

MIXED USE BYLAW
PUBLIC HEARING ~ SEPTEMBER 22, 2020 ~ 6:30 P.M.

ADD to Section VIII - Definitions

Town House - A single-family dwelling connected by one or more common walls, however, there shall be no more than six and no less than two town houses per structure.

Multi-family dwellings – A building containing at least two dwellings with separate sleeping, cooking, and sanitary facilities.

Green Space – Green space is land that is partly or completely covered with grass, trees, shrubs, or other vegetation. Green space may also include parks and community gardens.

Open Space – Outdoor space for passive or active use. It includes, but not limited to, recreation areas, landscaping, hardscape, water features, seating areas, plazas, gazebos, sidewalks and trails. Open space does not include parking areas or parking lot landscaping.

Thoroughfare - A road or way connecting one location to another. On land, a thoroughfare may refer to anything from a multi-lane highway to a rough trail. Thoroughfares are used by a variety of traffic, such as cars on roads and highways. On water a thoroughfare may refer to a strait, channel or waterway. The term may also refer to access to a route, distinct from the route itself. In other words, thoroughfare may refer to the legal right to use a particular way.

Recreation – Recreation is an activity that people engage in during their free time, that people enjoy, and that people recognize as having socially redeeming values.

Indoor Self-Storage – A facility that provides indoor units leased to individuals and business owners for the storage of household goods, excess supplies and archived records, as examples. Such facilities may be climate controlled, individually secured, and may have multiple stories with elevator access. All storage units to be accessed from within the building and no storage unit shall be used as a residence.

Mixed-Use Village Development – A development consisting of a mixture of residential, commercial and business uses and building types including single family dwellings, town houses, multi-family dwellings with or without attached business or commercial spaces, business and commercial buildings, recreation facility, and open space.

Affordable Housing

Affordable Housing units are units which may only be rented or purchased by eligible households whose annual incomes, adjusted for family size, do not exceed the limits for maximum annual income for low-income households or households (80% of the median income for East Longmeadow, as calculated by the U. S. Department of Housing and Urban Development or any successor agency), and are eligible and countable for the purpose of the Commonwealth's MGL Chapter 40B Subsidized Housing Inventory (SHI) or its successor.

SECTION V – SPECIAL USE REGULATIONS

5.3-B Mixed-Use Village District

Mixed-Use Village Developments shall be permitted in the Mixed-Use Village District only upon issuance of a Special Permit with Site Plan Review and Design Review from as specified in Sections 7.2 and 7.4 of the East Longmeadow Zoning Bylaw.

5.3-B-1 General Description

“Mixed-Use Village Development” shall mean a development consisting of a mixture of residential, commercial and business uses and building types including single family dwellings, town houses, multi-family dwellings with or without attached business or commercial spaces, business and commercial buildings, recreation facility, and open space.

5.3-B-2 Purpose

The purpose of this Mixed-Use Village District Bylaw is to allow a number of uses as outlined in Table 3-1 in a single development and to:

- a) Allow for greater variety and flexibility in the development of housing types integrated with business and commercial uses;
- b) Reduce vehicle trip miles by providing services within walking distance of residential units;
- c) Provide additional housing with a designated percentage of Affordable Housing as further defined in Section 5.3-B-13 herein; and
- d) Promote the preservation of open space;

5.3-B-3 In a Mixed-Use Village Development the following uses are permitted:

- a) Single family dwellings.
- b) Town House – See Section VIII, Definitions.
- c) Multi-family dwellings - See Section VIII, Definitions.
- d) Business and commercial uses compatible with and supportive of residential uses as listed in the East Longmeadow Schedule of Use Regulations Table 3-1.
- e) Recreational facility and open space, including community buildings.

5.3-B-4 Business and Commercial Uses

Commercial, Business, and Accessory Uses within the Mixed-Use Village District, as provided for in the East Longmeadow Schedule of Use Regulations Table 3-1 shall be allowed as follows:

a) Allowed uses less than 10,000 square feet may occur without restriction except for uses requiring a Special Permit. One (1) single use with up to a maximum of 25,000 square feet is allowed in the project. In addition, two (2) uses up to a maximum of 15,000 square feet each may be allowed in the project.

b) Total gross floor area devoted to Commercial and Business Use(s) shall not be less than 15% nor exceed 30% of the total gross floor area of the Mixed-Use Village Development. Any phasing of a development shall include the required minimum ratio of non-residential to residential uses.

c) Signage: All signs permitted in the Mixed-Use Village District are subject to Section 5.8 Signs, as it relates to the Business District, East Longmeadow Zoning Bylaw.

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5.3-B-5 Density and Dimensional Regulations

- a) The minimum parcel size for a Mixed-Use Village District shall be 40 acres.
- b) The maximum density of housing units shall be twelve (12) per acre, based on the area of the entire Development.
- c) Dimensions and Setbacks –refer to East Longmeadow Dimension and Density Regulations Table 3-2.
- d) The maximum height of structures within a Mixed-Use Village District shall reflect the zone and the surrounding context where the district is to be created. Such height requirements are as follows and as further defined in Section 5.3-B-12a Development Regulations, within this Bylaw:
 - 1) All Residential Zones – maximum height up to 35 feet
 - 2) Commercial and Business Zones – maximum height up to 40 feet
 - 3) Golf Recreational Zone– maximum height up to 35 feet
 - 4) Industrial and Industrial Garden Park Zones - maximum height up to 50 feet
- e) Building setbacks from parcel boundaries shall be:
 - 1) Front setback 100 feet
 - 2) Side setback 50 feet
 - 3) Rear setback 50 feet
- f) Lot Coverage:
 - 1. Max. 60% impervious (which includes the building structure coverage)
 - 2. Max. 40% building coverage
 - 3. Min. 40% green space, 20% which shall be open space. See Section VIII, Definitions
- g) Area of Landscaped Buffer:
Buffer areas shall be landscaped to provide a visual screening of the development.
 - 1. Minimum Rear 25 feet
 - 2. Minimum Side 25 feet
 - 3. Minimum front 25 feet

5.3-B-6 Utility Requirements

All structures which require plumbing shall be connected to a public sanitary sewer and public water system.

