

## WINCHENDON ZONING BYLAW AUDIT - PART 2

### Articles 7 - 13

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### Introduction

This memo summarizes the second part of the Winchendon Zoning Bylaw evaluation, Articles 7 through 13. The review process follows the Zoning Bylaw Table of Contents and provides commentary and recommendations for key provisions. Together with Part 1 of the evaluation (Articles 1 through 6), this “zoning audit” provides a framework for discussion with the Planning Board and town staff regarding the priorities for revisions to the zoning bylaw, zoning map, Planning Board Rules & Regulations, and Zoning Bylaw Appendices.

### Article 7: Site Considerations-Dimensional and Density Regulations

#### 7.1 Purpose

- The Purpose Statement is an unusual paragraph and difficult to follow. Consider revising or replacing it.

#### 7.2 Basic Requirements

- 7.2.1 – Regarding lot size and shape, this paragraph is confusing. There should be a diagram illustrating this requirement.
- 7.2.3 Principal Buildings – Allowing multiple buildings is an important provision and the standards here are reasonable. Many town are allowing multiple principal buildings as long as they meet the use regulations, density, setbacks, FAR, coverage and other dimensional and intensity standards. This gives property owners more flexibility to invest in their properties, particularly commercial and industrial properties.
- 7.2.4 – Revise title to “Special Exceptions for Height, Lot Area, and Frontage”
- 7.2.4.B – Allows flexibility in lot area and frontage for previously plotted parcels.
- 7.2.5 - Requires (C1), (C2) to have a 50 foot minimum buffer zone and 100 foot BZ for (I) zones that abut residential property with landscaping and screening requirements. It should be noted on Table 6.2.

#### 7.2 TABLE OF DIMENSIONAL & DENSITY REGULATIONS (Amended Nov. 8, 2007)

- There are no density provisions on Table 7.2 or in this section. There should be some basic density standards such as DU/MLS for each of the districts with addition provisions for PD. Article 11- Residential Development (RD) does have density provisions for different types of residential buildings but there is an opportunity for revisions to provide density and design standards for different forms of developments (i.e. OSRD, cottage courts, TND, and mixed use) and residential buildings types (see review of Article 11 below).

NOTES:

- NOTES: As an alternative to Notes this section could cover special exceptions and conditions for building height, lot size, frontage, mixed use, buffer zones, impervious surfaces, temporary or accessory buildings, and other variation of the dimensional standards on Table 7.2. New diagrams should illustrate the dimensional standards and variations allowed for in the notes.
- Note 1: Refers to impervious surfaces. Are pervious surfaces allowed and deducted from the impervious surface requirement? Figure reference should be 7.2.6.
- Note 2 and the different PDs on the table are confusing. The 3 types of Planned Developments should be clarified such as PD, PD2-MU1 (SF/2F), and PD3-MU2 (MF).
- Note 3 - This provides a density of 12 DUs/Acre which is probably not enough to make a mixed use project viable. 4.7.5.B - The 1.5 times the Min. Lot Size + 2,000/DU for Mixed Use is likely to be a significant deterrent to mixed use in the PD district.
- Note 4: Wetlands and Floodplains are separate overlay districts and should be identified separately on Table 6.2.
- Note 4: ZBA can allow the underlying dimensional standards to apply in the wetland and floodplain where sewer exists.
- Note 6 – Lots with 2 frontages have to meet the setback requirement on both sides.
- Note 7 - There appears to be some missing words in this paragraph.
- Note 8 – small temporary structures have reduced setbacks.
- Note 9 - In PD, MF/Townhouse lot width is reduced to 24 feet and the minimum lot area shall be 3600 square feet per dwelling unit as provided for in Section 4.7.4.B. All dimensional standards should be consolidated into Article 7.

