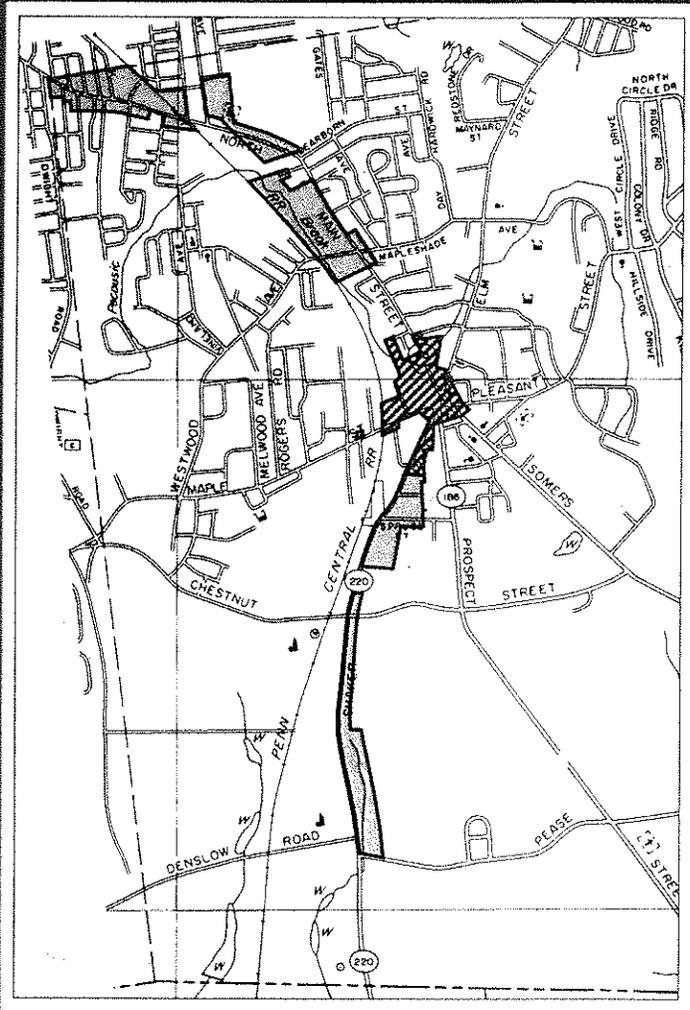


# Enhancing



# East Longmeadow

**Through Improved Business, Commercial  
and Industrial Zoning**

1996

This project was funded by A Municipal Incentive Grant awarded by the Massachusetts  
Department of Housing and Community Development

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Enhancing East Longmeadow  
Through  
Improved Business, Commercial and Industrial Zoning

Prepared by the  
Pioneer Valley Planning Commission  
for the  
Town of East Longmeadow

This project was funded by a Municipal Incentive Grant Awarded by the  
Massachusetts Department of Housing and Community Development

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## ACKNOWLEDGEMENTS

The Strategic Planning Committee for Enhancing East Longmeadow worked many hours identifying needs and issues important to the Town and its citizens, and exploring a wide range of zoning solutions. The dedication of all the committee members to this project is greatly appreciated:

Leslie Fredette, Chair  
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# *Executive Summary*

## **Introduction**

East Longmeadow's Board of Selectmen and Planning Board view as important priorities, promoting the character of East Longmeadow and encouraging sound economic development. A project was initiated at the behest of the Planning Board to address these priorities through a review of the town's zoning bylaw, especially portions that regulate the commercial, business and industrial districts. The Planning Board established the Enhancing East Longmeadow Strategic Planning Committee comprised of residents representing a variety of interests in the community. The Committee met regularly, and with the help of the Pioneer Valley Planning Commission, town officials and residents, recommended modifications to the town's bylaw.

## **Issues**

In recent years the town has seen a considerable influx of commercial strip development and increases in traffic. They are eroding the small town appearance of East Longmeadow causing concern to citizens. While the town recognizes the need for commercial and industrial development to diversify its tax base, it wants this development to occur in a manner that takes into consideration East Longmeadow's small town character. The Enhancing East Longmeadow Strategic Planning Committee, Town residents, the Building Inspector and business owners interviewed for this project identified several key issues. The modifications proposed to the town's bylaw address the following issues:

1. loss of small town character
2. deteriorating town center character in the area around the rotary
3. rapid commercial (and industrial) growth along North Main Street and Shaker Road resulting in strip development
4. conflict of uses in zoning districts, especially between residences and businesses in the Business district
5. need for updating the industrial uses permitted in the zoning bylaw to allow or restrict new technologies.
6. increased traffic, especially in the rotary and on North Main Street.

## **PROPOSED MODIFICATIONS**

### **Zoning Districts**

The creation of a Town Center District and a Corridor District is proposed to better define the character of the primary commercial areas of East Longmeadow. The objective of these zoning districts is to help ensure that any future changes or growth in East Longmeadow will strengthen the small town character and pedestrian scale of the Town Center and enhance the appearance and safety of the Corridor. The new districts, which will follow the existing Commercial and Business District boundaries, combining sections of each, are supported through modifications to each of the following seven components of East Longmeadow's Zoning By-law: Use Regulations, Dimensional and Density Regulations, Sign Regulations, Parking Regulations, Site Plan Review, Special Permits and Improved Development Standards.

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## Use Regulations

Revisions to the Use Regulations are proposed to make East Longmeadow's Zoning By-law more user friendly and direct appropriate uses to the Town Center and Corridor Districts.

- Regulations that relate to dimensions and density are removed from the use area and placed in a new section of their own.
- The Town Center District and the Corridor District have replaced the Commercial and Business Districts in the use table. Pedestrian oriented and less automobile -intensive uses are encouraged in the Town Center. While businesses that generate more substantial automobile trips and large parking areas are directed to the Corridor.
- New uses with accompanying definitions have been added to comply with the State zoning law and allow for a few new uses in town.

## Dimensional & Density Regulations

Revisions to the Dimensional and Density regulations will improve the clarity of the Town's Zoning By-law and provide building dimensions which support the new zoning districts.

- The Dimensional and Density Regulations are now in a separate section from the Use Regulations.
- The Town Center District and the Corridor District replace the Commercial and Business Districts in the Dimensional and Density Table. Several dimensions have been modified to reflect the character of these districts.
- Formatting has been improved to make the Dimensional and Density Regulations easier to read.

## Sign Regulations

Residents of East Longmeadow have expressed frustration with the size, proliferation and quality of signs in the Town. Sign clutter undermines the unique and attractive features of a community and distracts rather than attracts attention to individual businesses. Modifications to the sign regulations will help to preserve the small town character of East Longmeadow, particularly in the proposed Town Center District, enhance the safety and appearance of the Town's highway corridor and improve the effectiveness of its signs. The proposed revisions include:

- reductions in the size and number, particularly of freestanding signs
- more appropriate placement of signs on buildings
- controls on the amount of temporary commercial signage
- design criteria to encourage signs that are more effective, attractive and harmonious with the scale and character of the Town and its architecture.

(Existing signs will not be effected by the new regulations)

## Parking Regulations

Proposed changes to the parking regulations will improve the appearance of the community and, impose more appropriate parking requirements on local businesses.

- Increased landscaping, particularly for large parking lots, including the requirement to provide trees every 35 feet along road frontage.
- Reductions in off-street parking (where requirements were excessive) for various types of new businesses and service providers.

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## Administrative Process

East Longmeadow's zoning bylaw provides the Planning Board with two control processes to regulate development in the community.

**Site Plan Review (SPR) Process:** Site Plan Review is a process where the Planning Board meets with developers to review proposed projects to ensure they are not detrimental to the town's character, environment and infrastructure. A few changes are proposed for inclusion in the Criteria for review, including additional development standards which will benefit the character of the proposed Town Center & Corridor Districts and the Industrial District. There are also minor revisions of the text to improve the clarity of the process. The SPR process is required for almost all projects and large additions or changes that are proposed.

**Special Permit (SP) Process:** Special Permit is a process that gives the Planning Board the authority to deny a project if it will have detrimental effects on the town. The process deals with certain uses that have the potential to have significant impacts on the community. These uses are specified in the bylaw to require a Special Permit. Modifications are proposed to the criteria for granting the Special Permit and include more clearly specified criteria than what currently exist in the bylaw. Further, changes in the text of this process are proposed to improve clarity.

Both the Special Permit and Site Plan Review Processes are open to public comments and require a public hearing as part of the process. The proposed changes also provide for a combined public hearing for projects that require both the SPR and the SP processes. This will help to streamline the administrative process.

## Additional Development Standards

Additional Development Standards are proposed for the Town Center & Corridor Districts and the Industrial District. They address specific issues of traffic impacts, parking, landscaping, site appearance/ architectural design, storm water run-off, erosion control, lighting, vibration, fumes and noise. These standards will help to ensure that new growth enhances East Longmeadow.



## About East Longmeadow

Similar to other communities in the region, the first settlers came to East Longmeadow in the 1740's. These early residents were mainly farmers utilizing the area's rich alluvial soils. Later, however, quarrying replaced agriculture as the main occupation, as several sandstone quarries opened in the area.

The town was incorporated as a separate entity in 1894. Since then it has increased steadily in population from about 3,300 in 1930 to about 14,000 in 1996. It's economic base has also diversified with manufacturing, wholesale and retail trade, and services replacing quarrying in providing a large number of jobs. Milton Bradley and American Saw are two major employers, employing more than 3,000 people (1993). The town recognizes the importance of maintaining a diversified tax base as approximately \$3 million dollars were generated in property taxes from industrial and commercial properties in 1993. Residential property taxes amounted to more than \$9.5 million dollars<sup>1</sup> for the same year.

## Purpose of Project

In recent years the Town of East Longmeadow has seen a considerable influx of commercial strip development and increases in traffic. These influences are eroding the small town character of the Town, causing concern to citizens and their elected officials. While the Town recognizes the need for commercial and industrial development to diversify the tax base, it wants this development to occur in a manner that respects the character of East Longmeadow.

With the objectives of promoting the small town character of East Longmeadow and encouraging sound economic development, the Planning Board established the East Longmeadow Strategic Planning Committee. The Committee, made up of residents representing a variety of interests in the community, undertook a review of the Town's zoning bylaw, focusing predominantly on those sections that regulate commercial, business and industrial districts. Assistance to the Committee was provided by the Pioneer Valley Planning Commission.

<sup>1</sup> Massachusetts Department of Revenue



# Chapter 1

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## **Issues and Needs Identification**

To identify the zoning issues and needs facing the community, the East Longmeadow Strategic Planning Committee, with the help of the Pioneer Valley Planning Commission, conducted an initial strategy session to brainstorm about people's concerns in Town. Over fifty-five separate issues were identified (see appendices) as contributing to reduced quality of life within East Longmeadow.

In the two weeks following the Committees' strategizing, a telephone survey was conducted among a small sample of citizens and business owners throughout East Longmeadow to gain a broader view of the issues of concern facing the Town. Specifically, they were asked questions about how the Town could be improved through changes to business, commercial and industrial zoning.

The issues raised by the Strategic Planning Committee as well as those that emerged from the telephone survey were grouped into six major areas of concern which became the focus of the briefing paper on Zoning Options to Enhance East Longmeadow.

### **ISSUES AND NEEDS CENTRAL TO THE TOWN'S PRESENT AND FUTURE EMERGED FROM THE EAST LONGMEADOW STRATEGIC PLANNING COMMITTEE BRAINSTORMING SESSION.**

**Incompatible uses located next to each other.** This could be due to grand fathered uses (e.g. residences in business / commercial districts), or different uses at edges of different zones. Also zoning districts are unevenly laid out and create problems where two zones coincide (needs to be further examined).

**Loss of identity/character of East Longmeadow.** Tied to this is the character of the downtown which most of the committee members thought should be preserved and enhanced. This could be through attracting more businesses / retail into the downtown ; making it more friendly to the pedestrian ; more control of signage, architecture, traffic (if possible) and parking. The character of North Main Street is also important to the members. The strip-like quality the street is beginning to take on is an issue of concern. While the retail outlets and food chains are a definite advantage to the community, efforts need to be made to improve the visual quality of this street.

**Business friendly atmosphere** should be created (if it already does not exist), and promoted. This was mentioned by some of the members who deal with, or are part of the business community. Slow permitting process was mentioned as a concern. This was countered by lack of awareness of the current regulatory processes which lead to unnecessary delays. It was suggested that efforts need to be made to better inform the business community and others of the current regulatory processes. The committee had mixed reactions to new business/industrial/commercial growth. The members did not want to see new growth add to the strip-like quality of N Main Street. New growth needs to be better regulated — "give the regulations more teeth". The new growth also should not excessively burden the public infrastructure system.

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**Heavy through traffic on N. Main Street** was mentioned as a concern on numerous occasions. The busy rotary in the center of downtown makes it hard for pedestrians to move freely, and causes traffic to cut through residential areas looking for short-cuts. The industrial area does not generate a lot of traffic that passes through the center of town.

**Signage and parking** in the different zones are seen to be in excess.

**Preservation and protection of remaining open space** was brought up by a number of members

Below are the summarized results of the telephone survey. **When considering these results, remember that a small number of respondents was sampled. The answers should be used *only as indicators of Town opinions.***

- Any changes made to the zoning by-law should maintain and enhance the small town character and support the diversity of uses in the Town. (Mix of uses and the small town atmosphere were ranked as the top two features which defined East Longmeadow).
- Decreasing traffic and the poor architecture in Town should be primary goals of any new zoning since these two issues were identified as the most noticeable negative effects of recent development.
- Reducing conflicts between neighboring uses, especially residential uses incorporated into business districts, should be addressed through zoning because almost half of the respondents have noticed conflicts.
- Zoning should address the unique character of the town center (91%! recognized the areas distinct character). Also, gaining support for new zoning in this area would be an important part of the public outreach and education since half of the respondents (without knowing how the zoning would change) answered that they would not support different zoning.
- Reducing or mitigating traffic impacts in the Town center (rotary) and along North Main Street should also be a primary goal of zoning changes.
- Auto-oriented commercial and business uses should be limited to the areas where they are currently allowed, and zoning efforts should focus on reducing the negative impacts of these uses so future growth will be accepted in the Town.
- Pedestrian oriented businesses should be located in the center of town, but it is critical to support businesses and services in the center, create pedestrian friendly environment, and promote links with the surrounding residential and recreational uses to encourage walking.
- Zoning should also address poor signage (55%) and lack of landscaping (48%) which were identified as problems in the business and commercial districts.

# Chapter 2

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## ***Town of East Longmeadow Zoning Bylaw Review***

### **Overview**

The intent of this document is to review parts of the existing East Longmeadow Zoning Bylaw. This document specifically looks at the commercial, business and industrial zoning regulations to ensure the text complies with Massachusetts General Law, Chapter 40A, the Zoning Act; to determine if the format of the zoning bylaw is easy to read and understand; to critique the zoning bylaw procedures to ascertain if they are adequate; and to identify areas of the existing zoning bylaw for future discussion.

### **Summary of the Existing East Longmeadow Zoning Bylaw**

There are twelve zoning districts (eleven fixed and one overlay) in East Longmeadow. These include six residential districts: Residence AA (RAA), Residence A (RA), Residence B (RB), Residence C (RC), Elderly Residential (ER) and Planned Unit Residential (PUR). There is one Commercial District (COM); one Business District (BUS); two industrial districts: Industrial (I) and Industrial Garden Park (IGP); one recreational district: Golf Recreational (GR); and one conservation district: Floodplain (FP).

The East Longmeadow document is a thorough document and includes many traditional elements of a zoning bylaw including: the establishment of zoning districts, use regulations, dimensional standards, parking standards, signage standards, administrative procedures for zoning enforcement and the zoning board of appeals, special permitting criteria and definitions.

### **Issues for Committee Consideration**

The following are suggestions to improve the organization and legibility of information within the East Longmeadow Zoning Bylaw:

#### **SECTION II - ZONING DISTRICTS**

District Titles lack description. A section that defines or explains each district title could be included (e.g. how does Industrial District differ from Industrial Garden Park District?). Defining each district will help to explain the reasons for adopting a said district and clarify the intent of the established district.

The Business District and the Commercial Districts are confusing in their intent. Commercial District allows (for most part) banks, offices etc. and not retail establishments, supermarkets etc., which are generally seen as commercial establishments. On the other hand Business District allows supermarkets, restaurants etc. and not banks, professional offices etc. Maybe the districts could be renamed with titles that better explain the purpose of each district. The PVPC staff will be looking at the possibility of new districts like a Downtown Business District and a Highway District which would be connected spatially to the town's physical character. These could take the place of the current Commercial and Business Districts.

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### **3.00 Permitted Uses**

Amend (b.) to include two additional categories in the Use Regulations, Table 3-1, to indicate which uses require Site Plan Review and which require both Site Plan Review and Special Permitting. This will help to indicate all the processes which must be adhered to for development.

These could be **SPR** - Use permitted with Site Plan Review by the Planning Board and **SPR/SP** - Use allowed by Special Permit with Site Plan Review by the Planning Board

### **3.01 Prohibited Uses**

#### **3.011 Industrial Uses**

While it is all right to maintain an extensive list that prohibits industrial uses, such a list fails to recognize both the changes that occur as an industry evolves and the degree of flexibility that often exists in industry operations.

The PVPC staff will be looking at alternate tools to restrict industrial uses that are hazardous and offensive to communities. In such case, the staff might suggest changing this section of prohibited industrial uses.

#### **3.012 Other Prohibited Uses**

This information is being duplicated in the Schedule of Use Regulations (table 3.1). It might improve the legibility of this information if it was located only in table 3.1 and removed from here. In such case this section could be removed from this location.

### **Table 3.1 East Longmeadow Schedule of Use Regulations**

Amend to include **SPR** (Site Plan Review required) and **SPR/SP** (Special Permit and Site Plan Review required). This will help to make the table more user-friendly.

#### **3.046 Public Library, Museum**

This use is currently not allowed in the Business District. The reason for this is unclear. Maybe the committee can discuss whether to allow this use in the current business district.

#### **3.070 Retail Store**

This use could be divided into two or three uses based on areas. This would allow better control on the sizes of retail stores that will be permitted or not permitted.

- e.g. a) Retail stores less than 10,000 square feet in size
- b) Retail stores equal to or greater than 10,000 square feet in size.

Further the use could be defined to indicate what the kinds of establishments are being referred to.

- e.g. a) Free-standing retail stores with areas greater than 10,000 sq. feet.
- b) Retail establishment selling principally convenience goods, including but not limited to: food, drugs and propriety goods.

This kind of definition could be included in some of the other uses as well.

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### 3.077 *Restaurant*

This use can be elaborated or divided into two or more uses based on the type.

- e.g. a) restaurants and drinking places where consumption is primarily intended to be within the building.
- b) take-out restaurants and other establishments where consumption is primarily off the premises.

### 3.08 Industrial Uses

The Committee should discuss whether the following uses should be included in the table of uses:

***Research or development laboratory:*** these kinds of uses like biotechnology firms etc., are the new growth industries in the Massachusetts region. It might be beneficial to the community to establish (in anticipation) whether, and how, these kinds of industries can locate in the town.

***Radioactive waste storage and disposal:*** Section 9 , Chapter 40A of Massachusetts General Laws states that such facilities (as defined in section two of chapter twenty-two D) “shall be permitted to be constructed as of right on any locus presently zoned for industrial use...” The committee might want to consider whether these kinds of uses should be mentioned in the use table and whether they should be allowed with special permit from the Planning Board.

***Refuse Treatment and Disposal facility:*** Section 9 , Chapter 40A of Massachusetts General Laws states that such facilities (as defined in Section 150A of chapter 111) will be allowed by right in the industrial districts unless specifically prohibited by town ordinances or bylaws before July 1, 1987. It might be beneficial to identify this use in the use table and restrict it from all other districts except the Industrial District. Further, the town can require the proponent of such use to seek a special permit from the Planning Board as a condition of allowing the facility to locate in the industrial district.

Section 150A of chapter 111 defines refuse treatment and disposal “*facility*” as a sanitary landfill, a refuse transfer station, a refuse incinerator rated by the department (of environmental protection), a refuse composting plant, a dumping ground for refuse or any other words for treating, storing or disposing of refuse. “*Refuse*” is defined as all solid or liquid waste materials, including garbage and rubbish and sludge, but not including sewage, and those materials defined as hazardous wastes in section two of chapter twenty-one C and those materials defined as source, special nuclear or by-product material under the provisions of the Atomic Energy Act of 1954.

***Commercial Radio, TV and Wireless Communication Facilities:*** The federal government passed the Telecommunication Act of 1996 which reduced regulations on telecommunication industries. This has the potential to effect the landscape of local communities in a big way. Satellite dishes, wireless towers (to send and receive signals) are some of the facilities that are predicted to mushroom at a significant rate as telecom industries seek to provide services to local markets.

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The town could try to regulate where such facilities should be located.

**Some other uses** that can be considered to be included in the use table:

- printing, packaging, assembly and allied uses
- automotive sale facilities
- used automotive sale showroom
- brewery
- theater (motion picture house etc.)
- pool or billiards hall
- adult uses

### **3.3 ADDITIONAL DIMENSIONAL AND DENSITY REGULATIONS:**

The title is not explanatory of the contents in this section. Either the title could be redefined or some of the sub-sections could be moved to other locations.

#### ***3.305 Preparation and Service of Food and Drink:***

This section should be moved to table 3.1 (East Longmeadow Schedule of Use Regulations) and/or section 3.01 (Prohibited Uses).

#### ***3.307 Waste Disposal Areas:***

The definition of waste should be included in the definition section.

#### ***3.341 Buffer Strip Requirements***

Elaborate to ensure appropriate visual barrier is being created by the vegetation, and in the case of a screen, an aesthetically pleasing screen is being erected.

#### **3.58 Non-Conforming Lots in the Commercial District**

Include the term "current" to the first mention of the Zoning Bylaw. This will clarify the intent of this sub-section.

#### **4.02 Compliance with Other Statutes**

Include The Rivers Protection Act to the other statutes and laws mentioned.

### **SECTION V - SPECIAL USE REGULATIONS**

#### **5.04 Outside Storage (also 5.07 Fencing)**

Should be elaborated to ensure fencing is aesthetically pleasing.

#### **5.06 Landscaping**

Discuss whether more than a strip of lawn for vegetation should be required along the full frontage of all streets.

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### **5.22 Permitted Uses**

- a) It might be precautionary to include the sizes of retail establishments in this sub-section.
- c) "Business uses": should be explained more elaborately

### ***5.248 Shared Parking Lots***

The committee should discuss whether, in the case of shared parking, the parking area requirements need to be the sum of the requirements of the individual Planned Business Developments, or whether these can be reduced.

### **5.66 Minimum Required Parking Spaces**

The organization of this information can be a tabular form.

The committee should discuss some additions to this category. The following can be considered for addition:

- Include as part of (I) or separately: medical/dentist offices. These uses usually have parking requirements different than other professional offices.
- Funeral Parlors
- Libraries/museums
- YMCA, community facilities
- Any use permitted by this ordinance not interpreted to be covered by this schedule: closest similar use as shall be determined by the building commissioner.
- Used car lots: the special permit process specifies parking requirements for used car lots which should be included here.

## **5.8 SIGNS**

### **5.80 Residential District**

The information of political signs as mentioned in sub-section 5.89 should be included here.

### ***5.862a.***

It might be precautionary to define abandoned in the definition section.

A large number of committee members, and persons interviewed, were concerned with poor signage in town. The PVPC staff will look to revise the current guidelines, specially in the Commercial, Business and Industrial Districts.

