

**July 20 2015**  
**Medway Planning and Economic Development Board**  
**Medway Senior Center - 76 Oakland Street**  
**Medway, MA 02053**

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

**ALSO PRESENT:**

Susy Affleck-Childs, Planning and Economic Development Coordinator  
Stephanie Mercandetti, Director of Planning and Economic Development  
Doug Havens, Affordable Housing Coordinator  
Gino Carlucci, Planning Consultant  
Jack Mee, Building Inspector  
Amy Sutherland, Meeting Recording Secretary

The Chairman opened the meeting at 7:00 pm.

There were no Citizen Comments.

The Board is in receipt of a document entitled “Ideas for Future Zoning Work after Recodification” dated July 15, 2015 compiled by Susy Affleck-Childs. (**See Attached**).

Susy Affleck-Childs explained that this list is a blend of the ideas the Board has discussed while working on the zoning bylaw recodification with Judi Barrett along the Board’s prior zoning bylaw amendment ideas plus suggestions from Jack Mee and Stephanie Mercandetti. The list has been clustered by topics to ease in the discussion. The goal is to go through the list and figure out the priorities for the fall 2015 Town Meeting and also to identify which can be tabled until spring 2016 or later.

**Affordable Housing:**

Affordable Housing Coordinator Doug Havens was present at the meeting so the Board took up affordable housing first. Doug would like Section 8.6 regarding affordable housing revisited in relation to the affordable housing requirement. More specifically, he suggests the Board review how to calculate the amount of payment in lieu of construction and review the density bonus formula. It was recommended by Judi Barrett to increase the density bonus. The Board should research other ways to incentivize the actual construction of affordable units. The amount of money per unit needs to be looked at in comparison to the median sales price. These should be reviewed from three years back. It is also important to look at all sales and condo sales. The

formula is in there but there is not enough of an incentive to have developers construct the affordable housing units on site. Doug explained that there is also a lack of qualified buyers for affordable units. The Town needs affordable dwelling units for renters. There was a suggestion that the Town manage the units through the Housing Authority. The option for developers to make a payment in lieu of construction allows great discretion. There needs to be revision of the language to allow the Planning Board to have more control on the process. This needs to be strengthened. It was also suggested that a recommendation be provided from the Affordable Housing Committee prior to any decision being rendered. Member Tucker understands that there is a need for affordable rental units, but we need to figure out if we have buildings that could be purchased for such. Doug Havens explained that there is a building across from Town Hall that is for sale and there is a non-profit developer who may be interested in acquiring it for affordable rentals. Another goal is to make an adjustment to the ARCPUD sale price. When an ARCPUD is sold, it is based on three person versus two person. There is a difference of \$15,000 for a three person household. It is recommend that the ARCPUD being sold is priced as a two person household and not three. This could be a PEDB recommendation. Most ARCPUD units are bought by two member households. The developers would be taking a greater hit. This could create more people qualifying for an affordable dwelling. Doug will be getting more information and will provide the facts and figures to the Board.

Resident Sue Rorke was present and wanted to discuss visitability and having more housing in Medway accessible for handicapped people. She would like to see “no step” entrances and wider doorways for people in wheelchairs. There should be incentives to build this way. Building Commissioner Jack Mee asked if she knows of any town which is doing more in this area. Sue noted that Bolingbrook, Illinois has undertaken this initiative. Franklin was referenced as having multiple developments with outsteps getting into units. Consultant Carlucci reminded the Board that zoning regulations cannot interfere with the state building code. We can encourage, but cannot mandate such items. Hospitals which are going through renovations are going with 42 inch wide doors to allow for larger wheelchairs. The Board could look at possible incentives and affordability and perhaps establish an offset for the additional expense of an in lieu of payment for a developer which uses a visitability approach to construction. This type of item could be part of language within a special permit. It was recommended that the Disability Committee become active to advocate for these matters.

## **RESIDENTIAL USES**

Aviation fields in ARI and ARII (remove)	Recommended for fall 2015 Town Meeting
Allow 2 family by Special Permit in ARII	Recommended for spring 2016 Town Meeting
Allow 2 family by Special Permit in ARI	Further discussion needed
Allow Small Scale ground mounted solar	Not a priority

The Board discussed metal garages for residential areas.

### **#5: Regulate/Limit Use of Metal Garages in Residential District:**

The Board discussed that this falls under the building code. There is no mechanism to block a metal structure.

