

TOWN OF MEDWAY
WARRANT FOR MAY 8, 2017
ANNUAL TOWN MEETING

NORFOLK ss:

To either of the Constables of the Town of Medway

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of said Town who are qualified to vote in Town affairs to meet at the **Medway High School, 88 Summer Street**, on **Monday, May 8, 2017** at 7:30 PM, then and there to act on the following articles:

ARTICLE 1: (ESCO Stabilization Reserve Transfer)

To see if the Town will vote to transfer the sum of \$34,396 from the ESCO Stabilization Fund to the Fiscal Year 2017 Debt Service expense account for the purpose of funding ESCO related debt service, or act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 2: (Appropriation: FY18 Operating Budget)

To see if the Town will vote to fix the salary and compensation of all elected officers of the Town, provide for a Reserve Fund, and determine what sums of money the Town will raise and appropriate, including appropriation from available funds, to defray charges and expenses of the Town including debt and interest, for the Fiscal Year ending June 30, 2018, or to act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 3: (Appropriation: FY18 Water Enterprise Fund)

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$2,522,849 for the maintenance of the Water Department Enterprise Fund as follows, or to act in any manner relating thereto:

Direct Costs

	Amount
Salaries	\$ 697,603
Expenses	611,100
Debt	946,054
Direct Costs Total	\$2,254,757

Indirect Costs

And further to raise and appropriate or transfer from available funds the sum of \$290,977 for indirect costs consisting of health insurance, workers' compensation, Medicare, liability insurance, administrative and operational services.

Indirect Costs Total	\$268,089
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Total	\$2,522,849
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And further that the above listed appropriations be funded as follows:

Fees for Service [User Fees]	\$2,522,849
Total	\$2,522,849

WATER SEWER COMMISSION

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 4: (Appropriation: FY18 Sewer Enterprise Fund)

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$1,659,630 for the maintenance of the Sewer Department Enterprise Fund as follows, or to act in any manner relating thereto:

Direct Costs

	Amount
Salaries	\$ 250,427
Expenses	1,050,250
Debt	242,832
Direct Costs Total	\$1,543,509

Indirect Costs

And further to raise and appropriate or transfer from available funds the sum of \$123,301 for indirect costs consisting of health insurance, workers' compensation, Medicare, liability insurance, administrative and operational services.

Indirect Costs Total	\$116,121
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Total	\$1,659,630
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And further that the above listed appropriations be funded as follows:

Fees for Service [User Fees]	\$1,642,575
Sewer Betterment Stabilization	17,055
Total	\$1,659,630

WATER SEWER COMMISSION

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 5: (Appropriation: FY18 Solid Waste Enterprise Fund)

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of \$1,633,234 to operate the Solid Waste/Recycling Department Enterprise Fund as follows, or to act in any manner relating thereto.

Direct Costs

	Amount
Salaries	\$ 342,425
Expenses	1,117,342
Debt	14,626
Direct Costs Total	\$1,474,393

Indirect Costs

And further to raise and appropriate or transfer from available funds the sum of \$169,764 for indirect costs consisting of health insurance, workers' compensation, Medicare, liability insurance, administrative and operational services.

Indirect Costs Total	\$158,841
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Total	\$1,633,234
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And further that the above listed appropriations be funded as follows:

Trash Recycling Fees/Bag Revenues	\$1,450,000
Solid Waste Retained Earnings	183,234
Total	\$1,633,234

PUBLIC SERVICES DEPT.

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 6: (Appropriation: FY18 Ambulance Enterprise Fund)

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$865,645 to operate the Ambulance Enterprise Fund as follows, or act in any manner relating thereto.

Direct Costs

	Amount
Salaries	\$422,489
Expenses	230,225
Debt	72,400
Direct Costs Total	\$725,114

Indirect Costs

And further to raise and appropriate or transfer from available funds the sum of \$147,880 for indirect costs consisting of health insurance, workers' compensation, Medicare, liability insurance, administrative and operational services.

Indirect Costs Total	\$140,531
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Total	\$865,645
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And further that the above listed appropriations be funded as follows:

General Fund Appropriation	\$150,000
Ambulance Retained Earnings	80,645
Insurance and Fees for Service	635,000
Total	\$865,645

FIRE DEPARTMENT

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 7: (Free Cash Appropriation: Capital and Other Items)

To see if the Town will vote to appropriate the sum of \$1,717,954 from Certified Free Cash for the purpose of funding the following capital and other items, including associated engineering, personnel, maintenance and legal service costs; said appropriations to be expended by June 30, 2018, with unexpended funds as of June 30, 2018 being returned to the General Fund, or act in any manner relating thereto:

Project	Department	Cost
Various Road and Sidewalk Repair	DPS	\$325,000

Classroom Furniture – Middle School	School	\$302,667
Food Service Equipment Replacement	School	\$110,000
Boiler Replacements Design – McGovern and Memorial	School	\$40,000
Fire Alarm System – McGovern	School	\$95,000
School Passenger Van	School	\$55,000
Service Truck Replacement	School	\$36,000
Technology Replacements	Info. Services	\$161,500
System-wide Town Security Cameras	Info. Services	\$86,667
Generator Replacement	Police	\$90,000
Facility and Systems Security Improvements	Police	\$80,800
Digitize Police Logs and Arrest Reports	Police	\$6,300
Roof and Gutter Repairs	Library	\$60,000
Lower Level A/C Unit Replacement	Library	\$10,000
Replace Inspector's Vehicle AWD/4WD	Inspectional Svcs.	\$25,000
Sidewalk Repair and Access Improvement	Council on Aging	\$25,000
Gas Stove Replacement	Council on Aging	\$6,000
ALS Equipment and Turnout Gear	Fire	\$158,020
Replace Turnout Gear	Fire	\$45,000
Free Cash Total		<u>\$1,717,954</u>

**CAPITAL IMPROVEMENT
PLANNING COMMITTEE**

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **To Be Determined**

ARTICLE 8: (Free Cash Appropriation: Oak Grove Project)

To see if the Town will vote to appropriate the sum of \$74,400 from Certified Free Cash for the purpose of funding initial land acquisition costs, including but not limited to any legal and technical costs associated thereto, for the purpose of implementing a redevelopment and/or urban renewal plan for the so-called Oak Grove project, with said funds to be expended under the direction of the Community Development Department in consultation with the Redevelopment Authority, or act in any manner relating thereto:

**CAPITAL IMPROVEMENT
PLANNING COMMITTEE**

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 9: (Repurpose Community Development Funds – Master Plan)

To see if the Town will vote to repurpose the sum of \$45,000 previously voted under Article 4 of the May 2014 Special Town Meeting, originally for a Community Development Program, for the purpose of providing for technical and consulting services for the 2019 Update of the Medway Master Plan or act in any manner relating thereto:

**CAPITAL IMPROVEMENT
PLANNING COMMITTEE and
BOARD OF SELECTMEN**

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 10: (Transfer – Retained Earnings – Sewer Enterprise)

To see if the Town will vote to transfer from Sewer retained earnings the sum of \$50,000 for Fiscal Year 2018 from the Sewer Enterprise Fund for the purpose of funding the following project(s), including associated engineering, personnel, maintenance and legal services costs:

Project	Department	Cost
Various Sewer Collection Projects	SEWER	\$50,000
Total		\$50,000

Or act in any manner relating thereto.

PUBLIC SERVICES DEPT.

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 11: (Transfer – Retained Earnings – Water Enterprise)

To see if the Town will vote to transfer from Water retained earnings the sum of \$73,000 for Fiscal Year 2018 from the Water Enterprise Fund for the purpose of funding the following project(s), including associated engineering, personnel, maintenance and legal services costs:

Project	Department	Cost
Replace Truck (2004 Chevy Silverado)	WATER	\$58,000
Various Water System Improvements	WATER	\$15,000
Total		\$73,000

Or act in any manner relating thereto.

PUBLIC SERVICES DEPT.

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 12: (Free Cash Transfer to General Stabilization)

To see if the Town will vote to transfer the sum of \$100,000 from Certified Free Cash to the General Stabilization Fund, or act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 13: (Lease-Purchase Air Packs)

To see if the Town will vote to appropriate the sum of \$263,200 for the procurement of self-contained breathing apparatus for the Medway Fire Department, and to meet this appropriation the Board of Selectmen is authorized to enter into a lease-purchase agreement with a qualified vendor and financing program exceeding three years, with funding for said program to be provided under Section 1a of the Host Community Agreement between the Town and COMMCAN, Inc. dated May 16, 2016, or to act in any manner relating thereto.

FIRE/EMS DEPTS.

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 14: (Appropriation: Health Care Reimbursement Account)

To see if the Town will vote to Raise and appropriate the sum of \$150,000 to the Health Care Reimbursement Account, or act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 15: (Appropriation: OPEB Trust)

To see if the Town will vote to accept Mass. General Law Chapter 32B, Section 20, as recently amended, and to raise and appropriate the sum of \$100,000 to the Town of Medway Other Post-Employment Benefits (OPEB) Trust account, or act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 16: (Appropriation: Medway Day)

To see if the Town will vote to raise and appropriate the sum of \$9,500 for Medway Day, or act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 17: (Transfer to Athletic Fields Stabilization Fund)

To see if the Town will vote to transfer the sum of \$50,000 from the Parks Revolving Fund to the Athletic Fields Stabilization Fund, or act in any manner relating thereto.

PARKS AND RECREATION COMMISSION

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 18: (Appropriation: Community Preservation Committee)

To see if the Town will vote to act on the report of the Community Preservation Committee for the Fiscal Year 2018 Community Preservation budget and to appropriate, or reserve for later appropriations, monies from the Community Preservation Fund annual revenues or available funds for the administrative expenses of the Community Preservation Committee, the payment of debt service, the undertaking of community preservation projects and all other necessary and proper expenses for the Fiscal Year 2018, as follows:

CPC Administrative Expenses	\$15,000
CPC Salaries	5,000
CPC Debt Expense	463,475
<u>Transfer To Affordable Housing Trust:</u>	
Affordable Housing Trust Coordinator	20,000
Affordable Housing Trust Administrative	2,000
Total Direct Costs	\$505,475

Reserves:

**10% of Estimated
Fund Revenues**

Open Space	91,076
Community Housing	69,076
Historical Preservation	91,076

or act in any manner relating thereto.

