

September 8, 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	Absent with Notice	X	X	X

ALSO PRESENT:

Susy Affleck-Childs, Planning and Economic Development Coordinator
Gino Carlucci, Planning Consultant
Steve Bouley, Tetra Tech
Stephanie Mercandetti, Director of Planning and Economic Development
Amy Sutherland, Recording Secretary

The Chairman opened the meeting at 7:00 pm.

There were no Citizen Comments.

Construction Inspection Reports:

The Board is in receipt of the following reports on various projects. (See Attached)

- Tri Valley Commons – TT Report #1 (8-12-15)
- Tri Valley Commons – TT Report #2 (8-20-15)
- Tri Valley Commons – Bohler Engineering August report (8-31-15)
- Tri Valley Commons – TT Report #3 (8-31-15)
- Tri Valley Commons – TT Report #4 (9-3-15)
- Village Estates Sub – TT Report #1 (8-26-15)
- Village Estates Sub – TT Report #2 (9-3-15)
- Millstone ARCPUD – TT Report #45 (8-24-15)
- Millstone ARCPUD – TT Report #46 (8-26-15)
- Millstone ARCPUD – TT Report #47 (8-28-15)
- Millstone ARCPUD – TT Report #48 (8-31-15)
- Millstone ARCPUD – TT Report #49 (9-3-15)

Tri Valley Commons:

Steve Bouley informed the Board that a site visit was conducted due to concerns of erosion occurring with the demolition of the existing stone wall adjacent to the back of sidewalk. It is recommended that erosion control be installed along the eastern site of site. Steve has also been working closely with the Conservation Agent.

Village Estates Subdivision:

There was a site visit on September 3, 2015. The Conservation Agent was also present to walk the site. The wetland flags were not visible. This will need to be addressed.

Millstone Village:

There was a site inspection on September 2, 2015. The contractor is in the process of installing sewer infrastructure along Fieldstone Drive. Pipes and structures were installed per the approved plans. The issues with the utilities NOT being underground for the front 4 houses facing Winthrop Street have not been resolved. The Board would like a letter sent to the applicant seeking the status of this. The Board would like to see how the language was written in the decision about the utilities and see if the applicant has something written from the power company which is forcing the utilities to be above ground in this area. The fee estimate for construction services for the next phase for Tetra Tech needs to be provided. The Board is concerned about the sidewalk construction schedule. They are selling units and there needs to be sidewalks for those residents. Consultant Bouley will follow-up.

Applegate Subdivision:

Applegate Subdivision will be reviewed at the next meeting. Mr. Costello contacted Susy and informed her he was not available for the meeting.

Site Plan Rules and Regulations:

The Board is in receipt of the current *Site Plan Rules and Regulations*. (See Attached) Susy indicated that this document needs to be updated but the consultant budget is less this year than previous years. The goal of reviewing the *Site Plan Rules and Regulations* should be to create our list of items which need to be revised and then seek some assistance from Consultants Carlucci and Bouley.

Member Di Iulio noted that there is information in the document about the Board of Selectmen being involved, specifically that the filing of the site plan application is with the Board of Selectmen.

Susy noted that this will need to be revised in the Rules and Regulations. The site plan bylaw is specific and takes precedence over the Rules and Regulations. The Rules and Regulations need to be revised to match up with the bylaw.

The Board was asked to focus on Article V. Development Standards, starting on page 15.

205-1 General Design Principles:

This section can be worded “Refer to the Design Review Guidelines”.

6 D. Mitigation, Conditions, Limitations and Safeguards:

The concern in this section is about the process and the requirement for off-site improvements up to a maximum value of 6% of the total development cost of the proposed project. The Board wanted to know where the 6% came from. The costs will vary for smaller developments versus what needed to be done for Cumberland Farms.

Section 204-3 Planning Board Submittals:

This section indicates that the submittal is to include 16 sets of plan, but this should be updated to include electronic submittals.

Section 204-4 Standards for Site Plan Preparation:

The language in B. and C. is contradictory and needs to be revised. Another area of contradiction is under D. Proposed Site Plan Information Sheets. The requirements need to be consistent throughout the document.

Section O Lighting page 17:

The reference for this should be to refer to the lighting section of the Zoning Bylaw. It was recommended to remove the current text.

Section Curb Cuts page 18:

b) The language “whenever possible” needs to be clarified in relation to interconnected sites for the future such as Tri Valley.

Consultant Carlucci did indicate that this language was included in the Tri-Valley decision.

Section 205-6 Parking page 21:

There was discussion about the parking space/stall designs. This should also default to the parking section of the zoning bylaw. Also for the wheel stops, the language “like materials” needs to be clarified. Matt will check the distance for the wheel stops.

H. Curbing page 22:

The Board discussed that there are different types of curbing needed for the variety of projects. There is a difference in curbing needed for consumers versus employees and industrial versus commercial. The curbing section only referenced “with vertical granite curb or similar type” This needs to be explained further.

Snow Storage:

There is nothing noted in the Design Review Guidelines about snow storage. This is a site plan issue so text should be added to the rules and regulations

Section Trees landscaping page 23:

It was suggested to have some language added about Operation and Maintenance plans specifically landscaping which extends beyond the initial installation. For example, are businesses required to have the landscaped maintained seasonally so areas do not become eye sores? This can also be included in the decision which makes it enforceable by the building inspector.

It was suggested to add language about “Native and Non-Invasive” plants. It was also recommended to see if the list of trees are appropriate for the area. The list of trees should be expanded to include evergreens or shrubs. There was a question about why the white oak tree

was left off the list. Susy will look at other towns to see what they include. There was also mention that some towns have landscaping as a separate section in Zoning Bylaw. The Design Review Guidelines were not meant to get into the quantities and ratios of trees. There is nothing in the Site Plan Rules and Regulations about what is required for open space, benches, or trash cans. These should be added.

Susy wanted to Board to think about which site plan projects or modifications could be reviewed at an administrative/staff level instead of going to the board for review.

The Board was in agreement that the definitions for minor and major site plan need to be revisited.

REVIEW OF ARTICLES FOR TOWN MEETING – A revised collection of warrant articles was provided. **(See Attached)**

Parking of Commercial and Recreational Vehicles:

The definitions for commercial vehicle was added as defined by the Registry of Motor Vehicles. The Board is not sure if there is a need to reference private passenger motor vehicles. It was suggested that a chart be included. The purpose of the bylaw is to not hurt the landscape guy or plumber, tile layer, or carpenter who wants to park their work vehicle in their resident. This is to not allow parking of a trailer truck on his front yard. The Board agrees that there needs to be an easier to look at the classification of vehicles. Member Hayes will send the easy pass car classification to Susy. It was suggested that a chart would be helpful. This topic will not be ready for town meeting.

Sign Regulations:

The Board reviewed pages 5-9 regarding the amendments to the sign regulations.

On a motion made by Rich Di Iulio and seconded by Matt Hayes, the Board voted unanimously to accept the amendments for the sign regulations as presented.

The Board was informed that there has been discussion about putting together a sign bylaw update task force with the PEDB, EDC, DRC, ZBA, Business Counsel, and residents. This group will have a mission to review the sign bylaw and come up with a substantive replacement document. The Board thinks well worth doing. It was suggested that we hire someone like the Cecil Group to help with this process

Feather Signs:

On a motion made by Matt Hayes and seconded by Rich Di Iulio, the Board voted unanimously to accept the feather sign article as amended to include language “or attached to vehicle.”

Design Review Process:

Stephanie Mercandetti and Susy Affleck-Childs worked on the language relative to this article.

On a motion made by Rich Di Iulio and seconded by Matt Hayes, the Board voted unanimously to accept the Medway Zoning Bylaw article to delete Section 7.2.6A. Sign Permit, 3. Design Review and replacing it with the noted language.

Definitions: The following suggestions were made to the definitions:

Retail Bakery: add language “and production of baked goods for direct sale to general public.

Wholesale/Commercial Bakery: add language “limited retail sale of baked goods not products.

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.

Commercial Motor Vehicle: It was recommended to take this out.

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.

Zoning Amendment Use Table:

The use table was reviewed and the change in this section included the square footage of 5,000 for the keeping of poultry. Another change was taking out aviation.

Marijuana Dispensary Amendment:

The change to this section includes deleting items 2.b, c, and d. in E General requirements and relabeling item e, to become item b. and adding a new subsection P. as follows: “Each RMD permitted under this Zoning Bylaw shall enter into a Host Community Agreement with the Town of Medway. There is also included a definition for Host Community Agreement.

Acceptance of Minutes:

August 25, 2015:

On a motion made by Rich Di Iulio and seconded by Matt Hayes, the Board voted unanimously to accept the minutes from the August 25, 2015 meeting.

The Board determined it would endorse the following plans after the meeting was adjourned as all documentation was completed and as recommended by Susy Affleck-Childs.

- Modified Tri Valley Commons site plan dated 9-4-15
- John's Auto Body Site Plan dated 8-20-15

Adjourn:

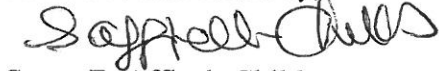
On a motion made by Matt Hayes and seconded by Rich Di Iulio, the Board voted unanimously to adjourn the meeting at 10:38 pm.

Respectfully Submitted,



Amy Sutherland
Recording Secretary

Reviewed and edited by,



Susan E. Affleck-Childs
Planning and Economic Development Coordinated.



September 8, 2015
Medway Planning & Economic Development Board
Meeting

Construction Inspection Reports

- Tri Valley Commons – TT Report #1 (8-12-15)
- Tri Valley Commons – TT Report #2 (8-20-15)
- Tri Valley Commons – Bohler Engineering August report (8-31-15)
- Tri Valley Commons – TT Report #3 (8-31-15)
- Tri Valley Commons – TT Report #4 (9-3-15)
- Village Estates Sub – TT Report #1 (8-26-15)
- Village Estates Sub – TT Report #2 (9-3-15)
- Millstone ARCPUD – TT Report #45 (8-24-15)
- Millstone ARCPUD – TT Report #46 (8-26-15)
- Millstone ARCPUD – TT Report #47 (8-28-15)
- Millstone ARCPUD – TT Report #48 (8-31-15)
- Millstone ARCPUD – TT Report #49 (9-3-15)

NOTE – Steve Bouley will attend the meeting. He will update you on construction projects and answer any questions you have.

Tetra Tech
 One Grant Street
 Framingham, MA 01701

Project Tri-Valley Commons	Date 08-12-15	Report No. 01
Location Main Street (Route 109)	Project No. 143-21583-15014	Sheet 1 of 2
Contractor Dixon Inc. General Contracting Steve Garrepy	Weather A.M. SUNNY P.M.	Temperature A.M. 85° P.M.

FIELD OBSERVATIONS

On Wednesday, August 12, 2015, Steve Bouley from Tetra Tech (TT) visited the project site to inspect erosion control barrier and the current condition of the site. The following observations were made:

1. Observations

- A. TT inspected the area adjacent to the back of existing sidewalk which runs parallel to Main Street along the property boundary. TT did not enter the site for safety reasons as tree felling was taking place at the time of inspection. The site visit was conducted due to concerns of erosion occurring during demolition of the existing stone wall adjacent to the back of sidewalk. Dixon is requesting erosion control be installed after stone wall demolition because the proposed erosion control line is coincident with the stone wall.

Dixon has installed the proposed erosion control along the eastern side of the site. It does not appear there will be an erosion issue in this location since the eastern erosion control line would capture any sediment flowing from this area since it is down-gradient of the existing stone wall. Conservation was notified of these finding and will notify the applicant since this work is within the jurisdiction of the Conservation Commission.

CONTRACTOR'S FORCE AND EQUIPMENT

WORK DONE BY OTHERS

Sup't					Dept. or Company	Description of Work
Foreman	1	Bulldozer		Asphalt Paver		
Laborers	3	Backhoe		Asphalt Reclaimer		
Drivers		Loader	1	Vib. Roller		
Oper. Engr.		Rubber Tire Backhoe/Loader		Static Roller		
Carpenters		Bobcat		Vib. Walk Comp.		
Masons		Hoeram		Compressor		
Iron Workers		Excavator	2	Jack Hammer		
Electricians		Grader		Power Saw		
Flag persons		Crane		Conc. Vib.		
Surveyors		Scraper		Rock Crusher		
Driller		Articulating Dump Truck		Chipper	1	
Blast Crew		Conc. Truck		Screener		OFFICIAL VISITORS TO JOB
Sewer/Water Tester		Pickup Truck	4	Drill Rig		
		Dump Truck 6 Whl		Boom Lift		
		Dump Truck 10 Whl		Water Truck		
		Dump Truck 14 Whl		Lull		
		Dump Truck 18 Whl		Gradall		

Police Details:	RESIDENT REPRESENTATIVE FORCE	
Time on site: 8:30 A.M. – 9:30 A.M.	Name	Name
CONTRACTOR'S Hours of Work:		
	Resident Representative: Steve Bouley	

Project Tri-Valley Commons	Date 08-12-15	Report No. 01
Location Main Street (Route 109)	Project No. 143-21583-15014	Sheet 2 of 2
Contractor Dixon Inc. General Contracting Steve Garrepy	Weather A.M. SUNNY P.M.	Temperature A.M. 85° P.M.

FIELD OBSERVATIONS CONTINUED

2. Schedule
 - A. TT will inspect the site as construction progresses into the site.

3. New Action Items
 - A. N/A

4. Previous Open Action Items
 - A. N/A

5. Materials Delivered to Site Since Last Inspection:
 - A. N/A

Tetra Tech
 One Grant Street
 Framingham, MA 01701

Project Tri-Valley Commons	Date 08-20-15	Report No. 02
Location Main Street (Route 109)	Project No. 143-21583-15014	Sheet 1 of 2
Contractor Dixon Inc. General Contracting Steve Garrepy	Weather A.M. SUNNY P.M.	Temperature A.M. 85° P.M.

FIELD OBSERVATIONS

On Thursday, August 20, 2015, Steve Bouley from Tetra Tech (TT) visited the project site to inspect erosion control barrier and the current condition of the site. The following observations were made:

1. Observations

- A. The contractor has removed the stone wall and has completed clearing and grubbing operations at the site. Topsoil has been stripped and stockpiled at the rear of the site. Excess topsoil is being trucked off-site by Kimball in trailer dump trucks.
- B. TT recommended Dixon have a water truck on-site to keep dust to a minimum since the site is open and heavy machinery will be conducting earthwork operations which generally generates dust. TT expressed that staying ahead of erosion control will go a long way in having a successful project at such a visible site.

CONTRACTOR'S FORCE AND EQUIPMENT

WORK DONE BY OTHERS

Sup't					Dept. or Company	Description of Work
Foreman	1	Bulldozer	1	Asphalt Paver		
Laborers	3	Backhoe		Asphalt Reclaimer		
Drivers		Loader	2	Vib. Roller	1	
Oper. Engr.		Rubber Tire Backhoe/Loader		Static Roller		
Carpenters		Bobcat		Vib. Walk Comp.		
Masons		Hoeram		Compressor		
Iron Workers		Excavator	2	Jack Hammer		
Electricians		Grader		Power Saw		
Flag persons		Crane		Conc. Vib.		
Surveyors		Scraper		Rock Crusher		
Driller		Articulating Dump Truck		Chipper	1	
Blast Crew		Conc. Truck		Screener		
Sewer/Water Tester		Pickup Truck	4	Drill Rig		
		Dump Truck 6 Whl		Boom Lift		
		Dump Truck 10 Whl		Water Truck		
		Dump Truck 14 Whl		Lull		
		Dump Truck 18 Whl	2	Gradall		

OFFICIAL VISITORS TO JOB

RESIDENT REPRESENTATIVE FORCE

Police Details:		Name	Name
Time on site: 8:30 A.M. – 9:30 A.M.			
CONTRACTOR'S Hours of Work:			
		Resident Representative: Steve Bouley	

Project Tri-Valley Commons	Date 08-20-15	Report No. 02
Location Main Street (Route 109)	Project No. 143-21583-15014	Sheet 2 of 2
Contractor Dixon Inc. General Contracting Steve Garrepy	Weather A.M. SUNNY P.M.	Temperature A.M. 85° P.M.