### **Home Based Businesses**

The Board would like to see the definition of “home based business” revised to prevent people being able to run a landscaping business from their home. A resident on Fisher Street has two commercial vehicles being used from their premises in a residential area. This site also has more vehicles and is now running more than a home based business.

### **Membrane Garages**

The membrane garage needs to be defined by square footage. For example, anything over 120 ft. cannot be metal. Consultant Carlucci responded that the Board cannot use zoning to regulate a building material. He will look into how this may be worded. Susy suggested that this be addressed by setback. Jack agreed. It could be worded such that membrane garages could be located on a site “no closer to street than the front line of the primary structure.” There will be further work on the language.

### **#6 Kennel - Personal use vs. home occupation:**

The Board is in agreement that a kennel is different from people having three pets. The word “kennel” is inferred as a business. The discussion needs to be with the Animal Control Officer. Consultant Carlucci noted that there are state requirements and definitions about personal ownership of animals based on a number. All are in agreement that this could be pushed out to Fall 2016. It is a relatively low priority.

### **#7: Chickens:**

The Board agreed to do research on what other Towns do in relation to zoning for backyard chickens. The Board of Health will be revisiting their public health regulations regarding chickens. There will also be input from the Animal Control Officer. This item will be discussed at the next Planning and Economic Development Board meeting with a presentation by a local resident.

### **#8: Larger Scale ground mounted solar:**

Allowing for larger scale ground mounted solar installations is not on the priority list.

### **#9 Back Lot Zoning:**

Back lot zoning would allow larger parcels with insufficient frontage to have one house by special permit. This needs more explaining and education for the public. This is not a priority for fall 2015.

### **#10 Agricultural Uses:**

The definition for agricultural should default to the state definition. The Chairman asked if there can be a bylaw that residential uses are not allowed in agricultural areas. Consultant Carlucci believes that this is possible and there is language which references something about the selling of products. The Chairman further asked, what happens with the Briggs property in the next 10

to 15 years? The Town should be prepared to either buy this land and to keep it as agricultural or be prepared do something with this. The land could be leased, for example do something like the community farm, but with farming animals.

## **COMMERCIAL USES**

### **#11 Bakeries:**

The Board discussed that there is a difference between a retail bakery versus a manufacturing bakery. The manufacturing bakery should be in an industrial area. There are instances where baked goods are made on site to be sold on site (retail bakery) versus manufactured on site and sold off site. There is a difference. There needs to be a distinction on the distribution side. This can be accomplished in the fall 2015.

### **#12 Outdoor Dining:**

There needs further discussion on whether outdoor dining is allowed on private property or within the public right of way. What amount of outdoor dining triggers the need for additional parking? There should be language included for a special permit if additional parking is needed if you go beyond X number of seats. It was also noted that there is no special permit criteria for drive thru eateries such as Starbucks, McDonalds, and Burger King. This can be ready for fall 2015 town meeting.

### **#13 Restaurants**

The question is that there needs clarification on what type of restaurant uses are by right and which should be by special permit. This needs to be strengthened. Right now, all restaurant uses are treated exactly alike. Fast food, casual and being served at a table are different. It was suggested that this could be broken down into restaurant, café, and fast food. There is no definition of restaurants in the zoning bylaw right now. This section may need multiple definitions. This can be ready for fall 2015 town meeting.

### **#14 Kennel:**

This item is low on the priority list and needs further discussion with the Animal Control Officer.

### **15: ATM:**

The bylaw is currently silent on allowing freestanding ATMS. There could be language added to allow a free-standing ATM by special permit to address access and traffic flow concerns. It could allowed by right when included in a building with another use such as the Bank of America ATM at the CVS in Franklin. It was suggested to put this off until spring 2016.

### **#16 Outside Storage:**

The Board discussed that there needs to be clarified language in relation to the general bylaws under property maintenance. Jack Mee indicated that this is an issue in commercial areas. It was noted that a particular vehicle repair business is stacking garage tires four up high in front the garage bays. There are some that are 14 rows deep before a truck gets there. There should be

different criteria for the amount of storage proportional to the square footage of a structure. There needs to be clear cut definitions. This is the biggest obstacle on the enforcement side of this. For the industrial areas, the whole side yard needs to be considered along with the outside fenced area. It was recommended to tie the amount of allowed outside storage to a % of building footprint.

It was indicated that there could be something attached to the renewal of the licenses. The Building Inspector will work with Town Counsel on this.

**#21 Small Scale Solar:**

The Board agreed that this is not a priority for fall 2015.

