

**SPECIAL TOWN MEETING
NOVEMBER 6, 2017**

ADDENDUM TO ARTICLE 2

ARTICLE 2.

VOTED: Town of Sharon MA Code, Division 1: Bylaws, Part II: General Legislation, Chapter 275 Zoning – Change: Expansion of Business Uses and Revision of Design Standards in Business District D

That the Town amend the "Town of Sharon, MA, Code, Division 1: Bylaws, Part II: General Legislation, Chapter 275 Zoning" as amended through March 2014" by amending the sections and subsections of the Bylaw as set forth hereinafter.

REVISE SUBSECTION 2321

Revise Subsection "2321. Permitted residential uses" by adding a new paragraph "c" following paragraph "b" thereof as follows:

- c. In Business District D, residences subject to the provision of AFFORDABLE HOUSING.

REVISE SUBSECTION 2323

Revise "2323. Permitted commercial uses" by replacing paragraph "k." Delete "k. In Business District D, the following: (1) Multiple freestanding buildings on a single lot accommodating multiple principal uses permitted under Subsections 2322, 2323, 2325, and 2326, provided that they comply with the objectives and requirements of Business District D as set forth in Subsection 2327 and with the limitations of Subsection 2466. (2) Theater and multiscreen movie complex. (3) Hotel. (4) Illumination of parking areas pursuant to Subsection 2328." and insert the following:

- a. In Business District D, the following:
 - (1) Multiple freestanding buildings on a single lot accommodating multiple principal uses permitted under Subsections 2322, 2323, 2325, and 2326, provided that they comply with the objectives and requirements of Business District D as set forth in Subsection 2327 and with the limitations of Subsection 2466.
 - (2) Medical or dental offices; financial institutions such as banks, savings institutions, credit unions, and credit institutions; and real estate, insurance, investing, or securities firms.
 - (3) Business services, whether or not related to the type of business permitted in the district, such as office cleaning, packaging, shipping, and similar business services.
 - (4) Personal services, such as hair salon and similar personal services.

- (5) Theater and multiscreen movie complex.
- (6) Hotel.
- (7) Warehouse stores.
- (8) Club and membership stores.
- (9) Facilities licensed by the Massachusetts Executive Office of Education or successor agency if applicable including day care or child care facilities complying with “Large Group and School Age Child Care Program” licensing requirements and including facilities complying with “Center and School Based Early Education and Care Program” or “After School and Out of School Time Program” licensing requirements.
- (10) Stores serving as drop-off and pick-up locations for cleaning and laundry services excluding laundromats and any onsite processing.
- (11) Illumination of parking areas pursuant to Subsection 2328.

REPLACE SUBSECTION 2324

Delete Subsection “2324. Other Permitted Principal Uses” in its entirety and insert the following:

2324. Other permitted principal uses:

- a. Agriculture, horticulture or floriculture on parcels of more than five acres.
- b. In Business District D, residences in residential or mixed use buildings subject to the provision of AFFORDABLE HOUSING in accordance with the following:
 - (1) The purpose of this requirement is to make housing available that is affordable to low and moderate-income households. At minimum, AFFORDABLE HOUSING provided shall be in compliance with the requirements set forth in G.L. c. 40B sect. 20-24. The Units of AFFORDABLE HOUSING provided shall be considered as Local Initiative Units, in compliance with the requirements of the Massachusetts Department of Housing and Community Development (DHCD).
 - (2) Definition applicable to Business District D:

AFFORDABLE HOUSING — Housing that is affordable to and occupied by eligible households. The unit must be approvable to be added to the subsidized housing inventory (SHI) pursuant to MGL c. 40B. Units must be approved through the Local Action Unit (LAU) program of the Massachusetts Department of Housing and Community Development.
 - (3) All units provided to satisfy this requirement, must be eligible for inclusion in the Massachusetts Department of Housing and Community Development’s Subsidized Housing Inventory (SHI) and their long term eligibility must be protected through a

deed rider which shall be in force for the maximum period allowed by law but not less than 99 years. AFFORDABLE HOUSING may be ownership units or rental units and may be provided on-site or off-site; however, providing units on-site is preferred. If units are provided off-site, the Zoning Board of Appeals shall determine the comparability of the off-site units in terms of design, location, and access to Town services and amenities as part of Major Site Plan Review. The minimum number of units of AFFORDABLE HOUSING provided shall be 12½% of the total number of on-site dwelling units with any fractional unit deemed to constitute a whole unit. The number of Units of AFFORDABLE HOUSING as provided herein may not be waived.