5.3-B-7 Parking and Circulation Requirements

Parking shall be in accordance with the Town of East Longmeadow Parking Specifications, East Longmeadow Zoning Bylaw, Section 5.6.

Minimum Required Spaces:

- a)** One (1) space per bedroom.
- b)** Four and one half (4.5) spaces per 1000 square feet of gross floor area of commercial and business uses.
- c)** One (1) space per 3 (three) seats for restaurants
- d)** The Planning Board may require additional visitor parking spaces beyond the one (1) space per bedroom if deemed appropriate given the design, layout and density of the proposed Mixed-Use Village Development.
- e)** Reduction in parking requirements. Notwithstanding anything to the contrary herein, any minimum required amount of parking may be reduced by the Planning Board if the applicant can demonstrate that the lesser amount of parking will not cause congestion, endanger public safety, or that lesser amount of parking will provide positive environmental or other benefits, taking into consideration, provided that the difference between the minimum required parking and the amount requested be designated on the plan as future parking and left as green space.

The Planning Board will consider the following:

- (i) Shared use of off- street parking spaces serving other uses having peak user demands at different times;
- (ii) Impact of the parking requirement on the physical environment of the affected lot or the adjacent lots including reduction in green space, destruction of significant existing trees and other vegetation, destruction of existing dwelling units, or loss of pedestrian amenities along public ways; and
- (iii) Such other factors as may be considered by the Planning Board.

5.3-B-8 Design Review

The Design Review Committee, or the Planning Board acting as the Design Review Committee, shall review applications for all actions that are subject to the provisions of this section and shall make recommendation to the developer, prior to and within the public hearing for site plan review, as to the conformance with the design standards established within Section 7.4.0 Design Review. The Planning Board shall retain overall responsibility and authority for design review approval. The Planning Board may also employ consultants to assist in Design Review at the expense of the applicant.

5.3-B-9 Community Association

a) A Community Association shall be established, requiring membership of each unit owner in the Mixed-Use Village Development. The association shall be responsible for the permanent maintenance of all communal water and sewerage systems, common open space, recreational and thoroughfares. An association agreement shall be submitted with the Special Permit/Site Plan Review application guaranteeing continuing maintenance of such common utilities, land, facilities, and assessing each unit a share of maintenance expenses. Such agreement shall be subject to the review and approval of the Town Attorney and the Planning Board, as part of the Site Plan Review.

b) Such agreements shall provide that in the event that the Community Association fails to maintain the common facilities in reasonable order and condition in accordance with the agreement, the Town may, after notice to the association and public hearing, enter upon such land and maintain it in order to preserve the taxable values of the properties within the development and to prevent the common land from becoming a public nuisance. The association agreement shall also provide that the cost of such maintenance by the Town shall be assessed against the properties within the development.

5.3-B-10 Procedures and Pre-Application Review

- a)** Applicants for Mixed-Use Village Development shall follow the Special Permit procedures specified in Section 7.2 and the Site Plan Review procedures specified in Section 7.4 within the East Longmeadow Zoning Bylaws
- b)** Applicants are encouraged to submit a Preliminary Plan for review by the Planning Board prior to the application for a special permit.

5.3-B-11 Additional Provisions

- a)** All roads in the development shall meet the minimum requirements for public roads as established by the Department of Public Works, however the Planning Board may grant waivers from the requirements for width of right-of-way and pavement, with the exception that sidewalks shall not be waived.
- b)** A bus stop for regional bus, rapid transit bus, shuttle bus, and/or ride services shall be provided for public or private transport.
- c)** A Development impact study shall be provided by the developer and reviewed by the Town at the developer's expense.
- d)** A traffic study shall not be waived.
- e)** The proposed development shall be subject to the provisions of a Host Community Agreement (HCA) negotiated by the East Longmeadow Town Manager and approved by the East Longmeadow Town Council. This agreement shall address impact issues, such as but not limited to, traffic mitigation, affordable housing as further outlined in section 5.3-B-13 herein, school enrollment, public safety, peer review, as some examples.

5.3-B-12 Development Regulations for the Mixed-Use Village District.

Development, redevelopment and reuse will generally be deemed consistent with the purposes of the Mixed-Use Village District when the Planning Board has determined that the proposed project meets the following objectives:

- a)** In the spirit and the context of creating a Mixed-Use Village Development, heights of new buildings shall approximate those of adjacent and existing buildings. Diverse roof styles and heights are encouraged and should complement the surrounding developed environment. Flat rooflines are to be discouraged as they are not in keeping with New England architecture.
- b)** Mixed-Use Village Development will be consistent with the zoning bylaws of the Town of East Longmeadow.
- c)** The Mixed-Use Village Development will provide for quality development consistent with the character of building types, streetscapes, and other community features traditionally found within the Town of East Longmeadow.
- d)** The Mixed-Use Village Development will have adequate water, drainage and sewerage systems or provide upgrades to existing systems for its needs and usage to satisfy Town of East Longmeadow requirements.
- e)** The Commercial and Business Uses of the Mixed-Use Village Development shall be planned and designed in an integrated manner to complement the Residential Uses, and help foster vibrant, workable, livable, and attractive neighborhoods consistent with the Town of East Longmeadow's Zoning Bylaw and this Section.
- f)** Site Development; Location of Buildings and Structures
A lot in the Mixed- Use Village District may contain more than one structure with a principal use. The Planning Board may grant approval for multiple structures on one lot only upon making a determination that the proposed Development contains the correct percentage of Commercial, Business and Residential uses.
- g)** Residential condominiums and townhouses shall not exceed three bedrooms. Residential apartments shall consist of a mix of one and two bedroom units.