**#22 Use of Tractor Trailers for Outside Storage:**

Member Tucker suggested that there be permits required for use of tractor trailers /dumpsters. There could be a defined period of time. There would also be a renewal process. The Town of Marlboro does this.

**INDUSTRIAL USES**

**#23 Small Scale Solar:**

This item needs to be discussed further with the Energy Committee. This is not a priority for fall 2015 town meeting.

**#24 Storage Units by right:**

The Board was made aware that Ellen Rosenfeld wants to know if self-storage units would be allowed in the Industrial I district. There is currently no language to allow this and it therefore is prohibited. The Chairman indicated that self-storage units offer nothing to the community for economic development. He would rather see a building. There was a comment that there are residents who do use self-storage and with the new ARCPUD projects, there may be a need for self-storage. The Board is in agreement that they do not want storage units by right in the Industrial I area.

**#25 Mass Bio Ready Community Status:**

This item needs further discussion. Stephanie will follow-up on this item.

**#26 Tractor Trailers:**

There was discussion about the use of tractor trailers. The regulations will need language to address outside storage of permanent or seasonal products. These tractor trailers are often located in the Town's right of way. Another problem is that when they back in, the pavement and curbing is ruined over time. The general bylaw needs to be revised to address the debris and junk. There is blight as a result of this not being addressed.

**#27 On-Site Outside Storage:**

There needs to be stronger language about the shielding of on-site outside storage from view. A property on Main Street was referenced. The language could include that the debris needs to be shielded from view from public right of way. The Town of Needham was referenced. This town issued a certificate of zoning compliance. This will need to be researched further. The Board discussed that if a tenant at shopping center leaves and consolidates what happens to the building. This becomes an opportunity for another business. The new business would need to get a certificate of zoning. The certificate which is issued is conditioned upon what needs to be cleaned up. This could be addressed at the spring 2016 town meeting.

Jack Mee responded that the dumpster companies all handle this separately. There are pros and cons to this topic. This came to life with the tire company which was bringing in tractor trailers and leaving them on site. For example, Walmart in Walpole had tractor trailers on site from October through January through a permit. This was the Christmas Season. This is something that needs to be addressed.

**#28 Marijuana Facility:**

There was discussion about amending the registered marijuana facility regulations to enlarge the maximum allowable size. Currently, the maximum square footage is 25,000 square foot. There was a question on if this is feet on the ground (footprint) or gross space. Member Tucker is totally against this. Member Di Iulio has no problem with the medical side of marijuana. The Chairman communicated that the law has already passed and it is changing our country's zoning. It is before us and we need to do something with it. If a facility comes, there will need to be additional staffing. There are security measures which need to be put in place and there are no stipends for the host community. There is also a potential revenue sharing component. There could be a host agreement. This item will need to be discussed further.

**Adjourn Meeting:**

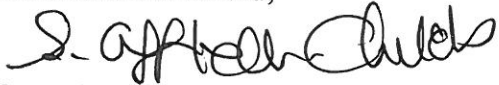
**On a motion made by Bob Tucker and seconded by Matt Hayes, the Board voted unanimously to adjourn the meeting.**

**The meeting was adjourned at 9:37 pm.**

Respectfully Submitted,

  
Amy Sutherland  
Recording Secretary

Reviewed and edited,

  
Susan E. Affleck-Childs  
Planning and Economic Development Coordinator

## Ideas for Future Zoning Work after Recodification

		Comments	Recommended for fall town meeting
<b>Residential Uses</b>			
1	Aviation fields in ARI and ARII	Remove as a special permit use.	
2	Allow 2 family by special permit in ARI	Further discussion needed	
3	Allow 2 family by right in ARII	Further discussion needed with Animal Control Officer	
4	Allow for small scale (up to 250kw) ground mounted solar as an accessory use - subject to site plan??	Discuss with Energy Committee	
5	Regulate/limit use of metal garages in residential districts		
6	Kennel - personal use vs. home occupation	Further discussion needed	
7	Allow for chickens on less than 1 acre in residential zones	Further discussion needed with Animal Control Officer & Board of Health	X
8	Allow for larger scale (over 250kw) ground mounted solar farms on undevelopable back lands in ARI. Special Permit.	Energy Committee wants to discuss	
9	Back Lot zoning to allow larger parcels with insufficient frontage to have 1 house. Special Permit		
10	Hold further discussion on agricultural uses	Add definition for agriculture	
<b>Commercial Uses</b>			
11	What to do about bakeries? Is this a retail use?	Add to Table of Uses and Definition. Where to allow?	
12	Outdoor dining	Question of whether on private property or public way. What amount of outdoor dining triggers additional parking? Special permit needed if beyond x number of seats?	X
13	Clarification on what type of restaurant uses are by right. Should some be by special permit?	Define	
14	Kennel - home occupation vs. commercial operation	Further discussion needed with Animal Control Officer	