FIELD OBSERVATIONS CONTINUED

2. Schedule
 - A. TT will inspect the site as construction progresses into the site.

3. New Action Items
 - A. N/A

4. Previous Open Action Items
 - A. N/A

5. Materials Delivered to Site Since Last Inspection:
 - A. N/A



BOHLERTM
ENGINEERING

352 Turnpike Road
Southborough, MA 01772
PHONE 508.480.9900
FAX 508.480.9080

August 31, 2015

Town of Medway
Planning Board
Attn: Ms. Susan Affleck-Childs
155 Village Street
Medway, MA 02053

Re: Tri Valley Commons
72 Main Street - Medway, MA
Construction Inspection Report

Dear Ms. Affleck-Childs:

As per the Specific Conditions of the Planning Board's Special Permit & Site Plan Decision dated June 23, 2015, Bohler Engineering conducted an inspection of the construction activities performed to date at the above referenced site on August 28, 2015. At the time of inspection, the following activities have been completed:

- Erosion Control devices have been installed around the limits of work per the approved plans and the Order of Conditions issued by the Conservation Commission dated July 7, 2015;
- Existing trees and shrubs have been cleared within the limit of work as per the approved plans;
- The stabilized construction entrance has been constructed per the approved plans;
- Preliminary grading of the site to bring it close to the subgrade required for paving has commenced;

Please accept this letter as well as the attached photos as Bohler Engineering's inspection report for the month of August, 2015. As per the Planning Board's decision, inspections will be conducted monthly to keep the Planning Board apprised of the construction progress on the site. Should you have any questions please do not hesitate to contact either of us at (508) 480-9900.

Sincerely,

BOHLER ENGINEERING

John A. Kucich, P.E.

Cc: Rich Landry

W141182
Construction Observation Report 8-15.docx



BOHLER

ENGINEERING

352 Turnpike Road
Southborough, MA 01772
Tel 508.480.9900
Fax 508.480.9080



Photo #1



Photo #2



Photo #3



Photo #4



BOHLER

ENGINEERING

352 Turnpike Road
Southborough, MA 01772
Tel 508.480.9900
Fax 508.480.9080



Photo #5

Tetra Tech
 One Grant Street
 Framingham, MA 01701

Project Tri-Valley Commons	Date 08-31-15	Report No. 03
Location Main Street (Route 109)	Project No. 143-21583-15014	Sheet 1 of 2
Contractor Dixon Inc. General Contracting Steve Garrepy	Weather A.M. SUNNY P.M.	Temperature A.M. 85° P.M.

FIELD OBSERVATIONS

On Monday, August 31, 2015, Steve Bouley from Tetra Tech (TT) visited the project site to inspect erosion control barrier and the current condition of the site. The following observations were made:

1. Observations

- A. The contractor is in the process of subgrading the site. Material is being cut from the western side of the site and used to fill the eastern portion of the site. The contractor is compacting the filled portion of the site in lifts to ensure settlement does not occur.
- B. Dixon expects to complete subgrading the site this week and move onto screening the loam stockpile located at the rear of the site. They will then begin construction on the drainage basin located at the rear of the site.

CONTRACTOR'S FORCE AND EQUIPMENT

WORK DONE BY OTHERS

Sup't					Dept. or Company	Description of Work
	1	Bulldozer	1	Asphalt Paver		
Foreman		Backhoe		Asphalt Reclaimer		
Laborers		Loader	2	Vib. Roller	1	
Drivers		Rubber Tire Backhoe/Loader		Static Roller		
Oper. Engr.	5	Bobcat		Vib. Walk Comp.		
Carpenters		Hoeram		Compressor		
Masons		Excavator	1	Jack Hammer		
Iron Workers		Grader		Power Saw		
Electricians		Crane		Conc. Vib.		
Flag persons		Scraper		Rock Crusher		
Surveyors		Articulating Dump Truck		Chipper	1	
Driller		Conc. Truck		Screener		
Blast Crew		Pickup Truck	1	Drill Rig		
Sewer/Water Tester		Dump Truck 6 Whl		Boom Lift		
		Dump Truck 10 Whl		Water Truck		
		Dump Truck 14 Whl		Lull		
		Dump Truck 18 Whl		Gradall		

OFFICIAL VISITORS TO JOB

RESIDENT REPRESENTATIVE FORCE

Police Details:		Name	Name
Time on site: 8:30 A.M. – 9:30 A.M.			
CONTRACTOR'S Hours of Work:			
		Resident Representative: Steve Bouley	

Project Tri-Valley Commons	Date 08-31-15	Report No. 03
Location Main Street (Route 109)	Project No. 143-21583-15014	Sheet 2 of 2
Contractor Dixon Inc. General Contracting Steve Garrepy	Weather A.M. SUNNY P.M.	Temperature A.M. 85° P.M.

FIELD OBSERVATIONS CONTINUED

2. Schedule
 - A. TT will inspect the site as construction progresses into the site.

3. New Action Items
 - A. N/A

4. Previous Open Action Items
 - A. N/A

5. Materials Delivered to Site Since Last Inspection:
 - A. N/A

Tetra Tech One Grant Street Framingham, MA 01701						
Project Tri-Valley Commons				Date 09-03-15		Report No. 04
Location Main Street (Route 109)				Project No. 143-21583-15014		Sheet 1 of 2
Contractor Dixon Inc. General Contracting Steve Garrepy				Weather A.M. SUNNY P.M.		Temperature A.M. 85° P.M.
FIELD OBSERVATIONS						
<p>On Thursday, September 3, 2015, Steve Bouley from Tetra Tech (TT) and Bridget Graziano (Medway Conservation Agent) visited the project site to inspect erosion control barrier and the current condition of the site. The following observations were made:</p> <p>1. Observations</p> <p>A. The contractor is in the process of screening loam on-site. Stripped topsoil is stockpiled at the rear of the site adjacent to where the proposed at-grade detention basin will be installed. Loam is being screened at that location and trucked to the southeastern portion of the site and stockpiled in preparation for spreading.</p> <p>B. A few areas of concern were brought to Mr. Garrepy's attention during the meeting</p> <ol style="list-style-type: none"> 1. The unstabilized slope along the eastern portion of the work area has potential for washout during a storm event. It was requested the slope be protected with erosion control mats after loaming to ensure soil material does not wash into the nearby wetland during a storm event. 2. The site is dry and silty and dust is being created when driving heavy equipment. A water truck was again requested to limit the amount of dust generated on-site. 3. The screened loam stockpile mentioned above shall have a row of strawbales placed at toe of slope on the downhill side to protect the pile from eroding in a storm event. 4. A double row of strawbales will be required along the northeast erosion control line to protect nearby wetland during a storm event. 						
CONTRACTOR'S FORCE AND EQUIPMENT				WORK DONE BY OTHERS		
Sup't	1	Bulldozer		Asphalt Paver		Dept. or Company
Foreman		Backhoe		Asphalt Reclaimer		Description of Work
Laborers		Loader	2	Vib. Roller		
Drivers		Rubber Tire Backhoe/Loader		Static Roller		
Oper. Engr.	3	Bobcat		Vib. Walk Comp.		
Carpenters		Hoeram		Compressor		
Masons		Excavator	1	Jack Hammer		
Iron Workers		Grader		Power Saw		
Electricians		Crane		Conc. Vib.		
Flag persons		Scraper		Rock Crusher		
Surveyors		Articulating Dump Truck		Chipper		
Driller		Conc. Truck		Screener	1	OFFICIAL VISITORS TO JOB
Blast Crew		Pickup Truck	1	Drill Rig		Bridget Graziano Medway Con Comm Agent
Sewer/Water Tester		Dump Truck 6 Whl		Boom Lift		
		Dump Truck 10 Whl	1	Water Truck		
		Dump Truck 14 Whl		Lull		
		Dump Truck 18 Whl		Gradall		
Police Details:				RESIDENT REPRESENTATIVE FORCE		
Time on site: 10:30 A.M. – 11:30 A.M.				Name		Name
CONTRACTOR'S Hours of Work:						
				Resident Representative: Steve Bouley		

Project Tri-Valley Commons	Date 09-03-15	Report No. 04
Location Main Street (Route 109)	Project No. 143-21583-15014	Sheet 2 of 2
Contractor Dixon Inc. General Contracting Steve Garrepy	Weather A.M. SUNNY P.M.	Temperature A.M. 85° P.M.

FIELD OBSERVATIONS CONTINUED

2. Schedule
 - A. TT will inspect the site as construction progresses into the site.

3. New Action Items
 - A. N/A

4. Previous Open Action Items
 - A. N/A

5. Materials Delivered to Site Since Last Inspection:
 - A. N/A

Tetra Tech One Grant Street Framingham, MA 01701						
Project Village Estates				Date 08-26-2015		Report No. 01
Location Village Street				Project No. 143-21583-15009		Sheet 1 of 2
Contractor Russel Santoro				Weather A.M. SUNNY P.M.		Temperature A.M. 85° P.M.
FIELD OBSERVATIONS						
<p>On Wednesday, August 26, 2015 Steven Bouley from Tetra Tech (TT) visited the project site to inspect the current condition of the site and construction progress. The following observations were made:</p> <p>1. Observations</p> <p style="padding-left: 40px;">A. The contractor is in the process of stripping topsoil and subsoil to reach native gravel suitable for use as a subgrade material. Subgrade was inspected for the first 100 feet and included sandy gravel with small pockets of silty sand and clayey material. Overall the subgrade appeared to be sufficient to begin constructing the roadway.</p>						
CONTRACTOR'S FORCE AND EQUIPMENT				WORK DONE BY OTHERS		
Sup't	1	Bulldozer		Asphalt Paver		Dept. or Company
Foreman		Backhoe		Asphalt Reclaimer		Description of Work
Laborers		Loader		Vib. Roller		
Drivers		Rubber Tire Backhoe/Loader	1	Static Roller		
Oper. Engr.		Bobcat		Vib. Walk Comp.		
Carpenters		Hoeram		Compressor		
Masons		Excavator		Jack Hammer		
Iron Workers		Grader		Power Saw		
Electricians		Crane		Conc. Vib.		
Flag persons		Scraper		Rock Crusher		
Surveyors		Articulating Dump Truck		Chipper		
Driller		Conc. Truck		Screener		OFFICIAL VISITORS TO JOB
Blast Crew		Pickup Truck		Drill Rig		
Sewer/Water Tester		Dump Truck 6 Whl		Boom Lift		
		Dump Truck 10 Whl		Water Truck		
		Dump Truck 14 Whl		Lull		
		Dump Truck 18 Whl		Gradall		
Police Details:				RESIDENT REPRESENTATIVE FORCE		
Time on site: 11:00 A.M. – 12:00 P.M.				Name		Name
CONTRACTOR'S Hours of Work:						
				Resident Representative: Steven Bouley		

Project Village Estates	Date 08-26-2015	Report No. 01
Location Village Street	Project No. 143-21583-14018	Sheet 2 of 2
Contractor Russel Santoro	Weather A.M. SUNNY P.M.	Temperature A.M. 85° P.M.

FIELD OBSERVATIONS CONTINUED

2. Schedule
 - A. TT will continue to inspect the site as the contractor is prepared for inspection.

3. New Action Items
 - A. N/A

4. Previous Open Action Items
 - A. N/A

5. Materials Delivered to Site Since Last Inspection:
 - A. ¾" Crushed Stone

Tetra Tech One Grant Street Framingham, MA 01701					
Project Village Estates			Date 09-03-2015	Report No. 02	
Location Village Street			Project No. 143-21583-15009	Sheet 1 of 2	
Contractor Russel Santoro			Weather A.M. SUNNY P.M.	Temperature A.M. 85° P.M.	
FIELD OBSERVATIONS					
<p>On Thursday, September 3, 2015 Steven Bouley from Tetra Tech (TT) and Bridget Graziano (Medway Conservation Agent) visited the project site to inspect the current condition of the site and construction progress. The following observations were made:</p> <p>1. Observations</p> <p style="padding-left: 40px;">A. TT met with Bridget Graziano on-site to walk the erosion control line and check snow fence offsets from the wetland line. It was determined that the snow fence was placed properly and at the correct 25-foot and 100-foot offsets from the edge of the wetland. However, wetland flags were not visible during the site walk-through. Ms. Graziano will bring this up to the applicant during the NOI process for the proposed house. Work was not being conducted at the time of inspection.</p>					
CONTRACTOR'S FORCE AND EQUIPMENT				WORK DONE BY OTHERS	
Sup't	Bulldozer	Asphalt Paver		Dept. or Company	Description of Work
Foreman	Backhoe	Asphalt Reclaimer			
Laborers	Loader	Vib. Roller			
Drivers	Rubber Tire Backhoe/Loader 1	Static Roller			
Oper. Engr.	Bobcat	Vib. Walk Comp.			
Carpenters	Hoeram	Compressor			
Masons	Excavator	Jack Hammer			
Iron Workers	Grader	Power Saw			
Electricians	Crane	Conc. Vib.			
Flag persons	Scraper	Rock Crusher			
Surveyors	Articulating Dump Truck	Chipper			
Driller	Conc. Truck	Screener		OFFICIAL VISITORS TO JOB	
Blast Crew	Pickup Truck	Drill Rig			
Sewer/Water Tester	Dump Truck 6 Whl	Boom Lift			
	Dump Truck 10 Whl	Water Truck			
	Dump Truck 14 Whl	Lull			
	Dump Truck 18 Whl	Gradall			
Police Details:				RESIDENT REPRESENTATIVE FORCE	
Time on site: 10:00 A.M. – 10:30 A.M.				Name	Name
CONTRACTOR'S Hours of Work:					
				Resident Representative: Steven Bouley	

Project Village Estates	Date 09-03-2015	Report No. 02
Location Village Street	Project No. 143-21583-14018	Sheet 2 of 2
Contractor Russel Santoro	Weather A.M. SUNNY P.M.	Temperature A.M. 85° P.M.

FIELD OBSERVATIONS CONTINUED

2. Schedule
 - A. TT will continue to inspect the site as the contractor is prepared for inspection.

3. New Action Items
 - A. N/A

4. Previous Open Action Items
 - A. N/A

5. Materials Delivered to Site Since Last Inspection:
 - A. N/A

Tetra Tech One Grant Street Framingham, MA 01701		
Project Millstone Village	Date 08-24-2015	Report No. 45
Location Winthrop Street	Project No. 143-21583-14018	Sheet 1 of 2
Contractor Titan Contracting Dave Zercoe	Weather A.M. CLOUDY/DRIZZLE P.M.	Temperature A.M. 80° P.M.

FIELD OBSERVATIONS

On Monday, August 24, 2015 Steven Bouley from Tetra Tech (TT) visited the project site to inspect the current condition of the site and construction progress. The following observations were made:

1. Observations

- A. The contractor is in the process of installing sewer infrastructure along Fieldstone Drive. The contractor installed 8" sdr 35 pcv pipe beginning at the previously installed stub at approximate STA 0+50 (Fieldstone Drive). Pipe was installed per the approved plans.

CONTRACTOR'S FORCE AND EQUIPMENT				WORK DONE BY OTHERS	
Sup't				Dept. or Company	Description of Work
Foreman	1	Bulldozer		Asphalt Paver	
		Backhoe		Asphalt Reclaimer	
Laborers	2	Loader	1	Vib. Roller	
Drivers		Rubber Tire Backhoe/Loader		Static Roller	
Oper. Engr.	1	Bobcat		Vib. Walk Comp.	
Carpenters		Hoeram		Compressor	
Masons		Excavator	1	Jack Hammer	
Iron Workers		Grader		Power Saw	
Electricians		Crane		Conc. Vib.	
Flag persons		Scraper		Rock Crusher	
Surveyors		Articulating Dump Truck		Chipper	
Driller		Conc. Truck		Screener	
Blast Crew		Pickup Truck		Drill Rig	
Sewer/Water Tester		Dump Truck 6 Whl		Boom Lift	
		Dump Truck 10 Whl		Water Truck	
		Dump Truck 14 Whl		Lull	
		Dump Truck 18 Whl		Gradall	
Police Details:				RESIDENT REPRESENTATIVE FORCE	
Time on site: 10:00 A.M. – 12:00 P.M.				Name	Name
CONTRACTOR'S Hours of Work:					
				Resident Representative: Steven Bouley	

Project Millstone Village	Date 08-24-2015	Report No. 45
Location Winthrop Street	Project No. 143-21583-14018	Sheet 2 of 2
Contractor Titan Contracting Dave Zercoe	Weather A.M. CLOUDY/DRIZZLE P.M.	Temperature A.M. 80° P.M.

