

September 1, 2015
Medway Planning and Economic Development Board Meeting
155 Village Street
Medway, MA 02053

Members	Andy Rodenhiser	Bob Tucker	Tom Gay	Matt Hayes	Rich Di Iulio
Attendance	X	X	X	X	X

ALSO PRESENT:

Susy Affleck-Childs, Planning and Economic Development Coordinator
Gino Carlucci, Planning Consultant
Jack Mee, Building Inspector
Stephanie Mercandetti, Director of Community and Economic Development
Amy Sutherland, Recording Secretary
Barbara Saint Andre, Town Counsel

The Chairman opened the meeting at 7:00 pm.

The purpose of the meeting was to discuss possible warrant articles for the fall town meeting. The fall town meeting is scheduled for November 16, 2015 and the warrant will open on September 1, and close on September 14, 2015. The attached is a list of possible articles for the PEDB to review and submit for the town meeting warrant. **(See Attached)**

Welcome to Medway Signs:

Susy would like to recommend a free cash appropriation for additional Welcome to Medway and Town of Medway Building Signs. If this is approved by Town Meeting, it could be removed from the capital budget proposal.

On a motion made by Tom Gay and seconded by Bob Tucker, the Board voted 4 to 1 to recommend requesting a free cash appropriation for the Welcome to Medway Signs. (Rich Di Iulio was a nay vote)

Regulating Construction Activity:

There currently is nothing in the general or zoning bylaws regarding construction activity times. The suggested language would establish a basic framework. Town Counsel's comments were included in the draft.

Member Tucker is not comfortable with the language regarding Saturday and Sunday hours. He recommended the hours for weekend be by permit only. He would like the language written to represent the difference between outside/inside construction. There was discussion that the draft is currently not written that way. There is a concern that if someone wants to work on building a garage on the weekend, they will not be allowed to according to this draft. Susy responded that what has been driving this is the abutters next to the development sites - machinery starting early and deliveries being made prior to noted time. Building Inspector Mee indicated that this would apply to contractors and not homeowners. The language needs to be clearer.

Town Counsel Barbara Saint Andre responded that you must determine what you are trying to address? If it is noise, you must be careful to explain what is the rationale? If you want to exempt all single family homes, this is fine, but when do you draw lines between owner occupied and others?

It was recommended that these provisions could be included within the rules and regulations and also could be part of the conditions of the permit. The problems are the larger contractors. The existing fines are so cheap that developers would rather pay the violation fine than not work. Town Counsel Barbara Saint Andrew recommended taking out the words “alteration and repair”.

The Building Inspector agreed that it makes sense to put this into the rules and regulations.

Stephanie Mercandetti communicated that noted some language could be added so that the homeowner is not effected.

Consultant Carlucci noted that the wording could apply to the operating of heavy equipment and machinery.

The Board was in agreement to not include this within the General Bylaw but to add something for the Board’s Rules and Regulations.

Zoning Map Amendments:

Resident/owner of 7 Kelley Street has requested an amendment to the Medway Zoning Map by adding her property to the Multifamily Residential Overlay District. The resident was present and is in support.

Resident Karyl Spiller-Walsh reported that when she was on the Board, the Board was in favor of this change. She stated that it was a mistake that this lot had not been included on the original map when the district was established at the spring 2015 town meeting.

On a motion made by Rich Di Iulio and seconded by Matt Hayes, the Board voted unanimously to put forth the Zoning Map Amendment as presented.

Parking of Commercial Vehicles:

This article is to establish a general bylaw to regulate the outdoor parking and storage of automobiles, recreational vehicles, boats, trailers, trucks and other commercial vehicles in residential areas. It was explained that a general bylaw could include a sunset clause which would provide for two years to comply.

The present definition for Commercial Vehicle is that used by the Registry of Motor Vehicles in 540 CMR.4.02. There was also the inclusion of definitions for Gross Vehicle Weight Rating and Recreational Vehicles.

There was a concern that if the Town puts through this bylaw and there is no place for these vehicles to park, this is not good planning. There was discussion about if the commercial vehicle classification is by class or equivalent weight. It would be good to include that if commercial vehicles are allowed to park in a residential area, they must be screened from public view. If someone wants to buy an RV, they should be able to park it at their residence.

A question was asked about what is driving this article.

The driving force on this article is the noise and visual factor. For example a property on Milford Street was referenced where a large trailer vehicle sat there for months. It was explained that the quantity of vehicles on a site is granted by the Board of Selectmen with the various licenses that are approved

Town Counsel indicated that the text could be written to only apply to residential areas. The Building Inspector concurred that the intent of this article is for the residential neighborhoods.

All members were in agreement to remove the reference to recreational vehicles. Susy will rewrite and bring back to the next meeting.

Street Acceptance:

This article is to see if the town will vote to accept Pine Meadow Road and Lantern Lane as Town streets.

The paperwork for this is being reviewed by Town Counsel. Tetra Tech has provided comments and a punch list. There are no substantial issues. The developer's contractor is addressing the punch list items. The Board is in support of this article.

Zoning Amendments – Sign Regulations:

The Board was made aware that the bylaw adopted in May did not include a number of the previous sign tables. The article will be amended to add item 8. to Section 7.2.5 Sign Standards. B. Additional Requirements in Nonresidential Districts. The requirements in the sign tables

include a ground floor establishment occupying a location that provided two or more building sign frontages to have one additional wall sign. The total maximum sign surface area permitted for all wall signs per establishment shall be 2x the amount of sign surface area that is allowed by the sign requirement of the respective zoning district. Said factor shall be applied to the building sign frontage where the establishment's main public entrance is located or, in the instance of a corner entrance, to the longest building sign frontage. The table 6 and Table 6 will have the following revisions: deleting reference to paragraph 7 g) and replacing it with reference to 7.2.5.B2.; reference to paragraph 7k) and replace it with reference to 7.2.5.B.4; reference to paragraph 7.I) and replace it with reference to 7.2.5.B.8. The information being revised was prior to recodification.

There is also an inclusion of Table 8 for Adaptive Use Overlay District Signs; Table 9 – Business Industrial District; and Table 10 Commercial Districts III & IV.

The Section 7.2.1 C definitions will include internally illuminated signs and externally illuminated signs. Item T for prohibited Signs Section 7.2.3 will delete the following language “signs which use light emitting diodes for internal illumination. It will include internally illuminated signs where light emitting diodes (LEDS) are directly visible from the front of the sign except for internally illuminated free-standing signs displaying fuel prices to the extent that no more than 20% of the sign surface area is dedicated to illuminated fuel price information. Another amended section is 2.i for any freestanding sign and for any other sign that has six square feet or more of sign surface area, a copy of the review letter from the Medway Design Review Committee is needed.

Member Tucker suggested we consider looking into technology as it relates to internally illuminated signs. There are so many options now.

Feather Signs:

The article is looking to amend Section 7.2 Signs by adding to Section 7.2.1 C. Definitions, 2. Types of Signs. This is for feather signs – a vertical, portable, free standing sign

It was suggested to add after shaped pole or **attached to vehicle...** Susy will revise and bring back to the board.