<b>Commercial Uses</b>		
15	ATMs	Allow freestanding ATMs by special permit to address access concerns. Allow by right when included in a building with another use.
16	Clarify/specify what and how much on-site outside storage is allowed or not	Perhaps tie to a % of building footprint. Jack to look at this.
17	Revise definition of shopping center - any combination of 3 or more uses . . .	Yes.
18	Change adult uses to be by special permit vs. by right	Yes.
19	Hold further discussion on agricultural uses	Add definition for agriculture
20	Add some other uses to various districts - cinema, theatre, museums	Some by right, others by special permit
21	Allow for small scale (under 250 kw) ground mounted solar as an accessory use - subject to site plan??	
22	Add regs re: use of tractor trailers, etc. for outside storage of permanent or seasonal products	
<b>Industrial Uses</b>		
23	Allow small scale ground mounted solar as an accessory use - subject to site plan review?	Discuss with Energy Committee
24	Allow storage units as a by right use in Industrial I	Easily accomplished
25	What might be needed to achieve Mass Bio Ready community status?	Stephanie M will check
26	Add regs re: use of tractor trailers, etc. for outside storage of permanent or seasonal products	
27	Clarify/specify what and how much on-site outside storage is allowed or not in Industrial III. Add language to Industrial I and II	perhaps tie to a % of building footprint. Jack to look at this.
28	Amend Registered Marijuana Facility to enlarge maximum allowable size	



<b>DEFINITIONS - Section 2</b>		
29	Add a definition for abandonment	
30	Add default statement in DEFINITIONS that anything not defined in the ZBL will be interpreted by using Black's Law Dictionary	
31	Add definition for common driveway	X
32	Move definition for building height from 6.2 to DEFINITIONS	X
33	Add definitions for cinema, museum, theatre	X
34	Add definition for self storage unit	
35	Add definition for agriculture	X
36	Add definition for bakery	
37	Add definitions for various types of restaurants	
38	Add definition for accessory canvas garage	X
<b>ADMINISTRATION - Section 3</b>		
39	Establish a Certificate of Zoning Compliance, especially for new occupancy	
40	Specify items that need to be included in zoning variance and special permit decisions	Discuss pros/cons of this with PEDB Stephanie M to look at this
41	Add section on DRC	
<b>ZBA - Section 3.2</b>		
42	Do we want to continue to allow USE Variances?	Probably Not. Discuss with ZBA.
<b>SPECIAL PERMIT - Section 3.4</b>		
43	Revisit and broaden the default special permit decision criteria	Stephanie M to look at this
<b>SITE PLAN REVIEW - Section 3.5</b>		
44	Exempt municipal uses from site plan review. Suggested by Mike Boynton	Not recommended
45	Create an administrative site plan review process for small projects and for minor modifications to previously approved site plans	Yes. X

<b>ESTABLISHMENT OF DISTRICTS - Section 4</b>		
46	Add text to specify the boundaries of zoning district - centerline of roadway??	Easily accomplished. Also need to amend zoning map to reflect this change  X
<b>NON-CONFORMING USES &amp; STRUCTURES - Section 5.5</b>		
47	Revise text on abandonment, demolition and non-use	
48	Allow ZEO to allow for frontage setback adjustments for additions to pre-existing non-conforming structure - Walpole	Ask Town Counsel for more input on this.  Jack
<b>Adaptive Use Overlay District - Section 5.6.2</b>		
49	What do we mean by residential scale lighting??	Height limitations, style, no risers
<b>DIMENSIONAL REGULATIONS - Section 6.2</b>		
50	Establish a minimum distance between similar uses	
51	Establish different lot shape factors for commercial/industrial zoned property vs. residential	
52	Establish a true lot coverage ratio, not just a bldg coverage ratio. This would include impervious surfaces (parking)	
53	Establish different setbacks for certain uses	Yes. Ask Bridget for input  X
54	Revisit requirement - "An owner shall provide a means of access for vehicles from the frontage to a principal building for emergency services, for deliveries and for off-street parking."	Address this by defining what would be allowed within setbacks - fences, bus shelters, mailboxes, light posts, flagpoles
<b>SITE DEVELOPMENT STANDARDS - Section 7.1</b>		
55	Add requirements for open space	Part of Site Plan Rules and Regs?
56	Add section on landscaping	Keep in Site Plan and Subdivision Rules and Regs
57	Establish buffering standards	Include in Site Plan Rules and Regs
58	Fences - Require shorter height in front at least to the front setback line	Jack recommendation
59	Add regulations for Common Driveways	  X