COMMUNITY PRESERVATION COMMITTEE

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 19: (Fund Trail Kiosks and Signage)

To see if the Town will vote to transfer from available Community Preservation Act Fund Open Space Reserves the sum of \$10,000 to the Open Space Committee to fund the costs of producing identification and wayfinding signage for Medway's various open space areas and trails, or to act in any manner relating thereto.

OPEN SPACE COMMITTEE

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 20: (Fund Adams Street Meadow Parking Area)

To see if the Town will vote to transfer from available Community Preservation Act Fund Open Space Reserves the sum of \$2,000 to the Open Space Committee to fund the costs of natural surface materials for developing a small parking area at the Adams Street meadow site, or to act in any manner relating thereto.

OPEN SPACE COMMITTEE

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 21: (Fund Open Space Master Plan)

To see if the Town will vote to transfer from Community Preservation Act Fund Open Space Reserves the sum of \$25,000 to the Community and Economic Development Department to fund the costs to update the Town of Medway's official Open Space and Recreation Plan, or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

OPEN SPACE COMMITTEE CONSERVATION COMMISSION

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 22: (Repurpose Borrowing – Library Fixtures and Equipment)

To see if the Town will vote to re-purpose \$34,000 of unexpended bond proceeds originally voted under Article 9 of the 2015 Annual Town Meeting and, further, to transfer the proceeds to make improvements to the property and to purchase fixtures and equipment at the Medway Public Library, or act in any manner relating thereto.

LIBRARY DIRECTOR

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 23: (Land Acquisition: DPS Facility – 0R Crooks St)

To see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase, eminent domain or otherwise and to accept the deed to the Town of a fee simple interest in all or a portion of a parcel of land located at 0R Crooks Street, Assessors Map 50, Parcel 50-003, containing 1.5 acres more or less, upon such terms and conditions as the Board of Selectmen shall determine to be appropriate, to be under the management and control of Board of Selectmen for general municipal purposes, and, further, to see if the Town will vote to transfer from available funds or raise and appropriate a sum of money to pay costs of obtaining the property and for the payment of all other costs incidental and related thereto and to authorize the Board of Selectmen and Town officers to take all related actions necessary or appropriate to carry out this acquisition, including the submission, on behalf of the Town, of any and all applications deemed necessary for grants and/or reimbursements from any state or federal programs and to receive and accept such grants or reimbursements for this purpose, and/or any other purposes in any way connected with the scope of this Article, or act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: **Approve–Not to Exceed \$4,500**

FINANCE COMMITTEE RECOMMENDATION: **To Be Determined**

ARTICLE 24: (Land Acquisition: DPS Facility – 13R Chestnut St)

To see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase, eminent domain or otherwise and to accept the deed to the Town of a fee simple interest in all or a portion of a parcel of land located at 13R Chestnut Street, Assessors Map 51, Parcel 51-007, containing 0.957 acres more or less, upon such terms and conditions as the Board of Selectmen shall determine to be appropriate, to be under the management and control of Board of Selectmen for general municipal purposes, and, further, to see if the Town will vote to transfer from available funds or raise and appropriate a sum of money to pay costs of obtaining the property and for the payment of all other costs incidental and related thereto and to authorize the Board of Selectmen and Town officers to take all related actions necessary or appropriate to carry out this acquisition, including the submission, on behalf of the Town, of any and all applications deemed necessary for grants and/or reimbursements from any state or federal programs and to receive and accept such grants or reimbursements for this purpose, and/or any other purposes in any way connected with the scope of this Article, or act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: **Approve–Not to Exceed \$19,500**

FINANCE COMMITTEE RECOMMENDATION: **To Be Determined**

ARTICLE 25: (Accept MGL Ch. 138 – Cordials & Liqueurs)

To see if the town will vote to accept the provisions of the following paragraph of Massachusetts General Laws Chapter 138, Section 12: “A common victualler, who holds a license under this section to sell wines and malt beverages may, upon written approval, also sell liqueurs and cordials pursuant to said license, subject, however, to all other licensing provisions of this chapter.”, or act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 26: (Amend General Bylaws – Revolving Funds; Authorize FY18 Spending Limits)

To see if the Town will vote pursuant to the provisions of Massachusetts General Laws Chapter 44, Section 53E½, as most recently amended, to authorize revolving funds for fiscal year 2018, and/or to amend the General Bylaws by inserting a new bylaw establishing various revolving funds, specifying the departmental receipts to be credited to each fund, the departmental purposes or programs for which each fund may be expended, and the entity authorized to expend each fund, such bylaw to provide as follows:

Revolving Funds

There are hereby established in the Town of Medway pursuant to the provisions of General Laws Chapter 44, Section 53E½, the following Revolving Funds:

Program or Purpose	Authorized Representative or Board to Spend	Department Receipts
Self-supporting parks and recreation services	Department of Public Services	Fees and charges received from permitting parks, fields, and recreational activities.
Dial-a-ride van service for seniors and disabled; shuttle service to Norfolk commuter rail station, and other necessary transportation services	Council on Aging Department	Fees, charges or donations received in connection with transportation services provided through the Council on Aging and the Greater Attleboro Taunton Regional Transit Authority (GATRA) reimbursement.
Library printer, copier and fax expenses	Library Department	Fees or charges received in connection with public use of this equipment.
Library meeting room	Library Department	Fees or charges received in connection with public use of meeting rooms.

Thayer Homestead partial self-support of property	Town Administrator	Fees or charges received in connection with rental of the facility.
Tobacco license compliance inspections	Health Department	Tobacco license fees

Expenditures from each revolving fund set forth herein shall be subject to the limitation established annually by Town Meeting or any increase therein as may be authorized in accordance with General Laws Chapter 44, Section 53E½.

And, further, to set Fiscal Year 2018 spending limits for such revolving funds as follows:

Program or Purpose	FY 2018 Spending Limit
Self-supporting parks and recreation services	\$150,000
Dial-a-ride van service for seniors and disabled; shuttle service to Norfolk commuter rail station, and other necessary transportation services	\$120,000
Library printer, copier and fax expenses	\$3,000
Library meeting room	\$1,000
Thayer Homestead partial self-support of property	\$50,000
Tobacco license compliance inspections	\$2,500

Or take any other action relative thereto.

BOARD OF SELECTMEN
(For the Various Departments Indicated)

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 27: (Amend General Bylaws: License or Permit Denial)
To see if the Town will vote to amend Medway General Bylaws Article XVI, License or Permit Denial, Section 16.1, to conform to recent amendments to Massachusetts General Law Chapter 40, Section 57, as follows:

Section 16.1: insert after the word “annually”, the following: “, and may periodically”; and delete the words: “for not less than a twelve month period”.

Or act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 28: (Amend General Bylaws: Fire Dept.)

To see if the Town will vote to amend Medway General Bylaws, Article III, Fire Department, by eliminating in its entirety the wording in Section 3.2.1 and replacing it with the following:

“Any call firefighter of the Medway Fire Department must be a resident of the Town of Medway or a municipality which is contiguous to the Town of Medway.”,

And, by also eliminating in its entirety Section 3.3 of said Article III and reserving this section number for future use, or act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 29: (Amend General Bylaws: Stormwater Regulation)

To see if the Town will vote to amend the Medway General Bylaws Stormwater Management Article XXVI by replacing the language in its entirety with the proposed text dated March 24, 2017 as found on file in the Office of the Town Clerk and at the Medway Public Library, or act in any manner related thereto.

DEPARTMENT OF PUBLIC SERVICES CONSERVATION COMMISSION

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 30: (Article Removed – Article Number Reserved)

ARTICLE 31: (Amend Zoning Bylaws – Nonconforming Uses and Structures)

To see if the Town will vote to amend Section 5.5. Paragraph B Nonconforming Uses and Structures of the Zoning Bylaw as follows:

B. Commencement of Construction or Operation. Construction or operations under a building permit or special permit shall conform to any subsequent amendments to this Zoning Bylaw, unless the use or construction is commenced within a period of not more than ~~six~~ **twelve** months after the issuance of the permit and in any case involving construction, unless such construction is continued through to completion as continuously and expeditiously as is reasonable.

Or act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 32: (Amend Zoning Bylaws: Flood Plain/Wetland Protection District)
To see if the Town will vote to amend the Zoning Bylaw, Sub-Section 5.6.1 Flood Plain/Wetland Protection District by revising Paragraph C. Applicability as follows:

C. Applicability. The Flood Plain/Wetland Protection District includes:

All special flood hazard areas designated as Zone A or AE on the Norfolk County Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program as may be updated or revised. The map panels of the Norfolk County FIRM that are wholly or partially within the Town of Medway are panel numbers 25021C - 0136E, 0137E, 0138E, 0139E, 0141E, 0142E, 0413E, and 0144E with a preliminary date of June 12, 2009 and an effective date of July 17, 2012. The exact boundaries of the District may be defined by the 100-year base flood elevations shown on the FIRM and further defined by the Norfolk County Flood Insurance Study (FIS) with an effective date of July 17, 2012. The FIRM and FIS report are incorporated herein by reference and are on file with the Town Clerk, Planning and Economic Development Board, Conservation Commission, Building Department and Board of Assessors.