- (4) Certificates of Occupancy for market rate units, shall not be issued until Certificates of Occupancy have been issued and deed restrictions recorded in the Registry of Deeds or he Land Court for the units of AFFORDABLE HOUSING in accordance with the following schedule:

Market Rate Housing Units Percent Complete	Affordable Housing Units Percent Complete
Less than 15	None Required
15	15
30	32
45	49
60	66
75	83
90	100

- (5) A housing marketing and resident selection plan is required which includes an affirmative fair housing marketing program, including public notice and a fair resident selection process, and a requirement that 70% of the units of AFFORDABLE HOUSING shall be set aside for applicants that claim a local preference. Local preference applies to an applicant who has a principal residence or a place of employment in the Town of Sharon at the time of application.

c. BUSINESS DISTRICT D DEVELOPMENT.

REVISE SUBSECTION 2325

Revise “2325. Permitted accessory uses” by replacing paragraph “c.” Delete “c. Drive-through services serving the customer while seated in a car, except for drive-through service for banks and pharmacies within Business District D and except for drive-through services authorized by special permit in Subsection 2326 below” and insert the following:

- c. Drive-through services serving the customer while seated in a car, except for drive-through services authorized by special permit in Subsection 2326 below.

REPLACE SUBSECTION 2326

Delete Subsection “2326. Uses and accessory uses allowed by special permit from the Board of Appeals” in its entirety and insert the following:

2326. Uses and accessory uses allowed by special permit from the Board of Appeals:
- a. Buildings with gross floor area exceeding 60,000 square feet in Business Districts B and C, exceeding 135,000 square feet in Business District D, and exceeding 5,000 square feet in Business District A.
 - b. Parking facilities exceeding 150 parking spaces in Business Districts B and C and 20 parking spaces in Business District A.
 - c. In Business Districts A, B, and C, theater, hall or other place of indoor or outdoor amusement.
 - d. Clubs operated as a business.
 - e. In Business Districts B and C, apartments over nonresidential establishments as provided in Subsection 4230.
 - f. In Business District A, multiple residence buildings containing three or more dwelling units used either exclusively for residential uses or containing a mix of permitted residential and nonresidential uses as provided in Subsection 4240.
 - g. Drive-through services serving the customer while seated in a car for banks within Business District B.
 - h. In Business Districts B, C and D, accessory scientific use, provided that the Board of Appeals finds that the proposed accessory use does not substantially derogate from the public good.
 - i. In Business Districts B and D, funeral parlors.
 - j. Religious or educational purposes other than those specified by Subsection 2322.
 - k. In Business District B only, the following:
 - (1) Gasoline service station; automobile display room.
 - (2) Outdoor storage and display of goods for sale, whether as a principal or accessory use, but not including secondhand goods or parts, nor bulk goods such as lumber or gravel, provided all outdoor storage and display is screened from side and rear lot lines in the manner described in Subsection 3117.
 - (3) Storage buildings for goods to be repaired or sold at retail directly to the consumer or temporarily stored for the consumer.
 - l. In Business District D only, the following:
 - (1) Amusement and recreation uses, excluding each of the following: ADULT USE as

defined in Subsection 4120; racing and racetrack use; permanent circus, carnival, and fair use; and casino, bingo, bookie, betting, and gaming use (Provided; however, that lottery tickets sales as a component of retail use shall not be considered as gaming use). In computing floor area, floor area ratio, and building coverage limits, places of outdoor amusement shall be considered as having a floor area of 100 sq.-ft. for every 200 sq.-ft. of land in outdoor amusement use.

- (2) Drive-through services serving the customer while seated in a car for restaurant, bakery, coffee shop, bank, and pharmacy establishments.
 - (3) Memory Care Dementia Special Care Unit (DSCU) as defined in 105 CMR 150.023.
 - (4) Licensed or Certified Health Care Facility or Agency which is licensed by the Massachusetts Executive Office of Health and Human Services Department of Public Health Division of Health Care Facility Licensure and Certification or successor agency as applicable including the following:
 - (i) Health Care Center which may include urgent care services, primary care services, specialist services, clinics, outpatient facilities, diagnostic and lab services, day surgery, rehabilitation and sports medicine, mental health, and similar medical services provided that no overnight patient beds are provided;
 - (ii) Certified home health agencies, hospices, physical therapy and speech pathology facilities, renal dialysis facilities, and temporary nursing agencies.
 - (5) Research & development facilities provided that only domestic wastewater (sanitary sewage as defined in 310 CMR 15.002) is discharged to any wastewater treatment plant within a Water Resources Protection District.
 - (6) For profit education services including elementary and secondary school, junior college, college, university, and vocational school.
 - (7) Training and conference center.
 - (8) Retail postal, parcel post, delivery service, and postal box uses.
 - (9) Congregate Housing as authorized by MGL Ch. 121B § 39 that provides a shared living environment with separate sleeping quarters and shared common facilities which are designed to integrate the housing and services needs of persons aged 60 and over or qualified disabled and that have applied to the Sharon Housing Authority.
- m. Natural gas custody transfer facilities or gate stations as provided in Section 4700.

