

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS



**IN THE MATTER OF:**     **The Town of Medway**  
                                  **Petitioner**  
                                  **(Tom Holder, Department of Public Services)**

*20 Day Appeal*  
*Aug. 27, 2014*

**Owner**                             **The Town of Medway**  
  **0 Adams Street**  
  **Medway, MA 02053**

**OPINION OF THE BOARD**

**REQUEST FOR SPECIAL PERMIT**  
**0 Adams Street, Medway, MA**

**Hearing: June 4, 2014**  
**Decision: August 6, 2014**

**MEMBERS PRESENT:**     **David Cole, Chairman**  
                                  **Tony Biocchi**  
                                  **Carol Gould**  
                                  **Arlene Doherty**  
                                  **Craig Olsen**

**THE WRITTEN OPINION WAS DELIVERED ON August 6, 2014**

## OPINION OF THE BOARD

This is a proceeding of the Zoning Board of Appeals of the Town of Medway, MA (hereinafter the Board) acting under the Zoning By-Law of the Town of Medway, MA, 02053, and Massachusetts General Laws, Chapter 40A, as amended, in which the petitioner, The Town of Medway, requests Special Permit V.B.6.g to construct a new multi-purpose synthetic turf field, new 68 space parking lot, and various site amenities including a 4-pole MUSCO athletic lighting system, located on Lot 29-020 (0Adams Street), Medway, MA 02053

### Hearing

Notice of the Public Hearing by the Zoning Board of Appeals in this matter was published in the Milford Daily News on May 21<sup>st</sup> and 28<sup>th</sup>. Notice also was sent to all "parties of interest and posted in the Town Hall as required by Massachusetts General Laws, Chapter 40A, Section II.

### Hearing Summary

The petitioners, The Town of Medway, represented by Tom Holder and Sean Boyd, Civil Engineering Division of Gale Associates, appeared before the Board to request a Special Permit for the proposed 4-pole Musco athletic lighting system as designed. The track is to be resurfaced, extra parking, and a walking trail that will connect to Choate Park, are to be provided.

The lighting system will allow for the Town of Medway to fully utilize the new synthetic turf field by permitting its use during hours of darkness; since the installation will meet the 0.01 foot candle level at the property line, it will not cause substantial detriment to the public good.

The lots are adjacent to the High School as referenced by drawing #G003, dated March 27, 2014. The plans show the installation of stadium lighting on both of the proposed athletic fields. The proposed facility improvement shall require a Special Permit from the Zoning Board of Appeals for Lot 29-020. No permit is sought for the southern field identified as Lot 38-339, since the Town has received professional advice that the Dover Amendment exempts this lot for educational use.

Several members of the public were present and expressed concern about the proposed lighting, especially as regards to its operation late at night, and noise caused by people leaving the field. The applicant's representatives explained that it was not proposed to use the field later than 9:00 or 9:30 pm, and that they would not oppose reasonable restrictions on hours of use. Some discussion followed regarding the hours at which the parking lot lights in the parking lot might be inconsistent with public safety requirements, and in any case the relatively low lights in the parking lot would cause little disturbance to owners of adjoining properties.

### Findings:

By unanimous vote

1. The grant of a suitably conditioned Special Permit V.B.6.g would not cause substantial detriment to the public good.

2. The grant of a suitably conditioned Special Permit V.B.6.g would not be inconsistent with criteria set forth in Section III.J of the Medway Zoning ByLaw.

**Relief Granted**

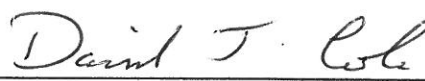
By unanimous vote

A Special Permit is granted to the Town of Medway for the construction of a 4-pole MUSCO lighting system for the newly erected athletic field at 0 Adams Street, Medway, subject to the following terms and conditions:

1. Lighting on the field shall not be operated after 10PM.
2. Light levels at property lines shall not exceed 0.01 ft. candles at any elevation.
3. Post construction, Applicant shall submit a photometric plan as built.
4. The construction shall be in general accordance with the plan submitted with the application dated March 27, 2014 and revised April 14, 2014.

The Board hereby makes a detailed record of its findings and proceedings relative to this petition, sets forth its reasons for its findings and decision, incorporates by reference any plan or diagram received by it, directs that this decision be filed in the office of the Town Clerk and be made a public record and that notice and copies of its decision be made forthwith to all parties or persons interested.

***IN ACCORDANCE WITH MASSACHUSETTS GENERAL LAW, CHAPTER 40A, SECTION 11 NO VARIANCE, SPECIAL PERMIT OR CONSTRUCTIVE GRANT OF A VARIANCE TAKES EFFECT UNTIL RECORDED IN THE REGISTRY OF DEEDS.***

  
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David Cole, Chairman

  
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Tony Biocchi

  
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