And by deleting items 2-5 in Paragraph C. Applicability as noted below:

~~2. All land bordering any natural water body that lies within a horizontal distance of twenty-five feet from the mean high water line except as otherwise defined on the Flood Plain/Wetland Protection District Map.~~

~~3. All water bodies encircled by boundary lines of the District.~~

~~4. All that land along the following named brooks and their tributaries: Stall Brook, Hopping Brook, Chicken Brook and certain unnamed brooks and streams that lie within a horizontal distance of twenty-five feet of the thread of said brooks and streams except as otherwise defined on the Flood Plain/Wetland Protection District Map.~~

~~5. All those wetlands which may be described as upland swamps or marshes which lie at the source of the brooks or their tributaries or which lie in surface depressions without drainage outlets, as defined on the Flood Plain/Wetland Protection District Map.~~

And by changing the name of Sub-Section 5.6.1 from Flood Plain/Wetland Protection District to Flood Plain District.

And by changing all references to Flood Plain/Wetland Protection District in Sub-Section 5.6.1 to Flood Plain District.

And by changing the reference to Flood Plain/Wetland Protection district in Paragraph C. 1 Overlay Districts in Section 4.1 Districts and in Paragraphs A and B in Section 4.2 Zoning Map to Flood Plain District.

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 33: (Amend Zoning Bylaws: Correct Internal Cross References)

To see if the Town will vote to amend the Zoning Bylaw at various locations throughout to correct the numbering of internal cross references to other sections or sub-sections of the Bylaw as follows:

In Sub-Section 5.6.2 Adaptive Use Overlay District, Paragraph E. Medway Mill Conservation Subdistrict.

- In the opening paragraph, by deleting the reference to SECTION 1 and inserting **5.6.2. A.** in its place.
- In item 1. Permitted Uses, by deleting the reference to Section D(1) and D(2) and inserting **5.6.2.D.1. and D.2.** in its place.

In Section 7.2 Signs, Sub-Section 7.2.2 Exempt Signs, Paragraph A. 16. c., by deleting references to Paragraphs 7 and 8 and replacing those with **7.2.4 and 7.2.5** in its place.

In Section 7.2 Signs, Sub-Section 7.2.6 Administration, Paragraph A. 1, by deleting the reference to Paragraph 5 and inserting **7.2.2** in its place.

In Section 7.3 Environmental Standards, by deleting the reference in Paragraph A. to Section 3 and inserting **SECTION 5.** in its place.

In Section 8.1 Infill Housing, by deleting the reference in Paragraph C. Basic Requirements, 4. to Section 5.5.1 and inserting **Section 8.1.** in its place.

In Section 8.5 Adult Retirement Community Planned Unit Development, Paragraph H. Open Space, 2. by deleting the reference to Section 5.5.3.(F) and inserting **8.4. F.** in its place.

In Section 8.4 Open Space Residential Development, Paragraph I. Special Permit Procedures, 3. Decision, by deleting the reference in a. to Section 5.5.3 and inserting **Section 8.4** in its place.

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 34: (Amend Zoning Bylaws: New Definitions)

To see if the Town will vote to amend the Zoning Bylaw, SECTION 2 DEFINITIONS by adding certain **new definitions** in alphabetical order, by revising other definitions, and inserting Figure A as follows: (deletions are noted with a ~~strike through~~):

Assisted Living or Congregate Living Facility: An assisted living residence facility as defined by G.L. c. 19D.

Buffer Area – Natural, wooded, vegetated, open areas, earthen berms or mounds, landscaped areas or any combination thereof including fences and walls, used to physically separate or screen one use or property from another use or property or provide a visual or sound barrier between adjacent properties by shielding or reducing noise, lights or other intrusions.

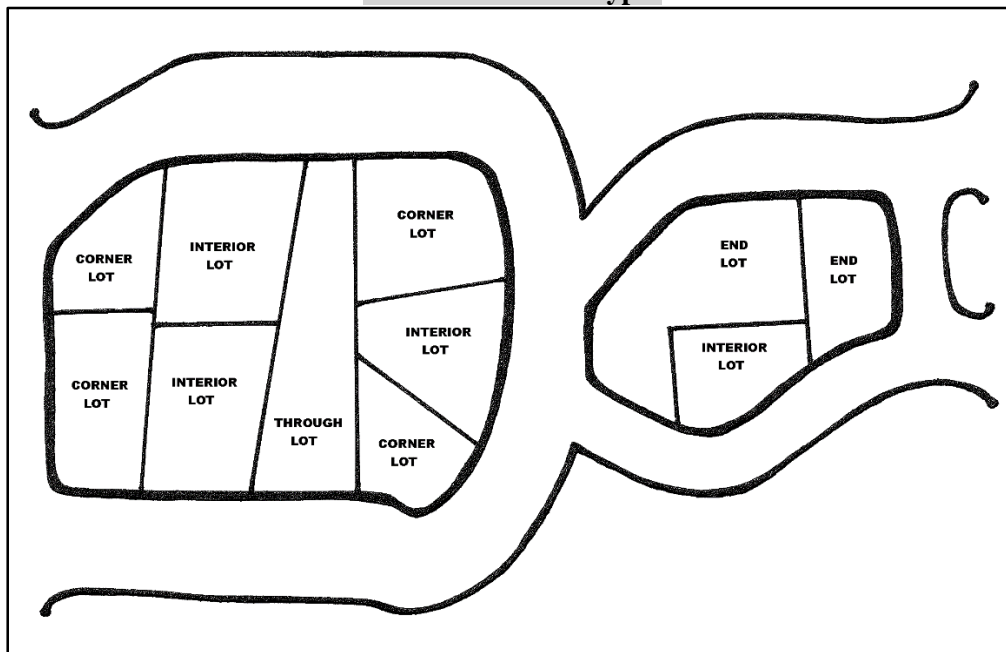
Frontage: That portion of a lot which fronts on a street or streets from which physical access to the principal building on the lot can be provided. Frontage is measured as the distance between the points of intersection of the side lot lines with the front lot line. In the case of a corner lot bounding more than one street, the measurement on both streets may be used to determine if the lot meets the minimum frontage requirements of the particular zoning district. With a corner lot, the frontage is measured from the side lot line to the midpoint of the arc that constitutes the corner rounding at the intersection of the two streets. See Section 6.2., Paragraph E.

Lot: A single area of land in one ownership defined by bounds or boundary lines in a recorded deed or shown on a recorded plan.

- **Lot, Corner:** A lot that is contiguous with the intersection of two streets meeting at an angle of less than one-hundred and thirty-five degrees. A corner lot has two front lot lines. A lot that is contiguous with one street and located at an arc of said street which is less than one hundred and thirty-five degrees shall also be defined as a corner lot.
- **Lot, End:** A lot that is contiguous with the intersections of one or more streets meeting at an angle of less than one-hundred and thirty-five degrees at two or more points. An end lot has at least three front lot lines. A lot that is contiguous with one or more streets and located at an arc of said streets which is less than one hundred and thirty-five degrees at two or more points shall also be defined as an end lot.
- **Lot, Interior:** Any lot which is not a Corner Lot or an End Lot.
- **Lot, Through:** An interior lot having a pair of parallel, or approximately parallel, front lot lines and street frontages.

See Figure A – Lot Types

FIGURE A – Lot Types



Lot Area: The total area of a lot, including land over which permanent easements have been granted, but not including the area of any adjacent street rights-of-way.

Lot Line: A line of record bounding a lot that divides one lot from another lot or from a way or any public space.

- **Lot Line, Front:** A lot line separating a lot from a street right of way.
- **Lot Line, Rear:** A line separating a lot from other lots or from land in a different ownership, being the boundary of a lot which is opposite or approximately opposite the front lot line. Any lot line other than a front or side lot line.
- **Lot Line, Side:** Any lot line other than a front or rear lot line. Any lot line which intersects a front lot line.

Manufacturing – The transformation or processing of raw materials or substances, components or parts into new finished or semi-finished products by the use of machines, tools, and labor through a mechanical, chemical or other process. Also includes May also include the blending of materials, fabrication, and the assembly of component parts, and the packaging of products for distribution, storage and sale.

- **Assembly** – The putting together of manufactured parts to make a machine or other completed product
- **Fabrication** – A manufacturing process in which an item is made from raw or semi-finished materials instead of being assembled from ready-made components or parts
- **Packaging** – The enclosing or protecting of manufactured products for distribution, storage, sale and use.

- **Processing** – A manufacturing process in which a series of mechanical or chemical operations takes place on something in stages or a sequence of actions taken in order to change or preserve something during production

- **Light Manufacturing** – The manufacturing of finished products or parts from predominantly previously prepared materials, which may include processing, fabrication, assembly, treatment, and packaging of such products, provided that all manufacturing activities are contained entirely within a building and any resulting noise, dust, glare, odor, smoke, heat, and vibration are confined entirely within the building.

Tract: An area, piece of land, property, site, parcel, or lot or a combination thereof.

Two Family House/Duplex: A building intended and designed to be occupied by two families living independently in separate dwelling units within the same building, each of which has direct access to the outside.

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 35: (Amend Zoning Bylaws: Schedule of Uses, Table 1)

To see if the Town will vote to amend the Zoning Bylaw, Section 5.4 Schedule of Uses, TABLE 1: Schedule of Uses as shown below:

NOTE: Table 1 Legend

Y: A use permitted by right

N: A prohibited use

SP: A use that may be allowed by special permit from the Zoning Board of

Appeals

TABLE 1: SCHEDULE OF USES										
	AR-I	AR-II	VR	CB	VC	C-V	BI	I-I	I-II	I-III
C. RESIDENTIAL USES										
Detached single-family dwelling house	Y	Y	Y	N	Y	N	N	N	N	N
Two family house/duplex dwelling, provided that the exterior of the dwelling has the appearance of a single-family house dwelling.	N	SP	SP	N	N	N	N	N	N	N
E. INDUSTRIAL AND RELATED USES										

Manufacturing, processing, fabrication, packaging and assembly, and storage of goods manufactured on the premises	N	N	N	N	N	N	Y	Y	Y	Y
Light Manufacturing	N	N	N	N	N	Y	Y	Y	Y	Y

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 36: (Amend Zoning Bylaws: OSRD)

To see if the Town will vote to amend the Zoning Bylaw, Section 8.4, Open Space Residential Development (OSRD) as described below:

By inserting a new Paragraph D. Affordable Housing as follows and relabeling Paragraphs D through J to become E through K.