DRC Sign Design Review Process:

The Board was made aware that Susy and Stephanie have worked on this bylaw and recommend deleting Section 7.2.6 A. Sign Permit, 3. Design Review and replace it with the noted text. This process includes a proposed time limit for DRC review of fifteen days of receipt. It was suggested that the time for review is not long enough. It was also indicated that the letter from Design Review should be a letter of “review” and not “recommendation”.

Definitions:

The next Section reviewed was the amendments to the definitions:

Agriculture: Susy indicated that she will include the definition as defined in Massachusetts General Laws.

Retail Bakery: add language “and production of baked goods for direct sale to general public. The board was in agreement to take out the reference to not exceed 3,000 square feet in gross floor area.

Wholesale/Commercial Bakery: add language “limited retail sale of baked goods not products. The word “consumption” will be taken out.

Restaurants: add language about indoor and outside seating.

Grade Plan: included as defined in the latest edition of the “International Building Code as well as by the Commonwealth of Massachusetts.

Gross Vehicle Weight Rating: Put language indicating as established by the “National Highway Traffic Safety Administration.

Home Based Business: The words “for financial gain” will be deleted.

Commercial Motor Vehicle: The Board recommended taking out the first definition about any vehicle licensed by the Commonwealth of Massachusetts (540 CMR 2.05). The Board is in agreement to keep the definition from 540 CMR 4.02.

Member Hayes noted that he will forward to Susy the classification of vehicles as noted on the EZ Pass website.

Undefined Terms - The second paragraph will include terms and words are not defined in the State Building Code or Massachusetts General Laws shall have the meaning given therein unless a contrary intention is clearly evident in this Zoning Bylaw. Terms not defined in the State Building Code or Massachusetts General Laws shall have the meanings given them by the current editions of Black’s Law Dictionary as determined by the Inspector of Buildings. In addition, other sections of this Zoning Bylaw contain definitions particular to the subject matter for which they have been established.

AUOD Bylaw Amendment:

The warrant article for the Adaptive Use Overlay District was revised by adding the noted language.

- c. (gifts, clothing, accessories, and decorative home furnishings)
- d. (and other specialty food items, not to exceed 3,000 sq. ft.)

And the inclusion of new item h, with the suggestion to have it read “individual consumer services...

There also needs to be a definition for a personal fitness trainer.

Table Schedule of Uses:

It was recommended to include 5,000 sq. ft. instead of 1/8 of an acre. The aviation use will be deleted.

Marijuana Dispensary Amendments:

The Board did discuss that at their previous meeting with Ellen Rosenfeld, she asked that there not be a limit on the square footage of a building. It was suggested to delete items 2. b, c and d. and e. under General Requirements and re-label item e. to become item b.

Non-Conforming Uses and Structures:

The current text in 5.5.F. Abandonment, Demolition or Non Use specifies that any non-conforming horticultural and floricultural use that has been abandoned, or not used for more than five years shall not be reestablished. Any other non-conforming use which has been abandoned or not used for a period of two years shall lose its protected status and be subject to all of the provisions of this zoning bylaw.

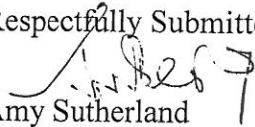
Town Counsel proposed the following text: F. Abandonment or Non-Use. Any nonconforming use that has been abandoned, or not used for more than two years, shall lose any protected nonconforming status, and shall be subject to all of the provisions of the zoning bylaw.

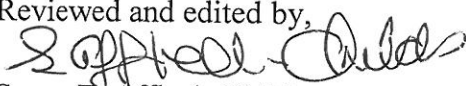
The Board was amenable to these changes.

Adjourn:

On a motion made by Matt Hayes and seconded by Rich Di Iulio, the Board voted unanimously to adjourn the meeting at 10:00 pm.

Respectfully Submitted,


Amy Sutherland
Recording Secretary

Reviewed and edited by,

Susan E. Affleck-Childs
Planning and Economic Development Coordinator



September 1, 2015
Medway Planning & Economic Development Board
Meeting

Possible Articles for Fall Town Meeting

The fall Town Meeting is scheduled for November 16, 2015. The BOS has announced that the warrant will open on September 1st and close on September 14th.

What follows is a list of possible articles for the PEDB to submit for the warrant. **Drafts are provided for * items.**

* Free cash appropriation for additional Welcome to Medway and Town of Medway Building signs. If approved by Town Meeting, we could remove this project from the capital budget proposal.

* General Bylaw - Construction Times. Draft incorporates comments from Jack Mee and Stephanie M.

* General Bylaw – Parking and storage of vehicles. Draft incorporates comments from Town Counsel, Jack Mee and Stephanie M.

* Street Acceptance – Pine Meadow Road and Lantern Lane

Zoning Bylaw Amendments

* Sign Regulations – Fix table with wrong header for Commercial I, add sign tables for Commercial III & V, Adaptive Use Overlay District, and Business/Industrial District that Judi Barrett mistakenly eliminated and Susy & Stephanie missed in reviewing the draft ZBL this past spring. Add definitions for flutter signs and internal & external illumination that had been removed. Clarify use of LEDs. Prohibit use of flutter signs. Clarify DRC sign review procedure.

* Remove definition of Building Height from Section 6.2.f and add it to Definitions

* Definitions

* Revise Table of Uses to add multifamily dwellings, multifamily developments, restaurants; to remove aviation; to revise the raising of poultry

* Amend Medical Marijuana to increase size of a cultivation facility and add requirement for a host community agreement

Add section on how to define zoning district boundaries – Emailed Barbara to ask for help. Idea is to establish the centerline of the roadway as the standard boundary for zoning districts. Barbara is looking at impact of this change on previous zoning district delineations.

* Home Based Business – Add text so that the home based business must be owned by a resident of the premises; also change language so that a home based business also includes those that are “managed” from home but where the service provided occurs off site such as a landscaper, plumber, building contractor, etc.; revise definition of what type of trucks are allowed. Change text to remove reference that allows for 2 commercial vehicles and replace it with text to not allow Class 4 vehicles and above. The MA definition for a commercial vehicle and a chart showing the various classes of vehicles by gross vehicle weight rating are provided.

* Clarify that ZBA action on nonconforming structures is by special permit (Section 5.5. C. 1). Also revise Section 5.5.F. regarding Abandonment and Non-Use. Emailed Town Counsel for input. She asks if the Board wants this section to apply only to non-conforming USES or also to non-conforming STRUCTURES. Presently, the bylaw language only applies to non-conforming uses. Stephanie M. will discuss with the ZBA on 9/2/15.

* Amend Zoning Map to add a parcel to the multifamily overlay district as requested by the property owner.

* General authorization to amend ZBL by using bold, italics, underscoring and other editorial measures for purposes of improving the readability of the bylaw without changing the text, numbering or content.

