES DEPT.

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 13: (Special Appropriation: Library)
To see if the Town will vote to raise and appropriate, borrow or transfer from available funds the sum of \$6,500 for one-time special programs at the Medway Public Library, or act in any manner relating thereto.

LIBRARY

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 14: (Appropriation: Field Maintenance)
To see if the Town will vote to raise and appropriate, borrow or transfer from available funds \$25,000 to fund field maintenance on one field to provide “A” quality field, or to act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 15: (Appropriation: Medway 300)
To see if the Town will vote to raise and appropriate, borrow pursuant to any applicable statute, or transfer from available funds the amount of \$15,000.00, under Massachusetts General Laws Chapter 44, Section 53I, for the purpose of appropriating funds for the celebration of Medway’s 300th anniversary of its incorporation, herein called “Medway 300”, or act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 16: (Appropriation for Heating/HVAC: Unexpended Balances of Monetary Articles)

To see if the Town will vote to appropriate \$53,344.45, the unexpended balances of appropriations authorized by vote of the Town under Article #25 of the Warrant at the May 3, 2004 Annual Town Meeting, Articles #1 and #6 of the June 6, 2005 Annual Town Meeting, Article #9 of the June 2, 2008 Annual Town Meeting, Article #23 of the June 15, 2009 Annual Town Meeting, and Article #7 of the June 14, 2010 Special Town Meeting for the purpose of funding heating and HVAC improvements at Town Hall, or to take any other action relative thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 17: (Appropriation for Fire Station Dormitory and Shed Addition: Unexpended Balances of Monetary Articles)

To see if the Town will vote to appropriate \$30,222.33, the unexpended balances of appropriations authorized by vote of the Town under Article 3 of the Warrant at the June 15, 2009 Annual Town Meeting and Article 7 of the November 14, 2011 Fall Town Meeting for the purpose of funding the construction of a dormitory room and a storage shed addition for Station 1, or to take any other action relative thereto.

FIRE DEPARTMENT

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 18: (Revolving Accounts: Annual Authorization)

To see if the Town will vote to re-authorize the following revolving funds pursuant to Chapter 44, section 53E½ of the Massachusetts General Laws for Fiscal Year 2014 as follows:

FUND	REVENUE SOURCE	AUTHORITY TO SPEND	USE OF FUND	SPENDING LIMIT
Parks and Recreation	Permit Fees	Board of Parks Commissioners	Self supporting recreation and parks services	\$100,000
Council on Aging	Donations/fees paid by riders and GATRA reimbursement	Council on Aging	Pay for dial-a-ride van service for seniors and disabled; shuttle service to Norfolk commuter rail station, and other necessary transportation services	\$96,000
Library Printer/Copier/Fax	Public printer use and copier and fax machine revenues	Board of Library Trustees	Printer, copier and fax machine expenses.	\$1,000

Library Meeting Room	Meeting room use fees	Board of Library Trustees	Meeting room maintenance, repairs and upgrades	\$1,000
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**BOARD OF SELECTMEN
(For the Various Departments Indicated)**

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 19: (Appropriation: Community Preservation Committee)

To see if the Town will vote to act on the report of the Community Preservation Committee for the Fiscal Year 2014 Community Preservation budget and to appropriate, or reserve for later appropriations, monies from the Community Preservation Fund annual revenues or available funds for the administrative expenses of the Community Preservation Committee, the transfer to the general fund for the payment of debt service, the undertaking of community preservation projects and all other necessary and proper expenses for the Fiscal Year 2014, or act in any manner relating thereto.

Appropriation

	Amount
Salaries	\$
Expenses	
Historical Commission	
Community Housing	
Long Term Debt – Interest	
Long Term Debt – Principal	
Direct Costs Total	\$

Reserves

	<u>10% of Estimated Fund Revenues</u>
Open Space	\$
Community Housing	\$
Historical Preservation	\$

COMMUNITY PRESERVATION COMMITTEE

BOARD OF SELECTMEN RECOMMENDATION: TBD

FINANCE COMMITTEE RECOMMENDATION: TBD

ARTICLE 20: (Net-Metering Agreement)

To see if the Town will vote to authorize the Board of Selectmen to enter into a solar net metering credit sales agreement for a term not to exceed twenty years upon such terms and conditions

determined by the Board of Selectmen to be in the best interests of the Town, or act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 21: (Accept Mass. General Law: C. 59, s. 5. Sub-section 54 – Personal Property)

To see if the Town will vote to accept Massachusetts General Laws Chapter 59 s.5, sub-section 54, which provides that personal property valued at \$2,500 or less, shall be exempt from taxation, or to act in any manner relating thereto.