FIELD OBSERVATIONS CONTINUED

2. Schedule
 - A. The contractor plans to continue the installation of sewer in Phase II until completion.

3. New Action Items
 - A. N/A

4. Previous Open Action Items
 - A. N/A

5. Materials Delivered to Site Since Last Inspection:
 - A. Sewer Pipe
 - B. Sewer Manhole Structures
 - C. ¾" Crushed Stone

Tetra Tech
 One Grant Street
 Framingham, MA 01701

Project Millstone Village	Date 08-26-2015	Report No. 46
Location Winthrop Street	Project No. 143-21583-14018	Sheet 1 of 2
Contractor Titan Contracting Dave Zercoe	Weather A.M. SUNNY P.M.	Temperature A.M. 85° P.M.

FIELD OBSERVATIONS

On Wednesday, August 26, 2015 Steven Bouley from Tetra Tech (TT) visited the project site to inspect the current condition of the site and construction progress. The following observations were made:

1. Observations

- A. The contractor is in the process of installing sewer infrastructure along Fieldstone Drive. The contractor installed SMH #14 and associated 8" sdr 35 pvc pipe on the mainline as well as the 8" sdr 35 pvc stub to service unit #59 through #64. Pipe and structure were installed per the approved plans.

CONTRACTOR'S FORCE AND EQUIPMENT

WORK DONE BY OTHERS

Sup't				Dept. or Company	Description of Work
Foreman		Bulldozer			Asphalt Paver
		Backhoe			Asphalt Reclaimer
Laborers	3	Loader	1		Vib. Roller
Drivers		Rubber Tire Backhoe/Loader			Static Roller
Oper. Engr.	2	Bobcat			Vib. Walk Comp.
Carpenters		Hoeram			Compressor
Masons		Excavator	1		Jack Hammer
Iron Workers		Grader			Power Saw
Electricians		Crane			Conc. Vib.
Flag persons		Scraper			Rock Crusher
Surveyors		Articulating Dump Truck			Chipper
Driller		Conc. Truck			Screener
Blast Crew		Pickup Truck			Drill Rig
Sewer/Water Tester		Dump Truck 6 Whl			Boom Lift
		Dump Truck 10 Whl			Water Truck
		Dump Truck 14 Whl			Lull
		Dump Truck 18 Whl			Gradall

OFFICIAL VISITORS TO JOB

RESIDENT REPRESENTATIVE FORCE

Police Details:	Name	Name
Time on site: 10:00 A.M. – 12:00 P.M.		
CONTRACTOR'S Hours of Work:		
	Resident Representative: Steven Bouley	

Project Millstone Village	Date 08-26-2015	Report No. 46
Location Winthrop Street	Project No. 143-21583-14018	Sheet 2 of 2
Contractor Titan Contracting Dave Zercoe	Weather A.M. SUNNY P.M.	Temperature A.M. 85° P.M.

FIELD OBSERVATIONS CONTINUED

2. Schedule
 - A. The contractor plans to continue the installation of sewer in Phase II until completion.

3. New Action Items
 - A. N/A

4. Previous Open Action Items
 - A. N/A

5. Materials Delivered to Site Since Last Inspection:
 - A. ¾" Crushed Stone

Tetra Tech One Grant Street Framingham, MA 01701		
Project	Date	Report No.
Millstone Village	08-28-2015	47
Location	Project No.	Sheet 1 of
Winthrop Street	143-21583-14018	2
Contractor	Weather	Temperature
Titan Contracting Dave Zercoe	A.M. SUNNY P.M.	A.M. 85° P.M.

FIELD OBSERVATIONS

On Friday, August 28, 2015 Steven Bouley from Tetra Tech (TT) visited the project site to inspect the current condition of the site and construction progress. The following observations were made:

1. Observations

- A. The contractor is in the process of installing sewer infrastructure along Fieldstone Drive. The contractor has installed to SMH #15 (installing toward the north) and associated 8" sdr 35 pvc pipe on the mainline as well as the 8" sdr 35 pvc stub to service unit #65 through #70. Pipe and structure were installed per the approved plans.

CONTRACTOR'S FORCE AND EQUIPMENT

WORK DONE BY OTHERS

Sup't				Dept. or Company	Description of Work
Foreman		Bulldozer			
		Backhoe			Asphalt Paver
Laborers	3	Loader	1		Asphalt Reclaimer
Drivers		Rubber Tire Backhoe/Loader			Vib. Roller
Oper. Engr.	2	Bobcat			Static Roller
Carpenters		Hoeram			Vib. Walk Comp.
Masons		Excavator	1		Compressor
Iron Workers		Grader			Jack Hammer
Electricians		Crane			Power Saw
Flag persons		Scraper			Conc. Vib.
Surveyors		Articulating Dump Truck			Rock Crusher
Driller		Conc. Truck			Chipper
Blast Crew		Pickup Truck			Screener
Sewer/Water Tester		Dump Truck 6 Whl			Drill Rig
		Dump Truck 10 Whl			Boom Lift
		Dump Truck 14 Whl			Water Truck
		Dump Truck 18 Whl			Lull
					Gradall

OFFICIAL VISITORS TO JOB

RESIDENT REPRESENTATIVE FORCE

Police Details:	Name	Name
Time on site: 9:00 A.M. – 10:00 A.M.		
CONTRACTOR'S Hours of Work:		
	Resident Representative: Steven Bouley	

Project Millstone Village	Date 08-28-2015	Report No. 47
Location Winthrop Street	Project No. 143-21583-14018	Sheet 2 of 2
Contractor Titan Contracting Dave Zercoe	Weather A.M. SUNNY P.M.	Temperature A.M. 85° P.M.

FIELD OBSERVATIONS CONTINUED

2. Schedule
 - A. The contractor plans to continue the installation of sewer in Phase II until completion.

3. New Action Items
 - A. N/A

4. Previous Open Action Items
 - A. N/A

5. Materials Delivered to Site Since Last Inspection:
 - A. ¾" Crushed Stone

Tetra Tech
 One Grant Street
 Framingham, MA 01701

Project Millstone Village	Date 08-31-2015	Report No. 48
Location Winthrop Street	Project No. 143-21583-14018	Sheet 1 of 2
Contractor Titan Contracting Dave Zercoe	Weather A.M. SUNNY P.M.	Temperature A.M. 85° P.M.

FIELD OBSERVATIONS

On Monday, August 31, 2015 Steven Bouley from Tetra Tech (TT) visited the project site to inspect the current condition of the site and construction progress. The following observations were made:

1. Observations

- A. The contractor is in the process of installing sewer infrastructure along Fieldstone Drive. The contractor has installed 8" sdr 35 pcv pipe to approximate STA 4+00. Pipe was installed per the approved plans.

CONTRACTOR'S FORCE AND EQUIPMENT

WORK DONE BY OTHERS

Sup't				Dept. or Company	Description of Work
Foreman	1	Bulldozer			Asphalt Paver
Laborers	3	Backhoe			Asphalt Reclaimer
Drivers		Loader	1		Vib. Roller
Oper. Engr.	2	Rubber Tire Backhoe/Loader			Static Roller
Carpenters		Bobcat			Vib. Walk Comp.
Masons		Hoeram			Compressor
Iron Workers		Excavator	1		Jack Hammer
Electricians		Grader			Power Saw
Flag persons		Crane			Conc. Vib.
Surveyors		Scraper			Rock Crusher
Driller		Articulating Dump Truck			Chipper
Blast Crew		Conc. Truck			Screener
Sewer/Water Tester		Pickup Truck			Drill Rig
		Dump Truck 6 Whl			Boom Lift
		Dump Truck 10 Whl			Water Truck
		Dump Truck 14 Whl			Lull
		Dump Truck 18 Whl			Gradall

OFFICIAL VISITORS TO JOB

RESIDENT REPRESENTATIVE FORCE

Police Details:	Name	Name
Time on site: 10:00 A.M. – 11:00 A.M.		
CONTRACTOR'S Hours of Work:		
	Resident Representative: Steven Bouley	

Project Millstone Village	Date 08-31-2015	Report No. 48
Location Winthrop Street	Project No. 143-21583-14018	Sheet 2 of 2
Contractor Titan Contracting Dave Zercoe	Weather A.M. SUNNY P.M.	Temperature A.M. 85° P.M.

FIELD OBSERVATIONS CONTINUED

2. Schedule
 - A. The contractor plans to continue the installation of sewer in Phase II until completion.

3. New Action Items
 - A. N/A

4. Previous Open Action Items
 - A. N/A

5. Materials Delivered to Site Since Last Inspection:
 - A. ¾" Crushed Stone

Tetra Tech One Grant Street Framingham, MA 01701						
Project Millstone Village				Date 09-02-2015	Report No. 49	
Location Winthrop Street				Project No. 143-21583-14018	Sheet 1 of 2	
Contractor Titan Contracting Dave Zercoe				Weather A.M. SUNNY P.M.	Temperature A.M. 85° P.M.	
FIELD OBSERVATIONS						
<p>On Wednesday, September 2, 2015 Steven Bouley from Tetra Tech (TT) visited the project site to inspect the current condition of the site and construction progress. The following observations were made:</p> <p>1. Observations</p> <p style="padding-left: 40px;">A. The contractor is in the process of installing sewer infrastructure along Fieldstone Drive. The contractor has installed SMH #16, SMH #17, SMH #18 and associated 8" sdr 35 pcv pipe to approximate STA 7+50. Pipe and structures were installed per the approved plans.</p>						
CONTRACTOR'S FORCE AND EQUIPMENT				WORK DONE BY OTHERS		
Sup't	1	Bulldozer		Asphalt Paver		Dept. or Company
Foreman		Backhoe		Asphalt Reclaimer		Description of Work
Laborers	3	Loader	1	Vib. Roller		
Drivers		Rubber Tire Backhoe/Loader		Static Roller		
Oper. Engr.	1	Bobcat		Vib. Walk Comp.		
Carpenters		Hoeram		Compressor		
Masons		Excavator	1	Jack Hammer		
Iron Workers		Grader		Power Saw		
Electricians		Crane		Conc. Vib.		
Flag persons		Scraper		Rock Crusher		
Surveyors		Articulating Dump Truck		Chipper		
Driller		Conc. Truck		Screener		OFFICIAL VISITORS TO JOB
Blast Crew		Pickup Truck		Drill Rig		
Sewer/Water Tester		Dump Truck 6 Whl		Boom Lift		
		Dump Truck 10 Whl		Water Truck		
		Dump Truck 14 Whl		Lull		
		Dump Truck 18 Whl		Gradall		
Police Details:				RESIDENT REPRESENTATIVE FORCE		
Time on site: 10:00 A.M. – 11:00 A.M.				Name		Name
CONTRACTOR'S Hours of Work:						
				Resident Representative: Steven Bouley		

Project Millstone Village	Date 09-02-2015	Report No. 49
Location Winthrop Street	Project No. 143-21583-14018	Sheet 2 of 2
Contractor Titan Contracting Dave Zercoe	Weather A.M. SUNNY P.M.	Temperature A.M. 85° P.M.

FIELD OBSERVATIONS CONTINUED

2. Schedule
 - A. The contractor plans to continue the installation of sewer in Phase II until completion.

3. New Action Items
 - A. N/A

4. Previous Open Action Items
 - A. N/A

5. Materials Delivered to Site Since Last Inspection:
 - A. ¾" Crushed Stone



September 8, 2015
Medway Planning & Economic Development Board
Meeting

Site Plan Rules and Regulations

- *Current Site Plan Rules and Regulations*

HOMEWORK ASSIGNMENT - Please read through the Site Plan Rules and Regulations completely. **STUDY ARTICLE V – DEVELOPMENT STANDARDS.** I want you to mark this up with ideas, questions, changes, etc. There are probably some things that need to be added as well.

I would also like to discuss with you:

1. Whether we should use some of our limited FY 16 consulting services budget to have Gino and/or Tetra Tech help with this.
2. What type of smaller site plan projects you would be OK with NOT reviewing and instead would be left to an administrative staff review – Jack and me, and Stephanie M if she wants.

Please come ready with your notes and ideas.

TOWN OF MEDWAY

Planning Board Rules and Regulations

Chapter 200 - Site Plans

Rules & Regulations for Submission and Review of Site Plans

*Approved and Adopted by the Medway Planning Board
April 14, 1998*

*Amended: April 28, 2000
Amended: March 13, 2001
Amended: November 1, 2001
Amended: July 9, 2002
Amended: December 3, 2002*

Medway Planning Board

*Diane M. Borgatti, Chairman
James G. Wieler, Vice-Chairman
Daniel J. Hooper, Clerk
Matthew J. Hayes, P.E.
Karyl Spiller-Walsh*

Updated - December 9, 2002

TOWN OF MEDWAY

Planning Board Rules and Regulations

Chapter 200 - Site Plans

Rules & Regulations for Submission and Review of Site Plans

ARTICLE I AUTHORITY

s. 201 – 1 Adoption - The Medway Planning Board hereby adopts these *Rules and Regulations* to govern the submission and review of site plans pursuant to Section V. USE REGULATIONS, Subsection C. *SITE PLAN APPROVAL* of the *Medway Zoning By-Law*. Said adoption was by a vote taken by the Medway Planning Board on April 14, 1998 which became effective immediately.

s. 201 – 2 Revisions – These *Rules and Regulations* were amended by action of the Medway Planning Board following duly called and advertised public hearings as follows:

- A. April 28, 2000
- B. March 13, 2001
- C. November 1, 2001
- D. July 9, 2002
- E. December 3, 2002

ARTICLE II GENERAL PROVISIONS

s. 202 – 1 Site Plan Necessity - Site Plan review and approval may be required pursuant to the provisions of Section V. USE REGULATIONS, Subsection C. *SITE PLAN APPROVAL* of the *Medway Zoning By-Law*.

s. 202 – 2 Purpose – The purpose of these *Rules and Regulations* is to protect the health, safety and welfare of the inhabitants of the Town of Medway by providing for a thorough review of site plans for uses and structures which may have impacts on traffic, parking, drainage, environmental quality, community economics, and community character.

s. 202 – 3 Overview – The site plan review process requires an official filing of the site plan application with the Board of Selectmen, a public hearing before the Planning Board, and issuance of a *Certificate of Recommendation* by the Planning Board to the Board of Selectmen for their consideration and action. Any interested party may request an informal meeting with the Planning Board or its designee prior to filing a site plan application.

s. **202 - 4 Issuance of Building Permits** – Pursuant to the *Medway Zoning By-law*, building permits shall not be issued and no person shall undertake any use, alteration, or improvement subject to these *Rules and Regulations* until the Planning Board has issued a *Certificate of Recommendation* and the Board of Selectmen has approved or conditionally approved a Site Plan Application or has allowed one hundred and twenty (120) days to elapse from the official date of submission, unless such date is extended by the applicant.

s. **202 – 5 Definitions** - As used in these *Rules and Regulations*, the following term(s) shall have the meaning defined:

Abutter: Owners of land directly adjacent to property lines of the applicant and owners of land directly opposite on any public or private street or way, as they appear on the most recent applicable tax list, notwithstanding that the land of any such owner is located in another city or town, the Planning Board of the city or town, and the Planning Board of every abutting city or town.

Parties of Interest: The applicant, petitioner, abutters, owners of land directly opposite on any public or private street or way and abutters to the abutters within three hundred (300) feet of the property line of the petitioner, as they appear on the most recent applicable tax list, notwithstanding that the land of any such owner is located in another city or town, the Planning Board of the city or town, and the Planning Board of every abutting city or town.