REPLACE SUBSECTION 2327

Delete Subsection "2327. Business District D requirements" in its entirety and insert the following:

2327. Business District D requirements.

- a. The objective of Business District D is to accommodate residential, retail, office and other uses in locations where a large development area is available with suitable access to Interstate 95, where impacts to neighboring residential areas can be minimized, and adverse traffic and where environmental impacts can be mitigated. In connection with the creation of the Business District D and the addition of any land to the Business District D, the Board of Selectmen shall be authorized and directed to seek agreement from the owners of land located in the Business District D concerning public benefits to be provided in connection with proposed development, including without limitation the gift or dedication of land for conservation, education, flood prevention, recreation, water supply, or other public purposes.
- b. All uses and accessory uses permitted or allowed by special permit must conform to the objective of the district.

REPLACE SUBSECTION 2328

Delete Subsection "2328. Business District D design requirements" in its entirety and insert the following:

2328. Business District D design requirements.

- a. Within Business District D, all uses shall comply with the design standards listed herein. All such standards may be waived as part of the site plan review process.
- b. Each application for Major Site Plan Review shall include copies of all plans and design information to be submitted to the Design Review Committee.
- c. All buildings shall be "four sided"; i.e., finished on all sides with comparable architectural details and finishes. Loading areas and rooftop equipment shall be neatly organized and thoroughly shielded.
- d. Buildings shall be energy-efficient and shall incorporate energy-saving devices.
- e. In designing all site improvements the applicant shall use best commercial efforts to incorporate the green development principals of energy efficiency and sustainability by including those Leadership in Energy and Environmental Design (LEED) Plan for Neighborhood Development (LEED ND: Plan) strategies set forth herein in the planning and design of Business District D Projects. The applicant shall use best commercial efforts to incorporate LEED ND: Plan principals; however, formal LEED ND: Plan certification shall not be required, building design shall not subject to LEED requirements, and inclusion of at least one certified green building shall not be required. The applicant shall use best commercial efforts to include LEED ND: Plan strategies which may be included in the planning and design of Business D Projects. These LEED ND strategies are as follows:

- (1) Site Planning:

- (i) Smart Location. Locate facilities in proximity to Route 1 or interchanges on I-95 in order to minimize traffic impacts on local streets and minimize VMT for regional site access.
 - (ii) Compact Development. To the extent practicable, the development footprint shall be minimized in site layout and buildings may incorporate second story and mezzanine areas.
 - (iii) Reduced Parking Footprint. Site design shall reserve locations for parking fully compliant with Section 3100; however, each site plan application that is seeking a reduced parking footprint shall include a Parking Management Report by a Civil Professional Engineer (PE) identifying parking reductions enabled by actual peak parking demand and seasonal and event peak parking accommodated on unpaved surfaces. The Zoning Board of Appeals may waive paved parking based on evaluation of the Parking Management Report provided that locations allowing full parking construction are reserved in perpetuity.
 - (iv) Housing and Jobs Proximity. To the extent practicable, offsite improvements shall be provided or incorporated in the site design linking the site to multifamily housing located within 300 ft. of the project site.
 - (v) Walkable Site. The site shall be developed as a healthy walkable environment by providing strong linkage between sidewalks and walkways in proximity to on-site buildings and sidewalks on adjacent streets.
- (2) Environmental mitigation:
- (i) Sustainability. To the extent practicable, sustainable use of materials shall be increased by requiring use of comparable recycled and locally sourced materials during construction of site improvements and by providing single stream recycling during occupancy.
 - (ii) Landscaping and Parking Layout. Onsite access drives shall be shaded by lining with native shade trees. Onsite parking areas shall be divided, separated into distinct appropriately scaled subareas, and shaded by providing vegetated planting strips of the maximum width practicable and parking lot islands planted with native shade trees.
 - (iii) Water Conservation shall be promoted by precluding use of potable water for irrigation and requiring that irrigation be subject to an Irrigation Management Plan.
 - (iv) Wetland Waterbody Conservation. To the extent practicable, the value of open space shall be enhanced by providing pedestrian access linking on-site buildings with open space and by providing visual access between onsite public spaces and open space areas.
- (3) Access:

- (i) Multimodal Facilities. Multimodal Access and vehicular safety shall be enhanced by providing site access designed for shared vehicular, bicycle, and pedestrian use and with all access drives posted for low speed.
 - (ii) Bicycle Facilities. Bicycle racks and indoor bicycle storage shall be provided as appropriate.
 - (iii) Transportation Demand Management. Vehicle Miles Traveled (VMT) and energy use may be reduced by encouraging tenants to provide incentives for shared vehicle use such as carpools, vanpools, and a commuter rail station shuttle.
- (4) Stormwater Management:
 - (i) Low Impact Design: Stormwater management shall incorporate low impact design (LID) measures to the extent practicable.
 - (ii) Drainage Patterns and Water Quality. Existing drainage patterns shall be preserved and water resources shall be protected by using Best Management Practices (BMPs) to limit runoff and reduce Total Suspended Solids and related contaminants.
 - (iii) Vegetated planting strips and parking lot islands may be used to collect and treat runoff as integral components of the stormwater management system.
- f. Public spaces shall be provided in proximity to buildings that have a minimum aggregate area equal to 5% of the floor area of the on-site buildings. Public spaces shall be accessible to building occupants and the public and include walking, seating, and gathering areas. Public spaces shall have landscaping, hardscape, benches, and other amenities. Turf areas shall be irrigated; however, potable water from the Sharon water system shall not be used for irrigation. Hardscape shall consist of cement concrete, brick, granite block, cobblestone, or stone pavers. Stone or stone veneer shall be used for landscape walls and retaining walls. One tree shall be provided for each 1,500 square feet of area. Shade trees shall have a minimum caliper of 3 1/2 inches, and coniferous trees shall have a minimum height of 10 feet to 12 feet at the time of planting. Plant materials shall be native species and shall include street trees listed in the Rules and Regulations of the Sharon Planning Board. Pedestrian-scale dark skies compliant lighting shall be provided to allow full use of the public spaces at night. Public spaces are included in the required "minimum landscaped open space" (§2464. c).
- g. Parking areas shall be laid out in separate discrete parking fields separated by landscaped areas and shall use grading, layout and other design features to provide visually distinct parking fields. Large unbroken and monotonous parking areas shall be avoided. Parking shall be set back a minimum of 10 feet from property lines.
- h. Drive-through facilities serving customers while seated in a car shall be laid out in areas fully separated from any street, access drive, or parking aisle by raised islands with vertical faced granite curb. Separate drive-through facilities shall be as long as

practicable and as a minimum shall provide sufficient length to accommodate the 95th percentile queue without extending into any access drive or parking aisle. A bypass capability shall be provided throughout the entire length of the drive-through facility, and all segments of the facility shall have a minimum pavement width of 20 feet. Drive-through facilities shall be designed in a manner that promotes good overall site circulation, access, and safety. Site layout shall preclude pedestrian access to the building through the drive-through facility and shall minimize conflicts between pedestrians and vehicles entering or exiting the drive-through facility. Proper signage and pavement markings shall be provided. Drive-through facilities shall be properly lighted and screened and shall minimize headlight glare on other portions of the site. Loudspeaker sound levels shall not exceed normal conversational sound levels. Where appropriate for the service provided, separate parking spaces not included in the overall parking count shall be provided to accommodate special orders and delays.

- i. Site lighting shall be designed with lower illumination levels consistent with IESNA recommended practice and shall minimize blue light emissions. Lighting systems shall have automated controls capable of reducing lighting levels outside business hours. Light trespass shall be limited to 0.5 foot-candle at the property line and there shall be no point sources of light visible from adjacent streets and properties. Pole heights shall be limited to 24 feet in parking areas and to 16 feet within 50 feet of on-site buildings. Pole height within 500 feet of Route I-95 may be increased to 34 feet, provided they are not visible from any residence. All lighting fixtures shall be "dark skies" compliant and shall limit upward-projecting light. All lighting fixtures shall have or be comparable to lighting fixtures having the International Dark Sky Association (IDA) Fixture Seal of Approval.
- j. Parking area pavements shall be a 3 1/2-inch-thick hot mix asphalt pavement with a twelve-inch-thick gravel base. Heavy-duty pavement shall be a five-inch-thick hot mix asphalt pavement with a twelve-inch gravel base. Heavy-duty pavement shall be used in all loading areas and along truck access routes and at principal parking lot drives. Curbing within one-hundred (100) feet of buildings shall be vertical faced granite curb or vertical faced precast concrete curb.
- k. On-site wastewater treatment plants require adequate funding mechanisms to provide for proper operation and maintenance and for monitoring and testing of the on-site wastewater treatment plant by the Town consistent with the requirements of the Board of Health. Any on-site sanitary sewers shall be subject to ongoing requirements for leak detection and repair. Buildings shall incorporate water conservation devices, including low-flow plumbing fixtures including ultra-low-flow toilets.
- l. Runoff from pedestrian areas, landscape areas, and low-volume vehicular areas shall be accommodated using low-impact design principals where practicable, including pervious pavements, rain gardens, and other proven methods.