7.3 Reduced Frontage Lots

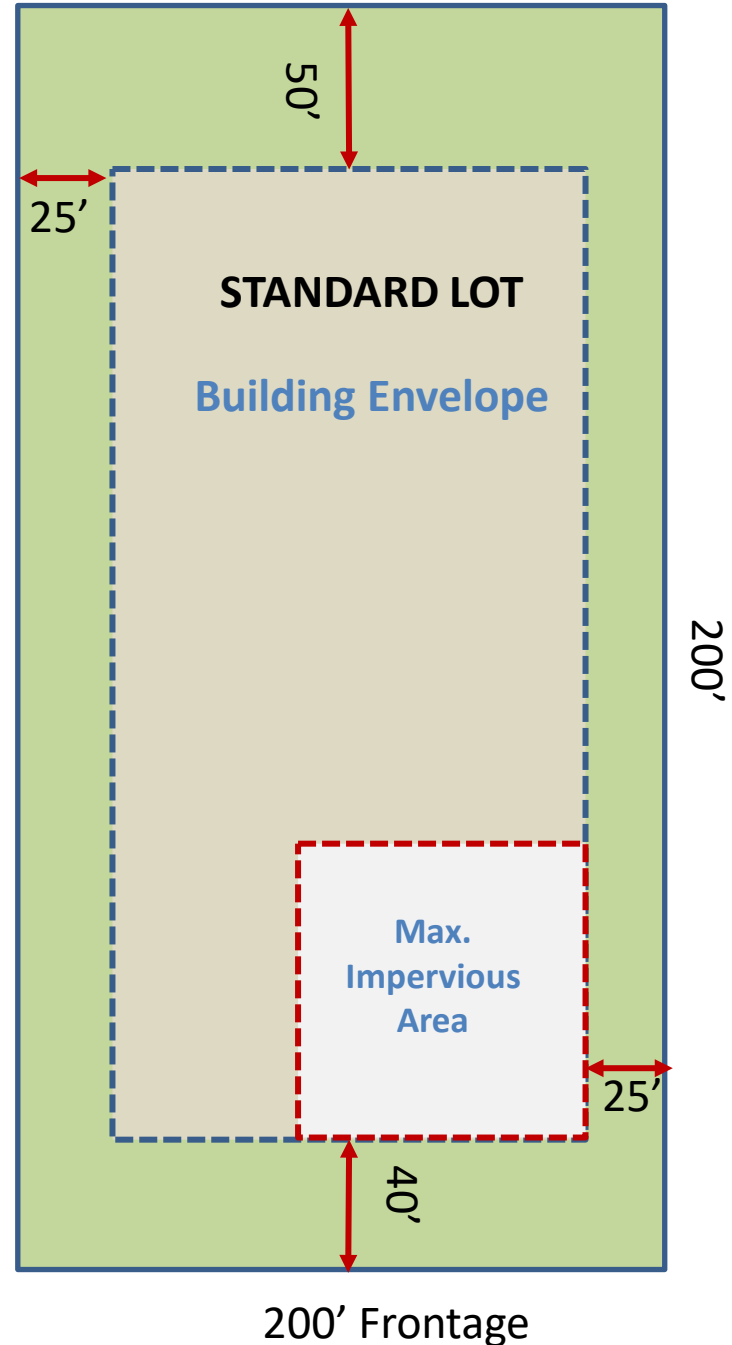
- 7.3.1. Purpose - The second paragraph should be titled “Criteria” . This requires that the reduced frontage lot can only have a SF house but if duplexes or MF are allowed in the zoning district they should be allowed here. The goal with these types of lots is to reduce the number of small streets and cul-de-sacs that are inefficient and become the town’s responsibility.
- 7.3.3.A - Figure A.7.3 is a diagram of a “porkchop lot” and should be revised for clarity.
- 7.3.3.A.8 – Rather than requiring twice the min. lot size, it should meet all the requirement setbacks and the House Circle diameter, or the required min. lot size not counting the pipestem and meeting all dimensional standards except frontage.
- 7.3.3.A.17 – This requires the “pipestem” to be no longer that a cul-de-sac in the subdivision regulations but it’s a private driveway serving a SF home, not a public street.



# WINCHENDON ZONING BYLAW AUDIT

## DIMENSIONAL STDS, LAND USE & DENSITY

Zoning District	Rural Residential (R-80)
<b>General Lot Standards and Notes</b>	
Minimum Lot Area (Sq. Ft.)	80,000
Frontage (Ft.) (Note 6)	200
Front Setback (Ft.) (Note 7, 8)	40
Side Setback (Ft.) (Note 7, 8)	25
Rear Setback (Ft.) (Note 7, 8)	50
Max. Structure Height (Floors)	2 1/2
Max. Man Made Structure Height (Ft.)	35'
Max Impervious Area as % of Lot (Note 1)	10%
<b>Effective Requirements (Based on Application of Gen. Req.)</b>	
Effective Lot Depth = M.L.S./Frontage	400 FT
Effective Building Envelope	46,500 SF
Effective Max. Lot Coverage by Bldgs/Parking	8,000
Effective Max. Buildings and Parking Footprint	90x90 FT
Effective Land Area Dedicated to Yard/Setback (SF)	33,500 FT
Effective Open Space Area (MLS - Max Lot Coverage)	72,000
Effective Open Space Area % of Total Lot Area	90%
Effective Floor Area Ratio (FAR)	0.25