## **• SECTION VIII - DEFINITIONS**

The definitions of **business** and **commercial** are too similar. These should preferably be reworded.

The following definitions should preferably be included:

- abandoned
- waste
- hazardous waste

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## Zoning Options to Enhance East Longmeadow

### ISSUE 1: LOSS OF SMALL TOWN CHARACTER

#### Strategy 1: Establish a Design Review process.

*Design review is the systematic assessment of the three-dimensional configuration, design, and materials to be incorporated on a site. It is based on a community's established standards, adopted review principles, and commonly accepted design practices<sup>1</sup>.*

The town of East Longmeadow faces a predicament similar to a number of communities across the nation. In pursuit of commercial and business development, the town has allowed a number of franchises to locate within their boundaries. While this is healthy for the tax base and provides alternate shopping opportunities and other services to the residents (and the region), the location of a number of these franchises in a strip like manner has caused concern about the loss of East Longmeadow's small town character.

To prevent further development from following this strip like character the town could look into establishing a design review process. The purpose for this review could be the following:

- a. to produce better quality designs through architectural or design review of a new development or alteration in relation to its surroundings.
- b. to prevent alterations that are incompatible with the existing environment or that are of inferior quality or appearance.
- c. to encourage the conservation of buildings and groups of buildings that have aesthetic or historic significance.

#### *How Does the Strategy Work?*

The design review process establishes a mechanism for the review of the appearance of new structures, alterations to existing structures, and the appearance of sites within a designated area of the community.

- The town could either:
- a. Establish a Design Review Board and Design Review Bylaw, or
  - b. Establish the design review process and standards as part of the site plan review process. There could be advisory members who could advise the Planning Board on design issues.
  - c. Establish design standards as part of the Site Plan Review bylaw to be implemented by the Planning Board.

The bylaw should establish clear procedures including establishing the design review body's duties, appointment procedures, reviewable actions, and review standards including building mass, scale, architectural details, and roof shape. The design review body may wish to adopt design guidelines to further assist developers.

<sup>1</sup> Fleming, Ronald Lee Saving Face: *How Corporate Franchise Design Can Respect Community Identity* American Planning Association, Chicago, June 1994, Pg. 1

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Typically a developer is subject to the design review procedure at the time the building permit application is submitted. Any recommendations or changes suggested are advisory; the developer is not required to implement them.

*Method of Adoption:* As an amendment to the zoning bylaw, adoption requires a two-thirds majority vote of Town Meeting.

## **ISSUE 2: DETERIORATING TOWN CHARACTER IN AREA AROUND CENTER**

### **Strategy: Create a Town Center Business District.**

The town center differs from other business districts because of the way it clusters business and commercial properties and serves as a major intersection point for most everyone traveling in or through Town. It contains some historic features (the church, town hall), the rotary and the layout which are not found elsewhere in town. (The rotary layout is so unique that it has been recognized in Ripley's Believe it or Not!) Preserving the unique features of this area and promoting a vibrant downtown is important to maintain vital and successful commerce and an appealing town center.

The present designation as a Business District from the town center down Shaker Road with a small Commercial District bounding the northern edge does not reflect the area's significance as the Town center. Because this area is not recognized as a cohesive single entity, the development which is located in the town center is not always sensitive to the unique qualities of the area.

Many businesses in East Longmeadow are located in the town center and because of the layout of the roads this area enjoys a lot of activity. However, there are signs that traffic and the deteriorating character are beginning to detract from the town center. The shift in development outside of the center can lead to the deterioration and disappearance of existing businesses in the center of town. The effects of this trend are already reflected in the closure of B&B Marketplace and the proposed removal of the main BayBank office from the center. To preserve town character and prevent economic decline, a Town Center Business District should be created. The following can be the purposes of the new zoning district

- a. To clearly define the downtown district on the zoning map to reflect the actual downtown center area. Name the downtown district to reflect the distinction between the downtown center and other business areas in Town.
- b. To protect the character, aesthetic visual qualities of the town center and property values of the East Longmeadow and neighboring properties
- c. To promote an attractive and viable commercial district and expand the commercial tax base of the town

#### *How Does this Strategy Work?*

First, the boundaries of a Town Center Business District should be determined for the town of East Longmeadow around the rotary. The suggested boundary includes the existing commercial and business districts around the rotary. The boundaries of these districts would extend up North Main, Elm, Pleasant, Somers, Prospect, Maple to the Crossing of the Rail Bed and approximately the same distance down Shaker Avenue.

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Second, the zoning for the Town Center Business District should be changed to reduce the siting requirements to encourage businesses which will be supportive of the district to locate in this area.

The changes should include:

- a. Change the headings of allowed uses to reflect use types, not zoning districts and allow uses in keeping with the character desired for the town center
- b. Address physical character through design guidelines.  
signs, building design, landscaping, site design and orientation, town center housing types in keeping with the district
- c. Dimensional requirement changes supportive of the district
- d. Flexible parking standards

### **ISSUE 3: RAPID COMMERCIAL (AND INDUSTRIAL) GROWTH ALONG NORTH MAIN STREET AND SHAKER ROAD RESULTING IN STRIP DEVELOPMENT**

#### **Strategy 1: Create a Commercial Corridor District along North Main Street and Shaker Road**

The districts along North Main Street and Shaker Road are currently zoned as a Commercial Districts and a Business Districts with different allowed uses. These designations do not reflect the characteristics and requirements of these areas. Uses in these areas serve important functions supplying the town with needed goods and services and providing the town with added revenue; however, this type of development often neglects an appealing or safe physical environment. This can, in turn, affect the first impressions of visitors and influence residents' views of the area, creating a less desirable region in Town and ultimately, hurting the commercial vitality of the area.

The negative effects of this "strip" type development are already being felt in East Longmeadow. The North Main Street Area was identified by residents as one of the primary areas where increasing traffic is a concern. Conflicts between this commercial area and neighboring (or incorporated) residential uses clearly indicate the need to create a more appealing or pedestrian tolerant environment in these areas.

Because of the established automobile oriented retail character of these parts of town, the requirements of businesses in this area should be different from the Town Center or Neighborhood Village business districts. The zoning should support both the needs of these larger commercial enterprises and office buildings while requiring the integration of limited pedestrian infrastructure, additional landscaping and other improvements to the physical environment. By changing the existing business and commercial districts to Commercial Corridor Districts, East Longmeadow's zoning by-law would support auto-oriented commercial uses, facilitate a more pleasing physical environment and address residential conflicts. The following can be the purposes for the Commercial Corridor Business District.

- a. To promote highway traffic safety and protect the capability of state and local roads to conduct traffic smoothly and efficiently.
- b. To promote an attractive and viable commercial district and expand the commercial tax base of the town.

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- c. To protect the suburban character, aesthetic visual qualities and property values of the Town and neighboring properties.
  - d. To discourage *unlimited* commercial “strip development” and curb cuts along highways and encourage clustered commercial growth.

*How Does this Strategy Work?*

The first part of this strategy is to combine the commercial and business districts and change the name of the unified district to a Commercial Corridor Business District. The suggested districts include North Main Street and two areas along Shaker Road which would be considered Commercial Corridor Business Districts. The boundaries of these districts would follow the existing commercial and business districts.

In addition to defining the boundaries of the area, the zoning for the Commercial Corridor Business District should be changed to allow larger, auto-oriented uses and improve the physical appearance of new development.

The changes should include:

- a. Change in allowed uses should be in keeping with the character desired for a commercial corridor
- b. Addressing physical character through Design Guidelines.
- c. Performance/Development standard for traffic, safety and appearance
- d. Other requirements for businesses siting near preexisting residential uses within the Commercial Corridor
- e. Require high-volume traffic producers and developments to do a traffic impact study including a detailed assessment of traffic safety impacts; minimizing traffic and safety impacts through physical design and layout concepts, staggered employee work schedules, promoting use of public transit or carpooling, etc.; and including an interior traffic and pedestrian circulation plan.

**Strategy 2: To allow Planned Industrial Development in the Industrial District**

A Planned Industrial Development bylaw would permit light industries to be developed in the areas currently designated as Industrial within the community, with a landscaped environment and the maintenance of operations, with a minimum of noise and pollution, designed not to conflict with surrounding residential community or the town’s small town character. The Planned Industrial Development (PID) could provide an alternative to the kind of single plot development that can currently be seen along Shaker Road. The PID allows auxiliary and complementary uses to occur along with the primary industrial use within the development. The purposes of the PID could be the following:

- a. To allow one or more lots to be developed and maintained as a single entity permitting the development to be more creative in site design, layout and utilizing of infrastructure.
- b. To allow complementary uses like support offices, and other services to serve the convenience needs of the employees and the primary industrial use.

- 
- c. To emphasize aesthetic qualities through design standards and landscaping requirements to ensure the new development does not add to the strip-like character, but complements the town's small town character.

*How does the strategy work?*

A Planned Industrial Development can be allowed by Special Permit with Site Plan Approval from the Planning Board. The bylaw would establish design standards that may address access, landscaping, parking and the building envelope. It could also establish performance standards to minimize impacts resulting from industrial uses and may address some or all the variables mentioned in the previous strategy.

#### **ISSUE 4: NEED FOR UPDATING THE INDUSTRIAL USES PERMITTED IN THE ZONING BYLAW TO ALLOW OR RESTRICT NEW TECHNOLOGIES.**

##### **Strategy 1: Update zoning bylaw to include new technologies.**

Since the industrial section of the zoning bylaw was last amended, a number of new technologies have begun to establish themselves in the region. As it is the town's objective to encourage industrial development, it should update the zoning ordinance to establish criteria that would allow a number of these technologies to locate in the industrial areas. This will save time and resources for any industry that wishes to locate in town. It would also allow the town to pre-establish guidelines for permitting these uses within their boundaries. The purpose of this strategy would be the following:

- a. To save time and resources for industrial developers attempting to establish new industries in town.
- b. To allow the town to discuss and predetermine new industry types that have the potential to locate within its boundary.
- c. To be precautionary, rather than reactionary in its attempt to encourage industrial development.

*How Does the Strategy Work?*

This recommendation essentially works with the current zoning bylaws and updates it. The committee would consider a number of industrial uses brought forth by the PVPC staff and the industrial developers in town and discuss the possibility of permitting or restricting some of these uses. Some of these industry types include:

- a. *Research or development laboratories:* This is an extremely wide term and includes industries that can vary from biotechnology research for agricultural purposes to the polymer research and development for defense purposes. While the town already has some regulations regarding this use, it should consider expanding these to specify what types of research industries it is permitting.
- b. Refuse Treatment and Disposal Facility
- c. Commercial Radio, TV and Wireless Communication Facility
- d. Printing, Packaging, Assembly and Allied Uses.

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## **Strategy 2: Establish performance standards for industrial uses permitted in the Industrial District and the Industrial Garden Park.**

This strategy is suggested as an alternate way to regulate industrial development in the industrial areas and is not limited to only new technologies. Currently East Longmeadow's zoning bylaws maintains a list of uses that are prohibited in the two industrial districts. This list prohibits materials that have the potential to be hazardous. It, however, does not have the flexibility to acknowledge either, changes that occur as industry evolves, or the degree of flexibility that often exists in industry operations<sup>2</sup>. Instead the zoning regulations can take the approach of establishing performance guidelines to restrict uses that can be harmful to the health and welfare of the residents. The performance standards could also be complementary to existing standards already established in the current zoning bylaw. The following are recommended purposes for the performance standards:

- a. To restrict uses through performance guidelines that are flexible to accommodate changes in industries.
- b. To set standards based on established guidelines to ensure that uses allowed are conducted in a manner which does not adversely affect the surrounding natural or human environment by creating a dangerous, injurious or objectionable condition.

### *How does the strategy Work?*

The performance standards can be included in the zoning bylaws as a new section. The building inspector can act as the enforcement agent. The standards could regulate any new structures, alterations to existing structures and the appearance of sites in the two industrial districts.

The performance standards could control some, or all, of the following variables:

Lighting	Noise
Odors	Vibration
Air Pollution	Electrical Interference
Radiation/ Radioactivity	Fire and Explosive Hazards
Access and Traffic Impact	Landscaping
Storm Water Run-off	Erosion Control
Water Quality/ Pollution	Wastes and Refuse
Parking	

## **ISSUE 5: CONFLICT OF USES IN ZONING DISTRICTS, ESPECIALLY BETWEEN RESIDENCES AND BUSINESSES IN THE BUSINESS DISTRICT**

### **Strategy 1: Performance Standards for business and commercial districts.**

This strategy would work similar to the performance standards strategy explained for the industrial uses. By setting performance standards for commercial and business uses the town could ensure that any allowed uses are conducted in a manner which does not adversely affect the surrounding human or natural environments by creating a dangerous, injurious or objectionable condition. The purposes of the performance standards could be the following:

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<sup>2</sup> Scwab, Jim *Industrial Performance Standards For A New Century* American Planning Association, Chicago, 1993.

- a. To ensure that residences located in a business or commercial district are not adversely affected by businesses or commercial activity locating in their vicinity.
- b. To provide flexibility to the business and commercial uses permitted such that they can enhance their functions at reasonable hours when their chances of becoming a nuisance are minimum.

*How does the strategy work?*

Similar to the strategy mentioned for the industrial performance standards, the performance standards for business and commercial uses can be included in the zoning bylaws as a new section. The building inspector can act as the enforcement agent. The standards could regulate any new structures, alterations to existing structures and the appearance of sites in the commercial and business districts.

The performance standards could control some, or all, of the following variables:

- |                                    |                            |
|------------------------------------|----------------------------|
| Lighting                           | Noise                      |
| Odors                              | Vibration                  |
| Air Pollution                      | Fire and Explosive Hazards |
| Landscape buffers & visual buffers | Access and Traffic Impact  |
| Wastes and Refuse                  | Parking                    |
| Property line setbacks             |                            |

**ISSUE 6: TRAFFIC INCREASE, ESPECIALLY IN THE ROTARY AND NORTH MAIN STREET.**

**Strategy 1: Establish neighborhood village/commercial centers that provide commercial/business opportunities to residents in the neighborhoods.**

East Longmeadow is experiencing a lot of residential development in the eastern part of town. New commercial/village centers could be located such that they would be with walking distances or less than five minutes by vehicles from new and expanding residential neighborhoods. These centers can be located at principal intersections and in a controlled manner so that the development doesn't spread out along travel routes. These centers would serve some basic service and convenience needs of residents and would not necessarily compete with the larger stores. These could also provide opportunities for social gathering for teens, elders (and others) who do not have easy access to vehicles. This would help reduce some vehicular trips to the larger stores and would also help retain East Longmeadow's small town character. Some, or all, of the following uses could be provided in these village centers (this list can be expanded):

- |                                   |                    |
|-----------------------------------|--------------------|
| convenience store                 | drug store         |
| barber shop                       | laundry facilities |
| gas station                       | eatery             |
| space for a farmer's market       | fitness center     |
| accessory residential development |                    |

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The purposes of these neighborhood centers would be the following:

- a. To provide convenience shopping opportunities in a pedestrian scale environment in close proximity to residential neighborhoods.
- b. To provide an alternative to vehicular shopping, at least for smaller convenience products, that would help reduce vehicular trips.
- c. To provide an opportunity for social gathering at a neighborhood level.

*How does the strategy work?*

The town would establish guidelines for a separate neighborhood shopping district. Development in this district would adhere to strict design requirements including signage requirements, landscaping requirements, building envelop sizes and parking requirements to ensure that the development conforms to the town's rural character. The development would be required to be in a clustered fashion with limited shared parking to encourage pedestrian access, and open space(s) set aside for multiple uses. Development would be encouraged to allow mixed-uses including some accessory residential development and limited commercial development. The uses allowed would be restricted in size and would have to adhere to performance standards on lighting, noise, odors, traffic and landscaping. The development would be allowed by Special Permit with Site Plan Review.

*Where should these districts be located?*

*Potential locations include:*

- a. At the intersection of Chestnut Street and Shaker Road: A neighborhood shopping center at this location will draw from the industrial garden park and the residential neighborhoods in the vicinity including the new residential development proposed off Shaker Road.
- b. At the intersection of Hampden Road and Parker Street (or another location that the committee considers will be conducive to the success of the shopping center): A shopping center at this center will service surrounding residential neighborhoods and the Mountainview School along Hampden Street.

# Chapter 4

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## ***Proposed Zoning Modifications***

The creation of a Town Center District and a Corridor District is proposed to better define the character of the primary commercial areas of East Longmeadow. The objective of these zoning districts is to help ensure that any future changes or growth in East Longmeadow will strengthen the small town character and pedestrian scale of the Town Center and enhance the appearance and safety of the Corridor. The new districts, which follow the existing Commercial and Business District boundaries, combining sections of each, are supported through modifications to each of the following seven components of East Longmeadow's Zoning By-Law:

- A. Use Regulations
- B. Dimensional and Density Regulations
- C. Proposed New Sign Regulations
- D. Off-Street Parking Regulations
- E. Site Plan Review
- F. Special Permits
- G. Additional Development and Performance Standards

All grey strike through text, from this point on, are versions from the original Zoning Bylaw.

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## A. SECTION III - USE REGULATIONS

### **3.0 Applicability of Use Regulations**

Except as provided elsewhere in this Bylaw, no building nor structure shall be erected or altered, and no building, structure or land shall be used or occupied for any purpose other than as provided for in this section.

### **3.1 Use Designations**

- The restrictions and controls intended to regulate development in each district are set forth in Table 3-1, East Longmeadow Schedule of Use Regulations. The following notations apply to the Schedule of Use Regulations:

Y Yes - designates uses allowed by right in the district indicated. - Site Plan Review is required for all uses except for single-family residential dwellings (note subdivisions covered by Town of East Longmeadow Subdivision Regulations).

N No - designates uses prohibited in the district indicated.

SP Special Permit - designates uses only allowed in the district with a Special Permit and Site Plan Review as outlined in Section 7.2 Special Permits.

### **3.2 Uses Subject to Other Regulations**

- Uses permitted and uses allowed by Special Permit shall be in conformity with all density and dimensional regulations and any other pertinent requirements of this Bylaw.

### **3.3 Exemptions**

- Uses for Federal Government or the Commonwealth, Not-for-Profit Educational Organizations, and Religious Organizations:

In accordance with M.G.L., Chapter 40A, any facilities or uses where owned and/or operated by the Federal Government or the Commonwealth, or not-for-profit educational organizations or religious organizations are exempt from the Special Permit process of this bylaw.

### **3.4 Prohibited Uses**

Any use not listed herein or otherwise permitted in a district shall be deemed as prohibited. Additionally, all enterprises or industrial uses commonly regarded as hazardous or offensive are specifically prohibited in all districts. Prohibited uses shall include, but are not limited to, the following:

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### 3.41 General Uses

- a. Mobile homes, except as required by law.
- b. Outdoor motion picture establishments.
- c. Drive-in and drive-through restaurants.
- d. Trailer camps, overnight camps, cabins, motels or other such facilities for temporary lodging.
- e. Mobile home park.
- f. Body and fender work.

### 3.41 Industrial Uses

- a. Acetylene gas, cyanide compound or oxygen manufacture.
- b. Asphalt manufacture or refining.
- c. Chlorine or bleaching powder manufacture.
- d. Creosote manufacture.
- e. Distillation of coal or wood.
- f. Drop forge shop.
- g. Explosives, fireworks or ammunition manufacture.
- h. Fertilizer manufacture.
- i. Fumigation plants.
- j. Glue or size manufacture from fish or animal offal.
- k. Gypsum, cement, plaster or plaster of paris manufacture.
- l. Incineration or reduction of or dumping of offal, garbage, or refuse on a commercial basis (except where controlled by the Town).
- m. Junk yard, junk storage, scrapping of autos and parts and the salvage thereof.
- n. Linoleum manufacture.
- o. Paint and lacquer manufacture.
- p. Match manufacture.
- q. Petroleum refining and the bulk storage of petroleum products.
- r. Potato chip plant.
- s. Pyroxylin plastic manufacture.
- t. Rubber, natural or synthetic, or gutta-percha manufactured from crude or scrap material.
- u. Sewage disposal plant (except where controlled by the Town).
- v. Soap, tallow, grease, or lard manufacture.
- w. Slaughterhouse.
- x. Sulfurous, sulfuric, nitric or hydrochloric acid manufacture.
- y. Tannery.
- z. Tar or asphalt roofing manufacture.
- aa. Tar products manufacture.
- bb. Tire re-capping or re-treading.
- cc. All re-capping or re-treading.