REVISE SUBSECTION 2329

Revise "2329. Business District D performance standards" by replacing paragraph "d." Delete "d. On-site wastewater generation exceeding six gallons per day per 1,000 square feet of lot area and on-site

wastewater treatment plants treating domestic wastewater are only permitted pursuant to issuance of a groundwater discharge permit by the Massachusetts Department of Environmental Protection and a treatment works construction permit by the Sharon Board of Health. Within Aquifer Protection Districts, groundwater shall meet or exceed Massachusetts drinking water standards at the property line” and insert the following:

- d. On-site wastewater generation exceeding six gallons per day per 1,000 square feet of lot area and on-site wastewater treatment plants treating domestic wastewater or wastewater determined by the Zoning Board of Appeals to have constituents substantially similar to sanitary sewage (310 CMR 15.002) per Subsection 4531 d. (1) only are permitted pursuant to issuance of a groundwater discharge permit by the Massachusetts Department of Environmental Protection and a treatment works construction permit by the Sharon Board of Health. Within Aquifer Protection Districts, groundwater shall meet or exceed Massachusetts drinking water standards at the property line.

REPLACE SUBSECTION 2461.

Delete Subsection “2461. Minimum lot area” in its entirety and insert the following:

2461. Minimum areas:

- a. Minimum overall development area
 - Business District D 53 acres for a BUSINESS DISTRICT D DEVELOPMENT.
- b. Minimum lot area
 - Business District A 10,000 square feet for single- or two-family dwellings
No minimum lot size for all other uses.
 - Business Districts B and C 10,000 square feet for two-family dwellings
8,000 square feet for all other uses
 - Business District D 60,000 square feet for lots within a BUSINESS DISTRICT D DEVELOPMENT and 53 acres for lots not within a BUSINESS DISTRICT D DEVELOPMENT.
 - Professional District A 20,000 square feet
 - Professional District B 60,000 square feet

REPLACE SUBSECTION 2462.

Delete Subsection “2462. Maximum densities in Professional District B” in its entirety and insert the following:

2462. Maximum densities in Professional District B and Business District D.
- a. Professional District B:
 - (1) Assisted-living residence units: a maximum of 15 assisted-living residence units per acre or fraction thereof.
 - (2) Residents in an assisted-living residence: 1 1/4 residents per unit in an assisted-living residence.
 - b. Business District D:
 - (1) Residential Units: the maximum dwelling units within a BUSINESS DISTRICT D DEVELOPMENT shall be the lesser of 1 dwelling unit per 2,250 sq.-ft. of gross floor area in "2323. Permitted Commercial Uses" and in certain "uses" as set forth in paragraphs a, d, h, l(3), l(4), l(5), l(6), l(7), and l(8) of §2326) or 225 dwelling units total.
 - (2) Bedrooms in Residential Units: a maximum of two bedrooms per dwelling unit.

REPLACE SUBSECTION 2463

Delete Subsection "2463. Minimum lot frontage and width" in its entirety and insert the following:

2463. Minimum lot frontage and width.
- a. In Business District A, the minimum lot width for single-family and two-family dwellings shall be 80 feet. There shall be no minimum width requirement for all other uses.
 - b. In Business District A, the minimum frontage for single-family and two-family dwellings shall be 70 feet. There shall be no minimum frontage requirement for all other uses.
 - c. In Business Districts B and C, the minimum lot width for two-family dwellings shall be 80 feet. In Professional Districts, the minimum lot width for single-family dwellings shall be 70 feet and 150 feet for all other uses. Lot width for all other uses shall be as specified in Subsection 2412.
 - d. Minimum frontage for all other uses:
 - (1) Business Districts B and C: 70 feet.
 - (2) Business District D: 1,000 feet for a BUSINESS DISTRICT D DEVELOPMENT or for a lot not within a BUSINESS DISTRICT D DEVELOPMENT.

25 feet for a lot within a BUSINESS DISTRICT D DEVELOPMENT.
 - (3) Professional Districts: 100 feet.