5.3-B-13 Affordable Housing

Affordable Housing units are units which may only be rented or purchased by eligible households whose annual incomes, adjusted for family size, do not exceed the limits for maximum annual income for low-income households or households (80% of the median income for East Longmeadow, as calculated by the U. S. Department of Housing and Urban Development or any successor agency), and are eligible and countable for the purpose of the Commonwealth’s MGL Chapter 40B Subsidized Housing Inventory (SHI) or its successor.

a) Mixed-Use Village District projects, anticipating that 100 Residential units or greater are to be developed, shall include Affordable Housing at a ratio of 10% affordable units, according to the following schedule:

Market Rate Residential Units Complete	% Affordable Units
0-24%	0%
25%	10%
50%	50%
75%	75%
90%	100%
100%	100%

b) Affordable Housing units shall be integrated with the rest of the Mixed-Use Village development as to desirability of location and access to amenities. Affordable Housing units shall be compatible in design, appearance, construction, and quality of materials with other market-rate units, within the development. Interior features and mechanical systems of affordable units shall conform to the same specifications that apply to market-rate units, within the development.

c) To the extent possible local preference will be used. To the extent permitted by the Fair Housing Act, this Special permit will address housing preference as it relates to municipal employees, East Longmeadow residents and employees of East Longmeadow businesses.

**TABLE 3-1
EAST LONGMEADOW SCHEDULE OF USE REGULATIONS**

TYPES OF DISTRICTS				PERMITTED USES													
AA	Residence AA	ER	Elderly Residential	IGP	Industrial Garden Park	Y	YES, Use Permitted										
A	Residence A	COM	Commercial	GR	Golf Recreational	N	NO, Prohibited										
B	Residence B	BUS	Business	PUR	Planned Unit Residential	SP	Use allowed by Special Permit from the Planning Board										
C	Residence C	I	Industrial	PAR	Planned Adult Residential	NA	Not Applicable										
MUV	Mixed-Use Village District																
Bylaw Number	Land Use Classification	Standards and Conditions			AA	A	B	C	ER	COM	BUS	I	IGP	GR	PUR	PAR	MUV
3.02	GENERAL USES																
3.020	Agriculture, horticulture, floriculture, viticulture, aquaculture uses. On parcels of land more than 5 acres including: a. Commercial Livestock, dairy, poultry farm. b. Farm business commercial greenhouse, farm stand	See Section VIII Definitions			Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
3.021	Agriculture, horticulture, floriculture, viticulture, aquaculture uses. On parcels of land 5 acres or less including: a. Commercial Livestock, dairy, poultry farm. b. Farm business commercial greenhouse, farm stand.	Ninety (90) percent of products sold must have been raised or produced on the premises. For the sale and display of farm products ninety (90) percent of which must have been raised or produced on the premises.			Y	Y	N	N	N	N	N	N	N	Y	Y	Y	Y

		Table 3-1 (Continued)													
Bylaw Number	Land Use Classification	Standards and Conditions	AA	A	B	C	ER	COM	BUS	I	IGP	GR	PUR	PAR	MUV
	General Uses (Continued)														
3.022	(Reserved)														
3.023	Commercial riding academy, boarding stable	Must be over five acres, farm related	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
3.0235	Commercial Kennel		N	N	N	N	N	N	N	N	N	N	N	N	N
3.0236	Pet day Care and Grooming	See Section 7.2	N	N	N	N	N	N	SP	SP	N	N	N	N	SP
3.024	Forestry, wood harvesting tree farm, nursery		Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y
3.025	Golf Recreation Uses are permitted as golf recreation uses: a. Area and facility for practice golf, basketball or tennis b. A swimming pool c. A golf club house with accessory buildings for caddies, golf professional shop, and storage for the gold course maintenance equipment. d. The conduct of a restaurant in the golf club house, together with the right to act as a common victualer. e. A golf course.		N	N	N	N	N	N	N	N	N	Y	N	N	N
3.026	Area and facility for sporting activity	Does not apply to family use.	N	N	N	N	N	N	N	N	N	N	N	N	N
3.0265	Recreational facility, commercial and private	See Section 7.2.	N	N	N	N	N	N	N	SP	N	SP	N	N	SP
3.027	Commercial landing strip or heliport		N	N	N	N	N	N	N	N	N	N	N	N	N
3.028	Non-conforming structures or uses	See Section 3.5 and 7.2	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP
3.03	RESIDENTIAL USES														
3.030	Single-family detached dwelling		Y	Y	Y	Y	Y	Y	Y	N	N	Y	Y	Y	Y

Table 3-1 (Continued)																
Bylaw Number	Land Use Classification	Standards and Conditions	AA	A	B	C	ER	COM	BUS	I	IGP	GR	PUR	PAR	MUV	
	Community and Public Service Uses (continued)															
3.046	Public library, museum	See Section 7.2	SP	SP	SP	SP	SP	Y	N	N	N	Y	SP	N	N	
3.047	Public or commercial garage	See Section 7.2	N	N	N	N	N	N	SP	SP	SP	N	N	N	N	
3.048	Telephone exchange buildings, public utility sub-station	See Section 7.2	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	N	SP	
3.0481	Wireless/Telecommunications Service Facilities and Towers	See Section 7.2	N	N	N	N	N	SP	SP	SP	SP	N	N	N	SP	
3.049	Cemetery	Must be adjacent to or extension of an existing cemetery.	Y	Y	Y	Y	N	Y	N	N	N	Y	Y	N	N	
3.050	Crematory	Must be situated within existing cemetery.	Y	Y	Y	Y	N	Y	N	N	N	Y	Y	N	N	
3.051	Membership club, lodge, social, recreational and community center organization		N	N	N	N	N	N	Y	N	N	N	SP	N	SP	
3.052	Convalescent, Assisted Living, congregate elderly, handicapped housing or nursing home	See Section 7.2	SP	SP	SP	SP	SP	N	N	N	N	N	SP	N	N	
3.053	(Reserved)															
3.054	Hospital or sanitarium, medical clinic	See Section 7.2	SP	SP	SP	SP	SP	N	N	N	SP	N	SP	N	SP	
3.06	COMMERCIAL USES															
3.060	Professional office	Including, but not limited to doctors, architects and	N	N	N	N	N	Y	Y	Y	Y	N	N	N	Y	
3.061	Bank, financial, brokerage and loan office		N	N	N	N	N	Y	Y	Y	Y	N	N	N	Y	
3.062	Insurance and real estate office		N	N	N	N	N	Y	Y	Y	Y	N	N	N	Y	
3.063	Dental, medical & scientific labs		N	N	N	N	N	Y	Y	Y	Y	N	N	N	Y	
3.064	General consultant office		N	N	N	N	N	Y	Y	Y	Y	N	N	N	Y	
3.065	Telephone and utility office		N	N	N	N	N	Y	Y	Y	Y	N	N	N	Y	