D. Affordable Housing. An OSRD is subject to Sub-Section 8.6 Affordable Housing of this Bylaw.

And by revising existing Paragraph E. Density and Dimensional Regulations, Item 3. as follows:

E. Density and Dimensional Regulations

3. ~~There shall be a buffer area at least 15 feet side, consisting of natural vegetation, earthen materials and/or landscaping and/or fencing, located along the boundary of the site where it abuts existing neighborhoods unless waived by the Planning and Economic Development Board. The fifteen foot area from the side and rear lot lines of the subject parcel shall serve as a buffer area as defined in this Bylaw. No buildings, structures, roadways, above ground utilities or other infrastructure shall be constructed within this buffer area, however fencing/stone walls and walking paths/trails are permitted.~~

And by inserting a new Item 4 as follows and relabeling the current item #4 to become #5.

4. No buildings or structures shall be constructed within fifty feet from the street right-of-way line of a public way or within fifty feet from the side and rear lot lines.

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 37: (Amend Zoning Bylaws: ARCPUD Definition and ARCPUD Regulations)

To see if the Town will vote to amend the Zoning Bylaw, SECTION 2 DEFINITIONS by amending the definition for Adult Retirement Community Planned Unit Development (ARCPUD) in SECTION 2 DEFINITIONS as follows:

Adult Retirement Community Planned Unit Development (ARCPUD): A master-planned development of land ~~as a unified, self contained~~ for a residential community, constructed expressly for use and residency by persons who have achieved a minimum age requirement for residency of fifty-five years of age or older in accordance with G.L. c. 151B, § 4 and also incorporating the preservation and/or establishment of ~~natural~~ open space areas as an integral element of the development. ~~An ARCPUD shall be permitted only in an Adult Retirement Community Overlay District and only upon the granting of a special permit by the Planning and Economic Development Board. An ARCPUD shall include at least one of the Adult Retirement Community Residential Uses defined below in this Section 2 of the Zoning Bylaw. The Planning and Economic Development Board in its granting of the ARCPUD special permit may specifically authorize other appropriate uses.~~ An ARCPUD may include a variety or combination of housing types that may be sold or leased to individual residents, or may be operated or ~~managed~~ sponsored as a coordinated unit by a corporation or organization having among its principal purposes the provision of housing and resident services for retired and/or aging persons.

And by amending Section 8.5, Adult Retirement Community Planned Unit Development as specified below:

By amending Paragraph B. Applicability to read as follows:

B. Applicability. The Planning and Economic Board may grant a special permit for an Adult Retirement Community Planned Unit Development (ARCPUD), ~~ARCPUD Assisted Living Residence Facility, ARCPUD Congregate Living Facility, or ARCPUD Long Term Care Facility~~ for any tract of land with ~~ten~~ 40 or more acres, whether in one parcel or a set of contiguous parcels in the AR-I and AR-II district.

And by amending Paragraph D. Use Regulations, item 1. to read as follows:

1. The ARCPUD shall include at least one of the following residential uses.
 - a. ~~Congregate housing~~
 - a. b. Assisted living residence facility
 - b. e. Long-term care facility
 - c. d. Coordinated unit
 - d. e. Independent living residence facility
 - e. f. ~~Residential~~ Subdivision

And by amending Paragraph D. Use Regulations, item 2. to read as follows:

2. The ARCPUD may include any one or more of the following:
 - a. Detached single-family house dwelling or cottage
 - b. Townhouse
 - c. Two-family house/duplex Multifamily dwelling
 - d. Multifamily dwelling or apartment house
 - d. e. Conservation, agricultural, and recreation uses
 - e. f. Accessory uses, provided that aggregate floor area for accessory uses shall not exceed 5 percent of the total gross floor area of the buildings in the ARCPUD:
 - i. Local convenience retail, up to a maximum of 4,500 sq. ft. of gross floor area
 - ii. Medical office or clinic
 - iii. Adult day care
 - iv. Community center

And by amending Paragraph E. Density and Dimensional Regulations, item 2. as follows:

2. For purposes of this Section 8.5, a housing unit shall be defined as equal to:
 - a. A home site in an ARCPUD Subdivision, a dwelling unit in an ARCPUD Independent Living Residence Facility, **an ARCPUD Coordinated Unit**, a townhouse, or a dwelling unit as defined in Section 2 of this Zoning Bylaw;
 - b. ~~Two studios or suites of rooms~~ apartments/suites in an ARCPUD Assisted Living Residence Facility ~~or Congregate Living Facility~~;

And by amending Paragraph E. Density and Dimensional Regulations, item #5 as follows:

5. No buildings or structures shall be constructed within **fifty 50** feet from the **street** right-of-way line of a public way or within **fifty 50** feet from the **side and rear** ~~perimeter~~ lot lines. ~~The 50-foot buffer shall be maintained in its natural state or a landscaped open space.~~

And by amending Paragraph E. Density and Dimensional Regulations by inserting a new item #6 as follows and relabeling current items #6 and #7 to become items #7 and #8.

6. The fifteen foot area from the side and rear lot lines of the subject parcel shall serve as a buffer area as defined in this Bylaw. No buildings, structures, roadways, above ground utilities or other infrastructure shall be constructed within this buffer area, however fencing/stone walls and walking paths/trails are permitted.

And by amending Paragraph H. Open Space, by adding item 5. as follows:

- H. Open Space. At least 40 percent of the total land area of the ARCPUD shall be set aside and maintained as open space in accordance with the following standards:
 5. Buffer areas required by E. 6 may be included in the required open space area.

And by inserting a new Paragraph E. Affordable Housing as follows and relabeling Paragraphs E through M to become F though N.

- E. **Affordable Housing.** Except for a long-term care facility, an ARCPUD is subject to Section 8.6 Affordable Housing of this Bylaw.

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 38: (Amend Zoning Bylaws: Special Permits)

To see if the Town will vote to amend Paragraphs B, C and D in Section 3.4. SPECIAL PERMITS of the Zoning Bylaw as follows:

3.4 SPECIAL PERMITS

- B. **Public Hearing.** The special permit granting authority shall hold a public hearing within sixty-five days of receipt of a special permit application, and shall issue a decision no later than ninety days from the ~~close date~~ of the public hearing. Notification requirements for a public hearing shall be in accordance with G.L. c. 40A, § 11.

C. **Decision Criteria.** Unless otherwise specified herein, special permits shall be granted by the special permit granting authority only upon its written determination that the adverse effects of the proposed use will not outweigh its beneficial impacts to the town or the neighborhood, in view of the particular characteristics of the site, and of the proposal in relation to that site. In making its determination, the special permit granting authority, in addition to any specific factors that may be set forth in other sections of this Zoning Bylaw, shall make findings on all of the applicable criteria specified below: ~~The determination shall include findings that all of the following criteria for granting a special permit are met:~~

- ~~1.2.~~ The proposed site use is in an appropriate location for the proposed use, and is not detrimental to the neighborhood and does not significantly alter the character of the zoning district.
- ~~2.3.~~ Adequate and appropriate facilities will be provided for the operation of the proposed use.
3. The proposed use as developed will not create a hazard to abutters, vehicles, pedestrians or the environment.
- ~~4.5.~~ The proposed use will not cause undue traffic congestion or conflicts in the immediate area.
- ~~5.4.~~ The proposed use will not be detrimental or otherwise offensive to the adjoining zoning districts and neighboring properties due to the effects of lighting, flooding, odors, dust, smoke, noise, vibration, sewage, refuse materials, or other undesirable visual, site or operational attributes of the proposed use, or other nuisances.
6. The proposed use as developed will not adversely affect the surrounding neighborhood or significantly alter the character of the zoning district.
- ~~7.4.~~ The proposed use is in harmony with the general purpose and intent of this Zoning Bylaw.
- ~~8.6.~~ The proposed use is consistent with the goals of the Medway Master Plan.
9. The proposed use will not be detrimental to the public good.

D. **Conditions.** Special permits may be granted with such reasonable conditions, safeguards, or limitations on time or use, including performance guarantees, as the special permit granting authority may deem necessary to serve the purposes of this Zoning Bylaw. Such conditions may include but shall not be limited to the following:

1. Deadline to commence construction.
2. Dimensional standards more restrictive than those set forth in Section 6 of this Zoning Bylaw.
3. Limitations on signage, number of vehicles or parking spaces, noise, or hours of operation of construction equipment.
4. Limitation of size, method or hours of operation, extent of facilities, or other operating characteristics of a use.

5. Requirements pertaining to integrated emergency or alarm systems, maintenance, landscaping, dust control, wastewater disposal or water supply, bond or other performance guarantee.
6. Requirements for independent monitoring, at the expense of the applicant, and reporting to the Building Inspector, if necessary to ensure continuing compliance with the conditions of a special permit or of this Zoning Bylaw.
7. Term for years with or without automatic renewals, to the extent allowed by law.
8. The date of when the special permit shall commence.
9. On-site and off-site mitigation measures to ensure that the petitioner properly alleviates the development's impacts on the neighborhood and/or community.
10. Other limitations as may be reasonably related to reducing any adverse impact on, or increasing the compatibility of the proposed use, structure or activity with, the surrounding area.

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 39: (Amend Zoning Bylaws: Accessory Building or Use Definition)

To see if the Town will vote to amend the Zoning Bylaw, SECTION 2. DEFINITIONS by deleting the existing definition of *Accessory Building or Use* and by inserting the following definitions instead:

~~**Accessory Building or Use:** A building or use customarily incidental to and located on the same lot with a principal building or use or on an adjoining lot under the same ownership.~~

Accessory Building or Structure: A detached building or structure located on the same lot as the principal building or on an adjoining lot under the same ownership and in the same zoning district, which is customarily incidental and subordinate to the principal building

Accessory Use: A use of land or of a building or structure or a portion thereof located on the same lot as the principal use or on an adjoining lot under the same ownership and in the same zoning district, which is customarily incidental and subordinate to the principal use.