**Fall Town Meeting Article – Community Signage Project
August 27, 2015**

ARTICLE : (Free Cash Appropriation: Welcome to Medway and Town of Medway Building Signs)

To see if the Town will vote to transfer the sum of \$45,000 from Certified Free Cash for the purpose of funding the acquisition of Welcome to Medway and Town of Medway Building Signs, or to act in any manner relating thereto.

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

DRAFT

GBL - Regulating Construction Activity
REVISED DRAFT – August 27, 2015

To see if the Town of Medway will vote to amend the Medway General Bylaws by adding ARTICLE __ Regulation of Construction Activity as follows:

ARTICLE ____

Regulation of Construction Activity

Section .1 Purpose

The intent of this by-law is to regulate the hours during which construction and demolition activities may take place within the Town of Medway and otherwise to limit the impact of such activities on nearby residents and businesses.

Section .2 Definition

“Construction” shall mean and include;

- a) the construction, reconstruction, alteration, repair, demolition, and/or removal of any building, structure or substantial part thereof if such work requires a building permit, demolition permit, electrical permit, plumbing permit, gas permit, mechanical permit or street opening permit;
- b) the excavation of a site that involves the use of blasting equipment, jackhammers, pile drivers, back hoes and/or other heavy equipment;
- c) deliveries of construction materials and products;
- d) fueling of construction vehicles and equipment;
- e) any other preparation or mobilization for construction; and
- f) the starting of any machinery related to the above

Section .3 Permitted Hours

Unless specifically authorized by the Inspector of Buildings, no person or entity shall perform any construction within the Town of Medway except between the following hours:

- 7:00 a.m. and 7:00 p.m., Monday through Friday
- 8:00 a.m. and 5:00 p.m. on Saturday.

No construction shall take place on Sundays and legal holidays.

Section .4 Prohibitions

Between the hours of 7:00 p.m. and 7:00 a.m. Monday through Friday, and between the hours of 5:00 p.m. and 8:00 am on Saturday, and all day Sunday and legal holidays, it shall be unlawful for any person or persons to:

- a) operate or cause to be operated the following: any type of machinery as part of any construction activity, including but not limited to heavy earthmoving equipment, materials handling equipment, logging and land clearing equipment, pumps, generators, and air compressors, powered by any internal combustion or diesel engine;
- b) operate or cause to be operated electrically powered equipment and tools as part of any construction activity, including but not limited to air-actuated nailing guns, circulating saws, drills and the like, that are utilized for the purpose of building or assembling construction materials;
- c) deliver or cause to be delivered construction materials or products to a construction site;
- d) empty dumpsters or other trash receptacles on a construction site; and
- e) employ the use of radios or other noise-producing entertainment devices on a construction site in such a manner or with volume so as to annoy or disturb the reasonable quiet, comfort or repose of persons in any dwelling or any other type of residence or in any office or of any persons in the vicinity of the construction site.

Section .5 Exemptions

This by-law shall not apply to emergency activities of any Town, County, State or Federal agency or to emergency activities conducted by public utilities or to any contractors working directly for these agencies.

Section .6 Enforcement

- a) Violation of this by-law shall be punishable by a fine not to exceed three hundred dollars.
- b) Alternatively, this by-law may be enforced through non-criminal disposition in accordance with the provisions of Article XX of the Medway General Bylaws and G.L. c. 40, Section 21D. The following non-criminal penalties may be imposed:
 - 1) First offense: warning (verbal or written)
 - 2) Second offense: one hundred dollars
 - 3) Third offense: two hundred dollars
 - 4) Fourth and each subsequent offense per violation: three hundred dollars
- c) This by-law may be enforced by the Inspector of Buildings and/or his designee, and any police officer.

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD
INSPECTOR OF BUILDINGS

ARTICLE on Parking of Commercial and Recreational Vehicles
REVISED Draft – August 27, 2015

ARTICLE : To see if the Town of Medway will vote to amend the Medway General By-laws by deleting Section 12.12 in Article XII and replacing it as follows:

Section 12.12 Regulation of Parking and Storage of Automobiles, Recreational and Commercial Vehicles

(a) **Purpose** - The purpose of this By-law is to regulate the outdoor parking and storage of automobiles, recreational vehicles, boats, trailers, trucks and other commercial vehicles in residential areas. This By-law is adopted to promote safe vehicular traffic, to preserve peace and good order, to promote the aesthetic beauty of the community and hence the value of the property therein; and to promote the health, safety and general welfare of the citizens of the Town of Medway.

(b) **Definitions**

Commercial Vehicle - A vehicle defined as such by the Registry of Motor Vehicles in 540 CMR 4.02.

Gross Vehicle Weight Rating (GVWR) - The maximum operating weight/mass of a vehicle as specified by the manufacturer including the vehicle's chassis, body, engine, engine fluids, fuel, accessories, driver, passengers and cargo but excluding that of any trailers.

Recreational Vehicle - A vehicle or piece of equipment intended for recreational use, including but not limited to boats, boat trailers, campers, camping or travel trailers, motor homes, all-terrain vehicles, snowmobiles, personal water crafts, and other mobile vehicular structures designed for recreational use having motor power or mounted onto and drawn by another vehicle.

(c) **Prohibitions/Limitations**

(1) No person shall allow, permit, or cause a recreational vehicle or a commercial vehicle, bus or trailer having a Class 4 gross vehicle weight rating and higher to be parked at any location on any public way within the Town of Medway or within the zoning setback area specified in the Medway Zoning Bylaw for the district where the property is located, for any period in excess of four hours in any twenty-four hour period, unless said vehicle is in the process of loading, unloading, or providing some service to one or more adjacent properties.

(2) Except for a business use authorized by special permit or variance by the Zoning Board of Appeals or a pre-existing non-conforming business use, no person shall allow,

permit, or cause a commercial vehicle with a Class 4 gross vehicle weight rating and higher to be parked on private property located within a residential zoning district unless done temporarily in connection with a bona fide commercial service, sales or delivery to such property.

(3) No commercial or recreational vehicle parked or stored outside on private property for any period in excess of four hours in any twenty-four hour period shall be owned by anyone other than the owner or occupant of the premises upon which the vehicle is being parked or stored.

(4) The parking or storing of a recreational vehicle or a commercial vehicle, bus or trailer having a Class 4 gross vehicle weight rating and higher shall be screened with fencing and/or landscaping from public view from the street.

(5) Not more than one unregistered vehicle of any sort may be parked or stored outside on any property.

(d) Enforcement

(1) Violation of this by-law is punishable by a fine not to exceed three hundred dollars.

(2) Alternatively, this bylaw may be enforced through non-criminal disposition in accordance with the provisions of Article XXV of the General By-laws and G.L. c. 40, Section 21D. The following non-criminal penalties may be imposed:

a. First offense: warning (verbal or written)

b. Second offense: one hundred dollars

c. Third offense: two hundred dollars

d. Fourth and each subsequent offense per violation: three hundred dollars.

(3) This by-law may be enforced by the Inspector of Buildings and/or his designee, and any police officer.