Site Plan Application: The Site Plan Application shall include the application form, the site plan(s), and all ancillary documents as outlined within these *Rules and Regulations*

ARTICLE III SITE PLAN APPLICATION AND REVIEW PROCEDURE

s. **203-1 Informal Pre-Application Meeting** – Prior to filing a Site Plan Application with the Board of Selectmen, an informal pre-application meeting with the Planning Board, or its designee, is strongly encouraged. This meeting provides an opportunity to discuss the project’s objectives, preliminary conceptual plan for the site, building design, site amenities or signage; review the Town’s site plan process and regulations; identify possible requests for waivers from these *Rules and Regulations*; clarify what submittal items are required based on the scope of the project; and develop a preliminary schedule for plan review and approval.

s. **203 – 2 Site Plan Application Submission** – The application submittal process and the contents of the Site Plan Application shall conform to ARTICLE IV. SITE PLAN SUBMISSION of these *Rules and Regulations*.

s. **203 - 3 Official Receipt of Site Plan Application** – After the applicant has filed the Site Plan Application with the Board of Selectmen at the Town Administrator’s office, the Board of Selectmen, pursuant to the *Medway Zoning By-law*, Section V. C. 1. b), shall give notice of receipt of such at its next regularly scheduled meeting. The date of this Board of Selectmen

meeting shall constitute the official date of submission of the Site Plan Application to the Town of Medway.

s. 203 - 4 Use of Outside Consultants – Upon receipt of the Site Plan Application, the Planning Board may determine that the assistance of outside consultants is warranted due to the size, scale, or complexity of the proposed project or its potential impact on the Town and community. In hiring outside consultants, the Planning Board may engage the services of engineers, planners, traffic consultants, lawyers, urban designers or other appropriate professionals who can assist the Planning Board in analyzing the application and project to ensure compliance with all relevant laws, by-laws and regulations. If the Planning Board determines that such services are required, the applicant shall pay a *Site Plan Review Fee* as specified in *s. 206 – 1 B.* of these *Rules and Regulations*.

s. 203 – 5 Review by Town Officials

A. Within twenty-one (21) days of receipt from the Board of Selectmen, the Planning Board shall circulate one copy of the Site Plan Application to the following boards, commissions, and departments, inform them of the public hearing schedule, and request their review and preparation of an advisory report to assist the Planning Board.

- 1) Inspector of Buildings/Zoning Enforcement Officer
- 2) Conservation Commission
- 3) Fire Department
- 4) Police Department
- 5) Water/Sewer Department
- 6) Assessor’s Office
- 7) Health Department
- 8) Department of Public Services
- 9) Others as determined to be appropriate depending on the nature of the project.

B. Said boards, commissions, and departments may submit an advisory report or recommendation to the Planning Board at their discretion. If no report is submitted to the Planning Board within twenty-one (21) days of distribution, this shall be deemed lack of opposition thereto.

C. The advisory report may include an assessment of the project’s impact on the community, the status of any meetings or actions the respective board or department has taken or is taking regarding the project, and any recommended conditions or remedial measures to avoid, accommodate or mitigate the expected impacts of the proposed development. All reports shall be entered into the public record during the public hearing.

D. The Inspector of Buildings/Zoning Enforcement Officer is requested to review the Site Plan Application and all associated submittals for compliance with the *Medway Zoning By-law* and provide written communication to the Planning Board, prior to the first public hearing date. Said communication may include, but not be limited to, the Inspector of Buildings/Zoning Enforcement Officer’s findings and any questions or concerns that could be clarified during the site plan review process so as to avoid the need for subsequent site plan modifications after plan endorsement by the Board of Selectmen.

E. At its discretion, the Planning Board may invite said boards, commissions and departments to meet together to review the Site Plan Application.

s. **203 – 6 Public Hearing**

A. **General** - Before the Planning Board submits its *Certificate of Recommendation* to the Board of Selectmen, the Planning Board shall hold a public hearing at which the applicant shall present their proposed site plan and the public shall have an opportunity to be heard, in person, or by agent or attorney, or in writing.

B. **Timing** - The public hearing shall commence within sixty (60) days after the Board of Selectmen officially receives submission of the Site Plan Application. The Planning Board may continue the public hearing as needed.

C. **Abutter Notice** - The Planning Board shall prepare the public hearing notice and provide it to the applicant who shall notify all abutters and parties of interest of the time, date and location of the public hearing. The notice shall include a brief description of the site plan project. Said notification shall be sent by certified mail, return receipt requested, at least fourteen (14) days prior to the date of the public hearing. The cost of certified mailing shall be borne by the applicant. The applicant shall submit the signed certified mail cards and receipts from all parties of interest to the Planning Board prior to the hearing.

D. **Legal Notice** - The Planning Board shall provide notice of the public hearing by advertisement in a newspaper of general circulation in the community fourteen (14) days prior to the public hearing and again eight (8) days prior to the public hearing. The cost of the advertisement shall be borne by the applicant who shall be billed directly by the newspaper for same. The Planning Board shall also file the public hearing notice with the Town Clerk for posting in a conspicuous place in Town Hall for a period of not less than fourteen (14) days before the day of the hearing;

E. **Closing the Public Hearing** – Before preparing its Certificate of Recommendation, the Planning Board shall close the public hearing.

s. **203 – 7 Deadline Extension** - The applicant may request an extension of time to the deadline by which the Planning Board must file its *Certificate of Recommendation* with the Board of Selectmen. The extension provides additional time for the applicant to revise their plans to comply with these *Rules and Regulations*, and for the Planning Board to review such changes and prepare its Certificate of Recommendation. The extended deadline for the Planning Board's action shall automatically extend the Board of Selectmen's action deadline by the same number of days as granted to the Planning Board for its deadline. Notice of the Planning Board's acceptance of the applicant's request for a deadline extension shall be provided in writing by the Planning Board to the Town Clerk and the Board of Selectmen.

s. **203 – 8 Site Plans and Scenic Roads** – Any proposed site plan which has land with frontage on a Scenic Road so designated by the Town of Medway may also need to comply with the *Rules and Regulations for the Review and Issuance of Scenic Road Work Permits*.

s. 203 – 9 *Planning Board Action – Certificate of Recommendation*

A. **Timing** - After the close of the public hearing the Planning Board shall prepare a *Certificate of Recommendation* and file such with the Board of Selectmen and the Town Clerk. This action shall take place not more than ninety (90) days after the official date of receipt unless the applicant requests an extension.

B. **Considerations** - In preparing its *Certificate of Recommendation*, the Planning Board shall consider the information presented in the Site Plan Application and all revisions thereto, reports of its outside consultants, town boards, commissions and departments, the testimony presented at the public hearing, and any additional information available to the Planning Board, submitted to the Planning Board by any person, official or agency, or acquired by the Planning Board on its own initiative or research during the public hearing process. The *Certificate of Recommendation* shall include copies of reports from town boards, departments and commissions and shall specify recommended waivers, conditions, limitations and safeguards including plan revisions, design modifications, off-site improvements, construction observation, bonding provisions, plan compliance measures, and reasonable mitigation measures which the Planning Board believes are in the Town's best interests.

C. **Criteria** – In making its recommendation, the Planning Board shall find whether the proposed development is in conformance with the standards and criteria set forth in these *Rules and Regulations*, unless specifically waived. In its recommendation, the Planning Board shall determine the following:

- 1) Internal circulation, queuing and egress are such that traffic safety is protected, access via minor streets servicing residential areas is minimized, and traffic backing up into the public way is minimized.
- 2) Departure from the character, materials, and scale of buildings in the vicinity as viewed from public ways and places is minimized.
- 3) Reasonable use is made of building location, grading and vegetation to reduce the visible intrusion of structures, parking areas, outside storage or other outdoor service areas (*e.g. waste removal*) from public views or from premises residentially used and zoned.
- 4) Adequate access to each structure for fire and service equipment is provided.
- 5) Design and construction shall minimize, to the extent reasonably possible, the following environmental impacts:
 - a) the volume of cut and fill;
 - b) the number of trees to be removed with particular care taken with mature trees and root systems;
 - c) the visual prominence of man-made elements not necessary for safety;
 - d) the removal of existing stone walls;
 - e) the visibility of building sites from existing streets;
 - f) the impacts on waterways and environmental resource areas;
 - g) soil pollution and erosion;

- h) noise.
- 6) Pedestrian and vehicular safety both on the site and egressing from it are maximized.
- 7) Design and construction shall incorporate, to the maximum extent possible, the visual prominence of natural and historic features of the site;
- 8) Lighting of structures and parking area avoids glare on adjoining properties, and minimizes light pollution within the town.
- 9) Proposed limit of work area is reasonable and protects sensitive environmental and/or cultural resources. The site plan as designed will not cause substantial or irrevocable damage to the environment, which damage could be avoided or ameliorated through an alternative development plan or mitigation measures.

D. ***Mitigation, Conditions, Limitations and Safeguards*** – In its *Certificate of Recommendation*, the Planning Board may recommend that the Board of Selectmen require mitigation measures, conditions, limitations and safeguards including, but not limited to, the following:

- 1) Controls on the location and type of access to the site;
- 2) Controls on the number, type and time that service vehicles access the site;
- 3) Limitations on the hours of operation;
- 4) Requirements for off-site improvements up to a maximum value of six (6) percent of the total development cost of the proposed project to improve the capacity and safety of roads, intersections, pedestrian ways, water, sewer, drainage, and other public facilities that are likely to be affected by the proposed development. The total development cost shall mean the total of the cost or value of land and all development related improvements and shall be determined on the basis of standard building or construction costs, such as published in the *Engineering News Record* or other source acceptable to the Planning Board, for the relevant type of structure and use.
- 5) Donation and/or dedication of land for right-of-way to provide for roadway and/or intersection widening or improvements;
- 6) Conditions to minimize off-site impacts and environmental quality during construction.
- 7) Requirements for screening parking facilities from adjoining premises or from the street by walls, fences, plantings or other devices to mitigate adverse impacts;
- 8) Conditions to mitigate adverse impacts to the neighborhood and abutters, including but not limited to adverse impacts caused by noise, dust, fumes, odors, lighting, headlight glare, hours of operation, or snow storage.

s. **203 - 10 Joint Meeting** – In filing its *Certificate of Recommendation* with the Board of Selectmen, the Planning Board may request a meeting with the Board of Selectmen to more fully present the Recommendation before the Board of Selectmen takes action on the Site Plan Application. The applicant shall be invited to the meeting and at this time may state any outstanding issues they have pertaining to the Planning Board’s *Certificate of Recommendation*.

s. **203 – 11 Board of Selectmen’s Action** – The Board of Selectmen’s actions regarding plan approval and endorsement are guided by the *Medway Zoning By-law* and its *Rules and Regulations for Site Plan Approval* which may be in effect.

s. **203 – 12 Construction of Required Improvements**

A. One Year Limitation – Any approved site plan shall receive an approval which shall be for a period of one (1) year from the date of approval.

B. The applicant must construct the improvements in compliance with the approved site plan. An applicant may make limited on-site changes based on unforeseen conditions, situations or emergencies. Prior to undertaking the on-site alterations, the applicant must submit a letter to the Inspector of Buildings/Zoning Enforcement Officer, the Planning Board and the Board of Selectmen detailing the proposed changes. The Inspector of Buildings/Zoning Enforcement Officer shall make a determination pursuant to s. 206 - 2 of these *Rules and Regulations*.

C. Certificate of Completion – A Certificate of Completion and an inspection fee shall be submitted to the Planning Board by the applicant’s engineer upon completion of all required improvements. The Planning Board, or its agent, shall complete a final inspection of the site within twenty-one (21) days of the filing of the Certificate of Completion with the Planning Board. If all work has been completed to the satisfaction of the Town of Medway, then the Planning Board, at its next regularly scheduled meeting, shall sign the Certificate of Completion. A Certification of Completion signed by the Planning Board officially ends the Planning Board’s involvement in the site plan process. If the Certificate of Completion is not signed, then a complete list of work yet to be completed on or off-site in compliance with the approved site plan shall be listed.

ARTICLE IV SITE PLAN SUBMISSION

s. **204 – 1 Board of Selectmen Submittals**

A. The applicant shall deliver in hand, or by registered or certified mail, the following submittals to the Board of Selectmen at the Town Administrator’s office:

- 1) Site Plan Application form with original signatures.
- 2) One (1) set of the Site Plans prepared in conformance with these *Rules and Regulations* including all items as specified in s. 204 - 5.

- 3) One (1) copy of the storm drainage calculations including technical supporting documents, using the Rational Method (*for pipe sizing*) and Soil Conservation Service Method (*TR55 and/or TR 20 for Stormwater Management*).

B. Filing of the application with the Board of Selectmen does not, of itself, constitute the official receipt date.

s. 204 – 2 Town Clerk Submittals

A. The applicant shall deliver in hand, or by registered or certified mail the following submittals to the Town Clerk:

- 1) A copy of the original Site Plan Application form.
- 2) One (1) set of the Site Plans prepared in conformance with these *Rules and Regulations* including all items as specified in s. 204 - 5.
- 3) One (1) copy of the storm drainage calculations including technical supporting documents, using the Rational Method (*for pipe sizing*) and Soil Conservation Service Method (*TR55 and/or TR 20 for Stormwater Management*).

B. Filing of the application with the Town Clerk does not, of itself, constitute the official receipt date.

s. 204 – 3 Planning Board Submittals.

A. The applicant shall deliver in hand, or by registered or certified mail the following submittals to the Planning Board:

- 1) A copy of the original Site Plan application form.
- 2) Sixteen (16) sets of the Site Plans prepared in conformance with these *Rules and Regulations* including all items as specified in s. 204 – 5.
- 3) Three (3) copies of the storm drainage calculations including technical supporting documents, using the Rational Method (*for pipe sizing*) and Soil Conservation Service Method (*TR55 and/or TR 20 for Stormwater Management*). Pre-development and post-development drainage calculations must be prepared by a Registered Professional Engineer and summarized in table form for comparison purposes. The supporting documentation must be organized and submitted for review by the Planning Board’s consultant to ensure conformance to these regulations. Tests pits and percolation tests must be performed to support infiltration calculations and assumptions related to the Stormwater Management Design.
- 4) One (1) list of all abutters and parties of interest as defined herein as appearing in the most recent tax list. The list shall be certified by the Board of Assessors of all applicable communities.

- 5) One (1) copy of all relevant approvals received to date from other town boards and commissions (*ZBA, Conservation Commission, Board of Health, etc.*) and other government agencies.
- 6) A written *Project Description* of the proposed development including: proposed construction or demolition; all uses; who the project is intended to serve; expected number of employees and/or occupants; methods and hours of operation; timetable for project completion; an estimate showing the costs of all improvements planned including but not limited to building construction/renovation, paving, drainage, retaining walls, landscaping, refuse storage and disposal facilities, sidewalks, handicap access, site amenities and outdoor lighting; and proposed mitigation measures.
- 7) A written *Development Impact Statement* which shall describe the potential and anticipated impacts of the proposed development, identify all positive and adverse impacts, and propose an acceptable program to prevent or mitigate adverse impacts.

At its discretion, the Planning Board, upon written request of the applicant, and based on the Board's preliminary assessment of the scale and type of development proposed, may waive or modify the requirements for submission of any of the elements of the *Development Impact Statement*.

The *Development Impact Statement* shall consist of the following four elements:

a) *Traffic Impact*

- (1) A brief analysis of traffic safety and capacity issues and a brief summary of anticipated traffic impacts; or
- (2) A full *Traffic Impact Assessment* is needed if the project involves one or more of the following characteristics:
 - (a) proposes an additional thirty (30) or more parking spaces;
 - (b) contains frontage or proposes access on a public way.

The Planning Board may require an applicant to prepare a full *Traffic Impact Assessment* even if the project does not meet either of the above criteria, if the Planning Board believes it is in the Town's best interest to do so.