And by adding a new Section 6.3 Accessory Buildings and Structures in SECTION 6 DIMENSIONAL REGULATIONS as follows:

6.3 Accessory Buildings or Structures

A. In a residential zoning district, there shall be no more than five accessory buildings or structures on any lot unless authorized by special permit from the Zoning Board of Appeals.

B. In a residential zoning district, an accessory building or structure shall not exceed 3,000 sq. ft. in gross floor area unless authorized by special permit from the Zoning Board of Appeals.

C. In a residential zoning district, the area of any single accessory building or structure shall not exceed the gross floor area of the principle residential building on the premises unless authorized by special permit from the Zoning Board of Appeals.

D. In any zoning district, the primary and accessory buildings and structures shall not exceed the maximum lot coverage requirements specified in TABLE 2 DIMENSIONAL AND DENSITY REGULATIONS of this Bylaw.

E. In reviewing special permit applications for accessory buildings or structures in residential zoning districts, the Zoning Board of Appeals shall consider the *Medway Design Review Guidelines* applicable to residential zones.

And by amending Section 6.1 TABLE 2. DIMENSIONAL AND DENSITY REGULATIONS as follows:

TABLE 2. DIMENSIONAL AND DENSITY REGULATIONS										
Requirement	AR-I	AR-II	VR	CB	VC	C-V	BI	I-1	I-2	I-3
Maximum Lot Coverage (pct. of lot) (Primary and accessory buildings and structures)	25%	30%	30%	80%	80%	40%	40%	NA	NA	NA

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 40: (Amend Zoning Bylaws: Lot Frontage and Setbacks)

To see if the Town will vote to amend the Zoning Bylaw, Section 6.2 General Provisions by revising Paragraph E. Lot Frontage, item 2. Measurement of Lot Frontage as follows:

E. Lot Frontage

2. Measurement of Lot Frontage.

- a. Frontage is measured in a continuous line along the sideline of the street right-of way between points of intersection of the side lot lines with the street- right-of way line. The measurement of lot frontage excludes jogs in the street width, backup strips and other irregularities in the street line.
- ~~b. The minimum frontage for a Corner Lot or End Lot shall be provided from one contiguous line along the front lot line, from the point of intersection with a side lot line to the midpoint of the corner arc.~~

- b. For a Corner Lot or End Lot, the measurement of multiple front lot lines may be used, however the entire minimum length of frontage shall be continuous without any breaks.
- c. For Through Lots, only one front lot line may be used to meet the minimum frontage length requirement.

And by inserting a new Paragraph F. Setbacks as follows:

F. Setbacks

- a. Minimum setbacks. Every lot must have at least the minimum lot setbacks set forth in TABLE 2 Dimensional and Density Regulations for the zoning district in which the lot is located.
- b. For a Corner or End Lot, the required minimum front setback shall be required from all front lot lines.
- c. For Through Lots, the front setback shall be required on all front lot lines; side setbacks shall be required on all remaining side and rear lot lines.

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 41: (Amend Zoning Bylaws: Affordable Housing)

To see if the Town will vote to amend the Zoning Bylaw by adding or revising the definitions in SECTION 2 DEFINITIONS as follows:

Affordable Housing Unit: A dwelling unit that is affordable to and occupied by a Low or Moderate Income Household and meets the requirements for inclusion on the Subsidized Housing Inventory. ~~Affordable units shall remain as affordable units in perpetuity. These units shall have the same construction methods, physical characteristics as, and be intermingled with other units in the subdivision or development.~~

~~**Affordable Housing Trust Fund:** An account established and operated by the Town for the exclusive purpose of creating or preserving affordable housing units in the Town of Medway.~~

Area Median Income (AMI): The median income for households within the designated statistical area that includes the Town of Medway, as reported annually and adjusted for household size by the U.S. Department of Housing and Urban Development for the Boston Standard Metropolitan Statistical Area.

Deed Rider: A legally binding instrument in a form consistent with LIP requirements which runs with the land to ensure the long-term affordability of an Affordable Housing Unit. It specifies the terms and conditions under which an Affordable Housing Unit may be

occupied, refinanced, improved, marketed and sold. A deed rider is appended to the deed of any Affordable Housing Unit and recorded with the relevant registry of deeds or land court registry district.

DHCD: Massachusetts Department of Housing and Community Development and its successors, as established and currently existing pursuant to G.L. c. 23B and c. 6A.

Eligible Household: Any household whose total income does not exceed eighty (80) percent of the Area Median Income of households in the Boston Standard Metropolitan Statistical Area adjusted for family size, or such other equivalent income standard as may be determined by the Medway Affordable Housing Trust Fund. Also referred to as Qualified Purchasers and Renters.

Equivalent Affordable Housing Unit Value: ~~An amount equal to the difference between the median sale price for market rate single family homes sold in Medway during the thirty six months preceding the date of application, as determined by the Board of Assessors based on deeds recorded with the Norfolk Registry of Deeds for arms length transactions, and the purchase price of a home that is affordable to a qualified purchaser as determined by (DHCD), assuming a household size of four, or one person per bedroom plus one additional person with the number of bedrooms being the average number in the development, whichever is less. For developments other than single family detached structures (e.g. duplexes or multifamily condominiums) the Planning and Economic Development Board may substitute the median sale price of the applicable type of market rate dwelling unit for the median sale price of single family homes in the preceding formula.~~

LIP: Massachusetts Local Initiative Program pursuant to G.L. c. 40B.

Medway Affordable Housing Trust: An organization established by the Town of Medway pursuant to G.L. c. 44, § 55C to support the creation and preservation of affordable housing in order to secure rental and homeownership opportunities for Low or Moderate Income Households.

Medway Affordable Housing Trust Fund: A fund established by the Town of Medway pursuant to G.L. c. 44, § 55C for the purpose of receiving, holding, investing, and/or expending funds to reduce the cost of housing for Qualified Purchasers and Renters, or for the purpose of encouraging, creating, preserving, or subsidizing the construction or rehabilitation of housing for Qualified Purchasers and Renters. Sources of receipts for the Fund shall be as specified in Section 2.18 of the Medway General Bylaws.

Mixed-Use Development: A development project that combines retail/commercial, service, and/or office uses with residential in the same building or on the same site.

Off-Site Unit: An Affordable Housing Unit produced by the Applicant on a site other than the primary residential development in compliance with Section 8.6 of the Medway Zoning Bylaw.

Regulatory Agreement: A tri-party contract provided by DHCD and entered into by DHCD, the Town of Medway and the developer of Affordable Housing Units. The Agreement specifies the rights and responsibilities of the three parties throughout a housing unit's term of affordability including compliance monitoring, enforcement of affordable housing

restrictions, and affirmative fair housing marketing requirements. A Regulatory Agreement is recorded with the relevant registry of deeds or land court registry district.

And by replacing Section 8.6 Affordable Housing in its entirety by inserting the following in its place:

8.6 Affordable Housing

A. Purpose and Intent. The purpose of this Affordable Housing Bylaw is to create housing opportunities in Medway for people of varying ages and income levels; to increase the supply of affordable housing for Eligible Households with low and moderate incomes; to promote a mix and geographic distribution of affordable housing throughout the town; to provide housing options for people who work in Medway; and to create housing units eligible for listing in the Subsidized Housing Inventory. At a minimum, affordable housing produced through this Section should comply with the requirements set forth in G.L. c. 40B §§20-23 and related regulations, guidelines issued by DHCD, and other affordable housing programs developed by the Commonwealth of Massachusetts or the Town of Medway.

B. Applicability.

1. In applicable zoning districts, this Section shall apply to the following uses:
 - a. Any Two Family House or Multifamily Development or Mixed-Use Development that results in a net increase of six or more Dwelling Units, whether by new construction or by the alteration, expansion, reconstruction, or change of existing residential or non-residential space, whether on one or more contiguous parcels.
 - b. Any development of detached single-family Dwellings that results in a net increase of ten or more Dwelling Units.
 - c. Open Space Residential Development (OSRD) approved pursuant to an OSRD special permit under Section 8.4 of this Zoning Bylaw.
 - d. Adult Retirement Community Planned Unit Development (ARCPUD) approved pursuant to an ARCPUD special permit under Section 8.5 of this Zoning Bylaw.
2. Multifamily Developments, Mixed-Use Developments, or single-family developments shall not be segmented to avoid compliance with this Section. Segmentation shall mean one or more divisions of land that cumulatively result in a net increase of ten or more lots or Dwelling Units above the number existing thirty-six months earlier on any parcel or set of contiguous parcels held in common ownership on or after the effective date of this Section.
3. This Section shall not apply to the construction of single-family dwellings on individual lots if said lots were in existence prior to the effective date of this Section.
4. For projects not listed herein, Affordable Housing Units may be provided voluntarily in exchange for density bonus pursuant to a special permit from the Planning and Economic Development Board.

C. Mandatory Provision of Affordable Housing Units.

1. In any development subject to this Section, the percentage of Affordable Housing Units required will be as specified in Table 11, *Affordable Housing Units Required by Project Size*:

TABLE 11	
Affordable Housing Units Required by Project Size	
Project Size (Units)	Percent Affordable Units
6-12*	10%
13-17	12%
18-20	15%
21 and over	20%

*Projects consisting of less than 10 single-family detached units do not require an affordable set-aside.