BOARD OF ASSESSORS AND TAX COLLECTOR

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 22: (Create Redevelopment Authority)

To see if the Town will vote to determine there is a need for a redevelopment authority in the Town of Medway for the purpose of engaging in urban renewal projects or other work under General Laws chapter 121B and that it is in the public interest that a redevelopment authority be organized in the Town of Medway, and to vote to organize a redevelopment authority consisting of five members, four to be elected and one to be appointed by the department of housing and community development in accordance with General Laws chapter 121B section 5, or to act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 23: (Sewer Easement)

To see if the Town will vote to authorize the Board of Selectmen to grant a permanent sewer easement over a portion of the Town Senior Center property at 76 Oakland Street, to the owner of abutting land known as 70 Oakland Street, as shown on a plan entitled Proposed Sewer Connection, and on file with the Town Clerk, so that the property at 70 Oakland Street, Map and Parcel ID 42-056, may be connected to the Town sewer system, and on such terms and conditions as the Board of Selectmen shall deem to be in the best interests of the Town, and to authorize the Board of Selectmen and other Town officials to do all acts necessary to carry out the purposes of this article, or take any other action related thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 24: (Amend Dog Bylaw)

To see if the Town will vote to amend the general bylaws Article 12, Section 12.16 as follows (new wording is underlined and wording that is being deleted is stricken through):

Section 12.16

(a) The annual fee for dog licenses, except as otherwise provided by law, shall be \$11.00 **for spayed and neutered dogs and \$16.00 for all other dogs** to be retained by the Town of Medway for the purpose of administering and enforcing the Dog Control Law, in addition to such sums of money as may be established by State Law. **Medway residents 70 years of age and older will be issued a license at no cost for spayed and neutered dogs, but shall be required to pay the fee for unaltered dogs, and shall be subject to the late penalty under Section 12.16(e)(3)(4).**

(b) No licensing fee or part thereof shall be refunded because of the subsequent death, loss, spying or removal from the Commonwealth, or other disposal of the dog, ~~nor shall any license fee or part thereof, paid by mistake, be paid or recovered back after it has been paid over to the County under Chapter 140, Section 141 of the General Laws.~~

(c) No person shall own or keep in the town any dog which by biting, excessive barking, howling, or in any manner disturb the quiet of the public.

(d) The Animal Control Officer or Police Chief may restrain or muzzle, or issue an interim order to restrain or muzzle, for a period of not to exceed fourteen (14) days, any dog for any of the following reasons:

- (1) For having bitten or threatened any person.
- (2) If found at large or un-muzzled as the case may be, while the order for the restraint of such dog is in effect.
- (3) If found in school, schoolyard, or other recreational area.
- (4) For having killed or maimed or otherwise damaged any domesticated animal.
- (5) For chasing any vehicle (including bicycles) upon any public way or way open to public travel in town.
- (6) For any violation of Section 12.16(c).

(e) Any owner or keeper of a dog who shall fail to comply with any of the provisions of the laws and By-Laws governing dogs shall be fined as follows:

- (1) Failure to license dogs \$150.00

- (2) Dog found in schoolyard or any recreational area \$15.00
- (3) Complaints such as, but not limited to, biting, barking, littering or defecating on sidewalks or private property **or any violation of Section 12.16(c) or (d):**

First Offense: \$15.00

Second Offense: \$25.00

Third and each subsequent offense: \$50.00

- (4) **The license period for dog licenses shall begin January 1 of each year until December 31 of the following year.** Dog owners purchasing licenses after ~~June 15~~ **March 31st** annually shall be assessed a ~~late~~ **penalty** of \$150.00 for each license issued in addition to the established fee for such license. ~~This amendment to become effective April 1, 1984.~~

(f) All **fees, penalties and** fines shall be retained by the Town of Medway.

(g) Restraint of dogs.

(1) Any person owning or harboring a dog shall not suffer or allow it to run at large in any of the streets or public ways, or places in the Town of Medway, or upon the premises of anyone other than the owner or keeper, unless the owner or occupant of such premises grants permission.

(2) No person shall permit a dog owned or kept by him or her beyond the confines of the property of the owner or keeper unless the dog is restrained by the owner or keeper thereof on a leash, which shall not exceed ten feet.

(h) Definitions

(1) At large means a dog which is unaccompanied by a person able to properly control its actions or unrestrained by a leash or chain.

(i)

~~(1) No owner, or person having the care custody or control of any American Staffordshire, Staffordshire Pit Bull Terrier, or Bull Terrier shall permit it to be off his or her own premises, unless it is wearing a muzzle.~~

(2) The word "muzzle" shall mean a device constructed of strong, soft material or a metal muzzle, such as that used commercially with greyhounds. The muzzle must be made in a manner which will not cause injury to the dog or interfere with its vision or respiration, but must prevent it from biting any person or animal.

~~(3) Any violation of this sub paragraph (i) shall be subject to a fine of \$50.00 for each offense.~~

(j)

~~(1) No person, corporation, partnership or other business entity shall sell, trade, breed or otherwise transfer ownership or possession of any American Stafford shire, Stafford shire Pit Bull Terrier, or Bull Terrier within the limits of the Town of Medway.~~

~~(2) Any violation of this sub paragraph (j) shall be subject to a fine of \$50.00 for each offense.~~

(k)

~~(1) No owner, or person having the care, custody or control of any American Stafford shire, Stafford shire Pit Bull Terrier, or Bull Terrier shall permit it to be anywhere in the Town of Medway except in or on property owned by the owner of said dog, and at all times it shall be in a secure area so that it cannot escape therefrom and/or gain access to public areas or private areas not owned by the owner of the said dog.~~

~~(2) Any unregistered American Stafford shire, Stafford shire Pit Bull Terrier or Bull Terrier found within the Town of Medway shall be forever banned from the Town of Medway and the owner thereof shall be fined the sum of \$50.00.~~

or take any other action relative thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 25: (Street Acceptance, Land Donation and Infrastructure Acceptance – The Meadows Subdivision)

To see if the Town will vote to accept as public ways, the following streets as laid out by the Board of Selectmen and as shown on a plan or plans on file in the Office of the Town Clerk:

Goldenrod Drive in its entirety from Station 0+00 to its end at Station 13+45.41 as a public way as shown on *Acceptance Plan – Goldenrod Drive, Medway, MA* dated 9-5-07, prepared by GLM Engineering Consultants of Holliston, MA, as laid out by a vote of the Board of Selectmen. NOTE – Goldenrod Drive is located in *The Meadows* subdivision. The Meadows Definitive Subdivision Plan was endorsed by the Planning Board on 4-28-98 and recorded at the Norfolk County Registry of Deeds in Plan Book 456 as Plan #329 of 1998.