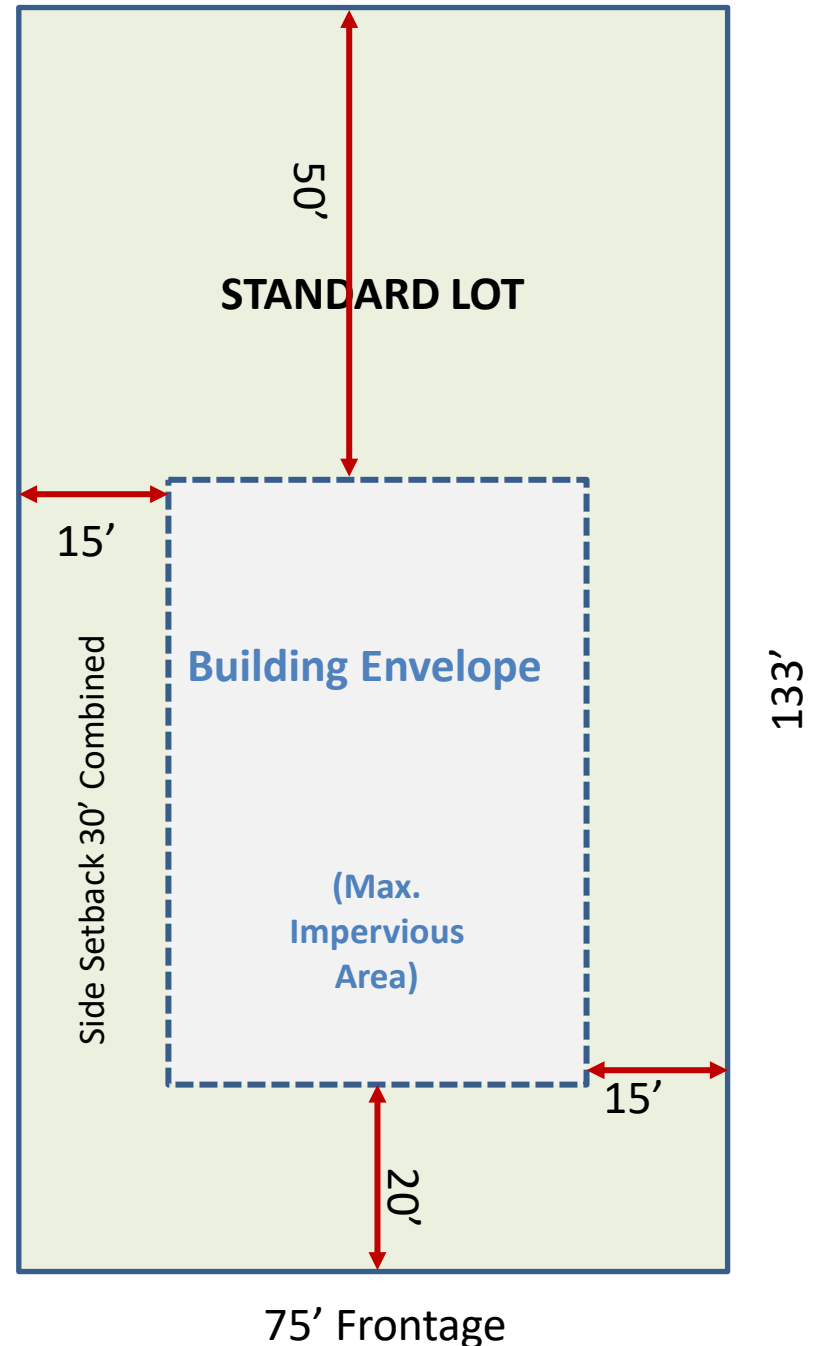


200' Frontage

# WINCHENDON ZONING BYLAW AUDIT

## DIMENSIONAL STDS, LAND USE & DENSITY

Zoning District	Planned Development (PD) - Other Residential
<b>General Lot Standards and Notes</b>	
Minimum Lot Area (Sq. Ft.)	10,000
Frontage (Ft.) (Note 6)	75
Front Setback (Ft.) (Note 7, 8)	20
Side Setback (Ft.) (Note 7, 8)	15
Rear Setback (Ft.) (Note 7, 8)	50
Max. Structure Height (Floors)	3
Max. Man Made Structure Height (Ft.)	45
Max Impervious Area as % of Lot (Note 1)	70%
<b>Effective Requirements (Based on Application of Gen. Req.)</b>	
Effective Lot Depth = M.L.S./Frontage	133
Effective Building Envelope	2,850
Effective Max. Lot Coverage by Bldgs/Parking	7,000
Effective Max. Buildings and Parking Footprint	84x84
Effective Land Area Dedicated to Yard/Setback (SF)	7,150
Effective Open Space Area (MLS - Max Lot Coverage)	3,000
Effective Open Space Area % of Total Lot Area	30%
Effective Floor Area Ratio (FAR)	1.75



**7.2 TABLE OF DIMENSIONAL & DENSITY REGULATIONS WITH ART. 11 - RESIDENTIAL DEVELOPMENT (RD) STANDARDS**

Zoning District	Minimum Lot Area (Sq. Ft.)	Frontage (Feet)	Front Setback (Feet)	Side Setback (Feet)	Rear Setback (Feet)	Maximum Structure Height (Floors)	Maximum Man Made Structure Height (Feet)	Maximum Impervious Area as % of Lot	Open Space Requirements (Sec. 11.4)	Residential Density (Sec. 11.10)	Max. DUs Per Building (Sec. 11.10.7)
R-80/Standard Lot	80,000	200	40	25	50	2 1/2	35'	10%	NA	NA	NA
R-80/Res. Development	7,500 SF/1st DU and 1,500 SF for each additional DU	50 Ft or 75 Ft for common driveways	5	5	5	2 1/2	35'	NA	50% of Dev. Tract of which 33% can be Wetlands	1 DUs/2 Acres	3 DUs/Res. Building (Triplex)
R-40/Standard Lot	40,000	150	40	25	50	2 1/2	35'	15%	NA	NA	NA
R-40/Res. Development	7,500 SF/1st DU and 1,500 SF for each additional DU	50 Ft or 75 Ft for common driveways	5	5	5	2 1/2	35'	NA	33% of the Dev. Tract of which 25% can be wetlands.	1 DU/Acre	3 DUs/Res. Building (Triplex)
R-10/Standard Lot	10,000	75	20	10	20	2 1/2	35'	25%	NA	NA	NA
R-10/Res. Development	3,750 SF/1st DU and 1,500 SF for each additional DU.	50 Ft or 75 Ft for common driveways	5	5	5	2 1/2	35'	NA	25% of the Dev. Tract of which 15% can be wetlands.	6 DUs/Acre (1 DU/7,620 SF)	PB-SP for MF Buildings without DU limits if doesn't exceed allowed density. (11.10.8)
C-1/Standard Lot	75,000	250	75	25	25	3	45'	45%	NA	NA	NA
C-2/Standard Lot	20,000	100	30	15	30	3	45'	45%	NA	NA	NA
C-2/Res. Development	7,500 SF/1st DU and 1,500 SF for each additional DU	50 Ft or 75 Ft for common driveways	5	5	5	3	45'	NA	50% of Dev. Tract of which 33% can be Wetlands	1 DUs/2 Acres	3 DUs/Res. Building (Triplex)
IND/Standard Lot	43,560	150	40	25	50	no	50'	No	NA	NA	NA
PD - Except Res./Standard Lot	5,000	75	5	0	0	3	45'	70%	NA	NA	NA
PD/Res. Development	3,750 SF/1st DU and 1,500 SF for each additional DU.	50 Ft or 75 Ft for common driveways	5	5	5	3	45'	NA	25% of the Dev. Tract of which 15% can be wetlands.	6 DUs/Acre (1 DU/7,620 SF)	PB-SP for MF Buildings without DU limits if doesn't exceed allowed density. (11.10.8)
PD - 1 & 2 Family Res./Standard Lot	10,000	75	20	20	20	2 1/2	35 feet	25%	NA	NA	NA
PD/Res. Development	3,750 SF/1st DU and 1,500 SF for each additional DU.	50 Ft or 75 Ft for common driveways	5	5	5	3	45'	NA	25% of the Dev. Tract of which 15% can be wetlands.	6 DUs/Acre (1 DU/7,620 SF)	PB-SP for MF Buildings without DU limits if doesn't exceed allowed density. (11.10.8)
PD - Other Res./Standard Lot	10,000 (Note 3, 9)	75 (Note 9)	20	Combined 30 feet (Note 4)	50	3	45 feet	70%	NA	NA	NA
PD/Res. Development	3,750 SF/1st DU and 1,500 SF for each additional DU.	50 Ft or 75 Ft for common driveways	5	5	5	3	45'	NA	25% of the Dev. Tract of which 15% can be wetlands.	6 DUs/Acre (1 DU/7,620 SF)	PB-SP for MF Buildings without DU limits if doesn't exceed allowed density. (11.10.8)