### 3.41E Other Prohibited Uses

- 1. ~~Manufacture, storage, or use of explosives, dynamite, or other highly explosive materials.~~
- 2. ~~Manufacture, storage, or use of flammable, volatile, or otherwise hazardous liquids, gases, or vapors.~~
- 3. ~~Manufacture, storage, or use of radioactive materials.~~
- 4. ~~Manufacture, storage, or use of toxic, corrosive, or otherwise hazardous materials.~~
- 5. ~~Manufacture, storage, or use of any material which is highly flammable, volatile, or otherwise hazardous.~~
- 6. ~~Manufacture, storage, or use of any material which is highly flammable, volatile, or otherwise hazardous.~~
- 7. ~~Manufacture, storage, or use of any material which is highly flammable, volatile, or otherwise hazardous.~~







TABLE 3-1 (Continued)

<u>Bylaw Number</u>	<u>Land Use Classification</u>	<u>Standards &amp; Conditions</u>	<u>RAA</u>	<u>RA</u>	<u>RB</u>	<u>RC</u>	<u>ER</u>	<u>TC COM</u>	<u>CD BUS</u>	<u>I</u>	<u>IGP</u>	<u>GR</u>	<u>PUR</u>
3.044	Family Home Daycare	See Section 7.2	SP	SP	SP	SP	SP	SP	<u>SP</u> N	N	N	N	SP
3.045	Church or other place of worship	See Section 7.34	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
3.046	Public library, museum	See Section 7.2	SP	SP	SP	SP	SP	Y	<u>SP</u> N	N	N	<u>SP</u> Y	SP
3.047	Public or commercial garage	See Section 7.2	N	N	N	N	N	<u>SP</u> N	SP	SP	SP	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
3.049	Cemetery	Must be adjacent to or extension of existing cemetery.	Y	Y	Y	Y	N	<u>N</u> Y	<u>Y</u> N	N	N	Y	Y
3.050	Crematory	Must be situated within existing cemetery.	Y	Y	Y	Y	N	<u>N</u> Y	<u>Y</u> N	N	N	Y	Y
3.051	Membership club, lodge, social, recreational and community center organization		N	N	N	N	N	<u>SP</u> N	<u>SP</u> Y	N	N	N	SP
3.052	Convalescent, assisted living or nursing home	See Section 7.2	SP	SP	SP	SP	SP	N	N	N	N	N	SP
3.053	(Reserved)												SP
3.054	Hospital or sanitarium, medical clinic	See Section 7.2	SP	SP	SP	SP	SP	N	N	N	N	N	SP
3.06	<u>OFFICE USES</u> <u>COMMERCIAL USES</u>												
3.060	Professional office	Including, but not limited to doctors, architects and lawyers.	N	N	N	N	N	Y	Y	Y	Y	N	N
3.061	Bank, financial, brokerage and loan office		N	N	N	N	N	Y	Y	Y	Y	N	N
3.062	Insurance and real estate office		N	N	N	N	N	Y	Y	Y	Y	N	N
3.063	Dental, medical and scientific laboratory		N	N	N	N	N	Y	Y	Y	Y	N	N

TABLE 3-1 (Continued)

<u>Bylaw Number</u>	<u>Land Use Classification</u>	<u>Standards &amp; Conditions</u>	<u>RAA</u>	<u>RA</u>	<u>RB</u>	<u>RC</u>	<u>ER</u>	<u>TC COM</u>	<u>CD BUS</u>	<u>I</u>	<u>IGP</u>	<u>GR</u>	<u>PUR</u>
3.064	General consultant office		N	N	N	N	N	Y	Y	Y	Y	N	N
3.065	Telephone and utility office		N	N	N	N	N	Y	Y	Y	Y	N	N
3.066	Studio for professional photographer and artist		N	N	N	N	N	Y	Y	Y	<u>SP</u> ✕	N	N
3.067	Travel agency		N	N	N	N	N	Y	Y	Y	<u>SP</u> ✕	N	N
3.068	Commercial school		N	N	N	N	N	Y	Y	Y	Y	N	N
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
<b>3.07</b>	<b><u>RETAIL, WHOLESALE AND SERVICE USES</u></b>												
	<b><u>BUSINESS-USES</u></b>												
3.070	<u>General Merchandising Retail</u>		N	N	N	N	N	<u>SP-N</u>	Y	Y	N	N	N
	<u>Specialty Retail</u>		N	N	N	N	N	Y	<u>SP</u>	<u>SP</u>	N	N	N
3.071	Convenience store		N	N	N	N	N	<u>SP-N</u>	Y	Y	N	N	N
3.072	Wholesale business		N	N	N	N	N	N	Y	Y	N	N	N
3.073	Planned Business Development	Includes Shopping Centers. See Section 5.2	N	N	N	N	N	<u>SP-N</u>	<u>SP</u> ✕	<u>SP</u> ✕	N	N	N
Y3.074	Supermarket		N	N	N	N	N	<u>SP-N</u>	Y	Y	N	N	N
3.075	Personal service shop		N	N	N	N	N	Y-N	Y	Y	N	N	N
3.076	Gasoline filling station	Body and fender work prohibited. See Section 5.7	N	N	N	N	N	<u>SP-N</u>	Y	Y	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
3.0762	Car washing facility	See Section 5.7 and Section 7.2	N	N	N	N	N	N	SP	SP	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	<u>SP</u> ✕	Y	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

TABLE 3-1 (Continued)

<u>Bylaw Number</u>	<u>Land Use Classification</u>	<u>Standards &amp; Conditions</u>	<u>RAA</u>	<u>RA</u>	<u>RB</u>	<u>RC</u>	<u>ER</u>	<u>TC COM</u>	<u>CD BUS</u>	<u>I</u>	<u>IGP</u>	<u>GR</u>	<u>PUR</u>
3.077	Restaurant	<u>Drive-in and drive-through restaurants prohibited. See Section 3.4</u>	N	N	N	N	N	<u>Y-N</u>	SP <u>Y</u>	Y	N	N	N
3.078	Funeral establishment		N	N	N	N	N	<u>SP-N</u>	Y	Y	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
	<u>Microbrewery</u>		<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>Y</u>	<u>SP</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>
	<u>Brewery</u>		<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>SP</u>	<u>N</u>	<u>N</u>
	<u>Theater</u>	<u>Drive-in theater prohibited. See Section 3.4</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>Y</u>	<u>SP</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>
<b>3.08</b>	<b>INDUSTRIAL USES</b>												
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
3.081	Wholesale trade and warehouse operations		N	N	N	N	N	N	N	Y	Y	N	N
3.082	Construction supply establishment (including lumber yard)		N	N	N	N	N	N	<u>N-N</u>	Y	Y	N	N
3.083	Open quarrying and removal of sandstone		N	N	N	N	N	N	N	N	N	N	N
	<u>Industrial Accessory Retail</u>		<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>Y</u>	<u>N</u>	<u>N</u>
	<u>Printing, packaging, assembly and allied uses</u>		<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>SP</u>	<u>Y</u>	<u>N</u>	<u>N</u>
	<u>Research or development laboratory</u>		<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>SP</u>	<u>Y</u>	<u>N</u>	<u>N</u>
	<u>Facilities for the storage, transfer, treatment and disposal of radioactive wastes</u>		<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>SP</u>	<u>N</u>	<u>N</u>

TABLE 3-1 (Continued)

<u>Bylaw Number</u>	<u>Land Use Classification</u>	<u>Standards &amp; Conditions</u>	<u>RAA</u>	<u>RA</u>	<u>RB</u>	<u>RC</u>	<u>ER</u>	<u>TC COM</u>	<u>CD BUS</u>	<u>I</u>	<u>IGP</u>	<u>GR</u>	<u>PUR</u>
	<u>Refuse treatment and disposal facility</u>		N	N	N	N	N	N	N	N	SP	N	N
	<u>Commercial radio, TV and wireless communication tower</u>	also permitted on all Town Property in accordance with Section 7.2	N	N	N	N	N	N	N	SP	SP	SP	SP
3.09	<b>ACCESSORY USES</b>												
3.090	Home office or studio	The office or studio of an artist, photographer hobbyist, lawyer, architect, professional engineer, real estate agent, or teacher of scholastic subjects, or person engaged in a similar vocation, residing on the premises. The space occupied by such an office or studio must not exceed 20% of the total floor area of the dwelling, including basement. Prohibited uses include the studios or offices of dancing or music teachers, masseurs, photographers, hair dressers, beauty parlor operators, veterinarians, riding schools and other similar business-like pursuits.	Y	Y	Y	Y	N	Y	Y	N	N	Y	Y
3.091	Private Garage	A private garage or storage space for not more than five (5) vehicles shall be permitted on a lot. Not for lease. The Standards & Conditions in this Section shall not apply to any <u>retail, wholesale and service business, office commercial or industrial use in the CD COM, TC BUS, I or IGP districts.</u>	Y	Y	Y	Y	Y	SP, Y	Y	Y	Y	Y	Y

TABLE 3-1 (Continued)

<u>Bylaw Number</u>	<u>Land Use Classification</u>	<u>Standards &amp; Conditions</u>	<u>RAA</u>	<u>RA</u>	<u>RB</u>	<u>RC</u>	<u>ER</u>	<u>TC COM</u>	<u>CD BUS</u>	<u>I</u>	<u>IGP</u>	<u>GR</u>	<u>PUR</u>
3.092	Garaging or parking commercial vehicles	Vehicles used primarily for agricultural purposes on the premises are exempt. The following Standards & Conditions shall apply only in the Residential districts, (RAA, RA, RB, RC and ER) and the <u>Town Center District (TC)</u> : 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
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	<del>N</del>	<del>SP</del> X	N	N	Y	Y
3.094	Family pool	See Section 5.9	Y	Y	Y	Y	Y	<del>SP</del> Y	<del>N</del>	N	N	Y	Y
3.095	Neighborhood pool, not conducted for gain	See Section 5.9	Y	Y	Y	Y	Y	N	N	N	N	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
3.1	<b>(RESERVED)</b>												
3.15	Helistop, limited use	See Section 7.2	N	N	N	N	N	N	N	N	SP	N	N

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### **3.5 Additional Use Regulations**

#### **Waste Disposal Areas**

The operation of a public waste disposal area by the Town under the supervision of the Board of Health shall not constitute a violation of any of the provisions of this Zoning Bylaw, provided that the location is assigned by the Board of Health in accordance with statutory provisions and provided that the only type of waste disposal used therein is the sanitary landfill and cover method; that no burning of refuse or other nuisance shall be permitted; and that such disposal area is operated in strict accordance with Board of Health regulations.

#### **Preparation and Service of Food and Drink**

The preparation and/or service of food and drink in any manner is expressly prohibited, with the exception of those establishments in which the entire process of service takes place within the primary building. In no case shall the operation of what is commonly known as a drive-through restaurant be permitted.

#### **Accessory Uses**

Accessory Uses shall not include the keeping upon the land of unused (for over 30 days) or unsightly personal property, or the storing of any unregistered motor vehicles, except within a totally enclosed garage.

### **3.6 Existing Buildings, Structures and Uses**

This Bylaw shall not apply to buildings or structures, nor to the existing use of any buildings or structures, or of land, lawfully in existence or lawfully begun prior to the adoption of this Bylaw, or to a building or special permit issued before the first publication of notice of the public hearing on such ordinance or Bylaw required by Section Five of Massachusetts General Laws, Chapter 40A, but shall apply to any change or substantial extension of such use, to a building or special permit issued after the first notice of said public hearing, to any reconstruction, extension or structural change of such structure and to any alteration of a structure begun after the first notice of said public hearing to provide for its use for a substantially different purpose or for the same purpose in a substantially different manner or to a substantially greater extent except where alteration, reconstruction, extension or structural change to a single or two-family residential structure does not increase the non-conforming nature of said structure.

### **3.7 Non-Conforming Uses**

A building, structure or land which at the time of enactment of this Zoning Bylaw revision is being put to a legal non-conforming use may be:

Continued in that use, except as provided in Section 3.4.

Altered or enlarged in that use, but only after the granting of a special permit therefor by the Special Permit Granting Authority (SPGA) upon the determination said Special Permit Granting Authority that such change, alteration or enlargement shall not be substantially more detrimental to the neighborhood than the existing non-conforming use.

Construction or operations under a building or special permit shall conform to any subsequent amendment of the Zoning Bylaw unless the use or construction is commenced within a period of six (6)

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months after the issuance of the permit and in cases involving construction, unless such construction is continued through to completion as continuously and expeditiously as is reasonable.

Changed to a use deemed less detrimental by the SPGA, provided that when so changed, it shall not be returned to its former use.

When a building in which there is a non-conforming use is damaged or destroyed by fire, collapse, explosion, or other casualty, it may be reconstructed, repaired, or rebuilt only to its previous floor area and cubical content provided such reconstruction or rebuilding is commenced within six months of such damage or destruction and provided the non-conforming use is continued.

When a non-conforming use is discontinued, as evidenced by lack of use or vacancy for a continuous period of twenty-four (24) months, or by the substitution of a less detrimental use, or changed to a conforming use, such non-conforming use shall not thereafter be re-established, and all future uses shall be in conformity with the provisions of this Bylaw.

## **ADDED DEFINITIONS**

**Assisted Living Facility** - A building or section that provides a residential living environment assisted by congregate meals, housekeeping, and personal services, for persons 62 years of age or older, who have temporary or periodic difficulties with one or more essential activities of daily living, such as feeding, bathing, dressing and mobility, and for any person, regardless of age, who has a physical or developmental disability. (note: assisted living facilities range in size from a few rooms to more than a hundred. The facilities area sometimes combined with other types of housing, such as congregate apartment housing for the elderly and residential health care facilities. )

**Accessory Retail** - An establishment for the sale of goods to consumers, where the size of the establishment is limited to the lesser of either ten percent (10%) of the area of the principal use permitted in the district, or two thousand (2,000) square feet. In addition, at least fifty percent (50%) of the good sold at the establishment shall have been manufactured or assembled at the location of the principal use.

**Microbrewery** - An establishment which contains a full service standard restaurant and alcoholic beverages. This establishment also contains a mini-brewery as an accessory use provided the sales of the mini-brewery products are less than 50% of total sales. This mini-brewery shall be for the brewing of hand-crafted natural beer intended for retail consumption on the premises and on any premises that has a licensee as a standard full service restaurant owned and operated in its entirety by the same corporate ownership and management as the brew pub.

**Brewery** - A facility for the production and packaging of malt beverages of low alcoholic content for wholesale distribution, with a capacity of more than 15,000 barrels per year.

**Theater** - Facilities which are used primarily for the performing arts or for the viewing for motion picture films. Included are performing arts centers, concert halls and other types of live theaters. Drive-in theaters are excluded.

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**Recreational Watercraft** - a motorized or self propelled vehicle used in the water and is designed to provide recreational enjoyment and passenger transportation such as, boat, vessel, barge, personal watercraft, surfboard, skimboard, water-ski, windsurfer, or any other similar contrivance or device used or capable of being used as a means of transportation on the water.

**B. SECTION IV - 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 4-1.3-2, Table of Dimensional and Density Regulations.

**TABLE 4-1.3-2  
TABLE OF DIMENSIONAL AND DENSITY 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
Res. 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, <u>Assisted Living</u> , Convalescent Home or Nursing Home	40,000	175	50	50	50	60	35	25	No building shall be built within 50 feet of any property line.
	Church, Building *for Educational Purposes, Public Library, Museum	80,000	175	70	49	70	80	45	60	There shall be no parking of access driveways closer than 25 feet to a Residential District boundary.

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 as to assure stability.

\*\* Accessory rear and side setbacks need only be five (5) feet.

## 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 4-1.3-2, Table of Dimensional and Density Regulations.

TABLE 4-13-2  
TABLE OF DIMENSIONAL AND DENSITY 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
Res. 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 Home or Nursing Home	25,000	140	50	50	50	60	35	25	No building shall be built within 50 feet of any property line.
	Church, Building for Educational Purpose, Public Library, Museum	50,000	140	70	28	70	80	45	60	There shall be no parking or access driveways closer than 25 feet to a Residential District boundary.

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 as to assure stability.

\*\* Accessory rear and side setbacks need only be five (5) feet.

## 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 4-1.3-2, Table of Dimensional and Density Regulations.

TABLE 4-2.3-2  
TABLE OF DIMENSIONAL AND DENSITY 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
Res. 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 Home or Nursing Home	15,000	100	50	50	50	60	35	25	No building shall be built within 50 feet of any property line.
	Church, Building for Educational Purpose, Public Library, Museum	30,000	100	56	21	49	66	45	60	There shall be no parking or access driveways closer than 25 feet to a Residential District boundary.

\* 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 as to assure stability.

\*\* Accessory rear and side setbacks need only be five (5) feet.

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.

## 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 4.1.3-2, Table of Dimensional and Density Regulations.

TABLE 4.1.3-2  
TABLE OF DIMENSIONAL AND DENSITY 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
Res. 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 Home or Nursing Home	10,000	75	50	50	50	60	35	25	No building shall be built within 50 feet of any property line.
	Church, Building for Educational Purpose, Public Library, Museum	20,000	75	35	17	35	45	45	60	There shall be no parking or access driveways closer than 25 feet to a Residential District boundary.

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 as to assure stability.

\*\* Accessory rear and side setbacks need only be five (5) feet.

## 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 4-1.3-2, Table of Dimensional and Density Regulations.

Table 4-1.3-2  
TABLE OF DIMENSIONAL AND DENSITY 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
ER - Elderly Res.	Any permitted use	5 acres	200	50	50	50	50	35	25	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. A 120-foot distance between dwelling buildings is required. Vehicular access to a public way or ways must be provided at a minimum of 2 locations not less than 100 feet apart. Note: 25 feet landscaped buffer is required along front yard, side yard and rear yard requirements if abutting any other residential districts.

\* 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 as to assure stability.

\*\* Accessory rear and side setbacks need only be five (5) feet.

**DIMENSIONS AND DENSITY REGULATIONS**

All permitted uses allowed by special permit shall be in conformity with the dimensional and density regulations set forth in Table 4.1.3-2, Table of Dimensional and Density Regulations.

Table 4-1.3-2  
**TABLE OF DIMENSIONAL AND DENSITY REGULATIONS (Continued)**

District	Permitted Uses	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	P.U.R.D.**	40 acres	(1)	(2)	(3)	(4)	(5)	35	(6)	
Planned Unit Residential	Residential use	40,000	175	50	35	50	60	35	25	
	Any other permitted use	40,000	200	100	200	200	100	40	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/rear yard dimensions of Residence AA shall pertain to the periphery of the P.U.R.D.

- (1) Frontage is not applicable.
- (2) Minimum of 40 feet setback as measured from 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.

## 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 4-1.3-2, Table of Dimensional and Density Regulations.

Table 4-1.3-2  
**TABLE OF DIMENSIONAL AND DENSITY 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
<u>CD</u> Corridor District COM Commercial District	Any permitted use	15,000	100	25	**	25	25	40, 30	one story = 40% two story = 24%	<u>A minimum of 24% of the lot area shall be left landscaped open space for a one story building</u>  See "Additional Dimensional and Density-Regulations" section.
	Planned Business Development	2.5 acres	120	50	5	5	50	40	35	<u>A minimum of 16% of the lot area shall be left as landscaped open space for a two story building</u>  See Section 5.2.
	Storage or sale of used motor vehicles	20,000	150	25	none	none	25	40	75	See "Additional Dimensional and Density Regulations" section.
	Residential Use	none	75	25	12	25	35	35	25	

\* Height provisions shall not apply to chimneys, steeples, 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.

## 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 4-1.3-2, Table of Dimensional and Density Regulations.

Table 4-1.3-2  
**TABLE OF DIMENSIONAL AND DENSITY 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
<u>Business District</u>	Any permitted use	none	50 +00	15 ±5	none	none	25	40	40 ±5	See "Additional Dimensional and Density Regulations" section.
<u>TC</u>										
<u>Town Center</u>	Residential Use	none	75	25	12	25	35	35	25	

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

## 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 4-1.3-2, Table of Dimensional and Density Regulations.

Table 4-1.3-2  
**TABLE OF DIMENSIONAL AND DENSITY REGULATIONS (Continued)**

District	Permitted Uses	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
I - Industrial	Planned Business Development	2.5 acres	120	50	5	5	50	40	35	See Section 5.2.
	Abutting a residence	none	none	25	50	50	25	50	60	
	Abutting a <u>Town Center or Corridor</u> commercial or business 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, grain elevators, water tanks, required bulkheads, or other equipment appurtenant to industrial buildings.

## 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 4-1.3-2, Table of Dimensional and Density Regulations.

TABLE 4-1.3-2  
TABLE OF DIMENSIONAL AND DENSITY 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.

## 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 4-1.3-2, Table of Dimensional and Density Regulations.

TABLE 4-1.3-2  
TABLE OF DIMENSIONAL AND DENSITY 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	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 2.5 foot landscaped buffer is required if a property abuts any residential district.

\* Height shall not apply to chimneys, smokestacks, watertowers, 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.

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## **4.10 Additional Dimensional**

## **Regulations**

### **4.10 General Provisions**

#### **4.101 Cornices**

Cornices may extend not more than 2 1/2 feet over or into any required front yard, side yard or rear yard.

#### **4.102 Fences or Walls**

All fences must be at least 6 inches from any lot line. No fence more than one-quarter solid shall be erected closer to the street than the setback of the primary building. Fences or walls in Residential Districts which are more than 4 feet high or more than one quarter solid, except retaining walls, shall be erected not less than 3 feet from any lot line.

#### **4.103 Lights**

Lights, floodlights, spotlights or other illuminating devices shall be so directed as to not constitute a hazard or distraction to vehicular traffic, and further, shall not be objectionable to any residential area.

#### **4.104 Vision Clearance**

Between the lines of streets intersecting at an angle of less than 135 degrees and a line joining points on such lines 35 feet distant from the point of intersection, no building or structure may be erected, and no vegetation maintained between a height of 2 feet and 8 feet above the plane through their curb grades.

*[Faint, illegible text]*

*[Faint, illegible text]* **(SEE PARKING)**

*[Faint, illegible text]*

*[Faint, illegible text]* **(SEE ADDITIONAL USE REGULATIONS)**

*[Faint, illegible text]*

#### **4.105 Unregistered Vehicles**

In districts where residential uses are allowed. The keeping of more than one (1) unregistered or inoperable motor vehicle assembled or disassembled, and in sight of all abutters and public ways,

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for more than (30) days on any premises shall not be permitted. All other unregistered motor vehicles must be stored in an enclosed building or otherwise out of sight of all abutters and public ways.

#### **4.106 Recreational Vehicles**

Recreational vehicles, or trailers for the purpose of carrying recreational equipment, and recreational watercraft may be kept or stored on any lot where the principal use of said lot is residential in nature. Any such recreational vehicle or trailer shall be kept in the side or rear yard and/or at least to the rear of the setback line of the primary building. Recreational vehicles shall not be used for living quarters.

### **4.12 Residential Districts - AA, A, B, and C**

#### **4.121 Accessory Buildings in Residential Areas**

Accessory uses customarily incident to any use or building permitted herein, provided that such use shall not be offensive nor dangerous to life by reason of health or fire; and further provided that such accessory use shall not include any business, industry, trailer camp, manufacturing, or commercial use or other activity conducted for gain. Not more than one (1) house trailer may be located on any lot. Such trailer may not be used for living quarters. Such trailer shall conform to accessory building setback, side yard and rear yard requirements of the district in which it is located.

An accessory building shall not be used for residence purposes, except by a person employed on the premises and his immediate family, and only if located in the rear of the principal building and with no immediate street frontage.

#### **4.122 Private Garages**

A garage or storage space for private motor vehicles shall be permitted only as an accessory use and shall be subject to all the applicable provisions of this Bylaw pertaining to accessory buildings.

#### **4.123 Lot Coverage**

No principal building shall be erected or altered so as to cover more than 25 percent of the area of the lot on which it is located. No principal building shall be erected so as to cover less than 7 percent of the lot area in which it is located in Residence District C. In the event that the lot area in Residence District C exceeds the minimum lot area, the minimum lot coverage shall be no greater than that required for a minimum sized lot expressed in square feet.

#### **4.124 Setback**

- a. Accessory structure setback shall be the setback of the district of the primary building, and the setback, side yard, and rear yard requirements must be met for that district in which the accessory structure is constructed. Any accessory structure which shall be constructed within the side yard and/or rear yard in the district in which it is constructed, shall be erected in such a manner that no portion of this accessory building shall be closer to the street line or lines than the maximum rear dimension of the primary building, plus 10 feet, in which event an accessory building may be constructed within 5 feet of the side-lot line or rear-yard line. Notwithstanding the foregoing, fencing for the neighborhood swimming pools shall conform to the setback, side

yard, and rear-yard requirements for a principal building for the district in which such pool is constructed.

- b. No part of any building or other structure, including porches, breezeways, or other structures attached to the primary building, shall be erected so as to be nearer to the street line than the nearest building located within 250 feet of either side of the lot facing the same street and located within the same area or district, but in no case will the required setback in this section exceed 60 feet. In the event of a primary structure having been erected prior to this Zoning Bylaw under conditions which allowed its erection with less than the setback requirements of this Bylaw, the next building erected adjacent to this lot shall have its setback determined by the following formula: the setback of the existing dwelling added to the setback required in this district, and the result divided by 2. The purpose of this shall be to average the required setback with that setback of the existing building. Such formula shall be applied within 250 feet of either side of an existing primary structure which does not conform to the setback requirements in the district in which it is located.

#### **4.13 Buffer Strip Requirements for Properties Bordering Residential Districts**

##### **4.131 Corridor District Requirements**

##### **4.131 Corridor District**

When a Corridor District abuts with a Residence District, the side yard shall be twenty five (25) feet.