REPLACE SUBSECTION 2464

Delete Subsection "2464. Lot coverage and open space" in its entirety and insert the following:

2464. Coverage and open space. For purposes of this Subsection 2464, "open space" shall mean a portion of a lot or other area of land associated with and adjacent to a building or group of buildings in relation to which it serves to provide light and air, for scenic, recreational or similar purposes. Such space shall be available for use by the occupants of the building(s) with which it is associated, and to the general public as appropriate with respect to the location of the open space on the lot and the nature of the use. Open space shall include parks, plazas, playgrounds, lawns, landscaped areas, decorative plantings and pedestrian ways. Streets, parking lots, driveways, service roads, loading areas, and areas normally inaccessible to pedestrian circulation shall not be counted in determining required open space.

a. Maximum project coverage:

Business District D	30%, excluding freestanding parking decks not within the footprint of any occupied building for BUSINESS DISTRICT D DEVELOPMENT or for lots not within a BUSINESS DISTRICT D DEVELOPMENT.
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b. Maximum lot coverage:

Business District A:	25% for single-family and two-family dwellings 60% for all other uses
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Business District B:	25% for residential uses 20% for all other uses
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Business District C:	25% for single-family and two-family dwellings. 35% for multifamily residential uses 50% for all other uses
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Business District D:	30% excluding freestanding parking decks not within the footprint of any occupied building for a BUSINESS DISTRICT D DEVELOPMENT or for lots not within a BUSINESS DISTRICT D DEVELOPMENT.
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N/A for lots within a BUSINESS DISTRICT D DEVELOPMENT.

Professional District A:	N/A
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Professional District B:	20%
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c. Minimum landscaped open space coverage, including natural vegetation areas:

Business District A:	20%
Business District B:	N/A
Business District C:	30%
Business District D:	35% for a BUSINESS DISTRICT D DEVELOPMENT or for a lot not within a BUSINESS DISTRICT D DEVELOPMENT. N/A for lots within a BUSINESS DISTRICT D DEVELOPMENT.
Professional District A:	N/A
Professional District B:	30%

d. Lot coverage and open space variations may be allowed by special permit from the Board of Appeals in Business Districts A and C: Maximum lot coverage may be increased to not more than 85% of total lot area, and minimum landscaped open space coverage may be reduced to not less than 15% of total lot area by special permit from the special permit granting authority. Under this special permit, increased lot coverage shall include buildings and impervious surfaces. In granting a special permit for increased lot coverage or decreased landscaped open space coverage, the special permit granting authority shall determine that the special permit includes the provision of amenities or facilities that provide for the public benefit or convenience. Typical site improvements may be determined to be public benefits or convenience when in compliance with the following:

- (1) When street plantings are provided along the entire street frontage for nonresidential uses, except at drives, and except where neither a street setback nor a buffer zone is required. The required plantings should generally be located between the street and the build-to line generally be located between the street and the build-to line.
- (2) When curb cuts are consolidated either on a single lot or between abutting lots resulting in better traffic circulation and safety.
- (3) When landscaping exceeding the minimum parking lot standards is provided. Trees and soil plots shall be so located as to provide visual relief and wind interruption within the parking area, and to assure safe patterns for internal circulation.
- (4) When drainage techniques are used in order to promote improved stormwater drainage, such as porous pavement instead of traditional paving materials. Also, landscaped areas may be below grade in order to allow for stormwater retention and infiltration.
- (5) When enhanced screening of dumpsters, refuse areas, and loading bays is

provided for adjacent streets and properties. Plantings should be supplemented by an opaque fence or wall at least six feet tall.

- (6) When a septic system is installed that provides enhanced treatment capability or where the lot is encumbered by easements that facilitate provision of a shared septic system with enhanced treatment capability.
- (7) When the building and facade design are compatible with the promotion of architectural elements as described in the Post Office Square Design Guidelines.
- (8) When a landscaped area, or small park, preferably including public seating, is located in the front yard setback.

REPLACE SUBSECTION 2466

Delete Subsection “2466. Building location” in its entirety and insert the following:

2466. Building location. In Business Districts A and C, single-family and two-family dwellings shall have a maximum yard setback of 20 feet from the property line. Other uses shall have a maximum front yard setback of 10 feet from the property line. In Business District A, any required front setback may only be used for landscaping, public seating, circulation, signage and drives, consistent with the Post Office Square Design Guidelines. The Planning Board, during site plan review, or the Board of Appeals, during special permit review, may increase the front yard setback if this is necessary to provide public area for pedestrian circulation and seating, and to ensure that criteria for site design as identified in the Design Guidelines for the Town Center Business District are achieved.

a. Minimum front setback from street side line:

Business District B:	10 feet
Business District D:	10 feet from the side line of Route I-95 and 50 feet from Old Post Road 100 feet from all other streets
Professional District A:	N/A
Professional District B:	40 feet

b. Minimum setback from side or rear lot lines:

Business Districts A, B and C:	20 feet from lot lines in any Residence District and 10 feet from all other lot lines.
Business District D:	100 feet from lots not within Business District D (setbacks from Route I-95 are considered as front setbacks as set forth above) and N/A from lots within Business District D.

Professional Districts: 20 feet from lot lines in any Residence District and 10 feet from all other lot lines District.