		Table 3-1 (Continued)													
Bylaw Number	Land Use Classification	Standards and Conditions	AA	A	B	C	ER	COM	BUS	I	IGP	GR	PUR	PAR	MUV
	(Commercial Uses Continued)														
3.066	Studio for professional photographer and artist		N	N	N	N	N	Y	Y	Y	Y	N	N	N	Y
3.067	Travel agency		N	N	N	N	N	Y	Y	Y	Y	N	N	N	Y
3.068	Commercial School		N	N	N	N	N	Y	Y	Y	Y	N	N	N	Y
3.069	Sales Office	Provided no goods for sale are stored on the premises and no retail sales are conducted from the location.	N	N	N	N	N	Y	Y	Y	Y	N	N	N	Y
3.07	BUSINESS USES														
3.070	Retail Store	See Section 7.39 for IGP allowance	N	N	N	N	N	N	Y	Y	SP	N	N	N	Y
3.071	Convenience Store		N	N	N	N	N	N	Y	Y	N	N	N	N	Y
3.0715	Indoor Self Storage	See Definitions Section VIII													Y
3.072	Wholesale business		N	N	N	N	N	N	Y	Y	N	N	N	N	Y
3.073	Planned Business Development	Includes Shopping Centers. See Section 5.2	N	N	N	N	N	N	SP	SP	N	N	N	N	N
3.074	Supermarket		N	N	N	N	N	N	Y	Y	N	N	N	N	Y
3.075	Personal Service Shop		N	N	N	N	N	N	Y	Y	N	N	N	N	Y
3.075.1	Massage Therapist Facility or Licensed Massage Therapy Salon	See Sections 7.2, 7.3 and 7.37	N	N	N	N	N	SP	SP	SP	N	N	N	N	SP
3.076	Gasoline Filling Station	Body and fender work prohibited. See Section 5.7	N	N	N	N	N	N	Y	Y	N	N	N	N	N
3.0761	Gasoline Filling Station with Convenience Store	Body and fender work prohibited. See Section 5.7 and Section 7.2.	N	N	N	N	N	N	SP	SP	N	N	N	N	N
3.0762	Car Washing Facility	See Section 5.7 and Section 7.2.	N	N	N	N	N	N	SP	SP	N	N	N	N	N
3.0763	Automobile repair shop, storage battery service, greasing station	Body and fender work prohibited. See Section 5.7	N	N	N	N	N	N	Y	Y	N	N	N	N	N
3.0764	Used Car Lot	See Section 5.7 and 7.2.	N	N	N	N	N	N	SP	N	N	N	N	N	N
3.077	Restaurant	See Section 7.2	N	N	N	N	N	N	SP	SP	N	N	N	N	SP
3.078	Funeral establishment		N	N	N	N	N	N	Y	Y	N	N	N	N	N
3.079	Veterinary hospital	All animals must be kept inside permanent buildings	N	N	N	N	N	Y	Y	Y	N	N	N	N	Y
3.079.1	Gaming Establishments		N	N	N	N	N	N	N	N	N	N	N	N	N
3.079.2	Medical Marijuana Treatment Centers Registered Marijuana	See Sections 7.2, 7.3, 7.38, 6.0, 6.01, 6.02, 6.03 and 6.04	N	N	N	N	N	N	N	N	SP	N	N	N	N

Table 3-1 (Continued)															
Bylaw Number	Land Use Classification	Standards and Conditions	AA	A	B	C	ER	COM	BUS	I	IGP	GR	PUR	PAR	MUV
3.08	INDUSTRIAL USES														
3.080	Industrial uses, not commonly considered hazardous or noxious	All industrial uses are permitted except those uses listed in Section 3.01. No use shall be permitted which would be detrimental or offensive or tend to reduce property values in the same or adjoining districts by reason of dirt, odor, fumes, smoke gas, sewage refuse, noise, excessive vibration or danger of fire or explosion.	N	N	N	N	N	N	N	Y	Y	N	N	N	N
3.081	Wholesale trade and warehouse operations		N	N	N	N	N	N	N	Y	Y	N	N	N	N
3.082	Construction supply establishment (including a lumber yard)		N	N	N	N	N	N	Y	Y	Y	N	N	N	N
3.083	Open quarrying and removal of sandstone		N	N	N	N	N	N	N	N	N	N	N	N	N
3.09	ACCESSORY USES														
3.090	Home office or studio	The use of a portion of a home by a bona fide resident of the premises as an office or studio for the private conduct of a profession, home occupation, or trade shall be considered accessory to the use of the residence provided that: a. A Waiver of Site Plan approval for a private home office or studio must be granted by the Planning Board prior to any business being conducted at the residence. b. the home occupation is to be conducted in an office or studio in the primary dwelling and is carried on only by members of the resident family living on the premises.	Y	Y	Y	Y	N	Y	Y	N	N	Y	Y	N	Y