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD
INSPECTOR OF BUILDINGS

540 CMR: REGISTRY OF MOTOR VEHICLES

4.02: continued

Class C License shall mean the license issued to a Public or Fleet inspection station conducting all commercial medium and heavy duty inspections of vehicles over 10,000 lbs. (GVWR) including all trailers, semi-trailers and converter dollies.

Class D License shall mean the license issued to a Public or Fleet inspection station conducting all commercial and non-commercial light, medium and heavy duty inspections of all vehicles including all trailers, semi-trailers and converter dollies.

Class E License shall mean the license issued to a Public or Fleet inspection station conducting heavy duty commercial inspection of vehicles over 26,000 lbs. (GVWR) including all trailers, semi-trailers and converter dollies.

Class F License shall mean the license issued to an individual or corporation performing inspections on commercial vehicles or school pupil transport vehicles of all fuel types and weights, including all trailers, semi-trailers and converter dollies, owned or leased by a fleet, using mobile equipment for the performance of such vehicle inspections. The performance of commercial vehicle inspections at multiple repair and maintenance facilities owned by the fleet shall be subject to the following conditions:

(a) The repair facility shall consist of a building on-site with a discernible address for the purposes of fleet administration. Said fleet is contracting the inspection of existing commercial vehicles with gross vehicle weight ratings of 10,001 pounds or more, including all trailers, semi-trailers and converter dollies to the Class F Licensee at the same physical location.

(b) Vehicles owned or leased by said fleet and registered as "noncommercial" motor vehicles shall not be eligible for inspection by Class F Licensees.

(c) Noncommercial motor vehicles furnished for regular use by individual employees of said fleet shall not be eligible for inspection by Class F Licensees.

(d) All Class F Licensees utilizing mobile equipment for the testing of such commercial vehicles, trailers, semi-trailers or converter dollies owned or leased by said fleet shall have on-site OBD, opacity or any other emissions equipped workstation capable of performing such emissions inspections as required by 310 CMR 60.02.

(e) The annual number of commercially registered vehicles, trailers, semi-trailers or converter dollies inspected by Class F Licensees with gross vehicle weight ratings of less than 10,001 lbs shall not exceed the annual number of commercially registered vehicles with gross vehicle weight ratings of more than 10,001 lbs. (GVWR)

Class M License shall mean the license issued to a Public or Fleet Inspection Station conducting motorcycle inspections.

Commercial Motor Vehicle Inspector shall mean an individual licensed by the Registrar as properly qualified under 540 CMR 4.08(1)(h).

Commercial Motor Vehicle shall mean any motor vehicle which is not a private passenger motor vehicle, antique motor car, motorcycle, auto home, house trailer, taxicab, ambulance, hearse, livery vehicle, or school pupil transport vehicle. A commercial motor vehicle shall include the following vehicles:

(a) The vehicle has a gross vehicle weight rating or gross combination weight rating of 10,001 or more pounds; or

(b) The vehicle is designed to transport more than 15 passengers, including the driver; or

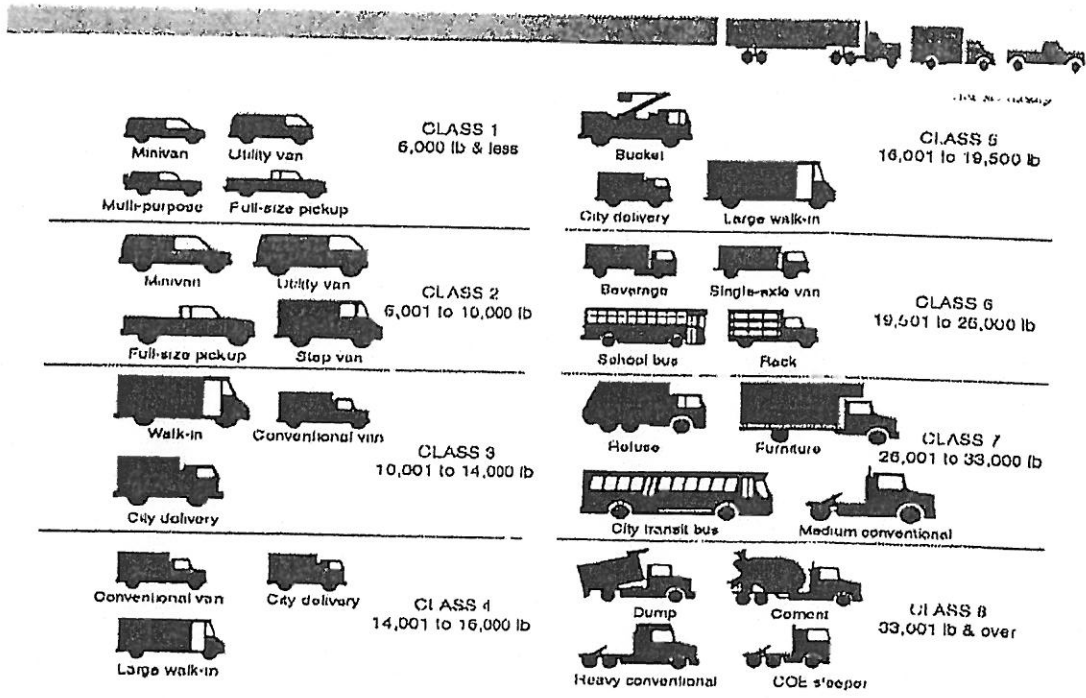
(c) The vehicle is used in the transportation of hazardous materials in a quantity requiring placarding in accordance with the Hazardous Materials Regulations of the United States Department of Transportation. Any commercial motor vehicle that singularly has a gross vehicle weight rating of 10,001 pounds or less and is designed to meet emissions standards, shall be submitted for an emissions inspection in addition to all applicable safety inspection requirements; or

(d) A single, full or semi-trailer, used in commerce, with a manufacturer's gross vehicle weight rating over 3,000 lbs; or

(e) Any vehicle which has a vehicle weight, or curb weight, of more than 6,000 pounds, as per the manufacturer's description of said vehicle, unless such vehicle is a sport utility vehicle or passenger van, or a pickup truck or cargo van meeting the definition of private passenger vehicle; or

(f) Any vehicle which has five or more wheels on the ground.