- c. In Business Districts A, C, and D and in the Professional District, minimum separation between buildings on the same lot is 10 feet, except no separation is required where two buildings are separated by a fire wall meeting the requirements of the Massachusetts State Building Code. In those districts, no separation is required where two buildings are separated by a fire wall and there is a multi-year development agreement between the two property owners and the building offers aesthetic value and architectural interest.

REPLACE SUBSECTION 2467

Delete Subsection "2467. Maximum building height" in its entirety and insert the following:

2467. Maximum building height.

- a. Building height shall be as defined in the Massachusetts Building Code. When height is expressed in stories and feet, the specified number of stories is allowed up to the maximum number of specified feet.
- b. Residential uses in Business Districts and the Professional District shall not exceed three stories or 40 feet.
- c. All other uses, including mixed-use buildings (with or without a residential component), shall not exceed the following limits:
 - (1) Professional Districts: three stories or 40 feet;
 - (2) Business Districts A and C: three stories or 45 feet. Accessories and architectural features extending above the roofline may not exceed a height of 50 feet;
 - (3) Business District B: four stories or 60 feet;
 - (4) Business District D:
 - (i) For hotels and residential buildings located within 350 feet of the west property line at Route I-95, six stories (excluding mezzanines as defined in the Massachusetts Building Code) or 90 feet; and further provided that the height of each story is limited to 15 feet.
 - (ii) For all other uses, four stories (excluding mezzanines as defined in the Massachusetts Building Code) or 60 feet; and further provided that the height of each story is limited to 24 feet for retail and theater use, to 16 feet for office use, and to 13 feet for all other uses.

REPLACE SUBSECTION 2468

Delete Subsection "2468. Additional requirements for Business District D" in its entirety and insert the

following:

2468. Additional requirements for Business District D.
- a. Maximum permitted Floor Area Ratio (FAR): 0.33 for a BUSINESS DISTRICT D DEVELOPMENT or for a lot not within a BUSINESS DISTRICT D DEVELOPMENT. A FAR limit is not applicable for lots within a BUSINESS DISTRICT D DEVELOPMENT.
 - b. The maximum permitted gross floor area for residential use shall not exceed 250,000 square feet for a BUSINESS DISTRICT D DEVELOPMENT or for a lot not within a BUSINESS DISTRICT D DEVELOPMENT and the maximum permitted gross floor area for residential, community service and commercial uses combined shall not exceed 750,000 square feet for a BUSINESS DISTRICT D DEVELOPMENT or for a lot not within a BUSINESS DISTRICT D DEVELOPMENT.
 - c. In Business District D, there shall be a "no-cut" line extending 50 feet from South Walpole Street. Existing trees shall be supplemented by in-planting with evergreen trees and shrubs to create a dense vegetative screen. A six-foot-high unfinished cedar board fence shall be placed approximately 40 feet off the street line to provide supplemental screening when considered appropriate by the Board of Appeals pursuant to Subsection 6320.

REVISE SUBSECTION 3111

Revise "3111. Number of parking spaces required" by replacing paragraph "a." Delete said paragraph which reads in part "a. Parking in excess of the minimum standards set forth within this Subsection 3111 shall be at the discretion of the Board of Appeals during its review of a site plan or special permit application, or the Planning Board during its review of a site plan application in Business District A. The minimum number of parking spaces required shall be as follows: (1) For religious and public educational institutions: one parking space per 600 square feet of gross floor area...(9) In Business District A, for any place of public assembly that utilizes seasonal outdoor seating, the additional seasonal outdoor space shall be exempt from parking requirements." and insert the following:

- a. Parking in excess of the minimum standards set forth within this Subsection 3111 shall be at the discretion of the Board of Appeals during its review of a site plan or special permit application, or the Planning Board during its review of a site plan application in Business District A. The minimum number of parking spaces required shall be as follows:
 - (1) For religious and public educational institutions: one parking space per 600 square feet of gross floor area.
 - (2) For other places of public assembly, such as for meetings, entertainment, recreation, adult education, service of food or beverages: one parking space per five fixed seats or 10 lineal feet of bench; or where no seats or benches are provided, one parking space per 20 square feet of floor area open to the public assembly.
 - (3) For bowling alleys: two parking spaces per bowling alley.

- (4) In Business District D:
- | | |
|----------------------------------|---|
| Hotel | 1 parking space per room or suite |
| Business and Professional Office | 4 parking spaces per 1,000 square feet of gross floor area. |
| Residential | 1.65 parking spaces per dwelling unit provided that the Zoning Board of Appeals may reduce the number of required parking spaces based upon finding that shared parking is available. |
- (5) For all other permitted nonresidential uses in Business District A: three parking spaces per 1,000 square feet of gross leasable area on the ground floor and 1 1/2 parking spaces per 1,000 square feet of such area on any additional floor.
- (6) For all other permitted nonresidential uses in Business Districts B, C and D and the Professional Districts: five parking spaces per 1,000 square feet of gross leasable area on the ground floor and three parking spaces per 1,000 square feet of such area on any additional floor.
- (7) For assisted-living residences in Professional District B: two parking spaces for every three units.
- (8) For residential uses excluding residential use in Business District D, there shall be one parking space per dwelling unit.
- (9) In Business District A, for any place of public assembly that utilizes seasonal outdoor seating, the additional seasonal outdoor space shall be exempt from parking requirements.