60	Establish regulations on location of accessory canvas garages	Define and limit thru setbacks; permanent vs. temporary	
61	Specify minimum distance of driveway to property line.		
<b>OFF STREET PARKING and LOADING REGULATIONS - Section 7.1.1</b>			
62	Update parking standards especially for industrial uses	Stephanie M can help with this.	
63	Add parking provisions for future reserve parking	Stephanie M can help with this.	
<b>SIGN REGULATIONS - Section 7.2</b>			
64	Revise Sign Regulations	Simplify and convert to a general bylaw to establish timeline to sunset pre-existing, non-conforming signs. Look at window signs, temporary signs, signs required by state law - Lottery, Auto Inspection, etc. Adjust amount of allowed sign surface area for wall signs to correspond to distance from street	
65	Revise Sign Regulations re: sign surface area for wall signs	Adjust amount of allowed sign surface area for wall signs to correlate to distance of façade from street frontage.	X
66	Add Sign Regulation tables back in that Judi Barrett had mistakenly removed which Susy and Stephanie didn't catch until after Town Meeting vote		X
67	Revise text re: Sign Design Review process		
<b>ENVIRONMENTAL STANDARDS - Section 7.3</b>			
68	Remove/update many of the outdated environmental standards, especially noise and odor	Further research needed on what to replace with	

	<b>INFILL HOUSING - Section 8.1</b>	
69	Infill Affordable Housing - Revise to allow for splits of land to create a nonconforming lot that could only be used for affordable housing	Need to discuss with Town Counsel. ?? on legality
	<b>AFFORDABLE HOUSING - Section 8.6</b>	
70	Revisit Affordable Housing requirements - How to calculate amount of payment in lieu of construction; review density bonus formula; etc.	Judi Barrett recommends increasing the density bonus. Also research other ways to incentivize. Goal is to discourage payment in lieu of option
	<b>ACCESSORY FAMILY DWELLING UNITS - Section 8.2</b>	
71	Broaden accessory family dwelling unit to allow for nannies & caregivers; require a regular renewal of the special permit or an accessory family dwelling unit certificate	Need to discuss with ZBA
	<b>NEW ZONING DISTRICTS</b>	
72	Establish a new Village Residential (VR) Zoning District generally in the areas where the 2 National Register Historic Districts are located. Revise dimensional requirements to more closely match what exists on the ground. Allow for 2 family by right.	This would involve revising the zoning map to switch some properties within ARII to VR
73	Create an Traditional Neighborhood Development overlay district for new construction that would allow for more dense, Smart Growth type neighborhood - similar to Ye Olde Village Square in Medfield. Not the same level of density as 40R but denser than what we allow now.	This would be good for the Cassidy property behind Medway Commons. Look at Smart Growth report by Gino Carlucci from several years ago.
74	Create an Early Suburban Zoning District with dimensional requirements to more closely match what exists on the ground. Good for Brentwood and other smaller lot subdivisions.	
75	Combine Commercial III and IV into a new Village Commercial Zoning classification	
76	Create a new limited business type zone for area adjacent to Commercial V	Is time to let this go??
77	40R type zoning for Oak Grove	Part of Urban Renewal Plan

<b>ZONING MAP REVISIONS</b>		
78	Clean up district boundary lines at many locations to coincide with parcel lines	
79	Rezone a portion of the west side of West Street from ARII to Industrial II	
80	Expand Industrial I district	
81	Amend zoning map to reflect new Village Commercial Zoning District	
82	Create another Village Commercial Zoning district on Main Street/Route 109 from Medway Mill west toward Medway Community Church	
<b>GENERAL BYLAW IDEAS</b>		
83	Establish some property maintenance regulations	Definitely need to consider something. Need input from Jack. Property maintenance is an optional part of the Building Code
84	Establish start and stop times for construction work	Discuss with Chief Tingley X
85	Establish a land disturbance bylaw to address land excavation/clear cutting	Yes. Don't allow until permits are issued.
86	Regulate the quality of fill being brought onto sites	Of interest to Bridget Graziano
<b>OVERALL</b>		
87	Modify text to provide for italics and bolding throughout for ease of reading	Discuss with Town Counsel X
7/15/2015		