2. The table above may generate a fractional Affordable Housing Unit. A fractional Affordable Housing Unit of 0.5 or higher shall be rounded up to the next whole number. Fractional housing units of less than 0.5 shall require a payment equal to the product of the fraction multiplied by the cash contribution for a whole Affordable Housing Unit as specified in Paragraph D. 3. herein. The Applicant may choose to have the fractional housing unit of less than 0.5 rounded up to the next whole number, rather than converted to a cash payment.
 3. **Deed rider.** Any Affordable Housing Unit shall have a Deed Rider to regulate the future resale of the property. The Applicant is required to prepare a Deed Rider for each Affordable Housing Unit that is consistent with that used in the LIP and the Regulatory Agreement approved by DHCD for recording with the appropriate Registry of Deeds or Registry District of the Land Court.
- D. **Methods of Providing Affordable Housing Units.** The Planning and Economic Development Board in consultation with the Medway Affordable Housing Trust and Affordable Housing Committee may authorize one or more of the following methods for providing Affordable Housing Units, alone or in combination.
1. **On-Site units.** Construction of Affordable Housing Units within the development shall be permitted by right.
 2. **Off-Site Units.** Creation of Affordable Housing Units on a lot or parcel that is not included in the subject development.
 - a. Off-Site Units may be constructed by the Applicant or be an existing Dwelling Unit that is rehabilitated.
 - b. Off-Site Units need not be located in the same zoning district as the development.
 - c. The Planning and Economic Development Board shall approve the location of the Off-Site Units.
 - d. The Applicant shall provide a demonstration of site control, documenting that the Applicant or a related entity holds title, ground lease, option, or contract for purchase.

- e. The Applicant shall demonstrate that the land is developable and suitable for the number of Affordable Housing Units required in conformance with this Zoning Bylaw and any relevant state and local regulations governing the property.
- f. The Applicant shall provide a demonstration of the necessary financing to complete the off-site development or rehabilitation.
- g. The Applicant shall provide an architect's conceptual site plan with unit designs and architectural elevations, a demonstration that the site plan can meet the Site Plan Review standards set forth in Section 3.5 of this Zoning Bylaw.
- h. Preservation of existing Dwelling Units for affordable housing, rather than construction of Off-Site Units, may be accomplished by purchasing deed restrictions and providing funds for capital improvements.
- i. The Planning and Economic Development Board may require that the Applicant submit appraisals of the off-site property in question, as well as other data relevant to the determination of equivalent value.

3. Payment of a fee in lieu of Affordable Housing Units

- a. Such payments shall be made to the Medway Affordable Housing Trust.
 - b. The payment shall be an amount equal to the required number of Affordable Housing Units multiplied by the median sales price of a Medway market-rate home comparable in type, size, and number of bedrooms over a period of eighteen months prior to the date of application submission. The amount of such payment shall not be decreased based on the value of an Affordable Housing Unit. Data for sales price shall be that as provided by the Medway Assessing Department.
 - c. Payments in lieu of Affordable Housing Units shall not be accepted as part of a rental development, either Mixed-Use Development or Multifamily Development.
 - d. Payments in lieu shall be made according to *Table 12 - Schedule for Completion of Affordable Housing Units* set forth in Paragraph I herein.
4. In no event shall the total value of newly constructed or rehabilitated Off-Site Units and/or cash payments provided be less than the median price of a Medway market-rate home comparable in type, size, and number of bedrooms over a period of eighteen months prior to the date of application submission multiplied by the number of Affordable Housing Units required under Paragraph C.1.

E. Density Bonus; Affordable Housing Special Permit.

- 1. The Planning and Economic Development Board may grant an Affordable Housing special permit, by a four-fifths vote, to modify or waive this Bylaw's dimensional and density requirements as specified in Section 6.1 in order to increase the number of market-rate units to help offset the affordable housing requirement:
 - a. **On-site provision of Affordable Housing Units.** A density bonus may be granted to increase the number of market-rate units by the required number of Affordable Housing Units under Paragraph C. For example, for a development that must provide

two Affordable Housing Units and the developer chooses to include those on the premises, two additional on-site market-rate units may be allowed.

- b. **Off-site provision of Affordable Housing Units.** A density bonus may be granted to increase the number of market-rate units by one-half the required number of affordable units under Paragraph C. For example, for a development that must provide two Affordable Housing Units and the developer chooses to provide those off-site, one additional on-site market rate unit may be allowed.
 - c. No density bonus shall be granted when the requirements of this Section are met with a payment in lieu of Affordable Housing Units pursuant to Paragraph D. 3.
 - d. The density bonus may be granted for a development not subject to Paragraph B.1 that provides Affordable Housing Units voluntarily.
2. **Adjustment of Dimensional Requirements.** When the subject development is a subdivision, the Board may adjust the minimum lot area, minimum lot frontage, and minimum front, rear, and side setbacks required in the underlying zoning district for the subject development to allow for the increase in total number of Dwelling Units as long as the layout of all lots meets the following requirements:
- a. No individual lot shall be reduced in area or frontage to less than eighty percent of the required minimum in the district, and
 - b. Any lot with an Affordable Housing Unit shall be no smaller in area and frontage than the median of the lot area and frontage of all the lots in said development.
3. **Type of Dwelling Unit.** The Board may authorize types of Dwelling Units not otherwise permitted in the underlying zoning district to allow for the increase in the total number of market rate Dwelling Units. For example, in a district where only single-family dwellings are allowed by right, a development with an affordable housing density bonus may be designed to include duplexes, townhouses, or multi-family dwellings for both the market rate and Affordable Housing Units.

F. Location and Comparability of Affordable Housing Units.

- 1. The permit application for the proposed development shall include a plan showing the proposed locations of the Affordable Housing Units.
- 2. On-site Affordable Housing Units shall be proportionately distributed throughout a development in terms of location and unit type, size and number of bedrooms in accordance with the LIP requirements. For example, a development consisting of a mix of single-family detached homes, attached townhouses, and apartments shall include Affordable Housing Units of each housing type in proportion to the market-rate units.
- 3. On-site Affordable Housing Units shall be as conveniently located to the development's common amenities as the market rate units.
- 4. Newly constructed on and off-site Affordable Housing Units shall comply at a minimum with the LIP Design and Construction Standards as they may be amended, including the requirement that Affordable Housing Units shall be indistinguishable from market-rate units as viewed from the exterior.

5. On-site Affordable Housing Units shall:
 - a. Be equivalent to the market-rate units in terms of design, quality of construction and workmanship, mechanical, plumbing, heating and cooling systems, roofing, insulation, windows and energy efficiency; and
 - b. Include a garage(s) and/or parking space if the market-rate units include a garage(s) and/or parking space; and
 - c. Contain good quality and highly durable interior finishes, flooring, lighting and plumbing fixtures, and appliances that are consistent with contemporary standards for new housing and installed with equivalent workmanship to the market rate units.
 - d. Be provided product and system warranties equivalent to those supplied for market rate units.
 - e. Include an equivalent quantity of cabinets, countertops, appliances, lighting and plumbing fixtures, and closets to those provided for market rate units.
6. Off-site rehabilitated units for affordable housing shall comply at a minimum with the following criteria:
 - a. Exterior renovations/improvements shall reflect the character of the surrounding neighborhood.
 - b. DHCD's HOME/HSF/CIPF/CATNHP Construction/Rehabilitation Guidelines as may be amended.
 - c. State Building Code as amended by Massachusetts regulations 780 CMR, as may be amended.
7. Newly constructed Affordable Housing Units shall contain at least the minimum amount of interior living space, excluding basement space, as specified in the LIP Design and Construction Standards. The Planning and Economic Development Board may make reasonable exceptions for the size and number of bedrooms of existing Dwelling Units that are purchased and resold or rented as Affordable Housing Units with an appropriate deed restriction.
8. The owners and tenants of market-rate and on-site Affordable Housing Units shall have the same rights and privileges to use any common amenities within the development.
9. The Building Inspector may inspect the premises to ensure that the developer has complied with these requirements and if necessary, require reasonable changes to achieve compliance.

G. Affordable Purchase and Rental Prices.

1. The initial affordable purchase price shall comply with the LIP Guidelines in effect when the Regulatory Agreement is filed with DHCD. The calculations used to determine an affordable purchase price shall be consistent with the terms, rates, fees, down payments, and other requirements of first-time homebuyer mortgage products available from lending institutions licensed by the Commonwealth of Massachusetts in accordance with the requirements of DHCD.

2. The initial affordable rent shall comply with DHCD requirements and LIP Guidelines in effect when the affordable housing special permit application is filed.

H. Applicant Responsibilities.

1. **Marketing Plan for Affordable Housing Units.** The Applicant shall select Qualified Purchasers and Renters via lottery under an Affirmative Fair Housing Marketing Plan prepared and submitted by the Applicant and approved by the Planning and Economic Development Board in consultation with the Medway Affordable Housing Committee or the Medway Affordable Housing Trust. The marketing plan shall comply with LIP Guidelines in effect on the date of filing the Regulatory Agreement with DHCD.
2. **Regulatory Agreement.** For both ownership and rental projects, the Applicant shall prepare the Regulatory Agreement in consultation with and for approval by the Town of Medway and DHCD. Said Regulatory Agreement will be executed by DHCD, the Town of Medway, and the Applicant. The Applicant shall record the Regulatory Agreement with the Norfolk County Registry of Deeds or Registry District of the Land Court.
3. **Deed Restriction.** The Applicant shall prepare a Deed Rider for each Affordable Housing Unit that is consistent with that used in the LIP and the Regulatory Agreement to be recorded with the Norfolk County Registry of Deeds or Registry District of the Land Court.

I. Timing of Construction of Affordable Housing Units

1. On-site Affordable Housing Units shall be constructed in accordance with Table 12 below. Proportionality shall be determined by the number of building permits issued for affordable and market-rate units. In accordance with the table below, Affordable Housing Units shall not be the last units to be built in any development that is subject to this Section.