##### **4.132 Town Center District (SEE DIMENSIONAL TABLE - CORRIDOR DISTRICT)**

##### **4.132 Town Center District District**

##### **4.132 Buffer Strip Requirements**

Where the Town Center District and Residence District property abut, a side yard or rear-yard setback of at least 25 feet from said Residence District shall be required. The 12 1/2 feet of such rear or side yard nearest to the Residence District shall be left as a natural wooded buffer, or if none exists, shall be landscaped by providing trees, shrubs or fencing to provide a practical buffer between the two districts. The establishment of this buffer strip shall be an integral part of any required parking plan. Sufficient space and facilities shall be provided for loading and unloading of materials, equipment and merchandise on the premises and



~~4.14. The minimum lot area for residential lots shall be as follows:~~

~~4.15. The minimum lot area for residential lots shall be as follows:~~

~~4.16. The minimum lot area for residential lots shall be as follows:~~

~~4.17. The minimum lot area for residential lots shall be as follows:~~

~~4.18. The minimum lot area for residential lots shall be as follows:~~

~~4.19. The minimum lot area for residential lots shall be as follows:~~

## **4.2 NON CONFORMING LOTS**

### **4.21 Residence Districts**

- a. Where an adequate potable water supply and safe permanent sewage disposal can be assured, a lot having less than the required lot area and/or lot frontage in the applicable district may be used for a permitted use, provided:
  1. said lot has been shown or described separately on a duly recorded plan or deed or was so assessed by the Town Assessors prior to the date of the adoption of the 1962 Zoning Bylaw;
  2. any structure built thereon shall conform to the setback, side yard, minimum and maximum lot coverage, and secondary setback requirements of the 1962 Zoning Bylaw;
- b. Any lot upon which more than one dwelling house was legally in existence at the time of the enactment of The Zoning Bylaw of 1962, may be divided so that said structures are upon separate lots, and sold to separate owners; and in such event, the setback, side yard, and rear-yard requirements of the zoning Bylaw shall not apply.
- c. No lot upon which is located any building used for residence purposes in any district shall be reduced in area so as not to conform with the provisions of this Bylaw (except in the above

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paragraph and in the case of such reduction in area resulting from eminent domain proceedings).

d. No yard, lot area, or other open space required under the Zoning Bylaw for any building shall, while said building exists, be occupied by or considered as such open space required for another principal building.

**4.222 ~~Non-Conforming Lots~~ - Industrial Garden Park District**

The lot area, frontage, setback, side yard, rear yard and coverage requirements of this Section of the Zoning Bylaw shall not apply, and requirements as set forth below shall apply on any lot having less than the required areas and/or frontage for this District, shown or described separately, on any duly recorded plan or deed, or assessed as a separate lot by the East Longmeadow Assessors prior to the date of the adoption of The 1962 Zoning Bylaw, and if such lot were held and has continued to be held in ownership separate from adjacent lots, from date of adoption of The 1962 Zoning Bylaw.

- a. Frontage and area of such lots shall be not less than that shown or described separately on any duly recorded plan or deed, or as assessed by the East Longmeadow Assessors at date of the adoption of The 1962 Zoning Bylaw.
- b. On any lot having less than 200 feet of depth as measured from front lot line to rear lot line, setback for any building shall be not less than 50 feet. On any lot having a depth of 200 feet or more, setback for any building shall be 25 percent of such depth, or 75 feet, whichever is less.
- c. On any lot having less than 125 feet of width as measured from side lot line to side lot line at the building setback line, the side yard for any building shall not be less than 20 feet. On any lot having a width of 125 feet or more, side yard for any building shall be 16% of such width, or 40 feet, whichever is less.
- d. On any lot having less than 200 feet of depth from front lot line to rear lot line, the rear yard for any building shall be not less than 40 feet. On any lot having a depth of 200 feet or more, rear yard for any building shall be 20 percent of such depth, or 50 feet, whichever is less.
- e. On any lot having 75,000 square feet of area or less, the building area shall not exceed 50 percent of lot area or 30,000 square feet, whichever is less. On any lot having an area of more than 75,000 square feet, the building area shall not exceed 40 percent of lot area.
- f. In the case of a corner lot fronting on two public ways, setback requirements of this paragraph shall apply to the frontage on one of the public ways (with rear yard requirements applying to the opposite side of the lot), and side yard requirements of this paragraph shall apply along the remaining boundaries of the lot.

**4.23 ~~Non-Conforming Lots~~ - Corridor District**

The lot area and lot frontage requirements of the Zoning Bylaw shall not apply to a lot having less than the required area and/or frontage in a Commercial District, if said lot has been shown or described separately on any duly recorded plan or deed or assessed as a separate lot by the East

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Longmeadow Assessors prior to the date of the adoption of The 1962 Zoning Bylaw except that in case of such lot any structure erected thereon must be in compliance with the setback, sideyard, rear yard, minimum lot coverage, and secondary setback requirements of The 1962 Zoning Bylaw.

**4.244 Industrial District**

The lot area and lot frontage requirements of the Zoning Bylaw shall not apply to a lot having less than the required area and/or frontage in a Industrial District, if said lot has been shown or described separately on any duly recorded plan or deed or assessed as a separate lot by the East Longmeadow Assessors prior to the date of the adoption of The 1962 Zoning Bylaw except that in case of such lot any structure erected thereon must be in compliance with the setback, sideyard, rear yard, minimum lot coverage, and secondary setback requirements of The 1962 Zoning Bylaw.

**4.25 Town Center District**

The lot area and lot frontage requirements of the Zoning Bylaw shall not apply to a lot having less than the required area and/or frontage in a Town Center District, if said lot has been shown or described separately on any duly recorded plan or deed or assessed as a separate lot by the East Longmeadow Assessors prior to the date of the adoption of The 1962 Zoning Bylaw except that in case of such lot any structure erected thereon must be in compliance with the setback, sideyard, rear yard, minimum lot coverage, and secondary setback requirements of The 1962 Zoning Bylaw.

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## C. PROPOSED NEW SIGN REGULATIONS

### 5.8 Signs

#### **Purpose**

The purpose of the sign regulations set forth in this section shall be the following:

- a. to protect public and private investments in buildings and open space;
- b. to encourage signs which, by their location, size and design, are harmonious within the Town and compatible with the buildings and sites that they occupy, and which eliminate excessive and confusing sign display;
- c. to eliminate potential hazards to motorists and pedestrians, and
- d. to promote the public health, safety and general welfare

#### **Applicability:**

The provisions of this section shall apply to the construction, erection, alteration, enlargement, maintenance of all signs located out-of-doors, to those signs affixed on any part of a building for the express purpose of being visible from the exterior of the building.

#### **Definitions (To be incorporated into the definitions section of the zoning bylaw)**

**Awning:** A non-rigid material, such as canvas, that is supported by a metal frame attached to the exterior wall of a building just above the windows of the principal facade, and provides protection for pedestrians from rain and sun.

**Awning Sign:** A sign painted on, attached to or part of an awning.

**Billboard/Off-premises sign :** A sign which does not identify a business or profession conducted, or a commodity or service sold or offered, upon the premises where such sign is located.

**Sign, Directional:** An on-premise sign giving directions or instructions to parking areas or indicating entrances and exits.

**Sign, Directory:** A sign that contains advertising for more than one business, whether those businesses share a building, parcel or development.

**Sign, Free-Standing:** A self-supporting sign not attached to any building, wall, or fence, but in a fixed location. This does not include portable or trailer type signs.

**Sign, Ground:** A freestanding sign either with a base affixed to the ground or mounted on short legs.

**Sign, Movable:** A sign that is not permanently affixed to a surface or the ground and is capable of being readily moved or relocated, including portable signs mounted on a chassis and wheels or supported by a frame with or without legs.

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**Sign, Multiple:** A group of signs clustered together in a single sign structure or compositional unit. A multiple sign advertises more than one occupant of the same building, business complex or shopping plaza.

**Sign, Non-Accessory:** Any sign which advertises or identifies any business, product or service which is not located on the same premises on which the sign is erected or maintained, or which advertises the sale or rent of different premises.

**Sign, Pole:** A freestanding sign with the base of the actual sign area at least five (5) feet above the ground and supported by one or more vertical poles/legs.

**Sign, Post & Arm:** A freestanding sign comprised of a vertical post to which a perpendicular arm is attached and from which the sign hangs.

**Sign, Roof:** A sign which is located above or projected above the lowest point of the eaves or the top of the parapet wall of any building, or which is painted on or fastened to a roof.

**Sign, Temporary:** Any sign, including its support structure, intended to be maintained for a continuous period of not more than thirty (30) days in any calendar year, unless specified otherwise in Section 5.8.

**Sign, Wall:** Any sign which is affixed directly to the outside wall of a building, with the face of the sign parallel to the building and having a visible edge or border extending not more than 8 inches from the face of such building.

**Sign, Window:** Any sign visible from a sidewalk, street or other public place, affixed or painted on glass or other window material, or located inside within one foot of the window, but not including graphics in connection with customary window display of products.

(Modify definition of “Sign, Accessory” from existing bylaw by removing the word “billboard”)

## General Regulations

### Permit Requirement

All signs require a building permit before they can be erected, altered or enlarged and must be approved in writing by the Planning Board before a building permit may be issued by the Building Inspector. The only exceptions to this requirement are listed below.

#### Exempt Signs (no permit required):

- a. Professional name plates not exceeding one (1) square foot
- b. Temporary commercial advertising signs that are attached to the interior of a window and occupy, in total, no more than fifteen percent (15%) of the entire window area of the principal facade in non-residential districts.
- c. Temporary real estate, construction, civic event and political signs that conform to regulations specified in \_\_\_ of this section.

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- d. Government signs for control of traffic or other regulatory purposes.

### **Prohibited Signs**

- a. Billboards or other non-assessory signs
- b. Roof signs
- c. Moving and flashing signs
- d. Movable signs, including but not limited to freestanding A-frames and signs on parked vehicles that are not in operating condition and lack current registration
- e. Any sign advertising or identifying a business, organization, activity or product which is either defunct or no longer located on the premises.

### **General Standards**

#### **Location/Placement:**

- a. **Wall signs:** Wall signs shall be sited within the architectural frame or sign band provided by the building, and may not extend beyond the building walls. In most cases the sign band will be above the display window and below the cornice in a single story building or between the shop window and the second story window sill in a multi-story building. The sign should not obscure architectural details, including but not limited to arches, sills, moldings and cornices.
- b. **Freestanding signs:** Freestanding signs shall be set back a minimum of ten (10) feet from any lot line or right of way, unless noted otherwise. No freestanding pole sign may be located less than fifty (50) feet from any other pole sign. No parcel may display more than one (1) free standing sign of any type.
- c. **Awning signs:** An awning sign must be painted on or attached flat against the surface of an awning. Signs may be sited on only those awnings that provide shade and protection from the rain and do not contain structural elements beneath them, other than a metallic frame.
- d. **Directory signs:** A directory sign must comply with the dimensions for such signs required within each zoning district. To exceed those dimensions, a special permit must be granted by the Planning Board.
- e. **Removable letter signs:** Signs that have removable letters are permitted if the sign structure on which the letters are mounted is a permanent sign, that is, permanently affixed to and incorporated into one of the sign types that is allowed in this section. The area with removable letters shall not exceed the total size for the sign area permitted for the type of sign in which it is incorporated.
- f. **Directional Signs:** Directional signs may be located at entrance and exit drives with the approval of the Building Inspector/Town Engineer. One (1) ground sign per drive is permitted, maximum size of two (2) square feet, with the words entrance or exit and/or directional arrows.
- g. **Directional Signs with Advertising:** Where the majority of parking is located on the side or in back of the primary building, directory signs may include the word parking with the name or trademark of the business.

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### **Illumination:**

- a. The following types of signs shall not be illuminated: window signs, awning signs and temporary signs of any kind.
- b. Signs with red or green lights are prohibited if the Building Inspector deems such lights would create a driving hazard.
- c. No sign may be illuminated between 12 PM and 6 AM, except signs identifying police stations, fire stations, hospitals, Town buildings and businesses in the Industrial Garden Park District that receive deliveries after 12PM.
- d. The illumination from a sign may not cause any reflection or glare upon a public street, highway, sidewalk or adjacent property.
- e. No sign shall incorporate or be lighted by flashing or blinking lights, or be designed to attract attention by a change in intensity.

### **Landscaping**

The Planning Board may require that landscaping be used at the base of a freestanding sign if it is determined that such landscaping will make the sign more compatible with the streetscape and surrounding area. Landscaping may include one or more of the following types of vegetation: ivies, grasses, flowers, bushes.

### **Temporary Sign Regulations**

The following temporary signs do not require permits but must adhere to regulations, where stated, pertaining to size, number, setback and length of time for display.

- a. Construction signs: One (1) unlighted temporary sign of an architect, engineer or contractor erected during the period such work is being performed on the premises on which such sign is erected. It shall be set back at least ten (10) feet from the street lot line and removed within 7 days of project's completion.
- b. Real estate signs: One (1) unlighted temporary sign advertising property for sale, rent or lease and set back at least ten (10) feet from the street lot line. Such signs shall advertise only the property on which the sign is located and be removed by the owner or agent within (30) days of rent, sale or lease of said property.
- c. Civic event signs: One (1) sign per lot shall be permitted and setback at least ten (10) feet from any lot line. Such signs shall be removed within two (2) days after the event.
- d. Political signs advocating any candidacy or cause which is under consideration at a particular election or any other cause or issue: One (1) sign per candidate or cause per lot shall be permitted and setback at least ten (10) feet from any lot line. Signs related to an election shall be removed within two (2) days after the election.

**Quick Reference Table: Dimensions for Temporary Signs**

	<b>Residential, Town Center, PUR and Golf Rec. Districts</b>	<b>Corridor District</b>	<b>Industrial District</b>	<b>Industrial Garden Park District</b>
<b>Construction Signs</b>	6 s.f.	8 s.f.	10s.f.	12s.f.
<b>Real Estate</b>	6 s.f.	8 s.f.	10 s.f.	12 s.f.
<b>Civic Event Signs</b>	6 s.f.	8 s.f.	10 s.f.	12 s.f.
<b>Political Signs</b>	6 s.f.	8 s.f.	10 s.f.	12 s.f.

Temporary Sign Permits for Businesses (not including temporary window signs):

The Building Inspector may grant a temporary sign permit to businesses, without planning board approval, for temporary banners for grand openings and going-out-of-business sales. A temporary sign permit shall not exceed 3 weeks in duration and a particular business may not receive more than two (2) such permits in any calendar year.

### **Design Criteria**

These standards are intended to encourage signs which are effective, attractive and harmonious with the scale and character of the Town of East Longmeadow and its architecture.

- a. **Graphics:** Signs should have a minimum of information in order to present an uncluttered appearance and communicate most effectively. Lettering should be of an easily legible typeface and, generally, cover no more than 60% of the total sign area.
- b. **Color:** Sign colors should be limited in number, preferably to no more than three colors. (Black and white are considered colors when used in signs.) Avoid colors that are excessively bright or garish and consider using those that are compatible with the colors of the building facade. As a general rule, a dark background with light lettering will improve a sign's appearance and legibility.
- c. **Materials:** Preferred sign materials, particularly in the Town Center District, include wood, metal, tile, slate and stone. The use of such traditional materials helps to strengthen the small town character of the district as well as its visual appeal.
- d. **Consistency:** The signs for businesses that share a building, plaza, or development with other businesses should be consistent as much as possible with regard to sign type, height, proportion, materials and placement on the building(s). For example, the use of a continuous sign band for adjacent shops within the same building will help to provide a unifying element.
- e. **Directory Signs:** The display board should be of an integrated and uniform design. The individual signs within the structure should be consistent in proportion, material and color. For legibility and motorist safety, directory signs that list more than four businesses are discouraged.

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## **Additional Regulations For Zoning Districts**

Any sign type not listed shall be construed to be prohibited.

### **Residential Districts**

#### **Permitted sign types and sizes include:**

- a. Professional name plates having an area of not more than 1 square foot, for permitted uses.
- b. One (1) identification sign for a residential subdivision not to exceed 8 square feet and set back a minimum of 15 feet from the street lot line.
- c. One (1) identification sign for a school, religious or other non-profit institution not to exceed ten (10) square feet in area and set back a minimum of 15 feet from the street lot line.
- d. One (1) on-premise sign for any permitted business use or legal non-conforming business whose existing sign needs to be repaired and repairs exceed fifty percent (50 %) of the sign's replacement value, or the business wishes to replace its existing sign. One (1) of the following may be permitted:

#### **Freestanding post & arm sign** (if principal entrance is set back at least 45 feet from street lot line)

Maximum sign area: 6 square feet

Maximum height: 6 feet

#### **Wall sign**

Maximum sign area: one (1) square foot per two (2) linear feet of principal frontage

Maximum projection from building: 6 inches

Maximum height of lettering: 1 foot

#### **Window sign**

Maximum percent of total window area of principal facade: 15%

### **Town Center District**

- a. Each business is allowed one (1) sign. One (1) additional sign may be permitted if one or more of the following circumstances are met:
  - i) A business has an alternate customer entrance on a public street different from the primary entrance location or on a customer parking lot. If so, there may be one (1) additional sign of either a wall or window type. A wall sign at a second entrance must be 50% smaller than the sign that would be permitted at the primary entrance. The second sign is not permitted if the alternate entrance is located on the same side of the building as the main entrance.
  - ii) The business is set back at least 45 feet from the street lot line and it is determined by the Planning Board that the permitted sign on the building is not or would not be visible from the public street. In this circumstance, a freestanding sign is permitted.
  - iii) A business is or will be listed on a directory sign.

#### **b. Permitted sign types and dimensions include:**

**Freestanding Post & Arm Sign** - permitted only if business is set back 45 feet and approved by the Planning Board/Building Inspector)

Maximum sign area: 6 square feet [Directory signs may be 8 square feet]

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Maximum height: 8 feet  
Minimum setback: 10 feet from street lot line

**Freestanding Ground Sign-** permitted only if business is set back 45 feet and approved by Planning Board/Building Inspector)

Maximum sign area: 12 square feet [Directory signs may be 16 square feet]  
Maximum height: 4 feet, including base  
Minimum setback: 10 feet from street lot line

**Wall Sign**

Maximum sign area: one (1) square foot per each linear foot of principal frontage but may extend across no more than three fourths (3/4) of such principal frontage, whichever is smaller; for stores above the first floor, signs shall not exceed 3 square feet.  
Maximum projection from bldg: 6 inches  
Maximum height of lettering: 2 feet

**Awning Sign on awning area above valance**

Maximum lettering height: 8 inches  
Maximum sign coverage: 20% of awning area above valance  
Minimum awning clearance from sidewalk: 7 feet  
Minimum and maximum awning projection from bldg: 3.5 feet to 5 feet

**Awning sign on valance**

Maximum height of lettering: 6 inches  
Maximum sign coverage: 75% of valance area  
Minimum awning clearance from sidewalk: 7 feet  
Minimum and maximum awning projection from building: 3.5 feet to 5 feet.

**Window sign**

Maximum percent of total window area of principal facade: 20%

**Corridor District and Industrial District**

a. Each business is allowed two (2) signs, each of which must be a different sign type (e.g., both signs cannot be freestanding signs). Any business listed on a freestanding directory sign has utilized one of its permitted signs.

**b. Permitted sign types and dimensions include:**

**Freestanding Pole Sign**

Maximum sign area: 16 square feet [Directory signs may be 20 square feet]  
Maximum height: 10 feet  
Minimum setback: 10 feet

**Freestanding Ground Sign**

Maximum sign area: 20 square feet [Directory signs may be 30 square feet]  
Maximum height: 4 feet , including base [Directory signs may be 5 feet high]

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Minimum setback: 10 feet

**Wall Sign**

Maximum sign area: 2 square feet per each linear foot of principal frontage but not to exceed 75 square feet

Maximum projection from bldg: 12 inches

**Awning Sign on Awning Area Above Valance**

Maximum height of lettering: 10 inches

Maximum sign coverage: 25% of awning area above valance

Minimum awning clearance from ground: 7 feet

Minimum and maximum awning projection from building: 3.5 feet to 6 feet

**Awning Sign on Valance**

Maximum height of lettering: 8 inches

Maximum sign coverage: 75% of area above valance

Minimum awning clearance from ground: 7 feet

Minimum and maximum awning projection from building: 3.5 feet to 6 feet

**Window Sign**

Maximum percent of total window area of principal facade: 25%

**Industrial Garden Park District**

- a. Setbacks for all signs, except directional signs, shall conform to the setback, side yard and rear yard requirements for the Industrial Garden Park District.
- b. Directional signs: No more than one (1) freestanding directional sign shall be located at each entrance drive into a site. Such signs shall be a maximum of 4 square feet in area and 4 feet high. They shall be set back at least 10 feet from any street line or entrance drive curb.
- c. Permitted sign types and dimensions include:

**Freestanding pole sign**

Maximum sign area: 16 square feet [Directory signs may be 30 square feet]

Maximum height: 10 feet [Directory signs may be 12 feet high]

**Freestanding ground sign**

Maximum sign area: 20 square feet [Directory signs may be 40 square feet]

Maximum height: 4 feet [Directory signs may be 5 feet high]

**Wall signs**

Maximum sign area: five percent (5%) of the square footage of the front elevation of the primary building, but in no case exceed 100 square feet.

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### **Golf Recreation District**

For a residential use, the provisions in \_\_\_ of this section shall apply.

For other uses, the following provisions shall apply:

- a. All signs shall be attached to the primary building except for one sign. This sign shall be placed so as to provide a setback and side yard of not less than 50 feet. The top of the sign shall not be more than 15 feet above the grade level below the sign. Such sign shall not be more than 5 feet from the base of the actual sign to the top of the actual sign, and shall not contain more than 50 square feet.
- b. Signs attached to the primary building may not project toward the street more than two feet, may not exceed 5 feet in height from base of the sign to the top of the sign, and may not exceed 50 square feet. The top of such sign shall not extend above the parapet or ridge line.

### **Gasoline Filling Stations**

- a. All signs must comply with the dimensional regulations for the particular district in which the gasoline station is located.
- b. Permitted signs include:
  - i) One (1) wall sign affixed to the front wall of the building or canopy. The owner may elect to divide such sign into two (2) separate wall signs, however, the total area of the separate signs shall not exceed the maximum area permitted for one wall sign.
  - ii) One free-standing ground or pole sign which must comply with the dimensional regulations for directory signs within the district. Pole signs in the Town Center District may be permitted for this purpose only but shall not exceed 16 square feet in area and 10 feet in height.
  - iii) The standard type of gasoline pump bearing in usual size and form, the name or type of gasoline and the price.

### **Administration and Enforcement**

#### **Permit Procedure**

Any applicant desiring to procure a permit for a sign shall file a written application with the Building Inspector unless an application is filed for site plan review, whereby all sign specifications shall be included in that application. The sign permit application shall contain:

- a. Name, address and telephone number of applicant and property owner;
- b. Location of the building or land upon which the sign is to be erected.
- c. Elevation and plan drawings to scale, including all applicable dimensional information in full compliance with this bylaw such as sign size, height and projection.

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- d. A full description of the placement and appearance of the proposed sign shall address the following:
- i. Location on the premises as well as its position in relation to adjacent buildings, property lines, other signs, lighting fixtures, walls, and fences;
  - ii. Method of illumination, if any, and the position of lighting or other extraneous devices;
  - iii. Sign graphics including pictorial matter, lettering style, materials and colors.

The Building Inspector shall issue a sign permit if the sign complies with the State Building Code (Article 14) and the sign has been approved by the Planning Board. Planning Board approval is based on compliance with all applicable regulations of this Section, including consistency with the design criteria.

#### **Maintenance**

All signs, whether erected before or after the effective date of this Bylaw, shall be maintained in a safe condition to the satisfaction of the Building Inspector.

#### **Non Conforming Signs**

Any non-conforming sign, legally erected prior to the adoption of this Bylaw, or subsequent amendment of this bylaw, may continue to be maintained and repaired. Such sign shall not be enlarged, reinstated, altered, or the copy and wording thereon changed in any way other than the normal maintenance and repair, unless it is brought into conformity with this Bylaw.

