

3.5.3. Applicability

A. Site plan review shall apply to the following:

1. Major Site Plan Review:

- a. New construction or any alteration, reconstruction, renovation, and/or change in use of any multi-family, commercial, industrial, institutional, or municipal building or use which involves one or more of the following:
 - i. the addition of 2,500 square feet or more of gross floor area; or
 - ii. ii. the addition of twenty or more new parking spaces
- b. The redesign, alteration, expansion or modification of an existing parking area involving the addition of twenty or more new parking spaces.
- c. The redesign of the layout or configuration of an existing parking area of forty or more parking spaces
- d. Construction of ground mounted solar photovoltaic installations of any size in any zoning district including solar canopy type systems in parking areas
- e. Removal, disturbance, and/or alteration of 20,000 square feet or more of existing impervious surface.
- f. Tier 2 Battery Energy Storage Systems

(Amended 5-21-18 and 11-14-22)

2. Minor Site Plan Review:

- a. New construction or any alteration, reconstruction, renovation, and/or change in use of any multi-family, commercial, industrial, institutional, or municipal building use which is not subject to Major Site Plan Review but which involves one or more of the following:
 - i. the addition of 1,000 to 2,499 square feet of gross floor area; or
 - ii. ii. the addition of ten or more but less than twenty new parking spaces
- b. The redesign, alteration, expansion or modification of an existing parking area involving the addition of ten or more but less than twenty new parking spaces; or

- c. The redesign of the layout or configuration of an existing parking area of twenty to thirty-nine parking spaces
- d. Removal, disturbance, and/or alteration of 10,000 to 19,999 square feet of impervious surface.
- e. Installation of a wireless communication facility as defined in Section 8.7 of this Zoning Bylaw. *(Added 11-18-19)*
- f. Installation of electric vehicle charging station(s) with digital advertising signage. *(Added 5-10-21)*
- g. Tier 1 Battery Energy Storage Systems *(Added 11-14-22)*

3. **Administrative Site Plan Review** - New construction or any alteration, reconstruction, renovation or change in use of any multi-family, commercial, industrial, institutional, or municipal building or use which is not subject to Major or Minor Site Plan Review but which involves one or more of the following:

- a. The addition of more than 500 but less than 1,000 square feet of gross floor area, or *(Amended 5-10-21)*
- b. The redesign, alteration, expansion or modification of an existing parking area involving the addition of up to nine new parking spaces *(Amended 5-13-19)*
- c. The creation of a new parking area involving the addition of up to nine new parking spaces *(Amended 5-13-19)*
- d. The redesign of the layout or configuration of an existing parking area of ten to nineteen parking spaces *(Amended 5-10-21)*
- e. A change in curb cuts or vehicular access to a site from a public way *(Amended 5-10-21)*
- f. Installation or alteration of sidewalks and other pedestrian access improvements
- g. Removal of trees greater than 18 inches in diameter at four feet above grade *(Amended 11-18-19)*
- h. Installation of fencing or retaining walls
- i. Outdoor placement of cargo containers, sheds, and/or membrane structures; the permanent installation of outdoor equipment; and/or the use of an outdoor area of 50 square feet or more for storage of materials *(Amended 5-10-21)*
- j. Removal, disturbance and/or alteration of 5,000 to 9,999 square feet of impervious surface *(Amended 5-10-21)*
- k. Reduction in the number of parking spaces

1. Installation of donation box

(Amended 11-18-19)

4. Façade Improvement Review

- a. Applicability. This section shall apply to exterior alteration, reconstruction, or renovation of any multi-family, commercial, industrial, or institutional building which is not subject to Major, Minor, or Administrative Site Plan Review, where such alteration, reconstruction or renovation will be visible from a street and will include any of the following:
 - i. installation or replacement of awnings
 - ii. change in a building's exterior surface material
 - iii. rearrangement or addition of windows or doors
 - iv. façade reconstruction or replacement
- b. No building permit shall be issued for any exterior building alteration that is subject to this Section 3.5.3.A.4 unless an application for façade improvement review has been prepared in accordance with the requirements herein and unless such application has been reviewed by the Medway Design Review Committee and a written recommendation is provided to the Building Commissioner or the Design Review Committee has failed to act within thirty days as provided in Section 3.5.3.A.4.d.
- c. Before filing for a building permit with the Building Commissioner for the activities specified in Section 3.5.3.A.4, a facade improvement review application shall first be filed with the Community and Economic Development office for review by the Medway Design Review Committee for compliance with the *Medway Design Review Guidelines*. The submittal of the application shall be in form and format as specified by the Design Review Committee.
- d. The Design Review Committee shall meet with the applicant or its representative to review the proposed façade improvements within twenty-one days of receipt of a complete façade improvement application (referred to herein as the application date) by the Community and Economic Development office. No later than thirty days from

the application date, the Design Review Committee shall prepare and provide its written review letter with recommendations regarding the proposed façade improvements to the Building Commissioner. Failure of the Design Review Committee to act within said thirty days shall be deemed a lack of opposition thereto. These deadlines may be extended by mutual agreement of the Design Review Committee and the applicant. *(Amended 11-12-24)*

5. Relationship to Other Permits and Approvals.

a. If an activity or use requires major or minor site plan review and one or more special permits, the Board shall serve as special permit granting authority, except special permits under Section 5.5 Nonconforming Uses and Structures. *(Amended 5-10-21)*

b. If both a special permit and major or minor site plan review are required, the Board shall review and conduct the public hearing concurrently and the Board may issue a single decision.

c. The Building Commissioner shall not issue a building permit for any project subject to this Section 3.5 unless:

i. the Board has approved a site plan therefor or allowed ninety calendar days (in the instance of a major site plan project) to elapse from the site plan submission date unless the applicant has requested an extension in writing; or

ii. the Board has approved a site plan therefor or allowed sixty calendar days (in the instance of a minor site plan project) to elapse from the site plan submission date unless the applicant has requested an extension in writing; or

iii. Administrative site plan approval has been granted or twenty-one calendar days have elapsed from the site plan submission date unless the applicant has requested an extension in writing.

d. Site plan projects may also be subject to other Town bylaws and/or permit requirements including but not limited to a Stormwater Management and Land Disturbance Permit, Scenic Road Work Permit, Order of Conditions, water and sewer connection permits, and a Street Opening/Roadway Access Permit. *(Added 5-13-19)*

B. Exemptions. The following shall be exempt from Site Plan Review under this Section 3.5:

1. Single-family and two-family homes, including additions or enlargements and accessory structures.
2. Residential subdivisions approved by the Board under the *Medway Subdivision Rules and Regulations*.
3. Projects in which the only exterior change that is visible from a public or private way, requiring a building permit, pertains to the removal of architectural barriers to comply with the Americans with Disabilities Act (ADA) or regulations of the Massachusetts Architectural Access Board (AAB).