- (3) The *Traffic Impact Assessment* shall:
 - (a) document existing traffic conditions including but not limited to conditions within one-quarter (1/4) mile of the proposed project;

- (b) describe the volume and effect of projected traffic generated by the proposed project; and
- (c) identify measures to mitigate any adverse impacts on traffic.

b) *Environmental Impact*

- (1) An *Environmental Impact Assessment* describes the impacts of the proposed development with respect to on-site and off-site environmental quality.
- (2) An *Environmental Impact Assessment* is needed if the project involves one or more of the following characteristics:
 - (a) proposes an additional thirty (30) or more parking spaces;
 - (b) proposes a building footprint of fifteen thousand (15,000) square feet or greater;
 - (c) proposes to disturb thirty thousand (30,000) square feet of land or greater.
- (3) If an Environmental Impact Assessment is needed, please contact the Planning Board for additional information on the format and scope of such assessment.
- (4) If the applicant is required to file a full Massachusetts Environmental Policy Act (MEPA) certification *with the Massachusetts Department of Environmental Protection* that document may serve to replace the *Environmental Impact Assessment* as may be required herein.

c) *Community Impact*

- (1) A *Community Impact Assessment* evaluates the impacts of the proposed development on the community.
- (2) A Community Impact Assessment includes:
 - (a) the community's visual and historical character, especially that of neighboring properties;
 - (b) the goals of existing community plans (*master plan, open space plan, etc.*); and
 - (c) the quality of life of its residents.

d) *Parking Impact*

- (1) *A Parking Impact Assessment* is needed if the project proposes the addition of thirty (30) or more parking spaces.
- (2) *A Parking Impact Assessment* documents existing parking conditions, evaluates off-site impacts of the proposed parking and proposed ways to mitigate any adverse parking impacts on the neighborhood.
- (3) *A Parking Impact Assessment* shall:
 - (a) identify existing off-site and on-street neighborhood parking conditions including streets likely to be affected by the development;
 - (b) identify the expected impact of proposed parking on the neighborhood; and
 - (c) propose mitigation measures including screening, creative parking lot design, use of alternative paving materials, and planting of trees for shading and buffer.
- 8) A list of waivers being requested by the applicant with specific reference to the applicable section(s) of these *Rules and Regulations*
- 9) Written authorization from the applicant and/or property owner for the Planning Board, its agents and other town officials to be allowed access to the site during the plan review process.
- 10) A Site Plan Filing Fee as established in *s. 206 – 1, A.* of these *Rules and Regulations*.
- 11) A \$500.00 deposit toward the Site Plan Review Fee as established in *s. 206 – 1, B.* of these *Rules and Regulations*.

B. Filing of the application and plans with the Planning Board does not, of itself, constitute the official receipt date.

s. 204 – 4 Standards for Site Plan Preparation

A. The site plan shall be prepared, stamped, signed and dated by qualified professionals including a Registered Professional Engineer, a Registered Architect, and/or a Registered Landscape Architect or other professional registered in the Commonwealth of Massachusetts.

B. The site plan shall be drawn at a scale of one (1) inch equals forty (40) feet or such other scale that has been approved in advance by the Planning Board and that clearly and adequately represents the proposed improvements.

C. Sheet sizes shall be twenty-four (24) by thirty-six (36) inches.

D. All existing and proposed elevations shall refer to the North American Vertical Datum of 1988 (*NAVD88*).

E. All site plan sheets are to be bound together in a complete set.

F. All site plan sheets shall contain a referenced north arrow, Board of Selectmen's endorsement signature block, list of revisions and associated dates, name of project, name of plan, plan scale, sheet number, stamp of registered professional responsible for the content of said sheet, applicable notes, and other appropriate information.

s. **204 – 5 Site Plan Contents** – To be considered complete, site plans submitted pursuant to these *Rules and Regulations* shall include the information listed below. The Planning Board may require additional information, if necessary, to complete its review.

A. **Cover Sheet** – The cover sheet shall include the project name, name and address of owner, name and address of applicant, name and address of engineering and other professional firms responsible for the plan, current date, list of revision dates, project street address, project Assessor's Map and Parcel number, zoning district classification, list of requested waivers from these *Rules and Regulations*, Board of Selectmen's Signature Block, and a list of drawings/ contents.

B. **Site Context Sheet**

- 1) A locus plan showing the site and its boundaries in relation to all surrounding streets within two thousand (2,000) feet of the perimeter of the site. The plan shall be at a maximum scale of one (1) inch equals one thousand (1,000) feet. Scenic roads shall be noted.
- 2) Abutters' names and addresses with assessor's reference.
- 3) Lot lines with dimensions and easement areas.
- 4) Existing topography at two (2) foot intervals from USGS survey maps or actual land survey.
- 5) All easements (*utility, conservation and other*) and rights-of-way.
- 6) Zoning district boundaries including groundwater protection district, wetlands, and flood plain zones.

C. **Existing Conditions Sheet(s)**

- 1) The location of all existing man-made features shall be delineated including but not limited to buildings and structures, streets, bridges, utility poles, utilities and underground infrastructure including water, gas, electric, sewer, cable, and telephone, fire hydrants and fire alarm boxes, wells, septic systems, storm and sanitary sewers, easements and other property encumbrances, driveways, trails,

farm roads, rails, walls, fences, monuments, historic markers, milestones, wells, drainage fields, entrances, and exits on the site and within one hundred (100) feet of the site, including both sides to any abutting streets.

- 2) Location and delineation of all existing natural features of the site and within one hundred (100) feet thereof, including ledge/rock outcroppings, cliffs, sinkholes, ditches, swamps, all wetlands including their associated buffers per state and local laws, vernal pools, water bodies and natural waterways and watercourses including rivers, lakes, ponds and streams, natural drainage courses and swales, areas of high water table.
- 3) An *Existing Landscape Inventory* shall be prepared by a Professional Landscape Architect licensed in the Commonwealth of Massachusetts. This inventory shall include a “*mapped*” overview of existing landscape features and structures and a general inventory of major plant species including the specific identification of existing trees with a diameter of one (1) foot or greater at four (4) feet above grade.
- 4) Locations of all historically significant sites or structures on the property including but not limited to barns, other buildings, cellar holes, stone walls, earthworks and graves;
- 5) Location and design of existing stormwater systems, leaching galleys, swales, and methods to dispose of surface water on site; refuse disposal systems, water service, sewage disposal and methods of solid waste storage and disposal.

D. *Proposed Site Plan Information Sheets*

- 1) Location and dimensions of proposed buildings and structures including building setbacks from front, side and rear lot lines;
- 2) Location and dimensions of proposed parking, including lot line setbacks, loading and unloading areas with traffic patterns, access lanes and curb radii.
- 3) Location and dimensions of proposed improvements such as travel ways, roads, driveways, maneuvering spaces and aisles, parking areas, loading facilities, curbs, curb cuts, bumpers, decorative and retaining walls, fences, outdoor lighting, open space areas, recreational areas, pedestrian areas, service entries, snow storage areas, facilities for waste disposal and storage, sidewalks, pedestrian and bike pathways with cross sections, design and materials details and dimensions, and easements.
- 4) *Site Grading* - Topography showing proposed grading contours at two (2) foot intervals, limit of work and limit of clearing
- 5) *Drainage and Erosion Plan* – The following items shall be included: Location and design of proposed stormwater drainage systems, leaching galleys, swales, and methods to dispose of surface water on site including slopes, materials and

surfaces. Erosion control measures shall be specified including sedimentation barriers and stabilizing materials.

- 6) *Site Utilities Plan* – All proposed utilities, mechanisms, materials and layouts for refuse/trash disposal systems, water, electricity, gas, cable, fire alarm, and telephone service, sewage disposal and methods of solid waste storage and disposal.
- 7) *Landscape Architectural Plan* – A *Landscape Architectural Plan* shall be prepared by a Landscape Architect licensed in the Commonwealth of Massachusetts. This *Plan* shall be prepared as an overlay of the existing conditions sheets and shall incorporate, whenever possible, the significant features of the existing site and topography, particularly existing trees with a diameter of one (1) foot or greater at four (4) feet above grade. The *Landscape Architectural Plan* shall indicate the areas slated for excavation; any woodlands, trees or other existing features or structures to be retained; all new plantings by common and Latin name including their proposed locations and sizes at the time of installation. Plan graphics for tree canopies shall reflect, as closely as possible, the actual canopy dimension of proposed tree plantings at the time of installation with a “lesser” intensity graphic used to represent potential canopy at maturity.
- 8) *Architectural Plan* with dimensions and details of façade designs of each building including specifications on style, materials, and colors from all elevations. A color rendering of the *Architectural Plan* shall be provided.
- 9) *Color Renderings* of the project shall be provided depicting structures, signage and common views of the site from a public way and other views helpful in illustrating the totality of the proposed site improvements.
- 10) *Building Layout/Floor Plan* with the use of all areas labeled.
- 11) *Entry/Exit to Structures*. All means of entry and exit (*main, service, emergency and mechanical*) from the building including steps and ramps, designation of the primary entrance (*front entrance*) and loading docks and other access ways shall be shown
- 12) *Signage Plan* which includes the design, location, materials, dimensions and lighting for:
 - (a) The proposed development and all building identification signage, both freestanding and attached; and
 - (b) standards for tenant signs.
- 13) *Lighting Plan* indicating type, height and location of all proposed lighting fixtures and devices and the radius of light patterns, brightness and intensity of proposed lighting. The manufacturer’s data and specifications for the proposed lighting fixtures shall be submitted. The *Lighting Plan* shall indicate proposed

lighting around all structures, driveways, driveway entrances, walkways, entrances, pathways and parking areas. The *Lighting Plan* shall include a night lighting plan which specifies the times of illumination and the location of fixtures which shall be illuminated.

- 14) Horizontal sight distances on the public way(s) at all entrances in both directions.
- 15) A table outlining the proposal's conformance with zoning requirements including lot area, continuous frontage, lot depth, lot width, front, side, and rear setbacks, buildings heights, lot coverages, gross floor area, maximum seating capacity, number of employees, and number of parking spaces including handicapped and employee spaces, and other items as appropriate for the zone and proposed uses.
- 16) Locations of proposed fire hydrants, fire alarm boxes, fire lanes and access for equipment shall be provided to the satisfaction of the Fire Department.
- 17) Information quantifying on-site generation of noise and odors, if applicable.
- 18) Any proposed roadway and traffic management improvements.
- 19) Other information the Planning Board may determine as necessary.

ARTICLE V. DEVELOPMENT STANDARDS – Based upon consideration of the qualities of the specific location, the proposed land use, the design of building form, grading, egress points, and other aspects of the development, development projects requiring site plan review shall be designed to the greatest extent feasibly to comply with the following:

s. 205-1 General Design Principles

A. Medway residents strongly desire that Medway retain the "*feel*" of a small, rural New England town characterized by distinct neighborhoods, open space and traditional architecture. Every reasonable effort shall be made to preserve residential New England architectural style and character in non-residential construction. The distinctive features that reflect the town's New England architecture shall be incorporated in the plan. New England architectural style is described as having pitched roofs, dormers, moldings, covered landings, doorways and carports. Architecture that would reflect historical attempts at coping with New England weather shall include characteristics of the following styles: colonial, Victorian and cape.

B. The natural environment of the site shall be preserved. Any adverse impact caused by the site shall be minimized including the visual impact on adjacent properties, the neighborhood and the town. The removal or alteration of any historic features, tree, and where possible, corridors connecting wildlife habitats shall be discouraged.

C. The Site Plan Review process aims to establish a consistent and cohesive character within commercial areas and to create a welcoming environment for pedestrians and neighbors alike.

s. 205 – 2 **Design Standards** – The Planning Board strongly believes that the architectural and design elements which contribute to Medway’s unique and rural New England character should be preserved and enhanced. All new structures should not detract from the scale and character that the Town is committed to preserving as reflected in the Medway Master Plan.

A. *Height* - The height of any proposed construction should be compatible with the character and scale of surrounding buildings and adjacent neighborhoods within zoning requirements. The proposed height is critical in the vicinity of historical and/or cultural landmarks.

B. *Roof Shape* - The design and pitch of the roof should be compatible with the character of New England architectural style, i.e. gabled roofs, peaked roof forms. Parapets shall be utilized in the design to conceal roof top equipment. Uninterrupted flat-topped roofing is not permitted. All rooflines shall be pitched or incorporate pitched details,

C. *Scale, Massing and Proportion* - The scale, massing and proportions of structures should be compatible with the style and character of New England architectural style.

D. *Facade Lines, Shape and Profile* - Facades should be compatible with the character of New England architectural style. Any wall visible from an existing, proposed or approved way, should be compatible with New England architectural style. Building materials shall be shingles, clapboard siding, brick or stone for the façade.

E. *Architectural Details* - Architectural details including signs, materials, colors and textures should be compatible with New England architectural style.

F. Facades greater than one hundred (100) feet in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least three (3) percent of the length of the facade and extending at least twenty (20) percent of the length of the facade. No uninterrupted length of any facade shall exceed one hundred (100) horizontal feet.

G. Ground floor facades shall have arcades, display windows, entry areas, canopies, awnings or other such features with pleasing aesthetics along no less than sixty (60) percent of their horizontal length.

H. Buildings shall have architectural features that provide visual interest at the pedestrian scale and incorporate local character with detailing that is conservative in color and has a village feel, thus avoiding massive aesthetic effects.

I. Repetitive elements at intervals of no more than thirty (30) feet, either horizontally or vertically, shall be used. Express architectural or structural bays through a change in plane no less than twelve (12) inches in width, such as an offset, reveal, or projecting rib.

J. Variations in the rooflines shall be used to add interest to, and reduce the massive scale of large buildings. Roof features shall be compatible with and compliment the character of adjoining buildings and neighborhoods. Pitched roofs, no faux mansard roofs, shall be used.

K. Parapets shall be used to conceal rooftop equipment. Parapets shall incorporate three

dimensional cornice treatments.

L. Traditional entry elements and features that give orientation and create aesthetically pleasing character to the building shall be used. Entry features can include: canopies, porticos, overhangs, recesses, projections, peak roof forms and gables, etc.

M. *Signage/Advertising Features* - The size, location, design, color, lighting and materials shall not detract from the use of the existing street and the surrounding properties and shall enhance the character of the surrounding area.

- 1) Freestanding signs shall not detract from the desired pedestrian character of the area. Materials shall be aesthetically of a village nature and shall incorporate the use of natural materials.
- 2) Wall signs in a multi-tenant building shall also be consistent in design and scale. Signs shall display a common identity, compatible with residential areas.

N. *Color* – The color of all commercial structures and signage shall be conservative and neutral.

O. *Lighting* – Within parking lots, pedestrian-scale light fixtures designed to shine entirely on the lot shall be used. Where necessary, lighting fixtures with baffles shall be used. Lighting shall be focused directly on the site and there shall be no “*spill*” onto the street, or on adjacent and neighboring properties, or skyward. Light levels should be sufficient to ensure easy vision and a sense of security within the parking area. Overly bright lighting shall be avoided. The location, height and design of all light standards and fixtures shall be shown on the plan. The use of appropriate New England style “*period*” lampposts and light fixtures is strongly encouraged.

P. *Building Location on Site* – New buildings should be sited toward the front of the lot to maintain a traditional relationship with the road.

s. 205 – 3 *Traffic* - The site plan must address safety and convenience of vehicular and pedestrian movement within the site as well as in relation to adjacent streets, properties or improvements.

A. *Curb Cuts*

- 1) The site must be evaluated as a whole in determining the number of curb cuts to be permitted.
- 2) Curb cuts on public ways shall be minimized.
 - a) Curb cuts for contiguous commercial areas may be limited to one per street frontage unless compelling safety benefits or other siting considerations are demonstrated by the applicant.

