

April 30, 2013
Medway Planning and Economic Development Board
155 Village Street
Medway, MA 02053

BOARD MEMBERS PRESENT: Andy Rodenhiser, Bob Tucker, Karyl Spiller-Walsh, Chan Rogers, Tom Gay and Associate Member Matthew Hayes.

ABSENT WITH NOTICE:

ALSO PRESENT: Susy Affleck-Childs, Planning and Economic Town Coordinator
Amy Sutherland, Meeting Recording Secretary
Gino Carlucci, PGC Associates, Consulting Planner
Dave Pellegrini, Tetra Tech, Consulting Engineer

The Chairman opened the meeting at 7:00 pm.

There were no citizen comments.

Subdivision Bond Refunds:

The Board is in receipt of a memo dated April 24, 2013 from Susy Affleck-Childs relating to the release of selected Subdivision bond funds. (See Attached).

On a motion made by Bob Tucker and seconded by Chan Roger, the Board voted unanimously to accept the recommendation of returning of the subdivision bond funds as indicated in the memo dated April 24, 2013 as presented. (Karyl Spiller-Walsh recused herself from voting.)

Daniels Wood II Subdivision (12 Daniels Road) - Execute Bond Agreement

The Board is in receipt of an agreement for the deposit of money for Matthew DeSorbo and Kristen R. DeSorbo as performance security for the modified Daniels Wood 11 Definitive Subdivision. (See Attached)

On a motion made by Chan Rogers and seconded by Bob Tucker, the Board voted unanimously to execute the agreement for Daniel Wood II for Mr. & Mrs. DeSorbo for Daniels Wood II.

Medway Zoning Bylaw Amendments

The Board is in receipt of paperwork dated March 26, 2013 relative to the proposed amendments to the Medway Zoning Bylaw. (See Attached)

Article 27:

On a motion made by Bob Tucker and seconded by Chan Rogers, the Board voted unanimously to recommend Article 27 as written.

Article 28:

On a motion made by Bob Tucker and seconded by Chan Rogers, the Board voted unanimously to recommend Article 28 as written.

Article 29:

The Board is in receipt of a memo dated April 11, 2013 from the Economic Development Committee regarding the proposed parking regulations changes and proposed amendments to the Commercial V and Commercial IV Zoning districts. **(See Attached.)**

The Board is comfortable with how this has been written by the Board. The EDC recommendation does not flow with the original intent of what the Board has discussed.

For the parking regulations, the EDC is recommending to replace the existing 3% with 5% due to the increasing popularity of motorcycles and other motorized scooters that may not require registration.

On a motion made by Bob Tucker and seconded by Chan Rogers, the Board voted unanimously to recommend Article 29 as written by the Planning and Economic Development Board.

Article 30:

On a motion made by Karyl Spiller-Walsh and seconded by Chan Rogers, the Board voted unanimously to recommend Article 30 as written.

Article 31:

On a motion made by Bob Tucker and seconded by Karyl Spiller-Walsh, the Board voted unanimously to recommend Article 31 as written.

PEDB Meeting Minutes:

April 9, 2013:

On a motion made by Chan Rogers and seconded by Bob Tucker, the Board voted unanimously to accept the minutes from April 9, 2013. NOTE - Karyl Spiller-Walsh abstained from the vote.

Informal Site Plan Pre-Application Discussion - Cumberland Farms, 38 Summer St.:

The Board was provided with a list of the various people present. **(See Attached)**

The Cumberland Farms team was present for an informal meeting with the Board.

The Board is in receipt of a site plan entitled “Cumberland Farms”. This was completed by Reed Land Surveying, Inc. dated March 15, 2013. **(See Attached)**

Cumberland Farms is planning to lease a portion of the property at Medway Gardens. The purpose of the meeting is to provide a general site overview design.

What the Board will be reviewing tonight is different from what was originally provided to staff since some changes were made after meeting with the Design Review Committee earlier in April. There will be new renderings with a smaller canopy.

Engineer Phil Hendrick began the presentation by explaining the current existing site which is located at 38 Summer St. (Route 126). This site is 3.5 acres in size. There is currently an existing one story house on this parcel with a few dilapidated structures. Those will be demolished which will allow for the construction of a 4500 sq. ft convenience store. The site will have four product (gas) pumps (8 pumping locations). There will be 24 parking spaces. The store will also have outdoor seating spaces facing the front which is Summer Street. The trash will be enclosed in back.

There will be full access to Rt.126 and Rt. 109 and an access to Medway Gardens along the northern edge of the parcel. There is a change in grade and a need to create an isolated drive and there is also a 50 ft. setback.