Cardinal Circle in its entirety from Station 0+00 to its end at Station 8+18.58 as a public way, as shown on *Acceptance Plan – Cardinal Circle, Medway, MA*, dated 9-5-07, prepared by GLM Engineering Consultants of Holliston, MA, as laid out by a vote of the Board of Selectmen. NOTE – Cardinal Circle is located in *The Meadows* subdivision. The Meadows Definitive Subdivision Plan was endorsed by the Planning Board on 4-28-98 and recorded at the Norfolk County Registry of Deeds in Plan Book 456 as Plan #329 of 1998.

And further to see if the Town will vote to accept as a gift from Cedar Trail Trust of Medfield, MA, one parcel of land totaling 3.68 acres identified as Parcel A on The Meadows Definitive

Subdivision Plan dated 9-15-1997, prepared by GLM engineering of Holliston, MA, endorsed by the Planning Board on 4-28-1998, recorded at the Norfolk County Registry of Deeds on 5-19-1998 in Plan Book 456 as Plan #329 of 1998, also shown on Medway Assessors Map and Parcel 22-026, known as 132 R Holliston Street, said land to be used by the Town for open space/conservation purposes.

And further to authorize the Board of Selectmen to acquire by gift, purchase, eminent domain or otherwise, and to accept the deed or deeds to the Town of a fee simple interest or easements in said streets and any associated drainage, utility or other easements for said streets, and for any trail or public access easements and to appropriate a sum of money for this purpose and any related expenses;

And further to authorize the Board of Selectmen and town officers to take any and all related actions necessary or appropriate to carry out the purposes of this article;

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 26: (Street Acceptance/Infrastructure Acceptance – Claybrook II Subdivision)
To see if the Town will vote to accept as public ways, the following streets as laid out by the Board of Selectmen and as shown on a plan or plans on file in the Office of the Town Clerk:

Wildebroke Road in its entirety from Station 0+00 to its end at Station 7+46.66 as a public way as shown on *Claybrook II – Wildebroke Road and First Colony Drive Street Acceptance Plan ST-1 and ST-1B*, dated 4-8-2013, prepared by Tetra Tech of Framingham, MA, as laid out by a vote of the Board of Selectmen. NOTE – Wildebroke Road is located in the Claybrook II subdivision. The Claybrook II Definitive Subdivision Plan, prepared by Engineering, Surveying and Planning Associates of Medway, MA was endorsed by the Planning Board on 6-11-1996 and recorded at the Norfolk County Registry of Deeds on 10-31-1996 in Plan Book 443 as Plan #725 of 1996.

First Colony Drive in its entirety from Station 0+00 to its end at Station 2+99.01 as a public way as shown on *Claybrook II – Wildebroke Road and First Colony Drive Street Acceptance Plan ST-1 and ST-1B*, dated 4-8-2013, prepared by Tetra Tech of Framingham, MA, as laid out by a vote of the Board of Selectmen. NOTE – First Colony Drive is located in the Claybrook II subdivision. The Claybrook II Definitive Subdivision Plan, prepared by Engineering, Surveying and Planning Associates of Medway, MA was endorsed by the Planning Board on 6-11-1996 and recorded at the Norfolk County Registry of Deeds on 10-31-1996 in Plan Book 443 as Plan #725 of 1996.

Northern Portion of Summit Road from Station 0+00 (starting approximately 200 feet south of Old Surrey Lane) to its end at Station 8+30.52 as a public way as shown on *Claybrook II Summit Road and Old Surrey Lane Street Acceptance Plan ST-2*, dated 4-8-2013, prepared by Tetra Tech of Framingham, MA, as laid out by a vote of the Board of Selectmen. NOTE – This portion of Summit Road is located in the Claybrook II subdivision. The Claybrook II Definitive

Subdivision Plan, prepared by Engineering, Surveying and Planning Associates of Medway, MA was endorsed by the Planning Board on 6-11-1996 and recorded at the Norfolk County Registry of Deeds on 10-31-1997 in Plan Book 443 as Plan #725 of 1996.

Easterly Portion of Olde Surrey Lane from Station 0+00 to Station 1+76.17 as a public way as shown on *Claybrook II Summit Road and Old Surrey Lane Street Acceptance Plan ST-2*, dated 4-8-2013, prepared by Tetra Tech of Framingham, MA, as laid out by a vote of the Board of Selectmen. NOTE – This portion of Old Surrey Lane is located in the Claybrook II subdivision. The Claybrook II Definitive Subdivision Plan, prepared by Engineering, Surveying and Planning Associates of Medway, MA was endorsed by the Planning Board on 6-11-96 and recorded at the Norfolk County Registry of Deeds on 10-31-1996 in Plan Book 445 as Plan #725 of 1996.

