

**February 9, 2010**  
**Planning and Economic Development Board**  
**Medway Town Hall - 155 Village Street**

**BOARD MEMBERS PRESENT:** Bob Tucker, Thomas Gay, Karyl Spiller-Walsh, and Chan Rogers.

**ABSENT WITH NOTICE:**

Members Andy Rodenhiser, John Williams  
Engineering Consultant Dave Pellegrini, Tetra Tech Rizzo

**ABSENT WITHOUT NOTICE:**

**ALSO PRESENT:** Susy Affleck-Childs, Planning and Economic Development Coordinator  
Gino Carlucci, PGC Associates  
Amy Sutherland, Meeting Recording Secretary

The Vice Chairman Tucker opened the meeting at 7:03 pm.

**BOARD BUSINESS:**

**Minutes of the January 26, 2010 Meeting**

- **On a motion made by Karyl Spiller-Walsh, and seconded by Chan Rogers, the Board voted unanimously to accept the minutes from January 26, 2010 with the noted revisions.**

**ANR Plan (Mary Narducci, Paul Chelman and Rose Cote):** 174 Main St.

The Planning and Economic Development Board is in receipt of an ANR Application and Plan for 174A and 174 B Main Street. The property contains two buildings, both of which were constructed prior to the effective date of the Subdivision Control Law. The field cards for each building were attached to the application.

Gino Carlucci, PGC Associates, Inc provided a memo dated February 8, 2010. It was noted that the applicants propose to divide an existing property with two buildings built prior to the adoption of the Subdivision Control Law under Section 81L of MGL Chapter 41. It was the recommendation that the plan as prepared meets the relevant technical requirements for ANR plan endorsement. The revision to the frontage of one of the parcels has been adjusted due to the Adaptive Use Overlay District special permit requirements. The owners of neither lot are entitled by right to any expansion or change of use. Due to the change of frontage with 174A, it now has more options. The field cards note that no value for land has been assessed to this property. This may be a result of its classification as a condominium.

- **On a motion made by Chan Rogers and seconded by Karyl Spiller-Walsh, the Board voted unanimously to endorse the ANR plan dated February 5, 2010 for 174 Main Street.**
- **On a motion made by Chan Rogers and seconded by Karyl Spiller-Walsh, the Board voted unanimously to authorize Tom Gay to sign the ANR plan on behalf of the Board.**

## **DISCUSSION OF TOWN MEETING ARTICLES**

### **General bylaw - Abandoned Property Bylaw**

John Emidy, Medway Building Commissioner was present to discuss this draft with the Board.

The Board is in receipt of a Proposed Medway General Bylaw in regards to the Registration and Maintenance of Abandoned and/or Foreclosing Residential Properties. There is currently nothing in place to control any of this without the implementation of the Bylaw. This bylaw would require the owner of any foreclosed or abandoned home to register with the town, and have a sign put up in front of the property with the owner's name and contact information. The property would need to be inspected to make sure it is up to code. If there are any violations, then a civil complaint may be issued through a ticket system. This would only apply for "Residential Property", which means any property that contains one or more units used, intended, or designed to be occupied for living purposes. The Board discussed clarifying when residents travel to Florida or other places for a few months. The Board wants to make sure that there is clarity in the definition and that such properties are not considered to be abandoned. Mr. Emidy will rework the definition of that section. This information will be shared with Fire and Police. An inventory of the foreclosed properties will be kept.

Susy Affleck-Childs would like to rework the section regarding the sign placement as referenced on page 3-4. The wording currently indicates that the sign must be posted on the front of the property so as be clearly visible by the Commissioner or his/her designee from street. Some of the members are not comfortable with a sign placed on the property.

### **Zoning - Wind Generation:**

Susy Affleck-Childs presented the Board with several documents pertaining to Wind Generation. She communicated that there is no mechanism in place for the time to regulate wind generation structures. The purpose of this new subsection of the zoning bylaw would be to provide by Special Permit for the construction and operation of small wind energy systems. The small wind energy system would be no greater than 60 kilowatts. The current draft makes reference to the words that it does not apply to roof-mounted, building integrates, building-mounted or architectural wind systems. The Bylaw would only cover the single stand-alone tower mounted turbines. The State notes this particular language. One of the general requirements is that the Zoning Board of Appeals would issue a Special Permit authorizing such use. The Inspector of Buildings would then issue a building permit to erect, construct, and install this wind turbine. The draft also includes Siting Standards, Design Standards, Safety and Environmental Standards, Monitoring and Maintenance, Abandonment and Decommissioning, Terms of Special Permit, Permit Process, Requirements and Enforcement.

Resident Dick Steinhoff, owner of 146 Main Street, was present expressing his knowledge and support of wind generation. He is looking to add wind generation to the property at 146 Main St. which he recently purchased. Mr. Steinhoff also presented valuable information about wind generation. One of the memos references the incentives for the ME Renewables. There is a Small Wind Initiatives Rebate for wind energy systems smaller than 10 (kW). Residents are eligible for Small Renewables Initiative rebates from the Massachusetts Technology Collaborative. The American Recovery and Reinvestment Act of 2009 established a 30% Business Energy Investment Tax Credit for the purchase and installation of wind systems.