TABLE 12	
Schedule for Completion of Affordable Housing Units	
Percent Market-Rate Units	Percent Affordable Units
Up to 30%	None required
30% plus 1 unit	At least 10%
Up to 50%	At least 30%
Up to 75%	At least 50%
75% plus 1 unit	At least 70%
Up to 90%	100%

2. Construction or rehabilitation of Off-Site Units shall be completed prior to issuance of the building permit for the unit representing fifty-one percent of the development triggering this Section.
3. In the case of payments in lieu of Affordable Housing Units, the following methods of payment may be used at the option of the Applicant:
 - a. The total amount due shall be paid upon the release of any lots or, in the case of a development other than a subdivision, upon the issuance of the first building permit; or,

- b. The total amount due shall be divided by the total number of market rate units in the development. The resulting quotient shall be payable at, or prior to, the closing of each market rate unit; or,
- c. A combination of the above methods if approved by the Planning and Economic Development Board.

J. Preservation of Affordability.

- 1. Homeownership and rental Affordable Housing Units provided under this Section shall be subject to the requirements of guidelines issued by DHCD and a DHCD approved Deed Rider that complies with LIP requirements as they may be amended for inclusion in the Chapter 40B Subsidized Housing Inventory and is enforceable under G.L. c. 184, § 26 or §§ 31-32. Units required by and provided under the provisions of this Section shall remain affordable to the designated income group in perpetuity, or for as long as legally permissible.
- 2. No building permit for any unit in a development subject to this Section shall be issued until the Town has approved the Regulatory Agreement and the Applicant has submitted it to DHCD. Further, the building permit representing fifty-one percent of the development shall not be issued until the Regulatory Agreement has been approved by DHCD and recorded with the Norfolk County Registry of Deeds or Registry District of the Land Court.
- 3. For homeownership units, issuance of the certificate of occupancy for any Affordable Housing Unit is contingent on a DHCD-approved Deed Rider signed by the qualified purchaser.
- 4. Subsequent resale of an Affordable Housing Unit shall be made to a qualified affordable housing purchaser in accordance with the deed restriction.
- 5. The purchaser of an Affordable Housing Unit shall execute a Deed Rider in a form provided by the DHCD, granting, among other things, the Town of Medway the right of first refusal to purchase the property in the event that a subsequent qualified purchaser cannot be found.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 42: (Amend Zoning Bylaws: SECTION 8. Special Regulations, Add Section 8.10 Temporary Moratorium on Non-Medical Marijuana Establishments)
To see if the Town will vote to amend the Zoning Bylaw, SECTION 8. SPECIAL REGULATIONS, by adding a new Section 8.10 as follows:

8.10 TEMPORARY MORATORIUM ON NON-MEDICAL MARIJUANA ESTABLISHMENTS

A. **Purposes.** On November 8, 2016, the voters of the Commonwealth approved a law regulating the cultivation, processing, distribution, possession and use of marijuana for recreational

purposes (new G.L. c. 94G, Regulation of the Use and Distribution of Marijuana Not Medically Prescribed). The law, which allows certain personal use and possession of marijuana for persons at least twenty-one years of age took effect on December 15, 2016 and (as amended on December 30, 2016; Chapter 351 of the Acts of 2016) requires a Cannabis Control Commission to issue regulations regarding the licensing of commercial activities by March 15, 2018 and to begin accepting applications for licenses by April 1, 2018.

The law authorizes municipalities to adopt ordinances or bylaws regulating the time, place and manner of operations of marijuana establishments. Further it authorizes municipalities to enact ordinances or bylaws or hold local ballot questions to impose additional limitations regarding the types and number of Marijuana Establishments to be allowed in a community and whether to allow for marijuana cafes for the consumption of marijuana and marijuana products on the premises where they are sold.

Currently under the Zoning Bylaw, a non-medical Marijuana Establishment (hereinafter, a “Non-Medical Marijuana Establishment”), as defined in G. L. c. 94G §1 is not specifically addressed. Regulations to be promulgated by the Cannabis Control Commission may provide guidance on certain aspects of local regulations of Non-Medical Marijuana Establishments. The regulation of Non-Medical Marijuana Establishments raises novel and complex legal, planning, and public safety issues. The Town needs time to study and consider the regulation of Non-Medical Marijuana Establishment and address such issues. Questions and concerns have been raised regarding the timeline for implementation, local control mechanisms, regulation of marijuana products, amount of tax, licensing of non-medical marijuana establishments, and additional matters. The Town needs to consider the potential impact of the State regulations on local zoning, and to undertake a planning process to consider amending the Zoning Bylaw regarding regulation of Non-Medical Marijuana Establishments.

The Town intends to adopt a temporary moratorium on the use of land and structures in the Town for Non-Medical Marijuana Establishments so as to allow the Town sufficient time to engage in a planning process to address the effects of such structures and uses in the Town and to enact bylaws in a manner consistent with sound land use planning goals and objectives.

B. **Definitions.** As used in this Sub-Section, the following term shall have the following meaning:

Non-Medical Marijuana Establishment: A marijuana cultivator, marijuana testing facility, marijuana product manufacturer, marijuana retailer or any other type of marijuana-related business as defined by G.L. c. 94G.

C. **Temporary Moratorium.** For the reasons set forth above and notwithstanding any other provision of the Zoning Bylaw to the contrary, the Town hereby adopts a temporary moratorium on the use of land or structures for Non-Medical Marijuana Establishments and other uses related to personal use of marijuana. The moratorium shall be in effect through June 30, 2018 or until such time as the Town adopts Zoning Bylaw amendments that regulate Non-Medical Marijuana Establishments, whichever occurs earlier. During the moratorium period, the Town shall undertake a planning process to consider how the Town will address the potential impacts of Non-Medical Marijuana Establishments in the Town, and to consider the Cannabis Control Commission’s regulations regarding Non-Medical Marijuana Establishments, and shall consider amending the Zoning Bylaw in response to these new issues. This temporary moratorium shall not affect in any way the use of land or structures for Registered Marijuana Dispensaries, (for medical marijuana), which are governed by Section 8.9 of this Zoning Bylaw.

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 43: (Amend Zoning Bylaws: AR-I & AR-II Zoning Boundary Changes)
To see if the Town will vote to rezone the following parcels as shown on a map titled “Proposed Changes to AR-I & AR-II Zoning Districts, January 3, 2017, MAP 5 OF 7” on file with the Town Clerk and to amend the Zoning Map accordingly, such that:

The following split parcels shall be rezoned so that the portion which is presently zoned Agricultural Residential I district shall be zoned Agricultural Residential II district, so that the entire parcel is zoned Agricultural Residential II:

Address	Medway Assessor's Parcel ID #	Parcel Size	Current Owner
10 Clover Lane	21-070	.68	Joseph & Shari Meehan
8 Clover Lane	21-069	.68	Paul & Deborah Rossi
6 Clover Lane	21-068	.68	Michael & Janice Kaslosky
4 Clover Lane	21-067	.68	Michael & Dawn Heffron
2 Clover Lane	21-066	.68	Stephen & Gail Kadlik
13 Delmar Road	30-021	.4	Edward & Helen Richard
15 Delmar Road	30-022	.87	Matthew Parabolicoli & Heidi Dragon
17 Delmar Road	30-023	1.446	Dale & Vanessa Lambirth
0R Maple Street (also listed in Article B)	30-010	.5	Robert Briggs

The following split parcels shall be rezoned so that the portion which is presently zoned Agricultural Residential II district shall be zoned Agricultural Residential I district, so that the entire parcel is zoned Agricultural Residential I:

Address	Medway Assessor's Parcel ID #	Parcel Size	Current Owner
60 Winthrop Street	21-062	10	Michael & Elaine Ruggieri
50 Winthrop Street	30-003	14	Town of Medway Conservation Commission
38 Winthrop Street (also listed in Article 44)	30-005	32.00	Shady Oaks Rlty, Robert Briggs Et. Al. Trst.

The following parcels shall be rezoned from the present zoning in the Agricultural Residential I district to Agricultural Residential II district, so that the entire parcel is zoned Agricultural Residential II:

Address	Medway Assessor's Parcel ID #	Parcel Size	Current Owner
62 Winthrop Street	21-063	.25	Bernard & Donna Peck
64 Winthrop Street	21-064	.25	Anne Marie Price
66 Winthrop Street	21-065	.25	Steven & Myra Abate

And to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 44: (Amend Zoning Bylaws: AR-I & AR-II Zoning Boundary Changes)
To see if the Town will vote to rezone the following parcels as shown on a map titled "Proposed Changes to AR-I & AR-II Zoning Districts, January 3, 2017, MAP 6 OF 7" on file with the Town Clerk and to amend the Zoning Map accordingly, such that:

The following split parcels shall be rezoned so that the portion which is presently zoned Agricultural Residential I district shall be zoned Agricultural Residential II district, so that the entire parcel is zoned Agricultural Residential II:

Address	Medway Assessor's Parcel ID #	Parcel Size	Current Owner
0R Maple Street (also listed in Article 43)	30-010	.5	Robert Briggs
23 Maple Street	30-008	.735	Thomas & Kathleen Gay
28 Winthrop	39-005	.7	David & Phyllis Linardy
19 Winthrop Street	39-071	1.18	Sheila Donovan

The following split parcels shall be rezoned so that the portion which is presently zoned Agricultural Residential II district shall be zoned Agricultural Residential I district, so that the entire parcel is zoned Agricultural Residential I:

Address	Medway Assessor's Parcel ID #	Parcel Size	Current Owner
38 Winthrop Street (also listed in Article 43)	30-005	32.00	Shady Oaks Rlty, Robert Briggs Et. Al. Trst.
30 Winthrop Street	39-004	3.29	Robert Briggs
25 Winthrop Street	38-010	47	Shady Oaks Realty Trust
Address	Medway Assessor's Parcel ID #	Parcel Size	Current Owner
11-R Winthrop Street	39-078	4.4	Town of Medway

0R Oak Street	47-032	9.15	Town of Medway Conservation Commission
16R Oak Street (also listed in Article 45)	38-011	30.1	Town of Medway Conservation Commission