Bylaw Number	Land Use Classification	Standards & Conditions	AA	A	B	C	ER	COM	BUS	I	IGP	GR	PUR	PAR	MUV
3.092	Garaging or parking commercial vehicles Notwithstanding Section 7.36, Additional Criteria for Home Based Trade	Vehicles used primarily for agricultural purposes on the premises are exempt. The following Standards and Conditions shall apply on in the Residential district (AA, A, B, C and ER): a. Commercial vehicle shall not be more than one ton in rated capacity. b. Not more than one commercial vehicle of any size can be kept per lot. c. If not garaged, commercial vehicles must be screened from view. d. The lease or rental of garage storage to a non-resident owner of a commercial vehicle is not permitted.	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	Y
3.093	Private stable, not conducted for gain	Business operations are prohibited. No more than 4 horses shall be kept on a single lot. A minimum area of lot shall be 10,000 square feet per horse.	Y	Y	Y	Y	N	Y	N	N	N	Y	Y	N	N
3.094	Family pool	See Section 5.9.	Y	Y	Y	Y	Y	Y	N	N	N	Y	Y	N	N
3.095	Neighborhood pool, not conducted for gain	See Section 5.9. A pool used in connection with a clubhouse is an Accessory Use allowed in the Mixed-Use Village District.	Y	Y	Y	Y	Y	N	N	N	N	N	Y	N	Y
3.096	House Trailer, Mobile Home	Not more than one (1) house trailer may be located on a lot. Cannot be used as a dwelling unit on the lot. Must conform to accessory building setback, side yard and rear yard requirement of the zone in which it is located	Y	Y	Y	Y	Y	N	N	N	N	N	N	N	N
3.097	Clubhouse	Intended for residents and guests in the Mixed-Use Village District	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	Y
3.10	Public Transportation Service area to support bus stop, regional bus, rapid transit bus, shuttle bus, or ride services.		N	N	N	N	Y	Y	Y	Y	Y	N	N	N	Y
3.15	Helistop, limited use		N	N	N	N	N	N	N	N	SP	N	N	N	N

3.2 DIMENSIONAL AND DENSITY REGULATIONS

All permitted uses allowed by Special Permit shall be in conformity with the dimensional and density regulations set forth in Table 3-2, Table of Dimension Regulations

**TABLE 3 – 2
TABLE OF DIMENSIONAL REGULATIONS**

District	Use	Min. Lot Area (Sq. ft. or as noted)	Min. Frontage (feet)	Min. Setback (feet)	Min. Side Yard (feet)	Min. Rear Yard (feet)	Min. ** Setback Accessory (feet)	Max. * Height (feet)	Max. Lot Coverage %	Comment
AA	Any permitted use	40,000	175	50	35	50	60	35	25	Private stable – for stabling one horse, a lot must have a minimum lot size of 10,000 square feet. For stabling additional horses, a lot shall have 10,000 square feet of additional area for each additional horse.
	Town Building	40,000	175	50	35	50	60	50	25	
	Hospital, Sanitarium, Medical Clinic, Convalescent, Nursing Home, Congregate Care, Handicapped or Assisted Living Facility	40,000	175	50	50	50	60	35***	25	No building shall be built within 50 feet of any property line. See Section 7.33
	Church, Building for Educational purposes, Public Library, Museum	80,000	350	70	49	70	80	45	60	There shall be no parking or access driveways closer than 25 feet to a Residential District boundary. See Section 7.34 The entire length of the side and rear yards abutting a Residential District shall be landscaped for a depth of 20 feet from the lot line.

* Height shall not apply to chimneys, steeples or flagpoles. However, no radio, television antenna or other aerial devices which are mounted on an existing man-made structure other than an antenna structure, shall increase the overall height of such man-made structures by more than 20 feet and in all cases shall be stayed in such a manner to assure stability.

** Any accessory structure constructed at least ten (10) feet behind the principal building can be erected no closer than five (5) feet of the rear and/or side yard property line. Any other accessory structures must meet the required side and rear yard setbacks as the principal building.

*** Height may be increased to forty-five (45) feet upon Special Permit application and Planning Board review and approval.

3.2 DIMENSIONAL AND DENSITY REGULATIONS

All permitted uses allowed by Special Permit shall be in conformity with the dimensional and density regulations set forth in Table 3-2, Table of Dimension Regulations

**TABLE 3 – 2
TABLE OF DIMENSIONAL REGULATIONS**

District	Use	Min. Lot Area (Sq. ft. or as noted)	Min. Frontage (feet)	Min. Setback (feet)	Min. Side Yard (feet)	Min. Rear Yard (feet)	Min. ** Setback Accessory (feet)	Max. * Height (feet)	Max. Lot Coverage %	Comment
A	Any permitted use	25,000	140	50	20	50	60	35	25	Private stable – for stabling one horse, a lot must have a minimum lot size of 10,000 square feet. For stabling additional horses, a lot shall have 10,000 square feet of additional area for each additional horse.
	Town Building	25,000	140	50	20	50	60	50	25	
	Hospital, Sanitarium, Medical Clinic, Convalescent, Nursing Home, Congregate Care, Handicapped or Assisted Living Facility	25,000	140	50	50	50	60	35***	25	No building shall be built within 50 feet of any property line. See Section 7.33
	Church, Building for Educational purposes, Public Library, Museum	50,000	280	70	28	70	80	45	60	There shall be no parking or access driveways closer than 25 feet to a Residential District boundary. See Section 7.34 The entire length of the side and rear yards abutting a Residential District shall be landscaped for a depth of 20 feet from the lot line.

* Height shall not apply to chimneys, steeples or flagpoles. However, no radio, television antenna or other aerial devices which are mounted on an existing man-made structure other than an antenna structure, shall increase the overall height of such man-made structures by more than 20 feet and in all cases shall be stayed in such a manner to assure stability.