- b) Wherever possible, existing driveways should be combined and/or existing commercial sites interconnected.
 - c) All proposed curb cuts within a commercial district or a contiguous commercial area shall be designed to enhance traffic flow on major streets and to minimize additional traffic circulation on neighboring residential streets to ensure safe vehicular movement and pedestrian safety.
 - d) The applicant must receive written approval of the Police and Fire Departments and provide such to the Planning Board. The Planning Board will not recommend site plan action to the Board of Selectmen without such approvals from the Police and Fire Departments.
- 3) Vehicles must be able to enter, park and exit the property without difficulty. Entrance from public ways must be clearly delineated. Multiple entrances are discouraged and generally will not be allowed. Arrows or signs, ground signs, building signs or painted lines on the ground to control the traffic flow may be required. Consideration will be given to site access of delivery vehicles and the ability of these vehicles to maneuver on site. In general, passenger vehicles and delivery vehicles should be segregated.
 - 4) Where possible, curb cuts shall be aligned with curb cuts on the opposite side of the road to create common junctions.
 - 5) Curb cuts for entrance and exit driveways shall be located and designed so as to achieve maximum practicable distance from existing and proposed access connections from adjacent properties.
 - 6) Where a site occupies a corner of two (2) intersecting roads, the curb cut shall be as remote from the intersection as possible. No curb cut shall be located within fifty (50) feet of the point of tangency of the existing or proposed curb radius of that site.
 - 7) Driveways shall be so located and designed so as to discourage the routing of vehicular traffic to and through residential streets.

B. *Internal Site Driveways*

- 1) The driveway shall be located so as to afford maximum safety, convenient ingress and egress and minimize conflict with the flow of off-site traffic.
- 2) No part of any driveway shall be located within fifteen (15) feet of a side property line.
- 3) Driveways should intersect the road at an angle of ninety (90) degrees.

- 4) Where possible, adjoining parcels shall have unified access and promote inter-parcel circulation.
- 5) Left-hand turns and other turning movements shall be minimized
- 6) The perimeter of the driveway shall be bounded with vertical granite curb or similar type of edge treatment.

C. ***Traffic Flow***

- 1) The slope of the paved entrance way shall not exceed two (2) percent for the first twenty-five (25) feet measured perpendicular from the front property line. Plantings should be evaluated to ensure adequate sight distance is not affected. The maximum height of vegetation, except trees, at full growth or any other physical object shall not exceed three (3) feet in height to assure sight distance visibility from a vehicle. The entrance shall be clearly delineated by granite curbing or other approved material along the entire radius of the opening and extend at least twelve (12) feet beyond each side along the gutter line of the road, and sloped at the end to prevent a vertical obstruction to exist.
- 2) Provision shall be made for safe and convenient pedestrian and vehicular traffic movements within and connecting to the adjacent sites and ways, with particular emphasis on the layout of parking, off-street loading and unloading, and on the movement of people, goods, and vehicles upon access roads within the site, between buildings or structures, and between buildings and vehicles.

D. ***Pedestrian and Bicycle Access and Connections***

- 1) Pedestrian-friendly connections shall be provided along sidewalks and in front of the stores and within the site. Sidewalk areas shall be provided within larger parking lots. For pedestrian safety and site design enhancement, on-site crosswalks between parking areas and the building (s) and where possible, on adjacent roadways shall have a change in materials. Sidewalk pavers such as cobblestones, bricks or textured concrete shall be incorporated into all crosswalks.
- 2) Pedestrian and bicycle circulation shall be maximized on and off site and shall be separated from motor vehicle circulation as much as practicable. Safe pedestrian and bicycle access to the site must be provided by walkways or other means which ensure protection and separation from vehicular traffic.
- 3) Existing pedestrian ways shall be maintained or improved.
- 4) Where no pedestrian ways exist, the applicant shall create pedestrian ways and connections between streets, the proposed development, surrounding neighborhoods, and other surrounding uses providing safe access to the nearest existing pedestrian facility or sidewalk.

5) Pedestrian accesses shall be designed to comply with ADA requirements.

E. **Mitigation** - The Planning Board may recommend that the Board of Selectmen require the applicant to provide mitigation for any impacts that are specified in the traffic impact analysis or Traffic Impact Assessment where the volume of traffic will otherwise create unsafe, or poor level of service conditions. Mitigation measures include but are not limited to the implementation of turning lanes, traffic signal improvements, roadway improvements, sidewalks, and acceleration and deceleration lanes.

s. 205 – 4 **Drainage and Stormwater Management.**

A. The site shall be prepared and graded in such a manner that its development shall ensure proper protection of the roadway and adjacent properties. The applicant shall furnish evidence that adequate provisions have been made for the proper drainage of surface and underground waters.

B. Pre-development and post-development drainage calculations must be prepared by a Registered Professional Engineer and summarized in table form for comparison purposes. The supporting documentation must be organized and submitted for review by the Planning Board or its agent, to ensure conformance to these regulations. Test pits and percolation tests must be performed to support infiltration calculations and assumptions related to the Stormwater Management Design.

C. The applicant must demonstrate that there are not other suitable means of discharge other than tying into the public drainage system. Any private drainage system that must be connected to the public drainage system must not exceed the predevelopment contributions from the site to the roadway drainage system.

D. Runoff recharge to ground and surface drainage by means of swales and detention areas shall be required.

E. **Stormwater Management.** The following stormwater management design requirements shall be followed:

- 1) Pipes and grates shall be designed to accommodate a twenty-five (25) year storm;
- 2) Stormwater management facilities shall be designed to accommodate the one hundred (100) year storm;
- 3) Best Management Practices shall be implemented in accordance with the DEP Stormwater Management Policy.

F. Drainage structures shall be installed to adequately remove stormwater in accordance with DEP's Stormwater Management Policy and Best Management Practices.

s. 205 – 5 **Utilities** - All electric, telephone, cable TV, and other such utilities shall be located underground.

s. 205 – 6 **Parking**

A. **General** - Parking lots should be located to the side or rear of the lot. Placement of parking areas should not be near a high volume of traffic where it can obstruct traffic flow. Parking should be hidden to the maximum extent possible and located near the side and rear of the site. Parking should not create a hazard to abutters, vehicles or pedestrians. Where or when parking does exist near the street, plantings or appropriate fences, i.e. picket or post & rail, should be incorporated into the design to screen parking areas and reduce their visual impact.

B. **Pedestrian Protection.** - Pedestrian walkways through parking areas may require protection (*barriers or bollards*) or may require crosswalk striping.

C. **Designated Parking Areas** – Designated employee parking area, customer parking areas, and delivery areas as required under the *Medway Zoning By-Law* should be separated and shown on the plan.

D. **Asphalt Surface** - Parking areas are strongly encouraged to have an asphalt surface. Bituminous concrete surfacing should be a minimum of three and one-half (3½) inches over eight (8) inches of gravel borrow.

E. Appropriate access for emergency vehicles shall be provided.

F. Adverse impacts on abutters, residents or businesses in the area or on the character of the neighborhood shall be mitigated satisfactorily.

G. **Parking Spaces/Stalls**

- 1) General - The location of the parking stalls shall not impede proper traffic flow or the maneuvering of other vehicles.
- 2) Number of spaces/stalls - A sufficient number of lined, well-located parking spaces/stalls must be provided in accordance with the *Medway Zoning By-law*.
- 3) Space/stall design
 - a) Car parking spaces/stalls shall be ten (10) feet by twenty (20) feet, except that handicap stalls shall be in accordance with the current ADA; standards. Each handicapped space/stall must be identified on the ground surface and by a sign.
 - b) Wheel stops are required at the head of each car stall where a space/stall abuts a walkway, pedestrian way, or special site feature such as an abrupt change in grade. Acceptable materials include pre-cast concrete, granite, or like materials. All wheel stops shall be properly anchored into the ground and located approximately twenty-four (24) inches from the head of a car space/stall.

- 4) Location
- a) Parking spaces/stalls shall not be located in the following areas: building entrances, building exits, loading dock areas, pedestrian ways and fire lanes.
 - b) The spaces/stalls shall not be located within fifteen (15) feet of the front, side and rear property lines.
 - c) Parking spaces/stalls shall be located such that a vehicle backing out of a space does not impede traffic entering from a public traveled way within the first fifty (50) feet into the site.
 - d) After the last parking stall in any dead end row not adjacent to a travel lane parallel to the car stall, there shall be a twelve (12) foot long and twenty (20) foot wide turning area beyond the travel lane to allow proper maneuvering.

H. **Curbing** – The perimeter of the parking area shall be bounded with vertical granite curb or similar type of edge treatment to delineate the parking lot.

I. Travel lanes in the parking area shall be a minimum of twenty-four (24) feet wide.

s. **205 - 7 Snow Removal** – The site must be designed to accommodate adequate snow storage for snow that is plowed from the paved parking and pedestrian areas. The snow storage area must be located and graded such that the runoff from melting snow will not enter the public way and so that the piled snow will not affect visibility and sight distance of vehicles entering and exiting the site.

s. **205 - 8 Outdoor Lighting**

A. General - Adequate lighting shall be provided to ensure safe movement of persons and vehicles as well as for security purposes. However, lighting shall be strictly limited to the minimum necessary for these purposes.

B Lighting shall be provided around all structures, driveways, driveway entrances, walkways, entrances, pathways and parking areas.

C. Lighting, including lighting on the exterior of a building and lighting in parking areas, shall be arranged to minimize glare and light spillover such that neighboring properties are not disturbed. Lighting should be directed onto the site. No light fixture shall be over twenty (20) feet in height. Overly bright lighting must be avoided. Foot-candle readings at neighboring residential property lines shall not exceed 0.01-foot candles at any elevation.

D. Lighting shall be provided at the lowest brightness and intensity levels possible to allow for emergency nighttime access and will take into account the uses of the site and the respective opening hours of businesses.

s. 205 – 9 *Trees and Landscaping*

A. **General** - Landscaping enhances the site, provides a pleasing environment and reduces the visual impact of the site on the surrounding areas. The Planning Board requires that every effort be made by the applicant to provide as much landscape treatment as possible. The Planning Board requires substantial planting islands in parking areas to break up the "sea of asphalt" appearance.

B. **Landscape Buffers** - The use of proportionally sized landscaped buffers and berms between the street and structures, between the street and parking fields, between the site and its neighbors, and throughout parking lot islands is encouraged to provide for more immediate visual screening and improved topographical variation.

- 1) Landscape buffers between the street and parking areas are required. Tree-lined sidewalks at the street front should be included. Plantings along the front property line and access to ways should take into consideration sight distance criteria. Planting of new or replacement trees every twenty-five (25) feet along both sides of an access road is required. Said trees shall be native, deciduous hardwoods from the list below:
 - a) Red Oak – *Quercus borealis*
 - b) Pin Oak - *Quercus palustris*
 - c) Scarlet Oak – *Quercus coccinea*
 - d) Red Maple – *Acer rubrum*
 - e) Silver Maple – *Acer saccharinum*
 - f) Sugar Maple – *Acer saccharum*
 - g) Thornless Honey Locust – *Gleditsia triacanthos intemis*
 - h) Green Ash – *Fraxinus pennsylvanica*

- 2) Four (4) season evergreen landscape buffers between the site and adjoining properties are encouraged. If a commercial site abuts residential property then four (4) season visual and sound buffers shall be required and shall protect the residential area to the greatest extent possible. At least fifty (50) feet of either supplemented existing woodland or dense, native vegetation shall be employed to buffer the proposed use from the residential area. The vegetation may be supplemented with earth berms of a reasonable height and quality fencing using wood or other materials approximating wood. Where buffers are required, one (1) native evergreen tree of at least six (6) feet in height shall be planted six (6) foot on center. If woodlands currently exist on the site as a natural buffer, they shall be incorporated into the plan. The buffer shall provide four (4) seasons of screening.

- 3) Perimeter Landscaping – Perimeter landscaping shall be provided around all parking lots and the entire site. Siting of the building on the lot shall impact the area of landscaping required. This landscaping shall provide four (4) seasons of screening.

C. **Parking Areas** - Internal landscape planted divisions (*islands and peninsulas*) shall be constructed within all parking lots to provide shading and buffering. At least one deciduous tree of a minimum two and one-half (2 1/2) inches caliper in diameter shall be provided for every six (6) parking spaces. Only trees providing shade to the parking area shall be counted as meeting this requirement. This requirement may be waived in lieu of the preservation of existing trees subject to approval by the Planning Board.

D. **Screening** – Where disturbance on the site is necessary beyond the building footprint, parking and access areas, or where the Planning Board determines that additional plantings are needed to achieve four (4) seasons of screening, the Landscape Architectural Plan shall include landscape plantings and other manmade hardscape structures such as fences and trellises sufficient enough to immediately screen one-hundred (100) percent of the HVAC equipment, utilities, dumpsters, etc from the view at any perimeter point on the site. The plantings shall be mature enough to immediately integrate the building and site into its surroundings. The scale of such planted landscaping shall be determined by the size of the building, the extent of disturbance to the existing landscape and the need for additional screening.

E. **Trees** - The *Landscape Architectural Plan* shall indicate when and where the trees are to be retained, planted, and the maintenance program. The applicant shall guarantee the health of the plantings for one calendar year after planting.

F. **Tree Replacement** – The total diameter of all trees over ten (10) inches in diameter that are removed from the site shall be replaced with trees that equal the total breast height diameter of the removed trees. The replacement trees may be placed on or off site as recommended by the Planning Board.

G. **Tree Size** – New and replacement trees shall be a minimum of two and one half (2.5) inches in breast height diameter and a minimum of ten (10) feet in height.

H. **Landscape Requirements** – All additional landscaping, including grass, shrubs, flowers, etc. shall be of the highest quality and shall meet the following requirements:

- 1) indigenous to the area or certified as “non-invasive” by a professional horticulturist
- 2) drought-tolerant
- 3) pest-tolerant

I. **Drainage** – No drainage areas or detention basins shall be considered part of the buffer or perimeter landscaping.

J. Proposed hardscape features and materials such as fences and stone walls shall be consistent with New England architectural style. Sight lines for all accesses, vehicle and otherwise, shall not be affected by such landscape features or built hardscapes.

K. **Invasive Species** – Whenever feasible, existing invasive species of flora shall be permanently removed from the site using accepted horticultural practices.

A. General - Environmental elements relating to the prevention of soil pollution and erosion, protection of significant vistas, preservation of trees, protection of water courses and water resources, topography, soil and noise shall be reviewed. The site plan shall minimize any adverse impacts on these elements.

B. Nuisance - The proposed development shall not create any significant emission of light, noise, dust, fumes, odors, noxious gases, radiation, or water pollutants, or any other similar significant adverse environmental impact.

C. The applicant shall provide adequate treatment of the slopes to prevent erosion. The final slope of the land shall not exceed one (1) foot vertical to three (3) feet horizontal, unless retaining walls or other suitable stabilization methods as determined by the Planning Board are provided.

D. The design of the proposed development shall minimize the destruction of unique natural features.

s. **205 – 11 Construction Standards** - The requirements and construction standards of the *Rules and Regulations for the Subdivision of Land in Medway* shall be adhered to in matters not covered specifically by these *Site Plan Rules and Regulations*. Design and construction details not covered by either these *Rules and Regulations* or the *Subdivision Regulations* shall follow accepted engineering, construction, and landscape architectural practice.

ARTICLE VI ADMINISTRATION

s. **206 – 1 Fee Structure** – The Planning Board shall adopt a *Fee and Bond Schedule* which shall specify the amount of filing, other applicable fees, and minimum bond amounts for all development projects.

A. **Site Plan Filing Fee** - A non-refundable *Site Plan Filing Fee* shall be remitted to the Planning Board at the time the application is filed with the Planning Board.

B. **Site Plan Review Fee**

1) **Applicability** – Pursuant to M.G.L Chapter 40, 22F, as adopted by the Medway Town Meeting on October 16, 2000, a *Site Plan Review Fee* may be established by the Planning Board for review of the site plan based on an itemized budget estimate prepared by an outside consultant(s). This fee shall be the reasonable costs to be incurred by the Planning Board to retain outside consultant(s) to assist in the review of the proposed project. The *Site Plan Review Fee* shall not be a fixed amount but will vary with the costs incurred by the Planning Board.

2) **Fee Payment** - The applicant shall remit a \$500 deposit toward the *Site Plan Review Fee* at the time the Site Plan Application is submitted. The balance shall be remitted upon receipt of an invoice from the Planning Board but prior to the

substantive review of the application by the outside consultants and before the public hearing. The failure to pay the *Site Plan Review Fee* shall constitute grounds for the Planning Board's recommendation of denial of the proposed site plan.