**OTHER RES. DEV. (RD) REQUIREMENTS**

Lot Size (11.12.2.1): PB may allow lesser MLS/DU in existing buildings.
Open Space (11.4): 2 acres of open space required on 10 acre + RD tracts not contiguous with existing playgrounds and parkland.
Open Space (11.5) Open space use is restricted to mostly conservation land and de-emphasizes assive and active recreational uses
Density (11.12.2.1): In R80/R40/C2 - MLS = 7,500 SF/1st DU and 1,500 SF for each additional DU; R10/PD = 3,750 SF/1st DU and 1,500 SF for each additional DU. PB may allow lesser MLS/DU in existing bldgs.
DUs/Bldg (11.12.5) PB-SP required for MF buildings with > 5 DUs and requires basic design, orientation, and placement standards.

## Article 8: Traffic, Parking and Circulation Regulations

### 8.1 General Requirements

- This whole section should be reorganized and updated. The amount of parking required to be first followed by parking reduction methods, placement, and design standards

### 8.2 Parking Location

- 8.2 - This sentence and the paragraph below should be titled “Parking Placement”
- 8.2 - The correct reference is EXAMPLE A.8.2 which includes a table with shared parking ratios and an example scenario. In recent years, both ULI and ITE have put out publications with formulas for off-street parking requirements and shared parking standards for different land uses. The SmartCode also has a shared parking table. This should be included in this section of the bylaw.
- 8.2.1 – Shared parking standards should follow the basic parking ratio requirements which should be in a table in the section. Otherwise, these are reasonable standards.
- 8.2.1.A-F – The additional standards for shared parking are reasonable.
- 8.2.1.C – This requirement should be revised to say that parking spaces should be no more than 500 feet from the nearest entrance. Typically, the distance would allow more distance, such as 600-750 feet
- 8.2.3 – Good on-street parking provisions.

### 8.3 Number of Parking Spaces Required

- 8.3.1 - Requiring PB approval for 10% increase in required spaces is a good standard. Typically, there is too much underutilized parking on many commercial developments which is a wasted economic opportunity for new buildings, businesses and tax revenue. The required on-site parking requirements should not be excessive and follow the latest standards from ULI and ITE.
- 8.3.1 – The table of required parking spaces should be included in the Zoning Bylaw and not the Appendices. The reference is to the ITE parking generation table, 2nd generation but the 5th generation is now available and should be applied here.

### 8.4 Size and Number of Spaces

- 8.4 – This section should be titled “Parking Placement and Dimensional Standards. The tables referred to in the appendices should be included in the bylaw, or some other alternative. There should be standards for the placement of parking on the lot, particularly for walkable districts like the PD district.
- 8.4.1 - The first sentence is out of context and should be removed. The title of this should be “Compact Car Standards”.
- 8.4.1.A – This provision is out of context. It belongs in Section 8.5 – Design Requirements and Figure A.8.5.1 is out of date and the diagram should be upgraded. Parking design diagrams should be located directly in the zoning bylaw and not in the appendices.
- 8.4.2 – A handicapped parking diagram should be provided.
- New standards should be provided for electric vehicle parking.