** Any accessory structure constructed at least ten (10) feet behind the principal building can be erected no closer than five (5) feet of the rear and/or side yard property line. Any other accessory structures must meet the required side and rear yard setbacks as the principal building.

*** Height may be increased to forty-five (45) feet upon Special Permit application and Planning Board review and approval.

3.2 DIMENSIONAL AND DENSITY REGULATIONS

All permitted uses allowed by Special Permit shall be in conformity with the dimensional and density regulations set forth in Table 3-2, Table of Dimension Regulations

**TABLE 3 – 2
TABLE OF DIMENSIONAL REGULATIONS**

District	Use	Min. Lot Area (Sq. ft. or as noted)	Min. Frontage (feet)	Min. Setback (feet)	Min. Side Yard (feet)	Min. Rear Yard (feet)	Min. ** Setback Accessory (feet)	Max. * Height (feet)	Max. Lot Coverage %	Comment
B	Any permitted use	15,000	100	40	15	35	50	35	25	Private stable – for stabling one horse, a lot must have a minimum lot size of 10,000 square feet. For stabling additional horses, a lot shall have 10,000 square feet of additional area for each additional horse.
	Town Building	15,000	100	40	15	35	50	50	25	
	Hospital, Sanitarium, Medical Clinic, Convalescent, Nursing Home, Congregate Care, Handicapped or Assisted Living Facility	15,000	100	50	50	50	60	35***	25	No building shall be built within 50 feet of any property line. See Section 7.33
	Church, Building for Educational purposes, Public Library, Museum	30,000	200	56	21	49	66	45	60	There shall be no parking or access driveways closer than 25 feet to a Residential District boundary. See Section 7.34 The entire length of the side and rear yards abutting a Residential District shall be landscaped for a depth of 20 feet from the lot line.

* Height shall not apply to chimneys, steeples or flagpoles. However, no radio, television antenna or other aerial devices which are mounted on an existing man-made structure other than an antenna structure, shall increase the overall height of such man-made structures by more than 20 feet and in all cases shall be stayed in such a manner to assure stability.

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**TABLE 3 – 2
TABLE OF DIMENSIONAL REGULATIONS**

District	Use	Min. Lot Area (Sq. ft. or as noted)	Min. Frontage (feet)	Min. Setback (feet)	Min. Side Yard (feet)	Min. Rear Yard (feet)	Min. ** Setback Accessory (feet)	Max. * Height (feet)	Max. Lot Coverage %	Comment
C	Any permitted use	10,000	75	25	12	25	35	35	25	Private stable – for stabling one horse, a lot must have a minimum lot size of 10,000 square feet. For stabling additional horses, a lot shall have 10,000 square feet of additional area for each additional horse.
	Town Building	10,000	75	25	12	25	35	50	25	
	Hospital, Sanitarium, Medical Clinic, Convalescent, Nursing Home, Congregate Care, Handicapped or Assisted Living Facility	10,000	50	50	50	50	60	35***	25	No building shall be built within 50 feet of any property line. See Section 7.33
	Church, Building for Educational purposes, Public Library, Museum	20,000	150	35	17	35	45	45	60	There shall be no parking or access driveways closer than 25 feet to a Residential District boundary. See Section 7.34 The entire length of the side and rear yards abutting a Residential District shall be landscaped for a depth of 20 feet from the lot line.

* Height shall not apply to chimneys, steeples or flagpoles. However, no radio, television antenna or other aerial devices which are mounted on an existing man-made structure other than an antenna structure, shall increase the overall height of such man-made structures by more than 20 feet and in all cases shall be stayed in such a manner to assure stability.

** Any accessory structure constructed at least ten (10) feet behind the principal building can be erected no closer than five (5) feet of the rear and/or side yard property line. Any other accessory structures must meet the required side and rear yard setbacks as the principal building.

*** Height may be increased to forty-five (45) feet upon Special Permit application and Planning Board review and approval.

3.2 DIMENSIONAL AND DENSITY REGULATIONS

All permitted uses allowed by Special Permit shall be in conformity with the dimensional and density regulations set forth in Table 3-2, Table of Dimension Regulations

TABLE 3 – 2

TABLE OF DIMENSIONAL REGULATIONS

District	Use	Min. Lot Area (Sq. ft. or as noted)	Min. Frontage (feet)	Min. Setback (feet)	Min. Side Yard (feet)	Min. Rear Yard (feet)	Min. ** Setback Accessory (feet)	Max. * Height (feet)	Max. Lot Coverage %	Comment
ER	Any permitted use	5 acres	200	50	50	50	50	35***	25	<p>Unit density is limited to 25 units/acre. There shall be a maximum of 200 units on any one lot. Minimum of 8 units for each principal building.</p> <p>A 120foot distance between dwelling buildings is required.</p> <p>Vehicular access to a public way or ways must be provided at a minimum of 2 locations not less than 100 feet apart.</p> <p>Note: 25 feet landscaped buffer is required along the front yard, side yard and rear yard requirements if abutting any other residential districts.</p>

* Height shall not apply to chimneys, steeples or flagpoles. However, no radio, television antenna or other aerial devices which are mounted on an existing man-made structure other than an antenna structure, shall increase the overall height of such man-made structures by more than 20 feet and in all cases shall be stayed in such a manner to assure stability.

** Any accessory structure constructed at least ten (10) feet behind the principal building can be erected no closer than five (5) feet of the rear and/or side yard property line. Any other accessory structures must meet the required side and rear yard setbacks as the principal building.

*** Height may be increased to forty-five (45) feet upon Special Permit application and Planning Board review and approval.