Truck Classifications



Vehicle Weight Classes & Categories

Gross Vehicle Weight Rating (lbs)	Federal Highway Administration		US Census Bureau
	Vehicle Class	GVWR Category	VIUS Classes
<6,000	Class 1: <6,000 lbs	Light Duty <10,000 lbs	Light Duty <10,000 lbs
10,000	Class 2: 6,001 – 10,000 lbs		
14,000	Class 3: 10,001 – 14,000 lbs	Medium Duty 10,001 – 26,000 lbs	Medium Duty 10,001 – 19,500 lbs
16,000	Class 4: 14,001 – 16,000 lbs		
19,500	Class 5: 16,001 – 19,500 lbs		
26,000	Class 6: 19,501 – 26,000 lbs	Heavy Duty >26,001 lbs	Light Heavy Duty; 19,001 – 26,000 lbs
33,000	Class 7: 26,001 – 33,000 lbs		Heavy Duty >26,001 lbs
>33,000	Class 8: >33,001 lbs		

Gross Vehicle Weight Rating (lbs)	EPA Emissions Classification			
	Heavy Duty Vehicle and Engines			Light Duty Vehicles
	H.D. Trucks	H.D. Engines	General Trucks	Passenger Vehicles
<6,000	Light Duty Truck 1 & 2 <6,000 lbs	Light Light Duty Trucks <6,000 lbs	Light Duty Trucks < 8500 lbs	Light Duty Vehicle < 8500 lbs
6,000		Heavy Light Duty Trucks 6,001-8,500 lbs		
8,500	Light Duty Truck 3 & 4 6,001 – 8,500 lbs	Light Heavy Duty Engines 8,501 lbs – 19,500 lbs	Heavy Duty Vehicle Heavy Duty Engine >8,500 lbs	Medium Duty Passenger Vehicle 8,501 – 10,000 lbs
10,000	Heavy Duty Vehicle 2b 8,501 – 10,000 lbs			
14,000	Heavy Duty Vehicle 3 10,001 – 14,000 lbs			
16,000	Heavy Duty Vehicle 4 14,001 – 16,000 lbs	Medium Heavy Duty Engines 19,501 – 33,000 lbs		
19,500	Heavy Duty Vehicle 5 16,001 – 19,500 lbs			
26,000	Heavy Duty Vehicle 6 19,501 – 26,000 lbs	Heavy Heavy Duty Engines Urban Bus >33,001		
33,000	Heavy Duty Vehicle 7 26,001 – 33,000 lbs			
60,000	Heavy Duty Vehicle 8a 33,001 – 60,000 lbs			
>60,000	Heavy Duty Vehicle 8b >60,001			

These charts illustrate the vehicle weight classes and categories used by the Federal Highway Administration (FHWA), the U.S. Census Bureau, and the U.S. Environmental Protection Agency (EPA). The vehicle weight classes are defined by FHWA and are used consistently throughout the industry. These classes, 1 -8, are based on gross vehicle weight rating (GVWR), the maximum weight of the vehicle, as specified by the manufacturer. GVWR includes total vehicle weight plus fluids, passengers, and cargo. FHWA categorizes vehicles as Light Duty (Class 1-2), Medium Duty (Class 3-6), and Heavy Duty (Class 7-8). EPA defines vehicle categories, also by GVWR, for the purposes of emissions and fuel economy certification. EPA classifies vehicles as Light Duty (GVWR < 8,500 lb) or

Heavy Duty (GVWR > 8,501 lb). Within the Heavy-Duty class, there is a Medium Heavy Duty Diesel Engine class for engine-only certification, but no Medium-Duty Vehicle class. The September 2011 U.S. Department of Transportation (DOT)/EPA rulemaking on Greenhouse Gas Emissions Standards and Fuel Efficiency Standards for Medium- and Heavy-Duty Engines and Vehicles (<http://www.gpo.gov/fdsys/pkg/FR-2011-09-15/pdf/2011-20740.pdf>) uses categories and weights for Heavy-Duty Vehicle Classes 2b through 8, similar to the FHWA weight classes.



Source: Alternative Fuels Data Center (<http://www.afdc.energy.gov/>)

STREET ACCEPTANCE for Fall 2015 Town Meeting
August 24, 2015

ARTICLE : (Street Acceptance: Pine Meadow Road and Lantern Lane Azalea Drive)

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

Pine Meadow Road in its entirety from Station 0+00 beginning at its intersection with Fisher Street, running easterly through to its end at Station 4+95.60 as shown on the _____ Street Acceptance Plan dated _____ prepared by O'Driscoll Land Surveying Company of Medway, MA and FAIST Engineering, Inc. of Sturbridge, MA;

Lantern Lane in its entirety from station 0+00 beginning at its intersection with Pine Meadow Road running northerly through to its end at Station 3+17.93 as shown on the _____ Street Acceptance Plan dated _____ prepared by O'Driscoll Land Surveying Company of Medway, MA and FAIST Engineering, Inc. of Sturbridge, MA;

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

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

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

ZBL Amendments - Sign Regulations
August 21, 2015

ARTICLE : To see if the Town of Medway will vote to amend the Medway Zoning Bylaw, Section 7.2 Signs as follows:

By deleting in Tables 4 and 6 the following:

- The use of an asterisk *
- *Unless an establishment has two or more building sign frontages. If so, see Paragraph 7. i).
- Reference to Paragraph 7 g)
- Reference to Paragraph 7 k)

By deleting Table 5 in its entirety and replacing it as follows:

TABLE 5

Commercial District I					
<i>Individual Freestanding Establishment NOT Located in a Multi-Tenant Development</i>					
	<i>Total Maximum Sign Surface Area (square feet)</i>	<i>Maximum # of Signs</i>	<i>Maximum Sign Height (feet)</i>	<i>Minimum Setback from any Street Lot Line (feet)</i>	<i>Illumination</i>
<i>Freestanding Sign</i>	48 not to exceed 36 per sign face	1 per establishment	8	10	External
<i>Wall Sign</i>	Building Sign Frontage 11.0 not to exceed 20 per establishment *	2 per establishment not to exceed 1 per building face	NA	NA	External Internal
<i>Projecting Sign</i>	12	1 per establishment	See Paragraph 7-g) See 7.2.5 B. 2.	NA	External

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

Multi-Tenant Development
(On a Lot or Lots Comprised of 5 or More Acres)

	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	Primary 100 not to exceed 75 per sign face Secondary 30 not to exceed 20 per sign face	1 per approved curb cut. Not to exceed 1 per street frontage. One sign shall be considered to be the primary sign and all others shall be considered to be secondary signs.	Primary 12 Secondary 8	Primary 15 Secondary 10	External
Individual Establishment Wall Sign	Building Sign frontage X 1.0 not to exceed 120 per establishment	3 for a freestanding establishment not to exceed 1 per façade 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) See 7.2.5 B. 2.	NA	External
Freestanding Directory Sign	16	Per Master Signage Plan	6	See Paragraph 7-k) See 7.2.5.B. 4.	External

Multi-Tenant Development
(On a Lot or Lots Comprised of Less Than 5 Acres)

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	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) See 7.2.5 B. 2.	NA	External
Freestanding Directory Sign	16	Per Master Signage Plan	6	See Paragraph 7-k) See 7.2.5.B. 4.	External

* Unless an establishment has two or more building sign frontages. If so see Paragraph 7-1)

By adding Table 8 – Adaptive Use Overlay District

TABLE 8

Adaptive Use Overlay District (AUOD) Special Permit Developments					
Individual Freestanding Establishment					
	Total Maximum Sign Surface Area (square feet)	Maximum # of Signs	Maximum Sign Height (feet)	Minimum Setback from any Street Lot Line (feet)	Illumination
Freestanding Sign	24 for a 2 sided sign; 18 for a 1 sided sign	1 per lot	6	10	External
Wall Sign	Building Sign Frontage x 1.0 not to exceed 30 per establishment	1 per establishment	NA	NA	External
Projecting Sign	12	1 per establishment	See Paragraph 7(g) See 7.2.5 B. 2.	NA	External
Multi-Tenant Development					
	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	30 for a 2 sided sign; 20 for a 1 sided sign	1 per development	8	8	External
Individual Establishment Wall Sign	Building Sign Frontage x 1.0 not to exceed 20 per establishment	1 per establishment	NA	NA	External
Individual Establishment Projecting Sign	8	1 per establishment	See Paragraph 7(g) See 7.2.5 B. 2.	NA	External

* Unless an establishment has two or more building sign frontages. If so, see Paragraph 7.1).