Table 8.3 INSTITUTE FOR TRANSPORTATION ENGINEERS (ITE) HANDBOOK – PARKING GUIDELINES

Table 14–2 ITE Parking Generation Rates

Use	Unit	Period	Peak Accumulation <sup>a</sup> (85% tile)	Spaces per Unit (Recommended Ratio <sup>b</sup> )
Commercial Airport	Enplaning passengers	Weekday	0.64	0.70
	Enplaning passengers	Saturday	1.48	1.62
	Enplaning passengers	Sunday	2.05	2.26
Light Industry	100 sq m (1,000 sq ft) GLA	Weekday	2.61(2.43)	2.87(2.67)
	Employee		1.00 <sup>c</sup>	1.10
Industrial Park	100 sq m (1,000 sq ft) GLA	Weekday	2.27(2.11)	2.50(2.32)
	Employee	Weekday	0.80	0.88
Manufacturing	100 sq m (1,000 sq ft) GLA	Weekday	2.45(2.28)	2.70(2.51)
	Employee	Weekday	1.00 <sup>c</sup>	1.10
Low-Rise Apartment	Dwelling unit	Weekday	1.38	1.52
		Saturday	1.53	1.68
High-Rise Apartment (central area)	Dwelling unit	Weekday	0.59	0.65
		Weekday	1.41	1.55
Residential Condominium	Dwelling unit	Saturday	1.23	1.35
Convention Hotel	Room	Weekday	1.10	1.21
Motel with Restaurant/Lounge	Rooms	Weekday	1.49	1.64
Movie Theater	Seats	Weekday	0.30	0.33
		Saturday	0.37	0.41
Sports Club/Health Spa Church/Synagogue	100 sq m (1,000 sq ft) GLA Attendees	Weekday	6.86(6.37)	7.55(7.01)
		Sunday	0.62	0.68
Hospital Medical-Dental Clinic/Office	100 sq m (1,000 sq ft) GLA 1	Weekday	2.48	2.73
		Weekday	5.92(5.50)	6.51(6.05)
General Offices Building	100 sq m (1,000 sq ft) GLA Employees	Weekday	3.23(3.00) <sup>d</sup>	3.55(3.30)
		Weekday	0.93	1.02
Office Park	100 sq m (1,000 sq ft) GLA	Weekday	3.53(3.28)	3.55(3.30)
Hardware/Paint/Home Improvement Store	100 sq m (1,000 sq ft) GLA	Weekday	3.48(3.23)	3.82(3.55)
		Saturday	4.51(4.19)	4.96(4.61)
Shopping Center	100 sq m (1,000 sq ft) GLA	Weekday	4.77(4.43)	5.24(4.87)
		Saturday	5.49(5.10)	6.04(5.61)
Quality Restaurant	100 sq m (1,000 sq ft) GLA	Weekday	18.73(17.40)	20.60(19.14)
		Saturday	21.65(20.11)	23.81(22.12)
Family Restaurant	100 sq m (1,000 sq ft) GLA Seats	Weekday	0.54	0.59
		Saturday	0.61	0.67
Fast Food Restaurant (without drive-in window)	100 sq m (1,000 sq ft) GLA Seats	Weekday	12.00(11.15)	13.20(12.26)
		Weekday	0.42	0.46
Bank—with drive-in & walk-in facilities	100 sq m (1,000 sq ft) GLA	Weekday	14.27(15.36)	15.70(16.90)
		Weekday	0.77	0.85
Fast Food Restaurant (with drive-in window)	100 sq m (1,000 sq ft) GLA Seats	Weekday	5.88(5.47)	6.48(6.02)
		Weekday	14.38(13.36)	15.83(14.70)
		Weekday	0.70	0.77

<sup>a</sup> Average rate plus one standard deviation. Transportation Engineers, *Parking Generation*, 2nd Edition.

<sup>b</sup> Ten percent effective supply factor. May not be needed in all cases (i.e., residential).

<sup>c</sup> Adjusted to 1.00 space/employee.

<sup>d</sup> Adjusted to 3.00 spaces/1,000 sq ft of building area.

Source: Weant & Levinson, *Parking*.

The current parking requirements in the Appendices are an incomplete list of uses and ITE parking rates from a 2008 study. The ITE parking rates are also from a previous edition

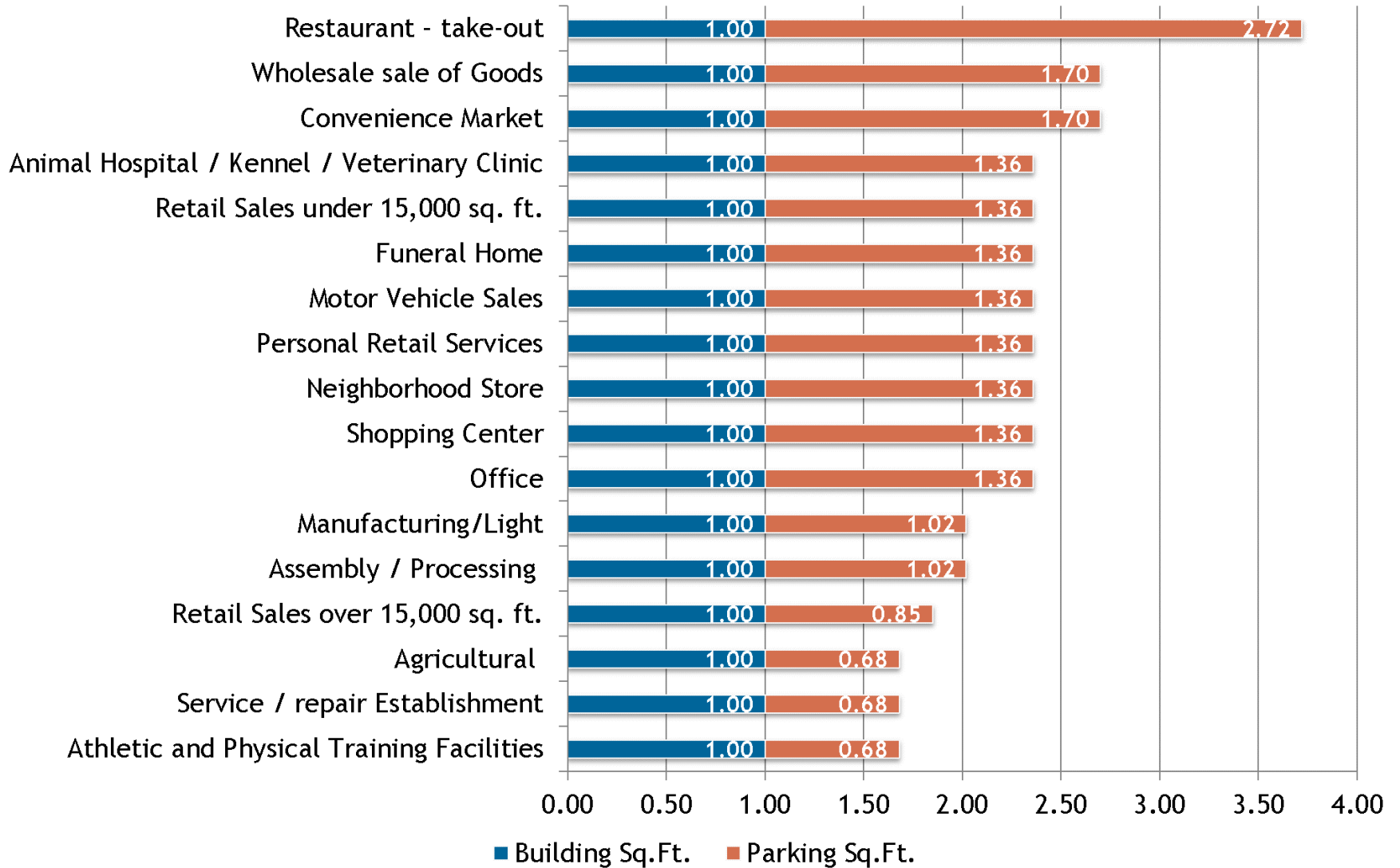


ITE Parking Requirements 4th Edition Compared to Winchendon Zoning Bylaw				
Use	Amount of Use	Winchendon Parking Std	ITE Rates	Above/Below
SF Home/Duplex	1 Unit	2 spaces	1.83 spaces	Above
Accessory Dwelling Unit	All Bedrooms	2 space	1.23 spaces	Above
Multi-Family Units	1 unit	1.52 spaces	1.23 spaces	Above
Lodging House, Motel or Hotel	1 Room	1.21 spaces	1.2 spaces	Same
Retail	1,000 GFA	3.55 spaces	2.14 spaces	Above
Medical offices and clinics	1 doctor	6.51 spaces	3.2 spaces	-
General office building	1,000 GFA	3.55 spaces	2.84 spaces	Above
Wholesale Establishment	500 SF	NA	2.3 spaces	UND
Manufacturing or industrial establishment	1000 sf	2.7 space	1.02 spaces	Above
Auditorium, theater, church, or other place of assemblage	Per seat	.68 spaces	0.2 spaces	Above
Public housing for elderly	1 unit	NA	0.59 spaces	UND
School (junior or elementary)	1 classroom	2 spaces	0.17 per student	-
School (high)	1 classroom	UND	0.09 per student	UND
	Assembly area	UND	-	UND
Community facility	300 SF	UND	0.96 spaces	UND
	Assembly area	UND	-	UND
Restaurants, night clubs or eating places	3 seats	UND	1.47 spaces	UND
	1000 sf	20.6 spaces	UND	Above
Bowling alley	1 lane	UND	3.13 spaces	UND
Barber shop, beauty parlor	1 chair	UND	UND	UND
	2 Employees	UND	UND	UND
Self service dry cleaners and self service laundries	2 machines	UND	1.4 per GFA	UND
Gasoline and service stations	1 service bay	UND	0.75 spaces	UND
Hospitals, extended care facilities or homes	1 Bed	2 spaces	3.47 spaces	Below
Day-care facility for children	1 FTE or equivalent	UND	1.38 spaces	UND
	300 SF classroom	UND	0.95 spaces	UND
Bed-and-breakfast	1 Bedroom	UND	1.2 spaces	UND
	Owner Occupant	UND	1.83 spaces	UND

Winchendon Zoning Bylaw applies the ITE Parking Generate Rates, Edition 2 from 2005

# WINCHENDON ZONING BYLAW AUDIT

## 8. PARKING REQUIREMENTS



This diagram shows the relationship of building S.F. to parking S.F. under different uses. Generally, the lot coverage is approximately 1.5 x Building S.F. with on-site parking provided.

## 8.5 Design Requirements

- 8.5.1 – The reference to Figure A.8.2 is incorrect and A.8.5 is dated and should be replaced. It should reference A.8.5.1 which is also dated and updated. All diagrams should be located in the zoning bylaw.
- 8.5.2 – Does DPW have separate access and parking design standards or are they in the subdivision and site plan regulations?
- 8.5.4 – Better pervious pavers and other LID parking applications and standards should be provided.
- 8.5.6 – The town should consider different lighting levels for different types of uses.
- 8.5.6 – Parking lot landscape requirements should be expanded to specify canopy trees along the street and interior areas, and evergreen trees where buffers and screening is needed. Diagrams should be provided to illustrate the requirements.

## 8.6 Loading and Unloading Requirements

- 8.6 There should be design standards for the access and placement of loading areas.

## 8.7 Stacking Regulations for Drive-Up and Drive-Through Lines

- 8.7 – Placement standards are needed for drive thru/drive up facilities especially in pedestrian oriented districts such as PD.
- 8.7.1 – This section is for a drive up/drive thru facility but the diagrams is for gas station pumps. New diagrams should be provided.

## 8.8 Driveway Standards

- 8.2 - There should be written standards provide within this section or referred to. Curb cut design, curb extensions, shared access, sidewalk cuts, and number of curbcuts should be addressed in this section.

## 8.9 Other Means of Access

- Additional standards are needed for bicycle parking, electric vehicle/charging station parking, pedestrian access from public sidewalks and from the parking lot to the entrance.

# Article 9: Signs

## 9.1. Purpose

- 9.1 - The purpose statement rambles and is repetitive. It should be condensed.
- 9.1.3 - Under Purpose Statement, recent case law limits the control that local governments have over “their message” or content. Location, appearance, condition is fine.
- 9.1.5 - This section references Figure A.9.1 which is a diagram showing a variety of signs in the Appendices The diagram should be updated.