- 3) *Additional Review Fees* – If the expense of the consultant(s)' review of the site plan exceeds the original estimate or should the services of additional outside consultants be required after the initial *Site Plan Review Fee* has been expended, then the applicant shall be required to pay all additional fees incurred to cover the cost of additional reviews. The Planning Board shall prepare a new estimate for additional plan review services and remit same to the applicant. The applicant's failure to pay plan review fees in their entirety shall be reason for the Planning Board to recommend that the Board of Selectmen withhold approval and endorsement of the plan.

C. ***Other Costs and Expenses*** - All expenses for professional plan reviews, ancillary report reviews, supplemental studies, advertising, publication of notices, postage and mailings and all other expenses in connection with site plan review including without limitation sampling and/or testing, shall be borne by the applicant.

D. ***Payment of Fees***

- 1) Fees paid by the applicant shall be by certified check made payable to the Town of Medway and submitted to the Planning Board.
- 2) When the *Site Plan Review Fee* is received by the Planning Board pursuant to this section, it shall be deposited with the Town Treasurer who shall establish a special account for this purpose. Expenditures from this special account may be made at the direction of the Planning Board without further appropriation. Expenditures from the special account shall be made only for services rendered in connection with a specific project or projects for which a fee has been or will be collected from the applicant. Accrued interest may also be spent for this purpose.
- 3) At the completion of the project, any excess amount in the account, including interest, attributable to a specific project shall be repaid to the applicant or the applicant's successor in interest. Upon request, a final report of said account shall be made available to the applicant or the applicant's successor in interest. For the purpose of these *Rules and Regulations*, any person or entity claiming to be the applicant's successor in interest shall provide the Planning Board with documentation establishing such succession in interest.

s. 206 – 2 ***Modifications to Approved Site Plans***

A. ***Minor Modifications*** - If modifications to an approved site plan are needed, changes, which in the opinion of the Inspector of Buildings/Zoning Enforcement Officer are minor and

not substantive, may be reviewed by the Planning Board and approved by the Board of Selectmen without a public hearing.

B. Major Modifications

- 1) If modifications to an approved site plan are needed, and in the opinion of the Inspector of Buildings/Zoning Enforcement Officer, the changes are structurally or architecturally significant in terms of the size of the building or the location of the building on the site, access and exit curb cuts, overall parking layout, buffer strips or screening, overall appearance of the building and site amenities including materials and fenestration, or the type or intensity of use, or the changes pertain to the conditions of approval specifically addressed in the Board of Selectmen's decision, then the plan modification shall be considered to be major. The applicant shall follow the same application and review process as described in these *Rules and Regulations*, including a public hearing, to secure approval of a major plan modification.
- 2) The Planning Board shall review the proposed modifications and issue a recommendation to the Board of Selectmen.

C. Modification Expenses - Whenever additional reviews by the Planning Board, its staff or consultants are necessary due to proposed site plan modifications, the applicant shall be billed and be responsible for the supplemental costs incurred including site plan filing fees, plan review fees, and all costs associated with another public hearing including legal notice and abutter notification. If the proposed revisions affect only specific limited aspects of the site, the Planning Board may reduce the scope of the required review and waive part of the Filing and Review Fees. Supplemental fees must be paid in full before the Planning Board recommends site plan modifications to the Board of Selectmen.

s. 206 – 3 Amendments to Rules and Regulations – These *Rules and Regulations* may be amended from time to time by the Planning Board. A public hearing on revisions to these *Rules and Regulations* shall be held with appropriate notice in compliance with state statute and local by-laws.

s. 205 – 4 Validity – If, in any respect, any provision of these *Rules and Regulations* in whole or in part, shall provide to be invalid for any reason, such invalidity shall only affect the part of such provisions which shall be held invalid and in all other respects these *Rules and Regulations* shall stand.

These Site Plan *Rules and Regulations* were adopted by a voice vote of the Medway Planning Board following proper legal notice published twice in the *Milford Daily News* and a copy thereof filed with the Town Clerk. Amendments to these *Rules and Regulations* were adopted by a voice vote of the Medway Planning Board following proper legal notice and take effect on the date of Planning Board approval.

Originally adopted: April 14, 1998
Amended: April 25, 2000
Amended: March 13, 2001
Amended: November 1, 2001
Amended: July 9, 2002
Amended: December 3, 2002

Attest:

Susan E. Affleck-Childs
Planning Board Administrative Secretary

Date

A true copy attest:

Maryjane White
Town Clerk

Date

Add definition for Feather signs and prohibit their use. Made this into a separate warrant article.

Revise DRC sign review procedure – Stephanie and I worked on this and have a good resolution. Made this into a separate warrant article.

Definitions - Made changes as discussed. Added definitions for “grade plane” and “gross vehicle weight rating”. Revised definition for “commercial motor vehicle” to reference 540 CMR 2.05 instead of 540 CMR 4.02. *(Both CMR definitions are provided for your review. Just learned there are 2 definitions in CMR!!)* I am not yet loving the definitions of retail and wholesale/bakeries; they are still too similar to each other.

*Revise Adaptive Use Overlay District - Expanded list of possible special permit uses to provide more flexibility.

Revise Table of Uses – Made corrections as discussed on 9/1.

Registered Marijuana Dispensary provisions - Revised per 9/1 discussion to remove size limitations for cultivation facility, processing facility, and combined facilities.

*Add new section on how to define zoning district boundaries. Prepared by Town Counsel Barbara Saint Andre.

Home Based Business – Refined draft based on discussion on 9/1. The chart showing the various classes of vehicles by gross vehicle weight rating are provided.

Revised Section 5.5.F. regarding Abandonment and Non-Use per 9/1 discussion.

ARTICLE on Parking of Commercial and Recreational Vehicles
REVISED Draft – September 4, 2015

Hold for Now
Needs more work on def. of Commercial Vehicle

DISCUSSION NEEDED – Do you want this as a general bylaw or as a zoning bylaw?

ARTICLE : To see if the Town of Medway will vote to amend the Medway General By-laws by adding the following Section 12.26 in Article XII:

Section 12.26 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 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 Motor Vehicle - A vehicle defined as such by the Registry of Motor Vehicles in 540 CMR 4.02. 2.05

Gross Vehicle Weight Rating (GVWR) – The value specified by the manufacturer as the loaded weight of a single vehicle including the vehicle's chassis, body, engine, engine fluids, fuel, accessories, driver, passengers and cargo but excluding that of any trailers, as established by the National Highway Safety Administration, U.S. Department of Transportation

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 motor vehicle, bus or trailer having a Class 4 gross vehicle weight rating and or 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 **motor** vehicle with a Class 4 gross vehicle weight rating **and or** 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 **not to exceed four hours in any twenty-four hour period.**

(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 XX 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 **maximum per day. Each day to constitute a separate violation.**~~

(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

ZBL Amendments - Sign Regulations

Revised – September 2, 2015

*Approval
9-8-15*

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

Adding item 8. to 7.2.5 Sign Standards. B. Additional Requirements in Nonresidential Districts

8. When noted in the sign tables, a ground floor establishment occupying a location that provides two or more building sign frontages may 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 standard 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.

By revising Tables 5 and 6 as follows:

- The use of an asterisk *
- *Unless an establishment has two or more building sign frontages. If so, see Paragraph 7. i).
- Deleting reference to Paragraph 7 g) and replacing it with reference to 7.2.5.B.2
- Reference to Paragraph 7 k) and replacing it with reference to 7.2.5.B.4
- Reference to Paragraph 7. l) and replacing it with reference to 7.2.5.B.8

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

TABLE 5

Commercial District I

*Individual Freestanding Establishment
NOT Located in a Multi-Tenant Development*

	<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>
Freestanding Sign	48 not to exceed 36 per sign face	1 per establishment	8	10	External
Wall Sign	Building Sign Frontage x 1.0 not to exceed 120 per establishment	2 per establishment not to exceed 1 per building face	NA	NA	External Internal
Projecting Sign	12	1 per establishment	See Paragraph 7-g) See 7.2.5 B. 2.	NA	External

**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 6	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 60 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-i) 7.2.5.B.8

And 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 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 7.2.5 B. 2.	NA	External

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 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 7.2.5 B. 2.	NA	External

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	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 7.2.5 B. 2.	NA	External

And by revising Section 7.2.5 Sign Standards, item A as follows:

A. Except as may be limited under 7.2.5 above or Subsection B. below, signs which do not exceed the standards in the Tables 4, 5, and 6, 7, 8, 9, and 10 are allowed by right provided the Building Inspector issues a Sign Permit therefor. When noted in the tables, NA means not applicable.

And by inserting the following to Section 7.2.1 C. Definitions 2. 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 graphic, 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.

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

T. ~~Signs which use light emitting diodes for internal illumination.~~ **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 percent of the sign surface area is dedicated to illuminated fuel price information.**

And by amending Section 7.2.6 Administration, A. Sign Permit, 2. Application 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 Review Letter from the Medway Design Review Committee.

approved -
9-8-15

Feather Signs Revised Draft – September 2, 2015

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

By adding the following to Section 7.2.1 C. Definitions, 2. Types of Signs

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 adding the following to Section 7.2.3 Prohibited Signs

U. Feather Signs

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

DRAFT

or attached to a vehicle

DRC Review Process
Revised Draft – September 4, 2015 (3)

*Approved
9/8/15*

ARTICLE : To see if the Town of Medway will vote to amend the Medway Zoning Bylaw

By deleting Section 7.2.6 A. Sign Permit, 3. Design Review and replacing it as follows:

3. Design Review

- a. Before filing for a sign permit with the Building Inspector for any freestanding sign and for any other sign with six square feet or more of sign surface area, a sign design review application must first be made to the Design Review Committee. The Design Review Committee shall review proposed signs for compliance with the Medway Design Review Guidelines. The submittal of the application shall be in form and format as specified by the Design Review Committee.
- b. The Design Review Committee shall meet with the applicant or its representative to review the proposed sign within fifteen days of the receipt of a completed sign design review application (referred to herein as the application date). No later than thirty days from the application date, the Design Review Committee shall send its written review letter with recommendations regarding sign design to the Building Inspector. Failure of the Design Review Committee to act within thirty days shall be deemed a lack of opposition thereto. These deadlines may be extended by mutual agreement of the Design Review Committee and the applicant. Any such extension shall automatically extend the period within which the Building Inspector is required to act on a sign permit under this Section 7.2.6.

DRAFT

Zoning Bylaw Amendments - DEFINITIONS for Fall Town Meeting
REVISED Draft – 9/4/15

Approved
9-8-15

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.

direct sale to the general public.

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

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, which includes seating and which may include wait service and indoor and outdoor customer seating.

indoor and/or outdoor 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, doves and other domestic fowl kept for eggs, meat, feathers or as pets.

Grade Plan – As defined in the latest edition of the International Building Code.

finished / whatever work out w/ Jack

OR/

Grade Plan – A reference plan representing the average of finished ground level adjoining the building at exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or, where the lot line is more than 6 feet (1829 mm) from the building, between the building and a point 6 feet (1829 mm) from the building.

Gross Vehicle Weight Rating (GVWR) – The value specified by the manufacturer as the loaded weight of a single vehicle including the vehicle's chassis, body, engine, engine fluids, fuel, accessories, driver, passengers and cargo but excluding that of any trailers, as established by the National Highway Safety Administration, U.S. Department of Transportation.

And by revising the following definitions:

Traffic

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.

~~Commercial Motor Vehicle - Any vehicle licensed by the Commonwealth of Massachusetts as a commercial motor vehicle (540 CMR 4.02 Special Definitions) (540 CMR 2.05)~~

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.

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

DRAFT

540 CMR 4.00:

ANNUAL SAFETY AND COMBINED SAFETY AND EMISSIONS INSPECTION
OF ALL MOTOR VEHICLES, TRAILERS, SEMI-TRAILERS AND CONVERTER
DOLLIES

Section

- 4.01: Scope and Applicability
- 4.02: Special Definitions
- 4.03: Requirements for Initial and Subsequent Annual Inspection
- 4.04: Procedures for Inspections of Non-commercial Motor Vehicles
- 4.05: Procedures for Inspection of Commercial Motor Vehicles
- 4.06: Procedures for Inspection of Motorcycles
- 4.07: Issuance of Certificates of Inspection, Rejection, and Waiver Procedure
- 4.08: Licensure of Inspection Stations
- 4.09: Licensure of Inspectors - License Application Procedures and Fees

4.01: Scope and Applicability

540 CMR 4.00 is adopted by the Registrar of Motor Vehicles pursuant to the authority of M.G.L. c. 90, § 31. 540 CMR 4.00 establishes Rules and Regulations for the Safety and Combined Safety and Emissions Inspections of all motor vehicles registered in the Commonwealth of Massachusetts under the authority of M.G.L. c. 90, § 7A. 540 CMR 4.00 also establishes regulations for the issuance of various inspection certificates pursuant to M.G.L. c. 90, § 7V(a), (b) and (c), and Regulations for the licensing of stations and inspectors pursuant to M.G.L. c. 90, § 7W. The failure of a motor vehicle to meet the requirements of the Safety and Combined Safety and Emissions Inspections will result in the suspension of the vehicle's certificate of registration pursuant of M.G.L. c. 90, § 20.

4.02: Special Definitions

In addition to the definitions set forth in M.G.L. c. 90, § 1, the following special definitions shall also apply:

Antique Motor Car shall mean any motor vehicle which has been assigned an antique registration plate.

ALARS shall mean the Automated Licensing and Registration Systems used by the Registry of Motor Vehicles.

Certificate of Inspection shall mean a serially numbered, adhesive sticker, device, document or symbol, as may be prescribed by the Registrar, indicating a motor vehicle or motorcycle has met the inspection requirements established by the Registrar. The Registrar may prescribe the use of one or more categories of said Certificates.

Certificate of Rejection shall mean a serially numbered, adhesive sticker, device, document or symbol, as may be prescribed by the Registrar, indicating a motor vehicle or motorcycle has failed to meet the Safety and Combined Safety and Emissions Inspection requirements.

Certificate of Waiver shall mean a serially numbered device or symbol, as may be prescribed by the Registrar, indicating that the requirement of passing the Emissions portion of the Combined Safety and Emissions Inspection has been waived for a vehicle pursuant to 540 CMR 4.00.

Class A License shall mean the license issued to a Public or Fleet inspection station conducting non-commercial light duty gas and diesel inspections of vehicles 10,000 lbs Gross Vehicle Weight Ratings (GVWR) or less.

Class B License shall mean the license issued to a Public or Fleet inspection station conducting commercial and non-commercial light and medium duty gas and diesel inspections of vehicles 26,000 lbs. (GVWR) or less including light-duty pole or pull trailers only.

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.

*This is the definition we presently default to - **

540 CMR: REGISTRY OF MOTOR VEHICLES

4.02: continued

Commissioner shall mean the Commissioner of the Department of Environmental Protection for the Commonwealth.

DEP shall mean Department of Environmental Protection.

Dynamometer shall mean a device which applies a load to a vehicle's drive wheels during an emissions inspection while the vehicle is being operated in a stationary, secure position to simulate actual driving conditions.

Exempt Vehicles From Emission Standards shall mean any motor vehicle exempted under 310 CMR 60.02 and in accordance with M.G.L. c. 111, § 142M.

Federal Motor Carrier Safety Regulations shall mean the most current published edition of Title 49 U.S.C. Parts 390 to 397 including appendix G as identified by USDOT/FHWA/OMC.

Fleet Inspection Station shall mean a business which owns or maintains a fleet of at least 25 motor vehicles and maintains a garage for the repair and maintenance of those vehicles and is licensed by the Registrar to perform the Safety or Combined Safety and Emissions Inspection on its motor vehicles or motor vehicles owned by other fleets that are in the same vehicle class.

Fleet Inspection Station for Commercial Motor Vehicles shall mean an Inspection Station licensed by the Registrar to perform Safety or Combined Safety and Emissions Inspections on Commercial Motor Vehicles.

General Registration Holder shall mean any manufacturer, dealer, repairman, owner-contractor, transporter, farmer, dealer in recreational vehicles, trailers, boat trailers, or forester, all as defined in M.G.L. c. 90, § 1 and regulated by 540 CMR 18.00, who has been issued a general registration plate pursuant to M.G.L. c. 90, § 5.