The truck circulation will load and unload via Milford Street and exit onto Summer Street either right or left. The project will be meeting all regulations and compliance standards for Stormwater and Department of Environmental standards for compliance.

The applicant also explained that the project will be accessible and compliant with handicap regulations. The project proposes a serpentine sidewalk for pedestrians. There will be light poles which will be facing downward. The site will have bike rack located in back. The Board was informed that Cumberland Farms is moving toward a food center concept which will allow people to stop eat, drink and sit in the outside area. Additional snow storage areas have been designated.

The Cumberland Farms team informed the Board that they met with the Design Review Committee last week. There were many suggestions and comments which came from the meeting. The DRC would like to see a smaller canopy and less parking. The Committee is exploring reducing parking on site. This plan showed 27 parking and it has been reduced to 24. By removing those three spots, this will allow for more landscaping. The original proposed canopy was to be 115 ft. long, and Cumberland has reduced this to 104 ft. (NOTE – This still exceeds the maximum length specified in the zoning bylaw.)

The changes will also include relocating the access drive to Route 126. Cumberland Farms will be doing a formal traffic study to submit during the site plan review/special permit process. The vertical improvements have also been made. This is the basic overview.

Member Tucker wanted to know if the Board will see an ANR. Will the property be divided? He wants to know if the Board will see this separated out. His concern is also about the buffering requirements. Do we separate these out as two different applicants?

This would need to be two separate applications.

The applicant notes that they can meet all the requirements.

Member Tucker asked how do we maintain the buffering requirement and impose requirements for the property adjacent. He is concerned on how this gets addressed.

Susy Affleck-Childs responds that this is a great question. She is not sure how to do this, but we need to look into this further.

Cumberland Farms responded that the limit of lease line is shown. The area beyond the lease line is not part of the application.

Member Rogers responds that the buffer zone area must be shown on the plan.

Cumberland Farms responds that there is an easement, but the language of the easement may need to be reworked by the Cumberland Farms attorney.

Susy Affleck-Childs would like language included about how the snow access area will be used.

The Chairman wants language to be written to go with the conditions as set by the landlord regarding the snow removal. We need to look at the lease and the limits of such.

Cumberland Farms indicated that there is an easement in perpetuity and they would record if need be. The lease line confines the space that they need and it must be complied with. The easement will be drafted by the site attorney. The team will be doing this work.

This needs to be addressed to protect the residential area. The conditions which are given go with the land.

Consultant Carlucci communicated that they will be responsible for part of the maintenance and conditions.

Medway Gardens will need to come in with a site plan or modifications for their portion of the site.

Matt Hayes is concerned about the two-way entrance and exit facing the east for the abutters with traffic coming in and out. He suggested having two entrances on Route 109.

Cumberland Farms responded that they have explored many scenarios. They need to control access for truck delivery and the flatbeds. The separate entrance was then created.

If the snow storage is moved and a bermed mound is added there, this would help.

Cumberland Farms communicated that a landscape plan will be provided with the application.

Karyl Spiller-Walsh is concerned about the common entrance and stormwater calculations for both projects. Do you consider all calculations from point A to point B in its entire length?

Cumberland Farms will provide all stormwater calculations. They have completed calculations of existing conditions and the analysis shows compliance for entire site. 2/3 will remain the same and this will be micromanaged to show where the water is going. This will be completed.

Susy Affleck-Childs wanted to know if the area at the intersection should have a right turn/east bound lane from Route 126 onto Route 109. She asked that this be explored.

Karyl Spiller-Walsh talked about town owned property and asked them to consider what could be done as part of the stormwater management design.

Cumberland Farms responded that they can look at this. There is currently a wall of ledge. they will explore keeping a section of this stone when blasting. They may not be able to provide discharge. There will need to be a permit for stormwater.

Dave Pellegri noted that Dave D'Amico was referring to the Town's stormwater bylaw and that the applicant will not be allowed to connect to the existing stormwater system without a permit.

Member Rogers noted that the stormwater regulations and bylaw will be changing soon.

The applicant noted that the stormwater connection fees are \$10,000.

Cumberland Farms indicated that they did not conclude that they could not connect. Since there is some ledge there they can show a hardship.

Matt Hayes wanted to know if they have thought about irrigation and water reuse.

Cumberland Farms indicated that they are proposing irrigation.

Susy Affleck-Childs wanted to know if there will be a retaining wall.

The applicant indicated that potentially they may have a retaining wall near the foundation in back near the sitting and bike area. It might be 3 to 5 ft. high but no one will see it. We will be looking to export 700 cubic yards.

The applicant will try to work with the existing grade.

Bob Tucker was wondering if they are considering alternative fuel.

Chairman Andy Rodenhiser asked if they are looking at compressed natural gas as a fueling option.

He asked what provisions they would take to address this.

The tanks are essentially departmentalized underground which would allow the fuel tanks to have diesel, premium and regular based on consumer need and demand. The lighting is LED.

Cumberland Farms responded that they in favor of using conventional materials with high ratings. Cumberland Farms is not totally green but the stores are built better than in the 70's.

Architecture:

A photograph of a sample store was displayed. This was a site in Dartmouth, MA. The sample of the building with roof, shingles and roof signage was provided. There are three proposed false windows on the one side. There would be false dormers and no second floor. There will also be stonework. The actual retail floor area is 2200 sq. ft. The full renderings for presentation were shown along with the five photos of the renderings on the actual space. On the back of the roof is a cutter. This will conceal the roof top units which will be hidden by a fence. All is concealed in the alcove. This is a four-sided building. There is a main hip roof and gable. On the inside, there is an opening for customers. There are multi-user restrooms. The coffee counter and frozen drink area was shown along with the freezer area and shelving. There is also a manager's office. There will be current photo renderings of exact space. The samples shown were draft copies.

Canopy:

Cumberland Farms indicated that the proposed gas canopy will be reduced by 24' to 104' based on a recommendation by the Design Review Committee. The canopy elevation façade was changed to 12 and a three foot roof. The green stripes will be removed. The 24' height is per Fire Regulations. The canopy size is 2556 sq. ft.

Consultant Carlucci responded that the canopy cannot exceed the bylaw which specifies a base area of 2200. This proposed canopy exceeds these numbers. There will need to be some action taken on this. There is not a lot of flexibility for the area.

Cumberland Farms noted that this is not a four square pump configuration. The number of pumps allowed is four. The applicant's attorney responded that they believe that the Board can waive that e waived. The State requires the suppression. This is at minimum for the Fire Suppression. This would be waived by the Board if they so choose. This is not for a tractor trailer spot, but he can get some diesel.

Susy Affleck-Childs responded that the Board cannot waive a bylaw but can waive a regulation.

The attorney for Cumberland Farms responded that he will write up his rationale for the waiving of the maximum canopy size. This can then be forwarded to town counsel for review.

Susy Affleck-Childs questioned if four pumps are needed.

Cumberland Farms replied that they need four pumps based on revenue numbers and to provide for a better site flow and operation. This is the minimum number of pumps we would put in.

Karyl Spiller-Walsh wanted it noted that there was discussion about exceptional landscaping and some mature trees in the strip area.

Sign:

A sample of a proposed sign was shown. This is 75 ft. off the street. An image was shown with a white background and opaque creating a halo effect. The back of it will not be illuminated. The sign will say welcome and see you soon. The gasoline price scroller will be run by remote control. The sign will follow the architecture of the building with stonework on the gas columns. Photographs were shown.

Susy Affleck-Childs noted that internal illumination for signs is not allowed in this zoning district. She recommended that language be written up to describe the sign. This will need to be revisited.

LED would not be used and they will look at something alternate. The image at night was shown. The numbers and letters will be 18 inches. This will meet the bylaw requirements. They are going mechanical for safety.

Lighting:

Lighting will be reviewed further. The Board suggested that the applicant look at illumination.

Susy Affleck-Childs recommended that the applicant review the lighting section of zoning bylaw.

The Board needs to have some discussion about what they want to see at the corner.

The travel patterns widths are 24 ft. The delivery area birth is a little bigger.

The outside vendors make their deliveries at various times.

There will be buffer with plants, fencing and berms.

The applicant is looking at the language of the bylaw. It was drafted in the “conjunctive” the canopy shall not . . . and, not wording “or” unless the greater length the mandate under CMR regulations is for fire suppression. This is tied into the building code or MA regulations. The Attorney noted that he will put together language to explain this.

There will be no drive-thru at this site.

The Board suggested that the applicant set up an informal meeting with the abutters prior to the public hearing with the Board. The applicant was receptive to doing this. It was also recommended that a landscape plan should be shown that evening.

It was recommended that a trash management plan be put in place.

Cumberland Farms noted that the recyclables and trash is completely enclosed.

There will be a Red Box move set up at the site.

This will be a company owned store.

OTHER BUSINESS

Chan Rogers noted that there is a hearing tomorrow evening re: the Route 109 reconstruction project at the High School at 7:00 pm.

Adjourn:

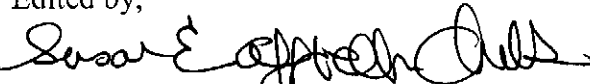
On a motion made by Karyl Spiller-Walsh and seconded by Bob Tucker, the Board voted unanimously to adjourn the meeting.

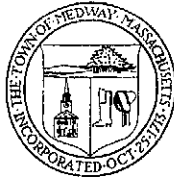
The meeting was adjourned at 9:30 pm.

Respectfully Submitted,


Amy Sutherland
Recording Secretary

Edited by,


Susan E. Affleck-Childs
Planning and Economic Development Coordinator

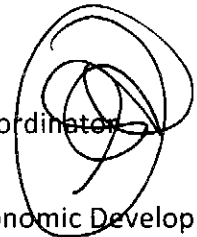


TOWN OF MEDWAY
Planning & Economic Development
155 Village Street
Medway, Massachusetts 02053

MEMORANDUM

April 24, 2013

TO: Planning and Economic Development Board members
FROM: Susy Affleck-Childs, Planning and Economic Development Coordinator
RE: Release of Selected Subdivision Bond Funds



The Treasurer and Accountant have asked that the Planning and Economic Development Board release a number of very small subdivision bond accounts. They are as follows:

Subdivision Name	Applicant/ Developer	Location	Date of Approval	Estimated Bond Balance	Status
Rolling Hills	Olga Guerrero	25 Milford	October 2006	\$ 101.83	On hold – no construction
Wingate Farm	Karyl and Gene Walsh	168 Holliston	April 2005	\$ 14.52	Road and infrastructure pretty much completed – building permits have not been requested
Hopping Brook	Paul Zonghi/ Summit Homes	34 West	February 2006	\$102.11	On hold – no construction
The Haven	Louis Cheschi	13 Fisher	March 2005	\$ 102.08	On hold – no construction
Daniels Wood	Fred Sibley	12 Daniels	March 2010	\$252.88	Property sold – new owner has road and infrastructure under construction

The reason the Town has these small bond accounts is because of the previous practice whereby a savings account would be established for subdivision performance security and a withdrawal slip signed by the owner/developer would be obtained before the Planning Board would endorse a definitive subdivision plan. This practice goes back to when a subdivision bond was usually established as joint passbook savings account between the developer and the Town and the Town wanted to make sure it had a way to “get to” the funds in the future if needed.

In my opinion, there is no downside to releasing these funds. The Daniels Wood project is moving forward with another owner. 3 of the remaining 4 subdivisions have had absolutely no construction activity at all. And a suitable bond for Wingate Farm can be addressed at such time as the developer/owner wishes to convey a lot.

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

AGREEMENT FOR DEPOSIT OF MONEY

This agreement is entered into this _____ day of _____, 2____, between the Town of Medway, acting through its Planning and Economic Development Board, with an address of 155 Village Street, Medway, MA 02053 (hereinafter referred to as "the Board"), and **Matthew F. DeSorbo and Kirsten R. DeSorbo** ("Applicant"), to secure the construction of ways and installation of municipal services in the subdivision of land shown on an approved subdivision plan described below, in accordance with General Laws Chapter 41 Section 81U, and all other applicable provisions of the Subdivision Control Law and General Laws.

WHEREAS, on **March 16, 2010**, after a duly noticed public hearing, the Board approved a definitive subdivision plan showing one lot, which is entitled **Daniels Wood II Definitive Subdivision Modification, Alternative Driveway & Grading Plan**, prepared by **Faist Engineering, Inc. and O'Driscoll Land Surveying Co.**, dated **December 17, 2009 revised March 26, 2010** and recorded at the Norfolk County Registry of Deeds in Plan Book **604** Page **51** (hereinafter referred to as "the Subdivision Plan"); and

WHEREAS, the Subdivision Plan shows the division of a parcel of land located at the **north side of Oak Street and at the eastern end of Daniels Road** and further described in a deed or deeds recorded in the Norfolk County Registry of Deeds in Book **31048** Page **290**; or is registered in _____ as Document No. _____ and noted on Certificate of Title No. _____; and

WHEREAS, the Board is required by G.L. c. 41 §81U to secure the construction of ways and installation of municipal services in the subdivision.

NOW, THEREFORE, the parties agree as follows:

1. The Applicant hereby binds and obligates himself, his or its executors, administrators, devisees, heirs, successors and assigns to the Board in the sum of **\$18,133**, and has secured this obligation by depositing with the Town of Medway Town Treasurer a deposit of money in the above sum to be deposited in a subdivision escrow account in the name of the Town of Medway. The deposit of money is to be used to secure the performance by the Applicant of all covenants, conditions, agreements, terms and provisions contained in the following: the Subdivision Control Law (G.L. c. 41 §§ 81K-81GG); the Planning and Economic Development Board's *Rules and Regulations for the Review and Approval of Land Subdivisions* applicable to this subdivision; the application submitted for approval of this subdivision; the Board's Board Certificate of Action and all conditions of approval of this subdivision as set forth in the Certificate of Action; the recommendations of the Board of Health; the approved Subdivision Plan; all conditions

subsequent to approval of this subdivision due to any amendment, modification or revision of the Subdivision Plan; all of the provisions set forth in this Agreement and any amendments thereto; and the following additional documents:

_____ . (hereinafter the "Approval Documents").

2. The Applicant shall complete the construction of ways and the installation of municipal services no later than 3 years from the date of the endorsement of the Subdivision Plan. The Subdivision Plan was endorsed on **November 16, 2010**, and therefore the required completion date is **November 16, 2013**.
3. Upon completion of all obligations as specified herein on or before the completion date, or such later date as may be specified by vote of the Board with the concurrence of the Applicant, the deposit of money including all interest accrued thereon shall be returned to the applicant by the Town of Medway. In the event the Applicant should fail to complete the construction of ways and installation of municipal services as specified in the Approval Documents and within the time herein specified, the Board, in accordance with applicable laws, may apply the deposit of money held by the Town of Medway Town Treasurer, in whole or in part, for the benefit of the Town of Medway to the extent of the reasonable costs to the Town of Medway to complete construction of ways and installation of municipal services as specified in this agreement. Any unused portion of the deposit of money, together with accrued interest, will be returned to the Applicant upon completion of the work by the Town of Medway.
4. The Board may rescind approval of the Subdivision Plan for breach of any provision of this Agreement or any amendments thereof. Such rescission shall be in accordance with G.L. c. 41 §81W.
5. The Board shall notify the Town of Medway Town Treasurer of any authorized reduction or release of the deposit of money that secures this agreement in full or in part. Upon receipt of a notice of reduction or release, the Treasurer shall forthwith return the deposit of money, or portion thereof, together with accrued interest, to the Applicant, or to such other person or entity as the Applicant may designate in writing.
6. The Applicant agrees and understands that the Board will not release this agreement until the ways and municipal services have been deemed by the Board to be constructed and installed in accordance with this agreement, which shall include demonstration of adequate construction and installation for six months prior to said release. This agreement does not expire until released in full by the Board.
7. Failure to complete construction of the ways and installation of the municipal services by the required date shall result in automatic rescission of approval of the Subdivision Plan.
8. If a court of competent jurisdiction determines that any provision of this agreement is unenforceable, such determination shall not affect the remaining provisions, which shall remain in full force and effect.

IN WITNESS WHEREOF we have hereunto set our hands and seals this _____ day
of _____, 2_____.

TOWN OF MEDWAY
Planning and Economic Development Board

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS

On this _____ day of _____, 2_____, before me, the undersigned
notary public, personally appeared the following Members of the Medway Planning and
Economic Development Board, _____

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

Notary Public
My commission expires: _____

APPLICANT/OWNER/DEVELOPER

Matthew F. DeSorbo

Matthew F. DeSorbo

Kirsten R. DeSorbo

Kirsten R. DeSorbo

COMMONWEALTH OF MASSACHUSETTS

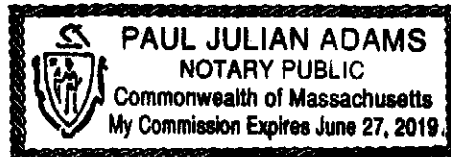
NORFOLK, SS

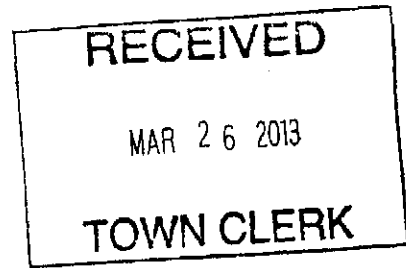
On this 29th day of APRIL, 2013, before me, the undersigned notary public, personally appeared the above-named _____,
MATTHEW & KIRSTEN DESORBO

proved to me through satisfactory evidence of identification, which was (personal knowledge) (Massachusetts driver's license), to be the person whose name(s) is signed on the preceding document, and acknowledged to me that it was signed voluntarily for its stated purpose.

Paul Julian Adams

Notary Public
My commission expires: _____





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
Cranston (Chan) Rogers, P.E.
Karyl Spiller Walsh

Revised March 26, 2013

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 M.G.L. Ch. 40A, Section 5, **the Medway Planning and Economic Development Board will conduct a public hearing on Tuesday, April 16, 2013 at 7:15 p.m.** at Medway Town Hall, 155 Village Street, Medway, MA to receive comments on proposed amendments to the *Medway Zoning Bylaw* (last update published November 15, 2012) and the *Medway Zoning Map* (last published April 17, 2012). Proposed amendments have been submitted to the Board of Selectmen for inclusion on the warrant for the May 13, 2013 Annual Town Meeting. The subject matter of the proposed amendments is indicated below. The noted warrant article numbers may change as the warrant is finalized.

MEDWAY ZONING BYLAW – Proposed Amendments

ARTICLE 27: To amend the Medway Zoning Map to expand the Commercial V zoning district. This involves rezoning 5 parcels on Summer Street south of Milford Street from Agricultural II to Commercial V.

ARTICLE 28: To amend the Medway Zoning Map to alter the boundaries between the Commercial IV and Agricultural II Zoning districts in the Village and High Street area so that zoning district boundary lines are coterminous with parcel lines. This involves changing the zoning of portions of some parcels from ARII to Commercial IV and of other parcels from Commercial IV to ARII.

ARTICLE 29: In SECTION V. USE REGULATIONS, to delete the parking regulations presently included in each individual zoning district and delete the parking regulations in Sub-Section B. Paragraph 6 and add a new Sub-Section H. Parking Regulations.

ARTICLE 30: In SECTION V. USE REGULATIONS, Sub-Section R. Sign Regulations to revise Table 2 regarding wall signs in multi-tenant developments located in the Commercial I district.

ARTICLE 31: In SECTION V. USE REGULATIONS, to add a new Sub-Section BB. Temporary Moratorium on Medical Marijuana Treatment Centers.

The complete text of the proposed amendments to the Zoning Bylaw and Map are on file with the Medway Town Clerk and the Planning and Economic Development office at Medway Town Hall, 155 Village Street, Medway, MA and may be inspected Monday through Thursday from 8:00 a.m. to 4:30 p.m. and Fridays from 8:00 a.m. to 1:00 p.m. The information may also be viewed online at the Planning and Economic Development Board web page <http://www.townofmedway.org>. For further information, please contact the Planning and Economic Development 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.

Andy Rodenhiser

Planning & Economic Development Board Chairman

To be published in the *Milford Daily News*:

Monday, April 1, 2013

Tuesday, April 9, 2013

ARTICLE 27: (Zoning Map Revision: portions of 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.

1.38 acre parcel at 32 Summer Street (Berry's Greenhouse) - Medway Assessor's parcel 56-041

.09 acre parcel at 37 Summer Street (Alexander) - Medway Assessor's parcel 56-017

.67 acre parcel at 35 Summer Street (Alexander) Medway Assessor's parcel 56-018

.42 acre parcel at 33 Summer Street (Notturmo) Medway Assessor's parcel 56-019

.34 acre parcel at 31 Summer Street (PMAM Group LLC) Medway Assessor's parcel 56-020

And to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

ARTICLE 28: (Zoning Map Revision: portions of ARII to Commercial IV and portions of Commercial IV to ARII)

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

And to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

ARTICLE 29: (Amend Zoning Bylaw: Parking Regulations – SECTION V. Use Regulations, Sub-Section 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.
4. **Parking Requirements Schedule** – See Attached.
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.
 - c) 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.

USE	*Parking Requirements	Medway's Existing Parking Requirements
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
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.

ARTICLE 30: (Amend Zoning Bylaw: SECTION V. Sub-Section R)

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***.

TABLE 2 – Continued

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 *	4 per establishment 2 for an establishment located in a multi-unit building not to exceed 1 per façade* 1 for all others	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 act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

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."

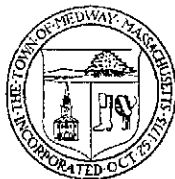
3. ***Temporary Moratorium***

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

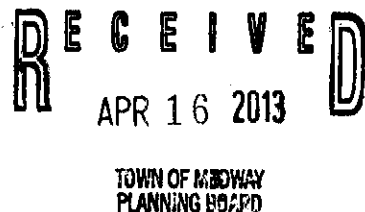


Medway Economic Development Committee

155 Village Street
Medway, MA 02053

April 11, 2013

Mr. Andy Rodenhiser, Chairman
Planning and Economic Development Board
Medway Town Hall
155 Village Street
Medway, MA 02053



Dear Mr. Rodenhiser;

I am pleased to provide this letter of support for the proposed parking regulation changes and proposed amendments to the Commercial V and Commercial IV zoning districts.

Proposed Parking Regulation Changes:

The Economic Development Committee (EDC), working through its Sub Committee on Zoning, developed the proposed changes together with Susy Affleck Childs and Claire O'Neill. The EDC was dedicated to developing recommendations that may provide convenient, safe and adequate parking to support the success of businesses with the flexibility for the permitting Boards to consider what a business recognizes as its needs instead of relying solely on formula regulations.

At our meeting on April 10, 2013, the Economic Development Committee voted unanimously to endorse the proposed bylaw with some changes, as reflected below:

- Sub-section H, Paragraph 1 (last sentence)
Existing: "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."

The EDC seeks to replace "flexibility to adjust parking standards" with "flexibility to reduce parking requirements."

- Sub-section H, Paragraph 8
Existing: "...an additional 3% of the required number of parking spaces / stalls may be designed for motorcycle use..."

The EDC seeks to replace the existing "3%" with "5%" due to the increasing popularity of motorcycles and other motorized scooters that may not require registration.

- Sub-section H, Paragraph 11, Section d)

Existing: "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."

The EDC seeks to strike this Section.

Commercial V District Expansion

At the March 13, 2013 EDC meeting, members discussed the proposed expansion of the Commercial V zoning district to encompass additional parcels with frontage on South Street and contiguous to the existing district. Recognizing the town's interest in expanding the commercial and industrial tax base and that the proposed changes are in conformity with Medway's master plan, the EDC voted to support the proposed district expansion. Member Yorkis abstained from the vote.

Commercial IV District Changes

At the March 13, 2013 EDC meeting, members discussed the proposed changes to the Commercial IV zoning district that will align the district boundary with property lot lines. At present, the district boundary bisects several properties. Recognizing that the change will be helpful to property owners and to the Assessor's Office, the EDC unanimously voted in support of the proposed district changes.

Thank you for the opportunity to work with the Planning and Economic Development Board and staff to recommend zoning bylaw changes that will contribute to economic development activities in our community.

Sincerely,



Ray Himmel
Chairman

The Medway Economic Development Committee will work proactively to promote, encourage, and facilitate the development of responsible and properly planned business and industrial growth within the community in order to expand and strengthen the local economy and diversify the community's tax base.

**Development Team – Cumberland Farms @ Medway Gardens
April 30, 2013**

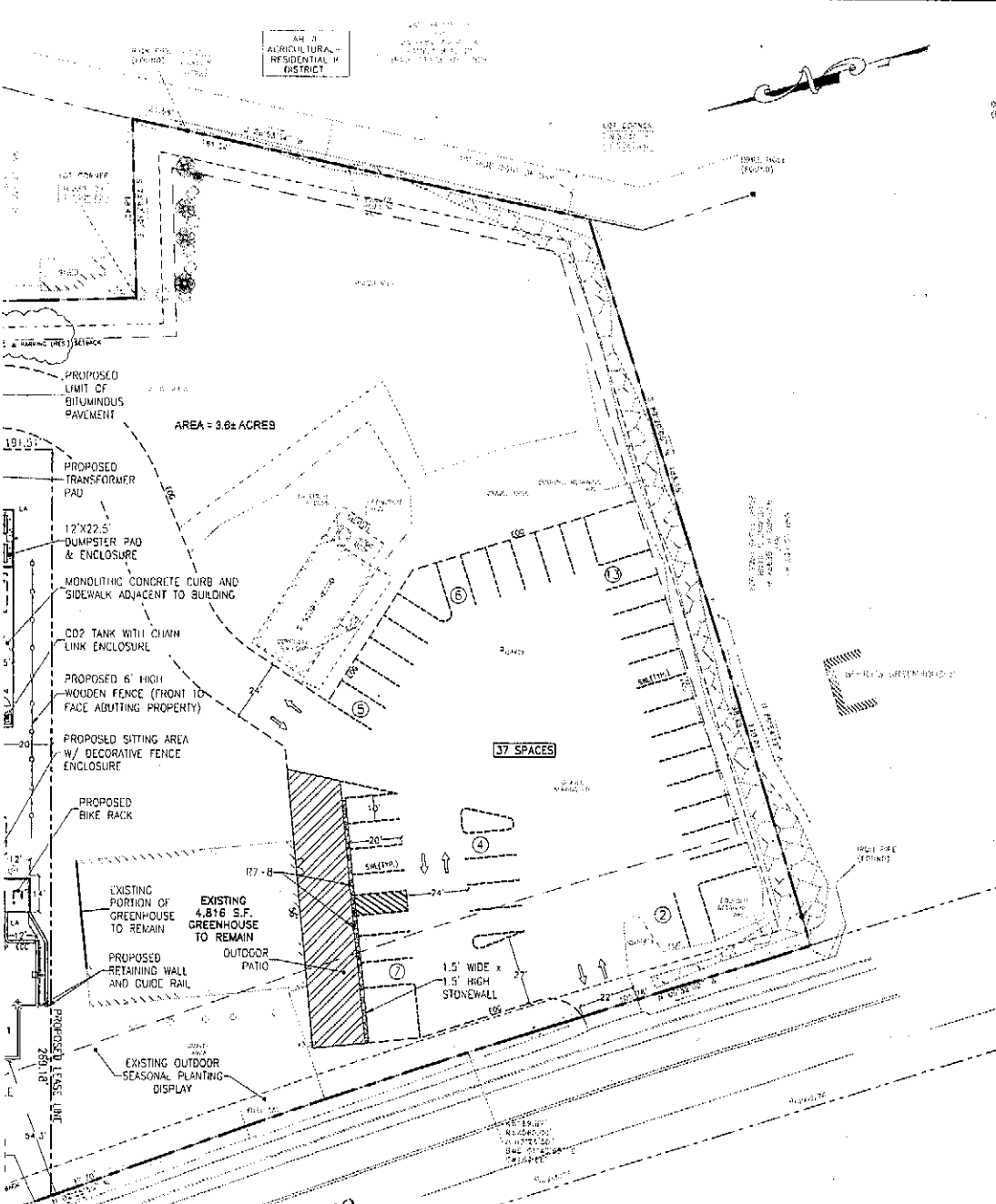
Phil Henry, P.E. – Civil Design Group, LLC