3.2 DIMENSIONAL AND DENSITY REGULATIONS

All permitted uses allowed by Special Permit shall be in conformity with the dimensional and density regulations set forth in Table 3-2, Table of Dimension Regulations

**TABLE 3 – 2
TABLE OF DIMENSIONAL REGULATIONS**

District	Use	Min. Lot Area (Sq. ft. or as noted)	Min. Frontage (feet)	Min. Setback (feet)	Min. Side Yard (feet)	Min. Rear Yard (feet)	Min. ** Setback Accessory (feet)	Max. * Height (feet)	Max. Lot Coverage %	Comment
PUR Planned Unit Residential										
	P.U.R.D.**	40 acres	(1)	(2)	(3)	(4)	(5)	35	(6)	
	Residential Use	40,000	175	50	35	50	60	35	25	
	Any other permitted use	40,000	175	50	35	50	60	35***	25	Accessory side and rear yard not less than 50 feet

*These provisions shall not apply to chimneys, flag or radio poles, elevator penthouses and required bulkheads.

**Planned Unit Residential Development (P.U.R.D.): Minimum setback and side/yard dimensions of Residence AA shall pertain to the periphery of the P.U.R.D.

*** For Section 7.33 uses only. Height may be increased to forty-five (45) feet upon Special Permit application and Planning Board review and approval.

- (1) Frontage is not applicable
- (2) Minimum of 40 feet setback as measured from the center line of street to structure, as applicable.
- (3) Minimum of 25 feet side yard between structures.
- (4) Minimum of 25 feet rear yard between structures.
- (5) Minimum of 40 feet setback as measured from center line of street to structure, as applicable.
- (6) Maximum lot coverage is not applicable. The P.U.R.D. density shall not exceed three (3) units per aggregate acre, excluding wetlands of the P.U.R.D. and there shall be no more than three (3) bedrooms per unit.

3.2 DIMENSION AND DENSITY REGULATIONS

All permitted uses allowed by Special Permit shall be in conformity with the dimensional and density regulations set forth in Table 3-2, Table of Dimension Regulations

**TABLE 3 – 2
TABLE OF DIMENSIONAL REGULATIONS**

District	Use	Min. Lot Area (Sq. ft. or as noted)	Min. Frontage (feet)	Min. Setback (feet)	Min. Side Yard (feet)	Min. Rear Yard (feet)	Min. ** Setback Accessory (feet)	Max. * Height (feet)	Max. Lot Coverage %	Density	Comment
PAR Planned Adult Residential District											
	P.A.R.D. **	25 acres	(1)	(2)	(3)	(4)	(5)	35	(6)	(7)	

*These provisions shall not apply to chimneys, flag or radio poles, elevator penthouses and required bulkheads.

* **Planned Adult Residential District (P.A.R.D.): Minimum setback and side/yard dimensions pertaining to the periphery of the P.A.R.D. shall be 50 feet.

- (1) Frontage not applicable.
- (2) Minimum of 40 feet setback as measured from center line of street to structure, as applicable.
- (3) Minimum of 24 feet side yard between structures.
- (4) Minimum of 25 feet rear yard between structures.
- (5) Minimum of 40 feet setback as measured from center line of street to structure, as applicable.
- (6) Maximum lot coverage 50% (structures, road pavements and impervious surfaces), excluding one hundred percent (100%) of the wetlands in the calculations.
- (7) The P.A.R.D. density shall not exceed the units per aggregate usable acre of the P.A.R.D. based on the average square foot requirements set forth below and there shall be no more than three (3) bedrooms per unit.

AVERAGE SQUARE FEET OF UNITS	UNITS PER USABLE ACRE
< 1600	5
1601-2300	4
>2301	3

Basements, porches and decks shall not be included in the calculation of the square footage of the units. The density calculation shall be the average of all units as depicted on The site plan submitted to the Planning Board for either the entire P.A.R.D. development or the phase of the P.A.R.D. development identified on the site plan submitted to the Planning Board and shall be based upon the usable acres developed to said site plan.

3.2 DIMENSIONAL AND DENSITY REGULATIONS

All permitted uses allowed by Special Permit shall be in conformity with the dimensional and density regulations set forth in Table 3-2, Table of Dimension Regulations

**TABLE 3 – 2
TABLE OF DIMENSIONAL REGULATIONS**

District	Use	Min. Lot Area (Sq. ft. or as noted)	Min. Frontage (feet)	Min. Setback (feet)	Min. Side Yard (feet)	Min. Rear Yard (feet)	Min. Setback Accessory (feet)	Max. * Height (feet)	Max. Lot Coverage %	Comment
COM Commercial District	Any permitted use	15,000	100	25	**	25	25	30	Single story = 40% Two story = 30%	See “Additional Use Dimensional and Density Regulations” section

* Height provisions shall not apply to chimneys, flag or radio poles, water tanks or hose towers, nor to required bulkheads or elevator penthouses. A residence building shall comply with the height requirements for residential districts.

** Twelve (12) foot side yard, except where abutting any residential property or district, in which case the side yard shall be twenty-five (25) feet.

3.2 DIMENSIONAL AND DENSITY REGULATIONS

All permitted uses allowed by Special Permit shall be in conformity with the dimensional and density regulations set forth in Table 3-2, Table of Dimension Regulations

**TABLE 3 – 2
TABLE OF DIMENSIONAL REGULATIONS**

District	Use	Min. Lot Area (Sq. ft. or as noted)	Min. Frontage (feet)	Min. Setback (feet)	Min. Side Yard (feet)	Min. Rear Yard (feet)	Min. Setback Accessory (feet)	Max. * Height (feet)	Max. Lot Coverage %	Max. Size *** (sq. ft.)	Comment
BUS Business	Any permitted Use	none	100	25	none	none	25	40	25	***	See “Additional Use Dimensional and Density Regulations” section.
	Residential Use	none	75	25	12	25	35	35	25	none	
	Planned Business Development	2.5 acres	120	50	5	5	50	40	35	65,000	See Section 5.2
	Storage or sale of unused motor vehicles	20,000	150	25	none	none	25	40	75	65,000 (subject to section 7.35)	See “Additional Use Dimensional and Density Regulations” section.