By adding Table 9 – Business Industrial District

TABLE 9

Business/Industrial District					
Individual Freestanding Establishment					
	Total Maximum Sign Surface Area (square feet)	Maximum # of Signs	Maximum Sign Height (feet)	Minimum Setback from any Street Lot Line (feet)	Illumination
Wall Sign	Building Sign Frontage x 1.0 not to exceed 60 per establishment	1 per establishment	NA	NA	External Internal
Freestanding Sign	48 for a 2 sided sign; 36 for a 1 sided sign	1 per establishment	8	8	External
Projecting Sign	12	1 per establishment	See Paragraph 7(g) See 7.2.5 B. 2.	NA	External
Multi-Tenant Development					
	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	60 for a 2 sided sign; 40 for a 1 sided sign	1 per development plus one additional development sign may be allowed by special permit of the Zoning Board of Appeals if it determines that additional signage is necessary to facilitate safe ingress to the site.	8	8	External
Individual Establishment Wall Sign	Building Sign Frontage x 1.0 not to exceed 60 per establishment	1 per establishment	NA	NA	External Internal
Individual Establishment Projecting Sign	8	1 per establishment	See Paragraph 7(g) See 7.2.5 B. 2.	NA	External

* Unless an establishment has two or more building sign frontages. If so, see Paragraph 7.1).

By adding Table 10 – Commercial III and IV Districts

TABLE 10

Commercial Districts III & IV					
	Total Maximum Sign Surface Area (square feet)	Maximum # of Signs	Maximum Sign Height (feet)	Minimum Setback from any Street Lot Line (feet)	Illumination
Freestanding Sign or Development Sign	40 for a 2 sided sign; 30 for a 1 sided sign	1 per lot		8	External
Wall Sign	Building Sign Frontage x 1.0 not to exceed 30 per establishment	1 per establishment	NA	NA	External
Projecting Sign	12	1 per establishment	See Paragraph 7g See 7.2.5 B. 2.	NA	External

And by inserting the following to Section 7.2.1.C. Definitions – Types of Signs in alphabetical order:

Internally Illuminated Sign – A sign for which the source of artificial light is enclosed within or behind the sign face. Internal illumination also includes illumination designed to project light against the surface behind the sign, lettering or graphics, also referred to as a backlit channel lettering or halo lighting.

Externally Illuminated Sign – A sign on which its message is illuminated by an external light fixture or device that casts artificial light directly onto the face of the sign which light is then reflected back to the viewer.

Feather Sign – A vertical, portable, free-standing sign typically constructed of a single plastic or metal harpoon shaped pole or shaft usually driven into the ground for support or supported by means of an individual stand, with an attached pennant that is vertically elongated and attached to the pole which flutters in the wind and includes business names, logos, brand names or products or messages. Also referred to as a flutter sign.

And by revising Section 7.2.3 Prohibited Signs by deleting T in its entirety and replacing it as follows:

T. *Existing Text* – Signs which use light emitting diodes for internal illumination

Proposed Text – Internally illuminated signs where light emitting diodes are directly visible from the front of the sign.

And by adding the following:

U. Feather signs

And by amending Section 7.2.6 A. Sign Permit by removing the last sentence from item 2. i. and by renaming item 2. i. to item 2. j. and by inserting a new item 2. i. as follows:

2. i. For any freestanding sign and for any other sign that has six square feet or more of sign surface area, a copy of the Letter of Recommendation from the Medway Design Review Committee.

And by deleting 3. Design Review from Section 7.2.6. A. Sign Permit and replacing it as follows:

3. Design Review

- a. Before filing an application with the Inspector of Buildings for any freestanding sign and for any other sign with six square feet or more of sign surface area, a prospective sign permit applicant or business owner and sign designer or sign company or other representative shall meet with the Medway Design Review Committee which shall review proposed sign designs for compliance with the *Medway Design Review Guidelines* and with any applicable Master Signage Plan that may have been approved for a development during the site plan approval process.
- b. The Design Review Committee shall establish written guidelines specifying what information a prospective applicant shall provide for the committee to undertake its review.
- c. After receipt of all the specified information and no later than thirty days thereafter, the Design Review Committee shall meet with the applicant.
- d. Within ten days after the meeting, the Design Review Committee shall provide a Letter of Recommendation to the applicant and the Inspector of Building. The Letter of Recommendation confirms that a business proprietor, sign fabricator, developer, property owner or their agent has met with the Design Review Committee to review the proposed sign design(s) and provides recommendations on ways to improve the sign design to comply with the *Medway Design Review Guidelines*.

DRAFT

**ZBL Amendments – Dimensional Regulations
August 20, 2015**

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

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

DRAFT

Zoning Bylaw Amendments - DEFINITIONS for Fall Town Meeting
Draft - 8/20/15 (2)

To see if the Town of Medway will vote to amend the Medway Zoning Bylaw, Section 2 Definitions, by inserting the following definitions in alphabetical order.

Agriculture – As defined in Massachusetts General Laws, Chapter 128, Section 1A.

Retail Bakery – An establishment engaged in the preparation and production of baked goods for consumption and sale on the premises which shall not exceed _____ (3,000) sq. ft. in gross floor area.

Wholesale/Commercial Bakery – An establishment engaged in the preparation and production of baked goods for consumption off site. The limited retail sale of baked products may occur as an incidental or accessory use.

Restaurants

Restaurant – A business establishment principally engaged in the preparation, serving, and sale of food and beverages to be consumed either on or off the premises, and which may include wait service and indoor and outdoor customer seating.

Outdoor dining – A café, eating area, or any food service accessory to a restaurant that is open to the air except for umbrellas or other non-permanent covers, and which contains readily removable tables and chairs.

Poultry – Chickens, ducks, geese, turkeys, pigeons, and doves, and other domestic fowl kept for eggs, meat, feathers or as pets.

Site Plan – A scaled illustration depicting the planned layout of buildings, parking, driveways, sidewalks, landscape, stormwater facilities and other features and amenities of a site.

And by revising the following definition:

Home Based Business – An occupation or business activity conducted **and/or managed** in whole (or in part) within a dwelling or structure accessory thereto by a person residing on the premises which results in the sale or provision of a product or service. ~~for financial gain.~~ A home-based business is an accessory use, incidental and subordinate to the primary residential use of the property.