The exemption herein granted is terminated with respect to any sign which:

- a. shall have been abandoned for no less than six months (i.e., the structure has not been occupied for six months);
- b. advertises or calls attention to any products, business or activities which are no longer carried or sold at the premises;
- c. shall not have been repaired or properly maintained within 60 days after notice to that effect has been given by the Building Inspector. If a non-conforming sign is damaged in such a manner that the estimated expense of repairs exceeds fifty percent (50%) of its replacement value, the sign shall not be allowed to remain and must be removed.

#### **Removal of Signs by the Building Inspector**

- a. The Building Inspector shall cause to be removed any sign that endangers the public safety, such as abandoned, dangerous, or materially, electrically, or structurally defective sign, or a sign for which no permit has been issued.
- b. The Building Inspector shall prepare a notice which shall describe the sign and specify the violation involved and which shall state that, if the sign is not removed or the violation is not corrected within 20 days, the sign shall be removed in accordance with the provisions of this section.
- c. All such notices shall be either hand delivered or sent by certified mail to the sign owner (if known) and to the owner of the property on which the sign is maintained. Any time periods provided in this section for removal or compliance or for appeals shall commence on the date of the receipt of the notice.

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d. Any person having an interest in the sign or the property on which the sign is maintained may appeal the determination of the Building Inspector ordering removal or compliance by filing a written notice of appeal with the Town Clerk within thirty (30) days from the date of the determination as provided in M.G.L. c 40A, sec. 15.

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d. Any person having an interest in the sign or the property on which the sign is maintained may appeal the determination of the Building Inspector ordering removal or compliance by filing a written notice of appeal with the Town Clerk within thirty (30) days from the date of the determination as provided in M.G.L. c 40A, sec. 15.

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## **D. 5.6 OFF-STREET PARKING REGULATIONS**

### **5.60 Parking Plan**

a. Uses Requiring a Parking Plan

A parking plan shall be submitted at the time of any application for a building permit for the erection, alteration, or enlargement of any building other than a single family dwelling. No building permit for the erection, alteration or enlargement of any building may be issued without approval of said parking plan by East Longmeadow Planning Board. In the case of alteration or enlargement, these standards shall apply only to the altered or enlarged area.

b. A parking plan shall be submitted to the Planning Board at the time of any application for the occupancy permit required in Section 7.1 of the Zoning Bylaw. No such occupancy permit may be issued without approval of said parking plan by East Longmeadow Planning Board.

c. Parking plans shall show means of vehicular access and interior circulation. The proposed property use and proposed building square footage shall be indicated on the plan. Any required landscaping shall be indicated on the plan.

d. Prior to submission of a parking plan to the Planning Board, egress, access, and drainage for the site must be approved by the Town Engineer.

e. A driveway access permit must be obtained from the Town Engineer for all new or relocated driveways or parking lots.

f. In granting a Special Permit for any use, the Special Permit Granting Authority may require off-street parking spaces, standards, or conditions in addition to those set forth in the Bylaw, if it deems necessary for the use.

### **5.61 Parking Specifications**

All new structures and alterations or enlargements on existing structures shall be provided with off-street parking spaces in accordance with the following specifications:

**5.611** Specifications for parking layout shall be in accordance with Town of East Longmeadow Planning Board Parking Standards. The standards shall include, and are not limited, to the following:

a. All parking areas must meet the minimum parking dimensions in Diagram 5.6-1, except the handicapped parking requirements in Section 5.67 shall supersede where appropriate.

Each off-street parking space shall contain, exclusive of approved access lanes, not less than 180 square feet when located in a parking lot and not less than 160 square feet when located in a garage or other building. For Planned Business Developments, retail outlets and other similar uses, there shall be a minimum of 300 square feet of total paved area, for each car parking space required.

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- b. Parking spaces at a 90 degree angle are encouraged. Extra width at the end of parking stalls is desirable. Additional driveway width is necessary for main or through circulation aisles. (See Diagram 5.6-2, for a dimensional illustration.)
  - c. Any required landscaping shall be indicated on the parking plan for approval. (See Diagram 5.6-2, for a dimensional illustration.)
  - d. Parking aisles must be adjusted as necessary to accommodate the size of the trucks serving the facility. (See Diagram 5.6-2, for a dimensional illustration.)
  - e. Parking stall markings, directional arrows and other traffic signs shall be delineated by at least four (4) inch painted lines or by other suitable means and shall be permanently maintained.
  - f. One driveway per parcel shall be permitted as matter of right. Two driveways for business, commercial and industrial uses are generally desirable and shall be clearly marked as an entrance and as an exit:

#### **5.612 Drainage**

Drainage facilities for each parking area should be designed and constructed to contain stormwater run-off on the premises and should not be distributed on a public way.

#### **5.613 Surfacing**

All off-street parking facilities shall be surfaced in accordance with the Town of East

Longmeadow Department of Public Works (DPW) standards and specifications. The area and access driveways and parking areas for all business, commercial and industrial uses shall be surfaced with bituminous or cement material, according to established DPW standards and specifications.

### **Parking Area Location and Design**

#### **Location**

Whenever feasible, parking areas shall be located to the side or rear of the structure and not within the required front yard of the structure.

#### **Screening**

- a. Areas of five (5) or more parking spaces shall be effectively screened from view from adjacent properties and streets using wall, berms, and/or evergreen landscaping. This screening shall have an eventual minimum height of three and one-half feet, and a maximum height of six (6) feet. The screening required by this section shall create a dense visual buffer, and shall be set back from each lot line at least two feet, and from each street lot line at least 15 feet.
- b. Screening may consist of decorative elements such as dense, hardy, evergreen plantings, earthen berms complimented by evergreen plantings, building wall extensions, or other innovative means. It must be maintained in good condition and no advertising shall be placed thereon. The screening shall be designed so that vehicle sight distance shall not be affected at entrances, exits, or at street intersections.

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### **Bumpers**

A substantial bumper of masonry, steel, or heavy timber, or a concrete curb or berm curb which is backed shall be placed at the edge of surfaced areas except driveways in order to protect abutting structures, properties, and sidewalks.

### **Lighting**

Any outdoor lighting fixture newly installed or replaced shall be so arranged as to direct the light away from the street and away from adjoining premises.

### **Off- Street Loading and Unloading Requirements**

a. Provisions must be made for adequate off-street loading for all uses, except for residential and agricultural uses. At a minimum, each retail, wholesale and industrial uses over 25,000 square ft. of gross floor area and all other service, community facility, utility and business uses over 75,000 square ft. of gross floor area shall have at least one loading space. The Planning Board may, as part of Site Plan Review, request additional loading spaces or reduce the requirement for loading spaces.

b. The loading spaces shall be on the same lot as the use they are intended to serve. Loading spaces shall not be used to satisfy parking requirements.

### **5.62 Joint Use Parking**

Joint use of off-street parking facilities is permitted provided that the parking area is contiguous to or within the same parcel of land to be occupied by a joint user's principal building and its accessory building(s). The area of such facilities shall not be less than the sum of the requirements of the various users computed in accordance with the specifications of this Section.

### **5.63 Off-Premises Parking**

Industrial District: The use of off-premises parking facilities to meet the requirements of this Section may be permitted in the Industrial District if access, egress and travel to and from the same, consistent with Section I are provided. A proposal to use such facilities must be approved in writing by the Planning Board and Town Engineer.

Town Center District: For a proposed or expanded project within the Town Center, the Planning Board may grant a Special Permit allowing payment to the Town of East Longmeadow in-lieu of providing a specified proportion of the required off-street parking spaces, when it finds that the following conditions are met:

- 1) it is not possible to provide the required number of off-street parking spaces on-site;
- 2) a municipal lot is located not more than 1,000 feet from the proposed use; and,
- 3) there are sufficient unused spaces (determined by the Planning Board and Town Engineer) in such municipal parking lot to accommodate the number of parking spaces that cannot be fulfilled on-site

The fee to be paid shall be based on the number of required parking spaces that will not be provided on site. The fee shall be determined using professional cost estimates indicating the cost of adding the required additional parking spaces and shall constitute a proportion of the design and capital

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cost of providing such spaces. Said fee shall be reviewed periodically, and, if necessary, adjusted by the Planning Board and Town Engineer.

Fees paid to the Town of East Longmeadow, in lieu of providing required parking spaces on-site, shall be deposited into a Municipal Parking Reserve Account to be used solely by the Town for expenses (land acquisition, design/engineering services and construction costs, but not maintenance costs) related to adding municipal parking spaces and improving the utilization of existing municipal parking spaces in the Town Center District.

Any termination or reduction of use of such off-premises parking facilities so that minimum required parking spaces are not available in accordance with Section 5.66 (~~j. and n.~~) hereof will constitute further use of the principal premises and buildings, and constitute a violation of the Zoning Bylaw.

#### **5.64 Multi-Purpose Building**

In the case of a building or structure to be devoted to more than one kind of use, the off-street parking spaces provided shall equal the total number which would be required in Section 5.66, as if the uses were to be conducted in separate buildings.

#### **5.65 Additional Parking Area Standards for Areas with Ten (10) or More Parking Spaces**

##### **a. Landscaping**

All open air surface parking areas shall be landscaped in the following manner:

There shall be 12 percent of the total parking and circulation area devoted to landscaping within the boundaries of the parking lot. In addition, there shall be at least a 10 foot landscaped buffer along the street lines, except to provide openings for reasonable access to the site. Such landscaping shall include, but not necessarily be limited to, the planting of grass, ground cover, flowerbeds, shrubs, hedges or trees.

1. A landscaped buffer strip at least fifteen (15) feet wide, continuous except for approved driveways, shall be established parallel to any public road to visually separate parking and other uses from the road. The buffer strip shall be planted with grass, medium height shrubs, and shade trees (minimum 3" caliper, planted at least every 35 feet along the road frontage.) At all street or driveway intersections, trees or shrubs shall be set back a sufficient distance from such intersections so that they do not present a traffic visibility hazard. A buffer strip at least five (5) feet wide shall be established parallel to any other lot line, except where a non-residential district abuts a residential district larger buffer strips shall be required (See Sec. 3.32) No vehicles shall be parked within any buffer strip.
2. Large parking areas shall be subdivided with landscaped islands, so that no paved parking surface shall extend more than 80 feet in depth. At least one tree (minimum 3" caliper) per 15 parking spaces shall be provided in the Town Center District; at least one tree (minimum 3" caliper) per 20 parking spaces shall be provided in the Corridor District.

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3. All landscaping shall be maintained in a healthy growing condition, neat and orderly in appearance and free of refuse and debris. All plantings shall be arranged and maintained so as not to obscure the vision of traffic.

**b. Driveway Location**

1. Any entrance or exit driveway shall not exceed 24 feet in width at its intersection with the front lot line, unless approved by Special Permit.
2. Any portion of any entrance or exit driveway shall not be closer than seventy-five (75) feet to the curb line of an intersecting street. In addition, any entrance or exit driveway shall not be closer than fifty (50) feet to any portion of an existing driveway located in the Corridor or Industrial District.
3. Any two driveways leading to or from the same street and from the same lot shall not be located within thirty (30) feet of each other at their intersections with the front lot line for an interior lot and forty (40) feet for a corner lot.
4. No entrances, exits, driveways or any other means of effective entry or exit into any public way shall be hereafter constructed or used without the approval of the Town Engineer/Board of Public Works.

**Lighting**

Any outdoor lighting fixture newly installed or replaced shall be shielded so that it does not produce a strong, direct light beyond the property boundaries.

## 5.66 Minimum Required Parking Spaces

	Use	Minimum Required Spaces
a)	Single family dwelling	2 spaces
b)	Two, three or multiple family dwelling	2 spaces per unit for up to 50 units, 1.5 spaces for each unit over 50
c)	A project for the elderly permitted under Sec. 3.032	spaces = 75% of total number of units
d)	Elderly residential permitted under Sec. 5.1	Spaces for 75% of number of units plus one parking space per person for 1/4 of the maximum total capacity of dining rooms, banquet room and meeting rooms available for non tenants
e)	Fraternity, sorority, business or community  Membership Club, lodge, social, recreational or community center organization	3 spaces per 1,000 square feet of gross floor area
f)	Hospital or sanitarium	1 parking space for every two beds, plus 1 parking space for every 2 employees on any one shift
g)	Nursing Home	1 parking space for every three beds, plus 1 parking space for every 2 employees on any shift
h)	Churches	1 parking space for each 6 seats
i)	Places of public assembly including theaters, auditoriums and funeral parlors	1 space for each 3 seats or for each 20 sq. ft. of floor area usable for seating if seats are not fixed
j)	Professional and commercial offices	5 parking spaces for each 1,000 square feet of gross floor area on all floors but in no case less than 7 spaces
k)	Retail outlets and other similar uses	1 parking space for each 250 square feet of gross floor area  For parking spaces in excess of 250 square feet, there shall be one parking space for every 250 square feet of gross floor area. In cases where additional parking shall be provided in excess of the minimum required, the minimum shall be provided.
l)	Restaurants, clubs, or similar facilities serving food or beverages (even when in conjunction with retail stores and the like)	1 parking space per person for each three seats

	Use	Minimum Required Spaces
m)	Automobile, retail and service establishments, and other retail and service establishments involving usually extensive display areas, either indoor or outdoor, in relation to customer traffic	1 parking space per 800 square feet of gross floor area. in the case of outdoor display areas 1 parking space for each 1,000 square feet of lot area in such use
n)	Manufacturing or industrial establishment	1 parking space for every 2 employees on combined employment of the two largest shifts, plus space for visitor parking, company vehicles based at the facility and off-street parking
o)	Gas/Service station	3 spaces per service bay, but not less than 1 apwce per 100 square feet of gross floor area
p)	Warehouse or wholesale storage facility	1 space for 3,000 square feet of gross floor area and/or lot area in such use

## 5.67 Handicapped Parking

**5.671** All parking areas shall provide handicapped accessible parking spaces, as required by the Federal Americans with Disabilities Act (ADA), and as specified in Diagram 5.6-3, except for the following uses which are specifically exempted in ADA requirements:

- a. owner-occupied residential dwellings with no more than 4 units;
- b. single-family homes sold or rented without the use of a broker;
- c. housing operated by religious organizations and private clubs that limit occupancy to members.

**5.672** Accessible spaces shall be 8'0" wide, with an adjacent access aisle 5'0" wide, and shall be marked with signs and pavement paint. One in every eight accessible spaces shall have an access aisle 8'0" (rather than 5'0"), and shall be signed "van accessible".

## 5.68 Planning Board Decision

**5.681** The concurring vote of a majority (3/5) of the membership of the Board shall be required for any decision on a parking plan. The Board's decision shall consist of either:

- a. Approval of the parking plan based on the determination that the proposed parking plan meets all of the requirements of Section 5.6.
- b. Denial of the parking plan based on a determination that either: i) insufficient information was submitted with the parking plan in order for the board to adequately review the proposal, or; ii) determination that the project does not meet the requirements of Section 5.6.

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c. Approval of the parking plan subject to conditions, modifications and reasonable restrictions necessary to ensure compliance with the requirements of Section 5.6.

**5.682** The Planning Board shall render a decision within sixty (60) days from the date the parking plan was submitted to the Planning Board and shall file its written decision with the Department of Public Works and the Town Clerk.

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## E. 7.4 SITE PLAN REVIEW

### 7.40 Purpose

**The Site Plan Review Process is intended to provide the Planning Board the opportunity to review proposed projects and impose reasonable conditions to ensure that the projects are not detrimental to the town's character, environment and infrastructure.** This section is enacted under the authority of Chapter 40A of the General Laws to accomplish the purposes set forth in Section 1 of the Bylaw. In considering a Site Plan, the Planning Board shall assure that all structures and uses other than a single-family dwelling are developed in a manner which considers community needs, including protection of abutting properties and visual amenities, convenience and safety of vehicular and pedestrian movement within the site and in relation to adjacent areas, adequacy of methods of disposal for wastes and surface water drainage and protection of environmental features on the site and in adjacent area.

### 7.41 Projects Requiring Site Plan Review

Notwithstanding anything contained in the Bylaw to the contrary, no building permit for the construction, exterior alteration, relocation, occupancy or change in use of any building, structure or premises other than a single-family dwelling not within a Residential Development shall be granted until the provisions of this Section of the Bylaw have been fulfilled. For the purposes of this Section of the Bylaw, a Residential Development is any residential use of land made possible by the provision of adequate frontage through the subdivision of land. No permit for the construction of a single-family dwelling located within a Residential Development shall be granted until the Planning Board has reviewed and approved a Site Plan for the Residential Development as required by this Section. A Residential Development shall be considered to be a single project for the purposes of Site Plan Review.

**No building permit for the construction, exterior alteration, relocation, occupancy or change in use of any building, structure or premises shall be granted until the provisions of this Section of the Bylaw have been fulfilled. The only projects that will be exempt from this review are single-family residences that are not part of a Residential Subdivision Development. A Residential Subdivision Development shall be considered a single project for the purposes of Site Plan Review and no permit for the construction of a single-family residence located in the Development shall be granted until the provisions of this Section of the Bylaw have been fulfilled.**

For external enlargement of less than two thousand (2,000) square feet, the Planning Board may waive any or all of the requirements of Site Plan Review.

### 7.42 Content of Site Plan

A site plan shall be prepared by a Registered Professional Engineer and/or a Registered Land Surveyor at a scale of 1" = 20' or such scale as may be approved by the Planning Board on standard 24" x 36" sheets and continuation on 8 1/2" x 11" sheets as necessary for narrative. The site plan shall include:

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- 7.420 Name of the project, locus, boundaries, date and scale of the plan.
- 7.421 Name and address of the record owner, developer, and seal of the engineer or surveyor.
- 7.422 Name and addresses of all record owners within three hundred (300) feet of the property lines.
- 7.423 All existing lot lines, easements, rights-of-way, size in acres or square feet, abutting land uses and location and use of structures within three hundred (300) feet of the site.
- 7.424 The location and use of all existing and proposed buildings and structures within the site plan, including dimensions and height, and showing exterior entrances, exits and all anticipated future additions or alterations, and **elevation plans at a scale of 1/4" = 1'0"** **for all exterior facades of the proposed** buildings to be constructed. The requirements of this Section do not apply to residential developments.
- 7.425 Location of all present and proposed public and private ways, parking areas, driveways, sidewalks, ramps, curbs, fences, buffers for screening purposes, paths, landscaping, lighting fixtures, planting areas, walls, signs, service areas, refuse and other waste disposal containers.
- 7.426 Location of all present and proposed utility systems including sewage or septic systems, water supply system, existing and proposed surface and subsurface drainage systems, tele phone, cable and electric lines. Storm drainage system will include existing and proposed drainlines, culverts, drainage swells, catch basins, headwalls, endwalls, hydrants, manholes, channels, and subdrainage along with soil logs, percolation tests when necessary, and drain age calculations.
- The applicant shall submit plans to prevent the pollution of surface or groundwater, erosion of soil, excessive run-off of precipitation, excessive raising or lowering of the water table and flooding of other properties.
- 7.427 Existing and proposed topography at a two (2) foot contour level. Sufficient information to indicate areas in the site and within 50 feet of the site where gravel removal or filling is proposed and the approximate volume in cubic yards. All elevations shall refer to the nearest United States Coastal and Geodetic Bench Mark.
- 7.428 A landscape plan showing all existing natural land features, forest coverage and water sources, and all proposed changes to these features. Water sources will include ponds, lakes, brooks, streams, wetlands, floodplains and drainage retention areas.
- 7.429 Zoning District boundaries within five hundred (500) feet of the site's perimeter shall be drawn and identified on the plan. Floodplain boundaries and the square feet within this district shall be shown.

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7.430 Existing and proposed business signs and traffic signs located on the site and within one hundred feet of the site, and the size, dimension, height, color and illumination of all signs.

7.431 A traffic study to include:

- a. Traffic flow patterns within the site, egresses and entrances, loading and unloading areas, and curb cuts on site and within one hundred feet of the site.
- b. Traffic impact - the projected number of motor vehicle trips to enter or depart from the site shall be estimated for daily hour and peak hour traffic levels.
- c. A projected traffic flow pattern for both vehicular and pedestrian access shall be described and related to the site plan, including vehicular movements at all major intersections likely to be affected by the proposed use of the site.
- d. The impact of this traffic upon existing abutting public and private ways in relation to road capacities. Existing and proposed daily hour and peak hour traffic levels will be given and road capacity levels.
- e. As a result of subparagraph items a-d above, the Planning Board may request a plan to implement the improvements needed to provide for the free flow of traffic in areas surrounding the site and identified by the Planning Board as impacted by the proposed uses.

7.432 A plan for the control of erosion, dust and silt, both during and after construction. Such plan shall include all existing and proposed slopes, construction sequencing, temporary and permanent erosion control, and protection of water bodies.

7.433 For alterations to any existing or new business/commercial/industrial uses a table containing the following information:

- a. Maximum area of building to be used for selling, offices, business, industrial or other uses.
- b. Maximum number of employees where applicable.
- c. Maximum seating capacity where applicable.
- d. Number of parking spaces existing or required for the intended use, based on Section 5.6 of the Bylaw.

The Planning Board shall have the right to waive any of the above items under unique site conditions or request any additional data it should need to render its decision. A majority vote of the Planning Board would be required to waive any of the site plan items.

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## 7.44 Procedure

- 7.440 An applicant for Site Plan Review under this section shall file with the Planning Board at a regularly scheduled meeting five (5) copies each of an application and site plan. A copy of the application shall be given to the Town Clerk by the applicant.
- 7.441 The Planning Board shall transmit to the Town Engineer, Conservation Commission, Board of Health and Building Inspector or other boards as deemed necessary copies of the application and site plan. The boards shall have up to ~~thirty~~ **thirty (30)** days to make recommendations to the Planning Board.
- 7.442 The applicant shall submit a filing fee to cover any expenses connected with the public hearing and review of the plan.
- 7.443 Any person proposing a Residential Development may, at such person's election, combine the process of the Site Plan Review under this Section of the Bylaw with any review by the Planning Board required under the Subdivision Control Law. The Applicant shall make such request in writing upon the submission of a proposed Definitive Plan of subdivision to the Planning Board. Such written request shall include a request to extend the Definitive Plan review process for an additional ninety-five (95) days. Upon such request, the Planning Board shall, for the purposes of review, treat the Residential Development and the Definitive Plan of subdivision as a unified submission under the Site Plan Review Bylaw and the Subdivision Control Law. The Planning Board shall hold a hearing for such submission pursuant to Section 7.45 (Administration) of this Bylaw.

Persons proposing a Residential Development who do not elect to make a unified submission must satisfy individually this Section's requirements and the requirements under the Subdivision Control Law.

## 7.45 Administration

7.450 The Planning Board shall hold a public hearing within sixty-five (65) days of receipt of an application and shall take final action within ninety (90) days from the ~~time~~ **close of the** hearing, as provided in M.G.L., Chapter 40A, Sections 9 and 11, and in Section 7.2 of this Bylaw relating to special permit procedures. Such final action shall consist of either: ~~approval, denial, or a finding that the proposed project will constitute a suitable development and will not result in detriment to the neighborhood or the environment; or approval made subject to conditions, modifications and restrictions as the Planning Board may deem necessary; and any construction, reconstruction, alteration or addition shall be in accordance with such conditions, modifications and restrictions as the Planning Board may deem necessary.~~

- (1) **a finding that the proposed project will constitute a suitable development and will not result in detriment to the neighborhood or the environment; or**
- (2) **Approval made subject to conditions, modifications and restrictions as the Planning Board may deem necessary; and any construction, reconstruction, alteration or addition shall be**

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**carried out only in conformity with such conditions, modifications or restrictions and in conformity with the application and site plan.**

A denied applicant may resubmit his application to comply with the requirements of this Site Plan Review Bylaw and resubmit the plan for review. In no event may the Planning Board deny an application that meets all the standards set forth in this Section of the Bylaw.