* Height provisions shall not apply to chimneys, flag or radio poles, water tanks or hose towers, nor to required bulkheads or elevator penthouses. For a building to be devoted in whole or in part to residence purposes, the requirements for setbacks, side yards and rear yards prescribed for Residence C district shall apply.

*** For size limits, see Sections 3.333 and 5.235. For any permitted use, except retail use, no maximum square footage. Retail use: 65,000 square foot for maximum building size.

3.2 DIMENSIONAL AND DENSITY REGULATIONS

All permitted uses allowed by Special Permit shall be in conformity with the dimensional and density regulations set forth in Table 3-2, Table of Dimensional Regulations.

Table 3-2

TABLE OF DIMENSIONAL REGULATIONS (continued)

DISTRICT	Use	Min. Lot Area (Sq. feet) Or as noted	Min. Frontage (Sq. feet)	Min. Setback (Sq. feet)	Min. Side Yard (Sq. feet)	Min. Rear Yard (Sq. feet)	Min. Setback Accessory (Sq. feet)	Max * Height (Sq. feet)	Max. Lot Coverage (%)	Max. Size** (Sq. feet)	Comment
I	Any permitted use	None	None	25	12	25	25	50	60	***	See "Additional Use Dimensional and Density Regulations" section.
Industrial											
	Planned Business Development	2.5 acres	120	50	5	5	50	40	35	65,000	See Section 5.2
	Abutting a Residence District	None	None	25	50	50	25	50	60	***	See Section 3.34
	Abutting a commercial, business or industrial district	None	None	25	12	25	25	50	60	***	

* These provisions shall not apply to chimneys, smokestacks, aerators, flag or radio poles, elevator penthouses, gas holders, water tanks, grain elevators, required bulkheads, or other equipment appurtenant to industrial buildings.

** For size limits see Section 3.3343

*** Any permitted use, except retail use, no maximum square footage. Retail use: 65,000 square feet maximum building size. Maximum square footage limitation determined by designated use.

3.2 DIMENSIONAL AND DENSITY REGULATIONS

All permitted uses allowed by Special Permit shall be in conformity with the dimensional and density regulations set forth in Table 3-2, Table of Dimensional Regulations

T A B L E 3 - 2
TABLE OF DIMENSIONAL REGULATIONS (Continued)

DISTRICT	Use	Min. Lot Area (Sq. ft.) or as noted	Min. Frontage (feet)	Min. Setback (feet)	Min. Side Yard (feet)	Min. Rear Yard (feet)	Min. Setback Accessory (feet)	Max.* Height (feet)	Max. Lot Coverage (%)	Comment
GR - Golf										
Recreational										
	Residential use	40,000	175	50	35	50	60	35	25	
	Any other permitted use	40,000	175	50	35	50	60	35	25	Accessory side and rear yard not less than 50 feet.

* These provisions shall not apply to chimneys, flag or radio poles, elevator penthouses and required bulkheads.

3.2 DIMENSIONAL AND DENSITY REGULATIONS

All permitted uses allowed by Special Permit shall be in conformity with the dimensional and density regulations set forth in Table 3-2, Table of Dimensional Regula

T A B L E 3 - 2
TABLE OF DIMENSIONAL REGULATIONS (Continued)

DISTRICT	Use	Min. Lot Area (Sq. ft.) or as noted	Min. Frontage (feet)	Min. Setback (feet)	Min. Side Yard (feet)	Min. Rear Yard (feet)	Min. Setback Accessory (feet)	Max.* Height (feet)	Max. Lot Coverage (%)	Comment
IGP Industrial Garden Park	Any permitted use	75,000	250	75	40	50	75	50	**	When abutting any residential district, the rear and/or side yard shall be 50 feet. A 25 foot landscaped buffer is required if a property abuts any residential district.
	Medical Marijuana Treatment Centers Registered Marijuana Treatment Centers	75,000	250	75	40	50	75	50	**	See additional requirements in Section 7.2, 7.3, 7.38, 6.0, 6.01, 6.02, 6.03, and 6.04

* Height shall not apply to chimneys, smokestacks, water towers, flagpoles, aerators, antennas or other equipment appurtenances necessitated by the permitted use to which the building is put.

**Maximum lot coverage in the IGP district: On any lot, building area shall not exceed 40% of the lot area on lots having less than 225,000 square feet of area and 45% of the lot area on lots having 225,000 square feet or more.

3.2 DIMENSIONAL AND DENSITY REGULATIONS

All permitted uses allowed by Special Permit shall be in conformity with the dimensional and density regulations set forth in Table 3-2, Table of Dimensional Regs

T A B L E 3 - 2
TABLE OF DIMENSIONAL REGULATIONS (Continued)

DISTRICT	Use	Min. Lot Area (Sq. ft.) or as noted	Min. Frontage (feet)	Min. Setback (feet)	Min. Side Yard (feet)	Min. Rear Yard (feet)	Min. Setback Accessory (feet)	Max.* Height (feet)	Max. Coverag (%)	Comment
MUV Mixed-Use Village District	Any permitted use	40 Acres	175	100	50	50	***	**	60	A 25 foot landscaped buffer is required.

* Height provisions shall not apply to chimneys, smoke stacks, water towers, aerators, antennas, flag or radio poles, water tanks or hose towers, nor to required bulkheads or elevator penthouses or other equipment appurtenances necessitated by the permitted use to which the building is put.

** The maximum height of structures within a Mixed-Use Village District shall reflect the zone and the surrounding context where the district is to be created.

- a) All Residential Zones – maximum height up to 35 feet
- b) Commercial and Business Zones – maximum height up to 40 feet
- c) Golf Recreational Zone– maximum height up to 35 feet
- d) Industrial and Industrial Garden Park Zones - maximum height up to 50 feet

*** All buildings will meet primary setbacks