And by removing the definition for **Commercial Motor Vehicle**

And by revising the second paragraph in Section 2 as follows:

Terms and words not defined herein but defined in the State Building Code or Massachusetts General Laws shall have the meaning given therein unless a contrary intention is clearly evident in this Zoning Bylaw. Terms not defined in the State Building Code or Massachusetts General Laws shall have the meanings given them by the current edition of Black's Law Dictionary as determined by the Inspector of Buildings. In addition, other sections of this Zoning Bylaw contain definitions particular to the subject matter for which they have been established.

ZBL AMENDMENTS – USE TABLE

August 21, 2015

ARTICLE : To see if the Town of Medway will vote to amend the Medway Zoning Bylaw, Section 5.4 Schedule of Uses as follows:

By adding the following items to Table 1: Schedule of Uses

TABLE 1: SCHEDULE OF USES										
	AR-I	AR-II	C-I	C-III	C-IV	C-V	BI	I-I	I-II	I-III
A. AGRICULTURE, CONSERVATION, RECREATION USES										
Poultry on less than 1 acre. Minimum lot size for poultry is 1/8 of an acre, subject to Board of Health regulations.	Y	Y	N	N	N	N	N	N	N	N

TABLE 1: SCHEDULE OF USES										
	AR-I	AR-II	C-I	C-III	C-IV	C-V	BI	I-I	I-II	I-III
C.RESIDENTIAL AND INSTITUTIONAL USES										
Multifamily dwellings and multifamily developments subject to 5.6.4	PB	PB	N	N	N	N	N	N	N	N

TABLE 1: SCHEDULE OF USES										
	AR-I	AR-II	C-I	C-III	C-IV	C-V	BI	I-I	I-II	I-III
D.BUSINESS USES										
Retail Bakery	N	N	Y	Y	Y	Y	Y	N	N	N

TABLE 1: SCHEDULE OF USES										
	AR-I	AR-II	C-I	C-III	C-IV	C-V	BI	I-I	I-II	I-III
E.INDUSTRIAL AND RELATED USES										
Wholesale Bakery	N	N	N	N	N	N	N	Y	Y	Y

By deleting the following items in Table 1: Schedule of Uses

TABLE 1: SCHEDULE OF USES										
	AR-I	AR-II	C-I	C-III	C-IV	C-V	BI	I-I	I-II	I-III
A. AGRICULTURE, CONSERVATION, RECREATION USES										
Agriculture, excluding piggeries and fur farms on less than 5 acres of land, and excluding livestock and poultry on less than 44,000 sq. ft. of land.	Y	Y	N	N	N	N	N	N	N	N
Aviation	SP	SP	N	N	N	N	N	N	N	N

Registered Marijuana Dispensary amendments
DRAFT - August 21, 2015

ARTICLE : To see if the Town of Medway will vote to amend the Medway Zoning Bylaw, Section 8.9 Registered Marijuana Dispensary as follows:

By adding a definition for Host Community Agreement in C. Definitions as follows.

Host Community Agreement (HCA) – A written agreement between an operator of a Registered Marijuana Dispensary and the Town of Medway that specifies measures an operator will take to anticipate, mitigate and address potential adverse impacts of the Registered Marijuana Dispensary on the Town, neighborhood, or community at large, including but not limited to public safety services and infrastructure.

And by amending E. items 2. b. and 2. d. as follows:

2. b. A standalone cultivation facility shall not exceed ~~25,000~~ 60,000 sq. ft.

2. d. Any combination of the above three facilities shall not exceed ~~30,000~~ 65,000 sq. ft.

And by adding a new sub-section P. as follows:

P. Each RMD permitted under this Zoning Bylaw shall enter into a Host Community Agreement (HCA) with the Town of Medway.

DRAFT

**Home Based Business – Amendments
August 27, 2015**

ARTICLE : To see if the Town of Medway will vote to amend the Medway Zoning Bylaw, Section 8.3 Home Based Business as follows: :

By revising item 5 in Paragraph C Basic Requirements as follows:

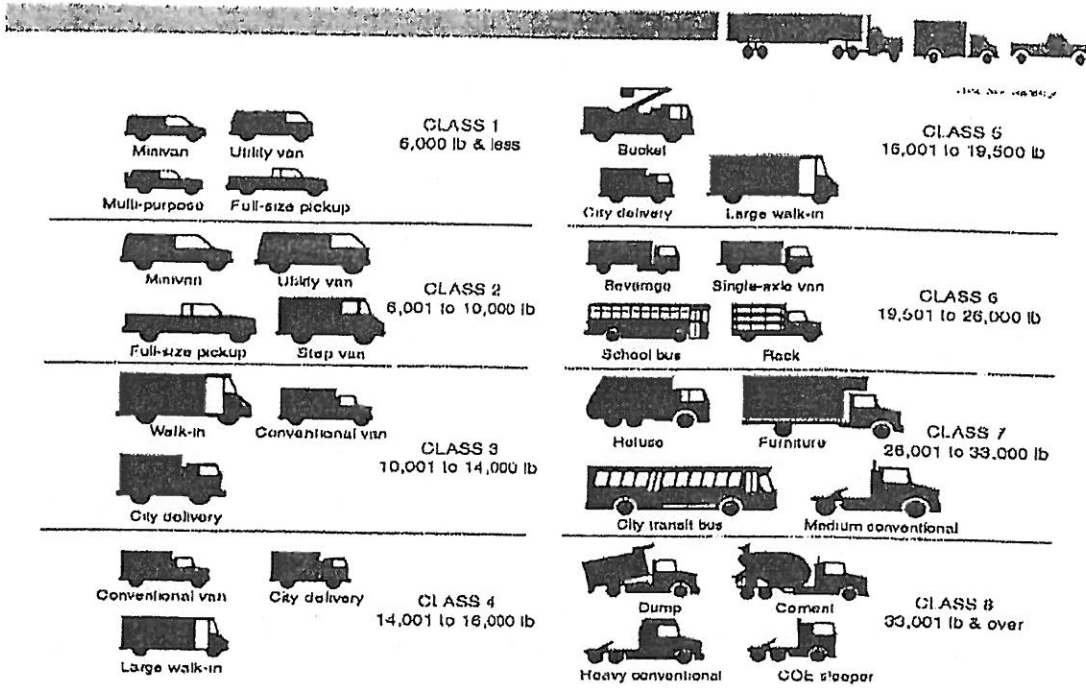
5. The maximum number of off-street parking spaces for employee and customer parking shall be two. There shall be no outside parking of ~~more than two commercial vehicles as defined by the Registry of Motor Vehicles in 540 CMR 4.02.~~ **any commercial vehicle associated with the home based business with a Class 4 Gross Vehicle Weight Rating (GVWR) and above.**

And by adding the following:

10. **The owner or operator of the home-based business shall reside on the premises.**

DRAFT

Truck Classifications



540 CMR: REGISTRY OF MOTOR VEHICLES

4.02: continued

Class C License shall mean the license issued to a Public or Fleet inspection station conducting all commercial medium and heavy duty inspections of vehicles over 10,000 lbs. (GVWR) including all trailers, semi-trailers and converter dollies.