## 9.2. General Provisions

- 9.2.1 - Figure A.9.2 – Preferred and Avoided Signs is referenced in this section but is out of context as it. It should be relocated to 9.1 – Purpose. Or included in the text as “Character Examples”
- I would like to know what the Building Commission’s experience has been with these sign bylaws in terms of requested variances, permitting and enforcement.
- 9.2.1.F Commercial Messages – This indicated that the information on the sign must pertain to location that it’s on unless otherwise permitted. Are off site signs permitted?

### 9.3. Temporary Signs

- 9.3.3.E Portable Signs refers to Appendix A.9.1 which illustrated a portable sign which looks like a sandwich board or A-frame sign for a businesses. There should be a distinction for sandwich board signs and standards for placement (on site or sidewalk), size, hours, etc.

### 9.4. Signs Prohibited in all Zones

- 9.5.1 - Roof signs can be attractively located below the peak with good design standards. They are common on older buildings that have been repurposed for commercial use.
- 9.5.8 – Signs painted directly on a building is not permitted but this is a common form of sign including murals which can be attractively done with good design standards.
- 9.5.10 It is unclear in this section if signs above the public ROW (projecting or blade signs) are permitted. These type of signs are very attractive and critical for a pedestrian oriented district like Town Center as they allow walkers and drivers to see businesses ahead of them.

### 9.5. Specifications Applying to all Signs

- 9.6.1 Projecting signs need to be defined. This provides the min/max height but not the projection off the building, SF, light source, materials, etc.
- 9.6.3 Sign Spacing Requirements – This section identifies ground, pole, and projecting sign but there are no definitions of these types of signs. Other signs that can be attractive are monument signs, window signs, marquees, neon, painted wall signs and murals, directory signs, etc. Diagrams of different signs would be helpful.
- 9.6.3 Sign Spacing Requirements – projecting signs have to be 50 feet apart which could be difficult in a pedestrian oriented district where storefronts tend to be narrow. Maybe change this to 1 projecting sign per storefront.
- 9.6.6 Regarding reflective colored sign, I’m not sure what is required here or the purpose of it. Example A.9.6.6 in the Appendices is also unclear and confusing.
- 9.6.7. Neon signs – This provision and Example A.9.6.7 in the Appendices appear to require neon signs to ½ of the permitted size. As an alternative, design standards should be created to ensure quality. Placement of neon in right context is quite attractive and was very prevalent in the first half of the 1900s
- 9.6.12 – Window signs are typically measured as a percentage of the window and door area such as 30%.

### 9.6. Off Premise Directional Signs

- 9.8.F Regarding off premises directory signs, they appear to be allowed within a street ROW, 32 SF, and within 50 feet of an intersection. This is unusual. How have these off premises signs worked in the community?

### 9.7. Signs in Residential Zones

- 9.9.C. Wall signs, ground signs, pole signs, projecting signs, and hanging signs should all be defined and supplemented with a diagram and character example photo.
- 9.9.E Subdivision Signs should be defined. They are similar to Monument Signs which are common in business parks. They should be permitted and with design standards provided.

### 9.8. Signs Allowed in the C-2 & PD Districts

- C-2 is the Neighborhood Comm. District and PD is the Planned Development District which covers the Town Center.
- As a pedestrian oriented district, the emphasis should be on projecting signs and wall signs. While the ground signs are generous at 32 SF per sign face (2 signs allowed), the SF maximum on individual walls signs to 8 SF under 9.10.2 is very limiting and the projecting sign limit of 6 SF under 9.10.2 is limiting as well. In addition to these signs, window signs, door signs, murals/painted signs, sandwich board signs, marquee signs, directory signs, and awning signs all contribute to a vibrant walking environment.

### 9.11 Signs Allowed in C-1 & I Districts

- Monument signs should be permitted and encouraged in the C-1 and I district. Also, a business park entry sign should also be defined and permitted in these districts similar to the residential subdivision sign.
- 9.11.3 Pole sign standards – This is a reasonable standard, but the provisions are somewhat confusing as is Example A.9.11 in the Appendices and cited here. This section should include a diagram illustrating how the signage is applied.

## **Article 10: Soil, Vegetation, Rock and Gravel Removal**

### 10.3 Application for Soil, Vegetation, Rock and Gravel Removal

- This subsection could be relocated to the Planning Board Rules and Regulations.

### 10.4 Plan Distribution

- This subsection could be relocated to the Planning Board Rules and Regulations.

## **Article 11: Residential Development**

- Residential Development is not refined in the Zoning Bylaw. Does it cover anything from a SF home to a large subdivision or MF projects? Or is intended to facilitate OSRD cluster development? This needs to be clarified.

### 11.1 Purpose

- The purpose statements are not numbered, and they are repetitive. Should be revised to feature housing flexibility, housing diversity, sustainable and efficient development patterns.

### 11.3 Exceptions

- 11.3.1 Existing Lots – This paragraph is very confusing and should be rewritten.

#### 11.4 Open Space Requirements

- 11.4.1.1 - This paragraph is confusing but appears to require 2 acres of open space not contiguous with existing playgrounds and parkland on larger RD tracts of 10 acres or more. Not sure what the purpose of this requirement is.
- 11.4.1.3 This provision requires RDs in the R80 and C2 zoning districts to provide 50% open space which is a lot. The first sentence also says that natural constraints/resources including wetlands can not be counted as open space. In the next sentence it says that wetland related areas can make up 33% of open space.
- 11.4.1.4 This provision says that 33% of the tract has to be in open space including 25% wetlands in the R40 district.
- 11.4.1.5 - This provision says that 25% of the tract has to be in open space including 15% wetlands in the R10 and PD district.