The height of the towers for wind generation systems is related to the square of the blade diameter (double diameter and you get 4 times the power) and the cube of the wind speed (double the wind speed and you get 8 times the power)

After a lengthy discussion, the Board reviewed the Draft Bylaw of Wind Generation. This is a working document intended to elicit comments from the Board. The first Section entitled Purpose was agreeable to the Board. Mr. Steinhoff was not comfortable with the Section noted Applicability. He does not believe that the bylaw should not apply to roof-mounted, building-mounted or architectural wind systems. This bylaw only covers single stand-alone tower mounted turbine. The Board next discussed the definitions in relation to the height, rated nameplate capacity, and small wind energy systems. The capacity of these would be 60 kW or less. Mr. Steinhoff explained the two types of turbines being vertical or horizontal.

*General Requirements:*

The Zoning Board of Appeals would need to issue a special permit making sure that the noted requirements one through four are met.

*Siting Standards:*

The Board would like Sections A and B to be reworked. The set back of 70 ft. may not work in many of the neighborhoods. Susy Affleck Childs would like to add language which would address the future technological innovations.

*Utility Connections:*

It was suggested that this section make reference that efforts shall be made to locate the utility connection from the small wind energy system underground.

*The Safety Environmental Standards, Monitoring and Maintenance, Abandonment or Decommissioning and Term of the Special Permit* were reviewed. The last section reviewed was the permit process, requirements and enforcement.

Susy Affleck-Childs will place this on the agenda for further discussion and it will be submitted as an article for town meeting.

**Zoning – Home Based Businesses**

The members were presented with a revised copy of a proposed Zoning Bylaw amendment – Customary Home Occupations and Professional Offices in ARI and ARII. This is a revised copy dated February 5, 2010. The Board had a discussion about the use of the term “recognized

professions” as is used in the existing bylaw. It must be determined what criteria the Building Commissioner should use to determine whether a certain business is a “recognized profession”.

The discussion then moved into determining if the home based business should be allowed by right or by special permit. It was the feeling that most home based businesses can exist by right without limitations, although some which generate traffic should be considered on a case by case basis by special permit. It was recommended to delete the existing language in 1b) re: offices of doctors or dentists or other members of recognized professions and replace it with the definition provided for Home-Based Business.

The Board discussed the wording that the area for a home based business is to be no more than 20% of the gross floor area of the dwelling and any accessory structures up to a maximum of 1,000 gross square feet. The total floor area of all heated and ventilated, and therefore habitable, rooms in the dwelling or on the premises. And includes basements, attics and accessory structures if they are heated and ventilated. Further refinement of this section will be done.

Member Spiller-Walsh does not want to have a maximum gross square feet limitation.

Member Rogers, Tucker and Gay are comfortable with 20% or 1,000 gross square feet.

Member Gay believes there is a better way to define this.

### **Zoning - Green Communities Work Definitions:**

The Board is in receipt of the draft article for Green Communities Work – *Definitions*. The proposed amendments are for Sections II of the Medway Zoning Bylaw. The definitions for Manufacturing, Alternative Energy, Renewable Energy, and Research and Development Facilities were read through and reviewed. The Board is comfortable with the recommended definitions.

#### *Draft Article pertaining to Industrial I Zoning District:*

Items j and k to paragraph #1 under allowed use were reviewed.

#### *Draft Article pertaining to Industrial II Zoning District:*

Under Section V. Use Regulations, Sub-Section N., Industrial II it is recommended to add item e. in paragraph #1 in relation to electric power generation. Another recommendation is to add Items h.) and i.) in paragraph #1 in relation to facilities.

#### *Draft Article pertaining to Industrial III Zoning District:*

Under Section V. Use Regulations, Subsection O, Industrial III it is recommended to add items g & h to paragraph #1 under allowed uses.

Regarding the 2010 Annual Town Meeting, the Board was in receipt of a revised list dated February 5, 2010. The memo was drafted by Susy Affleck-Childs and was based on discussions at PB, EDC, and AHC. The DRC and Open Space Committee have offered suggestions. The following lists are the recommended articles:

1. Amend Industrial I,II, and III to allow renewable and alternative research and development facilities, and manufacturing of renewable and alternative energy related products.
2. Amend Industrial II to allow for various forms of alternative/renewable energy generation.
3. Definitions for Research and Development; Alternative/Renewable Energy; Home based businesses; commercial vehicles.
4. The lighting standards are currently being worked on by member Bob Tucker.
5. Home based businesses.
6. Signage revisions
7. Site plan revisions

The General Bylaw to Establish an Agricultural Commission will be put off until the fall.

**Committee/Task Force Reports:**

Consultant Pelligri provided five reports regarding the Williamsburg project.

**Future Meetings:**

The next meetings scheduled are: **February 23, March 9 & 23, 2010.**

**2010 Annual Town is scheduled for Monday, June 14, 2010.**

- **On a motion made by Karyl Spiller-Walsh, and seconded by Tom Gay, the Board voted unanimously to adjourn the meeting at 10:20 pm.**

The meeting was adjourned at 10:20 pm.

Respectfully Submitted,

Amy Sutherland  
Meeting Recording Secretary

Edited by Susy Affleck-Childs  
Planning and Economic Development Coordinator