REVISE SUBSECTION 3112

Revise “3112. Location of parking” by adding a new paragraph “b” following paragraph “a” thereof and redesignating paragraphs “b” and “c” as paragraphs “c” and “d” respectively as follows:

- b. The provisions of paragraph a. notwithstanding, parking for a lot within Business District D that is not located within a BUSINESS DISTRICT D DEVELOPMENT shall be provided on the lot. Parking for a lot within Business District D that is located within a BUSINESS DISTRICT D DEVELOPMENT may be provided throughout the BUSINESS DISTRICT D DEVELOPMENT.

REPLACE SUBSECTION 4531

Delete Subsection “4531. Prohibited uses and activities” in its entirety and insert the following:

4531. Prohibited uses and activities. Within the Water Resources Protection Districts, the following uses and activities are specifically prohibited:

- a. Sanitary landfill or other disposal of solid waste;
- b. Motor vehicle salvage operations and junkyards;
- c. Municipal sewage treatment facilities (publicly owned treatment works), not including sewer lines, force mains, pump stations and other accessory sewer system equipment used to transport sewage;
- d. Sewage treatment plants, except as follows:
 - (1) In Business District D and in the Wastewater Overlay District, on-site wastewater treatment is permitted, provided that it is authorized by a groundwater discharge permit and a treatment works construction permit as set forth in Subsection 2329 and provided that the wastewater treatment plant does not accept industrial wastewater as defined in 310 CMR 15.004(5) or wastewater from a Health Care Center, hospice, or renal dialysis facility unless the Massachusetts Department of Environmental Protection or the Sharon Board of Health determines that the that the wastewater's constituents are substantially similar to sanitary sewage (310 CMR 15.002) and that adequate funding mechanisms are in place to provide for proper operation and maintenance and for monitoring and testing;
 - (2) In the Light Industrial District, on-site wastewater treatment for domestic wastewater and/or industrial wastewater, as defined in 310 CMR 15.004(5), may be permitted pursuant to Subsection 4532. d., provided that it is authorized by a groundwater discharge permit, a sewer extension permit, a sewer connection permit and/or other applicable permits from the Massachusetts Department of Environmental Protection and a treatment works construction permit and/or other applicable permits from the Sharon Board of Health, and further provided that adequate funding mechanisms are in place to provide for proper operation and maintenance and for monitoring and testing.
- e. Commercial car washes;
- f. Outdoor storage of road salt or other deicing chemicals;
- g. Any underground fuel storage or other storage tanks or collection pits, including any tanks or collection pits partially below mean ground elevation;
- h. Dumping of snow from outside the district;
- i. Commercial dry cleaning establishments;
- j. Commercial self-service laundries, unless connected to public sewerage;
- k. Commercial service and repair of airplanes, boats and motor vehicles, including body shops;
- l. Storage and/or sale of petroleum or other refined petroleum products, except within a building which it will heat or except in quantities reasonably associated with normal

- household use;
- m. Commercial plating, finishing or polishing of metals;
 - n. Chemical and bacteriological laboratories;
 - o. Storage of herbicides, pesticides or fertilizer, other than in amounts normally associated with household or agricultural uses;
 - p. The following activities if done commercially: cabinet or furniture making, painting, wood preserving, furniture stripping and refinishing, photographic processing and printing;
 - q. Electronic circuit assembly;
 - r. Hotels or motels, except that hotels located in Business District D and hotels and motels located in any district that are connected to public sewerage are not prohibited;
 - s. The removal of any earth, rock, soils, humus or mineral substance except as to the extent permitted by Chapter 141, Earth Removal, of the Town's General Bylaws.

REVISE SUBSECTION 5110

Revise Subsection "5110. Terms defined" by inserting a new definition "BUSINESS DISTRICT D DEVELOPMENT (BDDD)" following the definition of the term "BEDROOM" as follows:

BUSINESS DISTRICT D DEVELOPMENT (BDDD) — A project comprised of one or more contiguous lots of land within the Business District D with provisions as may be required for permanent easements running with the land, a master deed and condominium, or other mechanism acceptable to the Zoning Board of Appeals sufficient to ensure vital access and utility service to each lot. **2/3 VOTED DECLARED BY MODERATOR.**