7.451 The Planning Board may require the posting of a security to assure compliance with the plan and conditions and may suspend any permit or license when work is not performed as required.

7.452 The Planning Board may, after a public hearing, adopt and periodically amend or add rules and regulations relating to the procedures and administration of this section and shall file a copy of said rules with the Town Clerk.

#### **7.46 Criteria for Review**

In reviewing site plans, the Planning Board shall consider the following:

7.460 **The proposed site plan protects** abutting properties and **the** community **by minimizing** any detrimental use of the site.

7.461 **The proposed site plan assures** convenience and safety of vehicular and pedestrian movement within the site and the relationship to adjoining ways and properties.

7.462 **The proposed site plan provides adequate** methods of disposal of sewage and refuse, and the drainage of surface and subsurface water.

7.463 **The proposed site plan provides** adequate means of protecting wetlands, watersheds, aquifers, and well areas.

7.464 **The proposed site plan provides** for off-street loading and unloading of vehicles incidental to the normal operation of the establishment, parking, lighting and internal traffic control.

7.465 **The proposed site plan provides** open space consistent with Town Master Plan Concepts.

7.466 **The proposed site plan protects** agricultural land with the proposed development and **minimizes** development impact on abutting agricultural land.

7.467 **The proposed site plan provides** design features, such as vegetative buffers, within developments which will integrate into the existing landscape.

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7.468 **The proposed site plan assures that** the proposed development **is consistent** with the Town Master Plan Concepts.

7.469a **The proposed site plan complies with the Additional Development and Performance Standards specified in Section XXX of this Bylaw.**

7.469b **The proposed site plan complies** with the provision of Massachusetts General Laws, Chapter 40A and 41A, the rules and regulations of state and federal agencies and the General and Zoning Bylaw of the Town of East Longmeadow.

### **7.47 Sewer and Water Capacity**

Each development proposal shall demonstrate that it will not adversely affect the existing loads on the public water and public sewer systems of the Town. The Board of Public Works or the Board of Public Works agent shall serve to determine what is the existing load on the public water and public sewer systems of the Town. In the event that the Applicant is unable to demonstrate that there will be no adverse effect or if the Board should find there will be an adverse impact, the Board may require the Applicant to redesign the development proposal to minimize such impact and may require the Applicant to proceed with development in phases as specified by the Board. The Board may specifically require a development density less than that otherwise permitted under this Bylaw. In the alternative, the Applicant may offer to fund any required capital improvements deemed necessary by the Board to handle the increased water and sewer demands of the proposed development and the Board may require bonding in an amount sufficient to provide adequate security to the Town for the completion of said capital improvements. Any such capital improvements will be subject to the approval and continuing review of the Board of Public Works.

## **7.5 AMENDMENT**

This Bylaw, and all the maps incorporated in it, may be amended as provided in Chapter 40A of the Massachusetts General Laws.

## **7.6 VALIDITY**

The invalidity or deletion of any section or provision of this Bylaw shall not invalidate any other section or provision thereof.

~~7.67 PREVIOUS PERMITS~~

~~Nothing in this Bylaw shall require a change in the plans, construction or designated use of any structure on land for which a Special Permit is in effect at the time of adoption of this bylaw, or on which a building permit has been issued; subject, however, to any expiration term of such a Special Permit or to Chapter 40A, Section 5, of the General Laws. The Special Permit Granting Authority may require any such Special Permit to conform with some or all requirements of this Bylaw, if it is reviewed, amended, modified or transferred. Special Permits that were in effect prior to the adoption of this bylaw shall be governed by Chapter 40A, Section 6 of the Massachusetts General Laws.~~

## **7.67 PREVIOUS PERMITS**

Nothing in this Bylaw shall require a change in the plans, construction or designated use of any structure on land for which a Special Permit is in effect at the time of adoption of this bylaw, or on which a building permit has been issued; subject, however, to any expiration term of such a Special Permit or to Chapter 40A, Section 5, of the General Laws. The Special Permit Granting Authority may require any such Special Permit to conform with some or all requirements of this Bylaw, if it is reviewed, amended, modified or transferred. Special Permits that were in effect prior to the adoption of this bylaw shall be governed by Chapter 40A, Section 6 of the Massachusetts General Laws.



b. ~~Any application for a special permit shall be made in writing on forms furnished by the Town Clerk and located in the Town Clerk's office and shall be accompanied by a site plan which shall meet the requirements of Section 7.42 (Content of Site Plan) of this Zoning Bylaw.~~

~~Every application for a special permit shall be made in writing on forms furnished by the Town Clerk and located in the Town Clerk's office and shall be accompanied by a site plan which shall meet the requirements of Section 7.42 (Content of Site Plan) of this Zoning Bylaw. Every application for a special permit shall be made in writing on forms furnished by the Town Clerk and located in the Town Clerk's office and shall be accompanied by a site plan which shall meet the requirements of Section 7.42 (Content of Site Plan) of this Zoning Bylaw. Every application for a special permit shall be made in writing on forms furnished by the Town Clerk and located in the Town Clerk's office and shall be accompanied by a site plan which shall meet the requirements of Section 7.42 (Content of Site Plan) of this Zoning Bylaw.~~

~~7.42 Application Procedures~~

a. All applications for special permits shall be made in writing on forms furnished by the Town Clerk and located in the Town Clerk's office and shall be accompanied by a site plan **which shall meet the requirements of Section 7.42 (Content of Site Plan) of this Zoning Bylaw.**

~~where required in accordance with Section 11.1, Schedule of Use Regulations.~~

**(i) The applicant shall provide the SPGA with one original special permit application and site plan and five (5) copies of the application and site plan for distribution, as well as any required supporting materials. The SPGA may request additional copies as it deems necessary.**

**(ii) The application shall be filed by the petitioner with the town clerk and a copy of the said application, including the date and time of filing certified by the town clerk, shall be filed forthwith by the petitioner with the SPGA.**

b. Misrepresentation of any of the required plan items shall be cause to revoke a special permit.

~~7.43 Approval Requirement~~

~~Four members of a five-member board must be present in order to hold a public hearing. Only members who have attended the public hearing may vote on whether or not to grant a special permit.~~

~~7.44 Expiration~~

~~When the term of a special permit expires, the special permit shall continue until the expiration date of the bylaw unless the use or construction is completed within the period of the special permit. In the event of the expiration of the permit, additionally, in cases involving construction begun within the special permit period, such construction shall be deemed to have been completed if the construction is completed within the period of the special permit.~~

~~A special permit granted under this section shall lapse after a period of one month commencing with the expiration date unless the applicant commences construction within the period of the special permit. In the event of the expiration of the special permit, additionally, in cases involving construction begun within the special permit period, such construction shall be deemed to have been completed if the construction is completed within the period of the special permit.~~

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## 7.24 Referral to Town Boards And Departments

The SPGA shall submit one copy of said application and plan to the Board of Appeals, the Planning Board (when the SPGA is other than the Planning Board), the Board of Health, and the Conservation Commission for their review. The SPGA may also, at its discretion, transmit copies of the application and plan to any other Boards or Commissions.

## **7.24 Referral To Town Boards And Departments**

Upon receipt of an Application, the SPGA shall submit one copy of said application and plan to the Board of Appeals, the Planning Board (**when the SPGA is other than the Planning Board**), the Board of Health, and the Conservation Commission for their review. **The SPGA may also, at its discretion, transmit copies of the application and plan to any other Boards or Commissions.** Said Boards and Commission shall within thirty (30) days make recommendations as they deem appropriate and shall send copies thereof to the SPGA and to the applicant in accordance with Chapter 40A, Section 11 of the Massachusetts General Laws.

The SPGA may also, at its discretion, transmit copies to the Superintendent of Public Works for review within 30 days in accordance with Chapter 40A, Section 11 of the Massachusetts General Laws. Special Permit requests for used motor vehicle storage or sales must be transmitted to the Department of Public Works for review and comment under these provisions. The decision of the SPGA shall be made only after obtaining and considering the recommendations of other appropriate town boards, commissions, departments and agencies.

## **7.25 Public Hearing**

**a. A public hearing shall be held within sixty-five (65) days after the filing of a Special Permit application, in accordance with the procedures in Massachusetts General Laws, Chapter 40A, Section 9. However, the public hearing will not be closed until a response has been received from the Boards/Departments as required under Section 7.24 of this Bylaw, or the required comment period has elapsed. The SPGA shall take final action on an application for special permit within ninety (90) days after the close of the public hearing. Failure to do so shall constitute approval.**

**b. In all cases when notice of a public hearing is required, the board holding such hearing shall cause to be given by publication in a newspaper of general circulation in the town once in each of two (2) successive weeks. The first publication to be not less than fourteen (14) days before the day of the hearing and by posting such notice in a conspicuous place in the town hall for a period of not less than fourteen (14) days before the date of such hearing. In all cases where notice to individuals or specific boards or other agencies is required, notice shall be sent by mail, postage prepaid.**

### **c. Quorum Requirement**

Four members of **the five-member SPGA** must be present in order to hold a public hearing. Only members who have attended the Public Hearing may vote on whether or not to grant a Special Permit.

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## 7.26 Criteria for Approval

The Special Permit Granting Authority shall not grant a special permit unless it finds that all of the following criteria are met:

- a. The proposed use conforms with the provisions of the bylaws of the Town of East Longmeadow, the General Laws of Massachusetts and all applicable rules and regulations of state and federal agencies;
- b. The proposed use protects town amenities and abutting properties by minimizing of any detrimental or offensive uses or destruction of unique or important natural, scenic or historic features on the site;
- c. The proposed use will not constitute a nuisance by reason of unacceptable level of air or water pollution, excessive noise or visually flagrant structures and accessories.
- d. The proposed use minimizes traffic and safety impacts on adjacent highways or roads, and maximizes the convenience and safety of vehicular and pedestrian movement within the site;
- e. The proposed use promotes a harmonious relationship of structures and open spaces to the natural landscape, existing buildings and other community assets in the area;
- f. The proposed use mitigates adverse impacts on the town's resources including the effect on the town's water supply and distribution system, sewage collection and treatment systems, fire protection and streets;
- g. The proposed use provides adequate methods of disposal of sewage and refuse and the drainage of surface and sub-surface water;
- h. The proposed use is integrated into the existing landscape through design features such as vegetative buffers and retention of open space or agricultural land.
- i. The proposed use is consistent with respect to setback, area, placement of parking, architectural style and landscaping of the surrounding buildings and development.

In granting a Special Permit, the SPGA may, in accordance with M.G.L., Chapter 40A, impose conditions, safeguards and limitations and may require the applicant to post bond or other security for compliance with said conditions in amount satisfactory to the SPGA.

## 7.27 Vote

The SPGA shall take final action on an application for special permit within ninety (90) days following the close of the public hearing. Failure to do so shall constitute approval. A unanimous vote of a three member board and a vote of at least four members of a five member board is required.

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## **7.28 Filing and Enforcement of Special Permit**

- **The decision of the SPGA shall be filed with the Town Clerk along with detailed reasons there-fore and all plans as finally approved. Certified copies shall be sent to the Enforcement Officer and to the applicant in accordance to the Zoning Act. Issuance of a special permit shall not constitute issuance of a building permit, which must be obtained by filing an application with the enforcement officer.**

## **7.29 Expiration**

Construction or operations under a special permit shall conform to any subsequent amendment of this Bylaw unless the use or construction is commenced within a period of six (6) months after issuance of the permit; additionally, in cases involving construction begun within such six (6) month period, such construction shall be continued through to completion as continuously and expeditiously as is reasonable.

A special permit granted under this section shall lapse after a period of nine (9) months has passed, if substantial use has not sooner commenced except for good cause or, in the case of permit for construction, if construction has not begun by such date except for good cause. This period shall not include such time required to pursue or await the determination of an appeal referred to in Chapter 40A, Section 17, Massachusetts General Laws.

## **7.30 Modification, Amendment, Renewal or Revocation**

The SPGA shall have the authority to modify, amend or review its approval of a Special Permit upon written application of the owner, lessee or mortgagee of the premises; provided, however, that such action is consistent with the purpose and intent of this Bylaw, and a public hearing has been held.

The SPGA, subsequent to the granting of a special permit, or any extension, modification or renewal thereof, shall retain the right to revoke said Special Permit, or the extension, modification or renewal thereof, upon its determination that the use or construction authorized by the granting, extension, modification or renewal of the special permit does not conform to the general or specific provisions set forth in this Bylaw pertinent to the particular special permit under consideration. The SPGA shall conduct a **public hearing** meeting for the purpose of deciding whether or not to revoke a Special Permit, or any extension, modification or renewal thereof. ~~and shall notify the holder of any such permit of the time and place of such a meeting and shall afford the holder of the Special Permit the opportunity to present his position to the SPGA.~~ **The public hearing shall be held in accordance to Section 7.25 of this bylaw and as required by Chapter 40A of MGL. The SPGA shall make a decision whether or not to revoke the special permit, or to extend, modify or renew thereof within ninety (90) days after the close of the public hearing.** Not later than 20 day after the completion of any such meeting the SPGA shall send written notice to the holder of the special permit, **if other than itself**, of its decision.



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### 7.32 Earth Removal Operations Criteria

In all Zoning Districts, the following uses may be allowed only under a Special Permit, which may be issued under specified terms and conditions granted by the SPGA after a Public Hearing:

- 7.32-**21** The removal, from any site, for profit or benefit or for any other purpose, of gravel, sand, loam or any other earthly material, provided:
- a. That no material is removed below the average grade of the nearest public or private way.
  - b. That no adverse effect is caused within abutting private or public property.
  - c. At the conclusion of the operation or of any substantial portion thereof, the whole area where removal takes place shall be covered with not less than four (4) inches of loam and seeded with suitable cover crop.
  - d. The applicant for such Special Permit shall submit a plan to the SPGA indicating:
    - (1) Existing grades in the area from which the above material is to be removed together with finished grades at the conclusion of the operation with grade contour intervals shown at no more than two (2) feet.
    - (2) The provision for proper drainage of the area of the operation, both during the operation and after its completion.
    - (3) That no bank or cut shall exceed a slope of one (1) foot of vertical rise in two (2) feet of horizontal distance.
    - (4) The grades of the nearest public or private way.
    - (5) The grades within any abutting private or public property.

Such plan shall be signed and sealed by a Professional Engineer in conformity with applicable laws of the Commonwealth.
  - e. In any district, gravel, sand, loam or other earthly material may be removed from the area covered by a building or other construction operation, as evidenced by a current and valid building permit, provided that if such material is removed from the site in consideration of profit or benefit or for any other purpose, a Special Permit is required. In the area affected by such operation no less than four (4) inches of loam shall remain, or be brought in and spread, and provided that the entire open area disturbed is seeded with a suitable cover crop. Filled areas shall be properly drained and covered in the same manner.

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- f. Removal of gravel, sand, loam or other earthly material from any portion of any premises which is not part of a building or construction operation as evidenced by a current and valid building permit shall be prohibited unless allowed by the issuance of a Special Permit in accordance with the foregoing procedure.

7.3.22 The following earth removal operations are exempt from the requirements of Section 7.3.21:

- a. Residential driveway construction.
- b. Single house lot development which involves the removal of earthly materials.
- c. Earth removal operations conducted by the Town of East Longmeadow.

7.3.23 Portable wood working mills and machinery, while operating exclusively upon timber being removed from the property upon which said mills and machinery are located and operated for commercial gain, provided that the disposal and disposition of the debris left after such operation is conducted in accordance with applicable Massachusetts General Laws.

### **7.3.33 Family Home Daycare Criteria**

In Residence Districts, Family Home Daycare, the SPGA shall not grant or renew a special permit for the use, construction, extension or modification of a Family Home Daycare unless:

- a. The general standards and conditions enumerated in Section 7.3.26 of this Bylaw are met.
- b. Condition upon the permanent compliance with the Acts and Resolves of the Commonwealth, and
- c. A plan is submitted to the SPGA which provides a safe vehicle circulation and safe off-street vehicle loading and unloading areas.

### **7.3.34 Additional Criteria for Hospitals, Sanitariums, Medical Clinics, Convalescent Homes, Assisted Living and Nursing Homes**

In Residence Districts: the SPGA shall not grant or renew a special permit for the use, construction, extension or modification of a hospital, sanitarium, medical clinic, convalescent home, **assisted living** or nursing home unless the **criteria** conditions enumerated in Section 7.3.26 of this Bylaw are met and unless the following specific standards and conditions are also met:

7.331 A Plan of Development shall be submitted to the SPGA for review, and such Plan must be approved by said SPGA before a building permit shall be issued. The SPGA, in reviewing such Plan, shall obtain and consider the recommendations of the various Town Boards and Commissions. In review of such Plan the following standards shall be met:

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- a. The proposed uses should complement and be in harmony with the existing and probable future character of the neighborhood.
  - b. Main and accessory buildings shall be located in relation to one another and in relation to other structures in the vicinity to provide efficient pedestrian and vehicular access and circulation, and to create harmonious appearance. No building shall be built within 50 feet of any property line.
  - c. The Plan of Development shall show a 20-foot landscaped buffer zone between buildings, roads, parking areas and any other adjacent property.
  - d. The Plan shall provide, within the site, efficient traffic circulation, and adequate parking (amount, location and access). The Plan of Development shall not create excessive traffic load or circulation problems on existing adjacent or nearby street.
  - e. Sufficient domestic water and sanitary sewage disposal facilities shall be available.
  - f. The development shall be designed so as to protect adjacent property and the neighborhood in general from detrimental effect.
  - g. The proposed use is essential or desirable to the public convenience or welfare.
  - h. Compliance with local, state and federal laws and regulations or agencies thereof.
  - i. The Special Permit Granting Authority may require any additional information needed to permit a thorough review.

### **7.35 Additional Criteria for Churches and Buildings for Educational Purposes**

~~in Residence Districts. Churches and Buildings for Educational Purposes shall be used for religious purposes or for educational purposes on land owned or leased by the Commonwealth or any of its agencies, or by a religious sect or denomination, or by a nonprofit educational corporation, or any public library or museum, is exempt from Special Permit review. However, such uses are subject to the following specific standards and conditions enumerated in Section 7.35 and the following specific standards and conditions:~~

**Any use of land for religious purposes or for educational purposes on land owned or leased by the Commonwealth or any of its agencies, or by a religious sect or denomination, or by a nonprofit educational corporation, or any public library or museum, is exempt from Special Permit. However, such uses are subject to the following specific standards and conditions in Residence Districts:**

- a. Lot coverage by buildings, structures, parking and driveways, shall not exceed 60% of the lot area.**

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b. Dimensions of the following shall be increased over those of the highest abutting Residence AA, A, B or C District by the percentages given below:

- (1) Lot area and lot width ..... by 100% greater
- (2) Setback, side, and rear lot width ..... by 40% greater
- (3) Building height ..... by 10 feet or 1 story greater

c. Parking shall be provided in accordance with the requirements of Section 5.6 of the Zoning By laws, and there shall be no parking or access driveways closer than 25 feet to a Residence District boundary.

d. The entire length of side and rear yards abutting a Residence District shall be landscaped for a depth of 20 feet from the lot line.

**7.36 Additional Criteria for Used Car Lots**

In the Business District, Used Car Lots: The SPGA may issue a Special Permit allowing buildings, structures, or land to be used for the sale of, and storage for sale of, used motor vehicles. Issuance of said Special Permit shall be subject to the criteria enumerated in Section 7.36 and the following provisions:

- a. This use will only be allowed in a Business District, as indicated on the Building Zone Map.
- b. The lot shall have a minimum of 20,000 sq. ft. with a minimum of 150 ft. frontage on an accepted way.
- c. Not more than 75% of the lot shall be occupied by buildings, parking area, or other facilities. At least 25% of the lot area shall be left as green open space.
- d. Buildings, structures, or any of their appurtenances or accessory uses shall hereafter be erected not less than 100 feet from any Residence District. Such buildings shall have no entrances or exits for motor vehicles within a radius of 300 feet measured from the nearest point of such entrances or exits in any direction to the property of any school, library, church, playground, public building, park, recreation center, social or community center, or any institution for the sick, handicapped, or feeble. No building, structure, or any of their appurtenances or accessory uses shall be placed so that their entrances or exits constitute a potential traffic hazard, and such entrances and exits to public ways of the Town of East Longmeadow shall be approved by the Board of Public Works as to locations and construction, and approved by the Planning Board as to their conformity with the intent and purpose of this Bylaw. A plot plan for any such use as described herein shall be reviewed by the Board of Selectmen and the Board of Public Works prior to the issuance of a building permit or the occupancy or use of land for the purpose described in this paragraph.
- e. No part of any building or structure shall be erected or altered so as to be less than 25 feet from the street line. Side yards and a rear yard shall not be required for a business building or structure, except as required in Section 7.35d above. The 15 feet of such rear or side year nearest to the

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Residence District shall be left as a natural wooded buffer, or if none exists, shall be landscaped by providing trees, shrubs or fencing to provide a practical buffer between the two districts. The establishment of this buffer strip shall be an integral part of any required parking plan.

f. Building area shall not exceed 25% of the lot area. Plot plans must be submitted to the Planning Board for approval of Parking provisions in all cases, and to the Board of Public Works in accordance with the General Bylaw of the Town of East Longmeadow, Section 64-A, where applicable.

g. Off-street Parking shall be provided and shall meet the requirements of Section 5.6 of the Zoning Bylaw.

~~Off-street parking shall be provided and shall meet the requirements of Section 5.6 of the Zoning Bylaw.~~

### **7.337 All Districts, Non-Conforming Structures or Uses:**

A Special Permit for non-conforming uses is required as set forth under Section 3.5 of the Zoning Bylaw.

### **7.338 Flood Plain District**

In the Flood Plain District a Special Permit is required for any construction development or grading of any nature or description within the Flood Plain as set forth under Section IV of the Zoning Bylaw.

### **7.339 Scientific Research District**

Uses, whether or not on the same parcel as activities permitted as a matter of right, accessory to activities permitted as a matter of right, which activities are necessary in connection with scientific research or scientific development or related production, may be permitted upon the issuance of a special permit provided the SPGA finds that the proposed accessory use does not substantially derogate from the public good.

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## **G. ADDITIONAL DEVELOPMENT AND PERFORMANCE STANDARDS**

All commercial, industrial and business projects which require Site Plan Review, as noted in the Section III, Use Regulations, must demonstrate compliance with the following performance standards:

### **1. Town Center District**

The following performance standards apply to all uses in the Town Center district:

#### **1.1 Access and Traffic Impacts**

Applicants must demonstrate that the project will minimize traffic and safety impacts on highways, roads and access ways.