And further to authorize the Board of Selectmen to acquire by gift, purchase, eminent domain or otherwise, and to accept the deed or deeds to the Town of a fee simple interest or easements in said streets and any associated utility or other easements for said streets, and for any trail or public access easements and to appropriate a sum of money for this purpose and any related expenses;

And further to authorize the Board of Selectmen and town officers to take any and all related actions necessary or appropriate to carry out the purposes of this article; or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 27: (Zoning Map Revision: ARII to Commercial V)

To see if the Town of Medway will vote to rezone the following parcels from Agricultural Residential II district zoning to Commercial V district zoning as shown on a map on file with the Town Clerk and to amend the Medway Zoning Map accordingly.

Address	Medway Assessor's Parcel ID #	Parcel Size	Current Owner
32 Summer Street	56-041	1.38 acres	Berry's Greenhouse
37 Summer Street	56-017	0.09 acres	Alexander
35 Summer Street	56-018	0.67 acres	Alexander
33 Summer Street	56-019	0.42 acres	Notturmo
31 Summer Street	56-020	0.34 acres	PMAM Group, LLC

Or act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 28: (Zoning Map Revision: Commercial IV)

To see if the Town of Medway will vote to revise the zoning district boundary lines for the Commercial IV zoning district by rezoning that portion of the following parcels which is presently zoned Agricultural/Residential II so that the entire parcel is zoned Commercial IV as shown on a map on file with the Town Clerk and to amend the Zoning Map accordingly,

Address	Medway Assessor's Parcel ID #	Parcel Size	Current Owner
315 Village	58-106	1.59 acres	Town of Medway (Police Station)
323 Village	58-119	.58 acres	Sosken Realty LLC
325 Village	58-118	.71 acres	Theresa and Timothy Kelley
329 Village	58-117	.54 acres	Catherine Rigney
330 Village	58-139	.35 acres	David and Jennifer Bennett
7 High	58-136	8276 sq. ft.	Frederick & Alice Tingley
10 High	58-156	.52 acres	Alison Bro

and by rezoning that portion of the following parcels which is presently zoned Commercial IV so that the entire parcel is zoned Agricultural/ Residential II as shown on a map on file with the Town Clerk and to amend the Zoning Map accordingly.

19 Guernsey	58-189	.53 acres	Paul & Charlene Coffey
17 Guernsey	58-190	1 acre	Kenneth & Barbara Sullivan
9 High	58-135	.52 acres	Joanne M. Cassidy Living Trust

Or act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION: TBD

FINANCE COMMITTEE RECOMMENDATION: TBD

ARTICLE 29: (Amend Zoning Bylaw: Parking Regulations – SECTION V. Use Regulations, Sub-Sections B & H)

To see if the Town of Medway will vote to amend the Medway Zoning Bylaw by deleting the existing parking regulations presently included in each individual zoning district in SECTION V. USE REGULATIONS as follows:

- V. G. Commercial District I – Paragraph 2. g) Off-Street Parking
- V. I. Commercial District III – Paragraph 4. g) Off-Street Parking
- V. J. Commercial District IV – Paragraph 4. g) Off-Street Parking
- V. K. Commercial District V – Paragraph 2. h) Off-Street Parking
- V. M. Industrial District I – Paragraph 2. g) Off-Street Parking and re-labeling the remaining items h) and i) to g) and h)

- V. N. Industrial District II – Paragraph 2. g) Off-Street Parking and re-labeling the remaining item h) to g)
- V. O. Industrial District III – Paragraph 2. g) Off-Street Parking and re-labeling the remaining item h) to g).
- V. Y. Business Industrial District – Paragraph 2. g) Off-Street Parking

and by deleting Paragraph 6. Parking Requirements in Sub-Section B. AREA STANDARDS of SECTION V. USE REGULATIONS

and by adding a new Sub-Section H. PARKING REGULATIONS to SECTION V. USE REGULATIONS as follows:

SUB-SECTION H – PARKING REGULATIONS

1. **Purpose** - The purpose of this Sub-Section is to establish standards ensuring the availability of safe and convenient parking areas for a variety of motor vehicles. The goal is to provide sufficient parking to meet the needs of businesses and to encourage economic development while respecting the environment and community character. Any use of land involving the arrival, departure, long term or temporary parking of motor vehicles (not for vehicle sales), and all structures and uses requiring the vehicular delivery or shipment of goods as part of their function, shall be designed and operated to:
 - a) Promote traffic safety by assuring adequate places for parking of motor vehicles and for their orderly access and egress to and from the public way;
 - b) Reduce the amounts of impervious surfaces required for parking from being created;
 - c) Promote safety and reduce hazards for pedestrians, bicyclists, motor vehicle occupants, property and business owners.
 - d) Provide pedestrian access from the public way to the developed portion of the site and increase pedestrian connectivity within sites;
 - e) Promote access and convenience, in compliance with regulations of the Americans with Disabilities Act (ADA) and Massachusetts Architectural Access Board (AAB), for people with disabilities;
 - f) Increase mobility and safety for bicyclists and encourage bicycle use by providing bicycle parking;
 - g) Protect adjoining lots and the general public from nuisances and hazards such as:
 1. noise, glare of headlights, dust and fumes resulting from the operation of motor vehicles entering, exiting and idling in parking lots;
 2. glare and heat from parking lots; and,
 3. lack of visual relief from expanses of paving.
 - h) Reduce other negative impacts which excessive parking areas can cause.

- i) Minimize impacts on scenic roads, historic districts, natural resources and community character.

Permitting boards are provided flexibility to adjust parking standards because of business mix, pedestrian accessibility, employment density, parking management programs and other factors particular to an individual site/business.

2. **Requirement** – No Building Permit or Certificate of Use and Occupancy shall be issued unless the application complies with the parking requirements specified herein. The Planning and Economic Development Board or Zoning Board of Appeals, in granting a special permit or site plan review, may determine that special circumstances render a lesser provision of parking to be adequate pursuant to Paragraph 11 herein. In such cases, the respective Board may impose such conditions and limitations as it deems necessary.
3. **Applicability** – These parking regulations shall apply to all uses except for single family and two family residences and exempt uses as specified in SECTION V. USE REGULATIONS, Sub-Section P. Exempt Uses.
4. **Parking Requirements Schedule** – The Parking Requirements Schedule is located at the end of this Sub-Section H.
5. **General Parking Requirements** – Except as may be determined pursuant to Paragraphs 2 and 11 herein, the following parking requirements shall be met:
 - a) Off-street parking shall be provided to service all increases in parking demand that may result from new construction, additions or changes in use.
 - b) If a parcel includes two or more distinguishable uses/purposes, the minimum total number of required parking spaces shall be the sum of the number of parking spaces required for each individual use except as may be authorized pursuant to Paragraph 11 herein.
 - c) If a use change increases the parking requirements, such use shall not be permitted until the parking requirements set forth herein with respect to such proposed use are met.
 - d) Any existing parking spaces that are removed due to new construction or site alterations shall be replaced on the site unless they are either in excess of the number required or removed at the request of the Town.
 - e) Parking spaces which also serve as loading or unloading areas shall not be credited toward the minimum number of required parking spaces.
 - f) Calculations - For the purpose of computing the parking requirements of various uses, the number of spaces required shall be the largest whole number obtained after calculating the required parking. Any fractional parking space of .5 and above shall be rounded up to the next whole number.
 - g) Changes in use shall demonstrate the ability to meet parking standards.

- h) Required handicapped parking spaces shall count toward the minimum required number of parking spaces.
6. **Location of Parking Areas** - All required off-street parking facilities for uses located on a lot shall be located on:
- a) the same premises or
 - b) on a separate parcel which:
 - 1) adjoins the lot on which the activity or the uses it services is located or is located within practical and safe walking distance from the subject use as determined by the permitting Board (ZBA or PEDB) or the Zoning Enforcement Officer when no Board is involved; and
 - 2) is located in a zoning district allowing the use/activity served by the parking area; and
 - 3) said parcel is held in common ownership with the principal lot or the owner of the principal lot has a legally enforceable right to utilize the lot not owned by the applicant as off-street parking and that right is evidenced by an appropriate legal instrument acceptable to the permitting Board or the Zoning Enforcement Officer.
7. **Parking Space Dimensions** – Off-Street Parking facilities shall be laid out as a rectangle in compliance with the following minimum provisions:
- a) *Standard Parking Space/Stall* – Nine feet wide by eighteen feet long, exclusive of maneuvering and driving lanes.
 - b) *Small Vehicle Parking Space/Stall* – Eight feet wide by fifteen feet long exclusive of maneuvering and driving lanes.
 - c) *Parallel/Curbside Parking Spaces/Stall* – Eight feet wide by twenty-two feet long
 - d) *Motorcycle Parking Space/Stall* – Four feet wide by eight feet long.
8. **Allocation of Standard, Small and Motorcycle Spaces** - In order to reduce the amount of overall impervious surface of paved off-street parking areas containing more than forty parking spaces/stalls, up to a maximum of 40% of the required number of parking spaces/ stalls may be designated for small vehicles and an additional 3% of the required number of parking spaces/stalls may be designed for motorcycle use and still count toward the overall number of spaces required. Small vehicle and/or motorcycle parking spaces shall be grouped in one or more locations within a parking area and shall be designated by clearly visible signs.
9. **Parking Area Design**
- a) Surface - Parking areas shall have durable, all weather paved surfaces, and shall provide for the satisfactory management of surface water. Parking areas composed of pervious surfaces are encouraged in low traffic areas such as

reserve parking. and may be used to meet all or any part of the required parking subject to environmental limitations. The *Site Plan Rules and Regulations* shall be referred to for specific standards for parking surfaces.

- b) No parking spaces that comprise the minimum number required may also be used for the storage of materials or equipment, the display of merchandise, or serve as a loading or unloading area.
 - c) Parking shall be so designed that no vehicle will be required to back onto a public way in order to enter or exit from a parking space.
 - d) Adequate off-street loading and unloading facilities and space shall be provided and arranged such that no delivery vehicles need back onto or off of a public way, travel against one-way traffic, obstruct drive-thru traffic or parking spaces or park on a public way while loading, unloading or waiting to do so.
 - e) Parking facilities shall comply with the requirements of the Massachusetts Architectural Access Board and ADA where applicable.
 - f) Further requirements and standards for access/egress, sight distance lines, loading and unloading, driveway and maneuvering aisle dimensions, landscaping, screening, buffers, lighting, sidewalks and pedestrian access shall be as specified in the Planning and Economic Development Board's *Site Plan Rules and Regulations*.
 - g) Parking spaces shall be clearly delineated by white or yellow pavement markings at least four inches in width or the equivalent based on industry standards. Handicapped parking spaces shall be delineated per the standards of the Massachusetts Architectural Access Board.
 - h) Driveways/egresses serving ten or more parking spaces shall have stopping and intersection sight distances based on the AASHTO standards - Geometric Design of Highways and Streets.
 - i) Location of Parking – To the maximum extent feasible, parking for retail/ office/ commercial uses shall be located behind or beside buildings. Motor vehicle parking located between the building and street alignment is permitted only if no other reasonable alternative is available.
 - j) The design of parking areas shall not degrade safety for pedestrians, bicyclists, motor vehicle occupants, property and business owners, Impacts on scenic roads, historic districts, natural resources and community character shall be minimized.
10. **Bicycles** – Bicycle racks that facilitate locking shall be provided to accommodate one bicycle per twenty off-street parking spaces required or fraction thereof. This number may be reduced by the permitting Board or the Zoning Enforcement Officer based on individual site considerations. Bicycle racks shall be securely anchored and wherever possible, shall be located within view of building entrances or windows.

11. **Flexible Parking Options/Parking Reductions**

- a) A decrease in the number of off-street parking spaces to less than the amount required by these provisions may be granted by the permitting Board for any use as part of a special permit application or site plan review.
 - 1) The Planning and Economic Development Board is authorized to issue a special permit for reduced parking for uses that are allowed by right and which are subject to Site Plan Review or for uses authorized by special permit from the Planning and Economic Development Board.
 - 2) The Zoning Board of Appeals is authorized to issue a special permit for reduced parking for uses that are allowed by special permit from the Board of Appeals.
 - 3) Such reduction in the number of parking spaces shall not exceed 30%.
- b) The permitting Board may determine that a lesser number of parking spaces would be adequate for all parking needs because of special circumstances such as:
 - 1) Potential for Shared Parking – The uses have varying hours and days of operation whereby peak parking demands occur at different times of day, week or season and do not place coincident peak demands on the parking area. A reciprocal agreement acceptable to the applicable Board shall be executed by all parties in order to ensure the long-term joint use of shared parking.
 - 2) Demographic or other characteristics of site users.
 - 3) Existence of parking space demand reduction programs such as organized car/van pooling or mobility management programs such as but not limited to a shuttle bus from train stations.
 - 4) The extent to which the proponent’s development proposal promotes and accommodates other means of transportation to access the site such as sidewalks or bicycle racks.
 - 5) High employment density such as locations where there are fifty or more employees/acre.
 - 6) Existence of safe and convenient pedestrian walkways and connections between buildings within in a multi-tenant development/shopping center so as to reduce the number of vehicle movements and re-parking to visit multiple businesses within the multi-tenant development on the same trip.
 - 7) Walkability
 - a. The existence of multiple residential uses/developments within one mile of the subject site; and

- b. The existence of safe and convenient forms of pedestrian connectivity for 100% of the distance between nearby residential neighborhoods and the subject site.
 - 8) The existence of a municipal or private parking lot within 2 blocks/400 feet of the use.
 - 9) The availability of legal on-street parking.
- c) To reduce the parking requirements, the permitting Board shall determine that the following criteria are met:
 - 1) The provision of parking spaces will be in harmony with the general purpose and intent of this section of the Zoning Bylaw.
 - 2) The amount of off-street parking to be provided will be sufficient to serve the use(s) for which it is intended.
 - 3) The decrease in required off-street parking is based on a parking analysis/study prepared by a registered professional engineer. Such analysis shall include at a minimum, the following:
 - a. size and type of existing uses or activities on site
 - b. size and type of proposed uses or activities on site
 - c. rate of parking turnover for various uses
 - d. expected peak traffic and parking loads for various uses based on customary hours of operation
 - e. availability of public transportation
 - f. industry parking standards for various uses
 - g. other factors such as those itemized above in 11. a).
 - d) In issuing a special permit for reduced parking, the permitting Board may impose appropriate conditions and limitations including but not limited to provisions requiring additional parking should uses change over time or requirements to designate green space to be used for future parking if needed.

12. **Definitions** - As used herein, the following terms shall have the following meanings:

Net Floor Area (NFA) – The total area of all floors of principal and accessory buildings or structures on a lot, excluding stairwells and elevator shafts, equipment and utility rooms, rooms used for the storage of merchandise not accessible to the public, interior vehicular storage and all floors below the first or ground floor, except when used or intended to be used for permitted uses.

Shared Parking – A parking area or facility that serves multiple destinations. Often, but not always, the destinations share patrons so that people park once and visit multiple destinations. May also include parking areas that have different time periods when parking demand is highest.

4. **Parking Requirements Schedule**

NOTE – The third column entitled **Medway’s Existing Parking Requirements** is provided for reference purposes only and will not be included in the final text of the bylaw.

USE	*Parking Requirements	Medway’s Existing Parking Requirements
Business, Professional and Governmental Offices and Banks	1 space per 300 sq. ft. of net floor area	Nothing specific for these uses in Commercial I, III and IV– it would default to 1 space per 300 sq. ft. of gross floor area; 1 space per 250 sq. ft. of gross retail floor space in Commercial V
Medical Office or Clinic	1 space per 300 sq. ft. of net floor area	Nothing specific for these uses – it would default to 1 space per 300 sq. ft. of gross floor area
Animal Hospital/ Veterinary Clinic	1 space per 300 sq. ft. of net floor area	Nothing specific for these uses – it would default to 1 space per 300 sq. ft. of gross floor area
Retail Store	1 space per 300 sq. ft. of net floor area	Nothing specific for these uses in Commercial I, III and IV – it would default to 1 space per 300 sq. ft. of gross floor area. 1 space per 200 sq. ft. of gross floor area in Commercial V
Service Establishments	1 space per 300 sq. ft. of net floor area	Nothing specific for these uses – it would default to 1 space per 300 sq. ft. of gross floor area
Warehouse/Shipping Facility	1 space per each 2 persons employed or anticipated to be employed on the largest shift and 1 additional space for each 1,000 sq. ft. of net floor area.	Not allowed in Commercial I, III, and IV. In Industrial I, II and III, 1 space per each 2 persons employed or anticipated to be employed on the largest shift and 1 additional space for each 1,000 sq. ft. of floor space.
General Light Industrial and Manufacturing	1 space per each 2 persons employed or anticipated to be employed on the largest shift and 1 additional space for each 1,000 sq. ft. of net floor area.	1 space per each 2 persons employed or anticipated to be employed on the largest shift and 1 additional space for each 1,000 sq. ft. of floor space in Industrial I, II & III.
Dining/Restaurants	1 space for each employee and 1 space for every 3 seats.	1 space for each employee and 1 space for every 3 seats

USE	*Parking Requirements	Medway's Existing Parking Requirements
Vehicle Fuel Station	1 space per fueling position plus 1 space per 300 sq. ft. of net floor area including service areas and retail/convenience store areas. The temporary parking areas at fueling positions shall not count toward the sq. ft. parking requirement.	Nothing specific to these uses – it would default to 1 space per 300 sq. ft. of gross floor area
Vehicle Repair Shops	1 space per 300 sq. ft. of net floor area plus 2 spaces per service bay	Nothing specific to these uses – it would default to 1 space per 300 sq. ft. of gross floor area
Dance/Martial Arts/Other Exercise Studios	1 space per 300 sq. ft. of net floor area	Nothing specific to these uses – it would default to 1 space per 300 sq. ft. of gross floor area
Studios for Artists/Design Professionals	1 space per 300 sq. ft. of net floor area	1 space per 300 sq. ft. of gross floor area (AUOD). Elsewhere there are no specific parking standards for this use. It would default to 1 space per 300 sq. ft. of gross floor area
Uses Allowed by Special Permit	Parking as required by the Special Permit Granting Authority based on industry standards.	We default to industry standards for special permits issued in Commercial I per the special permit granting authority.
Other Uses Not Specified Herein	Where a use is not specifically referenced in this table, the parking requirement for the most nearly comparable use or industry standards shall apply.	We have no language to address this.

* When calculating parking requirements, please refer to the definition of *Net Floor Area (NFA)* included in Paragraph 12.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 30: (Amend Sign Bylaw)

To see if the Town of Medway will vote to amend the Medway Zoning Bylaw, SECTION V. USE REGULATIONS, Sub-Section R. Sign Regulations by revising TABLE 2 regarding wall signs in multi-tenant developments located in Commercial District I, as follows:

NOTE – Proposed text to be DELETED is shown with a strikethrough. Proposed text to be ADDED is shown in ***bold italic***.

Commercial District I - Route 109 Business Districts					
Multi-Tenant Development – 5 Acres or More (On a Lot or Lots Comprised of 5 or More Acres such as Medway Commons)					
	Total Maximum Sign Surface Area (square feet)	Maximum # of Signs	Maximum Sign Height (feet)	Minimum Setback from any Street Lot Line (feet)	Illumination
Development Sign	<p>Primary 100 not to exceed 75 per sign face</p> <hr/> <p>Secondary 30 not to exceed 20 per sign face</p>	<p>1 per approved curb cut not to exceed 1 per street frontage.</p> <p>One sign shall be considered to be the primary sign and all others shall be considered to be secondary signs.</p>	<p>Primary 12</p> <hr/> <p>Secondary 6</p>	<p>Primary 15</p> <hr/> <p>Secondary 10</p>	External
Individual Establishment Wall Sign	<p>Building Sign frontage X 1.0 not to exceed 120 per establishment *</p>	<p>3 for a freestanding establishment not to exceed 1 per façade</p> <p>1 for an establishment located in a multi-tenant building</p> <p>2 for an establishment located in a multi-unit building not to exceed 1 per façade</p> <p>1 for all others</p>	NA	NA	External Internal

Individual Establishment Projecting Sign	12	1 per establishment	See Paragraph 7 g)	NA	External
Freestanding Directory Sign	16	Per Master Signage Plan	6	See Paragraph 7 k)	External

Multi-Tenant Development – Less Than 5 Acres
(On a Lot or Lots Comprised of Less Than 5 Acres such as Gould’s Plaza)

Development Sign	60 not to exceed 40 per sign face	1 per development	8	10	External Indirect
Individual Establishment Wall Sign	Building Sign Frontage X 1.0 not to exceed 80 per establishment *	<p align="center">1-per establishment</p> <p align="center">2 for an establishment located in a multi-unit building not to exceed 1 per façade*</p> <p align="center">1 for all others</p>	NA	NA	External Internal
Individual Establishment Projecting Sign	12	1 per establishment	See Paragraph 7 g)	NA	External
Freestanding Directory Sign	16	Per Master Signage Plan	6	See Paragraph 7 k)	External

* Unless an establishment has two or more building sign frontages. If so see Paragraph 7, i)

Or to take any action relative thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 31: (Amend Zoning Bylaw: Medical Marijuana Treatment Centers – Section V. Use Regulations, Add Sub-Section BB.)