Manny Paiva, Senior Planning Project Manager – Cumberland Farms

A.J. Barbato, Vice President, GC CF New England, LLC – Direct Applicant on behalf of Cumberland Farms

Tracey Roll, Assistant Vice President for Applicant

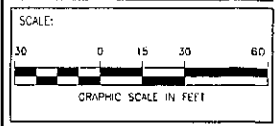
Peter Paulousky, project legal counsel



NOT FOR CONSTRUCTION

REVISIONS:

REV	DATE	COMMENT
1		
2		
3		
4		
5		
6		



DESIGNED BY: MAL
 CHECK BY: PRH

PHILIP R. HENRY, P.E.

PREPARED FOR:

GBC
 GERSHMAN BROWN CROWLEY INC.
 14 BREAKNECK HILL ROAD
 SUITE 101
 LINCOLN RI 02865

Cumberland Farms
 100 CROSSING BOULEVARD
 FRAMINGHAM, MA 01702

PROJECT:

**38 SUMMER STREET (ROUTE-126)
 @ MILFORD STREET (ROUTE-109)
 MEDWAY, MA 02853**

STORE # TBD STATION # TBD

PREPARED BY:

Civil Design Group, LLC
 21 HIGH STREET, SUITE 305B
 NORTH ANDOVER, MA 01845
 www.cdengineering.com
 p: 978-794-5400 f: 978-914-6161

SHEET:

SITE PLAN

CFG 4.0

CDG PROJECT #: 12027

DATE: 03/26/2013

ZONING INFORMATION

ZONING DISTRICTS : COMMERCIAL DISTRICT V (C-V)

SITE AREA: 3.60 ACRES			
REGULATION	REQUIRED	EXISTING	PROPOSED
MIN. LOT AREA	20,000 S.F.	155,156 S.F.	155,156 S.F.
MIN. LOT FRONTAGE	100 L.F.	833.4 L.F.	833.4 L.F.
MIN. FRONT YARD SETBACK	50'	20.9'	50.8'
MIN. SIDE YARD SETBACK	15'	77.4'	103.12'
MIN. REAR YARD SETBACK	15'	NA	NA
MAX. BUILDING HEIGHT	40'	VARIABLES	43.1'
MAX. LOT COVERAGE	30%	10%	7%

PARKING INFORMATION

USE	REQUIRED	PROVIDED
RETAIL: 1 SP/200 S.F. GROSS RETAIL FLOOR SPACE 4,513 S.F./200 S.F. = 22.6 SP	27 SPACES	27 SPACES
EMPI: 1 SP/EMPLOYEE 4 EMPLOYEES = 4 SP	4 SP	

LAND COVERAGE CALCULATIONS

TOTAL AREA: 3.60 ACRES

COVER	EXISTING	PROPOSED
BUILDINGS	XX ACRES	XX ACRES
PAVEMENT	XX ACRES	XX ACRES
OPEN SPACE	XX ACRES	XX ACRES
WOODED	XX ACRES	XX ACRES
TOTAL	3.60 ACRES	3.60 ACRES