- a. The number of curb cuts on state and local roads shall be minimized. To the extent feasible, access to businesses shall be provided via one of the following:
  - i. Access via a common driveway serving adjacent lots or premises
  - ii. Access via an existing side street
- b. One driveway per business shall be permitted as a matter of right. Where deemed necessary by the Special Permit Granting authority, two driveways may be permitted as part of the Site Plan Review process which shall be clearly marked "entrance" and "exit".
- c. Curb cuts shall be limited to the minimum safe width for entering and exiting, and shall in no case exceed 24 feet in width except if allowed by special permit.
- d. All driveways shall be designed to afford motorists exiting to highways with safe sight distance.
- e. The proposed development shall assure safe interior circulation within its site by separating pedestrian, bicycle and vehicular traffic.
- f. A traffic impact statement shall be prepared, which shall contain:
  - i. Traffic flow patterns at the site including entrances and egresses, loading and unloading areas, and curb cuts on site and within one hundred feet of the site.
  - ii. A detailed assessment of the traffic safety impacts of the proposed project or use on the carrying capacity of any adjacent highway or road, including the projected number of motor vehicle trips to enter or depart from the site estimated for daily hour and peak hour traffic levels, road capacities, and impacts on intersections.
  - iii. A plan to minimize traffic and safety impacts through such means as physical design and layout concepts, staggered employee work schedules, promoting use of public transit or carpooling, or other appropriate means.
  - iv. An interior traffic and pedestrian circulation plan designed to minimize conflicts and safety problems.
- g. Adequate pedestrian and bicycle access shall be provided as follows:
  - i. sidewalks shall be provided to allow access to adjacent properties and between individual businesses within a development.

#### **1.2 Parking**

Proposed projects or uses must comply with Parking and Off-street Loading requirements as required in other parts of this bylaw and the following standards:

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- a. Whenever feasible parking areas shall be located to the side or rear of the structure and not within the required front yard of the structure.
  - b. To the extent feasible, parking areas shall be shared with adjacent, and other, establishments in the Town Center District.

### **1.3 Landscaping**

- a. A landscaped buffer strip at least fifteen (15) feet wide, continuous except for approved drive ways, shall be established adjacent to any public road to visually separate parking and other uses from the road. The buffer strip shall be planted with grass, medium height shrubs, and flowering trees (minimum 2-inch caliper at the time of planting, planted at least every 35 feet along the road frontage). At all street or driveway intersections, trees or shrubs shall be set back a sufficient distance from such intersections so that they do not present a traffic visibility hazard. The sidewalk required above shall be incorporated into the buffer strip.
- b. Parking areas shall be subdivided with landscaped islands so that no paved parking surface shall extend more than 80 feet in width. At least one shade tree (minimum 2" caliper, at the time of planting) per 15 parking spaces shall be provided in the parking areas.
- c. Exposed storage areas, machinery, service areas, truck loading areas, utility buildings, dumpsters and structures, and other unsightly uses shall be screened from view from neighboring properties and streets using dense, hardy evergreen planting, or earthen berms, or wall or tight fence complemented by evergreen plantings.
- d. All landscaped areas shall be properly maintained. Shrubs or trees which die shall be replaced within one growing season.

### **1.4 Appearance/ Architectural Design/ Site Layout**

- a. Design of the structure shall be compatible with the compact character and scale of buildings in the Town Center District through the use of appropriate building materials, screening, breaks in roof and wall lines and other architectural techniques. Proposed buildings shall relate harmoniously to each other and the neighboring buildings through compatible site layout with adequate light, air, circulation, and separation between buildings. In making its decision, the Planning Board may consider whether the building design and layout is compatible with the following guidelines:
  - i. exterior facades are faced with wood clapboards, or stone or brick.
  - ii. exterior facade treatment is compatible on all four sides.
  - iii. rooflines are peaked.
  - iv. architectural details including signs, materials, colors and textures are treated so as to be compatible with its original architectural style and to preserve and enhance the character of the surrounding area.
  - v. the height of any proposed alteration is compatible with the style and character of the surrounding buildings.
  - vi. the relationship of a structure to the open space between it and adjoining structures are compatible with the surrounding area.
  - vii. the landscaping is compatible with the character and appearance of the surrounding area.
  - viii. the scale of the structure is compatible with its architectural style and the character of the surrounding buildings.
  - ix. facades blend with other structures in the surrounding area with regard to dominant vertical or horizontal expression.

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- b. The Planning Board may adopt such regulations as may be necessary to further specify design standards.

### **1.5 Erosion Control**

Erosion of soil and sedimentation of streams and waterbodies shall be minimized by using the following erosion control practices:

- a. Exposed or disturbed areas due to stripping of vegetation, soil removal, and re-grading shall be permanently stabilized within six months of occupancy of a structure.
- b. During construction, temporary vegetation and/or mulching shall be used to protect exposed areas of erosion. Until a disturbed area is permanently stabilized, sediment in run-off water shall be trapped by using staked haybales or sedimentation traps.
- c. Permanent erosion control and vegetative measures shall be in accordance with the erosion/sedimentation/vegetative practices recommended by the Soil Conservation Service.
- d. All slopes exceeding 15% resulting from site grading shall be either covered with 4 inches of topsoil and planted with a vegetative cover sufficient to prevent erosion or be stabilized by a retaining wall.
- e. Dust control shall be used during grading operations if the grading is to occur within 200 feet of an occupied residence or place of business. Dust control methods may consist of grading fine soils on calm days only or dampening the ground with water.

### **1.6 Explosive Materials**

- a. No highly flammable or explosive liquids, solids, or gases shall be stored in bulk above ground, unless they are located in anchored tanks at least seventy-five (75) feet from any lot line, town way, or interior roadway plus all relevant federal and state regulations shall also be met. Underground storage tanks are prohibited.
- b. Propane gas tanks in 100-lb. cylinders (or smaller) shall be exempt from these safety regulations.

### **1.7 Lighting**

- a. Any outdoor lighting fixture newly installed or replaced shall be shielded so that it does not produce a strong direct light beyond the property boundaries.
- b. No light standard shall be taller than fifteen (15) feet.

### **1.8 Vibration**

- a. No vibration shall be produced which is transmitted through the ground and is discernible without the aid of instruments at or at any point beyond the lot line. Any vibration that is associated with construction activities is allowed only when it occurs between 7 A.M. and 9 P.M.

### **1.9 Noise**

- a. Excessive noise at unreasonable hours shall be muffled so as not to be objectionable due to volume, frequency, shrillness, or intermittence.
- b. The maximum permissible sound pressure level of any continuous, regular, or frequent source of sound produced by any use or activity shall not exceed the following limits at the property line of the sound source:

**Table. Sound Level/ Pressure Level Measured in dB (A's)**

District	7 A.M.- 10 P.M.	10 P.M.- 7 A.M.
Town Center	65	60

Sound pressure level shall be measured at all major lot lines, at a height of at least four (4) feet above the ground surface. Noise shall be measured with a sound level meter meeting the standards of the American Standards Institute, ANSI SI. 4-1961 "American Standard Mater for the Physical Measurement of Sound."

- c. Sound levels specified shall not exceed for more than fifteen (15) minutes in any one day, except for temporary construction or maintenance work, agricultural activity, timber harvesting, traffic, church bells, emergency warning devices, parades, or other similar, special circumstances.
- d. No person shall engage in or cause very loud construction activities on a site abutting residential use between the hours of 9 P.M. of one day and 7 A.M. of the following day.

### **1.10 Odor**

No concentration in the air of a gas, vapor or particulate matter that can be detected by the olfactory systems of a panel of five (5) healthy unbiased observers on a calm day at any point beyond the boundary line of the lot where the use is located.

## **2. Standards that apply to Projects in the Corridor and Industrial Districts**

The following performance standards apply to all uses in the Industrial, Commercial/Office and Business districts:

### **2.1 Access and Traffic Impacts**

Applicants must demonstrate that the project will minimize traffic and safety impacts on high ways, roads and access ways.

- a. The number of curb cuts on state and local roads shall be minimized. To the extent feasible, access to businesses shall be provided via one of the following:
  - i. Access via a common driveway serving adjacent lots or premises
  - ii. Access via an existing side street
  - iii. Access via cul-de-sac or loop road shared by adjacent lots or premises.
- b. One driveway per business shall be permitted as a matter of right. Where deemed necessary by the Special Permit Granting authority, two driveways may be permitted as part of the Site Plan Approval process which shall be clearly marked "entrance" and "exit".
- c. Curb cuts shall be limited to the minimum safe width for entering and exiting, and shall in no case exceed 24 feet in width except if allowed by special permit.
- d. All driveways shall be designed to afford motorists exiting to highways with safe sight distance.
- e. The proposed development shall assure safe interior circulation within its site by separating pedestrian, bicycle and vehicular traffic.
- f. A traffic impact statement shall be prepared, which shall contain:
  - i. Traffic flow patterns at the site including entrances and egresses, loading and unloading areas, and curb cuts on site and within one hundred feet of the site.
  - ii. A detailed assessment of the traffic safety impacts of the proposed project or use on the

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carrying capacity of any adjacent highway or road, including the projected number of motor vehicle trips to enter or depart from the site estimated for daily hour and peak hour traffic levels, road capacities, and impacts on intersections.

- iii. A plan to minimize traffic and safety impacts through such means as physical design and layout concepts, staggered employee work schedules, promoting use of public transit or carpooling, or other appropriate means.
- iv. An interior traffic and pedestrian circulation plan designed to minimize conflicts and safety problems.
- g. Adequate pedestrian and bicycle access shall be provided as follows:
  - i. sidewalk shall be provided to provide access to adjacent properties and between individual businesses within a development.

## **2.2 Trip Reduction Plan**

- a. In each case where a new building(s) or new use of more than ten thousand (10,000) square feet is proposed, the applicant shall prepare and submit a "Trip Reduction Plan" clearly identifying a combination of transportation systems management strategies which are designed to reduce anticipated vehicle trips by thirty-five (35) percent. These strategies may include, but are not limited to:
  - i. Vanpool/carpool incentive programs, such as employer subsidies for vanpools/carpools, preferred vanpool/carpool parking, ride matching services, and providing parking at the vanpool/carpool pick-up site.
  - ii. Allowing and encouraging flexible work hours and flexible work weeks.
  - iii. Encouraging pedestrian and bicycle commute modes by providing on-site bicycle parking storage, locker room facilities, bike and walking paths, and similar features.
  - iv. Site designs which are conducive to transit or vanpool use, such as convenient, weather protected transit shelters.

## **2.3 Parking**

Proposed projects or uses must comply with Parking and Off-street Loading requirements as required in other parts of this bylaw and the following standards:

- a. Whenever feasible parking areas shall be located to the side or rear of the structure and not within the required front yard of the structure.
- b. To the extent feasible, parking areas shall be shared with adjacent businesses.
- c. For developments which make a long term commitment to actively promote employee and public use of transit, ride-sharing, and other means to reduce single occupant vehicle trips, minimum parking standards may be reduced by a percentage, upto a maximum of twenty (20) percent to be determined by the Planning Board based upon the adequacy of trip reduction plans submitted in accordance with Section 2.2.

## **2.4 Landscaping**

- a. A landscaped buffer strip at least fifteen (15) feet wide, continuous except for approved drive ways, shall be established adjacent to any public road to visually separate parking and other uses from the road. the buffer strip shall be planted with grass, medium height shrubs, and flowering trees (minimum 2-inch caliper at the time of planting, planted at least every 35 feet along the road

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- frontage). At all street or driveway intersections, trees or shrubs shall be set back a sufficient distance from such intersections so that they do not present a traffic visibility hazard. The side walk required above shall be incorporated into the buffer strip.
- b. Parking areas shall be subdivided with landscaped islands so that no paved parking surface shall extend more than 80 feet in width. At least one shade tree (minimum 2" caliper at the time of planting) per 20 parking spaces shall be provided in the parking areas.
  - c. Exposed storage areas, machinery, service areas, truck loading areas, utility buildings, dumpsters and structures and other unsightly uses shall be screened from view from neighboring properties and streets using dense, hardy evergreen planting, or earthen berms, or wall or tight fence complemented by evergreen plantings.
  - d. All landscaped areas shall be properly maintained. Shrubs or trees which die shall be replaced within one growing season.

## **2.5 Appearance/ Architectural Design**

- a. Design of the structure shall be compatible with the character and scale of surrounding buildings through the use of appropriate building materials, screening, breaks in roof and wall lines and other architectural techniques. Proposed buildings shall relate harmoniously to each other and the neighboring buildings through compatible site layout with adequate light, air, circulation, and separation between buildings. In making its decision, the Planning Board may consider whether the building design and layout is compatible with the following guidelines:
  - i. exterior facades are faced with wood clapboards, or stone or brick.
  - ii. exterior facade treatment is compatible on all four sides.
  - iii. rooflines are peaked.
  - iv. architectural details including signs, materials, colors and textures are treated so as to be compatible with its original architectural style and to preserve and enhance the character of the surrounding area.
  - v. the height of any proposed alteration is compatible with the style and character of the surrounding buildings.
  - vi. the relationship of a structure to the open space between it and adjoining structures is compatible with the surrounding area.
  - vii. the landscaping is compatible with the character and appearance of the surrounding area.
  - viii. the scale of the structure is compatible with its architectural style and the character of the surrounding buildings.
  - ix. facades blend with other structures in the surrounding area with regard to dominant vertical or horizontal expression.
- b. The Planning Board may adopt such regulations as may be necessary to further specify design standards.

## **2.6 Storm Water Runoff**

- a. The rate of surface water run-off from a site shall not be increased after construction. If needed to meet this requirement and to maximize groundwater recharge, increased run-off from impervious surfaces shall be recharged on site by being diverted to vegetated surfaces for infiltration or through the use of detention ponds. Dry wells shall be used only where other methods are infeasible and shall require oil, grease, and sediment traps to facilitate removal of contaminants.
- b. Neighboring properties shall not be adversely affected by flooding from excessive run-off.

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## 2.7 Erosion Control

Erosion of soil and sedimentation of streams and waterbodies shall be minimized by using the following erosion control practices:

- a. Exposed or disturbed areas due to stripping of vegetation, soil removal, and re-grading shall be permanently stabilized within six months of occupancy of a structure.
- b. During construction, temporary vegetation and/or mulching shall be used to protect exposed areas of erosion. Until a disturbed area is permanently stabilized, sediment in run-off water shall be trapped by using staked haybales or sedimentation traps.
- c. Permanent erosion control and vegetative measures shall be in accordance with the erosion/sedimentation/vegetative practices recommended by the Soil Conservation Service.
- d. All slopes exceeding 15% resulting from site grading shall be either covered with 4 inches of topsoil and planted with a vegetative cover sufficient to prevent erosion or be stabilized by a retaining wall.
- e. Dust control shall be used during grading operations if the grading is to occur within 200 feet of an occupied residence or place of business. Dust control methods may consist of grading fine soils on calm days only or dampening the ground with water.

## 2.8 Water Quality

All outdoor storage facilities for fuel, hazardous materials or wastes, and potentially harmful raw materials shall be located within an impervious, diked containment area adequate to hold the total volume of liquid kept within the storage area.

## 2.9 Explosive Materials

- a. No highly flammable or explosive liquids, solids, or gases shall be stored in bulk above ground, unless they are located in anchored tanks at least seventy-five (75) feet from any lot line, town way, or interior roadway plus all relevant federal and state regulations shall also be met. Under ground storage tanks are prohibited.
- b. Propane gas tanks in 100-lb. cylinders (or smaller) shall be exempt from these safety regulations.

## 2.10 Lighting

- a. Any outdoor lighting fixture newly installed or replaced shall be shielded so that it does not produce a strong direct light beyond the property boundaries.
- b. No light standard shall be taller than fifteen (15) feet unless allowed by special permit.

## 2.11 Vibration

- a. No vibration shall be produced which is transmitted through the ground and is discernible without the aid of instruments at or at any point beyond the lot line. Any vibration that is associated with construction activities is allowed only when it occurs between 7 A.M. and 9 P.M.

## 2.12 Noise

- a. Excessive noise at unreasonable hours shall be muffled so as not to be objectionable due to volume, frequency, shrillness, or intermittence.
- b. The maximum permissible sound pressure level of any continuous, regular, or frequent source of

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sound produced by any use or activity shall not exceed the following limits at the property line of the sound source:

**Table. Sound Level/ Pressure Level Measured in dB (A's)**

District	7 A.M.- 10 P.M.	10 P.M.- 7 A.M.
Commercial/Office and Business	65	60
Industrial	70	65

Sound pressure level shall be measured at all major lot lines, at a height of at least four (4) feet above the ground surface. Noise shall be measured with a sound level meter meeting the standards of the American Standards Institute, ANSI SI. 4-1961 "American Standard Meter for the Physical Measurement of Sound."

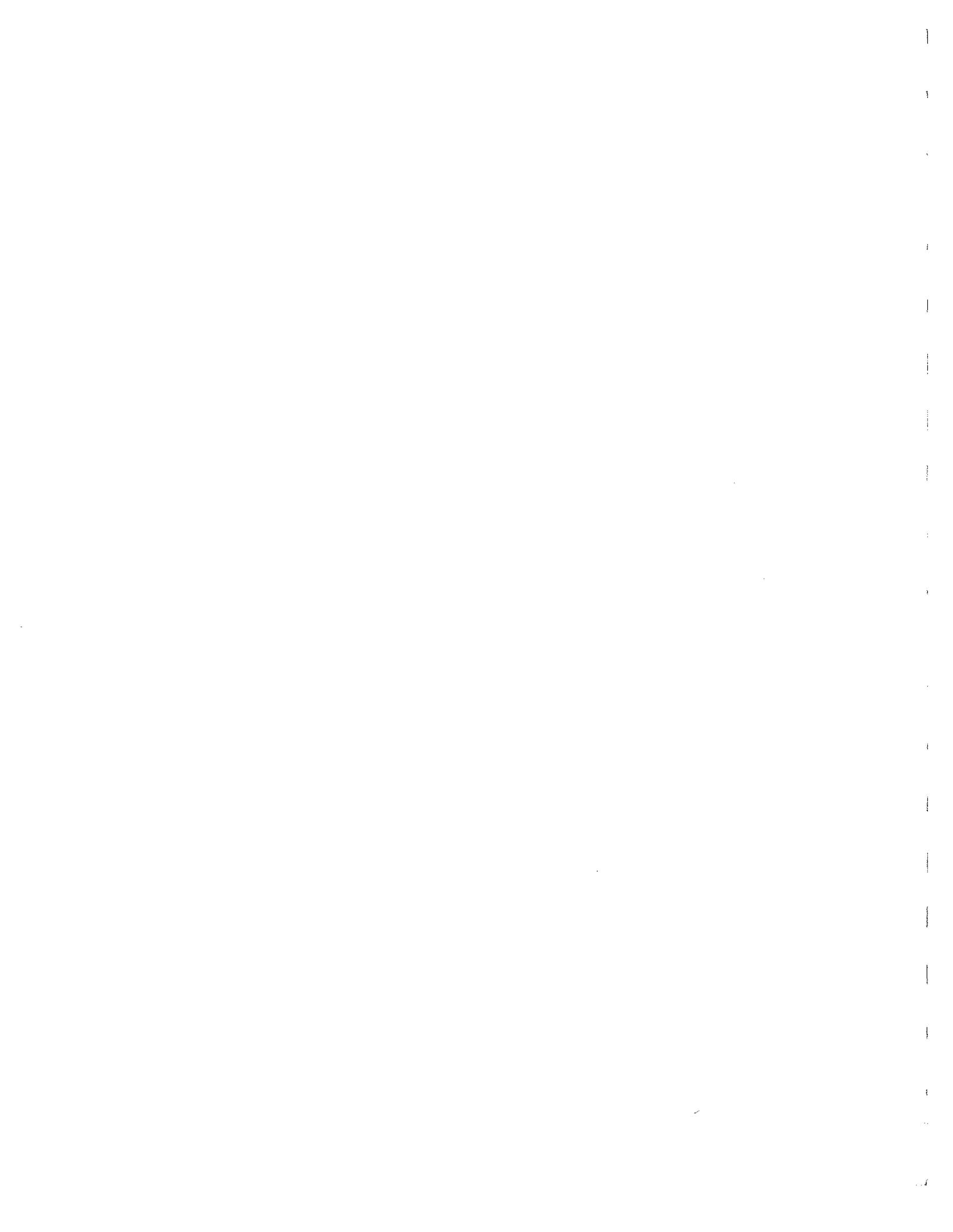
- c. Sound levels specified shall not exceed for more than fifteen (15) minutes in any one day, except for temporary construction or maintenance work, agricultural activity, timber harvesting, traffic, church bells, emergency warning devices, parades, or other similar, special circumstances.
- d. No person shall engage in or cause very loud construction activities on a site abutting residential use between the hours of 9 P.M. of one day and 7 A.M. of the following day.

### **2.13 Odor**

No concentration in the air of a gas, vapor or particulate matter that can be detected by the olfactory systems of a panel of five (5) healthy unbiased observers on a calm day at any point beyond the boundary line of the lot where the use is located.



*Appendix A*  
*Comprehensive List of Concerns*



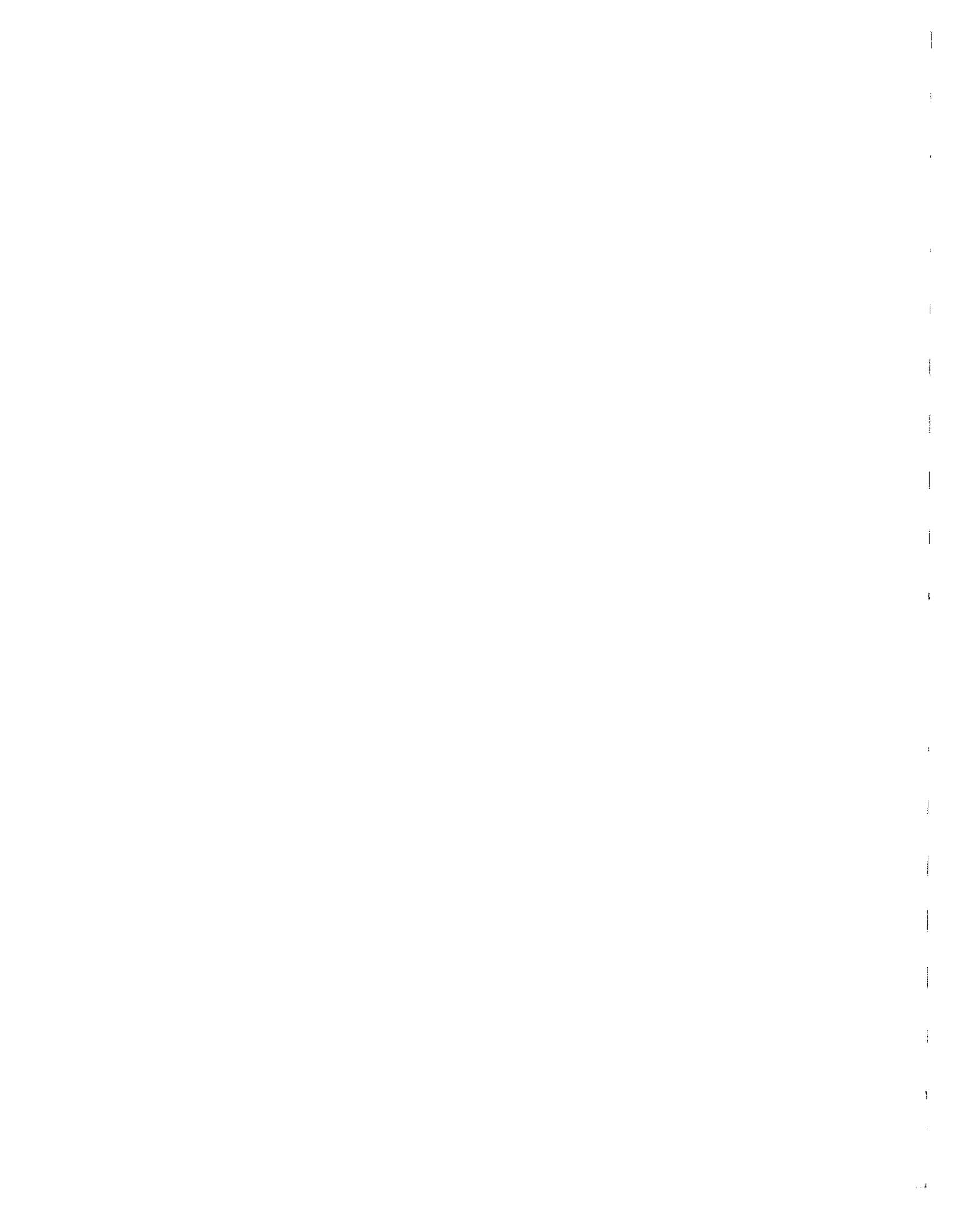
## COMPREHENSIVE LIST OF CONCERNS

The following are concerns about East Longmeadow that emerged at the January 16, 1997 brainstorming session with the East Longmeadow Strategic Planning Committee.