The following parcels shall be rezoned from the present zoning in the Agricultural Residential II district to Agricultural Residential I district, so that the entire parcels is zoned Agricultural Residential I:

Address	Medway Assessor's Parcel ID #	Parcel Size	Current Owner
11-R Winthrop Street	39-078	4.4	Town of Medway
0 Oak Street	39-074	10.0	Town of Medway Conservation
0 Oak Street	39-074-0001	.060	Town of Medway Conservation
2-B Oak Street	47-033	3.29	Town of Medway

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 45: (Amend Zoning Bylaw: AR-I & AR-II Zoning Boundary Changes)
To see if the Town will vote to rezone the following parcels as shown on a map titled "Proposed Changes to AR-I & AR-II Zoning Districts, January 3, 2017, MAP 7 OF 7" on file with the Town Clerk and to amend the Zoning Map accordingly, such that:

The following split parcels shall be rezoned so that the portion which is presently zoned Agricultural Residential I district shall be converted to Agricultural Residential II district, so that the entire parcel is zoned Agricultural Residential II:

Address	Medway Assessor's Parcel ID #	Parcel Size	Current Owner
3 Independence Lane	46-031	1.443	James & Darlene Lane
1 Independence Lane	46-032	.826	John & Tanya Green
2 Independence Lane	46-041	.574	Mendes Realty Trust
4 Independence Lane	46-042	.518	John Khoury
56 Summer Street	46-028	6.0	Michael & Paulene DelGenio
62 Summer Street	46-040	.96	Dennis & Susan Nickerson
39 Highland Street	46-023	1.5	Francis Davis
37 Highland Street	46-024	1.219	Barbara Phillips & Marlene Levine Phillips
35 Highland Street	46-025	1.312	Daniel & Barbara Tramontozzi

Address	Medway Assessor's Parcel ID #	Parcel Size	Current Owner
33 Highland Street	46-026	1.25	Harlan Peterson
31 Highland Street	47-092	1.04	Glen & Tammy Reed
31A Highland Street	47-093	1.02	Robert & Charlene Coakley
3 Brandywine Road	47-005	1.585	Brian & Tina Marie Bartel
5 Brandywine Road	47-006	1.824	John & Rosanne Hamblin
6 Brandywine Road	47-008	1.01	Edward & Eileen Paulsen
3 Daniels Road	47-009	1.01	Susan Steinhauer
5 Daniels Road	47-010	.769	Robert & Stephanie Kenney

The following split parcels shall be rezoned so that the portion which is presently zoned Agricultural Residential II district shall be zoned Agricultural Residential I district, so that the entire parcel is zoned Agricultural Residential I:

Address	Medway Assessor's Parcel ID #	Parcel Size	Current Owner
16R Oak Street (also listed in Article 44)	38-011	30.1	Town of Medway Conservation Commission

The following parcels shall be rezoned from the present zoning in the Agricultural Residential I district to Agricultural Residential II district, so that the entire parcel zoned Agricultural Residential II:

Address	Medway Assessor's Parcel ID #	Parcel Size	Current Owner
0 Independence Lane	46-033	.019	Town of Medway
46 Summer Street	46-034	.23	Peter & Regina Bates
48 Summer Street	46-035	.23	Tara & Christopher Rice
50 Summer Street	46-037	.417	Kristopher Loper
58 Summer Street	46-038	.39	Sally Newton
60 Summer Street	46-039	.46	Vicki Boyd
64 Summer Street	46-021	.3	BHR Development
41 Highland Street	46-022	.75	Daniel & Stephanie McMullin
32 Highland St	47-001	.6879	Erin & Gregory Cabral
30 Highland St	47-002	.593	Richard & Jessica Scalzo
8 Brandywine Road	47-007	1.01	Gary & Lauri Kline

And to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION: **Approve**

ARTICLE 46: (Amend Zoning Bylaws: AR-I & VC Zoning Boundary Changes)
To see if the Town will vote to rezone the following parcels as shown on a map titled “Proposed Changes to AR-I & VC Zoning Districts, January 3, 2017” on file with the Town Clerk and to amend the Zoning Map accordingly, such that:

The following split parcel shall be rezoned so that the portion which is presently zoned Village Commercial district shall be zoned Agricultural Residential I district, so that the entire parcel is zoned Agricultural Residential I:

Address	Medway Assessor's Parcel ID #	Parcel Size	Current Owner
41 Broad Street	50-010	21.90	Hidden Acres Realty II, LLC

And to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION: Approve

ARTICLE 47: (Amend Zoning Bylaws: AR-II & IND-III Zoning Boundary Changes)
To see if the Town will vote to rezone the following parcels as shown on a map titled “Proposed Changes to AR-II & IND-III Zoning Districts, January 3, 2017” on file with the Town Clerk and to amend the Zoning Map accordingly, such that:

The following split parcels shall be rezoned so that the portion which is presently zoned Industrial III district shall be zoned Agricultural Residential II district, so that the entire parcel is zoned Agricultural Residential II:

Address	Medway Assessor's Parcel ID #	Parcel Size	Current Owner
1 Lost Hill Drive	64-007	1.078	Matthew & Kelly Rice
2 Lost Hill Drive	64-013	.92	John & Eileen Aviza
5 Lost Hill Drive	54-125	1.5	Jeffrey & Eileen Kalukin
28 Fox Run Road	64-020	4.82	Marie Fortune
0 Granite Street	64-066	11.54	Boston Edison/NSTAR
40 Granite Street	64-073	10.79	Bertrand & Julie Goemaere
42 Granite Street	74-002	7.5	Michael Charney
19 Alder Street	54-126	1.687	Edward Griffin

And to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION:**Approve**

ARTICLE 48: (Amend Zoning Bylaws: IND-II & AR-II Zoning Boundary Changes)
To see if the Town will vote to rezone the following parcels as shown on a map titled “Proposed Changes to IND-II & AR-II Zoning Districts, January 3, 2017” on file with the Town Clerk and to amend the Zoning Map accordingly, such that:

The following split parcel shall be rezoned so that the portion which is presently zoned Agricultural Residential II district shall be zoned Industrial II district, so that the entire parcel is zoned Industrial II:

Address	Medway Assessor's Parcel ID#	Parcel Size	Current Owner
34 West Street	66-012	48.7	Sithe West Medway LLC NStar Services Co.

The following parcels shall be rezoned from the present zoning in the Agricultural Residential II district to Industrial II district, so that the entire parcel is zoned Industrial II:

Address	Medway Assessor's Parcel ID#	Parcel Size	Current Owner
30 West Street	66-011	.7	New England Power Company Property Tax Dept
12 West Street	66-010	.2	Sithe West Medway LLC NStar Services Co.

And to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD**BOARD OF SELECTMEN RECOMMENDATION:****Approve****FINANCE COMMITTEE RECOMMENDATION:****Approve**

ARTICLE 49: (Amend Zoning Bylaws: CB & AR-II Zoning Boundary Changes)
To see if the Town will vote to rezone the following parcels as shown on a map titled “Proposed Changes to CB & AR-II Zoning Districts, January 3, 2017” on file with the Town Clerk and to amend the Zoning Map accordingly, such that:

The following split parcels shall be rezoned so that the portion which is presently zoned Agricultural Residential II district shall be zoned Central Business district, so that the entire parcel is zoned Central Business:

Address	Medway Assessor's Parcel ID #	Parcel Size	Current Owner
123 Main Street	48-047	6.3	Maritime Housing Fund
117 Main Street	40-071	4.112	CMR Investments LLC

And to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

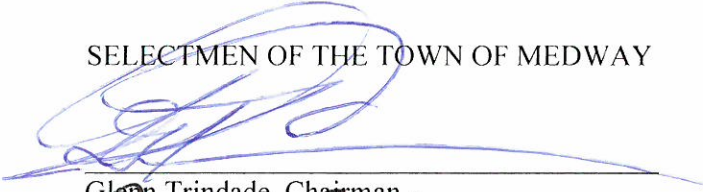
FINANCE COMMITTEE RECOMMENDATION: **Approve**

And you are hereby directed to serve this warrant by posting printed attested copies thereof at two (2) locations in each precinct at least SEVEN (7) days before the day of said meeting. Hereof fail not and make due return of this warrant with your doings thereon to the Clerk of said Town at or before the time of said meeting.

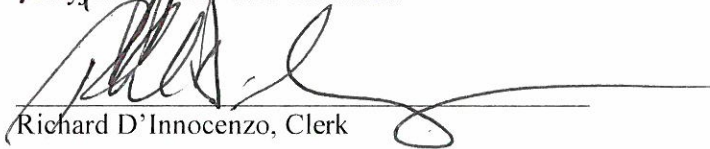
Given under our hands in Medway, this 3rd day of April 2017.

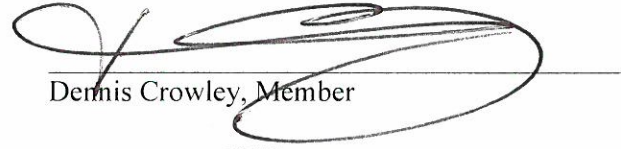
A TRUE COPY:

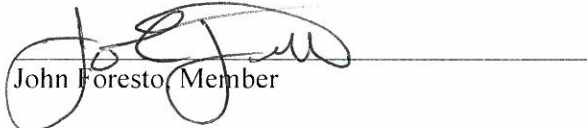
SELECTMEN OF THE TOWN OF MEDWAY



Glenn Trindade, Chairman

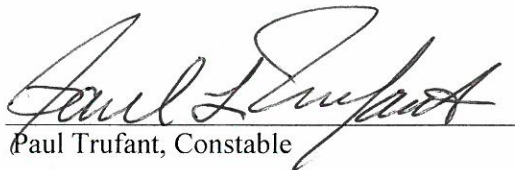
Mary Jane White, Vice Chairman

Richard D'Innocenzo, Clerk

Dennis Crowley, Member

John Foresto, Member

ATTEST:



Paul Trufant, Constable