Class D License shall mean the license issued to a Public or Fleet inspection station conducting all commercial and non-commercial light, medium and heavy duty inspections of all vehicles including all trailers, semi-trailers and converter dollies.

Class E License shall mean the license issued to a Public or Fleet inspection station conducting heavy duty commercial inspection of vehicles over 26,000 lbs. (GVWR) including all trailers, semi-trailers and converter dollies.

Class F License shall mean the license issued to an individual or corporation performing inspections on commercial vehicles or school pupil transport vehicles of all fuel types and weights, including all trailers, semi-trailers and converter dollies, owned or leased by a fleet, using mobile equipment for the performance of such vehicle inspections. The performance of commercial vehicle inspections at multiple repair and maintenance facilities owned by the fleet shall be subject to the following conditions:

- (a) The repair facility shall consist of a building on-site with a discernible address for the purposes of fleet administration. Said fleet is contracting the inspection of existing commercial vehicles with gross vehicle weight ratings of 10,001 pounds or more, including all trailers, semi-trailers and converter dollies to the Class F Licensee at the same physical location.
- (b) Vehicles owned or leased by said fleet and registered as "noncommercial" motor vehicles shall not be eligible for inspection by Class F Licensees.
- (c) Noncommercial motor vehicles furnished for regular use by individual employees of said fleet shall not be eligible for inspection by Class F Licensees.
- (d) All Class F Licensees utilizing mobile equipment for the testing of such commercial vehicles, trailers, semi-trailers or converter dollies owned or leased by said fleet shall have on-site OBD, opacity or any other emissions equipped workstation capable of performing such emissions inspections as required by 310 CMR 60.02.
- (e) The annual number of commercially registered vehicles, trailers, semi-trailers or converter dollies inspected by Class F Licensees with gross vehicle weight ratings of less than 10,001 lbs shall not exceed the annual number of commercially registered vehicles with gross vehicle weight ratings of more than 10,001 lbs. (GVWR)

Class M License shall mean the license issued to a Public or Fleet Inspection Station conducting motorcycle inspections.

Commercial Motor Vehicle Inspector shall mean an individual licensed by the Registrar as properly qualified under 540 CMR 4.08(1)(h).

* Commercial Motor Vehicle shall mean any motor vehicle which is not a private passenger motor vehicle, antique motor car, motorcycle, auto home, house trailer, taxicab, ambulance, hearse, livery vehicle, or school pupil transport vehicle. A commercial motor vehicle shall include the following vehicles:

- (a) The vehicle has a gross vehicle weight rating or gross combination weight rating of 10,001 or more pounds; or
- (b) The vehicle is designed to transport more than 15 passengers, including the driver; or
- (c) The vehicle is used in the transportation of hazardous materials in a quantity requiring placarding in accordance with the Hazardous Materials Regulations of the United States Department of Transportation. Any commercial motor vehicle that singularly has a gross vehicle weight rating of 10,001 pounds or less and is designed to meet emissions standards, shall be submitted for an emissions inspection in addition to all applicable safety inspection requirements; or
- (d) A single, full or semi-trailer, used in commerce, with a manufacturer's gross vehicle weight rating over 3,000 lbs; or
- (e) Any vehicle which has a vehicle weight, or curb weight, of more than 6,000 pounds, as per the manufacturer's description of said vehicle, unless such vehicle is a sport utility vehicle or passenger van, or a pickup truck or cargo van meeting the definition of private passenger vehicle; or
- (f) Any vehicle which has five or more wheels on the ground.

ZBL Amendments - Nonconforming Uses and Structures August 27, 2015

ARTICLE : To see if the Town of Medway will vote to amend Section 5.5 of the Medway Zoning Bylaw as follows:

By deleting Section 5.5. C. 1 and replacing it as follows:

CURRENT TEXT

~~No Increase in Nonconforming Nature. Lawfully existing nonconforming one-family and two-family structures may be reconstructed, extended, structurally changed or altered where the Zoning Board of Appeals finds that the reconstruction, extension, structural change or alternation does not increase the nonconforming nature of the structure.~~

PROPOSED TEXT

No Increase in Nonconforming Nature. The Zoning Board of Appeals may grant a special permit for the reconstruction, extension, alteration, or structural change of a lawfully existing nonconforming one-family and two-family structure upon finding that the reconstruction, extension, structural change or alternation does not increase the nonconforming nature of the structure.

And by deleting Section 5.5. F. in its entirety and replacing it as follows:

CURRENT TEXT

~~5.5. F. Abandonment, Demolition, or Non-Use~~

- ~~1. Any non-conforming horticultural and floricultural use that has been abandoned, or not used for more than five years shall not be reestablished.~~
- ~~2. Any other nonconforming use which has been abandoned or not used for a period of two years, shall lose its protected status and be subject to all of the provisions of this Zoning Bylaw.~~

PROPOSED TEXT

F. Abandonment or Non-Use

- 1. Any nonconforming horticultural or floricultural use that has been abandoned, or not used for more than five years, shall lose any protected nonconforming status, and shall be subject to all of the provisions of this Zoning Bylaw.**
- 2. Any other nonconforming use that has been abandoned, or not used for more than two years, shall lose any protected status, and shall be subject to all of the provisions of this Zoning Bylaw.**

SAC NOTES

1. What constitutes "abandonment"? Should we define it?
2. Do you want these provisions re: abandonment and non-use to also apply to nonconforming STRUCTURES? The current provisions are limited only to nonconforming USES. Stephanie M will discuss this with the ZBA on 9/2.

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

DRAFT

Susan Affleck-Childs

From: Devorah Francesca <vanvorah@yahoo.com>
Sent: Friday, August 07, 2015 12:44 PM
To: Susan Affleck-Childs
Subject: Request for 7 Kelley Street to be included in Article 25 Proposed Multi-family overlay district map

Good Morning Ms. Childs,

This communication request that my property at 7 Kelley Street, Medway (corner of Dean & Kelley) be included in the proposed multi-family development overlay district map and article. I understand the discussion intended to do this, but the map does not indicate that determination.

The property has deeded access to both Kelley and Dean Streets for egress and would be most suitable for this zoning.

Please contact me if there is anything else I must do, aside from this declaration in email, to effect this inclusion.

Thank you for your help and consideration concerning this matter.

Best Regards,

Deborah F. Eastman
7 Kelley Street
Medway, MA 02053
508 533 8133
Vanvorah@yahoo.com

**Zoning Map Amendments
August 20, 2015**

ARTICLE : To see if the Town of Medway will vote to amend the Medway Zoning Map by adding the following parcel to the Multifamily Overlay District:

7 Kelley Street Medway Assessor's parcel 49-069

DRAFT

ZBL Amendments - EDITING ZBL

August 20, 2015

ARTICLE : To see if the Town of Medway will vote to amend the Medway Zoning Bylaw by authorizing the Medway Planning and Economic Development Board to edit the Medway Zoning Bylaw through use of bold, italics, underscores, font, font style, font size, spacing, and other editing measures to improve the readability of the Bylaw without changing the text, numbering, or content.

DRAFT