1. new business
2. signage, traffic
3. New England character (preserve)
4. different zoning districts across streets
5. maybe reduce zoning districts (eliminate commercial)
6. excess parking in business district
7. add more business area
8. heavy traffic
9. managing remaining residential land
10. business friendly
11. concerned about too many restrictions — business / industrial
12. maintain character of center of town — signage etc.
13. out of state traffic
14. protect remaining open land — next to Forestry Funeral Home
15. uneven districts
16. buffers between different zones
17. preserve open space in congested areas
18. signage
19. character (retain)
20. retain the mix between residential and business]
21. maintain status quo — traffic
22. quaint atmosphere - bring back older character
23. Maple Street — mish mash of buildings, maybe tighter control
24. where businesses and residences co-exist or are next to each other — limited zone
25. buffer at edge of town — Springfield
26. vast increase in signs (recently)
27. compatibility of businesses, when they come in
28. too tough on businesses
29. too much parking
30. too much prominence given to parking and signage
31. impact of traffic — N Main Street might become Riverdale Street — harder for kids to walk to school, elders.
32. infrastructure capacity reaching its limit — roads will have to dug
33. K.F.C. sign
34. style of signs
35. incentive for changing signs
36. its not perfect (Disney'sh) — its diverse
37. traffic — short-cuts through residential streets
38. crossroads — “our main street is a highway”
39. slow down traffic
40. use site plan review section (Sec 7.47) more effectively
41. let the town grow

42. keep money in town
43. stay away from generic suburb
44. bring in businesses into town center — more variety is more interesting
45. funkiest rotary — Ripley's Believe it or Not (promote)
46. focus energy in the center — good architecture
47. possibility of a historic district
48. let industrial areas perform their business (maintain quality of industrial areas)
49. capital improvements plan — carefully prioritize
50. tax base
51. current commerce / businesses pulling markets from other towns — Springfield
52. open businesses to pedestrians (high school) — S Hadley, Northampton
53. take North out of North Main Street
54. where to socialize — busy is not bad
55. 100 acres left in industrial zone — no infrastructure

*Appendix B*  
*Telephone Survey Results*



**1. What features define East Longmeadow's character ?**

Answers	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	Total	Percent
mix of uses	1			1			1	1	1	1	1	1				1		1	1		1		11	27%
small town/NE atmosphere	1			1			1		1					1						1			7	17%
good services		1		1			1							1									4	10%
proximity to Springfield							1		1								1						3	7%
rural/country style							1		1								1						3	7%
quarrying heritage							1		1								1						3	7%
stable/upper middle class community								1							1							1	3	7%
rotary								1															2	5%
suburban																							2	5%
agricultural heritage																							1	2%
increasing development																							1	2%
good mix of densities																							1	2%
<b>Total</b>																							<b>41</b>	<b>100%</b>

**2. Has the character of East Longmeadow changed in the last few years as a result of growth?**

Answers	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	Total	Percent	
yes	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	17	77%
no																								5	23%
<b>Total</b>																								<b>22</b>	<b>100%</b>

**3. If you think recent development has had a positive effect on the Town, what have been the most important benefits?**

Answers	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	Total	Percent
improved tax base				1			1				1				1	1							7	24%
better services/shopping				1	1		1	1	1						1	1							7	24%
none	1				1							1			1	1				1			8	28%
attract good homes/people				1	1							1											3	10%
more jobs/business														1	1								2	7%
greater diversity																							1	3%
more housing available																						1	3%	
<b>Total</b>																							<b>29</b>	<b>100%</b>

4. If you think recent development has had a negative effect on the Town, what kinds of growth or growth related impacts, have you noticed the most?

Answers	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	Total	Percent	
traffic	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	13	39%	
poor architecture																				1				5	15%
none				1								1	1								1			4	12%
lack of support for local businesses	1																							1	3%
divisiveness among business interests	1																							1	3%
area uses change, zoning doesn't	1																							1	3%
uneven development in commercial				1																				1	3%
quality of services declining						1																		1	3%
less attractive place to settle										1														2	6%
large signs appearing												1												1	3%
community backlash/resist change													1											1	3%
reduced security (undesirables from City)																	1							1	3%
less open space																						1		1	3%
<b>Total</b>																								<b>33</b>	<b>100%</b>

5. Do the commercial and industrial uses reflect the town's economic needs. Do you think any of these need to be reduced or expanded?

Answers	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	Total	Percent	
Yes	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	19	86%
don't know/can't change existing							1										1							3	14%
No																								0	0%
<b>Total</b>																								<b>22</b>	<b>100%</b>
industrial park should be developed	1		1	1	1	1					1							1	1					11	41%
commercial areas sufficient/buildout	1		1	1	1	1					1			1										8	30%
continue growth in com/ind/bus areas												1	1											3	11%
no growth																			1					1	4%
too many hairdressers/pizza places									1															1	4%
don't want to see fast food places				1																				1	4%
no more grocery/shopping areas								1																1	4%
medical buildings (westwood Ave) good																						1		1	4%
<b>Total</b>																								<b>27</b>	<b>100%</b>

**6. Are you familiar with the Town's zoning by-laws? Do you think these have affected the character of the Town and development patterns?**

Answers	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	Total	Percent	
very familiar					1		1	1	1		1	1	1	1			1		1	1		1		12	55%
somewhat familiar	1		1			1						1			1	1								8	36%
not familiar				1					1															2	9%
<b>Total</b>																								<b>22</b>	<b>100%</b>

very much	1	1		1	1		1	1	1	1	1	1	1	1			1		1	1		1		15	68%
somewhat			1			1	1										1							6	27%
no comment													1											1	5%
not at all																								0	0%
<b>Total</b>																								<b>22</b>	<b>100%</b>

neither positive or negative	1	1				1	1		1	1	1	1	1												9	43%
positive effect	1																1		1	1				6	29%	
negative effect				1	1			1								1								5	24%	
both positive and negative																								1	5%	
<b>Total</b>																								<b>21</b>	<b>100%</b>	

too many variances/exception						1	1																			
no enforcement									1									1							3	
allowed businesses in strip mall near Big Y																									2	
spot zoning																									1	
too restrictive																									1	

**7. What you perceive as the primary issues in the commercial an industrial districts?**

Answers	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	Total	Percent	
too vague, not getting enough answers, dropped from questionnaire.																									

**8. Are commercial and industrial uses located in the appropriate zoning districts/areas?**

Answers	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	Total	Percent	
yes	1			1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	14	64%
most, not all	1	1																						8	36%
<b>Total</b>																								<b>22</b>	<b>100%</b>
commercial expanding into residential															1	1									2
residential incorporated into business																		1							1
retail in commercial			1																						1
spot zoning																1									1
residential in industrial										1															1

**9. Are there uses permitted in some of the business districts which are not business related and have you known of conflicts between these uses?**

Answers	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	Total	Percent	
Yes	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	10	45%
No	1			1								1	1	1			1		1	1	1	1	1	10	45%
don't know/no opinion								1								1								2	9%
<b>Total</b>																								<b>22</b>	<b>100%</b>
residence in business N. Main					1						1														4
residence in industrial Benton Dr.						1	1																		3
businesses in res. areas expanding			1																						1
agriculture w/ business in residential				1																					1
																									1

**10. Does the town center have a distinct character from other commercial districts? Would you support different zoning for this area?**

Answers	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	Total	Percent	
Yes		1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	20	91%
No	1																							2	9%
<b>Total</b>																								<b>22</b>	<b>100%</b>

No	1	1		1		1	1		1					1		1		1	1	1				11	50%
unsure										1	1	1			1						1	1		7	32%
Yes			1	1			1									1							4	18%	
<b>Total</b>																								<b>22</b>	<b>100%</b>

support business imprmpt efforts	1															1	1		1					4
town should buy more land in ctr.									1							1								2

**11. Where do you think traffic is the greatest concern and why?**

Answers	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	Total	Percent	
center rotary	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	19	48%
North Main St.	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	13	33%
Somers Road	1	1																						3	8%
Elm Street							1			1														2	5%
Four corners area				1																				1	3%
Shaker road										1														1	3%
Route 5											1													1	3%
<b>Total</b>																								<b>40</b>	<b>100%</b>

don't see good alternatives/keep rotary																									
bike path as by-pass instead																									5
only a problem during rush hour																									4
rotary needs changing	1																								2
																									1

**12. Are there problems with excessive curb cuts or interior traffic circulation within businesses which could be improved?**

Answers	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	Total	Percent	
No	1			1	1	1		1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	16	73%
Yes		1	1				1										1							6	27%
<b>Total</b>																								<b>22</b>	<b>100%</b>

North Main area		1																								
some wider for trucks			1				1																			2
left into gas station at rotary dangerous								1																		2
poor handicapped access																	1									1
																										1

**13. Where should auto oriented businesses (fast food, auto services, malls with lots of parking) be located?**

Answers	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	Total	Percent	
no more business/where they are			1	1				1	1	1			1	1								1	1	11	41%
far end of Shaker Rd./ along Shaker		1			1	1	1			1							1							7	26%
North Main					1		1					1			1									5	19%
no single area																								2	7%
industrial park area																								1	4%
spread where needed, no single area																	1							1	4%
<b>Total</b>																								<b>27</b>	<b>100%</b>

**14. Is there excess parking or lack of parking in the business, commercial and industrial sections of town? Which land uses appear to have surplus parking. Which areas do not have enough parking provided?**

Answers	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	Total	Percent	
adequate parking	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	14	58%
lack of parking																								7	29%
excess parking			1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	3	13%
<b>Total</b>																								<b>24</b>	<b>100%</b>

not enough parking in the center																										
not enough parking for N. Main bus.																1										3
industrial parking adequate																										1
																										1

Big Y too little parking																											
require to many spaces for some bus.			1													1											3
lack in center Boston Chicken/Subway							1	1																			2
snow removal created parking problems																											2
hard to park medical facility																											2
Stop and Shop too much parking																											1
Rocky's Hardware too little parking																											1
Rocky's Hardware too much parking																											1
lack of parking time sensitive																											1
																											1

**15. Where should pedestrian oriented businesses (restaurants, small businesses) be located?**

Answers	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	Total	Percent		
center of town	1	1																								
no where/no pedestrian base																										
Shaker Road													1	1											9	27%
strip malls/existing collections of bus.																										
North Main Street																										
Maple Street																										
near retirement areas																										
by available sidewalks																										
near residential																										
towards Ct. state line																										
anywhere																										
<b>Total</b>																								<b>33</b>	<b>100%</b>	



**18. Are there problems with poorly designed or lack of landscaping or lighting for some business uses?**

Answers	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	Total	Percent
no	1	1		1			1		1		1	1	1			1			1	1			11	52%
yes			1	1	1	1	1		1	1				1	1			1			1	1	10	48%
<b>Total</b>																							<b>21</b>	<b>100%</b>

no landscaping, esp. commercial areas											1															
older buildings landscaping problems					1																					
Stop & Shop little landscaping						1															1					
Ctr., landscaping could be improved																										
no landscaping on Shaker Road						1																				
landscaping prevents snow removal								1																		

**19. Are there problems with sign size, height or aesthetics which are detrimental to the town?**

Answers	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	Total	Percent	
yes					1	1	1	1	1	1	1	1	1			1	1	1	1					12	55%
no	1	1	1	1			1				1		1								1	1	10	45%	
<b>Total</b>																								<b>22</b>	<b>100%</b>

inconsistencies/no uniformity	1										1															
support guidelines					1												1									
problems with illegal signs						1												1								
problems along North Main St.					1																					
too big							1																			
KFC Chicken sign too close to homes								1																		
Big Party sign too big															1											

**20. Are you aware that the Town water and sewer lines are close to capacity?**

Answers	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	Total	Percent	
yes	1	1	1	1	1	1	1	1	1			1	1	1	1	1	1	1	1	1	1	1	1	18	82%
no			1								1			1										4	18%
<b>Total</b>																								<b>22</b>	<b>100%</b>

**21. How has the limited capacity of the system affected growth in the business, commercial and industrial districts?**

Answers	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	Total	Percent
has affected development in Town	1		1	1	1	1	1					1	1	1	1	1	1	1				1	12	57%
hasn't affected development in Town					1			1	1	1									1	1			7	33%
don't know if there has been an effect														1							1		2	10%
<b>Total</b>																							<b>21</b>	<b>100%</b>

limited development of industrial park	1																								
will limit industrial expansion					1																				3
limited commercial projects																									2
																									1

**22. How will the infrastructure improvements (increasing capacity, financing, and disturbance of business and traffic) affect future growth of the town?**

Answers	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	Total	Percent		
more growth							1				1	1	1												9	41%
better service	1		1									1													3	14%
don't know				1				1																	3	14%
no effect					1				1																3	14%
industrial development																		1							2	9%
create traffic/service problems															1										1	5%
general benefits																1									1	5%
<b>Total</b>																								<b>22</b>	<b>100%</b>	

**23. Are there problems with excessive stormwater runoff from businesses?**

Answers	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	Total	Percent		
no																										
yes	1		1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	19	86%	
<b>Total</b>																								<b>22</b>	<b>100%</b>	

*Appendix C*  
*Public Information Sheet*



## PUBLIC INFORMATION MEETING

A half-hour presentation was given by the Strategic Planning Committee at the Public Information Meeting held on June 16, 1997 at the East Longmeadow high school auditorium. The presentation gave some background on the project, introduced the new districts, explained the center beautification effort, and introduced the 6 elements which support the new districts (with some specifics about proposed changes in sign regulations and parking standards). A period of questions and answers followed the presentation, and during this period several concerns were raised about the proposed changes. The Strategic Planning Committee, with the help of the Pioneer Valley Planning Commission, reviewed the proposed changes to the zoning districts and the use table. Further changes were suggested to directly address citizen's concerns and presented in the document Suggested Changes to Proposed Zoning for Business, Commercial and Industrial Districts.

## Suggested Changes to Proposed Zoning for Business, Commercial and Industrial Districts.

In response to citizens concerns expressed at the public information meeting on June 16, 1997, the current zoning proposal has been modified to account for traffic issues associated with business and commercial uses, signalization and pavement markings.

### Section I: Review of Proposed Uses

To clarify the proposal presented at the public information meeting on the 16th, a review of the uses in the proposed corridor and town center districts was conducted. The original proposal suggested creating two corridor districts which were comprised of the existing commercial and business districts found along North Main Street and Shaker Road. The proposal also suggested creating a town center district which was comprised of the existing commercial and business districts found around the rotary. Some uses and where they were allowed, restricted or regulated were changed to support the character of these districts.

The proposed corridor district would be more restrictive than the existing business district, allowing the town greater review powers and, in one case, prohibiting a use. In this proposal, business impacts would be less concentrated along North Main Street because uses currently limited to the existing commercial districts (those considered to have lesser impacts) would now be allowed throughout the proposed corridor. However, the proposed corridor district would also allow, with review, uses which are currently prohibited to locate in the existing commercial district. Therefore, the proposed corridor district presented at the public information meeting would be more restrictive than the existing business district and less restrictive than the existing commercial district. The proposed corridor district is neither a business district nor a commercial district, but instead a blend of the existing business and commercial districts.

*Table I shows several uses allowed in the existing business district. These same uses would be regulated under the proposed corridor district. The proposed corridor district would be more restrictive than the existing business district for these uses.*

TABLE I		
USE	EXISTING BUSINESS DISTRICT	PROPOSED CORRIDOR DISTRICT
Membership club, lodge, social recreational and community center	allowed (with site plan review)	special permit and site plan review required
Planned Business Development	allowed (with site plan review)	special permit and site plan review required
Automobile Repair Shop	allowed (with site plan review)	special permit and site plan review required
Restaurant	allowed (with site plan review)	special permit and site plan review required
Construction supply establishment (including lumber yard)	allowed (with site plan review)	prohibited

Table II shows uses allowed in the existing commercial district. These same uses are restricted in the current business district. Under the proposal presented at the public meeting, these uses would be allowed in the corridor district, resulting in a greater variety of uses (many of which are considered to have fewer negative impacts) in the existing business district.

USE	EXISTING COMMERCIAL DISTRICT	EXISTING BUSINESS DISTRICT	PROPOSED CORRIDOR DISTRICT
Multiple Dwelling Town Property	allowed (with site plan review)	prohibited	allowed (with site plan review)
Town Building, Playgrounds and parks and associated accessory building	allowed (with site plan review)	prohibited	allowed (with site plan review)
Family Home Daycare	special permit and site plan review required	prohibited	special permit and site plan review required
Public Library, Museum	allowed (with site plan review)	prohibited	special permit and site plan review required
Crematory	allowed (with site plan review)	prohibited	allowed (with site plan review)
Cemetery	allowed (with site plan review)	prohibited	allowed (with site plan review)

Business uses, which are restricted in the current commercial district, would be allowed in the corridor. The following uses (many of which are considered to have greater negative impacts) would now be allowed (with site plan review) or a special permit and site plan review, in the commercial area. This change would allow the possible location of some of these uses in the existing commercial district.

USES	EXISTING COMMERCIAL DISTRICT	PROPOSED CORRIDOR DISTRICT
General Merchandising Retail	prohibited	allowed (with site plan review)
Specialty Retail	prohibited	special permit and site plan review
Convenience Store	prohibited	allowed (with site plan review)
Wholesale Business	prohibited	allowed (with site plan review)
Supermarket	prohibited	allowed (with site plan review)
Personal Service Shop	prohibited	allowed (with site plan review)
Gasoline Filling Station	prohibited	allowed (with site plan review)
Gasoline filling Station with convenience store	prohibited	special permit with site plan review
Car Washing Facility	prohibited	special permit with site plan review
Automobile repair Shop, storage battery service, greasing station	prohibited	special permit with site plan review
Used car lot	prohibited	special permit with site plan review
Funeral Establishment	prohibited	allowed (with site plan review)

## Section II: Suggested Changes to Proposal (after June 16th, 1997)

The main concern voiced at the public information meeting was that by allowing uses, currently limited to the existing business district, in the existing commercial area, traffic along North Main Street would increase, reducing residents' quality of life. To prevent any increase in traffic related to changes in uses allowed by the zoning, the Committee has developed an alternate proposal.

The new proposal will preserve the existing commercial district along North Main Street and Shaker Road, and the office uses allowed in these areas. For clarity, and consistency with the uses allowed in the area, these existing commercial districts would be renamed to Office Districts. (Table IV)

The existing business districts will also be preserved in the North Main and Shaker Road areas. Several uses in the existing business districts will be further regulated in accordance with concerns expressed by the Committee (See Table I).

The existing commercial and business zones in the town center will be changed to a Town Center District, as proposed originally. However, special emphasis on encouraging retail and service uses in the town center has also been developed to encourage a vital downtown and to prevent uncontrolled business development along North Main Street and Shaker Road. (Table V) The Town Center District will still be supported and protected through the element of the zoning originally proposed including: sign bylaws, improved administrative processes, dimensional and density regulations, performance standards, and parking regulations.

Finally, a few uses which would not support the character of the proposed town center district are prohibited from locating in the town center. These uses are allowed in the existing business district and would continue to be allowed there. However, now they would be required to comply with the special permit and site plan review processes to ensure that possible negative aesthetic impacts are minimized. (Table VI) Additionally, these uses are low traffic generators so they will not create significant increases in traffic along North Main Street or Shaker Road.

Table IV show that by changing the name of the existing commercial district to the proposed office district, office uses would continue to be allowed and retail, wholesale and service uses would continue to be prohibited.

TABLE IV		
USES	EXISTING COMMERCIAL DISTRICT	PROPOSED OFFICE DISTRICT
OFFICE USES	allowed (with site plan review)	allowed (with site plan approval)
RETAIL, WHOLESALE AND SERVICE USES	prohibited	prohibited

Table V shows uses which are currently allowed in the existing business district which would be either prohibited or require further review under this new proposal as a response to concerns about traffic. These same uses are allowed in the proposed town center district to encourage a vital downtown. The uses will be required to conform with the additional zoning regulations protecting the town center, and those which generate the most traffic require a special permit and site plan review.

TABLE V			
USES	PROPOSED TOWN CENTER DISTRICT	EXISTING BUSINESS DISTRICT	PROPOSED CHANGES TO USES WITHIN THE BUSINESS DISTRICT
Large Retail	special permit and site plan review	allowed (with site plan review)	prohibited
Small Retail	allowed (with site plan review)	allowed (with site plan review)	special permit and site plan review
Convenience Store	special permit and site plan review	allowed (with site plan review)	prohibited
Supermarket	special permit and site plan review	allowed (with site plan review)	special permit and site plan review
Micro-Brewery	allowed (with site plan review)	(new use)	special permit and site plan review
Theater	special permit and site plan review	(new use)	prohibited

Table VI shows automobile uses which do not support the small town, pedestrian friendly character East Longmeadow would like to promote in the town center. These uses would fit more readily in the existing business district (where they are currently allowed). The town is granted full reviewing power over all these uses by requiring a special permit and site plan review.

TABLE VI			
USES	PROPOSED TOWN CENTER DISTRICT	EXISTING BUSINESS DISTRICT	PROPOSED CHANGES TO USES WITHIN THE BUSINESS DISTRICT
Car Washing Facility	prohibited	special permit and site plan review	special permit and site plan review
Automobile repair	prohibited	allowed (with site plan review)	special permit and site plan review
Used Car Lot	prohibited	special permit and site plan review	special permit and site plan review

### **III: Additional Strategies to Reduce Traffic**

The Pioneer Valley Region Congestion Management System also addresses traffic issues in the Town of East Longmeadow in an attempt to alleviate congestion in the North Main Street area. Much of the current congestion is attributed to a series of four traffic lights which provide access to retail shopping plazas within a .5 mile stretch of roadway. The close proximity of these intersections and lack of marked lanes at intersection approaches creates confusion and can easily delay drivers in a traffic queue due to left turning vehicles.

Currently, action unrelated to zoning changes is suggested to alleviate these conditions. Removal of the railroad bridge, the coordination of traffic signals from Dearborn Street to Harkness Avenue, and improved pavement parking and signs to warn drivers of upcoming lane configurations are either underway or being considered by the town.

The Pioneer Valley Planning Commission is also currently assisting the Town in studying this location. The reconstruction of both Elm Street and Westwood Street is currently programmed in the Pioneer Valley Transportation Improvement Plan, and once completed, these two projects may siphon traffic off of Route 83 and reduce congestion in this area. Also, it is recommended that this area be included in a traffic study of the Route 83 rotary currently earmarked for funding as part of the Transportation Bond Bill.