To see if the Town of Medway will vote to amend the Medway Zoning Bylaw, SECTION V. USE REGULATIONS, by adding Sub-Section BB. TEMPORARY MORATORIUM ON MEDICAL MARIJUANA TREATMENT CENTERS

BB. TEMPORARY MORATORIUM ON MEDICAL MARIJUANA TREATMENT CENTERS

1. **Purpose** - By vote at the State election on November 6, 2012, the voters of the Commonwealth approved a law regulating the cultivation, distribution, possession and use of marijuana for medical purposes. The law provides that it is effective on January 1, 2013 and the State Department of Public Health is required to issue regulations regarding implementation within 120 days of the law's effective date.

Currently under the Medway Zoning Bylaw, a Medical Marijuana Treatment Center is not a permitted use in the Town of Medway and any regulations promulgated by the State Department of Public Health are expected to provide guidance to the Town in regulating medical marijuana, including Medical Marijuana Treatment Centers. The regulation of medical marijuana raises novel and complex legal, planning, and public safety issues. The Town needs time to study and consider the regulation of Medical Marijuana Treatment Centers and address such novel and complex issues, to address the potential impact of the State regulations on local zoning, and to undertake a planning process to consider amending the Zoning Bylaw regarding regulation of medical marijuana treatment centers and other uses related to the regulation of medical marijuana.

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

2. **Definitions**

“*Medical Marijuana Treatment Center*” shall mean a “not-for-profit entity, as defined by Massachusetts law only, registered by the Department of Public Health, that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers.”

3. **Temporary Moratorium**

For the reasons set forth above and notwithstanding any other provision of the Medway Zoning Bylaw to the contrary, the Town hereby adopts a temporary moratorium on the use of land or structures for a Medical Marijuana Treatment Center. The moratorium shall be in effect through June 30, 2014. During the moratorium period, the Town shall undertake a planning process to address the potential impacts of medical marijuana in the Town, consider the Department of Public Health regulations Regarding Medical Marijuana Treatment Facilities and related uses, and shall consider possible amendments to the Medway Zoning Bylaw to address the impact and operation of Medical Marijuana Treatment Centers and related uses in the community.

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 32: (Appropriation: Police Training)

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds \$20,000 for Police Department staff training, or act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 33: (Capital Improvement Stability Fund Transfer: Field Tractor)

To see if the Town will vote to transfer the sum of \$30,000 from the Capital Improvement Stability Fund for the purpose of funding the purchase of a field tractor, or act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 34: (Capital Improvement Stability Fund Transfer: Aerator)

To see if the Town will vote to transfer the sum of \$12,000 from the Capital Improvement Stability Fund for the purpose of funding the purchase of a deep tine aerator, or act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 35: (Capital Improvement Stability Fund Transfer: Cassidy Field Sewer Line)

To see if the Town will vote to transfer the sum of \$70,000 from the Capital Improvement Stability Fund for the purpose of funding the engineering and construction of a sewer line at Cassidy Field, or act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION:

Approve

FINANCE COMMITTEE RECOMMENDATION:

Approve

And you are hereby directed to serve this warrant by posting printed attested copies thereof at two (2) locations in each precinct at least SEVEN (7) days before the day of said meeting. Hereof fail not and make due return of this warrant with your doings thereon to the Clerk of said Town at or before the time of said meeting.

Given under our hands in Medway, this 1st day of April 2013.

A TRUE COPY:

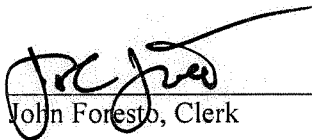
SELECTMEN OF THE TOWN OF MEDWAY



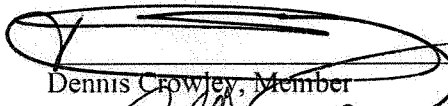
Andrew Espinosa, Chairman



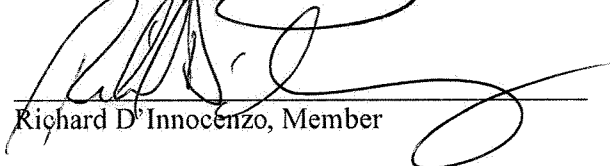
Glenn Trindade, Vice Chairman



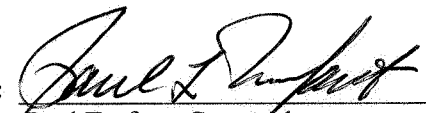
John Foresto, Clerk



Dennis Crowley, Member



Richard D'Innocenzo, Member

ATTEST: 
Paul Trufant, Constable