#### 11.5 Use of the Dedicated Open Space

- 11.5 indicated that open space can be used for agriculture, conservation, commercial forestry, stormwater management systems, and recreation. However, it doesn't require that a percentage of the open space be in passive and/or active use to the benefit of the residents and possibly to the public. This revision should be made for specific types of active and passive opens spaces defined and including design standards.
- 11.5.5. restricts recreational open space to tracts of more than 10 acres and a special permit from the PB. This should be changed to allow active and passive recreation such as parks, pocket parks, ball courts, picnic pavilion, ballfields, pools, trails, playgrounds, certain indoor recreational facilities, etc. that benefit the resident of the RD, and could also be accessible to the public. Design standards should also be provided for the different types of recreational open space.

#### 11.6 Restrictions on the Use of Dedicated Open Space

- 11.6 These restrictions on the use of dedicated open space is really focused on conservation and preservation. Open space in this bylaw is not intended for passive or active recreational application which is a mistake in my opinion.

#### 11.7 Specific Uses Allowed in the Dedicated Open Space

#### 11.8 Improvements that may be allowed by Special Permit

#### 11.9 Legal Protection Requirements

- 11.9 These provisions allow for open space to be conveyed to the town or a non-profit organization for protection from development which is a common practice.

#### 11.10 Maximum Number of Dwelling Units

- This section defined the density for different zoning districts in a Residential District: In R80/C2 1 DUs/2 Acres; R40 = 1 DU/Acre; R10/PD = 6 DUs/Acre (1 DU/7,620 SF). This is actually higher than the min. lot size per DU by zoning district on Table 7.2.

- 11.10.7 This provision limits MF buildings to 3 DUs max (triplex) in the R80, R40, and C2 zoning districts which doesn't provide much flexibility in creating diversity in the housing stock.
- 11.10.8 - This provision allows the PB to grant special permits for MF buildings without limits of DUs in the R10 and PD as long as it doesn't exceed the allowed density per zone. However, the density is generally low in each district so special permits would only provide limited additional opportunity.

#### 11.11 Development Procedures

- Have there been many Residential Developments permitted and built under this bylaw, and in which districts?

#### 11.12 Design Standards

- 11.12.5 - This section allows MF with water and sewer and a special permit for MF buildings with more than 5 DUs with basic design, orientation, and placement standards.
- 11.12.16-10 includes design standards for connected sidewalks and trails, 2 parking spaces per DU in R10 and PD and 3 spaces per DU in other districts. It also allows for common driveways, and 1 curb cut per lot.
- 11.12.2.1 Lot Requirements: In R80/R40/C2 - MLS = 7,500 SF/1st DU and 1,500 SF for each additional DU; R10/PD = 3,750 SF/1st DU and 1,500 SF for each additional DU. PB may allow lesser MLS/DU in existing buildings.
- 11.12.13 Min. Front, Side, Rear Setbacks are 5 feet; Min. Frontage is 50 feet or 75 Feet frontage for common driveways. Max Height = Table 7.2
- There may be some conflicts or inconsistencies between the RD design standards in Section 11.12 and the parking requirements in Article 8, dimensional standards on Table 7.2, and density standards in the Table 7.2 notes.

## Article 12: Site Plan Review

### 12.1 Purpose

- This is an unusual description for a zoning bylaw and should be relocated to the PB Rules and Regulations.
- This section references Appendix C – Review Process Flowchart; D – Site Plan Checklist; and E – Additional Site Plan Characteristics.

### 12.2 Projects Requiring Site Plan Review

- Is all Site Plan Review subject to Planning Board approval, or are there certain minor expansions or change if uses that can be approved administratively by the Planning Agent/Zoning Administrator or building commissioner?
- 12.2.1.A. Is site plan review actually required for exterior alternations for any type of building except 1 and 2 family homes?
- 12.2.1.B – Wouldn't all MF buildings be subject to site plan review? This is a very confusing paragraph.
- The waiver provision at the end of this section should be codified as 12.2.2

### 12.3 Exemptions from Site Plan Review



- 12.3.1.A Shouldn't accessory buildings 500 SF+ be permitted separately from SF homes and Duplexes?
- 12.3.1.D – This section references “town inspector” but other sections reference Planning Agent and Building Commissioner. The Bylaw should be consistent with personnel titles and responsibilities.

#### 12.4 Required Submittals

- 12.4.2.B. – This section refers to required submittals and the PB Rules & Regulations. How do the Rules & Regs relate to the Appendices which are primarily design guidelines? Section 4 of the Rules & Regs in Design Standards for Site Plan Review. The Appendices should probably be integrated into this section.

#### 12.6 Site Plan Evaluation

- 12.6.1.D. Adequacy of Landscaping and Screening – There are no landscaping requirements in the Zoning Bylaw to provide a standard for sufficient landscaping. Also, landscaping should not only screen parking and utilities but enhance the street frontage.
- 12.6.1.F. There are no lighting standards in the Zoning Bylaw to determine if the site plan is minimizing light pollution and intrusion.

#### 12.7 Planning Board Regulations

- This section should reference the already adopted PB Rules & Regulations and indicated that it may be revised and edited from time to time.

### **Article 13: Administration, Enforcement and Amendment**

#### 13.7 Scheduled Development

- Are these Phased Growth requirements still in effect? If not, it should be removed.

#### 13.8 Penalties

#### 13.9 Amendment

#### 13.10 Planning Board Associate Member