Inspection Station Agreement shall mean the contract between the Network Contractor and the Inspection Stations which sets forth their respective responsibilities and duties.

Licensed Inspector shall mean an individual licensed by the Registrar in accordance with 540 CMR 4.00 as properly trained to perform a Massachusetts Motor Vehicle Safety and/or Emissions Inspection.

Licensee shall mean a holder of an Inspection Station License of any Class issued in accordance with 540 CMR 4.00.

Mobile Commercial Motor Vehicle Inspector shall mean an individual, certified and licensed, who meets the requirements of 540 CMR 4.00 who may inspect commercial motor vehicles and school pupil transport vehicles at a repair facility of any commercial motor vehicle operation that meets the minimum requirements for inspections prescribed for Commercial Vehicle Inspection Facilities by the Registrar.

Network Contractor shall mean the private entity which contracts with the DEP and RMV to develop, manage and implement the enhanced emissions and safety inspection program on accordance with St. 1997, c. 240.

New Car Endorsement shall mean an endorsement to a class A, B or D license which permits class 1 automobile dealers to inspect new vehicles under 10,000 GVWR prior to delivery to a customer in accordance with 310 CMR 6.02: *Initial Inspection of New Motor Vehicles* and in accordance with all regulations, policies and procedures promulgated by the Registrar.

Out of Service Criteria shall mean the most current "Out of Service Criteria" as prescribed in the North American Uniform Out-of-service Criteria published by the Commercial Vehicle Safety Alliance(CVSA).

540 CMR: REGISTRY OF MOTOR VEHICLES

4.02: continued

Referee Station shall mean a location which may be designated by the Registrar to verify the accuracy of inspections performed by Licensed Inspection stations and to grant certificates of waiver.

Registrar shall mean the Registrar of Motor Vehicles.

Semi-trailer shall mean a trailer designed and used in combination with a tractor so that some part of the weight of the trailer and that of its load rests upon, and is carried by, the tractor.

Trailer shall mean any vehicle or object on wheels and having no motor power of its own, but is drawn by, or used in combination with, a motor vehicle.

Turnaway Document shall mean a document created by a Workstation and provided to an operator by an inspection station explaining the reason(s) a particular vehicle can not be tested.

Windshield Replacement Certificate shall mean a serially numbered adhesive sticker, device or symbol as prescribed by the Registrar to be used in conjunction with any legible valid Certificate of Inspection, irrespective of any void displayed, removed due to the replacement of a windshield and displayed on the newly installed windshield on the same vehicle. Such Certificate shall be issued in accordance with all regulations, policies and procedures established by the Registrar.

Workstation shall mean the complete set of inspection equipment approved by the Department and required by the Registrar for an inspection station.

7D Endorsement shall mean an endorsement to a class A, B, D or F license which permits the Licensee to inspect 7D (pupil transport) vehicles in accordance with M.G.L. c. 90, § 7D and 540 CMR 21.00.

4.03: Requirements for Initial and Subsequent Annual Inspection

(1) General Provisions. Every owner or person in control of a Massachusetts registered motor vehicle shall submit the vehicle for inspection under 540 CMR 4.03(1)(a) through (i):

(a) Inspection Upon Registration. Every owner or person in control of a motor vehicle which is newly acquired in the Commonwealth shall submit such motor vehicle for a required inspection within seven days of the date on which the motor vehicle is registered to said owner in the Commonwealth.

(b) Subsequent Inspection. Every owner or person in control of a Massachusetts registered motor vehicle shall submit the vehicle for the required inspection annually, no later than the date of expiration on the previously issued Certificate of Inspection or as notified in a manner prescribed by the registrar. Early renewals are permitted.

(c) Validity of Certificates of Inspection. Certificates of Inspection displaying void(s) due to a windshield replacement, which are also displaying a duly issued Windshield Replacement Certificate, shall be valid until the expiration of the Certificate of Inspection or when ownership of the vehicle is transferred, or as notified in a manner prescribed by the Registrar, whichever occurs first.

(d) General Registration Holders. Every motor vehicle owned by a General Registration holder, except for motor vehicles held for sale and demonstration by a dealer, shall be inspected pursuant to 540 CMR 4.00.

(e) Farm Tractor. Any tractor or other self propelled vehicle used exclusively for agricultural or farming purposes, except automobiles and trucks, the use of which is declared by the owner or person in control thereof to be restricted to the period from a half hour before sunrise to a half hour after sunset and which is operated in or upon any way during such period shall be inspected and shall be equipped with one stop light and with brakes as manufactured, including a stationary brake with ratchet and pawl.

(f) Temporary Registration Plates. Motor vehicles bearing temporary registration plates shall be inspected in accordance with the 540 CMR 4.00.

(g) Out of State Registration. Motor vehicles submitted for inspection that are registered in any other state or jurisdiction shall be inspected in accordance with the applicable provisions of 540 CMR 4.00 and the policies and procedures established by the Registrar.

540 CMR: REGISTRY OF MOTOR VEHICLES **540 CMR 2.00:** MOTOR VEHICLE REGULATIONS

2.05: Vehicle Registrations Requirements

(3) **Definitions.** As used in 540 CMR 2.05, the following terms are defined as follows:

Ambulance, Antique Motor Car, Auto Home, House Trailer, Motorcycle, School Bus, Semitrailer, and Trailer, shall have the meaning assigned to those terms in M.G.L. c. 90, § 1.

Apportionable Vehicle, is any motor vehicle which qualifies for registration under the International Registration Plan (IRP) authorized by M.G.L. c. 90, § 2, and which the Commonwealth joined effective January 1, 1994.

Bus, is any motor vehicle which is designed to transport 16 or more persons, including the driver, or meets the definition of Bus or Motor Bus under M.G.L. c. 90, § 1.

* Commercial Vehicle, is any motor vehicle which is not a private passenger motor vehicle, personal transportation network vehicle, antique motor car, motorcycle, trailer, semi-trailer, auto home, house trailer, taxicab, ambulance, hearse, livery vehicle, bus, school bus, or school pupil transport vehicle, including the following:

(a) Any vehicle which has a vehicle weight, or curb weight, of more than 6,000 lbs., 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;

(b) Any vehicle which has five or more wheels on the ground;

(c) Any pickup truck or cargo van, owned by a partnership, trust or corporation unless such vehicle meets the definition of Private Passenger Motor Vehicle;

(d) Any pickup truck or cargo van, if on the bed of the vehicle tools, supplies, materials or equipment are transported to or from a job site, or are stored for use at a job site, provided that transportation to or storage for use at a personal project for which no compensation is received shall not be considered in connection with a "job site";

(e) Any vehicle, if on the roof or sides of the vehicle, tools, supplies, materials or equipment are transported to or from a job site, or are stored for use at a job site, provided that transportation to or storage for use at a personal project for which no compensation is received shall not be deemed in connection with a "job site";

(f) A vehicle which has business advertisements or business markings thereon; provided however that markings limited to the name, address, telephone number, and logo of any corporation whose personal property is exempt from taxation under M.G.L. c. 59, § 5, clause third or tenth shall not be considered business advertisements or business markings for purposes of 540 CMR 2.05;

(g) A vehicle used for hire to plow;

(h) A vehicle used for hire to transport or store goods, wares or merchandise, provided that if the vehicle is owned by an individual, has a maximum load carrying capacity of 1,000 pounds or less, and is so used on only a part-time basis, such vehicle shall not be deemed a commercial vehicle under 540 CMR 2.05(3): Commercial Vehicle (h). Part-time Basis shall mean that not more than 40% of the total usage of the vehicle is devoted to the transporting or storing of goods, wares or merchandise.

(i) A vehicle used to transport or store goods, wares or merchandise intended for sale in the ordinary course of the vehicle operator's or owner's business, provided that if the vehicle is owned by an individual, has a maximum load carrying capacity of 1,000 pounds or less, and is so used on only a part-time basis, such vehicle shall not be deemed a commercial vehicle under 540 CMR 2.05(3): Commercial Vehicle (i). Part-time Basis shall mean that not more than 40% of the total usage of the vehicle is devoted to the transporting or storing of goods, wares or merchandise.

Hearse, is any vehicle regularly used in the course of business of a licensed embalmer or a licensed funeral director.

Livery Vehicle, is any limousine or other vehicle which is designed to carry 15 or fewer passengers, including the driver, and carries passengers for hire, business courtesy, employee shuttle, customer shuttle, charter or other pre-arranged transportation, and which vehicle is not required to obtain a taxicab license pursuant to M.G.L. c. 40, § 22.

Personal Transportation Network Vehicle is a private passenger motor vehicle that is used by a Transportation Network Company Driver to provide Transportation Services for a Transportation Network Company.

Private Passenger Motor Vehicle, is any vehicle:

(a) which has a vehicle weight rating or curb weight of 6,000 lbs. or less as per manufacturer's description of said vehicle or is a sport utility vehicle or passenger van; or which is a pickup truck or cargo van of the ½ TON, ¾ TON or one TON class as per manufacturer's description of said vehicle; or which is a vehicle used solely for official business by any college or university police department whose officers are appointed as special police officers by the colonel of the state police under M.G.L. c. 22C, § 63; and,

(b) which, if a pickup truck or cargo van, is registered or leased to an individual, and is used exclusively for personal, recreational, or commuting purposes; and,

(c) which, other than a Personal Transportation Network Vehicle, is not described in elsewhere in 540 CMR 2.05.

Pleasure Vehicle, Passenger Vehicle, Passenger Car, Automobile and Pleasure Passenger vehicle are synonymous with Private Passenger Motor Vehicle as defined in 540 CMR 2.05: Private Passenger Motor Vehicle. For the avoidance of doubt, Private Passenger Motor Vehicle shall include, but not be synonymous with, Personal Transportation Network Vehicle.

School Pupil Transport Vehicle, is any vehicle which is required to comply with the special equipment and licensing requirement of M.G.L. c. 90, § 7D or § 7D½.

Taxicab, is any vehicle which carries passengers for hire, and which is licensed by a municipality pursuant to M.G.L. c. 40, § 22 as a taxicab.

Transportation Network Company is a corporation, partnership, sole proprietorship, or other entity operating in Massachusetts that, for consideration, will arrange for a passenger to be transported by a driver between points chosen by the passenger. A Transportation Network Company must hold a valid Transportation Network Company Certificate issued by the Department of Public Utilities or a notice issued by the Department of Public Utilities within the preceding six months certifying that, as of the date of the notice, the Department of Public Utilities is not issuing Transportation Network Company Certificates.

Transportation Network Company Driver or TNC Driver is an individual who, on behalf of a Transportation Network Company, provides Transportation Services to TNC Riders.

Transportation Network Company Rider or TNC Rider is any passenger who is transported by a TNC Driver for consideration and whose transportation is arranged by a TNC.

Transportation Services are the transportation of a passenger between points chosen by the passenger for consideration.

Vanpool Vehicle, is any vehicle with a seating arrangement designed to carry seven to fifteen adults, including the driver, and is used by seven or more persons commuting on a daily basis to and from work, as classified in M.G.L. c. 63, §§ 31D through 31F.

20

AUOD bylaw amendment
DRAFT – September 4, 2015

*Approved
9-8-15*



WARRANT : To see if the Town will vote to amend the Medway Zoning Bylaw, 5.6.2 Adaptive Use Overlay District, by revising D. Use Regulations, 2. Uses Allowed by Special Permit as follows:

By revising the following:

- c. Retail sales for handcrafted merchandise, original arts and crafts or copies thereof, antiques, and second hand goods, **gifts, clothing, accessories, and decorative home furnishings.**
- d. Food services, including but not limited to bakeries, cafés, coffee shops, delicatessens, frozen dessert shops, pastry shops, or sandwich shops **and other specialty food items, not to exceed 3,000 sq. ft.**

By adding a new item h.

- h. *Individual* **Consumer services including but not limited to opticians, personal fitness, tailor, shoe repair, music lessons, and travel agency.**

And by renumbering the existing item h. to become item i.

DRAFT

ZBL AMENDMENTS – USE TABLE
Revised Draft – September 2, 2015

*Approved
9-8-15*

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 5,000 sq. ft. 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 N	PB	N	N PB	N PB	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
REVISED DRAFT – September 2, 2015**

*Approved
9-8-15*

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 deleting items 2. b, c, and d. in E. General Requirements and relabeling item e. to become item b.

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.

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

DRAFT

*approved
9-8-15*

ZONING DISTRICT BOUNDARIES
Draft – September 3, 2015

ARTICLE : To see if the Town will amend the Medway Zoning Bylaw by adding a new Section 4.4 to read as follows:

4.4 ZONING DISTRICT BOUNDARIES

Where a zoning district boundary line is shown on the Zoning Map as a public or private way, the center line of the way shall be the zoning district boundary line.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

DRAFT

**Home Based Business – Amendments
Revised – September 2, 2015**

*Amey
P.S.*

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 deleting the second sentence in 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.~~

And by adding a new item 6. As follows:

6. There shall be no outside parking of more than two Class 3 commercial motor vehicles and no commercial motor vehicles rated Class 4 and above as defined by gross vehicle weight rating (GVWR).

And by renumbering the remaining items 6 – 9 to become items 7 – 10.

And by adding the following:

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

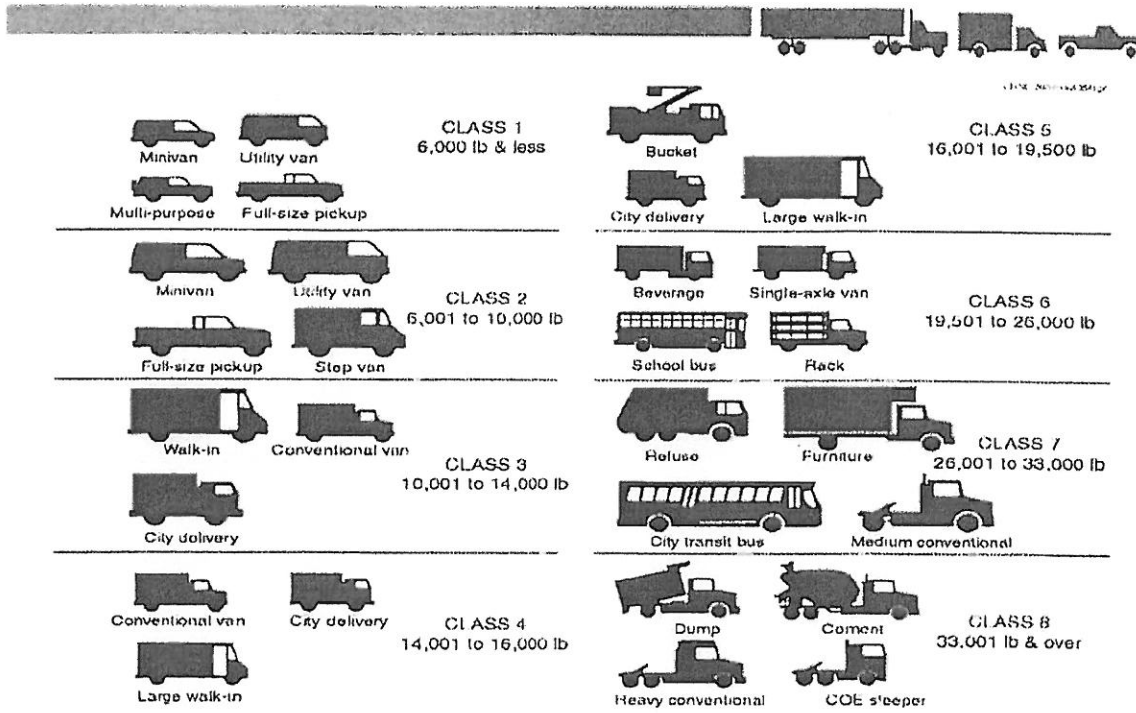
Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

DRAFT

25

Truck Classifications



**ZBL Amendments - Nonconforming Uses and Structures
REVISED – September 2, 2015**

*Amended
9-8-15*

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. 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 re-established.~~
- ~~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. Any nonconforming use that has been abandoned, or not used for more two years, shall lose any protected nonconforming status, and shall be subject to all of the provisions of this Zoning Bylaw.

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD